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PROCEEDINGS AND DEBATES OF THE 83d CONGRESS, SECOND SESSION

SENATE

THURSDAY, AUGUST 19, 1954

(Legislative day of Thursday, August 5, 1954)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

Rev. Russell Cartwright Stroup, D. D., minister, Georgetown Presbyterian Church, Washington, D. C., offered the following prayer:

Our Father, we thank Thee that we are free men in a free land. Grant, we beseech Thee, that this noble body, the Senate of the United States, may ever be the guardian of that liberty which is our most precious heritage.

May every action done this day be truly deliberative, unhurried, and unhampered by tension or fear.

May they with all of us be controlled by the deep conviction that while freedom is a hard way and a dangerous way, it is the only way which leads to the fulfillment of the vision of those who by Thy guidance established this Nation and bequeathed to us, their children, the inalienable rights which we enjoy. In mercy hear our prayer and bless our land, we humbly pray. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, August 18, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTIONS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolutions:

On August 13, 1954:

S. 65. An act for the relief of Joseph Flury Paluy;

S. 120. An act for the relief of Gerasimos Giannatos;

S. 233. An act for the relief of Jeno Cseplo;

S. 354. An act for the relief of Inger Larsson;

S. 384. An act for the relief of Robert H. Webster;

S. 447. An act for the relief of Vasiliki Tountas (nee Vasiliki Georgion Karoumbali);

S. 670. An act for the relief of John Doyle Moclair;

S. 771. An act for the relief of Anni Wolf and her minor son;

S. 810. An act for the relief of Jan E. Tomczycki;

S. 914. An act for the relief of Mark Vainer;

S. 946. An act for the relief of Mona Lisbet Kofoed Nicolaisen, Leif Martin Borglum Nicolaisen, and Ian Alan Kofoed Nicolaisen;

S. 974. An act for the relief of certain Chinese children;

S. 992. An act for the relief of Apostolos Savvas Vassiliadis;

S. 1158. An act for the relief of Stayka Petrovich (Stajka Petrovic);

S. 1165. An act for the relief of Paul E. Rocke;

S. 1212. An act for the relief of Alice Masaryk;

S. 1216. An act for the relief of Karl L. von Schlieder;

S. 1321. An act for the relief of Michajlo Dzieczko;

S. 1520. An act for the relief of Andre Styka;

S. 1600. An act for the relief of Esther Saporta;

S. 1609. An act for the relief of Mrs. Robert Lee Slaughter, nee Elisa Ortiz Orat;

S. 1615. An act for the relief of Lt. Col. George F. Price;

S. 1634. An act for the relief of Alton Bramer;

S. 1702. An act for the relief of Emilia Pavan;

S. 1757. An act for the relief of Clair F. Bowman;

S. 1798. An act for the relief of Charles Peroulas;

S. 1858. An act for the relief of Sister Antonella Marie Gutterres (Thereza Maria Gutterres);

S. 1883. An act for the relief of Dr. Takeo Takano;

S. 1889. An act for the relief of Margot Goldschmidt;

S. 1902. An act for the relief of Theresa Elizabeth Leventer;

S. 1925. An act for the relief of Lt. Col. Carl E. Welchner, United States Air Force;

S. 1940. An act for the relief of Michela Aurucci;

S. 2067. An act for the relief of Anthony Benito Estella, Natividad Estella, Antonio Juan Estella, and Virginia Araceli Estella;

S. 2027. An act authorizing the Secretary of the Interior to issue quitclaim deeds to the States for certain lands;

S. 2176. An act for the relief of Maly Braunstein and Aurelia Rappaport;

S. 2204. An act to provide that United States commissioners who are required to devote full time to the duties of the office may be allowed their necessary office expenses;

S. 2210. An act for the relief of Frank (Franz) Homolka, Olga Homolka (nee Mandel), Adolf Homolka, Helga Maria Homolka, and Frieda Homolka;

S. 2214. An act for the relief of Peter James Copses, Beatrice Copses, Victoria Copses, and James Peter Copses;

S. 2222. An act for the relief of Lucia Mezilgoglou;

S. 2240. An act for the relief of Mrs. Carl Debratz;

S. 2257. An act for the relief of Luigi Giechinelli;

S. 2295. An act for the relief of Irma Mueller Koehler Cobban;

S. 2411. An act for the relief of Ruth Berndt;

S. 2448. An act for the relief of Frantisek Vyborny;

S. 2453. An act to amend the Communications Act of 1934, as amended, with respect to implementing the International Convention for the Safety of Life at Sea relating to radio equipment and radio operators on board ship;

S. 2469. An act for the relief of Francisco Vasquez-Dopazo (Frank Vasquez);

S. 2493. An act for the relief of Ingeborg Bogner Johnson;

S. 2504. An act for the relief of Elisa Albertina Cioccio Rigazzi or Elisa Cioccio;

S. 2512. An act for the relief of Jeannette Kalker and Abraham Benjamin Kalker;

S. 2542. An act for the relief of Glicerio M. Ebuna;

S. 2607. An act for the relief of Faustine Achaval Aldecoa and his wife, Carmen Achaval (nee Cortabitarte);

S. 2635. An act for the relief of Nadeem Tannous and Mrs. Jamile Tannous;

S. 2745. An act to provide for the termination of Federal supervision over the property of the Klamath Tribe of Indians located in the State of Oregon and the individual members thereof, and for other purposes;

S. 2746. An act to provide for the termination of Federal supervision over the property of certain tribes and bands of Indians located in western Oregon and the individual members thereof, and for other purposes;

S. 2823. An act for the relief of Joseph H. Hedmark, Jr.;

S. 3062. An act for the relief of the American Surety Co. of New York, and certain other surety companies;

S. 3126. An act for the relief of Waltraut Claassen;

S. 3306. An act for the relief of Kang Chay Won;

S. 3344. An act to amend the mineral leasing laws and the mining laws to provide for multiple mineral development of the same tracts of the public lands, and for other purposes;

S. 3433. An act for the relief of Andreja Glusic;

S. 3464. An act to amend the Communications Act of 1934 in order to make certain provision for the carrying out of the agreement for the Promotion of Safety on the Great Lakes by Means of Radio;

S. 3514. An act for the relief of Mrs. Oveida Mohrke and her son, Gerard Mohrke;

S. 3697. An act to amend the act of April 6, 1937, as amended, to include cooperation with the Governments of Canada or Mexico or local Canadian or Mexican authorities for the control of incipient or emergency outbreaks of insect pests or plant diseases;

S. J. Res. 67. Joint resolution to repeal certain World War II laws relating to return of fishing vessels, and for other purposes; and

S. J. Res. 149. Joint resolution designating the month of September 1955 as John Marshall Bicentennial Month, and creating a commission to supervise and direct the observance of such month.

On August 16, 1954:

S. 53. An act for the relief of Lewis Roland Edwards;

S. 431. An act for the relief of Joseph Di Pasquale;

S. 997. An act for the relief of Chuan Hua Lowe and his wife;

S. 1434. An act for the relief of William B. Baker and Don P. Fankhauser;

S. 1585. An act to amend the District of Columbia Traffic Act, 1925, as amended;

S. 2135. An act for the relief of Fernando A. Rubio, Jr.;

S. 2287. An act for the relief of George Scheer, Magda Scheer, Marie Scheer, Thomas Scheer, and Judith Scheer;

S. 2340. An act for the relief of Alphonsus Devlin;

S. 2389. An act to amend the act of December 3, 1942;

S. 2455. An act for the relief of Mrs. S. Eugene Lamb;

S. 2594. An act for the relief of Paolino Berchielli, his wife, Leda, and daughter, Alba; and

S. 3506. An act to repeal the act approved September 25, 1914, and to amend the act approved June 12, 1934, both relating to alley dwellings in the District of Columbia.

On August 17, 1954:

S. 3137. An act to make the provisions of the act of August 28, 1937, relating to the conservation of water resources in the arid and semiarid areas of the United States, applicable to the entire United States, and to increase and revise the limitation on aid available under the provisions of the said act, and for other purposes; and

S. 3681. An act to authorize the Civil Service Commission to make available group life insurance for civilian officers and employees in the Federal service, and for other purposes.

On August 18, 1954:

S. 231. An act for the relief of Otmar Sprah;

S. 1795. An act for the relief of Fred and Bernice Ehlers;

S. 2363. An act for the relief of Dr. Mien Fa Tchou and his wife, Li Hoei Ming Tchou;

S. 2510. An act for the relief of Paul Lewerenz and Margareta Ehrhard Lewerenz; and

S. 2798. An act for the relief of Azizollah Azordegan.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Maurer, its reading clerk, announced that the House had passed the bill (S. 2074) for the relief of certain Basque sheepherders, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H. R. 9120) to authorize the Postmaster General to provide for the use in first- and second-class post offices of a special canceling stamp, or postmarking die, bearing the words "Pray for peace," in which it requested the concurrence of the Senate.

ENROLLED BILLS AND A JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and a joint resolution, and they were signed by the Vice President:

S. 45. An act for the relief of Mrs. Merle Cappeller Weyel;

S. 46. An act for the relief of E. S. Berney;

S. 417. An act conferring jurisdiction upon the United States District Court for the District of New Mexico, to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande;

S. 555. An act for the relief of Charles W. Gallagher;

S. 599. An act for the relief of Cpl. Robert D. McMillan;

S. 820. An act for the relief of the estate of Carlos M. Cochran;

S. 1183. An act for the relief of John L. de Montigny;

S. 1203. An act for the relief of Lt. Col. Rollins S. Emmerich;

S. 2070. An act for the relief of the estate of Givens Christian;

S. 2083. An act for the relief of Lawrence F. Kramer;

S. 2147. An act for the relief of Terrence Waller;

S. 3156. An act for the relief of John Enepekides, his wife, and his son, George;

S. 2259. An act for the relief of Rev. Charles V. Rossini;

S. 2266. An act for the relief of Walter F. Sylvester;

S. 2308. An act to authorize and direct the investigation by the Attorney General of certain offenses, and for other purposes;

S. 2496. An act for the relief of Harvey Schwartz;

S. 2553. An act for the relief of Joseph V. Crimi, father of the minor child, Joseph Crimi;

S. 2632. An act for the relief of the Epes Transportation Corp.;

S. 2693. An act for the relief of Robert Lee Williams;

S. 2801. An act for the relief of Graphic Arts Corp., of Ohio;

S. 2980. An act conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp.;

S. 3064. An act for the relief of the estate of Mary Beaton Denninger, deceased;

S. 3110. An act for the relief of the Portsmouth Sand & Gravel Co.;

S. 3187. An act to authorize the United States of America to quitclaim all its right, title, and interest in and to certain lands in Arizona, except for mineral interests therein, and for other purposes;

S. 3189. An act providing for the conveyance by the United States to the Monterey County Flood Control and Water Conservation District, Monterey County, Calif., of certain lands in Camp Roberts Military Reservation, Calif., for use as a dam and reservoir site and for other purposes;

S. 3245. An act to provide emergency credit;

S. 3251. An act to provide for the conveyance of certain mineral rights to Mrs. Pearl O. Marr, of Crossroads, N. Mex.;

S. 3482. An act to amend the District of Columbia Unemployment Compensation Act, and for other purposes;

S. 3562. An act for the relief of the McMahon Co., Inc.;

S. 3595. An act to direct the Secretary of the Army to convey certain property located in El Paso, Tex., and described as part of Fort Bliss, to the State of Texas;

S. 3629. An act to postpone the effective date of the 3 percent "absorption" requirements in Public Law 874, 81st Congress, for 1 year;

S. 3712. An act to authorize the Commander, Air University, to confer appropriate degrees upon persons who meet all requirements for those degrees in the Resident College of the United States Air Force Institute of Technology;

S. 3750. An act to direct the Secretary of the Air Force or his designee to convey certain property located in proximity to San Antonio, Bexar County, Tex., to the State of Texas;

S. 3822. An act to authorize the conveyance to the State of Texas of approximately 9 acres of land in Houston, Tex., to be used for National Guard purposes;

H. R. 270. An act to provide for the control and extinguishment of outcrop and underground fires in coal formations, and for other purposes;

H. R. 1514. An act for the relief of Clint Lewis;

H. R. 1797. An act to provide for the conveyance of certain land to the State of Oklahoma for the use and benefit of the Eastern Oklahoma Agricultural and Mechanical College at Wilburton, Okla., and for other purposes;

H. R. 1912. An act for the relief of Hayik (Jirair) Vartiyan, Annemarie Vartiyan, and Susanig Armenuhi Vartiyan;

H. R. 2009. An act to authorize the sale of certain land in Alaska to the Ninilchik Hospital Association, of Ninilchik, Alaska, for the use as a hospital site and related purposes;

H. R. 2010. An act to authorize the sale of certain land in Alaska to the Alaska Evangelization Society, of Levelock, Alaska, for missionary purposes;

H. R. 2012. An act to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for a camp site and other public purposes;

H. R. 2014. An act to authorize the sale of certain public land in Alaska to the Community Club of Chugiak, Alaska;

H. R. 2015. An act to authorize the sale of certain land in Alaska to Lloyd H. Turner, of Wards Cove, Alaska;

H. R. 2024. An act for the relief of Frank L. Peyton;

H. R. 2615. An act for the relief of Julio Mercado Toledo;

H. R. 2645. An act for the relief of Donald James Darmody;

H. R. 2791. An act for the relief of Esther E. Ellicott;

H. R. 2815. An act for the relief of Floyd C. Barber;

H. R. 2881. An act for the relief of Mrs. Rosaline Spagnola;

H. R. 3008. An act for the relief of Esther Smith;

H. R. 3216. An act for the relief of E. C. Mills;

H. R. 3217. An act for the relief of Mrs. Florence D. Grimshaw;

H. R. 3273. An act for the relief of Edgar A. Belleau, Sr.;

H. R. 3516. An act for the relief of Anna K. McQuilkin;

H. R. 3522. An act for the relief of Arthur S. Rosichan;

H. R. 3732. An act for the relief of Catherine (Cathrina) D. Pilgard;

H. R. 3854. An act to authorize the sale of certain public land in Alaska to the Turnagain Arm Community Club of Anchorage, Alaska;

H. R. 3951. An act for the relief of Frank G. Koch;

H. R. 4118. An act to authorize the preparation of rolls of persons of Indian blood whose ancestors were members of certain tribes or bands in the State of Oregon, and to provide for per capita distribution of funds arising from certain judgments in favor of such tribes or bands;

H. R. 4175. An act for the relief of Charles R. Logan;

H. R. 4329 An act for the relief of Huntington, McLaren & Co.;

H. R. 4474. An act for the relief of Frederick Joseph Buttaccio and others;

H. R. 4531. An act for the relief of Lyman Chalkley;

H. R. 4580. An act for the relief of the Florida State Hospital;

H. R. 5028. An act for the relief of Petra Ruiz Martinez and Mr. and Mrs. Marcelo Maysonet Mirell;

H. R. 5086. An act for the relief of George Eldred Morgan;

H. R. 5092. An act for the relief of Robert Leon Rohr;

H. R. 5093. An act for the relief of the survivors of Melvin Edward Williams;

H. R. 5460. An act for the relief of Chancy C. Newsom and the legal guardian of Susan M. Newsom, a minor;

H. R. 5461. An act to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment on the claim of Wah Chang Corp. against the United States;

H. R. 5489. An act for the relief of Rocco Forgione;

H. R. 5986. An act for the relief of Harold E. Wahlberg;

H. R. 6332. An act for the relief of James Philip Coyle;

H. R. 6455. An act to create a National Monument Commission, and for other purposes;

H. R. 6562. An act for the relief of Capt. C. R. MacLean;

H. R. 6566. An act for the relief of Daniel D. Poland;

H. R. 6814. An act to facilitate the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes;

H. R. 6959. An act to authorize the sale of certain land in Alaska to the Baptist Mid-Missions, an Ohio nonprofit corporation, for use as a church site;

H. R. 7045. An act for the relief of Dr. Marciano Kutierrez, Dr. Amparo G. Joaquin Gutierrez, and their children, Rosenda, Rebecca, and Raymundo, and Mrs. Brigida de Gutierrez;

H. R. 7290. An act to authorize an appropriation for the construction of certain public-school facilities on the Klamath Indian Reservation at Chiloquin, Oreg.;

H. R. 7413. An act for the relief of Harold J. Davis;

H. R. 7835. An act for the relief of S. Sgt. Frank C. Maxwell;

H. R. 8020. An act authorizing the transfer of certain property of the United States Government (in Klamath County, Oreg.) to the State of Oregon;

H. R. 8027. An act to amend the act of March 6, 1952 (66 Stat. 16), to extend the time during which the Secretary of the Interior may enter into amendatory repayment contracts under the Federal reclamation laws, and for other purposes;

H. R. 8128. An act to amend section 1089 of the Code of Law for the District of Columbia relating to attachment proceedings;

H. R. 8183. An act for the relief of Elfriede Ida Geissler;

H. R. 8193. An act to amend the Refugee Relief Act of 1953;

H. R. 8252. An act for the relief of the city of Fort Smith, Ark.;

H. R. 8753. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to establish and operate motor vehicle pools and systems and to provide office furniture and furnishings when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government motor vehicles, and to authorize the United States Civil Service Commission to regulate operators of Government-owned motor vehicles, and for other purposes;

H. R. 8915. An act to amend the act entitled "An act to consolidate the police court of the District of Columbia and the municipal court of the District of Columbia, to be known as 'the municipal court for the District of Columbia', to create the municipal court of appeals for the District of Columbia, and for other purposes";

H. R. 9357. An act for the relief of S. H. Prather, Mrs. Florence Prather Penman, S. H. Prather, Jr.;

H. R. 9757. An act to amend the Atomic Energy Act of 1946, as amended, and for other purposes;

H. R. 9868. An act to amend the Merchant Ship Sales Act of 1946 to provide for the charter of passenger ships in the domestic trade;

H. R. 9910. An act to amend section 413 (b) of the Foreign Service Act of 1946; and

S. J. Res. 147. Joint resolution to establish the Woodrow Wilson Centennial Celebration Commission, and for other purposes.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Frear	Long
Barrett	George	Magnuson
Bennett	Gore	Mansfield
Bowring	Green	Martin
Bridges	Hayden	Millikin
Butler	Hendrickson	Mundt
Carlson	Holland	Pastore
Case	Jackson	Saltonstall
Clements	Johnson, Tex.	Smith, Maine
Cooper	Johnson, Colo.	Smith, N. J.
Cordon	Johnston, S. C.	Stennis
Crippa	Knowland	Thye
Dirksen	Kuchel	Young
Duff	Lehman	
Ferguson	Lennon	

Mr. SALTONSTALL. I announce that the senior Senator from Wisconsin [Mr. WILEY] is absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the junior Senator from Wisconsin [Mr. MCCARTHY], the Senator from Connecticut [Mr. PURTELL], and the junior Senator from New Hampshire [Mr. UPTON] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD] and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], and the Senator from Mississippi [Mr. EASTLAND] are absent on official business.

The Senator from Iowa [Mr. GILLETTE] is absent by leave of the Senate.

The PRESIDENT pro tempore. A quorum is not present.

Mr. KNOWLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ANDERSON, Mr. BEALL, Mr. BRICKER, Mr. BURKE, Mr. BUSH, Mr. CHAVEZ, Mr. DWORSHAK, Mr. ELLENDER, Mr. FULBRIGHT, Mr. GOLDWATER, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HILL, Mr. HUMPHREY, Mr. IVES, Mr. KEFAUVER, Mr. KENNEDY, Mr. KERR, Mr. KILGORE, Mr. LANGER, Mr. MALONE, Mr. MAYBANK, Mr. MCCARRAN, Mr. MCCLELLAN, Mr. MONRONEY, Mr. MORSE, Mr. MURRAY, Mr. NEELY, Mr. PAYNE, Mr. POTTER, Mr. REYNOLDS, Mr. ROBERTSON, Mr. RUSSELL, Mr. SCHOEPPEL, Mr. SMATHERS, Mr. SYMINGTON, and Mr. WATKINS entered the Chamber and answered to their names.

The PRESIDENT pro tempore. A quorum is present.

Routine business is now in order.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF MARITIME ADMINISTRATION

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the Maritime Administration of the Department of Commerce, on the activities and transactions of that administration under the Merchant Ship Sales Act of 1946, for the period April 1, 1954, through June 30, 1954 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

REPORT ON CLAIMS PAID ON ACCOUNT OF CORRECTION OF MILITARY RECORDS OF COAST GUARD PERSONNEL

A letter from the acting secretary of the Treasury, transmitting, pursuant to law, a report on claims paid during the 6 months' period ended June 30, 1954, on account of the correction of military records of Coast Guard personnel (with an accompanying report); to the Committee on the Judiciary.

SOIL SURVEY AND CLASSIFICATION OF LANDS BENEFITED BY CRESCENT LAKE DAM PROJECT, OREGON

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a certification that an adequate soil survey and land classification has been made of the lands to be served by the Crescent Lake Dam project, Oregon (with an accompanying paper); to the Committee on Interior and Insular Affairs.

RECENTLY ISSUED PUBLICATIONS OF FEDERAL POWER COMMISSION

A letter from the Chairman, Federal Power Commission, transmitting, for the information of the Senate, copies of that Commission's recently issued publications entitled "Typical Residential Electric Bills, 1954," "Hydroelectric Power Resources of the United States, Developed and Undeveloped, 1953," and "Estimated Future Power Requirements of the United States by Regions, 1953-1975" (with accompanying documents); to the Committee on Interstate and Foreign Commerce.

AUDIT REPORT ON COMMODITY CREDIT CORPORATION

A letter from the Acting Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Commodity Credit Corporation, for the fiscal year ended June 30, 1953 (with an accompanying report); to the Committee on Government Operations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LANGER, from the Committee on the Judiciary, with amendments:

H. R. 8606. A bill for the relief of Neil C. Hemmer and Mildred Hemmer (Rept. No. 2503).

By Mr. LANGER, from the Committee on the Judiciary, without amendment:

H. J. Res. 118. Joint resolution to designate the 1st day of May 1955 as Loyalty Day (Rept. No. 2502).

CONSTRUCTION OF CERTAIN WORKS OF IMPROVEMENT IN NIAGARA RIVER FOR POWER AND OTHER PURPOSES—REPORT OF A COMMITTEE

Mr. MARTIN. Mr. President, from the Committee on Public Works, I report favorably, with amendments, the bill (S. 2599) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes, and I submit a report (No. 2501) thereon.

I doubt that there will be time for adequate consideration of this measure during the remaining days of this session, but it is my belief that it should be presented to the Senate and the reports made available, so that they can be studied by Members of the Senate prior to the convening of the next Congress.

I ask unanimous consent that the views of the minority and additional and supplementary views be printed as a part of the report.

The PRESIDING OFFICER (Mr. CRIPPA in the chair). The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed as requested by the Senator from Pennsylvania.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LANGER:

S. 3885. A bill for the relief of Margarita Oy Wan Chan; to the Committee on the Judiciary.

By Mr. MARTIN:

S. 3886. A bill for the relief of Dimitrios Stavros Kapsalis; to the Committee on the Judiciary.

By Mr. BRICKER (by request):

S. 3887. A bill to permit national banks to make 20-year real-estate loans and 9-month construction loans; and

S. 3888. A bill to amend section 5240 of the Revised Statutes, as amended, relating to the examination of national banks; to the Committee on Banking and Currency.

By Mr. HOLLAND:

S. 3889. A bill for the relief of Marion G. Denton; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 3890. A bill for the relief of Clarkston School District No. 250, Clarkston, Wash.; to the Committee on the Judiciary.

By Mr. HILL:

S. 3891. A bill to provide for Federal cooperation in non-Federal water facility projects, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HILL when he introduced the above bill, which appear under a separate heading.)

FEDERAL COOPERATION IN NON-FEDERAL WATER FACILITY PROJECTS

Mr. HILL. Mr. President, I introduce for appropriate reference a bill to provide for Federal cooperation in non-Federal water facility projects, and for other purposes. I ask unanimous consent that a statement by me relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 3891) to provide for Federal cooperation in non-Federal water facility projects, and for other purposes, introduced by Mr. HILL, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The statement presented by Mr. HILL is as follows:

STATEMENT BY SENATOR HILL

I introduce for appropriate reference a bill to provide for Federal cooperation in the provision of non-Federal water facilities. The bill is identical to a measure introduced in the House today by my colleague, Representative ROBERT E. JONES, of Alabama.

The purpose of the bill is to meet the serious problem of recurring droughts by encouraging local and State development of water use and control projects and aiding in such development.

I ask unanimous consent to have printed in the RECORD at this point a joint statement which Representative JONES and I have prepared explaining the bill and the urgent need therefor.

JOINT STATEMENT BY SENATOR LISTER HILL AND REPRESENTATIVE ROBERT E. JONES, OF ALABAMA

The expression, "Water, water everywhere but not a drop to drink," is equally applicable to dry, thirsty soil as it is to men.

Much has been done at the Federal level to conserve water and put it to valuable use throughout the country, yet serious problems still exist. The frightening headlines, appearing all too frequently in the press, remind us daily that drought problems as well as flood problems will only be remedied on a satisfactory scale when local citizens and organizations are able to participate as active partners with the Government in providing the facilities required.

We have exerted great effort in the education of our farmers in the field of soil conservation; but soil-conservation practices do not furnish the answer when the failure to obtain sufficient water for the proper growth of crops has created an acute problem. The farmers are unable to wait years before the Government will be able to provide the numerous irrigation projects necessary to assure annual crops without fear of drought.

In an effort to stimulate the construction of irrigation projects promptly, at the local level, we have introduced a bill to provide for Federal cooperation in non-Federal water facility projects.

Our objective in introducing this legislation is to encourage local and State development of water use and control projects for the avoidance of the disastrous effects of drought, by having the Secretary of Agriculture participate with them in the development of such projects.

The Secretary will be authorized to participate with municipalities, cooperative organizations, conservation districts, irrigation districts, water users' associations, or any other public body which is organized under State law and is qualified to enter into contracts with the United States, in providing the construction of projects for irrigation.

The organization desiring Federal participation in such a project shall submit the proposals to the Secretary of Agriculture and he will pass upon the engineering plans and specifications prior to making a commitment to advance Federal funds to the organization for the project. The Secretary may provide such engineering plans and specifications or advance funds for such purpose.

If the Secretary determines that the project is justified and economically sound he may approve the plans and specifications. He is also authorized to make loans to the organization to provide for construction of the proposed projects. The loans must be repaid within a period of 40 years, plus a development period of not more than 10 years, after completion of the project.

The organization shall operate and maintain the project and title to the project constructed shall at all times remain in the contracting organization.

If the project when constructed provides benefits which under current law are considered nonreimbursable, for example, navigation or flood-control benefits, then the Secretary is authorized to make payment to the organization from Federal funds, of amounts equal to the approved allocation of such benefits, under conditions set forth in the bill.

Through this legislation it is our earnest desire to obtain drought relief for States and areas outside of the 17 Western States which now have reclamation projects constructed by the Federal Government. We believe that irrigation projects will develop rapidly at the local and State level if the Federal participation is forthcoming as provided for in this bill.

The serious drought conditions prevailing in many sections of the country today make it imperative that we think in serious terms of providing long-range means of preventing in the future the devastating effects of drought. We must provide the means of preventing the severe economic hardship being suffered year after year by millions of our farm people. We must consider the disastrous effects of loss of farm income upon our whole national economy.

The southeastern area of the United States, including Alabama, has more bountiful rainfall than any other section of the country. Yet in recent years, and again this year, we have had some of the most prolonged droughts in our history.

The normal annual rainfall in Alabama is 51.37 inches. So far this year, there has been rainfall of only 13.22 inches. This gives some idea of how parched and dry and burned up the fields and pastures and crops are in Alabama.

A county-by-county survey in Alabama revealed that over one-half of the corn crop is burned up and gone. The pastures are almost completely burned out. Practically no hay has been gathered. Most of the supply of feed that has been stored has now been exhausted. Cattlemen, dairymen, truck farmers, and cotton farmers are in great distress. Our farmers are being forced to sell their cattle and hogs for any price they can get, because they have no feed or hay with which to feed them. It is a question of throwing the cattle and hogs on the market and getting whatever one can or permitting one's cattle and hogs to starve to death.

To wait for a drought-ridden State to be declared a disaster area before it is granted Federal assistance is too late. The constructive approach to the problem of drought is to create the means of irrigation projects as provided for in this bill.

We are introducing the bill at this time that it may be thoroughly considered and studied by appropriate agencies at all levels of Government, and by interested organizations and persons during the recess of Congress in the hope that Congress will act promptly when it reconvenes, to pass the bill before another crop is planted.

AUTHORIZATION FOR SELECT COMMITTEE ON SMALL BUSINESS TO SUBMIT A REPORT DURING RECESS

Mr. THYE. Mr. President, I ask unanimous consent that the Select Committee on Small Business be permitted to submit a committee report with the Senate during the recess period.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered.

HOUSE BILL REFERRED

The bill (H. R. 9120) to authorize the Postmaster General to provide for the use in first- and second-class post offices of a special canceling stamp or postmarking die bearing the words "Pray for peace," which was read twice by its title and referred to the Committee on Post Office and Civil Service.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable executive reports were submitted:

By Mr. SMITH of New Jersey, from the Committee on Foreign Relations:

Executive J. 83d Congress, 2d session, a convention between the United States of America and the Federal Republic of Germany for the avoidance of double taxation with respect to taxes on income; without reservation (Ex. Rept. No. 8).

By Mr. LANGER, from the Committee on the Judiciary:

Martin Donald Van Oosterhout, of Iowa, to be United States circuit judge, eighth circuit, vice Seth Thomas, retired.

By Mr. CARLSON, from the Committee on Post Office and Civil Service:

Twelve postmasters.

By Mr. KNOWLAND, from the Committee on Foreign Relations:

Thomas J. Maleady, of Massachusetts, and sundry other persons, for appointment and promotion in the Foreign Service.

PARTNERSHIP PLANS—RESOLUTION OF OREGON STATE FEDERATION OF LABOR

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks a copy of a resolution adopted by the Oregon State Federation of Labor on June 21, 1954, with regard to partnership plans.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 11—RESOLUTION OPPOSING PARTNERSHIP PLANS

Whereas the greatest economic asset of the Pacific Northwest is its hydroelectric potential; and

Whereas under Federal study and cooperation over the past 20 years the greater part of the present approximately 4.5 million kilowatts developed—about 11 percent of the region's potential—has been developed in a manner that has brought the benefits of low-cost power to both public and private distribution agencies as well as to the business and household consumer; and

Whereas the present administration has declared that this rate of development in a rapidly growing region, and the Federal Government's responsibility therefor, must be reduced for economy reasons under a partnership plan whereby the Federal Government and private utilities, and/or State or municipal groups will jointly develop future projects with the Federal Government continuing to build the dams and the private utilities, install the generators, sell the power developed, and reap the harvest therefrom while the Federal Government will pay the costs of nonreimbursable features such as irrigation, flood control, navigation, and other public benefits, while denied the revenue from power sales; and

Whereas State or municipal groups will be minority stockholders in any private, State, and/or municipal tieup; and

Whereas the recently resigned Administrator of the Bonneville Power Administration emphasized last December in his final report that "the level of capital investment in Columbia River development is far too low at the present to permit an adequate stimulation of private industrial enterprise" and also declared that "Careful analysis of the region's needs for the next 20 years shows nearly 6½ million kilowatts of new generation must be provided in the Columbia Basin during the next two decades if the full economic potential of the region is to be assured"; Therefore be it

Resolved, That this convention restate its position for full comprehensive development of the Columbia River Basin and declare that the only sound program of river development is one in which either the Federal Government or a corporation set up by the Federal Government builds all the dams which involve investment and expenditure of Federal funds, operates them, builds the transmission grid, and sells the power everywhere at the lowest wholesale rates possible; and be it further

Resolved, That the Oregon State Federation of Labor is opposed to any form of partnership plans involving expenditure of Federal funds.

UNEMPLOYMENT COMPENSATION PAYMENTS—RESOLUTION OF EXECUTIVE BOARD OF OREGON STATE INDUSTRIAL COUNCIL, CIO

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the executive board of the Oregon State Industrial Union Council, CIO, in support of the action by Congress on the so-called Forand-Douglas bill, which was passed on June 30, 1954.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ADOPTED BY THE EXECUTIVE BOARD OF THE OREGON STATE INDUSTRIAL UNION COUNCIL, CIO, IN SUPPORT OF ACTION BY CONGRESS ON THE FORAND-DOUGLAS BILL, H. R. 9430 AND S. 3553

Whereas present unemployment-compensation payments to insured unemployed wage and salary earners are woefully inadequate as to weekly amount and number of weeks duration; and

Whereas substantial and prolonged unemployment in the State of Oregon and in Portland and vicinity and inadequate unemployment-compensation payments have caused increases in expenditures for relief purposes, with resulting increased drain upon revenues depleted by slackening business activity and income in the community; and

Whereas the amounts of unemployment payments are far below the average of 50 percent and the maximum of 66⅔ percent recommended to the States last February by President Eisenhower, Secretary of Labor Mitchell, the Federal Advisory Council on Employment Security, and the National Conference on Labor Legislation; and

Whereas President Eisenhower, Secretary of Labor Mitchell, and others recommended that the States extend the duration of payments to 26 weeks, but long-term unemployment has resulted in 600,000 insured workers exhausting their rights to payments before being reemployed and such exhaustions continue at the rate of 40,000 a week, making plain the need for an extension to 39 weeks, as proposed in H. R. 9430 and S. 3553, introduced by Representative FORAND, Senator DOUGLAS, 85 other Representatives, and 11 other Senators; and

Whereas these companion bills, if enacted by Congress before adjournment, would implement President Eisenhower's recommendations as to amounts of unemployment-compensation payments and would extend the duration beyond his recommended 26 weeks, to 39 weeks, and, at presently anticipated continuing unemployment, would get approximately $2 billion a year of additional purchasing power into the hands of insured unemployed workers and their families for instant high-velocity spending and distribution throughout our entire economy; and

Whereas the House Ways and Means Committee has recently completed hearings on proposed amendments to the Federal unemployment compensation law and has recommended a bill to the House for passage before adjournment; and

Whereas President Eisenhower, at his June 16 press conference, stated that he has no intention of urging governors to call special sessions of their legislatures to implement his own recommendations, now more than 4 months old; and

Whereas this puts upon the Congress the last hope and full responsibility for action to carry out this vital part of President Eisenhower's legislative program in any way that will mean anything to the unemployed, to our economy, and to the budgets of our States, cities, and other political subdivisions: Now, therefore, be it

Resolved, That the executive board of the Oregon States Council, CIO, meeting on this 30th day of June 1954, urgently requests our Representatives and Senators to use their influence and good offices to persuade the House Ways and Means Committee and the Senate Finance Committee to adopt and recommend the provisions of H. R. 9430 and S. 3553 so that action in both Houses may be completed before the present Congress adjourns; and be it further

Resolved, That we urge President Eisenhower at this session to make congressional action to implement his unemployment-compensation recommendations a must item in his immediate legislative program; and be it further

Resolved, That if either committee fails or refuses to report out favorably the provisions of H. R. 9430 and S. 3553, our Representatives and Senators support appropriate action such as discharge petitions or the addition of the provisions as a rider to other legislation; and be it finally

Resolved, That copies of this resolution be sent to our Representatives, Senators, the President of the United States, the Speaker of the House and the Vice President as the Presiding Officer of the Senate, with the request that it be treated as a petition under the Constitution and, as such, printed in the CONGRESSIONAL RECORD.

DROUGHT CONDITIONS IN THE SOUTHWEST

Mr. JOHNSON of Texas. Mr. President, I want to call the attention of the Senate to an extremely serious situation in the great Southwest.

In my own State of Texas, and in our neighboring States, the specter of drought is stalking the land. Once again, precious topsoil is being lost, while cattle wander aimlessly in the fields, bellowing with unslaked thirst.

It is difficult here in the East to grasp the full extent of the tragedy that drought brings to our land. Here water is taken for granted, and what is called drought means that people must cut down on the water they use to wash their automobiles or to cover their lawns. In the Southwest drought is a question of life and death. Drought means land that is as barren of vegetation as a tile floor; starved and thirsty cattle, economic ruin and misery for the people who live from the soil land.

The Government has reinstituted a drought-relief program for some of the stricken counties in the great Southwest. Every bit, of course, helps—helps not only the people in the drought areas but helps the whole Nation by maintaining the productivity of the soil.

But at times it is impossible to avoid the feeling that the present drought-relief program is very much like giving a man 4 shots of penicillin when he needs 5. It is also impossible to avoid the feeling that those in charge of the program are more concerned with saving money than they are with saving people.

The drought-relief program that was instituted last year was grossly inadequate. It left in its wake bewildered people who felt they had been the recipients of grudging charity.

The program was started with a requirement that those who received drought aid should take the equivalent of a pauper's oath. The protests of an angry people led to the elimination of this requirement. But conditions which were both humiliating and unnecessary were retained.

Right now I have on my desk letters of protest from small ranchers who have been denied drought relief because they have taken part-time jobs in nearby towns. The fact that they took those part-time jobs in order to get some income to save their ranches does not weigh in the balance.

I have on my desk letters from many drought counties charging that the price of hay has gone up since the drought-relief program was inaugurated. I have asked the Secretary of Agriculture to investigate these complaints.

I have on my desk letters from ranchers who believe they can get through somehow if they can only find some means of refinancing credit. But this refinancing is not available.

Underlying the whole situation, however, are the stringent eligibility requirements which withhold aid from many who need it, and need it badly. Sometimes it seems as though the only way a farmer or a rancher can get drought aid is by proving that he can get through without it.

I have had discussions over the telephone with our very able Texas secretary of agriculture, John C. White. He tells me that if the eligibility requirements are not put on a realistic basis the program will be worse than useless.

It will be the worst kind of waste—the kind in which money is spent without achieving an objective.

This is not just a problem for Texas and the great Southwest. This is a problem of great importance to our entire Nation.

The Southwest cannot be maintained as a great producing center unless we act before it is too late. We can wait and possibly save a little money, but we will lose an irreplaceable treasure—the soil upon which all life depends and the people who know how to work and manage that soil.

Mr. MORSE subsequently said: Mr. President, I wish to associate myself with the remarks which the senior Senator from Texas made on drought conditions, not only in his State, but in the entire Southwest. I do not know why it is that I should be receiving the volume of mail now coming to me, not only from Texas, but from other stricken areas, with regard to that problem. Much of that mail is in the form of suggestions and requests that the matter be dramatized on the floor of the Senate with about a 15-hour speech. I do not propose to make a 15-hour speech. I am sure Congress knows the situation, and the administration ought to know the situation.

It is true that the price of hay apparently is being pushed up in those areas by people who are willing to profiteer on the suffering of the stockmen and small farmers.

It is true that the administration is dragging its heels with regard to affording immediate relief to those people. They complain that every technicality is being used against them.

When we think of the hundreds of millions of dollars we are giving away to unfortunate people everywhere in the world, we ought to remember that charity begins at home. Those people are not asking for charity; they are asking for a chance to get started again.

I happen to be one who believes that hay ought to be shipped into drought areas practically for nothing. I think the price the Government has put on the hay, and the price the farmers will have to pay for it, when they do not have a single blade of it to feed to their cattle, is outrageous. The hay ought to be provided practically for nothing, and the grain too, in order to get these drought-stricken farmers over the crisis which now confronts them.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JOHNSON of Texas. I appreciate very much the Senator's interest in the problem. I can understand why the people of Texas and of the entire Nation are writing to the Senator. It is because the Senator has demonstrated time and time again his interest in the farmers and working people of this country. Our farmers and our ranchmen, particularly our small ones, will not be able to survive unless they can get the benefit of a program of assistance. While the people of Texas do not always agree with all the remarks of the Senator from Oregon, nevertheless they welcome his forthright position in this matter.

Mr. MORSE. I appreciate the remarks of the Senator.

FLEXIBLE PRICE SUPPORTS

Mr. AIKEN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article appearing in the Wall Street Journal of this morning. It is entitled "Flexibles' Effects—Lower Price Props Reduce Dairy Output, Spur Consumption Sooner Than Expected."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FLEXIBLES' EFFECTS—LOWER PRICE PROPS REDUCE DAIRY OUTPUT, SPUR CONSUMPTION SOONER THAN EXPECTED

(By Lester Tanzer)

WASHINGTON.—The Nation's dairy farmers may not know it yet, but with the help of city housewives they're supplying Secretary of Agriculture Ezra Taft Benson with evidence that flexible price supports do actually work.

The dairymen are doing this by slowing production of milk, butter, and cheese since Mr. Benson slashed price props from 90 percent of parity to 75 percent on April 1. What's more, the dairy processors are selling less to Uncle Sam. And housewives are doing their bit by buying more butter and cheese now that prices are lower at the corner grocery store.

Whether this will prove to be the case with the "basic" crops won't be known for some time. Mr. Benson has just won his congressional fight to toss out fixed 90-percent supports for corn, cotton, wheat, rice and peanuts, starting next year. However, supports won't "flex" downward very far, due to safeguards Congress ordered to cushion farmers against sharp drops.

Advocates of continued rigid high price supports argued throughout the legislative fight that flexible props would force farmers, faced with lower prices, to grow more of the same goods to maintain their income. Behind the flexible theory, in contrast, is the belief that rigid high props, in effect on "basics" since early World War II, encourage farmers to overproduce, since they have the Federal Government as a steady buyer, whereas flexibles discourage production of excess commodities.

But however it goes with the "basics," the behavior of dairymen since April 1, tends to confirm the flexible theory and belie the rigid high support theory. Authority for flexible supports for milk products has been on the statute books since 1949. But prices were pegged at 90 percent of parity right up to last April.

BEFORE AND AFTER

Before April 1, milk production was running 5 percent ahead of last year. Since then, the excess over 1953 output has been shrinking. Production last month was just slightly above that for the same month last year.

Even more striking are the figures for butter and cheese—which, along with dried milk, are the goods that actually wind up in Government hands. In April and May, right

after supports were sliced, production of the two major processed dairy products surpassed the same months of 1953 by 5 percent. But in June, butter output outran last year's by only 2 percent, and cheese production was a mere 1 percent ahead of 1953. Then, in July, the tide turned. Preliminary figures show 7 percent less butter was churned last month than the same month a year ago; cheese production was down 1 percent.

Figures on total milk consumption won't be out for some time. But judging by what's happening to butter, more milk and milk products are finding their way into the home and less into Government storage.

The cut in price supports of about 9 cents a pound for butter was passed on to consumers. And housewives responded accordingly. During April, May, and June, butter eating in homes climbed 5 percent over a comparable period before prices were cut. Exact cheese comparisons aren't available, but Agriculture Department marketing specialists figure the price cuts on this dairy item have also boosted consumption.

The production slowdown and the rise in consumption has shown up in Uncle Sam's dairy-buying activity. The rise in Government holdings still goes on, but at a far slower rate than last year. From April to July, the Department bought 13 percent less butter and 39 percent less cheese than it did during the same span in 1953; in July alone reductions in purchases were respectively 30 percent and 48 percent.

A SLOWER RESPONSE

Statistics for dried milk are sketchier. The figures at hand show this dairy powder was slower to respond to support slashes than butter and cheese, but is nonetheless following the path set by them. Dried milk purchases by the Government in July were a shade lower than last year, the first monthly reduction since April.

Some of Mr. Benson's aids are frankly surprised at this turn of events. To be sure, they were convinced the lowered price props would bring dairy output and consumption into line. But they thought it would take a few years for that to happen, since adjustments in dairying, a "biological enterprise," can't be made overnight. For that reason, they don't overlook the chance that statistics may still turn against them in the coming months.

But Mr. Benson and his assistants are sure that in the long run reduced price props will halt the accumulation of dairy surpluses at the taxpayers' expense and that the same will be true of other farm commodities when the flexible principle has had enough time to operate.

Of course, under the flexible system the supports can go up as well as down; they can be raised to stimulate production, as in World War II. But barring unforeseen emergencies and with supplies of most farm crops in abundance, the trend will be gradually downward for some time.

The Federal farm officials are equally convinced that in the long run this will help rather than hurt the farmers. The Agriculture Secretary is not out to force prices down merely for the sake of lower prices, as some of his embittered opponents claim. Lower tabs, he reasons, mean increased demand which, in turn, will steady prices. Moreover, as he's often noted, farm prices don't depend on price supports alone, but on general business conditions.

FEWER CONTROLS

As flexibles slow the tide of farm surpluses, Mr. Benson figures, they will also speed the day when Government controls on what farmers can do with their land can be relaxed. So the farmer, he thinks, will be spurred into doing a better job of running his farm and depending less on Uncle Sam.

It's too early to draw hard and fast conclusions about how all this will work in practice. But the evidence coming into Mr. Benson suggests that, for dairy products at least, flexibles are working just the way the flexible theorists say they should.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF COLORADO RIVER STORAGE PROJECT

Mr. KNOWLAND. Mr. President, has the morning business been completed?

The PRESIDING OFFICER. Is there further morning-hour business? If not, the morning business is concluded, and the Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (S. 1555) to authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes.

EXTENSION OF LAWS RELATING TO ESPIONAGE AND SABOTAGE

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 9580) to revise and extend the laws relating to espionage and sabotage, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. KNOWLAND. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. LANGER, Mr. DIRKSEN, and Mr. MCCARRAN conferees on the part of the Senate.

AMENDMENT OF SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950—CONFERENCE REPORT

Mr. BUTLER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the amendments of the House to the bill (S. 3706) to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes. I ask unanimous consent for the present consideration of the report.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. BUTLER. I am happy to yield to the Senator from Texas.

Mr. JOHNSON of Texas. I wonder if it would not please the Senator if I suggested the absence of a quorum. There are a goodly number of Senators present, but in order to insure that all Senators are notified that this important conference report is being presented, if the Senator will yield for that purpose, with the understanding that he will not lose the floor, Mr. President, I suggest the absence of a quorum.

Mr. BUTLER. I am happy to yield for such purpose.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Maybank
Anderson	Hayden	McCarran
Barrett	Hendrickson	McClellan
Beall	Hennings	Millikin
Bennett	Hickenlooper	Monroney
Bowring	Hill	Morse
Bricker	Holland	Mundt
Bridges	Humphrey	Murray
Burke	Ives	Neely
Bush	Jackson	Pastore
Butler	Johnson, Colo.	Payne
Carlson	Johnson, Tex.	Potter
Case	Johnston, S. C.	Reynolds
Chavez	Kefauver	Robertson
Clements	Kennedy	Russell
Cooper	Kerr	Saltonstall
Cordon	Kilgore	Schoeppel
Crippa	Knowland	Smathers
Dirksen	Kuchel	Smith, Maine
Duff	Langer	Stennis
Dworshak	Lehman	Symington
Ervin	Lennon	Thye
Ferguson	Long	Watkins
Frear	Magnuson	Williams
George	Malone	Young
Goldwater	Mansfield	
Gore	Martin	

The PRESIDING OFFICER. A quorum is present.

The conference report submitted by the Senator from Maryland will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the amendments of the House to the bill (S. 3706), entitled "An act to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the Senate amendments and agree to the same with the following amendments: On page 2, in section 4, strike out the following: "upon conviction, be punished as provided by section 15 of the Subversive Activities Control Act of 1950 (50 U. S. C. 794)."; and insert in lieu thereof the following: "be subject to all the provisions and penalties of the Internal Security Act of 1950, as amended, as a member of a 'Communist-action' organization."

On page 3, in line 3 of Section 5, after the comma, following the word "act" and before the word "the", insert the following: "or knowledge of the purpose or objective of such party or organization.".

That the Senate agree to the same.

WILLIAM LANGER,
ARTHUR V. WATKINS,
JOHN MARSHALL BUTLER,
PAT MCCARRAN,
HARLEY M. KILGORE,
Managers on the Part of the Senate.

LOUIS E. GRAHAM,
EMANUEL CELLER,
DEWITT S. HYDE,
CHAUNCEY W. REED,
FRANCIS E. WALTER,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. BUTLER. Mr. President, I am gratified to announce to the Senate that

the conferees appointed have arrived at a unanimous decision on the conference report. Although the conference report speaks for itself, it provides for two changes in the bill as it finally passed the Senate, to which I feel I should advert.

In the first place, the bill as it passed the Senate provided as follows:

> Whoever knowingly and willfully becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization shall, upon conviction, be punished as provided by section 15 of the Subversive Activities Control Act of 1950.

The conferees recommend that the provisions of this section be changed so as to subject the member of such organization to all the provisions and penalties of the Internal Security Act pertaining to a member of a Communist-action organization.

Unlike the provisions of this section as approved by the Senate, the conference provisions of section 4 will not render ineffective any portion of the Internal Security Act, but rather will reinforce that act.

The new language which the conferees have added makes it clear that section 4 of the bill is expository and in implementation of the Subversive Activities Control Act, and is not in any way in derogation of that act.

The reference to "provisions and penalties" of the "Subversive Activities Control Act" can only mean to refer to all the provisions of the Subversive Activities Control Act construed together, and in accordance with their obvious intent of and in pari materia with the new statute.

Mr. JOHNSON of Texas. Mr. President, may we have order? I am anxious to hear the Senator from Maryland, but I am unable to hear him because of the noise in the Chamber.

The PRESIDING OFFICER. The Senate will be in order. The Senator from Maryland may proceed.

Mr. BUTLER. I repeat: The conference report supplements, implements, and strengthens the Internal Security Act of 1950. It does not destroy or curtail it or hamper its effective administration and enforcement in accordance with its terms.

The second change which was agreed upon by the conferees was to clarify the language of certain criteria to be considered in determining knowledge of the purpose or objective of an organization, membership in which would subject a person to certain provisions and penalties of the Internal Security Act.

Mr. President, I most earnestly move the adoption of the conference report.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. BUTLER. I yield.

Mr. ANDERSON. As the Senator well knows, I am not an attorney, and I am not able to follow the niceties of the language of the report, but it seems to me that the Senator from Maryland was saying that this would guarantee that the language of other acts which have already been passed will be sustained, will not be interfered with, and that at the same time the objective which the Senator from Minnesota [Mr. HUMPHREY] had, and in which I joined, would be fully met, so far as legal phraseology and meaning are concerned.

Mr. BUTLER. That is perfectly true.

Mr. ANDERSON. This, then, is a better bill, because it is one which is in consonance with other legislative enactments. Is that correct?

Mr. BUTLER. Yes; I believe it is.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. BUTLER. I yield.

Mr. KEFAUVER. I do not have a copy of the conference report before me. I do not know whether copies have been printed or are available.

Mr. BUTLER. I shall send one to the Senator.

Mr. KEFAUVER. As the Senator knows, I took a most unpopular position in voting against the passage of the House bill as amended by the Senate. I did so because of very honest and deep convictions that the bill as passed by the Senate, with the Senate amendment, would confuse the operation of the Smith Act, which I supported and voted for as a House Member and under which the top leaders of the Communist Party were convicted; that it would nullify the registration provision of the Internal Security Act; and that we would be getting into a field of legislation proscribing a person's feelings, beliefs, and opinions, whether or not he had done anything to carry them out.

In the conference report, how is that problem dealt with? Will a young man in college, who might have some political beliefs as a philosophical matter, but who does nothing about them except perhaps talk with some of his roommates, be subject to conviction or prosecution?

Under the Senate bill, I felt that we would be abandoning sound ideas of freedom of speech, freedom of thought, and freedom of the press, which we have cherished in this Nation for so long, and would be following, because of a wave of hysteria, a procedure to prosecute, to outlaw, and to punish persons for their opinions and beliefs, whether they had done anything to carry them out or not.

Mr. BUTLER. I can assure the Senator from Tennessee that such is not the case. Some act on the part of such a person would have to be proved.

Mr. KEFAUVER. In fairness, will the Senator from Maryland say that the conference report, then, substantially nullifies the philosophy of the Humphrey amendment, which was adopted by the Senate a few days ago?

Mr. BUTLER. I do not consider that it nullifies it, but I think it brings it into consonance with existing law, which is something that is good for the country and should be done.

Mr. KEFAUVER. Is mere philosophical membership in an organization made a crime under the bill? Does that remain a crime?

Mr. BUTLER. No; it does not. I think there has to be something more than that.

Mr. KEFAUVER. Is membership in the Communist Party a crime under the terms of the conference report?

Mr. BUTLER. No; it is not.

Mr. KEFAUVER. Was not membership in the Communist Party a crime under the Humphrey amendment?

Mr. BUTLER. Whether or not it could have been so construed, I do not know.

Mr. KEFAUVER. That is what I had understood from the arguments made.

Mr. BUTLER. The contention was made on the floor of the Senate that it could have been so construed. That is why the bill went to conference, in order to reconcile disagreement among men of good will, so that when we finished with the conference report we would have done what was in the best interests of this great country of ours. I do not think there is any question here involved of who was right or who was wrong. I think we have done what is right. The conference report carries out the intentions and wishes of Senators on both sides of the aisle who worked on the bill.

Mr. KEFAUVER. I read in the newspapers that after the vote was taken on the bill, in a colloquy with the minority leader, the Senator from Maryland was quoted as having said that the Humphrey amendment completely emasculated and killed the bill.

Mr. BUTLER. I may say that the Senator from Maryland is but one Member of this body. What the Senator has referred to may have been my individual opinion at the time in the heat of debate. I could have been wrong. I have been wrong in the past, and I guess I shall be wrong again, but I can say to the Senator from Tennessee that I have never seen such a degree of ccoperation in bringing about a result that is fundamentally good, right, and sound for the United States of America as was evidenced in this case.

Mr. KEFAUVER. Please understand that I am not questioning the motives of the Senator from Maryland. The Senator from Maryland and I engaged in a colloquy the other day which I thought was useful for the RECORD as an explanation and an airing of possible problems that are bound to arise in connection with this legislation.

Mr. BUTLER. I may say to the Senator from Tennessee that I enjoyed the colloquy very much. I think it was constructive.

Mr. KEFAUVER. I stated during the colloquy, the Senator from Maryland will recall, that I thought the five amendments which he proposed improved the bill, and that I expected, with those amendments included, to vote for the House bill; but that I did not want to participate or support the nullifying and striking down everything the Department of Justice and the Federal Bureau of Investigation had built up over a period of 4½ years. I was very fearful that in a contest of trying to show who could claim to be supporters of the strongest attack against the Communist Party for political purposes, or whatever

other purposes there might be, we might be doing something that was fundamentally violative of American rights under the Bill of Rights and the Constitution. That is a point I wish to make clear.

The question I desired to ask the Senator from Maryland is this: Regardless of what others may have thought, the Senator from Maryland expressed the opinion that the Humphrey amendment the other day emasculated or killed the bill. Does the Senator now believe that what is written into the conference report makes the bill worthwhile and acceptable?

Mr. BUTLER. I most certainly do. Let me say to the Senator from Tennessee that if a person is a member of the Communist Party, or becomes a member of the Communist Party, he shall then, under the amendment, be deemed to be a member of a Communist-action organization, within the purview of the Internal Security Act of 1950, and as such he shall be subject to the following sections—which I shall read, if the Senator desires me to do so. Otherwise, I shall have them printed in the RECORD.

Mr. KEFAUVER. Let us take a hypothetical case. Suppose a student is in a university or other school. As we know, many young people adopt various and sundry political beliefs for perhaps a year or so, and then perhaps they get straightened out. However, suppose a young person in a school, while he is studying, has some political beliefs which might approach what is known as communism, and he tells a friend of his about them. Then suppose there is a falling out in the friendship, and the person to whom he told his beliefs wants to have his former friend prosecuted. That is the sort of thing I feel might lead to the biggest witch hunt we have ever had in this country. It is that kind of thing that would stifle expression of opinion, enforce conformity of thinking, and fill concentration camps, and we should be careful about this.

Mr. BUTLER. I may say to the Senator from Tennessee that mere membership in the Communist Party will not be a crime. A person must knowingly and willingly be a member of the Communist Party. He has got to know what it is and join it willingly. When he does that, he becomes a member, within the meaning and intent of the Internal Security Act of 1950, of a Communist-action organization. When he takes that step he becomes subject to the sanctions of the Internal Security Act, which I shall place in the RECORD.

Mr. MORSE. Mr. President, will the Senator read them into the RECORD?

Mr. BUTLER. Yes. The provisions are:

(1) In seeking, accepting or holding any nonelective office or employment under the United States, to conceal or fail to disclose the fact that he is a member of such organization, or

(2) To hold any nonelective office of employment under the United States, or

(3) In seeking, accepting or holding employment in any defense facility, to conceal or fail to disclose the fact that he is a member of such organization, or

(4) To engage in any employment in a defense facility, or

(5) Knowingly to obtain or receive, or attempt to obtain or receive directly or indirectly from any officer or employee of the United States or of any department or agency thereof or of any corporation, the stock of which is held in whole or in part by the United States or any department or agency thereof, any classified information.

The members of a Communist-action organization must also, under certain circumstances, register with the Attorney General as a member of such organization.

The penalties contained in the Internal Security Act for violation of any of the foregoing include both fines and penitentiary sentences, the severity of which vary with the seriousness of the offense.

Mr. KEFAUVER. May I ask the Senator if that language means that any person who knowingly or willfully becomes a member of the Communist Party becomes guilty of a crime?

Mr. BUTLER. I have just told the Senator that such is not the case.

Mr. KEFAUVER. I am referring to section 4 on page 2.

Mr. BUTLER. Let me read section 4 as amended by the conferees:

SEC. 4. Whoever knowingly and willfully becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization shall be subject to all of the provisions and penalties of the Internal Security Act of 1950, as amended, as a member of a "Communist-action" organization.

I have just read the penalties he would suffer.

Mr. KEFAUVER. In other words, it is the position of the Senator from Maryland—and I think this is very important—that anyone who now becomes a member of the Communist Party is not subject to being tried in the courts for the beliefs he may hold, but he is subject to the registration provisions, and what not, of the Internal Security Act. Is that correct?

Mr. BUTLER. That is correct.

Mr. KEFAUVER. Is he not already subject to the registration provisions of the Internal Security Act?

Mr. BUTLER. He is not, if the organization itself registers.

Mr. KEFAUVER. I thought section 8 of the Internal Security Act provides for individual registration by members. Is not that correct?

Mr. BUTLER. That is only after the organization has been declared to be a Communist-action organization within the meaning of the Internal Security Act.

Mr. KEFAUVER. The Subversive Activities Control Board, under the Internal Security Act, has already declared the Communist Party to be an international conspiracy and to come within the provisions of the act. Is not that true?

Mr. BUTLER. That case is now pending in the Court of Appeals for the District of Columbia.

Mr. KEFAUVER. Assuming that the Board's decision is sustained—and I think it will be—the Communist Party has already been declared to come within the terms of section 7 of the act. Is not that correct?

Mr. BUTLER. Will the Senator from Tennessee please repeat his question?

Mr. KEFAUVER. Yes. Assuming that the court of appeals for the District of Columbia sustains the ruling of the Board that the Communist Party is an international conspiracy which comes within the meaning of section 7 of the Internal Security Act, then automatically the members of the party would have to register under section 8; would they not?

Mr. BUTLER. If the organization has to register and if the organization fails to file the list of its membership, then the members must register individually.

Mr. KEFAUVER. Then the effect of the conference bill would be that, if an organization were found to be a Communist organization, its members would not be guilty of a crime, but they would automatically have to register, under the Internal Security Act. Is that correct?

Mr. BUTLER. They would be subject to the penalties I read into the RECORD a moment ago.

Mr. KEFAUVER. Then, the Senator from Maryland thinks, does he, that they would have to register under section 8 of the Internal Security Act?

Mr. BUTLER. That is correct.

Mr. KEFAUVER. I know the Senator from Maryland is opposed to any action which would interfere with freedom of expression. I know he values the protection of freedom of expression and freedom of thought, and that he would not want people to be rounded up merely because they did not conform to our way of thinking. Does he think the conference report is certain not to lead to such a development?

Mr. BUTLER. I certainly can give that assurance. The theory of all this legislation does not relate to one's thinking. It relates to one's actions.

Mr. KEFAUVER. Then where would the issue of whether one has made himself subject to the provisions of the Internal Security Act be determined? Would it be determined in a court or administratively?

Mr. BUTLER. In the first instance it would be determined by the Subversive Activities Control Board, but with full right of appeal to the courts if the person involved felt aggrieved because of the determination made by the Board.

Mr. KEFAUVER. Section 5, on page 3, provides:

In determining membership or participation in the Communist Party or any other organization defined in this act, the jury, under instructions from the court, shall consider evidence, if presented, as to whether the accused person—

And so forth. Are the courts going to determine whether a person shall be required to register under the Internal Security Act?

Mr. BUTLER. After this act becomes effective, if the organization of which such a person is a member fails to register within 6 months, then that person will have to register. It will be an offense if he then fails to register.

Mr. KEFAUVER. Where is the provision about 6 months? Is that in the Internal Security Act?

Mr. BUTLER. Yes, it is; it is section 5 of the act.

Mr. KEFAUVER. Then the matter of what the justiciable issue in court will be——

Mr. BUTLER. The section of the law to which the Senator from Tennessee is referring is, I believe, the section which applies after it is determined that the person is a member of such an organization, and that he has failed to register, or that he has violated some other provision of the law, such as section 5. Then the jury will determine these various criteria.

Mr. KEFAUVER. But that is not what section 5 says. It says:

> In determining membership or participation in the Communist Party or any other organization defined in this act, the jury, under instructions from the court, shall consider evidence—

And so forth. I wish to know what will be tried. How will the indictment be written, and what will be the verdict?

Mr. BUTLER. If a person violates, let us say, section 5 of the Internal Security Act—for instance, suppose he seeks employment in a defense plant, and does not disclose the fact that he is a member of a Communist-action organization—then he will be subject to trial under section 5 of the amendment.

Mr. KEFAUVER. Let me go over that again: If a person were seeking employment in a defense plant, and if he had not complied with section 5 of the Internal Security Act—is that correct?

Mr. BUTLER. Yes; it is expressly stated in section 5 of the Internal Security Act of 1950 that such a person must disclose his membership in a Communist-action organization at the time when he applies for such a position. If he does not do so, he can be tried under section 5 of the amendment; and the court would apply the criteria therein referred to.

Mr. KEFAUVER. Then, assuming he is tried, how does the distinguished Senator from Maryland envision the trial would occur?

Mr. BUTLER. I think it would be an ordinary jury trial, like any other jury trial in a criminal proceeding.

Mr. KEFAUVER. Would there be an indictment?

Mr. BUTLER. I assume there would have to be an indictment before there could be a criminal trial in a court.

Mr. KEFAUVER. With what crime would the person be charged?

Mr. BUTLER. He would be charged with violation of section 5 (a) of the Internal Security Act of 1950.

Mr. KEFAUVER. Then he would be tried, not under the measure before us, but under the Internal Security Act. Is that correct?

Mr. BUTLER. The purpose of this amendment is to integrate this act into the Internal Security Act and to make all of it a workable whole.

Mr. KEFAUVER. Perhaps that is not the illustration I should like to ask the Senator from Maryland about.

Suppose a young man named John Smith, 21 years of age, and in college, decides he is a Communist, and suppose he says he is a Communist, and suppose he even joins the Communist Party.

Mr. BUTLER. Knowingly and willfully?

Mr. KEFAUVER. Well, he merely knew he joined the Communist Party.

Mr. BUTLER. But is it assumed that he did so knowingly and willfully?

Mr. KEFAUVER. Knowingly, let us say.

Mr. BUTLER. If his action was knowing and willful action, he immediately would come within the toils of the law, because that is what the act is aimed at.

Mr. KEFAUVER. Then how would he be tried?

Mr. BUTLER. If, in addition to that, he committed any of the acts prohibited by section 5 (a) of the Internal Security Act, he would come under section 5 of the amendment.

Mr. KEFAUVER. I cannot find where his guilt or innocence is tied up with section 5 (a) of the Internal Security Act. Is that by general language?

Mr. BUTLER. It is an amendment to the Internal Security Act, and is part and parcel of it.

Mr. KEFAUVER. As I read the language——

Mr. BUTLER. Will the Senator from Tennessee state from what he is reading?

Mr. KEFAUVER. I am reading from page 2 of the new language, section 4.

Mr. BUTLER. Yes.

Mr. KEFAUVER. If he knowingly and willfully becomes a member of the Communist Party, he "shall become subject to all of the provisions and penalties." But I do not read that to mean that it is a violation of the Internal Security Act which makes him subject. Is it being a member of the Communist Party that makes him subject?

Mr. BUTLER. No; the Senator from Tennessee must take this thing in stages:

> He shall become subject to all the provisions—

There are many provisions. He must register. If he does not register, he can be tried for violating the provisions of the Internal Security Act. It is hard to segregate them, but all of them are a part of the Internal Security Act.

Mr. KEFAUVER. Let me ask a plain, direct question.

Mr. BUTLER. Yes.

Mr. KEFAUVER. Suppose John Smith, a student at a certain university, joins the Communist Party and does nothing else. John Smith does not advocate communism, or get out and make any speeches. He does not do anything which would put him in violation of the Smith Act, under which some other act on his part is necessary. Could John Smith be indicted and tried under this bill?

Mr. BUTLER. I do not think he could. I think the only thing a man in that position would have to do would be to register. If he does not register, he comes within the provisions of the act, and he would be subject to prosecution.

Mr. KEFAUVER. I think the language is quite confusing. I have not had a chance to study it, as has the Senator from Maryland.

I believe the legislative intent as indicated by this debate is going to be important for future interpretation. Is it the legislative intent now that this young boy in college, who merely joins the Communist Party and does nothing else, who does not put himself in violation of the Smith Act, for the act of joining the Communist Party, and that alone, can he be indicted and tried under the provisions of this conference bill, if enacted?

Mr. BUTLER. If the organization of which he is a member, the Communist Party of the United States, is found by the courts to be a Communist-action organization, then that organization of which he is a member would have to register, and his name would have to be on the roster of members of that organization. If the organization did not register, then he would have to register, and he would have to do nothing else. He would merely come out in the open and say, "Yes, I am a Communist, and I register as a Communist."

Mr. KEFAUVER. I am not talking about the obligation which is upon him to register.

Mr. BUTLER. There is no other obligation, so long as he does not teach or advocate communism.

Mr. KEFAUVER. I am referring only to this young man in college who decides he wants to join the Communist Party and does nothing else as a member of the party.

Mr. BUTLER. I believe I have answered the Senator's question.

Mr. KEFAUVER. For that and that alone can he be indicted and tried in the courts?

Mr. BUTLER. I have tried to tell the Senator the only thing he has to do, if his organization does not register——

Mr. KEFAUVER. If he fails to register?

Mr. BUTLER. Then he is subject to the law.

Mr. KEFAUVER. Then he could be indicted and tried for failure to register.

Mr. BUTLER. That is correct.

Mr. KEFAUVER. Could he be indicted and tried merely because he had decided he wanted to think like a Communist?

Mr. BUTLER. He could not.

Mr. KEFAUVER. That is perfectly clear to the Senator from Maryland?

Mr. BUTLER. That is perfectly clear.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. BUTLER. I am happy to yield to my distinguished friend from Minnesota.

Mr. HUMPHREY. I believe I can be of some assistance to the Senator from Tennessee [Mr. KEFAUVER].

First of all, let me say that those who were members of the conference committee knew that they must at least take into consideration the views of the attorneys of our Government, who have some responsibility, and in fact the responsibility, for the prosecution of subversive activities.

Mr. BUTLER. That is true.

Mr. HUMPHREY. I think it is fair to say, and it should be said, that the changes which were made in the conference report were made because we did not want in any way to jeopardize proceedings now under way to fulfill the requirements of the internal-security law.

Mr. BUTLER. I wholeheartedly attest to that.

Mr. HUMPHREY. Let me say, as one who wants to cooperate with his Government, and at the same time strike a blow against those who would subvert the Government, that I felt a responsibility, as one of those who had participated in formulating this proposed legislation, to give the utmost cooperation to the Department of Justice.

Mr. BUTLER. I believe the Senator has.

Mr. HUMPHREY. If I have a choice between giving cooperation to the Department of Justice and legislating regardless of their will or views or of their sincere observations, then my choice must be to recognize the superior knowledge and the responsibilities of the Department of Justice.

Mr. BUTLER. I think the Senator has been very amenable to the wishes of the Department of Justice.

Mr. HUMPHREY. I feel an obligation as a citizen and as a Senator.

Now, there are two facets to this bill. I believe I can help my friend from Tennessee [Mr. KEFAUVER] in this matter. There are two basic laws on the statute books regarding those organizations and individuals who would overthrow the Government by force or violence, or would be guilty of aiding a conspiracy which has for its purpose the overthrow of the Government by subversion, force, and violence. Those two basic laws are the Smith Act and the Internal Security Act of 1950. We also have laws pertaining to espionage, treason, et cetera.

The two basic laws, under which the court cases have arisen, under which arrests and prosecutions of Communists have taken place, and under which arrests and prosecutions of Fascists have taken place, are the Smith Act and the Internal Security Act.

The bill before the Senate applies to both of those laws. In section 2 there is a declaration of finding:

> The Congress hereby declares that the Communist Party or any other organization that has as its purpose the overthrow of the Government of the United States by force and violence is a conspiracy.

Period. That is not stated in the Smith Act. Under the Smith Act it is necessary to prove conspiracy in the court. That is the first stage of the prosecution.

This bill, if it is passed and made public law, states conclusively that such an organization is a conspiracy, thereby expediting prosecution in the courts of those who would destroy this Government. That is the first thing.

Mr. BUTLER. There is no doubt about that.

Mr. HUMPHREY. Second, insofar as membership is concerned, there would be a twofold effect as a result of this bill becoming public law. First of all, there would be an effect with relation to the internal security law of 1950. That is what is referred to in section 4. The main reason for the language in section 4—and I wish to be candid with my colleagues—is that we do not wish to jeopardize the prosecution of cases which are already under way.

Mr. BUTLER. I knew the Senator was solicitous about that.

Mr. HUMPHREY. The Senator from Maryland knows if we do not put that language into the bill the Justice Department possibly might find the whole underpinning of their case against the Communist-action organizations has been removed.

Mr. BUTLER. That is true.

Mr. HUMPHREY. I would be no party to that action.

Mr. BUTLER. That is correct.

Mr. HUMPHREY. I am much more interested in the prosecution of those guilty of these nefarious crimes than I am in having in the bill every word I proposed to add to it. I have said that before, and I will say it again.

Second, if a man is a member of an organization which is a conspiracy, and if he knowingly and willfully is a member, with knowledge of the purposes of said organization, he can be prosecuted under the terms of the Smith Act.

Mr. BUTLER. That is correct.

Mr. HUMPHREY. This bill does strengthen the Smith Act. This bill does not injure the Internal Security Act; this bill does strengthen the Internal Security Act. And this bill does outlaw the Communist Party. This bill does take away the privileges and immunities of the Communist Party. And this bill also states quite clearly that the court, in considering evidence as to membership and as to the knowledge and purpose of the organization of the Communist Party, shall take into consideration the 14 points which are mentioned.

Maybe we did not strike as strong a blow as HUBERT HUMPHREY would have liked to strike in the bill, but we have not injured the laws which are now on the books. We have strengthened the laws which are now on the books.

We have been able to sustain every provision of the Internal Security Act, without in any way modifying it; and we have strengthened the Smith Act. I can say here now, in the confines of this Chamber, for the RECORD, that I have been informed that by the passage of this bill we will expedite the prosecution of cases which are now pending.

Mr. BUTLER. I do not think there is any doubt about that.

Mr. HUMPHREY. And we will expedite action under the Internal Security Act.

Mr. BUTLER. I do not think there is any doubt about that. The work we have done here will supplement, implement, and strengthen the whole body of law directed at the Communist conspiracy in America.

Mr. HUMPHREY. And that is all I want to see done, and that is all the Senator from Maryland wants to see done. Nothing has disturbed me more than the fact that this discussion has been interpreted time after time as an argument between this side of the aisle and the other side of the aisle. Let it be quite clear that 85 Members of the Senate showed their true colors and showed their determination to strengthen the antisubversive laws of the United States, and demonstrated clearly for 161 million people that the Communist Party is to be regarded as a conspiracy, a conspiratorial force which is unworthy of the name "party," an organization dedicated to the destruction of this country.

I think we have made amazing progress. What is more, though I have not been in close consultation with all of the conferees, as I understand, the report is unanimous.

Mr. BUTLER. It is a unamimous report.

Mr. HUMPHREY. And I understand it is unanimous on the part of the House conferees, who were instructed.

Mr. BUTLER. That is correct.

Mr. HUMPHREY. I shall bow to the wishes of the conferees. If what we have done does not work—although I hope it will—I give my pledge, if the good people of Minnesota are willing, that I shall be back here, and if there is any weakness found in the law, I shall do everything within my power to strengthen it at the next session of Congress.

Mr. BUTLER. I will pledge likewise to work with the Senator from Minnesota.

Mr. KEFAUVER. Mr. President, will the Senator from Maryland yield to me so that I may ask a question of the Senator from Minnesota?

Mr. BUTLER. I yield for that purpose.

Mr. KEFAUVER. The crucial point in my mind about this conference report, as it was in connection with the bill, is whether a person's belief, in and of itself, without performing any act, is sufficient to bring him into court and to have him indicted and tried merely for something he has in his mind.

Mr. HUMPHREY. The bill is clear, as is the Smith Act, that a person must knowingly and willfully become and remain a member and have knowledge of the purposes of the organization. The purposes are outlined in the declaration of findings.

I say to the Senator from Tennessee—and I hope everyone will clearly understand me—that if anyone in this country today becomes a member of the Communist Party, he becomes one knowingly and willfully and intentionally, and no one is pulling any wool over anyone's eyes. He does not have to become a member of the Communist Party to express unorthodox ideas. Let him become a member of any number of other parties or of the Republican Party or the Democratic Party, if he wants to express unorthodox ideas.

Let us not kid ourselves. I have listened to people who have said, "Oh, all these poor souls became members of the Communist Party because they want to be different."

Let them join the party of Mars or the party of Jupiter, if they want to be different. If they become a member of the Communist Party, they obviously become a member of a conspiracy. We are no longer talking about the Communist Party that deluded and fooled us back in the 1930's and 1940's. We are talking about the Communist Party whose purposes are clearly stated not only by words, but by deeds and actions and subversion and force and violence and destruction.

This Senator wants it to be quite clear that he believes when a person joins the Communist Party he becomes a member, so far as I am concerned—and of course I am not the court, and the court must make the decision—of that party willfully, knowingly, and intentionally. If he is a big enough dope to join that party, and if he is willing to sell out his country to join it—because that is what he is doing—then he ought to be prosecuted.

I will be after the Department of Justice to prosecute them under the terms of the Smith Act. I will be after the Department of Justice to see to it that they are prosecuted under the applicable requirements of the Internal Security Act. The Subversive Activities Control Board has branded the Communist Party as a Communist-action group, and it will take the party to court. The Communist Party is testing the Internal Security Act. I do not know what the court will rule, but if the court rules that the Internal Security Act does not apply, we will then have the Smith Act under which to prosecute them, and we can then prosecute them also under this act. We have closed all of the doors. These rats will not get out of the trap. We have really caught them in the bear-trap with the right kind of bear bait.

Mr. KEFAUVER. Mr. President, will the Senator from Maryland yield further?

Mr. BUTLER of Maryland. I yield the floor.

Mr. KEFAUVER. I should like to say a few words about the conference report and about my general attitude toward the legislation we are acting on today.

It was not very pleasant to be the only Member of the Senate who voted against the House bill with the Senate amendments when it was passed on the day before yesterday. However, I had a very deep conviction, as I have today, about this subject. I feel that history and time will vindicate the position I have taken. As a matter of fact, if what the Senator from Maryland says about this conference report is true, the position I have taken has already been vindicated, and I hope my opposition and statement may have had something to do with eliminating a provision which I felt would violate the Bill of Rights and which would embark us on a witch hunt, the results of which no one could determine, and which would jeopardize substantially everything the Department of Justice has done in the past 5 years in trying to deal with the Communist problem.

In this matter, I think we are giving a clear and impressive picture of how legislation should not be written. There have been no hearings on this bill. The opinion of J. Edgar Hoover, Director of the Federal Bureau of Investigation, the organization which has the responsibility of ferreting out Communists, was not sought or received. We did not seek the advice of Herbert Brownell, Attorney General of the United States, whose responsibility it is to prosecute those cited under the Smith Act, the Internal Security Act, or this act. Instead, we wrote this legislation here on the floor, amidst confusion and political overtones, without seeking anyone's advice as to how it would affect the counterespionage system worked out by the FBI through the years, or how it would affect prosecutions now under way, or how it would mesh in with existing law, or what violence it might do to the traditional concepts on which this Nation was founded. We still have not sought Mr. Hoover's advice, and I would think that he would be almost on the point of resignation, faced as he is with the heavy responsibility of the internal security of this Nation, and told to work with laws concerning which he was not even shown the courtesy of consultation.

I was not present when the matter first came up in the Senate, when the Senator from Minnesota offered his first amendment. I was in Tennessee, and I did not return to the Senate until the following day. If I had been here, I would have voted against the bill that night, and I would have made some remarks explaining my position, because, substantially, the bill which was passed that night was the same one that came before us Tuesday, namely, the House bill with the amendments of the Senate.

As I understand the conference report, it eliminates the provision that a person is in violation of the law and can be prosecuted merely because of a belief he may have. I must confess that there is considerable confusion in the language of the bill, and the bill must be read in connection with the Internal Security Act and the Smith Act to ascertain just what it does mean. However, if that provision is eliminated, then that substantially removes the effect of the amendment which was adopted on the floor of the Senate on the day before yesterday, namely, the so-called Humphrey amendment, to which I particularly objected. If that be true, then I believe the conference report is a great improvement over the bill which was passed the other day. On the basis that it is a better piece of legislation and an improvement, and on the basis that it does substantially take away the provision of the Humphrey amendment, I shall vote for the conference report. I have now been assured that this will not adversely affect prosecutions under the Smith Act or emasculate the Internal Security Act, so my principal objections have been met.

In the early days of this Republic, Thomas Jefferson, in his inaugural address of 1801, made a statement which I think should be considered today. At that time, it will be remembered, ours was a young and weak republic. At that time, many persons were still loyal to Britain. The Government had just been formed, and the scars of the conflict between the people who were loyal to the British and those who were loyal to the revolution were still deep. Thomas Jefferson demanded that the law should protect even those who thought there should be no Union, and even the Tories who had just fought fellow countrymen on American soil. Jefferson said:

> If there be any among us who would wish to dissolve this Union or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated when reason is left free to combat it.

That has been the fundamental philosophy which we have zealously guarded and followed all through the years. The soundness of Jefferson's theory is repeatedly proven at the ballot boxes of the Nation.

During the history of our Nation, there have been occasions when prosecutions have been had of groups who held certain political beliefs, or when there has been a great deal of opposition to them. There has been opposition to the Ku Klux Klan, there has been opposition to various other organizations, but always, when people with those beliefs were brought out into the open and made to compare what they were thinking about with our freedom and democracy and right of self-government under the Constitution, their effectiveness has always been killed, because they could not compete with what we stand for and believe in under our American democracy.

There have been times when there were demands to outlaw or to prosecute persons because of their religious beliefs. That has happened quite frequently in the history of our Nation. Yet, Mr. President, we know that to have yielded to such demands would have been very, very unwise, because if certain Protestants were prosecuted because of being members of a Protestant church, it would be the Catholics who would be the prosecuted tomorrow, and then the Jews, and our democracy as we know it would be destroyed.

Before World War II there was a Bundist movement in this Nation. Those who were saboteurs were rounded up by the Department of Justice, put out of circulation, and the country was protected. After Pearl Harbor those persons who were not saboteurs but who still might have some Nazi or Bundist ideas were exposed to the spotlight of public opinion, and their effectiveness was destroyed. They did not, at least, do the Nation any substantial harm.

That, it seems to me, is in the true American tradition. I think it would have been very unfortunate if, in the wave of hysteria at the time we were about to engage in conflict with Germany, a law had been passed to prosecute, and put into jail anyone who might have had Bundist beliefs or ideas, or who might have expressed himself in some such way. That would have violated the long tradition of this Nation, because no person has ever yet been made an outlaw in this country for his political beliefs.

Mr. President, I must say that I have many misgivings regarding the language of the conference report, and as to whether we are doing something which violates the sound philosophy which has been given us by Thomas Jefferson and by all our great leaders with reference to the right of dissent, the right to have differences of opinion, the right to have any belief which anyone wishes to have. I hope we are not bringing about such a situation that people may be indicted and prosecuted for the beliefs which they may hold.

Mr. President, that, in my opinion, would be the result of the bill which was passed late one night recently. That, in my opinion, would have been

the result of the Senate amendment which was added to the House amendments to the bill on Tuesday. I could not vote for it.

Mr. President, in my own conscience I could not support a measure which would have such a result, even though I must say that my position has brought me a great deal of opposition in my own State. It has not been very pleasant to stand out like a sore thumb, so to speak, but I have held that conviction very, very deeply. I am just as much opposed to the Communist conspiracy or to communism as is anyone else. I abhor what the Communists stand for and what they want to do. The question in my mind is as to the best way of dealing with the problem and trying to deal with it most effectively. We do not have to abdicate the Constitution to catch a few Communists. To do so would please the Communist greatly. We would be playing right into their hands. I think we must consider the long history of freedom in this Nation. We must consider the philosophy under which we have always operated. We cannot destroy ideas merely by passing laws. I think it is always true that if we try to outlaw an idea, if we try to outlaw the way in which a man thinks, we are going to make a martyr of him, and it will result in many, many vocal people coming to his defense. This would create real disunity in the Nation. Communism thrives upon disunity and I want to make sure that we do not here give approval to a measure which will, in the name of fighting the Communists, actually help them.

If this bill can be interpreted as outlawing the way someone may think, then someone may say, "I have heard this man say he is a Communist." If it is going to result in pitting neighbor against neighbor, then, instead of hurting the Communists, instead of taking action against the influence of communism in this Nation, we shall make martyrs of many people and bring to their defense many thousands of persons who do not like the idea of trying to legislate with reference to what a person may think.

I am sorry to take up so much time of the Senate, and I had not intended to, but I think this is of great importance.

Mr. LANGER. Mr. President, will the Senator from Tennessee yield for a question?

Mr. KEFAUVER. I yield.

Mr. LANGER. The Senator from North Dakota has been very much impressed by the speech of the distinguished Senator from Tennessee.

Mr. KEFAUVER. I thank the Senator.

Mr. LANGER. Does the Senator remember that approximately a year and a half ago I read on the floor of the Senate a letter in which the late Senator Taft was accused of being a Communist? It was written by someone in Minneapolis, Minn., who was opposed to the Taft-Ellender-Wagner slum-clearance bill.

Mr. KEFAUVER. I remember that very well.

Mr. LANGER. Mr. President, will the Senator from Tennessee yield further?

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). Does the Senator from Tennesse yield to the Senator from North Dakota?

Mr. KEFAUVER. I yield.

Mr. LANGER. Does the Senator remember that a Senator on this floor charged all the members of the Farmers Union—37,000 of them—with being Communists?

Mr. KEFAUVER. Yes; I remember that distinctly.

Mr. LANGER. I should like to have the Senator's opinion as to how this conference bill is going to affect situations such as that.

Mr. KEFAUVER. I would say to the Senator that I am very much worried about it. The Senator from Maryland [Mr. BUTLER] assures me that persons are not going to be subject to prosecution, under this bill, for their beliefs. I am not certain about it. It may be that the Senator from Maryland is incorrect. The bill was written without any hearings, without even giving Mr. J. Edgar Hoover an opportunity to testify with reference to it. We know the original bill is contrary to everything Mr. Hoover has ever written or said about dealing with Communists. Yet, he was not consulted. It not only applies to the Communist Party, but, if the Senator from North Dakota will look at section 4, he will see the words "Whoever knowingly and willfully becomes and remains a member of the Communist Party or"—if that were "and" it would be different—"or any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government."

I think it might very well be interpreted to mean that if the Department of Justice wished to prosecute the Farmer-Labor Party, the Republican Party, the Democratic Party, or the Farmers' Union it could do so under this language. The language reads:

> Any other organization having as one of its purposes or objectives the establishment, control——

Mr. HUMPHREY. Read on.

Mr. KEFAUVER. Continuing—

> control, conduct, seizure, or overthrow of the Government of the United States——

Mr. HUMPHREY. By——

Mr. KEFAUVER. Continuing—

> or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization—

Shall be subject to all of its provisions.

Mr. HUMPHREY. Does the Senator really believe that the Farmers' Union or some other group such as has been mentioned wishes to overthrow the Government by force or violence, or even wishes to overthrow the Government? Does the Senator believe he is doing a disservice to such an organization when be ignores the controlling words, "by force or violence"?

Mr. KEFAUVER. Perhaps that is correct, but what is meant by "violence"? Is it loud shouting? Suppose I should give the majority leader a big push. Is that violence?

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. KEFAUVER. I yield.

Mr. LANGER. Under this conference report could the Attorney General of the United States arbitrarily say, without a hearing, that they were such an organization?

Mr. KEFAUVER. The Attorney General of the United States could say that some organization—it would not have to be the Communist Party, it could be the Farmers' Union—was trying to get control of the Government, and that it was doing so by the use of force or violence.

Mr. LANGER. Mr. President, will the Senator further yield?

Mr. KEFAUVER. I yield.

Mr. LANGER. We had the spectacle a short time ago of the Attorney General of the United States saying before the American Bar Association that the Lawyers' Guild was a Communist organization and a front for the Communist Party; and he made that statement without having held a hearing. As the Senator knows, the Court of Appeals said by a 2 to 1 decision that he could not do it. I am interested in whether or not, under this bill, that could be done.

Mr. KEFAUVER. The Senator from Minnesota [Mr. HUMPHREY] is correct, that under section 4 of this bill if the Farmers' Union were trying to get control of the Government and if it did something by force or violence—it does not say force "and" violence; it says force "or" violence—it could be prosecuted. I do not know what "violence" means. I do not know what "force" means. The Senator is correct; those words are there, but I believe the point the Senator has in mind is that the application of this provision is not limited to the Communist Party. It may apply to the Republican Party, the Democratic Party, or the Farm Labor Party. I assume the Senator from Minnesota would agree that this provision is not limited to the Communist Party.

Mr. HUMPHREY. Of course not. It is not limited to the Communist Party, because the Communist Party may dissolve itself as the Communist Party and call itself the Knights of Daffodils, or something like that. But if it is an organization which has as its purpose the overthrow of the Government of the United States by force or violence—I do not think any Senator in this body is unaware of what "force" or "violence" means—then indeed it is not worthy of the protection of what is called the peaceful order of the law. However, it must at all times be brought to court.

I think we ought not to forget that we are not organizing vigilantes. We are saying that if one knowingly and willfully becomes a member or remains a member of an organization which has as one of its purposes the overthrow of the Government of the United States by force or violence, and with knowledge of such purpose, he comes under the proscription of the penalties and provisions of the Internal Security Act.

There is not only the protection of the Internal Security Act in terms of the Subversive Activities Control Board, but there is the protection of due process of

law. The Government must be able to prove that the act was done knowingly and willfully, with knowledge of the purposes of the conspiracy which seeks to overthrow the Government.

How much more protection does one want to give? Legislation against ideas is not what is proposed. It is legislation against conspiracy. I wish to make the record crystal clear in this area. I will take a back seat to no one in my regard for the rights of Jews, Catholics, Protestants, and civil liberty groups. Who would destroy those people? Who organized the anti-Semitic campaign in Europe? The Soviet Union. Who is destroying churches? The Communist Party. Who would destroy every civil liberties group in America? The Communist Party.

We have a right to protect ourselves from these people, not as vigilantes, but through the due process of law. That is what we are endeavoring to do.

Mr. KEFAUVER. I am happy to hear the Senator state that under this conference report no one could be punished because of his ideas.

Mr. HUMPHREY. Not at all.

Mr. KEFAUVER. I think the statement of the Senator in that respect is of importance.

Mr. President, it seems to me we have in this conference bill a great improvement over the previous bill, but I believe this is the culmination of a very unfortunate situation which has developed in our country. Certain persons in the administration or in the Republican Party have brought this on themselves by making a blanket accusation against many Democrats that they are in fact Communists——

Mr. COOPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Kentucky?

Mr. COOPER. I do not wish to interrupt the flow of the Senator's thought, but knowing that he is a logical man, I ask him, even if all that be true, what in the world has that to do with whether or not this is a good bill?

Mr. KEFAUVER. I shall try to show the Senator from Kentucky what it has to do with it, if he will follow me. In referring to a general attempt to condemn the Democrats as Communists or to associate Democrats with Communists, I certainly was not referring to any substantial number of members of the majority party, and I certainly was not referring to the Senator from Kentucky for whom I have the very highest respect.

I think such charges as "20 years of treason" and efforts to try to associate a former President of the United States with coddling Communists and being the bosom companion of a number of Communists have had a very bad influence upon our respectable 2-party system.

It is in the interest of each of our political parties to try to respect each other so that the American people will have respect for both of our political parties. The best way to operate a democracy is with two vigorous national political parties.

I think the Attorney General of the United States has erred in a great many respects in joining in charges against President Truman and against Democrats. I have differed frequently with Mr. Truman but America is done a disservice when one tries to tear down the honor of the office of the Presidency. I think it is very unfortunate that in many political campaigns certain leaders of the majority party have not based their case on the domestic or foreign policy issues before the American people, but have simply called names and labeled people Communists or coddlers of Communists.

Mr. President, the situation has become so bad—I hope this may be the breaking point—that frequently when one disagrees with someone about anything there is very little argument about the merits. In a blanket fashion, and summarily, the person with whom one disagrees is condemned as a Communist, a leftist, a red, or something of that sort.

About 6 weeks ago, a subcommittee, of which the distinguished Presiding Officer [Mr. HENDRICKSON] was chairman, went to New York in connection with its study of problems of juvenile delinquency. We had before us the publisher of one of the horror crime books which everyone says do young people a lot of harm, portraying violent death and disrespect for policemen. We were interested to learn that about 30 million copies of that type of book are published and distributed to our young people every month.

The editor of the worst group of such books has a method of defending himself. He ran a cartoon, drawn in comic-book fashion, on the first page of one of his comic books, saying that anyone who opposed crime or horror comic books was following the Communist line or was playing into the hands of the Communists.

That is the condition which has grown up in this Nation, Mr. President, and I think the political charges which have been hurled from time to time by a few people in the majority party at Democrats here and there, without regard to whether there is any factual basis for them, are substantially responsible for some of the hysteria and a good deal of the difficulty we have in the Nation today. So that there was certainly justification, from an emotional viewpoint, for trying to put the shoe on the other foot, and trying to show by the bill that was prepared and brought to the Senate, that certain Democrats were much more eager to take the biggest and most drastic step possible against the Communists, without regard to what Mr. J. Edgar Hoover, the Department of Justice, and the President thought about it, than were the members of the Republican Party. That is the position we are in today.

The Democratic Party, although it has reason to be irked and grieved by the communism charge hurled against it cannot afford to be a party to unsound legislation in effort to retaliate. Our Democratic Party is the traditional defender of civil liberties—we have fought efforts to deprive men of freedom of thought, religion, and speech. It will destroy our party to abandon this concept no matter how aggravating the situation may be. A grievous wrong inflicted upon us by the Republicans does not justify our inflicting an even greater wrong upon the protections given our people by the Bill of Rights. The voters will eventually see through the flimsy charges but they will never forgive us if we do violence to basic rights of freedom.

We have been fortunate, it seems to me, in having had, as the head of the United States internal security department, over a period of many many years, Mr. J. Edgar Hoover. I think that if Mr. Hoover is not competent to fill that position, if we cannot rely upon him and give great weight to his views, we ought to get another director of the FBI and fire Mr. Hoover. I am not willing to have that done, and I believe that every Member of the Senate feels that Mr. Hoover, in chasing down Communists, in knowing how to deal with them, in protecting this Nation from subversives of all sorts, knows what he is doing. He is more competent to do the job than any of us.

So there was no consultation with Mr. Hoover regarding the provisions of the proposal which was before the Senate at midnight the other night. There was little consideration given to the plans and the program which Mr. Hoover has worked out over a period of many, many years. Mr. Hoover was not consulted regarding the provisions of the bill which came before the Senate day before yesterday. I talked at great length with a top official in the Department of Justice. I cannot give his name, because it was a personal conversation, but I know, after talking with him, that the Department of Justice, and I am sure it reflects the views of Mr. Hoover, felt that the bill which I voted against the other day would destroy the internal security provisions of the act, and undo everything which had been done over a period of 4½ years. It was felt that the bill was a wrong approach to the problem, would muddy the waters, and perhaps would result in a failure to secure final convictions against persons who were tried and convicted in the lower courts under the Smith Act. The high official was very much concerned about it, and thought that it was not the way to deal with the problem. I have talked in days past with Mr. Hoover. Today I talked at length with a top official of the FBI. I know they are unalterably opposed to the bill we passed on Tuesday. This official complimented me on my vote against it.

From the point of view of how best to deal with the problem, from the point of view of the executive department and that of the Federal Bureau of Investigation in particular, I think the bill we passed the other day was certainly a very wrong approach.

I should now like to discuss the conference report in connection with the Smith Act and the Internal Security Act. As was explained by the distinguished Senator from Nevada, the distinguished Senator from Maryland, as well as other Senators, and by representatives of the Department of Justice, it was felt that

the original bill if passed would grant immunity to those who might be called upon to register as individuals under the Internal Security Act, section 7. It was stated that such individuals could refuse to register, and probably could get by with the refusal, under the protection of the fifth amendment, and that the Department of Justice would be deprived of the benefit of information regarding such individuals which otherwise would be available to the Department if they registered, such as where they received their money, their publication, their activities, and the other information required under the registration requirements. Such individuals have already said they would not register. So that all the effort which has been made by the Federal Bureau of Investigation over the past 4½ years to learn the methods of the Communists would go out the window and be lost.

I have talked very recently with a top official of the Federal Bureau of Investigation, and he informed me that the registration provision would be one of the most effective methods for ferreting out the Communists in this Nation. He felt that such a provision would avoid the charge that a person was guilty of a crime per se for what he thought. This official told me that punishment for political beliefs would make martyrs of many Communists, persons who might otherwise register as members of the Communist Party. He felt that certain elements in this country might go to the defense of such persons and thus give communism some respectability. The Communist Party has already announced that it is not going to register and that its members are not going to register. By refusing to do so they will outlaw themselves. They can then be prosecuted, not for what they think, but for failure to register. World public opinion will be on our side if we handle this problem as Mr. Hoover suggests. We will lose it by prosecution for political beliefs per se.

The Federal Bureau of Investigation feels that failing to register would be a great psychological blow against what the Communists stand for, and that prosecuting such persons for a violation of the registration provisions could not be alleged as prosecuting persons just because of certain views which they might hold, but that it would merely be a prosecution of persons for their refusal to admit that they have those views.

Certainly, from the viewpoint of dealing with such persons, we would still be protecting our basic freedoms under the Bill of Rights. The Federal Bureau of Investigation has already informed us that by far the most effective method of dealing with the Communists is the method which has been worked out. That has been the view of President Eisenhower, and it is also the view of the Attorney General of the United States.

I have in my hand two recent speeches of the Attorney General of the United States. One was delivered on April 9, 1954, in one of his reports to the Nation, in which Mr. Brownell discussed how the registration provisions would work, and why it was not desired that Communists be driven underground. On page 2 of the speech it is pointed out that many, many FBI agents themselves have gotten into Communist cells in order that they might obtain information.

Under the original bill, which made membership in the Communist Party a crime per se, I did not see any exception made for Federal Bureau of Investigation agents who might themselves join the party in the course of their work. I suppose some method could be found so that such persons would not be subject to prosecution, but I did not find any provision to that effect.

The Federal Bureau of Investigation and the top Department of Justice officials feel that there certainly should be some opportunity left for repentance by young persons who might make mistakes and join the Communist Party. Certain young persons in school are likely to take any kind of wild action. Any law which would make them criminals for the rest of their lives would not be in keeping with our system. Such a bill would prevent them from repenting of their actions. It would not be possible to have any more Budenzes or other persons who might later see the light of day, admit that they had made a mistake, and decide to be good citizens. They would be outlawed, and branded and marked as criminals for the rest of their lives. I do not think we want that kind of thing to happen.

Frankly, I think the section as now written is just about a restatement of the Smith Act, although it will not be quite as useful to the Department of Justice as is the Smith Act, which I supported and for which I voted. A good many convictions have already been obtained under the Smith Act.

In New York, 13 have been convicted, and their cases are pending on appeal; in Honolulu, 7; in Seattle, 5; in Los Angeles, 14; in Detroit, 6; in Philadelphia, 9; in Pittsburgh, 5; in St. Louis, 5. All those convictions are on appeal. The Department of Justice feels that the enactment of the bill that was before us the other day might have enabled those persons to win their cases in the appelate courts. One reason why the Department of Justice feels those persons might thus have been able to win their cases, on appeal, is that under the Smith Act they have been found guilty of being members of the Communist Party, and of having entered into a conspiracy or of having done some other illegal act and have been convicted. The theory is that under this bill, as it was before today, if something could not exist legally, then the attorneys undoubtedly would argue to the Supreme Court, "These persons cannot be convicted of doing something that does not legally exist," and therefore they might win their appeals.

There are other reasons why the Department of Justice felt that the bill which was before us the day before yesterday might adversely affect the Smith Act.

In New York, there are 11 who have been convicted under the Smith Act, and are now in jail. In Baltimore there are 6. There are upwards of 100 functionaries of the Communist Party who are involved in Smith Act convictions or appeals. Some of the names are Elizabeth Flynn, Pettis Perry, Steve Nelson, William Schneiderman, Jon Hall, Art Bary, and many, many others.

Under the Internal Security Act, the Board has found that the Communist Party is an international conspiracy dedicated to the overthrow of the Government of the United States and that is now on appeal. The case was argued in April before the United States Court of Appeals. The decision is now being awaited. The Department of Justice feels that the Government will win its case. Although I have not gone into the matter, I can see no substantial legal reason why the Government should not win it, and the Communist Party will then have to register and submit a list of its membership for registration. Individual members will be required to register.

The Board has before it the cases of 14 Communist-front organizations, including the Labor Youth League, the Jefferson School of Social Science, the Veterans of the Abraham Lincoln Brigade, and the National Council of American-Soviet Friendship. Cases against eight other Communist-front organizations are pending.

Of course, the members of the Communist Party will be required to register as soon as the case now before the court of appeals has been sustained by the Supreme Court.

The passage of the bill which was before us Tuesday would have allowed those persons claim immunity when they were called upon to register under section 8 of the Internal Security Act. So the registration provision and all the plans made in connection with it would have been nullified. I am afraid that the cases which now are pending against the Communist Party, and are in the court of appeals, and the actions now pending against the Communist-front organizations might have been terminated if that measure had been passed.

The conference report, as it is now before us, declares that the Communist Party is an international conspiracy dedicated to the overthrow of the Government of the United States by force or violence. In view of the decisions of the Supreme Court, the holdings of the Subversive Activities Control Board, and other evidence which is well known to the American people, both by judicial review and by things we know of our own knowledge, we are justified in taking that step and in declaring as a matter of legislative record that the Communist Party is such a conspiracy. I think that action should be taken very thoughtfully and carefully, because certainly we do not wish to get in the habit of outlawing an organization or declaring it to be a conspiracy against the United States, just because we do not happen to like the organization.

But in view of all the decisions and everything else that has occurred, I think we are justified in taking that action; and that, I take it, is now the largest thing the measure before us does. Even under this conference report the

organization can still exist even though its rights may be taken away.

To sections 2 and 3 of the House bill was added section 4, which was said by its sponsors to make a person guilty of a crime, regardless of whether he had committeed an act or had done anything else, but merely if he were a member of the Communist Party.

I voted against that provision because I do not wish to take action which will completely nullify everything the Department of Justice and the FBI have done in the last 4½ years. I do not wish to destroy the Smith Act, and thus let those who now have been convicted, and whose convictions are on appeal, or those who are now under indictment under the Smith Act, get off free. That is what that provision might have done. Certainly it would have destroyed the Internal Security Act and would have upset everything Mr. Hoover has been doing, without even asking him whether it was a good thing to do, and without knowing who was opposed to it. If we have confidence in Mr. Hoover, we should stand by him, and should not take action contrary to the whole system he has recommended. So far as I am concerned, I have that confidence.

But the present conference report, according to the Senator from Maryland [Mr. BUTLER] and the Senator from Minnesota [Mr. HUMPHREY], eliminates or modifies that provision, so that it would not grant a member of the Communist Party immunity from registration, and would not allow prosecutions just for what some person might think in his own mind. So I think the conference report is a great improvement, and substantially takes us back to the House bill, which I was for, and to which I regret the Senate amendment was added.

So, Mr. President, on the basis that the conference report is better, and that one section of it might do some good, in being a declaration that the Communist Party is an international conspiracy, I expect to vote for the report.

Mr. President, at this point in the RECORD I ask unanimous consent to have printed two editorials in connection with this measure. One of them is from the Newark Star-Ledger of yesterday and the other is an editorial appearing in the Washington Post and Times Herald and the New York Times, Herald Tribune, Chicago Daily News, and Wall Street Journal of this morning. All editorials substantially set forth the viewpoint I have expressed on this matter. Also I ask permission to have printed excerpts from two speeches of Attorney General Brownell.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Newark Star Ledger]

STILL A HARMFUL GESTURE

The House of Representatives has passed a so-called anti-Communist bill that, unlike the Senate bill, avoids labeling mere membership in the Communist Party a crime. The House bill outlaws the activities of the party, but not mere membership.

While this bill is less flamboyant than the Senate bill, it is nonetheless a harmful and showy gesture. We can see no gain to national security arising, for instance, out of banning the Communist Party from appearing on the election ballot. It is far better to encourage those who harbor Communist views to express them in a legitimate way than to drive such expression underground and make a mystery out of the extent of Communist political strength.

The Members of Congress who are eager to deal a telling blow against communism would do far better to avoid such empty and harmful gestures as those under consideration and, instead, to support concrete measures, such as legalizing of wiretap evidence in prosecution of Communists for espionage.

Ironically, the wiretap bill, requested by the Department of Justice, is being stalled. Yet there is eagerness on the part of Members of Congress to demonstrate their anti-Communist feelings for the record by voting for a sweeping, spectacular but senseless outlawing measure.

HYSTERIA ON THE HILL

Congress has lost all sense of restraint in dealing with the volatile Communist issue. In the wave of hysteria that swept over Capitol Hill on Tuesday, both Houses abandoned any attempt to work out sensible control measures and voted the proposals which seemed to reflect the greatest degree of hatred and contempt for communism. So far as this sentiment is concerned, it is almost unanimously shared by the American people. But hatred of communism was not, and is not, the issue before Congress. Rather, it is a question of how the Communist conspiracy can best be dealt with in keeping with our principles of freedom and justice.

In passing its first bill to outlaw the Communist Party last week the Senate seemed to have some qualms about penalizing mere membership in that agency of Moscow. It made its stern criminal penalties applicable only to party members who could be convicted also of committing some act to carry into effect the purposes of the party. This was an obvious effort to avoid punishment of individuals for mere beliefs. It provided, however, only a vague test of guilt that met understandable protests from the Department of Justice.

In its second version of the bill, therefore, the Senate ripped out that clumsy safeguard and wrote in its place an outright condemnation not only of Communist Party members but also of fellow travelers who can be shown to have aided the Communist Party. It is deeply ironical that in this sweeping gesture Senator HUMPHREY and other liberals embraced the proposal of Representative MARTIN DIES, former head of the House Committee on Un-American Activities. Under this liberal-reactionary formula, courts and juries are instructed to take into consideration, in determining the guilt or innocence of persons accused of being Communists, whether they have contributed money to the Communist Party, carried out any of its plans, published anything in behalf of its aims, conferred with any Communist in behalf of its plans, or in any way participated in its aims or activities. Such a law might be used to herd into prison thousands of persons who have never been Communists and who have no basic sympathy with the Communist conspiracy.

In many respects there is poetic justice in this Democratic drive to outdo MCCARTHY in toughness toward communism. For several years the Republican Party has been shrieking about Communists in Government and soft policies toward Moscow. Now the tables are turned. The Democrats in Congress are apparently determined to go the last mile in voting anti-Communist regardless of how unconstitutional or unreasonable their scheme may be. Republican goading has pushed them to that extreme, and because of their own past demagogy in this sphere Republican legislators now have no solid ground on which they can stand in resisting a similar wave of demagogy from the opposition.

Somewhere in the process, however, the national interest in maintaining a sound policy of internal security must break up this emotional and political stampede. Apparently it is too late for the House to insist on its original bill, as the conferees have been instructed to accept the principle of the Senate bill. In the circumstances, the best course may be to let the measure die in conference. However, if it comes out in the form given it by the Senate, the President would have ample reason to pocket veto it.

As the bill would wreck the present laws for keeping subversives under control, it might work to the substantial advantage of the Communists. And it would be a blot upon American traditions that would hurt the cause of freedom far beyond our own borders. The leaders who take responsibility for stopping this whirlwind of hysteria will, in our opinion, earn the applause of history and the thanks of all who wish to maintain a reasonable balance between freedom and security.

THE ANTI-COMMUNIST BILL

[From the New York Times]

Amidst all the confusion among House, Senate, administration and public over the anti-Communist bill that has been whipsawing back and forth the last few days, two facts are outstandingly clear. One is that Congress has been giving just about the most vivid exhibition of how not to legislate that it has presented in years; and the other is that the forces of demagogy on both sides of the aisle—and in the most unexpected quarters—have risen with frightening speed and strength to overwhelm the judgment and courage that the American people have a right to expect from their legislators.

That communism is a subversive doctrine and that the Communist Party is an organism dominated and directed by a foreign power is one matter on which virtually all Americans are in agreement. That we must protect ourselves against any danger of subversion from communism goes without saying. That we have already taken important, effective steps to do just that is a matter of history. That the pending legislation threatens to wreck the control measures already well under way, that it may drive the Communist Party further underground, and that it probably does violence to the Constitution and the civil liberties of all Americans—these are points that the majority of our legislators of both parties seem to have forgotten in the desire to score a political point in an election year.

The legislation as it passed the Senate and was accepted in principle by the House has been written largely on the floor. Politics has been the dominant motif, for the Democrats have been so cowed by Republican attacks on their loyalty that they now think it necessary to prove, even if by similar demagogic means, that they are just as anti-Communist as the Republicans. The administration, some of whose important members and advisers have engaged in these attacks on the Democrats, is now in the position of struggling to forestall anti-Communist legislation that could deeply injure the cause of genuine anticommunism. Everyone is in a state of confusion. This is a sorry spectacle for our great and powerful democracy to present to a watching world.

[From the New York Herald Tribune of August 19, 1954]

POLITICS UNLIMITED

If the Senate and the House had gone collectively mad in these last days of the session they could hardly have acted more wildly than they have in regard to the Communist issue. Here was a business in which the

Government is already deeply engaged. Complex legislation has been passed by previous Congresses and after long tests sustained by the courts. Changes in the way of dealing with domestic Communists should certainly have been subject to the most careful deliberation; the advice of those directly concerned with the problem—the Chief Executive, the Attorney General, the head of the FBI—should have been thoroughly weighed.

Yet this week the Senate and the House passed legislation which would nullify existing programs for dealing with communism. They took this course in direct opposition to President Eisenhower, Mr. Brownell, and Mr. Hoover. And they did it all in a fit of absence of mind—or, more accurately, in a fit of extreme and irresponsible politics.

It appears to have been cunning partisanship which induced Senator HUBERT HUMPHREY, Democrat, of Minnesota, to offer the original amendment outlawing the Communist Party. It appears to have been election fever which induced the Senate to go along. The House proceeded to offer a way out, with a sensible compromise which would leave the basic anti-Communist laws intact. But on Tuesday reason fled from both Chambers, and the Republican party leaders are now left with the well-nigh impossible task of making modifications in conference which will somehow please everyone.

As passed by the Senate, the anti-Communist measure is confused and extreme. Did the Democrats plan to force the President into a dilemma where he must either accept a law impossible to administer or else impose a veto which could be used against him in an election year? Was this their plan? If so, they must be accused of playing politics with basic issues and of making a mockery out of the solemn and implacable business of maintaining safeguards against Communist infiltration.

Fortunately it can be recorded that when the chips were down the Republicans in the Senate voted overwhelmingly to support the President's position and that in the House they took the same course, 99 to 56. These majorities are impressive. It is a pity they were not enough to make good sense prevail.

[From the Wall Street Journal of August 19, 1954]

POLITICAL SKULDUGGERY

There was before the Senate a bill which would have denied bargaining rights to labor unions where it could be shown that the union was Communist dominated.

During the Senate consideration there was proposed an amendment which would outlaw the Communist Party and which would make membership in the Communist Party a punishable offense. That amendment was adopted unanimously.

The bill then went back to the House of Representatives which had already passed that part affecting labor unions. There the Senate amendments outlawing the party were toned down, the practical effect of the changes being that the party would have no legal standing as a party but membership would not be punishable.

Then the bill returned to the Senate and the Senate voted 41 to 39 to add to the bill an outlaw provision which went even further than the original one that the Senate passed. In short order the House voted 208 to 100 to agree with the Senate.

Now let us see how all of this came about.

The outlawing amendment was sponsored by Democrats who are of the so-called liberal wing. None of the sponsors have been noted as among those who have taken the lead in alerting the country to the dangers of Communist infiltration; rather they have been among those ready to shout "red-baiter" and "witch-hunt." Also these liberals are counted as among legislators most friendly to labor unions.

Then the question arises why they sought to attach to an anti-Communist bill provisions which went beyond the wishes of those who first proposed the legislation.

There is no pretense as to their purpose. They sought to embarrass the proponents of the bill. Specifically the liberals have resented—also they have feared—the Republican charges that in the past they had been soft toward Communists. So they moved to put the Republicans in a hole; to force them either to go all out in their opposition to communism or to still their accusations toward the liberals.

There is no claim in any Washington dispatch that we have read that this is a bona fide effort to deal with Communist infiltration. Is is solely an effort to put a political opponent in a hole.

One circumstance alone shows the lack of sincerity. The last set of amendments which the Senate adopted and which were sponsored by the "liberals" were borrowed from a proposal first drawn up by Representative MARTIN DIES, of Texas. Mr. DIES was at one time chairman of the House Un-American Activities Committee and as such a diligent nemesis of the Communists. For this work Mr. DIES was denounced loudly and often, and among his severe critics were some of the very liberals who now adopt his proposals.

Opponents of a bill which cannot be defeated outright sometimes try to load the bill with amendments which will make it impractical, unenforceable, probably unconstitutional or even ridiculous. This is a parliamentary device as old as parliaments which have always had their share of men whose scruples were secondary to their purposes.

How baldly this stratagem was used in the Senate Communist bill is shown by some of its provisions.

One of these provisions is that it would be evidence of cooperation with the Communist groups if any person has indicated a willingness to carry out aims and purposes of the party. For all we know the Communist Party may be against juvenile delinquency. So is this newspaper.

That is a fair sample of the sweeping and vague provisions of this Senate bill.

We are not here considering the question of whether or not there ought to be legislation outlawing the Communist Party. Some people who have studied the subject sincerely believe that such a step should be taken.

But we do say that if such a course is to be followed, then it ought to be followed after all steps are carefuly considered. It certainly ought not to be adopted in a hurry. And it certainly ought not to be adopted as a byproduct of a piece of political skulduggery.

We think President Eisenhower has no choice except to veto a bill with such a legislative history.

[From the Chicago Daily News of August 16, 1954]

SENATE VOTE HASTY, UNNEEDED—PANIC REVEALED BY BILL TO OUTLAW COMMUNISM

The rivalry of Senators to outdo each other in anti-Communist legislation has produced a hastily written bill to outlaw the Communist Party. It passed the Senate by 85 votes to none after one single day's consideration.

Surely an act that comes so close to the bills of attainder forbidden by the Constitution ought to have received more thoughtful consideration than this one.

It is a radical departure for Congress to proscribe the guilty, whether individuals or an organization, by name. Criminal law traditionally defines a crime and leaves to judicial process the identification of those who fit the definition.

The difference may appear slight in this instance, but it represents an extremely dangerous tendency. It is only one step removed from the kind of law that would say: "Be it enacted that John Doe of such and such an address be imprisoned for life because he is a bad man."

The bill was offered as a substitute for a Republican-sponsored bill that would have permitted the Attorney General to declare Communist-dominated unions to be subversive, and to deny them all bargaining rights. Finally the two were combined.

It was introduced from the floor by Senator HUMPHREY of Minnesota, with the sponsorship of other leading liberal Democrats, including our own PAUL DOUGLAS. It was adopted without referral to any committee, after several improvised amendments were voted on the floor.

HUMPHREY'S maneuver was calculated as a demonstration that Democratic liberals hate Communists as much as the Republicans, and possibly more.

J. Edgar Hoover, the FBI chief, has always opposed legislation to outlaw the Communist Party; so, up to now, have Attorney General Brownell and President Eisenhower. With Congress under pressure for quick adjournment, they may succeed in sidetracking it in the House.

Congress has reached such a state of demoralization that it seems unable to give rational consideration to any measure labeled anti-Communist if it reaches the floor.

This Congress has already, for instance, produced a statute requiring the registration of Communist printing and reproducing machinery—a part-way throwback to concepts of press licensing obsolete in the English-speaking world for centuries.

It is difficult to see what the proponents expected the Humphrey bill to do, legitimately, that cannot be done already under the Smith Act. Under this, more than 100 Communists have already been convicted for allegedly advocating the overthrow of the Government by violence. The Government started prosecuting leaders, but lately it has been prosecuting lesser figures.

Judicial review of these convictions may reveal some instances where the "teaching and advocating" was a far-fetched inference from a man's recommendation of books expressing the opinion that a violent class-conflict is a historic inevitability.

The Humphrey bill does not quite make membership in the Communist Party a crime by itself. It requires some show of bad purpose. Its penalties (imprisonment up to 5 years and fines up to $10,000) apply to "whoever knowingly, willfully, and intentionally becomes or remains a member of the Communist Party or any other organization having for one of its purposes or objectives the establishment, conduct, control, seizure, or overthrow of the United States, or the government of any State or subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization."

An amendment by Senator COOPER added this phrase: "and commits any act designed to carry into effect the purposes of such Communist Party or organization."

To require proof of an overt act was deplored by some advocates of the bill. The Smith Act, forbidding the advocacy of violent revolution, does not require proof of any violent act or actual preparation for one. It is by no means clear how, in practice, Senator COOPER'S amendment would restrict the application of the bill if it became law.

Would it mean that the party member would have to commit some violence to suffer its penalties? Or would any act, such as soliciting a new membership or attending a meeting, be considered as furthering the party's purposes? No one can anticipate what the courts would decide.

The introduction of Senator HUMPHREY'S bill is not the first time that the Democratic liberals have sponsored more repression than the "reactionaries" on the other side had previously sought.

Democrats like DOUGLAS fought the bill requiring the registration of Communist-front organizations and their members under the McCarran Antisubversive Act. But in the windup, they tacked on a provision to create concentration camps where the Government might lock up everybody suspected of communism if we appear to be in danger of war with a Communist nation.

Senator HUMPHREY'S supporters made it plain last week that their purpose in backing this bill was to refute the charge that their party had coddled treason during its 20 years of power.

We have reached a sorry state of demoralization in Washington indeed if no Member of Congress dares examine such a subject as this with a due regard for its effect as precedent on the liberties of all kinds of non-Communist Americans for generations to come.

Liberalism, in its noble and historic sense, did not have one spokesman in the Senate last week. The self-styled Democratic liberals could think of no answer to their detractors except to outdo them in the sponsorship of repression.

STATEMENT BY HON. HERBERT BROWNELL, JR., ATTORNEY GENERAL OF THE UNITED STATES, PREPARED FOR TESTIMONY BEFORE A SUBCOMMITTEE OF THE JUDICIARY COMMITTEE, HOUSE OF REPRESENTATIVES, MONDAY, APRIL 12, 1954

Most of the pending proposals to make Communist Party membership illegal per se provide a conclusive legislative finding that the Communist Party in the United States is dedicated to the overthrow of the Government by force and violence. Unlike the Smith Act (18 U. S. C. 2385) and the Internal Security Act (50 U. S. C., supp. V, sec. 781), which require the court to determine on the evidence the nature of the party and the legality of its activities, these measures seek to foreclose court review of that fact.

It is true that a legislative finding in this regard is entitled to great weight. *Communications Assn.* v. *Douds* (339 U. S. 382, 387–389). The Supreme Court has consistently recognized the illegal objectives of the party. (*Dennis* v. *United States* (341 U. S. 494, 498); *Harisiades* v. *Shaughnessy* (342 U. S. 580, 590); *Carlson* v. *Landon* (342 U. S. 524, 535).) Since the executive, legislative, and judicial branches of the Government have all recognized the special character of the Communist Party, it is unlikely that any court would hold that such a finding was arbitrary, capricious, and so discriminatory as to be lacking in due process of law. On the other hand, the Court might well hold that the legislative finding must be open to court review, for nonreviewable fact finding by legislative fiat may not afford due process of law. Under these circumstances, it is not clear that the legislative finding would add anything of material importance.

More serious, however, is the provision common to most of these bills—that a person is guilty of a crime if he knowingly becomes or remains a member of the Communist Party or of any organization having similar purposes. In effect, this means that membership in the Communist Party per se is a violation of the statute even without any showing of personal knowledge of its aims or purposes. There are doubts as to the constitutionality of such a provision in the light of the recent Supreme Court decision in *Wieman, et al.* v. *Updegraff, et al.* (344 U. S. 183). That decision struck down the Oklahoma loyalty oath on the ground that "indiscriminate classification of innocent with knowing activity must fall as an assertion of arbitrary power"; and in *Dennis* v. *United States*, supra, the Court held that an unlawful intent to overthrow the Government by force and violence was an essential ingredient of proof of violation of the Smith Act, despite the absence of express language to that effect.

Finally, it would undoubtedly be argued that the rights protected by the first amendment would be affected by such a law, giving the courts additional cause to scrutinize most closely the constitutionality of such a law.

The sum of the constitutional doubts as to such proposals suggests at least that several years might be required before final ruling could be anticipated. During the intervening period, the uncertain status of the legislation would in itself impede and disrupt the orderly operation of the present program. Moreover, as already noted, the probability that the element of personal knowledge would have to be shown would mean that after this period of inevitable delay we might well then have nothing more than we now have in the Smith Act.

The usefulness of any new legislation must also be measured against the practical problem of proof of party membership. It has generally been assumed that by making party membership per se a crime a large number of Communists would automatically be convicted and in short order. This is a false impression.

It is estimated that the Communist Party in the United States now has about 25,000 active members. To undertake to prove the membership of each of these individuals would be a tremendous task. Party members no longer carry cards or other identifying documents. Thus, proof of party membership in many cases might well be established only through the oral testimony of confidential informants—people whose value for such purposes would be thereafter completely destroyed—and, in the absence of documentary proof or of available informants, party membership would be provable principally by circumstantial evidence of party line activity and association. This is, of course, in part, the same evidence which is now used in prosecutions under the Smith Act. In most instances a statute to make membership itself a crime would not materially alter the problems of the prosecution of Communists.

Moreover, to the extent that enactment of such a bill would force the Communist movement underground, cause it to close its headquarters, terminate its publications, it would at the same time and to the same extent increase the already difficult investigatory job of the FBI.

A REPORT TO THE NATION BY HON. HERBERT BROWNELL, JR., ATTORNEY GENERAL OF THE UNITED STATES, ON THE FIGHT AGAINST COMMUNISM, WASHINGTON, D. C., FRIDAY, APRIL 9, 1954

If this law is upheld by the courts, the Communist Party and its front organizations will soon have to make public the source of all their finances and account for all their expenditures.

The Communist Party will have to list all its members and such members will be prohibited from working in any defense facility. They will not be permitted to obtain or use passports. A member of any front organization will have to reveal his membership if he attempts to seek or hold employment by the United States or in any defense facility. These Communist organizations will have to label all publications and announce sponsorship of any radio or television program.

Thus you can see how the Communist Party and the front organizations will be crippled if they comply with the law.

The Communist Party has announced that if the law is upheld it will not register and individual Communists will not register. If the Communist Party and the organizations they control carry out their threat and willfully disobey the law, the Communist Party and its individual members will themselves, for all practical purposes, by their own acts outlaw the Communist Party.

Mr. McCARRAN. Mr. President, as a member of the managers on the part of the Senate, I think the conferees have done a good job with this bill. In this respect, Mr. President, I wish to pay a compliment in my remarks to the Senator from Minnesota [Mr. HUMPHREY], in that he has cooperated with those of us who differed with his viewpoint in bringing the bill in line with what we thought it should be, so that there would be no abrogation or setting aside of the Internal Security Act as it has been operating.

The Senator from Minnesota has cooperated with us and has joined with us, and is today on the floor defending this report.

The House conferees were instructed to accept the Senate amendment, and they did accept the Senate amendment, but with modifications which improve the provision.

The bill which comes to us from conference is a bill which will be effective, which can be administered, which will not help the Communists in any way, but which will strike the Communist conspiracy hard blows at several points.

As I pointed out to my colleagues, the so-called "second amendment" adopted by the Senate might have been construed so as to negative the registration provisions of section 8 of the Subversive Activities Control Act. The bill as it comes from the conference committee will have no such effect. My concern as to the Internal Security Act, as I expressed it on the floor of the Senate, was warranted; but now this bill cannot be said to be in conflict with the existing provisions of the Internal Security Act in any respect. As a matter of fact, the express language of section 4 of the bill makes it clear that these provisions are subject to and in implementation of the Subversive Activities Control Act, which is title I of the Internal Security Act.

The new language which comes to us from the conference committee can only be construed as referring to all the provisions of the Subversive Activities Control Act, taken together and construed together; and, therefore, it would be absurd to attempt to contend that this language invalidates or negatives or renders ineffective or inoperative any of the provisions of the Subversive Activities Control Act.

Mr. President, I am proud of my part in drafting the language of this bill as it stands now before the Senate. I am proud to have been a member of the task force of the Internal Security Subcommittee which brought in the bill S. 3706 as it was originally reported. I am proud to have suggested, in a speech on this floor, the amendments which the Senate adopted to the original House version of this bill. I am proud also to have been one of the conferees who have brought back to the Senate language which protects the Internal Security Act now on the statute books. The conference bill carries no threat to the integrity and the enforcement of the Subversive

Activities Control Act, but is completely in harmony with the Subversive Activities Control Act.

With respect to the provisions of this bill which deal with Communist-infiltrated organizations, I wish to say that I believe these provisions will not harm labor or labor unions but will, on the contrary, help non-Communist unions to resist Communist infiltration, and help those unions which have been infiltrated by the Communists to purge themselves, and eliminate the infiltrators, and resume their proper places as representatives of labor uninfluenced by the world Communist conspiracy. If I thought this bill would hurt labor in the long run, or that this bill was any harder on labor than the national security requires, I would not vote for it. As a member of the Nevada State Legislature, 50 years ago, I assisted in the writing of the first 8-hour-day law ever enacted in this country, and I have been devoted to the cause of labor and to solving the problems of labor and to helping improve the conditions of labor and to advancing the welfare of the working men and women of this Nation during all of the 50 years since that time. This bill, which I hope soon will become law, will help labor and the cause of labor, just as it will help preserve the internal security of this Nation.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. JOHNSON of Texas. Mr. President, I am very much aware of the fine work the Senator from Nevada has done in the field of attempting to expose the Communist conspiracy in this country. I was one of the Members of the Senate who, on September 12, 1950, voted for the Internal Security Act. I believe the vote on the passage of that bill in the Senate was 70 to 7. When I cast my vote the other day, I did not believe it was the purpose or objective of the bill the Senate passed to destroy the Internal Security Act, though I know there were those who had doubts about that bill and its interpretation.

I do not believe there is any question now, as a result of the very fine work the conference committee has done as to the effect of this proposed legislation on the Internal Security Act. I believe the distinguished Senator from Minnesota [Mr. HUMPHREY] has done an excellent job. I know that he, along with the Senator from Maryland [Mr. BUTLER], who presented the conference report, the Senator from North Dakota [Mr. LANGER], the Senator from Nevada [Mr. McCARRAN], and other members of the conference committee, want to be sure that there is nothing in this bill which will weaken the Smith Act or weaken the Internal Security Act.

I believe the statement made by the author of the original bill, the Senator from Maryland [Mr. BUTLER] was that he felt that if we should proceed to adopt the conference report and it should become a law, in effect such action would implement and supplement both the Smith Act and the Internal Security Act, and give strength and vitality to them. Is that the view of the distinguished Senator from Nevada?

Mr. McCARRAN. That is my view at the present time. I shall be happy to have that result brought about.

Mr. JOHNSON of Texas. Mr. President, without regard to party lines and without regard to the aisle which separates us, I wish to say to all Senators who participated in the conference—the very able Senator from Minnesota [Mr. HUMPHREY]; my friend, the Senator from Maryland [Mr. BUTLER]; and other Senators—that I think the Senate and the country owe all of these Senators a debt of gratitude.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. KNOWLAND. I wish to join in the statement made by the minority leader and pay my tribute and express my compliments to the distinguished Senator from Maryland [Mr. BUTLER], who presented the conference report; the Senator from Nevada [Mr. McCARRAN], who has worked in this field for such a long time; the Senator from North Dakota [Mr. LANGER], who is one of the conferees; the Senator from Utah [Mr. WATKINS]; the Senator from West Virginia [Mr. KILGORE]; and the House conferees who have concurred in this conference report.

I also wish to pay my respects to the Senator from Minnesota [Mr. HUMPHREY], who offered an amendment; and to the Senator from Texas [Mr. DANIEL], who also offered an amendment during the discussion.

I believe the legislative record is very clear as to the intent of all the authors of the bill, as it was reported from the Committee on the Judiciary, as well as with regard to the several amendments that were presented. I believe every Senator stated quite plainly, and without any reservations, that no amendment was designed to undermine or adversely affect either the Internal Security Act or the Smith Act.

Without regard to partisanship, Senators on both sides of the aisle, realizing that our country faces a common danger, have cooperated as Americans, rather than as partisans. I think the Senate, the Congress, and the country owe them all a debt of appreciation. I do not want this moment to pass without saying so as the majority leader of the Senate. I hope the conference report will receive overwhelming approval by the Senate and subsequently by the House.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. JOHNSON of Texas. Mr. President, I request the yeas and nays.

The yeas and nays were ordered.

Mr. COOPER. Mr. President, will the distinguished Senator from Nevada yield for a few questions?

Mr. McCARRAN. I yield.

Mr. COOPER. I ask these questions of him, because I know he is chiefly responsible for the preparation of the Internal Security Act.

During the debate I have tried several times to point out as best I could my views on the effect of this proposed legislation. I must say, from my study of the conference report—and I think it preferable to the bill the Senate passed—that the amendment which was first presented by the Senator from Minnesota [Mr. HUMPHREY], has now been changed by the conference report.

The effective section of the Humphrey amendment, as now modified by the conference report, has become a section of the Internal Security Act and its provisions are similar to the provisions of the Internal Security Act. That is what I want to bring out by my questions addressed to the distinguished senior Senator from Nevada, Senator McCARRAN.

First, is it not correct that the Internal Security Act does not name the Communist Party as such, but that Communist-front and Communist-action organizations carrying out Communist methods are required, under proper procedures, to register their members?

Mr. McCARRAN. That is correct.

Mr. COOPER. If the Communist-front or Communist-action organization refuses to comply with the provision, the individual members of the organization may be required to register. After registration, if the individual members are registered as members of the organization, either by the Communist front or action organization to which they belong, or by themselves, then prohibitions attach against their holding certain offices or positions or defense employment. Is that not correct?

Mr. McCARRAN. The Senator is stating the situation correctly.

Mr. COOPER. If officers of the organizations or individuals fail to register, as provided by the act, or if they willfully make false statements in registering, they can be tried criminally and fined or imprisoned, if guilty.

Mr. McCARRAN. That is correct.

Mr. COOPER. Is it not correct that the only substantial difference between the Internal Security Act and the section of the conference report which we are considering is that, whereas it is necessary for a demand to be made on the Communist-front organization to register its members and its failure to do so before an individual member can be required to register, under the Internal Security Act an individual member could be directed to register immediately under this conference report?

Mr. McCARRAN. The Senator is stating the situation correctly.

Mr. COOPER. Is it not correct also to state that in the case of United States versus Blau, involving a woman who refused to answer questions concerning her Communist affiliation, which case was taken to the Supreme Court, the Supreme Court stated that because the Smith Act fixes a penalty for conspiring or taking action to overthrow the Government, she could not be required to testify with respect to her Communist affiliation?

Mr. McCARRAN. She had invoked the fifth amendment.

Mr. COOPER. Under the fifth amendment, she could not be required to testify.

Mr. McCARRAN. That is correct.

Mr. COOPER. Is it not an issue under the Internal Security Act, and will it not be an issue under the conference report provision, whether an individual

member could be required to register, if he should invoke the fifth amendment.

Mr. McCARRAN. That question will have to be decided by the court.

Mr. COOPER. I have made these points to show that in my opinion—and I am only stating my personal view—nothing has been added to the Internal Security Act by the so-called Humphrey amendment, as it is now before us in the conference report, except that it declares in terms the Communist organization to be a conspiracy.

Mr. McCARRAN. The Senator may be correct, but what I want to impress upon him, in keeping with the Senator's question, is that what was in the minds of some of us when the Humphrey amendment was adopted was the danger that it might be applied to the Internal Security Act, and perhaps set aside or repeal that act.

Mr. COOPER. Any danger which the Humphrey amendment might have posed to effective enforcement of the Internal Security Act has now been removed by the conference report.

Mr. McCARRAN. That is my judgment.

Mr. COOPER. I heard it stated in the debate on the regular passage of the bill that the Internal Security Act was not effective because no one had yet been required by the courts to register. It is a fact, is it not, that the preliminary action has been taken and that an order has been made to direct the Communist Party to register its members, and that that question is now before the court?

Mr. McCARRAN. Step by step the law has been put into effect. Step by step it has been tested in the courts. Step by step it has been sustained, and will be sustained.

Mr. COOPER. I am sure the Senator believes as I that many of the arguments and statements that have been made about this bill have very little to do with the actual significance of the various amendments that have been presented.

Mr. McCARRAN. That is very true.

Mr. COOPER. That is particularly true with respect to what has been said about the amendment outlawing the Communist Party. I should like to address myself to the question which the distinguished Senator from Tennessee [Mr. KEFAUVER] raised when he inquired whether the provision in the conference report requiring members of the Communist Party to register involved a constitutional question and imposes on individuals a penalty for their beliefs. First, let me say this is not the first anti-Communist legislation raising this question; because, as I read the statute, the Internal Security Act imposes practically the same provisions, and some time ago, when it passed the Internal Security Act, Congress had to consider the same question, as to whether the requirement to register was an invasion of belief or of free speech. There is no difference between the provisions of the conference report and the Internal Security Act in that regard.

Mr. McCARRAN. The Internal Security Act, to use a common expression, would be reenacted by the law proposed in the conference report.

Mr. COOPER. The individual member, technically, is not penalized under the conference report because he is a member of the Communist Party; he is penalized for failure to register.

Mr. McCARRAN. That is correct; under the Internal Security Act.

Mr. COOPER. Is it not much like the situation under the Taft-Hartley Act which requires officers of a union to state they are not Communists? An individual is not prosecuted under the Taft-Hartley Act because he is a Communist, but because he has falsely signed an affidavit required by the Taft-Hartley Act.

Mr. McCARRAN. That is correct.

Mr. COOPER. I should like to address another point to my distinguished friend. It is the chief point I have tried to make throughout the debate. I believe it has been overlooked. Although it is academic now, I think it ought to be remembered, in connection with this debate—and this important question that the original amendment proposed by the distinguished Senator from Minnesota—carried the threat that the distinguished Senator from Tennessee has recognized—that an individual might be punished for what he said or what he believed.

The Smith Act and the Internal Security Act go along with our traditional theory of due process. They provide that in addition to wrongful purpose there must be some course of action. They have not been used to punish an individual for what he believes; not what an individual thinks; not what an individual holds philosophically; not what an individual states, unless his statement runs contrary to the limitations against other people or society. In their concept, in addition to membership, there must be some overt act. I say "overt" advisedly, and in its technical term, because it might be an act of commission; it might be aiding and abetting an act; it might be conspiring to act. These acts envision a course of action on the part of an individual to carry into effect a belief. This has been the traditional concept in our law and in our constitutional and governmental theory.

When the so-called anti-Communist amendment was offered it proposed something new. I realize that the Smith Act has a similar provision. The Smith Act includes membership in the Communist Party undertaken knowingly, as an offense, but it has not, to my information, been used as a basis of prosecution to this time.

Mr. KEFAUVER. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. KEFAUVER. The Smith Act does not mention the Communist Party.

Mr. COOPER. I modify my statement to that extent.

The amendment of the distinguished Senator from Minnesota [Mr. HUMPHREY] and his cosponsors was a new proposal in our system. It proposed, flatly, that membership in a Communist organization, without overt acts, without aiding or abetting, an act or conspiracy, shall be proscribed, and that a person may be penalized upon those grounds.

On the day when the amendment was first considered, I raised that question on the floor of the Senate. I submitted an amendment which required the commission of an act and which placed the bill in harmony with court decisions and the traditional concept of our Constitution. I thought there was no question about it. The act, as amended, became another version of the Smith Act or of the Internal Security Act. At least, Congress was saying, after the amendment, that mere belief, without action, constituted a crime.

When the bill came back from conference, Mr. President that amendment had been stricken in conference, and there had been added a long list, or criteria, on which a court could determine that an individual had participated or acted in the conspiracy. The Senator from Minnesota said it was his intention that they should be construed as participation in the conspiracy, which implies action.

Upon reflection, I think that was incorrect, at least with respect to one item which was simply membership. I think the distinguished Senator from Tennessee on the strictest grounds was correct the other day. He alone saw the possibilities of that provision.

As of this day, the report which we have before us does not make membership, belief, subject to a penalty. It is a procedure requiring registration, of individual members of the Communist Party which is also required under the Internal Security Act, if the organization refuses to register its members.

Mr. KEFAUVER. Mr. President, will the Senator from Kentucky yield further?

Mr. COOPER. I yield.

Mr. KEFAUVER. I thank the Senator for saying he thought there might be some merit in the position which I took. I did not like to take the position which I took, but I thought I should do so.

Mr. COOPER. When the bill was passed the first time in the Senate, my amendment, which was accepted, removed all possibility of doubt; there was no question about it. When the bill returned from the House, where the section had been stricken, and the Senator from Minnesota offered it as an amendment, I voted against it, but it was voted in the bill. I point out that the danger which was implicit in that amendment is not present in the conference report. That fact should be recognized in connection with this bill, but for what it may mean for the future.

Mr. MORSE. Mr. President, in my opinion the greatest blow that has been struck against the Communist conspiracy in our time was struck last Thursday, a week ago today, in the Senate of the United States, by the Senator from Minnesota [Mr. HUMPHREY]. Last Thursday the Senate, under the leadership of the Senator from Minnesota, by a vote of 85 to 0, served notice on the Communist segment of the world that we tend to ferret out and eradicate the Communist conspiracy in America. We can all take notice that the conspiracy exists.

The Senator from Minnesota recognized that if we are to eradicate a conspiracy we must proceed against the conspirators. I said at that time, I have said several times since, and I repeat today, that the problem of eradicating the Communist conspiracy in America is a problem of facing up to the fact that we must make it a criminal offense for an individual to be a Communist conspirator.

I care not how much window-dressing language is used on the floor of the Senate; I care not how we phrase the ducking and weaving: the fact remains that we have a watered-down version of the Humphrey amendment in the conference report. That may be necessary. I am perfectly aware that if we are to have a majority vote of the Senate, we must do some compromising, legislatively speaking. But for purposes of exaggeration—and not too much exaggeration—in order to emphasize my point, let me state what I think has been done by the conference report. We seek to provide that Communists shall register. Then we seek socially to ostracize them; then economically to starve them, but we do not face up to bringing them into a Federal court on the basis of criminal charges in the first instance. We are running out on it, Mr. President.

What is our rationalization and alibi? We propose to funnel them through the Subversive Activities Control Board, which is an administrative law procedure. It is like driving a very large herd of cattle against time to a certain destination. They are herded through a one-cow chute, instead of being kept on the highway. The result is that the herd does not get to the railroad in time to meet the train to take them to market.

The place to bring the conspirators in the first instance is to a Federal district court, not before the Subversive Activities Control Board. How in the world can the Subversive Activities Control Board, from the standpoint of the time element alone, come to grips with the problem of handling the individual conspirator?

Read the Internal Security Act. What the Senate needs to do is to sit down and read the law we have been praising on the floor of the Senate this morning, a law to which, in my judgment, we have been attributing a jurisdiction, purpose, and function never intended when the act was passed. I happen to be one of those who voted for it. I happen to be one who spoke for the bill when it was before the Senate. I know what its purpose was. Its purpose never was to deal with the individual conspirator on the basis of a Federal crime. The purpose of the Internal Security Act—and I do not see how it can be denied—was primarily to deal with Communists, the Communist front, and Communist organizations in the United States. That is what we voted for.

To be sure, because of the obvious fact that these organizations are comprised of individuals, the internal security law finally gets down to a possible action against individuals. But it is like a weak slap on the wrist. The strength of the Internal Security Act lies in its provisions against subversive action. The Humphrey amendment proposed to recognize that the act of conspiring is a Federal crime. We shall not be able to handle the Communist problem in the United States until we face that fact.

Several Senators have already asked me, "Are you going to vote for the conference report"? Yes, I shall vote for it, because obviously it is the best bill that can be obtained in the dying hours of this session of Congress. But it somewhat reminds me of the old saying: "Now you see it; now you don't." Now we see a procedure which will handle Communists under the conference report; now we do not.

When I think of the legislative record that has been made on the conference report today, I am glad I am not a member of a court which will have to determine what was the legislative intent of the bill, because almost every possible conflicting point of view which human minds can imagine or concoct has been stated for the RECORD this morning.

I repeat, we should proceed to make the conspiracy itself and the joining of the conspiracy criminal offenses; and we should give jurisdiction to the Federal courts, following action by United States attorneys from coast to coast, and from north to south, to bring these persons before the courts, to be tried before juries of their peers. For doing what? For conspiring to destroy the American Government.

I have been interested in, and also amused at, some of the legal jargon which I have heard uttered on the floor of the Senate today on the concept of the Communist Party.

These questions have been asked:

Are we going to make it a crime for a person to think?

Shall we make it a crime for a person to belong to a political party, if we do not like that party? Might this not be the fate of the Republican Party or the Democratic Party at some time in the future? Parenthetically, I might add that those who make the argument overlook the Independent Party.

These arguments are sophomoric nonsense. The Communist Party is not a political party. As a lawyer, I will take my chances with the United States Supreme Court on the contention that the court would never declare the Communist Party to be a political party under the Humphrey amendment. All one has to do is to show the facts as to what the conspiracy is. I think I can hear the court say, "It does not make any difference what label the conspirators pin on their conspiracy. We will pierce the label and look at the nature of the acts which create the conspiracy."

What is one of those acts? The joining of the party by the individual. Yet we have just finished listening to a Senator engage in such legalistic poppycock as to try to tell us that no court would find membership an act; and therefore he felt there should be an amendment specifically referring to an act. I went along with the amendment, but only as a clarification of intent. The amendment was not needed at all under the Humphrey proposal, because when one becomes a conspirator, he joins a conspiracy; and when he joins a conspiracy, he does not act in a vacuum.

Imagine Holmes, Brandeis, Cardozo, or Stone, to say nothing of the great justices presently on the court, who have handed down decision after decision in the defense of civil liberty, taking the position which was implied in some speeches made in the Senate today, namely, that if we seek to make the act of conspiring or the act of joining a conspiracy a crime, we shall be interfering in some way with freedom of thought, freedom of speech, freedom of opinion, and the other inalienable freedoms which make us free men and women.

Read the decisions of Cardozo, Holmes, Brandeis, and the other great judicial protectors of human freedom under our constitutional system of Government. What do they tell us in those decisions? They tell us that freedom is a relative right, not an absolute right; that liberty is a relative right, not an absolute right.

To be free, to have liberty, does not mean that one can do anything he wishes to do, irrespective of the freedom, liberty, and rights of others. This is elementary in constitutional law. It is taught in every law school in America. Any freshman student who handed in a final examination paper, after studying those great decisions, and who sought to lay down as the law a contention that to join a conspiracy is not an act which may be subject to legal consequences, would be flunked in that course, as he ought to be.

Last Thursday the Senator from Minnesota and those who cosponsored the amendment—and I was one of them—recognized that we ought to stop weaving and ducking on the Communist issue so far as legislation is concerned; that we ought to stop playing ducks and drakes with this issue; that we ought to face up to the fact that the peril confronting us is that we have in our midst some dangerous people who are conspirators and who have joined in a conspiracy, and that we propose to make joining in a conspiracy to destroy our form of Government a Federal criminal offense.

We are told that by doing so we shall interfere with freedom of thought in America. It is not a question of what a man thinks, Mr. President. It is a question of implementing his thoughts. If a man thinks the United States Government ought to be destroyed by the tactics of the Communists, that it ought to be overthrown by force, and he executes that thought by joining a conspiracy to accomplish that purpose, that is the time to get him. When we know there is a Murder, Inc., we do not have to wait for the members to commit a murder.

I asked on the floor of the Senate the other day whether we could make illegal a conspiracy to commit murder. Of course we could. That was not denied. I am at a loss to understand why there is such reluctance to face up to the real Communist threat, which is the individual conspirator.

We have heard some other interesting jargon in this debate. We have heard that the Humphrey amendment criminalizes thought, whereas the amendment of the Senator from Minnesota was to criminalize the act. We have also heard that the Humphrey amendment in its original form would in effect repeal the Internal Security Act, but we never received any proof, because no proof can be presented.

I again assert on the floor of the Senate that there was nothing in the Humphrey amendment which would have prevented the Subversive Activities Control Board from continuing under the law the prosecutions it had in mind. I am glad to see the distinguished Senator from Maine [Mrs. SMITH] arrive on the floor. I have paid my commendations and compliments to the Senator from Minnesota, and he is clearly entitled to them. I also wish to say that the forerunner of the Humphrey amendment last Thursday—and I have the right to speak of this because, as I say, I was one of the cosponsors—was the bill which the Senator from Maine [Mrs. SMITH] introduced a long time ago, to face up to the same point I am now making in this speech. The Senator from Maine was the first Member of the Senate to recognize that we must come to grips with the individual conspirator by outlawing the Communist conspiracy, the Communist Party.

That is what we should have done. Her bill, with whatever amendments any Member desired to propose which would not destroy the objectives of the bill, if any amendments were needed, should have been considered by the Congress, almost the day after Eisenhower's inauguration, or certainly the day after the Senator from Maine introduced it; and it was introduced at about that time. We have not done that.

I wish to mention some other interesting facets to the action which has been taken in the Senate before I discuss what I believe to be the effect of some of the amendments which are included in the conference report. One must have a sense of humor to consider some of these facets.

There are those in the Senate who, from the very beginning of the Communist threat, have fought communism, but who, nevertheless, have been subject to unfair criticism and, in some instances, to inexcusable smears by members of the Republican Party. For a long time many of the spokesmen of the Republican Party have sought to falsify to the American people by saying that if one is a liberal, it means he is soft on communism. We have become a little weary of that charge. After all, the liberals have not needed to yield to any conservative in the Senate or within the Republican Party in the opposition we have manifested against the Communist conspiracy.

Last Thursday the Republicans were surprised and shocked because they discovered that what was up to that time obviously to be one of the smear tactics of the oncoming campaign had fallen flat on its face on the floor of the United States Senate. After Thursday they could not very well argue that the liberals were soft on communism when the Humphrey amendment went to the heart of the Communist issue.

Take a look at the CONGRESSIONAL RECORD and see the parliamentary tactics that were used before we got the 85 to 0 vote, in the hope that we might never have to reach a yea and nay vote on the clear issue of making it a criminal offense to be a Communist conspirator. When those parliamentary tactics did not succeed and we came to grips with the vote, it was unanimous, as it should have been. But that did not stop the drive to water down the Humphrey amendment. Let the RECORD speak for itself as to all the parliamentary tactics which were used to water it down.

There has been much good-natured joshing in the cloakrooms about it, and I have taken my share of the kidding, but there is not a person who has talked to me about it who has not admitted that he knows of my record of all-out opposition to the Communist conspiracy ever since communism became a threat to the welfare of America.

We shall have a very interesting campaign this fall, let me assure my colleagues, any time the Republican smear artists wish to raise the Communist issue. The record is perfectly clear as to who is responsible for the fact that the Humphrey amendment is not going on the statute books as it passed the Senate of the United States. The responsibility cannot be placed upon the House of Representatives, because the House by a 2-to-1 vote made perfectly clear that it favored having its conferees accept the Senate amendments, including the Humphrey amendment. So the responsibility comes right back to this august body.

Now we have the conference report. It is some improvement over the version of the bill which existed prior to the beginning of the dispute in the Senate. In my judgment, the conference report is not good enough. However, in view of the parliamentary situation, we must be satisfied with moving forward at least a little distance.

But, Mr. President, let me say here and now on the floor of the Senate—and I direct my remarks to the attention of the distinguished senior Senator from Maine [Mrs. SMITH]—that if, come January, she should decide—and I should like to follow her leadership, because I think she is entitled to be placed in the position of leadership—that the provisions of her bill which are not presently covered by the conference report should be enacted into law, she can put me down as a cosponsor of her bill; and I think she will find that that bespeaks the point of view of many Senators and of a great many outside the Senate.

There is not one Member of the Senate, including my good friend, the Senator from Tennessee [Mr. KEFAUVER], who will fight harder than I will to protect freedom of speech, freedom of thought, and the other basic freedoms in the United States. But I do not propose that conspirators who are dedicated to destroying those freedoms and to joining in a conspiracy for that purpose, shall be allowed to hide behind a label of "Party," which is a misnomer. I do not propose to let them call the conspiracy a political party—the Communist Party—and use that label to protect themselves, in the name of freedom of thought and freedom of speech, against criminal prosecution for being conspirators.

I repeat that I am perfectly satisfied that the law will be found completely on my side of that issue. Free men and women organized into a constitutional system of government guaranteeing freedom of speech and freedom of thought, have the right to protect themselves from conspiracies which seek to destroy that government; and the joining of the conspiracy is the only act that needs to be proved. The mens rea can thus be shown, in order to impose the criminal responsibility and the obligations; and we did it in the Humphrey amendment.

To make perfectly clear that we were not penalizing a thought but, instead, were penalizing an act, we accepted, for clarification purposes, the amendment of the Senator from Kentucky [Mr. COOPER]; but it was not needed at all, except for the purpose of clarification. What constitutes the offense is the act of conspiring.

We now come to the controlling and determinative language of the Humphrey amendment which protects the individual in respect to all the rights the Senator from Tennessee [Mr. KEFAUVER] thinks were infringed, or might have been infringed, under the Humphrey amendment; but I am inclined to believe he overlooked this language:

> Whoever knowingly and willfully—

That is the mens rea language. We could have said: "Whoever knowingly, intentionally, and willfully," which is language to be found in criminal statutes; but we do not need to say "intentionally" if we say "willfully," for the cases are legion that hold that "willfully" covers "intentionally."

Those few little words, Mr. President, show very clearly that we are not making this a malum prohibitum crime, but, instead, are making it a malum per se crime, requiring a mens rea, requiring a criminal act, and therefore requiring proof of the act. What is the act? It is conspiring, the joining in the conspiracy. In a conspiracy case, we do not have to wait for the objectives of the conspiracy to be carried out, when we have the definitive terms of this proposed criminal statute, as it came to us in the form of the Humphrey amendment.

Now let us look at the rest of the language:

> Whoever knowingly and willfully becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such an organization.

Let me say most respectfully what I think the President of the United States could have done very wisely last Thursday, after the action of the Senate by a vote of 85 to 0. I would he had done

so. I would he had been advised so to do, because I do not think we have any right to expect him, every time the Senate does something of such significant importance, to have knowledge of it; but his advisers should keep him informed of what is done in the Senate. The Senate action was such a tremendous psychological blow against communism in the world—such a hard blow against the Communist threat, that I would my President had said on that occasion, in a public statement, that he commended the Senate for its unity of action against the Communist conspiracy in the United States. I would that he had then said that he hoped the House of Representatives would accept the Senate version, and that if the bill were passed, he would sign it—that he wanted to assure the American people that after signing it, he would issue instructions to his Attorney General to proceed with a vigorous prosecution program against these conspirators in the United States. But the President did not do it. In some way, somehow, someone convinced the administration forces in the Senate that we should water down the Humphrey amendment.

What have we now? We will not pass today, when we adopt this conference report, a criminal law which empowers United States district attorneys across the land to bring Communist conspirators in their districts before the grand jury, and, if the grand jury thinks probable cause exists, or a prima facie case exists against those conspirators, to indict them and bring them before a Federal judge and Federal jury for trial.

We have provided an interesting procedure, under which we must funnel the whole operation through the Subversive Activities Control Board, which was primarily designed to handle the problem of Communist-front organizations and not individual Communists.

We say, in effect, in the conference report that in addition to the organizations, individual Communists now must register. Mr. Brownell and J. Edgar Hoover talk about driving the Communist Party underground. What would drive it underground more effectively than this provision? What makes anyone think for a moment that enacting the registration feature of the proposed law will cause the Communists to come to the surface and say, "Mr. Hoover, Mr. Brownell, put me down. Put me down. Here is my name, my address, and my history."

What nonsense. We shall have to dig them out of holes that are deeper; that is all.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HUMPHREY. There is one point which I think should not be overlooked. Let me say, first, that the Senator from Oregon has been most kind. The Senator has also, I think, exploded some of the political mythology which relates to the rights of free speech and freedom to assemble which have been discussed here, rights which some say would be injured by the conference report.

The first words of section 2 as adopted are very interesting.

Mr. MORSE. Does the Senator have before him the bill or the amendment?

Mr. HUMPHREY. I have the bill.

Mr. MORSE. I have only the amendment.

Mr. HUMPHREY. It reads:

> The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States.

Then the bill goes on to mention the Communist Party, or any other organization which may take any other name but which still has the same purpose as the Communist Party.

Mr. MORSE. May I interrupt at that point?

Mr. HUMPHREY. Yes.

Mr. MORSE. I wish to permit the Senator to examine me at any length he desires, but let me ask a question at this point. Does the Senator think that language would outlaw the Communist Party?

Mr. HUMPHREY. Yes. But let me say to the Senator that if he will read the Smith Act he will note therein that the Communist Party is never mentioned.

Mr. MORSE. That is correct.

Mr. HUMPHREY. The Senator will also note that acts are described which are a part of a conspiracy. Once the conspiracy is established, if these acts are committed by any individual, and it is proved that the individual committed them, he has become a part of a conspiracy and would be subject to a penalty. The penalties in the Smith Act are the same as those in the Internal Security Act in terms of fine and imprisonment.

Mr. MORSE. But not the same as the penalties under the Humphrey amendment.

Mr. HUMPHREY. No. If we make a declaration and finding of a conspiracy on the part of the Communist Party, or whatever other name that organization may take unto itself, we have immediately assisted in the prosecution of individual members, because one of the problems in court under the Smith Act has been to first prove the conspiracy. We propose here to make a declaration and finding of a conspiracy, and to identify it with the Communist Party or any other organization which has as its objective the overthrow by force and violence of the Government of the United States.

Therefore, it is the view of the Senator from Minnesota that, despite what the conference committee did to section 4, actually we can proceed forthwith under the terms of section 2 and under the Smith Act to prosecute individual members who knowingly and willfully, with knowledge of the purpose of the organization, are a part of this conspiracy.

I do not believe that even the members of the conference committee feel that the language pertaining to the Communist-action group of the internal security law is the only controling language in this bill. I know that language weakens what we are attempting to do.

I have sent for a copy of the Smith Act, and I have consulted with legal counsel.

I am of the opinion that the declaration of conspiracy makes it possible for the Department of Justice to move against membership. Once we are able to establish membership knowingly and willfully, with knowledge of the purposes, we can proceed with action to impose criminal penalties.

I desire to write the legislative history of this act accordingly. The Senator has been most generous in yielding to me, but on my own time I shall point out that one of the real problems in case after case has been first to develop all the facts showing the conspiratorial nature of the organization, and then to identify the conspiratorial nature of the organization with the individual member.

In the conference report, despite its watering down in section 4—which I regret—we have given the Department of Justice, if it will use it, rather than confine itself to the Internal Security Act, a "go-ahead" sign for prosecution on the basis of individual membership. I invite the Senator's attention to that.

I hope when I try to develop this subject in further detail the Senator will be present in the Chamber, because I respect his legal knowledge and his understanding of this subject.

Mr. MORSE. I am very glad to have those observations of the Senator from Minnesota. I think they have strengthened the legislative history of the bill.

However, frankness compels me to say that this procedure is subject to several disadvantages.

First, let me say as a lawyer that I think there is merit in the observation of the Senator from Minnesota, in that I think a court could find that the indirect approach which the Senator from Minnesota has outlined could be followed by the law-enforcement officers, although it is not crystal clear. But there is a limitation. When dealing with criminal offenses, the courts like to follow the doctrine that the direct approach should be used, because in the interpretation of a criminal statute any ambiguity should be resolved in favor of the accused. That is as it should be. That is sound doctrine.

If the procedural steps which the Senator from Minnesota has outlined can be followed under this language, those steps nevertheless suffer the disadvantage of being a rather indirect approach to the objective which the Senator directly set forth in his amendment, which no longer is in the conference report.

The next limitation I wish to state with regard to the comments of the Senator from Minnesota is this: Unfortunately the Senator from Minnesota was not one of the conferees, and those who were conferees do not seem in the debate today to be as sure of their approach as is the Senator from Minnesota. When the court comes to look at this legislative record it will be much more impelled by the statements of the Senator from Maryland [Mr. BUTLER] and the

Senator from Nevada [Mr. McCARRAN], who were conferees, than by the statements of the Senator from Minnesota and the Senator from Oregon, because we were not conferees. The court will be much more inclined to find legislative intent from what the conferees say the conference intended at the time it adopted the language.

I think the Senator from Minnesota must agree with me that the debate today has "muddied the waters" in regard to legislative intent, and gives rise to the possibility of a final interpretation that it was not the intent to make the individual liable, except after action by the Subversive Activities Control Board. That is the next point I wish to stress.

I do not understand how we can listen to the Senator from Maryland [Mr. BUTLER] and the Senator from Nevada [Mr. McCARRAN] and reach any other conclusion than that what they are really saying is that the bill is but a supplement to the Internal Security Act, which was passed in 1950. I believe I quote the Senator from Nevada correctly—certainly I paraphrase him correctly, if I do not quote him exactly—when, in answer to a question, he said he believed that the bill we are considering today is a reenactment of the Internal Security Act of 1950, at least in respect to all the relevant provisions which pertain to that act.

If that be so, that was not our objective last Thursday. We were not seeking to reenact the Internal Security Act. We were seeking to enact a companion law. We were seeking to enact a law which would outlaw the individual who conspired to overthrow this Government.

Now what have we? We have, in a new section 4, language which provides that a person shall be "subject to all the provisions and penalties of the Internal Security Act of 1950, as amended, as a member of a Communist-action organization."

Out the window go the stiff penalties of the Humphrey amendment of last Thursday, approved by a vote of 85 to 0. What is wrong with those penalties? Why the timid approach to this dangerous threat to America? I ask Senators to name one crime that is more serious. Even murder is not so serious.

By way of slight exaggeration, to emphasize a point, let me say that participating in a Communist conspiracy is a more vicious crime than murder, in the sense—and only in the sense, of course—that by and large murder, even premeditated murder, is singular.

Every criminologist will agree that it is impossible to separate even premeditation from emotional disturbance. We talk about "murder in cold blood." There never was such a murder. Every criminologist will agree. It is merely a phrase we use to describe one of the differences between murder in the first degree and manslaughter. However, there is no such thing as cold-blooded murder. Murders are always warm blooded, in the sense that when we are dealing with a murderer—and I do not care what kind of a case is cited—we are dealing with a person who is emotionally aroused and emotionally disturbed. If he were not, he could not commit that act against God, because that is what murder is; it is a crime against the Almighty.

However, the conspirator, who seeks to overthrow this Government and bring an end to the free way of life in America, outclasses murder in criminal viciousness, because he threatens the lives of all of us. He would engage in mass murder. He has fallen victim to the Marxist direct-action theory. He is perfectly willing to destroy our free institutions, and destroy every free man and woman along with those institutions, as he topples our system of government.

What will be done under this bill? We impose on a person, after a long procedure of legal folderol, the penalties of the Smith Act. If what we are trying to do is put him out of circulation, if what we are trying to do is impose penalties to protect our citizens, the Smith Act is not the answer.

Let us look at the penalties, as the Senator from Maryand [Mr. BUTLER] read them. He said that we would impose these penalties. I should like to have the attention of the Senator from Minnesota at this point, because I wish to be exceedingly fair to all concerned, and I wish to be completely accurate. It is my understanding that under section 4 a person shall be subject, as a member of a Communist-action organization, to all the provisions and penalties of the Internal Security Act of 1950, as amended.

When we seek to determine the liability under that language, we must determine, if I understood the Senator from Maryland correctly—and I do not have the entire law before me—whether any one or more of the following facts exist:

1. In seeking, accepting, or holding any nonelective office or employment under the United States, to conceal or fail to disclose the fact that he is a member of such organization.

If it is found that he is a member, he cannot hold such an office. That is the penalty.

2. To hold any nonelective office or employment under the United States, or

3. In seeking, or accepting, or holding employment in any defense facility, to conceal or fail to disclose the fact that he is a member of such organization, or

4. To engage in any employment in a defense facility, or

5. Knowingly to obtain or receive, or attempt to obtain or receive directly or indirectly from any officer or employee of the United States or of any department or agency thereof or of any corporation, the stock of which is held in whole or in part by the United States or any department or agency thereof, any classified information.

The members of a Communist-action organization must also, under certain circumstances, register with the Attorney General as a member of such organization.

The penalties contained in the Internal Security Act for violation of any of the foregoing include both fines and penitentiary sentences, the severity of which varies with the seriousness of the offense.

However, the severity of such penalties falls far short of the severity of the penalties which were included in the Humphrey amendment.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HUMPHREY. I believe the Senator will find—I looked it up this morning—that the penalties include 5 years imprisonment and a $10,000 fine.

Mr. MORSE. For what act?

Mr. HUMPHREY. For any of the acts relating to a Communist-action group or membership. One of the attorneys on the staff of the minority leader tells me that that is the penalty.

Mr. MORSE. Does the Senator from Michigan have a list of the penalties?

Mr. FERGUSON. I shall be glad to get one for the Senator.

Mr. HUMPHREY. I believe the Senator from Oregon will find they are the same penalties.

Mr. MORSE. I think when we come to study——

Mr. FERGUSON. Mr. President, I hand the Senator from Oregon a copy of the Internal Security Act, containing the penalties.

Mr. MORSE. I thank the Senator from Michigan.

Mr. President, here are the penalties:

SEC. 15. (a) If there is in effect with respect to any organization or individual a final order of the Board requiring registration under section 7 or section 8 of this title—

(1) such organization shall, upon conviction of failure to register, to file any registration statement or annual report, or to keep records as required by section 7, be punished for each such offense by a fine of not more than $10,000.

This is a money penalty only.

(2) each individual having a duty under subsection (h) of section 7 to register or to file any registration statement or annual report on behalf of such organization, and each individual having a duty to register under section 8, shall, upon conviction of failure to so register or to file any such registration statement or annual report, be punished for each such offense by a fine of not more than $10,000, or imprisonment for not more than 5 years, or by both such fine and imprisonment.

That is a stiff penalty, Mr. President.

For the purposes of this subsection, each day of failure to register, whether on the part of the organization or any individual, shall constitute a separate offense.

(b) Any individual who, in a registration statement or annual report filed under section 7 or section 8, willfully makes any false statement or willfully omits to state any fact which is required to be stated, or which is necessary to make the statements made or information given not misleading, shall upon conviction thereof be punished for each such offense by a fine of not more than $10,000, or by imprisonment for not more than 5 years, or by both such fine and imprisonment. For the purposes of this subsection—

(1) each false statement willfully made, and each willful omission to state any fact which is required to be stated, or which is necessary to make the statements made or information given not misleading, shall constitute a separate offense; and

(2) each listing of the name or address of any one individual shall be deemed to be a separate statement.

(c) Any organization which violates any provision of section 10 of this title shall, upon conviction thereof, be punished for each such violation by a fine of not more than $10,000.

A money penalty.

Any individual who violates any provision of section 5, 6, or 10 of this title shall, upon conviction thereof, be punished for each such violation by a fine of not more than $10,000 or by imprisonment for not more than 5 years, or by both such fine and imprisonment.

Mr. President, there is no question about the fact that under the act, when the offense is considered to be of a more serious nature, the penalty includes both fine and imprisonment. But, what we sought to do in the Humphrey amendment was to make conspiring a crime, and there is no doubt that we imposed an exceedingly stiff penalty. Until we do that we shall not be very successful in stamping out the Communist conspiracy in this country, and we are certainly not going to do it as effectively as we could if we did not have to funnel the cases through the Subversive Activities Control Board. What we need, what the Humphrey amendment gave us, and what eventually we must come to, is a criminal statute. I shall vote for the conference report, but eventually we shall have to come to a criminal statute which gives jurisdiction to the United States district attorneys in every district in the country to bring the conspirators in under indictment and put them on trial before a Federal district court and a Federal jury. We should not have to go through what I have referred to in this speech as the long, tedious, and delayed action of funneling them through the Subversive Control Board.

I close by again making the assertion I made earlier, that the bill as it was before us last Thursday on the floor of the Senate did not take away from the Subversive Activities Control Board its jurisdiction to handle the subjects entrusted to it under the act of 1950, for which I voted and against which some who have protested so much about its being a serious infringement upon personal liberty in this country voted in 1950.

I have made these criticisms because a record needed to be made, in my judgment, in behalf of those of us who are very much disappointed in this watered-down version. Nevertheless, in all fairness, I commend the Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], and other Senators who joined last Thursday in trying to put into legislative implementation form the very sort of proposal which the Senator from Maine [Mrs. SMITH] made long, long ago in the Senate. What we accomplished last Thursday, in my judgment, was a long overdue recognition of her earlier recognition of the importance of placing on the statute books a criminal statute which would hold the individual conspirator criminally liable for entering into a conspiracy.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. JOHNSON of Texas. I wish to express the appreciation of Senators on this side of the aisle not only for the work which the gentle lady from Maine has contributed in this whole undertaking, but also for the very fine work which one of the most able and distinguished lawyers in this body, the distinguished Senator from Oregon [Mr. MORSE] has contributed. He has been nonpartisan, extremely cooperative, and has given helpful suggestions not only to the senior Senator from Texas [Mr. JOHNSON], but to other Senators. One thing we have learned about the independent party is that it has one of the best lawyers in the country.

Mr. MORSE. Mr. President, the Senator from Texas is very kind. I probably should not say it on the floor of the Senate, but his comments, nevertheless, elicit it. I have no illusions as to my contributions. The sad thing is that most of them must be negative, from my standpoint. The sad thing is that most of them must be of the watchdog variety. The sad thing is that the situation in the Senate is such that liberal Members are not in a voting position to put forward what we believe to be the best, most affirmative, and constructive proposals for legislation. I know of no better example than the one which is now before the Senate. If we had the necessary voting strength, we would not be passing the bill we are passing today. We would have the voting strength to pass a bill which would come to grips directly, as I think we ought to come to grips directly, with individual conspirators along the lines of the legislative objective of the bill introduced by the Senator from Maine [Mrs. SMITH]. But this is not the time or the place for me to discuss what is needed from the standpoint of strengthening the position of reformers in American politics. I know what the Senator from Texas has in mind, and I appreciate the compliment, but I am objective enough, also, to know that is not deserved, because my contributions have been of a minor or negative nature, and only to that extent are they important for the record. I hope what I have said today may be of some help when we come to enact such a bill as that to which I have referred. It is for that reason only that I have made my speech.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Oregon yield further?

Mr. MORSE. I yield.

Mr. JOHNSON of Texas. I am not unaware of the hours which the Senator from Oregon spent in laboring with and counseling those who prepared the amendment. The Senator speaks of having occupied a negative position. I am frequently in disagreement with the Senator from Oregon, but we sat on a committee together for almost 5 years and filed 46 reports which resulted in legislation saving millions of dollars. The action represented Republicans, Democrats, Conservatives, Progressives, northerners, easterners, and southerners.

In each of 46 specific instances the report was unanimous. No one acted with more sincerity or contributed more to the formulation of the reports, the recommendations, and the conclusions reached than did the distinguished junior Senator from Oregon, the leader of the Independent Party. I do not think that is a negative record.

Mr. MORSE. I thank the Senator from Texas. I hope some of my constituents will read his tribute, because some of them would like to have the people of Oregon believe that my role as representative of the Independent Party does not accomplish anything, either affirmative or negative.

In closing, and in all fairness to the Senator from Minnesota, I wish to make this statement, because I know, as he knows, how easily those who wish to misinform, to misrepresent, and to destroy can, undoubtedly will, and probably already have, in the releases which have gone forth, given a false impression as to the position in which the junior Senator from Minnesota finds himself at this moment.

I wish to say for the RECORD—and this statement is due the Senator from Minnesota—that he came to me in the cloakroom to my right. We sat down on the davenport, and he said, "WAYNE, take a look at this and tell me what you think of it."

I read the revised language of section 4.

I said, "Hubert, I think it is a pretty far cry from what 85 Senators voted for last Thursday."

We had a little discussion. I betray no confidence. I shall not say anything which would betray any confidence, because we talked very frankly about what was going on and what the position of some of our colleagues was. We spoke of some of the realities of the political situation in the Senate, when it comes to counting noses within a conference. We came to the conclusion that this was the best we could get.

I said "Hubert, are you completely satisfied that this is the best that can be done?"

He said, "I am."

I said, "I think it is a step forward. It is not the big-league step forward which we took last Thursday, but it is progress; and if it is the best we can get, I shall vote for it when it comes to the floor of the Senate."

I did not have to tell him this, because everyone in the Senate knows it anyway, but I reserved my right to express my individual views regarding the report, and I have done so today. I have done so with a kindly heart. I have done so with deep appreciation and with a sincere compliment to the junior Senator from Minnesota for the leadership he has given to the Senate on the Communist issue in the closing days of the session.

Mrs. SMITH of Maine. Mr. President, I wish to thank the distinguished minority leader, the Senator from Texas [Mr. JOHNSON], for his very kind words regarding me.

I also wish to express my appreciation to the distinguished junior Senator from Oregon [Mr. MORSE], one of the great lawyers of considerable note in the country, for his general references to my bill to outlaw the Communist conspiracy, and the credit which he has given me.

I am pleased that the need for such legislation has been recognized. I shall keep my eyes on the subject and shall consult the junior Senator from Oregon early next year.

I share his reaction to the interesting spectacle of hearing Members talk so loudly one day, and then, when the chips were down on Tuesday, voting so meekly and subtly the other way, exactly the opposite of the loud talk.

I shall vote today for the conference report, reluctantly and with disappointment, but only because it is better than no bill at all.

Mr. HUMPHREY. Mr. President, before the Senate votes, I wish to make a brief statement for the RECORD.

One week ago today I introduced an amendment in the nature of a substitute to illegalize the Communist Party and to provide punishment for individual members of the Communist Party.

The basis of my amendment in the nature of a substitute to S. 3706 was my conviction, as set forth in the "findings of fact," that the Communist Party, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. The Senate adopted my proposal. That proposal in amended form is now before us today as the overwhelming expression of both the Senate and the House of Representatives.

The report of the committee of conference, which is now before the Senate, includes a perfecting amendment to the version finally adopted by the Senate on August 17. That amendment in no way alters my original purposes or objectives. It is now clear to the American people and to the world that our proposal is a serious blow to the Communist Party in the United States. The bill we are about to enact declares the Communist Party to be illegal and a conspiracy designed to destroy free government.

I am informed by attorneys and Government officials that this provision will be of clear assistance to the Department of Justice in bringing its prosecutions under the Internal Security Act, and that it will strengthen our Government's hand in connection with the prosecution of individual members of the Communist Party under the Smith Act.

I want the record to be perfectly clear that this is upon the advice of representatives of the agencies of the Government which are deeply involved in the matter of prosecution of subversion and subversive activities.

I am pleased to have a part in strengthening our Government's laws against Communist subversion. I welcome the indications that the bill as it is now written may be signed by the President, and not vetoed by him. I believe the bill is a definite step forward in law enforcement in the protection of our democracy.

Mr. CLEMENTS. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. CLEMENTS. I wish to congratulate the sponsor of the original legislation, the senior Senator from Maryland [Mr. BUTLER], and especially to compliment the junior Senator from Minnesota [Mr. HUMPHREY] for the fine contribution which he has made toward the proper outlawing of the Communist Party in the United States.

It has been said on the floor and has been stated in the press that the bill would weaken the existing statutes with reference to our law-enforcement agencies dealing with the Communist Party. There has been no evidence presented on the floor or in the press to substantiate that view. As a matter of fact, from all the information I have been able to gather, the bill will strengthen both the Internal Security Act and the Smith Act. Instead of nibbling at the Communist Party, instead of making flank attacks on the Communist Party, the bill makes a frontal attack on the party, in the place where it should be made.

The junior Senator from Minnesota is deserving of the plaudits of the Members of the Senate who supported the amendment when it was originally offered by him and when it was made a part of the bill which was offered by the Senator from Maryland. The Senator from Minnesota is entitled also to the plaudits of the people of the Nation who are interested in placing the Communist Party and its members in their proper places.

Mr. HUMPHREY. Mr. President, I express my gratitude to the distinguished senior Senator from Kentucky. I did not rise for the purpose of receiving his testimonials, because I am not worthy of them; neither do I seek them. I desired only to make a brief comment as to how I interpreted the bill. Nevertheless, I wish to thank my distinguished and wonderful friend, the minority whip.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. STENNIS. The Senator from Kentucky [Mr. CLEMENTS] has largely expressed my own views and feelings with reference to the very fine contribution which has been made by the rather unusual combination proposal drafted by the Senator from Maryland [Mr. BUTLER] with his fine legal mind, assisted by the Senator from Texas [Mr. DANIEL], in conjunction with the real contribution in the form of the amendment in the nature of a substitute, offered by the Senator from Minnesota [Mr. HUMPHREY] which was adopted by the Senate.

The junior Senator from Minnesota [Mr. HUMPHREY], and the senior Senator from Maine [Mrs. SMITH] are deserving of commendation for the excellent work they have done on this very knotty problem of pioneering legislation to meet conditions and realities which are today so different from what they were a few years ago. I commend them and also express my appreciation and indebtedness to them and to others who contributed their efforts toward bringing a satisfactory bill to the floor. I think they have made a real contribution toward a sound, workable, and worthwhile law.

Mr. HUMPHREY. I thank the Senator from Mississippi. Any words of praise coming from the Senator from Mississippi or from any other Member of the Senate are, indeed, gems and will be precious recollections.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Massachusetts.

Mr. KENNEDY. I should like to associate myself with the Senator from Mississippi in congratulating the Senator from Minnesota, not only for offering the amendment last Thursday, but for his willingness to work with the Senator from Maryland and other Senators in attempting to reach an effective solution. What has been done is a service to the country, and I think the country owes a debt of gratitude to the Senator.

Mr. HUMPHREY. I wish to thank the Senator from Massachusetts for his kind remarks. He was a pioneer in this work, along with the Senator from Maine [Mrs. SMITH], the Senator from Montana [Mr. MANSFIELD], and other Senators. I am very happy to have been a cosponsor of such a measure.

Mrs. SMITH of Maine. Mr. President, I wish to associate myself with Senators who have commended the Senator from Maryland and the Senator from Minnesota for the wonderful work they have done.

Mr. HUMPHREY. Mr. President, I wish to thank the Senator from Maine. First I wish to say that I am very cognizant of the notice given by the House to this measure. It may very well be that at least in the opinion of some persons the bill may represent an infringement of civil liberties. However, I think it should be made crystal clear that there are Members of this body who have been champions of civil liberties for many years and for decades. There are those who have made it their life's work to be champions of civil liberties. Yet, those same Members have seen fit, because of their convictions, knowledge, and experience, to join in the cosponsorship of the measure now before the Senate, which is a strong measure to curb Communist power and subversion.

I concur completely in the splendid and able argument made by the Senator from Oregon [Mr. MORSE]. There is no doubt in my mind that what the Congress is doing is a constitutional exercise of its powers to protect the people and the institutions of America from the invidious conspiracy that is the Communist Party. What is proposed is not a thought-control statute. It is not intended to be, and it is not, by purpose, design, or effect. It is a positive declaration that certain knowledgeable acts by individuals will be criminal under American laws.

The bill, as perfected by the amendments of the conferees, accomplishes a number of things which have never before been done in the field of internal security. Not only are we making sure that there is no impairment to the usefulness of the Internal Security Act of 1950, but we are strengthening that statute, and it has been strengthened by applying the Communist-action sections of the statute to membership in the Communist Party.

Moreover, by acting directly, and for the first time making an overt declaration—and I repeat, for the first time making an overt declaration—in the Congress that the Communist Party or any other organization of a similar nature is a conspiracy to overthrow our Government by force and violence, we are materially facilitating prosecutions under the Smith Act against members of the Communist Party.

In my judgment, hereafter, when prosecutors go into court with indictments

under the Smith Act, the existence of this legislation on our statute books will enable the penalties of the Smith Act to be imposed upon members of the Communist Party with a minimum of delay and a minimum of effort.

The bill before the Senate today outlaws the Communist Party. It imposes severe penalties as well as restrictions upon members of that party. I believe it will cripple the power of the Communist Party to endanger our freedoms, our institutions, and the bright future of this great land.

We are striking a great blow today for freedom, and for a termination of the incessant persecutions of persons who are not members of the Communist Party. By our action today in honestly declaring communism to be not a political party but an evil conspiracy, we are promoting a healthier climate for the free expression of honest convictions and beliefs. By enacting legislation that will facilitate our law-enforcement officers in removing the Communist menace from our scene, we are hastening the day when hysteria can end and an atmosphere of true and valuable tolerance may again prevail.

I urge all of my colleagues to support the conference report. I shall do so myself in the firm conviction that we have at least made some progress, and that with one stroke we shall be promoting true freedoms and helping to eliminate the most evil conspiracy known in our times.

Mr. LEHMAN. Mr. President, I had intended to speak on the bill and conference report, but various Senators, including the Senator from Oregon [Mr. MORSE], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Kentucky [Mr. COOPER], have already discussed many of the things I wanted to say. I shall therefore not take up the time of the Senate to cover the same ground.

I do wish to repeat a couple of points that loom large in my mind. The bill now before the Senate seeks to meet the criminal Communist conspiracy. I am not confident that it will accomplish anything. At best it will mark a very small gain. I hope that in the next Congress we may be able to make the law more meaningful and at the same time remove provisions which I consider to be dangerous. It is most unfortunate that this bill and other so-called anti-subversive bills were passed with inadequate study and consideration. I believe that in our haste to adjourn we have sacrificed orderly procedure. I wish to emphasize that I believe there are provisions in the bill that are bad and greatly require further careful consideration and, I hope, amendment.

I shall vote for the conference report in spite of my misgivings, but I do so with considerable reluctance. I believe the bill is very far from reaching the heart of the problem before us, and contains serious implications and dangers that must receive very careful consideration and study by Congress. I hope we will act wisely at the next session.

The PRESIDING OFFICER. The question is on agreeing to the conference report. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MAYBANK. My reason for not voting when my name was called was that on many important questions I have had a live pair with the senior Senator from Indiana [Mr. CAPEHART], who is not present. However, I understand that if present and voting the Senator from Indiana would have voted "yea." I am, therefore, at liberty to vote; and I vote "yea."

Mr. SALTONSTALL. I announce that the senior Senator from Wisconsin [Mr. WILEY] and the Senator from New Jersey [Mr. SMITH] are absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the junior Senator from Wisconsin [Mr. MCCARTHY], the Senator from Connecticut [Mr. PURTELL], and the junior Senator from New Hampshire [Mr. UPTON] are necessarily absent.

If present and voting, the senior Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Indiana [Mr. JENNER], the junior Senator from Wisconsin [Mr. MCCARTHY], the Senator from Connecticut [Mr. PURTELL], the Senator from New Jersey [Mr. SMITH], the junior Senator from New Hampshire [Mr. UPTON], the Senator from Idaho [Mr. WELKER], and the Senior Senator from Wisconsin [Mr. WILEY] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Texas [Mr. DANIEL], the Senator from Louisiana [Mr. ELLENDER], the Senator from Illinois [Mr. DOUGLAS], and the Senator from Mississippi [Mr. EASTLAND] are absent on official business.

The Senator from Iowa [Mr. GILLETTE] is absent by leave of the Senate.

I announce further that if present and voting, the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Iowa [Mr. GILLETTE], and the Senator from Alabama [Mr. SPARKMAN] would each vote "yea."

The result was announced—yeas 79, nays 0, as follows:

YEAS—79

Aiken	Chavez	Gore
Anderson	Clements	Green
Barrett	Cooper	Hayden
Beall	Cordon	Hendrickson
Bennett	Crippa	Hennings
Bowring	Dirksen	Hickenlooper
Bricker	Duff	Hill
Bridges	Dworshak	Holland
Burke	Ervin	Humphrey
Bush	Ferguson	Ives
Butler	Frear	Jackson
Carlson	George	Johnson, Colo.
Case	Goldwater	Johnson, Tex.
Johnston, S. C.	Martin	Robertson
Kefauver	Maybank	Russell
Kennedy	McCarran	Saltonstall
Kerr	McClellan	Schoeppel
Kilgore	Millikin	Smathers
Knowland	Monroney	Smith, Maine
Kuchel	Morse	Stennis
Langer	Mundt	Symington
Lehman	Murray	Thye
Lennon	Neely	Watkins
Long	Pastore	Williams
Magnuson	Payne	Young
Malone	Potter	
Mansfield	Reynolds	

NOT VOTING—17

Byrd	Flanders	Smith, N. J.
Capehart	Fulbright	Sparkman
Daniel	Gillette	Upton
Douglas	Jenner	Welker
Eastland	McCarthy	Wiley
Ellender	Purtell	

So the report was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 6287) to extend and amend the Renegotiation Act of 1951.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10051) making appropriations for Mutual Security for the fiscal year ending June 30, 1955, and for other purposes; that the House receded from its disagreement to the amendment of the Senate numbered 23 to the bill, and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 1, 2, 3, 9, 12, 22, 25, 26, 31, 32, and 33, to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate.

AMENDMENT TO CERTAIN CODIFICATION STATUTES

Mr. BUTLER. Mr. President, there are on the calendar three bills involving amendments to various codification statutes, namely:

H. R. 9728, to revise, codify, and enact into law title 21 of the United States Code, entitled "food, drugs, and cosmetics"; H. R. 9729, to revise, codify, and enact into law title 13 of the United States Code, entitled "Census"; and H. R. 9730, to amend various statutes and certain titles of the United States Code, for the purpose of correcting obsolete references, and for other purposes.

As the titles indicate, these bills have to do, respectively, with the codifying of title 21, title 13, and correcting certain obsolete references and making certain other technical amendments to various previous codification statutes.

Under title 1, chapter 3 of the United States Code, the work of codification and editions of the code are the responsibility of the House Judiciary Committee, and it is understood that the codifications of title 21 and title 13 have been actively under consideration for a number of years, having late in the session been finally completed. The correction bill is a yearly bill which comes from the same

committee for corrections in the existing codes as obsolete references appear.

These bills have been pending on the agenda in the Senate Judiciary Committee for several weeks and were not immediately acted upon because of a study made of them by the able Senator from Nevada [Mr. McCARRAN] who wished to be sure that the codification statute might not be construed to make certain changes in existing substantive law which, of course, is not the purpose of codification. After this examination, the Senator from Nevada was satisfied with the legislation, subject to certain amendments. These amendments have been made. In addition thereto, certain amendments have become necessary by the lapse of time, and I refer particularly to the signing of Public Law 518 relating to pesticide chemicals, which properly belong in the codification of title 21. This amendment was made and, as a result thereof, numerous technical amendments in matters of form had to be made in order to place it in its proper category.

The amendments proposed to these bills have been examined and are agreeable, and I am informed by representatives of the other body that if the bills are passed by the Senate with these amendments, that body will concur promptly in the Senate amendments. In other words, there is no controversy at all over these amendments.

Under the circumstances, Mr. President, and in view of the great amount of work which goes into one of these codification statutes, it is understandable that the House of Representatives is anxious that these bills should not die here at the end of the session.

Mr. President, I have further material in explanation of these bills. Unless some Senator would like to have me read this material, I ask unanimous consent that the remainder of my remarks may be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I want to explain the amendments, so that my colleagues will understand what is proposed.

In the case of the bill H. R. 9728, which is the codification of title 21, relating to foods, drugs, and cosmetics, there are substantially seven amendments.

The first of these amendments would change clause (1) of subsection (d) of section 41 to read "intended to be rubbed, poured, sprinkled, or sprayed on, or otherwise applied to or introduced into the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance, and." This amendment simply restores the categorical words found in the present statute.

The second amendment proposed to this bill is to amend section 53 (j) to read as follows: "If it purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral, and other dietary properties as the Secretary determines to be and by regulations prescribes as necessary in order fully to inform purchasers as to its value for such uses."

This amendment restores the requirement that the Secretary must make a determination before issuing regulations prescribing labeling changes, and thus avoids the possibility that the new language might be construed to exempt the Secretary from the necessity for holding a hearing on the question before issuing the new regulations.

The third amendment to this bill is to add at the end of subparagraph (6) of subsection (f) of section 131 a new sentence, as follows: "Nothing in this section shall be deemed to waive or deny any right otherwise accorded by the Administrative Procedure Act, and such act shall continue to apply to all activities of the Food and Drug Administration." This amendment is intended to make it clear that reenactment of the procedural provisions in this section does not constitute repeal or waiver of the Administrative Procedure Act or rights accorded thereunder.

The next amendment is, in subsection (a) of section 134, to strike out the word "may", immediately preceding the figure (1), and insert in lieu of such word the words "are authorized." The purpose of this amendment is to comport the language of this section to the provision in subsection 151 (f), establishing a penalty for refusal to permit entry or inspection "as authorized" by section 134; also, to restore the phrase "as authorized" which appears in the similar section of the present law, and which has been judicially interpreted.

The next amendment is, in subsection (a) of section 153, to strike out "paragraphs (5), (6), (8), (9), and (10)" and insert in lieu thereof "paragraphs (e), (f), (h), (i), and (j)." This substitution of letters for numbers in designating the particular paragraphs is necessary in order to correct an obvious clerical error. Section 153 of the bill now refers to subparagraphs which do not exist, since section 151 contains lettered subparagraphs rather than numbered subparagraphs.

The sixth amendment to this bill is, in subparagraph (2) of subsection (c) of section 154, to change the comma after the word "health" to a period and strike out the rest of the subparagraph. The purpose of this amendment is to make clear that the Secretary is not authorized to act without a hearing except in the case of articles which are dangerous to health. If there is no danger to health, due process should require that there be a hearing so as to avoid arbitrary action by the Secretary.

The final amendment to this bill is recently enacted Public Law 518 which was signed by the President on July 22, 1954. This law relates to pesticide chemicals and since it is an amendment to the Food and Drug Act it must of necessity be included in this revision in order that the present bill will reflect all of the pertinent laws on the subject.

With the exception of certain clerical amendments such as the renumbering of sections engendered by the insertion of Public Law 518 into the present bill, those are all the amendments which are proposed to be offered to H. R. 9728.

In the case of the bill, H. R. 9729, there are three amendments. In section 131, the proposal is to amend the material within the parentheses so as to read "(exclusive of means of transportation for which statistics are required by law to be filled with, and are compiled and published by, a designated regulatory body)". The purpose of this amendment is to make clear the intent of the Congress that the exception is applicable only where statistics are, under existing law, regularly compiled and published. In such cases, this exception would make it unnecessary for the Census Bureau to compile and publish the same statistics already being compiled and published by some other agency under existing law.

The second amendment is to include in section 8 of the bill a provision relating to furnishing transcripts of tables and other records which was inadvertently omitted when the bill was drafted.

The third amendment is to section 214 of the bill and corrects two typographical errors in that section.

These are the only changes to be offered to H. R. 9729.

There are three amendments to H. R. 9730, which are in the form of provisions to be stricken from the bill because of errors which were made and because of the signing by the President of the tax revision bill which renders certain provisions of the instant bill obsolete.

As I stated earlier, with the amendments which I have discussed, I believe these three codification bills are acceptable to everyone on both sides of the aisle, and will be acceptable as well to the body at the other end of the Capitol.

Mr. BUTLER. I intend to move that these bills be brought up in order and be given immediate consideration.

Mr. MILLIKIN. Mr. President, what does the Senator desire to have done with these bills?

Mr. BUTLER. I should like to have them considered immediately if the Senator does not object.

Mr. MILLIKIN. I do object.

Mr. BUTLER. I think we can pass them in 2 minutes.

Mr. MILLIKIN. How long would it take?

Mr. BUTLER. I do not think it would require more than 2 minutes.

Mr. KNOWLAND. Mr. President, as I understand, this subject has been discussed with the minority members of the Committee on the Judiciary and also with the minority leader.

Mr. BUTLER. That is true. This involves merely carrying out chapter 3, title I of the United States Code, which places this responsibility on the Committee of the Judiciary of the House of Representatives. Nevertheless, to make this work effective, the Senate must concur.

Mr. KNOWLAND. As I understand, the distinguished Senator from Maryland has a high priority engagement this afternoon at 4 o'clock?

Mr. BUTLER. That is correct.

Mr. KNOWLAND. And the Senator desires to dispose of these bills now. May we proceed to consider them with the understanding that if there is much discussion the bills may be laid aside?

Mr. LANGER. Mr. President, will the Senator yield?

Mr. BUTLER. I yield.

Mr. LANGER. I am quite sure there will not be any discussion. Everyone is agreed on this matter, and it should not require more than a minute to pass the bills.

I may say that thousands of dollars have been spent in preparing this material.

Mr. BUTLER. Yes.

Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of these bills.

The PRESIDING OFFICER. Is there objection?

Mr. MILLIKIN. Mr. President, I object unless we can reach an agreement as to how much time will be required.

Mr. BUTLER. If there is any controversy at all I think the bills should be laid aside. However, I would not like to

waste the vast amount of money which has gone into this work.

Mr. MILLIKIN. Will it require more than over 5 minutes?

Mr. BUTLER. I think not.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

REVISION OF TITLE 21 OF THE UNITED STATES CODE

The Senate proceeded to consider the bill (H. R. 9728) to revise, codify, and enact into law, title 21 of the United States Code entitled "Food, Drugs, and Cosmetics," which had been reported from the Committee on the Judiciary with an amendment, on page 90, after the table.

(For Senate engrossed amendment, see pp. 15245–15268 of House proceedings for today.)

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

REVISION OF TITLE 13 OF THE UNITED STATES CODE

The Senate proceeded to consider the bill (H. R. 9729) to revise, codify, and enact into law title 13 of the United States Code entitled "Census," which had been reported from the Committee on the Judiciary with amendments, on page 3, subchapter 1, "General Provisions," section 8, to strike out paragraphs (a), (b), (c), and (d), as follows:

(a) The Secretary may, at his discretion, upon the written request of the governor of any State or Territory or of a court of record, furnish such governor or court of record with certified copies of so much of the population, agriculture, and housing schedules prepared under the authority of subchapter II of Chapter 5 of this title as may be requested, upon the payment of the actual or estimated cost of searching the records and $1 for certification.

(b) The Secretary may furnish to individuals such data from the population and housing schedules as may be desired for genealogical or other proper purposes, upon payment of the actual cost of searching the records and $1 for supplying a certificate.

(c) In no case shall information furnished under the authority of this section be used to the detriment of the persons to whom such information relates.

(d) All moneys received by the Department of Commerce or any bureau or agency thereof in payment for the work covered by this section shall be deposited to the credit of an appropriation for collecting statistics.

And to insert in lieu thereof the following:

(a) The Secretary may, upon a written request, and in his discretion, furnish to Governors of States and Territories, courts of record, and individuals, data for genealogical and other proper purposes, from the population, agriculture, and housing schedules prepared under the authority of subchapter II of chapter 5, upon the payment of the actual, or estimated cost of searching the records and $1 for supplying a certificate.

(b) The Secretary may furnish transcripts or copies of tables and other census records and make special statistical compilations and surveys for State or local officials, private concerns, or individuals upon the payment of the actual, or estimated cost of such work.

(c) In no case shall information furnished under the authority of this section be used to the detriment of the persons to whom such information relates.

(d) All moneys received by the Department of Commerce or any bureau or agency thereof in payment for furnishing transcripts of census records or making special statistical compilations and surveys shall be deposited to the credit of an appropriation for collecting statistics.

On page 11, in subchapter 1, "Manufacturers, Mineral Industries, and Other Businesses," section 131, after the words "to be filed with", it is proposed to insert "and are compiled and published by."

On page 15, subchapter 1, "Officers and Employees," section 214, after the words "under the provisions of", it is proposed to strike out "his" and insert "this"; and after "$1,000 or", to strike out "imprisonment" and insert "imprisoned."

Mr. BUTLER. Mr. President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the question is on agreeing to the amendments en bloc.

The amendments were agreed to en bloc.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 9729) was read the third time and passed.

AMENDMENT OF CERTAIN TITLES OF THE UNITED STATES CODE

The Senate proceeded to consider the bill (H. R. 9730) to amend various statutes and certain titles of the United States Code for the purpose of correcting obsolete references, and for other purposes, which had been reported from the Committee on the Judiciary with amendments, on page 8, at the beginning of line 21, to strike out "1947" and insert "1927"; in the same line, after the numerals "348", to strike out "SEC. 3 (a)"; on page 17, after line 5, to strike out:

SEC. 17 Subsection (d) of section 211 of the act of June 27, 1952 (ch. 477, title II, chapter 2, 66 Stat. 181, 182; 8 U. S. C., sec. 1181 (d)) is amended by striking out "clause (2) or (3) of subsection (a)" in the two places where such reference appears in such subsection, and in lieu thereof inserting "clause (2) or (4) of subsection (a)", so that such subsection will read as follows:

"(d) No quota immigrant within clause (2) or (4) of subsection (a) shall be admitted under subsection (c) if the entire number of immigrant visas which may be issued to quota immigrants under the same quota for the fiscal year, or the next fiscal year, has already been issued. If such entire number of immigrant visas has not been issued, the Secretary of State, upon notification by the Attorney General of the admission under subsection (c) of a quota immigrant within clause (2) or (4) of subsection (a), shall reduce by one the number of immigrant visas which may be issued to quota immigrants under the same quota during the fiscal year in which such immigrant is admitted, or, if the entire number of immigrant visas which may be issued to quota immigrants under the same quota for the fiscal year has been issued, then during the next following fiscal year."

On page 18, line 4, to change the section number from "18" to "17"; on page 19, line 10, to change the section number from "19" to "18"; on page 20, line 20, to change the section number from "20" to "19"; on page 22, line 22, to change the section number from "21" to "20"; on page 23, line 14, to change the section number from "22" to "21"; on page 24, line 1, to change the section number from "23" to "22"; in line 20, to change the section number from "24" to "23"; on page 25, line 15, to change the section number from "25" to "24"; on page 26, line 15, to change the section number from "26" to "25"; on page 27, line 12, to change the section number from "27" to "26"; on page 29, line 18, to change the section number from "28" to "27"; on page 31, line 4, to change the section number from "29" to "28"; in line 21 to change the section number from "30" to "29"; on page 32, line 11, to change the section number from "31" to "30"; on page 33, line 19, to change the section number from "32" to "31"; on page 34, line 18, to change the section number from "33" to "32"; on page 35, line 15, to change the section number from "34" to "33"; on page 36, line 23, to change the section number from "35" to "34"; on page 38, line 16, to change the section number from "36" to "35"; in line 23, to change the section number from "37" to "36"; on page 39, line 11, to change the section number from "38" to "37"; after line 22, to strike out:

SEC. 39. The cross reference set out as section 3633 (b) of the Internal Revenue Code (53 Stat., pt. 1, p. 441; 26 U. S. C., sec. 3633 (b)) is amended by striking out the reference "3799", appearing therein, and in lieu thereof inserting "3800", so that such cross reference, exclusive of the catchline thereof, will read as follows:

"For authority of district courts to issue orders, processes, and judgments for enforcement of internal revenue laws, see section 3800."

On page 40, line 6, to change the section number from "40" to "38"; in line 13, to change the section number from "41" to "39"; on page 42, line 11, to change the section number from "42" to "40"; in line 15, to change the section number from "43" to "41"; on page 43, line 14, after the word "Each" to strike out "commission" and insert "commissioner"; in line 25, to change the section number from "44" to "42"; on page 44, line 4, to change the section number from "45" to "43"; in line 13, to change the section number from "46" to "44"; on page 46, line 21, to change the section number from "47" to "45"; on page 48, line 8, to change the section number from "48" to "46"; in line 15, to change the section number from "49" to "47"; on page 49, line 7, to change the section number from "50" to "48"; on page 50, line 13, to change the section number from "51" to "49"; on page 51, line 16, to change the section number from "52" to "50"; on page 54, line 3, to change the section number from "53" to "51"; on page 56, line 14, to change the section

number from "54" to "52"; on page 55, line 11, after the word "be", to insert "the"; on page 58, line 14, to change the section number from "56" to "54"; on page 59, line 1, to change the section number from "57" to "55"; on page 61, line 3, to change the section number from "58" to "56"; in line 13, to change the section number from "59" to "57"; on page 62, after line 2, to strike out:

SEC. 60. Section 2517 of title 28, United States Code, is amended by (1) striking out the subsection designation "(a)" where it appears in subsection (a), and (2) by striking all of subsection (b), so that the section will read as follows:

"Every final judgment rendered by the Court of Claims against the United States shall be paid out of any general appropriation therefor, on presentation to the General Accounting Office of a certification of the judgment by the clerk and chief judge of the court."

In line 13, to change the section number from "61" to "58", and in line 20, to change the section number from "62" to "59."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

REVISION OF LAWS RELATING TO ESPIONAGE AND SABOTAGE—CONFERENCE REPORT

Mr. FERGUSON. Mr. President, on behalf of the Senator from North Dakota [Mr. LANGER], I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9580) to revise and extend the laws relating to espionage and sabotage, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9580) to revise and extend the laws relating to espionage and sabotage, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: Strike out all of title III, including the title.

And the Senate agree to the same.

WILLIAM LANGER,
EVERETT M. DIRKSEN,
PAT MCCARRAN,
Managers on the Part of the Senate.

LOUIS E. GRAHAM,
RUTH THOMPSON,
DEWITT S. HYDE,
EMANUEL CELLER,
FRANCIS E. WALTER,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. FERGUSON. Mr. President, under the conference report title III, providing for the registration of persons trained in espionage and sabotage, would be stricken out. The same provision is in the present law, the Internal Security Act of 1950. The provision was put in House bill 9580, and when the House of Representatives passed the bill they provided that certain people would be exempted, diplomatic representatives, or those connected directly with Government. The Senate would not agree to that provision, so in the conference the whole provision was stricken.

It was the intention that we should consider this matter in a separate bill, so that the new division in the Department of Justice would have charge of it. I believe that we should accept the conference report, because it does not do violence to the present law.

The PRESIDING OFFICER (Mr. WILLIAMS in the chair). The question is on agreeing to the conference report.

The report was agreed to.

RELIEF OF CERTAIN BASQUE SHEEPHERDERS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2074) for the relief of certain Basque sheepherders, which were, on page 1, lines 3 and 4, strike out "That, for the purposes of the Immigration and Nationality Act," and insert "That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding orders and warrants of deportation, warrants of arrests, and bonds which may have been issued in the cases of the following aliens"; on page 2, at the end of line 13, insert a "period"; and on page 2, strike out lines 14 through 21 inclusive, and insert "From and after the date of enactment of this act, these aliens shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

Mr. McCARRAN. Mr. President, I move that the Senate concur in the House amendments to S. 2074.

The motion was agreed to.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF COLORADO RIVER STORAGE PROJECT

The Senate resumed the consideration of the bill (S. 1555) to authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes.

The bill had been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause and insert:

That, in order to initiate the comprehensive development of the water resources of the upper Colorado River Basin, the Congress, in the exercise of its constitutional authority to provide for the general welfare, to regulate commerce among the States and with the Indian tribes, and to make all needful rules and regulations respecting property belonging to the United States, and for the purposes, among others, for regulating the flow of the Colorado River, storing water for beneficial consumptive use, making it possible for the States of the upper Basin to utilize, consistently with the provisions of the Colorado River compact, the apportionments made to and among them in the Colorado River compact and the upper Colorado River Basin compact, respectively, providing for the reclamation of arid and semiarid land, for the control of floods and for the improvement of navigation, and the generation of hydroelectric power, as an incident of the foregoing purposes, hereby authorizes the Secretary of the Interior (1) to construct, operate, and maintain the following initial units of the Colorado River storage project, consisting of dams, reservoirs, powerplants, transmission facilities and appurtenant works: Cross Mountain, Curecanti, Echo Park, Flaming Gorge, Glen Canyon, and Navaho: *Provided,* That the Curecanti Dam shall be constructed to a height which will impound not less than 940,000 acre-feet of water or will create a reservoir of such greater capacity as can be obtained by a high waterline located at 7,520 feet above mean sea level and that construction thereof shall not be undertaken until the Secretary has, on the basis of further engineering and economic investigations, reexamined the economic justification of such unit and, accompanied by appropriate documentation in the form of a supplemental report, has certified to the Congress and to the President that, in his judgment, the benefits of such unit will exceed its costs; and (2) to construct, operate, and maintain the following additional reclamation projects (including power-generating and transmission facilities related thereto), hereinafter referred to as participating projects: Central Utah (initial phase); Emery County, Fla., Gooseberry, Hammond, La Barge, Lyman, Paonia (including the Minnesota unit, a dam and reservoir on Muddy Creek just above its confluence with the North Fork of the Gunnison River, and other necessary works), Pine River Extension, Seedskadee, Silt, Smith Fork, San Juan-Chama, Navaho: *Provided,* That (a) construction of the participating projects set forth in this clause (2) shall not be undertaken until the Secretary has reexamined the economic justification of such project and, accompanied by appropriate documentation in the form of a supplemental report, has certified to the Congress, through the President, that, in his judgment, the benefits of such project will exceed its costs, and that the financial reimbursability requirements set forth in section 4 of this act can be met. The Secretary's supplemental report for each such project shall include, among other things, (i) a reappraisal of the prospective direct agricultural benefits of the project made by the Secretary after consultation with the Secretary of Agriculture; (ii) a reevaluation of the nondirect benefits of the project; and (iii) allocations of the total cost of construction of each participating project or separable features thereof, excluding any expenditures authorized by section 7 of this act, to power, irrigation, municipal water supply, flood control or navigation, or any other purpose authorized under reclamation law. Section 1 (c) of the Flood Control Act of 1944 shall, except as hereinafter provided for the San Juan-Chama and the Navajo participating projects, not be applicable to such supplemental reports; and, (b) that no appropriation for or construction of the San Juan-Chama project or the Navaho participating project shall be made or begun until coordinated reports thereon shall have been submitted to the affected States, including (but without limiting the generality of the foregoing)

the State of Texas, pursuant to the act of December 22, 1944, and said projects shall have been approved and authorized by the Congress: *Provided further*, That with reference to the San Juan-Chama project, it shall be limited to a single off-stream dam and reservoir on a tributary of the Chama River to be used solely for the control and regulation of water imported from the San Juan River, that no power facilities shall be established, installed, or operated along the diversion or on the reservoir or dam, and such dam and reservoir shall at all times be operated by the Bureau of Reclamation of the Department of the Interior in strict compliance with the Rio Grande compact as administered by the Rio Grande Compact Commission.

SEC. 2. In order to achieve such comprehensive development as will assure the consumptive use in the States of the upper Colorado River Basin of waters of the Colorado River system the use of which is apportioned to the upper Colorado River Basin by the Colorado River compact and to each State thereof by the upper Colorado River Basin compact, it is the intent of the Congress in the future to authorize the construction, operation, and maintenance of further units of the Colorado River storage project, of additional phases of participating projects authorized in this act, and of new participating projects as additional information becomes available and additional needs are indicated. It is hereby declared to be the purpose of the Congress to authorize as participating projects only projects (including units or phases thereof)—

(1) for the use, in one or more of the States designated in article III of the upper Colorado River Basin compact, of waters of the upper Colorado River system the consumptive use of which is apportioned to those States by that article; and

(2) for which pertinent data sufficient to determine their probable engineering and economic justification and feasibility shall be available. It is likewise declared to be the policy of the Congress that the costs of any participating project authorized in the future shall be amortized from its own revenues to the fullest extent consistent with the provisions of this act and Federal reclamation law.

SEC. 3. Except as otherwise provided in this act, in constructing, operating, and maintaining the units of the Colorado River storage project and the participating projects listed in section 1 of this act, the Secretary shall be governed by the Federal reclamation laws (act of June 17, 1902, 32 Stat. 338, and acts amendatory thereof or supplementary thereto): *Provided*, That (a) irrigation repayment contracts shall be entered into which, except as otherwise provided for the Paonia and Eden projects, provide for repayment of the obligation assumed thereunder with respect to any project contract unit over a period of not more than 50 years exclusive of any development period authorized by law; (b) prior to construction of irrigation distribution facilities, repayment contracts shall be made with an "organization" as defined in paragraph 2 (g) of the Reclamation Project Act of 1939 (53 Stat. 1187) which has the capacity to levy assessments upon all taxable real property located within its boundaries to assist in making repayments, except where a substantial proportion of the lands to be served are owned by the United States; (c) contracts relating to municipal water supply may be made without regard to the limitations of the last sentence of section 9 (c) of the Reclamation Project Act of 1939 and (d), as to Indian lands within, under or served by any participating project, payment of construction costs within the capability of the land to repay shall be subject to the act of July 1, 1932 (47 Stat. 564). All units and participating projects shall be subject to the apportionments of the use of water between the upper and lower basins of the Colorado River and among the States of the upper basin fixed in the Colorado River compact and the upper Colorado River Basin compact, respectively, and to the terms of the treaty with the United Mexican States (Treaty Series 994).

SEC. 4. (a) There is hereby authorized a separate fund in the Treasury of the United States to be known as the upper Colorado River Basin fund (hereinafter referred to as the basin fund), which shall remain available until expended, as hereafter provided, for carrying out provisions of this act other than section 7.

(b) All appropriations made for the purpose of carrying out the provisions of this act, other than section 7, shall be credited to the basin fund as advances from the general fund of the Treasury.

(c) All revenues collected in connection with the operation of the Colorado River storage project and participating projects shall be credited to the Basin Fund, and shall be available, without further appropriation, for (1) defraying the costs of operation, maintenance, and replacements of, and emergency expenditures for, all facilities of the Colorado River storage project and participating projects, within such separate limitations as may be included in annual appropriation acts, (2) payment as required by subsection (d) of this section, (3) payment of the reimbursable construction costs of the Paonia project which are beyond the ability of the water users to repay within the period prescribed in the act of June 25, 1947 (61 Stat. 181), said payment to be made within 50 years after completion of that portion of the project which has not been constructed as of the date of this act, and (4) payment in connection with the irrigation features of the Eden project as specified in the act of June 28, 1949 (63 Stat. 277): *Provided*, That revenues credited to the Basin Fund shall not be available for appropriation for construction of the units and participating projects authorized by or pursuant to this act.

(d) Revenues in the Basin Fund in excess of operating needs shall be paid annually to the general fund of the Treasury to return—

(1) the costs of each unit, participating project, or any separable feature thereof which are allocated to power pursuant to section 5 of this act, within a period not exceeding 50 years from the date of completion of such unit, participating project, or separable feature thereof;

(2) the costs of each unit, participating project, or any separable feature thereof which are allocated to municipal water supply pursuant to section 5 of this act, within a period not exceeding 50 years from the date of completion of such unit, participating project, or separable feature thereof;

(3) interest on the unamortized balance of the investment (including interest during construction) in the power and municipal water supply features of each unit, participating project, or any separable feature thereof, at a rate determined by the Secretary of the Treasury as provided in subsection (e), and interest due shall be a first charge; and

(4) the costs of each unit, participating project, or any separable feature thereof which are allocated to irrigation pursuant to section 5 of this act within a period not exceeding 50 years, in addition to any development period authorized by law, from the date of completion of such unit, participating project, or separable feature thereof, or, in the cases of the Paonia project and of Indian lands, within a period consistent with other provisions of law applicable thereto.

(e) The interest rate applicable to each unit of the storage project and each participating project shall be determined by the Secretary of the Treasury as of the time the first advance is made for initiating construction of said unit or project. Such interest rate shall be determined by calculating the average yield to maturity on the basis of daily closing market bid quotations during the month of June next preceding the fiscal year in which said advance is made, on all interest-bearing marketable public-debt obligations of the United States having a maturity date of 15 or more years from the first day of said month, and by adjusting such average annual yield to the nearest one-eighth of 1 percent.

(f) Business-type budgets shall be submitted to the Congress annually for all operations financed by the Basin Fund.

SEC. 5. Upon completion of each unit, participating project or separable feature thereof the Secretary shall allocate the total costs (excluding any expenditures authorized by section 7 of this act) of constructing said unit, project or feature to power, irrigation, municipal water supply, flood control, navigation, or any other purposes authorized under reclamation law. Allocations of construction, operation and maintenance costs to authorized nonreimbursable purposes shal be nonreturnable under the provisions of this act. On January 1 of each year the Secretary shall report to the Congress for the previous fiscal year, beginning with the fiscal year 1955, upon the status of the revenues from and the cost of constructing, operating, and maintaining the Colorado River storage project and the participating projects. The Secretary's report shall be prepared to reflect accurately the Federal investment allocated at that time to power, to irrigation, and to other purposes, the progress of return and repayment thereon, and the estimated rate of progress, year by year, in accomplishing full repayment.

SEC. 6. The hydroelectric powerplants authorized by this act to be constructed, operated, and maintained by the Secretary shall be operated in conjunction with other Federal powerplants, present and potential, so as to produce the greatest practicable amount of power and energy that can be sold at firm power and energy rates, but no exercise of the authority hereby granted shall affect or interfere with the operation of any provision of the Colorado River Compact, the Upper Colorado River Basin Compact, or the Boulder Canyon Project Act.

SEC. 7. In connection with the development of the Colorado River storage project and of the participating projects, the Secretary is authorized and directed to investigate, plan, construct, operate, and maintain (1) public recreational facilities on lands withdrawn or acquired for the development of said project or of said participating projects, to conserve the scenery, the natural, historic, and archeologic objects, and the wildlife on said lands, and to provide for public use and enjoyment of the same and of the water areas created by these projects by such means as are consistent with the primary purposes of said projects; and (2) facilities to mitigate losses of and improve conditions for the propagation of fish and wildlife. The Secretary is authorized to acquire lands and to withdraw public lands from entry or other disposition under the public land laws necessary for the construction, operation, and maintenance of the facilites herein provided, and to dispose of them to Federal, State, and local governmental agencies by lease, transfer, exchange, or conveyance upon such terms and conditions as will best promote their development and operation in the public interest. All costs incurred pursuant to this section shall be nonreimbursable and nonreturnable.

SEC. 8. Nothing contained in this act shall be construed to alter, amend, repeal, construe, interpret, modify, or be in conflict with any provision of the Boulder Canyon

Project Act (45 Stat. 1057), the Boulder Canyon Project Adjustment Act (54 Stat. 774), the Colorado River compact, the upper Colorado River Basin compact, the Rio Grande compact of 1938, or the treaty with the United Mexican States (treaty series 994).

SEC. 9. Expenditures for the Cross Mountain, Flaming Gorge, Glen Canyon, Navajo and Echo Park initial units of the Colorado River storage project may be made without regard to the soil survey and land classification requirements of the Interior Department Appropriation Act, 1954.

SEC. 10. There are hereby authorized to be appropriated such sums as may be required to carry out the purposes of this act.

SEC. 11. The appropriate agencies of the United States are authorized to convey to the city and county of Denver, Colo., for use as a part of its municipally owned water system, such interests in lands and water rights used or acquired by the United States solely for the generation of power and other property of the United States as shall be required in connection with the development or use of its Blue River project, upon payment by Denver for any such interest of the value thereof at the time of its acquisition by Denver, and provided that any such transfer shall be so limited as not to preclude the use of the property other than water rights for the necessary functions of the United States Government.

SEC. 12. In the operation and maintenance of all facilities, authorized by Federal law and under the jurisdiction and supervision of the Secretary of the Interior, in the basin of the Colorado River, the Secretary of the Interior is directed to comply with the applicable provisions of the Colorado River compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, and the treaty with the United Mexican States, in the storage and release of water from reservoirs in the Colorado River Basin. In the event of the failure of the Secretary of the Interior to so comply, any State of the Colorado River Basin may maintain an action in the Supreme Court of the United States to enforce the provisions of this section, and consent is given to the joinder of the United States as a party in such suit or suits. No right to impound or use water for the generation of power or energy, created or established by the building, operation, or use of any of the powerplants authorized by this act, shall be deemed to have priority over or otherwise operate to preclude or impair any use, regardless of the date of origin of such use, of the waters of the Colorado River and its tributaries for domestic or agricultural purposes within any of the States of the upper Colorado River Basin.

SEC. 13. As used in this act—

The terms "Colorado River Basin", "Colorado River compact", "Colorado River system", "Lee Ferry", "States of the upper division", "upper basin", and "domestic use" shall have the meaning ascribed to them in article II of the upper Colorado River Basin compact;

The term "States of the upper Colorado River Basin" shall mean the States of Arizona, Colorado, New Mexico, Utah, and Wyoming;

The term "upper Colorado River Basin" shall have the same meaning as the term "upper basin";

The term "upper Colorado River Basin compact" shall mean that certain compact executed on October 11, 1948, by commissioners representing the States of Arizona, Colorado, New Mexico, Utah, and Wyoming, and consented to by the Congress of the United States of America by act of April 6, 1949 (63 Stat. 31);

The term "Rio Grande compact" shall mean that certain compact executed on March 18, 1938, by commissioners representing the States of Colorado, New Mexico, and Texas and consented to by the Congress of the United States of America by act of May 31, 1939 (53 Stat. 785); and

The term "treaty with the United Mexican States" shall mean that certain treaty between the United States of America and the United Mexican States signed at Washington, D. C., February 3, 1944, relating to the utilization of the waters of the Colorado River and other rivers, as amended and supplemented by the protocol dated November 14, 1944, and the understandings recited in the Senate resolution of April 18, 1945, advising and consenting to ratification thereof.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. MILLIKIN. Mr. President, the recent Governors' Conference at Lake George, N. Y., emphasizes the importance which is attached to good working relationships among the States and to the close cooperation that is required between them and the Federal Government in those fields of activity in which they have a common interest. I may add that the President of the United States has frequently expressed similar sentiments.

The Federal Government and the Colorado River Basin States of Arizona, California, Colorado, New Mexico, Nevada, Utah, and Wyoming have common interests in the Colorado River and its tributaries. Their common interests arise from the fact that the natural basin of the Colorado River is, in the main, an arid country and that many areas surrounding this natural basin are arid and semiarid. The waters of the Colorado River and its tributaries are, therefore, essential to each of those States. Each desires to put them to use, to the fullest practicable extent, for domestic, agricultural, and industrial purposes. The interests of the Federal Government arise through the duty to protect its Indian wards, as well as under the commerce and general welfare clauses of the Constitution.

California and Nevada came forward some years ago with a plan, worked out by the Interior Department for a project known as the Boulder Canyon project, consisting of a dam and incidental works adequate to create a storage reservoir with a capacity of not less than 20 million acre-feet, together with a canal and other works designed to provide dependable water supplies for the Imperial and Coachella Valleys and for other areas in California.

The other States in the Colorado River Basin were fearful that authorization and construction of the Boulder Canyon project would lead to growing uses in California of waters of the Colorado River system to such an extent that they themselves would be forever barred from making uses which, they believed, they might well desire to make in the long-range future. Growing uses by California would achieve priority under the Western doctrine of appropriation, whereby those who first put to use the waters of a stream acquire a first and prior right to the use of such waters as against subsequent appropriators.

A way was sought whereby construction of the Boulder Canyon project might proceed, while, at the same time, there would be avoided the natural consequences which the other States feared might follow from such authorization and construction. That way was found. It consisted in the Colorado River Compact of 1922. The Colorado River Compact of 1922 divided the seven Colorado River Basin States into two groups, and it made an equitable apportionment to each such group of the use of waters of the Colorado River system. These two groups are known, respectively, as the upper and lower basins. The consumptive use apportioned to the upper basin States, as a group, is not susceptible of being lost to them by prior appropriations downstream. In effect, the Colorado River Compact of 1922 suspended the doctrine of priority of appropriations as to that share of the waters of the Colorado River system that was apportioned to the upper basin States of Arizona, Colorado, New Mexico, Utah, and Wyoming.

S. 1555, in the introduction of which I was joined by my distinguished colleague from Colorado and by my distinguished colleagues from Arizona, New Mexico, Utah, and Wyoming, exemplifies good relationships among States and between them and the Federal Government. Here is a case where five great Western States, working closely together and with the Federal Government, have evolved a plan for the development of water resources—for sharing the benefits of a stream system. The works would be constructed by the Federal Government—the people directly benefited would pay for them. The expenditures for power and municipal water supplies would be returned with interest, including interest during construction.

As amended by the Subcommittee on Irrigation and Reclamation and approved by the Committee on Interior and Insular Affairs, S. 1555 would authorize the construction of six holdover storage reservoirs. These reservoirs will make possible releases of water to the lower Colorado River Basin so that upstream uses of water can be made during periods of low flows, while the upper basin States, at the same time, fulfill their compact commitments to the lower basin. As waters are released from such storage, they will make hydroelectric power, the need for which is becoming more and more marked throughout the seven Colorado River Basin States.

The function of these storage units is of vital importance to all seven of the Colorado River Basin States and of particular importance to the upper basin States. From the functional point of view, they are of equal significance to each of the upper basin States of Arizona, Colorado, New Mexico, Utah, and Wyoming, because, without them, in the light of historical flows of the Colorado River, those States cannot hope eventually to make the uses of water that are apportioned to them as a group by the Colorado River compact of 1922 and among them by the upper Colorado River Basin Compact. They are of equal significance to each of the upper division States of Colorado, New Mexico, Utah, and Wyoming, because the revenues from the power they produce will help to pay the costs of irrigation works that

can be undertaken in each of those States.

In approximately 50 years from the date of their construction, these storage units will have returned their total cost to the Treasury of the United States. In addition to that, they will have returned 2½ percent interest per annum on that part of their costs that is allocated to power, together with interest during construction.

One of these holdover storage units is located in the Dinosaur National Monument. The Senate has received much information on this during the last several months. Suffice it to say, that when the Dinosaur National Monument was enlarged to take in this Echo Park area, the people of the States of Colorado and Utah, living in the vicinity, were assured that such enlargement would not prohibit use of the area for water storage purposes. Good faith requires us not to bar the use of the area for those purposes, unless an alternative, equally good in all respects, can be found.

Every effort has been made to find an equally good reservoir site outside the monument. None has been found. None can be found which combines all of the attributes of Echo Park. Echo Park Dam can be authorized without, in any sense, setting a precedent that might endanger other national monuments or national parks. The reason is that the circumstances surrounding the enlargement of the Dinosaur National Monument are unique. They do not exist in connection with any other national park or monument area.

The question whether the Echo Park Dam should be authorized has become, in large part, a matter of emotion rather than reason. The testimony before our committee on this subject largely reflects what I have just said. The experts testified with clarity and precision as to the reasons why no equivalent for Echo Park can be found. Others testified that they were opposed to Echo Park, not so much because of their love for the Dinosaur National Monument—many of them had never been there—but because of their love of nature and their desire to preserve it for posterity. I am sure many of my colleagues in the Senate have received letters by the score from these good people. Many of those letters are obviously written by persons who have been asked to write, who have been glad to do so but who have no real knowledge or sympathetic understanding of the needs of our arid country for economical storage sites. If reason rules, Echo Park will be authorized.

S. 1555, as amended in the Subcommittee on Irrigation and Reclamation and approved by the Committee on Interior and Insular Affairs, authorized a number of participating irrigation projects. They are called participating projects, because they will participate, through financial assistance in the paying of irrigation costs, in the power revenues derived mainly from hydropowerplants of the holdover storage reservoirs. If we add all of the acreage in these participating projects that will receive water for irrigation we get a total of only 754,000 acres. It becomes apparent immediately that there can be no real relation between the millions of acre-feet of holdover storage, proposed in S. 1555, and the comparatively small extent of irrigation that will be provided through these participating projects. The point is that the irrigation projects that will be authorized by S. 1555, as amended, constitute only a beginning. The storage provided, however, must be related to ultimate development in the upper basin States. It is not proper, therefore, at this early stage, to take the total of the irrigation allocation, which includes a part of the costs of the holdover storage reservoirs as well as the direct irrigation costs of the participating projects, and to distribute that sum among the few acres contained in the participating projects that would be authorized by S. 1555, as amended. This would disregard additional acreage which will substantially lower the cost of development per acre.

Even though the few participating projects contained in S. 1555, as amended, constitute only a beginning on irrigation development in the upper basin, the bill contains a number of safeguards that are designed to prevent initiation of construction of works that require further economic analysis. Notwithstanding the many years of investigation that have preceded this bill, our committee concluded that it would follow, in the main, the recommendations made by the present administration in connection with such safeguards. Thus, under the terms of the bill, as amended, construction of participating projects may not be initiated until there has been a reevaluation of the relation of their anticipated benefits to their estimated costs and consultation thereon with the Secretary of Agriculture.

Furthermore, these participating projects could not be started prior to the completion of soil surveys and land classifications in accordance with the requirements of the Interior Department Appropriation Act of 1954. No participating project can be commenced until the Secretary of the Interior is satisfied that its costs will be paid out in 50 years.

Mr. CHAVEZ. Mr. President, will the Senator from Colorado yield at that point?

Mr. MILLIKIN. I yield.

Mr. CHAVEZ. I should like to have the Senator from Colorado inform the Senate as to the necessity for the project, even if we do not appropriate any money to carry it forward. I think the historical background of the upper basin States, Utah, Colorado, Wyoming, and New Mexico, and their rights to the water, formed part of the scheme of things in the original Boulder Dam bill. Is not that correct?

Mr. MILLIKIN. That is correct.

Mr. CHAVEZ. All we are trying to do by this particular bill is to protect the waters which nature gave us.

Mr. MILLIKIN. Roughly speaking, the States which the Senator has mentioned originate the water of the stream.

Mr. CHAVEZ. That is correct. As far back as 1928, as the Senator from Utah and the Senator from Colorado know, we tried to help the lower basin States.

Mr. MILLIKIN. That is correct; and we did.

Mr. CHAVEZ. Eventually, through agreement and through commonsense understanding, it was said that Colorado was entitled to do so much, Wyoming so much, Utah so much, and New Mexico so much. The purpose of the proposed legislation is only that eventually we may be protecting those rights.

Mr. MILLIKIN. The Senator has stated the situation exactly. In 1922 we recognized that the upper basin States and the lower basin States had rights to the use of that water. We defined them in the compact. We in the upper basin then decided among ourselves how much water each of the States would be entitled to under the upper basin compact, which was brought to the Congress and approved.

Shortly after I first became a Member of the Senate I had the floor management of a bill involving the allocation to Mexico of a certain amount of the water of the river, and at that time it was thoroughly understood, and expressed at length in the Senate, that to keep that obligation, and in order to keep the obligations on the whole stream system, it would be necessary to build the type of reservoirs and projects of which I have been speaking. So we are not bringing something before the Senate which is new and novel.

Mr. CHAVEZ. Mr. President, if the Senator will indulge me for a moment, I should like to say that at Santa Fe, N. Mex., Secretary of Commerce Hoover held the first meeting with reference to the division of the water of the upper basin States and also for the protection of the lower basin States. We kept faith with the lower basin States.

Mr. MILLIKIN. That is correct.

Mr. CHAVEZ. But we insist, under the same agreement, that after all, the people of Colorado are entitled to a little water. As the Senator knows, in Utah, New Mexico, Colorado, and Wyoming water is the very essence of life.

Mr. MILLIKIN. That is correct.

Mr. CHAVEZ. So there is no particular reason why there should be any objection to this particular bill, unless it be a selfish objection. It is true that New Mexico, Wyoming, Colorado, and Utah furnish water not only to Mexico, but to the State of California.

Mr. MILLIKIN. That is correct.

Mr. CHAVEZ. All we are asking for is our share of it. Is not that correct?

Mr. MILLIKIN. That is correct. The whole United States, including the States of the upper Colorado, contributed in taxes to build Boulder Dam.

Mr. CHAVEZ. That is correct.

Mr. MILLIKIN. Similarly, they have contributed to the building of Davis Dam and Parker Dam. In other words, a great part of the remainder of the lower basin has already been developed. I refer to California. It is an accomplished fact. Yet there is not one substantial project above Lee Ferry in the upper basin.

Mr. CHAVEZ. That is correct. I have been a Member of the Senate for many years. I was a Member when Senator Pittman was chairman of the committee concerned. I recall that the

original basin—Colorado, Wyoming, New Mexico, and Utah—had nothing. We did not even have the receipts from the power generated at Boulder Dam. We could not use one penny.

On one occasion Senator Pittman, under an amendment which I submitted, approved the first $500,000 a year for us, in order to ascertain what Colorado, Utah, Wyoming, and New Mexico could get from it.

We have certainly been fair to the lower basin States. At one time, I may say to the Senator from Utah [Mr. WATKINS] and the Senator from Colorado [Mr. MILLIKIN] of the power generated at Boulder Dam, Arizona was getting 17 percent and Nevada was getting 17 percent, but we were paying the debt at the end of 40 years. After all, this is a matter of "live and let live" in that region.

Mr. MILLIKIN. I think the Senator from New Mexico is entirely correct. I thank him for his very valuable contribution.

Participating projects cannot be started prior to the completion of soil conservation and land qualifications, in accordance with the requirements of the Interior Appropriation Act of 1954. No participating project can be commenced until the Secretary of the Interior is satisfied that its cost will be paid in 50 years.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. WATKINS. I wish to return to the question which the Senator from Colorado was discussing with the Senator from New Mexico, and to call the attention of the Senator from Colorado to certain facts that have been developed from the record.

I note that in the lower basin, the Federal Government has spent $404,227,225 in the development of reclamation projects. That money was spent largely at a time when the dollar had double the purchasing power it now has. In order to bring the costs up to date, the amount spent would approach at least $800 million. That is the amount which has been spent by the Federal Government upon reclamation in the lower basin.

In the upper basin, in the same period of time, or since the reclamation program went into effect, the total amount spent to date has been $26,758,082. Those costs, in part, were incurred during the time when money was devalued to about 50 cents on the dollar. This indicates clearly what has happened.

Mr. MILLIKIN. I am very grateful to the Senator from Utah for those figures. It is perfectly apparent that the upper basin States and the entire United States have spent huge sums of money for the development of the lower basin; but, roughly speaking, not 1 cent has been spent upon all the States in the upper basin, which originates the water which flows to the lower basin.

Mr. WATKINS. Is it not true that at the time the 1922 compact was entered into, it was the understanding that under the reclamation program the upper basin States as well as the lower basin States would be given an opportunity to develop?

Mr. MILLIKIN. I think that is correct.

Mr. CHAVEZ. It was not until Senator Pittman, of Nevada, agreed to an amendment that we might have even a single penny, that a study was begun to determine whether the project was feasible.

Mr. MILLIKIN. The result is that it is necessary to go before the Committee on Appropriations at every session of Congress in order to obtain money to make the investigations which are necessary to protect our water rights in the West.

Mr. WATKINS. Is it not true that the only means left for the development of the upper Colorado, under the compact of 1922, is by a program similar to or the same as the one outlined in the bill?

Mr. MILLIKIN. I do not know of any other way in which it can be done. If it is not done, the water rights and the benefits from water in the upper basin will be destroyed.

I am not making an upper-basin-lower-basin fight. I am emphasizing, as the Senator from Utah is emphasizing, and as the Senator from New Mexico has emphasized, that the needs of the lower basin States have already been taken care of. They have reservoirs. Now we are asking for our own reservoirs. We are asking for them after 25 years of effort on the part of various States, to ascertain what could be done for the upper basin States.

Mr. WATKINS. Mr. President, will the Senator further yield?

Mr. MILLIKIN. I yield.

Mr. WATKINS. Does not this project come fully within the reclamation program, and will it not be in accordance with the practice followed in the construction of such projects, namely, that the costs will all have to be paid back, including interest, except for the portion allocated to irrigation?

Mr. MILLIKIN. The bill follows the reclamation law. The provisions which are different tighten the reclamation law against us.

Mr. WATKINS. Also, it is in contrast with a number of projects which have been approved and authorized in the last 7 or 8 years, in that the costs are required to be repaid within 50 years.

Mr. MILLIKIN. The bill contains a 50-year provision.

Mr. WATKINS. It contains a 50-year provision plus a 10-year development period.

Mr. MILLIKIN. That is entirely correct.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. CHAVEZ. In simple language, all the bill provides for is, first, protection of the basic rights of the upper-basin States; but eventually the expense must be met, and that expense will be paid by the upper-basin States. Is not that correct?

Mr. MILLIKIN. Exactly. The bill has unusual provisions for assuring the repayment of the costs.

Mr. CHAVEZ. I happen to know New Mexico. I know the waters involved in this bill, so far as New Mexico is concerned. Strangely enough, more water crosses the Arizona-New Mexico border in the San Juan River than comes down the Rio Grande. It is our water. All we insist is that we be allowed to use that particular water.

I might possibly say to my friends, the Senators from Arizona and the Senators from California, "All right. You use it. But eventually, when it gets to Boulder, on its way to Old Mexico, the water which belongs to Wyoming and Colorado, once it crosses the Arizona, Wyoming, and Colorado lines, is gone."

Mr. MILLIKIN. That is correct.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. GOLDWATER. The Senator from Colorado remarked that the lower basin had all the projects. I agree with him. That is true. But California has all the water.

Mr. MILLIKIN. Yes. It has all the projects, too.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. KUCHEL. I am sure all of us enjoy the jocular remarks upon which our friend, the distinguished Senator from Arizona, irrelevantly commented a moment ago. I am listening to the argument being made by the distinguished Senator from Colorado. I know he will listen to the poor comments which I shall endeavor to make later.

Mr. MILLIKIN. I look forward to the Senator's comments.

We hear charges that various projects of this nature, here and elsewhere, are wasteful.

The bill contains provisions especially designed to safeguard against waste or failure to meet repayment obligations.

Mr. ANDERSON. Mr. President will the Senator yield?

The PRESIDING OFFICER (Mr. PAYNE in the chair). Does the Senator from Colorado yield to the Senator from New Mexico?

Mr. MILLIKIN. I yield.

Mr. ANDERSON. Is it not true that the Senator from Colorado and his colleagues on that subcommittee, as well as the members of the full committee, made sure that all the money will be deposited in the Treasury and carefully used, so that there will be no question that the money will be applied as the bill requires? The expenditure is not going to be used as in cases where power revenues are used loosely by individuals out in the field, but all of the money is going to be used to retire the obligation which the Federal Government is now incurring. Is that not correct?

Mr. MILLIKIN. The distinguished Senator from New Mexico is correct. He knows what past custom in these matters has been. The bill contains what I think are airtight provisions to see that the Federal Government gets its money back and that the interest goes where it should go.

Mr. ANDERSON. I wish to commend the Senator from Colorado for insisting that such provisions be written into the bill. We all have recognized that such provisions are essential, because some-

times there has been liberality in the way funds have been applied. This time the Senator from Colorado, the Senator from Utah, and other members of the committee, in an attempt to preserve the integrity of the project, have made sure that the money for the project will be used for the purposes for which it will be obtained. I am glad such stringent requirements have been written into the bill.

Mr. MILLIKIN. I appreciate the personal compliments of the distinguished Senator from New Mexico. The bill was evolved by the committe which works on similar projects all the time, and includes the membership of the distinguished Senator from New Mexico, who is an active, very perceptive, and experienced member of the committee. We knew that if a loose bill were brought to the Senate our chances of getting the bill passed would be seriously diminished. So every Senator on the subcommittee, and on the full committee, dedicated himself in drafting a bill which would cause no one to gag or vomit when trying to support it.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield to the senior Senator from New Mexico.

Mr. CHAVEZ. What I should like to have the Senator from Colorado emphasize to the Senate is the necessity for projects of this type for the very existence of American people in the West.

Mr. MILLIKIN. I shall be glad to do so.

Mr. CHAVEZ. After all, we have so little water that we cannot afford to lose a gallon of it.

Mr. MILLIKIN. That is correct.

Mr. CHAVEZ. There are many Senators who would like to get rid of water in their States. We would like to protect what little water there is in our States.

Mr. MILLIKIN. Over most of the country, at least in that part of the country east of the Mississippi, and in a great part of the country west of the Mississippi, one of the problems is to get rid of water; our problem is to get water.

I confess that I never go down and look at the Potomac, that grand stream, without having a feeling of envy. I say to myself, "Oh, if we only had that stream in Colorado, New Mexico, Arizona, or in some of the other western States."

Mr. CHAVEZ. On one occasion I went to Florida with the late Senator Fletcher, and we traveled down the St. Johns River, on which he had a particular pet project involving a canal. I said to him, "If you would just give us a tenth of the St. Johns River back in New Mexico, we would be grateful."

Mr. MILLIKIN. This is off the point, but if we could take a river like the Potomac and use and reuse the water, it would make a paradise out of the West.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield to the Senator from Utah.

Mr. WATKINS. I have heard it said that we attempt to do too much in the bill, and that we are attempting to authorize too many units of a project. Will the Senator explain why the project was worked out in that way, and why it has to include the large dams and the participating projects, rather than embrace piecemeal projects, as legislation has come to us in the past?

Mr. MILLIKIN. Since the Hoover Dam was constructed, and even before, the States involved in water questions, as far as I know, all of the western arid States, have had water boards created with the intention of protecting the water interests of the people in those States. Those States have been studying projects, studying water availability, and figuring out what could be done with it. What we are asking the Senate to authorize are not new-grown ideas that were invented in somebody's head overnight.

Some of these projects have been considered 20, 25, and more years. The States which are involved, working cooperatively, have gotten together and again and again have considered these matters, conducted surveys, drillings, water studies, and have concluded that all the projects named in the bill should be operated together, because if operated together these and others that may come into service will make for efficient distribution of the waters of the Colorado River.

Mr. WATKINS. Is it not true that if we had taken one project at a time, and proposed them to the Senate in that manner, we would not have presented a very comprehensive or efficient plan?

Mr. MILLIKIN. That is right.

Mr. WATKINS. The projects had to be worked out in cooperation in order that there might be laid before the Congress a full and complete program which might take 25 or 30 years to complete. Is that not correct?

Mr. MILLIKIN. In my judgment, and I am making a rough guess—one guess is as good as another—it will take 25 years for the main features of the bill to be finished, but in drafting the bill we were conscious of the fact that whenever areas can show the feasibility for projects in the overall plan, we shall come to Congress and ask Congress that they come under it. However, we shall not ask for projects that are not feasible. All of these projects have been repeatedly studied, not only by the Federal Government, but by the States.

Mr. WATKINS. Is it not true that the large dams have to be integrated so that the maximum amount of firm power can be produced and the best job can be done in regulating the river and saving water when the water comes down during floods? Is it not true that it has taken 25 years to work out a plan under which it will be possible to supply water for that large area, the lower basin as well as the upper basin?

Mr. MILLIKIN. That is correct.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. MILLIKIN. I am glad to yield to the Senator from Wyoming.

Mr. BARRETT. May I inquire of the Senator from Colorado if it is not a fact that a compact was originally entered into 32 years ago, and the upper basin States concluded their compact 6 years ago, and it is high time that the upper basin States got some action on the development of their resources?

Mr. MILLIKIN. It is.

Mr. BARRETT. I thank the Senator.

Mr. MILLIKIN. I should like to emphasize, before I proceed with my text, a point which was developed by the distinguished Senator from Utah [Mr. WATKINS]. The bill complies with the reclamation law, which has existed since 1902. We tighten the provisions of the bill to assure that there will be proper repayment of the money.

One of the unique aspects of the bill is its financial provisions, as I have stated. The total reimbursable costs of the hold-over storage reservoirs will be returned within 50 years from their completion. That is the way the plan is laid out.

I do not mind saying that personally I wish more time were provided for in the bill, but we have provided for 50 years, and we have made plans for repayment accordingly. That, in turn, gives satisfaction to persons who are not familiar with that part of the country and do not understand the life of such projects. Some persons say, "You should have all the money repaid in 50 years." After all, Mr. President, the Grand Coulee project has been in existence for 20 or 25 years. Would anyone say that half its usefulness is gone? We have had the Hoover Dam for approximately 25 years or so, and on the Tennessee River there are works which have been in existence about the same length of time. It would be the height of foolishness for one to say that half the life of those works is gone. They will have useful existence for several times the length of 50 years.

So in this case we are assuming a burden which I believe is greater than necessary; but we wish to assume it in order to satisfy those who say that 50 years is enough. So if there is error, we have erred on the side of caution and prudence.

Costs of participating projects are returnable within 50 years from the date of their completion; and this includes both those costs that are returnable by the water users as well as the costs returnable from power revenues.

The bill is so drawn as to require the separate treatment of interest returned on the power and municipal water supply investments, and to assure that such interest revenues will not be credited as payments on account of principal.

These financial provisions, which were recommended to us by the Bureau of the Budget and the Secretary of the Interior, are somewhat more strict than the requirements of existing reclamation law; I have already said that, but I repeat it. They were deliberately so designed in the light of the existing budgetary situation, and also in order to gain favor, we hope, with those who believe it would be well to guard against sloppy fiscal procedure.

In effect, these provisions of S. 1555, as amended, constitute a financial arrangement between the Federal Government and the five upper basin States for return of all costs of the project except

those costs that are directly related to national benefits. I shall mention them shortly. Only 3 percent of the total cost of the project is nonreimbursable.

Under the very strict provisions of S. 1555, as I have already pointed out, the interest returned on power and municipal water supply cannot be credited as payment on account of principal. Under S. 1555, the rate of interest is determined by following detailed and specific provisions for computing the average rate prevailing for long-term Treasury obligations, at the time the investment is made.

So it is grossly unfair to call this any sort of a giveaway program. The Federal Government is lending its credit to a group of States, not one of which is big enough to do by itself the things which have to be done in order to safeguard our water rights.

We are asking the Federal Government to give us the benefit of its credit and we, in turn, are pledging repayment in very effective ways. For example, as provided in the bill, in the case of irrigation we are pledging ourselves to set up water districts. In the West, those districts have the power to tax; and in the bill it is provided that they shall tax and shall contribute to the irrigation costs.

The rate of interest is to be determined by the Secretary of the Treasury, in accordance with the formula provided in the bill. S. 1555, as we have amended it, provides for 50-year repayment contracts, in which the irrigation water users are to repay their share of the costs. They may, of course, where that is justified, have such development period, not exceeding 10 years, as particular circumstances may warrant.

One of the outstanding provisions of S. 1555, as amended, is the requirement that, in every case where such a course is practicable, the organization entering into the repayment contract—to repay to the United States the irrigation costs of participating projects—shall be of the conservancy district type. This is an exceedingly wise provision.

We are thoroughly familiar with that procedure in the West. To say that our farmers will take upon themselves an exorbitant debt is to indicate that the one who makes such a statement simply does not know our farmers. Every dollar of the obligation will be studied in meetings held by the farmers. They have to go to the polls to vote these things; and before they put any tax upon themselves, they will be sure they are getting their money's worth, and then some.

Mr. WATKINS. Mr. President, will the Senator from Colorado yield to me?

Mr. MILLIKIN. I am glad to yield.

Mr. WATKINS. I have heard it said that in connection with the project, the power dams will be subsidizing the irrigation and other consumptive water users. Is it not true that in the upper basin States, the people who are proposing this project, and those who have testified regarding it, have received assurance from the power users there and from the representatives of the various groups that use power that they will take all the power and will pay for it at a rate which will permit this program to work out as planned?

Mr. MILLIKIN. Yes. In the RECORD—I am quite sure it is in the RECORD—there is a copy of a letter from the Power Commission, stating that during the next 20 years, which will be the period of construction, there will be use for all the power which can be generated. Besides, we have had testimony from representatives of power companies that they will be glad to enter into contracts to use the power.

Mr. WATKINS. It would not be correct to say that the people of the Northwest or of other States who will be purchasing the power will be required to subsidize the water users, would it?

Mr. MILLIKIN. To say that would be to state an error.

Mr. WATKINS. That is to say, they will take any of the power that we do not need.

Mr. MILLIKIN. Yes—if any of the power is not needed in the upper basin—although it looks as if it will be needed there, it will be sold elsewhere.

Mr. WATKINS. In fact, we feel sure we shall be able to use all of it, and shall not need to dispose of any of it. Is it not true that those who use the water for irrigation and other purposes in the upper basin States are the same as the ones who will be using the power to a very large extent?

Mr. MILLIKIN. That is entirely true.

Mr. WATKINS. And there will not be anyone on the outside who is not related in any way to the constructive use of the water in this area, who will be purchasing the power and, through that means, subsidizing the water users, will there?

Mr. MILLIKIN. I do not know of any exploitation of power that is contemplated outside of the area of the Colorado River.

Mr. WATKINS. I wish to make it clear that although power probably will be sold to the lower basin States, and it will be a valuable contribution to them and to their economy, at the same time it is not necessary to have that done in order to assure the sale of all the power that will be developed, because all of it can be absorbed in the upper basin States as fast as it is produced, and the prospective users in the upper basin States have offered to buy the power.

Mr. MILLIKIN. I think that is entirely correct.

When I referred to the States in the upper Colorado River system, perhaps I cut that too close. I think the power development in at least one of our projects will be of very important benefit to a State partially in the Colorado River system and partially outside of it. I refer to California.

Mr. ANDERSON. Mr. President, will the Senator from Colorado yield to me?

Mr. MILLIKIN. I am glad to yield.

Mr. ANDERSON. Does not the Senator from Colorado recall that when the Hoover Dam was built, all the States in the upper basin were given a chance to acquire some of the power obtained from the dam? My State of New Mexico was given its chance. New Mexico was not able to build a transmission line and was not able to take the power allotted to it, but the portion of the power representing the water flowing from New Mexico into the Hoover Dam was made available to New Mexico. We could not use it, and that power has since been used for the development of Los Angeles into a great city. However, that power was made available to New Mexico, was it not? Will not a similar situation prevail in this case?

Mr. MILLIKIN. Yes. I think it would be imbecillic to assume that the power would not be sold. It will be sold; and I do not think there is any point at all in saying that it will not be sold.

As I recall—and my memory corresponds in general with that of the distinguished Senator from New Mexico—there was wide bidding for the supply of power from the Hoover Dam.

Mr. ANDERSON. I do not believe the Senator's State of Colorado took any of it. The State of New Mexico did not take any of it. It was only in recent years that the possibility of developing certain areas in Arizona from it came up. Most of it went to California. The rest flowed through Parker Dam and Davis Dam, and to Phoenix. It has been wonderful for them; and those of us who helped make that development possible are just as proud of it as they are.

Mr. MILLIKIN. Let me say to the Senator that while we talk of building dams and reservoirs and discuss the financial problems concerned with doing so, I should like to emphasize one thing which appeals to me very much with regard to this project. We have had two world wars, each one at a heavy cost of life and each one at a very heavy cost of money. We cannot wipe out the ravages of war in a material way with fancy financial juggling, acts of Congress, and statements of good intent. There is only one way to repair our position, and that is with production.

We are consecrating and dedicating this project to the development of the economic strength of the regions affected. There is only one way to recover from the material loss of war, and that is with production. There must be economic soundness at the base of what we are doing. In that manner we shall develop money to pay taxes and restore so far as it can be restored, the waste of war.

The deficit we now have, which concerns us so much, is not all loss, of course, but much of it represents waste. Much has been wasted in the process of war. To restore our strength we must restore the equivalent of our loss. We can do that only by increasing our production, by increasing the economic health of those parts of the country which can use projects of this kind, where they will be used for economic strengthening of the region and of the United States.

Those of us who are familiar with the West know what a beet sugar factory will do for its economy. Irrigated lands supply the beets. We know what happens in the development of the town, the additional amount of money which flows in, that did not flow in before, and the taxes which come to local government and to the United States.

Thus, in the long run, by the development of our resources as here suggested we will help restore the material ravages of war. We are here presented with an

opportunity to perform one part of that function.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. BENNETT. Is it not true that the great twin needs of that undeveloped empire are water and power, and that this project will develop both at the same time as they are required for the development of our great resources of uranium, oil, coal, and other strategic metals?

Mr. MILLIKIN. That is entirely correct.

Mr. BENNETT. If the Senator will yield for an observation, we in that part of the West have had to export some of our people because we cannot supply them with the opportunity to earn a living.

Mr. MILLIKIN. That is correct.

Mr. BENNETT. The Senator from Utah, with 5 children, has exported 3 of them. This is a very real thing in the life and understanding of the Senator from Utah.

Mr. MILLIKIN. We do not propose to sit there with folded hands. We propose to operate a dynamic economy to provide places where our children may make a living, establish homes, and rear families.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. WATKINS. In connection with the benefits received and what all of this is doing for the economy, I invite the attention of the Senator to some facts, with respect to the reclamation program.

Seven million acres of land have been brought into cultivation under the reclamation program to date with 125,000 family-sized farms, producing $9 billion worth of crops; $510 million of first cost has already been returned to the Treasury. That is how much the program has paid back to the Treasury already. The cumulative tax returns to the Federal Treasury are $3.1 billion, which is a very significant figure.

The cost of reclamation to date is $1.9 billion; $510 million has been paid back, and the cost of reclamation is being paid in accordance with the amortization contracts.

It seems to me that those figures should be very revealing as to what the reclamation program has done, particularly when we contrast that with the flood control and rivers and harbors program, which does not return directly from the beneficiaries, except through taxes, any of the principal cost, or any interest.

Mr. MILLIKIN. I may be somewhat at variance with some of my colleagues, but, with a return or with no return, I favor the rivers and harbors and flood-control projects, because I think they, too, will help to develop great communities.

We talk about the cost of these projects. In the end these projects will repay more than their cost.

There are towns in Colorado which would not be there were it not for such projects. Without such a program we would not have the capital they produce, the revenues they produce, and the taxes they produce not only for Colorado but for Washington. The benefits are multiplied far beyond the costs.

Mr. WATKINS. I should like to join the Senator in the statement he has made. The Senator, and, I believe, all the Representatives from States which would be benefited by this project have supported flood-control projects and rivers and harbors bills ever since they first came to Congress, as did the Representatives preceding them. All of us have voted for appropriations for the Tennessee Valley, and for reclamation projects all over the West, for all the 17 Western States.

Mr. MILLIKIN. That is correct. I think there are some morals that could be pointed out, that need not be elaborated upon at length.

I was glad to vote for the bill we passed the other day, which appropriated $75 million for the benefit of 1 city in the United States. It will grow into $300 million before we are through. We passed that bill very quickly.

Senators who come from the Western States voted for that bill. I have been wondering whether there will be some realization by those who benefit from that project of the support they have been given, I hope there will be a broadening of horizons in their minds, which will cause them to say, "Perhaps we had better be thinking about other parts of the United States, which also need the same kind of help."

That is especially true when we are told, "Lend us the money. Put the Federal credit behind this project and we will pay the money back."

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. KENNEDY. I hesitate to enter this discussion, because the able Senator has said this is a matter which concerns 4 or 5 States which are desperately in need of such assistance. However, since this cost is to be paid from the tax revenues of the entire country, I should like to ask 2 or 3 questions.

Mr. MILLIKIN. Certainly.

Mr. KENNEDY. How much does the Senator think this project will cost the country when it is finally developed?

Mr. MILLIKIN. I do not think it will cost anything, except for the 3 percent to which I referred a while ago, which is a cost to be borne by the Federal Government. There will be no ultimate cost to the Federal Government, except for the interest-free item, which has been the law of the land since the beginning of reclamation.

Mr. KENNEDY. To consider only one of the projects, let me ask the Senator if it is not a fact that with regard to the Navaho project the amount charged to irrigation is approximately $165 million, which is really almost the total amount the project will cost? Is it not a fact that under this bill the repayments on this project from power revenues will be postponed until the completion of the power project, which will require some 44 years?

Mr. MILLIKIN. Under the law the irrigation part of the cost does not pay interest.

Mr. KENNEDY. That is true.

Mr. MILLIKIN. That is not a provision of this bill. That has been long-standing law as a part of public policy.

Mr. KENNEDY. But there has not been a long-standing law that the repayment of a part of the cost should be postponed 44 years.

Mr. MILLIKIN. We are not postponing the payment 44 years.

Mr. KENNEDY. Does the Bureau of Reclamation not propose to postpone repayment on a large share of the irrigation facilities until the power costs have been paid for?

Mr. MILLIKIN. I would say in most cases the power cost will be an important element in repaying the whole project. However, the proceeds from the irrigation projects, as they come in, go into the fund to which I have referred, which is used for maintenance, operation, and so forth.

Mr. KENNEDY. Is it not a fact that in the case of the irrigation project at Navaho, no repayment from power revenues will be paid for 44 years?

Mr. MILLIKIN. I do not say that the payment of the principal will be postponed that long. The principal will be payable as proceeds are made available with which to repay it.

Mr. KENNEDY. Is it not a fact that the proceeds will not be made available until the payment for the cost of the two major dams has been completed?

Mr. MILLIKIN. I would not say that. Let us say that we build an irrigation project. From the moment the project commences operations it produces revenue, which in turn is put into the fund, and one of the items of charge against the fund is the restoration of the cost. The power revenues are also put into the fund.

Mr. KENNEDY. In the case of the Navaho project—and I merely picked that at random—can the Senator tell me how that money will be repaid?

Mr. WATKINS. Mr. President, may I take a moment to ask a question of the Senator?

Mr. MILLIKIN. Let me answer the Senator's question first. Then we will ask him a question. The Senator asks how that will be repaid.

Mr. KENNEDY. Yes.

Mr. MILLIKIN. It will be repaid by an acre charge or a water charge against the farmer who irrigates his land. That will be a matter which will be settled by agreement with the United States Government and the appropriate water district of the State. It will also be repaid by taxation procedures, which are well known in the Western States, whereby the water district assumes an obligation to repay, and taxes to the extent that it is necessary to do so.

Mr. KENNEDY. In the House hearings, Mr. Larson testified that irrigated land uses would amount to only about 12.8 percent. Therefore, the people who will use the land will pay only a fraction of the cost. Therefore the great percentage of the cost, perhaps even as high as eight-tenths of the cost, will be paid from revenues received from power projects. Is it not a fact that the power project will not be in a position to pay off the irrigation costs for a number of

years? During that period the United States Government will carry it and pay interest on the full amount, interest which will never be repaid. Is that correct?

Will the Senator from Colorado tell me where the revenue will come from on the Navaho project?

Mr. MILLIKIN. As I said before, it will come from the revenue which the farmer will pay for the use of the water—if necessary from district taxes.

Mr. KENNEDY. But that is only a small percentage. It is not more than 12 percent. Where will the remaining 88 percent come from?

Mr. MILLIKIN. I mentioned several other sources. In 50 years, as we provide in all cases, the project will pay itself out. We are not counting interest, because it is the public policy not to charge interest.

Mr. KENNEDY. The people who use the land will pay an average of 12.8 percent of the cost. Therefore, the 87.2 percent will be paid for out of power revenues. Those funds will not become available for irrigation repayments for 44 years, as I understand it. Is that correct?

Mr. MILLIKIN. I cannot follow the Senator in his statement about 44 years.

Mr. KENNEDY. Is not a formula similar to the Collbran formula used, which provides for a period of years during which no repayments are made on those irrigation costs allocable to power?

Mr. MILLIKIN. The Collbran formula is an exceptional case, and we are not trying to bring the Collbran formula into this big project.

Mr. KENNEDY. Does not that formula provide that for a period of time no such repayments will be made?

Mr. MILLIKIN. Under the Collbran formula? Is the Senator referring to the Collbran formula now?

Mr. KENNEDY. Yes. That is used in all these projects, as I understand.

Mr. MILLIKIN. We are using the formula which aims to pay back every penny in 50 years.

Mr. KENNEDY. Under the Collbran formula?

Mr. MILLIKIN. Under the bill. We take pains to provide that the project will pay itself out in 50 years time. The irrigation district, in addition, has the power under the law to impose, by way of taxes, the amount of money which is necessary to meet its obligations under the law.

Mr. KENNEDY. Let us take the Navaho project. The people who use the land will pay back only a percentage of the cost. Is that correct?

Mr. MILLIKIN. Well——

Mr. KENNEDY. Where will the remaining money come from?

Mr. MILLIKIN. The Senator is now talking about the Navaho project, a collecting reservoir?

Mr. KENNEDY. Yes. That will be paid back by power revenues?

Mr. MILLIKIN. Yes.

Mr. KENNEDY. When will that be paid out? Is it not a fact that under the Collbran formula a period of time will go by during which no payments will be made?

Mr. MILLIKIN. The power revenues will go into the fund I referred to. We will not wait for 50 years before paying it back.

Mr. KENNEDY. In the case of irrigated land——

Mr. MILLIKIN. What is the Senator talking about now?

Mr. KENNEDY. Irrigated land.

Mr. MILLIKIN. We are now talking about irrigated land?

Mr. KENNEDY. Yes; because we are using revenues from power projects to pay off the cost of the irrigation. That is why the two are interrelated.

Mr. MILLIKIN. I shall have to say it again. It is not a difficult subject, although I may have difficulty in expressing myself. Essentially it is a simple subject. If there are 160 acres of land in a participating area, when water is put on that land, it is necessary to pay for the water. An annual charge is made for the water. That money goes into the fund I have been describing. If what is paid for water is not sufficient, the district, by agreement with the United States, will use its taxing power to make sure that money comes into that fund.

Mr. KENNEDY. In the House hearings Mr. Larson was asked this question by Representative ENGLE:

> Mr. ENGLE. Percentagewise what does that represent. Percentagewise what are the irrigators discharging of the capital investment?
>
> Mr. LARSON. It varies from 11.9 percent up to 41.7 percent on those 12 projects.

He was asked what the average was. Mr. Larson replied:

> 12.8 percent. But that does not include, for instance, in central Utah the power revenues within that project.

What I am trying to find out is whether it is not a fact that the remaining capital investment will be made up from power revenues.

Mr. MILLIKIN. Power revenues are dedicated to the purposes of the whole project, and we aim to make the irrigating districts responsible for everything that can feasibly be attributed to them. The revenues primarily come from the sources I mentioned. If there should be a deficit, it is made good by power. We are not following the Collbran formula as our formula in this bill.

Mr. WATKINS. There is some concern expressed by many people who are critical of this project. They say, "You are going to make the power users help the irrigators." The fact is that the water users are not only farmers, but city people and industries, and everyone who actually uses water for consumptive purposes.

Mr. KENNEDY. I have no objection to making water users pay for it.

Mr. WATKINS. They pay the power costs. It may be called a subsidy, but they are the same people, and it is no one on the outside. It might be as easy to render them one bill for the cost of the project, and not specify whether it is for water or power. It is the same thing. It is different from the Collbran plan.

Let me also call the Senator's attention to the fact that, according to the hearings and according to the engineers and the economists who have studied the project, if all the revenues from power were allocated to power, the project would pay out in 44 years, but the program is not that way now. Part of the power revenue will be used to repay the irrigation costs as they go along, so it will take 50 years to pay out the power. If all of the revenues from power were diverted to power, it would pay out in 44 years. We get a much quicker return on that non-interest-bearing allotment.

Keep in mind constantly that the same people who are buying the power are buying the water. The farmers are great power users. They have all kinds of equipment and appliances on their farms. They buy immense amounts of power—much more than the ordinary city dweller. No power user is subsidizing strangers. The irrigators, the landowners, and all of them, are in together on this. It is a great cooperative movement.

Mr. KENNEDY. I have no objection to the formula by which the users of the power contribute toward the development of the whole basin area. I was merely attempting to ascertain how much subsidy the Federal Government would have to pay because of this rather extended period before full repayment on the irrigation projects begins which are, as the Senator knows, interest-free to the projects, such interest being paid by the Federal Government.

Mr. WATKINS. I should say there is not one single dollar of subsidy in this project. The benefits received by the United States Government from these projects in the way of taxes will more than take care of any interest-free money or the interest which might be accumulated.

Mr. KENNEDY. Tax revenues will be increased because the projects increase the general economic well-being of the area.

Mr. WATKINS. Yes; and income taxes to the Federal Government.

Mr. KENNEDY. Including the saving to the Federal Government by reason of the increased economic activity in the area is a new way of figuring the cost of these projects. What I should like to ascertain is how much the project alone will cost the Federal Government amortized over a period of years. I would rather know what that cost will be than whether it is eventually going to balance out because the area will be more prosperous.

Mr. WATKINS. One phase of it should be understood. That part of the cost of the Navaho project allocated to irrigation of Indian lands will not be paid until the Indians dispose of the lands. So long as the lands are kept in Indian ownership, it will never be paid. That will be one contribution the Federal Government, the taxpayer, will have to make to the Indians. That is a considerable portion of the whole Navaho project. That is under the Levitt Act, to which I referred.

Mr. CHAVEZ. Mr. President, will the Senator from Colorado yield?

Mr. MILLIKIN. I yield.

Mr. CHAVEZ. Reference has been made to the cost of these projects. When an irrigation project is developed in Colorado, Wyoming, New Mexico, or anywhere and thereby 200,000 acres of land are placed in cultivation, and butter, cream, milk, and other foods are produced, does not the Federal Government receive an income tax?

Mr. MILLIKIN. The payment of income taxes from income in irrigated areas of the arid States is a very important sum. Mr. President, if there were removed from the Treasury of the United States the tax money which comes from the Senator's State and my State because we have developed areas of arable land there, instead of deserts, the Federal Government would receive only a fraction of what it is receiving now.

Mr. CHAVEZ. Last night we passed the flood control bill. Two hundred ten thousand acres of land on the Rio Grande will support 50,000 cows. If we produce 50,000 dairy cattle, we produce that much wealth. Is that not correct?

Mr. MILLIKIN. That is correct.

Mr. CHAVEZ. In the form of milk, cheese, cream.

Mr. MILLIKIN. And employment.

Mr. CHAVEZ. How else are we to produce wealth? If we do not produce wealth, how are we going to feed Europe?

Mr. MILLIKIN. I do not know. I can only repeat the theme I touched on earlier: The only way we can restore the ravages of war in this country is not through talk, not through passing bills, not through fiscal management—it is by getting people to work in productive enterprise.

Mr. President, some reference has been made to flood control projects which do not reimburse directly. For example, in the city of Los Angeles there are projects to prevent floods. If floods can be prevented in the city of Los Angeles, there will be such enhancement of the tax rolls, such enhancement of people's ability to make a living and to pay taxes, that in the end the projects will not cost the Federal Government anything.

Mr. CHAVEZ. Mr. President, I respect and love the Senator from Colorado. Four years ago more than a billion dollars of destruction was wrought by floods in Kansas, and not one penny of taxes was paid on that billion dollar loss. Two years later 3 million acres of the best producing land on the Missouri River were inundated, and not one penny of taxes was paid to Uncle Sam.

Realizing that we have some responsibility, should we not try to take care of that kind of situation?

Mr. MILLIKIN. Mr. President, the Congress is the only agency I know of which can take care of items of the kind the Senator mentions. The individual States of the West have not the financial ability to do the job. So far as reclamation is concerned, they are asking that the Federal Government put its credit behind those States and the people who live in those States, a chance to pay the bill which is involved in these projects.

Mr. CHAVEZ. All the Government does is advance the money, but eventually the money will be repaid to Uncle Sam. Is that not true?

Mr. MILLIKIN. Yes, of course it is true.

Mr. CHAVEZ. The Federal Government is big, and we hope we can trust the Federal Government. All we ask for is a little project in Utah or Colorado or New Mexico or Nebraska, or elsewhere. Eventually we will pay back that money. Is that not correct?

Mr. MILLIKIN. That is correct.

Mr. President, I have pointed to the conservancy districts with which we are so familiar in the West. Those conservancy districts normally include within their territorial limits not only the agricultural area receiving the irrigation water supply but also the contiguous urban areas. Conservancy districts have the power to levy ad valorem taxes and they do so. Thus, the burden of repayment is spread, as it should be, among the local indirect beneficiaries of the project as well as among the direct beneficiaries, that is to say, the irrigation farmers themselves.

Since the participating projects authorized by S. 1555, as amended, constitute a beginning only on the irrigation development that must eventually take place in the upper Colorado River Basin, the bill lays down policies designed to encourage continued investigations, the production of additional reports and the consequent authorization of new participating projects from time to time, but only when they have been declared to be feasible, only when they can come here to the Congress and get authorization for them.

Our committee had before it the question whether pending litigation, between Arizona and California, which raises a number of questions of interpretation of compacts, treaties, and laws affecting the Colorado River, is of such a character as to require delay in the authorization of the Colorado River storage project.

We concluded that it is not of such a character and that the authorization of these works should not be delayed. However, we have afforded the fullest measure of protection to the lower basin States by providing barriers against the operation of any of such works in a manner contrary to the applicable compacts, treaties, and laws. We have accomplished this in two principal ways. First, by specific direction that the Secretary of the Interior shall operate such works in accordance with such compacts, treaties, and laws; and, second, by waiver of the United States' immunity from suit, so that any State, which considers that such works are being or may be operated in a manner contrary to such compacts, treaties, and laws, may have redress in the Supreme Court without delay. I regret that the Colorado River Basin States seem to have placed so much emphasis, in recent years, on the issues that divide them. It is the things that unite them that ought to be emphasized. These seven States are the legatees of an important stream system. They ought to work more closely together, as friends and neighbors, to preserve that estate; to improve it; and to share its benefits.

It is not unreasonable to suggest that the upper Colorado River Basin States have been waiting for more than a quarter of a century for the works that will be authorized if S. 1555 becomes law.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. BENNETT. In that quarter of a century, the purchasing power of the dollar has been cut in half, has it not?

Mr. MILLIKIN. That is correct.

Mr. BENNETT. If the upper basin States had had the good fortune to have begun this project at the time the big dams were begun in the lower basin States, the amount which it would have been necessary to borrow from and eventually to repay to the Federal Treasury would have been approximately half the present estimate.

Mr. MILLIKIN. That is true. The investigations, furnishing the solid foundation of knowledge upon which these States, working with the Federal Government, have been able to build a plan on which we are now asked to act, have proceeded for more than 25 years.

I wish to emphasize that. This is not a plan which popped into the head of someone sitting in an office in Washington. This plan has been an evolution; the evolutionary work of the authorities who know the water problem in those States. They have to know the water problem, because the citizens in that region must handle their water problem intelligently; otherwise they will not be able to live. As the Senator from New Mexico [Mr. CHAVEZ] said, water is necessary to our life.

These plans have developed for a quarter of a century and are now proposed by our water boards, our water engineers, and our water lawyers in all the Western States. The plans have finally jelled, and are now in the bill.

The investigations have been carried out by experts in the field. I have heard suggestions that outside engineers should be called in to study the problem. Each of these arid and semiarid States has its own engineers. The engineers have worked with the problem; therefore, they know something about it. The United States Bureau of Reclamation has designed the largest dams in the country. The engineers of the Bureau designed and built Grand Coulee, Hoover, and Shasta Dams.

Is there any assembly of engineers, and I treat them with all respect and concede that they are fully competent persons, outside the Corps of Engineers and the Bureau of Reclamation who have had even a fraction of the experience which the engineers of the Federal Government have had in designing and building dams.

Frankly, I am a little disturbed by intimations that if we are to have good engineers, we must go outside the Government of the United States. I say that is not correct.

The Government of the United States is not the kind of government which is incapable of doing a job when it has one to do. Why call in outsiders when the Government has agencies which have been established for the express purpose of doing this work when it has engineers who have made reputations which indicate that they know how to do it?

Mr. THYE. Mr. President, will the Senator yield?

Mr. MILLIKIN. I am glad to yield.

Mr. THYE. I am happy to hear the distinguished Senator from Colorado say emphatically that the United States Government has engineers who are competent to do the work. I do not believe there is any other nation in the world in which engineers will be found who are as well qualified in reclamation construction and engineering, and in the building of large dams, as are the engineers in the United States.

Mr. MILLIKIN. That has been proved. All that is necessary is to look at the dams which have been built and to consider how they have been operated. The engineers of the Federal Government were the ones who built Grand Coulee, Hoover, and Shasta Dams. I could name a long list of such projects.

Mr. THYE. It was engineers from the United States who gave advice and technical assistance to those who were endeavoring to develop large hydroelectric dams and impounding reservoirs all over the world.

Mr. MILLIKIN. Many foreign countries are yearning for engineers who have an understanding of water problems equal to that of United States experts, including those within the Federal Government; and they are coming here and seeking their advice.

Mr. THYE. I concur in the last remark made by the Senator.

Mr. MILLIKIN. An important principle is involved. We hear it said by groups of outsiders, who are not charged, as Congress is charged, with a certain responsibility, and who do not have to face their constituents, that "We will not do anything until we hear from an outside group. Our Government agencies are not capable of doing the work."

If we should accept that viewpoint, we would simply be admitting that we are not capable of carrying out our duties. We are capable of doing this work, because it has been proved in these particular fields. No one can successfully challenge the fact that the Corps of Engineers of the Army and the Bureau of Reclamation have an aggregation of public works talent that is competent to construct projects of this kind. I cannot stress too vehemently that it is a very odd suggestion which has been made that the Government should abdicate its responsibility and seek outside assistance; that it should set aside and stultify men who have served the Government faithfully and have proved, not by words, but by works, that they can do the job.

All possible reservoir sites have been looked into. Dam sites have been drilled. So it is known what conditions the builders will encounter. This work has been done by engineers employed by the United States Government. Irrigation needs have been examined. Domestic water needs for the long pull have been computed. Power markets have been thoroughly surveyed. The result of these investigations is a plan, a part of which would be authorized by S. 1555.

The total cost of the project, assuming the construction of everything which is authorized, will be $1,165,671,800.

Is that a large sum of money? Yes, it is. But we are not unaccustomed to expenditures of similar sums; not at all. I am not saying that the authorizations which have been made in other fields, and with respect to which expenditures have been made, have not been warranted. I say that most of them have been warranted. The construction of this project will be spread over 20 or 25 years. When that sum is divided over that period among the States involved in the construction of the project, it will amount to an appropriation of an average of $12 million a year for each of the States.

The project will benefit all the States of the Colorado River Basin, a river system which has not had the attention of Congress, except in part.

There has been development of the Columbia, the Missouri, the Mississippi, and the Tennessee. Now, I respectfully suggest, in view of the fact that we have waited so long, with plans ready, that we should have development of the Colorado River, one of the greatest streams in the country.

I wish those of my colleagues who have not done so would view some of the irrigated regions and areas of Colorado, New Mexico, Utah, and Wyoming. There they will find farm after farm where once the desert reigned. There they will find homes where once there was no shelter.

We shall be creating places where men and women will live to rear their children. We shall be creating communities. We shall be creating a fine, decent way of life.

With our own eyes we have seen similar projects in other parts of the country. Large areas have been developed by irrigation and are being helped by flood-control projects. We have seen with our own eyes the constructive good which has been accomplished.

The cost of this project is not excessive. Particularly is this true when we realize that most of the cost will be paid back—much of it with interest—and that after such repayment has been accomplished, the taxpayers will realize an income up to $20 million per year for many, many years to come from the power revenues alone.

Let us proceed with this project, which is one of the last remaining jobs so far as the big river systems are concerned; let us authorize it and get the work done so that that part of this great country of ours can have a new and better face. It will be a better face, because there will be an opportunity for people to make a living and build homes there. That is the kind of scenery I am interested in. I am not interested in canyons that take as much trouble to get into as to organize an expedition to the North Pole. I would much rather see communities of happy people who are making a living and earning money from the products of the soil. If one desires to admire scenery, there is not a State that does not present him opportunities. I am very much interested in seeing that the people of my State, and I am sure Senators from other States feel the same, get meat and vegetables, rather than have to make soup out of old mastodon bones.

Mr. President, I shall suspend for the time being.

Mr. ANDERSON. Mr. President, as one of the members of the committee, I should like to pay tribute to the able, wise, and prudent Senator from Colorado.

Mr. MILLIKIN. I thank the Senator from New Mexico for his compliment, and I wish to say that he has been a very able and conscientious member of the committee.

SENATOR HENDRICKSON, OF NEW JERSEY

Mrs. SMITH of Maine. Mr. President, I intend to make a brief speech about one of our colleagues, the junior Senator from New Jersey [Mr. HENDRICKSON], and, desiring as many Senators as possible to be present, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mrs. SMITH of Maine. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. REYNOLDS in the chair). Without objection, it is so ordered.

Mrs. SMITH of Maine. It is with considerable feeling that I rise to express some personal opinions which I feel are shared by several other Members of this body, about a man with whom we have served, but who is leaving us at the end of this Congress—Senator ROBERT C. HENDRICKSON—"Bob" to us.

I have observed this man in action in committee, on the floor of the Senate, in Republican caucuses, and among his fellow Senators in the daily life of the Senate. I have served with him on the Armed Services Committee. I have served with him on the Ammunition Shortage Investigating Subcommittee of that committee. I have served with him on the Senate Republican Policy Committee. I have served with him on the District of Columbia Committee. I have served with him on the Rules and Administration Committee.

Yes, I have served—and suffered—with him on the Privileges and Elections Subcommittee of the Rules and Administration Committee.

He has brought great credit to himself and his beloved New Jersey by his work on the Judiciary Committee, the Post Office and Civil Service Committee, as chairman of the Juvenile Delinquency Subcommittee, and on the Small Business Committee. I think we all know something about his service on these committees, and on the Commission on Intergovernmental Relations.

Perhaps most of us know more about the personal sacrifice he has made all during his 6 years in the Senate as a member of the Republican Calendar Committee—a thankless job, but prob-

ably the hardest and greatest time-demanding committee job imaginable.

Before he came to the Senate, he had built up an admirable record of accomplishments in service to his country—both in peace and in war. He was president of the New Jersey Senate in 1939, and served as Acting Governor. He was an original member of the New Jersey Constitutional Revision Commission which adopted a new constitution.

He is a veteran of both World Wars—an enlisted man in the first war; an officer in the second war. He served in five campaigns in France in the first war, and he had service in north Africa, Italy, and Austria in the second war. He was chief legal officer in Rome, and was among the first American troops to enter Rome, for its liberation, in the second war.

He is a man devoted to his family—a family of 5 married children, 4 daughters and 1 son, and 11 grandchildren. A major portion of his greatness comes from his beloved wife, Olga.

I think I know this man—BOB HENDRICKSON—as well as most Members of the Senate do, if not better. It will be difficult for his successor, whoever he may be, to fill his shoes or to wear his mantle.

He is a man dedicated to fairness—so dedicated to fairness that I think perhaps he is more temperamentally suited for the judiciary. He would be an ideal Federal judge.

He is a man motivated only by the highest principles. I know because I saw him behind the closed doors of bitter and clashing committee meetings, where individual actions in private sometimes are at variance with public actions, where principles are sometimes abandoned to crass selfishness. BOB HENDRICKSON has not so varied for personal convenience. He is the same BOB HENDRICKSON at closed committee meetings as the BOB HENDRICKSON in public.

There are many things about the committee work of BOB HENDRICKSON that I admire. I admire the way he has fought for reservists, in the Republican policy committee and on the Armed Services Committee. I admire the way he fought in the Judiciary Committee for President Eisenhower, to obtain legislation the President wanted. I admire the way he stood up for Government workers, in the Civil Service Committee. I admire the way in the Rules Committee he stood for the adoption by the Senate of rules of fair play in the traditional American way of justice.

I suffered with him on that thankless subcommittee, the Subcommittee on Privileges and Elections. With him, I was called a puny politician and was accused of stealing thousands of dollars from the pockets of the taxpayers because of the subcommittee work we and other members had been assigned to do. I think the Senate thunderously answered and repudiated those phony and malicious accusations, when it voted unanimously, 60 to nothing, its faith in the integrity and honesty of that subcommittee and its members.

To me, one of the blackest marks in the history of the Senate was written when BOB HENDRICKSON was accused of having neither guts nor brains, for carrying out his duty as he conceived it. I think that accusation must have left a bitter taste in the mouth of each of us, including that of the accuser himself, when he viewed his accusation in retrospect. Surely it was something to make all of us a little ashamed.

In these last days of the service of BOB HENDRICKSON in the Senate, I wish to do my part in erasing some of that despicable black mark, by proclaiming my full faith in the integrity, intelligence, and moral courage of BOB HENDRICKSON.

Who of us has more "brains and guts" than BOB HENDRICKSON? Who of us would even claim that we have more brains and guts than BOB HENDRICKSON? Who would say that BOB HENDRICKSON has no brains, after his brilliant record in the New Jersey State Senate, after the part he played in the drafting and adoption of the new constitution of New Jersey, after his service as Acting Governor of New Jersey, after his service in the United States Senate, and on the many committees I have mentioned?

Who would say that BOB HENDRICKSON has no guts, when he served in both World Wars, when he served as an enlisted man in five campaigns in France in World War I, when he served as an officer in north Africa, Italy, and Austria in World War II, when he was among the first troops to enter Rome, for its liberation?

Who of us has a better record of guts in defending and fighting for our country? Who of us has a better war record?

No; it is quite clear that BOB HENDRICKSON has an abundance of brains and guts. I, for one in the Senate, do not intend to permit the dastardly accusation made against him to go unanswered before he leaves the Senate.

Mr. IVES. Mr. President, not only because I regard myself as a close friend of BOB HENDRICKSON, whom I love dearly, but also because I come from a neighboring State, probably as neighboring as any State New Jersey has, I wish to join in the perfect tribute, so beautifully expressed by the distinguished senior Senator from Maine [Mrs. SMITH].

I have come to know Bob, since he has been in the Senate, as I have had the privilege of knowing few others of my colleagues here. I have learned to value him for what I believe to be his true worth.

The senior Senator from Maine has well described BOB HENDRICKSON's high character. I shall not repeat what she has said; but I do wish to say that all the senior Senator from Maine has said is true; in fact, she could have gone even further.

It is rather hard to speak at a time like this, when a close friend is leaving our midst. He is going to be missed grievously by all of us, especially by those of us who have been here during the full period of his service. In his leaving, the loss to the Senate will be tremendous. He has been diligent; he has been faithful; and, above all, he has shown great ability in all he has undertaken.

In losing you, Bob, the Senate is losing a Member who cannot be replaced and will not be replaced.

But, more than that, the United States is losing a public servant, in the capacity in which BOB HENDRICKSON has been serving, such as we in this country can ill afford to lose; and in the country's loss, the State of New Jersey is losing, above all.

You have served with great distinction here, Bob. Furthermore, you have been a distinct credit to the great State of New Jersey. I only hope that the people of New Jersey realize their loss, as we realize ours.

In the years ahead, I know that BOB HENDRICKSON, being the type of person he is, will always be finding something to do in the service of his State or his country. I know he will be successful in whatever he undertakes.

But, Bob, as you go forth from this place, please know that I, for one—and I know I express the feeling of all Members of the Senate—want you to take with you not only our best wishes for health and happiness, but our best wishes for your future success—even greater than the success you have had thus far—through many, many years to come. May God bless you and your dear wife and family.

Mr. SCHOEPPEL. Mr. President, I wish to join with other Members who have spoken so eloquently in tribute to the distinguished junior Senator from New Jersey [Mr. HENDRICKSON].

BOB HENDRICKSON came to the Senate at the same time I entered this distinguished branch of the Congress of the United States. It has been my good fortune to serve with Bob on various committee assignments. In connection with some of those assignments, heretofore referred to, it has fallen to my lot to serve, in a much lesser capacity, with BOB HENDRICKSON.

Bob knows, as I say these words, that it was with deep regret I heard he had decided not to try to come back to the Senate.

So far as I am concerned, I care not who might think I am transgressing some bounds of propriety when I say that I regret that he is not coming back to the Senate, because as I have served with him I have noted something that is pretty valuable in this assembly and in life, namely, character, integrity, and industry.

Never did BOB HENDRICKSON shirk a responsibility. There have been countless hours he has spent in service, sometimes under conditions that have not been too pleasant. I admire him as a man. I have admired his approach to the many problems as he saw them and as he faced them.

I merely wish to say that I deeply regret, as I know many more in the Senate regret, that he will not be back serving his State and his Nation in this body.

Mr. SYMINGTON. Mr. President, I have had the great privilege and honor of serving with BOB HENDRICKSON on the Senate Armed Service Committee. I have always been impressed with his ability, and the character he has shown

in his approach to the problems which came before the committee.

I listened with interest to what the great senior Senator from Maine said; and I am sure that the battle courage she emphasized he displayed is also exemplified in the fine sons in their service uniforms, whom I have had the honor of meeting.

In the time I have been a Member of the Senate on this side of the aisle I have never heard anyone criticize BOB HENDRICKSON. I regret very much that he will not be with us next year; and on behalf, I am sure, of many of my Democratic colleagues as well as myself, I wish him and his very gracious lady all luck and happiness in their future life.

Mr. AIKEN. Mr. President, if I could think of the proper words to use I would probably feel called upon to make a little speech at this time, but not being able to call up those words at this time and put them in the proper order, I merely wish to say that in my opinion BOB HENDRICKSON is one of the finest and most conscientious men who ever sat in the United States Senate.

Mr. KNOWLAND. Mr. President, I would not want this moment to pass without paying my tribute to BOB HENDRICKSON for the outstanding service he has rendered in the Senate. I perhaps have had as good an opportunity as any other Member of this body to observe his conscientious service, for I have not only served with him on the policy committee, but I know of the long hours of effort he has put forth as a member of the calendar committee. We have worked together on many other problems coming before the Senate.

I feel that the Senate and the Nation lost an outstanding legislator when he determined not to seek reelection to the Senate. He is the type of representative of whom any State could be justly proud.

I know that BOB HENDRICKSON, though he may be retiring from these Halls, will have many years of useful service to his country. I know that what he has done will reflect credit upon the State of New Jersey, and that his family and his friends can be proud of the outstanding record he has made.

Mr. HENNINGS. Mr. President, when I came to the floor a few moments ago, I did not realize that we were to take some time this afternoon, in these closing hours of the session, to pay tribute to our distinguished and beloved friend, the junior Senator from New Jersey [Mr. HENDRICKSON]. There is very little that could be said that would not be anticlimatic, following the eloquent and sincere tribute from the great senior Senator from the State of Maine [Mrs. SMITH], but I would feel I had left something undone, and had been remiss, were I not to rise here this afternoon to say just a few words, which of course can add nothing to the stature of our friend, but which I know I can say because of my observation and experience in the relationship which I have had for 4 years with BOB HENDRICKSON, of New Jersey.

We have been neighbors, in the first place. Our offices adjoin in the Senate Office Building. He has been a good neighbor. He is always ready to help, ready to volunteer his services and those of his office staff to any other Senator who may require help in an emergency or in unusual circumstances.

We have served on the Privileges and Elections Subcommittee together. That is the subcommittee which the distinguished Senator from Maine suggested is in some respects an unhappy committee. No Senator has ever applied for membership on that subcommittee, and I daresay no Senator ever will.

We survived somehow the Maryland investigation. We went through the investigations under the Benton and McCarthy resolutions. We went through the investigation of the campaign in Ohio and a good many other campaigns about which investigations were conducted by that subcommittee as the creature of the Senate, endeavoring to do the bidding of the Senate, and discharging and fulfilling our solemn responsibility and obligation.

BOB HENDRICKSON, during the late existence of that committee, when it fell my lot to be chairman of it, stood shoulder to shoulder with those of us who spent what might have been their vacation period—certainly it was during the recess of the Senate—in the late months of 1952, trying to prepare a report. The committee was graced by the presence of the distinguished and able Senator from Maine [Mrs. SMITH], the distinguished Senator from Oklahoma [Mr. MONRONEY], at one time the distinguished Senator from Arizona [Mr. HAYDEN], the distinguished Senator from Iowa [Mr. GILLETTE], and other Senators. We were faced with many problems, but never on any occasion, Mr. President, did I notice, nor did anybody else observe, or even suggest, that there was any tincture of partisanship, that there was any meanness, or anything small or petty, in the manner in which BOB HENDRICKSON considered the vexing and trying problems which came before this subcommittee, which has as its function sitting in judgment on other Members of the Senate, and looking into election contests and related matters. That committee functioned at all times during the period of Senator Hendrickson's membership upon it as a bipartisan, or a nonpartisan subcommittee, if you please, Mr. President, and without members such as BOB HENDRICKSON and the Senator from Maine that would have been impossible. We could not have performed our assignments or completed our task otherwise.

It is not necessary for me to remind BOB HENDRICKSON'S friends and colleagues that he is a patriot. He does not make any flag-waving speeches on the floor of the Senate. I do not believe I have ever heard him make one in which he adverted to his own record as a soldier in his country's wars, during World War I and World War II, in which he served in the field and in combat abroad. I have never heard BOB HENDRICKSON mention anything he did in his military service. I heard those things from others. He is a man of highest courage, a man of transcendent idealism, and, what is perhaps more important, a devoted husband, a good father, a real friend, a man of probity, a man of intellect, and a man of unimpeachable integrity and character.

To suggest that BOB HENDRICKSON fears anything except doing wrong would do violence to the facts and be contrary to what all of us know and what I am sure the people of the great State of New Jersey well know.

He is a lawyer of outstanding ability. He is diligent. He is industrious. As the distinguished Senator from Vermont [Mr. AIKEN] has suggested, I know of no man who has ever served in this body who has rendered to a greater degree than has BOB HENDRICKSON conscientious, dedicated, and devoted service to his State and to his country.

The words I am saying today come from my heart. I know that in whatever career BOB HENDRICKSON may find himself, whether it be the law or the judiciary, or whatever other position of responsibility and importance he may occupy, he is on the threshold, and only on the threshold, of a great career of further public service to his State and to his country.

I should like to say a word, too, about the gracious and charming lady, Mrs. Hendrickson, who has contributed so greatly to the work BOB HENDRICKSON has done in his 6 years of service in the Senate. I have seen Mrs. Hendrickson work in his office day and night. I have seen her time and again help her great Senator to fulfill his duties in a manner to earn the high and fine respect in which he has been held during his 6 years of service in the Senate.

Words are inadequate at a time like this, and I know that speaking as another member of the minority, following my esteemed colleague and following the esteemed Senators from New York and Vermont, in these few words I can only in a small measure begin to express the sense of loss that we feel in being deprived of the constant association and services and high inspiration of Senator ROBERT C. HENDRICKSON, of the State of New Jersey.

Mr. CASE. Mr. President, I had the privilege of sitting beside BOB HENDRICKSON on the Committee on Armed Services. The distinguished Senator from Maine [Mrs. SMITH], who happily led off this very much deserved tribute to Senator HENDRICKSON, has sat on the side nearest the chairman, and I have sat on the other side of him in that committee. I know I cannot add anything to what has already been said about BOB HENDRICKSON. However, I do want to say that one cannot sit by a man in the many sessions a committee holds, considering the various questions that come before a committee, without making up one's mind as to the integrity, patriotism, and selflessness of that person.

BOB HENDRICKSON brought to the committee not merely his knowledge of military affairs, gained by his own experience, but he brought with it a dedication to the public good. That has given him but one standard by which to judge every measure that came before the committee, and that was the standard of whether it was good for the United States. He did not ask whether it was good for the State of New Jersey or for

himself: He asked whether it was good for the United States. That is the kind of service he rendered. He rendered that service based on his training and knowledge, and experience, and his fine mind.

All Members of the Senate are indebted to him for his service as chairman of the unofficial committee of objectors on calendar day. I have never yet on the floor, during the consideratoin of any of the many hundreds of bills he has reviewed for the Senate, heard his integrity or his fairness questioned.

There is another place where we have had an opportunity to observe him. For a few years he served on the Committee on the District of Columbia. It was not my privilege to serve with him on that committee, but when he was designated by the Committee on the Judiciary to conduct an inquiry into juvenile delinquency in this country, he got in touch with me and said that one of the places he would like to hold a hearing was in the city of Washington. We collaborated with him, to an extent, through the facilities of the Committee on the District of Columbia in connection with his inquiry in the National Capital.

By reason of that experience, too, I wish to express special appreciation for his concern in the young people of America. By the amount of time he took in that inquiry, by the faithful way in which he pursued the various leads that came to the committee, and by the energy and the application he gave to that task, he demonstrated his real devotion to the youth of America. There is no way in which a person can better express his real sense of patriotism and his real love of country than through his concern over the future citizens of our country. Senator HENDRICKSON has shown that to a great degree.

True, as the Senator from Missouri [Mr. HENNINGS] has stated, he is just embarking on his career. Although he leaves us in the Senate for the time being perhaps, I am sure there awaits him a notable career in the future service of his country. I shall be one of those who will stand on the sidelines cheering him on.

Mr. PAYNE. Mr. President, as one who has been privileged to know the distinguished Senator from New Jersey for an all too short period of time, so far as it is possible for one man to love another in the true sense of the word, I honestly feel that way about BOB HENDRICKSON. For that reason, I also wish to join my distinguished senior colleague in the wonderful and very fitting tribute she has paid to BOB HENDRICKSON, and to add that it is futile for me even to endeavor to put into words anything that would more adequately or more fittingly express the feeling I have for our colleague.

The only thing I can say is that my life has been, and I shall always consider that it shall be, much richer because of the great privilege and the great opportunity I have had to be associated with BOB HENDRICKSON during this brief period of time. He is a great man, and a great American. He has been a great honor to his country and to the State he has served so ably and well.

Mr. MORSE. Mr. President, yesterday afternoon, during the call of the calendar, I had the pleasure of paying my high respects to the Senator from New Jersey, BOB HENDRICKSON, for a demonstration of impartiality and statesmanship which he exhibited on the floor of the Senate during the call of the calendar. I would add today, in view of the fact that this matter has been raised by the very fine tribute paid to the Senator from New Jersey by the Senator from Maine [Mrs. SMITH] and by other Senators, that I feel very good about the tribute, not only from BOB HENDRICKSON'S standpoint, but from the standpoint of the Senate of the United States.

I say that, Mr. President, because I think they are long overdue as an endeavor to right a wrong, because BOB HENDRICKSON was one of those who, in my judgment, was unconscionably, unjustly, and very wrongfully accused and attacked by another Member of the Senate some time ago. That attack so offended my sense of propriety that I made it one of the counts in a bill of particulars which I filed on the floor of the Senate not very long ago. I shall say no more about it at this time, because I hope I am a good enough lawyer to know that only the reference I have made is proper in view of the fact that the subject matter is before another tribunal for consideration. But I did want to make the point that I think the remarks made in the Senate this afternoon paying very deserved tributes to BOB HENDRICKSON not only measure up to what is due him, but I think the Senate is also doing justice to itself. I feel the same way about each and every one of the other Senators involved in the attack.

I close by saying that, although BOB HENDRICKSON and I have had our differences on issues, we have at all times maintained a very fine professional relationship, as lawyers should, and we have also maintained a very fine friendly relationship. I express my appreciation to him in these remarks for the graciousness he has extended to my family in the social contacts which we have had. He has become a very great favorite in the sorority in which I live, as I refer to my family.

Mr. LEHMAN. Mr. President, I consider it a very great privilege to associate myself with the very fine tributes which have been paid on the floor of the Senate by my colleagues to the junior Senator from New Jersey.

I have had very great pleasure in working with him. Throughout the 5 years I have been a Member of the Senate I have been deeply impressed with the fact that this man is a conscientious, industrious, wise, and courageous Senator. To those great qualities should be added others which I think are even more rarely found in men—kindliness, sincerity, and complete fairness. Throughout the 6 years during which he has been a Member of this body he has gained the respect, the admiration, and the very deep affection of those of us who have had the privilege of serving with him.

I am very sorry indeed to see him leave the Senate. I do not know what lies ahead of him, but I am very confident that he will always be deeply interested in and will associate himself closely with activities which are in the public interest and for the public benefit.

In whatever he may undertake I wish the Senator the greatest happiness and success for himself, Mrs. Hendrickson, and his family.

Mr. LONG. Mr. President, it was with much regret that I learned the Senator from New Jersey planned to retire at the end of this session. I had the honor of coming to the Senate at the same time he did. I had the pleasure of serving on committees with him. We know that ROBERT HENDRICKSON has been one of the most faithful attendants upon the sessions of the Senate. When a speech is delivered late in the afternoon usually not many Senators are present, but he is likely to be one of the Senators present. He is one of the best listeners as well as one of the best speakers.

We know him also as a fairminded man. In some of the debates occasionally some of us have had the feeling that there were not many open minds, but we always felt that the junior Senator from New Jersey was one who could be persuaded if we were right, and if he was on the opposite side of the debate I always felt that possibly I was wrong. On the other hand, I have felt that if I was right I probably could persuade him.

Mr. President, when I learned that the Senator from New Jersey proposed to retire at the conclusion of this session, I went to him and told him I wished he would reconsider his decision, because I believed his retirement from the Senate would be a great loss to the Nation. I told him that in confidence at the time, and I am pleased to say it today publicly, because I feel that the Nation is much better because we have had men of the caliber of ROBERT HENDRICKSON in the Senate.

Many times the Senate has been gripped by a flaming partisan spirit. On some occasions every Democrat voted on one side, and every Republican on the other side. It always seemed to me that the Nation was in great peril when that type of vote occurred. It always seemed to me that for the greater safety and preservation of the Nation there should be a few Senators on each side of the aisle who would break the continuity if they felt their side might be wrong on a particular issue. The Senator from New Jersey has often given the other side the benefit of the doubt in his leaning toward justice. He has been admired by many of us for such traits of character. I am sure, as my colleagues are sure, that this is not the end of the service of ROBERT HENDRICKSON to this Nation. We all wish him Godspeed.

Mr. FREAR. Mr. President, I realize that in the closing hours of this session of the Congress we are all worn, tired, weary, and ready to depart, but I know of nothing that could be more important for a few minutes this afternoon than to pay tribute to one of our colleagues who is so highly respected by all the other Members of this body. I came to the Senate at the same time as did the junior Senator from New Jersey [Mr. HENDRICKSON], and I am happy that I became acquainted with him at an early date.

He has been loyal to his party, but good Government has been uppermost in his mind at all times. His loyalty to party in those instances always took second place.

To him, whatever his future may be, and to his charming and lovely wife, Mrs. Frear and I wish with deep sincerity great success for him in whatever his endeavors may be. I know such success is richly deserved, and will be followed with interest by all the Members of this body.

Mr. COOPER. Mr. President, others who have been here longer than I, and who have known the distinguished junior Senator from New Jersey, Senator HENDRICKSON, for a longer time, have spoken feelingly of his service to the Senate and to the country. I assume to speak because of the fine association I have had with him during the past 2 years. I have served with him on the Armed Services Committee, and his work on that committee was distinguished and animated by the deepest patriotism and concern for the security of the country. But I should like to speak briefly of an association and service which I have had with him on a committee which is not one of the standing committees of the Senate. It is a party committee, the calendar committee. It is a committee which is pedestrian in character, which does routine work—whose work, while interesting is not always known. But it is a necessary committee. Each of the calendar committees, 1 for the majority, and 1 for the minority, has the important task of reviewing and scanning every bill which comes up on the calendar; for technical defects, for any substantive defects which should be brought to the attention of the committee which reported it, or to the attention of the Senate itself. It must also represent the members of their party in presenting their objections of Members of the Senate.

In this tedious work of scanning hundreds of bills, I learned a great deal about the character and the ability of the distinguished Senator from New Jersey. He entered upon the work of the committee as if it were the most important committee of the Senate. He studied the bills as if they were his bills, as if all of them were of the greatest importance to the Nation—and many of them were. In his work he was meticulous and careful, as he has shown himself to be in all his work in the Senate.

The characteristic which I saw in him particularly in this work was his absolute fairness. Whether it was a bill of a member of his party, the Republican Party, or the bill of a member of the minority party, he treated all alike. If it was defective, he said so. If it was a bill which had no defects, he did not advance it because it happened to be the bill of a friend or a member of the majority. He was absolutely fair and impartial, and no political bias was ever attached to his work on that committee. As I have said, it was a routine type of work, yet one learns something about a man's character as he works on the tedious, the undramatic but necessary tasks of life. I saw his great sense of humor, his sense of humor concerning himself which at times we lose. I saw daily his great integrity, his character, his intense devotion to his country, and his great patriotism.

The Senator from New Jersey has had a distinguished career as a lawyer and as a public servant in New Jersey. His has been a distinguished career in the Senate. He responded to the call of his country in wartime and served overseas in the armed service of his country.

I join with other Senators who have expressed the belief that he will enter even greater service to his country. It has been an inspiring personal experience for me to have had the opportunity to know the distinguished Senator from New Jersey.

Mr. CARLSON. Mr. President, it has not been my privilege to have served on a committee of the United States Senate with the distinguished junior Senator from New Jersey. My association with him has been on the floor of the Senate, in the cloakrooms, in the dining rooms and other Halls of this great body and, of course, in the fellowship we have enjoyed with the Senator and Mrs. Hendrickson in the social life of the Capital.

I was disappointed to learn that he would not be with us at the next session of Congress. It is a loss to the State of New Jersey and a great loss to the Nation. He is a great, patriotic citizen who has rendered distinguished service to his country while serving in this body.

One is naturally attracted to certain individuals by their wholesomeness. I think that can be truly said of the Senator from New Jersey. He is always a gentleman, always courteous, always kind. In my associations with him which, as I have stated, were not on a committee but on the floor of the Senate, on many occasions I have gone to him with problems which affected bills on the calendar from my committee, and personal bills. I know how annoying it must have been to him at times for individual Senators, including myself, to have come to him with our problems, but never at any time did he fail to be courteous and considerate of those of us who were bothering him by calling upon him for a service which was outside and beyond the ordinary call of duty.

It has been a privilege to have been associated with and to have served with the distinguished junior Senator from New Jersey, and I wish for him and Mrs. Hendrickson the best of everything.

Mr. HOLLAND. Mr. President, I should like to give brief expression to my own feeling of high respect and deep affection for Senator HENDRICKSON, with whom it has been both a pleasure and an honor to serve in the United States Senate.

Coming here after active and highly patriotic service in two world wars, after service to his State both as a legislator and in high executive position in State government, he brought a rich and mature experience in the processes of democratic government which has made him a highly valuable Member of the United States Senate and a public servant who will be greatly missed.

I wish him to know that we shall miss him, not only for his able, impartial and always kindly, sympathetic approach to all problems—and he has shown all those qualities in the handling of the Consent Calendar and many other matters which he has had before him both in committee and on the floor—but we shall also miss him very greatly from the personal point of view. I shall miss his alert manner on the other side of the aisle, his friendly approach to all questions, his resonant voice and his kindly brown eyes, his sympathetic intervention in matters in which his peculiar information has been brought to bear to aid in the fair solution of problems which come before us. We shall miss him very greatly indeed.

We shall also miss Mrs. Hendrickson, and I am sure Mrs. Holland would want me to add for her the word that we shall both think of them frequently, miss them badly, and wish them Godspeed.

Mr. BARRETT. Mr. President, I wish to take a moment or two to express to the distinguished junior Senator from New Jersey and to my colleagues on the floor, as I have already expressed to him privately, my high regard and deep affection for him.

When he came to the Senate 6 years ago I was serving in the House. A first cousin of mine who was a constituent of his in his home community told me how much he thought of the junior Senator from New Jersey; how he had known him for many years and had come to regard him so highly and to have such high esteem for him that he wanted me to look him up and to be sure to become well acquainted with him. An old friend of mine from Wyoming, Maj. Ewing Kerr, served with the junior Senator from New Jersey overseas during the last war, and he, too, paid such high compliments to the junior Senator from New Jersey that I knew that here was a man to whom a fellow could tie.

I had occasion to visit in his home community in New Jersey a couple of times, and learned from many people there how highly they thought of the Senator and his very good wife.

Many times my wife has said privately that she was extremely sorry that the Hendricksons were leaving Washington; and I wish to join my colleagues in wishing Godspeed to the great Senator from New Jersey.

Mr. HUMPHREY. Mr. President, I wish to join with my colleague in saying a word by way of a testimonial to our good friend the junior Senator from New Jersey. I find it rather difficult to be too formal on this occasion. I have known the junior Senator from New Jersey since my first day in the United States Senate. We always refer to him as BOB HENDRICKSON, which is a way of expressing one's sense of affection and friendship for a very wonderful gentleman.

I recall very vividly a trip I was privileged to take with this fine man and able Senator. I believe it was in the year 1951, when, by appointment of the Vice President, BOB HENDRICKSON and I, along with other Members of the Senate, were privileged to represent our Govern-

ment at Strasbourg, France. It was on that trip that we journeyed into Germany, and later into Austria. I wish all our colleagues could have witnessed the great affection, esteem, and respect that many people in Austria had for the junior Senator from New Jersey.

It may well be asked at this time why the good people of the country of Austria should be interested in, or be concerned about, or show affection for the junior Senator from New Jersey. That answer can be readily given. During the war years, and in the days immediately following our victory, Senator HENDRICKSON, who was at that time in the Armed Forces of the United States, served in a very important capacity in Austria. He rendered such fine service there in behalf of his own country, and in behalf of the people of Austria, that they fell in love with him and had the greatest esteem and respect for him. Everywhere I went every person with whom I talked about him, both in government and out of government, expressed the highest regard for BOB HENDRICKSON.

It has been my pleasure to serve with this fine and able Senator on committees of the Senate. He has been a faithful public servant through all his years of public service. He has been an extremely conscientious and able Member of this body. Above all, he is a good man. He is a man of conviction and a man of great qualities.

It has been a joy for both Mrs. Humphrey and myself to know BOB HENDRICKSON and his very fine and charming wife and their family. They have added to the glory of this country, and they have also made a great contribution to the happiness of all of us.

Mr. SMATHERS. Mr. President, I join with my colleagues who have expressed their regret at the forthcoming departure of the junior Senator from New Jersey. While it has not been my privilege to know him for as great a length of time as have Senators who have previously spoken, nevertheless in the short time it has been my privilege to know him I have found him to be, as others have found him to be, a man of outstanding and exceptional ability and integrity, as well as a man of great courage.

It has been the privilege of the junior Senator from Tennessee [Mr. GORE] and myself to serve in a unique capacity with him, in that the junior Senator from Tennessee and I have been in charge of the calendar for the Democrats, while the junior Senator from New Jersey and the Senator from Kentucky [Mr. COOPER] have served in the same capacity on the majority side. We have had to handle innumerable so-called smaller bills and bills of minor importance. I have seen the Senator from New Jersey sit on the other side of the aisle day after day, during a call of the calendar, and give his attention and his energy to so-called minor bills just as assiduously as he did to the larger bills and more important pieces of proposed legislation. Even when a Senator on his side of the aisle wanted a particular bill passed, when the junior Senator from New Jersey thought it was not good legislation and was not in the best interests of the country, he had the courage to stand up and tell not only his friends—which always hurts—but to tell the Senate why he thought such legislation would not be good for the country.

My wife and I have enjoyed our brief association with him and his lovely wife. We shall regret their departure, as will other Senators. We know his departure will be a loss to the State of New Jersey, as well as to the entire Nation. We wish him Godspeed and success in his new endeavor.

Mr. BRICKER. Mr. President, I rise at this time to express a word of regret that Senator HENDRICKSON is leaving the Senate. I urged him not to do so. He knows of my friendship for him, and of my desire that he continue in the service of the Senate. He is an unusual Member of this body. He is one of the very few to quit voluntarily, and we regret it very much, indeed.

I knew of Senator HENDRICKSON long before he came to this body. I knew of the fine work he did in his home State. He worked for the cause of local government generally. Since coming here I have formed a fast friendship for him. That friendship has been very intimate so far as both of our wives are concerned. He is a man who is wise, experienced, courageous, and patriotically determined to do the very best he can for his country's interests.

Wherever he may go and wherever he may serve, I know these same fine qualities will follow him. I only wish to express the hope at this time that we shall see him often about the Senate, knowing that personally our friendship will continue throughout the years, and that wherever he may be and wherever he may serve, he and his family will have a long and happy experience.

Mr. KEFAUVER. Mr. President, I cannot allow this occasion to pass without paying a tribute to the service of our distinguished colleague, Senator HENDRICKSON. It so happens that during the time we have been in the Senate, having come to the Senate at the same time, I have had the pleasure of serving on both the Judiciary and the Armed Services Committees with the distinguished Senator. I have grown to like him, to admire him, and to feel that he is one of the truly useful and great men in public service today.

He is always courteous, he has a judicial temperament; and he has the courage of his convictions. In matters of small detail which many other persons would quickly pass over, it has been amazing to me to learn, in the committees on which we served together, that Senator HENDRICKSON has dug in and learned the minute facts about the legislation being considered.

I have also had the pleasure of serving with him as a member of the special subcommittee to investigate problems of juvenile delinquency, and I think history will record that Senator HENDRICKSON has rendered a great public service in making known to the people the importance of this problem, and of taking effective steps, wherever possible, to do something about it.

We shall miss Senator HENDRICKSON. I wish him and his family the very best in whatever endeavor they may be engaged.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield to my colleague.

Mr. GORE. I wish to associate myself fully with the remarks of my distinguished colleague, and also with the remarks of the distinguished junior Senator from Florida [Mr. SMATHERS], who included me in his remarks. I should like to add that, along with BOB HENDRICKSON, there came to, and there has been present, in the Capital, as a part of our official life, a very lovely lady, whose presence we shall miss. I see her now in the galleries, and we might well include her fully in every kind remark that has been made.

Mr. KEFAUVER. Will the Senator from Tennessee agree that we might be able to get along a little better, at least, if Senator HENDRICKSON is not to be here, if he would just leave in Washington his lovely wife? [Laughter.]

Mr. KENNEDY. Mr. President, I wish to associate myself with the sentiments expressed this afternoon about the Senator from New Jersey. I feel great regret at the prospective departure of Senator HENDRICKSON. He has treated all of us who are new to the Senate with the greatest of kindness and cordiality, and we certainly shall miss him very much.

Mr. STENNIS. Mr. President, it was sad news to those of us who serve on the Armed Services Committee, when we learned BOB HENDRICKSON would not return after the close of this session. I do not think any Member has come to the Senate with finer purposes or has left with a better record than has the distinguished junior Senator from New Jersye. His is a constructive and forward-looking record of statesmanship, according to my book.

I appreciate very much the contribution he has made in the course of his service here. For 2 years he has served on the Armed Services Committee. Immediately after his assignment to that committee, he was of great service. His suggestions were good and sound, and were based upon fine legal knowledge, as well as distinguished military service. In that way, he doubly served us.

I have never seen the slightest indication that anything he has done or said while serving on the committee has been tainted in the least with sectionalism, factionalism, or party considerations in even the slightest degree. He is, first of all, an American.

I salute him for his fine record, and I join with the other Members of the Senate in hoping and believing that the future holds for him many of the worthwhile satisfactions of life, because both he and Mrs. Hendrickson have earned them.

Mr. MARTIN. Mr. President, I wish to join my colleagues in expressing our great regret that Senator HENDRICKSON is leaving this body. I have had the great privilege of knowing BOB HENDRICKSON and his fine wife for many years. Mrs. Hendrickson's brother was

an officer in my regiment, and he fell facing the front. That made for a close association between our families, which I know will continue in the future.

BOB HENDRICKSON and his good wife have made a great contribution to this body. BOB HENDRICKSON has been a great patriot and a fine soldier; he is a statesman of true character. The United States will sustain a great loss at his leaving the Senate.

My prayer is that he and Mrs. Hendrickson will have health and happiness.

Mr. HENDRICKSON. Mr. President, as I have listened to these tributes, I have tried to marshal or conjure up appropriate words to express my innermost feelings.

A moment ago I leaned over to the distinguished senior Senator from Maine [Mrs. SMITH], and said to her, "What does one do in such a situation?"

She wrote me this message: "I should say it is better to be alive when it is said, so that you can fully enjoy these evidences of deep and lasting friendship."

So, Mr. President, I repeat her words of wisdom.

Mr. President, I rise today with deep and mixed emotions. On the one hand, there comes to me a great sense of satisfaction because it is evident that I have many friends in this great body. On the other hand, there is a note of sadness—that of officially departing from these friends.

Mr. President, I must confess that as I listened to the eloquent, glowing, but no less sincere remarks of the distinguished senior Senator from Maine [Mrs. SMITH], I had to look around the Chamber just a little to see where BOB HENDRICKSON might be, because I did not recognize that I was worthy of such a tribute.

I shall always remember with a great deal of joy and pleasure my associations with my colleagues in the Senate of the United States. Even the harsher moments—which all of us have to confront in the service of our country—I shall remember with a sense of satisfaction and happiness.

Mr. President, I shall leave this distinguished body at the end of this session and at the end of my term—let me say I am not going to leave yet—a much better citizen of the United States of America, and thus a much better American, than I was when I first came to the Senate as the junior Senator from New Jersey. I have brushed shoulders with great men and great ladies on the floor of the United States Senate during the past 6 years. One cannot brush shoulders with such fine, patriotic colleagues without taking away with him some of the fine qualities of those with whom he has had such inspiring and such happy associations.

Mrs. Hendrickson has enjoyed our service here, too. She has enjoyed the friendship and companionship of the lovely ladies of the Senate of the United States. Sometimes I wonder what any of us would do without those ladies. I certainly know that the quality of my service has been better because of the great contributions Mrs. Hendrickson has made. Thus, I know that my colleagues, likewise, have rendered greater and more distinguished service because of the love, affection, and loyalty of the great ladies who regulate their home-life—the ladies who have guided them through both the happy moments and the moments of unhappiness and discouragement, when at times they were at their lowest ebb.

Mr. President, the tributes which have come to me today I shall always cherish, even though I must publicly confess that I cannot believe that I have duly earned them all. I do not question the sincerity of any of them, of course.

I can promise my colleagues that because of these tributes and because of my firm belief in the colleagues who have expressed them, that as I go forth from performing this great responsibility to my Government, those tributes will go with me in my memory; and whatever I may do "from here on in," to the end of my days, they will cause me to contribute a great deal better quality of service than I could ever have contributed, had I not heard these words of praise today.

Mr. President, I cannot say that I leave with sadness, because I am not leaving my colleagues of the Senate of the United States; I am only severing my official relations. My colleagues will see me again and again, I hope, through the years, sitting on the benches in the rear of this Chamber. Indeed, for the last week or two I have been practicing a little; and I find that those benches are very comfortable. [Laughter.]

So, Mr. President, as I say "thank you" to all my colleagues who have expressed themselves here today, as well as to those who, I know, would have done so, had it not been for the fact that we are in the closing hours of an important session, I speak from the bottom of a full and grateful heart.

I wish to assure all my colleagues, as I have said before, that I am a much better person for having had this glorious association. I pray that I shall always be worthy of these tributes.

MRS. CECIL NORTON BROY—CONFERENCE REPORT

Mr. LANGER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7886) for the relief of Mrs. Cecil Norton Broy. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7886) for the relief of Mrs. Cecil Norton Broy, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:
>
> That the Senate recede from its amendment numbered 1.
>
> That the House recede from its disagreement to the amendments of the Senate numbered 2 and 3; and agreed to the same.
>
> WILLIAM LANGER,
> PAT MCCARRAN,
> *Managers on the Part of the Senate.*
>
> E. L. FORRESTER,
> EDGAR A. JONAS,
> *Managers on the Part of the House.*

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had concurred in the amendment of the Senate numbered 1, to the bill (H. R. 2235) to authorize the Secretary of the Interior to construct the Santa Maria project, Southern Pacific Basin, Calif., with an amendment, in which it requested the concurrence of the Senate, and that the House had concurred in the amendment of the Senate numbered 2 to the bill.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 271) authorizing the Clerk to make corrections in the enrollment of H. R. 10051, the mutual security appropriation bill, 1955, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 361. An act to provide for renewal of and adjustment of compensation under contracts for carrying mail on water routes;

S. 541. An act to extend benefits under the War Claims Act of 1948 to certain classes of persons, and for other purposes;

S. 1042. An act to abolish the Commission for the Enlarging of the Capitol Grounds;

S. 2670. An act to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes;

S. 3017. An act for the relief of Thomas Barron;

S. 3304. An act conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Cuban-American Sugar Co. against the United States;

S. 3329. An act to amend the District of Columbia Police and Firemen's Salary Act of 1953, to correct certain inequities;

S. 3494. An act for the relief of the Central Railroad Co. of New Jersey;

S. 3627. An act to amend the Civil Service Retirement Act, as amended;

S. 3628. An act to amend Public Law 815, 81st Congress, in order to extend for 2 additional years the program of assistance for school construction under title III of that act;

S. 3744. An act to change the name of Gavins Point Reservoir back of Gavins Point Dam to Lewis and Clark Lake; and

S. J. Res. 170. Joint resolution to approve the conveyance by the Tennessee Valley Authority of certain public-use terminal properties now owned by the United States.

COMMISSION ON AREA PROBLEMS OF GREATER WASHINGTON METROPOLITAN AREA—CONFERENCE REPORT (H. REPT. NO. 2584)

Mr. KNOWLAND. Mr. President, there is a conference report at the desk, which is a privileged matter. It has been cleared with the minority as well as the majority. The Senator from Kansas [Mr. SCHOEPPEL] will present it.

Mr. SCHOEPPEL. I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2236) for the establishment of a Commission on Area Problems of the Greater Washington Metropolitan Area. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see pp. 15506–15513 of the House proceedings for July 30, 1954.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. SCHOEPPEL. Mr. President, in the joint conference between the House and Senate on H. R. 2236, the House receded from its disagreement with the Senate amendment, title I, which provides for the establishment of the Washington Metropolitan Area Transit Commission, and agreed to accept the Senate amendment with an amendment.

The amendment which was agreed upon between the House and Senate conferees changes the Senate amendment by deleting the State of Virginia, and spells out in statutory language the provisions of the original Senate amendment contained in title I of H. R. 2236, which were incorporated therein by reference.

As finally agreed upon by the Senate and House conferees, H. R. 2236 would establish a metropolitan area transit commission for the District of Columbia and the counties of Prince Georges and Montgomery in the State of Maryland. It would also establish a commission under title II, known as the Commission on Area Problems of the Greater Washington Metropolitan Area. The study commission has 1 year to complete its study after implementation.

I move the adoption of the conference report. I understand that certain Senators desire to speak with reference to it and with reference to title I.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. PAYNE. Mr. President, I can assure the Senate it is with great reluctance that I must rise at this time to speak in opposition to the conference report on H. R. 2236.

The bill provides for a study of the transportation problems in the metropolitan Washington area on the one hand, and on the other hand it proposes to establish a regulatory commission to be of benefit to the metropolitan Washington area.

In effect, the bill originally introduced in this body by the distinguished senior Senator from Colorado [Mr. JOHNSON] was designed to do exactly that. It was designed to meet the problems of the entire metropolitan area.

But the effectiveness has been stripped from this measure as a result of the action taken in connection with this conference report, whereby the entire area of the counties of Virginia which lie contiguous to the District of Columbia is eliminated from consideration, meaning in effect a complete changing of the proposal made by the distinguished Senator from Colorado, which would have made possible a solution of the problem—which will undoubtedly come to pass at some time in the future, by establishing a real regulatory body, affecting all the people of the metropolitan Washington area.

I shall not take the time of the Senate and of my colleagues to go into the history of this measure, and to disclose the many ramifications of the problem and the many shifts and shufflings which have occurred since early last year, when this subject was under consideration. However, I wish to say that the particular provision of which I am speaking, title I of the conference report, was never the subject of hearing in the House of Representatives, and in the final days of the conference it was stripped of the provisions which would include the area of the counties in Virginia.

Mr. President, although I strongly favor the principle of a Washington metropolitan area regulatory transit commission, I think that at the present moment, with the progress which is being made by the present Public Utilities Commission of the District of Columbia in solving a most essential problem confronting the great multitude of the people who must depend upon transit services in the District area, perhaps it might be as well to move a little more slowly on this problem to see what results can be accomplished, in view of the fine work which the Commissioners are at present undertaking.

I ask unanimous consent to have inserted in the RECORD at this point a memorandum of understanding between the Capital Transit Co. and the Public Utilities Commission of the District of Columbia, embracing in practically every instance recommendations made by a committee on which I had the privilege of serving, whose members included the distinguished Senator from Oregon [Mr. MORSE] and the distinguished Senator from Maryland [Mr. BEALL]. That committee considered the entire transit problem in the District of Columbia.

There being no objection, the memorandum of understanding was ordered to be printed in the RECORD, as follows:

MEMORANDUM OF UNDERSTANDING BETWEEN CAPITAL TRANSIT CO. AND THE PUBLIC UTILITIES COMMISSION OF THE DISTRICT OF COLUMBIA

After several meetings between the members of the Public Utilities Commission and officials of the Capital Transit Co., the following understandings were arrived at:

1. The first 2 quarterly dividends for the year 1954, at the rate of 40 cents per share, will be released. For the balance of the year 1954, management will recommend to the board of directors that dividends be declared at the rate of not more than 20 cents per share per quarter. It likewise will recommend that the first dividend in 1955 be not more than 30 cents per share. The Commission takes no position as to the availability of cash for these dividends.

2. In view of the fact that the Public Utilities Commission has claimed that its investigation under Order No. 4060 has disclosed an accrued deficiency in the company's depreciation reserve of $2,400,000, as computed on a straight-line basis, the company, at the annual meeting of stockholders in April, 1955, will submit to the stockholders and support an amendment to its charter to change the book value of its stock. If the management's recommendation is followed and the change in the book value of the stock is voted so as to create a capital surplus of $2,400,000, this amount will be transferred from capital surplus to the depreciation account, thereby wiping out the claimed deficiency mentioned above.

The company will be permitted to use its earned surplus, to the extent that it becomes necessary, to pay the dividends mentioned in paragraph 1. The Commission, in accordance with its statutory duties, will continuously consider the source and availability of cash for the payment of future dividends in the light of conditions then obtaining.

3. If the change in the book value of the capital stock is approved and the transfer from capital surplus to the depreciation account is made this will remove the question of the Commission placing any restriction on the earned surplus as related to any computed deficiency in the company's depreciation reserve resulting from straight-line depreciation studies.

4. The present suit pending in the United States District Court for the District of Columbia, Civil Action 837–54, will be dismissed upon form to be agreed upon. The dismissal of this suit will relieve the Commission from any obligation to complete its investigation within any specified time or to report to the court. The Commission will retain jurisdiction over the investigation under order No. 4060. However, if the book value of the stock is changed and the transfer to the depreciation account is made as outlined above then the investigation under order No. 4060 will be dismissed without prejudice.

5. The company will not file any application for a rate increase prior to January 1955.

6. The company will cooperate with the District Commissioners in establishing fringe parking on a 3 months' trial basis.

7. The company will employ an independent engineering firm to determine the advisability of conversion of streetcars to buses on the various lines and the engineering firm will report its findings to both the Commission and the company. The recommendations made by the engineering firm will be submitted to the board of directors for appropriate action.

8. The company, and the Commission, jointly will forthwith undertake a study, in which the union will be invited to participate

to determine the advisability of employing Negro streetcar and bus operators, and if such employment is determined to be feasible, the company will cooperate in an action program with the union, the Commission, and the President's Committee on Contracts.

9. The company and the Commission will undertake a study of the present tax obligations of the company with a view of presenting to the Board of Commissioners justification for such tax relief as may be indicated.

10. There will be changes in the board of directors to include additional local citizens as well as the changes in the financial and management policies of the company. The company recognizes its responsibility under its charter to provide reasonable and adequate service for the public.

Mr. PAYNE. I also ask unanimous consent to have printed in the RECORD as a part of my remarks an editorial from the Washington Evening Star of Monday, August 2, 1954, entitled "Unwise Transit Reform"; and a copy of a letter received from the board of directors of the Washington Urban League, having to do with the proposed legislation now under discussion.

There being no objection, the editorial and letter were ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star of August 2, 1954]

UNWISE TRANSIT REFORM

The truncated regional transit control commission which would be created under the conference-approved omnibus transit bill is a poor substitute for the metropolitan area regulatory agency long favored by civic groups. The Star was an early advocate of an areawide approach to solution of interjurisdictional transportation problems. But the revised Johnson bill as it emerged from conference does not provide an areawide approach to these problems. It would establish a lopsided commission with powers so restricted as to complicate the existing complicated setup, rather than improve it.

The bill originally called for a Presidential commission with regulatory authority over all transit lines operating within the metropolitan area of Washington—specifically those within the District and those crossing the city's boundaries to serve Maryland and Virginia suburbs. The Star still believes that some such public utilities agency will have to be set up eventually in this growing area, after an adequate study has been made of the regional needs and difficulties. The Broyhill bill, now lumped with the Johnson bill, calls for such a study by an interjurisdictional commission.

But when Virginia authorities registered objections to the regional control measure it was decided to exclude that State from the legislation. So the bill approved by the conferees is not a metropolitan area transit measure at all. It is a District-Maryland bill exclusively. It would transfer to a new three-man Commission all the powers now exercised by the District Public Utilities Commission over public transportation and all the powers of the Interstate Commerce Commission with respect to regional transportation—excepting those relating to Virginia buses. Thus, the new agency would regulate buses and streetcars serving the city proper and the Maryland suburbs, the ICC would continue to regulate Washington-Virginia buslines, and the Maryland and Virginia State commissions would control intrastate transportation. How would such a strange division of powers among Federal, regional, and State authorities clear up the conflict and confusion now existing?

Congress will make a bad mistake if it finally approves the partial-control bill agreed to by the conferees. This bill never should have been consolidated with the sensible Broyhill bill, calling for a careful study of area transit problems with a view to possible creation of a regional authority or other agency. If Congress insists on sending the unwise package to the White House, President Eisenhower would be justified in sending it right back with his veto. It would be better to have no transit reform than the type of reform wrapped up in this package.

WASHINGTON, D. C., *August 9, 1954.*

Hon. FREDERICK G. PAYNE,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR PAYNE: Your vigorous opposition to the proposed area Transit Control Commission is well taken.

Nothing could lend more confusion to an already confused situation than the creation of an area transit authority to include Maryland and the District of Columbia, but excluding Virginia. After your recent excellent study of local transit conditions, it is needless to attempt to point out to you the complete futility of this proposed plan.

Furthermore, any attempt to remove local mass transportation from the jurisdiction of the District of Columbia Public Utilities Commission should be roundly defeated. The present Commission is performing an excellent job under difficult circumstances and has gained the respect and support of the overwhelming majority of local citizens.

I trust that you will have the support of a sufficient number of your colleagues to defeat this utterly unrealistic piece of proposed legislation.

Very sincerely yours,

VICTOR R. DALY,
Member, Board of Directors, Washington Urban League.

Mr. PAYNE. Mr. President, without going into any further details, I move at this time to recommit the conference report with instructions to eliminate section I pertaining to the establishment of the Washington Metropolitan Area Transit Regulatory Commission; and I hope my motion will prevail.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maine to recommit the conference report with instructions.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MORSE. Mr. President, I wish to associate myself with the position taken by the Senator from Maine [Mr. PAYNE], who was the very able chairman of a subcommittee of the Committee on the District of Columbia, which conducted extensive hearings into the transit problem, not only of the District of Columbia, but also with relation to the transit problems of the metropolitan area, which include the problems of Maryland and Virginia.

Mr. President, I think this is a good example of how frequently in the Senate the right hand does not know what the left hand is doing.

I speak most respectfully of the work of another committee, but I believe that the committee which reported this bill could not possibly have given very much consideration to the record of the hearings conducted by the Senator from Maine [Mr. PAYNE]. I think this proposed action would be a tremendous waste of money, and a waste of time. I think it would be another example of duplication.

I believe we ought to follow the recommendations made by the subcommittee of the Committee on the District of Columbia, and through it by the Committee on the District of Columbia itself. I think the Senator from Maine is correct; we ought to allow some time to elapse so that the District Commissioners may proceed with the very fine program which they have underway. I am fully aware of the fact that we are a long way from a satisfactory solution to the transit problems of the District of Columbia area. I do not believe we need to add this additional commission to those already at work, unless it is thought that it would make some very small contribution to solving the unemployment problem which has developed under the Eisenhower administration. It may be felt that a few people would be put to work by the adoption of this report.

Mr. BEALL. Mr. President, I am very frank to agree with the Senator from Maine and the Senator from Oregon that it would be better if the three interested parties, namely, Virginia, Maryland, and the District of Columbia were included. It so happens that we cannot have them. However, it is necessary to make a start. If we do make it, I hope Virginia will come in eventually, and I feel confident that it will. However, the need is more urgent to take care of the District of Columbia-Maryland mass public transportation.

The buslines which serve Virginia are primarily Virginia buslines. They stop in the District of Columbia only for the purpose of discharging or picking up Virginia passengers, and the Virginia suburbanites are more adequately served.

The buslines which serve Maryland, on the other hand, are primarily District of Columbia buslines. Maryland has practically no bus service except that which is an extension of the District of Columbia buslines.

Hence the problem is more of a joint one so far as the District of Columbia and Maryland are concerned. Moreover, if the joint control provided in the bill proves successful, as I am sure it will, it will be a great inducement for Virginia to participate at a later date.

The Maryland Public Service Commission, in a rate case decided on October 2, 1952, said:

> If there is not to be a continued whittling away of the Maryland service and, perhaps, even higher fares than those being presently authorized, some means of considering the property and affairs of the Capital Transit Co. as a whole, and not on the segregated basis presently being used, must be effected.

Even though the present Public Utility Commission personnel are doing a good job, we cannot rely on men alone. We must give the people of this area a good foundation of law upon which their transportation will be regulated.

Mr. PAYNE. Mr. President, will the Senator yield?

Mr. BEALL. I yield.

Mr. PAYNE. Mr. President, I am sure my distinguished colleague, who served so ably and well in studying the problems with reference to the transit

situation in the District of Columbia, will agree that an organic act is involved. It is an organic act which would establish a regulatory commission completely different from the concept of the present public utility law in the District of Columbia, and include not only motor-truck transportation, but taxicabs and other means of conveyance. I am sure my colleague knows that no hearings were held in the House of Representatives in connection with the particular feature of the conference report which was substituted for the bill which was introduced early last year by the distinguished Senator from Colorado [Mr. JOHNSON].

No hearings were held, as my colleague will agree.

Mr. BEALL. I shall answer that question by asking a question of the Senator from Maine. Is it not a fact that Virginia cannot, under its constitution, join in a commission of this kind, whereas Maryland and the District of Columbia can? Is it not a fact also that Maryland has no buslines running into the District of Columbia, and the people of Maryland who come into the District must necessarily use District of Columbia lines, namely, those of the Capital Transit Co.?

Mr. PAYNE. Under the constitution of the State of Virginia, as I understand, a period of approximately 5 years is required to perfect a compact or an arrangement whereby it can join with other areas in attempting to solve this problem.

I hope my colleague will understand that my objection is not based upon the merits of the eventual result that will come from the establishment of such a regulatory body. I do not think it is sound business for Congress, in developing an organic act to control the operations of utilities, to put into effect by a conference report a measure on which no hearings have been held from the date it was introduced in Congress to the present time. It is for that reason that title I should be stricken. Accordingly, I made my motion to recommit the conference report.

Mr. BEALL. Mr. President, if we do not make a start and have an arrangement which Virginia can join, Virginia will not join with us. It requires 5 years for Virginia to join such a compact. If we do not act in this way the Legislature of Virginia may not want to go ahead, unless such a commission is established ahead of time. Why can we not organize it now with only Maryland and the District participating?

I hope the Senate will approve the conference report.

Mr. SCHOEPPEL. Mr. President, I have noted what the distinguished Senator from Maine, and the distinguished Senator from Maryland, have had to say about the conference report. Of course, it is a question which affects the metropolitan area of our National Capital. Apparently it was desired to approach the problem in this way. The conferees on the part of the Senate, the distinguished Senator from Colorado, the distinguished Senator from Maryland, and I, met with the House conferees. We discussed the very many angles at great length. We understand and fully appreciate that the plan is not perfect. As has been so ably said by the Senator from Maryland, in the judgment of those who were in the conference, we must make a start.

The situation with reference to the Commonwealth of Virginia was brought to our attention. It is the hope and expectation of those who sat in the conference and who have brought the conference report to the Senate today that eventually, without too much delay, the State of Virginia will see the desirability and wisdom of joining. This is the very best the conferees on the part of the Senate could do. We do not contend that it is perfect.

I appreciate the position of the distinguished Senator from Maine [Mr. PAYNE] with regard to his committee service, but I feel it would be a step forward to take the initial step. I hope the motion which he has made will not prevail, and that the Senate will accept the conference report.

SENATORIAL VERBOSITY

Mr. NEELY. Mr. President and Members of the Senate,

"I long have thought,
My youthful friends,
A something to have sent you,
Though it should serve no other end
Than just a kind memento;
But how the subject theme may gang,
Let time and chance determine;
Perhaps, it may turn out a sang,
Perhaps, turn out a sermon."

My text is "The Scourge of Senatorial Verbosity," which—

Is a monster of so frightful mien,
As to be hated needs but to be seen;
Yet, seen too oft, familiar with her face,
We first endure, then pity, then embrace.

Except 10 windbags, who will not be identified, the hatred of this intolerable scourge is unanimous, unlimited and unending. Unfortunately, the excepted 10 continue to embrace this insatiate, hated creature every day and all day long.

It is my hope that all Senators present will voluntarily lend me their undivided attention without the necessity of my resorting to an expedient once successfully used by the great Methodist minister, John Wesley. In the midst of a sermon he noticed that two male members of his congregation not far from the pulpit were sound asleep. Whereupon he cried, "Fire! Fire!" The rudely awakened sleepers in confusion said, "Where is the fire burning?" Wesley retorted, "In Hell, where all sinners will go who sleep while I am preaching to save their immortal souls." Of course, Senators will not go to the burning lake of fire and brimstone for failing to listen to my speech. [Laughter.] But they might thereby condone the crime of picking Uncle Sam's pockets for money with which to compensate windbags for talking reticent Senators to death. [Laughter.]

Mr. President, the Constitution forbids the infliction of cruel and unusual punishment such as the honorable artificers of verbosity have from time immemorial administered to the reticent, working Members and attaches of the Senate. Verbosity is the cause of our being here tonight. Three days ago it detained us here from 10 o'clock in the morning until 10:30 that night. Two days ago it detained us here from 10 o'clock in the morning until 31 minutes after midnight. Yesterday it kept us here from 10 o'clock in the morning until half past 10 last night. Recently merciless and devastating verbosity kept the Senate in continuous session for almost 80 hours subject to a single technical intermission of 20 minutes to satisfy a parliamentary requirement. On every one of these long, weary nights—

Methought I heard a voice cry, "Sleep no more!
Macbeth does murder sleep!" the innocent sleep,
Sleep that knits up the ravell'd sleeve of care,
The death of each day's life, sore labor's bath,
Balm of hurt minds, great nature's second course,
Chief nourisher in life's feast.

If the punishment for murdering sleep were similar to the punishment for murdering human beings, a number of able-bodied, energetic, tireless verbosity mongers, who shall be nameless forevermore would be well on their way to the penitentiary, the gallows, or the electric chair. Unfortunately these everlasting babblers have never had time to read Pope's lines:

Words are like leaves, and where
They most abound
Much fruit of sense beneath is
Rarely found.

They have never had time to heed the scriptural warnings:

A fool's voice is known by multitude of words.
Even a fool when he holds his peace is counted wise.
A fool's mouth is his destruction.

Three Senators, the distinguished majority leader [Mr. KNOWLAND], the distinguished minority leader [Mr. JOHNSON of Texas], and the distinguished leader of the Independent Party, [Mr. MORSE], who are charged with the duty of speaking not only for themselves but also for their respective political parties, are entirely guiltless of any abuse of their unlimited privilege of free speech. But, Mr. President, there are other Members of this body who, with their endless vain repetitions such as the heathens use, daily make scores of Senators again and again cry out with the apostle Paul, "O, death, where is thy sting? O, grave, where is thy victory?"

There are 4 Members of this body—2 on either side of the aisle—the printing of whose oratory, verbosity, and insertions in the RECORD during the present session of the Congress has cost the taxpayers more than $25,000. These honorable and beloved relatives of John Bunyan's character, Talkative, who lived in Prating Row, are and will continue to be as completely unidentified as the one-eyed colored man in the poker game who had won more than his share. "Bill" Jackson, one of the losers, said:

I think it is a shame,
But there's cheating in this game.
And while I may not name the guy,
If I catch him cheating again
I'm going to take my fist and close his other eye.

[Laughter.]

Ten Members of this body have, with their verbosity, filled more pages of this monumental mass of CONGRESSIONAL RECORDS that are on the desk behind me than have been consumed by the remaining 86 silent Senators like me. [Laughter.]

We of the long-suffering, patient majority have at last determined to wage war and, if necessary, a war of extermination in behalf of the adjournment of this session of the Congress before we shall have been talked to death by the windbags who have driven us to desperation. [Laughter.]

By way of justification of what has just been said, attention is invited to the following comparisons: The Holy Bible in my hand is the King James version. It contains 1,149 pages and weighs 2 pounds 10 ounces. The CONGRESSIONAL RECORDS for this session of the Congress weigh more than 20 times as much as this Holy Book.

The Bible contains, among many other things, the story of the creation of the whole vast universe, including everything, from the tiniest grain of sand to the most stupendous star. It also contains the Ten Commandments and the Sermon on the Mount, which together constitute the only complete, perfect, and imperishable law ever written for the government of mankind. This revered book is the repository of the sublime Psalms of David, the priceless proverbs of Solomon, Isaiah's wild seraphic fire, the glad tidings of the resurrection of the dead, and the blessings of life everlasting, in paradise, where happiness never ends, friends never part, and loved ones never die. All these holy things and too many more to mention are fully described in the 1,149 pages of the Bible. But congressional speeches and observations made during the present session of the Congress fill 21,484 pages of the RECORD—more than 18 times the number of pages the Bible contains.

The all-wise Creator, with only 773,692 words, in the Bible, tells the people of all time and place all that it is necessary for them to know in order to achieve unfailing prosperity, peace, and happiness on this narrow bank and shoal of time and unending bliss in eternity's fair and happy land.

The expression of congressional activity, irrelevancy, loquacity, and verbosity during this session of the Congress has required the astronomical total of 31,946,708 words.

The printing cost of yesterday's RECORD was $15,725. The day before it was $18,870. For August 16 it was $19,975.

The total cost of printing the RECORD for this session of the Congress to date is $1,826,140. Approximately seven-elevenths of this cost was for senatorial talk and senatorial insertions in the RECORD. Is any Senator proud of this reprehensible, expensive achievement? Is it any wonder that the people daily ask the question, "How screwy can the Senate be?"

Mr. President, I plead for the immediate termination of the willful waste of the taxpayers' money for thousands of utterly useless pages of the CONGRESSIONAL RECORD.

Let me entreat all the Members who are afflicted with the agonizing mouth disease to hear and heed the words of an old song which my beloved mother, who is now walking the streets of paradise that are paved with stars, taught me when I was a child. It is as follows:

Goodby, my dear boy, may you evermore be,
A source of great pleasure to your father and me.
Beware of each sin that would lead you astray;
Don't talk when you've nothing to say.
Don't talk, don't talk,
You surely will find it don't pay.
Don't talk, don't talk, don't talk,
When you've nothing to say.

Mr. President, if the Members of this body will talk only when they have something to say, the Senate will adjourn sine die before this time tomorrow night. And what a priceless blessing that would be to the American people.

Let me urge those who, during the present session, have most extravagantly wasted senatorial time and the taxpayers' money by persistently talking when the Senate should have been working, to go to Potomac's banks and weep their penitential tears into the channel till its lowest stream do kiss the most exalted shore of all. And let these proprietors of prattle, after having thus purged themselves of their vocal transgressions and verbal sins, return here next January and diligently help to write upon the future's snow-white pages laws so outstanding and beneficent that they will shame the past, glorify the present, and richly bless mankind till the angel of the Apocalypse, with one foot on land and one on sea, shall proclaim that time shall be no more.

It is recommended that in preparation for this noble service, loquacious Senators commit to memory Mr. Justice Story's "Advice to a Young Lawyer," which is as follows:

Whene'er you speak, remember every cause,
Stands not on eloquence, but stands on laws—
Pregnant in matter, in expression brief,
Let every sentence stand in bold relief;
On trifling points, nor time nor talent waste,
A sad offense to learning and to taste;
Loose declamation may deceive the crowd,
And seem more striking as it grows more loud.
But sober sense rejects it with disdain,
As naught but empty noise and weak as vain.
The froth of words, the schoolboy's vain parade
Of books and cases all his stock in trade—
The pert conceits, the cunning tricks and play
Of low attorneys, strong in long array,
The unseemly jest, the petulant reply,
That chatters on, and cares not why,
Studiously avoid—unworthy themes to scan,
They sink the speaker and disgrace the man;
Like the false lights by flying shadows cast,
Scarce seen when present, and forgot when past.
Begin with dignity, expound with grace
Each ground of reasoning in its time and place.
Let order reign throughout, each topic touch,
Nor urge its power too little or too much.
Give each strong thought its most attractive view,
In diction clear, and yet severely true,
And as the arguments in splendor grow,
Let each reflect on all below.
When to the close arrived make no delays
By petty flourishes, or verbal plays,
But sum the whole in one deep solemn strain,
Like a strong current sweeping to the main.

If talking Senators will follow Justice Story's advice, they will be able to render greater service in the future in helping to establish peace and preserve the liberty of the world than they have ever rendered before, and the recollection of their accomplishments subsequent to their reformation will be—

The rainbow to their storms of life
The evening beam that smiles the clouds away,
And tints tomorrow with prophetic ray.

COMMISSION ON AREA PROBLEMS OF GREATER WASHINGTON METROPOLITAN AREA—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2236) for the establishment of a Commission on Area Problems of the Greater Washington Metropolitan Area.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maine [Mr. PAYNE] to recommit the conference report with instructions.

The motion to recommit was rejected.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. CASE subsequently said: Mr. President, I desire to file a motion to reconsider the vote by which the conference report on the area transit bill was agreed to.

Mr. KNOWLAND. Mr. President, I move to lay on the table the motion to reconsider.

Mr. CASE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CASE. Is it necessary that the motion be put at this time? I wished to reserve the right to have an opportunity to confer with the Senator from Maine; I did not intend to press for immediate action on the motion to reconsider. What I had in mind was an opportunity to hold such a conference.

Mr. KNOWLAND. Mr. President, I shall withhold the motion to lay on the table the motion to recommit if the Senator from South Dakota will withhold his motion to reconsider.

I think Congress will not adjourn immediately. I have no objection to having the matter temporarily held in abeyance. But as we move along, if numerous motions for reconsideration are made, I feel we shall never get through our schedule of business.

Mr. CASE. Mr. President, it is my feeling that the vote came without too many Senators being aware of the subject matter under consideration at the time, inasmuch as the vote on the conference report came very quickly after the speech of the distinguished Senator from West Virginia [Mr. NEELY].

Therefore, I feel we should have an opportunity to canvass the situation a little, and I do not wish to lose the right to move to reconsider.

Mr. KNOWLAND. If the Senator from South Dakota merely enters the motion at this time, I think he will thus preserve his parliamentary rights in the matter, and the motion could be taken up at a later time.

Mr. CASE. That is all I sought to do.

Mr. KNOWLAND. I had understood that the Senator from South Dakota intended to have the motion considered at this time.

Mr. CASE. No; I merely wished to enter the motion, so that my rights would be preserved.

Mr. KNOWLAND. I have no objection, so long as the Senator from South Dakota intends to call up the motion at a reasonably early time.

Mr. CASE. Certainly; and I shall be sure to confer with the Senator from California.

The VICE PRESIDENT. The motion will be entered and will be placed on the calendar.

Mr. CASE subsequently said: Mr. President, I ask unanimous consent to withdraw the motion I entered to reconsider the vote by which the conference report on the area transit bill was agreed to.

The VICE PRESIDENT. Without objection, the motion is withdrawn.

AMENDMENT OF RAILROAD RETIREMENT ACT, RAILROAD RETIREMENT TAX ACT, AND RAILROAD UNEMPLOYMENT INSURANCE ACT

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 2249, House bill 7840, relating to the Railroad Retirement Act and companion measures.

The VICE PRESIDENT. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 7840) to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act.

The VICE PRESIDENT. Is there objection to the request of the Senator from California?

There being no objection, the Senate proceeded to consider the bill (H. R. 7840), which had been reported from the Committee on Labor and Public Welfare.

The VICE PRESIDENT. The bill is open to amendment.

Mr. COOPER. Mr. President, the bill which I present, H. R. 7840, amends the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, comprising the railroad retirement system.

I desire to point out that the bill would affect two funds, namely, the railroad retirement fund and the railroad unemployment insurance fund. Both of these funds are administered by the Railroad Retirement Board, composed of 3 members, 1 representing the public, 1 representing the railroad employees, and 1 representing railroad management. All three of the members are appointed by the President.

In some instances, the bill would increase retirement annuities and benefits to their survivors. In other instances the bill would increase the unemployment and sickness insurance benefits of these acts.

By way of background, let me point out that there are approximately 1,300,000 railroad employees in our great railroad systems. Approximately 290,000 former retired employees are on the railroad retirement rolls. Those who enjoy survivor benefits from these funds number approximately 260,000. The railroad retirement fund presently amounts to approximately $3,200,000,000. The railroad unemployment insurance fund presently amounts to approximately $627 million.

The bill now before us was passed by the House of Representatives by a vote of 360 to 0. A companion bill was introduced in the Senate by the chairman of the Senate Committee on Labor and Public Welfare, the distinguished senior Senator from New Jersey [Mr. SMITH]. Hearings were held and the bill was reported to the Senate by me, after the committee had voted 11 to 1 to have the bill reported.

Mr. President, I do not intend to explain in great detail the proposed changes, but it is my duty to inform the Senate about the changes proposed in the bill.

I wish to say that I am discussing this bill today because the distinguished chairman of the committee, the senior Senator from New Jersey [Mr. SMITH], is not present and because the chairman of the subcommittee, the distinguished Senator from Arizona [Mr. GOLDWATER] has filed a minority report.

I address my remarks, first, to the amendments relating to the Railroad Retirement Act, and which affect the railroad retirement fund. The amendment I shall first discuss would change the age at which a widow, dependent widower, or dependent parent can become eligible for a survivor's annuity from 65 years, as at present, to 60.

The second change relates to the survivor's benefits, which a widowed mother and her children would receive as a result of the payments made by the husband, a railroad worker. Under the present law a surviving child receives benefits, until the child reaches the age of 18 years. The mother also receives certain benefits, on account of the child, even though she may not yet have reached that age when she is eligible in her own right for a survivor's annuity.

The amendment would provide that if a child is permanently and totally disabled, when it reaches the age of 18 years, the child can continue to receive its survivor's benefits as long as the condition of disability continues. At the same time and for the same length of time, the child's mother would continue to receive the benefit she receives because the child is physically disabled.

Another amendment proposed is that a widow who has been a railroad employee and has made her payments into the retirement fund may receive her benefit retirement and also a survivor's annuity if her husband was an eligible railway worker. Heretofore, if her husband had been a railroad employee, and he died, she could not receive both payments. This amendment would permit her to receive both payments, upon the theory that both she and her husband had paid their taxes into the railroad-retirement fund, and that she is entitled to receive the benefits for which they paid.

I failed to say at the beginning of my remarks that the railroad-retirement fund is sustained at present by a tax of 6¼ percent upon the earnings of railroad employees, to a maximum base of $300 a month. In addition, the railroad companies must pay an equal amount into the railroad-retirement fund. They must pay a sum equal to 6¼ percent of the amount of earnings upon which the railroad employees are required to pay.

Mr. BUSH. Mr. President, will the Senator yield for a question?

Mr. COOPER. I yield.

Mr. BUSH. Is this fund on an actuarially sound basis?

Mr. COOPER. That is a very complicated subject, and one which I am not prepared to discuss in detail.

Let me say to the distinguished Senator that at the beginning of my remarks I said there was presently a total sum of $3.2 billion in the railroad-retirement fund. There are liabilities against it, in the amount of about $7.5 million, because there are paid-up employees who have not received their annuities. This total liability is not due. It means that there are employees who have paid their taxes, are not presently eligible to receive retirement, but nevertheless, there is a contractual obligation to make these payments at the time they become eligible. This obligation would amount to about $7.5 million if it were necessary to pay it at this time.

It is my understanding that in determining whether this fund is actuarially sound, its solvency is determined by a formula which takes into account a term of years and the amount of money which would in experience be paid out to the beneficiaries over that term of years. At present, under the formula which is used, which is called a level base—taking into consideration the amount of payments that would be made over a period of years—a tax rate upon the compensation base of 13.56 percent would ideally be required rather than the 12.5 percent presently paid into the fund if the fund is to be brought actuarially in balance.

As it is my recollection that one of the witnesses who came from the staff of the Railroad Retirement Board said there could never be an exact balance. Today there is no insolvency of the fund. It is solvent, with a $3.2 billion balance, with payments regularly coming in. Technically, at present, there would be required a tax of 13.56 percent rather than the 12.5 percent now levied to bring the fund ideally in actuarial balance, but there is no question about its solvency.

Mr. BUSH. Mr. President, will the Senator yield for one more question?

Mr. COOPER. I yield.

Mr. BUSH. Has this act, so far, cost the taxpayers of the United States any money?

Mr. COOPER. No tax is levied upon the taxpayers of the United States to sustain the retirement fund; no contribution is made from appropriations to this retirement fund.

Mr. BUSH. There is no contribution?

Mr. COOPER. No. The entire retirement fund is made up, as I have said, of the 6¼-percent tax levied upon a level of earnings of the employees, and a similar amount which is contributed by the railroads.

The railroad unemployment insurance fund is furnished entirely by the railroads.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. SMATHERS. As I understand, all the Government does is just administer the fund.

Mr. COOPER. That is correct.

Mr. SMATHERS. The contributions, as the Senator said, are made to the fund by the employees and the employer.

Mr. COOPER. The Senator is correct. There is no payment, no tax, and no appropriation provided by the taxpayers of the United States, other than the railway workers themselves.

Mr. SMATHERS. Does the Senator know of any opposition to this particular bill? If so, from whom is there opposition?

Mr. COOPER. Yes. In the hearings, representatives of the Association of American Railroads, appeared and very vigorously opposed the enactment of the bill.

Mr. SMATHERS. Does the Senator recall the basis for the opposition?

Mr. COOPER. Their opposition was directed toward several features of the bill.

Some of their objections were directed against provisions already in the Railroad Retirement Act which they think are inequitable. They did not want to see those features continued.

A second objection was based upon the proposition that a relatively small benefit would accrue to many of the railroad employees, the workers themselves.

A third objection was that the full cost of the increased payments for unemployment and sickness would have to be borne by the railroads, and that the increased payment was out of line with the payment of other systems. Another point made was that under the law, since they must pay into the railroad retirement fund an amount equal to the amount which the employees pay—and they must pay into the railroad unemployment insurance fund the total amount necessary to meet demands—they stated their belief that it would place too heavy a burden upon them at the present time. It was said that many railroads had been operating at a loss, that this bill, in increasing their payments, would increase the deficit, and result in the burden being passed on to the people of the United States in the form of increased freight rates. There were other and more detailed objections, but I have tried to give the Senator as honestly and accurately as I can the general objections, without going into great detail. It will result in a larger burden upon the railroads.

Mr. SMATHERS. I thank the Senator. I wonder whether it was the committee's conclusion that those objections were not well founded or that the dire results predicted would not be realized.

Mr. COOPER. I can answer that question only by saying that the committee voted by 11 to 1 to report the bill to the Senate. I cannot inquire into the mind of any member of the committee. Hearings were held in the subcommittee. The subcommittee never reported the bill to the full committee. The bill came before the full committee on motion, and a vote was taken to report it to the Senate.

Mr. SMATHERS. When the Senator says the bill was reported to the Senate, he means it was reported favorably?

Mr. COOPER. Yes. Reported favorably to the Senate.

Mr. SMATHERS. I thank the Senator.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. LEHMAN. Is it not a fact that while the proposed change would entail some increased expenditures, the change in the base would bring in as contributions to the retirement fund, from the workers and from the railroads, an amount at least equal to, and possibly slightly more than, the increased expenditures?

Mr. COOPER. The Senator from New York is correct. When I have finished noting the chief amendments that are proposed, I shall devote some time to an explanation of the financial implications of the bill.

Another amendment relates to those who have retired and who are receiving annuities. Under the present law, a disabled annuitant who earns as much as $75 in employment in each of any 6 calendar months is deemed able to be employable at the end of the 6 months period. The amendment would eliminate this provision and would provide instead, for nonpayment of the annuity to the disabled annuitant with respect to any months in which he receives more than $100 a month from employment. It is less harsh than the present rule, and fairer. From the financial side, it was stated that this change would result in a saving of about $1.5 million to the fund.

There are several other amendments which we can discuss, but I have pointed out the principal amendments, with the exception of one. Under the present law, the maximum compensation that is taxable and creditable for both railroad retirement and unemployment insurance purposes is $300 a month.

The bill increases this maximum to $350, both for tax purposes and for credit benefits. Individuals with an average monthly compensation in excess of $300 will obtain higher benefits than are obtainable under present law. For example, a person with 30 years of service and an average monthly compensation of $350 would obtain an increase in his monthly annuity of $20.70 over the maximum amount that is payable under present law.

Survivor benefits would also be increased in those cases in which the deceased employee had an average monthly compensation in excess of $300.

I do not desire to go into great detail, particularly after listening to the speech of the distinguished Senator from West Virginia [Mr. NEELY]. What I have said points out the fact that the bill would impose the tax upon an additional $50 monthly wage of a worker who made as much as $350 a month. It would give to the person who made in excess of $300 a month some increase in benefit. I wish to be frank about it, because I know the argument will be made that the benefits to retired railroad workers will go only to those who make over $300 a month, because the additional tax will affect only them. It will affect only the additional $50, which raises the level from $300 to $350 a month. It is in line with the social security change, raising the taxable base from $3,600 to $4,200.

I believe I am correct in saying that the number of workers who would be benefited by the increased monthly payment, small though it may be, is about 60 percent of those who are employed. About 40 percent, who make less than $3,600 a year, would receive no additional benefits.

The maximum sum of $20.70 to which I have referred would be paid only to those who have actually worked for 30 years and who have paid the tax. The increased payment to others would be reduced in proportion to the number of years they had worked, and would go down to a rather small sum. In the case of a worker who had worked, for example, only 5 years, his monthly annuity would be increased by only $3.45 a month.

The criticism has been made that a great many of these men will pay in each year much more than they will take out. For example, one who has been in the railroad service for 28 or 29 years, with only 1 or 2 years left to work, would be required to pay the additional rate on $600 a year, amounting to a considerable sum, and their annuity would be increased by only 70 or 80 cents a month.

The point is, however, that the older railroad workers are willing to make these payments in order to help provide for the younger men coming on. Their increased payments also provide additional funds for their widows, by reducing the age of eligibility from 65 to 60 years. They are willing to make this payment to make more favorable provision for their widows and their children who are survivors. They are to be congratulated for this attitude.

I turn, now, to the amendment to the Railroad Unemployment Insurance Act. At present it is required that a railroad worker must earn a minimum of $300 a month to be eligible for unemployment or sickness benefits. Unemployment and sickness benefits can be paid for a period of 26 weeks.

This bill would change the minimum and require that a worker must earn $400 a month before he can be eligible for unemployment or sickness benefits. The bill provides, also, that in any event, the worker who becomes unemployed or becomes sick cannot take out of the fund for sick benefits or unemployment benefits more than he or she has earned in the base year.

A third change in the Railroad Unemployment Insurance Act would add an additional 50 cents to the daily benefit rate. The maximum which could be drawn under this amendment would be $3.50 a day. It is also provided that in every instance an unemployed worker or one who has become ill and draws sickness benefits must receive at least 50 percent of his daily wage in the preceding year.

The benefit year runs from July 1 until the following June 30. The base period upon which determinations are made is the calendar year prior to the beginning of the benefit year. For example, we are now in the benefit year beginning July 1, 1954, and ending June 30, 1955. The base year for this benefit year would be the calendar year 1953.

One feature of the provision which was objected to was that the daily benefit rate would be determined by the last wage earned in the base year. I believe the present act provides that it should be the average wage earned in the base year. I may not be correct in that statement, but it was argued that because the bill would change it to the last daily wage, it might be unfair. I think the answer to that is that if the employee was employed at a certain pay scale at the time he became sick or unemployed, it could be reasonably anticipated that his employment would be continued at that last rate during the time he was sick or unemployed.

The matter of supplying the unemployment insurance funds is a fairly technical procedure. The balance in the account as of March 1954, was approximately $627 million. It is required by the act that the employer pay into the fund a certain percentage of all sums paid by him to railroad workers, based upon the balance in the fund at the close of business on September 30 of any year. For example, if the balance in the fund is $450 million or more, the rate is one-half of 1 percent; if the balance is $400 million to $450 million, the rate is 1 percent; if the balance is $350 million to $400 million the rate is 1½ percent; if the balance is $300 million to $350 million, the rate is 2 percent; if the balance is $250 million to $300 million the rate is 2½ percent; if the balance is less than $250 million, the rate is 3 percent. That is based upon the rate of $300 maximum amount to each employee.

This bill would require that the employer pay on a base of $350 a month for each employee, which would, of course, raise the total contribution of the employing railroad. I wish to point this out because I think it is fair to make that statement.

Mr. President, I ask unanimous consent to insert in the RECORD at this point the language in the report concerning the schedule of contribution rates to the fund as provided by law. There being no objection, the language was ordered to be printed in the RECORD, as follows:

The schedule of contribution rates provided for in section 8 of the Railroad Retirement Act, as amended on June 23, 1948, is as follows:

If the balance to the credit of the railroad unemployment insurance account as of the close of business on Sept. 30 of any year, as determined by the Board, is:	The rate with respect to compensation paid during the next succeeding calendar year shall be:
$450,000,000 or more	½ percent.
$400,000,000 or more but less than $450,000,000.	1 percent.
$350,000,000 or more but less than $400,000,000.	1½ percent.
$300,000,000 or more but less than $350,000,000.	2 percent.
$250,000,000 or more but less than $300,000,000.	2½ percent.
Less than $250,000,000	3 percent.

Since the balance to the credit of the unemployment insurance account has been in excess of $450 million from the time this amendment became effective on January 1, 1948, the rate of contribution has been one-half of 1 percent since that time. The balance in the account as of March 1954 was approximately $627 million.

In accordance with the amendments proposed to be made in the Railroad Retirement Act and the Railroad Retirement Tax Act with respect to delegates attending a national or international convention of a railway labor organization, the reported bill likewise exempts from the provisions of the Railroad Unemployment Insurance Act such delegates if they have not previously rendered service to an employer as defined in that act.

Mr. LEHMAN. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. LEHMAN. Is it not a fact that when the Unemployment Insurance Act was passed it was contemplated that the railroads would pay into the fund 3 percent of the wages of the workers? Of course, the bill provided, as the distinguished Senator from Kentucky has pointed out, a sliding scale, depending upon the amount of money in the insurance account at the close of business on September 30 of any year. It was contemplated—and I am quite sure it was the fact—that the contributions of the railroad companies were at the rate of 3 percent a year. Today, as the distinguished Senator has pointed out, the railroads do not pay, and for many years past have not paid, 3 percent; they have not paid 2½ or 2 percent or 1 percent; they have paid only one-half of 1 percent—certainly a very moderate payment.

Is it not also a fact, as is pointed out in the report, that during the 5-year period from July 1, 1948, to June 30, 1953, the total contributions made by the carriers amounted to less than the amount paid in a single fiscal year during the period July 1, 1947, to June 30, 1948? So we are certainly not asking the carriers to pay any unusual amount.

Mr. COOPER. The distinguished Senator from New York has stated the facts as set out in the report of the Senate committee. During the 5-year period July 1, 1948, to June 30, 1953, the total contributions made by the carriers amounted to $91,425,823, or only 63 percent of the contributions made for the fiscal year July 1, 1947, to June 30, 1948.

I shall discuss briefly the cost of the bill. The amendment reducing the age of eligibility of widows, parents, and dependent widowers from 65 to 60 would require additional payments from the fund amounting to $23.5 million. Payments to retired workers in the form of increased annuities would amount to $31 million.

Other incidental payments, including benefits to widowed mothers and disabled children, arising from the continuance of payments to mothers of children who are disabled at the age of 18, would amount to $750,000. Other charges are estimated at $80,000. The total amount of additional charges against the fund is estimated to be $53,800,000.

To offset those charges, the following credits would become available to the fund, under the provisions of the bill: The increase in the taxable base from $300 to $350 a month—without increasing the tax rate—would bring into the fund from the workers $28 million. By reason of the fact that the railroads must contribute a similar amount, a total of $56 million would thereby be added to the fund.

There is also estimated a saving of $1,500,000 because of a change in the provision relating to the loss of payments if retired workers are employed. That is under the disability work clause.

According to the estimates, the approximate cost of the bill would thus be $53,800,000. The approximate increase in income would be $56 million. Roughly, there would accrue to the fund about $1.5 to $2 million more than would be lost to the fund annually. I have pointed out that $28 million of that amount would be furnished by the railroads.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. BUSH. On page 6 of the report the following statement appears:

This bill is opposed by pension groups and by the Association of American Railroads.

Will the Senator tell us briefly what pension groups oppose the bill, and why they oppose it?

Mr. COOPER. To be frank with the distinguished Senator—and I do not wish to misinform him——

Mr. BUSH. I do not wish to press the Senator for a reply if he is not prepared to answer.

Mr. COOPER. Although I was on the committee, I was not present at the time when Mr. Thomas Stack, president of the National Railroad Pension Forum, Inc., testified. It is my understanding that he and his organization represent employees who have retired from the railroad, they are not now required to pay any contributions into the fund. They are receiving benefits, and under the terms of the bill, would receive no additional benefits. At the proper time, I hope the distinguished chairman of the subcommittee, the Senator from Arizona [Mr. GOLDWATER], who is familiar with

their claims, I believe, will be able to answer the question asked by the Senator from Connecticut.

Mr. BUSH. The term "pension groups" is a very broad term. I wondered whether it had to do with pension funds in other industries. As I understand, it has nothing whatever to do with pension funds in other industries, but refers only to pension groups in the railroad organizations.

Mr. COOPER. That is correct. It did not refer to other pension groups. Many railroad groups support the bill. I shall not read the list of them, but beginning on page 5 of the report is a statement as follows:

> This bill is supported by the standard railway labor unions, including the 4 train and engine service brotherhoods, and 19 organizations affiliated with the Railway Labor Executive Association.
>
> The four train and engine services brotherhoods are Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Firemen and Enginemen, Order of Railway Conductors, and Brotherhood of Railroad Trainmen.

There follows a list of organizations affiliated with the Railway Labor Executives Association. I ask unanimous consent to have the list of such organizations printed at this point in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

> The organizations affiliated with the Railway Labor Executives' Association are: Switchmen's Union of North America; the Order of Railroad Telegraphers; American Train Dispatchers Association; Railway Employees' Department, A. F. of L.; International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers; Brotherhood of Railway Carmen of America; Sheet Metal Workers International Association; International Brotherhood of Electrical Workers; International Brotherhood of Firemen and Oilers; Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express, and Station Employees; Brotherhood of Maintenance of Way Employees; Brotherhood of Railroad Signalmen of America; National Organization of Masters, Mates and Pilots of America; National Marine Engineers' Beneficial Association; International Longshoremen's Association; Hotel and Restaurant Employees' and Bartenders International Union; Railroad Yardmasters of America; and Brotherhood of Sleeping Car Porters.

I do not say that the fact these organizations favor the bill is binding on the Senate, but as they pay the tax, their views deserve consideration.

Mr. COOPER. The report continues:

> This bill is opposed by pension groups and by the Association of American Railroads.

At the proper time I hope the distinguished Senator from Arizona, chairman of the subcommittee, will be able to provide the Senator from Connecticut with more information about the position of the pension groups.

I come now to the cost to the fund for unemployment benefits. It is estimated that the increase in benefits for unemployment and sickness would cost about $25 million anually. The railroads would pay the additional sum into the fund. They would be required to pay, on a percentage basis, upon the additional $50 of those who earned up to $350 a month.

I said at the beginning that the bill also would amend the Railroad Retirement Tax Act. The present tax act permits the imposition of the 6¼ percent which the railroad employees must pay upon a maximum of $300 a month. Likewise, it obligates the railroads to pay into the railroad unemployment insurance fund only to a maximum of $300 a month.

The bill would change those provisions and require payment by railroad employees on the basis of a maximum of $350 a month, and would require payment by the railroads into the railroad employment insurance fund upon an additional $50 for railroad workers who make up to $350 a month. This change would take effect as of July 1, 1954.

The criticism has been raised that the revision of the internal revenue law, which was recently passed by Congress and is now the law, contains a provision that payments shall still be made upon the basis of $300 a month. There seems to be a contradiction between this bill and the Internal Revenue Act. The argument has been made that the bill should be amended to correct that contradiction. I do not think it is necessary. The bill will take care of the situation until January 1, 1955. When that time arrives the proper technical amendment can be made.

I shall not speak any longer on the bill. I felt that I should make a statement as to its principal provisions, and at least to outline the chief facts connected with its financial implications.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD tables to illustrate the effect of the bill, and a longer statement which I had prepared.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

The bill H. R. 7840, which is now under consideration, is an important piece of legislation. Its companion bill S. 2930 was introduced by the senior Senator from New Jersey, the Honorable H. ALEXANDER SMITH, the chairman of the Senate Committee on Labor and Public Welfare, for himself and others. The bill is supported by all of the standard railway labor unions, by the public member and the labor member of the Railroad Retirement Board. Hearings were held on this bill by the appropriate committees of both Houses of Congress, and after it was reported favorably by the House Committee on Interstate and Foreign Commerce, the House of Representatives approved it unanimously; the vote was 360 to 0. This bill has since been reported favorably to us by our own Senate Committee on Labor and Public Welfare, by a vote of 11 to 1.

A few months ago the Senate Committee on Labor and Public Welfare reported favorably on a bill to amend the Railroad Retirement Act so as to eliminate certain inequities. We passed that bill last June and it is now Public Law 398, 83d Congress. We knew then that there were other inequities to be eliminated from the railroad retirement system. Individual members of the Senate and the chiefs of the standard railway labor unions have been flooded with requests from railroad workers all over the country proposing various improvements in the railroad retirement system. Some asked increases in annuities for the retired men, others for disabled employees, for spouses, for widows, parents, or children. Still others have requested liberalization of the eligibility conditions for the various types of annuities payable under the Railroad Retirement Act, and some have pointed to the inadequacy of the daily benefits for unemployment and sickness.

H. R. 7840 now before the Senate makes the following changes in the basic railroad retirement statute:

1. The age of eligibility for widows, widowers, and dependent parents is reduced from 65 to 60 years of age. One of the greatest needs of all is relief for unemployed widows of railroad men who have reached a twilight zone in which they are too old to work and too young to draw a pension. This bill meets that need and the proponents consider it a vastly important change specifically designed to help widows of railroad personnel.

2. Under the present law, a widowed mother and her child cease getting survivor's benefits when the child reaches age 18 even though the child may be completely disabled for any employment. The bill provides that if the child is permanently and totally disabled, the survivor's benefits to the widowed mother and child will continue beyond age 18.

3. Under the present law, a widow who has had railroad employment and is eligible for a retirement annuity in her own right and who would also be eligible for a survivor annuity by reason of her husband's employment has the latter offset against the former and cannot receive both. The bill provides for both to be paid.

4. Under the present law, the maximum compensation that is taxable and creditable for both railroad retirement and unemployment insurance purposes is $300 per month. The bill increases this maximum to $350 both for tax purposes and for credit toward benefits. Individuals with an average monthly compensation in excess of $300 would obtain higher benefits than are obtainable under present law. A person with 30 years of service and an average monthly compensation of $350 would obtain an increase in his monthly annuity of $20.70 over the maximum amount that is payable under present law. Survivor benefits would also be increased in those cases where the deceased employee has had an average monthly compensation in excess of $300.

5. Under the present law, compensation earned after retirement age is used in computing the annuity even though lower earnings in later years operate to reduce the annuity. The bill provides for disregarding such compensation (though crediting the service) if using such compensation would reduce the annuity.

6. Under the present law, a disability annuitant who earns more than $75 in each of 6 consecutive months is deemed no longer disabled at the end of the 6-month period. The bill eliminates this test and provides instead for the nonpayment of the annuity to a disability anuitant with respect to any month in which he is paid more than $100 in earnings from employment or self-employment. This will remove hardships on the one hand, and eliminate abuses on the other.

7. Under the present law, the service of delegates to national or international conventions of railway labor organizations is covered employment under the act. These conventions frequently include delegates from units outside the railroad industry or outside the country who have no other covered employment. The accumulation of these trifling credits is of little if any value, particularly when compared with the nuisance of recording them and collecting the taxes on them. The bill excludes such service from coverage where the individual has no other previous covered employment.

8. The bill would strike out the present requirement that the child of a deceased employee under 18 and over 16 must attend school regularly if feasible in order to be eligible for a survivor's benefit. This provision was placed in the law originally because a similar provision was contained in the Social Security Act. This provision has long since been stricken from the Social Security Act and it should be removed from the Railroad Retirement Act.

9. The Railroad Unemployment Insurance Act is amended so as to provide that a great majority of the beneficiaries may receive at least one-half of their regular earnings for a period of 26 weeks. This is consistent with the President's recommendations regarding increases in the benefit base of the Federal social-security system. The changes contemplated in H. R. 7840 were in fact adopted following issuance of the President's economic report, and the proponents intended to adopt the suggestions of the President. In order to eliminate a serious problem of administration, the original provision providing for benefits based on the rate of pay on the last day worked has been changed by the committee to provide benefits based on the last day worked in the base year. In addition, in order to meet the objections of the Bureau of the Budget in the problem of weighted equities in favor of transient employees in the industry, the qualifying annual earnings was increased from $300 to $400 a year. In addition, in response to suggestions made by the Bureau of the Budget, a guaranty has been inserted in the bill which provides that under no circumstances shall a beneficiary receive benefits totaling more than the amount of actual wages earned in the base year.

10. Provision is made to permit the waiving of such portion of his railroad retirement annuity as an annuitant may desire in order that this annuity not interfere with the annuitant's ability to qualify for a veteran's pension.

It is not possible, of course, to amend the railroad retirement system so as to adopt all proposals made. We know that the system originated with the standard railway labor unions who are conservative in all matters concerning the financial soundness of the system. It is a matter of record that the railroad retirement system came into being because the old railroad private pension systems were inadequate to meet the needs of retired railroad workers and their families. In this instance, these standard railway labor unions have found that some improvements could be made in the railroad retirement system without adding to its financial burden. I wish to emphasize that this bill represents the view of the four operating unions as well as the 19 nonoperating unions, comprising a membership substantially 100 percent of all railroad workers in the country. As railroad men they know the plight of a railroad man's widow. Normally a woman is in her thirties when she gives birth to her youngest child so that by the time that child is 18, the woman, if she should become a widow then, is in her fifties. The loss of the breadwinner at that time is a catastrophe; yet, under the law now in effect, such a woman could not be paid a widow's insurance benefit before she attains the age of 65. The committee has come to the conclusion that this inequity ought to be eliminated by reducing the widow's eligibility age but finances prevented them from reducing the age to lower than 60. The bill therefore proposes to pay a widow's insurance annuity beginning at age 60. Another liberalization relates to a child's annuity after age 18. The bill would not change this provision except with respect to a child that is totally and permanently disabled. In such case the annuity would be paid after age 18 under the same conditions as it would have been paid before that age.

For all annuities, the bill would provide a higher average monthly base by changing the creditable monthly earnings from $300 to $350 a month. In addition, the bill would permit a widow to receive her survivor annuity without reduction by the amount of her own railroad retirement annuity; would credit compensation earned after age 65 in the computation of annuities only if such credit would operate to increase the amount of the annuity, would simplify the conditions for the receipt of a disability annuity for months during which the individual was able to work, and would make several other amendments of relatively minor importance.

To meet the cost of the liberalizations of the Railroad Retirement Act the bill would amend the Railroad Retirement Tax Act so as to increase the taxable base from $300 to $350 a month. The report of the Railroad Retirement Board on the bill shows that this increase in the taxable base would add $56 million a year to the railroad-retirement system. This same report shows also that the cost of the higher benefits resulting from the crediting of $350 instead of $300 a month for retirement and survivor benefits would be $31 million a year, leaving a balance of some $25 million a year to cover the cost for reducing the eligibility age for widows without minor children from 65 to 60, and the remaining amendments, the cost of which is estimated at about $23 million a year. Thus the $56 million additional revenue would more than pay for all the liberalizations provided in the bill for the Railroad Retirement Act.

The argument that the benefits under the Railroad Retirement Act are already higher than under the Social Security Act shows no more than that some benefits are higher than others. Although the Congress is now in the process of increasing retirement benefits under the Social Security Act, it recognizes the inadequacy of the total monthly benefit by increasing the amount which the retired worker can earn to supplement his monthly benefits. This amount which originally was $15 a month, was increased to $25, to $50, to $75, and now it is proposed to increase the amount to $1,200 a year. In any event, the congressional policy has always been to consider the proposals to improve the railroad-retirement system on their own merits without regard to inadequate benefits elsewhere, as long as the finances in this system permit improvement. That this is so under this bill has already been well established. It is certain, in any event, that the liberalizations proposed in the bill for the railroad-retirement system would not adversely affect the financial soundness of the system.

The argument that the railroad-retirement account has now a deficit of about 1 percent of payroll does not alter the fact that the enactment of this bill would not increase that deficit. In other words, the deficit would be about 1 percent of payroll whether or not we enact this bill. It has been testified in the past that in a system such as the railroad-retirement system, when the cost of the benefits and the income from taxes differ 1 percent either way, the financial status of the system need not be considered with alarm. The Congress has proceeded on that basis ever since 1948. In fact, at the end of the 1951 amendments, the difference was close to 1½ percent. In any event, without attempting to justify the argument that 1 percent one way or the other is not alarming, we must remember that the enactment of this bill would not affect adversely the present financial status of the railroad-retirement account.

It should be remembered also that while the additional revenue to the railroad-retirement account would be $56 million a year, the cost would not be borne by employers alone. In fact, the employers would bear the smaller proportion of the cost. Under the provisions of the Railroad Retirement Tax Act, $28 million of this $56 million would be paid by employers and $28 million by employees.

The objection to increasing the creditable and taxable maximum monthly base from $300 to $350 a month is made on two grounds. First, the social security base is still only $3,600 a year, that is, the President's proposal to increase that base to $4,200 a year has not yet been enacted; and, second, even if the social security base were increased to $4,200 a year, the railroad base of $300 a month should nevertheless remain unchanged because of the higher taxes required to maintain the railroad retirement system. Both objections are without merit. The railroad retirement system and the social security system were established in 1937. At that time the wage base in the Social Security Act was $3,000 a year, averaging $250 a month, while the wage base under the railroad retirement system was $300. Thus, from the very beginning, the railroad retirement system had a wage base which was $600 a year in excess of the social security wage base.

The tax rates for the maintenance of the railroad retirement system are, and from the beginning have been, higher than those for the social security system, but the reason for this may readily be seen. Both systems were established as of January 1, 1937, when taxes began to be paid under each. But whereas the social security system had no immediate obligations (monthly benefits under that system did not become payable until January 1, 1940, and these were at an extremely low rate up to recently), the railroad retirement system had to pay substantial annuities immediately upon its establishment to many tens of thousands of railroad workers who had already retired, and whose annuities in many cases were retroactive to June 1, 1936. Moreover, the railroad retirement system took over prior service obligations of two kinds. The first, and very serious one, was the obligation to credit as much as 30 years of service before 1937 for which no taxes were paid. The second required the system to take over the railroads' obligations to some 50,000 pensioners then on the railroads' own private pension rolls. Besides all this the railroad system provides disability annuities at ages long before the youngest age, 65, at which the social security retirement benefits can begin; and it is important to consider that almost one-third of all retirement annuities now being paid under the railroad retirement system are for disability.

It is thus obvious that the tax rate for the railroad retirement system could not be kept as low as for the social security system because (1) benefits were paid immediately and on a substantial basis rather than 3½ years later and on an extremely low scale as under the social security system, (2) the benefits were all considerably higher than

those provided by the social security system and in many instances, as in the disability cases, at much earlier ages than the earliest age, 65, at which old-age social security benefits can be paid and (3) the railroad retirement system assumed relatively heavy prior service obligations recently estimated at about $3.5 billion. The tax rates for the railroad retirement system, therefore, had to be fixed so as to cover not only the cost of benefits for service after 1936, but also to cover the cost of the prior service obligations.

Moreover, when the $300 limit was first established in the Railroad Retirement Act, 98 percent of the number of railroad employees were earning no more than $300 a month, and 98 percent of the total railroad payroll was creditable and taxable for benefit purposes under the act. The average monthly earnings per railroad employee in 1937 was $1,780, but in 1953 the average was $4,400. Although the social security base was changed from $3,000 to $3,600 a year, the railroad base remained unchanged at $300 a month to date. The result is that at the present time only 36 percent of the employees are earning $300 a month or less and only 80 percent of the payroll is creditable and taxable for benefit purposes under the act. As a matter of fact, even after this bill is enacted and the base is increased from $300 to $350 a month, only 88 percent of the total railroad payroll would be creditable and taxable for benefit purposes of the act as compared with 98 percent in 1937. And we all know, of course, that the President has proposed an increase in the social security wage base from $3,600 to $4,200 a year.

It has been suggested that it would be better to use the available $23 million to increase benefits instead of liberalizing the eligibility conditions for widows' annuities. If the additional revenue to be derived from H. R. 7840 were devoted to increasing only retirement annuities and pensions, in addition to the increases in the annuities of workers now employed who will derive increased benefits by reason of the increase in average monthly pay allowed, the increase would not be more than 4.25 percent; if such revenue were devoted to increasing spouses' annuities as well as retirement annuities and pensions the increase for all 3 would not be more than 4 percent; and if such revenue were used to increase also the survivor annuities payable under the act the increase for all would not be more than 3.25 percent. When money is available for improvement of a retirement system, such as the railroad-retirement system or the social-security system, it is necessary to consider how best to distribute that money. In this instance, of course, the increase in revenues from taxing earnings in excess of $300 a month (up to $350 a month), would be used primarily to provide for larger benefits to employees (and their survivors) now in active service who would pay these increased taxes, and any revenue over and above that would be used primarily for the situations of greatest need, that is, for the dependent widows and dependent parents without any income at all in that very critical period from ago 60 to 65, when age and disability prevent the securing of employment, particularly by women.

I hope that what I said thus far demonstrates the propriety of, need for, and the financial feasibility of the amendments proposed for the Railroad Retirement Act and the Railroad Retirement Tax Act.

For the Railroad Unemployment Insurance Act, the bill would increase the maximum taxable monthly compensation from $300 to $350, the same as for the railroad retirement system. The taxable base under the Railroad Unemployment Insurance Act has always been the same as for the railroad retirement system, and the bill would continue this uniformity. In addition, the bill would increase the daily rate for unemployment and sickness benefits generally by 50 cents up to a maximum of $8.50 a day, with the assurance that in no case would the daily rate be less than 50 percent of the employee's last daily wage rate in the preceding base year. This guaranty is subject to two limitations. The first is that in no case would the amount exceed $8.50 a day, and the next is an overall limitation that in no case would the total amount of benefits for unemployment or sickness in a benefit year exceed the employee's total earnings in a base year. The guaranty of benefits up to 50 percent of an employee's daily wage rate is in conformity with the President's proposal for the State unemployment insurance systems; and the limitation against total benefits exceeding the employee's earnings in the preceding base year is one of two conditions directed against casual workers. It has been complained by some that the railroad unemployment insurance benefits constitute a windfall to many casual workers in the railroad industry; that their benefits in a year exceed by far their earnings in the preceding base year. To meet this objection, the bill amends the Railroad Unemployment Insurance Act so as to require no less than $400 a year as a condition to qualify for benefits under the Railroad Unemployment Insurance Act instead of the present $300 a year. This provision alone would eliminate many casual workers from the coverage of the act; and this provision, together with the overall limitation against total benefits exceeding the total earnings in the preceding base year, go a long way to meet the objection as to casual workers.

With regard to the amendments proposed for the Railroad Unemployment Insurance Act, we must remember that the President of the United States has recognized the inadequacy of the State benefits and has recommended State action to increase benefits up to 50 percent of regular earnings. The proposal in the bill to increase benefits up to 50 percent of the employee's last daily wage rate in the base year is substantially the same as the proposal of the President for the State systems.

In considering the cost of the proposed increase in benefits under the Railroad Unemployment Insurance Act, we must remember that such cost will come within the 3 percent tax rate fixed in the Railroad Unemployment Insurance Act. The opposition has not maintained, and cannot maintain, that the cost of the railroad unemployment insurance system, even after the enactment of the bill, would exceed, or even approach this 3-percent rate. This rate was reduced in 1948 to one-half of one percent of payroll by the use of a sliding-scale schedule of rates fixed by Congress at that time in order to avoid the accumulation of a large reserve for which there was no immediate need. This was a proper measure and saved the railroads hundreds of millions of dollars from 1948 to date. If there were no need for improving benefits we would welcome the railroads to the additional savings resulting from the reduced rate, but this reduction in rate was only a temporary measure subject to increases up to the original 3 percent should there be a need for improving the benefits. Now that the need has arisen no one should complain if the result would be an increase from the present one-half of 1 percent to perhaps 1 percent in 1957, since there is the assurance that in no event would the total cost of the benefits as so improved reach as much as the 3 percent of payroll originally adopted for the system.

In summation, may I say to the Senate that it is necessary in considering the bill before us that we pass it without amendment. This bill passed the House of Representatives by an overwhelming unanimous vote and it will become law if the Senate passes it in its present form. Any action on our part which might require a conference or other undue delay might conceivably result in this meritorious legislation not becoming law. I suggest, therefore, on behalf of the committee that all amendments to this bill be rejected.

I submit that the bill before us is an excellent one; it provides much needed improvements in the railroad retirement and unemployment insurance systems. These improvements are in conformity with the President's program and have the support of the administration. The Secretary of Labor, a member of the President's Cabinet, has endorsed the bill completely. All the standard railway labor unions, representing some 1,500,000 railroad workers in the country, are enthusiastically for this bill. The House of Representatives passed this bill unanimously. Let us do likewise. Let us assure the 1,500,000 railroad workers who are represented by all these standard railway labor unions that we are with them in this cause.

TABLE 1.—*Effect of increasing creditable and taxable base to $350 per month on employees retiring on full annuities after 30 years of service, assuming all service after increase in base to be at $350*

Average monthly compensation before increase in base	Years of service		Increase in monthly annuity		Increase in aggregate taxes to date of retirement	Increase in aggregate benefits for life expectancy of 12½ years after retirement
	Before base increase	After base increase	Per month	Per year		
0		30	$20.70	$248.40	$1,126.80	$3,105.00
$200						
$250		25	17.25	207.00	939.00	2,587.50
$300						
$200						
$250		20	13.80	165.60	751.20	2,070.00
$300						
$200						
$250		15	10.35	124.20	563.40	1,552.50
$300						
$200						
$250		10	6.90	82.80	375.60	1,035.00
$300						
$200						
$250		5	3.45	41.40	187.80	517.50
$300						

Source: Hearings before the Committee on Interstate and Foreign Commerce, House of Representatives, 83d Cong., 2d sess., on H. R. 7840, a bill to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, p. 58.

TABLE 2.—*Annual cost and level rate required to support the Railroad Retirement Act as revised by proposed amendment (assumes level annual payroll of $5,450,000,000 on basis of $350 monthly compensation ceiling)*

Benefit provision	Annual dollar cost (in thousands)	Level cost
1. Railroad retirement benefit under present act	$670,500	12.303
2. Change limit on creditable earnings from $300 to $350 a month	31,000	.569
A. Retirement benefits	25,000	.459
B. Survivor benefits (including residual lump sum)	6,000	.110
3. Reduce eligibility age for widows and parents from 65 to 60	23,500	.432
4. Change in disability work clause provision to $100 per month (as accrued)	−(1,500)	−(.028)
5. Survivor benefits continued to young widow and dependent disabled child past age 18	750	.014
6. Disregarding compensation after age 65 if use of such compensation would reduce annuity	50	.001
7. Elimination of reduction in survivor benefits on account of railroad retirement benefit in own right	20	
8. Elimination of national delegate service where other railroad service is not creditable	10	
Net level rate	724,330	13.290

Source: Hearings before the Committee on Interstate and Foreign Commerce, House of Representatives, 83d Cong., 2d sess., on H. R. 7840, p. 29.

Under present law, an employee is qualified for unemployment or sickness benefits in a benefit year if he is paid compensation totaling not less than $300 in a base year.[1] The daily benefit rate is determined by the employee's base-year compensation, in accordance with the following schedule:

Base year compensation:	*Daily benefit rate*
$300 to $474.99	$3.00
$475 to $749.99	3.50
$750 to $999.99	4.00
$1,000 to $1,299.99	4.50
$1,300 to $1,599.99	5.00
$1,600 to $1,999.99	5.50
$2,000 to $2,499.99	6.00
$2,500 to $2,999.99	6.50
$3,000 to $3,499.99	7.00
$3,500 and over	7.50

Under the reported bill the daily benefit rate would be determined by the employee's base year compensation in accordance with the following schedule:

Base year compensation:	*Daily benefit rate*
$400 to $499.99	$3.50
$500 to $749.99	4.00
$750 to $999.99	4.50
$1,000 to $1,299.99	5.00
$1,300 to $1,599.99	5.50
$1,600 to $1,999.99	6.00
$2,000 to $2,499.99	6.50
$2,500 to $2,999.99	7.00
$3,000 to $3,499.99	7.50
$3,500 to $3,999.99	8.00
$4,000 and over	8.50

Mr. IVES. Mr. President, in supporting H. R. 7840, as passed unanimously by the House of Representatives, I would point out that, although the bill goes a long way toward alleviating certain hardships which have developed under the provisions of the present law, the Congress should consider, as soon as possible, increased benefits for individuals already retired as well as for the large number of railroad employees receiving less than $300 a month.

By the enactment of H. R. 356, which repealed the dual benefit restrictive provision enacted by the 1951 amendments to the Railroad Retirement Act, the Congress and the administration have corrected a serious inequity with respect to pensioners eligible to receive both railroad retirement benefits and old-age insurance benefits under the Social Security Act. This bill (H. R. 7840) would correct many other inequities, such as reducing the eligibility age for widows without an eligible child from age 65 to 60, and eliminating the provisions in the present law, which provide that a disability annuity ceases after the annuitant earns more than $75 in each of 6 consecutive calendar months.

Although the Senate Committee on Labor and Public Welfare did not have a sufficient opportunity to consider the proposed legislation as thoroughly as was desirable, the Committee on Interstate and Foreign Commerce of the House of Representatives did give to H. R. 7840 very thorough consideration. Moreover, I understand that the Secretary of Labor, the Chairman, and the labor member of the Railroad Retirement Board favor the enactment of this legislation.

Although the bill does not go as far as some of us would like it to go, it is a definite step in the right direction. Therefore, I urge that the Senate pass H. R. 7840. I urge, moreover, that the bill be passed without amendment, because, if it were to be amended at this late hour in the session, such action would almost surely doom it to ultimate defeat.

Mr. GOLDWATER. Mr. President, I am the chairman of the Subcommittee on Railroad Retirement. I feel it is necessary for me to make a brief statement of my objections to the bill, and why I have found it necessary to object to it. At the end of my remarks I shall offer three short amendments, as to which I shall ask the earnest consideration of the Senate.

I am very sorry that this very important proposed legislation comes up at the end of a very busy session. It should be given thorough, sober study, much more thorough study that it has been given by the Senate Committee on Labor and Public Welfare. I am afraid, if the Senate passes the bill, that while there are many, many parts of it which are good—in fact, the great majority of the provisions of the bill are very good—there might be enacted into law changes in the Railroad Retirement Act which we shall be asked to change in a few years. We were asked this year to change law which was hurriedly enacted in 1951, and to restore the dual benefits which were denied in that year.

In making these statements I wish to say that I believe the brotherhoods have been extremely fair in their treatment of my views. They know exactly where I stand. I also wish to say that the railroads have been extremely fair in their attitude toward the bill. Their attitude has not been based primarily on the increased cost to them, but upon the rather obvious defects in the bill as it came from the House. I may say to my colleagues, particularly to the Senator from Connecticut [Mr. BUSH], who posed this question, that in my office and in the office of the committee there have been received more than 3,000 letters and cards objecting to the passage of the pending bill. I believe most of those cards came from the members of the various brotherhoods, and I think most of them are members of the railroad pension fund, whose representatives testified against the bill during the Senate hearings, and during the House hearings, as reflected on page 66 of the House print.

To point out some of the seriousness involved in the proposed legislation, and the fact that any change in the Railroad Retirement Act should receive thorough and full consideration, I should like to answer another question posed by the Senator from Connecticut.

Mr. BUSH. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. THYE in the chair). Does the Senator from Arizona yield to the Senator from Connecticut?

Mr. GOLDWATER. I yield.

Mr. BUSH. What was the basis of the opposition of the persons who were writing? Three thousand communications is quite a number. What was the basis of their objection?

Mr. GOLDWATER. There was in the Congress another bill which proposed to give benefits to persons now retired. Most of the objections were probably from retired persons, who wanted improvement in their lot so as to place them on a comparable basis to that of persons receiving social security. That is about as much as I can tell the Senator about the objections.

I wish now to come to the objections with are specific, and which are my own; but, first, I should like to answer the question of the Senator about the actuarial solvency of the railroad-retirement fund, because it points up the seriousness of the whole question. I am quoting the testimony of Mr. Ettenger, of the Association of American Railroads, before the committee:

> The retirement system is now, according to the actuaries, operating at an annual deficit of $52,500,000 per year, and, in the absence of more revenue, the costs, which would be added by S. 2930—

Which, I might say parenthetically, was the Senate version of H. R. 7840—

> would increase this deficit to $106,331,000 a year.

During the testimony on Senate bill 356, regarding the question of dual benefits, it was brought out many times that the fund is not actuarily sound. It is in no danger, but I feel that in the coming years the Senate and the House should

[1] A benefit year extends from July 1 to the following June 30; the base year is the calendar year preceding the beginning of the benefit year.

have their representatives sit down with representatives of the Railroad Retirement Board and try to ascertain a method of making the fund actuarily sound.

I mention that aspect to point out that this is not merely another bill that is being considered by the Senate tonight. There are in this country about 1,300,000 railroad workers. There are 290,000 persons on the railroad-retirement rolls, and there are 260,000 persons on the survivors rolls. So, again, we are not talking about something that affects only a few persons, or about a minor piece of proposed legislation.

The bill, H. R. 7840, proposes a number of fundamental changes in three complicated and highly technical laws, the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act. It involves many millions of dollars, and affects the lives of hundreds of thousands of American men and women who work on America's railroads, together with their dependents. It imposes extensive additonal burdens on the railroad industry.

H. R. 7840 was passed by the House of Representatives on July 30, 1954. It was referred to the Senate Committee on Labor and Public Welfare on July 31, 1954. The Senate Committee on Labor and Public Welfare reported the bill by a vote of 11 to 1 on August 2, 1954, 1 day after it had been received. The bill was never considered by the Subcommittee on Railroad Retirement, of which I am chairman, nor was it subjected to any consideration whatsoever by the full committee. It was simply ordered reported in the closing minutes of an executive session of the Committee on Labor and Public Welfare on Monday, August 2, of this year.

A little later on I shall point out that the Senate subcommittee held hearings on it, but the members of the Senate Committee on Labor and Public Welfare knew nothing of the contents of the pending bill, with all due respect to them, because they are very busy men, and I doubt whether they read the bill. But the bill was reported by a vote of 11 to 1.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield to the Senator from Kentucky.

Mr. COOPER. I am a member of the subcommittee. I wish to make it clear that I did not attend all the meetings, but I did attend a number of the meetings.

Mr. GOLDWATER. That is correct.

Mr. COOPER. I heard most of the testimony that was given in the hearings. I read many of the written statements that were made, and I certainly studied the bill, and I knew what I was voting for when I voted for it in the committee.

I read many of the prepared statements which were presented, and I certainly studied the bill and knew what I was voting on when I voted for it in the committee. I wish to make that clear. I am in the position of handling the bill on the floor because the chairman of the full committee is not present and because my distinguished friend is opposing the bill. I wish to make it clear that I was present a great part of the time, and I read the testimony. I knew what I was voting on.

Mr. GOLDWATER. The Senator from Kentucky was faithful in his attendance at the meetings. I was not referring to the Senator from Kentucky. The Senators to whom I was referring know full well who they are. I shall not mention their names.

The seriousness of this deficiency is illustrated, in part at least, by the fact that amendments will be required to bring certain sections of the bill into line with the provisions of the recently enacted Internal Revenue Code.

This bill, H. R. 7840, in the form in which it was introduced in the House, was a companion bill to S. 2930, which was introduced in the Senate by request on February 11, 1954. Following the introduction of S. 2930, it was promptly referred to the Senate Committee on Labor and Public Welfare and thereupon was placed on the calendar of the Special Subcommittee on Railroad Retirement Legislation, which was then under the chairmanship of the late Senator Dwight Griswold. On February 16, a formal request was made of the Railroad Retirement Board to report its views and recommendations on the bill.

In February, when S. 2930 came before the Railroad Retirement Subcommittee, it was publicly announced and otherwise made known to all interested parties that subcommittee consideration of the bill would not be undertaken until after the committee had acted upon and disposed of S. 2178, a bill to repeal the dual-benefit ban.

Mr. President, I wish to compliment the Senator from Kentucky on the excellent part he played in removing that objectionable piece of legislation from our books. He worked religiously on it. I think it is a credit, not only to the Senator from Kentucky, but to this administration, that this obnoxious portion of the Railroad Retirement Act was removed during this year.

Committee action on S. 2178 was not completed until May 14, when that bill was favorably reported to the Senate.

I may say, as an aside, that that bill was held up in committee repeatedly, month after month, by the determined action of one of the members of the committee. He was acting perfectly within his rights. He doubted the wisdom of passing it. I do not criticize him for his actions. I merely wish to point out that that delay was occasioned by repeated objection.

Prior to the scheduling of formal hearings on S. 2930, the Senate version of H. R. 7840, the views of the Bureau of the Budget were solicited. A formal request was made for such a report on June 22, 1954. The reply of the Bureau of the Budget was dated July 1, 1954, and was not received by the committee until July 6, 1954. The Railroad Retirement Board's views and recommendations on S. 2930 were not received until July 7, 1954, the opening day of the hearings on the bill. Their letter was dated July 1, 1954, and it was presented to the committee during the course of the testimony of the members of the Board on July 7, 1954.

I cite these facts merely to show that S. 2930, the companion bill to H. R. 7840, was handled as promptly as possible at the subcommittee level. It was being given what I believe to be the kind of responsible and careful consideration which is required. This was in accordance with my conception of the duties and responsibilities of the office which I hold.

I point out that during the period we were holding subcommittee hearings on this bill, and immediately afterward when several times we attempted to have subcommittee meetings, there was what has been referred to as a filibuster going on on the floor, and two members of the subcommittee were very interested in that rather lengthy exchange of words. It was impossible to hold a subcommittee meeting at that time.

Mr. President, politically I probably should sit down and close my mouth. The smart thing, politically, would be to vote for the bill without any opposition. But as the chairman of a subcommittee, I do not think it is my duty to be prompted by politics. I have seen what I feel are deficiencies in this bill, and I am going to report them to the Senate.

In addition to my objections to the cursory consideration given this bill in committee, I wish to point out also that I am not satisfied as to the merits of this bill. In fact, I am more impressed by what this bill will not do than by what it will do. In my view, its shortcomings overshadow its benefits.

For example, H. R. 7840 does not provide any benefits for some 290,000 retired employees and an additional 260,000 other beneficiaries now on the retirement rolls. This is in contrast to the Social Security Act amendments now being considered which would increase the benefits of all retired employees covered by our social-security laws by about $6 per month.

This bill does not increase the benefits of some 36 to 40 percent of rail employees who earn less than $300 per month. This is a most serious shortcoming since it withholds increased benefits from the group most in need of additional benefits.

This bill does not provide additional retirement benefits for employees who retire with less than 10 years of service or for their dependents.

This bill does not provide for a realistic increase in benefits for employees who retire in the near future, even though they earned over $350 per month. Testimony taken by the committee indicates that an employee receiving $350 per month who worked for 1 year after the enactment of this bill would receive an increase of only 69 cents in his monthly annuity, although he would be required to pay additional taxes of $37.56 during the year. If he worked 7 years at $350 a month, his annuity would be increased by only $5. Proponents of the bill say that by reason of this increase in compensation, the average annuitant would receive $3 for each $1 in taxes. This is obviously incorrect, since the cost estimates show

that employees will pay in $28 million in additional taxes and will receive additional annuity benefits of only $31 million.

Mr. President, the evening is going along. I shall not enumerate all the minor objections which I found in this particular piece of legislation, because my amendments are directed at correcting those. I do wish to mention one more thing.

The provisions of H. R. 7840 to reduce widows' retirement eligibility age will cost approximately $23,500,000. The Department of Health, Education, and Welfare advises me that if it were to aid in bringing about a similar change in our social-security laws, the cost to the Treasury of the United States would be $125 to $150 million in the first full year of operation if widows alone were considered and $700 to $800 million for the first full year if all women were included. If, eventually, the age is reduced for all beneficiaries, the cost would be $1½ to $2 billion.

During the hearings, the suggestion was made that the subcommittee might want to consider a proposal to eliminate the widows provision and apply the $23,500,000 which this provision would cost to an across-the-board increase for all employees.

Mr. President, that is exactly what I favor. I shall bring that up in my amendment. I think it is not fair to the retired railroad workers of this country to deny them an increase in their benefits.

The Railroad Retirement Board was requested to submit its views on this proposal, and in reply stated that if this proposal were adopted, employee benefits would be increased by about $5 a month, or very close to the social-security standards we have recently enacted.

It seems to me that the matter of possible adoption of such a resolution is worthy of consideration by the Senate.

Mr. President, as I said, I have 3 amendments to offer. I send the first one to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 9 after line 3 it is proposed to insert the following:

SEC. 206. (a) Section 3201, section 3202 (a), section 3211, and section 3221 of the Internal Revenue Code of 1954 are hereby amended by striking out "$300" each place it appears in each such section and inserting in lieu thereof "$350."

(b) Section 3231 (e) (1) of the Internal Revenue Code of 1954 is hereby amended by inserting at the end thereof the following sentence:

"Compensation for service as a delegate to a national or international convention of a railway labor organization defined as an 'employer' in subsection (a) of this section shall be disregarded for purposes of determining the amount of taxes due pursuant to this chapter if the individual rendering such service has not previously rendered service, other than as such a delegate, which may be included in his 'years of service' for purposes of the Railroad Retirement Act."

On page 13, after line 19, insert the following:

SEC. 407. The amendments to the Internal Revenue Code of 1954 made by section 206 shall become effective as if enacted as a part of the Internal Revenue Code of 1954.

Mr. GOLDWATER. Mr. President, let me present a very brief explanation. I think it is quite obvious from the words of the amendment that this is a technical amendment, which will be needed to make the act operative within the safe actuarial limits of the fund.

When this legislation was being considered by both committees we had not as yet passed H. R. 8300, which is the recodification of the Internal Revenue Code. Because of this change it is necessary to make some amendments in the Internal Revenue Code so that the proposed act, if it is passed, can start operating immediately, and we shall not find ourselves borrowing from existing funds in order to make the payments between now and the first of the year.

The amendment I am offering is a technical one and is needed to conform the provisions of the Internal Revenue Code of 1954 to the amendments to be made to the Railroad Retirement Tax Act by this bill.

Benefit rates under the Railroad Retirement Tax Act are at present financed by a payroll tax of 6¼ percent on railroad employees and an equal tax on the employers, payable on each employee's earnings up to $300 per month. That is important.

H. R. 7840, in amending the Railroad Retirement Tax Act, increases the tax base from $300 to $350 per month, effective July 1, 1954, and excludes from taxation, as of April 1, 1954, the compensation of certain delegates to national or international conventions of the railway labor organizations.

Under section 7851 of the Internal Revenue Act of 1954, the present Railroad Retirement Tax Act will be superseded, effective January 1, 1955, by a new Railroad Retirement Tax Act, which is chapter 22, I. R. C., 1954. That is the Internal Revenue Code.

The new tax act, however, contains the $300 tax base and fails to provide for the increased $350 base. Likewise, it fails to provide for excluding the compensation of certain delegates to conventions. This amendment would remedy this deficiency by adding these provisions to the new Railroad Retirement Tax Act.

In brief, that is what the amendments do. I heard the plea of the Senator from New York not to amend the bill. I have heard the suggestion made, "We can put it through, and we can amend the act next year when we take it up again."

Mr. President, I think that is very bad legislative procedure. If this bill is to be enacted into law certainly it should be enacted into law with all the mechanism necessary to make it work.

I have nothing more to say on this amendment. I feel it is one which must be accepted unless we want to see this fund further jeopardized in the process.

The PRESIDING OFFICER (Mr. BRICKER in the chair). The question is on agreeing to the amendment of the Senator from Arizona.

Mr. REYNOLDS. Mr. President, the junior Senator from Nebraska supports the views of the able Senator from Arizona.

In my opinion this is no social-security act. This is no WPA project. This is no foreign-aid proposal. Nor is it a drought-relief measure. When the Congress first inaugurated the Railroad Retirement Act it was assumed—and in my opinion it was the intention of Congress—that this would be one fund which would be put on an actuarially sound basis.

While the Senator from Arizona points out the fact that the fund is in no jeopardy at this time and is solvent, if we are to pass bills such as those before us today without adequate hearings, the fund will not remain solvent.

I trust that Senators will keep in mind, in considering this bill, that this is one fund which must remain actuarially sound.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arizona [Mr. GOLDWATER].

Mr. COOPER. Mr. President, I urge that the amendment be defeated, and submit these reasons:

First, there is no question of whether or not this fund is solvent and will remain solvent. As of today—and my distinguished friend will agree with me—the fund is absolutely solvent. There is no problem about having plenty of money in the fund to pay the charges.

Today in the railroad retirement fund there is a total of $3.2 billion. The total benefits which would be paid from this fund if the bill were passed would be $724 million a year. Of course, there are funds coming in all the time.

There is some question of whether or not this is an actuarially solvent fund. As I said, I cannot go into all the details, but I hope my distinguished colleague will check me, and if I make a misstatement, I hope he will correct me, because I do not want to make a misstatement to the Senate.

As of today, to make the fund absolutely actuarially sound there should be levied, instead of a tax of 6¼ percent against the employees, a tax of perhaps 7 percent. It is said it would require about 1.6 percent more, divided as between the employees and the employers, to make the fund actuarially in balance.

What do the words "actuarially sound" mean? They mean, according to actuarial principles, taking into consideration over a long term the average receipts and payments from the fund in that long term, that there should be sufficient amounts of money in the fund to maintain solvency at all times.

As I remember, the representatives of the railroad retirement fund testified that it would be the year 2010, if conditions remain as they are today, there might be some question as to whether or not the tax ought to be raised in the year 2010. I ask the distinguished Senator from Arizona if that statement is correct?

Mr. GOLDWATER. I think the Senator from Kentucky is approximately correct. However, it was brought out in the hearings on the dual benefits question, as the Senator will recall, that there was a doubt about the actuarial soundness of the fund; and the statement was made by the Senator from

Illinois that changing the act of 1951 would reduce that estimate of exhaustion by 10 years.

Mr. COOPER. That is correct. From the year 2010 to the year 2000.

Mr. GOLDWATER. I believe that was the amount.

Mr. COOPER. Let us fully understand this question. So far as the fund being solvent at present is concerned, there is, of course, no question about the fact that it is actuarially solvent. The testimony is that the fund will last until the year 2010. It might be necessary at that time to raise the tax rate, to keep the fund on an actuarially sound basis. There is no problem now about whether or not the fund is actuarially sound and solvent.

I know my distinguished friend will agree with me that there is no question on that point, except a question based upon the abstraction of whether at the moment it is actuarially ideally in balance.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. GOLDWATER. That is the point, in economic theory, where I depart from many of my brethren. I think all funds should be solvent at all times. These workers have paid money into this fund. The railroads have paid money into the fund. I do not think it is fair to say "We have $3.2 billion in the fund, and that is a great deal of money, and since we have to operate off the 'kitty' for only 3 or 4 months we should go ahead and do it."

That is not good business. I do not think it is fair to the railroad people, the working people, and the public to misuse funds held in trust for them. I have said that if the fund is actuarially unsound we should determine it, and not wait until 2010. If adjustments must be made, let us make them now.

Mr. COOPER. I know the Senator did not mean to suggest that I said we should use the fund recklessly without regard to the future. I said that as of the moment it is absolutely solvent, and even on the ideal actuarial basis it is solvent under the present rate. It will be solvent and in balance until the year 2010, according to the experts. That is a fair statement. Any fund might be out of balance, from the standpoint of an ideal actuarial basis, by 1 percent one way or another. I have the highest regard for my friend, but I really do not believe there is much basis for the argument based on the question of actuarial solvency.

Mr. GOLDWATER. I now wish to appeal to the Senator as a lawyer. I am not a lawyer, and I want to appeal to his legal background and to the inherent desire of all lawyers to enact clean legislation. I call the Senator's attention to the fact that in the bill before us section 205 amends a subsection of a law which no longer exists. I am not a lawyer. Perhaps it is permissible to do that. That is not what I pay my lawyer for, however.

Mr. COOPER. I will address myself to the amendment of the Senator. The bill which is before us would raise the tax base from $300 to $350. It would become immediately effective. When the Internal Revenue Act was passed a few days ago—of course, not taking into account that this bill might be passed—it retained the tax base at $300 a month. That bill does not become effective until January 1. I believe I am correct in saying that, with respect to absolutely maintaining a balance of benefit payments and receipts against this fund, there is no question at all until January 1. If the Internal Revenue Act should be effective and should change this provision, by keeping the base to $300, there might then be a technical defect which would have to be remedied. It would require an amendment of the Internal Revenue Act to raise the base to $350. I believe my friend will agree that there is no problem from now until January 1.

Mr. GOLDWATER. If the Senator wishes to admit that poorly written legislation, which does not cover laws which Congress has enacted, presents no problem, it is an entirely new approach for a lawyer, so far as I am concerned. I still have not had an answer to my question regarding a lawyer's interpretation as to how it is possible to amend an act which no longer exists.

Mr. COOPER. Is the Senator addressing his suggestions to the amendment before us?

Mr. GOLDWATER. Yes. The second part of the amendment takes care of the compensation for services as a delegate to a national or international convention.

Mr. COOPER. I make the point that so far as the amendment is concerned, it can have no effect until January 1. The practical effect of the amendment, if it is adopted, would probably be that the bill would not be passed. The Senate must weigh that question. It is a matter of policy. Because I think that the amendment is so inconsequential, I prefer that the bill be passed, and I urge that the amendment be defeated.

Mr. GOLDWATER. I may say in closing that I have never heard in any legislative body the suggestion that we pass poorly written legislation. I am perfectly willing to go to conference on this question. I think it is an amendment that has to be made now or in January. So far as money is concerned the money is there. However, it does not take care of all the provisions of the bill we have before us tonight. An amendment is needed. I am sure the House would have added it, had the House known of the passage of H. R. 8300.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. GOLDWATER].

THE TEXTILE INDUSTRY IN NEW ENGLAND

Mr. GREEN. Mr. President, it was with surprise and apprehension that I read in the Providence Sunday Journal of August 8 a news report on an address given by Dr. Alfred C. Neal, first vice president of the Federal Reserve Bank of Boston, at the regional conference of the American Institute of Banking held in Providence.

I ask unanimous consent to have the article printed in the RECORD as a part of my address.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LOSS OF TEXTILES SEEN LIFTING NEW ENGLAND LIVING STANDARDS

New England's loss of parts of its textile industry, while unfortunate, may lead it to even higher standards of living through the substitution of other industries, Dr. Alfred C. Neal, first vice president of the Federal Reserve bank, said yesterday.

Dr. Neal, principal speaker at a luncheon of the regional conference of the American Institute of Banking at the Sheraton-Biltmore, said that workers displaced from jobs in the nondurable industries represented by textiles should be guided to jobs in the durable industries, represented by machinery, which is moving into the region.

He predicted a future for the region in jet engines, atomic power, and plastics, both at home and abroad.

New England's first prosperity came from foreign trade and its future may depend largely on whether its prospects in this field are realized. More than 235,000 jobs in the region are dependent on export, he said.

The conference concludes with a breakfast session today.

Mr. GREEN. Mr. President, Dr. Neal's statement deals with a serious matter of great importance to both the Rhode Island and the New England economies. It is extremely unfortunate that an unrealistic and defeatist attitude should be taken by one who should be acquainted with the facts—particularly when such an attitude is voiced by a spokesman for the Federal Reserve bank. This spokesman adopted the attitude, which is being spread widely—that Rhode Island and New England generally can afford to lose its textile industry.

Those who adopt such a a view seem grossly ignorant of the importance of this industry to this region, and of the hardship caused to thousands of workers and the adverse effect upon the region's economy. One can only conclude that the proponents of such views wish to see our textile industry further crippled. They seek to create an unfavorable community attitude so as to further damage the industry and its 200,000 employees, who with their families, are directly dependent on the textile industry.

In 1952 a special committee appointed by the six New England Governors—of which the present junior United States Senator, FREDERICK G. PAYNE, of Maine, was one—issued a report on the New England textile industry which stressed the importance of the textile industry to New England's economy. It underscored the significance of community attitudes toward this basic industry. According to the committee, which was under the chairmanship of Prof. Seymour E. Harris, of Harvard University:

An objective evaluation strengthens our conviction that it is imperative to keep up the textile industry in New England.

The committee cited the need for improved community attitudes toward the textile industry and said:

This is a matter of outstanding importance whose significance we cannot overemphasize.

Later the New England Textile Committee, another committee appointed by other six New England Governors, made a report submitted on April 7, 1954. It drew attention to the fact that this industry employs more than 200,000 persons with an annual payroll of approximately $750 million. The committee pointed out that the New England textile industry is the second largest source of industrial wages in a region which is dependent on its manufacturing industries for its economic health.

In my own State of Rhode Island, the textile industry employs approximately 49,000 persons or about 34 percent of all persons employed by manufacturing industries in our State. This is according to the 1953 average, the latest full year available. It is estimated that the payroll of Rhode Island's textile industry amounts to more than $130 million annually, which is equivalent to 36 percent of the total annual payroll for all of our Rhode Island manufacturing industries.

New England cotton and synthetic textile mills altogether have spent a total of $185 million since the end of World War II in modernizing their plants and equipment. A representative sample of these mills have paid out $164 million in taxes during the postwar period. Since the end of World War II, these mills have spent $392 million in New England purchasing supplies and service from other New England industries. If data for all the branches of the New England textile industry were added to these figures, the totals would be multiplied many times.

In commenting on this industry which is the second largest employer of labor in New England, the spokesman for the Federal Reserve bank does a disservice not only to this area, but to the whole country, in failing to realize the vast importance of textiles to New England. The facts are these:

1. IMPORTANCE OF THE INDUSTRY TO NEW ENGLAND

(a) Employment of approximately 220,000 persons—average employment during 1953, last complete year for which data is available.

(b) Capital investment in excess of $1½ billion.

(c) Annual payroll of approximately $750 million.

(d) Substitution of new manufacturing jobs for existing textile jobs, it is estimated, would require an investment of about $3 billion.

(e) "Indirect, as well as, direct employment must be considered in evaluating the importance of textile manufacture to New England. Loss of a job in textiles may well mean two jobs gone. With the disappearance of textile, the grocer, druggist, the clothier, the cleaner, and so forth, would feel the impact. In addition, the related industries—textile machinery, textile schools, textile soaps, textile finances—would gradually suffer losses in New England."

This is a quotation from the 1952 report by the New England Governors' Committee on Textiles.

2. DISPLACED TEXTILE WORKERS

Displaced textile workers do not get better jobs in other industries and, in fact, many workers become unemployed for long periods of time.

A careful study of displaced textile workers has been made by Northeastern University, and early results of this study were published by Business Week in its March 6, 1954 issue. These results show that of 756 workers interviewed 1 year after they had lost their jobs, 40 percent were still unemployed, 23 percent had found employment in other textile mills, and less than 5 percent had found employment in industries which are recommended by some as substitutes for the textile industry.

The report also states that "the majority of the employed were earning less than before, and many had been downgraded, from skilled to semiskilled, or from semiskilled to unskilled classifications. Most told interviewers that they were unhappy with their new job, in part because of the lower pay in rate, but also because they had lost seniority, and saw little opportunity for advancement." The facts show that substitute industries do not become the employers of former textile workers.

3. SUBSTITUTE INDUSTRIES

Generally speaking, experience has shown that the industries which move into depressed textile areas pay lower wages than those paid by textile mills. Plastics, toys, certain clothing operations, and others are typical examples.

Although we are glad to have the electronics industry expanding in New England, we should not fall into the error of the Federal Reserve spokesman in assuming that jobs in this industry, or in any other substittue industry, are automatically higher paying than textile jobs. The facts are that starting rates of pay in electronic plants are in almost all instances lower than those in textile mills by anywhere from 10 to 45 cents an hour.

It is estimated on the basis of the most recent survey by the United States Bureau of Labor Statistics that average straight-time hourly wages in the New England electronics industry are $1.29 per hour, as compared with $1.33 per hour in the textile industry. It is important to point out that approximately 62 percent of employment in the electronics industry is composed of women whose average straight-time hourly earnings amount to only $1.15½ per hour, or 21½ cents less per hour than average hourly wages in the textile industry.

In the light of these facts, namely, that the textile industry is one of this region's most important industries, that textile workers have great difficulty in getting jobs elsewhere, and that the textile industry maintains wage standards higher than most substitute industries, it is indeed shocking that a spokesman for the Federal Reserve bank should encourage the destruction of an industry which has long been a mainstay of the economy of both Rhode Island and New England. This argument plays directly into the hands of those who wish to see the prices of textile stocks depressed. Low prices mean greater profits for persons in the business of liquidating mills.

It is the responsibility of persons interested in and concerned with the future economic welfare of New England to aid in the solution of the problems confronting one of New England's basic industries, rather than to hold forth false illusions of economic gain by the development of industries which have not and do not take up the region's employment slack.

4. CONCLUSION

It is my judgment that the whole textile industry, particularly textile mergers and consolidations, should be thoroughly investigated by the Subcommittee on Monopoly of the Senate Committee on the Judiciary of which the distinguished Senator from North Dakota, Senator LANGER, is chairman, and that the Joint Committee on Economic Reports should undertake a basic study of all the problems relating to the textile industry as a whole.

The economic difficulties which have affected textile manufacturing are not confined to any particular part of the country, although they are particularly acute local problems in New England as I have discussed here. Textiles is one of our oldest industries and one which is essential to our national defense. The Congress of the United States should give immediate and careful attention to the very serious and widespread problems with which this important section of economy is now struggling.

GREETINGS TO LESLIE L. BIFFLE, FORMER SECRETARY OF THE SENATE

Mr. MAYBANK. Mr. President, I desire to announce to the Senate that its former Secretary, who is deeply loved by Members on both sides of the aisle, is now on the floor, Mr. Leslie Biffle. [Applause.]

Mr. President, let me state that Mr. Biffle has just returned from a trip to Europe, where he was sent by the President of the United States.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed, without amendment, the following bills of the Senate:

S. 264. An act to provide for the conveyance of certain land in the State of Maryland to the Disney-Bell Post 66 of the American Legion, Bowie, Md.;

S. 738. An act for the relief of Maria Busa;

S. 906. An act to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act;

S. 1259. An act for the relief of Anastasia Kondylis;

S. 1604. An act for the relief of Margot Herta Matulewitz;

S. 1605. An act for the relief of James Arthur Cimino and Joan Cimino;

S. 1687. An act for the relief of T. C. Elliott;

S. 1873. An act for the relief of Ursula Wilke and Mike Mario Wilke;

S. 2003. An act for the relief of Francesco Marinelli;

S. 2301. An act for the relief of Katherina Picerkona and her minor son, Helmut;

S. 2316. An act for the relief of the Birmingham Iron Works, Inc.;

S. 2345. An act for the relief of Yun Tai Miao and his wife, Chao Pei Tsang Miao;

S. 2366. An act for the relief of Ito Yukiko;

S. 2618. An act for the relief of Ertogroul Osman;

S. 2636. An act for the relief of Arturo Rodriguez Diaz;

S. 2639. An act for the relief of Etsuko Tamaki (Shimizu);

S. 2640. An act for the relief of Esther Joanne Potter;

S. 2649. An act for the relief of Chaya Frangies;

S. 2731. An act for the relief of Jean Cantalini;

S. 2789. An act for the relief of Gianni Bernardis;

S. 2842. An act for the relief of Dr. Felix de Piniés;

S. 2849. An act for the relief of Elisa-Pompea Roppo (Elisa-Pompea Cardone);

S. 2879. An act for the relief of Peter Julian Newbery and Prudence Ellen Newbery;

S. 2884. An act for the relief of Sister Anna Scrinzi, Sister Giuliana Paladini, Sister Iolanda Mazzocchi, and Sister Giuseppina Zanchetta;

S. 2887. An act for the relief of Hon Cheun Kwan;

S. 2893. An act for the relief of Seraphina Papgeorgiou;

S. 2941. An act for the relief of Kim Kwang Suk and Kim Woo Shik;

S. 2945. An act for the relief of Eulalio Rodriguez Vargas;

S. 2954. An act for the relief of Christine Thum;

S. 2993. An act for the relief of Ruth Wehrhan;

S. 3056. An act for the relief of S. Sgt. Silvestre E. Castillo;

S. 3058. An act for the relief of certain nationals of Italy;

S. 3108. An act to modify the act of October 8, 1940 (54 Stat. 1020) and the act of July 24, 1947 (61 Stat. 418) with respect to the recoupment of certain public school construction costs in Minnesota;

S. 3112. An act for the relief of Emiko Watanabe;

S. 3138. An act for the relief of Wakako Niimi and her minor child, Katherine;

S. 3145. An act for the relief of Bonita Lee Simpson;

S. 3148. An act for the relief of Francesco Pugliese;

S. 3221. An act for the relief of Ingeborg Otto;

S. 3276. An act for the relief of Cleophat Robert Joseph Caron;

S. 3404. An act for the relief of Anni Stroee Jacobsen;

S. 3447. An act to amend the Internal Revenue Code to permit the filling of oral prescriptions for certain drugs, and for other purposes;

S. 3485. An act for the relief of Liselotta Kunze;

S. 3577. An act for the relief of Milos Knezevich;

S. 3586. An act for the relief of Mrs. Hildegard Simon Walley;

S. 3601. An act to provide that the Secretary of Agriculture is authorized to extend until not later than October 18, 1962, certain timber rights and necessary ingress and egress, and for other purposes;

S. 3625. An act for the relief of Mrs. Juana Padilla de Caballero (Mrs. Juana Padilla de Ontiveros);

S. 3652. An act for the relief of Francis Timothy Mary Hodgson (formerly Victor Charles Joyce);

S. 3840. An act for the relief of Klyce Motors, Inc.; and

S. 3844. An act to provide for a reciprocal and more effective remedy for certain claims arising out of the acts of military personnel and to authorize the pro rata sharing of the cost of such claims with foreign nations, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the House amendments to the bill (S. 2033) relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear on the menus of public eating places serving such trout.

The message further announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 1254. An act to provide authorization for certain uses of public lands;

H. R. 2032. An act for the relief of Clarence D. Newland;

H. R. 2876. An act for the relief of Leo F. Pinder;

H. R. 4638. An act for the relief of David W. Wallace;

H. R. 6451. An act to provide for the conveyance of certain public lands in Utah to the occupants of the land;

H. R. 7130. An act to amend the Immigration and Nationality Act to provide for the loss of nationality of persons convicted of certain crimes; and

H. R. 9728. An act to revise, codify, and enact into law title 21 of the United States Code, entitled "Food, Drugs, and Cosmetics."

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 1107. An act for the relief of the J. A. Vance Co.;

H. R. 2233. An act to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Cheyenne River Sioux Reservation, S. Dak., and for other purposes;

H. R. 6573. An act to provide for the promotion, precedence, constructive credit, distribution, retention, and elimination of officers of the Reserve components of the Armed Forces of the United States, and for other purposes;

H. R. 9729. An act to revise, codify, and enact into law title 13 of the United States Code, entitled "Census"; and

H. R. 9730. An act to amend various statutes and certain titles of the United States Code for the purpose of correcting obsolete references, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3706) to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9580) to revise and extend the laws relating to espionage and sabotage, and for other purposes.

The message further announced that the House had agreed to the concurrent resolution (S. Con. Res. 104) to print additional copies of part 4 of the hearings held before a subcommittee of the Committee on Interior and Insular Affairs relative to stockpile and accessibility of strategic and critical materials to the United States in time of war.

AMENDMENTS TO RAILROAD RETIREMENT ACT, THE RAILROAD RETIREMENT TAX ACT, AND THE RAILROAD UNEMPLOYMENT INSURANCE ACT

The Senate resumed the consideration of the bill (H. R. 7840) to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act.

Mr. LEHMAN. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. LEHMAN. I have understood that there is a provision in virtually every major revision of laws which includes a saving clause which takes care of changes in revision. I do not believe we could properly legislate otherwise, because in hundreds of bills changes are made in dates or in other things which cannot be immediately included and are not immediately included in all the legislation to which reference has been made. But the saving clause is there, which takes care of the situation. It seems to me the objection is a purely technical objection.

Mr. GOLDWATER. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. GOLDWATER. Will the Senator from New York cite me such a saving clause?

Mr. LEHMAN. It is in many laws. I do not have the code of laws before me, of course, but I am quite sure my statement is correct. I have checked with persons who have had experience. I do not believe we could properly legislate otherwise. Every time we amended a bill, unless we went through all the laws on our statute books and simultaneously made changes to conform, we would run into the very difficulty which the Senator from Arizona has pointed out, if, indeed, he is justified in pointing it out.

Mr. GOLDWATER. If the Senator can cite me such a saving clause I shall be happy to see it.

Mr. LEHMAN. I cannot cite it, because I cannot go through the entire revenue act at this time.

Mr. GOLDWATER. The Senator is a member of the committee and has had ample time to study the bill, and I am sure he gave it long and careful study. I should like to know if I am in error.

Mr. LEHMAN. Let me say to the Senator from Arizona that I am a member of the committee, and I have taken great interest in the bill. It is supported by all the railroad brotherhoods, the men and women who pay into the contributory fund 6¼ percent of their wages every month. I believe it is a good bill. I believe it is actuarially sound. I assume the increased benefits will be more than counterbalanced by increased receipts because of the larger payments due to the increased wages and salaries which are paid. So the only objections which can be raised, so far as I can see, are technical objections. I very much

hope they will not be made, because I think they are contrary to the interests of the country and the interests of the beneficiaries of this fund. Of course, Senators can block the bill, but I strongly urge that Senators not offer technical objections at this late date to make an impact to the extent that any Senator would think of voting against the bill, which is a sound one and one to which I have heard no objections save from the railroad companies, which may have to pay a little bit more into the fund; but it is a very little bit more.

Mr. COOPER. I thank the Senator from New York.

I think the Senator from Arizona is proceeding with a proposal which is not only technical, but which is really not of any large substance. He has given to the Senate two instances in which he says technical corrections should be made. One of them is in section 205, which reads as follows:

SEC. 205. Subsection (e) of section 1532 of the Railroad Retirement Tax Act is hereby amended by inserting at the end thereof the following sentence: "Compensation for service as a delegate to a national or international convention of a railway labor organization defined as an 'employer' in subsection (a) of this section shall be disregarded for purposes of determining the amount of taxes due pursuant to this subchapter if the individual rendering such service has not previously rendered service, other than as such a delegate, which may be included in his 'years of service' for purposes of the Railroad Retirement Act."

Prospectively, it would mean that the compensation of delegates could not be included in the base upon which taxes are levied.

The Senator's argument is that because this tax would still be levied under the Internal Revenue Act, there should be a technical amendment correcting the language, without regard to the saving clause which I think will be found in the Internal Revenue Act. This would involve a later amendment, and, in my opinion, would repeal the earlier enactment in the Internal Revenue Act so far as the delegates are concerned.

As to the other question raised by the Senator, I think there is a saving clause which would take care of it, anyway. I hope the amendment will be defeated, because I think its passage would mean the defeat of the bill.

Mr. HILL. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. HILL. I strongly support the pending bill, and I certainly hope that Senators will realize that if any amendment is added to the bill it might well defeat it in this session of the Congress. If an amendment is placed on the bill it means that the bill must go back to the House of Representatives, and there will be no time for action, which will mean the defeat of the bill.

Mr. MORSE. Mr. President, in my judgment the railroad retirement bill, in the form in which it is offered tonight, is long overdue. Its passage should be immediate, without amendments.

I am a little amused, I may say, speaking good naturedly, about the last-minute concern over the possibility—and it is only a possibility, not a probability—that in the year 2010 it may be necessary to take further action on the railroad retirement law, from the standpoint of its actuarial features. But the record is not clear that such action may be necessary, even in the year 2010. I think we had better pay some attention to the needs of the recipients of the benefits under this very sound social law in the present and in the immediate future.

Likewise, I am not greatly moved by the argument that this is an amendment to a nonexisting law. Of course, for the RECORD, it should be made clear what is meant by that argument. It means that, because a new internal revenue law has recently been passed, which in turn will be codified by way of making a great many technical changes in titles and section numbers, in passing a law which in its printed form does not refer to the sections and the titles of the new internal revenue law, we should postpone final action on the bill until the printers have finished their work some time between now and January.

If I ever heard an argument of form without substance, this is it. When we pass the bill tonight, as I hope we shall, and without amendments, there will be two parliamentary procedures to follow in order to meet the very superficial argument of form which has been presented against the bill. I have consulted with the legislative counsel in regard to this question.

First, the usual language should be adopted to authorize the clerks and the staffs to make such changes in numbering and titling as may be necessary. Second, I propose to offer—and it is now being drafted—a concurrent resolution, not an amendment to the bill, because no chances should be taken with amendments to the bill, as has been brought out by the distinguished Senator from Kentucky [Mr. COOPER], the distinguished Senator from New York [Mr. LEHMAN], the Senator from Alabama [Mr. HILL], and other Senators. If it is desired to make certain that justice will be done to the railroad workers, whose representatives are unanimously behind the bill, then let us not, in the closing hours of the session, attach any amendment, technical or otherwise, to the bill, which will cause the bill to die in the House.

But a concurrent resolution can be submitted—and I propose to submit one—which will make it perfectly clear that when the two laws come to be enrolled, they shall be dovetailed as to the technical matters of titling and sectioning, making certain that they are interrelated and coordinated, so far as enrollment is concerned.

Let me make it very clear that if the concurrent resolution should not be adopted between now and the adjournment of the House, no damage would be done. Congress will again convene in January, and at that time such a resolution can be adopted.

Lastly, in answer to the argument which has been made, this matter would be taken care of automatically when the codification is made. We do not need to worry about it. If the bill shall be passed tonight, there will be no question about the railroad retirement law referring to the previously existing internal revenue law, which now has been changed by action of Congress. When the codifiers begin to codify the law, they will codify the railroad retirement law in terms of the new internal revenue law. That is why I say the argument is an argument without substance.

In order to meet the artistic niceties of the legislative process, I shall offer a concurrent resolution, believing that there will be time for the House even to act on it. But in case the House does not act, I shall reintroduce the concurrent resolution in January, and the artistic job can be done then.

In the meantime, there should be on the statute books this proposed law, which would do justice to the railroad workers of the country. It is a bit of justice which is long overdue. We should proceed to pass the bill now, first by rejecting the amendment which has been offered, and then by voting in support of the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. GOLDWATER].

Mr. MURRAY. Mr. President, I join with my colleagues in supporting the bill. I think it should be passed. It has been before the Committee on Labor and Public Welfare for a long time. In fact, we have been studying such legislation not for 2 years but for 2 decades. I am proud of the fact that I have supported all advances in this type of legislation for the railroad workers.

I think there should be no delay in passing the bill. I believe it would be unwise to undertake to amend the bill now, because to do so would merely mean the end of the measure. It would not be possible to have the bill passed if it had to go back to the House.

I do not think it is necessary to have amendments to the bill. I agree with the Senator from Oregon that the problem can be handled by concurrent resolution, which would make the necessary proper adjustments, due to the fact that other legislation has been enacted in the meantime.

I think the bill should be passed without any delay.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arizona.

Mr. BUSH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BUSH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Arizona.

Mr. IVES. Mr. President, I have been trying quietly to persuade our good friend, the Senator from Arizona, to withdraw his amendment. I think he has made his point. I do not think the amendment is necessary. I do not think any of the other amendments he may

have to offer are necessary at this particular time.

The reasons for my conclusion in that connection have been well covered by Senators who have spoken. I think if the Senator from Arizona places his position in the RECORD—and there is considerable provocation for the proposals he is making—his position will be there for all to see when we convene next January. At that time we can make the changes found to be necessary. I see no point in jeopardizing the passage of the bill. If a single amendment to the bill is agreed to at this time, it is very likely that the bill itself will be doomed. So I plead with my good friend from Arizona not to press his amendment.

Mr. GOLDWATER. Mr. President, I may say to the Senator from New York that if I had desired to withdraw my amendment I would never have bothered offering it, and I would be on an airliner right now on my way home.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BUSH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BUSH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. LANGER. Mr. President, I object.

The PRESIDING OFFICER. Objection has been heard. The clerk will resume calling of the roll.

The Chief Clerk resumed the calling of the roll.

Mr. KNOWLAND. Mr. President, ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Arizona. The yeas and nays have been ordered——

Mr. COOPER. Mr. President——

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. COOPER. I do not wish to take the time of the Senate, but because several Senators have entered the Chamber since the Senator from Arizona offered his amendment, I should like to say that the amendment is purely technical. The bill which we are considering raises the tax base from $300 to $350. The Senator from Arizona has said that since the old tax base will become effective January 1, 1955, according to the Internal Revenue Act, he is proposing to bring the two laws into conformity.

In the first place, there will be no possible conflict until January 1, 1955. In the second place, all that is involved is a technicality. It is my opinion that the act would be repealed by implication. Furthermore, we have been told that there is a saving clause in the Internal Revenue Act which would take care of that. It is purely a technical amendment, and is of no importance. All the adoption of the amendment would mean is that the bill would be defeated. Therefore, I urge the Senate to reject the amendment.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield for a question?

Mr. COOPER. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Is it not true that if any amendment to the bill is agreed to, it will mean the death of the bill itself this year?

Mr. COOPER. That probably is true, but if I thought the amendment was a worthy one, or that it should be adopted, I would not make that argument. I say to the Senate that I do not believe the amendment is of any importance whatsoever, and that, on its merits, it should be voted down.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. COOPER. I yield to the Senator from Nebraska.

Mr. REYNOLDS. In the opinion of the Senator from Kentucky, is there a conflict as between the present time and January 1?

Mr. COOPER. No; there is no conflict as between now and January 1.

Mr. REYNOLDS. I understood the Senator to say that if there were a conflict, it would be only in that respect.

Mr. COOPER. There might be a conflict with January 1, except for a saving clause in the tax bill, to take care of the situation.

Mr. REYNOLDS. And no one has been able to present such a saving clause.

Mr. COOPER. There is a saving clause in the Internal Revenue Code of 1954, on page 815, section 7852 (b), under the caption "Reference in Other Laws to Internal Revenue Code of 1939"; and in this respect I refer to the bill which was enacted the other evening:

> (b) Reference in other laws to Internal Revenue Code of 1939: Any reference in any other law of the United States to any provision of the Internal Revenue Code of 1939 shall, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof, be deemed also to refer to the corresponding provision of this title.

That provision is stated somewhat in the reverse. It seems to say that this act will be superior unless a provision of another act is manifestly incompatible with it. It is simply unreasonable to believe we would pass a measure without regard to any other act which had been passed. Such an act always would be applicable.

I am confident, in my own mind—and I would not say so to the Senate if I were not—that the amendment of the Senator from Arizona is unnecessary, and should be rejected.

Mr. GOLDWATER. Mr. President, this amendment was deemed necessary by the legislative counsel, who felt that the bill should be brought into conformity with the new laws. The legislative counsel drafted the amendment, and I have submitted it.

I have only one question to ask: Is it wise to enact into legislation a bill which would raise the tax base from $300 to $350, so that the funds will be paid on that basis, and without actually raising the tax base at all?

I ask the Senator from Kentucky where we would get the funds, as between the $300 and the $350, between now and the first of the coming year.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arizona [Mr. GOLDWATER].

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mrs. BOWRING], the Senator from Maryland [Mr. BUTLER], the Senator from Vermont [Mr. FLANDERS], the Senator from Indiana [Mr. JENNER], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Connecticut [Mr. PURTELL], and the Senator from New Hampshire [Mr. UPTON] are necessarily absent.

The Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The Senator from New Jersey [Mr. SMITH] and the Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate.

If present and voting, the Senator from New Jersey [Mr. SMITH] would vote "nay."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], and the Senator from North Carolina [Mr. LENNON] are absent on official business.

The Senator from Iowa [Mr. GILLETTE] is absent by leave of the Senate.

I announce further that if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Iowa [Mr. GILLETTE], and the Senator from Alabama [Mr. SPARKMAN] would each vote "nay."

The result was announced—yeas 7, nays 68, as follows:

YEAS—7

Bennett	Hickenlooper	Reynolds
Bricker	Knowland	
Goldwater	Martin	

NAYS—63

Aiken	Hendrickson	McClellan
Anderson	Hennings	Millikin
Barrett	Hill	Monroney
Beall	Holland	Morse
Bridges	Humphrey	Mundt
Burke	Ives	Murray
Bush	Jackson	Neely
Carlson	Johnson, Colo.	Pastore
Case	Johnson, Tex.	Payne
Clements	Johnston, S. C.	Potter
Cooper	Kefauver	Robertson
Cordon	Kennedy	Russell
Crippa	Kerr	Saltonstall
Dirksen	Kilgore	Schoeppel
Duff	Kuchel	Smathers
Dworshak	Langer	Smith, Maine
Ervin	Lehman	Stennis
Ferguson	Long	Symington
Frear	Magnuson	Thye
George	Malone	Watkins
Gore	Mansfield	Williams
Green	Maybank	Young
Hayden	McCarran	

NOT VOTING—21

Bowring	Eastland	McCarthy
Butler	Ellender	Purtell
Byrd	Flanders	Smith, N. J.
Capehart	Fulbright	Sparkman
Chavez	Gillette	Upton
Daniel	Jenner	Welker
Douglas	Lennon	Wiley

So the amendment was rejected.

Mr. GOLDWATER. Mr. President, I offer a series of amendments which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The Secretary will state the amendments.

The CHIEF CLERK. On page 3, before the period in line 10, it is proposed to insert a semicolon and the following: "and by adding at the end of subsection (a) of section 3 the following: 'and by adding to such sum thus obtained a further sum equal to 5 percent thereof'."

On page 4, it is proposed to strike out lines 16 and 19, inclusive.

On page 4, beginning with line 22, it is proposed to strike out over through the word "by" on page 5, line 1.

On page 5, line 4, beginning with the semicolon, it is proposed to strike out down through the quotation marks in line 7.

It is proposed to renumber sections 9 to 15, inclusive, as sections 8 to 14 respectively.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. CORDON. Mr. President, will the Senator yield for a question?

Mr. GOLDWATER. I yield.

Mr. CORDON. I should like to ask the Senator from Arizona whether the amendments offered by him were offered to and considered by the Committee on Labor and Public Welfare?

Mr. GOLDWATER. No, they were not, because the committee never had a hearing on the House bill.

Mr. CORDON. Were the amendments considered by the committee in connection with the Senate bill, if there was one?

Mr. GOLDWATER. The amendments I am now offering were considered. In fact, in the hearings there is quite a bit of correspondence with the Railroad Retirement Board regarding this subject.

Mr. President, these are the last amendments I shall offer. The advisability of these amendments was discussed in the hearings. The amendments were never discussed in relation to the bill we are working on, because the pending bill was never considered by the committee, other than by taking a vote on it.

Mr. President, I shall complete my statement as quickly as possible.

This particular section is also objected to by the Department of Health, Education, and Welfare.

Mr. President, this bill does nothing for the retired railroad worker. We have, by the enactment of the Social Security Act, raised the benefits to all the recipients of social security all over the country about $6 but for some 290,000 retired employees of the railroad industry we have done nothing. There are about 5 percent of those people whose benefits fall below the social security benefit level, who will have their benefits raised to the Social Security Act level.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. CORDON. Am I correct in my belief that the Congress passed an act which was of aid to presently retired railroad workers?

Mr. GOLDWATER. The Senator is correct. That act was passed on May 21, I think. It did away with the dual benefits restriction passed in 1951. It affected only a small fraction of the retired workers. This is a different matter.

Mr. CORDON. Mr. President, will the Senator yield for another question?

Mr. GOLDWATER. I yield.

Mr. CORDON. Is it correct to say that the pending bill is prospective, not only with respect to the effective provisions, but with respect to the class of persons it affects?

Mr. GOLDWATER. That is correct.

Mr. CORDON. It affects only those workers now in service, and then only from the date of enactment forward.

Mr. GOLDWATER. And if this bill is enacted it will affect only those workers making $350 a month and more.

I might quickly explain to the Senator what this amendment would do. In the proposed act there is a provision which would reduce the age of widows' eligibility from 65 to 60.

Mr. CORDON. Mr. President, may I suggest to the Senator that he speak so that the Senate may hear? I believe this is an important matter, and we should make a record.

Mr. KNOWLAND. Mr. President, may we have order, so that the Senator can be heard?

The PRESIDING OFFICER. Will the Senator suspend until we have order in the Chamber?

Will those standing in the rear of the Chamber stop their conversations or kindly retire to some of the rooms outside, so that the debate can be clearly understood.

Mr. GOLDWATER. Mr. President, what this particular portion of the bill does is reduce from age 65 to age 60 the eligibility standard for widows.

I am not arguing against that idea. I might say in connection with this matter that I have a retirement fund in my own business, and at one time I thought it would be wise to reduce the age from 65 to 60. I found, when making an actuarial study of it, I could not afford to do so, and retained the requirement of age 65.

I do not think we should go into a matter of reducing the age from 65 to 60 without thorough study, because that would lead to a perfectly natural result, namely, of reducing the age with regard to social security from 65 to 60 years.

Again, that may be perfectly all right. I am not against the idea. However, I am against the idea of starting this snowball rolling before we have made full and competent studies of what the effect would be.

For instance, the Department of Health, Education, and Welfare tells me that if this idea were extended to those persons receiving benefits from social security, it would cost in the first year from $125 million to $150 million, and in the next year the cost would be easily as high as $800 million. Then, as an estimate of the ultimate cost, which would only be a guess, for there has been made no actuarial studies, would be between $1½ billion and $2 billion.

All my amendment would do would be this: Because the 290,000 people who are now retired will not receive one bit of benefit from the passage of this bill, I would propose to take the $23½ million which would go to some 30,000 widows falling in this bracket and give that money to the entire 290,000 retired people. That would give them an increase of about $5 each, compared to the social-security increase of $6 a person. I think that would be very fair. I do not like to see us take this step without giving full consideration to the dangers involved, if there are actuarial dangers in reducing social-security standards from 65 to 60 years of age. I think we owe it to the retired employees of the railroads to do at least something for them, inasmuch as we are going to do something for a man who is making more than $350 a month.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. CORDON. Is the Senator from Oregon correct in his understanding, then, that the purpose of the amendments offered by the Senator from Arizona [Mr. GOLDWATER] is to provide some relief for that group which has already passed the dividing line, now in retirement, and can no longer influence the results or effect of the law upon them except as we do it here? Is that correct?

Mr. GOLDWATER. The Senator is absolutely correct.

Mr. CORDON. I should like to ask another question. Assuming the adoption of the Senator's amendment, would we then be in a position, after such study as the importance of the subject matter would require, to make such corrections in the present law as would prospectively, operating upon the younger people who are still on the sunny side of the retirement line, put them in a position at least to equal and, if necessity required, exceed the benefits which the Senator's amendment would confer upon those who have already had their active service and are now in retirement. Is that a correct statement?

Mr. GOLDWATER. That is a correct statement. The young people who today are employed by the railroads will benefit by this bill. There are many benefits in it. I am not criticizing this entire bill. I would not argue with 85 percent of it. I do argue with it in connection with this particular point, because we are completely neglecting the nearly 300,000 people who have not benefited by our action with respect to the social security law and are not going to benefit by this bill. So long as we are going to spend about $23½ million, let us spend it for the benefit of as many people as we can; and then if it is desired to study the question of reducing the age from 65 to 60. As I say, I am not against that idea. I entertained it for years. But when we begin to talk about millions of dollars, we should not do it

on the last night or two of the session of the Senate.

Mr. CORDON. Mr. President, will the Senator yield for a further question?

Mr. GOLDWATER. I am happy to yield.

Mr. CORDON. The Senator from Oregon is constrained to make these inquiries for the reason that the amendments offered by the Senator from Arizona are not printed and have not been available to the Members of the Senate, and for a perfectly valid and proper reason. In the hurried and hectic days immediately preceding the conclusion of the session, it is impossible to know what bills can be brought up and when they can be brought up. In this instance, we have the bill before us and it is impossible for any Member of the Senate who is not a member of the committee and who has not had an opportunity to study the basic legislation or to study the impact upon it by the amendments which are offered, to understand and to comprehend in the slightest degree the meaning of the amendments offered by the Senator from Arizona. Yet there cannot be any more important legislation before the Senate than legislation which may be the basis for fundamental changes in the social-security law of the United States. I am sure the Senator from Arizona will pardon me if I try to probe a bit to understand precisely what would be the legal effect of the amendments which he is proposing, and I humbly urge that he make as comprehensive an explanation as it is possible to make before we are called upon to vote.

Mr. GOLDWATER. As to what it would do legally, not being a lawyer, I am unable to tell the Senator. I have no idea what happens when amendments are interpreted from a legal standpoint, but, plainly and simply, my amendment would put 290,000 retired railroad employees in the position of receiving at least a meager increase of $85, whereas they would not receive any increase without it. It will deprive about 30,000 widows, now from 60 to 65 years of age, of a benefit which would be given to all retired employees.

I should like to read to the Senator from the report of the Bureau of the Budget on this point:

> In regard to the second point, the reduction of the eligibility age for widows may well lead to pressures for a similar measure in the old-age and survivors insurance program. Inasmuch as the railroad retirement program is a social-insurance system, as well as a staff-pension plan, it may serve to some extent as a precedent for OASI. As a matter of principle, the social-insurance features of the railroad-retirement program should be kept in consonance with the general social-security program insofar as it is practicable and equitable to do so. Although we recognize that there may be special problems of survivorship in the railroad industry, we cannot endorse this provision.

I have nothing more to say on the matter, Mr. President.

Mr. CORDON. Mr. President, will the Senator yield for a further question?

Mr. GOLDWATER. I am happy to yield.

Mr. CORDON. The Senator was quoting from the report, and evidently the report, in turn, was quoting from some statement, made by whom?

Mr. GOLDWATER. It was made by the Bureau of the Budget. I have the letter here, which I intend to enter into the RECORD, signed by Donald R. Belcher.

Mr. CORDON. Will the Senator from Arizona advise the Senator from Oregon as to what would be the result, as the Senator from Arizona understands it, of the passage of this bill, were the Senator's amendments to be adopted? I think the Senator has explained what would happen to the railroad employees who have already retired. What would be the result, beneficial or otherwise, for those who fall within the group of widows from 60 to 65 years of age, or the group beyond 65, who are in the first group? What would happen to them, and what would be the result of the application of the whole bill to those who are not within either of those two preferred brackets?

Mr. GOLDWATER. I shall answer the second question first because it is quicker. It would benefit those who have not retired, the younger employees. Although, as I pointed out in an earlier colloquy, and as is contained in the report, it would take from 7 to 10 years, if I recall correctly, for the annuitant to receive a sum equal to what he has paid into the fund, it would be a definite benefit to the younger employees. The widows will continue to receive the benefits they receive today. All this amendment would do would be to delete from the bill the provision which lowers the age from 65 to 60, and then spreads the amount which would thereby be saved over the retired group.

Mr. CORDON. Mr. President, will the Senator yield, not for a question, but for an observation?

Mr. GOLDWATER. I yield.

Mr. CORDON. Mr. President, I regret that the Senate is faced with the necessity of making a decision this evening on a matter so important, and at the same time so highly technical as this is. It leaves the average individual—and the Senator from Oregon makes no contention that he comes up to that average—without the basic knowledge to act intelligently. I feel we should not be put in that position. Circumstances are responsible for that, and I certainly have no criticism with respect to that.

I wish we could have more specific information upon which to base our action. I have some slight understanding of the overall picture, and a little more than that as to the purpose of the bill, but I say, very frankly, that as to this specific question, the resultant legal effect of the adoption of the Senator's amendment, or of its failure of adoption, I am in a fog.

Mr. GOLDWATER. I do not quite follow the Senator. If the amendment fails, it would not do anything. The adoption of my amendment would eliminate the situation which I described, and the money would be paid to the already retired elderly workers.

Mr. GOLDWATER subsequently said: Mr. President, I ask unanimous consent that certain documents be printed in the RECORD at the end of my remarks in connection with H. R. 7840.

The PRESIDING OFFICER. Is there objection?

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

AUGUST 2, 1954.

Memorandum

Subject: Old-age and survivors insurance—Cost effects of lowering the retirement age to 60.

This memorandum will present cost estimates as to the effect of lowering the retirement age under the old-age and survivors insurance system from 65 to 60 for all types of benefits. My previous memorandum of July 29 dealt with such a change only for women.

The increased cost on a level-premium basis—according to the intermediate-cost estimate—for lowering the retirement age to 60 is about 2¼ percent of payroll on the basis of the benefits provided by H. R. 9366. The increase in cost for the first full year of operation would be at least $1½ billion and possibly as much as $2 billion. An estimate for the initial year of operation is rather difficult to make because fluctuations in economic conditions and employment opportunities could have a very considerable effect in connection with the operation of this proposed change. It should be noted that the figures given here include the effect of lowering the retirement age to 60 for women and are not merely the additional costs for lowering the retirement age to 60 for men.

ROBERT J. MYERS,
Chief Actuary.

UNITED STATES OF AMERICA,
RAILROAD RETIREMENT BOARD,
Chicago, Ill., July 27, 1954.

The Honorable BARRY M. GOLDWATER,
Chairman, Subcommittee on Railroad Retirement, Committee on Labor and Public Welfare, United States Senate, Washington, D. C.

DEAR SENATOR GOLDWATER: This will acknowledge receipt of your letter of July 21, 1954, in which you request the views of the Railroad Retirement Board on certain proposals to amend the Railroad Retirement Act.

In the first paragraph of your letter you state that it was brought out at the recent hearings on S. 2930, a bill to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, that the proposed amendments to the Railroad Retirement Act contained in S. 2930 would provide no benefits for some 290,000 retired employees now on the retirement rolls and that there is nothing in the proposed amendments which would provide increased annuities for the approximately 40 percent of all railroad employees who earn less than $300 per month. While it is true that the enactment of S. 2930 would provide no additional benefits for some 290,000 retired employees now on the retirement rolls, it must be borne in mind that these annuitants will pay no part of the cost of the liberalizations of the Railroad Retirement Act proposed in S. 2930. Such costs will be borne by the workers in the railroad industry who will, under S. 2930, be required to pay retirement taxes on up to $350 (instead of the present $300) of their compensation.

Commenting on the expression in the first paragraph of your letter that the 40 percent of all railroad employees who earn less than $300 a month will not benefit by the passage of S. 2930: as time goes on, a good number of these 40 percent begin earning over $300 a month and, therefore, profit by the crediting of compensation which would have been excluded under the present law.

In any event, they will not have suffered any increase in their retirement taxes during the time they will be earning not more than $300 a month and, after their death, their widows and parents may benefit by the lowering of the eligibility age from 65 to 60.

In the third and fourth paragraphs of your letter, you state that it has been suggested to the committee that if the provision lowering the eligibility age for widows and parents (to a point below the social security requirements) were eliminated from S. 2930, some $23,500,000 could be applied to increases in benefits for all employees. The desirability of reducing the widows' and parents' eligibility age must be weighed against the desirability of increasing present annuities since both cannot be allowed from the additional funds provided for in the bill. The Board feels that in answering this part of your letter, it should do so on two bases. On both bases, S. 2930 would be changed to eliminate the reduction in age requirement for widows from 65 to 60, and to substitute "across the board" increases in benefits for all employees. All other provisions of S. 2930 would remain unchanged:

Basis 1: Estimates on this basis assume that the increases will be made without regard to the present social security minimum and without considering the effect of H. R. 9366, a bill to amend the Social Security Act, if adopted as approved in the House, on benefits under the railroad retirement system. On this basis, the $23,500,000, if applied to employee benefits only, would increase them roughly 4.25 percent or $5 a month. If the increase were applied also to spouses' annuities, but the $40 maximum were retained, the increase would be about 4 percent. If the money were applied to all annuities under the Railroad Retirement Act, that is, annuities of employees, spouses, and survivors, the percentage increase would be between 3 and 3.25 percent.

Basis 2: Estimates on this basis are made on two assumptions: (1) that H. R. 9366 will be adopted with the benefit provisions of the bill as passed by the House, and (2) that any beneficiary under the Railroad Retirement Act who receives the social security minimum may receive only the increase resulting from H. R. 9366 and no increase from the railroad retirement system under the suggestion for "across the board" increases. What this means, is that whenever the benefit under H. R. 9366 would produce a higher amount than the benefit under the modified regular railroad retirement formula, such a social security minimum benefit will not be increased further. On this basis the $23,500,000, if applied to employee benefits only, would increase them roughly 4.4 percent. If the increase were applied also to spouses' annuities, but the $40 maximum were retained, the increase would be about 4.25 percent. If the money were applied to all annuities under the Railroad Retirement Act, that is, annuities of employees, spouses, and survivors, the percentage increase would be about 3.75 percent. The percentages on the basis 2 were calculated without taking into consideration the effect of the pending social security amendments on other cost factors of the railroad retirement system.

The Board wishes to point out that employee annuities were increase 20 percent in 1948 and 15 percent in 1951, with the result that the maximum employee annuity now payable under the railroad retirement system is $165.60 per month as compared to the $85 maximum employee annuity under the Social Security Act. Further, survivor annuities under the retirement system were also increased by about 33 percent and spouses' annuities were added in 1951.

It seems to a majority of the Board, therefore, that it is more desirable to use available money to reduce the eligibility age of widows and parents than to increase all benefits by such a small percentage.

The dissenting views of Board Member Frank C. Squire follow.

Sincerely yours,

RAYMOND J. KELLY, *Chairman.*

DISSENTING VIEWS OF F. C. SQUIRE, MEMBER, RAILROAD RETIREMENT BOARD

In my opinion the suggestion quoted in your letter, that the $23,500,000 be applied to increasing present and future employee annuities, is much preferable to the provision now in the bill for applying the $23,500,0000 to benefits for widows aged 60 to 64 inclusive.

Such a change in S. 2930 would appear in accord with the report of the Bureau of the Budget to your committee which said, "We cannot endorse this provision," namely, benefits for widows from 60 to 64 inclusive.

A further fact that may well be considered is that the social-security bill, H. R. 9366, recently passed by the House and reported by the Senate Finance Committee, provides immediate increases in benefits for present and future retired employees who come under social security, as well as for their wives and survivors. Under S. 2930 as now drafted, retired railroad employees will receive no immediate increases, whereas their neighbors under social security will, under H. R. 9366.

My statement above is subject to the views I expressed in opposition to the bill as a whole, attached to this Board's report to the committee.

Sincerely yours,

F. C. SQUIRE.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., July 1, 1954.

Hon. H. ALEXANDER SMITH,
Chairman, Committee on Labor and Public Welfare, United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in reply to your letter of June 22, 1954, wherein you request a report on S. 2930, "To amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act."

The bill would revise the railroad retirement program in several important respects. It would increase the maximum wages subject to payroll taxes and creditable toward benefits from $300 to $350 a month. It would reduce the eligibility age for widows and dependent parents from 65 to 60 years of age. Eligibility for disability benefits would be put on a month-by-month basis and the allowable earnings raised to $100. Compensation after age 65 would not be counted toward benefits if it had the effect of reducing such benefits. Surviving spouses entitled to benefits in their own right would be permitted to receive such benefits, and their survivorship benefits as well, without any offset requirements. In cases where a dependent child is disabled, his benefit rights would continue after his 16th birthday both in respect to the offspring and the widow. Several other relatively minor revisions, which would be brought about by the proposed bill, include elimination of the school attendance provision for children's benefits and exemption of service as a union delegate from covered employment.

The Railroad Retirement Board has made a cost analysis of the proposal and indicates that it would not add to the present deficiency of the program. Raising the tax base would increase revenues by an estimated $56 million a year and the automatic increase in benefits resulting from a parallel increase in creditable wages would be $31 million a year. Other changes would add another $23 million a year to annual costs. The net effect would be a slight reduction in the financial deficiency under which the program is now operating.

In respect to the railroad unemployment insurance program, the bill would raise the tax base to $350 a month with a parallel increase in maximum benefits from $7.50 to $8.00. This provision is recommended. The unemployment benefits would be further liberalized by a provision that in no instance could they be less than 50 percent of the claimant's last daily rate of pay. We believe this provision requires careful examination.

The change in the method of computing unemployment benefits from an annual wage base to a "last daily rate of pay" would favor particularly the casual employees of the railroad industry. The casual worker is already favored in that the present railroad unemployment insurance program does not contain any limitation on the duration of benefits to keep it in accordance with the claimant's prior service in the industry. In consequence, it is possible now for a person who works 5 or 6 weeks or earns a minimum of $300 in the railroad industry to get benefits for as much as 26 weeks of unemployment and 26 weeks of sickness—far more in the aggregate than the total wages earned in the railroad industry. The proposed bill would have the effect of increasing substantially the benefits going to such claimants. Inasmuch as the cost of unemployment insurance is borne by the carriers, we believe the Congress will wish to consider whether those provisions of the bill create an inequity by increasing the burden of the carriers with respect to individuals whose connection with the industry is of short duration. If it is intended to depart from the annual basis of determining benefits, such a step might be accompanied by "a standard requiring more substantial connection with the railroad industry as a precondition of receiving benefits. Such standards exist in the great majority of State unemployment insurance programs.

The proposed increase in the covered wage base to $350 a month would correspond to the President's proposal for revision of old-age and survivors insurance. In view of these Presidential recommendations, the proposal for a higher wage base and resulting automatic increases in benefits under the railroad system would appear appropriate. Its enactment is recommended. Because of the complex interrelationship between social security and railroad retirement, however, it is important that enactment of a wage base increase in the railroad retirement program not become effective in advance of the increase in old-age and survivors insurance.

The case regarding the other increases in benefits, amounting to $23 million a year, is one which the Congress will wish to consider in connection with (1) the existing financial situation of the railroad retirement system, and (2) the potential effect of railroad retirement increases on the general old-age and survivors insurance program, and on relationships between the two systems.

In respect to the first point, the fact that the system is presently underfinanced by approximately 0.9 percent of payroll raises a question as to whether a substantial part of the increased revenues should be allocated to decreasing the deficiency. As indicated above about 60 percent of the increased revenues resulting from the higher wage base in the retirement program would be required to finance the automatic increase in benefits. Most of the remaining 40 percent, under the bill, would be devoted to the other liberalizations.

In regard to the second point, the reduction of the eligibility age for widows may well lead to pressures for a similar measure in the old-age and survivors insurance program. Inasmuch as the railroad retirement program is a social-insurance system, as well as a staff pension plan, it may serve to some extent as a precedent for OASI. As a matter of principle, the social insurance features of the railroad retirement program should be kept in consonance with the general social security program insofar as it is practicable and equitable to do so. Although we

recognize that there may be special problems of survivorship in the railroad industry, we cannot endorse this provision.

In according eligibility to disabled dependents beyond 18 years of age, the bill creates a new class of beneficiaries which is not provided for in the old-age and survivors insurance system. The principle, however, is equitable and provided for in tax law. It would seem desirable to provide specifically that the offspring be, in fact, economically dependent.

The provision making it possible for surviving spouses to receive two benefits may be questioned on the grounds that (a) the spouse's benefit is a social benefit based on the added financial need of annuitants with dependent wives and (b) that it has no relation to individual contributions. We believe this argument has validity and would suggest that it be considered by the committee. Favorable action on this provision should not be considered a precedent for similar liberalization of social-security laws.

The other provisions of the bill are without objection.

In summary, the increase in the taxable wage base and the concomitant automatic increase in benefits would be consistent with the President's recommendations respecting the old-age and survivors insurance program. Their enactment is recommended to become effective at such time as the amendments to the Social Security Act become effective. The increase in maximum unemployment benefits is also recommended at such time as the wage base is raised. With respect to the other changes in the railroad retirement program, the Bureau, although agreeing that most of these are socially desirable, believes that the Congress will wish to consider carefully whether they should be enacted at this time.

Sincerely yours,

DONALD R. BELCHER,
Assistant Director.

LEGISLATIVE PROGRAM

Mr. KNOWLAND. Mr. President, will the Senator from Arizona yield for a brief announcement which will require not more than 2 minutes?

Mr. GOLDWATER. I yield.

Mr. KNOWLAND. Mr. President, I have been requested to announce the program for the remainder of the evening and for tomorrow.

When we dispose of the railroad retirement bill, there will be some speeches to be made on the upper Colorado River bill, which is the unfinished business before the Senate. But there is a privileged matter to be taken up, which is the conference report on the foreign-aid bill, which we expect to consider shortly after we dispose of the railroad retirement bill.

When that is disposed of, it is the intention of the majority leader, pursuant to the discussions held last evening, to ask unanimous consent that the unfinished business be temporarily laid aside and that the postal rate increase bill reported by the Committee on Post Office and Civil Service may be made the unfinished business of the Senate. I shall be prepared to have the Senate continue in session to allow Senators to make insertions in the RECORD, and I shall attempt to obtain a unanimous-consent agreement that the Senate take up the pay bill when it meets at 10 o'clock tomorrow morning.

I shall ask that the time be divided, on the basis of 1 hour on a side, or whatever other time the distinguished Senator from South Carolina [Mr. JOHNSTON] and the distinguished chairman of the committee [Mr. CARLSON] may find agreeable. I am sure such an agreement can be obtained. I hope there will be time for possibly 2 hours of debate tomorrow morning after the morning hour, before the vote. That will make it unnecessary for the Senate to remain in session until 11 or 12 o'clock tonight. I am sure Senators are tired. While I cannot assure them that there will be a unanimous-consent agreement, I shall try to obtain one before the Senate takes a recess. I shall make a brief introductory statement, so that it will be in the RECORD.

After the Senate disposes of the conference report on the foreign-aid bill, it is not planned to have further voting or rollcalls tonight.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSTON of South Carolina. So far as I am personally concerned, the Senator's suggestion is agreeable to me.

Mr. KNOWLAND. I have discussed it with the minority leader, but I have not had an opportunity to discuss it with the acting minority leader.

Mr. SMATHERS. I am certain that it will be agreeable. The sooner we can reach a vote the better.

Mr. CARLSON. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. CARLSON. I did not hear the entire statement of the Senator from California.

Mr. KNOWLAND. After we shall have disposed of the railroad retirement bill, we expect to take up a privileged matter, the conference report on the foreign-aid appropriations bill. Before the Senate takes a recess tonight until 10 o'clock tomorrow morning, I shall ask unanimous consent that the postal bill reported by the committee of which the Senator from Kansas is chairman be made the unfinished business. I have an amendment about which the Senator knows, which I intend to offer, and I shall make a brief statement. Other Senators may desire to make statements, but with the understanding that there will be no voting tonight. I shall then offer a unanimous-consent request that after some time agreeable to the Senate, such as an hour or an hour and a half on each side tomorrow morning after the morning hour, and a reasonable time on each amendment, there shall be a vote.

Mr. CARLSON. Is it the Senator's program to dispose of the bill as rapidly as possible?

Mr. KNOWLAND. Yes. If we can obtain an agreement, we can move expeditiously. I hope to dispose of it by 12 o'clock noon tomorrow, or shortly thereafter.

Mr. SMATHERS. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. SMATHERS. I have made a brief check on this side of the aisle, and it seems to be the disposition of most Senators that we enter into an agreement for an even shorter time, and vote on the bill tonight. That might be a good idea.

Mr. KNOWLAND. I think there will be no prolonged debate, but under the circumstances, if we could make the bill the unfinished business, so that we shall not have to remain in session until late tonight, I think it would be a good idea. We also must consider the conference report on the foreign-aid appropriations bill, which is a privileged matter and will have to be taken up tonight. We must dispose of the bill which is now before the Senate, and I have indicated to some Senators that the Senate would not remain in session beyond 10 o'clock tonight.

Mr. SMATHERS. There is no disposition on this side to debate the postal pay increase bill for more than 15 minutes on a side.

Mr. KNOWLAND. It would require, in my judgment, at least an hour and a half to present the amendments and discuss the bill.

I should like to propound a unanimous-consent request, which I discussed with the minority leader earlier, to take up the postal pay increase bill after the morning hour tomorrow. We might have a unanimous-consent agreement that the time on the bill be equally divided, 1 hour on the bill, one-half of the time to be controlled by the chairman of the committee [Mr. CARLSON]. As to the other half, a difficult situation is presented, because the Senator from Kansas is supporting the bill to which I propose to offer amendments.

Mr. JOHNSTON of South Carolina. Any Senator who offers an amendment can control his time.

Mr. CARLSON. I assure the Senator from California that on this side, as chairman of the committee, I should be most willing to yield time or to let the distinguished majority leader have time. It need not be assigned to me particularly. So far as I am concerned, I do not think it will take very long to debate the bill. I think it will not take long after we have voted on the amendment.

Mr. CLEMENTS. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. CLEMENTS. Do I correctly understand that the majority leader has discussed the question with the minority leader, and that they are in agreement?

Mr. KNOWLAND. Not as to the precise amount of time. I have told him that we would not reach a vote on it tonight, but that we would wait for speeches to be made on it or for the insertion of material in the RECORD. I told him that I did not wish to keep the Senate in session later than 10 o'clock tonight; and that we would take up the conference report on the foreign-aid appropriation bill.

If we could have an hour on each side on the bill itself, and an hour on each amendment, I would be agreeable to such an arrangement, which would bring the question to a head within a short period of time. My amendments will be offered en bloc.

Mr. SMATHERS. When the majority leader discussed the subject with the minority leader and discussed the question of not voting until tomorrow, was the minority leader in agreement?

Mr. KNOWLAND. I understood that such an arrangement was agreeable to the minority leader.

Mr. SMATHERS. I thank the Senator.

PROPOSED UNANIMOUS-CONSENT AGREEMENT ON PAY INCREASE BILL

Mr. KNOWLAND. Mr. President, I submit a proposed unanimous-consent agreement and ask that it be read for the information of the Senate. With reference to the time for debate, it may be that both sides will find that they will not use the entire amount of time allotted, and so can yield back the time. I think that is very likely to happen.

The PRESIDING OFFICER. The clerk will read the proposed unanimous-consent agreement.

The legislative clerk read as follows:

Ordered, That after the morning business on Friday, August 20, during the further consideration of H. R. 7774, to establish a uniform system for the granting of incentive awards to officers and employees of the United States, debate on any amendment or motion (including appeals) shall be limited to not exceeding 2 hours, to be equally divided and controlled, respectively, by the mover of any such amendment or motion and the Senator from Kansas [Mr. CARLSON] in the event he is opposed to any such amendment or motion; otherwise, by the mover and the minority leader: *Provided*, That no amendment that is not germane to the subject matter of the said bill shall be received: *And provided further*, That debate upon the bill itself shall be limited to not exceeding 2 hours, to be equally divided and controlled, respectively, by the Senator from Kansas [Mr. CARLSON] and the Senator from Texas [Mr. JOHNSON].

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement?

Mr. LANGER. Mr. President, reserving the right to object, will the distinguished Senator from California please read his amendments to House bill 7774?

Mr. KNOWLAND. The amendments are at the desk. They are a little long to be read. Copies will be available for each Senator in the morning.

Mr. LANGER. In substance, what do the amendments provide?

Mr. KNOWLAND. The amendments, substantially, are as follows: That the increases in postal rates shall be the same as those indicated in the amendment offered by the Senator from California yesterday, namely, 1 cent on first-class mail; on second-class mail the rate is figured at 10, 10, and 10.

With respect to the classified civil service, there is a proposal for a ceiling and a floor, which does not exist either in the administration's original proposal or in the so-called Rees bill, which was reported by the House committee. In other words, there will be a ceiling on the upper bracket increase in the classified civil service, and there will be a floor under the amount, with a minimum increase of $100 and an average of 4½ percent.

Mr. LANGER. Will the Senator further tell us the difference between the amendments he is now offering or intends to offer, and the amendment he offered yesterday?

Mr. KNOWLAND. The basic difference is in the minimum provided for the classified civil service and the maximum provided for the classified civil service.

Mr. LANGER. What does that amount to in dollars?

Mr. KNOWLAND. It amounts to $100, minimum, and $440, maximum. It would establish a maximum, basically, on the same basis as the postal service maximum.

Mr. LANGER. In other words, the maximum would be reduced from $800 to $440. What about the minimum?

Mr. KNOWLAND. In the original administration proposal there is no minimum. The amount is being placed at $100 for the classified service.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement?

Mr. SMATHERS. Mr. President, reserving the right to object, I wish to ask the majority leader if he will withhold his unanimous-consent request until the railroad retirement bill and the next bill have been disposed of.

Mr. KNOWLAND. I am perfectly agreeable to doing so. I desired to give Senators advance notice of the proposed unanimous-consent agreement. Several Senators had asked about the length of time the Senate would remain in session tonight, and about the program for tonight and tomorrow.

Tomorrow, I have been informed, the committee of conference of Members of the House Committee on Ways and Means and the Senate Committee on Finance are scheduled to meet again on the social-security bill. I hope that sometime tomorrow they may reach an agreement. Of course, I have no way to predict whether they will or what the agreement may be. But if such an agreement is reached, some time tomorrow the Senate will have before it a privileged conference report on which to act.

Mr. CLEMENTS. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. CLEMENTS. Is it not likely that if the Senate were to follow the admonition given by the Senator from West Virginia [Mr. NEELY] earlier in the evening, it might be possible to dispose of the several matters which the majority leader has mentioned tonight, including the postal pay bill?

Mr. KNOWLAND. I think not, unless the Senate were to remain in session until 12 o'clock, or about that time; and a number of Senators have expressed the hope that that will not be done.

The PRESIDING OFFICER. Does the Senator from California temporarily withdraw his proposed unanimous-consent agreement?

Mr. KNOWLAND. Yes, I temporarily withdraw it.

The PRESIDING OFFICER. The Senator from California temporarily withdraws the proposed unanimous-consent agreement.

AMENDMENT OF RAILROAD RETIREMENT ACT, THE RAILROAD RETIREMENT TAX ACT, AND THE RAILROAD UNEMPLOYMENT INSURANCE ACT

The Senate resumed the consideration of the bill (H. R. 7840) to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act.

Mr. COOPER. Mr. President, as manager of the bill, I oppose the amendment offered by the distinguished Senator from Arizona [Mr. GOLDWATER]. I shall briefly direct my argument to the amendment, and to ask the Senate to note exactly what the Senator is proposing.

One amendment to the Railroad Retirement Act proposed by this bill would change the eligibility age of widows from 65 to 60. This amendment would cost the Railroad Retirement fund about $23,500,000. I may say, parenthetically, that that charge would be made up by a tax against the workers, plus contributions by the employer. The point to remember is that the reduction in the age from 65 to 60 would cost the fund $23,500,000. It would bring benefits more quickly to about 30,000 widows.

But what the Senator from Arizona proposes to do—against the unanimous action of the House and against the 11 to 1 vote in the Senate committee—is to write his own bill on the floor of the Senate tonight, and to provide that the $23,500,000 shall not be used for the widows, but that it shall be distributed equally or be distributed pro rata among the retired workers.

To correct any belief that there are no benefits in this bill for workers, I make this point: The bill will provide additional benefits to about 700,000 workers. Congress has already passed a bill which makes possible additional payments to about 30,000 retired railroad workers. The bill would give benefits to widows, to surviving children, and to disabled children.

With all due regard to my good friend from Arizona, I do not think the bill should be written on the floor, as he now suggests. The railroad unions and brotherhoods, those who keep in mind the needs of their own people, recognizing that many things could be done for those who are retired, have selected this method of helping those who need help most. They are paying the bill, with the help of contributions from the railroads.

Mr. CORDON. Mr. President, will the Senator yield for a question?

Mr. COOPER. I yield.

Mr. CORDON. I have two questions. Before the House voted 360 to 0, had it considered an amendment similar to the amendment offered by the Senator from Arizona?

Second, before the Senate committee voted, 11 to 1, to report the bill, had it considered the amendment offered by the Senator from Arizona?

Mr. COOPER. My recollection is that in the full committee the Senator from Arizona discussed the proposal. I do not think the committee voted upon it.

Mr. GOLDWATER. I can answer the question asked by the Senator from Oregon.

I asked permission to discuss the amendment with the members of the committee, because we had been studying the question. I outlined at great length what I thought should be done to the bill to make it a perfect bill, but the members of the committee rejected my proposal. I never had an opportunity to amend the mill, or even to offer an amendment to it in committee, because, if I am correct, it required half an hour to discuss it, and I spoke for about 28 minutes of the time.

It was for that reason that I had to attempt to legislate on the floor. I dislike doing that. I think it is poor practice. But when I have been denied the right in committee to submit an amendment and to argue it, I have only one other forum, and that is in the Senate.

Mr. COOPER. I say to my good friend that the chairman of the subcommittee had control of it.

Mr. CORDON. Mr. President, will the Senator yield further for another question?

Mr. COOPER. I yield.

Mr. CORDON. The railroad brotherhoods have perhaps the most outstanding record in the field of labor organization in the United States, extending over a long period of time, and showing perhaps the finest standards in the American tradition, both in negotiation and in maintenance of contracts entered into. Can the Senator tell me whether all the railroad groups or brotherhoods affected by the bill are in favor of its provisions as recommended by the committee?

Mr. COOPER. The four brotherhoods, the Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen and Enginemen, the Order of Railway Conductors, and the Brotherhood of Railroad Trainmen, all testified in favor of the bill. A number of organizations such as the Labor Railway Executives' Association, and the railroad nonoperating unions, 15 or 20 of them, all supported the bill. I do not know of a single railway labor organization that did not support the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arizona [Mr. GOLDWATER].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment, the question is on the third reading of the bill.

The bill (H. R. 7840) was ordered to a third reading, read the third time, and passed.

Mr. NEELY subsequently said: Mr. President, I move to reconsider the vote by which the bill (H. R. 7840) was passed.

Mr. SMATHERS. Mr. President, I move to lay on the table the motion of the Senator from West Virginia.

The PRESIDING OFFICER. The Chair advises the Senator that the pending business has been laid down. It will be necessary to obtain unanimous consent to return to H. R. 7840.

Mr. IVES. Mr. President, I ask unanimous consent that the Senate return to the bill which was just passed, House bill 7840.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. IVES. Mr. President, I now move to reconsider the vote by which House bill 7840 was passed.

Mr. KNOWLAND. Mr. President, I move to lay on the table the motion of the Senator from New York.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion to lay on the table was agreed to.

Mr. COOPER subsequently said: Mr. President, I wish to make a statement regarding House bill 7840. I wish to say that the distinguished Senator from Arizona [Mr. GOLDWATER], who presided as chairman of the subcommittee in the consideration of the bill should receive commendation. He was the one member of the committee who was present at all times. He studied the bill thoroughly. He presented his views to the individual members of the subcommittee. While I did not agree with his views, I must say he certainly acted in the most sincere and conscientious way, and his work on the bill has been of benefit to all of us. I think the Senator from Arizona deserves the commendation of the Senate for the work he did.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF COLORADO RIVER STORAGE PROJECT

The PRESIDING OFFICER. The Chair lays before the Senate the pending business.

The Senate resumed the consideration of the bill (S. 1555) to authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes.

REFUGEE RELIEF ACT

Mr. LEHMAN. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield to the Senator from New York.

Mr. LEHMAN. Mr. President, I expected to speak with regard to an amendment to the Refugee Relief Act of 1953. The hour is so late that I shall not take up the time of the Senate. I ask unanimous consent, however, to have printed in the body of the RECORD as a part of my remarks a statement which I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR LEHMAN

Last week, on August 12, the Senate passed on the Consent Calendar H. R. 8193, an amendment to the Refugee Relief Act of 1953.

The avowed purpose of this amendment was to help break the unfortunate logjam which had developed in the implementation of the Refugee Relief Act—a logjam which was threatening to make of that law a mirage and a delusion.

I have not had time to check up within recent weeks on the number of persons who have come to the United States under the terms of the Refugee Relief Act, but I know the number is very small indeed compared to the 209,000 who were authorized to be admitted, above quota, in legislation we adopted more than a year ago. Most of those who have been admitted under the Refugee Relief Act are not refugees at all, but relatives of citizens and persons already resident in the United States.

I am, of course, glad to aid in and encourage in every way the admission of relatives into this country, but I do want to point out that one of the major purposes of this law was to admit refugees and escapees from behind the Iron Curtain—those who had fled from tyranny and slavery to seek freedom in the Western World. By means of the Refugee Relief Act of 1953, we thought we were putting up the welcome sign for some of these refugees and escapees.

But while putting up this welcome sign, with neon lights furnished by high-sounding statements by the President and others proclaiming our humanitarianism, we kept the gates so tightly closed that only a relatively few individuals could squeeze in under the statutory and administrative restrictions which were established. A few relatives and a few orphans—a few thousand perhaps by now, a year after the enactment of the law—but that has been all. The refugees and escapees knocked in vain at the gates to the United States.

We had a provision in the law permitting 5,000 persons already in the United States, who would be otherwise eligible under the terms of the Refugee Relief Act, to adjust their status to that of permanent residents. That provision was virtually inoperative, too.

The law contained a very unwise provision requiring a specific, detailed assurance that the alien would have housing and that, further, a job—a definite and specific job—was available for him that could not be filled by a person already in the United States. These provisions of the law, together with the accompanying regulations, contributed to the utter rigidity and inflexibility of this program. It was generally acknowledged that the program was failing, just as some of us predicted it would.

And so some amendments were suggested this year. Those amendments had the support of the administration. One of these amendments was designed to correct the unworkability of section 6, authorizing the adjustment of status of eligible aliens already in the United States as visitors. That provision was included in H. R. 8193, which the Senate approved last week.

Still another provision would permit the quota numbers set aside in the Refugee Relief Act for refugees and escapees to be used by relatives of American citizens who were applying in much greater numbers than had been anticipated.

One of the reasons this was true was because the Refugee Relief Act did not require for relatives the same detailed and restrictive assurances that were required for refugees, to which I have already referred.

H. R. 8193, containing the provisions I have described, was considered and approved by the House.

When H. R. 3193 went to the Senate Subcommittee on Immigration, Mr. President, it was amended—amended by agreement as is made perfectly clear in a statement by Senator MCCARRAN which appeared on pages 14270–14271 of the CONGRESSIONAL RECORD for August 12. These committee amendments apply to relatives—the so-called preference category—the same assurance restrictions which now apply to refugees and escapees.

The Senator from Nevada [Mr. MCCARRAN] stated on the floor of the Senate—and I am quoting from pages 14270–14271 of the RECORD—"If these amendments are not agreed to, the bill will be objectionable to the senior Senator from Nevada."

And so these amendments were agreed to.

And so, while we have relaxed the Refugee Relief Act to open the gates a little wider to relatives, we have at the same time closed the gates even tighter on these same individuals by requiring them to furnish the

same kind of assurances which have proved so difficult an obstacle to the admission of nonpreferences cases—the refugees and escapees who have no relatives in this country. While we give with one hand we take away with another.

I do not know whether the bill as it now stands—the amendments to the Refugee Relief Act which we approved and which will, I assume, become law—will result in a net gain or a net loss for immigration. I hope it will result in a net gain. Certainly that gain will be smaller than if the committee amendments I have referred to had not been adopted. At the least, these amendments will certainly slow up the admission of preference cases to the United States.

I understand that some of the private voluntary agencies concerned with immigration were very eager to have H. R. 8193 enacted. They felt that, on the whole, it would help out in countries like Italy and Greece to speed the flow of immigration under the Refugee Relief Act. I hope that their hopes will be justified, and that my fears will prove unjustified.

Certainly it is unfortunate that the Congress can never seem to pass an immigration bill—a humanitarian measure—without loading it down with such restrictions as to make it almost inoperable.

If this measure goes to conference, I hope that the House will strike out the committee amendments. I hope that this requirement of detailed assurances for preference cases will be eliminated. If it is not, I hope the next Congress eliminates it.

And, speaking of the next Congress, I hope that in the next Congress the Eisenhower administration will fulfill its pledge and move promptly, not only to modify the restrictive terms of the Refugee Relief Act, in order to make it workable, but also to initiate action to amend the McCarran-Walter Immigration and Nationality Act, and thus to fulfill the pledges this administration made when it first took office.

CONSTRUCTION OF SANTA MARIA PROJECT, SOUTHERN PACIFIC BASIN, CALIF.

Mr. KUCHEL. Mr. President, will my colleague the Senator from California yield?

Mr. KNOWLAND. I yield to my colleague.

Mr. KUCHEL. I ask unanimous consent that there may be laid before the Senate a message from the House of Representatives relative to a bill the Senate considered last night, namely, H. R. 2235, having to do with the Santa Maria project.

Mr. KNOWLAND. Has the matter been taken up with the minority leader?

Mr. KUCHEL. It has been taken up with the acting minority leader.

Mr. KNOWLAND. I yield for that purpose.

Mr. KUCHEL. Mr. President, I ask unanimous consent that there be laid before the Senate a message from the House of Representatives relative to House bill 2235.

The PRESIDING OFFICER laid before the Senate the amendment of the House to the amendment of the Senate numbered 1 to the bill (H. R. 2235) to authorize the Secretary of the Interior to construct the Santa Maria project, southern Pacific Basin, Calif., which was, in lieu of the matter proposed by said amendment, insert:

On page 1, line 6, after "California", insert "relating to water and water rights."

Mr. KUCHEL. Mr. President, the House, in acting on the bill, which was debated and thereafter passed in the Senate last evening, added to the phrase "the laws of the State of California" the additional phrase "relating to water and water rights," in order to nail the definition down. I think I can accurately term it a technical amendment.

I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 1 to House bill 2235.

The motion was agreed to.

SUMMARIZATION OF THE ACTIVITIES OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. CASE. Mr. President, it seems appropriate in these closing days to summarize the accomplishment of this Congress for the District of Columbia. Before submitting for inclusion in the RECORD a list of the legislative activities of the District of Columbia Committee, I should like to speak briefly on some of the highlights.

First of all, I wish to express high tribute to the unselfish service of the members of this committee and appreciation for the support they have given the chairman throughout this Congress, without regard to party. Service on this committee is rendered without hope of credit by a Senator's home constituency.

Five members of the Senate who are no longer with the committee made substantial contributions when they were. The late and beloved Senator from North Carolina, Mr. Smith, gave us the benefit of his most careful thought on several of our most difficult problems.

His successor, the senior Senator from North Carolina [Mr. LENNON] was with the committee only briefly but was a sincere and able member. The junior Senator from Ohio [Mr. BURKE], being a former mayor, lent most valued advice and counsel during his all too brief service with us.

Outstanding also were the services of the Senator from Wyoming [Mr. BARRETT], who piloted to success a monumental revision of the District's criminal code and also a bill for the creation of a family court for the District. The junior Senator from Wyoming [Mr. CRIPPA], probably made some sort of a record with this committee, conducting hearings and securing the passage in the Senate of half a dozen bills within a few days of his appointment to the committee. To all of these former members and to the present members of the committee the chairman is grateful for their earnest and considered cooperation in helping to enact a long series of bills which I believe were constructive and will be of long-range benefit to the Nation's Capital.

The Senator from West Virginia [Mr. NEELY], who is ranking minority member, and under whom I had the privilege of serving in that capacity in the previous Congress when he was chairman, needs no praise from me to remind the Senate and this city of his unflagging devotion to the Capital's welfare. His colleagues on the minority side, the Senator from Tennessee [Mr. GORE], the Senator from Montana [Mr. MANSFIELD], and the Senator from North Carolina [Mr. ERVIN], have likewise rendered highly valued service.

The Senator from Oregon [Mr. MORSE] has given us the benefit of his fine legal mind and his knowledge in many fields—as well as his full cooperation in putting through a program in a committee composed of 4 Republicans, 4 Democrats and 1 Independent.

The Senator from Nebraska [Mr. REYNOLDS] stepped into a place on the committee only recently and immediately gave our problems earnest study, conducting some hearings and piloting several bills to passage.

The Senator from Maryland [Mr. BEALL] has been especially valued as a committee member because of his State's proximity to the District and his first-hand acquaintance with its problems. Many of the important legislative accomplishments of this Congress in the field of District affairs rightfully bear his name.

A special word of praise is due the very able Senator from Maine [Mr. PAYNE] who gave many, many days of his time to an investigation of Washington transportation problems and to other important subjects. His Subcommittee on Business and Commerce was noteworthy for always keeping on top of its agenda. Every bill referred to that subcommittee received prompt and thorough attention.

To all of these Members must go the credit for what I believe is an outstanding record of accomplishment.

During these two sessions, the District has been launched on a self-financing, 10-year, $305 million program of public works improvements that will literally change the face of the capital. I use the term self-financing because the bill passed carried a major revision of the District's revenue laws to produce the funds needed for the works program. The District has been equipped with new and modern laws for the prevention, detection, and punishment of crime—and already the records indicate a substantial drop in what had been an alarming crime rate here. This new criminal code was the outgrowth of investigations conducted by District committees of Senate and House. The District has been provided with a modern business corporation law. It shortly will have, I believe, if the bill is approved by the President, a vastly improved unemployment compensation system, with benefits among the highest in the country.

Two new bridges will begin to stretch across the Potomac River within the next year or two as a result of legislation passed only this week, which should help greatly to reduce traffic congestion and make the Capital a better place to live and work. These bridges, I believe, will prove to be a real factor in planning for national security.

For the first time in three-quarters of a century, there may soon be some elections in this voteless city—regulated under law. Delegates to national party conventions for the nomination of President and Vice President and national committee men and women will be voted

upon. I hope this may be a forerunner to more extensive voting rights for the 850,000 residents of the District in local and National Government.

Thanks to the investigation I mentioned earlier, forward strides have been taken in improving public transportation here. Policies of the transit company have been reoriented, fringe parking is at last to receive a real trial, and traffic congestion should be lessened.

Policemen, firemen, and teachers have received deserved pay adjustments in this Congress and the subject is under continuing review.

Many other statutes in all fields of local governmental activity have been modernized to better serve the city and its people.

Before concluding, I wish again to mention the outstanding service performed by the committee staff. In Robert C. Albrook, I think the District of Columbia Committee has one of the most capable clerks on Capitol Hill. He has been supported loyally and efficiently by J. D. Coon, counsel, and William Gulledge, assistant counsel, and by Mrs. Arlene Williams and Mrs. Ruth Bryant, assistant clerks. Without their very capable work, the present chairman would not have been able to meet responsibilities on other committees and also accept the duties for this one. Much of whatever credit is given the committee is due to this staff.

A great deal of credit also must go to the President of the Board of Commissioners, the Honorable Samuel Spencer, and to Engineer Commissioner Louis Prentiss and Commissioner Renah Camalier not only for the legislative gains made during the past 2 years but for many administrative improvements in the District government as well. Sometimes we forget that this Capital City is State and city in one and that 20,000 municipal employees keep this Federal city going.

Finally, I wish to thank the majority leader, the minority leader, and every Member of the Senate for the repeated instances of patience and cooperation in the passage of District legislation, which, though it is important locally, could easily be sidetracked in a national legislative body were it not for the understanding and help of all the Members.

Mr. President, I ask for unanimous consent to have inserted at this point in my remarks a report on the activities of the Senate District Committee in the 83d Congress.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement entitled "Activities of the Committee in the 83d Congress."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON THE
DISTRICT OF COLUMBIA,
August 19, 1954.

ACTIVITIES OF THE COMMITTEE IN THE 83D CONGRESS

The Committee on the District of Columbia received from the Senate for consideration in the 83d Congress 110 Senate bills, 38 House bills, 2 Senate resolutions, 3 Senate joint resolutions, 1 Senate concurrent resolution, 2 House joint resolutions, and 10 nominations.

Hearings were held by subcommittees on 57 Senate bills and 27 House bills and by the full committee on 10 nominations.

The full committee met 16 times.

All of the nominations were reported favorably by the committee and all were confirmed by the Senate.

Pursuant to Senate Resolution 140, a special subcommittee conducted 10 days of hearings and held 6 executive sessions, investigating public transportation serving the District of Columbia. (See S. Rept. No. 1274.)

Of the 78 bills and acts reported to the Senate by your committee, 2 remain on the Senate Calendar, as follows:

S. 880, authorizing the Public Utilities Commission of the District of Columbia to limit the number of taxicabs serving the District.

S. 2413, authorizing election by the residents of the District of Columbia of a city council, mayor, and board of education, to whom would be delegated, with certain limitations, the powers over the District now exercised by the Congress, the Commissioners, and the appointed board of education; also authorizing election of a nonvoting delegate to the House of Representatives from the District.

The following 14 measures reported by your committee passed the Senate are pending in committee of the House of Representatives:

S. 697, authorizing election by the residents of the District of a nonvoting Delegate to the House of Representatives.

S. 885, disqualifying for 2 years following their public service certain former officers and employees of the District of Columbia from participating in matters connected with their former duties. Similar to the Federal conflict-of-interests statute.

S. 922, providing for a commission to regulate public transportation in the metropolitan area of Washington, D. C.

S. 1001, authorizing appointment of special policemen with reimbursement from the agency or group to which assigned.

S. 1403, authorizing the Public Utilities Commission to condition and regulate the payment of dividends by public utilities in the District of Columbia.

S. 2172, revising requirements for the practice of veterinary medicine.

S. 2655, requiring probationary service by teachers and school officers when transferred to new positions.

S. 2661, regulating the sale of shell eggs in the District.

S. 2686, making robbery a crime of violence, which crimes are subject to additional penalties under the District Code.

S. 2687, authorizing appointment of special police to protect District-owned property located outside the District of Columbia.

S. 2701, creating a family court of three judges for the District of Columbia to have jurisdiction in domestic relations matters such as divorce, separation, alimony, maintenance and custody of children, adoption proceedings and annulments of marriage, such jurisdiction to be transferred from the United States District Court for the District of Columbia to the new court.

S. 3387, clarifying the powers and duties of the Public Utilities Commission, giving the Commission authority over acquisition of control of public utilities in the District, authorizing the Commission to employ a transit engineer, increasing the salaries of the civilian members of the Commission and giving the Commission power to set school fares on buses and streetcars.

S. 3558, permitting the issuance of a birth certificate to a person unable to produce a witness to his birth.

Senate Concurrent Resolution 19, establishing a joint committee to make a study of public transportation serving the District of Columbia. (Such a study was made by your committee pursuant to S. Res. 140, which was approved.)

The following measures reported by your committee passed the Senate and the House and were sent to the President (public law numbers following the bills indicate those which had been signed as of August 19, 1954):

S. 755 (H. R. 3307), providing for compulsory treatment of drug users upon order of the United States District Court for the District of Columbia (Public Law 76).

S. 873, amending the District of Columbia Credit Unions Act to bring it into conformity with the Federal Credit Unions Act (Public Law 171).

S. 879 (H. R. 2582), modernizing District law relating to life insurance, particularly to the accident and sickness provisions of the Life Insurance Act, to improve the protection of policyholders (Public Law 119).

S. 1004, authorizing employment by the Commissioners of the District of persons convicted of a felony (Public Law 427).

S. 1324, authorizing the District Commissioners to fix licensing and registration fees for various professional and occupational boards (Public Law 50).

S. 1393, authorizing the Board of Education of the District to hire and pay substitutes for teachers who are on leave without pay (Public Law 186).

S. 1419, authorizing the District Commissioners to establish daylight saving time (Public Law 22).

S. 1585, Revising District Traffic Act of 1925 as follows: (1) permits waiver of road test if applicant has passed equivalent test in another State; (2) permits issuance of 60-day learner's permit instead of 30-day permit with 30-day extension privilege; (3) authorizes extension of driver's permit for 6 years beyond expiration date for members of armed services; (4) eliminates notation of traffic violation convictions on driver's permit since courts now review defendant's entire traffic record anyway; (5) strikes obsolete provision relating to drivers licensed under old law; (6) clarifies reciprocity provisions; (7) makes revocation of driver's permit mandatory in cases of homicide committed by automobile, hit-run cases, reckless driving involving bodily injury and any felony in which a motor vehicle is involved (Public Law 596).

S. 1611, regulating election of delegates and alternates to national political party conventions and of national committeemen and women. Such elections now are held under party rules, not subject to public law or supervision.

S. 1691, authorizing Potomac Electric Power Co. to construct a railroad overpass in connection with improvement of Kenilworth Avenue (Private Law 323).

S. 1767, extending rent control in the District until July 31, 1953 (Public Law 24).

S. 1839, authorizing licensing without examination of an accident and health insurance agent if he is already licensed under the Life Insurance Act (Public Law 92).

S. 1945, authorizing District Board of Education to promulgate rules and regulations needed to assure certain officers and employees of credit for leave accumulated prior to March 5, 1952 (Public Law 187).

S. 1946 (H. R. 5312), providing for more effective prevention, detection, and punishment of crime in the District. Important provisions include establishment of minimum sentences for certain second offenses; broadening the application of sex offense and dangerous weapon laws; increasing penalties for assault on a policeman, tightening the application of antigambling laws; permitting arrests without warrant in certain cases; making presence in illegal establishments a crime; increasing penalties for possessing implements of crime, for unlawful assembly and profane language, and for threats to do bodily harm; broadening the law governing receipt of stolen goods; making fornication a crime; providing for more

efficient keeping of police records and reports; creating the Council on Law Enforcement; providing clerical help for the United States Commissioner; requiring regulation and licensing of "bottle clubs"; providing psychiatric services for certain court officers; denying employment to District employees who refuse to give testimony on grounds of self-incrimination; together with other minor changes and improvements in existing law (Public Law 85).

S. 2032, modernizing the charter of the Washington Gas Light Co. (Public Law 90).

S. 2118, increasing the pay of District teachers (Public Law 189).

S. 2305, requiring that drivers in the District of Columbia be financially responsible in the event of accidents (Public Law 365).

S. 2394, technical correction in Police and Firemen's Salary Act of 1953 (Public Law 423).

S. 2654, authorizing sale of unused District property in Montgomery County, Md. (Public Law 423).

S. 2657, increasing penalties for unlicensed practice of medicine (Public Law 424).

S. 3213, authorizing merger of Columbus University into Catholic University (Private Law 444).

S. 3329, correcting certain inequities in Police and Firemen's Salary Act of 1953.

S. 3482, increasing District unemployment compensation maximum benefits from $20 a week to $30 a week and duration of benefits from 20 weeks to maximum of 26 weeks, together with benefit cancellation and longer disqualification of employees who quit jobs without cause, are fired for misconduct or refuse work for which they are qualified.

S. 3506, repealing the prohibition against use of alley dwellings (Public Law 594).

S. 3518, giving Commissioners fuller control over office of Recorder of Deeds for District (Public Law 563).

S. 3655, requiring that police arrest records be kept open for public inspection.

S. 3683, transferring supervision of District credit unions from Comptroller of Currency to Bureau of Federal Credit Unions (Public Law 576).

H. R. 1832, authorizing suspension of sentence in certain cases in municipal and juvenile courts (Public Law 69).

H. R. 3087, authorizing improvement of two gasoline stations restricted from making improvements by nonconforming use provisions of zoning laws (vetoed).

H. R. 3425, authorizing appointment of a director of civil defense (Public Law 103).

H. R. 3704, modernizing law governing the incorporation of corporations in the District to bring it into approximate conformity with the model act adopted in many States (Public Law 389).

H. R. 3795, increasing the pay of District police and firemen (Public Law 74).

H. R. 3796, relating to incorporation of Columbus University (Private Law 72).

H. R. 4484, increasing funeral expense allowance from assets of a decedent's estate (Public Law 182).

H. R. 4485, relating to publication of partnerships (Public Law 63).

H. R. 4486, relating to forcible entry and detainer (Public Law 71).

H. R. 4487, relating to a continuation of a decedent's business (Public Law 72).

H. R. 4550, relating to recording of bills of sale, mortgages, deeds, and conditional sales (Public Law 67).

H. R. 4940, providing for redemption of damaged tax stamps (Public Law 382).

H. R. 6080, authorizing reimbursement of $290,000 to District of Columbia toward cost of constructing a highway-railroad grade separation (Public Law 571).

H. R. 6252, amending the charter of the Girl Scouts (Public Law 272).

H. R. 7061, modernizing the law regulating adoption (Public Law 392).

H. R. 7062, modernizing the law regulating foster homes (Public Law 393).

H. R. 7128, permitting appointment of assistant assessors from the Washington metropolitan area (Public Law 564).

H. R. 7132, exempting VFW headquarters from taxation (Public Law 510).

H. R. 8097, authorizing increased District charges and taxes, an increased Federal payment to the District, and Federal loans, at interest, with portions of the funds earmarked for financing of a 10-year $305 million program of public works (Public Law 364).

H. R. 8692, authorizing payment of trust accounts to the beneficiary, by savings and loan associations, upon death of trustee (Public Law 512).

H. R. 8973, eliminating requirement for hackers' badge (Public Law 511).

H. R. 8974, authorizing insurance companies to invest in obligations of the International Bank (Public Law 513).

H. R. 9077, making psychiatric services available to District court judges in criminal cases (Public Law 592).

H. R. 1980, authorizing construction of two bridges across the Potomac River, one at Jones Point, Va., as proposed by the House, the other for the central area between Memorial Bridge and Roosevelt Island, as proposed by the Senate.

H. R. 8128, eliminating requirement of oath in answers to attachment and garnishment proceedings and providing that only one attachment against a debtor may be satisfied at one time.

H. R. 8915, divesting United States Court of Appeals and United States district court of jurisdiction to review decisions of certain District administrative agencies, appeals to be taken, instead, to municipal court of appeals.

H. R. 7853, permitting retired policemen and firemen to waive all or part of their relief or retirement compensation to take advantage of more favorable veterans' pensions.

H. R. 6127, permitting Board for Condemnation of Insanitary Buildings to have condemned structures razed if not repaired to conform to established sanitary standards, with provision for appeals to Condemnation Review Board and to municipal court.

House Joint Resolution 560 and House Joint Resolution 651, authorizing Commissioners to make regulations for Legion convention, August 25–September 7, 1954, and permitting quartering troops in various public buildings in connection with convention (Public Law 599).

All House bills referred to your committee were reported to the Senate and passed with the exception of six (H. R. 2969, 4229, 9344, 7484, 7670, and 8590), on which action was indefinitely postponed by the full committee. Hearings were held on 3 of these measures (H. R. 2969, 4229, and 9344), and the other 3 reached the committee too late in the second session to permit the holding of hearings.

AMENDMENT OF RAILROAD RETIREMENT ACT, THE RAILROAD RETIREMENT TAX ACT, AND THE RAILROAD UNEMPLOYMENT INSURANCE ACT

Mr. MORSE. Mr. President, referring to Senate Concurrent Resolution 108, I have taken it up with the majority leader and the minority leader. I referred to it earlier in the discussion on the railroad retirement bill. It was prepared by legislative counsel after consultation with the parliamentarian. The concurrent resolution deals with correcting the retirement bill in respect to sections and titles.

I send the concurrent resolution to the desk and ask unanimous consent to have it considered and have it stated by the clerk, with the understanding that, of course, if it is not adopted at this session of Congress, it in no way affects the bill the Senate has passed. If the concurrent resolution is adopted by the Senate and by the House, then the problems referred to in the debate with regard to the technical deficiencies of the bill will be automatically corrected.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

There being no objection, the Senate proceeded to consider the Senate Concurrent Resolution (S. Con. Res. 108), which was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H. R. 7840) entitled "An act to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act," is authorized and directed to make the following corrections:

On page 9 of the House engrossed bill, after line 3, insert the following:

"SEC. 206. (a) Section 3201, section 3202 (a), section 3211, and section 3221 of the Internal Revenue Code of 1954 are hereby amended by striking out '$300' each place it appears in each such section and inserting in lieu thereof '$350.'

"(b) Section 3231 (e) (1) of the Internal Revenue Code of 1954 is hereby amended by inserting at the end thereof the following sentence: 'Compensation for service as a delegate to a national or international convention of a railway labor organization defined as an "employer" in subsection (a) of this section shall be disregarded for purposes of determining the amount of taxes due pursuant to this chapter if the individual rendering such service has not previously rendered service, other than as such delegate, which may be included in his "years of service" for purposes of the Railroad Retirement Act'."

On page 13 of the House engrossed bill, after line 19, insert the following:

"SEC. 407. The amendments to the Internal Revenue Code of 1954 made by section 206 shall become effective as if enacted as a part of the Internal Revenue Code of 1954."

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (S. Con. Res. 108) was agreed to.

PLANNED COMMUNIST EFFORT TO OVERTHROW UNITED STATES GOVERNMENT

Mr. McCARRAN. Mr. President, in the New York Daily News for August 18, Mr. John O'Donnell, in his column Capitol Stuff, discussed the fact that, as he put it, "every political figure since the 1920's who warned of a planned Communist effort to overthrow this Government became the immediate target for political and personal character assassination."

Mr. President, I hope the truth of that statement, and the implications of it, may be brought home to the people of America. I have not, myself, escaped this attack. I know what it is, and I know that in this column Mr. O'Donnell speaks the truth.

I ask unanimous consent that the column to which I have referred may be printed in the RECORD at this point as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAPITOL STUFF

(By John O'Donnell)

WASHINGTON, August 17.—One of these days, after more evidence is at hand, some historian will be able to write a swell book on how it happened that every political figure since the 1920's who warned of a planned Communist effort to overthrow this Government became the immediate target for political and personal character assassination.

All of it started long before JOE MCCARTHY was out of short pants. The local Reds threw a lot of spit balls 33 years ago at the then Secretary of State Charles Evans Hughes, later Chief Justice of the United States, because old whiskers grimly, definitely and finally refused to grant diplomatic recognition to Russia's communistic regime.

But in those days the Reds hadn't really dug in for their underground operation. They didn't have a diplomatic representation here in the Capital with licensed spies wearing the title of military and naval attachés.

But quietly, as it later developed, the Moscow boys were doing a job on us through the spy setup operating under cover of a phony trading organization with headquarters in New York under the title of Amtorg. But the Reds didn't have the strength or the organization to take after Hughes.

The first time the Kremlin went into real action was in the late twenties, under the Hoover regime. Then, for the first time in American history an American elected to Congress was the direct target of a foreign power dedicated to the overthrow of the American Government.

This first target—the ever-increasing strength of the revolutionary spy ring in New York and its immediate territory made final success possible—was Representative Hamilton Fish, a Republican from the Hudson River district, which embraced the home of Franklin D. Roosevelt.

The second target, during the Roosevelt New Deal regime, was Representative MARTIN DIES, Democrat, of Texas. The present target, of course, is Wisconsin's MCCARTHY, a Republican.

In the three cases, the pattern of the Red attack has a sinister identity.

It was back in 1928 that the evidence of Communist activity throughout the Nation, but particularly in New York City and other great population centers, caused the then Republican House to set up a special committee to investigate activities of Communists in the United States. Fish, the veteran on the House Foreign Affairs Committee, was named chairman.

GOT HIS POLITICAL WOUNDS

It didn't take long for Fish to hit pay dirt—and for the Commies to strike back, politically and personally. Evidence of the effective propaganda work which the Reds in Amtorg had accomplished among the aliens, newly naturalized citizens, and in city-supported schools and colleges piled up. New York's then Police Commissioner Grover Whalen and the top assistant who succeeded him, Edward P. Mulrooney, came up with enemy agent documents in Russian, printed in an East Side shop which were deadly in their implication of treachery and treason. It was great work by the undercover squad, but then came the uproar.

The late Representative Samuel Dickstein, Democrat, of New York, whom the Roosevelt Congress made chairman of the House Immigration Committee, led the fight against Commie-fighting Fish. The battle moved into the Republican zone—thanks to the pressure of Roosevelt—and Fish received his political wounds. A slashing up of his congressional district with the benediction of a New Deal White House and an Albany Dewey resulted in his defeat.

Then, with Fish out of the way, came the day in 1938 when the still worried Congress set up the first Un-American Activities Committee and named the Democrat from Texas, Representative MARTIN DIES, its chairman. DIES got the works from the same boys who had given Fish his lumps only a few years before and who are now (at least some of them) trying to lead the anti-Commie parade and hoping that everybody will forget what they said about Fish and DIES back in the days when the going was really tough.

Of course, some of them are attacking MCCARTHY. The amusing characters are those who are now climbing aboard the MCCARTHY bandwagon, thinking that their DIES and Fish records are forgotten.

SUBMITTED A LIST TO WHITE HOUSE

DIES, after getting a beating from all the Commie lovers from the White House clique down to the mob levels, tossed in the political sponge in the 1946 campaign after 7 years of abuse. Now he's back in the House (but unfortunately not on the House Un-American Activities Committee—he stepped on too many political toes in his comeback campaign) and explains in his interview with the U. S. News & World Report that the reason he quit the fight in 1946 was "nervous exhaustion. They gave me the works—everything they could do, little personal things * * * MCCARTHY doesn't know what it is."

In those days, related the Texan, the White House—the President and his wife, members of the New Deal Cabinet, out-and-out brazen Communists, along with their journalistic fellow travelers, kept him under steady attack.

According to the Congressman, he found the facts in those days much as MCCARTHY has charged in recent days—that the FBI under J. Edgar Hoover had the facts on the Commies but that the administration and the executive departments refused to follow them up with prosecution.

DIES stated that as early as 1941—this was before Pearl Harbor—he submitted to the White House "a list of about 2,000 Communists on the Federal payroll, including Alger Hiss, Harry Dexter White, Harold Glasser, and others and asked that they be discharged. This was refused."

MUTUAL SECURITY APPROPRIATIONS, 1955—CONFERENCE REPORT

Mr. KNOWLAND. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10051) making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BRIDGES. Mr. President, I think the conference report speaks for itself. It is a combination of the work of the conferees of the two Houses.

I send to the desk and ask unanimous consent to have printed at this point in the RECORD a summary of the figures in regard to this measure: First, in regard to the budget estimates; second, as the bill was passed by the House of Representatives; third, as the bill was passed by the Senate; and fourth and last, the final conference action in the case of each item in the act. This summary will give a clear picture to the Members of the Senate and to all others who are interested.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Mutual security appropriation bill, 1955—H. R. 10051

NEW FUNDS

Title and section	Budget estimate, 1955	Passed by House	Passed by Senate	Final conference action
Title I—Mutual defense assistance:				
Ch. 1—Military assistance:				
Sec. 103—General authorization	$1,430,300,000	$1,265,300,000	$1,070,000,000	$1,092,700,000
Sec. 104—Infrastructure	122,700,000	76,000,000	122,700,000	100,000,000
Sec. 105—Development of weapons of advanced design	27,000,000		(1)	
Total, ch. 1	1,580,000,000	1,341,300,000	1,192,700,000	1,192,700,000
Ch. 2—Southeast Asia, and the western Pacific, and direct forces support:				
Sec. 121—Southeast Asia and the western Pacific	800,000,000	712,000,000	700,000,000	700,000,000
Sec. 122—Production for forces support	75,000,000		35,000,000	35,000,000
Sec. 123—Common-use items	70,000,000	64,000,000	60,000,000	60,000,000
Total, ch. 2	945,000,000	776,000,000	795,000,000	795,000,000
Ch. 3—Defense support:				
Sec. 131 (b):				
(1) Europe (excluding Greece and Turkey)	77,500,000	45,000,000	45,000,000	45,000,000
Special assistance in joint control areas in Europe		25,000,000	25,000,000	25,000,000
(2) Near East, Africa, and south Asia (including Greece and Turkey)	81,850,000	73,000,000	73,000,000	73,000,000
(3) Far East and the Pacific	96,430,000	86,000,000	80,098,195	80,098,195
Sec. 132:				
(a) Korean program	230,000,000	200,000,000	205,000,000	205,000,000
(c) United Nations Korean Reconstruction Agency	3,452,615	3,000,000	3,000,000	3,000,000
Total, ch. 3	489,232,615	432,000,000	431,098,195	431,098,195
Total, title I	3,014,232,615	2,549,300,000	2,418,798,195	2,418,798,195

[1] Included in general military figures.

Mutual security appropriation bill, 1955—H. R. 10051—Continued

NEW FUNDS—Continued

Title and section	Budget estimate, 1955	Passed by House	Passed by Senate	Final conference action
Title II—Development assistance:				
Sec. 201 (a):				
(1) Near East and Africa	130,000,000	115,000,000	115,000,000	115,000,000
(2) South Asia	85,000,000	60,500,000	60,500,000	60,500,000
(3) American Republics	9,000,000	9,000,000	9,000,000	9,000,000
(4) European Coal and Steel Community loan				
Total, title II	224,000,000	184,500,000	184,500,000	184,500,000
Title III—Technical cooperation:				
Sec. 303—Authorization	112,070,000	100,000,000	110,000,000	105,000,000
Sec. 305—Multilateral technical cooperation:				
(a) United Nations expanded program of technical assistance	17,958,000		9,957,621	9,957,621
(b) Organization of American States	1,500,000	1,500,000	1,500,000	1,500,000
Total, title III	131,528,000	101,500,000	121,457,621	116,457,621
Title IV—Other programs:				
Sec. 403—Special assistance in joint control areas (see ch. III)				
Sec. 405—Movement of migrants and refugees:				
(a) Intergovernmental Committee for European Migration (ICEM)	11,189,190	10,000,000	10,600,000	10,000,000
(c) United Nations Refugee Emergency Fund	500,000		400,000	
Sec. 406—Children's welfare	13,500,000	12,000,000	13,500,000	12,500,000
Sec. 407—Palestine refugees in the Near East (language only)				
Sec. 408—North Atlantic Treaty Organization	3,200,000	3,169,000	1,169,000	1,169,000
Sec. 409—Ocean freight charges	4,400,000	4,400,000	4,400,000	4,400,000
Sec. 410—Control Act expenses	1,300,000	1,075,000	1,300,000	1,175,000
Sec. 411—Administrative expenses (other than title I) ch. 1	34,700,000	30,000,000	34,700,000	32,500,000
Sec. 412—Strategic materials				
Total, title IV	68,789,190	60,644,000	66,069,000	61,744,000
Grand total—all titles	3,438,549,805	2,895,944,000	2,790,824,816	2,781,499,816

SUMMARY, NEW FUNDS AND UNOBLIGATED BALANCES

	House bill	Senate bill	Conference action
New funds	$2,895,944,000	$2,790,824,816	$2,781,499,816
Unobligated balances	2,312,475,979	2,581,513,728	2,462,075,979
Total	5,208,419,979	5,372,338,544	5,243,575,795

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. LANGER. Mr. President, I wish to state that I am opposed to the report, and I wish to be so recorded.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 10051, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
August 19, 1954.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 23 to the bill (H. R. 10051), entitled "An act making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes," and concur therein;

That the House recede from its disagreement to amendment No. 1 and concur therein with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment, insert:

"Military assistance: For military assistance as authorized by title I, chapter 1, $1,192,700,000 plus unobligated balances, as follows: For general military assistance authorized by section 103, $1,092,700,000 plus not to exceed $2,383,512,729 of unobligated balances; for infrastructure authorized by section 104 (a), $100 million, plus not to exceed $39 million of unobligated balances: *Provided*, That such unobligated balances shall be derived from balances of appropriations heretofore made for military assistance (Europe, Near East and Africa, Asia and the Pacific, American Republics, and mutual special weapons planning): *Provided further*, That not to exceed $23,250,000 of such funds shall be available for administrative expenses to carry out the purposes of title I, chapter 1, until June 30, 1955: *Provided further*, That the military supplies and equipment (or the equivalent value thereof as the Secretary of Defense shall determine but not to exceed $200 million in inventory value) which have been procured and processed for delivery to foreign areas and which subsequently are returned to the custody of the United States because of a change in the international situation, shall remain available for military assistance authorized by law, and such amounts shall be in addition to the amounts herein otherwise provided for: *Provided further*, That this limitation on military supplies and equipment shall not apply to capital ships for which title has passed but which have been reclaimed by the Navy Department."

That the House recede from its disagreement to the amendment No. 2, and concur therein with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert the following: "$700,000,000: *Provided*, That none of the funds appropriated in this paragraph may be used for assistance to any nation which in the opinion of the President is not making satisfactory efforts against Communist penetration and/or aggression."

That the House recede from its disagreement to the amendment No. 3 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert: "Production for forces support: For assistance authorized by section 122, $35,000,000, all of which shall be in the form of United States surplus agricultural commodities."

That the House recede from its disagreement to the amendment No. 9, and concur therein with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: ", and in addition, not to exceed $16,000,000 of the unobligated balances of funds heretofore made available under this head."

That the House recede from its disagreement to amendment No. 12 and concur therein with an amendment, as follows: After the sum named in said amendment insert the following: ": *Provided*, That no commitment for the calendar year 1955 or thereafter shall be pledged on behalf of the United States until the Congress appropriates for said purpose."

That the House recede from its disagreement to amendment No. 22 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"Funds appropriated under each paragraph of this act (other than appropriations under the head of military assistance), including specified amounts of unobligated balances, and amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made for the same general purpose as such paragraph, which amounts are hereby continued available during fiscal year 1955, may be consolidated in one account for each paragraph: *Provided*, That any apparent recorded obligation outstanding on June 30, 1954, against any such appropriations which is not eligible for certification under the terms of section 1311 of the Supplemental Appropriation Act, 1955, may be corrected and certified under section 1311 as an obligation if approved by the Director of the Foreign Operations Administration and the Director of the Budget not later than February 1, 1955."

That the House recede from its disagreement to amendment No. 25 and concur therein with an amendment, as follows: In lieu of the matter proposed to be stricken by the said amendment insert: "and hereafter, foreign currencies generated under the provisions of this act shall be utilized only for the purposes for which the funds providing the commodities which generated the currency were appropriated (except as specifically provided in sec. 109 of this act)."

That the House recede from its disagreement to amendment No. 26, and concur

therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert: ": *Provided*, That the proviso in section 502 (b) of the Mutual Security Act of 1954 is amended as follows: (1) Strike out 'Committee on Rules and Administration of the Senate' and insert 'Committee on Appropriations of the Senate.'"

That the House recede from its disagreement to amendment No. 31, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert: "SEC. 109. $55 million of the unobligated balances continued available under this act shall be available only for the procurement and sale, in accordance with provisions of section 402 of the Mutual Security Act of 1954, of surplus agricultural commodities as assistance to Spain during the current fiscal year: *Provided*, That 80 percent of the foreign currencies generated hereunder shall be used to strengthen and improve the civilian economy of Spain, the balance to be available for use of the United States: *Provided, however*, That this provision shall not be construed as a precedent or as an abrogation of any agreement heretofore entered into."

That the House recede from its disagreement to amendment No. 32 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 110. Funds heretofore or hereafter allocated to the Department of Defense from any appropriation for military assistance (except funds obligated directly against any such appropriation for offshore procurement or other purposes) shall be accounted for by geographic area and by country solely on the basis of the value of materials delivered and services performed (such value to be determined in accordance with the applicable provisions of law governing the administration of military assistance). Within the limits of amounts available from funds so allocated, the Department of Defense is authorized to incur, in applicable appropriations, obligations in anticipation of reimbursement from such allocations, and no funds so allocated and available shall be withdrawn by administrative action until the Secretary of Defense shall certify that they are not required for liquidation of obligations so incurred. Unobligated amounts of such allocations equal to the value of orders placed with the military departments against such allocations during the current fiscal year shall be reserved and shall remain available until June 30, 1957, for making such reimbursements (except in case of funds obligated directly against such allocations) only upon the basis of materials delivered and services rendered: *Provided*, That reports of items to be delivered against funds reserved as provided herein shall be furnished quarterly by the Secretary of Defense to the Committee on Appropriations of the Senate and the House of Representatives, and not less often than once each quarter beginning with the period ending December 31, 1954, said Secretary shall make a detailed report to the Committee on Appropriations of the Senate and the House of Representatives, on a delivery or service-rendered basis, on all military assistance funds allocated and available to the Department of Defense as of the end of the preceding quarter: *Provided further*, That no reimbursements for materials or services shall be made after June 30, 1955, until the value of materials delivered and services performed shall equal the amount of expenditures made from all appropriations herein and heretofore made for military assistance as of said date: *Provided further*, That in the event the President shall determine that supplies and equipment ordered against funds so allocated are required for the defense of the United States, the amount allocated for supplies and materials required for such purpose shall be returned to the appropriation from which allocated: *Provided further*, That funds appropriated in this act for military assistance (including specified amounts of unobligated balances), and amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made for such purpose, shall be maintained in one account which shall be used for all transactions involving military assistance during the current fiscal year, and no expenditure shall be made from such account except as may be within the limits of the sum of the amounts mentioned in this proviso: *Provided further*, That any apparent recorded obligation exceeding $5 million, outstanding on June 30, 1954, which is not eligible for certification under the terms of section 1311 of the Supplemental Appropriation Act, 1955, may be corrected and certified under section 1311 as an obligation if approved by the Secretary of Defense and the Director of the Budget not later than February 1, 1955: *Provided further*, That nothing in this act shall be construed as making any appropriation or fund available for obligation after June 30, 1955, except as may be necessary for reimbursements authorized herein or as authorized by the Mutual Security Act of 1954."

That the House recede from its disagreement to amendment No. 33 and concur therein with an amendment, as follows: Change the section number to 111.

Mr. BRIDGES. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 1, 2, 3, 9, 12, 22, 25, 26, 31, 32, and 33.

Mr. MCCARRAN. Mr. President, I have a question to ask regarding the provisions of section 104 of the act, which appears to indicate that in the future, foreign currencies generated as a result of the shipment of surplus agricultural commodities under this program must be used for the purpose for which the dollars were appropriated in the first instance. Does this provision in any way affect foreign currencies received as a result of obligations consummated prior to the date of passage of this act?

Mr. DIRKSEN. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. DIRKSEN. Because I had something to do with that matter, and because we shall concur in that language, I wish to state that the answer to the question of my distinguished friend, the Senator from Nevada, is definitely "No"—that there will be no effect whatsoever on either the programs or the obligations which developed as a result of the use of foreign currencies prior to the enactment of this measure.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Hampshire [Mr. BRIDGES].

The motion was agreed to.

The PRESIDING OFFICER. The Chair lays before the Senate, House Concurrent Resolution 271, which will be read.

The concurrent resolution (H. Con. Res. 271) was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Clerk be, and he is hereby, authorized and directed, in the enrollment of H. R. 10051, the mutual security appropriation bill, 1955, to make the following correction:

In subparagraph (2) of section 107, strike out the word "lease" and insert in lieu thereof the word "release."

Mr. BRIDGES. Mr. President, the concurrent resolution simply provides for making of a technical correction.

I ask unanimous consent for the immediate consideration of the concurrent resolution.

The PRESIDING OFFICER. Is there objection?

There being no objection, the concurrent resolution (H. Con. Res. 271) was considered and agreed to.

RECORD OF APPROPRIATION BILLS IN 83D CONGRESS, SECOND SESSION

Mr. BRIDGES. Mr. President, in view of the fact that the Senate has now completed final action on the last appropriation bill, let me point out the record of the handling of appropriation bills at this session.

To begin with, let me say that all the regular appropriation bills were passed by the Congress prior to the beginning of the new fiscal year.

Second, with the adoption, a minute ago, of the conference report on the Mutual Security appropriations, we ring down the curtain on all the appropriation bills.

I think the Senate would like to have a brief summary in that connection, because it is a part of the record of the Senate, and because I think all Members of the Senate deserve credit for the record which has been made.

The total budget estimates submitted to the Senate of the United States amounted to $50,257,490,985.

The total appropriations which we made came to $47,642,131,205.

This is a reduction of $2,615,359,780 from the budget estimates, and it includes every bill considered by the Senate Appropriations Committee and the Senate of the United States during this session. This is a rather remarkable record, when it is considered that the budget estimates submitted by the administration were considerably lower than those submitted in previous years.

This becomes immediately apparent when we compare the appropriations made this year with those made last year and those made the year before. During the 82d Congress, 2d session, the appropriations totaled $75,400,000,000; during the 83d Congress, 1st session, the appropriations totaled $54,500,000,000; and the appropriations during the present session amounted to $47,600,000,000. Thus, Mr. President, we find that this year we have appropriated $6,900,000,000 less than last year, and $27,800,000,000 less than 2 years ago.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD a complete and detailed table giving the record on every bill. I make this request, so that the Members of this body, after the conclusion of the Congress, may have the record of the Senate to refer to.

There being no objection, the table was ordered to be printed in the RECORD.

Table of appropriation bills, 83d Cong., 2d sess.

Bill No.	Title	House					Senate					Public law			Increase or decrease Public Law compared to Senate budget estimates
		Budget estimates to House	Date reported	Amount as reported	Date passed	Amount as passed	Budget estimates to Senate	Date reported	Amount as reported	Date passed	Amount as passed	Date approved	Amount as approved	Law No.	
	1954 APPROPRIATIONS														
H. J. Res. 354	Comm. on Org. of Exec. Br	----------	Jan. 20	----------	Jan. 20	----------	----------	Jan. 26	----------	Feb. 2	----------	Feb. 9	----------	293	----------
H. J. Res. 358	Commodity Credit Corp	----------	Jan. 25	----------	Jan. 27	----------	----------	Jan. 28	----------	Feb. 1	----------	Feb. 12	----------	295	----------
H. R. 7996	Second Supplemental, 1954	$27,342,616	Feb. 19	$25,785,707	Feb. 23	$25,785,707	$27,942,616	Feb. 25	$27,917,616	Mar. 2	$27,917,616	Mar. 6	$27,517,616	304	−$425,000
H. J. Res. 461	Mexican Farm Labor	550,000	Mar. 5	478,000	Mar. 11	478,000	550,000	Mar. 12	478,000	Mar. 15	542,000	Apr. 9	478,000	329	−72,000
H. R. 8481	Third Supplemental, 1954	424,090,496	Mar. 19	394,521,596	Mar. 25	456,470,496	449,358,241	Apr. 20	442,348,741	Apr. 28	476,248,741	May 11	505,218,741	357	+55,860,500
	Total	451,983,112	----------	420,785,303	----------	482,734,203	477,850,857	----------	470,744,357	----------	504,708,357	----------	533,214,357	------	+55,363,500
	1955 APPROPRIATIONS														
	Regular Annual 1955														
H. R. 7893	Treasury-Post Office	3,338,783,000	Feb. 16	3,333,241,600	Feb. 18	3,333,241,600	3,338,783,000	May 8	3,332,732,700	May 13	3,332,732,700	May 28	3,332,732,700	374	−6,050,300
H. R. 8067	State, Justice, Commerce	1,313,920,960	Feb. 25	1,146,988,000	Mar. 5	1,168,988,000	1,313,920,960	June 9	1,140,821,280	June 14	1,140,821,280	July 2	1,201,710,500	471	−112,210,460
H. R. 8367	Civil Functions	465,160,000	Mar. 11	430,983,700	Mar. 16	430,983,700	465,160,000	May 19	484,095,500	May 25	484,095,500	June 30	457,071,300	453	−8,088,700
H. R. 8583	Independent Offices	5,929,723,600	Mar. 26	5,566,118,763	Mar. 31	5,566,118,763	5,987,622,360	May 14	5,700,729,413	May 19	5,700,775,413	June 24	5,651,770,063	428	−335,852,297
H. R. 8680	Interior	422,118,430	Apr. 1	363,360,989	Apr. 6	364,337,989	427,751,110	June 3	427,601,006	June 7	427,601,006	July 1	405,936,149	465	−21,814,961
H. R. 8779	Agriculture	698,741,813	Apr. 9	698,741,813	Apr. 14	720,102,654	698,741,813	May 27	722,791,971	June 2	725,351,971	June 29	723,683,150	437	+24,941,337
H. R. 8873	Defense	29,887,055,000	Apr. 26	28,680,706,500	Apr. 29	28,684,250,486	29,887,055,000	June 11	28,861,584,486	June 17	29,217,106,486	June 30	28,800,125,486	458	−1,086,929,514
H. R. 9203	Legislative Judiciary	87,063,993	May 19	82,305,945	May 25	82,355,945	102,349,911	June 25	98,748,141	June 28	98,773,141	July 2	98,197,494	470	−4,152,417
H. R. 9447	Labor-H. E. W	1,965,285,261	June 4	1,948,946,011	June 10	1,970,378,761	1,965,485,261	June 22	1,982,469,761	June 25	1,983,182,761	July 2	1,975,198,261	472	+9,713,000
H. R. 9517	District of Columbia	(172,476,546)	June 10	(168,487,838)	June 15	(168,487,838)	(172,476,546)	June 25	(170,359,816)	June 25	(170,438,847)	July 1	(169,928,099)	468	(−2,548,447)
	Federal payment	21,890,000	----------	17,890,000	----------	21,890,000	21,890,000	----------	21,890,000	----------	21,890,000	----------	21,890,000	------	----------
	Total	44,129,742,057	----------	42,269,283,321	----------	42,342,647,898	44,208,759,415	----------	42,773,464,258	----------	43,132,330,258	----------	42,668,315,103	------	−1,540,444,312
H. R. 9936	Supplemental, 1955	1,959,958,267	July 16	1,194,188,079	July 22	1,303,334,628	2,132,330,908	July 31	2,015,788,574	Aug. 4	2,034,513,749	----------	1,659,101,929	663	−473,228,979
H. R. 10051	Mutual Security	3,438,549,805	July 24	2,895,944,000	July 28	2,895,944,000	3,438,549,805	Aug. 6	2,990,824,816	Aug. 14	2,790,824,816	----------	2,781,499,816	778	−657,049,989
	Total	5,398,508,072	----------	4,090,132,079	----------	4,199,278,628	5,570,880,713	----------	5,006,613,390	----------	4,825,338,565	----------	4,440,601,745	------	−1,130,278,968
	Grand Total	49,980,233,241	----------	46,780,200,703	----------	47,024,660,729	50,257,490,985	----------	48,250,822,005	----------	48,462,377,180	----------	47,642,131,205	------	−2,615,359,780

NOTE.—All figures shown in this table omit permanent appropriations which are estimated to be $10,527,164,862 this year.

Mr. SALTONSTALL. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. SALTONSTALL. As a member of the Appropriations Committee for 7 or 8 years, let me say that the work of the committee this year went forward more expeditiously than heretofore; the hearings were conducted with great fairness, and the chairman of the committee made every member feel he was a part of the committee. As a result, the work was better done and more quickly done.

Mr. BRIDGES. I thank the Senator from Massachusetts.

THE UPPER COLORADO RIVER STORAGE PROJECT

Mr. BENNETT. Mr. President, during the afternoon we have been able to devote a little time to the question of the upper Colorado River storage project. Like all the other representatives of that region, I have prepared a rather complete statement on the subject. But in view of the lateness of the hour tonight and the lateness of the hour in respect to the second session of the 83d Congress, I now ask unanimous consent to have the statement printed at this point in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BENNETT ON THE UPPER COLORADO RIVER STORAGE PROJECT

We in Utah can look with sympathy and understanding upon the many States now plagued by widespread drought and lowering water tables. In much of my State, we are in perpetual drought.

We are used to being a water have-not State, but it is yet nonetheless trying to our parched Utah economy, sitting astride the Colorado, to see our share of the water allocated under the Colorado River compact of 1922, going downstream to the lower basin and the Pacific Ocean. Sadly enough, the water is not only lost to us forever, but each year's loss is measured not only in drops but in millions of acre-feet. We, in the upper basin, are currently able to use only 1,650,000 acre-feet annually of a share under the compact of 7½ million acre-feet or more.

Perhaps if we weren't in such dire need of water in Utah, and if the water didn't belong to us under the compact, and if our very future did not depend on the waters of the Colorado, our "last waterhole," we could be more philosophical.

We have not been idle, however, since the Colorado River compact was signed in 1922. Similarly the Bureau of Reclamation has not been idle either. Decades of intensive study have culminated in the project presently before the Senate. It is a carefully drawn, well integrated project designed to at long last make available to the upper basin States the water which is rightfully theirs.

It is precisely the large scope and costliness of the project, necessitated as it is by the peculiarly rugged geography of the area and complex engineering problems, which make it necessary for the upper basin to ask the Federal Government for a loan to finance the project. We do not relish coming to the Congress for aid, even if it is only for a loan which will be repaid, for we have traditionally met our water needs by our own work and our own cooperation. Utah has developed nearly all of her water and the last source left of any consequence is the Colorado.

WHY THE MAIN STEM STORAGE DAMS ARE NEEDED

Many people have failed to grasp the importance of the large storage dams provided for the project, particularly since no irrigation water is to be diverted by these dams to farms or cities. Yet, paradoxically, these storage dams provide the very key itself to getting the water on the land upstream through the time-honored principle in irrigation States of exchange.

In all, four major purposes are served by the storage dams, as distinguished from the participating or actual irrigation projects.

1. To meet the water guaranty solemnly undertaken by the upper basin States (Wyoming, Utah, Colorado, and New Mexico) to the lower basin States (California and Arizona) of 75 million acre-feet of water over each 10-year period.

2. For storage, as already noted, so that the upper basin States may use their share of the water by diverting it before it gets into the main river.

3. For river regulation to counteract the highly erratic and cyclical flow of the river and to prevent silting in the lower basin.

4. To produce power for public and private use and to aid in financing the participating projects.

Since we must deliver approximately 7,500,000 acre-feet of water per annum to the lower States, it is necessary that water be stored from good water years and from spring runoffs to meet that obligation. Otherwise, it would be impossible for the upper States to use their full share of the water without the risk of running short on delivery to lower basin States and Mexico.

The storage is doubly necessary because of the erratic and fluctuating flow of the river. It is impossible to predict accurately the period of floods or drought, such as the great drought period in the 1930's when the flow was alarmingly low. If the upper basin States had been using their full share of the water instead of a fraction in this critical period, they would have been forced to cut back drastically irrigation and other water uses to meet the guaranty to the lower States.

Meeting the compact guaranty may be a more difficult task than was envisioned in 1922. The average stream flow was estimated with the limited data of the time to be 21 million acre-feet per year. However, the flow is 17,700,000 acre-feet per annum.

Former President Herbert Hoover has shown an acute perception concerning the foregoing problems, as well he might, for he served as Chairman of the Colorado River Commission. He portrayed the problems in a letter written in 1945 to the then Senator Albert Hawkes of New Jersey:

"As you know, I had the honor to be chairman of the Colorado River Commission which settled the Colorado River compact in 1922 and other matters relating to the development of the river. And during the following years I had many duties involving these questions. * * * In 1922 there was general agreement that the allocation of 7,500,000 acre-feet per annum to the upper basin would be more than ample to meet their requirements. * * * It is now realized that the allocation will fall far short of the ultimate needs of the upper basin. * * * In 1922 the compact requirement that the upper States never deplete the flow of the river to less than 75 million acre-feet in any 10-year period, was not considered burdensome. Studies now available show that to meet this obligation the upper States will have to provide at least 20 million acre-feet of holdover storage to be used during low flow periods, comparable to 1931-40 or lacking storage, will have to limit their use to about 64 percent of their allocation, in order to make available 75 million acre-feet at Lee Ferry."

Regulation will therefore be of benefit to the lower basin since their allocation of water will be assured and facilitated. The storage dams will prevent much siltation of the dams in the lower basin and thus prolong their useful life.

FINANCING

The main stem storage dams will furnish power revenues which will aid in the financing of the participating projects. These projects will depend to a great extent on the power revenues from the large dams although the entire project, taken as a whole, is self-liquidating.

UPPER BASIN DEVELOPMENT IS LAGGING

For a variety of reasons, the lower basin has been developed much more rapidly than has the upper basin, as evidenced by such monumental works as the Hoover Dam, Davis Dam, Parker Dam, and the All-American Canal. A comparison of the relative development of the two basins may be illuminating:

Colorado River water put to use: Lower basin, 5,351,600 acre-feet annually; upper basin, 1,923,200 acre-feet annually.

Total storage capacity of projects constructed or authorized for construction: Lower basin, 38,624,430 acre-feet; upper basin, 1,686,955 acre-feet—23-to-1 ratio.

Development of power by projects constructed or authorized for construction by Congress in generating capacity: Lower basin, 1,700,900 kilowatts; upper basin, 32,000 kilowatts—53-to-1 ratio.

I wonder if our downstream neighbors really realize just what this first turn to the Colorado water and resulting power has meant to them? On the lower Colorado alone, under national reclamation law, approximately $450 million has been invested for the development of water and power for Arizona, California, and Nevada; and when you add to that an investment in reclamation of equal magnitude on other rivers in those States, you have the very impressive total of $894 million.

But this is only half—or less than half—of the story. If these same projects were built today, at current prices, they would cost $1.825 billion. In other words, the privilege of having "first turn" has saved our downstream neighbors a billion dollars—a billion which they will not have to pay back or pay interest on.

If the upper Colorado development project is authorized and built, we will have to pay back twice as much as they must do for equal value. There are three ways in which our friends down-river might look at this with us. First, if the development of both ends of the river had begun in the twenties, the costs of each would have been approximately equal as our share of the water is. Second, at the prices of the twenties there would be no question of "economic feasibility." And third, even at today's prices, we can build the initial phase of the program on the upper river for the billion saved by the lower basin because they had first turn.

I submit for printing in the body of the RECORD as part of my remarks a tabulation of the reclamation expenditures in the lower basin and their present values.

The tabulation is as follows:

Reclamation expenditures in lower Colorado River Basin States, through June 30, 1953

	Actual expenditure	Present value (based on Engineering News-Record index)
Arizona	$65,812,812	$190,276,400
Arizona-California	[1] 45,727,310	94,174,900
Arizona-Nevada-California	[1] 337,196,753	701,356,700
Total	448,736,875	935,808,000

[1] Because of the physical location of certain structures such as Hoover Dam, expenditures cannot be readily separated between or among States.

In addition to lower Colorado River expenditures, the following amounts have been expended elsewhere in those States:

	Actual expenditure	Present value (based on Engineering News-Record index)
California	$433,998,206	$792,421,300
Nevada	10,972,537	43,978,100
Nevada-California	1,073,410	3,327,600
Total	446,044,153	839,727,000
Lower Colorado River	448,736,875	985,808,000
Total	894,781,028	1,825,535,000
Estimated cost, initial phase, upper Colorado River development		972,356,000

We in Utah have watched with pleasure the great progress made in the lower basin. We have witnessed the extensive agricultural developments, the growth of industrial developments, the population influx and the over-all increase in wealth made possible to a great extent by the utilization of the Colorado waters and the very important by-product—power.

The entire Nation has been inestimably benefited by the development of the lower basin and there is every reason to believe a similar boon will be conferred by a corresponding development of the upper basin's share of the Colorado water. We believe that it is now our "water turn."

Further delay may be fatal, for if the storage dams are not constructed soon and allowed to fill before the maximum use of water is made in the upper basin, it will be extremely difficult to fill them later. Further, if the water continues to flow down the river and is used there, the upper basin would have a difficult time in ever getting their water once an existing economy is based on the waters.

THE PROJECT AND UTAH

Utah's need for water and power: Water is the measuring stick of progress in the upper Colorado Basin. As water goes, so goes Utah. If our water continues to run downhill, so in all probability shall we. For us to prosper and grow, we need more water for agriculture, for our cities, and for our vast mineral and industrial potential. Water's byproduct, power, will go hand-in-hand in reaching that potential.

Only by properly assessing the now latent possibilities of Utah and the upper basin which will reach fruition with the development of the project, can it be truly evaluated.

In agriculture at the present time, less than 2.2 percent of our land in Utah is irrigated. Of the 1 million acres currently under irrigation, fully 60 percent, or 600,000 acres, has only a periodic supply of water and undergoes severe shortages annually. Utah's farmers, most of whom run small farms, can look now only to the Colorado River for any relief from this unhappy condition. These small farmers are in dire need of our share of the water with its invigorating impact which can come alone from the development of the central Utah, Gooseberry and Emery participating projects in the master plan for the upper Colorado. A summary follows, recognizing the sterility of statistics as compared to the fertility of the land which will be benefited:

Projects	Acres of new land irrigated	Supplemental acres irrigated	Total acreage
Central Utah	28,500	132,000	160,500
Emery County	3,630	20,450	24,080
Gooseberry		16,400	16,400
Total	32,130	168,850	200,980

It is hoped that with ultimate development of Utah's share of the Colorado waters, the total of new irrigated land will be about 210,000 acres, and that furnished supplemental water 250,000 acres. This will still leave nearly one-half million acres in the Colorado and Bonneville Basins needing either a full or partial supply of water.

The crops produced in Utah are not in competition with the major crops of the Nation, so that the development will not contribute to the present surpluses. Except for fruits, vegetables, sugar beets and canning crops, our agricultural production is harvested through livestock. Moreover, it will take from 10 to 20 years to get the projects into operation. It is likely that any increase in production will be consumed locally by Utah's rapidly increasing population.

In our municipalities: Many of Utah's towns and cities are in critical need of culinary and industrial water, particularly in central Utah. Cedar City has had a great struggle to obtain a sufficient supply of water and has had to resort to rationing. Nephi has condemned agricultural lands so that they might obtain culinary water. Rationing has been the rule rather than the exception. Cities in eastern Duchesne County are in need of water, as are communities near Salt Lake City. The sobering part of this picture is that virtually all of the water in these areas even now is tapped and in use.

In the meantime, Utah's population has increased 27 percent in the years 1940 through 1953, a growth well above the national average, and exceeded by only 10 States. Utah leads the Nation with its vital index—that is, a high birth rate and low death rate. If proportionate growth continues, the State's population will be well over a million by 1965 (compared to 750,000 today), the earliest date by which the initial phase of the central Utah project would be completed. The strain on our water resources can well be imagined if additional water is not forthcoming.

For years one of Utah's major exports has been the trained intelligence of our young people who emigrate because of lack of job opportunities. They have enriched the Nation but it is a lamentable circumstance that they should feel obliged to leave the place of their birth, especially when it is possessed of a treasure trove of wealth and opportunity, given the vital elements of water and power. It has been estimated that Utah can support a population twice its present size if our share of the Colorado River waters are made available through the full development of the central Utah, Emery County, and Gooseberry projects.

Water and power are needed for our industrial potential: It may be said without exaggeration, I believe, that Utah is the mineral storehouse of the Nation. By enlarging this statement to include the upper basin, there can be no contradiction advanced whatever. I know that it is popular to relate any project to national defense no matter how remote the relation may be. However, a direct relation exists with respect to uranium. Utah is one of the most important world sources of such radioactive ores as uranium, vanadium, carnotite, and pitchblende. Together with western Colorado, the area probably provides the greatest domestic source for uranium, although exact production is a carefully guarded secret—this in an area where we have a dependable supply not subject to the vagaries of political machinations abroad. Water and power are, of course, needed in great quantities in the processing of these ores.

In terms of the variety of minerals from which new wealth was and is created, Utah is excelled by no other State. As processes for developing synthetic liquid fuel are perfected, the fact that Utah has 200 billion tons of coal and that there are 800 billion tons within 350 miles of Salt Lake City, will be increasingly important. This comprises one-seventh of the world's known coal reserves.

Virtually all of the materials necessary for the development of a chemical industry are to be found in Utah, but the existing water and power supplies are not now sufficient to fully develop the great possibilities of such an industry.

Utah is one of the main producers of nonferrous metals and ranks at the top or near the top in the Nation in production of copper, zinc, lead, silver, and gold. There are great deposits of magnesium in the Great Salt Lake and in southeastern Utah, but again large amounts of water are required to obtain this metallic element.

Utah is now in the iron and steel business with ever increasing opportunities for satellite industries. Fifty thousand acre-feet of water per year is consumed at the Geneva mill, while at the same time circulating 146,000 acre-feet.

Phosphate fertilizer is critically short and it is significant that the largest known deposits of phosphate rock are in the upper basin States. Power and water again are required.

From a slightly less biased observer of the upper basin's wealth and potential, I cite Mr. John H. East, Jr., regional director of the Bureau of Mines, who itemizes a portion of nature's lavishness upon the upper basin States:

1. Bituminous coal reserves, estimated at 400 billion tons, are equal to one-sixth of the world's known coal deposits.

2. The maximum potential of several hundred billion barrels of liquid fuels produced solely from shale in a comparatively small area of 1,000 square miles near Rifle is many times the proved crude petroleum reserve in the United States.

3. Concentrated in the bulging earth at Climax is about 85 percent of the world's known supply of molybdenum, critical toughening agent for steel products including a host of military weapons.

4. In addition to molybdenum, the upper basin is the greatest domestic source of uranium, radium, and vanadium.

5. The tremendous upsurge of oil interest is justified by petroleum reserves in the area. Thanks to increasing consumption and price leaps, natural gas also appears certain for a greater destiny.

A further recitation of the vast mineral and industrial potential in Utah and in the upper basin would probably sound too much like a chamber of commerce brochure. However, Utah is at a critical juncture in its history with much of our future possibilities contingent directly upon the water and power made available by this project. It is impossible to overdramatize our need, for it is either progress or stagnation.

PAYING FOR THE PROJECT

It is a self-liquidating and economically feasible project: Because of the complexities of the project it has been considered as a unit and as such qualifies within the reclamation law as a self-liquidating and economically feasible project.

The projects don't cost; they pay. Opponents have seen fit to criticize the financial aspects of the project and have said that it is too costly, that power shouldn't be used to aid the irrigation projects and that there is a concealed subsidy since the irrigation expenditures are interest free. However, because of the great benefits to be derived from reclamation projects, both direct and indirect, it has been the law of the land for 50 years that irrigation developments should be interest free. Quite apart from the new wealth which is created by such projects as that which we are considering, a spot study

of a few typical reclamation projects constructed by the Federal Government indicates that these districts have paid for themselves by four and one-half times in taxes. This is a remarkable record, and the vision shown by the reclamation advocates seems justified.

Fifty-two and four-tenths percent of the cost, or $778 million, will be repaid with interest. The irrigation expenditures are fully reimbursed.

Another aspect of this problem is the $20 million yearly which will continue to flow into the Treasury after the project completion thus, in all probability, paying for the interest.

Some comparisons may be in order to maintain proper perspective in evaluating the interest-free financing of the irrigation features of the project:

Total expenditures for rivers and harbors and flood control by the Corps of Engineers from 1822 to 1954 is $8,314,748,713. This nearly $8½ billion spent up to June 30, 1953, was not only completely interest free, but not one cent of it must be repaid by those who benefit from it.

I do not begrudge the expenditure of this money, but it must be remembered that these billions spent in 5 fiscal years are not only interest free but none of the principal need be repaid. In contrast, less than one-half of 1 percent of the upper Colorado River project is nonreimbursable.

The upper Colorado expenditures will be staggered over 50 years or more, while the rivers and harbors outlay noted above covered only 5 years.

With our future predetermined by the availability of water, we in Utah do not wish to be a dehydrated State while our share of the Colorado River water continues to pass through Utah into the lower basin and into the Pacific Ocean.

The future of an entire region hangs in the balance and that future is now in the hands of the Congress in the form of the upper Colorado River project which will make our water available to us at long last.

We in the intermountain West want to share in the new growth and gains that are envisioned for America. We think we have great still-dormant values to contribute to it. But the key to this is still more water which we can no longer get without Federal help. The time has arrived when we must draw on the water bank of last recourse.

ILLEGAL ENTRY OF CERTAIN MEXICAN NATIONALS

Mr. MORSE. Mr. President, I have prepared a brief on Senate bills 3660 and 3661, the so-called wetback bills. In view of the fact that it is perfectly obvious that action will not be taken on those bills at this session of Congress, I ask unanimous consent to have printed at this point in the RECORD the speech I had intended to deliver, together with certain exhibits in the form of newspaper articles and correspondence, and also copies of the bills.

There being no objection, the speech, article, letters, and bills were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

Attorney General Brownell yesterday wrote to H. L. Mitchell, president of AFL's National Agricultural Workers Union, that "You may be sure that we are doing everything possible to attain enactment" of the wetback control bills "into law at the current session of Congress." It is permissible to wonder what the Attorney General means by "doing everything possible." It is also natural to ask how naive he must think Mr. Mitchell is to send him such an assurance a few hours before the adjournment of Congress.

The Attorney General's letter, dated as I say, August 18, was in reply to one delivered to him the day before from Mr. Mitchell. In his letter Mr. Mitchell cited the chronology of the Attorney General's promises of performance to deal with what the Attorney General termed in a six-page statement a "serious nationwide problem." The first promises of performance were made by Mr. Brownell to a delegation representing all the major national labor and religious organizations in his office on March 29, almost 5 months ago.

I have the utmost sympathy for members of the Senate Judiciary Committee, including the author of the bill who, when they were finally handed drafts of the Attorney General's measures almost 3 months after the Attorney General made his original promise, found themselves trying to get the bills heard and approved by the Senate Judiciary Committee and onto the floor with little or no further help from the Attorney General or the White House.

How grave a national problem this one of the wetbacks is—and, therefore, how shameful by implication it is that no action has been taken on it at this session of Congress—is effectively set forth by the Attorney General in his June 9 statement and in a letter written to Senator FULBRIGHT, dated May 10, 1951, by the then General Eisenhower, as published later in the newspaper column of Robert S. Allen.

I have in my hands copies of the letters and other material to which I have referred, and also a copy of a letter from O. A. Knight, chairman of CIO's Latin-American committee to the Attorney General. These letters and this material form a striking case study for political science classes of how remedies for a major national malady are feelingly prescribed and not administered.

As I ask that these letters and other material be inserted at the end of these brief remarks, along with copies of the bills in question, S. 3660 and S. 3661 (backed by the entire labor movement and the three great national religious organizations), I record substantial reports have reached me that some of the Republican high command in Congress, as well as the Eisenhower administration itself, seek to shift responsibility for inaction. They are saying by word of mouth the reason the bills were not brought up for action is that the Democrats were determined to block them. This is as abject a passing of the buck for failure, without one scintilla of evidence to support it, as any I've seen in my political life. There is no basis in fact for such a political alibi. The responsibility for not passing the legislation rests squarely upon the shoulders of the Eisenhower administration.

NATIONAL AGRICULTURAL
WORKERS UNION,
Washington, D. C., August 17, 1954.

Hon. HERBERT BROWNELL, JR.,
United States Attorney General,
Department of Justice,
Washington, D. C.

DEAR MR. ATTORNEY GENERAL: On June 9 you issued a six page statement announcing a program to deal with what you described as "a serious nationwide problem." You said it was designed to check the flood of aliens crossing the Mexican border illegally, the so-called wetbacks. The numbers of these wetbacks, which you cited in terms between a million and two million annually, are currently considerably increased, according to recent press reports.

The program you announced was two-sided—one administrative based on a projected substantial increase in numbers of patrolmen on the Mexican border, the other legislative.

Your announcement followed a conference in your office between you, accompanied by Deputy Attorney General William P. Rogers, and a labor delegation representing all the major national labor organizations, accompanied by representatives of the three major national religious organizations. That was on March 29.

At that conference you assured the delegation you would have the Department of Justice prepare legislation on the problem and would seek to have that legislation adopted by this session of Congress.

On June 24 the two measures prepared under your direction were introduced in the Senate by Senator ARTHUR V. WATKINS, of Utah. Shortly thereafter identical measures were introduced in the House by Representative LOUIS E. GRAHAM, of Pennsylvania. The measures were referred to the Judiciary Committees of both branches of Congress.

Senator WATKINS, as chairman of the Senate Judiciary Subcommittee on Immigration and Naturalization, held hearings on July 12, 13, and 14, with Senator HERMAN WELKER, of Idaho, sitting with him. Representatives of the AFL and CIO testified in support of the measures, S. 3660 and S. 3661. The first of these, through application of the injunctive process, makes it unlawful for anyone to employ wetbacks, and the second provides for confiscation of all vehicles used in transporting wetbacks. No hearings were held on the bills by the House Judiciary Committee and no action on them was taken by that committee.

The Senate Judiciary Committee finally reported them favorably on August 11. In view of the lapse of time between March 29, when you assured the labor and religious representatives of your intention in this matter, and August 11 when the bills were finally reported to the Senate—four and a half months—you will understand why these representatives wonder whether you really meant what you told them.

Only a few days of this session of Congress remain. The understandable skepticism of the labor and religious representatives about your original assurance to them can be removed only by favorable action on the measures by Congress before it adjourns. Knowing how such action is accomplished we are sure you and the Eisenhower administration can accomplish it if you are determined to, even though so few hours remain in the session.

Gov. Goodwin Knight, of the great State of California, which is one of the States where the problem originates, has joined you in recognizing the urgency of the problem by exhorting the citizens of the commonwealth over which he presides to employ no more wetbacks. You yourself, in your June 9 statement pointing out that the problem is nationwide, say:

"A large percentage of illegal aliens now being apprehended in the border districts and elsewhere are not interested in finding agricultural employment, except, perhaps, as a stopgap measure. They are heading for our industrial centers to obtain employment in defense plants and other industries. Both in agriculture and industry, they are displacing domestic workers, adversely affecting working conditions, contributing to our increasing crime rate, and spreading communicable disease. In addition, the size of the movement may well provide an effective screen for subversives and other undesirable persons to enter or depart from the United States."

Surely, Mr. Attorney General, with public attention directed at this serious problem through the widespread publicity it has received and continues to receive, you will not want Congress to adjourn without taking steps which you and labor and religious organizations regard as effective in helping solve the problem. This public attention has been greatly heighted by the very pro-

gram you have enunciated and by the earlier statement of President Eisenhower when he characterized the wetback problem as a national disgrace.

Yours sincerely,

H. L. MITCHELL, *President.*

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., August 18, 1954.

Mr. H. L. MITCHELL,
President, National Agricultural Workers Union, Washington, D. C.

DEAR MR. MITCHELL: I have your letter of August 17th regarding the Watkins-Graham bills relating to the wetback problem. You may be sure that we are doing everything possible to attain the enactment of these bills into law at the current session of Congress, and I want you to know how much we appreciate your interest in the matter. I am sure we can count on you to do everything possible to assist in getting favorable consideration for the bills.

Sincerely yours,

HERBERT BROWNELL, Jr.,
Attorney General.

AUGUST 17, 1954.

The Honorable HERBERT BROWNELL, Jr.,
Attorney General,
Department of Justice,
Washington, D. C.

DEAR MR. ATTORNEY GENERAL: In June of this year you issued a statement announcing measures to stop once forever the flow of the so-called wetbacks into the United States. The measures suggested by you were partly of a legislative nature and your announcement followed a pledge given by you in a conference held on March 29 and attended by representatives of all major labor organizations as well as leaders of the main religious denominations. On this day you also promised that you would do your best to have adequate legislation passed through Congress during this session and particularly to insist on stipulations making it unlawful for anyone to employ entrants or grant them transportation.

On June 21, corresponding measures were prepared and introduced to both Houses of Congress under your direction. It was, however, only as late as August 11, that these measures were favorably reported by the Senate Judiciary Committee. Congress will soon recess, and we doubt if anything constructive will be done this session unless you take a new strong position in support of this recommendation.

The CIO shares the feelings of skepticism expressed to you by President Mitchell of the National Agricultural Workers Union, AFL, in his letter of August 17, and strongly joins in his demand that you do your utmost to have both measures enacted upon before the adjournment of Congress.

Sincerely,

O. A. KNIGHT, *Chairman.*

EXCERPT OF A LETTER FROM GENERAL EISENHOWER TO SENATOR FULBRIGHT OF ARKANSAS, DATED MAY 10, 1951, PUBLISHED IN THE NEWSPAPER COLUMN OF ROBERT S. ALLEN SOME TIME THEREAFTER

It would be difficult for me to express the fullness of my agreement with your sentiments in the speech reported in the New York Times on Wednesday. Incidentally, I wonder whether you noticed that, on the same page of the New York Times, there was a story from which I quote the first paragraph, as follows:

"The rise in illegal border crossings by Mexican 'wetbacks' to a current rate of more than 1,000,000 cases a year has been accompained by a curious relaxation of ethical standards extending all the way from the farmer-exploiters of this contraband labor to the highest levels of the Federal Government."

The article continued, "Although wetbacks are fugitives from justice, southwestern cotton, citrus and vegetable growers have come to the fixed view that there is nothing wrong in employing them, harboring them or even in actively recruiting them across the international boundary. Further, they have come to feel they have a vested right in the traffic."

There are so many points in your talk to which I am moved to say amen, that the only thing I can say is that, as a citizen, I am truly grateful that you made your talk. As to the suspicion that you may be called naive, I have so often had this adjective applied to myself and for such odd reasons that I have come to look upon it as a very distinct compliment. At the very least it would seem to imply the opposite of deliberate racketeering.

DEPARTMENT OF JUSTICE RELEASE OF JUNE 9, 1954

Attorney General Herbert Brownell, Jr. announced today that a special program to apprehend and deport aliens illegally in this country from areas along the southern border will be undertaken June 17, 1954, by the Immigration and Naturalization Service under direction of Commissioner Joseph M. Swing.

At the same time, Mr. Brownell announced that the Congress would be asked to enact new legislation designed to provide the Department of Justice with much-needed weapons to assist in bringing to a halt the increasing illegal crossings of the borders by the so-called wetbacks. The proposals would—

1. Authorize a court injunction to restrain an employer from continuing to hire aliens illegally in the country when the employer has knowledge that the alien is an illegal entrant.

2. Authorize seizure and forfeiture of any vehicle or vessel used to transport aliens in violation of the immigration laws.

In discussing the apprehension and deportation program, undertaken in conjunction with the new agreement with Mexico providing for legal crossings and hirings of aliens by farmers through the United States Employment Service, Mr. Brownell said that it presently will be concentrated in California and Arizona.

Mr. Brownell said:

"I wish to emphasize the great difference between the illegal Mexican migrants known as wetbacks, and the legal Mexican nationals known as braceros. The legal migrants, who enter the United States for farm employment under controlled conditions sanctioned by the migrant-labor agreement of 1954 with Mexico receive the same wages and other guarantees that the United States workers obtain, and are a welcome and appreciated addition to our work force. The illegals, who cross the border furtively in violation of the laws and regulations of both the United States and Mexico cause serious social and economic problems for the United States.

"The illegal entries have become a matter of great concern, both for State and Federal authorities. Appprehensions for violations of immigration laws along the Mexican border have been averaging approximately 75,000 a month, and the illegal infiltration of aliens has been steadily increasing. Under the program, selected areas will be combed for wetbacks and those apprehended will be returned promptly to Mexico. All apprehended aliens will be fed and otherwise cared for by the border patrol while under detention and being transported back to the border."

Mr. Brownell said that this will not be a hit-and-run project. The Service's border patrol in the area is being reinforced by 491 patrolmen from other areas of the country. There will be no relaxation of the regular apprehension program in other areas along the Mexican border prior to or during the special program.

Representatives of the Department of Labor, he said, have assured the Department of Justice that its Employment Service has now and will continue to have legal Mexican laborers available to meet all requests of eligible employers in the area. A special liaison officer is being assigned by the Department of Labor to assist the Immigration Service with this program. Meantime, the Mexican Government has been kept fully advised by the Department of State.

The Attorney General will shortly send proposed legislation to Congress. Concerning the proposal on injunctions against illegal employment of aliens, he said:

"The purpose of the proposal will be to make the employment, and related practices of any alien known by an employer to have entered the United States illegally within 3 years thereof unlawful. Early enactment of such legislation would provide the Department of Justice with an effective weapon to bring to a halt the continued migration of aliens into this country in search of employment.

"Before World War II, the migration of aliens illegally into the United States was a relatively minor problem. In 1942, for example, the Immigration and Naturalization Service apprehended less than 10,000 such aliens. During the war, the Government subsidized a program which permitted alien farmworkers to enter the country, as our domestic workers were drawn from the farms into the Armed Forces and defense plants. Even then the problem of illegal entrants was not serious. Since the war the need to supplement our domestic agricultural work force has continued, but the number of illegal entrants apprehended has increased tremendously. In the three Immigration districts adjacent to the Mexican border, there were over 1 million apprehensions of aliens illegally in the United States in 1953.

"In 1951, the United States and Mexico entered into an agreement to control the recruiting and contracting of Mexican agricultural workers, hoping, in part, to solve the problem of illegal entrants. Operational difficulties encountered under the agreement, however, caused many farmers and many Mexican aliens to operate outside the legal program. Its most serious shortcoming was its failure to permit recruiting close to the border, and aliens in the border area in Mexico, who would have preferred to enter legally, were effectively excluded from the program.

"The migrant labor agreement with Mexico of 1951 was substantially revised before it was extended on March 10, 1954. In areas where the Secretary of Labor finds that there are insufficient domestic workers, a qualified employer may now contract Mexican agricultural workers on equitable terms. In addition, recruiting stations are now located in Mexico much closer to the border. Despite these improvements, many persons who are eligible to obtain labor pursuant to the legal program have deliberately refused to do so and utilize wetback labor instead.

"The problem, however, is not limited to agriculture but is now nationwide. A large percentage of illegal aliens now being apprehended in the border districts and elsewhere are not interested in finding agricultural employment, except, perhaps, as a stop-gap measure. They are heading for our industrial centers to obtain employment in defense plants and other industries. Both in agriculture and industry, they are displacing domestic workers, adversely affecting working conditions, contributing to our increasing crime rate, and spreading communicable disease. In addition, the size of the movement may well provide an effective screen

for subversives and other undesirable persons to enter or depart from the United States.

"Our experience has shown that these aliens are attracted to the United States primarily because they know they can obtain employment. Under present law it is not forbidden to employ these people, even though they are here illegally. While the alien runs the risk of fine and imprisonment, the volume of traffic is so great that it has been impossible to impose criminal sanctions except in cases of repeated and flagrant violations. Most are permitted to depart voluntarily.

"It is apparent that at present there is a need for additional deterrents to the continuing growth of this traffic. The proposal would strike this problem at its source by making the knowing employment of aliens illegally in the country and any payments to them for services rendered unlawful. It is self-evident that if jobs are not offered or available, most of these people would not seek illegal entry.

"The bill would not, per se, impose criminal liability upon a person who knowingly employs such aliens. The principal objective sought is the immediate suppression of employment practices which directly encourage and induce border violations. It is the opinion of the Department of Justice that this can be effectively done by employing the injunctive processes. As a regulatory device, it has proven to be both swift and effective. Moreover, persons who engage in the proscribed activities will be fully on notice before criminal sanctions can be applied, for only in cases of knowing violation of a court order can criminal contempt proceedings be instituted.

"The bill, in addition to making offers of employment, employment, and continued employment unlawful, would make the payment of money or anything of value for services rendered by such alien illegal. Aliens are thus put on notice that they have no right to demand or receive payment for services rendered. As a necessary consequence of this legislation, payments made to such aliens by employers, being unlawful and prohibited, would not be allowable as 'ordinary and necessary' business expenses for tax purposes."

Concerning the other proposal, the Attorney General said:

"The purpose would be to authorize the seizure and forfeiture of any vehicle or vessel used in bringing in, landing or transporting aliens in violation of law. The measure would be a companion to the proposal on illegal employment of aliens, and together they will provide the Department of Justice with much-needed weapons to assist in bringing to a halt the increasing violations of our borders.

"While section 1324 (a) (1) and (a) (2) of title 8, United States Code, makes such transporting a felony, our experience has shown that the threat of criminal prosecution alone has not proven a sufficient deterrent to many persons who engage in this illegal activity. The principal but not exclusive target of this measure is the flourishing business of transporting aliens who migrate to this country illegally from Mexico in search of employment. In some cases, transportation starts in Mexico and ends at the prearranged place of employment. In most cases, however, the aliens are contacted in Mexico, directed to report at a designated place in the United States, where they are met and transported by 'wildcat' taxicab drivers or illicit labor contractors to unscrupulous employers who have agreed in advance to employ these people.

"It is apparent that were it not for the assistance of illicit labor contractors who contact and provide the necessary transportation for alien workers to places of employment in violation of law, many aliens would not enter the United States illegally. Taking away their vehicles and vessels will effectively bring these illegal activities to a halt."

[From the New York Times of August 2, 1954]

WETBACK DRIVE IRKS THE VALLEY—TEXAS' LOWER RIO GRANDE AREA CITES RIGHTS ON KEEPING ILLEGAL MEXICAN LABOR

ALICE, TEX., August 1.—Citizens of Texas' lush lower Rio Grande Valley are waging a war of nerves against the Federal Government's roundup of Mexican wetbacks.

Although the Department of Justice's campaign to purge the Southwest of hundreds of thousands of border-jumpers has proceeded smoothly elsewhere, many residents of this prosperous cotton, vegetable, and fruit growing district are not reconciled to it.

They assert baldly that this 3,000-square-mile agricultural empire, with 300,000 inhabitants and an annual income of more than $300 million, was built on cheap "wetback" labor and—like the southern slave owners of a century ago—it is a violation of their rights to take it away, even if the "wetbacks" are lawbreakers.

Maj. Gen. Joseph M. Swing (retired), head of the United States Immigration and Naturalization Service, warned farmers personally early in June that the roundup was coming and that they had better line up legal labor, which the United States Department of Labor would see was available.

Nonetheless, the advent in mid-July of a special force of Immigration Service officers to bolster the Service's regular border patrol force here, has given rise to a campaign of protest and vilification of a sort rare in the Nation's annals of law enforcement.

The force was greeted with newspaper streamer headlines calling it an "occupation army" and satirical editorials were published hypothesizing a state of war.

The Brownsville Herald published a picture of a crudely lettered sign which had appeared in the community: "Welcome Comrades of the Border Patrol, Soon We Will Rule the World."

Since the roundup started, more than 40,000 wetbacks have been caught, and another 50,000 have hurried over the international bridges across the Rio Grande to escape deportation via El Paso, 750 miles away.

But immigration officers have encountered increasing difficulties in such everyday matters as getting meals and places to sleep and even gasoline for their cars.

A Harlingen drugstore posted a sign: "Price double to border patrol till cotton is picked."

A chief inspector of the border patrol was unable to get a room at one of Harlingen's leading motels because of his connection. Two patrol members, in a Government car, were violently ordered off the premises. Another patrol car got a virtually unprecedented traffic ticket and a fine of $1 for the offense of making "an improper start from a parked position."

Meanwhile, there has arisen a concerted whispering campaign about alleged "atrocities" committed by the border patrol in its apprehension work.

There have been reports of border patrol officers smashing up farm dwellings, of robbing apprehended wetbacks of their funds, and even of seizing personal papers of citizens.

These rumors have been assiduously published prominently by several Valley newspapers, customarily with no specification as to where or when the alleged incidents occurred, what individuals were involved, or what the source of the reports was.

S. 3660

A bill to make the employment, and related practices, of any alien known by an employer to have entered the United States illegally within 3 years thereof unlawful, and for other purposes

Be it enacted, etc., That this act may be cited as the "Illegal Employment of Aliens Act of 1954."

FINDINGS AND DECLARATION OF POLICY

SEC. 2. (a) The Congress finds—

(1) that the illegal migration of hundreds of thousands of aliens into the United States each year is seriously affecting our domestic working conditions, health, and crime rate, and constitutes a serious threat to our internal security and safety; and

(2) that this migration is in large part induced, encouraged, and caused by persons who know that these aliens enter the United States illegally primarily to secure employment, and knowing them to have entered the United States illegally for that purpose nevertheless employ and pay them for services rendered.

(b) It is hereby declared that such employment and payments are contrary to the public policy of the United States and are unlawful and are forbidden.

(c) It is hereby declared that the acceptance for membership by labor unions of aliens known to have entered the United States illegally primarily to secure employment and the acceptance of entrance fees and dues by the officials of labor unions from any such aliens are contrary to the public policy of the United States and are unlawful and are forbidden.

ACTS PROHIBITED

SEC. 3. (a) It shall be unlawful for any person, including any corporation, association, or other organization, knowing or having reasonable grounds to believe that an alien entered the United States within 3 years prior thereto without having been duly admitted to the United States by an immigration officer under the terms of the Immigrational and Nationality Act or any other law relating to the immigration, exclusion, or expulsion of aliens, either directly or indirectly to employ or offer to employ or continue to employ any such alien or aliens, or to pay or cause to be paid to any such alien or aliens within his employ any money or thing of value for services rendered, or for any such alien to accept employment or to receive, directly or indirectly, from an employer, any money or thing of value for services rendered.

(b) It shall be unlawful for any labor organization knowing or having reasonable grounds to believe that an alien entered the United States within 3 years prior thereto without having been duly admitted to the United States by an immigration officer under the terms of the Immigration and Nationality Act or any other law relating to the immigration, exclusion, or expulsion of aliens, to accept any such alien or aliens for membership or for any official of such a labor organization to accept entrance fees or dues from any such alien or aliens.

ENFORCEMENT

SEC. 4. Whenever it shall appear to the Attorney General that any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of section 3, the Attorney General or his duly authorized representative may make application to the district court of the United States for the district wherein the violation occurs, or wherein the defendant resides or is found or transacts business, for an order enjoining such acts or practices, and upon a showing that such person has engaged or is about to engage in any such acts or practices a permanent or temporary injunction, restraining order, or other order

shall be granted. Process in such cases may be served in any district wherein the defendant resides or transacts business, or wherever the defendant may be found, and the subpena for witnesses who are required to attend a court in any district in such cases may run into any other district.

SEC. 5. The Attorney General shall prescribe such rules and regulations as may be necessary to carry out the provisions of this act.

S. 3661

A bill to provide for the seizure and forfeiture of any vessel or vehicle used in the transportation of any alien known by the owner thereof to have entered the United States illegally within 3 years thereof, and for other purposes

Be it enacted, etc., That this act may be cited as the "Illegal Transportation of Aliens Act of 1954."

FINDINGS AND DECLARATION OF POLICY

SEC. 2. (a) The Congress finds—

(1) that the illegal migration of hundreds of thousands of aliens into the United States each year is seriously affecting our domestic working conditions, health, and crime rate, and constitutes a serious threat to our internal security and safety;

(2) that this migration is in large part aided, abetted and facilitated by persons who, in violation of subsection (a) (1) or (a) (2) of section 1324 of title 8, United States Code, make available or themselves make use of vehicles or vessels to assist, further and promote this illegal migration for profit or other purposes; and

(3) that despite the present illegality of these acts and practices, it is necessary as an additional deterrent to authorize the seizure and forfeiture to the United States of any vehicle or vessel used in violation of subsection (a) (1) or (a) (2) of section 1324 of title 8, United States Code.

DEFINITIONS

SEC. 3. As used in this act, "vessel" includes every description of watercraft used, or capable of being used, as a means of transportation in water or in water and air; "vehicles" includes animals and every description of carriage or other contrivance used, or capable of being used, as a means of transportation on land or through the air.

SEIZURE AND FORFEITURE

SEC. 4. Any vessel or vehicle which has been or is being used in violation of subsection (a) (1) or (a) (2) of section 1324 of title 8, United States Code, or in, upon, or by means of which any violation of said subsections has taken or is taking place, shall be seized and forfeited to the United States: *Provided*, That no vessel or vehicle used by any person as a common carrier in the transaction of business as such common carrier shall be forfeited under the provisions of this act unless it shall appear that (1) in the case of a railway car or engine, the owner, or (2) in the case of any other such vessel or vehicle, the owner or the master of such vessel, or the owner or conductor, driver, pilot, or other person in charge of such vehicle or vessel was at the time of the alleged illegal act a consenting party or privy thereto: *Provided further*, That no vessel or vehicle shall be forfeited under the provisions of this act by reason of any act or omission established by the owner thereof to have been committed or omitted by any person other than such owner while such vessel or vehicle was unlawfully in the possession of a person who acquired possession thereof in violation of the criminal laws of the United States, or of any State.

DESIGNATION OF OFFICERS BY THE ATTORNEY GENERAL: DUTIES OF OFFICERS

SEC. 5. The Attorney General is empowered to authorize or designate any officer or employee of the Immigration and Naturalization Service or the Department of Justice, or any other employee of the United States, with the consent of the head of the department or other independent establishment under whose jurisdiction the employee is serving, to carry out the provisions of this act. It shall be the duty of any officer or employee so authorized or designated, whenever he shall discover any vessel or vehicle which has been or is being used in violation of any of the provisions of subsection (a) (1) or (a) (2) of section 1324 of title 8, United States Code, or in, upon, or by means of which any violation of subsection (a) (1) or (a) (2) of section 1324 of title 8, United States Code, has taken or is taking place, to seize such vessel or vehicle and to place it in the custody of such person as may be authorized or designated for that purpose by the Attorney General, to await disposition pusuant to the provisions of this act and any rules and regulations prescribed hereunder.

APPLICATION OF RELATED LAWS

SEC. 6. All provisions of law relating to the seizure, summary, and judicial forfeiture, and condemnation of vessels and vehicles for violation of the customs laws; the disposition of such vessels and vehicles or the proceeds from the sale thereof; the remission or mitigation of such forfeiture; and the compromise of claims and the award of compensation to informers in respect of such forfeitures shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this act, insofar as applicable and not inconsistent with the provisions hereof: *Provided*, That such duties as are imposed upon the Secretary of the Treasury or upon the Collector of Customs or any other person with respect to the seizure and forfeiture of vessels and vehicles under the customs laws shall be performed with respect to seizures and forfeitures of vessels or vehicles under this act by the Attorney General or such officer or employees of the Immigration and Naturalization Service or other department or agency as may be authorized or designated under the terms hereof for that purpose by the Attorney General.

AVAILABILITY OF APPROPRIATIONS

SEC. 7. Any appropriation which has been or shall hereafter be made for the Immigration and Naturalization Service shall be available for the defraying of expenses of carrying out the provisions of this act.

RULES AND REGULATIONS

SEC. 8. The Attorney General shall prescribe such rules and regulations as may be necessary to carry out the provisions of this act.

THE ATOMIC ENERGY COMMISSION AND THE DIXON-YATES CONTRACT

Mr. MORSE. Mr. President, recently we have been hearing a great deal about the full disclosure of what happened in the negotiations which led to the Dixon-Yates contract. I ask unanimous consent to have printed at this point in the body of the RECORD, as a part of my remarks, an article by Drew Pearson, published on August 11, dealing with this matter.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DREW PEARSON ON THE WASHINGTON MERRY-GO-ROUND

WASHINGTON. — President Eisenhower's much-publicized order allegedly opening all Government information to the public unless it involves national security is not doing so well.

AUTHOR OF DIXON-YATES CONTRACT

One of the best-kept secrets in Washington is who inside the Budget Bureau prepared the Dixon-Yates plans for a Government-financed private power plant, with no competitive bidding, in the Tennessee Valley area.

The plan was worked out inside the Budget Bureau, and it is reported that a public utilities expert came in from the outside, worked a few weeks with the Budget Bureau, then went to work for Dixon-Yates.

Obviously this information has nothing to do with the security of the Nation and, under White House rules, should be made public. However, when questions were asked at the Budget Bureau, here is a play-by-play account of what happened:

CHARMING BUT ADAMANT

"We don't have a list of the people who worked on the Dixon-Yates plan," stated Virginia De Pury, charming spokesman for the Budget Bureau.

"Could you draw up a list?" She was asked.

"No, that would be too much trouble."

"We'll be happy to do the work for you if you will simply authorize us to make the necessary inquiries," this column countered.

"This is a public building," Miss De Pury snapped. "You can go around and ask any questions you wish."

"But everyone is afraid to talk," she was told. "They send me back to you. Now if you will let me say it is all right for them to talk, I can get the names without troubling you further."

Miss De Pury refused.

"Are these names a matter of national security?" She was asked further.

"I don't know."

"It may be embarrassing to release the names of those who worked on the Dixon-Yates plan, but it certainly isn't a military secret," the lady was further pressed. "Under the President's directive, nonsecurity information is supposed to be open to the public."

"Jim Hagerty (White House press aide) says we don't have to give out conversations between Government officials," she shot back.

"Did we ask for any conversations?"

"The people who worked on the Dixon-Yates plan had to talk to each other," she bristled.

"We didn't ask for what they said to each other," Miss De Pury was reminded. "We only want to know their identities."

"Why don't you ask President Eisenhower?" She suggested angrily, then withdrew the suggestion.

In the end, this column appealed directly to Budget Boss Rowland Hughes for the names. His reply, phoned back by Miss De Pury, was: "No comment."

Mr. MORSE. Mr. President, in addition to the observations made in the article, I wish to say that although there might be brought forth what the printed record of the Atomic Energy Commission and the Bureau of the Budget may show, I do not know how the American people are going to have access to personal conversations and social contacts, including conversations and negotiations that may

have taken place on the golf course which the persons involved in the consummation of that contract may have had. Those conversations and contacts probably had as much influence on the negotiations and consummation of that contract as any written document which may be produced from the files of either the Bureau of the Budget or the Atomic Energy Commission.

UPPER COLORADO RIVER DEVELOPMENT PLAN

Mr. JOHNSON of Colorado. Mr. President, following the good example set by my friend and colleague from Utah [Mr. BENNETT] in placing in the RECORD the speech he intended to make on the upper Colorado River development plan, I ask unanimous consent that I may insert in the RECORD the speech I had planned to deliver on this subject.

The development of the upper Colorado River is very close to my heart. Nothing that has been considered in the Senate since I have been a Member has been quite so important to me as the development of the upper Colorado River. I could have talked for 2 hours, perhaps without any results, but I have now decided that the thing to do is to have less talk, so I make that request, Mr. President.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSON OF COLORADO

I desire to make a statement with respect to S. 1555, the pending legislation providing for storage projects to be constructed in the upper Colorado River Basin. This vast basin comprises an area of more than 110,000 square miles. It includes the southwest corner of Wyoming, the northwest corner of New Mexico, the northeast corner of Arizona, eastern and southern Utah, and the western half of Colorado. Generally speaking, it is a rough, mountainous country interspersed with high plateaus and deep canyons, and famous for its scenic attractions. It is sparsely populated, having an average density of three persons per square mile, who for the most part reside in its many rather narrow but rich river valleys.

For many years my home has been in the Colorado section of this basin and I am quite familiar with the geography, topography, geology, potentialities, and aspirations of this portion of the Colorado River Basin. Since Colorado produces more than 72 percent of the water of the upper Colorado River Basin, its citizens have an important stake, interest, and concern in S. 1555.

The purpose of the Congress in expending vast sums of public money on this river is to convert a menacing and wastrel river into a great national resource. The projects necessary to develop, regulate, and control the Colorado River are so huge that only the Federal Government has the capital and the capacity to undertake it. That fact places a heavy responsibility on the Congress to see that whatever projects it builds do not give one State or one region undue advantage over other States and other regions. We must bear in mind that neither the States nor their citizens have the financial capacity to do much about this river's development; and yet, if harnessed, it will pay back to the Federal Government every penny expended in its development and after paying back all of such a capital investment, this harnessed river will continue to bless mankind for thousands of years.

To get a clear picture of the problem of the development of the Colorado River, one must recognize that there are two very distinct Colorado River basins in the United States, plus an area in Mexico, having an established legal claim to a portion of its water.

The lower basin includes California, Nevada, and Arizona. While California does not contribute any water to the Colorado River, she has a great need for the power which the harnessed river can provide and for the water it can conserve, both of which must be transported by transmountain diversion out of the basin.

The States in the lower basin were pressing to develop their part of the Colorado River System before the upper basin States were ready to undertake their own development. However, under the law, the first to put public water to beneficial use gains a vested right in that water. This is in accord with the legal principle of "first in use, first in right." In order to permit lower-basin development to proceed without prejudice to the development of the upper basin at some later period, a division of the water as between the upper and lower basins was determined in 1922 by a seven-State compact.

Since this compact set aside the right of title to the water going to the first to put it to beneficial use, the upper States have felt safe to cooperate with the lower States in developing the water in the lower basin first. The upper basin States have relied on the good faith of all seven States, and the compact which all signed, to protect them and permit the development of both basins as Congress made Federal funds available without regard to where the first funds might be spent.

Accordingly, the Congress already has spent huge sums in developing the lower basin, but little or nothing in the upper basin, which produces practically all of the water of this great stream. The first step in bringing the river under control was the construction of the Hoover Dam. I emphasize again that all of the funds so far invested in this river have been Federal moneys and not lower basin moneys.

In reviewing this historic data, I am grieved to note now that the California Official Board of the Colorado River has taken a strong position against the development of the upper Colorado River Basin and that all but one California Congressman on the House Interior Committee have joined in that opposition. The one California Congressman who so far takes exception to this breach of good faith is the Honorable CLAIR ENGLE, and I mean "honorable." Congressman ENGLE points out that California is not serving her own best interests in pursuing such a selfish attitude toward her generous neighbors. But California has great political strength in the House. If she uses that strength to block development of the upper basin and does block it, practically all the water of this river not now being used will be available to the lower States and none of it to the upper States. While under the seven-State compact the upper basin has both law and justice on its side, yet if California succeeds in keeping Congress from authorizing the funds to develop the upper basin, we cannot put to use any additional portion of the water we produce which will require Federal funds and to which we have the right under the seven-State compact.

Thanks to the Founding Fathers there is no power that can compel Members of Congress to support or not support any legislative proposal—and this is a legislative proposal—just as was the seven-State compact and the appropriation of Federal funds which have developed the lower basin. The upper basin has righteousness in her corner but the lower basin will have all the water of the Colorado River in perpetuity, unless the Congress stands steadfast to her commitment when she built the Hoover dam and is fair to both basins in the appropriation of funds for the equal development of both basins, as contemplated in the seven-State compact.

When the seven-State compact was negotiated it was estimated that the production of the Colorado River in any 10-year period would be greater than 150 million acre-feet. The attorneys and experts formulating the provisions of the compact tried to divide this water "even steven" between the upper and lower basins. Unfortunately, however, they did not split the water of the river on a percentage basis, giving each basin 50 percent of whatever water was produced. Had they done so, there would be no serious problem before this committee today. The flow of the river for 10-year periods was overestimated by 25 million acre-feet, and the seven-State compact of 1922 allocated 75 million acre-feet to the lower basin and obligated the upper basin to deliver that amount of water to the lower basin at Lee's Ferry in each 10-year period. However, that is water over the dam now and nothing can be done about it. So, regardless of the quantity of water produced, the upper basin is stuck with the obligation to deliver 75 million acre-feet at Lee's Ferry in each 10-year period.

The last 10-year period (1941–1951) for which the Bureau of Reclamation has figures the flow of the Colorado River was 124,252,000. Under the Seven State Compact the lower basin's share for this 10-year period would be 75 million acre-feet or 60 percent of the total flow of the river and the upper basin's share would be roughly 50 million acre-feet or 40 percent of the flow of the river. The present indications of the flow of the river for the 1951–1961 period is that the flow will fall below a total of 120 million when the upper basin's share will be 37½ percent or less, and the lower basin's share 62½ percent or more. Nevertheless, the grasping "California Official Board" is still not satisfied with its 62½-percent split. She wants 100 percent of the Colorado River water without herself producing one drop; and what is more, she will get the 100 percent, if she can keep Congress from authorizing Federal funds to develop the upper basin on a fair, just, comprehensive, and equitable basis.

In 1945 the United States signed a treaty with Mexico in which the United States agreed to deliver to Mexico for her consumptive use 1,500,000 acre-feet of water annually. This water is to be charged to any surplus water which might be in the Colorado River system; but if there be no surplus water in the Colorado River system, then the burden of providing the necessary water will fall equally on the lower and upper Colorado River basins.

On October 11, 1948, at Santa Fe, N. Mex., following preliminary meetings at Vernal, Utah, and other points in the upper basin, a compact among the five States having areas in the upper basin was executed.

Comprising 21 articles in all, the document is written around an apportionment made in Article III thereof, as follows:

Colorado has signed compacts with the lower basin States and with the upper basin States. Under the terms of these compacts and the treaty with the United States of Mexico, Colorado has (in addition to the water now put to beneficial use) 1,347,000 acre-feet of unallocated water for consumptive use in the State of Colorado, as illustrated by the following table:

	Acre-feet
Colorado delivers annually to the lower States in the Colorado Basin approximately	9,347,000
Dedicated by 7-State compact to lower basin	5,600,000
Dedicated by Santa Fe compact to Utah, New Mexico, and northeastern Arizona	1,585,000

	Acre-feet
Dedicated by treaty to Mexico	375,000
Colorado share of evaporation of upper basin storage projects when built	440,000
Total downstream burden on the State of Colorado	8,000,000
Maximum quantity of unallocated water available for consumptive use in Colorado	1,347,000

The use of water as such use is apportioned in perpetuity to the upper basin and available for use by the States of the upper basin under the Colorado River compact is hereby apportioned among the States of the upper basin in perpetuity subject to the provisions and limitations appearing in the Colorado River compact and in this compact, as follows: To the State of Arizona the consumptive use of 50,000 acre-feet annually and the remainder to the States of Colorado, New Mexico, Utah, and Wyoming in the following proportions:

	Percent
Colorado	51.75
New Mexico	11.25
Utah	23.00
Wyoming	14.00

The apportionment to each State includes all water necessary for the supply of any rights which now exist.

These figures are based on the Bureau of Reclamation figures on the annual production of water in the Colorado River drainage area in the State of Colorado; Bureau figures on the actual stream flow of the Colorado River at Lee Ferry for the 10-year period 1941–51; and Bureau figures on the total evaporation annually of the 10 storage reservoirs which they have recommended for construction in the upper Colorado Basin. These calculations are also based on the irrevocable terms of the Treaty with Mexico, and the stipulations of the 7-State compact of 1922 and the 5-State Santa Fe compact of 1948. I invite the Bureau of Reclamation or any one interested in these statistics to apply the fixed factors which are or will be present, and the terms of irrevocable compacts and treaties, and show that I have overestimated the total maximum unallocated water remaining in the Colorado Basin for consumptive use in the State of Colorado.

These dispositions of Colorado-produced water affect Colorado's western slope as a whole. But these out-of-State burdens have not been allocated among her four watersheds. These watersheds may be defined roughly as the San Juan, the Gunnison, the Grand, and the Green-White-Yampa basins. If the use and conservation of the water of these basins are developed simultaneously, each will bear its proportionate share of the downstream burden established by the irrevocable compacts which the State of Colorado has entered into with the other States of the upper and lower basins of the Colorado River.

If one of these basins in the State of Colorado lags in the use, conservation and development of its water, then it follows that that basin must bear a disproportionate share of the delivery of water to fulfill Colorado's commitment downstream.

The cold facts are that the Green-White-Yampa Basin is far behind the other three basins in the use, conservation and development of its water. Under this present authorization bill it will lose all right to all of its remaining unallocated water, and all of its potential for future water development, unless safeguards in the way of reservations and guaranties are established in the pending legislation.

If something is not done now the Green, White, and Yampa Rivers will be obligated in perpetuity to deliver all of their water downstream to satisfy the commitments the State of Colorado has consummated in irrevocable compacts. In a lesser degree, all of our watersheds face that danger, too. The pending legislation can either cure or aggravate this material threat of gross inequality to important sections of the western slope. In fact, it is incumbent on the Congress in this bill to resolve the very serious problem of an equitable division of the waters of the western slope. If the pending measure is enacted as it now reads, all four basins of the western slope will be thrown into a state of uncertainty, suspicion, inequities, and cutthroat competition to obtain its share of water by priority of development.

Any worthy plan for the development of the upper Colorado River Basin should encompass and visualize in the plan a complete development of the whole upper basin at one time, and not plan it piecemeal as the present bill does. Projects must be built one at a time, but they should be planned together. Since the basic law of "first in use, first in right" prevails, provisions in the authorization must be made to insure the future equitable development of the four basins in Colorado, if distortion and inequities are not to be the result.

No one expects all the projects on the upper Colorado to be built simultaneously. There probably will be a 30-year lag between the first construction and the last, but if the last is protected in the law now, the last project in the last of the four watersheds on the western slope to be built will have its rights preserved.

In this connection I want to call attention to pertinent portions of the upper basin compact:

Article V, upper basin compact:

"(b) All losses of water occurring from or as the result of the storage of water in reservoirs constructed after the signing of this compact shall be charged as follows:

"1. The whole or that portion, as the case may be, of reservoir losses as found by the Commission to be reasonably and properly chargeable to the reservoir or reservoir capacity utilized to assure deliveries at Lee Ferry shall be charged to the States of the upper division in the proportion which the consumptive use of water in each State of the upper division during the water year in which the charge is made bears to the total consumptive use of water in all States of the upper division during the same water year."

Accordingly, Colorado is charged with approximately 51.75 percent of the loss by evaporation of the Glen Canyon, Echo Park, Cross Mountain, and all other storage projects that may be built on the upper Colorado River.

Article XIII, upper basin compact:

Subject to the provisions of this compact, the rights to the consumptive use of the water of the Yampa River, a tributary entering the Green River in the State of Colorado, are hereby apportioned between the States of Colorado and Utah in accordance with the following principles:

"(a) The State of Colorado will not cause the flow of the Yampa River at the Maybell gaging station to be depleted below an aggregate of 5 million acre-feet for any period of 10 consecutive years reckoned in continuing progressive series beginning with the 1st day of October next succeeding the ratification and approval of this compact."

Since the average annual flow of the Yampa River at the Maybell gaging station is 1,160,000 acre-feet, it should be plain from the above provision that half of that flow is dedicated to consumptive use in Utah.

An excellent feature of the plan to develop the upper Colorado River Basin is the very vital provision that water uses for power are subservient to uses for irrigation and domestic purposes. Under such a provision never can storage reservoirs downstream call on Colorado for delivery of water which Colorado has a right to use for irrigation and domestic purposes.

Even though the powerplants downstream are built earlier than facilities upstream are constructed for irrigation and domestic purposes, the subsequent upstream consumptive uses in Colorado cannot thereby be affected.

During the past year a bitter controversy has been raging between the Colorado east- and west-slope residents. Obviously this dispute cannot and ought not to be resolved by Congress. It can and must be settled in Colorado by reasonable men of both slopes willing to analyze all factors without bitterness or name calling. The eastern slope contends that there is an unallocated surplus of public water in the Colorado Basin. The western slope maintains that the exact quantity and location of such water is unknown and that the full potential requirements of the western slope have not been fully considered.

There are two very different types of projects in the upper basin of the Colorado River which will be authorized by S. 1555. One is "Storage projects," the other "Participating projects." Storage projects have as their purpose the regulation of the streamflow and insurance to the lower basin that it will receive its stipulated quantity of water as the water is required. I have pointed out already that the lower basin under the seven-State compact has been awarded the lion's share of the streamflow. Now it is proposed in this legislation to deliver this water in an even and regular flow in dry cycles and wet cycles through the years.

I would be far more enthusiastic about S. 1555 if it were to authorize the construction of all of the participating projects in the upper basin first, and afterward regulate the flow of the river downstream. The upper States need to have the water to which they are entitled now. It is their turn to have irrigation projects built. The lower basin already has Lake Mead which insures it the water it needs when it needs it. Now the upper States should have their reservoirs constructed.

It is not planned that way, however, and S. 1555 does not so provide. The first project to be built is the Glen Canyon Dam.

This storage reservoir would be located on the Colorado River in Arizona about 13 miles downstream from its northern State line and approximately 15 miles upstream from Lee Ferry. It would have a total capacity of 26 million acre-feet. When filled, it would have a maximum water-surface area of 153,000 acres and form a lake 187 miles long. It would produce annually over 3 billion kilowatt-hours and have a generating capacity of 800,000 kilowatts. It would have an evaporation of 526,000 acre-feet annually. It would catch 100,000 acre-feet of silt which normally would be delivered to the lower basin States at Lee Ferry and be measured as water.

The 526,000 acre-feet of evaporation, plus 100,000 acre-feet of sediment annually, adds up to a loss at Lee Ferry of 626,000 acre-feet annually, which, without the construction of the Glen Canyon Dam, would flow directly into Lake Mead and be credited to the upper basin States as water delivered under the 1922 compact.

Another interesting observation: Under the 1948 compact, 320,000 acre-feet of that loss would be charged annually to the State of Colorado as water consumed by it.

This huge dam will cost the upper basin $421 million to build. It is hoped that through the sale of power this cost can be liquidated in 40 years. After its construction costs have been repaid, the project could pay something toward the development of the upper basin.

Glen Canyon should add 500 years to the life of Lake Mead, and that is a worthwhile contribution to the lower basin and fully justified, but in those 500 years it will have cost the upper basin States 313 million acre-feet of water in evaporation and silt deposits without any cost whatever to the lower basin.

It will insure the lower States their full share of the water of the Colorado River which was allocated to them by the compact of 1922, regardless of how little water the upper basin States may produce. In other words, it is fully justified by the contribution it renders the lower States, and not for any contribution it renders to the upper basin States. It is so essential to the lower basin that if the upper basin would not build it the lower basin would have to do so.

Altogether, there are 10 storage reservoirs contemplated, of which Glen Canyon is the largest by far. In fact, it will have more than twice the capacity of all the others added together. It is the sort of project that engineers dream about.

These facts were supposed to appease the California "Colorado River Board" and make the development of the upper basin acceptable to them, but it has not had that effect. Congressman ENGLE from California was correct when he told this board that in their relentless opposition to Glen Canyon they were not serving their own best interests.

I shall not discuss the other storage projects except to name them in the order of their feasibility: Glen Canyon, Echo Park, Cross Mountain, Split Mountain, Flaming Gorge, Currencanti, Navaho, Gray, Crystal and White Water.

Now I shall list participating projects in Colorado which do not appear in S. 1555. It is my considered judgment that if these projects are not specifically authorized in this legislation, they may never have an opportunity to be constructed. I shall not name them in the order of their preference, but will start in the southern part of the State and move northward.

Dolores project: The McPhee Reservoir with a total capacity of 328,000 acre-feet and an active capacity of 153,000 acre-feet, on the Dolores River. The dam will be 10 miles downstream from the town of Dolores. It would provide supplementary water from the Montezuma Valley and irrigation water for the Dove Creek area.

The Gunnison River project, consisting of the following units: Fruit Growers Dam project extension, Tomichi Creek, Cochetopa Creek, East River, Ohio Creek, Cebolla Creek, Gateway, Pine Creek, Fruitland, Bostwick Park, Goddard Mesa, Grand Mesa, North Delta, Dallas Creek, and Kannah Creek.

Cliffs-Divide project, consisting of the following units: Fraser, Parshall, Troublesome, Rabbit Ear, Straight Creek, Cataract Lake, Harsha, Toponas, Burns, Eagle-Divide, Pando, Gypsum, Woody Creek, Cattle Creek, West Divide, Parachute, Roan Creek, Bluestone, and Battlement Mesa.

Crystal River project, consisting of the following units: Redstone and Placita.

Trappers Lake project.

Meeker project, 12 miles downstream from the town of Meeker.

Upper Bear project on Yampa River.

Juniper Reservoir project.

Savery-Pot Hooks project.

All of these participating projects are on the western slope of Colorado. All of them are needed desperately. I hope my amendment to include them in S. 1555 is approved by the Senate.

ECHO PARK DAM

Mr. CRIPPA. Mr. President, we have been considering the Colorado storage project, and I have a statement with regard to the Echo Park Dam. I ask unanimous consent that this statement be inserted in the body of the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WHY THE ECHO PARK DAM

I would like to make a short statement on one phase of the Colorado storage project—this controversy over the Echo Park Dam. The publicity, misstatements, and misinformation, now of national scope, is way out of proportion to the facts.

First of all, it must be a good damsite for engineers have had their eyes on it in one plan or another for more than 40 years. Investigations were made for storage reservoirs in the Lodore and Yampa Canyons by reclamation engineers in what is now the Dinosaur National Monument as early as 1904. These damsites were again referred to by United States Geological Survey Water Supply Paper No. 395 in 1916. The importance of the Echo Park site was emphasized in water supply paper 618 in 1930. Foundation drilling at the site started in 1939 by the Bureau of Reclamation, and the extensive studies made of all major sites in the Upper Colorado River Basin since that time, clinched the conclusion that this site should be used.

The important questions are: Why is Echo Park so important and actually what is there against it? First, here are the principal advantages of the dam and reservoir in the carefully worked out plan for the development of the water and the many other resources of the Upper Colorado River Basin.

1. The storage capacity and power generation at Echo Park is second in size to Glen Canyon in the ultimate storage reservoir system planned for the upper basin.

2. Percentagewise, the evaporation losses from the remarkable storage vessel at Echo Park is less than at all other sites possessing major storage possibilities in the upper basin.

3. The saving of evaporation at Echo Park over the Dewey site, the only true alternative, is, I am told, 120,000 acre-feet annually—a very important quantity of water in a desert area where there is not enough water to go around.

4. The Echo Park Reservoir, being located just below the junction of the Green and Yampa Rivers, would regulate the flow of both rivers not performed by the upstream reservoirs planned at the Flaming Gorge and Cross Mountain sites. In addition to enhancing the value of both these upstream reservoirs for regulation and power, it would contribute materially to the feasibility of the two downstream reservoirs at the Split Mountain and Gray Canyon sites.

The Echo Park unit is not in my State, but I am well aware of what it means to Wyoming, as well as to Colorado and Utah. Its use is the key to the economic development of the upper end of the basin. It is in the center of the upstream power market, in the center of a system of proposed large dams and power plants, and in the center of many other resources waiting to be developed, such as the phosphate rock for fertilizer and chemicals, oil shale, coal, trona beds, and many important minerals.

With all the virtues of Echo Park, what is there against it? The opponents claim two objections: First, it invades the Dinosaur National Monument, and, second, it destroys scenery and rapids. Let's review the facts.

First, as to the invasion of the monument. There are plenty of documents to show that in 1938 when the original Dinosaur National Monument was expanded from the 80 acres containing the dinosaur fossils to some 203,000 acres, it was with the understanding that dams could be built in the area. In fact, the Presidential Proclamation states that it shall not affect the operation of the Federal Water Power Act of June 10, 1920, and that the administration of the monument shall be subject to the reclamation withdrawal of October 17, 1904. There is no precedent to break. There is no invasion. It was planned that way from the beginning.

Next, as to destroying rapids and scenery. The Echo Park Reservoir will partially inundate 2 or 3 scenic areas, but in doing so will make possible boating through the beautiful Lodore and Yampa canyons by many, many people—not just the few who are rugged enough and have the finances and the desire to make the trip.

Yes, the rapids (which you can traverse by boat only during a few weeks of each year) will be gone, but there are plenty left in the hundreds of miles of the Colorado River. It should be obvious to most anyone that the new recreation from Echo Park will dwarf what we people feel is insignificant damage—to say nothing of the economic factors which I previously mentioned.

The word "conservationist," the label of the opponents to Echo Park, is certainly misused. Actually the people of the upper Colorado River Basin who are developing that region are the conservationists. They want to conserve the water from unnecessary evaporation; they want to open the deep rugged canyons in the monument area for all the people, and above all they want to develop the water and the many other resources for themselves and the Nation.

This project will create jobs. This project will take care of unemployment in our area. Moneys spent in these projects is not money wasted, but is money usefully spent for the benefit of our own peoples.

Every drop of water wasted is never returned.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF COLORADO RIVER STORAGE PROJECT

The Senate resumed the consideration of the bill (S. 1555) to authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes.

Mr. KNOWLAND. Mr. President, what is the unfinished business before the Senate?

The PRESIDING OFFICER. The unfinished business is S. 1555. The committee amendment in the nature of a substitute has been agreed to. No further amendment is in order, so the question is on the engrossment and third reading of the bill.

PAY INCREASES FOR GOVERNMENT EMPLOYEES

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of H. R. 7774, the so-called pay increase bill.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 7774) to establish a uniform system for the granting of incentive awards to officers and employees of the United States, and for other purposes.

Mr. KNOWLAND. Mr. President, I call the attention of the acting minority leader to the fact that I previously submitted—and I now send forward in typewritten form—a proposed unanimous-consent request, and I ask that the clerk read it for the information of the Senate.

Mr. SMATHERS. Mr. President, I should like to ask the majority leader to withhold that request for 5 minutes, until the minority leader is present.

Mr. KNOWLAND. I shall withdraw the request for the moment.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Michigan.

AMENDMENT OF REVENUE ACT OF 1951

Mr. FERGUSON. Mr. President, I have proposed an amendment to H. R. 6440 which would specifically provide that the parenthetical clause added by section 921 in the 1954 tax code should be similarly added to its counterpart, section 109, in the 1939 code applicable to all years subsequent to 1942. I had hoped that such a provision would be included in any supplementary tax bill to be considered at this session. The policy committee had placed down for consideration H. R. 6440.

Since consideration of such a bill seems unlikely, I ask unanimous consent to insert in the body of the RECORD the proposed amendment and a statement explaining this amendment.

There being no objection, the amendment and the statement were ordered to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. FERGUSON to the bill (H. R. 6440) to amend section 345 of the Revenue Act of 1951, viz: At the appropriate place, insert the following new sections:

"SEC. —. So much of section 109 of the Internal Revenue Code of 1939 as precedes clause (a) is hereby amended to read as follows:

"'SEC. 109. WESTERN HEMISPHERE TRADE CORPORATIONS

"'For the purposes of this chapter, the term 'Western Hemisphere trade corporation' means a domestic corporation all of whose business (other than incidental purchases) is done in any country or countries in North, Central, or South America, or in the West Indies, or in Newfoundland and which satisfied the following conditions:'.

"SEC. —. The amendment made by section — shall be applicable with respect to taxable years beginning after December 31, 1941, and before January 1, 1954."

STATEMENT BY SENATOR FERGUSON

This amendment to H. R. 6440 is in reality nothing more than a technical amendment to accomplish the correction of an existing inequity resulting from an administrative distortion of congressional intent which was recognized by the House and Senate in adopting section 921 of H. R. 8300, but which could not, solely because of policy considerations, be specifically accomplished in that bill. For this reason, I believe there should be no controversy regarding it. Actually, because of the body of legislative history surrounding this matter, no amendment, in my opinion, should be necessary. However, because of a strained administrative interpretation, and to avoid any possibility of further controversy in this regard, such amendment seems desirable, although I am confident the final outcome of the present law as construed by the courts would have the same effect.

In 1942 Congress, by adding section 109 to the Internal Revenue Code, provided certain incentives for Western Hemisphere trade corporations. That section, among other things, defines such a corporation as one "all of whose business is done in any country or countries" within the Western Hemisphere. However, "incidental economic contract" with a non-Western Hemisphere area, was not to be considered doing business outside the Western Hemisphere under this test so as to disqualify an otherwise eligible corporation. The Senate Finance Committee report specifically so stated, and, moreover, illustrated the principle by the example of a sale by a South American mining company which shipped the products to England. It would follow obviously that if a transaction involving a sale with shipment to England was not intended to constitute doing business outside the Western Hemisphere then a mere purchase from outside the Western Hemisphere, likewise, is not to be considered doing business outside the Western Hemisphere. In line with this congressional intent the statute was so interpreted by taxpayers and their counsel generally. Moreover, such view was in accordance with all the cases which have ever considered purchases in relation to doing business. The judicial decisions are and always have been uniform in the view that mere purchase of goods does not constitute doing business. After the 1942 amendment, and particularly in light of the Senate Finance Committee statement, therefore, Western Hemisphere trade corporations filed their tax returns, never dreaming that anyone would ever contend that a mere purchase outside the western Hemisphere would disqualify them from Western Hemisphere trade corporation status on the ground that this constituted doing business outside the Western Hemisphere.

Nevertheless, much to the surprise of everyone, the Bureau of Internal Revenue some 10 years later in May 1952, issued a ruling (which is being applied back to 1942) to the effect that mere purchases outside the Western Hemisphere of goods by an otherwise qualified corporation constituted doing business outside the Western Hemisphere and resulted in the forfeiture of Western Hemisphere trade status by such corporation.

This surprising ruling brought protests from the American Bar Association, the National Foreign Trade Council, Inc., the United States Chamber of Commerce, and the Machinery and Allied Products Institute, among others.

Section 921 of the recently passed 1954 tax code remedied this situation by incorporating language in the law itself providing that purchases incidental to the business would not lead to disqualification. In its report the Ways and Means Committee said: "To correct an obvious inequity which has arisen in the administration of this provision, it has provided that incidental purchases made outside the Western Hemisphere will not disqualify a corporation from the Western Hemisphere trade corporation credit if it is otherwise eligible for it."

Although the intent is thus clear, action in the 1954 Code, as I have indicated, is effective prospectively only. This does not reflect special treatment but rather is a reflection of a general policy of both committees that the 1954 Code shall take effect prospectively only. Thus, the removal of the existing administrative inequity could not be corrected by specific language in the 1954 Code making the phrase adopted in section 921 equally applicable to the 1939 Code. Because of this it is now desirable to do so specifically by the amendment which I have proposed.

The unprecedented, surprising, and unwarranted 1952 ruling of the Bureau denies Western Hemisphere Trade Corporation status back to 1942 only to those Western Hemisphere Trade Corporation taxpayers whose tax returns after 1942 have not yet been audited by the Bureau or been closed out by the expiration of the Statute of Limitations, by closing agreement, or otherwise. This is obviously an unconscionable inequity between two groups of taxpayers, that is, between those unfortunate taxpayers whose returns have not yet been closed out and those fortunate taxpayers whose returns have been. Obviously, both groups ought to be treated alike.

Therefore, because of this ruling, despite a clear record of legislative intent, and in order to avoid any possibility of further administrative controversy, this amendment seems desirable.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Tribbe, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. If there be no reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

CIRCUIT COURTS, TERRITORY OF HAWAII

The legislative clerk read the nomination of Albert M. Felix to be third judge, in the first circuit, in the circuit courts in the Territory of Hawaii.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

Mr. McCARRAN. Mr. President, I ask that the nomination be passed over. These nominations for the circuit courts of Hawaii were before the Judiciary Committee for many weeks. So far as I know, no hearings were held.

I should like to ask the chairman of the Committee on the Judiciary if it is not a fact that objections are on file to one or both of these nominees?

Mr. LANGER. Objections were filed, and repeated hearings were held. I think there were perhaps four hearings in connection with the nomination of Mr. Felix. There was no objection on the FBI report before they were through. The objections were answered.

Mr. McCARRAN. Were the objectors present at the hearing? Were those who filed objections present at the hearing and given an opportunity to be heard?

Mr. LANGER. The objection was filed by letter. The chief of police of an island called Hilo sent in a letter specifically denying all the allegations, and the subcommittee was satisfied there was nothing to the charge. We received

letters from the chief justice, from the associate justice, and from the mayor of Honolulu, and various other letters, showing that there was absolutely nothing to the charges made by one specific individual.

Mr. McCARRAN. Will the Senator kindly state who were the members of the subcommittee which heard the matter?

Mr. LANGER. The Senator from New Jersey [Mr. HENDRICKSON] and either the Senator from Missouri [Mr. HENNINGS] or the Senator from Tennessee [Mr. KEFAUVER].

Mr. McCARRAN. Was the charge presented to the subcommittee?

Mr. LANGER. I will assure the Senator from Nevada that the subcommittee considered the subject.

Mr. McCARRAN. What was the report of the subcommittee to the full committee?

Mr. LANGER. It was unanimous, so far as I know. No objection was made, after the subcommittee went over the correspondence.

Mr. McCARRAN. Mr. President, I understand that these nominations were the subject of a poll of the committee today and yesterday. The least that can be said is that it is a poor practice, because these nominations were never approved by the full Committee on the Judiciary.

Mr. LANGER. It may be a poor practice, but it has been the custom for a great many years—at least, during the 13 years I have been a member of the Committee on the Judiciary.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Albert M. Felix to be third judge, first circuit, in the circuit courts of the Territory of Hawaii?

The nomination was confirmed.

The legislative clerk read the nomination of William Z. Fairbanks to be second judge. first circuit, in the circuit courts, Territory of Hawaii.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

BOARD OF PAROLE

The legislative clerk read the nomination of Lewis J. Grout to be a member of the Board of Parole for the term expiring September 30, 1959.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John E. Henry to be a member of the Board of Parole for the term expiring September 30, 1956.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COMPTROLLER OF CUSTOMS

The legislative clerk read the nomination of Russell E. Atkinson to be comptroller of customs with headquarters at Philadelphia, Pa.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COAST AND GEODETIC SURVEY

The legislative clerk read the nomination of James P. Randall to be an ensign in the Coast and Geodetic Survey.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. KNOWLAND. Mr. President, I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

Mr. KNOWLAND. Mr. President, I ask that the President be immediately notified of all nominations confirmed this date.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

PERSONAL STATEMENT BY SENATOR BRIDGES

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from New Hampshire.

Mr. BRIDGES. Mr. President, the Senator from New Hampshire would like to take just a few minutes on a matter of personal privilege. I wish to comment particularly on an article appearing in the Reporter magazine issue of July 20, 1954. My comment is for the purpose of answering one of the most vicious smears ever directed at a man in public life. But there is a deeper significance than merely an attack upon one man. Otherwise I would be content merely to remain in the distinguished company of friends—former and present senatorial colleagues, who in greater or lesser degree have been smeared by this same publication.

All of us are conscious of the importance to the world and to the very existence of life in the United States as we know it that communism and all that it stands for be opposed. We have all been shocked to learn of the numerous and devious methods by which the United States has been weakened and the cause of communism assisted. All too often we have been told by those whose actions have helped communism that they were only stupid dupes who meant well and who are sorry, several years too late, that they did not know better.

It is time for every American to do a little thinking for himself, and it is time that we protect the fundamental institutions of democracy from being undermined.

Fellow travelers everywhere know that this Senate has been and will be exerting its utmost efforts to preserve and protect the American way of life, and they have done their best to ridicule the Senate and its Members, in the hope that they might prevent or hinder it from carrying out the functions entrusted to it by the Constitution.

We must all expect to be attacked and maligned for carrying out our duty, and I know that we will do so despite such attacks. It is hard to be the victims, especially as the pressures of our duties do not leave us time to try to answer all of the malicious slanders that are launched against us, and few of us are wealthy enough to bear the financial burden of suing every lying detractor, especially as they usually do not have the money to pay judgments which might finally be rendered against them years later.

Exposure to such attacks and the inability to answer back is one of the hardships of public life. I am ready to accept that as a part of the job, and I am going to continue doing the job because I honestly believe that I can make a contribution to the public welfare.

But when these attacks are not limited to an individual Senator, and we find the same source attacking, one after another, leading Members of this Senate, as well as other outstanding American leaders of both parties, I believe we should look into the methods and motives of those who make the attack, including those who finance them.

The illustrious roll of those who have received a smear citation from this journalistic disgrace called Reporter include President Dwight D. Eisenhower, Vice President Richard M. Nixon, the distinguished majority leader [Mr. KNOWLAND], the Senator from Ohio [Mr. BRICKER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Indiana [Mr. JENNER], the Senator from Utah [Mr. WATKINS], the Senator from Maryland [Mr. BUTLER], and the late Senator Robert Taft, who was subjected to one of the most vicious attacks in the history of the magazine; also Kenneth Wherry, our former beloved floor leader who was maligned time after time by this magazine.

The roll continues with the Senator from Missouri [Mr. SYMINGTON], the Senator from Virginia [Mr. BYRD], the Senator from Nevada [Mr. McCARRAN], the Senator from South Carolina [Mr. MAYBANK], the Senator from Arkansas [Mr. McCLELLAN], and the Senator from Georgia [Mr. GEORGE]. Other public figures noted for being conservative and pro-American who receive the Reporter smear citation are Gen. Douglas MacArthur——

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. MAYBANK. I regret the statements made about us, particularly about Senator BRIDGES.

Mr. BRIDGES. So does the Senator from New Hampshire.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. DIRKSEN. I may say to the Senator from New Hampshire that the pub-

lisher of the Reporter magazine in New York is a gentleman by the name of Max Ascoli.

Mr. MAYBANK. Will the Senator from Illinois spell that name?

Mr. DIRKSEN. Ascoli—A-s-c-o-l-i. He was brought to the United States by a grant from the Rockefeller Foundation. Now, of course, he expresses his appreciation for being brought here by a fund supplied by a tax-free foundation of the United States, to make an attack upon Members of the Senate, of the House, and other distinguished Americans, including the very distinguished chairman of the Committee on Appropriations.

Incidentally I may say that recently I read the record of an organization known as the National Committee for an Effective Congress. In that connection, it was found that according to the sworn statement filed with the Clerk of the House of Representatives, Max Ascoli and his wife were contributors to the organization to the extent of $250.

Mr. BRIDGES. I thank the Senator. In addition to Gen. Douglas MacArthur, are Gen. Albert Wedemeyer, Gov. Thomas E. Dewey, Madam Ambassador Clare Boothe Luce, Speaker Joseph Martin, Representative John Taber, and publishers Henry Luce and Roy Howard.

This list is by no means inclusive, there are many more but it is representative enough to establish the point that no one is exempt; no one, that is, who has ever had the courage to speak out and stand for his convictions—if those convictions have been contrary to those of the warped minds behind this publication. In their magazine there is no room for honest differences of opinion and the resolution of those differences by debate in the democratic process. With them the technique is smear and vicious attack—the technique we have come to know so well as used by those who follow the Communist Party line as fellow travelers and bedfellows. Why the staff of this magazine should be so familiar with the technique will be apparent as I continue.

The ends to which this publication will go in order to try to destroy through the medium of the half-truth, the big lie, and the innuendo, is well indicated by their efforts directed at me. Mark this well, for who knows who the next target for attack will be.

Advance copies of this magazine were sent to all daily newspapers in my State with an accompanying press release. A direct first-class mailing was made to a large but selective list of politically active people in New Hampshire with an accompanying letter asking for comment. When all but 1 of the 9 daily newspapers refused to use their publicity release because of the obviously slanted defamatory character of the article, they offered to purchase 3 quarter-page advertisements in the same dailies and their offer was accepted by 6 of the 9.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. CHAVEZ. I have served on the Committee on Appropriations of the Senate for many years. I served under the late Senator Carter Glass, under the former Senator from Tennessee, Mr. McKellar, and under the leadership of my good friend the Senator from New Hampshire. I can say this as a so-called liberal Democrat. I have never seen anyone take on the work of the committee, whether it be a Democrat or a Republican, as the Senator from New Hampshire has. I am glad to say that in the best of faith from the other side of the aisle as a Democrat. I believe New Hampshire is ably represented by the Senator, who is the chairman of the Committee on Appropriations.

Mr. BRIDGES. I thank the distinguished Senator.

The purpose of giving this particular chronicle of events is to show the ruthless determination of the people behind this magazine. The cost of their campaign in New Hampshire to attempt to discredit me, in the guise of magazine promotion, far exceeds any possible hoped-for sale or promotion of this magazine which has by best estimates only a small circulation for a supposedly nationwide magazine. A further indication of the lengths to which these people will go is the estimate that the magazine spent in advertising and direct mailings a total of approximately $372,000 in their issue in which they claim to expose the so-called China lobby. Top this all off with the estimate that the magazine loses from $200,000 to $250,000 per year, and you realize that this magazine is merely an organ for the promotion of causes and not a magazine legitimately devoted to honest journalism with a healthy regard for profit-and-loss statements.

This is a new and un-American phenomenon of the invasion of a State's elections by vast amounts of outside money and influence. Long before the start of this smear campaign in my State it was forecast by our distinguished New England columnist Bill Cunningham in the June 20, 1954, Boston Sunday Herald when he commented on such campaigns and stated that I was to be the next conservative Republican slated for liquidation.

The magazine Reporter claims to be by its own self-designation a "fortnightly of facts and ideas." Let us take a moment to look at their methods of collecting facts and stack that up against your own knowledge of good reporting. To quote Leon Anderson, statehouse reporter for the Concord (N. H.) Daily Monitor, in his column of July 10, 1954:

> The article is written by Douglass Cater, Washington editor of the Reporter. We met him some 10 months ago when he came to Concord and told members of the Monitor staff that he was digging up a story on BRIDGES. He blandly told us, for example, that he was looking for the worst and was not interested in the best about our Senator who has risen to become the number one man in power and influence in the Congress.

It caused Mr. Anderson to conclude:

> We have read the 14-page story. Much of what it says has been in print before. But the way the details are pieced together sure as heck sounds as though the Reporter went out of its way to make Senator BRIDGES look as bad as possible.

To that Mr. Anderson succinctly adds:

> We cannot help but wonder just why the Reporter spent a year digging up the Bridges story and then issued it at this particular time, just before BRIDGES files for reelection for a fourth term. It seems sort of planned.

Mr. Anderson puts it mildly.

So much for the Reporter's method of collecting their so-called facts. Now let us examine their ideas.

Since ideas are the products of human intellects, they can best be analyzed by a sketch of the people responsible for the ideas.

Douglass Cater, author of the assassination attempt on my character, has otherwise distinguished himself, at least in the eyes of the Daily Worker. He was a delegate to the World Youth Festival as shown in the Daily Worker of September 4, 1947, page 3. This festival was sponsored by the World Federation of Democratic Youth with the cooperation of the International Union of Students. The report dated April 17, 1947, of the congressional Committee on Un-American Activities devotes a great deal of attention to these organizations. It states:

> From the outset the World Federation of Democratic Youth demonstrated it was far more interested in serving as a pressure group in behalf of Soviet foreign policy than it was in the specific problem of international youth. * * * So strong was the Communist domination at the London Conference that it aroused the deepest concern of the English bishops.

Also, from the same report it appears that the World Federation of Democratic Youth brought into being the International Union of Students which held a meeting in Prague August 17–31, 1947. The administration and direction of this project was entrusted to a 17-man committee of whom 12 were known Communists.

While a resident of Massachusetts, Mr. Cater was most active, by platform appearances and writings, in opposing the then pending, and later passed, legislation to ban members of the Communist Party from teaching in public or private schools and to require a teacher's loyalty oath.

For his activities above and others along the same line, Mr. Cater has frequently received the praise of the Daily Worker by its favorable reporting of his activities.

Mr. Cater is a young man in his late twenties listed on the masthead of the publication as its Washington editor. Who are the muckraking crew with whom he is associated? The masthead makes interesting reading, and the files of various congressional committees dealing with loyalty and un-American activities bulge with interesting facts about this cast of characters. I shall touch on but a few because you can read all about them at your leisure in committee reports.

Others mentioned on the staff of Reporter are Philip Horton, senior editor; Theodore White, national correspondent; Harlan Cleveland, executive editor.

I shall not take your time to sketch the activities of these individuals as I have done in the case of Mr. Cater and as

I will do in the case of Max Ascoli, editor and publisher.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. RUSSELL. I wish to say that I read the article in the magazine to which the Senator refers and I considered it to be both scurrilous and libelous. It came to my desk and I read it. I thought it was as unwarranted and uncalled for an attack on a fine, patriotic American as I have ever seen. It has been my privilege to serve here with the Senator from New Hampshire for some years. I have been on the Appropriations Committee with him. I have never known a more painstaking, a more careful legislator. I have never known an American who had a more genuine concept of the real principles of Americanism and of our system of government than the Senator from New Hampshire. I think the article is libelous, and I hope the Senator from New Hampshire will sue them in the courts of this land and put that publication out of business. If there is a fair jury anywhere in this country, the verdict will be returned. The article to which the Senator refers will completely extinguish them unless they have the wealth of Midas.

Mr. BRIDGES. I thank the distinguished Senator, and I appreciate his statement very much.

Mr. Horton, of this group, has attended meetings of the Institute of Pacific Relations long after it was cited as a Communist-front activity and his writings in regard to the so-called China lobby remarkably parallel the party line as officially put out by the Communist Party of New York State.

We discover that Theodore White was fired from Time magazine, a very reputable magazine, after suspicion, followed by investigation, disclosed that he was writing slanted pro-Red China stories in the guise of straight news reporting; that his associations with fellow travelers are legion, and his books have been characterized as anti-American, anti-Chinese, pro-Russian and anti-Christian.

We have Harlan Cleveland, who either through design or incredible stupidity aided materially in the sellout of Nationalist China to the Communist-dominated regime of Red China.

I have saved the captain of this evil crew until last—Max Ascoli, editor and publisher of this smear magazine—because his name decorates the top of the magazine's masthead and because his story is most amazing.

Max Ascoli was born at Ferrara, Italy, on June 25, 1898, and arrived on these shores in September 1931 as a political refugee, having been several times jailed for his socialistic activities in his native Italy. No immigrant was he who had come here to work for security and success in our democracy and in turn to make his contribution in further building and strengthening our way of life. In those dark days of our great economic depression when American youths were grimly meeting and solving their economic difficulties in the American way, Max Ascoli arrived here, aged 33, on the magic carpet of a Rockefeller Foundation scholarship. This foundation then continued to subsidize him in a teaching position at the New School for Social Research in New York City. Through the years from 1933 to 1944 he remained on the faculty or connected with this school which has enjoyed the handouts of substantial funds from the Rockefeller Foundation. While at the school, Max Ascoli had either as faculty or students, what I suppose would have been to him such agreeable associates and companions as Earl Browder, Harold J. Laski, Sidney Hook, Harry Elmer Barnes, Harry Overstreet, Leo Wolman, Freda Kirchway, and Hans Eisler, to name a few. The latter is, of course, the brother of the notorious bail-jumper, Gerhardt Eisler. The Daily Worker hailed the arrival of Hans Eisler in New York in 1936 when he joined the faculty of the New School for Social Research.

What were Max Ascoli's ideas in those days when the graduate faculty of this school of which he was a member was known as the University in Exile. Let us turn to 1936: Max Ascoli was 38 years old, still a young man, though by no means a callow youth. What did he think of the country whose bounty he had enjoyed for the last 5 years? Max Ascoli had just had published a book entitled "Intelligence in Politics."

I shall not take the time or offend the intelligence of my colleagues by quoting at any great length from this nauseous book. A few excerpts will acquaint the Senators with its general foul odor. In his foreword Max Ascoli states that there is an incompatibility, a mutual unfitness between intelligence and modern politics. He says:

> In order to preserve his role in democracy the intellectual is bound to be critical and potentially an opponent of the political and social institutions in which democracy may materialize itself.

He further says:

> Democracy itself becomes a method, as its record in America proves; having lost or transformed its ideal it tries to embrace every other ideal, to swallow it up * * * that is why democracy is at the same time so ruthless and so obvious, so repellant to intelligence and so matter of fact. Democracy seems a crowning point of history, and at the same time it makes every tradition that it absorbs flat and shabby; it prospers out of this shabbiness and gains strength in bringing as many institutions and ideas to the point where their usefulness and meaning become nebulous or vanish.

How did Max Ascoli as a self-styled intellectual feel about his part in this democracy which had treated him so bountifully? Let us again search his words:

> The constitution of a democratic country is the firm obstacle which all economic reforms and all programs of legislative political action must finally encounter.

To him our constitutional guaranties of a free way of life are but obstacles and obstructions. How to deal with such? Well, according to Max Ascoli:

> The intellectuals know better than any other group how to enjoy a civilization and how to undermine it.

Shades of Alger Hiss, Harry Dexter White and Klaus Fuchs; from the grave and from prison they applaud. Max Ascoli continues:

> They (the intellectuals) are not requested to love democracy or to be grateful to it; on the contrary they are wiser if they restrain their feelings; love becomes ominous when applied to democracy.

Let us now close the pages of this loathesome book.

Three years later Max Ascoli, having perhaps decided that he could better undermine democracy as a citizen than as an alien, became naturalized. This was on September 21, 1939. A year later, almost to the day, September 26, 1940, he divorced in Rome the Italian wife he had brought to this country with him, and 9 days later, on October 5, 1940, he became the second husband of Marion Rosenwald, the daughter of the multimillionaire Julius Rosenwald.

From then on a new Max Ascoli emerges in the guise as we see him today. No longer is he the beneficiary of Rockefeller Foundation handouts; no longer does he spit upon and vilify democracy in obscure books. Now with the backing of his wife's money he comes into his own, and she is his willing accomplice through her previous indoctrination at the New School for Social Research.

Now we see Max Ascoli with his own tax-exempt charitable foundations. Instead of an occasional book he can afford fortnightly publications for the promotion of his ideas though the publications consistently lose large sums of money. The sharp edges of his words have been rounded off a little to meet the situation in an awakened America aroused to the infiltration and subversion of those who would destroy her constitutional government and way of life. But the same Max Ascoli with the same fundamental philosophy, now tremendously magnified, multiplied, and more effective, parades on the national and international scene with ramifications, minions, money, and uppercrust addresses. And finally, grown powerful and influential, he receives from the Export-Import Bank what would appear to be a loan, but was later termed by his Italian handicraft company as a grant because stipulations that it should be paid back were omitted. The so-called grant was in the amount of $4,600,000, of which $2,900,000 was disbursed, and the rest withheld because of the shaky position of his Italian handicraft company, which was unable to repay the loan.

More incredibly still, Max Ascolli, despite his previously published views on American democracy which I have quoted, has now become through his magazine one of our official spokesmen abroad, for democracy. Reporter is distributed by the USIA to United States libraries and information centers abroad. The figures on India, to my mind, have an alarming significance, because India in many respects is much like China. USIA subscriptions for India in 1951 were only 2 each for such popular magazines as Time, Saturday Evening Post, Colliers; 60 for Life, 100 for Reader's Digest, but 101 for Reporter. Are we preparing the way for the sellout of the teeming millions of India as we did in China?

That is where the money of the taxpayers is going. The United States Information Service provides for India 2 subscriptions to the Saturday Evening Post, and 101 subscriptions to Reporter Magazine. I think that before another year rolls around the subscription lists which are being maintained by the United States Information Service at the expense of the American taxpayers should be examined, to ascertain what subscriptions are being sent to every country in the world. I believe the Senate should do that.

All along the line the number of Reporter magazines distributed as compared with other magazines far exceeds its relative significance.

To what do I owe the campaign to smear me by Max Ascoli and his hirelings, abetted by almost limitless funds, in my campaign to again represent the people of New Hampshire in the United States Senate?

Perhaps it is because as far back as April 8, 1953, as shown on pages 56 and 57 in the transcript of the Treasury Department hearings, I took the position that the returns of tax-exempt organizations should be public information; otherwise, how can there be any effective enforcement of the prohibition of using such funds to influence legislation? Are the exempt foundations of Max Ascoli and his wife vulnerable? Perhaps it is because I am conservative enough not to think of the Constitution as an obstruction to progress or because I love and believe in democracy, as it would appear from Max Ascoli's writings that he does not.

Perhaps it is just because I have in the past, and shall continue in the future, to stand firmly against the causes which Max Ascoli and his associates espouse. For that record I am and will continue to be proud.

I am proud also of my farflung constituency, as Reporter calls it. When I first came to this Chamber on January 3, 1937, and was sworn in as a Member of this great deliberative body, I was sworn in as a Senator of the United States. I have never forgotten the impression that made on me as a young man of 38 years. Although I always have foremost in mind the fine people of New Hampshire who have sent me here for three consecutive terms, I also have been most mindful of my duties in accordance with my oath to all of the people as a Senator of the United States.

On my office door at room 145 in the Senate Office Building is the sign, "Mr. BRIDGES, New Hampshire—Come In." That door is wide open for people from the good old Granite State, and it is also open, and always will be, for any other citizen of this great land of ours who wants to discuss the problems of Government.

When I first became a Member of this Senate the Republicans were conspicuous by their absence. The Republican side of the aisle had only 15 other Senators besides myself, and in this broad land there were millions of Republicans who had no Republican Senator from their own State to whom they could turn. I soon found that my constituency, in fact, as well as my duty, was larger than my own State.

In my career as United States Senator I have served in many capacities. I have served as the Republican leader of the Senate. I have served in the past, and do serve at present, as chairman of the Senate Appropriations Committee. It is this committee which has the duty of appropriating all of the money for the support of our various departments and agencies in this country, as well as the aid which we extend to our partners in the free world.

The other positions which I now hold by virtue of the choice of my senatorial colleagues are: Ranking member of the Senate Armed Services Committee, the Preparedness Investigating Subcommittee of the Committee on Armed Services, the Senate Personnel Committee, Republican Policy Committee of the Senate, and the Joint Committee on Reduction of Nonessential Federal Expenditures. In these various duties I have contact with literally thousands of public officials and private citizens in the course of a year. It is my job and responsibility. With these duties and responsibilities I indeed do have a farflung constituency. I will continue to carry out these duties and responsibilities as a United States Senator, assigned me by my colleagues, and no attack on me, no matter how bitter and vicious, will cause me to waver one bit in carrying out these duties and living up to my senatorial oath.

And at this point let me state here and now for the record, I flatly and unequivocally deny the truth of any and every implication, insinuation, or innuendo in the Reporter magazine in regard to my public or private life as a United States Senator.

There is not a man on the floor of the Senate who has not been subjected to such attacks in the past. Who knows who will be subjected to it next?

Mr. GORE. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield to the Senator from Tennessee.

Mr. GORE. The distinguished Senator from New Hampshire has asked who knows who will be next. I take it he refers to the membership in the United States Senate, does he not?

Mr. BRIDGES. Yes.

Mr. GORE. For 10 years it was my privilege, as a member of a committee, to sit across the table from the distinguished Senator from New Hampshire upon occasion. For 2 years I have served with him here. I cannot testify to his work to the extent that other older members may be able to, but to the extent of my knowledge, which is considerable, the senior Senator from New Hampshire has been faithful in his duties, devoted to his task, and patriotic in the undertaking of his obligations. I did not rise, Mr. President, to defend the Senator's record. It needs no defense among his colleagues. However, when the Senator asks the question, "Who knows who will be next?" I wish to call attention to the fact that in addition to the smear and attack upon the senior Senator from New Hampshire, private citizens have had aspersions cast upon them in the spurious article to which the Senator from New Hampshire has referred. I wish to refer to a friend of mine on whose character aspersions were cast.

I refer to Dr. Armand Hammer who is a famous breeder of Aberdeen-Angus cattle. The gentleman to whom I refer has been very successful as a breeder. I have visited on his farm to see his famous herd. I have found him to be a capable and honest businessman. I have also found him to be gentle in manner, and upon occasion, we have discussed matters of state. This private citizen has had aspersions cast upon his character and patriotism. I could see no reason for that except as a means of attacking the senior Senator from New Hampshire. I wish to join with other Senators in an expression of resentment at the publication of such an article and call for an end to such smear attacks upon both public officials and private citizens.

The senior Senator from New Hampshire has my respect and esteem.

Mr. BRIDGES. I thank the distinguished Senator.

Mr. SYMINGTON. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I was mentioned in this article about our esteemed colleague, the distinguished senior Senator from New Hampshire. I should like to make several remarks with respect to that article. The implication given was to the effect that the Portsmouth Air Base was allotted to New Hampshire by the Air Force, when I had the honor of being its Secretary, as the result of influence, pressure, put upon the Air Force by my friend, the distinguished Senator from New Hampshire. Mr. President, that charge is groundless. It is totally and completely false. The truth is exactly the opposite. The Portsmouth Air Base was chosen by the air staff to be located in New Hampshire; and therefore, that is where it went after many surveys of other areas in the Northeast. Once, Mr. President, I had the unfortunate duty of being forced to go to the distinguished senior Senator from New Hampshire, at the time the Air Force was cut heavily in its group structure, to tell him that the fighter air base at Manchester, N. H., under the new group structure, had to be closed down.

I distinctly remember his reply. It was a great relief to me and to the Air Force. The distinguished senior Senator from New Hampshire said, "Whatever is best for the United States is what I want you to do with the base at Manchester."

Mr. President, that is the truth, and I never forgot it.

I am sorry my distinguished colleague did not let me know he was going to make this talk tonight, and also sorry I was not on the floor when he began.

The second mention of me in that article had to do with the Kaiser-Frazer airplane situation. Mr. President, everything I did as a member of the committee of which the distinguished senior

Senator from New Hampshire was chairman and everything that he did was done with the approval and understanding of the other members of the committee. The record will show that our distinguished colleague, the senior Senator from Virginia, was at least as interested, perhaps even more interested, in these Kaiser-Frazer proceedings than was I or the Senator from New Hampshire. Therefore, Mr. President, I state for the record that the implications and innuendoes in this article with respect to these two charges are not based on fact.

I agree with my distinguished friend, the Senator from New Hampshire, that these smears against Senators and others must stop. Fewer and fewer businessmen are willing to come to Washington to serve if such smears be not stopped; and fewer and fewer good men will want to run for office.

This Government of ours is the biggest business in the world. The unfounded irresponsible charges made by this magazine article against the distinguished senior Senator from New Hampshire [Mr. BRIDGES] is just a further step toward making it impossible to obtain great Americans such as he to become interested in going to Washington to serve their Government.

Mr. President, if the distinguished senior Senator from New Hampshire agrees, I should like to have printed in the RECORD, at the conclusion of his remarks a letter I wrote to the publisher of this magazine referring to the article in question.

Mr. BRIDGES. Mr. President, I shall be glad to have that done; and I wish to thank the distinguished Senator from Missouri for his remarks.

Mr. SYMINGTON. Mr. President, I add one further statement: When I first went into the Air Force, in 1946, because of the great interest of the Senator from New Hampshire [Mr. BRIDGES] in air power—and the record will show he has been one of the greatest proponents of adequate air power in this Government—I had the honor and pleasure of getting to know him well. Never once, Mr. President, in the approximately 7½ years I was in the executive branch of the Government, did he in any way, either directly, or indirectly, use any pressure of any kind whatever on me or the Air Force.

STYLES BRIDGES is an American patriot; and I join with my colleagues on both sides of the aisle in deep resentment of this effort—may I say totally unsuccessful effort—to tarnish his good name.

Mr. BRIDGES. I thank the distinguished Senator from Missouri.

Mr. President, let me be equally clear and emphatic that, regardless of scurrilous attacks and attempted character assassination, I will continue to fight to preserve our constitutional form of government as the best guarantee of human freedoms and the keystone of our Republic. I will continue to expose the false philosophies and the spurious publications which insidiously try to undermine our cherished institutions.

In conclusion, let me point out that it is not important whether STYLES BRIDGES continues to be a Senator from New Hampshire; but the deeper significance and the real importance is that New Hampshire and every other State shall continue to have in the Congress of the United States, Senators and Representatives to represent the people of this great land under a constitutional form of Government.

Mr. President, at this time I ask leave to insert in the CONGRESSIONAL RECORD excerpts from editorial comment in outstanding newspapers in the State of New Hampshire and other States which characterize in its true light the attack on me. Also I wish to insert a copy of a letter written on his own responsiblity by our distinguished colleague, the distinguished Senator from Missouri, STUART SYMINGTON, to Reporter Magazine.

There being no objection, the letter and excerpts from editorials were ordered to be printed in the RECORD, as follows:

JULY 12, 1954.

To the EDITOR, THE REPORTER,
New York, N. Y.

GENTLEMEN: Miss Davis has sent me your issue of July 20 with request for comments on your article about Senator STYLES BRIDGES of New Hampshire.

In the article you infer that the reason a bomber base is being constructed in New Hampshire was because Senator BRIDGES used his influence as chairman of the Senate Appropriations Committee to persuade the Air Force, and me personally, to place this base in his State.

That is not true.

During the some 4½ years I was the civilian head of the Air Force, no Member of Congress was ever responsible for the choice of any base, or plane, or any other piece of equipment.

I do remember once telling the New Hampshire Senators that the fighter base at Manchester, N. H., was too close to the mountains for the required glide pattern necessary for the new jet fighters, and that therefore said base would have to be closed.

I also remember my relief when Senator BRIDGES replied: "If that is the right thing for the Air Force to do, naturally I am sorry for New Hampshire; but of course it should be done."

As to the cancellation of the Kaiser-Frazer plane contract:

I was a minority member of that committee, and fully concurred in the investigation of this contract; and also in the cancellation of the contract.

While I was Chairman of the National Security Resources Board I questioned pooling the said plane contract with the Kaiser-Frazer Automobile Co. because there was bound to be disagreement as to allocated costs, because Kaiser-Frazer already owed the RFC a great amount of money, and because no one could be sure of their aviation engineering capacity.

But the decision to cancel this contract was solely that of the Air Force. We of the committee had nothing to do with it.

Now as to a report being issued after the contract had been canceled. The report probably would have been damaging to the Kaisers, with little constructive coming out of it. It probably also would have been critical of the Air Force.

The members of the committee discussed the possibility of a report, and the committee decided that at that time a report might be unwise. Therefore the members took no action in that it might be unnecessary belting of the last great military force left in the free world against the advance of Soviet communism—the Armed Forces of the United States.

Haven't we had enough of congressional committees unnecessarily attacking our armed services?

I am glad to give you the truth as I know it about those parts of the article with which I am familiar.

Sincerely yours,

STUART SYMINGTON.

[From the Boston (Mass.) Post of July 13, 1954]

THE BIG SMEAR IN NEW HAMPSHIRE

(By John Fox)

Senator STYLES BRIDGES, of New Hampshire, the senior Republican in the United States Senate, President pro tempore of the Senate, and Chairman of the Senate Appropriations Committee, has committed many sins which, in the eyes of the editors of the Kremlin mouthpiece, the Daily Worker, are unforgivable. They are also unforgivable in the eyes of one Max Ascoli, who describes himself as editor and publisher of a fortnightly publication called the Reporter, which has political (if that is the word) views which are, at least, interesting. Mr. Ascoli's views are shared by one Harlan Cleveland, executive editor of the same publication, and one Douglass Cater, who is its Washington editor. Whether the political philosophy of these gentlemen be identical with that of the Kremlin masters of the Daily Worker, we do not know. We are unable, however, to find any difference whatever in attitude concerning Senator BRIDGES between the Daily Worker and the Reporter.

The Reporter is of interest to residents of New England, particularly New Hampshire, at this moment, because of the fact that the great smear technique is so seldom seen in operation in New England. Here in the most northeastern tip of the country, anti-Communist feeling runs so strong and contempt for Communists, pro-Communists, and even those suspected of being Communist sympathizers is so great, that it is more often than not the case that the neighbors of an individual accused or suspected of being pro-Communist, whatever else they may think, are inclined to consider him at least a victim of mental aberration. This attitude is so firmly rooted and so widespread in its prevalence that it would seem to be a waste of time for anyone to attempt to apply the great smear technique on a statewide basis to an individual not only well known but universally respected and admired for his patriotism.

The great smear, however, is on in New Hampshire. Its victim is Senator BRIDGES. The medium is the fortnightly magazine called the Reporter. We don't know whether the Reporter is pro-Communist, misguided, ultraliberal, left of leftwing, or what have you. We don't intend to judge. The facts, however, are sufficiently numerous and their implications sufficiently clear so that people familiar with them, and who happen to have come into possession of the July 20 issue of the magazine, will have no difficulty in judging for themselves.

The Reporter is published by the Fortnightly Publishing Co., a New York corporation. Its editor and publisher is Max Ascoli, who, apparently owns all of its stock. Its normal press run is 127,000. It loses $200,000 to $250,000 a year on an investment of $1 million. Obviously, it is not run for profit. The July 20 issue is clearly devoted to another purpose, to smear Senator BRIDGES. An additional 10,000 copies of the magazine were printed for this issue. Well in advance of the release date, copies and an accompanying press release were mailed to all the daily newspapers in New Hampshire. On July 9, three-quarter page ads were offered to the 10 daily newspapers printed in New Hampshire. Five newspapers accepted the ads. Five did not. Only the Laconia Citizen used the press release.

Copies of the issue were also sent to all politicians in New Hampshire, especially Democrats who are reported to be planning to have 10,000 reprints made for use in the coming senatorial elections. They would be well advised not to do so in view of the backgrounds of the magazine itself. Mr. Ascoli and some of his principal associates, which are so fascinating that we have purposely delayed presenting them to our readers who are entitled to the fullest possible dossiers, which will be worth waiting for. We promise to present them before Friday of the present week.

A partial list of the unforgivable sins committed by Senator BRIDGES is as follows:

He was a friend of Senator Taft.

He was an outspoken critic of the foreign policy of the Roosevelt and Truman administrations.

He criticized traitors in the State Department under Mr. Acheson, who sold out the United States to the Kremlin, and who caused us to hand over Nationalist China to the Kremlin controlled Chinese Communists.

He is primarily responsible for the big jet base now under construction at Newington, N. H., just outside Portsmouth.

He is a friend of sound money.

He is an enemy of socialization of every kind, particularly socialized public power.

He is a friend of JOE MCCARTHY.

He is anti-Communist to the extent that he believes that it is impossible for the free world and the Communist slave world to coexist peacefully.

For this—the big smear.

More on this tomorrow.

[From the Boston (Mass.) Post of July 14, 1954]

THE BIG SMEAR IN NEW HAMPSHIRE

Senator BRIDGES, of New Hampshire, is not a new enemy of communism. His record of rock-ribbed patriotism—the very word "patriotism" means anticommunism—is as long as his whole term of office in the Senate. The Senator has been distinguished on numerous occasions by invective, insult, and plain unvarnished lies in the Kremlin organ, the Daily Worker. His present experience is not new in that it is not the first time he has been smeared. It is, however, the first time that Senator BRIDGES, or anyone else, for that matter, has been the victim of an organized statewide campaign powered by plenty of money in a New England State.

[From the Valley Times, Pittsfield, N. H., of July 9, 1954]

The alleged purpose of the so-called carefully documented article is to expose Senator STYLES BRIDGES, of New Hampshire, just before his reelection campaign. But instead of doing anything remotely approaching that, it falls on its face by its own argument. You see, the line the writer (and we use the word loosely, if you'll excuse us) uses is to smear the Senator through the company he is alleged by the article to keep. But those of us who have retentive memories recall others who have tried to smear our Senator and we can list the company this writer now joins. Men like Stalin, Malenkov, the leaders of the Communist parties in European nations and the writers of the Daily Worker. We wonder which group of company is preferable? Mayhap the writer should have asked himself that before he started out on his project which the magazine says is a year old but which we would believe is much older. It has the earmarks of a carefully contrived political piece aimed at getting the object of the article, Senator BRIDGES, when his term ended.

[From the Manchester Union Leader of July 15, 1954]

PRO-COMMUNIST ATTACK ON BRIDGES

Masters at the art of smearing a man and destroying his reputation are at work. The campaign is financed by almost limitless funds from outside the State. New Hampshire will be flooded by anti-Bridges circulars and magazines in the tens of thousands.

This left-wing campaign will be directed by a group of Communists, pro-Communists, and liberals who make their headquarters in New York City, Washington, and other points on the eastern seaboard. These left-wingers are out to destroy any Senator who has stood up against Soviet Russia. Their main objectives are the removal from the Senate of Senators MCCARTHY, MCCARRAN, JENNER, and BRIDGES, because these have been the main anti-Communists in the Senate. Only BRIDGES is running for election this year, so all the left-wing fire will be turned on him.

This group of pro-Communists figure they can go into what they consider small and backward States such as New Hampshire, Idaho, the Dakotas, Nevada, or any State of small population, and by spending their ample funds, elect Senators who will do their will. In that way the pro-Communists plan eventually to control the whole United States Senate and, after that, the Nation.

New Hampshire voters are in for an eye-opener as this anti-Bridges campaign gets under way. New Hampshire folks, however, have enough common sense not to allow their Senator to be picked for them by left-wing forces.

[From the Hampton (N. H.) Union of July 15, 1954]

AN UNWARRANTED ATTACK

Many months ago this newspaper warned its readers that New Hampshire's Senator, STYLES BRIDGES, would, in all probability, be the victim of a smear attack during the present primary campaign because of his unwavering stand against the Communists and because of his powerful position as the ranking Republican in the United States Senate.

As if to bear out our prophecy this newspaper, along with every weekly and daily throughout the Granite State we suspect, received this past week a copy of the Reporter magazine containing an article by its so-called Washington editor, Douglass Cater, entitled "STYLES BRIDGES and His Far-flung Constituencies," designed to expose BRIDGES in as unfavorable light as possible.

Mimeographed advance releases accompanying the magazine for New Hampshire publication, hail the article as a "carefully documented review of the Senator's career" when, as a matter of fact, it is just the opposite. There is absolutely no documentation offered in the 14-page article; rather it is fanciful rehash of some of the less important events of BRIDGES' long career in Washington, which must even cause the Senator some disheartening moments.

This newspaper does not purport to paint BRIDGES as any simon pure. He has probably made his mistakes along with the rest of us human beings and we strongly suspect that any Senator in Washington, especially one in such a prominent position, has met up with his share of shady characters.

The fact is, however, that in none of the incidents retold in the Reporter in its best cloak and dagger manner, has there ever been any evidence offered of any wrongdoing on the part of BRIDGES.

If the intention of the article was to degrade BRIDGES in the eyes of his constituents, and of that there can be no possible denial, then the author and his publisher have spent someone's money in a fruitless effort.

The citizens of New Hampshire have been kept fully informed of Senator BRIDGES' career in Washington and are proud of his record. As stated above, there may well have been some unfortunate incidents during his long term of service, but the good that he has accomplished for his State, and the Nation as a whole, so far outweigh any errors of judgment as to make such an article nothing but a political smear.

[From the Argus-Champion, Newport, N. H., of July 15, 1954]

DOUBTFUL JOURNALISM

In another column in today's Argus, Enoch Shenton, the statehouse reporter, deals at length with a derogatory article about Senator H. STYLES BRIDGES which appears in the current issue of the Reporter, a magazine edited, apparently, for intellectual eggheads.

By and large, the magazine, if the current issue is typical, will never become a medium of mass circulation. It just does not carry that sort of appeal.

The article about Senator BRIDGES is a rehash of information which already has been discussed in political circles, published in newspapers, and gossiped about by average citizens. Whether Senator BRIDGES can answer the charge of political chicanery implied in the article, we have no knowledge. We presume that as the campaign for election to the Senate seat for which Mr. BRIDGES is a candidate to succeed himself heightens in intensity, the Senator will feel it necessary to explain some of the implications. It is certain that no political opponent of the Senator's will allow his record to go unchallenged.

None of the information printed in the pseudo-intellectual Reporter seems to be of a particularly sinister nature although the manner in which the article is written seems an attempt to lead the reader to place a false interpretation on the actions of Senator BRIDGES.

What is more interesting, however, than the shadow which the article attempts to cast over the career of Senator BRIDGES is the campaign to get the current issue wide distribution throughout New Hampshire.

The Argus received a sample copy together with a news release describing the article on BRIDGES. Newsstands in New Hampshire have been well supplied with the magazine. Newspaper advertising has been purchased to promote sales. It would appear that someone, well heeled, is willing to defray the cost of distributing an article injurious to the candidacy of Senator BRIDGES.

We wonder who it might be, and why a magazine with limited appeal and equally limited circulation chooses to put on a promotional circus in the State of New Hampshire to inpugn the motives of the State's senior Senator.

The Reporter, which at this point seems to have been unable to attract any sizable volume of advertising, is guilty of a doubtful form of journalism of which New Hampshire, and particularly this section of New Hampshire, already has had its fiill.

[From the Nevada State News, Reno, Nev., of July 15, 1954]

PURE POLITICS

A nasty little left-of-center magazine called the Reporter is out now with a so-called documentary on Senator STYLES BRIDGES, of New Hampshire. It is a little hard to buy a copy of this issue in Nevada, the entire article is beamed toward New Hampshire. Other copies, of course, reach newsstands in the Nation's Capital, and still other copies mysteriously appear on the desks of influential people who might be intrigued or pleased with a vicious attack on the Senator from New Hampshire. How is all this known? Because it's an old story to Nevada. We've had it.

Just about 2 years ago Nevada awakened one morning to find copies of the Reporter flooding the State. Thumbing through slick pages, the reader soon came across a double-barreled blast at the so-called "McCarran machine" by a southern Nevada editor and a separate article by a fledging politician dealing with the problem of how it feels to get beat. The latter article was intended to set the stage for some future campaign, but the inaccuracies were so glaring that the whole thing lived to haunt the author in still another defeat. For whatever comfort the above may be to other States and other personalities receiving the "treatment" from the Reporter this much is known and little else. It is a heavily subsidized magazine dealing in subjects intended to give aid and comfort to extremely liberal causes, serving masters who, it is believed, would, on a moment's notice, turn this country over to those who believe our system of government has come to the end of the road. Need anyone know more about it?

[From the New Hampshire Sunday News of July 18, 1954]

BIG SMEAR ATTACK ON BRIDGES BACKFIRES—CAMPAIGN GOES ON BUT CANDIDATE LACKING—FOES RAISE HUGE FUND IN PLOT TO BEAT HIM

(By Maurice McQuillen)

This is the inside story of The Big Smear—the dollar-greased, professional attack against United States Senator STYLES BRIDGES which has backfired.

Somewhere between a quarter and a third of a million dollars was raised by powerful out-of-State financial interests, leftwing groups, and others bitterly opposed to his reelection for a fourth term.

THEIR STRATEGY

The strategy was to spread half truths and deliberate falsehoods galore about Senator BRIDGES. His arch-enemies were confident that this would almost completely discredit him in the eyes of his constituents and make him almost a pushover in the primary.

Everything was all set. They had the candidate, the strategy, the money, and a detailed smear propaganda program. Masters at the art of smearing a man and destroying his reputation were hired. And they spent months preparing the ammunition. Plans were carefully laid to flood the State with anti-Bridges circulars and magazines. And it was part of the plot to feed a custom-tailored propaganda line and phony exposés to gullible newspapers and radio station personalities who would not check too deeply into the facts.

But something misfired. The big name Republican they thought was all set to run against BRIDGES suddenly chose not to run.

Maybe he suddenly saw through the insidious plot and refused to act as a puppet for such a group. Or it could be that he suddenly developed political cold feet when spot checks showed pro-Bridges sentiment as strong as ever in the Granite State. In either event, informed sources say that the certain Republican the hate-Bridges crowd had been counting on now won't touch the primary with a 10-foot pole.

MOST EMBARRASSING

This has proved most embarrassing to the Granite State group that had picked the candidate to oppose BRIDGES and planned to unveil him as soon as the smear campaign began to show results. And it irritated to no end the out-of-State syndicate that had got up most of the money to fight BRIDGES.

But it was too late. The well-oiled gears of the smear-Bridges machine had started turning and there was no stopping now. Stories had all been manufactured and were being distributed to sympathetic newspaper and radio outlets. Some money had been distributed where it was thought it would do the most good. Anti-Bridges circulars and magazines were in the works. And vicious whispering campaigns were started.

Frantically, the hate-Bridges crowd has been scurrying around trying to get a bite from some politically ambitious Republicans. And they have been getting less choosey as each day goes by, but no would-be candidates are even nibbling at the bait. At this late date, veteran political observers see virtually no possibility of their coming up with any really effective primary opponent for BRIDGES.

The big backfire that came in the anti-Bridges machine when the hand-picked candidate suddenly pulled out of line has thrown the timing of the machine off completely and it is not likely to get very far.

ALL TO NO PURPOSE

And so today Senator BRIDGES is being smeared in various directions. Thousands and thousands of dollars are being spent in the elaborate program—all to no purpose.

Informed political sources see no damage yet to his chances for reelection despite the heavy barrages fired at BRIDGES in the start of the smear campaign.

They point out that down through the years Senator BRIDGES has built up a good reputation that would be almost impossible to destroy despite all-out efforts on the part of his smearers with their half-truths and lies.

However, this is not expected to be the end of the smear campaign, although it appears doomed to utter failure. The money is there and it is going to be spent to discredit Senator BRIDGES if at all possible. Communists, pro-Communists, and pseudo-liberals are out to get rid of anti-Communist Senators like MCCARTHY, MCCARRAN, JENNER, and BRIDGES. This year BRIDGES is the only one running for reelection and they are apparently going to concentrate their campaign against him.

Senator BRIDGES, who stood out in the years before World War II as one of the very few Members of the Senate who recognized the Nazi movement as a threat to world peace, has long been a foe of communism.

For the past 12 years he has questioned publicly this Nation's appeasement of Soviet Russia. When Russia was using American lend-lease material to fight for her very existence, Senator BRIDGES was warning that communism constituted a postwar threat to continuing peace. On numerous occasions on the floor of the Senate and in speeches before public gatherings, he warned against sellout deals in Asia and Eastern Europe.

When Senator BRIDGES last ran for reelection in November 1948, New Hampshire voters gave him the largest plurality ever afforded a senatorial candidate.

Still comparatively young for a Senator, BRIDGES at 55 today is one of the most influential Members of Congress. He is not only ranking Republican Member of the Senate but holds important leadership positions on several vital committees. He turned down the majority leadership and became President pro tempore of the Senate in order to devote close attention to the Committee on Appropriations as its chairman.

Senator BRIDGES is also ranking member of the Senate Armed Services Committee, the Preparedness Investigation Subcommittee of the Committee on Armed Services, the so-called foreign-aid watchdog subcommittee of the Committee on Appropriations, and the Senate Personnel Committee.

Having proved during the 80th Congress that the Federal budget could be balanced, having proved that taxes could be reduced, having proved that debts could be pruned, Senator BRIDGES continues as a leader in the fight for economy and common sense in Federal spending.

[From the Concord Daily Monitor of July 21, 1954]

The way Reporter magazine dumped about $1,000 in paid advertisements into New Hampshire newspapers, just to sell a few extra copies of its story against BRIDGES, is really something. The cash came from somewhere and means someone or some folks are more interested in killing off BRIDGES than the welfare of Granite State citizens.

[From the Exeter (N. H.) News-Letter of July 22, 1954]

DOWN IN OUR CORNER

(By James P. Lynch)

The venom that saturated the pages of a national magazine recently probably will bring comfort to the enemies of Senator STYLES BRIDGES but indeed this scurrilous attack is an insult to the more than 129,000 voters of New Hampshire who gave the senior Senator the highest endorsement ever received by a United States Senator from this State back in 1948.

Senator BRIDGES doesn't need anyone to defend him. His record speaks for itself. But he certainly is interested in showing his enemies that the people of New Hampshire are interested in running their own political affairs and not being subjected to dictations from the sacrosanct chambers of Washington demagogs.

THE IMPORTANT CROSS

Consistently STYLES BRIDGES has demonstrated he has a political machine. It is a terrific one that is envied by every office seeker in the State. It is composed of each and every voter who puts his or her X beside the name of BRIDGES whenever the senior Senator seeks election.

You can cry to high heaven about machines but the only powerhouse that sends a man to Washington is composed of votes. BRIDGES gets them because the hometown people remember his outstanding leadership down through the years.

The magazine purchased space in some New Hampshire newspapers in an attempt to stir up more animosity but instead has antagonized even members of the Democratic Party. Some of the latter feel that the article will promote a sympathy vote from people who ordinarily would be opposed to the senior Senator.

One of the charges leveled against BRIDGES concerned the Portsmouth-Newington Air Force Base. It has a rather familiar ring and obviously the writer of the story enjoyed the company of many of the airbase opponents.

The construction of the base was delayed for a long period due to political wrangling and but for the consistent leadership demonstrated by STYLES BRIDGES it might have been definitely postponed.

The Reporter magazine calls it "A New Kind of Pork" and then quotes from a New Hampshire paper and a national magazine. In fact, it used several editorials from this paper and presumably this is what the publishers meant in their advertisement "extensive and carefully documented" material.

Persons following the political happenings in New Hampshire are familiar with the past and present of BRIDGES. The story, in all probability, might enthuse some out-of-State people but there is just one discrepancy insofar as they are concerned. Their opinions cannot be recorded in local voting booths.

GUILTY

But they should not be misled especially in regards to the airbase. We are indeed fortunate in having this installation in the area. The story would have you believe there were deals made between political and military forces. If it is a crime to give your State the greatest protection the world has to offer then STYLES BRIDGES is guilty. He fought and he fought hard for a Strategic Air Com-

mand base. Before the base is complete it will be a $100 million installation.

The vast majority of people in New Hampshire consider this to be one of the greatest contributions to the State. Insofar as deals are concerned, the military might of Uncle Sam comes first with the Senator. If the Air Force preferred other locations they would not have settled for the present site.

We have repeatedly discussed this with many of the top-ranking officers of the Air Force both in off-the-record and open meetings. These men are interested in the defense of America and not the defense of American politicians.

Reporter magazine classifies this project as "a new kind of pork." Their charges sound like pork products and we never did care much for ham.

Injudiciously the Reporter failed to mention that the Senator topped the ticket in 1948 with 129,600 compared to his opponent's 91,760. Remember, that was a presidential election year and the Dewey electors garnered 121,999 to Truman's 107,995. That same year Sherman Adams received 116,212 and his Democrat opponent, Herbert W. Hill, 105,207.

Two years later Adams topped the ticket with 108,907 while the late Senator Tobey received 106,142.

If some of the enemies of STYLES BRIDGES would only band together and offer constructive criticism then maybe the people would listen to them. However, until they put away their tomahawks and stop being hatchetmen not many care to follow their trail.

The people like a battle but they certainly don't want to see the contestants so heavily laden with mud that they are repulsive. Nor do they want to see men who have done a good job being attacked from outside our boundaries. We like to settle our own affairs in this State our own way.

It just seems rather difficult to accept this vengeful diatribe of the Reporter magazine as being offered in the interest of better government. It seeps with the blood of hate for a man who has courageously fought in the interest of good government.

[From the Rochester (N. H.) Courier of July 22, 1954]

AROUSES SYMPATHY FOR BRIDGES

In our opinion, the attack on Senator STYLES BRIDGES last week by the Reporter magazine will help rather than harm the Senator's chances for reelection, not that he had much to worry about anyhow. Wild and bitter charges are nothing new in a political campaign, but seldom in modern times has a public figure been attacked so bitterly and with such evident purpose to smear.

What is this Reporter magazine anyway? What is its status in the publishing field, and who is behind it? Those are questions New Hampshire people would like to know, as well as who asked them to choose our candidates?

The article has aroused the ire of New Hampshire voters, many of whom were not always in agreement with STYLES BRIDGES, and many of them will vote for him out of protest against such a thoroughly scurrilous attack.

[From the Washington Post and Times Herald of July 27, 1954]

THE ATTACK ON BRIDGES

(By George Sokolsky)

The Reporter, a magazine owned and edited by Max Ascoli, who arrived in this country sometime in 1931 on a grant-in-aid from the Rockefeller Foundation, has published an astonishing article on Senator STYLES BRIDGES.

Perhaps BRIDGES deserves 35 percent of this issue of this magazine, but when it was discovered that for some reason the State of New Hampshire was blanketed with copies, one wonders what was the interest and who spent the money for the free distribution. True, STYLES BRIDGES is a candidate this year for reelection to the United States Senate, of which he is President pro tempore. As it is expected that his reelection is assured, one wonders why all this excitement.

Apparently, STYLES BRIDGES' greatest crime, according to the Reporter, is:

"* * * A lonely Republican internationalist before the outbreak of the Second World War, he has in the main voted silently for the major postwar foreign-policy programs while at the same time endorsing every crippling amendment dreamed up by such Senators as Kem, Jenner, Dirksen, Welker—and by himself. He has regularly voiced deep discontent with some of America's allies in Europe, but has pledged undying support to the exiled government of Chiang Kai-shek."

Who does not voice discontent with some of America's allies in Europe?

STYLES BRIDGES has been a tower of strength to the Republicans in the Senate, particularly after the death of Robert A. Taft, because his personality is such that he has often been able to quiet down the quarreling factions and personalities in the party.

From this introduction to BRIDGES' faulty thinking, the article proceeds in minute detail to discuss all of the favors that this Senator may or may not have done for constituents or citizens for whom he may have intervened. I should like to devote what space remains to me to refer to chapter VIII of the article entitled "China Lobby, New Hampshire Division."

Of course, there is no China lobby. Alfred Kohlberg, an American merchant and manufacturer who loves China, started this nonsense by denominating himself "The China Lobby" and demanding that he be investigated, which no one does because Kohlberg spends his own money fighting communism.

It so happens that Senator BRIDGES opposes communism in China as anywhere else and therefore Kohlberg favors BRIDGES, as he does everyone who opposes communism.

[From the Nashua (N. H.) Telegraph of July 30, 1954]

AROUND THE TOWN

The campaign to defeat Senator STYLES BRIDGES or put him in bad repute with his constituents which flowered suddenly in the weeks just prior to the closing of the filing period yesterday, did not reach its objective. BRIDGES won the party nomination to the United States Senate by default, no opposition lining up to test him in the Republican primary.

If for one minute there has been serious chinks in BRIDGES' political armor someone would have stepped into the breach pretty fast to capitalize on the weakness. But BRIDGES' friends stand by him and his enemies, while noisy enough, are decidedly in the minority in his adopted State. If the ammunition that some have been shoveling into this State was potent enough, too, it would have been seized and used against the senior Senator.

Someone sent a lot of money home to start a bonfire which would engulf the Senator. It petered out into nothing but smoking ruins. All political leaders meet their fate some day if they run long enough, of course. This doesn't shape up as the time for BRIDGES. He seems a shoo-in for his fourth successive 6-year term as United States Senator from New Hampshire.

BRIDGES AND ECONOMY

The Reporter magazine attack on New Hampshire senior Senator STYLES BRIDGES, in its current issue which was widely circulated in his home State on what one might say the eve of the primary here, seems to have had little effect on his political fortunes. The filing period for candidates seeking party nomination in our September primary ended at the close of business at the office of the Secretary of State in Concord yesterday. The Senator faces no opposition in his party.

The fact that the Senator does not face opposition in his own party primary in a State which is strongly Republican indicates, at least in some measure how people reacted to the magazine indictment. As safe as it can be said in anything so uncertain as politics, in the return of the long-time Senator from our State to Washington for his fourth term. He is winding up his 18th year in the United States Senate, after serving a term as governor of his adopted State.

Mr. JOHNSON of Texas. Mr. President, I was detained from the Chamber during the address of the able senior Senator from New Hampshire, the distinguished chairman of the Appropriations Committee.

First, I wish to say that I did not read the Reporter magazine article, and I am not interested in reading it, if what I heard on the floor of the Senate is any indication of its utter lack of reliability.

Second, I wish to say that the distinguished senior Senator from New Hampshire came to Congress in 1936, I believe, 1 year before I came to the House of Representatives. During the period of years which have elapsed since then, I have known him intimately. During that period, I have served for more than 5 years on the same committee with the senior Senator from New Hampshire. He has served as leader of the Republican Party when I was acting leader and leader on this side of the aisle.

I should like to have the RECORD show, and I should like to have the country know, that I have never associated with a man whom I consider more honorable, more patriotic, or more able; and I deeply treasure his friendship.

Mr. BRIDGES. I thank the distinguished Senator from Texas.

Mr. COOPER. Mr. President, I should like to say that in my short service in the Senate no one has been more considerate or helpful than the distinguished Senator from New Hampshire [Mr. BRIDGES].

On every occasion when I have found it necessary to consult with him about bills and matters before his committees or upon the work of the Senate, he has always given freely of his time and interest. He has shown the same interest in the problems of my State and the same courtesy to the people of my State. He is true to his word and loyal to his friends. He is a patriot, and devoted to his country.

Mr. KENNEDY. Mr. President, I wish to join with the Senator from Kentucky in paying tribute to the distinguished Senator from New Hampshire. We in New England are proud of his distinguished service, not only to New Hampshire, but to all of the New England States. Therefore, I wish to join with the Senator from Kentucky in the tribute paid to the services which the Senator from New Hampshire has rendered.

Mr. FERGUSON. Mr. President, I have not read the article which has been referred to, but, as the ranking Member on the Republican side serving under the distinguished Senator from the State of New Hampshire, I wish to echo what has been said on the floor of the Senate tonight by his colleagues.

Mr. BRIDGES. I am deeply grateful to my colleagues for the opportunity of making these remarks. I have long awaited the chance and suddenly it developed tonight. It pleases me that so many of my colleagues are present and I am deeply moved by their attention and the spontaneous remarks in my behalf from both sides of the aisle. I shall never forget your tremendous expression of confidence in me.

PAY INCREASES FOR GOVERNMENT EMPLOYEES

The Senate resumed the consideration of the bill (H. R. 7774) to establish a uniform system for the granting of incentive awards to officers and employees of the United States, and for other purposes.

Mr. KNOWLAND. Mr. President, I send to the desk a proposed unanimous-consent agreement, on behalf of the majority leader and the minority leader, and ask that it be read, for the information of the Senate.

The PRESIDING OFFICER. The proposed agreement will be read.

The legislative clerk read as follows:

Ordered, That upon the convening of the Senate on Friday, August 20, 1954, during the further consideration of H. R. 7774, to establish a uniform system for the granting of incentive awards to officers and employees of the United States, debate on the amendment intended to be proposed by the Senator from California [Mr. KNOWLAND], and motions thereto, shall be limited to not exceeding 2 hours, to be equally divided and controlled, respectively, by the mover of the amendment and the minority leader, and 30 minutes on any other amendment or motion, to be equally divided and controlled, respectively, by the mover of any such amendment or motion, and the Senator from Kansas [Mr. CARLSON] in the event he is opposed to any such amendment or motion; otherwise, by the mover and the minority leader: *Provided*, That no amendment that is not germane to the subject matter of the said bill shall be received: *And provided further*, That debate upon the bill itself shall be limited to not exceeding one hour, to be equally divided and controlled, respectively, by the Senator from Kansas [Mr. CARLSON] and the Senator from Texas [Mr. JOHNSON].

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the proposed agreement be entered.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of Texas. Mr. President, I have conferred with the Members on this side of the aisle who are principally concerned with this proposed legislation, and specifically with the distinguished ranking member of the Post Office and Civil Service Committee, the Senator from South Carolina [Mr. JOHNSTON].

I am very hopeful that the proposed agreement will be entered into. I urge the majority leader to eliminate the morning business in the morning, for the reason that a number of Senators hope we can get a vote on this bill and on any other bill on which the majority leader desires to have a vote, because we may find ourselves with another problem, namely, that of maintaining a quorum, if we do not move ahead.

It seems to me that during the rather liberal time we have, if there is any necessity for making insertions in the RECORD we can allow for that. We have been here from 10 o'clock in the morning until to 10 o'clock at night, or later, throughout the week. I do not think it is asking too much of the membership to ask them to forego the morning hour under the 2-minute rule because that could be objected to in the morning, anyway.

If it is agreeable to the majority leader, let us have an understanding that there will not be any morning hour, that the Senate convene at 10 o'clock, and at 12 o'clock Senators will be present to vote on the Knowland amendment.

If the conference report on the social-security bill is ready, we can vote on that. If we cannot do so, individual Senators can determine for themselves what the course of wisdom dictates, and the leadership can at least make one supreme effort to conclude the session.

Mr. KNOWLAND. Let me say to the Senator from Texas that I am perfectly agreeable, if it is the wish of the Senate, not to have a morning hour.

However, I should like to say to the Senator from Texas that at least I should like to establish a quorum in the morning, so that some Senators will be present during the course of the debate. I ask all Senators to be present if possible. We have before us an important bill in which there is a great deal of interest, and there is an honest difference of opinion. I request that Senators make a special effort to be present during the course of the debate.

Mr. JOHNSON of Texas. I join the majority leader in expressing the hope that every Member of the minority will be present when the Senate assembles at 10 o'clock in the morning. On the other hand, I do not want to have this agreement objected to. Knowing of the plans of some Senators, I am afraid if we have a morning hour we shall run into that problem. If we could eliminate the morning hour and let our time start to run immediately following the prayer, with all of us being present, we could certainly have a quorum before the vote was taken. I shall do my best to secure the attendance of Senators, if the majority leader will do the same.

Mr. KNOWLAND. I am perfectly willing to eliminate the morning hour and not ask for a morning hour tomorrow until we have completed the work on the postal-pay bill. I do not wish to waive the right of a quorum call. I hope Senators on both sides of the aisle will be present, but I do wish to establish a quorum.

Mr. JOHNSON of Texas. If the Senator desires a live quorum, that may require an extra 45 minutes or an hour. This is the program of the Senator from California, but I certainly desire to finish the session.

Mr. KNOWLAND. I desire to do so, also. I will make a special effort to do so.

I now ask the majority secretary to call each Senator's office at 9 o'clock in the morning and urge all Senators to be present in the Senate Chamber when we convene. We have a bill to consider which deals with several hundred million dollars, dealing with both expenditures and the postal pay raise. In view of the importance of the bill, I urge all Senators to be present. If they are here promptly, a quorum can be established promptly, and we can proceed with the debate on the bill.

Mr. JOHNSON of Texas. Let me ask the Senator this question: If we are to spend 30 or 40 minutes trying to obtain a quorum, will the Senator from California consider letting some of us come to the Senate at nine-thirty in the morning, to start obtaining a quorum? Some Senators wish to leave. They have plane reservations.

Mr. KNOWLAND. I have no objection to convening at 9:30, if that is agreeable.

Mr. JOHNSON of Texas. Then we can establish a quorum. I appeal to Senators to be present.

Mr. KNOWLAND. Yes.

Mr. JOHNSON of Texas. Then, Mr. President, let us eliminate from the request the requirement "after the morning business on Friday," and say "following the convening of the Senate on Friday"——

The PRESIDING OFFICER. Does the Chair understand that the request of the Senator from California is to modify the unanimous-consent request?

Mr. KNOWLAND. Yes. I ask that it be modified on behalf of both the majority leader and the minority leader, and that it be with the understanding that when the Senate takes a recess tonight it be until 9:30 tomorrow morning.

The PRESIDING OFFICER. Is there objection to the request as modified? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, let me ask the majority leader a question. After the vote on the bill, of course, we hope the social security conference report will be ready. Has the Senator in mind any further major legislation? I realize that many calendar bills have been discussed. Does the Senator know of any other items to be considered?

Mr. KNOWLAND. Of course, we have the conference report on the social security bill. I do not know what other bills may be in process, with the House having amended Senate amendments and so on. We have the unfinished business which is before the Senate, and we have 2 or 3 of what might be called minor bills on which the administration would like to have action.

In addition, several treaties are on the Executive Calendar.

Mr. JOHNSON of Texas. The Senator from California, in his usual friendly spirit and his optimistic manner, has now reached the conclusion that we can probably finish tomorrow evening?

Mr. KNOWLAND. I certainly have the highest hopes that we can do so.

Mr. JOHNSON of Texas. I join the Senator in his optimism.

Mr. KNOWLAND. Mr. President, if I may have the attention of the minority leader as well as the attention of the Senator from Kansas [Mr. CARLSON] and the Senator from South Carolina [Mr. JOHNSTON], if they are present, I ask unanimous consent that the vote by which the bill (H. R. 7774) was read the third time be reconsidered; that the committee amendment be agreed to; and and that the bill, as thus amended, be considered as the original text, for the purpose of further amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The committee amendment agreed to was, to strike out all after the enacting clause, and insert:

TITLE I—EMPLOYEES GENERALLY

SEC. 101 (a) Section 603 (b) and section 603 (c) of the Classification Act of 1949, as amended, are amended to read as follows:

"(b) The compensation schedule for the General Schedule shall be as follows:

"Grade	Per annum rates						
1	$2,670	$2,750	$2,830	$2,910	$2,990	$3,070	$3,150
2	2,920	3,000	3,080	3,160	3,240	3,320	3,400
3	3,120	3,200	3,280	3,360	3,440	3,520	3,600
4	3,345	3,425	3,505	3,585	3,665	3,745	3,825
5	3,580	3,705	3,830	3,955	4,080	4,205	4,330
6	3,985	4,110	4,235	4,360	4,485	4,610	4,735
7	4,415	4,540	4,665	4,790	4,915	5,040	5,165
8	4,850	4,975	5,100	5,225	5,350	5,475	5,600
9	5,315	5,440	5,565	5,690	5,815	5,940	6,065
10	5,775	5,900	6,025	6,150	6,275	6,400	6,525
11	6,235	6,435	6,635	6,835	7,035	7,235	
12	7,390	7,590	7,790	7,990	8,190	8,390	
13	8,780	8,980	9,180	9,380	9,580	9,780	
14	10,040	10,240	10,440	10,640	10,840	11,040	
15	11,240	11,490	11,740	11,990	12,240		
16	12,440	12,640	12,840	13,040	13,240		
17	13,440	13,640	13,840	14,040	14,240		
18	14,800						

"(c) (1) The compensation schedule for the Crafts, Protective, and Custodial Schedule shall be as follows:

"Grade	Per annum rates						
1	$1,980	$2,040	$2,100	$2,160	$2,220	$2,280	$2,340
2	2,590	2,660	2,730	2,800	2,870	2,940	3,010
3	2,722	2,802	2,882	2,962	3,042	3,122	3,202
4	2,920	3,000	3,080	3,160	3,240	3,320	3,400
5	3,144	3,224	3,304	3,384	3,464	3,544	3,624
6	3,370	3,450	3,530	3,610	3,690	3,770	3,850
7	3,605	3,705	3,805	3,905	4,005	4,105	4,205
8	3,925	4,050	4,175	4,300	4,425	4,550	4,675
9	4,360	4,485	4,610	4,735	4,860	4,985	5,110
10	4,795	4,920	5,045	5,170	5,295	5,420	5,545

"(2) Charwomen working part time shall be paid at the rate of $2,870 per annum, and head charwomen working part time at the rate of $3,010 per annum."

(b) The rates of basic compensation of officers and employees to whom this section applies shall be initially adjusted as follows:

(1) If the employee is receiving a rate of basic compensation immediately prior to the effective date of this section at one of the scheduled or longevity rates provided by the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the corresponding scheduled or longevity rate in effect on and after such date;

(2) If the employee is receiving a rate of basic compensation immediately prior to the effective date of this section at a rate between 2 scheduled or 2 longevity rates, or between a scheduled rate and a longevity rate, provided by the Classification Act of 1949, as amended, he shall receive a rate of basic compensation at the higher of the 2 corresponding rates in effect on and after such date;

(3) If the employee, immediately prior to the effective date of this section, is in a position in any one of the first 10 grades of the General Schedule or in any one of the grades of the Crafts, Protective, and Custodial Schedule, and is receiving a rate of basic compensation in excess of the maximum longevity rate of his grade as provided in this section, he shall continue to receive basic compensation without change in rate until (A) he leaves such position, or (B) he is entitled to receive basic compensation at a higher rate by reason of the operation of the Classification Act of 1949, as amended; but when such position becomes vacant, the rate of basic compensation of any subsequent appointee shall be fixed in accordance with such act, as amended;

(4) If the employee, immediately prior to the effective date of this section, is in a position in grade 11, 12, 13, 14, or 15 of the General Schedule, and is receiving a rate of basic compensation in excess of the maximum scheduled rate of his grade as provided in this section, he shall continue to receive basic compensation without change in rate until (A) he leaves such position, or (B) he is entitled to receive basic compensation at a higher rate by reason of the operation of the Classification Act of 1949, as amended; but when such position becomes vacant, the rate of basic compensation of any subsequent appointee shall be fixed in accordance with such act, as amended.

SEC. 102. (a) The rates of basic compensation of officers and employees in or under the judicial branch of the Government whose rates of compensation are fixed pursuant to section 62 (2) of the Bankruptcy Act (11 U. S. S. 102 (a) (2)), section 3656 of title 18 of the United States Code, the second and third sentences of section 603, section 604 (5), or sections 672 to 675, inclusive, of title 28 of the United States Code, are hereby increased by 5 percent, except that no such rate shall be increased by more than $440 per annum or less than $170 per annum.

(b) The limitations of $10,560 and $14,355 with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges, contained in the paragraph under the heading "Salaries of Supporting Personnel" in the Judiciary Appropriation Act, 1955, or in any subsequent appropriation act, shall be increased by the amounts necessary to pay the additional basic compensation provided by this act.

SEC. 103. (a) Each officer and employee in or under the legislative branch of the Government (other than an employee in the office of a Senator) whose rate of compensation is increased by section 5 of the Federal Employees Pay Act of 1946 shall be paid additional compensation at the rate of 5 percent of the aggregate rate of his rate of basic compensation and the rate of the additional compensation received by him under sections 501 and 502 of the Federal Employees Pay Act of 1945, as amended, section 301 of the Postal Rate Revision and Federal Employees Salary Act of 1948, the provisions under the heading "Increased pay for legislative employees" in the Second Supplemental Appropriation Act, 1950, and the act of October 24, 1951 (Public Law 201, 82d Cong.), except that no such officer or employee shall be paid additional compensation at a rate less than $170 per annum or in excess of $440 per annum.

(b) Section 2 (b) of the act of October 24, 1951 (Public Law 208, 82d Cong.), is amended by striking out "$11,646" and inserting in lieu thereof "$12,086".

(c) (1) The aggregate amount of the basic compensation authorized to be paid for administrative and clerical assistance and messenger service in the offices of Senators is hereby increased by—

(A) $2,160 in the case of Senators from States the population of which is less than 3 million;

(B) $2,400 in the case of Senators from States the population of which is 3 million or more but less than 5 million;

(C) $3,120 in the case of Senators from States the population of which is 5 million or more but less than 10 million; and

(D) $3,180 in the case of Senators from States the population of which is 10 million or more.

(2) The second proviso in the paragraph relating to the authority of Senators to rearrange the basic salaries of employees in their respective offices, which appears in the Legislative Branch Appropriation Act, 1947, as amended (2 U. S. C. 60f), is amended by striking out "$5,880" and inserting in lieu thereof "$6,180"; by striking out "$7,320" and inserting in lieu thereof "$7,620"; and by striking out "$8,400" and inserting in lieu thereof "$8,640."

(d) The rates of basic compensation of each of the elected officers of the Senate and the House of Representatives (not including the presiding officers of the two Houses), the Parliamentarian of the Senate, the Parliamentarian of the House of Representatives, the legislative counsel of the Senate, the legislative counsel of the House of Representatives, and the Coordinator of Information of the House of Representatives are hereby increased by 5 percent, except that no such rate shall be increased by more than $440 per annum or less than $170 per annum.

(e) (1) The provisions of subsection (a) shall not apply to employees whose compensation is paid from the appropriation contained in the paragraph designated "Folding documents" under the heading "Contingent Expenses of the Senate" in the Legislative Branch Appropriation Act, 1955 (Public Law 470, 83d Cong.).

(2) The limitations in the paragraph designated "Folding documents" under the heading "Contingent Expenses of the House" in the Legislative Appropriation Act, 1955 (Public Law 470, 83d Cong.), are hereby increased by 5 percent.

(f) The Official Reporters of the proceedings and debates of the Senate and their employees shall be considered to be officers or employees in or under the legislative branch of the Government within the meaning of subsection (a) and the provisions of law referred to in such subsection.

(g) The additional compensation provided by subsection (a) and the provisions of law referred to in such subsection shall be considered a part of basic compensation for the purposes of the Civil Service Retirement Act of May 29, 1930, as amended.

SEC. 104. Section 66 of the Farm Credit Act of 1933 (48 Stat. 269) is hereby amended to read as follows:

"SEC. 66. No director, officer, or employee of the Central Bank for Cooperatives, or of

any production credit corporation, production credit association, or bank for cooperatives shall be paid compensation at a rate in excess of $14,240 per annum."

SEC. 105. (a) The rates of basic compensation of officers and employees in the Department of Medicine and Surgery in the Veterans' Administration whose rates of basic compensation are provided by Public Law 293, 79th Congress, approved January 3, 1946, as amended, are hereby increased by 5 percent, except that no such rate shall be increased by more than $440 per annum or less than $170 per annum.

(b) Section 8 (d) of Public Law 293, 79th Congress, as amended, is amended by striking out "$12,800" and inserting in lieu thereof "$13,240."

SEC. 106. The rates of basic compensation provided by sections 412 and 415 of the Foreign Service Act of 1946, as amended, are hereby increased by 5 percent, except that no such rate shall be increased by more than $440 per annum or less than $170 per annum.

SEC. 107. The rate of basic compensation of the Treasurer of the United States shall be at the maximum scheduled rate of the highest grade established by the Classification Act of 1949, as amended.

SEC. 108. Notwithstanding any other provisions of this act, no rate of compensation which is $14,800 or more per annum shall be increased by this act, and no rate of compensation shall be increased by this act to an amount in excess of $14,800 per annum.

SEC. 109. Section 3 of the Travel Expense Act of 1949 (63 Stat. 166, as amended; 5 U. S. C. 836) is amended by striking out "$9" and inserting in lieu thereof "$12."

SEC. 110. This title shall take effect on the first day of the first pay period which begins after the date of its enactment.

TITLE II—POSTAL EMPLOYEES

SEC. 201. It is the sense of the Congress that—

(1) it is both necessary and desirable that an equitable system should be established for the classification of positions and the determination of salaries of postmasters, officers, and employees in the field service of the Post Office Department; and

(2) such classification and salary system should be established after a study of all problems relating thereto conducted by a commission composed of representatives of the Congress, the Post Office Department, and postal employees, and through the enactment of appropriate legislation pursuant to recommendations submitted to the Congress by such commission following the completion of such study.

SEC. 202. (a) The rates of basic compensation, other than rates referred to in subsection (b) of this section, of postmasters, officers, and employees in the postal field service whose rates of compensation are prescribed by the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945 (Public Law 134, 79th Cong.), as amended, are hereby increased by 5 percent except that no such rate shall be increased by more than $440 or less than $200 per annum.

(b) (1) That part of the compensation schedule headed "Grades and Salaries of Employees in the Automatic Grades" and contained in section 11A of such act of July 6, 1945 (Public Law 134, 79th Cong.), as amended, which provides hourly rates of compensation, is amended to read as follows:

"Hourly rates

"Clerks in post offices of the 3d class; carriers in village delivery service	$1.435	$1.485	$1.54	$1.59					
Charmen and charwomen	1.495	1.55							
Mail handlers, messengers, watchmen; operators of the pneumatic tube service; garagemen-drivers	1.645	1.695	1.75	1.80					
Special delivery messengers in post offices of the 1st class	1.645	1.695	1.75	1.80	$1.855	$1.905	$1.96		
Clerks; carriers in city delivery service; driver mechanics; general mechanics; dispatchers of the pneumatic tube service	1.695	1.75	1.80	1.855	1.905	1.96	2.01	$2.065	$2.115
Postal transportation clerks	1.80	1.855	1.905	1.96	2.01	2.065	2.115		
Special mechanics	2.02								"

(2) The rates of basic compensation of postmasters at post offices of the fourth class are hereby increased by 5 percent.

(3) The rates of fixed compensation per annum of rural carriers are hereby increased by 5 percent except that no such rate shall be increased by more than $440 or less than $200 per annum.

(c) This section shall not apply to skilled-trades employees of the mail-equipment shops, job cleaners in first- and second-class post offices, and employees who are paid on a fee or contract basis.

(d) The increases in rates of basic compensation provided by this section shall not apply to longevity salary increases.

SEC. 203. Section 16 (r) of such act of July 6, 1945 (Public Law 134, 79th Cong.), as amended, which relates to travel allowances for employees in the Postal Transportation Service who are assigned to road duty, is amended by striking out "$6 per day" and inserting in lieu thereof "$9 per day."

SEC. 204. Any increase in rate of basic compensation by reason of the enactment of this title shall not be considered as an "equivalent increase" in compensation within the meaning of section 701 of the Classification Act of 1949, as amended, in the case of postmasters, officers, and employees in the postal field service who transfer or are transferred to positions within the purview of the Classification Act of 1949, as amended.

SEC. 205. In the exercise of the authority granted by section 81 of title 2 of the Canal Zone Code, as amended, the Governor of the Canal Zone is authorized to grant, as of the effective date of this section, additional compensation to postal employees of the Canal Zone Government, based on the additional compensation granted by this act to similar employees in the field service of the Post Office Department of the United States.

SEC. 206. This act shall have the same force and effect within Guam as within other possessions of the United States.

SEC. 207. (a) Section 7 of the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945 (Public Law 134, 79th Cong.), as amended, is amended to read as follows:

"METHOD OF PAYMENT

"SEC. 7. (a) The compensation of postmasters and per annum rate employees shall be paid in 26 installments. Each such installment shall be the compensation for a pay period of 2 weeks. The compensation of hourly rate substitute employees and other hourly rate employees shall be computed for each pay period of 2 weeks on the basis of the number of hours of work performed by such employees during such pay period.

"(b) To compute an hourly rate for postmasters and per annum rate employees, the per annum rate shall be divided by 2,080.

"(c) To compute a daily rate for postmasters and per annum rate employees, the hourly rate shall be multiplied by the number of daily hours of service required.

"(d) Subsections (b) and (c) of this section shall not apply to carriers in the rural delivery service. Whenever, for pay computation purposes, it is necessary to convert the basic annual rate of compensation of carriers in the rural delivery service to a basic daily or biweekly rate, the following rules shall govern:

"(1) An annual rate shall be divided by 312 to derive a daily rate.

"(2) A daily rate shall be multiplied by 12 to derive a biweekly rate.

"(e) All rates shall be computed to the nearest cent, counting one-half cent and over as a whole cent.

"(f) When a pay period for any postmaster or employee begins in one fiscal year and ends in another fiscal year, the gross amount of the earnings of such postmaster or employee for such pay period may be regarded as a charge against the appropriation or allotment current at the end of such pay period."

(b) Section 8 of such act of July 6, 1945, as amended, is amended by adding at the end thereof a new subsection (d) to read as follows:

"(d) The salaries of postmasters, assistant postmasters, and supervisors paid under the provisions of this section shall be readjusted at the beginning of the first complete pay period in each fiscal year."

(c) Section 9 (b) of such act of July 6, 1945, as amended, is amended by adding at the end thereof a new sentence to read as follows: "The salaries of superintendents and assistant superintendents of classified stations shall be readjusted at the beginning of the first complete pay period in each fiscal year."

(d) Section 11A of such act of July 6, 1945, as amended, is amended by striking out "and shall be promoted successively at the beginning of the quarter following 1 year's satisfactory service in each grade to the next higher grade until they reach the top automatic grade" and by inserting in lieu thereof "and shall be promoted successively at the beginning of the first complete pay period following 52 weeks of satisfactory service in each grade to the next higher grade until they reach the top automatic grade."

(e) Section 13 of such act of July 6, 1945, as amended, is amended by adding immediately after subsection (a) thereof a new subsection (b) to read as follows:

"(b) The salaries of employees paid under the provisions of this section shall be readjusted at the beginning of the first complete pay period in each fiscal year."

(f) Section 14 of such act of July 6, 1945, as amended, is amended by adding immediately after subsection (a) thereof a new subsection (b) to read as follows:

"(b) The salaries of employees paid under the provisions of this section shall be readjusted at the beginning of the first complete pay period in each fiscal year."

(g) That part of subsection (1) of section 14 of such act of July 6, 1945, as amended, which precedes the first proviso is amended to read as follows:

"(1) Temporary employees in the custodial service paid on an annual basis shall be paid at the rates of pay of grade 1 of the position in which employed and shall, at the beginning of the first complete pay period following 52 weeks of satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position; and temporary employees in the

custodial service paid on an hourly basis shall be paid at the rates of pay of grade 1 of the position in which employed and shall, at the beginning of the first complete pay period following 52 weeks of satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position:".

(h) Section 15 (b) of such act of July 6, 1945, as amended, is amended by striking out "and shall be promoted successively at the beginning of the quarter following 1 year's satisfactory service in each grade until they reach grade 8," and by inserting in lieu thereof "and shall be promoted successively at the beginning of the first complete pay period following 52 weeks of satisfactory service in each grade until they reach grade 8."

(i) That part of section 18 (f) of such act of July 6, 1945, as amended, which precedes the first proviso is amended to read as follows:

"(f) Each temporary employee in the mail equipment shops paid on an annual basis shall be paid at the rate of pay of the lowest grade provided for a regular employee in the same type of position in which such temporary employee is employed, and shall, at the beginning of the first complete pay period following 52 weeks of satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position:".

(j) The first section of the act of April 15, 1947 (Public Law 35, 80th Cong.), as amended, is amended by striking out "shall be promoted successively at the beginning of the quarter following 1 year's satisfactory service in each grade" and by inserting in lieu thereof "shall be promoted successively at the beginning of the first complete pay period following 52 weeks of satisfactory service in each grade."

(k) All laws or parts of laws inconsistent with the amendments made by this section are hereby repealed or modified to the extent necessary to carry out the purposes of and conform to such amendments.

SEC. 208. (a) (1) There is hereby established a Commission on Postal Field Service Classification (hereinafter referred to as "the Commission") to be composed of (A) the chairman and ranking minority member of the Committee on Post Office and Civil Service of the Senate, (B) the chairman and ranking minority member of the Committee on Post Office and Civil Service of the House of Representatives, (C) the Postmaster General, (D) 2 officers or employees of the Post Office Department to be appointed by the President, and (E) 2 representatives of postal employee organizations to be appointed by the President.

(2) The Postmaster General shall be chairman of the Commission. Vacancies in the membership of the Commission shall not affect the power of the remaining members to execute the functions of the Commission, and shall be filled in the same manner as the original selection. Five of the members of the Commission shall constitute a quorum for the transaction of business. The Commission shall fix the number of members who shall constitute a quorum for each subcommittee thereof.

(b) The Commission, acting as a whole or by subcommittee, shall conduct or cause to be conducted a thorough investigation and study for the purpose of developing a plan for the establishment of a uniform, integrated, and equitable classification and pay system for all postmasters, officers, employees, and positions in the postal field service.

(c) The Postmaster General is authorized to make available to the Commission such personnel, facilities, and services of the Post Office Department as may be necessary to enable it to perform its functions. The chairman of the Committee on Post Office and Civil Service of the Senate and the chairman of the Committee on Post Office and Civil Service of the House of Representatives are authorized to assign from time to time the members of the staffs of their respective committees to duties and responsibilities in connection with the operation of the Commission.

(d) The Commission shall report to the Senate and the House of Representatives, on or before March 1, 1955, the results of its study and investigation, together with such recommendations (including drafts of legislation to carry out such recommendations) as it deems advisable.

SEC. 209. Section 1310 of the Supplemental Appropriation Act, 1952 (Public Law 253, 82d Cong.), as amended, is hereby repealed.

SEC. 210. This title shall take effect as follows:

(1) Sections 206 and 208 and this section, shall take effect on the date of enactment of this act;

(2) Sections 202, 204, and 205 shall take effect on the first day of the first pay period which begins after the date of enactment of this act;

(3) Sections 203 and 209 shall take effect on the first day of the first calendar month following the calendar month in which this act is enacted; and

(4) Section 207 shall take effect upon such date, not later than 90 days after the date of enactment of this act, as may be designated by the Postmaster General.

AUTHORIZATION TO SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS TO FILE REPORTS DURING RECESS.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the Senate Permanent Subcommittee on Investigations be permitted to file reports during the recess of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION TO INDIVIDUAL MEMBERS OF SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS TO FILE SEPARATE VIEWS

Mr. JOHNSON of Texas. Mr. President, I have a request on behalf of the senior Senator from Arkansas [Mr. MCCLELLAN] which reads as follows:

REQUEST BY SENATOR MCCLELLAN

In keeping with the unanimous-consent request of April 17, 1954, by the Senator from South Dakota [Mr. MUNDT] that the Special Subcommittee on Investigations of the Committee on Government Operations be authorized to file a report on the so-called Army-McCarthy hearings, which was granted, I ask unanimous consent that the minority also be authorized to file a report with the Secretary of the Senate during the recess of the Senate, and that individual members may file their separate views with the Secretary of the Senate during the recess of the Senate.

The PRESIDING OFFICER. Is there objection to the request submitted by the minority leader?

Mrs. SMITH of Maine. Mr. President, let me ask the majority leader if the request means that one member of the Special Subcommittee on Investigation may file a report during the recess?

Mr. KNOWLAND. This request was submitted by the Special Subcommittee on Investigation. I assume, when it says "the committee" that the committee has the responsibility. Frankly I cannot go beyond the request itself. I think it is the normal type of request from a committee of the Senate. I assume the committee itself has control over the matter.

Mr. RUSSELL. Mr. President, may we have the request read, so that the Senators may understand the request?

Mr. KNOWLAND. Mr. President, in view of the circumstances I suggest that the request might go over until tomorrow.

The PRESIDING OFFICER. Without objection——

Mr. MCCLELLAN. Mr. President, this request by the minority leader on behalf of the special subcommittee is in line with a request which has already been granted for the majority to file its report. I do not think anyone would want to deny an individual member or a minority of the committee the right to file a report if we are to grant that right to the majority. They may all be in the majority, but if there are different points of view Senators certainly should have the right to file them.

Mr. KNOWLAND. Perhaps I misunderstood the situation. The other night the Senator from South Dakota [Mr. MUNDT] submitted a unanimous-consent request on behalf of this committee, which was granted. I assume it related to the so-called Army-Stevens investigating committee.

Mr. MCCLELLAN. Yes.

Mr. KNOWLAND. If the Senator's request is to balance that off with a request for authorization to the minority members of the committee to file individual points of view, of course I should not object to such request. I think it is fair and equitable.

My difficulty is that I thought this request related to the full committee and not to that particular hearing. Since I am not in a position now to talk with the chairman of the committee I thought the minority should not have the right to file views when the chairman and the majority did not have the right to file views.

Mr. MCCLELLAN. Mr. President, will the majority leader yield?

Mr. KNOWLAND. I yield.

Mr. MCCLELLAN. The chairman of the special subcommittee is present. The truth is that when the request was made the other day I was not in the Chamber. Had I been, I would have taken it for granted that the request included the right of any minority to file views.

Mr. KNOWLAND. I think that is fair and equitable.

Mr. MCCLELLAN. But the Parliamentarian advised that it would not permit minority views to be filed.

Mr. KNOWLAND. I am sure the Senator will not find any objection from this side of the aisle to such a fair and equitable request.

The PRESIDING OFFICER. Is there objection?

Mr. MUNDT. Reserving the right to object—and I certainly shall not object—I merely wish to point out that I was advised by the very capable officials

at the desk that the preceding unanimous-consent request, which was in conformity with the unanimous vote of the full committee granting us that request, was sufficiently broad to include expressions of majority views, minority views, and individual views, assuming, of course, that they would all be bound together in the same volume. I should like to inquire—and I have no feeling about it, and I shall not object to any request—whether now, unbeknown to the chairman, my three Democratic colleagues have decided to file a separate report, in a separate volume quite apart from the other one?

Mr. McCLELLAN. The three Democratic members have taken no such position. When I learned that the able Senator's unanimous-consent request would not permit a member of the majority or any two members or any single member to file minority views separately, I thought the situation should be corrected. I did not think anyone would object.

Mr. MUNDT. It was certainly intended that the first request should be sufficiently broad to include expressions of separate views, whether the separate views were those of 7 Members, of 2 Members, or only 1 Member, so long as they were all to be bound in the same volume.

Mr. McCLELLAN. It was intended in that way, I am sure.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that minority members of the Special Subcommittee on Investigations of the Committee on Government Operations be authorized to file with the Secretary of the Senate during the recess of the Senate minority views and individual views on the special Senate investigation of charges and countercharges involving Secretary of the Army Robert T. Stevens, John G. Adams, H. Struve Hensel, the junior Senator from Wisconsin [Mr. McCARTHY] Roy M. Cohn, and Francis P. Carr.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request as voiced by the majority leader? The Chair hears none, and it is so ordered.

ORDER FOR RECESS UNTIL 9:30 O'CLOCK A. M. TOMORROW

Mr. KNOWLAND. Mr. President, pursuant to our prior understanding, I ask unanimous consent that when the Senate concludes its labors this evening, it take a recess until 9:30 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

FEDERAL FINANCIAL ASSISTANCE TO STATES IN CONSTRUCTION OF PUBLIC SCHOOL FACILITIES

Mr. FERGUSON. Mr. President, with respect to the inquiry of the minority leader and the Senator from Kentucky [Mr. COOPER], the policy committee has placed on the list of measures ready for consideration, Calendar No. 1797, S. 2601, to provide for Federal financial assistance to the States and Territories and secondary school facilities. I hope the bill will be included in the bills that will be taken up tomorrow. The school in the construction of public elementary construction bill was cleared as a bill ready for consideration by the Senate. I ask whether it may be brought up tomorrow.

Mr. KNOWLAND. I will say to the distinguished Senator from Michigan that the bill, along with a number of other bills of some importance, has been placed on the list by the policy committee. I do not know what progress we will make on the pending business and on the business which will come before the Senate tomorrow after the postal pay bill is disposed of and after the Senate has acted on the upper Colorado project bill. We also have the conference report on the social security bill. When inquiry was made the other night, I told Senators that after we have made some progress the policy committee would meet again for the consideration of several requests that had been made, and that I was sure the bill to which the Senator referred and other bills would be given consideration by the policy committee, of which the senior Senator from Michigan is chairman.

I am not able to predict what progress we will make, or give any assurance that we can take up the bill, although personally I am favorably disposed toward it.

Mr. FERGUSON. I realize that, and that is the view of the Senator from Michigan. I am also in favor of the bill and urge that consideration be given to it before the Senate recesses or adjourns.

Mr. COOPER. I should like to say that the bill was reported and has been on the calendar since July 9. I know there is wide support for the bill on this side of the aisle. I do not know of any Senator on this side of the aisle who opposes it.

Mr. JOHNSON of Texas. Some of the Senators on the other side of the aisle have told me that it is a very bad bill and they hoped it would not be brought up.

Mr. COOPER. I should like to know where the objection is.

Mr. JOHNSON of Texas. The Senator will find out when he gets his schedule.

Mr. COOPER. There has been no objection from any Senator on this side; at least as a member of the calendar committee I have not heard of any. It is a very important bill. It is an emergency bill to provide funds for school construction.

Mr. RUSSELL. Is the Senator advocating holding the Senate in session until we are able to get a budget estimate and an appropriation bill to take care of the bill to which he has referred?

Mr. COOPER. No; I am not.

Mr. RUSSELL. Why does the Senator call it an emergency bill if nothing can be done about it before January and if he is not asking for an appropriation?

Mr. COOPER. It is an authorization bill.

Mr. RUSSELL. The Senator said it was an emergency bill.

Mr. COOPER. We do not provide for an emergency situation by postponing a piece of proposed legislation for a month. It would certainly expedite the matter if an authorization bill were passed.

Mr. RUSSELL. Does the Senator think the House committee will report the bill and that the House will pass it? Has the committee of the House reported the bill to the House?

Mr. COOPER. Some members of the appropriate committee of the House have told me that if the Senate would pass the bill——

Mr. RUSSELL. The House has not even held hearings on the bill.

Mr. COOPER. I believe the Senator is wrong in that respect.

Mr. RUSSELL. Has the House committee reported the bill to the House?

Mr. COOPER. I am not certain whether it has or not.

Mr. RUSSELL. My information is it has not.

Mr. COOPER. I believe it has.

Mr. RUSSELL. Unless the Senator wishes to keep the Senate in session for 3 or 4 weeks with the kind of business that is indicated now, we will not be able to pass the bill. We could pass the bill, and then get an estimate and pass an appropriation bill, but it would take some time. Otherwise, there is no chance on earth of passing the bill to take care of what the Senator has described as a very grave emergency.

Mr. COOPER. I will say to the distinguished Senator from Georgia that I think the measure is sufficiently important for us to stay here and pass it.

Mr. RUSSELL. I am perfectly willing to stay here and debate the bill, if the Senator wishes to have it taken up.

Mr. COOPER. I am glad to find out where the opposition comes from.

Mr. RUSSELL. There has been no doubt about my being opposed to the bill. I have stated for 3 days that I am opposed to the bill, and I have objected to the bill. If the Senator has any doubt as to where the objection lies to the bill, he has not been on the floor when I made the objection, apparently.

Mr. COOPER. Yes; I have been on the floor. I am on the calendar committee, and I have heard no opposition to the bill.

CIVIL AVIATION LEGISLATION

Mr. BRICKER. Mr. President, on the 11th day of January of this year the distinguished senior Senator from Nevada [Mr. MCCARRAN] introduced a civil-aeronautics bill in this session to amend the Civil Aeronautics Act of 1938. The bill, Senate bill 2647, was entirely his work. We held hearings in the Committee on Interstate and Foreign Commerce for many weeks and months on the bill. Many witnesses were heard, and many controversial issues arose. There were some questions as to which there was agreement, but at the last effort, after a draft of a report of the committee had been made, the committee felt it should not report the bill at this time, but should use the hearings as a foundation for an act next year. But the committee did direct me, as its chairman, to report that fact to the Senate and to pay its commendation to the distin-

guished senior Senator from Nevada for the great amount of work he had done in the matter. He was very desirous that a report be made, and the committee also desired to make a report, but we were not able to get the concurrence of a majority of the committee. There was prepared, and I ask unanimous consent that it be printed in the body of the RECORD at this time as a part of my remarks, a statement on the bill, and a special commendation of the Senator from Nevada for his detailed work on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BRICKER

By specific direction of the Committee on Interstate and Foreign Commerce I comment briefly concerning a general review of civil aviation legislation conducted this session by your committee, and to advise the Senate of the great assistance rendered us in this task by the distinguished Senator from Nevada, Mr. MCCARRAN.

In my experience in the Senate, the action of a standing committee to direct its chairman to advise the Senate of the valuable assistance rendered to it by another Senator, who is not a member of that committee, is without precedent. But in this instance, it is peculiarly appropriate and well deserved.

On January 11 of this year, the senior Senator from Nevada introduced for the consideration of the Committee on Interstate and Foreign Commerce a complete revision of the Civil Aeronautics Act of 1938. This bill, S. 2647, was the product of Senator MCCARRAN'S background and continuous study of the developments in aviation since the enactment in 1938 of the Civil Aeronautics Act. In my opinion, S. 2647 represented a monumental piece of legislative drafting which greatly facilitated the committee during the past session in focusing on the key issues concerning aviation which required study and review.

Some idea of the magnitude of the task can be gathered from the fact that the bill comprised 177 pages. It was presented to our committee by the Senator from Nevada with no pride of authorship but rather with the express wish that it be assessed carefully in light of the changing and expanding needs of the aviation industry of this country.

Your committee held extensive hearings on this measure over a period of 4 months extending from April 6 through July 22. The senior Senator from Nevada was the first witness heard by the committee, and I wish that every Member of the Senate could read his statement given at that time, for it is a matchless summary of the progress of the civil aviation industry under enlightened congressional legislation.

As he suggested, the committee approached Senator MCCARRAN'S omnibus bill as a working document, and through the months which followed the opening of hearings found it an invaluable vehicle for reviewing the application of Federal laws and regulations to the air transport and general aviation industry.

During the session your committee, in connection with its consideration of the McCarran bill, received testimony from every Government department and agency interested in aviation and from representatives from every phase of aviation. The witnesses represented not only the regulated air transport industry but private flyers, charter operators, irregular carriers, specialist freight forwarders, manufacturers, State aviation officials, bar associations, and airport operators. The committee could not have asked for better cooperation than that which it received from these witnesses.

This committee's hearings demonstrated that the original Civil Aeronautics Act of 1938 is basically sound and further demonstrated, in the opinion of your committee, that commercial aviation should best continue to develop as a regulated public utility.

No radical change in the basic organizations of Government agencies concerned with the aviation industry seems to have been indicated by the weight of the testimony offered to our committee.

However, as Senator MCCARRAN himself predicted when hearings were launched, several serious gaps in the regulatory scheme and deficiencies in the regulations were revealed. Your committee is convinced there is a real need for some amendatory legislation.

Your committee was eager to report out a bill at this session which would meet these deficiencies. Following the hearings, the staff of the committee made every effort to reduce the original S. 2647 and its 177 pages to an essential minima and to identify the more important and more noncontroversial amendments as presented at the hearings.

Senator MCCARRAN, in a final appearance before the committee, urged that a substitute bill be submitted to the Senate, expressing the opinion it would be of considerable assistance to the next Congress and to the Senate Interstate and Foreign Commerce Committee in 1955 when the committee again will consider amendatory legislation in the aviation field.

Accordingly, a committee print was prepared as a substitute bill containing many of the amendments to the Civil Aeronautics Act of 1938 originally included in S. 2647.

At an executive meeting of the committee on August 4, your committee considered this substitute bill and the members of your committee discussed it thoroughly and endeavored to report out a revised measure. Unfortunately, so much testimony of a substantive nature was offered during the hearings that it was an impossible job to digest and present this material to the Members for proper consideration in the days remaining before adjournment.

It was at this August 4 meeting that your committee directed its chairman to make this statement to the Senate concerning the assistance rendered by the senior Senator from Nevada. At the same time, Republican and Democratic members of your committee agreed unanimously that the committee would be benefited in the next Congress if a report could be prepared after adjournment to accompany the substitute bill, together with a digest of the voluminous testimony and the individual views of those Senators who attended the hearings during the months' long hearings as well as a detailed staff analysis of the various proposals.

Accordingly, I ask unanimous consent for permission to file such a report as a Senate document, after the adjournment of the Congress.

In conclusion your committee wishes to pay tribute to the distinguished senior Senator from Nevada and to advise the Senate that your committee appreciates the understanding and direction which he has given to its efforts to rewrite the Civil Aeronautics Act of 1938, and further, that your committee regrets exceedingly that it could not complete this undertaking during this Congress as so earnestly desired by the distinguished Senator from Nevada.

DEFENSE DEPARTMENT'S INVITATION TO BID ON TANKS

Mr. KEFAUVER. Mr. President, I wish to discuss very briefly a matter of importance in connection with the defense of our country insofar as the production of medium or M–48 tanks is concerned. I particularly wish to invite the attention of the distinguished chairman and members of the Armed Services Committee.

Prior to a couple of years ago our medium tanks were made by four companies, General Motors, Ford, Chrysler, and the American Locomotive Co., at Schenectady, N. Y.

Some time ago, the American Locomotive Co. and the Ford Co. discontinued building tanks, leaving only two companies making our medium tanks. Incidentally, all our light tanks are now being made by General Motors or by one of its subsidiaries, and the medium tanks are being made by Chrysler and General Motors. Then the Defense Department, when it had let contracts in the amount of $200 million, gave the entire award to General Motors, so that all our medium, heavy, and light tanks are now being made by General Motors.

I protested the action giving the medium-tank contract exclusively to General Motors, pointing out that there should be 2 lines of supply, and that while General Motors had bid $18 million less than Chrysler's bid, actually the Government would not save any money by putting all its eggs into 1 basket. I pointed out that Chrysler was low on price, low on overhead, and on labor; that the only thing it was high on was parts, and that was due in part to the fact that it had to buy many of its parts from General Motors or one of its subsidiaries, and that General Motors sold to its own subsidiaries for less than it sold to Chrysler.

I also pointed out that instead of having 2 lines of supply, they would have only 1, and that actually the Government would lose money, because it had very valuable property and machinery which would have to be put into mothballs, and it would cost more to put it in and take it out than would be represented by the difference between the bids of General Motors and Chrysler; and that, furthermore, in the event of an attack it would be a very good thing for the Defense Department to have 2 lines of supply.

But the tank contract was given to General Motors for the medium tank, and Chrysler has been in the process of mothballing the Government's property, which it had for the purpose of making medium tanks.

The Government has requested bids on an additional 1,800 medium tanks. I have received information that in considering the bids, those competing with General Motors would have to pay the cost of getting the Government's property out of mothballs, where the Government had fallaciously ordered it placed, and this fact would be considered in connection with the bid. So, in order to confirm the information I had received, I sent a telegram to Mr. A. S. Hudson, the head of the Chrysler Corp.'s tank division, and received this telegram in reply:

DETROIT, MICH., *August 19, 1954.*

Senator ESTES KEFAUVER,
Senate Office Building:

This is in reply to your telegram of August 19, 1954. Your understanding as expressed in this telegram is correct. Chrysler has been requested to quote separately on (a)

price per tank, and (b) cost for reestablishment of our own facility and vendors' facilities. Chrysler has also been requested to furnish a list of any facilities now mothballed that we intend to reopen. If cost of mothballing and demothballing are added to the aggregate price of tanks and the award is based on the lowest total cost to the Government any firm except the one in active production would be placed in a serious competitive disadvantage.

A. S. HUDSON,
Chrysler Corp.

I also wish to read a telegram which I have received from Mr. G. Clymer Brooke, president of the Birdsboro Steel Foundry & Machine Co., Birdsboro, Pa., the producers of hulls and turrets:

BIRDSBORO, PA., *August 19, 1954.*

Hon. ESTES KEFAUVER,
United States Senate:

We have been asked to bid on cast armor hulls and turrets for 1,800 tanks. We are to bid a price for the castings and a separate price for placing standby facilities in production and reproduction expense. If these expenses are added to the price of the castings our price probably cannot be competitive with manufacturers presently in production.

BIRDSBORO STEEL FOUNDRY & MACHINE CO.,
G. CLYMER BROOKE, *President.*

Mr. President, it is not fair to place the Chrysler Co. and its subsidiaries in the position of having to stand the cost of taking Government property out of mothballs in order to make a competitive bid. It was the Government's cancellation of the contracts which required the property to be put into mothballs. It is a very bad situation to have only one tank producer so that there cannot be any substantial competition. I think the Armed Services Committee should insist that the Government stand its own expense of mothballing its own equipment, so as to allow Chrysler, the American Locomotive Co., or any other company, to bid competitively with General Motors. It is not a good thing for the defense of the country and the production of materials to have only one company in position to manufacture tanks. Competitive bidding under those circumstances would be impossible. It is a matter which addresses itself particularly to the Armed Services Committee. I hope that committee will look into the problem, and I hope the Defense Department will reconsider the unfair practice it is about to inaugurate, and remove the additional burden of taking the property out of mothballs.

It should also be pointed out that under the renegotiation of defense contracts, they are all considered in the aggregate. General Motors has so many defense contracts that it may have a loss on some item which will be made up through the large profits it makes on other contracts.

It will be very difficult in the future, not only in connection with tanks, but in connection with many other articles, for anyone to compete successfully with General Motors. That would be a catastrophe, I think, for the competitive-bidding theory. It would be a very unwholesome thing for the defense of our country to have only one big company from whom we could get tanks and other items essential to our own defense in a war effort.

PAY INCREASES FOR GOVERNMENT EMPLOYEES, ETC.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that there be printed in the body of the RECORD at this point in my remarks the revised amendment which I introduced today and which is at the desk, relative to the postal pay bill; and that there also be printed as a part of my remarks certain principal features of the new Federal employees legislation, other than the postal and classified pay bill, which will be under consideration tomorrow, which includes a brief explanation and the estimated cost of the group life insurance, the modification of the Whitten amendment, the incentive-awards program, the repeal of the annual-leave reduction requirement, the extension of longevity-pay increases, the recruitment at salaries above the minimum of the grades, the allowance for uniforms, the abolishment of the CPC schedule, the increase in the number of "super-grade" positions, the so-called fringe benefits under the legislation which has been passed, and the unemployment compensation under which the Federal employees have been able to enjoy the same benefits as those in private industry, with the estimated breakdown of the cost: Group life insurance, $22 million; the fringe bill, $70,760,000; plus uniform allowance, $20 million, or a total of $112,760,000, exclusive of whatever the Congress does and whatever finally is enacted into law.

There being no objection, the amendment and statement were ordered to be printed in the RECORD, as follows:

On page 7 beginning with line 13, strike out over through line 5 on page 8, and insert the following:

"(b) The compensation schedule for the General Schedule shall be as follows:

"Grade	Per annum rates						
GS-1	$2,600	$2,680	$2,760	$2,840	$2,920	$3,000	$3,080
GS-2	2,850	2,930	3,010	3,090	3,170	3,250	3,330
GS-3	3,050	3,130	3,210	3,290	3,370	3,450	3,530
GS-4	3,275	3,355	3,435	3,515	3,595	3,675	3,755
GS-5	3,600	3,725	3,850	3,975	4,100	4,225	4,350
GS-6	4,000	4,125	4,250	4,375	4,500	4,625	4,750
GS-7	4,440	4,525	4,650	4,775	4,900	5,025	5,150
GS-8	4,800	4,925	5,050	5,175	5,300	5,425	5,550
GS-9	5,300	5,425	5,550	5,675	5,800	5,925	6,050
GS-10	5,800	5,925	6,050	6,175	6,300	6,425	6,550
GS-11	6,380	6,580	6,780	6,980	7,180	7,380	
GS-12	7,480	7,680	7,880	8,080	8,280	8,480	
GS-13	8,800	9,000	9,200	9,400	9,600	9,800	
GS-14	10,040	10,240	10,440	10,640	10,840	11,040	
GS-15	11,240	11,490	11,740	11,990	12,240		
GS-16	12,440	12,640	12,840	13,040	13,240		
GS-17	13,440	13,640	13,840	14,040	14,240		
GS-18	14,800						

"(c) (1) The compensation schedule for the crafts, protective, and custodial schedule shall be as follows:

"Grade	Per annum rates						
CPC-1	$1,910	$1,970	$2,030	$2,090	$2,150	$2,210	$2,270
CPC-2	2,520	2,590	2,660	2,730	2,800	2,870	2,940
CPC-3	2,652	2,732	2,812	2,892	2,972	3,052	3,132
CPC-4	2,850	2,930	3,010	3,090	3,170	3,250	3,330
CPC-5	3,074	3,154	3,234	3,314	3,394	3,474	3,554
CPC-6	3,300	3,380	3,460	3,540	3,620	3,700	3,780
CPC-7	3,600	3,700	3,800	3,900	4,000	4,100	4,200
CPC-8	4,000	4,125	4,250	4,375	4,500	4,625	4,750
CPC-9	4,400	4,525	4,650	4,775	4,900	5,025	5,150
CPC-10	4,800	4,925	5,050	5,175	5,300	5,425	5,550

"(2) Charwomen working part time shall be paid at the rate of $2,800 per annum, and head charwomen working part time at the rate of $2,940 per annum."

On page 9, lines 8 and 9, strike out "as provided in this section, he shall continue to receive basic compensation", and insert, "he shall receive a rate of basic compensation at the maximum longevity rate of his grade as provided in this section, or his existing rate, whichever is greater."

On page 9, lines 20 and 21, strike out "as provided in this section, he shall continue to receive basic compensation" and insert "he shall receive a rate of basic compensation at the maximum scheduled rate of his grade as provided in this section, or his existing rate, whichever is greater."

On page 10, line 11, strike out "5 percent" and insert "3½ percent."

On page 10, line 13, strike out "$170 per annum", and insert "$100 per annum."

On page 11, line 1, strike out "5" and insert "3½."

On page 11, line 12, strike out "$170" and insert "$100."

On page 11, line 20, strike out $2,160" and insert "$1,440."

On page 11, line 22, strike out "$2,400" and insert "$1,680."

On page 11, line 25, strike out "$3,120" and insert "$1,920."

On page 12, line 3, strike out "$3,180" and insert "¢1,980."

On page 12, line 10, strike out "$6,180" and insert "$6,060."

On page 12, line 11, strike out "$7,620" and insert "$7,560."

On page 12, line 20, strike out "5" and insert "3½."

On page 12, line 22, strike out "$170 per annum" and insert "$100 per annum."

On page 13, line 8, strike out "5" and insert "3½."

On page 14, line 8, strike out "5" and insert "3½."

On page 14, line 10, strike out "$170 per annum" and insert "$100 per annum."

On page 14, line 16, strike out "5" and insert "3½."

On page 14, line 18, strike out "$170" and insert "$100."

On page 15, strike out lines 10 to 23, inclusive.

Renumber sections 202 to 207, inclusive, as sections 201 to 206, respectively.

On page 23, beginning with line 7, strike out down through line 23 on page 24 and insert the following:

"SEC. 207. (a) The Postmaster General is authorized and directed to make a thorough investigation and study of various methods for the classification of positions and the determination of salaries in the postal field service and all matters relating thereto (including personnel and pay benefits and administration), in order to provide a plan (to be submitted by the Postmaster General to,

and to be subject to review by, the Congress, in accordance with the provisions of this section and section 208) for the establishment of a uniform, integrated, and equitable classification and pay system for all postmasters, officers, employees, and positions in the postal field service. Such classification and pay plan for the postal field service shall provide a method for determining the rates of basic compensation which postmasters, officers, and employees shall receive under which—

"(1) the principle of equal pay for substantially equal work shall be followed; and

"(2) variations in rates of basic compensation paid to different postmasters, officers, and employees shall be in proportion to substantial differences in the difficulty, responsibility, and qualification requirements of the work performed and to the contributions of postmasters, officers, and employees to efficiency and economy in the postal field service.

Such plan shall contain compensation schedules which set forth the various grades to which positions in the postal field service are to be allocated and provide the rates of basic compensation, and the ranges of such rates, which are to be applicable to such grades. Such plan also shall contain provisions which—

"(A) grant to personnel in the postal field service the right to obtain appropriate review by the Civil Service Commission of all classifications of their positions;

"(B) prohibit reductions in the rates of basic compensation of personnel on the rolls on the date such plan (or any part thereof) becomes operative, by reason of the institution and operation of such plan (or any part thereof);

"(C) prohibit reductions in rates of basic compensation of any personnel, by reason of any classification actions taken at any time under authority of such plan with respect to the positions occupied by such personnel, so long as such personnel remain in the same positions and are assigned to perform and do perform work of the same level of difficulty, responsibility, and qualification requirements as the work which they are performing in such positions; and

"(D) preserve for personnel in the postal field service on the rolls on the date such plan (or any part thereof) becomes operative the increases in rates or basic compensation provided by this act.

Such plan also may contain provisions and proposals consistent with the purposes of this section as the Postmaster General deems advisable in the light of the need of the Post Office Department, the best interest of personnel in the postal field service, and the public interest.

(b) In the light of and pursuant to the investigation and study made under subsection (a) and in accordance with the purposes of such subsection, the Postmaster General shall transmit to the Congress, on or before March 15, 1955, a classification and pay plan for the postal field service. Such plan shall be prepared with due regard for the legislative forms and procedures of the Congress and shall be accompanied by an appropriate written explanation of the provisions, objects, purposes, and effects thereof. The delivery of such plan and explanation thereof shall be made to both Houses on the same day.

"(c) Except as may be otherwise provided pursuant to subsection (e) of this section, the provisions of such classification and pay plan for the postal field service shall take effect upon the expiration of the first period of 60 calendar days of continuous session of the Congress, following the date on which such plan is transmitted to the Congress; but only if, between the date of transmittal and the expiration of such period of 60 days there has not been passed by either of the two Houses, by affirmative vote of a majority a quorum being present, a resolution stating in substance that that House does not favor such plan.

"(d) For the purposes of subsection (c) of this section—

(1) continuity of session shall be considered as broken only by an adjournment of the Congress sine die; but

"(2) in the computation of the 60-day period, there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days to a day certain.

"(e) Any provision of the plan may, under provisions contained in the plan, be made operative at a time later than the date on which the plan shall otherwise take effect.

"(f) If such classification and pay plan becomes effective, such plan shall be printed in the Statutes at Large in the same volume as the public laws and shall be printed in the Federal Register.

"(g) Any increase in rate of basic compensation by reason of the institution and operation of such classification and pay plan for the postal field service shall not be considered as an equivalent increase in compensation within the meaning of section 701 of the Classification Act of 1949, as amended, in the case of postmasters, officers, and employees in the postal field service who transfer or are transferred to positions within the purview of the Classification Act of 1949, as amended.

"SEC. 208. (a) This section is enacted by the Congress:

"(1) As an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it shall be considered as part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in such House in the case of resolutions (as defined in subsection (b) of this section); and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

"(2) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

"(b) As used in this section and section 207, the term 'resolution' means only a resolution of either of the two Houses of Congress, the matter after the resolving clause of which is as follows: 'That the_____ does not favor the postal field service classification and pay plan transmitted to Congress by the Postmaster General.', the blank space therein being filled with the name of the resolving House.

"(c) All resolutions with respect to the postal field service classification and pay plan shall be referred, by the President of the Senate or the Speaker of the House of Representatives, only to the Committee on Post Office and Civil Service of the Senate or the Committee on Post Office and Civil Service of the House of Representatives, as the case may be.

"(d) If the committee to which has been referred a resolution with respect to such postal field service classification and pay plan has not reported such resolution before the expiration of 10 calendar days after its introduction, it shall then (but not before) be in order to move either to discharge the committee from further consideration of such resolution, or to discharge the committee from further consideration of any other resolution with respect to such postal field service classification and pay plan which has been referred to the committee.

"(e) Such motion may be made only by a person favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the plan), and debate thereon shall be limited to not to exceed 1 hour, to be equally divided between those favoring and those opposing the resolution. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

"(f) If the motion to discharge is agreed to or disagreed to, such motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the plan.

"(g) When the committee has reported, or has been discharged from further consideration of a resolution with respect to the plan, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such resolution. Such motion shall be highly privileged and shall not be debatable. No amendment to such motion shall be in order and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

"(h) Debate on the resolution shall be limited to not to exceed 10 hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

"(i) All motions to postpone, made with respect to the discharge from committee, or the consideration of, a resolution with respect to the plan, and all motions to proceed to the consideration of other business, shall be decided without debate.

"(j) All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to the plan shall be decided without debate.

"SEC. 209. In the exercise of the authority granted by section 81 of title 2 of the Canal Zone Code, as amended, the Governor of the Canal Zone is authorized to adopt the postal field service classification and pay plan, or any part thereof, made operative pursuant to sections 207 and 208 of this Act, as of the date or dates such plan, or any part thereof, becomes operative, for postal employees of the Canal Zone Government. The Postmaster General shall make available to the Governor of the Canal Zone copies of such matter relating to such plan as may be necessary to carry out the purposes of this section, including descriptions of positions and rates of compensation provided for therein."

On page 24, beginning with line 24, strike out over through line 2 on page 25.

On page 25, line 4, strike out "206" and insert "205, 207."

On page 25, line 6, strike out "202, 204, and 205" and insert "201, 203, and 204."

On page 25, line 9, strike out "Sections 203 and 209" and insert "Sections 202 and 210."

On page 25, line 12, strike out "207" and insert "206".

On page 25, after line 15, insert the following:

"TITLE III—POSTAL RATES

"FIRST-CLASS MAIL

"SEC. 301. (a) The rates of postage on mail matter of the first class (other than postal cards and private mailing or post cards) shall be as follows:

"(1) 4 cents for the first ounce or fraction thereof, and 3 cents for each additional ounce or fraction thereof, when mailed for delivery at any destination other than the office of mailing;

"(2) 3 cents for each ounce or fraction thereof, when mailed for local delivery at the office of mailing, except as prescribed in paragraph (3) of this subsection; and

"(3) 2 cents for each ounce or fraction thereof, when mailed for local delivery at post offices where free delivery by carrier is not established and when the matter is not collected or delivered by rural or star route carriers.

"(b) In the case of first-class matter mailed without prepayment of any postage or without prepayment of the full amount of postage due, the Postmaster General is authorized to prescribe by regulation the conditions under which such matter shall be delivered to the addressee or returned to the sender. The conditions so prescribed shall be stated in such manner as to permit delivery of such mail to the addressee whenever it is practicable to do so consistent with the collection of the charges prescribed in accordance with subsection (c) of this section.

"(c) The Postmaster General is authorized to prescribe by regulation from time to time the charges to be collected on delivery in the case of any matter of the first class mailed without prepayment of any postage or without prepayment of the full amount of postage due. In determining such charges, the Postmaster General shall take into consideration the postage actually due, and, to the extent practicable, the additional expense incurred by reason of the failure to pay the applicable postage and the desirability of minimizing the incidence of such mailings.

"(d) Regulations issued by the Postmaster General under subsections (b) and (c) shall, to the extent prescribed therein, supersede existing laws, regulations, and orders governing the subject matter covered thereby.

"(e) Section 12 (a) of the act of October 30, 1951 (39 U. S. C. sec. 246f (a)), is amended by inserting before the period at the end thereof a semicolon and the following:

"'(9) for returning undeliverable letters and parcels of the first class from the dead-letter office to the senders.'"

"SECOND-CLASS MAIL

"SEC. 302. (a) Section 2 (a) of the act of October 30, 1951 (39 U. S. C., sec. 289a), is amended by striking out the word 'and' immediately following 'April 1, 1953,' and by inserting before the colon immediately following 'April 1, 1954' a comma and the following: '(4) by an additional 10 percent, based on rates now in force, beginning on April 1, 1955, (5) by an additional 10 percent, based on rates now in force, beginning on April 1, 1956, and (6) by an additional 10 percent, based on rates now in force, beginning on April 1, 1957.' The term 'rates now in force,' as used in the amendments made by this subsection to section 2 (a) of such act of October 30, 1951, means the rates in force immediately prior to April 1, 1952.

"(b) The rates increased by subsection (a) of this section shall be subject to a minimum charge of one-fourth of 1 cent computed on each individually addressed copy or package of unaddressed copies.

"(c) The rates of postage on copies of publications having second-class entry mailed by others than the publishers or authorized news agents, sample copies mailed by the publishers in excess of the 10 percent allowance entitled to be sent at the pound rates, and copies mailed by the publishers to persons who may not be included in the required legitimate list of subscribers, shall be, in the case of publications weighing 8 ounces or less, the applicable rates now or hereafter prescribed by law on third-class matter, and, in the case of publications weighing in excess of 8 ounces, the applicable rates now or hereafter prescribed or authorized by law on fourth-class matter.

"THIRD-CLASS MAIL

"SEC. 303. (a) The rates of postage on third-class matter shall be 3 cents for the first 2 ounces or fraction thereof, and 1½ cents for each additional ounce or fraction thereof up to and including 8 ounces in weight, except that on matter mailed by religious, educational, scientific, philanthropic, agricultural, labor, veterans', or fraternal organizations or associations, not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, the rates shall be as follows:

"(1) 1½ cents for each 2 ounces or fraction thereof on books and catalogs of 24 pages or more, seeds, cuttings, bulbs, roots, scions, and plants not exceeding 8 ounces in weight; and

"(2) 2 cents for the first 2 ounces or fraction thereof, and 1 cent for each additional ounce or fraction thereof, on all other third-class matter.

"(b) Upon payment of a fee of $50 for each calendar year or of $15 for each quarter of a calendar year and under such regulations as the Postmaster General may prescribe for the collection of postage and for facilitating the handling of such matter in the mails, separately addressed identical pieces of third-class matter in quantities of not less than 20 pounds, or of not less than 200 pieces, may be mailed at pound rates of postage applicable to the entire bulk mailed at one time. The rate of postage on third-class matter mailed in bulk under this subsection shall be 16 cents for each pound or fraction thereof with a minimum charge per piece of 1½ cents, except that in the case of books and catalogs of 24 pages or more, seeds, cuttings, bulbs, roots, scions, and plants the rate shall be 10 cents for each pound or fraction thereof with a minimum charge per piece of 1½ cents. The rate of postage on third-class matter mailed in bulk under this subsection but without individual addresses for delivery under regulations prescribed by the Postmaster General shall be subject to a minimum charge per piece of 2 cents. The rates of postage prescribed by this subsection shall not apply with respect to matter mailed by religious, educational, scientific, philanthropic, agricultural, labor, veterans', or fraternal organizations or associations, not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, and the existing rates of postage shall continue to apply with respect to such matter.

"(c) Pieces or packages of third-class mail of such size or form as to prevent ready facing and tying in bundles and requiring individual distributing throughout shall be subject to a minimum charge of 5 cents each.

"CONTROLLED CIRCULATION PUBLICATIONS

"SEC. 304. The rate of postage on the publications defined in section 203 of the act of July 3, 1948 (39 U. S. C., sec. 291b), when mailed by the publisher and regardless of the weight of individual copies, shall be 11 cents for each pound or fraction thereof, computed on the entire bulk mailed at one time, but not less than 1½ cents per piece, which rate shall remain in effect until otherwise provided by Congress: *Provided*, That the rate of postage on copies of such publications when mailed by other than the publishers, or when forwarded to the addressee or returned to the sender, shall be 3 cents for the first 2 ounces and 1½ cents for each additional ounce.

"DOMESTIC AIR MAIL

"SEC. 305. The rate of postage on domestic air mail as defined in section 2 of the act of August 14, 1946 (39 U. S. C., sec. 462a), weighing 8 ounces or less (except postal cards and private mailing or post cards) shall be 7 cents for each ounce or fraction thereof.

"DETERMINATION OF CLASS OF POST OFFICE AND COMPENSATION OF POSTMASTER AND CERTAIN EMPLOYEES

"SEC. 306. (a) On and after January 1, 1955, 85 percent of the gross postal receipts of all classes of post offices shall be counted for the purpose of determining the class of the post office or the compensation or allowances of postmasters or other employees whose compensation or allowances are based on the annual receipts of such offices. Nothing contained in this subsection shall operate to decrease the compensation or allowances in effect on the effective date of this subsection for postmasters and other employees in the postal field service on such date whose compensation or allowances are based upon the annual receipts of such offices.

"(b) In the case of the post office at Washington, District of Columbia, the Postmaster General may, in his discretion, add to the gross receipts of such office counted for the purposes of subsection (a) of this section not to exceed 75 percent of such gross receipts.

"(c) Notwithstanding any other provision of law, the salaries of postmasters at fourth-class post offices, as fixed by law, shall be deemed and taken to be full compensation for the clerical labor in the issuance of money orders at such offices.

"REPEAL OF EXISTING PROVISIONS OF LAW

"SEC. 307. (a) The following provisions of law are hereby repealed:

"(1) Section 202 (a) (4) of the act of February 28, 1925, as amended by section 4 of the act of May 29, 1928 (39 U. S. C., sec. 283);

"(2) Section 204 of the act of February 28, 1925 (39 U. S. C., sec. 288);

"(3) Section 2 (d) of the act of October 30, 1951 (39 U. S. C., sec. 289a (d)).

"(b) All laws or parts of laws inconsistent with this act are hereby repealed or modified to the extent of such inconsistency.

"APPLICATION TO GUAM

"SEC. 308. This title shall have the same force and effect within Guam as within other possessions of the United States.

"EFFECTIVE DATES

"SEC. 309. This title shall take effect on January 1, 1955, except that section 302 (a) and (b) shall take effect on April 1, 1955.

PRINCIPAL FEATURES OF NEW FEDERAL EMPLOYEE LEGISLATION

GROUP LIFE INSURANCE—COST TO GOVERNMENT, $22 MILLION

On a voluntary basis, Federal employees are eligible for insurance coverage in amounts based upon their annual salaries carried to the nearest upper thousand. Employees will pay 25 cents per $1,000 of insurance every biweekly pay period; the Government will contribute an amount equal to one-half of the employee payment. The law provides double-indemnity payment in case of accidental death and payment to employees for loss of sight or limb. No medical examination is required. Employees who leave the service may convert their insurance at standard rates without physical examination. Insurance will be free for employees who retire on immediate annuity after at least 15 years' service, and for employees retired for disability. Employees will pay no premiums after they reach age 65, but life-insurance protection will be provided after that age. Beginning at age 65 the amount of life insurance is reduced at the rate of 2 percent a month, but the reduction does not exceed 75 percent of the face amount.

MODIFICATION OF THE WHITTEN AMENDMENT

Restrictions on permanent promotions and on permanent reinstatements of former career employees have been removed. The statutory limit on the number of permanent employees in the executive branch is increased 10 percent above the ceiling of September 1, 1950. These modifications will permit the Civil Service Commission to proceed with its new career conditional appointment system and to convert many thousands of present indefinite employees to career status.

INCENTIVE AWARDS PROGRAM

Existing awards programs have been liberalized, made applicable to all employees, and combined for purposes of more aggressive administration. Provision is made for the first time for special awards by the President for exceptionally meritorious service. The Civil Service Commission is responsible for administration of the combined program. Agencies may make awards up to $5,000. In cases of highly exceptional suggestions, inventions, or superior accomplishments, individual awards may be as much as $25,000 with approval of the Civil Service Commission.

REPEAL OF ANNUAL LEAVE REDUCTION REQUIREMENT

Employees will no longer be required to reduce accumulations of leave in excess of 30 days. They may maintain the amount of leave they carried over at the beginning of the 1954 leave year. The law also provides that survivors of deceased employees may be paid a lump-sum payment for the employee's accumulated and current annual leave. This provision is retroactive to September 1, 1953.

EXTENSION OF LONGEVITY PAY INCREASES TO GRADES GS–11 THROUGH GS–15—COST, $1,500,000

Longevity salary-step increases are authorized for employees in grades GS–11 through GS–15. Previously only employees in Grade GS–10 and below were eligible. Longevity step increases may be paid to employees who have been in the same or a higher grade for an aggregate of at least 10 years and who have continuously served the last 3 years at the maximum of their present grade. Three such increases can be earned.

RECRUITMENT AT SALARIES ABOVE THE MINIMUM OF THE GRADE

When employment conditions make it necessary, the Civil Service Commission may authorize appointments to hard-to-fill types of jobs at salary rates above the minimum of the pay grade prescribed by the Classification Act.

ALLOWANCES FOR UNIFORMS

Employees who are required to wear uniforms on the job may be paid an annual allowance up to $100 a year for purchase of uniforms, if Congress appropriates funds for this purpose—possibly $20 million.

ABOLISHMENT OF THE CPC SCHEDULE—COST, $36,500,000

The Crafts, Protective, and Custodial (CPC) Schedule of the Classification Act is abolished, and most of the employees now in it will be placed under the wage board system and paid on the basis of local prevailing wage rates (which usually are significantly higher). Some of the CPC jobs will be placed in the General Schedule of the Classification Act. No employee whose job is moved to the General Schedule will lose salary, and most will gain slightly. The changes will eliminate present pay inequities and put Government in a better competitive position in recruitment and retention of blue-collar workers.

INCREASE IN THE NUMBER OF "SUPERGRADE" POSITIONS—COST $260,000

The statutory limit on the number of jobs at the top of the Classification Act ladder—the so-called supergrades—has been increased from 400 to 550. The previous limitation in the Classification Act of 1949 on the number of positions in grades GS–16, 17, and 18 hampered effective administration and created pay inequities among employees, some of whom have been receiving considerably less pay than their work assignments call for.

PREMIUM PAY—COST, $32,500,000

The fringe benefits bill included provisions relating to several types of premium pay:

Overtime: Time and a half for overtime may now be paid on salaries up to $5,060, the bottom of Grade GS–9; overtime pay at a flat rate equal to time and a half for the bottom rate of GS–9 may be paid to employees earning annual salaries above that level. Previously, the Federal Employees Pay Act provided a time-and-a-half overtime rate only on salaries up to $2,980.

Extra pay for special groups: Employees with long tours of standby duty (such as firefighters) may be paid up to 25 percent of their annual base pay rates instead of hourly rates of overtime, night, and holiday pay. Employees whose duties require substantial amounts of unscheduled overtime which cannot be administratively controlled (such as investigators of criminal activities) may receive additional annual pay up to 15 percent of base pay rates.

Call-back pay: A minimum of 2 hours' pay at the overtime rate is provided for any employee called in for overtime work on one of his days off or after having finished a regular day's work.

Tours of duty: A statutory statement of policy on work schedules spells out ground rules for scheduling work of employees by agencies within standard tour-of-duty patterns generally found in private industry. The statement makes clear that agencies can make exceptions to these requirements in those instances where they will be seriously handicapped or where costs will be substantially increased.

UNEMPLOYMENT COMPENSATION

Unemployment compensation benefits, similar to those enjoyed by workers in private industry, have been provided for Federal employees for the first time.

Cost summary

Group life	$22,000,000
Fringe bill	70,760,000
Plus uniforms	20,000,000
Total	112,760,000

SENATOR ROBERT C. HENDRICKSON, OF NEW JERSEY

Mr. JOHNSON of Texas. Mr. President, I was not on the floor earlier this evening when some of my colleagues spoke of our good friend the junior Senator from New Jersey [Mr. HENDRICKSON].

When I say "our good friend," I mean exactly that because BOB HENDRICKSON is a friendly man, a kindly man, the sort that we all want for a neighbor. He is also an able and courageous man—one who does not fear to speak his convictions whatever may be the consequences.

One of the most rewarding aspects of my Senate service has been the opportunity to know so many different men from so many different parts of the country. I think it is good for all of us to come together on a friendly basis, despite our regional and political differences.

BOB HENDRICKSON is a man who has espoused a political faith that differs from mine. But he is also the kind of man who recognizes that honest men can differ and differ strongly as gentlemen in all good faith.

During our years of service together, I have never known BOB HENDRICKSON to utter a mean word or a nasty word. He is big enough to realize that the interests of the Nation should transcend pettiness and littleness.

BOB HENDRICKSON is a gentleman and a statesman who has performed his duty and lived up to his obligations. He has carried himself with dignity and with courage and has served his country as one who is deeply devoted to America.

I shall always be proud to have BOB HENDRICKSON as a friend, and I wish him well in his future endeavors.

Mr. HENDRICKSON. Mr. President, I shall always be grateful to the minority leader for that fine tribute, even as I am grateful to all my distinguished colleagues who paid me such tributes today. I can only hope that as the years go on I shall be worthy of those tributes. It will be my supreme effort throughout the remainder of my life to justify them in every respect.

I thank my dear friend from Texas, and I shall always remember him as one of the inspiring influences of my life in public office.

Mr. JOHNSON of Texas. Mr. President, I thank the Senator for his gracious and generous statement.

SENATOR EDWIN C. JOHNSON, OF COLORADO

Mr. HENDRICKSON. Mr. President, in a deliberative body so distinguished as is the Senate of the United States, I know of no greater satisfaction that can come to one of its Members than the deep and poignant feeling with which I rise tonight to pay tribute to my colleague, EDWIN C. JOHNSON, of Colorado, who some months ago announced that he would not run for another term, and that he planned to retire at the end of this session.

Perhaps more than anyone in this Chamber, I have a really pertinent reason for taking occasion to express my regard for the superior qualities of this eminent gentleman and legislator.

I say pertinent because I, too, made the practically identical decision and I know precisely what Senator JOHNSON meant when he says in announcing his retirement that it was a resolve he found difficult to make.

Difficult, indeed, not only because the associations of this Chamber, the respect in which Senator JOHNSON is held by all his colleagues here, by his constituents, especially by his political opponents, but difficult also because of the tremendous need for the solid and discerning leadership men of the stature of Senator JOHNSON are able to give our Nation in an era of continuing crisis.

But there are transcendent considerations, and the dictate of one's family, as I well know, cannot easily be cast aside.

Of course, as I recall he put it, he gave the resolve "prayerful thought" and that profound and earnest approach to decisions he has made is a deeply ingrained characteristic of the man.

If I had to evaluate the facets of Senator JOHNSON'S sturdy character to explain how, so many times, he met the high standards of political life—4 terms in the Colorado House of Representatives, the lieutenant-governorship of his State, 2 terms as Governor, and 3 terms as United States Senator—I would say the outstanding facet is reflected in his phrase "prayerful thought."

Mr. President, it is impossible to move to higher and higher office and to repeatedly win the approbation of the

people as Senator JOHNSON won it, unless one has the indelible and demonstrated stamp of leadership in the truest and the most enduring sense of the word.

Go through the remarkable record of his service in the Senate and see how his counsel, his judgment, his firmness, his fine spirit of conciliation, has influenced the most historic and the most compelling legislation of the last quarter century.

To me the deeper answer which furnishes us the key to his motivations, to his wisdom, to his dedication to the service of the United States, is to be found in his attitude of invariably giving what he calls "prayerful thought" to the judgments that in his own life, or his country's life, were to make history.

The judgments that he made owe their sagacity, their righteousness, their success, and I believe, the tranquility they afforded him, in this recourse he always had to divine guidance before his vote or his signature was recorded in the crisis of the hour and for posterity.

I like such a man because no single thing that he has done and no catalog of his achievements, however extensive, quite establishes the full worth of his contribution to his country.

That can only be complete when we shall be able to record the influence of his personality along with the rest, the day-by-day influence of unimpeachable integrity, the persuasive force of his sense of justice and fair play, and the hard rock of just rugged character and strength of will.

My praise of Senator JOHNSON has its basis not only in what I observed here in the Senate, or in the fact that the Senator is my across-the-corridor neighbor in the Senate Office Building.

My knowledge of Senator JOHNSON was considerably increased by my observation of him when as chairman of the Senate Committee on Interstate and Foreign Commerce, he played the decisive role in bringing passenger airplane travel back to New Jersey under conditions of assured safety.

My State several years ago was justly aroused by a series of frightful airplane passenger accidents at one of the Nation's major airports in New Jersey.

During the hearings which led to the correction of this situation I sat with Senator JOHNSON, although I was not a member of the committee.

I observed the sure hand, the firm will, the justice—and the country, as well as my own State, took confidence from the leadership he provided.

It was, in the circumstances, statesmanship on the highest plane, and it ended by allaying the fears of the people of my State and in the restoration of much needed airplane travel.

Mr. President, I think we would be wise if we got out a brochure on the life, the character, the achievements, of Senator EDWIN C. JOHNSTON, of Colorado, and presented it to every freshman Senator coming into this Chamber as an example to emulate, for he is my conception of the model United States Senator. He sits on the other side of the aisle, but I still say, Mr. President, that he is a model United States Senator. He has honored the Senate, the State which sent him to the Senate he serves so ably, and the country.

I yield the floor.

EQUAL ACCESS TO AMERICAN MARKETS TAX AND TRADE ADJUSTMENTS

DEPLETION ALLOWANCES DUTY ADJUSTMENTS ON THE BASIS OF FAIR AND REASONABLE COMPETITION

Mr. MALONE. Mr. President, the August 4 issue of the New York Journal of Commerce carries a headline which, in effect, is a tribute to the present Congress. The headline reads: "Mineral Development Spurred by Tax Revisions."

The headline is over an informative and important article by John E. Kenton analyzing the construction provisions of the new Internal Revenue Code.

The opening paragraph of this article reads, and I quote:

> Development of the Nation's mineral resources will receive a tremendous shot in the arm in the form of tax incentives under the new Internal Revenue Code.

Further on in the article he calls this one of the "three big D's" of our new tax law.

The big D with respect to minerals is, of course, the 23 percent depletion allowances provided in the code for critical and strategic minerals produced in the United States.

The other big D's are, as Mr. Kenton reports: "Dividend relief" which he rightly asserts was the most controversial reform in the new bill, "depreciation," which he says is the most far reaching as well as the most costly change, and "depletion" which, as he puts it, "is the field in which by far the greatest liberalization took place."

The junior Senator from Nevada would suggest that the third also can be the most far reaching in terms of national economy and security, but he has no quarrel with Mr. Kenton's analysis.

Later in my remarks I shall ask unanimous consent to insert Mr. Kenton's entire article in the CONGRESSIONAL RECORD, and to elicit a thorough reading and study of it by my colleagues.

Mr. President, the depletion allowance in the new internal revenue code does give a tremendous shot in the arm to the American mining industry, a shot in the arm that is long overdue, and which, coupled with other constructive action by the Congress, may well save not only the mining industry but the Nation.

Recommendation No 4 of the Minerals, Materials, and Fuels Economic Subcommittee of the Committee on Interior and Insular Affairs state, and I quote:

> We recommend increased depletion allowances to producers of critical minerals and materials as a further incentive to production.

This was truly a "big D" recommendation and it has now been incorporated as part of the new internal revenue code.

In other words, it has been transformed from a subcommittee recommendation into the law of the land.

The junior Senator from Nevada is happy that as chairman of the subcommittee, and as a member of the Senate Finance Committee, concrete action in behalf of our mining industry has been achieved in this session of the Congress.

In my opinion, it will go down in history as one of the notable accomplishments of the present Congress.

The subcommittee, the Minerals, Materials, and Fuels Economic Subcommittee, as we all know, conducted a 10-month investigation of the accessibility of strategic and critical materials to the United States in time of war and for our expanding economy, pursuant to Senate Resolution 143.

Fifty-eight hearings were held on both sides of our continent.

More than 360 expert witnesses, including military and mining authorities testified.

The initial committee report was filed wth the Senate on July 9. It included 12 recommendations, of which the recommendation of depletion allowances to producers of critical minerals and materials was No. 4 as I have previously stated, and 14 findings, the latter a condensation of 10 volumes of testimony and data.

Recommendation No. 4, which is now law as a "big D" of the new Internal Revenue Code, was based on these findings.

It is based particularly on findings 1, 2, 3, and 4.

To summarize these findings, they were:

> 1. The Western Hemisphere can be defended and will be the only dependable source to the United States of critical raw materials in the event of an all-out war.
>
> 2. During the last quarter century established procurement policies have dangerously increased our dependence for critical materials on nations across major oceans. Such dependence on distant overseas suppliers must be avoided.
>
> 3. Less than 1 percent of the areas of this Nation has been included in geological investigations; only 12.7 percent has been geologically mapped, and 31.1 percent topographically mapped by the United States Geological Survey.
>
> 4. Federal tax laws definitely retard the production of critical materials in this Nation.

Mr. President, the purpose of the big depletion D in the new Internal Revenue Code is summed up in these four findings.

The first finding warns that in the event of an all-out war it will be necessary to rely on our own critical raw material resources.

The second states that, in effect, the entire procurement policy of the United States for the past quarter century has been to acquire these critical materials and minerals from remote areas of the world which we could not defend in time of war.

The third is that in pursuit of this buy-foreign policy the resource potentials of our own Nation were scorned and neglected to the point that no more than a minuscule report was made to even determine what and where they may be within the continental United States.

The fourth is that in conformance with this same buy-foreign and spurn-American-resources policy, previous tax laws were so written as to definitely retard the discovery, development, and

production of critical minerals and materials within our own Nation.

The increased depletion allowances under the new code reforms and corrects the negligence of the past in the tax field.

Given reasonable depletion allowances such as the new code provides, private industry will explore, discover, and develop our natural critical and strategic mineral resources, to the extent that they may profitably do so in competition with producers in low-wage, low-tax foreign and remote areas of the world.

To the extent, also, that they are able to compete with these low-wage, low-tax areas of the world they will be able to supply the critical and strategic minerals and materials necessary to fight a war or build a sound economy in time of peace.

To the extent that this is done our mineral producers will be furnishing security to our Nation.

To the extent that we continue procurement of critical and strategic minerals and materials from distant and remote areas we cannot defend we will be buying insecurity.

The provisions of the new internal-revenue code providing for constructive depletion allowances are a tremendous gain for both national security and national development and a long step forward toward "going concern" critical and strategic minerals industries.

But one further step must be taken to assure our complete national self-sufficiency that would safeguard our safety in time of war.

Critical and strategic minerals industries must have equal access to our own markets, stockpiles, defense plants, and arsenals with the minerals and materials of other nations.

They do not have such equal access now.

They do not have such access because there are no tariffs on imported minerals and materials of this nature which equalize the costs that favor low-wage and low-taxed foreign producers competing for our markets against American producers and American products.

"Competing" is, perhaps, too generous a word.

Foreign producers in the past 25 years have not actually had to compete against American producers.

Foreign producers have had the benefit of millions of dollars in American foreign aid to give them a preferential right-of-way into the American market.

They have received American subsidies that more than counterbalance any transportation costs in shipping materials to the United States.

They have been given funds with which to explore and develop foreign properties.

They have been given expert technological advice at the expense of American taxpayers on how to exploit these foreign properties.

They have been given equipment to operate these properties.

Great foreign electric projects, financed at American taxpayers' expense, have been built to provide these foreign interests with the electric energy necessary to operate the equipment we have given them.

The foreign-aid bill which we debated on the Senate floor last week provided for reallocation of funds to extend this international boondoggle in behalf of foreign mining interests.

The junior Senator from Nevada offered, and the Senate approved, an amendment to strike out that provision which would have continued and expanded funds and preferences to foreign minerals producers while discriminations against American producers and against American critical minerals and materials remained.

Elimination of the amendment granting bonus money to foreign interests in the mining field is one step toward ending discrimination against our own producers.

The provision for depletion allowances in the new Internal Revenue Code is a further step.

The third and final step will come when the Congress returns to the United States Constitution, article I, section 8, and levies tariffs on imports of foreign minerals and materials based on fair and reasonable competition equalizing the difference in low wage and low tax rates in foreign countries and high wage and tax rates in the United States.

Mr. President, given equal access to our own markets, defense plants, and stockpiles, the American mining industry can and will stand on its own feet.

The American mining industry finances its own exploration.

It finances its own research.

It finances its own development.

It risks its own money, and often in huge amounts, instead of asking handouts from Mr. Stassen at the expense of American taxpayers as do their foreign competitors.

The American mining industry pays the highest wages for comparable work in the world, while the foreign producers who have benefited most from American aid pay the lowest wages in the world.

The American mining industry, heretofore starved between wars, has come to the rescue of the United States in two World Wars, supplying our needs for critical minerals and materials when the rest of the world was cut off by the enemy.

The mining industry of Western or American hemisphere—North, South and Central America—can and will supply our full needs for critical and strategic minerals, materials and fuels in the event of another all-out war if given free and equal treatment with the rest of the world.

And in the event of such a new all-out war only that mineral wealth lying within the American Hemisphere will be accessible for our war needs.

Mr. President, all of the recommendations of the Subcomittee on Minerals, Materials and Fuels Economics tie in with that one objective—to make this Nation self-sufficient in strategic and critical materials in time of war.

As this is done the peace-time economy of the Nation will be expanded, thus providing double benefits.

In other words, the purpose of our recommendations is security—permanent security—whether we are engaged in a defensive war or enjoying the blessings of peace.

Recommendation No. 1 calls for close cooperation among the nations of the Western Hemisphere, which I prefer to call the American Hemisphere—and particularly with the American Republics to our south.

Recommendation No. 2 calls for tariff action in conformance with article I, section 8, of the United States Constitution as I have outlined above.

Recommendation No. 3 calls for the elimination of our Nation's present dependency upon distant and remote areas of the world for our critical materials, as previously discussed in my remarks.

Recommendation No. 4 calls for depletion allowances which Congress has rightfully provided in the new Internal Revenue Code.

Recommendation No. 5 calls for acceleration of the Federal program for stockpiling critical and strategic minerals and materials, utilizing to the greatest possible extent production from "going concern" Western Hemisphere industries.

Recommendation No. 6 calls for research studies with a view to greater development and utilization of our petroleum, gas, and coal resources.

Recommendation No. 7 calls for increasing the titanium production goal to 150,000 tons annually, noting that this is a military must. Titanium is the new wonder metal vital to the construction of long-range airplanes of supersonic speeds.

Recommendation No. 8 calls for uranium production goals adequate to meet both military and civilian requirements from hemisphere sources.

Recommendation No. 9 calls for a review of Securities and Exchange Commisson rules and regulations with a view to their liberalization for encouragement of investment in the critical and strategic materials program.

Recommendation No. 10 calls for a Hoover Commission type study of the duties and relationships between the some 38 agencies of our Government now concerned with stockpiling operations, with a view to coordination and improved efficiency.

Recommendation No. 11 calls for appropriations of $50 million annually to establish and operate a comprehensive program of laboratory, pilot plant, and exploratory research into improved methods of beneficiation of critical materials, substitutes, and synthetics.

Recommendation No. 12 calls for rejection of international allocation and price controls on critical and strategic materials unless approved by the Congress through appropriate legislative action.

Mr. President, this is an American program.

Recommendation No. 4, as we stated before, has been enacted.

The junior Senator from Nevada considers that a start has been made on the titanium program recommended in No. 7.

The Congress and the administration will have an opportunity to act on or carry out all of the remaining recommendations.

Then the material needs of our Nation in the event of war will be secure.

The subcommittee's recommendations, may I add, are not the work of its members and its staff alone.

They represent the contribution of scores of minerals and military experts who gladly gave the subcommittee the benefit of their time and knowledge.

In the field of depletion allowances alone their contribution far outweighed the cost of the entire 10-month investigation.

Their contribution has helped to strengthen a vital American industry, an industry which must be strong to assure America's security.

Mr. President, I ask unanimous consent that the article headed "Mineral Development Spurred by Tax Revisions" published in the New York Journal of Commerce, August 4, 1954, be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MINERAL DEVELOPMENT SPURRED BY TAX REVISIONS

(By John E. Kenton)

WASHINGTON, August 3.—Development of the Nation's mineral resources will receive a tremendous shot in the arm in the form of tax incentives under the new Internal Revenue Code.

Depletion is the third of the tax bill's "three big D's." As dividend relief was the most controversial topic in the drafting of of the new code, and as depreciation was the area in which the most far-reaching as well as the costliest changes were made, so depletion is the field in which by far the greatest liberalization took place.

Forty-seven minerals were upgraded on the list of percentage depletion allowances. For many of them, the higher tax exclusions will be available only in the case of domestic production. Also certain of the technical definitions in the field were broadened.

SPECIFIC ALLOWANCES PROVIDED

The principle of percentage depletion allowances is based on the fact that taxpayers deriving income from mineral production are using up their nonreplenishable capital. To compensate for this, both the existing and the new law permit taxpayers owning an economic interest in specified types of mineral deposits to deduct from taxable income a specified percentage depletion allowance whenever these exceed depletion based on capital costs.

As in the past, the allowance is restricted by a limitation that it may not exceed 50 percent of the net income from the mineral property before depletion.

Here are the new percentage depletion categories:

Twenty-seven and one-half percent: Oil and gas wells (unchanged from existing law).

Twenty-three percent: Sulfur (unchanged) and uranium (raised from 15 percent).

RAISED TO 23 PERCENT

Twenty-three percent if from deposits within the United States (a new category)—Anorthosite (to the extent alumina and aluminum compounds are extracted therefrom); asbestos; bauxite; beryl; celestite; chromite; corundum; fluorspar; graphite; ilmenite; hyanite; mica; olivine; quartz crystals, radio grade; rutile; block steatite talc; zircon. Also ores of the following metals: antimony, bismuth, cadmium, cobalt, columbium, lead, lithium, manganese, mercury, nickel, platinum, platinum-group metals, tantalum, thorium, tin, titanium, tungsten, vanadium, zinc. (These strategic minerals were raised from 15 percent except asbestos, raised from 10 percent.)

Fifteen percent—ball clay, bentonite, china clay, sagger clay, metals mined outside the United States, rock asphalt, vermiculite. (These rates are unchanged.)

Ten percent—Asbestos if produced outside the United States, brucite, coal, lignite, perlite, sodium chloride, wollastonite. These rates are unchanged except for sodium chloride or common salt which is raised from 5 percent; lignite is specifically written into this category for the first time.

Five percent—brick and tile clay, gravel, mollusk shells (including clam shells and oyster shells), peat, pumice, sand, scoria, shale, stone (except stone used as ornamental or dimension stone), and, if from brine wells; bromine, calcium chloride and magnesium chloride. (These rates are changed.)

SPECIAL 15 PERCENT GROUP

Finally, there is an all other minerals category on which the rate is 15 percent provided the minerals are not used or sold for use for certain purposes for which crushed stone is commonly used, such as ballast, road material, rubble, riprap, concrete aggregates or similar purposes. If the material is used for such road purposes, then the rate is only 5 instead of 15 percent.

Included in this category are all other minerals including, but not limited to, aplite, barite, borax, calcium carbonate, refractory and fire clay, diatomaceous earth, dolomite, feldspar, fuller's earth, garnet, gilsonite, granite, limestone, magnesite, magnesium carbonates, marble, phosphate rock, potash, quartzite, slate, soapstone, stone used as ornamental or dimension stone, thenardite, tripoli, trona, and if produced outside the United States: bauxite, beryl, flake graphite, fluorspar, lepidolite, mica, spodumene, and talc, including pyrophyllite. (These rates are unchanged except that calcium carbonates, magnesium carbonates, magnesite, and dolomite were raised from 10 percent, and slate, granite, and marble from 5 percent.)

For purposes of this category the term "all other minerals" is specifically stated not to include soil, sod, dirt, turf, water, or mosses, or minerals from sea water, the air, or similar inexhaustible sources."

The classification of nonmetallic minerals into these broad, all-inclusive groups made it possible, the House Ways and Means Committee explained, to eliminate the discovery value depletion provisions of present law.

The technical definitions covering those "ordinary treatment processes" in preparing minerals for sale that do not constitute manufacturing but may be included as mining costs and thus included in the income on which percentage depletion allowances are computed, were broadened in the cases of sulfur, talc, magnesite, coal, and phosphate rock.

DEFINITION BROADENED

The new definitions permit taxpayers to consider as ordinary treatment processes the burning of magnesite, the fine pulverizing of talc, the sintering and nodulizing of phosphate rock, and the dust-allaying and antifreezing treatment of coal. In the case of sulfur, the definition is broadened from treatment processes specifically related to the Frasch process, as in present law, to treatment processes for sulfur produced in other ways.

In another liberalization, the new code permits depletion allowances to be taken not only on mines and natural deposits but also on mine tailings—minerals recovered from the waste or residue accumulated from a mine. This provision applies to the mine owner or to a successor in interest in a tax-free exchange, but not to a purchaser of such residue or of the rights thereto.

The annual limit on the amount of expenditures for mine exploration that may either be deducted in the current year as an expense, or deferred and deducted ratably as the minerals are sold, is increased from $75,000 to $100,000.

OIL REGULATIONS UNCHANGED

The new code also provides specifically that its provisions are not to affect current regulations permitting the deduction or capitalization of intangible drilling and development costs for oil and gas wells.

A taxpayer owning various operating mineral interests within an operating unit may now aggregate two or more such interests into one property for purposes of both percentage and cost depletions, instead of having to treat each property separately as under present law. This latter procedure had often required preparation of multiple depletion schedules and computations where a single computation would have served the same purpose.

The new code also permits an aggregation of interests in the case of owners of nonoperating interests such as royalties, if these interests are in a single tract or contiguous tracts and if the aggregation is shown to be necessary to prevent undue hardship.

However, once the taxpayer chooses to make such an aggregation of properties, for depletion purposes, he must continue to combine them for all other income tax purposes such as determination of gain or loss on sale or exchange of any of the properties.

The new depletion provisions are expected to reduce Government revenues by at least $34 million, according to official estimates, but this tally is admittedly incomplete as it does not include any estimate for uranium, thorium, and vanadium on which data is confidential.

Mr. MALONE. Mr. President, the foundation has been laid by the Minerals, Materials and Fields Economic Subcommittee of which I am chairman, in the Senate report 1627 in compliance with Senate Resolution 143 for a new approach to our domestic and foreign policy.

It has been determined that the Western Hemisphere can be defended and that it will be the only dependable source of the critical materials in time of war.

It has also been determined that if the American workingmen and producers can be given equal access to American markets through Congress regaining its constitutional responsibility in regulating foreign trade and in adjusting the duties or tariffs—and in tax adjustments, that the domestic production of many of the critical materials can be materially increased.

PROTOCOL FOR LIMITING AND REGULATING CULTIVATION OF THE POPPY PLANT AND PRODUCTION OF, TRADE IN, AND USE OF OPIUM

Mr. FERGUSON. Mr. President, there is on the calendar Executve C, 83d Congress, 2d session, Executive Calendar No. 7, a protocol for limiting and regulating the cultivation of the poppy plant, the production of, international and wholesale trade in, and use of opium, which was open for signature at New York from June 23 until December 31, 1953, and during that period was signed

on behalf of the United States of America and 35 other states.

As a member of the Foreign Relations Committee, I had intended to submit the protocol to the Senate and to request that the Senate give its advice and consent to the protocol. I understand that it will not be possible for the Senate to reach the protocol today. Since I have been designated by my colleague, the junior Senator from Michigan [Mr. POTTER], to represent the Senate at the funeral of the late Representative Paul W. Shafer, of Michigan, I now wish to submit a statement on this subject, so the Senate will have the benefit of the facts in the matter.

Mr. President, on Saturday, August 7, the Committee on Foreign Relations ordered reported to the Senate the protocol limiting cultivation of the poppy plant and the international trade in and use of opium—Executive C, 83d Congress, 2d session. This treaty had been signed at New York between June 23 and December 31 by the United States and 35 other nations. The committee was unanimous in recommending that the Senate give its advice and consent to ratification.

As I indicated before, I was to present this subject to the Senate. Since the Senate was unable to vote today on the question, I wish to have this statement appear as a part of the RECORD so that Members of the Senate may become familiar with it.

The protocol constitutes one more step in a long series of efforts by the United States to curb the terrible scourge of drug addiction through limiting international traffic in narcotics. Previous international arrangements, in which the United States has participated, have imposed certain restrictions upon manufactured drugs. The existing system of international control proceeded upon an assumption that illicit traffic in narcotic drugs would be suppressed or substantially reduced by limiting their manufacture to medical and scientific needs. But the United States for many years has urged limitations upon production of the raw material from which the opium—and its well-known derivatives, morphine and heroin—are made.

In other words, our Government has become convinced that illicit traffic in narcotics cannot be suppressed unless controls are placed upon the amount of raw material which is produced. To the extent that this production of opium exceeds the world's legitimate needs, just to that degree will the excess inevitably find its way into the illicit market.

Such is the theory of the present protocol. Its purpose is to curb the illicit cultivation, production, distribution, and sale of opium by reducing present world production from an estimated 2,000 tons per year, to 500 tons. To accomplish this goal, a system of national and international controls is adopted. Under this system, opium production would be licensed within each state; and restrictions placed upon the export and import of the drug, implemented through a central international agency. The supervisory body, which was created under a 1931 convention for limiting manufacture and regulating the distribution of narcotic drugs, is given additional responsibilities under the new agreement.

I should like to say just a few words concerning the provisions of the protocol. Under article 2, the parties agree to limit the use of opium exclusively to medical and scientific needs, with certain exceptions responding to the needs of certain countries in the Far East. Moreover, the parties undertake—articles 6 and 7—not to permit the import or export of opium other than that produced in any of the following seven states, which must be a party to the protocol: Bulgaria, Greece, India, Iran, Turkey, the Soviet Union, and Yugoslavia.

Maximum limits are established on the opium stocks which may be held on December 31 of each year. Provision is made, however, for not disclosing the size of military stocks of opium held on December 31, 1953. Under article 3 of the protocol, each State, if it has not already done so, is obligated to establish a governmental agency to control the production of opium through a system of licenses and to have the exclusive right of importing, exporting, and wholesale trading in opium. All cultivators of the poppy are required to deliver their total crops to the agency for purchase.

By virtue of article 4, States which permit cultivation of the poppy for other purposes than the production of opium, such as for seeds or oil, undertake to enact laws and regulations to insure that opium is not produced from such poppies, and that the manufacture of narcotic substances from poppy straw is controlled.

In addition to these domestic restrictions, provisions are included for international control, without which the instrument would be largely ineffective. Each party must submit estimates to the supervisory body—known as the Permanent Central Board—of the quantity of opium required for medical and scientific needs; and in addition, each party which permits the production of opium must also submit estimates of the area on which the opium poppy is to be cultivated, and the amount to be harvested. The central body, in turn, after examining this information, may request additional facts, and may thereupon advise the governments concerned as to the desirable size of the opium crop and the acreage to be developed.

To insure execution of provisions of the protocol, the Board is authorized to take a number of other measures. It may request explanations. It may propose a local inquiry. It may inform the parties regarding failure of a particular government to fulfill its obligations. Where there is a serious violation of the protocol, the Board may recommend or impose an embargo on the import or export of opium or both. To avoid arbitrary action in cases of this character, provisions are included for protection of the rights of the country concerned by procedural guaranties, such as the right to be heard. If an embargo is imposed, there is the right of appeal to an Appeals Committee to be appointed by the President of the International Court of Justice. Finally, in conformity with the principle of universality followed in other narcotics conventions, the Board is authorized to take measures prescribed therein with respect to states which are not parties to the protocol, or territories to which the protocol does not apply.

While other narcotics, such as cocaine, marihuana, and synthetic drugs, are also involved in the world drug traffic problem, the pending protocol is limited to opium and its derivatives—morphine, heroin, codeine, and others—as the worst menace of addiction requiring international control.

Mr. President, the chief narcotics law-enforcement officials of this country need this new treaty. They believe it is indispensable to close the gap which now exists in the international effort to control the evil. Only a few days ago, Federal narcotics agents smashed an international heroin syndicate which had been handling heroin from Europe smuggled into the United States. Fourteen members of a gang were arrested. The gang had been selling 5 kilograms, or nearly 500,000 doses a week, to addicts in New York City. According to Commissioner Anslinger, we have here in the United States approximately 1 narcotic addict for every 3,000 persons; in other words, between 60 and 70 thousand addicts. This means we have between 60,000 and 70,000 potential criminals who will commit almost any act of violence to obtain their drug needs.

We were informed at the hearings, Mr. President, that Communist Chinese sources are systematically pursuing the stimulation of narcotics addiction, not only as a weapon in the cold war against personnel of this Nation's armed forces; but also as a means of obtaining dollar exchange to buy supplies from the Soviet Union. Before the Second World War, there was virtually no drug problem in Japan. Today the islands are being flooded with opium.

No single nation has the capacity within itself to crush this vile commerce, or to dry up sources of production around the world. An international cooperative program such as that contemplated by this treaty seems to be the most promising means of controlling the traffic.

It is my sincere conviction that the protocol is a forward step which is needed by our Government in its campaign to protect our people, our youth, and our society from the degradation which the drug evil imposes upon its victims. I therefore urge, Mr. President, that the Senate give its advice and consent to the ratification of the protocol.

Mr. President, I have referred to the report of the Committee on Foreign Relations on Executive C, which is Executive Report No. 7. I shall not ask to have the report made a part of the CONGRESSIONAL RECORD, inasmuch as the report is on file as part of the records of the Senate.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an article from a New York newspaper. The title of the article is "14 Arrested in New York Roundup of World-Wide Heroin Ring."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOURTEEN ARRESTED IN NEW YORK ROUNDUP OF WORLDWIDE HEROIN RING

NEW YORK, August 12.—Federal narcotics agents smashed an international heroin syndicate and arrested 14 of the Nation's top narcotics violators last night and today in a sweeping series of raids, officials announced.

James C. Ryan, of the Federal Bureau of Narcotics, said the syndicate had been handling heroin from Europe which was smuggled into the United States through Montreal and Mexico City. The raids climaxed more than 11 months of undercover work by a daring agent who posed as a peddler to track down members of the syndicate, he said.

The roundup began when an agent intercepted a heroin sale on a street corner, Ryan said. The agent seized one suspect and police forced another one to stop by firing at his car when he tried to flee.

The two suspects were identified as Sebastiano Bellanca, 50, Fort Lee, N. J., and Peter Beddia, 47, White Plains, N. Y., the two most important men seized in the roundup. Ryan said after Bellanca's arrest police searched his $75,000 home in Fort Lee and found a rifle, a shotgun, two pistols, and 500 rounds of ammunition.

After the initial arrests about 30 agents closed in on other suspects, Ryan said. The raids went on until noon today when the last of the 14 was taken into custody.

Ryan said the ring had been handling pure, uncut heroin worth millions of dollars, which would increase in value several times after it was diluted and made ready for delivery to the user. He estimated that the gang had been selling 5 kilograms of heroin a week, or nearly 500,000 doses, to addicts in the New York City area.

WORLD CARTELS COMING UP THROUGH THE CELLAR DOOR MISADVISERS

Mr. MALONE. Mr. President, on May 26, the Minerals, Materials, and Fuels Economic Subcommittee of the Interior and Insular Affairs Committee, received testimony from Benjamin Graham, an economist, regarding his participation in the preparation of a United Nations report entitled "Commodity Trade and Economic Development." His testimony starts on page 54 of part 5 in the subcommittee's hearings.

This report was the basis for a recent action in the United Nations Economic and Social Council to establish a permanent advisory commission on trade stabilization. As I have previously pointed out to the Senate, our representative to the Council, Mr. Preston Hotchkis, has voiced his strong opposition to our participation in this project.

The World, a publication devoted to the United Nations, in its March 1954, issue featured an article entitled "Era of Stable Prices" by Benjamin Graham. Mr. Graham not only would have the United Nations sponsor intergovernmental commodity agreements, but would also develop a new international currency. Mr. Hotchkis, in his statement to the Economic and Social Council last April, referred to this specific proposal as follows:

The experts extend their proposals for comprehensive commodity stabilization arrangements by recommending for further study a commodity reserve currency scheme. If this were an academic seminar we might, Mr. President, find some interest in discussing the complexities of this by no means novel proposal. This, however, is not an exercise in which I would care to engage in this forum. I see no likelihood whatever that my Government would be disposed to give this scheme any serious consideration in the foreseeable future. I feel sure that other delegations will share my view that the scheme is impractical. I hope, therefore, that the Council will not devote time and energy which might well be spent in more useful activities to detailed examination of a proposal that would seem to have no chance whatever of acceptance by governments.

The subcommittee, in recommendation No. 12 on page 4 of our report, stated:

We recommend rejection of international controls of production, prices, and supplies of critical and strategic materials unless by legislative action by the Congress of the United States.

Mr. Graham's proposal runs completely counter to the views of the Congress and of this administration. Mr. Graham's article might better be labeled "How Not To Conduct the Business of the United States."

Mr. President, these people work 24 hours a day. They come in through the doors. If the doors are shut, they come in through the windows. If the windows are shut, they come in through the cellar door.

Mr. President, I ask unanimous consent that Mr. Graham's article in the World be printed in the RECORD as an extension of my remarks, so that the Senate may be better informed regarding the kind of economic advice which the Economic and Social Council is receiving from the so-called experts.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AN AMERICAN BUSINESSMAN OFFERS A CONSTRUCTIVE PLAN TO END ANARCHY IN WORLD COMMODITY MARKETS AND LAUNCH AN ERA OF STABLE PRICES

(By Benjamin Graham)

For the American manufacturer or processor, the materials he must use are one of his basic operational costs. Yet this major cost factor is also the most unpredictable. In the 3 years between January 1950 and January 1954, the prices of basic commodities in the United States fluctuated 48 percent. To anticipate this wild element in the economy requires superhuman timing, a sixth sense; it is like trying to do business on a roller-coaster.

The chronic instability of commodity prices is not only a constant hazard to individual businessmen; it threatens American prosperity in general. A prime contributor to the depressions of 1920–22, 1929–33, and 1937–38 was the concurrent collapse of world commodity prices. Similarly, the ballooning of raw-material prices at the outbreak of the Korean war gave enormous impetus to our most recent inflationary spiral.

In an attempt to create a price stability favorable both to domestic producers and general economic health, the United States Government has made a radical departure from free-enterprise economics. But its chosen technique, stabilization by price supports, has cost a fortune, piled up unproductive and unmanageable surpluses, and brought about the current impasse in Government agricultural policy.

Now the underdeveloped nations of the world—mostly raw-material producers—are urging in the United Nations that a price-parity system similar to that in the United States be established for the world at large. The United States—the world's largest consumer of raw materials—cannot afford the immense dollar cost of such a system. However, neither can it afford to ignore the international demand for a solution to ruinous price instability.

The growing pressure in the U. N. arises from the critical importance of price stability to the many nations whose economies are largely based on the export of raw materials. It is perfectly true, as their spokesmen claim, that price fluctuations of primary goods are notoriously much wider than for manufactured articles. Nothing shows this more clearly than the fact that between 1901 and 1950 annual variations between high and low prices for 11 representative commodities averaged 27 percent. Such a price spread has made it increasingly difficult for these underdeveloped nations to operate their economies. In boom times a price rise produces temporary prosperity and encourages dangerous extravagance. This is always followed by a price collapse which very often brings disaster to the producer nation.

Last year, in an attempt to at least moderate such excessive price fluctuations, a group of producer nations—led by Argentina and Indonesia—succeeded in persuading the U. N. General Assembly to set up a Committee of Experts on International Price Relations. This committee was asked to suggest practical ways of minimizing undue fluctuations in terms of trade between nations producing primary commodities and those making manufactured articles.

To show the chronic importance of the problem, the committee's report to the assembly listed 14 previous studies on the same subject, ranging from the 1927 World Economic Conference to the Paley Commission's report to President Truman in 1952.

Two basic methods of reducing instability were suggested by most of these groups. The first is the rather well-known International Commodity Agreements device—an arrangement by which participating nations—through their governments or groups of producers—cooperate in setting the range of prices—and sometimes of production—for the commodity covered.

The second method is the Buffer Stock device, through which surpluses are taken off the market at a time of overproduction and declining prices and are later made available in periods of shortage and rising prices. The current U. N. report, "Commodity Trade and Economic Development," gives limited approval to international commodity agreements, but it stresses their drawbacks and limitations. While the committee favors the broad principle of buffer stocks, it goes on to suggest two other measures of general stabilization.

The first, "Contracyclical Lending," calls for greater capital investment in underdeveloped countries in a period of recession. The second, a "Compensatory Scheme," is based on mutual insurance which would provide for payments made between two nations to offset changes in their terms of trade. But the experts struck out into new territory by giving most of their attention to an idea not previously discussed in official studies—the "Composite Commodity Reserve," known also as CCR.

This interesting proposal has two distinguishing features. First, it uses stockpiling as a means of stabilizing the price level of raw materials as a whole, but at the same time it recognizes the law of supply and demand by permitting the price of a single commodity to fluctuate on the open market. This is done by letting a governing body acquire complete units (or "baskets") made up of a number of basic commodities whenever the composite price of that unit falls below a stated minimum. Eventually, the

complete unit is sold—when the composite price advances above a stated maximum.

The second feature is the use of the stockpile of complete units as backing for international money in the same way that gold now backs most currencies—in fact one version of the plan advocates combining these two physical bases into a monetary reserve, 40 percent in gold and 60 percent in complete commodity units.

The great advantage of CCR is that it makes the composite stockpile self-financing, since it generates the money to pay for itself. Other buffer-stock schemes have no way of guaranteeing that the necessary funds will always be available.

Should any of these plans be adopted, the United States, with its large and growing stockpiles of strategic materials and farm products, would play a major role. Not only would it wield considerable financial power, but American raw material users would be eager to operate on a basis of reasonably stable prices.

The next question, then, seems to be: What effect would each of the plans have on the United States economy?

INTERNATIONAL COMMODITY AGREEMENTS

Originally made between groups of private producers, such agreements have covered a wide variety of commodities. The commonest criticism is that they are a form of cartel.

Most governments—faced with serious declines in raw material prices—have been more or less compelled to take a chance with ICA. In 1946 a charter was drawn up at Havana for an International Trade Organization but failed to win ratification. However, Chapter VI was incorporated into the General Agreement on Tariffs and Trade (GATT) under which most of the free world now operates. The authors of Chapter VI knew from past experience that ICA might be used to keep prices higher than they should be. To prevent this, they proposed that consuming nations should have equal representation with producing nations on the controlling body.

This led to the International Wheat Agreement, which the United States joined in 1949, along with 44 other nations. When the Wheat Agreement came up for renewal last year, some of the consuming nations—noting the enormous world wheat supply—objected to placing what they considered a high floor under the price of wheat. (The renewal set a maximum price of $2.05 and a minimum of $1.55.) Britain, the chief importing nation, refused to agree to an extension on these terms and Italy failed to validate the signature of its representative.

Despite this typical example of a consuming nation willing to go along with ICA in times of scarcity but balking when markets are oversupplied, strenuous efforts are still being made to put agreements covering other commodities into operation.

The current sugar agreement covers only the free market, which means that it excludes the important United States as well as some other areas covered by special arrangements. An International Tin Agreement (including a buffer-stock provision) was concluded last December but is not yet in operation. Negotiations are now being held on the subject of cotton, natural rubber and wool.

The chief objection to ICA, made in a study done by the Food Research Institute of Stanford University, is that the agreements bear a strong resemblance to cartels. The Institute doubts whether special rules can be devised to prevent domination of ICA by the producing nations, which will use the agreements to maintain high prices on a commodity when the supply and demand situation calls for a lower valuation. Apparently the British think the wheat producers are trying to do exactly this.

The United States, by joining the Wheat Agreement, has given some support to the principle of ICA, but opposition within the Government is growing. Washington's main objection seems to be that, by furthering a cartel setup, we are creating the opposite of a free enterprise society and are, in fact, limiting production and marketing without doing anything to stabilize prices in the long run.

The U. N.'s Committee of Experts is not enthusiastic about ICA for three main reasons.

First, it would be extremely difficult to reach separate agreements on a dozen or more commodities.

Second, multi-commodity buffer stocks would require a large amount of continuous financing.

Third, the committee says, "the management of their price policy would be by no means easy," which in view of recent British objections to the Wheat Agreement, ranks as a classic understatement.

COMPOSITE COMMODITY RESERVE

In its report to the General Assembly, the committee of experts having expressed doubt of the soundness and practicality of the ICA concept, then takes up the Composite Commodity Reserve (CCR)—a proposal that has been endorsed by so conservative an economist as F. A. Hayek.

In Hayek's view, the scheme is mainly an extension of the philosophy and technique of the gold standard. The difference is that CCR would cover a wide range of basic commodities instead of a single precious metal with only a limited relationship to the overall economic process. According to Hayek, the world's production and trade would benefit by extending to raw material producers generally the great advantages now enjoyed only by those lucky enough to own gold mines.

At the same time, world money would also be strengthened by having behind it balanced commodity reserves which would bear an intrinsic value and utility at least equal to that of gold. In effect, CCR would be sharing the wealth by giving commodities which are produced by many nations a fairly constant value.

All of this strongly appeals to Hayek. Stanford's Food Research Institute, on the other hand, is attracted by the flexibility of the plan with regard to individual commodities. It feels that CCR provides general price stability without restricting the prices of single commodities, and thus avoids the pit into which ICA falls when it attempts to protect the price of a commodity from changes in the economic picture.

To the U. N.'s Committee of Experts the best feature of CCR is the solution it offers to the problem of financing.

It is one thing to favor the principle of buffer stocks—the "Joseph-in-Egypt" or "Ever-Normal-Granary" techniques—as all the recent studies have done. It is quite another matter, however, to fund enough money to pay for a large international stockpile system that would act as insurance against a financial breakdown at a critical stage in the business cycle.

The commodity "units" will pay for themselves, just as a government's gold reserve does, because for each $1,000 worth of units acquired by the central agency there will be a corresponding increase of $1,000 in the world's money. These units can be regarded as deposits (credits) in the name of the contributing countries on the books of the International Monetary Fund, which is suggested as the most suitable agency to administer the plan.

But, simple as the composite commodity reserve may sound, its future still depends mainly on the attitude of the United States. So far we have objected (and thereby killed) various schemes aimed at improving the world's economy because we tend to interpret such measures as drafts on our Treasury.

Because it does not involve substantial costs to the Treasury, CCR may be able to overcome the objections the United States has had to other stabilization plans. The factor of cheapness should attract political support. In fact, CCR would permit the United States, if it chooses, to convert part of its huge stockpiles of agricultural and mineral products into money, and thus reduce the budget and the public debt—a claim no other plan can make.

In addition to these sizable benefits, CCR would make a start at solving our domestic farm problem by setting a permanent basis of flexible prices for individual products while the overall price structure remained stable.

And United States industry would reap a further gain from CCR. Instead of settling our export balance with weak foreign currencies (or nothing at all), as we are now forced to do, the Government would receive for most of the balance a gold equivalent in the form of an international currency backed by basic raw materials.

But CCR has a meaning for Americans apart from its importance to our role as the foremost creditor nation. The United States now holds the largest buffer stocks of assorted materials in the world. At the end of June 1953 we had stockpiled (or ordered) $5.5 billion worth of strategic materials, most of which came from abroad. In addition, we had another $5 billion worth of agricultural commodities grown in the United States.

Our Government has been moving in opposite directions as it built these enormous surpluses. Abroad, it has been trying to acquire large supplies of strategic materials at the lowest possible price, but at home it has been operating a support program based on acquiring only what is needed to keep prices high.

Political considerations being what they are, the administration is now suggesting that we merge part of our farm surplus with our military stockpile in a combined security reserve. These holdings would be insulated from the market, which should remove some of the pressure from the farm-support program by lowering the supply available to commercial users.

This may mean that, in a peculiar fashion, we are backing into accepting the CCR concept, since the suggested merger of industrial and agricultural products into one giant stockpile would go a long way toward creating complete commodity units. These would be available as a basis for international money and, if CCR were operating, would also be both self-financing and potentially self-liquidating.

FAMINE FOLLOWS GLUTS

As was pointed out before, periods of commodity surpluses have always been followed by shortages. Under CCR when a shortage (usually caused by crop failure or war) occurred, commodity reserves would flow back into consumption through regular purchases in commercial channels, and the payment received (by the IMF) would be used to cancel the deposit credits originally issued against the reserves. This would complete the cycle of currency creation and liquidation.

It is possible to get a good idea of how the plan would work by applying CCR to the American stockpile. If the United States joined CCR, we could, by turning part of our present basic commodity holdings into composite units, convert them into monetary credits carried in our name on the books of the IMF.

The transfer of ownership would mean no loss of physical control, since the commodities would constitute the backing for currency claims held by us and it would be consistent to keep this backing within our own borders, as we now do with the IMF's gold holdings. In case of war or any other emergency we could quickly reestablish ownership by surrendering our money claims

in exchange for the actual commodities—just as we now surrender dollars for gold.

After thoroughly weighing all of these considerations, the U. N.'s Committee of Experts recommended the establishment of a new U. N. agency—the Trade Stabilization Commission—which would consider various stabilization proposals in detail and make recommendations to the U. N's Economic and Social Council.

One of the basic problems such a commission will have to study is the relative merits and difficulties of CCR and ICA. It is probably safe to say that, in operation, the CCR concept would run into many of the difficulties faced by ICA; the difference is that by putting commodities into a single unit and giving that unit a monetary value, we would obviate the need to work out a lot of price ranges and national quotas.

CCR's adherents feel that, in general, it would bring about an essential reform of the world's money. However, when the rough idea was put forward some years ago, the late Lord Keynes (and some others) felt there would be political difficulties involved in imposing stability from without on unwilling nations.

Backers of CCR reply that the plan imposes on no nation that doesn't want to be imposed upon. What it does is guarantee that basic commodities (as a whole) will have a fixed value in terms of an international currency—a system that corresponds to the fixing of an internaitonal value for gold. Individual nations can accept or reject the results of that stability.

The commodity producing nations that seek internal stability would not be constantly harassed by the feast-or-famine conditions under which they now must make their perilous way toward solvency. On the other hand, nations which feel they should enjoy some of the temporary comforts of inflation or practice the austerity of deflation would be free to pursue whatever fiscal and monetary policies they chose.

American manufacturers would be better able to estimate their production costs because the world economy would be less likely to undergo extreme swings. Some producers of particular commodities, however, among them American farmers, are not likely to welcome a plan that offers them only general price stability and fails to protect them from overproduction.

Oddly enough, understanding of the real problem that CCR attempts to solve starts precisely here: General stability is a sound concept because it assures a healthy economy; individual price freezing is unsound because it ignores supply and demand.

LESS AID REQUIRED

It is perfectly true that weak commodities may still need aid even after general instability is eliminated, but they will need less of it. A healthier economy will have fewer disastrous declines, and the proper type of assistance can more readily be seen and agreed upon when viewed in the framework of a stable and expanding economy free from heavy political demands for Federal aid.

There is still another obstacle for CCR to overcome. The business world is now extremely leary of building up big inventories. Because of this, some businessmen will naturally regard a commodity reservoir as an addition to commercial stocks and, therefore, as a potential threat to prices and prosperity.

But CCR poses no such threat. What it does is recognize the fact that commodity supplies above ground can be as beneficial to the world as natural resources below ground—provided they are insulated from commercial markets and handled so as to promote balanced expansion without costing huge sums in gold-backed currencies. CCR would be a boon to the United States businessman because, by stabilizing raw material prices, it would increase prosperity and enable underdeveloped nations to buy more manufactured goods.

HOW THE COMMODITY RESERVE WOULD OPERATE

A commodity unit, or market basket, would be established, consisting of a group of basic storable materials, in quantities that reflect their relative importance to world production and trade. A price level would also be established, around which the value of the composite unit would be stabilized. The table on page 50 shows a $1,000 unit which consists of 20 major commodities. Half of the quantities are based on world production, half on world trade, in 1950. The price level given is also that of 1950; i. e., the stated quantities of all the components, taken together, had an average market value of $1,000 in that year.

An agency of the International Monetary Fund—such as an international commodity corporation—would stand ready to acquire, at 95 percent of their base value, complete units whenever they were available. It would sell complete units whenever their combined quotations on the world markets rose above 105 percent of the base. The units would be paid for by credits on the books of the fund. These would add correspondingly to the hard-currency resources of the central banks of the countries contributing unit components. (Private sellers would be paid just as they are now paid for other exports.) When the commodity units were sold out the financial transactions would be reversed, and a corresponding reduction would be made both in the commodity assets and in the deposit liabilities of the fund.

Suitable provision would be made for economical storage of the commodity units, the costs to be met out of the 10-percent margin between the buying and selling points, and by other arrangements. Countries holding deposit credits with the fund would have the privilege of retaining equivalent values in complete units, as agents of the corporation, or of taking over such units in exchange for their money claims. The composition of the unit would be changed from time to time, in accordance with an agreed-on technique, to reflect changes in the relative importance of the commodities.

How the basket would be valued

Commodity	World production (thousands of metric tons)	World exports (thousands of metric tons)	Quantity in $1,000 unit (kilograms)	1950 value of component
Agricultural:				
Rice (milled)	98,100	4,230	1,278	$145
Wheat	143,100	16,900	2,000	136
Corn	130,800	4,250	1,690	94
Cotton (raw)	5,410	20,800	102	81
Sugar (raw)	30,400	8,800	490	63
Wool (greasy)	1,650	1,240	36	55
Coffee	2,190	1,780	50	47
Barley	46,100	2,600	609	36
Rubber (natural)	1,890	1,860	48	30
Peanuts (shelled)	7,000	840	97	11
Copra	2,530	1,490	50	10
Jute	1,460	1,150	33	8
Total	470,730	47,940	6,483	716
Industrial:				
Crude petroleum	486,000	133,350	7,750	113
Pig iron	113,100		1,414	68
Wood pulp (chemical)	20,400	4,650	313	41
Wood pulp (mechanical)	11,700	1,020	159	18
Copper	2,270	1,440	46	20
Zinc	2,110	460	45	9
Lead	1,550	780	29	8
Tin	170	130	4	7
Total	619,300	141,830	9,760	284
Grand total	1,090,030	189,770	16,243	1,000

The source of this information is the Statistical Office of the United Nations, as presented in Appendix A of the Committee of Experts' Report. Figures for Russia are excluded from production totals, and Soviet bloc figures from export totals.

The 1950 value of total world production was $96 billion; exports equaled $14 billion. Consequently, to find the quantity of each component in a $1,000 unit, we divide the combined total of production and exports by 80 million.

Example: For wheat, production plus exports came to 160 million metric tons. This, divided by 80 million, gives 2,000 kilos, which is the wheat component in the unit. Wheat production and exports totaled $11,680 million. This, divided by 80 million, gives $136—the 1950 value of the wheat component—which is equivalent to $1.85 per bushel figured on the basis of current wheat prices.

UNITED NATIONS PERMANENT ADVISORY COMMISSION ON TRADE STABILIZATION

Mr. MALONE. Mr. President, the report of the Minerals, Materials, and Fuels Subcommittee included a recommendation which I shall read to the Senate. It is recommendation No. 12 and appears on page 4 of the report of our committee.

We recommend rejection of international controls of production, prices, and supplies of critical and strategic materials unless by legislative action by the Congress of the United States (p. 4, report).

Mr. President, this recommendation is based on the analysis of the testimony before the committee by the Assistant Secretary of State for Economic Affairs, Samuel C. Waugh, and by Dr. Klaus Knorr, an associate professor at Princeton University, who served as a member of a committee of experts appointed by the Secretary General of the United Nations. These hearings were held on May 26, after the meeting of the Economic and Social Council of the United Nations in New York, last April. I asked Secretary Waugh and Dr. Knorr to appear before our committee, as it appeared that United Nations proposals would reestablish the International

Trade Organization and the International Materials Conference under a new name.

The subcommittee held exhaustive hearings on the International Materials Conference, starting in October of 1953. Additional hearings were held in January of 1954. The testimony received is contained in part 4 of the hearings of the subcommittee. This testimony shows conclusively that the now disbanded IMC was based on the economic thinking of chapter 6 of the Habana Charter, which would have established the ITO if the Congress had not intervened. During the course of these hearings, our committee first learned of the report by the committee of experts appointed by the Secretary General of the United Nations entitled "Commodity Trade and Economic Development." The entire report appears in part 5 of the subcommittee's hearings starting on page 127. This report was made pursuant to Resolution 623 of the Seventh Session of the United Nations General Assembly. This resolution directed that a study be made by a group of experts. Mr. President, I shall now read the terms of reference under which the experts operated:

The General Assembly—

1. Recommends to member states that—

(a) Whenever governments adopt measures affecting the prices of primary commodities entering international trade, they should duly consider the effect of such measures on the terms of trade of countries in the process of development, in order to insure that the prices of primary commodities are kept in an adequate, just, and equitable relation to the prices of capital goods and other manufactured articles so as to permit the more satisfactory formation of domestic savings in the countries in the process of development and to facilitate the establishment of fair wage levels for the working populations of these countries with a view to reducing the existing disparity between their standards of living and those in the highly industrialized countries;

(b) Without prejudice to the recommendation contained in subparagraph (a) above, their governments should give serious consideration to all other aspects of the problem of undue fluctuations in the terms of trade. * * *

2. Recommends that governments cooperate in establishing multilateral as well as bilateral international agreements or arrangements relating to individual primary commodities as well as to groups of primary commodities and manufactured goods, for the purpose of:

(a) Ensuring the stability of the prices of the said commodities in keeping with an adequate, just and equitable relationship between these prices and those of capital goods and other manufactured articles;

(b) Safeguarding the continuity of the economic and social progress of all countries, those producing as well as those consuming raw materials;

3. Recommends that the countries in the process of development should adopt and give effect to national programs of integrated economic development conducive to the rational utilization of the proceeds of their primary activities, the absorption of their surplus active population and the improvement of their standards of living. (P. 130, pt. 5, of Malone hearings.)

The experts labored with this assignment, and came forth with a report which was released early in 1954. Mr. President, let me now read what the experts proposed:

273. It seems to us that there is at present no effective international procedure for discussing and proposing action on the general problem of stabilization—a matter which transcends the problems of particular commodities. The present organization is directed toward piecemeal action, commodity by commodity. We do not think that this is sufficient; a general and simultaneous approach to the problem of stability in its many aspects is required. It is possible that a gap in international organization has here arisen unintentionally, through the absence of an international trade organization as envisaged in the Havana Charter.

274. We therefore propose that the Economic and Social Council should establish an intergovernmental commission, which we will refer to as the Trade Stabilization Commission. In order to provide permanent representation for the most important trading countries and an adequate rotation of representation for the others, it would probably be necessary to have 8 or 9 member governments. The Commission would meet whenever it thought fit, but we envisage that it would be necessary to have meetings for a number of weeks several times a year. The Commission's work would stand or fall by the high quality of the representatives appointed by governments; but we think it important also that the representatives should be free to undertake serious and continued work, not limiting their service on the Commission to infrequent brief meetings. (P. 211, pt. 5.)

278. The work of the Commission would involve exchanges of views between governments on possible types of action to which they may not wish to appear publicly committed; and there is a very real risk that premature knowledge of the Commission's deliberations would produce harmful effects in the commodity markets. We therefore recommend that, contrary to usual United Nations practice, the Commission should meet in closed session except when it decides otherwise. We would expect that, in addition to the formal meetings, occasions would be required for informal exchanges of view among the representatives of the member governments, meeting in private." (P. 212, pt. 5.)

Mr. President, in simple words, these experts proposed a new organization to replace the repudiated ITO which could deliberate in secret. According to the experts, the reason for secret meetings is to enable governments to exchange views on types of actions to which they may not wish to appear publicly committed.

The junior Senator from Nevada was shocked at these proposals and accordingly followed the deliberations during the course of the meetings of the Economic and Social Council of the United Nations in New York last April with great interest. He was gratified that the new United States representative, Mr. Preston Hotchkis, maintained a firm position of unqualified opposition to the creation of this new United Nations group. In due course a resolution was presented to establish a permanent advisory commission on International Trade Stabilization. The actual organization of this body was to be postponed until the 18th session of the Economic and Social Council which is now meeting in Geneva. The United States was joined in opposition by four other nations, the United Kingdom, France, Belgium, and Norway. Twelve nations voted against us on that resolution. They included the Argentine, Free China, Cuba, Czechoslovakia, Ecuador, Egypt, India, Pakistan, Turkey, Soviet Russia, Venezuela, and Yugoslavia. The Australians abstained from voting.

When Secretary Waugh appeared before our committee, I asked him what position the United States would take at the meeting in Geneva. He assured me that the position taken by Mr. Hotchkis in New York would be maintained.

Mr. President, I am happy that this has turned out to be the case. However, in spite of United States opposition in what is described as the most bitter debate before this session of the Economic and Social Council, it was decided to proceed with the organization of this group. In April at New York, the United Kingdom, France, Belgium, and Norway stood with us. In August at Geneva, only the United Kingdom and France voted with the United States.

Mr. President, I now wish to read a dispatch to the New York Times from Geneva by Michael Hoffman dated August 4, 1954:

COMMODITIES UNIT VOTED BY UNITED NATIONS BODY—UNITED STATES, BRITAIN, FRANCE VAINLY OPPOSE CONSULTATIVE TRADE GROUP'S FORMATION

GENEVA, August 4.—Over the strenuous opposition of the United States, France, and Britain, the United Nations Economic and Social Council voted today to establish a permanent consultative commission on international trade in commodities.

After the most bitter debate of this session, the council adopted by 12 votes to 3 an Argentine resolution to start at once to set up an 18-nation commission with powers so broad that nobody in the council purports to understand fully just what it will do.

The one thing clear to most observers is that the commission is looked upon by the Latin American countries and other countries heavily dependent on raw material exports as a means of putting pressure on the richer industrial nations to stabilize raw material prices at levels regarded as satisfactory by the producing countries.

Some United States officials regard the commission as the worst thing the United Nations could have done to antagonize business interests in the more advanced countries and to strain relations between the underdeveloped and highly developed countries.

PROVISIONS FOR REPRESENTATION

The commission is to be elected by the Council. There are elaborate provisions insuring wide geographical representation, rotation of members and participation of interested nonmember states on matters of concern to them.

The commission is supposed to maintain relations with all other organizations having anything to do with its field—which means almost every international organization of an economic nature. It is also supposed to make its influence felt through recommendations transmitted through the Secretary General of the United Nations.

The United States has twice stated that it will not serve on the commission even if elected. But it appears certain to be elected. Britain probably will name a representative, although it opposes the whole idea as impractical and dangerous.

The industrial countries hope that the commission will bog down in vague debates.

Walter Kotschnig, a United States delegate, said today that, by its terms of reference, the commission could presume to take over everything the Council itself is supposed to do in the international economic field, interfere with the Food and Agriculture Organization, and complicate immeasurably other existing machinery for economic cooperation.

The one serious modification opponents got into the Argentine resolution was a clause saying that the contracting parties to the General Agreements on Tariffs and Trade (GATT), the governing body of the existing system of international trade "rules of the game," should have a chance to look at the problem supposed to be dealt with by the new commission.

If the GATT countries can find some way to satisfy the underdeveloped countries' demands for special attention to the problems, some international officials think, the Advisory Commission in International Commodity Trade may never see the light of day.

Mr. President, our representative stressed that even though the United States were elected to this new commission we would not serve. I want to commend Mr. Hotchkis and the Secretary of State for these statements. My purpose in bringing this matter to the attention of the Senate is to make certain that we will not modify this position. In keeping with the recommendation of the Minerals, Materials, and Fuels Subcommittee, no agreements arrived at by such a commission should be binding on this country except through legislative action by the Congress of the United States. The group in Geneva who voted against the United States do not contemplate that their proposals will be submitted to this body.

Mr. President, Dr. Knorr, one of the United Nations experts who appeared before the subcommittee and who was 1 of the 5 authors of the United Nations report, stated that he had accepted the assignment with the United Nations as he believed he could perform a useful service if he could talk them out of some of the ideas which they seemed to have. Mr. President, let me read from page 290 of the report of the subcommittee:

Senator MALONE. You mean that your conclusions did not coincide with what they had in mind?

Mr. KNORR. Did not coincide with the majority in the General Assembly, that wanted this report written. I think that is true. You have already read this once briefly, but I read just the main passage here:

"The General Assembly * * * recommends to member states that—

"(a) Whenever governments adopt measures affecting the prices of primary commodities entering international trade, they should duly consider the effect of such measures on the terms of trade of countries in the process of development, in order to insure that the prices of primary commodities are kept in an adequate, just, and equitable relation to the prices of capital goods, and other manufactured articles, so as to permit the more satisfactory formation of domestic savings in the countries in the process of development, and to facilitate the establishment of fair wage levels for the working populations of these countries."

Now the key words are "adequate, just, and equitable relation," which occurs in several other passages of the Assembly resolution.

In other words, it was quite clear to me that what they wanted the committee of experts to do is to tell them how to set up an international parity scheme of the kind that we have in the United States for domestic farm products.

I think this was quite clearly the intention of the Assembly, and, in fact, one of the reasons, and I think probably the main reason that moved me to agree to be a member of this committee was that I thought it would be a good idea to talk them out of it, if I could, because I do not believe in such a system. I do not believe in it particularly for the United States, and certainly not as an international scheme.

Senator MALONE. You do not believe in it for what particular reason, if we could enlarge on it? Because it was impossible or because it is just impractical?

Mr. KNORR. Well, in this international field——

Senator MALONE. In the international field?

Mr. KNORR. I think it is totally impractical. I think quite clearly most nations would not have anything to do with it and most nations would be right in coming to that sort of conclusion, because what you would be doing then would be transferring income from the wealthier countries to the poorer countries. Maybe for certain purposes this should be done, but let us then do it openly and aboveboard. Let us not do it by monkeying around with markets.

Dr. Knorr further testified that the proposal adopted was not what he had in mind when the report was prepared and he thoroughly approved of the decision of the United States Government in refusing to vote affirmatively for the resolution presented at the meeting of the Council. The following is taken from the transcript:

Senator MALONE. Now let us get to this thing that you helped build. Now should we have an agreement, and what should be the provisions of this international agreement with which we did not agree? Now we had the State Department officials here, and I think they are entirely right, and I complimented the Assistant Secretary this morning on the vote that his man cast. But do you think we should have voted against it?

Mr. KNORR. I think it was entirely right for the United States to vote against it. I would have advised the United States Government to vote against it if I had been asked.

Senator MALONE. You think it would injure us to enter into such an agreement?

Mr. KNORR. I don't think it would injure the United States. I cannot really quite see that it would injure the United States very much, but, it not being in the United States interest to do it anyway, I would advise the United States Government not to do it.

Senator MALONE. You do not think it is in our interest?

Mr. KNORR. No. And what is not in the United States interests should not be done by the United States Government.

Senator MALONE. God bless you for that statement (pp. 290–291, report).

Mr. President, the State Department believes that this new Commission will complicate existing machinery for economic cooperation and may well take over everything else contemplated for the Economic and Social Council. This follows the pattern of the International Trade Organization set up in the Habana Charter which could easily have taken over all of the activities and functions which have now been picked up by this group. I will not take the time of the Senate to review the International Trade Organization in detail. However, let me remind the Senate that the Habana Charter originated from proposals made by the State Department of the United States in 1945 in a document known as Proposals for Expansion of World Trade and Employment. This document appears as an exhibit on page 338 of part 4 of the hearings of the subcommittee. These proposals included a number of chapters, chapter 3 of the original proposals on general commercial policy are now the basis of GATT, the General Agreement on Tariffs and Trade. Chapter 4, relating to restrictive business practices now provides the basis for the United Nations ad hoc committee on restrictive business practices operating under the United Nations Economic and Social Council. Chapter 5 of the original proposals later became chapter 6 of the Habana Charter. This chapter laid the basis for international commodity agreements. Such agreements have been condemned in both the majority and minority reports of the Randall Commission. The one point of foreign trade policy on which both the majority and minority agreed was that the United States should no longer support such agreements.

Mr. President, I am happy that the State Department refused to ratify the tin agreement in keeping with this recommendation. The establishment of this proposed United Nations Commission would lead us back down the road toward such international agreements.

Mr. President, the distinguished senior Senator from Michigan, Senator FERGUSON, first brought the activities of the International Materials Conference to the attention of this body in January of 1952. He referred to the IMC as a cartel to be operated against the consumers of this country. The IMC operated without congressional sanction and was responsible for great distress in this country. It now behooves us, before this new commission has an opportunity to organize itself into a cartel designed to operate against us, to make our position completely clear. It is important that the Senate realize that suggestions have been made by representatives of some countries before the Economic and Social Council that the United States synthetic rubber plants be closed, and that restrictions be placed on the development of other synthetic materials which compete with natural products produced in foreign countries. Some raw material producing countries have objected strenuously to United States plastics which displace hides and leather and to fabrics such as nylon and orlon which displace silk and wool.

The distinguished minority leader, the senior Senator from Texas, was the chairman of the Preparedness Subcommittee of the Senate Armed Services Committee during the 81st and 82d Congresses. The country owes him a debt of gratitude for the work of that committee. The second report of that committee dated November 20, 1950, reports its activities in forcing the adoption of a synthetic rubber program which not

only produced a stockpile of this vital material, but prevented natural rubber producers who were supposedly our allies in Korea from extorting unconscionable prices from the United States. These same rubber producers have been attempting without success to secure the adherence of the United States to a new rubber agreement which, like the tin agreement, would cost the United States' consumers untold millions of dollars. The senior Senator from Texas, in the report of his committee released March 5, 1951, showed how the tin producers in southeast Asia, the same areas which produced the natural rubber, had raised the price of tin to take advantage of the defense emergency. The Preparedness Subcommittee recommended that the United States cease purchasing tin and as a result, the price of tin dropped from $1.90 to $1.03 per pound. The senior Senator from Texas, as reported in the CONGRESSIONAL RECORD, volume 99, part 2, page 2064, stated:

It has been estimated that this action has saved the American Treasury at least a half billion dollars.

Mr. President, I am trying desperately to prevent the United Nations establishing this new, supposedly legal, cartel to undo the work of the committee headed by my good friend, the senior Senator from Texas.

One more comment on the work of the Preparedness Subcommittee. Its 27th report, released July 5, 1951, dealt with the critical shortage of tungsten. When General Van Fleet returned from Korea in 1953, he showed that we were short of ammunition throughout the entire Korean conflict. Mr. President, I ask unanimous consent that the following, which is taken from pages 175–177 and 225 of part 4 of the hearings of the Subcommittee on Minerals, Materials, and Fuels be printed in the body of the RECORD at this point.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

Senator MALONE. I will ask that the document identified as IMC 61, which recommends that stockpiling be held in abeyance, and that we should continue to stabilize world prices and allocate supplies through the IMC be placed in the RECORD at this point:

"MEMORANDUM (IMC NO. 61)

"MAY 1, 1951.

"To: E. T. Gibson, Acting Administrator, Defense Production Administration

"From: J. H. Critchett, National Production Authority

"Subject: Tungsten

"The situation surrounding the United States supply of essential tungsten is approaching a desperate situation, as is shown briefly by the following tabulation:

	Pounds per month
Present controlled usage per month without substantial military demand	1,275,000
Add special military need (primarily HVAP shells)	200,000
Requirements	1,475,000
United States production	400,000
Deficit	1,075,000
Estimated free world stimulated production except United States	1,760,000

"These figures simply indicate that we need about 60 percent of all free world tungsten, a percentage we probably will not be able to obtain but certainly will not even approach under the present purchasing conditions.

"As a matter of fact, under present conditions foreign tungsten is not coming to the United States. Assuming internal price blocks are removed, all commercial inventories in this country will be consumed in June. In July, therefore, we will be faced with cutting usage to the United States production—less than one-third the current rate—which is not sufficient to supply cutting tools and electric-light bulbs alone, leaving nothing for essential uses, such as oil-well drilling, steel forgings, contact points for electrical systems, and numerous other uses.

"In the face of this, we recommend—

"(a) That there be set up a Government purchasing agency able to pay any needed price for imported tungsten and resale of this tungsten to commercial users at United States ceiling prices. Such an agency hopefully might be able to buy 700,000 to 800,000 pounds per month at a cost of perhaps $5 per pound. With resale at about $4 per pound this would leave a net cost of $800,000 per month or about $10 million per year.

"(b) That purchases be made of any usable grade of ore irrespective of whether or not it meets present stockpile specifications.

"(c) Such an agency should, in addition to buying, have power to assist foreign mining expansion with loans against deliveries by entering into 3- to 5-year firm contracts on mine output and such other means as seem appropriate.

"(d) This agency should use all available present dealers and importers of tungsten to further speed up its actions.

"(e) Stockpiling of further quantities of tungsten should be held in abeyance until immediate needs are better supplied and future deliveries make resumption possible.

"(f) We continue negotiations on the international level with United States policy seeking to allocate equitably the available international supply and in the hope of stabilizing world prices.

"J. H. CRITCHETT."

Senator MALONE. Mr. Evans, does this document, then, in your opinion, show that the IMC, the International Materials Conference, was not operating as a cartel as it fixed maximum and minimum prices and controlled the supply of tungsten? Are you familiar with this document?

Mr. EVANS. I am not familiar with it. It is not one of those that we provided to you. I don't know what the document is or who it is written by.

Senator MALONE. And you have no knowledge of any of this kind of work going on?

Mr. EVANS. I can't know, sir, anything about that document. I don't know who wrote it. I don't know to whom it was addressed.

Senator MALONE. Do you know anything about it, Mr. Secretary?

Mr. MORTON. Sir, I think if we could have been told the documents that were going to be introduced, we could have brought them or found them or gotten copies of them ourselves.

Mr. ADLERMAN. I think Mr. Winant has copies of each one of those documents.

Mr. MORTON. I am speaking of the State Department.

Mr. ADLERMAN. I think you worked together on these. I know Mr. Armstrong and Mr. Winant were consulting together on these documents. I think they were aware of the documents that we asked for.

Mr. Evans. We do not even know what documents were referred by Mr. Winant.

Senator MALONE. I will read another paragraph to you, which might be enlightening. If you have never heard of it, read the record afterward.

Mr. EVANS. May I ask who the document is from and how it is identified?

Senator MALONE. It is to Mr. E. T. Gibson, Acting Administrator, Defense Production Administration, from J. H. Critchett, National Production Authority. Subject: Tungsten, dated May 1, 1951. That was a very eventful year.

The situation surrounding the United States supply of essential tungsten is approaching a desperate situation, as is shown briefly by the following tabulation—which I will not read at this time, because I am asking that it be made a part of the record; as long as you are not familiar with it, you will no doubt have a copy of the record and it may be of great interest to you—stockpiling of further quantities of tungsten should be held in abeyance until immediate needs are better supplied and future deliveries make resumption possible.

I will also say to you, Mr. Evans, in case you have never heard—and I hope you acquaint yourself with the facts—that this committee already has in the record, and intends to complete it more fully, that there is enough tungsten in the United States to last this country for a hundred years if a principle might be adopted under which the domestic operators could operate and pay the difference in the wages between Burma and China and other nations which pay lower wages, than the wages in this country.

If that is news to you, I hope you will make it a point to study the tungsten situation.

Mr. WINANT. Perhaps I should not speak from the sideline, but that paper was written in our office, and it was a proposal by Critchett to Gibson.

Senator MALONE. Will you move right up to the table, Mr. Winant? This is all one big family, and we will allow you to take your turn.

Do you understand this document?

Mr. WINANT. Not too well, sir. It was at a time when they were desperately seeking tungsten.

Senator MALONE. Who was?

Mr. WINANT. The United States Government.

Senator MALONE. What, in your judgment, put us in a position of desperately trying to seek tungsten in the United States of America?

Mr. WINANT. The answer would be in the defense requirements, where they used a lot of tungsten in an armor-piercing shell, a very great quantity of tungsten.

Senator MALONE. Would it have anything to do with the policy for many years preceding that event, when every effort was made to favor foreign producers over domestic producers?

Mr. WINANT. On that score, sir, I can't add anything.

Senator MALONE. You are not familiar at all with the availability of tungsten supplies in this Nation or any other, as a matter of fact?

Mr. WINANT. All I know is that in 1950 we got very large supplies from China and Korea. Apparently it had backed up on them out there, and we were getting pretty close to war at that time. Our procurement people, I take it—anyway, we managed to bring in a very heavy supply of imported tungsten.

Senator MALONE. We were not producing very much tungsten at that time in the United States or in nearby countries, were we?

Mr. WINANT. I can't answer that, sir, except I do remember that 1949 was rather a slack year, and I take it production fell off on that account (pp. 175–177, pt. 4).

JANUARY 3, 1952.

To: OMP, Mr. Armstrong.
From: MMS, Mr. Bramble.
Subject: Experience of the United States as a member of the Tungsten-Molybdenum Committee on the International Materials Conference.

You have requested a comparison of United States experiences in regard to tungsten and molybdenum supplies prior to and under the IMC arrangements.

Attached are two tables prepared by Mr. Geehan of the Department of the Interior at the request of Mr. Fitzgerald of DPA on this same subject. It is Mr. Geehan's opinion as well as our own that these statistics ought not to be used either to attack or justify the United States participation in the IMC, and that such justification ought to be based on other and broader considerations.

On the surface one could conceivably argue that under the IMC the United States has obtained its largest share (82 percent) of molybdenum to date, for we received only 69 percent in 1949 and 70 percent in 1950. When it is remembered, however, that we produce over 90 percent of the free world's supply of molybdenum it can be argued also that without the IMC we could have received an even larger share—the whole 90 percent—if there were no exports at all. During the second quarter of 1951, before the IMC came into full operation, we received 93 percent of the total supply. This is obviously an extreme and unsound position, particularly so in view of our political objectives, the MDAP, etc.

It can also be argued on the basis of the attached tables that we are receiving a smaller percentage of the free world's supply of tungsten (52 percent) under the IMC than we did in 1950 (73 percent) or in 1949 (55 percent). Most agencies having an interest in the question are convinced that if there were no IMC and if the United States were to bring its full purchasing power to bear it would easily outbid all other countries for the lion's share of the free world's tungsten production.

But this argument assumes free prices—and such a procedure would undoubtedly drive prices even higher. During the third quarter, 1951, the Tungsten-Molybdenum Committee included a recommendation for a $65 ceiling price along with its allocation recommendation. It has not made any formal ceiling price recommendation for succeeding quarters. Consuming countries which are members of the IMC are presently taking the position that they will not pay more than $60. It is thus likely that the United States is obtaining as large a share of tungsten as is possible without driving the price up. That the price is now around $65 (compared with a price of around $28.50 pre-Korea) can be partially explained in terms of our own $63 domestic floor price production expansion scheme and our $65 ceiling price.

In view of the many uncertainties involved, it seems likely that a better defense of our membership in the Tungsten-Molybdenum Committee can be made on political grounds and in general terms that on the basis of a statistical analysis such as that contained in the attached tables.

Mr. MALONE. I ask unanimous consent that the table on tungsten and molybdenum production be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

United States consumption and free-world production of tungsten and molybdenum

[Thousands of pounds, metal content]

	Molybdenum	Tungsten
4th quarter, 1951:		
Total free-world supply	10,780	7,154
United States allocation by IMC	8,031	3,318
Percent of free-world supply	74.8	46.4
Received by United States	[1] 7,985	[1] 3,146
Percent, receipts, of free-world supply	[1] 74	[1] 44
1949:		
Domestic production	22,530	2,896
Net general imports	−5,945	+6,833
Total supply	16,585	9,729
United States percent of free world	69	[2] 55
1950:		
Domestic production	28,477	4,039
Net general imports	−7,030	+9,405
Total supply	21,447	13,444
United States percent of free world	70	[2] 73
1951:		
Domestic production	[1] 38,911	[1] 5,746
Net general imports	[1]−4,925	[1]+6,082
Total supply	[1] 33,986	[1] 11,828
United States percent of free world	[1] 82	[1] 52
1951, 1st quarter:		
Domestic production	9,673	1,336
Net general imports	−1,230	[3] +1,231
Total supply	8,443	2,567
United States percent of free world	[1] 84	[1] 56
1951, 2d quarter:		
Domestic production	9,850	1,430
Net general imports	−390	[3] +1,031
Total supply	9,460	2,461
United States percent of free world	[1] 93	[1] 52
1951, 3d quarter:		
Domestic production	9,788	1,480
Net general imports	−1,690	[3] +2,174
Total supply	8,098	3,654
United States percent of free world	78	58
1951, 4th quarter:		
Domestic production	[1] 9,600	[1] 1,500
Net general imports	[1] −1,615	[1] [3] +1,646
Total supply	[1] 7,985	[1] 3,146
United States percent of free world	[1] 74	[1] 44

[1] Estimated.
[2] China not included.
[3] Exports of ferrotungsten not included.

Mr. MALONE. Mr. President, the Preparedness Subcommittee, in its report of July 5, 1951, was not aware of what was taking place in the IMC, and I am sure that they never realized that we could have secured sufficient tungsten if we had not operated under the IMC. The material which I have inserted is taken from official State Department documents which had been classified as secret when they were presented in executive session before our subcommittee. Following these hearings, they were declassified pursuant to the instructions of the Assistant Secretary of State for Legislative Affairs, Mr. Morton.

The last paragraph of the New York Times dispatch which I have already read to the Senate provides that the contracting parties to GATT shall have an opportunity to examine this new commission at the next meeting of GATT.

The dispatch says:

If the GATT countries can find some way to satisfy the underdeveloped countries' demands for special attention to the problems, some international officials think, the Advisory Commission in International Commodity Trade may never see the light of day.

Mr. President, what does this mean? I take it to mean that if we make sufficient concessions to other nations through GATT, they will disband or modify this cartel. This is a polite form of blackmail and I maintain that the United States should resist the formation of this body by maintaining the position already taken by Mr. Hotchkis, the United States representative to the Economic and Social Council, that this country will not serve on this new commission even though we are elected. It is my firm belief that the commission will not be able to function effectively if the United States does not participate. The position we have taken to date is a sound one and the Secretary of State should receive our support in continuing to oppose this group.

Mr. President, I want to assure the Senate that the Subcommittee on Minerals, Materials, and Fuels, which will continue to operate under Senate Resolution 271, adopted on July 17, 1954, will continue its close watch on the developments in this field. It is our intention to hold hearings this fall on the development of synthetics and what they mean to the security of this country.

Mr. President, I have risen innumerable times on the floor of the Senate to oppose the extension of the 1934 Trade Agreements Act. State Department officials who testified before the Subcommittee on Minerals, Materials and Fuels, admitted that GATT could not operate without the 1934 Trade Agreements Act. This recent action by the United Nations Economic and Social Council to establish a commission condemned by the United States is to be reviewed by GATT. The fact that GATT has such powers of review should finally make the Senate realize why it is necessary for us to return the powers of regulating all foreign commerce of the United States to the Congress as set forth under article 1, section 8 of the Constitution. When we permit the 1934 Trade Agreements Act to expire and these powers revert back to the Congress as provided in the Constitution, I do not think it will be necessary for us to take the time of the Senate to discuss how to prevent foreign governments embroiling us in an international cartel.

INDEPENDENCE FOR CYPRUS

Mr. KENNEDY. Mr. President, the Senate should not adjourn without noting once again the issue posed to the United Nations and thus to our Government by the island of Cyprus.

For 40 years Cyprus has remained a British colony. Prior to that time, it was under the domination of the Turkish Ottoman Empire. But since the beginning of time, Cyprus has been predomi-

nantly Greek in its population, culture, and sentiments. For 75 years, the Cypriots have been frustrated in their attempts to determine their national destinies for themselves and to accomplish union with Greece.

The petitions, manifestos, demonstrations, plebiscites, and other representations by the Greeks of Cyprus in favor of union have not gained the recognition which properly should be accorded to them under the principles of the Atlantic Charter and the United Nations. The efforts of the Government of Greece since 1951 to negotiate this matter with the British Government have been similarly frustrated.

The issue is now before the United Nations. The United States is looked upon as the embodiment of the very essence of liberty, and seeks to demonstrate to the world our fundamental belief in the right of self-determination. We should, therefore, work for a solution which, while assuring the NATO forces of bases on this strategic island, will give positive recognition to the strong desires of the Cyprian people to join in closer association with the kingdom of Greece.

LEAVE OF ABSENCE TO ATTEND FUNERAL OF REPRESENTATIVE PAUL W. SHAFER, OF MICHIGAN

Mr. FERGUSON. Mr. President, having been named by the Senate to attend the funeral of our distinguished colleague, the Representative from Michigan's Third District, Paul W. Shafer, I ask unanimous consent that I may be excused from attending the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FERGUSON. I also ask unanimous consent that my colleague the Senator from Michigan [Mr. POTTER] who has been named for the same mission, be excused from the sessions of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL REPORT OF A COMMITTEE

The following additional report of a committee was submitted:

By Mr. LANGER, from the Committee on the Judiciary, with an amendment:

H. R. 4340. A bill for the relief of Charles J. Abarno and others (Rept. No. 2504).

ADDITIONAL MATTERS ORDERED TO BE PRINTED IN THE RECORD

On request, and by unanimous consent, additional editorials, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MUNDT:

Statement prepared by him entitled "Sitting Bull: A Great Leader of the Old Sioux Nation."

RECESS TO 9:30 A. M. TOMORROW

Mr. FERGUSON. I now move that the Senate stand in recess until tomorrow morning at 9:30.

The motion was agreed to; and (at 11 o'clock and 28 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, until tomorrow, Friday, August 20, 1954, at 9:30 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate August 19 (legislative day of August 5), 1954:

UNITED STATES CIRCUIT JUDGE

Walter M. Bastian, of the District of Columbia, to be United States circuit judge, District of Columbia circuit, vice Bennett Champ Clark, deceased.

UNITED STATES DISTRICT JUDGE

Lamar Cecil, of Texas, to be United States district judge for the eastern district of Texas, to fill a new position.

Sherrill Halbert, of California, to be United States district judge for the northern district of California, vice Dal M. Lemmon, elevated.

Vernon D. Forbes, of North Dakota, to be United States district judge for the district of Alaska, division No. 4, vice Harry E. Pratt, retired.

William E. Miller, of Tennessee, to be United States district judge for the middle district of Tennessee, to fill a new position.

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the provisions of sections 502 and 509 of the Officer Personnel Act of 1947, as amended. All officers are subject to physical examination required by law.

Major to lieutenant colonel

AIR FORCE

Leggette, Frank Browne, 18072A.
Patty, Homer Emmitt, 18102A.
Hills, Kenneth Bruce, 5680A.
Goodmanson, Murel Matthew, 5681A.
Holden, Paul Cole, 5682A.
Atwell, Lawrence Austin, 5683A.
Cope, William Samuel, 5684A.
Leverette, William Lawrence, 5685A.
Edwards, Robert Bruce, 5687A.
Conkling, Emmett Virgil, 5688A.
Walsh, Michael Joseph, 5689A.
Taylor, Thomas Edward, 5690A.
Norcia, Benjamin, 5694A.
Pettit, Weldon Monroe, 5695A.
Milliff, John, 19652A.
Anderson, Arlo Sell, 5696A.
Hohs, Robert Leo, 5697A.
Ray, Robert Homer, 5698A.
Brill, Norris, 5700A.
Hogg, Robert, 5701A.
Scruggs, John Alexander, 5702A.
Carney, John Kilker, 5703A.
Hallam, Louis Carlyle, 5704A.
Hibbits, Francis Leonard, 5705A.
Mellinger, Robert Thomas, 5706A.
Glaenzer, Charles F., 5707A.
Wilson, Walter George, 5710A.
Nudell, Fred Wellington, 5711A.
Staskewitz, Benjamin Edward, 5712A.
Gromak, Anthony Edward, 5713A.
Dean, David Kennedy, 5714A.
Mayberry, Samuel Waller, Jr., 5716A.
Johnston, William Edward, 5717A.
Chilcote, Charles Arthur, 5718A.
Hensley, Joseph Woodrow, 5719A.
Barr, Jennings Monroe, 5720A.
Reeves, Elmo, 5723A.
McCombs, Harold Kelly, 5725A.
Gray, Russell Earl, 5726A.
White, Richard Durwin, 5728A.
Sutton, John Liggett, 5729A.
Bailey, Harry Banks, 5730A.
Norman, William Roy, 5732A.
Griffin, Julious Columbus, 5733A.
Rigney, Charles Edward, 5734A.
Reising, Albert John, 5735A.
Pryor, Charles Donald, 5736A.
Koenig, Perier Arnold, 5738A.
Duty, William Burkett, 5739A.
Slough, Andrew Elmer, 5741A.
Mellor, Alfred Lionel, 5743A.
Ahrens, William Carl, 5744A.
Tigner, Edwin Brown, 5745A.
Myers, Earle Russell, 5746A.
Kappeler, Frank Albert, 5747A.
Stiglich, John Jack, 5748A.
Jenkins, Leaton Elbert, 5749A.
Hunter, Russell Bruce, 5750A.
Holmes, Merrill Dennis, 5751A.
Swanson, Charles Kenneth, 5752A.
Dougal, Robert Elliot, 5754A.
Finley, William H., 5755A.
Hays, John Bennett, 5756A.
Doornbos, Philip Ogden, 5757A.
Decker, Robert Young, 5758A.
Roberts, Gore Frederick, 5759A.
Youngman, Reginald Bunker, 5760A.
Buttmann, Oscar, 5761A.
Mills, Eugene Spencer, Jr., 5762A.
Smith, Clyde Harrison, 5763A.
Leavitt, William Job, 5764A.
Lockman, Daniel Barkley, 5765A.
Townsend, Barry Baldwin, 6847A.
Morrison, Harry James, 5767A.
George, John Louis, 5768A.
Sturgis, James Edwin, 5769A.
Eliasen, Arnold Clarence, 5770A.
Gordon, William Price, Jr., 5771A.
Parr, Albert Thomas, 5772A.
Babb, Claude Andrew, 5773A.
Acker, Halbert Hammond, 5775A.
Nickels, Loren Smith, 5777A.
Therrien, Patrick Elogius, 5780A.
Barrow, Tom Lee, 5781A.
Ross, John Samuel, 5782A.
Shaw, Donald Adrian, 5783A.
Wansley, Theodore, 5784A.
Verbeek, Harry Peter, 5786A.
Raley, Claude Mason, 5787A.
Carson, William James, 5788A.
Pedersen, Carl Emil, 5789A.
Bowden, William Martin, 5790A.
Toye, Edward Eugene, 5792A.
Jensen, Ralph Soren, 5793A.
Bazan, Edward Theodore, 5794A.
Bradley, Francis Trenholm, 5795A.
Mann, Edward Milton, 5796A.
Miller, Thomas Aldred, 5797A.
Wood, Thomas Donnelley, 5798A.
Kellum, George Glenn, Jr., 5799A.
Goodwin, Vaughn Kirk, 5801A.
Sherborne, Henry Hall, 5803A.
Thompson, Dillard Norman, 5804A.
Spieth, Robert, 5806A.
Larson, Edwin Cecil, 5808A.
Thiele, Harold Edwin, 5809A.
Riley, Joseph Richmond, 5811A.
Cram, Reginald Maurice, 5812A.
McCracken, Rufus LeRoy, 5813A.
Schweitzer, John Henry, 5814A.
Nyblade, Walter Frederick, 5815A.
Harlow, Paul Norman, 5816A.
Lichter, Carl Jerome, 5817A.
Weaver, Frederick, 5820A.
Westwood, John Raymond, 5821A.
Thomas, Clarence Lamar, 5822A.
Pittman, Bernard Merrill, 5823A.
Foster, Gilbert, 5824A.
Copeland, Lewis Anderson, 5826A.
Horvath, John, 5828A.
Fiss, Robert Wendell, 5829A.
Sullivan, Frederick Edward, 5830A.
Beck, Abe Jack, 5831A.
Minahan, John Carroll, 5832A.
Schudel, Charles Richard, 5833A.
Fowell, Byron Ronald, 5834A.
Lewis, Samuel Henry, 5835A.
Lyons, Charles Maxwell, 5836A.

Goetzke, Kenneth Herman, 5839A.
Whittle, Frederick James, 5840A.
Pollock, Keith Kermit, 5841A.
Hartbrodt, Frederick Alexander Vincent, 5842A.
Markovich, George Michael, 5843A.
Sullivan, Daniel Francis, 5844A.
Bottoms, Robert Leland, 5845A.
Walker, Roy Ralph, 5846A.
Purcell, Charles Joseph, 5849A.
Donohue, Elwood Paul, 5852A.
James, Newton Elder, 5854A.
Sawrie, William Ernest, 5855A.
Dinsmore, Dwight Reginald, 5856A.
Vickery, Benjamin Patterson, Jr., 5857A.
Archer, Oneal John Thomas, 5858A.
Behrens, George Herman, 5859A.
Jones, Allen Newton, Jr., 5862A.
Longino, Dick Randolph, Jr., 5864A.
Wilson, Frederick William Hildebrand, 5865A.
Greene, Benjamin Olin, Jr., 5866A.
Query, Jack DeWitt, 5868A.
True, Oscar Harold, 5869A.
Wolf, John Joseph, 5870A.
Perry, Horace Edward, 5871A.
Berger, Kenneth Stephen, 5872A.
Cowan, Marion Glenn, 5873A.
Urbach, Leonard Henry, 5874A.
Taylor, William Vaughn, 5875A.
Mattison, Robert Martin, 5877A.
Hudson, John Henry, 5878A.
Jordan, Ralph Schaffer, 5879A.
Simmons, Joe Linn, 5880A.
Eichholz, Jerome Charles, 5882A.
Rotkis, Walter Anton, 5883A.
Miller, Walter Frederick, 5885A.
Dalton, Bernard Vincent, 5886A.
Salome, Richard Arlan, 5889A.
Prewitt, Jack Kenneth, 5890A.
Kirkpatrick, Marshall Armine, 5891A.
McCash, Donald Kendall, 5892A.
Stuart, John Montgomery, Jr., 5893A.
Griffin, Harry Norval, 5894A.
Craig, Joe Congdon, 5895A.
Gibson, William Herf, 5896A.
Dalto, John, 5897A.
Voss, Nathaniel Reid, Jr., 5898A.
Summers, Clarence Eugene, Jr., 5899A.
Matthews, Edward Everett, 5901A.
Leet, Jonathan, 5902A.
Youngblood, Curtis Nolan, 5903A.
McCarthy, John Francis, Jr., 5904A.
Reeves, Ernest Arthur, 5905A.
Manthos, Atlee, George, 5906A.
Hennessy, Robert John, 5907A.
Kehrer, Kenneth, 5908A.
Davey, Kenneth William, 5909A
Brandau, Otto Henry, 5910A.
Hall, Charles Edward, 5911A.
Warren, John Edgar, 5912A.
Carr, Richard Pendleton, 5913A.
Garrett, Skidmore Neale, 5915A.
Mosman, Ormond John, 5916A.
Callaway, Richard Dowdy, 5917A.
Couch, Alexander Pritchard, 5918A.
Montgomery, Guilford Roland, 5919A.
McCauley, Clarence Vernon, 5920A.
Chick, Lewis William, Jr., 5921A.
Konopacki, Hubert John, 5923A.
Baker, Ancil David, 5924A.
Green, Franklyn Thomas, 5925A.
Pardee, Elliott Thomas, 5926A.
Olmsted, Charles Thaddeus, 5927A.
Carmack, John Edgar, 5928A.
Sturges, Claude C., Jr., 5929A.
North, Charles Lewis, 5933A.
Ranck, Nathan Hoover, 5935A.
Maas, Charles Fundin, 5936A.
Hollier, Frederick Frank, Jr., 5937A.
Powell, Joseph Harliee, 5940A.
Moritz, Gene Phillip, 5941A.
Thornton, Julian Foy, Jr., 5942A.
Watts, John Ruben, 5943A.
Druhe, Hubert Kenneth, 5944A.
Joseph, Franklin Arthur, 5947A.
Harrington, George Elliott, 5948A.
Williams, Leslie Benjamin, 5949A.
Geanetos, George Stephen, 5950A.
Moore, John Alton, 5951A.
Wilson, Charles Smith, 5952A.
Sansone, Rocco, 5953A.
Heene, Fred Lewis, 5954A.
Sulloway, Alexander Mark, 5955A.
Durham, Benjamin Jasper, Jr., 5957A.
Stitt, Glenn Theodore, 5958A.
Helfort, Albert Francis, 5959A.
Works, Le Eustis, 5960A.
Payton, Theodore Franklin, 5961A.
Del Missier, Bruno Carl, 5962A.
Archuleta, Rubel Vigil, 5963A.
Taylor, Ben, 5964A.
Allen, Samuel Lawrence, 5965A.
Oliver, Robert Russell, 5967A.
Huston, Sherman Leroy, 5968A.
Woods, Everett Newton, 5969A.
Cox, Robert Lewis, 5970A.
McNally, Joseph Edward, 5971A.
Hajek, Raymond Rowland, 5973A.
Gardner, Laurence Ernest, 5974A.
McGarry, James Michael, Jr., 5976A.
Smith, Robert Channell, 5978A.
Tillery, James Hightower, 5979A.
Gaddis, Albert Crawford, 5980A.
Ewing, Donald Edwin, 5981A.
Dice, Evan Adams, 5983A.
Neely, Russell Wayne, 5984A.
Bonvicin, Emanuel Frank, 5985A.
Strom, Charles Walter, 5986A.
Barrett, John Patrick, 5987A.
Forrest, Edward Lester, 5988A.
Allensworth, Hubert Lasater, 5990A.
Fornal, Joseph John, 5991A.
Koontz, Thomas Gale, 5992A.
Rowan, M. C., Jr., 5993A.
Hounshell, Claude Eugene, 5994A.
Smith, Rodney Ellsworth, 5995A.
Schaffner, William Joseph, 5996A.
Wilson, John McLain, 5997A.
Dixon, Brendan, 5998A.
Beville, Claude, Jr., 5999A.
Marks, Russell Herbert, 6000A.
Shepperd, Virgil Earl, 6002A.
D'Annibale, Vincent James, 6004A.
Magee, Ernest Maurice, 6006A.
Langford, Karl Albert, 6007A.
Darnold, Charles Reese, 6008A.
Pike, Robert Francis, 6009A.
Coffey, John Donald, 6010A.
Tribble, Randolph Louis, 6011A.
Lind, Harold August, 6012A.
Shaka, Napoleon Athan, 6013A.
Tunks, Emerson Ambrose Anthony, 6014A.
Nichols, Thomas Brooks, 6015A.
Carney, James Franklin, 18070A.
Gilmore, John Thomas, 6016A.
Heran, Paul James, 6018A.
McGinnis, Paul Benedict, 6019A.
Williams, James Willis, 6020A.
Uhrig, Robert A., 6021A.
Wildinger, Joseph Valentine, 6022A.
Watwood, Louis V., 6024A.
Knowles, Kenyon Leroy, 6025A.
Grimm, Charles Burton, 6027A.
Fisher, Philip Fitzgerald, 6028A.

MEDICAL

Hoffman, Archie Arthur, 19222A.
McDonough, Joseph Francis, 19223A.
Miller, Hubert Wainwright, 19224A.
Rizzolo, John, 19225A.

DENTAL

Traynham, Charles Hightower, 18892A.
Waldmann, Raymond George, 18893A.
Garrison, Grayson Gwynne, 18894A.

VETERINARY

McIntyre, James Clayton, 18993A.

MEDICAL SERVICE

Baer, Reuben Albert, 19428A.
Miller, Rahe August, 19429A.
Clark, Robert Emory, 19430A.
Currier, Clyde Charles, 19432A.

First lieutenant to captain

VETERINARY

Grau, William Henry, Jr., 23073A.
Greer, Russell Flagg, 21867A.
Davis, Harold Clayton, 23075A.
Bilderback, William Riley, 23216A
Douglas, Jack Donnalee, 25331A
Garner, Howard Scott, 25669A
Harris, Milford Douglas, Jr., 25670A

NOTE.—Dates of rank of all officers nominated for promotion will be determined by the Secretary of the Air Force.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for temporary appointment to the grade of major general, subject to qualification therefor as provided by law:

Reginald H. Ridgely, Jr.
Robert E. Hogaboom
Joseph C. Burger
Homer L. Litzenberg
Verne J. McCaul

The following-named officers of the Marine Corps for temporary appointment to the grade of brigadier general, subject to qualification therefor as provided by law:

Russell N. Jordahl
Jack P. Juhan
John C. Munn
Frank H. Wirsig
Robert B. Luckey
Arthur F. Binney

CONFIRMATIONS

Executive nominations confirmed by the Senate August 19 (legislative day of August 5), 1954:

CIRCUIT COURTS, TERRITORY OF HAWAII

Albert M. Felix, of Hawaii, to be third judge, first circuit.

William Z. Fairbanks, of Hawaii, to be second judge, first circuit.

BOARD OF PAROLE

Lewis J. Grout, of Kansas, to be a member, Board of Parole, for the term expiring September 30, 1959.

John E. Henry, of Montana, to be a member, Board of Parole, for the term expiring September 30, 1956.

COMPTROLLER OF CUSTOMS

Russell E. Atkinson, of New Jersey, to be comptroller of customs, with headquarters at Philadelphia, Pa.

COAST AND GEODETIC SURVEY

For permanent appointment subject to qualifications provided by law:

James P. Randall, to be ensign in the Coast and Geodetic Survey.

POSTMASTERS

ARKANSAS

Robert L. Davis, Fountain Hill.
Louie C. Horn, Searcy.

CALIFORNIA

Philip H. Krauter, Arvin.
Ronald P. Fawcett, Colfax.
Edward J. Victor, Corte Madera.
John O. Davis, King City.
Charles A. Messick, La Quinta.
Retta L. Moslander, Nubieber.
Viola A. Tuggle, Salida.

COLORADO

James A. Smith, Dillon.
William Donald Durrett, Eads.
James W. Martin, Florence.

CONNECTICUT

Gordon L. King, Madison.
Goldia P. Dabbs, Northford.

GEORGIA

Harry R. Tucker, Sr., Gainesville.

ILLINOIS

Clarence D. Sorensen, Dwight.
Noel E. White, Fox Lake.

IOWA

Keith P. Carroll, Frederika.
Carl Lambert Youngquist, Gowrie.
Leonard D. Tucker, Knoxville.

KANSAS

Wayne E. Richards, Arkansas City.
Charles A. Fialz, Severy.

MICHIGAN

Merrill C. Warner, Bedford.

MINNESOTA

Leonard F. Ramberg, Minneapolis.
Lavern A. Ewert, Waldorf.

NEBRASKA

Austin Learned, Edison.

NEVADA

Bettie J. Nurmi, Austin.
Emma S. Park, Minden.
Dixie Vera L. Westover, Montello.

NEW HAMPSHIRE

Philip T. Hilton, East Rochester.

NEW YORK

Louis B. Cartwright, Rochester.

NORTH CAROLINA

Robert E. Hollifield, Forest City.

NORTH DAKOTA

Fayes Albert, Belcourt.
Randall C. Zimprich, Davenport.
Mandrup C. Olufson, Enderlin.
Eunice L. Bjella, Epping.
Alice L. Margach, Grandin.
Irvin J. Prichard, Maddock.
Donald M. Tofteland, Martin.
Leon C. D'Heilly, Neche.
Louis J. Lovcik, Pisek.
Arthur Schempp, Riverdale.
Clayton N. Caron, Scranton.
Martin E. Quam, Warwick.
Adolf Dockter, Zeeland.

OHIO

John W. Wilcox, Jr., Dresden.
Louis Matthews Ables, Jeromesville.
John Chester Ward, Mount Vernon.
Donald G. Kirkton, New London.
David S. Shia, St. Clairsville.

OREGON

Joseph D. Naughton, Joseph.

PENNSYLVANIA

Harold J. Robbins, Derrick City.
Gene M. Hatter, Donaldson.
E. Phillip Tyson, Gardners.
Frances S. Dague, Houston.
William R. Clark, Loysville.
John C. Gainer, Pequea.
Marcellus J. Heppe, St. Davids.
Anna C. Salsgiver, Smithmill.
Anthony J. Trenga, Wilmerding.
Harold C. Allebach, Worcester.

SOUTH DAKOTA

Lowell J. Beck, Claremont.

TENNESSEE

Robert A. Smith, Clinton.
Francis M. Bray, Jellico.
Joe M. Carden, Jr., La Follette.

TEXAS

John W. Veazey, Ben Wheeler.
Mable W. Francks, Brady.
William L. Cowan, Dublin.
Rupaco T. Gonzalez, Falcon Heights.
Johnnie C. Dormier, Megargel.
Johnie Floyd Hokit, Ozona.

VIRGINIA

Wilton Clements Mock, Damascus.

WISCONSIN

Burton M. Syverson, De Soto.
Herbert L. Latimer, Genoa.

WYOMING

Howard O. Bebout, Hudson.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 19, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty and eternal God, we are daily coming unto Thee with needs which can only be supplied by Thy divine grace and with longings and aspirations which Thy divine wisdom alone can fulfill.

Help us to appreciate more fully the privilege and opportunities we have of walking with one another in friendship and of working together in the glorious task of building a nobler civilization.

May our witness to the greatness and grandeur of the democratic way of life, free from false and formal distinctions, be so clear and commanding that men everywhere shall find their hearts kindled with joy and hope.

Hear us in the name of our blessed Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Ast, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H. R. 179. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended;

H. R. 3757. An act for the relief of Dorothy Kilmer Nickerson;

H. R. 4017. An act to provide for the conveyance of certain land and improvements to the England Special School District of the State of Arkansas;

H. R. 4813. An act for the relief of Radu Florescu and Nicole Elizabeth Michel Florescu;

H. R. 5420. An act to amend section 161, title 35, United States Code, relating to the patenting of plants;

H. R. 5499. An act to provide for the construction, maintenance, and operation of the Michaud Flats project for irrigation in the State of Idaho;

H. R. 6616. An act to amend title 17, United States Code, entitled "Copyrights";

H. R. 6808. An act for the relief of Col. Samuel J. Adams and others;

H. R. 7785. An act to amend the Civil Service Retirement Act of May 29, 1930, to make permanent the increases in regular annuities provided by the act of July 16, 1952, and to extend such increases to additional annuities purchased by voluntary contributions;

H. R. 7881. An act to validate a conveyance of certain lands by Southern Pacific Railroad Co., and its lessee, Southern Pacific Co., to Morgan Hopkins, Inc.;

H. R. 9115. An act to provide that contributions received under Public Law 485, 80th Congress, for the construction of a merchant marine chapel shall be invested in Government obligations pending their use for such construction;

H. R. 9987. An act to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of new ship construction, and for other purposes; and

H. J. Res. 565. Joint resolution to amend the joint resolution providing for the membership of the United States in the Pan American Institute of Geography and History and authorize appropriations therefor.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 1107. An act for the relief of the J. A. Vance Co.;

H. R. 1254. An act to provide authorization for certain uses of public lands;

H. R. 2032. An act for the relief of Clarence D. Newland;

H. R. 2233. An act to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Cheyenne River Sioux Reservation, S. Dak., and for other purposes;

H. R. 2235. An act to authorize the Secretary of the Interior to construct the Santa Maria project, Southern Pacific Basin, Calif.;

H. R. 2876. An act for the relief of Leo F. Pinder;

H. R. 4638. An act for the relief of David W. Wallace;

H. R. 6451. An act to provide for the conveyance of certain public lands in Utah to the occupants of the land;

H. R. 6573. An act to provide for the promotion, precedence, constructive credit, distribution, retention, and elimination of officers of the reserve components of the Armed Forces of the United States, and for other purposes;

H. R. 7130. An act to amend the Immigration and Nationality Act to provide for the loss of nationality of persons convicted of certain crimes;

H. R. 9756. An act to increase the borrowing power of Commodity Credit Corporation; and

H. R. 9785. An act to provide a method for compensating claims for damages sustained as the result of the explosions at Texas City, Tex.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 2153. An act to authorize the transfer of certain property to the State of Minnesota, and for other purposes;

S. 2564. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Gubbins & Co., of Lima, Peru, and Reynaldo Gubbins;

S. 2821. An act granting the consent of Congress to the States of Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact for the attainment of the conservation and development of the water resources of the Missouri Basin, and for other purposes;

S. 3447. An act to amend the Internal Revenue Code to permit the filling of oral prescriptions for certain drugs, and for other purposes;

S. 3570. An act to authorize the sale of certain lands situated in Utah;

S. 3730. An act for the relief of the Geo. D. Emery Co.;

S. 3813. An act for the relief of certain alien sheepherders;

S. 3840. An act for the relief of Klyce Motors, Inc.;

S. 3844. An act to provide for a reciprocal and more effective remedy for certain claims arising out of the acts of military personnel,

and to authorize the pro rata sharing of the cost of such claims with foreign nations, and for other purposes; and

S. J. Res. 173. Joint resolution to authorize the President to proclaim the week of November 28, 1954, through December 4, 1954, as National Salvation Army Week.

The message also announced that the Senate recedes from its amendments to the bill H. R. 1665, an act for the relief of Carl Piowaty and W. J. Piowaty.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 541. An act to extend detention benefits under the War Claims Act of 1948 to employees of contractors with the United States;

S. 2033. An act relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear on the menus of public eating places serving such trout;

S. 2670. An act to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes;

S. 3329. An act to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities; and

S. 3628. An act to amend Public Law 815, 81st Congress, in order to extend for 3 additional years the program of assistance for school construction under title III of that act.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 9580) entitled "An act to revise and extend the laws relating to espionage and sabotage, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LANGER, Mr. DIRKSEN, and Mr. MCCARRAN to be the conferees on the part of the Senate.

TO AMEND AND EXTEND THE RENEGOTIATION ACT OF 1951

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6287) to extend and amend the Renegotiation Act of 1951, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, after line 5, insert:

"SEC. 2. (a) Section 105 (f) (1) of such act is amended by striking out '$250,000' wherever it appears therein and inserting in lieu thereof the following: '$250,000, in the case of a fiscal year ending before June 30, 1953, or $500,000, in the case of a fiscal year ending on or after June 30, 1953.'

"(b) Section 105 (f) (3) of such act is amended by inserting, in the second sentence thereof, after 'the $250,000 amount' the following: ', the $500,000 amount,'."

Page 1, line 6, strike out "2" and insert "3."

Page 2, line 16, strike out "3" and insert "4."

Page 9, after line 19, insert:

"(b) Paragraph (1) of section 106 (c) of such act is further amended by inserting '(A)' after the word 'except' and by adding before the period at the end of such paragraph the following: 'and (B) to receipts and accruals from contracts for new durable productive equipment in cases in which the Board finds that the new durable productive equipment covered by such contracts cannot be adapted, converted, or retooled for commercial use.'"

Page 2, line 20, strike out "(b)" and insert "(c)."

Page 3, line 3, strike out "(c)" and insert "(d)."

Page 3, lines 3 and 4, strike out "subsections (a) and (b)" and insert: "subsections (a), (b), and (c)."

Page 3, strike out lines 7 to 15, inclusive, and insert:

"SEC. 5. (a) Section 106 (a) of such act is hereby amended—

"(1) by striking out, in paragraph (7), 'by reason of this subsection.' and inserting in lieu thereof 'by reason of any paragraph, other than paragraph (8), of this subsection; or'; and

"(2) by adding at the end of such section the following:

"'(8) any contract or subcontract for the making or furnishing of a standard commercial article, unless the Board makes a specific finding that competitive conditions affecting the sale of such article are such as will not reasonably prevent excessive profits. This paragraph shall apply to any such contract or subcontract only if (1) the contractor or subcontractor files, at such time and in such form and detail as the Board shall by regulations prescribe, such information and data as may be required by the Board under its regulations for the purpose of enabling it to reach a decision with respect to the making of a specific finding under this paragraph, and (2) within a period of 6 months after the date of filing of such information and data, the Board fails to make a specific finding that competitive conditions affecting the sale of such article are such as will not reasonably prevent excessive profits, or (3) within such 6-month period, the Board makes a specific finding that competitive conditions affecting the sale of such article are such as will reasonably prevent excessive profits. Any contractor or subcontractor may waive the exemption provided in this paragraph with respect to receipts or accruals in any fiscal year by including a statement to such effect in the financial statement filed by such contractor or subcontractor for such fiscal year pursuant to section 105 (e) (1). Any specific finding of the Board under this paragraph shall not be reviewed or redetermined by any court or agency other than by the Tax Court of the United States in a proceeding for a redetermination of the amount of excessive profits determined by an order of the Board. For the purpose of this paragraph—

"'(A) the term "article" includes any material, part, component, assembly, machinery, equipment, or other personal property;

"'(B) the term "standard commercial article" means an article—

"'(1) which, in the normal course of business, is customarily manufactured for stock, and is customarily maintained in stock by the manufacturer or any dealer, distributor, or other commercial agency for the marketing of such article; or

"'(2) which is manufactured and sold by more than two persons for general civilian industrial or commercial use, or which is identical in every material respect with an article so manufactured and sold;

"'(C) the term "identical in every material respect" means of the same kind, manufactured of the same or substitute materials, and having the same industrial or commercial use or uses, without necessarily being of identical specifications; and

"'(D) the term "persons" does not include any person under control of, or controlling, or under common control with any other person considered for the purposes of subparagraph (B) (2) of this paragraph.'

"(b) The amendments made by subsection (a) shall apply to contracts with the Departments and subcontracts only to the extent of the amounts received or accrued by a contractor or subcontractor after December 31, 1953."

Page 3, strike out lines 16, 17, and 18.

Page 3, after line 18, insert:

"SEC. 6. (a) Section 106 (a) (4) of such act is hereby amended by striking out '; or' at the end thereof and inserting the following: 'and to such furnishing or sale in any case in which the Board finds that the regulatory aspects of rates for such furnishing or sale, or the type and nature of the contract for such furnishing or sale, are such as to indicate, in the opinion of the Board, that excessive profits are improbable; or.'

"(b) The amendment made by subsection (a) shall apply only with respect to fiscal years (as defined in section 103 (h) of the Renegotiation Act of 1951) ending on or after December 31, 1953."

Page 3, after line 18, insert:

"SEC. 7. (a) Section 105 (d) of such act is hereby amended by striking out the period at the end of the last sentence thereof and inserting the following: ', and shall also have the power to set aside and declare null and void any such agreement if, upon a request made to the Board within 3 years from the date of such agreement, the Board finds as a fact that the aggregate of the amounts received or accrued by the other party to such agreement during the fiscal year covered by such agreement was not more than the minimum amounts subject to renegotiation specified in section 105 (f) for such fiscal year.'

"(b) The amendment made by subsection (a) shall be effective as if it were a part of the Renegotiation Act of 1951 on the date of its enactment."

Page 3, after line 18, insert:

"SEC. 8. Section 201 (h) of such act is hereby amended by striking out '2 years' and inserting in lieu thereof '4 years', and by adding at the end thereof the following new sentence: 'If any such case has been dismissed by any court for failure to substitute for the War Contracts Price Adjustment Board prior to the effective date of this sentence, such case is hereby revived and reinstated in such court as if it had not been dismissed'."

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. COOPER. Mr. Speaker, reserving the right to object, I ask unanimous consent that immediately following the remarks of the gentleman from New York I may extend my own remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point an explanation of the Senate amendments.

The SPEAKER. Is there objection?

There was no objection.

Mr. REED of New York. Mr. Speaker, the bill amends the Renegotiation Act of 1951 to extend the renegotiation authority for 1 year, to December 31, 1954. The present expiration date is December 31, 1953.

An extension of the renegotiation law beyond the present expiration date of December 31, 1953, is necessary because of the continuing tension in international affairs. Unless the Renegotiation Act is extended, amounts received or provided by defense contractors and subcontractors during 1954 will not be subject to renegotiation and the Government will not be adequately protected

against payment of excess prices in the execution of the national defense program. Under the bill renegotiation will not be applicable to receipts and accruals attributable to performance after December 31, 1954.

In addition, the bill provides certain other amendments to the Renegotiation Act. I am informed that the Renegotiation Board has no objection to the bill in its present form. A detailed explanation of the bill follows:

Section 1 of the bill extends the renegotiation authority for 1 year, to December 31, 1954. Unless the Renegotiation Act is extended, amounts received or accrued by defense contractors and subcontractors during 1954 will not be subject to renegotiation and the Government will not be adequately protected against payment of excessive prices in the execution of the national defense program. Under the bill, renegotiation will not be applicable to receipts or accruals attributable to performance after December 31, 1954.

Section 2 of the bill raises the minimum amount subject to renegotiation from $250,000 to $500,000 (the House bill had made no change in this minimum) with respect to fiscal years ending on and after June 30, 1953. This Senate amendment has the approval of the Renegotiation Board, since it will permit the Board to concentrate on the larger cases, and therefore facilitate administration of the act. The number of filings has been about 40,000 for each of the calendar years 1951 and 1952. Filings for 1953, normally due on April 1, 1954, were postponed by the Board due to pending legislation.

Section 3 of the bill amends section 106 (a) (6) of the act, relating to mandatory exemptions. The House bill made it clear that there should be exempt from renegotiation, contracts with the Reconstruction Finance Corporation for materials and services to be used in the manufacture and sale of synthetic rubber to the extent that such materials or services are required for the manufacture of synthetic rubber for sale thereof to a private person or private persons for nondefense purposes. The Board concurs in the desirability of this provision and has already caused a directive to be issued to that effect. The Senate made no change in this House amendment.

Section 4 of the bill relates to the relief provided for in section 106 (c) of the act for durable productive equipment. Under the existing law certain special relief was granted for new durable productive equipment with respect to subcontracts. The House bill extends this relief to prime contracts direct with the Government. The Senate amendment denies this relief in the case of contracts with the Government in instances where the Board finds that the new durable productive equipment covered by such contract cannot be adapted, converted, or retooled for commercial use. The Board has approved this amendment.

Section 5 of the bill deals with an exemption for standard commercial articles. As the Senate has amended this provision, it is required, first, that the specific finding be made as to "excessive profits" instead of "excessive prices"; second, that the contractor or subcontractor file information with the Board containing sufficient data to enable the Board to make such a finding; and third, that if within 6 months after the date such information is filed the Board does not make a specific finding that competitive conditions affecting the sale of such article are such as will not reasonably prevent excessive profits, the exemption will apply. Under the bill the Board may make a specific finding without waiting for the expiration of such 6 months' period. The section applies only to amounts received or accrued by a contractor or subcontractor after December 31, 1953. The definition of standard commercial articles has also been rewritten to make it easier for the Board to determine whether an article should be classed as a standard commercial article.

Section 6, which is a Senate amendment, gives the Renegotiation Board discretionary authority to exempt from renegotiation contracts for space or commodity transportation on ships if the Board finds that the regulatory aspects of the rates charged are such as to indicate in the opinion of the Board that excessive profits are improbable. This amendment applies only to fiscal years ending on or after December 31, 1953. There was no comparable provision in the House bill.

Section 7 gives the Board authority to set aside and declare null and void any renegotiation agreement if, upon a request made to the Board within 3 years from the date of such agreement, the Board finds as a fact that the aggregate of the amounts received or accrued by the other party to such agreement during the fiscal year covered by such agreement was not more than the minimum amount subject to renegotiation for such year. Thus, if the Board had renegotiated amounts below the $250,000 minimum limit now in the law, such renegotiation could be set aside. There was no comparable provision in the House bill.

Section 8 extends until March 23, 1955, the time within which the United States can be substituted for the World War II Contract Price Adjustment Board in suits before the Tax Court. It further provides that if any such case has been dismissed by any court for failure to substitute the War Contracts Price Adjustment Board prior to the effective date of this sentence, such case is hereby revived and reinstated in such court as if it had not been dismissed. There was no comparable provision in the House bill.

I am advised that the Renegotiation Board has no objection to the bill in its present form.

Mr. COOPER. Mr. Speaker, as H. R. 6287 passed the House it extended for 1 year the application of our renegotiation law. It also provided that the purchase of materials for the production of synthetic rubber under contracts with the Reconstruction Finance Corporation would be subject to renegotiation only where those purchases have a connection with defense; extended the treatment now provided for subcontractors for durable productive equipment to prime contractors; and added a permissive exemption in the case of standard commercial articles.

The Senate amendments raised the minimum amount subject to renegotiation from $250,000 to $500,000 with respect to fiscal years ending on or after June 30, 1953. The Senate accepted the House amendment extending the same treatment to prime contractors in the case of durable productive equipment that is now given to subcontractors, but added an amendment denying special treatment in the case of durable productive equipment in the case of contracts with the Government where the Renegotiation Board finds that the new durable productive equipment involved in the contracts cannot be adapted, converted, or retooled for commercial use.

Instead of providing for a permissive exemption in the case of standard commercial articles, as provided in the House bill, the Senate amendment made the exemption mandatory unless the Board finds that competitive conditions affecting the sale of such articles will not reasonably protect the Government from excessive profits. As a part of this amendment, the Senate would require that a contractor or subcontractor file sufficient information with the Renegotiation Board to make such a finding, and if within 6 months after such information is filed the Board does not make a specific finding that competitive conditions affecting the sale of such articles are such as will not reasonably prevent excessive profits, the exemption will apply. The Senate also rewrote the definition of "standard commercial articles." These amendments are effective as to amounts received or accrued by a contractor or subcontractor after December 31, 1953.

Another Senate amendment gives the Renegotiation Board discretionary authority to exempt from renegotiation contracts for space or commodity transportation on ships if the Board finds that the regulated rates charged are such as to indicate, in its opinion, that excessive profits are improbable. This amendment applies to fiscal years ending on or after December 31, 1953.

The Senate also added a provision giving the Renegotiation Board authority to set aside and declare null and void any renegotiation agreement if a request is made to the Board within 3 years from the date of an agreement and the Board finds as a fact that the aggregate of the amounts received or accrued by the other party to the agreement during the fiscal year which the agreement covers was not more than the minimum amount subject to renegotiation for such year.

The Senate also extended until March 23, 1955, the time within which the United States can be substituted for the World War II Contract Price Adjustment Board in suits before the Tax Court. The Senate also provided that if any such case has been dismissed by a court for failure to substitute the War Contracts Price Adjustment Board prior to the effective date of this change, such case will be revived and reinstated as if it had not been dismissed.

The SPEAKER. Is there objection to the request of the gentleman from New

York that the Senate amendments be concurred in?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

APPROPRIATIONS FOR MUTUAL SECURITY

Mr. TABER submitted the following conference report and statement on the bill (H. R. 10051) making appropriations for Mutual Security for the fiscal year ending June 30, 1955, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 2671)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10051) making appropriations for Mutual Security or the fiscal year ending June 30, 1955, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 14, 16, 18, 27, 29, and 35.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 5, 6, 7, 10, 13, 19, and 30, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert "and in addition, unobligated balances of the appropriation under the head 'Civilian Relief in Korea' in the Department of Defense Appropriation Act, 1954, are continued available for the purposes of section 132 (a) through June 30, 1955, and are hereby consolidated with this appropriation"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$105,000,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the matter stricken and inserted by said amendment insert "and in addition, not to exceed $500,000 of the unobligated balance heretofore appropriated for "Movement of Migrants": *Provided*, That no funds appropriated in this Act shall be used to assist directly in the migration to any nation in the Western Hemisphere of any person not having a security clearance based on reasonable standards to insure against Communist infiltration in the Western Hemisphere"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$12,500,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,175,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$32,500,000"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert "and except that this prohibition shall not apply to employees receiving salaries in excess of $12,000 as the result of general pay raise legislation enacted during the fiscal year 1955, nor not to exceed six employees assigned to the administration or implementation of the program authorized by section 132 of the Mutual Security Act of 1954"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: Restore the matter stricken by said amendment amended to read as follows:

"Sec. 107. Funds made available pursuant to this Act may not be used for the procurement of equipment or materials outside the United States unless the President or an official of Cabinet rank designated by him determines that such procurement will not result in one or more of the following conditions:

"(1) Adverse effects upon the economy of the United States, with special reference to any areas of labor surplus, or upon the industrial mobilization base, which outweigh the strategic and logistic advantages to the United States of procurement abroad;

"(2) Production of such equipment or materials outside the United States under inadequate safeguards against sabotage or the lease to potential enemies of information detrimental to the security of the United States;

"(3) Unjustifiable cost in comparison with procurement in the United States; and

"(4) Delays in delivery incompatible with United States defense objectives."

And the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"Sec. 112. Not to exceed $30,000 of the funds appropriated in this Act shall be used to carry out the purposes of section 416 of the Mutual Security Act of 1954."

And the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert "113"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 2, 3, 9, 12, 22, 23, 25, 26, 31, 32, and 33.

JOHN TABER,
R. B. WIGGLESWORTH,
H. CARL ANDERSEN,
IVOR D. FENTON,
GERALD R. FORD, JR.,
J. VAUGHAN GARY,
JOHN J. ROONEY,
OTTO E. PASSMAN,
CLARENCE CANNON,
Managers on the Part of the House.

STYLES BRIDGES,
HOMER FERGUSON,
GUY CORDON,
LEVERETT SALTONSTALL,
EVERETT M. DIRKSEN,
CARL HAYDEN,
PAT MCCARRAN,
DENNIS CHAVEZ,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10051) making appropriations for Mutual Security for the fiscal year ending June 30, 1955, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

MUTUAL SECURITY

Amendment No. 1: Reported in disagreement.

Amendment No. 2: Reported in disagreement.

Amendment No. 3: Reported in disagreement.

Amendment No. 4: Appropriates $60,000,000 for "common-use items" as proposed by the Senate instead of $64,000,000 as proposed by the House.

Amendment No. 5: Inserts section number reference.

Amendment No. 6: Appropriates $80,098,195 for "Defense support, Far East and the Pacific", as proposed by the Senate instead of $86,000,000 as proposed by the House.

Amendment No. 7: Appropriates $205,000,000 for the "Korean Program" as proposed by the Senate in lieu of $200,000,000 as proposed by the House.

Amendment No. 8: Inserts Senate language carrying forward unobligated balances for "Civilian Relief in Korea."

Amendment No. 9: Reported in disagreement.

Amendments Nos. 10 and 11: Change section number reference and appropriate $105,000,000 for "Technical cooperation, general authorization", instead of $100,000,000 as proposed by the House and $110,000,000 as proposed by the Senate.

Amendment No. 12: Reported in disagreement.

Amendment No. 13: Changes section number reference.

Amendments Nos. 14 and 15: Appropriate $10,000,000 for "Contributions to the Intergovernmental Committee for European Migration" as proposed by the House instead of $10,600,000 as proposed by the Senate; restore House language on unobligated balances; and insert Senate limitation, in modified form, relating to security clearance on migrants to the Western Hemisphere.

Amendment No. 16: Strikes out Senate language appropriating $400,000 for "Contributions to the United Nations refugee emergency fund".

Amendment No. 17: Appropriates $12,500,000 for "Contributions to the United Nations children's fund" instead of $12,000,000 as proposed by the House and $13,500,000 as proposed by the Senate.

Amendment No. 18: Restores language of the House relative to carryover of unobligated balances for "Contributions to the United Nations Relief and Works Agency".

Amendment No. 19: Appropriates $1,169,000 for "Contributions to the North Atlantic Treaty Organization" instead of $3,169,000 as proposed by the House.

Amendment No. 20: Appropriates $1,175,000 for "Control Act expenses" instead of $1,075,000 as proposed by the House and $1,300,000 as proposed by the Senate.

Amendment No. 21: Appropriates $32,500,000 for "Administrative expenses" instead of $30,000,000 as proposed by the House and $34,700,000 as proposed by the Senate.

Amendment No. 22: Reported in disagreement.

Amendment No. 23: Reported in disagreement.

Amendment No. 24: Includes language inserted by the Senate exempting certain employees from the $12,000 salary limitation carried in the bill, with modification.

Amendment No. 25: Reported in disagreement.

Amendment No. 26: Reported in disagreement.

Amendment No. 27: Restores House language relating to transportation of commodities on United States vessels.

Amendment No. 28: Restores House language restricting offshore procurement, with modification.

Amendment No. 29: Changes section number.

Amendment No. 30: Authorizes obligation of 25 percent of funds in the bill during the last 2 months of the fiscal year as proposed by the Senate instead of 20 percent as proposed by the House.

Amendment No. 31: Reported in disagreement.

Amendment No. 32: Reported in disagreement.

Amendment No. 33: Reported in disagreement.

Amendment No. 34: Inserts Senate language prohibiting use of funds for facilitation and encouragement of travel, modified to limit such expenditures to $30,000.

Amendment No. 35: Eliminates language inserted by the Senate relative to transportation of commodities on United States vessels.

Amendment No. 36: Changes section number.

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Managers on the Part of the House.

Mr. TABER. Mr. Speaker, I call up the conference report on the bill (H. R. 10051) making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes, and I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. TABER]?

Mr. GROSS. Mr. Speaker, reserving the right to object, I assume the gentleman from New York will take some time to explain the conference report.

Mr. TABER. We will.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

Mr. TABER. Mr. Speaker, I yield myself 25 minutes.

Mr. Speaker, the committee on conference presents herewith the conference report on the mutual security appropriation bill.

There are some things in the conference report with which I am not particularly pleased, but in order to get an agreement and get the matter cleaned up so the Congress may complete its business it was necessary to make some concessions. On the other hand, I am pleased that the final bill is $777,057,738 below the estimates submitted by the Bureau of the Budget.

The final bill is $35 million above the amount that was carried in the bill as it passed the House. It is something in the neighborhood of $128 million, as I figure it, below what it was when it passed the Senate.

There is an item inserted by the Senate about which I do not feel we can state there was a cut. It is the $200 million item made continuously available for use by the Department in connection with far eastern matters. The $200 million already existed in the form of materiel and was already over in Indochina, and I do not believe the language we carried about it was necessary.

In this connection I wish to say that the House Members of the conference committee all worked diligently in trying to bring about a satisfactory result. There was much language that had been inserted that would have cost a great deal of money, and I believe the final draft of the bill we have brought back to the House is going to save the taxpayers a lot of money that otherwise might be wasted.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Iowa.

Mr. GROSS. The bill is $35 million above the House bill; is that correct?

Mr. TABER. Yes, approximately.

Mr. GROSS. Can the gentleman give us in a brief way some of the expenditures involved in this $35 million?

Mr. TABER. Yes. There is one item that I do not like of $9 million for this technical assistance setup under the United Nations. There is also an item of $35 million for production for forces support to be handled through surplus United States agricultural products. That is really for the promotion of the jet aircraft industry in connection with such things as the Canberra bomber jet engine and some of the new fighting planes. Some of those things are being used by our Navy and our Air Force and they are quite valuable.

There were some cuts made by the Senate that we agreed to. There was $4 million for common-use items, and there was a reduction of almost $6 million in defense support for the Far East and the Pacific. There was an increase of $5 million for the Korean program and there was an increase of $1 million above the House figure in connection with the United Nations Korean Reconstruction Agency. We threw out an item for the starting of another refugee emergency agency under the United Nations.

Mr. GROSS. Then the $9 million goes to finance this shopworn, demonstratably unproductive point 4 program through the United Nations; is that correct?

Mr. TABER. That is correct.

Mr. GROSS. Was any evidence given the conferees as to how much United States military equipment in Indochina is going to be salvaged by the United States?

Mr. TABER. We had evidence, yes, but we could get no positive statement as to the exact amount because no one can tell until it is out. They claim that they are in the process of getting everything out that they can and that every facility they have available is being turned in there for that purpose.

Mr. GROSS. The gentleman expects the United States will take a tremendous loss; does he not?

Mr. TABER. I expect a great deal of it will be lost or ruined.

Mr. GROSS. And already gone, to the Communists as a matter of fact?

Mr. TABER. I think a considerable amount of it has.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I should like to ask the chairman of the Committee on Appropriations if there has been any change made in the manner of handling the obligated amounts. The testimony was that there was $7.3 billion which was obligated. Has there been any change and do those have to be firm contractual obligations as of June 30?

Mr. TABER. Under the provisions of section 1311 of the supplemental bill that was sent to the White House yesterday, their obligations will have to be firmed up. Frankly, I expect that in the neighborhood of $2 billion to $2.5 billion of those reported obligations will evaporate.

Mr. LAIRD. There is no change that would extend that obligating authority, so far as this conference report is concerned, if they are not firm contracts on June 30?

Mr. TABER. There is in one of the amendments that will come up. But that can be done only by the certificate of the Secretary of Defense and only on individual items amounting to $5 million and above. That is required for the maintenance of the operations. Nothing that is not in the bill as a reobligation can otherwise be preserved unless it complies with section 1311.

Mr. LAIRD. Then a letter of intent would be ruled out, would not be a firm contract on June 30?

Mr. TABER. It would not.

In this connection I would like to make a further statement to make the record clear: As to the amount to be made available in the single account from amounts certified under section 1311, it is obvious that this amount cannot definitely be known until the final report under section 1311 is rendered—probably in December 1954. In the meantime, of course, there will be no interruption of business as all work now in progress will continue. Apparent obligations outstanding on June 30, 1954, which do not meet the test of section 1311 on June 30, 1954, may be reobligated, if in accord with law, against the 1955 account.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. BOW. Will my chairman advise concerning the amendment which was adopted by the House which would have required the submission under section 1415 of the Supplemental Act of 1953 of those funds which are the result of the sale of surplus commodities?

Mr. TABER. An amendment to that was agreed upon which would permit the use of foreign currency only for those things for which the funds generating the foreign currency were appropriated.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. FORD. For the benefit of the gentleman from Ohio [Mr. Bow], I can read to him the agreed-to language which is in substitution of that which was contained in the House bill. It is as follows:

And hereafter foreign currency generated under the provisions of this act shall be utilized only for the purposes for which the

funds providing the commodities which generated the currency were appropriated—

And then in parentheses—

(except as specifically provided in sec. 109 of this act)—

That is the one pertaining to Spain.

Mr. BOW. Mr. Speaker, will the gentleman yield further?

Mr. TABER. I yield.

Mr. BOW. Under the provision adopted in conference, can they transfer these funds to offset any of the cuts that were made by the House in this bill? Can they make that up by a transfer of funds?

Mr. TABER. I do not see how they can.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. JUDD. Mr. Speaker, I judge from the language read by our colleague the gentleman from Michigan [Mr. FORD] that only the foreign currencies generated by the sale of surplus commodities authorized under this act and the Mutual Security Act that we recently passed, are covered by the limitation. The foreign currencies derived from the sale of agricultural commodities under section 550 of last year's bill can be used in accordance with the agreements that were entered into under section 550, so that this language is not retroactive. Is that correct?

Mr. FORD. The answer to the gentleman's question is "Yes." The proviso is not retroactive.

Mr. JUDD. I thank the gentleman.

Mr. FORD. Furthermore, the language here does not destroy the effectiveness of the agricultural surplus disposal program in that it does not require paying for the commodity twice.

Mr. JUDD. I congratulate the conference committee on adopting that proviso, because I am sure it is substantially what was intended before but the desired result was not quite accomplished by the original language, in my opinion.

Mr. FORD. At the same time, however, it pins down where these currencies may be used and how they will show up in the purchase or the use of surpluses in certain countries.

Mr. JUDD. Yes, and I approve that. You seem to have done precisely what I was trying to do when this appropriation bill was being debated originally. We could not agree on language that would do it exactly. The new proviso does not require buying the foreign currency twice, and it does not upset last year's agreements by being retroactive. That is exactly what we wanted.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. BROWN of Ohio. As the gentleman well knows, practically every committee, group, or individual that has gone overseas to investigate spending under our foreign-aid program has reported back that there has been great waste and extravagance. For that reason, many of us have voted against these appropriations in recent years. I make that statement in order to ask this question: Has the gentleman's committee any means, or methods, or arrangements to check up on the spending of this money which is being appropriated by this bill, the actual spending of it and the method and the way it is spent?

Mr. TABER. We are doing everything we can to that end. We had two men over in Europe for about 2 weeks just around the time that the bill passed the House, and we had the benefit of what they found when we came in here. What the gentleman says is very largely correct. In order to get a settlement we had to agree to too much money for their administrative expenses. There is, as I understand it, a transfer of something like $13 million out of $30-odd million that is carried for administrative expenses for the State Department.

Mr. HALE. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Maine.

Mr. HALE. I note a reduction of $6 million in the item for "Defense Support, Far East and the Pacific." That reduction is a little surprising to me at this time. I wonder if the gentleman would comment on it.

Mr. TABER. As I understand, that was the authorization figure.

Mr. HALE. That was the authorization in the Senate. Why did the conferees change it?

Mr. TABER. It is the authorization figure in the authorization bill, as I understand it.

Mr. DAVIS of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. DAVIS of Wisconsin. I wanted to take this time to explain, as the one conferee not to sign this conference report, that my failure to do so is not based in any sense on criticism of the job the House conferees did within the limits of the give and take that was possible in the final form of this measure. However, I certainly do want to call the attention of my colleagues to that one particular provision of the conference report which provides a $55 million grant to Spain, all of which is to be derived through the transfer of surplus commodities now available to the Government of the United States.

I do not object to that program, but I do object to the proviso which remains in the conference report that a major share of this money must be earmarked and must be used only for the development of the civilian economy of Spain. After giving away our money for these many years to various countries throughout the world, when it came time to work out an agreement with Spain, for the first time we got some firm commitment as to what we could do by way of developing our military facilities in that country; and that agreement provided that a large percentage of the counterpart funds to be derived through our economic assistance to Spain was to be made available for the development of the Air Force and naval installations of the United States in accordance with the agreement that has been made there. And we were happy with that agreement. For the first time, we had a right to go in for a fixed period. For the first time, we were getting something by way of a contribution of the country in which the installations were to be placed. By this one provision, which appears in this conference report, you have given up all that, and you have said, "No, forget about the treaty, forget about the concessions, forget about the quid pro quo we got from the Spanish Government—just go ahead and be sure that we give 80 percent of all this money for the development of the civilian economy of Spain." I think that is wrong. I think the conferees in that respect were blackjacked in the conference and that is one of the specific reasons that I am in opposition to this conference report.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. WALTER. I wonder whether or not the language in amendment No. 15 was intended to in anywise affect the constitution of the Intergovernmental Committee for European Migration, specifically paragraph 2 of article 1?

Mr. TABER. The language there, as it appears in the bill, has been changed so that, instead of requiring the standards contained in the Immigration and Nationality Act, it will require reasonable standards to insure against Communist infiltration in the Western Hemisphere.

Mr. WALTER. In other words, this language was not intended to modify or repeal the constitution of this organization of which we are a part.

Mr. TABER. That is correct.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. CELLER. As I read the amendment which appears on page 2 of the conference report, the language in my mind and in my estimation amounts to an admonition, if not an order, to governments in the Western Hemisphere receiving migrants from Europe to provide screening and security regulations similar to our own. Can we in good conscience and with good morals, having in mind our relations with South American countries and Canada, go that far so as to say that no moneys appropriated for the Intergovernmental Committee for European Migration shall be used to assist directly the migration of European refugees to the Western Hemisphere? Can we do that or should we do that?

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Virginia to answer that question.

Mr. GARY. The Senate amendment reads as follows:

Provided, That no funds appropriated in this act shall be used to assist directly in the migration to any nation in the Western Hemisphere of any person not having a security clearance based on standards comparable to those standards contained in the United States Immigration and Nationality Act.

The House conferees felt that would force other nations to adopt our standards, which was going too far. Therefore, we modified that language to strike out any reference to any particular standards. The amendment now reads:

Provided, That no funds appropriated in this act shall be used to assist directly in the migration to any nation in the Western

Hemisphere of any person not having a security clearance based on reasonable standards to insure against Communist infiltration in the Western Hemisphere.

Certainly we are against Communist infiltration in the Western Hemisphere. There is no reason why we should contribute to any organization that is not willing to adopt reasonable standards to insure against such infiltration. In reply to the question of the gentleman from Pennsylvania [Mr. WALTER], rather than modifying the language of the constitution of the organization, this language will strengthen it and will permit them to adopt any reasonable standards in screening these immigrants to the Western Hemisphere.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. WALTER. I should like to call attention to the fact that the countries, including Brazil and Canada, of course, which are the principal receiving countries, have very strong screening processes. I want to congratulate the conference committee on deleting the language that was in the original Senate amendment because I am sure it offended those nations. This language certainly cannot be construed as being offensive.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. ROONEY. The situation was such that not only would the original Senate language have offended the nations mentioned by the gentleman from Pennsylvania [Mr. WALTER], but the voluntary and church organizations which are concerned with this important program were alarmed about it. I believe the language in the conference report now before us for approval will be satisfactory to all concerned.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. CELLER. I am not objecting to what you or your colleagues on the conference have done. You have done a good job. I do not think you could have done any better. I am simply raising this question so Members may know exactly what they are approving. In my humble opinion, it would have been far better had there been no such provision in the conference report. It is there. We have to make the best of a bad bargain, in my opinion. I do not think we have a right, no matter how meritorious the demand may be—I do not think we have a right to say to a sovereign nation of the Western Hemisphere that "you cannot take any immigrants unless you specify certain standards which we, by legislative fiat, lay down."

Mr. TABER. We do not intend to lay down standards. All we ask is reasonable standards; and I am satisfied that they are going to be provided by any of those countries that have any substantial immigrants.

Mr. GARY. The situation is that the organization itself will prescribe the standards and, so long as they are reasonable, they will comply with this provision of the bill.

Mr. TABER. That is correct.

Mr. Speaker, I yield 10 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, by way of summary at this point may I ask the gentleman from New York to give us the total amount of the estimates submitted to the Congress.

Mr. TABER. Six billion twenty million six hundred and thirty-three thousand five hundred and thirty-three dollars including new money of $3,438,549,805.

Mr. CANNON. And what change was made in that figure by the Senate amendments?

Mr. TABER. The way the Senate amendments have been reported by the clerks they raised it to $5,572,338,544, of which $2,790,824,816 is new money.

Frankly, I think there is a difference of $200 million in the figures, due to a cut of $200 million in new money on the Senate floor without a corresponding cut in the obligation total carried in the bill for military assistance.

The final amount as brought back by the committee on conference is $5,243,575,795, including new money of $2,781,499,816.

The amount below the original budget estimates is $777,057,738, of which $657,049,989 is against the new money.

Mr. CANNON. Will the gentleman also give us the amount carried by the conference report assuming that the recommendations made by the committee in the amendments still in disagreement will be favorably acted upon.

Mr. TABER. That is the $5,243,575,795 figure I just mentioned.

Mr. CANNON. The total amount would then be how much?

Mr. TABER. The total of the conference committee is $5,243,575,795. It is $35,155,816 above the House bill.

Mr. CANNON. And will the gentleman advise us as to what appropriations in this bill as brought back from the conference are in excess of similar items in the 1954 bill? That is, are there any items in here for 1955 which are in excess of similar items for 1954?

Mr. TABER. The only ones which are larger than last year, and the increases are small, are: development assistance, American Republics; the several items under technical cooperation; the funds for the Intergovernmental Committee for European Migration; the United Nations Children's Fund; and the item for Control Act expenses.

Mr. CANNON. And will the gentleman tabulate in his remarks the items in the pending bill that do not appear in the current appropriations?

Mr. TABER. I do not think there is anything really new outside of perhaps the item for special assistance in joint control areas, although we have been spending money in previous years in some of the areas included in that item.

There is one other item that is above last year: Administrative expenses allowed are above what I understand the figure actually was for last year. But I did not like that, and the gentleman from Missouri did not like it any better than I. We had to take it in order to get an agreement.

Mr. CANNON. The gentleman is correct in that assumption.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Virginia.

Mr. GARY. The Senate conferees on the other hand insisted that the amount allowed here was less than the expenditures of last year.

Mr. TABER. Yes, that is true, but in testimony before our committee they said that they had spent about a million and a quarter less money than the amount carried in the conference report.

Mr. GARY. I just wanted to call the gentleman's attention to the discrepancy in the figures. According to the figures submitted to our committee we had allowed them more money for this item than they had last year, but according to the Senate conferees the figures submitted to them showed greater expenditures last year than we were allowing.

Mr. TABER. We ran into trouble like that all the way through. They gave our staff 3 different stories as to the amount of the obligations in 1 single day.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Ohio.

Mr. VORYS. May I ask the conferees if the language which was first proposed by the House committee defining what is meant by an obligated balance is retained in this legislation?

Mr. TABER. It is with a single exception of certain items that should be certified when review of the obligations is made and finally reported on. There is provision that the Secretary of Defense might permit a completion of an obligation that related to a contract of $5 million or above if it is in the national interest. But that is the only way in which there is any waiver of the provisions of section 1311 in the supplemental bill.

Mr. VORYS. Was the language retained which would require the same definition of obligations to be used in supplying reports to all committees in Congress?

Mr. TABER. It was. And we are hoping in some way or other that the organization may be persuaded to keep its books so they will know where they are at in the future and be able to tell your committee and our committee the truth.

Mr. VORYS. I join in that fervent hope and I congratulate the committee.

Mr. CANNON. Mr. Speaker, I take this opportunity to congratulate the distinguished gentleman from New York, chairman of the Committee on Appropriations, on the conclusion of this long and intricate bill and the appropriation program for the 83d Congress.

Mr. TABER. I thank the gentleman.

The SPEAKER pro tempore (Mr. ALLEN of Illinois). The time of the gentleman from Missouri has expired.

Mr. TABER. Mr. Speaker, I yield such time as he may desire to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Speaker, I believe the enlightened self-interest of the United States requires us to make national sacrifices in order to maintain strong and free allies. I believe in the basic premise of the mutual

security program, as stated by President Eisenhower, that "there can be no safety for any of us except in cooperative efforts to build and sustain the strength of all free peoples."

I voted, therefore, for the Mutual Security Act of 1954, the bill authorizing this program. It was legislation necessary to keep the mutual security program in operation. It was legislation which provided comprehensive, basic legislation to replace the existing patchwork of statutes relating to foreign aid. It was legislation needed to carry out a program which I believe we must have if we are to meet the Soviet threat, if we are to strengthen countries where we have bases and make those bases secure, if we are to keep the free world free from Soviet domination and if we are to strengthen our ties with the underdeveloped nations of the Middle East and southeast Asia.

I consider the objectives of this program to be of such importance to the people of the United States that I am willing to vote for sacrifices we must make, in treasure and effort, to sustain the program. Without such a program, our national security would be seriously weakened.

I cannot support this program, however, on a blank-check, sky-is-the-limit basis. Our fiscal situation is too precarious, the tax burden on our people is too high, and our patience with reluctant allies too thin to permit the expenditure of vast sums of money and vast quantities of raw materials without the most careful study and justification. This program will collapse on the rocks of an aroused public opinion unless we get a dollar's worth of security for every dollar spent.

It was these considerations which led to my vote against this appropriation bill when it was first passed by the House.

I was struck by the shocking report of the Appropriations Committee on the validity of outstanding obligations for this program. FOA estimates that its unexpended balances are $9.979 billion, with $7.397 billion reported as obligated or contracted for, and $2.582 billion unobligated and available for use in this fiscal year.

The committee, however, raised serious questions concerning the validity of the obligated funds. It said:

> It has already been determined that questionable practices, involving substantial sums, are being followed in the classification and recording of transactions as obligations. They range all the way from clerical errors ($47,800,000) to amounts exceeding limitations stated in letters of intent not yet converted to definitive contracts. Substantial sums are included for lump-sum contingent amounts contained in contracts for spares, spare parts, engineering changes, and the like, for which there are no definitized orders and which appear to amount in effect to nothing more than an administrative reservation of funds against possible future purchases. Contracts entered into in 1951 and earlier years, practically dormant for many months, are also included. There are other categories of questionable firmness such as canceled orders not yet removed from the books, excessive cost estimates, lower stock prices promulgated subsequent to the original requisitions—

And so forth. The net effect of this situation is that FOA has available to it vast sums, which can only be estimated, which are listed by it as spent or obligated but which, in fact, are unobligated. I am advised that they have about $2 billion of funds in this category. The real need of this agency for new appropriations is unknown. Because of this gross negligence, Congress has been forced to appropriate in the dark, to issue a blank check. I for one just will not tolerate doing business that way.

Furthermore, this bill, as it passed the House, appropriated to southeast Asia for direct forces support $712 million. Direct forces support finances the provision of specific supplies, equipment, and services which go directly into the hands of, or otherwise immediately benefit military forces, in the words of the committee report. This sum was originally planned for the support of the French forces in Indochina. Yet, when the bill was reported, the Indochina war was over. The only justification for these funds now made is the contention that they will be needed for other purposes in this general area now that the war is over. What these other purposes are and their detailed cost is not revealed. This is scarcely the kind of careful and diligent scrutiny which should be given to the appropriation of close to a billion dollars of the taxpayers' money.

For these reasons, I could not, in good conscience, support the appropriation bill, and I cast my vote against it.

We now have the conference report on the appropriation bill before us. This report is extremely disappointing.

Instead of evidencing a greater concern for the taxpayers' money and a determination that we will get full value for the money appropriated, the bill as it came from conference is even more liberal than it was when it passed this House.

I must vote against this conference report and hold to the position I took early in voting against the bill when it first passed the House. That position is that although we cannot afford to neglect the need for cooperation and mutual assistance among the free nations of the world, neither can we afford to spend our wealth blindly. This bill is too full of loose ends, unevaluated items of expenditures, and downright waste to merit the support of this Congress.

One parting thought, Mr. Speaker. When we consider appropriations for those agencies of our Government that administer to the domestic needs of our people, we demand the most exacting accountability and justification for the money appropriated. This is as it should be. But why should we not demand just as high a degree of frugality of that agency whose concern is with assisting foreign peoples and foreign governments? In my view, we should be more exacting in our relationship with this program than we are with our domestic programs and unless we are, the whole program will collapse and our economy collapse with it.

I shall vote against that report.

Mr. TABER. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Speaker, I wish to point out certain items contained in this conference report. First, with regard to amendment No. 12, contributions to the United Nations expanded program of technical assistance, the House conferees receded and accepted the highest figure possible under parliamentary rules, the Senate figure of $9,957,621. For contributions to the United Nations Children's Fund I favored the Senate figure of $13,500,000 but the majority conferees succeeded in compromising this for $12,500,000. I supported the $55 million item, amendment in disagreement numbered 31, surplus agricultural commodities as economic assistance to Spain. The House conferees felt that the House language used over the years with regard to shipping of at least 50 percent of the gross tonnage of commodities shipped under the Mutual Security Act was better for the American merchant marine than the Senate version, which was amendment in disagreement numbered 35. The conferees accepted the House version.

Mr. TABER. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Speaker, I would not take the time of the House at this stage of the session unless I had information to impart to the House which is important to this bill.

Mr. Speaker, the amount appropriated here for military aid is reasonably adjusted to the policies of the United States, but the amount appropriated for economic and technical assistance and the policies of the United States on that subject are not, and I emphasize this, appropriate for the economic challenge posed to us by the Soviet Union. About 85 percent of this appropriation is for military purposes, directly and indirectly; about 15 percent for economic, technical, and other purposes. The whole Communist bloc led by the Soviet Union is engaged in an enormous trade drive, and they are making headway. We read this very morning that the strategic list for trade with the Communist bloc by 16 nations has been revised and tens of millions more in trade is in sight.

We read also that the Soviet Union is gaining on the United States production in what, to us, is a dangerous potential. The latest reported figures show the Soviet Union producing as much coal as we did in 1954; and that its production of steel and pig iron is now 50 percent of ours, which is very serious when their huge land territory is considered, their internal lines of communication, and the vast diversion of steel for military uses in the Communist bloc.

Mr. Speaker, we are having a new look at foreign policy; withdrawing divisions from around the world, and putting them in place to be a strategic striking force. We are otherwise reorganizing our military aspect in the world. But we are failing to realize that infiltration and subversion, which are being built by the Communists fraudulently but nonetheless being built upon eco-

nomic distress and nationalism, are as dangerous to us as military attack; and that no bases are any good in any country that goes Communist by subversion or infiltration, no matter how strong those bases may have been made.

So, when we are considering this bill, and bearing in mind, as I think all the Members will find when they get home, that the overriding question in this particular congressional campaign, the overriding issue, is still going to be the issue of peace, I think we should all do a lot of hard thinking, and so should the administration, before it sends us its mutual security program next year, as to what is the new aspect of the Communist danger to the world. And I insist to you, and the proof is there, that that aspect is economic and tradewise, that is going to be our new struggle which we have to meet with policy, means, and money, and do not let us deceive ourselves that this bill gives us copper-riveted protection.

The SPEAKER. The time of the gentleman has expired.

Mr. TABER. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. GARY].

Mr. GARY. Mr. Speaker, this bill has presented many difficult problems. We discussed that when the original bill was before this body. We were late getting the budget estimates, because the international situation was so uncertain and so fluid at the time that it was difficult to determine just what expenditures would be necessary for the current year.

I would like to call the attention of this body, however, to just one fact. The House cut the budget estimates over $800 million in the original bill. When that bill went to the Senate, the Senate raised the House figures. The exact amount of the increase is difficult to determine because the Senate bill placed no limitation on the use of unexpended balances and estimates of those balances vary. According to the best estimate available, however, the increase over the House figure was $363 million. In this bill we have cut the Senate figure $328 million. The bill that is now before us, in this conference report, is only $35 million more than it was when it left the House. I think that is very good trading. I believe that we have obtained an excellent settlement; and in saying that I want to pay my respects again to the chairman of our committee [Mr. TABER] who did an excellent job of negotiating with the Senate.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from New York.

Mr. TABER. I just want to say that I appreciate to the utmost the complete cooperation that existed among all of the House conferees in trying to work out a solution of this very difficult and intricate problem. They have all done their very best, and every single one of them has made a substantial contribution to the result.

Mr. GARY. I thank the gentleman for those remarks. There has been absolute cooperation among all of the members of the subcommittee which handled the original bill and among the House conferees. Although I am one of them, I still presume to say that I think the conferees did a good job. I think we got a good settlement, and I hope it will be the pleasure of the House to adopt the conference report.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Iowa.

Mr. GROSS. I think the conferees have done a pretty fair job in holding this appropriation down. On the other hand, the $35 million added in conference in the face of the debt limit increase the other day is $35 million too much. It is money the Government of this country does not have. For that and other reasons I cannot accept this report.

Mr. GARY. Frankly, I agree with the gentleman, because it is $35 million more than our original recommendation. However, the gentleman must remember that in reaching that figure we were able to get the Senate to yield on $328 million, which I think is pretty good trading.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from New York.

Mr. ROONEY. I would not want anyone to infer that I am in agreement with every item in this conference report. There are certain items with which I am very much displeased as this conference report is brought back to the House. However, almost all legislation is arrived at by way of compromise. I think that under all the circumstances the conference report now before us is the best that could have been worked out with the other body.

Mr. GARY. I thank the gentleman. I think that is true of every member of the conference. I do not believe there is any single conferee that is absolutely satisfied with every single item in the conference report, but we have to work these matters out in compromise. I am simply trying to point out to the House that I think we got a very good compromise.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from New York.

Mr. CELLER. I just want to announce to the House that the news has just come over the ticker that former Premier of Italy Alcide de Gasperi has died. I have had a number of contacts with him in his lifetime, especially during my repeated visits to Italy, and I always found him to be a genuine friend to America. His passing is indeed a sad loss to the Italian people, and a loss to us. He was an able statesman, a God-fearing man, and an indefatigable worker for the welfare of the poor and humble. He leaves behind a good name.

Mr. TABER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and seventy-four Members are present, not a quorum.

The Doorkeeper will close the doors; the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 188, nays 77, not voting 166, as follows:

[Roll No. 145]

YEAS—188

Addonizio	Garmatz	Osmers
Albert	Gary	Ostertag
Allen, Calif.	Gathings	Patman
Allen, Ill.	Goodwin	Perkins
Aspinall	Graham	Pfost
Auchincloss	Granahan	Philbin
Bates	Green	Poage
Becker	Hagen, Calif.	Poff
Boggs	Hale	Polk
Bolton, Frances P.	Halleck	Price
	Harden	Priest
Bolton, Oliver P.	Hardy	Prouty
	Hart	Radwan
Boykin	Hays, Ark.	Ray
Brooks, Tex.	Heselton	Rayburn
Brown, Ga.	Hillings	Reams
Brownson	Holmes	Reed, Ill.
Buchanan	Hope	Reed, N. Y.
Burleson	Hyde	Rees, Kans.
Bush	Ikard	Rhodes, Ariz.
Byrne, Pa.	James	Rhodes, Pa.
Campbell	Jarman	Roberts
Cannon	Javits	Rodino
Carnahan	Jenkins	Rogers, Colo.
Celler	Johnson, Calif.	Rogers, Fla.
Chenoweth	Johnson, Wis.	Rogers, Mass.
Chudoff	Jonas, N. C.	Rooney
Cooley	Jones, Ala.	Saylor
Cooper	Jones, Mo.	Seely-Brown
Corbett	Judd	Sheppard
Cretella	Karsten, Mo.	Sieminski
Crosser	Kean	Simpson, Pa.
Cunningham	Keating	Small
Curtis, Mass.	Kee	Smith, Miss.
Dawson, Utah	Kelley, Pa.	Spence
Deane	Kersten, Wis.	Springer
Delaney	Kilday	Staggers
Derounian	King, Calif.	Stauffer
Devereux	Kirwan	Steed
Dingell	Kluczynski	Sullivan
Dodd	Lane	Taber
Dollinger	Lanham	Teague
Dondero	McCarthy	Thompson, Tex.
Donohue	McConnell	Thornberry
Donovan	Magnuson	Tollefson
Dorn, N. Y.	Mahon	Trimble
Durham	Mailliard	Velde
Eberharter	Marshall	Vorys
Edmondson	Matthews	Walter
Elliott	Merrill	Wampler
Evins	Merrow	Warburton
Fallon	Miller, Calif.	Watts
Feighan	Miller, Kans.	Wharton
Fenton	Miller, Md.	Wickersham
Fernandez	Mollohan	Wigglesworth
Fogarty	Morano	Wilson, Calif.
Forand	Multer	Wilson, Ind.
Ford	Mumma	Wolcott
Forrester	Murray	Wolverton
Fountain	Natcher	Young
Frazier	Oakman	Younger
Freylinghuysen	O'Brien, N. Y.	Zablocki
Friedel	O'Hara, Ill.	
Fulton	O'Neill	

NAYS—77

Abbitt	Bow	Dies
Abernethy	Bramblett	Dowdy
Alexander	Bray	Fisher
Andresen, August H.	Brown, Ohio	Gavin
	Budge	Gentry
Andrews	Burdick	George
Ashmore	Byrd	Grant
Bailey	Byrnes, Wis.	Gross
Battle	Carlyle	Hagen, Minn.
Belcher	Clardy	Harrison, Nebr.
Bennett, Fla.	Cole, Mo.	Harrison, Va.
Berry	Coon	Hays, Ohio
Betts	Davis, Wis.	Herlong

Hoffman, Mich.	Norrell	Sutton
Jensen	O'Hara, Minn.	Talle
Jonas, Ill.	O'Konski	Thomas
Jones, N. C.	Passman	Thompson, Mich.
Kearns	Phillips	Tuck
Laird	Reece, Tenn.	Van Zandt
Long	Robeson, Va.	Whitten
McIntire	Rogers, Tex.	Williams, Miss.
McMillan	Schenck	Willis
McVey	Scherer	Winstead
Mack, Wash.	Selden	Withrow
Mills	Shuford	
Neal	Smith, Va.	
Nicholson	Smith, Wis.	

NOT VOTING—166

Adair	Golden	Miller, N. Y.
Andersen, H. Carl	Gordon	Morgan
Angell	Gregory	Morrison
Arends	Gubser	Moss
Ayres	Gwinn	Moulder
Baker	Haley	Nelson
Barden	Hand	Norblad
Barrett	Harris	O'Brien, Ill.
Beamer	Harrison, Wyo.	O'Brien, Mich.
Bender	Harvey	Patten
Bennett, Mich.	Hébert	Patterson
Bentley	Hess	Pelly
Bentsen	Hiestand	Pilcher
Bishop	Hill	Pillion
Blatnik	Hillelson	Powell
Boland	Hinshaw	Preston
Bolling	Hoeven	Rabaut
Bonin	Hoffman, Ill.	Rains
Bonner	Holifield	Regan
Bosch	Holt	Richards
Bowler	Holtzman	Riehlman
Brooks, La.	Horan	Riley
Broyhill	Hosmer	Rivers
Buckley	Howell	Robsion, Ky.
Busbey	Hruska	Roosevelt
Canfield	Hunter	Sadlak
Carrigg	Jackson	St. George
Cederberg	Kearney	Scott
Chatham	Kelly, N. Y.	Scrivner
Chelf	Keogh	Scudder
Chiperfield	Kilburn	Secrest
Church	King, Pa.	Sheehan
Clevenger	Klein	Shelley
Cole, N. Y.	Knox	Short
Colmer	Krueger	Sikes
Condon	Landrum	Simpson, Ill.
Cotton	Lantaff	Smith, Kans.
Coudert	Latham	Stringfellow
Crumpacker	LeCompte	Taylor
Curtis, Mo.	Lesinski	Thompson, La.
Curtis, Nebr.	Lipscomb	Utt
Dague	Lovre	Van Pelt
Davis, Ga.	Lucas	Vinson
Davis, Tenn.	Lyle	Vursell
Dawson, Ill.	McCormack	Wainwright
Dempsey	McCulloch	Weichel
D'Ewart	McDonough	Westland
Dolliver	McGregor	Wheeler
Dorn, S. C.	Machrowicz	Widnall
Doyle	Mack, Ill.	Wier
Ellsworth	Madden	Williams, N. J.
Engle	Martin, Iowa	Williams, N. Y.
Fine	Mason	Wilson, Tex.
Fino	Meader	Yates
Gamble	Metcalf	Yorty
	Miller, Nebr.	

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Canfield for, with Mr. Harrison of Wyoming against.
Mr. Coudert for, with Mr. Weichel against.
Mr. Pelly for, with Mr. Sheehan against.
Mr. Westland for, with Mr. Busbey against.
Mr. Taylor for, with Mr. Lovre, against.
Mr. Jackson for, with Mr. McGregor against.
Mr. Kearney for, with Mr. Bentley against.
Mr. Keogh for, with Mr. Hoeven against.
Mr. Vinson for, with Mr. Hoffman of Illinois against.
Mr. Widnall for, with Mr. Bishop against.
Mr. Carrigg for, with Mr. Short against.
Mr. Buckley for, with Mr. Hand against.
Mr. Preston for, with Mr. Colmer against.
Mr. O'Brien of Illinois for, with Mr. Curtis of Missouri against.
Mr. Broyhill for, with Mr. Adair against.
Mr. Gregory for, with Mr. Bentsen against.
Mr. McCormark for, with Mr. Lyle against.
Mr. Fine for, with Mr. Beamer against.
Mr. Chelf for, with Mrs. Church against.
Mr. Sadlak for, with Mr. Miller of Nebraska against.
Mrs. St. George for, with Mr. Patten against.
Mr. Riehlman for, with Mr. Hruska against.
Mr. Gordon for, with Mr. Barden against.
Mr. Rains for, with Mr. Sikes against.
Mr. Richards for, with Mr. Moulder against.
Mr. Pilcher for, with Mr. Rivers against.
Mrs. Kelly of New York for, with Mr. Dorn of South Carolina against.
Mr. Ellsworth for, with Mr. Smith of Kansas against.
Mr. Dague for, with Mr. Bonner against.
Mr. Roosevelt for, with Mr. Mason against.
Mr. Miller of New York for, with Mr. Crumpacker against.
Mr. Bowler for, with Mr. McCulloch against.
Mr. Barrett for, with Mr. Van Pelt against.
Mr. Howell for, with Mr. Hillelson against.
Mr. Bender for, with Mr. Harvey against.
Mr. Arends for, with Mr. Krueger against.
Mr. Patterson for, with Mr. Martin of Iowa against.
Mr. Hess for, with Mr. Gwinn against.
Mr. Holt for, with Mr. Clevenger against.
Mr. Cole of New York for, with Mr. Horan against.
Mr. Yates for, with Mr. Stringfellow against.
Mr. Yorty for, with Mr. Utt against.
Mr. Williams of New York for, with Mr. Simpson of Illinois against.
Mr. Chatham for, with Mr. Dempsey against.
Mr. Hébert for, with Mr. Haley against.

Until further notice:

Mr. H. Carl Andersen with Mr. Harris.
Mr. Kilburn with Mr. Engle.
Mr. Baker with Mr. Brooks of Louisiana.
Mr. Nelson with Mr. Kline.
Mr. D'Ewart with Mr. Landrum.
Mr. Chiperfield with Mr. Davis of Georgia.
Mr. Vursell with Mr. Wheeler.
Mr. Hunter with Mr. Wier.
Mr. Bosch with Mr. Machrowicz.
Mr. Fino with Mr. Lesinski.
Mr. Gamble with Mr. Holifield.
Mr. Gubser with Mr. Holtzman.
Mr. Bennett of Michigan with Mr. Shelley.
Mr. Cederberg with Mr. Thompson of Louisiana.
Mr. Cotton with Mr. Regan.
Mr. Dolliver with Mr. Rabaut.
Mr. LeCompte with Mr. Doyle.
Mr. Latham with Mr. Morgan.
Mr. Pillion with Mr. Morrison.
Mr. Robsion of Kentucky with Mr. Metcalf.
Mr. Lipscomb with Mr. Madden.
Mr. King of Pennsylvania with Mr. Mack of Illinois.
Mr. Norblad with Mr. Moss.
Mr. Knox with Mr. Dawson of Illinois.
Mr. McDonough with Mr. Davis of Tennessee.
Mr. Scott with Mr. Condon.
Mr. Hosmer with Mr. O'Brien of Michigan.
Mr. Hill with Mr. Lucas.
Mr. Hinshaw with Mr. Lantaff.
Mr. Hiestand with Mr. Boland.
Mr. Ayres with Mr. Blatnik.
Mr. Bonin with Mr. Bolling.
Mr. Scudder with Mr. Riley.
Mr. Golden with Mr. Secrest.
Mr. Wainwright with Mr. Wilson of Texas.

Mr. LONG changed his vote from "yea" to nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: Page 1, strike out all after line 9 over to and including line 14 on page 2, and insert:

"Military assistance: For military assistance as authorized by title I, chapter 1, $1,192,700,000, together with unexpended balances of appropriations heretofore made for military assistance which shall be consolidated with this appropriation: *Provided*, That not to exceed $3,932,092,283 may be obligated under this heading during fiscal year 1955, including not to exceed $3,770,392,283 for general military assistance as authorized by section 103, and not to exceed $161,700,000 for infrastructure as authorized by section 104 (a), and not to exceed $24 million for administrative expenses to carry out the purposes of title I, chapter 1: *Provided further*, That the military supplies and equipment (or the equivalent value thereof as the Secretary of Defense shall determine but not to exceed $200 million in inventory value) which have been procured and processed for delivery to foreign areas and which subsequently are returned to the custody of the United States because of a change in the international situation, shall remain available for military assistance authorized by law, and such amounts shall be in addition to the amounts herein otherwise provided for: *Provided further*, That this limitation on military supplies and equipment shall not apply to capital ships for which title has passed but which have been reclaimed by the Navy Department."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 1, and concur therein with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment, insert:

"Military assistance: For military assistance as authorized by title I, chapter 1, $1,192,700,000 plus unobligated balances, as follows: For general military assistance authorized by section 103, $1,092,700,000 plus not to exceed $2,383,512,729 of unobligated balances; for infrastructure authorized by section 104 (a), $100 million, plus not to exceed $39 million of unobligated balances: *Provided*, That such unobligated balances shall be derived from balances of appropriations heretofore made for military assistance (Europe; Near East, and Africa; Asia and the Pacific; American Republics; and mutual special weapons planning): *Provided further*, That not to exceed $23,250,000 of such funds shall be available for administrative expenses to carry out the purposes of title I, chapter 1 until June 30, 1955: *Provided further*, That the military supplies and equipment (or the equivalent value thereof as the Secretary of Defense shall determine but not to exceed $200 million in inventory value) which have been procured and processed for delivery to foreign areas and which subsequently are returned to the custody of the United States because of a change in the international situation, shall remain available for military assistance authorized by law, and such amounts shall be in addition to the amounts herein otherwise provided for: *Provided further*, That this limitation on military supplies and equipment shall not apply to capital ships for which title has passed but which have been reclaimed by the Navy Department."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 2: Page 3, line 15, strike out "$712,000,000" and insert "$700,000,000: *Provided*, That none of the funds appropriated in this paragraph may be used for assistance to any nation which in the opinion of the President is not cooperating in common defense efforts against further Communist penetration and/or aggression."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 2, and concur therein with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert the following: "$700,000,000: *Provided*, That none of the funds appropriated in this paragraph may be used for assistance to any nation which in the opinion of the President is not making satisfactory efforts against Communist penetration and/or aggression."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 3: Page 3, line 21, insert the following:

"Production for forces support: For assistance authorized by section 122, $35,000,000."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 3, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"Production for forces support: For assistance authorized by section 122, $35,000,000, all of which shall be in the form of United States surplus agricultural commodities."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 9: Page 4, line 23, strike out the following: "and in addition, not to exceed $15,000,000 of the unobligated balances of funds heretofore made available under this head."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 9, and concur therein with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: ", and in addition, not to exceed $16 million of the unobligated balances of funds heretofore made available under this head."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12: On page 5, line 12, insert the following:

"Contributions to the United Nations expanded program of technical assistance: For contributions to cover the amount pledged by the United States for conducting the program during the calendar year 1954, $9,957,621."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 12, and concur therein with an amendment, as follows: After the sum named in said amendment insert the following: ": *Provided*, That no commitment for the calendar year 1955 or thereafter shall be pledged on behalf of the United States until the Congress appropriates for said purpose."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 22: Page 7, line 3, insert the following:

"Unexpended balances

"The unexpended balances appropriated under each paragraph of the Mutual Security Appropriation Act, 1954 (except appropriations under the heads of military assistance and mutual special weapons planning) shall be consolidated with the appropriate appropriation made under this act, and shall be available for the same general purpose and for the same period of time as the appropriate appropriation made under this act."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 22, and concur therein with an amendment, as follows: In lieu of the matter by said amendment insert:

"Funds appropriated under each paragraph of this act (other than appropriations under the head of military assistance), including specified amounts of unobligated balances, and amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made for the same general purpose as such paragraph, which amounts are hereby continued available during fiscal year 1955, may be consolidated in one account for each paragraph: *Provided*, That any apparent recorded obligation outstanding on June 30, 1954, against any such appropriations which is not eligible for certification under the terms of section 1311 of the Supplemental Appropriation Act, 1955, may be corrected and certified under section 1311 as an obligation if approved by the Director of the Foreign Operations Administration and the Director of the Budget not later than February 1, 1955."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 23: Page 7, line 19, insert the following: ", including (notwithstanding the provision of section 9 of the act of March 4, 1909 (31 U. S. C. 673)), expenses in connection with meetings of persons whose employment is authorized by section 530 of the Mutual Security Act of 1954."

Mr. TABER. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 25: Page 12, line 10, strike out ", and notwithstanding the provisions of section 502 of the Mutual Security Act of 1954, all expenditures of foreign currencies or credits for the purposes of such act shall be subject to the provisions of section 1415 of the Supplemental Appropriation Act of 1953."

Mr. TABER. Mr. Speaker, I offer a motion.

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 25, and concur therein with an amendment, as follows: In lieu of the matter proposed to be stricken by the said amendment insert "and hereafter, foreign currencies generated under the provisions of this act shall be utilized only for the purposes for which the funds providing the commodities which generated the currency were appropriated (except as specifically provided in section 109 of this act)."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 26: Page 12, line 14, insert: "*Provided*, That the proviso in section 502 (b) of the Mutual Security Act of 1954 is amended as follows: (1) Strike out 'Committee on House Administration of the House of Representatives' and insert 'Committee on Appropriations of the House of Representatives', and (2) strike out 'Committee on Rules and Administration of the Senate' and insert 'Committee on Appropriations of the Senate'."

Mr. TABER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 26, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert ": *Provided*, That the proviso in section 502 (b) of the Mutual Security Act of 1954 is amended as follows: (1) Strike out 'Committee on Rules and Administration of the Senate' and insert 'Committee on Appropriations of the Senate'."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 31: Page 14, line 21, insert:

"SEC. 107. $55,000,000 of the unobligated balances continued available under this Act shall be available only for the procurement and sale, in accordance with provisions of section 402 of the Mutual Security Act of 1954, of surplus agricultural commodities as assistance to Spain during the current fiscal year: *Provided*, That the limitations on obligation of military assistance funds during fiscal year 1955 shall not apply to such assistance: *Provided further*, That 95 per centum of the foreign currencies generated hereunder shall be used to strengthen and improve the civilian economy of Spain, the balance to be available for use of the United States."

Mr. TABER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 31, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 109. $55,000,000 of the unobligated balances continued available under this act shall be available only for the procurement and sale, in accordance with provisions of section 402 of the Mutual Security Act of 1954, of surplus agricultural commodities as assistance to Spain during the current fiscal year: *Provided*,

That 80 percentum of the foreign currencies generated hereunder shall be used to strengthen and improve the civilian economy of Spain, the balance to be available for use of the United States: *Provided, however,* That this provision shall not be construed as a precedent or as an abrogation of any agreement heretofore entered into."

Mr. DAVIS of Wisconsin. Mr. Speaker, I oppose the adoption of the motion for the previous question on the motion of the gentleman from New York to recede and concur in the Senate amendment No. 31 with an amendment, because I believe that the amendment No. 31, as agreed to in conference, contains an unsound and dangerous proviso.

The proviso to which I refer is as follows:

Provided further, That 80 percent of the foreign currencies generated here shall be used to strengthen and improve the civil economy of Spain, the balance to be available for use of the United States.

I made reference to this matter in my earlier colloquy with the gentleman from New York [Mr. TABER]. After several years of our distributing money and products among many of the nations of the world, receiving very little in return, we finally, after lengthy negotiations, made an agreement with a country which, in return for our economic assistance, made some definite commitments to us. That nation was Spain.

It was my responsibility, as chairman of the Appropriations Subcommittee which handles military construction, to make thorough inquiry into the nature of our agreement with Spain which permitted the establishment of United States Air Force and naval installations in that country. Because our subcommittee was impressed with the comparatively businesslike approach which had characterized the formation of this agreement, we recommend the appropriation of funds for the initiation of Air Force and Navy construction there. In that treaty it was provided that the United States occupation of facilities was assured for a minimum of 10 years; and it was further provided that 60 percent of the Spanish curriencies generated by our program of economic assistance to Spain was to be made available for the construction of our military installations there.

The proviso which I have quoted above is completely inconsistent with that agreement, and substitutes the philosophy of the giveaway for the sounder philosophy of a quid pro quo arrangement. In this superseding our treaty arrangement, this proviso means either the weakening of our military construction program in Spain or the appropriation of millions of additional dollars that would otherwise not need to be appropriated from the Treasury.

The adoption of the motion for the previous question deprives me of the opportunity to offer a motion as a substitute for the motion of the gentleman from New York.

The motion which I have placed on the Clerk's desk would strike this objectionable proviso from the conference report.

The House, in its rush to adjourn, makes a serious and expensive mistake in adopting the motion of the gentleman from New York.

Mr. TABER. Mr. Speaker, I move the previous question.

The SPEAKER. If there is no objection, the previous question is ordered.

Mr. DAVIS of Wisconsin. Mr. Speaker, I object.

The SPEAKER. The question is on ordering the previous question.

Mr. DAVIS of Wisconsin. Mr. Speaker, I have a motion at the desk as a substitute for the motion offered by the gentleman from New York, which I ask to have considered.

The SPEAKER. The motion which the gentleman from Wisconsin intends to offer can be offered only if the previous question is voted down.

Mr. DAVIS of Wisconsin. Mr. Speaker, I was on my feet seeking recognition at the time the Chair put the motion.

The SPEAKER. The Chair must state that the gentleman from New York had the floor and was entitled to move the previous question immediately upon the conclusion of the reading of his motion that the House recede from its disagreement to the Senate amendment and concur therein with an amendment. The gentleman from New York [Mr. TABER] moved the previous question and that is the question to be voted upon at this time.

The question is on ordering the previous question.

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 86, noes 28.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 183, nays 76, not voting 167, as follows:

[Roll No. 146]

YEAS—183

Abbitt	Cretella	Gavin
Abernethy	Crosser	Goodwin
Addonizio	Cunningham	Graham
Allen, Calif.	Curtis, Mass.	Granahan
Allen, Ill.	Dawson, Utah	Grant
Andrews	Deane	Green
Aspinall	Delaney	Hagen, Calif.
Auchincloss	Derounian	Hale
Barrett	Devereux	Halleck
Bates	Dingell	Harden
Battle	Dodd	Hardy
Becker	Dollinger	Harrison, Va.
Boggs	Dondero	Hart
Boland	Donohue	Hays, Ark.
Bolton, Frances P.	Donovan	Herlong
	Dorn, N. Y.	Heselton
Boykin	Durham	Holmes
Bramblett	Eberharter	Hope
Brooks, Tex.	Edmondson	James
Brown, Ga.	Elliott	Jarman
Brownson	Evins	Javits
Buchanan	Fallon	Jenkins
Burleson	Feighan	Jensen
Bush	Fenton	Johnson, Calif.
Byrd	Fernandez	Johnson, Wis.
Byrne, Pa.	Fogarty	Jonas, N. C.
Campbell	Forand	Jones, Ala.
Cannon	Ford	Karsten, Mo.
Carnahan	Forrester	Kearns
Celler	Fountain	Keating
Chenoweth	Frazier	Kee
Chudoff	Friedel	Kelley, Pa.
Cooley	Fulton	Kersten, Wis.
Cooper	Garmatz	Kilday
Corbett	Gary	King, Calif.
Kirwan	Philbin	Smith, Va.
Kluczynski	Poage	Spence
Lane	Polk	Staggers
Lanham	Price	Stauffer
McCarthy	Priest	Steed
McConnell	Prouty	Sullivan
Mack, Wash.	Radwan	Taber
Magnuson	Ray	Teague
Mahon	Rayburn	Thomas
Marshall	Reams	Thompson, Tex.
Matthews	Reece, Tenn.	Thornberry
Merrill	Reed, Ill.	Tollefson
Merrow	Reed, N. Y.	Trimble
Miller, Calif.	Rhodes, Pa.	Tuck
Mollohan	Roberts	Velde
Morano	Robeson, Va.	Vorys
Multer	Rodino	Walter
Mumma	Rogers, Colo.	Wampler
Natcher	Rogers, Fla.	Warburton
Neal	Rogers, Mass.	Watts
Oakman	Rooney	Wharton
O'Brien, N. Y.	Saylor	Wickersham
O'Hara, Ill.	Scherer	Wigglesworth
O'Neill	Seely-Brown	Wilson, Ind.
Osmers	Selden	Wolcott
Ostertag	Sheppard	Wolverton
Perkins	Sieminski	Younger
Pfost	Simpson, Pa.	Zablocki

NAYS—76

Albert	Gentry	O'Konski
Alexander	George	Passman
Andresen, August H.	Gross	Patman
	Hagen, Minn.	Phillips
Ashmore	Harrison, Nebr.	Poff
Bailey	Hays, Ohio	Rees, Kans.
Belcher	Hillings	Rhodes, Ariz.
Bennett, Fla.	Hoffman, Mich.	Rogers, Tex.
Berry	Hyde	Schenck
Betts	Ikard	Shuford
Bolton, Oliver P.	Jonas, Ill.	Small
	Jones, Mo.	Smith, Miss.
Bow	Jones, N. C.	Smith, Wis.
Bray	Judd	Springer
Brown, Ohio	Kean	Sutton
Budge	Laird	Talle
Byrnes, Wis.	Long	Thompson, Mich.
Carlyle	McIntire	
Clardy	McMillan	Van Zandt
Cole, Mo.	McVey	Whitten
Coon	Mailliard	Willis
Davis, Wis.	Miller, Md.	Wilson, Calif.
Dies	Mills	Winstead
Dowdy	Murray	Withrow
Fisher	Nicholson	Young
Frelinghuysen	Norrell	
Gathings	O'Hara, Minn.	

NOT VOTING—167

Adair	D'Ewart	Latham
Andersen, H. Carl	Dolliver	LeCompte
	Dorn, S. C.	Lesinski
Angell	Doyle	Lipscomb
Arends	Elsworth	Lovre
Ayres	Engle	Lucas
Baker	Fine	Lyle
Barden	Fino	McCormack
Beamer	Gamble	McCulloch
Bender	Golden	McDonough
Bennett, Mich.	Gordon	McGregor
Bentley	Gregory	Machrowicz
Bentsen	Gubser	Mack, Ill.
Bishop	Gwinn	Madden
Blatnik	Haley	Martin, Iowa
Bolling	Hand	Mason
Bonin	Harris	Meader
Bonner	Harrison, Wyo.	Metcalf
Bosch	Harvey	Miller, Kans.
Bowler	Hébert	Miller, Nebr.
Brooks, La.	Hess	Miller, N. Y.
Broyhill	Hiestand	Morgan
Buckley	Hill	Morrison
Burdick	Hillelson	Moss
Busbey	Hinshaw	Moulder
Canfield	Hoeven	Nelson
Carrigg	Hoffman, Ill.	Norblad
Cederberg	Holifield	O'Brien, Ill.
Chatham	Holt	O'Brien, Mich.
Chelf	Holtzman	Patten
Chiperfield	Horan	Patterson
Church	Hosmer	Pelly
Clevenger	Howell	Pilcher
Cole, N. Y.	Hruska	Pillion
Colmer	Hunter	Powell
Condon	Jackson	Preston
Cotton	Kearney	Rabaut
Coudert	Kelly, N. Y.	Rains
Crumpacker	Keogh	Regan
Curtis, Mo.	Kilburn	Richards
Curtis, Nebr.	King, Pa.	Riehlman
Dague	Klein	Riley
Davis, Ga.	Knox	Rivers
Davis, Tenn.	Krueger	Robsion, Ky.
Dawson, Ill.	Landrum	Roosevelt
Dempsey	Lantaff	Sadlak

St. George	Smith, Kans.	Westland
Scott	Stringfellow	Wheeler
Scrivner	Taylor	Widnall
Scudder	Thompson, La.	Wier
Secrest	Utt	Williams, Miss.
Sheehan	Van Pelt	Williams, N. J.
Shelley	Vinson	Williams, N. Y.
Short	Vursell	Wilson, Tex.
Sikes	Wainwright	Yates
Simpson, Ill.	Weichel	Yorty

So the previous question was ordered.

The Clerk announced the following pairs:

Mr. Canfield with Mr. McCormack.
Mr. Coudert with Mr. Fine.
Mr. Hand with Mr. Colmer.
Mr. Curtis of Missouri with Mr. Barden.
Mr. Jackson with Mr. Vinson.
Mr. Martin of Iowa with Mr. Thompson of Louisiana.
Mr. Patterson with Mr. Sikes.
Mr. Short with Mr. Williams of Mississippi.
Mr. Taylor with Mr. Rivers.
Mr. Widnall with Mr. Preston.
Mr. Williams of New York with Mr. Dorn of South Carolina.
Mr. Broyhill with Mr. Riley.
Mr. Arends with Mr. Gordon.
Mr. Busbey with Mr. Bonner.
Mr. LeCompte with Mrs. Kelly of New York.
Mr. Adair with Mr. Richards.
Mr. Hunter with Mr. Brooks of Louisiana.
Mr. Ayres with Mr. Haley.
Mr. Forand with Mr. Morrison.
Mr. Cole of New York with Mr. Buckley.
Mr. Bender with Mr. Rains.
Mr. McGregor with Mr. Gregory.
Mr. Utt with Mr. Hébert.
Mr. Wainwright with Mr. Howell.
Mr. Mason with Mr. Roosevelt.
Mr. Cotton with Mr. Patten.
Mr. Ellsworth with Mr. O'Brien of Illinois.
Mr. Coon with Mr. Moss.
Mr. Fino with Mr. Engle.
Mr. Kearney with Mr. Blatnik.
Mr. Beamer with Mr. Davis of Georgia.
Mr. H. Carl Andersen with Mr. Shelley.
Mr. Hill with Mr. Wheeler.
Mr. Scott with Mr. Yorty.
Mr. Meader with Mr. Mack of Illinois.
Mr. Norblad with Mr. Bolling.
Mr. Miller of Nebraska with Mr. Landrum.
Mr. Dague with Mr. Secrest.
Mr. Nelson with Mr. Regan.
Mr. D'Ewart with Mr. Madden.
Mr. Clevenger with Mr. Chatham.
Mr. Westland with Mr. Doyle.
Mrs. Church with Mr. Chelf.
Mr. Bishop with Mr. Holifield.
Mr. Hoffman of Illinois with Mr. Lantaff.
Mr. Stringfellow with Mr. Machrowicz.
Mr. Van Pelt with Mr. Lyle.
Mr. Carrigg with Mr. Holtzman.
Mr. Bentley with Mr. Lesinski.
Mr. Simpson of Illinois with Mr. Rabaut.
Mr. Hosmer with Mr. O'Brien of Michigan.
Mr. Crumpacker with Mr. Moulder.
Mr. Gubser with Mr. Harris.
Mr. Harvey with Mr. Lucas.
Mr. Lovre with Mr. Metcalf.
Mr. Vursell with Mr. Wier.
Mr. Smith of Kansas with Mr. Yates.
Mr. Holt with Mr. Pilcher.
Mr. Hoeven with Mr. Bowler.
Mr. Lipscomb with Mr. Williams of New Jersey.
Mr. Riehlman with Mr. Bentsen.
Mr. Pillion with Mr. Dempsey.
Mr. Scrivner with Mr. Condon.
Mr. Hruska with Mr. Powell.
Mr. Kilburn with Mr. Dawson of Illinois.
Mr. Chiperfield with Mr. Morgan.
Mr. Pelly with Mr. Wilson of Texas.

Mr. SCHERER changed his vote from "nay" to "yea."

Mr. BROWN of Ohio changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the motion offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. DAVIS of Wisconsin) there were—ayes 114, noes 41.

So the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 32: Page 15, line 8, insert:

"SEC. 108. Funds heretofore or hereafter allocated to the Department of Defense from any appropriation for military assistance (except funds obligated directly against any such appropriation for offshore procurement or other purposes) shall be accounted for by geographic area and by country solely on the basis of the value of materials delivered and services performed (such value to be determined in accordance with the applicable provisions of law governing the administration of military assistance). Such funds shall be considered obligated in accordance with the provisions of section 1311 of the Supplemental Appropriation Act of 1955 on written orders issued by the Secretary of Defense to the military departments for the procurement or delivery of supplies and services, when receipt of such orders has been acknowledged in writing. Within the limits of funds so allocated, the Department of Defense is authorized to incur, in applicable appropriations, obligations in anticipation of reimbursement from such allocation, and no funds so allocated shall be withdrawn by administrative action until the Secretary of Defense shall certify that they are not required for liquidation of obligations so incurred, or unless the President in writing shall direct such action. Reimbursement from such allocation shall be made in accordance with the applicable provisions of law."

Mr. TABER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 32, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 110. Funds heretofore or hereafter allocated to the Department of Defense from any appropriation for military assistance (except funds obligated directly against any such appropriation for offshore procurement or other purposes) shall be accounted for by geographic area and by country solely on the basis of the value of materials delivered and services performed (such value to be determined in accordance with the applicable provisions of law governing the administration of military assistance). Within the limits of amounts available from funds so allocated, the Department of Defense is authorized to incur, in applicable appropriations, obligations in anticipation of reimbursement from such allocations, and no funds so allocated and available shall be withdrawn by administrative action until the Secretary of Defense shall certify that they are not required for liquidation of obligations so incurred. Unobligated amounts of such allocations equal to the value of orders placed with the military departments against such allocations during the current fiscal year shall be reserved and shall remain available until June 30, 1957, for making such reimbursements (except in case of funds obligated directly against such allocations) only upon the basis of materials delivered and services rendered: *Provided*, That reports of items to be delivered against funds reserved as provided herein shall be furnished quarterly by the Secretary of Defense to the Committees on Appropriations of the Senate and the House of Representatives and, not less often than once each quarter beginning with the period ending December 31, 1954, said Secretary shall make a detailed report to the Committees on Appropriations of the Senate and the House of Representatives, on a delivery or service-rendered basis, on all military assistance funds allocated and available to the Department of Defense as of the end of the preceding quarter: *Provided further*, That no reimbursements for materials or services shall be made after June 30, 1955, until the value of materials delivered and services performed shall equal the amount of expenditures made from all appropriations herein and heretofore made for military assistance as of said date: *Provided further*, That in the event the President shall determine that supplies and equipment ordered against funds so allocated are required for the defense of the United States, the amount allocated for supplies and materials required for such purpose shall be returned to the appropriation from which allocated: *Provided further*, That funds appropriated in this act for military assistance (including specified amounts of unobligated balances), and amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made for such purposes, shall be maintained in one account which shall be used for all transactions involving military assistance during the current fiscal year, and no expenditures shall be made from such account except as may be within the limits of the sum of the amounts mentioned in this proviso: *Provided further*, That any apparent recorded obligation exceeding $5 million, outstanding on June 30, 1954, which is not eligible for certification under the terms of section 1311 of the Supplemental Appropriation Act, 1955, may be corrected and certified under section 1311 as an obligation if approved by the Secretary of Defense and the Director of the Budget not later than February 1, 1955: *Provided further*, That nothing in this act shall be construed as making any appropriation or fund available for obligation after June 30, 1955, except as may be necessary for reimbursements authorized herein or as authorized by the Mutual Security Act of 1954."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 33: Page 16, line 7, insert:

"SEC. 109. The appropriations, authorizations, and authority with respect thereto in this act shall be available from July 1, 1954, for the purposes provided in such appropriations, authorizations, and authority. All obligations incurred during the period between June 30, 1954, and the date of enactment of this act in anticipation of such appropriations, authorizations, and authority are hereby ratified and confirmed if in accordance with the terms hereof and the terms of Public Law 475, 83d Congress."

Mr. TABER. Mr. Speaker, I move to recede and concur with an amendment, which I send to the desk.

The Clerk read as follows:

Mr. TABER moves that the House recede from its disagreement to the amendment of the Senate numbered 33, and concur therein with an amendment, as follows: Change the section number to 111.

Mr. TABER. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. DAVIS].

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent that I may insert a statement in the body of the RECORD immediately following the motion of the gentleman from New York [Mr. TABER] with respect to amendment No. 31.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from New York [Mr. TABER].

The motion was agreed to.

Mr. TABER. Mr. Speaker, I move to reconsider the several votes by which the conference report and amendments have been agreed to, and to lay that motion on the table.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. TABER. Mr. Speaker, I ask unanimous consent that all those who have spoken on the conference report and amendments may have unanimous consent to revise and extend the remarks they made.

The SPEAKER. Is there objection?

There was no objection.

ORAL PRESCRIPTIONS FOR CERTAIN NARCOTIC DRUGS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3447) to amend the Internal Revenue Code to permit the filling of oral prescriptions for certain drugs, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2554 (c) (1) of the Internal Revenue Code of 1939 is amended to read as follows:

"(1) Use of drugs in professional practice: To the dispensing or distribution of narcotic drugs to a patient by a physician, dentist, veterinary surgeon, or other practitioner, registered under section 3221, in the course of his professional practice only: *Provided,* That such physician, dentist, veterinary surgeon, or other practitioner, shall keep a record of all such drugs dispensed or distributed, showing the amount dispensed or distributed, the date, and the name and address of the patient to whom such drugs are dispensed or distributed, except such as may be dispensed or distributed to a patient upon whom such physician, dentist, veterinary surgeon, or other practitioner, shall personally attend; and such record shall be kept for a period of 2 years from the date of dispensing or distributing such drugs, subject to inspection, as provided in section 2556."

SEC. 2. Section 2554 (c) (2) of the Internal Revenue Code of 1939 is amended to read as follows:

"(2) Prescriptions: To the sale, dispensing, or distribution of narcotic drugs by a dealer to a consumer under and in pursuance of a written prescription issued by a physician, dentist, veterinary surgeon, or other practitioner, registered under section 3221: *Provided, however,* That (1) such prescription shall be dated as of the day on which signed and shall be signed by the physician, dentist, veterinary surgeon, or other practitioner, who shall have issued the same; (2) that such dealer shall preserve such prescription for a period of 2 years from the day on which such prescription is filled in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials mentioned in section 2556.

"In lieu of a written prescription for such narcotic drugs or compounds of a narcotic drug which the Secretary, in his discretion (after considering any views expressed on the subject by the Surgeon General, United States Public Health Service; the Commissioner, United States Food and Drug Administration, the respective heads of State narcotic law-enforcement agencies, and the respective secretaries of national associations representing (a) narcotic drug manufacturers, (b) physicians, and (c) pharmacists), shall find and by regulation designate to possess relatively little or no addiction liability, the sale, dispensing, or distribution may be made by a dealer to a consumer upon oral prescription of a duly registered physician, dentist, veterinary surgeon, or other practitioner, which oral prescription is reduced promptly to writing, and the writing filed and preserved by the dealer for a period of 2 years from the date on which such prescription is filled in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials mentioned in section 2556. In issuing an oral prescription, the prescriber shall furnish the dealer with the same information as is required by law or regulation in case of a written prescription for narcotic drugs or compounds of a narcotic drug except for the written signature of the prescriber, and the dealer who fills such prescription shall be required to inscribe such information on the written record of the prescription made, filed and preserved by him, and shall inscribe on the label of the container of the narcotic drug or compound of a narcotic drug the same information as is required in filling a written prescription. An oral prescription shall not be refilled.

"If the Secretary shall subsequently determine that a narcotic drug or a compound of a narcotic drug, to which the oral prescription procedure described in the preceding paragraph has been made applicable, possesses a degree of drug addiction liability that, in his opinion, results in abusive use of such procedure, he shall by regulation publish the determination in the Federal Register. The determination shall be final, and after the expiration of a period of 6 months from the date of its publication, the oral prescription procedure described in the preceding paragraph shall cease to apply to the particular narcotic drug or to the particular compound of a narcotic drug which is the subject of the determination."

SEC. 3. Section 2553 (b) (1) of the Internal Revenue Code of 1939 is amended to read as follows:

"(1) Prescriptions: To any person having in his or her possession any narcotic drugs or compounds of narcotic drugs which have been obtained from a registered dealer in pursuance of a written or oral prescription referred to in section 2554 (c) (2), issued for legitimate medical uses by a physician, dentist, veterinary surgeon, or other practioner registered under section 3221; and where the bottle or other container in which such narcotic drug or compound of a narcotic drug may be put up by the dealer upon said prescription bears the name and registry number of the druggist, and name and address of the patient, serial number of prescription, and name, address, and registry number of the person issuing said prescription; or."

SEC. 4. Section 2556 (a) of the Internal Revenue Code of 1939 is amended by placing a comma after the word "prescriptions" in the first sentence thereof and interpolating immediately following said comma, the phrase "including the written record of oral prescriptions,".

SEC. 5. Section 3224 (b) (5) of the Internal Revenue Code of 1939 is amended to read as follows:

"(5) to any person carrying any narcotic drug or compound of a narcotic drug which has been obtained by the person from a registered dealer in pursuance of a written or oral prescription referred to in section 2554 (c) (2), issued for legitimate medical uses by a physician, dentist, veterinary surgeon, or other practitioner, registered under section 3221, if the bottle or other container in which such drug or compound of a narcotic drug is carried bears the name and registry number of the druggist, serial number of prescription, name and address of the patient, and name, address, and registry number of the person issuing such prescription."

SEC. 6. Section 4705 (c) (1) of the Internal Revenue Code of 1954 is amended to read as follows:

"(1) Use of drugs in professional practice: To the dispensing or distribution of narcotic drugs to a patient by a physician, dentist, veterinary surgeon, or other practitioner registered under section 4722, in the course of his professional practice only: *Provided,* That such physician, dentist, veterinary surgeon, or other practitioner shall keep a record of all such drugs dispensed or distributed, showing the amount dispensed or distributed, the date, and the name and address of the patient to whom such drugs are dispensed or distributed, except such as may be dispensed or distributed to a patient upon whom such physician, dentist, veterinary surgeon, or other practitioner shall personally attend; and such record shall be kept for a period of 2 years from the date of dispensing or distributing such drugs, subject to inspection, as provided in section 4773."

SEC. 7. Section 4705 (c) (2) of the Internal Revenue Code of 1954 is amended to read as follows:

"(2) Prescriptions: (A) To the sale, dispensing, or distribution of narcotic drugs by a dealer to a consumer under and in pursuance of a written prescription issued by a physician, dentist, veterinary surgeon, or other practitioner registered under section 4722: *Provided, however,* That (i) such prescription shall be dated as of the day on which signed and shall be signed by the physician, dentist, veterinary surgeon, or other practitioner who shall have issued the same; (ii) that such dealer shall preserve such prescription for a period of 2 years from the day on which such prescription is filled in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials mentioned in section 4773.

"(B) In lieu of a written prescription for such narcotic drugs or compounds of a narcotic drug which the Secretary or his delegate in his discretion (after considering any views expressed on the subject by the Surgeon General, United States Public Health Service; the Commissioner, United States Food and Drug Administration; the respective heads of State narcotic law enforcement agencies; and the respective secretaries of national associations representing (i) narcotic drug manufacturers, (ii) physicians, and (iii) pharmacists), shall find and by regulation designate to possess relatively little or no addiction liability, the sale, dispensing, or distribution may be made by a dealer to a consumer upon oral prescription of a duly registered physician, dentist, veterinary surgeon, or other practitioner, which oral prescription is reduced promptly to writing, and the writing filed and preserved by the dealer for a period of 2 years from the date on which such prescription is filled in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials mentioned in section 4773. In

issuing an oral prescription, the prescriber shall furnish the dealer with the same information as is required by law or regulation in case of a written prescription for narcotic drugs or compounds of a narcotic drug except for the written signature of the prescriber, and the dealer who fills such prescription shall be required to inscribe such information on the written record of the prescription made, filed, and preserved by him, and shall inscribe on the label of the container of the narcotic drug or compound of a narcotic drug the same information as is required in filling a written prescription. An oral prescription shall not be refilled.

"(C) If the Secretary or his delegate shall subsequently determine that a narcotic drug or a compound of a narcotic drug, to which the oral prescription procedure described in the preceding subparagraph has been made applicable, possesses a degree of drug addiction liability that, in his opinion, results in abusive use of such procedure, he shall by regulation publish the determination in the Federal Register. The determination shall be final, and after the expiration of a period of 6 months from the date of its publication, the oral prescription procedure described in the preceding subparagraph shall cease to apply to the particular narcotic drug or to the particular compound of a narcotic drug which is the subject of the determination."

SEC. 8. Section 4704 (b) (1) of the Internal Revenue Code of 1954 is amended to read as follows:

"(1) Prescriptions: To any person having in his or her possession any narcotic drugs or compounds of narcotic drug which have been obtained from a registered dealer in pursuance of a written or oral prescription referred to in section 4705 (c) (2), issued for legitimate medical uses by a physician, dentist, veterinary surgeon, or other practitioner registered under section 4722; and where the bottle or other container in which such narcotic drug or compound of a narcotic drug may be put up by the dealer upon said prescription bears the name and registry number of the druggist, and name and address of the patient, serial number of prescription, and name, address, and registry number of the person issuing said prescription; or."

SEC. 9. Section 4773 of the Internal Revenue Code of 1954 is amended by striking out "prescriptions required" and inserting in lieu thereof "prescriptions, including the written record of oral prescriptions, required."

SEC. 10. Section 4724 (b) (5) of the Internal Revenue Code of 1954 is amended to read as follows:

"(5) to any person carrying any narcotic drug or compound of a narcotic drug which has been obtained by the person from a registered dealer in pursuance of a written or oral prescription referred to in section 4705 (c) (2), issued for legitimate medical uses by a physician, dentist, veterinary surgeon, or other practitioner registered under section 4722, if the bottle or other container in which such drug or compound of a narcotic drug is carried bears the name and registry number of the druggist, serial number of prescription, name and address of the patient, and name, address, and registry number of the person issuing such prescription;"

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to insert at this point an explanation of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, S. 3447 is designed to liberalize the requirements of the Internal Revenue Code with respect to prescriptions for certain narcotic drugs.

Under existing law prescriptions generally may be dictated to a pharmacist by a physician over the telephone. However the provisions of the code which incorporate the Harrison Narcotic Act require that all prescriptions for narcotic drugs must be submitted in writing by a licensed practitioner. This is entirely proper in the case of the prescription of habit-forming narcotics.

However, many prescriptions contain narcotics or narcotic compounds which possess little or no habit-forming characteristics. The purpose of the bill is to authorize the Secretary of the Treasury, after consultation with the Surgeon General and the Commissioner of the Food and Drug Administration to exempt those narcotics or narcotic compounds which contain little or no addiction liability from the provisions of the Harrison Narcotic Act so that oral prescriptions may be given therefor. Rather elaborate safeguards are provided to prevent abuse. Among these is the requirement that each pharmacist dispensing the narcotic drug record for each oral prescription all the information now required for full narcotic prescriptions and retain this information on file for a period of 2 years.

This bill is endorsed by the American Medical Association and the American Pharmaceutical Association.

Very often the onset of ailments which can lead to serious—even fatal—diseases can be prevented by the prompt use of drugs which are in the category covered by this bill. The delay caused by the entirely unnecessary requirement that such prescriptions be made in writing can quite literally cost an American life.

This bill is similar to H. R. 9163, introduced by Hon. THOMAS E. MARTIN, a distinguished member of our committee, which our committee tentatively approved but did not report in view of the present legislation from the Senate.

I strongly urge, therefore, enactment of this legislation.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, the primary purpose of this bill is to permit the filling of oral prescriptions for certain narcotic drugs or compounds containing narcotic drugs where the Secretary of the Treasury has determined that the drugs possess relatively little or no addiction liability. If the Secretary once makes this determination and he later determines that the oral prescriptions are being abused, he can withdraw the authority for them to be filled by oral prescription.

The dispensers of the drugs on oral prescriptions would be required to keep the same sort of records which they now keep where drugs are dispensed by written prescription. These records must be kept for 2 years and must be available for examination.

It is my understanding that the interested Departments have reported favorably on this legislation, and that it is noncontroversial.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RECIPROCAL AND MORE EFFECTIVE REMEDY FOR CERTAIN CLAIMS ARISING OUT OF THE ACTS OF MILITARY PERSONNEL

Mr. VORYS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3844) to provide for a reciprocal and more effective remedy for certain claims arising out of the acts of military personnel and to authorize the pro rata sharing of the cost of such claims with foreign nations, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, pursuant to the terms of those international agreements to which the United States is now or may hereafter be a party which provide that certain claims against the United States arising out of acts or omissions in the performance of official duty in a foreign country of civilian employees of the Armed Forces, or military personnel, of the United States may be adjudicated by such foreign government in accordance with the laws and regulations of such foreign government, the Secretary of Defense is hereby authorized—

(a) to reimburse such foreign government for the agreed pro rata share of such sums as may be expended by such foreign government for the payment of such claims; or

(b) to pay to such foreign government an agreed pro rata share of claims arising out of damage to the property of such foreign government,

including costs of settlement or arbitration: *Provided*, That no claim arising out of any action by an enemy of the United States or resulting directly or indirectly from any act by the Armed Forces of the United States, or any member thereof, engaged in combat shall be considered or paid under this act.

SEC. 2. Whenever the terms of an international agreement to which the United States is now or may hereafter be a party provide that certain claims against a foreign government arising out of acts or omissions in the performance of official duty within the territory of the United States of civilian employees of the Armed Forces, or military personnel, of such foreign government, be adjudicated by the United States in accordance with the laws and regulations of the United States subject to an agreed pro rata reimbursement, such claims may be prosecuted against the United States or settled by the United States under then existing laws and regulations as if such acts or omissions were performed by civilian employees of the Armed Forces or military personnel of the United States in the performance of official duty.

SEC. 3. Whenever a dispute arises in the consideration, adjustment, settlement, compromise, or adjudication of a claim asserted under section 2 of this act as to whether or not an act or omission of a civilian employee or military personnel of a foreign country was in the performance of official duty, or as to whether or not the use of any vehicle of the armed forces of such party was authorized, such disputed question or questions shall be decided in accordance with the terms of the international agreement

with such foreign country, and such decision shall be final and conclusive. The Secretary of Defense is authorized to pay the United States portion of costs arising in connection with the securing of such a decision as provided by such international agreement.

SEC. 4. Any pro rata reimbursement or payment by the United States with respect to a settlement, award, or compromise made pursuant to this act shall be made by the Secretary of Defense out of appropriations for that purpose, which appropriations are hereby authorized, and such appropriations may be used for the purchase of foreign currencies necessary for any such reimbursement.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. VORYS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VORYS. Mr. Speaker, S. 3844 passed the Senate yesterday by unanimous consent. Except for a minor change it is identical with H. R. 8684 which was introduced by the gentleman from New Hampshire [Mr. MERROW] and was unanimously reported from the Foreign Affairs Committee July 26 after hearings held by the Subcommittee on International Organizations and Movements, of which my esteemed and distinguished colleague the gentleman from New Hampshire [Mr. MERROW] is chairman. I attended these hearings and became familiar with the bill.

The purpose of this bill is to implement claims provisions of the NATO Status of Forces Treaty; the House, of course, had nothing to do with ratification of this treaty. This treaty and certain other international agreements provide a reciprocal and pro rata method for settling civil claims arising out of the acts of military personnel of one country in the performance of duty in another. Also included are claims arising from official acts of members of civilian components of the Armed Forces. These treaties and agreements are not self-executing, however, and require legislation such as this.

These agreements provide that if a soldier or a civilian employee, of one nation in the territory of another nation causes damage in the performance of his duty, the injured party will file a claim against his own government, which will settle it, just as if the damage had been caused by a member of his own government's forces. That government would in turn be reimbursed for an agreed percentage of the settlement by the government of the party responsible for the injury or damage. The standard agreed percentage is 25 percent by the host government and 75 percent by the sending government, except in Iceland, where the percentages are 15 and 85.

In actual practice it would work in this way: If an American soldier while driving a truck on duty in France injured a Frenchman, or damaged his property, the claim would be settled by the French Government just as though the damage had been done by a French soldier, and the United States would reimburse the French Government for 75 percent of the settlement. If the damage were inflicted in the United States by a French soldier, the Defense Department would settle the claim and France would reimburse the United States for 75 percent of the settlement.

We are already paying similar claims under the Foreign Claims Act of 1942. These have amounted to over $13 million to date. The new arrangement should save money on such claims, because 25 percent will be paid by the other government when our overseas forces cause such claims. Of course the government which makes such a contribution would have an interest in holding down such claims.

Without going into further detail on this necessarily complex matter, Mr. Speaker, I wish to state that the Department of Defense has informed the Foreign Affairs Committee that the need for this legislation is extremely urgent to carry out our agreements and that its enactment will save the United States Government money. It has already received the unanimous approval of the Senate and also of the Foreign Affairs Committee of the House. I urge its immediate unanimous approval.

Mr. MERROW. Mr. Speaker, I ask unanmous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. MERROW. Mr. Speaker, I urge the adoption by the House of bill S. 3844. This bill is practically identical with the provisions of H. R. 8684, which was unanimously reported by the Committee on Foreign Affairs on July 26, 1954, following hearings held by the Subcommittee on International Organizations and Movements, of which I have the honor to be chairman.

This legislation provides for a reciprocal and pro rata sharing of the cost of claims arising out of the acts of American military personnel stationed abroad. It was recommended by the Department of Defense and endorsed by the Department of State.

In effect, the bill implements the claims provisions of the NATO Status of Forces Treaty and certain other international agreements, such as the Administrative Agreement with Japan of February 28, 1952, and the agreement with Iceland of May 5, 1951. The NATO Status of Forces Treaty was ratified by the United States on July 24, 1953. All of the provisions of that treaty have been the law of the land since July 1953, except the claims provisions. The claims provisions are not self-executing and thus require implementing legislation by both Houses of Congress in order to make their terms effective. In this connection, I might say that I am fully aware of the opposition which the criminal provisions of the treaty have aroused. But, those provisions are the law of the land. They have nothing whatsoever to do with the claims bill.

Under the existing situation—that is to say without this bill—the United States pays 100 percent of foreign claims under the Foreign Claims Act. Under S. 3844 there is a pro rata formula whereby if, for example, an American soldier in France in line of duty injures, let us say, a resident of France, the United States will pay 75 percent of any award instead of 100 percent, and France will pay 25 percent instead of nothing. Actually, the Frenchman who is injured by the United States soldier files the claim for injuries against the French Government exactly as if he were injured by a French soldier.

This procedure acts as a deterrent against extravagant claims, because obviously the French Government will want to make its 25 percent contribution as small as possible. This deterrent phase of the procedure, of course, has an impact on the size of the United States contribution as well.

Finally, I wish to state that, as was brought out in the hearings before the subcommittee, this bill does not increase the liability of the United States in the foreign claims field. What the bill does is adopt a different and better technique in procedure of handling claims which is more economical to the United States than the procedure now authorized. This 75–25 pro rata formula will apply in every case, except in the case of Iceland where an 85–15 percent formula will prevail. But, we have been assured that Iceland is the only case where the United States will be paying more than 75 percent of the cost of the claim. That is because Iceland will never station any troops in the United States, whereas the United States has very important and vital interests in Iceland.

That is essentially what this bill is about. We have a treaty obligation with respect to these claims, but happily it is an obligation which the United States can fulfill to its advantage.

Mr. HAYS of Arkansas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HAYS of Arkansas. Mr. Speaker, this bill received painstaking study by a subcommittee of the Foreign Affairs Committee and upon review by the full committee was favorably reported. Representatives of the Department of Defense and of the Department of State presented convincing statements in support of this legislation. It should receive the prompt approval of the House since it rests upon a treaty commitment and the prescribed procedures will mean substantial savings to our Government.

AMENDING HOUSE RESOLUTION 161

Mr. ALLEN of Illinois. Mr. Speaker, I offer a resolution (H. Res. 699) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That House Resolution 161 is amended by adding after the word "within" in the second sentence thereof the words "or outside."

The SPEAKER. The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

RECOUPMENT OF CERTAIN PUBLIC SCHOOL CONSTRUCTION COSTS IN MINNESOTA

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3108) to modify the act of October 8, 1940 (54 Stat. 1020) and the act of July 24, 1947 (61 Stat. 418) with respect to the recoupment of certain public-school construction costs in Minnesota.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, effective on July 1, 1954, the recoupment requirements of the act of October 8, 1940 (54 Stat. 1020) and the act of July 24, 1947 (61 Stat. 418), shall become inapplicable to the unrecouped balances of funds expended pursuant to such acts.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN PUBLIC LANDS IN UTAH TO THE OCCUPANTS OF THE LAND

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6451) to provide for the conveyance of certain public lands in Utah to the occupants of the land, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 14, strike out all after "Utah." down to and including "patented" in line 20 and insert "Any patent issued under this act shall contain a reservation granting to the United States the right to repurchase the patented land, if the Secretary should find that such land is needed by the United States and the Weber Basin project, upon tender of payment for such land of the amount paid by the patentee to the United States under this act plus the reasonable value of the improvements thereon in place at the time the land is patented."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. SAYLOR]?

Mr. ASPINALL. Mr. Speaker, reserving the right to object, will my distinguished colleague from Pennsylvania explain the amendment?

Mr. SAYLOR. Mr. Speaker, the Senate, in acting on H. R. 6451 as it passed the House, has adopted a Senate Interior Committee amendment to the bill to which there is no ascertainable objection.

On page 2, line 16 of the House version, this language has been stricken—and I quote that portion following the word "Utah":

If any of these lands are needed by the United States for the said project, the Secretary may declare the lands forfeited and return to the United States upon tender of payment for such lands of the amount paid by the occupant to the United States under this act plus the reasonable value of the improvements in place at the time the land is patented.

In lieu of the foregoing, the Senate version substitutes this language:

Any patent issued under this act shall contain a reservation granting to the United States the right to repurchase the patented land, if the Secretary should find such land is needed by the United States and the Weber Basin project, under tender of payment for such land of the amount paid by the patentee to the United States under this act plus the reasonable value of the improvements thereon in place at the time the land is patented.

Both clauses have as their purpose protecting the interest of the United States in proposed future development of the Weber Basin reclamation project. The Senate version reaches the same destination as the House version, but by a slightly different route.

Mr. ASPINALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

PROVIDING FOR CERTAIN USES OF PUBLIC LANDS

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1254) to provide authorization for certain uses of public lands, with a Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That the head of any department or agency of the Government of the United State having jurisdiction over public lands and national forests, except national parks and monuments, of the United States is hereby authorized to grant permits, leases, or easements, in return for the payment of a price representing the fair market value of such permit, lease, or easement, to be fixed by such head of such department or agency through appraisal, for a period not to exceed 30 years from the date of any such permit, lease, or easement to States, counties, cities, towns, townships, municipal corporations, or other public agencies for the purpose of constructing and maintaining on such lands public buildings or other public works. In the event such lands cease to be used for the purpose for which such permit, lease, or easement was granted, the same shall thereupon terminate.

"SEC. 2. The authority conferred by this act shall be in addition to, and not in derogation of any authority heretofore conferred upon the head of any department or agency of the Government of the United States to grant permits, leases, easements, or rights-of-way."

Mr. ASPINALL. Mr. Speaker, reserving the right to object, will the gentleman from Pennsylvania explain the Senate amendment to the House?

Mr. SAYLOR. Mr. Speaker, the purpose of this bill as approved by the House is to permit the departments and agencies of the Government having jurisdiction over public lands, national forests, and reservations of the United States to grant permits and easements for periods not to exceed 30 years to States, other governmental subdivisions, or other public agencies, for the purpose of constructing and maintaining on such lands public buildings or other public works.

The Senate version adopts House amendments to the bill as introduced which would except from its operation national parks and national monuments, the House amendment to the original bill reducing the period of grant from 50 to 30 years, and the House amendment recommended by the Department of Justice making it clear this legislation is in addition to, and not in derogation of, existing law.

The Senate has inserted language which permits making of the grants provided for—and I am now quoting the language of the Senate amendment to the House bill—"in return for the payment of a price representing the fair market value of such permit, lease, or easement, to be fixed by such head of such department or agency through appraisal."

I am advised that the gentleman from California [Mr. ENGLE], author of H. R. 1254, has no objection to the Senate amendment. I join other Members of the House Committee on Interior and Insular Affairs at this time in urging concurrence in the Senate amendment to H. R. 1254.

Mr. ASPINALL. As I understand, the term of the lease is to be not more than 30 years; is that correct?

Mr. SAYLOR. The bill as it passed the House provided for 50-year leases; as passed by the Senate it is for not more than 30 years.

Mr. OLIVER P. BOLTON. Mr. Speaker, reserving the right to object, will the gentleman from Pennsylvania explain whether or not this bill will permit cattle grazing on public lands in certain areas?

Mr. SAYLOR. This bill has nothing to do with permitting the grazing of cattle on public lands.

Mr. OLIVER P. BOLTON. I thank the gentleman and withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

OAHE PROJECT

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2233) to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Cheyenne River Sioux Reservation, S. Dak., and for other purposes, with Senate

amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 18, strike out all after "Section II." over to and including "$6,587,854.95," in line 5 on page 3 and insert "The United States agrees to pay, out of funds appropriated for construction of the Oahe project, as just compensation for all lands and improvements and interests therein (except the agency hospital) conveyed pursuant to section I of this act; and for the bed of the Missouri River so far as it is the eastern boundary of said Cheyenne River Reservation, the sum of $5,384,014."

Page 3, line 12, strike out all after "Council" down to and including "lands" in line 17, and insert "with the approval of the Secretary of the Interior shall distribute the sum of $2,250,000 in accordance with the revised appraisal of the Missouri River Basin investigation staff of the Department of the Interior."

Page 3, line 25, strike out "agreement" and insert "act."

Page 4, line 8, strike out all after "expended" down to and including "Relocation" in line 12 and insert "for the relocation."

Page 4, line 13, strike out "all."

Page 4, line 14 strike out "all" in both instances.

Page 4, line 15, strike out "all."

Page 4, line 16, strike out all after "therewith" over to and including "impossible" in line 3 on page 5.

Page 5, line 7, strike out "$6,044,500" and insert "$5,160,000."

Page 5, line 24, after "section", insert ": *Provided further*, That the authorization contained in section XVI hereof shall remain available for a period of not to exceed ten years from the effective date of this act."

Page 12, line 15, strike out "$6,587,854.95" and insert "$5,384,014."

Page 12, line 19, strike out "$12,732,354.95" and insert "$10,644,014."

Mr. WICKERSHAM. Mr. Speaker, reserving the right to object, will the gentleman from Pennsylvania inform me how much money this involves?

Mr. SAYLOR. I will yield to the gentleman from South Dakota [Mr. BERRY]. He can tell the gentleman what this bill involves.

Mr. BERRY. As passed by the House this bill provided $12,623,000 for the land and for a rehabilitation program.

About $2 million was taken out of the bill in the Senate. They cut down the amount allowed for land purchase and damages from $6,587,000 to $5,384,000.

On the rehabilitation figure, as we passed the bill it was $6,044,000. They cut it down to $5,160,000 on the theory that the Navaho rehabilitation program provided $1,200 per person, and they set this up on the same basis as the Navaho rehabilitation program.

Mr. WICKERSHAM. I wish to thank the gentleman. I do not intend to object, but I do think that bills that were reported out by this committee by a 3-to-1 vote should be brought up for consideration. I should also like to inquire as to why 2 other bills, 1 by the gentleman from California [Mr. JOHNSON], and 1 by the gentleman from California [Mr. ENGLE] also, and 1 for the Washita project, which was passed by the Senate and reported out by the House Interior and Insular Affairs Committee by a 10-to-3 vote, but has not been called up for action. These are important to the people and I do hope that the leadership may see fit yet to bring up these worthy measures.

Mr. Speaker, I withdraw my reservation; I do not object.

Mr. BERRY. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

AUTHORIZING SECRETARY OF THE INTERIOR TO CONSTRUCT THE SANTA MARIA PROJECT, SOUTHERN PACIFIC BASIN, CALIF.

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2235) to authorize the Secretary of the Interior to construct the Santa Maria project, Southern Pacific Basin, Calif., with Senate amendments thereto.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, after "California", insert "pursuant to the laws of California, and, otherwise."

Page 2, line 6, after "reservoir", insert ": *Provided further*, That a repayment contract not exceeding a period of 50 years be executed prior to commencement of construction of the works herein authorized."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I move that the House concur in Senate amendment No. 1 with an amendment.

The Clerk read as follows:

Mr. SAYLOR moves to concur in Senate amendment No. 1 with an amendment as follows: After "California", insert "relating to water and water rights".

The motion was agreed to.

Mr. SAYLOR. Mr. Speaker, I move that the House concur in Senate amendment No. 2.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

Mr. SAYLOR. Mr. Speaker, I call the attention of the House particularly to the Senate amendment which directs that the Santa Maria project be constructed "pursuant to the laws of California, and, otherwise substantially in accordance with the recommendations of the Secretary of the Interior dated January 16, 1953." It is our understanding that this amendment was incorporated by the Senate in response to a suggestion of the State of California "that Federal legislation authorizing the project should expressly provide that Federal agencies authorized to act in this matter proceed in conformity with the laws of the State of California relating to water and water rights"—House Document No. 217, 83d Congress, page 107—and that, properly construed, this is the true intent of the amendment. For this reason I have offered an amendment to the first Senate amendment which the House having adopted leaves no doubt as to what Congress intended.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate has passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 9728. An act to revise, codify, and enact into law, title 21 of the United States Code, entitled "Food, Drugs, and Cosmetics";

H. R. 9729. An act to revise, codify, and enact into law, title 13 of the United States Code, entitled "Census"; and

H. R. 9730. An act to amend various statutes and certain titles of the United States Code, for the purpose of correcting obsolete references, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 361. An act to provide for renewal of and adjustment of compensation under contracts for carrying mail on water routes;

S. 2074. An act for the relief of certain Basque sheepherders; and

S. 3627. An act to amend the Civil Service Retirement Act, as amended.

The message also announced that the Senate insists upon its amendments to the House amendments to the bill (S. 3706) entitled "An act to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LANGER, Mr. WATKINS, Mr. BUTLER, Mr. MCCARRAN, and Mr. KILGORE to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3706) entitled "An act to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9580) entitled "An act to revise and extend the laws relating to espionage and sabotage, and for other purposes."

SPECIAL ORDERS GRANTED

Mr. COLE of Missouri asked and was given permission to address the House for 40 minutes today, following the legislative program and any special orders heretofore entered.

Mr. CRETELLA asked and was given permission to address the House for 1 minute today, following the legislative program and any special orders heretofore entered.

Mrs. ROGERS of Massachusetts asked and was given permission to address the House for 5 minutes today, following the legislative program and any special orders heretofore entered.

Mr. JONES of Missouri asked and was given permission to address the House today for 10 minutes, following the legislative program and any special orders heretofore entered.

Mr. STAGGERS asked and was given permission to address the House today for 5 minutes, following the legislative program and any special orders heretofore entered.

BILL OUTLAWING COMMUNISM

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, on Monday of this week I voted in favor of the Communist Control Act of 1954. I regret that on the following day it was necessary for me to be in Pittsburgh to fulfill an engagement already made to appear at a convention. Had I been here I would have followed up my vote of Monday and supported the Dies motion to approve the Senate amendments added to the bill outlawing the Communist Party. These amendments were taken from the bill introduced by my good friend, MARTIN DIES, of Texas, who began this valiant fight for the outlawing of the Communist Party years ago. I would have been exceedingly happy also to register my vote in favor of this Dies bill, which is similar to the statute which outlawed the Communist Party in my home State of Pennsylvania.

That bill and, as the gentleman from Texas [Mr. DIES] previously mentioned on the floor, the present bill, was in a great measure written by my fellow-townsman, Pennsylvania Supreme Court Justice Michael A. Musmanno, one of the greatest authorities in the United States on the subject of fighting communism. For 25 years Justice Musmanno has been crusading with his pen, his voice, and his noble heart, to outlaw this Red scourge; and I believe the entire Nation will be grateful to him for his magnificent contribution to this great cause. Millions will congratulate Justice Musmanno on this triumphant victory, which means to him fulfillment of a lifetime dream that the America for which he fought on the battlefield, in legislative halls, and everywhere else, will at long last be free of an organization described by him as anti-God, anti-Christ, miserable, vulgar, and indecent.

THE EISENHOWER ECONOMIC REPORT

Mr. KELLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to insert my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KELLEY of Pennsylvania. Mr. Speaker, two significant statements issued last week by top political figures brought back a lot of memories, and some disquiet. It was like seeing again on television a very old movie in which every scene is familiar.

One was the speech on his 80th birthday by former President Herbert Hoover. The other was President Eisenhower's unusual midyear economic report.

The news stories about Mr. Hoover's birthday fete in Iowa described him as "mellowed" and quoted him as acknowledging that "We are not at the bedside of a nation in death agony."

But the text of Mr. Hoover's talk was hardly mellow; it was a repetition of the bitter diatribes he has made from time since 1932 against all of the fundamental changes in the American way of life brought about by the New Deal of Franklin Roosevelt, his successor. He denounced these changes with the favorite Republican cussword "Socialist."

Herbert Hoover has offered his services to the Republican Party in the forthcoming campaign, and I hope the GOP takes him up on that offer and uses him frequently as a featured speaker. It is not that Mr. Hoover personally is not a fine fellow and a good citizen who has done much for the cause of humanity in various foreign relief jobs he has held—under Democratic Presidents—but he still is and always will remain, I believe, a symbol of Republican Party inability to deal with deep-seated economic crisis. His 80th birthday speech showed that he still bears a grudge against the Roosevelt-Truman administrations for succeeding where he failed in restoring prosperity to America.

THE EISENHOWER ECONOMIC REPORT

The Hoover address was on Tuesday of last week. On Thursday, President Eisenhower issued in his own name—rather than in the form of the customary midyear economic report from the Council of Economic Advisers—a short, three-page statement declaring, on the basis of a few selected statistics, that the bottom has been reached in the current recession and the outlook is now very good.

Why the Council of Economic Advisers did not issue a formal report at this time is a big question in Washington. One answer from some of the political and economic observers here is that the administration wanted a political document rather than an economic document, and so the nonpolitical Council was relieved of the task.

As a political document, the Eisenhower economic statement attempts to make much out of very little—attempts to see silver linings in all of the dark economic clouds of widespread unemployment, lowered production, reduced industrial sales output, and a depressed farm and individual income.

Coming so soon after Mr. Hoover's talk, it conjured up the memories of those last years of the last Republican administration when, as things got worse, administration optimism in Washington seemed to increase.

Even the Wall Street Journal worried a little editorially about Mr. Eisenhower's optimism. Optimism is sometimes a useful psychological weapon against recession, but providing jobs is a much better weapon.

H. R. 8193

Mr. ADDONIZIO. Mr. Speaker, I ask unanimous consent to insert my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ADDONIZIO. Mr. Speaker, as a strong supporter of the Refugee Relief Act, I am pleased that it has been possible to secure the passage of H. R. 8193 which will eliminate some of the difficulties encountered in the administration of the program. H. R. 8193 amends the act so as to make immigrant visa allocations mutually available to either refugees or close relatives of United States citizens who are natives of Italy, Greece, or the Netherlands. For example, this will throw open to Italians with approved visa petitions on file in their behalf the unused portion of the 45,000 nonquota visas heretofore reserved but not utilized, for Italian nationals qualifying as refugees or escapees. The American consulates in Italy have approximately 44,000 approved petitions filed by American citizens for their relatives in Italy compared with only 15,000 nonquota visas available for this group under the Refugee Relief Act. On the other hand, only approximately 1,000 Italian nationals have applied for the 45,000 special nonquota visas reserved for those who could qualify as refugees or escapees. H. R. 8193 will facilitate the reunion of loved ones in the United States and will alleviate the grave problem of overpopulation and unemployment in Italy. I shall continue my efforts to insure effective implementation of this legislation so that this worthwhile program will be carried out as expeditiously as possible.

I deeply regret, however, that I and my like-minded colleagues have been unable to secure action in the Republican controlled 83d Congress on pending legislation to remove the inequities and discriminations from our basic immigration and naturalization law. It is my firm conviction that a better law must be written that will strike an intelligent unbigoted balance between the immigration welfare of America and the prayerful hopes of the unhappy and oppressed.

Our present immigration law deprives citizens and aliens alike of their just rights. Many of the provisions are arbitrary, unfair, and unnecessary to our security and well-being. Among other defects it specifically increases the grounds for exclusion and deportation to an unnecessary degree; it fails to make provision for those who have rejected totalitarianism and are won over to our side, and it makes second-class citizens of those who attain citizenship through naturalization. It also invades the rights

of citizens and makes revocation of citizenship easier; it limits the entry of needed professional and scientific workers; it perpetuates racial discrimination in new ways; and is not in keeping with our national traditions of fair play, decency, and equal justice for all.

I will try in the following discussion to indicate some of the ways in which the present law can be made more liberal and more in accord with the rights of citizens and aliens alike.

Let us take first the national origins quota system. Many different cultural ingredients have been blended in the formation of America. Our American culture is not a thing which was fixed once and for all by our colonial ancestors. It has much more truly indeed been a varied and dynamic force for democracy enriched by the contributions of succeeding waves of immigration. The qualities which each immigrant brought with him has influenced the course of development of American ideals and American success amid the world of many nations. The use, therefore, of a national origins quota is a poor way to approach the cultural and ethnic background of would-be immigrants. Authorities on the study of man and his culture tell us that it is not possible to differentiate between ethnic groups which are readily assimilable and those that are not. Moreover those countries granted large quotas do not use them while those granted smaller quotas are often forced to develop a long waiting list. Hence the national origins system fails to accomplish its purpose of admitting immigrants in accordance with a fixed racial and nationality ratio. The formula designed to control the proportions of immigrants by national or racial stock is thus shown to be a failure.

Another indication of the failure of the quota system has been the passage of special legislation to accomplish certain desired national objectives. As examples of this we might cite special laws designed to take care of skilled sheepherders, war brides, displaced persons, intelligence operatives, and overseas enlistees. In addition, numerous private bills have been passed for the benefit of specified persons or families. All in all it has been estimated that this type of special legislation has permitted the entry of almost half a million people since World War II.

Hence it is eminently desirable that the national origins quota system be discarded as a method for selection of eligible immigrants in favor of a system of individual selection. Such a system would give priorities to cases involving reunion of families, asylum for the persecuted and displaced persons or refugees, and persons with specially needed skills.

Another feature of the present immigation law which is in need of liberalization is that of deportation. Under the present law the entire proceeding in deportation cases is conducted by representatives of the Attorney General. His agents make the investigation, present the case, hear it, and make a decision. This combination of enforcement and judicial powers within one agency violates the principles of a fair hearing. The decision of the Attorney General is final in the determination of whether an alien should be deported or not and no court review is possible with respect to his decision.

Prior to 1952 immigrants were protected on the basis of the statute of limitations against deportation for past acts. This statute required the action to be brought within 5 years. Aliens may now be deported for actions committed by them as long as 30 years ago, acts which may not have even been deportable offenses when they were committed.

Deportation is a severe and cruel penalty for aliens who have lived model lives and after many years have become integrated into the community. This is especially the case in instances where attachment to their mother country has become remote and a purely technical matter. Technical violation of any provisions regarding entry, even though the alien is blameless, is sufficient to require the Attorney General to deport the alien. Past membership or affiliation in organizations now deemed subversive, no matter how innocent such membership was at the time, may result in arrest and deportation proceedings. Failure on the part of an alien to notify the Attorney General of a change of address may result in arrest and deportation proceedings. Provision is made in the current law for deportation of certain types of aliens without hearing, and for the first time in our history authority is granted to enter a deportation order in absentia.

Many of these provisions in the law have little to do with protecting our security. An alien who has legally entered the United States should be subject to deportation thereafter only if his original entry was based on fraud. There should be a complete separation of those who investigate and prosecute and those who sit in judgment, and there should be adequate right of appeal. These measures would be much closer to the American way of doing things.

Under the present immigration law we now have more grounds for revoking citizenship than any other country in the world. Included are several which have deprived Americans of citizenship as a result of acts which could hardly justify such a penalty. For example, service in the armed forces of a foreign nation may now cause loss of citizenship, even though the nationality of the foreign power is not acquired and no oath of allegiance is taken. This penalty may result even where there has been no act inconsistent with the duties and obligations of an American citizen.

As an illustration I might cite a case of potential loss of citizenship by voting in a foreign election. Some years ago an election was held in Italy in which it became necessary to enlist all qualified persons to elect non-Communist candidates. A number of American citizens of dual nationality living in Italy at the time voted and only preserved their citizenship by a special act of Congress.

The present law could be liberalized, therefore, through elimination of the present unsupportable distinctions between native-born and naturalized citizens. Citizenship acquired by naturalization should be revoked only on the grounds of fraud perpetrated in acquiring it and no act that a native-born citizen can perform with impunity should serve as a ground for revocation of citizenship of a naturalized American. Residence abroad should be eliminated as a ground for revoking citizenship acquired by naturalization.

The illiberal features in the present immigration law have been condemned by national organizations of all kinds, by leading newspapers and by top Government officials. Among the organizations which have advocated liberalization of the immigration law are the National Council of the Churches of Christ in the United States of America, the National Catholic Welfare Conference, the National Council of Catholic Men, the National Council of Catholic Women, the National Lutheran Council, the Protestant Episcopal Church, the Baptist World Alliance, the Synagogue Council of America, the National Community Relations Advisory Council, the American Jewish Congress, the Congress of Industrial Organizations, the American Association for the Advancement of Science, the American Friends Service Committee, the Young Women's Christian Association, the American Hellenic Educational Progressive Association, the Federation of American Scientists, the American Academy of Arts and Sciences, the American Jewish Committee, and the National Federation of Settlements.

President Truman's Commission on Immigration and Naturalization appointed September 4, 1952, held hearings in 11 cities from coast to coast, in which about 400 persons testified and 234 others submitted written statements. This Commission—including as members, former Solicitor General Philip B. Perlman; former Commissioner of Immigration Earl G. Harrison; Secretary John O'Grady, of the National Conference of Catholic Charities; Rev. Thaddeus F. Gullickson, president of the Lutheran Theological Seminary of St. Paul, Minn.; Clarence E. Pickett, honorary secretary of the American Friends Service Committee; Adrian S. Fisher, legal adviser to the State Department; and Thomas G. Finucane, chairman, Board of Immigration Appeals, Department of Justice—made its report entitled "Whom We Shall Welcome." Its findings in brief were summarily stated in the following words:

> The commission believes that our present immigration law should be completely rewritten.

On June 25, 1952, President Truman vetoed the Immigration and Nationality Act with the following words:

> A general revision and modernization of these laws unquestionably is needed and long overdue, particularly with respect to immigration. But this bill would not provide us with an immigration policy adequate for the present world situation.

On June 26 and 27 the House and Senate overrode the President's veto.

I voted against this act when it passed the House in April 1952 and I voted to

sustain the President on June 26. This subject is of especial concern to me inasmuch as both my parents were born in Italy and came to this country in their youth under our then liberal immigration system. Their loyalty and devotion to their adopted land could be surpassed by no native born citizens. I regret that, despite campaign promises, the present administration has not seen fit to give priority to the legislation on this pressing issue. I have sought hearings on an omnibus immigration and nationality bill sponsored by me and certain other Members. The legislation proposed by me is a code of permanent immigration and naturalization law designed to enable the United States to meet its continuing obligations in the immigration field without periodic emergency measures, and to meet American needs and requirements at the same time.

The proposed act is a comprehensive revision of present law designed to reflect the true American tradition of equal justice under law for alien and citizen alike, and of friendly welcome for immigrants, without discrimination or bias, but within a strengthened limitation as to total numbers.

My bill provides full security against subversive and other undesirable aliens but raises the red-tape curtain which is now lowered against the entry of aliens, either as immigrants or visitors, from across the seas.

The imperative need for a thoroughgoing amendment of the McCarran-Walter Act is not a partisan issue but a challenge to be met by the common action of all our people.

I shall continue to labor for an immigration and naturalization policy that will represent an essential return to our basic American traditions and concepts.

HAPPY BIRTHDAY TO A GREAT AMERICAN

Mr. MULTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, permit me to take this time to offer our hearty congratulations to one of America's greatest statesmen.

Bernard Baruch is 84 years young today. We wish him many more years of useful service to our country and to humanity.

It is fitting that I direct attention to the fine article written by Earl Ubell about him which appeared in the New York Herald Tribune as follows:

BARUCH, 84, LOOKS BACK AT BUSY LIFE

(By Earl Ubell)

Bernard M. Baruch will be 84 years old on Thursday and in an interview yesterday he let his memory ramble through his busy life. He covered: Presidents he had advised, economics, philosophy, history, Senator JOSEPH R. MCCARTHY, sports, education, manners, medicine, atomic energy, peace and his family.

"But don't let people think," he said wagging a finger, "that I was up here giving any advice. There are a lot of young fellows getting to be 80 and I don't want them to get any ideas.

"You know how it is: they get to be a little up in years and then they feel like telling everybody how to do things, blah, blah, blah."

IMPROMPTU ROLE

Mr. Baruch presented an impromptu impersonation of an old man giving out dogmatic advice. This consisted of much head shaking, shoulder heaving and bowing but not many comprehensible words. He put all 6 feet 3 inches of himself into the performance.

"There," he said, when he finished, "I don't want to do any of that." He leaned back and chuckled, his steady blue eyes growing small with the smile. He wasn't wearing his pince-nez, but it would have fallen if he were.

Mr. Baruch's book, A Philosophy for Our Time, will be published on his birthday. It comprises the three lectures he gave in May at the Bernard M. Baruch School of Business and Public Administration, City College. During the interview, when questions of economics or philosophy arose, he laid his hand on the volume.

"It's all in here," he said, pounding it firmly. "Here, let me read it to you. 'Government should always remain a means to an end. When it becomes an end in itself, it quickly degenerates into a corruption of power and even tyranny, as in Nazi Germany and Soviet Russia.'"

ILLUSTRATED BY STORIES

In the quiet of his mahogany-paneled office on the 31st floor of 597 Madison Avenue, Mr. Baruch gave a little of what he had learned in 84 years. All of his points were illustrated with little stories about big names.

"MCCARTHY? I think he's done a lot to alert the American people to the menace of communism. If we get to other things, I could be very critical."

"I don't go along with what he said about George Marshall," Mr. Baruch said. "I think General Marshall is a fine man." He admitted he also was irritated by a remark the Wisconsin Senator made about the City College, Mr. Baruch's alma mater. During one hearing when several City College alumni appeared, Senator MCCARTHY remarked, "I think we can have a class reunion."

STRAIGHTENED OUT

"But we've got that straightened out," Mr. Baruch said. "Anyhow, I don't want to talk about MCCARTHY any more. It just brings up a lot of unpleasantness and I don't want any unpleasantness on my birthday."

But he had a lot of other things to say.

On teaching: "Teachers do more for society and get paid less than any other persons except, perhaps, those in the nursing profession." He blamed this on inflation.

On sports: "I'm a Dodger fan because they were the first people to get rid of prejudice by hiring a Negro."

On peace and the atomic bomb: "You can't outlaw the atom bomb any more than they outlawed war with the Briand-Kellogg Pact. You've got to have a strict system of control from Alpha to Omega and instant punishment for violators."

GREATEST REGRET

His greatest regret? He told a story about it and how it helped another man.

"I was talking to President Roosevelt," he said. "It was during World War II and the President was deeply concerned about an American ship that had been torpedoed—the Greer. The phone rang and that was kind of unusual when the President was talking with someone.

"He listened for a while and then put the phone down and said: 'Ma's very sick.' The President then said he intended to visit her in a week or 10 days."

ADVICE FOR PRESIDENT

"Then I said to him, 'Mr. President, I'm older than you; let me tell you something. I can never cease to regret the times when I could have been with my mother when I wasn't.' He changed his mind and left to see her, and do you know he got there just before she died."

The questioning turned to the present administration: was it doing a good or bad job?

"I could give you a dozen columns on that one," Mr. Baruch said, adding that he thought President Eisenhower was a fine man, decent, high-minded, with the best instincts. But he refused to commit himself further.

At the end of the interview, he said: "Just tell 'em the old fellow looks pretty good, and eats good, too."

The same paper took cognizance of the event in an editorial on August 18, 1954, as follows:

MR. BARUCH AT 84

Mr. Bernard Baruch will celebrate his 84th birthday tomorrow by watching over the publication of his new book, called A Philosophy for Our Times. At the age of 84, with many years of achievement to look back upon, Mr. Baruch is as entitled as any living man to offer a philosophy. Yet in discussing various matters with an interviewer the other day, he expressed humorous disdain for people who hand out dogmatic advice to younger generations. If he had one all-inclusive comment to offer, it was the statement: "Government should always remain a means to an end. When it becomes an end in itself, it quickly degenerates into a corruption of power, and even tyranny, as in Nazi Germany and Soviet Russia."

It is by practice as well as by precept that Mr. Baruch has served America well for so many years. As the eldest of its elder statesmen, he has never sought power or authority for himself, but has sat on the sidelines, giving sound advice whenever he was asked for it. He has turned the park bench into a symbol of man's wisdom and saneness. This birthday, like others before it, will find countless Americans wishing him as many more years as he likes of selfless service and personal contentment.

The New York Times editorially wrote on August 19, 1954, as follows:

MR. BARUCH'S 84 YEARS

It is an achievement to reach the age of 84, and when this achievement is combined with many others, as is the case with Bernard M. Baruch, whose birthday this is, that is something to which we all wish to pay tribute. When we note that Mr. Baruch's father served as a surgeon in the Confederate Army preceding his long and distinguished career in this city, we realize how much history a man's life can span.

But Bernard M. Baruch made history in his own right as he went along. Not satisfied with an outstanding success in business, he has devoted himself for many years to the public interest. In the First World War he was one of those stalwart souls who helped sustain the economic side of our defense. In the Second World War, in spite of the years that had gone over his head, he again made a magnificent contribution. He was already entering his late seventies when he presented the United States atomic energy plan to the United Nations. Many will still remember the eloquence which his voice then carried over the air waves. At 84 he retains his mental energy and a goodly part of his physical strength. We join the multitudes of his countrymen in wishing him well.

SPECIAL ORDER GRANTED

Mr. EBERHARTER asked and was given permission to address the House for 30 minutes today, following any special orders heretofore entered.

J. A. VANCE CO.

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speakers's desk the bill (H. R. 1107) for the relief of the J. A. Vance Co., with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, strike out "$7,341.53" and insert "$7,368.67."

Page 2, line 4, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

CLARENCE D. NEWLAND

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2032) for the relief of Clarence D. Newland, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 16, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

LEO F. PINDER

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2876) for the relief of Leo F. Pinder, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 7, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

DAVID W. WALLACE

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4638) for the relief of David W. Wallace, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 1, lines 9 and 10, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

KLYCE MOTORS, INC.

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3840) for the relief of Klyce Motors, Inc.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $54,996.41, to Klyce Motors, Inc., of Memphis, Tenn., in full settlement of all claims against the United States for losses sustained under the War Assets Administration sales document No. 262845 in connection with the purchase of 109 trucks, dated May 25, 1946: *Provided,* That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

T. C. ELLIOTT

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1687) for the relief of T. C. Elliott.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to T. C. Elliott, of Daytona Beach, Fla., the sum of $15,000, in full satisfaction of his claim against the United States for compensation for services rendered to the United States prior to 1944, in addition to his official duties as a Federal employee, in preparing and furnishing rate and transportation information for the use of Members of the Senate and the House of Representatives, the Committees on Interstate and Foreign Commerce of the Senate and House of Representatives, and various other officials and agencies of the Government, as a result of which the said T. C. Elliott helped to save to the United States approximately $15 million: *Provided,* That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SEC. 2. The sum paid pursuant to the first section of this act shall be exempt from all Federal income taxes.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BIRMINGHAM IRON WORKS, INC.

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2316) for the relief of the Birmingham Iron Works, Inc.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Birmingham Iron Works, Inc., of Birmingham, Ala., the sum of $9,600, in full satisfaction of such company's claim against the United States for reimbursement for losses incurred in 1951, without fault on the part of such company, when, in reliance on the bona fide belief of the president of the company that a contract had been entered into between the company and the United States, the company manufactured 49 forges which the United States failed and refused to accept inasmuch as the Government procurement agent had no authority to bind the United States: *Provided,* That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary nothwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RESERVE COMPONENTS OF THE ARMED FORCES

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6573) to provide for the promotion, precedence, constructive credit, distribution, retention, and elimination of officers of the Reserve components of the Armed Forces of the United States, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, strike out "1953" and insert "1954."

Page 108, line 6, strike out all after "effective" down to and including "later" in line 8 and insert "July 1, 1955."

Page 109, line 9, strike out "1953" and insert "1954."

Page 109, line 25, strike out "1953" and insert "1954."

Page 110, line 24, strike out "1953" and insert "1954."

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, the passage of the bill H. R. 6573, which places into the laws of the United States provisions concerning the promotion of Reserve officers is a very significant piece of legislation.

To say that this bill will raise the morale of Reserve officers, will stimulate their interest in the Reserves program and emphasize the importance of our Reserve system in our national-security program, is putting it mildly.

The Reserves are merely the citizen soldiers trained in peacetime to be ready for military conflict. The concept of a hard core of professional military personnel, which in time of conflict trains and leads the citizen soldier, so that we may be victorious, was originated by Gen. George Washington, the beloved first President of the United States. This concept has been with us from the beginning to the present moment. It is now more important than ever, in the small and explosive world in which we live, that the Reserves, who have played such a tremendous part in the winning of our wars in the past, be ready to assist in the winning of any future conflict in which we may engage. Everyone knows that we will not have the time, which we formerly had, to get ready. We must be ready when the conflict starts. When I say we, I mean the entire Armed Forces of the United States, and the great bulk of it in time of conflict are the citizen soldiers, both in the officer and the enlisted ranks. They are the ones who are so instrumental in liquidating the enemy and winning the wars. Now they must be better trained than ever to perform this traditional role.

By placing the pattern of reserve promotions into statutory form, we believe that, at long last, the Reserve officers of the United States will become and be recognized by the regulars to be an integral part of the fighting team, which will protect the United States. With that recognition, they are bound to take their task more seriously and do better work in carrying out the mission of the Reserve components. Most of the officers concerned are junior officers and they are the ones who in all our wars have played a most conspicuous role in leading their men in conflict.

I have assumed that this bill will be signed by the President of the United States. I feel certain that the assumption is a correct one, but we have heard rumors that there are some people who cannot reconcile themselves to the Reserve promotion bill which we have just passed. We believe it will be a distinct adjunct to some of the ideas that the Secretary of Defense and his associates have in formulating a new program for training the Reserves. This bill, we believe, will put our defenses and our preparedness in a better condition than at any other time in our history. This assumes that there will be a genuine and serious effort to implement this law and make it work as it is intended to work. To have played a small part in the development and passage of this important piece of legislation has been a tremendous personal privilege to me.

The successful culmination of our efforts in getting this legislation enacted is due in large part to that wonderful group of Reserve officers, in all the branches of the service, who produced the testimony which convinced the committees of the House and the Senate of the necessity for and the fairness of the present legislation. These men had nothing personal to gain. Most of them were veterans who had fought in various wars of the Republic, and who from their personal experience, knew that it was necessary, in the world of today, to have a strong group of Reserve officers and to provide an incentive for them to do good work and have an opportunity to be promoted. This is what we anticipate will be the result of this legislation—A strong and well trained Regular force, plus a strong, well trained and ready Reserve force. This, we believe, will act as a deterrent to potential aggressors and help prevent the ghastly atomic war which could befall the earth, but which everyone hopes and prays may never come.

M. R. PRESTRIDGE LUMBER CO.

Mr. HOPE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3601) to provide that the Secretary of Agriculture is authorized to extend until not later than October 18, 1962, certain timber rights and necessary ingress and egress, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

Mr. GROSS. Mr. Speaker, reserving the right to object, does this bill deal with grazing on public lands?

Mr. HOPE. This bill does not refer to grazing.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. HOPE]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture, hereinafter referred to as the Secretary, is hereby authorized to extend until not later than October 18, 1962, those certain timber rights and necessary ingress, egress, or occupancy in connection therewith, of the M. R. Prestridge Lumber Co., and its successors in interest, on the following-described lands:

Township 17 south, range 12 east, New Mexico principal meridian:

Section 22, south half; section 23, south half; section 24, northeast quarter northeast quarter, southwest quarter northeast quarter, south half northwest quarter, southwest quarter, south half southeast quarter; section 25, northeast quarter northeast quarter, south half northeast quarter, northwest quarter, south half; section 26, northwest quarter, northeast quarter southeast quarter, south half south half; section 27, north half, northwest quarter southeast quarter, south half southeast quarter, southwest quarter; section 28, all; section 33, all; section 34, north half; section 35, all.

Township 18 south, range 12 east, New Mexico principal meridian:

Section 3, west half; section 4, all; section 9, all.

All lying within the Lincoln National Forest, Otero County, N. Mex.; such timber rights being those as were excepted as outstanding in the Southwest Lumber Co., predecessors in interest to the M. R. Prestridge Lumber Co., and expiring October 18, 1957, by that certain warranty deed, dated August 31, 1940, from Lee H. Orndorff, Alice V. Orndorff, M. H. Barrough, and Lula N. Barrough, to the United States of America, of record in said county on October 7, 1940, in book 117 of deeds at pages 617–8–9; which rights, by reference, were described and reserved in that certain deed of conveyance to the land involved from the Alamogordo Lumber Co., predecessors in interest to the Southwest Lumber Co., dated October 18, 1917, and recorded in book 53, pages 257, 262, deed records of Otero County, N. Mex.: *Provided*, That said M. R. Prestridge Lumber Co. and its successors in interest shall leave uncut henceforth from the date of this act, all trees whose diameter at a point 4½ feet above ground equals 16 inches or less: *Provided further*, That the said M. R. Prestridge Lumber Co. and its successors in interest shall after date of this act comply with reasonable logging and occupancy restrictions prescribed by the Secretary to prevent unnecessary damage to public resources and interests including uncut timber and young growth, forage, soil, water, improvements, and public health and to insure reasonable fire protection. The said company shall, after date of this act, conform to road construction and maintenance standards acceptable to the Secretary, but not higher than required of other purchasers of national forest timber on the Lincoln National Forest and shall contribute a fair share toward the maintenance of the national forest roads used for log and lumber hauling by them.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING IMMIGRATION AND NATIONALITY ACT

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7130) to amend the Immigration and Nationality Act to provide for the loss of nationality of persons convicted of certain crimes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 2, strike out "or section" and insert "of title 13, United States Code, or

willfully performing any act in violation of section."

Mr. EBERHARTER. Mr. Speaker, reserving the right to object, would the distinguished chairman of the Committee on the Judiciary, the gentleman from Pennsylvania [Mr. GRAHAM] explain this bill?

Mr. GRAHAM. The bill H. R. 7130 is a bill amending the Immigration and Nationality Act providing the loss of nationality for persons convicted of certain crimes. The only change made in the other body is the insertion of the words on the second page as follows: "willfully violate." The purpose of the bill is this: Under the Senate amendment, loss of nationality would occur only in case of those violations under section 2385 of title 18, United States Code, involving the performance of a willful act. Section 2385 of title 18 of the United States Code is the well-known Smith Act.

Mr. EBERHARTER. Mr. Speaker, I thank the gentleman and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GRAHAM]?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

MISSOURI RIVER BASIN COMPACT

Mr. BERRY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2821) granting the consent of Congress to the States of Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact for the attainment of the conservation and development of the water resources of the Missouri Basin, and for other purposes.

The Clerk read the title of the bill.

Mr. WICKERSHAM. Mr. Speaker, reserving the right to object, is this an authorization measure?

Mr. BERRY. No, this is not.

Mr. WICKERSHAM. Is there any money involved?

Mr. BERRY. No.

Mr. WICKERSHAM. Did the committee report this bill out favorably?

Mr. BERRY. The House committee did not. It passed the Senate—the House committee did not.

Mr. WICKERSHAM. The House committee did not pass it? Mr. Speaker, I withdraw my reservation of objection.

Mr. SAYLOR. Mr. Speaker, reserving the right to object, this bill did pass the Senate. However, the bill was considered by the House Committee on Interior and Insular Affairs and by the action of that committee, it was decided to postpone action until a further date. In view of that action which has been taken by our committee, I reluctantly find it necessary to object.

The SPEAKER. Objection is heard.

Mr. BERRY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, under leave to extend my remarks in the RECORD, I hope the gentleman from Pennsylvania will withhold his opposition to S. 2821 and permit the passage of this authorization legislation at this time.

It is true that the original bill as offered by the chairman of the Subcommittee on Reclamation was tabled by the committee and that the bill now before us has not been considered by either the subcommittee or the full committee but it has been carefully considered by the committee in the Senate and by that body itself. The bill before us has none of the objectional features that H. R. 6894 contains.

It is well known that under our Constitution States may not enter into a compact such as this without the consent of the Congress. The present bill does very little except grant consent to the States to enter into this compact. It is one of the most important pieces of legislation so far as the Missouri River States are concerned that has come before Congress at this session. It is vitally needed. This bill would permit their forming a compact which would be mutually agreeable to the legislatures of the States themselves. It would then come back to Congress for ratification, and Congress does have the complete veto power over any compact that is entered into by the States involved.

While I agree that our committee has not had an opportunity to study this bill and to act on it in committee, I am sure that each member will agree that there is nothing contained in this bill which would in any way be objectionable and that by passing it at this time we would simply be putting authorizing legislation on the books in order that the States might be able to go from there.

COMMUNIST CONTROL ACT OF 1954—CONFERENCE REPORT

Mr. GRAHAM submitted the following conference report and statement on the bill (S. 3706) to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 2373)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the amendments of the House to the bill (S. 3706) entitled "An Act to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the Senate amendments and agree to the same with the following amendments:

On page 2, in section 4, strike out the following: "upon conviction, be punished as provided by section 15 of the Subversive Activities Control Act of 1950 (50 U. S. C. 794)." and insert in lieu thereof the following: "be subject to all the provisions and penalities of the Internal Security Act of 1950, as amended, as a member of a 'Communist-action' organization."

On page 3, in line 3 of section 5, after the comma, following the word "Act" and before the word "the", insert the following: "or knowledge of the purpose or objective of such Party or organization,".

That the Senate agree to the same.

LOUIS E. GRAHAM,
EMANUEL CELLER,
DEWITT S. HYDE,
CHAUNCEY W. REED,
FRANCIS E. WALTER,
Managers on the Part of the House.

WILLIAM LANGER,
ARTHUR V. WATKINS,
JOHN MARSHALL BUTLER,
PAT MCCARRAN,
H. M. KILGORE,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses to the amendment of the Senate to the bill (S. 3706) to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The managers on the part of the House concurred in the amendment of the Senate with an amendment making members of the Communist Party or any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization, subject to all the provisions and penalties of the Internal Security Act of 1950, as amended, as they apply to members of a Communist-action organization.

LOUIS E. GRAHAM,
EMANUEL CELLER,
DEWITT S. HYDE,
CHAUNCEY W. REED,
FRANCIS E. WALTER,
Managers on the Part of the House.

Mr. GRAHAM. Mr. Speaker, I call up the conference report on the bill S. 3706, and ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the statement as above set out.

Mr. GRAHAM. Mr. Speaker, I move the previous question.

The SPEAKER. The question is on the conference report.

Mr. HALLECK. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 265, nays 2, not voting 164, as follows:

[Roll No. 147]

YEAS—265

Abbitt	Andrews	Bennett, Fla.
Abernethy	Ashmore	Berry
Addonizio	Aspinall	Betts
Albert	Auchincloss	Boggs
Alexander	Bailey	Boland
Allen, Calif.	Barrett	Bolton, Frances P.
Allen, Ill.	Bates	Bolton, Oliver P.
Andresen, August H.	Battle	
	Becker	

Bow	Halleck	Philbin
Boykin	Harden	Phillips
Bramblett	Hardy	Pillion
Bray	Harrison, Nebr.	Poage
Brooks, Tex.	Harrison, Va.	Poff
Brown, Ga.	Hart	Polk
Brown, Ohio	Hays, Ark.	Price
Brownson	Hays, Ohio	Priest
Buchanan	Herlong	Prouty
Budge	Heselton	Radwan
Burleson	Hillings	Ray
Bush	Hoffman, Mich.	Rayburn
Byrd	Holmes	Reams
Byrne, Pa.	Hope	Reece, Tenn.
Byrnes, Wis.	Hyde	Reed, Ill.
Campbell	Ikard	Reed, N. Y.
Cannon	James	Rees, Kans.
Carlyle	Jarman	Rhodes, Ariz.
Carnahan	Javits	Rhodes, Pa.
Celler	Jenkins	Roberts
Chenoweth	Jensen	Robeson, Va.
Chudoff	Johnson, Calif.	Rodino
Clardy	Johnson, Wis.	Rogers, Colo.
Cole, Mo.	Jonas, Ill.	Rogers, Fla.
Cooley	Jonas, N. C.	Rogers, Mass.
Coon	Jones, Ala.	Rogers, Tex.
Cooper	Jones, Mo.	Rooney
Corbett	Jones, N. C.	Saylor
Cretella	Judd	Schenck
Crosser	Karsten, Mo.	Scherer
Cunningham	Kean	Seely-Brown
Curtis, Mass.	Kearns	Selden
Davis, Wis.	Keating	Sheppard
Dawson, Utah	Kee	Shuford
Deane	Kelley, Pa.	Sieminski
Delaney	Kersten, Wis.	Simpson, Pa.
Derounian	Kilday	Small
Devereux	King, Calif.	Smith, Miss.
Dies	Kirwan	Smith, Va.
Dingell	Kluczynski	Smith, Wis.
Dodd	Laird	Spence
Dollinger	Lane	Springer
Dondero	Lanham	Staggers
Donohue	Long	Stauffer
Donovan	McCarthy	Steed
Dorn, N. Y.	McConnell	Sullivan
Dowdy	McIntire	Sutton
Durham	McMillan	Taber
Eberharter	McVey	Talle
Edmondson	Mack, Wash.	Teague
Elliott	Magnuson	Thomas
Evins	Mahon	Thompson, Mich.
Fallon	Mailliard	Thompson, Tex.
Feighan	Marshall	Thornberry
Fenton	Matthews	Tollefson
Fernandez	Merrill	Trimble
Fisher	Merrow	Tuck
Fogarty	Miller, Calif.	Van Zandt
Forand	Miller, Kans.	Velde
Ford	Miller, Md.	Vorys
Forrester	Mills	Walter
Fountain	Mollohan	Wampler
Frazier	Morano	Warburton
Freylinghuysen	Mumma	Watts
Friedel	Murray	Wharton
Fulton	Natcher	Whitten
Garmatz	Neal	Wickersham
Gary	Nicholson	Wigglesworth
Gathings	Norrell	Williams, Miss.
Gavin	Oakman	Willis
Gentry	O'Brien, N. Y.	Wilson, Calif.
George	O'Hara, Ill.	Wilson, Ind.
Goodwin	O'Hara, Minn.	Winstead
Graham	O'Konski	Withrow
Granahan	O'Neill	Wolcott
Grant	Osmers	Wolverton
Green	Ostertag	Young
Gross	Passman	Younger
Hagen, Calif.	Patman	Zablocki
Hagen, Minn.	Perkins	
Hale	Pfost	

NAYS—2

Burdick Multer

NOT VOTING—164

Adair	Bosch	Crumpacker
Andersen, H. Carl	Bowler	Curtis, Mo.
	Brooks, La.	Curtis, Nebr.
Angell	Broyhill	Dague
Arends	Buckley	Davis, Ga.
Ayres	Busbey	Davis, Tenn.
Baker	Canfield	Dawson, Ill.
Barden	Carrigg	Dempsey
Beamer	Cederberg	D'Ewart
Belcher	Chatham	Dolliver
Bender	Chelf	Dorn, S. C.
Bennett, Mich.	Chiperfield	Doyle
Bentley	Church	Ellsworth
Bentsen	Clevenger	Engle
Bishop	Cole, N. Y.	Fine
Blatnik	Colmer	Fino
Bolling	Condon	Gamble
Bonin	Cotton	Golden
Bonner	Coudert	Gordon
Gregory	LeCompte	Richards
Gubser	Lesinski	Riehlman
Gwinn	Lipscomb	Riley
Haley	Lovre	Rivers
Hand	Lucas	Robsion, Ky.
Harris	Lyle	Roosevelt
Harrison, Wyo.	McCormack	Sadlak
Harvey	McCulloch	St. George
Hébert	McDonough	Scott
Hess	McGregor	Scrivner
Hiestand	Machrowicz	Scudder
Hill	Mack, Ill.	Secrest
Hillelson	Madden	Sheehan
Hinshaw	Martin, Iowa	Shelley
Hoeven	Mason	Short
Hoffman, Ill.	Meader	Sikes
Holifield	Metcalf	Simpson, Ill.
Holt	Miller, Nebr.	Smith, Kans.
Holtzman	Miller, N. Y.	Stringfellow
Horan	Morgan	Taylor
Hosmer	Morrison	Thompson, La.
Howell	Moss	Utt
Hruska	Moulder	Van Pelt
Hunter	Nelson	Vinson
Jackson	Norblad	Vursell
Kearney	O'Brien, Ill.	Wainwright
Kelly, N. Y.	O'Brien, Mich.	Weichel
Keogh	Patten	Westland
Kilburn	Patterson	Wheeler
King, Pa.	Pelly	Widnall
Klein	Pilcher	Wier
Knox	Powell	Williams, N. J.
Krueger	Preston	Williams, N. Y.
Landrum	Rabaut	Wilson, Tex.
Lantaff	Rains	Yates
Latham	Regan	Yorty

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Canfield with Mr. McCormack.
Mr. Arends with Mr. Fine.
Mr. Hand with Mr. Colmer.
Mr. Jackson with Mr. Dorn of South Carolina.
Mr. McGregor with Mr. Barden.
Mr. Bishop with Mr. Hébert.
Mr. LeCompte with Mr. O'Brien of Illinois.
Mr. Horan with Mr. Bonner.
Mr. Busbey with Mr. Morrison.
Mr. Simpson of Illinois with Mr. Preston.
Mr. Widnall with Mr. Haley.
Mr. Patterson with Mr. Landrum.
Mr. Miller of New York with Mr. Keogh.
Mr. Curtis of Missouri with Mr. Holtzman.
Mr. Harrison of Wyoming with Mr. Bentsen.
Mr. D'Ewart with Mrs. Kelly of New York.
Mr. Miller of Nebraska with Mr. Brooks of Louisiana.
Mr. Riehlman with Mr. Chelf.
Mr. Hiestand with Mr. Davis of Georgia.
Mr. Hosmer with Mr. Buckley.
Mr. Utt with Mr. Chatham.
Mr. Hunter with Mr. Rivers.
Mr. Adair with Mr. Thompson of Louisiana.
Mr. Beamer with Mr. Rabaut.
Mr. Van Pelt with Mr. Vinson.
Mr. Westland with Mr. Yates.
Mr. Pelly with Mr. Rains.
Mr. Williams of New York with Mr. Wheeler.
Mr. Carrigg with Mr. Yorty.
Mr. Dague with Mr. Bolling.
Mr. Fino with Mr. Wier.
Mr. Vursell with Mr. Bowler.
Mr. Holt with Mr. Pilcher.
Mr. Taylor with Mr. Williams of New Jersey.
Mr. Broyhill with Mr. Sikes.
Mr. Cole of New York with Mr. Roosevelt.
Mr. Kearney with Mr. Gordon.
Mr. Short with Mr. Engle.
Mr. Sheehan with Mr. Doyle.
Mr. Scott with Mr. Madden.
Mr. Hoffman of Illinois with Mr. Dempsey.
Mr. Hoeven with Mr. Condon.
Mr. Bender with Mr. Lantaff.
Mr. Bentley with Mr. Klein.
Mr. Bonin with Mr. Wilson of Texas.
Mr. Bosch with Mr. Richards.
Mrs. Church with Mr. Patten.
Mr. Coudert with Mr. O'Brien of Michigan.
Mr. Ellsworth with Mr. Metcalf.
Mr. Gubser with Mr. Davis of Tennessee.
Mr. McCulloch with Mr. Gregory.
Mr. Kilburn with Mr. Shelley.
Mr. Nelson with Mr. Lesinski.
Mr. Norblad with Mr. Machrowicz.
Mr. Sadlak with Mr. Riley.
Mrs. St. George with Mr. Morgan.
Mr. Harvey with Mr. Lucas.
Mr. Hilleson with Mr. Howell.
Mr. Ayres with Mr. Mack of Illinois.
Mr. Baker with Mr. Harris.
Mr. Cotton with Mr. Dawson of Illinois.
Mr. Smith of Kansas with Mr. Lyle.
Mr. Hruska with Mr. Moulder.
Mr. Clevenger with Mr. Holifield.
Mr. Lipscomb with Mr. Blatnik.
Mr. Crumpacker with Mr. Secrest.
Mr. Scrivner with Mr. Powell.
Mr. Hess with Mr. Regan.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. DIES. Mr. Speaker, I ask unanimous consent to place in the RECORD at this point a statement with reference to the effect of the conference agreement on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DIES. Mr. Speaker, the conference report strengthens the bill we approved on Tuesday in 1 feature, namely, it provides that proof of any 1 of the 14 factual situations enumerated in the bill shall constitute proof of knowledge of the objectives of the Communist Party. The conference report provides further that conviction under this bill will subject the defendant to the provisions and penalties of the Internal Security Act. One of those penalties is a fine of $10,000 and imprisonment up to 5 years. The fact that the Internal Security Act is thus brought into this bill by reference does not mean that this bill is dependent upon the Internal Security Act. It strengthens the Internal Security Act, but it is self-supporting in itself. The legislative intent of this House is that membership in the Communist Party constitutes a crime in itself, and can be punished as such. The reference to the Internal Security Act indicates the nature of the penalty alone. It will not be necessary under this bill for the Government first to take the accused into the machinery of the Internal Security Act. If he is accused of membership in the Communist Party, he will be indicted under this bill, tried under this bill, and, if convicted, sentenced according to the penalties in the Internal Security Act.

This bill, therefore, as it is now before us, provides:

First. That the Communist Party is outlawed.

Second. That every member of the Communist Party becomes, by reason of membership alone, guilty of a crime.

Third. In establishing whether membership exists, the Court and jury will consider any or all of 14 different factual situations enumerated in the bill, if evidence is submitted to show any or all of those situations.

Fourth. Proof of any one of these factual situations establishes that the defendant knows of the conspiratorial purposes of the Communist Party.

Fifth. Upon conviction under this bill, the defendant is subject to the penalties indicated in the Internal Security Act, one of which is 5 years' imprisonment and $10,000 fine.

This bill does outlaw the Communist Party and it does punish the Communist member.

LEAVE OF ABSENCE

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to correct the RECORD of yesterday. I was requested to ask leave of absence for one of our colleagues and the name handed to me was that of the gentleman from Washington [Mr. MACK]. It should have been the gentleman from New York [Mr. KEARNEY].

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. SCHERER. Mr. Speaker, my colleague, the gentleman from Ohio [Mr. HESS], who is absent from the House today on business of his committee, has advised me that had he been able to be present he would have vigorously supported the legislation before the House to outlaw the Communist Party and to more effectively deal with the Communist menace in this country.

I personally know of Mr. HESS' constant efforts throughout the years to eliminate the influence of the Communist conspiracy from all institutions of American life and how much he regrets this his other duties prevent him from being here today.

PARLIAMENTARY INQUIRY

Mr. MILLER of Kansas. Mr. Speaker, a parliamentary inquiry. I understand I was not recorded on the last rollcall. I was present and answered to my name.

The SPEAKER. The Chair is informed that the gentleman is recorded as voting on the last rollcall.

THE PASSING OF ALCIDE DE GASPERI

Mr. RODINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, a great loss has been suffered by Italy today with the passing of her leader, soldier-statesman, and fighter for freedom, the former Premier Alcide de Gasperi. And a sense of sadness is felt by all men who believe in the idea of freedom and by people of the free world over the loss of this staunch ally and friend.

De Gasperi has gone from this way now and forever, but the noble ideals which he so cherished, served and fought for, have been so instilled in the minds and hearts of his friends and of the people of Italy that democracy cannot die despite the numerous onslaughts upon it.

With a vivid vision, he foresaw early the desperate need for a union of Europe to withstand the tide and rush of Communistic tyranny, and he never relented in his support of it and impressed the urgency of a united Europe upon the people of Italy.

Guiding Italy's destiny out of the dark dismal days of chaos which came in the wake of World War II, he steered a firm and direct course based on democratic ideals. He emboldened and inspired the Italian people to great effort and recovery. He yielded to no man in his gratitude for the unselfish and friendly attitude of the United States and Americans toward Italy and through him the Italian people demonstrated their appreciation and affection.

De Gasperi has gone at a time of great challenge and crisis in Italy's history and he will be sorely missed, but the work which he started will carry forward. He was a man of great heart, noble purpose, and firm faith in God. And, in all this greatness, there was ever evident his humility and simplicity. I am personally saddened by his death for I admired his dedicated efforts for his fellow man. To his family and to the Italian Government, I express my profound sympathy.

FOREIGN-PRODUCED TROUT

Mr. O'HARA of Minnesota. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 2033) relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear on the menus of public eating places serving such trout, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

On page 1, line 8, strike out "408" and insert "409."

On page 2, line 6, strike out "408" and insert "409."

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

Mr. CELLER. Mr. Speaker, reserving the right to object, may we have an explanation of what the Senate amendments do?

Mr. O'HARA of Minnesota. The Senate amendments merely change the reference to the section in the bill and change section 408 to section 409, which was passed, I believe, after the bill had been introduced in the other body.

Mr. CELLER. The Senate amendment does not add any other type of fish?

Mr. O'HARA of Minnesota. Nothing whatsoever.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

ESTABLISHING FINALITY OF CONTRACTS BETWEEN THE GOVERNMENT AND COMMON CARRIERS OF PASSENGERS AND FREIGHT

Mr. O'HARA of Minnesota. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 906) to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 22 of the Interstate Commerce Act (49 U. S. C., sec. 22) is amended (1) by inserting after the section designation the letter "(a)", and (2) by adding at the end thereof the following:

"(b) Notwithstanding any other provision of law, any rates, fares, and charges, and rules, regulations, and practices with respect to the transportation of persons or property for or on behalf of the United States by any common carrier subject to part I, II, III, or IV of this act, offered, negotiated, or established under the provisions hereof by quotation or contract when accepted or agreed to by the Secretary of Defense, the Secretary of Agriculture, or the Administrator of the General Services Administration, or by any official or employee of the United States to whom either of them may delegate such authority, shall be conclusively presumed to be just, reasonable, and otherwise lawful, and shall not be subject to attack, or reparation, after 180 days or 2 years in the case of contracts entered into during a national emergency declared by Congress, after the date of such acceptance or agreement upon any grounds whatsoever except for actual fraud or deceit, or clerical mistake. Such rates, fares, or charges, and rules, regulations, or practices, may be canceled or terminated upon not less than 90 days' written notice by the United States or by any of the other parties thereto.

"(c) Any such rates, fares, or charges, rules, regulations, or practices so made and accepted under the provisions hereof shall not be considered to have any bearing upon, or otherwise affect, the justness, reasonableness, or lawfulness of any rates, fares, or charges, or of any rules, regulations, or practices with respect to transportation services theretofore performed for, or on behalf of, the United States, nor shall the provisions of this section be construed as any indication that similar rates, fares, or charges, or similiar rules, regulations, or practices theretofore effective were or were not binding upon or enforceable against the United States."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. PRIEST. Mr. Speaker, it is my understanding after an investigation, that this bill applies only to those Government agencies named in the bill, and therefore does not affect the Tennessee Valley Authority.

PRINTING OF ADDITIONAL COPIES OF HEARINGS WITH REFERENCE TO STOCKPILING OF CRITICAL MATERIALS

Mr. SCHENCK. Mr. Speaker, by direction of the Committee on House Ad-

ministration, I ask unanimous consent for the immediate consideration of Senate concurrent resolution (S. Con. Res. 104) to print additional copies of part 4 of the hearings held before a subcommittee of the Committee on Interior and Insular Affairs relative to stockpile and accessibility of strategic and critical materials to the United States in time of war.

The SPEAKER. Is there objection to the request of the gentleman from Onio?

There being no objection, the Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 1,000 additional copies of part 4 of the hearings conducted before a subcommittee of the Senate Committee on Interior and Insular Affairs pursuant to Senate Resolution 143, 83d Congress, relative to stockpile and accessibility of strategic and critical materials to the United States in time of war. Such additional copies shall be for the use of the Senate Committee on Interior and Insular Affairs.

The resolution was agreed to, and a motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN LAND IN THE STATE OF MARYLAND TO DISNEY-BELL AMERICAN LEGION POST 66

Mr. TOLLEFSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 264) to provide for the conveyance of certain land in the State of Maryland to the Disney-Bell Post, No. 66, of the American Legion, Bowie, Md.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

Mr. DEVEREUX. Mr. Speaker, reserving the right to object. I would urge the passage of this bill. I have looked into it, and I feel it is very meritorious.

I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to convey to the Disney-Bell Post No. 66, of the American Legion, Bowie, Md., all right, title, and interest of the United States, except as retained under section 2 of this act, to all of the land approximating 6 acres more or less in Prince Georges County, Md., which such post is now using under a special use permit issued by the Fish and Wildlife Service of the Department of the Interior.

SEC. 2. Such conveyance shall be made upon payment by the Disney-Bell Post No. 66 of 50 percent of the appraised fair market value, exclusive of any increased value resulting from the development or improvement of the lands, as determined by the Secretary, and shall be made subject to (a) the condition that such land shall be used by the American Legion post for its purposes and if it should be used for any other purposes, title shall revert to the United States, and (b) such other conditions, limitations, or reservations as the Secretary may deem proper.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA BUSA

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 738) for the relief of Maria Busa.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. PRIEST. Mr. Speaker, reserving the right to object, I do this for the purpose of asking unanimous consent to extend my remarks in the RECORD immediately after the passage of the bill S. 906.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. PRIEST. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of section 203 (a) (3) of the Immigration and Nationality Act, Maria Busa shall be held and considered to be the minor child of Giovanni Busa, an alien lawfully admitted to the United States for permanent residence.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANASTASIA KONDYLIS

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1259) for the relief of Anastasia Kondylis.

Mr. JAVITS. Mr. Speaker, reserving the right to object, and I shall not, the whole question before the House now is that the House is passing certain Senate bills for the relief of individuals; it is not passing others.

I have been told that there is an understanding with the Immigration and Naturalization authorities to the effect that those individuals who have had a bill passed by one House will not be deported before there is an opportunity to act early next year. That being so we should have it stated authoritatively under this reservation, as to the rest of the bills which were passed by either body and will not be brought up at this session for final concurrence.

MR. GRAHAM. Mr. Speaker, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. GRAHAM. The gentleman's statement is correct. The Commissioner of Immigration has issued a letter to that effect. Every Member of Congress will receive a copy of that letter from the chairman of the committee, the gentleman from Illinois [Mr. REED].

Mr. JAVITS. I thank the gentleman and withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Anastasia Kondylis, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Peter (Panagiotis N.) Vlasos, citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARGOT HERTA MATULEWITZ

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1604) for the relief of Margot Herta Matulewitz.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Margot Herta Matulewitz may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES ARTHUR CIMINO AND JOAN CIMINO

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1605) for the relief of James Arthur Cimino and Joan Cimino.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, James Arthur Cimino and Joan Cimino, shall be held and considered to be natural-born alien children of James N. Cimino and Barbara Scribner Cimino, citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

URSULA WILKE AND MIKE MARIO WILKE

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1873) for the relief of Ursula Wilke and Mike Mario Wilke.

The Clerk read the title of the bill.

Mr. EBERHARTER. Mr. Speaker, reserving the right to object, I just want to call to your attention and to the attention of the membership that this afternoon, as well as on many other afternoons, the House of Representatives has passed many, many private bills which

came from the Committee on the Judiciary of the House. I think the number in this session is close to 1,200.

I want sincerely to commend the Committee on the Judiciary, because each and every one of those bills had to be considered separately, had to be studied, and all the facts and circumstances of each individual case thoroughly digested.

Also, Mr. Speaker, I think the House has recognized, as I have, the fact that the staff of the Committee on the Judiciary helps in the study, preparation, and recommendation to us regarding these individual private bills. The staff is entitled to our appreciation, being as I have found, always cooperative. The Judiciary Committee and its staff have a tremendous task and I am sure the passage of close to 1,200 bills of this nature will bring great joy to many, many families, both in this country and overseas.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Ursula Wilke, the fiance of Sgt. Willard M. Collins, a United States citizen serviceman, and Mike Mario Wilke, their minor child, shall be eligible for visas as nonimmigrant temporary visitors for a period of 3 months: *Provided*, That the administrative authorities find that the said Ursula Wilke is coming to the United States with a bona fide intention of being married to the said Willard M. Collins and that they are found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Ursula Wilke and Mike Mario Wilke, they shall be required to depart from the United States and upon failure to do shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above persons shall occur within 3 months after the entry of the said Ursula Wilke and Mike Mario Wilke, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Ursula Wilke and Mike Mario Wilke as of the date of the payment by them of the required visa fees: *Provided further*, That the exemption granted herein shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANCESCO MARINELLI

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2068) for the relief of Francesco Marinelli.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Francesco Marinelli shall be held and considered to be the natural-born alien child of M. Sgt. Russell A. Lachmiller, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KATHERINA PICERKONA AND HER MINOR SON, HELMUT

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2301) for the relief of Katherina Picerkona and her minor son, Helmut.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the Immigration and Nationality Act, Katherina Picerkona and her minor son, Helmut, the fiance and minor child of Arnold Dickey, a citizen of the United States, shall be eligible for visas as nonimmigrant temporary visitors for a period of 3 months: *Provided*, That the administrative authorities find that the said Katherina Picerkona is coming to the United States with a bona fide intention of being married to the said Arnold Dickey and that they are found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Katherina Picerkona, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons does occur within 3 months after the entry of the said Katherina Picerkona and her minor son, Helmut, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Katherine Picerkona and her minor son as of the date of the payment by them of the required visa fees.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

YUN TAI MIAO AND HIS WIFE, CHAO PEI TSANG MIAO

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2345) for the relief of Yun Tai Miao and his wife, Chao Pei Tsang Miao.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That for the purposes of the Immigration and Nationality Act, Yun Tai Miao and his wife, Chao Pei Tsang Miao, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ITO YUKIKO

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2366) for the relief of Ito Yukiko.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Ito Yukiko, the fiance of A/2C Robert L. Taylor, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months, if the administrative authorities find (1) that the said Ito Yukiko is coming to the United States with a bona fide intention of being married to the said A/2C Robert L. Taylor and (2) that she is otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Ito Yukiko, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Ito Yukiko, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Ito Yukiko as of the date of the payment by her of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARTURO RODRIGUEZ DIAZ

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2636) for the relief of Arturo Rodriguez Diaz.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (19) of the Immigration and Nationality Act, Arturo Rodriguez Diaz may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ETSUKO TAMAKI (SHIMIZU)

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate

consideration of the bill (S. 2639) for the relief of Etsuko Tamaki (Shimizu).

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Etsuko Tamaki (Shimizu), shall be held and considered to be the natural-born alien child of Mrs. Shizuko Tamaki, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTHER JOANNE POTTER

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2640) for the relief of Esther Joanne Potter.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Esther Joanne Potter, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Gail M. Potter, citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHAYA FRANGLES

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2649) for the relief of Chaya Frangles.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Chaya Frangles, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Benjamin Sherman, legal residents of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JEAN CANTALINI

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2731) for the relief of Jean Cantalini.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Jean Cantalini shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GIANNI BERNARDIS

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2789) for the relief of Gianni Bernardis.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Gianni Bernardis shall be held and considered to be the minor alien child of Jacob Schiffman, a United States citizen. Notwithstanding the provision of section 212 (a) (7) of the said act, Gianni Bernardis may be admitted to the United States for permanent residence if otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELISA-POMPEA ROPPO (ELISA-POMPEA CARDONE)

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2849) for the relief of Elisa-Pompea Roppo (Elisa-Pompea Cardone).

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Elisa-Pompea Roppo (Elisa-Pompea Cardone), shall be held and considered to be the natural-born alien child of Mr. and Mrs. Michael Roppo, citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PETER JULIAN NEWBERY AND PRUDENCE ELLEN NEWBERY

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2879) for the relief of Peter Julian Newbery and Prudence Ellen Newbery.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of section 203 (a) (1) (B) of the Immigration and Nationality Act, Peter Julian Newbery and Prudence Ellen Newbery shall be held and considered to be the natural-born children of Charles Bruce Newbery and regarded as having accompanied him at the time of his admission for permanent residence under section 203 (a) (1) of the said act: *Provided*, That they obtain appropriate immigrant visas and apply for admission into the United States within 6 months following the date of the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SISTER ANNA SCRINZI, SISTER GIULIANA PALADINI, SISTER IOLANDA MAZZOCCHI, AND SISTER GIUSEPPINA ZANCHETTA

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2884) for the relief of Sister Anna Scrinzi, Sister Giuliana Paladini, Sister Iolanda Mazzocchi, and Sister Giuseppina Zanchetta.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Sister Anna Scrinzi, Sister Giuliana Paladini, Sister Iolanda Mazzocchi, and Sister Giuseppina Zanchetta shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HON CHEUN KWAN

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2887) for the relief of Hon Cheun Kwan.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Hon Cheun Kwan shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from

the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SERAPHINA PAPGEORGIOU

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2893) for the relief of Seraphina Papgeorgiou.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Seraphina Papgeorgiou, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Edward K. Toompas, citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KIM KWANG SUK AND KIM WOO SHIK

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2941) for the relief of Kim Kwang Suk and Kim Woo Shik.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Kim Kwang Suk and Kim Woo Shik, shall be held and considered to be the natural-born alien children of Mr. Kenneth N. Roberts, a citizen of United States, and his wife.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EULALIO RODRIGUEZ VARGAS

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2945) for the relief of Eulalio Rodriguez Vargas.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (19) of the Immigration and Nationality Act, Eulalio Rodriguez Vargas may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice have knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHRISTINE THUM

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2954) for the relief of Christine Thum.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Christine Thum, the fiance of William Ritchie Smith, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months, if the administrative authorities find (1) that the said Christine Thum is coming to the United States with a bona fide intention of being married to the said William Ritchie Smith, and (2) that she is otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Christine Thum, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Christine Thum, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Christine Thum as of the date of the payment by her of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RUTH WEHRHAN

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2993) for the relief of Ruth Wehrhan.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of section 212 (a) (6) of the Immigration and Nationality Act, upon application hereafter filed, an immigration visa may be issued, and admission for permanent residence granted, to Ruth Wehrhan if she is otherwise admissible under the Immigration and Nationality Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act: *And provided further*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN NATIONALS OF ITALY

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3058) for the relief of certain nationals of Italy.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Teresa Arlorio (Sister M. Augusta), Rosemma Brignolo (Sister M. Davidica), Anna Maria De Toffoli (Sister M. Cornelia), Giovanna Donola (Sister M. Natalia), Maria Libera (Sister M. Alma), Anna Teresa Micca (Sister M. Annunziata), Giovanna Marietta (Sister M. Cunegonda), Maria Muzzi (Sister M. Beniamina), Maria Panero (Sister M. Immacolata), Maria Rosa Pisano (Sister M. Paolina), Maria Saccone (Sister M. Agape), Luigina Torasan (Sister M. Leona), Marcellina Tozzi (Sister M. Adalgisa), and Teresina Zanotto (Sister M. Chiara) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the require numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EMIKO WATANABE

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3112) for the relief of Emiko Watanabe.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Emiko Watanabe, the finance of T. A. Brice, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months, if the administrative authorities find (1) that the said Emiko Watanabe is coming to the United States with a bona fide intention of being married to the said T. A. Brice and (2) that she is found otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Emiko Watanabe, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Emiko Watanabe, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Emiko Watanabe as of the date of the payment by her of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WAKAKO NIIMI AND HER MINOR CHILD, KATHERINE

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3138) for the relief of Wakako Niimi and her minor child, Katherine.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Wakako Niimi, the fiance of Jerrold Lynn Cunningham, a citizen of the United States, and her minor child, Katherine, shall be eligible for visas as nonimmigrant temporary visitors for a period of 3 months, if the administrative authorities find (1) that the said Wakako Niimi is coming to the United States with a bona fide intention of being married to the said Jerrold Lynn Cunningham and (2) that they are otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Wakako Niimi and the minor child, Katherine, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Wakako Niimi and her minor child, Katherine, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Wakako Niimi and her minor child, Katherine, as of the date of the payment by them of the required visa fees.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BONITA LEE SIMPSON

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3145) for the relief of Bonita Lee Simpson.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Bonita Lee Simpson shall be held and considered to be the natural-born alien child of Mr. and Mrs. Lester A. Simpson.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANCESCO PUGLIESE

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3148) for the relief of Francesco Pugliese.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Francesco Pugliese, shall be held and considered to be the natural-born alien child of Harold P. Koblens, a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INGEBORG OTTO

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3221) for the relief of Ingeborg Otto.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (7) of the Immigration and Nationality Act, Ingeborg Otto may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited in accordance with section 213 of the said act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLEOPHAT ROBERT JOSEPH CARON

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3276) for the relief of Cleophat Robert Joseph Caron.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of sections 212 (a) (9), (17) and (19) of the Immigration and Nationality Act, Cleophat Robert Joseph Caron may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNI STROEE JACOBSEN

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3404) for the relief of Anni Stroee Jacobsen.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (b) and 203 (a) (3) of the Immigration and Nationality Act (8 U. S. C. 1101 (b) and 1152 (a) (3)), Anni Stroee Jacobsen shall be held and considered to be the natural born alien child of her adoptive parents, Hans Peter Jacobsen, and his wife, Else Margrethe Stroee Jacobsen.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LISELOTTA KUNZE

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3495) for the relief of Liselotta Kunze.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Liselotta Kunze, the fiancée of John D. Beighley, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months, if the administrative authorities find (1) that the said Liselotta Kunze is coming to the United States with a bona fide intention of being married to the said John D. Beighley and (2) that she is otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Liselotta Kunze, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Liselotta Kunze, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Liselotta Kunze as of the date of the payment by her of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. HILDEGARD SIMON WALLEY

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3586) for the relief of Mrs. Hildegard Simon Walley.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, Mrs. Hildegard Simon Walley may be admitted to the United States for permanent residence if she is found to be otherwise

admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice have knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. JUANA PADILLA DE CABALLERO (MRS. JUANA PADILLA DE ONTIVEROS)

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3625) for the relief of Mrs. Juana Padilla de Caballero (Mrs. Juana Padilla de Ontiveros).

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of sections 212 (a) (9) and 212 (a) (19) of the Immigration and Nationality Act, Mrs. Juana Padilla de Caballero (Mrs. Juana Padilla de Ontiveros) may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANCIS TIMOTHY MARY HODGSON (FORMERLY VICTOR CHARLES JOYCE)

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3652) for the relief of Francis Timothy Mary Hodgson (formerly Victor Charles Joyce).

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Francis Timothy Mary Hodgson (formerly Victor Charles Joyce), shall be held and considered to be the natural-born alien child of Mr. and Mrs. John G. Hodgson, citizens of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ERTOGROUL OSMAN

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2618) for the relief of Ertogroul Osman.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (22) of the Immigration and Nationality Act, Ertogroul Osman who was granted permanent residence in the United States by an act of Congress approved October 31, 1951, may be readmitted to the United States for permanent residence provided he is admissible under all other provisions of the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. FELIX DE PINIES

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2842) for the relief of Dr. Felix de Pinies.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Dr. Felix de Piniés shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MILOS KNEZEVICH

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3577) for the relief of Milos Knezevich.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Milos Knezevich shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RICA, LUCY, AND SALOMON BREGER

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1888) for the relief of Rica, Lucy, and Salomon Breger.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. CELLER. Reserving the right to object, Mr. Speaker, do I correctly understand that the gentleman from Pennsylvania is calling up bills which were not actually approved by the Subcommittee on Immigration and Naturalization of the Judiciary Committee?

Mr. GRAHAM. They were not approved by the committee as such.

Mr. CELLER. I would like to have some explanation of why they were added to the list of those which were approved. The gentleman is calling up now those which apparently were not approved by the subcommittee.

Mr. GRAHAM. There are five bills in addition to the list I have been reading from which were cleared by the other members.

Mr. CELLER. What other members does the gentleman refer to? I am a member and the gentleman from Pennsylvania is a member, but we have not been informed about these additional bills.

Mr. GRAHAM. The gentleman will recall that I was not present at that meeting. I was at a meeting of the Committee on Government Operations. These were handed to me as having been cleared with the other members.

Mr. CELLER. The gentleman may remember that we had limited ourselves to a specific number of bills.

Mr. GRAHAM. Forty bills.

Mr. CELLER. We had agreed not to go beyond that, because once you open the door to some bills and turn down those of other Members of this body we are discriminating, and that is unfair.

Mr. GRAHAM. It is the total number. With the 5 added, it will complete the 40.

Mr. CELLER. On whose suggestion were these additional bills considered? Where did they originate? How did they get on this list?

Mr. GRAHAM. By Members of the House requesting that it be done.

Mr. CELLER. I know, but it is customary to confer with Members in the minority also as to what their wishes are.

The SPEAKER. The Chair will suggest that the bills be withdrawn, temporarily, at least.

Mr. GRAHAM. Very well, Mr. Speaker.

POWER REQUIREMENTS IN TVA AREA

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GATHINGS. Mr. Speaker, it has been my opinion that the Democratic

Party leader, Stephen Mitchell, has consistently been sound, able, and never inclined to recklessness. I esteem him highly for his espousal of convictions that have not always met with universal approval. I felt that the party reins were in good hands. It was shocking to me to learn that this stalwart chieftain, whose actions previously had been genuinely admired, has seen fit to descend to the abyss of impropriety in attacking, without foundation, the President of the United States. He alleged through innuendo that the President used his offices in urging the awarding of a private power contract to a group where sat a golfing companion on one of the boards of directors; this, as I see it, is poor policy, to put it mildly. There are 18,087,643 shares of stock outstanding in the Southern Co., one of the parties to the proposed contract. Out of this 18 million plus shares, Bobby Jones owns 564, which, according to the closing quotations last night, were valued at $18.50 a share. He owns less than five five-hundredths of 1 percent of the Southern Co.

Mr. Mitchell should have known before he spoke that Bobby Jones was only interested in the Southern Co. to an insignificant degree. He knew, or should have known, that the Southern Co. assumed only 20 percent of the proposed contract and the Middle-South Co. the majority portion, or 80 percent of the whole. If there was something worth while to pass around the President could have demanded that the Southern Co. take over the contract outright.

The facts are that the President, in his budget message, made back in January, called for private power to do this job.

The affected agencies of Government, soon afterwards, looked about to determine if any company, or group of companies, appeared to be interested in providing the 600,000 kilowatts of power to be pumped into the TVA lines for use by the atomic energy Paducah plant by displacement. These agencies first conferred with companies in the Paducah area proper, since such companies now hold contracts to supply power for use by the atomic energy Paducah plant. None of these companies were interested. Then it was ascertained that the power shortage really existed in the Memphis territory and it would be in the interest of economy, and for the further reason that it was highly desirable to disperse these plants to make them less susceptible to enemy attack. It was determined to be more logical to build the plant near where the power was needed rather than to cart it more than 100 miles from Paducah to the Memphis area. The Middle-South group became interested in that such companies were located in the Memphis area. The Middle-South Co. has asked for any company to come with them and share the responsibility of such an undertaking. The Southern Co. would not come in for more than a 20-percent portion of the whole contract. All comers have for many months been privileged to make offers or to bid in the furnishing of this needed power.

President Eisenhower laid down, in his budget message, a broad policy not unknown in this country—that taxpaying concerns should be given an opportunity to contract with the Government for power badly needed in the national defense when such industry, or industries, are ready, willing, and able to do the job at reasonable rates. There is little question about the reasonableness of the rates which the Middle South-Southern group have offered in the proposal submitted by them.

On pages 11677 and 11678 of the CONGRESSIONAL RECORD of July 23, 1954, I inserted some tables which compare the Dixon-Yates proposal with the offer made by TVA, and also a comparison of the Dixon-Yates offer as against the rate now paid by TVA at the Paducah plant. Taking the rate now paid by TVA at the Paducah plant, there is a saving of $183,400 per year in the Dixon-Yates proposal after the payment of all taxes by such companies.

The issue boils down to the question of whether the Federal Government shall continue to build more steam-generating plants in the TVA territory, to the exclusion of all the other areas in the country. There are other valleys and sections of the Nation that are just as deserving of being the recipient of development at the expense of all of us, as is the one favored territory. Is it going to be the policy of the Government of the United States to provide all power requirements in any area, or is it just to be limited to the TVA area? Is the Tennessee Valley the only favored valley to be developed by the Federal Government? If there is a justification of the Federal Government building steam-power plants in the TVA section of the country, in order for that area to meet the power demands, it is just and logical to make it a national policy for the Federal Government to build power facilities throughout the country where they may be needed and where there is a demand for power. It is time to consider some of the other sections of America that have been helping to pay the heavy burden in taxes to build up and develop this small section of the country.

FOOD, DRUGS, AND COSMETICS, TITLE 21, UNITED STATES CODE

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9728) to revise, codify, and enact into law, title 21 of the United States Code, entitled "Food, Drugs, and Cosmetics," with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, which were to strike out all after the enacting clause and insert:

That title 21 of the United States Code, entitled "Food, Drugs, and Cosmetics", is hereby revised, codified, and enacted into law, and may be cited as "Title 21, United States Code, § —," as follows:

TITLE 21—FOODS, DRUGS, AND COSMETICS

Part	Sec.
I. Food and Drug Administration	1
II. Animals, poultry and meats	451
III. Narcotics	711

PART I—FOOD, DRUGS, AND COSMETICS GENERALLY

Chapter	Sec.
1. Food and Drug Administration	1
3. Food, Drugs, and Cosmetics	41
5. Milk and Cream	201
7. Tea Importation	261
9. Caustic Poisons	311

Chapter 1—Food and Drug Administration

Sec.
1. Establishment.
2. Functions of Secretary of Health, Education, and Welfare.
3. Board of Tea Experts.
4. Board of Tea Appeals.

§ 1. Establishment

The Food and Drug Administration shall continue as a constituent organization of the Department of Health, Education, and Welfare.

§ 2. Functions of Secretary of Health, Education, and Welfare

The Secretary of Health, Education, and Welfare shall perform the functions prescribed for him under part I of this title, and may from time to time make such provisions as he deems appropriate authorizing the performance of any of the functions of the Secretary by any other officer, or by any agency or employee, of the Department.

§ 3. Board of Tea Experts

Before February 16 of each year, the Secretary of Health, Education, and Welfare shall appoint a Board of Tea Experts of 7 members who are experts in teas, for a term of 1 year subject to removal by the Secretary. The Secretary shall fill vacancies by appointment for an unexpired term.

The Board shall appoint a presiding officer, who shall be the medium of all communications to or from the Board. Each member of the Board shall receive as compensation the sum of $50 per annum, and necessary expenses in connection with his duties under this title, to be paid by the Secretary of Health, Education, and Welfare.

§ 4. Board of Tea Appeals

The United States Board of Tea Appeals shall consist of three employees of the Department of Health, Education, and Welfare designated by the Secretary of Health, Education, and Welfare.

Chapter 3—Food, drugs, and cosmetics

Subchapter I—Definitions, Determinations, and Representations

Sec.
41. Definitions.
42. Determination of misbranding.
43. Representation as antiseptic.
44. Short title.

Subchapter II—Food

51. Definitions and standards for food; procedure governing establishment; objections; hearings; applicability of other provisions.
52. Adulterated food.
53. Misbranded food.
54. Exemptions.
55. Tolerances for poisonous ingredients; certification of coal-tar colors for foods.
56. Tolerances for pesticide chemicals in or on raw agricultural products.
57. Emergency permit control.
58. Seafood; examination on request of packer; fees.
59. Colored oleomargarine; congressional finding as to sale or serving.
60. Colored oleomargarine; sale in State where produced; packaging and labeling; service in restaurants.
61. Oleomargarine, butterine, imitation butter or cheese; application of State laws.
62. Exemption of meats and meat food products.

Subchapter III—Drugs and Devices
71. Adulterated drugs and devices.
72. Misbranded drugs and devices.
73. Exemptions.
74. Certification of coal-tar colors for drugs.
75. New drugs.
76. Certification of drugs containing insulin.
77. Certification of drugs containing certain antibiotics.

Subchapter IV—Cosmetics
91. Adulterated cosmetics.
92. Misbranded cosmetics.
93. Exemptions.
94. Certification of coal-tar colors for cosmetics.

Subchapter V—Imports and Exports
111. Examination and refusal of imports.
112. Exports adulterated or misbranded.
113. Suspension of adulterated imports.

Subchapter VI—Administrative Provisions
131. Regulations; hearings; judicial review.
132. Examinations and investigations.
133. Records of interstate shipment.
134. Factory inspection notice; reports; receipts for samples; copies of analyses.
135. Publicity.
136. Cost of certification of coal-tar colors.
137. Revision of Pharmaecopeia; development of analyses and tests.

Subchapter VII—Enforcement and Penalties
151. Prohibited acts.
152. Penalties; exemptions.
153. Injunctions.
154. Libel for condemnation.
155. Hearing before violation reported.
156. Report of minor violations.
157. Proceedings in name of United States; subpenas.

Subchapter I—Definitions, Determinations, Representations, and Short Title

§ 41. Definitions

As used in this chapter—

(a) "Secretary" means the Secretary of Health, Education, and Welfare.

(b) "Department" means the Department of Health, Education, and Welfare.

(c) "Butter" means the food product usually known as butter, and which is made exclusively from milk or cream, or both, with or without common salt, and with or without additional coloring matter, and containing not less than 80 percent by weight of milk fat, all tolerances having been allowed for.

(d) "Cosmetic" means articles other than soap, (1) intended to be rubbed, poured, sprinkled, or sprayed on, or otherwise applied to or introduced into the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance, and (2) intended for use as a component of any such articles.

(e) "Device", except when used in sections 42, 53 (f), 72 (c), 92 (c), and 151 (i) of this title, means instruments, apparatus, and contrivances, including their components, parts, and accessories, intended (1) for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals; or (2) to affect the structure or any function of the body of man or other animals.

(f) "Drug" means (1) articles recognized in an official compendium; and (2) articles intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals; and (3) articles (other than food) intended to affect the structure or any function of the body of man or other animals; and (4) articles intended for use as a component of any articles specified in clauses (1), (2), or (3) of this paragraph; but does not include devices or their components, parts, or accessories.

(g) "Food" means (1) articles used for food or drink for man or other animals, (2) chewing gum, and (3) articles used for components of any such article.

(h) "Interstate commerce" means (1) commerce between any State or Territory and any place outside thereof, and (2) commerce within the District of Columbia or within any other Territory not organized with a legislative body.

(i) "Label" means a display of written, printed, or graphic matter upon the immediate container other than a package liner, of any article; and a requirement made by or under authority of this chapter that any word, statement, or other information appear on the label shall not be considered to be complied with unless it also appears on or is easily legible through the outside container or wrapper, if any there be, of the retail package of such article.

(j) "Labeling" means all labels and other written, printed, or graphic matter (1) upon any article or any of its containers or wrappers, or (2) accompanying such article.

(k) "New drug" means—

(1) Any drug the composition of which is such that the drug is not generally recognized among experts qualified by scientific training and experience to evaluate the safety of drugs, as safe for use under the conditions prescribed, recommended, or suggested in the labeling thereof, unless at any time prior to June 25, 1938, it was subject to the Food and Drugs Act of June 30, 1906, as amended, and at such time its labeling contained the same representations concerning the conditions of its use; or

(2) Any drug the composition of which is such that, as a result of investigations to determine its safety for use under such conditions, it has become so recognized, but which has not, otherwise than in such investigations, been used to a material extent or for a material time under such conditions.

(l) "Nonfat dry milks solids" or "defatted milk solids" is the product resulting from the removal of fat and water from the sweet milk of cows, and containing (1) the lactose, milk proteins, and milk minerals in the same relative proportions as in the fresh milk from which made, (2) not over 5 percent by weight of moisture, and (3) not over 1½ percent by weight of fat content unless otherwise indicated.

(m) "Official compendium" means the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, official National Formulary, or any supplement to any of them.

(n) "Package" includes wrapped meats inclosed in papers or other materials as prepared by the manufacturers thereof for sale.

(o) "Person" means an individual, partnership, corporation, or association.

(p) "Territory" includes the District of Columbia and any Territory or possession of the United States, but not the Canal Zone.

(q) The term "pesticide chemical" means any substance which, alone, in chemical combination or in formulation with one or more other substances, is an "economic poison" within the meaning of the Federal Insecticide, Fungicide, and Rodenticide Act as now in force or as hereafter amended, and which is used in the production, storage, or transportation of raw agricultural commodities.

(r) The term "Raw agricultural commodity" means any food in its raw or natural state, including all fruits that are washed, colored, or otherwise treated in their unpeeled natural form prior to marketing.

§ 42. Determination of misbranding

If an article is alleged to be misbranded because the labeling is misleading, there shall be taken into account, among other things, in determining whether the labeling is misleading not only representations made or suggested by statement, word, design, device, or any combination thereof, but also the extent to which the labeling fails to reveal facts material in the light of such representations or material with respect to consequences which may result from the use of the article to which the labeling relates under the conditions of use prescribed in the labeling thereof or under such conditions of use as are customary or usual.

§ 43. Representation as antiseptic

The representation of a drug, in its labeling, as an antiseptic shall constitute a representation that it is a germicide, except in the case of a drug purporting to be, or represented as, an antiseptic for inhibitory use as a wet dressing, ointment, dusting powder, or for such other use as involves prolonged contact with the body.

§ 44. Short title

This chapter may be cited as the "Federal Food, Drug, and Cosmetic Act."

Subchapter II—Food

§ 51. Definitions and standards for food; procedure governing establishment; objections; hearings; applicability of other provisions

(a) Whenever in the judgment of the Secretary such action will promote honesty and fair dealing in the interest of consumers, the Secretary shall promulgate regulations fixing and establishing for any food, under its common or usual name insofar as practicable, a reasonable definition and standard of identity, a reasonable standard of quality, and/or reasonable standards of fill of container.

The Secretary may not establish a definition and standard of identity or standard of quality for fresh or dried fruits, fresh or dried vegetables, or butter, but may establish definitions and standards of identity, relating only to maturity and to the effects of freezing, for avocadoes, cantaloupes, citrus fruits, and melons.

In prescribing any standard of fill of container, the Secretary shall give consideration to the natural shrinkage in storage and in transit of fresh natural food and to need for the necessary packing and protective material.

In prescribing any standard of quality for any canned fruit or canned vegetable, the Secretary shall give consideration to and make due allowance for the differing characteristics of the several varieties of such fruit or vegetable.

In prescribing a definition and standard of identity for any food or class of food in which optional ingredients are permitted, the Secretary shall, for the purpose of promoting honesty and fair dealing in the interest of consumers, designate the optional ingredients which shall be named on the label.

(b) (1) Any action under subsection (a) of this section for the issuance, amendment, or repeal of any regulation shall be begun by a proposal made (A) by the Secretary of his own initiative, or (B) by petition of any interested person, showing reasonable grounds therefor, filed with the Secretary. The Secretary shall publish the proposal and shall afford all interested persons an opportunity to present their views thereon, orally or in writing. As soon as practicable thereafter, the Secretary shall by order act upon such proposal and shall make such order public. Except as provided in paragraph (2) of this subsection the order shall become effective at such time as may be specified therein, but not prior to the day following the last day on which objections may be filed under such paragraph.

(2) At any time prior to the 30th day after the date on which an order entered under paragraph (1) of this subsection is made public, any person who will be adversely affected by such order if placed in effect may file objections thereto with the Secretary, specifying with particularity the provisions of the order deemed objectionable, stating the grounds therefor, and requesting a public hearing upon such objections.

Until final action upon such objections is taken by the Secretary under paragraph (3) of this subsection, the filing of such objections shall operate to stay the effectiveness of those provisions of the order to which the objections are made. As soon as practicable after the time for filing objections has expired the Secretary shall publish a notice in the Federal Register specifying those parts of the order which have been stayed by the filing of objections and, if no objections have been filed, stating that fact.

(3) As soon as practicable after such request for a public hearing, the Secretary, after due notice, shall hold such a public hearing for the purpose of receiving evidence relevant and material to the issues raised by such objections. At the hearing, any interested person may be heard in person or by representative. As soon as practicable after completion of the hearing, the Secretary shall by order act upon such objections and make such order public. Such order shall be based only on substantial evidence of record at such hearing and shall set forth, as part of the order, detailed findings of fact on which the order is based. The Secretary shall specify in the order the date on which it shall take effect, except that it shall not be made to take effect prior to the 90th day after its publication unless the Secretary finds that emergency conditions exist necessitating an earlier effective date, in which event the Secretary shall specify in the order his findings as to such conditions. Such order shall be subject to the provisions of section 131 (f) and (g) of this title.

§ 52. Adulterated food

A food is deemed to be adulterated—

(a) Poisonous, insanitary, etc., ingredients: (1) If it bears or contains any poisonous or deleterious substance which may render it injurious to health unless the substance is not an added substance and its quantity in such food does not ordinarily render its injurious to health; or (2) if it bears or contains any added poisonous or added deleterious substance, except a pesticide chemical in or on a raw agricultural commodity, which is unsafe within the meaning of section 55 of this title, or if it is a raw agricultural commodity and it bears or contains a pesticide chemical which is unsafe within the meaning of section 56 (a) of this title; or (3) if it consists in whole or in part of any filthy, putrid, or decomposed substance, or if it is otherwise unfit for food; or (4) if it has been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth or whereby it may have been rendered injurious to health; or (5) if it is, in whole or in part, the product of a diseased animal or of an animal which has died otherwise than by slaughter or (6) if its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health.

(b) Absence, substitution, or addition of constituents: (1) If any valuable constituent has been in whole or in part omitted or abstracted therefrom; or (2) if any substance has been substituted wholly or in part therefor; or (3) if damage or inferiority has been concealed in any manner; or (4) if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is.

(c) Uncertified coal-tar coloring: If it bears or contains a coal-tar color other than one from a batch that has been certified in accordance with regulations as provided by section 55 of this title. This paragraph does not apply to citrus fruit bearing or containing a coal-tar color where application for listing of such color has been made under this subchapter but not acted on by the Secretary, if such color was commonly used prior to June 25, 1938, for the purpose of coloring citrus fruit.

(d) Confectionery containing alcohol or nonnutritive substance: If it is confectionery, and it bears or contains any alcohol or nonnutritive article or substance except harmless coloring, harmless flavoring, harmless resinous glaze not in excess of fourtenths of 1 percent, natural gum, and pectin. This paragraph does not apply to any confectionery by reason of its containing less than one-half of 1 percent by volume of alcohol derived solely from the use of flavoring extracts, or to any chewing gum by reason of its containing harmless nonnutritive masticatory substances.

(e) Insanitary ingredients in oleomargarine or margarine or butter and any of the raw material used therein consisted in whole or in part of any filthy, putrid, or decomposed substance, or such oleomargarine or margarine or butter is otherwise unfit for food.

§ 53. Misbranded food

A food is deemed to be misbranded—

(a) False or misleading labeling: If its labeling is false or misleading in any particular.

(b) Offer for sale under another name: If it is offered for sale under the name of another food.

(c) Imitation: If it is an imitation of another food, unless its label bears, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated.

(d) Misleading container: If its container is so made, formed, or filled as to be misleading.

(e) Package form: If in package form unless it bears a label containing (1) the name and place of business of the manufacturer, packer, or distributor; and (2) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count. Under clause (2) of this paragraph reasonable variations shall be permitted, and exemptions as to small packages shall be established, by regulations prescribed by the Secretary.

(f) Prominence of information on label: If any word, statement, or other information required by or under authority of this chapter to appear on the label or labels is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

(g) Representation as to identity: If it purports to be or is represented as a food for which a definition and standard of identity has been prescribed by regulation as provided by section 51 of this title, unless (1) it conforms to such definition and standard, and (2) its label bears the name of the food specified in the definition and standard, and, insofar as required by such regulations, the common names of optional ingredients (other than spices, flavoring, and coloring) present in such food.

(h) Representation as to quality and fill of container: If it purports to be or is represented as—

(1) a food for which a standard of quality has been prescribed by regulations as provided by section 51 of this title, and its quality falls below such standard, unless its label bears, in such manner and form as such regulations specify, a statement that it falls below such standard; or

(2) a food for which a standard or standards of fill of container has been prescribed by regulations as provided by section 51 of this title, and it falls below the standard of fill of container applicable thereto, unless its label bears, in such manner and form as such regulations specify, a statement that it falls below such standard.

(i) Label where no representation as to standard of identity: If it is not subject to the provisions of paragraph (g) of this section unless its label bears (1) the common or usual name of the food, if any there be, and (2) in case it is fabricated from two or more ingredients, the common or usual name of each such ingredient; except that spices, flavorings, and colorings, other than those sold as such, may be designated as spices, flavoring, and colorings without naming each. The Secretary shall promulgate regulations establishing exemptions to the extent that compliance with the requirements of clause (2) of this paragraph is impracticable, or results in deception or unfair competition.

(j) Representation for special dietary use.—If it purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral, and other dietary properties as the Secretary determines to be and by regulations prescribes as necessary in order fully to inform purchasers as to its value for such uses.

(k) Artificial flavoring, etc.; exception of articles from (g), (i), and (k): If it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact. The Secretary shall promulgate regulations establishing exemptions to the extent that compliance with the requirements of this paragraph is impracticable. The provisions of this paragraph and paragraphs (g) and (i) of this section with respect to artificial coloring shall not apply in the case of butter, cheese, or ice cream.

§ 54. Exemptions

The Secretary shall promulgate regulations exempting from any labeling requirement of this chapter (1) small open containers of fresh fruits and fresh vegetables and (2) food which is, in accordance with the practice of the trade, to be processed, labeled, or repacked in substantial quantities at establishments other than those where originally processed or packed, on condition that such food is not adulterated or misbranded under the provisions of this chapter upon removal from such processing, labeling, or repacking establishment.

§ 55. Tolerances for poisonous ingredients; certification of coal-tar colors for foods

(a) Any poisonous or deleterious substance added to any food, except where such substance is required in the production thereof or cannot be avoided by good manufacturing practice, shall be deemed to be unsafe for purposes of the application of clause (2) of section 52 (a) of this title. When such substance is so required or cannot be so avoided, the Secretary shall promulgate regulations limiting the quantity therein or thereon to the extent the Secretary finds necessary for the protection of public health, and any quantity exceeding the limits so fixed shall also be deemed to be unsafe for purposes of the application of clause (2) of section 52 (a) of this title. While such a regulation is in effect limiting the quantity of any such substance in the case of any food, such food shall not, by reason of bearing or containing any added amount of such substance, be considered to be adulterated within the meaning of clause (1) of section 52 (a) of this title. In determining the quantity of such added substance to be tolerated in or on different articles of food, the Secretary shall take into account the extent to which the use of such substance is required or cannot be avoided in the production of each such article and the other ways in which the consumer may be affected by the same or other poisonous or deleterious substances.

(b) The Secretary shall promulgate regulations providing for the listing of coal-tar colors which are harmless and suitable

for use in food and for the certification of batches of such colors, with or without harmless diluents.

§ 56. Tolerances for pesticide chemicals in or on raw agricultural products

(a) Pesticide chemicals deemed unsafe.—Any poisonous or deleterious pesticide chemical, or any pesticide chemical which is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety of pesticide chemicals, as safe for use, added to a raw agricultural commodity, shall be deemed unsafe for the purposes of the application of clause (2) of section 52 (a) of this title unless—

(1) a tolerance for such pesticide chemical in or on the raw agricultural commodity has been prescribed by the Secretary of Health, Education, and Welfare under this section and the quantity of such pesticide chemical in or on the raw agricultural commodity is within the limits of the tolerance so prescribed; or

(2) with respect to use in or on such raw agricultural commodity, the pesticide chemical has been exempted from the requirement of a tolerance by the Secretary under this section.

While a tolerance or exemption from tolerance is in effect for a pesticide chemical with respect to any raw agricultural commodity, such raw agricultural commodity shall not, by reason of bearing or containing any added amount of such pesticide chemical, be considered to be adulterated within the meaning of clause (1) of section 52 (a) of this title.

(b) Regulations of Secretary establishing tolerances: The Secretary shall promulgate regulations establishing tolerances with respect to the use in or on raw agricultural commodities of poisonous of deleterious pesticide chemicals and of pesticide chemicals which are not generally recognized, among experts qualified by scientific training and experience to evaluate the safety of pesticide chemicals, as safe for use, to the extent necessary to protect the public health. In establishing any such regulation, the Secretary shall give appropriate consideration, among other relevant factors, (1) to the necessity for the production of an adequate, wholesome, and economical food supply; (2) to the other ways in which the consumer may be affected by the same pesticide chemical or by other related substances that are poisonous or deleterious; and (3) to the opinion of the Secretary of Agriculture as submitted with a certification of usefulness under subsection (1) of this section. Such regulations shall be promulgated in the manner prescribed in subsection (d) or (e) of this section. In carrying out the provisions of this section relating to the establishment of tolerances, the Secretary may establish the tolerance applicable with respect to the use of any pesticide chemical in or on any raw agricultural commodity at zero level if the scientific data before the Secretary does not justify the establishment of a greater tolerance.

(c) Regulations of Secretary regarding exemptions: The Secretary shall promulgate regulations exempting any pesticide chemical from the necessity of a tolerance with respect to use in or on any or all raw agricultural commodities when such a tolerance is not necessary to protect the public health. Such regulations shall be promulgated in the manner prescribed in subsection (d) or (e) of this section.

(d) Petitions for regulations; contents; procedure: (1) Any person who has registered, or who has submitted an application for the registration of, an economic poison under the Federal Insecticide, Fungicide, and Rodenticide Act may file with the Secretary of Health, Education, and Welfare, a petition proposing the issuance of a regulation establishing a tolerance for a pesticide chemical which constitutes, or is an ingredient of such economic poison, or exempting the pesticide chemical from the requirement of a tolerance. The petition shall contain data showing—

(A) the name, chemical identity, and composition of the pesticide chemical;

(B) the amount, frequency, and time of application of the pesticide chemical;

(C) full reports of investigations made with respect to the safety of the pesticide chemical;

(D) the results of tests on the amount of residue remaining, including a description of the analytical methods used;

(E) practicable methods for removing residue which exceeds any proposed tolerance;

(F) proposed tolerances for the pesticide chemical if tolerances are proposed; and

(G) reasonable grounds in support of the petition. Samples of the pesticide chemical shall be furnished to the Secretary upon request. Notice of the filing of such petition shall be published in general terms by the Secretary within 30 days after filing. Such notice shall include the analytical methods available for the determination of the residue of the pesticide chemical for which a tolerance or exemption is proposed.

(2) Within 90 days after a certification of usefulness by the Secretary of Agriculture under subsection (1) of this section with respect to the pesticide chemical named in the petition, the Secretary of Health, Education, and Welfare shall, after giving due consideration to the data submitted in the petition or otherwise before him, by order make public a regulation—

(A) establishing a tolerance for the pesticide chemical named in the petition for the purposes for which it is so certified as useful, or

(B) exempting the pesticide chemical from the necessity of a tolerance for such purposes,

unless within such 90-day period the person filing the petition requests that the petition be referred to an advisory committee or the Secretary within such period otherwise deems such referral necessary, in either of which events the provisions of paragraph (3) of this subsection shall apply in lieu hereof.

(3) In the event that the person filing the petition requests, within 90 days after a certification of usefulness by the Secretary of Agriculture under subsection (1) of this section with respect to the pesticide chemical named in the petition, that the petition be referred to an advisory committee, or in the event the Secretary of Health, Education, and Welfare within such period otherwise deems such referral necessary, the Secretary of Health, Education, and Welfare shall forthwith submit the petition and other data before him to an advisory committee to be appointed in accordance with subsection (g) of this section. As soon as practicable after such referral, but not later than 60 days thereafter, unless extended as hereinafter provided, the committee shall, after independent study of the data submitted to it by the Secretary and other data before it, certify to the Secretary a report and recommendations on the proposal in the petition to the Secretary, together with all underlying data and a statement of the reasons or basis for the recommendations. The 60-day period provided for herein may be extended by the advisory committee for an additional 30 days if the advisory committee deems this necessary. Within 30 days after such certification, the Secretary shall, after giving due consideration to all data then before him, including such report, recommendations, underlying data, and statement, by order make public a regulation—

(A) establishing a tolerance for the pesticide chemical named in the petition for the purposes for which it is so certified as useful; or

(B) exempting the pesticide chemical from the necessity of a tolerance for such purposes.

(4) The regulations published under paragraph (2) or (3) of this subsection will be effective upon publication.

(5) Within 30 days after publication, any person adversely affected by a regulation published pursuant to paragraph (2) or (3) of this subsection, or pursuant to subsection (e) of this section, may file objections thereto with the Secretary, specifying with particularity the provisions of the regulation deemed objectionable, stating reasonable grounds therefor, and requesting a public hearing upon such objections. A copy of the objections filed by a person other than the petitioner shall be served on the petitioner, if the regulation was issued pursuant to a petition. The petitioner shall have 2 weeks to make a written reply to the objections. The Secretary shall thereupon, after due notice, hold such public hearing for the purpose of receiving evidence relevant and material to the issues raised by such objections. Any report, recommendations, underlying data, and reasons certified to the Secretary by an advisory committee shall be made a part of the record of the hearing, if relevant and material, subject to the provisions of section 1006 (c) of title 5. The National Academy of Sciences shall designate a member of the advisory committee to appear and testify at any such hearing with respect to the report and recommendations of such committee upon request of the Secretary, the petitioner, or the officer conducting the hearing. Any other member of the advisory committee may appear and testify at such hearing. As soon as practicable after completion of the hearing, the Secretary shall act upon such objections and by order make public a regulation. Such regulation shall be based only on substantial evidence of record at such hearing, including any report, recommendations, underlying data, and reasons certified to the Secretary by an advisory committee, and shall set forth detailed findings of fact upon which the regulation is based. No such order shall take effect prior to the 90th day after its publication, unless the Secretary finds that emergency conditions exist necessitating an earlier effective date, in which event the Secretary shall specify in the order his findings as to such conditions.

(e) Proposal of regulations by Secretary; procedure: The Secretary may at any time, upon his own initiative or upon the request of any interested person, propose the issuance of a regulation establishing a tolerance for a pesticide chemical or exempting it from the necessity of a tolerance. Thirty days after publication of such a proposal, the Secretary may by order publish a regulation based upon the proposal which shall become effective upon publication unless within such 30-day period a person who has registered, or who has submitted an application for the registration of, an economic poison under the Federal Insecticide, Fungicide, and Rodenticide Act containing the pesticide chemical named in the proposal, requests that the proposal be referred to an advisory committee. In the event of such a request, the Secretary shall forthwith submit the proposal and other relevant data before him to an advisory committee to be appointed in accordance with subsection (g) of this section. As soon as practicable after such referral, but not later than 60 days thereafter, unless extended as hereinafter provided, the committee shall, after independent study of the data submitted to it by the Secretary and other data before it, certify to the Secretary a report and recommendations on the proposal together with all underlying data and a statement of the reasons or basis for the recommendations. The 60-day period provided for herein may be extended by the advisory committee for an additional 30 days

if the advisory committee deems this necessary. Within 30 days after such certification, the Secretary may, after giving due consideration to all data before him, including such report, recommendations, underlying data and statement, by order publish a regulation establishing a tolerance for the pesticide chemical named in the proposal or exempting it from the necessity of a tolerance which shall become effective upon publication. Regulations issued under this subsection shall upon publication be subject to paragraph (5) of subsection (d) of this section.

(f) Confidential character of data until publication: All data submitted to the Secretary or to an advisory committee in support of a petition under this section shall be considered confidential by the Secretary and by such advisory committee until publication of a regulation under paragraph (2) or (3) of subsection (d) of this section. Until such publication, such data shall not be revealed to any person other than those authorized by the Secretary or by an advisory committee in the carrying out of their official duties under this section.

(g) Advisory committees; appointment and functions; compensation; clerical assistance: Whenever the referral of a petition or proposal to an advisory committee is requested under this section, or the Secretary otherwise deems such referral necessary; the Secretary shall forthwith appoint a committee of competent experts to review the petition or proposal and to make a report and recommendations thereon. Each such advisory committee shall be composed of experts, qualified in the subject matter of the petition and of adequately diversified professional background selected by the National Academy of Sciences and shall include one or more representatives from land-grant colleges. The size of the committee shall be determined by the Secretary. Members of an advisory committee shall receive as compensation for their services a reasonable per diem, which the Secretary by rules and regulations prescribe, for time actually spent in the work of the committee, and shall in addition be reimbursed for their necessary traveling and subsistence expenses while so serving away from their places of residence. The members shall not be subject to any other provisions of law regarding the appointment and compensation of employees of the United States. The Secretary shall furnish the committee with adequate clerical and other assistance, and shall by rules and regulations prescribe the procedure to be followed by the committee.

(h) Rights of consultation with committee: A person who has filed a petition or who has requested the referral of a proposal to an advisory committee in accordance with the provisions of this section, as well as representatives of the Department of Health, Education, and Welfare, shall have the right to consult with any advisory committee provided for in subsection (g) of this section in connection with the petition or proposal.

(i) Judicial review of orders; procedure, etc.: (1) In a case of actual controversy as to the validity of any order under subsection (d) (5) (e), or (1) of this section any person who will be adversely affected by such order may obtain judicial review by filing in the United States Court of Appeals for the circuit wherein such person resides or has his principal place of business, or in the United States Court of Appeals for the District of Columbia Circuit, within 60 days after the entry of such order, a petition praying that the order be set aside in whole or in part.

(2) In the case of a petition with respect to an order under subsection (d) (5) or (e) of this section, a copy of the petition shall be forthwith served upon the Secretary, or upon any officer designated by him for that purpose, and thereupon the Secretary shall certify and file in the court a transcript of the proceedings and the record on which he based his order. Upon such filing, the court shall have exclusive jurisdiction to affirm or set aside the order complained of in whole or in part. The findings of the Secretary with respect to questions of fact shall be sustained if supported by substantial evidence when considered on the record as a whole, including any report and recommendation of an advisory committee.

(3) In the case of petition with respect to an order under subsection (1) of this section, a copy of the petition shall be forthwith served upon the Secretary of Agriculture, or upon any officer designated by him for that purpose, and thereupon the Secretary shall certify and file in the court a transcript of the proceedings and the record on which he based his order. Upon such filing, the court shall have exclusive jurisdiction to affirm or set aside the order complained of in whole or in part. The findings of the Secretary with respect to questions of fact shall be sustained if supported by substantial evidence when considered on the record as a whole.

(4) If application is made to the court for leave to adduce additional evidence, the court may order such additional evidence to be taken before the Secretary of Health, Education, and Welfare or the Secretary of Agriculture, as the case may be, and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper, if such evidence is material and there were reasonable grounds for failure to adduce such evidence in the proceedings below. The Secretary of Health, Education, and Welfare or the Secretary of Agriculture, as the case may be, may modify his findings as to the facts and order by reason of the additional evidence so taken, and shall file with the court such modified findings and order.

(5) The judgment of the court affirming or setting aside, in whole or in part, any order under this section shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28. The commencement of proceedings under this section shall not, unless specifically ordered by the court to the contrary, operate as a stay of an order. The courts shall advance on the docket and expedite the disposition of all causes filed therein pursuant to this section.

(j) Temporary tolerances: The Secretary may, upon the request of any person who has obtained an experimental permit for a pesticide chemical under the Federal Insecticide, Fungicide, and Rodenticide Act or upon his own initiative, establish a temporary tolerance for the pesticide chemical for the uses covered by the permit whenever in his judgment such action is deemed necessary to protect the public health, or may temporarily exempt such pesticide chemical from a tolerance. In establishing such a tolerance, the Secretary shall give due regard to the necessity for experimental work in developing an adequate, wholesome, and economical food supply and to the limited hazard to the public health involved in such work when conducted in accordance with applicable regulations under the Federal Insecticide, Fungicide, and Rodenticide Act.

(k) Ratification of regulations under prior law: Regulations affecting pesticide chemicals in or on raw agricultural commodities which were promulgated under the authority of section 406 (a) of the Federal Food, Drug, and Cosmetic Act (of 1938) upon the basis of public hearings instituted before January 1, 1953, in accordance with section 701 (e) of such act, shall be deemed to be regulations under this section and shall be subject to amendment or repeal as provided in subsection (m) of this section.

(l) Certification of usefulness by Secretary of Agriculture; procedure; hearings, etc.: The Secretary of Agriculture, upon request of any person who has registered, or who has submitted an application for the registration of, an economic poison under the Federal Insecticide, Fungicide, and Rodenticide Act, and whose request is accompanied by a copy of a petition filed by such person under subsection (d) (1) of this section with respect to a pesticide chemical which constitutes, or is an ingredient of, such economic poison, shall, within 30 days or within 60 days if upon notice prior to the termination of such 30 days the Secretary deems it necessary to postpone action for such period, on the basis of data before him, either—

(1) certify to the Secretary of Health, Education, and Welfare that such pesticide chemical is useful for the purpose for which a tolerance or exemption is sought; or

(2) notify the person requesting the certification of his proposal to certify that the pesticide chemical does not appear to be useful for the purpose for which a tolerance or exemption is sought, or appears to be useful for only some of the purposes for which a tolerance or exemption is sought.

In the event that the Secretary of Agriculture takes the action described in clause (2) of the preceding sentence, the person requesting the certification, within 1 week after receiving the proposed certification, may either (A) request the Secretary of Agriculture to certify to the Secretary of Health, Education, and Welfare on the basis of the proposed certification; (B) request a hearing on the proposed certification or the parts thereof objected to; or (C) request both such certification and such hearing. If no such action is taken, the Secretary may by order make the certification as proposed. In the event that the action described in clause (A) or (C) is taken, the Secretary shall by order make the certification as proposed with respect to such parts thereof as are requested. In the event a hearing is requested, the Secretary of Agriculture shall provide opportunity for a prompt hearing. The certification of the Secretary of Agriculture as the result of such hearing shall be made by order and shall be based only on substantial evidence of record at the hearing and shall set forth detailed findings of fact. In no event shall the time elapsing between the making of a request for a certification under this subsection and final certification by the Secretary of Agriculture exceed 160 days. The Secretary shall submit to the Secretary of Health, Education, and Welfare with any certification of usefulness under this subsection an opinion, based on the data before him, whether the tolerance or exemption proposed by the petitioner reasonably reflects the amount of residue likely to result when the pesticide chemicals is used in the manner proposed for the purpose for which the certification is made. The Secretary of Agriculture, after due notice and opportunity for public hearing, is authorized to promulgate rules and regulations for carrying out the provisions of this subsection.

(m) Regulations covering procedure for amending or repealing regulations: The Secretary of Health, Education, and Welfare shall prescribe by regulations the procedure by which regulations under this section may be amended or repealed, and such procedure shall conform to the procedure provided in this section for the promulgation of regulations establishing tolerances, including the appointment of advisory committees and the procedure for referring petitions to such committees.

(n) Applicability of section 152 (c): The provisions of section 152 (c) of this title with respect to the furnishing of guaranties shall be applicable to raw agricultural commodities covered by this section.

(o) Payment of fees; waivers and refunds: The Secretary of Health, Education, and Welfare shall by regulation require the payment of such fees as will in the aggregate, in the judgment of the Secretary, be sufficient over a reasonable term to provide, equip, and maintain an adequate service for the performance of the Secretary's functions under this section. Under such regulations, the performance of the Secretary's services or other functions pursuant to this section, including any one or more of the following, may be conditioned upon the payment of such fees: (1) The acceptance of filing of a petition submitted under subsection (d) of this section; (2) the promulgation of a regulation establishing a tolerance, or an exemption from the necessity of a tolerance, under this section, or the amendment or repeal of such a regulation; (3) the referral of a petition or proposal under this section to an advisory committee; (4) the acceptance for filing of objections under subsection (d) (5) of this section; or (5) the certification and filing in court of a transcript of the proceedings and the record under subsection (i) (2) of this section. Such regulations may further provide for waiver or refund of fees in whole or in part when in the judgment of the Secretary such waiver or refund is equitable and not contrary to the purposes of this subsection.

§ 57. Emergency permit control

(a) Whenever the Secretary finds after investigation that the distribution in interstate commerce of any class of food may, by reason of contamination with micro-organisms during the manufacture, processing, or packing thereof in any locality, be injurious to health, and that the injurious nature cannot be adequately determined after the articles have entered interstate commerce, the Secretary then, and in such case only, shall promulgate regulations providing for the issuance, to manufacturers, processors, or packers of such class of food in such locality, of permits to which shall be attached such conditions governing the manufacture, processing, or packing of such class of food, for the period of time necessary to protect the public health. After the effective date of such regulations, and during such period, no person shall introduce or deliver for introduction into interstate commerce any such food unless such manufacturer, processor, or packer holds a permit issued by the Secretary as provided by such regulations.

(b) The Secretary may suspend immediately upon notice any permit issued under authority of this section if it is found that any of the conditions of the permit have been violated. The holder of a permit so suspended may at any time apply for the reinstatement thereof and the Secretary shall, immediately after prompt hearing and an inspection of the establishment, reinstate such permit if it is found that adequate measures have been taken to comply with and maintain the conditions of the permit as originally issued or as amended.

(c) Any officer or employee designated by the Secretary shall have access to any factory or establishment, the operator of which holds a permit from the Secretary, for the purpose of ascertaining whether the conditions of the permit are being complied with. If access for such inspection is denied, the Secretary may suspend the permit until such access is freely given by the operator.

§ 58. Seafood; examination on request of packer; fees

(a) Upon application of any packer of seafood for shipment or sale within the jurisdiction of this chapter, the Secretary may designate inspectors to examine and inspect such food and the production, packing, and labeling thereof. If on such examination and inspection compliance is found with the provisions of this chapter and regulations promulgated thereunder, the applicant shall be authorized or required to mark the food as provided by regulation to show such compliance. The Secretary may promulgate regulations governing the sanitary and other conditions under which the service herein provided shall be granted and maintained, and for otherwise carrying out the purposes of this section.

(b) Services under this section shall be rendered only upon payment by the applicant of fees fixed by regulation in amounts necessary to provide, equip, and maintain an adequate and efficient inspection service. Receipts from such fees shall be covered into the Treasury and shall be available to the Secretary for expenditures incurred in carrying out the purposes of this section, including salaries of additional inspectors when necessary to supplement the number for whose salaries Congress has appropriated.

§ 59. Colored oleomargarine; congressional finding as to sale or serving

The Congress finds and declares that the sale, or the serving in public eating places, of colored oleomargarine or colored margarine without clear identification as such or which is otherwise adulterated or misbranded within the meaning of this chapter depresses the market in interstate commerce for butter and for oleomargarine or margarine clearly identified and neither adulterated nor misbranded, and constitutes a burden on interstate commerce in such articles. Such burden exists, irrespective of whether such oleomargarine or margarine originates from an interstate source or from the State in which it is sold.

§ 60. Colored oleomargarine; sale in State where produced; packaging and labeling; service in restaurants

(a) Colored oleomargarine or colored margarine which is sold in the same State or Territory in which it is produced shall be subject in the same manner and to the same extent to the provisions of this chapter as if it had been introduced in interstate commerce.

(b) No person shall sell, or offer for sale, colored oleomargarine or colored margarine unless—

(1) such oleomargarine or margarine is packaged;

(2) the net weight of the contents of any package sold in a retail establishment is 1 pound or less;

(3) there appears on the label of the package (A) the word "oleomargarine" or "margarine" in type or lettering at least as large as any other type or lettering on such label and (B) a full and accurate statement of all the ingredients contained in such oleomargarine or margarine; and

(4) each part of the contents of the package is contained in a wrapper which bears the word "oleomargarine" or "margarine" in type or lettering not smaller than 20-point type.

The requirements of this subsection shall be in addition to and not in lieu of any of the other requirements of this chapter.

(c) No person shall possess in a form ready for serving colored oleomargarine or colored margarine at a public eating place unless a notice that oleomargarine or margarine is served is displayed prominently and conspicuously in such place and in such manner as to render it likely to be read and understood by the ordinary individual being served in such eating place or is printed or is otherwise set forth on the menu in type or lettering not smaller than normally used to designate the serving of other food items. No person shall serve colored oleomargarine or colored margarine at a public eating place, whether or not any charge is made therefor, unless (1) each separate serving bears or is accompanied by labeling identifying it as oleomargarine or margarine, or (2) each separate serving thereof is triangular in shape.

(d) If colored oleomargarine or colored margarine complies with the requirements of subsection (b) of this section when served with meals at a public eating place, it shall, at the time of such service, be exempt from the requirements of section 53 of this title, except subsections (a) and (f) of such section.

(e) For the purposes of this section, colored oleomargarine or colored margarine is oleomargarine or margarine having a tint or shade containing more than one and six-tenths degrees of yellow, or of yellow and red collectively, but with an excess of yellow over red, measured in terms of the Lovibond tintometer scale or its equivalent, and the term "oleomargarine" or "margarine" includes—

(1) all substances, mixtures, and compounds known as oleomargarine or margarine;

(2) all substances, mixtures, and compounds which have a consistence similar to that of butter and which contain any edible oils or fats other than milk fat if made in imitation or semblance of butter.

§ 61. Oleomargarine, butterine, imitation butter or cheese; application of State laws

(a) Nothing in this chapter or sections 45 and 55 of title 15 shall be construed as authorizing the possession, sale, or serving of colored oleomargarine, or colored margarine in any State or Territory in contravention of the laws of such State or Territory.

(b) All articles known as oleomargarine, butterine, imitation, process, renovated, or adulterated butter, or imitation cheese, or any substance in the semblance of butter or cheese not the usual product of the dairy and not made exclusively of pure and unadulterated milk or cream, transported into any State or Territory or the District of Columbia, and remaining therein for use, consumption, sale, or storage therein, shall, upon the arrival within the limits therein be subject to the operation and effect of the laws thereof enacted in the exercise of its police powers to the same extent and in the same manner as though such articles or substances had been produced therein, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise.

§ 62. Exemption of meats and meat food products

Meats and meat food products are exempt from the provisions of this chapter to the extent of the application or the extension thereto of sections 491–510 of this title.

Subchapter III—Drugs and Devices

§ 71. Adulterated drugs and devices

A drug or device is deemed to be adulterated—

(a) Poisonous, insanitary, etc., ingredients.—

(1) If it consists in whole or in part of any filthy, putrid, or decomposed substance; or

(2) If it has been prepared, packed, or held under insanitary conditions whereby it may have been contaminated with filth or whereby it may have been rendered injurious to health; or

(3) If it is a drug and its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health; or

(4) If it is a drug and bears or contains, for purposes of coloring only, a coal-tar color other than one from a batch that has been certified in accordance with regulations as provided by section 74 of this title.

(b) Strength, quality, or purity differing from official compendium: If it purports to be or is represented as a drug the name of

which is recognized in an official compendium, and its strength differs from, or its quality or purity falls below, the standard set forth in such compendium, determined in accordance with the tests or methods of assay set forth in such compendium. Whenever tests or methods of assay have not been prescribed in such compendium, or, if prescribed, are, in the judgment of the Secretary, insufficient for the making of such determination, the Secretary shall notify the appropriate body charged with the revision of such compendium, and if such body fails within a reasonable time to prescribe tests or methods of assay which, in the judgment of the Secretary, are sufficient, for purposes of this paragraph, he shall promulgate regulations prescribing appropriate tests or methods of assay in accordance with which such determination as to strength, quality, or purity shall be made. No drug defined in an official compendium shall be deemed to be adulterated under this paragraph because it differs from the standard of strength, quality, or purity therefor set forth in such compendium, if its difference in strength, quality, or purity from such standard is plainly stated on its label. A drug recognized in both the United States Pharmacopeia and the Homœopathic Pharmacopeia of the United States shall be subject to the requirements of the United States Pharmacopeia unless it is labeled and offered for sale as a homœopathic drug, in which case it shall be subject to the provisions of the Homœopathic Pharmacopeia of the United States.

(c) Misrepresentation of strength, etc., where drug is unrecognized in compendium. If it is not subject to the provisions of paragraph (b) of this section and its strength differs from, or its purity or quality falls below, that which it purports or is represented to possess.

(d) Mixture with or substitution of another substance: If it is a drug and any substance has been (1) mixed or packed therewith so as to reduce its quality or strength or (2) substituted wholly or in part therefor.

§ 72. Misbranded drugs and devices

A drug or device is deemed to be misbranded—

(a) False or misleading labeling: If its labeling is false or misleading in any particular.

(b) Package form; contents of label: If in package form unless it bears a label containing (1) the name and place of business of the manufacturer, packer, or distributor; and (2) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count. Under clause (2) of this paragraph reasonable variations shall be permitted, and exemptions as to small packages shall be established, by regulations prescribed by the Secretary.

(c) Prominence of information on label: If any word, statement, or other information required by or under authority of this chapter to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statement, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

(d) Habit-forming substance: If it is for use by man and contains any quantity of the narcotic or hypnotic substance alpha eucaine, barbituric acid, betaeucaine, bromal, cannabis, carbromal, chloral, coca, cocaine, codeine, heroin, marihuana, morphine, opium, paraldehyde, peyote, or sulphonmethane; or any chemical derivative of such substance, which derivative the Secretary, after investigation, finds to be, and by regulations designates as, habit forming; unless its label bears the name and quantity or proportion of such substance or derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

(e) Designation of drug by name not in compendium: If it is a drug not designated solely by a name recognized in an official compendium unless its label bears (1) the common or usual name of the drug, if such there be; and (2), in case it is fabricated from two or more ingredients, the common or usual name of each active ingredient, including the quantity, kind, and proportion of any alcohol, and also including, whether active or not, the name and quantity or proportion of any bromides, ether, chloroform, acetanilid, acetphenetidin, amidopyrine, antipyrine, atropine, hyoscine, hyoscyamine, arsenic, digitalis, digitalis glucosides, mercury, ouabain, strophanthin, strychnine, thyroid, or any derivative or preparation of any such substances, contained therein. The Secretary shall promulgate regulations establishing exemptions to the extent that compliance with the requirements of clause (2) of this paragraph is impracticable.

(f) Directions for use and warnings on label: Unless its labeling bears (1) adequate directions for use; and (2) adequate warnings against use in those pathological conditions or by children where its use may be dangerous to health, or against unsafe dosage or methods or duration of administration or application, in such manner and form as are necessary for the protection of users. Where any requirement of clause (1) of this paragraph, as applied to any drug or device, is not necessary for the protection of the public health, the Secretary shall promulgate regulations exempting such drug or device from such requirement.

(g) Representation as recognized drug; packing and labeling: If it purports to be a drug the name of which is recognized in an official compendium, unless it is packaged and labeled as prescribed therein. The Secretary may consent to a modification of the method of packing. A drug recognized in both the United States Pharmacopœia and the Homœopathic Pharmacopœia of the United States shall be subject to the requirements of the United States Pharmacopœia with respect to packaging and labeling unless it is labeled and offered for sale as a homœopathic drug, in which case it shall be subject to the provisions of the Homœopathic Pharmacopœia of the United States.

(h) Deteriorative drugs; packing and labeling: If it has been found by the Secretary to be a drug liable to deterioration, unless it is packaged in such form and manner, and its label bears a statement of such precautions, as the Secretary by regulations requires as necessary for the protection of the public health. The Secretary shall not establish such a regulation for any drug recognized in an official compendium until the Secretary has informed the body charged with the revision of such compendium of the need for such packaging or labeling requirements and such body has failed within a reasonable time to prescribe such requirements.

(i) Drug; misleading container; imitation; offer for sale under another name: (1) If it is a drug and its container is so made, formed, or filled as to be misleading; or (2) if it is an imitation of another drugs; or (3) if it is offered for sale under the name of another drug.

(j) Health-endangering when used as prescribed: If it is dangerous to health when used in the dosage, or with the frequency or duration prescribed, recommended, or suggested in the labeling thereof.

(k) Insulin not properly certified: If it is, or purports to be, or is represented as a drug composed wholly or partly of insulin, unless (1) it is from a batch with respect to which a certificate or release has been issued pursuant to section 76 of this title, and (2) such certificate or release is in effect with respect to such drug.

(l) Other drugs not properly certified: If it is, or purports to be, or is represented as a drug composed wholly or partly of any kind of penicillin, streptomycin, chlortetracycline, chloramphenicol, or bacitracin, or any derivative thereof, unless (1) it is from a batch with respect to which a certificate or release has been issued pursuant to section 77 of this title, and (2) such certificate or release is in effect with respect to such drug. This subsection does not apply to any drug or class of drugs exempted by regulations promulgated under section 77 (c) or (d) of this title.

§ 73. Exemptions

(a) The Secretary shall promulgate regulations exempting from any labeling or packing requirement of this chapter drugs and devices which are, in accordance with the practice of the trade, to be processed, labeled, or repacked in substantial quantities at establishments other than those where originally processed or packed, on condition that such drugs and devices are not adulterated or misbranded under the provisions of this chapter upon removal from such processing, labeling, or repacking establishment.

(b) (1) A drug intended for use by man which—

(A) is a habit-forming drug to which section 72 (d) of this title applies; or

(B) because of its toxicity or other potentiality for harmful effect, or the method of its use, or the collateral measure necessary to its use, is not safe for use except under the supervision of a practitioner licensed by law to administer such drug; or

(C) is limited by an effective application under section 75 of this title to use under the professional supervision of a practitioner licensed by law to administer such drug,

shall be dispensed only (i) upon a written prescription of a practitioner licensed by law to administer such drug, or (ii) upon an oral prescription of such practitioner which is reduced promptly to writing and filed by the pharmacist, or (iii) by refilling any such written or oral prescription if such refilling is authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filed by the pharmacist. The act of dispensing a drug contrary to the provisions of this paragraph is deemed to be an act which results in the drug being misbranded while held for sale.

(2) A drug dispensed by filling or refilling a written or oral prescription of a practitioner licensed by law to administer such drug is exempt from the requirements of section 72 of this title, except paragraphs (a), (i) (2) and (3), (k) and (l) of such section, and the packaging requirements of paragraphs (g) and (h) of such section, if the drug bears a label containing the name and address of the dispenser, the serial number and date of the prescription or of its filing, the name of the prescriber, and, if stated in the prescription, the name of the patient, and the directions for use and cautionary statements, if any, contained in such prescription. This exemption does not apply to any drug dispensed in the course of the conduct of a business of dispensing drugs pursuant to diagnosis by mail, or to a drug dispensed in violation of paragraph (1) of this subsection.

(3) The Secretary may by regulation remove drugs subject to sections 72 (d) and 75 of this title from the requirements of paragraph (1) of this subsection when such requirements are not necessary for the protection of the public health.

(4) A drug which is subject to paragraph (1) of this subsection is deemed to be misbranded if at any time prior to dispensing its label fails to bear the statement "Caution: Federal law prohibits dispensing without prescription." A drug to which paragraph (1) of this subsection does not apply is deemed to be misbranded if at any time prior to dispensing its label bears the caution

statement quoted in the first sentence of this paragraph.

(5) Nothing in this subsection shall be construed to relieve any person from any requirement prescribed by or under authority of law with respect to drugs now included or which may hereafter be included within the classifications stated in section 3220 of the Internal Revenue Code, or to marihuana as defined in section 3238 (b) of the Internal Revenue Code.

§ 74. Certification of coal-tar colors for drugs

The Secretary shall promulgate regulations providing for the listing of coal-tar colors which are harmless and suitable for use in drugs for purposes of coloring only and for the certification of batches of such colors, with or without harmless diluents.

§ 75. New drugs

(a) Necessity of effective application: No person shall introduce or deliver for introduction into interstate commerce, any new drug, unless an application filed pursuant to subsection (b) of this section is effective with respect to such drug.

(b) Filing application: Any person may file with the Secretary an application with respect to any drug subject to subsection (a) of this section, which application shall include (1) full reports of investigations which have been made to show whether such drug is safe for use; (2) a full list of the articles used as components of such drug; (3) a full statement of the composition of such drug; (4) a full description of the methods used in, and the facilities and controls used for, the manufacture, processing, and packing of such drug; (5) samples of such drug and of the articles used as components thereof as the Secretary may require; and (6) specimens of the labeling proposed to be used for such drug.

(c) Effective date of application: An application provided for in subsection (b) of this section shall become effective on the sixtieth day after the filing thereof unless prior to such day the Secretary by written notice to the applicant postpones the effective date of the application to such time, not more than one hundred and eighty days after the filing thereof, as he deems necessary to enable him to study and investigate the application.

(d) Grounds for refusing application to become effective: Prior to the effective date of the application, the Secretary shall issue an order refusing to permit the application to become effective if he finds, after due notice to the applicant and giving him an opportunity for a hearing, that (1) the investigations reported pursuant to subsection (b) of this section do not include adequate tests by all methods reasonably applicable to show whether such drug is safe for use under the conditions prescribed, recommended, or suggested in the proposed labeling thereof; (2) the results of such tests show that such drug is unsafe for use under such conditions or do not show that such drug is safe for use under such conditions; (3) the methods used in, and the facilities and controls used for, the manufacture, processing, and packing of such drug are inadequate to preserve its identity, strength, quality, and purity; or (4) upon the basis of the information submitted to him as part of the application, or other information before him with respect to such drug, he has insufficient information to determine whether such drug is safe for use under such conditions.

(e) Suspension of effectiveness of application: The Secretary shall order the suspension of the effectiveness of an application with respect to any drug after due notice and opportunity for hearing to the applicant, if he finds (1) that clinical experience, tests by new methods, or tests by methods not deemed reasonably applicable when such application became effective show that such drug is unsafe for use under the conditions of use upon the basis of which the application became effective, or (2) that the application contains any untrue statement of a material fact. The order shall state the findings upon which it is based.

(f) Revocation of order refusing effectiveness: When the Secretary finds that the facts so require he shall revoke an order refusing to permit an application with respect to a drug to become effective.

(g) Service of orders: Orders of the Secretary issued under this section shall be served (1) in person by any officer or employee of the Department designated by the Secretary or (2) by registered mail addressed to the applicant or respondent at his last-known address in the records of the Secretary.

(h) Appeal from order: The applicant may appeal from an order of the Secretary refusing to permit the application to become effective, or suspending the effectiveness of the application by filing in the United States district court within any district wherein such applicant resides or has his principal place of business, or in the United States District Court for the District of Columbia, within 60 days after the entry of the order, a written petition praying that the order of the Secretary be set aside. The applicant shall serve a copy of the petition forthwith upon the Secretary, or upon any officer designated by him for that purpose, and thereupon the Secretary shall certify and file in the court a transcript of the record upon which the order complained of was entered. Upon the filing of such transcript the court shall have exclusive jurisdiction to affirm or set aside such order. The court shall not consider an objection to the order of the Secretary unless such objection was urged before the Secretary or unless there were reasonable grounds for failure so to do. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive. If any person applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the proceeding before the Secretary, the court may order such additional evidence to be taken before the Secretary and to be adduced upon the hearing in such manner and upon such terms and conditions as the court seems proper. The Secretary may modify his findings as to the facts by reason of the additional evidence so taken, and he shall file with the court such modified findings which, if supported by substantial evidence, shall be conclusive, and his recommendations, if any, for the setting aside of the original order. The judgment and decree of the court affirming or setting aside any such order of the Secretary shall be final, subject to review as provided in sections 1254 and 1291–1294 of title 28. The commencement of proceedings under this subsection shall not, unless specifically ordered by the court to the contrary, operate as a stay of the Secretary's order.

(i) Exemption of drugs for research: The Secretary shall promulgate regulations for exempting from the operation of this section drugs intended solely for investigational use by experts qualified by scientific training and experience to investigate the safety of drugs.

§ 76. Certification of drugs containing insulin

(a) The Secretary, pursuant to regulations promulgated by the Secretary, shall provide for the certification of batches of drugs composed wholly or partly of insulin. A batch of any such drug shall be certified only if such drug has such characteristics of identity and such batch has such characteristics of strength, quality, and purity, as the Secretary prescribes in such regulations as necessary adequately to insure safety and efficacy of use. Prior to the effective date of such regulations the Secretary, in lieu of certification, shall issue a release for any batch which, in his judgment, may be released without risk as to the safety and efficacy of its use. Such release shall prescribe the date of its expiration and other conditions under which it shall cease to be effective as to such batch and as to portions thereof.

(b) Regulations providing for such certifications shall contain such provisions as are necessary to carry out the purposes of this section, including provisions prescribing (1) standards of identity and of strength, quality, and purity; (2) tests and methods of assay to determine compliance with such standards; (3) effective periods for certificates, and other conditions under which they shall cease to be effective as to certified batches and as to portions thereof; (4) administration and procedure; and (5) such fees, specified in such regulations, as are necessary to provide, equip, and maintain an adequate certification service. Such regulations shall prescribe no standard of identity or of strength, quality, or purity for any drug different from the standard of identity, strength, quality, or purity set forth for such drug in an official compendium.

(c) Such regulations, insofar as they prescribe tests or methods of assay to determine strength, quality, or purity of any drug, different from the tests or methods of assay set forth for such drug in an official compendium, shall be prescribed, after notice and opportunity for revision of such compendium, in the manner provided in the second sentence of section 71 (b) of this title. The provisions of subsections (e), (f), and (g) of section 131 of this title shall be applicable to such portion of any regulation as prescribes any such different test or method, but shall not be applicable to any other portion of any such regulation.

§ 77. Certification of drugs containing certain antibiotics

(a) Regulations for certification: The Secretary, pursuant to regulations promulgated by the Secretary, shall provide for the certification of batches of drugs composed wholly or partly of any kind of penicillin, streptomycin, chlortetracycline, chloramphenicol, or bacitracin, or any derivative of any of them. A batch of any such drug shall be certified only if such drug has such characteristics of identity and such batch has such characteristics of strength, quality, and purity, as the Secretary prescribes in such regulations as necessary adequately to insure safety and efficacy of use. Prior to the effective date of such regulations the Secretary, in lieu of certification, shall issue a release for any batch which, in the Secretary's judgment, may be released without risk as to the safety and efficacy of its use. Such release shall prescribe the date of its expiration and other conditions under which it shall cease to be effective as to such batch and as to portions thereof.

(b) Provisions of regulations: Regulations providing for such certifications shall contain such provisions as are necessary to carry out the purposes of this section, including provisions prescribing (1) standards of identity and of strength, quality, and purity; (2) tests and methods of assay to determine compliance with such standards; (3) effective periods for certificates, and other conditions under which they shall cease to be effective as to certified batches and as to portions thereof; (4) administration and procedure; and (5) such fees, specified in such regulations, as are necessary to provide, equip, and maintain an adequate certification service. Such regulations shall prescribe only such tests and methods of assay as will provide for certification or rejection within the

shortest time consistent with the purposes of this section.

(c) Exemption of drugs not involving safety and efficacy of use: Whenever in the judgment of the Secretary, the requirements of this section and of section 72 (1) of this title with respect to any drug or class of drugs are not necessary to insure safety and efficacy of use, the Secretary shall promulgate regulations exempting such drug or class of drugs from such requirements.

(d) Other exemptions: The Secretary shall promulgate regulations exempting from any requirement of this section and of section 72 (1) of this title, (1) drugs which are to be stored, processed, labeled, or repacked at establishments other than those where manufactured, on condition that such drugs comply with all such requirements upon removal from such establishments; (2) drugs which conform to applicable standards of identity, strength, quality, and purity prescribed by these regulations and are intended for use in manufacturing other drugs; and (3) drugs which are intended solely for investigational use by experts qualified by scientific training and experience to investigate the safety and efficacy of drugs.

(e) Application of other sections; determination of compliance: No drug which is subject to this section shall be subject to section 75 of this title. Compliance of any drug subject to this section or to section 72 (1) of this title with sections 71 (b) and 72 (g) of this title shall be determined by the application of the standards of strength, quality, and purity, the tests and methods of assay, and the requirements of packaging and labeling, respectively, prescribed by regulations promulgated under this section.

(f) Procedure for issuance, amendment, or repeal of regulations: Any interested person may file with the Secretary a petition proposing the issuance, amendment, or repeal of any regulation contemplated by this section. The petition shall set forth the proposal in general terms and shall state reasonable grounds therefor. The Secretary shall give public notice of the proposal and an opportunity for all interested persons to present their views thereon, orally or in writing, and as soon as practicable thereafter shall make public the Secretary's action upon such proposal. At any time prior to the 30th day after such action is made public any interested person may file objections to such action, specifying with particularity the changes desired, stating reasonable grounds therefor, and requesting a public hearing upon such objections. The Secretary shall thereupon, after due notice, hold such public hearing. As soon as practicable, after completion of the hearing, the Secretary shall by order make public the Secretary's action on such objections. The order shall be based only on substantial evidence of record at the hearing and shall include detailed findings of fact on which it is based. The order shall be subject to the provisions of section 131 (f) and (g) of this title.

Subchapter IV—Cosmetics

§ 91. Adulterated cosmetics

A cosmetic is deemed to be adulterated—

(a) If it bears or contains any poisonous or deleterious substance which may render it injurious to users under the conditions of use prescribed in the labeling thereof, or under such conditions of use as are customary or usual. This provision does not apply to coal-tar hair dye, the label of which bears the following legend conspicuously displayed thereon: "Caution—This product contains ingredients which may cause skin irritation on certain individuals and a preliminary test according to accompanying directions should first be made. This product must not be used for dyeing the eyelashes or eyebrows; to do so may cause blindness.", and the labeling of which bears adequate directions for such preliminary testing. For the purposes of this paragraph and paragraph and paragraph (e) of this section the term "hair dye" does not include eyelash dyes or eyebrow dyes.

(b) If it consists in whole or in part of any filthy, putrid, or decomposed substance.

(c) If it has been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health.

(d) If its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health.

(e) If it is not a hair dye and it bears or contains a coal-tar color other than one from a batch that has been certified in accordance with regulations as provided by section 94 of this title.

§ 92. Misbranded cosmetics

A cosmetic is deemed to be misbranded—

(a) If its labeling is false or misleading in any particular.

(b) If in package form unless it bears a label containing (1) the name and place of business of the manufacturer, packer, or distributor; and (2) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count. Under clause (2) of this paragraph reasonable variations shall be permitted, and exemptions as to small packages shall be established, by regulations prescribed by the Secretary.

(c) If any word, statement, or other information required by or under authority of this chapter to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

(d) If its container is so made, formed, or filled as to be misleading.

§ 93. Exemptions

The Secretary shall promulgate regulations exempting from any labeling requirement of this chapter cosmetics which are, in accordance with the practice of the trade, to be processed, labeled, or repacked in substantial quantities at establishments other than those where originally processed or packed, on condition that such cosmetics are not adulterated or misbranded under the provisions of this chapter upon removal from such processing, labeling, or repacking establishment.

§ 94. Certification of coal-tar colors for cosmetics

The Secretary shall promulgate regulations providing for the listing of coal-tar colors which are harmless and suitable for use in cosmetics and for the certification of batches of such colors, with or without harmless diluents.

Subchapter V—Imports and Exports

§ 111. Examination and refusal of imports

(a) The Secretary of the Treasury shall deliver to the Secretary of Health, Education, and Welfare, upon the latter Secretary's request, samples of food, drugs, devices, and cosmetics which are being imported or offered for import into the United States, giving notice thereof to the owner or consignee, who may appear before the Secretary of Health, Education, and Welfare and have the right to introduce testimony. If it appears from the examination of such samples or otherwise that the article (1) has been manufactured, processed, or packed under insanitary conditions, or (2) is forbidden or restricted in sale in the country in which it was produced or from which it was exported, or (3) adulterated, misbranded, or in violation of section 75 of this title, the Secretary of the Treasury shall refuse to admit the article, except as provided in subsection (b) of this section. He shall cause the destruction of any such article refused admission unless it is exported, under regulations prescribed by him, within 90 days of the date of notice of such refusal or within such additional time permitted pursuant to such regulations. This subsection does not prohibit the admission of narcotic drugs the importation of which is permitted under section 763 of this title.

(b) Pending decision as to the admission of an article being imported or offered for import, the Secretary of the Treasury may authorize delivery of such article to the owner or consignee upon the execution by him of a good and sufficient bond providing for the payment of such liquidated damages in the event of default as may be required pursuant to regulations of the Secretary of the Treasury. If it appears to the Secretary of Health, Education, and Welfare that an article included within the provisions of clause (3) of subsection (a) of this section can, by relabeling or other action, be brought into compliance with this chapter or rendered other than a food, drug, device, or cosmetic, the Secretary of the Treasury may defer final determination as to admission of such article and, upon filing of timely written application by the owner or consignee and the execution by him of a bond as provided in the preceding provisions of this subsection, the Secretary of Health, Education, and Welfare may, in accordance with regulations, authorize the applicant to perform such relabeling or other action specified in such authorization (including destruction or export of rejected articles or portions thereof, as may be specified in the latter Secretary's authorization). All such relabeling or other action pursuant to such authorization shall in accordance with regulations be under the supervision of an officer or employee of the Department of Health, Education, and Welfare designated by the Secretary of that Department, or an officer or employee of the Department of the Treasury designated by the Secretary of the Treasury.

(c) The owner or consignee shall pay all expenses, including travel, per diem or subsistence, and salaries of officers or employees of the United States, determined in accordance with regulations, in connection with the destruction provided for in subsection (a) of this section and the supervision of the relabeling or other action authorized under subsection (b) of this section, and all expenses in connection with the storage, cartage, or labor with respect to any article refused admission under subsection (a) of this section. In default of payment, expenses specified in this subsection shall constitute a lien against any future importations made by such owner or consignee.

§ 112. Exports adulterated or misbranded

A food, drug, device, or cosmetic intended for export is not deemed to be adulterated or misbranded under this chapter if it (a) accords to the specifications of the foreign purchaser, (b) is not in conflict with the laws of the country to which it is intended for export, and (c) is labeled on the outside of the shipping package to show that it is intended for export. Such article sold or offered for sale in domestic commerce, is not exempt from any of the provisions of this chapter.

§ 113. Suspension of adulterated imports

Whenever the President is satisfied that there is good reason to believe that any importation is being made, or is about to be made, into the United States, from any foreign country, of any article used for human food or drink that is adulterated to an extent dangerous to the health or welfare of the people of the United States, or any of them, he may issue his proclamation suspending the importation of such articles from such country for such period of time

as he believes necessary to prevent such importation. During such period no person shall import any of such articles into the United States from the countries designated in the proclamation of the President.

Subchapter VI—Administrative Provisions

§ 131. Regulations; hearings; judicial review

(a) Regulations authorized: The Secretary may promulgate regulations for the efficient enforcement of this chapter, except as otherwise provided in this section.

(b) Imports and exports: The Secretary of the Treasury and the Secretary of Health, Education, and Welfare shall jointly prescribe regulations for the efficient enforcement of the provisions of section 111 and 112 of this title, except as otherwise provided therein, in such manner and to take effect at such time, after due notice, as the Secretary of Health, Education, and Welfare determines.

(c) Conduct of hearings: The Secretary or such officer or employee as he designates shall conduct the hearings authorized or required by this chapter.

(d) Standards of identity in other laws: The definitions and standards of identity promulgated in accordance with the provisions of this chapter shall be effective for the purposes of the enforcement of this chapter, notwithstanding such definitions and standards as may be contained in other laws of the United States and regulations promulgated thereunder.

(e) Hearings on regulations: The Secretary, on his own initiative or upon an application of any interested industry or substantial portion thereof stating reasonable grounds therefor, shall hold a public hearing upon a proposal to issue, amend, or repeal any regulation contemplated by sections 53 (j), 55 (a), 55 (b), 57 (a), 71 (b), 72 (d), 72 (h), 74, and 94 of this title.

The Secretary shall give appropriate notice of the hearing, setting forth the proposal in general terms and specifying the time and place for the hearing not less than 30 days after the date of the notice, except that the public hearing on regulations under section 57 (a) of this title may be held within a reasonable time, to be fixed by the Secretary, after notice thereof. At the hearing any interested person may be heard in person or by his representative. As soon as practicable after completion of the hearing, the Secretary shall by order make public his action in issuing, amending, or repealing the regulation or determining not to take such action. Such order shall be based only on substantial evidence of record at the hearing and shall include detailed findings of fact on which it is based. No such order shall take effect prior to the 90th day after it is issued, except that if the Secretary finds that emergency conditions exist necessitating an earlier effective date, then the Secretary shall specify in the order the Secretary's findings as to such conditions and the order shall take effect at such earlier date as the Secretary specifies.

(f) Judicial review: (1) In a case of actual controversy as to the validity of any order under subsection (e) of this section, any person who will be adversely affected by such order if placed in effect may at any time prior to the 90th day after such order is issued file a petition with the United States Court of Appeals for the circuit wherein such person resides or has his principal place of business, for a judicial review of such order. The summons and petition may be served at any place in the United States. The Secretary, promptly upon service of the summons and petition, shall certify and file in the court the transcript of the proceedings and the record on which the Secretary based the order.

(2) If the petitioner applies to the court for leave to adduce additional evidence, and shows to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Secretary, the court may order such additional evidence, and evidence in rebuttal thereof, to be taken before the Secretary, and to be adduced upon the hearing, in such manner and upon such terms and conditions as the court deems proper. The Secretary may modify the Secretary's findings as to the facts, or make new findings, by reason of the additional evidence so taken, and file such modified or new findings, and the Secretary's recommendation, if any, for the modification or setting aside of the Secretary's original order, with the return of such additional evidence.

(3) The court may affirm the order, or set it aside in whole or in part, temporarily, or permanently. If the order of the Secretary refuses to issue, amend, or repeal a regulation, and such order is not in accordance with law, the court shall, by its judgment, order the Secretary to take action, with respect to such regulation, in accordance with law. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive.

(4) The judgment of the court affirming or setting aside, in whole or in part, any such order of the Secretary, shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28.

(5) Any action instituted under this subsection shall survive notwithstanding any change in the person occupying the office of Secretary or any vacancy in such office.

(6) The remedies provided for in this subsection shall be in addition to, and not in substitution for, any other remedies provided by law. Nothing in this section shall be deemed to waive or deny any right otherwise accorded by the Administrative Procedure Act, and such act shall continue to apply to all activities of the Food and Drug Administration.

(g) Copies of records of hearings: The Secretary shall furnish a certified copy of the transcript of the record and proceedings under subsection (e) of this section to any interested party at his request, on payment of the costs thereof. Such copy shall be admissible in any criminal, libel for condemnation, exclusion of imports, or other proceeding arising under or in respect to this chapter, irrespective of whether proceedings with respect to the order have previously been instituted or become final under subsection (f) of this section.

§ 132. Examinations and investigations

(a) The Secretary may conduct examinations and investigations for the purposes of this chapter through officers and employees of the Department or through any health, food, or drug officer or employee of any State, Territory, or political subdivision thereof, duly commissioned by the Secretary as an officer of the Department. In the case of food packed in a Territory, the Secretary shall attempt to make inspection of such food at the first point of entry within the United States when, in his opinion and with due regard to the enforcement of all the provisions of this chapter, the facilities at his disposal will permit of such inspection. For the purposes of this subsection, the term "United States" means the States and the District of Columbia.

(b) Where a sample of a food, drug, or cosmetic is collected for analysis under this chapter, the Secretary shall, upon request, provide a part of such official sample for examination or analysis by any person named on the label of the article, or the owner thereof, or his attorney or agent; except that the Secretary may, by regulations, make such reasonable exceptions from, and impose such reasonable terms and conditions relating to, the operation of this subsection as he finds necessary for the proper administration of the provisions of this chapter.

(c) For purposes of enforcement of this chapter, records of any department or independent establishment in the executive branch of the Government shall be open to inspection by any official of the Department of Health, Education, and Welfare authorized by the Secretary to make such inspection.

§ 133. Records of interstate shipment

For the purpose of enforcing the provisions of this chapter, carriers engaged in interstate commerce, and persons receiving food, drugs, devices, or cosmetics in interstate commerce or holding such articles so received, shall, upon the request of an officer or employee duly designated by the Secretary, permit him, at reasonable times, to have access to and to copy all records showing the movement in interstate commerce of any food, drug, device, or cosmetic, or the holding thereof during or after such movement, and the quantity, shipper, and consignee thereof. It shall be unlawful for any such carrier or person to fail to permit such access to and copying of any such record so requested when such request is accompanied by a statement in writing specifying the nature or kind of food, drug, device, or cosmetic to which such request relates. Evidence obtained under this section shall not be used in a criminal prosecution of the person from whom it is obtained.

Carriers shall not be subject to the other provisions of this chapter by reason of their receipt, carriage, holding, or delivery of food, drugs, devices, or cosmetics in the usual course of business as carriers.

§ 134. Factory inspection; notice; reports; receipts for samples; copies of analyses

(a) For purposes of enforcement of this chapter, officers or employees duly designated by the Secretary, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are authorized (1) enter, at reasonable times, any factory, warehouse, or establishment in which food, drugs, devices, or cosmetics are manufactured, processed, packed, or held, for introduction into interstate commerce or are held after such introduction, or enter any vehicle being used to transport or hold such food, drugs, devices, or cosmetics in interstate commerce; and (2) inspect, at reasonable times and within reasonable limits and in a reasonable manner, such factory, warehouse, establishment, or vehicle and all pertinent equipment, finished and unfinished materials, containers, and labeling therein. A separate notice shall be given for each such inspection, but a notice shall not be required for each entry made during the period covered by the inspection. Each such inspection shall be commenced and completed with reasonable promptness.

(b) Upon completion of any such inspection of a factory, warehouse, or other establishment, and prior to leaving the premises, the officer or employee making the inspection shall give to the owner, operator, or agent in charge a report in writing setting forth any conditions or practices observed by him which, in his judgment, indicate that any food, drug, device, or cosmetic in such establishment (1) consists in whole or in part of any filthy, putrid, or decomposed substance, or (2) has been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health. A copy of such report shall be sent promptly to the Secretary.

(c) If the officer or employee making any such inspection of a factory, warehouse, or other establishment has obtained any sample in the course of the inspection, upon completion of the inspection and prior to leaving the premises he shall give to the owner, operator, or agent in charge a receipt describing the samples obtained.

(d) Whenever in the course of any such inspection of a factory or other establishment where food is manufactured, processed, or packed, the officer or employee making the inspection obtains a sample of any such food, and analysis is made of such sample for the purpose of ascertaining whether such food consists in whole or in part of any filthy, putrid, or decomposed substance, or is otherwise unfit for food, a copy of the results of such analysis shall be furnished promptly to the owner, operators, or agent in charge.

§ 135. Publicity

(a) The Secretary shall cause to be published from time to time reports summarizing all judgments, decrees, and court orders rendered under this chapter, including the nature of the charge and the disposition thereof.

(b) The Secretary may also cause to be disseminated information regarding food, drugs, devices, or cosmetics in situations involving, in the Secretary's opinion, imminent danger to health or gross deception of the consumer. Nothing in this section shall be construed to prohibit the Secretary from collecting, reporting, and illustrating the results of the investigations of the Department.

§ 136. Cost of certification of coal-tar colors

The admitting to listing and certification of coal-tar colors, in accordance with regulations prescribed under this chapter, shall be performed only upon payment of fees specified in such regulations, as may be necessary to provide, maintain, and equip an adequate service for such purposes.

§ 137. Revision of Pharmacopoeia; development of analyses and tests

The Secretary, in carrying into effect the provisions of this chapter, may cooperate with associations and scientific societies in the revision of the United States Pharmacopoeia and in the development of methods of analysis and mechanical and physical tests necessary to carry out the work of the Food and Drug Administration.

Subchapter VII—Enforcement and Penalties

§ 151. Prohibited acts

The following acts and the causing thereof are prohibited:

(a) The introduction or delivery for introduction into interstate commerce of any food, drug, device, or cosmetic that is adulterated or misbranded.

(b) The adulteration or misbranding of any food, drug, device, or cosmetic in interstate commerce.

(c) The receipt in interstate commerce of any food, drug, device, or cosmetic that is adulterated or misbranded, and the delivery or proffered delivery thereof for pay or otherwise.

(d) The introduction or delivery for introduction into interstate commerce of any article in violation of section 57 or 75 of this title.

(e) The refusal to permit access to or copying of any record as required by section 133 of this title.

(f) The refusal to permit entry or inspection as authorized by section 134 of this title.

(g) The manufacture within any Territory of any food, drug, device, or cosmetic that is adulterated or misbranded.

(h) The giving of a guaranty or undertaking referred to in section 152 (c) (2) of this title which is false, except by a person who relied upon a guaranty or undertaking to the same effect signed by, and containing the name and address of, the person residing in the United States from whom he received in good faith the food, drug, device, or cosmetic; or the giving of a guaranty or undertaking referred to in section 152 (c) (3) of this title which guaranty or undertaking is false.

(i) Forging, counterfeiting, simulating, or falsely representing, or without proper authority using any mark, stamp, tag, label, or other identification device authorized or required by regulations promulgated under the provisions of sections 55 (b), 57, 58, 74, 76, 77, or 94 of this title.

(j) The using by any person to his own advantage, or revealing, other than to the Secretary or officers or employees of the Department, or to the courts when relevant in any judicial proceeding under this chapter, any information acquired under authority of sections 57, 75, 76, 77, or 134 of this title concerning any method or process which as a trade secret is entitled to protection.

(k) The alteration, mutilation, destruction, obligation, or removal of the whole or any part of the labeling of, or the doing of any other act with respect to, a food, drug, device, or cosmetic, if such act is done while such article is held for sale (whether or not the first sale) after shipment in interstate commerce and results in such article being adulterated or misbranded.

(l) The using, on the labeling of any drug or in any advertising relating to such drug, of any representation or suggestion that an application with respect to such drug is effective under section 75 of this title, or that such drug complies with the provisions of such section.

(m) The sale or offering for sale of colored oleomargarine or colored margarine, or the possession or serving of colored oleomargarine or colored margarine in violation of subsection (b) or (c) of section 60 of this title.

(n) The using, in labeling, advertising, or other sales promotion, of any reference to any report or analysis furnished in compliance with section 134 of this title.

§ 152. Penalties; exemptions

(a) Any person who violates any of the provisions of section 151 of this title shall be imprisoned not more than 1 year or fined not more than $1,000, or both. Any person who commits such a violation after one conviction under this section has become final shall be imprisoned not more than 3 years or fined not more than $10,000, or both.

(b) Notwithstanding the provisions of subsection (a) of this section, any person who violates any of the provisions of section 151 of this title, with intent to defraud or mislead, shall be imprisoned not more than 3 years or fined not more than $10,000, or both.

(c) No person shall be subject to the penalties of subsection (a) of this section—

(1) for having received in interstate commerce any article and delivered it or proffered delivery of it, if such delivery or proffer was made in good faith, unless he refuses to furnish on request of an officer or employee duly designated by the Secretary the name and address of the person from whom he purchased or received such article and copies of all documents, if any, pertaining to the delivery of the article to him; or

(2) for having violated section 151 (a) or 151 (d) of this title, if he establishes a guaranty or understanding signed by, and containing the name and address of, the person residing in the United States from whom he received the article in good faith, to the effect in case of an alleged violation of section 151 (a) of this title, that such article is not adulterated or misbranded, within the meaning of this chapter, designating this chapter, or to the effect, in case of an alleged violation of section 151 (d) of this title, that such article is not an article which may not, under the provisions of section 57 or 75 of this title, be introduced into interstate commerce; or

(3) for having violated section 151 (a) of this title, where the violation exists because the article is adulterated by reason of containing a coal-tar color not from a batch certified in accordance with the Secretary's regulations, if such person establishes a guaranty or undertaking signed by, and containing the name and address of, the manufacturer of the coal-tar color, to the effect that such color was from a batch certified in accordance with the applicable regulations promulgated by the Secretary under this chapter; or

(4) for having violated section 151 (b), 151 (c), or 151 (k) of this title by failure to comply with section 72 (f) of this title in respect to an article received in interstate commerce to which neither section 73 (a) nor section 73 (b) (1) is applicable, if the delivery or proffered delivery was made in good faith and the labeling at the time thereof contained the same directions for use and warning statements as were contained in the labeling at the time of such receipt of such article.

§ 153. Injunctions

(a) The United States district courts and the United States courts of the Territories shall have jurisdiction, for cause shown, and subject to the provisions of Rule 65 (a) (b) of the Federal Rules of Civil Procedure, to restrain violations of section 151 of this title, except paragraphs (e), (f), (h), (i), and (j), thereof.

(b) Any violation of an injunction or restraining order issued under this section, which also constitutes a violation of this chapter shall be tried by the court, or, upon demand of the accused, by a jury, in accordance with the practice and procedure applicable in the case of proceedings subject to the provisions of section 402 of Title 18.

§ 154. Libel for condemnation

(a) Grounds and jurisdiction: Any article of food, drug, device, or cosmetic that is adulterated or misbranded when introduced into or while in interstate commerce or while held for sale (whether or not the first sale) after shipment in interstate commerce, or which may not, under the provisions of section 57 or 75 of this title, be introduced into interstate commerce, shall be liable to be proceeded against while in interstate commerce, or at any time thereafter, on libel of information and condemned in any district court of the United States within the jurisdiction of which the article is found.

(b) Procedure: The article shall be liable to seizure by process pursuant to the libel, and the procedure in cases under this section shall conform, as nearly as may be, to the procedure in admiralty; except that on demand of either party any issue of fact joined in any such case shall be tried by jury.

(c) (1) Libels for misbranding limited; change of venue: No libel for condemnation for any alleged misbranding shall be instituted under this chapter, if there is pending in any court a libel for condemnation proceeding under this chapter based upon the same alleged misbranding, and not more than one such proceeding shall be instituted if no such proceeding is so pending, except that such limitations shall not apply—

(A) when such misbranding has been the basis of a prior judgment in favor of the United States in a criminal injunction or libel for condemnation proceeding under this chapter, or

(B) when the Secretary has probable cause to believe from facts found, without hearing, by him or any officer or employee of the Department that the misbranded article is dangerous to health.

(2) In any case where the number of libel for condemnation proceedings is limited as above provided the proceeding pending or instituted shall, on application of the claimant, seasonably made, be removed for trial to any district agreed upon by stipulation between the parties, or, in case of failure to so stipulate within a reasonable time, the claimant may apply to the court of the district in which the seizure has been made, and such court, after giving the United States attorney for such district reasonable notice and opportunity to be heard, shall by order, unless good cause to the contrary is shown, specify a district of reasonable proximity to the

claimant's principal place of business, to which the case shall be removed for trial.

(d) Consolidation of multiple proceedings: When libel for condemnation proceedings under this section, involving the same claimant and the same issues of adulteration or misbranding, are pending in 2 or more jurisdictions, such pending proceedings, upon application of the claimant seasonably made to the court of 1 such jurisdiction, shall be consolidated for trial by order of such court, and tried in (1) any district selected by the claimant where 1 of such proceedings is pending; or (2) a district agreed upon by stipulation between the parties. If no order for consolidation is so made within a reasonable time, the claimant may apply to the court of one such jurisdiction, and such court, after giving the United States attorney for such district reasonable notice and opportunity to be heard, shall by order, unless good cause to the contrary is shown, specify a district of reasonable proximity to the claimant's principal place of business, in which all such pending proceedings shall be consolidated for trial and tried. Such order of consolidation shall not apply so as to require the removal of any case the date for trial of which has been fixed. The court granting such order shall give prompt notification thereof to the other courts having jurisdiction of the cases covered thereby.

(e) Removal for trial: In the case of removal for trial of any case as provided by subsection (c) or (d) of this section—

(1) The clerk of the court from which removal is made shall promptly transmit to the court in which the case is to be tried all records in the case necessary in order that such court may exercise jurisdiction.

(2) The court to which such case is removed shall have the powers and be subject to the duties, for purposes of the case, which the court from which removal is made would have, or to which such court would be subject, if such case is not removed.

(f) Samples of seized goods: The court at any time after seizure up to a reasonable time before trial shall by order allow any party to a condemnation proceeding, his attorney or agent, to obtain a representative sample of the article seized and a true copy of the analysis, if any, on which the proceeding is based and the identifying marks or numbers, if any, of the packages from which the samples analyzed were obtained.

(g) Disposition after condemnation: Any food, drug, device, or cosmetic condemned under this section shall, after entry of the decree, be disposed of by destruction or sale as the court may direct in accordance with the provisions of this section. If sold, the proceeds thereof, less the legal costs and charges, shall be paid into the Treasury of the United States. Such article shall not be sold under such decree contrary to the provisions of this chapter or the laws of the jurisdiction in which sold. After entry of the decree and upon the payment of the costs of such proceedings and the execution of a good and sufficient bond conditioned that such article shall not be sold or disposed of contrary to the provisions of this chapter or the laws of any State or Territory in which sold, the court may by order direct that such article be delivered to the owner thereof to be destroyed or brought into compliance with the provisions of this chapter under the supervision of an officer or employee duly designated by the Secretary, and the expenses of such supervision shall be paid by the person obtaining release of the article under bond. Any article condemned by reason of its being an article which may not, under section 56 or 75 of this title, be introduced into interstate commerce, shall be disposed of by destruction.

(h) Costs: When a decree of condemnation is entered against the article, court costs and fees, and storage and other proper expenses, shall be awarded against the person, if any, intervening as claimant of the article.

§ 155. Hearing before violation reported

Before any violation of this chapter is reported by the Secretary to any United States attorney for institution of a criminal proceeding, the person against whom such proceeding is contemplated shall be given appropriate notice and an opportunity to present his views, either orally or in writing, with regard to such contemplated proceeding.

§ 156. Report of minor violations

Nothing in this chapter shall be construed as requiring the Secretary to report for prosecution, or for the institution of libel or injunction proceedings, minor violations of this chapter whenever the Secretary believes that the public interest will be adequately served by a suitable written notice or warning.

§ 157. Proceedings in name of United States; subpenas

All proceedings for the enforcement, or to restrain violations, of this chapter shall be by and in the name of the United States. Subpenas for witnesses who are required to attend a court of the United States, in any district, may run into any other district in any such proceeding.

Chapter 5—Milk and cream

Subchapter I—Importation of Milk and Cream

Sec.
201. Definitions.
202. Permits for importation.
203. Unfitness for importation.
204. Inspection, issue of permits; regulations.
205. Penalties.
206. State powers concerning milk and cream.
207. Short title.

Subchapter II—Filled Milk

221. Definitions.
222. Filled milk; congressional finding concerning.
223. Regulations.
224. Penalties.
225. Short title.

Subchapter I—Importation of Milk and Cream

§ 201. Definitions.

As used in this subchapter—

(a) "Person" means an individual, partnership, corporation, or association.

(b) "United States" means the continental United States.

§ 202. Permits for importation

No person shall import milk and cream into the United States unless the person by whom it is shipped or transported holds a valid permit from the Secretary of Health, Education, and Welfare.

§ 203. Unfitness for importation

Milk or cream shall be considered unfit for importation—

(a) when all cows producing such milk or cream are not healthy and a physical examination of all such cows has not been made within 1 year previous to such milk being offered for importation;

(b) when such milk or cream, if raw, is not produced from cows which have passed a tuberculin test applied by a duly authorized official veterinarian of the United States, or of the country in which such milk or cream is produced, within 1 year previous to the time of the importation, showing that such cows are free from tuberculosis;

(c) when the sanitary conditions of the dairy farm or plant in which it is produced or handled do not score at least 50 points out of 100 points according to the current methods for scoring as provided by the score cards used by the United States Department of Agriculture;

(d) if the number of bacteria per cubic centimeter exceeds in the case of raw milk 300,000, in the case of raw cream 750,000, and in the case of pasteurized milk 100,000, and in the case of pasteurized cream 500,000;

(e) when the temperature of milk or cream at the time of importation exceeds 50° Fahrenheit.

§ 204. Inspection; issue of permits; regulations

(a) The Secretary of Health, Education, and Welfare shall cause such inspections to be made as are necessary to insure that milk and cream are produced and handled in compliance with section 203 of this title. When the Secretary finds that milk or cream is produced and handled so as not to be unfit for importation under section 203 (a), (b), and (c) of this title, the Secretary shall issue to persons making application therefor permits to ship milk or cream into the United States. In lieu of the inspections to be made by or under the direction of the Secretary, the Secretary may, in the Secretary's discretion, accept a duly certified statement signed by a duly accredited official of an authorized department of any foreign government or of any State of the United States or any municipality thereof that the provisions in section 203 (a), (b), and (c) of this title have been complied with. Such certificate shall be in the form prescribed by the Secretary.

(b) The Secretary may, in the Secretary's discretion, waive the requirements of section 203 (d) of this title when issuing permits to operators of condenseries in which milk or cream is used when sterilization of the milk or cream is a necessary process, except that no milk or cream shall be imported the bacterial count of which per cubic centimeter in any event exceeds 1,200,000. Such requirements shall not be waived unless the farm producing such milk to be imported is within a radius of 15 miles of the condensery in which it is to be processed. If milk or cream imported when the requirements of section 203 (d), of this title, have been so waived, is sold, used, or disposed of in its raw state or otherwise than as condensed milk by any person, the permit shall be revoked and the importer shall be subject to fine, imprisonment, or other penalty prescribed by this subchapter.

(c) The Secretary shall waive the requirements of section 203 (b) and (e) of this title insofar as the same relate to milk when issuing permits to operators of, or to producers for delivery to, creameries and condensing plants in the United States within 20 miles of the point of production of the milk, and who import no raw milk except for pasteurization or condensing. If milk imported when the requirements of section 203 (b) and (e) of this title have been so waived is sold, used, or disposed of in its raw state, or otherwise than as pasteurized, condensed, or evaporated milk by any person, the permit shall be revoked and the importer shall be subjected to fine, imprisonment, or other penalty prescribed by this subchapter.

(d) The Secretary shall make and enforce such regulations as the Secretary deems necessary to carry out the purpose of this subchapter for the issuance of permits to import milk and cream, for the handling of milk and cream, for the inspection of milk, cream, cows, barns, and other facilities used in the production and handling of milk and cream, and for the handling, keeping, transporting, and importing of milk and cream. Unless and until the Secretary provides for inspections to ascertain that section 203 (a), (b), and (c) of this title has been complied with, the Secretary shall issue temporary permits to any applicants therefor to ship or transport milk or cream into the United States.

(e) The Secretary may suspend or revoke any permit for the shipment of milk or cream into the United States when the Secretary finds that the holder thereof has failed to comply with the provisions of, or has violated, this subchapter, or any of the regulations

made under this subchapter, or that the milk or cream brought or shipped by the holder of such permit into the United States is not produced and handled in conformity with, or that the quality thereof does not conform to, all of the provisions of section 203 of this title.

§ 205. Penalties.

(a) No person in the United States shall receive milk or cream imported into the United States unless the importation is in accordance with the provisions of this subchapter.

(b) Any person who knowingly violates any provision of this subchapter shall, in addition to all other penalties prescribed by law, be fined not more than $2,000 or imprisoned not more than 1 year, or both.

§ 206. State powers concerning milk and cream

Nothing in this subchapter shall be construed to affect the powers of any State, or any political subdivision thereof, to regulate the shipment of milk or cream into, or the handling, sale, or other disposition of milk or cream in, such State or political subdivision after the milk or cream has been lawfully imported under this subchapter.

§ 207. Short title

This subchapter may be cited as the "Federal Import Milk Act."

Subchapter II—Filled milk

§ 221. Definitions

As used in this subchapter—

(a) "Filled milk" means any milk, cream, or skimmed milk, whether or not condensed, evaporated, concentrated, powdered, dried, or desiccated, to which has been added, or which has been blended or compounded with, any fat or oil other than milk fat, so that the resulting product is in imitation or semblance of milk, cream, or skimmed milk, whether or not condensed, evaporated, concentrated, powdered, dried, or desiccated. This definition does not include any distinctive proprietary food compound not readily mistaken in taste for milk or cream or for evaporated, condensed, or powdered milk, or cream where such compound (1) is prepared and designed for feeding infants and young children and customarily used on the order of a physician; (2) is packed in individual cans containing not more than 16½ ounces and bearing a label in bold type and the content is to be used only for such purpose; and (3) is shipped in interstate and foreign commerce exclusively to physicians, wholesale and retail druggists, orphan asylums, child-welfare associations, hospitals, and similar institutions and generally disposed of by them.

(b) "Interstate or foreign commerce" means commerce (1) between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; (2) between points within the same State, Territory, or possession, or within the District of Columbia, but through any place outside thereof; or (3) within any Territory or possession, or within the District of Columbia.

(c) "Person" means an individual, partnership, corporation, or association.

§ 222. Filled milk; congressional finding concerning

Filled milk is an adulterated article of food, injurious to the public health, and its sale constitutes a fraud upon the public.

§ 223. Regulations

The Secretary of Health, Education, and Welfare shall make and enforce such regulations as the Secretary deems necessary to carry out the purposes of this subchapter.

§ 224. Penalties

Any person who manufactures within any Territory or possession, or within the District of Columbia, or ships or delivers for shipment in interstate or foreign commerce, any filled milk, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both. When construing and enforcing the provisions of this subchapter, the act, omission, or failure of any person acting for or employed by any individual, partnership, corporation, or association, within the scope of his employment or office, shall in every case be deemed the act, omission, or failure, of each individual, partnership, corporation, or association, as well as of such person.

§ 225. Short title

This subchapter may be cited as the "Federal Filled Milk Act."

Chapter 7—Tea importation

Sec.
261. Substandard tea importation; materials for manufacturing.
262. Standards; duplicate samples.
263. Importer's bonds and fees; sampling and examination.
264. Permit for delivery; inferior grades; partial delivery.
265. Examiners.
266. Examination according to usages of trade.
267. Reexamination by Appeals Board; disposition of tea.
268. Procedure for reexamination; assistance of experts.
269. Reimporting rejected teas; forfeitures.
270. Regulations.
271. Short title.

§ 261. Substandard tea importation; materials for manufacturing

(a) No person shall import or bring into the United States any merchandise as tea which is inferior in purity, quality, and fitness for consumption to the standards provided in section 262 of this title.

(b) Nothing in this chapter shall affect or prevent the importation into the United States, under such regulations as the Secretary of Health, Education, and Welfare prescribes, of any merchandise as tea which may be inferior in purity, quality, and fitness for consumption to the standards established by the Secretary, or of any tea waste, tea siftings, or tea sweepings, for the sole purpose of manufacturing theine, caffeine, or other chemical products whereby the identity and character of the original material is entirely destroyed or changed. Importers and manufacturers who import such tea, tea waste, tea siftings, or tea sweepings into the United States shall give suitable bond, to be subject to the approval only of the collector of customs at the port of entry, conditioned that said imported material shall be used only for the purposes provided in this subsection, under such regulations as may be prescribed by the Secretary.

§ 262. Standards; duplicate samples

The Board of Tea Experts shall prepare and submit standard samples of tea to the Secretary of Health, Education, and Welfare who, upon the Board's recommendation, shall fix and establish uniform standards of purity, quality, and fitness for consumption of all kinds of teas imported into the United States. The Secretary shall procure and deposit in the customhouses of the ports of New York, Chicago, San Francisco, and such other ports as the Secretary may determine, duplicate samples of such standards, and the Secretary shall procure a sufficient number of other duplicate samples to supply the importers and dealers in tea at all ports desiring the same at cost. All teas, or merchandise described as tea, of inferior purity, quality, and fitness for consumption to such standards shall be deemed within the prohibition of section 261 of this title.

§ 263. Importer's bonds and fees; sampling and examination

(a) On making entry at the customhouse of all teas, or merchandise described as tea, imported into the United States, the importer or consignee shall give a bond to the collector of the port that such merchandise shall not be removed from the warehouse until released by the collector, after it shall have been duly examined with reference to its purity, quality, and fitness for consumption. For the purpose of such examination samples of each line in every invoice of tea shall be submitted by the importer or consignee to the examiner, together with the sworn statement of such importer or consignee that such samples represent the true quality of each part of the invoice and accord with the specifications therein contained, or in the discretion of the Secretary, such samples shall be obtained by the examiner and compared by him with the standards established by this chapter. Where entry is made at ports where there is no qualified examiner as provided in section 265 of this title, the consignee or importer shall furnish such samples and sworn statement to the collector or other revenue officer to whom it is committed the collection of duties, who shall also draw or cause to be drawn samples of each line in every invoice and shall forward the same to a duly qualified examiner as provided in that section. The bond required by this section shall also be conditioned for the payment of all customhouse charges which may attach to such merchandise prior to its being released or destroyed, as the case may be, under the provisions of this chapter.

(b) The collector shall not examine for importation, or release, any tea, or merchandise described as tea, under this chapter unless the importer or consignee thereof, prior to such examination, has paid for deposit into the Treasury of the United States as miscellaneous receipts, a fee of 3.5 cents for each hundredweight or fraction thereof of such tea and merchandise.

§ 264. Permit for delivery; inferior grades; partial delivery

If, after an examination as provided in section 263 of this title, the tea is found by the examiner to be equal in purity, quality, and fitness for consumption to the standards provided in this chapter, and no reexamination is demanded by the collector as provided in section 267 of this title, a permit shall at once be granted to the importer or consignee declaring the tea free from the control of the customs authorities. If tea, or merchandise described as tea, is found, in the opinion of the examiner, to be inferior in purity, quality, and fitness for consumption to such standards, the importer or consignee shall be immediately notified, and the tea, or merchandise described as tea, shall not be released by the customhouse, unless on a reexamination called for by the importer or consignee the finding of the examiner is found to be erroneous. If a portion of the invoice is passed by the examiner, a permit shall be granted for that portion and the remainder held for further examination, as provided in said section 267.

§ 265. Examiners

The examination provided for by this chapter shall be made by a duly qualified examiner at a port where standard samples are established. Where the merchandise is entered at ports where there is no qualified examiner, the examination shall be made at that one of said ports which is nearest the port of entry, and for this purpose samples obtained in the manner prescribed by section 263 of this title shall be forwarded to the proper port by the collector or chief officer at the port of entry.

§ 266. Examination according to usages of trade

In all cases of examination or reexamination of teas, or merchandise described as tea, by examiners or the United States Board of Tea Appeals under the provisions of this chapter, the purity, quality, and fitness for

consumption of the same shall be tested according to the usages and customs of the tea trade, including the testing of an infusion of the same in boiling water, and, if necessary, chemical analysis.

§ 267. Reexamination by Appeals Board; disposition of tea

(a) If the collector, importer, or consignee protests against the finding of the examiner, the matter in dispute shall be referred for decision to the United States Board of Tea Appeals.

(b) If the Board, after examination, finds the tea in question to be equal in purity, quality, and fitness for consumption to the proper standards, the collector shall issue a permit for its release and delivery to the importer.

(c) If upon final reexamination by the Board the tea is found to be inferior in purity, quality, and fitness for consumption to the said standards, the importer or consignee shall give a bond, with security satisfactory to the collector, to export said tea, or merchandise described as tea, out of the limits of the United States within a period of 6 months after such final reexamination, and if the same has not been exported within the time specified, the collector, at the expiration of that time, shall cause the same to be destroyed.

§ 268. Procedure for reexamination; assistance of experts

In cases of reexamination of teas, or merchandise described as teas, by the United States Board of Tea Appeals in pursuance of the provisions of this chapter, the examiner shall put up and seal samples of the tea, or merchandise described as tea, in dispute, in the presence of the importer or consignee if he so desires, and transmit them to the Board, together with a copy of his finding, setting forth the cause of condemnation and the claim or ground of the protest of the importer relating to the same. Such samples and papers shall be distinguished by an identifying mark.

The decision of the Board shall be in writing, signed by its members, and transmitted with the record and samples to the collector within 3 days after its rendition. The collector shall forthwith furnish the examiner and the importer or consignee with a copy of such decision.

The United States Board of Tea Appeals may obtain the advice, when necessary, of persons skilled in the examination of teas, who shall each receive for his services in any particular case a compensation not exceeding $5.

§ 269. Reimporting rejected teas; forfeiture

No imported teas which have been rejected by an examiner or by the United States Board of Tea Appeals, and exported under the provisions of this chapter, shall be reimported into the United States. Any such teas so imported shall be forfeited.

§ 270. Regulations

The Secretary of Health, Education, and Welfare may enforce this chapter by appropriate regulations.

§ 271. Short title

This chapter and sections 3 and 4 of this title may be cited as the "Federal Import Tea Act."

Chapter 9—Caustic poisons

Sec.
311. Definitions.
312. Misbranded shipments.
313. Misbranded imports.
314. Removal of labels.
315. Enforcement.
316. Libel for condemnation.
317. Penalties.
318. Institution of condemnation and criminal proceedings.
319. Construction; application of other provisions.
320. Short title.

§ 311. Definitions

As used in this chapter, unless the context otherwise requires—

(a) "Dangerous caustic or corrosive substance" means:

(1) hydrochloric acid and any preparation containing free or chemically unneutralized hydrochloric acid (HCl) in a concentration of 10 percent or more;

(2) sulphuric acid and any preparation containing free or chemically unneutralized sulphuric acid (H_2SO_4) in a concentration of 10 percent or more;

(3) nitric acid or any preparation containing free or chemically unneutralized nitric acid (HNO_3) in a concentration of 5 percent or more;

(4) carbolic acid (C_6H_5OH), otherwise known as phenol, and any preparation containing carbolic acid in a concentration of 5 percent or more;

(5) oxalic acid and any preparation containing free or chemically unneutralized oxalic acid ($H_2C_2O_4$) in a concentration of 10 percent or more;

(6) any salt of oxalic acid and any preparation containing any such salt in a concentration of 10 percent or more;

(7) acetic acid or any preparation containing free or chemically unneutralized acetic acid ($HC_2H_3O_2$) in a concentration of 20 percent or more;

(8) hypochlorous acid, either free or combined, and any preparation containing the same in a concentration so as to yield 10 percent or more by weight of available chlorine, excluding calx chlorinata, bleaching powder, and chloride of lime;

(9) potassium hydroxide and any preparation containing free or chemically unneutralized potassium hydroxide (KOH), including caustic potash and Vienna paste, in a concentration of 10 percent or more;

(10) sodium hydroxide and any preparation containing free or chemically unneutralized sodium hydroxide (NaOH), including caustic soda and lye, in a concentration of 10 percent or more;

(11) silver nitrate, sometimes known as lunar caustic, and any preparation containing silver nitrate ($AgNO_3$) in a concentration of 5 percent or more; and

(12) ammonia water and any preparation containing free or chemically uncombined ammonia (NH_3), including ammonium hydroxide and "hartshorn", in a concentration of 5 percent or more.

(b) "Misbranded parcel, package, or container" means a retail parcel, package, or container of any dangerous caustic or corrosive substance not bearing a conspicuous, easily legible label or sticker, containing—

(1) the common name of the substance;

(2) the name and place of business of the manufacturer, packer, seller, or distributor;

(3) the word "poison", running parallel with the main body of reading matter on the label or sticker, on a clear, plain background of a distinctly contrasting color, in uncondensed gothic capital letters, the letters to be not less than 24-point size unless there is on the label or sticker no other type so large, in which event the type shall be not smaller than the largest type on the label or sticker; and

(4) directions for treatment in case of accidental personal injury by any dangerous caustic or corrosive substance, except that such directions need not appear on labels or stickers, on parcels, packages, or containers at the time of shipment or of delivery for shipment by manufacturers and wholesalers for other than household use.

(c) "Interstate or foreign commerce" means commerce (1) between any State, Territory, or possession, or the District of Columbia, and any place outside thereof, or (2) between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof, or (3) within any Territory or possession, or the District of Columbia.

(d) "Person" means an individual, partnership, corporation, or association.

§ 312. Misbranded shipments

(a) No person shall ship or deliver for shipment in interstate or foreign commerce or receive from shipment in such commerce any dangerous caustic or corrosive substance for sale or exchange, or sell or offer for sale any such substance in any Territory or possession or in the District of Columbia, in a misbranded parcel, package, or container suitable for household use.

(b) The provisions of subsection (a) of this section do not apply—

(1) to any regularly established common carrier shipping or delivering for shipment, or receiving from shipment, any such substance in the ordinary course of its business as a common carrier; nor

(2) to any person in respect of any such substance shipped or delivered for shipment, or received from shipment, for export to any foreign country, in a parcel, package, or container branded in accordance with the specifications of a foreign purchaser and in accordance with the laws of the foreign country; nor

(3) to any dealer who establishes a guaranty signed by, and containing the name and address of, the wholesaler, jobber, manufacturer, or other party residing in the United States, from whom he purchased such articles, to the effect that the articles are not misbranded within the meaning of this chapter. In such case the person giving such guaranty shall be amenable to the prosecutions, fines, and other penalties which would otherwise attach, in due course, to the dealer under the provisions of this chapter.

§ 313. Misbranded imports

(a) Whenever any dangerous caustic or corrosive substance is offered for importation and the Secretary of Health, Education, and Welfare has reason to believe that such substance is being shipped in interstate or foreign commerce in violation of section 312 of this title, the Secretary shall give due notice and opportunity for hearing thereon to the owner or consignee and certify such fact to the Secretary of the Treasury, who shall thereupon either (1) refuse admission and delivery to the consignee of such substance, or (2) deliver such substance to the consignee pending examination, hearing, and decision in the matter, on the execution of a penal bond to the amount of the full invoice value of such substance, together with the duty thereon, if any, and to the effect that on refusal to return such substance for any cause to the Secretary of the Treasury when demanded, for the purpose of excluding it from the country or for any other purpose, the consignee shall forfeit the full amount of the bond.

(b) If, after proceeding in accordance with subsection (a) of this section, the Secretary is satisfied that such substance offered for importation was shipped in interstate or foreign commerce in violation of any provision of this chapter, the Secretary shall certify the fact to the Secretary of the Treasury, who shall thereupon notify the owner or consignee and cause the sale or other disposition of such substance refused admission and delivery or entered under bond, unless it is exported by the owner or consignee or labeled by him so as to conform to the law within 3 months from the date of such notice, under such regulations as the Secretary of the Treasury may prescribe. All charges for storage, cartage, or labor on any such substance refused admission or delivery or entered upon bond shall be paid by the owner or consignee. In default of such payment such charges shall constitute a lien against any future importations made by such owner or consignee.

§ 314. Removal of labels

No person shall alter, mutilate, destroy, obliterate, or remove any label or sticker re-

quired by this chapter to be placed on any dangerous caustic or corrosive substance, if such substance is being—

(a) shipped in interstate or foreign commerce; or

(b) held for sale or exchange after having been so shipped; or

(c) held for sale or exchange in any Territory or possession or in the District of Columbia.

§ 315. Enforcement

(a) Except as otherwise specifically provided in this chapter, the Secretary of Health, Education, and Welfare shall enforce its provisions.

(b) For enforcing the provisions of sections 313, 316, and 317 of this title, the Secretary may cause investigations, inspections, analyses, and tests to be made and samples to be collected, of any dangerous caustic or corrosive substance. The Department of Health, Education, and Welfare shall pay to the person entitled, upon his request, the reasonable market value of any such sample taken. If it appears from the inspection, analysis, or test of any dangerous caustic or corrosive substance that such substance is in a misbranded package, parcel, or container suitable for household use, the Secretary shall cause notice thereof to be given to any person who may be liable for any violation of section 312 or 314 of this title in respect of such substance. Any person so notified shall be given an opportunity to be heard under the Secretary's regulations. If it appears that such person has violated the provisions of section 312 or 314 of this title, the Secretary shall at once certify the facts to the proper United States attorney, with a copy of the results of the inspection, analysis, or test duly authenticated under oath by the person making it.

(c) For the enforcement of his functions under this chapter the Secretary may—

(1) prescribe and promulgate necessary regulations;

(2) cooperate with any department or agency of the Government, with any State, Territory, or possession, or with the District of Columbia, or with any department, agency, or political subdivision thereof, or with any person;

(3) appoint officers and employees necessary for the execution of this chapter and fix their salaries in accordance with the Classification Act of 1949;

(4) make such expenditures, including expenditures for personal services and rent at the seat of Government and elsewhere, and for law books, books of reference, and periodicals, required for the execution of the Secretary's functions under this chapter and as provided for by the Congress from time to time; and

(5) give notice, by publication in such manner as the Secretary prescribes by regulation, of the judgment of the court in any case under the provisions of this chapter.

§ 316. Libel for condemnation

(a) Any dangerous caustic or corrosive substance in a misbranded parcel, package, or container suitable for household use shall be liable to be proceeded against in the United States district court for any judicial district in which the substance is found and to be seized for confiscation by a process of libel for condemnation, if such substance is being—

(1) shipped in interstate or foreign commerce, or

(2) held for sale or exchange after having been so shipped, or

(3) held for sale or exchange in any Territory or possession or in the District of Columbia.

(b) If such substance is condemned as misbranded by the court it shall be disposed of in the discretion of the court—

(1) by destruction;

(2) by delivery to the owner thereof upon the payment of legal costs and charges and execution and delivery of a good and sufficient bond to the effect that such substance will not be sold or otherwise disposed of in any jurisdiction contrary to the provisions of this chapter or the laws of such jurisdiction; or

(3) by sale. The proceeds of the sale, less legal costs and charges, shall be paid into the Treasury as miscellaneous receipts. Such substance shall not be sold in any jurisdiction contrary to the provisions of this chapter or the laws of such jurisdiction, and the court may require the purchaser at any such sale to label such substance in compliance with law before the delivery thereof.

(c) Proceedings in such libel cases shall conform, as nearly as may be, to suits in rem in admiralty, except that either party may demand trial by jury on any issue of fact if the value in controversy exceeds $20. In case of a jury trial the verdict of the jury shall have the same effect as a finding of the court upon the facts. All such proceedings shall be at the suit and in the name of the United States.

§ 317. Penalties

(a) Any person who violates any provision of section 312 or 314 of this title shall be fined not more than $1,000 or imprisoned not more than 1 year, or both. Any person who commits such a violation after 1 conviction under this section has become final shall be fined not more than $10,000 or imprisoned not more than 3 years, or both.

(b) Notwithstanding the provisions of subsection (a) of this section, any person who violates any provision of section 312 or 314 of this title, with intent to defraud or mislead, shall be fined not more than $10,000 or imprisoned not more than 3 years, or both.

§ 318. Institution of condemnation and criminal proceedings

Each United States attorney to whom the Secretary shall report any violation of section 312 or 314 of this title or to whom any health, medical, or drug officer or agent of any State, Territory, or possession, or of the District of Columbia presents satisfactory evidence of any such violation, shall cause libel for condemnation and criminal proceedings under sections 316 and 317 of this title to be commenced and prosecuted in the proper court of the United States, without delay, for the enforcement of the condemnation and penalties provided in such sections.

§ 319. Construction; application of other provisions

(a) This chapter is not to be construed as modifying or limiting in any way the right of any person to manufacture, pack, ship, sell, barter, and distribute dangerous caustic or corrosive substances in parcels, packages, or containers, labeled as required by this chapter.

(b) The provisions of this chapter shall be held to be in addition to and not in substitution for the provisions of the following:

(1) chapter 3 of this title;

(2) chapter 6 of title 7;

(3) the act entitled "An act to regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes", approved May 7, 1906, as amended.

§ 320. Short title

This chapter may be cited as the "Federal Caustic Poison Act."

PART II.—ANIMALS, POULTRY, AND MEATS

Chapter	Section
51. Department of Agriculture	451
53. Meat Inspection	491
55. Animal and Poultry Disease Prevention; Transportation, Import, and Export	551
57. Serums and Analogous Products	611

Chapter 51—Department of Agriculture

Sec.
451. Administration of Part II; delegation of functions.

§ 451. Administration of Part II; delegation of functions

The provisions of this part shall be administered by the Secretary of Agriculture, except as otherwise provided herein. Such Secretary's functions under this part shall be performed by him or, subject to his direction and control, by such officers and agencies of the Department of Agriculture as he designates.

Chapter 53—Meat Inspection

Sec.
491. Definitions.
492. Ante-mortem inspections.
493. Post-mortem inspections.
494. Meat food products.
495. Canning or packing meats and products; labels.
496. Inspection of establishments.
497. Time of inspections.
498. Meat for export; inspection; clearance.
499. Inspector's certificates.
500. Inspection, stamps or marks.
501. Farmers and retail butchers and dealers, exemptions.
502. Inspectors; appointment, powers, and duties.
503. Regulations.
504. Cost of inspections.
505. Transportation of uninspected and unmarked articles.
506. Transportation or sale in violation of chapter.
507. Forgery or misuse of marks or certificates.
508. Penalties generally.
509. Penalty for sale or transportation of unfit products by exempted persons.
510. Bribery; acceptance of gifts.
511. Horse meat.
512. Dairy products for export.
513. Reindeer.

§ 491. Definitions

As used in this chapter—

(a) "establishment" means a slaughtering, canning, salting, packing, rendering, or similar establishment;

(b) "farmer" means any natural person or partnership chiefly engaged in producing agricultural products on whose farm the number of cattle, calves, sheep, lambs, swine, or goats is in keeping with the size of the farm or with the volume or character of the agricultural products produced thereon, but does not mean any person or partnership engaged in producing agricultural products who—

(1) actively engages in buying or trading in cattle, calves, sheep, lambs, swine, or goats; or

(2) actively engages, directly or indirectly, in conducting a business which includes the slaughter of cattle, calves, sheep, lambs, swine, or goats for food purposes; or

(3) actively engages, directly or indirectly, in buying or selling meat or meat food products other than those prepared by any farmer on the farm; or

(4) actively engages, directly or indirectly, in salting, curing, or canning meat, or in preparing sausage, lard, or other meat food products; or

(5) slaughters, or permits any person to slaughter, on his or their farm cattle, calves, sheep, lambs, swine, or goats which are not actually owned by him or them;

(c) "inspector" means an inspector appointed by the Secretary of Agriculture under the provisions of this chapter;

(d) "retail butcher" or "retail dealer" means any person chiefly engaged in selling meat or meat food products to consumers only, except that the Secretary, at his discretion, may permit any retail butcher or retail dealer to transport in interstate or foreign commerce to consumers and meat

retailers in any one week not more than 5 carcasses of cattle, 25 carcasses of calves, 20 carcasses of sheep, 25 carcasses of lambs, 10 carcasses of swine, 20 carcasses of goats, or 25 carcasses of goat kids, or the equivalent of fresh meat therefrom, and to transport in interstate or foreign commerce to consumers only meat and meat food products which have been salted, cured, canned, or prepared as sausage, lard, or other meat food products, and which have not been inspected, examined, and marked as "Inspected and Passed" in accordance with this chapter and with the Secretary's rules and regulations;

5. "Secretary" means the Secretary of Agriculture.

§ 492. Ante-mortem inspections

For the purpose of preventing the use in interstate or foreign commerce of meat and meat food products which are unsound, unhealthful, unwholesome, or otherwise unfit for human food, the Secretary may cause to be made an examination and inspection of all cattle, sheep, swine, and goats, the meat and meat food products of which are to be used in interstate or foreign commerce, before they are allowed to enter into any establishment in which they are to be slaughtered. All such animals found on such inspection to show symptoms of disease shall be set apart and slaughtered separately from all other such animals. When so slaughtered the carcasses of such animals shall be subject to a careful examination and inspection, under the Secretary's rules and regulations, as provided for in this chapter.

§ 493. Post-mortem inspections

For the purpose set forth in section 492 of this title the Secretary shall cause to be made a post-mortem examination and inspection of the carcasses and parts thereof of all cattle, sheep, swine, and goats, which are to be prepared for human consumption at any establishment in any State or Territory or the District of Columbia for transportation or sale as articles of interstate or foreign commerce.

The carcasses and parts thereof of all such animals found to be sound, healthful, wholesome, and fit for human food shall be marked, stamped, tagged, or labeled as "Inspected and Passed".

All carcasses and parts thereof found to be unsound, unhealthful, unwholesome, or otherwise unfit for human food shall be marked, stamped, tagged, or labeled as "Inspected and Condemned," and all carcasses and parts thereof thus inspected and condemned shall be destroyed for food purposes by the establishment in the presence of an inspector.

After the first inspection, the inspectors shall, when they deem it necessary, reinspect the carcasses or parts thereof and if upon such reinspection any carcass or any part thereof is found to be unsound, unhealthful, unwholesome, or otherwise unfit for human food, it shall be destroyed for food purposes by the establishment in the presence of an inspector.

The Secretary may remove inspectors from any establishment which fails so to destroy any carcass or part thereof required to be destroyed by this section.

The provisions of this section apply to all carcasses or parts of carcasses of cattle, sheep, swine, and goats, or the meat or meat food products thereof which may be brought into any establishment, and such examination and inspection shall be had before the said carcasses or parts thereof are allowed to enter into any department wherein they are to be treated and prepared for meat food products. The provisions of this section also apply to all such products, which, after having been issued from any establishment, are returned to the same or to any similar establishment where such inspection is maintained.

§ 494. Meat food products.

For the purpose set forth in section 492 of this title the Secretary shall cause to be made an examination and inspection of all meat food products prepared for interstate or foreign commerce in any establishment.

The inspectors shall mark, stamp, tag, or label as "Inspected and Passed" all such products found to be sound, healthful, and wholesome, and which contain no dyes, chemicals, preservatives, or ingredients which render such meat, or meat food products unsound, unhealthful, unwholesome, or unfit for human food.

The inspectors shall label, mark, stamp, or tag as "Inspected and Condemned" all such products found unsound, unhealthful, and unwholesome, or which contain dyes, chemicals, preservatives, or ingredients which render such meat or meat food products unsound, unhealthful, unwholesome, or unfit for human food, and all such condemned meat food products shall be destroyed for food purposes by the establishment in the presence of an inspector. The Secretary may remove inspectors from any establishment which fails to so destroy such condemned meat food products.

Subject to the Secretary's rules and regulations the provisions of this section in regard to preservatives shall not apply to meat food products for export to any foreign country and which are prepared or packed according to the specifications or directions of the foreign purchaser, when no substance is used in the preparation or packing thereof in conflict with the laws of the foreign country to which said article is to be exported. If said article is in fact sold or offered for sale for domestic use or consumption, this paragraph shall not exempt said article from the operation of all the other provisions of this chapter.

§ 495. Canning or packing meats and products; labels

When any meat or meat food product prepared for interstate or foreign commerce which has been inspected under this chapter and marked "Inspected and Passed" is placed or packed in any can, pot, tin, canvas, or other receptacle or covering in any establishment where inspection is maintained under this chapter, the person preparing said product shall cause a label to be attached to said receptacle or covering, under the supervision of an inspector. Such label shall state that the contents thereof have been "Inspected and Passed" under the provisions of this chapter. No inspection and examination of meat or meat food products deposited or inclosed in cans, tins, pots, canvas, or other receptacle or covering in any such establishment shall be deemed to be complete until such meat or meat food products have been sealed or inclosed in said receptacle or covering under the supervision of an inspector.

No such meat or meat food products shall be sold or offered for sale by any person in interstate or foreign commerce under any false or deceptive name. Established trade name or names which are usual to such products and which are not false and deceptive and which are approved by the Secretary are permitted.

§ 496. Inspection of establishments.

The Secretary shall cause inspections to be made, by experts in sanitation or by other competent inspectors, of all establishments defined in section 491 of this title in which cattle, sheep, swine, and goats are slaughtered and the meat and meat food products thereof are prepared for interstate or foreign commerce. The inspections shall be such as are necessary to inform the Secretary concerning the sanitary conditions of the establishments, and to enable him to prescribe the rules and regulations of sanitation under which such establishments shall be maintained. Where the sanitary conditions of any such establishment are such that the meat or meat food products are rendered unclean, unsound, unhealthful, unwholesome, or otherwise unfit for human food, the Secretary shall refuse to allow said meat or meat food products to be labeled, marked, stamped, or tagged as "Inspected and Passed."

§ 497. Time of inspections

(a) The examinations and inspections required by sections 492, 493, 494, and 495 of this title shall be made during the nighttime as well as during the daytime when the slaughtering of the animals or preparation of the meat or meat food products is conducted during the nighttime.

(b) For the purposes of any examination and inspection under this chapter, the inspectors shall have access at all times, by day or night, whether the establishment is being operated or not, to every part of the establishment.

§ 498. Meat for export; inspection; clearance

(a) The Secretary shall cause to be made a careful inspection of the carcasses and parts thereof of all cattle, sheep, swine, and goats, when the fresh, salted, canned, corned, packed, cured, or otherwise prepared meat or meat food products of such animals is intended and offered for export to any foreign country, at such times and places and in such manner as he deems proper.

(b) No clearance shall be given to any vessel having on board any fresh, salted, canned, corned, or packed beef, mutton, pork, or goat meat, for export to and sale in a foreign country from any port in the United States, until the owner or shipper thereof shall obtain a certificate from an inspector that the cattle, sheep, swine, and goats from which such meat or meat food product was obtained, were sound and healthy at the time of inspection, and that their meat or meat food product is sound and wholesome, unless the Secretary has waived the requirement of such certificate for the country to which such meat or meat food product is to be exported.

§ 499. Inspectors' certificates

The inspectors may give official certificates of the sound and wholesome condition of cattle, sheep, swine, and goats, their carcasses and products as described in this chapter.

One copy of each such certificate shall be filed in the Department of Agriculture, another copy shall be delivered to the owner or shipper, and when the carcasses of cattle, sheep, swine, and goats, and the meat and meat food products thereof are sent abroad, a third copy shall be delivered to the chief officer of the vessel on which the shipment is made.

§ 500. Inspection, stamps or marks

The inspectors shall refuse to stamp, mark, tag, or label as "Inspected and Passed" any carcass or any part thereof, or meat food product therefrom, prepared in any establishment subject to this chapter until the same has actually been inspected and found to be sound, healthful, wholesome, and fit for human food, and to contain no dyes, chemicals, preservatives, or ingredients which render such meat food product unsound, unhealthful, unwholesome, or unfit for human food, and to have been prepared under proper sanitary conditions.

§ 501. Farmers and retail butchers and dealers, exemptions

(a) The provisions of this chapter requiring inspection to be made by the Secretary do not apply to animals slaughtered by any farmer on the farm and sold and transported in interstate or foreign commerce, nor to retail butchers and retail dealers in meat and meat food products, supplying their customers.

No meat and meat food products derived from animals slaughtered by any farmer on the farm which are salted, cured, canned, or prepared into sausage, lard, or other meat food products at any place other than by the farmer on the farm upon which the animals were slaughtered shall be transported in interstate or foreign commerce under the farmers' exemption provided in this section. All fresh meat and all farm-cured or prepared meat and meat food products derived from animals slaughtered by any farmer on the farm which are to be used in interstate or foreign commerce shall be clearly marked with the name and address of the farmer on whose farm the animals were slaughtered.

(b) The Secretary may maintain the inspection provided for in this chapter at any establishment notwithstanding the exemptions contained in this section, and notwithstanding that the persons operating the same may be retail butchers and retail dealers or farmers. Where the Secretary establishes such inspection, the provisions of this chapter shall apply notwithstanding such exemptions.

§ 502. Inspectors; appointment, powers, and duties

The Secretary shall from time to time appoint inspectors to make the examinations and inspections provided for under this chapter and to perform such other duties as are required by this chapter and the Secretary's rules and regulations.

§ 503. Regulations

The Secretary shall make such rules and regulations as are necessary for the efficient execution of the provisions of this chapter. All inspections and examinations under this chapter shall be made in the manner provided in the Secretary's rule and regulations which are not inconsistent with this chapter.

§ 504. Cost of inspections

The United States shall bear the cost of inspections rendered under the requirements of this chapter except the cost of overtime pursuant to section 394 of title 7.

§ 505. Transportation of uninspected and unmarked articles

No person shall transport or offer for transportation, and no carrier of interstate or foreign commerce shall transport or receive for transportation from one State or Territory or the District of Columbia or to any other State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to any foreign country, and carcasses or parts thereof, meat, or meat food products thereof which have not been inspected, examined, and marked as "Inspected and Passed," in accordance with the terms of this chapter and with the Secretary's rules and regulations.

§ 506. Transportation or sale in violation of chapter

No person engaged in the interstate commerce of meat or meat food products shall transport or offer for transportation, sell or offer to sell, any such meat or meat food products in any State or Territory or in the District of Columbia or any place under the jurisdiction of the United States, other than in the State or Territory or in the District of Columbia or any place under the jurisdiction of the United States in which the slaughtering, packing, canning, rendering, or other similar establishment owned, leased, or operated by such person is located unless and until such person shall have complied with all of the provisions of this chapter.

§ 507. Forgery or misuse of marks or certificates

No person shall forge, counterfeit, simulate, or falsely represent, or shall, without proper authority, use, fail to use, or detach, or shall knowingly or wrongfully alter, deface, or destroy, or fail to deface or destroy, any of the marks, stamps, tags, labels, or other identification devices provided for in this chapter, or in and as directed by the rules and regulations prescribed under this chapter by the Secretary of Agriculture, on any carcasses, parts of carcasses, or the food product, or containers thereof, subject to the provisions of this chapter or any certificate in relation thereto, authorized or required by this chapter or by the said rules and regulations of the Secretary of Agriculture.

§ 508. Penalties generally

Except as provided in sections 509 and 510 of this title, whoever violates any of the provisions of this chapter shall be fined not more than $10,000 or imprisoned not more than 1 year, or both.

§ 509. Penalty for sale or transportation of unfit products by exempted persons

Whoever, being a farmer, retail butcher, or retail dealer acting under the exemptions provided in section 502 of this title, sells or offers for sale or transportation for interstate or foreign commerce any meat or meat food products which are diseased, unsound, unhealthful, unwholesome, or otherwise unfit for human food, knowing that such meat food products are intended for human consumption, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

§ 510. Bribery; acceptance of gifts

(a) Whoever gives, pays, or offers, directly or indirectly, to any inspector, deputy inspector, chief inspector, or any other officer or employee of the United States authorized to perform any of the duties prescribed by this chapter or by the Secretary's rules and regulations, any money or other thing of value, with intent to influence such inspector, deputy inspector, chief inspector, or other officer or employee of the United States in the discharge of any duty provided for in this chapter, shall be fined not more than $10,000 or imprisoned not more than 3 years, or both.

(b) Whoever, being an inspector, deputy inspector, chief inspector, or other officer or employee of the United States authorized to perform any of the duties prescribed by this chapter, accepts any money, gift, or other thing of value from any person, given with intent to influence his official action, or who receives or accepts from any person engaged in interstate or foreign commerce any gift, money, or other thing of value, given with any purpose or intent whatsoever, shall be summarily discharged from office and shall be fined not more than $10,000 or imprisoned not more than 3 years, or both.

§ 511. Horse meat

(a) No person shall transport or offer for transportation, and no carrier of interstate or foreign commerce shall transport or receive for transportation from one State or Territory or the District of Columbia to any other State or Territory or the District of Columbia or to any place under the jurisdiction of the United States or to any foreign country, any equine meat or food products thereof unless plainly and conspicuously labeled, marked, branded, or tagged "Horse meat" or "Horse meat product," as the case may be, under rules and regulations prescribed by the Secretary.

(b) All the penalties, terms, and provisions in this chapter, except the exemption in section 501 of this title applying to animals slaughtered by any farmer on a farm and to retail butchers and retail dealers in meat food products supplying their customers, shall be applicable to (1) horses, their carcasses, parts of carcasses, and meat food products thereof, (2) the establishments and other places where such animals are slaughtered or the meat or meat food products thereof are prepared or packed for interstate or foreign commerce, and (3) all persons who slaughter such animals or prepare or handle such meat or meat food products for interstate or foreign commerce.

§ 512. Dairy products for export

This chapter shall be deemed to include dairy products intended for exportation to any foreign country. The Secretary may apply, under rules and regulations prescribed by him, the provisions of this chapter for inspection and certification appropriate for ascertaining the purity and quality of such products, and may cause them to be so marked, stamped, or labeled as to secure their identity and make known in the markets of foreign countries to which they may be sent from the United States their purity, quality, and grade. All the provisions of this chapter relating to live cattle and products thereof for export shall apply to dairy products so inspected and certified.

§ 513. Reindeer

The provisions of this chapter may be extended to the inspection of reindeer.

Chapter 55—Animal and poultry disease prevention; transportation, import and export

Sec.
551. Measures and regulations to prevent introduction or spread of disease.
552. Control of diseases; cooperation with States.
553. Research laboratories for foot-and-mouth and other diseases.
554. Appointment of agents to make recommendations.
555. Cooperation with Mexico; foot-and-mouth disease and rinderpest; reports to Congress.
556. Cattle grubs, research and eradication.
557. International boundary fences.
558. Regulation of transportation and exportation generally.
559. Quarantine of infected areas.
560. Regulations for transportation from quarantined areas.
561. Transportation from quarantined areas prohibited; exceptions.
562. Transportation of diseased livestock or poultry prohibited.
563. Cattle reacting to tuberculin test, transportation of.
564. Domestic animals reacting to test for paratuberculosis or brucellosis.
565. Regulation and promotion of exports.
566. Suspension of importation.
567. Importation of diseased or exposed animals and poultry prohibited.
568. Importation prohibited except at quarantine stations.
569. Quarantine of imported animals and poultry.
570. Inspection and disposition of imported animals and poultry.
571. Disease control in District of Columbia.
572. Inspection by Department as precluding other inspections and fees.
573. Penalties.
574. Prosecution of violations; venue.

§ 551. Measures and regulations to prevent introduction or spread of disease.

The Secretary of Agriculture may—

(1) make regulations and take measures to prevent the introduction or dissemination of the contagion of any communicable disease of animals or poultry from a foreign country into the United States or from one State or Territory of the United States or the District of Columbia to another, and

(2) seize, quarantine, and dispose of any hay, straw, forage, or similar material, or any meats, hides, or other animal or poultry products coming from an infected foreign country to the United States, or from one State or Territory or the District of Columbia in transit to another State or Territory or the Distict of Columbia whenever in his judgment such action is advisable to guard against the introduction or spread of such contagion.

§ 552. Control of diseases; cooperation with States

(a) The Secretary of Agriculture shall prepare rules and regulations for the speedy and

effectual control and eradication of dangerous communicable diseases of domestic animals and poultry. He shall certify such rules and regulations to the executive authority of each State and Territory, and invite said authorities to cooperate in the execution and enforcement of the provisions of this chapter. Whenever the plans and methods of the Secretary are accepted by any State or Territory in which any such disease is declared to exist, or whenever such State or Territory adopts plans and methods for the control and eradication of the disease and such plans and methods are accepted by the Secretary of Agriculture, and whenever the governor of a State or other properly constituted authorities signify their readiness to cooperate for the extinction of the disease in conformity with the provisions of this chapter, the Secretary may expend so much of the money appropriated for carrying out the provisions of this chapter as may be necessary in such investigations, and in such disinfection and quarantine measures as may be necessary to prevent the spread of the disease from one State or Territory into another.

(b) The Secretary of Agriculture, either independently or in cooperation with States or political subdivisions thereof, farmers' associations, and similar organizations, and individuals, may control and eradicate tuberculosis and paratuberculosis of animals, avian tuberculosis, brucellosis of domestic animals, southern cattle ticks, hog cholera and related swine diseases, scabies in sheep and cattle, dourine in horses, scrapie and blue tongue in sheep, incipient or potentially serious minor outbreaks of diseases in animals and poultry, and communicable diseases of animals and poultry which in the opinion of the Secretary constitute an emergency and threaten the livestock industry of the country, including the purchase and destruction of diseased or exposed animals and poultry, or the destruction of such animals and poultry and the payment of indemnities therefor, in acordance with such regulations as the Secretary prescribes. As used in this subsection, the term "State" includes the District of Columbia and the Territories and possessions of the United States.

§ 553. Research laboratories for foot-and-mouth and other diseases

The Secretary of Agriculture may establish research laboratories, including the acquisition of necessary land, buildings, or facilities, and also the making of research contracts under the authority contained in section 427! (a) of title 7, for research and study, in the United States or elsewhere, of foot-and-mouth disease and other animal and poultry diseases which in his opinion constitute a threat to the livestock or poultry industry of the United States.

No live virus of foot-and-mouth disease may be introduced for any purpose into any part of the mainland of the United States except coastal islands separated therefrom by waters navigable for deep-water navigation and which are not connected with the mainland by any tunnel, and except further, that in the event of outbreak of foot-and-mouth disease in this country, the Secretary of Agriculture may, at his discretion, permit said virus to be brought into the United States under adequate safeguards.

To carry out the provisions of this section, the Secretary may employ technical experts or scientists without regard to the Classification Act of 1949, but the number so employed shall not exceed five and the maximum compensation for each shall not exceed $15,000 per annum. There is authorized to be appropriated such sums as Congress may deem necessary and, in addition, the Secretary may utilize, in carrying out this section, funds otherwise available for the control or eradication of such diseases.

§ 554. Appointment of agents to make recommendations

The Secretary of Agriculture may appoint two competent agents, who are practical stock raisers or experienced businessmen familiar with questions pertaining to commercial transactions in livestock or poultry, who shall, under the instructions of the Secretary, examine and report upon the best methods of treating, transporting, and caring for animals and poultry, and the means to be adopted for the control and eradication of contagious pleuropneumonia, and provide against the spread of other dangerous communicable diseases. The compensation of such agents shall be at the rate of $10 per diem, with all necessary expenses, while engaged in the actual performance of their duties under this section, when absent from their usual place of business or residence.

§ 555. Cooperation with Mexico; foot-and-mouth disease and rinderpest; reports to Congress

(a) The Secretary of Agriculture may cooperate with the Government of Mexico in carrying out operations or measures to eradicate, suppress, or control, or to prevent or retard, foot-and-mouth disease or rinderpest in Mexico where he deems such action necessary to protect the livestock and related industries of the United States. In performing such operations or measures, the Government of Mexico shall be responsible for the authority necessary to carry them out on all lands and properties in Mexico and for such other facilities and means as are necessary in the discretion of the Secretary of Agriculture. The measure and character of cooperation carried out under this section on the part of the United States and on the part of the Government of Mexico, including the expenditure or use of funds appropriated pursuant to this section, shall be such as may be prescribed by the Secretary of Agriculture. Arrangements for such cooperation shall be made through and in consultation with the Secretary of State. The authority contained in this section is in addition to and not in substitution for the authority of existing laws.

(b) For purposes of this section, funds appropriated pursuant thereto may also be used for (1) the purchase or hire of passenger motor vehicles and aircraft, (2) printing and binding without regard to section 111 of title 44, (3) the employment of civilian nationals of Mexico, and (4) the construction and operation of research laboratories, quarantine stations and other buildings and facilities.

(c) The Secretary of Agriculture shall make a report to the Congress on the last day of each month with respect to the activities carried on under this section.

§ 556. Cattle grubs, research and eradication

In order to protect, promote, and conserve livestock and livestock products and to minimize losses, the Secretary of Agriculture, either independently or in cooperation with States or subdivisions thereof, farmers' associations, and other organizations and individuals, may increase and intensify research and investigations into problems and methods relating to the eradication of cattle grubs and undertake measures to eradicate these parasites. As used in this section, the term "State" includes the District of Columbia and the Territories and possessions of the United States. Funds appropriated to carry out this section shall be expended in accordance with procedures prescribed by the Secretary.

§ 557. International boundary fences

The Secretary of Agriculture may permit the erection of fences along international boundary lines, but entirely within the territory of the United States, for the purpose of keeping out diseased animals and poultry.

§ 558. Regulation of transportation and exportation generally

In order to enable the Secretary of Agriculture effectually to control and eradicate dangerous communicable diseases in cattle and other livestock and poultry, and to prevent the spread of such diseases he shall establish such rules and regulations concerning the exportation and transportation of livestock and poultry from any place within the United States where he may have reason to believe such diseases may exist into and through any State or Territory, and into and through the District of Columbia and to foreign countries as he deems necessary. All such rules and regulations shall have the force of law.

§ 559. Quarantine of infected areas

The Secretary of Agriculture shall quarantine any State or Territory or the District of Columbia, or any portion of any State or Territory or the District of Columbia, when he determines the fact that cattle or other livestock or poultry in such State or Territory or District of Columbia are affected with any communicable disease. He shall give written or printed notice of the establishment of quarantine to the proper officers of railroad, steamboat, or other transportation companies doing business in or through any quarantined State or Territory or the District of Columbia, and publish such notice in such newspapers in the quarantined State or Territory or the District of Columbia as he may select.

§ 560. Regulations for transportation from quarantined areas

The Secretary of Agriculture shall, when the public safety will permit, make and promulgate rules and regulations which shall permit and govern the inspection, disinfection, certification, treatment, handling, and method and manner of delivery and shipment of cattle or other livestock or poultry from a quarantined State or Territory or the District of Columbia, and from the quarantined portion of any State or Territory or the District of Columbia, into any other State or Territory or the District of Columbia. The Secretary shall give notice of such rules and regulations in the manner provided in section 559 of this title for notice of establishment of quarantine.

§ 561. Transportation from quarantined areas prohibited; exceptions

(a) No railroad company and no owners or masters of any vessel or boat shall receive for transportation or transport, no person shall deliver for transportation to any railroad company or to the master or owner of any vessel or boat, and no person shall drive or cause to be driven on foot or transport or cause to be transported by private conveyance, any cattle or other livestock or poultry from any quarantined State or Territory or the District of Columbia, or from any quarantined portion thereof, into any other State or Territory or the District of Columbia, except in compliance with rules and regulations promulgated by the Secretary of Agriculture under section 560 of this title.

(b) The provisions of subsection (a) of this section and sections 559, 560, and 573 (b) of this title shall apply to any railroad company or other common carrier whose road or line forms any part of a route over which cattle or other livestock or poultry are transported in the course of shipment from any quarantined State or Territory or the District of Columbia, or from the quarantined portion of any State or Territory or the District of Columbia, into any other State or Territory or the District of Columbia.

§ 562. Transportation of diseased livestock or poultry prohibited

No railroad company within the United States, and no owners or masters of any

vessel or boat, shall receive for transportation or transport from one State or Territory to another, or from any State into the District of Columbia, or from the District into any State, any livestock or poultry affected with any communicable disease; nor shall any person deliver for such transportation to any railroad company, or master or owner of any boat or vessel, any livestock or poultry, knowing them to be affected with any communicable disease. No person shall drive on foot, or transport in private conveyance, from one State or Territory to another, or from any State into the District of Columbia, or from the District into any State, any livestock or poultry, knowing them to be affected with any communicable disease.

§ 563. Cattle reacting to tuberculin test, transportation of

Cattle which have reacted to the tuberculin test may be shipped, transported, or moved from one State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia, for immediate slaughter, in accordance with such rules and regulations as shall be prescribed by the Secretary of Agriculture. The Secretary may, in his discretion, and under such rules and regulations as he may prescribe, permit cattle which have been shipped for breeding or feeding purposes from one State, Territory, or the District of Columbia to another State, Territory, or the District of Columbia, and which have reacted to the tuberculin test subsequent to such shipment, to be reshipped in interstate commerce to the original owner.

§ 564. Domestic animals reacting to test for paratuberculosis or brucellosis

Domestic animals which have reacted to a test recognized by the Secretary of Agriculture for paratuberculosis or which, never having been vaccinated for brucellosis, have reacted to a test recognized by the Secretary of Agriculture for brucellosis, may be shipped, transported, or otherwise moved from one State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia for immediate slaughter in accordance with such rules and regulations as the Secretary of Agriculture may prescribe to prevent the dissemination of said diseases from one State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia. The Secretary of Agriculture may, in his discretion and under such rules and regulations as he may prescribe, permit domestic animals which have been moved from one State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia, for breeding purposes, and which, subsequent to such movement, have reacted to a test for brucellosis or paratuberculosis recognized by the Secretary of Agriculture, to be reshipped in interstate commerce to the original owner at the point of origin.

§ 565. Regulation and promotion of exports

(a) The Secretary of Agriculture may take such steps and adopt such measures, not inconsistent with the provisions of this chapter, as he deems necessary to prevent the exportation from any port of the United States to any port in a foreign country of livestock or poultry affected with any communicable disease.

(b) In order to promote the exportation of livestock and poultry from the United States the Secretary of Agriculture shall make special investigation as to the existence of any communicable disease, along the borders between the United States and foreign countries, and along the lines of transportation from all parts of the United States to ports from which livestock or poultry are exported, and shall, from time to time, establish such regulations concerning the exportation and transportation of livestock or poultry as the results of such investigations may require.

(c) The Secretary of Agriculture, by such orders and regulations as he prescribes, may cause inspection to be made of all cattle, sheep, other ruminants, swine, and poultry intended for exportation, and provide for the disinfection of all vessels engaged in the transportation thereof, and of all barges or other vessels used in the conveyance of such animals and poultry to the ocean steamer or other vessels, and of all attendants and their clothing, and of all headropes and other appliances used in such exportation. If, upon such inspection, any such animals or poultry are adjudged, under the Secretary's regulations, to be infected or to have been exposed to infection so as to be dangerous to other animals or poultry, they shall not be allowed to be placed upon any vessel for exportation. The expenses of all the inspection and disinfection provided for in this subsection shall be borne by the owners of the vessels on which such animals or poultry are exported.

(d) The Secretary shall cause to be made a careful inspection of all cattle, sheep, swine, and goats intended and offered for export to foreign countries at such times and places, and in such manner, as he deems proper to ascertain whether such animals are free from disease.

(e) No clearance shall be given to any vessel having on board cattle, sheep, swine, or goats for export to a foreign country until the owner or shipper of such animals has a certificate from an inspector stating that the animals are sound and healthy, or unless the Secretary has waived the requirement of such certificate for export to the particular country to which they are to be exported.

§ 566. Suspension of importation

Whenever, in the opinion of the President, it is necessary for the protection of animals, including poultry, in the Untied States against communicable diseases, he may, by proclamation, suspend the importation of all or any class of animals or poultry for a limited time, and may change, modify, revoke, or renew such proclamation, as the public good may require. During the time of such suspension the importation of any such animals or poultry shall be unlawful.

§ 567. Importation of diseased or exposed animals and poultry prohibited

No person shall import cattle, sheep, other ruminants, swine, and poultry, which are diseased or infected with any disease, or which have been exposed to such infection within 60 days next before their exportation. However, the Secretary of Agriculture may by regulations permit the admission from Mexico into the State of Texas of cattle which have been infested with or exposed to ticks upon being freed therefrom.

§ 568. Importation prohibited except at quarantine stations

No person shall import cattle, sheep, other ruminants, swine, and poultry except at ports designated as quarantine stations by the Secretary of Agriculture with the approval of the Secretary of the Treasury.

If any animals and poultry subject to quarantine are brought into any port of the United States where no quarantine station is established, the collector of such port shall require such animals and poultry to be conveyed to the nearest quarantine station by the vessel on which they are imported or are found, at the expense of the owner.

§ 569. Quarantine of imported animals and poultry

The Secretary of Agriculture may, at the expense of the owner, place and retain in quarantine all cattle, sheep, other ruminants, swine, and poultry imported into the United States, at ports designated by him for such purpose, and under such conditions as he by regulation prescribes, respectively, for the several classes of animals and poultry above described.

For the purpose of such quarantine, the Secretary may purchase, construct, or rent such lands, buildings, animals, tools, fixtures, and appurtenances as may be necessary, and he may appoint such veterinary surgeons, inspectors, officers, and employees as he deems necessary to maintain such quarantine and provide for the execution of the other provisions of sections 565 (c), 566–570, and 573 (e) of this title.

§ 570. Inspection and disposition of imported animals and poultry

(a) The Secretary of Agriculture shall cause careful inspection to be made of all imported cattle, sheep, other ruminants, swine, and poultry, to ascertain whether such animals and poultry are infected with communicable diseases or have been exposed to infection so as to be dangerous to other animals and poultry. Such animals and poultry shall then be either placed in quarantine or dealt with according to the Secretary's regulations.

All food, litter, manure, clothing, utensils, and other appliances that have been so related to such animals and poultry on board ship as to be judged liable to convey infection shall be dealt with according to the Secretary's regulations.

(b) The Secretary of Agriculture may cause to be slaughtered such of the animals and poultry named in subsection (a) of this section as may be, under his regulations, adjudged to be infected with any communicable disease, or to have been exposed to infection so as to be dangerous to other animals and poultry. The value of animals and poultry slaughtered as being exposed to infection but not infected may be ascertained by agreement of the Secretary and the owners thereof if practicable; otherwise, by the appraisal by two persons familiar with the character and value of such property, appointed by the Secretary, whose decision, if they agree, shall be final; otherwise, the Secretary of Agriculture shall decide between them, and his decision shall be final. The amount of the value thus ascertained shall be paid to the owner thereof out of money in the Treasury appropriated for the use of the Bureau of Animal Industry or for the use of such other bureau or agency, or of any officer, of the Department of Agriculture, to which or to whom the Secretary may delegate the functions heretofore or hereafter exercised by him through the Bureau of Animal Industry; but no payment shall be made for any animals or poultry imported in violation of the provisions of sections 556–570 or 573 (e) of this title.

§ 571. Disease control in District of Columbia

Whenever any communicable disease affecting domestic animals or poultry is brought into or breaks out in the District of Columbia, the Commissioners of the District of Columbia shall take measures to suppress the disease promptly and to prevent it from spreading. For this purpose the Commissioners may (1) require that any premises or farms where such disease exists, or has existed, be put in quarantine; (2) order that all or any animals and poultry coming into the District be detained at any place for the purpose of inspection and examination; (3) prescribe regulations for and require the destruction of animals or poultry affected with communicable disease, and for the proper disposition of their hides and carcasses; and (4) prescribe regulations for disinfection, and such other regulations as they may deem necessary to prevent infection or contagion being communicated. The Commissioners shall report to the Secretary of Agriculture any actions taken under this section.

§ 572. Inspection by Department as precluding other inspections and fees

Whenever the Secretary of Agriculture, or any inspector or assistant inspector of the

Department of Agriculture designated by the Secretary for such purpose, issues a certificate showing that such officer has inspected any cattle or other livestock or poultry which are about to be shipped, driven, or transported from one locality to another as stated in section 558 of this title, and has found them free from any communicable disease, such animals or poultry, so inspected and certified, may be shipped, driven, or transported from such place into and through any State or Territory or the District of Columbia, or they may be exported from the United States, without further inspection or the exaction of fees of any kind, except such as may at any time be ordered or exacted by the Secretary of Agriculture. For the purposes of such inspection, all such animals and poultry shall at all times be under the control and supervision of the Secretary of Agriculture.

§ 573. Penalties

(a) Whoever knowingly violates section 551, 558, or 572 of this title or the orders or regulations made in pursuance thereof shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

(b) Whoever violates section 561 of this title shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

(c) The Secretary of Agriculture shall give notice of the existence of contagion in any infected locality by notice, in writing, to the proper officials or agents of any railroad, steamboat, or other transportation company doing business in or through such locality, and by publication in such newspapers as he may select. Whoever, being a person operating any such railroad, or master or owner of any boat or vessel, or owner or custodian of or person having control over such cattle or other livestock or poultry within such infected district, knowingly violates section 562 of this title shall be fined not more than $5,000 or imprisoned not more than 1 year, or both.

(d) Whoever violates section 565 (d) (e) of this title shall be fined not more than $10,000 or imprisoned not more than 1 year, or both.

(e) Whoever knowingly violates section 567 of this title shall be fined not more than $5,000 or imprisoned not more than 3 years. Any vessel or vehicle used in such unlawful importation within the knowledge of the master or owner of such vessel or vehicle that such importation is diseased or has been exposed to infection as described in section 567 of this title, shall be forfeited to the United States.

§ 574. Prosecution of violations; venue

The several United States attorneys shall prosecute all violations of this chapter which are brought to their notice by any person making complaint under oath, in the United States district court or Territorial court held within the district in which the violation has been committed.

Chapter 57—Serums and analogous products

Sec.
611. Preparation and sale of serum, etc.
612. Licensing and inspection of establishments.
613. Regulations for preparation and sale.
614. Importation regulated and prohibited.
615. Permits for and inspection of imports.
616. Revocation or suspension of licenses or permits.
617. Penalties.

§ 611. Preparation and sale of serum, etc.

No person shall prepare, sell, barter, or exchange in the District of Columbia, in the Territories, or in any place under the jurisdiction of the United States, or ship or deliver for shipment from one State or Territory or the District of Columbia to any other State or Territory or the District of Columbia—

(1) any worthless, contaminated, dangerous, or harmful virus, serum, toxin, or analogous product intended for use in the treatment of domestic animals; or

(2) any virus, serum, toxin, or analogous product manufactured within the United States and intended for use in the treatment of domestic animals, unless and until such product has been prepared, under and in compliance with regulations prescribed by the Secretary of Agriculture, at an establishment holding an unsuspended and unrevoked license issued by the Secretary under this chapter.

§ 612. Licensing and inspection of establishments

(a) The Secretary of Agriculture may issue, suspend, and revoke licenses for the maintenance of establishments for the preparation of viruses, serums, toxins, and analogous products, for use in the treatment of domestic animals, intended for sale, barter, exchange, or shipment as specified in section 611 of this title.

(b) All licenses issued to establishments under this chapter shall be issued on condition that the licensee shall permit the inspection of such establishments and of such products and their preparation. Any officer, agent, or employee of the Department of Agriculture duly authorized by the Secretary for the purpose may enter and inspect any establishment licensed under this chapter at any hour of the day or night.

§ 613. Regulations for preparation and sale

The Secretary of Agriculture may make and promulgate from time to time such rules and regulations as may be necessary to prevent the preparation, sale, barter, or shipment as specified in section 611 of this title of any worthless, contaminated, dangerous, or harmful virus, serum, toxin, or analogous product for use in the treatment of domestic animals.

§ 614. Importation regulated and prohibited

No person shall import into the United States, without a permit from the Secretary of Agriculture, any virus, serum, toxin, or analogous product for use in the treatment of domestic animals, and no person shall import into the United States any worthless, contaminated, dangerous, or harmful virus, serum, toxin, or analogous product for use in the treatment of domestic animals.

§ 615. Permits for and inspection of imports

(a) The Secretary of Agriculture may issue permits for the importation into the United States of viruses, serums, toxins, and analogous products, for use in the treatment of domestic animals, which are not worthless, contaminated, dangerous, or harmful.

(b) The Secretary may cause to be examined and inspected all viruses, serums, toxins, and analogous products, for use in the treatment of domestic animals, which are being imported or offered for importation into the United States, to determine whether such products are worthless, contaminated, dangerous, or harmful. If it appears that any such product is worthless, contaminated, dangerous, or harmful, such product shall be denied entry and shall be destroyed or returned at the expense of the owner or importer.

§ 616. Revocation or suspension of licenses or permits

The Secretary of Agriculture may suspend or revoke any license or permit issued under this chapter, after opportunity for hearing has been granted the licensee or importer, when the Secretary is satisfied that such license or permit is being used to facilitate or effect the preparation, sale, barter, exchange, or shipment as specified in section 611 of this title, or the importation into the United States, of any worthless, contaminated, dangerous, or harmful virus, serum, toxin, or analogous product for use in the treatment of domestic animals.

§ 617. Penalties

Whoever violates any of the provisions of this chapter shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

PART III.—NARCOTICS

Chapter — Section
91. Administration — 711
93. Narcotics import and export — 761
95. Domestic opium poppy production control — 811

Chapter 91—Administration

Sec.
711. Administration of part III; delegation of functions.
712. Departmental cooperation in discharge of international obligations.
713. Cooperation with States in suppression of abuse.
714. Payments for information.

§ 711. Administration of part III; delegation of functions

Except as otherwise provided by law, the administration and enforcement of this part are vested in the Secretary of the Treasury. Such Secretary's functions under this part shall be performed by him or, subject to his direction and control, by such officers, agencies, and bureau of the Department of the Treasury as he designates.

§ 712. Departmental cooperation in discharge of international obligations

The Secretary of the Treasury shall cooperate with the Secretary of State in the discharge of the international obligations of the United States concerning the traffic in narcotic drugs.

§ 713. Cooperation with States in suppression of abuse

(a) The Secretary of the Treasury shall cooperate with the several States in the suppression of the abuse of narcotic drugs in their respective jurisdictions, and to that end he may:

(1) Cooperate in the drafting of such legislation as may be needed to effect the end named; and

(2) Arrange for the exchange of information concerning the use and abuse of narcotic drugs in said States and for cooperation in the institution and prosecution of cases in the courts of the United States and before the licensing boards and courts of the several States.

(b) The Secretary of the Treasury may prescribe such regulations as may be necessary to carry out the purposes of this section.

§ 714. Payments for information concerning violations of laws

The Secretary of the Treasury may pay to any person, from funds now or hereafter appropriated for the enforcement of the narcotic laws of the United States, for information concerning a violation of any narcotic law of the United States, resulting in a seizure of contraband narcotics, such sum or sums of money as he may deem appropriate, without reference to any moieties or rewards to which such person may otherwise be entitled by law. All payments under authority of this section to any informer in any foreign country shall be made only through an accredited consul or vice consul of the United States stationed in such country, and every such payment shall be supported by a voucher with an accompanying certificate of such consul or vice consul that the payment of the amount stated on the voucher has been made to the informer named, and at the place and time specified on such voucher.

Chapter 93—Narcotics import and export

Sec.
761. Definitions.
762. Rules and regulations.
763. Importation; exceptions and restrictions; forfeitures.
764. Import for purpose of transportation to another country; transfer between vessels.

765. Penalty for unlawful import, receipt, transportation or sale; subsequent offenses; procedure; evidence; liability of masters and persons in charge.
766. Presumption and burden of proof as to importation of smoking opium.
767. Exportation; exception; laws of foreign governments.
768. Penalty for unlawful export.
769. Penalty for having in possession or control on board United States vessel.
770. Penalty for possession, receipt, or concealment of smoking opium; evidence; liability of masters and persons in charge.
771. Share of fine to informer.
772. Short title.

§ 761. Definitions

As used in this chapter, unless the context requires a different meaning—

(a) "narcotic drug" shall have the same meaning ascribed to the term "narcotic drugs" as used in the Internal Revenue Code;

(b) "United States," when used in a geographical sense, includes the several States and Territories, and the District of Columbia;

(c) "Secretary" means the Secretary of the Treasury;

(d) "person" means an individual, partnership, corporation, or association.

§ 762. Rules and regulations

The Secretary shall prescribe and publish all proper rules and regulations to carry into effect the authority vested in him by this chapter.

§ 763. Importation; exceptions and restrictions; forfeitures

(a) No narcotic drug may be imported or brought into the United States or any territory under its control or jurisdiction, except that, under such regulations as the Secretary shall prescribe—

(1) Such amounts of crude opium and coca leaves as the Secretary finds to be necessary to provide for medical and scientific uses may be so imported or brought in; but no crude opium may be imported or brought in for the purpose of manufacturing heroin, and the Secretary may limit further or prohibit entirely the importation or bringing in of crude opium, to the extent that he finds that the medical and scientific needs of the United States for opium or opium products are being, or can be, supplied by opium poppies produced in accordance with chapter 95 of this title; and

(2) Amounts of coca leaves in addition to the amount permitted under paragraph (1) of this subsection may be imported or brought in; but after the entry of such additional amounts into the United States or any territory under its control or jurisdiction, all cocaine, ecgonine, and all salts, derivatives, and preparations from which cocaine or ecgonine may be synthesized or made, contained therein, shall be destroyed under the supervision of the Secretary or his authorized representative.

(b) All narcotic drugs imported under subsection (a) of this section shall be subject to the duties which are now or may hereafter be imposed upon such drugs when imported.

(c) Any narcotic drug imported or brought into the United States or any territory under its control or jurisdiction, contrary to law, shall—

(1) If smoking opium or opium prepared for smoking, be seized and summarily forfeited to the United States Government without the necessity of instituting forfeiture proceedings of any character; or

(2) If any other narcotic drug be seized and forfeited to the United States Government, without regard to its value, in the manner provided by sections 1607 and 1608 of title 19, or the provisions of law hereafter enacted which are amendatory of, or in substitution for, such sections.

(d) Any narcotic drug which is forfeited in a proceeding for condemnation or not claimed under sections 1607 and 1608 of title 19, or which is summarily forfeited as provided in subsection (c) of this section, shall be placed in the custody of the Secretary and in his discretion be destroyed or delivered to some agency of the United States Government for use for medical or scientific purposes.

§ 764. Import for the purpose of transportation to another country; transfer between vessels

No smoking opium or opium prepared for smoking shall be admitted into the United States or into any territory under its control or jurisdiction for transportation to another country, or be transferred or transshipped from one vessel to another vessel within any waters of the United States for immediate exportation or for any other purpose; and except with the approval of the Secretary, no other narcotic drug may be so admitted, transferred, or transshipped.

§ 765. Penalty for unlawful import, receipt, transportation or sale; subsequent offenses; procedure; evidence; liability of masters and persons in charge

(a) Whoever fraudulently or knowingly imports or brings any narcotic drug into the United States or any territory under its control or jurisdiction, contrary to law, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of any such narcotic drug after being imported or brought in, knowing the same to have been imported contrary to law, or conspires to commit any of such acts in violation of the laws of the United States, shall be fined not more than $2,000 and imprisoned not less than 2 or more than 5 years. For a second offense, the offender shall be fined not more than $2,000 and imprisoned not less than 5 or more than 10 years. For a third or subsequent offense, the offender shall be fined not more than $2,000 and imprisoned not less than 10 or more than 20 years. Upon conviction for a second or subquent offense, the imposition or execution of sentence shall not be suspended and probation shall not be granted. For the purpose of this subsection, an offender shall be considered a second or subsequent offender, as the case may be, if he previously has been convicted of any offense the penalty for which is provided in this subsection or in section 7237 (a) (b) (1) of the Internal Revenue Code, or if he previously has been convicted of any offense the penalty for which was provided in section 9, chapter 1, of the act of December 17, 1914 (38 Stat. 789), as amended; section 1, chapter 202 of the act of May 26, 1922 (42 Stat. 596), as amended; section 12, chapter 553, of the act of August 2, 1937 (50 Stat. 556), as amended; or section 7237 (a) of the Internal Revenue Code, as amended. After conviction, but prior to pronouncement of sentence, the court shall be advised by the United States attorney whether the conviction is the offender's first or a subsequent offense. If it is not a first offense, the United States attorney shall file an information setting forth the prior convictions. The offender shall have the opportunity in open court to affirm or deny that he is identical with the person previously convicted. If he denies the identity, sentence shall be postponed for such time as to permit a trial before a jury on the sole issue of the offender's identity with the person previously convicted. If the offender is found guilty by the jury to be the person previously convicted, or if he acknowledges that he is such person, he shall be sentenced as prescribed in this subsection.

Whenever on trial for a violation of this subsection the defendant is shown to have or to have had possession of the narcotic drug, such possession shall be deemed sufficient evidence to authorize conviction unless the defendant explains the possession to the satisfaction of the jury.

(b) No master of any vessel or other water craft, or person in charge of a railroad car or other vehicle, shall be liable under subsection (a) of this section if he satisfies the jury that he had no knowledge of and used due diligence to prevent the presence of the narcotic drug in or on such vessel, water craft, railroad car, or other vehicle; but the narcotic drug shall be seized, forfeited, and disposed of as provided in subsections (c) and (d) of section 763 of this title.

§ 766. Presumption and burden of proof as to importation of smoking opium

All smoking opium or opium prepared for smoking found within the United States shall be presumed to have been imported contrary to law, and the burden of proof shall be on the claimant or the accused to rebut such presumption.

§ 767. Exportation; exceptions; laws of foreign governments

(a) No person subject to the jurisdiction of the United States Government shall export or cause to be exported from the United States, or from territory under its control or jurisdiction, any narcotic drug to any other country except to a country which has ratified and become a party to the convention and final protocol between the United States Government and other powers for the suppression of the abuses of opium and other drugs, commonly known as the International Opium Convention of 1912, and then only if—

(1) such country has instituted and maintains, in conformity with that convention, a system, which the Secretary deems adequate of permits or licenses for the control of imports of such narcotic drugs;

(2) the narcotic drug is consigned to an authorized permittee; and

(3) there is furnished to the Secretary proof deemed adequate by him that the narcotic drug is to be applied exclusively to medical and scientific uses within the country to which exported, that it will not be reexported from such country, and that there is an actual shortage of and a demand for the narcotic drug for medical and scientific uses within such country.

(b) The exceptions contained in subsection (a) of this section shall not apply to smoking opium or opium prepared for smoking, the exportation of which is absolutely prohibited.

(c) The Secretary of State shall request all foreign governments to communicate through the diplomatic channels copies of the laws and regulations promulgated in their respective countries which prohibit or regulate the importation and shipment in transit of any narcotic drug and, when received, shall advise the Secretary thereof.

§ 768. Penalty for unlawful export

Any person who exports, or conspires to export, any narcotic drugs in violation of section 767 of this title shall be fined not more than $5,000 or imprisoned not more than 2 years, or both.

§ 769. Penalty for having in possession or control on board United States vessel

(a) Any person who brings on board, or has in his possession or control on board, any vessel of the United States, while engaged on a foreign voyage, any narcotic drug not constituting a part of the cargo entered in the manifest or part of the ship stores, shall be fined not more than $5,000 or imprisoned not more than 5 years, or both.

(b) As used in subsection (a) of this section, "narcotic drug" means any narcotic drug defined by section 761 of this title, or "marihuana" as defined in the Internal Revenue Code.

§ 770. Penalty for possession, receipt, or concealment of smoking opium; evidence; liability of masters and persons in charge

(a) Any person, subject to the jurisdiction of the United States, who, either as principal or as accessory, receives or has in his possession, or conceals on board of or transports on any foreign or domestic vessel or other watercraft or railroad car or other vehicle destined to or bound from the United States or any possession thereof, any smoking opium or opium prepared for smoking, or who, having knowledge of the presence in or on any such vessel, watercraft, or vehicle of such article, does not report the same to the principal officer thereof, shall be punished as provided in section 765 of this title. Whenever on trial for violation of this section the defendant is shown to have or to have had possession of such opium, such possession shall be deemed sufficient evidence to authorize conviction, unless the defendant shall explain the possession to the satisfaction of the jury.

(b) No master of a vessel or other watercraft or person in charge of a railroad car or other vehicle shall be liable under this section if he satisfies the jury that he had no knowledge and used due diligence to prevent the presence of such article in or on such vessel, watercraft, car, or other vehicle; but any such article shall be forfeited and destroyed.

§ 771. Share of fine to informer

One-half of any fine recovered from any person or persons convicted of an offense under this chapter may be paid to the person or persons giving information leading to such recovery, and one-half of any bail forfeited and collected in any proceedings brought under this chapter may be paid to the person or persons giving the information which led to the institution of such proceedings, if so directed by the court exercising jurisdiction in the case. No payment for giving information shall be made to any officer or employee of the United States.

§ 772. Short title

This chapter may be cited as the "Narcotic Drugs Import and Export Act."

Chapter 95—Domestic opium poppy production control

Sec.

811. Declaration of policy; assistance from Federal agencies.
812. Definitions.
813. Rules and regulations.
814. Licenses; qualifications; limitations; revocation and renewal.
815. Distribution by Federal Government; personnel of Treasury Department excepted from prohibitions.
816. Production, purchase, manufacture, sale or transportation by unlicensed persons.
817. Seizure and forfeiture of opium poppies illegally possessed; disposition.
818. Penalties.
819. Pleading, presumptions, and burden of proof.
820. Application to, and of, other laws.
821. Territorial application.
822. Short title.

§ 811. Declaration of policy; assistance from Federal agencies

(a) It is the purpose of this chapter to—

(1) discharge more effectively the obligations of the United States under the International Opium Convention of 1912, and the Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs of 1931, as amended by the protocol signed at Lake Success, New York, on December 11, 1946;

(2) promote the public health and the general welfare;

(3) regulate interstate and foreign commerce in opium poppies; and

(4) safeguard the revenue derived from taxation of opium and opium products.

(b) Other departments, bureaus, and independent establishments of the Government, when requested by the Secretary of the Treasury, shall furnish such assistance, including technical advice, as will aid in carrying out the purposes of this chapter.

§ 812. Definitions

As used in this chapter—

1. "produce" or "production" includes the planting, cultivation, growth, harvesting, and any other activity which facilitates the growth of the opium poppy.

2. "opium poppy" includes the plant Papaver somniferum, any other plant which is the source of opium or opium products, and any part of any such plant;

3. "opium" includes the inspissated juice of the opium poppy, in crude or refined form;

4. "opium products" includes opium and all substances obtainable from opium or the opium poppy, except the seed thereof;

5. "Secretary" means the Secretary of the Treasury;

6. "person" means an individual, company, partnership, corporation, or association.

§ 813. Rules and regulations

The Secretary may prescribe and publish all necessary rules and regulations for carrying out the provisions of this chapter.

§ 814. Licenses; qualifications; limitations; revocation and renewal

(a) Any person who desires to procure a license to produce the opium poppy, or to manufacture opium or opium products, shall make application therefor in such manner and form as the Secretary shall by rules and regulations prescribe.

(b) A license to produce the opium poppy shall be issued only to a person who, in the opinion of the Secretary, is determined to be a person—

(1) of good moral character;

(2) of suitable financial standing and farming experience;

(3) who owns or controls suitable farmland to be used as a production area, in such locality, as well, in the judgment of the Secretary, render reasonably probable the efficient and diligent performance of the operation of producing the opium poppy in appropriate number and quality; and

(4) who complies with such additional requirements as the Secretary shall deem and prescribe as reasonably necessary for the controlled production and distribution of the opium poppy.

Each such license shall be nontransferable and shall be valid only to the extent of the production area and maximum weight of opium poppy yield specified in the license, shall state the locality of the production area, and shall be effective for a period of 1 year from the date of issue and may be renewed, in the discretion of the Secretary, for a like period.

(c) A license to manufacture opium or opium products shall be issued only to a person who, in the opinion of the Secretary, is determined to be a person—

(1) of good moral character;

(2) who possesses a method and facilities, deemed satisfactory to the Secretary, for the efficient and economical extraction of opium or opium products;

(3) who has such experience in manufacturing and marketing other medical drugs as to render reasonably probable the orderly and lawful distribution of opium or opium products of suitable quality to supply medical and scientific needs; and

(4) who complies with such additional requirements as the Secretary shall deem and prescribe as reasonably necessary for the controlled production, manufacture, and distribution of the opium poppy, opium, or opium products.

Such license shall be nontransferable, shall state the maximum quantity of opium poppies purchasable or obtainable thereunder, and shall be effective for a period of 1 year from the date of issue and may be renewed, in the discretion of the Secretary, for a like period.

(d) All licenses issued under this section shall be limited to such number, localities, and areas as the Secretary shall determine to be appropriate to supply the medical and scientific needs of the United States for opium or opium products, with due regard to provision for reasonable reserves. Nothing contained in this section shall be construed as requiring the Secretary to issue or renew any license or licenses under the provisions hereof.

(e) The Secretary may revoke or refuse to renew any license issued under this section, if, after due notice and opportunity for hearing, he finds such action to be in the public interest, or finds that the licensee has failed to maintain the requisite qualifications.

§ 815. Distribution by Federal Government; personnel of Treasury Department excepted from prohibitions

(a) The Secretary, whenever in his opinion the medical and scientific needs of the Nation will not be met by importation or licensed production, shall provide for the acquisition of opium poppy seed, for the production of the opium poppy, for the manufacture of opium or opium products, and for the use, sale, giving away, or other proper distribution of opium poppy seed, opium poppies, opium, or opium products by the United States Government either directly or through and with the approval of the head of any agency of the Government, including any Government-owned or controlled corporation.

(b) None of the prohibitions contained in this chapter shall apply to any officer or employee of the United States Treasury Department who in the performance of his official duties and within the scope of his authority engages in any of the business or activities herein described, nor to any other officer or employee of the United States Government, who in the performance of his official duties, within the scope of his authority and with the approval of the Secretary, engages in any of the businesses or activities herein described.

§ 816. Production, purchase, manufacture, sale or transportation by unlicensed persons

(a) No person who is not the holder of a proper license authorizing him to produce the opium poppy, duly issued to him by the Secretary, shall produce or attempt to produce the opium poppy, or permit the production of the opium poppy in or upon any place owned, occupied, used, or controlled by him.

(b) Except as otherwise provided in subsection (e) of this section, no person shall—

(1) purchase or in any other manner obtain the opium poppy, unless he is the holder of a proper license to produce the opium poppy or to manufacture opium or opium products, duly issued to him by the Secretary; or

(2) sell, transfer, convey any interest in, or give away the opium poppy to any person not so licensed.

(c) No person who is not the holder of a proper license authorizing him to manufacture opium or opium products, duly issued to him by the Secretary, shall manufacture, compound, or extract opium or opium products from the opium poppy.

(d) No person who is not the holder of a proper license authorizing him to produce the opium poppy or to manufacture opium or opium products, duly issued to him by the Secretary, shall send, ship, carry, transport, or deliver any opium poppies within any State, Territory, the District of Columbia, the Canal Zone, or insular possession of the United States, or from any State, Territory, the District of Columbia, the Canal Zone, or insular possession of the

United States, into any other State, Territory, the District of Columbia, the Canal Zone, or insular possession of the United States. Nothing contained in this subsection shall apply to any common carrier engaged in transporting opium poppies pursuant to an agreement with a person duly licensed under section 814 of this title as a producer of the opium poppy, or as a manufacturer of opium or opium products, or to any employee of any person so licensed while acting within the scope of his employment.

(e) No person shall sell, transfer, convey any interest in, or give away, except to a person duly licensed under section 814 of this title, opium poppy seed for the purpose of opium poppy production, nor shall any unlicensed person purchase or otherwise obtain such seed for such purpose; but the seed obtained from opium poppies produced by licensed producers may be sold or transferred by such producers to unlicensed persons, and may thereafter be resold or transferred, for ultimate consumption as a spice seed or for the manufacture of oil.

§ 817. Seizure and forfeiture of opium poppies illegally possessed; disposition

(a) Any opium poppies produced or otherwise obtained in violation of any of the provisions of this chapter shall be seized by, and forfeited to, the United States.

(b) The failure, upon demand by the Secretary, or his duly authorized agent, of the person in occupancy or control of land or premises upon which opium poppies are being produced or stored to produce an appropriate license, or proof that he is the holder thereof, shall constitute authority for the seizure and forfeiture of such opium poppies.

(c) The Secretary, or his duly authorized agent, shall have authority to enter upon any land (but not a dwelling house, unless pursuant to a search warrant issued according to law) where opium poppies are being produced or stored, for the purposes of enforcing the provisions of this chapter.

(d) Any opium poppies, the owner or owners of which are unknown, seized by or coming into the possession of the United States in the enforcement of this chapter shall be forfeited to the United States.

(e) The Secretary shall destroy any opium poppies seized by, and forfeited to, the United States under this section, or deliver them for medical or scientific purposes to any department, bureau, or other agency of the United States Government, upon proper application therefor under such regulations as he may prescribe.

§ 818. Penalties

(a) Any person who violates any provision of this chapter shall be fined not more than $2,000 or imprisoned not more than 5 years, or both.

(b) Any person who willfully makes, aids, or assists in the making of, or procures, counsels, or advises in the preparation or presentation of, a false or fraudulent statement in any application for a license under the provisions of section 814 of this title shall (whether or not such false or fraudulent statement is made by or with the knowledge or consent of the person authorized to present the application) be fined not more than $2,000 or imprisoned not more than 1 year, or both.

§ 819. Pleading, presumptions, and burden of proof

It shall not be necessary to negative any exemptions set forth in this chapter in any complaint, information, indictment, or other writ or proceeding laid or brought under this chapter and the burden of proof of any such exemption shall be upon the defendant. In the absence of the production of an appropriate license by the defendant, he shall be presumed not to have been duly licensed in accordance with section 814 of this title and the burden of proof shall be on the defendant to rebut such presumption.

§ 820. Application to, and of, other laws

Nothing in this chapter shall be construed to repeal any provisions of the Internal Revenue Code, but nothing in that code shall apply to the production, sale, or transfer of opium poppies, when such opium poppies are lawfully produced, sold, or transferred by persons duly and properly licensed under section 814 of this title in conformity with the regulations issued pursuant to such section.

§ 821. Territorial application

The provisions of this chapter shall apply to the several States, the District of Columbia, the Territory of Alaska, the Territory of Hawaii, the Canal Zone, Puerto Rico, and the other insular possessions of the United States.

§ 822. Short title

This chapter may be cited as the "Opium Poppy Control Act".

SEC. 2. Section 1 of the act approved May 29, 1884 (ch. 60, 23 Stat. 31; 7 U. S. C., sec. 391), as amended, is amended to read as follows:

"SECTION 1. There shall be in the Department of Agriculture a Bureau of Animal Industry. The Secretary of Agriculture is authorized to appoint a chief thereof, who shall be a competent veterinary surgeon. The functions of the Bureau of Animal Industry shall be vested in the Secretary of Agriculture or, subject to his direction and control, in such officers and agencies of the Department of Agriculture as he may designate. Such functions shall include the duty to investigate and report upon the condition of the domestic animals and poultry of the United States, their protection and use, and also to inquire into and report the causes of communicable diseases among them, and the means for the prevention and cure of the same, and to collect such information on these subjects as shall be valuable to the agricultural and commercial interests of the country.".

SEC. 3. The first paragraph of section 1 of the act approved March 28, 1928 (ch. 266, 45 Stat. 374; 31 U. S. C., sec. 529a), as amended, is amended (1) by striking out "Division of Disbursement", as now appearing in such paragraph, and, in lieu thereof, inserting "Fiscal Service" and (2) by striking out, after the first semicolon, "the act entitled 'An act to amend an act entitled "An act to prohibit the importation and use of opium for other than medicinal purposes", approved February 9, 1909', as amended, known as the 'Narcotic Drugs Import and Export Act' ", and inserting in lieu thereof "chapter 93 of Title 21, United States Code".

SEC. 4. (a) Subsection (a) of section 302 of the act approved July 1, 1944 (chapter 373, Title III, 58 Stat. 692; 42 U. S. C., sec. 242) is amended by striking out the reference "the Narcotic Drugs Import and Export Act, as amended", appearing at the end of such subsection, and inserting in lieu thereof "chapter 93 of Title 21, United States Code".

(b) Subsection (d) of section 7 of the act approved August 9, 1939 (chapter 618, 53 Stat. 1293; 49 U. S. C., sec. 787 (d)), as amended, is amended by striking out the reference "the Narcotic Drugs Import and Export Act," appearing in such subsection.

SEC. 5. The opening clause of subsection (f) of section 15 of the Federal Trade Commission Act (15 U. S. C., sec. 55 (f)) as amended, which subsection was added to such section 15 by section 4 (b) of the act approved March 16, 1950 (ch. 61, 64 Stat. 21), is amended by striking out "and section 407 of the Federal Food, Drug, and Cosmetic Act, as amended".

SEC. 6. If any part of title 21, United States Code, as set out in section 1 of this act, shall be held invalid, the remainder of such title shall not be affected thereby.

SEC. 7. No inference of a legislative construction is to be drawn by reason of the chapter in title 21, United States Code, as set out in section 1 of this act, in which any section is placed, nor by reason of the catchlines used in such title.

SEC. 8. All orders, rules, and regulations in effect on the effective date of this act, which were adopted under the authority of the acts of Congress from which title 21, United States Code, as set out in section 1 of this act, is derived, shall continue in effect until modified, amended, superseded, or repealed under the authority of such title.

SEC. 9. There are authorized to be appropriated such sums as may be necessary to carry out the provisons of title 21, United States Code, as set out in section 1 of this act.

SEC. 10. This act shall take effect on January 1, 1955, except that, with respect to pesticide chemicals for which tolerances or exemptions have not been established under section 408 of the Federal Food, Drug, and Cosmetic act as in effect prior to the enactment of this act or under section 56 of the Federal Food, Drug, and Cosmetic Act as enacted by section 1 of this act, the provisions of clause (2) of section 52 (a) of title 21, United States Code, set out in section 1 of this act which relate to pesticide chemicals in or on raw agricultural commodities shall not be effective—

(1) for the period of one year following July 22, 1954; or

(2) for such additional period following such period of one year, but not extending beyond two years after July 22, 1954, as the Secretary of Health, Education, and Welfare may prescribe on the basis of a finding that conditions exist which necessitate the prescribing of such additional period.

SEC. 11. The sections or parts thereof of the Statutes at Large enumerated in the following schedule are hereby repealed. Any rights or liabilities now existing under such sections or parts thereof shall not be affected by this repeal.

Statutes at Large						U. S. Code	
Date	Chapter	Title	Section	Volume	Page	Title	Section
1884—May 29	60		2, 3, 4, 5, 6, 7, 8, 9	23	31-33	21	112, 113, 114, 117-120, 130
Do	60		10	23	33	7	391 note
						21	112 note
1887—Feb. 23	210		1, 2, 3	24	409	21	191-193
1890—Aug. 30	839		1, 2, 3	26	414, 415	21	1 note, 71 note
Do	839		4, 6, 7, 8, 9, 10	26	415-417	21	18, 101-105
1896—Mar. 2	358		1, 2, 3, 4, 5, 6, 7, 8, 9, 10	29	604-607	21	41-46, 47-50
1902—May 9	784		1	32	193	21	25
July 1	1357		1, 2	32	632	21	16, 17
1903—Feb. 2	349		1, 2, 3	32	791, 792	21	111, 112, 113, 120-122
1905—Mar. 3	1496		1, 2, 3, 4, 6	33	1264, 1265	21	123-127

Statutes at Large						U. S. Code	
Date	Chapter	Title	Section	Volume	Page	Title	Section
1906—June 30	3913 (part)			34	[1] 679	21	95
1907—Mar. 4	2907 (part)			34	[2] 1260–1265	21	71–92
1908—May 16	170			35	163	21	41
May 23	192 (part)			35	[3] 254	21	94a
1909—Feb. 9	[4] 100		1, 2, 3, 4, 5, 6, 7, 8, 9	35	614	21	171–173, 174, 176–184, 185
1910—May 26	256 (part)			36	[5] 440	21	131
1913—Mar. 4	145 (part)			37	[6] 832, 833	21	151–158
1914—June 30	131 (part)			38	[7] 419	21	128
Do	131 (part)			38	[8] 420	21	94
1915—Mar. 3	74		1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13	38	817–822	21	201–215
Mar. 4	144 (part)			38	[9] 1102	21	24
1917—Aug. 10	52		9	40	275	21	106, 107
1918—Nov. 21	212		3	40	1048, 1049	21	106, 107
1919—July 24	26 (part)			41	[10] 241	21	96
Do	26 (part)			41	[11] 271	21	321b
1920—May 31	217 (part)			41	[12] 699	21	116
Do	217 (part)			41	[13] 712, 713	21	41–44, 46–50
1923—Mar. 4	262		1, 2, 3	42	1486, 1487	21	61–63
Do	262		[14] 4			21	64
Do	268			42	1500	21	321a
1926—June 28	700		1, 2	44	774, 775	21	104, 115, 115 note
1927—Jan. 18	39 (part)			44	[15] 984	21	26
Feb. 15	155		1, 2, 3, 4, 5, 6, 7, 8, 9	44	1101–1103	21	141–149
Mar. 4	489		1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12	44	1406–1410	15	401–409, 409 note, 410, 411
1928—Feb. 7	30			45	59	7 21	[16] 391 111–115, 117–126, 128, 130
May 16	572 (part)			45	[17] 548	21	26
1929—Feb. 16	22 (part)			45	[18] 1198	21	26
1930—June 14	488		6, 7, 8	46	587	21	173a, 197, 198
July 3	829			46	850	21	199
1931—Feb. 28	348			46	1460	21	104
1934—June 22	712			48	1204	21	372a
June 26	756		[19] 2	48	1225	21	95
1935—Aug. 27	739			49	871	21	372a
1938—June 25	675		All	52	1040–1059	21	301, 321, 321a, 321b, 331–337, 341–346, 346a, 351–357, 361–364, 371, 372, 372a, 373–376, 381, 391, 392, and notes thereunder, and notes preceding 61, 141
June 29	810			52	1235	21	91
1939—May 2	107	I	1 (part)	53	[20] 631	21	376 note
June 23	242		1, 2, 3	53	853, 854	21	342 note, 343 note, 351 note, 352, 352 note, 361 note, 362 note
1940—June 27	437	I	101 (part)	54	[21] 632	21	46a
1941—July 1	269	II (part)		55	[22] 478	21	46a
July 11	289		1, 2	55	584	21	184s, 184a note
Dec. 22	613		1, 2, 3, 4	55	851, 852	21	331, 352, 356, 356 note
1942—Dec. 11	720		1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17	56	1045–1049	21	188, 188 note, 188a–188n
1943—July 12	221	II	1 (part)	57	[23] 500	21	372a
1944—Mar. 2	77			58	108	21	321c
1944—Sept. 21	412	I	101 (a)	58	734	21	114a
1945—July 6	281		1, 2, 3	59	463, 464	21	331, 352, 357
1947—Feb. 28	8		1, 2, 3, 4	61	7, 8	21	114b, 114b note, 114c, 114d
Mar. 10	16		1, 2, 3	61	11, 12	21	331, 352, 357
July 30	356	I	1 (part)	61	[24] 531, 532	21	97, 97a, 97b, 97c, 97d
1948—Apr. 24	229			62	198	21	113a
June 5	423			62	344	21	98
June 16	477		1, 2	62	458	21	114e, 114f
June 24	613		1, 2	62	582	21	331, 334
June 25	646		5	62	986	21	193
1949—June 29	280	I	101 (part)	63	[25] 331		
July 13	305		1, 2	63	409, 410	21	352, 357
Oct. 18	696		1, 2, 3	63	883, 883	21	381
1950—Mar. 16	61		3, 6	64	20, 22	21	331, 342, 347
1951—Oct. 26	578		1, 2, 3	65	648, 649	21	347a, 347b 333, 333 note, 353, 353 note
Oct. 30	637		1, 2	65	693, 694	21	114a, 114a-1
Nov. 2	666		1	65	767, 768	21	174
1953—Aug. 5	334		1, 2	67	389	21	352, 357
Aug. 7	350		1, 2, 3	67	476, 477	21	331, 334, 374
Aug. 8	381			67	493, 494	21	114a
Do	394		8	67	506	21	171
1954—Apr. 15	143		1, 2	68	54, 55	21	341, 371
July 22	559		1, 2, 3, 4, 5	68	511	21	321, 342, 342 notes, 346a

[1] Only the second full paragraph on this page, of which the first sentence was classified to the United States Code, 1946 ed., as section 95 of title 21 thereof, and the remainder was not classified to such Code.

[2] Commencing with the paragraph headed "For meat inspection," on page 1260, and continuing on to the bottom of such page, inclusive; all that appears on pages 1261, 1262, 1263 and 1264, including the paragraph which commences on page 1264 and ends on page 1265; and the first full paragraph on page 1265.

[3] Only the proviso which commences near the bottom of this page, and ends on page 255 with the word "certified".

[4] As amended by Acts Jan. 17, 1914, ch. 9, 38 Stat. 275–277; May 26, 1922, ch. 202, §§ 1–4, 42 Stat. 596–598; June 7, 1924, ch. 352, 43 Stat. 657; July 1, 1944, ch. 377, § 8, 58 Stat. 721; Mar. 8, 1946, ch. 81, § 7, 60 Stat. 39; Nov. 2, 1951, ch. 666, §§ 1, 5 (1), 65 Stat. 767, 769; June 27, 1952, ch. 477, § 403 (a) (10), 66 Stat. 279.

[5] Only the third paragraph under the heading "Miscellaneous" appearing on this page.

[6] All of the paragraph commencing on page 832, "That from and after July first", and ending on page 833, except the final sentence of such paragraph commencing "That there is hereby appropriated".

[7] Only the first proviso appearing on this page.

[8] Only the proviso in the paragraph commencing "Meat inspection, Bureau of Animal Industry" and appearing on this page.

[9] Only the proviso appearing on this page.

[10] All of the paragraph beginning "Meat inspection, Bureau of Animal Industry" appearing on this page, except the first sentence thereof.

[11] All of the fourth full paragraph appearing on this page.

[12] Only the last 2 provisos in the paragraph which begins on page 698 and ends on page 699, said 2 provisos appearing on page 699.

[13] All of the paragraph which begins on page 712 and ends on page 713, except the final sentence of such paragraph.

[14] As added by act Aug. 27, 1935, ch. 743, 49 Stat. 885.

[15] Only the proviso in the paragraph headed "Meat inspection" appearing on this page.

[16] The amendments made by the act of Feb. 7, 1928, ch. 30, to section 1 of act May 29, 1884, ch. 60 (23 Stat. 31; 7 U. S. C., sec. 391), are also repealed, but such repeal shall not be construed as repealing such section 1 of the act of 1884 (7 U. S. C., sec. 391) which, as amended by another section of this act, shall remain in full force and effect.

[17] The first proviso appearing on this page.

[18] The proviso in the paragraph headed "Meat inspection" appearing on this page.

[19] Only that part of this section which amends that part of act June 30, 1906 ch. 3913, 34 Stat. 679, relating to a permanent appropriation for the inspection of cattle, sheep, swine, and goats and the meat and meat food products thereof and expenses incidental to such inspection, including the proviso in subsection (a) and item (3) of subsection (b) of such section 2.

[20] In the paragraph beginning on page 631 and ending on page 632, only the words reading, "which section is hereby made immediately effective" appearing on page 631.

[21] Only the proviso in the paragraph headed "Food and Drug Administration," appearing on this page.

[22] Only the proviso in the paragraph beginning "Enforcement of Tea Importation Act," appearing on this page.

[23] Only the following words in the second paragraph appearing on this page: "which may hereafter be cited as section 702A of the Federal Food, Drug, and Cosmetic Act".

[24] All of the paragraph beginning "Meat inspection:", which commences on page 531 and ends on page 532.

[25] The two provisos in the last paragraph on this page.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

TITLE 13 OF THE UNITED STATES CODE, "CENSUS"

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9729) to revise, codify, and enact into law, title 13 of the United States Code, entitled "Census," with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, strike out paragraphs (a), (b), (c), and (d) of section 8 and insert:

"(a) The Secretary may, upon a written request, and in his discretion, furnish to Governors of States and Territories, courts of record, and individuals, data for geneaological and other proper purposes, from the population, agriculture, and housing schedules prepared under the authority of subchapter II of chapter 5, upon the payment of the actual, or estimated cost of searching the records and $1 for supplying a certificate.

"(b) The Secretary may furnish transcripts or copies of tables and other census records and make special statistical compilations and surveys for State or local officials, private concerns, or individuals upon the payment of the actual, or estimated cost of such work.

"(c) In no case shall information furnished under the authority of this section be used to the detriment of the persons to whom such information relates.

"(d) All moneys received by the Department of Commerce or any bureau or agency thereof in payment for furnishing transcripts of census records or making special statistical compilations and surveys shall be deposited to the credit of an appropriation for collecting statistics."

Page 11, line 1, after "with", insert ", and are compiled and published by."

Page 15, line 7 of section 214, strike out "his" and insert "this."

Page 15, line 7 of section 214, strike out "imprisonment" and insert "imprisoned."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

UNITED STATES CODE

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9730) to amend various statutes and certain titles of the United States Code, for the purpose of correcting obsolete reference, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 8, line 21, strike out "1947" and insert "1927."

Page 8, line 21, strike out "sec. 3 (a)."

Page 17, strike out all after line 5, over to and including line 3 on page 18.

Page 18, line 4, strike out "18" and insert "17."

Page 19, line 10, strike out "19" and insert "18."

Page 20, line 20, strike out "20" and insert "19."

Page 22, line 22, strike out "21" and insert "20."

Page 23, line 14, strike out "22" and insert "21."

Page 24, line 1, strike out "23" and insert "22."

Page 24, line 20, strike out "24" and insert "23."

Page 25, line 15, strike out "25" and insert "24."

Page 26, line 15, strike out "26" and insert "25."

Page 27, line 12, strike out "27" and insert "26."

Page 29, line 18, strike out "28" and insert "27."

Page 31, line 4, strike out "29" and insert "28."

Page 31, line 21, strike out "30" and insert "29."

Page 32, line 11, strike out "31" and insert "30."

Page 33, line 19, strike out "32" and insert "31."

Page 34, line 18, strike out "33" and insert "32."

Page 35, line 15, strike out "34" and insert "33."

Page 36, line 23, strike out "35" and insert "34."

Page 38, line 16, strike out "36" and insert "35."

Page 38, line 22, strike out "37" and insert "36."

Page 39, line 11, strike out "38" and insert "37."

Page 39, strike out all after line 22, over to and including all preceding line 6 on page 40.

Page 40, line 6, strike out "40" and insert "38."

Page 40, line 13, strike out "41" and insert "39."

Page 42, line 11, strike out "42" and insert "40."

Page 42, line 15, strike out "43" and insert "41."

Page 43, line 14, strike out "commission" and insert "commissioner."

Page 43, line 24, strike out "44" and insert "42."

Page 44, line 3, strike out "45" and insert "43."

Page 44, line 12, strike out "46" and insert "44."

Page 46, line 21, strike out "47" and insert "45."

Page 48, line 8, strike out "48" and insert "46."

Page 48, line 15, strike out "49" and insert "47."

Page 49, line 7, strike out "50" and insert "48."

Page 50, line 13, strike out "51" and insert "49."

Page 51, line 16, strike out "52" and insert "50."

Page 54, line 3, strike out "53" and insert "51."

Page 55, line 11, after "be" insert "the."

Page 56, line 14, strike out "54" and insert "52."

Page 56, line 23, strike out "55" and insert "53."

Page 58, line 14, strike out "56" and insert "54."

Page 59, line 1, strike out "57" and insert "55."

Page 61, line 3, strike out "58" and insert "56."

Page 61, line 13, strike out "59" and insert "57."

Page 62, strike out all after line 2, down to and including line 12.

Page 62, line 13, strike out "61" and insert "58."

Page 62, line 20, strike out "62" and insert "59."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks in the body of the RECORD immediately preceding the vote on the bill S. 3706.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PROVIDING RELIEF FOR THE SHEEP-RAISING INDUSTRY

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2862) to provide relief for the sheep-raising industry by making special nonquota immigrant visas available to certain skilled alien sheepherders.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. CELLER. Mr. Speaker, reserving the right to object, I would like to make 1 or 2 observations on this particular bill. I want the House to understand that we will have passed three so-called sheepherder bills with this bill before us. They were public bills. Those bills permitted entrance into this country of 1,075 Basque sheepherders. The 1,075 included this third bill, the instant bill, which involves 350 sheepherders. We have passed in addition 80 private sheepherder bills, making a total of 1,155 sheepherders. I do not know where all these sheepherders are going. I do not know why there is always an insistence that if you need sheepherders, you have to have Basque or Spanish sheepherders. That may be due to the fact that the sheep, as I am facetiously informed, only speak Spanish, and, therefore, they must be taken care of by Spanish sheepherders.

The Spanish quota is only 250, and because we have admitted so many sheepherders and subtracted one quota number for each sheepherder admitted, the Spanish quota is mortgaged for 15 years. The mortgage is for 507 of all future quotas.

There are many well-deserving, God-fearing Spaniards who desire to come to this country. They would make good citizens. They are not shepherds, but they have no friends who are Members of either the House or the Senate, and therefore they cannot importune this body through such friends and receive preference to enable them to come to this country. We need many nurses, we need doctors, we need engineers, we need all manner and kind of skilled

labor in our country, but, somehow or other, sheepherders are in an exalted position and they can always come in because certain people in this body and in the other body are so powerful that they bring them in, willy-nilly. It is time to call a halt. We are either going to enforce the McCarran-Walter Act with its restrictions or we are not. Every time you pass a bill admitting immigrants you circumvent and bypass the McCarran-Walter Act. You have heard today of the many private bills processed by the House Judiciary Committee Immigration Subcommittee. Four thousand bills have been introduced this session. That huge number is primarily due to the restrictions of that basic act. Eight hundred bills have been enacted.

In the 79th Congress 14 bills were enacted.

In the 80th Congress 80 bills were enacted.

In the 81st Congress 81 bills were enacted.

In the 82d Congress 729 bills were enacted.

They are increasing in arithmetical proportion, due to the unusual and rigid conditions of the basic act.

The time has come when we must take a new look at that act. I am willing for you to bring in sheepherders, but change the Spanish quota. We have been striving with might and main to provide an amendment to the fundamental act to the effect that unused quotas may be used to bring in deserving people, natives of countries cruelly discriminated against because of small quotas. For example, the British quota, which takes in more than 50 percent of the immigration pie, if I may use that expression, is rarely filled. Tens of thousands of Britains through the years have not come in who could have come in. Why not take unused British quota numbers and apply them to countries like Spain, Italy, Greece, and other lands with ridiculously small and tiny quotas? Thereby the total permissible number of immigrants would not be increased. But when we attempt to amend the Immigration Act in that way we are rebuffed. But we have these subterfuges as is involved in the sheepherders' bill. These subterfuges are used constantly, making exceptions to the statute, to bring groups in as nonquota. It is time to call a stop to this practice. Amend the basic act. That is a real remedy. I do not know but what next week we will have another sheepherders' bill. Yesterday we approved a sheepherders' bill, involving 40 sheepherders. They came into this country as seamen. The law was violated. They became deserting seamen, and then suddenly we find they are sheepherders. Their name was changed. Whether they actually tend sheep, I have no way of knowing. They are here. I did not want to send them back. I voted for the bill. We passed the bill yesterday saying that those Spaniards who came in as seamen could remain here because they were sheepherders. They are not to be deported, although they violated our statutes when they lied upon their arrival and said they were seamen.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. EBERHARTER. I want to commend the gentleman for the comments he has made with respect to this matter. Of course, I have the highest regard for Spain as a nation. I think it has made wonderful progress in the past several years and is going to continue to make greater progress in the future. I have the highest esteem for the members of the Spanish race. I have had contact with many of them. There is no element in the world who would be better to have come into this country, but I must say there are many, many other groups throughout the world who would also make worthwhile citizens. It seems to me that it is against principle to single out one small particular segment of a great nation and give them special privileges, not only over other segments of other nations but over the whole world generally. If this Congress—

Mr. HOFFMAN of Michigan. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state the point of order.

Mr. HOFFMAN of Michigan. I object.

The SPEAKER. Objection is heard.

Has the Committee on the Judiciary further bills to call up at this time?

Mr. GRAHAM. None at this time.

HON. NORRIS COTTON

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PHILLIPS. Mr. Speaker, with the ending of this session the Subcommittee on Independent Offices is going to lose one of its most respected and most valuable members.

I refer, of course, to the distinguished gentleman from New Hampshire, Mr. NORRIS COTTON, who has decided, of his own accord, to forsake this historic hall and run for office as a Member of the other body. The gentleman from New Hampshire has great ability, and a background of experience which has been of value to the Congress and to his State. He has been one of our hardest working Members, and he has a sustaining sense of humor which is a genuine asset, in dealing with the budget requests of more than three dozen agencies of the Government, year after year. I can only hope his people, in New Hampshire, realize the breadth of experience he has had on this subcommittee, which deals constantly with such agencies as the Atomic Energy Commission, with TVA, with the Housing Administration, with the Federal Power Commission and the Federal Trade Commission and the Federal Communications Commission and the Interstate Commerce Commission, and the General Services Administration, as well as dozens of smaller agencies, from the White House itself, to the Smithsonian Institution and the National Art Gallery and all the special commissions, down to a little commission working on the pollution of the Potomac River, or the Roosevelt Memorial Library at Hyde Park.

It is a great experience to have served on this particular committee, the Committee on Appropriations, one of the most influential in the Congress, and it should be a matter of pride to a Member's constituents to know that he served ably and well and gained the respect and affection of his colleagues. I know the people of New Hampshire will not want to lose the cumulative value of this knowledge and ability and experience, and they they will support the gentleman from New Hamphire [Mr. NORRIS COTTON] in his desire to represent them in the Senate.

Mr. Speaker, I ask unanimous consent to revise and extend my own remarks, and I ask that the gentleman from Texas [Mr. THOMAS] may extend his remarks immediately following mine, and that all Members who so desire may extend their remarks on the service of the gentleman from New Hampshire.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. THOMAS. Mr. Speaker, our distinguished friend and colleague, the gentleman from New Hampshire [Mr. COTTON], is leaving this body. He is a candidate for the Senate.

I have had the privilege and pleasure of working with Mr. COTTON on the Appropriations Committee for several years, and know of no man who has discharged his responsibility with more sincerity—and with a broader grasp and understanding of the many problems entailed with Appropriations Committee work—than he. He has an enormous capacity for work and a deep understanding of the human as well as the financial side of our problems. The people of his great congressional district have every reason to be proud of him; he has served them ably and with distinction.

All of us in the House will miss his good advice and counsel, but our loss will be a gain to the Senate, and to all the people of the great State of New Hampshire.

Mr. McINTIRE. Mr. Speaker, I am pleased to join with my colleagues in a tribute to the outstanding service in the House of Representatives of NORRIS COTTON, of New Hampshire. Maine is proud to have as a neighbor the State of New Hampshire. Our close common interest provides a real bond of friendship between members of the Maine congressional delegation and the outstanding delegation that serves the citizens of New Hampshire in the Congress of the United States.

My very best wishes are extended to the Honorable NORRIS COTTON and his family.

REASON FOR OBJECTION

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 30 seconds.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, when I objected to the sheepherder bill, I was not objecting to the bill, I was just objecting to the length of the debate.

The SPEAKER. The Chair will say that the gentleman by asking for the regular order could at any time terminate debate under a reservation of objection.

Mr. GREEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GREEN. When the gentleman made his point of order——

The SPEAKER. He did not make a point of order.

Mr. GREEN. He asked for a point of order, and when he was recognized he objected. Is that a point of order?

The SPEAKER. The gentleman used it as such.

Mr. GREEN. Under the parliamentary procedure of the House has he the right to use it as such?

The SPEAKER. Yes; to stop pending legislation.

Mr. GREEN. I am just making the parliamentary inquiry for my own future guidance.

S. SGT. SILVESTRE E. CASTILLO

Mr. WALTER. Mr. Speaker, a moment ago the bill S. 3056 was objected to, I am sure, because of a misunderstanding, for this bill comes very plainly within the category the leadership agreed to allow to be brought up, private bills which had been reported.

I ask unanimous consent for the immediate consideration of the bill (S. 3056) for the relief of S. Sgt. Silvestre E. Castillo.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, S. Sgt. Silvestre E. Castillo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL ORDERS GRANTED

Mr. PRICE asked and was given permission to address the House for 5 minutes today, following the special orders heretofore entered.

Mr. WICKERSHAM asked and was given permission to address the House for 5 minutes today, following the special orders heretofore entered.

The SPEAKER. The Chair wishes to state that there is a possibility that following the special orders there may be other business, so the Chair alerts every Member to that fact.

COMMITTEE ON GOVERNMENT OPERATIONS

The SPEAKER. Under special order heretofore entered, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 30 minutes.

Mr. HOFFMAN of Michigan. Mr. Speaker, to understand the situation, obtain an answer to the above question, a rather lengthy factual statement is necessary.

THE LEGISLATIVE REORGANIZATION ACT

In an effort to promote efficiency and economy in the use of the legislative powers conferred upon Congress by the first 15 words of the Federal Constitution,[a] the Legislative Reorganization Act [1] and subsequent amendments were adopted. The fact that the act carried fringe benefits for Congressmen undoubtedly contributed to its early adoption, prevented a more thorough study of its provisions, which, in defining the jurisdiction of the Committee on Expenditures in the Executive Departments, are confusing.

The prior excessive use by congressional committees, regular and special, of the authority to make investigations and hold hearings caused the Congress to limit the number of regular standing committees of the House to 19. The practice of appointing special committees without adequate consideration of the need was, for a short time, discontinued.

COMMITTEE ON GOVERNMENT OPERATIONS, FORMERLY COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

One of the 19 regular standing committees of the House recognized by the Legislative Reorganization Act, hereinafter referred to as the Reorganization Act, was the Committee on Expenditures in the Executive Departments.[3]

That committee was a 1927 consolidation of 11 former committees charged with the authority to investigate expenditures in 11 executive departments.[3]

The Reorganization Act and the Rules of the House gave that committee the same authority previously exercised by the 11 investigatory committees.[4] The Committee on Government Operations,[5] previously the Committee on Expenditures in the Executive Departments, will hereinafter be referred to as the committee.

It has been my privilege to serve continuously on the committee since January 14, 1935.[6]

When the Republicans obtained control of the House in 1947, because of seniority I was entitled to be named as chairman of the House Committee on Education and Labor or chairman of the Committee on Government Operations. Because no Member can hold two chairmanships, I was forced to make a choice and chose the chairmanship of the latter committee.

Since 1937,[7] when the sitdown strikes, following the pattern and methods of the Communists, who, in 1924,[8] had infiltrated into the labor movement, came to Michigan, I have been interested and active in efforts to expose and curb the unlawful methods, the vicious practices, employed by Communists in connection with labor disputes.

As early as June 1, 1937, from the well of the House,[9] naming some 40 individuals, I called attention to the fact that Communists were attempting to gain control of the labor organizations and were at that time a dangerous threat to our Government. That talk antedated by 16 years and 6 months the statement of J. Edgar Hoover, Director of the FBI—quoted in John Fisher's article in the Chicago Tribune and Washington Times-Herald of February 8, 1954 [10]—to the effect that Communist domination over trade unions operating in the maritime, mining, electrical, and communication fields "poses a major and dangerous threat to our national security."

That threat was long recognized by the FBI and thinking people who knew the facts, but was ignored or condoned in 1937—far more dangerous now—disregarded by law-enforcing officials, by legislative bodies—and in at least 1 State, West Virginia [11]—by vote-seeking politicians; and by the last 2 administrations.

Within the last year and after the press had, through news stories and editorials,[12] called special attention to the danger which was exposed in hearings held by two legislative subcommittees for

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[a] All legislative powers herein granted shall be vested in a Congress of the United States.

[1] Public Law 601, 79th Cong.

[2] Public Law 601, 79th Cong., sec. 121 (a) (8).

[3] H. Res. 7, 70th Cong., 1st sess.

[4] Public Law 601, 79th Cong., sec. 121 (b) (1) (h); House Rule XI, 8, 83d Cong.

[5] H. Res. 647, 82d Cong.

[6] H. Res. 50, 74th Cong.

[7] Talks in House, June 1 and 7, 1937.

[8] See S. Rept. No. 14, 68th Cong., 1st sess.

[9] CONGRESSIONAL RECORD, 1937, p. 5168 et seq.

[10] See Appendix A, Fisher article in Washington Times-Herald of February 8, 1954.

[11] Unions and the Courts in West Virginia, address by Robert G. Kelly, 67th annual meeting of the West Virginia Bar Association, September 5, 1953, e. g.:

"In no State in modern times has labor had a greater impact on State government. This is particularly true with regard to the executive branch, where freedom of unions to do as they please is notorious. While less apparent in the legislative and judicial branches, one must be blind to deny the apparent effect there. * * *

"In West Virginia, but little curb has been imposed upon labor's so-called right to strike and picket, regardless of the public interest or the right of others to be secure in their persons and property. I have never been able to find in our basic law any foundation of a sacred right to enter into and carry out a conspiracy to cause others to breach contracts of employment or to close places of business or for mobs to prevent use of public streets and sidewalks. However, these special privileges seem secure to labor in West Virginia. It is to be regretted that the rights of those who want to work, of innocent bystanders, and of the general public are not so secure."

[12] See appendix B, quotes from editorials.

whose existence I was responsible,[13] the present administration seemed to realize in part the situation.[14]

In connection with this effort—to protect union as well as nonunion employees—I made many investigations,[15] many speeches, both in Congress and elsewhere, and because of my frank, factual statements, by a certain section of the press and its commentators was labeled as "antiunion," "antilabor," and "a labor baiter."

None of these charges had or has the slightest foundation in fact, for I have always expressed the opinion that unions—their affairs properly conducted under the direction of the membership—were not only beneficial but necessary, if in mass-production industries workers were to be treated as women and men.

As a member of the House Committee on Education and Labor, which wrote the House version of the Taft-Hartley Act—and under the direction of Fred Hartley, who was chairman of that committee during the 80th Congress, and also as chairman of the Committee on Expenditures in the Executive Departments—it was my privilege to, as chairman of a subcommittee, make investigations and hold hearings which exposed the abuses of labor legislation, disregard of court orders, violation of law generally, and racketeering practiced in connection with labor disputes.[16]

No complaint was ever made by my colleagues on the committees that those investigations or hearings were improperly conducted, witnesses unfairly treated, or the conclusions reached not supported by the record. Reports giving conclusions, making recommendations, were written, adopted, printed, and became a part of official congressional records.

During the 80th Congress, I had obtained an amendment to the rules which extended the authority of the committee to make investigations and hold hearings.[17]

When, in the 80th Congress, it was my privilege to become chairman of the committee, to expedite the work of the committee, desiring to give each member a part therein, I appointed five subcommittees"—attempted to give to each a definite share of committee work. That laid the foundation of my trouble.

Because of the provisions of the Reorganization Act, it was impossible to establish definite lines beyond which the jurisdiction of one subcommittee should not go. The result was that on occasion one subcommittee found itself investigating and holding hearings, making reports, which might well have fallen within the jurisdiction of another committee. However, there was no serious conflict.

When the Democrats returned to power and organized the 81st and 82d Congresses, subcommittees with the same jurisdiction were retained.

When the Republicans again took over control in the 83d Congress, as chairman I, again, with the committee's approval, established five regular subcommittees and outlined the jurisdiction of each. I retained the chairmanship of the subcommittee which passed upon reorganization plans, though the activities of that committee were very limited.

This was due to the fact that, as the reorganization plans came up, I scheduled hearings on many of them before the full committee—the reason being that, coming from the administration, and the Republican margin being so narrow, a decision as to whether the plan should be reported or rejected would obviously be obtained more quickly and would more accurately represent the views of the members than if we were forced to go through the procedure first with the subcommittee, then with the full committee.

Ten reorganization plans were submitted by the administration during the first session of the 83d Congress. On plans 3, 4, and 5, no hearings were held, no disapproving resolutions having been introduced. Of the remainder, with the exception of plans 7, 8, 9, and 10 all were heard by the full committee and all were approved.[19]

I named as chairmen of the regular subcommittees R. WALTER RIEHLMAN, Military Operations Subcommittee; GEORGE H. BENDER, Public Accounts Subcommittee; Mrs. CECIL M. HARDEN, Intergovernmental Relations Subcommittee; CHARLES B. BROWNSON, International Operations Subcommittee.

During the 81st Democratic Congress a subcommittee, at Government expense, traveled to the Far East.[20] Another went to Europe.[21] Still another took a 42-day trip around the world at Government expense and in a Government plane.[22] Only one report was adopted and printed.[23]

In 1953 the gentleman from Indiana [Mr. BROWNSON], who has been most active in stripping me of authority while seeking funds for his own subcommittee, with the gentleman from Michigan [Mr. MEADER], a member of his subcommittee, took another 24-day inspection trip, from September 29 to October 24.

That subcommittee traveled from Washington to San Francisco to Honolulu, to Tokyo, to Korea, to Tokyo, to Manila, to Honolulu, to San Francisco, to Washington, D. C.

It also took along Maurice J. Mountain and Edward C. Kennelly as staff director and counsel, as well as a representative from the State Department, apparently as liaison man.

The reported cost of the trip was $1,311.75. That, however, was not the total cost. That figure does not include the cost of transportation by Government plane, the cost of Government personnel. The figure given represents the $9 per diem cost of 3 committee, 2 staff members, not other costs.

Had the trip been made by commercial airlines for a party of five, by chartered plane, the cost would have been, in a DC–4, $51,514.75; in a DC–6, $79,301.75. Had the trip been made on a commercial plane, first-class reservation with berth, the transportation cost would have been $8,999. These figures, however, do not include costs of meals or lodgings away from the plane. In addition to the $1,311.75 voucher, Mr. BROWNSON vouchered expenses of $124.69, for transportation, and "room rent."

Mrs. HARDEN, now by my appointment chairman of the regular Subcommittee on Intergovernmental Relations; Mr. BROWNSON, likewise by my appointment chairman of the Subcommittee on International Operations; and Mr. MEADER, Republican Representative from the Second District of Michigan, with one minority staff member, Mrs. Annabell Zue, went on the trip around the world. That subcommittee, which was under the chairmanship of Representative BONNER, of North Carolina, made a lengthy and instructive report. Other members of the committee, including Mr. RIEHLMAN, chairman of the regular Subcommittee on Military Operations, and Mr. BENDER, chairman of the Subcommittee on Public Accounts, were also abroad on one or two occasions.

It has been the chairman of these regular subcommittees who, with the members of their subcommittees—all evidently and naturally desiring to expand their own staffs and extend their authority to travel and hold hearings, have aggressively acted in denying me authority to expose and curb extortion and other abuses by lawless individuals.[24]

Again, I spent considerable time in preparing rules of procedure, and the rules proposed for consideration by the Republican members of the committee were, with 1 or 2 minor amendments, adopted by the full committee.[25]

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[13] See appendix C, (1) copy of order appointing Subcommittee of Committee on Government Operations; and (2) of order appointing Subcommittee of Committee on Education and Labor.

[14] Excerpt from the President's message on labor-management relations, Jan. 11, 1954; CONGRESSIONAL RECORD, p. 129:

"The act presently prohibits an employer from making payments to a union to assist in the financing of union welfare funds unless the fund meets certain standards. These standards are not adequate to protect and conserve these funds that are held in trust for the welfare of individual union members. It is my recommendation that Congress initiate a thorough study of welfare and pension funds covered by collective-bargaining agreements, with a view of enacting such legislation as will protect and conserve these funds for the millions of working men and women who are the beneficiaries."

[15] See appendix D, list of labor hearings held by CLARE E. HOFFMAN in 80th Cong.

[16] See appendix D, list of labor hearings held by CLARE E. HOFFMAN in 80th Cong.

[17] H. Res. 90, 80th Cong., 1st sess., passed February 10, 1947.

[18] Subcommittee on Surplus Property, Subcommittee on State Department, Subcommittee on Extra Legal Activities in Departments, Subcommittee on Publicity and Propaganda, Subcommittee on Procurement and Buildings.

[19] Committee calendar.

[20] Huber Special Subcommittee to the Far East, 81st Cong. (no report printed).

[21] Blatnik Special Subcommittee to Europe, 81st Cong. (no report printed).

[22] Bonner Subcommittee Around the World, 82d Cong. (report printed).

[23] 16th Intermediate Report, Committee on Expenditures in the Executive Departments, 82d Cong., title "Federal Supply Management (Overseas Survey)," H. Rept. No. 1894.

[24] CONGRESSIONAL RECORD, July 17, 1953, p. 9103, et seq. Also minutes of committee meetings of July 15 and July 24, 1953.

[25] Committee minutes, January 26 and February 18, 1953. See appendix E, rules adopted by Committee on Government Operations on January 26 and February 18, 1953.

Those rules remained in force and gave efficient hearings. They were changed on July 15, 1953, when the committee liquidated, within 10 days, all of the special subcommittees, including the one Special Subcommittee on Racketeering Activities.

In my opinion, based upon not less than 16 years of experience, the quickest, most economical, and efficient way to settle two-thirds of the complaints made to a standing committee is through the appointment of special 3-man subcommittees. This, in my judgment, is true because usually it is comparatively easy to, at all times, obtain the presence of at least 2 members of a 3-man subcommittee, who are to some extent familiar with the question at issue. If such a subcommittee encounters a controversial issue calling for political consideration, it can institute an investigation and then refer the whole matter back to the full committee. This view was finally adopted by the committee [26] over Democratic protest.

Thereafter several special subcommittees, sometimes calling for 3, sometimes 5, members were authorized. One, the Special Subcommittee on German Consulate/America House Program under the chairmanship of Mr. MILLER of New York, very quickly obtained satisfactory action in connection with the State Department's housing program in Germany.[27]

Another subcommittee of 3 was appointed, at the request of 2 Senators and a Congressman, to investigate the awarding of a contract for the repair of aircraft for a distressed-labor area.[28] While the facts developed did not result in the awarding of the specific contract to the distressed area, the plight of that area was called to the attention of responsible authorities for such other assistance as could properly and lawfully be granted.

In anticipation of an attempt to solve certain complaints which had been made, other special subcommittees were authorized but never actually established by the appointment of committee members. Staff investigations showed the complaints to be without sufficient sustaining evidence to warrant hearings.

Being aware of the existence of a gigantic, vicious conspiracy to collect millions, if not billions, of dollars from union as well as nonunion workers, from individuals and corporations engaged in business and from the Government itself, on June 4, 1953, I appointed a special subcommittee of 3, consisting of Mr. BENDER, of Ohio, Mr. CONDON, of California, with myself as chairman, to investigate and hold hearings in this field.

The purpose of the subcommittee was to expose the activities of those engaged in that conspiracy and to report, through the full committee, to the Congress as to whether additional Federal legislation would be advisable, and, incidentally, to call the attention of the Department of Justice to the obvious violations of Federal statutes where prosecutions seemed to be advisable.

Realizing that the House Committee on Education and Labor would, as a legislative committee, write such legislation, I requested the chairman of that committee, SAMUEL K. MCCONNELL, JR., to appoint a similar subcommittee. He appointed such a subcommittee on June 6, 1953,[29] naming WINT SMITH, of Kansas, as chairman, PHIL M. LANDRUM, of Georgia, as the Democratic member, and naming me as the second Republican member.

This gave us a joint subcommittee of five, over which, at my request, WINT SMITH presided as chairman. He performed a most difficult task in a very judicious and efficient manner. The field work was done by experienced investigators on the staff of the Committee on Government Operations, under the direction of William F. McKenna,[30] who had as his assistants Clyde W. Smith, Lester P. Condon, and, on the last Detroit hearings, Murray W. Jackson.

The two subcommittees authorized to investigate racketeering, extortion, and other subjects, held joint hearings at Detroit, Mich., on June 8, 11, 12, and 13, 1953. Those hearings were printed and a report, signed by all members of both subcommittees, except Mr. CONDON, was subsequently accepted by the full Committee on Government Operations, filed with the House, and printed as a House report.[31]

The chairman of the Committee on Education and Labor had, on June 23, 1953, appointed a second subcommittee to participate in such a hearing.[32] The two subcommittees held joint hearings at Kansas City, Mo.[33] on June 29 and 30, July 1, 2, and 3, 1953. Those hearings were printed and a unanimous report of the Labor Subcommittee, signed by WINT SMITH, WINGATE H. LUCAS, and myself, is now pending before the Labor Committee.

On June 29, 1953, knowing that Congress was about to adjourn, and being fully aware of the desire of certain committee members to travel and hold hearings not only in this country but abroad, and thinking there was need for practicing economy, I wrote the subcommittee chairmen [34] suggesting that they limit their activities and curtail their staff to 1 professional and 1 clerical member while Congress was not in session.

I was fully aware that this suggestion would not meet with the approval of the subcommittee chairmen. Naturally, being ambitious, each subcommittee chairman desired a little empire of his own with his own staff, unhampered by any restraints imposed by the chairman of the committee. However, I was in error in assuming that, if the subcommittee chairmen did not agree to my first suggestion, they would suggest a compromise and perhaps "bargain collectively" with me on that subject.

Had I desired to be arbitrary, as some looking for an excuse for their own arbitrary actions have subsequently charged, all I had to do was to have waited until Congress adjourned in July and then refused to sign their salary and expense vouchers. That authority was then vested exclusively in me.

The resolution allocating funds to the committee for the full committee and the subcommittees contained a provision that the expenses incurred not only by the full committee but by all regular subcommittees and special subcommittees were to be approved for payment only when the voucher was signed by the chairman of the full committee.[35]

I had protested that requirement during the 80th Congress, for the reason that, while I trusted the subcommittee chairmen to act wisely and economically, inasmuch as I could not oversee all of their activities, I objected to being required to sign vouchers for expenditures when I had no personal knowledge of either the wisdom of, nor the necessity for, such expenditures, nor of the efficiency of their staff members. At that time, that is, during the 80th Congress, at my request, I had been relieved of that responsibility. I had no objection to like procedure during the 83d Congress.

That did not mean I favored establishing subcommittees as autonomous bodies, which has now been done.[36]

My position was that I would not sign vouchers for the payment of salaries and expenses which were incurred without my knowledge.

Instead of suggesting to me that my request for a curtailment of their activities was unreasonable, the chairmen and members of the regular subcommittees—at least a majority of them—evidently got together and formulated a plan of

[26] Committee minutes, February 18, 1953.

[27] German Consulate/America House Program, hearings, February 17, 1953; H. Rept. No. 168, 83d Cong., 1st sess., 1st intermediate report of committee.

[28] Fontana School of Aeronautics, Inc., hearings, February 27, 1953.

[29] Appendix C (2) copy of order appointing Subcommittee of the Committee on Education and Labor.

[30] McKenna had established an enviable reputation through his work which blocked a $5¼ million claim against the Government (Home Loan Bank Board) by numerous investors in Long Beach Federal Savings and Loan Association, of Long Beach, Calif., which had overlong been in litigation in the courts. McKenna, who at first was Government counsel, later counsel for the Republican minority, assisted by minority members MILLER of New York and HOFFMAN of Michigan, blocked the attempt to end legal opposition to the payment of the claim. Congressman CHET HOLIFIELD, of the 19th District of California, had headed a special subcommittee during the 81st and 82d Congresses in an effort to compel the Federal Government to cease its opposition to the payment of this claim. See appendix F, extension of remarks of CLARE E. HOFFMAN in CONGRESSIONAL RECORD of July 7, 1952, vol. 98, pt. 11, pp. A4853–A4857.

[31] H. Rept. No. 1324, 83d Cong., 2d sess.

[32] See appendix G, copy of order appointing second Subcommittee of the Committee on Education and Labor.

[33] At the Kansas City hearings, Congressman JEFFREY P. HILLELSON, of the district, served in place of Mr. BENDER.

[34] See appendix H, letter of June 29, 1953, to subcommittee chairmen.

[35] See appendix I, H. Res. 150, 83d Cong., 1st sess.

[36] See appendix J, H. Res. 339, 83d Cong., 1st sess.

action to in effect establish their own subcommittees as regular standing committees of the House, and to end my investigation of extortion.

On the 15th day of July 1953, they came into the regular meeting of the committee with a resolution,[37] which was offered by Mr. OSMERS, of New Jersey, as their spokesman, and which was adopted by the committee.[38]

That resolution not only gave to the regular subcommittees the same authority given the regular standing committees of the House, thus in effect increasing from 19 to 24 the regular standing committee of the House, but it abolished the special subcommittees I had established, none of which, except one, hereinafter referred to, had operated or was operating.

Notwithstanding the provisions of the Reorganization Act, the House now has more than 27 regular standing and special committees.

The Osmers resolution also denied to me the authority exercised by every other chairman of every other regular standing committee of the House; that is, the authority to appoint special subcommittees and direct their activities.

Subsequently, a request was made by me for an extension of the life of the subcommittee which had been investigating racketeering and extortion. That request was denied. On July 24, 1953, the committee adopted 2 resolutions—1 extending that subcommittee for 60 days to complete investigation in Kansas City, and the second, extending the life of the same subcommittee for the same period to complete the Detroit investigation,[39] the 60-day limitation being a restriction which made effective action impossible and which temporarily at least, gave comfort to the extortionists.

Some of the committee members had argued, first, that there was no necessity for such hearings, and, second, that the Committee on Government Operations had no jurisdiction over the subject.

Later, those objections were apparently abandoned. The administration itself stressed the necessity, in the President's message on January 11, 1954, on labor-management relations, of a study of the manner in which health and welfare funds were administered—see footnote No. 14.

Precedents and the language of the Reorganization Act itself sustained the jurisdiction of the Committee on Government Operations.

In one instance in the press, and on the floor of the House, some of the committee members attempted to justify their action in liquidating the special subcommittee which had done such a good job, and, among other things, stated:

Mr. LANTAFF, CONGRESSIONAL RECORD, July 17, 1953, volume 99, part 7, page 9104:

I join with the gentleman from California in the statement he is making, and I want to say that all of us regret that the chairman of the committee has seen fit to air this so-called family controversy in public.

Mr. HOLIFIELD, CONGRESSIONAL RECORD, July 17, 1953, volume 99, part 7, page 9103:

During the past 7 months the chairman of the full committee has seen fit to appoint 12 special 3-man subcommittees for investigative purposes.

Note: Only one of these subcommittees was actually functioning. Two others had completed their work, and no one had yet been named to any of the others.

I will say that this (passage of the resolution by Mr. OSMERS) was brought about by many different actions by the chairman of the full committee which were not in accord with the viewpoint of the members of the committee. Among those actions was the appointing of a multitude of subcommittees, 3-man subcommittees, which conflicted with the jurisdiction of the standing subcommittees.

Note: Rule 3 expressly gave the chairman authority to appoint special subcommittees, and in no way had the jurisdiction of any subcommittee been interfered with.

Mr. MCCORMACK, CONGRESSIONAL RECORD, July 17, 1953, volume 99, part 7, page 9105:

In taking the action we did, he ought to thank us, in a sense, because we absolved him of any opportunity of engaging in even any unintentional arbitrary actions. So I do not apologize at all for anything I did.

Mr. BROWN of Ohio, CONGRESSIONAL RECORD, July 17, 1953, volume 99, part 7, page 9104:

That I join in expressing deep regret that there has been any misunderstanding over the House Committee on Government Operations the other day. * * * We have had, I might say very frankly, Mr. Speaker, an intolerable situation develop in our committee. * * * But I voted for the resolution because I thought it was necessary to correct the intolerable situation in which our committee found itself, and to protect the integrity of the membership of our committee and of the subcommittees.

Note: Why did he not define the "intolerable situation"?

And, for good measure, the gentleman from Ohio also said:

We realize that our chairman is getting old. Like many of us, he is growing in age. Perhaps he has not been well. Some of us have not been. I have not been well myself. Sometimes I get a bit testy, for which I often turn around and apologize once in awhile.

Although he struck these statements from the revision of his remarks, they were widely quoted in the press.

Note: Mr. BROWN does not allege—he cannot truthfully charge—that either age, ill health, or anything else has kept me from performing my full duty.

Nor did the gentleman from Ohio cite any specific instance of testiness; and my so-called criticism of the subcommittees to which he referred will, by reference to a copy of the letter written the subcommittee chairman—appendix H—be shown to be no criticism whatsoever, just an economy suggestion.

It is significant that each member seeking to defend his action used only general language. No one laid on the line a specific statement or charge of improper conduct or action on the part of the chairman. Even one alleged to be a thief is entitled to be told what he stole, when, where, and from whom.

Mr. BENDER, CONGRESSIONAL RECORD, July 17, 1953, volume 99, part 7, page 9105:

I do not believe that the chairman of any committee here, irrespective of how much we love him, has the right to be constitutionally unconstitutional all the time. * * * And I have put up with considerable malarky on occasions. I have tried on every occasion to stand by him here on the floor and in committee, and sometimes when the gentleman would be hopelessly negative I would find myself in a rather awkward predicament. * * * I do not like to be bullywagged any more than anyone else does.

Note: Why not be specific and cite the chairman's offenses? I have challenged the gentleman to name one example.

Mr. BENDER, Cleveland News, January 14, 1954, interview by Webb Seely:

Question. Has Congressman HOFFMAN abused his power by asking for his own subcommittee to investigate labor racketeering here and elsewhere?

Answer. He has. HOFFMAN has organized special committees at the drop of the hat. He does this without consulting other members of the Government Operations Committee. He has so many special activities he is abusing his power. I won't be a party to anything illegal.

Question. What was illegal about Representative HOFFMAN's racketeering committee?

Answer. Setting up and obviously abusing his power. I won't be a party to doing anything wrong.

Reprinted in CONGRESSIONAL RECORD, January 18, 1954, page 388.

Mr. BENDER's charge that the chairman acted illegally is an illustration of either his lack of knowledge or a deliberate misrepresentation.[40] Committee rule 3 until repealed by the committee on July 15, 1953, expressly authorized the chairman to appoint special subcommittees consisting of two or more members.[41]

Mr. BENDER was present on January 26, 1953,[42] when the rule was discussed and adopted, and he voted in favor of

[37] See appendix K, Osmers resolution adopted on July 15, 1953.

[38] Committee minutes, July 15, 1953. Republican members of the committee—except Mrs. CHURCH, of Illinois; Mr. JUDD, of Minnesota; Mr. MCDONOUGH, of California; and Mrs. ST. GEORGE, of New York; who were not present, and Mr. HILLELSON, of Missouri, who voted "present"—joined with the Democrats (except Mr. CONDON, of California, who voted "present") in denying my request.

[39] Committee minutes, July 24, 1953.

[40] See remarks of CLARE E. HOFFMAN in CONGRESSIONAL RECORD of January 18, 1954, pp. 388–393.

[41] Rule 3 of Rules of Committee on Government Operations in Committee Calendar No. 1, March 1, 1953:

"RULE 3. A majority of the committee shall constitute a quorum; provided, however, that special subcommittees consisting of two or more members—at least one of whom shall be a member of the minority—may be appointed by the chairman, and in such case, one member of the special subcommittee shall be a quorum for the purpose of taking sworn testimony only, provided that the other member or members of the special subcommittee shall have received reasonable notice thereof. Four members of a regular subcommittee shall constitute a quorum."

[42] Committee minutes, January 26 and February 18, 1953.

that rule. Moreover, Mr. BENDER served without objection on a special three-man subcommittee.[43] Why did he twice deliberately make a false statement?

Following the action of the full committee on July 24, 1953, I immediately requested WINT SMITH, chairman of the subcommittee which had been appointed by the chairman of the House Committee on Education and Labor, to ask for the continuation of his subcommittee.

Mr. SMITH made that request, and, on November 13, 1953, the chairman of the Committee on Education and Labor authorized a subcommittee, naming Mr. SMITH as chairman, Mr. LANDRUM as the Democratic member, and me as the second Republican member, to complete the investigations we had previously started at Detroit and Chicago.[44]

That subcommittee held hearings on November 23, 24, 25, and 27, 1953, which hearings have been printed, and there is pending before the Labor Committee the subcommittee's unanimous report thereon.

Following the hearings held in June in Detroit and the hearings held at Kansas City in late June and early July, some twenty-odd indictments were returned. Following the hearings held at Detroit in November, the United States district attorney announced that he would make an investigation and take appropriate action, and some indictments were subsequently returned.

The press, especially the three Detroit papers, the News, the Times, and the Free Press; the Kansas City Star, the St. Louis Post-Dispatch, the Minneapolis Star and Tribune, the Des Moines Register and Tribune, and the Chicago Tribune, gave favorable publicity to the Detroit and Kansas City hearings. In editorials from these and other papers, the necessity for such hearings was repeatedly pointed out.[45]

An article in the February 1954 issue of the Sign, Big Racket in Small Change, by Milton Lomask,[46] and a story in the March 9, 1954, issue of Look, How Labor Bosses Get Rich, by Clark Mollenhoff,[47] will give some idea of the nationwide interest in and scope of the subject.

In the meantime, the members of the full committee were forced to the conclusion, through statements which I had made and filed with them, that the Committee on Government Operations had jurisdiction over the subject matter.

The committee was also apparently convinced from statements inserted in the record that the public was demanding that these hearings be continued.

In fact, the administration itself apparently seemed to be convinced that millions of dollars which had been entrusted to those handling union health and welfare funds were being wasted, perhaps misappropriated.

As previously stated, the President, on January 11, 1954, in his message to Congress on labor-management relations, included a paragraph on the subject—footnote No. 14.

The committee may have reached the conclusion that not only were the proposed investigations which I was asking authority to continue necessary, but that they would provide a publicity bandwagon on which politicians might ride into office. This conclusion I reached because neither the committee as a group, nor any individual member thereof, so far as I know, ever uttered 1 word of criticism as to the manner in which the hearings which I held or in which I participated had been conducted or found 1 word of fault with the results which had been obtained; nevertheless, at every opportunity, denied me the authority to continue such investigations and hearings.

On January 20, 1954, I presented to the committee a resolution asking for authority to continue to investigate racketeering and extortion, to determine the necessity of amending the Taft-Hartley Act and the advisability of writing additional legislation to protect interstate commerce and the civil rights of the citizens.[48]

A substitute resolution was offered by Mr. OSMERS, using substantially the same language carried in the resolution which I had offered, but granting the authority to make such investigation to Mr. BENDER,[49] the announced candidate for the Republican primary nomination for Senator from Ohio.

That substitute, as has been previously stated, was adopted by a vote of 19 to 1; 7 Republicans being present and voting, 9 Democrats being present and voting, 2 Republicans and 1 Democrat absent but voting aye by proxy; 1 Republican, Mrs. CHURCH, and 4 Democrats, Messrs. DAWSON, CONDON, FOUNTAIN, and PILCHER present but not voting; 5 Republicans, Messrs. GRAHAM, JUDD, MCDONOUGH, MILLER, and POFF, absent and not voting.

The committee action giving the Subcommittee on Public Accounts authority to do the things which I had requested authority to do, while denying that authority to me as chairman of a special subcommittee, was a confession that the committee's previous position was wrong—an acknowledgment that I was right; that the committee itself did have jurisdiction over the subject matter, and that the hearings which I had brought about and in which I had participated had performed a valuable and necessary service.

Keeping in mind the fact that Mr. BENDER's regular subcommittee had no jurisdiction over the proposed investigation, the committee action was, in effect, the appointment of a special subcommittee—to perform a function which the committee had denied me as chairman of the full committee.

Mr. BENDER, for his Public Accounts Subcommittee, requested, and the House Committee on Administration approved, $100,000, but when that resolution, House Resolution 419,[50] came before the House on February 25, 1954, it was, on a standing vote, recommitted to the Committee on House Administration.[51]

Then, on March 4, Mr. BENDER went before a subcommittee of the Committee on House Administration with a request for $52,000, for his regular Public Accounts Subcommittee—no request for funds to uncover extortion and racketeering; Mr. RIEHLMAN requested, for his Military Operations Subcommittee, $51,000, and Mr. BROWNSON requested, for his International Operations Subcommittee, $52,000.[52]

The special subcommittee which I had appointed would probably have completed the work for less than $50,000. Our expenses in the previous hearings had been far less than the $52,000 now asked by Mr. BENDER; in fact, the total expenses—including salaries of investigators charged wholly to that investigation, although some work was done on other matters, for the previous hearings, were but $40,322.98.

We come now to the reasons for the committee action when, on three occasions,[53] it denied me the authority to make the investigations, hold the hearings—authority which they subsequently conferred upon Mr. BENDER. He has never, so far as I know, previous to this occasion, expressed any condemnation of labor racketeering or extortion or of unlawful activities in the jukebox or the horseracing businesses, which have resulted in the paying of tribute to crooks.

The real issue in the proposed hearings, if I understand the press releases correctly, will be to determine whether the Hobbs amendment to the Antiracketeering Act of 1934 is being flagrantly violated, whether that law needs amendment. Mr. BENDER voted against the adoption of the Hobbs amendment. I spoke for it, voted for it, and, after it was enacted, a special subcommittee, of which I was chairman, and which I appointed during the 80th Congress, and, notwithstanding the opinion of the then Attorney General that the law was not being violated at Philadelphia, Pa., developed facts which resulted in the indictment and conviction of a union and some of its officers for a violation of that act.[54]

The action of the committee on the 15th and the 24th of July 1953 and the

[43] Special Subcommittee To Investigate Federal-State Cooperation in Enforcement of Anti-Racketeering Laws and the Labor-Management Relations Act, 1947, and other Federal Labor Legislation, CLARE E. HOFFMAN, chairman, Mr. BENDER and Mr. CONDON.

[44] See appendix L, order appointing third Subcommittee of the Committee on Education and Labor.

[45] Appendix B, quotes from editorials.

[46] Appendix M, article in the Sign, February 1954.

[47] Appendix N, article in Look, March 9, 1954.

[48] Appendix O, resolution of CLARE E. HOFFMAN of January 20, 1954.

[49] Appendix P, OSMERS' resolution of January 20, 1954.

[50] Appendix Q, H. Res. 419, 83d Cong., 2d sess.

[51] CONGRESSIONAL RECORD, February 25, 1954, p. 2303.

[52] Appendix R, H. Res. 468, 83d Cong., 2d sess.

[53] Committee minutes of July 15 and July 24, 1953, and of January 20, 1954.

[54] Hearings, Enforcement of the Antiracketeering Act, February 14, March 6, 10, 13, 14, 19, and 20, 1947, 80th Cong., 1st sess.; First Intermediate Report of Committee on Expenditures in the Executive Departments, H. Rept. No. 238, 80th Cong., 1st sess.

20th of January 1954 are not the only times that I have been opposed by an overwhelming majority of the committee.

On July 1, 1953, R. WALTER RIEHLMAN; CECIL M. HARDEN; GEORGE H. BENDER; CHARLES B. BROWNSON; GEORGE MEADER; FRANK C. OSMERS, JR., CLARENCE J. BROWN; LOUIS E. GRAHAM; WALTER H. JUDD; GORDON L. MCDONOUGH; KATHARINE ST. GEORGE; WILLIAM E. MILLER; RICHARD H. POFF; WILLIAM L. DAWSON; CHET HOLIFIELD; FRANK M. KARSTEN; JOHN W. MCCORMACK; BILL LANTAFF; FRANK IKARD; JACK B. BROOKS; THOMAS J. DODD; ROBERT H. MOLLOHAN; L. H. FOUNTAIN; J. L. PILCHER, members of the committee, filed a report favoring H. R. 5228, which I had opposed, and insisted on putting through the House that bill to give the Comptroller General, on retirement because of disability or after the expiration of his term, an annual pension of $17,500 during life.

That bill also provided that, if a Comptroller General who had served less than 10 years retired because of disability, even though he had served but a day, he should receive a pension of $8,750 per year.

Most astounding is the fact that the recipient of this gratuity is not required to contribute to the fund as are other pensioners.

While Lindsay Warren, then serving as Comptroller General, had done a magnificent job, in my judgment it was unsound policy to establish a precedent which undoubtedly will be invoked by other executive officers.

From a moral as well as from a political standpoint, refusing to give taxpayers a $700 to $800 exemption, while granting a lifetime pension of $17,500 to an officeholder, does not seem quite equitable.

THE HOUSING ISSUE

Under authority previously granted me as chairman of the Committee on Government Operations, I had authority under the rules of the committee to appoint special subcommittees for the purpose of investigating subject matters which would not normally fall within the jurisdiction of any one of our regularly established subcommittees.

Early in 1953, information had come to my attention to the effect that there were certain irregularities in the operations of the housing agencies of the Government, particularly the Public Housing Administration and the Federal Housing Administration.

In February a special subcommittee was established which held a hearing on the administration of the affairs of the Federal Housing Administration. That hearing showed the prevalence of gratuities and maladministration in the operations of that agency.

In May of 1953, I appointed a special subcommittee which was to concern itself with public housing. It held hearings in Los Angeles which showed clear-cut evidence of violation of criminal statutes of the United States.

We had in our possession enough evidence of widespread irregularities to fully justify, and even demand, an overall housing investigation. However, the committee saw fit to stop that investigation.

It further prevented the adoption of the report on the irregularities uncovered in Los Angeles, which should have been submitted to the Department of Justice for prosecution.

If the investigation had continued, in my humble judgment, there is no doubt that the widespread scandals which are now a matter of so much notoriety would, by the work of this committee, have been corrected a year earlier.

The present scandals in the housing field, which are of such magnitude that it was necessary for the President of the United States to order a clean-up and for a Senate committee to hold hearings, should be sufficient proof to cause anyone to realize that there did exist a situation in the housing field which needed investigation and should have been investigated at the time I was attempting to do so, but was prohibited by the action of the full committee.

This action on the part of the full committee—whatever the interest—resulted in a cover-up and continuation of these scandalous activities, until, after a further investigation by our former counsel, many top housing officials, some 20 in number, were discharged and the Capehart committee of the Senate took over.

REASONS FOR COMMITTEE ACTION

From what has been said, it is evident that—

First. A comparatively few but able, greedy, unscrupulous individuals have been and are using their authority and positions as high-ranking union officials to, through fraud, deception, and by the use of force, extort millions of dollars for their own use, not only from the members of their unions but from workers and businessmen generally, and on occasion from the Federal Government itself. Because of their assumed political power, they were feared and in some instances given consideration by office-seekers and politicians.

Second. Through the efforts of a subcommittee which I appointed, and in cooperation with a similar Subcommittee of the House Committee on Education and Labor, of which I was a member, and the hearings which were held, a very few instances of the illegal activities of these individuals were brought to the attention of the public. Without exception, the press in Detroit and Kansas City, where the hearings were held, courageously, through accurate news stories and forceful editorials, stressed the need for law enforcement by local and Federal officials.

Third. No complaint was ever voiced by members of the Committee on Government Operations or by the press as to the manner in which the hearings were conducted, the methods, or the conduct of our investigators, nor of the results obtained.

Fourth. It was evident that, if the investigations and the hearings were continued by the same staff and under the direction of the chairman of the special subcommittee, the trail might eventually lead to results which, from a political standpoint, would be detrimental to individuals financially and politically powerful in both political parties. In Michigan, the CIO for several years openly supported the Democratic candidates by financial contributions, as well as by workers and in its publications.

Fifth. While acting as chairman of the House Committee on Government Operations—and I have been a member of that committee since 1935, and was its chairman during 1947 and 1948—I sought to hold down committee expenses, committee travel, both in this country and abroad, and suggested, on June 29, 1953, that, while Congress was not in session, subcommittees which had been created at my suggestion curtail their activities.

My expressed wishes ran counter to the ideas of subcommittee chairmen and subcommittee members, and, in retaliation, on July 15, 1953, the committee changed committee rule 3, denied me the right to appoint special subcommittees—a right exercised by every other chairman; liquidated the special subcommittee which, according to the press, had performed a necessary, worthwhile service, but which had merely scratched the surface of the corrupt mess, the cleaning up of which was a part of the job we promised the voters at the 1952 election to undertake.

Of the 16 Republican members, 10 were present. Eight who were present and two who were absent, whose proxies were voted, voted to abolish the subcommittee. I voted in the negative. One Republican who was present did not vote.

Of the 14 Democratic members, 11 were present. The 11 who were present and 2 who were absent, whose proxies were voted, voted to abolish the subcommittee. One who was absent whose proxy was cast voted "present."

It should be noted that 13 Democrats voted to end the hearings, and 10 Republicans voted to end these hearings. The political attitude of the Democrats is easy to understand; that of the Republicans not so easily understood.

Sixth. Whether the committee was induced to change its position that it had no jurisdiction and there was no necessity for such investigations by the statements in the public press and by protests received from individuals, or whether it had some other reason for its action on the 20th of January 1954, it conceded the committee had jurisdiction over the subject matter, and that a continued exposé of unlawful activities in connection with labor disputes and the administration of health and welfare funds was necessary.

On that date, reversing itself on these two positions, the full committee gave authority to the regular Subcommittee on Public Accounts, of which the Honorable GEORGE H. BENDER, Congressman from Ohio, who is a candidate for the Republican primary nomination for United States Senator from Ohio, to continue such investigations and hearings. A statement of that vote has been heretofore set forth in these remarks.

Seventh. The only reasons ever given by any of the committee members to justify their action were purely personal, and might be summed up with the statement that they did not like me personally, nor my methods. But they never made a specific charge as to their dis-

like, except that the gentleman from Ohio [Mr. BROWN] suggested that I was "old, ill, and testy." Another asserted that my methods were "intolerable." Another, that I was "constitutionally unconstitutional." None ever gave any bill of particulars, other than the gentleman from Ohio [Mr. BENDER]. He, in an interview with the Cleveland News, said that I acted illegally in appointing special subcommittees—a false charge that he was forced to eat on the floor of the House.

Undoubtedly, the gentleman from California [Mr. HOLIFIELD] was greviously displeased because I had a part in blocking his effort to have the Congress force the Department of Justice and the Home Loan Bank Board to abandon its court action which was blocking the payment of a claim of some $5¼ million filed by a California outfit, and which it had not been able to maintain through the courts.

Draw your own conclusions for the committee action.

If there is any reason for the action of the committee members in denying to me authority to carry on these investigations, after more than 16 years' experience in ferreting out and exposing unlawful activities of crooked union and public officials, other than their personal dislike of me, they have as yet failed to meet my challenge to state such reasons from the well of the House.

They either know, or they should know, that their action, regardless of their good intentions, gave encouragement to racketeers and extortionists, discouraged union members, and local union officials, who are hoping for a fair deal.

COMMITTEE RESTORES CHAIRMAN'S POWER TO APPOINT SPECIAL SUBCOMMITTEE TO INVESTIGATE LABOR RACKETEERING AND EXTORTION

Apparently the public demand for an investigation and report on the widespread racketeering and extortion practiced by a few labor leaders convinced the members of the committee that the Bender subcommittee should be supplemented. For, on June 10, 1954, the committee passed a resolution, amended June 16, 1954,[55] authorizing the chairman to appoint a special subcommittee consisting of 3 members, to make investigations and hold hearings. Under the rules of the committee, the 3-man subcommittee became a subcommittee of 5.

The House also granted a fund of $75,000 by resolution adopted on June 23, 1954,[56] to be expended under the direction of the chairman of the whole committee, to carry out the investigations authorized by the committee.

Subsequently, 4 days of hearings were held in Washington, ending on Thursday, August 5, 1954. The following Tuesday, that is, on August 10, 1954, a Washington grand jury indicted a contractor and a business representative of District Council No. 51.

Testimony taken at these hearings disclosed that, in order to carry out a contract for painting, decorating, or paperhanging in the Washington area, and that area included a part of Virginia and Maryland, it was necessary to come to terms with the business representative of District Council No. 51. These terms included the payment by contractors of substantial sums to the business representative of District Council No. 51, none of which found its way into the treasury of either the council or the local.

It is assumed that other hearings will be held, and it is hoped that the statutory provisions designed to prevent extortion will be more adequately enforced by Federal authorities.

In my judgment, had the committee not destroyed the authority of the chairman to appoint special subcommittees of the Committee on Government Operations, it would have been unnecessary to have created a special subcommittee to investigate the alleged misuse of health and welfare funds or to appropriate $75,000 for those investigations. That job would now have been well on its way to completion.

Moreover, had the subcommittee previously appointed by the chairman been permitted to follow its original program, sufficient testimony would have already been taken to justify demands for a prompt and efficient enforcement of Federal legislation. Any need for additional legislation would also have been disclosed.

To date, the work of the committee has been greatly hindered—in fact, except as to routine work of the regular subcommittees and of the special Anti-racketeering Subcommittee, has been successfully blocked.

Every well-informed Member of the House must realize that corruption is still in some departments all too prevalent.

In my humble opinion, and with all due respect to the opinions of my colleagues, the action taken by the committee was based not only on a lack of information as to the situation then existing, but as to the objectives which it was desired to attain and the methods to be followed.

Notwithstanding the action taken by the committee, a determined, continuous effort has been made, and will be continued, to render a worthwhile service to my constituents and to the Congress, as well as to the country.

As of today, August 19, my efforts to carry out the request of some in this administration to continue the housecleaning in certain departments are being continued.

Early in July several individuals high in the administration called my attention to certain facts which indicate that certain executive employees had been involved in transactions which did not reflect credit upon the prior administration under which they served.

A very brief preliminary investigation indicated that it would be advisable to hold the hearings which had been suggested. However, I advised my informants that, due to the previous action of the committee in declaring that I should not appoint special subcommittees without approval of the full committee, it was not advisable—in fact, it would be impossible—for me to make a thorough investigation or hold hearings, unless the committee members could be induced to rescind their previous action. Democrats on the committee refused to help in this situation, though the former Speaker of the House [Mr. RAYBURN] said he, personally, had no objection to the adoption of House Resolution 709—see footnote 57.

The gentleman from Missouri [Mr. KARSTEN] said he thought I should have the authority, that he would vote in committee to give me what I asked—well knowing a quorum of the committee could not be obtained.

Republican members of the committee were advised of the situation and, while a majority individually expressed a willingness to grant me authority to appoint a special subcommittee and only one contacted, Mr. MEADER, refused, I never was able to obtain a quorum of the members of the committee at either a specially called committee meeting or at the regular scheduled committee meeting.

The House leadership finally expressed its willingness to action by the committee which would have granted authority to the committee chairman to appoint a special subcommittee to make the requested investigations, hold the desired hearings.

This information was also conveyed to the Republican members of the committee, but because of other duties a quorum did not attend the last regular meeting of the committee, and I was therefore left without authority to comply with the wishes of those who had called the situation to my attention.

As a last and a final effort, and to show that the responsibility for the failure to investigate the deplorable situation to which attention had been called does not rest upon me, I, on August 18, 1954, after carrying it in my pocket for several days, introduced an appropriate resolution in the House.[57] As just stated, the gentleman from Missouri [Mr. KARSTEN] refused to consent to the adoption of House Resolution 709. Any responsibility for the failure to make the requested investigations, to hold hearings thereon, rests not upon me, but upon the leadership of the House.

APPENDIX A. FISHER ARTICLE IN WASHINGTON TIMES-HERALD OF FEBRUARY 8, 1954

[From the Washington Times-Herald of February 8, 1954]

HOOVER TELLS CONGRESS OF SECURITY RISK

(By John Fisher)

Communists are now concentrating upon infiltration of national defense industries in the United States, J. Edgar Hoover, FBI director, reported to Congress in secret testimony released Sunday night.

He declared that Communist domination over trade unions operating in the maritime, mining, electrical, and communications fields "poses a major and dangerous threat to our national security."

Hoover's testimony was given last December 9 in closed session before a House appropriations subcommittee considering the Justice Department's appropriation request for the 1955 fiscal year, which totals $177,732,000, a reduction of $1,148,000, below the current year.

[55] See appendix S, resolution adopted June 10, 1954, as amended June 16, 1954.

[56] See appendix T, Res. 542, 83d Cong., 2d sess., adopted June 23, 1954.

[57] See appendix U, H. Res. 709, 83d Cong., 2d sess., introduced on August 18, 1954.

DATA "LOST"

The testimony released Saturday night also disclosed:

1. That an FBI report on Soviet espionage sent to the Attorney General's office in 1945, became lost and didn't reach the internal security section of the Criminal Division until last September.

Similarly, FBI reports on Harry Dexter White, last Government official accused of spying, and the operation of Soviet espionage rings in this country were mislaid or lost. Warren Olney, Assistant Attorney General, testified that a recent housecleaning turned up 20,000 items of lost investigative reports, files and letters. Some unanswered letters dated back 15 years.

2. The Department is still considering a retrial of Judy Coplon, former Government girl, indicted on Soviet spy charges, but whose conviction was thrown out on charges illegal evidence was used against her.

CRIME COST HIGH

3. Crime cost the Nation about $20 billion last year and probably set a new all-time high, with 1,047,290 major crimes committed in the first 6 months, or at the rate of one major crime every 14.9 seconds.

Concerning the Communist movement, Hoover testified they are concentrating upon underground activities, using all sorts of security measures to avoid detection, which makes surveillance by the FBI much more difficult. He said it now requires 9 or 10 FBI agents for proper surveillance where formerly 1 agent could do the job.

Last year, he said Communist Party propaganda and efforts were directed toward: peaceful objectives geared to settlement of the Korean war; recall of American troops from abroad; a five-power peace pact, including Communist China; and resumption of trade with Iron Curtain countries.

He said the party in this country is under domination and control of the Russian Communist party and advocates overthrow of the Government by force and violence. The largest membership of the party, Hoover said, is concentrated on the east and west coasts and in urban industrial centers.

Hoover said above-ground operations have been handicapped by the imprisonment or conviction of party leaders, but the underground or secret leadership has been assuming more and more authority to administer the entire party movement if necessary.

"Through the perfection of the underground apparatus, the party aims to preserve intact a hard core of militant Communists to carry out the aims and objectives of the international Communist movement under the forms of adversity," the head G-man asserted.

Hoover said 105 leaders of the Communist movement have been indicted as a result of FBI investigations, resulting in conviction of 61 who were sentenced to prison terms totaling 261 years and fines totaling $301,000.

SEEK LABOR CONTROL

He said a national party conference last August reaffirmed the premise that control of labor unions is of primary importance in development of the Communist revolution in the United States.

Hoover said the Communists picked the automobile industry as a particular target because of its vital role in defense production.

"In New York, the party has set a goal for 65 percent of its membership to become employed in the basic industries of the country," Hoover continued. "Instructions were issued for the reorganization of the Communist Party in Los Angeles recently to organize on an industrial basis and party members were requested to secure work in the basic industries in that area, thus showing the trend of placing as many members as they can in the key industries of the country—the basic industries which if disrupted would materially affect our national defense."

TRADE UNION BASES

"Currently, some trade unions operating in the maritime, mining, electrical and communications fields are chief strongholds of the Communist Party. The Communist Party still maintains its strongest bases in those unions, which were expelled from the CIO during 1949 and 1950.

"All of this poses a major and dangerous threat to our national security, because it involves these various unions that were expelled by the CIO. One of those unions represents a large portion of all employees in the electrical industry of the United States. Another union that was expelled exercises life and death control over our Pacific coast commerce; another union has members employed in the production of copper and zinc which are essential to the national defense efforts."

Concerning the crime wave in this country, Hoover said "it exists on a scale so enormous that it is difficult to grasp it." He said there were 6,470 murders and 54,000 other violent assaults by rapists or potential killers during the first 6 months of 1953. He said the $20 billion annual cost is a reasonable estimate and represents a cost of $495 for each family in the United States; or for every $1 donated to churches, $10 goes to crime; and for every dollar spent on education, $1.82 goes to crime.

Attorney General Brownell testified that of 1,456 security risks discharged from the Government, 8 including 1 former Communist, were in the Justice Department. President Eisenhower has since released a later figure of more than 2,200 security risks fired since the administration took office.

RESULTS "AMAZING"

Assistant Attorney General Olney testified that sometime ago the criminal division became concerned about lost and mislaid files and correspondence so a housecleaning was instituted.

"The results of that housecleaning were amazing," he said. "Twenty thousand items turned up in the course of it—letters, files, investigative reports, everything. None, or at least most, of the material had ever been to the Department's Record Branch for recording."

Many unanswered letters were found, some of them dating back 15 years.

"Among other things found was the FBI report on Soviet espionage. This report on Soviet espionage that was prepared by the FBI, a copy of which was sent to the Attorney General's office in 1945, had never been seen by Mr. Foley and the Internal Security Section until September of 1953. (Foley is Chief of the Section.) That report may have been received in 1945, but it was not found until we had this housecleaning. We still do not know where it came from. It was somewhere in this mess of papers.

"It was the same way with the special report on Harry Dexter White. That also, was never seen and never reviewed by the Internal Security Section.

"We found that the FBI had made this very extensive investigation of these espionage rings and yet the individual cases of the people who were in those rings have never, to this day, been evaluated by the Internal Security Section. The reason it was not was because they did not know about it.

"In the FBI file on the principal investigation of the ring there are handwritten notes all through it, so that someone did go through it. Someone did read and did make notes, but there is no evaluation of it. * * * The result is that we are now, of course, going back and reviewing the individual cases of every one of these people who were mentioned there."

Olney said the Coplon case is in "a state of suspended animation" but "is a case I live in hopes of being able to retry." He said it is sufficient legal usable evidence to be presented in court.

APPENDIX B. LABOR RACKETEERING EXCERPTS TAKEN FROM NEWSPAPER EDITORIALS

LABOR RACKETEERING

The following are excerpts taken from editorials of the various newspapers throughout the country, which reflect a demand for the continuation of the racketeering investigation by the chairman of the House Committee on Government Operations:

[From the Detroit News of December 1, 1953]

THE TASKS BEFORE US

Racketeering is another name for the mess that figured more decisively than any other issue in the voters rejection of the Democratic Party last year * * * wherever the use of terror offers a way to easy money, the underworld can be expected to move in.

[From the Chicago Daily Tribune of November 27, 1953]

LOOSE MONEY

RE COMMISSIONS

Inasmuch as someone is going to be paid, it occurs easily to a labor skate anxious for a fast buck that it might as well be he, or someone he designates. * * * This loose money is the biggest bonanza that has appeared in the history of the labor movement. It deserves congressional attention.

[From the Detroit News of June 13, 1953]

CASE FOR A ONE-MAN JURY

One day of hearings by Representative HOFFMAN'S congressional subcommittee sufficed to expose conditions of criminality in the jukebox and coin-machine trade that shame local law-enforcement agencies. * * * It will take a one-man grand jury to deal with the jukebox racket, whose threat to the peace of the community the congressional inquiry has left clear for all to see. * * * The shame to which the congressional committee has exposed local law enforcement is the shame, rather, of a failure to recognize the limitations of the most diligent police work.

[From the Detroit Free Press of September 4, 1953]

JUKE JURY INDICTS SEVEN

The grand-jury investigation was called following revelations regarding the racket-ridden industry at a congressional committee hearing conducted here by Representative HOFFMAN.

[From the Detroit Free Press of December 1, 1953]

BY ALL MEANS A GRAND JURY

Editorial demanded a Federal grand-jury investigation as a result of the testimony and disclosures made to the congressional subcommittee.

[From the Detroit News of November 4, 1953]

THE WORKERS BETRAYED

What Detroit is hearing today about widespread extortion, bribetaking, and other forms of racketeeing by officials in the teamsters union is hardly a new story. * * *

Its leaders continue the same outrageously illegal activities and the sellout of the legitimate collective interests of the rank and file. * * *

If in times past the average worker belonging to the teamsters union was able to deceive himself that the racketeering of the bosses was just a little extracurricular activity, done for pocket money and implying no betrayal of his personal interests, he is

no longer in position to hug that illusion * * * when the bosses accept bribe money to keep a truck fleet operating or to deal workers out of their holiday pay, they pick the pockets of their own following and deprive them of their right to negotiate for a higher wage.

[From the Detroit News of December 29, 1953]

BARING TOLERATED CORRUPTION

Representative HOFFMAN has announced that with the return of Congress in January he will seek authority to extend an investigation of labor-union racketeering into every State and city appearing in need of the treatment. * * *

These inquiries have resulted to date in 2 grand juries, in Detroit and Kansas City, and in 17 indictments of union officials for extortion, embezzlement, and illegal gift taking. * * * Evidently there are those, other than the persons indicted, to whom the inquiry is embarrassing.

There is much speculation about the source of alleged pressure. It is probable the motives are in fact several and of varying degrees of respectability. * * * However, one obvious motive for pressure would be nothing more complicated than the reluctance of Federal, State, and local law enforcement agencies to be shown up as ineffectual or, at any rate, inactive in this connection. It does look odd that a congressional committee can tour about the country uncovering the existence of crime seemingly unsuspected by those whose business is to deal with it.

There may even be a respectable motive for questioning the desirability of Congress, thus assuming, in effect, the role of prosecutor. * * * As long as that role is not being fulfilled (enforcement by city, State, Federal agencies), the reasons why in themselves, form a sufficient justification for congressional concern with the subject * * * the proposed broadness of his investigation will be welcomed by all who have worried over the spread of lawlessness in the operations of some labor unions.

[From the Detroit Free Press of September 5, 1953]

JUKE RACKET

Seven men have been indicted by Circuit Judge Miles N. Culehan, one-man labor-rackets grand juror, on charges of extortion and using the "muscle" in jukebox activities in the Detroit area * * * racketeering has been going on for too many years in the Detroit jukebox industry, with the knowledge, at least, of Wayne County and Detroit law enforcement authorities.* * * Back in February of 1951 the Senate Crime Investigating Committee (KEFAUVER) questioned some of the men now indicted by Judge Culehan, about Detroit jukebox racketeering and its connection with the national "syndicate." Local authorities didn't do their duty. * * * Nothing was done.

Then, Representative CLARE HOFFMAN, Republican of Michigan, came here last June as a cochairman of a congressional committee to investigate the jukebox racket. * * * Judge Culehan, in less than 2 months, and with an expenditure of less than $4,000, which is unusually small for a grand jury investigation, has been able to unearth enough evidence to indict leaders in the jukebox union, affiliated with the local teamsters union.

[From the Kansas City Times of June 27, 1953]

CONGRESS MOVES IN

Now the national implications of the Kansas City construction crisis are recognized by House investigation. * * * This includes the national concern over the closed defense construction and wider implications, as well as any violations of Federal laws. The findings could be used as the basis for amending or writing laws. * * * The joint committee * * * has no enforcement powers and needs none. Most important, it has the means of getting the facts and of presenting the facts forcefully to the public. Public opinion is the powerful force that no organization, or leader of high station, can afford to ignore. Such congressional interest is not hard to understand. In Greater Kansas City alone, some $35 million of defense construction is shut down, and a large part of it is urgent construction. Standing out among all the lesser factors is a reckless drive for power by the construction teamsters. * * * The international is pushing hard to expand its power. What has happened in Kansas City, Detroit, or St. Louis, can happen in any American city. Local defense construction has gone through a long period of harrassment with quick trigger shutdowns, arrogant roving stewards, impossible demands, and all the way, jurisdictional pressure against other unions. If such a campaign could succeed on the Kansas City battleground, Congress would have to expect the same attacks in other centers of defense construction.

[From the Kansas City Times of June 29, 1953]

ONE STEP FOR LABOR PEACE

Today Greater Kansas City and Congress should begin to get a fuller picture of the forces at work in this city. * * * The general tactics and reckless goals of the Teamsters' O. L. Ring are apparent. * * * The spotlight attracted by a congressional investigation is formidable encouragement to witnesses.

Many persons have seen reason to hope that the congressional investigation would bring the local—and possibly the national—situation to a head. * * * The hearing is the important next step. At the very minimum it should focus national attention on the consequences of overreaching union leadership. * * * The congressional hearing should encourage the local union leaders who want to put an end to this disastrous internal strife. If there is evidence of major law violation, the hearings should lay the groundwork for a grand-jury investigation.

Still essential is the specific plan to put the men back on the construction jobs. To mean anything, it will have to be a plan that will end the quick-trigger strike intimidation, for one-union power. For the first responsibility is on the leadership of the thousands who are paying the price of the strike.

[From the Kansas City Times of July 2, 1953]

GRIM STORY TO THE PUBLIC

The wretched story is unfolding before the eyes of television viewers throughout this area. Such a closeup contact with witnesses from both union leaders and business gives a special force to the ominous purpose and methods that have produced this virtually total shutdown of the Greater Kansas City construction. * * * From J. O. Mack, president of the carpenters district council, and others, the public has received a direct report on Ring's drive for power over other unions by "strong-arm" methods.

From many witnesses the public has been told of reckless actions by arrogant representatives of the teamsters and allies—roving stewards forced on the contractors at fantastic "wages," union control of construction, and featherbedding. * * * The cost to the public is increases ranging up to 15 percent in the amount of the contractors' bids. * * *

A ruthless campaign has been directed against both employers and other unions for the same apparent purpose—complete domination. Greater Kansas City is left with a shutdown that undermines its economy. * * *

Ruthless goals don't thrive in a spotlight such as has been attracted to the congressional investigation. The public, including the thousands of men off the jobs, is getting the story with all the force of direct contact. Congress is putting together a vast story of aggression that reaches into other cities. The forces of law enforcement are finally starting and so, we suspect, are the top officials at the Pentagon. They are responsible for military construction.

[From the Kansas City Times of July 1, 1953]

STRIKE PERIL FOR THE NATION

Established at the beginning of this Kansas City congressional hearing is a ruthless stab at national defense. Most urgent construction, both at the Sunflower Ordnance Works and the Lake City Arsenal, already has been set back by approximately a half year. * * *

At the very least, this is a case of total irresponsibility and complete disregard for the national interests. * * * With support of our fighting men at stake, so far no agency of the Federal Government has attempted to cope with it. Government has appeared helpless to protect itself and its Armed Forces against a stab at home. But, through many emergencies, there has always been a point at which the Government has risen to assert itself. In this case the turning may be the present congressional hearings. * * *

For the moment, Kansas City appears to be the battleground of a nationwide war for power, in which the teamsters with their allies are driving hard against the other AFL construction unions. Unless the campaign of intimidation and strikes can be stopped here, Congress can expect other battles to demoralize defense construction in other cities.

We believe that members of the two congressional committees know this Kansas City battle for part of an internal labor war that challenges the United States at home.

[From the Kansas City Times of July 16, 1953]

GRAND JURY ON THE JOB

The local answer to violence and intimidation has been delivered by Judge Ben Terte. * * *

It is assumed that in the near future a Federal grand jury will dig into any and all evidence of Federal law violations.

Through the hearings of congressional committees, Kansas City received a frightening picture. It suggested a breakdown of lawing relations among construction unions, and between unions and employers. Such a situation, involving both Federal and State laws, calls for powerful action on both fronts.

[From the Kansas City Star of July 21, 1953]

BACK TO WORK

This day that ends Greater Kansas City's worst construction strike should be the beginning of a new era of peace for the long harassed industry. * * * There should have been a better way to settle the deep-grown issues, but nobody found it. The issues were a bewildering complex—union against union, unions against contractors, challenges against the Government itself.

The chaos caused a general stirring in Congress, in the courts, and in the high levels of the AFL. The AFL meeting laid the groundwork for a settlement and started the movement to restore the Building and Construction Trades Council which should be an executive body in the future.

[From the Herald Press (St. Joseph, Mich.) of December 1, 1953]

KEEP THE PROBE ALIVE

The Hoffman subcommittee investigations into the AFL Teamsters tangled affairs in Detroit is dredging up any amount of interesting facts.

Our own guess is that the administration, with an eye cocked to the 1954 and 1956 elections is turning handsprings to placate certain segments of the AFL who have never been particularly friendly to the Democrats, but who might be outraged beyond endurance once the truth is known about the racket-ridden aspects of many an AFL affiliate.

The administration is falling into the same trap that the Democrats did in covering up the Commie infiltration into the New Deal and Fair Deal.

The GOP won the election last year partly on the promise to clean out communism, racketeering, and other barnacles, wherever found and to whomever attached. This is scarcely the time to backtrack on that promise.

[From the Detroit Free Press of June 13, 1953]

WHO'S TO BLAME

Detroit has gone along in recent years with the secure feeling that the city has been relatively free from bigtime rackets. * * * The testimony elicited under subpena by the committee headed by Representative CLARE HOFFMAN suggests that there has been going on here an organized racket, who had hoodlumism and terrorism surpassing anything uncovered by the Ferguson-O'Hara grand jury of more than a decade ago. * * * Most law-abiding people will ask why it was necessary for a committee from Congress to look into this situation? Where have the local law-enforcement authorities been all this time? We think the people of the community are entitled to a straightforward answer to that question from their public officials. * * * Individual operators of rival coin-machine businesses and proprietors of public places have told frightening stories of extortion and threats which are reminiscent of the worst type of prohibition era gang operations. * * * Witnesses testified that they sought action from police and the prosecutor and failed to get it. The argument that it was impossible to get evidence, the one usually fallen back on by the prosecutor, is hardly valid. Representative HOFFMAN seems to be getting it.

APPENDIX C–1. COPY OF ORDER APPOINTING SUBCOMMITTEE OF COMMITTEE ON GOVERNMENT OPERATIONS (JUNE 4, 1953)

JUNE 4, 1953.

ESTABLISHMENT OF SPECIAL SUBCOMMITTEE

Pursuant to the resolution of January 26, 1953, of the Committee on Government Operations, the following special subcommittee is hereby established and appointed to continue until terminated by the chairman of the committee or by the committee:

SPECIAL SUBCOMMITTEE TO INVESTIGATE FEDERAL-STATE COOPERATION IN ENFORCEMENT OF ANTIRACKETEERING LAWS AND THE LABOR MANAGEMENT RELATIONS ACT, 1947, AND OTHER FEDERAL LABOR LEGISLATION

Because of certain charges of the violation at Detroit, Mich., and other places of the antiracketeering law, as amended by the Hobbs amendment, a special subcommittee of three is appointed to investigate Federal-State cooperation in the suppression of racketeering, to evaluate the effectiveness of the administration and enforcement of statutes to suppress racketeering, to inquire into matters within the jurisdiction of the committee, and to report to the Committee on Government Operations.

Because of certain charges of the violation at Benton Harbor, Mich., and other places of the Labor Management Relations Act, 1947, and other Federal labor legislation, and of the improper administration of such legislation, the special subcommittee of three is authorized to investigate the administration and enforcement of the said legislation, to inquire into matters within the jurisdiction of the committee, and to report to the Committee on Government Operations.

For the purpose of performing its duties the Special Subcommittee To Investigate Federal-State Cooperation in Enforcement of Antiracketeering Laws and the Labor Management Relations Act, 1947, and other Federal labor legislation is authorized to sit, hold hearings, and act at Washington, D. C., at Detroit, Mich., and at such other place or places within the continental limits of the United States and at such times, whether or not the House is in session, is in recess, or has adjourned, to require by subpena or otherwise the attendance of such witnesses and the production of such papers, documents, and books, and to take such testimony as it deems necessary.

On the special subcommittee above established the chairman of the full committee will serve as chairman; Mr. BENDER will serve as the other majority member, and Mr. CONDON, nominated by the minority leadership, who is hereby appointed, will serve as the third member.

In the event that any member of the special subcommittee is unable or declines to serve, the chairman of the special subcommittee will name a substitute, who shall have the same authority as would the member originally named.

CLARE E. HOFFMAN,
Chairman.

APPENDIX C–2. COPY OF ORDER APPOINTING SUBCOMMITTEE OF THE COMMITTEE ON EDUCATION AND LABOR (JUNE 6, 1953)

(NOTE.—Appointed at request of CLARE E. HOFFMAN.)

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
Washington 25, D. C., June 6, 1953.

Hon. WINT SMITH,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN SMITH: By virtue of the authority vested in me as chairman of the Committee on Education and Labor of the House of Representatives, and, pursuant to House Resolution 115, of the 83d Congress, 1st session, I hereby appoint you as chairman of a special subcommittee of the Committee on Education and Labor to investigate alleged violations in and around Benton Harbor and Detroit, Mich., of the Labor-Management Relations Act of 1947, and other Federal labor legislation coming within the purview of the Committee on Education and Labor, and allegations as to the improper administration and enforcement of such legislation.

I have also appointed Representative CLARE E. HOFFMAN of Michigan and Representative PHIL M. LANDRUM of Georgia to serve with you on this subcommittee.

The subcommittee is hereby authorized and directed to conduct a thorough study and investigation of the aforementioned allegations and any matter or subject coming within the jurisdiction of the Committee on Education and Labor under rule XI, 6, of the Rules of the House of Representatives, 83d Congress, which is covered by these allegations.

You are further directed to hold such public or executive sessions at St. Joseph, Mich., and Detroit, Mich., as you may deem advisable.

Sincerely yours,

SAMUEL K. MCCONNELL, Jr.,
Chairman, Committee on Education and Labor.

APPENDIX D. LIST OF LABOR HEARINGS HELD BY CLARE E. HOFFMAN DURING THE 80TH CONGRESS

(a) As chairman of special subcommittee of House Committee on Education and Labor:

October 15, 16, 1947: Clinton, Mich. (strike at Clinton Machine Co.).

October 20, 21, 22, 1947, St. Joseph, Mich. (Remington-Rand, of Benton Harbor).

October 23, 24, 1947: Dowagiac, Mich. (Heddon Bait Co.).

October 28, 29, 1947: Michigan City, Ind. (Joy Manufacturing Co.).

October 30, 31, 1947: Galion, Ohio (North Electric Manufacturing Co.), and at Washington, D. C., November 14, 19.

January 20, 26, 28, February 2, 3, 10, 11, 28, March 6, 8, 9, 1948: Government Services, Inc., at Washington, D. C.

July 30, 1948: South Haven, Mich. (National Motor Castings Co.).

August 2, 3, 11, 1948: Dayton, Ohio (Univis Lens Co.), and at Washington, D. C., August 5 and 6.

August 26, 1948: Jackson, Mich. (Aeroquip strike).

August 27, 1948: Grand Rapids, Mich. (Aeroquip strike).

December 4, 6, 17, 1948: Kalamazoo (Shakespeare Co. and Shakespeare Products Co.), and at Washington, D. C., on December 22.

(b) As chairman of a subcommittee of the House Committee on Expenditures in the Executive Departments:

February 14, March 6, 10, 19, 20, 1947: Washington, D. C. (effectiveness of Hobbs amendment in suppressing racketeering).

March 13, 14, 1947: Philadelphia, Pa. (effectiveness of Hobbs amendment in suppressing racketeering).

May 20, 21, 1948: Chicago, Ill. (strikes in meat-packing industry in 20 States).

APPENDIX E. RULES ADOPTED BY COMMITTEE ON GOVERNMENT OPERATIONS ON JANUARY 26 AND FEBRUARY 18, 1953

RULES

Rule 1: (a) The rules of the House, insofar as they are applicable shall govern the committee and its subcommittees.

(b) The rules of the committee shall be the rules of the subcommittees.

Rule 2: The regular meetings of the committee shall be held on the first and third Wednesday of each month at 10 a. m., at room No. 1501, New House Office Building, at such other times as the chairman may appoint, and on the written request of a quorum of the committee. Subcommittee meetings shall not be held when the full committee is meeting.

Rule 3: A majority of the committee shall constitute a quorum; provided, however, that special subcommittees consisting of two or more members—at least one of whom shall be a member of the minority—may be appointed by the chairman, and, in such case, one member of the special subcommittee shall be a quorum for the purpose of taking sworn testimony only, provided that the other member or members of the special subcommittee shall have received reasonable notice thereof. Four members of a regular subcommittee shall constitute a quorum.

Rule 4: A member may vote by proxy on any issue he may specify providing his proxy is in writing, dated, and signed, but a proxy may not be used for the purpose of creating a quorum.

Rule 5: The chairman and the ranking minority member of the committee shall be ex officio members of the regular subcommittees but not of special subcommittees unless appointed to such subcommittee, and shall have the right to vote on all matters pending before the regular subcommittee. Any member of the committee shall have the privilege of sitting with any regular sub-

committee during its hearings or deliberations and may participate in them but shall not have authority to vote on any matter before the subcommittee.

Rule 6: Questions as to the order of business, the procedure of the committee, or subcommittee, shall, in the first instance, be decided by the chairman, subject always to an appeal to the committee or subcommittee.

INVESTIGATIONS

Rule 7: Investigations, insofar as possible, should always be made by experienced individuals of sound judgment and with the single thought of obtaining the facts without in any way infringing upon the rights of the citizen.

Rule 8: No major investigation by a subcommittee shall be initiated without approval of a majority of the subcommittee.

HEARINGS

Rule 9: For the purpose of performing its duties, the committee, or any subcommittee thereof when authorized by the committee, is authorized to sit, hold hearings, and act at such times and places within the United States, whether or not the House is in session, is in recess, or has adjourned, to require by subpena or otherwise the attendance of such witnesses and the production of such papers, documents, and books, and to take such testimony as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or of any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

Rule 10: Attendance at executive sessions shall be limited to members of the committee or subcommittee and of the staff and such other persons whose presence is requested or consented to by the committee or subcommittee.

Rule 11: All hearings conducted by the committee or any subcommittee shall be open to the public, except executive sessions for marking up bills or where the committee or subcommittee by a majority vote orders an executive session.

Rule 12: No one other than a member of the committee or subcommittee as designated by the chairman or subcommittee chairmen shall hold hearings.

Rule 13: Hearings—the taking of testimony—are to be conducted in an orderly, dignified manner, the committee keeping in mind the power of the Congress, the authority of the committee, the attainment of the objective sought, and the rights and privileges of the witness.

WITNESSES

Rule 14: All witnesses at public or executive hearings shall be sworn or shall affirm.

Rule 15: So far as is practicable, all witnesses appearing before the committee or subcommittee shall file advance written statements of their proposed testimony and their oral testimony shall be limited to brief summaries of their argument. The staff shall prepare and furnish to the chairman of the committee (or subcommittee) before each day's hearings, so far as is practicable, a short summary of the statement and of what is expected to be developed by the testimony of each witness.

Rule 16: Any witness summoned at a public hearing, unless the committee or subcommittee by a majority vote determines otherwise, may be accompanied by counsel who shall be permitted to advise the witness as to his rights. Counsel shall not testify or make any statement without consent of a majority of the committee or subcommittee present.

Rule 17: Members, as called upon by the chairman, may, by clear, brief, and relevant questions, interrogate the witnesses, consuming—in the first instance—not more than 5 minutes. After each member has used or waived the 5 minutes allocated to him, other members may then continue their interrogation under the direction of the chairman.

Rule 18: An accurate stenographic record shall be kept of all testimony. Any witness, by paying therefor, may have a stenographic transcript of his testimony given at public hearings. The witness will be permitted, in the presence of a member of the committee staff, at the office of the committee, to examine the transcript of his own testimony given at executive hearings, at such time as may be specified by the chairman.

Rule 19: Evidence received in executive hearings shall not be released or included in any report without the approval of a majority of the committee.

REPORTS

Rule 20: No committee or subcommittee report shall be made without the approval of a majority of the committee or subcommittee; provided, however, that any member of the committee or subcommittee may make a report supplementary to or dissenting from the majority report.

Rule 21: No summary of a committee report, prediction of the contents of such report, or statement of conclusions concerning any investigation should be made by a member of the committee or of the staff prior to the issuance of the report of the committee.

Rule 22: No member of the staff shall publish or release any report or statement alleging misconduct by any person in any matter under investigation by the subcommittee.

Rule 23: No member of the staff shall, for compensation, publish any article or deliver any speech or lecture concerning the committee or its activities while such person is a member of the staff.

Rule 24: Inasmuch as the chairman of the full committee is required to approve and sign the vouchers for expenses, not only those incurred by the full committee and its professional and clerical staff but by the subcommittee employees and professional staff, and to coordinate the activities of the committee and its subcommittees, the chairmen of all subcommittees shall, before undertaking investigations or holding hearings, outline the purpose and scope of the proposed activity and furnish to the chairman an estimate of the expenses to be incurred.

Before employing personnel, the chairmen of the subcommittees shall obtain the approval of the chairman of the employment and terms thereof.

When submitting vouchers for the approval of the chairman, subcommittee chairmen shall certify that the disbursements were necessary and reasonable in amount; that the items for which charges are made have been received; that the services for which payment is sought have been rendered.

Rule 25: All subcommittee requests for printing shall be filed with the clerk of the committee and copies of hearings and reports of every nature shall, except as otherwise requested by the chairman, be delivered to the committee.

Rule 26: Inasmuch as the Legislative Reorganization Act of 1946, section 140 (a), requires the clerk of the House to collect all committee records, each subcommittee shall file with the clerk of the committee at the close of each Congress, all of its records with an index in triplicate of all material filed.

APPENDIX F. EXTENSION OF REMARKS OF CLARE E. HOFFMAN IN CONGRESSIONAL RECORD, JULY 7, 1952, VOLUME 98, PART 11, PAGES A4853 TO A4857

AN ATTEMPT TO SUBSTITUTE THE JUDGMENT OF A CONGRESSIONAL COMMITTEE FOR A JUDICIAL DECISION

(Extension of remarks of CLARE E. HOFFMAN, of Michigan, in the House of Representatives Monday, July 7, 1952)

Mr. HOFFMAN of Michigan. Mr. Speaker, neither the subcommittee of the House Committee on Expenditures in the Executive Departments—now the Committee on Government Operations—nor the full committee, though extensive hearings were held by the Holifield subcommittee, were able to agree upon a report. Nor was any report authorized to be printed in the RECORD.

The Expenditures Committee declined to adopt a report which would have had the effect of substituting its judgment for that of the United States courts on matters in litigation in the California savings and loan controversy. In view of the mutual respect which should exist between Congress and the courts, this was the only proper action the committee could take.

Individual Members of the House, and especially members of the committee, were at liberty, however, to place their views in the RECORD.

Inasmuch as my colleague from California [Mr. HOLIFIELD] exercised that right and privilege by expressing his views in the CONGRESSIONAL RECORD, it seems appropriate that the following statement be made:

STATEMENTS OF FACT

The Long Beach Federal Savings & Loan Association, of Long Beach, Calif., was and is a corporation organized and existing under and by virtue of the terms and provisions of the Home Owners' Loan Act of 1933, as amended—United States Code, section 1461, et sec.—and functions as a mutual thrift association in the city of Long Beach, Calif. It is hereinafter referred to as Long Beach Federal.

The Federal Home Loan Bank of Los Angeles, hereinafter referred to as Los Angeles bank, was a body corporate—later dissolved by order of the Commissioner with the prior approval of the President—a Federal Home Loan bank established by the Federal Home Loan Bank Board under authority and within the meaning of chapter 11 of title 12 of the United States Code.

The Federal Home Loan Bank Act—Public Law 304, 72d Congress—provided for a board of five members, known as the Federal Home Loan Bank Board, but Executive Order No. 9070, issued by the President on February 24, 1942, pursuant to the First War Powers Act, abolished the Board and designated the then Chairman, the late John H. Fahey, as Commissioner and sole administrator of the Federal Home Loan Bank Administration.

Mr. Fahey, acting as Commissioner, on March 29, 1946, ordered—order No. 5082—that the Federal Home Loan Bank of Los Angeles should be liquidated and reorganized, and its assets turned over to the Federal Home Loan Bank of Portland, which was ordered to assume its liabilities.

On May 20, 1946, by order No. 5254, which the Government contends is unrelated to order No. 5082, Mr. Fahey, acting as Commissioner, appointed Mr. Ammann, who was assistant chief supervisor of Federal-and-State-chartered insured institutions, conservator of Long Beach association.

SMITH COMMITTEE INVESTIGATION

The Los Angeles bank, the Long Beach association, and various members and stockholders of both, complained of the actions of the Commissioner in dissolving the Los Angeles bank and appointing a conservator for the Long Beach association, to a Select Committee of the House To Investigate Executive Agencies Acting Beyond the Scope of Their Authority. That committee was created by House Resolution 88 of the 79th Congress, 1st session.

Among other things, the complainants alleged that the Commissioner was biased, acted arbitrarily, and without authority.

Hearings were held beginning on the 12th day of June 1946, continuing on the 13th and ending on the 14th of June 1946, and covering 273 pages of printed testimony.

Mr. Hyman Fischbach was counsel for the committee, made the investigations, and conducted the hearings.

The committee filed a report, being the 10th intermediate report of the Select Committee To Investigate Executive Agencies Acting Beyond the Scope of Their Authority, House Report No. 2659, 79th Congress, 2d session.

That committee recommended:

"RECOMMENDATIONS

"The recommendations of your committee are—

"(1) That the Commissioner revoke the order reducing the number of districts from 12 to 11 in the Federal Home Loan Bank System.

"(2) That the Commissioner take all necessary steps to reestablish a Federal Home Loan Bank of Los Angeles and a Federal Home Loan Bank of Portland, and revoke the order or orders by which the assets of these two district banks were intermingled.

"(3) Should the Commissioner, in the light of the evidence adduced before your committee, still adhere to the opinion that the number of districts should be reduced from 12 to 11, and is still of the opinion that he has the legal authority to reduce the number of districts, he should proceed to give due notice of such intention to all of the associations in the area affected, hold hearings, and give due weight to the recommendations of the officials of the banks involved and to the views of the associations which are members of the regional banks affected, and should likewise take into consideration the views of the industry generally. Any sudden and unheralded action, such as that taken in the case of the Los Angeles bank, is certain to have an unfavorable effect on the confidence of the public in the institutions involved.

"(4) That the Commissioner revoke the order appointing a conservator for the Federal Savings and Loan Association of Long Beach and restore the assets and affairs of the association to its duly elected management, and render a proper accounting for the same, as expeditiously as is consistent with judicial determination of the questions at issue. Your committee questions whether the law ever contemplated that the Board should have the extraordinary power to seize and appoint a conservator for a solvent institution as a part of the supervisory functions entrusted to the Board over member banks.

"(5) That the appropriate committees of Congress give consideration to the necessity (if, in the opinion of such committees, the necessity exists) of amending the Federal Home Loan Act in the following particulars:

"(a) Clarifying the authority of the Board in the matter of approval of elective officers of the regional banks to the end that neither the Board nor other officials may exercise such authority arbitrarily.

"(b) Clarifying the authority of the Board or the Administrator to increase or decrease the number of regional banks, and specifying the condition and procedure under which such changes may be made.

"(c) Prohibiting the agency from appointing conservators for any member association, except under specific and well-defined limitations.

"(6) It developed in the hearings that the order relating to the appointment of a conservator for the Federal Savings and Loan Association of Long Beach had not been filed with the Federal Register, as required by law. The Division of the Federal Register advised your committee that only on three occasions has the Federal Home Loan Bank Administration complied with the requirement that its orders be filed with the Federal Register. Your committee further recommends that the Administrator comply with the law in this respect in the future."

The Commissioner, Mr. Fahey, did not comply with any of the recommendations; nor did the Congress enact legislation to correct the alleged abuses of which complaint was made, except that Reorganization Plan No. 3 of 1947 established a three-man Home Loan Bank Board.[1]

The United States Court of Appeals in the Mallonee case—*Home Loan Bank Board et al.* v. *Mallonee et al.* (C. A. 9, 196 F. 2d (adv. sh.) 336, at 390)—said:

"And it is to be noted that despite the recommendations of a congressional committee in a report made on July 25, 1946, Congress has not seen fit to amend that statute so as to curtail the supervisory powers of the Board."

If the House did not deem it wise to fully implement that report by legislation, there would seem to be no sufficient reason for the assumption of jurisdiction by the present committee as a controversy is now pending in the courts.

THE LITIGATION

On May 27, 1946, the Long Beach Association and, shortly thereafter, others interested, brought court action against Fahey, individually and as Chairman—Commissioner—of the Federal Home Loan Bank Board; and Ammann, individually and as conservator, challenging the legality of the actions hereinbefore referred to.

These actions reached the Supreme Court in *Fahey* v. *Mallonee* (332 U. S. 245). That Court upheld the constitutionality of the laws under which the Commissioner acted and the validity of his regulations.

Later, the pleadings were amended, other parties joined, and an award of damages—$36,465,000—sought, relief being predicated upon the charge that Home Loan Bank Board, Fahey, Ammann, and more than a hundred private individuals joined in a conspiracy to by fraud and illegal action injure the plaintiffs.

These actions were later consolidated and the issues raised, as well as the issue as to the reestablishment of the Los Angeles bank brought before the United States Court of Appeals for the Ninth Circuit.

The decision of the Supreme Court was subsequently construed by the United States Court of Appeals for the Ninth Circuit on April 2, 1952, in an opinion written in the case of *Home Loan Bank Board et al.* v. *Malonee et al.* (C. A. 9, 196 F. 2d (Adv. Sh.) 336). That court commented at page 355 upon it as follows:

"The length of the Fahey-Mallonee decision forbids setting out the full text but its importance justifies a summary of the decision. The Supreme Court said: (1) Section 5 (d) of the Home Owners' Loan Act of 1933, as amended, was constitutional; (2) that the removal of the conservator of association by the three-judge court, supra, was improper and that its drastic decree could stand only if 5 (d) was unconstitutional; (3) that institutions like associations are created, insured, and aided by the Federal Government; (4) that the provisions of the statute under attack were regulatory; (5) that the Board adopted rules and regulations governing appointment of conservators and they provide grounds upon which a conservator may be named, these being the usual and conventional grounds found in most State and Federal banking statutes, and these rules and regulations are sufficiently explicit to be adequate for proper administration and for judicial review if there should be proper occasion for it; (6) that the regulations provide for a hearing after the conservator takes possession and while this is a drastic procedure it is an almost invariable custom to exercise supervision in this summary manner, and it is not unconstitutional; (7) that in this case an administrative hearing was demanded by and accorded to association, and a specification of charges against its management was requested and furnished by the Board; (8) that the causes for the appointment of a conservator set forth by the Board were (the Court enumerates the serious charges laid against the management of association, p. 254 of opinion); (9) that plaintiffs nevertheless demanded and obtained an injunction to prevent the administrative hearing and they have therefore cut off the making of a record as to whether these charges are well founded."

The Supreme Court decision did not end the litigation. Comment by the Court in *Home Loan Bank Board* v. *Mallonee*, supra, decided last April, gives some idea of the magnitude of the parties and issues involved. That Court[2] said—page 368:

"The long record is a vivid portrayal of the melange of issues and parties finally and inevitably drawn within the expanding boundaries of the controversy as a result of failure to lay at rest in the very beginning the matter of the validity of the Ammann appointment. The vast array of parties and issues we here note came into this litigation after, and we think as a result of, the amendments to the pleadings of Mallonee and association which were authorized by the lower court on November 10, 1947. We refer to these amendments at a later point in this part of our opinion. This tremendous expansion of the litigation deserves more than a passing glance for it makes apparent the fact that the new flood of litigants arising out of this expansion of the area of controversy, injected into the litigation a host of serious and highly complicated problems of law and fact for the consideration of and adjudication by the lower court—in fact, the parties accent the very difficult task the court faced by reason of this fact. It finally appointed a master to handle some of the multifarious problems besetting the court and a controversy over liability for the master's fees is now on appeal in this court.

"To add to the complications, it appears from the brief of association that 10 associations (not parties to this appeal) brought suit in the United States District Court for the Northern District of California, to enjoin and prevent a settlement of the litigation. These associations (referred to as the northern 10) are similar in character to appellee association and are located in the San Francisco Bay area. Prosecution of this action was halted by a preliminary injunction issued by the lower court on the ground that all of the issues raised by the action were already pending in the lower court since all parties in the northern action were already parties in the instant consolidated actions. The position and the contentions of these litigants are not pertinent on this appeal.

"Facts revealed in the record and in comments in the briefs present a bewildering picture and one that adds prophetic emphasis to the June 1947 comment of the Supreme Court in *Fahey* v. *Mallonee*, supra, that 'there is more to this litigation than meets the eye on the pleadings.' The briefs indicate that the litigation finally brought

[1] The hearings show—pp. 163 and 198—that committee counsel, whose employment by the Smith committee ended some time in 1946 and who was subsequently employed at some date unknown to the writer to serve as counsel for the present subcommittee, received some $2,500 from interested Los Angeles Savings & Loan people, which he contends was paid to him for drafting a statement and to oppose Reorganization Plan No. 3.

[2] Since the opinion of the United States court of appeals covers the same subject matter as the investigation of the subcommittee, and represents a consideration of the entire record, that opinion is incorporated into these remarks by this reference. Needless to say, no member of the subcommittee has had the time necessary to read the tremendous record of this litigation, the printed portion of which alone fills 24 volumes.

within its orbit 15 proceedings in State and Federal trial and appellate courts and 2 congressional investigations. The printed part of the record in the instant appeal contains approximately 11,500 pages necessitating a separate index of 129 pages. The full record on this appeal contains nearly 20,000 pages (in addition to 5,000 pages of reporters' transcripts) and is a narrative of proceedings in which there were more than 50 interpleaders and more than 100 hearings which are asserted to have resulted in 10 final judgments. Thousands of parties were named defendants, including 8,000 'John Doe borrowers' from association; 100 'intermeddling Does'; 100 'John Doe receivers'; 100 'John Does' names as trustees under deeds of trust; hundreds of 'John Does' and 'Jane Does,' 'Roe and Doe' copartnerships; 'Black & Co.' corporations, 1 to 100 inclusive, and 'Red associations.' The amounts of the individual interpleaders have varied from as high as $6,300,000 in one proceeding, to clear the titles to approximately 4,000 homes of 8,000 local borrowers. These individual homeowners became involved in their efforts to clear the tangled titles to their individual homes and in this effort causing various amounts to be deposited into court as the balance due on home loans. Numerous other parties were specifically named as parties defendant including past and present officers and directors of the Federal Home Loan Bank of San Francisco; the Federal Savings & Loan Insurance Corp.; 10 savings and loan associations located in northern California; the 80 officers and directors of said associations; Land Title Insurance Co., a corporation which allegedly undertook to insure titles of borrowers during the period of the conservatorship."

THE PRESENT INVESTIGATION

Evidently, complaint of the failure of the Home Loan Bank Board to follow the recommendations of the Smith committee, as hereinbefore referred to, was made to the House Committee on Expenditures in the Executive Departments.

The record shows that a special subcommittee investigating the Home Loan Bank Board, composed of Hon. CHET HOLIFIELD, chairman, and Representatives LANHAM, HARDY, KARSTEN, LOVRE, and HOFFMAN was appointed.

The present hearings were held on 36 days. The first day's hearing was on October 27, 1950, in Los Angeles, Calif. On November 14, following, hearings were held in Long Beach, Calif.; then on November 28, 1950, and on subsequent days, down to and including August 10, 1951, in Washington, D. C.

Hearings were held on November 2, 1951, in Memphis, Tenn.; on November 6 and 7, 1951, and March 28, 1952, in Los Angeles, Calif.

The printed hearings cover 2,181 pages.

The investigation was made by Mr. Hyman Fischbach and his associates. At times, members of the committee were present. At other times, Mr. HOLIFIELD, the chairman, and Mr. Fischbach conducted the hearings.

The hearings in October and November 1950 in Los Angeles and Long Beach were secret. When the hearings moved to Washington, committee members received numerous representations from both sides of the Capitol, and from savings and loan associations throughout the United States, that, if such proceedings had to continue, they be open to the public. The first day's proceedings in Washington were also secret, but on November 29, 1950, the hearings were opened to the public.

The proceedings in California in October and November 1950 took place before the special subcommittee had been appointed. These proceedings were described, at a meeting of the subcommittee held in Washington on November 28, 1950, by Subcommittee Counsel Fischbach as follows:

"Mr. FISCHBACH. Mr. Chairman, before swearing the witness and before starting any proceedings this morning with respect to taking additional testimony, I would like to report to the subcommittee assembled here that during the course of the field investigation which was made under the auspices of the chairman of the subcommittee, it was necessary to take the testimony of various individuals. We proceeded in that respect on the 27th of October 1950, in the Federal Building in Los Angeles, and had before us Robert F. Rhoades, J. Arthur Younger, J. H. Hoffman, who were officials of the Citizens' Federal Savings & Loan Association of San Francisco, and had such proceedings by way of testimony and documentary evidence submitted as is indicated by the transcript prepared by Mack M. Racklin, an official court reported at Los Angeles.

"We also had occasion to proceed in the same manner at Long Beach, Calif., on November 14, 1950, and on that occasion the chairman presided at the taking of the testimony of the following witnesses: Charles E. Bradley, Harold L. Newendorp, Charles T. Smith, Thomas A. Gregory, Clair Van Horn, and Victor Roddick, and received the exhibits indicated by the transcript, which was prepared by Mr. Racklin, the official court reporter from Los Angeles, whose services we had had on the 27th of October.

"I would like to offer, and I ask the chairman to move acceptance of, the testimony as well as the exhibits identified in the transcript of the proceedings to which I have referred.

"Mr. LOVRE. Mr. Chairman, was this a staff investigation made out in California in October that you are talking about?

"Mr. HOLIFIELD. Yes. Mr. Hyman I. Fischbach and Mr. Herbert Roback, who are on my regular subcommittee staff, acted as investigators pursuant to directions from Chairman DAWSON, transmitted through me, to make this field investigation. This testimony was taken under oath administered by myself and these are witnesses who had testimony and certain documents which we believe are necessary for this investigation. The hearings are available for any of the members to read and the exhibits will be shown then.

"Mr. LOVRE. Another question: Were any members of the subcommittee present at any of these hearings?

"Mr. HOLIFIELD. There were no members except myself. They were not in the nature of public hearings. It was merely the taking of testimony.

"Mr. FISCHBACH. I might say for the benefit of the members of the subcommittee that there is included in these two transcripts evidence of the most vital nature which will be extremely helpful to the subcommittee in evaluating the record which will be made here.

"Mr. LANHAM. Was there anybody present to cross-examine the witnesses?

"Mr. FISCHBACH. No, sir.

"Mr. HOLIFIELD. With this exception, that Mr. Fischbach examined them.

"Mr. LANHAM. Usually where two sides are involved, there is some opportunity for cross-examination. I do not know that it was necessary in this case, but I just asked the question for the record.

"Mr. FISCHBACH. No; I do not think you will find that it was necessary in relation to the testimony which was secured.

"Mr. HOLIFIELD. I might say that the witnesses were informed of their constitutional rights and they answered all questions voluntarily. There was no protest to the questioning by either myself or Mr. Fischbach. They were informed of their constitutional rights and could protest and refuse to answer if they wanted to.

"Mr. LOVRE. This is the first information I have had of these depositions or hearings, whatever you call them. May I ask this: Was the Department of Justice represented at any of these hearings that have been conducted by the staff?

"Mr. FISCHBACH. No; the Department of Justice would not be represented any more than the Department of Justice would be represented in the proceedings before this committee. This committee's investigation would not necessarily proceed either in the presence of a Department of Justice representative or in the presence of any counsel for any of the parties. We have today by invitation Mr. Newell A. Clapp, of the Department of Justice, because Mr. Clapp is in a position to be of substantial assistance not only to the Department but to this subcommittee and it was deemed advisable to invite Mr. Clapp to attend this session of the committee despite the fact that it is an executive session, so that the subcommittee's work could possibly be facilitated by his presence and by subsequent contact with him and others in the Department of Justice.

"Mr. HOLIFIELD. I might say that the reason of taking testimony in the field investigation was the fact that it was impossible to get a subcommittee together right before the election, and also due to the expense involved of bringing these witnesses here to Washington, and sending them back, which would amount to about $500 apiece, if they were here for just a few days. That is for railroad fare and so forth."

In addition to these hearings in California in 1950, which take up 142 pages of the printed record, the hearing at Memphis, Tenn., and Los Angeles, Calif., in 1951, and the hearings in Los Angeles, Calif., in 1952, must also be classed as investigations of committee counsel for they were conducted without authority of the House or the Expenditures Committee.

A reading of the record discloses that the apparent purpose of the hearings was, through congressional action to force the Department of Justice and the Home Loan Bank Board to discontinue their resistance to the court actions [3] and force settlement of the claims filed by the parties who had brought the various court actions, to renew the recommendations of the Smith committee, and to suggest legislation which would restrict improper or arbitrary action by the executive agencies having to do with the administration of the Federal Home Loan Bank Act. However, the United States court of appeals, with the entire record before it, noted that a tenable basis for compromise that would be "within the law" [4] had not been suggested.

The committee was asked to criticize the defending parties in the litigation brought against them by the plaintiffs Mallonee and association for not settling the litigation by making available to the plaintiffs economic benefits which were estimated to be worth approximately $5,250,000. However, the United States court of appeals held that the pleadings of the plaintiffs "failed to state a claim upon which any relief could be granted by a Federal court." [5] We were also asked to find in effect that the charges of the Federal examiners against the management of

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[3] Before the subcommittee had been created, Subcommittee Counsel Fischbach entered an appearance on behalf of the subcommittee-to-be in the litigation in the Federal courts and took a position in opposition to that of the Home Loan Bank Board and the Department of Justice. See the transcript of the proceedings of November 17, 1950, *Mallonee et al.* v. *Fahey et al.*, No. 5421-PH, United States District Court for the Southern District of California.

[4] *Home Loan Bank Board et al.* v. *Mallonee et al.* ((C. A. 9) 196 F. 2d (Adv. Sh.) 336 at p. 387).

[5] *Home Loan Bank Board et al.* v. *Mallonee et al.* ((C. A. 9) 196 F. 2d (Adv. Sh.) 336 at p. 378).

the Long Beach Association were lacking in substance. Likewise we were requested to condemn the bringing on of these matters to an administrative hearing. The United States court of appeals, however, found as follows:

"In this order for a hearing the Board makes serious charges against association and we do not doubt that under the law, and under the rules and regulations of the Board which deal with its supervisory power over such institutions as association, it may lawfully and properly require association to answer these charges in the manner and under the conditions prescribed in this administrative order. The authority of the Board to require compliance with an administrative order of this character seems clearly spelled out in the holding of the Supreme Court in *Fahey* v. *Mallonee*, supra, and we hold that in issuing the said order the Board validly exercised a power of supervision lodged in it."[6]

The evidence before the committee did not, and, because the committee was not the proper forum, for their determination, could not prove or disprove the charges made against the management of the Long Beach Association. Those charges were repeated under oath before the subcommittee by Federal examiners. The nature of the charges makes it clear why the United States Court of Appeals found that a tenable basis for compromise within the law[7] had not been suggested. Whether the charges are true or false, they are of an extremely serious nature and require agreement with the United States courts that if they are true the Home Loan Bank Board must take action. See pages 1753, et seq., of the printed record.

The committee was asked to criticize private attorneys and Government personnel for reporting apparent income-tax deficiencies running at least into hundreds of thousands of dollars. It is alleged that tax prosecutions were urged which would not have been urged except for the litigation. The record before the committee does not justify a conclusion on these tax matters. The prosecution of alleged tax concealments should not be instigated or withheld because of other pending litigation involving the same persons. It is pertinent to state, however, that hundreds of thousands of dollars of apparent tax liabilities to the Government were uncovered by the efforts of the persons criticized, and, while some of these persons were frequently, some of them almost constantly, before the subcommittee, subcommittee counsel never questioned anyone of them about any of these tax matters although going into great detail about other items the significance of which is not at all apparent in the record.

THE DECISION OF THE NINTH CIRCUIT

Following the decision of June 23, 1947, in *Fahey* v. *Mallonee*, supra, which, among other things, held that the litigants had not exhausted their administrative remedies, the Ninth Circuit Court of Appeals, in Home Loan Bank Board against Mallonee, quoted the Supreme Court as follows:

" 'The Board adopted rules and regulations governing appointment of conservators. They provided the grounds upon which a conservator might be named, and they are the usual and conventional grounds found in most State and Federal banking statutes. They are sufficiently explicit, against the background of custom, to be adequate for proper administration and for judicial review if there should be a proper occasion for it'."

The court of appeals further said:

"At the conclusion of its decision in *Fahey* v. *Mallonee* the court summarized its views in the significant statement that it was error for the lower court to oust the conservator or to enjoin any of his proceedings or to enjoin the administrative hearing and this without prejudice to any other administrative or judicial proceedings which may be warranted by law. Here we have not only a blunt appraisal and condemnation of the initiatory proceedings in the lower court but also a significant reference to "any other administrative * * * proceedings." The last words of this pronouncement would be void of meaning if we disregard the fact that the court was referring to further administrative proceedings which would eventuate in a final agency determination which decided the validity of both the Ammann appointment and the order setting the field hearing on July 3, 1946, this final decision to be promulgated either under the then rules and regulations of administration or possibly (if delay ensued) under provisions of the Administrative Procedure Act which had been approved only a few days prior to the date of this decision. The Supreme Court certainly did not overlook the presence of that legislation or its possible application to this litigation."[8]

During the present hearings, there was testimony to the effect that the litigation to which reference has been made, which is still pending in the ninth circuit, was expensive and a waste of money.

Undoubtedly, that charge is true. But the United States court of appeals placed the responsibility for the delay and expense of the litigation squarely upon the shoulders of those who instigated the present hearings and upon others who have joined with them. This is made clear on page 367 of the opinion, and in the following excerpts from the opinion:

"The clear and undisguised purpose of the Mallonee-association group was to seek immediate injunctive relief at the outset of this litigation which would forbid recourse to and thereby bypass the entire administrative process including judicial review of any final determination of administration after completion of the field hearing held at Los Angeles. * * *"[9]

"The presently involved state of the record which resulted from failure to exhaust the administrative remedy in the initiatory stage of this litigation thereby causing this litigation to fan out and proliferate into its present complications provides no sound reason in law for another judicial repudiation of a procedure clearly authorized under law and the rules and regulations of the Board. The answer to the unhappy and regrettable involvements of this long, drawn-out, and costly litigation is not to be found in a further resort to a court injunction to completely thwart an administrative process which Congress has seen fit to approve."[10]

Private parties are involved on both sides of the pending litigation. Many of the defending litigants are men of stature in their own communities and even nationally. They have a right that the charges against them be litigated in the proper courts and that they be free of pressure from Congress to refrain from defending against those charges. The matter is one for judicial determination.

As Circuit Judge Stephens, concurring in the opinion by Judge Bone, aptly stated:

"I agree with Judge Bone's conclusions as detailed in his exhaustive review of this super-complicated litigation and join in the order contained in the last paragraph of the opinion. The whole subject matter from the beginning presented highly difficult legal questions, solvable in certainty only by the court with the last say. I thoroughly agree that *Fahey* v. *Mallonee* (1947, 332 U. S. 245), must be followed as indicated in the main opinion."

THE SUGGESTED RECOMMENDATIONS

At the end of the draft of the report which was submitted but not accepted by either the subcommittee or the committee, there were listed some 15 recommendations which it was proposed that the committee make to Congress. These 15 recommendations except possibly 2 were never a matter of dispute in the committee. Quite probably there would be a substantial area of agreement on some of the recommendations. The difference of opinion involved was whether or not a committee of Congress should attempt to influence the course of the pending litigation in the United States courts. The committee properly declined to attempt to influence that litigation.

With these views I think a majority of the committee is in agreement, though I am not authorized to speak for them.

APPENDIX G. COPY OF ORDER APPOINTING SECOND SUBCOMMITTEE OF THE COMMITTEE ON EDUCATION AND LABOR (JUNE 23, 1953)

WASHINGTON, D. C., *June 23, 1953.*

Hon. WINT SMITH,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN SMITH: By virtue of the authority vested in me as chairman of the Committee on Education and Labor of the House of Representatives, and pursuant to House Resolution 115 of the 83d Congress, 1st session, I hereby appoint you as chairman of a special subcommittee of the Committee on Education and Labor to investigate alleged violations in and around Kansas City, Mo., of the antiracketeering law, as amended by the Hobbs Act, and other Federal labor legislation coming within the purview of the Committee on Education and Labor, and allegations as to the improper administration and enforcement of such legislation.

I have also appointed Representative CLARE E HOFFMAN, of Michigan, and Representative WINGATE H. LUCAS, of Texas, to serve with you on this subcommittee.

The subcommittee is hereby authorized and directed to conduct a thorough study and investigation of the aforementioned allegations and any matter or subject coming within the jurisdiction of the Committee on Education and Labor under rule XI, 6, of the Rules of the House of Representatives, 83d Congress, which is covered by these allegations.

You are further directed to hold such public or executive sessions as you may deem advisable and you are hereby authorized and designated by me to issue and have served such subpenas as may be necessary in this investigation.

This supersedes my letter to you of June 22, 1953.

Sincerely yours,

SAMUEL K. MCCONNELL, Jr.,
Chairman, Committee on Education and Labor.

APPENDIX H. LETTER OF JUNE 29, 1953, TO SUBCOMMITTEE CHAIRMEN

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C., June 29, 1953.

Hon. ——— ———,
Chairman, ——— ——— Subcommittee,
House Office Building,
Washington, D. C.

DEAR MR. ———: Congressional investigations, with attendant publicity, long seemed to be the only effective weapon against the

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[6] *Home Loan Bank Board et al.* v. *Mallonee et al.* ((C. A. 9) 196 F. 2d (adv. sh.) 366 at p. 388).

[7] *Home Loan Bank Board et al.* v. *Mallonee et al.* ((C. A. 9) 196 F. 2d (adv. sh.) 336 at p. 387).

[8] *Home Loan Bank Board et al.* v. *Mallonee et al.*, supra, p. 378.

[9] *Home Loan Bank Board et al.* v. *Mallonee et al.*, supra, p. 353.

[10] *Home Loan Bank Board et al.* v. *Mallonee et al.*, supra, p. 390.

inexcusable waste, extravagance, and sometimes corruption, prevailing to such a great extent in the two preceding administrations.

The inability of the Congress to obtain economy and efficiency from the expenditure of public funds was enhanced by the reluctance of executive officials charged with the proper interpretation and administration of the laws to seek to ascertain and implement the will of Congress as expressed in legislation.

However, the futility of congressional investigation was all too often emphasized by the fact that after an investigation had disclosed an enormous and utterly inexcusable expenditure of billions, those responsible, either because of retirement or transfer to other duties, could not be disciplined.

In addition, almost without exception, the funds wasted could not be recovered, nor could any assurance be obtained that similar misuse of public funds would not reoccur.

With the coming of the present administration and its desire to "clean up the mess in Washington," we were led to expect the fullest cooperation in the effort to meet at least in some degree the public's desire and demand that the ever-increasing tax burden be lessened, instead of increased. We expected that the tax dollar would be made to produce its equivalent in service rendered.

Current investigations calling attention to improper, sometimes criminal, activities on the part of individuals or agencies in the executive departments which have resulted in absurd and ridiculous expenditures tend to leave the false impression that such improper activities may be chargeable to the present administration. Newspaper stories and letters from individuals indicate that many of our people think we are now charging the Eisenhower administration with the undesirable activities exposed by our reports. Without reason, many people believe that as these stories are given publicity, they relate to acts of the departments occurring since January 20, 1953.

Assurance has come from some of those who direct the executive departments that, if attention is directed to specific instances of improper and wasteful misuse of tax dollars, those in authority in the departments where such actions have occurred will without delay make a vigorous effort to create a situation where similar improper or unlawful activities cannot again occur.

This attitude tends to curtail the need for congressional investigations. It suggests the advisability of transferring complaints of maladministration direct to the head of the executive department involved, rather than to a congressional committee.

The trend in the Congress seems to be to give, at the request of the administration, the executive departments ever-increasing authority—authority granted to the Congress under the Constitution and which a continuation of constitutional government seems to demand should be exercised by the Congress.

This trend in recent years was implemented by the enactment of so-called reorganization legislation, which made it possible for an administration to bypass constitutional provisions and legislate subject only to a veto by one House of the Congress.

Within the past few weeks, the Committee on Government Operations reported out and the House adopted H. R. 992, introduced by Congressman BROWN, which creates a commission to perform a duty which is properly the duty of the Congress.

The committee also reported out, and the House adopted, H. R. 4406, introduced by Congressman HALLECK. This bill establishes a Commission on Intergovernmental Relations.

Apparently, it takes over a part of the jurisdiction heretofore given the Committee on Government Operations—especially the jurisdiction of the Intergovernmental Relations Subcommittee, which was charged with the duty of studying the relationships between the United States and the States and municipalities. There would appear to be no longer any reason for this particular subcommittee.

Incidentally, in connection with H. R. 4406, kindly note that last Saturday, June 27, 1953, CONGRESSIONAL RECORD, volume 99, part 6, page 7513, Mr. HALLECK called up the companion bill, S. 1514, with a Senate amendment to the House amendment, and agreed to the Senate amendment to the House amendment. I called attention to the fact that the bill did not go to conference, that a conference was necessary if a bill as passed by one House was amended, and that later Mr. HALLECK stated (though this was not on the record) that inasmuch as, in his opinion, there was no objection to the amendment he had agreed to it.

I did not care to make a point of order and disagree with the majority leader as to the legislative procedure, but if the majority leader, without action by the House legislative committee, can agree to amendments made in the Senate and never submitted to the House legislative committee, there is little need for subcommittees of the House Committee on Government Operations to function.

If the full committee is to retain any substantial part of its own jurisdiction, it will be necessary to be on the alert and make a vigorous protest.

It may have escaped your attention, but H. R. 5406 recently came out of a legislative committee and that bill, if enacted, will take over further jurisdiction of the House Committee on Government Operations. The same attempt was made last year on the floor of the House, but was defeated. It is not my duty to carry the full burden of maintaining this committee's jurisdiction, and I haven't the slightest intention of assuming that burden.

Under the Reorganization Act of 1949, as amended, a succession of reorganization plans has come to the Congress. Some, if not all, of these plans include legislative proposals which, under our form of government, heretofore have properly been referred to regular standing legislative committees of the Congress.

In view of the foregoing, it appears to be evident that the present administration and the House leadership desire to lessen the activities of the Subcommittees of the Committee on Government Operations to which heretofore have been referred questions involving the propriety and effectiveness of Federal expenditures and the necessity, if any, for remedial legislation.

As this committee and the Congress apparently desire and intend to follow the administration's lead, and in view of the fact that the Congress expects to adjourn July 31 next, will you kindly begin to curtail the activities of your subcommittee, by confining your investigations to one complaint, advising me of its nature, and cut your staff so that beginning August 1 it will consist of no more than 1 investigator and 1 clerk or stenographer.

A determined effort will also be made through more direct control and supervision of the committee's activities to obtain effective action looking toward both economy and efficiency.

Sincerely yours,

CLARE E. HOFFMAN,
Chairman.

APPENDIX I. HOUSE RESOLUTION 150, 83D CONGRESS, 1ST SESSION

House Resolution 150

(Submitted Feb. 19, 1953; considered and agreed to Feb. 25, 1953)

Resolved, That the expenses of conducting the studies and investigations authorized by clause 8 of rule XI incurred by the Committee on Government Operations, acting as a whole or by regular or special subcommittees, not to exceed $355,050, including employment of such experts, special counsel, and such clerical, stenographic, and other assistants, and which shall also be available for expenses incurred by said committee or its regular or special subcommittees within or outside the continental limits of the United States, shall be paid out of the contingent fund of the House on vouchers authorized by and signed by the chairman of the Committee on Government Operations, and approved by the Committee on House Administration.

SEC. 2. The official committee reporters may be used at all hearings held in the District of Columbia, if not otherwise officially engaged.

APPENDIX J. HOUSE RESOLUTION 339, 83D CONGRESS, 1ST SESSION

House Resolution 339

(Submitted July 15, 1953; considered and agreed to July 29, 1953)

Resolved, That the first section of House Resolution 150, 83d Congress, is hereby amended by striking out the period at the end thereof and inserting in lieu of such period a colon and the following: *"Provided, however,* That (1) such expenses heretofore or hereafter incurred by any such regular subcommittee shall be paid out of such contingent fund on vouchers authorized by such subcommittee and signed by the chairman thereof, and approved by the Committee on House Administration; and (2) such expenses incurred by any such regular subcommittee, other than the Executive and Legislative Reorganization Subcommittee, shall not exceed, for the Military Operations Subcommittee, $64,425; for the Intergovernmental Relations Subcommittee, $59,625; for the Public Accounts Subcommittee, $65,000; and for the International Operations Subcommittee, $66,000; and (3) the aggregate of such expenses incurred by the Committee on Government Operations acting as a whole, by special subcommittees, and by the Executive and Legislative Reorganization Subcommittee, shall not exceed $100,000."

APPENDIX K. OSMERS' RESOLUTION ADOPTED ON JULY 15, 1953

Resolved, That—

(1) after the adoption of this resolution, special subcommittees may be created only upon the approval of the full committee; and

(2) upon the expiration of the 10th day following the day on which this resolution is adopted, each special subcommittee heretofore created shall cease to exist, unless, after the adoption of this resolution and prior to the expiration of such 10th day, the continuance of such special subcommittee shall have been approved by the full committee; and

(3) each regular subcommittee is hereby authorized, for purposes of the conduct of studies and investigations coming within its jurisdiction—

(A) to appoint, fix the compensation of, and remove, such experts, special counsel, and such clerical, stenographic, and other assistance, as it deems necessary, the compensation of such personnel to be paid out of the funds available to the subcommittee under House Resolution 150; and

(B) to sit, hold hearings, and act at such times and places within or outside the United States, whether or not the House is in session, is in recess, or has adjourned, to require by subpena or otherwise the attendance of such witnesses and the production of such papers, documents, and books, and to take such testimony, as it deems necessary; and any such subpena may be issued under the signature of the chairman of such subcommittee or by any member of such subcommittee designated by such chairman and

may be served by any person designated by such chairman or member; and

(4) the jurisdiction, membership, and chairmanship of the Executive and Legislative Reorganization Subcommittee, the Military Operations Subcommittee, the Public Accounts Subcommittee, the Intergovernmental Relations Subcommittee, and the International Operations Subcommittee shall be as specified in the printed legislative calendar of this committee for April 1953 (No. 2), unless modified hereafter by action of the full committee; and

(5) the chairman and the ranking minority member shall serve as ex officio members of each subcommittee and shall have the right to vote on all matters before the subcommittee; and

(6) the rules, policies, and minutes of this committee, as heretofore in force, are hereby repealed and superseded to the extent that they are inconsistent wth the foregoing provisions of this resolution.

APPENDIX L. ORDER APPOINTING THIRD SUBCOMMITTEE OF THE COMMITTEE ON EDUCATION AND LABOR (NOVEMBER 13, 1953)

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
Washington 25, D. C., November 13, 1953.

Hon. WINT SMITH,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN SMITH: By virtue of the authority vested in me as chairman of the Committee on Education and Labor of the House of Representatives, and pursuant to House Resolution 115 of the 83d Congress, 1st session, I hereby reappoint you as chairman of a special subcommittee of the Committee on Education and Labor to complete the investigation in the Detroit, Mich., area as authorized under my letter of June 6, 1953. In completing this investigation your subcommittee is further authorized and directed to hold hearings in Chicago, Ill., on matters directly pertinent to and directly connected with the aforesaid investigation at Detroit, Mich. This further investigation is to encompass alleged violations of the Labor-Management Relations Act of 1947, and other Federal labor legislation coming within the purview of the Committee on Education and Labor, and allegations as to the improper administration and enforcement of such legislation.

I have also reappointed Representative CLARE E. HOFFMAN, of Michigan, and Representative PHIL M. LANDRUM, of Georgia, to serve with you on this subcommittee.

The subcommittee is hereby authorized and directed to conduct a thorough study and investigation of the aforementioned allegations and any matter or subject coming within the jurisdiction of the Committee on Education and Labor under Rule XI, 6, of the Rules of the House of Representatives, 83d Congress, which is covered by these allegations.

You are further directed to hold such public or executive sessions at Detroit, Mich., and Chicago, Ill., as you may deem advisable and you are hereby authorized and designated by me to issue and have served such subpenas as may be necessary to complete this investigation.

Upon the completion of your study and investigation, you are directed to prepare a report to the Committee on Education and Labor with such recommendations as in your judgment the facts shall warrant.

Sincerely yours,

SAMUEL K. MCCONNELL, Jr.,
Chairman, Committee on Education and Labor.

Copies to Hon. CLARE E. HOFFMAN and Hon. PHIL M. LANDRUM.

APPENDIX M. ARTICLE IN THE SIGN, FEBRUARY 1954

BIG RACKET IN SMALL CHANGE

(By Milton Lomask)

(The slot machines have become a big racket—so big and profitable that an official warned: "Anyone who prints these things is dead.")

The American people last year shoved a billion dollars' worth of small change into vending machines, and at least a tenth of it eventually landed in the cash drawer of a syndicate whose top brass reads like a Who's Who in the underworld.

That the mobsters were cutting themselves a slice of the industry's dollar first came to light during the Kefauver hearings in 1950 and 1951. Subsequent investigations, including a 2-day congressional hearing in Detroit last summer, plus information from vendors and their customers, round out the picture.

It isn't an edifying picture. It hasn't been edifying to assemble. A union official said, "Anyone who prints these things is dead." Said a smalltime Brooklyn vendor, "People have been known to get into trouble digging up stuff like this."

What is the vending machine industry? It's 2 million vending machines, including 400,000 juke boxes. It's some 1,600 suppliers and manufacturers. It's 1,200 operators ranging from the Automatic Canteen Co. of America, with a 1952 gross of $40 million, to individual owners of from 50 to 100 machines each.

To "operate" a machine is to find a "spot" for it. The operator services the machine and collects the proceeds. The owner of the spot—bar, restaurant, factory, filling station—receives a commission, usually 5 percent.

At the turn of the century, the only things you could get out of a vending machine were a ball of gum or a fistful of peanuts. Today you put your nickel, your dime, or your quarter in here and anyone of 50 different items tumbles out there.

At St. John's University in downtown Brooklyn, the New York Automatic Canteen Corp. maintains a battery of machines out of which a student can dine from soup to nuts. Over the country, some 25 percent of all cigarettes, candy bars, gum, and drinks are disbursed in this manner. There are coin-operated typewriters, coin-operated letter mailers, and coin-operated washers. A few years ago, a Texas operator pocketed a nice profit from a machine that dispensed whiffs of pure oxygen for hangover sufferers.

The vending-machine racket, not to be confused with the industry, employs the usual shakedown methods. To stay in business, an operator often finds it advisable to join both a trade association and a union. Association and union work together. Together they see to it that outsiders leave their members' spots alone and that no member covets another's customers.

In the case of a legitimate industry, the higher the turnover the lower the cost per item. Gangland entrepeneurs work the other way around. Their product is freedom from terror. The more they sell, the more they charge, and the consuming public ultimately foots the bill. In Cleveland, Detroit, New York City, and 1 or 2 other cities, many operators pay off to an association, a union, or both—or else.

"Or else," in the words of a terrified witness before last summer's congressional hearings in Detroit, "something strange happens. Where a minute ago there was a plate-glass window across the front of your place, suddenly there ain't."

Or you turn out to be antilabor and a picket line appears.

Or suddenly there's a loud noise.

"That's the dynamite," said the witness. "Gentlemen, even now my wife is at home hysterical. * * * I am afraid of my life."

In Cleveland a few years ago, a man and his son-in-law went into the cigarette vending-machine business. One morning, the son-in-law received callers in his office, three unprepossessing fellows. They said they were representatives of a teamsters' local and they wanted the partners to join the union. Dues would be 20 percent of the company's profits.

The young businessman asked them to return next day, when his partner could be on hand. The three fellows returned. This time their conversation was recorded on a wiretape concealed on the premises. When the partners took the wiretape to police headquarters, they were met with what amounted to a stall. Returning to their office, they found the three labor goons cooling their heels.

"We hear you been to the Commissioner," they said. "We'll take that wire tape."

The partners had no choice but to hand it over. At home that evening, at 7 o'clock, the younger partner answered his phone. Said a voice:

"Your wife and your two kids went shopping this afternoon in a Plymouth station wagon. She bought $25 worth of groceries. You, your wife, and your kids are about to sit down to a nice steak dinner."

The voice hung up. It was on the line again later. All night, every hour on the hour, came the ring, the voice, the veiled threat.

The next morning the partners joined the union. Some idea of what their employees probably got out of it is obtainable from testimony before last summer's congressional hearing. A vendor said that before his men joined the union, their take-home pay averaged $69 a week. After they joined, it averaged $69—less union dues.

The vending-machine racket is, of course, a part of a larger picture. It is one of several interlocking syndicates engaged in what Congressman CLARE E. HOFFMAN, of Michigan, has called a nationwide conspiracy to extort millions of dollars from the American people.

Every year or so, the top directors of these enterprises convene to review their varied activities. These sessions are held either at a Wisconsin boys' camp or on a dude ranch near Gulfport, Miss. Among those more or less regularly in attendance are names familiar to newspaper readers.

There's Paul Dorfman, who as head of a little ragpickers union in Chicago, ekes out a yearly income reputed to be in the vicinity of $600,000. Dorfman's son runs an insurance agency which brokers the group welfare policies of a large eastern company, policies purchased by at least one of the teamster locals to which vending-machine service employees belong.

When the elder Dorfman issues an RSVP, big shots put on boiled shirts. A few years ago, at an American Federation of Labor convention in Houston, he gave a cocktail party. Guests included A. F. of L. President George Meany and Alex Rose, head of the Millinery Workers Union and a director of the New York Liberal Party. Subsequently, another guest registered a protest. David Dubinsky, president of the International Ladies Garment Workers Union, said he was not invited directly by Dorfman, that he was embarrassed and angered on learning the identity of his host.

There's Abner (Longy) Zwillman, New Jersey underworld czar and mayor-maker par excellence. Like Dorfman, Zwillman seems to be an untouchable. During a long career, launched as a prohibition rum-runner, he has had no serious skirmish with the law. Zwillman owns the Public Service Tobacco Co., which supplies cigarettes to vendors. One of his subsidiaries places coin-operated washers in apartment house cellars.

There's Michael Lascari, Zwillman's business partner and a lifetime pal of gangster Lucky Luciano, now of Italy, courtesy of the Federal deportation authorities.

And there's Meyer Lansky, whom Senator KEFAUVER once identified as a kingpin in the New York City underworld. Lansky used to be in the television-set business with mobsters Frank Costello and Joe Adonis. He's been active in sundry vending-machine activities.

These men and their peers administer the vending-machine racket the country over. In most areas their major interest is the profitable cigarette machine business. In Detroit, it's juke boxes.

Testifying in the Michigan industrial capital last summer before the subcommittee headed by Congressman HOFFMAN, a building service labor consultant shook his prepared statement and contemptuously denounced "the Hoffas * * * and the Bufalinos."

James R. Hoffa is no pebble on the labor beach. He's a boulder, smoothed by 20 runins with the law on assorted criminal charges. As second in command to International Teamster Chief Dave Beck, currently a prime mover in the attempt to tidy up the New York waterfront, Hoffa breathes the heady air of upper A. F. of L. regions.

Himself a witness at the Hoffman hearings, Hoffa took frequent refuge in the great 20th-century cliché. "I decline to answer on the grounds that * * *." He declined to say whether or not he had a financial interest in any corporations. It is a matter of record that he does, or at any rate did as of 1951. He does, or he did, own half interest in 6,000 shares of stock in the Columbus Trotting Association, and Detroit newspapers recently reported that he was trying to oust the building service local which now has jurisdiction over the racetrack employees and replace it with an outfit of his own.

He declined to say whether or not his wife was an employee of Teamster Local 985, which another witness called a paper operation engaged in finding favorable jukebox locations for members of the Michigan Music Operators Guild, a Detroit trade association composed of juke box operators and dominated by known gangster elements.

William Eugene Bufalino, under indictment at this writing, is president of local 985. Mr. Bufalino was unable to attend the Hoffman hearings. He was in a Detroit hospital suffering from what was originally billed as a respiratory ailment, subsequently altered to severe psychoneurotic depression.

A witness at the Hoffman hearings called Bufalino the dictator of the Detroit juke box industry. The statement is subject to the reservation that Bufalino obviously takes his orders from a person or persons upstairs. In New York City last summer, a Mr. Frank Calland died suddenly. Calland was not well known to the public, but was well known along what the racket boys call the vending-machine circuit. Among the floral pieces at his funeral was a $100 spray, sent by Bufalino and paid for by his union.

Bufalino's wife is a sister of Vincent Meli, a director of the Michigan Music Operators Guild, the trade association previously mentioned. Vincent's uncle, Angelo Meli, is no stranger to Detroit law enforcement authorities. From his $25,000 home in Grosse Pointe Park, Mich., Angelo is reputed to oversee some of the major operations of the Detroit underworld.

The situation in New York City has never been subjected to extensive official scrutiny. Reputable vendors and their customers, however, are not averse to supplying details.

The organization which cigarette vending machine operators are urged to join is the Cigarette Merchandisers Association, Inc. Vendors say the association guards its member's spots. If John Jones, tavern owner, becomes dissatisfied with his cigarette vending machine and tries to replace it with that of another company, he's likely to get no place at all. Chances are any company he calls will be a member of the association. Instead of sending him a machine, the company gets in touch with the association. After which, pressure is put on Tavern Owner Jones to keep the machine he has.

Matthew Forbes, director of the association, says only one-half of the 140 operators in this area belong to the association. He offers this as evidence that there is nothing to the allegation that nonmembers are frequently "superpersuaded" to join up. He concedes that his members do 80 percent of the business in the five boroughs of New York City and in nearby Westchester, Nassau, and Suffolk Counties. This is a sizable amount as there are some 30,000 cigarette machines in the area. Nonmembers, however, say the association boys do 90 percent of the business.

Reached by phone, Mr. Forbes was at first reluctant to talk. "All information about the association," he said, "must be obtained from the national." Meaning the National Automatic Merchandising Association, a reputable trade group headquartering in Chicago.

"We're an affiliate of NAMA," said Mr. Forbes, "and I'm not permitted to give out any data whatsoever."

Apprised of charges made against the association, Mr. Forbes became communicative. "All the association does," he said, "is keep members abreast of developments in the field. We take no interest whatsoever in any member's business affairs."

Asked how a member did business, Mr. Forbes said: "Oh, you know. He puts his machine in a spot and signs a contract. In return for the contract, he gives the spot owner an advance on commissions or a loan or a bonus."

The union to which many New York vending-machine service employees belong is Teamsters' Local 805. Its vice president and welfare fund administrator is Abe Gordon, Gordon is the owner of the Abe Gordon Trucking Co. and the A. & P. Cordage Co., both of New York City.

A partner with Gordon in these enterprises is Phil Kovalick, alias Spic Farvel, alias Joseph Phillips, etc. In 1939, a New York prosecutor called Kovalick "one of the most important figures in the New York underworld." At that time, he was being held by police as a material witness in connection with strong-arm activities by racketeers in the New York City garment district.

As a truck-company owner, Labor Leader Gordon is also an employer of labor. "But my men don't belong to this local," he said, speaking of 805. "They belong to a different local."

Gordon is a surly conversationalist. To each of a half a dozen questions concerning the activities of his local, he gave 1 of 2 replies: "You guess," or, "Ask the international." He volunteered: "You try to connect Dave Beck and you're dead. Beck has thrown out his best friends. If he saw a man on a truck out there, he'd yank him off." Loosely translated, this doubletalk seems to mean that, in Gordon's opinion, Teamster Chief Beck is trying to keep his big union clean.

Among several medium-sized vending enterprises in New York is the National Vending Corp., which places cigarette machines directly or through a number of subsidiaries in Greater New York, Florida, Dallas, and Los Angeles. President of National is Harold Roth, of Hewlett Neck, Long Island.

In 1952, Roth and an associate applied to the New York State Liquor Authority for a restaurant liquor license. On October 23, 1952, the two applicants were summoned to a State liquor authority hearing conducted by Deputy Commissioners Sol Johnson and Michael J. Monz.

Portions of what transpired at this hearing are "must" reading for every serious student of the problems confronting one of America's fastest growing industries.

In 1942, according to a transcription of the testimony, Roth and a partner purchased the assets of a small Brooklyn vending concern called the Kings County Cigarette Service. Roth admitted knowing that one of the former owners of Kings County—one of the men from whom the purchase was made—was Gambler Joe Adonis, Brooklyn's foremost gangster, who is currently sweating out an appeal from a court conviction which, if upheld, will exile him to Italy. Roth explained that he and his partner had not bought the stock of Kings County, only its assets, the right to use its name and what Roth termed its "dubious prestige."

Asked Commissioner Johnson: "When you realized you were buying something with which Joe Adonis was associated, didn't it occur to you that possibly" the bar owners and others who were using those machines were doing so "because of that association?" Later, Roth was asked another pointed question. Had he no compunction about doing business with mobsters?

He replied that not only had he no compunction, but that in doing business with mobsters, he had done the vending-machine industry a service. He pointed out that the industry is full of undesirable elements and that in buying out Joe Adonis he had got rid of at least one of them.

Further testimony brought out a touching fact, namely that after doing his good deed for the industry, Mr. Roth had modestly proceeded to keep it a secret. He never told the customers of Kings County that the company whose machines they were using had changed from bad hands to good. On the contrary, by his own admission, Roth made a special effort to give these customers the impression that Joe Adonis still had a financial interest in their cigarette-vending machines.

Roth was asked where he purchased his cigarette vending machines. He mentioned three companies, among them the Rowe Corp. Rowe, with a 1952 gross of $37 million, is the largest manufacturer of vending machines in the country. Some idea of what long arms grandmother racket has is shown by the well-authenticated fact that in 1949 a group of men claiming to be representatives of the Rowe Corp. offered officials of a United Automobile Workers-CIO union in New Jersey $4,800, with more to come, if they would persuade their negotiators to permit Rowe to speed up production in its manufacturing plant at Whippany, N. J. The union officials turned the offer down.

In addition to its production branch, Rowe maintains 53 retail vending distributor companies in American cities, including New York, and one of the corporation's officers is also listed as an officer of the trade association headed by Matthew Forbes. An attempt to find out whether the Rowe officials were aware of the 1949 bribery attempt was met with a statement by the corporation's public relations agency that "You're barking up the wrong tree."

So it goes—a case history of what is happening to one of the dozen or more industries on which, according to Senator KEFAUVER, organized crime has improved an enervating share-the-wealth program.

The story is becoming shamefully commonplace. It is becoming so, according to many troubled observers, because law-enforcement authorities are forced to work in a climate of public opinion hamstrung by a philosophy of moral relativism. Even a Catholic publication has complained that there is too much moral indignation today about "labor racketeering." The editors say people are all too ready to believe the worst of labor. They imply that many businessmen also live in a glass house.

The point is not who is committing these sins, but that they are being committed and that the public is permitting them to happen.

What is at stake is simple human freedom. If a man cannot go into business without paying tribute to human parasites, if he cannot competitively bid for customers on the open market, it is flim-flam to talk about freedom in America and to scatter over the world pious pronouncements about democracy.

There is no such thing as freedom from this or that. There is no such thing as political freedom or economic freedom or religious freedom or freedom from want, fear, or nagging wives. There is only freedom. It is indivisible; and when these snakes in the underworld lash their fangs into a phase of it, they poison the whole business.

The public is rightly indignant at the presence in America of a Red fifth column. But these gangsters are doing the country every bit as much harm as any addlepated, communistic technician snooping in the archives at Fort Monmouth, N. J. They comprise a black sixth column with a gun at the back of every American, employer or employee, liberal or conservative, rich or poor, God-fearing or otherwise.

APPENDIX N. ARTICLE IN LOOK, MARCH 9, 1954

HOW LABOR BOSSES GET RICH

(By Clark Mollenhoff)

LOCAL LABOR CZARS ACROSS THE COUNTRY ARE SHAKING DOWN EMPLOYERS AND JUGGLING THEIR UNION'S FUNDS IN A RACKET FEW PUBLIC OFFICIALS DARE TRY TO STOP

Racketeering bosses of local unions are enriching themselves, or at least their relatives and friends, in a rash of shady deals uncovered recently across the country.

They are playing loosely with the millions of dollars in union funds they control. And they are dabbling in a sea of sideline enterprises that overlap their union responsibilities in such a way that the worker is the loser. Musclemen, blackmail, and murder dot the trail of the unscrupulous local labor boss who uses his respectable union as a cynical front for private plunder.

He is so strongly entrenched that national labor leaders either won't or can't get rid of him. Even local and State enforcement officials for the most part have abdicated to him. And neither major political party has dared to undertake a major investigation of him.

The whole story is being muted by labor pressures on Members of Congress. But a shocking insight into the racketeering operations of many local labor bosses has come from two congressional subcommittees.

Fighting against odds, they have laid bare part of the record of extortion, bribery, and ruthless use of union funds for private gain. The investigations of Representative CLARE HOFFMAN, Republican, of Michigan, and the late Senator Charles Tobey, Republican, of New Hampshire, have revealed the same ugly story in New York, New Orleans, Los Angeles, St. Louis, Kansas City, Minneapolis Detroit, and Chicago.

THE LABOR SHAKEDOWN SKYROCKETS THE PRICES OF GOODS EVERYBODY NEEDS

The big labor shakedown, they found, soaks employers, swells defense costs and skyrockets the prices of goods and services everybody needs—with the ordinary union member the biggest victim of all.

Take the case of Joseph (Joe the Gent) Giantomasi, a notorious New Jersey racketeer. E. Treverton Clark, the vice president of a stevedoring company, testified that Giantomasi took a $500 bribe from him to avert a threatened dispute. Giantomasi was business agent for two longshoremen's locals and was in a position to tie up the company's operations. Clark also told Senators that Giantomasi later tried to shake him down for $20,000, but that he refused to pay it.

Wages, hours, and working conditions for union members were unimportant in feuds between jukebox owners and William E. Bufalino, head of Local No. 985 of the Teamsters Union in Detroit. Congressional investigators heard testimony that Bufalino used his powers as head of the union to enforce dictatorial control over the lucrative jukebox industry. Some employers said they were even forced to join the union in order to avoid bombings and other terror tactics that beset their locations.

In Kansas City, Robert D. Sheehan, a pipeline-construction official, testified that he had to make money payments and buy clothing for several union officials to keep labor peace on construction projects. His statement, denied by the accused, was one of many charging union officials with soliciting or accepting bribes.

THE BLUES IN ST. LOUIS

And in St. Louis, Federal grand jury indictments charged 17 labor chiefs in that area with getting several hundred thousand dollars in shakedowns of construction company officials. Union members' earnings dropped as physical violence, work stoppages and jurisdictional disputes set the stage, it was charged, for shakedowns of as much as $50,000 at a time.

Another way of operating has emerged in New Orleans. There, it was found that a 5-percent cut was being taken out of the take-home pay of every member of Local 1419 of the International Longshoremen's Association for union dues.

The initiation fee for joining Local 1419 is $200—as much as it would cost to join a good golf and country club. But the 5-percent cut the union has taken out of each member's pay is where the really big money has come in. Workingmen have been nicked by the local for a total of more than $1 million in 4 years. The money has poured into a fund that the high-living president of the local, Dave A. Dennis, has been investing in various union enterprises. Local authorities recently started an investigation of the enterprises.

Accountants warned Dennis that the accounting system used was inadequate, but he told congressional investigators that it would take too much time and money to install a better system. The union books showed that the 5-percent dues brought in a total of $335,000 in 1952. Congressional investigators, figuring from employers' payrolls, said the union books should have showed $404,000 in that year. Over a period of 4 years, the investigators reported, the discrepancy between employers' payrolls and the union books indicated that approximately $287,000 in dues was not accounted for. Dennis maintained that the investigators erroneously included in their computations the salaries of many nonunion workers who were not subject to the 5-percent levy.

Dennis was borrowing money for living expenses in 1948 before becoming president of local 1419; but by the time congressional investigators caught up with him, he had acquired real-estate holdings and was dabbling in other side businesses. One enterprise he set up was the Monarch Investigating Agency, which was hired on 1 or 2 occasions to work for his own local 1419.

According to his own testimony, Dennis furthered his personal interests by borrowing thousands of dollars belonging to the union without the knowledge or authorization of the members. Following the congressional investigation, an information was filed against Dennis charging him with misusing union funds.

Abuse of the workingman by labor czars was brought down to a system on the New York-New Jersey waterfront. That system—now barred under rules of the recently established New York-New Jersey Waterfront Commission—was the notorious "shape-up," under which all-powerful hiring bosses each day chose enough men for the day's work.

RYAN DID NOT OUST GANGSTERS IN THE ILA

Congressional hearings laid bare almost every conceivable type of labor racket on the bi-State waterfront. It was a condition that was choking off commerce in one of the world's greatest harbors, thus reducing the jobs available to union members. Shipping-company owners and stevedoring-company officials made cash deals with ILA officials that left union members with no representation.

The Senate subcommittee that made the investigation blamed much of the trouble on Joseph P. Ryan, who had been president of the ILA since 1927. He is under a multiple-count indictment for misapplication of his union's funds, but his major offense, as far as investigators were concerned, was his resistance to changing the corrupt shape-up and ousting of gangsters from union office.

One of the most notorious hoodlums among Ryan's top aides was Edward J. Florio, who served as an organizer from 1948 until 1952, when he was arrested and convicted on two perjury counts. Now serving a 3-year prison term, Florio got a 10-percent cut in a public-loading operation on the docks while he was acting as business agent for the ILA.

The danger of union members being sold out by conspiratorial deals between employers and corrupt labor bosses has been recognized as long as labor unions have been operating. The advent of new fringe benefits, like health and welfare insurance, now has created new problems and what congressional investigators call new scandals.

In Minneapolis, Eugene Williams, a business agent for local 544 of the Teamsters Union, was made administrator of the transfer and warehouse employees' pension fund and got a 7-percent cut of the fund for his troubles. He arranged a $10,000 advance through the union pension fund to finance a night club and bar. He also borrowed $1,800 in cash from the union office safe to help finance his bar. Williams says he repaid these sums to the union.

A classic example of the problem of controlling insurance placement and the resulting huge commissions has been found in the dealings between labor leaders and the Union Casualty & Life Insurance Co., of Mount Vernon, N. Y.

HE KNEW THE RIGHT PEOPLE

Dr. Leo Perlman, executive vice president of the company, was quick to see the advantages of cultivating such powerful labor bosses as James R. Hoffa, the Michigan teamsters' boss; Owen Bert Brennan, his top aide; Paul (Red) Dorfman, head of the Waste Material Handlers Local 20467 in Chicago, and Frank Darling, head of local 1031 of the Brotherhood of Electrical Workers in Chicago.

Dr. Perlman guided Union Casualty & Life to a spectacular rise in a brief 4-year period. Union health and welfare insurance provided the impetus. A House committee investigative report said that the direct premium payments jumped from $1,460,000 in 1948 to an astounding $8,900,000 in 1952 and that nearly 77 percent of the 1952 premiums came from 3 big union insurance coups:

1. Health and welfare insurance covering more than half of the 35,000 to 37,000 workers in Darling's local 1031 in Chicago.

2. The health and welfare insurance of the Central States Conference of Teamsters, of which Hoffa is chairman. Hoffa is also trustee of the Central States Conference welfare fund, which deals directly with the insurance-placement problem.

3. The health and welfare insurance of the Michigan Conference of Teamsters, of which Hoffa is president.

Perlman, a 56-year-old immigrant, cleaned up more than $400,000 from 1948 through 1951 through Union Casualty & Life and the United Public Service Corp., also of Mount Vernon, N. Y. The latter concern, a gen-

eral insurance management agency which he also headed, obtained the insurance for the former.

But the huge profits Perlman received were only the beginning. In 1949, the Union Insurance Agency of Illinois, in Chicago, came into being as an agent for Union Casualty & Life. It was a partnership operated by the wife and son of Dorfman, who is a labor chief with influential contacts spread far outside his Waste Handlers Union.

Allen Dorfman, 30, and his mother, Rose Dorfman, were immediately successful. Between 1949 and June 1953, investigators reported, the Union Insurance Agency of Illinois received over $1 million in commissions, expenses and allowances from Union Casualty & Life and the United Public Service Corp.

Congressional investigators turned up another fact. During the first two policy years, Hoffa's Central States welfare fund received premium refunds of $256,000. No refund was made in the third year. The fund's trustees, it was also found, agreed with Union Casualty & Life to reduce the insurance benefits to employees and their dependents. "An unsatisfactory loss experience" had created a drain on the insurance company, it was explained.

THE RACKETS ARE LUCRATIVE ENOUGH FOR MURDER

Meanwhile, the insurance executives wined and dined Teamster Chief Hoffa and even went into a number of joint business ventures with him that proved profitable. Hoffa said he received no money for swinging the insurance to the Dorfmans and Perlman, but he insisted on his right to draw a normal profit from joint business enterprises with these same people.

It wasn't his contacts in the insurance business that first propelled Hoffa into outside business enterprises. In fact, he's had so many little business operations going on that he has had difficulty remembering what precisely some of them were for. Here, however, are some that have come to light:

Hoffa and his aide Brennan became stockholders in the Terminal Realty Co. without putting up a dime. Oren DeMaas, former liquor commissioner of Michigan, put up $25,000 for them, and held their share of the stock as security for the loan, Hoffa has testified.

HE WAS A BUSY MAN

He got into a brewery operation with attorneys George Fitzgerald, former Democratic national committeeman from Michigan, and Carney Matheson, legal representative for large midwestern trucking interests. He testified he lost $20,000 on the venture and invested no more in it.

Hoffa also set up what he called a little syndicate known as PMI to loan money. And a few years ago he had a one-sixteenth or a one thirty-second interest in the Columbus Trotting Association.

Hoffa's wife, too, has been in business. She held a one-third interest in the Theater Trucking Co. in her maiden name. With Brennan's wife, she operated the Test Fleet Corp., a haulaway firm leasing equipment to big commercial-trucking firms. Over a 4-year period, they have collected $65,000 in dividends.

In his insurance activities, Hoffa today has moved his Michigan Conference of Teamsters' welfare fund into a position where it could gain substantial control of the management of Union Casualty & Life. In June 1951 the fund's trustees put $250,000 in the company's preferred stock. This made the fund the largest holder of preferred stock. With the payment of another $40 a share, the stock can be converted into common stock with voting privileges.

Congressional investigators have pointed out the problem involved when union ownership in an insurance company is such that union officials have an interest in curbing the claim rate of members of other unions insured by the company. But it took an eruption in New York to demonstrate how much of a menace the health and welfare insurance problem could be.

A long-time feud over representing workers at Yonkers Raceway, north of New York, ended last August 28 with the murder of Thomas E. Lewis, president of Local 32-E, Building Service Employees.

It wasn't clear until after Lewis was murdered just why the presidency of that local union could be such an important piece of property. The investigation showed that the welfare funds of the union were handled through Alcor Agency, Inc. Labor boss Lewis, his relatives, business associates and friends had used that agency to drain off more than $400,000 of the $1,479,000 contributed in a 5-year period, the investigation showed. Those commissions were more than double the normal administrative costs, and the State insurance department started a broad investigation of insurance firms that handle welfare policies for labor touching off in turn more insurance scandals.

The murder of Lewis and the insurance scandals were not the only labor-racketeering operations on the edge of the multimillion-dollar harness-racing business.

Indictments returned by a Nassau County (N. Y.) grand jury have spelled out the basic story of plunder by labor bosses and their associates. William C. DeKoning, Nassau County labor leader, and 12 others were indicted for an alleged extortion of $345,000 in kickbacks from employees at Roosevelt Raceway. It was also disclosed that the labor leader was sharing in 10 percent of the profits of a catering firm operating at the raceway.

It has taken the probing of two congressional committees to prove that labor racketeering is more widespread than the few cases the Nation's prosecutors have had the courage to tackle. The late Senator Tobey, the righteous New Hampshire Republican, was the driving force behind Senate labor-racket investigations on the waterfront in New York, New Jersey, and New Orleans. When Tobey died, Senator JOHN BRICKER, Republican of Ohio, dissolved the subcommittee, and other labor rackets uncovered by chief counsel Downey Rice had no airing.

CONGRESSMEN WERE NOT HAPPY

The most tenacious of the labor-racket investigators has been Representative HOFFMAN, the sharp-tongued Michigan Republican. HOFFMAN and Representative WINT SMITH, a Kansas Republican, have been the mainsprings behind House investigations that have touched labor racketeering in Detroit, Chicago, Los Angeles, and Minneapolis.

Even many House Republicans were fearful of the political consequences of a labor-racket investigation when HOFFMAN put the first congressional spotlight on the plunder of labor bosses. Republicans joined with Democrats to hobble HOFFMAN's investigating, but the aggressive Congressman continued his work. Although they had no power to hold hearings, Chief Counsel William McKenna, Assistant Counsel Clyde Smith, and Chief Investigator Les Condon produced enough evidence for HOFFMAN to force hearings.

HOFFMAN's investigators exposed the close tieup between Bufalino, head of Teamsters Local 985 in Detroit, and the Jukebox Owners Association which was dominated by Vincent Meli, Bufalino's brother-in-law.

Following the hearings, Bufalino, Meli, and five others were indicted by a Wayne County grand jury on charges that they used threats of physical violence and bombings to prey on jukebox operators, restaurant, tavern and bar operators, owners of automobile wash racks, and parking-lot operators.

A few days later five more Teamsters officials from the Detroit area were indicted on charges of milking construction firms of hundreds of thousands of dollars.

Frank Fitzsimmons, vice president of Teamsters Local 299, and Daniel J. Keating, president and business agent of local 614, Pontiac, Mich., were among the five indicted.

POWER CAN CORRUPT

Congressional hearings in Kansas City were followed by indictment of Orville L. Ring, president and business agent of Teamsters Local 541, on two charges of embezzlement and two counts of second-degree robbery. Four others were also indicated in connection with violence, extortion, and misuse of funds in the Kansas City area.

The right to represent labor can mean big money. The wages and working conditions of the ordinary union member are only a handy tool when racketeering labor bosses seek to fatten their purses. The underworld has been quick to see the chance for big profit in the economic and political positions labor czars are able to control.

Some rank-and-file members of local unions tried to break the stranglehold, and were declared ineligible to hold office. Some were summarily ousted from their union and deprived of the right to work in the only trade they know.

Employers find it to their immediate advantage to let the labor boss have his way when he insists that a dishonest employee be retained, or that insurance or pension funds be used in a certain manner.

The Taft-Hartley Act and the rules of the unions themselves were designed to stop some of the sidelines of plunder, but the act is often inadequate or it is improperly enforced by the politicians who fear the labor bosses.

Although there were substantial numbers of indictments in the wake of congressional hearings, prosecutions alone are not the solution. All of the plunder has not been illegal.

It is up to Congress to expose fully what has happened under the present laws, and to draft new laws that preserve the institution of organized labor and provide democratic processes that will protect the interests of labor-union members in the future.

APPENDIX O. RESOLUTION OF CLARE E. HOFFMAN OF JANUARY 20, 1954

Be it resolved, That the chairman of the Committee on Government Operations is hereby authorized to appoint a special subcommittee consisting of 2 members of the minority, to be designated by the ranking minority member, 3 members of the majority, 1 of whom shall be the chairman of this committee and who shall serve as chairman of the special subcommittee.

That said subcommittee is hereby authorized to inquire and determine, insofar as is practicable either by investigation or hearings, or by both:

(1) Whether executive departments, Federal agencies, the officers and employees thereof charged with the duty of interpreting and administering Federal legislation, are using Federal funds efficiently and economically;

(2) Whether Government activities, at all levels, which were authorized or exist, and the purpose of which is, to make effective the intent of Congress in enacting legislation, are efficiently and economically performed, and whether, if Federal legislation is not sufficient to create and maintain the conditions, benefits, and standards of conduct and welfare sought by the Congress, what, if any, new legislation or amendments to existing Federal legislation should be proposed and enacted to correct the existing situation, attain the objectives proposed by that legislation.

The special subcommittee is hereby authorized to exercise the authority and powers

granted to the full committee and the regular subcommittees under the Legislative Reorganization Act of 1946, as amended, the rules of the House, and the rules of the committee, as heretofore adopted, and now in force.

Said special subcommittee is further authorized and directed to, when it has completed its investigation or hearings, or both, to report to the full committee its recommendations, if any, as to what specific action, if any, should be taken by the full committee and by the Congress.

APPENDIX P. OSMERS RESOLUTION OF JANUARY 20, 1954

Whereas matters pertaining to alleged unfair and improper labor practices have been called to the attention of the committee; and

Whereas there is a duly constituted regular subcommittee; to wit; the Public Accounts Subcommittee, which is authorized to study the operations and activities of all Government departments except the State and Defense Departments; and

Whereas the committee is of the opinion that such allegations of unfair and improper labor practices and labor racketeering should be thoroughly and vigorously investigated: Therefore be it

Resolved, That the Public Accounts Subcommittee is hereby authorized and directed to investigate—

(1) Whether present Federal legislation and Federal agencies, officers, and employees adequately and properly protect individuals and business organizations from extortion;

(2) Whether, if such extortionary payments are made, they arise from ineffectiveness or lack of proper interpretation or enforcement of Federal statutes designed to protect civil rights, the free movement of interstate and foreign commerce, the Anti-racketeering Act of 1934, as amended, Federal legislation relating to the collection and distribution of welfare funds created by contributions from employers, and legislation relating to the levying and collection of Federal taxes, and the sufficiency thereof;

(3) Whether Federal agencies, officers, and employees charged with the duty of interpreting and administering the legislation above mentioned are using Federal funds efficiently and economically;

(4) Whether Government activity at all levels, designed to implement such legislation, is effective and economical; and, whether any amendments to the Federal legislation above referred to, or any other Federal legislation should be proposed to correct the existing situation; be it further

Resolved, That the Public Accounts Subcommittee is further authorized and directed to report to the full committee its recommendations, if any, as to what specific action, if any, should be taken by the full committee and by the Congress.

APPENDIX Q. HOUSE RESOLUTION 419, 83D CONGRESS, 2D SESSION

House Resolution 419

(Submitted Jan. 27, 1954; recommitted to the Committee on House Administration, Feb. 25, 1954)

Resolved, That House Resolution 150, 83d Congress, as amended by House Resolution 339, 83d Congress, is hereby amended (1) by striking out "$355,050" and inserting in lieu thereof "$455,050", and (2) by striking out "$65,000" and inserting in lieu thereof "$165,000."

APPENDIX R. HOUSE RESOLUTION 468, 83D CONGRESS, 2D SESSION

House Resolution 468

(Submitted Mar. 5, 1954; reported, amended, and agreed to Mar. 29, 1954)

Resolved, That the further expenses of conducting the studies and investigations authorized by clause 8 of rule XI of the Rules of the House and House Resolution 150, 83d Congress, as amended by House Resolution 339, 83d Congress, incurred by (1) the Military Operations Subcommittee of the Committee on Government Operations, not to exceed $51,000 additional, (2) the Public Accounts Subcommittee of such committee, not to exceed $52,000 additional, and (3) the International Operations Subcommittee of such committee, not to exceed $52,000 additional, shall be paid out of the contingent fund of the House on vouchers authorized by the subcommittee which incurred the expenses, signed by the chairman thereof, and approved by the Committee on House Administration.

APPENDIX S. RESOLUTION ADOPTED JUNE 10, 1954, AS AMENDED JUNE 16, 1954

Be it resolved, That a special subcommittee of three, referred to as the Antiracketeering Subcommittee, be appointed by the chairman of this committee, and it hereby is established, directed, and granted authority equal to that conferred by this committee to its regular subcommittees, to, under the direction of the chairman of the full committee, and on vouchers authorized by him, conduct investigations and hold hearings pertaining to Government operations insofar as they relate to or control racketeering practices. The investigation shall include, but not be limited to, the following matters:

(1) Whether Federal agencies, officers, and employees, with the public moneys appropriated, adequately and properly defend and protect individuals and organizations from racketeering and extortion.

(2) Whether Federal agencies, officers, and employes charged with the duty of interpreting and administering Federal legislation are using Federal funds efficiently and economically.

(3) Whether Government activity at all levels, designed to implement existing legislation, effectively and economically corrects such racketeering practices as may exist.

APPENDIX T. HOUSE RESOLUTION 542, 83D CONGRESS, 2D SESSION, ADOPTED JUNE 23, 1954

House Resolution 542

(Submitted May 11, 1954)

Resolved, That the expenses of conducting investigations, within the limits of the authority granted by clause 8 of rule XI of the Rules of the House and House Resolution 150 as amended by House Resolution 339, 83d Congress, with respect to matters pertaining to Government operations insofar as they relate to or control racketeering practices, incurred under the direction of the chairman of the full committee by the Antiracketeering Subcommittee of the Committee on Government Operations, not to exceed $75,000, shall be paid out of the contingent fund of the House on vouchers authorized and signed by the chairman of the Committee on Government Operations, and approved by the Committee on House Administration.

APPENDIX U. HOUSE RESOLUTION 709, 83D CONGRESS, 2D SESSION, INTRODUCED ON AUGUST 18, 1954

House Resolution 709

(Referred to Committee on Rules)

Resolved, That the chairman of the Committee on Government Operations be, and he hereby is, authorized during the recess or after the adjournment of the Congress to appoint a special subcommittee of the Committee on Government Operations consisting of not to exceed five members of that committee with authority equal to that of the regular subcommittees, to make investigations and hold hearings in connection with the expenditure of public funds by executive agencies and the manner in which those agencies are interpreting and administering Federal legislation: *Provided, however,* That the investigation of such subcommittees shall not encroach upon the jurisdiction of the House Committee on Education and Labor, nor interfere with the investigations and hearings of the regular subcommittees of the Committee on Government Operations: *And provided further,* That all expenses of any investigations or hearings held hereunder, shall be paid out of the funds heretofore authorized to be appropriated for the use of the Committee on Government Operations and not out of the funds heretofore authorized for the use of the regular subcommittees of said committee.

PROVIDING RELIEF FOR THE SHEEP-RAISING INDUSTRY

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2862) to provide relief for the sheep-raising industry by making special nonquota immigrant visas available to certain skilled alien sheepherders.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. WALTER. Mr. Speaker, reserving the right to object, and I shall not, I should like to point out to the House that there is no such thing as an American sheepherder. This bill is not for the benefit of a particular individual. This bill is for the relief of a great industry in America, 7 States being affected, and it is utterly impossible to get American people to go out on the ranges and stay with those sheep for 8, 9, or 10 months of the year and take care of them. Without the importation of sheepherders a great industry in our Nation is going to suffer irreparable loss.

Mr. HAYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Ohio.

Mr. HAYS of Ohio. Is this not a bill that is known in Nevada as the Basque bartenders' bill? Is that not the reason you have a new one every year?

Mr. WALTER. I have not heard of that. As a matter of fact I do not believe it is correct. I have heard of these stories. We have had investigations made and evidence has been submitted to the Subcommittee on Immigration and Nationality. It is the fact that more of these people stay on their jobs than any other class of people from any other place in the world.

Mr. HAYS of Ohio. Does the gentleman mean to say that the sheep industry is growing so rapidly that we have to bring in a new 200 or 300 every year? I had understood that the sheep industry was declining.

Mr. WALTER. No; it is not declining, and I should like to call the gentleman's attention to the fact that there is no such thing as a second generation of sheepherders.

Mr. HAYS of Ohio. I would not debate that with the gentleman.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from New York.

Mr. CELLER. If there is such dire need for sheepherders, would it not be well to amend the act which bears the

gentleman's name and permit an enlargement of the Spanish quota?

Mr. WALTER. It has only been in recent years, as a matter of fact in the last year and a half, that the Spanish quota has not been current. The people from Spain do not want to come to the United States. They go to South and Central America.

Mr. CELLER. But has not the Spanish quota been mortgaged, so to speak, for 15 years?

Mr. WALTER. Fifty percent of it has been mortgaged.

Mr. CELLER. There are many God-fearing and decent Spaniards who cannot come in because we have allowed so many sheepherders to come in.

Mr. PHILLIPS. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. PHILLIPS. Mr. Speaker, I rise to concur in what the gentleman from Pennsylvania [Mr. WALTER] had to say. It is very obvious that the objections or reservations made to this bill are not made to the bill itself but to some other feature of the immigration situation which should not be permitted to confuse this issue; because it is a fact that there is no other source of sheepherders. If we want wool, if we want lamb chops, we have to do something about it. The number of American sheepherders has been steadily declining, even those who will attempt that work. As a consequence, it has been desirable and even necessary to import these Basques, these sheepherders who are referred to in this bill. I hope there will be no objection to the bill, Mr. Speaker.

Mr. WALTER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GRAHAM]?

Mr. CELLER. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

ESPIONAGE AND SABOTAGE

Mr. GRAHAM submitted the following conference report and statement on the bill (H. R. 9850) to revise and extend the laws relating to espionage, sabotage, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 2675)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9580) to revise and extend the laws relating to espionage and sabotage, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

Strike out all of title III, including the title, and the Senate agree to the same.

LOUIS E. GRAHAM,
RUTH THOMPSON,
DEWITT S. HYDE,
EMANUEL CELLER,
FRANCIS E. WALTER,
Managers on the Part of the House.

WILLIAM LANGER,
EVERETT M. DIRKSEN,
PAT MCCARRAN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9580) to revise and extend the laws relating to espionage and sabotage, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

It has been agreed by the conferees that the matter of amending existing law pertaining to registration of persons trained in espionage and sabotage, particularly as it affects foreign diplomats, foreign military attachés, etc., requires further study, and it has, therefore, been unanimously decided not to include provisions attempting to settle that complex problem into the statute which is proposed to be enacted at this time.

Thus, H. R. 9580 is being presented to both Houses with the recommendation that only titles I and II be enacted at the present time.

LOUIS E. GRAHAM,
RUTH THOMPSON,
DEWITT S. HYDE,
EMANUEL CELLER,
FRANCIS E. WALTER,
Managers on the Part of the House.

Mr. GRAHAM. Mr. Speaker, I call up the conference report on the bill (H. R. 9850) to revise and extend the laws relating to espionage, sabotage, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the statement.

(See statement as set out above.)

Mr. GRAHAM. Mr. Speaker, in brief, title 3 of the bill as it passed the House has been stricken. It provided for registration. The other two titles remain. They deal with sabotage and espionage and provide the death penalty. In view of the controversial nature of the matter of registration of the agents, we thought it would be best to strike that title out at this time and bring the matter up at some other time when it would be more convenient to deal with it.

The SPEAKER. The question is on the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

NEED FOR AMENDING THE McCARRAN-WALTER ACT

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JAVITS. Mr. Speaker, it was impossible to get in on the multimember colloquy on that last immigration bill, but I think an important principle is at stake, which the House must understand, and that is that there is deep disquiet about the fact that the present immigration law is unwise and unworkable and yet nothing is being done about it. These exceptions which are sought under bills like the one just before us, show that. If the immigration law were a good law, it would take care at least of the working people whom we need.

There has been no response to the great feeling in many parts of the country that the Immigration Act needs to be rewritten, as President Eisenhower pledged in his platform that it would be, when he ran for election to the Presidency.

There are bills both from the Democratic and Republican sides for that purpose. I hope that this debate we have had will point up the urgent need for giving this problem attention when the Congress reconvenes. That is the whole substantive point of the discussion which makes it so important.

Mr. PHILLIPS. Mr. Speaker, will the gentleman yield?

Mr. JAVITS. I am glad to yield to the gentleman from California.

Mr. PHILLIPS. I rise only to ask the gentleman if it is not a fact that this particular type of immigration, of these Basque sheepherders, preceded the controversy over the McCarran bill.

Mr. JAVITS. That may be; but when the McCarran-Walter Act became law the Congress thought it was dealing with what was needed for the overall policy of the United States. Obviously, it was not. That is the situation to which my colleagues were calling striking attention. We are not dealing here adequately with the immigration policy of our country. The immigration law urgently needs rewriting. It ought to be done. Not even a hearing was given on all these pending bills to rewrite the immigration law although they were offered by Members and documented and urged in both Houses.

RELIEF FOR THE SHEEP-RAISING INDUSTRY

Mr. COON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. COON. Mr. Speaker, I think this bill should stand on its merits and not be opposed by Members of the other side who in general are against the immigration laws. This is a good bill. This will help provide relief to the sheep-raising industry in several States in the West. This bill has been referred to as a sheepherder's bill, and I wish to say that a sheepherder could very well be classed as a skilled worker.

I come from a State where the sheep population has decreased by forty-some percent in the last 15 years. I happen to know that one of the major reasons for this reduction is because the sheep operator is unable to get sufficient help to carry on his business. I know from my own experience and the experience of many of my neighbors that the biggest difficulty we had in taking care of the sheep operation was the inability to get competent help. Most of the old-timers who used to herd sheep are dropping out by reason of their advanced age,

and the younger generation will not do this work.

The purpose of this bill is to permit 385 sheepherders from Spain to come over here, where they are urgently needed. These Basque make good sheepherders. They stay with the sheep, and tend them well. They also stay the year around. Many of them are willing to stay on the job year in and year out, with just brief vacations when it is convenient for the owner.

If I did not know how hard it is to get competent help in the sheep business, I would not be speaking for this bill here today. This is a meritorious bill. This is a needed bill, and I hope this bill will pass.

CORRECTION IN ENROLLMENT OF MUTUAL SECURITY APPROPRIATION BILL, 1955

Mr. TABER. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Concurrent Resolution 271, to correct a mistake in the Foreign Operations Administration appropriation bill relating to the limitation upon things that might be done overseas in connection with letting out contracts for foreign construction.

The Clerk read the title of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Clerk be, and he is hereby, authorized and directed, in the enrollment of H. R. 10051, the mutual security appropriation bill, 1955, to make the following correction:

In subparagraph (2) of section 107, strike out the word "lease" and insert in lieu thereof the word "release."

The concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

REVISION OF THE INTERNAL REVENUE LAWS

The SPEAKER. Under previous order of the House, the gentleman from Missouri [Mr. COLE] is recognized for 40 minutes.

Mr. COLE of Missouri. Mr. Speaker, on last Monday, August 16, when President Eisenhower signed H. R. 8300, it became known as Public Law 591 of the 83d Congress.

This law is the result of the most monumental legislative undertaking in our Nation's history. It is the first comprehensive revision of the internal revenue laws in more than half a century.

Over 3,000 changes in our revenue laws are contained in this new law. In general, these changes were necessary to remove inequities, to end harassment of the taxpayers, and to reduce tax barriers to future expansion of production and employment.

This new tax law closes over 50 loopholes that permitted many taxpayers to avoid paying their fair share of taxes. It amounts to a total saving of $827 million annually for individuals and $536 million annually for business.

This new law is so far-reaching that it affects every taxpaying citizen of our Nation. Therefore, without attempting to give a technical interpretation of it, I shall set out some of its highlights, and, at my own expense, have reprints made of this speech in order to make this information available to every family in my congressional district.

The changes that I shall refer to in general are effective as of last January 1, so that the taxpayer will receive the benefit from them this year.

DEPENDENTS

First. A parent can claim a deduction of $600 for each child regardless of the child's earnings if the child is under 19 and the parent continues to furnish more than half of the child's support.

Second. A parent can also claim the $600 dependency deduction for a child over 18 regardless of the child's earnings if the child is attending school or college, or receiving on-the-farm training, and the parent continues to furnish more than half the child's support.

Third. An aged parent or other dependent cared for by several members of a family can be claimed as a deduction by one of the members of the family.

Fourth. A taxpayer can claim a $600 dependency deduction for a foster child.

Fifth. A taxpayer can claim a $600 dependency deduction for a child awaiting adoption.

Sixth. A taxpayer can claim a $600 dependency deduction for any other person, regardless of relationship, if the taxpayer supports that person in his home.

Seventh. A taxpayer can claim a $600 dependency deduction for a cousin who is institutionalized because of physical or mental disability.

Savings to taxpayers, $85 million.

CHILD-CARE EXPENSES

First. Single working parents, such as a widow, are allowed a deduction up to $600 for the expense of child-care for children up to 12 years of age.

Second. The same deduction is allowed for a married woman who must work because her husband is incapacitated.

Third. The same deduction is allowed with respect to any dependent, regardless of age, who is mentally or physically incapable of caring for himself.

Fourth. A similar deduction is allowed a married woman if the combined income of her husband and herself does not exceed $5,100.

Savings to taxpayers, $130 million.

MEDICAL EXPENSES

First. Medical expenses can be deducted when they exceed 3 percent of income, instead of 5 percent as under old law.

Second. Example: A family with $3,000 gross income and medical expenses of $150 will be able to deduct $60. The same family could deduct nothing before.

Third. The bill doubles the maximum limit on the amount that could be deducted under the old law.

Savings to taxpayers, $80 million.

HEAD OF FAMILY

First. A single taxpayer who has a dependent son or daughter will be entitled during the first 2 years after the death of his spouse to the same income-splitting privilege as is accorded married couples.

Second. A single individual can receive half the benefits of income splitting if he has a dependent parent and if the taxpayer maintains a household for the father or mother.

Savings to taxpayers, $11 million.

RETIREMENT INCOME CREDIT

First. All retired people 65 and over, including schoolteachers, firemen, policemen, and civil servants, will in effect be exempt on all retirement income up to $1,200. This means a tax reduction for these retired people of up to $240 a year.

Second. Example: Under the old law, a retired single individual over 65 who had a total retirement income of $3,000 paid about $300 in income tax. Under the new law, his tax is reduced to $60—a saving of $240.

Third. The same exemption extends to individuals under 65 if they receive a pension from a public retirement system, such as do teachers.

Savings to taxpayers, $141 million.

CREDIT PURCHASES

The new law allows a deduction for interest up to 6 percent on installment purchases.

Total saving to taxpayers, $10 million.

CHARITABLE CONTRIBUTIONS

The new law increases from 20 to 30 percent the allowable deduction for charitable contributions to churches, hospitals, and educational institutions.

Total saving to taxpayers, $25 million.

AID TO FARMERS

First. Deductions up to 25 percent of farm income are allowed for soil and water conservation.

Second. The law permits more rapid writeoff of the expense of farm machinery, equipment, and construction.

Third. Removes tax on the proceeds of the sale of cattle when the sale is necessitated by disease.

Savings to taxpayers, $10 million.

SICKNESS AND ACCIDENT PLANS

First. Premiums paid by employers to health and accident plans will not be taxable to their employees.

Second. All accident and health benefits paid as reimbursement for actual medical expenses to employees, their wives, or children, are completely exempted from tax.

Third. Payments to employees for loss of wages due to injury or illness are exempted up to $100 a week.

Savings to taxpayers: No estimate possible.

DEATH BENEFITS

The new law exempts all death benefits up to $5,000 paid by an employer to the widow or other beneficiary of an employee.

Savings to taxpayers: No estimate possible.

PENSIONS AND ANNUITIES

In addition to the $1,200 exemption extended to retirement income, the law also provides a simpler method for taxation of pensions and annuities, ends annual 3-percent tax paid on annuities and provides instead a method of computing tax on basis of cost divided by years of life expectancy.

Savings to taxpayers, $10 million.

DIVIDEND CREDIT

First. Excludes first $50 in dividends from taxation and provides a credit against tax equal to 4 percent of the balance.

Second. Example: An individual with $50 or less in dividends from his savings will be entirely exempt from tax on that amount.

Third. Example: An individual with $250 in dividends from his savings will exclude the first $50 entirely, and then reduce his total tax by $8—4 percent of the balance of $200.

Savings to taxpayers, $204 million.

DEPRECIATION

The law will permit the more liberal writeoff of the cost of new equipment. For example, in the first year of life of new equipment, the taxpayer will be able to write off twice the amount allowed under the old law.

Savings to taxpayers, $375 million, of which $75 million represents savings to individuals such as farmers, shopkeepers, and salesmen.

DECLARATION OF ESTIMATED TAX

The requirements are eased for filing declarations of estimated tax. Upward of a million taxpayers will be relieved of the present requirement for filing.

FILING OF TAX RETURNS

Tax returns will be due April 15 instead of March 15, giving taxpayers 1 additional month in which to prepare their final tax returns and make their final tax payments.

METHODS OF ACCOUNTING

The law brings tax-accounting rules into harmony with business accounting, thereby eliminating to a great extent the necessity for taxpayers to maintain two sets of books. It provides realistic computation of net income for tax purposes in conformity with sound business practices.

Savings to taxpayers, $47 million.

PARTNERSHIPS

First. The law adopts comprehensive provisions concerning the tax treatment of partners and partnerships in order to remove confusion of the old law. Principal objectives are simplicity, flexibility, and equity between partners.

Second. Certain proprietorships and partnerships are given the option to be taxed as corporations.

Savings to taxpayers, $20 million.

NET OPERATING LOSS

The law extends the net operating loss carryback to 2 years and makes certain other adjustments.

Savings to taxpayers, $120 million.

LIFE INSURANCE

The law lessens the estate tax on the proceeds of certain life-insurance policies.

Savings to individual taxpayers, $25 million.

IMPROPER ACCUMULATIONS

The law eases the penalty tax on certain accumulated earnings in order that business, especially small businesses, may have greater freedom in retaining their funds for legitimate business purposes.

Savings to taxpayers, $10 million.

CORPORATION INCOME TAX

The law extends for 1 year the present 52 percent corporation income tax.

Total increase in revenue, $1.2 billion.

OTHER TAX REDUCTIONS OF THE 83D CONGRESS

The 10 percent reduction in Federal income taxes which went into effect last January 1 saves individual taxpayers a total of $3 billion annually. This tax cut would not have been possible if the Congress and the administration had not cut the Truman budget for fiscal 1954 by $12 billion.

Nor would the $2 billion tax saving by elimination of the excess-profits tax have been possible without this budget cutting.

The excise-tax reduction act of 1954 saves taxpayers an additional $1 billion.

The overall tax-cut program of the 83d Congress will save the taxpayers of our Nation $7,400,000,000. Of this amount, individuals receive an overall total tax saving of $4,700,000,000. The tax savings so far surpass any previous total in the history of Congress.

TRANSPORTATION OF NATIONAL GUARD TROOPS

The SPEAKER. Under previous order of the House, the gentleman from Missouri [Mr. JONES] is recognized for 10 minutes.

Mr. JONES of Missouri. Mr. Speaker, I am today calling to the attention of the chairman of the Committee on Armed Services a condition which has existed for years, and which despite the fact that many complaints have been filed with the Army and with other agencies responsible for this condition, apparently nothing is ever done to correct the situation.

I am referring to the practice of the railroads in furnishing antiquated, obsolete, and unsafe equipment for the transportation of National Guard troops in moving from their home stations to the camps where they pursue their field training.

I am complaining not only of the type of equipment that is furnished by the railroads, but I am complaining about the cost of this service which is paid by the Federal Government. I was astonished to learn that the Government pays exactly the same amount of money for this inferior, second-class service as is paid for first-class accommodations.

I am including herewith a copy of a letter from Col. Russell Boyt, commanding officer of the 140th Infantry, Missouri National Guard, who details some of the experiences which his regiment had last month, and I might say this letter brought back to me memories of 25 to 30 years ago when I was a member of the 140th Infantry and experienced the same sort of conditions. I would not be surprised if some of the same cars were in use this year that were in use at that time.

I join with Colonel Boyt in his statement that the Government should not be required to pay for something it doesn't get. While I want the members of our National Guard to have the best accommodations possible; if the railroads do not have sufficient equipment to transport these troops first-class, then let's pay only for what we get.

Here is Colonel Boyt's letter:

140TH INFANTRY,
Cape Girardeau, Mo., August 3, 1954.

Hon. PAUL C. JONES,
House of Representatives,
Washington, D. C.

DEAR PAUL: As you may well remember from personal experience, when the railroads haul the National Guard to field training they are always able to find a supply of old obsolete railroad equipment.

It is the personal opinion of several officers that the old wooden baggage car (being used as a troop kitchen) caused the train wreck on the way to camp in 1953 in which Sergeant Johnson of Company "C" was killed, several others injured, and considerable property damaged.

For the past 4 years, our field training camps have been at such distances that the railroads were required to furnish sleepers. As usual, the cars have been old and evidently in bad mechanical condition because in nearly every train, the cooling system fails in from one to a dozen cars and we are never able to get any relief. Being closed up in one of these cars with about 50 men for several hours with the temperatures we have been having lately, is about the most uncomfortable thing that can happen to a well man.

I have personally experienced this, along with several hundred other men from this regiment each year for the past 4 years. Each year we write our complaints and comments on this and send them through channels and after this, the fourth year, there is no apparent change.

We also have the opinion that these troop trains are handled as freights because there is seldom any hot water and frequently they stop and start with such suddenness that troops are injured. Four men needed medical attention and two had their eyeglasses broken due to sudden stops by the train I rode on from Camp McCoy, Wis., last Friday and Saturday. Incidentally, this train was stopped for nearly 4 hours out in the St. Louis railroad yards between 7 a. m. and 11 a. m., and arrived in Cape Girardeau about 2:45 p. m. The cooling system was not working throughout the train and there was little or no ventilation without forcing the double windows open and the outside temperature was running about 100 degrees in the shade.

This trip was no different from what we have had in the past but we have received information to the effect that the railroads collect from the Government full first-class fare for each officer and man on these trips. They have complete information several months in advance which permits them to plan the move in detail. These moves over the whole country cost a lot of money. Myself and others are of the opinion that the service and equipment used for troop movements in peacetime are certainly not first class. We can take it in boxcars if that is the order but as citizens and taxpayers we would like to know that Uncle is out only the boxcar rates if we go that way.

When you have time, I would appreciate any information, or suggestion you might have on this matter. Personally, I doubt that the railroads have enough good equipment to move a lot of troops at one time but during peace or war time, I'd like to know that they are paid a fair price for only what they actually furnish.

Sincerely yours,

RUSSELL BOYT,
Colonel, 140th Infantry, Missouri National Guard, Commanding.

Upon receipt of this letter I contacted several offices in the Pentagon in an effort to find out who is responsible for this waste of the taxpayers' money in

paying the railroads for services which are never delivered, and finally wound up talking to someone in the Office of Defense Transportation. They informed me that they had already received a complaint from Camp McCoy, mainly because of the failure of air conditioning in the cars, and that their department had already taken this matter up with the Association of American Railroads and asked for a complete investigation. That is well and good, but as I have said before, this thing happens each year. When will they ever learn that the railroads do not have sufficient equipment to move troops in a first-class manner, and realize that they are just kidding themselves when they order pullman equipment to move these troops, knowing full well that the equipment will not work, and that actually the men would be more comfortable in other type cars of more modern design, which are in more frequent use and less subject to mechanical failure?

I am giving herewith a copy of a letter from the Office of the Chief of Transportation which, of course, does not answer the complaint I have made, or give any assurance that a different policy will be followed. It does not give any assurance that they will demand the use of only safe rolling stock which will give some insurance that there will not be a repetition of the tragedy of 1953 when one man was killed due to the inclusion of an obsolete wooden baggage car in the makeup of the train which was used in transporting the 140th Infantry from southeast Missouri to Camp McCoy.

Here is the letter from the Chief of Transportation. The chart with rates referred to is not included, because it is immaterial:

AUGUST 16, 1954.

Hon. PAUL C. JONES,
House of Representatives.

DEAR MR. JONES: This refers to your letter dated August 9, 1954, regarding the recent movement of the various units of the 140th Infantry, Missouri National Guard, from its several stations in southeast Missouri to Camp McCoy, Wis.

In a preplanning conference attended by the United States purchasing and disbursing officer, State of Missouri, a representative from the National Guard Bureau and a representative from my office, rail transportation was considered to be the mode which would most nearly meet National Guard requirements. The carriers and type of equipment to be used (standard air-conditioned pullman cars) were also agreed upon at the same conference.

Since the number of persons who actually travel on National Guard movements quite often varies from the number for which arrangements are made, it is impractical at this time to furnish the actual cost, however, the rail and pullman rates together with the number of persons originally scheduled to move are shown in an inclosure.

The carriers furnished baggage cars for baggage at no cost to the Government. Government-owned troop kitchen cars were used for messing purposes at the specific request of the United States Property and Disbursing Officer, State of Missouri. The cost for the movement of this equipment amounted to approximately $331.

A complaint has been received from Headquarters, Fifth Army, concerning non-functioning in some instances and improper functioning in other instances of air-conditioning units on several of the cars for all or a part of the journey enroute to Camp McCoy, as well as late arrivals of 3 of the trains, ranging from 45 minutes to 2 hours and 15 minutes. This complaint has been forwarded to the Association of American Railroads for investigation and report. You will be advised further upon receipt of reply to that correspondence.

Your interest in this matter is appreciated. If I can be of further assistance to you please do not hestitate to call upon me.

Sincerely yours,

PAUL F. YOUNT,
Major General, U. S. A., Chief of Transportation.

Mr. Speaker, I feel it is time the Congress took some action on this not only to insure the proper type of equipment being used, but also to see that the Government does not waste its funds paying for something it does not get.

KEEPING THE FAITH

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, I cannot permit this session of Congress to close without bringing attention to the needs of the veterans of our country and their families. In these times of crises and intermittent cold war and shooting wars, it is easy to forget those who have bought for us with their blood the freedom and privileges which we enjoy today. It is in behalf of the men and women who have served their country in its hour of need and who have never lost a war, that I wish to speak.

As reported in the veterans' edition of the Army Times of August 7, the Veterans of Foreign Wars in convention in Philadelphia last week, severely criticized the present administration for its willful neglect of the Nation's ex-GI's and called for the strongest possible censure of the growing and cynical disregard of the veterans' interests.

There are those who are interested in drastically curtailing veteran benefits. The past several years there has been an almost continuous assault on the veterans' medical and hospital program.

The great task that lies before us in the medical program is providing hospital care for all veterans—and especially the mentally disabled veterans. There are from 15,000 to 20,000 veterans with mental disabilities of nonservice connected cause on the waiting lists of mental hospitals all of the time. It takes from 4 to 6 months, and in some cases even longer, to gain admission to a veterans' mental hospital. In the meantime, many of the more serious cases have to be restrained in local jails or in over-crowded State hospitals. Care of the mentally disabled veteran is the No. 1 problem confronting us. I certainly hope that we can make substantial advances in eliminating this problem during the next session of Congress.

There should be an expansion of the direct home loan program, with restoration of the 4 percent interest rate and the loan gratuity payments. There are many areas yet where a veteran cannot obtain a guaranteed loan. This should be corrected.

I am very disappointed that Congress has failed to equalize the amount of guaranty available for a farm loan, as compared with a city residential loan. A veteran obtaining a city residential loan can get up to $7,500 guaranty, while a veteran purchasing a farm for a home can get only $4,000. I certainly hope that we can correct this inequity during the next session of Congress. Direct loans are now available only for the purchase of a residence. A farm veteran may not obtain a direct loan to purchase farm real estate. We should give immediate attention to correcting this inequity during the next session of Congress.

Congress should give immediate attention to the needs of the children of veterans who died from service-connected causes during a period of wartime. There are 156,000 children in the Nation who lost a parent from a service-connected cause during World War II and the Korean conflict. Most of these children are just entering high school. However, a substantial number are finishing high school this year and are ready for college. We are spending a great deal of money on all sorts of educational programs abroad and scholarship programs of one kind or another for adults. Certainly, our obligation to the child who lost a parent in a war is the greatest conceivable. I wish to urge, therefore, that the Congress give immediate attention to establishing an educational assistance program for dependent children of servicemen who died from service-connected causes as a result of their service in World War II or in Korea. These dependent children should become eligible for educational assistance upon completion of high school and the assistance should be adequate to assure a reasonable chance for these dependent children to obtain an education which will fit them to earn their own livelihood.

I am very much disturbed, also, about the cut of five billion from our Air Force program. As a consequence of this cut we are almost at the point of being a second rate air force in the world. This is caused by a woeful lack of foresight on the part of the administration in power. In this atomic age the United States Air Force should be second to none. We spend billions abroad, surely we can afford to adequately provide protection for our country.

Mr. Speaker, this Nation's veterans have served her well. It is our continuing obligation to give priority consideration to the problems and needs of the Nation's men and women who have delivered her in her hours of peril.

REPUBLICAN TAX RELIEF FOR: GUESS WHO?—HAVE THE REPUBLICANS BROUGHT ABOUT THE CLAIMED REDUCTIONS IN TAXES?

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. EBERHARTER] is recognized for 30 minutes.

Mr. EBERHARTER. Mr. Speaker, during the next few months there will be a lot of Republican ballyhoo about

tax reductions. It will be claimed that they have reduced taxes by about $7.4 billion altogether.

In the first place, there would have been automatic reductions in taxes of about $8 billion without any action whatever on their part, since termination dates for this amount of taxes were written in the law when the taxes were first imposed or increased. Two billion dollars of this is accounted for by the expiration of the excess profits tax, $3 billion by the automatic reduction in individual income taxes, and $1 billion in excise taxes plus $2 billion in corporate taxes which were scheduled to expire on April 1, 1954. The administration takes full credit for letting nature take its course on $5 billion of reductions which would have taken place in accordance with law already on the statute books, and thus requiring no action whatever on the part of the administration to have the reductions take effect.

Without getting into the merits of whether or not it should have been done, the administration continued the excess profits tax from June 30, 1953, to December 31, 1953, increasing corporate taxes by $800 million; continued the 52 percent corporate tax from April 1, 1954 to April 1, 1955, increasing them by $2 billion; and tried to make the 1951 increases of $1 billion in excise taxes permanent, but finally under threat of a Democratic motion to recommit the excise tax bill providing for a 1-year continuation only, agreed to a 1-year continuation. These affirmative actions amount to an actual increase of $3.8 billion in taxes. When we consider their reductions of $1.4 billion for the well-to-do in their big tax bill, and the $1 billion of reductions in excise taxes, we see that the net result of their affirmative actions is an actual increase in taxes of $1.4 billion.

TAXES HAVE BEEN REDUCED BY ONLY $1.4 BILLION, AND THIS REDUCTION WAS GIVEN TO THE WELL-TO-DO CORPORATIONS AND INDIVIDUALS

Under the guise of a revision of the tax laws, the administration has reduced taxes by $1.4 billion for fiscal 1955, and by between $3½ and $4 billion when the reductions are fully operative.

About one-fourth of these reductions will go to individuals, and the remaining ones will go to corporations. Of the one-fourth which will benefit individual taxpayers, more than one-third of the benefit will go to those who have income from stock dividends.

When fully operative, the reductions for individuals amount to $985 million. Of this amount, $362 million will go to stockholders of corporations.

These tax reductions constitute the entire tax effort of the administration. It is true that excise taxes were reduced by about $1 billion; however, in the very same measure they continued the so-called Korean combat increases in excise taxes, amounting to $1,077,000,000, the net result being an increase in excise taxes rather than a reduction. Of course, administration spokesmen fail to point out the increased excise taxes in this bill, and only talk about the reductions which were made in it. They ignore these increases in the same way that they ignore the fact that instead of providing for a reduction in revenues of $1,400,000,000, H. R. 8300, by continuing—and rightly so—the 52-percent corporate tax rate for another year, really amounts to a net reduction of only $200 million.

The result is that when we consider the excise-tax and tax-revision bills as a whole, they only reduce revenues by $122 million. This puts a far different light on the claims which the administration is making as to tax reductions.

However, even these facts do not give the complete story. During the course of debate on H. R. 8300, administration spokesmen pointed with pride to the fact that the reductions of $1,400,000,000 being made in that bill were almost completely offset by the $1,200,000,000 in revenue which would be produced in fiscal 1955 by a continuation of the corporate rate at 52 percent. They were not frank enough to admit that they had stated in the House report that they were continuing the 52-percent rate with reluctance; but now that this temporary continuation has been used as a scheme to sell the windfalls for the wealthy and well-to-do corporations in H. R. 8300, the Republicans now find it convenient to completely ignore this continuation; they mention only the fact that they reduced taxes by $1,400,000,000, just as they are doing in the case of excises, where, in effect, their action amounted to an increase in excise taxes.

DON'T COUNT YOUR TAX EGGS BECAUSE THEY WILL NOT HATCH

I invite taxpayers generally to follow very closely the claims which are being made as to the great tax relief being provided for them, and to test these claims when the time comes to fill out tax returns on next April 15. Unless a taxpayer has suffered some misfortune, he will get no benefit whatever. This can readily be seen by studying the provisions which are being ballyhooed as being of benefit to the average taxpayer.

For instance, great pride is being taken in the fact that medical-expense deductions are being liberalized by permitting deductions of amounts in excess of 3 percent of the taxpayer's income instead of the present 5 percent. By this provision, only those taxpayers who have very heavy medical expenses will benefit, because otherwise they will take the standard deduction of 10 percent. Another case is that of providing full income splitting for a taxpayer with children for 2 years after the death of his wife. In addition, retired persons, annuitants, and so on, will be benefited; but you will find no relief whatever unless you fall within a special or exceptional tough-luck category.

From newspaper accounts based on some speeches and statements, I am sure that the public is being misled into believing that every individual income taxpayer is going to get some relief. This is not so.

THE ELEPHANT DOES FORGET

The Republicans in their tax relief bill are again repeating what have been proved to be mistakes in the past. They have resurrected the trickle-down tax philosophy of the 1920's. This philosophy contributed greatly to the depression in the 1930's. Republicans, during their short period of control of the Congress in 1947 and 1948, again came out with a rich man's tax bill. Taxpayers generally at the polls in 1948 indicated that they were not satisfied with tax relief which permitted them to buy an extra pack of cigarettes a week, while the well to do were able to buy an extra yacht. Again this year, the tax bill is handing out tax favors to the selected few.

The exclusion and credit against taxes on dividend income, while accounting for well over a third of the loss of revenue due to relief for individual income taxpayers, benefits only 4 percent of the people in the entire country. The well-to-do corporations who invest in new plant and equipment stand to gain, in the next 16 or 18 years, about $19½ billion from liberalized depreciation allowances.

An attempt is being made to sell these provisions on the grounds that the country today is suffering from a lack of capacity to produce goods and services. I invite attention to the latest issue of Economic Indicators, prepared for the Joint Committee on the Economic Report by the President's Council of Economic Advisers, wherein almost without exception every index shows that business activity and income currently is running below what it was for the same period a year ago. It was this very same philosophy of taxation in the 1920's, whereby the Republicans claimed that it was necessary to stimulate investment instead of market demand, that caused us in 1929 to find ourselves with from 15 to 20 percent of our capacity unused, even at the peak of business activity. I do not have to remind you how our economy toppled us into the depths of the greatest depression we have ever known as a result, to no small extent, of these tax policies.

With the economic evidence which we have at hand today, even an amateur economist can only conclude that what we need is an expansion in demand for commodities and services which we are already capable of producing, instead of a further increase in capacity. Not only that, any prudent businessman will expand his capacity only to take advantage of present or prospective market opportunities. Even with one-sided tax advantages being given to investors, it will be impossible to change the economic facts facing businessmen. Private investment in the last few years has been sufficient not only to meet the demands for replacement of plant and equipment, but also to expand our industrial capacity by about two-thirds between 1946 and 1953. In these 7 years, there was an increase in capacity of about 9.5 percent each year, on the average. The normal growth in our economy is estimated to be at about 3 percent a year, so it can be seen that, even during the period of the excess-profits tax, industry still invested heavily in plant and equipment.

Since 1946 our gross private domestic investment, according to the Department of Commerce, has averaged 15.5 percent of our total gross national product. In 1953, even under the so-called tax handicaps, it was 15.2 percent of our

total gross national product. This is the same as it was in 1929. The average in the 1920's was 15.1 percent. These statistics indicate that our private domestic investment in recent years has been greater than it was even when the so-called tax handicaps were not in the law.

In face of these facts, it might be asked why the administration still insists on giving tax relief to investors and well-to-do corporations. The answer is obvious: It openly brags that this is a businessmen's administration. It has not learned the lesson as to the effects of the trickle-down tax philosophy. The Raleigh (N. C.) News and Observer of July 13, 1954, tritely says:

> But while the administration has reversed its earlier position that balancing the budget should come ahead of tax cuts, it has now reverted to the position which has been historic with the Republican Party since the days of President Grant.
>
> That position is that the Republican Party always yields to pressure from its contributors. That pressure is always exerted for big favors and immediate favors.

TAX RELIEF FOR THE WELL-TO-DO MADE POSSIBLE ONLY BY BORROWING THE MONEY

Scanning the papers carrying Republican speeches during the 1952 campaign is very interesting in the light of developments. Over and over again they were saying then that they would give us a balanced budget, reduced taxes, and ample national defense. I am sure that if they had been questioned at that time they would have said that by reduced taxes they meant reductions for everyone.

What has happened? For the first time since World War II, a President—Eisenhower—has recommended deficit financing. As a matter of fact, this is the second time in peacetime history that a President has ever recommended deficit financing. From reading the papers in 1952, you would think that there was no greater sin which could be wished upon the country than deficit financing. Apparently it must depend upon whether or not Republicans bring about deficit financing.

Not only did President Eisenhower endorse deficit financing, he also recommended that only the rich and well-to-do be given tax relief. As a matter of fact, his recommendation for relief for dividend income was much more liberal than his leadership in Congress would agree to. At the same time, his Secretary of Treasury stated that he strenuously opposed tax relief for the average taxpayer through an increase in individual income tax exemptions.

I question whether or not in light of the world situation today, as a result of recent developments, any tax relief at the cost of our defense preparations and a deficit is advisable. On the subject of the budget, the administration is doing a lot of bragging about how it has been cut. Here again it neglects to tell us the full story. It conveniently forgets that hostilities in Korea have ceased, and that along with a cut in defense preparations, it has considerably reduced foreign economic aid. None other than the Chicago Tribune, in an editorial in the July 27, 1954, issue has this to say:

> When Mr. Eisenhower was campaigning for his office, he promised to bring about a sharp reduction in expenditures. In the year which ended in mid-1952, just before the campaign started, the Government disbursed $65.4 billion. The achievement of Mr. Eisenhower in bringing about economies must be measured by how much he has cut spending below this figure of $65.4 billion.
>
> He hasn't reduced it at all. Instead, he has increased it. The Treasury outgo in the year he has just reviewed was $2 billion more than was spent by his predecessor whose record he had criticized.
>
> The administration has indicated what the outgo is going to be for the new fiscal year which will end June 30, 1955. The total as it is set down in the Treasury Bulletin is $65.6 billion, or a little more than Truman spent in his worst year, and Truman at least had two excuses for swollen budgets. He was fighting a war in Korea that has been over since July 27, 1953. Moreover, he was carrying out the program of economic aid under the Marshall plan. Economic aid, we are told time and again, has been almost completely stopped.

The tax reductions enacted by the administration not only were not well balanced, because they were primarily slanted in favor of well-to-do individuals and corporations, but they result in the average taxpayer having to bear a disproportionately higher burden than he did before. Since they are being made by borrowed money, the average taxpayer will have a greater burden in the future, not only from having to pay back this borrowed money, but also from having to pay interest on it.

ILLINOIS REPUBLICANS ARE NOT SUPPORTING THE PRESIDENT'S PROGRAM

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. PRICE] is recognized for 5 minutes.

Mr. PRICE. Mr. Speaker, I have just seen a press dispatch from Springfield, Ill., where President Eisenhower addressed Republican Day at the Illinois State Fair. The President appealed for an increase in the Republican congressional delegation from Illinois.

While the President was making this appeal for a Congress which he indicated might be expected to support his program, I was observing that the majority of the representatives of the President's party from the State of Illinois was voting against one of the measures in the President's program. On the vote taken this afternoon on the conference report for the foreign aid appropriation requested by the President, most Members of the Republican delegation from Illinois expressed themselves in opposition to the President's wishes. Those who were absent today, possibly listening to and applauding the President at Springfield, were paired against this part of the President's program. The Illinois Democrats solidly supported the President.

It is interesting to note that the record of the Democratic Delegation from Illinois would be found in greater support of the President's program than that of the delegation from Illinois in his own party.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield.

Mr. JONES of Missouri. Does the gentleman think some Members think it is more important to have their pictures taken with the President than it is to support his program?

Mr. PRICE. Of course I do not know, but since I have been a Member of this Congress, as a member of the Illinois Democratic delegation, I and my Democratic colleagues have consistently supported the President when we believed him to be right.

Mr. GREEN. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield.

Mr. GREEN. I had occasion back in 1951 to spend some time with General Eisenhower at his home just outside of Paris, at the time he was considering being a candidate on the Republican ticket. We advised him at that time that if he did run and did win he would find that most of the Congressmen in his own party would not support anything in his program that was in the interest of the people. That has been pretty much proven. I agree with the gentleman from Missouri [Mr. JONES]. It seems to me that the one great platform that most of the candidates will be running on in November is the fact that they had their pictures taken with President Eisenhower, despite the fact that they will not support his program. If it were not for the strong support that he got from the Democratic Members on matters on which he was right, he would not have gotten anything through the Congress.

Mr. PRICE. Of course, matters of this kind are the responsibility of individual Members. I simply point out to the people in the State of Illinois who believe in parts of the President's program, that he can expect possibly greater support from the Democratic Members of Congress from Illinois than from those in his own party.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield.

Mr. ROONEY. Is it not a fact that the only part of his program that has amounted to anything is the Democratic program, following the ideas of the Roosevelt administration?

Mr. PRICE. I think it is generally agreed that the major part of the legislative program of the 83d Congress has been a continuation of the Democratic program.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield.

Mr. O'HARA of Illinois. I notice that in the President's speech today he said he was sick and tired of hearing about unemployment. I recall that a few days ago the President, in his statement said that after a year and a half of his administration there was 5 percent unemployment. That would mean, of course, that 1 out of every 20 Americans today is out of a job. Now I am wondering if the gentleman will agree with me that while the President expressed himself as being sick and tired of hearing about unemployment, if the unemployed are not sick and tired because of hunger from experiencing unemployment.

Mr. PRICE. I think they would be, yes.

Mr. McCARTHY. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield.

Mr. McCARTHY. Is it not true that a number of the incumbent Republicans from Illinois, whom the President is endorsing, have not been cleared by the Citizens Committee for Eisenhower?

Mr. PRICE. Of course I do not know that. I do not criticize any of my colleagues for their votes. I was merely pointing out the irony of the situation today, where the President was asking for an increase in the Republican delegation from Illinois while at the very moment the majority in that delegation were expressing themselves in opposition to his program, and while the Illinois Democratic delegation was expressing themselves in support of one of the main parts of the program for which the President was taking credit in his Springfield political speech.

The SPEAKER. The time of the gentleman from Illinois has expired.

AN AMERICAN TRAGEDY

The SPEAKER. Under previous order of the House, the gentleman from Oklahoma [Mr. WICKERSHAM] is recognized for 5 minutes.

Mr. WICKERSHAM. Seriously, Mr. Speaker, we have an American tragedy.

What I am bringing to your attention is stark drama. If the locale happened to be Timbuktu, or if the people concerned were Hottentots, I might anticipate a concerted rush to their aid. However, such is not the case. I hasten to clear up any such confusion. The locale is the Washita River Basin of Oklahoma. Every man, woman, and child involved in this tragedy is an American.

These hardy Americans have endured the worst blows of nature. For nearly 5 years drought has been their constant companion. When rain does come, it assumes the form of cloudbursts—an overall 30-inch annual rainfall pouring down 2 or 3 times a year in deluges measuring 8 to 10 inches each time.

The question is not "How long can they stand the assaults of nature?"

The question is: "How long can they stand the neglect of the United States Congress?"

Twenty-six thousand acres of farmland is not producing as it should because no complete method exists to hold water when it does come.

Some 38,000 people in 11 towns do not have enough drinking water to meet their needs.

This very minute, in the Washita River Basin, a bucket of water is worth more than a bucket of oil.

The responsibility for providing a system of reservoirs, aqueducts, and canals to meet the elemental needs of your countrymen and mine is not their responsibility; it is ours. However, the farmers and townspeople have indicated their desire and willingness to repay, with interest, their portion of the benefits therefrom.

Oh, yes. We have "done something about it." The Senate has passed S. 118 as far back as the middle of May this year. And this House has had S. 118 reported from our Committee on Interior and Insular Affairs on August 4.

The help is near—and yet, so far. The lifeline has been thrown to the sinking people of the Washita River Basin, a lifeline just out of reach of their desperately clutching hands.

Let me give you the history of what we have and what we have not done. And let me tell you why.

More than 2 years ago Senators KERR and MONRONEY, the Honorable Toby Morris, members of the delegation, and myself submitted this bill to Congress. At that time it was tied up by last-minute legislation.

More than 20 months ago, representatives from the 11 Washita Basin towns came to Washington to plead their case. The Oklahoma delegation in Congress listened. Along with Senator MONRONEY, Senator KERR, Representative BELCHER and I visited the White House to relay the seriousness of the situation to President Eisenhower. Over a year ago, the Secretary of the Interior reported to the President on the feasibility of the Washita project. Over a year ago, the Bureau of the Budget stated that it had "no objections" to the authorization by Congress of this vital and humane enterprise with certain amendments.

On January 6, 1954, Senator KERR and Senator MONRONEY introduced S. 118 and on that same day I introduced H. R. 1097, the companion bill. As has been previously stated, the Senate passed S. 118. The dire need of the people of the Washita River Basin waited on the action of this House of Representatives.

What happened here?

Consideration of the survival of these fellow Americans of our was postponed some 29 times due to the necessary absenteeism due to campaigns for Senate and mayor of several key figures in the House Committee on Interior and Insular Affairs, and other reasons.

Other excuses have been advance for not taking up this life-and-death matter.

I have heard it said—but I have thought it incredible—that action was held up until the Senate has passed certain personal pet bills.

I have heard it said—but I have thought it incredible, that decisions was put off until certain statehood bills had been passed by the House.

I have heard it said—but I have thought it incredible—that nothing was done because the Oklahoma delegation objected to removal of some restrictions on Indian tribes.

I have heard it said—and I have thought this to be the most incredible of all, even though, to my knowledge, few House irrigation and flood-control bills from the interested committee bearing the name of a Democrat have become law this session—that the Washita people were not to be given a chance to live because the Oklahoma delegation was of the minority, and therefore was not entitled to have life-giving projects assigned to its State.

During another administration, the criteria for assigning water projects in this House was: "Is that area in need?" not "Is that area Republican or Democrat?" I sincerely believe that for the most of us, that criteria has not changed with administrations.

Let me point out how it has not changed.

President Eisenhower, in his 1954 budget message, advocated two specific reclamation projects for congressional authorization. The Washita River Basin project was one of these two.

The Republican national committeewoman and the Republican State chairman of Oklahoma have come out strongly for the passage of S. 118. The Republican Secretary of the Interior has considered this bill feasible. The Republican Bureau of the Budget raises no objections to it at this time. The vote to report out S. 118 from the House committee was 10 to 3. There were Republicans among those 10 favoring reporting it out.

For my own part, I have supported all irrigation and reclamation projects of the present administration, because I thought them to be for the good of the American people. I did not object to some California projects brought up on the floor as late as August 18. I have voted for other administration measures simply because I thought they were right measures.

To continue, S. 118 was reported out of the House committee almost 3 weeks ago. I was told on that very day, within an hour after that event that no rule would be issued for it. I have made numerous attempts since that time, appealing both to the majority and the minority leadership, to have S. 118 brought up under suspension of rules. Three different times it was not brought up because of the absence of some administration leaders. Once, it was objected to, but the objector reasonably removed his objection.

During the last 3 days we called the White House to plead with the President for a conference with the entire Oklahoma delegation, to back up his words of his budget message, advocating the Washita River Basin project. We were told that he was too busy winding up official business and preparing to vacation in Colorado, among the plenteous waters of the mountain streams, to hear our plea. I do not object to his needed vacation, however, our Oklahoma delegation had asked for only 5 minutes time for a conference.

All the Members know of our efforts to get the leadership to bring it up under suspension of the rules. I have made application to bring S. 118 up under unanimous consent.

I have done everything I can do—except one thing.

I have come back here to you.

Republican and Democrat farmers, alike, see their land perish in the drought.

Republican and Democrat city dwellers, alike, have their homes—their all—swept away by flash floods.

Republican and Democrat children, alike, suffer from thirst.

Americans are losing their lives and their property.

Americans are suffering because we will not stop their suffering when it is in our power so to do.

It is too late for me to come before you asking justice for my people in the name of the Constitution.

It is too late for me to come before you asking help for my people in the name of common humanity.

It is not too late for me to come before you asking mercy for my people—in the name of the eternal and almighty God.

THE RIGHT REVEREND A. CECIL COOPER

The SPEAKER. Under special order heretofore entered, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, on yesterday the opening prayer was offered by the Right Reverend A. Cecil Cooper, bishop of the Anglican church in Korea.

The prayer by the bishop was one of deep spiritual significance.

Bishop Cooper has been in Korea since 1908 and has served in the capacity of bishop for 23 years. In the spring of 1953 he was released after nearly 3 years of captivity by the Communists. Following a brief sojourn in England, he returned to Korea to serve once more the people of that troubled land.

It was my pleasure to have lunch with Bishop Cooper during his brief visit with us. Even from this brief meeting it is evident that his deep and abiding faith, coupled with a keen sense of humor, account for the fine attitude and health which he enjoys today after the ordeal which he endured.

He has conducted many services for our troops in Korea and since his return there has gone to the front lines regularly for confirmation and other pastoral duties. An indication of the affection in which he is held by those of our servicemen who met him in Korea is evidenced by the fact that a young couple flew from Albuquerque to Denver to have him baptize their child.

I am informed that he is the second bishop, and the first Anglican bishop ever to offer the prayer at the opening of a session of the House of Representatives. He has been attending the Anglican conference in Minneapolis and I am sure as he returns to Korea in a few days that he carries with him the best wishes of his many friends in America and throughout the world, coupled with a deep appreciation of the 50 years of service which he has rendered.

J. GEORGE STEWART

Mrs. ROGERS of Massachusetts. Mr. Speaker, our very esteemed and able friend, the Architect of the Capitol, Mr. David Lynn, will retire on the 30th day of September of this year. We shall miss him. He has been greatly liked by everyone. He is being succeeded by a very fine, courteous, able gentleman, a former colleague of ours who served in the 74th Congress. I refer to J. George Stewart, who is well known to us here in the Capitol. He is able and experienced. He is splendidly equipped for the position. He will be very valuable to us.

THE LATE CHARLES WARREN

Mrs. ROGERS of Massachusetts. Mr. Speaker, I have here several editorials that appeared in reference to the late Charles Warren, an illustrious and able lawyer and jurist of the Commonwealth of Massachusetts. He was well known in the United States and well known internationally. Admired and loved by his friends, he will be greatly missed. Those who knew him and his wife well, experienced their warm hospitality and the pleasure of the brilliant intercourse of national and international figures at their dinners and other entertainments. He has left a void that cannot be filled.

The following are some of the editorials written about him:

[From the New York Times]

CHARLES WARREN, LAW EXPERT, DIES—AUTHORITY ON CONSTITUTION, AN AIDE UNDER WILSON, WON PULITZER PRIZE IN 1923

WASHINGTON, August 17—Charles Warren an outstanding historian and authority on the Constitution and the Supreme Court, died at his home here yesterday. He was 86 years old.

The impact of his manifold writings on legislation and the Nation's judicial processes was impressive. One work alone, "The Supreme Court in United States History," served as authority for at least six cases decided by the highest court.

Another writing, "Presidential Declarations of Independence," served as authority for former President Harry S. Truman's refusal to submit to subpoena by Congress in November 1953. Other of his writings have served as foundations for such legislation as the Espionage Act and the Trading With the Enemy Act of 1917 and the Sabotage Act of 1918.

His memorandum on neutrality, submitted to the State Department at its own request in 1934, served in large part for the basic drafts of the neutrality acts of 1935, 1936, and 1937.

His highest honor in writing was in winning the Pulitzer Prize in 1923 for the best book on American history published in 1922. This was his history of the Supreme Court. His devotion to judiciary history and to his college, Harvard, were two of the ruling things in Mr. Warren's life, although his interests ranged over wide fields of the arts, classics, social phenomena, and even sports. He could and did discuss any and all of these in detail.

HELD FORTH AT "THE TABLE"

Although through much of his life he was in demand as a speaker, especially at college commencement exercises, his chief forum was "the table" at the Metropolitan Club here. High state dignitaries, diplomatic chiefs, legal experts, and newspapermen gathered at this luncheon table at one time or another. The conversation generally revolved around thoughts thrown out by the table's dean.

Mr. Warren was born in Boston, March 9, 1868, the son of Winslow and Mary Lincoln Warren. He was graduated from Harvard in 1889 and had been the secretary of that class since 1904. He was a member of Phi Beta Kappa.

He wrote the History of Harvard Law School and Early Legal Conditions in three volumes in 1908. In 1912, he received the Harvard advocate prize for the best essay by a graduate on the needs of Harvard College, A Pan for Personality in Professors. He was elected a member of the Harvard board of overseers in 1934, as his father had been in 1858.

Two years after graduation, he began law practice in Boston. This was interrupted in 1893 when he was appointed private secretary to Gov. William E. (Billy) Russell, of Massachusetts. He later went into law partnership with Mr. Russell and at the latter's death formed another partnership and practiced law in Boston until 1914.

ORGANIZED FBI OF DAY

In May 1914 he was appointed by President Woodrow Wilson as Assistant Attorney General. In this position he eventually was assigned to World War I neutrality and munitions embargo matters. From this he was assigned to the whole investigation and prosecution of German activities in this country. In this capacity he organized and supervised, through A. Bruce Bielaski, the Department's Bureau of Investigation, which later became the Federal Bureau of Investigation.

While unsuccessful in his bids for elected political office, Mr. Warren, an acknowledgedly highly partisan Democrat, maintained great interest in politics throughout his life. In only rare instances did he veer from the straight party line. The Supreme Court packing project in the Franklin D. Roosevelt administration was one of those instances. His views on the integrity and inviolability of the Supreme Court were strict and unswerving.

The light in which the Supreme Court personnel held Mr. Warren was reflected on January 6 of this year, when the court, en masse, attended, with dozens of others, a golden wedding anniversary party given Mr. and Mrs. Warren at the Sulgrave Club here.

At that party, a tribute written by the well-known attorney, the late John S. Flannery, and read by Arthur Krock, of the New York Times, said that "his many volumes of writings of the Court and the Constitution should be required reading in all of our colleges and prescribed study for all of our judges, especially for the bench of the Supreme Court."

Mr. Warren married in January 1904, Annie Louise Bliss, of St. Louis. She is the sister of Robert Woods Bliss, former Ambassador to Argentina and owner of Dumbarton Oaks estate here, which has been deeded to Harvard.

[From the Washington Post of August 18, 1954]

CHARLES WARREN

Charles Warren, who is dead at the age of 86, will be remembered best as the gentle scholar who brought the people an awareness of the part the Supreme Court has played in the growth of the United States from a weak confederation of colonies to a great world power. Mr. Warren used to say that the Union owes its strength and its preservation to the free intercourse between its parts. The two factors which have made that intercourse possible, he said, are the railroads, physically, and the Supreme Court, legally.

In The Supreme Court in United States History Mr. Warren gave us the first good account of how the Court had helped to shape the destiny of the Nation. While his two long volumes tend to discursiveness, they have the great virtue of recreating, so far as possible, the atmosphere of the times about which he writes. With astonishing patience, Mr. Warren assembled details from contemporary newspapers, manuscripts, documents, and histories and wrote an interesting running story of how the Court worked, the

influences that played upon it, and the public reaction to its decisions. It was for these volumes that he was awarded the Pulitzer Prize for history in 1923.

During the next 5 years Mr. Warren employed much the same technique in writing The Making of the Constitution. In it he recreated the setting in which the Founding Fathers worked and traced the evolution of each important clause in the Constitution from its origin to its final form. The result was a great contribution to understanding of our basic law.

Along with his prodigious historical work, Mr. Warren practiced law. In the Wilson administration he had served as Assistant Attorney General and had drafted the Espionage Act. His high standing at the bar was also recognized by his selection as master in cases of great importance before the Supreme Court. In the finest sense of the word he was a gentleman of the law. With all his professional and scholarly achievements, he maintained a becoming modesty. The introduction to his last book he closed with the words of Pope: "For what I have published, I can only hope to be pardoned; but for what I have burned, I deserve to be praised." We surmise that in the onward sweep of history his assertion will be largely reversed and scholars will magnify the praise already accorded him for what he has written.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. UTT (at the request of Mr. PHILLIPS) for August 19, on account of official business.

SPECIAL ORDER GRANTED

Mr. EBERHARTER asked and was given permission to address the House tomorrow for 15 minutes, after the legislative program and any special orders heretofore entered.

CONTEMPLATED MOVE OF AMERICAN SAFETY RAZOR CORP. FROM BROOKLYN

Mr. ROONEY. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Speaker, I have watched with considerable concern the recent difficulties between the American Safety Razor Corp. in Brooklyn, N. Y., and its employees. It was gratifying to learn at the beginning of this week that the company and its employees have reached an agreement under which the plant will continue operation in Brooklyn at least until the end of May 1955.

But the fact that all concerned seem to have resolved their differences of the moment and relieved the 1,400 Brooklyn workers of their anxiety and apprehension concerning the security of their jobs places this matter in status quo only for the time being. The fly in the ointment with respect to this situation is the contemplated plan of the company to move its plant to Staunton, Va., next May. This would be disastrous to the 1,400 production and office employees. The Borough of Brooklyn and the city of New York is faced with the loss of an estimated annual American Safety Razor Corp. payroll of $5 million.

Many of the employees reside in Brooklyn. They have roots in Brooklyn and they and their families have established homes and lifelong friendships and associations which would obviously result in their reluctance to forsake these ties even if employment was offered in new surroundings.

I understand the average seniority of American Safety Razor employees is 11 years and that some employees have 50 years' seniority. The majority of them are in the 40- to 55-year age bracket. The chance of their obtaining employment in Brooklyn if the plant moves to Virginia is very poor. The majority of them are over 35 years of age; the skills acquired in their present jobs are of no value in other factories because of special methods of production used only by blade manufacturers.

The American Safety Razor plant has been successful in its business operations for many years and the future security and happiness of its employees should in my opinion be a motivating factor in persuading the company's officers to abandon their plans for moving to the South. I deplore the fact that such a movement has been decided upon and I sincerely trust that amicable action will be taken to reconsider this decision with the fervent hope that any plans for the removal of the plant will be definitely abandoned.

The proposed move of American Safety Razor Corp. to the South where labor and living costs—and living standards—are lower is but one in a succession of such moves by Brooklyn plants. Investigation should be made of the tax benefit program of the Office of Defense Mobilization to see the propriety or impropriety of using the tax dollars of the almost 3 million population of Brooklyn to move defense plants and factories out of Brooklyn with the attendant loss of employment and payrolls. A press release of ODM contained in the Sunbury Daily Item, Sunbury, Pa., of May 27, 1954, stated that the United Metal Box Co. got a 70 percent tax write-off by locating in Pottsville, Pa. The present 75 cents an hour minimum wage is inadequate. It should be made $1.25 an hour for many reasons, one of which would be to deter factories moving out of our metropolitan areas for cheap labor elsewhere.

THE HOUSE RESTAURANT

Mr. ROONEY. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Speaker, recently there was published in the Washington Evening Star an article the headline for which, it seems to me, was a bit misleading. The article was written by Violet Faulkner and entitled "Uncle Sam Is Loser on House Restaurant." It read as follows:

UNCLE SAM IS LOSER ON HOUSE RESTAURANT

(By Violet Faulkner)

A recent issue of This Week magazine carried an item calling attention to the fact that the restaurant in the House of Representatives was a losing proposition for Uncle Sam.

A report made by the Architect of the Capitol to the House Appropriations Committee (1950–51) tells why. It is perfectly frank in saying "that the fact that the House Restaurant has for many years been operating at a loss has long been a matter of common knowledge."

As a matter of fact, all the problems involved resulted in a total loss of approximately $30,000 for the year 1953. But it should be known there are certain uncontrollable costs that have to be absorbed before the restaurant can show a profit. The year the report was made these costs added up to between $73,000 and $83,000.

THE HANDICAPS

Here are some of the handicaps the management must face.

The physical layout of the restaurant would be a nightmare for any modern homemaker. She'd throw up her hands in horror. In this day of streamlined kitchens, where everything is within arm's reach, the House restaurant setup would drive her crazy.

The kitchen, bakery, preparation rooms, work centers, and storeroom facilities are on one level, the dining rooms on the floor above. But wait—if one area was directly above the other, it would simplify matters somewhat. They're not. Suppose you had that arrangement in your own home.

Because of space problems, already existing building piers, supporting walls, and other structural conditions, no additional room can be allotted to the restaurant. It's a case of make the best of it.

Food is cooked on the basement level, brought upstairs by dumbwaiter, and served from a separate pantry, which is small and inadequate. Soiled dishes are sent back below stairs, washed, and brought back.

Wonder what Lillian M. Gilbreth, nationally known management engineer, would make of that? She could have a heyday, turned loose on that floor plan.

As a result of this unfortunate layout, labor costs, increased wear and tear on equipment, duplication of work and equipment add up to an unavoidable loss of $15,000 yearly.

ONE MEAL A DAY

A second reason for the House restaurant operating in the red is due to the nature of its business. It's virtually a one-meal-a-day operation, which is costly for any restaurateur. With the proportionately larger personnel required, this adds on another $5,000 yearly loss.

Thirdly, you know how it is when you've prepared dinner for the whole family and you're left to eat it alone. You gnash your teeth. The House restaurant faces the same problem only on a much larger scale. They don't know whether they're going to serve 350 or 1,400 meals a day. It all depends on the business in Congress. Weekend or other similar recesses affect the business take, too. It's estimated this fluctuation in volume accounts for another $10,000 to $15,000 yearly.

A fourth loss occurs when Congress takes a recess, for instance, the annual Easter or Christmas holiday, and the several months which occur between regular sessions. Although most of the services are shut down and personnel laid off, it's still necessary to

keep a skeleton staff with some key employees on the job. This adds up to an annual expense varying from $7,500 to $10,000 per year.

Another factor that adds to the debit side of the ledger is the slow turnover in the dining room. On days when there are frequent quorum calls, teller and record votes, etc., the harassed Members must jump up from their meals, finished or not, and rush to the floor for the business at hand. Food is left on the table. If it's hot food, it is returned to the pantry to await their return. In the meantime, the table is tied up and not usable. Then, too, the restaurant may be prepared to serve a capacity crowd and, suddenly without warning, legislative plans change. So the management is left holding the sack, so to speak. They are stocked with food and no customers. They estimate the loss from these causes between $5,000 to $7,500 per year.

PAY INCREASES

Then, for the final fly in the ointment that has contributed to heavier operating costs in recent years. They are namely: Public Law 900, 80th Congress, approved July 3, 1948 (Federal Pay Act) imposed an additional annual expense of $23,000. Public Law 430, 81st Congress, approved October 28, 1949 (Federal Pay Act) added another $7,500 to the growing list of expenditures. A total of $30,500.

The two cafeterias, the report pointed out, are in a happier situation. One opened in 1942, and the coffee shop, opened in 1947, have each produced a small annual profit.

Why continue to operate the restaurant if it's a losing game, you ask. It's an absolute necessity. And there are some of the reasons why.

Normally, the House convenes at 12 o'clock noon and continues in session during the afternoon. They don't recess for lunch—no continental custom here of a 2-hour lunch break. It's catch-as-catch-can for each Member to have lunch when the opportunity presents itself. If the House restaurant wasn't available Members would of necessity have to go elsewhere for their meals. As it is, they can be located quickly by a system of callbells when they are needed in the House Chamber. It's a saving of time and money for all concerned, they feel.

The House restaurant has been run for years by Mr. William A. Brockwell, manager, Mrs. Edith G. Ridgely, hostess, and their staff. By and large I think the membership of the House has been completely satisfied with the way the House restaurant has been managed and maintained. About 6 years ago, during the 80th Congress, the restaurant in the other body was let out as a concession to an Illinois concern. With all the difficulties, pointed out in the foregoing article, that confront the House restaurant manager and the hostess, in feeding 435 Members, their guests, and employees the loss to the taxpayer and to the Treasury of the United States in feeding the 96 Members of the other body, their guests, and employees is about twice as much.

I am going to include as part of my remarks this article to which I have referred. I trust that when it is read, you bear in mind the fact that it costs twice as much to feed the other body of 96 as it does this body of 435.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. ROONEY. I yield.

Mr. EBERHARTER. I have heard it said and it is my understanding that the prevailing opinion throughout the country is that Members of Congress get excellent meals and the finest array of unusual dishes at a very low price. I think that is rather a mistaken idea.

Mr. ROONEY. Of course it is. I should say to the gentleman from Pennsylvania [Mr. EBERHARTER] that the prices are reasonable, they are not cheap. The Members of this body eat at tables which have a polished wood top on which is placed a paper napkin, whereas in the other body the diners are served on linen tablecloths, with fancy dishes and silverware. Understand, I am not advocating that those linen tablecloths, fancy dishes, and silverware be used on this side of the Capitol. But I am prompted in these remarks by the headline for this article which I think is unfair and from which it might be inferred that the House restaurant was not being properly managed. The management, in my estimation is perfect. All that is needed is more space.

Mr. EBERHARTER. If the gentleman will yield further, I just want to say that I know that every big, modern, industrial establishment that has an efficient working force provides facilities so that its employees will be served luncheon at a reasonable cost and in clean surroundings, because they say it is conducive to better production. I think perhaps if very efficient restaurants were established and maintained on the other side of the Capitol and on this side of the Capitol it might be conducive to better efficiency on the part of the membership of the House.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. ROONEY. I yield to the gentleman from Texas.

Mr. PATMAN. We have agencies of Congress that spend much more than what the gentleman has indicated. It happens that I know something about the expenditures made by the Federal Reserve System in cafeterias, restaurants, and eating places of their own. The Board of Governors has authorized an expenditure of up to 50 percent of the Government's money in these eating places.

Mr. ROONEY. Oh, please do not tell us that that is going on under the Eisenhower administration.

Mr. PATMAN. That is going on and of course it has gone on in both administrations. But the Federal Reserve System is losing about $1 million a year now in its cafeterias, restaurants, and other eating places. The Board of Governors has recognized and authorized up to a 50-percent loss in those operations. That is an agency that is a part of Congress. It is a part of the Government of the United States.

CAFETERIA EXPENSES OF FEDERAL RESERVE SYSTEM

The Federal Reserve banks, owned by the Government and an agency of Congress, with the approval of the Board of Governors, absorb part of their cafeteria expenses. The Board has advised the banks that it would have no objection to their absorbing up to one-half of the cost of operating their cafeterias.

This is taxpayers' money that is being used.

There are given below figures relating to the cafeteria expenses of the Federal Reserve banks and the Board of Governors for the years 1951, 1952, and 1953:

	1951	1952	1953
FEDERAL RESERVE BANKS			
Total cafeteria expenses	$2,113,212	$2,342,329	$2,472,209
Cafeteria receipts	$1,160,105	$1,279,140	$1,367,164
Net expenses (absorbed by the banks):			
Amount	$953,107	$1,063,189	$1,105,045
Percent of total expenses	45.1	45.4	44.7
BOARD OF GOVERNORS			
Total cafeteria expenses	$111,288	$115,360	$114,987
Cafeteria receipts	$71,807	$73,714	$73,842
Net expenses (absorbed by the Board):			
Amount	$39,481	$41,646	$41,145
Percent of total expenses	35.5	36.1	35.8

This information was furnished to me at my request by the Board of Governors of the Federal Reserve System.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. ROONEY. I yield to the gentleman from Ohio.

Mr. VORYS. I think the gentleman is making some interesting remarks, but it seems to me that at a time like this it would also be well to call the attention of the public to something that they cannot see, and that is the very modest, simple, sandwich counters in the Democratic cloakroom and the Republican cloakroom, where a great many, possibly a majority of the Members of this House eat each day, and eat extremely modestly and cheaply and without any overhead to anybody except themselves. I do not think that is a particularly healthy way for us to proceed, but we all know it is necessary. We all know that if we all ate downstairs there would not possibly be room. We all know that the way we operate and work here a great many of our meals are taken at these very simple, tiny sandwich counters in the two cloakrooms.

Mr. ROONEY. The gentleman is correct.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ROONEY. I yield to the gentleman from Iowa.

Mr. GROSS. I wonder if the gentleman has seen the plush dining rooms in the United Nations Headquarters.

Mr. ROONEY. I have not had the pleasure of eating there.

Mr. GROSS. Perhaps the gentleman from Ohio could give us some information on that.

Mr. ROONEY. Is it the gentleman's purpose to sustain the argument I am making that the House restaurant is properly run and that it is economically run, that the prices are reasonable and not cheap, and that we are satisfied with it?

Mr. GROSS. Yes. I think they do a pretty fair job.

Mr. ROONEY. For the public's information, this is today's menu of the House restaurant:

HOUSE OF REPRESENTATIVES RESTAURANT, UNITED STATES CAPITOL

MENU

(Thursday, August 19, 1954)

Today's luncheon

Appetizers and Soups

Cherry stones, 40; little necks, 40; V–8 cocktail, 20; fruit cup, 30; hearts of celery, 30; olives, 30; grapefruit juice, 20; tomato juice, 20; orange juice, 20; clam juice, 25.

Scotch barley broth, 25; cup, 20.

White Navy bean, 25; cup. 20.

Consumme, cup, 20.

Minced-clam stew, 60; cream, 75.

Cold jellied tomato bouillon, 25.

Specials—Chef's Suggestions

1. Smothered swiss steak, sweet-pepper sauce, mashed potatoes, and baked tomato, 1.24.

2. Fried crab cakes, coleslaw, French-fried potatoes, 90.

3. Scrambled eggs with chicken livers sauté and potatoes, 85.

4. Cold plate: Salmon salad, mayonnaise, cottage cheese, and stewed fruit; tea or coffee, 85.

Ninety-Cent Luncheon

5. Spring lamb stew with garden-fresh mixed vegetables; parsley potatoes; choice of pie or layer cake; tea or coffee.

Desserts (Homemade)

Cherry pie, 20; chocolate-fudge cake, 20; honeydew melon, 40; sliced fresh peaches, 40; half cantaloupe, 35; watermelon, 50; green-apple pie, 20; chocolate sundae, 25; stewed apricots, 20; fruit jello, 15; butterscotch sundae, 30; ice cream or sherbet, 20; cup custard, 20; rice pudding, 20; stewed prunes, 20.

Beverages

Coffee, cup, 10; pot, 15; tea, cup, 10; pot 15; milk, 10; buttermilk, 10; iced coffee, 15; iced tea, 10; slim (fortified skim milk), 10; Sanka, 15; chocolate or vanilla milk shake, 25; malted, 30; Postum, cup, 15; bowl of milk and graham crackers, 25; yogurt, 40; Coca-Cola, 10; bowl of half and half and graham crackers, 40; Alka-Seltzer, 10.

A la carte

Sandwiches [1]

Ham, 35; ham and cheese, 45; American cheese, 25; liver sausage, 30; Swiss cheese, 35; salmon salad, 30; peanut butter, 25; minced-ham salad, 30; chicken, 65; tunafish, 35; corned beef, 45; tongue, 40; hot beef with gravy, 65; pimento cheese, 25; cream cheese and jelly on date and nut bread, 40; lettuce and tomato, 20; fried egg, 25; sardine, 25; chicken salad, 45; club, 85; bacon and tomato, 40; lettuce and egg, 25.

Salads

Lettuce and tomato, 40; egg and potato, 45; potato, 30; stuffed tomatc, 55; coleslaw, 20; grapefruit, 45; fresh vegetable, 45; hearts of lettuce, 45; health fruit, 70; chicken, 95.

Cold ham or corned beef with potato salad, 90; sardines with potato salad and crackers, 50; pineapple and cottage cheese, 50.

Roquefort dressing, 25; Russian dressing, 15.

Grill specials (to order) 5 to 10 minutes.

Grilled American cheese sandwich on toast, stuffed olives, 40.

Hamburger sandwich on buttered grilled roll with pickle relish or raw onion and potato chips, 60.

Steak sandwich with potatoes, 75.

Browned corned-beef hash with fried egg or chopped salad, 75.

Spanish omelette, 85.

Ham or bacon and eggs, any style, 85.

Pan-broiled pork chops, potatoes, 95.

Grilled lamb chops, potatoes, 1.75.

Broiled sirloin steak, French-fried potatoes, 2.25.

Cheese (Served With Crackers)

American, 25; Camembert, 40; blue, 35; cottage, 30; Swiss, 35; Philadelphia cream, 35; half, 25.

Rye crisp, bread, roll, or muffin, 5 cents. "Iowa tall corn" cornbread, plain or toasted, 5 cents. (Oleo served in place of butter on request.)

Breakfast 8 to 11 a. m.

ALL ABOUT OUR BEAN SOUP

Bean soup has been a featured item on the menu of the House of Representatives restaurant since long before that day in 1904 when the then Speaker of the House, Joseph G. Cannon, of Illinois, came into the House restaurant and ordered bean soup.

Then, as now, bean soup was a hearty, zesty, and filling dish; but it was typically hot and humid in Washington that day, and, therefore, bean soup had been omitted from the menu. "Thunderation," roared Speaker Cannon, "I had my mouth set for bean soup"; and, he continued, "from now on, hot or cold, rain, snow, or shine, I want it on the menu every day."

And so it has been—bean soup on the menu every single day since.

For our many friends who over the years continue to ask for the recipe for this famous soup, we print it herewith, just as it has always been made (adapted to family sized quantity) in the House restaurant kitchen in the Capitol:

RECIPE FOR BEAN SOUP SERVED IN THE UNITED STATES HOUSE OF REPRESENTATIVES RESTAURANT

Two pounds No. 1 white Michigan beans.

Cover with cold water and soak overnight.

Drain and re-cover with water.

Add a smoked ham hock and simmer slowly for about 4 hours until beans are cooked tender. Then add salt and pepper to suit taste.

Just before serving, bruise beans with large spoon or ladle, enough to cloud.

(Serves about six persons.)

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[1] Sandwiches on Hollywood bread, 5 cents extra.

RECESS

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent that the House stand in recess until 6 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. RAYBURN. Reserving the right to object, Mr. Speaker, I would like to know the why of this. I do not know of any legislation we have at the present time that we could do anything about at 6 o'clock.

Mr. HALLECK. The conferees on the social security bill have had several meetings. It is hoped that shortly after certain matters on the floor in the other body might be disposed of one way or the other those conferees might meet again.

I might say to the gentleman that as the quorum call and these votes have indicated we are down to 260 Members. There is a funeral tomorrow of one of our deceased colleagues to which a very considerable representation is going, and certainly we want them to go. My only idea was that if some of these matters that must be disposed of before we can quit and go home could be considered this evening it would be highly desirable. A number of Members both on the gentleman's side and on my side have said to me that they are expecting to leave.

I certainly must indicate to Members what the situation might be, if we cannot dispose of the program this evening. Of course, I am in no position to say that it can be disposed of this evening. On the other hand, within the hour I have talked to both the majority and minority leaders in the other body who are not yet completely convinced that it would not be possible to finish tonight. Of course, I cannot give any assurance about it.

Mr. RAYBURN. If consent is granted and we come back here at 6 o'clock, there would be no point in sitting around here until 10 or 11 o'clock tonight.

Mr. HALLECK. Of course not. The whole idea was that by 6 o'clock tonight we would have some idea as to whether there would be anything we could do this evening, and if it became apparent at that time that there would be nothing upon which we could act which is a part of the necessary legislative program, then certainly we would adjourn the House until tomorrow.

Mr. RAYBURN. I will say to the gentleman, many Members on this side of the House have spoken to me today, many of them, of course, have gone, but I have told them that I thought the only safe thing for them to do would be to stay here until the Speaker drops the gavel on a sine die adjournment, and I have discouraged everybody from going away, and I trust that that gets to be a pretty general attitude here.

Mr. Speaker, I am not going to object to this, but I think it is a futile thing to try to complete the legislative program tonight.

Mr. Speaker, I withdraw my reservation of objection.

Mr. BROWN of Ohio. Mr. Speaker, reserving the right to object, does the majority leader feel there is a possibility that we might be able to conclude our work and adjourn tonight?

Mr. HALLECK. That is right.

Mr. BROWN of Ohio. If there is such a possibility, I personally am willing to remain here, and I think most of the Members are because we are very anxious to adjourn and get to other matters.

Mr. HALLECK. Of course, we are all in the same sort of situation. In my own personal case, I happen to have a very important matter in my own district at 10 o'clock tomorrow morning and I have just had to cancel it. I had another important matter to attend to over the weekend, and I know there are many Members here on both sides of the aisle who have made personal commitments, and many of them are already home because of those commitments. That is the situation which prevails. So as far as I am concerned, I want to conclude the session as quickly as we can. By and large, the program that we set out to enact into law has been enacted into law and the last major proposition is the

matter of the social security amendments.

Mr. BROWN of Ohio. Mr. Speaker, feeling that if there is any possibility whatsoever of concluding our work and adjourning tonight by remaining here under a recess arrangement for an hour or so, I certainly withdraw my reservation of objection.

Mr. RAYBURN. Mr. Speaker, I, too, have several engagements—two of them were to catch a train, and those are not all the engagements that I have. I have two more—one tomorrow and one Saturday night, and in all probability I do not believe I will be able to fulfill either one of those engagements.

Mr. HALLECK. I hope the gentleman's pessimism is not borne out. Of course, no one can be sure.

Mr. GREEN. Mr. Speaker, reserving the right to object. Do we have any information on the pay bill—on the postal pay bill?

Mr. HALLECK. The House of Representatives voted on the postal pay bill twice. One was defeated and one was passed. That is presently in the other body. That is all the information I have.

Mr. GREEN. So the gentleman does not have any idea—you have not been in touch with the other body on the pay bill? The last I heard in the paper was that it was going to take a miracle, and I was wondering if there was any chance of working a miracle.

Mr. HALLECK. I am quite sure I could not work one.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous censent that in the colloquy with the gentleman from New York I may extend my remarks and include certain tables and excerpts.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATMAN. And I ask unanimous consent, Mr. Speaker, that the gentleman from New York [Mr. ROONEY] may likewise be privileged to revise and extend his remarks and insert a copy of today's menu in the House restaurant.

The SPEAKER. Is there objection?

There was no objection.

THE HOUSE RESTAURANT

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts.

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise to ask a question of the gentleman from New York [Mr. ROONEY] regarding the overcrowding in the House restaurant. Does not the gentleman consider the overcrowding in the restaurant one of the worst features of it?

Mr. ROONEY. Oh, I deplore the overcrowding and wish we had more space, as does the gentlewoman from Massachusetts, but the point is that the House restaurant is being capably and efficiently managed, and we do not want it taken away from the present management, now under the supervision of the Committee on House Administration, and given to a concessionnaire, since the food is not as palatable over at the other end of the Capitol.

Mrs. ROGERS of Massachusetts. It would be much more efficiently run if we had more space. It is embarrassing when we have people come from out of town and we try to take them into the restaurant and they are actually trampled upon. There are so many waiting for tables in the narrow corridors and the dining room itself is terribly crowded.

Mr. ALLEN of Illinois. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. ALLEN of Illinois. In my opinion, the United States Capitol should have the best restaurant in the world and not the worst one. When I say "the worst one" I cannot think of a place in the United States where you have to stand in line to get in and get seated. I do not know a restaurant in the United States that will put you at a table and then put strangers at the same table, where you cannot talk to your constituents who are seated with you. I was at the United Nations. They have six resturants, chandeliers, and carpeting, and all those things. So I personally think we need a change and I think we should have the best restaurant in the world.

The SPEAKER. The time of the gentlewoman from Massachusetts has expired.

RECESS

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. ALLEN] that the House stand in recess until 6 o'clock?

There was no objection.

The SPEAKER. The House stands in recess until 6 o'clock.

Thereupon (at 4 o'clock and 33 minutes p. m.) the House stood in recess until 6 o'clock p. m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 6 o'clock p. m.

ANNOUNCEMENT

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I ask for this time in order to say to the Members that while I had hoped we might be able to complete action on the social-security measure this evening, we have not yet been able to arrange for a further conference meeting.

The matter is so questionable that I think there is no alternative except to adjourn the House this evening until noon tomorrow.

I want to suggest again the desirability of a quorum being here. I do not know whether there will be record votes, but the situation might well arise that would necessitate the presence of a quorum, and certainly we would want to have a quorum here should that occasion arise.

RECORD OF THE 83D CONGRESS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, it has been an honor and a privilege for me to represent the citizens of the Second Congressional District of West Virginia in the Congress of the United States for the past 6 years, during a decisive period of our history.

Where the 83d Congress will be listed among the previous bodies that have been responsible for the laws of the United States in the past 166 years depends upon what we have accomplished—or failed to accomplish—since our first meeting on January 3, 1953. By our actions we shall be judged. With this realization, perhaps we should reexamine the record with the avowed intention of rectifying whatever errors may have been committed, and of taking action wherever it is found wanting.

Upon leaving Washington, most of us will return immediately to our homes in the districts we represent—to the far reaches of the west coast, to the rugged Rockies, the sweet and gentle Southland, the rolling plains of the Midwest, the beauteous Appalachians, the refreshing seaboard regions, and to majestic New England. Whichever area you represent, it is a part of what will always be the greatest nation in the world providing that we, the elected Members of Congress, never become remiss in our duties toward preserving the welfare, security, and integrity of this, our country.

But I say to you now, Mr. Speaker, that unless in these closing days of this session there is a willingness on the part of the party in power to deviate from the stubborn course set by the present administration, in retrospect the 83d Congress will be found seriously lacking in the fulfillment of the solemn duties with which it has been charged by the Constitution.

It is my good fortune to live sufficiently close to the congressional district I represent to be able to visit there often during weekends and at other times when the House is in recess. I can tell you that the people are not satisfied with the way that the administration has handled the affairs of the Nation in the 20 months that it has been in power. You are going to hear the same story from your own people, regardless of where you live, for it has become all too evident that the promises and the practices of the administration do not jibe.

Our people in the coal, railroad, glass, pottery, and other industries seriously injured by cheap foreign imports were told that protection would be granted

so that they could return to work. But the situation has become immeasurably worse in the meanwhile as promises are continually postdated. While coal markets are displaced by ever-increasing shipments of residual oil from alien refineries, the stockholders in international oil companies bask in growing riches accruing from those very policies that subject the miner and his family to poverty and hunger.

Now, please do not get the impression that I am exaggerating the intensity of this depression that has enveloped so many of the communities in what should be the land of plenty. Shortly before summer vacation began, a school principal in my district called and said that out of 100 of his students, at least 25 boys and girls were coming to school without lunch or lunch money. How the administration can ignore a situation such as this one is beyond me. I insisted that something be done to help these unfortunate people, and finally we were able to divert some of the Government's surplus food into our area. It has helped immeasurably, but you may be sure that our people are not satisfied to subsist in this manner. They want to work for their livelihood, and I insist that they be given this opportunity regardless of whether it conflicts with the interests of the big-money crowd that is dictating our international trade policies.

Our farmers and dairymen, who were given glib pledges of opportunities for economic advancement, now find their income below the danger levels. The farmer is getting less for his products and paying more for what he has to buy. Our cattle people have been hurt badly, and some of them have been completely wiped out since this administration came into power. Similarly, our poultry farmers have seen their hopes for an acceptable standard of living steadily go down. Yes, while farm incomes have declined, prices for food and necessities have risen, and our appeals to those responsible for these conditions have fallen on deaf ears.

If there is any doubt about higher prices, I ask that you just walk into any store in this Nation and see for yourself what it costs to feed a family today. Or ask any housewife what she has to pay for coffee and other staples. It is not the grocer's fault that what he sells is so expensive. The fault lies right here in Washington, and it extends back to the time that the present administration took office January a year ago.

The administration would not consent to lessening the tax burdens of families with modest incomes, but it powered through a law that granted double advantages for the wealthy and big corporations.

And, through it all, our people were promised that Government expenditures and the national debt would both be reduced under the administration's yardstick for efficient operation. Mr. Speaker, it is the first time in history that a yardstick has been sawed in two and both ends are bigger than they were before the cut was made. Instead of spending wisely—with the aim of restoring prosperity and strengthening the national security—the administration has chosen to waste the people's money on such projects as the St. Lawrence Seaway, which will deprive our coal mines and railroads of further business and at the same time entrust defense requirements to a river that will be frozen over 5 months of every year. Instead of showing a reduced budget, the administration has had to raise the debt limit by $6 billion.

I am very much disturbed, also, about the cut of $5 billion from our Air Force program. As a consequence of this cut we are almost at the point of being a second-rate air force in the world. This is caused by a woeful lack of foresight on the part of the administration in power. In this atomic age the United States Air Force should be second to none.

I ask the Members of this House if they are willing to go back to their home districts with this record of accomplishment? I can tell you that it will be very disappointing for me to have to explain that there is no relief in sight for our people, but I promise you that I am not going to be hesitant about pinning the responsibility on those who are accountable for what has been happening in Washington during the past 20 months.

The House of Representatives had every opportunity to put the brakes on shipments of cheap foreign products that are creating so much impoverishment. We who want to protect the American workingman had a bill that would place a limit on residual oil imports, but when it came time to vote the majority leader stood up here and shook his finger at his own party members and brusquely stated that he had orders from the White House to put the bill aside.

So we lost that battle, but we were promised that something would be done about excessive imports in 1954. This time we did not even succeed in getting a bill to the floor. The orders were to keep it in committee, and that is where it has stayed. Then came a promise that something would be done in 1955. Mr. Speaker, I am tired of these tactics, and so are our people. Delayed execution of a promise is no more than a broken promise, and this conduct will not long be tolerated.

If you do not relish this flagrant blemish on the record of the 83d Congress, then I ask that you reconsider adjournment until at least you have enacted legislation to return to the coal miner, the railroad worker, the glassworker, and the pottery worker an opportunity to get back to work and earn a living for himself, his wife, and his children.

I ask you also to keep in mind that the security of our country is involved in this matter. When basic industries are subjected to the prevailing unfair standards of competition that deprive them of an opportunity to operate at normal levels, those industries will not be ready to answer the call for full capacity production in an emergency period. Under these circumstances, Mr. Speaker, how can anyone permit political considerations and petty differences to block the legislation necessary for the protection of those industries?

The one principle for determining our course should be: "Is this good for America and in conformity with the precepts which God has established?" I have six children who are growing up in this glorious land, and I know that every father and mother is as concerned as I am about what the future holds for our sons and daughters unless this principle is followed. We were elected to Congress to follow this principle; to ignore it is to violate the trust which has been placed in this legislative body.

In the name of our country and our people, I appeal to you to take the necessary legislative action for the protection of the national welfare and security. Then and only then will all Members of this Congress be able to go back home with a clear conscience and the consoling thought that at least a determined effort was made to right the wrongs that have accumulated since the present administration assumed the responsibility for the management of the affairs of our Nation.

We must never forget that no nation can be strong if it is lacking in Christian principles, or if its leadership fails to be bound by the teachings of the Master of Galilee. Christianity has been identified with our toils and trials as a Nation; it has inspired us to victories; it has cheered and sustained us in the hour of darkness and gloom, and stands today as an assurance of blessings in the future if we maintain our allegiance to its principles and hold true to its teachings.

SECRETARY BENSON IS GOING NO FURTHER THAN HE IS PUSHED BY CONGRESS

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, it has come to my attention today that in considering a revision of the regulations governing the ASC county and community committees, necessitated by the adoption of an amendment to the Agricultural Act of 1954 which prohibits the Secretary from limiting the terms of members of the ASC county committees, Secretary Benson is considering going only as far as he has been pushed by Congress.

To anyone familiar with the operation of the agricultural program, it does not require a Philadelphia lawyer to interpret the intent of Congress, which in effect has told the Secretary, "Mr. Benson, the farmers are perfectly capable of running a farm program and we need no outside interference."

It seems that the Secretary has taken the position that inasmuch as the amendment did not specifically prohibit him from limiting the terms of the community committeemen as it mentioned only members of the county committee, that he would retain in his revised regulations that prohibition against electing experienced members of the various community committees.

Mr. Speaker, if the Secretary does this, and I must admit that I have always given him credit for being more intelligence than taking this action which I understand he is considering, he will in effect be telling Congress that he is not interested in either the intent of Congress or the spirit of the law; that he will comply with the letter of the law and no more.

If I were interested only in the political implications resulting from such action, I would not be calling this to the attention of the Secretary, because I believe I know the temper of the farmers who do not appreciate some Government bureaucrat telling them who they should elect. However, I am interested in the best administration possible of the farm program, and I know that it is a mistake to disqualify some of our best and most experienced people from participating in the administration of this program.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. MERROW and to include extraneous matter.

Mr. COLE of Missouri and to include extraneous matter.

Mrs. FRANCES P. BOLTON and to include extraneous matter.

Mr. VAN ZANDT.

Mr. HOPE and to include extraneous matter.

Mr. BEAMER (at the request of Mr. BRAY) and to include extraneous matter.

Mr. LONG.

Mr. GRANAHAN in four instances and to include extraneous matter.

Mr. MULTER two instances; and in one instance notwithstanding that it will exceed two pages of the RECORD and is estimated by the Public Printer to cost $382.50.

Mr. DODD and to include extraneous matter.

Mr. YATES (at the request of Mr. PRICE) in four instances and to include extraneous matter.

Mr. SIEMINSKI in two instances and to include extraneous matter.

Mr. RADWAN.

Mr. BURDICK.

Mr. OAKMAN and to include an editorial.

Mr. JOHNSON of Wisconsin and to include additional matter.

Mr. ZABLOCKI and to include additional matter.

Mr. DURHAM.

Mr. FINO (at the request of Mr. DORN of New York).

Mr. BARRETT on the Prime Minister of Italy.

Mr. MILLER of Nebraska.

Mr. CRETELLA.

Mr. CURTIS of Massachusetts in two instances, in each to include extraneous matter.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2153. An act to authorize the transfer of certain property to the State of Minnesota, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2564. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Gubbins & Co., of Lima, Peru, and Reynaldo Gubbins; to the Committee on the Judiciary.

S. 2821. An act granting the consent of Congress to the States of Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact for the attainment of the conservation and development of the water resources of the Missouri Basin, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 3570. An act to authorize the sale of certain lands situated in Utah; to the Committee on Interior and Insular Affairs.

S. 3730. An act for the relief of the Geo. D. Emery Co.; to the Committee on the Judiciary.

S. 3813. An act for the relief of certain alien sheepherders; to the Committee on the Judiciary.

S. J. Res. 173. Joint resolution to authorize the President to proclaim the week of November 28, 1954, through December 4, 1954, as National Salvation Army Week; to the Committee on the Judiciary.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 270. An act to provide for the control and extinguishment of outcrop and underground fires in coal formations, and for other purposes;

H. R. 1514. An act for the relief of Clint Lewis;

H. R. 1797. An act to provide for the conveyance of certain land to the State of Oklahoma for the use and benefit of the Eastern Oklahoma Agricultural and Mechanical College at Wilburton, Okla., and for other purposes;

H. R. 1912. An act for the relief of Hayik (Jirair) Vartiyan, Annemarie Vartiyan, and Susanig Armenuhi Vartiyan;

H. R. 2009. An act to authorize the sale of certain land in Alaska to the Ninilchik Hospital Association, of Ninilchik, Alaska, for the use as a hospital site and related purposes;

H. R. 2010. An act to authorize the sale of certain land in Alaska to the Alaska Evangelization Society, of Levelock, Alaska, for missionary purposes;

H. R. 2012. An act to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for a camp site and other public purposes;

H. R. 2014. An act to authorize the sale of certain public land in Alaska to the Community Club of Chugiak, Alaska;

H. R. 2015. An act to authorize the sale of certain land in Alaska to Lloyd H. Turner, of Wards Cove, Alaska;

H. R. 2024. An act for the relief of Frank L. Peyton;

H. R. 2615. An act for the relief of Julio Mercado Toledo;

H. R. 2645. An act for the relief of Donald James Darmody;

H. R. 2791. An act for the relief of Esther E. Ellicott;

H. R. 2815. An act for the relief of Floyd C. Barber;

H. R. 2881. An act for the relief of Mrs. Rosaline Spagnola;

H. R. 3008. An act for the relief of Esther Smith;

H. R. 3216. An act for the relief of E. C. Mills;

H. R. 3217. An act for the relief of Mrs. Florence D. Grimshaw;

H. R. 3273. An act for the relief of Edgar A. Belleau, Sr.;

H. R. 3516. An act for the relief of Anna K. McQuilkin;

H. R. 3522. An act for the relief of Arthur S. Rosichan;

H. R. 3732. An act for the relief of Catherine (Cathrina) D. Pilgard;

H. R. 3854. An act to authorize the sale of certain public land in Alaska to the Turnagain Arm Community Club of Anchorage, Alaska;

H. R. 3951. An act for the relief of Frank G. Koch;

H. R. 4118. An act to authorize the preparation of rolls of persons of Indian blood whose ancestors were members of certain tribes or bands in the State of Oregon, and to provide for per capita distribution of funds arising from certain judgments in favor of such tribes or bands;

H. R. 4175. An act for the relief of Charles R. Logan;

H. R. 4329. An act for the relief of Huntington, McLaren & Co.;

H. R. 4474. An act for the relief of Frederick Joseph Buttaccio and others;

H. R. 4531. An act for the relief of Lyman Chalkley;

H. R. 4580. An act for the relief of the Florida State Hospital;

H. R. 5028. An act for the relief of Petra Ruiz Martinez and Mr. and Mrs. Marcelo Maysonet Mirell;

H. R. 5086. An act for the relief of George Eldred Morgan;

H. R. 5092. An act for the relief of Robert Leon Rohr;

H. R. 5093. An act for the relief of the survivors of Melvin Edward Williams;

H. R. 5460. An act for the relief of Chancy C. Newsom and the legal guardian of Susan M. Newsom, a minor;

H. R. 5461. An act to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment on the claim of Wah Chang Corp. against the United States;

H. R. 5489. An act for the relief of Rocco Forgione;

H. R. 5986. An act for the relief of Harold E. Wahlberg;

H. R. 6332. An act for the relief of James Philip Coyle;

H. R. 6455. An act to create a National Monument Commission, and for other purposes;

H. R. 6562. An act for the relief of Capt. C. R. MacLean;

H. R. 6566. An act for the relief of Daniel D. Poland;

H. R. 6814. An act to facilitate the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes;

H. R. 6959. An act to authorize the sale of certain land in Alaska to the Baptist Mid-Missions, an Ohio nonprofit corporation, for use as a church site.

H. R. 7045. An act for the relief of Dr. Marciano Gutierrez, Dr. Amparo G. Joaquin Gutierrez, and their children, Rosenda, Rebecca, and Raymundo, and Mrs. Brigida de Gutierrez;

H. R. 7290. An act to authorize an appropriation for the construction of certain public-school facilities on the Klamath Indian Reservation at Chiloquin, Oreg.;

H. R. 7413. An act for the relief of Harold J. Davis;

H. R. 7835. An act for the relief of S. Sgt. Frank C. Maxwell;

H. R. 8020. An act authorizing the transfer of certain property of the United States

Government (in Klamath County, Oreg.) to the State of Oregon;

H. R. 8027. An act to amend the act of March 6, 1952 (66 Stat. 16), to extend the time during which the Secretary of the Interior may enter into amendatory repayment contracts under the Federal reclamation laws, and for other purposes;

H. R. 8128. An act to amend section 1089 of the Code of Law for the District of Columbia relating to attachment proceedings;

H. R. 8183. An act for the relief of Elfriede Ida Geissler;

H. R. 8193. An act to amend the Refugee Relief Act of 1953;

H. R. 8252. An act for the relief of the city of Fort Smith, Ark.;

H. R. 8753. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to establish and operate motor vehicle pools and systems and to provide office furniture and furnishings when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government motor vehicles, and to authorize the United States Civil Service Commission to regulate operators of Government-owned motor vehicles, and for other purposes;

H. R. 8915. An act to amend the act entitled "An act to consolidate the police court of the District of Columbia and the municipal court of the District of Columbia, to be known as 'the municipal court for the District of Columbia,' to create 'the municipal court of appeals for the District of Columbia', and for other purposes";

H. R. 9357. An act for the relief of S. H. Prather, Mrs. Florence Prather Penman, S. H. Prather, Jr.

H. R. 9757. An act to amend the Atomic Energy Act of 1946, as amended, and for other purposes.

H. R. 9868. An act to amend the Merchant Ship Sales Act of 1946 to provide for the charter of passenger ships in the domestic trade; and

H. R. 9910. An act to amend section 413 (b) of the Foreign Service Act of 1946.

The SPEAKER announced his signature to enrolled bills and joint resolutions of the Senate of the following titles:

S. 45. An act for the relief of Mrs. Merle Cappeller Weyel;

S. 46. An act for the relief of E. S. Berney;

S. 361. An act to provide for renewal of and adjustment of compensation under contracts for carrying mail on water routes;

S. 417. An act conferring jurisdiction upon the United States District Court for the District of New Mexico, to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande;

S. 541. An act to extend benefits under the War Claims Act of 1948 to certain classes of persons, and for other purposes;

S. 555. An act for the relief of Charles W. Gallagher;

S. 599. An act for the relief of Cpl. Robert D. McMillan;

S. 820. An act for the relief of the estate of Carlos M. Cochran;

S. 1042. An act to abolish the Commission for the Enlarging of the Capitol Grounds;

S. 1183. An act for the relief of John L. de Montigny;

S. 1203. An act for the relief of Lt. Col. Rollins S. Emmerich;

S. 2070. An act for the relief of the estate of Givens Christian;

S. 2083. An act for the relief of Lawrence F. Kramer;

S. 2147. An act for the relief of Terrence Waller;

S. 2156. An act for the relief of John Enepekides, his wife, and his son, George;

S. 2259. An act for the relief of Rev. Charles V. Rossini;

S. 2266. An act for the relief of Walter P. Sylvester;

S. 2308. An act to authorize and direct the investigation by the Attorney General of certain offenses, and for other purposes;

S. 2496. An act for the relief of Harvey Schwartz;

S. 2553. An act for the relief of Joseph V. Crimi, father of the minor child, Joseph Crimi;

S. 2632. An act for the relief of the Epes Transportation Corp.;

S. 2670. An act to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes;

S. 2693. An act for the relief of Robert Lee Williams;

S. 2801. An act for the relief of Graphic Arts Corporation of Ohio;

S. 2980. An act conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp.;

S. 3017. An act for the relief of Thomas Barron;

S. 3064. An act for the relief of the estate of Mary Beaton Denninger, deceased;

S. 3110. An act for the relief of the Portsmouth Sand & Gravel Co.;

S. 3187. An act to authorize the United States of America to quitclaim all its right, title, and interest in and to certain lands in Arizona, except for mineral interests therein, and for other purposes;

S. 3189. An act providing for the conveyance by the United States to the Monterey County Flood Control and Water Conservation District, Monterey County, Calif., of certain lands in Camp Roberts Military Reservation, Calif., for use as a dam and reservoir site, and for other purposes;

S. 3245. An act to provide emergency credit;

S. 3251. An act to provide for the conveyance of certain mineral rights to Mrs. Pearl O. Marr, of Crossroads, N. Mex.;

S. 3304. An act conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Cuban-American Sugar Co. against the United States;

S. 3329. An act to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities;

S. 3482. An act to amend the District of Columbia Unemployment Compensation Act, and for other purposes;

S. 3494. An act for the relief of the Central Railroad Company of New Jersey;

S. 3562. An act for the relief of the McMahon Co., Inc.;

S. 3595. An act to direct the Secretary of the Army to convey certain property located in El Paso, Tex., and described as part of Fort Bliss, to the State of Texas;

S. 3627. An act to amend the Civil Service Retirement Act, as amended;

S. 3628. An act to amend Public Law 815, 81st Congress, in order to extend for 2 additional years the program of assistance for school construction under title III of that act;

S. 3629. An act to postpone the effective date of the 3 percent "absorption" requirements in Public Law 874, 81st Congress, for 1 year;

S. 3712. An act to authorize the commander, Air University, to confer appropriate degrees upon persons who meet all requirements for those degrees in the resident college of the United States Air Force Institute of Technology;

S. 3744. An act to change the name of Gavins Point Reservoir back of Gavins Point Dam to Lewis and Clark Lake;

S. 3750. An act to direct the Secretary of the Air Force or his designee to convey certain property located in proximity to San Antonio, Bexar County, Tex., to the State of Texas;

S. 3822. An act to authorize the conveyance to the State of Texas of approximately 9 acres of land in Houston, Tex., to be used for National Guard purposes;

S. J. Res. 147. Joint resolution to establish the Woodrow Wilson Centennial Celebration Commission, and for other purposes; and

S. J. Res. 170. Joint resolution to approve the conveyance by the Tennessee Valley Authority of certain public-use terminal properties now owned by the United States.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 2 minutes p. m.) the House adjourned until tomorrow, August 20, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1842. A letter from the Acting Comptroller General of the United States, transmitting part I of the General Accounting Office report on the audit of Commodity Credit Corporation for the fiscal year ended June 30, 1953, pursuant to the Government Corporation Control Act (31 U. S. C. 841) (H. Doc. No. 494); to the Committee on Government Operations and ordered to be printed.

1843. A letter from the Assistant Secretary of the Interior, transmitting a report certifying that an adequate soil survey and land classification has been made of the lands to be served by the Crescent Lake Dam project, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

1844. A letter from the Acting Secretary of the Treasury, transmitting a report covering the claims paid during the 6 months' period ending June 30, 1954, on account of the correction of military records of Coast Guard personnel, pursuant to section 207 (e) of the Legislative Reorganization Act of 1946, as amended by Public Law 220, 82d Congress (5 U. S. C. 275 (e)); to the Committee on Armed Services.

1845. A letter from the Chairman, Federal Power Commission, transmitting recently issued publications entitled as follows: "Typical Residential Electric Bills, 1954," "Hydroelectric Power Resources of the United States, Developed and Undeveloped, 1953," "Estimated Future Power Requirements of the United States by Regions, 1953–1975"; to the Committee on Interstate and Foreign Commerce.

1846. A letter from the Secretary of Commerce, transmitting the quarterly report of the Maritime Administration of this Department on the activities and transactions of the Administration under the Merchant Ship Sales Act of 1946, from April 1, 1954, through June 30, 1954, pursuant to section 13 of the Merchant Ship Sales Act of 1946; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. TABER: Committee of Conference. H. R. 10051. A bill making appropriations for Mutual Security for the fiscal year ending June 30, 1955, and for other purposes (Rept. No. 2671). Ordered to be printed.

Mr. ALLEN of California: Committee on Merchant Marine and Fisheries. Report pursuant to House Resolution 197 pertaining to maintenance and development of the merchant marine; without amendment (Rept. No. 2672). Referred to the Committee of the Whole House on the State of the Union.

Mr. GRAHAM: Committee of Conference. S. 3706. An act to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes (Rept. No. 2673). Ordered to be printed.

Mr. SCHENCK: Committee on House Administration. Senate Concurrent Resolution 104. Concurrent resolution to print additional copies of part 4 of the hearings held before a subcommittee of the Committee on Interior and Insular Affairs relative to stockpile and accessibility of strategic and critical materials to the United States in time of war; without amendment (Rept. No. 2674). Ordered to be printed.

Mr. GRAHAM: Committee of conference. H. R. 9580. A bill to revise and extend the laws relating to espionage and sabotage, and for other purposes (Rept. No. 2675). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ELLIOTT:

H. R. 10269. A bill to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes; to the Committee on Public Works.

By Mr. JONES of Alabama:

H. R. 10270. A bill to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes; to the Committee on Public Works.

By Mr. VAN ZANDT:

H. R. 10271. A bill to amend section 1 (8) of the Interstate Commerce Act so as to permit common carriers by railroad to transport articles or commodities manufactured, mined, or produced by them, or in which they have an interest, when such articles or commodities are manufactured, mined, or produced for the Government of the United States for defense purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIS of Massachusetts:

H. R. 10272. A bill to make certain changes in the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. GAMBLE:

H. R. 10273. A bill to authorize and direct the Secretary of the Interior to purchase the former home of John Jay for use as a national shrine; to the Committee on Interior and Insular Affairs.

By Mr. JONES of Alabama:

H. R. 10274. A bill to provide for Federal cooperation in non-Federal water-facility projects, and other purposes; to the Committee on Agriculture.

By Mr. BOGGS:

H. R. 10275. A bill to provide for the improvement of the waterway between Barataria Bay, La., and the Gulf of Mexico; to the Committee on Public Works.

By Mr. CURTIS of Massachusetts:

H. R. 10276. A bill to prescribe a code of procedure for the conduct of congressional investigations; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWNSON:

H. R. 10277. A bill for the relief of John Daniel Popa; to the Committee on the Judiciary.

By Mr. HILLINGS:

H. R. 10278. A bill for the relief of Froylan Lira-Gonzalez; to the Committee on the Judiciary.

By Mr. HOLTZMAN (by request):

H. R. 10279. A bill for the relief of Dr. and Mrs. Vartzar Avedian; to the Committee on the Judiciary.

H. R. 10280. A bill for the relief of Alexander Bevilacqua; to the Committee on the Judiciary.

H. R. 10281. A bill for the relief of Mr. and Mrs. Koung-Shin Lee; to the Committee on the Judiciary.

By Mr. JAVITS:

H. R. 10282. A bill for the relief of Fuh Yu Yang (John F. Y. Yang); to the Committee on the Judiciary.

H. R. 10283. A bill for the relief of Ming Yu Chen; to the Committee on the Judiciary.

By Mr. KING of California:

H. R. 10284. A bill for the relief of Roger Eugene Caillaud; to the Committee on the Judiciary.

By Mr. LAIRD:

H. R. 10285. A bill for the relief of Christel Margaret Meyer (nee Klein); to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

1145. Mr. BUSH presented a petition of a church group in attendance at the Charleston Baptist Church, R. D., Wellsboro, Pa., favoring early passage of the Bryson bill, which was referred to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Tariff

EXTENSION OF REMARKS
OF

HON. JOHN V. BEAMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 19, 1954

Mr. BEAMER. Mr. Speaker, on previous occasions, I have expressed myself in behalf of certain industries and their thousands of employees who live and work in the Fifth Indiana District. My remarks in each such instance could apply to many other industries in Indiana or in any community in the United States.

In behalf of the bicycle industry, I have appeared before the United States Tariff Commission. More recently, I submitted H. R. 9682 in behalf of the glass industry. These two industries are used merely as illustrations of principles that underlie the future well-being of many industries in many localities.

Illustrations of the adverse effects of competition of foreign imports could be given in statistical order. The difficult and nearly impossible task of meeting the competition of foreign products, made with cheap labor, and perhaps even with "slave" labor, is best known to the United States manufacturers and to American workers. However, in the hope that a general outline of the tariff situation will afford an understanding of many of the present-day problems, some observations are offered.

I want the record to be clear: I firmly believe in the principle of the protective tariff, and I shall continue to work for the protection of American industries and the American laboring man. My later remarks will explain why this is necessary.

All of you probably have heard the expression that "the tariff is a local issue." This thought was first advanced by the Democrats in the last century. They recognized that the Republican protective tariff policy was popular with the people and sought to minimize the significance of our policy. It is true that a single tariff cut can have serious effects on dozens or hundreds of businesses in many localities throughout the country. In this sense, the tariff may be thought of as "local." But, even in this sense, it is not a local issue; it is thousands of local issues.

What the Democrats overlooked when they called the tariff a local issue is that the Constitution vests complete control over the subject in the Federal Government. The States are forbidden to impose duties on imports or otherwise to interfere in the regulation of foreign commerce. The Founding Fathers who wrote the Constitution wisely vested these matters exclusively in the Federal Government to insure that they would be administered in the national interest.

Many of these same Founding Fathers were Members of the first Congress that convened under the Constitution in 1789. The second law they passed was a tariff act, which provided in section 1:

> Whereas it is necessary for the support of the Government, for the discharge of the debts of the United States, and for the encouragement and protection of manufactures, that duties be laid, etc. (1 Stat. 24).

This act was signed by George Washington on July 4, 1789, and was a fitting celebration of the 13th anniversary of our independence.

The only law which was given precedence over the tariff was the oaths of office act—approved June 1, 1789; 1 Stat., p. 23—which was necessary to get the Government organized. The second law was to provide the wherewithal to run the Government and to protect our industries. Truly, the Founding Fathers put first things first.

For the better part of a century, the tariff provided the bulk of our Govern-

ment's revenue, but later excises and income taxes have been the principal sources of revenue. For many years now the tariff has yielded about one-half billion dollars annually, as compared to annual Federal budgets upward of fifty billion dollars. In other words, the tariff now supplies only 1 percent, or less, of Federal revenues.

I do not see how the tariff could ever again be our chief source of revenue. Indeed, I doubt it will ever again be even a large source of revenue, unless we should put duties on such things as coffee, iron ore, crude rubber, tea, cocoa, and newsprint paper—things which we must import in large quantities. It is far from clear that it would be in our national interest to tax these imports. Accordingly, I am convinced that the principal field in which the tariff is important today and for the future is the movement of trade. That is to say, with revenue no longer a major factor in tariff thinking, the main question is the degree to which we should use the tariff to protect our domestic manufacturers, thereby affecting the volume of our imports and, indirectly, also our exports.

Apart from the question of denying strategic goods to hostile nations, all will agree that exports are good business. Exports mean jobs and profits for the companies that can export. And, unless we are to continue the giveaway programs of the last generation on a large scale and for the indefinite future, our exports will have to be paid for by imports. It is hoped that we can taper off these giveaway programs in the near future and, thus, relieve the taxpayers of this burden and restore trade to a strictly business basis.

Accordingly, we should survey the tariff problem from the long-range point of view. If we decide to protect our domestic producers by raising the tariff on cheap competing imports, we should do it with our eyes open to the realization that curtailment of imports is bound to curtail exports. Action that saves jobs for one domestic industry might mean loss of jobs in other industries that produce for export.

Of course, we do not always take action in this field on the basis of what is best for business. Frequently the largest strategic considerations are the determining factor. I should like to tell you the facts leading up to the rupture of trade relations with Czechoslovakia 3 years ago, an incident with which I was closely connected.

In 1947 our Government negotiated a trade agreement with Czechoslovakia promising them "most-favored-nation" treatment and slashing the tariffs on the goods they export to us. Before this agreement took effect, the Communists took over the Czech Government. Shortly after the coup, President Truman put the trade agreement into effect, although many of us thought it was both foolish and foolhardy to do so.

The Communists promptly started juggling the Czech trade to build up Russia's military might. The heavy industry was turned eastward to strengthen the Red army. The consumer-goods industries were directed to the West, especially to the United States. The dollars derived from the sale of Czech glassware, carpets, textiles, shoes, et cetera, et cetera, in the United States were used for military supplies for Russia and the world-wide Red spy system. All this time, Russia was growing more and more hostile to us, instituting the Berlin blockade, helping defeat Nationalist China, and starting countless other aggressions that hurt us, either directly or indirectly.

And through the trade in Czech goods, aided by tariff cuts under the trade agreement, the American people were actually, though unknowingly, helping to finance the Red aggression. Many of us in Congress were appalled at the situation and put an amendment in the Trade Agreement Extension Act of 1951 to withdraw the trade-agreement concessions from all Communist countries, including Czechoslovakia "as soon as practicable."

The Truman administration announced a few weeks later that it was carrying out the mandate of Congress for a long list of Communist countries. However, examination of the list showed that Czechoslovakia was not included, presumably because the administration had previously entered into the trade agreement referred to above. Bear in mind, please, that in the meantime, the Czechs had jailed and convicted our former neighbor, William Oatis, on trumped-up spy charges. Time and again I tried without success to get a statement from Mr. Acheson's State Department as to their intentions. The vagueness of the replies convinced me that they planned to stall along indefinitely on the ground that it wasn't practicable to take action.

This outrageous stalling was roundly denounced in Congress. I pressed for a resolution demanding rupture of all relations with Czechoslovakia and got excellent support from many other Republicans—and also from some Democrats. Finally, we drove the State Department out of its shell and into action. Since November 1951, the trade agreement between the United States and Czechoslovakia has not been enforced. And, finally, Oatis was released from prison.

Of course, the sanctions thus imposed on trade with Czechoslovakia helped many American businesses to keep going, but the point is that the larger strategic factors, rather than the business factors, were the main force that guided our policy.

Twenty years ago a New Deal Congress delegated to the President the power to regulate trade by means of trade agreements with other countries. This was a "temporary"—3-year—measure intended to help overcome the depression. The depression ended with World War II, but the trade-agreement program is still with us, having been extended from time to time by Congress. The Congress has not yet made up its mind whether to grant the President additional tariff-cutting power or to make the program more or less permanent. President Eisenhower has asked for new and more permanent power and Congress will decide the question next year.

It is apparent we must be very cautious in granting further power to the Executive to reduce our tariffs. I feel that the President's advisers have not fully informed him of all of the relevant facts concerning the problem.

For example, for many years the State Department has been the sparkplug of the tariff-cutting program. The Department has chairmaned and dominated the Trade Agreements Committee, which actually makes the decisions, subject only to a Presidential veto. That Department also controls the negotiations with other countries, and what is the principal theme of the State Department on the issue? It is that the Congress should continue to delegate more and more power to the Executive because this is the only practical way of reducing our excessively high tariff. This was the theme in 1934 when the program started, and this is the theme in 1954.

What are the facts? In 1933, the year before Congress passed the Trade Agreements Act, our average tariff on dutiable imports was 53.6 percent; the average rate on all imports—both free and dutiable—was 19.8 percent. I have no wish to quarrel with the State Department's arguments that these rates were rather high.

What is the situation now after 20 years of tariff slashing? In 1953 our average tariff on dutiable imports was 12.8 percent and the average on all imports—both free and dutiable—was 5.3 percent. In other words, our tariff has been reduced by 75 percent, so that it is now only one-fourth as high as when the program began. Consider also that these figures are based on the values of the goods in the country of origin, so that they ignore transportation and other costs of getting the goods to our markets. If the figures were computed on values comparable to those prevailing in the United States, they would show our tariff to be even lower, and still the spokesmen of the State Department would have you believe that our tariff is excessively high and that Congress should approve still more big slashes in it.

As a matter of fact, our tariff is lower than that of most foreign countries; and of the few countries whose rates average less than ours, most of them employ other devices to restrict imports, such as exchange controls, quotas, and licenses—devices which have been used only in a few instances by the United States. The net result is that the United States is now just about the freest trade nation in the world. It is hoped that the Secretary of State and other high-level officers of our country will recognize these basic factors in the near future in order that when we legislate next year we can do so on a sane basis and without the diverting and deceptive ballyhoo of former years.

Coming now to the meat of the coconut, we should favor continuance of tariff protection because this policy will help to continue our diversified economy, and will permit continued operation of the

many small businesses scattered across the land. Also, we must recognize the claims of the mass-production industries, which enjoy large export markets, that the policy of high-tariff protection hampers their logical development. These companies are large employers of labor and pay good wages. We do not want to hurt them and all reasonable steps should be taken to foster their exports. On the other hand, we dare not endorse a policy of free trade which will hurt our smaller industries that employ even greater numbers of people.

Since the Government in the past has fostered high-wage policies for our domestic industries, the Government should not let them be driven out of business by the low-wage imports from abroad. The maintenance of a large diversification of small industries will be a good hedge against depressions. We cannot afford to put all our eggs in the mass-production basket.

Let it be clear that an isolationist tariff is not favored. We dare not exclude all competitive imports. In many cases imports of competitive goods have enriched our standards of living, not only by bringing us products we might otherwise have lacked, but also by forcing domestic producers to adopt more efficient and economical methods which ultimately have inured to the general good. It is hoped we can continue to import a large variety of competitive goods.

However, there comes a point at which our domestic producers cannot offset the price advantage of imports by further economies. In the face of rigid wage structures, the producer whose costs are higher than the price of imports has no option but to shut down. Some communities may be able to absorb individual shut-downs if these are few and far between. However, if the closings disemploy a large part of the labor force it is time for Government intervention. When the facts are plain that imports are certain to force the closing of an industry, then it is time for action.

It does not seem that our established procedures provide reasonable relief to industries that are threatened by imports. Congress has authorized the Executive to raise duties, and even to put quotas on imports, when a domestic industry is threatened. Congress also has directed the Tariff Commission to make investigations and publish reports in order to bring the true facts into the open.

Since the principal influence on tariff policy in the executive branch has been the free-trade philosophy of the State Department, these procedures have not worked well. There still is opportunity for the President and the Congress to bring about some improvements, and to be more sympathetic to the plight of American producers than it has been for 20 years.

Finally, it should be observed that, largely by means of obfuscation, the Democrats have deceived the American people about the need for more and more tariff slashes. They have used the tariff-juggling power for partisan political advantage. They pursued the inconsistent policies of tariff reductions and rigid, high agricultural price supports. While deploring Government interference in trade by the protective tariff, they have used the power of Government to interfere in trade by subsidizing exports of wheat and cotton.

Another illustration of partisan chicanery is concerned with the escape clause under which we reserve the right to raise the tariff to prevent injury to American industries.

The escape clause first was written into the Mexican trade agreement which took effect in 1943. Many American industries applied for relief but got only a brushoff. They even were unable to learn why their cases had been dismissed. In 1950 relief was granted to the hat industry. This was the first time we actually used the escape clause. How did this case differ from the others that were dismissed without reason? The principal difference is that the hat case came up when two New Deal Senators were campaigning for election in Connecticut, the center of the hat industry, and the Democratic administration thought that a tariff increase would help them.

Consider the timetable and remember that the election was scheduled for November. The Tariff Commission held its hearing on May 9, 1950, at which time the Democratic Senators asked for a tariff increase to help the industry. The Commission reported to the President on September 25, recommending the increase. Although the trade agreement called for prior consultation with the foreign governments concerned before an increase in the tariff, the State Department did not even give advance notice to these governments. Instead, it sat on the case for more than 3 weeks and then, on October 19, 1950, at the height of the Connecticut campaign, it announced that the tariff would be increased. They even violated the obligation of consultation to obtain partisan political advantage. And the strategy worked; the two New Deal Senators were elected.

Naturally, we do not begrudge tariff protection to the hat industry. However, protection should not arbitrarily be denied to other industries and the tariff power should not be misused for partisan advantage.

Recently, we have observed a group of Democratic Senators demanding increased tariff-slashing power at the same time they are demanding continuance of rigid price supports at 90 percent of parity. These policies are diametrically opposed; the function of tariff cuts is to reduce prices, the function of such price supports is to raise them. And when this conflict was noted in the Senate debate, what was the Democrats' answer? It was, in effect: "If we did not have such a high tariff on imports, we would not need such high supports for agriculture." Indeed, a tariff averaging little over 5 percent being used as an excuse for price supports at 90 percent.

Can there be any more challenging evidence of the Democrats' unfitness to govern?

Amendments to H. R. 9985

EXTENSION OF REMARKS
OF

HON. USHER L. BURDICK

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 19, 1954

Mr. BURDICK. Mr. Speaker, while I am in favor of H. R. 9985, introduced by Mrs. ST. GEORGE, July 21, 1954, I think the following amendments, in principle, should be added to the bill. While it is late in the session for any action on new bills or amendments, I submit these amendments for the RECORD. Members will thus have an opportunity to study these amendments fully before any action is taken on the original bill.

The amendments follow:

PROPOSED AMENDMENTS TO H. R. 9985, A BILL TO AMEND THE TRADING WITH THE ENEMY ACT

SEC. 48 (a) All claims for loss or dispossession or destruction of or damage to property owned by citizens or nationals of the United States, or their legal predecessors in title, which was located or situated within the geographical boundaries of Germany as they existed as of December 7, 1941, or which was within an area under the control of Germany as of December 7, 1941, shall be fully paid and compensated for by Germany on a replacement cost basis as of the date of the award or judgment, provided such property damage claims arose as a consequence of confiscation, dispossession, larceny, or duress (with or without violence) by the forces or authorities of Germany or its allies or by their individual members or by individual nationals of Germany or its allies (whether or not pursuant to orders).

(b) The term "citizens or nationals of the United States" shall include any natural and legal person or organization, firm, trust, association, or corporation.

(c) Any doubt as to the right of a United States citizen or national to compensation for property so lost, confiscated, dispossessed, destroyed or damaged shall be resolved in favor of the claimant if such claimant can establish possession or legal or equitable title thereto at any date on or after the 1st day of January of the year 1933.

SEC. 49. The Foreign Claims Settlement Commission, as established by Reorganization Plan No. 1 of 1954, which was prepared and transmitted by the President to the Congress on April 29, 1954, and which plan becomes effective according to its terms on July 1, 1954, shall have jurisdiction to receive, examine, adjudicate, and render awards and decisions with respect to all of the foregoing claims mentioned in section 48 of this act. In passing upon the validity of such claims as are defined in section 48 of this act, the Commission shall exercise all the functions conferred upon it by virtue of said Renegotiation Plan No. 1 of 1954.

SEC. 50. Persons desiring to claim pursuant to section 48 shall file notice of claim with the Foreign Claims Settlement Commission within 1 year from the enactment of this section in such form and manner as may be determined by regulations to be promulgated and published by such Commission: *Provided, however,* That if, prior to the enactment of this section, a claimant has filed with the International Claims Commission or with the War Claims Commission or with the Department of State of the United States a claim for loss or destruction of or damage to property, as specified in section 48 of this

act, no additional claim need be filed unless a claimant should desire to supplement or amend such claim as previously filed.

SEC. 51. Preference in the processing of claims shall be given by the Foreign Claims Settlement Commission to natural persons as claimants (1) who are over 60 years of age or (2) who have not been able to take full advantage of section 127 of the Internal Revenue Code in deducting war losses from their Federal income taxes.

SEC. 52. All claimants whose claims are not processed, adjudicated, and paid within 1 year after the claim shall have been filed as specified in section 50 of this act, or within 1 year after the passage of this act, whichever is the later, or any claimant who is aggrieved with any decision of the Foreign Claims Settlement Commission in the adjudication of his claim or in the denial of his claim, may institute a suit in equity in the District Court of the United States for the District of Columbia (to which suit the Foreign Claims Settlement Commission shall be made a party defendant) to establish the loss or damage sustained by the claimant through loss or destruction of or damage to his property, as specified in section 48 of this act, and if so established the court shall order the payment of such damages to the claimant in the judgment to be entered by it in such action.

SEC. 53. All moneys required for the payment and processing of said claims shall be provided from the following sources:

(1) Moneys received or to be received by the United States of America from the Federal Republic of Germany under the so-called London agreements of February 27, 1953, providing for payment by Germany of:

(a) the sum of $1 billion in fixed installments for postwar economic assistance from the United States and (b) the sum of $203 million payable in 50 semiannual installments beginning July 1, 1958, such payments being for surplus property furnished by the United States.

(2) Out of prior appropriations made to the Foreign Operations Administration or its predecessors not actually expended or obligated by such administration at the date of passage of this act, such allocation, however, not to exceed the sum of $1 billion.

In the event that the sums hereinabove mentioned to be provided for payment of such claims are insufficient for such purpose, then in such event any additional amounts of money necessary to pay the awards or judgments granted claimants are hereby appropriated for such purpose.

The Detroit Milk Order Amendments Are a Barrier to Higher Milk Consumption

EXTENSION OF REMARKS

OF

HON. CHARLES G. OAKMAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 19, 1954

Mr. OAKMAN. Mr. Speaker, almost three years have now elapsed since milk prices in Detroit have become subject to Federal regulation. It was on September 1, 1951, that an order fixing minimum prices to dairy farmers was issued by the United States Department of Agriculture. The anniversary of that event this year will, I believe, pass without much celebration. As events have shown, the order has served the interests of neither farmers nor consumers. What is more, those who originally petitioned for this form of regulation, would make matters worse now by asking for new and additional restrictions on the supply of milk for Detroit consumers. While we have labored in this session of Congress to enact new measures for the increased consumption of milk, they have labored to erect new barriers which would impede the free flow of this valuable food.

Mr. Speaker, at the time the Detroit milk order went into effect, I raised my voice in protest against it. It seemed to me then to be an unjust and unnecessary type of regulation for the Detroit area. But most important of all, I raised my voice in protest against the higher prices to consumers which this order was bringing in its wake. My protest found a response throughout the Detroit community, and the public became deeply concerned.

I had the honor and privilege at that time of being a member of the Common Council of the city of Detroit, and I introduced a resolution in the council which called for an investigation of this matter. The investigation showed that the order was raising prices to consumers, that it was bound to injure small milk dealers, and that it was bound to concentrate the milk business in the hands of a few large operators. As a result of these findings, the government of the city of Detroit, pursuant to a resolution of the common council, made a formal request on the Department of Agriculture to suspend the order. Without much reason or logic, the Department of Agriculture refused to honor our request. Defending the order, the then Secretary of Agriculture told us that a fundamental element of his policy in issuing milk orders was "that the price levels be such as to insure a sufficient supply of pure and wholesome milk." In the light of subsequent developments, this statement was sheer sophistry.

The demand for a milk order for Detroit did not conclusively represent the wishes of the rank and file of dairy farmers in the Detroit milkshed. It was primarily desired by a group of would-be monopolists purporting to represent these dairy farmers. Time and again when these men were challenged in the course of the investigation by the city of Detroit to poll their own members on their wishes for a Federal milk order, they declined to do so. They feared that they did not have their support, let alone the support of other dairy farmers in the milkshed.

Mr. Speaker, those who asked for the order wanted to increase their economic control of the Detroit milk market. The order contained specific provisions designed to eliminate competing sources of milk supply. These provisions required a qualified supply plant to ship at least 10 percent of its milk to Detroit in certain months of the year, regardless of whether there was a demand for the milk or not. If it failed to do that, it was disqualified. As much as this may have hurt the supply plant, it hurt Detroit consumers even more. It hurt them in two ways: First, they lost an approved source of milk supply. Second, with the total available supply thus reduced, the price was automatically increased through the operation of an escalator clause contained in the order. The escalator clause took recourse in a common economic principle: A reduced supply calls for a higher price.

The 10-percent provision did not work fast enough, however, for the would-be monopolists. Accordingly, early in 1952, not long after the order became effective, they proposed that the 10 percent be raised. But they were turned down on this. A year later they proposed it again, and again they were turned down. Being persistent fellows, however, they proposed it a third time, and this time it appears that they have gotten the Deputy Administrator of the Agricultural Marketing Service to go along with them. He has recommended to the Secretary of Agriculture that the percentage be raised to 30 percent. All they need now is the approval of the Secretary of Agriculture.

The proposed amendments, which the Secretary of Agriculture has on his desk now, would disqualify supply plants which do not ship 30 percent of their supply to a city plant in certain months of the year, irrespective of whether there is a need for the milk or not. Only large operators would be able to escape the restrictive effects of this requirement. They would be permitted to treat all of their plants as a unit. The small cooperative, or small milk dealer, operating 1 or 2 supply plants, would feel the full effects of these new restrictions.

What is especially onerous about the proposed provision is that it would not only require supply plants to ship 30 percent of their milk to the city, regardless of demand conditions, but the milk would have to be bottled by the city plant, and would have to be sold as bottled milk. Furthermore, before the city plant could bottle this milk, it would first have to bottle 85 percent of all the milk it received directly from farmers.

These are impossible requirements. No independent dealer could meet them and survive.

It is obvious that the proposed provision has only one purpose; namely, to reduce the supply of milk from qualified plants so as to permit the escalator clause to do its work in raising the price of milk to Detroit consumers.

Mr. Speaker, I have always supported sound legislation for the farmer. I have voted for the farm bill which we have just enacted, containing as it does an authorization for the expenditure of $50 million annually to increase milk consumption in schools. I will continue to vote for every sound farm measure. Consumers in our cities are interested in maintaining prosperity on the farm, because they know that their own prosperity is tied up with it. But they are opposed to measures which would use the sovereign powers of the Federal Government to restrict the supply of milk, and to raise arbitrarily the price of milk. Such a policy could lead only to the further piling up of surpluses of dairy products. It is not in the interest of the Nation or of the farmer.

In the city of Detroit we have just witnessed an unprecedented development in the field of labor-management relations, which should serve as a model for farmer-consumer relations. Just last week labor and management in Detroit have entered into a new type of understanding, which is designed to increase the consumption of milk. Some of our milk drivers' unions have agreed to forego previous demands for higher wages. The milk companies, on their part, have agreed to make substantial price reductions on purchases by consumers of more than one quart of milk per day. This is a forward-looking step which was hailed by the whole community. It is the type of action which an enlightened farm leadership should follow, for in that direction lies true progress for us all.

[From the Detroit News of August 13, 1954]

MILKMEN AND REBATES

Coming as it does in a time of economic adjustment, the gamble of 650 route drivers that lowered prices for milk consumed in quantity will stimulate their sales and income should, at least, warm the public heart.

Drivers of the six dairies involved draw $16 base pay weekly, relying on sales commissions for the remainder of their livelihood. They agreed with dairy executives not to press for a $12 raise, if the companies would adjust prices.

Accordingly, about 60,000 families will be offered a drop from 21 to 18 cents on each quart of milk over 30 consumed monthly. Families buying more than 90 quarts will be rebated 3 cents a quart on all.

The benefits of the plan will fall with full effect on the home filled with children. The dairy farmer, long complaining against handlers' profits and cut rates for his surpluses, should be pleased. The agreement dovetails with the economic theory that prosperity best can be achieved through increased production and sales at lowered prices.

The union involved displayed a sensible alertness to the fact that the milkman has become a luxury among consumers now turning to milk depots. It remains to be seen how the competition meets 650 bustling salesmen armed with a new and popular talking point.

All for the Corporations and Big Shots—None for the Laboring Man and His Family

EXTENSION OF REMARKS

OF

HON. GEORGE S. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 19, 1954

Mr. LONG. Mr. Speaker, confident that Congress would cut income taxes for their stockholders even before the measure was passed, corporation heads planned and acted to make the most of it for their coupon clippers.

The corporations that ordinarily paid dividends in July deliberately delayed dividend distributions this year until August.

When the corporation heads sat down this May and June to calculate how much profits they will sock away in their treasuries and how much will be declared as dividends and mailed out, they correctly predicted the then pending tax bill would make the dividend income credit device effective after August 1.

That is the device permitting a taxpayer to exclude $50 of dividends received each year from his income, to figure the taxes, and then to deduct 4 percent of the rest of his dividend income from his taxes.

The business interests fought hard for passage of this device; they did not just expect and plan on how to get the most mileage out of it.

There was no similar deduction in the bill for wage income or any other type of income—the corporation stockholders now will pay less income taxes than will anyone else with the same income, same number of dependents, and same living costs.

The device will save dividend recipients $204 million in the year ending June 30, 1955, and about $350 million each year thereafter—provided it is not increased by later Congresses.

Now, my friends, this is our Republican Congress at work. More than half of our people, and that is the half in the lower brackets, will receive very little tax reduction. This has been, in my opinion, the big man's Congress and all the tax reductions have gone into the upper brackets. That is, of course, why we hope and pray that our next Congress will be Democratic, and maybe we will be able to help the fellows in the lower income brackets. The old Republican trickle-down theory to help the big boys first is shown in its worst form.

Now that the Republicans have passed their tax bill and bragged about how much they have helped the people, let me say to you that they have helped some of the coupon clippers and big shots in the upper brackets, but 50 million people in the lower brackets receive but a token reduction. This should convince every right-thinking man and woman, especially laboring people, that the Republican Party is the party of the big shots and has no sympathy for the laboring man.

Amendment to the Refugee Relief Act of 1953

EXTENSION OF REMARKS

OF

HON. LAURENCE CURTIS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 19, 1954

Mr. CURTIS of Massachusetts. Mr. Speaker, there is a great deal of interest in the district which I represent in the Refugee Relief Act of 1953 and in the liberalizing amendment to that act passed in the House on August 17.

I congratulate Hon. LOUIS E. GRAHAM, of Pennsylvania, the author of that amendment and the chairman of the Subcommittee on Immigration of the Judiciary Committee. It is my good fortune to serve with him on the Judiciary Committee, although not on his subcommittee.

This amendment is a fair extension of some of the provisions of the original Refugee Relief Act which was passed in 1953. That act authorized the admission to this country on special nonquota visas of over 200,000 persons who had fled or escaped from behind the Iron Curtain, or had been expelled from their homelands.

Included in this figure were 60,000 of Italian origin and 17,000 of Greek origin.

This amendment makes it easier for these persons of Italian and Greek origin to come in under the act. As orginally passed, a certain quota of each of these groups was reserved to those having close relatives in this country. The applicants in those categories greatly exceeded the quotas provided in the original act, and the effect of this amendment is to permit the total number of each of those groups to be admitted either under such special quotas or under the more general provisions.

This liberalization of the law will mean a lot to those of our citizens who have relatives seeking to enter this country under the provisions of the 1953 act. It will mean happy family reunions and a further strengthening of this country through the building up of these families, some of whose members are already citizens.

A Report to My Constituents

EXTENSION OF REMARKS

OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 19, 1954

Mr. VAN ZANDT. Mr. Speaker, following my usual practice of submitting a report to my constituents of my activities during each Congress, I want to take this opportunity to review briefly some of the highlights of the 83d Congress.

This Congress, although nominally controlled by the Republican Party, was in fact one of the most closely divided Congresses in the history of the Nation. In the House of Representatives the margin of control fluctuated through death or resignation with the result that at no time during the 2-year period did the Republican Party enjoy a majority of more than five seats. In the United States Senate the hairline majority has never exceeded one seat. In some instances due to death the Democratic Party actually had a majority even though the control of the Senate remained in the hands of the Republican Party. Because of the narrow margin of votes between the Republicans and Democrats in Congress every legislative proposal was given thorough discussion and political steamrollering became a lost art. The result was that almost the entire Eisenhower program was approved on a nonpartisan basis.

DO-SOMETHING CONGRESS

The 83d Congress, which has been appropriately termed the do-something Congress, has established an outstanding record in legislative achievement.

The campaign pledges of 1952 have been redeemed to the extent that it is possible to say the spending spree has been halted; inflation has been checked, wartime controls have been abolished; long-suffering taxpayers have been given relief; the national defense has been streamlined and strengthened; social security, railroad retirement and veterans' benefits have been liberalized; home ownership has been made easier; the program for planning public works has been revived; farm prices are being stabilized; the public health programs have been broadened; a record-breaking highway construction program has been approved; foreign aid has been reasonably reduced; a carefully drawn budget has been adopted which comes ever nearer to eventual balance; the Government is gradually being taken out of business; the Atomic Energy Act has been brought up to date; Communist and security risks have been expelled from Government; honesty in Government has been restored; and above all, a consistent and firm foreign policy based on collective security is a reality with the result that the shooting has been ended in Korea and as a Nation we are at peace.

It is noteworthy that 85 percent of the administration's legislative requests has been approved by the 83d Congress as against the 6 years of the Truman administration which managed to get less than 43 percent of its program approved by a Democratic Congress.

BUSY AND HECTIC SESSIONS

The 83d Congress which convened in January 1953 was busy and hectic primarily because it heralded the return to power of the Republican Party which inherited the aftermath of 20 years of Democratic rule. Almost all the major legislation considered by the 83d Congress was controversial and hence was the subject of spirited debate.

COMMITTEE ASSIGNMENT

During the 83d Congress I retained my membership of many years on two important congressional committees—the Joint Congressional Committee on Atomic Energy and the House Armed Services Committee. Because of my length of service in Congress, my seniority on both of these important committees has classified me as a senior member of each. Both of my committee assignments and especially my membership on the Joint Committee on Atomic Energy consumed a major portion of my time and to such an extent that literally for days I found myself behind closed doors involved in discussing matters pertaining to atomic energy, military defenses, and domestic and international affairs.

ATTENDANCE RECORD

During the 83d Congress despite the heavy demands on my time because of committee assignments, and visiting various Government agencies on congressional business, I achieved another 100-percent attendance record by answering all quorum and roll calls. My overall attendance record is near perfect during my congressional career and is one of the best in the history of the Congress of the United States according to the records of the Clerk of the House of Representatives.

LARGE VOLUME OF MAIL

Throughout the 83d Congress my daily volume of mail continued to increase to such an extent that the postmaster of the House of Representatives in issuing a report stated that of the 435 Members of the House I received the third highest volume of mail.

Following my usual practice, I personally read every piece of mail received at my Washington and Altoona offices. In the majority of cases, I develop the information to answer inquiries. My files are full of letters of appreciation for services rendered to my constituents. These thank you expressions of my effort to truly represent at all times the people of this congressional district are deeply appreciated.

TAX RELIEF

Because of the administration's elimination of wasteful and extravagant spending which cut $14 billion from the Truman administration rate of spending, taxes are being reduced by nearly $7½ billion this year—the largest savings to taxpayers in any year of our history. More than two-thirds of the tax relief goes to individuals, 85 percent of whom are working men and women. Additional tax relief has been granted by drastically reducing wartime excise taxes on telephone bills, drugstore items, luggage, baby oils, cosmetics, and numerous other items. Savings in the field of personal income taxes are possible through generous deductions for medical expenses, and to retired persons by exempting from taxation the first $1,200 of retirement income. Children working after school or during summer vacations may now earn more than $600 yearly and still be listed by their parents as dependents. Working widows with children under 12 years of age are permitted an income-tax deduction for the cost of child care.

In voting for tax relief, I was one of the few who stood up and was counted in favor of the proposed amendment to increase the individual income-tax exemption from $600 to $700.

NATIONAL DEFENSE

As a member of the House Armed Services Committee I joined civilian and military leaders within the Department of Defense in placing our Armed Forces on a sounder and firmer basis to which constant improvements can be made in a more orderly manner. These improvements have been referred to as the "new look" and are designed to give military strength to our country without wasting the taxpayers' dollars. This new concept of our defense needs is based on improved weapons and a greater reliance on expanded airpower. This year's military appropriations were based on the "new look" concept which included long-range planning, and made available for defense spending after July 1 the total sum of nearly $77 billion.

SOCIAL SECURITY

As usual, I was active in the field of social legislation, and joined other Members of Congress in making possible the greatly expanded and improved social-security program which will increase benefits and grant social-security coverage to millions of Americans not previously covered by the Social Security Act. The provisions of several bills I introduced to amend the Social Security Act were incorporated in the social-security bill approved by Congress. I am pleased to have played a part in broadening the coverage and liberalizing the provisions of the Social Security Act.

OLD-AGE PENSIONS

While social security has been improved considerably, there are a lot of us in Congress who are of the firm belief that a universal pension, with everyone contributing and participating is the answer to the old-age pension problem. I continued my activities in the field of old-age pensions by working with business, labor, and pension groups who are seeking a solution to what has become America's No. 1 problem—the adequate care and welfare of the Nation's senior citizens.

THE RAILROAD RETIREMENT ACT

I am greatly disappointed that the 83d Congress did not approve all my proposals to liberalize the provisions of the Railroad Retirement Act and especially to increase benefits. There is no type of legislation in which I am more interested than amendments to the Railroad Retirement Act. As a matter of fact, I pleaded, prodded, and begged in my efforts to comply with the wishes of my constituents regarding their ideas as to how the Railroad Retirement Act should be amended. While I was treated courteously by the congressional committees who listened to my pleas, the age-old argument, that the retirement fund could not stand the cost of the proposed amendments without increasing payroll taxes, prevailed. The result was that these committees wrote a bill which contained their own version of amendments to the Railroad Retirement Act. This committee bill was the only measure presented to Congress for consideration and it was simply a case of voting for it or against it. While I stated publicly that I was not satisfied with the committee bill, it did contain a provision of a bill which I introduced reducing the eligibility age of widows from 65 to 60 years. The committee bill also contained other provisions which had my approval.

My efforts to eliminate the restrictions against the payment of dual benefits to persons entitled to social security and railroad retirement benefits met with success when Congress approved a compromise provision of my bill H. R. 356. Originally it was intended to include the spouse and widow but because of the cost factor and its effect on the railroad retirement fund the legislation could not secure approval as originally introduced. In reporting on my activities in this field, I yield to no one in the effort I put forth to amend the Railroad Retirement Act during the 83d Congress.

VETERANS AND THEIR DEPENDENTS

During the 83d Congress I continued my efforts in behalf of the veterans of

all wars and their dependents, an activity that I began after my discharge from World War I in 1919. Not only have I personally assisted hundreds of veterans and their dependents in obtaining benefits to which they were entitled but I played an active role in securing congressional approval of bills now laws, which provide and increase benefits to the veterans of all wars and their dependents. In addition to my legislative activities in behalf of veterans and their dependents, I continued my activities in the field of organized veterandom by working in close harmony with officials of the major veterans groups who frequently consult with me as we strive constantly to protect the best interests of the veterans of the Nation.

A SOUND NATIONAL FARM POLICY

During the 83d Congress I joined with agricultural leaders in Congress in advocating a sound national farm policy for the country, the taxpayer and the farmer. The common objective was to relieve the nation from the costly and wasteful burden of high rigid farm price supports and at the same time continue reasonable aid for American farmers. These rigid farm price supports were enacted in 1942 as a war measure and at the time when the country was faced with a tremendous job of food production and the high prices were guaranteed to encourage the farmers to go all out. It is generally agreed that if the administration's flexible price-support program is given a reasonable trial the shameful waste and inequity of Government-rigged high prices will become a thing of the past thus saving the American taxpayer billions of dollars now invested in the mountain of surplus commodities stored all over the country.

PROTECTING AMERICAN LABOR

I continued my efforts to restrict the importation of cheaply manufactured foreign products which are destroying the jobs of American wage earners, by voting against the extension of reciprocal trade agreements until assurance is given that American workmen will be protected. My principal effort in this field was in the introduction and support of legislation designed to curb the importation of foreign residual oil from the Caribbean area which has captured our eastern seaboard coal markets. While not successful in having the legislation approved, the administration is conscious of the plight of the ailing coal industry and Presidential committees are now studying the situation. In my opinion reciprocal trade agreements are responsible for much of the unemployment we have in central Pennsylvania in the leather, gas meter, textile, coal, pottery, light bulb and railroad industries. The protection of American wage earners against the flood of cheaply manufactured foreign imports will continue to be one of my main objectives.

EFFORTS TO AID SMALL BUSINESS

Ever mindful of the fact that small business is the backbone of our economic life, I devoted much effort to aiding and assisting the businessmen of my congressional district. Almost daily I aided various industries in the central Pennsylvania area who had problems with the Federal Government concerning contracts, shortage of materials, small business loans, tax amortization certificates, and so forth. This effort on my part to aid business firms resulted in thousands of dollars in Government contracts, while tax amortization certificates were issued amounting to nearly $13 million. This meant continued employment for the employees of the firms I was able to assist.

At my request the Small Business Administration made a survey of my congressional district to determine the defense production capabilities of our industries so that Government procurement agencies could be guided by such information in channeling contracts aimed at relieving the unemployment situation.

In addition, for the past 2 years I enjoyed an arrangement made with officials of the Small Business Administration whereby any manufacturer or businessman in my congressional district who needed expert advice in the field of Government contracts could secure the services of a business specialist from the Small Business Administration who made a personal visit to the plant and evaluated its potentialities. This arrangement has paid dividends for it has resulted in several Government contracts for my congressional district totaling several million dollars. In a few words, I have left no stone unturned in my efforts to assist small business firms in the central Pennsylvania area.

THE COAL AND RAILROAD INDUSTRIES

Time and time again during the 83d Congress I called the attention of Congress and the Federal Government to the fact that existing Government policies are a menace to the coal and railroad industries in my congressional district. In my appearances before congressional committees, Government agencies and the White House, I pointed out that the Government policy of subsidizing fuel substitutes such as hydropower projects as well as the importation of residual oil has virtually wrecked the economy of central Pennsylvania. I stressed the fact that since 1948 nearly 50,000 soft-coal miners have lost their jobs in Pennsylvania and that hundreds of coal mines have been abandoned or closed chiefly because of the inroads made by the importation of foreign residual oil which has captured the eastern seaboard coal markets from the soft-coal industry. In addition to my efforts to convince Congress and the Government in general that something has to be done to assist the ailing coal and railroad industries, I joined management and labor in a program designed to focus the attention of the American people on the plight of the coal and railroad industries. Partial success of our efforts is revealed by the fact that after our July conference with President Eisenhower at the White House he named two separate and top-level committees to study the ailing soft-coal industry and other fuels and to report to him this fall. This effort on the part of those of us who represent coal-producing areas is directed toward bolstering a sagging economy by rehabilitating the coal industry, which means increased carloadings for the railroads of the Nation.

UNEMPLOYMENT

In the early part of the 83d Congress when unemployment developed in the central Pennsylvania area due to the closing of coal mines and the effect on related industries, at my request the United States Department of Labor made a survey and immediately declared the great portion of my congressional district as a critical area because of surplus labor. As unemployment continued to develop because of the loss of coal business by the railroads and the fact that the end of the shooting war in Korea brought about a nationwide economic readjustment, I moved promptly in an effort to alleviate the situation.

As the result of numerous conferences with experts in and out of Government service and with top officials of management and labor, I soon realized that the coal industry was the victim of severe competition from substitute fuels, the chief offenders being hydropower and foreign residual oil. Recognizing that the salvation of the coal industry depends upon finding new uses for coal and being told by informed sources that it would be from 8 to 10 years before a practical program of new uses for coal could be perfected, it was apparent that during the interim years new industries was the only answer to our problem of unemployment.

With the assistance of agencies of Government I played a part in encouraging community groups to develop programs for attracting new industries. Information kits were distributed by me which contained specific directions on how to proceed in contacting business firms seeking new sites. In addition, from time to time, leads were furnished by me in the form of lists of manufacturing firms eager to build or acquire new plants. I am pleased to report that practically every community in my congressional district has an active industrial committee and thousands of dollars have and are being raised to finance a realistic approach in solving the need for new industries in order to eradicate unemployment.

Meanwhile I have lost no opportunity in my effort to assist business firms in securing Government contracts; to encourage communities in this congressional district to plan public-works projects with Federal aid as provided by recent amendments to the Housing Act; furnishing information on Government-owned patents available to industry; arranging for a survey by the United States Department of Agriculture of the forests in this congressional district to determine the economic value of our timber and the part our forests can play in providing employment opportunities; joining in the program of developing uses for strategic materials found in the central Pennsylvania area; arranged for a Government inventory of the defense production capabilities of our industries; continually furnishing information on employment opportunities with the Federal Government to unemployed persons and assisted hundreds of them to overcome difficulties in collecting unemploy-

ment insurance benefits. In addition, I arranged for the county commissioners in the Blair-Centre-Clearfield area to distribute Government-owned surplus commodities to the unemployed and their families.

The unemployment situation in my congressional district has greatly disturbed me and almost daily I have been asking officials of government, business, and labor, "What additional steps can I take to alleviate unemployment in my congressional district?" The answer is that I am doing everything within my power to find a solution to the problem.

HOUSING

The recently enacted Housing Act of 1954 will raise housing standards; aid communities in improving older neighborhoods; and assist more of our people in getting homes by decreasing the downpayment and strengthening our mortgage credit system. The overall program is designed to stimulate the building of more than 1 million new homes a year and to provide for the rehabilitation of existing but still sound homes.

PUBLIC HEALTH

Congress approved a bill that I supported which provided for a broad expansion of a Federal public-health program which includes vocational rehabilitation of physically handicapped persons whereby the number to be rehabilitated each year is increased from 60,000 to 250,000. Other legislation approved provided Federal aid in the construction of public and nonprofit hospitals, diagnostic and treatment centers, rehabilitation facilities, and nursing homes. Research into health problems is also being encouraged through the National Heart Institute and the National Institute of Dental Research.

INTERNAL SECURITY

Since my discharge in 1919 from the Armed Forces following World War I, I have consistently opposed the philosophies of communism, socialism, or any other ism which attempts to overthrow or undermine the American system of government. In this connection the approval by Congress of the administration's subversive control program gives to the Department of Justice new weapons to be employed in its war against spies, saboteurs, traitors, and their kind. In addition, during the 83d Congress I voted for the bill to outlaw the Communist Party in the United States. This program to control subversives has my enthusiastic support because I am convinced there is no compromise possible with communism.

MISCELLANEOUS

At all times during the 83d Congress I was keenly interested in legislation affecting the American people and especially the residents of my congressional district. It took many hours of night work to prepare myself for not only debate on various legislative measures but to vote intelligently and in the best interests of those whom I represent.

PERSONAL SERVICES TO CONSTITUENTS

I wish to mention the efforts I made to keep in touch with you, my employers, and to keep you informed of happenings in Washington. As you know, I reported to you weekly by radio and TV and I also wrote a column for daily and weekly newspapers. Reprints from the CONGRESSIONAL RECORD of statements I made in Congress were mailed to many of you throughout the congressional district. My duties as a member of the Joint Congressional Committee on Atomic Energy kept me close to Washington during the 83d Congress as we were engaged in rewriting the Atomic Energy Act of 1946 which consumed over 14 months of continuous intense study of this important subject. Many weeks found me working 12 hours daily and 7 days a week. On the weekends that I found it possible to leave Washington, I visited as many communities as possible in my congressional district and interviewed constituents in a further effort to help them with their problems concerning the Federal Government.

CONCLUSION

As a member of the House Committee on Armed Services and the Joint Congressional Committee on Atomic Energy, together with my legislative and other duties, the 83d Congress proved a very busy one for me. I devoted all my time and effort to the job of representing you in Congress. I considered all issues solely from the standpoint of their effect on our Nation and on the American people as a whole. I have tried to meet every issue fairly and squarely and at no time did I permit narrow, partisan views to influence or hinder me in doing what I considered my duty. To many of you who have written letters of gratitude and encouragement, I am profoundly grateful. I assure you that I treasure your best wishes and shall always strive to justify your confidence and respect.

Congressional Investigations

EXTENSION OF REMARKS
OF
HON. LAURENCE CURTIS
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 19, 1954

Mr. CURTIS of Massachusetts. Mr. Speaker, every Member of Congress is aware of the wide interest in the subject of procedures used in congressional investigations. Bills and resolutions have been filed, and hearings have been held, but little definite action has yet been taken.

It so happens that during the last days of the session, the house of delegates of the American Bar Association made some recommendations on this subject. Believing that it would be in the public interest to have the point of view of this representative group of lawyers before the committees which will consider this subject at the next session at which time the bill can again be filed, and be available meanwhile, I have filed a bill which incorporates some of these recommendations.

It should be pointed out that the recommendations of the house of delegates of the American Bar Association have not yet been finally acted upon by that association.

This bill adopts a somewhat different approach from that in other resolutions on the subject in that it proposes the enactment of a statute on the subject which will control action in both branches. This is a procedure somewhat similar to that used in the Legislative Reorganization Act of 1946.

It is to be hoped that the filing of this bill will help to speed action on this vital subject.

Air and Atomic Supremacy

EXTENSION OF REMARKS
OF
HON. CHESTER E. MERROW
OF NEW HAMPSHIRE
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 19, 1954

Mr. MERROW. Mr. Speaker, in my remarks I am going to discuss the so-called New Look in reference to our policies of defense in what is now the thermonuclear era. Since the development of the hydrogen bomb we possess a weapon of untold magnitude and have power that staggers the imagination. We talk now of explosions expressed in megatons. A megaton is a million tons of TNT. The hydrogen bomb is capable of completely annihilating the area in which it explodes. With this power the responsibility of the United States as the leader of the free world has greatly increased, and upon our decisions in matters of defense and foreign policy hinge the well-being, the future happiness, and the peace of all mankind.

The September 1953 issue of the Annals of the American Academy of Political and Social Science, the subject of which is Congress and Foreign Relations, is a volume which I helped edit and I wrote the first article entitled "United States Leadership in a Divided World." In the first paragraph of my statement, I employed these words:

> This is a crucial and decisive decade in the history of the United States, also in the history of freedom-loving nations. Our Republic occupies a destiny-given position in a sharply divided world. The United States, by far the strongest and the most powerful nation which has to date existed upon this earth, possesses an opportunity without parallel in the annals of mankind to exercise leadership. The free world is being attacked on many fronts and is being undermined from within wherever the Communists are able to make their sinister influence felt. In this universal struggle the forces of freedom must prevail, if ultimately there is to be fashioned an international society in which human beings can live free from molestation and free from the threat of tyranny and enslavement.

The United States is a youthful nation. It was only 462 years ago this coming fall that Columbus discovered the New World. In 1788, 166 years ago, the Federal Constitution was ratified. I

might say in passing that New Hampshire was the ninth State to approve this epoch-making document. Four hundred and sixty-two years is a short period of time in the history of the world—166 years is a much briefer period—but during this brief period a mighty nation has arisen on the North American Continent.

When in Rome with a study mission last October for the purpose of studying the Food and Agriculture Organization, as well as the general political and economic conditions of Italy, it seemed to me that we were on ancient ground. Two thousand years ago Rome was resplendent in her glory, but even 2,000 years does not take us far into ancient history.

We are all familiar with the recent press accounts concerning the greatest archeological discovery of our time in ancient Egypt. Cheops' funeral vessel has been found and more discoveries will undoubtedly follow. This Egyptian Pharaoh reigned about 2750 B. C., nearly 5,000 years ago. But to go even farther eastward we find even more ancient civilizations. On various missions for the Foreign Affairs Committee, I have been in the Indus Valley and in Mesopotamia, the land between the Tigris and the Euphrates Rivers. As we think of the Sumarian civilization antedating Cheops' reign by 2,000 years, and as we think of the ancient civilizations of the East, we realize that against a background of 6,000 years of history 166 years is but a short period of time. However, during these 166 years, and more particularly since the turn of the century, 54 years ago, the Republic of the United States has become the most powerful nation in the annals of mankind.

The Spanish-American War marks the beginning of the role of the United States as a world power. In a little over a half century from that time to the present turbulent decade of the 1950's our rapid ascendancy to world leadership stands without parallel. We have risen to the dizzy position of world leadership and with this position has come staggering responsibilities.

I have often stated the issue of our time in language similar to that Mr. Lincoln used in his famous Gettysburg Address. He referred to our Nation as one "conceived in liberty and dedicated to the proposition that all men are created equal." You recall that the Civil War President then said:

> Now we are engaged in a great Civil War, testing whether that Nation, or any nation so conceived and so dedicated, can long endure.

I believe we can appropriately state that now we are engaged in a globe-encircling struggle, testing whether free civilization, or any civilization so conceived and so dedicated, can long endure.

In this divided world the forces of Communist tyranny are seeking to destroy our heritage and the heritage of all free men. The evidence of the sinister plans of the Soviet Union accumulate day by day. The Communists talk peace while their philosophy of conquest and war remains the same. Let us keep constantly in mind that there can be no compromise with this monstrous evil and let us also keep in mind that we are engaged in a life and death struggle for survival.

The Secretary of State, John Foster Dulles, in an address entitled "The Evolution of Foreign Policy," delivered before the Council on Foreign Relations in New York on January 12, said:

> But before military planning could be changed, the President and his advisers, as represented by the National Security Council, had to make some basic policy decisions. This has been done. The basic decision was to depend primarily upon a great capacity to retaliate instantly, by means and at places of our choosing. Now the Department of Defense and the Joint Chiefs of Staff can shape our military establishment to fit what is our policy, instead of having to try to be ready to meet the enemy's many choices. That permits of a selection of military means instead of a multiplication of means. As a result, it is now possible to get, and share, more basic security at less cost.

We note that the Secretary stated "the basic decision was to depend primarily upon a great capacity to retaliate instantly, by means and at places of our choosing." I am particularly pleased that the basic decision has been made by this administration. In a speech entitled "United States Air Supremacy—Only Road to the Peace," which I delivered on the floor of the House on December 15, 1947, nearly 7 years ago, I said:

> We must achieve an air force equal to any air force or combination of air forces on earth. United States air power is the key to the future well-being and happiness of the world.

Furthermore, in the same speech I stated:

> Air power—overwhelming—is the only possible defense against the atomic bomb. Any nation contemplating an attack on the United States will hesitate only if she knows that within a period of hours from the time the attack is made there will be delivered in reprisal a knock-out, devastating, retaliatory blow from the air. The United States can be immunized against attack from the air by building a completely unassailable and invincible air force. With air supremacy and atomic supremacy any agressor would not entertain the idea of an attack upon us because it would be perfectly clear that the cities of the country making the attack, the industrial centers, the lines of communication, and great segments of the population would be wiped from the face of the earth by a practically instantaneous single paralyzing blow from the air. Only by being fully prepared to deliver such a blow within a matter of hours after the first indication of an impending assault upon us will we be able to consider ourselves to possess any measure of security. We have the ability, the resources, the strength and the will which we must begin to exercise to create an air force fully capable of accomplishing the objectives I have set forth.

This statement was made in 1947, and I believe it is even more significant today than it was at that time. In view of the rapidly developing international events in 1954, I would like to add two additional sentences which I used in my speech in 1947. I said we are "definitely on our own. By our strength and by our strength alone will we be able to survive."

Furthermore, I would like to point out that on April 1, 1948, 6 years ago, I said in a speech on foreign policy made in the House of Representatives, that—

> Most important of all planks in a realistic bipartisan program on foreign policy is the achievement and the maintenance of adequate preparedness on the sea, on the land, and more especially in the air. Atomic supremacy and air supremacy by the United States must be realized at all costs.

Mr. Speaker, in this particularly crucial period in the history of the world, the United States has a tremendous opportunity and a staggering responsibility. We have the opportunity of leading the free world in the struggle to maintain and continue freedom. We have the responsibility of doing everything within our power to achieve a just and lasting peace. We must negotiate from strength in the conferences of the world and we must be so prepared and so ready for any eventuality that we can maintain our security. I am convinced that the illimitable thermonuclear power which we possess is the major factor for ensuring the peace of the world.

By maintaining air supremacy and atomic supremacy, I feel certain that no aggressor will dare to unleash a thermonuclear war which would result in widespread destruction of the most horrible nature. We must and we will maintain this supremacy and eventually we will construct an international society in which men will be able to live free from fear and free from tyranny.

The Miracle of America

EXTENSION OF REMARKS

OF

HON. ALFRED D. SIEMINSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 19, 1954

Mr. SIEMINSKI. Mr. Speaker, what is the miracle of America? What is it that has brought us from a struggling backwoods country of less than 6 million people, a mere century and a half ago, and made us the greatest power on earth?

The secret of this great miracle, in my mind, may be found in the Constitution of the United States. This basic law contains that concept of government which provides, for the citizen, freedom of choice and freedom of action, unlimited except when his choice or his action would interfere with the rights of others.

Men succeed best when they do the things they like best. Freedom and opportunity are essential to each other. Each is necessary to progress and success. This secret is incorporated in our cherished American Constitution. It should be better understood by Americans and the world.

To this end, therefore, I propose that a film be made on the creation and development of the Constitution of the United States. The film would recreate the setting in which the Founding Fathers

worked. It would trace the evolution of each important clause in the Constitution from its origin to its final form, sweeping history, if need be, for its source material.

This film, shown in every school in the land, would help coming generations to understand this, The Miracle of America, and enable others, in their own language, also to understand.

Nineteen hundred and fifty-six, 2 years hence, will be 180 years of American independence. This might well be an appropriate time to have the film story on The Miracle of America introduced or made available to our schools and to the public as well.

Depressed Poultry and Egg Prices

EXTENSION OF REMARKS
OF
HON. LESTER JOHNSON
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 19, 1954

Mr. JOHNSON of Wisconsin. Mr. Speaker, the poultry farmers of Wisconsin, and the rest of the Nation for that matter, are in a crisis. Poultry prices are at depression levels. Live poultry has sold in some areas for as low at 9 cents a pound. Through all this disaster, poultry farmers have been asked to "tighten their belts." They have been the victims, it seems to me, of the present philosophy of the Department of Agriculture that low farm prices will have a stabilizing influence. The only influence that depression level poultry prices are having is to force families from the land and to cause retrenchment away from their meager but adequate living standards of last year.

Local business is dependent in many areas throughout the Nation on the welfare of poultrymen. When farmers can pay bills, buy new equipment and other farm supplies, business flourishes. But when farmers are getting 20 cents a dozen for eggs and 9 cents a pound for live poultry they go bankrupt.

Secretary of Agriculture Ezra Taft Benson has authority to remove surplus eggs with section 32 funds. Believing that it is imperative that immediate action be taken to boost egg prices, I have written Secretary Benson urging him to make purchases of eggs for use in the federally assisted school-lunch program.

The Kiplinger agricultural letter, a portion of which is quoted in the letter to Secretary Benson, clearly points out that an increase in egg production hardly explains a 25-percent drop in egg prices. While I am in complete agreement with this line of thinking, I am strongly in favor of a purchase of a substantial quantity of eggs as the first step toward correcting the depression level to which the price of eggs has dropped. I am suggesting to Secretary Benson, however, that a detailed study be made of the factors influencing egg prices if the purchase of eggs under section 32 does not have the desired effect of raising egg prices.

Mr. Speaker, I include in my remarks my letter to Secretary of Agriculture Benson.

The letter follows:

AUGUST 19, 1954.

Hon. EZRA TAFT BENSON,
Secretary of Agriculture, United States Department of Agriculture, Washington, D. C.

DEAR SECRETARY BENSON: I am taking this means of calling your attention to the critical situation of poultry producers in Wisconsin as well as in other poultry-producing areas.

I am informed that poultry farmers in some areas are receiving 20 and 25 cents a dozen for eggs. Such egg prices balanced against the cost of production means bankruptcy for many worthy farm families unless immediate action is taken by the Department of Agriculture to boost egg prices.

There is no good reason why poultry farmers should have to sell their produce at giveaway prices while eggs at retail reflect little, if any, of the farm price drop.

The Kiplinger Agricultural Letter of August 14 gives a very accurate report of the dire circumstances of poultry farmers. I quote from this letter as follows:

"Price trends in poultry and eggs puzzle Government price experts. With production up this year, they expected some dropoff in prices. But the increase in production they say, has not been big enough to explain the very low prices prevailing over much of this year.

"Take eggs for an example: Production of eggs is running 3 percent up from a year ago. But prices of eggs are down 25 percent, or even more at times. They have slumped from boom prices last year to almost depression prices for this year * * * a drop that a 3-percent increase in supply hardly explains.

"And turkeys: A bigger crop this year than last, more turkeys than the industry thought wise. But the increase doesn't seem big enough to account for a drop of about 20 percent in prices farmers receive for birds.

"Farm chickens: Prices of these are down a fourth from 1953. Reports of chickens bringing 9 cents a pound on Midwest farms are common."

Many poultrymen have had to mortgage their farms to meet current farm operating and family living expenses, the most important of which is feed. This has been necessary because many feed dealers have refused to deliver feed except on a c. o. d. basis. With sources of credit exhausted, the outlook of family poultry producers is dim, indeed. Unless some action is taken immediately to investigate and correct the cause of the full-scale depression among poultry producers, many families will be forced from their farms. To prevent this from happening and to give courage to the many hard-hit families, I strongly urge you to make section 32 funds available at once for the purchase of eggs to be used in the federally assisted school-lunch program.

The Kiplinger Agricultural Letter clearly points out that something other than the increased production of eggs may be involved in the drop in egg prices to depression levels. But it is my belief that the first step toward stabilizing of egg prices should be the purchase of a substantial quantity of eggs. If this does not have the desired effect, I strongly recommend that a detailed study be made of the various factors which contributed to the price drop.

Sincerely yours,

LESTER JOHNSON.

Alcide de Gasperi

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 19, 1954

Mr. FINO. Mr. Speaker, it is my sad task to announce to the Members of the House that Alcide de Gasperi, eight times Premier of Italy, passed away at 3 a. m. this morning, August 19, 1954, at the age of 73 years. Death came to Mr. de Gasperi in his north Italy mountain home at Sella Val Sugana.

The name of de Gasperi will always be a symbol of honor, courage, and achievement throughout the free world. Italy has lost a great statesman, and the United States has lost a stanch friend.

Mr. de Gasperi was born in Pieve Tesino, near Trent, in the southern Tyrol, when that region was part of the Austro-Hungarian Empire, of Italian parentage. From an early age, he showed a keen interest in Italy's welfare and future. In November 1904, when just 23 years old, he was arrested at Innsbruck for taking part in a political demonstration with other Italian students. One month later he was released, with the help of the Italian Government. After graduating from the University of Vienna, he became editor of a daily newspaper, the Catholic Voice, at Trent. He was elected to his first legislative post in 1911, when he was named Councilor of the Empire, and went to the Austrian Parliament in Vienna. While there, he was an active voice for the Italian minorities.

When Tyrol was given to Italy after World War I, Mr. de Gasperi joined the Popular Italian Party, forerunner of the Christian Democrats. He was elected a member of its national council in 1919, and 2 years later entered the Italian Chamber of Deputies.

Under de Gasperi's leadership, the Popular Party broke with Mussolini and when that dictator suppressed political opposition, de Gasperi was forced to retire to Tyrol. Suspected of taking part in clandestine activities of that party, he was imprisoned for 16 months and released. After he was freed, de Gasperi worked in the Vatican library, and earned his living by writing articles.

Italy's entry into World War II brought Mr. de Gasperi back to political activity. He became active again in the opposition and in the re-formed Popular Party.

After Italy's surrender and the Nazi seizure of Rome in 1943, he was sought by the police and took refuge in the Vatican, with other great men who were to become leaders in postwar Italy.

In 1944 when the Christian Democrat Party was formed from the old Popular Party, Mr. de Gasperi emerged as its leader and party secretary. In 1944 and 1945 he was selected for several important posts, finally becoming Foreign Minister and from that post moving into the premiership at the end of 1945.

The state of chaos in Italy at the time de Gasperi took over the premiership is almost beyond belief. Wages were very low; prices very high; the Communists were in the Government; riots and bloodshed occurred almost daily, and the prostrate people of Italy lived under constant threat of a Communist uprising. Mr. de Gasperi went to work against these odds and in the 1948 Italian elections, he inflicted a smashing defeat to the Reds.

For 5 years after that he fought the Reds constantly and successfully, ever championing close alliance with the United States and the anti-Communist West, and working hard for European unity.

It was Mr. de Gasperi who brought Italy into the North Atlantic Alliance. He worked strenuously for the Schuman coal-steel plan, the Council of Europe, and the six-nation European army, and made Italy a participant in all of them. To the hour of his death, he fought for the European army.

His contribution toward a stable Italy, his struggle against communism, and his lifelong work for democracy will not be forgotten. The death of this gallant statesman who led Italy out of postwar chaos and into the path of democracy is a serious blow and a very great loss for Europe.

Your Congressman Reports to You

EXTENSION OF REMARKS
OF

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 19, 1954

Mr. YATES. Mr. Speaker, I was elected to the United States House of Representatives in 1948. During the 6 years I have served in Congress I have attempted to maintain close communication with the people of my district by reporting each week on my activities and on the actions taken by the Congress. I have done this for two reasons: first, because I believe that those who have honored me by selecting me as their representative are entitled to know the manner in which I have acted on their behalf; second, because I believe that in this American democracy of ours, politics is the business of all citizens and it is important that they know what is happening in the Congress.

The 83d Congress is drawing to a close. I think it is well to review some of its most important activities, and accordingly, I am presenting copies of the letters which I wrote on important subjects during the session:

PROMOTION OF CAPT. HYMAN G. RICKOVER

(Newsletter No. 124)

FEBRUARY 14, 1953.

Since I wrote to you a few weeks ago respecting the case of Capt. Hyman George Rickover, I went into the matter much more thoroughly and was even more appalled by the action of the admirals in having passed over him for promotion. Not only is he the acknowledged authority in the Navy on the application of atomic power to the propulsion of naval vessels, but during World War II, he helped perfect so many electrical devices that it is said a four-star admiral put the following note in Rickover's service file. "This man has done more for the Navy from an engineering point of view than any other officer."

On Thursday I made a speech branding the action of the admirals as a shocking example of military waste and profligacy. By any reasonable standards that the admirals wanted to use, Rickover should have been promoted, but because of the secrecy surrounding the proceedings of naval selection boards, nobody knows what happened. "For all we know," I said, "for all even the Commander in Chief of the Navy, the President of the United States knows, the standards for promotion employed by the selection board may be those recommended by Adm. Joseph Porter in Gilbert and Sullivan's Pinafore when he sings:

"I polished up that handle so carefulee
That now I am the ruler of the Queen's Navee."

And—

"I thought so little they rewarded me
By making me the ruler of the Queen's Navee."

Maybe it was an admiral's stepped-on toe with a long memory that deprived the Navy of Rickover's services; or perhaps it was "convoy mentality." This was a phrase I used to show the admirals' refusal to permit any nonconformity. Under the rules of the wartime convoy system, no matter how fast a ship was capable of traveling, as long as it was part of the convoy it was compelled to reduce speed to equal that of the convoy's slowest member. "Apparently," I said, "the admirals have transferred that rule of the convoy to the field of officer selection."

In my opinion, the Rickover case is important because we are in a new age, an atomic age, an age of new weapons and it is necessary that we recognize by promotion to top echelons officers who are scientists, as well as fighting men. President Eisenhower recognized this in his book, Crusade in Europe, when he wrote:

"Indeed one of the most important characteristics of the succesful officer today is his ability to continue changing his methords, almost even his mental processes, in order to keep abreast of the constant change that modern science, working under the compelling urge of national self-preservation, brings to the battlefield."

I suggested to the House that (1) naval selection boards which pass upon the promotions of engineering officers to admiral be made up of three civilians selected by the President from among the outstanding scientists and engineers in the country in addition to the admirals; (2) to eliminate complete secrecy by requiring that a stenographic record be made of the entire proceedings of the board, with copies forwarded to the President of the United States, the Secretaries of Navy and Defense, and to the chairman of the Armed Services Committee of the Senate. In the event of disagreement in the selection of the officers, such disagreement could be noted and attached to the stenographic report by minority members; (3) the President to have the power to substitute those approved by the minority in place of those approved by the majority if he so desires, rather than being restricted as he is now to vetoing the proceedings of the board and reconvening it.

(Newsletter No. 127)

MARCH 14, 1953.

Congressman DEMPSEY of New Mexico appeared to be completely serious at lunch last week as he proposed petitioning the Atomic Energy Commission to postpone the explosion of the atomic bomb scheduled for March 17. "For the last couple of centuries," he said, "the Irish have had St. Patrick's day for their very own. It is the one day of the year when we make all the noise. Now the Atomic Energy Commission comes along and outdoes us with their bomb. It's an outrage."

In my last newsletter to you I wrote "next week should write the ending—happy or unhappy—to the Rickover story." This week the ending was written—a favorable ending which came quite suddenly and unexpectedly. On March 5, I testified before the Senate Armed Services Committee. Four days later Senator SALTONSTALL, chairman of the committee, made public a letter dated March 6, which he had received from Secretary of the Navy Anderson, in which the Secretary stated that he was going to convene two selection boards. One board would meet for the purpose of recommending for retention for another year, engineering duty captains who were due to retire this June, including one who would be experienced and qualified in the field of atomic propulsive machinery. This is Rickover's special field. The second selection board to which the Secretary referred would be convened in July for the purpose of selecting captains for promotion to rear admiral, one of whom would be required to be an engineering duty captain experienced and qualified in the field of atomic propulsive machinery. There is no doubt that the Secretary's language is directed specifically toward rectifying the injustice done to Rickover and practically assures his promotion.

The action proposed by the Secretary is unprecedented in the long history of the Navy. Never before has the Navy taken the unheard-of step of reviewing the case of a captain twice passed over for promotion to rear admiral. It marks the end of an intensive engagement which started on January 22 when I took the floor to bring the Rickover case to the attention of the Congress. At that time, few conceded any hope for a favorable conclusion, and I myself stated that the odds were 99 to 1 against Rickover. Yet, I believed the Navy was so wrong that the fight must be made.

On February 12 I again made a speech to the House, this time for an hour, in which I requested the Senate Armed Services Committee to withhold confirmation of the officers recommended for appointment by the selection board until the committee had an opportunity to assure itself that the Navy's atomic vessels program project would not be jeopardized by Rickover's retirement. I sent copies of the speech to President Eisenhower, to Senator SALTONSTALL, and to all members of the Senate Armed Services Committee. On February 18, when the news story broke that Time magazine and Michael Amrine, of the North American Newspaper Alliance, declared that their stories on the atomic submarine had been held up by the Navy, one for 67 days and the other for 15 days, I again took the floor to protest against the Navy's censorship of Rickover's part in the development of the atomic sub. On March 2 I addressed the House again, this time for an hour and a half, on the necessity for the prompt and successful completion of the atomic vessels project to national security and urging Rickover's retention as head of the program in order that it continue to move forward unimpeded. On that day, too, I gained an ally in the fight when Senator JACKSON, of Washington, who had been a member of the Joint Committee on Atomic Energy, agreed to join with me in testifying before the Senate Armed Services Committee which had decided to defer confirmation of all promotions to admiral until it could check the Rickover case. On March 5, I testified before the committee for more than an hour. The Secretary's letter (to promote Rickover) was revealed on March 9.

From Senator JOHN C. STENNIS, of Mississippi, whom I had never met before testifying before the Armed Services Committee, I received the following letter this week:

"DEAR REPRESENTATIVE YATES: Again I want to congratulate you most heartily on your splendid presentation of the Rickover matter to our committee. Also I want to congratulate you on the results obtained, which seem to me to be a splendid solution for the time being, and this is about as far as Secretary Anderson could have gone."

Let's call the Senator's more-than-generous commendation a ribbon for the Rickover campaign.

Your friend,

SIDNEY R. YATES,
Member of Congress.

TIDELANDS GIVEAWAY
(Newsletter No. 130)

APRIL 4, 1953.

The tidelands bill is like a hardy biennial plant. It raises its oily head every 2 years with each new Congress. In previous years when it was approved by the House and the Senate, President Truman cut it down with his veto, and its supporters could never rally enough strength to revive it and override the President. But this year, with the indication by President Eisenhower that he will approve the legislation, the bill promises to attain full flower and to bear fruit for the coastal States.

Since the first decision in 1947 of the United States Supreme Court, holding that the Federal Government has a paramount right to the submerged lands immediately seaward of the low-water shoreline, and to their oil deposits, representatives of Texas, Louisiana, and California have led a drive for a bill to change the law by conveying the Federal Government's interest to the States. It is understandable that these representatives should press for legislation so beneficial to their States. It is not so understandable, however, that the President of the United States, representing the people of all 48 States, should favor legislation which conveys the property belonging to the people of all 48 States, to the people of only 3. It is equally difficult to understand why every Republican Member of the House from Illinois, excepting only Congressman MCVEY, should vote for the bill when it passed the House last week. The effect of their vote was to approve the relinquishment of the proprietary rights of their Illinois constituents in the submerged oil resources—some $50 billion worth at least—to the people of three coastal States. States' rights? What of the rights of the people of the State of Illinois?

Senator HILL has proposed that the oil resources be developed for the benefit of all the schoolchildren of the Nation. Others have urged that the oil deposits be conserved in the interests of national defense. Others have recommended that the oil wealth be exploited to substantially reduce our national debt. If the bill passes, as it undoubtedly will, these become only suggestions of what might have been.

During the debate on Monday and Tuesday, I made four speeches against the bill pointing out the many deceptions used by those who favor the bill to obtain its passage. The first was in calling the bill itself the "Tidelands bill" because the tidelands—the land lying between the high and low water marks on the shores of the ocean—were not even involved in the legislation. Everybody admits that the States own title to this strip of land and to inland waters such as rivers, lakes, and bays. Confusion began when proponents of the bill began to designate the submerged lands lying seaward 3 miles from the low-water mark as tidelands in order to identify such lands as State owned because of the name. "This is no tidelands bill," I said. "This bill could with much more justice be called the tri-States misappropriation bill. It seeks to misappropriate the Nation's wealth for the benefit of Texas, Louisiana, and California. Talk about pouring oil on troubled waters—this bill will pour the oil wealth of 48 States into the tanks of only 3."

I pointed out two instances of the scare warfare used by the attorney general of Texas in an effort to win Illinois to Texas' side of the controversy. The first was a letter to the bankers financing Chicago's new filtration plant by raising questions as to the title to the land under Lake Michigan. Former Corporation Counsel Joseph F. Grossman described the effort for what it was: "* * * propaganda designed to free the States bordering upon the oceans and the Gulf of Mexico from interference by the United States in the exploitation of all resources under those waters." The second was a letter written by the same Attorney General of Texas to Senator PAUL DOUGLAS, stating that DOUGLAS' position in opposition to the bill would destroy the title of Illinois to the land underlying Lake Michigan. A copy of the letter was read to DOUGLAS in the Senate by a Senator from Florida. DOUGLAS answered: "I thank the Senator for calling my attention to a letter which I have not yet received. The Senator seems to have more information about my correspondence than I possess."

Congressman BENDER made a two-sentence speech during the debate: "Mr. Speaker, I think we decided this issue with the last election. Now let's vote." I believe BENDER was wrong. Tidelands will still be an issue in the next election.

Sincerely yours,

SIDNEY R. YATES,
Member of Congress.

Premier Alcide de Gasperi

EXTENSION OF REMARKS
OF
HON. ALBERT W. CRETELLA
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 19, 1954

Mr. CRETELLA. Mr. Speaker, it is with the greatest shock and sorrow that I heard of the death today of the great former Premier of Italy, Alcide de Gasperi.

It was De Gasperi, an 8-time Premier, who took over the leadership of war-torn Italy in 1945 as the head of the popular Christian Democrat Party.

An active opponent of early fascism, De Gasperi was jailed on more than one instance by Dictator Mussolini. The feeling and spirit of democracy have caused De Gasperi much hardship and privation since his early days as a student in Italy when he began to rise in opposition to the then strong-arm Government.

Here was a man whose life and dedication it was to see the emergence of a free and democratic Italy. In the difficult postwar years the task of realizing this end was no small one in this politically splintered nation.

No less a man and no more bitter an opponent of godless communism than Alcide de Gasperi could have kept the Italian Government in coalition with the aims of the United States and the free Western World. No less a man than he could have led and succeeded in the drive for European unification. Through his diligent efforts he, in 1949, brought Italy as a charter member into the North Atlantic Treaty Organization, an alliance of nations which had been at war with Italian fascism but a few years before.

De Gasperi earned the profound respect of entire free Europe. He has been called the most intelligent, most skillful, most honest, and most courageous statesman of these days.

It was only because of his broken health that De Gasperi recently was compelled to relinquish his position as titular head of the Christian Democrat Party.

America and the free world mourns the death of Alcide de Gasperi. He will forever be remembered as the lean old statesman who led his great, spirited country out of chaos and into the beaming light of democracy.

Premier Alcide de Gasperi

EXTENSION OF REMARKS
OF
HON. WILLIAM A. BARRETT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 19, 1954

Mr. BARRETT. Mr. Speaker, I have heard with profound sorrow and deep regret the announcement of the death of ex-Premier Alcide de Gasperi of Italy. His country and the world have been bereft of a great man. The passing of Alcide de Gasperi is a great loss to Italy, Europe and all freedom-loving, democratic peoples of the world.

It is a serious blow we have to suffer, particularly on the eve of the conference on a European Defense Community, for which Mr. de Gasperi fought almost to the hour of his death. It is indeed unfortunate that Western Europe has been robbed of one of the stanchest supporters of the cause of European unity.

The free world has lost one of its most outstanding and able statesmen. Mr. de Gasperi led Italy from fascism through a Communist-inspired crisis to becoming one of the most politically stable countries in Western Europe. He is primarily responsible for bringing Italy in 1949 into the North Atlantic Alliance against Communist aggression, and was a two-fisted foe against the growing menace of communism. Even in early life he showed a keen interest in Italy's welfaree and future, and his entire adult life was devoted to the idea of a democratic Italy.

A great leader has gone from the midst of the democratic Western World. Alcide de Gasperi has well filled a place in the record of the future of the world. His foresight and wisdom are further indicated by his choice and support of Mario Scelba to succeed him as leader of his beloved country. May Premier Scelba be blessed with a similar long and distinguished career of service to his country and the entire free world.

Report on Irrigation and Reclamation Legislation of the 83d Congress

EXTENSION OF REMARKS

OF

HON. A. L. MILLER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 19, 1954

Mr. MILLER of Nebraska. Mr. Speaker, several of my colleagues have asked about the various bills which have been introduced relative to irrigation and reclamation projects. I have had the staff of my committee, Interior and Insular Affairs, prepare a rundown of the bills which have been reported in the House.

I am quite proud of what has been accomplished. Under this Congress and the Republican administration, much has been done to promote irrigation and reclamation. We have worked closely with the Appropriations Committee in getting funds to start actual construction of seven new projects. In addition, my committee has authorized many new projects.

There have been charges that this administration is turning its back on irrigation and reclamation; that if we continue to follow this policy irrigation and reclamation are doomed.

As Al Smith used to say, "Let's take a look at the record." About $60 million in new projects has been authorized by this Congress. Two other projects, Michaud Flats and Santa Maria, totaling $27 million have been approved by the House and are now pending before the Senate where they have committee approval.

My committee also reported H. R. 4449 which would authorize the development of the upper Colorado River Basin—the last of the major river basins remaining undeveloped in the United States.

As you will note by the chart that follows, 11 new projects were favorably reported by my committee. Many hours of hearings were held on each of these projects. Both proponents and opponents were given ample time to present their arguments.

Besides the 11 authorizations, 5 other projects were given the green light to start or continue actual construction. Several other bills were approved relative to incidental problems concerning operating projects. Also, 10 bills dealing with irrigation districts were approved.

The Fryingpan-Arkansas project was reported favorably by my committee, but the rule for consideration was voted down by the House. No rule has been granted on the upper Colorado River Basin bill.

The report:

Interior and Insular Affairs Committee, irrigation and reclamation legislation, 83d Cong.

	Reported	Passed House	Passed Senate	Enacted
PROJECT AUTHORIZATIONS				
Central Valley project, works for development of water supply for waterfowl management (H. R. 4213) ($500,000).	July 28, 1953	Aug. 1, 1953	Aug. 11, 1954	
Chief Joseph Dam project, Foster Creek division (H. R. 4854) ($6,000,000)	do	June 23, 1954	July 6, 1954	July 27, 1954, Public Law 540.
Colorado River storage project (H. R. 4449) ($1,000,000,000)	June 9, 1954			
Fryingpan-Arkansas project (H. R. 236) ($173,000,000)	June 28, 1954	[1]		
Michaud Flats project (H. R. 5499) ($10,000,000)	July 23, 1954	Aug. 3, 1954	[2]	
Niobrara River Basin project (Ainsworth, Lavaca Flats, Mirage Flats, and O'Neill units) (H. R. 8520) (no authorization of funds).	June 15, 1954	June 22, 1954	Aug. 11, 1954	
Palo Verde project (H. R. 8498) ($7,000,000)	June 29, 1954	June 30, 1954	Aug. 16, 1954	
Rogue River Basin project, Talent division (H. R. 8384) ($23,000,000)	July 14, 1954	July 30, 1954	Aug. 11, 1954	
Santa Margarita project (H. R. 5731) ($22.6 million)	July 27, 1953	July 31, 1953	May 28, 1954	July 28, 1954, Public Law 547.
Santa Maria project (H. R. 2235) ($17,000,000)	Jan. 7, 1954	Feb. 2, 1954	[2]	
Washita River Basin project (S. 118) ($38,000,000)	Aug. 4, 1954			
PROJECTS APPROVED FOR CONSTRUCTION				
Eklutna project (S. 2097)	July 15, 1953	July 30, 1953	June 18, 1953	Aug. 13, 1953, Public Law 260.
Missouri River Basin project (Glendo unit) (S. J. Res. 165)	June 28, 1954	July 6, 1954	June 22, 1954	July 16, 1954, Public Law 563.
Missouri River Basin project (Sargent unit)				
Missouri River Basin project (Yellowtail unit) (committee resolution)	[3]	May 4, 1954		
Solano project (committee resolution)	[3]	Apr. 1, 1953		
OTHER PROJECT LEGISLATION				
Davis-Parker project (consolidation of the 2 projects) (H. R. 3598)	July 15, 1953	July 27, 1953	May 17, 1954	May 28, 1954, Public Law 373.
Eden project (exchange of lands) (H. R. 7057)	Mar. 4, 1954	Mar. 15, 1954	do	May 28, 1954, Public Law 377.
Falcon Dam project (transmission and disposition of electric energy) (S. 3090)	May 25, 1954	June 7, 1954	May 19, 1954	June 18, 1954, Public Law 466.
Milk River project (adjustment of charges) (H. R. 7813)	July 15, 1954	Aug. 3, 1954	Aug. 16, 1954	
Owl Creek project (exemption from excess lands limitation) (H. R. 4721)	Feb. 25, 1954	Mar. 15, 1954	Aug. 11, 1954	
Palisades project (payments for improvements) (H. R. 6786)	Apr. 2, 1954	Apr. 26, 1954	July 17, 1954	July 27, 1954, Private Law 561.
Riverton reclamation project (compensation to Indians) (H. R. 4483)	Apr. 14, 1953	Apr. 20, 1953	July 30, 1953	Aug. 15, 1953, Public Law 284.
Shoshone project (conveyance of land to University of Wyoming) (H. R. 6988)	Mar. 29, 1954	Apr. 5, 1954	May 4, 1954	May 17, 1954, Public Law 362.
Vermejo project (amend authorizing act) (H. R. 6882)	June 21, 1954	July 6, 1954	July 17, 1954	July 27, 1954, Public Law 542.
IRRIGATION DISTRICTS				
American Falls Reservoir District (amendatory repayment contract) (H. R. 9889)	July 30, 1954	Aug. 4, 1954	Aug. 11, 1954	
Belle Fourche Irrigation District (certain costs made nonreimbursable) (S. 727)	July 27, 1953	Jan. 18, 1954	July 18, 1953	Jan. 30, 1954, Public Law 289.
Black Canyon Irrigation District (amendatory repayment contract) (H. R. 9630)	July 21, 1954	Aug. 3, 1954	Aug. 11, 1954	
Deaver Irrigation District (certain costs made nonreimbursable) (S. 727)	July 27, 1953	Jan. 18, 1954	July 18, 1953	Do.
Hermiston and West Extension Irrigation Districts (amendatory repayment contract) (S. 2761).	May 24, 1954	June 7, 1954	May 17, 1954	June 18, 1954, Public Law 404.
North Unit Irrigation District (amendatory repayment contract) (S. 2864)	July 14, 1954	Aug. 3, 1954	July 6, 1954	Aug. 10, 1954, Public Law 573.
Pine River Irrigation District (amendatory repayment contract) (H. R. 7466)	June 21, 1954	July 6, 1954	July 17, 1954	July 27, 1954, Public Law 533.
Rosa Irrigation District (amendatory repayment contract) (H. R. 6487)	May 24, 1954	June 7, 1954	June 22, 1954	June 30, 1954, Public Law 462.
Shoshone Irrigation District (restore to district portion of power revenues) (H. R. 6893)	May 20, 1954	June 7, 1954	July 6, 1954	July 15, 1954, Public Law 480.
Willwood Irrigation District (certain costs made nonreimbursable) (S. 727)	July 27, 1953	Jan. 18, 1954	July 18, 1953	Jan. 30, 1954, Public Law 289.
LEGISLATION AMENDING FEDERAL RECLAMATION LAWS				
Authorize loans to local public agencies for construction of distribution systems on Federal reclamation projects (H. R. 9981).	July 23, 1954	Aug. 3, 1954	[3]	
Exchange of farm units on Federal irrigation projects (S. 887)	July 27, 1953	July 30, 1953	July 18, 1953	Aug. 13, 1953, Public Law 258.
Extension of time during which Secretary may enter into amendatory repayment contracts (H. R. 8027).	June 15, 1954	June 22, 1954	Aug. 12, 1954	
Reclamation Project Act of 1939 (amend with respect to secretarial authorization) (H. R. 4551).	July 24, 1953	Feb. 2, 1954		
Small projects legislation, supplemental Federal reclamation laws by providing for Federal cooperation in non-Federal projects and for participation by non-Federal agencies in Federal projects (H. R. 5301).	July 22, 1954	Aug. 3, 1954	[2]	
Title transfer on movable property to irrigation districts (H. R. 8026)	June 7, 1954	June 22, 1954	July 17, 1954	July 29, 1954, Public Law 551.
MISCELLANEOUS				
Department's power policy				
Missouri River Basin compact (H. R. 7439)				
Sabine River compact (S. 3699)	July 20, 1954	Aug. 3, 1954	July 10, 1954	Aug. 10, 1954, Public Law 578.
Sale of electric transmission facilities to States of Arizona and California (H. R. 9751)	do			
Tri-Dam project (interest-free loan for private development) (H. J. Res. 330)	July 23, 1954			
Water resources of Alaska (H. R. 2843)	July 14, 1954	Aug. 3, 1954	Aug. 11, 1954	

[1] Defeated. [2] Reported by Senate committee. [3] Adopted.

S. 3447 and H. R. 9163

EXTENSION OF REMARKS
OF
HON. CARL T. DURHAM
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 19, 1954

Mr. DURHAM. Mr. Speaker, Senate bill 3447, which was passed by the House today, is a bill that is designed to permit a physician to prescribe certain non-habit-forming drug preparations verbally rather than in writing. In fact, it does little more than legalize a practice which is very widespread already, with the most unfortunate result that the druggist who accepts a prescription over the telephone is left holding the bag unless he is careful enough and persistent enough to require the physician to sign a prescription the next time he is in the pharmacy.

It should also be noted that there are many exempt codeine preparations under existing laws, such as Cheracol cough syrup. This bill would merely extend the coverage to include some other similar compounds and preparations.

Under this bill, not only will the druggist be protected in the future in a practice which is already widespread, but services to the sick would be expedited.

The law which prohibits a physician from using the telephone to prescribe common everyday prescriptions for the alleviation of pain was enacted 40 years ago—December 1914. It is quite appropriate that we revise laws of this kind, subject to all appropriate safeguards, to conform to the very important developments in medical and pharmaceutical sciences.

I wish to make it very clear that this bill would not authorize a verbal prescription for any drug until the Federal Commissioner of Narcotics has issued a regulation describing precisely what drugs may become subject to the verbal prescription procedure.

Before he issues such a regulation, the Commissioner is required to consider the views of the Surgeon General, the United States Food and Drug Administrator, the respective heads of State narcotic law enforcement agencies, and the respective secretaries of national associations representing narcotic-drug manufacturers, physicians, and pharmacists.

It will not be possible to predict in advance what drugs will be considered entirely safe by the Federal Commissioner of Narcotics and his advisers.

Under the terms of the bill, the druggist is still required to maintain the same kind of records of issue which are required of him at the present time, but he is authorized to prepare the written record on the basis of a spoken rather than a written order.

Also a verbal prescription will only permit repetitive sales if specifically authorized by the physician in the same manner as for a written prescription.

Action on this bill is desirable because it is necessary to amend the laws of some States in order to put the new practice into effect. This bill we have passed today, S. 3447, by being made effective now, will permit the State legislatures to amend their laws next year. Otherwise many of them would not have had an opportunity to do so until 1957.

This bill I am sure will be welcomed by every druggist in every State of the Union. I have spent many years as a druggist and this was while the present law was in operation. This measure, in my opinion, will be a valuable addition to the present law.

Your Congressman Reports to You

EXTENSION OF REMARKS
OF
HON. SIDNEY R. YATES
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 19, 1954

Mr. YATES. Mr. Speaker, under leave to extend my remarks in the RECORD, I present copies of several newsletters I have sent to my constituents during the 83d Congress:

HOUSING
(Newsletter No. 141)
JULY 29, 1953.

It is becoming increasingly apparent that only a disagreement on the conference report on an important bill will prevent an adjournment by August 1. As quitting time nears, the Members are not disposed to recommit any of the conference reports, because they know that a stubborn group of conferees can keep Congress in session indefinitely. However, when the independent offices appropriations conference report came back to the floor last week, I made the fight to send it back to conference because the conferees had undertaken the destruction of the public-housing program. Although the report provided for the construction of 20,000 public-housing units during the next fiscal year, there was also included a clause which prohibited the Public Housing Administration from entering into any new contracts with local housing authorities without the further approval of the Congress.

I told the House that I had voted against the conference report and refused to sign it because I considered it to be one of the rankest pieces of discriminatory legislation I had seen. "It hits hardest against the little fellow," I said, "the low-income family which cannot afford to pay for homes or apartments under present conditions. In this report the low-income family gets practically no help from its Government. On the other hand, those who can afford to buy houses get all the subsidies and all the assistance provided for by the Public Housing Act of 1949. * * * This bill should not be limited only to a rehabilitation of property; it must contain the opportunity for rehabilitation of people, too."

I pointed out further that the action of the conferees meant delaying if not killing many slum-clearance projects, because such projects cannot be approved unless housing is available for those being evicted. I read to the House the telegram of Fred Kramer, a leading Chicago realtor, which expressed the hope that funds would be made available for the continuance of the public-housing program. Mr. Kramer's telegram stated: "As we sponsor and are vitally interested in private enterprise's participation in the slum clearance and redevelopment program in Chicago, it is particularly vital that we have some public housing for relocation purposes. Relocation is really the key for slum clearance these days."

During the debate, Majority Leader HALLECK, of Indiana, rose to read a letter from President Eisenhower, which indicated that the President had reversed his previous recommendation to continue the public housing program at an annual level of 35,000 units and had approved the action of the conferees. I challenged HALLECK: "Does not the gentleman think the President of the United States ought to stop retreating? * * * General Eisenhower ought to stabilize his lines and not retreat any more." Certainly, under the circumstances, I believe that issue should be taken with the President. If he makes a definite recommendation to the Congress on an important matter for the purpose of influencing congressional opinion and intending that action be taken in accordance with his views, in the absence of some compelling reason, why should he not stand his ground?

Why should he change his mind? The conference report was approved by the House by a vote of 239 to 161.

Another conference report which came up involved appropriations for the civil functions of the Army. This is the bill that provides funds for river and harbor improvements. Congressman JENSEN, of Iowa, looked quite dejected as he asked the Members to help him by voting for a $2,800,000 appropriation. The story he told was a very sad one. It seems that the Missouri River had left its channel in his district and wandered away. The residents of his district had invested $2.5 million to construct a toll bridge across the old channel because the Army engineers had informed them that the river could be captured and returned to its previous bounds. The people now wanted the Army engineers to move the river back to its original channel at a total cost to the Government of about $9 million. Congressman HAND, of New Jersey, a member of the subcommittee kept a straight face as he described the situation: "We are faced with a rather unique problem here. Instead of building a bridge over the river, we are supposed to build a river under the bridge." The Members felt sorry for JENSEN, but they nevertheless voted down his amendment. It is said by those who are familiar with this region that as the Missouri rolls past the point closest to the bridge, there is a sound like gurgling laughter as it looks toward the beautiful and lonesome structure now spanning a dusty gravel bed.

Many of you have written to me inquiring about the conclusion of the case of Capt. Hyman George Rickover. I know you will be delighted to learn that this week it was recommended that he be promoted to rear admiral.

Sincerely yours,

SIDNEY R. YATES,
Member of Congress.

SHOOTING IN THE HOUSE
(Newsletter No. 145)
MARCH 3, 1954.

Members of the House are frequently called upon to escort friends or members of their families to seats in the visitors' galleries that overlook the floor of the House of Representatives. Usually they will sit there for a few moments of conversation to identify the Congressman speaking on the floor, or to point out the parliamentary maneuvering, or to explain the bill being discussed. Sitting there makes them all feel good, the Congressmen as well as the visitors, for it makes them feel as though they are really watching American democracy in action.

There seemed to be nothing unusual about the galleries last Monday. Suddenly a series of sharp cracks like a bunch of firecrackers being exploded startled the House.

All proceedings were halted while everyone turned immediately toward the far corner of the galleries, and there in horror they saw three men and a woman standing with guns in their hands shooting into the mass of Congressmen below. The woman held a long automatic revolver with both hands and sprayed the House with bullets until her ammunition ran out. Then she waved a Puerto Rican flag aloft and tossed it over the railing, crying, "Viva Puerto Rico."

It was all over in less than a minute but in that brief period more than 20 shots spattered into the walls, into the ceiling, into the seats—and into 5 Congressmen. Congressman MORANO, of Connecticut, was sitting on the aisle near the Speaker's Lobby, which is the main corridor. When the gunfire exploded almost over his head, he raced for the exit and hurled himself through the doors. As he swung them open, a deep voice immediately behind him gasped, "They got me." and Congressman BEN JENSEN of Iowa stumbled and fell with a bullet in his back. A few seconds earlier, JENSEN had been standing next to MORANO. Congressman KEATING, of New York, thought they were firing blank cartridges and continued to watch the shooting until Congressman BENTLEY, of Michigan, who was standing next to him, gasped and collapsed into the center aisle with a bullet through his lung. Congressman PATTON, of Arizona, was called off the floor by a page to answer a telephone call. As he walked through the door a bullet pierced the seat he had just occupied and severed an artery in the leg of Congressman ROBERTS of Alabama, who was sitting in the next row behind. PERCY PRIEST, of Tennessee, pulled ROBERTS to the floor, then removed his own tie and applied it as a tourniquet to ROBERTS' leg. Majority Whip LES ARENDS was unaware that anything was happening until a shot whistled by his ear and imbedded itself in the table where he was sitting, sprinkling him with splinters. Congressman CANFIELD, of New Jersey, was showered with plaster when a bullet hit the ceiling above him. Four or five bullets spattered into the paneled wall a few feet above the heads of the pages.

Tom Iorio is the Democratic pair clerk. He was talking to Congressman FALLON, of Maryland, near the pages' bench in the rear of the House when it appeared that a rollcall vote would be demanded. Iorio left FALLON and went to his desk near the Speaker's rostrum to set up voting pairs for Members who were absent. When the shooting started, he leaned across his desk to see who had set off the fireworks. Lew Deschler, the Parliamentarian, pulled him back crying, "Get back, you fool—those are real shots." In the rear of the Chamber, Congressman FALLON fell to the floor with a bullet in his hip.

When the gunmen were overcome and disarmed, the Members got up from the floor and straggled in from the corridors. Dr. Calver, the congressional physician and his two assistants, rushed in to help the wounded. An icy numbness gripped everybody as they looked down at those lying on the floor. BENTLEY, ashen faced, quiet, very seriously hurt; JENSEN, white, too, also badly hurt; DAVIS, of Tennessee, with his leg propped up and with friends holding handkerchiefs to both sides of his calf where the bullet had gone through; ROBERTS bleeding freely in spite of the tourniquet; and FALLON looking around and waiting for the stretcher bearers. Many of the Congressmen drew deep and nervous breaths as they looked at their injured colleagues. One of them voiced the sentiment of all when he said softly, "There but for the grace of God go I."

There was not so much a feeling of anger as of amazement. It was incredible, unbelievable that this thing should take place in the United States House of Representatives—and yet there it was. The first inclination was for more rigid security measures; more severe checking of visitors; more armed guards scattered throughout the galleries—perhaps a bulletproof plate glass between the gallery railing and the ceiling. But there was a feeling of sadness, too. For the first time in the long history of the House, there had been a violent disruption of the open and friendly relationship between the people watching their Government at work and their elected representatives.

Sincerely yours,

SIDNEY R. YATES,
Member of Congress.

CONGRESSIONAL INVESTIGATING COMMITTEES

(Newsletter No. 146)

MARCH 12, 1954.

There are many congressional committees that you never hear about because they perform their work in a quiet, efficient, and objective manner. There are others whose activities are constantly emblazoned across the front pages of your daily newspapers. It may have been such a committee which prompted the late Senator Henry Cabot Lodge to reply as he did when he was asked to comment on the work of congressional investigating committees. "Perhaps the best way to answer your question," he said, "is to tell you about my friend Si Hoskins. As I was out walking one lovely spring morning, I saw Si sitting contentedly on the grassy bank of a stream. 'Si,' I asked, 'what are you doing?' 'Well, sir,' he replied, 'I'm paid to shoot the muskrats. They are ruining the dam.' There was a muskrat swimming in the water near him and I cried: 'Hey, Si, there's one now—why don't you shoot?' Si looked at the swimming animal, looked back at me and puffed a tranquil cloud of smoke into the air from his pipe. 'Sir,' he said, 'do you really think I should shoot that muskrat and lose my job?'"

Certainly the Senator's opinion could not have been intended to apply to all investigations, for he must have been aware of the splendid work performed by the committee headed by his colleague, Senator Walsh, which exposed the Teapot Dome scandal. Similarly, in recent years, there have been restrained, well-regulated hearings, as, for example, those conducted by Senator RUSSELL and a Senate Armed Services subcommittee into the dismissal of General MacArthur from his command in Korea; by Senator FULBRIGHT and a Senate Banking and Currency subcommittee into the work of the Reconstruction Finance Corporation; by Representatives CHELF and KEATING, one a Democrat and one a Republican, into certain activities of the Department of Justice. There is no question but that the power to investigate and report back to the Congress for action is a most potent and necessary tool of democratic Government.

Yet, it must be equally apparent that the power to investigate, like the power to tax, is the power to destroy. Those who wield the tremendous powers of government must have a constant and complete appreciation of the great responsibility which is theirs and must avoid abusing their authority. Investigative activities which are sensational, politically inspired, or keyed to the personal ambitions of the committee chairman, where reckless accusations are made without reasonable foundation in fact, will be terribly destructive not only of personal reputation and economic livelihood, but destructive as well, of the confidence of the people in their Government and in their basic institutions. It is a sad commentary when newspapers carry headlines such as the one which appeared recently: "Velde Committee Clears Clergy." One would believe that the contrary would be true, that if there were to be a judgment, that it would be the ministers who should sit in judgment upon the congressional committee.

Despite the fact that Members of Congress are becoming more and more aware of public disapproval of the shortcomings of congressional committees, it is rare that they will do more than criticize them. A few weeks ago, the question of providing funds for two such committees came before the House. Although the Committee on Un-American Activities was criticized for publicity seeking; for the failure of its chairman to observe the committee's own rules when he authorized, without consulting the committee, the subpenaing of former President Truman; for taking no responsibility for the testimony it received and published in its hearings, it was granted funds to carry on its work. There is a general feeling that the committee is working in a much more objective way than it has in the past. Amazingly enough, however, a subcommittee of the House Government Operations Committee which wanted funds to investigate racketeering in labor unions, was rebuffed. Perhaps it was the fact that its project invaded the jurisdiction of the House Committee on Education and Labor, which is now studying the same subject; perhaps it was the fact that Chairman CLARE HOFFMAN, of Michigan, who is chairman of the full committee, objected to the granting of such funds to the subcommittee; perhaps the House wanted to cut down on the growing number of investigations and for the moment agreed with Senator Lodge. At any rate, the committee's project came to a sudden end when its request for funds was voted down.

Maybe progress is being made. In an earlier Congress, according to the book History and Procedure of the House of Representatives by Alexander, the following incident took place: "When Reuben Whitney was before a committee of investigation in 1837, Bailie Peyton, of Tennessee, taking offense at one of his answers, threatened him fiercely and when he rose to claim the committee's protection, Mr. Peyton, with due and appropriate profanity, shouted: 'You shan't say one word while you are in this room. If you do, I will put you to death.' The chairman, Henry A. Wise, added: 'Yes: this insolence is insufferable.' As both of these gentlemen were armed with deadly weapons, the witness could hardly be blamed for not wanting to testify before the committee again."

Your friend,

SIDNEY R. YATES,
Member of Congress.

Alcide de Gasperi: Soldier, Statesman

EXTENSION OF REMARKS
OF
HON. CLEMENT J. ZABLOCKI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 19, 1954

Mr. ZABLOCKI. Mr. Speaker, the unexpected and untimely death of the former premier of Italy, Mr. Alcide de Gasperi, is a great loss to the free world. Particularly will he be missed at this time when EDC appears to be in dire need of leaders of his stature. He was one of Europe's stanchest supporters of European unity and a key exponent of EDC.

Mr. de Gasperi led Italy from fascism through the Communist crisis and out of postwar chaos to a democratic pattern of government. His coalition government has nurtured the cooperation developed between Italy and the free world. He was a bitter foe of the Communists

and has worked unceasingly in the battle against the Communist and neo-Fascist factions in his land. His untiring efforts have laid a foundation upon which the future of Italy is most promising.

In the passing of Mr. Alcide de Gasperi the United States has lost a proven friend, the free world a leading spokesman, and his beloved country an outstanding statesman.

May the good Lord grant him eternal rest.

To Secure These Rights the Fight Must Go On

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 19, 1954

Mr. MULTER. Mr. Speaker, at the close of the first session of this Congress, on August 3, 1953, I reviewed for my constituents the accomplishments, and lack thereof, of our distinguished body. I pointed out the great divergence between the pledges and promises by the Republican Party and its presidential candidate in 1952 and their performance or lack thereof as the majority party in power in 1953.

Another legislative year has now gone by. It is time again to take a look. Perhaps not a New Look, but certainly a good look, even though we know it will not look good. I intend today to reverse the usual form of stating first the facts and then the conclusion.

CONCLUSION

When the 80th Congress was dubbed the worst Congress of history, our contemporaries overlooked that worse than a "do-nothing Congress" is a Congress that does nothing but give away the birthright of a nation.

The 83d Congress and this Republican administration have earned the right to be charged with doing nothing but giving away the people's rights and property.

The balance of this report will be devoted to documentation of the foregoing conclusion.

HUMAN RIGHTS

This is an excellent time to refresh our memories with a quotation from our Declaration of Independence of these immortal words:

> We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed, that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their health and happiness.

Those principles have been written into our Constitution as rights accorded to our citizens, and with restrictions against any impairment by executive, judicial, or legislative action.

If they are to be changed, that change can be accomplished only by constitutional amendment.

Nevertheless, we have seen during these last 2 years, a complete disregard of those basic concepts.

Fear runs wild, and hysteria has taken over.

Laws have been enacted in violation of article I of the Constitution, prohibiting ex post facto laws and bills of attainder. An ex post facto law imposes punishment for past conduct which was not previously criminal. A bill of attainder imposes punishment upon a person or group without indictment and trial.

Laws and executive orders violative of the Bill of Rights, as contained in our Constitution, have been enacted and promulgated.

I have done my best to resist such utterly un-American conduct, first because it is fundamentally wrong and secondly, because it strengthens our enemies and weakens our will to withstand their totalitarian philosophy.

I favor the right, under safeguard of court order or search warrant, to obtain evidence, even by wiretapping, to convict criminals. I opposed the bill to give the right to use such evidence previously obtained without court order or search warrant.

I favor empowering the courts to require witnesses to testify in criminal proceedings by granting them immunity where otherwise some other criminal might escape trial. I oppose giving that right to Congress, because Congress is a legislative body and not a court. Congress is supposed to investigate solely for the purpose of legislating; it is not the FBI; it is not a grand jury; it is not a petty jury; it is not a judge; it is not a prosecutor; it is not a President with power to pardon. No legislative body in our entire American history has ever been blocked from legislating because a witness or group of witnesses refused to testify.

The best evidence that I am correct in that statement is that despite witnesses who have refused to testify about communism, the Congress has, nevertheless, enacted a law finding that the Communist Party is not a political party but a criminal conspiracy.

I agree with the finding, but urged that the law was a very bad one because it usurps the function of the judiciary.

The bill to outlaw the Communist Party violates every principle of good government. Aside from being a bill of attainder and an ex post facto law, it denies not only free speech but free thought; it denies the right of assembly and the right of petition for redress of wrongs. It is a completely totalitarian technique.

The manner in which these bills were foisted upon the Congress was even worse. Not only was gag rule imposed by limitation of debate, but they were brought before the House without having had adequate hearings, without reports for guidance of the Members, without copies of the bills, and under rules permitting no amendments.

That is the horribly terrifying manner in which a heretofore deliberative body struck down our liberties and impaired our freedom by pushing through in the closing days of this session bills which do violence to the things for which men and women have fought and died since before Magna Carta.

I attribute these bad bills to what has come to be known as McCarthyism. Those who contend that McCarthyism has alerted the country to the danger of communism must now concede that the direct result has been the creation of an unhealthy atmosphere of fear and suspicion which may easily destroy the very vitals of good government.

LIBERALISM VERSUS CONSERVATISM

Our President has repeatedly told us that as to human values and human rights, he is liberal, but as to property and property rights, he is conservative. It sounds good. I wish it were true. I will not repeat here the many failures of President Eisenhower to perform the pledges of Candidate Eisenhower. They have been previously documented. Let us today analyze what has happened under our President's leadership and thereby make apparent his and the Republican Party's fulfillment of the converse of his declared policy.

OPERATION GIVEAWAY, OR BUNDLES FOR BILLIONAIRES

The gift of the submerged oil lands was camouflaged as a return to certain States of their property. You cannot return to a State what it never had. The United States Supreme Court three times ruled that these lands and rights never belonged to any State. As a matter of fact, most of them were bought with funds from the United States Treasury.

If Congress and the President had not given them away for the benefit of the big oil companies and not the few States involved as is claimed, the revenues from those lands would have been used to educate the children of every State of the Union.

OUR NATIONAL RESOURCES: CREEPING FAVORITISM

The Nation's resources have been the subject of a whole series of gigantic giveaways, beginning with the offshore oil bill endorsed by President Eisenhower.

Perhaps the most incredible giveaway of all, deals with atomic energy. The people of the country have spent $12 billion of their tax money in developing an atomic-energy program. The Eisenhower administration and the Republican-controlled Congress, however, chose to set the wheels in motion for giving away the rights to atomic energy to the few private power monopolies. The most fantastic Republican proposition was the Dixon-Yates contract whereby a certain private group was granted contract rights to provide power without competitive bidding; it was arbitrarily selected for the benefit, although other firms offered to do the job more cheaply. The Eisenhower administration even offered to pay all their taxes for them

and guarantee them against any loss. I am proud of my vote against the atomic energy giveaway.

The efforts to dispose of our synthetic rubber and tin smelting plants and the attempt to wreck TVA and our entire public-power program, are more of the giveaway philosophy in action.

MONEY: HARDER TO GET

I spent considerable time and effort in opposing the Republican giveaway to bankers through higher interest rates. The so-called hard-money policy actually made money harder to get. Republican bankers took over the Treasury Department and promptly proceeded to raise the interest rate to the highest level since 1933. They sold Government bonds below par value to bankers who profited immensely from unnecessarily higher interest rates. I joined with other Members of Congress in protesting this giveaway to bankers, and my remarks in the CONGRESSIONAL RECORD are quite numerous on this subject.

Not only did this hard-money policy constitute excessive profit for bankers, but it was perhaps the principal cause of the recession we have had. With interest rates excessively high, consumers and small-business men could not borrow money. As a result, mass unemployment occurred, causing a serious recession because of a lack of consumer purchasing power to buy the products of American industry.

The Eisenhower administration was disastrously slow in taking action against this recession; indeed, we still have close to 4 million Americans unemployed, with many more in jobs at only part time. Because of our constant pounding, the administration finally reversed itself and repudiated the hard-money policy, although its evil effects are regrettably still with us.

Call me a prophet of gloom, Mr. President. But it is your Secretary of Commerce who says that the gross national production is down $9 billion from 1953 to 1954, and it is your Federal Reserve Board that says that industrial production is down $12 billion from 1953 to 1954.

VETERANS' RIGHTS

Part of the liberal Republican policies was the increase of interest rates on veterans' mortgages. This was among the very first accomplishments of this administration.

As soon as we achieved a reversal of the hard-money policy, I started a campaign to decrease the veterans' loan interest rates to what they had been.

The chairman of the Veterans' Affairs Committee, on the floor of the House, promised me such legislation would be enacted.

It has not even been reported to the Congress.

We did succeed in enacting a bill to increase veterans' pensions by 5 percent. Liberal, indeed. A monthly pension of $50 is now $52.50.

But all veterans' services—medical care, hospitalization, and the like—have been cut and cut more than 5 percent.

That was not being illiberal as to humans; it was being conservative as to money.

I have consistently supported measures to adequately compensate our Armed Forces and veterans for the sacrifices they make in the Nation's behalf. I have introduced bills providing free postage on letters to and from members of our Armed Forces, extra compensation for prisoners of the Korean war, income-tax exemption for members of the Armed Forces, and various adjustments to secure equitable pensions, compensation, and retirement pay.

THE CONSUMER'S POCKETBOOK AND THE FARMERS' PLIGHT

During these 2 years of Republicanism, the cost of living has reached an all-time high, as any shopper can testify and as Government statistics prove in black and white. Coupled with this record high cost of living have been the hardships caused by the recession, so that many millions of Americans have suffered reductions in their standard of living.

Particularly pernicious has been the price of food. Consumers are forced to pay twice for their food, first in their tax bill to the Government and then in the market place. There is something radically wrong with the present agricultural program, as I have often said in Congress. Official reports show that food prices to the consumer have actually risen, while prices to farmers have declined.

Yet the Republican leadership has done nothing to remedy this situation. The only solution the Secretary of Agriculture offers is to reduce farmers' incomes below their present level, despite his claims that no appreciable reduction in consumer food prices will result. The proposal I have made is to try the Brannan plan for all agriculture, which Candidate Eisenhower termed "moral bankruptcy," but which President Eisenhower has instituted for the wool industry.

The President and his agriculture experts pretend that a flexible price-support program will reduce prices to the consumer and increase income to the farmer.

They continue in that fallacious claim even after they have proved themselves wrong.

We have never had rigid but only flexible price supports for the dairy industry.

One of the first things done by our Secretary of Agriculture, with the hearty approval of our President, was to drop price supports for this industry from 90 percent of parity to 75 percent.

Result: The farmer is getting less and the consumer is paying more.

That is not caused by any failure of the cut in prices to seep through.

I am talking about milk produced one day and sold the next day for which the farmer receives less and the consumer pays more.

How can they urge that any different result can come from products that will be stored for long periods of time?

Do not be fooled by any pretense that we will store less of the staples or basic commodities.

On the basis of the representations of the President and his Secretary of Agriculture that we will store more, this very session of Congress increased the buying, lending, and storing authority of the President and his Department of Agriculture from $6½ billion to $10 billion. That is in addition to all the billions to be taken out of storage and not charged to the authorization.

LABOR AND UNEMPLOYMENT

One of the most important Republican pledges was amendment of the Taft-Hartley law. I favored the elimination of the Taft-Hartley Act's repressive measures against organized labor. I have always sought to promote legislation fair to labor and management.

But, as you may remember, President Eisenhower reversed himself when he refused to go along with Secretary of Labor Durkin's program for labor legislation, which followed Candidate Eisenhower's promises. Mr. Durkin resigned. The Republican leadership did not allow Congress to pass on the bills seeking to right the wrongs of the Taft-Hartley Act.

I sponsored a number of bills in the labor field, but as usual the Republican leadership did nothing. One called for equal pay for equal work and an end to discriminatory wage practices against women. Still another case where the Republicans did nothing was the minimum wage. My bill called for an increase in the minimum wage from 75 cents to $1 an hour. Secretary of Labor Mitchell agreed there should be an increase, but President Eisenhower's economic report flatly opposed one.

The most serious problem in this field is that apparently the Republican Party is not concerned over the tremendous loss of earnings of the wage earners of our country. I have called attention to the millions of Americans without jobs, largely due to the administration's hard-money policy, and to the millions more earning smaller wages and working only part time.

In the present Congress, I have been a cosponsor of H. R. 9430, the Forand bill, dealing with unemployment-compensation standards. I introduced H. R. 1270 to permit an increase in earnings without loss of social-security benefits. My bill, H. R. 1277, called for income-tax exemption on annuities and pensions, a principle adopted in part in the new tax law.

This administration takes credit for enactment of a broader social-security law, but soft-pedals the fact that this was a New Deal-Fair Deal measure that was supported and fought for by Democrats during all the years Republicans were resisting it as creeping socialism.

PUBLIC HEALTH AND HOUSING

I have always insisted that effective government action must be taken to improve the national health. Proper medical care must be put within the reach of every American. It is a duty of the Government to assure that and to do it without socializing medicine.

Yet the Eisenhower budget cut cancer research 28 percent, heart disease research 33 percent, and the National Institutes of Health allotment 34 percent.

The so-called health reinsurance bill, the administration proposed, merely

came to the aid of certain insurance companies, and did nothing for the health of the individual American man, woman, and child. The only public health in the bill was in its title. It made neither health nor insurance available to any citizen.

A similar situation was the Republican housing bill, which I called "a sham and a fraud upon the American people." I have long maintained a particular interest in public housing, and the CONGRESSIONAL RECORD is replete with my attempts to try to provide decent housing for all Americans. I proposed amendments to legislation to deal with FHA abuses, but Republicans joined as a unit to vote them down, as they did my efforts to prevent discrimination against minority groups and to provide low interest rates on housing loans and veterans' home loans.

However, the Republican leadership insisted on guaranteeing excessive profits for builders and lenders and blocked my efforts and those of my colleagues to write into law even the minimum number of public-housing units requested by the President.

Here, too, the only public housing in the bill was in the title. I think it is outrageous that the people of this country should be denied an opportunity to live in decent shelter.

The so-called housing bill passed this year prevents any new public housing and effectually kills the program. The same bill, however, makes it easier for the bankers, mortgage lenders, and builders to get richer. It contains no real safeguards against a repetition of the FHA scandals now filling the newspapers. It does contain a provision subsidizing the mortgage lenders, guaranteeing them not only against loss, but also a profit, all at Government risk.

FOREIGN AFFAIRS: BEWITCHED, BOTHERED, AND BEWILDERED

The present world situation is one of crisis, and I have wholeheartedly supported the administration's continuation of the bipartisan policies initiated by prior Democratic administrations, including the point 4 program and foreign aid. I have urged the strengthening of our greatest potential instrument for peace, the United Nations.

Our position in world affairs, however, has worsened markedly under Republican leadership. World communism has increased, and we have lost much of the good will painstakingly built up by Democratic administrations with the non-Communist nations of the world. The present administration has cut our military strength and has foolishly tried to compensate for it by a series of transparently hypocritical slogans.

No one knows where we stand on anything. If you add up all the pronouncements made by the President, the Vice President, the Secretary of State, and assorted Republican leaders, the sum total is bluff and backtalk, threat and retreat.

If the matter were not so very serious, we could sing Bewitched, Bothered, and Bewildered. We have learned a bitter lesson that Indochina could not be saved by the threats of Mr. Dulles and his colleagues. The situation in the Far East is bad.

The same muddled thinking is causing the situation in the Near East to worsen from day to day. This administration refuses to recognize that an enemy of a friend cannot be a friend and that you do not arm one who may use the arms against your friend.

I opposed the Bricker amendment, which would paralyze the President's right to conduct our foreign affairs.

I have supported the extension of reciprocal trade agreements and lower tariffs to aid our allies, even though the President backed down from the request he had termed "essential."

I have tried to build up friendly relations with the Latin American Republics, and with Italy, whose late Premier Alcide de Gasperi I had the pleasure of greeting on his visit here in 1951.

I have striven for peace in the Near East and the proper development of that new addition to the family of free nations, Israel.

OPERATION TAKEAWAY: GOVERNMENT EMPLOYEES

I have long felt that the Government should act as a model employer, and I have been deeply distressed by the methods of the present Republican administration as regards civil service. Aside from the reprehensible "numbers game" reflecting on many loyal civil servants, the Eisenhower administration has conducted the crudest sort of spoils system in taking away the jobs of Government employees for political reasons.

I have opposed the transfer of Government agencies from the New York and Brooklyn areas for political reasons, such as the Quartermaster Purchasing Agency and the diversion of contracts from the Brooklyn Naval Yard. I have sponsored bills to extend Federal compensation coverage to civil defense workers, for longevity step increases in the civil-service scale, to exempt compensation and pensions from income tax, to excuse Government employees from work to permit them time to vote in elections, and similar measures aimed at making the Government an employer of which every citizen can be proud.

I realize full well the inadequate salaries paid civil servants, and I have supported proposed increases. Having worked as a railway mail clerk, I know the hardships of postal employees, and on their behalf have testified before the House Committee on the Post Office and Civil Service.

It is nothing less than reprehensible to deny postal and Federal employees a 5-percent increase in their pay. From the President down, every Republican concedes that these loyal men and women are underpaid.

To deny them a pay increase unless we simultaneously provide additional revenue is a fraud and a sham. The subsidy given to business, by the Post Office Department alone, exceeds the entire amount of such increase. The dividend tax exemption alone exceeds the cost of such a pitifully inadequate increase. The additional depreciation tax cut to big business is about double that cost.

Conservative policy indeed, as to wages for the underpaid and liberal, as to tax cuts for the greedy.

IMMIGRATION

The inequities of our present immigration laws make a mockery of the splendid inscription on the base of the Statue of Liberty in New York Harbor. I was happy to serve as a cosponsor with Senator LEHMAN and many other Members of Congress of a bill designed to rewrite completely our immigration laws and to remove every trace of bigotry therefrom.

In addition, I introduced a bill calling for 240,000 special visas during the fiscal year 1953–54, and have sponsored many private bills for the relief of my constituents and their families.

In this field, as in so many others, the fight must go on, and I am confident that someday the faults of our present immigration system will be corrected. They still remain under President Eisenhower's administration, although Candidate Eisenhower pledged prompt reform.

TAXES: THE TRICKLE-DOWN BILL

Surely no part of the activities of government is more important than taxation—and it is in this field that we find the most glaring and inequitable giveaway.

Ninety-two percent of American families have good reason to be unhappy about the Republican tax bill that is now the law of the land, for they do not own any corporation stock. This Republican Congress and administration, however, have given tax benefits to the 8 percent of American families who do. In fact, the Republican program of "bundles for billionaires" especially benefits only six-tenths of 1 percent of American families, who own 80 percent of all publicly held stock.

The new Republican tax law provides benefits for stockholders, to the detriment of those Americans who earn their income through the sweat of their brow. Let us take as an example two families, each with husband, wife, and 1 child, and an income of $5,000. One of these two families has an income consisting entirely of wages or salary; its income tax will be $420. The other family, with income entirely from stock dividends, will pay an income tax of only $328. Thus unearned income is to be taxed less than earned income of the same size.

Of course, the tax difference increases greatly as income increases. Seventy-three and seven-tenths percent of taxpayers with incomes over $25,000 reported dividend receipts, while only 4.5 percent of taxpayers with incomes under $5,000 did so. It is primarily those with incomes of $10,000 or more per year who report dividend receipts. I might point out further that the Eisenhower administration asked for much greater benefits for stockholders, but Democrats in Congress managed to cut them down.

This Republican tax bill gives corporations, and the 20 percent of American taxpayers with incomes over $5,000, 77 percent of the total tax benefits. The 80 percent of American taxpayers with incomes less than $5,000 get only 23 percent of tax relief, thanks to Republicanism. It seems that the basis for Republican taxation is the old "trickle-down" idea, which we thought had disappeared forever; it gives the wealthy

the benefit of tax relief although they need it least, in the hope that some of the benefit will trickle down to the great mass of the people. I am proud of my vote against the trickle-down tax bill.

I believe in giving tax relief to those who need it most. Ever since 1948 I have introduced resolutions calling for an increase in personal exemptions to $3,500 for heads of families as the first step in reducing taxes. But of course this was in conflict with the policy of the Republicans in control who insist on giving tax preference to those wealthy enough not to need it. One of my proposals, however, was partially carried into effect: An exemption will be provided for the first $1,200 of retirement income. Another of my proposals gained some ground, too; child-care allowances were provided, but much less than adequate and much less than I called for in my bill.

One further fact should be mentioned here about taxes, because Republicans are very unlikely to mention it themselves; the general 10-percent decrease in individual taxes that became effective the first of this year was passed by a Democratic Congress and signed by a Democratic President. The Republican tax bill is the one benefiting the well-to-do, and that is the giveaway I opposed.

Please understand, I am not opposed to eliminating double taxation. But I insist that inequities be remedied equally. The taxpayer earning interest on a savings account is entitled to the same relief as a taxpayer receiving dividends on stock. Furthermore, if we cannot remove all inequities because we will lose too much revenue, do not select one class as against another.

Do not increase and continue depreciation and depletion allowances at the expense of the wage earner. If we cannot save taxes for all, save taxes for him first. He spends all of his earnings almost as fast as he gets them. That is what makes for prosperity.

CIVIL RIGHTS AND BROTHERHOOD

Unfortunately, the Republican leadership defeated my efforts to prohibit discrimination in regard to public housing projects, and did nothing about my measures to prevent Federal aid to National Guard units practicing discrimination and to secure similar acts to guarantee civil rights for all.

I have always recognized the role of religion in life, and I have been privileged to participate in many religious and interfaith activities.

Although I recognize the separation of church and state guaranteed by our Constitution, I appreciate that the fundamental principles of civil rights are based on the brotherhood of man under the fatherhood of God.

We can legislate on these principles intelligently only if we understand them. We understand them only if we know religion.

That is why I constantly direct my colleagues' attention to the activities of all religious groups and do my utmost to stir them into action against all anti-religious groups and activities.

In opposing McCarthyism and in deploring the current wave of hysteria in this country largely inspired thereby, I do not lessen my hatred of communism and all its works. My constituents may well remember the campaign of 1948 when my opponent was Lee Pressman, once described as the No. 1 Communist of the country. In that year the Communists spent a quarter of a million dollars trying to defeat me, and I was viciously attacked because of my vigorous anticommunism. I am happy to associate myself with the remarks of the Most Reverend Bernard J. Sheil, auxiliary bishop of Chicago and a leading Roman Catholic churchman and genuine anti-Communist. He said, among other things:

> I take it that a genuine anti-Communist is one who despises the court methods of the Communists. I take it he hates the Communist idea that one is guilty until proved innocent. I take it that the genuine anti-Communist is one who above all believes in the democratic procedures and is willing to stand by them, even in the face of great temptations to lose one's temper and to lose one's faith in the methods of freemen.

I am proud to stand alongside him in this vital fight for our civil liberties.

I am the only Member of any Congress who had an opponent who dared to avail himself of the privilege of running for office under the name and emblem of the Communist Party.

I am also proud of the autographed photograph given me by one of the great statesmen of the free anti-Communist world, the late Premier Alcide de Gasperi of Italy, for my efforts in behalf of Italy's fight against communism. Indeed, when I think that a certain Senator first discovered communism in 1950, 2 years after I had opposed and defeated communism in a congressional election; when I think of my votes for foreign aid to bolster the anti-Communist allies of this country and the contrast with his votes against all foreign aid; when I think of his apparent objective, the catching of headlines rather than Communists, and the demoralizing effect of his wave of fear, then I am certain that even my humble efforts have done more against communism than his ever will.

I have called attention to the McCarthyite actions of the staff of the Reece investigating committee, branding as communistic the encyclicals of two Popes of the Catholic Church. I have opposed—even when almost alone—the serious threats to our civil liberties posed by actions taken during a wave of hysteria, when some legislators abdicated their responsibilities because of fear. In my position, I have been happy to coincide with the views of J. Edgar Hoover, Chief of the FBI, and Judge Harold Medina, who presided over the trial which resulted in the conviction of the top Communists of the country.

THE FOLKS BACK HOME

It is with mixed humility and pride that I present this report. It is with humility, because I recognize my responsibility as a servant of my constituents and of the public interest. It is with pride, because I have never failed to carry out a campaign pledge, and because I have consistently striven to serve the public interest as I saw it to be.

My services have always been at the disposal of my constituents. I have never failed to try to help with their individual problems so far as I was able to do so. I joined with my colleagues in trying to keep local Federal services operating efficiently and at a maximum.

Some criticism has been leveled at me for eulogizing a departed former Member. It is traditional for the dean of a State delegation to lead in such a eulogy and for other Members to join him, regardless of political beliefs. One Protestant and four Catholic Members joined two Jewish Members on that occasion.

While I do not expect the electorate to agree with me at all times on all matters, at least we will make every effort to understand one another so that our respect for each other will survive our disagreement.

That is the American way.

Major Provisions of the Agricultural Act of 1954

EXTENSION OF REMARKS

OF

HON. CLIFFORD R. HOPE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 19, 1954

Mr. HOPE. Mr. Speaker, in response to the numerous requests coming to me and to other Members of the House from throughout the country for information on the Agricultural Act of 1954, the staff of the House Committee on Agriculture, at the direction of the chairman, has prepared a summary of the major provisions of this general farm legislation recently enacted by the Congress. In order that the information on this important legislation might have the widest possible dissemination, I am placing this summary in the RECORD:

THE AGRICULTURAL ACT OF 1954

1. BASIC CROPS

This legislation establishes a flexible price support program at 82½ to 90 percent of parity for the 1955 crops of wheat, corn, cotton, peanuts, and rice. In 1956 and thereafter the support level of these crops will be at 75 to 90 percent of parity, unless Congress takes action to change these flexible levels. The support level of the sixth basic crop, tobacco, remains at 90 percent. All the basic crops, by previous congressional enactment, are supported through the current year, as in several years past, at 90 percent of parity. These new provisions are made with respect to specified basic crops:

Corn

Repeal of existing marketing quota provisions, while retaining acreage allotment authority. Change the base period for determining normal yield for corn for counties and for farms from 10 years to 5 years. Increase the allowance for carryover in the normal supply from 10 percent of domestic consumption plus exports to 15 percent.

Wheat

(a) Commercial area: A definition of the noncommercial wheat-producing area, the purpose being that producers in the commercial wheat area would be subject to acreage allotments and marketing quotas when re-

quired by law, while producers in the noncommercial area would not be subject to these limitations and would receive only 75 percent of the level of support accorded producers in the commercial area. The noncommercial area will consist of States that plant 25,000 or less acres of wheat annually. According to the best information available at this time, this will place in the noncommercial area the 12 States, Alabama, Arizona Connecticut, Florida, Louisiana, Maine, Massachusetts, Mississippi, Nevada, New Hampshire, Rhode Island, and Vermont.

(b) Proclamation date: The latest date on which the Secretary may proclaim wheat-marketing quotas and acreage allotments is changed from July 15 to May 15.

(c) Wheat producers in recognized summer fallow areas who practice summer fallowing are given special consideration in setting wheat allotments to assure equitable treatment as compared with those wheat-growers in summer fallow areas who do not practice summer fallowing.

(d) The allowance for carryover in the normal supply is increased from 15 to 20 percent of domestic consumption plus exports.

(e) Surrender of acreage: Any part of a 1955 farm acreage allotment can be voluntarily surrendered and reapportioned to other farms in the county or, if not needed in the county, transferred to the State committee for reapportionment. Such surrendered acreage for the purposes of farm history shall be regarded as having been planted on the farm from which it was transferred rather than on the farms to which the allotment was transferred.

Cotton

Wider discretion was given to county committees in allotting cotton on a basis of the history of plantings on individual farms. In addition the county committee may limit any farm acreage allotment to not more than 50 percent of the cropland on the farm. The new legislation makes permanent a temporary provision in present law that a cotton farmer may voluntarily surrender any of his cotton allotment he does not intend to plant, for reallocation in his county or State, with such surrendered acreage being counted in the history of his own farm for the purposes of computing future acreage allotments.

Peanuts

The legislation as finally approved makes no change as to acreage allotments or penalties.

Rice

The Secretary of Agriculture is directed to make a study of multiple-price systems as applied to rice and report to Congress thereon by March 1, 1955.

2. DAIRY PRODUCTS

No change was made in the support level—75 to 90 percent of parity at the discretion of the Secretary. The Secretary has set the dairy support level at 75 percent for the current marketing year. The Secretary is given authority to use any method he determines necessary to dispose of surplus stocks of dairy products now owned by the Commodity Credit Corporation. Up to $50 million annually for a 2-year period may be used by the Commodity Credit Corporation to increase the consumption of fluid milk by school children. Surplus dairy products may be distributed free to the armed services and veterans hospitals after they have purchased their usual quantities in the commercial markets. An accelerated brucellosis eradication program is authorized for the next 2 years. The Secretary is also directed to make a study of alternate dairy price support methods and report back to Congress on or before January 3, 1955.

3. WOOL

Use of incentive payments to producers for 4 years, beginning April 1, 1955, to support the price of wool at a level, up to 110 percent of parity, that will bring about a larger production of this fiber of which the United States now produces about one-third of its needs, and support of mohair within 15 percent of the support price of wool. Wool now is supported at 90 percent of parity, under a loan and purchase program. Trading in wool is made subject to the jurisdiction of the Commodity Exchange Authority.

Honey and tung nuts

No change is made in these commodities which now have mandatory supports at 60 to 90 percent of parity. Under this authority the support price for honey is 70 percent for the current marketing year and for tung nuts 65 percent of parity.

All other crops

No change is made in the discretionary power of the Secretary of Agriculture to support prices of other crops at 0 to 90 percent of parity, except that Irish potatoes are made eligible for support along with all other nonmandatory commodities at 0 to 90 percent. Under this authority these supports are in force for 1954: Barley, oats, rye, and sorghums for grain, 85 percent of parity; flaxseed, 70; soybeans, 80; dry edible beans, 80; cottonseed, 75; and crude pine gum, 90.

4. SET-ASIDE

Authority is provided for the Commodity Credit Corporation to set aside reserves up to a value of $2,500,000,000 from the present CCC stocks. These stocks will be insulated from the commercial supplies and used in constructive ways, such as in school lunch programs, disaster relief, aid to the people of other countries, and stockpiled reserves at home for use in a national emergency. Amounts of commodities in the set-aside will be accounted for in computing acreage allotments and quotas of various crops but their presence will not be recognized in computing support prices.

The CCC shall, as rapidly as the Secretary of Agriculture shall determine to be practicable, set aside within its inventories not more than the following maximum quantities and not less than the following minimum quantities of agricultural commodities or products thereof heretofore or hereafter acquired by it from 1954 and prior years' crops and production in connection with its price-support operations:

Commodity	Maximum quantity	Minimum quantity
Wheat.....bushels	500,000,000	400,000,000
Upland cotton.....bales	4,000,000	3,000,000
Cottonseed oil.....pounds	500,000,000	0
Butter.....do	200,000,000	0
Nonfat dry-milk solids.....do	300,000,000	0
Cheese.....do	150,000,000	0

5. MODERNIZED PARITY

Under existing law modernized parity will go into effect on wheat, corn, cotton, and peanuts for the crop year beginning January 1, 1956. On the basis of present price relationships, this would amount to a reduction in 1956 of 39 cents per bushel for wheat; 22 cents per bushel for corn; 1.8 cents per pound for cotton; and 2.8 cents per pound for peanuts. In order to prevent this abrupt drop, the present bill contains a transitional parity provision providing that the parity price shall be decreased only 5 percent per year until the gap between old parity and new parity is closed.

6. SUPPORT THROUGH PROCESSORS

Whenever price supports or surplus removal operations are carried out through purchases from loans to, or payments to, processors the Secretary is required to obtain assurances that the producers of the agricultural commodities involved will receive the maximum benefits from the price support or surplus removal operations.

7. DIVERTED ACRES

The bill gives the Secretary no new or expanded authority to deal with diverted acres. However in any programs for diverted acres, (1) the Secretary may make his regulations applicable on an appropriate geographical basis; (2) in semiarid or other areas where good husbandry requires maintenance of a prudent feed reserve, his regulations relating to diverted acres shall be administered in such manner as to permit the production of forage crops for storage and subsequent use in farm feeding operations; and, (3) in areas declared to be disaster areas, the regulations shall be administered in such a manner as will most quickly restore the normal pattern of the agriculture of such areas.

8. ACP PAYMENTS

The agricultural conservation payment program is extended for 2 years. The legislation permits the Secretary to fix fair prices on conservation materials and services, although this is not mandatory as in existing legislation. Compliance with acreage allotments on basic crops is made a condition to eligibility for ACP payments, with the stipulation that this provision shall apply only to farmers who knowingly harvest crops in excess of their allotments, after a determination by the Secretary that a farmer's plantings are in excess of his allotment. The Secretary is required to give farmers a reasonable opportunity to get into compliance on plantings of basic crops if they are found to be in excess of allotments. Although application of this general provision on eligibility will not be possible in the current year, the provision relating to the opportunity of farmers to adjust their basic crops so as to comply with the acreage allotments will be effective for the 1954 crops which have not yet been harvested.

9. MARKETING AGREEMENTS

Producers of fruits and vegetables, in the new legislation, are permitted under marketing agreements to fix the type of package used. The legislation authorizes marketing orders to continue in operation during periods when the price of the regulated commodity is at or above parity. Grapefruit for canning or freezing is included in those commodities for which marketing orders may be issued. Funds collected under marketing agreements may be used for market research and development. Imported fruits and vegetables may be required to comply with the standards of maturity, size, and quality required in the marketing agreements adopted by domestic producers.

10. AGRICULTURAL ATTACHÉS

The new act provides for the establishment of a new and more effective representation of American agriculture and agricultural interests in our Embassies and missions abroad, by transferring the agricultural attachés from the jurisdiction of the Department of State to the Department of Agriculture.

The act provides that appointed employees and officers of the Department of Agriculture shall be regularly and officially attached to the diplomatic missions of the United States in foreign countries upon the request of the Secretary of Agriculture and the concurrence of the Secretary of State. Overseas agricultural representatives henceforward will be directly under the Secretary of Agriculture with respect to agricultural matters and their agricultural duties, and will make their reports directly to him. This should greatly improve the efficiency and value of our foreign agricultural representation.

11. TERMS OF COMMITTEEMEN

The Secretary of Agriculture is prohibited from imposing any limitation upon the number of terms for which members of the agricultural stabilization county committees may be reelected.

12. SALE OF CCC FEED GRAINS

The new act authorizes the Commodity Credit Corporation, for the period ending March 1, 1955, to sell feed grains it owns at the support price plus 10 percent at the point of storage. This temporarily relaxes a provision of the 1949 act prohibiting CCC from selling storable commodities into the commercial market at less than the current support price plus 5 percent plus a reasonable carrying charge. This is intended to make the feed grains available at a lower price to feeders who are unable to purchase the grains on the market except at prices above parity. A situation has developed in some parts of the Corn Belt in which farmers, fearful of the effects of the drought on this year's corn crop, are holding in storage their farm-stored stocks of corn.

America's Policy of Exaggerated Neutralism in Near East

EXTENSION OF REMARKS
OF
HON. WILLIAM T. GRANAHAN
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 19, 1954

Mr. GRANAHAN. Mr. Speaker, on May 13 of this year, on the day before the sixth anniversary of the independence of Israel, I called to the attention of the House the gradual change in emphasis over the past year and a half in official American policy toward Israel.

In connection with what I described as the developing negativism of that policy, I submitted for the CONGRESSIONAL RECORD as part of my remarks an exchange of correspondence between myself and high officials of the Department of State which, if anything, deepened my belief in the fact that our official policy is today one of exaggerated neutralism, if not disguised anti-Israel bias.

Events since May have not in any way reduced my concern in that respect. On top of the agreements to ship arms to Arab States which are neighbors of Israel—and which are still dedicated, it appears, to the obliteration of Israel as a nation—we have the situation involving the assumption by Egypt of full control over the Suez Canal. Egypt has repeatedly exercised power in respect to the canal in a way to harm the State of Israel. So far, our Government seems to have shown little concern even when American ships are directly involved in searches and embargoes.

What bothers me most, Mr. Speaker, is that our Government today is following a policy which seems to accept at face value, and as having a valid basis, Arab statements that by continuing to welcome refugees to her shores, Israel automatically is to be suspected as a potential aggressor.

How absurd.

Perhaps more than any other nation outside the Western Hemisphere, Israel is acutely conscious of world opinion and desirous of world confidence. It is not aggressor minded. It wants to live in peace to develop its resources for its hard-pressed people. It is the aggression and antagonisms of its neighbors which have been primarily responsible for the troubles in the Near East.

TWO ATTITUDES TOWARD NEUTRALISM

Many of our high Government officials are very much upset about the neutralism of India in the cold war between the East and West and efforts are sometimes made in the Congress and elsewhere to punish India for not recognizing more clearly where its long-term interests really lie. India could never live free in a Communist world. We know that, but India sometimes seems to think differently. In any event, Indian neutralism has been a difficult situation and we are much upset about it and would like to see her more actively allied with the forces for peace and freedom.

But, Mr. Speaker, it is rather inconsistent for the United States to be upset about India's neutralism in the world struggle between the forces of freedom of the West and the forces of tyranny, oppression, and slavery of the Communist East, while at the same time the United States Government itself officially adopts a kind of neutralism as between the freedom-loving and peace-loving people of Israel and their belligerent, aggression-minded neighbors.

We should not have a double standard in our attitudes on foreign policy.

Your Congressman Reports to You

EXTENSION OF REMARKS
OF
HON. SIDNEY R. YATES
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 19, 1954

Mr. YATES. Mr. Speaker, under leave to extend my remarks in the RECORD, I present copies of several newsletters I have sent to my constituents during the 83d Congress:

NEW TAX BILL
(Newsletter No. 147)
MARCH 22, 1954.

Julius Caesar was warned to beware the Ides of March. Many an American taxpayer experiences the same feeling of trepidation, for the Ides of March—March 15, is income tax day. Congressmen, too, look with a jaundiced eye at the Ides of March, for they pay taxes like other Americans, and undergo the same purple emotions in filling out their tax returns. That is one reason why they had a special interest in the new tax bill which the House Committee on Ways and Means brought to the floor last week. It was a huge document consisting of 875 pages. The report which accompanied the bill was 444 pages long. Friends of mine on the committee told me that even they did not have a full grasp of all the changes that had been made in the law.

There was general approval among the Members for certain provisions such as the ones granting tax relief to working mothers, granting exemption of the first $1,200 of retirement income, granting additional credits for medical expenses, and revising the provision to permit dependent children of taxpayers to contribute more to their own support. Major objection was that these beneficial provisions did not go far enough in granting relief.

Two proposals provoked a knock-down, drag-out fight. One, advanced by Republican Members, was to grant a tax credit for corporation dividends on the theory that taxation of corporate income and of dividend income constitutes double taxation. The second proposal was advanced by the Democratic Members and sought to increase personal income tax exemption from $600 to $700 on the theory that the $2,400,000,000 loss in revenue to the Treasury could be used to better advantage at this time in increasing consumer purchasing power.

In opposing the dividend proposal, the Democrats pointed out that 80 percent of all taxpapers have incomes of less than $5,000 per year. Moreover, only 8 percent of all American families own any corporate stock—92 percent own none; amazingly enough only six-tenths of 1 percent own 80 percent of all publicly held stock. The Democrats argued, therefore, that the dividend proposal gave relief to only a privileged few.

Congressman MILLS, Democrat, of Arkansas, led the charge against the dividend proposal. He stated that Republicans in the past have opposed additional taxes on corporations with the argument that such taxes were inevitably passed on to consumers through increased prices. If this be true, said MILLS, where is the double taxation? If corporations are taxed, is not the amount of the tax recovered through passing it on to the public?

But, he went on, even assuming the Republican argument was sound, the form of the dividend proposal was unconscionable. The formula proposed did not exempt dividend income—it exempted $50 of dividend income the first year and $100 per year thereafter from inclusion in total income. But more than that, it permitted, as well, the deduction of 5 percent of dividend income the first year and 10 percent of dividend income for each year thereafter, not from gross income, but from the total tax bill itself, a feature that is generally overlooked. The real effect of this provision is shown when dividend income is compared to earned income. A man working for a salary of $4,000 per year, with a wife and two children, would pay a tax of $240. The tax on a similar family with $4,000 of dividend income would be $110 per year. If the man's salary were $8,000 per year, the tax would be $976—if the dividend income were $8,000, the tax would be only $484.

The Democrats proposed, therefore, a double-barreled motion—to recommit the bill to the committee with instructions to strike out the dividend proposal and to increase personal income-tax exemptions from $600 to $700. In a tense, dramatic vote, the motion was defeated 210 to 204, with 6 Members voting present. The bill now goes to the Senate where there is much sentiment for increasing exemptions, not from $600 to $700, but from $600 to $800, and where the dividend proposal may be eliminated.

Democrats were looking to the Senate for another reason and chuckling at the fight between Senator MCCARTHY and Secretary of the Army Stevens. "Isn't that something," said a Democratic Congressman from the South: "Republicans in the Senate and Republicans in the executive branch, putting each other under oath to find out which of them is lying."

Your friend,

SIDNEY R. YATES.
Member of Congress.

WIRETAPPING BILL
(Newsletter No. 149)
APRIL 9, 1954.

A minister from Boston was among President Lincoln's visitors one day early in the

Civil War. "Let us have faith, Mr. President," said the minister with great solemnity, "that the Lord is on our side in this great struggle." Lincoln sat in reverie for a moment and then replied: "Reverend, the question of whether the Lord is on our side doesn't concern me greatly, because I know the Lord is always on the side of the right. But it is my constant anxiety and my fervent prayer that I and this Nation may be on the Lord's side."

This story has real meaning to Members of Congress. We seek the Lord's side on each of the votes we are called upon to make. Most of the time we have no doubt that we have found the correct answer. On other occasions, however, the search for the truth is a most difficult one. Such an occasion was presented this week when the bill to legalize evidence obtained by wiretapping in cases affecting the national security came to the floor. Wiretapping, the tool of secrecy, snooping, and surprise, is a most obnoxious invader of the constitutional right of every American citizen to privacy. Justice Oliver Wendell Holmes called it "a dirty business," and although the FBI and other police use the device in their work, the law forbids the admissibility in court cases of evidence gathered in this way. The question we faced was whether the national security required waiving our deep-rooted aversion to this furtive instrument.

Many will argue as did a number of Congressmen that we must fight fire with fire. The Communists use wiretaps; why should not we? It is true the Communists do use this device. They also use clubs and rubber hoses and approve of concentration camps. Should we? If Communists use detestable police methods, should this not be the very reason for us to avoid them?

We must keep constantly in mind the distinction between democratic and Communist values. America's strength lies in spiritual and moral forces which communism opposes. Our real hope lies in the fact that we are a people who will cherish and fight for the sanctity of individual freedom, for equal justice under law for every American. While it is true that we must protect ourselves from the spy or saboteur, at the same time we must know that every time we chip away any part of our individual freedom in the name of security, we may be crushing by our own action the very thing the spy or traitor wants to destroy.

There wasn't the slightest doubt in my mind that the bill proposed by the Republican administration, the Keating bill, went much too far. It proposed to give complete power to one man—the Attorney General of the United States—to authorize wiretapping by the FBI and by military and naval intelligence units without any check or supervision by the courts. The bill validated wiretap evidence for use in national security cases such as espionage, sabotage, or treason. With true totalitarian technique, the Republican leadership deliberately labeled the measure the "antitraitor bill" intending thereby to whip the Members into line, daring them to vote against a bill so captioned. I fought the bill and in a speech to the House I condemned it for giving dictatorial power to the Attorney General—a prosecutor at that, without court supervision to protect against the obvious possibility of unconscionable abuse. "This bill is similar to the one requested and recommended by President Franklin D. Roosevelt in 1941," I said. "I would have voted against that one too, because this is not a matter of party loyalty. This involves a person's deepest convictions, the dictates of his conscience, his appreciation of the meaning of individual liberty as he understands the intent of the Bill of Rights of our Constitution. There is not here involved a question of being soft toward Communists or coddling traitors because every Member of this House despises communism and wants to protect our Nation from spies and saboteurs. What is involved is one of the basic distinctions between the democratic form of government which we love and cherish, a government which recognizes the sanctity of the individual on one hand, and on the other hand, the smothering totalitarianism of the Communist form which subordinates the individual completely in the name of security for the State. * * * When national security becomes the sole test, individual freedom is blotted out. When individual freedom is blotted out, it becomes very difficult to distinguish between democratic and totalitarian forms of government."

The Republican proposal was beaten when a substitute amendment was offered by Congressman WILLIS, Democrat, of Louisiana, to permit the use of wiretapping evidence in cases involving the national security only upon receiving the prior approval of the Federal court. I have great faith in the integrity of the Federal judges and I feel confident they will not tolerate misuse by the FBI of the prying ear of the wiretap. Only with this assurance and in the belief that in this instance the national security warranted granting the authority, did I vote for the Willis amendment. Only time will tell whether, in so doing, I will be found on the Lord's side.

Your friend,

SIDNEY R. YATES,
Member of Congress.

THE NEW LOOK: INADEQUATE FOR DEFENSE

(Newsletter No. 151)

MAY 1, 1954.

During World War I Marshal Ferdinand Foch was Supreme Commander of the Allied armies. As a result, his chauffeur was extremely popular with newspaper reporters, who tried in this way to obtain newsworthy items. "Tell us, Pierre," they would plead, "what does the Marshal say? When is the war going to end?" Pierre kept putting off his questioners, until one day he emerged from headquarters and summoned the reporters. "The Marshal spoke today," he declared. "Yes, yes, what did he say?" asked the reporters. The chauffeur replied: "He said to me: 'Pierre, what do you think—when is the war going to end?'"

Congressmen returning to Washington last week from their traditional Easter recess pondered the same question when the appropriations bill for our Armed Forces was brought to the floor. The threat of Communist aggression has made huge military appropriations a part of our way of life, and although nobody in Washington inquires seriously "When is the war going to end," there now seems to be a growing feeling within the administration that there will be no drastic change in the world situation in the foreseeable future. This is the administration's so-called New Look policy.

The New Look makes the Air Force the keystone of our defense, reversing the position taken by the administration last year when it cut $5 billion from the Air Force budget. It is akin to the foreign policy suggested by the late Senator Robert A. Taft, who declared in June 1952: "There is only one foreign and military policy which will maintain our security and our peace and our solvency, and that is the building of an Air Force sufficiently large to control the air over this country, over the oceans which surround this continent and able to deliver atom bombs on Russian cities and manufacturing plants. Such an Air Force would certainly be able to prevent the spread of communism across the sea to island countries." The New Look is a policy geared to large wars, to all-out atomic wars, and it proposes to avoid small ones like Korea. Vice President Nixon defined it a few weeks ago by saying: "Rather than let the Communists nibble us to death all over the world in little wars, we would rely in the future primarily on our massive, mobile retaliatory power which we could use in our discretion against the major source of aggression at times and at places of our own choosing."

Last week's appropriation bill translated the New Look into dollars and cents. The bill provided for $28.6 billion for fiscal year 1955, as compared with $34.3 billion for fiscal year 1954 and $44.7 billion for fiscal year 1953. Major cut comes out of the Army, which will suffer a reduction of three full divisions of troops from 20 to 17 during the next year. Gen. Matthew Ridgway, Chief of Staff of the Army, who must have approved the budget only after heavy pressure, had this to say to the Appropriations Committee: "There is no reason to expect abandonment of the ultimate intentions of the Soviet bloc to bring about our downfall, nor any reason for expecting any Soviet concessions on the major problems contributing to present international tensions. On the contrary, from our point of view, the strength of all major components of Soviet bloc military power continues to increase. Industrial capabilities continue to expand, and the bloc's overall objectives of overthrowing the Western World and securing world domination appear as unchangeable as ever. * * * We are steadily reducing Army forces—a reduction through which our capabilities will be lessened while our responsibilities for meeting the continuing enemy threat remain unchanged. The military power ratio between western defense capability and the Soviet bloc's offensive capability is not changing to our advantage."

Secretary of the Army Stevens told the committee that the reduced appropriation for the Army was justified only on the basis of four assumptions: (1) No further use of American troops in Korea; (2) a South Korean Army of 20 divisions by June 1954; (3) a strengthened Japanese Army; (4) no additional commitments to be made upon the United States Army. Presumably, the Army's loss of strength will be made up by stronger National Guard units.

President Teddy Roosevelt's foreign policy was based upon "speaking softly, but carrying a big stick." The Indochina situation showed Secretary Dulles in a reverse position. Echoing hollowly through the halls of Congress were the boasts of Republican Members earlier this year that the new administration has seized the initiative from the Kremlin. Mr. Molotov, not Mr. Dulles, is top dog at the Geneva Conference.

In my newsletter No. 80, dated April 28, 1951, I wrote: "In many respects, this period of partial mobilization and partial warfare is infinitely more productive of tension than would be a state of complete mobilization and total warfare, and we must have great individual strength of character and be able to think logically and clearly if we are to win our struggle against the Communists. This is no time for impulsiveness and emotionalism." What I said 3 years ago still goes. I think we ought to take a new look at the New Look.

Sincerely yours,

SIDNEY R. YATES,
Member of Congress.

My Position on Rollcall Votes

EXTENSION OF REMARKS
OF
HON. EDMUND P. RADWAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 19, 1954

Mr. RADWAN. Mr. Speaker, under leave to extend my remarks, I want to

declare my position on the following rollcall votes I missed earlier this session:

On rollcall No. 41, I would have voted "aye."

On rollcall No. 58, I would have voted "aye."

On rollcall No. 80, I would have voted "aye."

On rollcall No. 81, I would have voted "aye."

On rollcall No. 142, I would have voted "aye."

On rollcall No. 144, I would have voted "aye."

Congressman Granahan Seeks To Speed Painfully Slow Immigration Procedures

EXTENSION OF REMARKS

OF

HON. WILLIAM T. GRANAHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 19, 1954

Mr. GRANAHAN. Mr. Speaker, the Refugee Relief Act, which was supposed to have meant a substantial increase in immigration into the United States, not only of escapees from behind the Iron Curtain but also of Italian and Greek relatives of American citizens, has been one of the worst administered acts in history. During the first year of its operation, only a handful of persons was admitted. The whole idea behind the administration of the law seems to be not how to speed up admissions but how to keep people out.

Responsibility for administration of the law was turned over to the State Department's chief cop—its security officer. He and his subordinates seem to look upon every potential immigrant as a potential enemy of the United States. Certainly we have to be careful of the kind of people we admit to this country; no one opposes that. But under the strict provisions which already exist in the immigration laws for admission of aliens to the United States, and under the requirements for American sponsorship of these immigrants and assurances that there is a place for them here, it is nonsensical to go the extreme lengths our Government is going in order to try to find excuses to deny admission to every possible applicant.

Many of the residents of the Second Congressional District in Philadelphia have informed me of the great difficulties they have experienced under this law, and under the immigration laws generally, in having relatives admitted to this country. It has really become a national disgrace.

The Refugee Relief Act, as many of us insisted at the time it was passed, was in many respects poorly drawn and mistakenly conceived, particularly in its provisions affecting people in Italy. There are many thousands of Italian relatives—close relatives of American citizens who are eligible for admission to the United States but who have to wait and wait and wait for visas under the small quota assigned to Italy. Only a small group of Italian residents, on the other hand, are eligible for admission to this country as escapees from behind the Iron Curtain. Yet the Congress provided many thousands of non-quota visas for escapees and refugees in Italy and only 15,000 for Italians who are not escapees but who are close relatives of American citizens.

LOPSIDED ASSIGNMENT OF VISAS FOR ITALIANS

I am glad that we were able to get through the House and Senate legislation to make available to the relatives of Americans unused visas presently set aside for escapees and refugees in Italy. As I understand it, only about 1,000 Italian nationals have applied altogether for the 45,000 special nonquota visas reserved for refugees and escapees, while more than 44,000 petitions have been filed by American citizens for relatives in Italy to come here under 1 of the 15,000 nonquota visas set aside for relatives. So we have the lopsided situation of providing 44 times as many visas as are needed in Italy for refugees, but only one-third as many as are needed for close relatives of American citizens.

The bill we have succeeded in getting through, and which I sincerely hope the President will agree to, would allow qualified Italians who are relatives of Americans to obtain these unused visas now set aside for refugees and escapees.

I know well, Mr. Speaker, how heartbreaking and tragic it has been for many fine Americans in my district to try to get action on their applications to bring over to this country from Italy parents and other close relatives who have waited and waited for their visas to come through. Most heartbreaking of all have been those cases where the wait was so long that the loved ones died before their names were reached.

On the other hand, there is nothing to warm the heart of the friend and onlooker more than to see the reunion in this country of families long separated by immigration redtape.

I have seen this happy event occur frequently in my city, and when it does it is the kind of celebration one never forgets. The close-knit nature of families of Italian extraction always makes the reunion of such a long-separated family memorable. Their joy is so unbounded that it puts joy in the heart of everyone who sees or experiences such a moving demonstration of family affection and love.

My concern over excessive redtape and unnecessarily restrictive rules in immigration has been a matter of record for many years, Mr. Speaker. I shall always continue to fight for more liberal immigration policies—for the renewal of the terrible injustices in the present immigration law, and for prompter and more speedy administration of the immigration process.

LEADING OPPONENTS OF RESTRICTIVE IMMIGRATION LAW

In this respect, I appreciate the substantial support we have received in this continuing fight to correct immigration injustices from such organizations as the National Council of the Churches of Christ in the United States of America, the National Catholic Welfare Conference, the National Council of Catholic Men, the National Council of Catholic Women, the National Lutheran Council, the Protestant Episcopal Church, the Baptist World Alliance, the Synagogue Council of America, the American Jewish Congress, and many, many others so numerous I could not begin to mention all of their names. Americans of Italian and Greek descent have always been in the forefront of this fight for better immigration standards because they know from personal experience how the low quotas assigned to their homelands act to keep out of this country so many deserving relatives who would make good citizens.

The McCarran immigration law, when it was passed, could have been used as a means for improving the situation greatly. But even though President Truman vetoed the bill in the hope of getting much more generous treatment for deserving cases, and although he bitterly attacked the unfairness of the quota system, those of us who supported that view did not, unfortunately, have enough like-minded Congressmen with us to help us sustain the veto. This administration has failed to attack the problems which President Truman cited in vetoing the McCarran Act—it has done nothing to help remove the antialien aspects of the law. Instead, it has made the law even more restrictive by assigning its administration to unfriendly officials—to security officers who believe in trying as hard as possible to get something on prospective immigrants in order to keep them out of this country.

We need a new immigration law; we also need more sympathetic and friendly administration of the immigration laws. We need compassion and reasonableness in the administration of the immigration laws, not the kind of brutal disregard of family considerations we have seen evidenced so often under the present setup.

I will continue, Mr. Speaker, to do everything I can to speed up the painfully slow immigration procedures and to get better legislation on the books.

We Mourn the Passing of Premier de Gasperi

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 19, 1954

Mr. MULTER. Mr. Speaker, it is with extreme regret that I rise to join with our colleagues in expressing our sorrow at the passing of Alcide de Gasperi, former Premier of Italy.

He was indeed a great man, a hard hitting, implacable foe of the Communists. He was a real friend of the American people and did much to rebuild and strengthen the friendship between his people and the free peoples of the world.

Italy will miss him; the United States will miss him; and the free people of the world will miss him.

Our heartfelt sympathy goes out to his family and to his countrymen.

Sitting Bull: A Great Leader of the Old Sioux Nation

EXTENSION OF REMARKS
OF
HON. KARL E. MUNDT
OF SOUTH DAKOTA
IN THE SENATE OF THE UNITED STATES
Thursday, August 19, 1954

Mr. MUNDT. Mr. President, I ask unanimous consent to have printed in the RECORD a statement prepared by me entitled "Sitting Bull: A Great Leader of the Old Sioux Nation."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SITTING BULL: A GREAT LEADER OF THE OLD SIOUX NATION

The sovereign State of South Dakota is indeed proud to be the last stronghold of the old Sioux Nation—and the native land of Sitting Bull, the medicine man who led the Sioux in their last great moment of triumph climaxed in Custer's Massacre at the Battle of the Little Big Horn.

Even today, visitors enjoying the spectacular scenery of the mountainous Black Hills of South Dakota, and the nearby awe-inspiring Badlands, can hear the throbbing of Indian drums and watch descendants of the mighty Sioux tribesmen perform their age-old sun dance.

Originally the powerful Sioux Nation controlled the entire Northern Plains—from Wisconsin westward through Minnesota and Iowa to Nebraska, the Dakotas, Montana, and Wyoming.

In those early days a highly developed nation existed in peace and plenty—until the advent of the white man who discovered gold in the mountains and the wealth of golden grain on the prairies.

From that time onward, the desperate Sioux waged brilliant and decisive battles to retain their national boundaries—but little by little they were forced back. Today, their proud empire has been reduced to the Pine Ridge, Cheyenne, Lower Brule, Crow Creek, Rosebud, and Standing Rock Reservations in western South Dakota.

Through those days of swirling battles, sharp skirmishes, midnight raids, and horrible massacres, the Sioux fought bravely under the leadership of Sitting Bull—a prominent and respected medicine man.

Born in what is now South Dakota, he quickly attained respect of the warring tribes and his became a voice often heeded around the chieftain's council fires. Aided by Crazy Horse, Sitting Bull's prowess became a historical fact in 1876 when Gen. George Armstrong Custer blundered into the Battle of the Little Big Horn.

From the high point of this battle—located in southwestern Montana, not far from the Black Hills of South Dakota—the prestige of the Sioux Nation rapidly disintegrated under the constantly increasing pressure of the westward movement of civilization.

All of these historical and dramatic facts in the life of Sitting Bull, and in the life of his people, are portrayed in a new motion picture entitled "Sitting Bull," which is a W. R. Frank production in color and Cinemascope and is distributed by the United Artists Corp. The world premiere of this film is being held tonight (Aug. 19) in Rapid City in the beautiful Black Hills of South Dakota.

This film, which is having its world premiere tonight in Rapid City, S. Dak., pays tribute to the man himself, and portrays in vivid fashion the life and times of the great Sioux Nation in the days when this most powerful of all Indian tribes ruled America's northern plains.

To bring the life of Sitting Bull to a close, he was murdered by Indian police while resisting capture on the Grand River in northwestern South Dakota. His remains were spirited away, to lay in a neglected grave for years in nearby North Dakota.

This negligence was dramatically reversed last year, when public-spirited citizens of Mobridge, S. Dak., secretly removed those remains to a new grave on the bluffs of the Missouri River, overlooking Mobridge and the sweeping valley of the Missouri—the homeland of Sitting Bull.

And now, travelers driving westward over United States Highway No. 12 can stop near Mobridge and pay tribute to Sitting Bull at his grave, which is surmounted by a majestic statue carved by Korczak Ziolkowski, of Custer, S. Dak.

This film, Sitting Bull, joins with the South Dakota citizens who gave the Indian leader an honored resting place, to bring the talent, exploits, and ability of Sitting Bull to the lasting attention of all Americans.

Truly, the descendants of Sitting Bull and his fighting comrades—those Sioux Indians now living in and near the Black Hills and the Badlands of South Dakota—can be proud that this great Indian leader is now achieving his rightful place in American history.

Alcide de Gasperi

EXTENSION OF REMARKS
OF
HON. THOMAS J. DODD
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 19, 1954

Mr. DODD. Mr. Speaker, today the free world has lost one of its great spokesmen and one of the outstanding apostles of a united Europe.

The death of Alcide de Gasperi is a great loss.

Seven times Premier of Italy and lifelong foe of communism and fascism, his voice will be missed in the councils of Europe.

This great man was, in my judgment, one of the greatest statesmen of his generation.

In his lifetime, he did not receive the credit that he deserved, but long after his death he will be remembered for the contribution which he made to his own country, Italy, and to the world at large.

The fact that Italy has not been overwhelmed by the Communists is due most of all to the leadership of de Gasperi. For Italy he was certainly the man of the hour. While he lived, communism in Italy was faced by its greatest living Italian opponent. As we mourn his death, and in his memory, we must resolve to do all that we can to make certain that Italy does not fall under the control of the Communist conspiracy.

Several weeks ago, I was in Italy and while there visited with Premier Mario Scelba and with former Premier Pella. Both of these men are worthy disciples of de Gasperi. Both of them are believers in democracy and freedom. I am confident that Prime Minister Scelba will carry on in the tradition of his mentor, Alcide de Gasperi. His task will not be an easy one and we of the United States should assist him in every possible way.

Mr. Speaker, we of the United States bear a great responsibility to Italy.

Should Italy fall into the Communists' hands it is not an exaggeration to say that an enormous catastrophe will have occurred.

From the standpoint of politics and geography, a Communist Italy will put Western Europe, and indeed the Western Hemisphere, in grave jeopardy.

If this center of culture and religion is placed under the yoke of communism, we can expect to lose many others who are now on our side and who will give up further resistance to Communist domination.

Psychologically the loss of Italy could in itself be fatal to our cause.

These are great reasons for firm resolution on our part to assist the Italian Government and the Italian people, but in addition we carry a greater moral responsibility with respect to Italy than we do anywhere else in the world.

For we forced communism on the Italian people.

It was the Government of the United States, acting with its allies, that permitted the Communist leader, Togliatti, to return from Moscow at the close of the war and to be given a voice in the public affairs of that nation.

Up to that time communism in Italy had never been a major political problem.

We led the people of Italy to believe that communism was just like other political organizations in the world, and with our blessing and at our urging this evil conspiracy was planted in the midst of the Italian people with our benediction.

Not only did we insist upon the Communists having a voice in the affairs of postwar Italy, but we went further and gave the Communists in Italy advantages that we denied to others. The UNRRA operation in Italy played directly into the hands of the Communists and gave them a tremendous economic advantage.

We of the United States made it possible for the Communists to get started in east-west trade operations in Italy, which today brings to the Communist Party in Italy an income of many millions of dollars a year. Having built up communism in Italy and created the Communist problem for that country, we are now becoming impatient with the Italian Government because of its inability to effectively and immediately overcome the Communist forces.

It is not uncommon these days to hear some prominent Americans say that the situation in Italy is hopeless and to suggest that we might as well write her

off as sure to fall into the Communist orbit.

This is a defeatist attitude, not only with respect to Italy but as well with respect to ourselves, and those who make these pronouncements are either without knowledge concerning the real situation in Italy or without faith in the world cause of freedom and democracy.

Italy cannot fall into the hands of the Communists, as a matter of our own survival.

Associated with these expressions of gloom and despair concerning Italy are a considerable number of false factual reports concerning that country.

For example, it is frequently said in the United States that a very high Italian birth rate is a principal cause of Italy's difficulty. The fact of the matter is that at the present time Italy has the lowest birth rate in Western Europe. The birth rate of France is higher. So is that of Holland and so is that of England.

A second false claim with respect to the situation in Italy is that communism has flourished in Italy only because of bad social and economic conditions. But the available statistics and information does not support this assumption.

I was amazed to discover that the moving-picture industry in Italy has been heavily infiltrated by the Communists and surely this cannot be explained away on the grounds of poor social and economic conditions.

A third mistake with respect to the Italian problem lies in the assumption that economic conditions are deteriorating in that country and not improving. But the fact is that the economy of Italy is remarkably sound considering her situation and is growing stronger every day.

Considering all of the factors involved, Italy has done an outstanding job.

Let us remember that Italy at the close of the war was badly demoralized and impoverished. If she did not have the Communist problem her task would have been enormous but when we forced communism on Italy we compounded the post-war difficulties of the Italian people. That is why in fairness we must acknowledge that the Italians have done remarkably well under all circumstances.

The Italian people at heart can never be Communists. It is not in their nature to accept the materialistic doctrine of that evil philosophy.

If Italy goes Communist it will be because the people have been deceived and misled and because, as a matter of despair, they have no other choice left. There are millions of vigorous anti-Communists in Italy who are constructively working every day to win the masses of Italy to the side of freedom.

While I was in Italy I became aware for the first time of an organization called the Christian Union of Employers and Managers, which is an association devoted to the development in Italy of a constructive program based on sound, social and economic principles.

It is a union of employers and managers in industry, convinced of the necessity for reestablishing a moral and social order based on the principles of Christianity.

It is an association of employers and executives in industry and business who are conscious of their social responsibility and determined to respect the primacy of human values in business and professional life.

It is an organization offering employers and managers in industry an opportunity to train themselves as leaders of men and, as such, to evaluate and solve the many problems in the noneconomic order connected with employment in modern industry and business.

It is a movement to help erect a social structure based on personal worth and responsibility, through the initiative of employers and managers in industry concious of their mission to serve the common good.

This great force for good believes that Christian social doctrine contains principles and basic orientation capable of overcoming social conflicts and differences and of establishing an economic order based on justice and collaboration between the various elements of society.

It believes that no one is exempt from responsibility toward the individual and the social order, and that such responsibility is in accordance with the individual's position and function in social and economic life.

It believes that there is a community of activity and interest between employers and workers in industry and in the general economic order.

It believes that it is possible to improve management-labor relations within an individual company as well as on the industrywide basis.

It believes that there is no satisfactory substitute for private employment and that private enterprise is justified morally, socially, and economically.

This organization holds great promise for the future in Italy and it is an indication of the kind of leadership that is emerging in that country and which can succeed, provided that we of the United States keep faith with our Italian friends of democracy.

In addition to continuing our active support and help for the democratic forces in Italy, we must demonstrate to the people of Italy, as we do to the people of the entire world, that we do not intend to take communism lying down.

We must make clear that we mean what we say. There must be no doubt about the fact that we will no longer appease the forces of communism anywhere in the world.

And finally, but most importantly, we must build up our strength and our might so that those who are in peril abroad have no doubt at all about our ability to win this struggle with the forces of communism in the world.

I can think of no better way to respect the memory of Alcide de Gasperi on the occasion of his death than to firmly resolve that we shall see Italy through and that we shall not permit her to fall a victim to the Communist conspiracy for world domination by the Communist tyrants.

Your Congressman Reports to You

EXTENSION OF REMARKS
OF
HON. SIDNEY R. YATES
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 19, 1954

Mr. YATES. Mr. Speaker, under leave to extend my remarks in the RECORD, I present copies of several newsletters I have sent to my constituents during the 83d Congress:

SOCIAL SECURITY
(Newsletter No. 154)

JUNE 8, 1954.

The social-security bill went through the House last week by a vote of 355 to 8. Only 2 Republicans, 5 Democrats from Texas and 1 from Virginia voted against it. Congressman EBERHARTER of Pennsylvania, expressed amazement at the lack of traditional opposition by the Republican Party. "All in all," he said, "I am indeed gratified that the present majority party has now seen the light and is following the lead and program advocated for so many years by the Democrats in Congress and by Presidents Harry S. Truman and Franklin D. Roosevelt. I heartily welcome their joinder with us and I am happy over it for, as has been often said, 'There is much joy in bringing the wayward into the fold'."

The amendments to the act were sweeping ones. Ten million additional persons were added to the program, the largest group being self-employed farmers whose earnings exceed $400 per year. The bill also proposes to include all professional people except physicians. Physicians were excluded because the American Medical Association had requested their exclusion. Yet, in spite of the fact that other professional organizations had sought similar exclusion for members of their professions, lawyers, dentists, architects, engineers, accountants, ministers, veterinarians, chiropractors, and optometrists will come under the provisions of the bill as approved by the House.

One of the first questions asked was why were physicians omitted when all other professions were included. Congressman COOPER, of Tennessee, the ranking Democrat on the committee, furnished the explanation that the testimony given to the committee showed most physicians do not retire at age 65. In view of the fact that they continue to work beyond that age, the committee did not think it fair for them to be required to pay the tax when they did not expect to retire and receive benefits. On the other hand, he said evidence was presented that dentists, required to stand on their feet while working at their chairs, were required to retire at an earlier age than physicians. What about lawyers, though, he was asked. Lawyers sit as much as physicians, and yet they were selected for inclusion in the bill. COOPER could give no satisfactory reply; but most Congressmen knew the answer lay in the very powerful voice the American Medical Association had created in Washington in the last few years.

Of particular interest to me was the fact that more flexibility was given to the so-called work clause of the law, under the terms of which those receiving social-security payments may now earn only $75 per month without losing their benefits. The new provision places such earnings on an annual basis. The earnings limitation is now $1,200 per year. If a beneficiary's earnings exceed $1,200, he would lose 1 month's social-security benefits for each $80 earned in excess of the $1,200. While I approve of the change which permits earnings to be

computed on an annual rather than a monthly basis, I am still of the opinion that such a limitation is most unfair and should be stricken or drastically amended. A person of 65 who has contributed to the social-security system during most of his working years should be entitled to draw his benefits without being penalized for earning an amount which is reasonably necessary to provide a decent standard of living in his old age. Although the new bill raised minimum monthly benefits from $25 to $30 and maximum benefits from $85 to $98.50, it is obvious that these are still inadequate, and I believe that if a person wants to continue to work to supplement his income, he should be permitted to do so. But even apart from the financial aspects of the problem there are many reasons why a person reaching age 65 should not be compelled to retire against his will. Medical evidence is overwhelming that those compelled to retire suddenly lose their interest in life and deteriorate rapidly. They get a feeling that they are not wanted and that they are no longer an essential part of their community. Our older people want to work and can work, and the fact remains that their ability to work is the best guaranty of their continued status in the community and their independence. We must get away from the idea which the work clause promotes, that a person's birth certificate is the only test of his ability.

It seems to me that until the social-security program furnishes the basis for permitting our older citizens to live in reasonable comfort, it cannot be said to provide security for old age. The fact that it is designated as a security program does not mean that this desirable goal has already been achieved. When he was President, Abraham Lincoln was approached by a delegation of abolitionists who urged him to issue the Emancipation Proclamation before he was ready. Lincoln protested, saying that he could not possibly carry out the intent of the proclamation even if he issued it because he lacked the means to enforce it. To support his argument he asked the group: "How many legs will a sheep have if you call the tail a leg?" "Five," was the immediate answer. "You are mistaken," said Lincoln, "for calling a tail a leg does not make it so."

The social-security law is good legislation but there are still changes which we must make in order that it may deserve its name.

Your friend,

SIDNEY R. YATES,
Member of Congress.

FARM LEGISLATION

(Newsletter No. 156)

JULY 2, 1954.

Prof. Albert Einstein was asked for a simple explanation of his theory of relativity at a gathering he once attended. "Let me explain it in this way," said the great mathematician. "A few weeks ago while taking a walk on a hot day with a blind friend, I remarked that I would like a drink of milk. My friend stopped me. 'I know what a drink is,' he said, 'but what is milk?'

"I replied: 'Milk is a white liquid.'

"'Liquid I know,' he said, 'but what is white?'

"'The color of a swan's feathers.'

"'Feathers I know, but what is a swan?'

"'A swan is a bird with a crooked neck.'

"'Neck I know; but what is crooked?'"

Einstein took the blind man's arm and held it out. "This is straight," he said, and then bending it, "this is crooked."

"Ah," exclaimed the blind man, "now I know what milk is."

"And that in a nutshell," said Einstein to the gathering, "is my theory of relativity."

Professor Einstein's task would have been much easier had he been able to bring his friend to the House of Representatives last week where for 3 days debate raged on the new farm bill. Not only would his friend have learned about the beauties of the cow and its delectable product, but the professor himself might have enjoyed witnessing the evolution of another theory of relativity—the congressional theory, dealing with the relative position of the farmers on one hand and consumers and taxpayers on the other. Two major concepts were under consideration: the present system of fixed high price supports at 90 percent of parity for basic commodities, and a flexible system of support prices ranging between 75 and 90 percent of parity, depending on supply and the Nation's agricultural needs.

It seemed to me that the arguments favoring the present program were as circuitous as Einstein's explanation of his theory. Assuming that the program made sense when it was conceived during the war as an incentive to increase production, it doesn't make sense now when Government warehouses are bulging with surpluses of 425 million pounds of butter and about $6 billion worth of other agricultural commodities, for which the Government is paying approximately $700,000 a day for storage charges alone. Yet the bill reported by the House Committee on Agriculture proposed to continue the present high fixed price support system for another year. It gave recognition to the ever growing surpluses by providing for reductions in the crop acreage to be planted. Dairy products, which up to a few months ago had been supported at a price of 90 percent of parity, were pegged in the bill at 80 percent, but in order to compensate for the lower price support, milk producers were given complete freedom of production. The dairy-State Congressmen refused to accept this proposal. They wanted "equality" with other producers, and it was because of this disparity in the support price that they broke the farm bloc's usually united front. When farm representatives fall out, the consumer gets a break, and that is what happened last week.

The committee confidently anticipated its recommendations to be sustained, but early in the debate its expectations were exploded when the House approved the amendment offered by Representative HARRISON, Republican of Nebraska, to change fixed high price supports for flexible price supports ranging between 82½ percent and 90 percent of parity. The 82½ percent figure came as a distinct surprise, because the President has been so insistent on a lower price limit of 75 percent. Speaker JOE MARTIN confessed in private conversation that this was the best deal he could put over with Republicans representing farm areas. Had the President's proposal been insisted upon, MARTIN said, it could not have carried. I voted for the amendment.

Congress ANDRESEN, Republican, of Minnesota, led the dairy drive for "equality" by moving to raise the support price from 80 to 82½ percent. As Representatives from dairy States described the difficult plight of their constituents, one gained the impression that if the amendment failed, dairy farmers would have to find other things for their cows to do in order to break even. But Congressman ABERNETHY, of Mississippi, told them they were fooling nobody, saying: "You are attempting to put yourself in position to get not only the same price support, but you also want the right to market without marketing quotas, every pound of milk that Old Bess will give. With that right and a good high support price you are going to milk her to death." The cotton bloc stood firm; the Andresen amendment was voted down.

Later in the debate I caught what appeared to be a sleeper in the bill, a paragraph which gave Secretary Benson the right to establish any support price he wanted to for the producers of wool. I was opposed to granting such a blank check to the Secretary and offered an amendment fixing a maximum price the Government can pay for wool. It was the only amendment offered by a city representative which the farm representatives accepted. Maybe it is because of the sheep in my district. There are some, you know—in the Lincoln Park Zoo.

Your friend,

SIDNEY R. YATES,
Member of Congress.

AN INADEQUATE HEALTH INSURANCE BILL

(Newsletter No. 157)

JULY 15, 1954.

When Abraham Lincoln was once confined in the White House with a bad cold he was visited by a Congressman who called to express his sympathy. The President stopped him and laughingly said: "Let's not talk about my colds. I am bound to catch them." When the Congressman looked surprised, Lincoln pointed to his large feet and said: "There's the reason—there is so much of me on the ground, you know."

The common cold which sent President Lincoln to bed still continues to plague all of us, for little progress has been made since that time to determine its causes and cure. But the war against it goes on—not only against the common cold, but also against heart disease, cancer, tuberculosis, mental illnesses, arthritis, rheumatism, polio, blindness, diabetes, cerebral palsy, epilepsy, multiple sclerosis, muscular dystrophy, and other crippling and killing diseases. For this year alone the amount approved by the Congress for research and experimentation to fight such diseases approximates $90 million.

Yet, paradoxically enough, the very fact that we were able to learn how to treat some of the diseases has resulted in the creation of many new problems of an economic nature. The tremendous number of new medical tests and discoveries has caused the expense of hospitalization and medical attention to increase to the point of where contracting a long-term disease represents a real financial catastrophe to the average American family. The cost for hospitalization of a chronic heart patient for 1 year approximates $4,000. The monthly cost for full treatment at a cerebral palsy center averages as much as $750 per child. Treatment for polio and the use of an iron lung for a year may cost as much as $10,000. The impact of such a hard-hitting disease upon a family—its standard of living, tuition for the children, the savings of years, is readily apparent. Obviously, the seriousness of the problem warrants national attention.

One of the answers offered is the voluntary health insurance program. However, only 12 percent of our people have hospital insurance; only 24 percent have hospital and surgical insurance; 20 percent have hospital, surgical, and medical insurance. The cost of such insurance is still high. About 41 percent of the American people have no insurance protection of any kind, and even those who are insured do not receive complete coverage. It was to meet these needs, presumably, that the Interstate and Foreign Commerce Committee brought to the floor last week the President's bill to create a reinsurance fund of $25 million as a basis for covering losses by health insurance companies willing to undertake new programs to give additional medical protection to the American people.

The Members of the House were interested in the bill. They are very much aware of the expense of good medical care and the need for finding some means to deal with it. They were sympathetic, therefore, to the purposes of the bill, but as they listened to the debate, their interest sagged and at the end, they voted 238 to 134 to recommit the bill. Why?

Because even the bill's most vocal supporters, there were no enthusiastic ones, praised it only as "an experiment which might work, giving greater insurance coverage to more people." Congressman EUGENE MCCARTHY, Democrat of Minnesota, commented that the best argument made was "that the bill will do no harm." "I suppose," he continued, "that in itself this is grounds for supporting the bill, because on many occasions during the course of this session, we have not been given that happy choice." Congressman WILLIAMS of Mississippi, likened the bill to cotton candy he had purchased for his daughter. "It looked pretty," he said, "it tasted sweet and smelled sweet, but when she tried to bite into it, she found nothing there." He called the bill all air and no substance.

Republicans are blaming the Democrats for the defeat of the bill. The fact remains that 75 Republicans, including the chairmen of 8 committees, who normally would be expected to support the President, voted to kill it, as well. There was a general feeling that it was a mouse brought forth to attack a mountain.

The President is quoted as being disappointed, stating that he had made a campaign pledge to bring good medical care within the reach of the modest family budget. If this was the purpose of the bill, it escaped everybody in the House, even the President's most ardent supporters. When the question was asked, will this bill reduce the cost of health insurance premiums, the answer was no. To the question, will this bill reduce the costs of medical care, the answer was no. To the question, will this bill make insurance available for any persons who cannot now afford it, the answer was no.

Looks like the President needs a new bill to meet America's medical bill.

Your friend,

SIDNEY R. YATES,
Member of Congress.

Congress Fails To Face Issue of Segregation in Transportation—Granahan Antisegregation Bill Dies for This Session

EXTENSION OF REMARKS
OF

HON. WILLIAM T. GRANAHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 19, 1954

Mr. GRANAHAN. Mr. Speaker, the 83d Congress is now preparing to adjourn and go out of existence, thus allowing all bills on which we have not taken final action to die on the House Calendar. This includes measures on which some of the committees have worked long and hard, devoting much study to their provisions before recommending their enactment.

But when we adjourn today we wipe the slate clean on all these bills, so that when the 84th Congress comes into existence next January it will have to start all over from scratch on each of these measures. Thus, all the time we have devoted to them in these past two sessions is pretty much wasted.

Among important bills in this class is H. R. 8160, which I introduced on March 2, to prohibit segregation and discrimination for reasons of race, creed, or color on transportation facilities of carriers engaged in interstate commerce.

This bill, or some bill incorporating its provisions, could have been passed and should have been passed in this session of Congress. This historic Supreme Court decision outlawing segregation in the schools put into a legal ashcan the old idea of separate-but-equal facilities as an excuse for segregation. This decision underscored the need for follow-up action by the Congress in this important field of transportation.

GRANAHAN ANTISEGREGATION BILL WOULD CORRECT INJUSTICES

Witness after witness before the House Committee on Interstate and Foreign Commerce, on which I serve—the committee to which my antisegregation bill was referred—told of deeply disturbing incidents on railroads, buses, and other transportation facilities involving insulting and un-American discrimination against American citizens, including servicemen. So the practice persists. It is immoral, indecent, and unworthy of our democracy.

Here is what my bill stated:

[H. R. 8160, 83d Cong., 2d sess.]

IN THE HOUSE OF REPRESENTATIVES,
March 2, 1954.

Mr. GRANAHAN introduced the following bill, which was referred to the Committee on Interstate and Foreign Commerce:

"A bill providing relief against certain forms of discrimination in interestate transportation

"Be it enacted, etc., That (a) all persons traveling within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, and privileges of any public conveyance operated by a common carrier engaged in interstate or foreign commerce, and all the facilities furnished or connected therewith, subject only to conditions and limitations applicable alike to all persons, without discrimination or segregation based on race, color, religion, or national origin.

"(b) Whoever, whether acting in a private, public, or official capacity, denies or attempts to deny to any person traveling within the jurisdiction of the United States the full and equal enjoyment of any accommodation, advantage, or privilege of a public conveyance operated by a common carrier engaged in interstate or foreign commerce, except for reasons applicable alike to all persons of every race, color, religion, or national origin, or whoever incites or otherwise participates in such denial or attempt, shall be guilty of a misdemeanor and shall, upon conviction, be subject to a fine of not to exceed $1,000 for each offense, and shall also be subject to suit by the injured person or by his estate, in an action at law, suit in equity, or other proper proceedings for damages or preventive or declaratory or other relief. Such suit or proceeding may be brought in any district court of the United States as constituted by chapter 5 of title 28, United States Code (28 U. S. C. 81 et seq.), or the United States court of any Territory or other place subject to the jurisdiction of the United States, without regard to the sum or value of the matter in controversy, or in any State or Territorial court of competent jurisdiction.

"SEC. 2. It shall be unlawful for any common carrier engaged in interstate or foreign commerce, or any officer, agent, or employee thereof, to segregate, or attempt to segregate, or otherwise discriminate against passengers using any public conveyance or facility of such carrier engaged in interstate or foreign commerce, on account of the race, color, religion, or national origin of such passengers. Any such carrier or officer, agent, or employee thereof who segregates or attempts to segregate such passengers or otherwise discriminate against them on account of race, color, religion, or national origin shall be guilty of a misdemeanor and shall, upon conviction, be subject to a fine of not to exceed $1,000 for each offense, and shall also be subject to suit by the injured person in an action of law, suit in equity, or other proper proceeding for damages or preventive or declaratory or other relief. Such suit or proceeding many be brought in any district court of the United States as constituted by chapter 5 of title 28, United States Code (28 U. S. C. 81 et seq.) or the United States court of any Territory or other place subject to the jurisdiction of the United States, without regard to the sum or value of the matter in controversy, or in any State or Territorial court of competent jurisdiction."

ICC SAYS CONGRESSIONAL ACTION IS NEEDED

Following the introduction of my bill, Mr. Speaker, the chairman of our committee invited comments on it from the Interstate Commerce Commission. This is the reply he received:

INTERSTATE COMMERCE COMMISSION,
Washington 25, March 12, 1954.

Hon. CHARLES A. WOLVERTON,
Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives,
Washington, D. C.

DEAR CHAIRMAN WOLVERTON: Your letter of March 4, 1954, addressed to the Chairman of the Commission and requesting a report and comment on a bill, H. R. 8160, introduced by Congressman GRANAHAN, providing relief against certain forms of discrimination in interstate transportation, has been referred to our Committee on Legislation and Rules. After careful consideration by that committee, I am authorized to submit the following comments in its behalf:

This bill, if enacted into law, would provide that all interstate travelers "shall be entitled to the full and equal enjoyment of the accommodations, advantages, and privileges of any public conveyance operated by a common carrier * * * and all the facilities furnished or connected therewith, * * * without discrimination or segregation based on race, color, religion, or national origin."

Under section 3 (1) of the Interstate Commerce Act, it is now unlawful "for any common carrier * * * to make, give, or cause any undue or unreasonable preference or advantage to any particular person * * * or to subject any particular person * * * to any undue or unreasonable prejudice or disadvantage in any respect whatsoever." This provision relates principally to rail carriers. There are similar provisions in other parts of the act applicable to motor and water carriers and freight forwarders.

Soon after the Interstate Commerce Commission was established in 1887, it was called upon to decide whether the provision above quoted prohibited the railroads in certain sections of the country from requiring that Negro and white passengers occupy separate coaches and other facilities, as they were compelled to do by statutes in a number of States. In all such cases, which have become increasingly numerous and complicated in recent years, the Commission has limited its inquiry to the question whether equal accommodations and facilities are provided for members of the two races, adhering to the view that the Interstate Commerce Act neither requires nor prohibits segregation of the races. Judicial opinion has supported this restricted conception of our powers in the premises.

It is well known that dissatisfaction with the so-called separate but equal principle, wherever applied, is now to be found in a considerable segment of public opinion. Opponents of the principle are pressing their contentions in judicial proceedings which raise the issue in one field or another.

The essential question presented is the same in all these areas of controversy, and it is a social question much broader than the transportation aspect of it presented in H. R. 8160. This problem is therefore one of broad legislative policy upon which we are not qualified to express a helpful opinion based on our experience in transportation regulation.

Respectfully submitted.

J. M. JOHNSON,
Chairman, Committee on Legislation and Rules.

CHARLES D. MAHAFFIE,
HOWARD G. FREAS.

It will be noted, Mr. Speaker, that the ICC's rather vague answer was prior to the Supreme Court decision in the school case. Nevertheless, cautious as this reply was, it demonstrated a need for corrective legislation by the Congress.

JUSTICE DEPARTMENT, BUDGET BUREAU, APPROVE GRANAHAN BILL AIMS

This was further confirmed by the Department of Justice in a report to the committee, and also by a statement from the Bureau of the Budget which, in commenting on my bill and others of a similar nature, told our committee in a letter from Budget Director Rowland Hughes on June 25:

Certain concepts underlying prior judicial decisions defining the duties of common carriers in interstate commerce in the matter of nondiscrimination among passengers in their use of transportation facilities, it would seem, have been superseded by the segregation cases decided recently by the Supreme Court. Legislation redefining those duties as embodying the principle of nonsegregation is, in the opinion of the Bureau of the Budget, desirable.

Now, Mr. Speaker, what this collection of $10 words really adds up to is that the Budget Bureau, which supposedly speaks for the President on legislation, says we need nonsegregation legislation such as embodied in the Granahan bill on railroads, buses, and so on.

HOUSE FAILS TO ACT ON PENDING MEASURE

I stress that, Mr. Speaker, because—although my committee, the Committee on Interstate and Foreign Commerce, approved such a bill and recommended the House pass it—the nonsegregation in transportation bill is dying on the House Calendar and is not even being called up for debate. Yet the President's Budget Director says we need such legislation. His Department of Justice says we need it, but a Congress dominated by his own party, in which Republicans hold all key leadership positions, is refusing to pass it.

Worse, it is refusing to give us a chance to vote on it.

This I bitterly resent. I resent it on behalf of not only the Negroes of my congressional district, some of whom have from time to time been insulted and discriminated against in some parts of the country by railroad and bus company officials, but I also resent it on behalf of all of the people of the Second Congressional District, who believe, as I do, that segregation and discrimination are un-American.

MY TESTIMONY ON THE GRANAHAN BILL

Formal hearings by the House Committee on Interstate and Foreign Commerce on the Granahan antisegregation bill and similar measures were held May 12, 13, and 14 of this year. Among witnesses were spokesmen for the National Council of Negro Women, the National Association for the Advancement of Colored People, the Antidefamation League of B'nai B'rith, the American Missionary Association Division, Fisk University, and other groups interested in this sore-spot problem in American society—this question of unfair and un-American segregation and discrimination. Among Members of Congress who appeared were two Negro Congressmen, ADAM C. POWELL, JR., of New York, and WILLIAM L. DAWSON, of Chicago, both of them exceptionally able Democratic Members.

Prior to these public hearings, however, the committee held a special session on March 22 devoted entirely to Congressmen discussing their own bills before our committee. At that time I took up with the committee my bill, H. R. 8160, dealing with this matter of segregation and discrimination in travel.

Following is the text of my statement at that time:

ENDING SEGREGATION IN TRANSPORTATION

(Statement by Congressman WILLIAM T. GRANAHAN, Democrat, of Philadelphia, before House Committee on Interstate Commerce in support of H. R. 8160, the Granahan bill to prohibit discrimination or segregation in interstate transportation, March 22, 1954.)

Mr. Chairman and fellow members of the committee, from our years of association together on this committee of Congress assigned responsibility for all legislation dealing with interstate and foreign commerce, I know that there is general agreement here that the bills we recommend for House passage should be directed toward advancing the best interests of the United States and of all of the people of this country.

For that reason, I have no hesitation in urging your support for, and agreement to, the provisions of H. R. 8160 which I introduced on March 2, to make it a Federal offense, punishable by a fine of up to $1,000 for each offense as well as by private damage actions, for denial of full and equal enjoyment of the accommodations, advantages or privileges of any public conveyance operated by a common carrier engaged in interstate commerce.

Of course there would be no violation of this law involved in situations or circumstances under which the conditions or limitations imposed were applicable to all persons, without discrimination or segregation based on race, color, religion or national origin. But where this segregation or discrimination is employed, the Federal Government would have jurisdiction to step in and enforce fairness to all passengers.

FIGHT AGAINST SEGREGATION NOT YET WON

We have already made tremendous progress, primarily through Supreme Court decisions arising out of cases brought in the previous administrations by the Department of Justice, in eliminating this discriminatory practice of segregation and other denials of equal treatment because of race, color, religion, or national origin, but the practice still exists in some areas and should be ended. The Granahan bill would enable us to achieve that result.

As it is now, we know of instances where carriers engaged in interstate commerce will enforce segregation and discrimination on its intrastate routes and then drop the discriminatory rulings on its interstate runs. This makes a sham of the whole business.

If the carrier is engaged in interstate commerce—railroads, buses, and so on—then it should carry out its obligations to all of the people of the United States and conduct its affairs at all times and in all places as an interstate carrier, observing not only the letter but the spirit of the laws and regulations dealing with interstate commerce.

OLD CUSTOMS BREAKING DOWN AS FIGHT GOES ON

Some years ago, this might have been considered as a revolutionary doctrine in some parts of the country. That would hardly be true today. For where segregation long entrenched has finally been eliminated—such as in most of the armed services, in eating establishments here in Washington, such as on the interstate trains and buses and so on—there has been no uproar, no disruption, no riots, no mass civil disobedience, no revolt. It has had a wholly good effect. It has worked. It has worked particularly in the armed services in Korea, where Negro and white, for instance, have fought valiantly and well not only side by side but in the same units and with officers from both races commanding men of both. The success of that policy was far greater and far more significant than appears on the surface. One thing it did was to confound and destroy the propaganda of the Communists attempting to persuade Negroes they would have more opportunity under communism. Very, very few of the many colored boys among the prisoners in Korea fell for those brain-washing tactics and those few who did were in the same class as the few white prisoners who also went over the hill to communism—sick mentally so that they didn't and couldn't know what they were doing.

THEY FOUGHT TOGETHER IN KOREA BUT OFTEN CAN'T RIDE TOGETHER AT HOME

Now isn't it a strange thing that men who fought together side by side in Korea can't ride together side by side if they want to in the same train or bus operated by an interstate carrier in some of our areas of the country?

I repeat, the carriers subject to this law are interstate carriers now subject to other laws of the Congress dealing with their operations. We cannot force a strictly local carrier, one operating only within State lines, to pay heed to a law of this kind but I am sure that if the provisions of this bill I have introduced become law, it will not be long before the sham of segregation will be so well recognized that even the local intrastate carriers will eventually come around to observing its spirit.

We have had so many incidents—unpleasant, at least, and sometimes very serious—in the practice of discrimination and segregation by reason of race, and color particularly on some of our transportation systems that they have hurt the United States. They have even hurt our foreign policy, our international relations.

Outstanding citizens of other nations have been subjected to rudeness, insult, and, I'm afraid, even physical pushing around by arrogant employees of some transportation systems, because their skin is dark in color. Should that be permitted?

SEGREGATION A BLOT ON AMERICA'S WORLD POSITION

The many days of debate in the Senate of the United States on the Bricker amendment to the Constitution raised the point over and over that the States have no role in foreign policy under our Constitution. Yet when practices within a State on an interstate carrier permit or encourage the insult, abuse, and embitterment of officials, representatives, or citizens of other nations, how can it be maintained that such a State is not in fact exceeding its proper role and, in fact, interfering in foreign affairs? That is one very serious aspect of this whole problem.

But even more important is the pretense it attempts to keep alive that we have first- and second-class citizens in America, that some are entitled by divine right, based on

the color of their skin or their church of worship or some other factor such as that, to enjoy certain privileges and advantages denied to others because of the circumstances of their birth and background.

To the extent the Congress can help to eliminate these practices we should do so. The Granahan bill is a part of that attempt.

I WILL RENEW THE FIGHT IN THE NEXT CONGRESS

Mr. Speaker, it is with a heavy heart that I see us nearing final adjournment of the 83d Congress with this matter unresolved. It looks as if the antisegregation bill will be one of only a handful of measures which will be left on the House Calendar untouched when we adjourn—only a few out of the hundreds of bills which have been approved by our committees for House debate and passage. That proves it was not a question of time in getting this bill through; it was a question of deliberate neglect. Had there been a will in this Congress to pass the antisegregation bill outlawing discrimination on trains and buses of carriers engaged in interstate commerce, the bill would have been brought up for debate and it would have passed.

We know that this illegal discrimination exists—discrimination which the Supreme Court in particular cases has said over and over is unconstitutional. But one young soldier of Camden, N. J., right across the river from Philadelphia, testified before our committee that when he was arrested on a bus in Florida, while traveling to Alabama, for refusing to change his seat, he cited Supreme Court decisions but the bus driver and the local police officials said there was no Federal law on the subject and they followed Florida law on this matter. As someone remarked at the hearing, bus drivers do not read Supreme Court decisions.

I say this, Mr. Speaker: Failing to pass the Granahan antisegregation bill, or some bill like it, to outlaw segregation and discrimination in travel on facilities of carriers in interstate commerce has been a great blunder for this Republican Congress, and makes a mockery of its claims to be for civil rights.

In the next Congress, which convenes next January—and which will be, I firmly believe, a Democratic Congress—I intend to reintroduce my bill and renew the fight for this legislation. I intend to fight this matter through to a finish, so that no longer can decent, law-abiding Americans of any race or color or creed be insulted and discriminated against on a bus or train operated by a company which is in interstate commerce and thus subject to congressional jurisdiction. And I know the people of the Second Congressional District in Philadelphia will be behind me on this.

Thanks

EXTENSION OF REMARKS
OF
HON. ALFRED D. SIEMINSKI
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 19, 1954

Mr. SIEMINSKI. Mr. Speaker, the closing days of the exciting 83d Congress are upon us.

For their friendly support and helpful suggestions during all the days of this legislative session, I should like to thank the many, many good and kind-hearted citizens of Jersey City and Bayonne, N. J.

It has been a joy, Mr. Speaker, to represent those wonderful, wonderful people of the 13th Congressional District of New Jersey here in the Nation's Capital, in the beautiful city of Washington, D. C.

On the eve of my return home to resume the challenge of winning the consent of my distinguished constituency, God willing, to another term in the Congress, my third, a familiar expression comes to mind:

For your success, credit others. For any failure, debit yourself.

I do and shall, if need be, Mr. Speaker.

Republican Social-Security Program

EXTENSION OF REMARKS
OF
HON. WILLIAM C. COLE
OF MISSOURI
IN THE HOUSF OF REPRESENTATIVES
Thursday, August 19, 1954

Mr. COLE of Missouri. Mr. Speaker, the enactment of H. R. 9366, to extend and improve the social-security system, represents one of the most outstanding achievements of this the 83d Congress. It extends vital retirement and survivorship protection to over 10 million Americans for the first time. Moreover, the bill provides substantial increases in benefits both for those who are already drawing benefits and for those who will become entitled to benefits in the future.

This new legislation is of such importance to my constituents that I shall set out some of its highlights and, at my own expense, have reprints made of this speech in order to make this information available to every family in my congressional district. These highlights are as follows:

I. EXTENSION OF COVERAGE

First. Farmers: The bill extends social-security coverage for the first time to self-employed farm owners and operators. This means that old-age and survivors insurance protection will be extended to about 3.6 million farmers, their wives, and their children.

Second. Farm workers: The bill also extends coverage to about 2 million farmworkers who are not covered today. In general, farmworkers who are employed regularly by one farmer are covered at the present time. The bill extends this same protection to those farmworkers who earn $100 or more in the course of a year from one employer.

Third. Professional groups: The bill extends social-security coverage to accountants, architects, engineers, and morticians. As a result, the only professional groups which will not be covered by social security in the future are lawyers, doctors, dentists, and other medically related professions.

Fourth. Ministers: The bill covers ministers and members of religious orders, whether self-employed or employees, if they elect individually for coverage on the same basis as self-employed individuals. It is estimated that this amendment will extend coverage to about 260,000 persons.

Fifth. State and local employees: The bill extends coverage to the employees of State and local goverments who are covered by State and local retirement systems—other than policemen and firemen—under voluntary agreements between the States and Federal Government, if a majority of the members of the system vote in a referendum in favor of coverage. There are about 3.5 million persons in this group.

Sixth. Domestic workers: The bill extends coverage to domestic workers in private homes—and others who perform work not in the course of the employer's place of business—who are paid $50 in cash wages by an employer in a calendar quarter, regardless of the 24-day test required in the present law. This provision will extend coverage to about 250,000 persons.

II. INCREASE IN BENEFITS

First. More than 6.5 million persons now on the benefit rolls will have their benefits increased as of September 1, 1954. The average increase for retired workers will be about $6 a month, with proportionate increases for dependents and survivors. The range in primary insurance amounts for those now on the rolls will be $30 to $98.50, as compared to $25 to $85 under present law.

Second. Persons who retire or die in the future will, in general, have their benefits computed by the following new formula: 55 percent of the first $110 of average monthly wage—rather than $100 as in present law—plus 20 percent of the next $240—rather than 15 percent of the next $200. Thus, an individual's retirement benefit will be as high as $108.50 a month, and he and his wife together can receive as much as $162.75 in retirement benefits.

Third. The minimum monthly benefit amount for a retired worker will be $30, and the minimum amount payable where only one survivor is entitled to benefits on the decreased insured person's earnings will be $30.

Fourth. The maximum monthly family benefit of $168.75 will be increased to $200; the provision of existing law that total family benefits cannot exceed 80 percent of the worker's average monthly wage will not reduce total family benefits below 1½ times the insured worker's primary insurance amount or $50, whichever is the greater.

III. EARNINGS BASE

The total annual earnings on which benefits will be computed and contributions paid is raised from $3,600 to $4,200.

IV. COMPUTATION OF BENEFITS

The individual will be entitled to drop out from the computation of his average monthly wage for benefit purposes up to 5 years of his lowest earnings.

V. RETIREMENT TEST

The earnings limitation will be removed entirely at age 72—instead of at 75, as under present law. For beneficiaries under age 72, the earnings limitation would be made the same for wage

earners and self-employed persons. A beneficiary can earn as much as $1,200 in a year from covered work without loss of benefits. He will lose a month's benefit for each unit of $80—or fraction thereof—of covered earnings in excess of $1,200, but in no case will he lose benefits for months in which he neither earned more than $80 in wages nor rendered substantial services in self-employment. Beneficiaries engaged in noncovered work outside the United States will have their benefits withheld for any month in which they worked on 7 or more days.

VI. ELIGIBILITY FOR BENEFITS

(a) As an alternative to the present requirements for fully insured status, an individual will be fully insured if all the quarters elapsing after 1954 and up to the quarter of his death or attainment of age 65 were quarters of coverage, provided he had at least 6 quarters of coverage after 1954.

(b) Benefits will be paid to the surviving aged widow, widowed mother, and children, or parents of any individual who died after 1939 and prior to September 1, 1950, and had at least 6 quarters of coverage.

VII. PRESERVATION OF BENEFIT RIGHTS FOR DISABLED

The period during which an individual was under an extended total disability will be excluded in determining his insured status and the amount of benefits payable to him upon retirement or to his survivors in the event of his death. Only disabilities lasting more than 6 months will be taken into account. Determinations of disabilities generally will be made by State vocational rehabilitation agencies or other appropriate State agencies pursuant to agreements with the Secretary of Health, Education, and Welfare.

VIII. RECOMPUTATION OF BENEFITS FOR WORK AFTER ENTITLEMENT

An individual may have his benefit recomputed to take into account additional earnings after entitlement if he has covered earnings of more than $1,200 in a calendar year after 1953 and after the year in which his benefit was last computed.

IX. CONTRIBUTION RATES

Employers and employees will continue to share equally with the rates on each being as follows:

Calendar year:	*Rate (percent)*
1954–59	2
1960–64	2½
1965–69	3
1970–74	3½
1975 and after	4

The self-employed will pay 1½ times the above rates.

PUBLIC ASSISTANCE

First. The provisions of the 1952 amendments, presently scheduled to expire on September 30, 1954, with respect to temporary increases in Federal payments to State for old-age assistance, aid to dependent children, aid to the blind, and aid to the permanently and totally disabled are extended through September 30, 1956.

Second. The provisions of the 1950 amendments for approval of certain State plans for aid to the blind which did not meet the requirements of clause (8) of section 1002 (a) of the Social Security Act are extended from June 30, 1955, to June 30, 1957.

Mr. Speaker, these are only the highlights of this legislation and many of my constituents will probably have questions regarding the way this legislation affects them individually. If such is the case, I will be delighted to furnish complete information, if they will write to me at 403 Old House Office Building and give me the facts in their particular case.

Report to My Constituents on the 83d Congress

EXTENSION OF REMARKS
OF

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 19, 1954

Mrs. FRANCES P. BOLTON. Mr. Speaker, the 83d Congress, which convened on January 3, 1953, is almost history. It has been in session through two momentous and trying years—years of decision, both nationally and internationally. As one who took an active role in many of the decisions which were made during that time, I would like to say that I am immensely proud at having been a Member of this distinguished House.

At this time I would like to review briefly some of the highlights of the 83d session, for my colleagues and for the information of my constituents in the great 22d District of Ohio.

With the inauguration of President Eisenhower on January 20, 1953, both the legislative and executive branches of our Government became a Republican responsibility for the first time in two decades. This responsibility was delegated to every member of the Republican Party, but most especially to those of us in the Congress who were given the immense task of writing legislation for some 160 million Americans.

Majority responsibilities are considerably heavier both in Congress and in committee. On the floor one must take a far more active role on the many matters that come before the Congress. In committee there are often chairmanships added to regular committee duties.

Upon the convening of the 83d Congress, I reassumed the chairmanship of the Subcommittee on the Near East and Africa and also became ranking member of the Subcommittee on International Organizations and Movements, both of which are part of the House Committee on Foreign Affairs. I need not point out that the precarious situation of international affairs put a gigantic burden on the Committee on Foreign Affairs and each of its subcommittees. This year, for instance, we sat in full committee for 46 days to consider the Mutual Security Act of 1954. My Near East subcommittee was equally busy, for we were hearing, among others, two Assistant Secretaries of State for our area as well as various others of the State Department Foreign Service who came from and were going into those countries.

FOREIGN AFFAIRS

President Eisenhower, in his state of the Union message last January, said:

> Our position as a sovereign nation in relationship to other sovereign nations overshadows and influences every other problem to which this Government falls heir.

When the new administration took office in 1953, there were five major trouble areas in the world: One, Korea; two, Indochina; three, Iran; four, Guatemala; five, the Suez Canal area; and six, the European Defense Community area. The first two were major shooting wars. Today there is no major war anywhere in the world.

The carnage has stopped in Korea. The French are no longer fighting in Indochina, although the peace terms were not at all to our liking. However, we have made outstanding gains more recently when the United States joined seven other nations in signing the Southeast Asia Collective Defense Treaty—which created SEATO—and the Pacific Charter to prevent further aggression. These treaties have been described as a triumph of American foreign policy in the Far East. In Iran, Mossadegh and his Communist friends in the Tudeh Party are no longer in control. The recent settlement of the oil problems, the withdrawal of the British from Suez, the conferences over the waters of the Jordan, all suggest that an era of prosperity is in the offing for the Near East. In Guatemala the dangerous Communist stronghold was crushed.

The 83d Congress showed its active support of the Eisenhower foreign policy. We passed the St. Lawrence Seaway legislation, in which the people of Greater Cleveland took a very deep personal interest. This country and Canada have at last agreed formally to start joint construction of this project, which is vital not only to our security, but will be a great stimulant to our economy.

Also in foreign policy, we passed a completely overhauled Mutual Security Act, which took a realistic view of the needs of our friends overseas.

DOMESTIC PROGRAM

The achievements of this Congress in domestic legislation are all the more considerable in view of what we inherited. In the face of the inefficiency, waste, and even corruption which preceded us, we had to devote much time and effort toward establishing new patterns of efficiency and economy which had been absent from government for all too many years.

In taxation, this Congress made some of its most signal achievements. We not only reduced burdensome taxes generally, but in modernizing the antiquated tax structure we passed a human tax bill providing for many people in real need. I had worked hard and long to have exemptions for many thousands of police and fire widows living on the pittance of retirement income. It was delightful to see the Committee on Ways and Means include the spirit of my bill H. R. 379 into the tax bill which is now law. After years of effort on the part of

many of us, there are now deductions for widows and widowers who must work to support their children. There are higher exemptions for parents whose children work, and higher deductions for medical expenses—a provision advocated by my son, the Honorable OLIVER P. BOLTON. Moreover, the business and industry provisions of this tax law provided a psychological stimulus to our economy which, I believe, we can credit with the healthy upturn in economic affairs now making itself felt.

In defense, this Congress established an Air Force Academy; passed an Atomic Energy Act, which also holds great promise for future civilian development of that new source of energy; revised and tightened the espionage and sabotage laws; took pension rights away from the traitor Alger Hiss and any other Federal employee convicted of a major crime; and passed a Defense Department appropriation bill which shifts some of the military emphasis toward airpower and new weapons. This last law provided for an average military strength twice what it was at the start of the Korean war.

In social legislation, the 83d Congress showed a real appreciation for the needs of the American people. We authorized $60 million a year for each of the next 3 years to assist the States in building hospitals, rehabilitation centers, and nursing homes. Our State of Ohio will get about $2,250,000 of that sum. I voted in favor of a health reinsurance program, but it was defeated on a motion to recommit. In education we authorized educational conferences, a National Advisory Committee on Education, and more educational research. I spent much time working for a better social-security system. We enacted legislation extending social security to millions more people and increasing benefits to all.

Highways capable of handling increased motor traffic are of vital interest to every State. We enacted legislation to step up the roadbuilding program, with an authorization for $800 million a year, of which Ohio will receive some $32 million, instead of the $22 million it now receives.

Better housing has long been on my working schedules. It became one of my principal efforts in this Congress. It was a fight every step of the way. But we succeeded in passing the Housing Act of 1954, which will raise dwelling standards and help more of our people acquire their own homes. For communities such as Cleveland this act will help in getting rid of slums and in improving older neighborhoods. Although we who voted for and fought for the President's housing program did not succeed in getting the full number of low-rent public housing units passed for the 4-year period which the President requested, we did pass a bill which will give the administration the 35,000 housing units requested for this year. In my district, for instance, this will mean that there will be some 900 low-rent units into which we can move the families who will be dispossessed in our slum-clearance program.

In veterans' affairs, this Congress increased by 5 percent pensions to war veterans with disabilities, and to their dependents.

In agriculture, we passed the President's flexible price-support program. This will do much toward moving our surplus foods out of warehouses and into markets at lower prices which housewives can pay.

This is but the halfway mark of the Eisenhower Republican administration. If the President has in the 84th Congress a good majority to work with he will be able to go far along the road he has set his feet upon—a road which will insure to the rank and file of our people ever greater assurance that this is a country where all can find happiness and peace.

Granahan Finds Government's Distressed Area Procurement Program a Dud, but Urges Philadelphia Firms To Seek To Participate

EXTENSION OF REMARKS
OF

HON. WILLIAM T. GRANAHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 19, 1954

Mr. GRANAHAN. Mr. Speaker, the Philadelphia labor market area continues to be one of the so-called distressed areas of the country with a high incidence of unemployment. This Congress is unfortunately adjourning without taking any really important steps toward the alleviation of unemployment in Philadelphia or anywhere else. Therefore, we can look to a continuation of high unemployment in the country for some time under present policies. It is a grim prospect. It is a tragic thing that this country cannot maintain the prosperity which we had begun to take almost for granted under Democratic administrations.

I have spoken here from time to time on the necessity for better unemployment compensation benefits in order to maintain some semblance of purchasing power among the involuntary unemployed, but our efforts to increase benefits were blocked here by the adverse votes of the majority party.

I have urged an expansion of work at the naval shipyard, including the award of one of the new *Forrestal*-type carriers, but that was refused by the Navy Department.

I have sought an increase in the minimum wage so that Philadelphia firms will no longer lose as much business to unscrupulous competitors who wax prosperous on the low-wage rates they are permitted to pay in some areas of the Nation where wage rates are not only far below Philadelphia standards but below minimum standards of decency. This Congress showed no interest in that.

And so it has gone in connection with virtually every proposal which has been made here to try to bolster our economy and give it greater strength, thus assuring more prosperity for all.

DISTRESSED AREA PROGRAM WAS SUPPOSED TO HELP

One of the few constructive steps which have been taken by the Government in the past year to try to help the areas of high unemployment was a program borrowed from the Truman administration intended to channel Government orders into the group IV, or substantial-surplus labor areas.

I have been most interested in this program, particularly since Philadelphia became a group IV area in June and thus became eligible for special consideration under this program.

But the results of it have been almost nil. They are summarized, I think, in the opening paragraphs of a press release which I issued on July 18, which began as follows:

GRANAHAN FINDS GOVERNMENT'S DISTRESSED AREA PROCUREMENT PROGRAM A DUD, BUT URGES PHILADELPHIA FIRMS TO SEEK TO PARTICIPATE

Congressman WILLIAM T. GRANAHAN, Democrat, of Philadelphia, last night urged Philadelphia firms to go after Government contracts under the distressed area procurement program, but warned them the program so far has been a dud.

"The General Services Administration isn't even participating in it and the Defense Department has done practically nothing under it up to now," GRANAHAN reported.

The Second District Congressman revealed that he wrote GSA Administrator Edmund F. Mansure and Secretary of Defense Charles E. Wilson more than a month ago—shortly after Philadelphia was placed in the group IV category of substantial labor surplus—to inquire how the special procurement program in distressed areas has been working and to learn what Philadelphia firms can do to participate in it.

"I received a reply in about 2 weeks from the General Services Administration," he reported. "They said that at this time in GSA there is insufficient area for effective implementation of the defense manpower policy directive dealing with negotiated contracts and special set-aside orders in surplus labor areas. So they aren't doing anything about it.

"The Defense Department took nearly a month to inform me it has done practically nothing under this program except to advise the various branches of the military that where appropriate they are to try to channel some of their procurement into surplus labor areas as long as prices are no higher than they would otherwise be.

"In the first 3 months of operation of this program since its much-publicized announcement by the Eisenhower administration as an antirecession move, the Defense Department apologetically states it placed only four contracts in labor surplus areas under the special machinery of this program. It explained that it takes time to get a program like this into operation."

THE 4 CONTRACTS TOTALED ONLY $163,159

Mr. Speaker, the 4 contracts the Defense Department referred to as representing the total of its contract awards under this program during the first 3 months of operation came to the grand total of $163,159—a drop in the bucket.

During the same period, the military awarded $35 million worth of defense contracts in labor surplus areas under normal procedures without regard to this special program. So it is obvious that

the special program has been pretty much of a failure.

Nevertheless, I have urged Philadelphia firms in need of work to keep their plants and payrolls occupied to take the following steps suggested by the Defense Department to learn about and apply for Government contracts:

First. Register on the bidders' list of every military purchasing office which may procure items of supply that the firm is capable of manufacturing.

Second. Obtain from the Government Printing Office two Defense Department publications: One entitled "How To Sell to the Department of Defense," listing procedures to be followed in getting on appropriate bidders' lists; and another entitled "Purchased Items and Purchasing Locations of the Department of Defense," giving a commodity listing of items purchased and the purchasing offices which do the buying.

Third. Subscribe, for $7 a year, to the daily fact-sheet publication of the Department of Commerce entitled "Synopsis of United States Government Proposed Procurement and Contract Awards," listing all current or future procurement items on which bids are invited.

The special defense manpower policy dealing with labor surplus areas was first set up in the 1949–50 period by former President Truman to channel Government orders into group IV areas—where 6 percent or more of the labor force is unemployed. The program was revived early this year by President Eisenhower.

MANY PROCUREMENT OFFICES IN PHILADELPHIA AREA

Under it, Government agencies are to give preference on tie bids to firms from group IV areas. In addition, they are authorized to set aside up to 20 percent of their procurement of a particular item for award on a negotiated price basis to firms in group IV areas, provided the price on these contracts is no higher than the price arrived at through open bidding on the other 80 percent.

Among Defense Department purchasing offices listed in Philadelphia by the publication Purchased Items and Purchasing Locations are the Corps of Engineers, City Centre Building, 121 North Broad Street; Frankford Arsenal; Philadelphia Ordnance District, 1500 Chestnut Street; Quartermaster Depot; Signal Corps Supply Agency, 225 South 18th Street; Navy General Stores Supply Office, and Navy Aviation Supply Office, both at 700 Robbins Avenue; Submarine Supply Office, Rittenhouse Square Building, 19th and Walnut Streets; the Navy Shipyard and the Naval Air Material Center at the Naval Base; and the Marine Corps Depot of Supplies.

The document gives a breakdown of the types of items purchased by each of these and all other Defense Department installations.

Prior to Philadelphia's recent designation by the Labor Department as a group IV labor surplus area eligible for participation in the special procurement program, Mr. Speaker, I had been seeking to persuade the Defense Department to take steps to keep the ACF-Brill Motors Co. plant from closing down for lack of orders.

The Department informed me at that time that ACF-Brill was certainly familiar with what Government contracts were available and that nothing special could be done for the firm unless it won its own contracts on a competitive basis.

FIRMS MUST STILL FIND OWN BIDDING OPPORTUNITIES

When Philadelphia was placed in group IV, however, I renewed this inquiry with special reference to the procurement program for distressed areas. I asked what not only ACF-Brill but all firms in the Philadelphia area could do to get Government contracts under the Defense Manpower Policy Directive. The answer still seems to be that they have to go out and find their own bid opportunities.

Obviously, with so few contracts awarded in surplus areas under the set-aside feature in the first 3 months of operation, the program has not been accomplishing what it was set up to do. Probably it is up to the individual firm to prove to procurement officials that a set-aside on a particular item would be deemed appropriate.

In my letters to Wilson and Mansure, I had asked:

In view of the alarming increase in unemployment in many areas of the Nation, resulting in the current listing of 51 major industrial centers as group IV areas of substantial (6 to 12 percent) or very substantial (12 percent or more) unemployment, does the Department of Defense or GSA have any present plans for a substantial increase either in the tempo of this special manpower policy program or in the total overall amount of defense procurement?

Al E. Snyder, Assistant Administrator of GSA, replied for Mansure that unless and until the scope and size of GSA procurement for Defense and certain civilian agencies are expanded, GSA has no plans for participating in the set-aside program.

DEFENSE DEPARTMENT INDICATES PROGRAM IS SMALL

T. P. Pike, Deputy Assistant Secretary of Defense for Supply and Logistics, replying for Wilson, said:

Military requirements, of course, are limited by the amount of appropriations made available for procurement purposes. As a consequence we are unable to increase the overall amount of procurement. Our requirements verification is based upon the concept that delivery schedules as well as particular items and quantities of such items must be accurately stated and planned. Thus, we are unable to substantially increase the tempo of the procurement program without correspondingly disrupting the entire program.

Mr. Speaker, I guess this means "No."

At least, however, Pike has assured me the Defense Department is sympathetic with the unemployment problems and that in the procurement of our requirements, appropriate consideration will be given to bids received from firms located in the Philadelphia area.

What all this adds up to is that it obviously is not much of a program to date, but in view of our unemployment problems and the need for more contracts, I urge all Philadelphia area firms with idle plant capacity to go after these Government contracts wherever possible.

THE OFFICIAL DIRECTIVE ON SET-ASIDES

Defense Department procurement officials have been ordered by the Pentagon to conform to the Defense Manpower Policy Directive by doing the following:

First:

Use their best efforts to award negotiated procurements to contractors located in labor surplus areas for performance substantially within such areas to the extent that procurement objectives will permit; provided, that in no case shall price differentials be paid for the purpose of carrying out this policy.

Second:

Where deemed appropriate, set-aside portions of procurements for negotiation exclusively with firms located in labor surplus areas at prices no higher than those paid on the non-set-aside portion.

Third:

Assure that firms in labor surplus areas which are on appropriate bidders' lists are given an opportunity to submit bids or proposals on all procurements for which they are qualified and on which small business joint determinations have not been made.

EXCHANGE OF CORRESPONDENCE WITH GSA, DEFENSE

Mr. Speaker, following are the texts of the letters which I sent to General Services Administrator Mansure and Defense Secretary Wilson on this matter and the replies which I received:

HOUSE OF REPRESENTATIVES,
Washington, D. C., June 15, 1954.

Hon. EDMUND F. MANSURE,
Administrator, General Services Administration, Washington, D. C.

DEAR MR. MANSURE: In view of the recent designation of Philadelphia as a group IV–A labor market area (substantial unemployment of between 6 and 12 percent), and in view of the special program outlined in ODM Defense Manpower Policy Directive No. 4 last November directed at relieving unemployment in group IV areas, will you please let me know:

1. What steps can Philadelphia firms take—and where can they obtain complete and accurate information—to enable them to qualify for portions of pending Government procurement contracts under General Services Administration jurisdiction in pursuance of ODM Defense Manpower Policy Directive No. 4?

2. Is the program outlined under this policy directive actually in operation on GSA procurement? If so, can you advise me what contracts have been channeled to what firms in what localities pursuant to this policy? I ask this because I have received conflicting information—on the one hand that no procurement has been carried out under this policy directive, and on the other hand that only about $130,000 worth of orders have been so placed by GSA and the Department of Defense combined. My inquiry to you concerns only the GSA experience under the program.

3. In view of the alarming increase in unemployment in many areas of the Nation, resulting in the current listing of 51 major industrial or business centers in the group IV category, does your agency have any present plans for a substantial increase in the tempo of procurement under the ODM Defense Manpower Policy Directive No. 4?

I will very much appreciate an early reply, so that I can pass this information on to

interested business firms and employee groups in the Philadelphia area.

Sincerely yours,

WILLIAM T. GRANAHAN.

GENERAL SERVICES ADMINISTRATION,
Washington, D. C., June 25, 1954.

Re Defense Manpower Policy No. 4.

Hon. WILLIAM T. GRANAHAN,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN GRANAHAN: Your letter of June 15, 1954, requests certain information as to the activities and policy of this Administration with regard to ODM Defense Manpower Policy No. 4, in order that you may advise interested business firms and employee groups in the Philadelphia area.

Pending completion of arrangements with the Department of Defense and certain civilian agencies, which will enlarge the scope and size of General Services Administration procurement, it has been determined, and the purchasing offices of this Administration so advised, that, at this time, there is insufficient area for effective implementation of those paragraphs of Defense Manpower Policy No. 4 (revised) which provides for the negotiation of contracts and the use of set-asides to place contracts within surplus labor areas.

The remaining provisions of the implementation applicable to all procurement agencies are being implemented with respect to procurement by the Federal Supply Service, with particular emphasis on paragraphs IV.B 3 and 4, with regard to "bidders' list" and "tie bids," respectively.

Separate mailing lists are maintained by each GSA regional office. Philadelphia firms interested in bidding on GSA procurement should make application direct to these offices for the inclusion of their names on the appropriate bidders' mailing list. For your information, a list of the General Services Administration purchasing offices is enclosed.

No plans are being made at this time to alter our present policy with regard to Defense Manpower Policy No. 4. However, to the extent that procurement directives will permit, we will continue to cooperate to the fullest extent with the Office of Defense Mobilization.

Cordially yours,

AL E. SNYDER,
Assistant Administrator.

HOUSE OF REPRESENTATIVES,
Washington, D. C., June 15, 1954.

Hon. CHARLES E. WILSON,
Secretary, Department of Defense,
Washington, D. C.

DEAR MR. WILSON: As you may recall, I wrote to you May 10 in regard to the situation of the ACF-Brill Motors Co., whose employees had indicated to me that the company might have to close its Philadelphia plant because of lack of defense orders, and asked what prospect there was for an increase in orders to this important Philadelphia facility.

I received in reply a letter from T. P. Pike, Assistant Secretary for Supply and Logistics, dated May 29, which stated that there is no means by which the Brill Co. could be accorded any preferential treatment and indicating that price considerations almost entirely determine the award of defense contracts.

Since that time, Philadelphia has been designated as a group IV surplus labor area by the Department of Labor. Under Office of Defense Mobilization Defense Manpower Policy No. 4 issued last November, I understand that provision is made for a set-aside on Government procurement contracts so that up to 20 percent of any such contract can be channelled to group IV surplus labor areas on a matching-bid basis—that is, if suppliers can meet low bids submitted by contractors bidding on the other 80 percent.

In view of the designation of Philadelphia as a group IV area eligible for this special consideration, I should like to broaden my earlier inquiry of May 10 to ask the following:

1. What steps can Philadelphia firms take—and where can they obtain complete and accurate information to enable them to qualify for portions of pending procurement contracts under Defense Manpower Policy No. 4?

2. Is the program outlined under this policy directive actually in operation? If so, can you advise me what contracts have been channeled to what firms in what localities, pursuant to this policy? I ask this question because I have received information that no procurement has been carried out so far under the policy directive of last November. I have also received information that the dollar value of contracts so awarded under this program totals only about $130,000. In view of the conflicting information, I would appreciate an authoritative report on the actual status of the program.

3. In view of the alarming increase in unemployment in many areas of the Nation, resulting in the current listing of 51 major industrial centers as group IV areas of substantial (6 to 12 percent) or very substantial (12 percent or more) unemployment, does the Department of Defense have any present plans for a substantial increase either in the tempo of this special distressed area procurement program or in the total overall amount of defense procurement?

While my original inquiry to you on May 10 was based primarily on the prospect of a shutdown of the Brill Co. plant because of lack of defense orders, I am now seeking information which can be useful not only to that firm but to all of the firms in the Philadelphia area which could benefit from increased defense orders and which could thereby help relieve our serious unemployment problem.

Sincerely yours,

WILLIAM T. GRANAHAN.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D. C., July 7, 1954.

Hon. WILLIAM T. GRANAHAN,
House of Representatives.

DEAR MR. GRANAHAN: Further reference is made to your letter of June 15 in which you request additional information regarding the awarding of defense contracts to firms in the Philadelphia area.

The Department of Defense has implemented Defense Manpower Policy No. 4 through the Armed Services Procurement Regulation. Essentially this regulation directs the military departments to comply with the following:

"Use their best efforts to award negotiated procurements to contractors located in labor surplus areas for performance substantially within such areas to the extent that procurement objectives will permit; provided, that in no case shall price differentials be paid for the purpose of carrying out this policy.

"Where deemed appropriate, set-aside portions of procurements for negotiation exclusively with firms located in labor surplus areas at prices no higher than those paid on the non-set-aside portion.

"Assure that firms in labor surplus areas which are on appropriate bidders' lists are given an opportunity to submit bids or proposals on all procurements for which they are qualified and on which small business joint determinations have not been made."

The above policy was published in revision No. 28 to the Armed Services Procurement Regulation on January 9, 1954. Distribution of the revision to all procurement offices was not fully accomplished until the first part of February and was applicable only to procurements initiated after receipt. Most procurements require a processing period of from 1 to 3 months between the time of invitations and the time of awards. Consequently, the first and only available report under the revised policy, January–March 1954, perhaps does not reflect a true picture of the program. During that period 4 contracts totaling $163,159 were placed in labor surplus areas through the set-aside preference. In the same period contracts totaling approximately $35 million were placed in labor surplus areas through our normal procurement procedures.

In order to participate in defense procurement or receive consideration because of location in a labor surplus area it is essential that manufacturing firms in the Philadelphia area be registered on the bidders' list of every military purchasing office which may procure items of supply that the firms are capable of manufacturing. Reviewing the list of firms from Philadelphia that have been prime contractors to the military departments and those which at present have contracts, it is evident that these firms are familiar with military procurement and thoroughly understand the procedures for obtaining defense contracts.

There are no doubt firms in the area which have not in the past endeavored to obtain defense contracts. The chamber of commerce or other civic organizations should encourage such firms to participate in the program. To this end certain information should be passed on to these firms.

The Department of Defense has recently published two pamphlets designed to assist manufacturing firms in doing business with the military. The first pamphlet, How To Sell to the Department of Defense, contains general information about Government contracts and the procedures to be followed in getting on appropriate bidders' list. The second pamphlet, Purchased Items and Purchasing Locations of the Department of Defense, contains a commodity listing of items purchased and the purchasing offices which do the procuring. Copies of the above pamphlets are enclosed for your information. Manufacturing firms or prospective suppliers may purchase these pamphlets from the Superintendent of Documents, United States Government Printing Office, Washington 25, D. C.

Information with respect to proposed procurements and contract awards is published daily by the Department of Commerce. This publication Synopsis of United States Government Proposed Procurement and Contract Awards may be subscribed to by business firms at $7 per year as indicated on the copy which is enclosed for your information.

There are some 8 or 10 military purchasing offices in Philadelphia as indicated in the enclosed pamphlets. Firms located in that area may obtain procurement information from any of these offices.

Military requirements, of course, are limited by the amount of appropriations made available for procurement purposes. As a consequence we are unable to increase the overall amount of procurement. Our requirements verification is based upon the concept that delivery schedules as well as particular items and quantities of such items must be accurately stated and planned. Thus we are unable to substantially increase the tempo of the procurement program without correspondingly disrupting the entire program.

Please be assured that the Department of Defense is sympathetic with the unemployment problems and that in the procurement of our requirements appropriate consideration will be given to bids received from firms located in the Philadelphia area.

Sincerely yours,

T. P. PIKE.

SENATE

FRIDAY, AUGUST 20, 1954

(Legislative day of Thursday, August 5, 1954)

The Senate met at 9:30 o'clock a. m., on the expiration of the recess.

Dr. Fred H. Heather, Jr., Methodist Commission on Chaplains, Washington, D. C., offered the following prayer:

Let us pray. O God, we love Thee because Thou hast made us Thy children and dost call us to be Thy servants. As we rejoice in the high privilege of belonging to the family of which Thou art the head, so also make us faithful in the completion of the tasks which are given us to perform. Forgive us our sins; and in all things may we have an honest preference to do Thy will. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 19, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT ON MUTUAL SECURITY PROGRAM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 495)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am transmitting herewith the report on the Mutual Security Program covering operations during the 6-month period ended June 30, 1954, in furtherance of the purpose of the Mutual Security Act of 1951, as amended.

The mutual security programs, as carried out through the Foreign Operations Administration, are effectively advancing the security of the United States and of our cooperating partners in the free world.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 20, 1954.*

REPORT OF COMPTROLLER OF THE CURRENCY

The PRESIDENT pro tempore laid before the Senate a letter from the Comptroller of the Currency, transmitting, pursuant to law, a report on the activities of the Bureau of the Comptroller of the Currency for the year 1953, which, with the accompanying report, was referred to the Committee on Banking and Currency.

CALL OF THE ROLL

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time consumed in the calling of the roll be charged to neither side.

The PRESIDENT pro tempore. Without objection it is so ordered. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Barrett	Hayden	Pastore
Bridges	Hendrickson	Saltonstall
Carlson	Hennings	Smathers
Clements	Holland	Smith, Maine
Cooper	Johnson, Tex.	Stennis
Duff	Johnston, S. C.	Symington
Ervin	Knowland	Thye
George	Martin	
Green	Maybank	

Mr. SALTONSTALL. I announce that the Senator from Wisconsin [Mr. WILEY], the senior Senator from Michigan [Mr. FERGUSON], the junior Senator from Michigan [Mr. POTTER], and the Senator from New Jersey [Mr. SMITH] are absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The Senator from Nebraska [Mrs. BOWRING], the Senator from Maryland [Mr. BUTLER], the Senator from Vermont [Mr. FLANDERS], the Senator from Arizona [Mr. GOLDWATER], the junior Senator from Indiana [Mr. JENNER], the Senator from Connecticut [Mr. PURTELL], and the Senator from New Hampshire [Mr. UPTON] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], and the Senator from North Carolina [Mr. LENNON] are absent on official business.

The Senator from Iowa [Mr. GILLETTE] is absent by leave of the Senate.

The PRESIDENT pro tempore. A quorum is not present.

Mr. KNOWLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. ANDERSON, Mr. BEALL, Mr. BENNETT, Mr. BRICKER, Mr. BURKE, Mr. BUSH, Mr. CASE, Mr. CHAVEZ, Mr. CORDON, Mr. CRIPPA, Mr. DIRKSEN, Mr. DWORSHAK, Mr. FREAR, Mr. GORE, Mr. HICKENLOOPER, Mr. HILL, Mr. HUMPHREY, Mr. IVES, Mr. JACKSON, Mr. JOHNSON of Colorado, Mr. KENNEDY, Mr. KERR, Mr. KILGORE, Mr. KUCHEL, Mr. LANGER, Mr. LEHMAN, Mr. LONG, Mr. MAGNUSON, Mr. MALONE, Mr. MANSFIELD, Mr. MCCARRAN, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MILLIKIN, Mr. MONRONEY, Mr. MORSE, Mr. MUNDT, Mr. MURRAY, Mr. NEELY, Mr. PAYNE, Mr. REYNOLDS, Mr. ROBERTSON, Mr. RUSSELL, Mr. SCHOEPPEL, Mr. WATKINS, Mr. WILLIAMS, and Mr. YOUNG entered the Chamber and answered to their names.

The PRESIDENT pro tempore. A quorum is present.

PAY INCREASE FOR GOVERNMENT EMPLOYEES

The Senate resumed the consideration of the bill (H. R. 7774) to establish a uniform system for the granting of incentive awards to officers and employees of the United States, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I yield to the chairman of the Committee on Post Office and Civil Service, the distinguished Senator from Kansas [Mr. CARLSON], 5 minutes on the bill.

Mr. CARLSON. Mr. President, the bill now before the Senate was reported with the unanimous recommendation of the Committee on Post Office and Civil Service. The committee held hearings on what is regarded as a bill for both the postal and classified employees.

House bill 7774 provides, first, for a 5-percent increase both for postal and classified workers, with a floor, or minimum of $200 for postal workers, and a minimum of $170 for classified workers, and a maximum for both of $440.

The bill is the result of a concerted effort on the part of the committee to secure legislation which will pay postal and classified workers what the committee believes to be a just and realistic increase in wages, one which is based on the increased cost of living, and upon pay increases which have been given in private industry.

It occurs to me, as I think it occurs to other members of the committee, that not only are the proposed salary adjustments or salary increases which the committee has voted fair, but that the workers are entitled to them on the basis of their rights. It was the contention of the committee that the postal workers and classified workers are entitled to salary increases without any other legislation affecting revenue. Either the postal and classified workers are entitled to have pay increases, or they are not. That is one of the issues before the Senate this morning.

The bill not only provides pay increases for the groups of postal and classified employees, but also provides increases for judicial and legislative employees. In fact, the provisions of the classified section of the bill follow the act of 1951; and all the employees who were included in that bill are included in the bill which is now before the Senate.

Furthermore, the bill provides for a Commission to study reclassification in the Post Office Department. I do not think there is a member of the committee, or of the entire Senate, who does not believe there should be a reclassification in the Post Office Department.

Three proposals for reclassification have been before Congress this year. One of the proposals was submitted by the Post Office Department and was made a part of what is known as the Rees bill. Another proposal was submitted in what is known as the Corbett bill. The reclassification section of the

Corbett bill is quite similar to the section in the committee approved bill. The Senate Committee on Post Office and Civil Service, after studying both of those proposals, came forward with a different bill. In the Senate committee's proposal for a study of reclassification in the Post Office Department, provision is made for a commission, of which the Postmaster General would be chairman, of which the chairmen and the ranking minority members of both the Senate and the House Committees on Post Office and Civil Service would be members, and the President would be authorized and directed to appoint four other individuals to serve on the commission, two from the Post Office Department and two from employee groups.

The commission is to meet and study the reclassification program, and then to submit a recommendation to Congress by March 15, 1955. I feel confident that when the report is submitted, there will be no question that Congress will approve it. All of us are agreed that reclassification is needed.

That, basically, is a statement of the contents of the bill before the Senate. I think it has been so well discussed, not only in Congress, but also in the press, that everyone understands the issue before the Senate this morning.

I am in a very difficult position. In fact, I am in an embarrassing position. I speak as chairman of the committee submitting a unanimous report. An amendment has been offered which includes some provisions which were not considered when the committee held hearings on the bill.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. JOHNSON of Texas. Did I correctly understand the distinguished Senator to say that the bill before the Senate was reported by the Senate committee by a unanimous vote?

Mr. CARLSON. That is correct.

Mr. JOHNSON of Texas. When was the bill reported?

Mr. CARLSON. It was reported on July 28 of this year.

Mr. JOHNSON of Texas. What is the membership of the Senator's committee?

Mr. CARLSON. There are 13 members of the committee.

Mr. JOHNSON of Texas. Were hearings held on the bill?

Mr. CARLSON. Hearings were held, and the committee heard the representatives of the Post Office Department, the Civil Service Commission, and the various employee groups.

The PRESIDENT pro tempore. The time of the Senator from Kansas has expired.

Mr. JOHNSON of Texas. Mr. President, I wonder if the Senator would charge this 5 minutes to the time which he himself controls on the bill? The Senator controls 1 hour on the bill.

Mr. CARLSON. I shall be very happy to take 5 minutes of the time at this time.

Mr. President, I think the matter is well presented and is before the Senate. I believe we are in a position to defend our bill. I was about to say, frankly, it is not an issue with me whether there should be other amendments to the bill as proposed by the majority leader.

I think the issue is whether the Senate shall operate through the orderly committee procedure, as has been advocated and upheld so many times on the floor of the Senate. Either we are to function as the Senate should function when committees hold hearings and present reports to the Congress, or we had better give up that system and method and revert to legislating entirely from the floor.

Frankly, I do not intend to have that done without expressing my opposition to it, because our committee has been diligent in its work.

I should mention, too, as I stated the other evening, that I think a postal-rate increase is needed. As a matter of fact, in 1951, I supported—indeed, helped write—the proposal which has been submitted by the majority leader and which will be up for discussion later this morning.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. CARLSON. I am glad to yield.

Mr. PASTORE. Will the distinguished Senator from Kansas agree with me that a salary increase is needed, regardless of whether there is a postal-rate increase, and a postal-rate increase is needed regardless of whether there is a salary increase, and that the two should not be tied together?

Mr. CARLSON. I agree with the distinguished Senator. It is my position that either the Federal employees, postal and classified, are entitled to a pay increase or they are not, based on the merits, regardless of any other issue.

Mr. PASTORE. By the same token, a postal-rate increase is needed, regardless of whether there is a pay increase.

Mr. CARLSON. The distinguished Senator from Rhode Island is absolutely correct. I think no one knows better the need for a postal-rate increase than the members of our committee. We have gone into the subject thoroughly. There should be a postal-rate increase. The situation has been such that we have been severely criticized by some for not having acted on a postal-rate increase; but let us lay the cards on the table.

The House Post Office and Civil Service Committee reported to the House a postal-rate increase bill in February of this year. It was referred to the Rules Committee, and was never reported to the House for action. When it did come out as a combination pay increase and rate increase, it was defeated on the floor of the House. That is the situation we have confronting us here today.

Certainly had that bill come over to the Senate early enough in the session, we would not only have held hearings, we would have had the bill on the floor of the Senate for action.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. JOHNSON of Texas. If the experience the other body has had in this matter, as the Senator has just related it, is any guide, if the Senate had sent to the House this bill dealing with rate matters, it seems to me it would have insured its dying and never becoming law. Is that the Senator's opinion?

Mr. CARLSON. Having served in the House for 12 years, I am not certain what they might do if we sent them such legislation. I am not in position to state what they would do, but I could state what they have done in the past, in the last session, on this very matter.

Mr. JOHNSON of Texas. And what they have done in two instances would indicate that the House would not look on rate amendments to this bill very favorably.

Mr. CARLSON. I think that is a fair statement.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. JOHNSTON of South Carolina. Is it not true that several members of the committee, after discussing the matter with the chairman of the Post Office and Civil Service Committee, took it up with the House committee and told them we were not going to take up any rate bill until the House had acted on it, and that as soon as they had finished we would go forward with it?

Mr. CARLSON. That is correct. As the distinguished ranking minority member from South Carolina knows, we discussed it in committee, and we agreed unanimously in the committee that we would not consider postal-rate legislation until the House had acted. More than that, I think the RECORD should show that the Republican policy committee also adopted a resolution stating that we would not take it up until the House had given consideration to it and passed it. So I think our position is sound, and I am willing to stand on it. It is in the Senate's hands, so far as I am concerned.

Mr. President, I yield back the remainder of my time.

Mr. THYE. Mr. President, will the Senator yield for a question?

Mr. CARLSON. I am happy to yield.

Mr. THYE. Mr. President, I have made a study of the committee report on the bill, H. R. 7774.

The PRESIDENT pro tempore. The additional 5 minutes have expired.

Mr. CARLSON. I yield myself 3 additional minutes of my own time.

The PRESIDENT pro tempore. The Senator yields himself 3 additional minutes.

Mr. THYE. Mr. President, the bill which is now before the Senate is a very well drafted and very well thought-out piece of proposed legislation. It has been studied at length by the committee. Every detail of the classification and wage increases has been thoroughly studied by the committee. The pay increase of the classified service is $170 minimum, and $440 maximum; and the pay increase of the postal workers is $200 minimum, and $440 maximum.

Mr. CARLSON. That is correct.

Mr. THYE. I wish to commend the chairman of the committee for having presented to the Senate a very sound piece of proposed legislation relating not only to the postal workers but to the classified workers, and with a change in

the grade for the Treasurer of the United States.

There is much in the bill for which the committee and its chairman should be commended.

I thank the Senator.

Mr. CARLSON. Mr. President, I believe I should state for the RECORD that the cost of the pay increases in the postal service under our proposal is $101 million. Under the classified service, it is $212 million. In addition to that, in this bill we have authorization for per diem pay of $24 million for both the postal and classified workers of the Nation. That makes a total of $330 million. This is the lowest price pay increase bill which has been before Congress in many years.

The PRESIDENT pro tempore. The bill is open to amendment.

Mr. KNOWLAND. Mr. President, I yield myself 15 minutes on the amendments. I wish to offer the amendments.

The PRESIDENT pro tempore. Does the Senator desire to have the amendments read in full?

Mr. KNOWLAND. No. I think the amendments can be read by title.

The PRESIDENT pro tempore. And printed in the RECORD.

Mr. KNOWLAND. Yes.

The amendments offered by Mr. KNOWLAND are as follows:

On page 7, beginning with line 13, strike out over through line 5, on page 8, and insert the following:

"(b) The compensation schedule for the General Schedule shall be as follows:

"Grade	Per annum rates					
GS-1	$2,600	$2,680	$2,760	$2,840	$2,920	$3,000	$3,080
GS-2	2,850	2,930	3,010	3,090	3,170	3,250	3,330
GS-3	3,050	3,130	3,210	3,290	3,370	3,450	3,530
GS-4	3,275	3,355	3,435	3,515	3,595	3,675	3,755
GS-5	3,600	3,725	3,850	3,975	4,100	4,225	4,350
GS-6	4,000	4,125	4,250	4,375	4,500	4,625	4,750
GS-7	4,440	4,525	4,650	4,775	4,900	5,025	5,150
GS-8	4,800	4,925	5,050	5,175	5,300	5,425	5,550
GS-9	5,300	5,425	5,550	5,675	5,800	5,925	6,050
GS-10	5,800	5,925	6,050	6,175	6,300	6,425	6,550
GS-11	6,380	6,580	6,780	6,980	7,180	7,380	
GS-12	7,480	7,680	7,880	8,080	8,280	8,480	
GS-13	8,800	9,000	9,200	9,400	9,600	9,800	
GS-14	10,040	10,240	10,440	10,640	10,840	11,040	
GS-15	11,240	11,490	11,740	11,990	12,240		
GS-16	12,440	12,640	12,840	13,040	13,240		
GS-17	13,440	13,640	13,840	14,040	14,240		
GS-18	14,800						

"(c) (1) The compensation schedule for the crafts, protective, and custodial schedule shall be as follows:

"Grade	Per annum rates					
CPC-1	$1,910	$1,970	$2,030	$2,090	$2,150	$2,210	$2,270
CPC-2	2,520	2,590	2,660	2,730	2,800	2,870	2,940
CPC-3	2,652	2,732	2,812	2,892	2,972	3,052	3,132
CPC-4	2,850	2,930	3,010	3,090	3,170	3,250	3,330
CPC-5	3,074	3,154	3,234	3,314	3,394	3,474	3,554
CPC-6	3,300	3,380	3,460	3,540	3,620	3,700	3,780
CPC-7	3,600	3,700	3,800	3,900	4,000	4,100	4,200
CPC-8	4,000	4,125	4,250	4,375	4,500	4,625	4,750
CPC-9	4,400	4,525	4,650	4,775	4,900	5,025	5,150
CPC-10	4,800	4,925	5,050	5,175	5,300	5,425	5,550

"(2) Charwomen working part time shall be paid at the rate of $2,800 per annum, and head charwomen working part time at the rate of $2,940 per annum."

On page 9, lines 8 and 9, strike out "as provided in this section, he shall continue to receive basic compensation", and insert "he shall receive a rate of basic compensation at the maximum longevity rate of his grade as provided in this section, or his existing rate, whichever is greater."

On page 9, lines 20 and 21, strike out "as provided in this section, he shall continue to receive basic compensation" and insert "he shall receive a rate of basic compensation at the maximum scheduled rate of his grade as provided in this section, or his existing rate, whichever is greater."

On page 10, line 11, strike out "5 percent" and insert "3½ percent."

On page 10, line 13, strike out "$170 per annum", and insert "$100 per annum."

On page 11, line 1, strike out "5" and insert "3½."

On page 11, line 12, strike out "$170" and insert "$100."

On page 11, line 20, strike out "$2,160" and insert "$1,440."

On page 11, line 22, strike out "$2,400" and insert "$1,680."

On page 11, line 25, strike out "$3,120" and insert "$1,920."

On page 12, line 3, strike out "$3,180" and insert "$1,980."

On page 12, line 10, strike out "$6,180" and insert "$6,060."

On page 12, line 11, strike out "$7,620" and insert "$7,560."

On page 12, line 20, strike out "5" and insert "3½."

On page 12, line 22, strike out "$170 per annum" and insert "$100 per annum."

On page 13, line 8, strike out "5" and insert "3½."

On page 14, line 8, strike out "5" and insert "3½."

On page 14, line 10, strike out "$170 per annum" and insert "$100 per annum."

On page 14, line 16, strike out "5" and insert "3½."

On page 14, line 18, strike out "$170" and insert "$100."

On page 15, strike out lines 10 to 23, inclusive.

Renumber sections 202 to 207, inclusive, as sections 201 to 206, respectively.

On page 23, beginning with line 7, strike out down through line 23, on page 24, and insert the following:

"SEC. 207. (a) The Postmaster General is authorized and directed to make a thorough investigation and study of various methods for the classification of positions and the determination of salaries in the postal field service and all matters relating thereto (including personnel and pay benefits and administration), in order to provide a plan (to be submitted by the Postmaster General to, and to be subject to review by, the Congress, in accordance with the provisions of this section and section 208) for the establishment of a uniform, integrated, and equitable classification and pay system for all postmasters, officers, employees, and positions in the postal field service. Such classification and pay plan for the postal field service shall provide a method for determining the rates of basic compensation which postmasters, officers, and employees shall receive under which—

"(1) the principle of equal pay for substantially equal work shall be followed; and

"(2) variations in rates of basic compensation paid to different postmasters, officers, and employees shall be in proportion to substantial differences in the difficulty, responsibility, and qualification requirements of the work performed and to the contributions of postmasters, officers, and employees to efficiency and economy in the postal field service.

Such plan shall contain compensation schedules which set forth the various grades to which positions in the postal field service are to be allocated and provide the rates of basic compensation, and the ranges of such rates, which are to be applicable to such grades. Such plan also shall contain provisions which—

"(A) grant to personnel in the postal field service the right to obtain appropriate review by the Civil Service Commission of all classifications of their positions;

"(B) prohibit reductions in the rates of basic compensation of personnel on the rolls on the date such plan (or any part thereof) becomes operative, by reason of the institution and operation of such plan (or any part thereof);

"(C) prohibit reductions in rates of basic compensation of any personnel, by reason of any classification actions taken at any time under authority of such plan with respect to the positions occupied by such personnel, so long as such personnel remain in the same positions and are assigned to perform and do perform work of the same level of difficulty, responsibility, and qualification requirements as the work which they were performing in such positions; and

"(D) preserve for personnel in the postal field service on the rolls on the date such plan (or any part thereof) becomes operative the increases in rates of basic compensation provided by this act.

Such plan also may contain such provisions and proposals consistent with the purposes of this section as the Postmaster General deems advisable in the light of the needs of the Post Office Department, the best interests of personnel in the postal field service, and the public interest.

"(b) In the light of and pursuant to the investigation and study made under subsection (a) and in accordance with the purposes of such subsection, the Postmaster General shall transmit to the Congress, on or before March 15, 1955, a classification and pay plan for the postal field service. Such plan shall be prepared with due regard for the legislative forms and procedures of the Congress and shall be accompanied by an appropriate written explanation of the provisions, objects, purposes, and effects thereof. The delivery of such plan and explanation thereof shall be made to both Houses on the same day.

"(c) Except as may be otherwise provided pursuant to subsection (e) of this section, the provisions of such classification and pay plan for the postal field service shall take effect upon the expiration of the first period of 60 calendar days of continuous session of the Congress, following the date on which such plan is transmitted to the Congress; but only if, between the date of transmittal and the expiration of such period of 60 days there has not been passed by either of the two Houses, by affirmative vote of a majority, a quorum being present, a resolution stating in substance that that House does not favor such plan.

"(d) For the purposes of subsection (c) of this section—

"(1) continuity of session shall be considered as broken only by an adjournment of the Congress sine die; but

"(2) in the computation of the 60-day period, there shall be excluded the days on which either House is not in session because

of an adjournment of more than 3 days to a day certain.

"(e) Any provision of the plan may, under provisions contained in the plan, be made operative at a time later than the date on which the plan shall otherwise take effect.

"(f) If such classification and pay plan becomes effective such plan shall be printed in the Statutes at Large in the same volume as the public laws and shall be printed in the Federal Register.

"(g) Any increase in rate of basic compensation by reason of the institution and operation of such classification and pay plan for the postal field service shall not be considered as an 'equivalent increase' in compensation within the meaning of section 701 of the Classification Act of 1949, as amended, in the case of postmaster, officers, and employees in the postal field service who transfer or are transferred to positions within the purview of the Classification Act of 1949, as amended.

"SEC. 208. (a) This section is enacted by the Congress:

"(1) As an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such it shall be considered as part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in such House in the case of resolutions (as defined in subsection (b) of this section); and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

"(2) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

"(b) As used in this section and section 207, the term 'resolution' means only a resolution of either of the two Houses of Congress, the matter after the resolving clause of which is as follows: 'That the _____ does not favor the postal field service classification and pay plan transmitted to Congress by the Postmaster General.', the blank space therein being filled with the name of the resolving House.

"(c) All resolutions with respect to the postal field service classification and pay plan shall be referred, by the President of the Senate or the Speaker of the House of Representatives, only to the Committee on Post Office and Civil Service of the Senate or the Committee on Post Office and Civil Service of the House of Representatives, as the case may be.

"(d) If the committee to which has been referred a resolution with respect to such postal field service classification and pay plan has not reported such resolution before the expiration of 10 calendar days after its introduction, it shall then (but not before) be in order to move either to discharge the committee from further consideration of such resolution, or to discharge the committee from further consideration of any other resolution with respect to such postal field service classification and pay plan which has been referred to the committee.

"(e) Such motion may be made only by a person favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the plan), and debate thereon shall be limited to not to exceed 1 hour, to be equally divided between those favoring and those opposing the resolution. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

"(f) If the motion to discharge is agreed to or disagreed to, such motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the plan.

"(g) When the committee has reported, or has been discharged from further consideration of, a resolution with respect to the plan, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such resolution. Such motion shall be highly privileged and shall not be debatable. No amendment to such motion shall be in order and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

"(h) Debate on the resolution shall be limited to not to exceed 10 hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

"(i) All motions to postpone, made with respect to the discharge from committee, or the consideration of, a resolution with respect to the plan, and all motions to proceed to the consideration of other business, shall be decided without debate.

"(j) All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to the plan shall be decided without debate.

"SEC. 209. In the exercise of the authority granted by section 81 of title 2 of the Canal Zone Code, as amended, the Governor of the Canal Zone is authorized to adopt the postal field service classification and pay plan, or any part thereof, made operative pursuant to sections 207 and 208 of this act, as of the date or dates such plan, or any part thereof, becomes operative, for postal employees of the Canal Zone Government. The Postmaster General shall make available to the Governor of the Canal Zone copies of such matter relating to such plan as may be necessary to carry out the purposes of this section, including descriptions of positions and rates of compensation provided for therein."

On page 24, beginning with line 24, strike out over through line 2, on page 25.

On page 25, line 4, strike out "Sections 206 and 208" and insert "Sections 205, 207 and 208."

On page 25, line 6, strike out "202, 204, and 205" and insert "201, 203, and 204."

On page 25, line 9, strike out "Sections 203 and 209" and insert "Section 202."

On page 25, line 12, strike out "207" and insert "206."

On page 25, after line 15, insert the following:

"TITLE III—POSTAL RATES

"FIRST-CLASS MAIL

"SEC. 301. (a) The rates of postage on mail matter of the first class (other than postal cards and private mailing or post cards) shall be as follows:

"(1) 4 cents for the first ounce or fraction thereof, and 3 cents for each additional ounce or fraction thereof, when mailed for delivery at any destination other than the office of mailing;

"(2) 3 cents for each ounce or fracton thereof, when mailed for local delivery at the office of mailing, except as prescribed in paragraph (3) of this subsection; and

"(3) 2 cents for each ounce or fraction thereof, when mailed for local delivery at post offices where free delivery by carrier is not established and when the matter is not collected or delivered by rural or star route carriers.

"(b) In the case of first-class matter mailed without prepayment of any postage or without prepayment of the full amount of postage due, the Postmaster General is authorized to prescribe by regulation the conditions under which such matter shall be delivered to the addressee or returned to the sender. The conditions so prescribed shall be stated in such manner as to permit delivery of such mail to the addressee whenever it is practicable to do so consistent with the collection of the charges prescribed in accordance with subsection (c) of this section.

"(c) The Postmaster General is authorized to prescribe by regulation from time to time the charges to be collected on delivery in the case of any matter of the first class mailed without prepayment of any postage or without prepayment of the full amount of postage due. In determining such charges, the Postmaster General shall take into consideration the postage actually due, and, to the extent practicable, the additional expense incurred by reason of the failure to pay the applicable postage and the desirability of minimizing the incidence of such mailings.

"(d) Regulations issued by the Postmaster General under subsections (b) and (c) shall, to the extent prescribed therein, supersede existing laws, regulations, and orders governing the subject matter covered thereby.

"(e) Section 12 (a) of the act of October 30, 1951 (39 U. S. C. sec. 246f (a)), is amended by inserting before the period at the end thereof a semicolon and the following:

"'(9) for returning undeliverable letters and parcels of the first class from the dead-letter office to the senders.'

"SECOND-CLASS MAIL

"SEC. 302. (a) Section 2 (a) of the act of October 30, 1951 (39 U. S. C., sec. 289a), is amended by striking out the word 'and' immediately following 'April 1, 1953,' and by inserting before the colon immediately following 'April 1, 1954' a comma and the following: '(4) by an additional 10 percent, based on rates now in force, beginning on April 1, 1955, (5) by an additonal 10 percent, based on rates now in force, beginning on April 1, 1956, and (6) by an additional 10 percent, based on rates now in force, beginning on April 1, 1957.' The term 'rates now in force,' as used in the amendments made by this subsection to section 2 (a) of such act of October 30, 1951, means the rates in force immediately prior to April 1, 1952.

"(b) The rates increased by subsection (a) of this section shall be subject to a minimum charge of one-fourth of 1 cent computed on each individually addressed copy or package of unaddressed copies.

"(c) The rates of postage on copies of publications having second-class entry mailed by others than the publishers or authorized news agents, sample copies mailed by the publishers in excess of the 10 percent allowance entitled to be sent at the pound rates, and copies mailed by the publishers to persons who may not be included in the required legitimate list of subscribers, shall be, in the case of publications weighing 8 ounces or less, the applicable rates now or hereafter prescribed by law on third-class matter, and, in the case of publications weighing in excess of 8 ounces, the applicable rates now or hereafter prescribed or authorized by law on fourth-class matter.

"THIRD-CLASS MAIL

"SEC. 303. (a) The rates of postage on third-class matter shall be 3 cents for the first 2 ounces or fraction thereof, and 1½ cents for each additonal ounce or fraction thereof up to and including 8 ounces in weight, except that on matter mailed by religious, educational, scientific, philanthropic, agricultural, labor, veterans', or fraternal organizations or associations, not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, the rates shall be as follows:

"(1) 1½ cents for each 2 ounces or fraction thereof on books and catalogs of 24 pages or more, seeds, cuttings, bulbs, roots, scions, and plants not exceeding 8 ounces in weight; and

"(2) 2 cents for the first 2 ounces or fraction thereof and 1 cent for each additional ounce or fraction thereof, on all other third-class matter.

"(b) Upon payment of a fee of $50 for each calendar year or of $15 for each quarter of a calendar year and under such regulations as the Postmaster General may prescribe for the collection of postage and for facilitating the handling of such matter in the mails, separately addressed identical pieces of third-class matter in quantities of not less than 20 pounds, or of not less than 200 pieces, may be mailed at pound rates of postage applicable to the entire bulk mailed at one time. The rate of postage on third-class matter mailed in bulk under this subsection shall be 16 cents for each pound or fraction thereof with a minimum charge per piece of 1½ cents, except that in the case of books and catalogs of 24 pages or more, seeds, cuttings, bulbs, roots, scions, and plants the rate shall be 10 cents for each pound or fraction thereof with a minimum charge per piece of 1½ cents. The rate of postage on third-class matter mailed in bulk under this subsection but without individual addresses for delivery under regulations prescribed by the Postmaster General shall be subject to a minimum charge per piece of 2 cents. The rates of postage prescribed by this subsection shall not apply with respect to matter mailed by religious, educational, scientific, philanthropic, agricultural, labor, veterans', or fraternal organizations or associations, not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, and the existing rates of postage shall continue to apply with respect to such matter.

"(c) Pieces or packages of third-class mail of such size or form as to prevent ready facing and tying in bundles and requiring individual distributing throughout shall be subject to a minimum charge of 5 cents each.

"CONTROLLED CIRCULATION PUBLICATIONS

"SEC. 304. The rate of postage on the publications defined in section 203 of the act of July 3, 1948 (39 U. S. C., sec. 291b), when mailed by the publisher and regardless of the weight of individual copies, shall be 11 cents for each pound or fraction thereof, computed on the entire bulk mailed at one time, but not less than 1½ cents per piece, which rate shall remain in effect until otherwise provided by Congress: *Provided*, That the rate of postage on copies of such publications when mailed by other than the publishers, or when forwarded to the addressee or returned to the sender, shall be 3 cents for the first 2 ounces and 1½ cents for each additional ounce.

"DOMESTIC AIR MAIL

"SEC. 305. The rate of postage on domestic air mail as defined in section 2 of the act of August 14, 1946 (39 U. S. C., sec. 462a), weighing 8 ounces or less (except postal cards and private mailing or post cards) shall be 7 cents for each ounce or fraction thereof.

"DETERMINATION OF CLASS OF POST OFFICE AND COMPENSATION OF POSTMASTER AND CERTAIN EMPLOYEES

"SEC. 306. (a) On and after January 1, 1955, 85 percent of the gross postal receipts of all classes of post offices shall be counted for the purpose of determining the class of the post office or the compensation or allowances of postmasters or other employees whose compensation or allowances are based on the annual receipts of such offices. Nothing contained in this subsection shall operate to decrease the compensation or allowances in effect on the effective date of this subsection for postmasters and other employees in the postal field service on such date whose compensation or allowances are based upon the annual receipts of such offices.

"(b) In the case of the post office at Washington, District of Columbia, the Postmaster General may, in his discretion, add to the gross receipts of such office counted for the purposes of subsection (a) of this section not to exceed 75 percent of such gross receipts.

"(c) Notwithstanding any other provision of law, the salaries of postmasters at fourth-class post offices, as fixed by law, shall be deemed and taken to be full compensation for the clerical labor in the issuance of money orders at such offices.

"REPEAL OF EXISTING PROVISIONS OF LAW

"SEC. 307. (a) The following provisions of law are hereby repealed:

"(1) Section 202 (a) (4) of the act of February 28, 1925, as amended by section 4 of the act of May 29, 1928 (39 U. S. C., sec. 283);

"(2) Section 204 of the act of February 28, 1925 (39 U. S. C., sec. 288);

"(3) Section 2 (d) of the act of October 30, 1951 (39 U. S. C., sec. 289a (d)).

"(b) All laws or parts of laws inconsistent with this act are hereby repealed or modified to the extent of such inconsistency.

"APPLICATION TO GUAM

"SEC. 308. This title shall have the same force and effect within Guam as within other possessions of the United States.

"EFFECTIVE DATES

"SEC. 309. This title shall take effect on January 1, 1955, except that section 302 (a) and (b) shall take effect on April 1, 1955."

Mr. KNOWLAND. Mr. President, the question before the Senate is the amendments which I have offered to the bill reported by the Post Office and Civil Service Committee.

First, I want to say to the Senate that I think this body owes a debt of gratitude to the committee, and to the other committees of the Senate, for the very hard work they have devoted to this bill. I think anyone who occupies a position of responsibility such as I do as majority leader of the Senate, has a very keen appreciation of the problems not only of the committee chairmen and committee members of the majority, but the responsibilities of the committee members representing the minority.

I also wish to pay my tribute to the junior Senator from South Carolina [Mr. JOHNSTON] for the service he has rendered, formerly as chairman of the committee, and now as the ranking Democrat.

There is nothing in what I shall say today which implies any criticism of the diligence and hard work of that committee, which so ably represents the Senate.

It seems to me, Mr. President and Members of the Senate, that we have a very practical problem facing us in the proposal now under consideration. There are approximately 1,700,000 employees involved, both in the postal service and in the classified service. There may well be an honest difference of opinion as to what the precise rate of pay increase should be, and men and women, whether they be in public life or in private life, always have a slight difference of opinion as to whether they are being paid a rate of pay commensurate with the responsibilities they assume, and whether or not in Government the salaries received are commensurate with the compensation of those who bear like responsibilities and occupy similar positions in private employment. It is such honest differences of opinion which, around the bargaining table, make for differences between management and employees, whether in private business or in government.

It seems to me that anyone who has served in the Government of the United States, as all of us do, has a very keen appreciation of the day-by-day faithful service given not only by the postal employees, but also by the great group of Government employees who loyally, and perhaps without proper recognition of the responsibilities they carry, conduct the great affairs of the Federal Government.

First of all, Mr. President, I wish to place in the RECORD, as a part of my remarks, the figures from the Bureau of Labor Statistics, the official Government agency, on the consumer-price index since 1952. In 1952, the average was 113.5. In 1953, the average was 114.4. In 1954, in January, it was 115.2; in February, 115; in March, 114.8; in April, 114.6; in May, 115. This is a rise of 1.5 points from the 1952 average, and represents a percentage increase of 1.3.

In regard to this measure, the administration has made its position clear from the beginning: It also feels that the classified service and the postal employees are entitled to a pay increase; but it likewise believes that proper consideration must be given to the problems facing the Federal Government in fiscal affairs, inasmuch as we are still operating on a deficit, and inasmuch as the national debt is now bumping against the ceiling. Furthermore, only recently the Congress, as a temporary expedient, authorized a temporary increase in the borrowing power to the extent of $6 billion, brought about by the fact that the tax revenues do not come in on an equal basis, month by month, but, because of the so-called Mills plan, there are peaks of revenue at certain months of the year, and then valleys, and then peaks again. So Congress recently authorized that there might be temporarily borrowed from the future taxes, so to speak—as a merchant would go to a bank and obtain a short-term loan—$6 billion, which would bring the debt above the present debt limit, provided that from the anticipated revenues, that increase is paid back by next January 30.

Mr. President, these facts cannot be ignored. The administration has felt it would be prepared to approve a pay increase for both the classified workers and the postal workers, provided offsetting revenues were taken care of in the proposed legislation.

I take it that the Senate and the House of Representatives and, I take it, when they know the facts, the great body of employees, both in the postal service and in the classified service, want the pay increase and do not want merely an empty gesture which actually will amount to no increase.

In an effort to bring about an actual pay increase to the Government employees, I have offered two amendments—the first one, the other day; and the modification I have presented today. I

have urged the responsible members of the executive department to see if they could work toward an area of agreement which would result in a bill the President could sign, a bill which could become law, a bill by means of which the postal workers could obtain their pay increase and the classified workers could obtain their pay increase. It is my opinion that the amendments I present today will put the bill in that shape, and that it will then be approved. It is my judgment, at least, that a bill which does not contain provision for compensating revenues will not become the law of the land.

Mr. President, what are the facts regarding the postal rates? The first-class postage on letters is the same today as it was in 1932, 22 years ago.

Mr. LONG. Mr. President, will the Senator from California yield for a question?

Mr. KNOWLAND. Mr. President, I hope the Senator from Louisiana will not interrupt me now, for I have only a limited amount of time. After I have made my presentation, I shall be glad to yield.

Mr. LONG. Very well.

Mr. KNOWLAND. In the meantime there have been five general wage increases, and another one is under consideration. The rate on all postal costs has risen 100 percent during that period of time. If the letter rate was fair in 1932, it is obviously too low now. The rate on postal cards was increased from 1 cent to 2 cents in 1952.

In 1951, just 2 years ago, the Senate passed Senate bill 1046, approving an increase from 3 cents to 4 cents on the first ounce of first-class mail. I have before me a copy of that bill, as passed by the Senate. I am frank to admit that under normal circumstances it is perfectly reasonable for Senators to take the position on the floor of the Senate that in regard to a matter such as a postal-rate increase, which has a great effect on the users of mail throughout the United States, there should be hearings on such a bill; and I am also perfectly frank to admit, because the record shows that the distinguished chairman of the committee has so stated, that at this session of Congress there has been no hearing, insofar as the Senate is concerned, with regard to a postal-rate increase.

But in my hand I hold a copy of Senate bill 1046, which was passed by the Senate on September 7, 1951. That bill provided that the rate of postage on all first-class mail matter should be 4 cents for the first ounce or fraction thereof, and 3 cents for each additional ounce. That bill was reported to the Senate by the distinguished and able senior Senator from South Carolina [Mr. JOHNSTON], as shown in report No. 694, accompanying Senate bill 1046; and printed copies of the hearings before that committee, which were extensive, are available to Members of the Senate.

Of course it is true that in all cases, and perhaps under most circumstances, we would not rely upon hearings and a report which were 2 years old. However, the fact of the matter is, as I have pointed out, that over a period of years, while there have been four pay increases, there has not been one increase in the first-class postage rate. It is also true that under the Democratic administration, on the recommendation of the Postmaster General, and on a very strong letter from the then President, relative to the importance of increasing postal rates, the party on the other side of the aisle—and I say this in no criticism, because I think they were justified in the action they took—recommended to this body certain increases in the postal rates, only a part of which finally came out of the conference committee, because in addition to this body having passed a bill calling for a 1-cent increase in the first-class rates, 2 years ago the Senate raised the figures recommended by the Committee on Post Office and Civil Service, in the second-class field from percentages of 10, 10 and 10, to percentages of 20, 20 and 20. When the bill went to conference between the Senate and the House, the conferees struck out the 1-cent increase, and reduced the increase on the second class to percentages of 10, 10 and 10.

The amendments, as presented—and that is all I am talking about for the moment—insofar as they relate to rate increases, make the provisions of this bill, the so-called Carlson bill or the modification of the Carlson bill as placed in the House bill by way of amendment, the House bill being used as a vehicle, comport substantially with the rates which the Senate affirmatively acted on 2 years ago. So much for the rate situation.

Mr. President, some criticisms of the proposed rate increases were made the other day in addition to the criticism that there had been no hearings at this session of the Congress. I think the distinguished and able Senator from Rhode Island [Mr. PASTORE]—who, while a newer Member of our body, has shown a keen interest in the problems of government and, on the committees on which he serves, has taken a very diligent and forthright interest in the problems of the Government—pointed out what to me seemed to be a valid criticism of the original amendment I had submitted, insofar as it affected the classified service. The Senator's criticism was that the original administration proposal, which was a perfectly acceptable proposal as it came from the Committee on Post Office and Civil Service—namely, an average 5 percent increase for the postal employees, with a minimum increase of $200 regardless of how the 5 percent would work out, and a ceiling on the increase of $450—was not affected by the amendment which I presented. In the classified service, as I understand the amendment presented by the distinguished chairman of the committee, it is provided that there shall be a floor of $170 and the same ceiling as provided for postal employees, which is $440.

The PRESIDENT pro tempore. The time of the Senator from California has expired.

Mr. KNOWLAND. I yield myself 10 minutes additional on the amendment.

The PRESIDENT pro tempore. The Senator yields himself 10 minutes additional.

Mr. KNOWLAND. In the amendment I presented originally there was not a floor, and there was not the same ceiling that applied in the case of postal workers. I feel that was subject to valid objection. I was quite impressed by the arguments made by the Senator from Rhode Island [Mr. PASTORE] and other Senators relative to that feature of the amendment.

Again trying to find an area of agreement, so that instead of merely making an empty gesture to 1,700,000 employees, both postal and classified, we might pass a bill which would put the increase into their pockets, rather than to pass a bill which was not likely to become law at this session of Congress, I began consultations to see if we could develop an area of agreement.

The amendments which I presented yesterday, which are now before the Senate, establish a floor of $100 for all classified workers—in other words, that would be a minimum increase they would get—and instead of the maximum being $800, which it would have been, which was a considerably higher ceiling than the $450 the postal workers were to receive, the amendments now establish the same ceiling of $440 on the classified service, as well as the postal service.

Mr. President, it seems to me, under the circumstances I have outlined, that these are reasonable amendments. If these amendments are added, the bill, so far as the revenues are concerned, will be in approximately the same shape as the bill which passed the Senate 2 years ago.

Mr. PASTORE. Mr. President, will the Senator yield on that point?

Mr. KNOWLAND. I will yield briefly, but the Senator knows my time is limited.

Mr. PASTORE. I realize that; but I think that particular point needs some clarification.

Mr. KNOWLAND. I should be glad to have the matter clarified. If I have misstated the situation, I hope the Senator will assist me in presenting the facts.

Mr. PASTORE. The argument the Senator is making is that we are actually restoring in these amendments what we agreed to in the conference in 1951, which is not a proper statement of the facts.

Mr. KNOWLAND. I shall be glad to have the facts made clear.

Mr. PASTORE. In 1951 we proposed to raise the first-class mail rate to 4 cents regardless of where the letter emanated or what the destination might be; whereas these amendments specify that if the destination is within the city limits the rate shall remain at 3 cents, and if it is beyond the city limits the rate shall be 4 cents. That is a decided change. If a letter is mailed from Washington, D. C. to Bethesda it will cost 3 cents, but if a letter is mailed from Washington to Alexandria it will cost 4 cents, although the distance is the same. I do not see the logic of such a situation.

Mr. KNOWLAND. That is not an unusual situation. We have had differences in rates on local mailings and other mailings heretofore. It may be something which the Senate or the Senate committee at the next session may desire to correct. I do not believe anyone can be dogmatic in saying whether

it is equitable to have a different rate on local mailings, compared to more distant mailings, for first-class mail. I think a case can be made one way or the other. We will always find certain inequities, as the Senator knows, in specific situations.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. PASTORE. The only point I desired to make was that what the Senator is now proposing is not exactly what we considered in the conference. The Senator's idea is entirely different. The argument the Senator from California has made this morning is that he is proposing now no more than the committee decided and voted upon in 1951; and that is not the case.

Mr. KNOWLAND. While the distinguished Senator from Rhode Island may very well be correct in saying it is not precisely the same, yet substantially it is the same; and it does, in fact, provide additional revenues to the Federal Government, which I think are essential if we are to have a pay bill enacted into law.

Mr. President, I think we should view this proposal in a fair and equitable manner. We should look at the practical realities of the problem we face. I think that the amendments which I have offered, while they will not meet all of the requests of all the employees, at least go a substantial distance in making some of the adjustments.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. The Senator discusses the practical problem. Does the Senator from California seriously think his amendments should be adopted, and if by chance the Senate should pass the bill as amended, the House of Representatives, in the light of its two previous actions, would give any attention to it whatever?

Mr. KNOWLAND. I have been proceeding in complete good faith in this matter.

Mr. JOHNSON of Texas. The Senator always proceeds in good faith. We know that.

Mr. KNOWLAND. I wish to say to the Senator from Texas my belief is that if the bill should be amended and passed by the Senate it could be passed by the House. I hope it will be passed by the House and go to the President for his signature.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Does the Senator realize that the House, when an attempt was made a few days ago to have a bill similar to this bill passed, refused to do so?

Mr. KNOWLAND. The House refused to suspend the rule, as I recall, which would have required a two-thirds vote.

Mr. JOHNSON of Texas. The sentiment was so strong for the pay bill that the Members went up to the desk and signed a petition.

Mr. KNOWLAND. Yes.

Mr. JOHNSON of Texas. And in effect they overrode the leadership by bringing the pay bill to the floor; did they not?

Mr. KNOWLAND. Yes. But let me say to the distinguished Senator, in all fairness, I think that all the postal employees may not have been advised as to the very strong feeling in the administration that there should have been compensating revenues.

It seems to me the bill as proposed to be amended would provide for a substantial pay raise. Through the changes that I have suggested today, the average raise to the postal workers would be 5 percent, as in the Carlson bill; the floor would be the $200 of the Carlson bill; the ceiling would be the $450 of the Carlson bill. In the case of classified civil-service workers, the floor would be $100; the average would be approximately 4½ percent; and the ceiling would be the same as the postal workers would receive under the postal bill, $440. Therefore, there would be a different situation. I think the amendments put the bill into a more acceptable form.

While we have no right to discuss what the other body will do, or how it will do it, I think that if this type of proposal had been presented, which would have provided comparable ceilings, and at least set a minimum so far as the classified service is concerned, the Members of the House might have felt differently. Of course, that is a moot question, which none of us can answer.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Whatever the floor might be and whatever the ceiling might be, I think the result would be the death of this proposed legislation.

Mr. KNOWLAND. First, I respectfully differ with the distinguished Senator. Second, in my judgment, there will not be a bill finally enacted into law which does not contain provision for some compensating revenues. I am trying, to the best of my ability, to present what seems to be a reasonable proposal, which does not do violence to the action which the Senate has previously taken in regard to first-class rates and in regard to second-class rates. It is nothing which comes to the Senate de novo, with Senators not having had an opportunity to study it. In 1951, slightly more than 2 years ago, the Senate had an opportunity to pass on the question of postal rates.

Mr. LONG. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. LONG. I believe the Senator is aware of the fact that the junior Senator from Louisiana has always voted to increase second- and third-class postal rates. I have always felt that those enjoying those rates are far too greatly subsidized. As a matter of fact, several years ago the junior Senator from Louisiana offered amendments to the committee bill to further increase postal rates.

Mr. KNOWLAND. I believe it was the Senator's amendment that increased the rates percentagewise 10–10–10, while the committee had reported an increase of 20–20–20. The bill went to conference, and the conferees returned with the 10–10–10 figure. The recommendations in the amendments I have offered would bring it back to 20–20–20 by adding the 10–10–10 figure on the second-class rate.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. KNOWLAND. I yield myself an additional minute. I ask unanimous consent to have printed in the RECORD at this point in my remarks figures showing the number of employees in the classified civil service in each of the classifications, and what the $100 minimum amount for each grade would amount to in the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

	Population	Amount in administration bill 3½ percent plus	Administration bill plus minimum of $100	
			Amount for each grade	Additional cost
CPC–1	61,756	None	$100	$6,175,600
CPC–2				
CPC–3				
CPC–4				
CPC–5	12,393	$26	100	917,600
CPC–6	20,251	50	100	1,000,000
CPC–7	12,015	165		
GS–1	7,924	None	100	792,400
GS–2	106,842	None	100	10,684,200
GS–3	193,237	50	100	9,660,950
GS–4	137,710	75	100	3,442,500
GS–5	96,193	190		
GS–7	96,730	195		
GS–8	21,585	180		
Total				32,672,300
				4,000,000
				28,000,000

Mr. LONG. Mr. President, will the Senator yield me 1 minute?

Mr. KNOWLAND. I yield 1 minute.

Mr. LONG. I should like to say to the distinguished majority leader that what particularly concerns me about this bill, frankly, is that I should like to increase the second- and third-class rates. I have always felt that they are too low, and that it is an outrage that the taxpayer should have to make up the loss in the second- and third-class mail rates.

However, I point out that article I, of the Constitution, section 7, provides:

> All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose or concur with amendments as on other bills.

To me that means that a revenue bill must originate in the House. The bill on which the junior Senator from Louisiana offered his amendment to increase the postal rates was a revenue bill which had originated in the House. It came to the Senate. The Senate considered the Senate bill, and substituted the House bill for it. Then we sent the House bill back to the House.

If a bill is not a revenue bill when it is introduced, we have no right to make it a revenue bill in the Senate. To do so would be to violate article I, section 7, of the Constitution.

Mr. KNOWLAND. I do not consider this bill to be a revenue bill in the sense of being a tax bill. It is true that tax bills must originate in the House. I know that in the field of appropriations

the House feels that it should originate appropriation bills. However, I know of no constitutional provision which provides for it, although it has been the usage.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes on the bill to the Senator from Louisiana [Mr. LONG].

Mr. LONG. Mr. President, the junior Senator from Louisiana has had some slight experience with the subject of revenue bills originating in the House. The Constitution requires that a revenue bill originate in the House of Representatives.

It is my interpretation—and I believe it is the correct interpretation—that the Constitution, when it states that revenue bills must originate in the House, refers to a revenue bill when it is introduced.

I would point out to the Senate that there has never been a case when the Senate has succeeded in taking an ordinary legislative measure and turning it into a revenue measure. That has never been done and I will tell the Senate why. The House has placed its interpretation on what constitutes a revenue bill under the Constitution, namely, that the constitutional provision refers to a revenue bill when the bill is introduced, and the House will not consider it otherwise.

The junior Senator from Louisiana has had some experience with the House Committee on Post Office and Civil Service. On one occasion we tried to add an increase of the first-class mail rate to a bill in which the House had raised the second-class rates. The House took the position that the Senate had no right to make it a revenue bill by raising postal rates beyond those the House had considered.

The House is very strict about this matter, and the House would refuse ever to concede that bill which is ordinary legislation, or an ordinary pay-increase bill, could be turned into a revenue bill by the Senate. There is no doubt about it. A bill to raise $150 million or $200 million, by increasing postal rates, is a revenue bill. There is no doubt that the House would refuse to consider such a bill. I believe the distinguished chairman of the Committee on Post Office and Civil Service knows that that has been the experience. I believe he has served on that committee in the House.

Mr. CARLSON. Mr. President, I wish to say that the precedents are thoroughly in accord with what the Senator from Louisiana has stated. On numerous occasions the House has refused to accept such bills.

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes on the amendment to the distinguished Senator from West Virginia.

Mr. NEELY. Mr. President, there are a multitude of adequate reasons why the Knowland amendments should be overwhelmingly defeated: First, they improperly propose to combine what should be a bill to establish rates for a man-made postal system with a bill to provide a living wage for God-made human beings. Second, they propose to obtain the deserved increase of compensation which the bill provides for the postal workers by imposing an intolerable and indefensible, additional burden of cost on the users of first-class mail who are already paying the Government for its service a profit of fifty million dollars a year. Third, to adopt the amendments would be to discredit the entire membership of the Senate Committee on Post Office and Civil Service, which rejected the principle of the Knowland amendments and unanimously approved the pending bill in its present form. Fourth, to adopt the amendments would be to murder and bury the bill beyond the possibility of resurrecting it during the few remaining, fleeting hours of the present session of the Congress. And, fifth, to kill the bill would be an outrageous injustice to 450,000 long-suffering, patient, shamefully underpaid postal employees who are justifiably pleading with us to reject all proposed crippling amendments, and pass the bill without further delay.

It is an age-old proverb that to withhold more than is meet tendeth to poverty. Too long have we withheld more than is meet from the postal workers, the tireless, praiseworthy operators of the most enlightening, comforting and widely used governmental service in the world.

I refuse to insult these 450,000 industrious men and women by voting for the Knowland amendments. It is my sincere hope that they will be decisively defeated, and that the bill will be passed before the end of the day.

Mr. KNOWLAND. Mr. President, I yield myself 2 minutes to answer the statement of the Senator from West Virginia.

It is true that a committee of 13 Members of the 96 Members of this body made a report to the Senate, but that does not foreclose the responsibility of 96 Members of the United States Senate in regard to the proposed legislation. We do not surrender our responsibilities or our obligations as Senators of the United States into the hands of any committee, be it composed of 3 or 21 or any other number of Members. Of course we give considerable weight to the report of a committee, but we also have a responsibility, and it is not unusual at all, as every Member of this body knows, for substantial amendments to be offered on the floor of the Senate to tax bills, appropriation bills, and every other kind of proposed legislation which may be before the Senate, because otherwise the 96 Members of the Senate would be merely rubber stamps, ratifying agencies, of a committee of 13 Members in this body. I do not intend, and I do not believe any other Member of the Senate intends, that we shall surrender our responsibilities to any single committee, even though we give committee reports great weight and great respect.

So far as I am concerned, Mr. President, I resent the implication of the Senator from West Virginia that the Senate or the House of Representatives, representing nearly 200 million Americans, should be fearful of what 450,000 postal employees or 1,700,000 civilian employees of the Federal Government are going to do to punish a Senator. If that is the price I have to pay to be a Senator of the United States, I shall not stultify myself by paying such a price. I do not deny to any Member of this body the right to vote his convictions and to vote his conscience.

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. KNOWLAND. Mr. President, I yield myself 2 additional minutes.

I do not deny to any Senator the right to vote his honest convictions. Senators may honestly differ on this floor. They may vote with the highest of motives, because they believe certain amendments should or should not be adopted. But if the time ever comes when Members of the Senate or the House of Representatives, trembling and in fear of political retaliation, have to vote against their convictions, it will be a sad day for the Nation, it will be a sad day for the Senate, and it will be a sad day for nearly 200 million patriotic Americans who expect us, at least, to vote our convictions, regardless of any pressure group, however honest, however faithful, however determined they may be, through the proper procedures to bring their views before the Senate and the House of Representatives.

Mr. JOHNSON of Texas. Mr. President, I yield to the distinguished Senator from West Virginia [Mr. NEELY] 4 minutes on the amendment.

Mr. NEELY. Mr. President, the distinguished Senator from California is unduly excited about the buying of immunity against either the revenge or the wrath of the postal employees. It is not a question of immunity. It is a question of justice—justice to 450,000 deserving, underpaid Government employees. It is also the further question of whether we shall do what common sense and justice dictate should be done or what the whip-cracking Postmaster General says shall be done. Fortunately the "General's" whip has no terror for me. The Knowland amendments, as previously pointed out, would further penalize the users of first-class mail who are already paying the Government a profit of approximately fifty million dollars a year. The amendments, if adopted, would add a hundred fifty million dollars a year to the burdens which these profitable, uncomplaining customers are already bearing.

Mr. KNOWLAND. Mr. President, will the Senator from West Virginia yield?

Mr. NEELY. Not now.

Mr. KNOWLAND. They are the users——

Mr. NEELY. Mr. President, I refuse to yield. And what is proposed for the publishers of magazines and other periodicals who are paying the Government two hundred thirty-seven million dollars a year less than it costs to handle their output?

And what do the Knowland amendments demand of these two hundred thirty-seven million dollar a year deficit artificers? Oh, underprivileged, overpillaged and never pitied common taxpayers, hear and weep. These special tycoons of privilege and favor would be required to pay an additional thirteen million dollars a year as an offset to the two hundred thirty-seven million dollar a year deficit they are causing at the average taxpayer's expense.

Under this administration what a blessing to be clothed in purple and fine linen and fare sumptuously every day. What a misfortune to be a poor man or a Lazarus at the gate dependent upon the crumbs that fall from the tables of the powerful and rich.

Mr. President, I again urge the Senate to reject the Knowland amendments, and to pass the bill, regardless of the threats, express or implied, that the President will veto it if we fail to make it conform to the demands of his spokesman, the whip-cracking Postmaster General. Let us do our duty regardless of what the President may do. If he vetoes the bill, which I am confident the Senate will pass without the Knowland amendments, he will, in due time, learn that he has made still another monumental mistake which the people at the ballot box in 1954 and 1956 will not forget.

Mr. KNOWLAND. Mr. President, I yield myself an additional minute. In the amendments which I have offered provision is made for an additional increase on second-class mail of 10, 10 and 10. There had already been an increase of 10, 10 and 10, and the amendment would bring the rate up to what the Senate, 2 years ago, voted should be the amount of the second-class mail rate increase. It may be that at the next session of Congress additional increases in the second-class and third-class rates should be made. But the second-class mail has not been exempt in the amendments I have offered. To the contrary, in addition to the increase in first-class postage, the increase in second-class postage has been brought up to the rate previously adopted, so that it will be 20, 20 and 20, which the Senate approved 2 years ago.

Mr. JOHNSON of Texas. Mr. President, does the Senator from West Virginia desire an additional minute?

Mr. NEELY. No, Mr. President, for the obvious reason that what the distinguished Senator from California has just said requires no reply.

The PRESIDING OFFICER. The Senator from West Virginia has not been yielded time.

Mr. JOHNSON of Texas. The Senator from West Virginia has used his 1 minute.

Mr. President, I yield to the distinguished junior Senator from South Carolina [Mr. JOHNSON], formerly chairman of the Committee on Post Office and Civil Service, and now ranking member of the committee, 12 minutes on the amendment.

Mr. JOHNSTON of South Carolina. Mr. President, I think we should calmly and quietly examine into the matter which is before us. Let us first consider how private business has been increasing the pay of its employees, and see whether or not the Government has kept in line with respect to its employees.

This is not a question of whether postal employees have asked Congress for an increase in pay because they think they deserve it. That is not the question before us. Other Government workers also are affected. At present there is a total of more than 2 million Government employees.

We should not consider only the 450,000 so-called regular postal employees, because, depending upon the times and the volume of mail, as many as a million employees are working for the Post Office Department at various periods of the year.

Let us consider what President Eisenhower had to say in regard to the matter. In his economic report, President Eisenhower said that during the period 1939–53 the following increases have been granted in the weekly wages of employees of private industry:

Bituminous coal workers, a 258 percent increase since 1939; building construction workers, 201 percent; factory workers, 200 percent; hotel workers, 151 percent; railroad workers, 140 percent; wholesale trade workers, 139 percent; retail clerks, 137 percent; telephone workers, who received the least increase, 102 percent.

Compare the increases received by postal workers with the increases received by bituminous coal workers.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. KNOWLAND. Will the Senator kindly state the base year which he is using in speaking about the increases?

Mr. JOHNSTON of South Carolina. These figures are taken from President Eisenhower's economic report of 1954 to Congress.

Mr. KNOWLAND. I do not have the report before me. Can the Senator tell me the base year to which the percentage increases are related?

Mr. JOHNSTON of South Carolina. It is for the period 1939–53. The postal workers during that period of time have received increases of 94 percent, as compared with the 258 percent for bituminous coal miners.

The bill before the Senate proposes to increase the pay of postal workers an additional 5 percent.

Let us face the facts as they are. We know that the House of Representatives has already announced that it does not intend to increase postal rates. The House has refused even to consider that matter.

Let us go a step further. The Senate is proposing to amend a House bill, which is not a revenue bill, by attaching to it provisions for postal rate increases, and then to send it back to the House. When the Senate in the past has originated postal rate increase bills and has sent them to the House, the question has been raised in the House that such bills are revenue bills, and the House has returned them to the Senate on the ground that because they are revenue bills, they should have originated in the House, in accordance with section 7 of article I of the Constitution, which provides as follows:

> All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

Let us consider the position in which we again find ourselves with respect to the matter of raising revenue on this particular bill. I call the attention of the majority leader to the fact that the Committee on Post Office and Civil Service was acting under the instructions of the Republican policy committee not to take up or have hearings on a revenue bill in reference to postal rates. I think that is true, is it not?

Mr. KNOWLAND. I simply say to the distinguished Senator from South Carolina that the Committee on Post Office and Civil Service was not acting under instructions of the policy committee. A report was made to the policy committee that there had been an understanding between the House and the Senate committees that the House would act first on the matter.

Mr. JOHNSTON of South Carolina. That is correct.

Mr. KNOWLAND. But neither the majority policy committee nor the minority policy committee instructs any standing committee of the Senate as to what position it should take.

Mr. JOHNSTON of South Carolina. It was the report of the chairman of our committee that he had orders from the policy committee not to hold hearings on a rate bill at any time.

I come now to the proposal to attach rate-increase amendments to the bill. The House has already decided that it will not consider any rate increase, and has refused to let such a bill be reported to the floor of the House. At this late hour the Senate should do what is right and just.

Something has been said about second-class rates. The second-class rates have produced only a little over $5 million instead of $13 million. Now it is proposed to raise them another 10 percent.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. HUMPHREY. Is it not true that regardless of the merits of the amendments which have been offered, by attaching rate amendments to a pay bill for classified and postal employees, we would literally be saying to every user of the mails, "The reason why your postage rate has gone up is that postal workers have received another $50 or another $60 in income"? It is a kind of stigma which will attach.

Is it not true also that this is a most unusual way to try to pass a postal-rate bill? Does the Senator from South Carolina recall that rate bills generally have been passed by having them considered on their own merits, rather than by means of attachment to employee classification pay bills?

Mr. JOHNSTON of South Carolina. I do not recollect any occasion when a pay bill has been made dependent upon a rate bill for passage.

Mr. HUMPHREY. Mr. President, will the Senator further yield?

Mr. JOHNSTON of South Carolina. I yield further.

Mr. HUMPHREY. Does not the Senator think it would be well for Congress, after all the abuse which has been heaped upon Federal employees—unnecessary and uncalled for abuse—to pass a clean bill for Federal employees. It would be only a tidbit of what they really

deserve. Every Member of the Senate knows that the cost of living has risen by more than 5 percent since the Federal employees last received a wage increase. Every Member knows that a 7-percent increase would not cover the increased cost of living. Does it not seem that the least Congress could do would be to treat them as an employer would treat an employee, without chastising them?

Mr. JOHNSTON of South Carolina. The Senator from Minnesota is entirely correct. Every time a pay bill has been passed previously, Congress did not provide a sufficient increase to catch up with the actual increase in the cost of living. We have only given about half the amount of the increase which should have been given. We have never caught up.

So, it should be remembered that in 1951, when Congress passed a pay increase bill, we were behind the actual increase in the cost of living at that time. Since that time, the cost of living has further increased by approximately 10 percent.

That is why the Senator from West Virginia [Mr. NEELY] and I introduced, at first, a bill providing for a 10-percent increase, with a ceiling of $800 and a floor of $400, so as to try to give to the employees what was considered to be a pay increase in accordance with the increase in the cost of living since 1951. We did not even take into consideration that that would be behind the increase in the cost of living since 1939.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. SMATHERS. Is it not the opinion of the Senator from South Carolina that if the amendment offered by the Senator from California were adopted, the practical effect would be, so far as this year is concerned, that there would be no postal-pay increase at all?

Mr. JOHNSTON of South Carolina. I fear the Senator's statement is entirely correct, because the House has already gone on record. Members of the House will be able to say, "The Senate should have known that we have already gone on record, and now, on the last day of the session, they send us a bill we have already refused to pass."

Mr. SMATHERS. Has not the House on two occasions refused to consider the postal-rate increase in connection with a postal-pay increase? Therefore, if the Senate should attach a postal-rate increase to the pay increase bill and sent it back to the House, it is only reasonable to conclude, is it not, that the House would not act on it, and, therefore, there would be no pay increase at all this year?

Mr. JOHNSTON of South Carolina. That is one reason why the committee acted as it did in reporting the bill with nothing contained in it but a provision for increased pay. The committee had seen what the House had been doing, and the committee wanted to cooperate with the House of Representatives, and wanted to get legislation enacted to increase the pay of Federal workers.

Mr. SMATHERS. If Congress is to do anything this year toward giving to Federal workers the equity increases about which we have heard so much today, the only way we can do it is to vote down the Knowland amendment and vote up the bill which is before us. Is that not correct?

Mr. JOHNSTON of South Carolina. That is entirely correct. I do not want to leave the subject and forget one factor. It is proposed to give to the Postmaster General the right to reclassify the workers, which will result in increases to them at various times. No one has stated how much such increases would cost, but they will cost money. When the Postmaster General decides to give increases in pay, he will apparently increase the pay of those in the upper brackets, to whom he can dictate. They will get across-the-board increases of 5 percent——

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield to the Senator from California.

Mr. KNOWLAND. Is it not true, however, that the power of the Postmaster General with regard to reclassification is the same as that contained in the Rees bill, which provides that the subject must come back to the Congress, and that if either House, by a bare majority vote, is opposed to the plan recommended by the Postmaster General, it will not go into effect? So either House of the Congress, by a mere majority vote, has a veto power over such a proposal.

Mr. JOHNSTON of South Carolina. That is true, but in my opinion, it is the duty of the House and the Senate to legislate in this field and not turn over to another official the task of legislating for them. I have been against any such proposal, because I think it is wrong. I think the House and the Senate should do the work in that field. We have held hearing after hearing in regard to the pay proposal. If the amendment of the Senator from California is adopted it will undo all the work we have done.

Let us consider for a moment the employees in the lower pay brackets. There is a proposal for a $100 increase for the first 3 grades. That minimum would enable the first 2 grades to get increases of $100, when otherwise they would receive no increase, because there is a minimum of a $100 increase provided. The proposal is also to increase the pay of GS–3 grade employees by $100.

The proposal would also give the grade 4 employees a $100 increase.

Above those grades the employees would get more, as their grades become higher, amounting to a 3½-percent increase. That being so, and considering the other provisions of the bill, in my best estimation, the increases will amount to an average of about 4 percent. Where will the increases above 3½ percent go? Not many of them would go to workers receiving the lower compensation but to the ones receiving higher pay.

The workers in the first 3 grades would receive an increase of only $100. Would that offset their increased cost of living? That is one of the questions that arise in my mind, as I believe it arises in the minds of other Senators. If the Senate is going to pass a bill which embodies not only postal-rate increases, but also reclassification, without giving the committee, which has a right——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. JOHNSON of Texas. Mr. President, I yield to the distinguished Senator from Oklahoma, who is a member of the committee, 5 minutes on the amendment.

Mr. MONRONEY. Mr. President, I rise in opposition to the amendment of the distinguished majority leader. The committee spent long days and weeks in hearings, in consideration of the question, and in executive sessions, in order to work out the best possible compromise. Now the Senate finds itself, on the last day of the session, being asked to accept an amendment proposed by the distinguished majority leader which, in my humble but considered opinion, would mean the death of the postal-pay bill and the pay bill for classified employees.

Let us not "kid" ourselves. Let us not "kid" the Federal employees of the Nation, that there will be any pay increase if the Knowland amendment to the bill is agreed to. The history of this proposed legislation, and the traditions and precedents of the House of Representatives in rightfully insisting on its prerogatives to be the House of Congress in which revenue-raising measures must originate, make it crystal clear that the only effect of attaching the Knowland amendment to the bill will be to defeat any pay legislation.

I am not so sure that the administration, or General Summerfield, or Senator Summerfield, or whatever one may want to call him, does not have that in mind.

I know the distinguished majority leader does not have that in mind. I know the distinguished majority leader means what he says when he says he wants to increase the pay of Federal employees.

Of course, we have had some strange ways proposed for doing it, such as proposing no increase for the lowest paid, most humble employees, and proposing increases of up to $800 for the "plushiest" jobs in the civil service.

That was the original proposal——

Mr. KNOWLAND. Mr. President, will the Senator yield half a minute to me?

Mr. MONRONEY. I yield to the majority leader.

Mr. KNOWLAND. Let me give the Senator my assurance—and I am satisfied I state a fact—that the Postmaster General is interested in wage increases for postal workers, and that the President and the administration are interested in increases for both postal and classified workers; but they have believed consistently that there should be compensating revenues or compensating offsets provided.

Mr. MONRONEY. I am glad to have the distinguished majority leader's position on the question. The Senator from Oklahoma believes that the duty of reclassifying the postal field service is in the Congress. It has had the authority historically to control the classification of jobs in the postal service throughout our history. The Postmaster General might throw a dime in the tin cup of the employees, if he could have his way in telling Congress that it has not sense

enough to legislate on the classification system. Further the Postmaster General has said there will not be a pay increase unless a postal rate increase is tied in with the legislation. He has ignored completely the rights and prerogatives of the congressional branch of the Government, and the traditional prohibition against the Senate's originating any revenue-raising measures.

It seems strange to the junior Senator from Oklahoma that on the last day of the session we should treat Federal employees, who can appeal only to the Congress for relief, in that manner. We have had many bills before us, and we have taken care of nearly everybody who has some patented gimmick that will help him get reelected.

It seems strange that the Senate should defer to the very last minute a matter that should be on the conscience of the 96 Members of the Senate, and the Senate is the only place to which Government employees can come for an open forum. These workers constitute the largest group of labor that is denied the ordinary weapons and prerogatives of labor unions because they cannot strike, and should not be allowed to strike. They can only petition the Members of the Senate and the House for the modicum of justice which is their due, to keep in line even to a slight degree with the increasing cost of living and the increased wages which employees in other industries have been paid throughout recent years.

We are told that they cannot have a pay increase except on conditions the Postmaster General approves. We are told that the administration will veto the bill, or that the Postmaster General will encourage a veto unless he has his way 100 percent down the road. As a member of the Democratic administration I have been accustomed to having some pressure put on the Congress. I have been invited to go along on legislation in which the administration was interested. I have been talked to by members of the executive branch of the Government, who sit in the gallery and call Members off the floor and ask if they might discuss an amendment in which the administration is interested.

The PRESIDING OFFICER (Mr. BUSH in the chair). The time of the Senator from Oklahoma has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 3 additional minutes to the Senator from Oklahoma.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for an additional 3 minutes.

Mr. MONRONEY. The right of petition, not only by employees but by the Executive, is not unknown on Capitol Hill. But never in my 16 years in the Capital have I seen any man arrogate to himself the right to dictate to the Congress, to the committee chairman, to the members of the committee—yes, and to the individual Members of the Senate within his own party—telling them that they are expected to fall in line, to salute and obey, and go along with the Postmaster General's position. I think that is carrying petition rights a little bit too far.

Let us look at the justice of including in this measure the postal-rate increase. I think we all know that we cannot do it and secure passage of a bill. Why do we not bring in an amendment to the tax bill? More than $212 million of the increase in pay for the classified workers must come out of the general tax revenue. Shall we put an amendment to the revenue bill and say that part of the $7,400,000,000 in tax reductions we have given thus far in this session is now to be withdrawn because the taxpayers of the country use the service of these classified workers? It would make just as much sense, I believe, be just as logical, to amend a tax bill with a pay increase as in this manner. Here the administration insists that the pending bill must carry the increase in the postal rates, when we know the House has refused to pass a bill containing such a provision. The House refused 3 years ago even to sit down in conference and let the Senate raise upward by 1 cent the first class mail rate.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. JOHNSTON of South Carolina. Is it not true that if we waited for the budget to be balanced, no Government employee would ever get an increase?

Mr. MONRONEY. Of course that is true. To use this as a blackjack to force the Congress to pass without hearings or House action a postal-rate increase bill which will penalize the small users of mail, yet leave the giants who use our postal system for profit almost free of any substantial rate increase, I think is absurd and unthinkable.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. JOHNSON of Texas. I yield 2 minutes to the distinguished Senator from Delaware [Mr. FREAR].

The PRESIDING OFFICER. The Senator from Delaware is recognized for 2 minutes.

Mr. FREAR. Mr. President, I have great sympathy for what the majority leader is trying to accomplish by way of getting additional revenues for the Treasury. However, I am sorry that I cannot go along with his amendments, because I believe we should not tie them to a bill affecting the pay of postal employees.

I also differ from the great Senator from California on another point. I do not believe we should penalize the users of first-class mail who are and have been for some time paying their way. I have been very sympathetic to an increase in second-, third-, and fourth-class mail rates. While I had the honor of serving on the Post Office and Civil Service Committee we had hearings for many months. We heard practically every publisher of magazines, books, and charitable and farm magazines. We gave them ample time to express their views. Many of them were sympathetic to increases. As a result, as I recall, there was a 30-percent increase in the rates on some of the classes of mail.

The Senator from California now proposes another 30-percent increase. As I have said, I should like to go along with that proposal, but I do not like to see it tied to a bill which is too deserving to be given a death blow at this late hour of the Congress.

As the able chairman of the Post Office and Civil Service Committee has stated, either postal employees deserve this increase in pay or they do not. We should vote that they deserve it or that they do not deserve it. I think our votes today will determine whether we want the postal employees to have an increase in salary.

The PRESIDING OFFICER. The time of the Senator from Delaware has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 2 additional minutes to the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware is recognized for an additional 2 minutes.

Mr. FREAR. I thank the Senator.

Of course, I do not wish to be tied down in my vote, nor do I wish to tie down the vote of any other Senator because he may happen to be up for reelection this year, or of Senators who may not even be candidates. I believe our votes on the proposed legislation will indicate that we feel conscientiously that the postal employees deserve the increase, or that they do not deserve it. I should not like to see a Senator vote on this proposed legislation, whether he votes for it or against it, because he may think it would gain him some votes in the general election or deny him some votes in the general election.

Mr. President, I also feel that the Postmaster General has a very definite responsibility, in the operation of the Post Office Department, for its maintenance, if he can provide it, on a pay-as-you-go basis. Personally I should like to see the rates so increased on second-, third-, and fourth-class mail that they would pay their own way, without the users of first-class mail being penalized to help support those who use the mails in the second- and third-class categories.

Our postal employees are certainly deserving of an increase when we compare their pay rates with the increased rates of day laborers and when we compare them with the increased rates which have been granted to many millions of white-collar workers during the past 2 years.

Mr. President, in conclusion, there is just one question I should like to ask, of the chairman of the Senate Post Office and Civil Service Committee, if I may. On page 2, under subdivision (8), the report states:

> A repeal of present law which restricts the number of permanent appointments, promotions, and transfers in the Federal service.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. JOHNSON of Texas. Mr. President, I yield the Senator a half minute.

The PRESIDING OFFICER. The Senator from Delaware is recognized for an additional half minute.

Mr. FREAR. I should like to ask the Senator from Kansas, does that not open

the door to the Postmaster General for an exceptionally large increase in employment?

Mr. CARLSON. I do not think so.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. FREAR. The answer is no?

Mr. CARLSON. That is correct.

Mr. JOHNSON of Texas. Mr. President, I yield the distinguished Senator from New York 2 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. LEHMAN. Mr. President, I shall certainly vote against the amendment of the distinguished majority leader. I wish to say to him that I think these employees are clearly entitled to an increase in pay. They have earned it; they deserve it. As a matter of fact they deserve more than we propose to give them in this bill.

I think it is very unreasonable to say to any group of men, "We are not going to consider a raise in your wages unless there be some other provision in the way of increased revenues such as are proposed in the amendment of the majority leader." If increased revenues are needed to defray the legitimate expenses of Government, I think they should be covered in the tax law, not in a bill of this character. There is no relation whatsoever between the mail rates and the pay which has been earned and is deserved by the workers. I think there might very usefully be changes in the postal rates but they should be considered only in a separate bill.

I believe, too, that any increases in rates should be in proportion to the service rendered to the users of the different classes of mail. I can see no justification whatsoever in saying to this group of hardworking, loyal men and women, "You are not going to get any raise in your pay no matter how fully it is deserved unless at the same time we do this, that, or the other thing"—in this particular case, of course, it being a raise in the postal rates.

So, Mr. President, I shall vote against the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from California.

Mr. KNOWLAND. Mr. President, I yield myself 5 minutes on the amendments.

Mr. President, last night in the CONGRESSIONAL RECORD, beginning on page 15198, I inserted into the RECORD information relating to legislation passed at this session of Congress, under the heading "Principal Features of New Federal Employee Legislation."

The information shows the "Group Life Insurance—Cost to Government, $22 million."

Also listed are the "Modification of the Whitten Amendment," the "Incentive Awards Program," the "Repeal of the Annual Leave Reduction Requirement," the "Extension of Longevity Pay Increases," the "Recruitment at Salaries Above the Minimum of the Grade," the "Allowance for Uniforms," the "Abolishment of the CPC Schedule," the "Increase in the Number of 'Supergrade' Positions," and the "Premium Pay" provision.

That information shows that the cost of this desirable and I believe beneficial legislation would be—

For the group life insurance, $22 million.

For the fringe benefit bill, $70,760,000.

For the uniform provision, $20 million.

The total of those items is $112,760,000, which is exclusive of whatever pay increase legislation may be enacted.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. KNOWLAND. I will yield in a moment.

Mr. President, for the benefit of some of the Senators who may have come in late, I again say that the amendments I propose keep the pay increase for the postal workers on the same basis as that provided in the so-called Carlson bill, reported from the committee; namely, there is a minimum floor of $200 and there is a ceiling of $440 as to the postal workers, and the increase averages 5 percent. That is precisely the same provision as in the amendments I have presented.

The original amendments I offered provided about a 3½ percent overall increase for the classified civil service, which is the same as is provided by the so-called Rees bill introduced in the House.

After the discussion on the floor the other day, the amendments were revised to provide for a minimum of $100 for the classified service and a ceiling of $440, which will be the same as the ceiling for the postal workers. The average for the classified service, with the revision, would be approximately 4½ percent.

The amendments do provide for an increase in revenues from the first-class mail, and percentages of 10, 10, and 10 in the second-class mail. This increase is approximately the same, with regard to the offsetting, compensating features of income, as that provided in the bill which passed the Senate 2 years ago, reported by the committee headed by the distinguished Senator from South Carolina [Mr. JOHNSTON].

There has been some discussion relative to the cost of living. We all know that since 1939 the cost of living has risen, and there have been various adjustments in salaries in private industry, in the Federal Government, and in State and local government to meet that increase in the cost of living.

The figures show, taking 1939 as a base of 100, that the cost of living had risen approximately 93.6 percent by 1953. The letter carrier was allowed a salary increase in that period of time of 94 percent. The salary increase of the mail handler in that same period of time was 117 percent.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KNOWLAND. I yield myself an additional 5 minutes.

The salary increase of the custodial laborer has been 127 percent in that same period of time, using the same base.

The salary increase of the supervisor has been 77 percent, which is not so much as the increase in the cost-of-living index.

The increase in salaries paid to postmasters varies with different postmasters, but considering the highest-paid postmaster in the service in that same period of time, and using the same base period, the salary increase has been 15 percent.

Mr. President, since the last salary increase was granted to postal workers, the figures from the Bureau of Labor Statistics, as to the consumer price index since 1952, have been as follows:

In 1952, the average for the year is 113.5 percent of 1939.

In 1953, the average for the year is 114.4 percent of 1939.

In January 1954, the index stood at 115.2; in February, 115; in March, 114.8; in April, 114.6; and in May, 115 percent. That is a rise of 1.5 points from the 1952 average, and represents a percentage increase of 1.3 percent.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from California.

Mr. REYNOLDS. Mr. President, will the Senator yield for 1 minute?

Mr. KNOWLAND. Let me first yield to the Senator from Delaware [Mr. FREAR].

Mr. FREAR. From what source did the Senator derive this statement of benefits he has mentioned, which was inserted in the RECORD last night?

Mr. KNOWLAND. The statement covered new legislation passed by the Congress at this session.

Mr. FREAR. From where is the money derived at the present time to pay for the uniforms?

Mr. KNOWLAND. Under the old system, the employees, as I understand, had to buy their own uniforms. Under this provision, the authority is given for that cost to be taken care of by appropriations from the Federal Treasury.

Mr. FREAR. From what source is the money derived for giving the postal employees insurance or other benefits, with the exception of retirement pay?

Mr. KNOWLAND. I believe that money comes from the general receipts of the Treasury.

Mr. FREAR. I am trying to determine whether there is a direct appropriation.

Mr. KNOWLAND. I believe the answer to that question is "Yes."

Mr. FREAR. With regard to the retirement benefits, for which the Government obligates itself to match funds contributed by postal employees from their pay, is there a direct appropriation to a fund for that specific purpose?

Mr. KNOWLAND. I believe the answer to that question is "Yes."

Mr. FREAR. How often does the Congress appropriate money to match those funds, not only for the postal employees, but for other civil servants?

Mr. KNOWLAND. I believe normally, unless there is a continuing appropriation, the matter is handled in each annual appropriation bill.

Mr. FREAR. Does the Senator from California know whether that has been done for this year?

Mr. KNOWLAND. I should prefer not to give the Senator an offhand answer to that question. I shall endeavor to ascertain the answer for the Senator.

Mr. FREAR. Normally it is done in that manner?

Mr. KNOWLAND. That is correct; in each appropriation bill.

I now yield to the distinguished Senator from Nebraska for 2 minutes.

Mr. MONRONEY. Mr. President, will the Senator yield for a question?

Mr. KNOWLAND. I will yield, after the Senator from Nebraska has concluded.

Mr. REYNOLDS. Mr. President, I shall take no more than half a minute.

As a businessman, the junior Senator from Nebraska has long wondered why the Postmaster General of the United States has been unable to inject some semblance of business into the administration of the United States Post Office Department. The specious arguments which have been presented this morning, and the political pressure which has been in evidence, demonstrate completely to me what an impossible task the Postmaster General has.

Mr. MONRONEY. Mr. President, will the distinguished majority leader yield for a question?

Mr. KNOWLAND. I yield.

Mr. MONRONEY. I appreciate very much the distinguished majority leader mentioning benefits, such as uniform allowances. I should like to ask whether it is not a fact that the same committee which has taken action on the pay bill reported the bill providing the benefits the majority leader has enumerated.

Mr. KNOWLAND. I will say to the distinguished Senator——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KNOWLAND. Mr. President, I yield myself 1 additional minute.

I will say to the Senator from Oklahoma that my argument is not that the additional bills which were passed should have foreclosed pay legislation, because I am prepared to support legislation providing for pay increases with compensating postal rate increases. I am pointing out for the RECORD that regardless of what has been done in this regard, there have been a number of well deserved beneficial acts passed.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, a table, taken from page 15 of the Treasury-Post Office appropriation bill hearings, showing the various postal pay increase bills which have been passed since 1945, and the amount of the appropriation required to carry out the public law in each instance.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

[Taken from p. 15 of the hearings on the Treasury Post Office appropriation bill of 1955]

Public Law 134, effective July 1, 1945, postal field salary bill	$239,467,000
Departmental salary bill, Public Law 106, effective July 1, 1945	786,000
Postal field salary bill, Public Law 381, effective Jan. 1, 1946	$190,631,000
Departmental salary bill, Public Law 390, July 1, 1946	684,000
Postal departmental and field salary bill, Public Law 900, effective July 1, 1948	215,960,000
Postal field salary bill, Public Law 428, effective Nov. 1, 1949	112,489,000
Departmental salary bill, Public Law 429, Nov. 1, 1949	278,600
Accumulation for night differential on salary increases, 1945–50	15,171,000
Additional overtime on salary increases, 1945–50	10,900,000
Department salary bill, Public Law 201, July 1, 1951	1,100,000
Postal field salary bill, Public Law 204, July 1, 1951	248,600,000
Adjustment of sick and annual leave, Public Law 233, effective Jan. 6, 1952	50,000,000

This is accumulated salary legislation from 1945 computed up to December 1953.

Mr. KNOWLAND. Mr. President, I yield 10 minutes to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, from the remarks which have been made on the floor I apprehend that there is a good natured, gracious, but nonetheless rather firm attack being made on the majority leader for having brought up the amendments which are pending at the present time.

It seems to me that the Members of the Senate on both sides of the aisle owe the majority leader a debt of gratitude for trying to work out a realistic solution to the pay problem.

I learned long ago that a bird in the hand is worth two in the bush. The Senate can act on the bill, but that does not put any dollars into the pockets of those who carry the mail or other employees on the Federal payroll. It will still require the signature of the President of the United States. If we are to be realistic and practical about it, I think we ought to take counsel with what the President has said heretofore. He stood before the joint session of Congress in January and made specific recommendations with respect to the Post Office; first, a short-term recommendation for an adjustment of postal rates, and, second, a recommendation for the long pull, in the form of a board similar to that provided for in the bill I introduced some time ago, which board would have the power to survey and make a recommendation to Congress, leaving always in the hands of Congress the authority finally to determine the rates.

What good would it do to pass a bill without the rate amendments which are before the Senate at the present time, only to have it vetoed ultimately, because it is not consonant with the budget program?

The fact is that in 1953 there was a deficit of $663 million in the Post Office Department. There was an estimated deficit of $747 million in 1954. While we belabor the Postmaster General, let me say that for 1954 he has reduced that estimated deficit to $437 million.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. DIRKSEN. I cannot yield at this time

The PRESIDING OFFICER. The Senator from Illinois declines to yield.

Mr. DIRKSEN. If Mr. Summerfield is a dictator, he is certainly a benign dictator. If he is a despot, he is a very gracious despot. If he is a tyrant, he is the most amiable and genial tyrant, I have ever seen. His interest is in the public well-being. Certainly that interest of his is not exceeded by the interest of anyone who serves in the Senate. He has a job to do. He is operating an agency which purveys a service to the people.

Let no one call him a tyrant or a dictator. He claims only to be a good businessman trying to reduce the deficit in accordance with the instruction and admonition of the President of the United States.

What the majority leader has suggested is in the nature of an offset so that the deficit will not grow larger. I believe it is to the eternal credit of the majority leader that he should come before the Senate with that kind of amendment knowing that without it at the end of the line there is a possible veto which would not put a dollar into the pockets of a single carrier or a single employee in the Federal Government.

Something has been said about big postal subsidies. Let me remind Senators on the other side of the aisle that $2,400,000,000 in subsidies for second-class mail were paid from 1936 to 1953. The Republicans were not in power during the years when those subsidies were piled up.

Insofar as I know, I saw no effort made on the part of the prior administration to cut down those subsidies. When I served in the House, I heard many sonorous discussions about the great subsidies which were being paid to second- and third-class mail but I never saw one soul who wore the administration tag who ever came before Congress with a concrete plan to meet that huge subsidy problem in connection with second- and third-class mail.

Let it be said to the everlasting credit of the Postmaster General that he has called in the large publishers and said to them, "I want to say to you as firmly as I know how that you will have to pay your part of the cost. There is not going to be a free load and a free ride anymore."

The one thing Congress can do is to put the Post Office Department on a sound fiscal basis in accordance with the desires and recommendations of the President of the United States in his message on the State of the Union.

It was stated a moment ago that there will be a raise only if there is a rate increase. Mr. President, that is not the fact.

Perhaps the amendments of the Senator from California will be voted down. I do not know. At any rate, they represent a sincere and earnest effort on the part of the majority leader to bring the program in line with the recommendations of the President and the recommendations of the Postmaster General, who is charged with the responsibility of

operating the biggest service on the face of the world.

For that, of course, the majority leader is to be highly commended. If his amendments are voted down, and if other amendments are voted down, it still remains for the Senate to pass upon a pay raise bill as such.

The House is still in session. It has passed an entirely different kind of measure. It came before the House when the Committee on Post Office and Civil Service of the House was finally discharged under the petition rule. In conference perhaps, a bill may be worked out. However, at the end of the road there is still the possibility of a veto. I have no authority to speak for the President of the United States, but he pledged the people of the country that he would try to pursue a course of economy and that he would try to balance the budget if he could. We still have a way to go. He has asserted his position over and over again in connection with the tax legislation. The amendments before us are in a modest degree an offset to provide revenue for the increase in pay, so that the budget in the Post Office Department may not grow any larger.

I think, therefore, Mr. President, that instead of polite abuse, the majority leader deserves the praise of the Senate and of everyone else for suggesting a practical solution to the problem which would eventuate in a Presidential signature, finally placing this pay increase actually in the hands of those for whom it was designed.

I yield the floor.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the senior Senator from Oregon [Mr. CORDON].

Mr. CORDON. Mr. President, I agree with the position just taken by the junior Senator from Illinois with respect to his appraisal of the propriety and the wisdom of the action of the majority leader in presenting the amendments. However, I do not agree with the amendments. Let me complete this picture of apparent inconsistency by saying that, nevertheless, I expect to support them. I shall require, I think, my full 5 minutes. The minutes we have left are short and few before Congress adjourns.

Differences of opinion have been voiced on the floor. There are differences of opinion between, I suspect, a majority of the Congress and the executive department, and, I believe, a majority of the Republicans and the executive department. But, Mr. President, legislation of necessity is compromise. Legislation ought to be enacted in a climate of reason, of willingness to concede, in order to obtain the best possible result for all. We can create that climate here, Mr. President.

First, there is in my mind no particular principle involved here. There is simply a combination of circumstances which can be resolved. We should seek for, and, having found, accept the best solution available to us under the circumstances.

I should like to go at length into my views with respect to the lack of any real connection between the right of an employee of the Postal Department to an increase, and the necessity to meet a deficit in the Postal Department. In my opinion, there is no necessary relationship. If the post-office employee is entitled to a raise, he is entitled to it. Certainly, we should not penalize the little group of postal employees because the users of the United States mails are not paying their way. That would not be sensible. On the other hand, we are faced with a deficit in the Postal Department. The amendments suggest methods by which that deficit can, at least, be reduced. So we may consider them without in anywise doing damage to logic or reason. There is no reason why we should not consider them. There is a definite reason why we should consider them.

The postal employees of the United States and the classified employees may be better off because we consider them.

I shall support the amendments even though I would prefer to deal with pay rates as pay rates, and with the deficit as a deficit. There are differences of opinion which I do not control and which I did not create. I shall try to reconcile them and suggest a method by which we can win. If we accept these amendments, the bill can go immediately to the House. The House can recede and concur. In that case, we shall have amendments to the bill; and from such information as I have—and none of it is direct or authoritative—the bill will be acceptable to the administration. It will be signed, and the pay raises will be in effect.

Certainly no one questions the soundness of the rate increases, because they are only a step toward the level which we must seek.

If the House refuses to recede and concur, there is no chance, in my humble opinion, for a conference. If we can adopt these amendments, send them to the House, and the House refuses to recede and concur, so far as I am concerned, when the bill is returned, I shall vote that the Senate recede and concur. By following that procedure, Mr. President, the House can agree and we can have a bill that we know is acceptable. If the House shall fail to agree, we can eliminate the amendments and take the chance that perhaps the administration can be induced to go along with the pay raise alone.

That seems to me to be sound logic, and, predicated upon it, I shall support the amendments offered en bloc by the majority leader.

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes to the Senator from North Dakota [Mr. LANGER] on the amendment.

Mr. LANGER. Mr. President, we have dealt with various bills with reference to pay increases. It is my opinion that those working for the Post Office Department, including letter carriers and mail handlers, are receiving less in actual take-home pay than they received in 1938.

Mr. President, I am in favor of the Carlson bill without the change of a single comma or period or the crossing of a "t" or the dotting of an "i." It is a bill which should have been passed long ago. It has always seemed strange to me that these employees were not receiving the amount of pay to which they were fairly entitled. I commend the Senator from Kansas for putting up a fight for these employees in order to give them justice.

The officers of the various postal organizations are unusually fine men. When they have testified before the committee upon various occasions, when I was presiding, and also when I was sitting as a member of the committee, I was impressed with the fact that they never asked for more than that to which they were honestly entitled. Likewise, they never received what they were fairly, squarely, and honestly entitled to receive. In order to make a living, some of these men have their wives working, driving taxicabs, or working in stores. Many of their children do not receive the kind of education to which they are entitled. We talk about a vacation. It is a travesty even to talk about a vacation for those people, because workers in the postal service do not get vacations that amount to anything. When a postal employee does have a chance to get a vacation he does not have any money to go anywhere.

In some of the hearings it developed that in order for the wife of a postal employee to get a dress she had to take a suit which had been worn by a letter carrier and have it made over so that she could have a dress to wear.

I remember that a short time ago veteran mail handlers were receiving $1,900 a year. When we tried to get them a decent salary increase, such as $500, or $600, or $700, in order that an employee could maintain a wife and one child, we finally had to compromise on $400.

The entire proposal to raise postal rates is perfectly ridiculous. There are many people working in the Department of Agriculture, and we do not say that the Department must make a certain amount of money before the employees can have their salaries increased. There are persons enforcing the food and drug laws, and we do not raise the fees for permits in order to get enough money to help them.

The Government has bureaus regulating fisheries, mining, forestry, and many other branches of the economy. For the first time it is planned to inaugurate a system of increasing postal rates when that has absolutely nothing to do with compensating a worker with an honest day's pay for an honest day's work. It seems to me that the problem with which we are confronted is, Shall we pay the Government worker an honest day's wage for an honest day's work?

Furthermore, Congress has appropriated many billions of dollars for foreign aid and relief. The giveaway program, as was said the other day, has now reached a total of $70 billion. Are we now to say that the men and women who are entitled, in fairness, decency, and justice, to a needed increase in pay are not to receive that to which they are justly and honestly entitled?

Again I say that I expect to support the bill introduced by the chairman of the committee, the distinguished Senator from Kansas [Mr. CARLSON], who has

done a good job. I shall support him to the limit. I hope every other Senator will do the same.

Mr. JOHNSON of Texas. Mr. President, I yield to the distinguished junior Senator from Rhode Island [Mr. PASTORE], a member of the committee, 10 minutes on the amendment.

Mr. PASTORE. Mr. President, in my opinion, there is little question in the minds of all of us that Federal employees are entitled to a modest 5-percent increase in pay. Indeed, I think I would not be reflecting the sentiment of all the Members of the Senate if I did not state that all of us feel that Federal employees are entitled to even more than a 5-percent increase.

However that may be, the committee, after serious deliberation and many hearings, decided that the equitable course to follow as of the moment was to grant a 5-percent increase, with reasonable limitations as to maximum and minimum.

At the moment, I shall address myself to the amendments which have been proposed by the distinguished Senator from California, because I believe they constitute the issue before us. That issue is the only impediment which stands in our way.

I am not too much impressed with the argument that unless the amendments be adopted, the increase in wages cannot be granted; or that if the amendments are not agreed to the risk will be run of a possible veto of the bill on the part of the President of the United States.

In that connection, in my opinion, no Senator has been closer to the President of the United States, or has done more to advise and counsel him, or exerted more effective effort to elect Mr. Eisenhower as President, than the very distinguished junior Senator from Kansas [Mr. CARLSON], chairman of the Committee on Post Office and Civil Service.

While I do not wish to anticipate any assurance that may be given by him before a vote is taken on the amendments, the Senator from Kansas was asked a question in committee as to how the White House might feel about the pending bill without the amendments which have been offered by the distinguished Senator from California. The committee received, not a guaranty, not a guess, but an assurance from the distinguished chairman of the committee that, in his opinion, the proposed legislation would be acceptable to the President.

I am a little astounded at the moment to hear so many Senators on the other side of the aisle say that it is their feeling, because of certain general utterances by the President, that unless the pending amendments are attached to the bill, the risk will be run of having the President veto the bill. I doubt that very much.

I do not question the sincerity of the distinguished Senator from California in offering his amendments. While he and I are not of the same political philosophy, there is no Member of the Senate for whom I have greater admiration and respect than I have for the senior Senator from California. I think he is a man of great tenacity, of great purpose, of great ability, of great industry and sincerity. I know that he would not have offered his amendments unless he sincerely thought he was serving the people of the country and his Nation as well. But I do not subscribe to the logic he has offered on the floor of the Senate in defense of his amendments.

The Senator from California has said that, while we all subscribe to the proposition that it is necessary to grant an increase in pay, it is not practical to do so unless postal rates are raised. That argument falls short of logic when it is considered that the proposed 5 percent increase is not alone intended for the benefit of postal workers, but is intended also for the benefit of all classified Federal employees of this great Nation. Therefore, I ask the Senator, Is it necessary, in order to raise the salaries of the classified workers of the Nation, to impose the responsibility for doing so upon the Post Office Department? Can the classified workers of the United States Government receive an increase in pay only if the postal rates are raised? To follow that course would be discriminatory, because if it were necessary to collect new revenue in order to meet this obligation, the cost should be spread equitably, and a tax increase bill should be offered to satisfy the argument that new revenue is needed in order to pay an increase in salaries to classified workers.

I submit to the Senate that the postal pay increase must be met. I am willing to stand up and be counted. I took my position in 1951. I believe that the postal service can be placed on a self-sustaining basis. I contend that the rates should be adjusted upward. Our committee has already indicated that this is the concensus of its members. All of us are in accord with the belief that some action must be taken to raise postal rates, in order to eliminate the deficit in the Post Office Department.

But postal rates have nothing to do with postal salaries; and postal salaries have nothing to do with postal rates. If the employees of the Post Office Department are entitled to a salary increase, they should receive it, regardless of what is done about postal rates.

By the same token, if postal rates should be increased, they should be increased without consideration of the increase in salaries of postal workers. One is not connected with the other. If an attempt were made to connect them, a precedent of long standing would be broken.

In 1951 the Committee on Post Office and Civil Service worked arduously on the matter of adjusting postal rates. When the bill went to conference, the Senate conferees held fast for an increase in first-class postage rates. We were rebuffed by the House conferees. We were told that that was not the time to raise postal rates, so far as first-class service was concerned.

I submit to the distinguished Senator from California that if he is bent upon blocking pay legislation at this session, all that is necessary to be done is to include a postal rate increase amendment on the pay bill, because the moment that is done, there will be a resolution before the Senate to concur in an agreement to adjourn sine die.

If we want to be sincere, if we are in accord with the modest, justifiable, reasonable increase which is proposed for Federal workers, we should consider the question on that basis and that basis alone. We should act upon the bill favorably today. Then, in due time, hearings will be held by the Committee on Post Office and Civil Service. We will go into the matter of adjusting postal rates and will try to eliminate the deficit in the Post Office Department. We will attempt to distribute the burden and the cost as it should be distributed. We will attempt to do equity to all the users of the postal service.

Frankly, I could never understand why, if one placed a paper inside an envelope and licked the flap, the postage would cost 3 cents, whereas if he turned the flap securely inside, the letter could be sent for 2 cents.

If it is desired to adjust the postal rates and to place the Post Office Department on a pay-as-you-go basis; if it is conceded that it costs as much to deliver an envelope sealed as it does to deliver an envelope whose flap is securely folded inside, why should there be a 33⅓-percent deduction?

The entire question of postal rates should be examined. The entire rate structure should be studied. If equity is to be done, it can be accomplished only after the proper extensive hearings which are required. This is not the time, the place, or the occasion for those questions to be settled.

The time to go into the entire field of postal rates and do what we should do for the benefit of the Post Office, in order to reduce the budget of the United States, and also better to serve the people of the United States, will be when we return in January. But the question at the moment is what we should do about salary increases for the postal and classified workers of the Government. In that regard I say that what we should do is pass the bill which was considered by the committee and approved unanimously by every member of the committee, Republican and Democratic, send it to the House so that it can be acted upon, do our job, and go home to our families tonight.

Mr. CARLSON. Mr. President, may I inquire if I have some time remaining on the bill?

The PRESIDING OFFICER. The Senator has 18 minutes remaining on the bill.

Mr. CARLSON. I yield 5 minutes of my time to the distinguished Senator from Minnesota [Mr. THYE].

Mr. THYE. Mr. President, if we examine the record in connection with the question, which is what I have been endeavoring to do this morning, it will be seen that the—

Budget estimates at the beginning of 1953 estimated a postal deficit of $750 million for the fiscal year 1954. As a result of economies, the adjustments referred to above, and rate increases set administratively the deficit estimate has been reduced to $437,200,000.

In other words, the Postmaster General, in his administrative functions, has brought about an economy, or a saving, of $312,800,000. That is most commendable.

It has been my observation throughout the State with which I am most familiar that the Post Office Department has brought about such savings by reorganization of the postal service and the rural routes. Reorganizations in the regional offices that are now going on will result in an additional saving. However, we do not have the answer to how much money those regional offices will save annually in the administrative function of the Post Office Department.

When one examines into the question of salary increases for postal employees, he will find that the pending proposal would result in a cost of $101,500,000. Therefore, Mr. President, the postal rate increases that have been discussed would not necessarily have to be put into effect in order that postal employees may be granted salary increases, because the cost of salary increases for postal employees will amount to only $101,500,000.

The pay of other Federal employees should not in any sense be related to postal rates. The pay of classified employees cannot be associated in any way with postal rates. Therefore, I wish to dissociate postal rates from classified employee salary increases.

When all the facts I have stated are considered, one is confronted with two questions. One is that the Postmaster General cannot see any justification for incurring a greater deficit in the Federal Treasury, and he therefore wants a postal rate increase. The desire not to have a greater deficit is commendable on his part, and I approve such a desire. Increases in postal rates are long overdue. On the other hand, we are faced with the fact that the House has passed a bill providing for pay increases, and that it is ready to adjourn sine die. The Senate is on the very eve of either adjourning sine die or at least bringing the legislative business to a close.

Another possibility is that of a veto. If the Senate passes a bill which the House will not accept, there will be no postal or classified employee pay increases at all. If the President vetoes the bill, that is his prerogative. I feel sensitive or somewhat embarrassed in taking a position against the administration of my party in that respect, but we are faced with the positive fact that both postal and classified Federal employees are due salary increases. Their wages have not kept pace with increases granted other employees. Their salaries are not in line with those received in commercial establishments, whether the employees be in the technical, the professional, or the labor field. Therefore, the Federal employees are entitled to a salary increase, regardless of what is done with respect to postal rates.

While it is very apparent that there is a justification for increases in postal rates, that question should have been taken up in separately proposed legislation long before this period of the session. That was not done. Therefore, we should not be concerned with increased postal rates today.

The other question is that if we feel the employees are due a salary increase, there is before the Senate a committee bill——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. THYE. Mr. President, will the Senator yield me 2 additional minutes?

Mr. CARLSON. I yield the Senator 2 minutes of my time on the bill.

Mr. THYE. Mr. President, we have a bill before us of which the committee made a thorough study regarding wage increases, not only for employees of the postal service, but for those in other Federal agencies. The committee has made certain recommendations to the Senate. I am a firm believer in the committee system of the Congress. Congress assigns certain bills to committees for their study and recommendations. It is our custom generally to accept recommendations of majorities of committees. In this instance, we have had a very able committee chairman, the distinguished Senator from Kansas [Mr. CARLSON]. The committee of which he is chairman has studied and reported a certain bill. I intend to support the committee bill. If it were possible in some manner to offer an amendment to the bill providing for postal rate increases which would be feasible, I would vote for it; but at the present time I am ready to vote for the so-called Post Office and Civil Service Committee bill.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the distinguished junior Senator from Minnesota on the amendment.

Mr. HUMPHREY. Mr. President, I sympathize with the distinguished majority leader in the problem facing him. I realize the pressure under which he has been working. Ever since the beginning of the session the Postmaster General and certain other officials of the administration have been insisting on two things. One has been an improper and inadequate wage increase for our classified and postal employees. That was clearly documented in the Frye report, which was rejected, regarding civil service and postal employees pay increases.

Secondly, ever since the beginning of this Congress the Postmaster General has been trying to make a record on the basis of so-called efficiency and revenue in his department. He has, therefore, literally insisted that the rate structure be tied in with the wage structure.

I say this in all kindness to the majority leader. Of course, we are going to defeat his amendment, because it is not a proper amendment, and because it does not belong in the bill.

I want the record clear that our classified and postal employees stand as the symbol of our Government in every town, village, and community throughout this country. If the bill is passed, those classified and postal employees will not get what they justly deserve. They will get only a token of what their proper reward should be, based on their service, and particularly based on the rise in the cost of living.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I notice that the senior Senator from Minnesota [Mr. THYE] quoted the figure of $312,800,000 as the reduction in the deficit of the Post Office Department brought about by the present Postmaster General. I should like to call attention to where that saving of $312,800,000 came from. When the fourth-class postal increase went into effect, it resulted in an increase in revenues of $160 million. When air mail subsidies were transferred to the CAB, it resulted in a saving of $80 million——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. JOHNSON of Texas. Mr. President, I yield the Senator 1 additional minute.

Mr. JOHNSTON of South Carolina. Reimbursement for penalty and franked mail accounted for $20 million, other rate increases, $40 million. That makes a grand total in revenue increases, plus what is paid out of other agencies of the Government of $330 million. That is the way the reduction was brought about.

Mr. HUMPHREY. I thank the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I should like to call attention to the fact, also, that in the coming year, 1955, it will cost $50 million more to operate the Post Office Department than it has cost at any time in the past.

Mr. HUMPHREY. I thank the ranking minority member of the Committee on Post Office and Civil Service.

Mr. President, we are ready to vote on a rate bill when it comes here under proper auspices and duly processed by committee. We did vote on such a rate bill in 1950.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. I understand, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from California.

Mr. JOHNSON of Texas. Mr. President, I yield myself 3½ minutes, or as much thereof as I may desire to use.

The PRESIDING OFFICER. The Senator from Texas is recognized for 3½ minutes.

Mr. JOHNSON of Texas. Mr. President, I deeply regret that I must oppose the amendment offered by the distinguished majority leader.

I oppose because I think it is flying directly in the face of orderly procedure. We have before us a bill reported to this body by 13 of the most eminent Members of the Senate. In my opinion, it would be a serious mistake for the Senate to tie to that bill the Knowland amendment.

The Knowland amendment comes to us without hearings and without research on the part of our committee. In my opinion it would be an abdication of our responsibility if we were to adopt it.

Mr. President, the pending amendment is not a simple one. In effect, it is an entirely new bill. In my opinion, if the Senate adds this amendment to the bill, the bill will die a quick death.

Mr. President, are we hurriedly to tamper with the postal rates without having the benefit of a committee recommendation as to the effect the proposed increase in rates will have on business in the country? Are we to increase the cost of communication for our people, and are we to do so in the dying days of this Congress, over the protests of the members of the Senate Committee on Post Office and Civil Service?

The basic bill before the Senate today has had the advantage of careful consideration by the 13 members of the Committee on Post Office and Civil Service. The bill was reported to this body by our beloved and respected colleague the junior Senator from Kansas [Mr. CARLSON]. It was reported with the recommendation of each member of that committee. Who are we to select 13 Members and ask them to go into the committee room and discharge their duties and their responsibilities, and to hold hearings and take testimony and weigh the recommendations and make concessions to each other; and then finally when they reach unanimous agreement, set it aside in favor of a new amendment which is brought in at the last minute, and which none of those Members has had a chance to weigh or to consider?

Mr. President, I do not think the Senate will wish to legislate in this manner, and I hope the Senate does not do so.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California.

Mr. KNOWLAND. Mr. President, first of all, I ask that I may modify my amendment in purely a technical manner, because in several places the word "section" was omitted at places where, for instance, the figures "205" or similar figures appear. So I ask that I may modify my amendment by striking out "Section 205", on page 12, in line 4, and inserting in lieu thereof "Sections 205, 207, and 208"; and on page 12 in line 7, I ask that "203" and "209" be stricken out, and that there be inserted, in lieu thereof "Sections 203 and 209"; and on page 12, in line 8, to strike out "202 and 210", and insert in lieu thereof "Section 202."

Mr. JOHNSON of Texas. Mr. President, these are purely technical modifications, are they?

Mr. KNOWLAND. Yes.

The PRESIDING OFFICER. The Senator from California has a right to modify his amendment; and it will be modified accordingly.

Mr. KNOWLAND. Mr. President, I yield myself whatever time I have remaining under my control.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. KNOWLAND. Mr. President, before the vote is taken, I merely wish to say again to the Senate that it is my firm belief that the only way by which we shall have a postal pay bill and a classified service pay bill enacted into law at this session will be by providing for some offsetting revenues.

Despite what the distinguished Senator from Rhode Island [Mr. PASTORE] said, I do not normally obtain my information from either newspaper accounts or rumors. I am the majority leader of the Senate, and I sit in on the Monday morning White House conferences, and I think I keep in reasonably close touch with the administration's views. It is my judgment that a postal pay bill will not be enacted into law unless provision is made for offsetting revenues.

Mr. President, although the committee has spent time on the bill and has reported the bill to the Senate, the bulk of the bill as reported by the committee, insofar as a pay increase for postal employees is concerned, is the same as the amendment I have offered. There are some changes insofar as the pay increase for the classified service is concerned, but there is not a great deal of change.

The real change comes only in respect to the offsetting revenue features of the amendment. To that extent, as I have pointed out before, the figures used in the amendment are exactly the same as the figures which were brought before the Senate just 2 years ago, by means of the report and action of the same committee, then under the leadership of the distinguished Senator from South Carolina [Mr. JOHNSTON]; and the Senate passed that bill, and sent it to the House. That measure provided for a 1-cent increase in the rate on first-class mail, and provided for bringing the second-class rates up to what the Senate decided; namely, 20, 20, and 20. The conference decided on 10, 10, and 10. This amendment will restore the additional 10, 10, and 10 in the case of the second-class mail rates.

Under those circumstances, I think the amendment is a sound one if the postal workers and the classified workers are to receive this pay increase for their benefit at this session of Congress.

The PRESIDING OFFICER. Does the Senator from California desire to have his amendments acted on en bloc?

Mr. KNOWLAND. Yes, Mr. President; I ask unanimous consent that my amendments be acted on en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendments, en bloc, of the Senator from California.

Mr. JOHNSON of Texas. On this question, I ask for the yeas and nays.

Mr. KNOWLAND. Mr. President, I also ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Case	Frear
Anderson	Chavez	George
Barrett	Clements	Gore
Beall	Cooper	Green
Bennett	Cordon	Hayden
Bricker	Crippa	Hendrickson
Bridges	Dirksen	Hennings
Burke	Duff	Hickenlooper
Bush	Dworshak	Hill
Carlson	Ervin	Holland
Humphrey	Malone	Reynolds
Ives	Mansfield	Robertson
Jackson	Martin	Russell
Johnson, Colo.	Maybank	Saltonstall
Johnson, Tex.	McCarran	Schoeppel
Johnston, S. C.	McCarthy	Smathers
Kennedy	McClellan	Smith, Maine
Kerr	Millikin	Stennis
Kilgore	Monroney	Symington
Knowland	Morse	Thye
Kuchel	Mundt	Watkins
Langer	Murray	Williams
Lehman	Neely	Young
Long	Pastore	
Magnuson	Payne	

The PRESIDING OFFICER. A quorum is present.

The yeas and nays have been ordered. The question is on agreeing to the amendments offered by the Senator from California [Mr. KNOWLAND].

Mr. CARLSON. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. CARLSON. Mr. President, I wish to inquire if the pending question is a vote on the Knowland amendments to the Carlson bill, and a vote "nay" would be a vote for the Carlson bill.

The PRESIDING OFFICER. The Senator is mistaken. The vote is on the Knowland amendments en bloc.

Mr. JOHNSON of Texas. To the Carlson bill.

The PRESIDING OFFICER. Yes; amendments to the Carlson bill.

The yeas and nays have been ordered. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. YOUNG (when his name was called). On this vote I have a pair with the senior Senator from Michigan [Mr. FERGUSON]. If he were present and voting he would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

Mr. HENDRICKSON (when his name was called). On this vote I have a pair with the senior Senator from Tennessee [Mr. KEFAUVER]. If he were present and voting he would vote "nay." If I were permitted to vote I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. SALTONSTALL. I announce that the Senator from Wisconsin [Mr. WILEY], the senior Senator from Michigan [Mr. FERGUSON], the junior Senator from Michigan [Mr. POTTER], and the Senator from New Jersey [Mr. SMITH] are absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The Senator from Nebraska [Mrs. BOWRING], the Senator from Maryland [Mr. BUTLER], the Senator from Vermont [Mr. FLANDERS], the Senator from Arizona [Mr. GOLDWATER], the junior Senator from Indiana [Mr. JENNER], the Senator from Connecticut [Mr. PURTELL], and the Senator from New Hampshire [Mr. UPTON] are necessarily absent.

On this vote the Senator from Vermont [Mr. FLANDERS] is paired with the Senator from Alabama [Mr. SPARKMAN], and the Senator from New Jersey [Mr. SMITH] is paired with the Senator from Texas [Mr. DANIEL]. If present and voting, the Senator from Vermont [Mr.

FLANDERS] and the Senator from New Jersey [Mr. SMITH] would each vote "yea" while the Senator from Alabama [Mr. SPARKMAN] and the Senator from Texas [Mr. DANIEL] would each vote "nay."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], and the Senator from North Carolina [Mr. LENNON] are absent on official business.

The Senator from Iowa [Mr. GILLETTE] is absent by leave of the Senate.

I announce that on this vote the Senator from Texas [Mr. DANIEL] is paired with the Senator from New Jersey [Mr. SMITH]. If present and voting, the Senator from Texas would vote "nay," and the Senator from New Jersey would vote "yea."

I announce that on this vote the Senator from Alabama [Mr. SPARKMAN] is paired with the Senator from Vermont [Mr. FLANDERS]. If present and voting, the Senator from Alabama would vote "nay," and the Senator from Vermont would vote "yea."

I announce further that if present and voting, the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Iowa [Mr. GILLETTE], and the Senator from North Carolina [Mr. LENNON] would each vote "nay."

The result was announced—yeas 16, nays 55, as follows:

YEAS—16

Bricker	Dirksen	Reynolds
Bridges	Duff	Saltonstall
Bush	Hickenlooper	Watkins
Case	Knowland	Williams
Cordon	Martin	
Crippa	Millikin	

NAYS—55

Aiken	Holland	McCarthy
Anderson	Humphrey	McClellan
Barrett	Ives	Monroney
Beall	Jackson	Morse
Bennett	Johnson, Colo.	Mundt
Burke	Johnson, Tex.	Murray
Carlson	Johnston, S. C.	Neely
Chavez	Kennedy	Pastore
Clements	Kerr	Payne
Cooper	Kilgore	Robertson
Dworshak	Kuchel	Russell
Ervin	Langer	Schoeppel
Frear	Lehman	Smathers
George	Long	Smith, Maine
Gore	Magnuson	Stennis
Green	Malone	Symington
Hayden	Mansfield	Thye
Hennings	Maybank	
Hill	McCarran	

NOT VOTING—25

Bowring	Flanders	Purtell
Butler	Fulbright	Smith, N. J.
Byrd	Gillette	Sparkman
Capehart	Goldwater	Upton
Daniel	Hendrickson	Welker
Douglas	Jenner	Wiley
Eastland	Kefauver	Young
Ellender	Lennon	
Ferguson	Potter	

So Mr. KNOWLAND's amendments were rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. CARLSON. Mr. President, I offer the amendments which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendments.

The CHIEF CLERK. On page 24, beginning with line 24, it is proposed to strike out through line 2 on page 25.

On page 25, line 3, strike out "210" and insert "209."

On page 25, line 9, strike out "Sections 203 and 209" and insert "Section 203."

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. CARLSON. Mr. President, the purpose of these amendments is to delete the sections of this bill which deal with the Whitten rider on the fringe benefits, which were taken care of in conference report between the House and Senate.

It is considered necessary by the legislative counsel to strike out the three provisions in order to clarify this bill.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Kansas [Mr. CARLSON].

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JOHNSON of Colorado. Mr. President, I offer the amendment which I send forward and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. It is proposed to insert at the proper place the following new section:

SEC. —. (a) Effective January 1, 1955, the compensation of Senators, Representatives in Congress, Delegates from Territories, and the Resident Commissioner from Puerto Rico, and of the judges of Federal courts, shall be at the rate payable to the heads of the executive departments or the rate payable under any other provision of law, whichever is higher.

(b) As used in this section, the term "Federal court" shall include any court of the United States, as defined in section 451 of title 28 of the United States Code, the Tax Courts of the United States, and the Court of Military Appeals.

Mr. JOHNSON of Colorado. Mr. President, I allocate myself 2 minutes, if necessary.

This is a proposal to raise the salaries of Members of Congress and Federal judges to the rates paid to Cabinet members. In my opinion, such action is fully justified as a cost-of-living increase.

Mr. President, I have not discussed this subject with any other Member of the Senate. I have not discussed it with anyone. I feel that something along this line should be done, so I am proposing it all on my own.

My 17½ years in the Congress have given me an enviable opportunity to pass judgment on congressional pay. At present, and as long as I have been here, Congressmen have received "board and room" pay. I have never complained about my Senate salary, and I do not complain now. I have been, and I am still, too proud of my membership in the Senate to do so. Service in the United States Senate is so attractive to me that I would work for nothing simply to be here and to have this opportunity of serving.

My colleagues feel as I do. That I know. That is as it should be. Ours is truly a labor of love and not a labor for gold, and it should be kept on that basis so far as it is practicable to do so.

It is my contention that labor in the Congress and on the Federal bench, like all other labor, is worthy of its hire. My amendment is offered in that spirit. Perhaps my amendment will not be agreed to. I do not know. But I do know that it should be.

Under the Constitution, unfortunately for Members of Congress, we must fix our own salaries. If the President had the authority to fix our pay, our salaries would be doubled. If anyone in or out of Government, other than Congress, had the authority to determine our pay, there would be no question about a cost-of-living increase in pay for Federal judges and the Members of Congress.

Mr. CARLSON. Mr. President——

Mr. MORSE. Mr. President——

The PRESIDING OFFICER (Mr. IVES in the chair). The Senator from Kansas is recognized.

Mr. CARLSON. Mr. President, I should like to make a point of order against the amendment, on the ground that this bill deals with classified Federal workers and does not deal with the legislative branch of the Government.

Mr. KNOWLAND. Mr. President, I should like to speak on the point of order.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. KNOWLAND. I think the point of order raised by the Senator from Kansas [Mr. CARLSON] is good. I think the amendment is not within the spirit of the unanimous-consent agreement entered into last night, that amendments should be germane. This bill deals only with the question of postal pay and classified service pay. The amendment which has now been defeated dealt with the offsetting revenue. I do not think either the spirit or the letter of the unanimous-consent agreement would permit the entertainment of an amendment of this kind, which I feel is far afield from the proposed legislation before us.

Mr. MORSE. Mr. President, I wish to join in the point of view just expressed by the Senator from California. I think, at least, we can say that by spirit and intent this is a rider, and I cannot imagine anything that could be worse psychologically from the standpoint of the United States than for Congress to pass for itself a salary increase by way of a rider, in the closing hours of this session of the Congress. It is perfectly obvious what millions of persons would say, and rightly so. They would say that we did not face this question forthrightly earlier in the session by going through the hearing process and presenting the case on its merits.

Mr. JOHNSTON of South Carolina. Mr. President, I think the point of order is well taken. We put into our unanimous-consent agreement the words:

Provided, That no amendment that is not germane to the subject matter of said bill shall be received.

I think that is exactly what was meant when the language was included in the agreement.

I believe that our salaries should be increased. How much, is a question for the proper committee to consider. I, for one, if I am on the Post Office and Civil Service Committee, which I suppose I will be—I might be chairman of it—will ask for hearings, and I hope the committee will take up the question, for it has the right to judge the matter.

Mr. BUSH. Mr. President, I wish to associate myself completely with the views of the majority leader and of the Senator from Oregon. We are discussing under the proposed amendment salaries of judges of the United States as well as of Members of the Congress. I do not think those two subject should be considered together. I think Congress is entitled to debate the question of congressional salaries on a clean bill. I very much hope that in view of the unanimous consent agreement the Chair will rule the amendment out of order, so that Congress can debate the question on its merits.

Mr. McCARRAN. Mr. President, more than a year ago a resolution submitted by the Senator from Illinois was passed by the Congress and a commission was appointed to investigate the subject of salaries for Members of the House and Senate and members of the judiciary. The commission held extensive hearings and made a very comprehensive report recommending an increase in the salaries of Members of the Congress and of the Judiciary. The bill in connection with that report has been on the calendar of the Senate for many months. There was an agreement at one time that it would be taken up. It never was taken up, although the study made by the commission was carefully done, as the report will show. The study made by the commission cost the United States more than $50,000. The commission's report is something by which every Member of the Congress should be governed.

This amendment, if it is approved, will kill the bill, because it cannot go through at this session of Congress, and the bill be a "dead duck" if the amendment is adopted.

I would gladly take up the bill which is on the calendar and vote for it any time it can be brought up, but to bring the question up in connection with this bill means the destruction of the bill which is pending, and I shall, therefore, vote against the amendment.

Mr. JOHNSON of Colorado. Mr. President, I shall not press the amendment. If Senators are not for it, that is all right. If they do not want to agree to it for psychological reasons, for political reasons, or for any other reasons which may be the standard of voting, that is all right. But I must disagree as to the point of order which has been raised. The title of the bill before us is: "To establish a uniform system for the granting of incentive awards to officers and employees of the United States, and for other purposes."

Certainly, the Members of the Senate and the members of the Federal courts are employees or officers of the United States.

Mr. RUSSELL. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield.

Mr. RUSSELL. Mr. President, I wish to say that while I would vote for this proposal as a separate measure, I could not vote to attach it to this measure. From the parliamentary standpoint, I express the opinion that the amendment is clearly in order. It is much more in order from a parliamentary standpoint than was the amendment proposed by the Senator from California for increasing postal rates, against which no point of order was raised. The amendment relates to compensation of Federal employees. I think it is in order and that it is germane. The Senator from Colorado evidently intends to withdraw it, and I hope he does so, because I would have to vote against it. However, I think it is entirely in order.

Mr. CASE. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CASE. I notice that the distinguished Senator from Colorado spoke of reasons, political and psychological. Will the Senator express an opinion as to whether it would be political or psychological if someone pointed out that Congress reduced the support prices on farm products and also proposes salary increases of this character? Would that be political or psychological?

Mr. JOHNSON of Colorado. I said "psychological," only because that word was used in one of the arguments made here. I am not talking about psychological reasons on the point of order. Psychological reasons, political reasons, and plenty of other reasons might very well be raised against this proposal, on the ground of merit. But it does not seem to me we should stretch the point of order sufficiently to cover this question.

Mr. MAYBANK. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I had yielded to the Senator from South Dakota. Perhaps he has not concluded his questions.

Mr. CASE. My only observation is that, whether we call it political or psychological, we are asked to approve an amendment which would raise our own salaries, while in the same session we have lowered price supports for farm products.

Mr. JOHNSON of Colorado. I am very glad the Senator raises an objection on the merits and not on the point of order, which I do not think can be sustained. I am glad he is opposed to my amendment for some other reason than that.

The PRESIDING OFFICER. The Chair is ready to rule at any time.

Mr. JOHNSON of Colorado. Mr. President, I wish to yield to the Senator from South Carolina [Mr. MAYBANK].

The PRESIDING OFFICER. The Chair would like to wind up the discussion as soon as possible.

Mr. JOHNSON of Colorado. I yield to the distinguished senior Senator from South Carolina.

Mr. MAYBANK. Mr. President, I thoroughly agree with the Senator from Georgia. I would not vote for the amendment of the Senator from Colorado. I appreciate what the Senator from Colorado has done in connection with the farm bill. The Senator from Colorado did not vote to reduce price supports to the farmers. But I came to the Senate to represent the working people, both in and out of Government, and not to vote for a salary increase for myself.

Mr. JOHNSON of Colorado. The Senator is correct.

Mr. KERR. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield to the Senator from Oklahoma.

Mr. KERR. I thoroughly agree with what the Senator has said about the amendment being in order and germane. I wish to associate myself, however, with what the Senator from Georgia [Mr. RUSSELL] and the Senator from South Dakota [Mr. CASE] have said. I could not support the amendment of the Senator from Colorado in view of many considerations, especially the fact that Congress has reduced farm price supports to American farmers.

I join with other Senators in asking my great, generous, and good friend from Colorado to withdraw his amendment.

Mr. JOHNSON of Colorado. I thank the Senator from Oklahoma for his advice and counsel, which I have followed for a long time.

The PRESIDING OFFICER. The Chair is prepared to rule.

Mr. JOHNSON of Colorado. Mr. President, I have the floor on a point of order.

The PRESIDING OFFICER. The Chair is ready to rule at any time.

Mr. JOHNSON of Colorado. I am not eager to have a ruling.

The PRESIDING OFFICER. The Senator will get one in a moment.

Mr. JOHNSON of Colorado. Not until I finish speaking on the point of order.

The PRESIDING OFFICER. The Senator may proceed.

Mr. JOHNSON of Colorado. Of course I will proceed. I have a right to do so, and I am not doing it by way of sufference; I do it under my own right.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. LANGER. In view of the fact that the Senator from Nevada [Mr. McCARRAN], who is chairman of the subcommittee, has spent many hours of labor on the question, and since the Committee on the Judiciary has studied the question and has held hearings upon it, would not the distinguished Senator from Colorado withdraw his amendment? The Senator may make his motion to bring up the bill at the proper time before adjournment, if he wishes to do so, and if the distinguished majority leader will agree to bring it up. The bill has been on the calendar for several months, as the distinguished Senator has said.

Mr. JOHNSON of Colorado. In reply to the Senator from North Dakota, who has asked a very good question, I may say that I am greatly impressed by the argument made by the Senator from Nevada that the amendment might endanger a very worthy piece of legislation. It might make a "dead duck" out

of legislation most of us wish to see enacted by Congress. For that reason, I am very seriously considering the proposal made by the Senator from Nevada that I withdraw the amendment.

But first I wish to hear from other Senators.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield to the Senator from Connecticut.

Mr. BUSH. Together with the Senator from North Dakota, I appeal to the Senator from Colorado to withdraw his amendment. The Senate is operating under a limitation of time on amendments, by unanimous agreement.

The Senator's amendment relates to a very important subject. The question of judicial salaries alone, in my opinion, is very important. When the subject of congressional salaries is coupled with it, and when consideration is given to the report to which the Senator from Nevada has referred, and which I have studied closely, I say to the Senator from Colorado that the subject deserves greater consideration than can be given to it under the unanimous-consent agreement. On that basis, I think the point of order should be sustained. I ask the Senator from Colorado kindly to withdraw his amendment, so that the subject can be considered on its own merits, with due time allotted for proper deliberation and debate.

Mr. JOHNSON of Colorado. The request of the Senator from Connecticut is a very sincere one, and his appeal carries great weight with me. I am giving very serious consideration to it now. First, however, I desire to yield——

The PRESIDING OFFICER. The Chair interrupts the Senator from Colorado at this juncture in order to point out that the Senate is operating under a time limitation. On any amendment the time is controlled by the Senator proposing the amendment and a Senator in opposition to it, in accordance with the provisions of the unanimous-consent agreement. To the extent that the debate is on an amendment, that control operates.

A point of order cannot be made until the proponent of the amendment has consumed the time allotted to him, but the Chair can entertain debate on a point of order for his own information, and the time for such debate can be limited at the discretion of the Chair.

The Chair does not wish to terminate the debate, but the Chair asks that the debate be expedited on the point of order.

Mr. JOHNSON of Colorado. I shall be finished in a very short time.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield to my friend, the senior Senator from South Dakota, who has an observation to make, no doubt. I shall not take much time, although I have time on the amendment.

The PRESIDING OFFICER. The Senator has time on the amendment; but the discussion now is on a different point. The Senator is not using time now on his amendment.

Mr. MUNDT. I shall take but a moment. I desire to give my esteemed friend from Colorado, whom I have known for many years, a friendly nudge from my part of the country. I hope he will listen to the appeals to withdraw his amendment, not because it is not germane, but because it involves an entirely different issue, a very vital matter pertaining to increases, which I shall vote against, whether it be in the form of an amendment or a bill.

To attach the amendment to the pending bill would defeat the bill in which postal employees are interested, and in which the Senator from Colorado is interested, as he demonstrated on the yea-and-nay vote. I know he is enthusiastically interested in the pending pay raise bill.

Mr. JOHNSON of Colorado. The Senator's argument carries great weight with me.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield to the Senator from Oregon for a question, provided I do not lose the floor. I hope this will be the last request I will have for a question. However, I yield to the Senator from Oregon.

Mr. MORSE. Does not the Senator from Colorado agree with me that the question asked by the Senator from Connecticut [Mr. BUSH] is worthy of very favorable consideration? The amendment of the Senator from Colorado really brings up a major issue in the Senate, and we all know it. It brings up an issue which will take considerable time to debate, because many of us are against the position taken by the Senator from Colorado, in that we believe salaries are high enough, but we also believe that the Senate should give consideration to increasing the accountable tax allowances which are not allowed Senators, but which should be allowed in order that we may render better service to our constituents.

The PRESIDING OFFICER. The Chair does not like to interrupt, but the Chair will have to rule.

Mr. JOHNSON of Colorado. Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The Chair thanks the Senator from Colorado.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, it is perfectly agreeable to me to have the remaining time yielded back, although I do not control the time.

The PRESIDING OFFICER. All time is yielded back.

Mr. JOHNSON of Texas. Mr. President, just a moment. Time is not yielded back in one fell swoop.

Is the Senator from Kansas willing to have the remainder of the time yielded back?

Mr. CARLSON. I should like to use 3 or 4 minutes, to make a statement for the RECORD on some of the work which has been done by the 83d Congress pertaining to the Federal workers of the Nation.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that all time be yielded back with the exception of 4 minutes to each side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CARLSON. Mr. President, the 83d Congress has enacted much legislation of great value to the Federal workers of this Nation. The President made many recommendations for legislation that would keep in mind the employer-employee relationship of the Government on the same basis that many benefits have been given employees in private industry.

The fringe benefit bill, the group life insurance program, and unemployment compensation are outstanding in this field.

As chairman of the Senate Post Office and Civil Service Committee, I wish to express my appreciation to both the majority and minority members of that committee for the splendid cooperation they have given me in preparing this legislation for action by the Senate.

The presentation of this legislation to the Senate would not have been possible had I not had the fullest cooperation of every member of the committee.

We have also had the finest cooperation from the various agencies of the Government, which made it possible to secure the information needed in preparing these bills.

Personally, I am indebted to all of these people. It is indeed a pleasure to mention some of the provisions of the various acts that have been approved by Congress.

This morning the Senate approved a pay increase bill, which, if accepted by the House and approved by the President, will further keep faith with the Federal workers of the Nation. The action of the Senate is to be commended.

GROUP LIFE INSURANCE

On a voluntary basis, Federal employees are eligible for insurance coverage in amounts based upon their annual salaries carried to the nearest upper thousand. Employees will pay 25 cents per $1,000 of insurance every biweekly pay period; the Government will contribute an amount equal to one-half of the employee payment. The law provides double indemnity payment in case of accidental death and payment to employees for loss of sight or limb. No medical examination is required. Employees who leave the service may convert their insurance at standard rates without physical examination. Insurance will be free for employees who retire on immediate annuity after at least 15 years' service, and for employees retired for disability. Employees will pay no premiums after they reach age 65, but life insurance protection will be pro-

vided after that age. Beginning at age 65 the amount of life insurance is reduced at the rate of 2 percent a month, but the reduction does not exceed 75 percent of the face amount.

MODIFICATION OF THE WHITTEN AMENDMENT

Restrictions on permanent promotions and on permanent reinstatements of former career employees have been removed. The statutory limit on the number of permanent employees in the executive branch is increased 10 percent above the ceiling of September 1, 1950. These modifications will permit the Civil Service Commission to proceed with its new "career conditional" appointment system and to convert many thousands of present indefinite employees to career status.

INCENTIVE AWARDS PROGRAM

Existing awards programs have been liberalized, made applicable to all employees, and combined for purposes of more aggressive administration. Provision is made for the first time for special awards by the President for exceptionally meritorious service. The Civil Service Commission is responsible for administration of the combined program. Agencies may make awards up to $5,000. In cases of highly exceptional suggestions, inventions, or superior accomplishments, individual awards may be as much as $25,000 with approval of the Civil Service Commission.

REPEAL OF ANNUAL LEAVE REDUCTION REQUIREMENT

Employees will no longer be required to reduce accumulations of leave in excess of 30 days. They may maintain the amount of leave they carried over at the beginning of the 1954 leave year. The law also provides that survivors of deceased employees may be paid a lump-sum payment for the employee's accumulated and current annual leave. This provision is retroactive to September 1, 1953.

EXTENSION OF LONGEVITY PAY INCREASES TO GRADES GS-11 THROUGH GS-15

Longevity salary-step increases are authorized for employees in grades GS–11 through GS–15. Previously only employees in grade GS–10 and below were eligible. Longevity step increases may be paid to employees who have been in the same or a higher grade for an aggregate of at least 10 years and who have continuously served the last 3 years at the maximum of their present grade. Three such increases can be earned.

RECRUITMENT AT SALARIES ABOVE THE MINIMUM OF THE GRADE

When employment conditions make it necessary, the Civil Service Commission may authorize appointments to hard-to-fill types of jobs at salary rates above the minimum of the pay grade prescribed by the Classification Act.

ALLOWANCES FOR UNIFORMS

Employees who are required to wear uniforms on the job may be paid an annual allowance up to $100 a year for purchase of uniforms, if Congress appropriates funds for this purpose.

ABOLISHMENT OF THE CPC SCHEDULE

The crafts, protective and custodial—CPC— schedule of the Classification Act is abolished, and most of the employees now in it will be placed under the wage board system and paid on the basis of local prevailing wage rates—which usually are significantly higher. Some of the CPC jobs will be placed in the General Schedule of the Classification Act. No employee whose job is moved to the General Schedule will lose salary, and most will gain slightly. The changes will eliminate present pay inequities and put Government in a better competitive position in recruitment and retention of blue-collar workers.

INCREASE IN THE NUMBER OF SUPERGRADE POSITIONS

The statutory limit on the number of jobs at the top of the Classification Act ladder—the so-called supergrades—has been increased from 400 to 550. The previous limitation in the Classification Act of 1949 on the number of positions in grades GS–16, 17, and 18 hampered effective administration and created pay inequities among employees, some of whom have been receiving considerably less pay than their work assignments call for.

PREMIUM PAY

The fringe-benefits bill included provisions relating to several types of premium pay:

Overtime: Time and a half for overtime may now be paid on salaries up to $5,060, the bottom of grade GS–9; overtime pay at a flat rate equal to time and a half for the top rate of GS–9 may be paid to employees earning annual salaries above that level. Previously the Federal Employees Pay Act provided a time and a half overtime rate only on salaries up to $2,980.

Extra pay for special groups: Employees with long tours of standby duty, such as firefighters, may be paid up to 25 percent of their annual base pay rates instead of hourly rates of overtime, night, and holiday pay. Employees whose duties require substantial amounts of unscheduled overtime which cannot be administratively controlled (such as investigators of criminal activities) may receive additional annual pay up to 15 percent of base pay rates.

Call-back pay: A minimum of 2 hours' pay at the overtime rate is provided for any employee called in for overtime work on one of his days off or after having finished a regular day's work.

Tours of duty: A statutory statement of policy on work schedules spells out ground rules for scheduling work of employees by agencies within standard tour-of-duty patterns generally found in private industry. The statement makes clear that agencies can make exceptions to these requirements in those instances where they will be seriously handicapped or where costs will be substantially increased.

UNEMPLOYMENT COMPENSATION

Unemployment compensation benefits, similar to those enjoyed by workers in private industry, have been provided for Federal employees for the first time.

All of these benefits have worked to the advantage of Federal employees. Personally I am proud of the record Congress has made in this regard.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement relative to the pay increases for Federal employees since 1943, including other pertinent data.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Postal employees have actually received a total of six wage increases since 1941.

1. 1943–45: A temporary $300 per annum wartime bonus was in effect during this period.

2. Public Law 134, effective July 1, 1945, incorporated this $300 wartime bonus and added another $100 for a total of $400 permanent increase.

3. Public Law 386, effective January 1, 1946, approved an additional $400 per annum wage increase.

4. Public Law 900, effective July 3, 1948, approved an additional $450 per annum wage increase.

5. Public Law 428, effective November 1, 1949, granted an additional $120 annual wage increase.

6. Public Law 204, effective July 1, 1951, granted another $400 per annum wage increase.

This brings the total of annual wage increases for postal employees since 1943 to $1,770. The $300 wartime bonus of 1943 is part of the $400 permanent increase granted in Public Law 134, therefore, should not be counted in the total.

In other words, postal employees have received a total of 5 permanent increases since 1945 and 4 since 1946.

Private industry, as represented by United States Steel, received a total of 2 increases during the period 1941–45 and 8 from 1946 to present, or a total of 10, amounting to approximately $1.09 per hour.

Armour & Co. received 2 wage increases during the period 1941–45 and 11 increases from 1946 to present for a total of 92 cents per hour.

Lockheed Aircraft employees received 3 increases from 1941 to 1945 and 7 increases from 1946 to present for a total of 86 cents per hour.

These three cases seem to be fairly representative of private industry.

The following information is taken directly from President Eisenhower's Economic Report of 1954 to the Congress.

President Eisenhower stated in his economic report that during the period 1939–53 the following increases had been granted in the weekly wages of employees in private industry:

	Percent
Bituminous coal miners	258
Building construction workers	201
Factory workers	200
Hotel workers	151
Railroad workers	140
Wholesale trade workers	139
Retail clerks	137
Telephone workers	102

During this same period the annual wages of postal employees have increased 94 percent.

The average take-home pay plus longevity for a postal employee with a family and three exemptions in 1939 was $2,007.47. For the same employee in December 1952 it was $3,378.78.

It has been determined that the average take-home pay for a postal employee in 1952 should have been $3,927.60 in order for him to have the same purchasing power as he did in 1939. In other words, the average postal employee is $548.82 below his 1939 purchasing power. In order to restore to the postal worker his 1939 wage, an increase of $750 gross is necessary.

The National Association of Letter Carriers conducted a survey of their entire membership of over 100,000 and received a 71.6 percent response.

The results of this survey show that 45 percent of the letter carriers hold additional part-time jobs. Thirty-eight and two-tenths percent of the letter carriers' wives are working. Seventy and three-tenths percent of the letter carriers responding stated their debts had increased since the last pay adjustment. Five and five-tenths percent stated their debts had decreased. Eight hundred forty-two dollars and ninety-three cents was given as the average debt (not including home mortgages) of the average letter carrier. Thirteen and nine-tenths percent borrowed on insurance policies, 56.9 percent borrowed money from credit unions and 10.9 percent borrowed money from other sources.

Mr. JOHNSON of Texas. Mr. President, I yield to the distinguished majority leader.

The PRESIDING OFFICER. Does the Senator from California yield back the remaining time?

Mr. KNOWLAND. The Senator from Texas controls it; I do not. I desire to make a brief statement.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. KNOWLAND. The Senate has voted down the amendments which I offered. I shall not vote for the bill. I would have been glad to vote for a postal pay increase with offsetting revenues provided to the Government of the United States. I do not believe the proposed legislation which is now before the Senate, and which will soon be before the House, will be enacted into law.

I regret very much that the Senate in its judgment did not adopt my amendments. The Senate did what it is its perfect right to do. The responsibility, under his powers, will rest with the President when the bill reaches him.

The PRESIDING OFFICER. Does the Senator yield back his remaining time?

Mr. CASE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from South Dakota.

Mr. CASE. I merely wish to state that the sentiment expressed by the distinguished majority leader will guide me in my vote, as will the observation which I made with regard to raising congressional salaries. I think that at a time when we are holding down supports for agricultural commodities, and at a time when we do not have the financing to support pay raises, we would be in a bad position if we granted pay raises. Therefore, I shall vote against the bill.

The PRESIDING OFFICER. Is the remaining time yielded back?

Mr. JOHNSON of Texas. I yield back my remaining time.

Mr. CARLSON. I yield back my remaining time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REYNOLDS (when his name was called). On this vote, I have a pair with the senior Senator from Michigan [Mr. FERGUSON]. If the senior Senator from Michigan were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withold my vote.

The rollcall was concluded.

Mr. SALTONSTALL. I announce that the senior Senator from Michigan [Mr. FERGUSON], the junior Senator from Michigan [Mr. POTTER], the Senator from New Jersey [Mr. SMITH], and the Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate.

The senior Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The Senator from Nebraska [Mrs. BOWRING], the Senator from Maryland [Mr. BUTLER], the Senator from Vermont [Mr. FLANDERS], the Senator from Arizona [Mr. GOLDWATER], the junior Senator from Indiana [Mr. JENNER], and the Senator from Connecticut [Mr. PURTELL] are necessarily absent.

If present and voting the Senator from Nebraska [Mrs. BOWRING], the Senator from Maryland [Mr. BUTLER], the Senior Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], the Senator from Arizona [Mr. GOLDWATER], the junior Senator from Indiana [Mr. JENNER], the Senator from Connecticut [Mr. PURTELL], the Senator from New Jersey [Mr. SMITH], the Senator from Wisconsin [Mr. WILEY] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], and the Senator from North Carolina [Mr. LENNON] are absent on official business.

The Senator from Iowa [Mr. GILLETTE] is absent by leave of the Senate.

I announce further that if present and voting, the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Iowa [Mr. GILLETTE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from North Carolina [Mr. LENNON], and the Senator from Alabama [Mr. SPARKMAN], would each vote "yea."

The result was announced—yeas 69, nays 4, as follows:

YEAS—69

Aiken	Ervin	Kerr
Anderson	Frear	Kilgore
Barrett	George	Kuchel
Beall	Gore	Langer
Bennett	Green	Lehman
Bricker	Hayden	Long
Bridges	Hendrickson	Magnuson
Burke	Hennings	Malone
Bush	Hickenlooper	Mansfield
Carlson	Hill	Martin
Chavez	Holland	Maybank
Clements	Humphrey	McCarran
Cooper	Ives	McCarthy
Cordon	Jackson	McClellan
Crippa	Johnson, Colo.	Millikin
Dirksen	Johnson, Tex.	Monroney
Duff	Johnston, S. C.	Morse
Dworshak	Kennedy	Mundt
Murray	Russell	Symington
Neely	Saltonstall	Thye
Pastore	Smathers	Upton
Payne	Smith, Maine	Watkins
Robertson	Stennis	Young

NAYS—4

Case	Schoeppel	Williams
Knowland		

NOT VOTING—23

Bowring	Ferguson	Potter
Butler	Flanders	Purtell
Byrd	Fulbright	Reynolds
Capehart	Gillette	Smith, N. J.
Daniel	Goldwater	Sparkman
Douglas	Jenner	Welker
Eastland	Kefauver	Wiley
Ellender	Lennon	

So the bill (H. R. 7774) was passed.

Mr. LANGER. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. KNOWLAND. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER (Mr. PAYNE in the chair). The question is on agreeing to the motion of the Senator from California to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed, without amendment, the bill (S. 1504) for the relief of the estate of Rev. Pang Wha Il.

The message also announced that the House had passed the bill (S. 2862) to provide relief for the sheep-raising industry by making special nonquota immigrant visas available to certain skilled alien sheepherders, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7886) for the relief of Mrs. Cecil Norton Broy.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 108) to correct enrollment in H. R. 7840, to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H. R. 1461. An act for the relief of Kenneth McRight;

H. R. 1980. An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes;

H. R. 2263. An act to provide certain employment benefits for employees of the Federal Government, and for other purposes;

H. R. 2781. An act for the relief of Nicholas Matook;

H. R. 3014. An act for the relief of Dr. Alfred L. Smith;

H. R. 3232. An act for the relief of Dennis F. Guthrie;

H. R. 3384. An act for the relief of John B. Daniel, Inc.;

H. R. 3446. An act for the relief of Mrs. Emily Wilhelm;

H. R. 6287. An act to extend and amend the Renegotiation Act of 1951;

H. R. 6290. An act to discontinue certain reports now required by law;

H. R. 6529. An act for the relief of Raleigh Hill;

H. R. 7853. An act to permit retired policemen and firemen of the District of Columbia to waive all or part of their relief or retirement compensation;

H. R. 8647. An act to amend Revised Statutes 4426;

H. R. 9712. An act granting the consent of Congress to certain New England States to enter into a compact relating to higher education in the New England States and establishing the New England Board of Higher Education;

H. R. 9924. An act to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes;

H. R. 9936. An act making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes; and

H. R. 10009. An act to provide for the review of customs tariff schedules, to improve procedures for the tariff classification of unenumerated articles, and for other purposes.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. LANGER, from the Committee on the Judiciary, without amendment:

H. R. 9988. A bill for the relief of the Federal Republic of Germany (Rept. No. 2505).

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED

The Secretary of the Senate reported that on today, August 20, 1954, he presented to the President of the United States the following enrolled bills and joint resolutions:

S. 45. An act for the relief of Mrs. Merle Cappeller Weyel;

S. 46. An act for the relief of E. S. Berney;

S. 361. An act to provide for renewal of and adjustment of compensation under contracts for carrying mail on water routes;

S. 417. An act conferring jurisdiction upon the United States District Court for the District of New Mexico, to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande;

S. 541. An act to extend benefits under the War Claims Act of 1948 to certain classes of persons, and for other purposes;

S. 555. An act for the relief of Charles W. Gallagher;

S. 599. An act for the relief of Cpl. Robert D. McMillan;

S. 820. An act for the relief of the estate of Carlos M. Cochran;

S. 1042. An act to abolish the Commission for the Enlarging of the Capitol Grounds;

S. 1183. An act for the relief of John L. de Montigny;

S. 1203. An act for the relief of Lt. Col. Rollins S. Emmerich;

S. 2070. An act for the relief of the estate of Givens Christian;

S. 2083. An act for the relief of Lawrence F. Kramer;

S. 2147. An act for the relief of Terrence Waller;

S. 2156. An act for the relief of John Enepekides, his wife, and his son, George;

S. 2259. An act for the relief of Rev. Charles V. Rossini;

S. 2266. An act for the relief of Walter P. Sylvester;

S. 2308. An act to authorize and direct the investigation by the Attorney General of certain offenses, and for other purposes;

S. 2496. An act for the relief of Harvey Schwartz;

S. 2553. An act for the relief of Joseph V. Crimi, father of the minor child, Joseph Crimi;

S. 2632. An act for the relief of the Epes Transportation Corp.;

S. 2670. An act to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes;

S. 2693. An act for the relief of Robert Lee Williams;

S. 2801. An act for the relief of Graphic Arts Corporation of Ohio;

S. 2980. An act conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp.;

S. 3017. An act for the relief of Thomas Barron;

S. 3064. An act for the relief of the estate of Mary Beaton Denninger, deceased;

S. 3110. An act for the relief of the Portsmouth Sand & Gravel Co.;

S. 3187. An act to authorize the United States of America to quitclaim all its right, title, and interest in and to certain lands in Arizona, except for mineral interests therein, and for other purposes;

S. 3189. An act providing for the conveyance by the United States to the Monterey County Flood Control and Water Conservation District, Monterey County, Calif., of certain lands in Camp Roberts Military Reservation, Calif., for use as a dam and reservoir site and for other purposes;

S. 3245. An act to provide emergency credit;

S. 3251. An act to provide for the conveyance of certain mineral rights to Mrs. Pearl O. Marr, of Crossroads, N. Mex.;

S. 3304. An act conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Cuban-American Sugar Co. against the United States;

S. 3329. An act to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities;

S. 3482. An act to amend the District of Columbia Unemployment Compensation Act, and for other purposes;

S. 3494. An act for the relief of the Central Railroad Co. of New Jersey;

S. 3562. An act for the relief of the McMahon Co., Inc.;

S. 3595. An act to direct the Secretary of the Army to convey certain property located in El Paso, Tex., and described as part of Fort Bliss, to the State of Texas;

S. 3627. An act to amend the Civil Service Retirement Act, as amended;

S. 3628. An act to amend Public Law 815, 81st Congress, in order to extend for 2 additional years the program of assistance for school construction under title III of that act;

S. 3629. An act to postpone the effective date of the 3 percent absorption requirements in Public Law 874, 81st Congress, for 1 year;

S. 3712. An act to authorize the Commander, Air University, to confer appropriate degrees upon persons who meet all requirements for those degrees in the Resident College of the United States Air Force Institute of Technology;

S. 3744. An act to change the name of Gavins Point Reservoir back of Gavins Point Dam to Lewis and Clark Lake;

S. 3750. An act to direct the Secretary of the Air Force or his designee to convey certain property located in proximity to San Antonio, Bexar County, Tex., to the State of Texas;

S. 3822. An act to authorize the conveyance to the State of Texas of approximately 9 acres of land in Houston, Tex., to be used for National Guard purposes;

S. J. Res. 147. Joint resolution to establish the Woodrow Wilson Centennial Celebration Commission, and for other purposes; and

S. J. Res. 170. Joint resolution to approve the conveyance by the Tennessee Valley Authority of certain public-use terminal properties now owned by the United States.

BILL INTRODUCED

A bill was introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. LEHMAN:

S. 3892. A bill for the relief of Carmela Rubini Epifano; to the Committee on the Judiciary.

SPECIAL COMMITTEE TO INVESTIGATE THE SENATE KITCHENS AND RESTAURANTS IN THE CAPITOL

Mrs. SMITH of Maine (for herself, Mr. GEORGE, Mr. CORDON, Mr. MCCARRAN, Mr. IVES, Mr. MURRAY, Mr. WILLIAMS, Mr. CHAVEZ, Mr. HENDRICKSON, Mr. GREEN, Mr. BARRETT, Mr. KILGORE, Mr. BEALL, Mr. MAYBANK, Mr. PAYNE, Mr. GILLETTE, Mr. CRIPPA, Mr. FULBRIGHT, Mr. MORSE, Mr. NEELY, Mr. LONG, Mr. ANDERSON, Mr. HUMPHREY, Mr. CLEMENTS, Mr. MONRONEY, Mr. HENNINGS, Mr. MANSFIELD, Mr. JACKSON, and Mr. ERVIN) submitted the following resolution (S. Res. 317), which was referred to the Committee on Rules and Administration:

Resolved, That a special committee composed of 5 Senators of whom not more than 3 shall be from the same political party, to be appointed by the President of the Senate, is authorized and directed to make a full and complete investigation of the operation of the Senate kitchens and restaurants in the Capitol and Senate Office Building for the purpose of ascertaining whether such kitchens and restaurants are being operated in a manner which best serves the needs of the Senate and its employees, and particularly (1) whether the quality of the food and service are commensurate with prices charged, (2) whether proper standards of cleanliness and sanitation are observed, (3) whether the costs to the Senate of such operation or the profits accruing to the operator of such kitchens and restaurants as a result of such operation are excessive, (4) whether the facilities for such operation are adequate, and (5) what changes should be made in methods or manner of operation for the purpose of improving efficiency, service, the quality of food served, and facilities for such operation. The committee shall report to the Senate on or before February 15, 1955, the results of its investigation, together with such recommendations as it may deem desirable. Upon the filing of its report, the committee shall cease to exist.

SEC. 2. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such books,

papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, and clerical and stenographic assistants as it deems necessary.

(c) The expenses of the committee, which shall not exceed $15,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

STAFF STUDY OF COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE ON AVIATION

Mr. BRICKER. Mr. President, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may be permitted to submit as a Senate document after the adjournment of the Senate a staff study on aviation.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States, submitting several nominations, and withdrawing the nomination of Wright F. Morrow, of Texas, to be Alternate Representative to the Ninth Session of the General Assembly of the United Nations, which nominating messages were referred to the appropriate committees.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. LANGER, from the Committee on the Judiciary:

Sherrill Halbert, of California, to be United States district judge for the northern district of California, vice Dal M. Lemmon, elevated, and

Vernon D. Forbes, of North Dakota, to be United States district judge for the district of Alaska, division No. 4, vice Harry E. Pratt, retired.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MAGNUSON:

Statement prepared by him entitled "Eisenhower-McKay Power Policy Loses $21 Million Payroll for Pacific Northwest."

SANTA MARGARITA RIVER

Mr. HUMPHREY. Mr. President, I ask unanimous consent, on behalf of the Senator from Illinois [Mr. DOUGLAS] that there may be inserted in the body of the RECORD a statement by the President issued on July 28, 1954, in connection with the signing of H. R 5731, the Santa Margarita bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT

I have signed today H. R. 5731, a bill to authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, Calif., and for other purposes.

This legislation grows out of the long-standing controversy between the United States and the Fallbrook Public Utility District and other water users concerning rights to the use of the waters of the Santa Margarita River. The bill will provide authority for the Secretary of the Interior, after certain determinations have been made, to construct storage facilities to satisfy the needs of the Fallbrook district and also of the United States if its water rights would not be jeopardized. I believe this legislation will be helpful to all agencies and persons concerned, and I congratulate all those who cooperated in obtaining its enactment.

It is to be noted that, unless otherwise agreed by the Secretary of the Navy, the facilities authorized by the bill, including the De Luz Dam, are to be operated in a manner which will permit the unobstructed passage of all of the water to which the United States is now entitled. It is likewise to be noted that the bill is not to be construed as a grant or a relinquishment of any of the rights in the Santa Margarita River which the United States now owns. That stream provides the essential supply of water for Camp Pendleton, a naval hospital and a naval ammunition depot. Each of those vital establishments is important for purposes of national defense.

The bill authorizes the Secretary of the Interior to construct the dam and other facilities only after he has determined that the project has economic and engineering feasibility. It is my understanding that such a determination will not be made until he has found that there will be ample water available in the Santa Margarita River for storage at the De Luz Dam, separate and apart from all rights to the use of water of the United States (except any appropriative rights hereafter obtained) and of all claimants on the stream.

In view of litigation now pending between the United States and other claimants to water from the Santa Margarita River, I shall expect the Secretary of the Navy to obtain and be guided by the advice of the Attorney General before taking any steps to acquire additional water rights in the river on behalf of the United States. Furthermore, I expect that the Secretary of the Navy will not agree to the impounding of any water to the use of which the United States is entitled without first consulting with the Attorney General and obtaining from him advice that such impounding will not be a grant or relinquishment of any of the rights to the use of water which the United States of America has acquired in accordance with the laws of the State of California.

COMMUNISM—CLEAR AND PRESENT DANGER

Mr. HUMPHREY. Mr. President, I have in my hand a press statement which appeared as of yesterday on the press service ticker. It is datelined at Philadelphia.

In view of the action we took as of yesterday, I think my colleagues would be interested in the statement, which reads as follows:

A Federal judge issued an unusual statement in which he branded communism a "clear and present danger" to the Nation due to the virulent nature of the Communist Party and the touchy international situation.

United States District Judge J. Cullen Ganey, in whose court nine Communist leaders were convicted last week of conspiring to overthrow the Government, issued the statement to be added to the court record of the trial.

Ganey made the move to amplify his charge to the jurors, in which he referred to the Communist movement as "clear and present danger" to the United States.

He cited five reasons why he referred to the Red movement in those terms.

The judge said the Communist Party had formed a highly organized conspiracy of rigidly disciplined members, subject to call at the dictation of the party.

He said the party operated in an era of inflammable world conditions, as witnessed by the Korean war.

He also cited the present touch-and-go relations with countries behind the Iron Curtain as heightening the danger of home-grown communism.

The atomic espionage performed by Dr. Klaus Fuchs and the attendant disturbing of working conditions in the Defense Establishments of both this country and Great Britain also contributed to the clear and present danger of communism, according to Ganey.

Finally, the jurist cited a treason of Julius and Ethel Rosenberg as proof of the evil that could follow in the United States as a result of Communist indoctrination.

The 9 Communist leaders from eastern Pennsylvania and Delaware were convicted after a lengthy trial in Judge Ganey's court that consumed 51 days and required 5,500 pages of testimony.

Mr. President, I thought this was an extremely pertinent observation. I say it is an extremely pertinent observation in view of some of the editorial comment I have seen about the fact that we were possibly too harsh in our debate with regard to this conspiracy here in the Senate.

Let me say that Judge Ganey is known not as a conservative, but as a judge noted for his moderation and for what we might call democratic liberalism. When a judge of his caliber makes this sort of a statement, it seems to me that what the Senate did was not only desirable but also most important for the good of the country.

AMENDMENT OF RAILROAD RETIREMENT ACT, THE RAILROAD RETIREMENT TAX ACT, AND THE RAILROAD UNEMPLOYMENT INSURANCE ACT

Mr. MORSE. Mr. President, I shall take only half a minute simply to announce for the RECORD that the concurrent resolution which I offered last night with respect to the railroad retirement bill has been agreed to by the House, so that the technical difficulties that had arisen over the bill will thereby be corrected.

THE ECONOMY OF SAMOA

Mr. MURRAY. Mr. President, the Senate Committee on Labor and Public Welfare has before it a bill, S. 3831, which was introduced at the request of this administration. I am happy to say

that this bill has not been acted upon, will not be acted upon, and will die when this session of Congress adjourns. I say this, Mr. President, because even a cursory examination of the contents of this administration-proposed measure indicates that it was drafted by men who have anything but the interests of American labor and American manufacturers at heart. It appears to me to have been designed as an instrument for bailing out certain agencies of Government who, through either incredible ignorance or deliberate defiance of our laws, disregarded the laws passed by the Congress with respect to fair labor standards, and undertook operations which, if condoned, would represent a permanent threat to good business management and good labor relations. I am sure that this bill, if reintroduced in the next or succeeding Congresses, will have as little chance of passage as it had in this 83d Congress.

Mr. President, the bill to which I have reference deals with problems on the islands of Guam and Samoa. I will confess, Mr. President, that I am not too well acquainted with the problems of Guam and Samoa. I am advised, however, that eastern Samoa, which is controlled by the Government of the United States, is confronted with a really serious problem in terms of finding useful, remunerative, and meaningful employment for the native population. I am further advised that there exists on Samoa facilities which, if properly utilized, could provide that employment. I hope the Department of the Interior will immediately undertake a concentrated drive to develop a sound program which will result in utilizing these facilities and in employing the native population in enterprises which will be conducive to building the island's strength and productivity. I hereby serve notice that at the beginning of the 84th Congress, I shall take pains to inquire into this situation, to ascertain exactly what progress has been made by the Department.

In this connection, Mr. President, I ask unanimous consent to have set forth at the conclusion of these remarks excerpts from an article entitled "Eastern Samoa, United States Poorhouse of South Seas," which appeared in the Chicago Daily Tribune for August 3.

There being no objection, the excerpts from the article were ordered to be printed in the RECORD, as follows:

EASTERN SAMOA UNITED STATES POORHOUSE OF SOUTH SEAS—TWENTY-TWO THOUSAND GET SUBSIDY OF $1,551,000

(By Walter Simmons)

PAGO PAGO, SAMOA, August 2.—Down here in the smiling South Seas, well below the equator, is America's forgotten possession: Eastern Samoa, 76 miles of islands, 22,000 people.

Or, to put it more bluntly, the poorhouse of the Pacific and a place that makes every visting American blush.

Last year it took a subsidy of $1,551,000 to keep the place going. This year, due to more efficient operation, the price has been cut to $1,276,000.

TAXES INADEQUATE

But just to keep the schools running costs $250,000 a year. That is more than the total income produced by all taxes in the islands.

The attitude of the average Samoan is, "Lemme out of here." More than 2,000 have left for the United States or Hawaii since 1945. This is the cream of the citizenry. When a Samoan gets an education, he usually gets out instead of staying to advance the islands. Fewer than 100 high school graduates have remained.

Agriculture is virtually the only industry, but the islands don't feed themselves. Last year imports included: 560,000 pounds of flour, 215,000 pounds of canned fish, 480,000 pounds of preserved meat, 260,000 pounds of fresh meat, and 35,000 pounds of vegetables.

PART OF TAIL

Eastern Samoa is just part of the dog's tail when all Samoa is considered. The big western islands, developed by the Germans and held by New Zealand, total 1,130 square miles, and 91,000 people. They are fat with prosperity. Last year, for instance, they had a $1,500,000 export surplus.

American Samoa imported $845,000 worth of goods and exported only $190,000 in the same period.

The United States took over its part of Samoa in 1900 because the Navy wanted Pago Pago Harbor—best in the South Seas. For 40 years almost nothing was done. Education, roadbuilding and commerce were neglected. Torpid officers were sent out to be governor as their last job before retirement.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider first the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to consider executive business.

The PRESIDING OFFICER. If there be no reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

UNITED STATES CIRCUIT JUDGE

The Chief Clerk read the nomination of Martin Donald Van Oosterhout, of Iowa, to be United States circuit judge for the eighth circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection——

Mr. LEHMAN. Mr. President, reserving the right to object—and let me state that I do not expect to object at this particular time, at least—I wish to bring to the attention of the Senate a matter which has disturbed me deeply.

I believe I have cooperated with the Committee on Post Office and Civil Service to the fullest possible extent in connection with the handling of postmaster nominations.

On last evening, the Senate confirmed the nomination of Louis B. Cartwright, to be postmaster of Rochester, N. Y. That nomination, together with three other postmaster nominations, was received by me only last Saturday, August 14, only 4 days ago. I conferred with the distinguished chairman of the committee, and told him that the time was so short that I could not look into the qualifications of those four men before the nominations were brought before the Senate. There were a number of other nominations from the State of New York which had come in at an earlier date; and I advised the chairman of the committee that I would have no objection to their consideration, but that I felt there was insufficient time to look into the qualifications of Mr. Cartwright and the other three nominees.

The only New York postmaster nomination which was confirmed last evening was that of Mr. Cartwright. It was the only one on the Executive Calendar. The other three nominations, which also had reached me on Saturday, August 14, and the nominations which had reached me at an earlier date, were not taken up yesterday, so far as I know.

I understood from the distinguished chairman of the committee that he would not move for the confirmation of any of those four nominations—which reached me only on Saturday, August 14, less than 1 week ago. I believe the distinguished chairman of the committee will confirm that understanding, which was reached between him and me.

I know nothing about Mr. Cartwright. I have no doubt that he may be a person of excellent character and substantial ability. I have no reason to suppose that, had I had an opportunity to ascertain the fact, I would have objected to confirmation of his nomination. But certainly no nomination should be acted on in the face of the objection of a Senator until sufficient time has been given to him to investigate the nomination and to determine whether there are legitimate grounds for an objection of it.

Nevertheless, what I have just related is what actually occurred last night, and I make a very strong protest.

The PRESIDING OFFICER. The Senator from California [Mr. KNOWLAND] has requested unanimous consent that the postmaster nominations be confirmed en bloc. Is there objection?

Mr. IVES. Mr. President, reserving the right to object, I wish to point out that I was not aware of the objection which has been stated by my colleague from New York in that particular case. Had I known of it, and had he and I been able to get together on the nominations, I think more of the nominations from New York might have been confirmed. I understand that approximately 25 postmaster nominations from New York are still unconfirmed and still in the committee. I have been doing my utmost to have them reported by the committee; I do not know where the stumbling block has been. However, I have been unsuccessful in having those nominations reported.

If I have done anything wrong, insofar as the nomination of Mr. Cartwright is concerned, I apologize, because I was trying to have as many of the nominations as possible reported and acted on. I was not attempting to place particular

emphasis on any one nomination, either here, there, or at any other place.

Mr. LEHMAN. Mr. President, further reserving the right to object, let me say that my distinguished colleague from New York will recall that I interposed no objection to the confirmation within the last 2 or 3 weeks of approximately 100 postmaster nominations from New York.

Mr. IVES. Mr. President, I hasten to state that I am not attempting to place blame on my colleague.

Mr. LEHMAN. Mr. President, if I may finish my statement, I wish to say that I know there are a number of nominations from New York which are still hanging fire.

Mr. IVES. That is correct.

Mr. LEHMAN. But I advised the distinguished chairman of the Committee on Post Office and Civil Service, the junior Senator from Kansas [Mr. CARLSON] for whom I have very high regard, that I would have no objection to immediate confirmation of any of those nominations, with the exception of the four to which I have just referred. Those four nominations reached me only on last Saturday, August 14.

I am very sorry the distinguished chairman of the committee is not now on the floor.

Mr. IVES. So am I.

Mr. LEHMAN. He was a moment ago.

Mr. President, I took up the matter with the chairman of the committee, and I now express regret that the nomination went through in the manner it did. It was the only New York nomination which was acted on last evening; and it should not have been acted on without consultation with me, because there was a definite understanding between me and the distinguished chairman of the committee that those four nominations would not be pressed until I had had time to check on them and to determine whether I could go along with their confirmation.

The PRESIDING OFFICER. The Senator from California has requested unanimous consent that the nominations of postmasters be confirmed en bloc. Is there objection? Without objection——

Mr. LEHMAN. Wait, Mr. President.

Mr. KNOWLAND. Mr. President, I am a little confused by the statement of the Senator from New York. Is Mr. Edward W. Gent, of Wellsville, N. Y., the person whose nomination the Senator is objecting to?

Mr. LEHMAN. No. I am referring to a nomination confirmed last night of Mr. Cartwright in spite of the fact that I had not withdrawn my objection.

Mr. KNOWLAND. Mr. Cartwright is not on this list.

Mr. LEHMAN. I do not intend to object to Mr. Gent's nomination.

Mr. KNOWLAND. I should like to dispose of the nominations on today's Executive Calendar.

Mr. LEHMAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LEHMAN. Has the nomination of Mr. Louis B. Cartwright, to be postmaster of Rochester, N. Y., which was confirmed last night in the Senate, been sent to the President?

The PRESIDING OFFICER. It has been sent to the President by unanimous consent.

Mr. KNOWLAND. Has the President been notified?

Mr. LEHMAN. Has the President been notified?

The PRESIDING OFFICER. The Senator from California, following the vote for the confirmation, asked unanimous consent that the President be notified. There was no objection, and consent was granted.

Without objection, the postmaster nominations are confirmed.

Mr. KNOWLAND. En bloc?

The PRESIDING OFFICER. En bloc.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. LEHMAN. I suppose that from a legislative and parliamentary standpoint there is nothing which I can do in connection with the nomination I mentioned.

The PRESIDING OFFICER. The Senator is correct.

Mr. LEHMAN. I do not wish to reflect on the character or the ability of Mr. Louis B. Cartwright, who has now been confirmed as postmaster of Rochester, N. Y., but I again wish to enter a very, very strong protest as to the manner in which this matter has been handled.

Mr. IVES. Mr. President, will the Senator yield?

Mr. KNOWLAND. Mr. President, I merely wish to say for the RECORD that this is the first information or intimation I have had as to this matter. Normally, in the orderly procedures of the Senate, the Members of the minority consult with the minority leader if they desire that a nomination be held up. The Senator from Texas [Mr. JOHNSON], the minority leader, then consults with the majority leader and indicates as to whether there is any objection to any of the nominations.

I have followed a consistent policy that with regard to any reasonable period of delay, when requested by the official spokesmen of the Democratic Party, I ask that the matter go over, so that it may be considered. I had no indication from the minority leader as to such a request.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Of course, there has never been a majority leader who has been more cooperative or who has worked with the minority more graciously than the distinguished majority leader from the State of California.

Our procedure is to have our staff check the calendar carefully before the majority leader calls it up. I can only assume my distinguished friend from New York was not familiar with that procedure.

Other Senators frequently come to the minority leader and say, "I should like to have this nomination passed over—I should like to have this nomination held up—I should like to have this nomination continued for a few days." When that is done, I inform the majority leader of the request and usually at his own suggestion the nomination is carried over until we are ready to act.

We have kept the Executive Calendar very clear. I think that the distinguished Senator from New York did not know of that procedure, and that is the only reason this occasion has arisen.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. Yes.

Mr. LEHMAN. The minority leader is accurate in stating that I did not know that procedure.

But as a matter of fact; the procedure really has been and is that when a nomination comes before the committee, the Senator from the State concerned receives word that the nomination is to be considered and the Senator is asked to express his opinion with regard to the qualifications of the man. That has been the custom, I believe, for a great many years—many more years than I have served in the Senate.

In this particular case I recognized that procedure, and I personally went to the chairman of the committee and protested against the consideration of these four nominations without allowing time to look into the matter. I thought that was the right way to do it. That is the procedure I have always followed.

I am sorry, of course, that I may have short-circuited the procedure the minority leader has described. But nonetheless I feel very much aggrieved at what has happened and I consider that I am justified in protesting the summary consideration and confirmation of this nomination. I objected to these four nominations because no reasonable time had been afforded me to look into them. None of them should have been reported out by the committee or acted upon by the Senate without further consultation with me.

Mr. IVES. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from New York.

Mr. IVES. I am very sorry if there has been any misunderstanding in which my distinguished colleague is concerned. I wish to state to the junior Senator from New York I have had nothing whatever to do with it.

Mr. LEHMAN. I am sure of that.

Mr. IVES. Mr. President, if the junior Senator from New York is aggrieved, I have occasion to be aggrieved also. Whereas he objected to 4 nominations, 1 of whom has been confirmed, there were about 25 that I desired to have confirmed, only 2 of which have been confirmed. I think if there is a grievance it is on both sides.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. IVES. Yes.

Mr. LEHMAN. I desire to have the RECORD clear. The junior Senator from New York has not objected to these nominations.

Mr. IVES. I know that.

Mr. LEHMAN. These nominations can be confirmed, so far as I am concerned, at any time.

Mr. IVES. I am not accusing the junior Senator from New York of that.

FOREIGN SERVICE NOMINATIONS

Mr. KNOWLAND. Mr. President, there are at the desk some additional nominations for the Foreign Service, which went over last night, but which through inadvertence were not printed on the calendar today. They are for the regular Foreign Service officers. They were unanimously reported by the Foreign Relations Committee.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

ALTERNATE REPRESENTATIVE TO UNITED NATIONS

Mr. KNOWLAND. Mr. President, I send to the desk the nomination of Mr. James Philip Nash, of Texas, to be an alternative representative of the United States of America to the 9th session of the General Assembly of the United Nations, to serve no longer than December 31, 1954. This nomination has been unanimously reported by the Committee on Foreign Relations.

The PRESIDING OFFICER. The nominations will be stated.

The legislative clerk read the nomination of James Philip Nash to be alternate delegate to the United Nations for a term expiring December 31, 1954.

Mr. JOHNSON of Texas. Mr. President, I should like to make a brief statement on this nomination.

Last July 13 the State Department asked me to make a recommendation of a Texan as an alternate delegate to the United Nations. In response to that inquiry, I submitted the name of James Philip Nash, an independent businessman and engineer of Austin.

On July 26 the Senate received the nomination of Wright Morrow, of Houston, as one of the alternate delegates to the United Nations. Neither Texas Senator was consulted about this nomination or informed that it was forthcoming.

The Senate Committee on Foreign Relations in due time asked my approval of Mr. Morrow. I withheld action on this nomination until I could make two inquiries of the State Department. They were, first, what had happened to my recommendation of Mr. Nash; and second, why had another Texas citizen been nominated without consultation with the Texas Senators.

The State Department informed me yesterday that Mr. Morrow's nomination was being recalled and that Mr. Nash was to be nominated as alternate delegate to the United Nations. This is a nomination which I can approve wholeheartedly. Mr. Nash, in my opinion, is eminently qualified for this position.

He is a man with a vast experience in the business world who has at the same time maintained his interest in the activities of the community and in the problems that confront our country.

I believe he has the necessary understanding, the necessary ability and the necessary capacity to acquit himself well of his duties and to give the American people the kind of representation to which they are entitled.

On behalf of my colleague the junior Senator from Texas [Mr. DANIEL] and myself, I urge unanimous approval of this splendid nomination and I ask unanimous consent to include in the body of the RECORD, as a part of my remarks, a biographical sketch of Mr. Nash, and a brief item from the news ticker.

There being no objection, the biographical sketch and an item from the news ticker were ordered to be printed in the RECORD, as follows:

James Philip Nash, of Austin, is an independent businessman, engineer, and civic leader.

His career spans a vast range of activities from engineering research to leadership in philanthropic and civic organizations. He is one of the best known and best liked residents of Austin, Tex.

Mr. Nash was born in Philadelphia, Pa., on April 23, 1892, the son of Mr. and Mrs. James Nash, Sr. His father was a mechanical engineer.

His early education was obtained in public and parochial schools in Philadelphia and in 1914, he received a bachelor of science degree in engineering from George Washington University, Washington, D. C. Shortly thereafter, he began his business career as an engineer at the University of Texas. He resigned from the University in 1918 to become chief office engineer of the State Highway Department and in 1920, he set up private practice in Eastland and Stephens Counties, Tex. Subsequently, he was appointed first deputy oil and gas supervisor in that area for the Texas Railroad Commission.

In 1921, he resigned this position to organize the Cedar Creek Oil Co. Subsequently, he organized the Nash and Windfohr Corp., which is now operating as a partnership.

During World War II, Mr. Nash headed the USO in Austin and was chairman of its fundraising campaign. He is a former director of the Red Cross and was chairman of one Red Cross drive. He is also a former director of the chamber of commerce and the Community Chest. In 1946, he was appointed by the Texas Railroad Commission to head a special advisory committee to study ways and means of correcting the waste of flare gas. He is now a director of the Texas Research Corp.

Mr. Nash has traveled in Europe extensively, having spent time there during 1950, 1951, and 1952.

Among his other activities, Mr. Nash is a member of Kappa Sigma fraternity; a member of the board of directors, National Conference of Christians and Jews; a member of the board of trustees, Texas Foundation, voluntarily supported colleges and universities; a Knight Commander of the Order of St. Gregory the Great and former head of both the third and fourth degree in the Knights of Columbus.

He was married in Austin to Anne Thornton on October 6, 1915 and they have three children, Catherine Nash Teten, Mary Alice Nash Scott, and Beverly Anne Nash Bell, all of Austin.

The White House, frankly admitting a "mistake" in staff work, withdrew the nomination of Wright Morrow, of Texas, to be a United Nations alternate delegate.

James Phillip Nash, another Eisenhower Democrat from Texas, was nominated in his place.

The nomination of Morrow, former Democratic National Committeeman from Texas who bolted to the Eisenhower campaign in 1952, had drawn a protest from Senate Democratic leader LYNDON JOHNSON, also of Texas.

White House press secretary James C. Hagerty said the Morrow nomination was a "mistake in staff work." He said JOHNSON had recommended Nash, but the word was not passed along through the White House staff until after Morrow's name had been submitted to the Senate last July 26. Hagerty said that Morrow, when the mistake was pointed out to him, agreed to withdrawal of his name and the nomination of Nash.

Nash, 62, is a petroleum and natural gas engineer at Austin, Tex.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. KNOWLAND. Mr. President, I ask that the President be immediately notified of all nominations confirmed this date.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

Mr. KNOWLAND. Mr. President, we have on the executive calendar a series of treaties. The distinguished Senator from Georgia [Mr. GEORGE] is handling them on behalf of the Foreign Relations Committee. The reason it is necessary to bring them up at this time is that under the general procedure of the Senate which has been in effect for some time a yea-and-nay vote is required on treaties. Therefore it is important that the treaties be taken up at this time when there is no question as to there being a quorum present in the Senate.

SUPPLEMENTARY PROTOCOL WITH THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND RELATING TO TAXES ON INCOME

The Senate, as in Committee of the Whole, proceeded to consider the supplementary protocol (Ex. H. 83d Cong., 2d sess.) between the United States of America and the United Kingdom of Great Britain and Northern Ireland, signed at Washington on May 25, 1954, amending the convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income signed at Washington on April 16, 1945, as modified by the supplementary protocol signed at Washington on June 6, 1946, which was read the second time, as follows:

SUPPLEMENTARY PROTOCOL AMENDING THE CONVENTION FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME, SIGNED AT WASHINGTON ON THE 16TH APRIL, 1945, AS MODIFIED BY THE SUPPLEMENTARY PROTOCOL, SIGNED AT WASHINGTON ON THE 6TH JUNE, 1946

The Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland,

Desiring to conclude a further supplementary Protocol amending the Convention for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, signed at Washington on the 16th April, 1945, as modified by the supplementary Protocol, signed at Washington on the 6th June, 1946,

Have agreed as follows:

ARTICLE I

Paragraph (1) of Article XXII of the Convention of the 16th April, 1945, for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income is hereby amended to read as follows:

"(1) Either of the Contracting Parties may, at any time while the present Convention

continues in force, by a written notification given to the other Contracting Party through the diplomatic channel, declare its desire that the operation of the present Convention, either in whole or in part or with such modifications as may be found necessary for special application in a particular case, shall extend to all or any of its territories for whose international relations it is responsible, which impose taxes substantially similar in character to those which are the subject of the present Convention. When the other Contracting Party has, by a written communication through the diplomatic channel, signified to the first Contracting Party that such notification is accepted in respect of such territory or territories, the present Convention, in whole or in part or with such modifications as may be found necessary for special application in a particular case, as specified in the notification, shall apply to the territory or territories named in the notification on and after the date or dates specified therein. None of the provisions of the present Convention shall apply to any such territory in the absence of such acceptance in respect of that territory."

ARTICLE II

This supplementary Protocol, which shall be regarded as an integral part of the said Convention, shall be ratified and the instruments of ratification thereof shall be exchanged in London.

In witness whereof the undersigned, being authorized thereto by their respective Governments, have signed this supplementary Protocol and have affixed thereto their seals.

Done in duplicate at Washington this twenty-fifth day of May, 1954.

For the Government of The United States of America:

[SEAL] JOHN FOSTER DULLES,
Secretary of State of the United States of America.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

[SEAL] ROGER MAKINS,
Her Majesty's Ambassador Extraordinary and Plenipotentiary at Washington.

Mr. GEORGE. Mr. President, the protocol gives to the parties signatory to the treaty the right to extend the existing treaty relating to taxation to the possessions or to the areas over which the parties have administrative jurisdiction. It is not a new treaty. The protocol merely permits the United States and Great Britain to deal with certain possessions in the Pacific as they do now under the treaty. It is wholly for the purpose of avoiding double taxation. So far as I know, there is no objection to the protocol. I believe it must be ratified by a yea-and-nay vote.

The VICE PRESIDENT. If there be no objection, the supplementary protocol will be considered as having passed through its various parliamentary stages, up to the presentation of the resolution of ratification.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. MALONE. I should like to ask the distinguished Senator from Georgia if the protocol under discussion has anything to do with the Japanese treaty.

Mr. GEORGE. Nothing whatever. It does not write new treaties. It merely permits the signatory powers to treaties already in existence to apply the treaties to the possessions that have come under their administrative jurisdiction since the treaties were entered into. It has nothing to do with the Japanese treaty.

Mr. MALONE. This protocol has nothing whatever to do with trade treaties or the General Agreement on Tariffs and Trade, and the general, all-around economic structure that is being woven around the United States?

Mr. GEORGE. No; it has nothing whatever to do with those subjects. The whole purpose of the tax convention is to avoid double taxation and to relieve the citizens of one country who may be in the other country from double taxation on income taxes, estate taxes, and gift taxes. It does not apply to any other subject.

Mr. MALONE. The distinguished Senator from Georgia is one of the most influential members, and a fine member, of the Senate Committee on Finance.

He has heard the concessions discussed and he, along with the junior Senator from Nevada, has heard the explanation given that the reason we receive no taxes from many of the foreign operations is, for example, that in the Middle East, where tax allowances are made in the production of a certain product, the taxes in the foreign nations are often set to conform with almost the exact amount which would otherwise be due the United States.

Mr. GEORGE. That is true. However, these treaties have nothing to do with that problem.

Mr. MALONE. Does this treaty extend any authority to do that particular thing?

Mr. GEORGE. No. That problem arises when an American citizen is entitled to a tax credit. If the tax in the foreign country is so adjusted as to deprive him of the credit, he has nothing to take. These treaties are addressed wholly to the proper relief and proper protection of our citizens residing in Great Britain, let us say, and British subjects residing in this country. The whole purpose is to avoid double taxation.

Mr. MALONE. I have not had an opportunity to study all the treaties which are being extended, that is, to the extent that they are extended with respect to agreements on taxes, and there is no time to study them now. I shall take the statement of the distinguished Senator from Georgia, to the effect that there is nothing derogatory in them, and that the United States cannot be injured in any way by these agreements. I wish to ask if the Senator from Georgia intends to bring before the Senate the convention between the United States of America and Japan for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on April 16, 1954.

Mr. GEORGE. Later I expect to submit it to the Senate. Of course, it will be debatable. It is a new treaty, containing some new features. That is not involved now. I wish to take up those agreements concerning which there is no controversy.

Mr. MALONE. Mr. President, I serve notice that the junior Senator from Nevada intends to debate the treaty. I ask the Senator from Georgia whether in that particular treaty a special concession of 25 percent is made to Americans who have invested money in Japan, giving them the right to bring the money back to this country.

Mr. GEORGE. The Senator is correct.

Mr. MALONE. I think that is a very unfair provision. It carries with it the incentive to take American money out of this country and invest it in foreign countries.

Mr. GEORGE. That question is not involved in this treaty. This treaty and the later one with the Republic of Germany do not involve that question at all. These treaties follow a pattern, which was initiated on the advice and request of the Senate many years ago. The Senate requested the Treasury and State Departments to negotiate these tax conventions, and they have been negotiated with many countries. One of the purposes is to avoid double taxation of American citizens residing in a foreign country. Of course, reciprocal rights are afforded to subjects of the other country residing in our country.

Mr. MALONE. Since there is no time for the junior Senator from Nevada to study these provisions, I should like to say that the senior Senator from Georgia is fully aware of the fact that in the Committee on Finance it was proposed to write into the tax bill a provision to favor by 14 percent American investments in foreign nations, permitting investors to bring the money into this country and that provision was defeated in the committee.

I wish to ask the distinguished Senator from Georgia whether he remembers such a provision.

Mr. GEORGE. Oh, yes; indeed I do.

Mr. MALONE. I should like to ask one final question of the distinguished Senator from Georgia. Is there any provision of that nature whatever in these agreements which have been made and are being extended?

Mr. GEORGE. No; I do not believe so. If so, I would call it to the attention of the Senate.

I shall make a brief statement regarding the Japanese treaty, but first I should like to have a vote upon the pending treaty. It merely permits the United Kingdom of Great Britain, Northern Ireland, and the United States Government to apply existing treaties in new areas that have come within the jurisdiction of the signatories to the treaty.

The PRESIDING OFFICER. The clerk will read the resolution of ratification.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive H, the supplementary protocol between the United States of America and the United Kingdom of Great Britain and Northern Ireland, signed at Washington on May 25, 1954, amending the convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income signed at Washington on April 16, 1945, as modified by the supplementary protocol signed at Washington on June 6, 1946.

The PRESIDING OFFICER. The resolution of ratification is open for reser-

vation. If there be no reservation to be offered, the question is on agreeing to the resolution of ratification.

Mr. KNOWLAND. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. Have the yeas and nays been ordered on the resolution of ratification?

The PRESIDING OFFICER. The yeas and nays have been ordered.

The Chair will state that the Senate is now proceeding in executive session, to the consideration of the Executive Calendar, having to do with treaties. The matter presently under consideration is the supplementary protocol between the United States of America and the United Kingdom of Great Britain and Northern Ireland, relating to taxes on income.

Mr. GEORGE. Mr. President, there are several treaties to be considered by the Senate. If Senators will remain in attendance, I believe the treaties can be speedily disposed of. One is highly controversial and will be taken up last, because the Senator from Nevada expects to oppose it, or at least to speak on it. I call attention to the fact that there are two other treaties that are noncontroversial, and I ask Senators to remain for a few minutes, so that they may be disposed of.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mrs. BOWRING], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], the Senator from Vermont [Mr. FLANDERS], the Senator from Arizona [Mr. GOLDWATER], the Senator from Indiana [Mr. JENNER], and the Senator from Connecticut [Mr. PURTELL] are necessarily absent.

The Senator from Indiana [Mr. CAPEHART], and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from Michigan [Mr. FERGUSON], the junior Senator from Michigan [Mr. POTTER], the Senator from New Jersey [Mr. SMITH], and the Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate.

If present and voting, the senior Senator from Michigan [Mr. FERGUSON], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Michigan [Mr. POTTER], the Senator from Connecticut [Mr. PURTELL], and the Senator from New Jersey [Mr. SMITH], would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Florida [Mr. SMATHERS], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from North Carolina [Mr. LENNON], and the Senator from Nevada [Mr. MCCARRAN] are absent on official business.

The Senator from Iowa [Mr. GILLETTE] is absent by leave of the Senate.

I announce further that if present and voting, the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Iowa [Mr. GILLETTE], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Alabama [Mr. SPARKMAN] would vote "yea."

The yeas and nays resulted—yeas 71, nays 0, as follows:

YEAS—71

Aiken	Hendrickson	McCarthy
Anderson	Hennings	McClellan
Barrett	Hickenlooper	Millikin
Beall	Hill	Monroney
Bennett	Holland	Morse
Bricker	Humphrey	Mundt
Bridges	Ives	Murray
Burke	Jackson	Neely
Bush	Johnson, Colo.	Pastore
Case	Johnson, Tex.	Payne
Chavez	Johnston, S. C.	Reynolds
Clements	Kennedy	Robertson
Cooper	Kerr	Russell
Cordon	Kilgore	Saltonstall
Crippa	Knowland	Schoeppel
Dirksen	Kuchel	Smith, Maine
Duff	Langer	Stennis
Dworshak	Lehman	Symington
Ervin	Long	Thye
Frear	Magnuson	Upton
George	Malone	Watkins
Gore	Mansfield	Williams
Green	Martin	Young
Hayden	Maybank	

NOT VOTING—25

Bowring	Ferguson	Potter
Butler	Flanders	Purtell
Byrd	Fulbright	Smathers
Capehart	Gillette	Smith, N. J.
Carlson	Goldwater	Sparkman
Daniel	Jenner	Welker
Douglas	Kefauver	Wiley
Eastland	Lennon	
Ellender	McCarran	

The PRESIDING OFFICER. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

PROTOCOL LIMITING CULTIVATION OF THE POPPY PLANT AND THE INTERNATIONAL AND WHOLESALE TRADE IN AND USE OF OPIUM

Mr. GEORGE. Mr. President, I call up Executive C, 83d Congress, 2d session.

The Senate, as in Committee of the Whole, proceeded to consider the protocol (Ex. C, 83d Cong., 2d sess.) for limiting and regulating the cultivation of the poppy plant, the production of, international and wholesale trade in, and use of opium, which was open for signature at New York from June 23 until December 31, 1953, and during that period was signed on behalf of the United States of America and 35 other states, which was read the second time, as follows:

PROTOCOL FOR LIMITING AND REGULATING THE CULTIVATION OF THE POPPY PLANT, THE PRODUCTION OF, INTERNATIONAL AND WHOLESALE TRADE IN, AND USE OF OPIUM

PREAMBLE

Determined to continue their efforts to combat drug addiction and illicit traffic in narcotic substances and aware that these efforts can only achieve the desired results by close collaboration between all States,

Recalling that, through a series of international instruments, efforts have been directed to the development of an effective system of narcotics control and desiring to strengthen such control at both the national and international level,

Considering, however, that it is essential to limit to medical and scientific needs and regulate the production of the raw materials from which natural narcotic drugs are obtained and realizing that the most urgent problems are those of the control of the cultivation of the poppy and of the production of opium,

The Contracting Parties,

Having resolved to conclude a Protocol for these purposes,

Have agreed as follows:

CHAPTER I—DEFINITIONS

Article 1—Definitions

Except where otherwise expressly indicated, or where the context otherwise requires, the following definitions shall apply throughout this Protocol:

"1925 Convention" means the International Opium Convention, signed at Geneva on 19 February 1925, as amended by the Protocol of 11 December 1946;

"1931 Convention" means the Convention for limiting the manufacture and regulating the distribution of narcotic drugs, signed at Geneva on 13 July 1931, as amended by the Protocol of 11 December 1946;

"Board" means the Permanent Central Board set up under article 19 of the 1925 Convention;

"Supervisory Body" means the Supervisory Body set up under article 5 of the 1931 Convention;

"Commission" means the Commission on Narcotic Drugs of the Economic and Social Council of the United Nations;

"Council" means the Economic and Social Council of the United Nations;

"Secretary-General" means the Secretary-General of the United Nations;

"Poppy" means the plant *Papaver somniferum L.*, and any other species of *Papaver* which may be used for the production of opium;

"Poppy straw" means all parts of the poppy after mowing (except the seeds) from which narcotics can be extracted;

"Opium" means the coagulated juice of the poppy in whatever form including raw opium, medicinal opium, and prepared opium, but excluding galenical preparations;

"Production" means the cultivation of the poppy with a view to harvesting opium;

"Stocks" means the total amount of opium lawfully held in a State other than (1) opium held by retail pharmacists and by institutions or qualified persons in the duly authorized exercise of therapeutic or scientific functions, and (2) opium held by, or under the control of, the government of that State for military purposes;

"Territory" means any part of a State which is treated as a separate entity in the application of the system of import certificates and export authorizations provided for in the 1925 Convention;

"Export" and "import" mean, in their respective connotations, the physical transfer of opium from one State to another State

or from one territory to another territory of the same State.

CHAPTER II—REGULATION OF THE PRODUCTION AND USE OF OPIUM, AND TRADE IN OPIUM

Article 2—Use of opium

The Parties shall limit the use of opium exclusively to medical and scientific needs.

Article 3—Control in producing States

With a view of controlling the production and use of opium, and trade in opium:

1. Every producing State shall establish, if it has not already done so, and maintain one or more government agencies (hereafter in this article referred to as the Agency) to perform the functions assigned to it or to them, as the case may be, in this article. The functions referred to in paragraphs 2 to 6 of this article shall be discharged by a single agency if the Constitution of the State concerned permits it.

2. Production shall be limited to areas designated by the Agency or other competent government authorities.

3. Only cultivators licensed by the Agency or other competent government authorities shall be permitted to engage in production.

4. Each license shall specify the extent of the area on which the cultivation of the poppy is permitted.

5. All cultivators of the poppy shall be required to deliver their total opium crops to the Agency. The Agency shall purchase and take physical possession of such opium crops as soon as possible.

6. The Agency or other competent government authorities shall have the exclusive right of importing, exporting and wholesale trading in, opium and of maintaining opium stocks other than those held by manufacturers licensed to manufacture alkaloids from opium.

7. Nothing in this article shall be deemed to permit derogation from the obligations already assumed or to detract from the effect of the laws enacted by any Party in accordance with existing Conventions with respect to the control of the cultivation of the poppy.

Article 4—Control of the poppy plant cultivated for purposes other than the production of opium

A Party which permits the cultivation and use of the poppy for purposes other than the production of opium shall, whether or not it also permits the production of opium:

(a) Enact all such laws or regulations as may be necessary to ensure

(i) That opium is not produced from poppies cultivated for a purpose other than the production of opium, and

(ii) That the manufacture of narcotic substances from poppy straw is adequately controlled;

(b) Transmit to the Secretary-General copies of any laws or regulations so enacted; and

(c) Transmit annually to the Board, at a date fixed by it, the statistics of poppy straw imported or exported during the previous year for any purpose whatsoever.

Article 5—Limitation of stocks

With a view to limiting to medical and scientific needs the quantity of opium produced in the world:

1. The Parties shall regulate the production, export and import of opium in such a way as to ensure that the stocks held by any Party shall not, on 31 December of any year, exceed the following amounts:

(a) In the case of a producing State listed in sub-paragraph (a) of paragraph 2 of article 6, the total amount of opium exported from that State for medical and scientific purposes, and of opium used within that State for the manufacture of alkaloids in any two years, plus a quantity equal to one half the amount exported and used for the manufacture of alkaloids in any other year at that Party's choice, provided that the years selected shall not include any year before 1 January 1946. Any such Party shall be entitled to select different periods for the computation of the amounts exported and the amounts used;

(b) In the case of any Party (other than a Party referred to in subparagraph (a) of this paragraph) which, having regard to the provisions of the 1925 and 1931 Conventions in so far as applicable to such Party, permits the manufacture of alkaloids, its normal requirements for a period of two years. Such requirements shall be determined by the Board;

(c) In the case of any other Party, the total amount of opium consumed during the preceding five years.

2. (a) If a producing State referred to in sub-paragraph (a) of paragraph 1 of this article decides to cease producing opium for export and wishes to be removed from the category of producing State under sub-paragraph (a) of paragraph 2 of article 6, it shall make a declaration to this effect to the Board at the time at which the next annual notification is due in accordance with sub-paragraph (b) of paragraph 3 of this article. Upon making such declaration, any such Party shall for the purposes of this Protocol be deemed no longer to be a State mentioned in sub-paragraph (a) of paragraph 2 of article 6 and may not be reinstated in that category; and the Board, upon receipt of such declaration, shall place such Party in the category referred to in sub-paragraphs (b) or (c) of paragraph 1 of this article, whichever is applicable, and shall notify all other Parties to this Protocol accordingly. For the purposes of this Protocol, any such change of category shall be effective as from the date of such notification by the Board;

(b) The procedure laid down in sub-paragraph (a) of this paragraph shall apply with respect to any declaration by any Party wishing to be changed from the category referred to in sub-paragraph (b) of paragraph 1 of this article to the category referred to in sub-paragraph (c) of paragraph 1 of this article or vice versa, except that any such Party may, at its request, be reinstated in its former category.

3. (a) The amount of opium referred to in sub-paragraphs (a) and (c) of paragraph 1 of this article shall be calculated on the basis of the statistics established by the Board in its annual report and including those for the period ending 31 December of the preceding year as published subsequently;

(b) Any Party to which sub-paragraph (a) or (b) of paragraph 1 of this article applies, shall annually notify to the Board:

(i) The periods it has chosen in accordance with sub-paragraph (a) of paragraph 1 of this article or, as the case may be,

(ii) The amount of opium it wishes to be considered as its normal requirements for determination by the Board in accordance with sub-paragraph (b) of paragraph 1 of this article;

(c) The notification referred to in the preceding sub-paragraph shall reach the Board not later than 1 August of the year preceding the date to which it refers;

(d) If a Party which is required to transmit a notification in accordance with sub-paragraph (b) of this paragraph fails to do so in time, the Board shall, without prejudice to the provisions of the following sub-paragraph, adopt the data contained in that Party's last relevant notification. If, however, the Board has never received a relevant notification from the Party concerned, it shall, without further consultation with the Party, but after giving due consideration to the information at its disposal, to the aims of this Protocol and to the interest of the Party:

(i) Choose the periods referred to in sub-paragraph (a) of paragraph 1 of this article; or, as the case may be,

(ii) Determine the normal requirements referred to in sub-paragraph (b) of paragraph 1 of this article;

(e) If the Board receives a notification at a date later than that prescribed by sub-paragraph (c) of this paragraph, it may proceed as if such notification had been received in time;

(f) The Board shall annually notify:

(i) Each Party referred to in sub-paragraph (a) of paragraph 1 of this article, of the years chosen in accordance with that sub-paragraph or with sub-paragraphs (d) and (e) of paragraph 3 of this article;

(ii) Each Party referred to in sub-paragraph (b) of paragraph 1 of this article, of the amount of opium which, in accordance with that sub-paragraph, it considered as that Party's normal requirements;

(g) The Board shall transmit the notification referred to in subparagraph (f) of this paragraph not later than 15 December of the year preceding the date to which the data contained therein refer.

4. (a) With respect to a State which is a Party to this Protocol on the date of its coming into force, the provisions of paragraph 1 of this article shall be effective as from 31 December of the year following the year in which the Protocol has come into force;

(b) With respect to any other State, the provisions of paragraph 1 of this article shall be effective as from 31 December of the year following the year in which any such State has become a party.

5. (a) If the Board considers the circumstances exceptional, it may, under conditions to be prescribed and for a designated period of time, exempt a Party from compliance with the requirements stipulated in paragraph 1 of this article as to the maximum level of opium stocks;

(b) If at the time of the coming into force of this Protocol, a producing State referred to in sub-paragraph (a) of paragraph 2 of article 6 has opium stocks in excess of the maximum level permitted by sub-paragraph (a) of paragraph 1 of this article, the Board shall, in the exercise of its discretion, have regard to this fact with a view to avoiding economic difficulties which would result in such State from too rapid a reduction of opium stocks to the maximum level prescribed in sub-paragraph (a) of paragraph 1 of this article.

Article 6—International trade in opium

1. The Parties shall limit the import and export of opium exclusively to medical and scientific purposes.

2. (a) Without prejudice to the provisions of article 7, paragraph 5, the Parties shall not permit the import and export of opium other than opium produced in any one of the following States which at the time of the import or export in question shall be a Party to this Protocol: Bulgaria, Greece, India, Iran, Turkey, Union of Soviet Socialist Republics, Yugoslavia;

(b) The Parties shall not permit the import of opium from any State which is not a Party to this Protocol.

3. Notwithstanding the provisions of sub-paragraph (a) of paragraph 2 of this article, a Party may authorize, exclusively for its domestic consumption, the import and export as between its territories of an amount of opium produced in any of those territories not exceeding its needs for one year.

4. The Parties shall apply to the import and export of opium the system of import certificates and export authorizations provided for in chapter V of the 1925 Convention, except that article 18 thereof shall not apply. A Party may, however, impose, with respect to its imports and exports of opium, conditions more restrictive than those required by chapter V of the 1925 Convention.

Article 7—Disposal of seized opium

1. Except as provided in this article, all opium seized in the illicit traffic shall be destroyed.

2. A Party may, under Government control, convert, in whole or in part, the narcotic substances contained in such opium into non narcotic substances, or appropriate, in whole or in part, such opium or the alkaloids manufactured therefrom for medical or scientific use by or under the control of the government.

3. Any producing State listed in sub-paragraph (a) of paragraph 2 of article 6 which is a Party to this Protocol may consume and export opium seized in its country, or the alkaloids manufactured therefrom.

4. Seized opium which can be identified as having been stolen from a government or licensed warehouse may be returned to its lawful owner.

5. A Party which permits neither the production of opium nor the manufacture of opium alkaloids may obtain permission from the Board to export in exchange for opium alkaloids or drugs containing opium alkaloids, or for the purpose of extracting such alkaloids for that Party's own medical or scientific needs, a specified quantity of opium seized by the authorities of that Party to the territory of a Party which manufactures opium alkaloids. However, the quantity of opium so exported in any one year may not exceed the equivalent, in opium, of one year's requirements of the exporting Party concerned in the form both of medicinal opium and of drugs containing opium or alkaloids thereof; and any surplus shall be destroyed.

CHAPTER III—INFORMATION TO BE SUPPLIED BY GOVERNMENTS

Article 8—Estimates

1. Each Party shall, in a similar manner to that required for drugs by the 1931 Convention, forward to the Board, in respect of each of its territories, estimates for the following year of:

(a) The quantity of opium required for use as such for medical and scientific needs, including the quantity required for the manufacture of preparations exempted under article 8 of the 1925 Convention;

(b) The quantity of opium required for the manufacture of alkaloids;

(c) The stocks which, having regard to the provisions of article 5, it proposes to maintain and the amount of opium necessary to add to or deduct from its existing stocks in order to bring those stocks to the desired level;

(d) The amounts of opium it proposes to add to its stocks, if any, held for military purposes, or to transfer therefrom to lawful trade.

2. The total of the estimates for each country or territory shall consist of the sum of the amounts specified under sub-paragraphs (a) and (b) of the preceding paragraph, with the addition of the amount necessary to bring the stocks specified under sub-paragraphs (c) and (d) of the same paragraph to the desired level or after the deduction of any amounts by which those stocks may exceed that level. These additions or deductions shall not, however, be taken into account except in so far as the Parties concerned have forwarded at the proper time the necessary estimates to the Board.

3. Each Party which permits the production of opium shall forward annually to the Board, in respect of each of its territories, an estimate of the extent of the area (in hectares) stated, as exactly as possible, on which it proposes to cultivate the poppy for the purpose of harvesting opium, and estimates, as accurate as practicable, of the amount of opium to be harvested, based on the average yield of opium in the preceding five years. If the cultivation of the poppy for this purpose is permitted in more than one region, this information shall be shown separately for each such region.

4. (a) The estimates referred to in paragraphs 1 and 3 of this article shall be made in the form prescribed from time to time by the Board.

(b) Every estimate shall be dispatched so as to reach the Board by a date determined by it. The Board may prescribe different dates for the estimates referred to in paragraph 1 of this article and for those referred to in paragraph 3 thereof; it may also, taking into consideration varying harvesting times, prescribe different dates for the estimates to be furnished by Parties under paragraph 3 of this article.

5. Every estimate shall be accompanied by a statement explaining the method by which it has been compiled and by which the several amounts in it have been calculated.

6. Supplementary estimates either decreasing or increasing the original estimates may be furnished and shall be sent to the Board without delay, together with an explanation of the reason for such revision. The provisions of this article, except sub-paragraph (b) of paragraph 4 and paragraph 9, shall apply to such supplementary estimates.

7. The estimates shall be examined by the Supervisory Body which may request any further information in order to make an estimate complete, or to explain anything contained therein and, with the consent of the government concerned, amend such estimates.

8. The Board shall request estimates for countries or territories to which this Protocol does not apply to be made in accordance with the provisions of this Protocol.

9. If in respect of any country or territory any estimates do not reach the Board by the date prescribed by it under sub-paragraph (b) of paragraph 4 of this article, such estimates shall, as far as practicable, be established by the Supervisory Body.

10. The estimates referred to in paragraph 1 of this article, including such estimates established by the Supervisory Body in accordance with paragraph 9 of this article, shall not be exceeded by the Parties unless or until they have been modified by supplementary estimates.

11. If it appears from the import and export returns made to the Board under article 9 of this Protocol or article 22 of the 1925 Convention that the quantity of opium exported to any country or territory exceeds the total of estimates for that country or territory as defined in paragraph 2 of this article, with the addition of the amounts shown to have been exported, the Board shall immediately notify all the Parties. The Parties agree that they will not, during the currency of the year in question, authorize any new exports to that country or territory except:

(a) In the event of a supplementary estimate being furnished for that country or territory in respect both of any quantity over-imported and of the additional quantity required; or

(b) In exceptional cases where the export in the opinion of the exporting Party is essential in the interests of humanity or for the treatment of the sick.

Article 9—Statistics

1. The Parties shall furnish to the Board in respect of each of their territories:

(a) Not later than 31 March, statistics relating to the preceding year showing:

(i) The extent of the area on which poppy was cultivated with a view to harvesting opium and the amount of opium harvested thereon;

(ii) The amount of opium consumed, i. e., the amount of opium delivered for retail trade, or to be dispensed or administered by hospitals, or by qualified and duly authorized persons in the exercise of their professional or medical functions;

(iii) The amount of opium used for the manufacture of alkaloids and opium preparations, including the quantity required for the manufacture of preparations for the export of which export authorizations are not required, whether such preparations are intended for domestic consumption or for export, in accordance with the Conventions of 1925 and 1931;

(iv) The amount of opium seized in the illicit traffic, the amount disposed of and the method of disposal; and

(b) Not later than 31 May statistics showing the stocks held on the preceding 31 December; the statistics concerning these stocks shall exclude the opium held by a Party for military purposes on 31 December 1953, but shall include any amounts subsequently added to such opium or transferred therefrom to lawful trade; and

(c) Not later than four weeks from the end of the period to which they relate, quarterly statistics showing the amounts of opium imported and exported.

2. The statistics referred to in paragraph 1 of this article shall be furnished on such forms and in such manner as may be determined by the Board.

3. If they have not already done so, producing States which are Parties to the Protocol shall furnish to the Board as exactly as possible for 1946 and the following years the statistics referred to in sub-paragraph (a) (i) of paragraph 1 of this article.

4. The Board shall publish the statistics referred to in this article in such form and at such intervals as it may deem appropriate.

Article 10—Reports to the Secretary-General

1. The Parties shall furnish to the Secretary-General:

(a) A report on the organization of and functions assigned under article 3 to the Agency referred to therein, and on the functions assigned under article 3 to the other competent authorities, if any;

(b) A report on the legislative and administrative measures adopted in accordance with this Protocol;

(c) An annual report on the working of this Protocol. This report shall be made in accordance with the form prescribed by the Commission, and may be included in or annexed to the annual reports referred to in article 21 of the 1931 Convention.

2. The Parties shall furnish the Secretary-General with additional information regarding any important changes concerning the matters set out in the preceding paragraph.

CHAPTER IV—INTERNATIONAL SUPERVISION AND ENFORCEMENT MEASURES

Article 11—Administrative measures

1. In order to supervise the operation of this Protocol the Board may adopt the following measures:

(a) Request for information: The Board may ask Parties confidentially for information regarding the implementation of this Protocol and, in this connexion, make appropriate suggestions to the Parties concerned;

(b) Request for explanation: If on the basis of information at its disposal the Board is of the opinion that any important provision of this Protocol is not being observed in any country or territory or that the opium situation therein requires elucidation, the Board shall have the right to ask confidentially for an explanation from the Party concerned;

(c) Proposal of remedial measures: If the Board thinks fit, it may confidentially call the attention of a government to its failure to carry out substantially any important provision of this Protocol or to a gravely unsatisfactory opium situation in any of the territories under its control. The Board may also call upon the government to study the possibility of adopting such remedial measures as the situation may require;

(d) Local inquiry: If the Board considers that a local inquiry would contribute to

the elucidation of the situation it may propose to the government concerned that a person or a committee of inquiry designated by the Board be sent to the country or territory in question. If the government fails to reply within four months to the Board's proposal such failure shall be considered a refusal to consent. If the government expressly consents to the inquiry it shall be made in collaboration with officials designated by that government.

2. The Party concerned shall be entitled to be heard by the Board through its representative before a decision is taken under subparagraph (c) of the preceding paragraph.

3. Decisions of the Board taken in accordance with sub-paragraphs (c) and (d) of paragraph 1 of this article shall be made by a majority of the whole number of the Board.

4. If the Board publishes its decisions taken under sub-paragraph (d) of paragraph 1 of this article or any information relating thereto, it shall also publish the views of the government concerned if the latter so requests.

Article 12—Enforcement measures

1. Public Declarations

If the Board finds that the failure of a Party to carry out provisions of this Protocol is seriously impeding the control over narcotic substances in any territory of that Party or in any territory of another State, it may adopt the following measures.

(a) Public notification—The Board may call the attention of all Parties and of the Council to the matter.

(b) Public statements—If the Board considers that its action taken in accordance with the preceding sub-paragraph has not had the desired results, it may issue a statement that a Party has violated its obligations under this Protocol, or that any other State has failed to take the necessary measures to prevent the opium situation in any of its territories from becoming a danger to effective control of narcotic substances in one or several of the territories of other Parties or States. If the Board makes a public statement it shall also publish the views of the government concerned if the latter so requests.

2. Recommendation of Embargo

If the Board finds:

(a) as a result of its study of the estimates and statistics furnished under articles 8 and 9 that a Party has failed substantially to carry out its obligations under this Protocol or that any other State is seriously impeding the effective administration thereof, or

(b) in the light of the information at its disposal, that excessive quantities of opium are accumulating in any country or territory or that there is a danger of any country or territory becoming a centre of illicit traffic,

it may recommend to the Parties an embargo on the import of opium, the export of opium, or both, from or to the country or territory concerned, either for a designated period or until it shall be satisfied as to the opium situation in such country or territory. The State concerned may bring the matter before the Council, in accordance with the relevant provisions of article 24 of the 1925 Convention.

3. Mandatory Embargo

(a) Announcement of, and imposition of embargo: The Board may, on the basis of findings made under sub-paragraphs (a) or (b) of paragraph 2 of this article, adopt the following measures:

(i) The Board may announce its intention to impose an embargo on the import of opium or the export of opium, or both, from or to the country or territory concerned;

(ii) If the announcement mentioned in sub-paragraph (a) (i) of this paragraph fails to remedy the situation the Board may impose the embargo provided that the lesser measures set out in sub-paragraphs (a) and (b) of paragraph 1 of this article have failed or are unlikely to correct the unsatisfactory situation. The embargo may be imposed either for a definite period or until the Board is satisfied as to the situation in the country or territory concerned. The Board shall forthwith notify the State concerned and the Secretary-General of its decision. The decision of the Board shall be confidential and, except as expressly provided in this article, shall not be disclosed until it is established in accordance with sub-paragraph (c) (i) of paragraph 3 of this article that the embargo is to take effect.

(b) Appeal:

(i) A State in respect of which a decision to impose a mandatory embargo has been taken may, within 30 days of receipt by that State of such decision, notify the Secretary-General confidentially in writing of its intention of appeal and, within another thirty days, furnish in writing the reasons for such appeal;

(ii) The Secretary-General shall at the time of coming into force of this Protocol request the President of the International Court of Justice to appoint an Appeals Committee consisting of three members and two alternates who, by their competence, impartiality and disinterestedness, will command general confidence. If the President of the International Court of Justice informs the Secretary-General that he is unable to make the appointment, or does not make it within a period of two months from the receipt of the request to do so, the Secretary-General shall make the appointment. The term of office of the members of the Appeals Committee shall be five years and any member may be eligible for reappointment. The members shall, in accordance with arrangements made by the Secretary-General, receive remuneration only for the duration of the sittings of the Appeals Committee;

(iii) Vacancies on the Appeals Committee shall be filled in accordance with the procedure set out in sub-paragraph (b) (ii) of this paragraph;

(iv) The Secretary-General shall forward to the Board copies of the written notification and the reasons for the appeal referred to in sub-paragraph (b) (i) of this paragraph and, without delay, provide for a meeting of the Appeals Committee to hear and determine the appeal and shall make all arrangements necessary for the Appeals Committee's work. He shall furnish the members of the Appeals Committee with copies of the Board's decision, the communications referred to in sub-paragraph (b) (i) of this paragraph, the Board's reply if available and all other relevant documents;

(v) The Appeals Committee shall adopt its own rules of procedure;

(vi) The appellant State and the Board shall be entitled to be heard by the Appeals Committee before a decision is taken;

(vii) The Appeals Committee may affirm, vary or reverse the Board's decision relative to the imposition of the embargo. The decision of the Appeals Committee shall be final and binding and shall forthwith be communicated to the Secretary-General;

(viii) The Secretary-General shall communicate the decision of the Appeals Committee to the appellant State and to the Board;

(ix) If the appellant State withdraws the appeal, the Secretary-General shall notify the Appeals Committee and the Board of such withdrawal.

(c) Execution of the embargo:

(i) The embargo imposed in accordance with sub-paragraph (a) of this paragraph shall come into force sixty days after the Board's decision unless notice of appeal is given in accordance with sub-paragraph (b) (i) of this paragraph. In this case the embargo shall come into force thirty days after the withdrawal of the appeal or after a decision of the Appeals Committee upholding the embargo in whole or in part;

(ii) As soon as it is established in accordance with sub-paragraph (c) (i) of this paragraph that the embargo is to take effect, the Board shall notify all the Parties of the terms of the embargo and the Parties shall comply therewith.

4. Procedural Safeguards

(a) Decisions of the Board taken in accordance with this article shall be made by a majority of the whole number of the Board.

(b) The State concerned shall be entitled to be heard by the Board through its representative before a decision is taken under this article.

(c) If the Board publishes a decision taken under this article or any information relating thereto, it shall also publish the views of the government concerned if the latter so requests. If the decision of the Board is not unanimous the views of the minority shall be stated.

Article 13—Universal application

The Board may also, if possible, take the measures referred to in this chapter, in respect of States which are not Parties to this Protocol, and in respect of territories to which, under article 20, this Protocol does not apply.

CHAPTER V—FINAL ARTICLES

Article 14—Measures of implementation

The Parties shall adopt all legislative and administrative measures necessary for the purpose of making fully effective the provisions of this Protocol.

Article 15—Disputes

1. The Parties expressly recognize that the International Court of Justice is competent to settle disputes concerning this Protocol.

2. Unless the Parties concerned agree to another mode of settlement, any dispute between two or more Parties relating to the interpretation or application of this Protocol shall be referred to the International Court of Justice for settlement at the request of any one of the Parties to the dispute.

Article 16—Signature

This Protocol, of which the Chinese, English, French, Russian, and Spanish texts are equally authentic, shall until 31 December 1953 be open for signature on behalf of any Member of the United Nations and of any non-member State invited, in accordance with the instructions of the Council, to participate in the Conference which drew up this Protocol, and of any other State to which the Secretary-General at the request of the Council, has sent a copy of this Protocol.

Article 17—Ratification

This Protocol shall be ratified. The instruments of ratification shall be deposited with the Secretary-General.

Article 18—Accession

This Protocol may be acceded to on behalf of any Member of the United Nations or any non-member State referred to in article 16 or any other non-member State to which the Secretary-General, at the request of the Council, has sent a copy of this Protocol. The instruments of accession shall be deposited with the Secretary-General.

Article 19—Transitional measures

1. As a transitional measure, any Party may, provided that it has made an express declaration to that effect at the time of signature or deposit of its instrument of ratification or accession, permit:

(a) The use, in any of its territories, of opium for quasi-medical purposes;

(b) The production, import or export of opium for such purposes from or to any State or territory to be designated at the time of making the above-mentioned declaration, provided that:

(i) On 1 January 1950 such use, import or export of opium was traditional in the territory in respect of which the declaration is made and was there permitted at that date;

(ii) no export shall be permitted to a State not a Party to this Protocol; and

(iii) the Party undertakes to abolish, within a period which shall be specified by that Party at the time of the declaration and which shall in no case extend beyond fifteen years after the coming into effect of this Protocol, the use, production, import and export of opium for quasi-medical purposes.

2. Any Party having made a declaration under paragraph 1 of this article shall, for the period referred to in sub-paragraph (b) (iii) of that paragraph, be authorized, in each year, to hold in addition to the maximum stocks provided for in article 5, stocks equal to the amount consumed for quasi-medical purposes in the two preceding years.

3. Any Party may also, as a transitional measure, provided that it has made an express declaration to this effect at the time of signature or deposit of its instrument of ratification or accession, permit the smoking of opium by addicts not under 21 years of age registered by the appropriate authorities for that purpose on or before 30 September 1953, provided that on 1 January 1950 opium-smoking was permitted by the Party concerned.

4. A Party invoking the transitional measures under this article shall:

(a) Include in the annual report, to be furnished to the Secretary-General in accordance with article 10, an account of the progress made during the preceding year towards the abolition of the use, production, import or export of opium for quasi-medical purposes and of opium for smoking;

(b) Submit separately in respect of opium used, imported, exported and held for quasi-medical purposes, and of opium used and held for purposes of smoking, such estimates and statistics as are required by articles 8 and 9 of this Protocol.

5. (a) If a Party, which invokes the transitional measures in accordance with this article, fails to submit:

(i) The report referred to in sub-paragraph (a) of paragraph 4 within six months after the end of the year to which the information relates,

(ii) The statistics referred to in sub-paragraph (b) of paragraph 4 within three months after the date on which they are due in accordance with article 9,

(iii) The estimates referred to in sub-paragraph (b) of paragraph 4 within three months after the date fixed for that purpose by the Board in accordance with article 8,

the Board or the Secretary-General as the case may be shall send to the Party concerned a notification of the delay and request it to submit such information within a period of three months after the receipt of that notification.

(b) If a Party fails to comply within such period with this request of the Board or the Secretary-General, the transitional measures permitted under this article shall no longer be applicable to that Party as from the expiration of that period.

Article 20—Territorial application

This Protocol shall apply to all the non-self-governing, trust, colonial and other non-metropolitan territories for the international relations of which any Party is responsible, except where the previous consent of a non-metropolitan territory is required by the Constitution of the Party or of the non-metropolitan territory, or required by custom. In such case the Party shall endeavour to secure the needed consent of the non-metropolitan territory within the shortest period possible and when that consent is obtained the Party shall notify the Secretary-General. This Protocol shall apply to the territory or territories named in such notification from the date of its receipt by the Secretary-General. In those cases where the previous consent of the non-metropolitan territory is not required, the Party concerned shall, at the time of signature, ratification or accession, declare the non-metropolitan territory or territories to which this Protocol applies.

Article 21—Coming into force

1. This Protocol shall come into force on the thirtieth day after the date of deposit of the instruments of ratification or accession of at least twenty-five States including at least three of the producing States named in sub-paragraph (a) of paragraph 2 of article 6 and at least three of the following manufacturing States: Belgium, France, Federal Republic of Germany, Italy, Japan, Netherlands, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America.

2. This Protocol shall come into force in respect of any State depositing an instrument of ratification or accession after the deposit of those necessary for the coming into force of this Protocol in accordance with paragraph 1 of this article, on the thirtieth day following the date on which the State concerned has deposited its instrument.

Article 22—Revision

1. Any Party may request revision of this Protocol at any time by a notification addressed to the Secretary-General.

2. The Council, after consultation with the Commission, shall recommend the steps to be taken in respect of such request.

Article 23—Denunciations

1. After the expiration of five years from the date of the coming into force of this Protocol, a Party may denounce this Protocol by depositing with the Secretary-General an instrument in writing.

2. The denunciation referred to in paragraph 1 of this article shall take effect on 1 January of the first year following the date on which it has been received by the Secretary-General.

Article 24—Termination

This Protocol shall cease to be in force if, as a result of denunciations made in accordance with article 23, the list of Parties does not fulfil all the conditions laid down in article 21.

Article 25—Reservations

Save as is expressly provided in article 19 respecting the declarations therein permitted and to the extent authorized in article 20 respecting territorial application, no Party may make any reservation respecting any of the provisions of this Protocol.

Article 26—Communications by the Secretary-General

The Secretary-General shall notify to all Members of the United Nations and the other States referred to in articles 16 and 18:

(a) Signatures affixed to this Protocol after the end of the United Nations Opium Conference and the deposit of instruments of ratification and accession in accordance with articles 16, 17 and 18;

(b) Any territory which, in accordance with article 20, has been included by a State responsible for its international relations among the territories to which this Protocol shall apply;

(c) The coming into force of this Protocol in accordance with article 21;

(d) Declarations and notifications made in accordance with the transitional measures provided for in article 19, the dates of their expiration and of their ceasing to be effective;

(e) Denunciations made in accordance with article 23;

(f) Requests for revision of this Protocol made in accordance with article 22; and

(g) The date on which this Protocol shall cease to be in force in accordance with article 24.

This Protocol, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General. The Secretary-General shall send a certified true copy to all Members of the United Nations and to all other States referred to in articles 16 and 18 of this Protocol.

In witness whereof the undersigned, duly authorized, have signed this Protocol in a single copy on behalf of their respective Governments.

New York, this twenty-third day of June one thousand nine hundred and fifty-three.

For Afghanistan:
For Albania:
For Argentina:
For Australia:
For Austria:
For the Kingdom of Belgium:
For Bolivia:
For Brazil:
For Bulgaria:
For the Union of Burma:
For the Byelorussian Soviet Socialist Republic:
For Cambodia:
For Canada:
For Ceylon:
For Chile:
For China:
For Colombia:
For Costa Rica:
For Cuba:
For Czechoslovakia:
For Denmark:

WILLIAM BORBERG.

For the Dominican Republic:

JOAQUIN E. SALAZAR.

For Ecuador:

ARTURO MENESES PALLARES.

For Egypt:

YEHIA SAMI.

For El Salvador:
For Ethiopia:
For Finland:
For France: [Translation by the Secretariat of the United Nations:]

For France and the territories of the French Union.

CHARLES VAILLE.

It is expressly declared that the French Government reserves the right, in respect of French establishments in India, to apply the transitional measures of article 19 of this Protocol, it being understood that the period mentioned in paragraph 1, sub-paragraph (b) (iii) of that article shall be fifteen years after the coming into effect of this Protocol.

The French Government likewise reserves the right in accordance with the transitional measures of article 19 to authorize the export of opium to French establishments in India for the same period of time.

CHARLES VAILLE.

For the Federal Republic of Germany:

Dr. HANS E. RIESSER.
Dr. HEINRICH DANNER.

For Greece:

ALEXIS KYROU.

For Guatemala:
For Haiti:
For Honduras:
For Hungary:
For Iceland:
For India:

1. It is hereby expressly declared that the Government of India, in accordance with the provisions of Article 19 of this Protocol, will permit

(i) the use of opium for quasi-medical purposes until 31 December, 1959;

(ii) the production of opium and the export thereof, for quasi-medical purposes, to Pakistan, Ceylon, Aden and the French and Portuguese possessions on the subcontinent

of India for a period of 15 years from the date of the coming into force of this Protocol; and

(iii) the smoking of opium, for their life time, by addicts not under 21 years of age, registered by the appropriate authorities for that purpose on or before the 30 September, 1953.

2. The Government of India expressly reserve to themselves the right to modify this declaration or to make any other declaration under Article 19 of this Protocol, at the time of the deposit by them of their instrument of ratification.

E. S. KRISHNAMOORTHY.

For Indonesia:
For Iran:
For Iraq:
For Ireland:
For Israel:
For Italy:

GUERINO ROBERTI.

For Japan:

TORAO USHIROKU.

For the Hashemite Kingdom of Jordan:
For the Republic of Korea:

D. Y. NAMKOONG.

For Laos:
For Lebanon:
For Liberia:
For Libya:
For Liechtenstein:

A. LINDT.

For the Grand Duchy of Luxembourg:
For Mexico:
For Monaco:

M. PALMARO.

26 juin 1953.
For Nepal:
For the Kingdom of the Netherlands:
For New Zealand:
For Nicaragua:
For the Kingdom of Norway:
For Pakistan:
For Panama:
For Paraguay:
For Peru:
For the Philippine Republic:

EDUARDO QUINTERO.
MELQUIADES IBÁÑEZ.

For Poland:
For Portugal:
For Romania:
For San Marino:
For Saudi Arabia:
For Spain:
For Sweden:
For Switzerland:

A. LINDT.

For Syria:
For Thailand:
For Turkey:
For the Ukrainian Soviet Socialist Republic:
For the Union of South Africa:
For the Union of Soviet Socialist Republics:
For the United Kingdom of Great Britain and Northern Ireland:

J. H. WALKER.
J. K. T. JONES.

For the United States of America:

HARRY J. ANSLINGER.

For Uruguay:
For Venezuela:
For Viet-Nam:

TRAN-VAN-KHA.

For Yemen:
For Yugoslavia:

DRAGAN NIKOLIC.

24 June 1953

FINAL ACT OF THE UNITED NATIONS OPIUM CONFERENCE

The United Nations Opium Conference was convened by the Secretary-General of the United Nations in conformity with resolution 436 A (XIV) of the United Nations Economic and Social Council, dated 27 May 1952.

In accordance with the terms of that resolution, States Members of the United Nations and non-member States parties to the international Conventions concerning narcotic drugs were invited to the Conference. Libya, Nepal, the Republic of Korea and Spain were also invited to attend the Conference in accordance with the terms of resolution 478 (XV) of the Council. Representatives of the specialized agencies, the Permanent Central Board and the Supervisory Body were also invited with the same rights and privileges as they enjoy at sessions of the Council.

The Conference was held at United Nations Headquarters, New York, from 11 May to 18 June 1953.

The Governments of the following States were represented at the Conference by representatives: Belgium, Burma, Cambodia, Canada, Chile, China, Denmark, Dominican Republic, Ecuador, Egypt, France, Federal Republic of Germany, Greece, India, Iran, Iraq, Israel, Italy, Japan, Lebanon, Liechtenstein, Mexico, Monaco, Netherlands, Pakistan, Philippines, Republic of Korea, Spain, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Vietnam, Yugoslavia.

The Governments of the following States were represented at the Conference by observers: Argentina, Bolivia, Costa Rica, Haiti, Indonesia, Sweden, Thailand.

The representatives of the following organizations took part in the work of the Conference:

Permanent Central Board: Mr. Herbert L. May, President of the Permanent Central Board.

Supervisory Body: Col. C. H. L. Sharman, Vice-Chairman of the Supervisory Body.

World Health Organization: Dr. M. S. Ingalls, liaison officer; Mrs. S. Meagher, liaison officer.

In accordance with rules 46 and 47 of the rules of procedure adopted by the Conference, the observers and the representatives of the above-mentioned organizations participated in the work of the Conference without the right to vote.

The Conference elected as President: Dr. Auguste Lindt, Switzerland, and as Vice-Presidents: Mr. D. M. Johnson, Canada (Alternate: Mr. K. C. Hossick); Sr. R. Ortega Masson, Chile; Dr. H. Danner, Federal Republic of Germany; Mr. E. S. Krishnamoorthy, India; Dr. A. G. Ardalan, Iran; Mr. J. H. Walker, United Kingdom of Great Britain and Northern Ireland.

The Conference set up a Business Committee consisting of the President and the Vice-Presidents of the Conference. The Chairmen of the Committees established by the Conference, who were not among the seven officers referred to above, were invited to participate in the proceedings of the Business Committee without vote.

The Conference established a Main Committee, consisting of representatives of all States participating in the Conference, which elected Mr. Charles Vaille, representative of France, as Chairman, and Dr. C. L. Hsia, representative of China, and Dr. Cemalettin Or, representative of Turkey, as Vice-Chairmen. The Conference also set up a Drafting Committee, which elected Mr. Dragan Nikolic, representative of Yugoslavia, as Chairman, and Mr. Robert E. Curran, Q. C., member of the Canadian delegation, as Vice-Chairman, and a Credentials Committee, which elected Sr. Luciano Joublanc Rivas, representative of Mexico, as Chairman.

The Conference took as the basis of discussion the text of the Protocol drawn up by the Secretary-General in accordance with the principles adopted by the Commission on Narcotic Drugs at its sixth session held from 10 April to 24 May 1951.

The Conference adopted and opened for signature the Protocol for Limiting and Regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and use of Opium, annexed to this Final Act; the Conference also adopted the resolutions annexed to this Final Act.

In witness whereof, the undersigned representatives and observers have signed this Final Act, reserving the position of their respective governments as regards adhesion to the Protocol.

Done at New York, this twenty-third day of June, one thousand nine hundred and fifty-three, in one copy, in the Chinese, English, French, Russian, and Spanish languages, each text being equally authentic. This Final Act and the Protocol annexed thereto shall be deposited with the Secretary-General of the United Nations who shall send certified true copies thereof to Members of the United Nations and to all other States referred to in articles 16 and 18 of the Protocol.

For the Kingdom of Belgium:

J. WOULBROUN.

For the Union of Burma:

U BA MAUNG.

For Cambodia:

CHARLES VAILLE.

For Canada:

DAVID M. JOHNSON.

For Chile:

RUDECINDO ORTEGA.

For China:

CHING LIN HSIA.

For Demark:

WILLIAM BORBERG.

For the Dominican Republic:

JOAQUÍN E. SALAZAR.

For Ecuador:

ARTURO MENESES PALLARES.

For Egypt:

YEHIA SAMI.

For France:

CHARLES VAILLE.

For the Federal Republic of Germany:

Dr. HANS E. RIESSER.
Dr. HEINRICH DANNER.

For Greece:

ALEXIS KYROU.

For India:

E. S. KRISHNAMOORTHY.

For Iran:
For Iraq:

N. A. UMARI.

For Israel:

MOSHE TOV.

For Italy:

GUERINO ROBERTI.

For Japan:

TORAO USHIROKU.

For the Republic of Korea:

D. Y. NAMKOONG.

For Lebanon:

HALIM SHEBEA.

For Liechtenstein:

A. LINDT.

For Mexico:

LUCIANO JOUBLANC RIVAS.

For Monaco:

M. PALMARO.

For the Kingdom of the Netherlands:

H. JONKER.

For Pakistan:

V. A. HAMDANI.

For the Philippine Republic:

EDUARDO QUINTERO.
MELQUIADES IBÁÑEZ.

For Spain:

R. DE LA PRESILLA.

For Switzerland:

A. LINDT.

For Turkey:

Dr. CEMALETTIN OR.

For the United Kingdom of Great Britain and Northern Ireland:

J. H. WALKER.
J. K. T. JONES.

For the United States of America:

HARRY J. ANSLINGER.

For Viet-Nam:
PHAN-HUY-TY.
For Yugoslavia:
DRAGAN NIKOLIĆ.

OBSERVERS

For Argentina:
For Bolivia:
For Costa Rica:
RUBEN ESQUIVEL.
For Haiti:
For Indonesia:
For Sweden:
BERTIL RENBORG.
For Thailand:
The President of the Conference:
A. LINDT.
The Secretary-General of the United Nations:
DAG HAMMARSKJOLD.
The Executive Secretary of the Conference:
G. E. YATES.

RESOLUTIONS ADOPTED BY THE UNITED NATIONS OPIUM CONFERENCE

I. The Conference,

Considering the importance of bringing into force with the least possible delay the Protocol for Limiting and Regulating the Cultivation of the Poppy Plant, the Production of, International and Wholesale Trade in, and Use of Opium signed this day and of its adoption and implementation by the largest possible number of States.

Requests the Economic and Social Council and the Secretary-General of the United Nations to use their best endeavours to secure:

(a) The ratification of or accession as soon as possible to the Protocol of all Members of the United Nations and of nonmember States invited, in accordance with the instructions of the Council, to participate in the Conference which drew up the Protocol and of any other State to which the Secretary-General at the request of the Council has sent a copy of the Protocol; and

(b) The implementation so far as may be practicable of the provisions of the Protocol by States which have not become Parties.

II. The Conference

Declares that the terms "narcotic substances", "narcotic drugs", "narcotic alkaloids" and other similar expressions used in the Protocol shall denote the drugs derived from opium which come within the provisions of the 1931 Convention.

III. The Conference

Declares that the term "cultivate" as used in the Protocol shall be understood to include the meaning of the term "grow", and any term derived from the term "cultivate" shall be understood to include the meaning of the corresponding derivative of the term "grow."

IV. The Conference,

Recalling the provisions of article 4 of the Protocol,

Declares that it is understood that the control measures therein provided do not apply to poppy grown exclusively for ornamental purposes.

V. The Conference,

Recalling the provisions of paragraph 5 of article 7 of the Protocol, relating to exports of seized opium under certain circumstances,

1. Suggests that the Permanent Central Board should ordinarily permit the export referred to in that paragraph, provided that the conditions mentioned therein are fulfilled; and

2. Declares that no such export may be made or authorized by the Party concerned until the Board's permission has been obtained.

VI. The Conference,

Recalling that the definition of opium in chapter I of the Protocol excludes galenical preparations which are obtained from opium such as tincture of opium, laudanum, Dover powder, paregoric,

Declares that it is agreed that Parties to the Protocol shall, in accordance with the provisions of article 9 of the Protocol, furnish full statistics of the amounts of opium used in the preparation of galenical preparations, which are included among the opium preparations referred to in sub-paragraph (a) (iii) of paragraph 1 of article 9.

VII. The Conference,

Declares that wherever the term "year" is used in the Protocol, it means the twelve months from 1 January to 31 December.

VIII. The Conference,

Considering that international supervision over opium production and trade based on statistics supplied by Parties to the Protocol is an essential element of the limitation and regulation of opium as provided in the Protocol,

Declares that the Permanent Central Board, which, under articles 8 and 9 of the Protocol, has the duty of prescribing the forms in accordance with which estimates and statistics are to be furnished, has thus authority to require that estimates and statistics be furnished with an indication of the moisture content of the opium referred to.

IX. The Conference,

Recalling the provisions of article 11 of the Protocol, concerning local inquiry by the Permanent Central Board,

Declares that it is understood that the Board will cause a local inquiry to be made only as it may appear necessary for the elucidation of the situation in any country or territory as regards the observance of important provisions of the Protocol or where there is reason to believe that a gravely unsatisfactory opium situation exists.

X. The Conference,

Recalling that, under The Hague Opium Convention of 1912, the Geneva Opium Agreement of 1925 and the Bangkok Opium Agreement of 1931, the two latter as amended by the Protocol of 11 December 1946, the Parties to these instruments have undertaken to bring about the suppression of the manufacture, internal trade in and use of the prepared opium and of opium smoking,

Declares that nothing in the Protocol, and, in particular, neither the inclusion of prepared opium in the definition of opium, nor the presence of the transitional measures in article 19 may be interpreted as affecting the obligation of the States concerned to suppress finally and completely, with the least possible delay, the use of prepared opium and opium smoking.

XI. The Conference,

Recalling the transitional measures under article 19 of the Protocol regarding the use of opium for quasi-medical purposes,

Declares that the use of opium for quasi-medical purposes shall, for the application of the Protocol, denote the use of opium without medical aid for relief of pain other than that caused by addiction to opium or to other narcotic drugs, but shall not include:

(a) The use of opium dispensed in accordance with the provisions of article 9 of the 1925 Convention;

(b) The use of drugs containing opium and exempted under article 8 of the 1925 Convention; and

(c) Opium smoking.

XII. The Conference,

Recalling the transitional measures under article 19 of the Protocol regarding the use of opium for quasi-medical purposes,

Notwithstanding the maximum period permitted in that article for the abolition of the use of opium for quasi-medical purposes,

1. Appeals urgently to the Parties making declarations under article 19 to abolish, as soon as possible, the use of opium for such purposes; and

2. Declares that nothing contained in article 19 should be regarded as implying permission to relax any restriction already imposed by these Parties in this respect.

XIII. The Conference,

Recalling the transitional measures referred to in article 19 regarding the use of opium for quasi-medical purposes,

Declares that stocks of opium held by retail vendors licensed to sell opium issued to them by the competent government authorities for use for quasi-medical purposes, in accordance with the rules and regulations in force governing such use, shall not be considered as foming part of "stocks" as defined in article 1 of the Protocol.

XIV. The Conference,

Recalling that the model codes for the application of the 1925 and 1931 Conventions (League of Nations document C.744.M.365. 1932.XI) were of considerable value to a number of governments as a guide in framing legislative and administrative measures for the application of the Conventions in their territories,

1. Recommends that a similar code should be drawn up and should be circulated to governments with a request that they should be guided as far as possible by the code in framing the necessary legislative and administrative measures for the application in their territories of the Protocol;

2. Requests the Economic and Social Council to ask the Commission on Narcotic Drugs to prepare such a code.

XV. The Conference,

Recalling that the Economic and Social Council approved the proposal of the Commission on Narcotic Drugs that for the purposes of the Protocol only the countries which exported opium in the year 1950 should be permitted to export opium.

Considering that the limitation of the number of countries producing opium for export is necessary in order to limit the production of opium,

Having therefore decided to adopt the principle of limiting such countries and to give effect thereto in the Protocol by limiting to Bulgaria, Greece, India, Iran, Turkey, the Union of Soviet Socialist Republics and Yugoslavia the right to export opium, provided that these countries become Parties to the Protocol,

Deeming it desirable that the international trade in opium should be as unrestricted as is compatible with an effective limitation of the production of opium,

Recommends that Parties should take all appropriate steps to prevent restrictive business practices (such as price-fixing, allocation or limitation of production or markets, and price discrimination) that would interfere wih the normal international trade in opium for medical and scientific purposes at fair and reasonable prices, terms and conditions, and that if an intergovernmental body or agency should be established with competence to deal with such restrictive business practices, Parties should refer matters involving such practices to that body or agency.

XVI. The Conference,

Recalling that restrictions on the freedom of activity of States are necessary in the international trade in opium in order to combat the illicit traffic and to protect humanity against the danger of addiction,

Declares, nevertheless, that restrictions in the international trade in opium, contained in the Protocol, shall not be considered as a precedent for restrictions of the freedom of activity in international trade.

XVII. The Conference,

Having regard to the functions and responsibilities exercised by the United Nations in the international control of narcotic drugs, and

Considering that the arrangements established in the Protocol fall within the framework of the United Nations,

1. Invites the Economic and Social Council to recommend to the General Assembly:

(i) To approve the assumption of the functions and responsibilities attributed by the Protocol to organs of the United Nations; and

(ii) To include the Protocol among the international instruments relating to the control of narcotic drugs for the purpose of assessment, in accordance with resolution 455 (V) of the General Assembly, of Parties nonmembers of the United Nations of their fair share of the expenses borne by the United Nations in connexion with those instruments; and

2. Invites the Economic and Social Council to propose the inclusion of this item in the provisional agenda of the eighth session of the General Assembly.

Certified true copy
For the Secretary-General:
C. A. STAVROPOULOS,
Principal Director in charge of the Legal Department.

[Unclassified]

EXCERPT FROM REPORT OF THE UNITED STATES DELEGATION ON THE WORK OF THE UNITED NATIONS OPIUM CONFERENCE

MAY 11 TO JUNE 18, 1953, AT UNITED NATIONS HEADQUARTERS, NEW YORK

1. Background

The United States for more than forty years has adhered to the policy that the production of opium should be limited strictly to the world's medical and scientific needs. At all international conferences relating to narcotics strong efforts have been made by the Representatives of the United States to achieve this result through international action.

The limitation of the manufacture and the regulation of the distribution of narcotics were brought about in an international convention signed on July 13, 1931, at Geneva. Control is effected by a system of estimates of narcotics requirements and statistical returns covering amounts imported and exported, manufactured, consumed, confiscated, converted into other substances and used in compounding preparations. A board of four members called the Supervisory Body set up in the 1931 Convention passes on the estimates and publishes them each year in December for the guidance of all States and territories. The Permanent Central Board, a control body established by the Convention of 1925, informs all parties in the event that a party imports narcotics beyond its estimates and recommends that no further shipments be made to that party until it submits supplementary estimates for the year in question. This convention has been remarkably effective in controlling manufactured narcotics. Even nonparties feel the force of its provisions, for it authorizes the Supervisory Body to fix estimates for countries that are not parties and which fail to submit estimates of their requirements.

The time has arrived to extend as far as possible to raw opium and opium poppies the provisions of the 1931 Convention. There are several million of drug addicts in the world who are victims of opium poisoning. A concerted effort must be made to eradicate this evil which is a blot on our civilization. The adverse economic and social effects of the abuse of opium are so extensive that they can be combated only by the cooperation of all states. Surplus opium beyond medical and scientific needs is recognized as being at the root of drug addiction. We must take measures to ensure that no surplus is permitted to exist.

The position of the United States was clearly set forth in House Joint Resolution 241, approved by the President on July 1, 1944, pursuant to which the United States Government urged all poppy-growing nations to enter into an international agreement to reduce the production of opium to the medical and scientific needs of the world.

In 1947 on the proposal of the United States Representative, the Commission on Narcotic Drugs recommended to the Economic and Social Council of the United Nations that it adopt a resolution instructing the Secretary General to undertake the drafting of a new single Convention including provisions relating to the limitation of the production of narcotic raw materials (Resolution 159 D VII). Pending the adoption of such an international convention it was decided to try to reach an interim agreement limiting the production and export of opium. A number of meetings of representatives of the opium producing and drug manufacturing countries were held at Ankara and Geneva during which a plan was introduced for the reorganization of the trade in opium and its transformation into an international monopoly. Agreement was not reached on the principles of the basic price of opium, inspection, competition from poppy straw, and manufacture of opium alkaloids in countries that produced opium.

The deadlock was broken by the representative of France who submitted to the Commission a draft protocol relating to the limitation of the production of opium based on the principles of the 1931 Convention. It was decided not to resume discussion of the opium monopoly and the French draft was forwarded to governments by the Secretary General for their observations in accordance with resolution 395 B XIII of the Economic and Social Council. The Council on May 27, 1952, also adopted resolution 436 A XIV to convene an international conference to adopt a protocol relating to the limitation of the production of opium, preferably after the eighth session of the Commission on Narcotic Drugs and to invite to the Conference Governments of States members of the United Nations, governments of nonmember states parties to the international treaties on narcotics and the representatives of the specialized agencies. The resolution also requested the Secretary General to prepare provisional rules of procedure for the conference, to ask governments to submit before December 1, 1952, their observations on the present draft protocol, together with such textual amendments as they thought fit to propose, and to transmit them to all states invited to the Conference not less than 6 weeks before the opening of the conference. The Council decided to set provisionally May 11, 1953, as the opening date of the Conference and June 19 as the closing date.

2. Agenda

The Conference, which met at 3:00 p. m. on May 11, 1953, in Conference Room 3 at Headquarters of the United Nations, had before it the following agenda:

1. Opening of the Conference by the Secretary General.
2. Election of the President.
3. Adoption of the rules of procedure (E/CONF.14/13).
4. Appointment of the Credentials Committee.
5. Election of the Vice Presidents.
6. Consideration of the draft protocol for regulating the production of, international and wholesale trade in, and use of opium (E/2186).
7. Adoption of the Final Act.

3. List of countries

A list of the states having representatives at the Conference follows: Belgium, Burma, Cambodia, Canada, Chile, China, Denmark, Dominican Republic, Ecuador, Egypt, France, Federal Republic of Germany, Greece, India, Iran, Iraq, Israel, Italy, Japan, Republic of Korea, Lebanon, Liechtenstein, Mexico, Monaco, Netherlands, Pakistan, Philippines, Spain, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Vietnam, and Yugoslavia.

Libya, Nepal, the Republic of Korea, and Spain were invited to attend the Conference in accordance with the terms of the Council's resolution. 478 (XI).

In addition Argentina, Bolivia, Costa Rica, Haiti, Indonesia, Sweden, and Thailand were represented by observers.

Representatives of the Permanent Central Board the Supervisory Body and the World Health Organization took part in the work of the Conference.

4. United States delegation

The members of the United States Delegation were the Honorable Harry J. Anslinger, Commissioner of Narcotics, Department of the Treasury and United States Representative on the United Nations Commission on Narcotic Drugs, Delegate; Mr. Alfred L. Tennyson, Bureau of Narcotics, Department of the Treasury, Alternate Delegate; and Mr. George A. Morlock, Office of the United Nations Economic and Social Affairs, Department of State, Adviser.

5. Organization of the Conference

Mr. Dag Hammerskjold, Secretary General of the United Nations, opened the Conference. He explained that the Conference had been convened under the provisions of Articles 1 and 62 of the Charter of the United Nations in an effort to solve the problem of drug addiction which had economic, social, and humanitarian aspects. The immediate problem was to strengthen present controls which were incomplete as regards opium and poppy straw. The task of the Conference would be to limit as far as possible the use of opium to medical and scientific needs, thus reducing production from some 2,000 tons to 500 tons per annum. Later, measures would be taken to limit the production of coco leaves and cannabis sativa.

On nomination by the Representative of the United Kingdom, supported by the Representative of Yugoslavia, Mr. Auguste R. Lindt (Switzerland), was elected President of the Conference by acclamation.

The rules of procedure, drafted by the Secretary General were adopted provisionally on the suggestion of the President.

A credentials committee composed of Japan, Mexico, Pakistan, Netherlands, and Turkey was appointed by the Chair. This committee elected Mr. Joublanc-Rivas (Mexico) as its Chairman.

The Representatives of Canada, Chile, India, Iran, the Federal Republic of Germany, and the United Kingdom were elected Vice Presidents of the Conference by acclamation.

The Conference set up a main committee, consisting of the representatives of all states taking part in the Conference. This Committee elected Mr. Charles Vaille (France) as Chairman and Dr. C. L. Hsia (China) and Dr. Cemalettin Or (Turkey) as Vice Chairman.

A drafting committee was established which elected Mr. Dragan Nikolic (Yugoslavia) as Chairman and Mr. Robert E. Curran, Q. C. (Canada) as Vice Chairman.

In order to limit the scope of the discussions, a resolution sponsored by the Representatives of the United States, France, Greece, Mexico, Turkey, and the United Kingdom was adopted, reading as follows:

"The United Nations Opium Conference,

"*Keeping in mind* the letter and the spirit of resolution 436 A XIV of the Economic and Social Council, on the basis of which it has been convened by the Secretary General,

"*Resolves* to limit its consideration and discussion to the general plan and principles of the draft Protocol for Regulating the Production of, International and wholesale trade in, and use of opium, and to the draft Protocol itself, as set forth in the annex to document E/2186 of March 14, 1952."

6. Work of the committees

Subcommittee No. 1 of the main committee, under the Chairmanship of Mr. John Walker (United Kingdom) considered matters of principle which were difficult to work out in the main committee. It held nine meetings and made recommendations and suggestions to the main committee on definitions of the words "Territory", "import" and "export", on the control of poppy straw, on the Boards giving account in their annual reports of the application of the protocol, on article 8 regarding estimates and on article 9 regarding statistical reports. It favored the reporting of changes in military stocks and made recommendations on the question of reservations under article 19.

The drafting committee reviewed every article in the protocol and every paragraph in the Final Act and was responsible for putting the protocol in legal language. Nearly all of its recommendations were approved by the main committee.

The President of the Conference and the Vice Presidents constituted the business committee for planning the work of the Conference.

7. Conclusions

The Conference adopted, by a vote of 27 to 0 with 2 abstentions, and opened for signature on June 23 and before December 31, 1953, the protocol for limiting and regulating the cultivation of the poppy plant, the production of, international and wholesale trade in, and use of opium which is annexed to the Final Act. The Conference also adopted by a vote of 28 to 0, with one abstention the resolution annexed to the Final Act.

The more important of the provisions in the protocol are summarized below:

Raw opium, medicinal opium, and prepared opium are subject to the control measures of the protocol.

The use of opium is limited exclusively to medical and scientific needs.

States producing opium are obligated to establish Government agencies which shall control the production, use, and trade in opium and limit the area to be cultivated.

Parties producing poppy straw must enact laws ensuring that opium is not produced from such poppies.

Exporters shall be Bulgaria, Greece, India, Iran, Turkey, The Union of Soviet Socialist Republics, and Yugoslavia. Imports are restricted to opium produced in those states.

Opium seized in the illicit traffic shall be destroyed, but a party that is neither a producer nor manufacturer may on permission of the Board export the seized opium in exchange for opium alkaloids.

Estimates of opium requirements shall be submitted to the Board.

Statistics must be submitted to the Board on the area devoted to poppy cultivation, amounts consumed and manufactured, seized, et cetera.

Parties are required to present an annual report on the effectiveness of the protocol.

The Board is authorized to keep a close watch over traffic in opium, to request information and explanations, to make public statements in regard to a party that is failing to carry out the provisions of the protocol and to recommend or impose an import and export embargo on a party that is a center of illicit traffic and is a danger to neighboring countries. Provision is made for appeal from imposition of an embargo to a committee of three impartial persons of judicial training appointed by the President of the International Court of Justice.

The Board is also authorized to take the measures in Chapter IV in respect of states not parties to the protocol.

A party may at time of signature of the protocol permit use of opium for quasi-medical purposes, provided that on January 1, 1950, such use was traditional, and the party undertakes to abolish within a period specified at the time of declaration, but not beyond 15 years after coming into effect of the protocol, the use, production, import and export of opium for quasi-medical purposes.

A party may also, if it makes a declaration to this effect at the time of signing the protocol, permit smoking of opium by addicts not under 21, registered for such purpose before September 30, 1953, provided that on January 1, 1950, opium smoking was permitted by the party concerned.

Article 20 of the protocol provides that the protocol shall apply to all the non-self-governing, trust, colonial and other non-metropolitan territories for the international relations of which any party is responsible, except where the previous consent of a non-metropolitan territory is required by the conditions of the party or of the non-metropolitan territory or required by custom.

Stocks of opium held on December 31 of any year shall be limited in respect of producing, manufacturing and consuming countries, in accordance with article 5 of the protocol.

The United Nations Opium Conference adopted fifteen resolutions containing recommendations and suggestions on a number of subjects. Three of them suggested action by the Economic and Social Council, as follows:

Resolution No. 1 requests the Economic and Social Council and the Secretary General of the United Nations to secure the ratification of the protocol by all states invited to participate in the Conference.

Resolution No. 14 requests the Council to ask the Commission on Narcotic Drugs to prepare a model code similar to those for the application of the Conventions of 1925 and 1931 which were of considerable value to a number of governments as a guide for framing legislative and administrative measures.

Resolution No. 17 requests the Economic and Social Council to recommend to the General Assembly that it approve the assumption of the functions and responsibilities attributed by the protocol to organs of the United Nations, to include the protocol among the international instruments relating to the control of narcotic drugs for the purpose of assessment, in accordance with resolution 455 (V) of the General Assembly, and to stipulate that the cost of appeals from an embargo imposed by the Board be borne by the appellants or to be divided equally between the appellants and the United Nations.

The present protocol is an interim agreement. It is hoped to pursue to a successful conclusion work already started on the Single Convention which will include provisions for the control of the narcotic raw materials—opium, the coca leaf and cannabis sativa. This subject is on the priorities program of the commission on narcotic drugs. When the time is ripe for convening the Conference to draft the Single Convention, it is recommended that the United States participate therein and take a leading part in drawing up the convention.

The protocol represents a step forward in the narcotics control system. It will limit and reduce the production of opium. For the first time statistics will be required covering the trade in this drug. The requirement that estimates of needs of opium be submitted to the Board will provide the means that will enable the Board to watch over production in the producing states. The protocol will lessen the quantity of opium available in the illicit traffic to the benefit of several million of opium addicts. The countries that stand to benefit most will be the United States, Canada, Egypt, France, Italy, and the Philippines, which at present are victims of overproduction of the opium poppy. The fact that the Permanent Central Board is given authority to impose an import and export embargo on a country that is not complying with the protocol and is becoming the center of illicit traffic will serve as a check on producing countries.

The United States will implement the protocol by new legislation, if necessary to do so. The Opium Poppy Control Act of 1942, as present legislation, would represent an important part of implementation of this protocol by legislation.

The protocol contains nearly all of the provisions desired by the United States Delegation. The Delegation obtained the provision in article 2 that "The parties shall limit the use of opium exclusively to medical and scientific needs," which is of great importance.

Greece was permitted by the Conference to become an exporter, against the wishes of the United States. However, the United States succeeded in preserving the principle of free trade and in keeping the number of exporters to seven.

The Conference voted to allow the opium-eating countries to continue to use opium for that purpose for not more than 15 years. The United States had hoped that a shorter period would have been stipulated.

The countries permitting opium smoking on or before January 1, 1950, will also be allowed to sell to registered addicts not under 21 registered before September 30, 1953, until present addicts die. This provision was not entirely satisfactory to the United States, but it was the best provision that could be obtained.

The United States Delegation is satisfied with the enforcement measures written into article 12 which put "teeth" in the convention by authorizing the Board to impose an embargo on a state which is becoming a danger to neighboring states. They are along the lines desired by the United States including the principle of appeal from a decision of the Board to impose an embargo, which is authorized.

Provision is made for not disclosing the size of military stocks. This is pleasing to the United States Delegation.

As of July 1, 1953, representatives of the following states had signed the protocol: Denmark, Dominican Republic, Ecuador, Egypt, France, Federal Republic of Germany, Greece, India, Italy, Japan, Republic of Korea, Liechtenstein, Monaco, Philippines, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America, Vietnam, and Yugoslavia.

This protocol will come into force when 25 states become parties thereto including three producing states and three drug manufacturing states.

The Final Act was signed by representatives or observers of the following 34 states: Belgium, Burma, Cambodia, Chile, China, Costa Rica, Denmark, Dominican Republic, Ecuador, Egypt, France, Federal Republic of Germany, Greece, India, Iraq, Israel, Italy, Japan, Republic of Korea, Lebanon, Liechtenstein, Mexico, Monaco, Netherlands, Pakistan, Philippines, Spain, Sweden, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Vietnam, and Yugoslavia.

Mr. GEORGE. Mr. President, this treaty does not call for any explanation beyond what is disclosed on its face.

The objective of the present protocol is to curb the illicit cultivation, production, distribution, and sale of opium, by reducing world production from what is now estimated at 2,000 tons a year to 500 tons a year. This is sought to be

accomplished by adopting a system of national and international controls under which opium production would be licensed in each state and restrictions would be placed upon the export and import of the drug, and would be implemented through a central——

Mr. KNOWLAND. Mr. President, may we have order in the Senate? It is difficult to hear the Senator from Georgia.

The PRESIDING OFFICER. The Senator from Georgia will suspend until there is order in the Senate.

Mr. GEORGE. Mr. President, this protocol does not affect the medicinal use of opium. This protocol was signed by the United States and by 35 other states. Of course, it has no direct application to the production in this country, but we are vitally interested in restricting the production in order to control its illegal and illicit use.

The PRESIDING OFFICER. The protocol is open to amendment. If there be no amendment to be proposed, without objection, the protocol will be considered as having passed through its various parliamentary stages, to the presentation of the resolution of ratification.

The clerk will read the resolution of ratification.

The Chief Clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive C, 83d Congress, 2d session, a protocol for limiting and regulating the cultivation of the poppy plant, the production of, international and wholesale trade in, and use of opium, which was open for signature at New York from June 23 until December 31, 1953, and during that period was signed on behalf of the United States of America and 35 other states.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification.

Mr. HAYDEN. Mr. President, with respect to this treaty matter, to which there can be no possible objection by anyone, I ask unanimous consent that the rule be suspended and that the treaty be ratified without a yea and nay vote. The last vote just disclosed there were 71 Senators present. Another rollcall would disclose that a quorum was present. It seems to me it will waste time to call the yeas and nays on this protocol, because all Senators are in favor of it.

Mr. KNOWLAND. Mr. President, we assume that they will be, but we have given assurance that there would be a yea and nay vote on these treaty matters. I know how quickly Senators can disappear from the floor.

We have had the President and others comment that treaties were ratified with very few Senators on the floor of the Senate. Since I have given my assurance to some Senators who are here and some Senators who are not, I do not think it will take very much time to conclude the rollcall. We are ready to vote at this point, and I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mrs. BOWRING], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], the Senator from Vermont [Mr. FLANDERS], the Senator from Arizona [Mr. GOLDWATER], the Senator from Indiana [Mr. JENNER], and the Senator from Connecticut [Mr. PURTELL], are necessarily absent.

The Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from Michigan [Mr. FERGUSON], the junior Senator from Michigan [Mr. POTTER], the Senator from New Jersey [Mr. SMITH], and the Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate. If present and voting the senior Senator from Michigan [Mr. FERGUSON], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Michigan [Mr. POTTER], the Senator from Connecticut [Mr. PURTELL], and the Senator from New Jersey [Mr. SMITH] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Florida [Mr. SMATHERS], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from North Carolina [Mr. LENNON], and the Senator from Nevada [Mr. MCCARRAN] are absent on official business.

The Senator from Iowa [Mr. GILLETTE] is absent by leave of the Senate.

I announce further that if present and voting, the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Iowa [Mr. GILLETTE], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Alabama [Mr. SPARKMAN] would vote "yea."

The yeas and nays resulted—yeas 71, nays 0, as follows:

YEAS—71

Aiken	Hendrickson	McCarthy
Anderson	Hennings	McClellan
Barrett	Hickenlooper	Millikin
Beall	Hill	Monroney
Bennett	Holland	Morse
Bricker	Humphrey	Mundt
Bridges	Ives	Murray
Burke	Jackson	Neely
Bush	Johnson, Colo.	Pastore
Case	Johnson, Tex.	Payne
Chavez	Johnston, S. C.	Reynolds
Clements	Kennedy	Robertson
Cooper	Kerr	Russell
Cordon	Kilgore	Saltonstall
Crippa	Knowland	Schoeppel
Dirksen	Kuchel	Smith, Maine
Duff	Langer	Stennis
Dworshak	Lehman	Symington
Ervin	Long	Thye
Frear	Magnuson	Upton
George	Malone	Watkins
Gore	Mansfield	Williams
Green	Martin	Young
Hayden	Maybank	

NOT VOTING—25

Bowring	Daniel	Flanders
Butler	Douglas	Fulbright
Byrd	Eastland	Gillette
Capehart	Ellender	Goldwater
Carlson	Ferguson	Jenner
Kefauver	Purtell	Welker
Lennon	Smathers	Wiley
McCarran	Smith, N. J.	
Potter	Sparkman	

The PRESIDING OFFICER. Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to.

CONVENTION ON DOUBLE TAXATION WITH THE FEDERAL REPUBLIC OF GERMANY

Mr. GEORGE. Mr. President, I hope Senators will find it convenient to remain in the Chamber for a few moments, because we have two very important matters to take up. The next treaty I ask to have considered is order No. 8, executive J.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its consideration.

The Senate, as in Committee of the Whole, proceeded to consider the convention (Ex. J, 83d Cong., 2d sess.) between the United States of America and the Federal Republic of Germany for the avoidance of double taxation with respect to taxes on income, signed in the English and German languages at Washington on July 22, 1954, which was read the second time, as follows:

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE FEDERAL REPUBLIC OF GERMANY FOR THE AVOIDANCE OF DOUBLE TAXATION WITH RESPECT TO TAXES ON INCOME

The President of the United States of America and the President of the Federal Republic of Germany, desiring to conclude a convention for the avoidance of double taxation with respect to taxes on income, have appointed for that purpose as their Plenipotentiaries:

The President of the United States of America:

John Foster Dulles, Secretary of State of the United States of America,

The President of the Federal Republic of Germany:

Minister Albrecht von Kessel, Acting Chargé d'Affaires of the Federal Republic of Germany at Washington,

who, having communicated to one another their full powers, found in good and due form, have agreed as follows:

ARTICLE I

(1) The taxes referred to in this Convention are:

(a) In the case of the United States of America: The Federal income taxes, including surtaxes and excess profits taxes;

(b) In the case of the Federal Republic: The income tax, the corporation tax and the Berlin emergency contribution (Notopfer).

(2) The present Convention shall also apply to any other income or profits tax of a substantially similar character which may be imposed by one of the contracting States after the date of signature of the present Convention.

ARTICLE II

(1) As used in this Convention:

(a) The term "United States" means the United States of America, and when used in a geographical sense means the States, the Territories of Alaska and Hawaii, and the District of Columbia;

(b) The term "Federal Republic" means the Federal Republic of Germany and when used in a geographical sense means the territory over which the Basic Law for the Federal Republic of Germany is in effect;

(c) The term "permanent establishment" means a branch, office, factory, workshop,

warehouse, mine, stone quarry or other place of exploitation of the ground or soil, permament display and sales office, or a construction or assembly project or the like the duration of which exceeds or will likely exceed 12 months, or other fixed place of business; but does not include the casual and temporary use of mere storage facilities, nor does it include an agent or employee unless the agent or employee has full power for the negotiation and concluding of contracts on behalf of the enterprise and also habitually exercises this power, or has a stock of merchandise from which he regularly fills orders on behalf of the enterprise. An enterprise of one of the contracting States shall not be deemed to have a permanent establishment in the other State merely because it carries on business dealings in such other State through a commission agent, broker, custodian or other independent agent, acting in the ordinary course of his business as such. The fact that an enterprise of one of the contracting States maintains in the other State a fixed place of business exclusively for the purchase of goods and merchandise shall not of itself constitute such fixed place of business a permanent establishment of the enterprise. The fact that a corporation of one contracting State has a subsidiary corporation which is a corporation of the other State or which is engaged in trade or business in the other State shall not of itself constitute that subsidiary corporation a permanent establishment of its parent corporation. The maintenance within the territory of one of the contracting States by an enterprise of the other contracting State of a warehouse for convenience of delivery and not for purposes of display shall not of itself constitute a permanent establishment within that territory:

(d) The term "enterprise of one of the contracting States" means, as the case may be, "United States enterprise" or "German enterprise";

(e) The term "United States enterprise" means an industrial or commercial enterprise or undertaking carried on in the United States by a resident (including an individual in his individual capacity or as a member of a partnership) or a fiduciary of the United States or by a United States corporation or other entity; the term "United States corporation or other entity" means a corporation or other entity created or organized under the law of the United States or of any State or Territory of the United States;

(f) The term "German enterprise" means an industrial or commercial enterprise or undertaking carried on in the Federal Republic by a natural person (including an individual in his individual capacity or as a member of a partnership) resident in the Federal Republic or by a German company; the term "German company" means juridical persons together with entities treated as juridical persons for tax purposes under the laws of the Federal Republic; and

(g) The term "competent authorities" means, in the case of the United States, the Commissioner of Internal Revenue as authorized by the Secretary of the Treasury; and in the case of the Federal Republic, the Federal Ministry of Finance.

(2) In the application of the provisions of this Convention by one of the contracting States any term not otherwise defined shall, unless the context otherwise requires, have the meaning which the term has under its own applicable laws. For the purposes of this Convention "residence" in the Federal Republic shall include the customary place of abode therein.

ARTICLE III

(1) Industrial or commercial profits of an enterprise of one of the contracting States shall not be subject to tax by the other State unless the enterprise is engaged in trade or business in such other State through a permanent establishment situated therein. If it is so engaged, such other State may impose its tax upon the entire income of such enterprise from sources within such State and will limit its taxation of the enterprise to income from such sources.

(2) No account shall be taken in determining the tax in one of the contracting States of the mere purchase of merchandise therein by an enterprise of the other State.

(3) Where an enterprise of one of the contracting States is engaged in trade or business in the territory of the other contracting State through a permanent establishment situated therein, there shall be attributed to such permanent establishment the industrial or commercial profits which it might be expected to derive if it were an independent enterprise engaged in the same or similar activities under the same or similar conditions and dealing at arm's length with the enterprise of which it is a permanent establishment.

(4) In the determination of the industrial or commercial profits of the permanent establishment there shall be allowed as deductions all expenses which are reasonably allocable to the permanent establishment, including executive and general administrative expenses so allocable.

(5) The competent authorities of the two contracting States may lay down rules by agreement for the apportionment of industrial or commercial profits.

ARTICLE IV

Where an enterprise of one of the contracting States, by reason of its participation in the management of the financial structure of an enterprise of the other contracting State, agrees to, or imposes on the latter enterprise, commercial or financial conditions differing from those which would be made with an independent enterprise, any profits which would normally have accrued to one of the enterprises, but by reason of those conditions have not so accrued, may be included in the profits of that enterprise and taxed accordingly.

ARTICLE V

Profits derived by an enterprise of one of the contracting States from the operation of ships or aircraft, shall be exempt from tax by the other State.

ARTICLE VI

(1) The rate of tax imposed by the United States shall not exceed 15 percent in the case of dividends from sources within the United States derived by a German company not having a permanent establishment in the United States and owning at least 10 percent of the voting stock of the corporation paying such dividend.

(2) The rate of tax imposed by the Federal Republic shall not exceed 15 percent in the case of dividends from sources within the Federal Republic derived by a United States corporation not having a permanent establishment in the Federal Republic and owning at least 10 percent of the voting stock of the German company paying such dividend.

(3) If, subsequent to the date of signature of this Convention, the percentage of stock ownership provided in section 131 (f) (1) of the Internal Revenue Code is reduced, the percentage of stock ownership provided in paragraphs (1) and (2) of this Article shall likewise be deemed to be simultaneously reduced.

ARTICLE VII

Interest on bonds, notes, debentures, securities or on any other form of indebtedness (exclusive of interest on debts secured by mortgages on farms, timberlands or real property used wholly or partly for housing purposes) derived, bona fide as interest,

(A) by a natural person resident in the Federal Republic, or by a German company, not having a permanent establishment in the United States, shall be exempt from tax by the United States; or

(B) by a resident, or corporation or other entity of the United States, not having a permanent establishment in the Federal Republic, shall be exempt from tax by the Federal Republic.

ARTICLE VIII

Royalties and other amounts derived as bona fide consideraiton for the right to use copyrights, artistic and scientific works, patents, designs, plans, secret processes and formulae, trade-marks and other like property and rights (including rentals and like payments in respect to motion picture films or for the use of industrial, commercial or scientific equipment), derived

(A) by a natural person resident in the Federal Republic, or by a German company, not having a permanent establishment in the United States, shall be exempt from tax by the United States; or

(B) by a resident, or corporation or other entity of the United States, not having a permanent establishment in the Federal Republic, shall be exempt from tax by the Federal Republic.

ARTICLE IX

(1) Income from real property situated in one of the contracting States (including gains derived from the sale or exchange of such property and interest on debts secured by mortgages on farms, timberlands, or real property used wholly or partly for housing purposes) and royalties in respect of the operation of mines, stone quarries or other natural resources derived by a resident or corporation or other entity or company of the other contracting State, shall be taxable only by the former State.

(2) (a) A natural person resident in the Federal Republic or a German company deriving from sources within the United States any item of income coming within the scope of paragraph (1) of this Article, may, for any taxable year, elect to be subject to tax by the United States on a net income basis as if such resident or company were engaged in trade or business within the United States through a permanent establishment therein.

(b) A resident or corporation or other entity of the United States deriving from sources in the Federal Republic any item of income coming within the scope of paragraph (1) of this Article, may, for any taxable year, elect to be subject to tax by the Federal Republic on a net income basis as if such resident or corporation or other entity were engaged in trade or business within the Federal Republic through a permanent establishment therein.

ARTICLE X

(1) An individual resident of the Federal Republic shall be exempt from United States tax upon compensation for labor or personal services performed in the United States (including the practice of the liberal professions and rendition of services as director) if he is temporarily present in the United States for a period or periods not exceeding a total of 183 days during the taxable year and either of the following conditions is met:

(a) his compensation is received for such labor or personal services performed as an employee of, or under contract with, a natural person resident in the Federal Republic, or a German company and such compensation is borne by such resident or company, or

(b) his compensation received for such labor or personal services does not exceed $3,000.

(2) The provisions of paragraph (1) of this Article shall apply, mutatis mutandis, to an individual resident of the United States with respect to compensation for such labor or personal services performed in the Federal Republic.

ARTICLE XI

(1) (a) Wages, salaries and similar compensation and pensions paid by the United States or by its states, territories or political subdivisions, to an individual (other than a

German citizen) shall be exempt from tax by the Federal Republic.

(b) Wages, salaries and similar compensation and pensions paid by the Federal Republic, Laender or municipalities, or by a public pension fund, to an individual (other than a citizen of the United States and other than an individual who has been admitted to the United States for permanent residence therein) shall be exempt from tax by the United States.

(c) For the purposes of this paragraph the term "pensions" shall be deemed to include annuities paid to a retired civilian government employee.

(2) Private pensions and private life annuities which are from sources within one of the contracting States and are paid to individuals residing in the other contracting State shall be exempt from taxation by the former State.

(3) The term "pensions", as used in this Article, means periodic payments made in consideration for services rendered or by way of compensation for injuries received.

(4) The term "life annuities", as used in this Article, means a stated sum payable periodically at stated times during life, or during a specified number of years, under an obligation to make the payments in return for adequate and full consideration in money or money's worth.

ARTICLE XII

A professor or teacher, a resident of one of the contracting States, who temporarily visits the other contracting State for the purpose of teaching for a period not exceeding two years at a university, college, school or other educational institution in the other contracting State, shall be exempted by the other contracting State from tax on his remuneration for such teaching during that period.

ARTICLE XIII

(1) A resident of one of the contracting States who is temporarily present in the other contracting State solely as a student at a university, college, school or other educational institution in the other contracting State, shall be exempt from tax by the latter State with respect to remittances from abroad for study and maintenance.

(2) An apprentice (inclusive of Volontaere and Praktikanten in the Federal Republic), a resident of one of the contracting States, who is temporarily present in the other contracting State exclusively for the purposes of acquiring business or technical experience shall be exempt from tax by the latter State in respect of remittances from abroad for study and maintenance.

(3) A resident of one of the contracting States who is a recipient of a grant, allowance or award from a nonprofit religious, charitable, scientific, literary or educational organization, shall be exempt from tax by the other State on such payments from such organization (other than compensation for personal services).

(4) A resident of one of the contracting States who is an employee of an enterprise of such State or an organization described in paragraph (3) of this Article, and who is temporarily present in the other contracting State for a period not exceeding one year solely to acquire technical, professional or business experience from any person other than such enterprise or organization, shall be exempt from tax by such other State on compensation from abroad paid by such enterprise or organization if his annual compensation for services wherever performed does not exceed $10,000.

ARTICLE XIV

(1) Dividends and interest paid by a German company (other than a United States corporation) shall be exempt from United States tax where the recipient is a nonresident alien or a foreign corporation.

(2) Dividends and interest paid by a United States corporation shall be exempt from tax by the Federal Republic where the recipient is not a resident or company of the Federal Republic.

ARTICLE XV

(1) It is agreed that double taxation shall be avoided in the following manner:

(a) The United States, in determining its taxes specified in Article I of this Convention in the case of its citizens, residents or corporations, may, regardless of any other provision of this Convention, include in the basis upon which such taxes are imposed all items of income taxable under the revenue laws of the United States as if this Convention had not come into effect. The United States shall, however, subject to the provisions of section 131, Internal Revenue Code, as in effect on the date of the entry into force of this Convention, deduct from its taxes the amount of Federal Republic taxes specified in Article I of this Convention. It is agreed that by virtue of the provisions of subparagraph (b) of this paragraph the Federal Republic satisfies the similar credit requirement set forth in section 131 (a) (3), Internal Revenue Code.

(b) The Federal Republic, in determining its taxes specified in Article I of this Convention in the case of residents of the Federal Republic of German companies, shall exclude from the basis upon which its taxes are imposed such items of income as are dealt with in this Convention, derived from the United States and not exempt from United States tax; but in the case of a citizen of the United States resident in the Federal Republic there shall be excluded from the tax base all items of income derived from the United States provided that the items are taxed by the United States. The Federal Republic, however, reserves the right to take into account in the determination of the rate of its taxes the income excluded as provided in this subparagraph.

(2) The provisions of this Article shall not disturb the exemptions from tax of the United States or of the Federal Republic granted by Article XI (1) of the present Convention.

ARTICLE XVI

(1) The competent authorities of the contracting States shall exchange such information (being information available under the respective taxation laws of the contracting States) as is necessary for carrying out the provisions of the present Convention or for the prevention of fraud or the like in relation to the taxes which are the subject of the present Convention. Any information so exchanged shall be treated as secret and shall not be disclosed to any persons other than those concerned with the assessment and collection of the taxes which are the subject of the present Convention. No information shall be exchanged which would disclose any trade, business, industrial or professional secret or any trade process.

(2) Each of the contracting States may collect such taxes imposed by the other contracting State as though such taxes were the taxes of the former State as will ensure that any exemption or reduced rate of tax granted under the present Convention by such other State shall not be enjoyed by persons not entitled to such benefits.

(3) In no case shall the provisions of this Article be construed so as to impose upon either of the contracting States the obligation to carry out administrative measures at variance with the regulations and practice of either contracting State or which would be contrary to its sovereignty, security or public policy or to supply particulars which are not procurable under its own legislation or that of the State making application.

ARTICLE XVII

(1) Where a taxpayer shows proof that the action of the tax authorities of the contracting States has resulted or will result in double taxation contrary to the provisions of the present Convention, he shall be entitled to present his case to the State of which he is a citizen or a resident, or, if the taxpayer is a company or a corporation of one of the contracting States, to that State. Should the taxpayer's claim be deemed worthy of consideration, the competent authority of the State to which the claim is made shall endeavor to come to an agreement with the competent authority of the other State with a view to avoidance of double taxation.

(2) For the settlement of difficulties or doubts in the interpretation or application of the present Convention or in respect of its relation to Conventions of the contracting States with third States the competent authorities of the contracting States shall reach a mutual agreement as quickly as possible.

ARTICLE XVIII

(1) The provisions of this Convention shall not be construed to deny or affect in any manner the right of diplomatic and consular officers to other or additional exemptions now enjoyed or which may hereafter be granted to such officers.

(2) The provisions of the present Convention shall not be construed to restrict in any manner any exemption, deduction, credit or other allowance now or hereafter accorded, by the laws of one of the contracting States in the determination of the tax imposed by such State, or by any other agreement between the contracting States.

(3) The citizens of one of the contracting States shall not, while resident in the other contracting State, be subject therein to other or more burdensome taxes than are the citizens of such other contracting State residing in its territory. The term "citizens" as used in this Article includes all juridical persons, partnerships and associations created or organized under the laws in force in the respective contracting States. In this Article the word "taxes" means taxes of every kind or description, whether Federal, State, Laender or municipal.

ARTICLE XIX

(1) The competent authorities of the two contracting States may prescribe regulations necessary to carry into effect the present Convention within the respective States.

(2) The competent authorities of the two contracting States may communicate with each other directly for the purpose of giving effect to the provisions of this Convention.

ARTICLE XX

(1) The present Convention shall also apply from the date specified in paragraph (1) of Article XXI to Land Berlin which for the purposes of this Convention comprises those areas over which the Berlin Senate exercises jurisdiction.

(2) It is a condition to the application of this Convention to Berlin in accordance with the preceding paragraph that the Government of the Federal Republic shall previously have furnished to the Government of the United States of America a notification that all legal procedures in Berlin necessary for the application of this Convention therein have been complied with.

(3) After application of this Convention to Land Berlin in accordance with paragraphs (1) and (2) of this Article, references in this Convention to the Federal Republic shall also be considered references to Land Berlin.

ARTICLE XXI

(1) The present Convention shall be ratified and the instruments of ratification shall be exchanged at Bonn as soon as possible. It shall have effect for the taxable years beginning on or after the first day of January of the year in which such exchange takes place.

(2) The present Convention shall continue effective for a period of five years beginning with the calendar year in which the exchange of the instruments of ratification takes place and indefinitely after that period, but may be terminated by either of the contracting

States at the end of the five-year period or at any time thereafter, provided that at least six months' prior notice of termination has been given and, in such event, the present Convention shall cease to be effective for the taxable years beginning on or after the first day of January next following the expiration of the six-month period.

Done at Washington, in duplicate, in the English and German languages, each text having equal authenticity, this twenty-second day of July, 1954.

For the United States of America:
[SEAL] JOHN FOSTER DULLES.
For the Federal Republic of Germany:
[SEAL] ALBRECHT v. KESSEL.

Mr. GEORGE. Mr. President, this tax convention follows the ordinary pattern. It does not, however, relate to estate taxes or gift taxes. It refers only to income taxes. The treaty is very much like all the other treaties on this subject which we have made, particularly the treaties with Denmark, Sweden, and other countries. It is of interest especially to us in the United States, because of the confused conditions which have existed in West Germany, in order to avoid double taxation and some of the harassment to which our citizens have been subjected. It is of special importance to the Federal Republic of Germany for reasons upon which I need not elaborate.

I believe all the world knows that at this time West Germany, that is, the Federal Republic of Germany, is facing some very difficult problems, and it would be most reassuring and most helpful to our business people, as well as to Germans who might do business here, but particularly to Americans who do business in Germany, to have this ordinary tax convention ratified. I can assure the Senate that this treaty contains no unusual conditions and none which are not in the ordinary pattern of these tax conventions.

The PRESIDING OFFICER. The convention is now before the Senate as in the Committee of the Whole, and is open to amendment.

Mr. MALONE. Mr. President, I should like to ask the distinguished Senator from Georgia if there is anything contained in this treaty, which is a new treaty, which favors income taxes on American investments in Germany and the return of money earned in Germany to this country?

Mr. GEORGE. No; I do not believe so. Of course, all these treaties deal with the question of withholding the tax; that is, withholding the tax in the event the American investor in Germany takes his dividends out of the country, and also withholding the amount by the United States if dividends are transmitted to Germany.

This treaty provides for a reduction to 15 percent. It is now 30 percent in the United States and about 25 percent in Germany. It makes the provision uniform, and prevents discriminatory taxes on our people. It also gives very favorable consideration to moving-picture productions and royalties.

Mr. MALONE. What are the favorable considerations that are given for motion-picture productions, so far as concerns income taxes on income derived from American investments in Germany and returning that income to the United States?

Mr. GEORGE. That rate is reduced to 15 percent. It is about 25 percent at the present time. The treaty will bring that withholding tax down to the advantage of our own citizens who are entitled to receive dividends and royalties and similar payments.

Mr. MALONE. Then what it does is to make it more advantageous for American citizens to invest in Germany in a business than to invest in the same business in the United States. In other words, it is more advantageous to invest some money in a business in Germany than it is to invest in the same kind of business in the United States. Is that correct?

Mr. GEORGE. Oh, no; the Senator misapprehends. It has nothing to do with investments. It simply has to do with withholding; and the 15 percent is generally applicable in almost all the tax conventions we have entered into.

Mr. MALONE. The reason for these questions is that on the last day of the session we are confronted with new treaties, setting new precedents. I have not read this treaty, and I have no time to read it today. I am asking questions to get the best answers I can. I think it is a bad precedent to bring such treaties to the Senate in the closing hour of the session, when the heat and the pressure are on every Senator to get through with the business of the Senate so we can all go home. Senators have been trying to go home for the past few weeks. Perhaps it would have been better for the country if we had gone home 30 days ago. Now we are confronted with new material, when the heat is on and the pressure is on, and there is no chance in the world to study these treaties.

Mr. GEORGE. I am not particularly responsible for the condition, because I am neither the chairman of the Committee on Foreign Relations nor the ranking majority member of the committee. I am acting at the request of the chairman and the ranking majority member of the Committee on Foreign Relations. Both of them are absent today. I have agreed to present these tax conventions. I can assure Senators this would be a very advantageous treaty for us to make. I believe all Senators will recognize the fact that it would be most advantageous for the Federal Republic of Germany, which is the Bonn government, or the Government of West Germany, because the making of the treaty would contribute to progress being made toward stabilization of the country's fiscal and tax problems.

Mr. MALONE. Mr. President, there is new material in the treaty, is there not? Is it not new to the Senate?

Mr. GEORGE. Not in this treaty. If I thought there was anything new in it I would disclose it. It follows the identical pattern we have followed in some 20-odd tax conventions, as I now recall. I am not sure of the number, but I know there have been many such tax conventions. This convention would be most helpful because of the unstabilized conditions which have existed in Germany since the war.

Mr. MALONE. Mr. President, most of the disadvantages of these tax conventions and other conventions, one of which is being discussed at this time in Geneva with reference to a general agreement on tariff and trade, have been described. We have a representative over there from the State Department who, for the first time, seems to be in opposition to some of the run-away provisions. But the United States has never won anything in these treaties. There was once a great American humorist who said that the United States had never lost a war or won a conference. He was exactly right, and he would still be right today if he could make that same remark.

Mr. GEORGE. The Senator is altogether mistaken. This treaty deals only with the avoidance of double taxation on incomes. German citizens do not own much property in the United States at this time. They do not have many business operations going on in this country. But American citizens are vitally concerned with industry and production in Germany. Unquestionably, this treaty would be to our very great advantage, as I think most of the tax conventions have been, in that they have avoided double taxation.

Mr. MALONE. Mr. President, I shall not object to the treaty if I have the assurance of the distinguished Senator from Georgia that there are no more advantages given in the treaty to Germany than have been given to foreign nations in all the other treaties. Are there any other advantages?

Mr. GEORGE. None whatever. This treaty follows the same pattern.

Mr. KNOWLAND. Mr. President, I would not want this moment to pass without expressing my deep appreciation of the fact that the distinguished Senator from Georgia, who has been chairman of the Senate Finance Committee and who is probably as well versed in taxation as any other man in the country, and who is the ranking Democratic Member of the Foreign Relations Committee, should be willing, in the absence of the chairman and ranking Member on our side of the aisle on the Foreign Relations Committee, to assume this burden and so clearly present these treaties to the Senate. I feel a deep sense of obligation, and I know the Senate does, for the contribution he has made.

Mr. GEORGE. I thank the Senator.

The PRESIDING OFFICER. If there be no objection, the pending convention will be considered as having passed through its various parliamentary stages, up to the presentation of the resolution of ratification.

The resolution of ratification will be read.

The Chief Clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive J, 83d Congress, 2d session, a convention between the United States of America and the Federal Republic of Germany for the avoidance of double taxation with respect to taxes on income, signed in the English and German languages at Washington on July 22, 1954.

The PRESIDING OFFICER. If there be no reservation, the question is on agreeing to the resolution of ratification.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. CLEMENTS (when the name of Mr. NEELY was called). The Senator from West Virginia [Mr. NEELY] is elsewhere, on official business. He wishes the RECORD to show that if he were present, he would vote "yea."

The rollcall was concluded.

Mr. SALTONSTALL. I announce that the Senator from Nebraska [Mrs. BOWRING], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], the Senator from Vermont [Mr. FLANDERS], the Senator from Arizona [Mr. GOLDWATER], the Senator from Indiana [Mr. JENNER], and the Senator from Connecticut [Mr. PURTELL] are necessarily absent.

The Senator from Indiana [Mr. CAPEHART] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The senior Senator from Michigan [Mr. FERGUSON], the junior Senator from Michigan [Mr. POTTER], the Senator from New Jersey [Mr. SMITH], and the Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate. If present and voting the senior Senator from Michigan [Mr. FERGUSON], the Senator from Vermont [Mr. FLANDERS], the junior Senator from Michigan [Mr. POTTER], the Senator from Connecticut [Mr. PURTELL], and the Senator from New Jersey [Mr. SMITH] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Florida [Mr. SMATHERS], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

The Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from North Carolina [Mr. LENNON], and the Senator from Nevada [Mr. MCCARRAN] are absent on official business.

The Senator from Iowa [Mr. GILLETTE] is absent by leave of the Senate.

I announce further that if present and voting, the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Iowa [Mr. GILLETTE], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Alabama [Mr. SPARKMAN] would vote "yea."

The yeas and nays resulted—yeas 70, nays 0, as follows:

YEAS—70

Aiken	Bush	Duff
Anderson	Case	Dworshak
Barrett	Chavez	Ervin
Beall	Clements	Frear
Bennett	Cooper	George
Bricker	Cordon	Gore
Bridges	Crippa	Green
Burke	Dirksen	Hayden
Hendrickson	Langer	Payne
Hennings	Lehman	Reynolds
Hickenlooper	Long	Robertson
Hill	Magnuson	Russell
Holland	Malone	Saltonstall
Humphrey	Mansfield	Schoeppel
Ives	Martin	Smith, Maine
Jackson	Maybank	Stennis
Johnson, Colo.	McCarthy	Symington
Johnson, Tex.	McClellan	Thye
Johnston, S. C.	Millikin	Upton
Kennedy	Monroney	Watkins
Kerr	Morse	Williams
Kilgore	Mundt	Young
Knowland	Murray	
Kuchel	Pastore	

NOT VOTING—26

Bowring	Ferguson	Neely
Butler	Flanders	Potter
Byrd	Fulbright	Purtell
Capehart	Gillette	Smathers
Carlson	Goldwater	Smith, N. J.
Daniel	Jenner	Sparkman
Douglas	Kefauver	Welker
Eastland	Lennon	Wiley
Ellender	McCarran	

The PRESIDING OFFICER. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

CONVENTION WITH JAPAN RELATING TO TAXES

Mr. GEORGE. Mr. President, I ask unanimous consent that Calendar Order No. 4 and Calendar Order No. 5, both being treaties between the United States and Japan, and both dealing with taxation, one with income tax and the other with gift and estate taxes, be consolidated for the purposes of this presentation and vote, and that the vote be taken on both treaties.

The PRESIDING OFFICER. Is there objection to the unanimous-consent agreement for both matters to be considered together and voted on together?

The Chair hears none, and it is so orderd.

CONVENTION WITH JAPAN RELATING TO TAXES ON INCOME

The Senate, as in Committee of the Whole, proceeded to consider the convention (Executive D, 83d Cong., 2d sess.) between the United States of America and Japan for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on April 16, 1954, which was read the second time, as follows:

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND JAPAN FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME

The Government of the United States of America and the Government of Japan, desiring to conclude a convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, have appointed for that purpose as their respective plenipotentiaries:

The Government of the United States of America:

Mr. Walter Bedell Smith, Acting Secretary of State of the United States of America, and

The Government of Japan:

Mr. Sadao Iguchi, Ambassador Extraordinary and Plenipotentiary of Japan to the United States of America,

who, having communicated to one another their respective full powers, found in good and due form, have agreed upon the following Articles:

ARTICLE I

(1) The taxes referred to in the present Convention are:

(a) In the case of the United States of America: The Federal income taxes, including surtaxes.

(b) In the case of Japan: The income tax and the corporation tax.

(2) The present Convention shall also apply to any other tax on income or profits which has a character substantially similar to those referred to in paragraph (1) of this Article and which may be imposed by either contracting State after the date of signature of the present Convention.

ARTICLE II

(1) As used in the present Convention:

(a) The term "United States" means the United States of America, and when used in a geographical sense means the States, the Territories of Alaska and Hawaii, and the District of Columbia.

(b) The term "Japan", when used in a geographical sense, means all the territory in which the laws relating to the taxes referred to in paragraph (1) (b) of Article I are enforced.

(c) The term "permanent establishment" means an office, factory, workshop, branch, warehouse or other fixed place of business, but does not include the casual and temporary use of merely storage facilities. It also includes an agency if the agent has and habitually exercises a general authority to negotiate and conclude contracts on behalf of an enterprise or has a stock of merchandise from which he regularly fills orders on its behalf. An enterprise of one of the contracting States shall not be deemed to have a permanent establishment in the other contracting State merely because it carried on business dealings in such other State through a bona fide commission agent, broker, custodian or other independent agent acting in the ordinary course of his business as such. The fact that an enterprise of one of the contracting States maintains in the other contracting State a fixed place of business exclusively for the purchase for such enterprise of goods or merchandise shall not of itself constitute such fixed place of business a permanent establishment of such enterprise. The fact that a corporation of one of the contracting States has a subsidiary corporation which is a corporation of the other contracting State or which is engaged in trade or business in the other contracting State shall not of itself constitute that subsidiary corporation a permanent establishment of its parent corporation.

(d) The term "enterprise of one of the contracting States" means, as the case may be, United States enterprise or Japanese enterprise.

(e) The term "United States enterprise" means an industrial or commercial enterprise or undertaking carried on in the United States by a resident (including an individual, a fiduciary and partnership) of the United States or by a United States corporation or other entity; and the term "United States corporation or other entity" means a corporation or other entity created or organized under the law of the United States or of any State or Territory of the United States.

(f) The term "Japanese enterprise" means an industrial or commercial enterprise or undertaking carried on in Japan by an individual resident in Japan or by a Japanese corporation or other entity; and the term "Japanese corporation or other entity" means a corporation or other association having juridical personality, or a partnership or other association without juridical personality, created or organized under the laws of Japan.

(g) The term "tax" means those taxes referred to in paragraph (1) (a) or (b) of Article I, as the context requires.

(h) The term "competent authorities" means, in the case of the United States, the Commissioner of Internal Revenue as authorized by the Secretary of the Treasury; and in the case of Japan, the Minister of Finance or his authorized representative.

(i) The term "industrial or commercial profits" includes manufacturing, mercantile, agricultural, fishing, mining, financial and insurance profits, but does not include income in the form of dividends, interest, rents or royalties, or remuneration for personal services.

(2) In the application of the provisions of the present Convention by either contracting State any term not otherwise defined shall, unless the context otherwise requires, have the meaning which such term has under the laws of such State relating to the tax.

ARTICLE III

(1) An enterprise of one of the contracting States shall not be subject to the tax of the other contracting State in respect of its industrial or commercial profits unless it has a permanent establishment situated in such other State. If it has such permanent establishment such other State may impose its tax upon the entire income of such enterprise from sources within such other State.

(2) In determining the tax one of one of the contracting States no account shall be taken of the mere purchase of merchandise therein by an enterprise of the other contracting State.

(3) Where an enterprise of one of the contracting States has a permanent establishment situated in the other contracting State, there shall be attributed to such permanent establishment the industrial or commercial profits which it might be expected to derive if it were an independent enterprise engaged in the same or similar activities under the same or similar conditions and dealing on an independent basis with the enterprise of which it is a permanent establishment.

(4) In determining the industrial or commercial profits of a permanent establishment there shall be allowed as deductions all expenses wherever incurred, reasonably allocable to such permanent establishment, including executive and general administrative expenses so allocable.

(5) The competent authorities of both contracting States may, consistent with other provisions of the present Convention, arrange details for the apportionment of industrial or commercial profits.

ARTICLE IV

Where an enterprise of one of the contracting States, by reason of its participation in the management or the financial structure of an enterprise of the other contracting State, makes with or imposes on the latter enterprise, in their commercial or financial relations, conditions different from those which would be made with an independent enterprise, any profits which would normally have been allocable to one of the enterprises, but by reason of such conditions have not been so allocated, may be included in the profits of such enterprise and taxed accordingly.

ARTICLE V

(1) Notwithstanding the provisions of Article III and Article IV of the present Convention, income which an enterprise of one of the contracting States derives from the operation of ships or aircraft registered

(a) in such State, or

(b) in a third country which exempts (A) such enterprise and

(B) an enterprise of the other contracting State, from its tax on earnings derived from the operation of ships or aircraft, as the case may be, registered in the respective States

shall be exempt from the tax of such other contracting State.

(2) The present Convention shall not be construed to affect the arrangement between the Government of the United States and the Government of Japan providing for relief from double taxation on shipping profits effected by the exchange of notes at Washington dated March 31, 1926 and June 8, 1926.

ARTICLE VI

The rate of tax imposed by one of the contracting States on interest on bonds, securities, notes, debentures or any other form of indebtedness (including mortgages or bonds secured by real property) received from sources within such State by a resident or corporation or other entity of the other contracting State not having a permanent establishment in the former State shall not exceed 15 percent.

ARTICLE VII

The rate of tax imposed by one of the contracting States on royalties and other amounts received as consideration for the right to use copyrights, artistic and scientific works, patents, designs, secret processes and formulae, trade-marks and other like property (including in such royalties and other amounts, rentals and like payments in respect of motion-picture films or for the use of industrial, commercial, or scientific equipment) from sources within such State by a resident or corporation or other entity of the other contracting State not having a permanent establishment in the former State shall not exceed 15 percent.

ARTICLE VIII

A resident or corporation or other entity of one of the contracting States deriving

(a) income from real property (including gains derived from the sale or exchange of such property, but not including interest from mortgages or bonds secured by real property), or

(b) royalties in respect of the operation of mines, quarries or other natural resources

situated within the other contracting State may elect, for any taxable year, to be subject to the tax of such other State on a net basis as if such resident or corporation or other entity had a permanent establishment in such other State during such taxable year.

ARTICLE IX

An individual resident of one of the contracting States shall be exempt from the tax of the other contracting State upon compensation for labor or personal services (including the practice of liberal professions) performed in such other State in any taxable year if such resident is temporarily present in such other State:

(a) for a period or periods not exceeding a total of 180 days during such taxable year and his compensation is received for such labor or personal services performed as an officer or employee of a resident or corporation or other entity of the former State, or

(b) for a period or periods not exceeding a total of 90 days during such taxable year and his compensation received for such labor or personal services does not exceed 3,000 United States dollars, or the equivalent sum in yen as computed at the official basic rate of exchange in effect at the time such compensation is paid.

ARTICLE X

(1) (a) Salaries, wages and similar compensation paid by the United States to an individual who is a citizen of the United States (other than an individual who has been admitted to Japan for permanent residence therein) shall be exempt from tax by Japan.

(b) Salaries, wages and similar compensation paid by Japan to an individual who is a national of Japan (other than an individual who has been admitted to the United States for permanent residence therein) shall be exempt from tax by the United States.

(2) The provisions of this article shall not apply to salaries, wages or similar compensation paid in respect of services rendered in connection with any trade or business carried on by either of the contracting States for purposes of profit.

ARTICLE XI

A resident of one of the contracting States, who, in accordance with agreements between the Governments of the contracting States or between educational establishments in the contracting States for the exchange of professors and teachers, or at the invitation of the Government of the other contracting State or of an educational establishment in such other State, temporarily visits such other State for the purpose of teaching for a period not exceeding two years at a university, college, school or other educational inst tution in such other State, shall be exempt from the tax of such other State on his remuneration for such teaching for such period.

ARTICLE XII

(1) A resident of one of the contracting States who is temporarily present in the other contracting State solely as a student at a recognized university, college or school in such other State, shall be exempt from the tax of such other State with respect to remittances from abroad (including payments, if any, by his employer abroad).

(2) A resident of one of the contracting States who is a recipient of a grant, allowance or award from a religious, charitable, scientific, literary or educational organization of such State and who is temporarily present in the other contracting State, shall be exempt from the tax of such other State on such grant, allowance or award remitted from abroad (other than compensation for personal services).

(3) A resident of one of the contracting States who is an employee of, or under contract with, an enterprise of such State or an organization referred to in paragraph (2) of this Article, and who is temporarily present in the other contracting State for a period not exceeding one year solely to acquire technical, professional or business experience from a person other than such enterprise or organization, shall be exempt from the tax of such other State on compensation from abroad paid by such enterprise or organization for his services rendered during such period, if the amount of compensation paid by such enterprise or organization for his services during such period, when computed on the annual basis, does not exceed 6,000 United States dollars, or the equivalent sum in yen as computed at the official basic rate of exchange in effect at the time such compensation is paid.

ARTICLE XIII

For the purpose of the present Convention:

(a) Dividends paid by a corporation of one of the contracting States shall be treated as income from sources within such State.

(b) Interest paid by one of the contracting States including local Government thereof or by an enterprise of one of the contracting States not having a permanent establishment in the other contracting State shall be treated as income from sources within the former State.

(c) Gains, profits and income derived from the purchase and sale of personal property shall be treated as derived from the country in which such property is sold.

(d) Gains, profits and income derived from the sale by a taxpayer in one of the contracting States of goods manufactured in the other contracting State in whole or in part by such taxpayer shall be treated as derived in part from the country in which manufactured and in part from the country in

which sold, and to the extent such gains, profits and income are not allocable under other provisions of the present Convention they should be allocated between both contracting States in accordance with such taxpayer's relative sales and property in the respective countries.

(e) Income from real property (including gains derived from the sale or exchange of such property, but not including interest from mortgages or bonds secured by real property) and royalties in respect of the operation of mines, quarries, or other natural resources shall be treated as income derived from the country in which such real property, mines, quarries or other natural resources are situated.

(f) Compensation for labor or personal services (including the practice of liberal professions) shall be treated as income from sources within the country where are rendered the services for which such compensation is paid.

(g) Royalties for using, or for the right to use, in one of the contracting States, patents, copyrights, designs, trademarks and like property shall be treated as income from sources within such State.

ARTICLE XIV

It is agreed that double taxation shall be avoided in the following manner:

(a) The United States, in determining the tax of its citizens, residents or corporations or other entities may, regardless of any other provision of the present Convention, include in the basis upon which such tax is imposed all items of income taxable under the revenue laws of the United States as if the present Convention had not come into effect. The United States shall, however, subject to the provisions of section 131 of the Internal Revenue Code as in effect on the first day of January 1954, deduct from its tax the amount of the tax of Japan. In determining the credit under the said section 131 of the Internal Revenue Code, any interest received from an enterprise of the United States with a permanent establishment in Japan shall be treated as income from sources within Japan to the extent so treated under the laws of Japan, if the debt with respect to which such interest is paid is made in connection with the business of such permanent establishment of such enterprise.

(b) Japan, in determining the tax of its residents or corporations or other entities may, regardless of any other provision of the present Convention, include in the basis upon which such tax is imposed all items of income taxable under the tax laws of Japan as if the present Convention had not come into effect. Japan shall, however, deduct from its tax so calculated the amount of the tax of the United States upon income from sources within the United States and included for the taxes of both contracting States, but in an amount not exceeding that proportion of the tax of Japan which such income bears to the entire income subject to the tax of Japan.

(c) In determining the taxes of the contracting States of a recipient, who is a citizen, resident or corporation or other entity of the United States, of a dividend from a Japanese corporation, in so far as the tax of Japan imposed on income or profits of a corporation out of which a dividend is paid is deemed under the tax laws of Japan to have been imposed on a recipient of such dividend:

(i) The United States shall deem that such recipient has paid with respect to such dividend the tax of Japan in an amount equal to 25 percent of the amount of such dividend, and deduct, under the provisions of paragraph (a) of this Article, from its tax the amount of the tax of Japan so deemed to have been paid provided the recipient includes in gross income the amount of tax thus deemed to have been paid, and

(ii) Japan shall impose with respect to such dividend received by such recipient (except as such recipient is a resident of or has a permanent establishment in Japan) no tax other than the tax imposed on income or profits of the corporation out of which such dividend is paid.

ARTICLE XV

(1) Organizations organized under the laws of Japan and operated exclusively for religious, charitable, scientific, literary or educational purposes shall, to the extent and subject to conditions provided in the United States Internal Revenue Code, be exempt from the tax of the United States.

(2) Organizations organized under the laws of the United States and operated exclusively for religious, charitable, scientific, literary or educational purposes shall, to the extent and subject to conditions provided in the tax laws of Japan, be exempt from the tax of Japan.

ARTICLE XVI

(1) There shall be allowed, for the purposes of the tax of the United States, in the case of a resident of Japan who is a nonresident of the United States (other than an officer or employee of the Government of Japan), in addition to the exemption provided in section 214 of the United States Internal Revenue Code as in effect on the first day of January 1954, a credit against net income, subject to the conditions prescribed in section 25 of the Internal Revenue Code as in effect on the said date, for the spouse of the taxpayer and for each child of the taxpayer who are present in the United States and residing with him in the United States at any time during the taxable year, but such additional credit shall not exceed that proportion thereof which the taxpayer's gross income from sources within the United States for the taxpayer's taxable year bears to his entire income from all sources for the fiscal or calendar year in which ends such taxable year.

(2) For the purposes of the tax of Japan, there shall be allowed in the case of a citizen of the United States who is a resident of Japan the same exemptions for a dependent or dependents as those granted to a national of Japan who is a resident of Japan.

ARTICLE XVII

(1) The competent authorities of both contracting States shall exchange such information available under the respective tax laws of both contracting States as is necessary for carrying out the provisions of the present Convention or for the prevention of fraud or for the administration of statutory provisions against tax avoidance in relation to the tax. Any information so exchanged shall be treated as secret and shall not be disclosed to any person other than those, including a court, concerned with the assessment and collection of the tax or the determination of appeals in relation thereto. No information shall be exchanged which would disclose any trade, business, industrial or professional secret or any trade process.

(2) Each of the contracting States may collect the tax imposed by the other contracting State (as though such tax were the tax of the former State) as will ensure that the exemptions, reduced rates of tax or any other benefit granted under the present Convention by such other State shall not be enjoyed by persons not entitled to such benefits.

ARTICLE XVIII

Where a taxpayer shows proof that the action of the tax authorities of either contracting State has resulted, or will result, in double taxation contrary to the provisions of the present Convention, he shall be entitled to present the facts to the competent authorities of the contracting State of which he is a national or a resident, or, if the taxpayer is a corporation or other entity, to those of the contracting State under the laws of which it is created or organized. Should the taxpayer's claim be deemed worthy of consideration, the competent authorities of such State to which the facts are so presented shall undertake to come to an agreement with the competent authorities of the other contracting State with a view to equitable avoidance of the double taxation in question.

ARTICLE XIX

(1) The provisions of the present Convention shall not be construed to deny or affect in any manner the right of diplomatic and consular officers to other or additional exemptions now enjoyed or which may hereafter be granted to such officers.

(2) The provisions of the present Convention shall not be construed to restrict in any manner any exemption, deduction, credit or other allowance now or hereafter accorded by the laws of one of the contracting States in determining the tax of such State.

(3) Should any difficulty or doubt arise as to the interpretation or application of the present Convention, or its relationship to Conventions between one of the contracting States and any other State, the competent authorities of the contracting States may settle the question by mutual agreement; it being understood, however, that this provision shall not be construed to preclude the contracting States from settling by negotiation any dispute arising under the present Convention.

(4) The competent authorities of both contracting States may prescribe regulations necessary to interpret and carry out the provisions of the present Convention and may communicate with each other directly for the purpose of giving effect to the provisions of the present Convention.

ARTICLE XX

(1) The present Convention shall be ratified and the instruments of ratification shall be exchanged at Tokyo as soon as possible.

(2) The present Convention shall enter into force on the date of exchange of instruments of ratification and shall be applicable to income or profits derived during the taxable years beginning on or after the first day of January of the calendar year in which such exchange takes place.

(3) Either of the contracting States may terminate the present Convention at any time after a period of five years shall have expired from the date on which the present Convention enters into force, by giving to the other contracting State notice of termination, provided that such notice is given on or before the 30th day of June and, in such event, the present Convention shall cease to be effective for the taxable years beginning on or after the first day of January of the calendar year next following that in which such notice is given.

In witness whereof, the undersigned Plenipotentiaries have signed the present Convention.

Done at Washington, in duplicate, in the English and Japanese languages, each text having equal authenticity, this sixteenth day of April, 1954.

For the United States of America:

WALTER BEDELL SMITH

For Japan:

S. IGUCHI

EMBASSY OF JAPAN,
Washington, D. C., April 16, 1954.

The honorable WALTER BEDELL SMITH,
Acting Secretary of State,
Washington, D. C.

SIR: In proceeding today to the signature of the Convention between Japan and the United States of America for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, I have the honor to enclose herewith, for the purpose of future reference, a memorandum confirming an understanding in re-

gard to the interpretation of certain provisions of that Convention. I shall appreciate receiving from you an acknowledgment and confirmation of this statement of the understanding.

Accept Sir, the assurances of my highest consideration.

S. IGUCHI

[Enclosure: Memorandum.]

MEMORANDUM

It is understood that in the application of Article XIV and Articles XI and XII of the Convention between Japan and the United States of America for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income.

(1) the provisions of Article XIV shall not be construed to deny the exemptions from the Japanese tax or the United States tax, as the case may be, granted by Article X (1), Article XI and Article XII;

(2) neither of the contracting States shall be precluded from taxing its own nationals or citizens with respect to income coming within Article XI or Article XII.

DEPARTMENT OF STATE,
Washington, April 16, 1954.

His Excellency SADAO IGUCHI,
Ambassador of Japan.

EXCELLENCY: I have the honor to acknowledge the receipt of your note dated today and to confirm the understanding, as set forth in the memorandum enclosed with that note, in regard to an interpretation of certain provisions of the Convention between the United States of America and Japan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, signed today.

Accept, Excellency, the assurances of my highest consideration.

WALTER BEDELL SMITH,
Acting Secretary of State.

CONVENTION WITH JAPAN RELATING TO TAXES ON ESTATES, INHERITANCES, AND GIFTS

The Senate, as in Committee of the Whole, proceeded to consider the Convention (Executive E, 83d Cong., 2d sess.) between the United States of America for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on estates, inheritances, and gifts, signed at Washington on April 16, 1954, which was read the second time, as follows:

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND JAPAN FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON ESTATES, INHERITANCES AND GIFTS

The Government of the United States of America and the Government of Japan, desiring to conclude a Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on estates, inheritances, and gifts, have appointed for that purpose as their respective Plenipotentiaries:

The Government of the United States of America:

Mr. Walter Bedell Smith, Acting Secretary of State of the United States of America, and

The Government of Japan:

Mr. Sadao Iguchi, Ambassador Extraordinary and Plenipotentiary of Japan to the United States of America,

who, having communicated to one another their respective full powers, found in good and due form, have agreed upon the following Articles:

ARTICLE I

(1) The taxes referred to in the present Convention are:

(a) In the case of the United States of America: The Federal estate and gift taxes.

(b) In the case of Japan: The inheritance tax (including the gift tax).

(2) The present Convention shall also apply to any other tax on estates, inheritances or gifts which has a character substantially similar to those referred to in paragraph (1) of this Article and which may be imposed by either contracting State after the date of signature of the present Convention.

ARTICLE II

(1) As used in the present Convention:

(a) The term "United States" means the United States of America, and when used in a geographical sense means the States, the Territories of Alaska and Hawaii, and the District of Columbia.

(b) The term "Japan", when used in a geographical sense, means all the territory in which the laws relating to the tax referred to in paragraph (1) (b) of Article I are enforced.

(c) The term "tax" means those taxes referred to in paragraph (1) (a) or (b) of Article I, as the context requires.

(d) The term "competent authorities" means, in the case of the United States, the Commissioner of Internal Revenue as authorized by the Secretary of the Treasury; and, in the case of Japan the Minister of Finance or his authorized representative.

(2) In the application of the provisions of the present Convention by either contracting State any term not otherwise defined shall, unless the context otherwise requires, have the meaning which such term has under the laws of such State relating to the tax.

(3) For the purposes of the present Convention, each contracting State may determine in accordance with its laws whether a decedent at the time of his death or a beneficiary of a decedent's estate at the time of such decedent's death, or a donor at the time of the gift or a beneficiary of a gift at the time of the gift, was domiciled therein or a national thereof.

ARTICLE III

(1) If a decedent at the time of his death or a donor at the time of the gift was a national of or domiciled in the United States, or if a beneficiary of a decedent's estate at the time of such decedent's death or a beneficiary of a gift at the time of the gift was domiciled in Japan, the situs at the time of the transfer of any of the following property or property rights shall, for the purpose of the imposition of the tax and for the purpose of the credit authorized by Article V, be determined exclusively in accordance with the following rules:

(a) Immovable property or rights therein (not including any property for which specific provision is otherwise made in this Article) shall be deemed to be situated at the place where the land involved is located.

(b) Tangible movable property (including currency and any other form of money recognized as legal tender in the place of issue and excepting such property for which specific provision is otherwise made in this Article) shall be deemed to be situated at the place where such property is physically located, or, if in transitu, at the place of destination.

(c) Debts (including bonds, promissory notes, bills of exchange, bank deposits and insurance, except bonds or other negotiable instruments in bearer form and such debts for which specific provision is otherwise made in this Article) shall be deemed to be situated at the place where the debtor resides.

(d) Shares or stock in a corporation shall be deemed to be situated at the place under the laws of which such corporation was created or organized.

(e) Ships and aircraft shall be deemed to be situated at the place where they are registered.

(f) Goodwill as a trade, business or professional asset shall be deemed to be situated at the place where the trade, business or profession to which it pertains is carried on.

(g) Patents, trade-marks, utility models and designs shall be deemed to be situated at the place where they are registered (or used in case they are not registered).

(h) Copyrights, franchises, rights to artistic and scientific works and rights or licenses to use any copyrighted material, artistic and scientific works, patents, trade-marks, utility models or designs shall be deemed to be situated at the place where they are exercisable.

(i) Mining or quarrying rights or mining leases shall be deemed to be situated at the place of such mining or quarrying.

(j) Fishing rights shall be deemed to be situated in the country in whose government's jurisdiction such rights are exercisable.

(k) Any property for which provision is not hereinbefore made shall be deemed to be situated in accordance with the laws of the contracting State imposing the tax solely by reason of the situs of property within such State, but if neither of the contracting States imposes the tax solely by reason of the situs of property therein, then any such property shall be deemed to be situated in accordance with the laws of each contracting State.

(2) The application of the provisions of paragraph (1) of this Article shall be limited to the particular property, and any portion thereof, which without such provisions would be subjected to the taxes of both contracting States or would be so subjected except for a specific exemption.

ARTICLE IV

Where one of the contracting States imposes the tax solely by reason of the situs of property within such State, in the case of a decedent who at the time of his death, or of a donor who at the time of the gift, was a national of or domiciled in the United States, or in the case of a beneficiary of a decedent's estate who at the time of such decedent's death, or a beneficiary of a gift who at the time of the gift, was domiciled in Japan, the contracting State so imposing the tax:

(a) shall allow a specific exemption which would be applicable under its laws if the decedent, donor, or beneficiary, as the case may be, had been a national of or domiciled in such State, in an amount not less than the proportion thereof which (A) the value of the property, situated according to Article III in such State and subjected to the taxes of both contracting States or which would be so subjected except for a specific exemption, bears to (B) the value of the total property which would be subjected to the tax of such State if such decedent, donor, or beneficiary had been a national of or domiciled in such State; and

(b) shall (except for the purpose of subparagraph (a) of this paragraph and for the purpose of any other proportional allowance otherwise provided) take no account of property situated according to Article III outside such State in determining the amount of the tax.

ARTICLE V

(1) Where either contracting State imposes the tax by reason of the nationality thereof or the domicile therein of a decedent or a donor or a beneficiary of a decedent's estate or of a gift, such State shall allow against its tax (computed without application of this Article) a credit for the tax imposed by the other contracting State with respect to property situated at the time

of the transfer in such other State and included for the taxes of both States (but the amount of the credit shall not exceed that portion of the tax imposed by the crediting State which is attributable to such property). The provisions of this paragraph shall not apply with respect to any property referred to in paragraph (2) of this Article.

(2) Where each contracting State imposes the tax by reason of the nationality thereof or the domicile therein of a decedent or a donor or a beneficiary, with respect to any property situated at the time of the transfer outside both contracting States (or deemed by each contracting State to be situated in its territory, or deemed by one contracting State to be situated in either contracting State and deemed by the other contracting State to be situated outside both contracting States or deemed by each contracting State to be situated in the other contracting State), each contracting State shall allow against its tax (computed without application of this Article) a credit for a part of the tax imposed by the other contracting State attributable to such property. The total of the credits authorized by this paragraph shall be equal to the amount of the tax imposed with respect to such property by the contracting State imposing the smaller amount of the tax with respect to such property, and shall be divided between both contracting States in proportion to the amount of the tax imposed by each contracting State with respect to such property.

(3) The credit authorized by this Article, if applicable, shall be in lieu of any credit for the same tax authorized by the laws of the crediting State, the credit applicable for the particular tax being either credit authorized by this Article or credit authorized by such laws, whichever is the greater. For the purposes of this Article, the amount of the tax of each contracting State attributable to any designated property shall be ascertained after taking into account any applicable diminution or credit against its tax with respect to such property (other than any credit under paragraph (1) or (2) of this Article), provided, however, in case another credit for the tax of any other foreign State is allowable with respect to the same property pursuant to any other Convention between the crediting State under the present Convention and such other foreign State, or pursuant to the laws of the crediting State, the total of such credits shall not exceed the amount of tax of the crediting State attributable to such property computed before allowance of such credits.

(4) Credit against the tax of one of the contracting States for the tax of the other contracting State shall be allowed under this Article only where both such taxes have been simultaneously imposed at the time of a decedent's death or at the time of a gift.

(5) No credit resulting from the application of this Article shall be allowed after more than five years from the due date of the tax against which credit would otherwise be allowed, unless claim therefor was filed within such five-year period. Any refund resulting from the application of this Article shall be made without payment of interest on the amount so refunded, unless otherwise specifically authorized by the crediting State.

(6) Credit against the tax of one of the contracting States shall not be finally allowed for the tax of the other contracting State until the latter tax (reduced by credit authorized under this Article, if any) has been paid.

ARTICLE VI

(1) The competent authorities of both contracting States shall exchange such information available under the respective tax laws of both contracting States as is necessary for carrying out the provisions of the present Convention or for the prevention of fraud or for the administration of statutory provisions against tax avoidance in relation to the tax. Any information so exchanged shall be treated as secret and shall not be disclosed to any person other than those, including a court, concerned with the assessment and collection of the tax or the determination of appeals in relation thereto. No information shall be exchanged which would disclose any trade, business, industrial or professional secret or any trade process.

(2) Each of the contracting States may collect the tax imposed by the other contracting State (as though such tax were the tax of the former State) as will ensure that the credit or any other benefit granted under the present Convention by such other State shall not be enjoyed by persons not entitled to such benefits.

ARTICLE VII

Where a representative of the estate of a decedent or a beneficiary of such estate or a donor or a beneficiary of a gift shows proof that the action of the tax authorities of either contracting State has resulted, or will result, in double taxation contrary to the provisions of the present Convention, such representative, donor or beneficiary shall be entitled to present the facts to the competent authorities of the contracting State of which the decedent was a national at the time of his death or of which the donor or beneficiary is a national, or if the decedent was not a national of either of the contracting States at the time of his death or if the donor or the beneficiary is not a national of either of the contracting States, to the competent authorities of the contracting State in which the decedent was domiciled or resident at the time of his death or in which the donor or beneficiary is domiciled or resident. Should the claim be deemed worthy of consideration, the competent authorities of such State to which the facts are so presented shall undertake to come to an agreement with the competent authorities of the other contracting State with a view to equitable avoidance of the double taxation in question.

ARTICLE VIII

(1) The provisions of the present Convention shall not be construed to deny or affect in any manner the right of diplomatic and consular officers to other or additional exemptions now enjoyed or which may hereafter be granted to such officers.

(2) The provisions of the present Convention shall not be construed so as to increase the tax imposed by either contracting State.

(3) Should any difficulty or doubt arise as to the interpretation or application of the present Convention, or its relationship to Conventions between one of the contracting States and any other State, the competent authorities of the contracting States may settle the question by mutual agreement; it being understood, however, that this provision shall not be construed to preclude the contracting States from settling by negotiation any dispute arising under the present Convention.

(4) The competent authorities of both contracting States may prescribe regulations necessary to interpret and carry out the provisions of the present Convention and may communicate with each other directly for the purpose of giving effect to the provisions of the present Convention.

ARTICLE IX

(1) The present Convention shall be ratified and the instruments of ratification shall be exchanged at Tokyo as soon as possible.

(2) The present Convention shall enter into force on the date of exchange of instruments of ratification and shall be applicable to estates or inheritances in the case of persons who die on or after the date of such exchange and to gifts made on or after that date.

(3) Either of the contracting States may terminate the present Convention at any time after a period of five years shall have expired from the date on which the Convention enters into force, by giving to the other contracting State notice of termination, provided that such notice is given on or before the 30th day of June and, in such event, the present Convention shall cease to be effective for the taxable years beginning on or after the first day of January of the calendar year next following that in which such notice is given.

In witness whereof, the undersigned Plenipotentiaries have signed the present Convention.

Done at Washington, in duplicate, in the English and Japanese languages, each text having equal authenticity, this sixteenth day of April 1954.

For the United States of America:

WALTER BEDELL SMITH

For Japan:

S. IGUCHI

Mr. GEORGE obtained the floor.

Mr. MAYBANK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from South Carolina?

Mr. GEORGE. I yield.

Mr. MAYBANK. As I understand these treaties with Japan affect only tax matters, and not merchandise matters.

Mr. GEORGE. Yes; nothing but taxes.

Mr. MAYBANK. There is nothing in the treaties which affect textiles?

Mr. GEORGE. No. They have no effect except on taxes, but there are certain features which I should like to explain.

Mr. MAYBANK. I shall listen attentively. As I understand, they do not affect the textile business with the Orient.

Mr. GEORGE. They apply only to income taxes, and estate and gift taxes.

Mr. MAYBANK. I thank the Senator.

Mr. GEORGE. Mr. President, I shall speak very briefly on the treaties. There are features to the treaties which should be noted by the Senate and which will be discussed, of course, in the Senate.

These treaties are with Japan, and, of course, it is desirable to stabilize the economy of Japan so far as possible, if it may be done without hurt to the United States.

These treaties unquestionably give very great advantage to the United States, for the reason that Japan's industry, of course, has not become strong and militant since World War II.

I wish to call attention to the principal things which these treaties do which are most favorable to the United States.

First is the reciprocal exemption of shipping and aircraft operating profits. This provision, article 5 of the first treaty, operates principally in favor of the United States. At the present time, the Japanese have no airlines in operation between Japan and the United States. The exemption of United States aircraft profits derived from operations in Japan thus is especially favorable to this country. Similarly, the United States also has the large preponderance of shipping operations between the United States and Japan. So the exemption of profits derived from shipping

is also more favorable to the United States than to Japan at the present time.

Secondly, the reduction to 15 percent of the rate on outgoing royalties. This provision results in a reduction of the Japanese income tax on film rentals going to the United States from their present withholding tax of 20 percent to a tax of 15 percent under this convention. Since practically all of the film rentals flow from Japan to the United States, and not in the reverse or opposite direction, this provision is advantageous to the United States.

Exemption of compensation paid by the United States Government: I call particular attention to this provision of the treaty, to be found in article 10. Compensation paid by the United States Government to its citizens who are resident in Japan is exempt from Japanese income tax, but is subject, of course, to the United States income tax. This exemption is of particular importance to the numerous United States citizens who are employed as technical experts in Japan by the United States Government, but whose employment is not of such nature as to bring it within the diplomatic immunity. While this exemption is a reciprocal one, it operates predominantly in favor of the United States at the present time.

The source rules which are incorporated in the convention are derived almost without exception from the United States internal revenue laws and regulations. Thus, the source rules in the convention adopt the United States concepts of sources of income rather than the Japanese concepts.

I now call attention to a very important provision in this treaty, and that is the provision for credit for Japanese corporate dividends. The convention provides that a United States recipient of dividends from a Japanese corporation will receive a credit of 25 percent of the amount of the dividends as a credit against his United States income tax if he also includes the amount of this credit in his gross income. In order to obtain this credit, which is similar to the credit provided in the income-tax treaty between the United States and the United Kingdom, the Japanese agreed not to impose a withholding tax on outgoing dividends.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. GEORGE. I yield.

Mr. LANGER. Will the Senator give us a hypothetical case?

Mr. GEORGE. I shall in a moment.

At the present time Japan imposes a 20-percent withholding tax on outgoing dividends, although this tax is reduced to 10 percent if the investment tends to further the Japanese economy. Under this convention, Japan will not impose any withholding tax at the individual level on dividends from a Japanese corporation paid to a United States stockholder or recipient.

This provision in the convention is not on a reciprocal basis. Thus, the United States withholding tax of 30 percent will continue to apply on dividends paid by United States corporations to nonresident agents who are residents of Japan.

I shall try to explain what the treaty means. In this connection, the Foreign Relations Committee had the advice of the Chief of Staff of the Joint Committee on Internal Revenue Taxation.

The United States shareholder, let us say, receives $100 of dividends from a Japanese corporation. If the United States shareholder were taxed on his income at an effective tax rate of 50 percent, let us say, he would compute his United States tax and credit on the dividend as follows: Gross income, $100. That is the dividend. To that gross income is added 25 percent, or $25, and that amount is included in the gross income of the United States recipient. He must include that tax credit in order to get the benefit of this provision of the treaty. The tax, at the effective rate of 50 percent, on $125 is $62.50. The credit against this tax, 25 percent of $100, or $25, leaves a balance of the United States tax attributable to Japanese dividend of $37.50.

Of course, it is obvious that the higher up in the income-tax bracket the taxpayer goes, the lesser advantage he will receive under this provision of the treaty. In fact, if he gets beyond 80 percent, he will receive practically no advantage under this provision in the treaty.

Taking the same example and considering that the recipient of the dividend is in the 80-percent bracket—that is to say, his tax is limited to that—he will have a gross income of $100, to which will be added a gross income of 25 percent, or $25, making a total of $125.

The tax, at the 80-percent effective rate, on this $100, with a credit of $25, leaves a tax on the Japanese dividend of $75 that he would have to pay.

I have just referred to the person who is in the 80-percent bracket.

Now I should like to refer to the United States dividend. There is a 4 percent tax credit given under the tax bill which was recently passed by the Congress, and I believe only this week signed by the President. With a gross income of $100, and a tax at 80 percent, or $80, and a credit of $4, the tax on the United States dividend, in the case of the 80 percent dividend recipient, is $76.

In other words, the taxpayer in the 80 percent bracket, under our own tax laws, would pay only $1 more than he would pay if he received the dividend from a foreign corporation in Japan. Of course, our 4-percent credit applies to dividends earned in the United States and received from a United States corporation.

So if one in the 90 percent bracket, or even in the 82 percent bracket, had dividends from corporations in Japan, the actual relief would be less than if he had received the same dividends in the United States from United States corporations, and had the 4 percent tax credit given to him. That is an unusual feature in a tax convention, and for that reason I wish to bring it expressly to the attention of the Senate.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. GEORGE. I am glad to yield to the Senator from South Carolina.

Mr. MAYBANK. I congratulate the distinguished senior Senator from Georgia, former chairman of the committee, and now ranking Democratic member, for explaining to the Senate the tax problems involved in the treaty, which, as I understand, involves purely taxes, and does not affect tariffs.

Mr. GEORGE. It does not affect tariffs; it applies only to taxes.

Mr. MAYBANK. I thank the Senator.

Mr. GEORGE. One treaty applies to estate and gift taxes, and the other applies to income taxes.

Mr. MAYBANK. But neither affects tariffs. Is that correct?

Mr. GEORGE. Neither has any effect on tariffs.

It may be thought, and no doubt will be thought, that, on the face of it, the credit which would be given to the American investor in Japan would induce investment of American money in Japanese corporations. Perhaps that is true, but, so far as the investor with large funds, or the one who is in the 80-percent tax bracket, is concerned, the dividend he would receive from the Japanese corporation would actually become less, at about 81 percent, than he would get from the same income from a United States corporation to which the 4-percent tax credit would apply.

Obviously, of course, Japan occupies a peculiar situation. Japan must trade, and she must receive her capital assets and assistance from other countries. Lying as she does just off the shores of Red China, she very naturally might fall under Communist influences if we did not do what we could do legitimately to assist Japan and strengthen her economy.

Obviously, providing for a tax credit would be more helpful to the United States, or more advantageous to the United States, than would be the letting down of many tariff restrictions, to the harm of American industry.

So I think, Mr. President, with that explanatory statement, and with my putting my finger upon the one feature in the tax convention that is new, and the one feature which might invite criticism unless it is carefully studied, I yield the floor.

The PRESIDING OFFICER. The conventions are now before the Senate, as in Committee of the Whole, and are open to amendment.

If there be no objection, the pending conventions will be considered as having passed through its various parliamentary stages, up to the presentation of the resolution of ratification.

Mr. MALONE. Mr. President——

The PRESIDING OFFICER. Will the Senator from Nevada withhold his statement so that the resolutions of ratification may be reported? The clerk will read the resolutions of ratification.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive D, 83d Congress, 2d session, the convention between the United States of America and Japan for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on April 16, 1954.

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive E, 83d Congress, 2d session, the convention between the United States of America and Japan for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on estates, inheritances, and gifts, signed at Washington on April 16, 1954.

NEW TREATIES IN SENATE CLOSING RUSH

Mr. MALONE. Mr. President, first, I should like to call the attention of the Senate to the fact that in this case we are presented with an entirely new treaty with entirely new provisions, with which the Senate is in no way familiar, and there is no time to study them. I have had only a short time to read the treaty, and I doubt whether there will be adequate time to debate the treaty between now and adjournment.

Mr. LANGER. Mr. President, will the Senator from Nevada yield to me? This matter is a very important one. It was before the Foreign Relations Committee, but was not discussed very greatly.

Would the Senator from Nevada care to have me suggest the absence of a quorum?

Mr. MALONE. I prefer to have that done a little later. A little later, the absence of a quorum will be suggested.

Mr. KNOWLAND. Mr. President, will the Senator from Nevada yield to me?

Mr. MALONE. I am very glad to yield to the majority leader.

Mr. KNOWLAND. Mr. President, we have taken up and ratified Executive H, Executive C, and Executive J; and the Senator from Georgia [Mr. GEORGE], the ranking minority member of the Foreign Relations Committee has—and very ably. I believe—shown the importance of and the reasons for the tax treaties with Japan, which are Executive D and Executive E.

I understand that if the Senator from Nevada is not in opposition to these treaties, at least he feels there has not been sufficient time for him to study them. Therefore, I should like to ask him whether he has any idea as to the time he thinks would be required in order to discuss them at this point.

I am asking this question because of the program of the Senate and the responsibilities I have in trying to answer the questions which Senators are asking me in regard to the possibilities of adjournment, and whether we shall have a session tomorrow or next week, and so forth.

Mr. MALONE. I will say to the distinguished majority leader that I think it very unwise to try to ratify these two treaties at a time when there is not on the floor of the Senate a Senator who understands them. I include in that statement, I may say, the majority leader; in my opinion he does not understand them, either.

In other words, we would be setting a precedent with an entirely new nation, with two treaties dealing with the taxes of American citizens, and permitting our citizens to move to that country and install plants there, for the purpose of taking advantage of taxes and the avowed purpose—I believe it is very well understood—is to give Japan advantages in our markets and advantages in securing investments from the United States, and to make income-tax arrangements which will make it profitable for Americans to make investments in Japan, and unprofitable for Americans to make investments in the United States, in the same business—as in the case of the crockery business, formerly an active one in Ohio, but now shut down there because of the imports of crockery, principally from Japan.

At this moment I am not expressing any opinion, except to say that I believe it is an unwise thing to jam through the Senate treaties which are not understood by any Senators on this floor. So I do not know how long it will be necessary to debate these treaties, but for the benefit of the majority leader I will say that it will be some time.

Mr. KNOWLAND. I assure the Senator from Nevada that I have no desire to jam anything through the Senate. The treaty has been reported by the Foreign Relations Committee.

Mr. MALONE. But the chairman of the Foreign Relations Committee is in another country, at the moment.

Mr. KNOWLAND. No, that is not correct.

Mr. MALONE. Well, the chairman of the committee has gone.

Mr. KNOWLAND. That is correct, but he is not the only member of the committee.

Although the Senator from Nevada is entitled to his own judgment, since he has stated that in his opinion no Member of the Senate understands these treaties, although I am frank to state that I am not an attorney, I wish to say I believe that from the report of the Foreign Relations Committee and from the explanation of the treaty given by the Senator from Georgia, I have knowledge of what these treaties purport to do.

However, in view of the fact that there is certain proposed legislation yet to be handled, I am trying to find out what the program is likely to be.

I wish to say to the Senator from Nevada that conditions in the Far East are, as he well knows, very critical at this time. Japan is a nation of some 84 million people. From the Communist point of view, as was pointed out sometime ago by Stalin, the Communists feel that if they could bring Japan into the Communist orbit, the Communists then would be invincible.

I know that those in the Government of the United States and, I am sure, those in the Congress, as well, recognize that it would not be to our interest to have Japan move into the Communist orbit.

Japan has many critical economic problems, as do the United States and other nations, in various fields of endeavor. But if we are to reach a point where the Government of the United States is not going to have to give, out of appropriated funds, considerable sustenance to the economy of Japan, the only alternative, I believe, is to encourage private investment in Japan.

The Senator from Nevada may or may not agree with the wisdom of that point of view or with the desirability of getting out of a government-to-government relationship, and encouraging the investment of private capital. But, being an engineer, as the Senator from Nevada is, and having been fully acquainted with the history of the United States, particularly the history of the West, I am sure he knows that if it had not been for foreign investments in our railroad systems and in our industrial systems, they would not have been built, or certainly would not have been built at the time when they were.

I merely wish to point that out, because I do not know how crucial the President and the Department of State may feel these two treaties with Japan are. I do know they are concerned, as are the people in Japan, over a program to get the country on a sound economic base and keep the country out of the Communist orbit.

There are only three choices available to the majority leader. One would be to hold up the resolution of adjournment until the Senate disposed of the treaty. I do not believe, with the heavy program we have, I would be justified in recommending that course of action at this particular time in the session, when we have some pending legislation to consider, and the social-security conference report will soon be coming to us from the House.

The second choice would be to consider this treaty if and when the Senate recesses and comes back into session under the resolution. Since this is, of course, in the field of treatymaking, the Senate alone can take action, and therefore the House could be in adjournment sine die and the Senate itself could meet when the Senate had more time, and Senators, including the Senator from Nevada, with an opportunity to go into the report and the facts which were desired to be developed, could spend more time on the treaty. That may be the desirable method.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. KNOWLAND. I will yield in a moment.

On the other hand, it has not been unusual in the history of our country for a President of the United States, if he felt that a treaty was of sufficient importance or that the matter of confirmation of certain appointments was of sufficient importance, to call the Senate back into special session alone in what is known as a treaty session. If, as I say, this treaty is deemed important enough or if conditions should take such a turn that that course of action would be justified, that would be the third choice.

I made the inquiry because I wish to schedule the business of the Senate. We do not expect to send back to the House the resolution of adjournment which the House has sent to the Senate, as amended, until after we receive from the House the social security conference report. However, if this discussion is to be rather substantial—and the Senator has indicated it will be—I wonder if, under all the circumstances, the Senator would object to the majority leader moving that the Senate resume legislative session and proceed with the pending busi-

ness of the Senate, which is the bill dealing with the upper Colorado River.

Mr. MALONE. If the distinguished majority leader is making that suggestion merely to postpone the inevitable, I see no reason to dodge the issue now.

Mr. KNOWLAND. The Senator has said he feels he wants more time.

Mr. MALONE. I do not know what time would be necessary. That will develop as we go along. If we are going back to the regular business of the Senate merely in order to dispose of some of the regular business and then returning to consideration of the treaties, with insistence upon action——

Mr. KNOWLAND. I did not say that. I said my recommendation under the circumstances would be not to take up these treaties prior to the recess of the Senate in the present session. That is what I was trying to make clear to the Senator from Nevada.

Mr. MALONE. I understand.

Mr. KNOWLAND. If the Senator will yield to me I shall move that the Senate resume legislative session, with the assurance to the Senator that I do not expect to take up these treaties prior to the recess of the Senate.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. KNOWLAND. I do not have the floor.

Mr. MALONE. Mr. President, I have the floor.

Mr. MAYBANK. Mr. President, will the distinguished Senator from Nevada yield?

The PRESIDING OFFICER. The Senator from Nevada has the floor. Does the Senator from Nevada yield?

Mr. MALONE. I will yield in a moment.

Mr. President, if the distinguished Senator from California will make a definite statement that he will not bring up these treaties unless some other Senator should move to bring them up and outvote him, the junior Senator from Nevada will not object to his proposed motion.

Mr. KNOWLAND. I wish to make sure the Senator understands. I expect that the House, at least, will adjourn sine die tonight or, if not by tonight, by tomorrow. I expect that the Senate will recess pursuant to the adjournment resolution to some date in the future—I do not mean tomorrow or the next day or next week—and return at a later time. I am prepared to give the Senator assurance that I shall not move to return to executive session for this present session, which I expect will end today or tomorrow. However, if the Senate does return, either pursuant to the resolution of censure or by call of the President of the United States for a special treaty session, I do not wish to have the Senator feel that I shall not at that point move to take up the treaties.

I can give the Senator assurance, so far as concerns the present session, which is rapidly coming to an end, that I do not expect to take up the treaties at this time.

Mr. MALONE. Do I correctly understand that they will not be taken up at this time, at this session?

Mr. KNOWLAND. The Senator refers to the session of Congress. I do not wish to have any misunderstanding of my position.

Mr. MALONE. Mr. President, no one is misunderstanding anything. All I am trying to get the Senator from California to say is that he will not bring them up until the Senate recess and then returns.

Mr. KNOWLAND. That is correct.

Mr. MALONE. Is that what the Senator is saying?

Mr. KNOWLAND. That is what I now say, and what I have been trying to say.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. KNOWLAND. Yes.

Mr. MAYBANK. I wish to make the record crystal clear insofar as my own mind is concerned.

I understood from the resolution proposed by the Senator from New Jersey and the Senator from California that we were about to adjourn, not sine die, but with the expectation that we are to return to take up the so-called McCarthy censure hearing, or whatever we wish to call it.

Does the Senator from California say that when the Senate returns to take up the censure resolution, or whatever we wish to call it, relating to the Senator from Wisconsin, we are to take up treaties?

Mr. KNOWLAND. I do not know what the Senate, in its own judgment and after consultation with the leadership on both sides of the aisle, will decide to do, but we shall then have a determination of what we should or could take up at that time.

Mr. MAYBANK. I am not suggesting that we do so.

Mr. KNOWLAND. While the Senate is in session, at least, it is master of its own destiny. Insofar as treaties and nominations of the President are concerned, we are authorized to function without the House being in session.

Mr. MAYBANK. The Senator from California has always been fair. As I understand the Senator, he has advised me that when the Senate takes a recess and later returns to listen to a report which several Senators are to file with respect to the Senator from Wisconsin [Mr. McCARTHY], we can then bring up, under the Senate's rules, anything the majority leader desires to bring up, such as nominations, treaties, and all the other things with which the House has nothing to do.

Mr. KNOWLAND. The Senate has the power to do that.

Mr. MAYBANK. I so recognize.

Mr. KNOWLAND. Whether the Senate will decide it is wise or not is another question.

Mr. MAYBANK. I wish to make sure my own mind is perfectly clear on this question. We are not to have a meeting about censuring or not censuring the junior Senator from Wisconsin. We are to have a meeting on treaties; we are going to have a meeting on bills, and we are to have a meeting on whatever business the Senate wishes to transact, provided the House does not have to concur.

Mr. KNOWLAND. The Senate, when it is in session, has the power to take up anything it can handle without House concurrence.

Mr. MAYBANK. Absolutely.

Mr. KNOWLAND. The Senate itself may decide to take up nothing but the censure resolution.

Mr. MAYBANK. I doubt if the Senate decides that. I appreciate the comments of the majority leader.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2236) for the establishment of a Commission on Area Problems of the Greater Washington Metropolitan Area.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 2033. An act relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear in public eating places serving such trout;

S. 3706. An act to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes;

H. R. 179. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended;

H. R. 1665. An act for the relief of Carl Piowaty and W. J. Piowaty;

H. R. 3757. An act for the relief of Dorothy Kilmer Nickerson;

H. R. 4017. An act to provide for the conveyance of certain land and improvements to the England Special School District of the State of Arkansas;

H. R. 4813. An act for the relief of Radu Florescu and Nicole Elizabeth Michel Florescu;

H. R. 5499. An act to provide for the construction, maintenance, and operation of the Michaud Flats project for irrigation in the State of Idaho;

H. R. 7785. An act to amend the Civil Service Retirement Act of May 29, 1930, to make permanent the increases in regular annuities provided by the act of July 16, 1952, and to extend such increases to additional annuities purchased by voluntary contributons;

H. R. 7881. An act to validate a conveyance of certain lands by Southern Pacific Railroad Co., and its lessee, Southern Pacific Co., to Morgan Hopkins, Inc.;

H. R. 8498. An act authorizing construction of works to reestablish for the Palo Verde Irrigation District, California, a means of diversion of its irrigation water supply from the Colorado River, and for other purposes;

H. R. 9115. An act to provide that contributions received under Public Law 485, 80th Congress, for the construction of a merchant marine chapel shall be invested in Government obligations pending their use for such construction;

H. R. 9709. An act to extend and improve the unemployment compensation program;

H. R. 9756. An act to increase the borrowing power of Commodity Credit Corporation; and

H. R. 9909. An act to prohibit payment of annuities to officers and employees of the United States convicted of certain offenses, and for other purposes.

FEDERAL REPUBLIC OF GERMANY

Mr. HENDRICKSON. Mr. President, I ask unanimous consent for the immediate consideration of House bill 9988, for the relief of the Federal Republic of Germany.

The PRESIDING OFFICER. The bill will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 9988) for the relief of the Federal Republic of Germany.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. HENDRICKSON. Mr. President, I ask for the third reading and passage of the bill.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 9988) was ordered to a third reading, and was read the third time.

The PRESIDING OFFICER. The question now is, Shall the bill pass?

Mr. HOLLAND. Mr. President, I wish to have the bill read.

Mr. LONG. Mr. President, let me ask whether the majority leader has been consulted regarding this bill.

Mr. HENDRICKSON. I consulted with the distinguished senior Senator from Georgia [Mr. GEORGE].

Mr. GEORGE. I do not think there can be the slightest objection to the bill. It is an authorization for an appropriation item which has already been carried in the appropriation bill.

Mr. HENDRICKSON. That is correct.

Mr. GEORGE. But under the technical rules of the House, there must be an authorization before the House is willing to proceed with the appropriation.

Mr. HENDRICKSON. That is correct.

The bill authorizes the appropriation of $300,000 for the purchase of the embassy building of Germany in Washington. We confiscated the embassy.

Mr. GEORGE. The bill authorizes an appropriation for the purchase of the embassy; that is all.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H. R. 9988) was passed.

NONQUOTA IMMIGRANTS VISAS FOR CERTAIN SKILLED ALIEN SHEEPHERDERS

The PRESIDING OFFICER (Mr. REYNOLDS in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2862) to provide relief for the sheep-raising industry by making special nonquota immigrant visas available to certain skilled alien sheepherders, which was, on page 2, strike out all after line 22 over to and including line 3, on page 3, and insert:

SEC. 4. Any alien who is excludable because of the conviction of a misdemeanor classifiable as a petty offense under the provisions of section 1 (3) of title 18, United States Code, by reason of the punishment actually imposed, or who is excludable as one who admits the commission of such misdemeanor, may hereafter be granted a visa and admitted to the United States, if otherwise admissible: *Provided*, That the alien has committed only one such offense.

Mr. McCARRAN. Mr. President, the bill S. 2862, which provides special relief for the sheep-raising industry by making available certain visas for skilled alien sheepherders, has been amended by the House of Representatives today, and I want to take just a moment or two in order to make the legislative history on the amendment perfectly clear.

The purpose of the amendment is to exempt from certain exclusion clauses an alien who is excludable solely because of the commission of a misdemeanor—an offense not punishable by imprsonment for 1 year or more—and for whom the penalty actually imposed was imprisonment not to exceed 6 months or a fine not to exceed $500 or both. In order to avoid a misconstruction which might be placed upon the amendment, I made inquiry of the author of the amendment in the House, the Honorable FRANCIS E. WALTER, and I now ask unanimous consent that a letter from him to me of this date, respecting the amendment, be read into the RECORD at this point.

The PRESIDING OFFICER. The clerk will read.

The legislative clerk read as follows:

AUGUST 20, 1954.

Hon. PAT MCCARRAN,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: Answering your inquiry, I want to say for the record and as a part of the legislative history of the bill, that my amendment to S. 2862, adopted by the House today, is intended to require the meeting of two standards, namely, the offense must be an offense which is committed in the United States would be a misdemeanor (not punishable by imprisonment for 1 year or more), and, second, the offense must be one for which the actual penalty imposed in the particular case was imprisonment not to exceed 6 months or a fine not to exceed $500, or both. If these two tests are met, under my amendment, the offense would not result in mandatory exclusion if there was only one offense and the alien was not otherwise excludable.

Sincerely,

FRANCIS E. WALTER.

Mr. McCARRAN. Mr. President, the construction placed on the amendment by the author, Representative WALTER, is in complete accord with my own construction. I am therefore satisfied with the amendment, and accordingly move that the Senate accept the House amendment.

But at this point I wish to say that the amendment placed on the bill does not in fact apply to the original bill, because there are no criminals among sheepherders. So it does not apply directly. But it is a question of amending the Immigration Act.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

Mr. LANGER. Mr. President, will the Senator yield for a moment?

I wish to compliment the distinguished Senator from Nevada [Mr. MCCARRAN] for getting this bill through. He has worked 2 years to give the sheepherders in the western part of the country badly needed help. I am not going into that subject again, because we debated it upon the floor before, but I wish to congratulate the Senator for doing one of the best jobs ever done upon the Senate floor.

Mr. McCARRAN. Mr. President, a sheep camp was my origin, so I want to do something for my own kind.

Mr. MALONE. I know that what the distinguished Senator from Nevada says is true. I have slept in many a sheep camp and buckaroo camp, and understand the range business. What the distinguished senior Senator from North Dakota [Mr. LANGER] and the distinguished Senator from Nevada [Mr. MCCARRAN] have accomplished is a move in the right direction. The people who will come to the United States are workers. They do not live off the top or just take an override. They go into the sagebrush and work.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. MALONE. I am happy to yield.

Mr. LANGER. Did the Senator ever know a sheepherder who was not a good, fine, honest, hard-working man?

Mr. MALONE. Mr. President, so long as the distinguished Senator from North Dakota has made a point with respect to sheepherders, and I have heard on this floor a little levity in regard to the sheepherders, let me tell the Senate where they come from. They come from the Pyrenees. They are French Basques, and Spanish Basques. They are among the finest blood in the world. When they come here they know only sheep, but in the desert region a few years after these so-called sheepherders come to Nevada, Utah, or Arizona, or Idaho, they send for their sweethearts and they are married and raise families. The second and third generation are lawyers, bankers, engineers. It is necessary to send for more sheepherders, because the second, third, and fourth generation do not herd sheep. They do the banking and take care of the law business for us. They are fine citizens.

I wish I could say the same for all types we import.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF COLORADO RIVER STORAGE PROJECT

The Senate resumed the consideration of the bill (S. 1555) to authorize the

Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes.

Mr. KNOWLAND. Mr. President, what is the unfinished business before the Senate?

The PRESIDING OFFICER. The unfinished business is Senate bill 1555, Calendar No. 2000.

TRIBUTE TO JUDGE EDWARD WEINFELD

Mr. LEHMAN. Mr. President, 4 years ago the President of the United States appointed, and the Senate confirmed, Edward Weinfeld to the district court bench in New York. I was very interested in this appointment and indeed strongly urged it upon the President, and I was very gratified when the appointment was confirmed.

In the years since, Judge Weinfeld has made an exemplary record on the bench and has justified the confidence which many of us had in his legal abilities and judicial temperament.

Very recently Judge Weinfeld figured in the news as the presiding judge in the publicized libel suit of Mr. Quentin Reynolds against Mr. Westbrook Pegler. In the August 7 issue of the highly reputable weekly publication, the Saturday Review, there was a report on the Reynolds-Pegler trial, written by Mr. Cleveland Amory, a well-known American novelist. In the course of this report there was a tribute to Judge Weinfeld which I should like to have inserted in the RECORD. I ask unanimous consent that this excerpt from Mr. Amory's report be printed at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

REPORT BY CLEVELAND AMORY ON REYNOLDS-PEGLER TRIAL

By all odds the outstanding figure in court was Judge Edward Weinfeld, a magnetic man with a face like a prophet and a mind which anticipated everything several seconds before it happened. He went directly from high school to law school, was New York State's first housing commissioner, and, on becoming a judge, his first act was to find out what prison life was actually like. At one time or another, and through at least one meal, he has visited every Federal prison in this country except two. "I'll get to those," he says quietly. "I want to see every place I may be responsible for someone going." In such a man's court there were no points of disorder.

Mr. LEHMAN. From many legal quarters, Mr. President, it has come to my attention that Judge Weinfeld presides in the district court of New York in the highest tradition of the Federal judiciary. I am proud and happy to pay this tribute to my long-time friend, Judge Edward Weinfeld.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

ELECTION OF DELEGATES OF DISTRICT OF COLUMBIA TO NATIONAL POLITICAL CONVENTIONS—VETO MESSAGE (S. DOC. NO. 155)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying bill, referred to the Committee on the District of Columbia, and ordered to be printed:

To the Senate:

I return herewith without my approval S. 1611, an enactment entitled "An act to regulate the election of delegates representing the District of Columbia to national political conventions, and for other purposes."

This enactment regulates the election of national committeemen and committeewomen and delegates and alternates from the District of Columbia to all conventions of political parties nominating candidates for the Presidency and Vice Presidency of the United States.

The enactment further provides for a Board of Elections, composed of three members appointed by the Commissioners of the District of Columbia. The Board would maintain a permanent registry of electors, conduct the elections, certify nominees and the results of elections, and perform other functions incident to the conduct of such elections.

Section 9 of the enrolled bill exempts the qualified electors of the District of Columbia from the Hatch Act.

I cannot approve the provisions of the enrolled bill which would enable a very limited number of Federal employees to engage in partisan political activities, a privilege denied to all other Federal employees by the Hatch Act. The bill would amend this act by permitting Federal employees living in the District of Columbia to actively participate in the nomination and election of delegates and alternates representing the District at national political conventions and in the selection of members of the national committees of political parties. It is estimated that of the approximately 2,180,000 Federal employees in the United States, only 160,200, or 7 percent, work in the District of Columbia. It is impossible to determine how many of the 160,200 live in the District of Columbia and would be privileged to actively participate in elections of party national committeemen, but the number would be extremely small compared to the total number of Federal employees. Thus a tiny percentage of Federal employees would be permitted to be candidates for, and to serve in, the political party offices of national committeemen. They also would be allowed to engage in such partisan political activities as serving on campaign committees, making public addresses in behalf of candidates, soliciting funds, and a variety of other duties incident to political campaigns. If additional political privileges are to be extended to Federal employees, it should be on a nationwide basis. No apparent reason exists for singling out a limited number of Federal employees living in the District of Columbia and permitting them to participate in partisan political activities while all other Federal employees throughout the country are denied this privilege under the Hatch Act.

I take this action with considerable regret. Were it not for this wholly unacceptable exemption from the Hatch Act, this legislation would represent a constructive step toward obtaining suffrage in the District of Columbia. Fortunately, the first election under procedures authorized by this bill would not take place until April 1956. Therefore, there is still ample time for the 84th Congress to consider this matter again. I recommend such action, and I shall be glad to approve a bill from which the defects of the present measure are removed.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 20, 1954.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed, without amendment, the following bill and joint resolution of the Senate:

S. 3868. An act authorizing the payment of salary to any individual given a recess appointment as Comptroller General of the United States before the beginning of the 84th Congress; and

S. J. Res. 173. Joint resolution to authorize the President to proclaim the week of November 28, 1954, through December 4, 1954, as National Salvation Army Week.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 7774) to establish a uniform system for the granting of incentive awards to officers and employees of the United States, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes.

The message also announced that the House had agreed to the following concurrent resolution (H. Con. Res. 272), in which it requested the concurrence of the Senate:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Select Committee to Investigate the Incorporation of the Baltic States into the U. S. S. R., 1,000 additional copies of part I of the hearings on the Baltic States investigation, held by the said select committee during the 83d Congress, 1st session.

PROPOSED DIXON-YATES CONTRACT

During the executive session,

Mr. ANDERSON. Mr. President, much as I dislike to interrupt this discussion, I must do so as I am not sure

when I shall be able to get the floor again. I wish to call attention to the fact that many questions have been raised as to when Congress would have a look at the Dixon-Yates contract.

I stated to a newspaperman yesterday that I thought there should be open hearings on the contract, and many people wondered why. The Congress of the United States, having passed the Gore amendment in the final draft of the atomic energy bill, provided that:

No contract entered into under the authority of this act shall provide, and no contract entered into under the authority of the Atomic Energy Act of 1946, as amended, shall be modified or amended after the date of enactment of this act to provide, for direct payment or direct reimbursement by the Commission of any Federal income taxes on behalf of any contractor performing such contract for profit.

Mr. President, I have obtained a copy, dated August 11, 1954, of the contract as recommended by the General Manager of the Atomic Energy Commission to the Atomic Energy Commission.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. GORE. Does the contract bear a date before the effective date of the act which the Congress has just passed?

Mr. ANDERSON. The conference report was dated the 6th of August. This recommended contract is dated the 11th day of August. The act has not yet been signed by the President, and therefore this would be ahead of the signing by the President.

That contract, on page 12, carries this language:

"The base capacity charge includes as one of its components $536,250 which is the cost to the company of Federal income taxes at the rate of 52 percent per annum estimated on the basis of the formula set forth below. Accordingly, on each interest payment date on the bond indebtedness of the company, there shall be subtracted from or added to the portion of the base capacity charge applicable to each month of the succeeding quarter-yearly period one-twelfth of the amount by which such basic component of $536,250 is greater or less than the result of a calculation pursuant to the following formula:

And the formula is there set out.

I say that constitutes the payment of Federal income tax just as plainly as it can be, in spite of the Gore amendment adopted by the Congress.

On page 13 of this proposed contract—which is the general manager's recommendation to the Atomic Energy Commission, not just something submitted by the company—there is this language:

References to Federal income taxes in this section and in sections 4.08, 4.09, and 4.11 shall include normal, surtax, and excess profits taxes, if any.

That means that we do not just pay the Federal income taxes that now exist. If at a later date an excess-profits tax is applied, that tax is paid directly and added to the basic charge, regardless of the passage of the Gore amendment.

I wish to be brief on this, and I shall call attention only to the section on page 16 which deals with the payment of State, Federal, and local taxes of every character. It says, "except Federal income taxes," and then makes provision as to how Federal income taxes come into the picture.

On page 18——

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. HICKENLOOPER. Will the Senator tell me from what document he is reading?

Mr. ANDERSON. I am reading from the power contract between the Mississippi Valley Generating Co., the company which is going to handle the Dixon-Yates contract, and the Atomic Energy Commission. It is labeled "Proof of August 11, 1954" and is the contract which the general manager, General Nichols, has recommended to the members of the Atomic Energy Commission for their consideration and approval.

Mr. HICKENLOOPER. May I ask the Senator where he obtained the contract, or the proposed contract?

Mr. ANDERSON. I obtained it from the Joint Committee on Atomic Energy.

Mr. HICKENLOOPER. May I ask whether the joint committee has met and considered anything about this proposed contract as yet?

Mr. ANDERSON. I am sure it has not. I obtained it because I felt it was no part of my responsibility to protect the people of this country from the truth and from what is going on. I think it is perfectly obvious what is going on concerning the Dixon-Yates contract. A contract is now under negotiation. It has reached the point that the General Manager of the Commission has sent it to the members of the Commission with his recommendation. They are now to consider it. I thought the Congress, which was about to adjourn, ought to know that the Gore amendment, which was written into the Atomic Energy Act, which we have just approved, which provided that Federal income taxes should not be paid directly or reimbursed directly, is being circumvented as neatly as anything can be in this contract.

I further bring it up because of what is now the schedule. As the Senator from Iowa knows, the schedule is that on the 2d day of September, after the Congress has gone home, a meeting of the Joint Committee on Atomic Energy will be called. Notices are being sent out. On this side of the aisle, the Senator from Georgia [Mr. RUSSELL] will be safely in Europe, I assume; the Senator from Colorado [Mr. JOHNSON] will be safely in Colorado; the Senator from Rhode Island [Mr. PASTORE] will be in Yosemite; and I shall be in New Mexico—making an absolutely perfect day upon which to consider this contract without the fear of Democratic members of the joint committee being present.

Under the terms of the act, the resolution need not wait 30 days. The proposed contract could be approved by a resolution that day. No further submission, no hearings, no discussion would be required.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. ANDERSON. The able Governor of the State of Tennessee, Governor Clement, has suggested that public hearings might be desirable. I am one of those who thinks public hearings would be desirable. That is why I am bringing it to the attention of the Congress at this time.

Mr. HICKENLOOPER. Mr. President, if the Senator will yield for another question, I will say, by way of preface to my question, that I have not seen notice of such a meeting. I do not question that it has been called, but I did not know about it.

Mr. ANDERSON. I can only say to the very able Senator from Iowa that a representative of the Commission is sitting on the couch behind him, who will be able to assure him that Chairman COLE telephoned in from Omaha and asked that notices be sent out calling for the meeting on the 2d day of September.

Mr. HICKENLOOPER. I do not in the slightest question the Senator's word. I merely made the statement that I had no notice of such a meeting; I had no knowledge that it was being called. I presume I shall be notified in the course of the afternoon. But the act has not as yet been signed, so far as I know. It has not become law. I suggest to the Senator that there is no machinery whereby the joint committee can meet and discuss or consider a proposed contract under its provisions until it does become law. The meeting would be ineffectual and would have no place.

I sincerely regret that the Senator has seen fit to go to the committee and take a document which was submitted to the committee for its advice, before the committee has even seen it, before it has ever been discussed by the Joint Committee on Atomic Energy, and bring it to the floor of the Senate for speculative purposes, to speculate on its terms.

Mr. ANDERSON. With a document as important as this, I think there is nothing unusual, so far as the members of the committee are concerned. There have been many regrettable things about this contract. It seems to me that this was an excellent time to find out what its provisions were.

Now I want to refer to page 18, section 4.09——

Mr. GORE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Tennessee.

Mr. GORE. Does not the distinguished junior Senator from New Mexico think that Congress is entitled to have the information which he is now proceeding to give to the Senate?

Mr. ANDERSON. I should think so. Congress, in the recent passage of the Atomic Energy Act, inserted a provision which was originally in an amendment which I had prepared, which was then taken by the able Senator from North Carolina [Mr. ERVIN] and proposed by him as an amendment which was accepted by the distinguished Senator from Michigan [Mr. FERGUSON] and included in the law as it has been enacted. The provision reads as follows:

Any contract hereafter entered into by the Commission pursuant to this section shall be submitted to the joint committee and a period of 30 days shall elapse while Congress is in session (in computing such 30

days there shall be excluded the days on which either House is not in session because of adjournment for more than 3 days) before the contract of the Commission shall become effective: *Provided, however,* That the joint committee, after having received the proposed contract, may by resolution in writing waive the conditions of or all or any portion of such 30-day period.

It seems to me that when Congress is not going to be in session, and quite obviously will not be in session, the only remedy would be to pay some slight attention to the provisions of the contract here and now.

I do not intend to be long; in fact, if I may be allowed to read a few more lines I shall be satisfied.

Section 4.09 provides as follows:

Section 4.09. Adjustment in absence of sinking fund depreciation ruling: If the company should be unable to obtain a satisfactory ruling permitting it to deduct depreciation for purposes of Federal income taxes on depreciable property included in the facilities on a 31-year sinking fund formula with interest at the rate of 3½ percent per annum, or if such ruling once obtained should later be reversed, rescinded or rendered invalid or ineffective, with the result that the company shall not be permitted to deduct full depreciation as aforesaid, the AEC shall pay to the company, in addition to the other payments herein provided for, on a monthly accrual basis or other basis mutually agreed upon, such amounts as shall be necessary to provide the company with earnings applicable to its capital stock, after all taxes, including Federal income taxes, not less than would have been available to the company if it had been permitted to deduct depreciation for tax purposes on such sinking fund formula.

All I can do is read the language. When I read it, it appears to me that the contract as submitted on August 11, after Congress had passed the bill which provided certain requirements about income taxes in new contracts, still carries language for reimbursement for Federal income taxes.

My hope is that the contract may be further revised and brought in line with the desires of Congress; that when it is revised and brought in line with the desires of Congress, the contract then may be submitted to the Joint Committee on Atomic Energy for as much time as there is reasonable hope that a majority of the committee, and some Democrats, at least, may be present to consider it.

Mr. HILL. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. HILL. As the Senator has stated, the Governor of Tennessee has asked the Joint Committee on Atomic Energy for the right to be heard on the contract. A number of representative organizations and representative citizens have also asked to be permitted to be heard by the joint committee.

Does not the Senator believe that when the contract is in final form and has been submitted to the Joint Committee on Atomic Energy, the contents, provisions, and details of the contract should be made known to the public; and after time and opportunity have been afforded to consider the contract and its provisions, then there should be a full and open hearing on the contract by the Joint Committee on Atomic Energy.

Mr. ANDERSON. Yes; I think precisely that. What I am trying to prevent happening is this: I would hate to have a contract to be prepared and be in final form on the first day of September, which I understand is the present schedule, and then have it submitted to the joint committee on the second day of September, when there will be no members of the committee present, or possibly only a handful present, and have the committee approve a resolution waiving its rights to a hearing without any opportunity whatsoever for the Governor of Tennessee or any other group to have any hearings of any kind upon it.

It does not strike me that the public business needs to be transacted so rapidly. When the Senate was discussing the Dixon-Yates contract and had before it only a skeleton outline, I was told—I do not know if anyone else was told—that it probably would take 6 months to negotiate a contract.

Lo and behold. Within 10 days the contract was ready in its present form and was transmitted to the members of the Atomic Energy Commission, with the recommendation of General Nichols, its general manager, that it should receive consideration looking toward final adoption.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Tennessee.

Mr. GORE. On page 13 of this remarkable document I observe this provision:

References to Federal income taxes in this section and in sections 4.08, 4.09, and 4.11 shall include normal, surtax and excess profits taxes, if any.

Does not that provision seek to provide tax immunity for this concern, not only for all taxes presently levied, but even for excess profits taxes, if any should be levied in the future?

Mr. ANDERSON. Yes. I may say to the Senator from Tennessee that I stressed that. I said I thought that nullified the amendment which was presented by the able Senator to the bill. I think it is an improper provision. I was trying to give warning to the people of the country that the contract needs careful examination. I think it gives point to what the Governor from Tennessee suggested when he asked if a hearing could be held upon it.

I do not desire to detain the Senate with the matter.

I merely wished to call attention to the fact that a proof of the contract was presented as of August 11 and had come to the staff members of the Joint Committee on Atomic Energy.

Mr. KNOWLAND. Mr. President, I wonder if the distinguished Senators would not mind continuing their discussion after the call of the Executive Calendar has been concluded. The distinguished Senator from Georgia [Mr. GEORGE] had requested that the treaties be taken up now, because under our procedure it is necessary, first, to have a quorum call and then a yea-and-nay vote. I am afraid that some Senators who would not want to miss a yea-and-nay vote might miss it unless action can be taken on the treaties very soon.

Mr. ANDERSON. I had not intended to proceed this long.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "House-Senate Group Gets Draft of Dixon-Yates Power Contract," published in the Washington Post and Times Herald of Friday, August 20, 1954.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOUSE-SENATE GROUP GETS DRAFT OF DIXON-YATES POWER CONTRACT

A draft of the proposed Dixon-Yates power contract was sent to the House-Senate Atomic Energy Committee yesterday, but was not made public.

The contract was vigorously attacked this week by Democratic Chairman Stephen A. Mitchell and earlier was the center of the 13-day Senate debate on the administration's atomic energy bill. President Eisenhower rejected Michell's charge of improper procedure in handling the contract and said Tuesday that the entire record of the transaction would be made public.

However, yesterday neither the Atomic Energy Committee nor the Atomic Energy Commission were ready to give the contract draft to the press. There were reports that the actual contract would be ready for signing next week.

This spurred discussions among Democratic Senators over whether the committee would have a chance to review the terms of the half-billion-dollar contract before Congress quits for the year. The contract by the AEC would authorize a newly formed power syndicate to supply electricity to Memphis customers of the Tennessee Valley Authority in replacement for power supplied by TVA to an AEC installation 250 miles away.

The recently enacted atomic-energy bill included a section requiring that the joint congressional committee be given 30 days while Congress is in session in which to review such AEC contracts.

Gov. Frank G. Clement, of Tennessee, yesterday wired Chairman W. STERLING COLE, Republican, of New York, of the Atomic Committee requesting that he "make public the contract which is submitted to your committee by the AEC" and "grant the State of Tennessee and other interested parties an opportunity to be heard with respect to the contract after an opportunity to study its terms."

COLE was in Omaha, Nebr., for a speech before the Air Force Association convention, but Senator CLINTON B. ANDERSON, Democrat, of New Mexico, a committee member, said he favored full and open hearings on the contract.

ANDERSON argued, "public business can be profitably transacted out of doors unless there is a security problem. I know of no security problem on this matter."

Several Democratic Senators who were active in the atomic talkathon seconded this view. They included Senators LISTER HILL, of Alabama, ESTES KEFAUVER, of Tennessee, and JOHN C. STENNIS, of Mississippi.

Committee Vice Chairman BOURKE B. HICKENLOOPER, Iowa Senator, said the atomic bill had not yet been signed and therefore the committee review was not required. As for Governor Clement's request, he said the committee might meet to consider what to do about it.

Meanwhile, AEC and the Bureau of the Budget were reported preparing copies of all memorandums on the Dixon-Yates deal for release either today or Saturday, as promised by the President.

PRESIDENTIAL CITATION FOR LOS ALAMOS SCIENTIFIC LABORATORY

Mr. ANDERSON. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of a presidential citation for the Los Alamos Scientific Laboratory. The very able Chairman of the Atomic Energy Commission, Admiral Strauss, recently visited my State, and while there he presented to the staff of the laboratory a special citation, which was received for the laboratory by Dr. Norris Bradbury.

All of us in New Mexico appreciated the visit by Admiral Strauss, and we appreciate the work he is doing.

There being no objection, the text of the citation was ordered to be printed in the RECORD, as follows:

TEXT OF PRESIDENTIAL CITATION FOR LOS ALAMOS SCIENTIFIC LABORATORY

The Los Alamos Scientific Laboratory, as the Nation's principal institution for the development of atomic weapons, has continued to discharge its responsibilities to the people of the United States with the highest distinction and by its achievements has rendered invaluable service to the Nation and the free world.

The Laboratory's momentous success in the field of fission weapons has been followed by equal accomplishments in the fusion field. These achievements are the result of a remarkable group endeavor and the devoted and skilled effort of individuals of the staff of the Laboratory.

In recognition of the outstanding achievements of the Los Alamos Scientific Laboratory and their contributions to the welfare and collective security of this Nation and the free world, this citation is awarded to the Laboratory as a means of expressing to all its employees the gratitude of the people of the United States of America.

(Presented to the senior staff of the laboratory on Thursday, July 15, 1954, by Lewis L. Strauss, chairman, U. S. Atomic Energy Commission, and received for the laboratory by Dr. Norris Bradbury.)

FEDERAL ASSISTANCE FOR SCHOOL CONSTRUCTION

Mr. CLEMENTS. Mr. President, we face a crisis in one phase of our educational program. American public schools are desperate in their need for proper buildings and other facilities. It is a blot on our democratic system.

Testifying before the Subcommittee on Education, of the Senate Labor and Public Welfare Committee, on May 18, of this year, I said:

When Pearl Harbor struck our Nation at the beginning of World War II, we did not ask to conduct endless studies before taking action. We made an immediate declaration of war. We have reached a Pearl Harbor in our school construction. We must declare war in face of this emergency.

Nothing has happened in the last 2 months to change my views. I agree wholeheartedly with the statement of the President in his state of the Union message of last year in which he said: "Our school system demands prompt, effective help."

I was shocked that the President's Secretary of the Department of Health, Education, and Welfare, his own appointee, suggested to the Senate Committee on Labor and Public Welfare that we spend 2 more years of study and hold a White House conference on education in 1956 before facing the crisis.

Let us look at some of the facts which are available to us now. Let us examine the picture of our schools they reveal—a picture that will not improve during the 2 years another study is in progress.

School enrollment has been increasing in recent years at the rate of about 1½ million students a year. The rise will continue for the next several years at a rate of at least 1 million a year. The United States Office of Education has predicted an increase in public-school enrollment of over 5 million students during the next 5 years.

Arrayed against this knowledge is the fact that even at this time there are insufficient facilities to handle the present school population.

The School Facilities Survey, released in December 1953 by the United States Office of Education, revealed a shortage of 245,417 classrooms in 1952. When this shortage is projected into the current year, the result is a shortage of nearly 350,000 classrooms at the present time.

On the basis of the ratio prescribed by the Office of Education, of 27 students per classroom—which few school systems achieve—we find that more than 9 million of our school children are currently suffering from a lack of proper school facilities. Classes are doubling and trebling in one room. Students are attending school on split shifts. Hallways, basements, makeshift and often unsafe and unsanitary secondary buildings are serving as classrooms. The research division of the National Education Association reported last year that at least a half million children were being deprived of full-time schooling because of school-building shortages.

A study completed in 1952 under the title "National School Facilities Survey," in connection with earlier hearings held in the House of Representatives, clearly reveals the makeshift school-housing being used in every State.

Mr. President, I ask unanimous consent to have this tabulation inserted in the RECORD at this point in my remarks.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

National school facilities survey, 1952—Inadequate facilities, by State—Use of nonschool facilities and multiple sessions

State	Number of pupils housed for part or all of the school day			Number of pupils on multiple sessions
	In rented quarters or other facilities outside of school buildings	In school-owned barracks buildings or similar structures not designed for school use	In makeshift quarters in buildings designed for permanent school use	
(1)	(2)	(3)	(4)	(5)
Alabama	52,798	4,049	2,007	3,801
Arizona	516	12,571	5,171	5,028
Arkansas	6,392	6,271	3,253	4,440
California	34,751	66,830	362,266	123,495
Colorado	10,885	11,732	5,948	7,146
Connecticut	1,422	544	3,987	13,225
Delaware	769	279	456	1,007
Florida	3,104	17,002	46,135	22,945
Georgia	11,649	4,390	5,916	12,186
Illinois	3,772	995	97,632	12,880
Indiana	3,486	3,168	3,954	2,054
Iowa	2,673	1,881	2,994	698
Kansas	7,359	4,814	55,112	15,145
Kentucky	7,263	4,276	6,954	1,359
Louisiana	19,488	675	4,023	9,964
Maine	3,215	1,103	547	407
Maryland	2,815	768	12,500	13,245
Michigan	13,697	12,407	16,085	44,302
Minnesota	7,224	1,301	8,987	2,578
Mississippi	20,888	(1)	(1)	455
Montana	1,511	2,865	3,424	1,539
Nebraska	203	1,903	350	(1)
Nevada	286	1,315	(1)	1,715
New Hampshire	189	4,105	2,980	(1)
New Mexico	896	7,112	1,584	119
North Carolina	10,683	10,934	42,794	9,186
North Dakota	4,821	64	538	(1)
Ohio	10,445	10,223	10,430	10,800
Oklahoma	3,039	11,607	3,276	629
Oregon	2,200	261	670	621
Pennsylvania	14,674	3,256	16,522	16,076
Rhode Island	637	83	1,419	1,113
South Dakota	2,275	608	1,785	(1)
Tennessee	7,015	4,431	20,202	415
Texas	30,483	30,092	51,771	20,719
Vermont	3,955	8,461	4,455	(1)
Washington	9,700	6,512	4,945	11,544
West Virginia	2,443	1,431	1,893	959
Wisconsin	7,619	16,602	21,536	669
Alaska	923	260	136	1,667
Hawaii	948	2,023	1,129	1,087
Puerto Rico	68,197	4,197	2,327	305,984
Virgin Islands	376	3,922	1,913	693
Total	397,594	287,323	840,000	681,895

[1] None reported.

Mr. CLEMENTS. Mr. President, I also ask unanimous consent to insert in the RECORD at this point another table prepared in connection with the "National School Facilities Survey" which carries this picture one step forward and reveals the seriousness of the total problem including both makeshift facilities and the unsatisfactory nature of the regular school facilities.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

National school facilities survey, 1952—Inadequate facilities, by State—Unsatisfactory school facilities and new school needs

	Percent of pupils housed in fair and unsatisfactory buildings, 1952		Percent of pupils needing new school housing, 1952
	Fair	Unsatisfactory	
Alabama	56.19	30.04	39.74
Arizona	44.49	7.21	24.31
Arkansas	48.08	33.56	47.94
California	61.08	14.83	42.79
Colorado	31.97	14.52	40.35
Connecticut	24.05	10.69	23.94
Delaware	15.18	6.52	21.53
Florida	53.99	15.32	40.40
Georgia	33.21	25.83	44.53
Idaho	(1)	(1)	(1)
Illinois	24.84	18.27	21.62
Indiana	40.72	13.28	27.61
Iowa	40.55	6.90	17.28
Kansas	36.07	12.24	25.70
Kentucky	53.90	31.11	40.38
Louisiana	62.49	15.44	47.63
Maine	12.61	66.20	57.19
Maryland	44.90	12.76	26.41
Massachusetts	(2)	(2)	(2)
Michigan	25.68	11.66	29.02
Minnesota	33.78	16.20	27.35
Mississippi	47.03	29.34	44.84
Missouri	(1)	(1)	(1)
Montana	44.48	29.50	28.70
Nebraska	48.93	43.01	49.85
Nevada	34.65	43.76	46.01
New Hampshire	35.10	32.68	47.31
New Jersey	(2)	(2)	(2)
New Mexico	43.97	51.80	53.44
New York	(1)	(1)	(1)
North Carolina	75.73	18.84	31.71
North Dakota	50.76	10.45	14.77
Ohio	33.78	5.87	18.78
Oklahoma	38.05	11.82	19.27
Oregon	44.65	9.92	23.93
Pennsylvania	21.56	15.65	26.61
Rhode Island	34.55	23.71	28.81
South Carolina	(1)	(1)	(1)
South Dakota	32.45	11.19	18.53
Tennessee	54.44	24.32	33.49
Texas	40.76	13.83	22.19
Utah	(1)	(1)	(1)
Vermont	39.21	53.28	43.60
Virginia	(1)	(1)	(1)
Washington	38.25	36.75	53.03
West Virginia	44.54	16.66	22.17
Wisconsin	15.00	8.92	12.62
Wyoming	(1)	(1)	(1)

[1] Did not take part in survey.
[2] Survey data not yet available.

Mr. CLEMENTS. From these tables it is obvious that the problem varies from State to State but that it is serious throughout the Nation. I am aware of the problem as it exists in my own State of Kentucky.

There are 18,908 classrooms to serve the more than 500,000 students in the State. Of this number of classrooms, 7,881, or 2 out of every 5 schoolrooms are outmoded and unfit for use and should be replaced.

Heating, water, and sanitation facilities are below par in a great percentage of the schools. Eight out of ten of the schoolbuildings in the State are without central heating. In nearly 9 out of 10 of the schools, according to a study of the State health department's division of public health sanitation, even the facilities for washing hands are deficient. In a survey of 259 schools in 16 counties, it was found that in nearly 7 out of 10 schools, the water supply was considered unsafe for the pupils.

Walls and floors of many of the classrooms are substandard and lighting has been found poor in nearly 6 out of 10 of the schools.

The shortage of classrooms has forced drastic overcrowding in half of the schools. Many classrooms hold more than 60 pupils during a regular day.

The shortage of schools makes it necessary for many students to travel long distances requiring the use of school buses. Some pupils have to board these buses as early as 5:30 a. m., and some do not get home before 6 p. m.

These facts reveal a wretched condition and there are many other States which are in a similar position. The local communities, the counties, and the States are working to alleviate these distressing conditions.

Mr. President, I ask unanimous consent to have inserted in the RECORD at this point a table prepared by the Department of Health, Education, and Welfare, showing capital outlay expenditures—in thousands of dollars—for public elementary and secondary schools for the school years 1949 and 1952.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Department of Health, Education, and Welfare, Office of Education—Capital outlay expenditures for public elementary and secondary schools for the school years ending 1949 and 1952

[In thousands of dollars]

State	1949	1952
Alabama	8,641	7,187
Arizona	12,331	9,566
Arkansas	8,641	10,338
California	155,005	239,625
Colorado	10,058	16,332
Connecticut	10,459	24,431
Delaware	1,639	7,724
Florida	20,296	34,555
Georgia	6,689	6,254
Idaho	2,253	5,441
Illinois	45,917	81,218
Indiana	12,489	16,111
Iowa	17,017	22,284
Kansas	5,106	32,771
Kentucky	4,756	4,949
Louisiana	13,960	22,418
Maine	652	3,870
Maryland	19,237	40,956
Massachusetts	7,340	26,868
Michigan	30,489	81,973
Minnesota	8,502	26,322
Mississippi	(1)	14,226
Missouri	10,505	20,185
Montana	2,760	4,800
Nebraska	1,643	4,719
Nevada	472	1,583
New Hampshire	1,590	3,124
New Jersey	19,571	39,612
New Mexico	5,692	6,600
New York	67,055	192,344
North Carolina	22,123	46,897
North Dakota	853	2,110
Ohio	39,906	91,440
Oklahoma	841	13,188
Oregon	4,780	23,277

[1] Comparable data not available.

Department of Health, Education, and Welfare, Office of Education—Capital outlay expenditures for public elementary and secondary schools for the school years ending 1949 and 1952—Continued

[In thousands of dollars]

State	1949	1952
Pennsylvania	22,129	33,391
Rhode Island	180	3,247
South Carolina	6,828	10,237
South Dakota	1,901	3,889
Tennessee	25,504	23,067
Texas	46,236	71,881
Utah	6,970	9,389
Vermont	805	1,639
Virginia	12,877	50,408
Washington	31,095	30,482
West Virginia	4,809	9,364
Wisconsin	9,187	17,974
Wyoming	1,449	2,846

Mr. CLEMENTS. A study of this table, comparing the years 1949 and 1952, the latest year for which this information is available, shows that in nearly every State in the Nation, the capital outlay for the building of schools has been rising. This is a clear indication that the States are taking action and attempting to deal with this problem.

But this is a problem which faces the Nation as a whole. This is a problem which the Federal Government cannot ignore, for there is nothing more precious to its very existence than our children and the education they obtain to prepare themselves for the future.

The implications of the facts I have presented here—that at least 9 million of our youth—one-third of our school population—are receiving their education under adverse conditions, are staggering.

Our present youth will face enough problems when they reach maturity without having to face these problems with an improper educational foundation.

We see many expressions today that our students are not receiving an adequate foundation in the principles of American history. I cannot help but wonder whether some of this inadequacy may not be due to the conditions under which instruction in our schools has to be carried on.

Our Nation is blessed with a dedicated, patriotic group of citizens who are devoting their lives to serving as the teachers of our children. We owe them a debt of gratitude for their efforts. They are working under the most adverse conditions of crowded and deficient physical facilities and the pay they receive for their hours of toil is meager compared with the responsibility we place on them.

The very minimum we can do for them is to provide adequate, healthful and proper classrooms in which to work.

The Council of State Governments and the Architectural Forum have conducted lengthy studies of the number of classrooms our Nation currently needs to fill the immediate shortage of 341,000 schoolrooms and to begin to catch up with future requirements. These groups estimate that at the very minimum, the need is for nearly 450,000 classrooms now, and that 770,000 rooms would begin to bring some light to the very dark picture.

If we wait to take action, these figures will continue to rise, for each year thousands of existing classrooms reach the point where they become substandard and out of date.

I am happy to support the present bill, S. 2601, of which I am a cosponsor, even though I originally introduced another measure, S. 359, last year. In dealing with a matter of such importance to our future, there can be no question of pride of authorship.

The important feature of the present bill is the principle of the Hill-Burton Act on hospital construction, which has proved of such inestimable value in improving the hospital conditions in the Nation.

Questions have been raised as to the total cost of an adequate program for school construction. I have heard estimates running to several billions of dollars. It seems to me that the important thing is to get started. I might have wished for more than the present bill provides—$250 million for each of the 2 succeeding years, but let us start with something.

There is one additional fact, Mr. President, which I believe should be considered. Our overriding interest in this bill is providing the proper facilities for educating our youth, but there is a subsidiary factor. The beginning of this program could provide a real stimulus to the labor market. We still have nearly 3½ million Americans unemployed and countless others are working at less than full time. Many jobs would be created under this construction program, which would help in relieving the want and suffering which exists in some areas of the country.

We are dealing with a matter relating to the future well-being of our Nation. There is an old and worn cliché that "a stitch in time saves nine." Never has there been less time and more need for stitches. The coat is not only frayed at the edges, but the whole cloth is beginning to show the ravages of inaction.

This Congress should yet pass this legislation before it adjourns.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF COLORADO RIVER STORAGE PROJECT

The Senate resumed the consideration of the bill (S. 1555) to authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes.

Mr. KNOWLAND. Mr. President, I have made some inquiries as to the possibility of entering into a unanimous-consent agreement with respect to a reasonable limitation on time for debate. I am frank to state that, after some inquiry, and on the basis of some inquiries made with the minority leader on the other side of the aisle, it is apparent that it will be impossible, certainly at this time, to enter into such unanimous-consent agreement.

I hope, however, that we can move on with the consideration of the pending measure. I do not know whether there are any amendments at the desk, or whether there are any further remarks to be made on the bill.

The PRESIDING OFFICER (Mr. PAYNE in the chair). The Chair will state that the bill is not open to further amendment. The question is on the engrossment of the amendment and the third reading of the bill.

Mr. CLEMENTS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND JAPAN FOR THE AVOIDANCE OF DOUBLE TAXATION

Mr. MALONE. Mr. President, I wish, first, to thank the distinguished majority leader for delaying action on the treaties with Japan which deal with income taxes and, indirectly, with foreign trade. I wish to say, very briefly, that these treaties deal with special concessions with reference to income taxes of American investors in foreign nations, that is, dealing with residents of this Nation, making it advantageous to them to invest their money in foreign nations—in Japan under this particular treaty—and more profitable to them than investing it in this Nation. In Japan they also have the advantage of using low-cost sweatshop labor, paying 12, 15, or 20 cents an hour, as compared with the $1.50 and $2 per hour wage rates in this country. Then bringing the profits into this country at a lower income tax than would be paid on profits on American investments.

When a treaty is presented as a fair treaty for the United States, there arises a difference in philosophy. There are apparently good, honest people in the administration who believe the thing to do is to divide the markets of the United States with foreign nations, in the interest of perpetual peace. They apparently believe that, when we get the markets divided with the low-wage nations of the world through the free-trade policy that we are buying friendship. It would seem that the events of the last few months would disabuse their minds of any such conclusion. They want to bring in products of the low-cost sweatshop labor from foreign countries and then write down the amount of income tax which would be charged to investors in foreign nations who live in this country and who bring back to this country the money they have made abroad. Thus they can circumvent the entire economic and revenue structure of our country. Then it is only a question of lower wages in this country or going out of business in favor of foreign nations.

AUTOMAKER BUILDS CARS—JAPAN CUTS WAGES OF AUTOWORKERS HERE

Mr. President, our well-known friend and foreign investor by the name of Paul Hoffman is building a plant in Japan to construct Studebaker automobiles. It may be he thinks it would be better to build Studebakers in Japan than to build them in the United States. A few days ago I saw the news that he had lowered the wages of his employees in one of his factories here in the United States. I suppose that is necessary.

Mr. Hoffman will be remembered as the man who started the distribution of American capital throughout the world, in other words, exporting American dollars. He made a business of it. Up to that time it had been sort of a haphazard thing through lend-lease, UNRRA, and loans to Britain. But Mr. Hoffman made a business out of exporting cash capital from the United States. Apparently, he had gotten so in the habit of it that when he went back to his business the same thing occurred; that is to say, he did not keep enough capital in his organization to compete with the other car manufacturers to make a success. So he is apparently doing the same thing for the Studebaker Co. as he did for the United States of America. But it does not work very well.

TREATY FOLLOWS HOFFMAN THEORIES

This treaty makes it advantageous to follow the policy of the Hoffmans and the other citizens of this country who believe they should utilize the sweatshop labor of the world and bring their products here, and the money they make, with a reduced income tax.

I have said several times on the floor of the Senate that Mr. Ford has 26 foreign plants. I saw a fine-looking English Ford advertised in the Herald Tribune a few days ago for $1,300 in contrast with the $2,800 or $3,200, or whatever amount it is that a Ford built in Detroit would cost. That must be a very fine achievement.

But I wish to say again, Mr. President, that I do not blame the Paul Hoffmans, the Henry Ford II's, the Colemans, and the rest of the tribe who want to utilize sweatshop labor and then bring here the money they make without an income tax or with a reduced income tax. I do not blame them for it, but I do blame the Senate of the United States for making such an operation profitable. The Hoffmans and the Fords are smart businessmen and take advantage of what the Senate does. For 22 years the Senate has been making it profitable for them to do so.

TREATIES MERIT CLOSE SENATE STUDY

Mr. President, I believe it is an injustice to the Senate of the United States to bring treaties and proposed legislation before it which have not been properly digested by Senate Members. It is an injustice to do this when the Members have had no time either to read them and to understand them, or to study the ultimate effect of such treaties.

So, again I wish to thank the distinguished Senator from California, our majority leader, for giving us his word that he will not bring these treaties again before the Senate at this particular session. If the Senate takes a recess and has to come back on some special occasion, the majority leader says he may bring up the treaties.

Mr. President, I wish to turn to the discussion of another subject.

The PRESIDING OFFICER. The Senator from Nevada has the floor.

THE WORK OF THE MINERALS, MATERIALS, AND FUELS ECONOMIC SUBCOMMITTEE OF THE INTERIOR AND INSULAR AFFAIRS COMMITTEE

Mr. MALONE. Mr. President, on July 9, the junior Senator from Nevada, chairman of the Minerals, Materials, and Fuels Economic Subcommittee of the Committee on Interior and Insular Affairs, submitted to the Senate, Report No. 1627, on the accessibility of strategic and critical materials to the United States in time of war and for our expanding economy. It did so at the direction of the Committee on Interior and Insular Affairs.

Mr. President, the acceptance of the subcommittee's work has been very gratifying to the junior Senator from Nevada. News dispatches have been very complete and accurate, as have been editorials and articles by special writers throughout the country, and comments by schools and colleges and veterans' and women's organizations.

MINERALS REPORT COMMENDED

Mr. President, I ask unanimous consent that the following dispatches and communications be included in the RECORD at this point as a part of my remarks:

A letter dated August 14, 1954, from Robert G. Richards, associate professor of social studies at Florida Southern College; a United Press dispatch, dated August 9, appearing in the Youngstown (Ohio) Vindicator; a special column by Holmes Alexander, published in the Philadelphia (Pa.) Evening Bulletin on August 6; and a special article by Bob Considine, published in the New York Journal-American of August 17, 1954.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

FLORIDA SOUTHERN COLLEGE,
Lakeland, Fla., August 14, 1954.

Hon. GEORGE W. MALONE,
Chairman, Minerals, Materials, and Fuels Economic Subcommittee, United States Senate, Washington, D. C.

DEAR SIR: The report of your subcommittee was received some weeks ago.

The information contained was of such interest to my class in geography and economic life, that I requested each member to prepare a brief report to the group on the availability, present and future, of certain strategic minerals, using the report as a basis.

I also noted with much interest the feeling of the subcommittee that our foreign policy may have been misdirected deliberately, to make this country dependent upon distant sources of supply. This does not come as a surprise, as the infiltration of Communist sympathizers has been extensive.

In the autumn I expect to have a group of 30 students in my class. If it happens that you have 4 additional copies of the subcommittee report that can be spared, I would like to put them on the reference shelf of our library, so the students may refer to same without being confined to one copy.

I have now received all the hearings except part 2. Your subcommittee has certainly performed a most commendable work.

Respectfully yours,
ROBERT G. RICHARDS,
Associate Professor of Social Studies.

[From the Youngstown (Ohio) Vindicator]

HOLDS WEST CAN FIND OWN WAR MINERALS—SENATE UNIT URGES BIG INCREASES IN TITANIUM EVEN FOR PEACE NEEDS

(By Gaylor P. Godwin)

WASHINGTON, August 9.—A Senate subcommittee headed by Senator GEORGE W. MALONE, Republican, of Nevada, has concluded after 10 months of study that the Western Hemisphere "can become self-sufficient" in strategic minerals—if the domestic mining industry is given sufficient tariff protection, tax allowances, and other incentives to expansion.

The findings are set forth in a 380-page report entitled "Accessibility of Strategic and Critical Materials to the United States in Time of War and for Our Expanding Economy."

The report notes that "strategic materials vital for our defense are now drawn from the four corners of the world." More than 80 percent of the Nation's defense stockpile of strategic minerals has been imported.

"We depend in large part upon India for manganese, the Philippines for chrome, Belgium Congo for uranium, Indochina for tin and rubber, and Nigeria for columbite and cobalt," the report says.

POSSIBLE FICKLE ALLIES CONTROL MANY MATERIALS

The subcommittee said many of these raw material sources are "under the control of possible fickle allies or timid neutrals, some veritably under the guns of our potential enemies."

To remedy this "vulnerability," MALONE'S group recommended sweeping changes in United States foreign trade, tariff, and tax policies to concentrate on making the Western Hemisphere "self-sufficient" in strategic minerals.

Accomplishing this, however, would require a sharp expansion of production of many minerals, and the working of deposits which are now uneconomic because their production costs would considerably exceed the cost of imported ores.

To give domestic miners "proper encouragement" for such an expansion, the subcommittee recommended:

Tax relief: Increasing the present "depletion allowances," ranging from 10 percent on coal to 27½ percent on oil, but which mineral producers deduct a certain percentage of their annual income from their tax returns.

URGES HIGHER TARIFFS TO PROTECT AMERICANS

Trade policies: Higher tariff protection to assure "American workers and American investors access to American markets."

Stockpiling: Acceleration of the present program of buying up strategic minerals for the Federal defense stockpile.

Tin: Continued operation of the Government-owned tin smelter at Texas City, Tex., the only such smelter in the Western Hemisphere.

Hemisphere relations: "The closest cooperation among the nations of the Western Hemisphere * * * in the spirit of the 130-year-old Monroe Doctrine."

Titanium: Increasing the production goal for the wonder metal used widely in plane production from 35,000 to 150,000 tons a year.

Uranium: Maintaining a liberal long-range market price for domestically mined uranium.

ASKS 50 MILLIONS YEARLY FOR RESEARCH

Research: Appropriation of $50 million a year for research on ways to "revive the coal industry" and pilot plant work on shale-oil production.

"A boost in titanium production is a must," the report said. "It is a wonder metal without which this Nation cannot produce the most effective bomber plane flying at supersonic speeds with a range of 5,000 to 7,000 miles. Titanium will increase both the range and the speed of these planes.

"The industrial use of titanium, in addition to the military needs, could amount to from $5 billion to $10 billion annually in the near future—it is the strongest light metal known, and in addition is noncorrosive, even in sea water."

The subcommittee found that use of titanium could make possible 32,000 to 40,000 pounds total reduction in a plane.

Here is part of what the subcommittee learned about it:

Titanium is a silver gray metal weighing 0.16 pound per cubic inch. It is 60-percent heavier than aluminum and 56-percent lighter than alloy steel. Its alloys are far superior in strength-weight ratio to all usual engineering metals and alloys.

The metal promises a possible application potential equal to that of stainless steel and perhaps rivaling that of some of the lighter metals. Its corrosive resistance is equal to platinum and greater than that of nickel, stainless steel, and the cupro-nickel alloys in sea water and other corrosive fluids. On an equal-strength basis, titanium weight is less than that of aluminum or magnesium. Titanium has a relatively low electrical conductivity and is nonmagnetic.

Titanium was discovered in 1791 among the black, magnetic sands of Cornwall, England. The metal later was extracted from the ore rutile at which time it was named "titanium," from the mythical Titans—sons of Earth. It was not until 1928 that William J. Kroll, a Luxembourg scientist, made metallic titanium and alloyed it with pure copper into a hard, durable substance. And it was 1950 before titanium metal was offered on the open market in various forms such as plates, bar, forgings, tubing, and wire.

TITANIUM FOUND IN VARIOUS ORES

Titanium is found in a combined state in various ores making up one-sixteenth of the earth's crust. The main titanium-bearing ores are rutile, a high-grade titanium oxide with few impurities, and ilmenite, a lower-grade combination of titanium oxide which is more common than rutile.

The wonder metal ranks as the fourth most abundant structural metal in the earth's crust. Only aluminum, iron, and magnesium are present in greater percentages.

Titanium ores are found extensively throughout the United States, Canada, India, Australia, Norway, Ceylon, Brazil, Sweden, and Russia. Large ilmenite deposits of titaniferous iron ores occur in New York, Minnesota, Rhode Island, Wyoming, California, and New Mexico. Other deposits rich in titanium have been reported in North Carolina, South Carolina, Tennessee, New Jersey, Colorado, Montana, and Oklahoma.

Cost is one of the factors holding back extensive manufacture and use of titanium. The metal in sponge form sells at about $5 a pound. In mill-product form the price is about $20 a pound.

Witnesses told the subcommittee titanium eventually will drop to $3 to $4 a pound, at which price "the industry could be as large as the stainless-steel industry is today."

LACK OF YOUNG MEN IN MINING IS CONCERN

The subcommittee also is concerned about the lack of young men in the mining profession.

The report showed there were 52,000 technical graduates in 1950. In 1954 there were

only 18,000. Classed as a hopeful sign was the increase of the freshman enrollment from 34,000 in 1950 to 60,000 in 1953.

Even so, the report said, "these men will be of little use to industry for another 8 to 10 years, and not over 50 percent will graduate. Of those who graduate, a goodly percentage do not continue in the engineering profession."

All this in face of the subcommittee statement that 30,000 technical graduates annually are required to keep the Nation in a foremost industrial position.

[From the Philadelphia (Pa.) Evening Bulletin of August 6, 1954]

MALONE SCORES A VICTORY AT LAST—SENATE FINALLY PAYS HEED TO WARNING ON RAW MATERIALS

(By Holmes Alexander)

WASHINGTON.—Senator GEORGE MALONE, Republican, of Nevada, enjoyed two new experiences last week, one experience being the cause of the other.

He had a captive audience in the Senate Chamber when he spoke for the umpteenth time on the subject of American self-sufficiency in raw materials and he had a 49–40 victory on the Senate floor, the very first of its kind that he's ever won after eight annual Senate sessions.

Luck had a lot to do with this sequence of events—luck for MALONE and luck, I believe, for the country, too. Last Friday, July 30, was the day on which Senator FLANDERS brought up his motion to censure Senator MCCARTHY. Fight fans thronged to the visitors' gallery, reporters to the press coop, Senators to the floor. It was by far the greatest gathering of the 83d Senate, and it's safe to say that nobody climbed Capitol Hill that torrid day to hear MALONE give a speech which customarily has the effect of a recess bell in a schoolroom.

In the Senate dining room, where I had lunch, there was much chortling at the press table over the fact that Senators and spectators were forced to hear MALONE in order to attend the Flanders-McCarthy fracas.

Big joke—but look who got the last laugh! After years of speaking to great open spaces, MALONE rose to the occasion before this capacity crowd. He moved to amend the Foreign Aid bill, which was pending business, by striking out section 412 which permits the Foreign Aid Administrator to subsidize the mining of strategic materials abroad. MALONE assaulted this giveaway proposition, which is aimed at making this country dependent upon foreign mines and mills. In addition he fired a blast at Administrator Harold Stassen, a man, said MALONE, who couldn't tell a "pound of ore from a bale of hay."

It wasn't long before MALONE had called up the ghost of Harry Dexter White, a Red spy in the Treasury Department. White probably did more than anybody to foster the idiotic notion of letting our mineral wealth lie undeveloped and of swamping our mining industry under ruinous cheap-labor imports while building up the competition abroad. Finally, the Senator told his unwilling but not inattentive audience that the Western Hemisphere could be made virtually self-sufficient in the 77 critical materials of warmaking.

This is no news, of course, to people who are aware of the monumental 10-volume report which a MALONE subcommittee has recently published. But who reads such a report these days? Who takes the time to bone over statistics instead of repeating the seductive singsong of globalissimo? If White and other share-the-wealth economists had their way, this country would have to import every industrial material from petroleum to manganese to uranium from insecure sources of Asia and Africa. Referring to his subcommitee report which statistically contradicts the whole theory of a have-not America, MALONE spoke with the excusable feelings of a man who has endured many years of snubs and neglect. He said:

"My heart's blood is in that subcommittee report. It is not a ten-month report. It is an experience of 30 years. That is what is behind the report. I know every producer in the United States of America of any repute. I have worked with the Bureau of Mines for 30 years. I know those men who have spent their lives there. These men know more about the subject (of raw materials) than all the hand-raised economists who have been in the White House during the past 22 years."

By the time he finished his long and familiar harangue, MALONE was getting support from all over. Senator CHAVEZ, Democrat, of New Mexico, demanded:

"It is all right to look for material in South Africa and elsewhere, but why forget Nevada, New Mexico, Arizona, and other places?"

Why, indeed? It took a captive audience to appreciate MALONE's speech. And now if that 10-volume Malone subcommittee report could somehow become required reading * * *.

[From the New York Journal-American of August 17, 1954]

MINERAL SUPPLY

(By Bob Considine)

EN ROUTE.—As the Navy's DC–6 gnawed a long tunnel through the air over America, carrying eastern reporters to the Mare Island centennial ceremonies at Vallejo, Calif., I got to thinking about a little-publicized but enormously important investigation being made by the Senate Interior and Insular Affairs Committee.

Here we were flying over the back of what most of us stoutly believe is the garden spot of the world; the land with the mostest of everything; the land that could build a wall around itself and live happily ever after on its own natural fat.

But Senator GEORGE W. MALONE'S committee is prepared to reveal that Russia is in complete control of 80 percent of the minerals and materials needed to protect the United States in time of war. And gained that control by means of Red stooges in Washington in years gone by.

HAS EVIDENCE

Harry Dexter White's name will again haunt the headlines if the Malone committee's findings get what Senator DIRKSEN calls "ventilated." The committee has evidence, it says, that a group of now-known subversives in Government, led by White, sold the Roosevelt and Truman administrations on the false and erroneous theory that we should obtain our minerals from Russia and other overseas countries because this country could no longer furnish the minerals and materials.

It will be charged that it was Dexter's plan to make the United States dependent upon foreign sources of supply which in time of war would be unavailable to us and leave us vulnerable and defenseless. At this moment, it also will be said, Russia could cut us off almost completely from the 77 minerals and materials which we would need to fight a war.

"It is even more startling to know that Dexter and his agents convinced our leaders that we must seek overseas sources for minerals in the face of the fact that our Geological Survey has investigated only one percent of the areas of this Nation for certain strategic ores, and that only 12.7 percent has been geologically mapped," a man close to the committee told me.

Malone will urge corrective measures taken at once.

Speaking of defense of the United States, our trip out here will include a view of a strategic Air Force base where officers carry sidearms, crews have made out their wills and are perpetually packed, and the great jets and B–36's are seldom at rest.

"In a way, ours is a simple job, rather straightforward," blunt-spoken Gen. Curt LeMay once said of SAC's mission. We know who the potential enemy is, and we know what we are likely to run up against. All we have to do is be ready.

"When? Tomorrow? Next week? Next year? We certainly do not know when we might be called into action, and earnestly hope the answer is 'never.' Yet we must assume that the time is now, today. Everything we do, every motion we make, is based on that assumption."

Flying over Iowa recalled a vignette of the recent 80th birthday celebration of Herbert Hoover. On the flag-draped, cornstalk-decorated speakers' stand, as one of the guests of honor, was Stephen Hoover, 6-year-old great-grandson of the former President. Stephen, who went to kindergarten this year, was fascinated by the "teleprompter" which Hoover was using. He studied the big block-written words as they unrolled on the prompter, then said in a voice that carried all over the stand:

"Mommy, is that blackboard telling great grand-daddy what to say"

MINERALS REPORT AND HEARINGS AVAILABLE

Mr. MALONE. Mr. President, copies of Senate Report 1627, including introduction, recommendations, findings, and a summary of the 10 volumes of published testimony, are available at my office in the Senate Office Building.

Mr. President, I now desire to discuss another subject.

The PRESIDING OFFICER. The Senator may proceed.

AN AMERICAN POLICY FOR AMERICANS

Mr. MALONE. Mr. President, our Founding Fathers in 1776 pledged their lives, their fortunes, and their sacred honor in support of their declaration of complete independence from the British Crown.

They determined, in that declaration, that all "political connection" between our free and independent States and Great Britain "is and ought to be totally dissolved." I have quoted from that immortal document signed in Philadelphia on July 4, 1776.

Our Founding Fathers further declared the full power of the United States to "levy war, conclude peace, contract alliances, establish commerce, and do all other acts and things which independent States may of right do."

Mr. President, for 150 years this Nation gloried in freedom and independence.

Our statesmen, serving the patriotic interests of the United States, levied war only when imperative to the Nation's defense, avoided Europe and Asia's eternal conflicts, followed Washington's admonition to spurn entangling alliances, and established and regulated commerce for the advancement of all segments of our national economy.

MONROE DOCTRINE PROTECTED HEMISPHERE FROM EUROPEAN SYSTEMS

Acting unilaterally, and in America's own interests, President Monroe, in 1823, served notice on European nations including Russia, that any attempt by them to impose their systems of Gov-

ernment on the Western Hemisphere would be deemed by this Nation "dangerous to our peace and safety."

COMMUNIST IDEOLOGY SPAWNED IN EUROPE

The Communist system is a European system, spawned in Europe, its headquarters in European Russia, financed, directed, and controlled from Moscow, and clearly within the prohibition of the Monroe Doctrine whenever and wherever Communists attempt to impose their satanic doctrines in the Western Hemisphere.

As a further step in recovery of our national independence, we must reappraise our foreign policy.

All of these actions are necessary for our security and survival.

For 150 years, as I stated a moment ago, this country was wholly independent, within the spirit and intent of our Declaration of Independence.

AMERICAN SYSTEM MADE THIS NATION WORLD'S RICHEST AND MOST PRODUCTIVE

Independently we progressed from a nation of 3 million people scattered in small settlements along the Atlantic coast, to the richest, most productive, and strongest nation on the earth, and, while we preserved full independence, the most secure.

Our national income within a hundred years increased a hundredfold.

We fought one bloody war among ourselves, but it ended in peace and friendship because Americans brooked no foreign interference.

All other military engagements up to 1917, including the War of 1812 which we fought victoriously to uphold our independence from Great Britain, were relatively minor in terms of wars today.

FOREIGN ENTANGLEMENTS BEGAN WITH WORLD WAR I

Came 1914 and Kaiser Wilhelm's threat to British trade, World War I, President Wilson's meddling efforts at mediation, and, in 1917, involvement in our first European war, and first entangling alliance.

A one-world-minded administration renewed the political connections with Great Britain our Founding Fathers had warned against, sacrificed blood and treasure in Britain's behalf, loaned Britain billions and forgave Britain's debts, assumed her heaviest and most costly military commitments, defeated Britain's enemy, and acquiesced to British whims, while Britain wrecked the peace.

That was the war, Senators will remember, which gave birth to the deadly doctrine of collective security, and to the poisonous propaganda that translated our hallowed word "independence" into what those whose hearts bleed constantly for Europe call isolation.

"ISOLATION" SMEAR APPLIED TO PATRIOTS

In other words "isolation" is the smear word they use as a synonym for independence, for patriotism, and for self-reliance. Those who prefer America to Africa, Asia, or old Europe are stigmatized as "isolationists," when what they truly advocate is a return to the independence our forefathers fought and died for.

"Collective security" and "isolation" both are terms used by those who would repeal the Declaration of Independence, thrust us back into the womb of Mother Britain, and sacrifice our freedom to one-world socialistic government, one step removed from communism.

REPUBLICANS IN 1919 OPPOSED COLLECTIVE SCHEMES

A Republican Senate in 1919 rejected the doctrine of "collective security" at America's expense and preserved our national independence for a few brief years. America did not join that first embodiment of "collective security," the futile League of Nations.

The American people, concurring with the Senate, threw the administration which proposed the league out of office in the next election. For 12 years our independence was maintained while America and the American people bore with dignity and forgiveness Britain's slurs and insults, and her aspersions of Uncle Sam as Uncle Shylock.

Independence ended when Franklin D. Roosevelt took office. Since then and until the last few weeks, this Government has given obeisance to the British crown and, in fact, even today is seemingly entrapped in political connections with Britain, entered into during the previous administration.

COMMUNIST MENACE BEGAN WHEN UNITED STATES RECOGNIZED RUSSIA IN 1933

Mr. President, the administration in 1933 recognized Communist Russia without any safeguards whatever, and that is when the trouble with communism started. It did not start yesterday. We are finding it a very hard thing to stamp out. We still extend full recognition to a nation to which we refer as a potential enemy. It is spending billions upon billions of dollars, so it is said, getting ready to fight us. Still we continue the recognition which was established in 1933 without any safeguard.

Mr. President, what was Washington's advice on international entanglements? He did not say that we should not have allies. He said we should not have permanent contacts or connections; that we should stay away from them. What is the difference? The difference is that when a fight starts, whether it is between individuals or between States or nations, the people whose interests are common fight together; the people whose interests are not common separate and fight each other, regardless of the treaties or understandings they have. A treaty between 2 nations whose interests are not common is nothing more or less than a pretense to soothe the public.

WASHINGTON CAUTIONED AGAINST ENTANGLING ALLIANCES

When Washington said to avoid entangling foreign alliances, he meant that we should not sign an ironclad treaty with a nation saying that we were in war when they were in war, unless we controlled that nation's actions; and when we did not control them, we should not sign such a treaty. He cautioned us to stay away from that kind of entangling alliance.

In 1949 we signed the North Atlantic Treaty Pact. What was the North Atlantic Pact? It guaranteed the integrity of the empire-minded nations along with their colonial systems.

We have no control over how they get into war. We said, "We will go to war when you are in war." The junior Senator from Nevada stood on this floor in 1948 and said to the senior Senator from Michigan, Mr. Vandenberg, that if we signed that treaty we were guaranteeing the integrity of the colonial system throughout the world. "Oh, no," he said.

NORTH ATLANTIC PACT COMMITTED UNITED STATES TO DEFEND FOREIGN COLONIALISM

I explained it this way: Under this pact we are in war when the empire-minded nations are in war. How are they going to get in war? By defending their colonial possessions. That is what they have done or are doing. Pick up any newspaper—I have not seen this morning's paper—and one will find headlines concerning the trouble of the French in Tunisia and in Morocco, and the trouble of the British in the Malayan States. What are those entities? They are possessions, where there is colonial slavery. We say we are going to war when they are at war.

Mr. President, colonial slavery started 400 years ago. We were the first ones to break away from it, 175 years ago. The First World War shook the colonial-slavery system to its roots. The Second World War destroyed it. Colonialism has been a house of cards ever since.

So except for our protection of the system, which works against us in trade and in every other way, it would have been entirely broken up by now. Mr. President, if we were able to protect the system, if we were able to hold the system exactly as it is, in status quo, then it would be a question of deciding whether or not we should hold on to the system.

DEFENSE OF COLONIAL SYSTEM WOULD COST UNITED STATES LIVES

Mr. President, we cannot uphold the system, so there is no choice except to kill our young people, destroy them, especially since we speak of using foot soldiers in the jungles, in the Far East, in Africa, and in Europe.

In the first place, the system will not work. Even if we were going to maintain the system, we would have to do it in another way; do it from here with our long-range sonic-speed planes, submarines, and guided missiles.

The first President of the United States did not mean that we should not have allies. What he meant was that we should not tie ourselves down with international alliances which meant that whenever our allies were at war, we were at war.

INDEPENDENCE SACRIFICED TO PRESERVE COLONIAL POSSESSIONS

Mr. President, for 22 years our independence has been sacrificed to a policy of interdependence with variable and vacillating foreign governments that exploit us in time of peace and permit us to shed the blood of our young manhood in their behalf in time of war. All that has been done to maintain the status quo of the sterling bloc nations, the French Union, the Belgian possessions, the Netherlands possessions, and the possessions of all the rest of the empire-minded, colonial-slavery systems.

Mr. President, our sovereignty has been diffused among some 40 international organizations, agencies, and commissions, all thriving on our largess and at the expense of America's taxpayers, but retaining full power to veto American policies and proposals.

U. N. FORECAST OF 1945 RECALLED

Mr. President, in 1945, I was a special consultant to the Senate Military Affairs Committee; I was not a Member of the Senate at that time, but had been acting as special consultant to that committee and to the Secretary of War, in the case of critical materials. I served in that capacity all during World War II. I was also a consultant to the Senate Committee on Military Affairs, in connection with the examination of military establishments.

I was sent to San Francisco to observe the organization of the United Nations. There I observed the 49 nations—48 of them with a market basket on each arm, and only 1 nation with anything to put into the baskets. That nation was the United States of America.

The other nations arranged there an organization in which they could outvote us at every turn. They said there were five major nations in the world. That was a little difficult for me to understand, because I could not ascertain where the other three were located. At that time I wrote an article in which I said that in my opinion there were 2 major nations, not 5, or 4, or 3. I said I thought there were only two—Russia and the United States—and that they would gradually establish spheres of influence. That is what I said in 1945, and that is what they did do; those two nations proceeded to set up spheres of influence.

BRITAIN, FRANCE, SMALL NATIONS IF STRIPPED OF COLONIES

Mr. President, Britain is not a major nation. France is not a major nation. China may become a major nation, but she was not at that time, and she is not now.

We were leading the other nations by the hand, as I have said before; we were establishing and guaranteeing, in a manner, even at that time, the integrity of the colonial systems of those nations, so they might continue to receive tribute from their colonial systems. For 150 or 200 years those nations have lived in that way; they have had no other way. After all, without the French Union or the sterling bloc, France and England are very small countries. We call them major nations. But if we let go of their hand, both of them would sink without a trace. No colonial systems can exist in the world today unless the United States holds those systems for the countries that claim them.

The question is asked, "What would happen to England or France or the Netherlands if we do not hold their colonial systems for them?" I do not know, Mr. President. After all, what would have happened to them if they had not acquired those colonial systems in the first place?

EUROPE OVERPOPULATED

Four hundred years ago those nations were casting around to find means of obtaining food for their people, because there was not enough food at home for them. Overpopulation was their trouble then, and it is their trouble now.

When our ancestors left Europe, they did so because they could not make a living there. Today, many of the people of Europe cannot make a living there; that situation has not changed.

So who is responsible for this situation? Was George Washington right when he fought the terrible Revolutionary War and held our troops together? After all, anyone who reads the history of the Revolutionary War must realize that the Good Lord was on our side; otherwise we never would have won that fight.

After the close of that war, George Washington gave us the best advice we have ever had—and I prophesy that within a reasonably short time we shall be following it again—the advice not to enter into entangling alliances and not to sign up to go to war to help another nation 3,000, 5,000, or 10,000 miles away, under circumstances in which we would have no control over the other nation. That is what George Washington meant. His advice was to have only natural allies. After all, if we have natural allies, they will continue to be our allies; but if we do not have natural allies, the allies we have will soon turn against us.

TREATIES GO UP IN SMOKE WHEN NATIONS CHOOSE TO DISCARD THEM

Treaties? What is the history of treaties throughout recorded history? History shows that no treaty or agreement has ever been kept unless the most powerful nation involved decided it wished to keep it. That is the history of all treaties. I ask my colleagues to consider the hundreds of treaties and pacts which we have signed since World War I. They have gone up in smoke, just as the treaties we have at this time will go up in smoke—the treaties that our distinguished Secretary of State is signing with every nation in the world that he can get to stand still long enough to sign its name, and that Mr. Stassen can get to stand still long enough to agree to let us give them money.

I am really surprised that France did not—although I think France will—enter into the agreement we have been making with Europe, by which we provide those nations with money. But when the fight starts, those countries will not be with us. Instead, they will be neutral—because they have to be. A treaty means nothing.

INDEPENDENCE SACRIFICED TO "COLLECTIVE SECURITY" DOCTRINE

Mr. President, the false doctrine of collective security, initially championed by Britain, has been substituted by our State Department for the principle of independence, for which our forefathers fought.

We are never satisfied until we sign some kind of treaty which calls for equality of responsibility and equality of decision. But 131 years ago, a very wise President—Monroe—established what has since been become known as the Monroe Doctrine. It was one of the greatest pronouncements ever made by a President of the United States, and it was entirely in line with the statement George Washington made when he left the Presidency of the United States.

MONROE DOCTRINE PLACED DECISION IN HANDS OF OUR OWN NATION

Mr. President, all that President Monroe said in essence was that whenever a nation—any nation—seeks to extend its form or system of government to the Western Hemisphere, it can be considered an overt act against the security of the United States of America. That was not his language, but that was the essence of it. He did not say that Argentina would have to agree it was against our interest. He did not say that Chile would have to agree it was against our interest. He said, Mr. President, that when any European nation seeks to extend its system of government into this area of the Western Hemisphere, it would be an overt act against the United States, and of course that meant war with the United States. And we were the ones to decide whether we were in danger.

MONROE DOCTRINE CONTRASTED WITH UNITED NATIONS

Mr. President, that is exactly what George Washington meant when he said to keep ourselves in a position to resist and to decide when our Nation was in danger and when we would go to war. Under the Monroe Doctrine we would not ask the United Nations whether or not they agreed with us that we ought to go to war or that we ought to keep a certain nation out of a certain area. Then along comes a Secretary of State, Mr. Acheson, and his predecessors, and starts to sign agreements so that instead of being the judge of when we go to war and when our safety is endangered, we have to have the concurrence of other nations. And we are continuing that policy, unfortunately, under the present Secretary of State.

WHAT "COLLECTIVE SECURITY" IS

Now, Mr. President, I return to this policy of collective security. That is what it is when we sign these agreements to go to war when another nation is in war, without any control over what they do or how they get into war. When we sign an agreement with a nation providing that, instead of following the principle of the Monroe Doctrine, we will have to get their concurrence that our safety is being threatened before we can defend ourselves, that, Mr. President is collective security.

WE SECURE; OTHER NATIONS COLLECT BILLIONS

Under collective security, it has been the observation of the junior Senator from Nevada, other nations, principally Britain, collect, and we secure.

During World War II alone, it might be cited, Britain collected more than $30 billion in lend-lease, portions of it even before we entered the conflict.

Mr. President, I have mentioned Britain because she is the principal nation involved in Europe. The junior Senator from Nevada holds no brief for Brit-

ain, France, or any other nation. He is mentioning these things to bring home the lesson of what is happening to us. I do not blame Britain for securing $30 billion from the United States of America. I do not blame Henry Ford II for going in with 26 plants in other nations to use their sweatshop labor and bring money back here with profits acquired under a reduced income tax.

If the Senate of the United States and the Congress of the United States provide for that, it is not Mr. Ford's fault. If the Congress of the United States sends Britain $30 billion, do not blame Great Britain. We use this example to illustrate a condition that exists.

NATIONS REWARD OUR LARGESS BY BLOOD TRADE WITH ENEMY

Through collective security, Mr. President, foreign governments gain our money, our markets, our arms, important segments of our industry and our finest and best-trained young manhood in lieu of having to either rehabilitate or defend themselves.

In return for this bounty from America these nations today are engaged in blood trade with our mortal enemy, and are making organized, well-planned, and extensive efforts to expand it with the assistance of some of our own foreign policymakers.

Britain is leading this wolfpack for Red trade, unilaterally coddling aggressive China, Soviet Russia, and all the Communist satellites while persisting in her attempts to direct our foreign and domestic policies; I might add, with considerable success.

This is not the independence our Founding Fathers declared on July 4, 1776.

Today all manner of political connections against which these Fathers warned, exist—or are presumed by Britain to exist—between our Government and that of Britain, with Britain and her commonwealth nations holding voting and veto power in every crisis.

Again I use Great Britain as an example, pinpointing it to represent Europe.

FRANCE, BRITAIN, OUTVOTE US IN U. N.

Mr. President, when we accepted the stipulation in the United Nations Agreement in San Francisco in 1945, that there were 5 major nations instead of 2—which there were at that moment, for the major nations were Russia and the United States—what did we do? We brought in the Commonwealth of Great Britain, the sterling bloc, with many more times the voting power than the United States of America. France has a greater voting power than the United States of America. In other words, we set up a structure in San Francisco where we were clearly outvoted, and from then on we have been fighting continually for our lives.

The bitter reality, Mr. President, is that within these international organizations we are as helpless before British votes or vetoes, as we are before the vetoes of Soviet Russia or her satellites.

SOVEREIGNTY DWINDLES UNDER "COLLECTIVE SECURITY"

In these frameworks of "collective security" the only vestige of sovereignty we have left is that, like the smallest and weakest of the member nations, we too have what passes for a veto, should we choose to use it. On some international matters we may not even use a veto, as in the case of the admission of Red China to the United Nations Assembly.

This is not the independence our Founding Fathers declared on July 4, 1776.

It is at best an interdependence with nations concerned only with their own self-interest at America's expense:

It is at worst subservience, a subservience that paralyzes independent action in any direction, as we are paralyzed in Geneva, were paralyzed in Korea, and may be paralyzed throughout southeast Asia, by British foreign policy unless we have the spirit to redeclare our independence.

Today, as a carryover from the New Deal, we seek Britain's concurrence before we levy war, conclude peace, contract alliances, or establish commerce.

NEW DEAL MOLDED POLICIES TO BRITISH WHIMS

We bow to every British veto.

We acceed to Britain's trade demands.

We dole out our wealth to Britain and accept, in return, Britain's scorn and snubs.

Mr. President, throughout the New Deal administration, I fail to find an instance when our foreign political policy was not molded to Britain's whims and interests.

And throughout the Fair Deal administration, I fail to find an instance when Britain's political policy did not give precedence to Russia and her satellites over the United States.

I still remember that on the floor of the Senate—I believe it was in 1949 when we were meeting in the old Supreme Court Chamber—a great conference was held by Canada, England, and the United States. It was called a monetary conference. It was a conference to deal with general foreign affairs questions. It was built up to great heights. It was said that much would depend on the conference. Much did depend on the conference, Mr. President, but not very much that we then understood.

BRITISH RECOGNITION OF RED CHINA FORECAST 4 YEARS AGO

The junior Senator from Nevada at that time said—and before the conference broke up—that when those delegates went home Britain would recognize Communist China, and Britain would devalue their currency. Their currency had a false value ever since World War II. The pound was valued at $4.03.

In 1948 the junior Senator from Nevada stood at the window of a Hong Kong bank and put an American dollar on the counter and collected $6.40 or $6.50 in Hong Kong money. He walked to another window and put down $16.40 of that money and received a British pound in return. That British pound could be spent anywhere in the world. Senators can compute the value themselves. The value of that pound was $2.60. That is what the pound was worth.

That is why the junior Senator from Nevada said that Britain would devalue its currency, and he also said that Britain would recognize Communist China. Of course it was vehemently denied that Britain would devalue its great pound, or that it would recognize Communist China. The Senator from Nevada also said that we had agreed to it. We had, beyond any doubt.

FORECAST OF BRITISH ACTIONS SOON CONFIRMED

Britain did devalue its pound when the delegates returned home. It did recognize Communist China.

Of course, we recognized the devalued pound. As a result, every trade agreement we ever had with the British Empire was destroyed.

The only reason we did not follow Britain in recognizing Red China is because so much objection was raised on the floor of the Senate and throughout the United States that it was not attempted.

TRIBUTE TO SENATOR REYNOLDS

The Presiding Officer [Mr. REYNOLDS in the chair] is a long associate and friend of mine. I know him better than his own family knows him, and probably he knows me in the same way. We served in almost every office, each of us in his own State, in veterans' organizations like the American Legion. My chief regret is that the Senator from Nebraska, who came here to take the place of the great Senator Hugh Butler, does not intend to run for reelection. Even though he will not be with us in the Senate, I know he will be with us in spirit and will help all he can in the battle to maintain the dignity and independence of the United States of America.

DOES BRITAIN HOLD VETO POWER OVER UNITED STATES VETOES?

In 1950—I believe that is correct, but time passes so quickly—the Secretary of State, Mr. Acheson, made a hurried trip to Europe. That is the habit with our Secretaries of State. They are always making hurried trips to Europe to find out what we will do next. When he came back from Europe he spoke to a joint meeting of Congress. He talked for an hour and a half. Nothing was said in his talk that we had not heard 50 times before, except one thing.

Mr. Acheson led up to it fast and got away from it fast, like a master of ceremonies at an Elks Club. He simply said, "We will not use the veto to prevent the recognition of Communist China." Then he went right on to something else.

He never changed his mind. When he went out of office he was still of that mind, that he would not use the veto, and that the United States would not use the veto.

Now we have a new Secretary of State. He served as an assistant to that great Secretary of State, Mr. Acheson.

Mr. Dulles has said many times that we would be justified in using the veto to permit the recognition of China, but he has never said we would do so. Mr.

Lodge, who is our representative in the United Nations, has stated that we would use the veto. However, he is not the Secretary of State.

The President of the United States has never said we would use the veto to prevent the recognition of Communist China.

Therefore, we have every reason to believe that right at this moment it has been decided that Communist China will be admitted by a majority vote in that organization, with us perfunctorily voting against it and accepting the inevitable.

NEW DEAL FOLLOWED BRITAIN'S LEAD IN RECOGNIZING RUSSIA

The New Deal, prior to our entry into World War II, followed Britain's lead in recognizing Russia, subordinated our commerce to a trade agreement with England for England's benefit while England raised tariff and exchange barriers to our products, and loaned Britain new billions while Britain's old debts remained unpaid.

We have an example of this trade pattern all over the world. We could protect our workingmen and our own investors through the method laid down in the Constitution of the United States, in article I, section 8, which fixes duties, imposts, and excises through Congress. Instead Congress delegated that authority to the executive department, which delegated it to the State Department. The State Department has no more knowledge of industry and the economic structure of our country than my little grandson, who was 4 years old in March.

ROOSEVELT-CHURCHILL TEAM LED NATION INTO WORLD WAR II

The late President Franklin D. Roosevelt, infatuated with British aristocracy and subservient to British counsels, subtly and secretly tightened political connections between the United States and Britain and served as Winston Churchill's willing tool in a controversy over Indochina that was to lead to the war both he and Churchill sought.

On August 30, 1940, the Vichy Government of France signed an agreement with the Japanese Government providing for the movement of Japanese troops through Indochina and the use of Indochina airports.

Former Ambassador to Japan, Joseph C. Grew, notes properly in his memoirs his concern and includes correspondence on the matter between him and the late President Roosevelt.

NEW AND FAIR DEAL VIP'S WERE BUSY AUTHORS

Mr. President, it is lucky in some respects, and very burdensome in others, that practically everyone who has held an important office in the Government between 1930 and 1950, and some beyond that time, wrote a book.

One officer of the Government, a Secretary of the Treasury, required trucks to haul his notes to his residence, and there was some question as to whether the Government owned the notes or whether the Secretary of the Treasury owned them. The personal view of the junior Senator from Nevada is that it is lucky that the Secretary of the Treasury owned them and that we got rid of them.

Those books have often revealed things. The writers have to do something, so they reveal events to each other which, added up, make sometimes very good reading to anyone who is not bound to read all the works and add them up. If they are added up for us, it is very interesting.

FDR'S PRE-PEARL HARBOR COMMENTS ON BRITISH INTERESTS

To return to Mr. Grew's memoirs, Mr. Roosevelt, on January 21, 1941, 10 months before Pearl Harbor, expressed his reaction to the threat in terms of Britain's interest. His communication of that date to Ambassador Grew follows:

> You suggest as one of the chief factors in the problem of our attitude toward Japan the question whether our getting into war with Japan would so handicap our help to Britain in Europe as to make the difference to Britain between victory and defeat. In this connection it seems to me that we must consider whether, if Japan should gain possession of the region of the Netherlands East Indies and the Malay Peninsula, the chances of England's winning in her struggle with Germany would not be decreased thereby. The British Isles, the British in those isles, have been able to exist and to defend themselves not only because they have prepared strong local defenses but also because at the heart and the nerve center of the British Empire they have been able to draw upon vast resources for their sustenance and to bring into operation against their enemies economic, military and naval pressures on a worldwide scale. They live by importing goods from all over the world and by utilizing large overseas financial resources.

Nothing was ever truer than is that statement.

> They are defended not only by measures of defense carried out locally but also by distant and widespread economic, military, and naval activities which both contribute to the maintenance of their supplies, deny certain sources of supply to their enemies, and prevent those enemies from concentrating the full force of their armed power against the heart and the nerve center of the empire. The British need assistance along the lines of our general established policies at many points, assistance which in the case of the Far East is certainly well within the realm of "possibility" so far as the capacity of the United States is concerned. Their defense strategy must in the nature of things be global.

REPORT LISTS EUROPE'S DISTANT POSSESSIONS

Mr. President, diverting from the quotation, let me say that in the report issued by the subcommittee of which I happen to be chairman, under Senate Resolution 143, which will be available on Tuesday—the report was submitted to the Senate on July 9, and the printing will be concluded on Tuesday—the nations and entities under the sterling bloc, under the French, under Belgium, under the Netherlands, and some others, are listed.

Would it surprise you, Mr. President, to know that the colonial slavery empires of Europe have possessions all over the world that adds up to nearly 60 percent of the earth's surface? It did not surprise me, because I have been exposed to it gradually over a period of years. But we finally added it up; and it is an extensive list.

Let me say further, Mr. President, that this acquisition of area was not an accident. It was worked out in detail like checkers on a board, over a period of some 300 years.

In 1943 I left Soldiers Field in Hawaii one night at 7 or 8 o'clock, had breakfast about 4 o'clock on Christmas Island, lunched in the Fijis, had dinner in New Caledonia, and a midnight sandwich in Brisbane, Australia. On my return I landed on Canton Island, which belongs to the British, for it is impossible to get to Australia from Hawaii without landing on British or French possessions. The same condition prevails throughout the world.

INTERVIEWS WITH BRITISH LEADERS RECALLED

Now we go on to 1947. In that year I landed at Birmingham, England, between sessions of the Senate, to go into the coal mines and the steel mills to see how they were going to increase their production. That is what they were supposed to be trying to do. Before going into the coal mines I located Sir Ben Smith, who was in charge of all coal mining at Birmingham, and asked him for a few minutes of his valuable time. He immediately tried to sell me a bill of goods. I had very little to tell him, because I had not been in the mines or steel mills as yet. That is quite a story in itself. He said, first, that the United States should continue lend-lease without any hope of return of any of the money.

I did not say anything, because I had nothing to say. I had not yet seen anything there. So Sir Ben Smith led on and said, "The United States should adopt the Marshall plan." This was at a time when the plan had first been suggested by General Marshall in an address at Harvard. In that speech there was a little paragraph which did not appear to amount to very much. But Mr. Bevin took it on the first bounce in England, and in 30 days told us how much it was going to cost.

As I have said, Sir Ben Smith stated that the United States should approve the Marshall plan because Britain needed the money to help her industries. What that developed into later—it could not be seen then—was the nationalization of British industry and the spending of American dollars in Africa and other British colonial slavery nations for the development of other areas. Mr. Cripps told me in London that that was exactly what the Marshall plan was intended to do. He was very straightforward.

BRITON BOASTS CONTROL OVER WORLD'S RAW MATERIALS

But to return to Sir Ben Smith. I still had little to say, so he said, "I will tell you something." On reflection, he really did tell me something. He said, "Great Britain and the British Empire control three-fourths of the raw materials of the world, and can stop their export if they so desire."

Still I did not say anything, but I did not miss the point.

In the following session, in 1948, I quoted Sir Ben Smith on the Senate floor. No one paid very much attention to what I had to say. I suppose it was

a little early. But Great Britain does control raw materials, and, through the 1934 Trade Agreements Act, Britain has made us dependent upon the far-flung areas of the world for the critical materials without which we cannot fight a war or live in peace. In wartime, the materials cannot be obtained; in peacetime, as Sir Ben Smith said to me, Britain can stop their shipment.

I call attention to one example, although there are many others. In peacetime, India stopped the shipment of monasite sands to the United States of America because she thought we could not get them elsewhere.

INDIA BAN LIKENED TO MILD FORM OF BLACKMAIL

That situation should mean something. It would mean something if the United States Senate would stop to analyze it. It amounts to a mild form of blackmail.

It means that after we have been made dependent on the far-flung nations, as we are at present for 900,000 tons of manganese, or of columbium from Algeria, or of tin from the Malayan States, then we are subject to a mild form—and perhaps it is not so mild, either—of blackmail in peacetime to sign further agreements and to get more deeply mired in the muck and mud of Asia.

In wartime, we are subject to being cut off from those materials within hours after the war starts, and are thus placed in very grave danger of being defeated.

The basis of the investigation proposed in Senate Resolution 143, introduced on June 9, 1954, is that the United States can become independent. We can become self-sufficient in the Western Hemisphere. The testimony of military strategists is that the supply of these raw materials in the Western Hemisphere will be the only dependable supply when a war starts.

ROOSEVELT-CHURCHILL SCHEME KEPT FROM CONGRESS AND THE PEOPLE

Mr. President, to return to President Roosevelt's communication to Ambassador Grew 10 months before Pearl Harbor, if I read that message correctly, we were already well underway toward war in the Pacific, although neither the American people nor the American Congress knew it. The scheme was to keep the American Congress and American people from knowing it until we were in it. The Roosevelt concept of British strategy would, of course, today be subject to some modification. Britain's concept today, apparently, is to appease our potential enemies, weaken us, and strengthen Russia.

However, as early as May 1941, Winston Churchill, Prime Minister of Britain, was speculating on the possibility that, should Japan threaten Singapore, the United States would enter the war on the side of Great Britain. Britain, at that time, needed us, and badly needed us.

Indochina was to be the fulcrum.

In a letter to Sir John Dill, Chief of Britain's Imperial General Staff, on May 13, 1941, Churchill said, in part:

I have already given you the political data upon which the arrangements for the defense of Singapore should be based, namely, that should Japan enter the war the United States will in all probability come in on our side, and in any case Japan would not be likely to besiege Singapore at the outset, as this would be an operation far more dangerous to her and less harmful to us than spreading her cruisers and battle cruisers on the eastern trade routes.

Later in his authoritative work Mr. Churchill—he had not yet been knighted—proceeds with his account of how the United States, with his assistance, became involved in the war, and anyone who might wish to read the complete text may do so in the chapter War Comes to America in his book, the Grand Alliance.

BRITISH LEADERS WRITE INFORMATIVE BOOKS

Mr. President, I digress at this point to say that it is lucky that the leaders of Great Britain had the same habit as the leaders of the United States. They all wrote books. All that is necessary is to get the books and read them. All of them take credit. They cannot refrain from taking credit. All that is necessary is to digest the books, which is a terrific job. But if one has a staff to do it and to provide a digest of the books, it is not so bad.

Churchill states, for example, on page 426 of the Grand Alliance:

For several months the British and American Governments had been acting toward Japan in close accord. At the end of July (1941) the Japanese had completed their military occupation of Indochina. By this naked act of aggression their forces were poised to strike at the British in Malaya, at the Americans in the Philippines, and at the Dutch in the East Indies.

Mr. President, reading further from what Mr. Churchill wrote:

On July 24 President Roosevelt asked the Japanese Government that, as a prelude to a general settlement, Indochina should be neutralized and the Japanese troops withdrawn. To add point to these proposals, an Executive order was issued freezing all Japanese assets in the United States. This brought all trade to a standstill. The British Government took simultaneous action, and 2 days later the Dutch followed.

THE GENESIS OF A HISTORIC CONFERENCE

Churchill continues:

One afternoon in late July Harry Hopkins came into the garden at Downing Street and we sat together in the sunshine.

That is the great Harry Hopkins, of New Deal fame, who spent more money than any human being up to that time, but has since been surpassed by two great Americans, Mr. Paul Hoffman and Mr. Harold Stassen.

I continue to quote from what Mr. Churchill wrote while he was sitting in the sunshine with Mr. Harry Hopkins in the garden at Downing Street:

Presently he said that the President would like very much to have a meeting with me in some lonely bay or other. I replied at once that I was sure the Cabinet would give me leave. Thus all was soon arranged.

CHURCHILL DRAFTS FIRST ATLANTIC CHARTER OUTLINE

Let us skip now to Placentia Bay, Newfoundland, and the historic Churchill-Roosevelt meeting, where on August 10, so Mr. Churchill relates, he, Mr. Churchill, prepared a tentative outline of what was to become known as the Atlantic Charter. Mr. Churchill states:

Considering all the tales of my reactionary, Old World outlook, and the pain this is said to have caused the President, I am glad it should be on record that the substance and spirit of what came to be called the Atlantic Charter was in its first draft a British production cast in my own words.

Mr. KNOWLAND. Mr. President, without losing his right to the floor, I wonder if the Senator from Nevada will yield, so that the pending business which is now before the Senate may be taken up? The distinguished Senator from Connecticut——

Mr. MALONE. Mr. President, I decline to yield at this time.

On August 11, 1941, the charter was agreed to and, as Mr. Churchill states:

We then, on the same day, turned to the Far East.

The imposition of the economic sanctions on July 26—

He continues—

had caused a shock in Tokyo.

It had not perhaps been realized by any of us how powerful they were. Prince Konoye sought at once to renew diplomatic talks, and on August 6 Admiral Nomura, the Japanese special envoy to Washington, presented to the State Department a proposal for a general settlement. Japan would undertake not to advance farther into southeast Asia, and offered to evacuate Indochina on the settlement of "the China incident." (Such was the term by which they described their 6-year war upon China.) In return the United States were to renew trade relations and help Japan to obtain all the raw materials she required from the southwest Pacific.

CHURCHILL DRAFTS ROOSEVELT NOTE TO JAPAN

Mr. President, whatever may or may not have been Japan's intentions, the Japanese special envoy in Washington was having to deal with somebody in the State Department, while Winston Churchill had President Roosevelt safely in British waters and at least part of the time aboard Britain's latest battleship the H. M. S. *Prince of Wales*.

Not only did Mr. Churchill have President Roosevelt well in tow but he was even, according to his own account, drafting statements the President was to give to the Japanese Ambassador when the President returned to Washington.

This is revealed in a telegram which Mr. Churchill says he sent to Anthony Eden, Britain's Foreign Secretary, and which contained the following:

At the end of the note which the President will hand to the Japanese Ambassador when he returns from his cruise in about a week's time he will add the following passage, which is taken from my draft:

"Any further encroachment by Japan in the southwest Pacific will produce a situation in which the United States Government would be compelled to take countermeasures, even though these might lead to war between the United States and Japan."

ROOSEVELT USED AS "CAT'S-PAW" BY BRITAIN'S PRIME MINISTER

Mr. President, here we have the Prime Minister of Great Britain drafting what is obviously both an insult and a threat, not with the purpose of handing it to Japan himself and thus involving the British Government in a conflict with

Japan, but with the view of using President Roosevelt and the United States as a "cat's-paw" to stir the embers of hostility into flame.

Mr. Churchill then added this note in his telegram to Anthony Eden:

He (meaning the President) would also add something to the effect that it was obvious that, the Soviet being a friendly power, United States Government would be similarly interested in any similar conflict in the Northwest Pacific.

"HELPFUL ACTION" PROMISED BRITAIN

Mr. Churchill on the same date also sent a dispatch to Mr. Attlee, then the Lord Privy Seal, but now promoting greater British trade with Red China, in which Churchill stated in part:

Have reached satisfactory settlement about naval plan No. 4 (the United States Navy to take over the America-Iceland stretch of the Atlantic).

Secondly, President is prepared to take very helpful action corresponding with, or consequent upon, operation "Pilgrim."

Thirdly, he intends to negotiate with Japan on the basis of a moratorium for, say, a month, during which no further military movements are to be made by Japan into Indochina and no encroachment upon Siam. He has agreed to end his communication with a severe warning, which I drafted.

Mr. President, our late Commander in Chief in World War II must have found it very handy to have the British Prime Minister at his elbow to draft his "severe warnings" to other nations which clearly were provocations, warnings that Churchill did not care to send himself.

RUSSIA THE "HELPFUL GUEST" AT HUNGRY BRITISH TABLE

On August 12 we find Mr. Churchill sending another telegram to Attlee elaborating on the same theme in these words:

We have laid special stress on the warning to Japan which constitutes the teeth of the President's communication. One would always fear State Department trying to tone it down: but President has promised definitely to use the hard language.

Arrival of Russia as a welcome guest at hungry table and need of large supplementary programs both for ourselves and the United States forces make review and expansion of United States production imperative. President proposes shortly to ask Congress for another $5 billion lend-lease bill. President welcomes Beaverbrook's arrival at Washington, and I am convinced this is the needful practical step. See also the Roosevelt-Churchill message to dear old Joe.

And to Prime Minister Menzies of Australia, on August 15, 1941, Mr. Churchill sent this note, which I quote in part:

President promised me to give the warning to Japan in the term agreed. Once we know this has been done, we should range ourselves beside him and make it clear that if Japan becomes involved in war with United States she will also be at war with Britain and the British Commonwealth.

CHURCHILL TIMING EXCELLENT

Mr. Churchill also corresponded with the British admiralty and on August 29, ended a communication to the Admiralty with these words:

I must add that I cannot feel that Japan will face the combination now forming against her of the United States, Great Britain, and Russia, while already preoccupied in China.

It is very likely she will negotiate with the United States for at least 3 months without making any aggressive move or joining the Axis actively.

The junior Senator from Nevada wishes to compliment Britain's Prime Minister on his excellent timing. Pearl Harbor did not come until 3 months and 7 days.

Mr. President, we now turn to the State Department's report on the events which followed Mr. Roosevelt's return to Washington from his sessions with Britain's Minister on a boat in British waters.

The State Department version includes the following:

On August 17, the President returned to Washington from the Atlantic conference at which he and the British Prime Minister, Mr. Churchill, had discussed among other problems the situation in the Far East.

Mr. Churchill stated that the British Government fully supported the proposal made on July 24 by the President to the Japanese Government in regard to the withdrawal of Japanese forces from Indochina and informed the President of the British Government's view that it needed more time to prepare for resistance against any Japanese attack in the Far East. This consideration applied also to the state of our defensive preparations in the Philippine Islands. The President and Mr. Churchill agreed also that this Government should take parallel action in warning Japan against new moves of aggression.

USED ROOSEVELT AS TOOL

Mr. President, this is a new note not included in any of Mr. Churchill's messages previously referred to, which only had to do with the threats or warnings that Mr. Roosevelt was to deliver to the Japanese. Mr. Churchill sent no warnings or ultimatums of record to the Japanese. He preferred to use Roosevelt as a willing tool.

Nor do I find in Mr. Churchill's own memoirs the so-called parallel action that the State Department memorandum refers to.

What Mr. Churchill does report is that Prince Konoye, as Japan's Prime Minister, had asked for a personal meeting wth President Roosevelt at Honolulu, in that early fall and that, to quote Churchill, "his—meaning Konoye—proposal had been declined by the President."

Mr. President, I wish at this point to cite another example of the nonexistence of so-called parallel action that our State Department so glibly refers to in its memorandum.

Mr. Churchill states in his memoirs of this period in 1941 that, and I quote:

At the beginning of November I received an agitated warning of further Japanese action in China from Gen. Chiang Kai-shek. He thought the Japanese were determined upon an attack from Indochina to take Kunming and cut the Burma Road. He appealed for British aid by air from Malaya.

And now get this action or reaction on the part of Mr. Churchill:

I could do little more than pass this to President Roosevelt.

THE END OF A MODUS VIVENDI

Skipping several pages of Mr. Churchill's account we come to November 25, 1941, on which date, the Prime Minister says "the President cabled to me an account of the negotiations."

Continuing Mr. Churchill's account we read:

The Japanese Government had proposed to evacuate southern Indochina, pending a general settlement with China, or a general restoration of peace in the Pacific, when Japan would be prepared to withdraw altogether from Indochina.

In return the United States was to supply Japan with petroleum, to refrain from interfering with Japan's efforts to restore peace in China, to help Japan to obtain the products of the Netherlands East Indies, and to place commercial relations between Japan and the United States on a normal basis. Both sides were to agree to make no armed advancement in northeast Asia and the southern Pacific.

The American Government, in its turn, was proposing to make a counteroffer, accepting in general the terms of the Japanese note, while outlining specific conditions to be attached to the Japanese withdrawal from southern Indochina and making no mention of the position in China. The United States was prepared to accept a limited economic arrangement modifying the original freezing order. For instance, petroleum could be shipped on a monthly basis for civilian needs only. The American proposal would be valid for 3 months on the understanding that during this period a general settlement covering the whole Pacific area would be discussed.

When I read the draft reply—

Churchill continues—

Which was, and is still, called the modus vivendi I thought it inadequate. This impression was shared by the Dutch and Australian Governments and above all by Chiang Kai-shek who sent a frantic protest to Washington.

I was however deeply sensitive of the limits which we must observe in commenting on United States policy on an issue where decisive action lay with them alone. I understood the dangers attending the thought, "the British are trying to drag us into war." I therefore placed the issue where it belonged; namely, in the President's hands.

CHURCHILL GUIDES ROOSEVELT ON CHINA ISSUE

Churchill then tells of sending a cable to President Roosevelt stressing only the China issue, which also is referred to in the memoirs of former Secretary of State Cordell Hull. Hull came, he says, to the conclusion that "We should cancel out the modus vivendi" and substitute instead a 10-point proposal, the 2 principal points of which were, and I quote:

The Government of Japan will withdraw all military, naval, air, and police forces from China and Indochina.

The Government of the United States and the Government of Japan will not support—militarily, politically, economically—any government or regime in China other than the National Government of the Republic of China, with capital temporarily at Chungking.

Churchill relates that on November 26, Secretary of State Hull received Japan's envoys at the State Department. Continues the Prime Minister:

He—

Meaning Hull—

did not even mention to them the modus vivendi about which the President had telegraphed to me on the 23d. On the contrary he handed them the "10-point note."

CHURCHILL NOTES JAPAN'S ENVOYS "DUMBFOUNDED"

The Prime Minister then quotes the two points that I noted above. He added:

The envoys were "dumbfounded" and retired in the greatest distress. This may well have been sincere. They had been chosen largely on account of their reputation as peace seeking and moderate men who would lull the United States into a sense of security till all was decided and all was ready.

They knew little of the whole mind of their government.

They did not dream that Mr. Hull was far better informed on this than they were.

And Mr. President, I might interject here, far better informed than the American people, the American Congress, Rear Adm. Husband E. Kimmel, Lt. Gen. Walter C. Short, and the brave men under them at Pearl Harbor, or the brave men under them who were doomed to die on that fateful morning of December 7, 1941.

I continue with Mr. Churchill's account. He states:

From the end of 1940 the Americans had pierced the vital Japanese ciphers, and were decoding large numbers of their military and diplomatic telegrams: In the secret American circles these were referred to as "magics." The "magics" were repeated to us but there was an inevitable delay—sometimes of 2 or 3 days—before we got them. We did not know therefore at any given moment all that the President or Mr. Hull knew. I make no complaint of this.

Mr. President, it is very generous of Mr. Churchill to make no complaint at delays which he states sometimes amounted to 2 or 3 days, in receiving decoded Japanese ciphers which the American people, the American Congress, General Short and Admiral Kimmel and our men at Pearl Harbor never received at all.

F. D. R. WARNING OMITTED PEARL HARBOR

Let us proceed with Mr. Churchill's account. He says:

That same afternoon—

This would have been the 26th of November—

the President sent the following message to the high commissioner of the Philippines:

Preparations are becoming apparent for an early aggressive movement of some character, although as yet there are no clear indications as to its strength or whether it will be directed against the Burma Road, Thailand, Malay Peninsula, Netherlands East Indies or the Philippines.

Advance against Thailand seems the most probable. I consider that this next Japanese aggression might cause an outbreak of hostilities between the United States and Japan.

Mr. President, this is taken from Mr. Churchill's account of the period preceding Pearl Harbor, when as Britain's Prime Minister he had information which the American people, the American Congress, and the American Armed Forces at Pearl Harbor, including their commanding officers, did not have.

PEARL HARBOR LEFT OFF TARGET LIST

It is significant that in this message from the President to the High Commissioner of the Philippines, many areas of the Pacific and southeast Asia were listed as possible targets of Japanese attack, but not Pearl Harbor, and indeed, Pearl Harbor was not warned, as was brought out in the extensive Pearl Harbor hearings subsequently conducted by a committee of the Congress.

President Roosevelt knew, Prime Minister Churchill knew, Britain's Foreign Secretary Anthony Eden knew, British Army and Navy officials knew, and Britain's Ambassador Lord Halifax apparently also knew from Mr. Churchill's report. I quote:

When on November 29—

This was 8 days before Pearl Harbor—

Lord Halifax visited the State Department, Mr. Hull said to him that the danger from Japan hung just over our heads.

Secretary Hull also was quoted as informing Halifax:

The diplomatic part in our relations is now virtually over. The matter will now go to the officials of the Army and Navy, with whom I have talked. * * * Japan may move suddenly and with every possible element of surprise. * * * My theory is that the Japanese recognize that their course of unlimited conquest, now renewed all along the line, probably is a desperate gamble and requires the utmost boldness and risk.

He added:

Churchill's interjection * * * "When Churchill received Chiang's loud protest about the modus vivendi it would have been better if he had sent Chiang a strong cable to brace up and fight with the same zeal as the Japanese and Americans were displaying. Instead he passed the protest on to us without objection on his part."

The Prime Minister adds this comment, one of the most significant expressions in his entire memoirs, in the opinion of the junior Senator from Nevada. Churchill states:

I did not know that the die had already been cast by Japan or how far the President's resolves had gone.

CHURCHILL MEMOIRS FILL IN PEARL HARBOR INQUIRY GAPS

Mr. President, a moment or two ago I referred to the Pearl Harbor investigation conducted by able colleagues in the Senate and Members of the House of Representatives, a very extensive hearing which produced some forty volumes of evidence and testimony but came to no firm conclusion.

Of course, the joint committee which conducted these hearings did not have the good services of Mr. Churchill as a witness, nor of Lord Halifax, nor of Anthony Eden, nor of Clement Attlee.

Prime Minister Churchill had not yet written his great memoirs and history of the war and therefore there were many gaps.

Since then Mr. Churchill has filled in those gaps, very honestly and courageously I am sure, giving us in his authoritative works knowledge not heretofore available. As he says, in explanation of why he passed along Generalissimo Chiang Kai-shek's protest to the President without objection:

I did not know that the die had already been cast by Japan or how far the President's resolves had gone.

Neither did the American people, the American Congress, or the officers and men stationed at Pearl Harbor.

Prime Minister Churchill may not have known "how far the President's resolves had gone," but he must have had some suspicion, because he reports that on November 30, 1941, 7 days before Pearl Harbor, he sent the following message to President Roosevelt:

THE CHURCHILL ADVICE THAT ROOSEVELT DID NOT FOLLOW

It seems to me that one important method remains unused in averting war between Japan and our two countries, namely, a plain declaration, secret or public as may be thought best, that any further act of aggression by Japan will lead immediately to the gravest consequences.

I realize your constitutional difficulties, but it would be tragic if Japan drifted into war by encroachment without having before her fairly and squarely the dire character of a further aggressive step. I beg of you to consider whether, at the moment, which you judge right, which may be very near, you should not say that any further Japanese aggression would compel you to place the gravest issues before Congress.

We would, of course, make a similar declaration or share in a joint declaration, and in any case arrangements are being made to synchronize our action with yours. Forgive me, my dear friend, for presuming to press such a course upon you, but I am convinced that it might make all the difference and prevent a melancholy extension of the war.

And then Churchill adds another of his perceptive comments. He states, and I quote:

Both he—

Meaning President Roosevelt—

and Tojo are already far ahead of this. So were events.

THE INTERCEPTED JAPANESE MESSAGE TO BERLIN

Mr. Churchill continues:

On the 30th, shortly after noon (American time), Mr. Hull visited the President, who had on his desk my cable of the same date, sent overnight. They did not think my proposal of a joint warning to Japan would be any good.

Nor can we be surprised at this when they had already before them an intercept from Tokyo to Berlin, also dated November 30, telling the Japanese ambassador in Berlin to address Hitler and Ribbentrop as follows:

"Say very secretly to them that there is extreme danger that war may suddenly break out between the Anglo-Saxon nations and Japan through some clash of arms, and add that the time of the breaking-out of this war may come quicker than anyone dreams."

BRITAIN WAITS FOR JAP ATTACK HOPING AMERICA THE TARGET

Returning now to Mr. Churchill. He states:

I received the decode of the telegrams on December 2. It required no special action from Britain. We must just wait. The Japanese carrier fleet had in fact sailed on the 25th with the whole naval force which was to attack Pearl Harbor.

Of course, it was still subject to restraining orders from Tokyo.

Mr. Churchill does report that he sent a "minute" to Foreign Secretary Eden stating that "our settled policy is not to take forward action in advance of the United States," and states also that—

My deepest fear was that the Japanese would attack us—

Meaning Britain—

or the Dutch, and that constitutional difficulties would prevent the United States from declaring war.

But, as Mr. Churchill had stated earlier, both President Roosevelt and Togo were "far ahead of this" and "so were events."

EVERYONE WARNED BUT THE UNITED STATES OF AMERICA

The British had been well warned, the Germans had been warned, the White House had certain knowledge gained from the intercept of Japan's message to Berlin, but such was then the mind of the White House that the Congress, the American people, and the men at Pearl Harbor who were to die on that morning of December 7, were not warned but instead, kept in ignorance.

Mr. Churchill offers some other observations which should be in the RECORD at this point. He states, and I quote:

We know that all the great Americans around the President and in his confidence felt, as acutely as I did, the awful danger that Japan would attack British or Dutch possessions in the Far East, and would carefully avoid the United States, and that in consequence Congress would not sanction an American declaration of war. * * * The President and his trusted friends had long realized the grave risks of United States neutrality in the war against Hitler and all that he stood for, and had writhed under the restraints of a Congress whose House of Representatives had a few months before passed by only a single vote the necessary renewal of compulsory military service, without which their army would have been almost disbanded in the midst of world convulsion.

Roosevelt, Hull, Stimson, Knox, General Marshall, Admiral Stark, and, as a link between them all, Harry Hopkins, had but one mind. Future generations of Americans and free men in every land will thank God for their vision.

A Japanese attack upon the United States was a vast simplification of their problems and their duty. How can we wonder that they regarded the actual form of the attack, or even its scale, as incomparably less important than the fact that the whole American Nation would be united for its own safety in a righteous cause as never before?

IS CHURCHILL PLAYING SAME WILY GAME TODAY?

Mr. President, could Mr. Churchill today be playing the same game he played before Pearl Harbor when he was conversant with all the innermost secrets of American diplomacy, secrets denied the American people and, in some measure, the Congress itself, and when he was advising, guiding, but at the same time carefully avoiding, any action which might tend to irritate our mortal enemy or disrupt England's flourishing blood trade?

ROOSEVELT POLICY WAS TO KEEP THIS NATION IN IGNORANCE

Today, Mr. President, the White House and Secretary of State Dulles are endeavoring to keep the Congress—or at least several of its committees—fairly well informed of our international involvements.

This is a tremendous step forward from the Roosevelt policy.

Roosevelt's policy, and that of his "trusted friends" as Churchill terms the handful of Roosevelt intimates, was to tell the Congress nothing, the American people nothing, and the officers and men at Pearl Harbor who were about to die from an attack about which the White House had fair warning—to tell them nothing.

Mr. President, as early as January 27, 1941, 10 months before Pearl Harbor, Joseph C. Grew, our loyal and patriotic Ambassador to Japan, notes the following in his memoirs:

There is a lot of talk around town to the effect that the Japanese, in case of a break with the United States, are planning to go all out in a surprise mass attack on Pearl Harbor. Of course, I informed our Government.

PEARL HARBOR DAY AT CHEQUERS

Pearl Harbor found the Prime Minister at his home at Chequers. With the Prime Minister were two people, and only two, American Ambassador Winant and Averell Harriman. They turned on the radio. The news—Pearl Harbor. The Prime Minister called the President. The President confirmed it. The President said, according to Mr. Churchill's memoirs: "We're all in the same boat now." Ambassador Winant chatted with the President. As Churchill puts it:

I put Winant onto the line and some interchanges took place, the Ambassador at first saying "Good, good," and then, apparently, graver "Ah." I got on again and said, "This certainly simplifies things. God be with you," or words to that effect.

So things were simplified for Mr. Churchill and we were in a bloody war that cost 389,769 American lives and 1,049,741 American casualties, a war that had its actual beginning, in Britain's interest, in Indochina.

UNITED STATES IN WAR AND SO BRITISH "WON AFTER ALL"

As he states so enthusiastically in his memoirs:

No American will think it wrong of me if I proclaim that to have the United States on our side was to me the greatest joy.

I do not pretend to have measured accurately the martial might of Japan, but now, at this very moment, I knew the United States was in the war up to the neck and in to the death; so we had won after all.

Yes; after Dunkirk, after the fall of France, after the horrible episode of Oran; after the threat of invasion when, apart from the army and navy, we were an almost unarmed people; after the deadly struggle of the U-boat war, the first battle of the Atlantic, gained by a hand's breadth; after 17 months of lonely fighting and 19 months of my responsibility in dire stress, we had won the war. England would live; Britain would live; the Commonwealth of Nations and the Empire would live.

Mr. President, this was the Prime Minister's reaction to Pearl Harbor, the most costly tragedy in our Nation's naval history.

BRITISH POLICY TODAY FAVORS REDS

After shaping American policy, after drafting statements for the President, after maneuvering over many months to manipulate the American Government into a position where war was unavoidable, the Prime Minister considered the tragedy of Pearl Harbor only in Britain's own self-interest.

The same Britain, mind you, which today recognizes Red China and carries on extensive trade with Communist Russia, which it demands be expanded.

Japan's move into Indochina, although made with full permission of the then French Government, aroused great endeavors on the part of the Prime Minister, which included needling President Roosevelt into severe warnings and hard language suggested by the Prime Minister himself.

The Communist move into Indochina, her capture by force of arms of Indochina strongholds, the threat of a complete Communist takeover of that important area, today leaves the British cool, busy as they are trading with these same Communists, whose government they recognize.

ONE HUNDRED PERCENT UNITED STATES POLICY MUST BE DEVELOPED

The plain facts are, Mr. President, that the British have no truck with American policy unless they can direct it to serve Britain's ends. Britain, as Lord Palmerston pointed out, has no friendships, no enmities, only interests. And Britain's interests today are more closely allied with those of Communist Russia and Communist China than they are with the interests of we who they consider country cousins, the citizens of the United States.

Today we must develop an American policy, a wholly American policy, because in this grim game of international diplomacy Britain has picked up her cards, cashed in her big stack of red chips, and gone home leaving us to play her sorry hand.

In the opinion of the junior Senator from Nevada, that may be one of the finest breaks our country has had in the present century.

Twice in the present century we have gone to Britain's rescue, saved her life, bound up her wounds, filled her pockets with hard American cash, and received slurs and insults for our pains.

We likewise, up until very recently at least, have followed Britain's foreign policy instead of any policy of our own.

It was Britain, you will recall, that vetoed any bombing of Communist supply bases north of the Yalu River, and thus insisted that we fight on Korea with our hands tied behind our back. Subservience of the previous administration to British foreign policy denied us any chance of a real victory in Korea, and British policy itself served both its own interests and those of the Communists.

It is Britain today that presumes to hold veto power over our own use of the atom or H-bomb, even should that use be required in retaliation for an enemy A-bomb or H-bomb attack on us—the same Britain which contributed Communist spies to our atomic set-up.

BRITAIN FATTENS RED WAR POTENTIAL

It is Britain today that is determined to fatten Russia's war potential with more equipment, electrical and otherwise, provided that equipment is bought in Britain, and which has talked some of our own statesmen into advocating expansion of Britain's trade with Communist Russia and her satellites, and who, in so doing scorn the will and intent of Congress, as expressed in the Battle Act, and before that the Kem-Wherry-Malone resolution.

BRITAIN SEEKS RED CHINA TRADE WHILE REDS MENACE ALL ASIA

Mr. President, Britain's trade romance with Communist countries including Red China has been of long duration.

Today, with Red aggressors periling all free areas of Southeast Asia the British and Chinese Communists are trying to seal their trade alliance with a formal commercial wedding. At least that would remove the Red stain of illegitimacy.

Earlier in my remarks I quoted from messages Mr. Churchill sent Mt. Attlee from Placentia Bay, Newfoundland, on that fateful August 11, 1941, while Churchill and Roosevelt were conniving to jockey the United States into war with Japan, and while Churchill was drafting ultimatums, warnings, threats, hard language—whatever one may wish to call it—for his foil Roosevelt to hurl at Japan.

Today we find this same Mr. Attlee, for many years privy to America's innermost secrets—secrets denied the American people and the American Congress at the time—in Red China, hobnobbing with Red China's Communist leaders and toasting them in fiery Communist liquors.

IN RETURN FOR 31 BILLION IN UNITED STATES LEND-LEASE, BRITAIN NOW CODDLES REDS TO BOOST THEIR TRADE

The New York Times of June 4 carried an interesting dispatch from Moscow, with a footnote listing American lend-lease to both Britain and Communist Russia during World War II.

The dispatch from Moscow, of course, gives the Soviet version of lend-lease, as published in the Soviet encyclopedia, belittling the billions Russia received from the United States, and complaining that following World War II the United States gave Britain a generous deal on settlement of the British account, but fixed terms for the Soviet Union deliberately higher.

The footnote, written by the New York Times, states more accurately:

> The United States has listed $48,895,235,000 worth of lend-lease distributed during the war and postwar period to 43 allied nations.
>
> Of this the British Commonwealth received $31,384,810,000. Russia, the second largest recipient, got $10,089,000. Britain settled her debt in 1946, paying $650 million after account was taken of reverse lend-lease charges.

Mr. President, by these figures it would appear that Britain obtained more than $30,734,000,000 from the United States to save her from defeat from Nazi tyranny, a tyranny no less terrible than the Communist tyranny Britain now woos so avidly.

BRITAIN'S FIRST TRADE PACT WITH RUSSIA SIGNED IN 1924

Mr. President, the ties between Britain and Soviet Russia are close, and have been close for the past 30 years, or since 1924 when Britain signed her first commercial treaty with Russia.

Several years later Britain formally recognized Russia and her Communist regime, an action duplicated by the United States when the late Franklin D. Roosevelt became President.

In May 1942 Britain signed a treaty of alliance and mutual assistance with Soviet Russia, which the junior Senator from Nevada had placed in the RECORD in April 1949, during the course of the debate on the then proposed Marshall plan, or economic cooperation program, which Russia and her satellites were originally asked by our State Department to join, an invitation that, fortunately, they declined.

British schooled and trained officials headed the Far Eastern Division of the Office of War Information, visited Russia and China at the conclusion of the war, and helped assassinate the character of Generalissimo Chiang Kai-shek, America's lifetime friend and champion.

Chiang Kai-shek, Mr. President, had the effrontery at the Cairo Conference to suggest, that in repayment for 8 bloody years of war against Japan and alliance with the British and ourselves, Britain should return to China the territories Britain acquired following her victory in the ignoble opium war of 1839. In that conflict, with Britain the aggressor, England forced China to lift her ban on the British opium trade. Hong Kong, plus her renewed opium trade, were the fruits of that British victory, and Hong Kong still remains a British prize of war—an opium war.

The British foreign policy, Mr. President, does not change. Trade, whether opium or arms, is sacred to the British.

BRITISH TIES AN EXPENSIVE LUXURY

The United States, in the opinion of the junior Senator from Nevada, should sever its super political connections with Great Britain, as they were severed by our Founding Fathers on July 4, 1776. Normal diplomatic relations should be retained, as they are, with few exceptions, with other governments, and on the same equal footing with those governments. But political ties, such as have bound us together since 1933 and have cost us untold blood and treasure, should be ended.

Our compacts with Great Britain, beginning with our initial trade agreement, continuing through the Indochina crisis of 1940–41 when, at Britain's request, Franklin D. Roosevelt maneuvered us into Britain's war, our debacle in China, the stalemate in Korea and since, have proved to the satisfaction of the junior Senator from Nevada that Britain is at best an expensive luxury with no semblance of utility, and at worst an outright liability to the United States. For a third of a century Britain, as our star boarder, also has been alltime champion free loader.

UNITED STATES SHOULD REASSERT INDEPENDENCE

We must reassert our independence, Mr. President, and reappraise our foreign policy.

Above all, an American policy, by Americans and for Americans, and in America's sole interest, must be formulated.

This Congress, this administration, is obligated under the oath we all take only to Americans, Ours is a glorious and independent people, Mr. President. Our wonderful Nation we have built ourselves.

Since 1794—and then it was not Britain—no nation in the world has ever loaned the United States a dollar and $15 million that Holland loaned us then had been repaid in full by 1806.

No nation has ever had to send a single soldier to fight in our defense since the Revolution. No nation has ever extended us a penny's worth of foreign aid, and no nation ever has been asked to.

No nation has ever embraced any form of collective security in our interest, and no nation ever will.

Collective security is a foreign scheme, in the foreign interest, advocated by our one-worlders and socialistic dreamers, that we would be better off to be done with.

RETURN TO HISTORIC POLICY WILL STRENGTHEN AMERICA

On the firm ground of American policy and independence, Mr. President, this Nation, as for the first 150 years of our history, can and will stand on its own feet, in strength, prosperity and security.

A sound American policy, based realistically on the Declaration of Independence, the Constitution and the Monroe Doctrine, would save America.

Such a policy will reaffirm the powers of Congress to regulate our own foreign commerce and the full power of the administration to make and keep the peace. Let us exercise these powers as we exercised them during our first 150 fruitful years, and before a New Deal administration substituted the British—socialistic doctrine of collective security for our freedom and independence.

Mr. President, in the Evening Star of today there was published an article entitled "Containment Policy Revived—Allies Are Expected To Leave America in the Lurch Unless We Follow Their Policies Toward Russia." The article is written by Constantine Brown. I ask unanimous consent that the article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONTAINMENT POLICY REVIVED—ALLIES ARE EXPECTED TO LEAVE AMERICA IN THE LURCH UNLESS WE FOLLOW THEIR POLICIES TOWARD RUSSIA

(By Constantine Brown)

There are indications that our foreign policy is once more in a state of flux. The Old Guard left behind by the previous administration in the State Department is again advocating a policy of containment. Only this time, to make the doctrine more palatable, the word "resolute" has been added.

This revival has made only a limited impression on Secretary of State Dulles. But it has met with much more success in the National Security Council where the world situation is being reviewed and guiding reports made for President Eisenhower and the Secretaries of State, Defense, and Treasury.

It is noteworthy that nobody even whispers any longer about liberation of enslaved satellites by all means short of war, as set forth in the Republican platform in 1952.

Moscow and Peiping began to release peace doves after their smashing victory at Geneva. These birds are alighting everywhere in the world except in America.

The entire structure which we built at enormous cost to arrest Communist imperialism is faltering. The visit of the top British Labor Party leaders to Peiping is not merely an irresponsible act of the opposition. In foreign-policy matters responsible British politicians do not act independently.

Clement Attlee unquestionably had Sir Winston Churchill's blessing when he agreed to head the Labor parliamentary delegation on its feasting and toasting pilgrimage to Peiping.

In France there is a definite trend toward a new understanding with the Communist powers. Under the leadership of the mercurial Premier Mendes-France, the French aim to reorganize their economic structure to compete with the spectacular progress of West Germany.

The French have accepted with customary resignation their defeat in Asia and the evaporation of their empire. They regard the present world situation as entirely different from what it was in 1950 when the NATO was created. At that time they had some limited concern over the possibility that Russia might unleash a war in Western Europe. They also desperately needed the American dollars which were pouring into their country through the foreign-aid program.

The situation has changed radically of late. There is not a single man in political life in France who thinks that Russia will attack Western Europe—except under direct provocation. Hence the increased lukewarmness for rearmament under NATO. Too, the need for dollars has lessened. France and the rest of Europe need foreign markets. Russia and China are both offering tempting trade "carrots."

We are a nation of idealists. We fought our last three wars for principles and not for profit. We still believe in international friendships based on sentiment rather than selfish interests.

We helped the Western democracies against dictatorships and wanton aggression in the two world wars. We ransacked the taxpayers' pockets after the war to speed the recovery of friend and foe alike. It is only natural then that our people, and especially our policymakers, do not realize that in international affairs the statement of a Victorian statesman that "Britain knows no friendships, no enmities, but only interests" is more true now than in those days.

That Victorian slogan has become the watchword not only of our British cousins but of many other nations. Gratitude can be found only rarely even among individuals. It just does not exist in dealings between nations.

We based the conduct of our foreign policies on the premise that the friends we have helped unstintingly would show their gratefulness by returning the favor in our time of difficulties. In this we made a grievous error. Our allies are interested primarily in themselves. So long as their interests coincided with ours they dovetailed their policies with ours. But when their interests diverge so do their policies turn away from ours.

We believe that the Communist governments in the U. S. S. R. and China are more dangerous and more aggressive than the Central Powers and the Axis were in the two world wars. Our allies lull themselves in the belief that the Communist leopards can change their spots and be made into housebroken pets merely by ignoring the real intentions of Moscow and Peiping.

The administration has received sufficient indications, if it wants to read between the lines of the diplomatic communications, that our allies will leave us in the lurch unless we follow them in their new policies toward Russia and China. This, it is said, necessitates the revival of the doctrine of "resolute containment."

LORD PALMERSTON'S CLASSIC STATEMENT RECALLED

Mr. MALONE. Mr. President, I wish to say that in the past I have frequently quoted a statement made in 1848 by the then Prime Minister of Great Britain. I have quoted that statement many times on the floor of the Senate, apropos of the deals made by Britain in signing compacts.

Mr. President, if all the compacts we have signed with Britain and with other European countries in the past 15 years were laid end to end, they would go about three times around the world. But all of them are out the window in a flash if anything starts, because they are signed only to allay the feelings of the people, so they will not notice the things that are happening to them.

What did the great Prime Minister of Britain, Viscount Palmerston say in 1848? Viscount Palmerston said, apropos of Britain's foreign policy, and he did not make it; he merely voiced it as it has since been voiced many times, the last time by Mr. Churchill—Viscount Palmerston said:

> We have no eternal allies, and we have no perpetual enemies. Our interests are eternal and perpetual and those interests it is our duty to follow.

That means that Britain will sign a peace pact, but will ignore it if war breaks out.

BRITAIN'S TRANSIENT TREATIES

The United States signs such treaties, and does so with the intention of carrying them out to the letter. But Britain will honor such treaties only so long as the interests of the country with which she signs the treaty are parallel to Britain's interests; and when the other country's interests are no longer parallel with Britain's interests, Britain does not see fit to go along with that country, and that is the end of the agreement.

Today, Mr. President, we have the picture of Clement Attlee in Moscow and in Peiping, making deals. Does any Member of the Senate believe he was there without the sanction of Churchill? Of course not.

MORE BILLIONS POURED OUT TO EUROPE

So we pour $13 billion more into Europe, to finance those nations and to build their factories and to permit them to buy materials in order to make good on the trade agreements Mr. Attlee is now making with Russia and Communist China. Of course, Britain has recognized Communist China.

Mr. President, if we, as a nation, would just realize one time, what these treaties mean; if the United States Senate were allowed enough time to think about these treaties and compacts, which are presented to the Senate in such a rush, the situation would be different. Five were presented to us this afternoon within an hour, and not one Senator on this floor had ever read one of them or had any knowledge of what they contained. That is getting to be a habit; and we have had the picture of the United States Senate, the greatest deliberative body in the world, working 14 hours a day, like an extra gang on a railroad—a deliberative body.

I suggest that we clean up a few of these bills in the next few months, and adjourn, instead of taking a recess. But I suppose the knot is tied on having the Senate take a recess. So we shall go out a little while, and shall visit with some of our constituents, and suddenly we shall be called back—for what? For a report of a Senate committee on a resolution which was admitted in the course of the debate to have no point whatsoever. The debate on the resolution shows that. But we had to appoint a committee, and we must hold 96 Senators on call, to accept the great report the committee will make.

SENATE SHOULD RESUME HISTORIC RESPONSIBILITY AS DELIBERATIVE BODY

I wish to say, as 1 of the 96 Members of the Senate, in speaking tonight, in the closing hours of this session, that the Senate should again become a deliberative body and the Senate should again become the greatest deliberative body on earth—which it is not at present. Then we shall be able to really consider the proposed legislation.

Mr. President, the last time I read the Constitution of the United States I read that there are 3 branches of our Government, not 1. Our Government has 3 independent branches, each one having checks and balances upon the other, so that if 1 goes haywire, 2 will be left; and if 2 go haywire, 1, at least, will be left. Today we have the spectacle of all three of them going down the drain, and the people of the United States know it. They know the Senate is not deliberating as it should on legislation, and has not done so for the last half of this session.

Bills are passed here, little understood, with no time for debate, or with limited time, and with sessions lasting 14 hours a day or 15 hours a day. I said to one of the junior Senators of this body a short time ago, "You have been here 2 years. You are a member of the greatest deliberative body in the world. Have you ever deliberated about anything?"

He looked a little startled, and said: "Not yet; there is no time for that."

RESTORE SENATE TO CONSTITUTIONAL ROLE

So, Mr. President, we shall be back, I suppose, in 2 or 3 weeks to hear the committee's report. I have to travel only 3,000 miles to come to Washington; it is a very simple matter to return to hear a committee report. But I suggest that when we come back in January, we take our time, and organize the Senate as the kind of organization the Constitution says it is, the kind of organization that our history tells us it has always been, though for a considerable time it has not been—the greatest deliberative body in the world.

Mr. President, I believe I had unanimous consent that all the colloquy taking place during my remarks would appear at the end of my address, and that the address would appear without interruption in the RECORD. Is that correct? If not, I ask unanimous consent that all the interim debate during the course of my remarks appear at the end of the address of the junior Senator from Nevada.

The VICE PRESIDENT. Without objection, the unanimous-consent request is so ordered.

SOCIAL SECURITY AMENDMENTS OF 1954—CONFERENCE REPORT

During the delivery of Mr. MALONE's speech,

Mr. MILLIKIN. Mr. President, will the Senator from Nevada yield?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Colorado?

Mr. MILLIKIN. I have a privileged matter, the House conference report on the social security bill, on which the House has acted, I should like to bring up at this time, with the understanding that the Senator from Nevada does not lose the floor.

Mr. MALONE. I am happy to yield to the distinguished junior Senator from Colorado, with the understanding that I do not lose the floor and that all debate and proceedings on the report appear at the end of my address.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and, without objection, it is so ordered.

Mr. MILLIKIN. I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code, so as to extend coverage under the old-age and survivors' insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MILLIKIN. Mr. President, the conference agreement will improve the old-age and survivors insurance system so that it will continue to be what President Eisenhower called it, "the cornerstone of the Government's programs to promote the economic security of the individual." I think that with the adoption of the conference agreement, we may look forward to a decline in expenditures from general revenues under the public-assistance programs.

I am glad to report to the Senate that the conference agreement would bring the old-age and survivors insurance system in line with the recommendations made by the Advisory Council on Social Security to the Committee on Finance which was appointed during the 80th Congress.

I shall summarize briefly the major provisions of the conference agreement that differ from the Senate-passed bill.

First as to coverage, the bill as passed by the Senate would have extended the system to about 7 million individuals. The conference agreement would extend coverage to about 10 million individuals.

This increased coverage would be brought about primarily because the conference agreement would cover self-employed farm operators numbering 3.6 million individuals.

I shall comment about the extension of coverage to farmers after I have mentioned the other changes made in the conference agreement relating to coverage.

SELF-EMPLOYED PROFESSIONALS

An agreement was reached as to the coverage of self-employed professional individuals after very careful consideration on the part of the House managers and the conferees of the Senate.

You will recall that the House bill would have covered all professional groups now excluded with the exception of physicians. The Senate bill excluded all self-employed professional people now excluded with the exception of funeral directors. The conference agreement would extend coverage to funeral directors, accountants, architects, and professional engineers. On the other hand, physicians, dentists, osteopaths, chiropractors, veterinarians, naturopaths, and optometrists would continue to be excluded from the system.

This decision as to self-employed professionals was arrived at on the basis of representations made by the managers of the House of Representatives that many accountants, architects, and engineers had requested coverage. The funeral directors, the Senate will recall, were added by amendment on the Senate floor.

AGRICULTURAL WORKERS

The conference agreement would cover 2.1 million farm workers who are paid at least $100 in cash wages by 1 employer in a calendar year. This represents a compromise between the House and the Senate bills. The House bill would have covered 1.3 million farm workers by covering those workers who are paid at least $200 in cash wages by any one employer in a calendar year. The Senate bill extended coverage more broadly, to some 2.6 million persons, by including farm workers who are paid at least $50 in cash wages by any one employer in a calendar quarter.

As to the other provisions relating to agricultural workers, the House accepted the amendment in the Senate bill which would exclude persons performing services in connection with the production or harvesting of gum naval stores. The House also agreed to the amendment added on the floor of the Senate which would exclude from coverage temporary agricultural workers who have been lawfully admitted to the United States from the Bahamas, Jamaica, and the other British West Indies.

FEDERAL EMPLOYEES

The Senate conferees accepted the provision in the House bill extending coverage to about 150,000 Federal employees, but rejected the provision in the House bill which would have included employees of TVA and the Federal home loan banks.

Coverage would be extended to most Federal employees not covered by retirement systems including temporary employees in the field service of the Post Office Department, census-taking employees of the Bureau of the Census, civilian employees of the Coast Guard post exchanges, and certain other fringe groups of Federal employees. Because employees of the TVA and Federal home loan banks are covered by an existing retirement system, the conference committee decided to exclude them from old-age and survivors insurance pending further study.

FARMERS

As the Members of the Senate know, the conference committee spent considerable time in trying to resolve the issue arising under the House and Senate bills regarding coverage of self-employed farmers. The Senate bill made no provision for the coverage of farmers on the ground that there was not sufficient evidence presented to the Committee on Finance showing that farmers desired to be brought into the system. The House managers took the position that the farmers of the country wanted the protection for themselves and their dependents afforded by old-age and survivors insurance.

After prolonged discussion, a majority of Senate conferees accepted the provision of the House bill covering farmers. In arriving at this conclusion, the conferees were impressed by the fact that under the House bill, farmers generally would not be required to pay the self-employment tax until April 15, 1956. This means that under the conference agreement, the farmers of the country will have an opportunity to make their wishes known to the Congress well before the self-employment tax becomes due.

Mr. CASE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BARRETT in the chair). Does the Senator yield to the Senator from South Dakota?

Mr. MILLIKIN. I yield.

Mr. CASE. Did the conferees give consideration to periodic payments for self-employed farmers? I raise that question because of the point that is implicit in the setting of the April 1956 date. Farm income, as the Senator from Colorado so well knows, is seasonal, and it is difficult to make monthly payments, perhaps impossible to make monthly payments, and difficult to make even quarterly payments, because of the seasonal character of so much of their work.

Mr. MILLIKIN. Under the bill the way it will be if we approve the conference report, the farmer makes yearly payments.

Mr. CASE. Once a year?

Mr. MILLIKIN. Once a year.

Mr. CASE. That would come in April?

Mr. MILLIKIN. That would come in April for nearly all farmers.

Does that answer the Senator's question?

Mr. CASE. It does. Of course, that may raise the question as to some farmers whether April is the time of income. I had in mind, for example, the cattle country where cattle are raised. They seldom sell their cattle in April. They do not go to market at that particular time. Feeders might be different.

Mr. MILLIKIN. My understanding is that he would file in April, and he would file at the same time he files his income tax.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. CASE. There are a great many farmers who will not have cash coming in at that time of year.

Mr. MILLIKIN. There are a great many people, of course, who will not have cash coming in at that time of the year, but we had thought that it was a distinct accommodation, as compared with the old way of doing things, when we made the payment due in April rather than earlier.

Mr. CASE. Is it possible under the conference report that the collector might fix semiannual payments, or is it the suggestion that that might be arranged by Congress after this first period of experience developed some guidance?

Mr. MILLIKIN. I would say there is nothing in the proposal before us which would authorize that.

Mr. CASE. What was the suggestion the Senator made, then, with respect to April 1956 as affording Congress an opportunity to make some adjustments?

Mr. MILLIKIN. The first time that the farmer-employer, the farmowner, will have to pay his self-employment tax comes in April of 1956. The point there was that we have the rest of this year, all of next year, and some months of the year following, when Congress will be in session. If the farmer lets it be known he does not wish to be under this system, I feel there is a pretty reasonable expectation that the Congress will not force this on him.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. THYE. Mr. President, will the Senator yield?

Mr. MILLIKIN. I am glad to yield.

Mr. THYE. Is there a maximum that the farmer would pay? Assuming he was a rancher and that he had an income of considerable size, would there be a maximum beyond which he would not pay?

Mr. MILLIKIN. The highest amount on which he could pay would be $4,200 a year. He could pay the rate on that much. He would not be required to pay on some larger sum of income that he might earn.

Mr. THYE. That is exactly the question I wished to have answered, because that places a ceiling on the income on which he would pay the tax. He would pay on so much and no more, regardless of whether he had $100,000 above that amount.

Mr. MILLIKIN. That is correct.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. MILLIKIN. I gladly yield.

Mr. MAYBANK. Did I correctly understand the distinguished chairman of the committee to say that April is the time when they will pay?

Mr. MILLIKIN. Yes, April.

Mr. MAYBANK. Of course, down home that is planting time.

Mr. MILLIKIN. Yes.

Mr. MAYBANK. And it is fertilizer time. Why was April chosen?

Mr. MILLIKIN. Of course, up to this time, March was the specified date. But accountants and others working with these tax problems said that the requirement that all the returns be filed in March resulted in overwhelming them.

Mr. MAYBANK. I hope the distinguished Senator from Colorado, for whom I have great admiration, will permit me to say that the trouble in the United States today, particularly insofar as the farmers are concerned, is that the accountants and many other people are entirely too free with advice to the farmers. The farmers down home want opportunity, and freedom from domination by other groups. I intend to vote for the sound system that the farmers want; that is all I have to say.

Mr. MILLIKIN. Under the previous system, which required that the returns be made in March, there were numerous complaints from both farmers and those in other groups, all of whom had to make their income-tax returns in March.

Mr. MAYBANK. The acreage allotments were cut, too, by the Republican Party; that was done last week.

Mr. MILLIKIN. I prefer not to have a discussion of acreage allotments brought into our consideration of the conference report on the social-security bill.

Mr. MAYBANK. What is happening to the farmer is that his acreage has been taken away, and thus his means of obtaining an income is being taken away from him, and he has been denied 90 percent of parity, and now it is proposed that he be made to pay his tax at the very time of the year when he is putting cottonseed and corn and tobacco into the ground. Of course, I do not blame the Senator from Colorado for that.

Mr. MILLIKIN. I do not intend to enter into a discussion of the entire farm problem. I was asked why the payments were desired in April. For years we have heard the statement that too much work was piling up by March, and that it would be a distinct advantage to make this change. We have had representations from farmers to the effect that we should make the date a little later. We made the time for payment in April to accommodate those requests.

After prolonged discussion, a majority of Senate conferees accepted the provision in the House bill covering farmers. In arriving at this conclusion, the conferees were impressed by the fact that under the House bill, farmers generally would not be required to pay the self-employment tax until April 15, 1956. This means that under the conference agreement, the farmers of the country will have an opportunity to make their wishes known to the Congress well before the self-employment tax becomes due. In the event convincing evidence is submitted to the Congress next year that farmers do not want coverage, they could be excluded from coverage by the enactment of legislation next year or, in fact, at any time prior to April 15, 1956.

I also want to point out that the conference agreement lowers the application of the retirement test to age 72. This means that a farmer, or any other insured individual, may receive his benefits and continue to remain fully employed upon attainment of age 72. Under present law this age requirement is 75 years. Moreover, I want to point out that under the conference agreement an insured farmer at age 65 would be able to turn over the operation of his farm to his son or rent it to any other person and draw full benefits under the system.

OTHER COVERAGE PROVISIONS

All other coverage provisions contained in the Senate bill were adopted by the conference committee.

RETIREMENT TEST

I mentioned earlier that the conference agreement lowers the application of the retirement test to age 72 as was contained in the Senate bill. The conference committee also agreed to the provision in the Senate bill under which a beneficiary could earn as much as $1,200 in a year from covered work without loss of any benefit payments. However, the $1,200 exempt earnings would include earnings from any type of employment or self-employment. The Senate bill would have included in the $1,200 amount only earnings from employment or self-employment covered by the old-age and survivors insurance system. I want to emphasize that the retirement test contained in the conference agreement is administratively feasible because we would now extend coverage to an additional 10 million people instead of 7 million people as would have been the case under the Senate bill. It was for administrative reasons that the Committee on Finance had recommended the exclusion of earnings from noncovered employment and self-employment in applying the retirement test.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MILLIKIN. I am glad to yield.

Mr. HOLLAND. I am not sure I understood clearly the statement of the distinguished Senator from Colorado as to the number of persons covered by the social-security structure under the conference report, as compared with existing law.

Mr. MILLIKIN. Under the Senate bill it was 7 million. It would be 10 million under the conference agreement.

Mr. HOLLAND. Ten million additional persons are covered?

Mr. MILLIKIN. Yes.

Mr. HOLLAND. I thank the Senator.

BENEFITS

Mr. MILLIKIN. The provisions covering increased monthly benefits were the same in the bill as passed by the House and by the Senate and so were not in conference. Thus, more than 6.5 million persons now on the benefit rolls would have their benefits increased. The average increase for retired workers would be about $6 per month with proportionate increases for dependents and survivors. The maximum benefit for workers retiring in the future would be increased from $85 to $108.50.

As to lump-sum death benefits, there was one difference between the House bill and the Senate bill. The House bill limited the maximum lump-sum payment to $255 while the Senate bill limited the payment to $325.50. The conference agreement follows the House provision so that the maximum would be $255, which is the maximum provided in existing law.

DISQUALIFYING PROVISIONS

The Senate conferees accepted an amended version of the House provision which would terminate the old-age and

survivors insurance benefit rights of persons deported from the United States. Under the conference agreement old-age and survivors insurance benefits—including lump-sum death benefits—would be denied to persons insured under the system upon their deportation from the United States, but their dependents would be entitled to benefits if they remain in the United States or if they are American citizens. The bill as passed by the Senate contained no provisions covering deportees.

PUBLIC ASSISTANCE

I am glad to report to the Senate that the conference committee was not unmindful of the needs of the individuals on the public assistance rolls. The conference agreement contains the same provisions relating to public assistance that were in the Senate bill. Thus, the matching formulas for Federal grants to the States—for old-age assistance, aid to the blind, aid to the permanently and totally disabled, and aid to dependent children—would be extended to September 30, 1956, instead of September 30, 1955, as provided in the House bill.

CONCLUSION

Mr. President, I asked the Senate's support of H. R. 9366 last week, when the bill was under consideration, because it would strengthen and expand our contributory social insurance system. I said at that time, "There are several principal reasons which justify our support of the contributory social insurance system." The reasons include:

Benefits are provided as a matter of right without a means test—a test which I have always disliked.

The cost is met by the production of the worker and his employer through the payroll tax or, if he is self-employed, the self-employment tax, and thus assuring a continuing interest in the program on the part of management, labor, and the general public.

I believe that the Social Security Act amendments of 1954 as outlined in the conference report will constitute an important step in affording greater protection to the people of America against the economic hazards resulting from old age and premature death. I urge the adoption of the conference report so that the beneficiaries now on the rolls and individuals who will retire in the future can receive such protection.

I hope the conference report will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. JOHNSON of Colorado. What was done about transferring the city and State organizations into the Federal plan? What majority is it necessary for them to have in order to come?

Mr. GEORGE. It is as we fixed it.

Mr. MILLIKIN. It is the Senate version. It is 50 percent.

Mr. JOHNSON of Colorado. Is it 50 percent of all the members?

Mr. GEORGE. Fifty percent of those eligible to vote.

Mr. JOHNSON of Colorado. Whether they attend meetings or not?

Mr. GEORGE. That does not apply, as the Senator from Colorado will remember, to the policemen or to other peace officers. They are not included.

Mr. President, I was a member of the Committee on Finance when the Social Security bill was first presented to the Senate and when it first became a matter of consideration. I have gone along with it all the way, until now.

I did not sign the conference report, and I did not feel authorized to sign the name of the senior Senator from Virginia [Mr. BYRD], who was another conferee. He had authorized me to vote him entirely as I voted, but I did not interpret that fact to authorize me to sign his name to the conference report when I, myself, did not sign it. I shall not vote for it.

I wish to make my position entirely clear. My position is this: The Social Security Act commenced as a security measure for workers who did not have their own jobs, who did not make their own jobs, who were not self-employed, who had not spent their money to acquire a professional character or standing, and who have not invested in farms on which they work and live and expect to spend their entire time. It was intended to take care of the industrial worker who could be let out or kept on.

However, in the hands of the reformers—some have been in the Democratic Party and, to my surprise, some have captured the Republican Party—it has become nothing but a universal scheme and program of compulsory insurance. Apparently no man in America has sense enough to know what kind of insurance he wants to take; the Government must tell him what kind to take, and not only ask him to take it, but force him to pay for it.

The program has become nothing but a program of compulsory insurance applicable practically to every workingman, every earner, and every man who has an income.

I therefore did not go along with it. I have always said I am in favor of extending coverage, but I mean coverage of workers for whom this program was intended. That means the extension of coverage for workers who need its protection and to whom Congress has said, "We have a right to step in and say that you must have it. You may not voluntarily want to have it, but we will put you into the system, so that when you are unemployed and reach old age, having no control over your job, with the management having control of the job, you will be in a position where you will be taken care of under a very liberal system."

Now what do we have? The reformers have taken it over; first the reformers in the social security outfit, and now in both political parties. What is the result? We did not take in any lawyers this time. The doctors wiggled out. We did not take in the dentists this time, or the osteopaths or the chiropractors, or many others.

We will take them in, though, in the future. We cannot help it now. We have reached out and have taken in men who occupy an independent status. We have broken down every barrier. It is now said that a farmer who buys 160 acres of land or 400 acres of land expects to retire. The farmer does not expect any such thing. Only theorists can support an argument that he does. He does not expect to retire. He expects to live on his farm. That is his home. It is his security.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. GEORGE. Not at this time. Yet the administration fears creeping socialism. This will break down the last independent barrier in America. He is the independent farmer. We put him into the system. We give him insurance. We make him pay for it. We know what is good for him, in other words. If the Senator will pardon me, I will be glad to yield to him in a minute.

Mr. MAYBANK. Certainly. I am enjoying the Senator's remarks.

Mr. GEORGE. That is how creeping socialism is working out. Some Senators wanted to take in the professions. The only reason the professions have not been taken in is because the doctors wiggled out. Some wanted to take in the lawyers. I know it is becoming a pastime in the United States to criticize lawyers. Yet I have never known of a great lawyer who did not love human freedom and human liberty and was not always ready to defend it.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. GEORGE. Not at the moment. I will yield in a few minutes. I should like to finish what I have to say.

We have taken all of them in. The only independent groups in this country are the professional men, who spend a sizable fortune to prepare themselves to practice their professions. The comparable man is the farmer, who buys his land and, with the help of a devoted wife, erects a little homestead on the side of the hill or in the valley.

An all-wise Congress, and the magnificent reformers, decide what is best for that man. They say, "We are going to put you under a compulsory insurance program. We will not ask you about it. We do not care. We know you are not going to retire. We know you are going to stay on the farm for the rest of your life and that you are going to carry on your farming operations; but we know better. We know you are going to have misfortunes and one of these days you are going to go over the hill to the poor farm if we do not do something for you."

The marvelous thing is that the party which is dedicated to free enterprise, the party which is so terribly afraid of creeping socialism, has done this thing to free Americans. Let Senators think about that, and let them go back and tell their people why they did it.

The only excuse we can have is to say, "We have more sense than you have. We know you will have misfortunes; you may become a pauper, and someone will have to take care of you and devise a system for taking care of you."

It is a magnificent thing for the farmer. No one has told him the truth about what it will cost him. None of the propagandists who have been propagandizing the farmer and writing letters, and

none of his representatives in the farm organizations have told him the truth.

This is what confronts the farmer: Let us assume that the farmer takes a domestic servant into his home. She may be from one of the farm families on his farm. He takes her to help his wife prepare the food. He then must pay the taxes levied on an employer and also the tax on the employee, the domestic servant whom he brings into his home from his own farm. Let no one say that is not the situation. We are now saying that farmworkers are under the social-security system. We are now saying that the worker becomes the employee of the farm owner, or the renter, or the lessee, or the sharecropper, who merely operates the farm. That is where we start with the farmer. We start when he takes a domestic servant into his home to help his wife. We put a tax on her and a tax on him. If he pays that domestic servant anything at all—$50, we will say—he must pay the tax.

We are starting to help the farmer. If he owns his land or leases it or crops it under some sort of contract, we say, "You are a self-employed farmer. You must pay the tax on yourself and on every man who works on your farm who earns as much as $100 in a whole year. Such a man is your employee and you are his employer."

So we have the farmer in a situation in which he is self-employed. He is a self-employed beneficiary under the social-security system. He must pay his own tax and the tax on everyone who works with him, or deduct half of it. If there is a domestic servant in his home, he must pay that tax.

That is what we are doing to the farmer, Mr. President. Senators may say, "Oh, that does not amount to anything." Let us see, Mr. President. Let us look at the situation for a moment.

On the 1st day of January the farmer will incur a liability at the rate of 3 percent upon his income up to $4,200 a year, at the present time. Three percent on $4,200 a year is $126 a year. He will also incur a tax liability of 4 percent on all his workers, one-half of which he can deduct from the pay of his workers.

In the Southeast farmers will not be able to take any pay out of the wages of the workers. The farmer will pay it. But suppose he does take it out. He will incur a tax liability of 3 percent beginning January 1, next, and 2 percent on everyone who works for him and earns $100 in the course of the year. Think of that.

With respect to his domestic servant who was transferred to his own home, he also becomes liable for 2 percent, and for 4 percent if he does not take out half the tax on her.

That is on a wage base of $4,200 a year. We shall see the wage base go up and up. We started at $3,000, and we will bring it up to $5,000 or $6,000. We think we know better than anyone else in the Nation how to take care of the farmer.

If the good Lord should save this world from reformers long enough for us to get out of debt, it would be better.

At any rate, $4,200 will not remain the wage base. It may come to $6,000 in the lifetime of some men who are serving in this body. There will be great pressure at the very next opportunity to carry it up to something like $5,000, or even $6,000.

The tax on the self-employed farmer is 3 percent. In 1970 it will rise, under the terms of this bill—there is no speculation about that—to 5¼ percent. On $4,200, that percentage is $220.50 a year, which the farmer will pay for his social-security tax. This is not merely a fear of something that may not happen. It is written into the bill. By 1970 the farmer will be paying at the rate of 5¼ percent and by 1970 will be paying at the rate of 3¼ percent for his employees. His employees will be paying at the rate of 3¼ percent, or a total of 6½ percent. In many instances the farmer will pay it all or lose his labor, if there is any other place for the labor to go.

By 1975, under the terms of the bill—and it is written in the bond, Mr. President, by men who want to preserve the great free-enterprise system of this country and who have nightmares when they see creeping socialism creeping up on someone—in 1975, under the terms of the bill, the self-employed farmer, who is today being brought in surreptitiously by his heels, and without even being asked, will be paying, at even the present wage base of $4,200—it will not be that amount in that good year—but assuming it never rises above that amount, he will be paying, on a $4,200 wage base, 6 percent, or $252 a year. That is the insurance.

Then he will be paying also about 4 percent for every employee who works for him, and collecting the other 4 percent, or he will be liable to the Government for it.

That is what we are doing to the farmer. But we are doing it all in the name of his welfare. Like most tyrants in the history of mankind, we are crucifying people for their good in order to save them, and for their souls' welfare.

That is why I cannot support the bill. It has not even the resemblance of a social-security system. It has blossomed into the wildest imagery of those reformers who know best, who took 1, 2, or 3 substantial elements in our society, who would fight socialism, creeping or galloping, if that is any encouragement, and they are the ones who will fight them.

Thomas Jefferson knew that. Thomas Jefferson envisaged every independent small farmer as the moral balance wheel of the Republic; and the small farmer is a political balance wheel, if he is not reformed too much; if he is allowed to remain independent.

Of course, a farmer can be told, "You can pay $2, $3, or $4 a week or a month, and you will get a great many benefits for yourself, your survivors, and so forth."

A farmer would be rather weak in the head if he did not say he liked that. But he does not see the whole picture. He will see it, and see it pretty soon.

My friend, the distinguished chairman of the committee, for whom I have great respect—I rarely differed with him in these important policy matters; I did not differ from him this time; he differed from me—said, "We are willing to take in all the farmers and all the professionals on a voluntary basis. If they want to come in, let them come. Yes, we voted for that. Then it was said uptown and all around the town that that would not do at all; that we could not allow anyone to have any say-so about coming in. We must shove them in, put the tax on them, send a marshal out to collect it, and force them to pay it.

Then we took back what we had said, out of deference and out of respect to their sincerity, or at least their conviction about the matter, and we said we would exclude the farm operator. We said we would include farm labor, because that would be in harmony with the social-security scheme from the beginning.

The worker is not the master of his destiny. He does not create his job; he works for someone who wants to employ him. Then he is footloose and gone, traveling toward the poorhouse, undoubtedly, if someone does not help him, if he has not saved something.

So we said we would take labor, that we would take the worker, and include him; but we would not take the independent farmer. We would not take the man who has leased land in order to work it. We would not take those folks until they came around in sufficient number and told us they wanted to be included. I would not take them any way. If such a person came around, I would think there was something wrong with his head, if he said he understood what was offered. But I know he will not come when he understands it. It is night becoming day, and in the middle of the day one looks up and says he sees stars, and will do something. But it will not happen, or work out that way. Nature just is not that cruel. Only reformers and social dreamers are that cruel. They are the ones who get that way.

So we are putting a burden upon the American farmer at a time when his income is going down. I do not care how fast it is going down. I do not care whether a man is a prophet of doom, if he points out a simple fact. The farmer's income is going down. It has gone done 13, 14, or 15 percent in the last year. It is still on the way down under the farm bill which was passed the other day. Oh, yes; it will support prices on cotton at 90 percent of parity next year, not by virtue of the farm bill, but by virtue of the fact that the farm bill provides a set-aside of enough cotton really to force the price up to about 90 percent of parity, about where it is now. That will not happen with reference to other staple crops, but it will work on cotton. I want to make that plain, just to show that I am not complaining about the entire farm bill. But under the farm bill, the inevitable consequence will be that as soon as the buyer, the speculator, the person who intends to control the crop ultimately, whether he be a fabricator or manufacturer, will ease the price right on down.

There will not be a marketing season next year when milk will be down to 75 percent of parity. It will be from now on that it will be at 75 percent, because that is the basis to which it can be sunk or depressed, and it will go there most

certainly. The same will happen to wheat.

So at a time when farm prices are already sliding down, and are still sliding down, and when they will slide further down, it is proposed to say to the farmer, "You are in a bad way. We confess it. Perhaps we are partly responsible for the situation but now we must lift you out and make you take some insurance and pay for it. That will solve all your problems and will take care of yourself, your wife, and your children, and you will be happy."

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. REYNOLDS. When does a farmer retire to the extent of qualifying under the act; and if he does retire, who knows, including himself, when he does?

Mr. GEORGE. No one would know. A farmer never retires, I may say to the Senator from Nebraska, unless he should receive a fabulous price for his home or his farm, and sell them and move away to town. He does not retire; he remains on the farm. That is his business. He always thinks of the farm as his business.

This is exactly what will happen to him. At the age of 65 he can retire and draw a little social-security benefit.

But so long as he operates the farm and makes money, he will have to pay the same social-security tax—every penny of it. Under an amendment which I myself offered to the bill, and which the conferees graciously accepted, at the age of 72—10 years minus 3 from his early retirement age of 65—he will then be able to draw his social security. He will then be able to consider it, but he will still have to pay the tax on whatever income he makes from his farm. He will not be retiring. A farmer does not retire. He cannot retire. He does not want to retire. All my life I have rejoiced that he did not want to retire, and I never thought I would be one of those who would make him retire. I will not be one.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. GEORGE. I yield to the Senator from Nevada.

Mr. MALONE. The distinguished Senator from Georgia has given a very comprehensive outline of the whole problem. Of course, we all remember when the plan started. It did not start last year or this year. The junior Senator from Nevada was very much interested in the reference to the professional groups, in the proposed legislation. The Senator left out one of the very important professional groups, the engineers, The engineers were able to escape——

Mr. GEORGE. No; they were included in the proposal.

Mr. MALONE. They were able to escape with the other professional groups.

Mr. GEORGE. No.

Mr. MALONE. I was about to say to the distinguished Senator that if we continue this work on the Senate floor, financing the Stassens and others who go to foreign lands and develop the businesses of foreign countries, next year the engineers may want to come not only under social security, but perhaps under unemployment insurance, also.

Mr. GEORGE. What the Senator has said is correct, but the engineers are now included in the bill. The bill puts the engineers under the proposed law. They were not asked whether they desired to be covered by the bill. They were included in the bill, and they will be required to pay 3 percent for that heavenly privilege. Public accountants are also included in the bill, whether they want to come under its provisions or not. Architects and the funeral directors have been included. Those are the only professional groups that were covered. We took in the funeral directors so that they could administer the last rites to those who are being coaxed into social security under the guise that it will be a blessing for them. By the same logic, we ought to have included doctors.

Mr. MALONE. I had not realized that engineers were included in the bill, because I remember that in the committee professional groups were eliminated from the provisions of the bill, on the theory that social security is not necessary for them. An engineer is much like a farmer—he never quite retires. I have not heard the conference report read. Did the conferees undo all the work of the Senate Finance Committee?

Mr. GEORGE. Only to the extent of forcing into the system, on a compulsory basis, engineers, architects, certified accountants, funeral directors, and farmers. We did not take in lawyers or doctors. Of course, they had been left out by the House. We did not take in dentists, chiropractors, osteopaths, veterinarians, and some of the other professional groups; but we did include engineers.

Mr. MALONE. Mr. President, will the Senator yield further?

Mr. GEORGE. I yield.

Mr. MALONE. I should like to say to the distinguished Senator from Georgia, for whom I have the greatest respect, both because of the ability which he has displayed in committee and on the floor, and because of his long experience, that perhaps it is just as well that we have taken this step, because in 1 year, as a result of the $13 billion that Mr. Stassen will invest in businesses in foreign lands, perhaps engineers in this country will be retired, and perhaps we shall be asking for additional unemployment compensation. We were successful—and I believe with the distinguished Senator's help—in taking Mr. Stassen out of the mining business in foreign lands.

Mr. GEORGE. Yes.

Mr. MALONE. But it was a great chore. The junior Senator from Nevada stood on the floor of the Senate and spoke for about 3 hours before we began to "fall into the slot." The situation looked bad. The system has been in effect 10 years, and every year it becomes tighter. I would normally agree with the distinguished Senator, but I believe finally we shall "take out of play" farmers, engineers, and other workingmen of America. We are to import goods on the theory that foreign exporters are entitled to sell their goods for lower prices, because they can manufacture the products at lower prices, because of the 15-cent-an-hour labor available to them. Finally, we shall not have to work at all; there will be enough social security and unemployment insurance so that everyone will be happy. It will not be necessary for us to work at all—and there are only 160 million of us.

Mr. GEORGE. The Senator from Nevada is at least partially right in what he is saying, but at this time I am not discussing anything except social security.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. GEORGE. I yield to the Senator from Nebraska.

Mr. REYNOLDS. I was impressed with the distinction which the able Senator drew between the farm owner and his employees, in that the employee—and it applies to all classes of workers on farms and in industry alike—has no choice in the matter when he becomes a certain age. His boss will say, "I am sorry. You are too old to work." A distinction can be drawn between such a worker and his employer, who writes his own ticket as to whether he should retire or not. It strikes me that that is the only line of demarcation which can be drawn, and the only stopping place. Does the Senator know of any other place to stop if we are not to take in every man, woman, and child who is employed in industry or in any other occupation? We can draw the line between the employee and the self-employed person, but I know of no other place to draw the line. Does the Senator agree?

Mr. GEORGE. That is the only line, and that is a logical line. That was the line drawn by Senators who voted for the bill. I do not know what study was made by the officials who were responsible for sending the proposal to Congress, but I know we drew such a line in the committee. We were willing to apply it to the farmworkers themselves, but we had no way of knowing how to administer the law without creating a tremendous burden for a farm owner or operator. That problem prevented us from reaching an agreement so far as including farmworkers was concerned. Now we have solved the problem by taking them all in. As I said before, we have gone all the way around the circle to a universal compulsory insurance system—not an insurance system built on sound lines actuarially, but a sort of insurance system which will have to be adjusted from time to time, and the costs of which will go up from time to time. I have pointed out what the cost will be. I have pointed out what the costs would be under the bill by 1970 and by 1975. That is not a long time in the future for a young fellow who is now 30 years old, who is working on his farm and improving his house, and trying to put it in such shape as to make it a comfortable place in which to live. That is not a very long time. He will reach it before he knows it.

There is no such thing as retirement for a professional man who is really a professional man. There are broken down people in all professions and in all callings who need some assistance, but

that assistance is of a different kind. They ought not to be shoved under a so-called social-security system. They should be cared for in another way.

There is no such thing as retirement for a farmer. He does not ever leave his farm. If he does, he may go to town for a while; but he will return to the farm if he has an opportunity to do so.

There is no such thing as retirement for Christian Science practitioners—to use an illustration. They work right on to the end. They probably become more and more efficient and more and more helpful to the persons with whom they come in contact and whom they visit.

So, Mr. President, it is a matter of real sorrow to me that, having been with the social-security work from the beginning, and having gone along with the bills and with every improvement we have made in the social-security law, in these latter years all due regard for a true perspective has been lost, and one party has tried to outbid the other party, by saying, "We want to extend social security," which is all right, so long as it is extended in the field of workers who do not make their own jobs, but who reach a point where they are taken out of employment, not at their own will or wish, but at the will or wish of someone else, someone who controls their jobs.

But now we have come full circle to a completely compulsory insurance system. I cannot support it, Mr. President. I cannot support it in the case of farm owners or in the case of professional men who do not have actual retirement points in their lives, so long as they are self-employed.

Mr. President, I yield the floor.

Mr. MILLIKIN. Mr. President, I should like to state to the Senators the reasons for making any change at all in the bill as it was passed by the Senate, and the reasons for the changes made in the House version of the bill.

Of course, there were two sets of conferees, one representing the House and one representing the Senate. Those groups were not composed of cream puffs. The conferees were tough-minded men; and conferences were nothing new to them. They tried to reach adjustments. But after several days of that procedure we reached a stalemate, and it looked as if the whole thing would fail. That situation presented the question, "Shall we allow this social-security bill to fail?" If that were to happen it would mean that the benefits of some persons would be $6 or $7 less, and it would mean 9 million or 10 million persons would not be covered.

Some of us said, "The bill must not be allowed to die in conference." So some adjustment had to be made in the viewpoints of the conferees.

Consider the case of the farmer. If the bill were allowed to die in conference, the farmer himself might not suffer direct loss; the loss would occur, I am sorry to say, in the case of dependent children and the widow when the farmer dies. In the case of a farmer who had been paying the maximum tax, when he dies, his wife and children will receive monthly benefits of $200. Many a farmer will say to himself, "When I die, and can no longer take care of my wife and children, this bill will mean a great deal to them, because then my wife and children will get $200 a month." That, I respectfully suggest, is a very generous provision, if we view it from an insurance standpoint.

I myself preferred—and I so expressed myself in the committee, and for several days I so expressed myself in the conference committee—not to include any group which did not thoroughly convince us that it wanted in. I was not completely satisfied with the showings that the farmer wanted in. I and other members of the committee wanted a sharper polling of the farmers' desires.

Of course, under this plan the farmer will not pay one penny of self-employment tax until 1956. So if the farmer does want the plan, there will be plenty of opportunity for him to express himself—and he will—whether favorably or unfavorably. If the farmer does not want it and I repeat the assurance by persons who have been talking to the farmers that they are very much interested in setting up something for their dependents and their children—but if the farmers are not interested in such a plan, they will have ample time in which to say so. And I believe the Congress will be responsive to their views. I am not condemning anyone who is not interested in this particular plan to take care of dependent children and widows.

But I say that I believe representations have been made that farmers, who might not ordinarily care about such a plan for themselves, do have fears about the future of their children and their wives, after the farmers themselves have passed on. So I suggest that is a matter of real and valid concern on the part of the Senate.

Mr. THYE. Mr. President, will the Senator from Colorado yield for a question?

Mr. MILLIKIN. I yield.

Mr. THYE. I should like to ask this question: Not all farmers become farm owners, do they?

Mr. MILLIKIN. That is correct.

Mr. THYE. Do not a great many farmers retire from farm work as tenants?

Mr. MILLIKIN. Yes.

Mr. THYE. In the later years of their lives, great numbers of tenant farmers have to go to town, and work on the streets and do various little jobs of that sort, because they have not acquired farms to live on and to live from; is not that correct?

Mr. MILLIKIN. I think the Senator from Minnesota is entirely correct.

We proceed on the assumption that everyone is either poverty stricken or a plutocrat. I suggest that in the United States there are many persons who are neither, and who—when they become elderly—do not have enough to keep things going for them. That applies to farmers, and it applies especially to farmhands. I say it should be our concern, so long as we have a social-security system, to make fair provision for them; and I think this measure will do so.

So we sat there in the conference. I do not believe anyone would say I was not faithful to the Senate committee's version. I do not believe anyone would say I was not faithful to the version voted by the Senate itself. But I and the rest of us were finally forced to consider the question, "Do we wish to exclude 7 million persons from the benefits offered by the Senate bill? Do we wish to make impossible all the benefits of the bill which we agree are good? Do we wish to ditch the whole thing? Do we wish to throw it into the wastebasket?"

Frankly, I thought it would be terrible for us to throw it into the wastebasket or ditch it. I thought that to do so would be to show a sense of irresponsibility and a sense of unwillingness to face our duty and to bring from the conference a measure which would be worthwhile, even though obviously we would be unable to please all the Members of the conference committee.

So we did the best we could, and I think I have explained to the Senate that we have obtained a great many very good concessions.

But, Mr. President, I return to the fundamental consideration. We are talking about social security and the problems of age. When men—either men on the farm or men who do other work—reach a certain age, they become less efficient in certain types of work and there is less security.

We have established some measure of security for the farmer and the farmhand at a very cheap cost. They are both protected under the bill. They are not protected as fully as many people would like to see them protected, but considering the financial situation of the country, it is as much protection as seems to be possible at the present time. Studies will be made as to what can be done in addition.

We should not take a cynical attitude and say "Don't worry about these people. They want to be free. They want to be independent. Therefore, let us wash our hands of them; let them be free and independent to get into the poorhouse, let them be free and independent to be destitute in their old age, let them be free and independent and unable to provide for their children and widows—let us not concern ourselves with those problems, for they are not our problems, and we want people to be free."

There have been some political implications in some of the comments. My party did not originate this system. I do not say that in a mean way.

There has been much talk here about breaking the barrier between the worker who was covered from the beginning and the self-employed. Let us consider that barrier. Why was it broken? It was broken because of insistent demands that came to the Congress. They came to the House Ways and Means Committee, to members of both parties; they came to Members of both parties in the Senate; and to the committees of both parties. Those people said, "We want coverage."

Put in ordinary language, the farmer who shells out his money to put the farmworker under this program says "Why can I not get under a system so that I can take care of my wife when the

time comes to do so, and take care of my children when the time comes to do so."

I do not think we are going too far afield when we think of things like that.

Mr. THYE. Mr. President, will the Senator yield?

Mr. MILLIKIN. I think the farmers will approve of what we are doing. If the farmer does not approve there will be plenty of time for him to say so, and plenty of time to change what is being done.

Mr. THYE. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. THYE. I have a question I should like to ask. Quite a number of farmers who have written me have raised a question with me. They say, "We pay the hidden tax on all the machines, on the feed we purchase, and the equipment we must use, and on all the farm equipment and supplies, be it fertilizer, seed, or whatnot. We are paying the hidden tax to pay for social security for all the workers who handle the products and who handle the machines; and when we reach the age where we must retire, when we no longer can till the land, we must leave the land to a renter or somebody else. We have nothing to support us when we must retire."

Therefore, they said, "Can you not in some manner include us under the social-security coverage?"

That is the kind of letter I have received. I did not insist that the committee take this proposed action, nor did I offer an amendment on the matter, because I trusted the good judgment of the committee members who were conducting hearings and studying this subject. I was sure they would propose a legislative bill which would cover the self-employed, if the facts justified it, and which would cover the farmer, if the facts justified it.

Therefore, let me say that the Senator from Colorado and his committee members were faced with one of the most difficult problems to come before the Senate. The work which has been done has made possible a future coverage in the year 1956, allowing ample time for the farmer to determine whether or not he will then elect to come under this law, or whether a sufficient number will say, "We do not want such social-security protection, and therefore the act shall not become applicable to us as of the year 1956."

Mr. MILLIKIN. I thank the Senator.

I was speaking about breaking the barrier. When did we first depart from the theory of covering the worker only, and move into the theory of coverage of the self-employed, Did that happen the first time in this bill? One might think so, from what has been said here.

When did that happen? How did it happen? Why did it happen? The barrier has been broken for some time.

In 1950 the sponsor of the bill which was then before us was the Senator from Georgia [Mr. GEORGE]. I say this most respectfully. I say it in no mean sense, because I have the great honor to work with the Senator. I love him, esteem him, respect him; and my actions support that statement.

The bill with regard to this matter in 1950 was sponsored by the Senator from Georgia [Mr. GEORGE], and broke the barrier, when the independent self-employed workers were granted social-security coverage except for some of the professional groups. That was done in 1950, for self-employed individuals, for the groceryman and others operating their own business establishments. We were sensitive to their problems, and they beseeched us to help them. We included them, under the sponsorship of the Senator from Georgia [Mr. GEORGE]. We gave them this coverage, except for farmers and certain self-employed people. We brought those people under the act in 1950.

That was done under the brilliant sponsorship of the Senator from Georgia [Mr. GEORGE]. I am glad to say I helped do it. I am not evading my responsibility, but I do not wish to have the impression created that we here are breaking down the basic theory of the social-security system and that we here are adding burdens. There must be some burdens if we are to accomplish good. We cannot complain about all taxes. If we want to accomplish good, we must have some burdens.

It may be claimed that we are adding a host of new burdens which were never dreamed of before, and which now beset us. That is not correct. But I could not come back and face my colleagues on this Senate floor and not allow the Senate, in the few hours left, to consider this question. I could not allow the bill to be killed in a conference committee and come back and say, "I am sorry, gentlemen; we are going to punish the 6½ million people now on the benefit rolls and the millions proposed to be covered by the bill because a group of Members of the House and a group of Members of the Senate did not have"—I want to put it kindly—"what was necessary to come back here with an agreement."

We came back with an agreement. Every one of us, I am sure, would have brought back a different agreement had his own viewpoint prevailed completely, but that cannot happen in a conference. The purpose of a real conference is to iron out real disputes. We did that.

We brought back a bill which brings no shame to the Senate conferees.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. YOUNG. What happens in the case of a farmer who for a long period of time has an income which is so low he is not able to make his payment?

Mr. MILLIKIN. There is a 5-year drop-out, for periods taken out of the whole record, allowing him a chance to build up an average income on the good years.

Mr. YOUNG. Can he voluntarily drop out if his income is sufficient?

Mr. MILLIKIN. No. If his income is sufficient to pay he must pay, and cannot voluntarily drop out. If that were possible there would not be any system.

Mr. YOUNG. How does the Government collect this tax?

Mr. MILLIKIN. Just as it collects any other tax. It is collected by the Bureau of Internal Revenue.

Mr. YOUNG. If he sells any grain would the Government be able to levy on that grain?

Mr. MILLIKIN. The tax will apply to his net income.

Mr. YOUNG. During most of the 25 or more years that I farmed, I found there were not more than 5 or 6 years that I had a net income. What would happen in that case?

Mr. MILLIKIN. If he does not have any income, he cannot build up credit, and there is no tax. There are minimums that have to be built up for the worker, for the farmer, for the self-employed. If he does not work certain periods of time under certain circumstances and does not make enough money, he is just not in it.

Consider the self-employed that were taken in in 1950, remember. Prior to 1950, we gave a lot of consideration to whether we should bring the self-employed in. One of the things that bothered us is, is it feasible administratively. We had all kinds of ideas about the stamp plan and other methods to collect taxes, but the self-employment tax has worked, and it will work here, I am quite confident.

I yield to the Senator from Mississippi.

Mr. STENNIS. I want the floor in my own right when the Senator has concluded.

Mr. MILLIKIN. I think I shall suspend for the time being.

Mr. STENNIS. Mr. President, I have the honor to represent a State which I understand receives the highest percent of its income from agriculture of any State in the Union. That situation may vary somewhat from year to year, but generally it has the highest percent. Most of the people who live on the land are small landowners and small farmers. I speak here tonight for what I think is in their interest.

I do not believe any individual comes as near representing the citizenship that is described in the Constitution as does the small farmer. I do not believe any economic unit within all our economy represents free enterprise any better than the small farmer who lives on the land and whose chief income comes from what he grows on the land. He personifies the citizenship described in the Constitution. He personifies the very heart and soul of the free enterprise system. The man who lives on the land and makes his living there symbolizes man at as high a spiritual level as will be found in our Nation.

I wish to raise this question: Who in that category has asked to come under this program? I give Senators my word that not a single farmer in my State has ever asked me by letter to come under it, and none has asked me in person. They do not think in such terms.

The argument is made that, in order to keep the bill from failing, we must put them in anyway, and if they want to come out, we will consider, before 1956, taking them out.

To my mind that suggests the instability and lack of real foundation of the idea of including this group in a social-security program which was designed originally and primarily for industrial

workers, the most logical reason for which was based on a program for workers who are absolutely dependent upon someone else for their livelihood. As the Senator from Nebraska suggested, this is the last step. There are no stopping places beyond the individual farmer.

It has been said that the Republican Party did not originate this program, but who can stand up on the other side of the aisle after voting for this provision and say anything again about the New Deal? Who can criticize the New Deal any more, after voting for this extreme measure? Who is willing to rise and take back some things that have been said about it, if this measure is to be sponsored tonight by the group on the other side of the aisle? I do not raise the party line in this connection. I do not think that is the basis of the argument but something has been said along that line.

I have been advising the young people in my State to buy land with the first money they could save, and I advise other people not to sell their land, because it represents an economic unit which is the basis upon which one can retain his self-respect and can have some kind of living, a place to which he can go, a place from which no one can evict him. This bill would help to put the small landowner off his land. I shall enumerate briefly some of the things it would do.

Suppose a farmer has about 200 acres of land. It is not rich, fertile land. Some of it is in timber, not valuable timber, but growing pine or trees of some kind. That leaves 75 acres, say, for pasture and cultivation.

Suppose he is operating on a very small scale and has only one tenant. Nevertheless, he must pay $40 if that tenant is taxable on only $1,000 worth of produce, because the landowner must pay his 2 percent, and he must pay the tenant's 2 percent. In the realm of reality things would work that way. He would have to pay 3 percent on the amount for which he was assessable; and if his cattle, his crops, and his other produce brought in $4,200, the tax would be $146.

Suppose he had only one sharecropper, on a very small unit, and that sharecropper were taxed on only $1,000 worth of income. That would be $40. Suppose he spent $1,500 for a farm worker. The tax would be $60.

Suppose he had a domestic servant in the course of the year. The tax would be $32. That totals $298 cash.

Small farmers do not take in a great deal of cash. They grow much of what they use and consume, but when it comes to having cash dollars and cash profit it does not come in very fast on small units. That is $298 cash liability which he must make in the way of profit to pay this tax alone. Many small farm units do not make that much clear profit in the course of an entire year. I am talking about clear cash profit. That is the only thing with which the farmer can pay this tax.

I verily believe that we are going to drive him away from the land because he cannot carry this added burden. As I said, I have been advising young people to buy some land as soon as they can, and advising other people not to sell their land. I believe land in Mississippi is selling for less, based on its productive value, than in any other place in the Nation. I have been telling them that.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator.

Mr. SYMINGTON. I ask the distinguished Senator from Mississippi if the overall policy of the administration now is not apparently to drive the farmer off the land?

Mr. STENNIS. I certainly think that will be the trend of this tax. I appreciate the Senator's question.

Mr. SYMINGTON. Will the Senator further yield?

Mr. STENNIS. I am glad to yield to the Senator.

Mr. SYMINGTON. Did not a high official of the Department of Agriculture say last year that all marginal farmland should be turned into grass or lie fallow?

Mr. STENNIS. I think I saw some statement along that line. I am not certain who made the statement. I thank the Senator for his observation.

Mr. President, this is a serious matter. We seek to justify this provision on the ground that we must pass it to keep from punishing someone else. I am surprised and amazed at such an argument being made. This bill carries the germ to destroy the small farm unit in many areas of this country, based upon what the tax will add to the burden the small farmer already has to carry.

We should remember that there is no substitute for paying cash, hard money. Someone said a while ago, while the distinguished Senator from Georgia [Mr. GEORGE] was making his masterly address—and his addresses are always masterly, and particularly so tonight—that his argument represented the last of an era. If that be true, Mr. President, I wish to say it was a glorious era. It was based on individual effort, free enterprise.

Farmers lived on their own land and feared God, but feared no man. They were not looking to the Government to keep them out of the poorhouse. I live in a part of the country which is almost entirely rural. There is not much rich land there. I remember when we had a poorhouse, but there were never more than 4 or 5 persons in it.

That is not the proper approach to this problem. Farmers represent the heart and soul of this Nation. A man who is trying to get a start on his farm will have to pay these taxes, which will increase over the years, and he will be responsible for paying them. This part of the bill should never have been included in it. The conference report should be rejected until that portion is stricken out.

I do not care to detain the Senate longer, Mr. President, and I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

ADDITIONAL EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ADJOURNMENT OF THE TWO HOUSES OF CONGRESS

Mr. KNOWLAND. Mr. President, I call up House Concurrent Resolution 266, dealing with the adjournment of the Congress, and ask that it be read.

The PRESIDING OFFICER. The clerk will read the concurrent resolution.

The Chief Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the 2 Houses of Congress shall adjourn on Saturday, July 31, 1954, and that when they adjourn on said day they stand adjourned sine die.

The PRESIDING OFFICER. Is there objection to the consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the resolution (H. Con. Res. 266).

Mr. KNOWLAND. Mr. President, I offer an amendment in the nature of a substitute, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from California [Mr. KNOWLAND].

The CHIEF CLERK. It is proposed to strike out all after the resolving clause and insert:

That the House of Representatives shall adjourn on August 20, 1954, and that when it adjourns on said day, it stand adjourned sine die.

Resolved further, That the consent of the House of Representatives is hereby given to an adjournment sine die of the Senate at any time prior to December 25, 1954, when the Senate shall so determine; and that the Senate, in the meantime, may adjourn or recess for such periods in excess of 3 days as it may determine.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from California [Mr. KNOWLAND].

Mr. KNOWLAND. Mr. President, I ask unanimous consent to make a brief

explanation of what the amendment will do. Normally, the amendment would not be debatable.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and the Senator may proceed.

Mr. KNOWLAND. Mr. President, what the amendment which I have offered, after consultation with the minority leader, would do would be to give the consent of the Senate, which is required under the Constitution, for adjournments of more than 3 days, that the House may adjourn sine die as of this date. The House, in turn, if it agrees to the resolution, would give its permission to the Senate of the United States to adjourn or to recess from time to time as the Senate itself may determine. That is the basis of the amendment to the resolution. When it goes back to the House, the House will either accept it, amend it, or take whatever action in their judgment they should take with reference to it. If it is accepted at any time during today, at such time as the House may determine it should adjourn sine die, the Senate would still remain to meet as long as it determines to remain in session.

That is the general meaning and intent of the amendment.

Mr. THYE. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. THYE. We could adjourn subject to the call of the Vice President, could we not?

Mr. KNOWLAND. By order of the Senate, or by Senate resolution. When we finally determine to wind up our business we could determine to adjourn to a day certain or to adjourn subject to call by the leadership on both sides of the aisle. That would be a question for the Senate to determine.

Mr. RUSSELL. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. RUSSELL. Is that a debatable issue? I am speaking of the modus operandi of bringing the Senate back into session.

Mr. KNOWLAND. I will say to the distinguished Senator from Georgia that I have discussed it with the minority leader and with the Parliamentarian. The Parliamentarian tells me that if this resolution is agreed to, the Senate itself can determine by order or by resolution the precise way it wishes to be called back into session.

Mr. RUSSELL. Since it is connected with a sine die adjournment resolution, is it debatable? That is what concerns me.

Mr. KNOWLAND. Of course, normally, I assume that neither a sine die adjournment resolution nor, for that matter, a motion to recess, is debatable. But so far as I am concerned, I would not propose to send an order or a resolution to the desk without prior consultation with the minority leader.

Mr. MAYBANK. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. MAYBANK. When the Senate meets again it can bring up whatever it may wish, provided no action on the part of the House is needed. Is that correct?

Mr. KNOWLAND. So far as the power of the Senate is concerned, that is correct.

Mr. MILLIKIN. I simply wish to clinch on the question I asked before. Will the action the Senate takes inhibit anything being done by the Senate on which the Senate may decide to take action?

Mr. KNOWLAND. Nothing, so far as the Senate is concerned, is inhibited. Once the House has acted upon its resolution to adjourn sine die, and is no longer in session, Congress as Congress, cannot function. But the Senate can take any action which the Senate alone may take.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute for the resolution.

The amendment was agreed to.

The resolution, as amended, was agreed to.

AUTHORIZATION OF THE SPEAKER OF THE HOUSE AND PRESIDENT OF THE SENATE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS PASSED BY THE TWO HOUSES

Mr. KNOWLAND. Mr. President, I submit a concurrent resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the concurrent resolution.

The Chief Clerk read the resolution (S. Con. Res. 109), as follows:

Resolved by the Senate (the House of Representatives concurring), That, notwithstanding the sine die adjournment of the House of Representatives and the temporary adjournment of the Senate, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered, and agreed to.

PRINTING OF ADDITIONAL COPIES OF PART I OF HEARINGS ON BALTIC STATES INVESTIGATION

The PRESIDING OFFICER (Mr. BARRETT in the chair). The Chair lays before the Senate a concurrent resolution coming over from the House of Representatives, which the clerk will read for the information of the Senate.

The Chief Clerk read the resolution (H. Con. Res. 272), as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Select Committee To Investigate the Incorporation of the Baltic States into the U. S. S. R., 1,000 additional copies of part I of the hearings on the Baltic States Investigation, held by the said select committee during the 83d Congress, 1st session.

Mr. KNOWLAND. Mr. President, under the normal comity between the two Houses, the concurrent resolution should be agreed to.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered, and agreed to.

AMENDMENT OF SECTION 345 OF REVENUE ACT OF 1951

Mr. FREAR. Mr. President, may I ask the Senator from California, the distinguished majority leader, if he thinks Calendar No. 2060, H. R. 6440, to amend section 345 of the Revenue Act of 1951, might be taken up?

Mr. KNOWLAND. No; that is not on the list of bills to be considered.

Mr. FREAR. May I ask if the distinguished Senator from Colorado, chairman of the Committee on Finance, would seriously object if the junior Senator from Delaware offered a few remarks for the RECORD, without taking the time of the Senate to read them?

Mr. MILLIKIN. I hope the distinguished Senator from Delaware will manifest his usual brevity and conciseness.

First, I should like to say a word in explanation of the bill.

We who are members of the Committee on Finance know that the bill contains a number of highly controversial provisions, and also that many Senators have further amendments to it lurking in their pockets. It is questionable how much time would be required for their consideration in the Senate, and we know positively that the House will not take any action on them. So I think the only recourse would be to make the bill the first order of business at the next session.

I hope the Senator from Delaware will present his amendment and will proceed with his remarks in a concise manner.

Mr. FREAR. I thank the distinguished chairman.

Mr. President, I ask unanimous consent to have printed in the RECORD, first, the amendment intended to be offered by me and then a statement by me in connection therewith.

There being no objection, the amendment and statement were ordered to be printed in the RECORD, as follows:

AMENDMENT TO H. R. 6440

Be it enacted, etc., That section 812 (d) of the Internal Revenue Code of 1939 (relating to transfers for public, charitable, and religious uses) is amended by deleting the period at the end of the third sentence and inserting in lieu thereof a colon and the following: "*Provided*, That if under the laws of any State, or if under the laws of any jurisdiction where an estate is administered, an inheritance, succession, or other death tax is imposed by such State of other jurisdiction upon the amount of any bequests, devises, or legacies deductible under this section, the taxes so imposed shall not reduce the amount deductible under this section."

SEC. 2. The amendment to the Internal Revenue Code made by this act shall apply only with respect to estates of decedents dying after December 31, 1953.

STATEMENT BY SENATOR FREAR IN SUPPORT OF AMENDMENT TO SECTION 812 (D) OF 1939 INTERNAL REVENUE CODE

If a resident of the State of New York, Colorado, Georgia or Delaware dies with a

gross estate of $60 million, and in his last will and testament he bequeaths his entire estate to a foundation organized and operated exclusively for religious, charitable, scientific, literary or educational purposes and located within the State of his residence, the foundation receives $60 million and there are no Federal or State estate or inheritance taxes. This is true because under the laws of New York, Georgia, Colorado and Delaware charities are defined in substantially the same manner as under Federal law, and bequests to charities are exempt from death taxes in the same manner as under Federal law.

By contrast, if the same individual was a resident of Pennsylvania, or any other State and bequeathed his entire $60 million estate to a Pennsylvania foundation organized and operated exclusively for religious, charitable, scientific, literary or educational purposes, the charity would receive only $37,916,151. Although in the latter case the will of the decedent was identical and the foundation was identical, Federal estate taxes are levied in the amount of $15,392,764. This is true because, under the laws of the Commonwealth of Pennsylvania, bequests to foundations or other charities (except those operated exclusively for purposes of "free public exhibition") are subjected to the Pennsylvania inheritance tax at the rate of 15 percent. Thus, the State of Pennsylvania collects $6,691,085 as an inheritance tax upon the charitable bequest, and because of this fact Federal estate taxes are levied against the estate in the amount of $15,392,764.

Thus, although it is the policy of the Federal Government to exempt from the Federal estate tax, without limitation, all bequests to recognized charities under Federal law, the policy is changed if a State or other political subdivision taxes the charity. This conflict in Federal policy occurs by reason of the language of section 812 (d) of the 1939 Internal Revenue Code and section 2055 (c) of the 1954 Internal Revneue Code wherein it is stated that the charitable deduction under Federal law must be reduced on account of any death taxes payable out of the bequest to a charity.

This reduction in the charitable deduction under Federal law makes good sense where the taxes payable by the charity are imposed upon bequests to the family of the decedent or upon other taxable beneficiaries. It does not make sense where the tax is imposed by a State upon the very charitable bequest which is exempt under Federal law.

This amendment provides that if a State imposes an inheritance tax upon the receipt of any bequest, devise, or legacy which is deductible under the Federal estate-tax law, the State inheritance tax so imposed shall not reduce the charitable deduction under the Federal law.

If H. R. 6440, with this amendment, is enacted into law, the estate of a citizen of Pennsylvania, or any other State, who dies and bequeaths property to a Pennsylvania charity recognized as such under Federal law, will be taxed under Federal law in the same manner as the estate of residents who die in other States. The Federal exemption will not depend upon State law.

Consistency and fairness in the administration of Federal estate-tax laws demand that all citizens of the United States, wherever domiciled, who make bequests to charities recognized as such under Federal law, should be taxed in the same manner under Federal tax laws.

If this amendment is not made a part of the law, the Federal Government is in the position of imposing an estate tax upon a charity and of imposing a Federal tax upon a State tax. Furthermore, the Federal estate tax is computed in the same manner as if the State inheritance tax were a bequest to the family of decedent, free and clear of all death taxes.

The amendment does not disturb the reduction in the allowable charitable deduction under Federal law if death taxes payable with respect to bequests to the family or other taxable beneficiaries reduce the amount the charity receives.

In computing the Federal estate tax, the estate of a decedent is allowed a deduction for the amount of any bequests, devises or legacies for pnblic, charitable or religious purposes. The deduction is described in Section 812 (d) of the 1939 Internal Revenue Code and section 2055 of H. R. 8300. It has been the policy of Congress to allow a deduction for charitable bequests, in similar language, since the Revenue Act of 1918.

However, under the provisions of subparagraph (c) of section 2055, H. R. 8300, the amount of the charitable deduction otherwise allowable is reduced on account of any estate, inheritance or other death taxes payable out of the charitable bequest. The language of subparagraph (c) describing the reduction is as follows:

"(c) Death taxes payable out of bequests: If the tax imposed by section 2001, or any estate, succession, legacy, or inheritance taxes, are, either by the terms of the will, by the law of the jurisdiction under which the estate is administered, or by the law of the jurisdiction imposing the particular tax, payable in whole or in part out of the bequests, legacies, or devises otherwise deductible under this section, then the amount deductible under this section shall be the amount of such bequests, legacies, or devises reduced by the amount of such taxes."

The above-quoted sentence was first added to the estate tax laws by sections 303 (a) (3) and 303 (b) (3) of the Revenue Act of 1924; it was repealed retroactively by section 323 of the Revenue Act of 1926 and reinstated by section 807 of the Revenue Act of 1932.

There was a definite deficiency in the law which the above-quoted sentence was intended to cure. The deficiency was cured but the medicine used was much too strong. The purpose of the sentence quoted above was to close a loophole in the law resulting from an interpretation of the charitable-deduction statute by the Supreme Court of the United States in *Edwards* v. *Slocum* (264 U. S. 61, decided in 1924). The Supreme Court in this decision held that where a testator left his residuary estate to charity a deduction was allowable in an amount equal to the value of the residuary estate whether or not the testator directed or local law required estate and inheritance taxes to be paid from the residuary estate. For example, a testator having a gross estate of $5 million might bequeath $2,532,000 to his family, free and clear of taxes, and bequeath the residue of his estate to a charity after the payment from the residue of all estate and inheritance taxes imposed upon the bequest of his family. The aggregate estate and inheritance taxes imposed upon the bequest to the family would equal $2,468,000, so the charity would receive nothing, but on the estate-tax return of the testator there would be claimed, and under *Edwards* v. *Slocum* there would be allowed, a charitable deduction of $2,468,000.

Thus language was added to the estate-tax laws that the amount of a deduction for a bequest to charity must be reduced by taxes payable out of such bequest whether by direction of the taxpayer or under local law.

In *Edwards* v. *Slocum*, however, it will be noted that the taxes payable out of the charity bequest were taxes which were imposed upon noncharitable bequests. The language designed to correct this defect was much too broad in that it makes no distinction between taxes payable out of a charitable bequest which are imposed upon noncharitable bequests and taxes payable out of a charitable bequest which are imposed upon the charitable bequest itself. For example, under the inheritance-tax laws of several States bequests to charity are deductible only if the charity is located in the State where the testator is domiciled. Let us assume, therefore, that the testator domiciled in one State leaves his entire estate of $10,318,000 to a church or school located in a different State from that of his domicile. Let us assume that under the State inheritance tax laws this bequest is taxable at a rate of 10 percent, or $1,031,800. It follows that, under the existing Federal estate tax law the charitable deduction would be reduced by $1,031,800 and reduced further by Federal taxes of $528,200. Thus the church would receive only $8,658,000. The Federal Government, in such a case, is in the position of collecting a Federal estate tax on a bequest to a church or a school, which is directly contrary to its declared policies.

The intent of the Congress in adding the above-quoted language to the estate tax laws is stated clearly in the report of the Senate Finance Committee accompanying the Revenue Act of 1932, which reads as follows:

"SECTION 807. Deduction of bequests, etc., to charity.

"The purpose of this amendment is to limit the deduction for charitable bequests, etc., to the amount which the decedent has in fact and in law devised or bequeathed to charity. Under existing law no consideration can be given to any estate, succession, legacy, or inheritance taxes imposed with respect to a decedent's estate even though by the terms of his will or the local law they actually reduce the amount of such bequest or devise. It is evident that where the decedent gives his residuary estate to charity, but by his will directs that such taxes shall be paid therefrom, all that he gives to charity and all that charity is entitled to receive is the residuary estate reduced by the amount of the taxes charged against it; the residuary estate being what is left after the subtraction of such taxes and other charges and prior bequests. This is equally true where, in the absence of such a direction in the will, such taxes under the local law are payable out of the residuary estate.

"This amendment restores the sentence appearing in sections 303 (a) (3) and 303 (b) (3) of the Revenue Act of 1924, which was retroactively repealed by section 323 of the Revenue Act of 1926.

"The Supreme Court on February 18, 1924, in the case of *Edwards* v. *Slocum* (264 U. S. 61) held that, as a matter of construction, a residuary gift to charity was not to be reduced by the Federal estate tax which was imposed on so much of the estate as the testatrix had bequeathed to individuals. Under the State law the estate tax was payable generally out of the estate and so fell upon and reduced the residuary estate given to charity. As a legislative reversal of the decision in that case, the sentence referred to was incorporated in the Revenue Act of 1924 and covered Federal estate taxes as well as State inheritance taxes where, either by the terms of the will or by the local law, any such tax operated to reduce the amount given to and received by charity. In view of the retroactive repeal of the sentence, the Treasury took the position that the legislative intent thereby indicated necessarily extended both to the Federal estate tax and to State inheritance taxes.

"Under the existing law, most absurd results are reached. Thus, if a testator gives his residuary estate to charity and directs that the Federal estate tax and the State inheritance taxes shall be paid out of such estate, the result may be that nothing is left for charity. In such case, notwithstanding nothing is given to charity and charity re-

ceives nothing, still there must be deducted from the gross estate a wholly fictitious sum, namely, what he would have given to charity had he not directed otherwise. The result in all other cases to which the amendment will apply varies from the foregoing example in degree only."

The legislative history of section 807 of the Revenue Act of 1932, as shown above, indicates that Congress was concerned, and properly so, only with closing the loophole which stemmed from the Supreme Court decision in *Edwards* v. *Slocum*. The above-quoted report of the Senate Finance Committee does not indicate any intent on the part of Congress to tax bequests to charities merely because a State elects to do so. However, the language of the statute which has been carried over to subparagraph (c) of section 2055 of H. R. 8300 fails to differentiate between estate or inheritance taxes payable out of a charitable bequest which are imposed upon noncharitable bequests and estate or inheritance taxes payable out of a charitable bequest which are imposed upon the charitable bequest itself.

The distinction is a vital one, and failure to make the distinction leads to results which are equally as absurd as those which the Congress intended to cure. A further example is as follows: Under the laws of Pennsylvania, a charitable bequest is not exempt from the Pennsylvania inheritance tax unless used exclusively for purposes of "free public exhibition." Thus if a resident of Pennsylvania, or a resident of any other State who has a gross estate of $64 million dies and bequeaths $3 million, free and clear of taxes, to his family and the entire residue of his estate to a Pennsylvania church or college or foundation, Pennsylvania imposes a tax of 15 percent upon the residuary bequest. In such case the charitable deduction of the testator under the Federal estate tax laws is reduced to the ridiculously low figure of $32,912,591 because the charitable deduction is reduced by Pennsylvania taxes of $5,808,104 and Federal and State estate taxes of $22,279,305. In such a case it is clear that the Federal Government is imposing a tax on a tax; and it is also imposing a tax on a bequest which is entirely exempt under Federal estate-tax law.

In addition to the absurdity of this result, advanced algebra is required to compute the amount of the Federal and State taxes because the Federal law allows a deduction only for what the charity receives after State and Federal taxes, but what the charity receives cannot be known until both the State inheritance tax and the Federal estate tax are computed.

There is no doubt about the fact that the law is interpreted in this manner both by the Commissioner of Internal Revenue and by the courts, and the language of the statute would not seem to permit the Commissioner to make the vital distinction between taxes on charitable bequests and taxes on noncharitable bequests referred to hereinbefore. The Commissioner's Regulations 105, section 81.44, state as follows:

"Thus, if $50,000 is bequeathed for a charitable purpose and is subjected to a State inheritance tax of $5,000, the amount deductible is $45,000."

Furthermore, the Tax Court of the United States in *Estate of R. J. Freed* (6 TCM 216) has held that where a decedent bequeathed a life estate to a member of his family and the remainder to a Pennsylvania charity, the amount deductible under Federal estate-tax laws was the value of the remainder reduced by the amount of the Pennsylvania inheritance taxes imposed upon this charitable bequest.

The regulations of the Commissioner and the decision of the Tax Court are in conformity with the decision of the Supreme Court in *Harrison* v. *Northern Trust Company* (317 U. S. 476), which decision, however, did not involve a tax on the charity itself.

In the name of simple, consistent, and fair tax laws, we urge that the Congress adopt H. R. 10057 and distinguish between (1) estate or inheritance taxes payable out of charitable bequests which are imposed upon noncharitable bequests, and (2) estate or inheritance taxes payable out of charitable bequests which are imposed upon the very bequest which is exempt from estate taxes under Federal laws.

In other words, under the Federal estate-tax laws the deduction for bequests for public, charitable, or religious uses should not be reduced because a State imposes a tax on the very bequest exempt under Federal law.

THE MAJORITY LEADER AND THE MINORITY LEADER

Mr. FREAR. Mr. President, in these closing moments of the very interesting and unusual 2d session of the 83d Congress, I wish to pay tribute to the majority leader. The majority leader has had unusual responsibilities placed upon him during the entire session. I think he has acted with courage, fortitude, and sincerity.

Our distinguished minority leader has within his following many conservatives and many liberals, and also, I suspect, many who are independent in their thinking, although they do not claim membership in the Independent Party. Our majority leader, strong, tall, and handsome, has always acted humbly in his position, but he has also acted with firmness and unexcelled courage.

CONSIDERATION OF CERTAIN BILLS PASSED BY THE HOUSE

Mr. KNOWLAND. Mr. President, I wonder if the distinguished junior Senator from Nevada [Mr. MALONE] would be willing to allow the pending business to be temporarily laid aside, so that several matters which I have discussed with the minority leader, which I believe are noncontroversial, may be disposed of in a relatively short period of time.

Mr. MALONE. May I ask the distinguished Senator from California the number of bills which are pending which have passed the House or will have an opportunity to pass the House, if they are passed by the Senate.

Mr. KNOWLAND. There are a number of bills which, I believe, are noncontroversial. All have passed the House. There are about 5 or 6 bills on the list, including 2 claims bills. I think that if the Senate were to have another call of the calendar, these bills undoubtedly would pass, especially insofar as the claims bills are concerned. The other bills are not of a controversial nature, in my opinion. All of them have passed the House, and are now pending in the Senate.

Mr. MALONE. I shall be glad to yield for the purpose as outlined by the distinguished Senator from California, in order to call up the bills and to have them passed, if there be no objection to them, and if it would take very little time. But if there is to be extended debate on them, I shall have to object.

NEIL C. HEMMER AND MILDRED HEMMER

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 2536, H. R. 8606.

Mr. MALONE. Mr. President, will the distinguished Senator from California give me an estimate of the time he believes will be required for the consideration of these bills?

Mr. KNOWLAND. As I have previously indicated, I do not believe the two claim bills will take more than a few minutes. I cannot absolutely guarantee that statement, because I do not know what difficulties may be encountered during their consideration.

The bill for the relief of Neil C. Hemmer and Mildred Hemmer, H. R. 8606, was reported by the Committee on the Judiciary. The distinguished Senator from Minnesota [Mr. THYE] has called it to my attention. I think he could explain it in not more than a minute.

Mr. MALONE. Mr. President, I ask unanimous consent that 20 minutes may be set aside for the consideration of the bills described by the distinguished majority leader, and at the end of 20 minutes the Senate revert to the consideration of the unfinished business.

Mr. KNOWLAND. I would have no objection. I should like to feel that additional time could be asked for if 20 minutes were not sufficient.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada? The Chair hears none, and it is so ordered.

Is there objection to the unanimous-consent request of the Senator from California, to proceed to the consideration of Calendar 2536, H. R. 8606?

There being no objection, the Senate proceeded to consider the bill (H. R. 8606) for the relief of Neil C. Hemmer and Mildred Hemmer which had been reported from the Committee on the Judiciary with amendments on page 1, line 5, after the word "to", to insert "Neil C. Hemmer"; at the beginning of line 6, to insert "Mildred Hemmer of Austin, Minn."; and on page 2, line 3, after the word "act", to strike out "in excess of 10 percent thereof."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

TRUST ASSOCIATION OF H. KEMPNER

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1986, H. R. 951, which has been called to my attention by the distinguished minority leader. As I understand, the bill provides that the claim which is involved be referred to the Court of Claims. The Senator from Texas can enlighten the Senate further about the bill.

Mr. JOHNSON of Texas. Mr. President, this bill, which has passed the House, would confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon the claims of the Trust Association of H. Kempner of Galveston, Tex., and of Germann & Co., a German firm.

The claims of the Trust Association of H. Kempner are against the Government of Germany and certain German mills. They are for losses sustained as the result of the sale of cotton by assignors of the trust association to the German mills in 1923 and 1924.

The claims of Germann & Co. are for amounts said to have been wrongfully paid out of the assets of the company while it was being administered by the Alien Property Custodian after World War I.

While these two claims are not actually related to each other, under the provisions of this bill, one would be set off against the other without the use of any appropriated funds.

Involved in the claims of H. Kempner is the default of German buyers of cotton futures in transactions in which the Kempner firm acted as commission broker and banker. Although the Trust Association has received some relief, most of its claims remain unpaid, largely as the result of exchange restrictions imposed by the German Government.

The other claim involved in this bill is that of Germann & Co., a German corporation doing business in the Philippine Islands, which was seized by the Alien Property Custodian in February of 1918. It is alleged that during the time the firm was held by the Office of Alien Property, large sums were wrongfully paid from the property by employees of the United States.

This bill would permit the Court of Claims to determine the validity of the claim of Germann & Co. against the United States. If the claim were held valid, the amount involved could then be charged against the War Claims Fund created by the War Claims Act of 1948. The amount so charged then would be paid to the Trust Association of H. Kempner in return for an assignment of its claim against the German mills and the German Government—provided, of course, that the court determined the Kempner claim to be valid.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. WATKINS. Did the House concur in the Senate amendment?

Mr. JOHNSON of Texas. No; the amendment has not been agreed to as yet in the Senate.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from California?

There being no objection the Senate proceeded to consider the bill H. R. 951, an act for the relief of the trust association of H. Kempner, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 4, after the word "hear", to insert "determine and render judgment on"; at the beginning of line 9, to insert "assignors of"; in line 11, after word "of", to strike out "any"; in the same line, after the word "losses" , to insert "if any?"; in the same line, after the word "to", to insert "hear"; on page 2, line 1, after the word "determine", to insert "and render judgment on the claims against the United States for"; in line 2, after the words "of the", to strike out "various"; in the same line, after the word "amounts", to insert "if any"; in line 5, after the word "Custodian", to insert "after seizure during World War I. Suit may be instituted in the Court of Claims pursuant to this act at any time within 1 year from date of approval of this act by the President."; in line 18, after the word "States", to strike out "or which may hereafter come into the possession or under the control of the Government of the United States,"; on page 3, line 9, after the numerals "1924", to insert "if such claims have been determined to be valid by the Court under section I of this act"; and in line 14, after the numerals "1948", to insert a colon and "*Provided further*, That no payment shall be made pursuant to this act from the appropriated funds in the United States Treasury: *And provided further*, That nothing contained here shall be construed as an inference of liability on the part of the United States Government, the Government of Germany or nationals thereof."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CONTROL OF LAKE LEVEL OF LAKE MICHIGAN

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 1830, which is House bill 3300. This is not a private claim bill.

The PRESIDING OFFICER. The Clerk will state the bill by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 3300) to authorize the State of Illinois and the Sanitary District of Chicago under the direction of the Secretary of the Army to help control the lake level of Lake Michigan by diverting water from Lake Michigan into the Illinois Waterway.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HOLLAND. Mr. President, I object.

Mr. BUSH. Mr. President, to what does the Senator object?

Mr. HOLLAND. I object to the consideration of the bill.

The PRESIDING OFFICER. Objection is heard.

PAYMENT FROM PROCEEDS OF DISPOSAL OF GOVERNMENT SURPLUS REAL PROPERTY

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 2344, Senate bill 3772, which the distinguished Senator from Maine [Mrs. SMITH] is prepared to handle.

The PRESIDING OFFICER. The Clerk will state the bill by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 3772) to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the payment of appraisers, auctioneers, and brokers' fees from the proceeds of disposal of Government surplus real property, and for other purposes.

Mr. KNOWLAND. Mr. President, for the information of the Senate, the distinguished Senator from Tennessee [Mr. GORE], who is on the minority calendar committee, came to me yesterday and informed me that he had withdrawn any objection he had to the bill.

Mr. GORE. Mr. President, I consulted the representatives of the Bureau of the Budget, who explained in detail the particular purpose they had in mind, which appeared to me to be a worthy purpose, and I have therefore withdrawn my objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 3772) to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the payment of appraisers, auctioneers, and brokers' fees from the proceeds of disposal of Government surplus real property, and for other purposes, which had been reported from the Committee on Government Operations, with amendments, on page 2, line 7, after the word "act", to insert "for"; in the same line, after the amendment just above stated, to strike out "including but not limited to"; in line 8, after the word "brokers" to insert "and for advertising and surveying"; and in line 12, after the word "expenses", to insert "Fees paid to appraisers, auctioneers, and brokers shall be in accordance with the scale of fees customarily paid for such services in similar commercial transactions, except that there shall not be paid from the fund in any fiscal year, to defray direct expenses incurred during such year in connection with the disposition of surplus property, any sum in excess of 10 percent of the gross proceeds of all such dispositions made in such year", so as to make the bill read:

Be it enacted, etc., That section 204 of the Federal Property and Administrative Services Act of 1949, as amended, is amended as follows:

(a) Subsections (b), (c), (d), (e), and (f) are redesignated as subsections (c), (d), (e), (f), and (g), respectively.

(b) A new subsection (b) is added, reading as follows:

"(b) All the proceeds of such dispositions of surplus real and related personal property made by the Administrator of General Services shall be set aside in a separate fund in the Treasury. Not more than an amount to be determined quarterly by the Director of the Bureau of the Budget may be obligated from such fund by the Administrator to pay the direct expenses incurred for the dispositions of surplus property under this act for fees of appraisers, auctioneers, and realty brokers, and for advertising and surveying.

Such payments from this fund may be used either to pay such expenses directly or to reimburse the fund or appropriation initially bearing such expenses. Fees paid to appraisers, auctioneers, and brokers shall be in accordance with the scale of fees customarily paid for such services in similar commercial transactions, except that there shall not be paid from the fund in any fiscal year, to defray direct expenses incurred during such year in connection with the disposition of surplus property, any sum in excess of 10 percent of the gross proceeds of all such dispositions made in such year. Periodically, but not less often than once each year, any excess funds beyond current operating needs shall be transferred from the fund to miscellaneous receipts: *Provided*, That a report of receipts, disbursements, and transfers to miscellaneous receipts under this authorization shall be made annually in connection with the budget estimates to the Director of the Bureau of the Budget and to the Congress."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mrs. SMITH of Maine subsequently said: Mr. President, a few minutes ago the Senate passed Senate bill 3772, Calendar No. 2344. I now ask unanimous consent that the Senate reconsider the vote by which that bill was passed, in order that the Senate may consider the companion House bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maine? Without objection, it is so ordered.

Mrs. SMITH of Maine. Mr. President, I now ask unanimous consent that the Senate proceed to the consideration of House bill 10187, Calendar 2534, to amend the Federal Property and Administrative Services Act of 1949, to provide for the payment of brokers' fees.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 10187) to amend the Federal Property and Administrative Services Act of 1949, to provide for the payment of brokers' fees, and for other purposes.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3772 is indefinitely postponed.

FEDERAL RECLAMATION PROJECTS

Mr. KNOWLAND. Mr. President, two bills were called up on the last calendar call, to which I should like to invite the attention of the Senate. One is Calendar No. 2503, House bill 9981, dealing with distribution systems on reclamation projects, and the other is Calendar No. 2501, House bill 5301, regarding Federal cooperation in non-Federal projects, and participation by non-Federal agencies.

I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 2503, House bill 9981, a bill to provide for the construction of distribution systems on authorized Federal reclamation projects by irrigation districts and other public agencies.

I believe the Senator from Wyoming [Mr. BARRETT] is prepared to speak on the bill.

Mr. GORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GORE. I did not hear the statement of the distinguished majority leader.

Mr. KNOWLAND. I have propounded a unanimous consent request that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 2503, which is House bill 9981.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

Mr. JOHNSTON of South Carolina. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

FEDERAL RECLAMATION LAWS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 2501, which is House bill 5301.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 5301) to supplement the Federal reclamation laws by providing for Federal cooperation in non-Federal projects and for participation by non-Federal agencies in Federal projects.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. President, reserving the right to object, I wonder if the distinguished majority leader conferred with the distinguished Senator from Florida [Mr. SMATHERS], who serves with me on the minority calendar committee, and who handles the odd-numbered bills. As I recall, the Senator from Florida interposed some question about the bill.

Mr. KNOWLAND. Of course, I had no way of knowing that the members of the calendar committee alternated on even- and odd-numbered bills, so, very frankly, I did not specifically check with the junior Senator from Florida.

Mr. GORE. Objection had been registered with the minority calendar committee with respect to the bill. I personally did not interpose an objection, but, on behalf of another Member, I feel I must, and I therefore do, object.

The PRESIDING OFFICER. Objection is heard.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF COLORADO RIVER STORAGE PROJECT

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. What is the pending business before the Senate?

The PRESIDING OFFICER. The Chair lays before the Senate the pending business, which the clerk will state.

The LEGISLATIVE CLERK. A bill (S. 1555) to authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes.

Mr. WILLIAMS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CRIMINAL TAX WORK

Mr. WILLIAMS. Mr. President, will the Senator from Nevada yield?

Mr. MALONE. I yield to the Senator from Delaware.

Mr. WILLIAMS. Mr. President, recently I asked the Department of Justice to assist in the preparation of a report on the progress made during the past 2 years toward criminal prosecution of some of the country's most notorious tax racketeers, along with a report of action taken against certain former public officials. I had intended to make this report before the Senate tonight, but in the interest of conserving time during the closing hours of the session, I ask unanimous consent to have printed in the body of the RECORD, as a part of my remarks, the full text of the report.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

CRIMINAL TAX WORK

The volume of criminal tax work in the Department of Justice has been at a very high level for the past 2 fiscal years. In that period, a total of 1,307 proposed criminal tax prosecutions was received in the Department from the Internal Revenue Service, or a 2-year average of 653 new cases. This may be contrasted with a 5-year average for the years 1946–50 of 433 new cases. During the past 2 fiscal years, an average total of 1,666 criminal tax cases has been handled by the Department. This is a record high for any comparable period in the history of the Department.

As of January 1, 1953, shortly before the new administration took office, the backlog of pending cases stood at 1,182, an all-time high as contrasted with the backlog pending at the end of any previous year. The backlog of pending cases had been steadily increasing since fiscal 1946. Despite the heavy flow of new business, the increase in backlog has been checked and, by the close of fiscal 1954, the backlog had actually been reduced to 1,021 pending cases.

During the period January 20, 1953, to July 31, 1954, a total of 962 cases were forwarded by the Department to United States attorneys with instructions to institute criminal proceedings. This compares with a figure of 901 cases so forwarded during the previous 18 months. During the period January 20, 1953, to July 31, 1954, a total of 821 convictions was obtained (by plea or after trial) as compared with a total of 505 during the previous 18 months. Total closings for the past 2 fiscal years were in excess of those for any comparable period.

The review and screening of cases in the Tax Division has been accomplished by a staff of only 15 attorneys (exclusive of supervisory help). In addition to their review and screening function, these attorneys have rendered considerable trial assistance, particularly in the more difficult and important cases. Thirteen of the fifteen attorneys have actually been in the field, assisting United States attorneys during the past fiscal year, and altogether the division has rendered more than 560 man-hours of field assistance. Appellate work has also occupied a considerable part of the time of these attorneys. Appeals are becoming more and more numerous in this area and, since January 20, 1953, a total of 68 appeals has been filed in criminal tax cases. The Supreme Court at its last term agreed to hear appeals in 5 criminal tax cases which is indicative of the growing importance of appellate work in this field.

Since the new administration took office, notable changes in policy affecting criminal tax cases have been introduced. Some of these were designed to correct abuses which were all too apparent in the handling of these cases. Others were intended to improve operating procedures and provide a more efficient system of processing the cases. Brief mention may be made of some of these.

HEALTH POLICY

For a number of years, it was the practice of the Internal Revenue Service and the Tax Division of the Department of Justice not to institute criminal proceedings against a person suspected of tax evasion if it was made to appear that a trial on criminal charges would substantially endanger his life. The investigation conducted by the King subcommittee produced evidence to indicate that the policy had been abused. As a result, the Internal Revenue Service abandoned this policy in December 1951. The Department of Justice did not follow suit, however, until February 19, 1953, when the Attorney General, upon the recommendation of the Tax Division, issued a public statement that the health of a prospective defendant would no longer be taken into account in deciding whether he should be prosecuted for tax evasion, thus bringing the Department's policy into accord with that of the Internal Revenue Service and ending a period of uncertainty and confusion.

PLEAS OF NOLO CONTENDERE

A second change of policy relates to pleas of nolo contendere. In the past the Department ordinarily interposed no objection to the acceptance of such pleas by the court. Although the entry of such a plea is tantamount to admission of guilt, there is reason to believe that some courts have regarded acquiescence in the plea by the Government as justification for greater leniency. Moreover, such a plea does not entail consequences in regard to loss of professional status and other privileges which usually follow a plea of guilty or conviction after trial. There appeared to be no justification for the widespread use of this plea, which was becoming exceedingly common in tax cases. Accordingly, on August 27, 1953, the Attorney General announced that United States attorneys had been instructed not to consent to the entry of a plea of nolo contendere except in most unusual situations and then only after approval by the Attorney General or the Assistant Attorney General in charge.

CONFERENCES WITH TAXPAYERS AND THEIR COUNSEL

A feature of the administrative process in handling criminal tax cases has been the granting of conferences to taxpayers and their counsel, at which time they are given certain limited information concerning the charges against them and are afforded an opportunity to adduce evidence and present arguments designed to establish their innocence. There were many indications that the conference policy in the tax division had become lax and that it was availed of by some taxpayers as a means of delaying action which in some cases resulted in the loss of one or more prosecution years through the running of the statute of limitations. Also, abuses of the conference privilege sometimes led to confusion of issues. Because of such abuses, a policy has been adopted of granting no more than one conference in the tax division in a criminal case, except in unusual circumstances.

I cannot overemphasize here the importance of the tax prosecutions undertaken by the Department of Justice in the past 18 months. We, as citizens and taxpayers, have been treated to the gratifying spectacle of racketeer upon racketeer being brought to the bar of justice. In many instances tax prosecutions were the only means whereby notorious but wary kingpins of the underworld could be successfully reached by the law. In addition, in a substantial number of cases, public officials or otherwise prominent persons have been charged and convicted of tax evasions in the past 18 months. Among the more important criminal tax prosecutions handled by the Justice Department in the last 18 months were the following:

JOSEPH D. NUNAN, BROOKLYN, N. Y.

Joseph D. Nunan, Jr., former Commissioner of Internal Revenue, 1944–47, was convicted on June 29, 1954, by a Federal court jury of evading $91,086 in his own income taxes. The jury after deliberating less than 3 hours found him guilty on a five-count indictment covering the years 1946–50. The trial lasted 14 days.

DENNIS W. DELANEY

Dennis W. Delaney was indicted in January 1953 on charges of willful attempted tax evasion for the years 1946 and 1949 at which times he held the position of Collector of Internal Revenue for the District of Massachusetts. At arraignment he pleaded not guilty but on June 26, 1953, he changed his plea with respect to the 1949 tax evasion and was sentenced to imprisonment the same day.

PAUL DILLON, ST. LOUIS, MO.

Dillon, 76, an attorney. In 1947 Dillon received national notoriety in connection with his activities in securing Federal paroles for four former members of the so-called Capone syndicate. On March 16, 1954, after a trial to a jury, a verdict of guilty was returned against Dillon on two counts of income-tax evasion. A sentence of 15 months and a fine of $2,500 was imposed on count 1 of the indictment and a 15 months' concurrent sentence was imposed on count 2 on March 22, 1954.

VINCENT W. HALLINAN, ROSS, CALIF.

On November 14, 1953, after a 3 weeks' trial, Vincent W. Hallinan (1952 presidential candidate on the Progressive Party ticket) was convicted of five counts of income-tax evasion, covering the years 1947 to 1950, inclusive. The verdict established that Hallinan had understated legal fees and rental income from an apartment house building corporation by between $75,000 and $100,000. On December 8, 1953, a prison sentence of 18 months and a fine of $50,000 plus costs were imposed on him.

FRANK COSTELLO, NEW YORK, N. Y.

Costello, who has been characterized as the Nation's No. 1 racketeer, was convicted following a month-long trial on 3 or 4 counts of an indictment charging income-tax evasion for the years 1946 through 1949 and was thereupon sentenced to a term of 5 years in prison and fined a total of $30,000. The case was based on the most difficult and meticulous preparation, requiring an indirect method of proof, in order to finally convict this elusive and notorious racketeer.

HARRY GROSS, NEW YORK, N. Y.

Harry Gross is a nationally known bookmaker who confessed in 1950 to having paid out over $900,000 per year in bribes to more than 300 New York City police officers. A drastic shakeup in the New York Police Department followed Gross' disclosures. On May 7, 1954, he was found guilty of the offense of willfully failing to file a Federal income-tax return for the year 1950 and was thereupon sentenced by Judge Abruzzo to pay a fine of $2,500. It is surmised that this relatively light sentence was influenced by the fact that Gross is now serving a State sentence in the Riker's Island penitentiary.

FRANK A. ERICKSON, FOREST HILLS, N. Y.

Frank A. Erickson was reputed to be one of the largest bookmakers or betting commissioners in the country. On June 4, 1953, he entered a plea of nolo contendere to count 1 of a two-count indictment charging him with attempting to defeat and evade income taxes for the years 1945 and 1946. On June 16, 1953, the court sentenced him to imprisonment to commence after he finishes the sentence which he is presently serving in the New Jersey State prison.

ARTHUR H. SAMISH, SAN FRANCISCO, CALIF.

This very prominent defendant is a lobbyist for several industry associations in the State of California. After a widely publicized trial, Samish was found guilty of income-tax evasion for the years 1946 through 1951 on November 17, 1953. He was fined $40,000 and was sentenced to 3 years' imprisonment.

L. B. BINION, LAS VEGAS, NEV., FORMERLY DALLAS, TEX.

Benny Binion, notorious Southwest gambling racketeer, was originally indicted in Texas on May 2, 1952, for evasion of his own and his wife's taxes for the year 1949. Binion was successful in his move to have the case transferred to Nevada on July 17, 1952, where he entered a plea of nolo contendere. He was granted probation and fined. On October 3, 1952, Binion was again indicted in Texas for evasion of his own and his wife's taxes for the year 1948. Binion strenuously fought removal from Nevada to Texas on this indictment, and finally in May 1953 he was indicted in Texas for evasion of his own and his wife's taxes for 1945, 1946, and 1947. Ultimately he was removed to Texas from Nevada and arraigned. On September 5, 1953, Binion pleaded guilty to 4 counts for evasion of his own and his wife's taxes for the years 1947 and 1948. Binion was sentenced on December 14, 1953, on his pleas of guilty to the 4 counts. Prison sentences of 5 years each and fines of $5,000 were imposed on each of the 4 counts of the indictments to which the defendant had entered pleas, the sentences on 3 of the counts to run concurrently.

ALEX (SHONDOR) BIRNS, CLEVELAND, OHIO

Alex (Shondor) Birns, rated Cleveland's No. 1 hoodlum, who has been a thorn in the side of local police for three decades, was convicted of income-tax evasion after a trial lasting 2½ weeks. He was sentenced to 3 years' imprisonment, the trial judge refusing to grant bail. The jury found Birns guilty on 3 counts of evading about $38,000 in income-tax payments from 1948–50, inclusive, while acquitting him on 1 count involving the year 1947. The Government presented 30 witnesses and 500 exhibits to support its charge. According to Cleveland newspapers, "Birns' conviction put him in a class with Al Capone and Frank Costello, who could not be put out of circulation until Federal tax agents cracked down." Birns has a police record dating back to 1925, and despite scores of arrests was convicted only once prior to this trial.

This is by no means an adequate representation of the work of the Tax Division in

the Department of Justice but it is indeed an impressive array. The Department of Justice is to be commended for the vigorous manner in which it has prosecuted tax cases in the past 18 months and should be congratulated on the outstanding results which it has achieved.

FIFTY-NINTH ANNIVERSARY OF THE DISCOVERY OF CHIROPRACTIC

Mr. HICKENLOOPER. Mr. President, will the Senator from Nevada yield to permit me to make two insertions in the RECORD?

Mr. MALONE. I am glad to yield, provided I may do so without losing my right to the floor.

The PRESIDING OFFICER (Mr. UPTON in the chair). Without objection, it is so ordered.

Mr. HICKENLOOPER. Mr. President, September 18 will mark the 59th anniversary of the discovery of chiropractic by Dr. D. D. Palmer. The Palmer School of Chiropractic is located in my home State, in the city of Davenport. I now ask unanimous consent to have printed in the RECORD a letter from Dr. B. J. Palmer, now the president of the Palmer School of Chiropractic.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INTERNATIONAL
CHIROPRACTORS ASSOCIATION,
Davenport, Iowa, August 6, 1954.

Hon. B. B. HICKENLOOPER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR HICKENLOOPER: September 18 will mark the 59th anniversary of the discovery of chiropractic by D. D. Palmer. In that relatively short period of time chiropractic has developed into the foremost nonmedical healing science in the world by restoring health to millions of people who otherwise might have been condemned to a life of suffering or to untimely death. It is fitting and proper, therefore, that September 18 be set aside for nationwide observance as Chiropractic Discovery Day as a special tribute to the members of the chiropractic profession whose years of unselfish service has contributed to the betterment of the health and welfare of the people of the United States of America and of the world.

As is the case with almost every new scientific discovery, chiropractic did not receive immediate acceptance. At times it has met with bitter opposition by those who believed in the traditional methods of healing. Yet, despite this opposition, chiropractic has survived solely on its merits, and has achieved legislative recognition in all but a few jurisdictions in this country. Without the aid of State or Federal grants and without large private endowment the profession has improved and enlarged chiropractic educational institutions and research facilities. The courses of instruction leading to the degree of doctor of chiropractic are comparable to those of any other profession, and the caliber of students seeking to enter the profession is steadily improving.

The more than 20,000 practicing chiropractors in the United States are justly proud of their record of service to business, labor, and industry in helping to reduce the number of man-hours lost due to illness or injury; to veterans in aiding them to overcome service-connected disability; to the Nation's school children in giving to them a better opportunity to obtain an education; and to the housewives of this country in improving their general health. The profession looks forward to increased opportunities for service to the citizens of this country.

Sincerely,

B. J. PALMER, D. C., Ph. C.

RECORD OF SENATE FOREIGN RELATIONS COMMITTEE, 83D CONGRESS—STATEMENT BY SENATOR WILEY

Mr. HICKENLOOPER. Mr. President, the Senator from Wisconsin [Mr. WILEY] desires to have printed in the RECORD a statement of the record of the activities and accomplishments of the Senate Foreign Relations Committee at this session. I ask unanimous consent to have printed at this point in the RECORD, in connection with my remarks, the statement of the Senator from Wisconsin [Mr. WILEY], the chairman of the Senate Foreign Relations Committee.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

RECORD OF SENATE FOREIGN RELATIONS COMMITTEE, 83D CONGRESS—STATEMENT BY SENATOR WILEY, CHAIRMAN

As the 83d Congress draws to a close, it is appropriate to pause for a moment and survey our accomplishments. I would like to speak particularly about the record of the Committee on Foreign Relations.

It has been a busy 2 years.

These are the vital statistics on our committee activities:

Treaties reported	32
Treaties approved by Senate	30
Bills and joint resolutions enacted	20
Bills and joint resolutions considered but not finally enacted	15
Senate and concurrent resolutions adopted	17
Senate and concurrent resolutions considered but not finally adopted	16
Nominations reported, all of which were approved	632
Full committee, executive	97
Full committee, public	20
Full committee, executive made public	39
Subcommittee, public	45
Subcommittee, executive	22
Consultative subcommittee (recorded)	46
Conference committee	10
Total	279

This Congress has seen the extension and strengthening of our system of defense alliances within the free world's system of collective security. In the 2 years, we have authorized a total of $8,410,100,500 (of which $7,313,006,816 was appropriated) to carry on our mutual security program of military, economic, and technical assistance to our allies. As enormous as this total authorization is, it is more than $6 billion less than was appropriated in the preceding Congress. Our military programs have been put on a basis that can be sustained over a period of years without undue strain on our economy, and in the Mutual Security Act of 1954 Congress decreed that economic development assistance would end June 30, 1955. The 1954 act also represented a major accomplishment in that it codified and repealed 11 existing laws.

A further step in tightening our system of collective security was taken when the Senate gave its advice and consent to ratification of the Korean Mutual Defense Treaty.

One of our most important accomplishments—and one which I believe time will prove to be truly historic—was final approval, after more than 20 years consideration, of the St. Lawrence Seaway project.

Another action the full significance of which may not be completely apparent until some time in the future was unanimous passage of the resolution urging the President to take appropriate steps to restore sovereignty to Germany. Such action by the President will become necessary if France and Italy continue to fail to ratify the European Defense Community. (If France and Italy do ratify EDC, German sovereignty will be restored automatically.)

An important part of the committee's work was the consideration of presidential nominations to positions in the Department of State, the Foreign Operations Administration, and the Foreign Service.

Because of a change in administration an unusually high number of top-level nominations were approved, including those of Secretary of State Dulles and his Under and Assistant Secretaries, Foreign Operations Director Stassen and his seven deputies, and new chiefs of mission in practically every United States mission abroad. The statistical breakdown of those nominations is as follows:

Ambassadors and ministers	58
United Nations and specialized and subsidiary organs	38
Public advisory bodies	25
Department of State	18
Foreign Operations Administration, etc	16
Routine Foreign Service appointments and promotions	467
Total	622

Finally, the committee went forward with a large number of foreign relations matters, each of them undramatic in itself but all of them adding up to solid accomplishment. For example, 8 commercial treaties and 8 (including those on calendar, August 12) double tax conventions were ratified as a part of the American Government's continuing efforts to stimulate private foreign investment and international trade. International commodity agreements in wheat and sugar were ratified; the settlement of German external debts was consummated; the Universal Copyright Convention was ratified; and so was a treaty clamping stricter control on opium (on calendar, August 12).

Steps were taken to improve State Department organization in bills creating, on a temporary basis, the Office of Under Secretary for Administration, and making it easier for qualified department officials to enter the Foreign Service.

Finally, the committee and its subcommittees did a great deal of work in special studies and investigations and in consultation, both formal and informal, with officials of the executive branch.

Early in 1954, a subcommittee under the chairmanship of Senator HICKENLOOPER completed an 18-month study of our overseas information programs, including the Voice of America, the exchange of students and related matters. Many of that subcommittee's recommendations have been put into effect to the benefit of the programs.

Another subcommittee, under my own chairmanship, in 1953 began a study of proposals to revise the United Nations Charter in anticipation of the question of calling a conference for this purpose which will automatically be on the agenda of the General Assembly in 1955. This subcommittee has compiled a great deal of information and has held hearings, not only in Washington but also in Ohio, Iowa, North Carolina, Kentucky, Wisconsin, and Minnesota. The subcommittee expects to submit a report in 1955. As the 83d Congress adjourns, a third subcommittee, again under the chairmanship of Senator HICKENLOOPER, is

preparing a similar intensive study of technical assistance programs.

Each of these subcommittees was bipartisan, with 4 Republicans and 4 Democrats. Each also contained 2 Senators, appointed by the Vice President, who were not members of the Foreign Relations Committee. This gave a broader representation and made it possible to include members of other committees, such as Appropriations and Banking and Currency, which also had interests in the field in question.

The committee, and also the Senate, continued to approach foreign policy questions in a bipartisan manner. My colleagues on the committee worked unselfishly on a team throughout the Congress and contributed mightily of their wisdom and experience to the solution of the complex problems which came before us. I would also like to take this opportunity to compliment the committee's staff without whose assistance the committee could not have compiled the record of solid accomplishment which is here summarized. The degree of unanimity achieved on the crucial issues of the last 2 years is impressive, as demonstrated by these Senate votes:

Confirmation of Charles E. Bohlen to be Ambassador to the Soviet Union, 74 to 13; mutual security bill, 1953, voice vote; Mutual Security Act, 1954, 67 to 19; NATO Status of Forces Agreement, 72 to 15; St. Lawrence seaway, 51 to 33; German debt settlement, 46 to 16; commercial treaties, 86 to 1; Universal Copyright Convention, 65 to 3; Korean Defense Treaty, 81 to 6; International Sugar Agreement, 60 to 16; resolution favoring German sovereignty, 88 to 0.

There is appended a complete listing of treaties, bills, and resolutions acted on by the Committee on Foreign Relations during the 83d Congress, together with statistical data on nominations considered by the committee.

A. TREATIES

1. Korean Mutual Defense Treaty (Ex. A, 83d Cong., 2d sess., Ex. Rept. No. 1): Ratified January 26, 1954, by a vote of 81 to 6, with an understanding to insure that the treaty could not be invoked to command the support of the United States for anything other than an armed external attack upon the territory over which the United States recognized that the Government of Korea had lawfully acquired administrative control. The treaty represented an important step in the extension of the network of United States security alliances and in the development of United States relations with the Republic of Korea. Its primary purpose, in the words of the committee report, was "to deter further aggression in the Pacific area by a clear warning to potential aggressors that the United States and the Republic of Korea will regard an armed attack on the territory of either party as dangerous to their peace and security and that they will act to meet this danger in accordance with their constitutional processes."

2. North Atlantic Treaty protocols (Ex. T and Ex. U, 82d Cong., 2d sess.; Ex. B, 83d Cong. 1st sess., Ex. Rept. No. 1): These three agreements supplementing the North Atlantic Treaty were: An agreement regarding status of Forces of Parties of the North Atlantic Treaty (Ex. T), an agreement relating to the Status of the North Atlantic Treaty Organization (Ex. U), and a protocol on the status of International Military Headquarters set up pursuant to the North Atlantic Treaty (Ex. B). The agreements were ratified July 15, 1953, the Status of Forces agreement by a vote of 72–15 and the others by voice votes. Two understandings were attached to the Status of Forces agreement, one of them making it clear that the United States retained all its rights over immigration, and the other spelling out procedures to be followed by the executive branch to safeguard the rights of American troops tried in foreign courts. In addition to this understanding, the treaty itself increased the jurisdiction of American military authorities over our troops abroad and also increased the rights of the troops. Other provisions of the three treaties dealt with such housekeeping problems as taxation, currency, and customs regulations, civil claims, and certain diplomatic immunities. They represented an important contribution to improving the organizational structure of NATO and simplifying its operations.

3. German debt settlements (Ex. D, E, F, and G; 83d Cong., 1st sess., Ex. Rept. No. 3): These agreements were ratified July 13, 1953, Ex. D by a vote of 46–16 and the others by voice votes. They provide for settlement of German prewar and postwar obligations and were designed, among other purposes, to assist Germany to attain a sound economy and to reestablish its credit rating in the international financial market. The sums involved were approximately $546 million for privately held prewar debts and $1 billion for postwar economic assistance.

4. International Wheat Agreement (Ex. H, 83d Cong., 1st sess., Ex. Rept. No. 4): Ratification approved by voice vote July 8, 1953. This agreement extended the International Wheat Agreement of 1949 for another 3 years. Its purpose was to stabilize the world wheat market by assuring supplies to wheat-importing countries and markets to exporting countries.

5. International Sugar Protocol and Agreement (Ex. L, 83d Cong., 1st sess., Ex. Rept. No. 6, and Ex. B, 83d Cong., 2d sess., Ex. Rept. No. 6): The agreement was ratified April 28, 1954, by a vote of 60 to 16 with an understanding that amendments to the agreement would also be subject to Senate ratification. The protocol had been ratified July 27, 1953, by a vote of 74 to 1. The protocol had merely extended for another year the machinery of the old Sugar Agreement of 1937. The new agreement, which was ratified in 1954, was designed to stabilize the world free market in sugar and to increase consumption. Imports into the United States were specifically excluded from the coverage of the agreement.

6. Universal Copyright Convention (Ex. M, 83d Cong., 1st sess., Ex. Rept. No. 5): Ratified June 25, 1954, by a vote of 65 to 3; motion to reconsider tabled June 29, 1954, by a vote of 52 to 23. This convention provides a more adequate and secure protection abroad for American books, periodicals, motion pictures, and similar works.

7. Commercial treaties: There were eight of these treaties in all, with Israel (Ex. R, 82d Cong., 1st sess.), Ethiopia (Ex. F., 82d Cong., 2d sess.), Italy (Ex. H., 82d Cong., 2d sess.), Denmark (Ex. I, 82d Cong., 2d sess.), Greece (Ex. J., 82d Cong., 2d sess.), Finland (Ex. C, 83d Cong., 1st sess.), Germany (Ex. N, 83d Cong., 1st sess.), and Japan (Ex. O, 83d Cong., 1st sess.). They were all ratified July 21, 1953, by votes of 86 to 1. Reservations were attached to the treaties with Israel, Denmark, Greece, Germany, and Japan to protect State laws requiring the practitioners of certain professions to be American citizens. An understanding on the Italian treaty made it clear that the executive agreement on social insurance, which was contemplated by the treaty, could be made by the United States "only in conformity with provisions of statute."

These treaties were part of a program to develop a series of modern commercial treaties with the general objective of assuring protection for American citizens and interests abroad and to further American economic foreign policy.

At the request of the President, a commercial treaty with Colombia (Ex. M, 82d Cong., 1st sess.) was returned to the White House, June 30, 1953.

8. Double tax conventions: There were also 9 treaties of this type reported by the committee—2 with Belgium on income taxes (Ex. I, 81st Cong., 1st sess. and Ex. A, 83d Cong., 1st sess.), 3 with Australia relating, respectively, to income, estate, and gift taxes (Ex. I, J, and K, 83d Cong., 1st sess.), one with Japan on income taxes (Ex. D, 83d Cong., 2d sess.), 1 with Japan on estate, inheritance, and gift taxes (Ex. E, 83d Cong., 2d sess.), 1 with the United Kingdom supplementing an earlier treaty on income taxes (Ex. H, 83d Cong., 2d sess.), and 1 with Germany on income taxes (Ex. J, 83d Cong., 2d sess.). The treaties with Belgium and Australia (Ex. Rept. 2) were approved for ratification by voice votes July 9, 1953; that with the United Kingdom (Ex. Rept. 6) by a vote of 71–0 August 20, 1954; and the 1 with Germany (Ex. Rept. 8) by a vote of 69–0 on August 20, 1954. Final action was not taken on the 2 Japanese conventions.

These treaties are designed to eliminate double taxation. Their benefit to Americans with foreign earnings is apparent, and they help to stimulate private foreign investment.

9. Narcotics protocol (Ex. C, 83d Cong., 2d sess., Ex. Rept. No. 7): Ratified August 20, 1954, by a vote of 69 to 0. This protocol, which has been signed by 36 countries, reduces world production of opium from 2,000 tons to 500 tons a year and sets up a system of national and international controls to curb illicit cultivation, production, distribution, and sale of opium and its derivatives (morphine, heroin, codeine, and others).

10. Halibut fisheries convention (Ex. P, 83d Cong., 1st sess., Ex. Rept. No. 7): Ratified July 27, 1953, by a vote of 77–0. This convention was designed to continue the scientific investigation and regulation of the halibut fishery of the North Pacific.

B. BILLS AND JOINT RESOLUTIONS

1. Mutual Security Act of 1953 (H. R. 5710, S. Rept. No. 403, Public Law 118, approved July 16, 1953): This act, by which the United States reaffirmed its dedication to a policy of collective security, authorized a total of $5,157,232,500 (compared to $5,474,732,500 requested by the administration) to carry out the mutual security program in fiscal 1954. The bulk of the authorization was for military assistance ($3,582 million), and the bulk of that was for Europe and the Far East. A proviso withheld half of the military assistance for Europe for delivery to the European Defense Community or its members. The bill passed the Senate by a voice vote.

2. Mutual Security Act of 1954 (H. R. 9678, S. Rept. No. 1799, congressional action completed August 12, 1954): This act authorized a total of $3,054,568,000 for the mutual-security program for fiscal 1955. Again the bulk of the funds were for military assistance, and the Far East received even greater emphasis than in the previous year. The act also repealed and codified 11 separate laws relating to foreign aid, and laid the groundwork for a major reorganization of the aid program next year, with the Foreign Operations Administration abolished, economic development assistance ended, technical assistance transferred back to the State Department, and military assistance transferred to the Defense Department. The bill passed the Senate by a vote of 67 to 19, August 3, 1954.

3. St. Lawrence Seaway (S. 2150, S. Rept. No. 441, Public Law 358, approved May 13, 1954): This act created the St. Lawrence Seaway Development Corporation, and authorized it to proceed with a similar Canadian agency in developing a 27-foot navigation project between Montreal and Lake Erie. The United States share of the work is to cost $105 million and is to be financed through self-liquidating revenue bonds. Congressional passage of the bill culminated a fight of more than 20 years, and may prove to be as significant as the building of the Panama Canal.

4. Under Secretary of State for Administration (S. 243, S. Rept. No. 10, Public Law 2, approved February 7, 1953): This bill created on a temporary basis, until December

31, 1954, the Office of Under Secretary of State for Administration. It was designed to make possible a thorough survey of the State Department's organization with a view to improving operating procedures.

5. Lateral entry into the Foreign Service (H. R. 9910, S. Rept. No. 1947, congressional action completed August 16, 1954): This bill amended the Foreign Service Act to make it possible for civil-service employees of the State Department and members of the Foreign Service reserve and staff to transfer into the Foreign Service without suffering a reduction in salary. It was an important part of the implementation of the Wriston report relating to State Department personnel. The bill limited the number of such transfers to 500 by March 1955.

6. Pro rata sharing of certain foreign claims (S. 3844, S. Rept. No. 2324, congressional action completed August 19, 1954): This bill was designed to implement certain treaties and other international agreements which provide a pro rata and reciprocal method of settling civil claims arising out of the line-of-duty acts of members of the military forces and their civilian components of one country in the territory of another. It was a further step forward in simplifying the complex legal problems stemming from the NATO defense buildup and the presence of United States and United Nations forces in Japan.

7. International agreements other than treaties (S. 3067, S. Rept. No. 2340): This bill was designed to keep the Senate more fully informed of international agreements other than treaties to which the United States is a party. It provided for such agreements to be transmitted to the Senate within 60 days. If, in the opinion of the President, the immediate disclosure of any agreement would endanger the national security, such agreement was to be transmitted to the Foreign Relations Committee under an appropriate injunction of secrecy.

8. Passamaquoddy tidal power project (S. J. Res. 12, S. Rept. No. 858): This joint resolution authorized a survey of the proposed Passamaquoddy tidal power project, between Maine and New Brunswick, to determine its economic feasibility and its relationship to national defense. After passing the Senate on the consent calendar, February 10, 1954, it was reported by the House Foreign Affairs Committee March 24, but no further action was taken by the House.

9. International Telecommunications Commission (S. J. Res. 96, S. Rept. No. 602, Public Law 558, approved July 29, 1954): This resolution, which developed from the Hickenlooper subcommittee on overseas information programs, established a Commission on International Telecommunications to make studies and recommendations regarding the effective use of telecommunications in fostering cooperation and mutual understanding among the free nations of the world.

10. International Wheat Agreement Act (S. J. Res. 97, Ex. Rept. No. 4, Public Law 180, approved August 1, 1953): This bill implements the wheat agreement by authorizing the payment of subsidies on wheat exported under the agreement.

11. International Claims Commission (H. R. 5742, S. Rept. No. 684, Public Law 242, approved August 8, 1953): This bill extended from March 10, 1954, to December 31, 1954, the period for the International Claims Commission to complete its work under the Yugoslav Claims Agreement of 1948. It also increased from 3 percent to 5 percent the amount of claim payments to be withheld for administrative expenses.

12. International Labor Organization Amendment (S. J. Res. 156, S. Rept. No. 1375): This joint resolution authorized the President to accept, for the United States, an amendment to the constitution of the International Labor Organization increasing the size of the Governing Body of the ILO. It passed the Senate on the consent calendar May 24, 1954, but was not acted on in the House.

13. Nogales sanitation project (S. 498, S. Rept. No. 595, Public Law 150, approved July 27, 1953). This bill authorizes maintenance and operation of the Nogales sanitation project by the International Boundary and Water Commission, United States and Mexico, after a suitable agreement has been negotiated with Mexico.

14. St. Mary's Bridge (H. R. 4302, S. Rept. No. 597, Public Law 157, approved July 28, 1953): This bill revived and reenacted authority for an international bridge across the St. Mary's River near Sault Ste. Marie, Mich.

15. Interparliamentary Union expenses (H. J. Res. 234, passed Senate July 2, 1953, Public Law 110, approved July 13, 1953): This authorized an appropriation of $150,000 for the expenses of the 1953 meeting of the Interparliamentary Union in Washington.

16. Niagara Falls Bridge Commission (H. J. Res. 253, S. Rept. No. 607, Public Law 166, approved July 31, 1953): This joint resolution enlarged the authority of the Niagara Falls Bridge Commission to issue bonds and redeem them with revenue from toll bridges.

17. Bataan-Corregidor Memorial Commission (H. R. 4167, S. Rept. No. 596, Public Law 193, approved August 5, 1953): This bill created the Bataan-Corregidor Memorial Commission to study the question of a monument to commemorate the members of the Armed Forces of the United States and the Philippines who lost their lives defending the islands against Japan.

18. Ogdensburg Bridge Authority (H. R. 307, passed Senate August 1, 1953, Public Law 266, approved August 14, 1953): This bill revived and reenacted authority for an international bridge across the St. Lawrence River near Ogdensburg, N. Y.

19. Hidalgo Bridge Co. (H. R. 1219, passed Senate August 1, 1953, Public Law 267, approved August 14, 1953): This bill extended authority for an international railroad toll bridge across the Rio Grande River near Hidalgo, Tex.

20. Pan American Institute of Geography and History (H. J. Res. 565, S. Rept. 2327, congressional action completed August 18, 1954): This joint resolution authorized an increase from $10,000 to $50,000 a year in United States contributions to the Pan American Institute of Geography and History.

21. Service of Colonel Hewitt on International Boundary and Water Commission, United States and Mexico (H. R. 9004, S. Rept. No. 1331, Private Law 416, approved June 11, 1954): This bill authorized the appointment of Col. Leland Hazelton Hewitt, United States Army, retired, as United States Commissioner, International Boundary and Water Commission, United States and Mexico.

22. International Instrument Congress (H. J. Res. 257, S. Rept. No. 1979, congressional action completed, August 11, 1954): This joint resolution authorized the President to invite the States of the Union and foreign countries to participate in the First International Instrument Congress and Exposition to be held in Philadelphia, September 13–25, 1954.

23. Gold Coast and Nigeria (S. J. Res. 183, S. Rept. No. 2328, congressional action completed Aug. 12, 1954): This joint resolution authorized appropriate United States representation in connection with the attainment of self-government by the Gold Coast and Nigeria.

CONCURRENT AND SENATE RESOLUTION

1. German sovereignty (S. Res. 295, adopted July 30, 1954, by a vote of 80 to 0): By this resolution, the Senate advised the President that, should a compelling need to restore German sovereignty arise during the adjournment or recess of Congress, he should take such steps as he deems appropriate and constitutional to accomplish this. Although the Senate in July 1952 had ratified the so-called German Contractual Agreements, by which a substantial measure of sovereignty would be returned to the Federal Republic of Germany, these have not entered into force because of their tie-in with the treaty establishing the European Defense Community, as yet unratified by France and Italy. It was apparent to the Senate that Germany could not remain in an inferior and unarmed position much longer. This standby authority was therefore granted the President in case the EDC was not ratified within a reasonable period and the military and political situation in Western Europe deteriorated.

2. German unification (S. Con. Res. 36, adopted July 2, 1953 by Senate; amended and adopted Aug. 1, 1953 by House; amendment accepted by Senate, Aug. 3, 1953): As a result of the East German rebellion in June 1953, the Congress by this resolution went on record as commending the German people for their valiant struggle for freedom and unification to which they are entitled and expressing the sympathy of the American people and the belief that this heroic sacrifice will inspire enslaved peoples everywhere.

3. Soviet penetration of Western Hemisphere (S. Con. Res. 91, adopted by Senate June 25, 1954; by House June 29, 1954): The Senate had in mind the shipments of arms from Communist territory to Guatemala and the entrenchment of Communists there when it passed this resolution which condemns Soviet interference in the Western Hemisphere and calls upon the United States to take steps to support appropriate action by the Organization of American States.

4. Treatment of minority groups in Russia (S. Res. 84, adopted February 27, 1953, by a vote of 79 to 0): This resolution protested the vicious and inhuman campaigns by Russia and her satellites against such minority groups as the Greek Orthodox congregations, the Roman Catholic prelates, Protestants, Moslem communities, and the Jews, who were at that time being subjected to purges.

5. Limitation of armaments (S. Res. 150, adopted July 23, 1953): The Senate resolved that the United States would continue its search for a durable peace, and, as this progressed, enforceable limitation of armaments with adequate safeguards through an international inspection system to the end that a greater proportion of the world's productive capacity may be used for peaceful purposes and for the well-being of mankind. An identical concurrent resolution (S. Con. Res. 46) was passed at the same time.

6. Communist action derogatory to the rights of freemen (S. Res. 241, adopted April 29, 1954): Under this measure, the Senate went on record as condemning (a) Communist atrocities committed in Korea and Katyn, (b) the Soviet Government's refusal to permit the holding of free and fair elections in the satellite countries, and (c) the disregard for fundamental human rights and basic civil and religious liberties in countries under Soviet domination. It also recorded its endorsement of United States refusal to recognize the Soviet conquests of Lithuania, Latvia, and Estonia and requested that the President keep the facts about Soviet actions and violations before the world.

7. Genevieve de Galard-Terraube (H. Con. Res. 236, adopted by House and Senate June 3, 1954): In recognition of Nurse Genevieve de Galard-Terraube's gallantry in tending the wounded at the battle of Dien Bien Phu, the Congress extended its congratulations to her and invited her to visit the United States as a further tribute to her and to the

nursing profession started 100 years ago by Florence Nightingale.

8. Sympathy for the Netherlands, Great Britain, and Belgium (S. Con. Res. 12 adopted by Senate, February 10, 1953; by House, February 12, 1953): This resolution expressed the sympathy of Congress and the American people to the peoples of the Netherlands, the United Kingdom, and Belgium who were the victims of disastrous floods during the winter of 1952–53.

9. Overseas information program (S. Res. 44, adopted February 20, 1953; S. Res. 117, adopted June 11, 1953): Both these resolutions extended for approximately 6 months each the life and funds for the study of the Overseas Information Programs of the United States, begun during the 82d Congress under the authority of Senate Resolution 74. This investigation was completed in January 1954.

10. Review of the United Nations Charter (S. Res. 126, adopted July 28, 1953; S. Res. 193, adopted January 26, 1954): Senate Resolution 126 authorized the study by a subcommittee of proposals to amend, revise, or otherwise modify and change international peace and security organizations and to advise the President particularly with reference to the policy of the United States at the General Conference of the United Nations for review of the Charter. Thirty-five thousand dollars was authorized for expenditures. Senate Resolution 193 increased this to $75,000 and extended the date for filing the results of this study from January 31, 1954, to February 1, 1955.

11. Investigation of the technical assistance program (S. Res. 214, adopted July 6, 1954): This resolution proposed a study, similar to the two above, of all technical assistance programs in which the United States participates. The results are to be reported to the Senate by January 31, 1955, and the subcommittee is authorized to spend $40,000.

12. Administrative activities—(a) Staff (S. Res. 33, adopted January 30, 1953; S. Res. 179, adopted January 26, 1954): The two resolutions authorized the Committee on Foreign Relations to continue to employ two additional clerical assistants for 1953 and 1954. (b) Budget (S. Res. 125, adopted July 8, 1953; S. Res. 149, adopted July 28, 1953): The first of these resolutions empowered the Committee to expend an additional $10,000 above the ceiling set by the Reorganization Act of 1946 for regular committee expenses. The second authorized $39,000 for official committee travel.

ORDER OF BUSINESS

Mr. KERR. Mr. President, will the Senator from Nevada yield to me, to permit me to make a unanimous-conset request?

Mr. MALONE. I am happy to yield to the distinguished Senator from Oklahoma, if I do not thereby lose the floor.

Mr. AIKEN. Mr. President, may I ask for what purpose the Senator from Nevada is yielding? Is it for an insertion in the RECORD?

Mr. KERR. I have asked unanimous consent that the Senator from Nevada may yield to me, in order that I may make a unanimous-consent request; and I understood that my request could be granted without causing the Senator from Nevada to lose the floor.

Mr. AIKEN. Mr. President, I ask for the regular order.

The PRESIDING OFFICER. The Senator from Nevada.

STATEMENT BY SENATOR JOHNSON OF TEXAS ON LEGISLATIVE RECORD OF THE 83D CONGRESS

Mr. JOHNSON of Texas. Mr. President, will the Senator from Nevada yield to me, to permit me to make a unanimous-consent request, if it is understood that in yielding to me for that purpose he will not lose the floor?

Mr. MALONE. Mr. President, I am very happy to yield for that purpose.

The PRESIDING OFFICER. The Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD, after final adjournment of Congress, a statement by the minority leader reviewing the legislative record of the 83d Congress, and that the review be printed as a Senate document.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR KNOWLAND ON ACCOMPLISHMENTS OF 83D CONGRESS

Mr. KNOWLAND. Mr. President, will the Senator from Nevada yield to me for a unanimous-consent request?

Mr. MALONE. I am happy to yield for that purpose to the distinguished majority leader.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that I may be permitted to have printed in the RECORD a statement by the majority leader of the accomplishments of this session of Congress, together with a summary of the legislation enacted; and I also ask unanimous consent that it may be printed as a Senate document, with such revisions as may be necessary.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT OF SENATOR KENNEDY TO SUBCOMMITTEE TO STUDY TECHNICAL ASSISTANCE AND RELATED FOREIGN-AID PROGRAMS

Mr. JOHNSON of Texas. Mr. President, will the Senator from Nevada yield to me?

Mr. MALONE. I am happy to yield to the distinguished minority leader for a brief statement.

Mr. JOHNSON of Texas. Mr. President, the study of technical assistance and related foreign-aid programs is one of the most important scheduled by Congress. It will have a tremendous effect upon our future activities in this field. This thought was in my mind when I recommended the appointment of the junior Senator from Massachusetts to the subcommittee that will conduct the investigation.

The work of this subcommittee will require alert, vigorous minds, capable of independent judgment. JOHN F. KENNEDY has that kind of a mind, and I know his colleagues of the Senate Foreign Relations Committee, who will conduct the inquiry, will welcome his contribution. The junior Senator from Massachusetts has an excellent background for this task and I know he will perform it well.

APPOINTMENT OF SENATOR GORE TO MEMBERSHIP ON THE UNITED STATES DELEGATION TO THE REVIEW SESSION OF THE GENERAL AGREEMENT ON TARIFFS AND TRADE

Mr. JOHNSON of Texas. Mr. President, I took an unusually high degree of pleasure in recommending the junior Senator from Tennessee to membership on the United States delegation to the review session of the General Agreement on Tariffs and Trade. I know of few men who are as well qualified for such an assignment as ALBERT GORE.

Present American tariff policy is governed by the Reciprocal Trade Agreements Act. That act was the brain child of the great southern statesman, Cordell Hull, of Tennessee.

In ALBERT GORE, Tennessee has a leader who is following in the footsteps of Cordell Hull. It has a statesman who has already made his mark in the Senate because he has the same profound understanding and the same determination to act that characterizes our former Secretary of State.

I know the junior Senator from Tennessee will serve with distinction on this delegation, and that the Senate and the Nation will be proud of his service.

CHARLES J. ABARNO AND OTHERS

Mr. CORDON. Mr. President, will the Senator from Nevada yield to me?

Mr. MALONE. Yes; provided I may do so without losing the floor.

Mr. CORDON. I ask unanimous consent that the Senator from Nevada may yield to me so that I may ask unanimous consent for the present consideration and passage of House bill 4340, which has come from the House. If such consent is granted, I shall explain the bill; and of course any Senator will then have an opportunity to object.

The PRESIDING OFFICER. Does the Senator from Nevada yield for that purpose?

Mr. MALONE. Yes; if it may be understood that I may do so without losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORDON. Mr. President, House bill 4340 was reported from the Committee on the Judiciary on August 19. The bill authorizes the payment of a total amount of $573,352.42, to a total of 463 claimants in full settlement of their claims for reimbursement for personal property which they were forced to leave behind them in the hasty evacuation of the American personnel from South Korea, at the time of the invasion by the North Koreans in 1950.

This bill has been before the Congress since shortly after those unfortunate people returned to the United States.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MALONE. Mr. President, if this colloquy may continue without causing me to lose the floor, I shall be happy to yield.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CORDON. I yield.

Mr. GORE. The bill which the Senator from Oregon has called up has been checked with the minority calendar committee, and it has also been recommended by a special subcommittee composed of the senior from Missouri [Mr. HENNINGS], who made a study of the bill. We find no objection to the bill. No objection whatever comes to my mind.

Mr. CORDON. Mr. President, I ask unanimous consent that I may make, for the RECORD, a brief explanation of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORDON. Mr. President, I wish to say that I have cleared the bringing up of the bill today with both the majority leader and the minority leader, and also with the minority calendar committee.

The bill was reported from the Judiciary Committee by the chairman, who is of the majority, of course.

The PRESIDING OFFICER. The bill will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 4340) for the relief of Charles J. Abarno and others.

Mr. MORSE. Mr. President, will the Senator from Nevada yield with the understanding that he does not lose his rights to the floor?

Mr. MALONE. I yield, if I may have unanimous consent that I do not lose my right to the floor.

Mr. MORSE. With that understanding let me say that the bill which my colleague, the Senator from Oregon, is bringing up is an exceedingly just bill. Ever since the Korean incident, he and I have carried on a great deal of correspondence not only with constituents of our own State, but with constituents of other States involved.

This is a very equitable and just bill, and it would be a travesty on justice if we adjourned tonight without taking care of these people.

Mr. JOHNSTON of South Carolina. Mr. President, I remember that this bill came from the Judiciary Committee, and it was reported unanimously by the Judiciary Committee. There is a great deal of merit to the bill. I think the bill should be passed.

Mr. WATKINS. Mr. President, will the Senator yield for an insertion in the RECORD?

Mr. MORSE. Mr. President, may we have action on this bill first?

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CORDON. Mr. President, I ask unanimous consent for the consideration of the bill and its passage.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 4340) for the relief of Charles J. Abarno and others, which had been reported from the Committee on the Judiciary with an amendment, on page 6, line 17, after the figures "$432.50", to strike out "Arthur C. Bunce" and insert "the estate of Arthur C. Bunce."

Mr. CORDON. Mr. President, I ask that the committee amendment be rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was rejected.

The PRESIDING OFFICER. The question now is on the third reading of the bill.

The bill (H. R. 4340) was ordered to a third reading, read the third time, and passed.

UPPER COLORADO RIVER PROJECT

Mr. WATKINS. Mr. President, I had prepared for delivery on the floor a speech with respect to the upper Colorado River project. Since it is apparent that that matter will not be discussed any further during this session, I ask unanimous consent to have the speech material, covering some 17 statements with relation to the upper Colorado storage project, printed in the body of the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WATER A WORLD PROBLEM

Water is the number one problem for many nations of the world, and in all nations—whether they realize it or not—it is one of the most valuable resources. Our own Nation is gradually coming to a recognition of that important fact. We have already taken notice of the need for water development in other lands. Two or 3 years ago one of the organs of our Interior Department told the story of the help we had given Italy in the field of reclamation. As I recall, the program was developed under grant-in-aid from this country at a cost of approximately $300 million. I had an opportunity last year to note first hand some of these projects. I visited in the Near East last November. In that semiarid—and in many spots completely arid—region, water is the number one problem. It is more valuable than gold. It is the bone of contention between nations. A war is in the making over the division of the waters of the Jordan.

The controversy between the new Republic of Israel and Jordan, Syria and Lebanon is still at fever stage. Our own Government has sent our Ambassador Eric Johnston to attempt to secure an agreement between these nations for the development of the waters of the Jordan River and other streams in which Israel, Jordan, Syria, and Lebanon are interested.

Funds appropriated by the Congress for the purpose of economic relief to friendly nations in the Near East will make it possible for the President to allot some of these funds for the building of a vast reclamation project on the Jordan River. Intense investigation is on the way and there is some hope of bringing about an agreement among these nations.

In our own country, the Federal Government took a hand in irrigation development back in 1902 when the reclamation law was enacted. The people of the arid West, and particularly in public-land States, had gone as far as they could on their own resources in putting to beneficial use the waters of the West. It is considered to be in the national interest for the Government to advance funds particularly from the income from the public lands of the West for the development of irrigation projects for the reclamation of the arid public lands. Under this policy, those who settled on public lands were permitted to enter into irrigation districts or water users associations for the purpose of contracting with the Federal Government to repay, on an amortized basis, the cost advanced by the United States for the construction of these projects. That proved to be a sound national policy. However, in spite of enactment of the reclamation law of 1902, when great improvement took place under it, it must be said that 85 percent of all the irrigation or reclamation projects in the West have been built by private enterprise without the aid or asistance of the Government. It should be interesting to the Members of the Senate to learn in summary form what the reclamation program has accomplished.

Benefits from reclamation: (a) 7 million acres of land brought into production; (b) 125,000 family-sized farms; (c) $9 billion worth of crops; (d) $510 million of first cost already returned to Treasury; (e) cumulative tax returns to Federal Treasury, 3.1 billon; (f) cost of reclamation to date, 1.9 billion.

These are the results of the very wise and statesmanlike reclamation program enacted 50 years ago. Judged by its results, it has been an outstanding success. The project we are discussing today meets all the requirements of the philosophy underlying the 1902 act. That act, of course, has been expanded and liberalized to the extent that supplemental water rights can be provided under its program for the lands under private ownership and which are already under cultivation but which do not have sufficient water supply to make the agricultural bperation a success.

It has been expanded to take in vast hydropower projects in connection with irrigation. This program has been accepted by the people of the West enthusiastically, and by the people of the entire United States as shown by the almost unanimous approval by Congress of reclamation projects and appropriations to implement them.

The project now under dscussion—Colorado River storage—is the first one in a long time to be attacked on the basis that it is unsound economically because the cost allocated to irrigation development is interest free. Reclamation leaders and members of both political parties should be made aware of what is happening in this present challenge to basic reclamation law.

THE UPPER COLORADO RIVER PROJECT (RE H. R. 4449 AND S. 1555)

The Congress and the public have been subjected to a flood of half-truths, nontruths, and pure, unadulterated propaganda relating to this project.

It is believed a simple definition of the issues and a brief statement of fact relating to these issues will help the Members of the Congress in arriving at sound conclusions relating to this project.

THE PROBLEM

1. The Colorado River is one of the 10 great river systems in the United States. It drains part of the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming.

2. The Colorado River is a great renewable water resource worth untold millions of dollars in terms of water and power to those who establish rights to its use.

3. The waters of the Colorado, of which 90 percent rise in the upper basin, were divided between the upper and lower basin States by compact in 1922.

4. Since 1922 control and use facilities have been constructed in the lower basin, with Federal funds (present dollar value, $985 million), sufficient to fully and completely utilize the water allocated to the lower basin by the compact. In that period no storage or power dams have been constructed on the main stem of the river's upper basin.

5. There remain, as of 1954, undeveloped resources in the lower basin sufficient to use consumptively all of the water of the Colorado River and a potential power market to use all of the power that can be generated, using all of the water in the river.

6. Water runs downhill and the supply is replenished every year. It is not difficult to see that if consumptive uses in the upper basin are prevented, by any device, the water automatically runs downhill to the lower basin where it will be used consumptively and for making power.

Inasmuch as the upper basin States have been able to put to comsumptive use less than one-third of the Colorado River water allocated to them, this means for that many years now two-thirds of the upper basin's water has been carried downstream for use—with virtually no return to those States—in the power turbines and on the croplands of the lower basin States. This points up an obvious reason for some interests to delay, by any pretext, efforts of the upper basin States to use their allocated water.

7. Under the Colorado River compact the upper basin States must deliver, at Lees Ferry, 75 million acre-feet of water every 10 consecutive years. In order to do this and still make available 7,500,000 acre-feet annually for consumptive use in the upper basin, it is mandatory that holdover storage reservoirs be provided in the upper basin.

8. After nearly 50 years of investigations and an expenditure of about $10 million, a physical plan has been proposed which will provide the holdover storage and yield water for consumptive uses and power essential to the full development of the water, power, and industrial resources in the upper basin States. Engineeringwise, this undoubtedly is one of the best and most completely planned water development projects in the country's history.

THE ISSUES

1. Is the Colorado River compact signed by the States of the Colorado River Basin and the United States to be recognized by all the signatory parties or do the rules governing the development of the river change now that the needed facilities in the lower basin have been constructed?

2. Is the national policy, which has been in effect for more than 50 years, with respect to interest-free money for reclamation to be suddenly denied as far as the Colorado River project is concerned?

3. Is the economic feasibility of the Colorado project to be determined by a set of rules different from that offered to every other reclamation project authorized since 1902?

4. Is the signature of the President of the United States to be disregarded when affixed to a document reserving the right to develop the water and power resources in the expanded national monument?

5. Stripped of all camouflage, the real issue before the Congress in the Colorado River controversy is not the Echo Park Dam in the Dinosaur National Monument, the excessive cost, or the violation of national policy—the real issue is who gets the immensely valuable, renewable water and power resource belonging, under the Colorado compact, to the upper basin States. If the Colorado River storage project is defeated, the lower basin States and Mexico will continue to have access to this tremendous renewable resource, allocated by mutual agreement among the basin States and the Congress to the upper basin States in 1922. Is this what Congress desires?

THE ANSWERS

1. The Colorado River storage project is self-liquidating, that is the income from the irrigation, municipal, and industrial uses, from ad valorem taxes levied against water conservancy districts, and from power, will, in 50 years, pay off the entire cost of power and municipal facilities with the interest and the irrigation facilities, without interest. Furthermore, at the end of that 50-year repayment period, the project will return annually to the Treasury at least $20 million per year.

The claim that the project includes a hidden subsidy of $1 billion is pure fabrication, such a malicious distortion completely ignores national policy relative to interest-free money for reclamation, which has been in effect for more than 50 years, and also a national policy which has provided 100 percent subsidy for rivers and harbors improvement and flood control, and partial subsidy for railroads, shipping, air transportation, and defense industries for many years. These latter subsidies return nothing to the Federal Treasury, but are believed to be fully justified in terms of indirect benefits.

Computations and tabulations purporting to show a subsidy of $2,700 is simply dishonest arithmetic because only one-half the computations are shown. For example, if I were to borrow $10,000 to build an irrigation distribution system on my farm and agreed to pay it back in 50 equal annual installments I would pay $100 per year. I would also pay interest on $10,000 the first year and on the unpaid balance each succeeding year. Where would I get the money? The increased net return from my land resulting from the improvement would provide the money to pay off the principal and the interest. In the calculations presented by the opposition only the accumulated interest is considered. The whole story includes the accumulated net returns from both direct and indirect benefits. The indirect benefits are public benefits and when accumulated over the same years as the interest, far exceed the accumulated interest. For this reason alone, the Colorado River storage project is a good national investment.

2. Power generated in project plants—essentially supplementary features of storage dams—will be sold to private or public utilities under the preference clause, at the bus bar or at load centers. This definitely does not put the Government in the power business.

3. The power will be produced at a cost less than power from other area sources and will be sold at competitive rates. Both private and public utilities in the area have endorsed the project and an adequate market is assured for all power produced.

4. The estimated cost of the projects proposed in H. R. 4449 is approximately $1 billion, not $5 billion as implied by Congressman HOSMER in his recent memorandum to the Congressmen. This money will be spent over a period of many years, because this is a planned, long-range development.

5. The pending bills do not change national policy, but failure to approve them will completely disregard national water policy effective in every other reclamation project authorized in the past.

6. The Hoover Commission was created by Congress to study the organization of the executive branches of the Federal Government and not to oppose the authorization of the Colorado River project as the opponents of this project are claiming that the Commission is doing. The Commission is making no extensive technical study of this project and has not indicated that it will.

7. It has been proven by researchers in the Department of Agriculture that unit for unit of water, the production of food and fiber is higher in the upper basin valleys. Furthermore, most of the crops produced from project acreage would be truck crops consumed in the area, without adding anything appreciable to our agricultural surpluses.

8. The construction of the Echo Park Dam in the expanded Dinosaur National Monument is not an invasion of the monument. The expansion of the monument was an invasion of a valid power withdrawal under the Federal Power Act of 1920 and this invasion was recognized by the President of the United States when he signed the proclamation authorizing the expansion of the Dinosaur National Monument, in the specific reservations made therein for the development of the water and power resources of the area. Failure to recognize these reservations is simply an abrogation of a contract signed by the President of the United States.

9. Plans for the development of a recreational area around the body of water to be created by the Echo Park Dam have been made by the National Park Service and an appropriation of $21 million is included in the Colorado River storage project bill. Such a development would make this area accessible to the public and greatly enhance the scenic, wildlife and recreational values. The Echo Park Dam would not destroy the Green and Yampa River Canyons. It would open them up for the benefit of the masses, just as Lake Mead has produced great fresh water public recreation areas.

It is my sincere hope that each of you will take time to read this brief statement of the problem, the issues, and the answers relating to the Colorado River storage project.

THE TAXPAYERS BURDEN

The press and the RECORD are full of recent statements and editorials charging hidden subsidies and added tax burdens in the proposed Colorado River storage project. Of all the proposed public works projects, reclamation, rivers and harbors, and flood control, only this one is being attacked. Apparently a new set of ground rules is to be applied to this project. Dishonest arithmetic has been arranged in neat columns and reproduced in the publications of the Tax League, the so-called conservation groups, and national magazines, and is now being placed in the CONGRESSIONAL RECORD and on the desks of the Congressman. I refer specifically to a report of the National Conference of Taxpayers Executives entitled "Cost to Nation's Taxpayers, by States, of the Colorado River Storage Project and Participating Projects." The report quotes the minority Report No. 1774, 83d Congress, 2d session, Colorado River storage project and participating projects (H. R. 4449) which charges a hidden subsidy.

This minority report completely disregards a national policy in effect more than 50 years which recognizes the principle under which Federal funds are provided for the construction of irrigation reclamation projects and for which no interest is charged. Under this principle, all Federal irrigation reclamation has been constructed. All current and proposed projects are based upon it. This principle is in strict accordance with the Reclamation Act passed in 1902.

In the minds of the opposition, this principle is no longer valid for the Colorado River storage project. The validity of this principle was not questioned in connection with the Santa Marguerita project, the Tri-Dam, Trinity River, West San Juan, and the American River divisions of the Central Valley project in California, nor the proposed Salano, Santa Maria, or Ventura projects, also in California.

Of these, the Santa Marguerita project, costing $6,807,000, has been approved by Congress this session. Other projects totaling $636,049,000 are included in pending legislation and still other projects, all in California, totaling $194,450,000 are being investigated.

No voice has been raised by California or anyone else against the same so-called hidden subsidies in these projects. Only the Colorado is under attack, and this because it is the only project, the waters and power from which can and will be utilized downstream if the upper basin is not permitted to develop its resources.

Accumulating interest on the unpaid balance of the costs of irrigation is a measure of the cost to the public only if the annual value of the direct, indirect, and general public benefits resulting from the investment are also accumulated. The difference would represent the cost to the public.

It is difficult to evaluate, in terms of dollars, the public benefits, but it can and has been done. Economic studies made by the Bureau of Reclamation on many reclamation projects show that the public benefits are only slightly less than half the total benefits as determined by the benefit-cost analysis.

To illustrate, I call attention to the Seedskadee project in Wyoming. It is typical of the 11 participating projects and shows the effect of adding interest on the unpaid balance and deducting the value of the public benefits. The Seedskadee project will cost $33,376,000 including its share of the cost of the holdover storage at Glen Canyon and Echo Park. It would take 8 years to build the project works, and the accumulated cost, principal plus interest at the end of the construction period, would be $35,737,000. The reclamation law provides for a 10-year development period. During this time, interest is accumulating and by the end of the 10-year period the total cost, principal plus interest, is $43,689,000. During the development period, however, the public benefits from this project amounted to $10,224,000 so that at the beginning of the irrigation repayment period, the outstanding net obligation against the project was only $34,601,000. It is proposed to pay off the irrigation costs currently, using both income from water users and from power revenues. The irrigators will pay annually $95,700 and from power revenues there will be paid $572,000 annually. Every year $667,700 will be paid to reduce the first cost of the project. The interest on the unpaid balance is compounded at 2½ percent. The interest is added to the unpaid balance, and from the total is deducted the annual value of the public benefits.

The value of public benefits by the end of the development period was found to be $1,633,000 annually. By deducting from the yearly unpaid balance, plus interest, the annual benefits, it was found that the entire cost of the project would be theoretically liquidated in 30 years. Actually, the annual payments from the irrigators and power revenues go on to year 50. Based on this analysis, the public begins to secure free benefits after the 30th year of repayment because the annual public benefits exceed the interest charges. This analysis shows further a total irrigation benefit to the public over the 50-year period of $91,874,000 and a total accumulated interest charges on unpaid balance of only $26,743,000. The public benefits exceed the cost of interest by nearly four times.

The plan of repayment of the cost of the Colorado River project and participating projects as set forth on page 45 of the hearings, Colorado River Storage Project, 83d Congress, 2d session, June 28, July 3, 1954, is as follows:

The entire cost of power and municipal facilities will be repaid with interest on unpaid balances within a period of 50 years. These facilities represent more than 67 percent of the entire project. All costs allocated to irrigation will be repaid within a period of 50 years plus a development period of 10 years. These payments will be made annually, beginning at the end of the development period. It is understood that no interest on the irrigation investment will be paid, since this has been the continuous national policy since the enactment of the original Reclamation Act of 1902, and is a part of every reclamation repayment contract completed or proposed. It has been challenged only in the case of the Colorado River Project. After full repayment, the Echo Park and Glen Canyon power plants will yield a net return to the public treasury of approximately $20 million per year.

In order to give any credence at all to the dishonest arithmetic spread over the pages of the CONGRESSIONAL RECORD and in the press in an attempt to defeat the upper Colorado River project legislation now pending before Congress, the ground rules relating to the use of Federal funds without paying interest for the irrigation phases of reclamation would have to be changed. It is not in the interest of the public to change them, but if they must be changed, the change should apply to all public works projects and not alone to the Colorado River project. This new rule should apply to the $350 million flood-control program in southern California, the $400 million authorization being asked in pending legislation for California, and to the $174 million worth of projects being investigated in California. In fact, it should apply to all flood control, rivers and harbors, as well as all reclamation projects.

Historically, this Government, since its inception, has recognized the principle of Federal support of works which result in either direct or indirect benefits to the public. For example, the river and harbor improvement has always been accepted as a responsibility of the Federal Government even though such works resulted in many direct private individual or corporate benefits.

The cost of these improvements and their operation and maintenance are paid for by the Federal Government. The principal is not returned and no interest is paid.

Later, when the railroads were being pushed across the continent, no single corporation could finance the undertaking. The Government, in order to attract capital, gave the railroads every other section of land for 20 miles on each side of the railroad line. This was a great subsidy. Similarly, steamship lines, airlines, and defense industries have been subsidized. All of these subsidies have been good investments for this country.

As population pressures increase, cities, agricultural areas, transportation facilities, and industry began encroaching on the river flood plains, and the matter of flood control assumed national importance. Here again the Government stepped in with money to build, operate, and maintain flood-control works without cost to the direct beneficiaries. The entire cost was assessed against the taxpayer, the general public. These expenditures also have been a good investment for the country. To give you some idea of what it is costing this country for these general public benefits, I submit the following tabulation (table II) which shows:

1. Appropriation for flood control to the Corps of Engineers for the period 1938–54 by States (col. (3)).

2. The amount of accumulated interest by States on these appropriations for a 50-year period (col. (4)).

3. The cost of flood-control program to the taxpayers by States of interest had been changed (col. (5)).

4. The cost by States of pending rivers and harbors legislation, H. R. 9859 providing for a total authorization of $822 million for rivers and harbors, beach-erosion control and flood control (col. (5)).

5. The amount of accumulated interest, by States, on $822 million over a 50-year period (col. (7)).

6. The total cost to the taxpayer for principal and interest for authorization requested in H. R. 9859 (col. (8)).

7. The total cost of rivers and harbors and flood-control projects, as set forth above, to the taxpayers if accumulated interest over a 50-year period is added to the first cost (col. (9)).

8. For comparative purposes (col. (10)) gives the cost of interest-free money used to build the Colorado River storage project. The principal is repaid in full.

TABLE II.—*Cost to Nations' taxpayers of nonreimbursable rivers and harbors and flood-control projects*

[In millions of dollars]

State	Percent of total [1]	Flood control appropriations, 1938–54			Rivers and harbors, H. R. 9859, 1954			Total cost to taxpayer of rivers and harbors and flood control (5)+(8)	Accumulated interest Colorado River storage project 50-year payout [3]
		Distribution, first cost	Distribution, accumulated interest [2]	Total cost to taxpayer (3)+(4)	Distribution by States: First cost	Distribution by States: Accumulated interest [2]	Total cost to taxpayer (6)+(7)		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Alabama	1.15	31.2	76.1	107.3	9.5	23.1	32.6	139.9	11.5
Arizona	.51	18.5	33.7	52.2	4.2	10.2	14.4	66.6	5.1
Arkansas	.68	13.8	45.0	58.8	5.6	13.6	19.2	78.0	6.8
California	9.32	253.0	616.6	869.6	77.0	187.0	266.0	1,135.6	93.1
Colorado	.91	24.7	60.2	84.9	7.4	18.3	25.7	110.6	9.1
Connecticut	1.74	47.2	115.1	162.4	14.3	34.9	49.2	211.6	17.4
Delaware	.37	10.0	24.5	34.5	3.0	7.4	10.4	44.9	3.7
Florida	1.69	45.9	111.8	157.7	13.9	33.9	47.8	205.5	16.9
Georgia	1.53	41.5	101.2	142.7	12.6	30.7	43.3	186.0	15.3
Idaho	.34	9.2	22.5	31.7	2.8	6.8	9.6	41.3	3.4
Illinois	6.90	187.3	456.5	643.8	56.8	138.4	195.2	839.0	68.9
Indiana	2.56	69.5	169.4	235.3	21.1	51.4	72.5	307.8	25.6

[1] Percentage distribution of the Federal tax burden computed by the Tax Foundation based upon actual data for fiscal year 1953.

[2] Interest calculated at 2½ percent for 50 years.

[3] Interest calculated at 2½ percent for 50 years on the 11 participating projects of the Colorado River storage projects, irrigation investment, $409,982,300.

TABLE II.—*Cost to Nations' taxpayers of nonreimbursable rivers and harbors and flood-control projects*—Continued

[In millions of dollars]

State	Percent of total [1]	Flood control appropriations, 1938–54			Rivers and harbors, H. R. 9859, 1954			Total cost to taxpayer of rivers and harbors and flood control (5)+(8)	Accumulated interest Colorado River storage project 50-year payout [2]
		Distribution, first cost	Distribution, accumulated interest [2]	Total cost to taxpayer (3)+(4)	Distribution by States: First cost	Distribution by States: Accumulated interest [2]	Total cost to taxpayer (6)+(7)		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Iowa	1.55	42.1	102.5	144.6	12.7	31.1	43.8	188.4	15.5
Kansas	1.31	35.6	86.7	122.3	10.8	26.3	37.1	159.4	13.1
Kentucky	1.27	34.5	84.0	118.5	10.5	25.5	36.0	154.5	12.7
Louisiana	1.34	36.4	88.7	125.1	11.0	26.9	37.9	163.0	13.4
Maine	.47	12.8	31.1	33.9	3.9	9.4	13.3	47.2	4.7
Maryland	2.56	69.5	169.4	238.9	21.1	51.3	72.4	311.3	25.6
Massachusetts	3.19	86.6	211.1	297.7	26.3	64.0	90.3	388.0	31.9
Michigan	9.91	133.3	324.9	458.2	40.4	98.5	138.9	597.1	49.1
Minnesota	1.74	47.2	115.1	162.3	14.3	34.9	49.2	215.5	17.4
Mississippi	.65	17.6	43.0	60.6	5.3	13.0	18.3	78.9	6.5
Missouri	2.50	67.9	165.4	233.3	20.6	50.2	70.8	304.1	25.0
Montana	.40	10.9	26.5	37.4	3.2	8.0	11.2	48.6	4.0
Nebraska	.85	23.1	56.2	79.3	7.0	17.0	24.0	103.3	8.5
Nevada	.17	4.6	11.2	15.8	1.4	3.4	4.8	20.6	1.7
New Hampshire	.30	8.1	19.8	27.9	2.5	6.0	8.5	36.4	3.0
New Jersey	3.60	97.7	338.2	335.9	29.6	72.2	101.8	437.7	36.0
New Mexico	.38	10.3	25.1	35.4	3.1	7.6	10.7	46.1	3.8
New York	12.34	335.0	816.4	1,151.4	101.6	247.5	349.1	1,500.5	123.3
North Carolina	1.67	45.3	110.5	155.8	13.7	33.5	97.2	203.0	16.7
North Dakota	.30	8.1	19.8	37.9	2.5	6.0	8.5	36.4	3.0
Ohio	3.90	160.2	390.3	550.5	48.6	118.3	166.9	317.4	59.3
Oklahoma	1.12	20.4	74.1	104.5	9.2	22.5	31.7	136.2	11.2
Oregon	1.10	29.4	72.8	102.7	9.1	22.1	31.2	133.9	11.0
Pennsylvania	6.94	188.4	459.2	647.6	57.1	139.2	196.3	843.9	69.3
Rhode Island	.53	14.1	34.4	48.5	4.3	10.4	14.7	63.2	5.2
South Carolina	.86	23.3	56.9	80.2	7.1	17.2	24.3	104.5	8.6
South Dakota	.33	9.0	21.8	30.8	2.7	6.6	9.3	40.1	3.3
Tennessee	1.39	37.7	92.0	129.7	11.4	27.9	39.3	169.0	13.9
Texas	9.86	132.0	321.5	453.5	40.0	97.5	137.5	590.0	98.6
Utah	.40	10.9	26.5	37.4	3.2	8.0	11.2	48.6	9.0
Vermont	.69	5.2	12.6	17.8	1.6	3.8	5.4	23.2	1.9
Virginia	1.69	45.9	111.8	157.7	13.9	33.9	47.8	205.5	16.9
Washington	1.71	46.4	113.1	159.5	14.0	34.3	48.3	207.8	17.1
West Virginia	.89	74.2	58.9	83.1	7.3	17.9	27.2	110.3	8.9
Wisconsin	2.20	59.7	145.6	205.3	18.1	44.1	62.2	267.5	22.0
Wyoming	.20	5.4	13.2	18.6	1.6	4.0	5.6	24.2	2.0
Territories	.50	13.6	33.1	46.7	4.1	10.0	14.1	60.8	5.0
Total	100.00	2,714.7	6,616.0	9,330.7	822.0	2,005.7	2,827.7	12,158.4	999.9

Summarizing, this table shows that the two programs referred to (flood control, 1938–54, and H. R. 9859, rivers and harbors bill, 1954) would cost the taxpayers $12,158,400, if the interest were accumulated over only 50 years. The true cost if one disregards the public benefits is much worse because no principal or interest is ever to be paid.

When compared to rivers and harbors, flood control, and other direct subsidies made because of their general public benefits to the taxpayers, the cost to the taxpayers, of the public benefits resulting from interest free money for irrigation, is insignificant.

The attack on the Colorado River storage project is designed for no other purpose than to prevent the development and use of the waters allocated to the upper Colorado Basin States by the Colorado Compact so that both the water and power resources of the river will become available to the water and power users in the lower basin. The attack is being directed by California interests and supported by California Congressmen. The objective of California has been set forth in the press, at both House and Senate hearings on the Colorado River project, and is now being placed in the CONGRESSIONAL RECORD by Congressmen YORTY, HOSMER, and MILLER.

COST OF RECLAMATION VERSUS COST OF FLOOD CONTROL—HOW RIDICULOUS CAN YOU GET?

There are in the United States today certain groups and individuals who are severely criticizing the reclamation program of the 17 Western States on the assumption that it is costing the taxpayer a lot of money, and becomes an everlasting burden upon them. Naturally, in these times of high cost of living, anyone who talks about costs to the taxpayers finds a receptive audience whether the presentation is misleading or whether it is representative of the true situation.

It has been pointed out time and time again that reclamation projects, when studied in their true perspective, yield benefits to the Nation that are national in scope as well as local, and that the projects pay for themselves many times over in the form of newly created income and of tax revenues made possible by the reclamation projects, and that these and many other benefits continue indefinitely into the future.

Critics of the Federal reclamation program, on the ground that it will constitute a burden on the Federal taxpayers, should take a good look at H. R. 9859, the omnibus river and harbor and flood-control bill. Here is a bill that, under the arguments advanced by opponents of reclamation projects constitutes a real giveaway. The cost to the Federal Government is entirely nonreimbursable, and no interest is charged the beneficiaries on the original cost either.

In the case of Federal reclamation projects, interest is paid on the investment in power and municipal water features, including interest accruing during the construction period. This part of the cost of the project is, then, returned to the Federal Treasury with interest in 50 years. Interest is not charged on the costs allocated to irrigation features in accordance with reclamation law. The capital investment in irrigation features is, however, returned to the Federal Treasury in 50 years partially from the irrigation farmer, partially from taxes levied by the required conservancy-type districts, and the remainder from power revenues. After full payout there will flow into the Federal Treasury millions of dollars per year for the life of the project, from power revenues, which may be for hundreds of years or longer.

One of the arguments currently being employed by opponents of reclamation projects in general, and of the Colorado River storage project in particular is to point an accusing finger at the interest on the amount assigned to irrigation features, the principal of which is returned from power revenues. For instance, Mr. Leslie Miller, one of the severest of critics of H. R. 4449 points out that the Nation's taxpayers will be called upon to pay interest for 44 years at 2½ percent on $231,041,900, the estimated amount assigned to irrigation and to be repaid from power sales. He further points out that this amount at interest compounded annually would grow to $780 million, and that interest on unpaid balances over the 6-year period would amount to $23 million; the total cost then being $803 million from which the principal is subtracted, because it is repaid, leaves $540 million to be paid in interest by the taxpayers.

Now, let us take a look at the cost of those projects in the omnibus rivers, harbors, and flood-control bill. Remember, the figures quoted are costs to the Federal Government. They are nonreimbursable gifts. No interest is paid by the beneficiaries on the capital investment. No part of the principal is returned.

In the current omnibus bill under titles I and II, we note the following. There are:

1. 85 rivers and harbors projects at a cost to the Federal Government of	$212,915,100
2. 22 beach-erosion projects	14,003,664
3. 39 flood-control projects	663,352,750
Total cost to the Federal Government	890,271,514

This $890 million is not the total cost of all rivers, harbors, and flood-control projects. It represents only the cost of projects for which authorization is sought in H. R. 9859 for this session of Congress.

To illustrate the ridiculousness of the argument of those opposed to reclamation projects on the grounds of the interest argument illustrated above, let us now apply

that same argument, that someone, the taxpayer, has to stand the cost of the interest charges paid by the Federal Government on borrowed money, to the cost of those items sought for authorization in the omnibus bill. First, we should note that it is very significant that those opposed to the Colorado River storage project figured their interest for a 50-year period. This is significant because at the end of the 50-year period all of the principal is repaid and power revenues continue into perpetuity to pour $20 million per year into the Federal Treasury. In the case of the projects in the omnibus bill the interest need not be computed for only 50 years. It could be figured for any period into perpetuity—50 years, 100 years, 200 years, 1,000 years—infinity.

For the sake of this illustration it is sufficient to point out that in 50 years at 2½ percent interest compounded annually the $890 million will add $3.06 billion; in 100 years, $10.5 billion; and in 200 years, $124.2 billion to the current national debt.

For the city of Los Angeles, Calif., there is a flood-control plan now underway that is estimated to cost the United States taxpayers $363,265,500. By this project alone at 2½ percent interest compounded annually in 50 years there will be added to the national debt $1.25 billion; in 100 years $4.3 billion; and in 200 years $50.7 billion.

For the city of Los Angeles, Calif., and environs, there are also planned three harbor improvement programs with a total estimated cost to the Federal taxpayers of $14,071,500. At the same rate of interest in 50 years to total cost will be $48.4 million; in 100 years $166.2 million; and in 200 years $1.96 billion.

Current plans for the city of Los Angeles and environs for flood control and harbor improvements will cost the Nation's taxpayers in 50 years $1.3 billion; in 100 years $4.5 billion; and in 200 years $52.7 billion. These figures do not take into consideration the immense expenditures that have been made in these categories for the city of Los Angeles in past years, nor the fantastic nonreimbursable expenditures undoubtedly expected in the future from the Federal Treasury.

In House Report No. 2247 to accompany H. R. 9859, the omnibus bill, we note in title I that—

Cost of completed navigation program	$856,000,000
Cost of projects now underway not completed	1,409,000,000
Cost of projects authorized but not yet started	911,000,000
Total cost of active navigation programs (does not include multiple-purpose projects)	3,176,000,000
Cost of completed flood-control projects	545,000,000
Cost of projects now underway	2,945,000,000
Cost of projects authorized but not started	1,371,000,000
Total cost of active flood-control projects	4,861,000,000
Total cost of active rivers, harbors, flood-control projects	8,037,000,000

To further illustrate how ridiculous this argument about interest can become at 2½ percent interest compounded annually the total cost of the active rivers, harbors, and flood-control program in 50 years would grow to $27.6 billion; in 100 years to $94.9 billion; and in 200 years would add $1,121.6 billion (over a trillion dollars) to our national debt.

In spite of the stupendous figures that can be derived by this method of considering interest we all realize the benefits to be gained from the programs in question. We realize that both the principal invested and the interest that could be computed thereon are expendable items from which benefits are derived into perpetuity and ad infinitum. We as Americans cannot condone the attitude of the man who starved himself to death because he realized that if he did not eat at the rate of $1,500 per year at the end of 50 years his $1,500 would grow to $5,155; in 100 years to $17,721; and in 200 years to $209,340.

TRUE FACTS ABOUT ECONOMIC FEASIBILITY

I am here today in support of the Colorado River storage project and I can point with pride to the record of the Bureau of Reclamation, a going concern for over half a century, and assure you that every dollar spent for the construction of this project will be repaid.

The entire cost of power and the municipal water features in the initial phase of the development amounting to approximately $632,750,000 will be repaid to the United States Treasury with interest, not on the capital investment but also with interest accruing during construction.

While the irrigation costs of about $306,190,000 do not bear interest, pursuant to the reclamation law, passed during President Theodore Roosevelt's administration, every dollar of the capital cost will be returned in 50 years.

The economic feasibility of other great reclamation projects has been challenged in the past. Among them were Boulder Canyon, Columbia Basin, and Central Valley. However, today, there is no doubt about their ability to pay out.

The soundness of the Federal investment in the reclamation program now proves to be one of Uncle Sam's wisest moves financially. After 50 years of reclamation planning and work what are the results?

1. Over 7 million fertile acres of land receiving full or supplemental water supply.

2. On these acres are 125,000 family-sized farms and a like number of surburban units receiving water through reclamation projects. These same projects provide municipal water to over 2 million people.

3. We have realized 47 harvests of crops, fruits, etc., with a combined value of about $9 billion.

4. Nearly $510 million in direct revenues has been paid out to the United States Treasury from water service, construction accounts, and the sale of power (in addition, water users have paid the total cost of operating and maintaining the projects).

Based on the projected results of a sample study of 15 reclamation projects, the estimated cumulative tax return to the Treasury from 69 projects or divisions of projects receiving water under the reclamation program in 1953 stands well over $3.1 billion. All reclamation project works complete or under construction since 1902 cost $2,406,000,000. Thus we have a tax return to the United States Treasury from these reclamation project areas of $3.1 billion, while actually $1.9 billion has been spent on these works to date.

From these statistics and statements I am certain that the soundness of the Colorado River storage project as a Federal financial investment has been thoroughly established.

Every segment of the Nation's economy has had a part in the construction of reclamation's engineering works. Long after project costs are repaid by power and water users, these new empires, made possible through Federal reclamation, will continue to pour tax revenues into the United States Treasury themselves, and will make it possible for the rest of the Nation to do so accordingly.

Without irrigation development in the West it would be impossible to support even the present population, to say nothing of the population which is bound to come, and without additional water and power the industrial resources of the area can never be developed.

Application of water to productive soils illustrates the economic growth that follows. For instance, in Weld County, Colo., every 1,000 irrigated acres in farms supports 33 persons, while 1,000 acres of dry land supports only 3.9 persons. In this prosperous county 58,077, or 87 percent, of the population is supported through irrigation development. This is representative of the increased economic base stemming directly from water resource development which increases the domestic market, the tax base, and the general prosperity of the Nation.

THE CASE OF THE UPPER COLORADO STORAGE PROJECT—AN INTERVIEW WITH SENATOR ARTHUR V. WATKINS

The Colorado River storage project and participating projects is the first and most complicated basinwide water development and use program ever proposed. It is a costly proposal and will require nearly a century to complete it but in the minds of many it means a hundred years of economic progress which will come from the development of the water, power, and industrial resources of the upper Colorado River Basin and will be a sound national investment. Senator WATKINS, a veteran of water development in the West, in an interview presents the case of the upper Colorado River storage project.

Question 1. There has been much discussion of the Colorado River project on two points, the Echo Park Dam and the economic feasibility of the project. What is the real issue?

Answer. The real issue is water and power and who gets the use of this huge renewable resource. The Colorado River is the last great undeveloped water resource in the West. It is a wild, unruly stream which must be controlled before it can be completely utilized. In order to insure each of the States in the Colorado River Basin a chance to develop and utilize their share of the waters of the river, a compact between them, including the United States, was drawn and signed by all parties in 1922. This compact divided the waters of the river between the upper (Colorado, Utah, New Mexico, and Wyoming) and the lower (California, Nevada, and Arizona) basins.

The Hoover Dam was built in 1928–35 controlling the flow of the water in the lower basin. Since Hoover Dam was completed, other facilities (some 7 other dams and the All American Canal) have been built, costing approximately $985 million (present value). These facilities make it possible for the lower basin to put all of their water to beneficial consumptive use and to generate large quantities of power. After using all the water and power to which they are entitled under the compact, the lower basin has remaining undeveloped lands and active power markets to use all the water and power to which the upper basin is entitled. In other words, the lower basin can use the entire flow of the river, and inasmuch as water runs downhill any water that is not used in the upper basin automatically becomes available to the lower basin.

The Colorado River storage project and participating projects is essential to beneficial consumptive use and power development in the upper basin. The defeat of the upper Colorado River project means the lower basin gets the water. Therefore, the real issue is, Who gets the water and the power in the upper Colorado River?

Question 2. The Echo Park Dam to be located in the expanded Dinosaur National

Monument. Will not this construction constitute an invasion of the basic principle of national monuments and set a precedent for similar invasions of other monuments?

Answer. The proposed Echo Park Dam is located in the expanded Dinosaur National Monument. The original Dinosaur National Monument consisted of 80 acres containing the dinosaur bones. This area is 20 miles below Echo Park and will not be touched by any proposed development. As early as 1910 power withdrawals under acts of Congress in 1879, 1910, and 1920 were made for the purpose of holding for future power development the water resources in the Green and Yampa River Cayons. Of these withdrawals 6 were made in 1910, 1 in 1915, 2 in 1919, and 1 in 1920, and 2 in 1925. These withdrawals covered the entire canyon sections of the Green and Yampa Rivers. The Federal Power Act was passed in 1920 providing for the issuing of permits to develop these power resources. This act was amended in 1921 to exclude national parks and monuments as now constituted and existing from the provisions of the Federal Power Act. This meant that the Federal Power Commission could not after 1921 issue permits for power development in the national parks and monuments as they existed at that time. The amendment did not apply to new parks or monuments or to expansions made subsequent to 1921. This interpretation was accepted by the National Park Service and by the Secretary of the Interior as is evidenced by their letters to the Federal Power Commission asking them to vacate their withdrawals after the Dinosaur National Monument was expanded from 80 acres to 203,885 acres in 1938. The Federal Power Commission in the public interest refused these requests. The President of the United States in his proclamation expanding the monument made specific reservations for the development of the water and power resources within the area and referred specifically to the Federal Power Act of 1920 as amended. Therefore, the construction of the Echo Park Dam in the Dinosaur National Monument cannot be an invasion because it was specifically provided for and similarly it cannot set a precedent.

Denial of authorization for the construction of the Echo Park Dam on the grounds that it is in a National Monument would be a breach of faith on the part of the United States Government.

Question 3. You have admitted that the Colorado River storage project is complicated and costly and will require many years to build. The press is full of charges that it is not economically sound, that it represents a huge hidden subsidy and will constitute a new and unreasonable burden upon the taxpayers. Can this project be justified economically?

Answer. The initial phase of the Colorado River storage project and participating projects as printed in H. R. 4449 now pending before the House will cost approximately $1 billion and will take 25 to 30 years to complete. Of this total cost, about 67 percent is for power generating facilities and the balance for consumptive use facilities (irrigation and municipal). All cost of facilities for generating power and providing municipal water will be returned to the public Treasury with interest within a period of 50 years. The costs allocated to irrigation will be repaid within 50 years out of income from irrigation farmers, water conservancy districts which levy ad valorem taxes for this purpose and from power revenues. In harmony with national policy of more than 50 years duration, the funds allocated to irrigation will draw no interest. The opponents to this project charge that the failure to pay interest on the irrigation allocation is a hidden subsidy and constitutes a burden on the taxpayer. This is not true because interest-free money for reclamation has for more than 50 years been recognized as payment for public benefits is as old as this country. The Federal Government early assumed the responsibility of the entire cost of building, improving, operating, and maintaining rivers and harbors as an aid to navigation in spite of the fact that there were many direct beneficiaries who paid nothing. It early undertook flood control which has been and still is costing the taxpayers billions of dollars. It subsidized the railroads, steamship lines, airlines, and defense industries because to do so was in the public interest. In 1920 the reclamation act was passed providing for interest-free money for irrigation works. The principal had to be paid back. In none of the other subsidies was this true. Therefore, the principal of interest-free money in return for public benefits is well established and valid. The Colorado River project is no different from projects constructed in the past or to be constructed in the future.

The public benefits justify the interest-free money and the project is economically sound. In fact, after all the costs of the project are paid for within 50 years there will still be pouring into the public treasury from only two powerplants a net revenue of more than $20 million annually.

Question 4. Flood control, river and harbor improvements and reclamation programs have always been based on the principle of public expenditures in payment for public benefit. If this principle is to be abolished in connection with the Colorado River storage project, will it also be abolished in all other public works projects?

Answer. It appears that those opposing the Colorado River storage project want the new rule to apply only to the Colorado River storage project. There is now pending before Congress authorizing legislation which amounts to $400 million for California alone. In addition, another $200 million worth of projects in California are being investigated. This is in addition to approximately $350 million worth of flood-control projects in southern California. There is pending before Congress an $822 million flood-control and river and harbors bill. All of these projects are based on the principle of public expenditures to pay for public benefits. I am convinced that the abrogation of this national policy would check severely the growth of this country and destroy Western reclamation.

Question 5. Mr. Moley in his column (News Week, May 17, 1954) says the hidden subsidy (from interest-free money) would amount to $2,700 per acre. Is this true?

Answer. Such a figure can be validated only if you disregard two vital assumptions, both of which have been accepted as national policy for over 50 years. (a) Interest-free money for reclamation, and (b) credit for public benefits resulting from the project. With respect to the first, if interest-free money for reclamation is furnished, there would be no cost to the Government because the principal would benefit both. With respect to public benefits, these are subject to reasonable evaluation, and when credited against the interest, show that the accumulated benefits over the 50-year payment period is about four times the accumulated interest. The Seedskadee project in Wyoming, a typical participating project, shows a public benefit of $91,874,000 in 50 years and an accumulated interest on the unpaid balance over the same period of only $26,743,000. This project cost $380 per acre, all of which is paid back.

Question 6. The Colorado River drains portions of seven States (California, Arizona, Nevada, Colorado, Utah, New Mexico, and Wyoming.) How are the water and power resources of this river divided among the States?

Answer. The basis of all water rights in the West is beneficial consumptive use, and first in time of use is first in right of use both within and between States. It was early recognized that due to location and topography, some States could put the water to use earlier and faster than others. In order to preserve each State's equity in these waters, it was found desirable to divide up the waters of the river in advance of their being put to use. To do this, the Colorado River compact was signed in 1922. This compact divided the water between the upper basin (Colorado, New Mexico, Utah, and Wyoming), and the lower basin (California, Nevada and Arizona). In 1928, the upper basin States entered into the upper Colorado River compact which divided the water allocated to the upper basin States. Assuming there would be 15 million acre-feet of water available annually at Lee Ferry between the two basins, each basin was given the right for beneficial consumptive use of 7,500,000 acre-feet annually, with a further proviso that the upper basin must deliver to the lower basin a total of 75 million acre-feet each 10-year period.

Question 7. It is reported that the Colorado River annual flow varies between wide limits. As little as 4½ million acre-feet may be available at Lee Ferry in a given year, and in another year as much as 25 million acre-feet. Under this wide variation of flow, how can the upper basin States deliver to the lower basin at Lee Ferry 75 million acre-feet every 10 years and still use consumptively its share of the river which is 7½ million acre-feet per year?

Answer. This can be done only by providing holdover storage in the upper basin to fully and completely regulate the river above Lee Ferry. A proposed project is now before the Congress which will accomplish this objective. It (S. 1555) provides for the continuation of six holdover storage reservoirs, the principal ones of which are Echo Park and Glen Canyon. These storage reservoirs and powerplants will provide the necessary storage for river regulation, power and water for irrigation, by exchange. There is no other way by which the upper basin States can use their share of the Colorado River water.

Question 8. It has been 30 years since the Colorado River compact was signed. What development has taken place on the river since that time?

Answer. The Hoover Dam was started in 1928 and completed in 1935. This dam completely regulated the river below this point. Since that time, the Davis and Parker Dams in the United States and the Moreles Dam in Mexico have been completed. The All American canal and control works has been completed. In fact, there are now sufficient control facilities built in the lower basin, at a cost of some $985,808,000 (present value), to utilize all the water allocated to the lower basin. In addition, there are undeveloped canal reservoirs and existing power markets to use all the water and power in the entire river system. These works were constructed with Federal funds under the same terms proposed for the Colorado River project.

In the upper basin in the 30 years there has been practically no development, but approximately $10 million have been spent making investigations to find a way for the upper basin to use its water. The investigations resulted in the proposed Colorado River storage project and participating projects, authorizing legislation for which is now pending before the Congress in H. R. 4449 and S. 1555.

Question 9. When water supplies are limited as they are in the West, would it not be in the greatest public interest to use the water where the largest number of people are located?

Answer. When water and power are available, industry develops and job opportunity comes to people. Thus it was in southern California. Cheap power from the Hoover Dam and water from the Colorado made possible the tremendous growth of industry and people during the last 20 years. It has been

suggested by some Californians that there are more people in southern California by 3 times than there were in the upper basin, and, therefore, they should have all the water of the Colorado River. They have also intimated that water will produce more when used in the lower valleys which have longer growing seasons. This is not true. For each unit of water, the production of food and fiber in the upper basin is greater than in the lower basin, because of smaller evaporation losses.

Question 10. The mountains of the West are said to be the Nation's storehouse of raw materials. What are the industrial potentials in the upper basin if water and power are made available?

Answer. The upper basin States contain the world's largest bodies of coal, oil shale, phosphate, gilsonite, salt and lime in addition to great deposits of ferrous and nonferrous metals and nonmetallic minerals. These materials are the basis of great chemical and fertilizer industries. Water and power are needed for their development. The Colorado River storage project will provide both.

Question 11. Much has been said recently about the decentralization of industry as the only defense against atomic weapons. Would the construction of the Colorado River storage project aid such decentralization?

Answer. Industry requires water and power. The Colorado River storage project would provide both. Industry requires a good labor supply. People require water for municipal and agricultural purposes. Water and power are the basic essentials. Furthermore, in case of atomic attack, the only defense for people is evacuation. Safety lies in the valleys of the mountains. The water and power resources of the mountain areas should be fully developed, industry decentralized and preparations made for mass evacuation of coastal cities and towns into the mountains.

Question 12. This country is currently plagued with an agricultural surplus. Is it advisable to put more land into production to add to the current surplus?

Answer. The Colorado River storage project will develop slowly. It will take 25 to 30 years to complete the first phase and bring into production 294,020 acres of new land and provide supplemental water for 469,670 additional acres. Three independent agencies, one of which was the Agricultural Research Service of the Department of Agriculture, recently estimated a population of 200 million people in the United States by 1975 which population would need an additional 31 million acres of agricultural land to maintain the current standard of living. Of this at least 6 million acres must be irrigated land. To meet this demand all the remaining arable land in the west would have to be put into production. The best we can do on the Colorado in 25 years is about 300,000 acres. Furthermore, the crops grown on irrigated land are, except for some cotton, not the crops that are in surplus. The most rapid development of irrigated land that can be expected will not keep up with the population increases.

Question 13. The Dinosaur National Monument has probably been the most talked about monument in the United States during the past few months. Is it widely visited by the public? Is it accessible? Will its scenic and other values be destroyed by the construction of the Echo Park Dam?

Answer. The monument is not widely visited by the public because 99 percent of it is inaccessible except by one-way boat trips down the river during a period of 2 to 6 weeks each year when the water is high. This trip is both difficult and hazardous and requires special equipment and experienced river boatmen. These conditions limit the number of people who may see the canyon.

The canyons are deep and narrow. In some places the canyon walls are as much as 3,000 feet high and vertical walls 1,700 feet high are common. The Echo Park Dam would back the water up the Green and Nampa Rivers a combined distance of over 100 miles. The maximum depth of water would be about 500 feet, decreasing to zero at the upper end of the reservoir. This reservoir would create quiet water, which would make the entire canyon area accessible the year-round and the small depths of water compared to the height of the canyon walls would not detract, but would add to the grandeur of the canyons. The program proposed by the Park Service would make this a recreational area second to none in the United States. Such a plan would retain all the values now claimed and add accessibility, improve fish and wildlife, and permit, at the same time, the development of the urgently needed water and power resources.

Question 14. Why is Echo Park essential to the Colorado River storage project?

Answer. Complete regulation of the river is necessary if the upper basin is to meet its commitments to the lower basin under the Colorado River compact. Such regulation can be obtained only by building 9 storage reservoirs, the 2 largest and most important of which are the Echo Park and Glen Canyon. These two reservoirs constructed initially will provide the required storage, power at the least cost, power in the greatest quantity, and all with the least loss of water by evaporation. Any other combination of reservoirs which does not include Echo Park, makes less power, at greater cost, and loses more water by evaporation. There is no alternative to the Echo Park Dam for another reason and that is that the Echo Park powerplant connected with the Glen Canyon plant makes the power from these two sources available to the upper basin power market.

Question 15. The Colorado River storage project is basin-wide, and when completed will provide for the full utilization of the water resources. What will happen to the economy of the upper basin if this project is authorized and subsequently funds are appropriated for its construction?

Answer. This project is self-liquidating. After completion and repayment it will pour into the public Treasury revenues from this great renewable water resource. If authorized and built it means 100 years of sound economical development. It will open up the storehouses of raw materials. It will provide job opportunities for people. It will improve national defense. It will create new wealth, new homes, and new services. It will accelerate the decentralization of industry. If the project is not authorized, the rights of the upper basin States to their share of the Colorado River will be effectively destroyed. Industry will be unable to develop, raw materials will remain in natural storage, there will be few homes, few job opportunities, and the younger people will have to leave their homeland to find employment. Failure of Congress to authorize this project will be the equivalent of their confiscating these rights in the Colorado and making them available to the lower basin and Mexico.

Effect Upon Downstream Power Units—Colorado River Storage Project and Participating Projects

Anticipated revenues to the United States Treasury from the Hoover, Davis, and Parker powerplants will not be affected by the withholding of water by the upper basin under the plan for the Colorado River storage project. Rate and repayment schedules for Hoover powerplant, effective since 1937, contemplate full repayment of reimbursable costs, and no more, under the condition of a lessening water supply over the contract period ending in 1987. Reflecting this diminishing water supply is the firm energy production schedule, which lessens each year by the equivalent of 1,000 kilowatts, or 8,760,000 kilowatt-hours. Periodic adjustment of rates assures full repayment of all amounts which will become due within the contract period, barring unforeseen and very severe impairment of firm energy production. No such impairment is remotely implied in the plan now advanced for the Colorado River storage project. The Boulder Canyon Project Act of 1928, the Boulder Canyon Project Adjustment Act of 1940, and all contracts for Hoover energy, long since entered into, recognize the effect of the upper basin's potential progressive increase in consumptive use of Colorado River water.

Similarly, rate and repayment schedules for Parker powerplant in effect since 1942 and for Davis powerplant in effect since 1952 anticipate a diminishing water supply, the assumed rate of diminishment in fact being somewhat more severe than now contemplated by the current plan for the Colorado River storage project. The Bureau of Reclamation's contracts for Parker-Davis energy are relatively short-term, rather than long-term as at Hoover. Current rates will, in the Bureau's judgment, fully amortize reimbursable costs at these plants. If actual operating experience yields less annual revenue than originally anticipated—an unexpected result—rates will be adjusted periodically. The Bureau of Reclamation anticipates no inability to realize full amortization of these reimbursable project costs arising out of a diminishing water supply, or for any other reason.

Inasmuch as the current plan for the initial or ultimate phases of the Colorado River storage project and participating projects contemplates storage and consumptive uses less severe than the assumed rates of diminished flows upon which is based the schedule of firm energy production at Hoover, Davis, and Parker powerplants, these proposed uses in the upper basin will in no manner curtail the firm energy production at the mentioned downstream powerplants. The lower basin power users, thus, contemplated interruptions in the generation of secondary energy through hydrologic causes and through upstream uses in the upper basin. There are years when the entire flow of the river can be taken through these powerplants producing large amounts of secondary energy. The production of this secondary energy, however, is without obligation as to its availability in time or in amount. Even in the years when the total flow of the river could be passed through the downstream powerplants, the interruption of this secondary energy is not a justifiable cause to forestall contemplated upstream development where irrigation, municipal, and industrial uses and added firm power generation would benefit the Nation.

Alternatives to Echo Park Dam, Colorado River Storage Project

Statements continue to appear in the press and periodicals alleging that suitable alternates to Echo Park Dam exist which would not affect any units of the national park system adversely. These claims have been investigated by the Bureau of Reclamation and by independent investigators, confirming the accuracy of the Bureau's statements that any such suggested alternative would not only increase the loss of water by evaporation by 100,000 to 200,000 acre-feet annually, but would also result in lesser storage capacity and power capacity and output.

Actually, there are only two potential alternates which can be considered as substitutes for Echo Park and Split Mountain Dams and Reservoirs. These are the Dewey and New Moab Dams and Reservoirs. The tabulation which follows compares several of the vital statistics for the recommended system of 9 storage units with those which would result from the use of these 2 substitutes.

Summary of comparative plans, Colorado River storage project

Comparative plans [1]	Total system storage, acre-feet	Total system plant capacity, kilowatts	Annual evaporation operating loss, acre-feet
Reclamation's proposal: Echo Park and Split Mountain included (involves Dinosauer National Monument)	47, 355, 000	1, 592, 000	830, 000
First Alternate: [2] Dewey for Echo Park and Split Mountain (no national monument involved)	46, 660, 000	1, 404, 000	950, 000
Second alternate: [3] New Moab for Echo Park and Split Mountain (would bisect Arches National monument)	46, 650, 000	1, 443, 000	930, 000

[1] In addition to Echo Park and Split Mountain units or their alternates, the comparative plans all include the Flaming Gorge, Cross Mountain, Gray Canyon, Glen Canyon, Curecanti, Crystal, and Whitewater units. Any comparison study must take into consideration the balance of the total system. Thus, all of the alternate plans involve sacrifice of needed total storage capacity and power capacity in order to keep within a reasonable percentage of the evaporation loss. If storage and power capabilities of the Bureau of Reclamation proposal were duplicated by the alternates, those reservoirs would have to be larger and evaporation losses and costs would be greatly increased over the figures indicated.

[2] The Dewey Reservoir site is 30 miles upstream from Moab, Utah, on the Colorado River. The reservoir basin is flat and shallow. Adoption of this site would necessitate high cost relocation of a transcontinental railway line. The effect on the system of substitution of Dewey for Echo Park and Split Mountain would be a reduction of 695,000 acre-feet in storage, 188,000 kilowatts of installed power, and an increase of 120,000 acre-feet of annual evaporation loss of water.

[3] The New Moab site is just upstream from Moab, Utah, on the Colorado River. The reservoir created would cover a much larger area than Echo Park and would involve relocation of the transcontinental railroad and other improvements. One arm of the reservoir would extend into Arches National Monument, bisecting the area and isolating an important feature. The effect on the system of substitution of New Moab for Echo Park and Split Mountain would be a reduction of 705,000 acre-feet in storage, 149,000 kilowatts of installed power, and an increase of 100,000 acre-feet of annual evaporation loss of water.

Although the Desolation Reservoir site and the additional storage obtained by a "high" Glen Canyon Dam have been suggested by some as alternates to the Echo Park-Split Mountain combination, such proposals cannot be considered as logical substitutes. The Desolation Reservoir site is 28 miles upstream from the proposed Gray Canyon Reservoir with 2 million acre-feet capacity on the Green River and lies within the reservoir basin of Gray Canyon. The use of Desolation Reservoir would limit the capacity of Gray Canyon Reservoir to 490,000 acre-feet. The net effect on the system of substitution of Desolution for Echo Park and Split Mountain would be a reduction of 505,000 acre-feet in storage, 242,000 kilowatts in installed power, and an increase of 200,000 acre-feet of anual evaporation loss of water.

Those who have suggested use of a higher Glen Canyon Dam have done so without full knowledge or understanding of the basis for the present plan of development of that reservoir site. As one of the initially recommended units of the Colorado River storage project, Glen Canyon Reservoir would be built to its economic capacity and therefore it cannot be considered as an alternative to Echo Park Reservoir.

Regardless of differences or arguments on evaporation, the Glen Canyon Dam should be constructed to the maximum height consistent with economy, safety of the structure, and adequate protection of the Rainbow Natural Bridge. The Bureau of Reclamation's preliminary studies indicate that a dam rising 580 feet above the river, creating a reservoir of approximately 26 million acre-feet would meet these criteria. Final detailed engineering studies for the safe height of the dam may result in a capacity of slightly more or even less than 26 million acre-feet. If the capacity is less than the 26 million acre-feet, additional capacity must be sought elsewhere. If it is more than 26 million acre-feet, such increase in capacity should be used to compensate for a lowering of the proposed Curecanti Dam and possible changes resulting from final surveys at other sites, to replace capacity of the less attractive upstream sites, or to lengthen the silt retention period beyond 200 years.

In addition to these and other important factors, exceptionally important intangible values had to be weighed against very real economic needs and potentials in making a decision to include the proposed units of the Colorado River storage project within the boundaries of the Dinosaur National Monument. The recommendation to authorize construction of the Echo Park unit was based upon the very real economic needs and the resource potentials of the upper Colorado River Basin and the contribution which this important basin area can make to the needs of a growing population and an expanding economy.

Water and Power Reservations in the Dinosaur National Monument

I believe that my colleagues in the Senate who are lawyers will be interested in making a study, as I have, of the question whether the Presidential proclamation of July 14, 1938, enlarging the area of the Dinosaur National Monument from 80 to 200,000 acres, was beyond the powers of the President under the terms of the so-called Antiquities Act. If the President's proclamation of July 14, 1938, exceeded the authority conferred upon him by that act, then it is null and void and of no effect and the true boundaries of the Dinosaur National Monument are those set out in President Wilson's proclamation issued in October 1915.

Consider, first of all, the Antiquities Act of June 8, 1906 (34 Stat. 225). It authorized the President to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic and scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments. It goes on to say that the limits of such monuments shall be confined to the smallest area compatible with the proper care and management of the objects to be protected. Surely, it is not unreasonable to inquire on what basis it takes 200,000 acres to protect 80 acres in which President Wilson said there is located an extraordinary deposit of Dinosaurian and other gigantic reptilian remains.

I believe that rather careful consideration ought to be given to the question whether there was an adequate legal basis for the proclamation enlarging the Dinosaur National Monument to approximately 200,000 acres. I believe also that both the executive and the legislative branches of the Government ought to weigh very carefully the circumstances surrounding the enlargement of the Dinosaur National Monument. If an objective examination of those circumstances is made, it will be determined beyond question, in my judgment, that not only the local persons and groups who were then urging the enlarging of the monument, but also the congressional delegation from my own State of Utah at the time were imposed upon.

The local groups in Craig, Colo., and in Vernal, Utah, who supported the enlargement of the Dinosaur National Monument did so upon the representation of an official of the National Park Service that "in the event it became necessary to construct a project or projects for power or irrigation in order to develop that part of the States of Colorado and Utah * * * the establishment of the monument would not interfere with such development." Mr. President, there is sworn testimony to that effect. What I have just said is quoted from an affidavit made by a man who was charged by the National Park Service with the duty of getting local support for the enlargement of the monument and who was authorized by the Park Service to make those representations.

The Utah congressional delegation at the time was greatly concerned lest the enlargement of the Dinosaur National Monument endanger the possibility of water-resource projects within its boundaries. On January 31, 1936, the late Senator King, from my State, called the Interior Department's attention to the fact that these areas, that is to say, the areas proposed to be included within the new boundaries of the Dinosaur National Monument, possessed "latent possibilities as sites for reservoir development, irrigation, and other purposes." He referred to fears expressed by Governor Blood "that unless specific reservations are made covering the matter referred to, the State would be blocked in the construction of reservoirs, etc." He received assurances that such would not be the case. It is now contended that the assurances which he received were too broadly construed. Such contentions at this time are not consistent with dealings between honorable men. I reject them as unthinkable.

Mr. President, hundreds of pages of testimony reflect the conclusions of experts that the Echo Park Reservoir is an essential feature of the Colorado River storage project. It is the sort of reservoir project which was in contemplation at the time of the enlargement of the Dinosaur National Monument. It is badly needed. I hope that it will be authorized, along with the other features of the Colorado River storage project, by this 83d Congress.

The Echo Park Dam; Neither an Invasion Nor a Precedent

Where water is the lifeblood of an area, its development, conservation, and use should take precedence and have first priority. The arid West is such an area and the Colorado River a last remaining water source.

The Reclamation Act was provided in 1902. In 1903 the investigations were started to determine the potential water and power resources of the river. These investigations have continued without interruption to this date resulting in reports in 1916, 1925, 1927, 1930, 1946, and 1950. This gives ample evidence that the entire Green and Yampa Rivers have for more than 50 years been looked upon as a major water and power resource later to be developed for the good of the public.

Power site withdrawals on the Green and Yampa Rivers in Colorado, Utah, and Wyoming as of July 23, 1954, made under the acts of Congress of March 3, 1879 (20 Stat. 394), June 25, 1910 (36 Stat. 847), June 10, 1920 (41 Stat. 1063), are as follows:

Power reserve No.	Date	Stream and State
5	July 2, 1910	Green and Yampa in Colorado and Wyoming.
30	do	Do.
42	do	Green River, Utah.
54	do	Green River, Wyoming.
107	do	Green River, Utah.
121	do	Yampa River, Colorado.
511	Nov. 3, 1915	Green River, Utah.
721	July 11, 1919	Yampa River, Colorado.
732	Dec. 27, 1919	Green River, Utah.

Power site clarification No.	Date	Stream and State
67	Feb. 10, 1925	Yampa River, Colo.
93	Apr. 16, 1925	Green and Yampa Rivers, Utah and Colo.
411	Nov. 9, 1950	Green River, Utah.
Federal power project No.		
105	Jan. 24, 1921	Green River, Utah and Wyo.

It is therefore very evident that years prior to the expansion of the Dinosaur National Monument, the entire Yampa and Green Rivers were withdrawn for power purposes.

Official actions since 1902 which established the priority of water and power development in the Green and Yampa Rivers follows:

1. October 17, 1904: Reclamation withdrawal.

2. June 8, 1906: Act authorizing the creation of national monument.

3. October 4, 1915: Proclamation establishing Dinosaur National Monument (80 acres).

4. June 10, 1920: Federal Power Act passed. Section 4 gives authority to issue licenses for the erection of dams both within and without a national monument.

5. March 3, 1921: Federal Power Act was amended to prevent the licensing of dams, powerplants, or other works in national parks and monuments without specific authority of Congress. This amendment was limited to "existing" national parks and monuments "as now constituted." Note: The Dinosaur National Monument had not then been expanded. This limitation was made deliberately by Congress to prevent the very thing that the opposition is trying to do, namely, to expand a monument and then apply all the limitations attached to the original monument. The record shows that the amendment was permitted to pass only because of the insertion of the words "as now constituted" and "existing."

6. On August 9, 1934: The National Parks Service asked the Federal Power Commission to restore its withdrawal for power purposes of the acres in Green and Yampa River canyons so that a national monument could be established and stated, "Such an area would be established by Presidential proclamation which would exempt all existing rights, and a power withdrawal is an existing right."

7. On December 13, 1934: The Federal Power Commission replied referring to withdrawals for the Echo Park and Blue Mountain power developments; after noting that the Park Service had acknowledged the withdrawal and stated that such rights would be exempted the Federal Power Commission continued: "It is generally recognized that the Green and Yampa Rivers present one of the most attractive fields remaining open for comprehensive and economical power development on a large scale. * * *

"The sites we are considering are important links in any general plan of development of those streams. * * *

"The Commission believes that the public interest in this major power resource is too great to permit its impairment by voluntary relinquishment of two units in the center of the scheme. The Commission will not object however, to the creation of the monument if the proclamation contains a specific provision that power development under the provisions of the Federal Water Power Act will be permitted."

Reference is made in this letter to extensive reports, plans, and profiles relating to the potential water and power resources of the river. These reports, et cetera, are evidence of the intent in 1934 to develop the water and power resources of the river.

Therefore, the act of June 10, 1920, referred to in the President's proclamation of 1938, expanding the Dinosaur National Monument, expressly reserves the right to develop the water and power in the expanded Dinosaur National Monument.

8. November 6, 1935: Letter, Secretary of Interior Ickes to Federal Power Commission. January 9, 1936: Letter, Federal Power Commission to Secretary of Interior.

This exchange of correspondence involving a request from Secretary Ickes asking FPC to reduce its power withdrawals in the Echo Park and Blue Mountain areas, brought forth the following reply from the Federal Power Commission. "Commission believes that the public interest in the major power resource is too great to permit its impairment by relinquishment of two units in the center of the scheme. The Commission will not object, however, to the creation of the monument if the proclamation contains a specific provision that the power development under the provisions of the Federal Water Power Act will be permitted."

This is further evidence that a right existed and that the expansion of the monument invaded a power and water withdrawal.

9. July 14, 1938: After many local meetings were held at which the people of the area were assured that the proposed expansion would not prevent the development of the water and power resources, the President of the United States issued a proclamation enlarging the Dinosaur National Monument from 80 to 203,835 acres.

The proclamation provides that this expansion "shall not effect the operation of the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended."

This proclamation, including the specific reservations is a pledge to the people of Utah and Colorado that the expansion of the monument would not interfere with the development of their water and power resources. The construction of the Echo Park Dam in the Dinosaur National Monument, therefore, cannot be an invasion of the national monument principal nor establish a precedent that would be applied to other monuments.

Authorization for the construction of the Echo Park Dam will, on the other hand, be the fulfillment of a pledge of the President of the United States and the Federal Government to the people of Utah and Colorado and a major benefit to the Nation.

The Colorado River Storage Project and Agricultural Surpluses

The farm bill and agricultural surpluses have been under discussion for many weeks. During World War II our farmers were urged to plant heavily. Food and forage were in high demand. Prices were high due to this demand. Thousands of acres of land were broken out of grass and planted to wheat, corn, cotton, peanuts, and tobacco. Farms were mechanized to increase production per man. Fertilizers were applied heavily to increase production per acre. New crops and hybrids were developed to increase yields and new methods of insect and disease control were introduced. In other words, the farmers of the United States pushed their farms to make them produce the maximum. It is believed by many that farm production cannot be maintained at these high levels indefinitely even with fertilizers, new hybrids, new machines, and new methods. This means that current production per unit of land is beyond the capacity of that land to produce over the long pull. It means we are currently mining our agricultural resources.

In spite of this, high and higher agricultural production must be provided to meet the demands of population pressures and improvements in the standards of diet. Granting that production can be materially increased by new methods, new crops, fertilization, insect and disease control and better management, this increase alone will not provide food and fiber for the rapidly growing population. New lands must be brought into production.

Three independent reports on population trends have recently been issued. (1) Report by Byron Shaw, Administrator, Agricultural Research Service, 1953, (2) The President's Water Policy Commission (Truman), 1952, (3) Paleys study of Material Resources (1953). All agree that by 1975 the population of the United States will be 190–205 million people. To provide food at present diet standards will require 30 million new acres in addition to all the increases in production that can be obtained through scientific improvements. Where will this 30 million acres come from? It is estimated that some 21 million acres can be reclaimed from swamp and overflow land. Nine million acres of land in the humid areas will produce about as much as 6 million under irrigation. This means that by 1975 this country will need 6 million acres of new irrigated land in addition to the 21 million acres of swampland to maintain the 1950 diet standard for 205 million people. It can be assumed that our diet standards will increase so that by 1975 many more acres will be needed.

Six million new acres of irrigated land will require that every acre of arable land within the reach of an adequate water supply will have to be put under irrigation. This means full and complete development on a basinwide basis of every river basin in the West. It will require the completion of projected reclamation programs in the Columbia, Missouri, Arkansas, White, and Red, the Colorado drainage basins and in all drainage basins in California and the Great Basin States.

Reclamation projects come into production slowly. Experience over the past 50 years shows that 25–30 years elapse between beginning of construction and full production. On large basinwide projects the time interval is even greater. For example, it has taken nearly 40 years to bring the Columbia Basin project to its present stage and it will be another 25 years before it is a full production project. The Central Valley project in California has been underway for more than 25 years.

The Colorado River storage project which is the subject of pending legislation has been more than 25 years in the planning stage and the estimated time required to develop the first stage and bring it into production is 25–30 years. To completely develop the entire project will require 75–100 years. It therefore appears that in spite of the current apparent surplus that reclamation of new land must be accelerated if this country is to remain self-sufficient in its food and fiber supplies for its population.

It must also be remembered that only about 10 percent of the total agricultural production comes from irrigated land. This production is stable because it is not subject to drought to the same degree as nonirrigated land. A good drought year such as 1934 or a series of dry years such as occurred in the 1930's could completely wipe out the current agricultural surplus which is estimated at about 7 percent of the total production. Such droughts occur suddenly and on nonirrigated lands and there is no defense against them.

This country has become great because it has great natural resources but also because its people looked forward. They did not wait for crises to develop. They anticipated them and prepared for them. We must anticipate our agricultural needs and prepare for them. The future needs are evident, the way of meeting them is clear. Begin now to develop the means of production of food and fiber to meet our needs 25 years from now.

This is the reason why, in spite of a current surplus of agricultural crops, wheat, cotton, tobacco, peanuts, few of which are grown on irrigated lands, the Colorado River storage project and participating projects, a basinwide development which will require at least 25 years to bring into full production the lands in the initial phase, should be authorized and construction started as soon as possible. It is a self-liquidating project and an investment in the Nation's future.

WATER REQUIREMENTS IN INDUSTRY

The current severe drought and water shortage in the West emphasizes the urgent necessity for the development, for agricultural purposes alone, of one of the last great undeveloped and uncontrolled water resources, the upper Colorado River, through the authorization and construction of the Colorado River storage project. But there are other reasons why this resource must be developed immediately. Rapidly growing population requires water for domestic use and the economy of the Nation rests to a large degree on its industrial development.

The need for water for domestic and industrial uses has grown rapidly in the last decade as a result of sanitary improvements, air conditioning, and the growth of processing and fabricating plants using large quantities of water. Out of this increased demand for water come two truths that should be blazingly clear. One is the total dependency of life on the adequacy of usable water. The other is that this Nation has had the warning signals that unless it moves toward a sound policy and plan of development and management of its water wealth, some day, and it may be as close as tomorrow, this country, and particularly the arid West, is going to have not a few water shortages but so many and so severe that the impact on the individual, the community and the Nation will be catastrophic.

The West always has recognized the importance of water because of the aridity of its climate. The humid sections of the country, however, did not become water conscious until a few years ago when New York City faced a serious shortage of water for domestic and municipal purposes. Now nearly every large modern city in the Nation is looking into the adequacy of its water supply and in many cases finding it short.

The easily developed water supplies are now fully utilized. Remaining waters must be developed at great expense through the construction of basin-wide projects which must take into consideration all uses of water, both consumptive and nonconsumptive, as well as the hydroelectric energy that can be generated in the process of that development. Such projects develop slowly over many years, therefore, it is imperative that they be planned and construction started so that the water and power will be available when needed.

Indications of water shortages and the importance of an adequate water supply on our modern way of life may be found almost any day in our newspapers, as illustrated by the following extracts from the Salt Lake Tribune dated July 13, 1954:

"Detroit police have threatened to crack down on homeowners for violation of the every-other-day sprinkling ordinance."

"The mass buying of air conditioners has overloaded powerlines in parts of Greater Kansas City and is increasing water use so that new suburbs are short of water in the evenings."

"Bountiful (Utah) residents have been asked to water their lawns only between 6 and 9 a. m. and 6 and 9 p. m., with even-numbered houses watering on the even days of the month and odd-numbered houses on the odd days."

The New York Times dated May 21, 1954, contained the following:

"UNITED NATIONS, N. Y., May 20.—A United Nations report has warned that rapidly accelerating demands of industry on the world's water resources are growing acute. These were said to demand attention at the highest levels of political and economic planning.

"The report, by Dr. Walter C. Lowdermilk, was prepared for the Economic and Social Council. The United States soil conservationist was retained last March by the United Nations for a survey that would indicate possible approaches to an integrated plan for development and utilization of water resources.

"In developed as in underdeveloped areas, Dr. Lowdermilk said, the present capacities of waterworks are, or soon will be inadequate, acting as a sharp deterrent to economic growth. Water requirements, he said, are increasing much faster than the growth of population. The requirements, he added, reflect in part the shift of population from rural to urban areas, and in part the spectacular increase in the industrial use of water.

"Conflicts over the limited supplies of water will increase he predicted. The 'inescapable trends,' he added call for full knowledge of all available resources, both surface and underground and for management of water supplies that will insure the maximum benefit from their use."

The following excerpts are from a recent article on water in the Fortune magazine:

"To maintain a United States citizen in the manner to which he is accustomed required the deliberate use of about 1,500 tons of fresh water per year. (Of all the other materials, food, fuel, metals, plastics, lumber, sand, gravel, etc., he requires only about 18 tons.)

"It is estimated that about 500 tons of water vanishes into thin air annually, supporting the growth of food and fibers. Most of the remaining 1,000 tons does not evaporate but returns more or less polluted, to the underground or to the surface streams and rivers after having passed through the Nation's homes, mines, factories, farms, steam powerplants, etc.

"This 1,500 tons of water per person per year includes only water drawn from rivers and lakes or pumped from the underground. It does not include 10,000 tons (per capita) channeled through hydro plants or the thousands of tons which fall freely on farm and forest, town, and city.

"The Nation's heaviest single withdrawer and consumer of water is irrigation. The figures show that the 17 Western States use about 77 billion gallons per day for irrigation, or nearly as much as the 31 Eastern States use for all purposes."

To illustrate the importance of water to industry the following tabulation shows the water requirements for the production of a few industrial materials:

Water requirements for the production of certain industrial materials

Product	Unit	Water consumption (gallons per unit)
Alumina (from bauxite)	Ton	6,300
Acetylene (from calcium carbide)	1,000 cubic feet	22
Ammonia (from coke, steam, air)	Ton	31,000
Ammoniated superphosphate	do	30
Caustic soda, chlorine	do	18,000
Cement portland	do	750
Coke (byproduct from coking coal)	do	1,400–2,800
Gasoline (from natural gas)	Gallon	20
Gasoline (by polymerization)	do	34
Hydrochloric acid (from salt and sulphuric acid)	Ton	2,000
Hydrochloric acid (from synthesis of hydrogen and chlorine)	do	500–1,000

Water requirements for the production of certain industrial materials—Continued

Product	Unit	Water consumption (gallons per unit)
Lactose (from milk whey)	Ton	200,000
Magnesium carbonate (from dolomite, coke)	do	400
Phosphoric acid	do	7,500–75,000
Potash (from sylvinite)	do	40,000–50,000
Pulp (from pulp, chlorine and caustic soda)	do	60,000
Rayon, viscose (from wood pulp, caustic soda, sulphuric acid)	do	200,000
Rock wool (from wool rock, coke)	do	4,000
Rubber (buna S)	do	630,000
Soda ash (from salt, limestone)	do	15,000–18,000
Sulfuric acid (from sulfur)	do	2,500–4,000
Sulfur dioxide (from sulfur)	do	36,000

Source: Water for Utah, by Utah Water and Power Board under date of July 1, 1948.

The food and fiber processing industry uses large quantities of water. The following tabulation is illustrative of such use:

Use of water in industry

Product	Unit	Water consumption (gallons per unit)
Cotton goods (bleach and dye)	Ton	68,000–96,000
Woolens and worsteds	do	140,000
Soap	do	500–4,500
Steam generation of power	1,000 kw.-hr.	52,000–170,000
Cane sugar refined	Ton	4,000–28,000
Beet sugar refined	do	24,000–34,000
Corn syrup	1 bu. corn	30–40
	1 bbl.	3,200
Beer and ale	do	300–2,500
Whisky manufacturing	1,000 gallons	80,000
Dairying	1 Gallon milk	5
Canned tomatoes	1 bushel	60
Canned corn	100 cases (24 No. 2)	7,200
Canned peas	100 cases	5,000
Green beans	do	3,500
Spinach	do	16,000
Meat packing (hogs)	1 ton live animals	6,000
Steel (highly finished)	1 ton	65,000

Source: Water in industry, a survey of water use in industry by the National Association of Manufacturers and the Conservation Foundation, December 1950.

The Colorado River storage project and participating projects, the authorization for which is now pending before Congress, is the last remaining water hole for Colorado, New Mexico, Utah and Wyoming. It will take many years to develop it. To meet the rapidly growing demand for water and power for industrial, municipal, and agricultural uses it should be authorized now and construction started as soon as possible. Needs do not wait for a supply. Because of slow, costly development necessary to secure the remaining waters, planning and construction should proceed at once.

THE UPPER BASIN STATES: A STOREHOUSE OF RAW MATERIALS

It is time for the United States to take stock of its material resources. As a people, during the last 100 years we have been careless and wasteful in our development and use of these resources. Two major World Wars and a police action, during the last 40 years, together with a rapidly growing population, have forced this Nation to take stock of its resources and to take a sober look at the future.

The future of this country depends upon the people and their development and use of the natural resources with which it is so abundantly blessed. The production of food and fiber to meet the needs of a growing pop-

ulation is paramount, but the development of industry to support processing and manufacturing, transportation, communication, and construction is also essential. Such development is dependent upon raw materials, both metallic and nonmetallic.

For more than a hundred years the mountains of the West have been yielding up their treasures. First gold in California, then gold, lead, silver, zinc, and copper in Nevada, Montana, Idaho, Utah, and Colorado. Still later, oil and gas in Wyoming, Oklahoma, and Texas, and iron and uranium in Utah. Literally untapped are great deposits of coal, the basis of a great chemical industry; gilsonite, oil shale, phosphate, lime, and sand, gravel, and salt. The development of these resources requires water and power. The proposed Colorado River storage project, now before the Congress, will provide the water and power necessary for the development of these resources.

The upper basin States, Colorado, New Mexico, Utah, and Wyoming, are storehouses of industrial raw materials such as hydrocarbons, chemicals, and metallic and nonmetallic minerals. They include alunite, antimony, arsenic, asphaltum (including gilsonite and mineral waxes) bentonite, bismuth, brines and salt, building stones, cadmium, carbon dioxide, clays, coal, copper, fluorite, fluorspar, gold, gypsum, helium, iron, lead, limestone, magnesium salts, magnesite, molybdenum, oil shale, phosphate, potash, pumice, perlite, pyrite, silver, sulfur, tungsten, radium, vanadium, and uranium.

Utah for many years has been one of the main producers of nonferrous metals in the United States. In 1947 it ranked second in the production of copper, third in lead, seventh in zinc, second in silver, and first in gold. Utah has great deposits of magnesium in Great Salt Lake and underground in southeastern Utah. These deposits carry a far greater percentage of magnesium than the seawaters now being processed for magnesium metal. Alunite and high aluminum clays are found in abundance in Utah and form large potential supplies of aluminum. Both of these metals require large amounts of water and power for processing.

For many years the upper basin States have produced iron and steel, first in Colorado and later in Utah. During the recent war, Utah became the center of steel production in the Western States. In 1940, there was only 1 steel plant in the 11 Western States. Today there are three; Colorado Fuel and Iron Co., at Pueblo, Colo.; Geneva Steel, near Provo Utah; and the Kaiser Steel Co., at Fontana, Calif.

The steel industry is the nucleus of the heavy equipment and construction industry. In the interest of national defense, in case of atomic attack, more of the ferrous and nonferrous industries should be located in the mountain areas. It takes large amounts of water and power to support such industries and the only remaining source of such water and power available to these upper basin States is the Colorado River, the development of which depends upon the Colorado River storage project, legislation for which is now before the Congress.

Of the 34 basic materials required for the development of a chemical industry, all but a few are found in the upper Colorado Basin States. In terms of relative importance the chemical industry stresses water, air, coal, hydrocarbons, sulfur, salt, and limestone. With these basic raw materials, together with fuel and electric power, this Nation can maintain chemical independence of the rest of the world. The development of the upper Colorado River will provide the necessary water and power, and the upper basin States have the raw materials.

Continued high agricultural production can be maintained only by the application of mineral fertilizers. Of these, nitrates, potash, and phosphates are most important. Nitrates are available as by-products of the steel industry. Potash is obtained from the salt deposits. Phosphate deposits are limited. However, the largest known deposits of phosphate in the Nation are found in Colorado, Idaho, Utah, and Wyoming.

Phosphorus is the most critically short of all fertilizers. Its processing requires large amounts of electric energy. To produce 125,000 tons of elemental phosphorus per year requires 1,500 million kilowatt-hours of electrical energy. This is approximately one-third of the combined annual output of proposed Echo Park and Glen Canyon powerplants.

There is a greater concentration of high-quality coal, bituminous and subbituminous, in the Colorado River drainage basin than in any similar known area in the world. The estimated reserves in the Green River area alone is 800 billion tons. These coals have good physical and chemical characteristics. An average ton of coal will yield about 30 gallons of oil, 2,000 cubic feet of gas, and 1,300 pounds of smokeless fuel.

A large portion of the synthetic liquid fuel industry is bound to be established in the upper basin States. An economic unit for making synthetic fuel would produce about 30,000 barrels per day. Each plant would require 5,400,000 tons of coal per year. The water required for processing, cooling, and culinary purposes for each plant would be about 22,000 acre-feet per year. Power consumption by such a unit would vary between 275 million and 500 million kilowatt-hours per year. This is equal to one-half the total power output of the proposed Echo Park powerplant.

The greatest known oil-shale deposits in the world lie in the upper basin States. The processing of these shales into oil and gas requires large quantities of water and power.

The upper Colorado River Basin States are truly a storehouse of raw materials. With power and water necessary for processing, this area could support, in a large measure, defense requirements for iron, steel, fuel, construction materials, heavy equipment, chemicals, fertilizers, and power in case the existing industrial centers were bombed out. The power and water can be supplied through the construction of the Colorado River storage project and participating projects, authorization for which is now pending before the Congress. The preliminary units of this project will require 15 to 25 years to build and should be authorized at once.

Western Water Law and the Colorado River Storage Project

The Colorado River storage project legislation now pending before the Congress presents another forward step in the development of the Nation's land and water resources. It involves a planned basinwide development, supported by a compact agreed to by the United States and the seven Colorado River Basin States. This compact departs from the basic principles of western water law in that it divides up the water resources before it is put to use in order that the areas that develop more slowly due to their physical or other handicaps, will not lose their share of the water to those who could and would put it to use first.

The first law relating to waters to be established in the United States was based on the common law of England and is known as the doctrine of riparian rights. It is a humid area law because it does not depend upon, nor have any relation to the consumptive use of water. In effect it says a man owning land on the bank of a stream has a right to have the water in that stream flow by his land undiminished in quantity and unpolluted in quality for all time by virtue of his ownership of the land. Use of water does not create a right and nonuse does not forfeit it. It did not permit a consumptive use of water. A man owning land not bordering on the stream has no rights whatsoever, in the stream. This doctrine still remains the basic water law in the humid areas.

When the arid West was settled, it became apparent from the first that consumptive use must be the basis of the right to water, and, inasmuch as there was never enough water to satisfy all needs, the principle of "First in time is first in right," became established. Thus a new doctrine of water law was born. It is called the Doctrine of Appropriation: "First in time is first in right, and beneficial use is the basis and the measure of the right."

The Intermountain States (Utah, Idaho, Nevada, Wyoming, Colorado, New Mexico, and Arizona) from the first abrogated the doctrine of riparian rights and accepted the doctrine of appropriation. The other Western States, (North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, California, Oregon, Washington, and Montana) retained the doctrine of riparian rights, but have since so modified it by statute and court decision that the basic water law of these States is practically the doctrine of appropriation.

The principle of beneficial use is paramount in the States signing the Colorado River compact, with some modification in California, and is recognized as between States. Furthermore, the State constitutions provide in most States that the water belongs to the States and only a right to use can be acquired.

The Colorado River, being a wild and unruly stream, subject to wide variations in flow and traversing rugged topography developed slowly. The early users of water in the lower basin had appropriated the entire low-water flow. Development on the tributaries in the upper basin began to effect the low-water flow in the lower basin. Water users in both basins became fearful of their rights based on priority of use and proposed a compact which would circumvent the doctrine of appropriation and divide the waters of the river between the States in advance of its use. Thus was born the Colorado River compact, now accepted as the basic law of the river. Under the compact, use does not establish the right nor does nonuse forfeit it.

The Colorado River compact provides that the base flow of 15 million acre-feet per year at Lee Ferry be divided equally between the upper and lower basins, giving to each the right to a beneficial consumptive use of 7,500,000 acre-feet of water annually. The compact further provides that the upper basin States shall deliver at Lee Ferry not less than 75 million acre-feet during each consecutive 10-year period. This latter provision makes it impossible to use consumptively 7,500,000 acre-feet per year in the upper basin and at the same time deliver the required 75 million acre-feet each 10 years to the lower basin without fully regulating the river by providing holdover storage. Such holdover storage is proposed in the Colorado River storage project, authorizing legislation which is now pending before the Congress in H. R. 4449 and S. 1555.

The law of gravity, however, operates in spite of the compact. Since the signing of the compact, facilities have been constructed in the lower basin to permit the use of the entire flow of the river for consumptive use and power generation. Already water belonging to the upper Colorado River States, but not being used because there are no facilities for storage, diversion, and conveyance, is being used in the lower basin to generate power which is now supporting industrial and domestic users in the lower basin. They probably will not establish a right by such use in spite of the compact,

but continual use for power and developed consumptive use on lower basin lands would make it difficult, if not impossible, to secure an authorization to build facilities on the upper basin, if such action would destroy developed uses in the lower basin.

It is, therefore, apparent that nonuse in the upper basin for an indefinite period would result, practically, in the loss of the right given by the Colorado compact. Such nonuse will be forced on the upper basin States if the facilities proposed in the Colorado River storage project are not authorized.

Inasmuch as water runs downhill, failure to authorize the upper Colorado River storage project under the same ground rules as have been afforded other reclamation projects will be tantamount to giving away the water and power resources of the upper basin States to the States of the lower Colorado River Basin and Mexico.

POWER MARKET, THE COLORADO RIVER PROJECT

The Colorado River runs high in the Rocky Mountains at elevations above 14,000 feet, and discharges into the sea at the head of the gulf of lower California. This water, falling through great heights on its way to the sea is a source of great quantities of hydroelectric power. It is a great renewable resource that should and must be developed. One of the many benefits which will result from the construction of the Colorado River storage project will be the development of this great renewable power resource. A question frequently asked in relation to this project is: Where will the power generated at the power plants of the Colorado River project be marketed?

It has been pointed out in previous discussions before this body that the upper basin States are literally a storehouse of raw materials needed by industry and for national defense. The Colorado plateau, which occupies portions of the upper-basin States, has been called the storehouse of the Nation, as far as metallic and nonmetallic minerals are concerned.

There are great deposits of coal, iron, lead, zinc, copper, oil, gas, oil shale, lime, phosphates, basic chemicals and rare elements including uranium and other radioactive ores. These elements are important both to the economy of the Nation and to the maintenance of effective bulwarks of national defense. The development of these industrial raw materials requires large quantities of water and power.

Population and industry has been increasing rapidly in the West but the demand for power has increased even more rapidly because of the many new uses of power that have developed. In Utah in 1940 78 percent of the farms had electricity. By 1970 more than 95 percent will be served with electric power. New uses such as feed grinders, pumps, saws, elevating and loading equipment, milkers, and refrigerators have greatly increased the power demand. Power consumption in urban and nonfarming communities have greatly increased due to a wide variety of new electrical appliances. It is inevitable that the uses of power on farms, in cities, and in industry will continue to increase.

Studies of the industrial potential and power requirements reveal that by 1970, Utah alone, will be able to absorb practically the entire output of the two largest power units of the Colorado River storage project, namely, the output of the powerplants at Echo Park and Glen Canyon, with a combined generating capacity of 1 million kilowatts.

This conclusion is based upon studies by the Federal Power Commission and the Utah Water and Power Board. Utah is only one of several States within the marketing area to be served by the Colorado River storage project powerplants.

E. O. Larsen, regional director, Bureau of Reclamation, at Salt Lake City says, "The initial annual energy output from these powerplants would be 9 billion kilowatthours. After full development of the consumptive use projects in the upper basin, this would be reduced to 6 billion kilowatthours annually. Estimated market demands for hydroelectric energy in the upper basin would absorb the output from all these plants within 20 years."

The December 1950 project planning report on the Colorado River storage project shows that by 1975 the entire output of the nine powerplants in the project, under ultimate development, would barely meet the power market demands in the upper basin. Men of vision must continue to make provision for these expanding human needs. If this is done, a ready market will exist for all the hydroelectric power that can be produced by all the units of the Colorado River storage project as fast as the plants are completed.

The power rates proposed by the Bureau of Reclamation are deemed by the Federal Power Commission, Department of Interior, and private utilities, to be realistic and less than power can be produced from any other energy source and that a ready market is or will be available at that figure. It has been reported that atomic power is not expected to compete with hydropower for at least 80 years.

At the hearings on the Colorado River storage project before both the House and Senate committees a representative of nine private utilities who generate and distribute power in the upper basin States, stated that the private power utilities in the upper basin area would buy all the electrical energy available from the Colorado River storage project plants as it becomes available at competitive rates, provided that the generators are installed on a schedule in harmony with the load growth. Furthermore, they would wheel power to preferential customers as fixed by law. Their willingness to serve preferential customers explodes the charge that the construction of this project and sale of power to private utilities at the bus bar or load center would be a power grab.

The power expansion program underway in the Nation is both realistic and sound. Both Federal and private power are permitted to expand in the same region with benefits to each. A good illustration of this is found in the comprehensive expansion program undertaken by the Pacific Gas & Electric Co. subsequent to the development of Federal power at Shasta Dam in its service area. This company owns and operates 57 hydroelectric plants interconnected with 17 steam plants and plants of other agencies. Since 1946, it has constructed power facilities totaling 1,921,000 kilowatts, about 4 times the capacity of the Shasta and Keswick plants of the Federal Government's Central Valley project. By 1955 postwar additions to P. G. & E.'s facilities will amount to more than 2,750,000 kilowatts, increasing the system total capacity to 4,376,000 kilowatts. In 10 postwar years, this company will have invested over a billion dollars in electric generating and transmission facilities. Its expanded operations have resulted not only from an increase in its generating plants but from its marketing of federally generated power. The expansion program of P. G. & E. and of other private utilities in the country is ample evidence of their faith in the increase in industrial, commercial, and domestic needs for electrical energy in the future. Their expansion programs are wisely geared to meet these needs. The same type of programing should be carried out in the upper Colorado River Basin States in order to meet the future needs for economic development on both regional and national levels.

A study of the legislative history behind the authorization of Hoover Dam and Grand Coulee Dam reveals that arguments about marketability of power and ability to maintain sales of power in future years were presented to Congress and elsewhere by shortsighted individuals who were opposing their construction. Yet today, in the market areas of both Hoover Dam and Grand Coulee Dam, there are severe shortages of power. These shortages are growing more acute daily.

It is significant that, although much testimony was presented at the hearings on the bill to show that a market of sufficient proportions to absorb all the power to be produced, would exist in the upper basin, representatives from lower basin States displayed much concern that perhaps they might be excluded from purchasing power to be produced by the Colorado River storage project. Such exclusion, of course, is not the case. Authorizing legislation now pending before both Houses of Congress does not preclude any areas from bargaining for the energy, thus providing additional assurance that a ready market will always be available.

The time has arrived for Congress to recognize the problems concerned with the agricultural and industrial expansion of the country and to demonstrate the same acumen, foresightedness, and faith in the future as has been demonstrated time and again by private utilities and private business. With respect to power features, the Colorado River storage project is doubly attractive. The power features, in this instance besides answering the needs of a large power-hungry section of the Nation, are but the means to an end that embraces many economic, industrial, and social aspects. The power features constitute a major part of a comprehensive, basinwide plan of development of the natural resources of the upper Colorado River Basin. They are a necessary adjunct of a well-integrated, carefully developed plan. This entire Colorado River storage project has been conceived, planned, and presented to Congress with the fundamental idea in mind that it is desirable for the area and the Nation to develop economically justifiable irrigation projects and at the same time produce power as a ready benefit at a rate that will induce the basinwide development of mineral resources, industries, and related enterprises.

The market for power that will be produced by the various units of this project is assured. All that remains for the realization of the vast national benefits in the form of new homes, farms, industries, jobs, and contributions to economic stability and national security is for Congress to turn on the green light and put the wheels in motion by authorizing for immediate construction the Colorado River storage project and participating projects.

DEVELOPMENT OF UPPER BASIN AND LOWER BASIN SINCE 1922

When the Colorado River compact was under consideration in 1920, data were accumulated from various sources to determine the existing status of irrigation within the Colorado River Basin. A total of 2,600,000 acres were estimated to be under irrigation, of which 1,450,000 acres were in the upper basin and 950,000 acres in the lower basin, including the Imperial Valley of California. Up to that time, the influence of the Federal Government upon the acreage served was only a small proportion of the total, being 260,000 and 108,000 acres respectively.

Subsequent to the 1922 compact, great impetus was given to the construction of water utilization projects, especially in the

lower basin, where the Hoover Dam and the All American Canal of the Boulder Canyon project, the Colorado River aqueduct, Parker and Davis Dams, and the Gila project were built in rapid succession. The upper basin, meanwhile, succeeded in having authorized and built a number of small projects and one transmountain diversion project. Private construction of irrigation projects in the Colorado River Basin has been virtually at a standstill during the three decades since the compact was signed. This is not an indication of lack of interest in irrigation, but of the increasing cost and complexity of such projects as remain, which puts them beyond the reach on conventional private financing.

In the following paragraphs there is presented a chronological summary of the Federal reclamation projects within both basins of the Colorado River which were authorized by the Congress since approval of the 1922 compact and which have been completed or are under construction by the Bureau of Reclamation. Included are statistics on the project irrigable area for service in calendar year 1952 (area for which the Bureau of Reclamation was prepared to supply water), the installed powerplant capacities for the associated power features of the projects as of June 30, 1953, and the approximate construction costs of the projects as of June 30, 1953.

LOWER BASIN

The Boulder Canyon Project Act of 1928 approved the 1922 Colorado River compact and authorized the construction of the Boulder Canyon project, comprising the Hoover Dam and the All-American Canal systems. The dam was begun in 1931 and dedicated in 1935. The first generator of the powerhouse was in full operation on October 22, 1936. As of June 30, 1953, the installed capacity of the powerplant was 1,249,800 kilowatts and the construction cost of the dam and powerplant was $161,368,432.

Construction of the 80-mile All-American Canal in Arizona and California was started in August 1934 and water was first delivered through it in 1940. About 517,000 acres of land in the Imperial division were in the irrigable area for service under the Canal in 1952, of which about 425,000 acres were actually irrigated. The 123-mile Coachella Canal, a branch of the All American, was begun in August 1938 and is practically completed. In 1952, the irrigable area for service in the Coachella division was about 60,715 acres. Cost of construction of the system totaled $59,473,506 as of June 1953.

On August 30, 1935, the Congress authorized construction of the Parker Dam power project, Arizona-California, located 155 river miles below Hoover Dam. Parker Dam provides a forebay for diversion of water to 35 incorporated cities and to extensive unincorporated areas in southern California. In addition, electrical energy generated at the Parker Dam powerplant of 120,000 kilowatt capacity contributes to the industrial development of the Pacific Southwest. Construction cost of the project as of June 1953 was $24,696,120.

The Gila project in Arizona was authorized June 21, 1937, under provisions of the Reclamation Project Act of December 12, 1924. Construction had been initiated in 1935 under an ERA allotment and the project is still under construction. When completed the Gila project will serve 115,000 acres near Yuma, Ariz.; however, the irrigable area for service comprised 41,750 acres in 1952. As of June 30, 1953, the construction cost of the project was $35,982,960.

The act of July 1, 1940, and subsequent amendments, authorized the defraying of costs by the Bureau of Reclamation of operating and maintaining the Colorado River front work and levee system and other necessary protection works between the Yuma project and Hoover Dam. The work program had been started in 1933 and is continuing. Costs of the work as of June 30, 1953, totaled $9,649,846.

Davis Dam project in Arizona-Nevada was authorized on April 26, 1941, under the provisions of the Reclamation Project Act of 1939. Construction was begun in June 1942 and is nearing completion. Davis Dam will reregulate the fluctuating water releases from Hoover Dam and facilitate water deliveries to Mexico. In addition to its other purposes, the project has 225,000 kilowatts of installed hydroelectric capacity, the energy of which is fed into the Hoover and Parker Dam transmission system to serve the Pacific Southwest. Construction cost of the project was $113,056,361 as of June 30, 1953.

UPPER BASIN

Following congressional approval of the 1922 Colorado River compact it was not until November 6, 1935, that a Federal reclamation project was authorized in the upper basin. At that time the Moon Lake project in northeast Utah was authorized by the President. This project provides a supplemental water supply to lands in the Unita Basin. The irrigable area for service was 75,256 acres in 1952. Construction cost of the project totaled $1,799,859.

On June 17, 1937, the President authorized the Pine River project in southwestern Colorado. Construction of Vallecito Dam and Reservoir commenced in May 1938 and was completed in 1941. This is another supplemental water supply project which involved an irrigable area for service of approximately 35,766 acres in 1952. June 30, 1953, construction costs were $3,481,935.

Although the Uncompahgre project in Colorado was authorized in 1903 and construction begun in 1904, the Taylor Park Dam and Reservoir was constructed as part of an improvement program from funds ($2,392,199) allotted to the project under the National Industrial Recovery Act. The dam and reservoir were completed in 1937 at a construction cost of $1,389,852.

The Colorado-Big Thompson project was authorized by a secretarial finding of feasibility approved by the President on December 21, 1937. This transmountain diversion project conveys exportable compact water from the upper Colorado River at the crest of the Rockies to supplement irrigation supplies for 615,000 acres of out-of-basin lands on the eastern slope in Colorado. Canals, conduits, and reservoirs on the western slope within the upper basin collect and store these waters for controlled exportation and distribution. Total construction cost of all works as of June 30, 1954, was $145,260,125. Green Mountain Dam and Reservoir on Blue River in Colorado within the upper basin was constructed to store water for replacement and to assist future western-slope development. Completed in 1943, the dam includes a powerplant with an installed capacity of 21,600 kilowatts. Construction cost of this dam, reservoir, powerplant, and transmission lines was $11,453,028.

On January 11, 1938, the President authorized the Fruitgrowers Dam project, a supplemental supply project in southwestern Colorado on a tributary of the Gunnison River. The Fruitgrowers Dam was reconstructed at a cost of $200,309 for storage of 4,800 acre-feet of water. The irrigable acreage for service was 2,662 acres in 1952.

The Paonia project in central Colorado was authorized under reclamation law on March 18, 1939. A revised plan of development was authorized by the Congress on June 25, 1947. The plan provides for storage and modification of canals to improve and extend irrigation in the project area in the North Fork Valley. In 1952 the irrigable area for service in the project was 11,500 acres receiving a full water supply. Construction costs for the project as of June 30, 1953, was $1,520,484.

The Eden project in southwestern Wyoming was originally authorized in 1940 and placed under the water-conservation and utilization program. On June 28, 1949, the project was reauthorized by the Congress. Construction was begun in 1941 and is continuing. Big Sandy Dam and Reservoir is completed and construction of the Means Canal is under way, however, no lands in the project area of 29,200 acres have yet been supplied with irrigation water by the project works. The construction cost as of June 30, 1953, was $3,463,652.

Under the water-conservation and utilization program, the President authorized the Mancos project in southwestern Colorado on October 24, 1940. An offstream reservoir on Jackson Gulch and an outlet canal were constructed to furnish a supplemental water supply to inadequately irrigated lands in the Mancos River Valley. The irrigable area for service in 1952 was 8,612 acres. The project also provides a domestic water supply for the Mesa Verde National Park. Cost of the project was $3,894,978.

The Scofield Dam project in central Utah was authorized by the President on June 24, 1943, under terms of the Water Conservation and Utilization Act of August 11, 1939. The principal feature of the project is Scofield Dam and Reservoir on Price River. Stored waters are delivered to privately owned irrigated lands near Price, Utah. In 1952, 15,609 acres were in the irrigable area for service. The project cost was $943,837.

It was not until 9 years later, that the Congress authorized the next project in the upper basin. On July 3, 1952, the Congress authorized the Collbran project in west central Colorado. The primary purpose of the project is to provide water for a full supply for 2,310 acres of new land and a supplemental supply for 18,340 acres of inadequately irrigated land in Plateau Valley. The project will also provide an industrial, municipal, and domestic water supply for the city of Grand Junction and vicinity, and include a powerplant with installed capacity of 8,000 kilowatts. Construction of the project has not begun as no funds have been appropriated for that purpose.

SUMMARY

The accompanying tabulation shows the irrigable area for service in 1952, the installed powerplant capacities as of June 30, 1953, and the construction costs as of June 30, 1953, for each of the above-described projects that were authorized for construction since the 1922 compact was signed. Some of the projects have been completed and some are still under construction.

A comparison of these statistics for the upper and lower basins of the Colorado River shows that during this period only 11,500 acres of new land have been brought under irrigation development within the upper basin as compared to 102,465 acres in the lower basin. Works constructed to provide supplemental water supplies delivered irrigation water to 137,905 acres within the physical watershed of the upper basin during 1952 and 518,610 acres in the lower basin.

Installed capacities of the powerplants constructed in conjunction with these projects as of June 30, 1953, total 1,594,800 kilowatts in the lower basin as compared to 21,600 kilowatts in the upper basin. The total construction cost of these projects in the upper basin as of June 30, 1953, was $26,758,082 and in the lower basin $404,227,225.

Projects authorized for construction in the lower and upper basins of the Colorado River Basin since approval of 1922 compact

	Irrigable area in project for service in 1952		Installed powerplant capacity as of June 30, 1953	Construction costs as of June 30, 1953
	Full water supply	Supplemental supply		
LOWER BASIN				
Boulder Canyon project:	*Acres*	*Acres*	*Kilowatts*	
All American Canal system, Arizona-California	60,715	[1] 517,000		$59,473,506
Hoover Dam and powerplant, Arizona-Nevada			1,249,800	161,368,432
Colorado River front work and levee system, Arizona-California-Nevada				9,649,846
Davis Dam project			225,000	113,056,361
Gila project, Arizona	41,750	1,610		35,982,960
Parker Dam power project, Arizona-California			120,000	24,696,120
Total	102,465	518,610	1,594,800	404,227,225
UPPER BASIN				
Colorado-Big Thompson project [2]		(?)		
Colorado-Green Mountain Dam, Colo.[3]			21,600	11,453,028
Eden project, Wyoming				3,463,652
Fruitgrowers Dam project, Colorado		2,662		200,309
Mancos project, Colorado		8,612		3,894,978
Paonia project, Colorado	11,500			1,520,484
Moon Lake project, Utah		75,256		1,799,859
Pine River project, Colorado		35,766		3,481,935
Scofield project, Utah		15,609		943,837
Collbran project, Colorado [4]				
Total	11,500	137,905	21,600	26,758,082

[1] Water supply delivered through project works to privately constructed distribution system.
[2] Transmountain diversion project, partial or supplemental water supply exported for distribution through privately constructed works for 615,000 acres of out-of-basin lands in Colorado. Total project cost as of June 30, 1953, $145,260,125.
[3] Green Mountain Reservoir constructed on western slope for replacement purposes.
[4] Authorized but not under construction.

UPPER COLORADO RIVER PROJECT

Mr. BARRETT. Mr. President, will the Senator yield to me?

Mr. MALONE. I shall be happy to yield to my distinguished friend with the understanding that, by unanimous consent, I shall not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRETT. Mr. President, I had prepared some remarks which I had intended to make on the bill, S. 1555. It appears now that it will be impossible to bring the bill up for consideration and final determination by the Senate. Accordingly, I ask unanimous consent to have my remarks printed in the body of the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BARRETT

The 17 reclamation States of the West comprise an area of more than three-fifths of the entire continental United States. It is an empire in itself embracing 1,162,000,000 acres of plains, rolling hills, mountains and valleys, deep gorges and immense areas of desert lands.

A century is a relatively short period measured by the history of the older nations of the world, yet 150 years ago little was known in Washington about that part of our country known as the West. The Rockies were called "the Great Stony Mountains" in those days. Just a century ago Daniel Webster opposed the construction of the railroad that would unite the Pacific with the Union. He stood before one of these very same desks here on the floor of this body and contended with great zeal that, "I will never vote 1 cent from the Public Treasury to place the Pacific Ocean 1 inch nearer to Boston than it is. What do we want with this vast worthless area—this region of savages and wild beasts, of shifting sands and whirlwinds of dust, of cactus and prairie dogs? To what use could we ever hope to put these great deserts and those endless mountain ranges?"

He failed to foresee the possibility of "gold in them thar hills," the immense untapped resources, the tremendous natural wealth, the unbounded forests, the great reservoir of minerals, and more important of all, the water rushing down the mountains of the western empire. The pioneer settlers who blazed the trail through the western wilderness early recognized the value of water. By their indomitable will and unconquerable spirit they built their homes and developed the communities which stand today as memorials to their sagacity and their foresightedness, as well as their persistence and their perseverance.

In the early days of the West the settlers filed their homesteads along the countless creeks and rivers of the mountain West. Whoever controlled the water dominated all of the prairie for miles around. Those hardy souls knew full well that water was essential to their livelihood and they learned early that it was to their best interest to conserve their short supply and to use it wisely. It is not surprising then, Mr. President, that a half century ago the Congress put the reclamation law on the books.

By that time most of the Western States had been admitted to the Union. Of course, no one could possibly anticipate that 5 decades later the income from the public domain of my State in 1 year would total $16 million, an amount exceeding the entire cost of the Louisiana Purchase. The Congress wanted the new Western States to grow and prosper and to take their rightful place in the sisterhood of States. They laid it down as a cardinal principle that the income from the public domain should be used to develop reclamation projects in those States so that the income from the depletion of the exhaustible resource would be used to build another and more substantial resource in the form of irrigated valleys.

The Congress knew that it would be eminently unfair to set up these new States and retain Federal ownership over most of the lands within their borders and not permit the States to benefit from the income from their own soil. Reclamation is the cornerstone upon which the hopes, the faith and the aspirations of our people are built. It is the hallmark upon which our progress is based. The wise use of our water resource is the firm foundation upon which the wealth and economy of the West is built. We want to make water serve as many masters as possible and to use it time after time. We want to use it to produce power not once but many times.

Irrigated farming provides for 71 percent of the total agricultural income of the Western States. Some people may say that we have more irrigated lands than the country needs. As a matter of fact, Mr. President, the 5½ million acres of irrigated lands only offset our losses in farm lands through soil erosion and depletion. Furthermore, Mr. President, the irrigated farming of the arid West is not in the main a competitor of the great farming areas of the rest of the country. Our crops are used largely to raise supplementary feed to winter our livestock.

The Colorado is the last undeveloped water hole in the old West. Many leading citizens in the States of the basin have spent a lifetime of effort planning for the development of that great river basin. Thirty-two years ago the basin States agreed on the Colorado River compact and since then that has become the law of the river. Substantial headway has been made on harnessing the river and making the water walk down so it can be used on a constructive basis, rather than to let it use its own devices and to go on a rampage bringing the devastating floods and destruction in its wake.

The upper basin States are obligated under the law of the river to deliver to the lower basin States 75 million acre-feet of water every 10-year period. There are other commitments to Mexico, but after meeting those obligations the balance of their own water was left available to them to conserve and store and use for their own purposes. And so in order to comply with the 1922 compact the upper basin States entered into an agreement between themselves in 1948 whereby they could arrange to deliver the required water to the lower basin States over the 10-year period by storing 35 million acre-feet in the upper basin. The upper basin States agreed to a division of the balance of the total water of the upper basin States remaining after all obligations have been met. And so, Mr. President, at long last the five upper basin States are here today knocking at the door of Congress with a plan of action looking toward the development during the next generation, at least, of the immense water resources of the upper States. The project is sound and feasible. By and large, Mr. President, the authorization of this project will insure the people of these sovereign States that they will not be deprived of their heritage to use the waters bestowed upon them by a beneficent Creator. It will serve as an insurance policy guaranteeing that they will not lose the priority right to use their share of the water dedicated to their use solely because they have failed to put the water to beneficial use.

This project contemplates the irrigation of 380,000 acres of land. It contemplates the generation of large blocks of vitally needed hydroelectric power for the five-State area. This bill authorizes the construction of five initial units of the Colorado River storage project.

The most important to Wyoming are the Glen Canyon and Echo Park reservoirs. These two units are essential elements of the team of reservoirs that will enable the upper States to meet its obligations to the lower basin States under the 1922 compact and to produce the power that is so desperately needed in the five-State area. The power installation planned amounts to the astounding figure of 1,622,000 kilowatts. The power installations will not only pay for themselves in a relatively short period, but in addition, the income will be used to help pay

for the irrigation features of the overall project so that in the main the Federal Government will be reimbursed for nearly every dollar advanced. After all the people who will use the power and make the power revenues and income available for that purpose are the people of the five-State area.

Some time in the foreseeable future the Flaming Gorge project should be built. It will back the water up close to the town of Green River in my State. It seems to me, Mr. President, that it would be wise to build an access road from a Wyoming railhead to Echo Park, not only for economical transportation during the construction period but also so that the people of the country will have a north and south road to use for access and entrance to the monument, in order to enjoy its recreational advantages. I was pleased to see $21 million authorized for the National Park Service to use for the development of recreation potentialities of Dinosaur National Monument. Undoubtedly that will make the area a greater attraction to more people.

The three participating projects in Wyoming proposed at this time are La Barge, Seekskadee, and Lyman. These three will irrigate 68,000 acres of new land and provide supplemental water for an additional 40,000 acres. The total water depletion of these three projects will amount to about 35 percent of the water allocated to Wyoming under the upper basin compact.

The Seekskadee project will cost $23,272,000 and will bring in 60,720 acres of land on both sides of the Green River in my State.

The La Barge project will cost $1,673,000 and will irrigate 7,670 acres of new land.

The Lyman project is an old project and will cost $10,564,500 and will irrigate 11,000 acres of new land and provide supplemental water for 40,600 acres.

The Eden project will cost $7,287,000 and will provide supplemental water for 9,000 acres of land.

Mr. President, the total cost of the four participating projects in Wyoming is estimated at $43 million. The income from the public lands in Wyoming last year amounted to a total of $16 million and over half of that amount went into the reclamation fund. We have tremendous natural resources in the Green River Valley of our State. The income to the Federal Government from these resources is increasing at a high rate.

Coal, oil, gas, trona, oil shale, phosphate, uranium and many other minerals are found in abundance along the Green River. In the long run the yardstick by which you can measure the growth and development of this section of our country is the amount of water available in the first place, for application on the land and, secondly, for the generation of power.

It has been reliably estimated, Mr. President, that by 1975 we will have a population of 200 million people. Without a question of a doubt the security of our country in these trying and treacherous days depends to a great extent upon the wise development and use of our great storehouse of raw materials.

Mr. President, many of our coal mines are closed down and several hundred miners in the Green River area of southwestern Wyoming are out of work. Our cattle and sheep growers in that area have experienced a severe drought last year and to a lesser degree this year. Mr. President, we have waited many years for the authorization of this project. The time has come for action. I hope that S. 1555 will receive favorable consideration here and now. And by all means, Mr. President, let us serve notice that we will insist upon early action on this bill at the next session of the Congress.

BLAIR MOODY

Mr. MONRONEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Nevada has the floor.

Mr. MONRONEY. Mr. President, will the Senator yield for an insertion in the RECORD?

Mr. MALONE. I would be happy to yield to the distinguished Senator with the understanding that by unanimous consent I do not lose the floor.

Mr. MONRONEY. Mr. President as we come to the close of this 83d session of the Congress, I want to express for myself and for other Senators the great sense of loss we all have in the untimely death of our former colleague, the Honorable Blair Moody, the former junior Senator from Michigan.

Senator Moody was indeed a great American, dedicated to the fundamentals of our democracy and to our form of Government. His heart, both as a Senator and as a member of the Capitol Press Galleries, was attuned to the needs of all the people of this Nation and in their cause he worked to his fullest.

As a young member of the House of Representatives I first met him and was immediately impressed by his sincere dedication to his duty as a newspaperman to cover all the news and to be sure that he told the entire story.

In this work he was energetic and courageous and determined that the average American would get the story behind the story in the events that occurred on the Capitol scene. Because of his ability, understanding, and tireless work, he was recognized as one of the leaders in the newspaper fraternity and the widespread acceptance of his dispatches proved the value of his work.

On his entrance into the United States Senate, the devotion to duty that had marked his career as a newspaperman remained with him. As his seat mate in the Senate, I know the long hours, and the hard driving efforts that he made to serve his State and his people. The voice of the little man and the friendless could always be heard by Blair Moody.

The CONGRESSIONAL RECORD attests to the efforts he made in behalf of the underprivileged and of the friendless. His courage as a legislator and his understanding of the issues, that had marked his work as a newspaperman, formed a perfect combination to win recognition for his ability as a Member of the Senate.

Blair Moody literally worked his heart out for his country. He would be alive today if he had permitted himself to enjoy the comfort and relaxation that might have been his. So determined was he to carry the issues in which he so strongly believed to the people, that he overworked and brought on the illness that led to his death.

His friends in the Senate will miss him deeply. But beyond this great sense of personal loss, the people of Michigan and the Nation, who he loved and served so well, will feel the loss of a devoted and a dedicated friend.

Mr. President, I should like to include with my remarks some of the tributes to Senator Moody from the newspapers both of Washington and of Michigan, together with the tribute paid him in the funeral sermon.

Mr. President, I should like to express for myself and other Members of the Senate the great sense of loss we feel as a result of the untimely death of Hon. Blair Moody, the former junior Senator from the State of Michigan.

I ask unanimous consent to have printed in the body of the RECORD the funeral address delivered by the minister at the funeral of the late Senator Moody, and editorials from various newspapers throughout the country.

There being no objection, the address and editorials were ordered to be printed in the RECORD, as follows:

ADDRESS AT FUNERAL SERVICES FOR BLAIR MOODY, JULY 24, 1954, BY REV. JOHN B. FORSYTH, OF BUSHNELL CONGREGATIONAL CHURCH, DETROIT

The Hebrew-Christian religious tradition, which nurtured and shaped the culture of the Western World, has at its heart the conviction that God has created man in his own image, and that therefore the individual is of supreme worth and importance. In history, as the Hebrew-Christian faith sees it, God is striving to win man's assent to this estimate of his own worth, for only thus will man want to establish relationships of trust and good will in which each individual can develop his highest possibilities and find the fulfillment of his hopes.

The Hebrew prophets 800 years before Jesus reminded the people that men must respect one another, and the strong must help the weak, for only so could a nation prosper. Jesus amplified the message of the prophets, pointing out that as men live for others, they discover their true selves, develop their capacities, and are delivered from their fears—even the last and worst of the fears that beset mankind, the fear of death.

At times men cooperate in the design of God for the beloved community; at times they resist the design, and suffer. But through the centuries the struggle goes on, inspired by the vision of man as a child of God, with inalienable rights. We go forward, we slip back, we go forward again; but the vision persists, and claims its apostles and prophets in every age.

Blair Moody was an apostle and prophet of this vision. He spent much of his life in this struggle which to us is the mainstream of history. He was alive to people—all kinds of people. He had time to listen to people, even in the busiest days. He believed that men must have facts if they are to act wisely, and to the task of interpreting events he brought a sensitive conscience, as well as a keen mind.

His brief but outstanding career in the United States Senate was guided by the same point of view, and the same scale of values. Whether men agreed with him or disagreed, there was never any doubt that he was concerned with, and fought for, what he saw as the interests of the people.

Blair Moody believed in human beings enough to pour out the energies of body and mind in their service, in every way that opened to him. I could better understand why on rereading his article, What My Religion Means to Me, published in recent years in a metropolitan newspaper. He said, in part:

"Our allegiance to God, our obedience to His commandment, our devotion to the ideals which the spiritual sense of man has discovered and recognized beyond shadow of doubt as the reflection of a divine plan—these acts of faith make us kin, binding us in a fellowship in which we may serve each other and thereby serve our Father.

"We need, as we have never needed before, the strength of unity and the unity of faith. We need them in order to stand firm against the enemy. We need them to preserve through a long, bitter struggle the sense that it is finally not the survival of our bodies that is important, but the integrity of our

souls. Against the constant temptation to borrow the fighting methods of our opponents, only a deeply religious posture can keep us unwaveringly on the path of decency. And only the nearness to God can assure us that the right, so long as men remain faithful to it, will in the end win out."

Blair Moody had religious insight about the direction God is going, and the direction men must go if their life upon this earth is to be peaceful or secure. So he labored to the limits of his strength, and beyond those limits, to see that our decisions take us in that direction. And because he was not afraid to live fully, he was also not afraid to die.

Today, before God, let us unite our gratitude with the heartfelt thankfulness of an uncounted multitude of men and women, in high places and humble places throughout our State and across the land, for the mighty energy, the clear mind, and the big heart of this great and good man. His spirit will continue to raise our courage and renew our hope.

(Scripture readings: Selections from Psalm 90; Psalm 23; Matthew 25: 34–40; selections from Romans 8.)

[From the Washington Post of July 23, 1954]

BLAIR MOODY

Arthur Edson Blair Moody, who is dead in Ann Arbor, will be remembered as a journalist no less than as a Member of the United States Senate. It was in newspaper work that he won the reputation which led Gov. G. Mennen Williams, of Michigan, to name him as the successor to Senator Arthur Vandenberg. During the 18 years that he was Washington correspondent for the Detroit News he became a familiar figure in all places where newspapermen foregather. Being able, energetic, and well informed on national and international affairs, he shifted from the press gallery to the Senate floor with little difficulty, and the same qualities that had made him a successful journalist contributed to his constructive record in the Senate.

Although Mr. Moody had not been active in politics before his appointment to the Senate, he ran a strong race in 1952, losing to Senator CHARLES E. POTTER by only about 46,000 votes in the Eisenhower landslide. In part, no doubt, this was due to his vigorous campaigning. Whatever his undertaking, he pursued it with the relentless energy of a human dynamo. One of his friends described him as the sort of fellow who might leave 15 minutes late for an appointment and expect to be there on time in spite of writing a story and making several telephone calls on the way.

In the Senate Mr. Moody identified himself with the liberal wing of the Democratic Party and became a somewhat controversial figure, especially in his championship of the civil-rights plank and loyalty pledge in the 1952 Democratic National Convention. Usually he avoided extremism, however, as indicated by the aid he gave Senator Vandenberg in 1945 in preparing his now famous speech, which laid the foundation for the bipartisan foreign policy of the postwar period. When he seemed to be recovering from his illness, it was widely conceded that he would win the Democratic senatorial nomination in Michigan this summer and that he would give Senator FERGUSON, who is unopposed for the Republican nomination, a hard race. His death at the relatively early age of 52 is a loss that will be keenly felt by his party and his profession.

[From the Washington Star of July 23, 1954]

BLAIR MOODY

The untimely death of Blair Moody removes from the national scene a man whose versatile talents, indefatigable energy, and capacity for friendship were especially familiar to officialdom and members of the press in Washington. He was the first working reporter to step from a seat in the press gallery to a seat on the Senate floor. He was as tireless in pursuing his legislative duties as he had been in exploring the news fronts at both ends of Pennsylvania Avenue. Long a correspondent here for the Detroit News, his grasp of national and international affairs was widely respected in and out of public life. His 21 months in the Senate as successor to the late Senator Vandenberg reflected this understanding. Unseated in 1952 by Senator POTTER, he was waging a vigorous campaign to return to the Senate at the time of his fatal illness. The Star shares with others who knew Blair Moody and his work a sense of personal loss in his passing.

[From the Washington Star of July 22, 1954]

EX-SENATOR MOODY MOURNED IN MICHIGAN

DETROIT, July 22.—Michigan began a period of public mourning yesterday for Blair Moody, former United States Senator who died of virus pneumonia Tuesday at a hospital in Ann Arbor.

Flags on State and city buildings were ordered at half staff for 30 days.

Mr. Moody's body will lie in state at Detroit's city hall. Here Mr. Moody, as city hall reporter for the Detroit News, began a journalistic career that took him to Washington as a political writer and in 1951 led to his appointment to the Senate to succeed the late Arthur H. Vandenberg. Mr. Moody, who was defeated in his bid for election in 1952, was seeking the Democratic nomination for Senator.

Services will be at 11 a. m. Saturday at the Hamilton funeral home in Detroit. The Michigan National Guard will provide a guard of honor. Burial will be in Woodlawn Cemetery in Detroit.

[From the Detroit Free Press of July 24, 1954]

SORROWING CITY PAYS TRIBUTE TO MOODY—THOUSANDS PASS CITY HALL BIER; SELFRIDGE BUGLER SOUNDS TAPS

A sorrowing city paid tribute Friday to former Senator Blair Moody, whose body lay in state in the Detroit City Hall, where he began his newspaper career.

Men and women of affairs, supporters in his Democratic campaign for the Senate and lesser folks filed past his bier in respectful silence all day long.

By midafternoon 12,000 had paid their respects.

Governor Williams and city officials, State Chairman Neil Staebler and Democratic notables, and the judiciary paid homage.

Republican State Chairman John Feikens and some of his party joined in voicing sorrow.

Workers in denim overalls, women with filled shopping bags, some with crutches, city hall veterans who had recognized Mr. Moody's driving force during his cub reporter days filed past in mournful tribute.

The wife of Blair Moody, Jr., who was a patient in the same University Hospital at Ann Arbor when the former Senator died there, was with her husband.

She was injured in an automobile crash near Novi on Memorial Day and has just reached the convalescent stage.

Staebler, Miss Adelaide Hart, Democratic vice chairman, Miss Helen Berthelot, a close friend of Mrs. Moody, sobbed quietly as they passed the Moody bier.

At noon, as the parade for the Detroit air show turned from Woodward into Michigan, it halted before the city hall. Traffic stopped.

The bugler of the Selfridge Field Air Force band stepped out to sound taps.

Crowds began to gather at the city hall long before the hour set for the Moody tribute at 10 a. m. At one time the line circled the hall.

In Mayor Cobo's absence, Council President Louis C. Miriani led his colleagues and city department heads past the bier in the main corridor.

National Guard men of the 425th Infantry stood guard at each end of the casket.

Police Commissioner Edward Piggins and Supt. Edwin Morgan with a contingent of officers followed the councilmen, as did Fire Commissioners Fred Harris and James Mahon, and Fire Chief Ed Bloom, and a group of firemen.

It was late afternoon before Governor Williams arrived.

Veterans estimated that the city hall mourners equaled in number those who viewed the body of former Mayor and former United States Senator James Couzens, who died October 22, 1936, or Justice Frank Murphy, who died a decade ago.

Murphy had been mayor, governor, Attorney General, and Justice of the United States Supreme Court.

In late years, the service of former Mayor Edward J. Jeffries, Councilmen John C. Lodge, and John A. Kronk was similarly honored.

At 6 p. m. the body of Mr. Moody was returned to the Hamilton Funeral Home, 3975 Cass Street.

Democratic stalwarts of Detroit's six congressional districts took turns there Thursday evening comforting the family and receiving visitors.

Services will be held at 11 a. m. Saturday morning in the Hamilton Chapel, with the Reverend John B. Forsyth, of Bushnell Congregational Church in charge.

Six former close newspaper associates will bear the body to the grave. Mr. Moody will be buried in the family plot in Woodlawn Cemetery.

[From the Detroit Free Press of July 22, 1954]

BLAIR MOODY—UNTIMELY LOSS FOR MICHIGAN

The sudden and untimely death of former Senator Blair Moody must be regarded as a great public tragedy, and the people of Michigan will share a feeling of personal loss.

And it is sheer tragedy when a man of Mr. Moody's comparative youth, he was only 52, who has earned valid recognition as an important public figure, and who, ordinarily, should have many more years before his destiny is fulfilled, is stricken down.

Ability, intelligence, and devotion to cause are qualities with which the world is not so abundantly endowed that it can afford to lose them prematurely.

Mr. Moody possessed them all in good measure. Those who knew him, particularly his host of friends in Detroit, recognized his fine qualities of mind. His ability was proved by the success he attained in his chosen profession of journalism and in the field of politics which he occupied briefly, but most effectively.

Mr. Moody was a man of boundless enthusiasm and unlimited energy. He drove himself at a pace which few people could long have maintained. In attempting to reach his star and to accomplish the tasks that he set for himself, he literally wore himself out and, no doubt, hastened his death.

This newspaper often disagreed with Mr. Moody in political principle and practice.

His was a political philosophy with which we, along with many other citizens of Michigan and the United States, might concur insofar as they were part of a general pattern. He called himself a liberal and, according to his lights, undoubtedly he was. Essentially a friendly man, he felt himself dedicated to adding to the happiness and security to his fellow citizens.

For that we can only laud him. Those who thoughtfully opposed him felt that while he was sincere in his efforts to attain his political ideals, he allowed emotion to take the place of reality. Many believed that his political associations sometimes led to factionalism.

But such discussion now has little meaning. What does remain in the minds of his fellow citizens is full recognition of his stature as a man and as a public official. His patriotism, his courage, his determination to adhere to the course he believed to be the right one earned him the devotion of his followers and the respect and admiration of his political opponents.

Blair Moody will find an honored place in the history of Detroit, Mich., and the Nation. His talents will not be soon forgotten.

In mourning him as a man and as a friend, we must also deplore the loss of a fine talent and energy which the world, in these troubled times, could use to such good advantage.

[From the Detroit Times of July 23, 1954]

A CRUSHING LOSS

The role of political candidate was a late phase in the career of Blair Moody. The greatest part of his working life was devoted to building a solid reputation as a newspaperman.

Competitive reporters in Detroit and Washington learned to respect his purposefulness and driving energy. In a profession which by false but popular legend is given to relaxed personal habits, Blair Moody lived by a code of austerity that was a wide cause of remark.

He chose to live that way not only because it suited his own tastes but it permitted him to devote all of his forces to whatever job was at hand.

When he abandoned newspaper work for politics, Blair Moody conducted himself in the same way, giving everything he had to the job.

Almost immediately after his appointment as United States Senator, his place in the Democratic Party in Michigan became controversial through his activities at the national convention in Chicago.

But if the Democratic Party in Michigan was to accept Moody, it was inevitable that it would have to do it on the basis that there would always be a stir around him.

There is a report current in some political quarters that Moody entered the senatorial race this year reluctantly, that he wished to devote all of his time to his business interests.

This story does not fit in with the character of a man who never had entered into anything with the idea of giving less than 100 percent of himself. If, however, political loyalties and friendship persuaded him, then his memory is the brighter for it.

Moody's career in public office was so brief that an appraisal cannot be made with fairness. There can be no doubt, though, that the Democratic Party in Michigan has lost a vigorous campaigner.

To that wing of the Democratic Party with which he was most nearly alined, it is a crushing loss.

[From the Detroit News of July 22, 1954]

BLAIR MOODY

In a remembered phrase of his longtime friend, the late Frank Murphy, Blair Moody's life was one of gathering in the years. As a tireless correspondent for this newspaper from his youth onward, he lived intimately with the making of our history in one of its finest hours.

It is idle to try to convey the feeling of his colleagues for one who was so close for so long, or to dissect his nature beyond saying that about him, at the end as in his fledgling newspaper years, there was an aura of youth—youth of an indestructible and timeless kind. Blair Moody was a living exemplar of the comforting and familiar dictum that a man is only as old as he feels.

If his nature contained all the envied attributes of youth—its buoyancy, its forthright sense of dedication and absence of self-questioning—it is not unfair to say that with these went restlessness and an impatience with those who felt that patience itself is sometimes the part of a larger wisdom.

In his last years, with the national destiny still in flux, he came for a time as Senator to have a personal share in its making. To some, looking backward, it has seemed that his talents were closer perhaps to those presumed in the quick-footed, quick-witted Congressman than in solons in the other more august House.

The easy thing to say is that he was a great reporter. In more explicit truth, he was, among his contemporaries here, the only one of his kind, seeing the course of great happenings through his own eyes and telling his story in his own way through 18 crowded Washington years. It is this story, told always with feeling and often with eloquence, that constitutes his considerable contribution to his time; it is in this that his nature and true quality are to be read.

[From the Detroit News of July 22, 1954]

THE COMMENTATOR

(By W. K. Kelsey)

A REAL AMERICAN

There is little the commentator can add to what has already been said about Blair Moody and his untimely, unexpected, and therefore shocking death.

In age Blair was about a generation behind the commentator. In the newspaper field the veteran often looks over his shoulder to see who is coming up, who is falling behind; and too frequently, remembering the revered and mighty men who instructed him, he wonders if the profession is falling into a decline.

Then he sees someone like Blair—eager, energetic, determined, balanced—and he watches him closely. It presently is borne in upon him that the younger man possesses still other qualities—a knowledge of history, a faith in democracy, compassion for the underprivileged, a spirit that, however tempted, refuses and refutes cynicism, the bane of so many newspapermen.

Seeing such a man develop, the observer's hope for the continued success of the American experiment is renewed. As long as America can produce men like Blair Moody, Liberty's torch will burn bright. And she does produce them, though comparatively few have the opportunity to become political leaders, or even the desire. In all walks of life they are to be found—men of understanding and integrity and a sincere belief in what this country stands for.

These were the men who recognized Blair, cheered him on and followed him. These are the men who mourn his passing, not in fleeting words, but in the sorrow of their hearts.

[From the Detroit News of July 25, 1954]

UNIONS REMEMBER MOODY AS LOYAL, LEARNED FRIEND

(By Asher Lauren)

In union halls, they'll never forget Blair Moody.

No outsider won the rank and file quite so simply and thoroughly as he in the brief time spanned by his political career. After his appointment as United States Senator in 1951 by a labor-minded Governor, Moody beat a path to their door and the rank and file loved it.

He had the democratic touch, carrying into the conclaves of the factory workers the same eager and interested approach which characterized his manner at the White House or in the Halls of Congress. At first they called him "Senator" and then "Mr. Moody." Finally, they called him just plain "Blair," the ultimate in acceptance.

Not an eloquent speaker—he was too much of a newspaperman for that—he nevertheless created the kind of enthusiasm that caused the rank and file to cheer themselves hoarse on many an occasion.

COMMON LANGUAGE

The explanation for this was that he talked their language on the issues of the day.

It is no secret today that much of the success of the CIO's drive for $1 political contributions from the rank and file in Detroit and the State was attributable to Moody's popularity and his campaign to return to the Senate. The contributions were last reported as well over $100,000 and still growing. The money is to be spent here and nationally to elect congressional candidates endorsed by the CIO.

Huge photographs of Moody and Governor Williams, enlarged to 5 or 6 times life size, were mounted on either side of the speakers' rostrum at the recent State CIO convention and at all major CIO meetings in recent weeks. Moody held the CIO's endorsement for Senator in the August 3 primary.

Frequently, when labor-management developments took the national spotlight in Congress, the telephones of newspaper colleagues in Detroit would jangle as late as 2 a. m.

"What's Walter P. Reuther's telephone number?" Moody would demand in Washington. "And see if you can find out where C. E. Wilson is and call me back."

WANTED BOTH SIDES

At that time Wilson was president of General Motors Corp. and Reuther was a UAW-CIO vice president in charge of the union's General Motors department. Moody wanted to get both sides of the story.

During the big 113-day strike at General Motors Corp. in the winter of 1945–46, Moody was as familiar with the developments as any reporter covering the story in Detroit. In fact, the headlines in regard to the strike alternated for weeks between the developments in Detroit and those in Washington.

Over the years the contacts Moody had with union leaders from the late Sidney Hillman, founder of the CIO's political action committee, to Reuther grew into friendships with many of them.

He and Reuther, now CIO president, were particularly friendly, although there were plenty of arguments between them at times over economic and other issues facing the Nation.

TRUE TO PLEDGE

Often they met by chance, during one of their countless flights between Willow Run and Washington, or Washington and Willow Run.

On one such occasion, Reuther and a newspaperman aboard the same ship found themselves sitting down discussing whether Moody would run for Senator again. Just as the ship was about to take off, Moody, always in a hurry, came aboard.

As Moody would have done, the newspaperman plied them both with questions over Moody's candidacy and Reuther's support all the way to Washington. Both said nothing had been decided.

In Washington, Moody confided to the newspaperman that he was "extremely reluctant" to return to politics because of the possible detrimental effect to the printing and publishing ventures into which he had entered.

The climax of the Moody story is obvious. He gave his life to fulfill what he believed was a previous commitment.

[From Holiday magazine of February 1954]

THE UNITED STATES SENATE

(By Blair Moody)

To one looking from the gallery or the fireside, the Senate of the United States must

seem the most casual, comfortable "gentlemen's club" in existence, as well as the most exclusive. It is certainly the hardest club in the world to get into and, as this writer knows only too well, to stay in.

In no other club does membership bring free haircuts, or trips to all corners of the world at the taxpayers' expense. Other clubs have bigger swimming pools, but none has three finer masseurs to minister, at day's end, to taut or aching muscles. Where else in our land can be found perquisites so plentiful, traditions so rich, individual respect so deep, power (in some areas) so absolute, dignity and honor so complete? Not all the members like one another. In what club do they? But in the Senate there is generally a camaraderie that shows fine disdain for the political aisle that divides its Members up the middle.

Drop into the Senate gallery some afternoon (ask your favorite statesman for a ticket; he'll produce gladly) and you may see a packed floor, a scene of high drama—a climactic debate and rollcall. The vote may decide whether the free world is to be strong enough to deflect Red Russia from thoughts of war (it may be close, too)—or how much you will pay at the butcher's for beefsteak a few months hence.

More likely, on an average day, you will be tempted to think, from the empty seats, that the boys are at the ball game. If you believe this, however, your impression of Senate life will be just about 180 degrees wrong. The odds are at least 100 to 1 that the ninety-odd Senators you may not see on the Senate floor are not at the ball game. They would not be, even in the unlikely circumstance that Clark Griffith's ball club, named in their image, was fighting for the American League pennant. Most United States Senators are too busy to do anything but attend to their job.

Taken as a whole, they are the hardest-working group of 96 people (or any other number) I have known anywhere. Considering what most of them could be earning outside, they are grossly underpaid. And while there have been some scalawags and scamps, and quite a few demagogs among them, their average of devotion to their responsibilities and their country is high indeed. In most cases, they would not be there if it were not.

Should your visit to the Senate gallery come on one of those days when only a few Senators are on the floor, take a few minutes anyway and listen to the proceedings. Not all the oratory will be on the level achieved by, say, the late William E. Borah. But listen on and you will probably hear trenchant and, if you are interested in your Government, enlightening facts about one of the hundreds of problems, big and little, that come before the Senate each year. It may miff you to realize that you now know a few things about one issue that your Senators, if they are not in sight, perhaps do not know. You may wonder why they are not on the job. In all probability, they are on the job. But there are simply too many facets to the job, and most Senators are too busy elsewhere to attend every session of the Senate.

Every Senator must, in a sense, be his own city editor. Each morning he must size up the day's work, assign himself to the job or jobs that seem most important, and leave the others to members of his staff. If you glance down from the gallery on one of those dull days, past the Senators' vacant chairs, you will notice that the couches around the rear of the Chamber are full. Their occupants are primarily administrative assistants, the stand-in Senators, each grounding himself to report the day's argument to his boss. Many of these AA's are brilliant men; mine was Bob Ball, a crack Detroit newspaperman with splendid background and intellect.

The Senator must pace himself, know what his physique will stand and not go down under the avalanche of problems and responsibilities he faces. The death of Senator Robert A. Taft, which put a sudden, shocking end to what had seemed a bottomless well of personal energy, gave many of his saddened colleagues pause. The crackup of two other great statesmen of this generation, Senator Arthur H. Vandenberg, of Michigan, and Senator Brien McMahon, of Connecticut, was almost as abrupt. All three died prematurely of cancer. Their colleagues, no experts on medical matters, can easily believe they died of overwork. Perhaps there was a connection.

If your Senator is not on the floor during debate, where could he be? Best guess: In a committee meeting. That's where the grassroots legislating most of the real work of the Senate is done.

Almost every Senator feels a responsibility to be intimately informed on all legislation moving to the Senate from the committees on which he serves. Even this is not always possible. Sometimes two of his committees must schedule meetings at the same hour. Or, as issues multiply, his committee chairman may assign him to a subcommittee, where, often, he finds himself holding hearings alone or with one other member from the opposite party. No, the Senators who are not on the Senate floor are not lazy. They simply are not quadruplets.

The system calls for extensive filling in of one Senator by another, or by his administrative assistant or the committee's technical expert, on the facts of issues he cannot follow personally. Naturally you also consult those you trust and those whose judgment you feel will agree with yours. Then, when the roll is called, your vote declares where you stand.

Most Senators make it a strict rule not to miss rollcalls, and pride themselves on records of 95 percent and better in standing up to be counted. They feel that their constituents send them to Washington to exercise their best judgment not on a few problems, but on all of them. Men who do not go on record are, indeed, shortchanging their constituencies. Many issues are won or lost by a vote or two.

Every Senator is independent; but this sense of duty also makes every Senator a slave—to the bells of the Senate. When the clanging alarm goes off with one long blast, Senators drop whatever they may be doing—adjourn their committees, stop signing mail, excuse themselves from their constituents—and hurry to the Senate floor. That one bell means a vote has started. A Senator who does not arrive by the time his name is reached in the alphabetical rollcall must wait until the end, then stand up until recognized by the Chair. Otherwise, he goes on the record as absent.

This is the best reason (next to providing rides for the children of visiting constituents) for the pair of underground railway cars that run between the Senate Office Building and the Senate floor. When that clanging alarm rings, you have only minutes to act. I had been in the Senate 6 months before I had time to go to the gym in the Senate Office Building, to try one of those famous massages. One afternoon about 4, when a colleague noted for long-windedness rose with a thick manuscript in his hand, I figured my opportunity had come. Senator Blank would be in full flight for at least an hour.

Senator "MIKE" MONRONEY, of Oklahoma, came with me. We rode the underground railway to the office building, stripped down to punch the bag for a bit, spent a few minutes in the steam room, and settled back on the rubbing tables to enjoy a luxurious half hour.

Suddenly and harshly, the bell rang. We smiled. Surely this would be a two-bell signal, meaning that some friend of Blank's noting the unpopulated floor, had asked for a quorum to get him an audience. This was one we could miss.

We waited. The second bell did not ring. For the first time in the memory of man, Senator Blank had made a short speech. MONRONEY and I leaped from the tables, threw our clothes on oily bodies, and dashed back to vote. Thanks to the underground railway, we got there in the nick of time.

Senators have knowingly laid the groundwork for their own political defeat by devotion to duty. This happened in 1946 to Senator Robert M. La Follette, Jr., of Wisconsin, one of the most effective statesmen of this century, a man with tremendous grasp of issues and tireless devotion to responsibilities—the thoroughly worthy son of a great father. Together with Congressman (now Senator) MONRONEY, he was busy driving through Congress the famous reorganization of Congress itself.

Capitol Hill never had a more brilliant or competent team than Bob and Mike. They induced seniority-laden elder colleagues to accept reforms that flushed out old crannies of power, a feat widely termed impossible. Both men stuck to their jobs, refused to go home to campaign in their primaries. A few weeks later, MONRONEY, chosen as the outstanding Member of the House by a nationwide neutral committee, had the closest call of his career. La Follette, opposed throughout his State by the regular GOP organization and in Milwaukee by the Communist wing of union labor, lost the Republican nomination by 6,000 votes to JOSEPH R. MCCARTHY.

There are two kinds of men in the Senate, as elsewhere in politics. Some are mainly partisan and self-serving. They are not averse to doing something for their country, but primarily they look at each issue through political eyes. They seem to search for ways of appealing to the prejudices of the public, regardless of fact. But on both sides of the Senate aisle there are men like La Follette—like Adlai Stevenson in another contest—who will go down to defeat before they will try to bunk the people.

Men of this type give the Senate its real fiber and character. They are not blind to political advantage, of course. But they insist that any act of theirs be compatible with to public interest. Democrat and Republican, conservative and liberal, they get along together, in committee and elsewhere, because they have confidence in each other's integrity. This was one reason many Democrats who rarely agree with him were glad to see Senator WILLIAM F. KNOWLAND, of California, succeed to the Republican leadership.

Though at times it takes on some aspects of a dictatorship, the Senate is the most democratic body in the world. It never resorts to "gag" rules, such as often are jammed through the House to expedite action. And the gallery watcher often sees the leaders of the two parties put their heads together, buddylike, to decide when the Senate should adjourn, whether an agreement to limit debate can be reached, who still wants to speak, or how to get some enthusiastic Member to stop speaking. Any Member can keep the Senate in session as long as he can talk. Senator MORSE kept going for 22 hours and 26 minutes last year to focus public attention on what he considered the tidelands steal.

Despite all this across-the-aisle teamwork, the partisan going often gets pretty rough. Sometimes ill feeling develops which is sustained for years. The most famous such feud of modern times was the bitter fight between Senator JOE MCCARTHY and former Senator William Benton, of Connecticut, who charged that MCCARTHY was not fit to sit in the Senate. The Wisconsin Senator retaliated with an attack on Benton and carried the personal vendetta into his State.

The same bad feeling exists between MCCARTHY and the only woman Senator, MARGARET CHASE SMITH, of Maine, whose Declaration of Conscience, joined in by six other Republicans, said more than any of the

Democrats had said until then. McCARTHY countered by having Mrs. SMITH removed from the investigating subcommittee of the Committee on Government Operations. He did this by invoking one of the Senate's seniority prerogatives, which gives the ranking minority member on a committee a special voice in deciding who gets his party's jobs on subcommittees. Senator JOHN L. MCCLELLAN, of Arkansas, then committee chairman, acceded to McCARTHY's demand knowing that, should the Republicans get control of the Senate, McCARTHY might become chairman and he the ranking minority member of the same committee. This has now happened.

As the Senate has its feuds, it also has its fun. One of the most colorful funsters in Senate history was Huey Long, of Louisiana, father of the share-the-wealth movement of depression days. His able son, RUSSELL B. LONG, now sits in his seat.

Huey was a deft man with the prankster's stiletto. He got along fine politically in Louisiana but he knew well, without resentment, that in some other States anyone who entered a public alliance with him would be courting the kiss of death. One afternoon Huey met the late Senator James Couzens, of Michigan, then the wealthiest man in the Senate and a "Roosevelt Republican," and braced him with, "I've fixed you."

"What do you mean?" Couzens asked.

"Well, they wanted me to write a book," said Huey, "so I decided to write about what I would do if I were President. I began thinking what I would do if I were President, and thought to myself: Huey, the first think I would do as President would be to appoint a Cabinet. And that, Jim, is where you come in."

"What do you mean?" demanded Couzens.

"I put you in it," replied Huey.

Now if you still can't spot your Senator from that gallery seat, or track him down from the list of committee meetings for the day, remember that there are tremendous areas of senatorial work which have little to do, directly, with legislation. One is the job of acting as spokesman and advocate, before the Federal Government, for his State and its people. A major industry may need additional allocations of metal to keep production rolling. The Senator must meet with its spokesmen, get to the root of their problem, decide what is in the public interest, and help his constituents if he can. A distraught father whose wife is dying may be desperate to bring their soldier-son back from from overseas. It may be a labor problem, or a small-business problem or a personal problem. Every appeal must be heard, weighed and handled, either by the Senator or by a key member of his staff.

A Senator can set a business back on its feet, saving a whole town from being parched of its only payroll. Sometimes, by a telephone call with muscle behind it, he can see that personal justice is done and thus change the whole course of a family's life. A little problem? Not to the family, and being able to do that sort of thing brings one of the great inner rewards of public service.

There is also an occasional soul-curdling experience. Not long after being named to the Senate Banking and Currency Committee, I made my position clear on a bill which I considered extremely important to a great many people. It was also important, in reverse, to certain interests which were trying to kill it.

One morning, two men came to my office to see Ball. They said their organization was interested in beating the bill and would give me considerable support, clear implication: financial—if I changed my position. Ball told them our office did not do business that way.

One of the visitors replied, "Well, let me warn your Senator. We don't like his attitude. If he will be reasonable, we can give him a lot of help. But if he keeps on this way, a big campaign fund will be raised against him and he'll be beaten."

That was not the only time. Some months later a man who represented one of the Nation's great corporations came to ask that I use my committee position to put through a certain amendment. It was no minor modification of the law, but one which would have upset world markets in scarce and critical metals and resulted in a drastic rise in prices. It would also have wrecked our whole system of domestic allocations, giving carte blanche to big and powerful buyers to grab the share of scarce metals reserved for the use of small business.

I demurred at the proposal, reminding my visitor that I had been instrumental in getting more metal for his industry when cutbacks had seemed to me unnecessary.

"I know," he said, "but this is important. This is what the big boys really want. There is a campaign coming and this will help make up their minds. You know, they have a lot of money to spend."

My answer, of course, was "No." I was shocked, a few days later, to find that the same amendment had been introduced by a colleague and slipped through as a quick rider on one of those afternoons when most Senators were busy elsewhere.

Something had to be done about it. I consulted Senator WILLIAM FULBRIGHT, of Arkansas, who thoroughly understood the implications of this "sleeper." He introduced another amendment to knock it out. To make the real issue evident to the Senate, however, I made an emphatic statement. Whenever the big interests of my State, I said, came to me with a proposal compatible with the public interest, I would support them with as much vigor as anyone else in the Senate—and had. But when they brought in a selfish proposition which would tend to undermine the defense program and strike a perhaps catastrophic blow at smaller business, I would fight them, and was then doing so. I am happy to say that the Fulbright amendment was adopted by a decisive vote.

One tremendous job your Senator faces, especially if he is from a big State, is his daily mail. When President Truman proposed sending an ambassador to the Vatican, my office received more than 25,000 letters on the issue within 3 weeks. Each of these writers was entitled to an answer, and got it, but few of them realized how many hours of midnight oil the staff burned in the process.

Senators "listen" to their mail. Most Senators will adhere to a position if they think it is in the Nation's vital interest, even against a public opinion which they may feel to be temporarily uninformed of all the facts. But mail makes you think. I had made up my mind, or thought I had, on the issue of universal military training from the testimony of such great Americans as Gen. George C. Marshall, Gen. Omar Bradley, and Bernard M. Baruch. The church people of my State flooded my office with so many sound and fervent arguments against it, however, that I reexamined my position and decided to support it only if, at the time of the rollcall, it seemed absolutely indispensable to the Nation's safety. That time did not come.

Most Senators try to write their constituents personally if an individual problem is presented. Mail on legislation sometimes lends itself to multiple handling. A Senator takes his position on an issue, dictates a letter to be sent to those who have written him, and leaves it to his staff to turn out duplicate copies. Most Senators develop muscular right arms, however.

Hundreds of letters cannot be answered immediately. They require investigation, sometimes consultation with a Government department, often individual and sympathetic handling. I was lucky to have on my staff Miss Marguerite Doyle, a Grand Rapids Democrat, who had worked for 20 years for Senator Vandenberg. When Gov. G. Mennen Williams appointed me to succeed Vandenberg, she was one of the first of my staff of 14 to be hired.

Many Michigan families are happier today because Miss Doyle was given adequate authority and made the most of it. Now retired, she was one of the best of a highly competent corps of professional women who make Capitol Hill their career, and getting action from the Government their specialty. When you get quick results from your Senator, do not give him all the credit: there is probably a Miss Doyle behind him.

So if your Senator is not on the floor or in a committee meeting, he is probably talking with someone from the State who has a special problem (selfish or otherwise), or greeting members of a high-school senior class come to study Government at first hand, or going to bat at a Government department, or making a radio transcription or television film in Robert Coar's congressional studio (nearly all Senators now make weekly reports to the people), or merely signing mail. Merely, indeed. A big-State Senator's mail job, despite the help of his staff, customarily consumes an hour—or two or three—of his day.

Nor are his evenings restful, as a rule. The social responsibilities of a Member of the Senate are also heavy, and only sometimes fun. In the winter dinner-party season, Senators who rise at 6 or 7 a. m. have to listen to not-always-fascinating conversation until late at night. While some of this is charming and much of it superficial, these functions do offer a quick and informal way to make acquaintances, especially with diplomats, which may pay important dividends when some unforeseen issue or emergency arises. That is why so many prominent Senators who would much rather go fishing turn up at black-tie parties 5 or 6 nights a week.

Those Senators who do not get to their offices at 7 a. m., or shortly thereafter, are fairly certain to be at their desks before 9:30. They dictate, meet constituents or colleagues, talk over issues with their committee staffs, occasionally keep appointments at the White House (if in the party in power), compress enough varied activities into the early morning to make it difficult to reach a 10- or 10:30-o'clock committee meeting on time.

The Senate customarily convenes at noon. Most Senators lunch in the family dining room, located on the first floor of the Senate wing of the Capitol, or, if they have no constituents to entertain, in the "Senators Only" dining room, where the Democrats and Republicans sit at separate oval bachelor tables in separate rooms.

The scene in the Senate itself is often an active kaleidoscope. Senators move on and off the floor repeatedly, as they are called out to the reception room, or to the telephone in the party cloakrooms, located in the rear of the Chamber on each side of the center door. If you still are looking for your statesman, you might try the reception room outside the Vice President's office, off the Senate floor. Ask a doorman to tell him you are calling. The Senator will be handed a card showing your name, identification, and town. If he can come out to see you he probably will. If he is not there he may be in the Marble room, signing or dictating mail, or in the cloakroom, talking with his colleagues. He also may be in the President's room, in the same relative location to the Senate as the Vice President's room, except on the other side.

The President's room is the handsome and historic spot where, in the old days, the President came to sign or veto bills, or to close a session with a speech. Today it has become the readiest conduit between the Senate and the corps of Washington correspondents.

A staff of able liaison men, who know all the Senators and most of the reporters, stand by the President's room door. By custom, the newsman "sends in" for the Senator, who comes out for a conference if he can. Many of the most momentous newsbreaks out of Washington come via this quick and convenient channel from the Senate floor to the wires. This door is strategically located squarely on the path to the Senators' private powder room. As a result, few Senators could evade the press indefinitely, if any were so foolish as to try. Not a few stories develop en route, while Senators are hurrying to more urgent and immediate matters.

In most respects, a Senator's life is the most independent in the world. He is his own complete boss, subject only to his constituents. He can pick the issues he wishes to become active in, and he has a certain say, subject to prior seniority claims of his colleagues, as to what committes he will serve on. He can educate himself by traveling overseas—and the Nation's retreat from isolationism is best proof that most of these junkets are worth while.

Under his cloak of official immunity, he can say anything he wishes, responsibly or irresponsibly, on the Senate floor, except that he may not reflect on the integrity or character of fellow Senators or Members of the House. Thus a Senator can completely destroy your reputation by calling you a Communist or a thief, and you have no recourse against him. He is subject only to the voters of his State, who don't know you and will probably have forgotten your case by the next election.

If he is a committee chairman, the individual Senator has even more personal power. Unless he flagrantly flouts decency and fair practice in a manner his colleagues cannot ignore, he can appoint and control a committee staff, slant a report, bury a bill or steer it to the floor. Nevertheless, in this club, varying opinions are respected, individual judgments never questioned. There is an ebb and flow of votes across the aisle, breaking strict party lines, on nearly every roll call.

A Senator's reaction is sometimes a bit wry, however, when the superficial rather than the vital part of his work commands the most attention. An example was a trip I made to Europe in 1951, at my own expense, in an effort to get a quick, concise but up-to-the-minute summary of the effectiveness of our military and economic program in Europe. General Eisenhower, like many others, had said that peace or war and the future of our country might rest on the voting of an adequate program by the Congress. Yet there had been strong signs that such a program would be torpedoed or vitiated.

In 8 days of close-packed day-and-night scheduling, I talked with our top people and foreign leaders in five countries—with Eisenhower, Tito, Pope Pius, and British, French, Italian, and German keymen. I put the facts and conclusions into a Senate speech embodying suggestions for action. Some of my colleagues were good enough to listen. The trip was not entirely barren of results.

On the same afternoon, Bob Ball, my administrative assistant, came into my office with a chuckle and a gimmick. Michigan's beautiful resort area was having trouble with weekend rainfall. Also, in the deserts of the Southwest, men were experimenting with the seeding of clouds with dry ice to produce rain. Bob suggested that we write a letter demanding that the schedule of seeding be changed, since prevailing winds were carrying the rainclouds across the country just in time to spoil Michigan's weekends.

We put out two releases that night: a copy and digest of my Senate speech, and the rainy, weekend letter. My release beat Bob's in the Intelligentsia, or Egghead League, with a modest one-third column in the New York Times. But his hit the front page of papers from coast to coast, including Michigan, and weeks later we were still getting clippings from as far away as England and Japan.

Often a lucky break will bring into prominence a solid Senator who merited fame all along but somehow had not achieved it. Senator ESTES KEFAUVER, of Tennessee, is a prime example. He had long been at work to build a more effective code of laws to combat crime. He had written a thoughtful book proposing ways to streamline Congress, and had quietly moved into the front rank of internationalists in the Senate.

KEFAUVER's solid achievements did not get him major attention, however, until an alert Detroit reporter, Allen J. Nieber, thought of putting the crime hearings on television. Shortly before the Kefauver committee was due in Detroit, Nieber flew to Cleveland and got the Senator's consent to televise the hearings over his paper's station. The result was sensational. Dishes went dirty and Detroit went wild. So did the rest of the country after the committee hit New York. KEFAUVER's name became a household word.

Senator MCCARTHY's unusually publicized career also started rolling quite by accident. Back in 1950, the Republican National Committee was priming its most effective campaign speakers on the various issues on which they thought they could whack the Democrats. One Senator was assigned "waste," another "creeping socialism," and so on. Each was given whatever material happened to be on hand, asked to bone up on it and hit the stump.

MCCARTHY was assigned "Communists in Government." Some time before, in the closing days of the 80th (Republican) Congress, a rightwing conservative and isolationist-minded Republican from Grand Rapids, Mich., Representative Bartel Jonkman, had headed a House committee appointed to check the infiltration of Red spies into our Government while Russia was an ally during the war. In his report Jonkman said, in effect, that the situation had been bad in the State Department but that an outstanding cleanup job had been accomplished under Gen. George C. Marshall as Secretary of State.

MCCARTHY was given the old files of the Jonkman committee as they had been before the Jonkman investigation, and took to the road. At his first stop, Wheeling, W. Va., he told a group of gaping ladies that 205 persons known to be Communists were making foreign policy in the State Department with the knowledge of the Secretary of State. Later, under challenge, his shifts to 81, 4, 57, and other numbers of alleged diplomatic subversives launched him on the well-known adventure which has made him one of the most prominent members of his party.

MCCARTHY's skill at swivel-hipping an opponent in debate, on the Senate floor or off, was never better illustrated than on a television program, Meet Your Congress, of which I am moderator. It was back in the early days of the MCCARTHY controversy. Down in room 9–B in the basement of the Senate Office Building, the show was rolling along with MCCARTHY and the former Senator Owen Brewster, of Maine, a deadly debater, lined up against Senator THEODORE FRANCIS GREEN, of Rhode Island, and Representative JOHN D. DINGELL, of Detroit.

DINGELL, who is as blunt as he is slight, was sitting less than 2 feet across a narrow table from the rugged MCCARTHY. When it came his turn, the little Detroiter leaned forward, glared at the big Wisconsin Senator, and said:

"You said the other day that you would repeat off the Senate floor what you were then saying on the floor behind the cloak of immunity, or else you would resign from the Senate. Here's your chance, Senator. A lot of people are listening. Repeat your charge into this mike or resign from the Senate."

Jumping Joe never even paused. He smiled at DINGELL and said, "I'm glad you brought that up, John. But first I want to say——" And he was off around the other end and 50 yards down the field. DINGELL did not get close enough to tackle him again on that one, and I doubt if anyone else ever will.

Even though it can give its Members a plush as well as a busy life, even though it sometimes confers on individuals power far beyond their concept of responsibility, the Senate offers an opportunity for public service unmatched anywhere in our country, outside the White House. A Senator is not worth his salt unless he is carrying on, in addition to all of his other duties, at least one crusade of his own for his country.

Senator PAUL H. DOUGLAS, of Illinois, for example, has probably saved more money for the taxpayers, with less reduction in public service, than the rest of his colleagues combined. He needs their help on rollcalls, of course, but DOUGLAS has provided the leadership for real as contrasted with false economy. DOUGLAS has been chosen the Nation's No. 1 Senator in polls of impartial close observers, such as the press gallery, for the last several years. He is actually leading the way toward precisely the kind of efficient government his rivals talk about, yet they are already out to cut him down in this year's election. What a loss to the Nation that would be.

DOUGLAS' crusade for economy, and for many liberal measures alongside such colleagues as LEHMAN, of New York, and HUMPHREY, of Minnesota, is matched from across the aisle by Senator AIKEN's espousal of the St. Lawrence Waterway, and by Senator MILTON YOUNG's battle for farm-price supports at 90 percent of parity. The greatest reward the Senate can give comes at the end of a fight, such as the one some of us put up for combat pay for Korean veterans. When that bill went through after being pronounced "dead" five times, we felt we had really done something.

These personal crusades take time; they take effort, partience, leadership—and skill at parliamentary maneuvering. Sometimes the correct strategy is not clear, and then one needs expert advice. Probably the most useful man in the Capitol, from this standpoint, is one of the least known, Charley Watkins, the Senate Parliamentarian, who advises all Senators with great understanding and complete impartiality.

My first experience with Watkins' role as the indispensable man came just 10 minutes after I had taken the oath of office from Vice President Alben Barkley in April 1951. Barkley beckoned me to the rostrum, handed me the gavel and whispered, "Take over, will you? I'm going to lunch."

Alben had the most fecund and versatile sense of humor in the Senate—the whitecaps of a deep-running tide of wisdom and of a blithe and kindly spirit. Surely he was joking, I thought, and told him so. He laughed. "Come on," he said. "You've been around a long time. You'll do this all right." He stood up and handed me the gavel.

In progress was a furious debate between two of the Senate's most resourceful speakers, the late Senator Kenneth Wherry, of Nebraska, and Senator HUBERT H. HUMPHREY, of Minnesota. Their wrangle was on a thorny parliamentary point on which, presently, I would have to rule. My task was not made easier in the next few minutes, when I became the first Senator in history, I feel sure, to preside over the Senate while being pelted with spitballs and paper clips from the press gallery above, fired with the approval of the Vice President of the United States.

As I started to give the ruling of the Chair, however (with a prayer that I was right), I

heard a familiar voice rising from beneath me and slightly to my right-front—the voice of Mr. Watkins. He was giving the correct ruling—verbatim, and all I had to do was to catch his words as they rose vertically and pitch them out horizontally. The ruling stuck. No one appealed. No one even seemed surprised at my display of learning.

When Barkley returned, grinning with mischievous triumph, I went down to Watkins to thank him. He said, "That happens every day." In 18 years as a member of the Press Gallery, I had never learned the secret function of Charley Watkins, and I believe that many veteran Washington correspondents do not know about it even today. The fact is that, with the exception of Barkley and possibly Senator DICK RUSSELL, of Georgia, all the Senate's Presiding Officers need and get the same sort of help. My sure handling of the complicated rules of order was no more synthetic than anyone else's.

Occasionally straw can be seen protruding from a senatorial collar. But the stuffed shirts are a tiny minority. In the main, the Senate is an intensely human institution, one that usually represents well the current inclinations and prejudices of the broader body politic for which its Members speak.

In the Senate you learn that the personal conviction or the prejudice or the foible of a single man may sway the course of our history, bring on good times or throw millions out of work, just as the strength of an inspiring leader can spur us to our national utmost. You learn, too, that the power and the political victories do not always go to the straight shooters or the statesmen. Above all, in the Senate one learns again that American democracy is vibrant, ever changing with events, alive with great power for good or danger. A Senate rollcall can bring us prosperity or hunger; by a narrow margin it could mean peace or the ruin of our civilization.

Most Senators approach their assignments with all this close to the surface of their consciousness. They ask for power; they accept with it the responsibility.

THE UPPER COLORADO RIVER BASIN

Mr. KENNEDY. Mr. President, inasmuch as it is now apparent that S. 1555, the Colorado storage project, cannot become law this year, I ask unanimous consent to have printed in the body of the RECORD at this point my statement on the need for further committee study of this subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KENNEDY

Mr. KENNEDY. Mr. President, the last hours of the 83d Congress are no time for the Senate to go on record in favor of a bill which is so little understood and with so many troublesome features. I shall state the reasons for further study very briefly.

I

First, this bill needs further study in order to give more adequate consideration to the requests of the adminstration.

(a) The Eisenhower administration recommended a bill with a total estimated cost of $950 million. The pending bill is estimated by the committee to cost nearly $1.5 billion.

(b) The administration requested a bill which provided an overall limit on the amount of appropriation to be authorized, that limit being $950 million. The pending bill contains no limit of any kind on the total cost of this project.

(c) The administration recommended initial authorization of only two storage dams, Glen Canyon and Echo Park. This bill authorizes 6 storage dams, of which 4 were not included even conditionally in the administration's recommendations as being without economic justification.

(d) The administration recommended a bill conditionally authorizing 11 participating reclamation projects. The pending measure authorizes 14 participating reclamation projects, only 2 of which are conditional.

(e) The President and the Budget Bureau specifically stated that the Shiprock Unit of the Navaho project is not recommended at this time, until "a report is completed indicating its economic justification, the views of the affected States and agencies, and the relation of the project to other potential uses of water of the San Juan River." The pending measure includes (conditionally) the entire Navaho project, about 75 percent of which is made up of the Shiprock unit.

(f) The administration recommended that authorization to construct the participating reclamation projects "not become effective until the Secretary has reexamined the economic justification of such project." The pending measure, with two exceptions, gives final authorization for such construction without waiting for economic justification, and merely provides that the initiation of construction should wait until the Secretary has made a study and certified his findings.

(g) The administration, and particularly the Army and the FPC, recommended that the bill adhere to the requirement of section 1 (c) of the Flood Control Act of 1944 requiring the submission of reports on projects to the affected States for their comments. The pending measure waives this requirement on all but two of the participating projects.

(h) The administration, and particularly the Department of Agriculture, recommended that the Secretary of Agriculture—who can more realistically appraise the agricultural benefits which might justify these participating projects—be required to participate in the economic evaluation of these projects. The pending measure weakens that provision.

In short, these recommendations of the administration, aimed at making the project less costly and more economically justifiable, have been ignored by the committee and need further consideration.

II

Secondly, this bill needs further study in order to reexamine its questionable financial aspects. I have found very few Senators who realize that this bill involves on its face $1.5 billion, a tremendous amount to be rushed through at this time and far in excess of the recommendations of the administration and the House committee. Moreover, it contains the following unwise financial aspects:

(a) Based upon figures supplied by the Bureau of Reclamation, average net revenues from irrigation users and the sale of electric power are estimated to be approximately $33 million a year. But even simple interest (and in reality, the Federal Government would have to pay compound interest on the money it borrows to construct these projects) on the stated Federal investment of nearly $1.5 billion would cost approximately $37 million a year (at 2½ percent). Thus, all the revenues of this project cannot even pay for the simple interest on its investment cost, leaving the entire capital cost of nearly $1.5 billion to be paid by the Federal taxpayers. This Federal subsidy of $1.5 billion is unprecedented, for never before has the full cost of power projects as well as participating irrigation projects been left for the taxpayers. I understand that $1.5 billion is $2,000 per acre of land to be benefited by the project, or approximately $300,000 per farm. Inasmuch as the average value of the land is said to be no more than $150 to $200 per acre, this is completely out of line. Every Senator should consider carefully the share of this $1.5 billion which will be borne by his State.

(b) According to figures supplied by the Bureau of Reclamation to the committee, the average project cost per acre for the central Utah participating project was $794, and, for the newly irrigated land which will be the primary beneficiary, the average project cost is $1,874 per acre. This is 10 times as high as the actual value of the land itself. Similar figures are indicated for other participating projects.

(c) Although this project has been described as a means of low-cost power for the West, it is not as widely understood that this power will be sold at an unnecessarily high price above cost in order to pay for more than 87 percent of the cost of the participating reclamation projects. The irrigation users who will receive the benefits of this bill will pay for only a small fraction of the total cost.

(d) Finally, there is great confusion surrounding the schedule of repayments. The Bureau of Reclamation in a November 13, 1953, report to the Secretary stated that "It is our recommendation that repayment of the costs which are allocated to irrigation and assigned to be repaid from power revenues be made from net power revenues after completion of the return of the commercial power investment, including interest during construction * * * repayment from power revenues will be accomplished by the application of the net power revenues after the power costs are repaid * * * within approximately 18 years after the close of the 49-year period of full operations required for repayment of the power allocations of the first two (power) units." On page 23 of the House hearings, Under Secretary Tudor inserted a statement saying that the bulk of irrigation repayment, the so-called irrigation assistance, "will be provided from net power revenues after the power repayment is accomplished." Bureau Engineer Jacobson told the Upper Colorado River Commission on September 15, 1952, that the above principles, which are similar to the Colbran formula, would be used on this project; and the Bureau inserted on page 193 of the House hearings its repayment schedule demonstrating that the portion of irrigation costs to be paid for from power revenues would not begin until after a period of 44 years. Thus, I think it is very clear, as Senator KUCHEL and others have pointed out, that the repayment of $600 million of the irrigation costs to be repaid from power revenue will not begin until a period of 40 to 50 years when the power costs have been fully repaid. For that period of time, the Federal Government must pay compound interest on $600 million, for a total debt of over $2 billion, of which $1.5 billion would be interest which under our irrigation policies will never be repaid and must be borne by Federal taxpayers.

This is the item protested by spokesmen for the Hoover Commission before the Senate committee; protested by Senator KUCHEL and 12 Democratic and Republican members of the House committee; and the subject of my questions to Senator MILLIKIN yesterday.

It is apparent, however, that—although very obviously this is the formula the Bureau intends to apply—it is not so understood by the members of the committee. Although the bill contains no provision for repayment of this portion of irrigation costs to be completed concurrently with repayment of the power costs, there is some feeling that this was the intention of the committee. I am certain of their sincerity in those intentions; but if we are to guarantee protection to the taxpayers from an unprecedented

billion-dollar subsidy, the committee should study this question more thoroughly and determine from the Bureau the exact schedule of repayment.

III

Third. This bill needs further study in order to permit consideration of findings of other investigations. This bill, on which a rule cannot even be obtained in the House, should not carry the Senate's endorsement this year when its reconsideration next year will involve several new reports.

(a) The Hoover Commission, represented by ex-Governor Miller before the Senate Committee, opposed this legislation touching upon "so many broad policies in the field of water administration" and stated that it "should not be entertained by the Congress pending the making of the Hoover Commission report, with its recommendations in respect to long range policies" (due on May 31, 1955).

(b) The United States Supreme Court is currently considering litigation involving the water rights of California, Mexico, Indian tribes, Federal agencies and other States in the area. This bill makes assumptions which must necessarily await the outcome of that litigation.

(c) Section 2 (d) of the Boulder Canyon Adjustment Act provides for a study of the effect of such a project on the quantity and quality of the water, particularly important to Texas and California. The fact that considerable doubt remains with respect to such issues requires postponement of the bill until these facts can be fully ascertained.

(d) This bill is certain to require further study by the House Interior Committee, and objections raised in that committee should be thoroughly studied in the Senate. Twelve Republican and Democratic members of the House committee opposed this bill for the reasons I have already discussed and because it would require the sale of power at high cost for an unrealistic 75 years, drastically change the existing law on repayment of irrigation investment, conceal an ultimate cost of over $5 billion, delegate unlimited authority to the Secretary of the Interior to initiate projects not yet economically justified, establish an obviously non-self-liquidating project, provide for unsound and unnecessary projects and many other reasons.

IV

Finally, this bill needs further study in order to give more adequate consideration to its effect upon the sanctity of our national park and monument system. The Echo Park Dam recommended by this bill would, according to testimony from former park directors as well as outstanding conservationists, spoil the inspirational scenic treasures of Dinosaur National Monument. It would, moreover, open the door to similar demands for dams in Glacier, Kings Canyon, Mammoth Cave, and Grand Canyon National Parks and permit other encroachments by stockmen, miners, loggers, power companies, and others. Under congressional policies insisted upon since enactment of the National Park Service Act—if not the Yellowstone National Park Act more than 80 years ago—such areas are dedicated for the unspoiled enjoyment of present and future generations. At Dinosaur National Monument, we cannot hunt its animals and birds, cut its trees, mine its minerals, irrigate its lands, or even pick its flowers. Surely, if it is at all possible, the committee should give further study to avoiding a tremendous Federal dam destroying one of the unique, irreplaceable, scenic wonders belonging to all the people of this country.

The committee should consider whether, in view of the additional storage projects it added in excess of the administration's request, Echo Park Dam is needed today. The committee should consider whether, inasmuch as the Bureau has admitted that the power sold at Echo Park will cost more than its reasonable sale price, it is economically justifiable. Most important, the committee should give more adequate consideration to alternative sites, which have thus far not been adequately discussed by the Bureau of Reclamation except in terms of an evaporation loss which ultimately proved to be negligible. I think it is highly important that the Senate urge its committee to give further study to a matter involving our fundamental responsibility to our national heritage and future generations.

COUGAR DAM AND RESERVOIR

Mr. BUSH. Mr. President, I ask unanimous consent to have inserted in the body of the RECORD at some appropriate place a statement which I have prepared in connection with H. R. 7815, known as the Cougar Dam bill.

I had prepared this statement, hoping to use it in the debate on this bill, but unhappily I find that the Cougar Dam bill, which was passed by the House, will not come before the Senate during this session. At least, that is the prospect.

Therefore, Mr. President, I should like to have this statement preserved for posterity in the RECORD. It is in effect an analysis of the minority views on this bill as expressed by the Senator from Oregon [Mr. MORSE] on behalf of himself, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. GORE], and the Senator from Ohio [Mr. BURKE], in connection with the bill.

I regret that we shall not have an opportunity to debate this bill and pass it, because I think it is a very constructive piece of proposed legislation.

I ask unanimous consent that this statement may be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUSH

COUGAR DAM AND RESERVOIR (H. R. 7815)—AN ANALYSIS OF THE MINORITY REPORT, SENATE COMMITTEE ON PUBLIC WORKS

Bills to authorize joint construction of Cougar Dam and Reservoir in Oregon by the Corps of Engineers and the city of Eugene, Oreg., were introduced in the House and Senate early this year. On February 9, 1954, the House bill, H. R. 7815, was introduced by Representative HARRIS ELLSWORTH, of Oregon, and S. 2920 was introduced in the Senate by Senator GUY CORDON, of Oregon.

The House held hearings on March 19 and April 28, and the measure was reported favorably by the House Committee on Public Works on May 12 (Rept. No. 1602).

On May 19, 1954, the House passed the measure, and on May 20 the Subcommittee on Rivers and Harbors and Flood Control of the Senate Committee on Public Works held hearings on the bill. The bill was reported favorably on July 9 (S. Rept. 1761). On July 19 Senator WAYNE MORSE, for himself and Senators DENNIS CHAVEZ, ALBERT GORE, and THOMAS A. BURKE, submitted minority views on the bill (S. Rept. No. 1761 (2)).

This analysis will examine all the major assertions set forth by the minority.

Minority views

The Senate Public Works Committee has given the measure only superficial consideration.

The committee did not consider the disruptive impact of the so-called partnership proposal, of which this bill is only one, upon the carefully developed plans for comprehensive regional water resources development in the Pacific Northwest.

The committee declined to schedule joint hearings in the field to obtain evidence on a group of similar projects known as the partnership proposals.

The committee does not have, and the Senate does not have, reliable evidence on whether there will be hydraulic and power integration of this project with Federal flood-control and power projects in the Columbia Basin; and if there is to be integration how it could be accomplished; the bill does not require integration.

Analysis

The Senate committee has given this bill adequate consideration. Its hearings on the bill were supplemented by incorporating in the record the complete hearings held by the House Committee on Public Works. The Senate committee has also received engineering reports and reports from Federal agencies covering the proposal. Any additional technical or detailed material is properly the concern of the Federal Power Commission.

The minority assertion presumes the fact that this development will have a "disruptive impact." Actually, it will have an exactly opposite effect. This proposal represents a forward step in the development of water resources in the Pacific Northwest. The project will be constructed as a unit of the comprehensive plan outlined by the Corps of Engineers. If Federal development will be beneficial, then so will development under this plan. As a matter of fact, partnership construction will accomplish even more than can be achieved through Federal development, since partnership provides for fuller utilization of the available hydroelectric potential at the project site.

Since adequate information is already available with regard to this project, additional hearings would not develop anything but superfluous data. The only result of hearings in the field would have been unwarranted delay in getting the project authorized for construction. Should some reason arise for holding further hearings to obtain specific data, the Federal Power Commission has authority to order such hearings. This authority is contained in section 4.32 of the rules and regulations which govern the practice and procedure of the FPC.

There is complete assurance of full integration of this project with other flood-control and water-resources projects in the Pacific Northwest. This is assured by section 2 of the bill which says, "The Cougar Dam and Reservoir shall be constructed, operated, and maintained by the Department of the Army as a unit of the comprehensive plan for the Willamette River Basin for the control and utilization of the water resources for flood control, navigation, power, conservation, and other beneficial purposes."

Another assurance that the project will serve to develop the water resources to their fullest is contained in section 3 of the act which requires that the Federal Power Commission pass on any license under which the city would add power facilities to the project. Under law, the FPC is required to protect the public interest and to assure comprehensive development of water resources.

Part 1, section 10, subsection (a) of the Federal Power Act says, "That the project adopted, including the maps, plans, and specifications, shall be such as in the judgment of the Commission will be best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of water power development, and for other beneficial public uses, including recreational purposes; and if necessary in order to secure such plan the Commission shall have authority to require the modification of any project and of the plans and specifications of the project before approval."

Regarding the integration of power facilities, the city is a member of the Northwest power pool and will always remain a member. The city is connected to the pool through a permanent tie at the Bonneville Power Administration substation in Eugene. The operation of the Cougar powerplant, and all other generating stations owned by the city, will at all times be in accordance with the policies set forth by the

Minority views

The committee did not conduct hearings on, nor does the Senate have sufficient evidence to determine, the effect of the Secretary of Interior's April 7, 1954, order upon the possibility of integrating Cougar power with the Northwest Power Pool.

The committee did not consider and did not hold hearings upon the Morse bill for full Federal development of this project, although the measure was sponsored by 3 committee members and a total of 16 Senators, and a similar bill had been before the committee since January 1953.

The committee did not consider the cost allocation provisions of this bill as they compare to past practices and the differing cost allocation provisions of other partnership proposals.

The Senate does not have anything resembling complete data on electric power rates under the plan proposed by this measure as compared with Bonneville Power Administration rates to meet the same power needs.

There is every indication that under this proposal power rates in the area served will be higher than power from the Bonneville system which is available to Eugene.

Analysis

Northwest Utilities Conference Committee, the management and policy arm of the Northwest power pool. Although this is not contained in the bill, it is inconceivable that any utility would withdraw from the pooling operation, since it is entirely beneficial to all members.

The April 7 order merely clarified the position of the Bonneville Power Administration in regard to its marketing responsibilities. It has absolutely no effect on the operation of the Cougar powerplant whether by the city of Eugene or the Federal Government.

Such hearings would serve only to delay the construction of this urgently needed public works project. In effect, the Morse bill has already been considered. It merely provides for Federal development of the project, and this was considered by both the House and Senate committees as an alternative to partnership construction. Partnership was found to be superior, principally because it accomplishes all that Federal development could accomplish, and at the same time, spares the Federal Treasury the outlay now of nearly $11 million.

The allocation method used in this bill was discussed at considerable length in the House hearings on the bill. On page 51 of the printed report of that hearing Mr. Willard Gatchell, general counsel of the Federal Power Commission, says, in reference to the allocation: "It is the method recommended by the Federal Power Commission and followed by them for several years. It was agreed to on the Federal Interagency River Basin Committee which drafted the principles of allocation, and has been followed by everybody except the Department of Interior up to just recently. Just recently, the Department of Interior agreed to that method."

Further, the city of Eugene has said, and it is so stated in the bill, that it will abide by any equitable method of allocation. In any case, the Federal Power Commission will have final authority insofar as allocation of costs is concerned.

The Senate has access to complete information regarding comparative costs to the city of Eugene. This is contained in an engineering report submitted to the Senate Committee on Public Works on behalf of the city by the engineering firm of Cornell, Howland, Hayes & Merryfield, Corvalis, Oreg. This report is printed in full beginning on page 74 of the report of the Senate committee hearings on the bill.

This assertion is completely without foundation. The only valid test on this point is a comparison of annual energy costs to the city under, (1) its plan for developing power at Cougar, and (2) purchase of its requirements from the Federal system.

This comparison has been the subject of comprehensive and detailed studies by the city and by consulting engineering and construction firms. The comparisons show that the city will save from $100,000 to $300,000 annually if it develops Cougar as opposed to buying its requirements from BPA.

The city of Eugene is a pioneer in the field of supplying power at low cost to the consumer. It is proud of its accomplishments and intends to remain a leader in the field. It has not developed one of the most successful utilities in the United States by engaging in uneconomic ventures. Its water and electric board is satisfied that the Cougar development will benefit the city, and the Northwest. If such were not the case, the city would not attempt to participate in its construction. The city has had the benefit of complete engineering studies and comparisons of this project and many others. Cougar has been found to be the best available method by which the city can meet its needs for peaking power.

Energy from the Cougar station would be used in the upper part of the daily load curve. This means peaking or low-load factor

Minority views

The bill sets a pattern for Federal Government payment for nonrevenue features of multipurpose projects and non-Federal operation and control of revenue-producing power features of such projects.

It would set a pattern for breaking up the Army engineer's comprehensive plan for development on the Columbia. A comprehensive, multiple-purpose development program, particularly where it comprises upstream and storage projects, requires a single plan and a single management agency. If more projects are broken off the comprehensive plan known as the 308 report, the multiplicity of management of the main stem and upriver projects will contribute to inefficiency, higher costs, conflicting plans of operation, and wastage of the full potential of the river.

There is no provision in H. R. 7815 for public body preference in purchase of electric energy from the Cougar project surplus to the needs of the city of Eugene.

Analysis

energy. Based on the full costs of the Cougar project, including costs of transmission and the reregulating dam, the energy would cost the city 3.7 mills per kilowatt-hour. Under the present Bonneville rate structure, energy at the same load factor, 47 percent, would cost the city 4.2 mills per kilowatt-hour. This cannot be disputed.

It is true that the average rate paid by the city to BPA last year was less than 3.7 mills. This average rate, however, included the purchase of considerable dump energy at 2.5 mills per kilowatt-hour. This type energy would still be bought. But less of the high-cost peaking energy, which boosted the rate to an average of 3.37 mills, would have to be purchased. Cougar would supply it at lower cost. As a result, the city's average cost of power and energy would be reduced and the city would save a great deal of money.

Here the minority is saying that under this bill the Federal Government would pay for the nonpower features of the project and the city would pay for and operate the power, or revenue-producing feature. This is a correct statement, but the pattern for this was set long before joint construction of this project was considered. The minority seems to reflect the opinion that the power features from a multiple-purpose project should provide revenue to pay for other features of the project.

This is not true, either in theory or in fact. Revenues from power in a multiple-purpose project pay for power and nothing more. This is provided by section 5 of the Flood Control Act of 1944, Public Law 534, 78th Congress, 2d session. This section says:

"Electric power and energy generated at reservoir projects under the control of the War Department and in the opinion of the Secretary of War not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, the rate schedules to become effective upon confirmation and approval by the Federal Power Commission. Rate schedules shall be drawn having regard to the recovery (upon the basis of the application of such rate schedules to the capacity of the electric facilities of the projects) of the cost of producing and transmitting such electric power and energy, including the amortization of the capital investment allocated to power over a reasonable period of years."

This basis statute refers to the complete investment allocated to power, nothing more, nothing less.

In the case of the Cougar partnership, the non-Federal partner is paying all the money for power development. The Government is paying for the other features. If the Government were to construct the whole project it would collect from the sale of power only that amount which would pay for the power portion of the dam. To state it simply, the law says the Federal Government shall collect from power sales only the amount of money the power facilities cost. In this case, there is no cost to the Federal Government, hence nothing to recover.

The end result to the Government will be exactly the same, regardless of who builds the power facilities. The difference is that the Government, under the partnership, is spared the outlay now of the $11 million the power features would cost.

This assertion has already been answered. The project, if constructed by the joint effort of the Corps of Engineers and the city of Eugene, will be as thoroughly integrated with other Northwest flood-control projects and with the Northwest power pool as if the project were built by the Federal Govern-

Minority views

The bill to authorize the joint construction of Cougar Dam and Reservoir embodies a fundamental change of national policy in power and river development.

On page 8 of the minority report, several references are made to the Northwest Power Pool and it is inferred that this pool is a Federal operation. It is further asserted that the Cougar partnership will damage the regional efficiency of the pool operation.

Analysis

ment alone. Joint construction will have no effect whatsoever upon integration or upon the comprehensive plan for development of the Columbia River system, except to speed up that development.

This is a correct statement. The inclusion of a preference clause in this bill would be a useless and restrictive act. The Eugene Water and Electric Board is a recognized public agency. Since it would derive the principal benefit from the power facilities at Cougar Dam, a preference clause is not needed. All power from Cougar which is surplus to the city would flow through the lines of the Northwest power pool. Any encumbrance which would restrict the delivery of that power to any utility would be detrimental to the economic operation of the project.

This proposal is in strict keeping with national power policy as it has developed over the years. There is no departure from it. It can, however, be demonstrated that Federal development of the power potential, in face of the fact that a local governmental body wishes to construct the power facilities, is a radical departure from the national power policy. National power policy calls for the adoption of the plan that will result in the fullest and most comprehensive use of the resource. In this instance, joint development results in a better use of the water resource than does the Federal plan.

From the very beginning of national policy on this subject, Federal activity has been justified only in instances where the projects were so big or complicated and so tied in with other functions that the Federal Government had to do the job.

Contrary to the opinion expressed by the minority report, national water power policy does not declare the production of hydroelectric energy to be a field in which the Federal Government has monopoly rights.

This charge indicates a complete lack of knowledge of the nature or operation of the Northwest Power Pool. The pool is a cooperative, voluntary organization composed of private utilities, public utilities, and the Federal Government. The Northwest Power Pool was excellently described by Mr. Herschel Jones, Acting Power Manager of the Bonneville Power Administration. Mr. Jones made his remarks before a hearing on Interior Department Appropriations held by a subcommittee of the Senate Committee on Appropriations. Jones' statement is reported on pages 487–8 of Senate Document 45992 and is as follows:

"The Northwest Power Pool, as you know, is a voluntary organization, and is governed by an operating committee consisting solely of operating people without any management people participating, and their objective is to get maximum production from the hydroelectric plants in the Northwest, operated as though they were operated by a single operator or as though they were under single ownership.

"The participation of the administration is important primarily because we do operate the integrating facility, namely, the high-voltage grid.

"The administration at all times discusses its operation, release of storage from storage reservoirs, for example, with other members of the pool, before actually opening the gates and letting water down because we want to be sure that the water released from Hungry Horse Reservoir generates as much power as possible for the Montana Power Co. at the Kerr and Thompson Falls plants and for the Washington Water Power Co. at Cabinet Gorge, and so on down the river, in addition to generation at Government plants at Coulee, Bonneville, and McNary, where we have agreements with the generating agencies with respect to how the water is going to be used and how the units shall be operated."

Minority views

The entrance into the generating field by municipalities and public-utility districts has been forced by the starvation of the Federal dam-building program by the Eisenhower administration.

On page 12 of the minority report, under the heading "Uncertain Power Costs of the Cougar Project," and following on pages 13, 14, and 15, there appears a series of assertions all related to the basic allegation that the city of Eugene does not know the power

Analysis

The Federal Government through the Bonneville Power Administration, is merely a member of the Northwest Power Pool.

The management and operating arm of the pool is the Pacific Northwest Utilities Conference Committee. In regard to the Cougar partnership, the Senate Committee on Public Works received the following statement from the pool management:

"The Pacific Northwest Utilities Conference Committee, the policy and management arm of the west group of the Northwest Power Pool, strongly endorses the construction of Cougar Dam project under the provisions set forth in S. 2920.

"The Cougar project is a resource development which will benefit not only the Eugene, Oreg., community but will also benefit the entire Northwest.

"The operation of its power plant by the city of Eugene will not act to the detriment of the Northwest Power Pool, but will, in fact, benefit that system of interconnected utilities. Without the capacity of Cougar available to it, the city of Eugene would draw its requirements from the Federal system in the Northwest.

"If the municipality does obtain the output of Cougar, the equivalent of its capacity would remain in the pool, available to other utilities. In addition, all surplus from the Eugene system would, as in the past, be available to any utility in the Northwest Power Pool."

The statement is signed by C. A. Erdahl, chairman of the conference committee. It is reported on page 67 of the printed report of the Senate Public Works Committee hearing on the Cougar partnership plan.

Simple economics and common sense insure that all power developments of the city of Eugene will be integrated into the Northwest system. The Cougar development will be integrated in the exact same fashion that any other development, public or private, would be integrated. Integration is by no means predicated on Federal development or control.

The three most successful municipal utility operations in the Northwest are the cities of Eugene, Seattle, and Tacoma. These three cities entered into the generating field near the turn of the century, long before the Federal Government began generating electricity. Where economical sites are available it is simply less costly to generate energy than it is to buy it.

The "starvation" assertion cannot be supported by facts. At the present time a substantial part of total funds made available for the construction of multiple-purpose projects in the civil-functions bill is for use in the Northwest. The civil-functions bill for fiscal year 1955 makes $208,620,000 available for the construction of multiple-purpose projects. Of this amount, $91 million, or 43 percent of the total, is for use in Washington and Oregon. Last year $99.7 million, or 46 percent of the total, went to those 2 States.

In fiscal 1951, 26 percent of the civil functions appropriations went for multiple-purpose dams in the Northwest—a little over $75 million. This compares to from $90 million to $100 million for each of the last 2 years—nearly half of the total multiple-purpose appropriation.

This does not indicate there has been any starvation policy.

The situation which has necessitated a new look at power development in the Northwest has been the rapidly expanding need for power. The total need cannot be met by the Federal Government alone. Local agencies must help, and this bill outlines the method by which that can be done.

This assertion is apparently designed to confuse the issue regarding the financial aspects of the partnership proposal.

Primarily, the principle involved is the important thing to consider. That is simply that the Federal Government will pay for

Minority views

costs or energy costs which would derive from the Cougar project. It is further asserted that the city withheld certain information which the committee required. The latter refers to the cost of the reregulating dam and the costs of transmission and terminal facilities, the capacity and production capability of the reregulating project.

On page 13 of the minority report the last paragraph asks whether the people of the city would benefit more from partnership or Federal construction of the project.

Analysis

the features of the project which are not allocated to power and the non-Federal partner will pay the entire portion of the costs which are allocated to power.

The allocations have not been made in final form. For the purposes of congressional consideration, however, tentative allocations were presented by the Corps of Engineers. These allocations placed the full cost of the project at $37.4 million, nonpower features at $26.9 million and power features at $10.5 million. The allocation was made on the basis of the Federal project. This was done because the basic consideration for the Congress—regarding the financial aspects of the partnership—is how much money will the Federal Government be relieved of spending under partnership development as opposed to complete Federal development.

Insofar as non-Federal participation is concerned, the sole point about which the Congress should be concerned is that the local partner pay all the costs for power development. That the non-Federal partner will provide adequate facilities will be assured by the Federal Power Commission and the Corps of Engineers.

All the Congress is asked to do is to give the city of Eugene the opportunity to provide power facilities at a multiple purpose project. The public interest regarding integration and proper use of resources will be fully protected by the Federal Power Commission. The basic economics of the city's plan will be considered by the voters of the city when they are asked to authorize the sale of bonds to finance the power project.

As a matter of record, both the total cost of the project to the city and the output of the reregulating dam are contained in the printed record of the Senate Public Works Committee hearings on the proposal.

Mr. Byron L. Price, then assistant to the superintendent of the Eugene Water and Electric Board, is quoted on page 58 as saying: "We also find that the cost of energy on a kilowatt-hour basis would be approximately 3.7 mills. Colonel Whipple previously testified that it would be approximately 4 mills. The difference in that is explained by the addition by ourselves of the Strube reregulating powerplant, which would produce some 12 million kilowatt-hours per year and thereby reduce the overall cost per kilowatt-hour because it does not increase the cost of operation that much."

On page 60, Mr. Price says that the total cost to the city of Eugene for the power project will be approximately $13 million.

Any inference that the city has not considered all the costs of the Cougar project is without merit.

The city figured all the costs which could possibly accrue if it constructed the power facilities at the site. The total cost to the city will be $13,134,100. This includes not only the reregulating dam but also the costs of transmission lines, substations, terminal facilities, and switchgear. The average annual cost, including interest, amortization, operation, and maintenance of all facilities will be $582,000. The output of the generators at Cougar and Strube will be 156,600,000 kilowatt-hours per year. Thus the cost of energy from the project will be 3.72 mills per kilowatt-hour.

This statement betrays a serious lack of understanding of the whole power question. Federal construction and operation of Cougar power facilities would have no effect on the rate at which the city buys power from the Federal system. The minority infers that power from Cougar would be sold at unique rates. This, of course, is not true. Under Federal construction, the high cost Cougar power would be averaged into the whole Federal output and sold at the standard Bonneville rate. The true test to be applied, then, is to compare the total cost of energy per year to the city assuming, (1) that the city builds Cougar power, and, (2) that the city

Minority views

Page 14 of the minority report contains a tabulation of figures which give the impression that the costs of partnership construction of Cougar would be unreasonably high to the city.

On page 15 of the minority report it is stated that representatives of the city estimated interest cost would be 3.75 percent annually. The minority says this estimate was made during hearings held by the House Subcommittee on Flood Control.

On page 14 of the minority report, it is stated that the city in 1953 purchased 79 million kilowatt-hours of energy from the Bonneville Power Administration on an E–4 rate at a cost of 3.01 mills per kilowatt-hour.

Analysis

does not build and must buy from Bonneville. This comparison has been made, and it shows that the community will save under partnership.

This tabulation is a comparison of assumed Federal costs and assumed city costs and is almost totally inaccurate.

The tabulated annual cost of interest and amortization for Federal construction was supposedly computed, in accordance with current practice, on 2.5 percent interest for 50 years. This statement is made in footnote (2) to the tabulation, but it is not true. The actual interest rate used to arrive at the tabulated figures is very slightly in excess of 2 percent. This is a rather serious misstatement of fact and distorts the results materially.

Instead of the $357,645 annual charge for debt service given in the tabulation, the correct figure is $387,000. This is the figure used by the Corps of Engineers in their latest study, and is the figure that anyone can duplicate by proper use of the interest tables. Use of the lower and incorrect figure results in correspondingly low and incorrect costs per kilowatt-hour.

Footnote 2 also states that an interest rate of 3.75 percent for 30 years was assumed for partnership construction, and a figure of $616,000 is tabulated as the annual costs of interest and amortization. This figure is correct for the assumptions as stated, but the assumed interest rate is too high. The Board has statements from three prominent investment brokerage firms that the current rate of interest for the proposed revenue bonds would be 3 percent or less. If this more nearly correct figure is used, again for 30 years, the correct figure for debt service is $561,000 per year. Use of the high and incorrect figure results, of course, in high and incorrect costs per kilowatt-hour.

The tabulated comparison is still invalid, even after the correction of the figures, because it does not take into account the fact that the city would retire its debt in 30 years and hence would have no annual charges during the next 20 years of the assumed life of the project. This would result in greatly reduced costs and an overall saving in interest payments.

Also, for the record, the annual output from Cougar alone as given in footnote 4 to the tabulation is in error. The actual figure used by the Corps of Engineers and checked by consultants for the city is approximately 139 million kilowatt-hours per year instead of the 131,400,000 as given in the minority report.

The only reference made by city representatives during the House hearings regarding interest cost is reported on page 81 of the printed report of the hearing. Mr. Byron Price said, "We propose on that and have talked to investment bankers and, subject to further determination, it is felt that revenue bonds, let us say a 20- or 30-year term revenue bond at a rate of interest of 3 to 3½ percent, would carry the financing of this project."

In the Senate committee hearings on the bill Mr. Price made the further statement, "the investment bankers with whom we have discussed this problem of financing have been very enthusiastic in stating that they would expect this project or this financial requirement or the bond issue to sell for a little less than 3 percent."

Current estimates from prominent investment houses in the Northwest place the interest rate at 3 percent or less.

This is an almost completely erroneous statement. The facts are these:

Energy purchased by the city from BPA in 1953 totaled 48,852,725 kilowatt-hours. This was made up of 25,193,803 kilowatt-hours of firm energy and 23,658,922 kilowatt-hours steam replacement dump energy.

The billing for the energy was made under BPA schedules F-4 for firm energy and H-3

Minority views

On page 14 of the minority report a letter from Dr. William A. Pearl, BPA Administrator is quoted. This letter says BPA does not know the city's figures or costs regarding the Cougar development.

On page 15 of the minority report it is stated that the Federal Government under the partnership is asked to put up 71.9 percent of the cost of the project "in order to make it economically feasible for the city to invest its 28.1 percent."

On page 16 of the minority report it is stated that the city would pay no part of the costs of preconstruction activities at Cougar.

On page 17 of the minority report there is the following statement: "There are other possible roadblocks. A petition to intervene in opposition to Eugene's application for a preliminary permit has been filed with the Federal Power Commission. The majority report, filed July 9 (p. 3) erroneously states that the Federal Power Commission has issued a preliminary permit. On July 12, the Federal Power Commission informed us that no such permit had been issued and many procedural steps remained before there could be a ruling on the application."

On page 20 of the minority report partnership is described as an administration alternative to comprehensive development of water resources by the Federal Government.

Analysis

for dump energy. The city paid $105,679.73 for firm energy and $59,147.32 for dump. The rates were 4.19 mills per kilowatt-hour for firm energy and 2.5 mills per kilowatt-hour for dump. The city's total purchases from BPA totaled $164,827.05 for an average rate of 3.37 mills per kilowatt-hour.

The average cost of all energy purchased from Bonneville in 1952 was 3.01 mills per kilowatt-hour. This lower figure was due to dump replacement for steam energy sold to the intercompany pool because of a critical water shortage then existing in the Northwest.

The figures regarding BPA purchases serve to illustrate the point regarding the comparison of BPA rates to the city to the costs of city generated power at Cougar. The city will continue to purchase dump energy from the Federal system at a rate of 2.5 mills per kilowatt-hour. Instead of buying the high-cost firm energy from BPA at the rate of 4.19 mills, the city will provide that energy from Cougar at a cost of only 3.7 mills per kilowatt-hour, thus saving considerable amounts of money for Eugene rate payers.

Dr. Pearl's statement was of course true when it was written, but it was based on a much earlier request for information.

On July 2, 1954, Dr. Pearl wrote to the superintendent of the Eugene Water and Electric Board stating that the partnership construction of Cougar would have a beneficial effect on the Northwest power supply; that the city's studies appear sound; that it appears economical for the city to build the powerplant at Cougar; and that the city has cooperated fully in supplying information.

The inference is that the Government would construct the nonpower features of the dam for no other reason than to allow the city to install power facilities. This is not correct. The Government portion of the project is justifiable by itself. Its benefit-to-cost ratio is 1.88 to 1, without power of any sort, and is 2.06 to 1 for flood control only. This is far more profitable than the power feature which, according to the Corps of Engineers' report of March 25, 1954, shows a benefit-to-cost ratio of only 1.29 to 1.

This is simply not correct. The allocation covers all preconstruction activities. Such costs which are allocated to power will be paid by the city.

The portion of the minority statement which purports to report a statement made in the majority report is completely wrong.

The true statement made in the majority report is, "The site of the Cougar Dam is above and near the service area and existing facilities of the Eugene Water and Electric Board, a department of the city government of Eugene, Oreg. A preliminary permit has been issued to the board by the Federal Power Commission for investigation of power developments on the upper McKenzie River above Cougar. The city will provide the necessary transmission lines from the Cougar project to connect with existing lines in the region for distribution of the power, thus reducing the ultimate costs of the project."

The statement in the majority report refers very clearly to other planned power developments, and specifically notes that they are located "above Cougar."

This is a misstatement of the majority understanding of the partnership policy. It appears to the majority that if the Nation is going to get the electric power it needs, all utilities, Federal and nonfederal, public and private, must do their share. It would indeed be foolish to insist that all development be Federal at the expense of no development at all. It is clear that the Federal Government cannot provide the total investment for electric power which will be needed within the next 20 years. This bill, and others like it, merely provide a means whereby local agencies can do part of the job which must be done.

THE UPPER COLORADO RIVER PROJECT

Mr. JOHNSON of Colorado. I am very much pleased that the Senator has received assurances from the very able floor leaders of the two parties. Uncertainties have been mentioned tonight. There is one certainty. I shall not be with my colleagues in January in person, but I shall be watching what they do, praying for them, and helping them in every way I can to have the bill brought up and passed. It is a very important piece of legislation. The Colorado is a great river in an arid country. Every drop of water in that region must be conserved and put to good use. That is the purpose of the bill. I am certain we shall have better fortune in the next session of Congress. I am glad the Senator has moved in that direction at this particular time.

Mr. MILLIKIN. I thank my colleague very much.

THE GOLD REDEMPTION ACT OF 1954—STATEMENT BY SENATOR BRIDGES

Mr. BRIDGES. Mr. President, I ask to have printed in the body of the RECORD a brief statement prepared by me regarding the Gold Redemption Act of 1954.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I introduced in this present session of Congress a bill S. 2332 entitled "The Gold Redemption Act of 1954." After careful consideration at the time of introduction I was convinced that this legislation was necessary to insure a stable fiscal and monetary policy. For many years while this country was on the gold standard we had an effective brake on inflationary fiscal policy and I was very hopeful that the Members of this body would have the opportunity of expressing their opinion on the reinstatement of a policy, proven through years of good times and hard times to be a necessary and integral part of sound monetary policy.

I can conceive of no adequate reasoning or rationaliaztion of the present policy which accords to foreigners a right not held by our own citizens, namely, to be free to exchange their dollars for gold. This gold belongs to our citizens and the right to acquire it should be paramount to the rights of others, whoever they may be.

I intend to reintroduce this legislation in the 84th Congress and vigorously press for passage. I feel certain that many of my good friends and colleagues share my conviction.

THE SENIOR SENATOR FROM NEW HAMPSHIRE AND THE REPORTER MAGAZINE

Mr. McCARRAN. Mr. President, yesterday evening the senior Senator from New Hampshire [Mr. BRIDGES], the President pro tempore of the Senate of the United States, the chairman of the Committee on Appropriations, addressed the Senate on a point of personal privilege. His subject was a smear which was directed against him last month by a certain yellow journal on slick paper, operated by a cynical, suilline anti-anti-Communist.

I did not have an opportunity to address myself to the thoughts I have had for a long time with reference to the subject matter under discussion at that time, and with reference to my views and estimation of the great Senator from New Hampshire.

I ask unanimous consent that there may be printed in the RECORD at this point, as a part of my remarks, a statement of my views, which I would have expressed at that time.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MCCARRAN

As the Senator from New Hampshire pointed out, he was not the first, by any means, to be smeared in this way; and so long as the publication which attacked the Senator from New Hampshire continues to receive money from various sources, it is to be presumed such attacks will continue. Attacks have been made by this same yellow slick on the McCarran Act, its authors, the reasons for it and its operation; on the Government loyalty program; on congressional investigating committees; and, as the Senator from New Hampshire pointed out, on numerous individuals who have at one time or another opposed communism and fought for restoration and preservation of the principles of traditional Americanism.

I will not take the time of the Senate, Mr. President, to make a defense of the Senator from New Hampshire against the smear charges leveled at him through the pages of this yellow slick by the pink slickers who run it. But I do want to say a few words about my own experience with the senior Senator from New Hampshire.

I have been closely associated with the senior Senator from New Hampshire, as a Member of this body, for more than 17 years. I have had an opportunity to observe him in action and inaction, relaxed and under pressure, in a wide variety of circumstances. I know him to be, first of all and above everything else, a man of honor and principle. His word is not given lightly; but when given, his word is as good as any man's bond. He is a man of strong likes and dislikes, but he makes his decisions on the basis of the facts, and never on the basis of bias.

The Senator from New Hampshire is a man of great energy, an active man, a man who drives himself, and who accomplishes a full 60 minutes of work in each hour of every day; yet he always manages to find time for those courtesies, large and small, the remembrance and performance of which constitute the hallmark of a true gentleman.

I have served with the senior Senator from New Hampshire on the Committee on Appropriations during all of his tenure on that committee; and I have never known a Member of the Senate who did a better job on that committee than its present chairman, Senator STYLES BRIDGES. As chairman of a subcommittee, he has demonstrated a complete and intimate grasp of all the details of the complex bill which his subcommittee handles; and as one who has been himself a subcommittee chairman over a period of many years, I know how much midnight oil he has had to burn in order to get that grasp and that understanding. As chairman of the full Committee on Appropriations, Senator BRIDGES has made it a point to become familiar with the essential details of every bill which has gone through that committee, and the fact that he has succeeded in this is compelling testimony concerning the acuteness of his intellect, the retentiveness of his memory, and his industrious dedication to hard work in pursuance of the call of duty.

The senior Senator from New Hampshire is stanchly and firmly and actively anti-Communist. He talks that way and he votes that way and he acts that way. This is, undoubtedly, one of the principle reasons why he has been subjected to such a virulent smear campaign.

The State of New Hampshire is represented today, in its senior Senator, by a man of unexcelled integrity, and courage, and vision, and patriotism. The senior Senator from New Hampshire has proved his merit, as he has proved his ability and his capacity and his Americanism. No smear campaign can sully his reputation, because the record of his service here refutes and will refute any smear that even the most invidious mind can concoct.

Mr. MALONE. Mr. President, I wish to join with the distinguished senior Senator from Nevada in his statement regarding the senior Senator from New Hampshire.

Mr. WATKINS. Mr. President, I was not on the floor when the senior Senator from New Hampshire made his remarks with respect to an article in Reporter magazine. Inasmuch as I was not present at the time, I have prepared a short statement on the subject, and I ask unanimous consent to have it printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WATKINS

Inasmuch as I was not present on the floor Thursday when the personal statement was made by Senator BRIDGES relative to the scurrilous attack made upon him by Reporter magazine, I would like to take just a few moments to join in the remarks made on this subject during yesterday's session.

First of all, I would like to add my personal tribute to those expressed yesterday, attesting to the high record of integrity, courage, and personal achievement made by the Senator from New Hampshire during his terms in the Senate. His is a record of words and deeds that will stand like the Rock of Gibraltar, unassailable and unyielding to the puny assaults by radical elements whose only apparent purpose is to tear down and destroy.

In view of the circumstances of the attacks made upon him, and in view also of the backgrounds of the individuals involved therein, I feel that the Senator from New Hampshire was fully justified in bringing the matter before the Senate and discussing it candidly and frankly. The attempt to smear and discredit a distinguished member of this body was made in a commercial publication purporting to express honest public opinion, but which in reality, is actually a subsidized propaganda medium of dubious origin and sponsorship, as shown by the testimony of Senator BRIDGES and editorial comment he presented.

I regret that a man of Senator BRIDGES' stature and reputation has to defend himself from such low and unwarranted attacks, but I feel that people of his State will not be misled by such tactics and that he will benefit from the support so promptly and wholeheartedly provided by Members of this body.

INDIAN LEGISLATION AFFECTING THE INDIANS

Mr. WATKINS. Mr. President, I have prepared a statement with respect to leg-

islation affecting the Indians which has been passed and signed into law in the 83d Congress. I ask unanimous consent that the statement may be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WATKINS

The rush of business and the fatigue of this body prevents one from taking the time of the Members in presenting the type of a résumé of the 83d Congress record on Indian legislation that I would have liked to make, but I feel that I would be remiss in my duty were I to allow this session to recess without briefly recapitulating the accomplishments of this Congress in a field long recognized as one of the real legislative challenges. As a result of these accomplishments, we who have worked on the legislation sincerely hope that this country is now on the path toward a solution to the long standing and complex problem of administering Indian affairs.

No one person or subcommittee can or seeks to claim the credit for what has been done. Rather, this record is the result of the finest of team cooperation between your subcommittee on Indian Affairs and its companion body in the House, the Commissioner of Indian Affairs, his staff and Indian Bureau personnel, and the delegates and members of the Indian tribes.

Earlier this session, a count was made, revealing that some sixty-odd days of hearings had been held in conjunction with the House committee. Over a million words went into the transcript record of some 200 witnesses at these joint hearings. The witnesses testified on the question of termination of Federal supervision over several Indian tribes deemed ready for full citizenship.

My purpose in reciting these figures is not to impress you with the work done or the transcript compiled, but to lay a foundation for the statement that what has been done during the 83d Congress has been done after due consultation with all the interested parties.

Besides this work, the Senate has passed approximately 50 lesser Indian bills and 4 other bills dealing with a major change in substantive law affecting the Indian right to own and sell private property, carry and possess firearms, purchase and possess liquor. The Indian people have been given a better health service through the passage of H. R. 303, and law enforcement on Indian reservations has been given a shot in the arm by the passage of Public Law 280.

We have been busy these past 2 years, but labor without beneficial results is little or no accomplishment at all. The next few years will prove the wisdom of what we have done during these years. Without detracting from the value of the lesser bills passed, let's just address ourselves to the major pieces of legislation which were passed so that the picture can be clearly seen and adjudged.

For 150 years Uncle Sam has been performing the function of guardian or trustee over our Indian population, and, despite the 1924 act of Congress conveying citizenship on all Indians in our country, the theory has been prevailing in the minds of many Indians and non-Indians that the Indian citizen was permitted to be a member of a nation within the United States nation. The Indian problem for years has been like the weather—everyone talked about it but nobody did anything about it.

In the 80th Congress, the problem was surveyed and singled out, and, as this 83d Congress convened, we proceeded to define the problem and call upon the Secretary of Interior for assistance in accomplishing a solution. As a definition of the problem we passed, unanimously, House Concurrent Resolution 108—which declares it to be the policy of Congress "to make the Indian within the Territorial limits of the United States subject to the same privileges and responsibilities as are applicable to other citizens of the United States, to end their status as wards of the United States, and to grant them all of the rights and prerogatives pertaining to American citizenship."

This resolution asked and directed the Secretary of Interior to study legislation dealing with the subject of terminating Federal supervision over certain prescribed tribes and report to Congress his recommendation for such legislation.

During the fall of last year, the Indian Bureau circulated tentative drafts of legislation among the various Indian groups affected by House Concurrent Resolution 108 and as the second session opened, the Secretary made his report to the Congress and submitted proposed legislation.

The bills were introduced and followed the routine of public hearings, amendment, and reports. Of the 11 termination bills introduced, the Congress passed 6. Some reflection must be given on this to realize the full meaning of the passage of these bills. These are the first bills to terminate, rather than to extend Federal supervision over the lives and properties of the Indian peoples of our Nation. This starts the ball rolling on the aim of getting the Government out of the Indian business.

The bills are not stereotyped. Rather they are individually drawn to attack the particular problems facing the group or tribe concerned. Particular State problems required difference solutions; treaty rights required specific treatment of certain bills in order to avoid any act in violation of a treaty provision; economics and integration differences required various lengths of time for accomplishing the transition.

This is the beginning of a program which will set the pattern for other tribes. I feel sure that the results will prove to Indians and non-Indians alike that with the encouragement placed in these bills, the Indian people who are ready can shown the initiative and industry necessary for success in society. Indians are not lazy, but they cannot all be forced to farm or raise sheep and cattle. Given his property and the right and obligation to manage it wisely, the Indian will soon prove himself, as has every other minority in this melting pot of races.

The tribes and bands which will be given full freedom at certain fixed times by these bills are:

1. Menominee of Wisconsin.
2. Klamath of Oregon.
3. Alabama and Kooshada tribes of Texas.
4. Sixty tribes of western Oregon.
5. Four Paiute bands of Utah.
6. Northern Ute Indians of Uintah-Ouray Reservation of Utah.

During the hearings, facts were developed concerning other tribes, which necessitated studies and proposals to solve particular problems. Hence, the bills dealing with the liberation of Seminole, Turtle Mountain, Sac and Fox of Kansas, Flathead and Indians of California must await another Congress for final action. Their problems are not insurmountable, but require some further time and study.

Now, all this would be a sizable accomplishment alone, but there is more.

H. R. 303 was signed by the President recently. Under its provisions, the Secretary of the Interior will transfer to the Secretary of Health, Education, and Welfare all his duties, powers, obligations, responsibilities, and authority having to do with the establishment and administration of facilities for the health and hospitalization of the Indians of America.

The need for a better Indian health program has long existed. This law is designed to accomplish that result, and given a chance it will. Today the Indian is entitled to a nonsegregated health service on the same technical and professional level provided for all the non-Indian people of this country.

The bill to provide a more effective agricultural extension service among the Indians has passed the Senate and now lies in the House Rules Committee, where some good legislation has perished from political vengeance. Opponents to this bill are depriving their Indian people of much valuable and available assistance from the county agricultural agents of our Nation.

The need for a more effective Indian Extension Service, which this bill would have provided, prompts me to call upon the Secretary of the Interior and the Secretary of Agriculture to obtain as many of the benefits of the transfer proposed in this bill as are possible by utilizing the existing legislative authority contained in section 601 of the act of June 30, 1932 (47 Stat. 417, as amended—31 U. S. C. 636).

This program is no singular accomplishment, Mr. President. I will not attempt to name all those who have pooled their time and efforts in a sincere desire to come up with a solution to the ever-growing—but up to now, largely ignored—Indian problem. But I wish to publicly express my appreciation for the association I have enjoyed this year with the ranking minority member on the subcommittee, Mr. ANDERSON from New Mexico. Sincere devotion, untiring energy, and a keen insight into the Indian problem have been the qualities that insured the contribution which Senator ANDERSON made to this program. I have enjoyed having his counsel on these legislative matters.

Congressman BERRY, who has chairmanned the House Subcommittee on Indian Affairs, has done a mammoth job this year, and were it not for his fine cooperation, our program would have floundered and been lost. To him and to all others who have contributed to our achievements in this legislative field, I extend my heartfelt appreciation.

CONCLUDING REMARKS OF THE MINORITY LEADER

Mr. JOHNSON of Texas. Mr. President, with the session rapidly coming to a close, it is open season for autopsies of the 83d Congress.

It is my understanding that there is a very interesting analysis at the other end of Pennsylvania Avenue. I have no doubt that equally interesting analyses are rolling off the mimeograph machines owned by the national political committees.

I have seen already references to this as the can do Congress. I suppose from the standpoint of statistics that is an accurate statement.

This Congress has passed many bills. It has approved many resolutions. It has spent many days—and nights—in long sessions grappling with the complicated problems of our times.

On a statistical basis, the record of this Congress will probably stack up against any. However, I doubt seriously whether the value of a Congress can be judged on the basis of bill numbers, wordage, and hours in session.

I have seen many so-called box scores indicating the extent to which the President's programs have been approved or disapproved. There are some who appear to believe that the worth of this Congress can be determined solely by such a box score.

However, I doubt seriously whether the people sent us here just to stamp

yea or nay on programs of the executive agencies.

It seems to me that the function of Congress is to legislate for our people. Success or failure in this field can be measured by one yardstick and one yardstick only.

What has the Congress done to promote the security of America and the prosperity and freedom of its citizens?

We will be deceiving no one but ourselves if we apply any other test. Certainly, we will not be deceiving the American people. They have never used any other standard for determining success or failure.

The American people do not care whether a program has been 50 or 60 or even 80 percent approved. They want to know whether the program has sufficient merit to be approved at all—in any form and to any extent.

Last year, I described the first session of the 83d Congress as a "shakedown" cruise. It was a session in which the new Republican administration set up its study groups—an earnest endeavor to find a Republican program.

During that period there was little activity that was startling or novel. We extended some of the legislation that had been passed during the preceding two decades. The administration cut down on the strength of our defenses. There were some minor changes in the activities of the executive agencies.

By the time this session had opened, however, the Republicans had finally found their program. I will leave it to history to determine whether this program was "bold, dynamic, and progressive." There can be no doubt, however, that it was truly a Republican program—with a few exceptions.

One of those exceptions, of course, was the long-range foreign trade program. I believe it was set forth by something called the Randall Commission.

The name of the commission is by now academic. It had the support of the President and the support of a majority of the Democrats. But when its proposals hit the Senate floor, this part of the "bold, new" program was turned down by members of the President's party—100 percent.

No doubt, this is why the President had to tour the Illinois State Fair in a search for more Republicans to help put his program across.

In all fairness, however, it must be admitted that the administration will need more Republicans to put many aspects of its program across. This session has charted for the American people the course of Republicanism. It has definitely shown what can be expected in the future.

The record of the 83d Congress is very clear. It consists of:

A Republican tax revision bill which granted relief to corporations and stockholders and overrode Democratic efforts to obtain relief for people in the low-income brackets.

A Republican farm bill designed to solve the problem of farm surpluses by driving farm income down even lower than it has gone already.

A Republican labor bill wanted neither by labor nor management which Democrats succeeded in returning to committee.

A Republican atomic energy bill which safeguards the public against monopoly only because of Democratic amendments.

A statehood bill for Hawaii and Alaska which was buried because Republicans refused—in the face of all precedent—to consider the two together.

Legislation to control subversion featured by a Democratic amendment to outlaw the Communist Party in the United States.

Appropriations for rural electrification which were brought to adequate levels by successful Democratic efforts.

Housing legislation which provided 35,000 housing units instead of the 140,000 requested by the President.

Social security expansion which was supported by members of both parties.

This, of course, is not an exhaustive list of the achievements of this Congress. But it represents in my mind the major issues upon which this Congress must be—and will be—judged.

I do not believe that foreign policy will enter too much into the final judgment. There were few clear-cut votes in this session which highlight differences in basic philosophy in this field.

It is, however, about the only field in which such clear-cut tests did not exist. This is truly the session which separated the men from the boys—the Democrats from the Republicans.

There were even a few outstanding examples of that rarity in Senate history—100 percent party votes.

For example, Senate Republicans voted 100 percent against the President's long-range foreign trade program. Democrats, on the other hand, voted 100 percent to recommit the Taft-Hartley revision bill.

Party votes of 100 percent are rare, however. Party unity must be measured in terms of less ambitious percentages—such as the 96 percent Democratic vote to insist upon antimonopoly amendments to the atomic energy bill.

The voting statistics clearly demonstrate the point. They include:

Democrats 92 percent for and Republicans 86 percent against a motion to increase REA funds.

Democrats 95 percent for and Republicans 93 percent against a motion to consider Hawaiian and Alaskan statehood together.

Democrats 91 percent for and Republicans 97 percent against a motion to recommit the railroad rate increasing time-lag bill.

Democrats 93 percent against and Republicans 98 percent for the nomination of Albert C. Beeson to the National Labor Relations Board.

Mr. President, I believe these percentages paint the true picture of this session. The 83d Congress provided the acid test of the basic differences in Democratic and Republican philosophies. It gave the Members of both parties an unexcelled opportunity to stand up and be counted.

On the whole, it was not an acrimonious session. Despite the differences in our votes, I believe I can count close and personal friends on the other side of the aisle as well as on this side.

I also believe that every Member voted his honest convictions. I do not challenge the sincerity of those convictions whatever I may think of their wisdom.

There is no desire on my part to apply any terms or epithets to this Congress. It has been an arena for the conflict of basic viewpoints in American life.

The merit of those viewpoints will be decided in November by the court of last appeals—the voters of America.

Mr. President, these are the closing hours of this session of the 83d Congress.

I take the opportunity to thank all those whose cooperation and courtesy have helped in bringing us through the gruelling days and nights.

This has been an exhausting session—the most exhausting in my memory. It has been one that has tested not only the ability of each individual Senator but also the sheer, physical stamina.

At times, it has assumed the aspects of a marathon.

First, I wish to thank my Democratic colleagues, whose patience, understanding, and forebearance have meant so much to me personally. I am deeply grateful to them for their cooperation with a junior colleague assigned to an exacting and very difficult task.

I have always looked upon the leadership as a collective responsibility. I have considered it a position in which a man should seek the cooperation of all his colleagues, whatever may be their individual points of view.

I believe that all of us working together have produced that kind of cooperation. I think we have also constituted a minority that is serious, responsible, and ready at all times to debate issues without respect to personalities.

The record of the minority in this Congress is one of which I am very proud. I believe it reflects collective judgment, collective effort, and a mutual effort to solve the problems of a nation which is vast in territory.

It would be impossible in the limited time available to recount all of the many acts of courtesy and cooperation on the part of my colleagues. But I do want to single out one man—our beloved colleague, the Democratic whip, EARLE CLEMENTS, of Kentucky.

It would be almost impossible for any leader to function without a strong right arm like EARLE CLEMENTS. Through trying days and nights, he has worked hard and faithfully. I believe that every man in this Chamber is proud to call him a friend.

EARLE CLEMENTS is an able man, a loyal man, a man who symbolizes the high traditions of leadership and statesmanship of his native State of Kentucky. He has worked day and night on the problems of his State and the problems of his Nation and his work has always been effective.

In regard to the Senate, as a whole, I express my thanks to the majority leader for his honorable conduct and for the fairness which he has consistently displayed.

I have a deep affection for the majority leader and a tremendous respect

for patriotism and his integrity. I have disagreed with him frequently—within the last half hour we had 2 or 3 disagreements—and sometimes quite sharply. But I have never known him to be petty or mean in his dealings with the minority.

The majority leader is a loyal and sincere American and a man whom I am proud to call a friend. We are on opposite sides of the political fence, but our political disagreement shall never impair our personal friendship.

I express my gratitude, appreciation, and thanks to one of the great men of the Senate, the leader of the Independent Party, the junior Senator from Oregon [Mr. MORSE]. He renders a great service, not only to the Independent Party and to the minority and the majority, but, what is more important, to the entire Nation. Few men in this body have the conception of the legislation that is considered by the Senate that the Senator from Oregon has. Always able, always clear, although sometimes not effective, when the majority and minority gang up on him, he always makes a record that all must respect, and I know all admire.

I thank the Vice President for the fair manner in which he has presided over the Senate. It is a deep pleasure to work with men who are capable of dealing fairly with their colleagues.

In this summing up, we should not forget the employees and officials of the Senate. They have worked long and hard hours and their major compensation has been the satisfaction of a job well done.

On our side of the aisle there are men like "Skeeter" Johnson and his able assistant, Bobby Baker. I believe that every member of the minority will agree with me that having men like that on our side has been half the battle in Democratic successes.

Skeeter and Bobby are two most indispensable men on the Democratic side of the Chamber. Their patience, tact and deep sense of patriotism have contributed as much as any other single factor to this Senate. I believe that all of us look upon them as friends and advisers—and few of us would do so well without their friendship and advice.

We could call a long list of Senate employees who have worked selflessly and hard.

Emery Frazier, our Chief Clerk, who has dealt fairly and impartially with Members on both sides of the aisle.

Ted Mansur, our able legislative clerk, who has extended to all of us many courtesies under trying conditions.

Charley Watkins, our Parliamentarian, who has the heavy burden of passing upon the rules governing our debate.

Floyd Riddick, who has filled Charley Watkins' place so ably while Charley has been recuperating from an illness.

Edward Hickey, our journal clerk, who has worked day and night through such exhaustive circumstances.

Lewis W. Bailey, our experienced executive clerk.

James W. Murphy, of the Official Reporters' staff, who stayed in his office night after night until 3 or 4 o'clock in the morning, whipping the CONGRESSIONAL RECORD into shape in order that it might be ready for us the following morning. And I must include his extremely efficient staff of Official Reporters in this well-merited praise.

Mr. President, this rollcall could be interminable. I believe the Senate of the United States has some of the hardest working and most devoted employees in the Nation. Without their hard work and devotion, representative government would soon break down.

From a legislative standpoint, this session of the 83d Congress will soon become history. It will be the subject of debate by the court of last appeals—the public. We shall all go forth with our respective versions of what has happened. I suspect that those versions will differ at times.

But at this time, I express my deep respect and affection for my colleagues and the people who have worked cooperatively with us. All of us are trying to do our duty as we see it; and so long as that is the case, our form of government will survive.

Mr. MORSE. Mr. President, I wish to respond to the Senator from Texas, the able minority leader [Mr. JOHNSON], by saying that I deeply appreciate his remarks in reference to the representative of the Independent Party. Also, I wish to associate myself with the Senator from Texas in the statement he has made in regard to other Members of the Senate, including the majority leader and members of the Senate staff.

To the majority leader and to the minority leader, I wish to say this: I am deeply appreciative of the very fair and professional treatment they have accorded me throughout this session of the Congress. It has been a rather rough and tough one for the representative of the Independent Party, but I have always received from the majority leader and minority leader very courteous and fair treatment within the rules of the Senate. But I have received something more, which is probably not fully known by some Members of the Senate. Although the majority leader and the minority leader and I have not always agreed on the merits of issues, I have received from them personal consideration by way of expressions of friendship which have deeply moved me and I would not be human if I did not appreciate it.

I mention only this example of those expressions of personal friendship. At some times during the session, the majority leader and the minority leader thought that some of my prolonged speeches might have a possible detrimental effect upon me physically. I wish my colleagues could have heard some of the whispered conversations I had with them during the course of those speeches, because what they said to me, Mr. President, were statements that came from the heart of concerned and sincere friends. I want them to know that I appreciate that kind of friendship. As I told them, there was no need for their concern, but the fact that they thought enough of me to be concerned was very decent and kind of them.

So far as my course of action in the Senate is concerned, I am perfectly willing to let time and future events be the judges of the rightness or the wrongness of the positions I have taken. I have kept faith with the primary obligation I owe to the great people of my great State, and that is to exercise an honest independence of judgment on the merits of issues in accordance with the facts as I have believed them to be.

In closing, I wish to say also that I do not know of a single Member of the Senate who has not been very courteous and fair to me. I leave this particular phase of this session of the Senate with nothing but the most kindly and friendly feelings in my heart toward my friends in the Senate. Not only have the majority and minority leaders carried on their relationships with me on a high professional plane, but the minority whip, the Senator from Kentucky [Mr. CLEMENTS], has been very kind to me on many, many occasions. He has cooperated with the Independent Party in the Senate in a great many parliamentary situations. In fact, he has made available to the Independent Party many of the facilities of the Democratic Party here in the Senate, and I wish to thank him, as well as the minority leader for those accommodations.

As we go forth from this session to discuss with the American people our evaluations of the work of this Congress to date I am sure that we go forth with great pride that it is our honor and privilege to represent a free people in the greatest parliamentary body of the world. Let each one of us pray that with God's help we can be worthy of that public trust.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had agreed to the amendment of the Senate to the concurrent resolution (H. Con. Res. 266) providing for adjournment sine die of the 83d Congress, 2d session.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF COLORADO RIVER STORAGE PROJECT

The Senate resumed the consideration of the bill (S. 1555) to authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes.

Mr. MILLIKIN. Mr. President, I wonder if I may have the attention of the majority leader and the minority leader while I take the liberty of asking a question.

The pending bill is S. 1555; is it not?

Mr. KNOWLAND. That is correct.

Mr. MILLIKIN. There are 10 Senators who are sponsors of that bill, and they are dead serious about having it passed. Those 10 Senators obviously are aware of the situation which prevails at the present time. They do not wish to inflict unnecessary impositions on their colleagues.

That bill relates to a 1,400-mile river, and the questions surrounding it have been with us for 25 years. In the very

near future we want to start the construction of the other things which will develop that river for the neglected northern upper-basin States.

If we were willing to postpone consideration of the subject until the first of the next session, I wonder whether we could have any assurance that it would be considered at an early date. Of course, I understand that no Senator can be assured of being here at the next Congress. I believe I know what the political complexion will be at the next session, but there might be some change by way of accident or mistake. In such event, I should like to ask both the majority leader and the minority leader whether they can assure us that this bill, or a similar bill, will be brought up for the consideration of the Senate and for a decision very early in the next Congress.

Mr. JOHNSON of Texas. Mr. President, speaking only for myself, because I am the only person for whom I can speak, and I am not sure I can give assurances for next January, because we shall have an election in Texas in November.

Mr. MILLIKIN. My remarks left leeway.

Mr. JOHNSON of Texas. The people might make a great mistake, but I hope they will not.

Mr. MILLIKIN. I was not aiming that remark at the distinguished Senator from Texas.

Mr. JOHNSON of Texas. If I am here next January, I assure the Senator from Colorado that, so far as I am personally concerned as an individual Senator from Texas, I shall be happy to cooperate with him in seeing that this measure is scheduled for debate.

I appreciate the Senator's attitude. So far as I am concerned, I am willing to remain here and have the bill discussed, but in view of the developments in both bodies, I realize it is impractical.

I shall do all I can to be helpful, not only to the able Senator from Colorado, who is so helpful to every Member of the Senate when he has opportunity, but to his colleagues who cosponsored this proposed legislation with him. I am not passing on the merits of the bill. I can give him my assurance as an individual, without reference to my politics and without binding any other Member on this side of the aisle, that I shall contribute what I can to assist the majority leader, who may be in the minority at that time—I hope he is—to have the bill considered and passed.

Mr. MILLIKIN. Whatever the official or nonofficial capacity of the distinguished Senator from Texas, assurances of that kind are heartwarming, and give us great encouragement.

Mr. KNOWLAND. Mr. President, I will say to the distinguished Senator from Colorado that I shall be prepared to cooperate with the Senator and see to it that the bill is taken up for Senate consideration as early in the session as it can be brought up.

Mr. MILLIKIN. I am assuming—and I think justly so—that the policy committee will not impede us. Some of my associates are technical about certain things, and they say, "Why did you not ask about the policy committee?" I can say from experience that the distinguished majority leader keeps his word and keeps his assurances, and I feel very sure that the bill will be brought before the Senate early next year.

Mr. KNOWLAND. I think it is an important bill. A great many States and a great many Senators are concerned with it, and they are certainly entitled to have the subject brought before the Senate for full debate and discussion as early in the session as possible.

Mr. JOHNSON of Texas. I assure the Senator that I shall endeavor to keep things moving.

Mr. ANDERSON. Mr. President, while it is a pretty hard blow not to have an opportunity to see this undertaking through, while I would be willing to remain here a long time, with the assurances given by the majority leader and minority leader, I believe we have gone about as far as we can go with it, taking into consideration the legislative situation in the other House.

Mr. MALONE. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senator from Nevada has the floor.

Mr. ANDERSON. I ask unanimous consent that the Senator from Nevada [Mr. MALONE] may yield to the Senator from Colorado [Mr. MILLIKIN] while we have a discussion on the subject of this bill.

Mr. MALONE. If I may yield to the distinguished Senator from Colorado for the colloquy on this particular subject without losing the floor, I shall be happy to do so.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WATKINS. Mr. President, the junior Senator from Colorado asked me whether or not, as one of the sponsors of the bill, I approved the action which was being taken and the statements made.

I will say that I do. I appreciate the courtesy of the minority leader and the majority leader. The people of my State, and I am sure of the other States involved, are deeply disappointed that this bill has not received action in this Congress.

We shall be here promptly—at least some of us will, the Lord willing—pounding on the doors of both Houses of Congress with that proposed legislation, because it is badly needed. The resources are being wasted, and they should be put to use.

Mr. MALONE. Mr. President, I ask the distinguished majority leader, What was the question in regard to the upper Colorado River project? If the majority leader will explain the situation for benefit of the Senate, I think the situation will be made a little clearer to all Senators.

Mr. KNOWLAND. As I understand, the colloquy which has taken place involved the parliamentary situation which has developed on the floor of the Senate and the situation in the House. The distinguished Senator from Colorado [Mr. MILLIKIN] and his colleagues who had joined with him in the sponsorship of the proposed legislation are prepared to agree to its being set aside as the unfinished business of the Senate, so that the Senate may proceed to the consideration of such other measures as do not require House concurrence.

In other words, if there are private claims bills, or other measures which the House has already passed, and which would not be required to be returned to the House, they can be taken up by the Senate. I have been informed that the House adjourned sine die at 7:39 p. m.

Mr. MALONE. May I inquire as to what the situation was in regard to the Colorado River bill early this afternoon? If it had passed the Senate, what would have been the situation in the House, if the Senator knows?

Mr. KNOWLAND. Of course, early this afternoon the House was still in session. I do not know whether the committees of the House had held hearings on the bill or what the situation might have been in the House. But so long as the House remained in session, if a bill had been sent to the House, it would always have been possible, so long as the House remained in session, to act upon the bill. Obviously, since the House has adjourned, it is not possible for the House so to act.

Mr. MALONE. I simply wished to clear up the situation. I think the Senator from California knows that the Committee on Rules of the House had served notice that the bill would not be taken up. Does the Senator know that, or does he not?

Mr. KNOWLAND. No; I do not know it personally as a fact.

Mr. MALONE. Had the Senator heard of that notice?

Mr. KNOWLAND. No; I did not know of it.

Mr. MALONE. As a matter of fact, proposed legislation which had either passed the House, or as to which no notice had been served that it would not be considered if it passed the Senate, has not been delayed by any address being made on the Senate floor.

Mr. KNOWLAND. The Senator from Nevada asked me a question. I have tried to explain the situation as I understand it.

Mr. MALONE. The explanation will look good in the RECORD. I appreciate having it.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield for a short statement?

Mr. MALONE. Mr. President, what is the parliamentary situation?

The VICE PRESIDENT. The Senator from Nevada has the floor.

Mr. MALONE. What is the pending business?

The VICE PRESIDENT. The unfinished business is Senate bill 1555.

Mr. MALONE. What is that bill?

The VICE PRESIDENT. That is the Colorado River bill.

Mr. MALONE. The situation, then, is unchanged.

Mr. KNOWLAND. Mr. President, I am simply waiting to see if it will be agreeable to the Senator from Nevada to yield the floor. If so, I intend to move to substitute for the Colorado River bill another bill, which is a House bill.

Mr. MALONE. I will yield to the distinguished Senator from California to permit him to substitute another bill.

I believe, then, that the junior Senator from Nevada might be able to complete his address within a reasonable time.

Mr. KNOWLAND. I desire to call up a bill which I have previously discussed with the minority leader. If I had attempted to call it up under the previous parliamentary situation, it would have required unanimous consent, because there would have been an underlying bill.

Mr. KUCHEL subsequently said: Mr. President, in connection with the pending business, S. 1555, I had intended to make some comments, parts of which I have reduced to writing. I ask unanimous consent that they be printed in the body of the RECORD in connection with the debate on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KUCHEL

In taking part in the debate on this bill, which I must in good conscience criticize at length and oppose, I occupy a very unusual position. I also must perform a duty which I would be much happier if I could avoid.

In the hope of making completely clear the position which I am taking, I want to preface my remarks with an emphatic statement that California, which I have the honor to represent in this body, sincerely regrets that this legislation has been brought to the floor of the Senate and the basic character of the program which has been proposed cannot be given the support of our people.

Through the century that has seen her amazing growth and progress, California has had repeated occasions to appreciate the blessings bestowed on this country in the shape of natural resources. Our people have moved forward, sometimes in sensational fashion, because of ability to develop and utilize the resources of land, water, minerals, timber, and other assets that are the foundation of this Nation's economy, living standards, and social advancement.

California, possibly ahead of all other States in the mountainous and semi-arid sections of our country, has tangible and visible evidence of the benefits which come from the sound, forward-looking, well-balanced planning and work to make use of natural resources such as the sponsors of this legislation are eager to develop for the well-being and future progress of their States and their people.

It was a realization that the waters and the energy of the Colorado River could contribute above any other force to the expansion and the growth and the ever-increasing prosperity of the people of the Colorado River basin which inspired California to take the leadership more than 3 decades ago in working out the 7-State compact that is the keystone underlying the utilization of these resources. If my colleagues will pardon a personal reference, virtually all of my adult life coincides with the era in which California has been enjoying the benefits brought through development of the lower basin of the Colorado River.

Therefore, I have a deep appreciation of the ambitions and motives of the sponsors of this legislation. Consequently, I am deeply pained that I cannot join in pushing forward at this time proposals for the development of the Colorado River for the advancement of the States of the upper basin.

The lower basin has benefited immeasurably from the bringing into reality of visions and dreams of our predecessors who realized the potential values and forces in the water which formerly ran unregulated and uncontrolled down the Colorado River and wasted into the Gulf of California. Both my State and her neighbors, Arizona and, to a lesser degree, Nevada, have enjoyed great progress because the stream was harnessed and its water and energy made available to serve man. We are devout adherents to the principles of the reclamation laws. We offer proof of the worthwhile results that can be achieved by applying revenues from hydroelectric power to assist irrigation development. We are aware constantly of the tremendous values of the electricity which can be wrung from the waters of this river.

California and its people firmly believe that the States of the upper basin are fully entitled to obtain similar benefits, and we earnestly wish that this legislation was in a form that would enable us to give it our support.

However, California, with unchallenged rights in the river and a tremendous obligation to discharge, feels that this bill violates the principle of equitable treatment for all of the States in the basin. We are convinced that in evaluating the proposed projects for the upper basin the identical set of principles should apply, the same tests should be passed, and the equivalent responsibilities assumed. Since there are grave and undeniable weaknesses in the fundamental basis of this legislation, we have no alternative, if we are to make sure that California's rights are not jeopardized, to do other than argue against approval of this measure.

California's record regarding the development and utilization of the Colorado River is one of sincerity and consistency. Because our people felt deep concern about protecting and preserving the potential and actual values of this stream, my predecessors in this body fought diligently and persistently—although ultimately to no avail—to convince their colleagues that possible irreparable damage to the entire basin would result from the treaty with our neighboring Republic, Mexico, under which she was guaranteed a total of 1,500,000 acre-feet of water annually. In repeated instances, California has joined hands with other States in carrying forward ideas for the utilization of the resources of this river and this basin.

The history of the last quarter of a century is studded with notations of California's participation with her sister States in working out plans and translating them into necessary legislative authorization so projects could be brought into being. In no case, Mr. President, did California block meritorious projects. On the contrary, the record will disclose that California Members of Congress on a variety of occasions affirmatively voted for measures that cleared the way for developments now in existence or in progress.

Before turning to a discussion of this particular piece of legislation, I should like to mention some of the instances in which my State concurred in passage of bills to benefit the upper basin. Among these are the Provo (Deer Creek) project in Utah, the Mancos project in Colorado, the Paonia project in Colorado, the Eden project in Wyoming, the Weber Basin project in Utah, the Fort Sumner project in New Mexico, the Vermejo project in New Mexico, and the Big Thompson project in Colorado.

Furthermore, the record shows California joined officially with Representatives of other States in commending the efforts of the States in the upper basin to formulate an upper-basin compact. After a technical but significant amendment was adopted making plain that the action of Congress neither interpreted nor varied the terms of the original Colorado River Basin compact, Californians raised no objection to passage of the bill giving approval to the upper-basin agreement.

With these remarks as a preface, I now desire to set forth and explain the more important reasons why it is impossible for California to allow this bill to pass without registering strenuous objections.

CALIFORNIA'S 1945 WARNING IGNORED

Earlier in my introductory remarks I referred to the opposition my predecessors from California presented to the Mexican Water Treaty.

California is not seeking to glory in the opportunity to say "We told you so." However, I must urge this body to take cognizance of the fact that my State a decade ago foresaw the probability that the United States would be troubled and upset by the implications and actualities of that agreement. Before giving approval to new legislation which calls for substantial deliveries from the Colorado River, I believe it pertinent to review the history of the Mexican treaty ratification.

When that document was before this body in 1945, California warned that not only its rights but those of the entire basin might be placed in jeopardy. California warned that future projects might be impossible because even then there were signs that plans were being based on a belief that the flow of the Colorado River is greater than it actually has turned out to be.

Nine years ago, two of my predecessors in this body warned repeatedly and earnestly that careful deliberation should be given the future needs of the United States for water and its byproduct, hydroelectric power, from this stream. Senators Johnson and Downey did their utmost to persuade the Senate that ratification of the treaty between the United States and Mexico guaranteeing delivery to our sister Republic to the south of 1,500,000 acre-feet of water annually might eventually blight the hopes and ambitious of our own people through a great area of the West.

Nevertheless, by a vote of 76 to 10, this body gave its approval and consent to the Mexican Treaty. In addition to the two illustrious Senators from California, only one other Senator from the Colorado River Basin, the distinguished senior Senator from Nevada, voted against ratification.

In this connection, I wish to recall that at the first session of the subcommittee of the Senate Committee on Interior and Insular Affairs on this legislation some mention was made about the adverse effects of the treaty on American interests. A careful check of the CONGRESSIONAL RECORD for the 79th Congress—during which the Mexican Treaty was submitted to the Senate and ratified—reveals that the two California Senators presented strong and uncompromising opposition to that document. California's fears and objections were unmistakably plain, beginning with the presentation of a minority report from the Foreign Relations Committee March 13, 1945, by Senator Hiram Johnson and continuing through the offering of reservations, all of which were rejected, by his junior colleague, Senator Sheridan Downey.

Earlier in my remarks I mentioned that my predecessors warned of possible irreparable damage to the entire basin from this guaranty of 1,500,000 acre-feet of water each year to Mexico. Their apprehensions caused them to propose a number of amendments to the treaty and to carry on extended debate. One of their amendments to a reservation proposed by the Foreign Relations Committee was accepted, but the remainder were turned down. Thus, a never-ending draft was imposed on this stream, despite the fact that even then doubts had begun to appear that the flow would be adequate to satisfy the requirements of the upper and lower basins in this country.

The history of the treaty consummation makes plain beyond challenge that California was ever fearful that the guaranty to Mexico would return to plague the United States, particularly on such an occasion as this when the upper basin States finally came forward with proposals to develop their resources. As far back as June 8, 1944, more than a

whole decade ago, the legislature of California adopted a joint resolution formally memorializing the Senate "not to advise nor consent to said proposed treaty."

Nothing could be clearer than the soundness of the objections California made to the Mexican Treaty. The guaranty to our neighboring Republic has been pushed aside blithely by the advocates of the upper basin projects contemplated under this bill.

There have been attacks on this legislation from various angles and approaches. In my mind, probably the most persuasive reason why this bill should not pass at this time and in this form is the controversy that has been going on and still is in progress about very fundamental legal issues.

The major points in dispute about interpretations of the Colorado River Compact were set forth in the minority report on S. 1555. I desire to review several of these, because they reflect the seriousness of the question whether Congress is justified in approving an ambitious, a costly development program at this particular moment.

Our State has a tremendous investment in the development of the resources of this stream and this basin. We are convinced that this legislation is premature, to say the least, and has not received the amount of careful study and deliberation such an ambitious proposal deserves.

Under provisions of the Boulder Canyon Project Act of 1928 and of the Boulder Canyon Project Adjustment Act of 1940, California entities have contributed substantial sums for use by the Interior Department in investigating various project possibilities and in formulating a comprehensive plan for the utilization of the waters of the Colorado River system. Under section 2 (d) of the Boulder Canyon Project Adjustment Act money contributed from 1941 to 1955, $500,000 per year or $7,500,000 for this 15-year period, is for use exclusively on investigations within Colorado, New Mexico, Utah, and Wyoming. The Colorado River Dam fund, into which Hoover Dam revenues are deposited, is the source of this contributed money. Each year $500,000 is paid from this fund to the Colorado River development fund for use by the Secretary in these investigations. This annual payment will continue until 1987.

This support of such a fund for investigations, which is significant enough, is only a small portion of California's stake in the Colorado River. On behalf of California and her citizens I must see that this stake in the river is protected.

California recognizes the right of the upper basin States to utilize the waters apportioned to that basin by the Colorado River compact as approved by the Boulder Canyon Project Act, but we say that there are many issues arising out of the compact currently in dispute, the resolution of which, in our view, will have considerable impact on the utilization of the waters of the river in both upper and lower basins of this great river system. Most, if not all, of these issues form the subject matter of the case of *Arizona* v. *California et al.*, now pending in the United States Supreme Court. I want the Senate to know these issues and the way in which we deem their resolution will affect all of the States of the Colorado River Basin, and necessarily, such projects as the Colorado River storage project.

California has an investment of nearly $700 million in water-development projects which has been made in reliance upon the Colorado River compact and the Boulder Canyon Project Act. A substantial portion of this investment was committed in the few years following the passage of the Boulder Canyon Project Act in 1928, and was made pursuant to contracts with the United States for power and for the beneficial consumptive use in California per annum of 5,362,000 acre-feet of Colorado River water. The economy and population of more than 4 million people are dependent upon the works which grew out of these contracts. Legislation which in our view would encroach upon the rights recognized in the lower basin States by these documents, must be resisted. S. 1555 is such legislation.

SCOPE OF THE PROGRAM

It should be understood that the giant reservoirs proposed in S. 1555 at Glen Canyon, Echo Park, Curecanti, Flaming Gorge, and Cross Mountain, capable of storing several years' flow of the river, for the most part, will provide very little if any irrigation water for the 14 participating reclamation projects proposed in the bill. The sixth of the proposed reservoirs, Navaho, is not a power dam and will provide some storage for irrigation uses below the dam. The real purpose of the other dams is to produce power, thus creating a bank account from which the irrigation features may be financed. I do not wish to take serious issue at the moment with this feature except to note that in the absence of statutory controls for the operation of these huge reservoirs, the output of firm power at Hoover Dam could be very seriously affected. The United States and those entities which contracted to purchase the power at Hoover Dam at the same time that they contracted to repay the major portion of the cost of the structure rely upon a definite output of firm power. Without some controls in this present legislation, the use of such large storage could so curtail the revenues at Hoover Dam and at other dams on the lower river as to make the programed financing of lower basin projects very questionable. It is against the best interests of both the power users in the lower basin and the Federal Treasury to so legislate.

S. 1555 includes some and foreshadows other large transmountain diversions in the upper basin which would use several million acre-feet of water annually, taking it from the Colorado River Basin, never to return. We, of the lower basin, have a genuine fear that these proposed diversions will have a marked effect upon the quality as well as the quantity of water available to the lower basin and to which the lower basin is entitled under the Colorado River compact. Article VIII of the compact provides that "present perfected rights shall remain unimpaired by this compact." We say that the guaranty of unimpairment relates to quality as well as quantity.

I have mentioned the case of *Arizona* v. *California, et al.*, now pending in the United States Supreme Court. This action was brought by the State of Arizona in 1952 naming as defendants the State of California as well as all of the public agencies and municipalities of southern California which have contracts for Colorado River water. The United States sought leave to intervene. This was granted by the Supreme Court in 1953. The State of Nevada also sought leave to intervene, claiming to be an indispensable party, and this was granted by the Supreme Court on June 1, 1954. A number of the issues in this lawsuit are directly involved in the assumptions made by the Bureau of Reclamation in planning the project now before this body. Before turning to these I would like to devote a moment to the four general objectives of the legislation now before us as I see them.

The aggregate annual consumptive use of the some 14 irrigation projects provided for is said to be about 1 million acre-feet per annum. The storage reservoirs I have mentioned will involve an evaporation loss of about 787,000 acre-feet per annum. These quantities, or about 1,787,000 acre-feet per year, added to about 2½ million acre-feet said to be required by projects already constructed or authorized in the upper basin, would represent a total of about 4,287,000 acre-feet of use each year in that basin. This total, concededly, is well within the use of 7,500,000 acre-feet apportioned to the upper basin by article III (a) of the compact. It should be noted, however, that engineering studies indicate that this total of 4,287,000 acre-feet could be put permanently to use without the construction of any new hold-over storage reservoirs.

The bill authorizes the Glen Canyon, Echo Park, Curecanti, Flaming Gorge, Cross Mountain, and Navaho storage reservoirs. These 6 dams would account for about 45 million acre-feet of storage. The ultimate storage program contemplated by this bill would amount to over 48 million acre-feet. The purpose of constructing these reservoirs now is to create the bank account to subsidize the various irrigation projects known as participating projects.

The bill, under section 2, would declare it to be the intent of Congress in the future to authorize the construction of water projects, neither named nor otherwise identified in the bill, providing they meet certain criteria. Presumably these unnamed projects must be brought back to Congress for further authorization. The Reclamation Bureau has inventoried over 100 upper basin projects, notably in House Document No. 419, 80th Congress, which at 1947 prices would cost about $5 billion. In any event, when they are built, these new projects will share in the subsidies afforded by the sale of power at Glen Canyon and at the other dams. This development presumably is to commence some 45 to 50 years in the future after the storage reservoirs have accumulated sufficient funds to payout the costs allocated to the power features to be constructed under this bill. At that distant time in the future a fourth function of these great storage reservoirs will come into existence.

If the additional unnamed projects are built, it will be necessary to store water, not for use by these projects, but to enable them to increase the consumptive use in the upper basin above the total of 4,287,000 acre-feet without violating article III (d) of the compact.

From the foregoing it will be seen that this measure is intended to commit Congress to a program for the full utilization of all of the water which upper basin claims under the compact. This is apparent from the fact that the storage reservoirs, with the exceptions I have noted, are not needed to put any water on the land. They are strictly power dams to produce revenues to assist in paying for the reclamation features planned.

EFFECT OF THE COMPACT

Basically involved in all of this is the Colorado River compact. California is a party to that compact, and, accordingly, is directly concerned by the interpretations of that compact implicit in the Interior Department reports which this bill would implement and in the interpretations of the compact which will control the administration of these reservoirs. The storage capacity planned is enough to intercept the whole flow of the river for several years. Storage will be held in these reservoirs for more than 20 years. It seems to me that there should be firm understandings as to the meaning of the compact prior to the Congress authorizing the works envisioned by this bill, especially as the measure before us makes no provision for participation by the affected States in programing the storage and release of the waters of the river system.

This compact, the cornerstone of all present and future plans for utilization of the stream, now is in litigation before the Supreme Court. The pending suit involves interpretations of the compact which have an undeniable impact on this bill before us.

The entire seven-State agreement, Mr. President, is under scrutiny because several issues intertwine. The most pressing questions, however, stem from article III, the very heart of that document. This section deals with the apportionment, the distribu-

tion, of the water of this great river. Virtually every one of the clauses has given rise to differences of interpretation, conflicts of opinion, which must be resolved by our highest tribunal if future development is to proceed.

It would be difficult to indicate the relative importance of these issues. And because the questions are so complex, I can do no more than outline them. I do not pretend to have answers. Indeed, it would be presumptuous to attempt to indicate what meaning will be found in that great compact.

One of the fundamental problems that must be solved is the method to be used in measuring beneficial consumptive use of the waters of the river.

Article III (a) of the Colorado River compact is as follows:

"There is hereby apportioned from the Colorado River system in perpetuity to the upper basin and to the lower basin respectively the exclusive beneficial consumptive use of 7,500,000 acre-feet of water per annum, which shall include all water necessary for the supply of any rights which may now exist."

Obviously, this one sentence must have the same meaning in both the basins to which it refers. A number of questions have come up under it, however, and among them are: What is the method of measurement of "beneficial consumptive use" and what is the meaning of the term itself? There is no definition within the confines of the compact. Under the Boulder Canyon Project Act, however, consumptive use is defined as "diversions less returns to the river." This definition is reflected in somewhat more explicit terms in the Mexican Water Treaty (art. I (j)) as follows:

"'Consumptive use' means the use of water by evaporation, plant transpiration or other manner whereby the water is consumed and does not return to its source of supply. In general it is measured by the amount of water diverted less the part thereof which returns to the stream."

Now, in measuring "beneficial consumptive use" under the compact, is it to be the quantity in fact used, measured at the place of use, as California says it is, or is it to be measured in terms of depletion of the main stream at some point hundreds of miles downstream from the place of use, such as Lee Ferry as in this legislation? The same question arises under the Mexican Water Treaty's so-called escape clause, which provides that in the event of extraordinary drought or serious accident to the irrigation system in the United States making delivery of the 1,500,000 acre-feet guaranteed by the treaty to Mexico difficult, then this quantity "shall be reduced in the same proportion as consumptive uses in the United States are reduced." This question, under both the Colorado River compact and the Mexican Water Treaty, is squarely before the Supreme Court. The quantity of water involved in this matter, as far as the planning of the upper basin storage project is concerned, is three hundred to five hundred thousand acre-feet, according to engineers' estimates. The Reclamation Bureau assumes that the measurement is to be in terms of downstream depletion in the case of the upper basin project and the central Arizona project, but in terms of diversion minus return flow measured at the place of use with respect to California.

In the case before the Supreme Court, California alleges that the phrase "beneficial consumptive use" means the amount of water lost by evaporation and transpiration in the course of its use and is ordinarily determined by diversions minus return flow, measured as of the place of use. Arizona denies that this definition applies to her uses and states that measurement should be in terms of main stream depletion. The connection with this project is that the Reclamation Bureau assumes that the Mexican Water Treaty definition does not apply to the upper basin, although the projects to be built under the bill are recognized as being subject to the terms of the Mexican Water Treaty.

If this depletion theory prevails, there is a further problem. Under it, when water is stored in a reservoir, the stream below that reservoir is depleted. Consumptive use takes place then and there in the year when the water is put into storage, not when it is taken out and used. To which years, then, is the eventual 48 million acre-feet of hold-over storage, that is, of stream depletion, to be charged? How, in future operations, is the storage of more than 7,500,000 acre-feet in any one year to be charged? And, whatever the principle involved here may be, is it applicable as well to the lower basin reservoirs?

MEANING OF OTHER PHRASES

The complex nature of the controversy over the compact is suggested by disagreements about the meaning of the term "per annum" as used in article III (a).

Article III (a) of the compact apportions to each State the beneficial consumptive use of 7,500,000 acre-feet of water per annum. Does this mean an average of that amount over a period of years, or does it mean a maximum in any one year? Whatever it means, it must be given the same interpretation in both basins.

In the project before us, the planning of the Reclamation Bureau assumes that the apportionment means an average over an extended period, possibly 35 years or more. As an illustration, under this theory the upper basin could use 9 million acre-feet or more of water in 1 year if it uses 6 million acre-feet or less in some other year so as to average 7,500,000.

In the Supreme Court suit, California alleges that the apportionment means a maximum and not an average. Arizona admits this, but says that the issue is not yet material in the lower basin. This issue is of importance in connection with this bill because if California is correct, all water in the river system each year in excess of 15 million acre-feet apportioned by article III (a) is unapportioned surplus. According to the compact it is from surplus waters that the Mexican treaty burden is to be supplied, with any deficiency to be borne equally by both basins. In our view, if the upper basin should use in any given year a quantity in excess of 7,500,000 acre-feet, it is using that water out of unapportioned surplus, which surplus is not only subject to the Mexican treaty burden, but is also available for use in the lower basin. The large quantity of about 1,250,000 acre-feet each year is involved in this particular issue. In other words, if California is correct, the Reclamation Bureau is in error by that much in its assumption as to the quantity of water which the upper basin can lawfully claim under article III (a), and, accordingly, that much more water must be let down to satisfy the Mexican Water Treaty and prior appropriations of surplus in the lower basin. By way of contrast, in the lower basin the Reclamation Bureau has assumed that the limitation imposed upon California's uses by the Boulder Canyon Project Act, the deliveries which must be made under the Mexican Water Treaty and the amounts to be delivered under water contracts between the Federal Government and Arizona, California, and Nevada, are all maximums and not averages.

It is our position that one assumption cannot be used in one basin and another assumption used in the other. Only one interpretation of "per annum" is correct and that must apply to both basins under the compact.

Another difficulty revolves around the phrase "rights which now exist" as this is used in the compact.

It will be recalled that article III (a), which I have read, states that the apportionment of the use of 7,500,000 acre-feet per annum "shall include all water necessary for the supply of any rights which may now exist." We say that this phrase includes two categories of uses in dispute in *Arizona* v. *California*. The first is the uses on the lower basin tributaries, particularly those of Arizona on the Gila River which Arizona says are not to be charged against the lower basin's apportionment of III (a) water. The second is the Indian uses in both basins. The significance of the Gila appears in connection with the obligations under article III (c), under which both basins must contribute equally any portion of the water allocated to Mexico which cannot be supplied out of surplus, as well as under article III (d) of the compact which is wholly a covenant by the upper basin not to deplete the flow of the river below a specified quantity each 10 years in continuing progressive series. The matter of Indian uses arises under article VII of the compact. I wish to discuss these matters separately, but for the moment want to point out that the three large problems I have mentioned so far all arise under article III (a) of the compact, which in a single sentence apportions waters of the Colorado River system in perpetuity to both basins. These matters are now before the Supreme Court. Whatever decree is made in connection with them must have, in my view, equal application to both basins.

MEXICAN TREATY IMPACT

I spoke before about the fears of California that the Mexican water treaty would blight the future development of this basin. This bill adds force to questions about how this country's obligations to our neighboring republic can be carried out if the proposed upper basin projects should be constructed.

Under subsection (c) of article III of the compact it is provided that the Mexican burden shall first be borne out of surplus over the amounts specified in subsections (a) and (b). If the surplus is not sufficient, the burden of the deficiency is to be borne equally by the upper and lower basins, and whenever necessary the States of the upper division are to deliver at Lee Ferry water to supply one-half of this deficiency in addition to the water provided for in article III (d). This requires an examination of subsection (d) of this article.

Subsection (d) of article III provides that the States of the upper division, which are Colorado, New Mexico, Utah, and Wyoming, will not cause the flow of the Colorado River at Lee Ferry to be depleted below an aggregate of 75 million acre-feet for any period of 10 consecutive years.

Both subsections (c) and (d) of article III are at issue in the pending Supreme Court case and are also involved in this legislation before us. It is apparently an assumption of the Reclamation Bureau, from the material presented to the Interior and Insular Affairs Committee on this project, that there will be available at Lee Ferry, after all of the unnamed projects in section 2 of this bill are built, only about 75 million acre-feet every 10 years.

By her pleadings in the Supreme Court, Arizona says that all of the 75 million acre-feet is III (a) water, or, in other words, that this figure is merely 10 times the quantity apportioned to the lower basin by article III (a) of the compact, and that all of the lower basin uses of III (a) water can be made from the main stream. California, and, I believe, Nevada as well, has denied this and says that Arizona's uses on the Gila and the uses of Nevada and Utah on the Virgin River are "rights which may now exist," thus falling within article III (a) and subject to being charged as well as protected under that clause. Arizona's response to this is that her uses on the Gila are covered by subsec-

tion (b) of article III of the compact which I will quote to you as follows:

"In addition to the apportionment in paragraph (a), the lower basin is hereby given the right to increase its beneficial consumptive use of such waters by 1 million acre-feet per annum."

What would be the result if Arizona is sustained by the Court in her position? Obviously, there would be no water for Mexico in the 75 million acre-feet at Lee Ferry referred to in article III (d) and accordingly, the upper basin under article III (c) would, in addition to meeting the covenant in III (d), be required to release water to supply one-half of any deficiency in meeting the Mexican burden. If, however, California and Nevada are correct, some portion of the 75 million acre-feet at Lee Ferry, equal to the total of the water supply available and used on the Gila, Virgin, and other tributaries under article III (a), estimated to be about 2,500,000 acre-feet per annum, is excess or surplus water, unapportioned by the compact, and accordingly available in part for the service of the Mexican Water Treaty and in part for appropriation, contract, and use in the lower basin. California, and I think Nevada also, consider the 75 million acre-feet referred to in article III (d) as a minimum of "wet water," entirely unrelated to article III (a) and a covenant by the upper basin to be met whether or not there remains available, after meeting that obligation, water to sustain a maximum use of 7,500,000 acre-feet apportioned under article III (a).

In connection with this matter, the Under Secretary of the Interior in response to a question propounded during the hearing, appeared to agree that the compact means that if the upper basin lets down 75 million acre-feet in each 10-year period, it is entitled to keep and use what may be left. This, from our viewpoint, is an erroneous interpretation of the compact, Mr. President, and is illustrative of several questionable interpretations which have been built into the planning of this project before us.

INTERBASIN PROBLEMS

The compact splits the whole basin into two sections. Such an arrangement has brought forth differences about the respective rights of the lower basin to demand, and of the upper basin to withhold, water in the stream.

Article III (e) of the compact provides as follows:

"The States of the upper division shall not withhold water and the States of the lower division shall not require the delivery of water, which cannot reasonably be applied to domestic and agricultural uses."

As I have indicated, Glen Canyon Reservoir and certain other reservoirs proposed in this legislation will be so located physically that none of the waters they store can ever be applied to domestic or agricultural uses in the upper basin. At the same time such waters will be needed for domestic and agricultural uses in the lower basin and in Mexico. The State of Colorado recently had an independent engineering survey made of the waters available to that State in connection with a dispute between users on the eastern and western slopes of the Continental Divide. Mr. Raymond A. Hill, of the engineering firm of Leeds, Hill & Jewett, implies in his report, dated 1953, that if Lake Mead, the reservoir behind Hoover Dam, is not filled on the day when the gates are closed at the proposed Glen Canyon Reservoir, that Lake Mead may never fill again.

The bill before the Senate obviously will affect this provision of the compact which I have just read. California feels that some workable controls should have been written into the measure to protect the individual States of the basin. To our regret, there is nothing of this sort in the legislation as it stands.

Presumably, future Secretaries of the Interior, each in his own wisdom, will determine to what extent water which would otherwise flow into Lake Mead is to be intercepted and withheld, and will also determine how rapidly and on what terms releases are to be made. To be sure, the bill does provide in section 12 for consent by the United States to suit. This is necessary because by ruling of the Supreme Court the United States is an indispensable party to any litigation involving the Colorado River. But there is no protection prior to the damage which would result in a suit such as might be afforded by some sort of State participation in the scheduling of impounding and releasing waters. Without some further protection, the States of the Colorado River basin may as well concede the virtually complete control of this tremendous river system, without any lasting scheme of regulation whatsoever, to the Federal Government.

Article IV (b) of the compact reads as follows:

"Subject to the provisions of this compact, water of the Colorado River system may be impounded and used for the generation of electrical power, but such impounding and use shall be subservient to the use and consumption of such water for agricultural and domestic purposes and shall not interfere with or prevent use for such dominant purposes."

Another grave problem is presented by this bill. Because of the fundamental concept of the upper basin program, trouble may be experienced in connection with impounding water for generation of hydroelectric power.

Mr. President, I have already made mention of article III (e) of the compact pertaining to demands for or the withholding of water which can be applied to domestic and agricultural uses. Here, in article IV (b) the use of water for such purposes is recognized as dominant to its use for the generation of electrical power. As I have already stated, none of the waters to be stored in Glen Canyon, which is the major unit, as well as in certain other main-stream reservoirs contemplated in this bill, can ever be used physically for agricultural or domestic purposes in the upper basin. The falling water at Glen Canyon and at the other storage units will be used for the generation of power to create a bank account in order to subsidize irrigation and other power projects envisaged by this bill. We say that if the waters to be stored are in fact needed for agricultural and domestic use in the lower basin, the right of the Reclamation Bureau or of the Secretary of the Interior or anyone else to so manipulate them as to maintain power generation, without some firm agreement made with the affected States, is subject to challenge. It has been stated by others that Glen Canyon and other of the storage reservoirs are necessary so that the upper basin may discharge its obligation under article III (d) of the compact. As I have already pointed out, these reservoirs will serve no purpose whatsoever under the compact for a period of at least 50 years, and even more if the unnamed projects contemplated in section 2 are not built. Let us assume for the moment that this function will become reality in 50 years' time. Even so, during that period, these reservoirs will evaporate over 30 million acre-feet of water at the cost of power generation and agricultural use to which this water could have been put in the lower basin and in Mexico. With this in mind, how can it be urged that Glen Canyon is to be built to accommodate the lower basin?

INDIAN CLAIMS

The controversy which has developed about meaning of the compact has become more extensive and important because the suit now pending in the Supreme Court brings up squarely the question of Indian rights. The way these rights are fixed could have a very far-reaching impact on the feasibility of the upper basin projects which this bill proposes.

Article VII of the Colorado River Compact reads as follows:

"Nothing in this compact shall be construed as affecting the obligations of the United States of America to Indian tribes."

Article VII of the upper Colorado River Basin compact executed by Arizona, Colorado, New Mexico, Utah, and Wyoming in 1948 provides in part: "The consumptive use of water by the United States of America or any other agencies, instrumentalities, or wards shall be charged as a use by the State in which the use is made." California, in the pending lawsuit, takes the same position. The United States has denied this and says "the rights to the use of water of the Indians and Indian tribes are in no way subject to or affected by the Colorado River compact." As a part of the Government's pleading there is a tabulation of 1,747,250 acre-feet of ultimate diversion claims of Indians in the lower basin. Of this total, 1,556,250 acre-feet per annum are in Arizona. Arizona has taken the position in the Supreme Court litigation that the obligations of the United States to the Indians are not material or relevant to the suit. Thus far, no tabulation of the extensive Indian claims in the upper basin have been made in this litigation. It is known, however, that the Office of Indian Affairs in the Department of the Interior construes article VII of the compact as meaning that Indian claims are a prior claim on the river and that the compact just divides what water is left after the Indian claims are satisfied. This Bureau also asserts that whether or not put to use, Indian claims for water relate back to the date of establishment of the various Indian reservations and take priority over any other uses no matter how long established and whether or not those uses are in fact prior to any Indian uses. Both of these assertions can be made within the context of the pleadings made by the Government thus far before the Supreme Court. Rather recently, Arizona declined to join with all of the other States of the basin in a common statement of position that Indian uses are to be charged under the compact against the State in which they are made, although she is a signatory to this proposition in the upper basin compact.

These Indian claims, the manner in which they have been put forward, and the doubt as to their extent, raise extremely troublesome questions as to the water supply for projects in both the upper and lower basins. Not only will this question remain in doubt until the suit now before the Supreme Court is decided—the United States, as well, has made independent claims of rights for the use of the Bureau of Land Management, the Forest Service, the Park Service, and for fish and wildlife uses, and has denied that all of its rights are subject to the Colorado River compact. The extent of these additional claims has not yet been stated. Whatever determination may be made as to them, there can be no doubt that this determination will have equal impact on both basins.

Besides future rights, the uncertainty about features of the compact and the effect of this bill includes present perfected rights to water. One of the issues before the Supreme Court is whether existing rights involve quality of water as well as quantities.

Article VIII of the Colorado River compact reads, in pertinent part, as follows: "Present perfected rights to the beneficial use of waters of the Colorado River system are unimpaired by this compact."

As I have mentioned previously, in the litigation now before the Supreme Court, California alleges that "unimpaired" means unimpaired as to both the quantity and the quality of the water to which these perfected rights relate. It is California's position that

as of the effective date of the compact, her present perfected rights were not less than 4,950,000 acre-feet of water per annum. What will be the effect of the combination of the transmountain diversions envisaged by this project, together with other upper basin uses, on the quality of water which flows to the lower basin for reuse there? Delph Carpenter, commissioner for Colorado in connection with the Colorado River compact negotiations, formally reported to Governor Shoup of his State on December 15, 1922, in recommending approval by Colorado of the compact which had just been completed, as follows: "Natural limitations upon the use of the water within each of the upper States will always afford ample assurance against undue encroachments upon the flow at Lees Ferry by any one of the four upper States. Colorado cannot divert 5 percent of its portion of the river flow to regions outside the river basin." He had elsewhere testified that Colorado's transmountain diversions could not exceed 300,000 acre-feet per annum. Yet, Colorado transmountain diversion projects inventoried in the Reclamation Bureau's various reports aggregate 2 million acre-feet, which is 52 percent of the water allocated to that State under the upper Colorado River Basin compact. The loss of these waters to the basin, coming as they do from the upper reaches of the main stream and its tributaries and consisting mainly of pure snow water, would obviously affect the quality of water available to the lower States, even if present uses in the upper basin were not increased one iota. But, add to this the irrigation uses contemplated by the initial reclamation projects which would be authorized under this legislation, and the salts which these uses will return to the stream. Obviously there will be some effect. What we want to know, and what we are entitled to know, is what the effect of transmountain diversions plus additional uses will be, and we feel that we are entitled to have some serious study of this situation before it is too late.

ARE THESE PRUDENT INVESTMENTS?

I think California's position can be summed up rather readily. When the compact was negotiated in 1922, ratified by the various States, with the exception of Arizona, in the period 1922 to 1928, and approved by the Congress in the passage of the Boulder Canyon Project Act of 1928, there were certain interpretations of this basic document under which California negotiated contracts for water and power with the Secretary of the Interior, and under which California agencies committed vast sums of money in order to construct works which would permit utilization of Colorado River water. We cannot stand idly by now, one-quarter of a century later, and watch the fashioning of legislation under interpretations widely divergent from those under which we have labored. The fact that the initial stages of this project will not use all of the water claimed by the upper basin does not quiet our concern. There would be absolutely no justification for the construction of 45 million acre-feet of storage now, unless all of the water presently claimed were ultimately to be put to use. This bill contemplates an ultimate comprehensive development. This is what it claims to be, and this is what we must face. It would be foolhardy for us to do otherwise. The questions I have raised indicate considerable doubt as to whether the water claimed will in fact be there for use. These legal issues should be resolved, and the resolutions should be binding upon all of the States, so that Congress may appropriate funds from the general treasury in confidence that the projects to be built will have water for their use under the law. There is no sense in committing ourselves to the expenditures called for in this legislation without assurance that there will be water available. No one wants the features called for in this bill to be constructed as unused monuments.

California's basic position is that our State is conforming to the Colorado River Compact, to the Boulder Canyon Project Act, and to the other enactments which comprise the law of the river. We find that the Colorado River storage project, as now planned and presented to the Congress, is based upon interpretations of the compact which in our view are wrong, and which constitute encroachments upon the compact for the benefit of the upper basin to the extent of at least 1½ million acre-feet per year. We have been brought before the Supreme Court of the United States as defendants in a suit which involves many, if not all, of these interpretations. We are defending against them there, and we are defending against them here. In these circumstances, we can well urge, with all the vigor at our command, that $1.6 million of funds from the Federal Treasury should not be obligated until the positions which we have been compelled to defend have come to final decision, and until the fundamental questions of reclamation policy involved in the proposed legislation including matters of financing and Federal subsidies, are resolved, let the chips fall where they may.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had agreed to the following concurrent resolution (H. Con. Res. 273), in which it requested the concurrence of the Senate:

Resolved by the House of Representatives (the Senate concurring), That notwithstanding the sine die adjournment of the two Houses, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 264. An act to provide for the conveyance of certain land in the State of Maryland to the Disney-Bell Post 66 of the American Legion, Bowie, Md.;

S. 738. An act for the relief of Maria Busa;

S. 906. An act to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act;

S. 1259. An act for the relief of Anastasia Kondylis;

S. 1504. An act for the relief of the estate of Rev. Pang Wha Il;

S. 1604. An act for the relief of Margot Herta Matulewitz;

S. 1605. An act for the relief of James Arthur Cimino and Joan Cimino;

S. 1687. An act for the relief of T. C. Elliott;

S. 1873. An act for the relief of Ursula Wilke and Mike Mario Wilke;

S. 2068. An act for the relief of Francesco Marinelli;

S. 2074. An act for the relief of certain Basque sheepherders;

S. 2301. An act for the relief of Katherina Picerkona and her minor son, Helmut;

S. 2316. An act for the relief of the Birmingham Iron Works, Inc.;

S. 2345. An act for the relief of Yun Tai Miao and his wife, Chao Pei Tsang Miao;

S. 2366. An act for the relief of Ito Yukiko;

S. 2618. An act for the relief of Ertogroul Osman;

S. 2636. An act for the relief of Arturo Rodriguez Diaz;

S. 2639. An act for the relief of Etsuko Tamaki (Shimizu);

S. 2640. An act for the relief of Esther Joanne Potter;

S. 2649. An act for the relief of Chaya Frangles;

S. 2731. An act for the relief of Jean Cantalini;

S. 2789. An act for the relief of Gianni Bernardis;

S. 2842. An act for the relief of Dr. Felix de Piniès;

S. 2849. An act for the relief of Elisa-Pompea Roppo (Elisa-Pompea Cardone);

S. 2879. An act for the relief of Peter Julian Newbery and Prudence Ellen Newbery;

S. 2884. An act for the relief of Sister Anna Scrinzi, Sister Giuliana Paladini, Sister Iolanda Mazzocchi, and Sister Giuseppina Zanchetta;

S. 2887. An act for the relief of Hon Cheun Kwan;

S. 2893. An act for the relief of Seraphina Papgeorgiou;

S. 2941. An act for the relief of Kim Kwang Suk and Kim Woo Shik;

S. 2945. An act for the relief of Eulalio Rodriguez Vargas;

S. 2954. An act for the relief of Christine Thum;

S. 2993. An act for the relief of Ruth Wehrhan;

S. 3056. An act for the relief of S. Sgt. Silvestre E. Castillo;

S. 3058. An act for the relief of certain nationals of Italy;

S. 3108. An act to modify the act of October 8, 1940 (54 Stat. 1020), and the act of July 24, 1947 (61 Stat. 418), with respect to the recoupment of certain public school construction costs in Minnesota;

S. 3112. An act for the relief of Emiko Watanabe;

S. 3138. An act for the relief of Wakako Niimi and her minor child, Katherine;

S. 3145. An act for the relief of Bonita Lee Simpson;

S. 3148. An act for the relief of Francesco Pugliese;

S. 3221. An act for the relief of Ingeborg Otto;

S. 3276. An act for the relief of Cleophat Robert Joseph Caron;

S. 3404. An act for the relief of Anni Stroee Jacobsen;

S. 3447. An act to amend the Internal Revenue Code to permit the filling of oral prescriptions for certain drugs, and for other purposes;

S. 3485. An act for the relief of Liselotta Kunze;

S. 3577. An act for the relief of Milos Knezevich;

S. 3586. An act for the relief of Mrs. Hildegard Simon Walley;

S. 3601. An act to provide that the Secretary of Agriculture is authorized to extend until not later than October 18, 1962, certain timber rights and necessary ingress and egress, and for other purposes;

S. 3625. An act for the relief of Mrs. Juana Padilla de Caballero (Mrs. Juana Padilla de Ontiveros);

S. 3652. An act for the relief of Francis Timothy Mary Hodgson (formerly Victor Charles Joyce);

S. 3840. An act for the relief of Klyce Motors, Inc.; and

S. 3844. An act to provide for a reciprocal and more effective remedy for certain claims arising out of the acts of military personnel and to authorize the pro rata sharing of the cost of such claims with foreign nations, and for other purposes.

CONTROL OF LEVEL OF LAKE MICHIGAN

Mr. KNOWLAND. Mr. President, I move to supplant the unfinished business and to proceed to the consideration of Calendar No. 1830, H. R. 3300, the Lake Michigan water-diversion bill.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 3300) to authorize the State of Illinois and the Sanitary District of Chicago under the direction of the Secretary of the Army to help control the lake level of Lake Michigan by diverting water from Lake Michigan into the Illinois Waterway.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Public Works with amendments, on page 2, line 7, after the word "of", to strike out "three years" and insert "eighteen months"; and in line 13, after "January 31", to strike out "1957" and insert "1956."

Mr. JOHNSON of Texas. Mr. President, originally there was an objection to the bill from my side of the aisle. The bill is very important to the people concerned. With the assistance and cooperation of the junior Senator from Tennessee [Mr. GORE], the Senators concerned have been consulted. They no longer object. I hope the bill will be passed.

Mr. President, in behalf of the senior Senator from Illinois [Mr. DOUGLAS], I ask unanimous consent to have printed in the RECORD immediately before the vote on H. R. 3300, an exchange of telegrams between the Senator from Illinois [Mr. DOUGLAS] and Col. W. T. Trower, division engineer, Great Lakes Division, Corps of Engineers, Chicago, Ill., and a statement by officials of the Sanitary District of Chicago, confirming the authority of the Army engineers to reduce or completely cut off the flow of water from Lake Michigan into the Illinois waterway in case of threatened floods downstream.

There being no objection, the telegrams and statement were ordered to be printed in the RECORD, as follows:

JULY 21, 1954.

Col. W. T. TROWER,
Great Lakes Division Engineer,
Chicago, Ill.:

With respect to H. R. 3300 it has been stated that the rate of diversion of water from Lake Michigan into the Illinois River would be controlled by the Army engineers. Would you please confirm this and also the fact that the Corps of Engineers will not permit increased diversion to add to flood problems at Beardstown and other cities on the Illinois River?

PAUL H. DOUGLAS,
United States Senator.

DETROIT, MICH., *July 22, 1954.*

Hon. PAUL H. DOUGLAS,
United States Senate:

In reply to your telegram of July 21, H. R. 3300 provides that the withdrawal from Lake Michigan of a total annual average of 2,500 cubic feet per second in addition to all domestic pumpage will be under the supervision and direction of the Secretary of the Army. The district engineer, Chicago district, Corps of Engineers, would be assigned the above responsibility under the Secretary of the Army and the Chief of Engineers. The increased diversions would be so controlled as to not have any measurable effect on flood heights at Beardstown and other cities on the Illinois River.

Col. W. P. TROWER,
Division Engineer, Great Lakes Division,
Corps of Engineers.

STATEMENT OF THE SANITARY DISTRICT OF CHICAGO FOR HEARING APRIL 20, 1954, BEFORE THE SUBCOMMITTEE ON PUBLIC WORKS OF THE UNITED STATES SENATE, ON H. R. 3300 (JONAS BILL) PASSED BY THE HOUSE OF REPRESENTATIVES, FEBRUARY 4, 1954

At the 2d session of the 82d Congress, in 1952, certain House resolutions were introduced in the House of Representatives to authorize the diversion, by the Sanitary District of Chicago, of 2,000 cubic feet per second of water from the Lake Michigan watershed, in addition to the 1,500 cubic feet per second, annual average diversion, now authorized. The present diversion of 1,500 cubic feet per second is made under the permit of June 26, 1930, from the Secretary of War, in pursuance of the decree of April 21, 1930, of the United States Supreme Court, in the case of *Wisconsin et al.* v. *the State of Illinois and the Sanitary District of Chicago* (281 U. S. 696, 74 Law Ed. 1123); the total annual average diversion of 3,500 cubic feet per second would have thus been authorized if the resolutions introduced in 1952 in the 82d Congress were enacted.

A memorandum in support of these resolutions was prepared by the Sanitary District of Chicago, under date of February 1952, which is herewith submitted. The facts stated in this memorandum and the arguments on behalf of increased diversion of lake water at Chicago are as valid today, April 1954, as they were when submitted in February 1952.

The following additional statements may be added to this memorandum to bring the factual information up to date:

Page 8 of memorandum:

"Annual freight traffic on the Illinois Waterway has increased as follows:

	Short tons
1949	12, 595, 114
1950	16, 420, 000
1951	17, 617, 900
1952	----------
1953	----------"

Page 18 of memorandum:

"The total amount expended by the Sanitary District of Chicago, toward facilities for sewage treatment, stated as $281 million to December 31, 1951, has been increased to $308 million by December 31, 1953. This amount is subdivided as follows:

Intercepting sewers	$155, 000, 000
Sewage pumping stations	15, 000, 000
Sewage treatment plants	138, 000, 000
Total	308, 000, 000

"This figure is in addition to $82 million previously expended for the construction of canals, river improvements, etc., no longer of direct use to the sanitary district for the disposal of sewage (by dilution); but of great value to the general public, in respect to navigation. Total expenditures by the sanitary district of Chicago have thus been $400 million. The State of Illinois has expended an additional $20 million toward the Illinois Waterway."

Page 20, first paragraph of memorandum:

"In 1951 the percentage of sewage treatment by the sanitary district of Chicago (on sewage passing through the treatment plants), based on the removal of biochemical oxygen demand (BOD), was 92.5 percent. In 1952 the corresponding figure was 93.6 percent. These results were somewhat better than the 90 percent estimated in the February 1952 memorandum."

Page 21, 2d paragraph, of memorandum (correction):

"A continuing deficiency of 32,000 pounds per day of DO will probably result in a polluted waterway from Chicago to a point downstream beyond the Dresden Island pool. In this statement in the 1952 memorandum, BOD, or biochemical oxygen demand, was printed, in error, in place of DO, or dissolved oxygen."

With the above amendments, the memorandum of February 1952, presents the proper data in connection with the pending bill for increased diversion of lake water, at Chicago, Ill., and is respectfully submitted herewith.

At the hearings in 1952, before the Committee on Public Works, of the House of Representatives, Col. William B. Milne, representing the Corps of Engineers, United States Army, recommended that an increase, of 1,000 cubic feet per second in the diversion of water from Lake Michigan at Chicago, be authorized for a period of 3 years; and that during this period the Corps of Engineers be authorized to review previous reports, with a view to determining whether any increase in flow through the Illinois waterway is necessary or desirable in the interests of commerce and navigation.

The original resolution in the 82d Congress, for an increase in diversion of 2,000 cubic feet per second, was thereafter amended by the House Committee on Public Works to provide for an increase of 1,000 cubic feet per second, for 3 years, and for a study by the Corps of Engineers to determine the actual needs. The resolution, as thus amended, was approved by the House Committee on Public Works, in June 1952, but due to the early adjournment of the 82d Congress failed to receive consideration.

At the 1st session of the 83d Congress, a similar resolution, to permit the additional diversion of 1,000 cubic feet per second, H. R. 3300, was introduced in the House by Representative JONAS of Illinois. Hearings on this resolution were held July 15 and 16, 1953, before the Committee on Public Works, of the House of Representatives. Subsequently this bill was approved by the House Committee on Public Works, but again because of the early adjournment of the 1st session of the 83d Congress, failed to receive consideration.

This bill (H. R. 3300) was considered by the House of Representatives, at the 2d session of the 83d Congress, February 2, 3, and 4, 1954, and passed February 4, 1954.

The present authorized diversion of 1,500 cubic feet per second from the Lake Michigan watershed, at Chicago, includes the runoff from the drainage areas of the Chicago and Calumet Rivers, which averages about 550 cubic feet per second. Of this latter amount, a yearly average of about 270 cubic feet per second runs off during the 10 to 12 major storms which occur in Chicago each year. This storm flow must be handled as it occurs and thus results at such times in high discharge from the drainage canal at Lockport, but for short periods, seldom as long as 24 hours. During such storm periods, all inflow from Lake Michigan is shut off.

Deducting this 270 cubic feet per second of storm flow from the 1,500 cubic feet per second, annual average, of diverted water, leaves about 1,230 cubic feet per second which can be budgeted throughout the year in the manner which will produce the best effect on the waterway, from a sanitary standpoint. This annual budgeting has resulted in average diversions as low as 700 to 800 cubic feet per second in cold months,

and as high as 2,000 cubic feet per second in hot, dry months.

Aware of the fact that some downstate residents along the Illinois River have expressed fear of flood damage due to any unusual increase in the authorized diversion of water from Lake Michigan, at Chicago, the board of trustees of the Sanitary District of Chicago, at a meeting April 12, 1954, passed an ordinance establishing the policy of the Santitary District of Chicago to be followed by it when H. R. 3300 is enacted. This policy, as established by the Sanitary District of Chicago, briefly summarized, provides:

1. The maximum direct diversion at any one time shall not exceed 5,000 cubic feet per second, and then only in the dry warm summer months.

2. The sanitary district will not divert any water direct from Lake Michigan in times of flood.

3. The amount of direct diversion shall at all times be under the direct control and supervision of the United States district engineer at Chicago.

4. The United States district engineer shall have full control of direct diversion in times of flood in the Illinois, Des Plaines, Chicago, and Calumet Rivers.

As heretofore emphasized at the original hearings before the House committee in the 82d Congress, 2d session, and in the 83d Congress, 1st session, the Illinois Waterway is an artery of commerce of great and steadily increasing importance to the Nation. It connects the two most important waterway systems in the United States, namely, the Great Lakes and the Mississippi River. The commercial importance of this waterway has been recognized by Congress, which has approved the project for widening the main drainage canal from Joliet to Sag and the Calumet-Sag Channel to extend this waterway to the important Calumet industrial region.

It would benefit the welfare of the users of this waterway, both on boats and on shore, to have at all times a clean stream on and about which to operate. Industry and industrial workers would be benefited by having clean water for plant uses.

Despite the fact that the sanitary district of Chicago is now and for some time past has been providing complete treatment for substantially all of its sewage (to the extent of reducing its putrescence by more than 90 percent, as an annual average) the upper 50 to 60 miles of the Illinois Waterway is foul, and, at times, extremely offensive. This is particularly the case in respect to the residents and workers along the Brandon Road pool in Joliet, Ill. No sanitary project in the entire world equals the sewage treatment in the sanitary district of Chicago, or approaches it in volume.

The waterway is foul because, even with the highest degree of sewage treatment practicable, it receives each day a considerable tonnage of suspended sewage solids in approximately 1,100 MGD (1,650 cubic feet per second) of treated sewage, having a biochemical oxygen demand in excess of that which can be satisfied by the water presently diverted. The water authorized for navigation and now available in the canals, and the aerated treated sewage, can provide only about 75 percent of the dissolved oxygen needed to supply the oxygen demand and to stabilize the solids remaining after complete sewage treatment. Since the flow is through quietly moving streams there is not much aeration of the water and little oxygen is absorbed from the air. The digesting of sludge previously settled in the canals and the pools of the waterway, at times, increases the oxygen demand.

No marked improvement can ever be expected with the present quantity of fresh water available.

An additional diversion of 1,000 cubic feet per second of water from Lake Michigan, in addition to the presently authorized 1,500 cubic feet per second from the Lake Michigan watershed, would improve the condition considerably and we believe the study of the situation by the Army engineers, as proposed in H. R. 3300, would lead to a recommendation for a permanent diversion in excess of this 1,000 cubic feet per second.

The need of water for the waterway between Lockport and Grafton was not considered by the Supreme Court, in the Lake Level case. This case, between States, was limited to the Great Lakes and to ports on the lakes. The Supreme Court decision of 1929 (278 U. S. 367) held that the authority of the Secretary of War was limited to authorization of a diversion for the purpose of maintaining navigation in the Chicago River.

The study of the amount of water needed to develop a commercially useful waterway in the Illinois River, required in the River and Harbor Act of July 3, 1950, and made 1933 (H. Doc. 184, 73d Cong., 2d sess.), should now be completed and the indirect needs, in the matter of securing satisfactory sanitary conditions for those aboard vessels or employed at terminals, should now be determined.

The Army engineers at the original hearings before the House committee in the 82d Congress, 2d session, and again before the House committee at the hearings on H. R. 3300, in the 83d Congress, 1st session, recommended an increase of 1,000 cubic feet per second and that studies contemplated by the pending bills be undertaken with a view of determining whether or not an increased permanent diversion was necessary for the Illinois Waterway; their report and recommendations to be thereafter submitted to the Congress for their consideration.

We, therefore, respectfully urge that an increase in diversion be permitted to be effective during the course of the studies recommended by the Army engineers, to the end that Congress may have the benefit of this advice in recommending the enactment of necessary legislation.

Respectfully submitted.

The Sanitary District of Chicago, Board of Trustees: Anthony A. Olis, President; Frank W. Chesrow; John A. Cullerton; Casimir Griglik; John G. Henneberger; J. B. Martin; Wm. S. Nordburg; William F. Patterson; Michael J. Rudnik.

Harry E. Eaton, clerk; William A. Dundas, general superintendent; William H. Trinkaus, chief engineer; H. P. Ramey, assistant chief engineer; Lawrence J. Fenlon, principal assistant attorney; Russell W. Root, attorney.

PERMISSION FOR GOVERNMENT EMPLOYEES TO ATTEND PARADE OF THE AMERICAN LEGION

Mr. JOHNSTON of South Carolina. Mr. President, on Friday last, upon my own responsibility as a member of the Senate Post Office and Civil Service Committee, and as a long time active member of the American Legion, I introduced Senate Concurrent Resolution No. 105. No request from any civil-service group or veteran organization solicited my interest or intercession. No official of either of these groups importuned me to sponsor such a resolution. The bill was unanimously reported by the Committee on Post Office and Civil Service and is on the calendar.

Long before I had any thought of politics, it was my privilege and pleasure to become an active member of my local post No. 28 of the American Legion at Spartanburg, S. C. Through the years it has been my honor to have served as a delegate to several of the State and national conventions of the Legion. The work I have been privileged to do on behalf of the organization in its grassroots deliberations and in its State and national councils has drawn me more closely through the years to its great objectives and purposes. The achievements of the American Legion on behalf of our country in its national defense program, its long determined, and continuing fight against communism, its ever-present and active program to foster Americanism, its alertness to the needs of our disabled, their widows and orphans, are enduring monuments to its usefulness, unexcelled in scope or results by any other patriotic organization within my knowledge or memory. I am proud of the opportunity I have had in a long-time membership in this organization and the comradeships I have thus maintained.

In attending many of the national conventions I have noted and observed that the civil affairs of the cities where the conventions were being held were closed during the mammoth parades that accompany such conventions. Not until I saw the article in the Washington Post on Friday morning, August 13, 1954, had I ever observed that anyone had been so callous to a national gathering of former soldiers—good Americans banded together "for God and country"—as to calculate in man-hours an estimated financial loss attending the proposed shutdown of our civil offices here for the patriotic purpose of witnessing an all-embracing American affair—the national convention parade of the American Legion.

The local press have given two reasons for the action of the administration in refusing to give the Government and District employees time off, namely:

First. A loss in man-hours estimated at a cost of $1,900,000; and

Second. That employees may see a part of the parade which will continue past the normal closing of offices.

I daresay that the individual who concocted these reasons for the administration has never attended a national convention of the Legion or become imbued with the holiday spirit of its parade. I daresay, also, that such an individual has a short memory of reviewing the parades of these boys just before any of them left for France in World War I, or to all parts of the world in World War II, and has even forgotten those who left more recently for the "police action" in Korea. In line in one of those marches I saw men waving their hands in farewell to the mothers, wives, sisters, and sweethearts. Many were weeping, and I heard such remarks as: "Nothing is too good for our boys." Did that mean "nothing too good" for our boys buried here and in hundreds of foreign fields, in marked or unmarked, or even watery graves? Should it not also mean, "Nothing is too good for our boys" who were fortunate enough to return to carry on in time of peace the work for which their comrades have given their lives? While it is difficult under these circumstances to refrain from being sentimental, I shall endeavor to do so.

Reasons alleged to be practical are assigned for denying free leave to our civil employees here to participate in honoring our patriots of all recent wars. Let us not forget that many veterans will thus be denied the opportunity of joining with their comrades, for over 25 percent of our civilian employees are veterans. I do not know the basis or formula adopted to reach the estimated cost of $1,900,000, and it may have a semblance of truth from an actuarial point of view. As a more practical matter, however, I know that those who may be forcibly kept from mingling with their friends and neighbors from back home, their former comrades in arms, their home folks, will simply be putting in time rather than work during the 3½ or 4 hours of their detention. No theorist or economist can successfully dispute this commonsense conclusion.

I wonder how much we would have economized by keeping our civil employees at their desks during the times they were let out to see our visiting foreign dignitaries. I do not decry these turnouts or excusals from work. In the main, they have a good effect upon our international public relations. But what did it cost when employees were excused to get a look at Nehru, at the Emperor, the Lion of the Tribe of Judah, at the Shah of Iran, the Premier of Turkey, the President of the Dominican Republic, and the numerous persons of European royalty strutting down the avenue in regalia purchased with American tax dollars? These are just a few of the foreign royalty that we have honored in recent years. The time allowed employees on such occasions, if it were possible to calculate the cost, may well be worthwhile. To my mind it is the poorest kind of economy and public relations to get out the slide rule to start economizing when American veterans visit their National Capital and deny those here in a civil capacity the fullest and freest opportunity to fraternize with their home delegations coming from almost every city, town, and hamlet in the United States. The estimated cost of $1,900,000 will be greatly offset by the lift in morale, extra effort, and zeal demonstrated by employees on the days prior to the parade day and the morning hours preceding the parade. There will, in my judgement, be no loss in money at all, but rather to the contrary, a great gain in terms of dollars and cents if our Government employees are given time off as provided in the resolution.

The reason has been advanced that inasmuch as the parade will continue beyond normal working hours, employees may then see a part of the parade. This line of reasoning makes no appeal to my mind and would do gross violation to the sentiment involved. The principal units of any parade are at its head. This rule is followed by the American Legion. Places of honor among the first contingents of the parade will be assigned to those State departments of the Legion excelling in membership gains, Americanism endeavors, and other outstanding achievements. From what I have read, I am led to believe that the coming convention and parade will be the Legion's greatest and most memorable. If that is true, our Nation's Capital will witness the largest parade it has ever had here. Many from our States have never visited Washington, and they are glad this convention affords an opportunity to visit their Nation's Capital. The crowd will be immense and the parade of such proportions that no interruption or interception will be permitted in the line of march. Picture the resulting confusion, delay, and costs involved in keeping 85 percent of our Government employees south of the line of march from their normal quitting time until the close of the parade at the estimated hour of 11 p. m. How much will be the Government's loss on September 1, 1954, from such a blow dealt on August 31? This question should be propounded to the actuarial specialists and economists.

Small communities throughout the length and breadth of this country, in the very heart of America, have conducted drives and raised funds to send their contingents here for this convention. Large and small industries in many States are sponsoring their local groups who will attend. The expenses involved have been tremendous and unsparingly supported. We in the Congress owe a little to those back home, and it is our duty to see that these former soldiers and their families are welcomed and greeted by their relatives and friends working here. Any other course, in my judgment, would be a withholding of hospitality and a show of little or no appreciation of what the American veteran has meant to the survival of our country.

I believe in and practice economy. I want my Government to do likewise. My votes here in the Senate reflect this position of mine. On this particular occasion, however, economy comes a little too dear at the expense of those who have followed the flag, and those of their neighbors from every State in the Union employed in a civil capacity here.

Last Saturday, we voted about $3 billion to add to the unexpended $9 billion for our foreign giveaway programs. Think of it. Over twelve thousand millions of dollars the Congress has voted for Mr. Stassen's foreign-operations program. This is a figure to stagger the imagination. If the Congress can earmark so much for foreign aid without revulsion, certainly the sum estimated as a loss in granting employees a half-holiday on the occasion of the American Legion national parade will not be adversely felt, and is a mere pittance by comparison. In reality, there will be no loss at all. The folks from home will be cheered by the recess for members of their families, and the departments and agencies of the Government will gain in increased morale, patriotic zeal, and increased productivity preceding and following the festivities.

I shall always contend that the debt we owe our own people exceeds the assumed obligations it is contended we owe to others. I shall always be an American first—not an America-firster, but an American first, last, and always. It is my sincere conviction that no loss will be sustained by excusing the Government employees for the afternoon of August 31, 1954, and any presumed loss will be more than compensated by the gains I have enumerated.

ORIGIN AND CHARACTERISTICS OF THE COLORADO RIVER

Mr. CRIPPA. Mr. President, I have prepared a speech on the Colorado River. I know the hour is late, and I know that there is no desire on the part of other Senators to listen to speeches at this time. Therefore, I ask unanimous consent that my statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE ORIGIN AND CHARACTERISTICS OF THE COLORADO RIVER—STATEMENT BY SENATOR CRIPPA

The United States is blessed with 10 great river systems which provide water for consumptive uses, power generation and irrigation. Of these, the Colorado River has for years been the topic of discussion in the press, on the radio, and in the Halls of Congress. In Congress, legislation relating to the river's control, development, and use has been under consideration since 1952.

Approval of this far-reaching legislation will make possible the full utilization of the Colorado River and provide the power and water necessary to the maximum development of municipal, agricultural, industrial power and recreational resources. Passage of this legislation will mark the beginning of 100 years of sound and consistent population and economic growth in the four States of the upper Colorado River Basin—Colorado, New Mexico, Utah, and Wyoming.

The Colorado River drains parts of seven States in the arid West, where water is literally the lifeblood of the economy. The States are California, Nevada, and Arizona in the lower basin, and Colorado, New Mexico, Utah, and Wyoming in the upper basin.

The Colorado is a unique river. It is long and crooked. It rises in the Rocky Mountains of Colorado, New Mexico, Utah, and Wyoming, and, after dropping swiftly down its numerous tributaries, which drain the snow-capped peaks, it enters a deep gorge which cuts through the Colorado plateau for several hundreds miles. This gorge is often more than 3,000 feet deep, with nearly vertical side walls. Along this stretch of the river, there is little arable land and few people. Getting the water out of the river and transporting it to the irrigable, populated valleys near this section of the river has been a near-impossible task in the past.

After the river leaves the deep canyon near Topock, Ariz., however, diversions of water for irrigation are possible, and several such diversions were made half a century ago. These early diversion works, however, were subject to frequent damaging floods, which severely limited irrigation development. On the upper tributaries of the river many small diversions were made during the same period. These, too, were limited by the difficulty of controlling the widely fluctuating flow of the river.

The Colorado River is a snow-fed stream. Its origin is in the great snow blanket which accumulates each winter in the high watersheds of the Colorado River Drainage Basin. This snow blanket is a huge natural reservoir, the outlet of which cannot be controlled by man. The snow melts with the rising temperature in the spring, and the rapidity and duration of rise of the temperature, together with the extent and water content of the snow cover, determines the river flow.

Contrary to conditions in Eastern streams, precipitation falling as rain—being a minor part of the total annual precipitation—has little effect on the flow of the Colorado River. The lower elevations in the Colorado Drainage Basin are extremely arid and contribute very little to the total flow of the river. The lower basin—Arizona, Nevada, and California—being at a low elevation, contributes only 10 percent of the total flow. In fact, California produces none of the water of the Colorado, and Nevada very little.

Depending solely on a precipitation—rain or snow—which varies widely from year to year and on an unpredictable temperature, the flow of the Colorado River varies widely from month to month and from year to year. This wild, unruly river, which defied the efforts of man to control it up to the time the Hoover Dam was built, varied from a virgin low flow at Yuma, Arizona, of about 1,200 cubic feet per second to a virgin high flow of approximately 300,000 cubic feet per second.

The maximum development, without storage for regulation, of a water source of this kind, which varies widely and is difficult to control, is limited to its low-water flow. Prior to 1920, the low-water flow was fully appropriated and put to use. Continued development in the upper and lower basins began to impinge upon existing rights. This situation prompted the development and signing of the Colorado River Compact, which divided the waters of the river between the upper and lower basin States prior to its being put to use.

This compact, by itself, had no effect on the flow characteristics of the river, but it provided a basis for the development of necessary physical controls which would affect the flow characteristics. Shortly after the Colorado River Compact was signed, the Hoover Dam was proposed, and by 1935 it was completed and the Colorado River below the dam was under complete control. This control made possible the full and complete use of the waters allocated to the lower basin.

Since the completion of the Hoover Dam, 7 other dams, including 1 in Mexico, have been completed for the purpose of generating power or impounding water for regulation or diversion. In addition, the All American Canal has been completed to deliver water to the Imperial Valley, and the Pilot Know powerplant on the All American Canal has been authorized.

This Pilot Know powerplant will discharge water into the Colorado River just above the Mexican border, where it will be of no further use to the United States. The construction of the Hoover Dam and other facilities in the lower basin has completely changed the flow characteristics in the lower basin and made possible the full use of this water and power resource, not only that which the Colorado River Compact allocates to the lower basin, but the entire flow that passes the Hoover Dam.

But what about the Colorado River above Lees Ferry? In the 32 years since the signing of the compact, except for the Colorado-Big Thompson transmountain diversion and a few other very small projects, nothing has happened except investigations.

These investigations, however, costing between $7 million and $10 million, have been thorough and exacting. They showed that almost no further development is possible in the upper Colorado River Basin without storage for regulation of the river.

Based on these investigations, a proposed plan for the control and utilization of the waters allocated to the upper Colorado River Basin under the Colorado River compact has been made and is now before Congress. This plan, when carried out, will complete the control of the river and make possible the beneficial consumptive use of the water allocated to the upper Colorado River States by the compact. Furthermore, the storage dams proposed for the project will generate hydroelectric power which will produce revenue for the repayment of all power costs, with interest, and have left over revenues to help pay the irrigation costs, all within 50 years, and then yield a net annual revenue of millions of dollars for public benefit.

Legislation relating to this project is now before the Congress. Its approval means the control of the Colorado River for the benefit of the people, by providing water and power for the agricultural, industrial, and municipal development in the upper basin States, and constitutes an investment in the future for this Nation.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 951. An act for the relief of the Trust Association of H. Kempner; and

H. R. 8606. An act for the relief of Neil C. Hemmer and Mildred Hemmer.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 109) authorizing the Speaker of the House and the President of the Senate to sign enrolled bills and joint resolutions, notwithstanding the sine die adjournment of the 83d Congress, 2d session.

CONTROL OF LEVEL OF LAKE MICHIGAN

The Senate resumed the consideration of the bill (H. R. 3300) to authorize the State of Illinois and the Sanitary District of Chicago, under the direction of the Secretary of the Army, to help control the lake level of Lake Michigan by diverting water from Lake Michigan into the Illinois waterway.

Mr. BUSH. Mr. President, what is the pending business?

The VICE PRESIDENT. The pending business is House bill 3300, Calendar No. 1830.

Mr. BUSH. Mr. President, concerning that bill, I should like to make a very brief statement.

The bill simply authorizes the State of Illinois and the Sanitary District of Chicago, under the supervision and direction of the Secretary of the Army—

To withdraw from Lake Michigan on the Great Lakes, in addition to all domestic pumpage, a total annual average of 2,500 cubic feet of water per second, to flow into the Illinois waterway heretofore authorized by Congress for a period of 18 months from and after the enactment of this act: *Provided*, That, as soon after the enactment of this act as is possible, the Secretary of the Army shall cause a study to be made of the effect, if any, in the improvement in conditions in the Illinois Waterway by reason of the increased diversion herein authorized, and shall, on or before January 31, 1956, report to the Congress as to the results of said study with his recommendation as to the continuation, increase, or decrease in the amount of increased diversion herein authorized.

Mr. President, I should say that our committee—the Committee on Public Works—reported the bill favorably. The Chicago area—as we heard from the testimony—seemed to be very much in favor of the bill. The Governor of the great State of Illinois strongly endorses the bill.

The junior Senator from Illinois has testified strongly in favor of the bill. The senior Senator from Illinois has not expressed any opposition to the bill. There was some mild opposition expressed to the bill from down the Illinois River, but from a very highly centralized area. On the whole, it seemed to our committee that the weight of the evidence favored the passage of this bill. The bill has a temporary life.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. BUSH. I yield for a question.

Mr. MORSE. Is it not true that when we finally voted on the bill in the Public Works Committee we passed it unanimously?

Mr. BUSH. I will accept the Senator's statement on that point. I cannot recall exactly what the vote was. My recollection is that the sentiment of the committee was very strong, and perhaps was unanimous in favor of the bill. I do not actually remember the vote, let me say to the Senator from Oregon.

Mr. MORSE. I wish to commend the chairman of the subcommittee because of the leadership he has given with regard to this bill. If there was ever a bill before us thoroughly considered it was this bill, and the bill should be passed.

Mr. BUSH. I appreciate the remarks of the Senator from Oregon.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. DIRKSEN. Mr. President, I ask that the Senate disagree to the committee amendments because the House has adjourned and the action would be moot.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were rejected.

The bill was ordered to a third reading, read the third time, and passed.

ORDER OF BUSINESS

Mr. KERR obtained the floor.

Mr. CLEMENTS. Mr. President, will the Senator yield for a unanimous-consent request, without losing his rights to the floor?

Mr. KERR. I yield to the Senator from Kentucky under those circumstances.

Mr. KNOWLAND. Mr. President——

Mr. CLEMENTS. The majority leader might desire to make a similar request. If so, I wish to make that possible, and not interfere with his request.

Does the majority leader wish to have the Senator from Oklahoma yield to him?

Mr. KNOWLAND. If the Senator would, without losing his right to the floor, I have a number of resolutions and unanimous-consent requests which are customary in the functioning of the Senate.

Mr. KERR. I ask unanimous consent that I may do so.

THANKS OF THE SENATE TO PRESIDENT OF THE SENATE

Mr. KNOWLAND. Mr. President, I send to the desk a resolution, ask that it be read by the clerk for the information of the Senate, and that it be immediately considered.

The legislative clerk read the resolution (S. Res. 319), which was considered by unanimous consent and unanimously agreed to:

Resolved, That the thanks of the Senate are hereby tendered to Hon. RICHARD M. NIXON, Vice President of the United States and the President of the Senate, for the courteous, dignified, and impartial manner with which he has presided over its deliberations during the 2d session of the 83d Congress.

Mr. KNOWLAND. Mr. President, briefly referring to the resolution, I know that I speak the sentiments of the entire Senate in expressing our appreciation to the distinguished Vice President of the United States, a former Member of this body, who was my junior colleague for 2 years before moving on to the high office he now occupies. He has presided over this body with dignity and with fairness, and I know all of us wish him well.

THANKS OF SENATE TO PRESIDENT PRO TEMPORE

Mr. KNOWLAND submitted the following resolution (S. Res. 320), which was considered and unanimously agreed to:

Resolved, That the thanks of the Senate are hereby tendered to Hon. STYLES BRIDGES, President pro tempore of the Senate, for the courteous, dignified, and impartial manner with which he has presided over its deliberations during the 2d session of the 83d Congress.

Mr. KNOWLAND. Mr. President, both resolutions are offered on behalf of the majority and minority leaders.

NOMINATIONS OF POSTMASTERS

Mr. KNOWLAND. Mr. President, after a discussion with the minority leader and also the ranking member of the Post Office and Civil Service Committee, a number of nominations of postmasters and others have been cleared by the minority as well as the majority.

First, I ask unanimous consent, as in executive session, for the present consideration of sundry nominations of postmasters.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the nominations will be stated.

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. KNOWLAND. I ask that the postmaster nominations be confirmed en bloc.

The VICE PRESIDENT. Without objection, it is so ordered.

MINISTER TO ICELAND

Mr. KNOWLAND. Mr. President, I send to the desk the nomination which was reported unanimously by the Foreign Relations Committee today of Mr. John Joseph Muccio, of Rhode Island, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Iceland, and I ask for its immediate consideration as in executive session.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will state the nomination.

The legislative clerk read the nomination of John Joseph Muccio to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Iceland.

The VICE PRESIDENT. Without objection, the nomination is confirmed, as in executive session.

DISTRICT JUDGES

Mr. KNOWLAND. Mr. President, I understand there are on the desk two reports of nominations of district judges from the Committee on the Judiciary.

The VICE PRESIDENT. Will the Senator identify the numbers of the reports?

Mr. KNOWLAND. One is the nomination of Mr. Sherrill Halbert of California to be United States district judge for the northern district of California, vice Dal M. Lemmon, elevated.

The other is the nomination of Vernon D. Forbes of North Dakota, to be United States district judge for the district of Alaska, division 4, vice Harry E. Pratt, retired.

The VICE PRESIDENT. Is there objection to the present consideration of the nominations, as in executive session? The Chair hears none, and the nominations will be stated.

The legislative clerk read the nomination of Sherrill Halbert to be United States district judge for the northern district of California.

The VICE PRESIDENT. Without objection, the nomination is confirmed, as in executive session.

The legislative clerk read the nomination of Vernon D. Forbes to be United States district judge for the district of Alaska, division No. 4.

The VICE PRESIDENT. Without objection, the nomination is confirmed, as in executive session.

Mr. KNOWLAND. I ask that the President be immediately notified of all nominations confirmed this day.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

PRINTING MATTERS IN THE RECORD AFTER ADJOURNMENT

Mr. MORSE. Mr. President, will the majority leader yield for a question?

Mr. KNOWLAND. Yes.

Mr. MORSE. Am I correct in my understanding that any Senator who desires to insert information in the RECORD, such as speeches and newspaper material, has received permission to do so?

Mr. KNOWLAND. That is correct.

NOTIFICATION TO THE PRESIDENT

Mr. KNOWLAND submitted the following resolution (S. Res. 318), which was considered and agreed to:

Resolved, That a committee of two Senators be appointed by the President of the Senate to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some further communication to make to them.

The VICE PRESIDENT. The Chair appoints the Senator from California [Mr. KNOWLAND] and the Senator from Texas [Mr. JOHNSON] as members of the committee on the part of the Senate.

PAYMENT OF ADDITIONAL MILEAGE TO SENATORS FOR SPECIAL SESSION OF SENATE

Mr. KNOWLAND (for himself and Mr. JOHNSON of Texas) submitted the following resolution (S. Res. 321), which was considered by unanimous consent and agreed to:

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay from the contingent fund of the Senate, fiscal year 1955, to Senators their additional mileage for the special session of the Senate of the 83d Congress, convened pursuant to the order adopted by the Senate on August 20, 1954.

UNEMPLOYMENT

Mr. CLEMENTS. Mr. President, it has become apparent that this Congress is not going to act on a matter which ranks among the important issues facing great areas of the Nation today.

This Congress is going to do nothing about unemployment.

In a recent poll conducted in my State of Kentucky, I asked the people—farmers, workingmen, businessmen, and others forming a cross section of the population—to rate in order of importance, those issues facing the State.

Unemployment was rated No. 1.

I have seen the recent figures indicating a slight drop in unemployment. They do not minimize the need for action.

The fact that the number of persons suffering each year from tuberculosis is decreasing does not mean that we can relax our efforts to deal with this dread disease.

The latest figures released by the executive branch show 3,346,000 unemployed. This figure does not include those who may be temporarily laid off from their jobs. Temporary layoffs can last for many weeks.

This figure does not include those who are on short workweeks.

Estimates have been made, I understand, which indicate that a figure of 4 million or more may be closer to the number of unemployed in the country today.

These 4 million are not all that are affected. I have here the last issue of the United Mine Workers Journal—the issue of August 1, 1954, which contains some moving words concerning the unemployment problem.

I was drawn to a photograph on the front cover under the caption, "These are Hungry Americans, Uncle Sam." This photograph shows Norman Hill of eastern Kentucky and his family. Mr. Hill is an unemployed miner. Besides his wife, there are six children.

In the magazine, I found other photographs of unemployed workers from Kentucky having families of 4, 6, and 11.

The heads of these families show as only one unemployed person in the figure of 4 million. The fact is that other millions—maybe 4 to 6 million—are dependent on them.

Indirectly other millions suffer, for Mr. Hill and his family and the other millions of unemployed no longer patronize the local grocery, the filling station, the drugstore, the dry-goods merchant, or the hardware dealer.

In the first 5 months of 1954, business failures in the Nation were 39 percent above the same period for last year. Most of these failures have been among small businesses with average liabilities of less than $5,000. This is the highest record of business failures since 1941.

Another effect of the severe conditions can be seen in the bankruptcies taking place in the Nation.

During the first half of this year, there were 307 bankruptcy petitions filed in the State of Kentucky. Last year there were 442 failures for the entire year. In 1952, there were 6 fewer failures than there have been in the first 6 months of this year. This is the highest peak since the 1930's.

I am more familiar with the situation as it exists in my own State of Kentucky and I want to discuss details of this problem as they exist in that Commonwealth. Kentucky, however, is illustrative of the condition existing in many other States. West Virginia has a greater unemployment problem than Kentucky. Michigan, New York, Massachusetts, Pennsylvania, Tennessee, and Wisconsin, to name only a few, also face a serious problem.

This condition has been increasing in severity during the last 18 months.

In January of 1953, there were only 34 major and smaller areas of substantial and of very substantial labor surplus in the Nation, out of the 182 covered in the survey.

In July of 1954 there were 138 major and smaller areas of substantial and very substantial labor surplus in the Nation, of the 149 areas covered in the survey.

Mr. President, I ask unanimous consent at this point in my remarks to insert in the RECORD a table which I have prepared showing the location by States, of the areas of substantial and very substantial labor surplus as of January 1953, and July 1954.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Labor market areas of substantial labor surplus as of January 1953 and July 1954

JANUARY 1953	JULY 1954
ALABAMA	
Jasper	Alexander City
	Anniston
	Decatur
	Gadsen
	Talledga
	Jasper
ARKANSAS	
	Fort Smith
CONNECTICUT	
	Bristol
	Cedartown-Rockmart
	Columbus
	Cordele
ILLINOIS	
	Aurora
Danville	Davenport, Iowa-Rock Island, Ill.
Herrin-Murphysboro-West Frankfort	Herrin-Murphysboro-West Frankfort
	Joliet
	Litchfield
	Mount Vernon
	Peoria
INDIANA	
	Evansville
Terre Haute	Fort Wayne
Vincennes	Michigan City-La Porte
	South Bend
	Terre Haute
	Vincennes
IOWA	
	Burlington
	Ottumwa
KANSAS	
	Pittsburg
KENTUCKY	
	Ashland, Ky.-Huntington, W. Va.
	Frankfort
	Owensboro
	Corbin
	Hazard
	Henderson
	Madisonville
	Middlesboro-Harlan
	Paintsville-Prestonsburg
	Pikeville, Ky.-Williamson, W. Va.
	Morehead-Grayson
MAINE	
	Biddeford
MARYLAND	
Cumberland	Cumberland
MASSACHUSETTS	
Fall River	Fall River
Lawrence	Lowell
Lowell	Milford
Milford	New Bedford
New Bedford	North Adams
Taunton	Lawrence
	Southbridge-Webster
MICHIGAN	
Iron Mountain	Adrian
	Ann Arbor-Ypsilanti
	Battle Creek
	Bay City
	Benton Harbor
	Detroit
	Ionia-Belding-Greenville
	Iron Mountain
	Jackson
	Monroe
	Muskegon
	Owosso
	Port Huron
MINNESOTA	
	Duluth, Minn.-Superior, Wis.
MISSISSIPPI	
	Jackson
MISSOURI	
	Joplin
	Springfield
	St. Joseph
	St. Louis
NEW JERSEY	
Atlantic City	Atlantic City
	Paterson
NEW MEXICO	
	Albuquerque
NEW YORK	
Gloversville	Albany-Schenectady-Troy
Utica-Rome	Buffalo
	Hudson
	Jamestown-Dunkirk
	Oswego-Fulton
	Utica-Rome
	Amsterdam
	Gloversville
NORTH CAROLINA	
Asheville	Asheville
Durham	Durham
Winston-Salem	Kinston
	Waynesville
	Winston-Salem
OHIO	
Athens-Logan-Nelsonville	Canton
	Findlay-Tiffin-Fostoria
	Mansfield
	Newark
	Sandusky-Fremont
	Springfield
	Toledo
OREGON	
	Portland
PENNSYLVANIA	
Altoona	Berwick-Bloomsburg
Clearfield-DuBois	Erie
Pottsville	New Castle
Scranton	Philadelphia
Sunbury-Shamokin-Mount Carmel	Pittsburgh
Uniontown-Connellsville	Reading
Wilkes-Barre-Hazelton	Williamsport
	Altoona
	Clearfield-Du Bois
	Indiana
	Johnstown
	Kittanning-Ford City
	Lock Haven
	Pottsville
	Scranton
	Sunbury-Shamokin-Mount Carmel
	Uniontown-Connellsville
	Wilkes-Barre-Hazleton
RHODE ISLAND	
Providence	Providence
TENNESSEE	
	Bristol-Johnson City-Kingsport, Tenn.-Va.
	Chattanooga
	Knoxville
	La Follette-Jellico-Tazewell
	Newport
TEXAS	
	San Antonio
	Texarkana
VERMONT	
	Springfield
VIRGINIA	
	Covington-Clifton Forge
	Radford Pulaski
	Big Stone Gap Appalachia
	Richlands-Bluefield
WASHINGTON	
Tacoma	Tacoma
WEST VIRGINIA	
Fairmont	Fairmont
Martinsburg	Parkersburg
Parkersburg	Wheeling, W. Va.-Steubenville, Ohio
Point Pleasant	Beckley
Ronceverte-White Sulphur Springs	Bluefield
	Logan
	Morgantown
	Point Pleasant
	Ronceverte-White Sulphur Springs
	Welch
	Charleston
	Clarksburg
WISCONSIN	
	Beaver Dam
	Kenosha
	La Crosse
	Racine

Mr. CLEMENTS. I should like also to point to another factor which must be considered. In times of labor surplus in one area of the country, it might be possible to shift workers to areas where there is labor shortage.

This has been done in many years since the end of World War II. It is no longer possible.

As recently as July of 1953 there were areas of labor shortage in the Nation. In the 149 areas surveyed last year 5 areas of labor shortage were found. Today there is not one such area listed in the latest issue of Bimonthly Summary of Labor Market Developments in

Major Areas, released by the Department of Labor.

In Kentucky, it is estimated that in the last 2 weeks of June of this year at least 105,000 persons were unemployed. I am confident this is a conservative figure.

The previous high of postwar unemployment in Kentucky occurred just 5 years ago in June 1949. At that time, about 75,000 persons were without work.

In June 1953 it was reported that unemployment in Kentucky amounted to 38,000, just a little more than one-third the figure today.

The number of insured unemployed has, also, risen rapidly to a point that the weekly average for June of this year was 12.1 percent.

Of the 120 counties in the State, 106 of them are above the 6-percent unemployed average set by the Federal Government as one of the standards for classifying an area in group IV, or an area of substantial unemployment. All these counties and areas have not been classified in group IV because they do not fill other technical qualifications for classification in this category.

In January of 1953 not one area of Kentucky was classified as group IV by the Federal Government. Today there are 11 group-IV areas in the State with 30 counties—one-fourth of those in the State—placed in this category.

Many other counties have applied for the group IV classification.

Much of the most severe unemployment exists in the mining areas of Kentucky. The most recent figures available show that more than 25 percent of the mineworkers are filing weekly unemployment claims. Many other miners have already exhausted their rights to unemployment compensation.

The unemployment is not limited to the mining areas. In tobacco manufacturing, it runs 21.6 percent. In apparel manufacturing, 23.5 percent are receiving claims. In electrical-machinery manufacturing, 20.7 percent are unemployed. More than 20 percent of those in the construction industry are without work.

Mr. President, I ask unanimous consent to have inserted in the RECORD at this point in my remarks a table setting forth the unemployment by industry in the State of Kentucky for June 1954.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Average weekly number of continued claims filed against Kentucky industry per 100 employed June 1954

Industry	Average weekly claims June 1954	Employment	Average weekly claims as percent of employment
Manufacturing	19,768	159,216	12.4
Food and kindred products	2,352	25,485	9.2
Tobacco manufacturing	1,921	8,887	21.6
Clothing, textile, and leather	4,905	24,659	19.9
Textiles	263	3,121	8.4
Apparel	4,430	18,824	23.5
Leather	212	2,714	7.8
Lumber, wood products, furniture, and fixtures	2,943	17,080	17.2
Lumber	2,028	10,802	18.8
Furniture and fixtures	915	6,278	14.6
Printing, publishing, and paper products	91	8,014	1.1
Printing and publishing	51	7,068	.7
Paper products	40	946	4.2
Chemicals, petroleum, coal, and rubber products	445	12,942	3.4
Chemicals	349	10,770	3.2
Petroleum, coal, and rubber products	96	2,172	4.4
Stone, clay, and glass products	769	5,013	15.3
Primary metal products	1,138	8,030	14.2
Machinery, metal products, and equipment	4,739	45,580	10.4
Fabricated metal products	587	11,672	5.0
Machinery (except electrical)	1,001	15,745	6.4
Electrical machinery	2,726	13,173	20.7
Transportation equipment	425	4,990	8.5
Miscellaneous manufacturing	465	3,526	13.2
Mining and quarrying	12,538	47,152	26.6
Coal mining	11,582	40,921	28.3
Other mining	956	6,231	15.3
Construction	10,393	49,040	21.2
Transportation, communication, and utilities	996	29,670	3.4
Transportation (except railway)	774	14,027	5.5
Trade	5,164	107,531	4.8
Finance, insurance, and real estate	207	15,021	1.4
Service	1,335	31,435	4.2
All other industries	174	1,995	8.7

Mr. CLEMENTS. The States and local communities are extending themselves to deal with this problem. Last year the largest amount in history—more than $76 million of Federal and State funds—was spent in Kentucky on the unemployed, needy aged, blind, and dependent children programs.

The Department of Economic Security, the Agricultural and Industrial Development Board, and other State agencies in Kentucky are bending every effort at relieving this situation. Similar agencies are at work in other States.

The chambers of commerce, the labor unions, and many other private organizations are devoting time and energy to aid in seeking a solution.

There are two needs in combating unemployment. One is a long-range program to bring new industries and businesses into one-economy areas which have been hard hit.

The Federal Government, through the Departments, is taking some action in this direction. These efforts must be increased and a study of ways and means of strengthening this work should be high on the agenda of action by the Congress which will convene next January.

The second program is short range—dealing with the problem of unemployment as it exists now and as it will continue to affect the country until next year, when further action can be taken.

This is the area in which this Congress has failed.

On March 1 of this year my distinguished colleague from Alabama [Mr. HILL] introduced S. 3044, which was cosponsored by my colleague from Arkansas [Mr. FULBRIGHT] and myself. This measure would amend section 32 of the Agricultural Act of 1935 to make it easier and less expensive for States and local communities to obtain surplus-food supplies to use in the relief of the needy unemployed.

The Department of Agriculture has the authority to move limited amounts of food into areas of need when the State agrees to handle the repackaging and distribution. This is often prohibitively expensive to the local community. Secretary Benson has not pressed the program.

This bill introduced by the Senator from Alabama [Mr. HILL] and cosponsored by the gentleman from Arkansas [Mr. FULBRIGHT], and myself, would give the Secretary additional authority to move more surplus food into distress areas. It would authorize the Agriculture Department to repackage the surplus food into smaller units and distribute them to areas of extreme unemployment, designated as such by the Bureau of Employment Security of the Department of Labor.

The Senate Committee on Agriculture and Forestry did not even schedule hearings on the bill.

On May 28, of this year, I introduced S. 3531. This measure would expedite the construction on navigation, flood control, Federal building and other construction projects already authorized by Congress, for which appropriations and orders for the beginning of construction have not been issued. It would give the President the authority for selection of these projects in the areas where the need is the greatest.

I have urged upon both the Senate Committee on Public Works and the White House the need for this type of activity by the Federal Government as one means of relieving the serious condition that exists in distress areas.

In Kentucky alone, there are civil works projects in the amount of $525,-

180,400 which have been authorized and for which there have been no appropriations.

If appropriations for even a part of these projects had been enacted by this Congress, it would have meant jobs for thousands of the unemployed in Kentucky and it would have provided many thousands of jobs for those in other areas of the country.

Mr. President, I ask unanimous consent to insert in the RECORD at this point in my remarks a table prepared for me by the Department of the Army, Office of the Chief of Engineers, which sets forth in detail the number and location of these projects in Kentucky.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Active civil works projects in Kentucky

Project	Total estimated cost, fiscal year 1956	Appropriations to date	Balance to complete	Year authorized
Flood control:				
Ashland	$3,716,000	$3,716,000		1938.
Barbourville	1,650,000	405,000	$1,245,000	1950.
Buckhorn Reservoir	7,020,000	65,000	6,955,000	1938.
Booneville Reservoir	17,000,000		17,000,000	1938.
Catlettsburg	4,553,000	51,600	4,501,400	1938.
Covington	7,550,000	7,520,200	29,800	1937 and 1938.
Cumberland	89,000		89,000	1950.
Dewey Reservoir	6,415,000	6,415,000		1938.
Hawesville	970,000	970,000		1938.
Jackson	260,000	13,900	246,100	1944.
Lewisport	448,000		448,000	1938.
Louisville	26,700,000	23,547,800	3,152,200	1937 and 1938.
Maysville	6,660,000	5,119,800	1,540,200	1938.
Newport	7,251,000	7,200,000	51,000	1938.
Nolin Reservoir	14,300,000		14,300,000	1938.
No. 2 Barren Reservoir	19,323,000	25,000	19,298,000	1938.
No. 2 Green Reservoir	6,800,000		6,800,000	1938.
Paducah	4,638,000	4,638,000		1937.
Pineville	1,720,000	904,000	816,000	1936.
Rough River Reservoir and channels	8,950,000	125,800	8,824,200	1938.
Sturgis	578,000		578,000	1938.
Vanceburg	1,860,000		1,860,000	1938.
West Point	1,480,000		1,480,000	1938.
Wolf Creek Reservoir	79,278,000	79,278,000		1938, 1941, 1946
Total, flood control	229,209,000	139,995,100	89,213,900	
Navigation:				
Green River locks 1 and 2	10,060,000	5,600,000	4,460,000	1953.
Ohio River locks and dams, Pennsylvania, Ohio, Indiana, Kentucky, and West Virginia.	537,200,000	112,429,700	424,770,300	1918 and prior acts.
Ohio River open channel, Pennsylvania, Ohio, Illinois, Indiana, and West Virginia.	22,700,000	15,963,800	6,736,200	1930 and prior acts.
Total, navigation	569,960,000	133,993,500	435,966,500	
Total, civil works	799,169,000	273,988,600	525,180,400	

Mr. CLEMENTS. Other Federal projects of public buildings, military, and other construction would provide work if this Congress and the administration had given its support to S. 3531.

Instead of support, I have collected a voluminous file of correspondence with the White House and others who should be interested in taking action.

I think a reading of this correspondence is most revealing of the views of this administration and I ask unanimous consent at this point to insert certain of these letters in the RECORD at the conclusion of my remarks.

For those who do not have the time or the inclination to read this correspondence, I can summarize the contents of the replies I have written in a few words:

"Unemployment is a serious problem. We should not have it. We do have it and it bears watching. You may rest assured that we will watch it most carefully."

Mr. President, I am certain that Norman Hill and the other thousands of unemployed in Kentucky and the millions in the Nation, and their families and the businesses that depend on them are most grateful that they are being watched.

I am more confident, however, that these millions of Americans would rather have a little less watching and a little more action.

I am firmly of the opinion that the administration and Congress owed them something better.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON
AGRICULTURE AND FORESTRY,
June 10, 1954.

Hon. DWIGHT D. EISENHOWER,
President of the United States,
The White House, Washington, D. C.

MY DEAR MR. PRESIDENT: The Census Bureau has just released statistics for the week ended May 8 which indicate a drop in unemployment. Although it was encouraging to note that unemployment had dropped slightly, the report did not give evidence that our general economy had reversed its downward trend. The report showed that the seasonal rise in farm and farm industries employment has offset a continued decline in nonfarm employment. Unfortunately the total employment is not spread out and borne equally by all segments of our economy, and some areas of our Nation are suffering acutely from excessive joblessness.

I am concerned over serious conditions of unemployment in Kentucky, the area with which I am most familiar. In addition I note from the latest report issued by the Department of Labor there are numerous localities throughout the country having a critical surplus of unemployed persons. The seriousness of the situation has led me to introduce a bill, S. 3531, a copy of which is attached, that would provide a basis upon which some economic stimulation could be given to those areas having excessive unemployment. Provisions in this bill authorize the President to make the determination as to whether construction of any project previously authorized by Congress will alleviate or prevent unemployment in a distress area.

While the total percentage of unemployed is not great, and would not justify launching a mammoth public-works program, those areas which have critical unemployment constitute a depressing factor upon our entire economy. Steps should be taken now so that these critical areas do not depress our national economy to the point where the contagious effect of a general depression becomes operative.

This situation is akin to a leak in a dam. If early action is taken to stop water seepage in a dam, the dam is saved, while if it is permitted to go unrepaired, the dam is lost. It is my belief constructive steps taken in areas of substantial unemployment now through public works will avert greater hardship to our economy.

Kentucky now has 10 areas designated by the Department of Labor as class IV—substantial labor areas. Some sections of these areas have unemployment that reach the staggering figure of nearly 40 percent of the insured workers. Today's Kentucky papers carry an announcement from the Kentucky Department of Economic Security that one 6-county area has reached an unemployment figure of 57.7 percent. It is my belief that legislation along the line of S. 3531 will strengthen these areas through increasing employment opportunities.

I call this situation in Kentucky and this legislation to your attention in the belief that you too wish to take all steps necessary to provide the greatest economic stability possible in these areas.

I would appreciate your comments and advice on this subject of such great concern to the people of these labor surplus areas.

Sincerely yours,

EARLE C. CLEMENTS,
United States Senator.

THE WHITE HOUSE,
Washington, June 11, 1954.

The Hon. EARLE C. CLEMENTS,
United States Senate, Washington, D. C.

DEAR SENATOR CLEMENTS: This is merely to acknowledge receipt of your letter of June 10 addressed to the President.

You may expect a further reply to your communication shortly.

With kind regards,

Sincerely,

GERALD D. MORGAN,
Administrative Assistant to the President.

THE WHITE HOUSE,
Washington, June 7, 1954.

The Honorable EARLE C. CLEMENTS,
United States Senate,
Washington, D. C.

DEAR SENATOR CLEMENTS: The President has handed me your letter of June 10 and asked me to acknowledge your thoughtfulness in sending him your views on the employment situation.

The President is following the economic situation closely as he has been for many months. He believes that the downward readjustment which began last July has about spent its strength and he believes that it has been prevented from cumulating into a depression as some feared last winter.

His concern now is with the enactment of his legislative program whose many economic sections have billions of dollars of economic stimulus in them. Administratively, through credit and debt management policy and in other ways, the administration is

seeking to minimize the hardships of transition from a war to a more nearly peacetime economy.

The President has instructed me to have the Bureau of the Budget prepare an analysis of your bill (S. 3531) for his use and he is determined to let no good idea go unexamined in his fight to achieve economic stability and a growing economy.

Sincerely yours,

GABRIEL HAUGE,
Administrative Assistant to the President.

JULY 15, 1954.

Mr. GABRIEL HAUGE,
The White House,
Washington, D. C.

DEAR MR. HAUGE: On June 10, I wrote to the President regarding S. 3531, a bill which I have introduced in the Congress to expedite the construction of authorized public works in areas of substantial unemployment. On June 17, I received your answer for the President, indicating interest in the measure and suggesting that you had instructed the Bureau of the Budget to prepare an analysis of the bill for the President's use in whatever action he might deem necessary.

I do not believe the situation has materially changed since our previous communication. I have seen the recent reports of some change in the employment picture, but I do not believe that this tells the whole story. There are still many large areas of the nation where the unemployment conditions are desperate. Unless we take some action before the end of this sesssion of the Congress, there will be real suffering and hardship in these areas during the coming winter.

Since I had received no reply to my previous letter, I am writing again to ascertain the present status of the report from the Budget Bureau and to reexamine my strong convictions that action is necessary.

With kindest personal regards, I am,

Sincerely,

EARLE C. CLEMENTS,
United States Senator.

THE WHITE HOUSE,
Washington, July 26, 1954.

The Honorable EARLE C. CLEMENTS,
United States Senate,
Washington, D. C.

DEAR SENATOR CLEMENTS: Your letter of July 15 asks the status of the report from the Bureau of the Budget on your bill, S. 3531, relating to the construction of needed public works in areas of substantial unemployment, and states your views that immediate action is necessary.

Enclosed is a copy of the Bureau of the Budget's report to the chairman of the Senate Committee on Public Works on S. 3531. The Bureau of the Budget reports substantial agreement among the major Federal agencies that under existing legislation the Government has capacity to plan and provide for the construction of needed public works, and that the President is already equipped to develop and recommend public works measures which he may find to be in the public interest.

As I have indicated in my letter to you of June 17, the President is following the economic situation closely. While a national emergency program does not appear to be necessary at this time, the administration is seeking, through policies embodied in legislative requests, its credit and debt management policy, and in various other ways, to minimize the hardships of transition from a war to a more nearly peacetime economy and to stimulate the economy to a new advance.

Sincerely yours,

GABRIEL HAUGE,
Administrative Assistant to the President.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., July 23, 1954.

Hon. EDWARD MARTIN,
Chairman, Committee on Public Works
United States Senate,
Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in reply to your letter of May 29, 1954, inviting the Bureau of the Budget to comment on S. 3531, a bill "To expedite the construction of needed public works and other facilities in areas of substantial unemployment."

S. 3531, if enacted, would constitute a finding by the Congress that immediate action must be taken to alleviate hardship from the serious condition of unemployment which exists in certain areas of the United States, and to prevent unemployment from becoming more widespread. It would provide authorization for appropriation of such sums as may be necessary to create employment in distress areas by carrying out or continuing public works and other programs already or hereafter authorized by law to provide needed improvements and facilities. Distress areas, or areas of substantial unemployment, would be determined by the Bureau of Employment Security of the Department of Labor. The President would carry out the provisions of the act through such Government departments or agencies as he would designate.

There is substantial agreement among the major Federal agencies that under existing legislation the Government has capacity to plan and provide for the construction of needed public works. As indicated in the Bureau's letter of July 21, 1954, to you, commenting on S. 2913, a somewhat similar bill, the Employment Act of 1946 established the legislative and organizational basis for a continuing review of economic conditions, and for the development of proposals and recommendations to promote employment, as needed. The President, therefore, with the assistance of the Council of Economic Advisers, the departments and agencies of the executive branch, and the Bureau of the Budget, is already equipped to develop and recommend public works measures which he may find to be in the public interest. Recently staff have been added to the Council of Economic Advisers to give special attention to public works planning. And the Council through its interagency task force on public works is presently engaged in developing plans to assure that the Federal Government will be in a state of readiness to expand public construction, if needed.

S. 3531 would authorize appropriations to finance the expediting of public works. Additional congressional action would still be required, however, to provide appropriations before the work could be put underway. Actually, the Federal Government now has a substantial reserve of construction work which has been authorized, either by general or specific legislation. As a result of advance planning funds which are provided for various agencies, there is a large amount of work planned to a stage where construction would be started quickly, and advance planning is in various stages of completion on other authorized work. Accordingly, in most instances, the only legislative step necessary to enable the agencies to undertake this work would be the appropriation of funds by the Congress. In most cases where contractual authority is available, such as the Federal-aid highway program, additional construction could be undertaken without prior congressional action.

In view of these considerations, the Bureau of the Budget recommends that S. 3531 not be enacted.

Sincerely yours,

DONALD R. BELCHER,
Assistant Director.

AUGUST 2, 1954.

Mr. GABRIEL HAUGE,
The White House,
Washington, D. C.

DEAR MR. HAUGE: This is to acknowledge receipt of your letter of July 26, and the attached communication from the Bureau of the Budget regarding S. 3531.

I am naturally disappointed that the Bureau did not recommend action on this bill. The emphasis by the Bureau is all on planning. I certainly do not oppose laying plans so that the program, when instituted will function smoothly and accomplish the greatest good. There is no objection to a bill such as S. 2913, introduced by my colleague Senator PAUL DOUGLAS and my friend in the House, Congressman RICHARD BOLLING. This measure was introduced many months ago and the emphasis at that time was on planning.

Now the need is for action. Unemployment is already serious and people are suffering.

According to reports I have received from Kentucky, 106 out of the 120 counties have a percentage of insured unemployed higher than the 6 percent set by the Administration as the point at which areas are classified as Group IV. Many of these counties have not been declared Group IV because they do not fill some of the other technical qualifications for classification in this category. This does not minimize the fact that substantial unemployment does exist.

Of course, these figures represent only the insured unemployed and do not reflect the number who may have been out of work long enough to have used up their insurance, or those who were not insured in the first place. Kentucky, as with many other States, is suffering its worst period of unemployment since before World War II.

I am informed that at the present time there are authorized flood control and navigation projects in Kentucky amounting to $525,180,400. S. 3531 would make it possible for work to move ahead on these projects, providing jobs for many of those suffering from unemployment. There are Federal projects in buildings and other construction which could provide work. Passage of the School Construction Act would give a measure of relief if the construction could be hurried in those areas where the unemployment is the greatest.

Watchful waiting and the best laid plans will do little to alleviate the misery to be faced during the coming months. I will continue my efforts in the Congress to bring action. I hope that you may find it within your province to take another look at this serious condition and arrive at the means whereby the Executive can move beyond the planning state and into the arena of action.

With every good wish, I am,

Sincerely yours,

EARLE C. CLEMENTS,
United States Senator.

THE WHITE HOUSE,
Washington, August 7, 1954.

The Honorable EARLE C. CLEMENTS,
United Senate, Washington, D. C.

DEAR SENATOR CLEMENTS: Many thanks for your response of August 2. I want you to know that the matters which you discuss are very much in the minds of myself and my associates and we will continue to exert every effort we can to keep the economy stable and growing.

With best wishes,

Sincerely yours,

GABRIEL HAUGE,
Administrative Assistant to the President.

REPORT OF JUDICIARY COMMITTEE

Mr. LANGER. Mr. President, I ask unanimous consent that I may have printed in the body of the RECORD the

report of the Senate Judiciary Committee work and workload from the beginning of the session until August 12, 1954, of the 83d Congress.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SENATE JUDICIARY COMMITTEE WORK AND WORKLOAD AS OF AUGUST 12, 1954, 83D CONGRESS

The workload of the Senate Judiciary Committee during the 83d Congress, as of August 12, 1954, comprised 47.8 percent of all Senate bills and resolutions introduced; 55.9 percent of all House bills and resolutions presented in the Senate; 49.9 percent of all bills and resolutions irrespective of origin.

Not only has the Judiciary Committee received a far larger share of the Senate's total workload than any other standing committee of the Senate; it has also performed a larger share of all committee work than any other committee. Of 2,484 written reports filed on legislation in the Senate by all committees, the Judiciary Committee has filed 1,440, which represents 57.9 percent.

The total of reports filed to the Senate does not give the whole picture of committee activity, because committee consideration of many bills resulted in adverse action and indefinite postponement. Furthermore, the committee has handled and disposed of more than 11,425 individual immigration cases, involving suspension of deportation. Each case is equivalent to a bill.

As of August 12, 1954, the Judiciary Committee had received 2,136 Senate bills and resolutions and 835 House bills and resolutions, making a total of 2,971 bills and resolutions.

As of August 12, 1954, the committee had disposed of 1,751 Senate bills and resolutions and 730 House bills and resolutions, or a total of 2,481 bills and resolutions, which includes 12 bills from which the committee was discharged.

Of the bills thus disposed of, 310 were general bills other than claims or immigration, 451 were private relief bills, 1,694 were private immigration bills, 8 were general claims bills, and 18 were general immigration bills.

Committee approval was granted to 809 Senate bills and resolutions and 636 House bills and resolutions, or a total of 1,445 bills and resolutions of both Houses.

(It will be noted that written reports were filed by the committee with respect to all but 5 of the 1,545 bills and resolutions approved.)

Of the bills and resolutions acted upon favorably, 158 were general bills other than claims or immigration, 270 were private relief bills, 1,001 were private immigration bills, 7 were general claims bills, and 9 were general immigration bills.

Bills postponed indefinitely by the committee included 942 Senate bills and resolutions, 94 House bills and resolutions, or a total of 1,036 bills and resolutions of both Houses.

Of the bills thus acted upon unfavorably, 152 were general bills other than claims or immigration, 181 were private relief bills, 693 were private immigration bills, 1 was a general claim bill, and 9 were general immigration bills.

Measures pending before the committee as of August 12, 1954, included 385 Senate bills and resolutions and 105 House bills and resolutions, or a total of 490 bills and resolutions of both Houses.

Of these bills, 102 are general bills other than immigration and claims, 104 are private relief bills, 237 are private immigration bills, 36 are general claims bills, and 11 are general immigration bills.

It will be noted the committee has disposed of 730 House bills and resolutions out of 835 such measures referred to it, leaving only 105 House bills and resolutions pending as of August 12, 1954.

This means the committee took action on 87.4 percent of all House measures received.

In comparison, out of 2,136 Senate bills and resolutions referred to it, the committee acted upon 1,751, leaving 385 Senate bills and resolutions pending. This means that although the committee had to start from scratch by requesting departmental reports in most such cases, action was taken on 81.5 percent of all Senate measures received.

Suspensions of deportation by the Attorney General, and adjustments of status under section 4 of the Displaced Persons Act, as amended, are, under authority delegated by the Congress, reported to the Congress in groups; but in the committee, each such individual case requires separate investigation, appraisal, and action. At the beginning of the 83d Congress, there were pending in the committee 4,092 cases of suspension of deportation, to which were added 7,855 additional cases submitted since the beginning of the Congress, making a total of 11,947 cases, of which 9,949 were approved, 129 were withdrawn by the Attorney General, and 1,347 cases expired, leaving 522 cases "in process" as of August 12, 1954.

Through August 12, 1954, the committee received and FBI reports were examined by the chairman for 276 executive nominations, of which 1 was a Chief Justice of the United States, 66 were Federal judges, 93 were United States district attorneys, 75 were United States marshals, 3 were Assistant Commissioners of Patents, 1 was Attorney General of the United States, 2 were Deputy Attorneys General, 11 were Assistant Attorneys General, 3 were Examiners in Chief, Board of Appeals, United States Patent Office, 4 were members of the Subversive Activities Control Board, 2 were Solicitors General, 1 was Commissioner of Immigration, 1 was Commissioner of Patents, 7 were members of the Parole Board, 3 were members of the War Claims Commission, 3 were members of the Foreign Claims Settlement Commission.

As of August 12, 1954, nominations pending totaled four.

Mr. LANGER. Mr. President, the leadership has refused to appropriate for the Anti-Monopoly Subcommittee of the Committee on the Judiciary, of which I am chairman, any funds with which to hold hearings on monopolies, trusts, cartels or measures looking to a better enforcement of the antitrust statutes. The hearings will be held anyway. When I became attorney general of my State I gave up all my law work. When I became governor, I again gave up my law practice in its entirety. When I became a United States Senator I no longer practiced law and in my 13½ years here I have had only two law cases, both for very deserving persons and in one of which I charged no fee at all.

Owing to the fact that the Republican leadership has refused to give our Antimonopoly Committee any money which was unanimously requested by the 15-member Judiciary Committee, and has held up the request first in the Committee on Rules and Administration, and then by the Republican Party policy committee of the Senate, the Senator from North Dakota will violate a rule he has never violated since taking public office. Although I am a United States Senator, I am announcing tonight to the world that I will accept four lawsuits between now and January in cases in which the United States Government is involved neither directly nor indirectly, and all the money that I get from those lawsuits that is necessary to be used, after we have exhausted the funds now in the full committee, will be used to conduct those hearings all over the United States of America.

Let the chips fall where they may. I am serving notice now on those who have voted to send $13 billion of American money all over the world, and deny the Antimonopoly Subcommittee of the Judiciary Committee enough money with which to conduct hearings, so that the subcommittee can investigate public power and other monopolies and the alleged monopoly in the manufacture of farm machinery and a score of other matters like the monopoly on medicine, on farm and small business that should be investigated. That will not stop the senior Senator from North Dakota, just because the money which he needs has been denied the committee. These investigations will take place as far as possible. I regret very much if it hurts any Senator between now and election time, but my duty is to the people, the people who suffer from these disgraceful, greedy, unconscionable "gougings," and in that job I shall not fail them, if I am alive.

Mr. MORSE. Mr. President, I wish to commend the Senator from North Dakota for his announcement that he will proceed with his monopoly investigation by a subcommittee of the Judiciary Committee. He will render a great public service. The facts are crystal clear that monopolistic tendencies in this country, particularly in the field of electric power, call for a thoroughgoing investigation of the kind the Senator from North Dakota will conduct. I congratulate him on the statement he has made to the Senate.

TRIBUTES TO THE SENATE LEADERS

Mr. ANDERSON. Mr. President, when I listened a few moments ago to the very fine remarks made by our able minority leader, I thought it was only fitting that before we come to the close of the session a word or two should be said on the Democratic side of the aisle on behalf of our leader.

In the first place, I think it is important to remember that he has some very fine qualities that need to be steadily stressed. The first one is his ability to work with the able majority leader.

Our leader has found in the majority leader a man of character. Being a man of character himself, he has been able to work with the majority leader on an advantageous basis. It is very essential in a body of this nature that the two leaders be able to work together. Secondly, I think the minority leader has worked extremely well with his Democratic colleagues. Time after time Democrats have found themselves united on issues on which they thought they would never be able to unite. For that we pay tribute to our able minority leader.

Finally, he has an understanding of how a minority party should function. He has not tried to take the leadership away from the majority leader. He has tried at all times to function as I believe a minority leader ought to function.

Tonight, when he was praising those who had been associated with him, and

who had made contributions, I thought how great his own contribution had been.

Mr. President, I am not speaking as one who has been selected to speak by the Democratic Party. I am not prompted by anyone to make these remarks. I thought it would be too bad to have this session close without paying a tribute to our leader. I think a tribute should be paid also to the majority leader, because those two men, standing side by side, have done an excellent job in the conduct of the business of this legislative body. As the session comes to a close, a tribute should be paid to their fine accomplishments.

Mr. THYE. Mr. President, I am at the present moment standing at the desk of the majority leader. I wish to make a brief comment on the remarks of the distinguished Senator from New Mexico [Mr. ANDERSON]. He is occupying the position of the minority leader, while I am occupying the position of the majority leader, during the absence of the majority leader and minority leader, as they carry the message to the President of the United States that the Senate is about to adjourn.

I commend the Senator from New Mexico for having spoken as he did of the minority leader.

I sit in the rear of the chamber. Therefore the entire assembly is before me every day. Time after time I have admired the manner in which the majority leader and the minority leader have conferred with one another. At no time did they break faith with one another. At no time have I heard any serious disagreement between them. They may have disagreed momentarily, but not in the sense that it injured or delayed any legislative process.

That has been a most commendable demonstration of what two able and strong-minded men are capable of doing.

The Senate has accomplished a great deal. If we examine all the legislative measures which have been enacted, it will be found that they have been beneficial. They have been conservative from the standpoint of appropriations, and the Nation has therefore been benefited. The leadership of both LYNDON JOHNSON, of Texas, and WILLIAM KNOWLAND, of California, has been outstanding.

I had to take this moment to pay tribute to those two young men. They are younger than I am, and therefore I am able to appraise their ability and their services to the Nation.

Mr. ANDERSON. I appreciate what the Senator from Minnesota has said about the leader on this side of the aisle, and I join with him in praising the leader on the other side of the aisle. They are two very fine men.

Mr. KUCHEL. Mr. President, I would not want the 2d session of the 83d Congress to close without attempting in a few words to express the respect I have for Members of the Senate with whom I have been privileged to serve during 1953 and 1954.

In the Presiding Officer's chair is the Vice President of the United States, my predecessor and my friend, and one whose labors in the Senate are making this Government a success.

My senior colleague from the State of California [Mr. KNOWLAND], the majority leader of the Senate, could not have been more generous with me had he been my own blood relative. I know something of the long hours he has put in, both on the floor and in his office in dealing with a situation which has been unique and which all of us have heard him describe on many occasions. He is the only majority leader in the history of the Nation who has not had a majority to lead. On many occasions I have seen Members from the other side of the aisle join with the Republican Members on this side of the aisle in enacting legislation in the interest of the people and in the interest of the United States.

I shall return to California with that great example in mind, proud to have sat in the Senate in the two sessions of the 83d Congress, and to have seen the Representatives of the several States act as they saw their duty to act and stand up to be counted in the interest of a great and glorious future for our families and for everyone in this great land of ours.

Mr. KERR. Mr. President, as we come to the close of this session, as has been evident, we pay tribute to the leaders of the Senate. One of the things I have been thinking of as I have sat here has been the outstanding leadership which the minority leader, the distinguished Senator from Texas [Mr. JOHNSON], has given to the Democratic Party in the Senate and the contribution he has made to the leadership of this body. He has been courageous; he has been intelligent; he has been patient; he has been devoted to his party, and to his State, and, above all, he has been an outstanding and great American. I am happy to join my voice in tribute to the outstanding leadership he has given us.

I also wish to congratulate his able, genial, and energetic assistant, the distinguished Senator from Kentucky [Mr. CLEMENTS]. I think our party has been fortunate indeed in having these two outstanding members of our party and of this body.

I pay tribute to the distinguished majority leader. He has been effective, vigorous, and, at times, tough, in his leadership. As I have observed him, in my judgment he has been extremely fair and just, and he has been courteous at all times. I could make no criticism of him other than that by a Democrat of a Republican. I do not think he could have been any more fair or just—nor do I think anyone else could have been—to the Democratic membership of the Senate.

I thank the Presiding Officer of this body for his unfailing courtesy, fairness, and justness.

Mr. President, I wish now to turn to another subject.

The VICE PRESIDENT. The Senator from Oklahoma has the floor.

ASSISTANCE TO DROUGHT DISASTER AREAS

Mr. KERR. Mr. President, a little while ago, after I had spoken to the distinguished Senator from Nevada [Mr. MALONE] and asked if he would yield to me to make a unanimous-consent request, and after he had told me that he would yield, I rose and asked unanimous consent that I might make a unanimous-consent request without the distinguished Senator from Nevada losing the floor. Such procedure or similar procedure had been carried on for some hours this afternoon, and was carried on for some hours thereafter during the afternoon, I believe, dozens of times, without objection being heard from any Senator. I thought that was unusual, but I thought it characterized outstanding attributes and demonstrated good will, an attitude of fairness, and a purpose to get along with the business in the closing hours of the session. Therefore, Mr. President, I was somewhat shocked when the distinguished Senator from Vermont [Mr. AIKEN] objected to my having an opportunity to propound a unanimous-consent request to the Senate. However, he was acting within his rights. I do not criticize him. I do say, however, that I was somewhat surprised and shocked at what seemed to me to be a lack of courtesy to another Member of this body.

I had wished, Mr. President, to ask unanimous consent to have a resolution considered. I wish now to read the resolution which at that time I intended to ask unanimous consent to have considered, and which I shall later in my remarks present and ask to have considered:

Resolved, That it is the sense of the Senate that, in order to relieve suffering and distress among farmers and stockmen in the drought-stricken areas of the United States, the Secretary of Agriculture should proceed more rapidly and effectively to carry out, in accordance with the intent of the Congress in enacting such provisions, his powers and duties under section 2 (a) of the act of April 6, 1949 (relating to the making of loans in areas in which production disasters have occurred); section 2 (b) of such act (relating to the making of loans to farmers and stockmen for agricultural purposes in areas in which economic disasters have occurred); section 2 (c) of such act (relating to special livestock loans to producers of livestock in need of supplementary financing); section 2 (d) of such act (relating to the furnishing of feed for livestock and seed for planting in major disaster areas); section 208 of the Agricultural Act of 1954 (authorizing the Commodity Credit Corporation to sell certain feed grains); section 407 of the Agricultural Act of 1949, as amended by section 301 of the Agricultural Trade Development and Assistance Act of 1954 (authorizing the Commodity Credit Corporation to make farm commodities and products thereof available for use in relieving distress in disaster areas); and any other provisions of law authorizing the furnishing of relief to farmers and stockmen in the drought-stricken areas.

It is my firm conviction that those provisions of law which have been enacted by the Congress have not been carried out in letter or in spirit by the Secretary of Agriculture.

It is my firm conviction, based on first-hand knowledge and reliable reports, that the condition of farm families in many States which have, under the provisions referred to, been declared by the President of the United States to be drought disaster areas, is such that thousands of farm families in those States and areas are in need of assistance which

the Secretary is authorized, and, in my judgment, in spirit, directed by the law to give. Yet such assistance is not being received.

The purpose of the resolution is to show that it is the sense of the Senate that in order to relieve suffering and distress among farmers and stockmen in the drought-stricken areas of the United States, the Secretary of Agriculture should proceed more rapidly and effectively to carry out, in accordance with the intent of the Congress in enacting such provisions, his powers and duties under existing law.

Could there be anything more fair than that objective? Is there any cause more appealing or more worthy of consideration than that of relieving suffering and distress among citizens and families of our country in the drought-stricken areas of our Nation?

A little while ago, while the Senator from Oklahoma was awaiting an opportunity to ask unanimous consent to present and have considered this resolution, a telephone call came to me from the office of the Governor of Oklahoma. Assembled in the Governor's office were the distinguished present Governor of our State, Senator Raymond Carey, Democratic nominee for the office of Governor of Oklahoma, and Senator Ray Fine, one of the outstanding State senators of Oklahoma, who was recently selected by the Democratic caucus to be the president pro tempore of the Senate of the Oklahoma Legislature when it meets in session next January.

Mr. President, in the course of that conversation with the Governor of Oklahoma and the others with him, word was again given to the senior Senator from Oklahoma that each day conditions become more serious and more critical to more farm families in Oklahoma.

I was advised by the Governor during that conversation that several thousand farm families are now in the process of winding up their business and disposing of their limited assets because they are being literally driven from the farm by the devastating drought and the resulting damage and disaster.

The Governor of Oklahoma and others with whom I talked in that conversation asked me to present that information to the Senate, in the hope that even in the closing hours of this session the Senate might call upon the Secretary of Agriculture to act, under the authority which he has in the laws referred to in the proposed resolution, to meet the requirements of families in drought-stricken areas to avoid total and complete tragedy.

Mr. President, 37 counties in Oklahoma have been declared to be within the area where the citizens are entitled to the relief provided by these sections. All of Oklahoma has been declared by the President to be a drought-disaster area, but only 37 of the counties have been designated as entitled to the assistance made available under these sections of the law.

The law is not being carried out by the Secretary of Agriculture. He has abundant authority to act and to meet the needs.

I wish to read one section of the law:

Emergency assistance in furnishing feed and seed; utilization of Agriculture Department agencies.

Being subsection (d) of section 1148a, United States Code, Annotated, Title 12, 1953, Cumulative Annual Pocket Part.

The Secretary is authorized in connection with any major disaster determined by the President to warrant assistance by the Federal Government under sections 1855–1855g of title 42, to furnish to established farmers, ranchers, or stockmen, feed for livestock or seeds for planting for such period or periods of time and under such terms and conditions as the Secretary may determine to be required by the nature and effect of the disaster. The Secretary may utilize the personnel, facilities, property and funds of any agency of the United States Department of Agriculture, including Commodity Credit Corporation, for carrying out these functions, and shall reimburse the agencies so utilized for the value of any commodities furnished which are not paid for by the farmers or ranchmen, and for costs and administrative expenses necessary in performing such functions.

Under subsection (b) of that same act, Mr. President, is this language:

The Secretary is authorized in connection with any major disaster determined by the President to warrant assistance by the Federal Government under sections 1855–1855g of title 42, to make loans to established farmers and stockmen for any agricultural purpose in the area covered by the determination of the President, if the Secretary finds that an economic disaster has also caused a need for agricultural credit that cannot be met for a temporary period from commercial banks, cooperative lending agencies, the Farmer's Home Administration under its regular loan programs, or other responsible sources. The loans shall be made at such rates of interest and on such general terms as the Secretary shall prescribe for such area.

Mr. President, the authority of those 2 sections is broad, general, and sweeping, ample and adequate for the Secretary of Agriculture to meet the needs of these families, not only in Oklahoma but in a dozen other States.

It is the purpose of the resolution which the Senator from Oklahoma will offer in a few moments—unanimous consent for the consideration of which he will ask—to direct the Secretary of Agriculture to proceed more rapidly and effectively to carry out the authority and responsibility of those and other sections of the public law.

If, however, his authority were not sufficient under those two sections, I refer to title III, section 301, of Public Law 480, approved July 10, 1954, passed by the 83d Congress:

Section 407 of the Agricultural Act of 1949 is amended by adding at the end thereof the following:

"Notwithstanding the foregoing, the Corporation, on such terms and conditions as the Secretary may deem in the public interest, shall make available any farm commodity or product thereof owned or controlled by it for use in relieving distress"—

Where?—

"(1) in any area in the United States declared by the President to be an acute distress area because of unemployment or other economic cause if the President finds that such use will not displace or interefere with normal marketing of agricultural commodities, and (2) in connection with any major disaster determined by the President to warrant assistance by the Federal Government under Public Law 875."

Mr. President, it is hard to visualize a tragedy worse than that of an American family whose property is destroyed by drought, whose water in the waterholes is evaporating, whose pasture in the fields is burned up, and who is confronted with the necessity of disposing of everything they have and picking up and leaving the farm and moving out as a displaced group of American citizens, trying to find in this great and blessed and powerful country the opportunity to make a living, to earn enough to provide meat and bread and clothing and shelter for the family.

Yes, it is hard to imagine anything worse than that.

Mr. President, I will tell the Senators something worse than that, and that is for a public official—I refer to the Secretary of Agriculture—to have the authority under the law to relieve that distress, to give the opportunity for that family to have another chance at economic security, and then, either through indifference or premeditated purpose, to fail or refuse to meet that responsibility.

Yet, Mr. President, that is the situation in many States. I know that is the situation in Oklahoma. It has been testified on the floor of the Senate, by Senators from at least a dozen States, that similar situations prevail in their States. But is the Secretary moving? Only 3 or 4 days ago, after a group of Senators had described those situations in their States, a conference was held. The distinguished senior Senator from Georgia [Mr. GEORGE] had described the conditions in his State. The Senator from the great State of Arkansas [Mr. FULBRIGHT] had questioned the Senator from Oklahoma with reference to conditions in Arkansas and Oklahoma. Conferences were held between the Senator from Oklahoma and other Senators, and we agreed that it would be well to call the Secretary of Agriculture and ask him for an audience in order that we might present to him once more, to the extent that we could a picture of the unfortunate and distressing conditions in our States.

The Secretary's office was called, and we were advised that he was not there. We asked where he was, and were advised that he was not available. We then advised the person to whom we were speaking that a number of Senators desired to visit with the Secretary and tell him of the seriousness of the problem which existed, and of the fact that it was growing more serious each day. We were advised that the Secretary was on vacation and could not be reached, and that no one was available who could speak for him.

The Senator from Oklahoma called the office of the Secretary of Agriculture——

Mr. JOHNSTON of South Carolina. Mr. President, may I ask the Senator——

Mr. KERR. Does the Senator desire me to yield so that he may ask a question?

Mr. JOHNSTON of South Carolina. Yes. Did the Senator from Oklahoma learn where the Secretary was?

Mr. KERR. Mr. President, I was advised only today that he was not in his office, that he was not available, that I could not be told where he was, that he was on vacation, that he might return next week, and he might not, and that there was no one there who could speak for him.

Is it any wonder that the Senator from Oklahoma now asks the Senate to agree to a resolution? For what purpose? Merely to call upon the Secretary to proceed more rapidly and effectively under the authority he has. For what purpose? To relieve suffering and distress among farmers and stockmen. Where? In the drought-stricken areas of the United States.

Mr. President, it is unthinkable that the Congress passes laws and provides the means and directs a public official to carry out the mandate of the Congress to relieve human suffering and distress among families in the drought-stricken areas, and then cannot even find out when the Secretary can be seen or talked to about such a grave and pressing need.

Oh, yes, on August 2, 26 counties in Oklahoma were declared to be in a drought-disaster area, and the people were told that help was on the way.

Mr. President, I wish to read a communication signed by the chairman of the Rogers County Farmers' Drought Committee of Rogers County, Okla., Bill Briscoe; by Arnold Wagoner, president of the Farm Bureau; by Elmer Hopp, president of the Farm Union; by Clarence Lipe, president of the Rogers County Fair Board; by L. A. Riggs, president of the Rogers County Round-up Club; by Herbert Stout, president of the Feeder Calf Association; by Bill Van Pelt, vice president of Rogers County Livestock Marketing Association; by Taylor Faulkner, chairman of the Board of County Commissioners of Rogers County; and by E. N. Clift, member of the above committees except the board of county commissioners.

Mr. President, that list represents outstanding citizens of Rogers County, Okla. It represents almost every phase of farm, community, and official life in that great Oklahoma county. I read the communication because it shows in great detail the failure of the Secretary of Agriculture to meet the needs, and because it is so characteristic of what is now the situation in most of the counties in Oklahoma, and in many, if not in most, of the counties of at least a dozen other States.

The communication is addressed to Hon. Ezra T. Benson, and others, and reads:

GENTLEMEN: While we were impressed by the speed with which you gentlemen acted when we appealed to you for drought relief assistance, and appreciative of your efforts in that connection, the fact remains that the program initiated for our benefit is not relieving the situation. Furthermore, while some areas are receiving some rainfall, the fact remains that no great benefit can be obtained from any rains now received until a new crop season is with us. We therefore hasten to further apprise you of our situation and appeal to you for more immediate and effective relief.

The purpose of my resolution is to advise the Secretary of Agriculture that it is the sense of the Senate that he move more rapidly and effectively to relieve suffering and distress in a drought-stricken area, declared to be such by the President, under the laws of the Nation, because the program initiated by the Secretary is failing utterly to carry out either the letter or the spirit of the law.

Reading further from the communication:

A short time ago a number of stockmen and farmers representing all farm organizations in Rogers County, Okla., met to discuss the situation and if possible, seek help from the Government so that they could continue in business. It was the consensus of opinion of those present at that time, that conditions justified seeking emergency relief through the medium of the Federal Government and we acted accordingly.

Those are American citizens talking, Mr. President, in the exercise of the constitutional right to petition their Government—their Government, not Ezra Benson's government, but the Government of the people of the United States. These are citizens talking to their Government, seeking, courteously but insistently, to have their rights recognized and to have the law which their Government has enacted executed.

The communication continues:

The action of Governor Murray, and of our Representatives in Washington and other public officials who were required to consider the matter was favorable to our plight and prompt, but it is our honest and considered opinion that the relief program now being put in force by the Government is not furnishing the relief intended, particularly to the persons in the cattle and related industries. The present plan will possibly be of some aid to the dairymen, but to the beef raiser the present plan furnishes no help. Under the present plan of $12 a ton subsidy, the cost of the ration necessary to maintain the breeder cow is higher than a protein ration that can be furnished without the subsidy. In other words, the present plan offered for relief will cost the stock cow man more than it would cost him to procure other types of feed in regular channels without Government aid.

Mr. President, that is a terrible indictment of either the ignorance or the indifference of the Secretary of Agriculture. They are saying that the Government holds out to them, in one hand, a program, by which it says, "This is relief under the law which entitles you to it." But in reality they can go to the feedstore and can buy the same amount of feed for less money, in commercial, competitive markets, than the cost to them of the feed being offered to them by the Secretary of Agriculture, in response to the mandate of the Congress to provide help. What a travesty, Mr. President.

I read further from the letter:

We realize and agree that the Government owes no duty to a stockman or farmer in distress due to personal mismanagement, but this is not our case. We feel that the danger created by present drought conditions is a danger that exists against the entire cattle industries, and which, if permitted to develop, will endanger the entire economy of the country, and that therefore it is a problem in which all citizens are interested. The distress conditions under which we are now laboring are, of course, not to due to personal mismanagement, but to an act of God which was not foreseeable, and over which we had no preventive control, and although we as individuals will benefit from any adequate relief program, nevertheless we feel that the problem is not so much one of helping individuals as it is of helping an industry that is vital to the entire Nation.

Mr. President, if a tornado had struck eastern Oklahoma or western Arkansas or Missouri or Texas or Colorado or Wyoming or Mississippi or Alabama or Georgia—yes—or Vermont or any other State, the President would have asked Congress immediately to provide means with which to relieve the disaster-stricken people.

Well, Mr. President, a prolonged drought can be as deadly as a hurricane. A prolonged drought that burns up the feed and dries up the stock water and makes it impossible for farmers to exist under the environment they have is as deadly as though it were a flood. Is there less reason why those who have been the victims of such tragedies should be denied the aid that is given to others—when they are stricken through no fault of their own, but—as these good people say—by an act of God?

I read further from the letter:

If the stockmen are to keep and preserve their base herds, it is going to be necessary to make feed available to them at a cost that will at least let them market their cattle, and break even. If feed is not made available in a price range whereby the sale of cattle raised can be sold for at least the cost of production, the stockmen are going to have to sell their base herds. Under the present plan of $12 per ton or 60 cents per one hundred pounds subsidy, with only certain feeds available, this cannot be accomplished. The grains now made available are corn, barley, oats, and sorghum feed. Singly or mixed, these grains would make a satisfactory ration, but at a cost that is prohibitive to the stockmen, for example: Corn, which is the strongest food made available under the present relief program, costs $3.80 a hundred on the open market and allowing for a 60-cent subsidy would cost the stockmen $3.20. A maintenance ration of corn with forage will be four pounds per head and would cost 12.8 cents per animal per day. Cottonseed meal can be purchased at a cost of $4 per hundred pounds and no subsidy is allowed on it. A maintenance ration of cottonseed meal with forage is two pounds per head and would cost 8 cents per animal per day. Thus you can see that the cottonseed meal is a cheaper feeding program than the corn program, but the stockmen just can't pay $80 per ton for cottonseed cake and stay in business. Neither can the stockmen pay the present price on grain offered by the Government and stay in business.

It is the honest and considered opinion of the undersigned that if feed could be made available to the farmers and stockmen of the country at prices comparable to the "relief prices" which were made available to them in the fall of 1953, that they could maintain their base herds, and stay in business, until the harvest of another crop season could be made available to them.

We sincerely trust you gentlemen will receive this letter in the spirit in which it is written, not as a complaint, but as a factual report upon which we hope you will see your way clear to take immediate action to revise the relief program to give more adequate relief from the drought conditions under which we now suffer.

Mr. President, can Senators say that is anything but a reasonable request?

Can Senators feel that a resolution that would ask the Secretary of Agriculture, under the law now in force, to move more speedily and more rapidly to carry out the law to effect that purpose, would be ill-advised or untimely or unseemly?

Briefly, Mr. President, I wish to read a few words from a letter from another cattleman in Oklahoma, Mr. N. F. Minyard:

Our corn crop is estimated as 10 percent normal, our hay crop 25 percent normal, our feed crop about 30 percent normal, our cotton crop 50 percent, or less. Our pastures in Okmulgee County are considered to be 20 percent fair, and 80 percent in very poor, or bad condition. In addition to this, we are faced with a 3-year slump in cattle prices. Unless we can get protein feeds, such as cottonseed, soy bean, and peanut cake, or meal, included in the relief feed program, a number of cattlemen in our section of the State will be forced to liquidate their entire herd. To a number of these men, as well as myself, this will mean a sacrifice of their entire life savings.

Our county was later declared eligible for drought relief feed. We recommended to Mr. Edmenson that they try to get included, for relief feed, such protein feeds as cottonseed cake, soybean cake, and peanut cake, and make this available to cattlemen who qualify, at reduced prices. We also think that the 12 cents a pound for cutter cows on foot would be a relief to part of our problems.

My grass looks like a pasture, the first of March, that has grazed a bunch of cattle all winter.

Mr. President, I have received numbers of communications along that line from citizens of Oklahoma.

In the Tulsa World for Sunday, August 15, we read the following:

State drought chases some from farms. Situation critical in many regions. Relief program is criticized.

Mr. President, how could they fail to criticize a relief program that offers them less, in terms of the price of feed for their cattle, than the price at which they can buy comparable feed in the regular channels of commerce and trade?

According to this article Mr. D. C. Brant, county agent of Haskell County, says that some farmers are selling out and going to California, and that the bankers are at the end of their rope on extending any more credit. He states that conditions are almost as bad as in 1936. The drought program does not help their beef-cattle program because it does not include the high-protein feeds such as cottonseed cake or meal.

O. F. Teague, McIntosh assistant county agent, says:

The word "rough" best describes conditions down here. All crops are in very bad shape. What our farmers need most is cake.

In this important drought program they have not included that.

Bob Hemphill, the Cherokee assistant county agent, says that the relief program will not help much because of the type of feed used.

Another county agent reported that there was general dissatisfaction apparent in his county over the present emergency drought relief organization.

Mr. President, a dozen Senators of the United States Senate cannot even find the Secretary of Agriculture to talk with him about this problem. Does that not make it even more in order—yes, imperative—that the Senate, which helped write these relief laws, now call upon the Secretary of Agriculture to carry them out?

Mr. President, I shall not burden the RECORD much longer. I am convinced that tens of thousands of farm families in drought-stricken areas in many States have already been displaced. I know that the situation grows daily worse. I know that unless action is expedited and speeded the proportions will become unthinkable for a free, rich, prosperous America.

I and others have sounded the call to the Secretary of Agriculture over many months, and especially these last days, for the relief which he is entitled—which he is authorized—which he is directed under the law to give.

Our session is closing. We shall be going back home. The Senator from Oklahoma will be going back to the people of Oklahoma. What shall I say, Mr. President, to the farm families of our State who have been told they are in a drought disaster area and that help is coming, but who receive no help? What shall I say to the mothers of those families as they wait each day for some word of hope and help, and it does not come?

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield for a question?

Mr. KERR. I yield to the Senator from South Carolina for a question.

Mr. JOHNSTON of South Carolina. If the Senator should find the Secretary of Agriculture, does the Senator not know exactly what the Secretary's reply would be?

Mr. KERR. I have a great fear of what it would be. But I must say, Mr. President, that I still have hope.

Mr. JOHNSTON of South Carolina. The Senator from Oklahoma knows what the Secretary's reply always is; does he not?

Mr. KERR. I know what his reply has been thus far, Mr. President.

Mr. JOHNSTON of South Carolina. He would say he was investigating and looking into the matter, and he would report to us later.

Mr. KERR. I am not sure. I have been advised by some members of the press that the Secretary of Agriculture has been identified as the "salesman of the year" for the Eisenhower administration, because he was able to perform the miracle of selling Congress on his flexible farm price-support program and that he is now being dispatched by the Eisenhower administration to try to sell the farmers on it in the forthcoming congressional campaign. I am advised that, instead of being on a vacation, the Secretary might be on a campaign tour.

Mr. MONRONEY. Mr. President, will the Senator yield to me?

Mr. KERR. I yield to my distinguished colleague for a question.

Mr. MONRONEY. I wish to ask the distinguished senior Senator from Oklahoma a question. Before doing so, let me say I concur in the remarks of my distinguished colleague regarding the intensity of the disaster in the Great Plains area. I know our people, who are being driven from their farms by the third year of unprecedented drought conditions, get little cheer out of the speed with which this administration has been able to get Czechoslovakia, a Communist-controlled country, to accept our foodstuffs offered to them as a result of their flood disaster, when here at home the very same farmers who produced much of the food which is now being sent abroad are denied the opportunity of getting it when the drought has reached such proportions on the farms of America.

It seems to me that if there is a great burden of stored grains, such as corn, and that the Secretary of Agriculture has belabored the Senate with the fact that this is a great threat to our economy and our farm stability, if that situation does exist in farm storage in America then this would be an ideal time to treat American farmers with the same generosity and with the same speed with which flood relief is being sent to the Communist-controlled countries.

I am perfectly happy to see the people around the world who are in disaster taken care of, but I am also a believer that "charity begins at home." When we have a drought relief program which, after the critical emergency areas have been found and declared and the program put into force, is not operative, and when the feed under the relief program still is higher in price for the farmer, with all the Government help being given, than it was before the drought occurred, we can see little results from this relief program.

I think it would be a very salutary thing if the Congress, through a committee or a "watchdog" organization of some kind could do something to see that the drought relief program, as passed by the Congress, is carried out as we intended it to be.

Mr. KERR. I appreciate those remarks from my distinguished colleague, Mr. President.

Every Senator from every State affected is going to be met by his constituents. Every Senator is going to be asked why the Congress did not do something. Mr. President, the Congress has done something. The Congress has passed the law and made the facilities available for the Secretary to give this relief.

I know that there is diplomacy involved in piercing the Iron Curtain over yonder, and taking relief through it to the distressed victims beyond, but I wish to tell the Secretary of Agriculture and the Senate that there is an Iron Curtain out yonder on the plains of America, created by drought and disaster, and there are Americans behind that Iron Curtain of drought and disaster. We do not have to go across the ocean to pierce the Iron Curtain of an enemy country to find people in distress.

They are out yonder behind the Iron Curtain, created by drought here in our country, and Congress has passed laws directing the Secretary of Agriculture to pierce that Iron Curtain of drought and disaster and carry assistance to American citizens.

I am going to ask the Senate, Mr. President, to consider and adopt this resolution in a few moments, calling upon the

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Secretary of Agriculture to carry out his duty under the laws we have passed.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. KERR. I yield for a question to the distinguished Senator from Missouri.

Mr. SYMINGTON. I thank my distinguished colleague from Oklahoma.

The Water Facilities Act of 1937 was extended at the suggestion of the Under Secretary of Agriculture, on March 10 of this year. The people in Missouri, the farmers, are badly in need of the assistance which will be provided by this act so they can develop additional water facilities.

We have just received a letter signed by the Administrator of the Farmers' Home Administration, stating that the act will not be put into force until approximately 30 days after it was signed by the President. I should like to ask the Senator if he does not feel that this 30-day delay in putting this act into operation is inexcusable, particularly in view of the fact the bill was passed by the Congress almost a month ago after being requested by the Department of Agriculture?

Mr. KERR. It is. It reminds me of the accused man who was standing in court after having been convicted of having committed a capital offense. The judge directed him to stand to receive sentence. It was in the dead of winter. The judge described the conditions on the outside. He described the thick snow and ice on the ground, the bleak, cold, frigid temperature. Then the judge pictured the coming of the glories of spring. He talked about the flowers blooming in the meadows, the grass growing along the creeks, and the lambs and other animals grazing on the abundance and verdure of nature. He said the sun would be shining and the clear blue sky above would remind men of glory and abundance and the beneficence of Providence. Then he said to the accused, "But that won't do you any good, because next Saturday morning at 10 o'clock you are going to be hanged by the neck until you are dead."

What does it benefit a family out yonder in the drought-stricken and parched plains of this country, whose cattle cannot survive for a week without water, to be told, "Be at ease. Thirty days from now, who knows; maybe we will do something"?

Was that the kind of operation Congress visualized when it enacted these laws? I do not believe so. I do not believe that Senators should longer tolerate it. I do not think this Congress should adjourn until we have passed mandatory legislation, compelling the Secretary of Agriculture to carry out the provisions of the relief laws which have been enacted.

I do not believe that the Senate should adjourn or recess until it has agreed to the resolution calling on the Secretary of Agriculture to relieve suffering and distress and to proceed more rapidly and effectively to carry out the law that makes it possible for him to do so.

Mr. SYMINGTON. Mr. President, will the distinguished senior Senator from Oklahoma yield for another question?

Mr. KERR. I am happy to yield to the distinguished Senator from Missouri for a question.

Mr. SYMINGTON. This afternoon Mr. Abbey Story, of Charleston, in Mississippi County, Mo., one of our outstanding citizens, called on the telephone to protest that his county has not been included among the counties in Missouri allowed drought relief. Mr. Story mentioned the fact that the farmers were willing to buy some of the excess inventory of grain in order to hold their hogs, but were not allowed to do so at any favorable price because it had not been decided that their county was a drought county and because there is no provision for hog raisers in the present drought assistance program.

Mr. Story asked why this administration felt it could give millions and millions of dollars' worth of food to countries behind the Iron Curtain and at the same time be unwilling to give our own farmers, whose taxes in previous years have made it possible to succor these foreign countries, behind the Iron Curtain, and at the same time refuse to allow his county to be considered a drought county under the drought act. Many of the crops in that county have already been destroyed.

I ask my distinguished colleague from Oklahoma what he thinks of that type of administration with respect to the lot of our farmers?

Mr. KERR. It is unthinkable and tragic. The experience which the Senator from Missouri is having will be the experience of dozens of other Senators, either while we remain here or after we return home. Why does not Congress act? Are we not going to admit our inadequacy, and are we not going to plead guilty either to being indifferent or inefficient ourselves, when we tell our people that back yonder in 1949 we passed a law to take care of this situation, that back yonder in 1953, in July, we passed a law to take care of it, that this year in June and July we passed two laws to take care of it, and then turned it over to an administrator, and went our way, oblivious to the fact that the administrator had not acted under any of those laws, and leaving him with his head buried in the sand?

Why? We will be in a fix with our constituents. We will be in about the same fix that the Flathead Indian chief was in when he expressed his deep-seated humiliation and disappointment in these words:

SPEECH OF A FLATHEAD CHIEF, 1832

I come to you over a trail of many moons, from the setting sun. You were the friends of my fathers, who have all gone the long way. I come with an eye partly open for my people, who sit in darkness. I go back with both eyes closed. How can I go back blind to my blind people? I made my way to you with strong arms, through many enemies, and strange lands, that I might carry back much to them. I go back with both arms broken and empty. Two fathers came with us. They were the braves of many winters and wars. We leave them asleep here by your great water and wigwams. They were tired with many moons of journeying and their moccasins were worn out on the trail. My people sent me to get the "White Man's Book of Heaven." You took me to where you allow your women to dance as we do not ours, and the book was not there. You took me to where they worship the Great Spirit with candles, and the book was not there. You showed me images of the good spirits and pictures of the good land beyond, but the book was not among them to show us the way. I am going back to the long, sad trail to my people in the dark land. You make my feet heavy with gifts and my moccasins will grow old in carrying them, yet the book is not among them. When I tell my poor, blind people after one more snow, in the big council, that I did not bring the book, no word will be spoken by our old men, or by our young braves. One by one they will rise up and go out in silence. My people will die in darkness, and they will go a long path to other hunting grounds. No white man will go with them, and no White Man's Book to make the way plain. I have no more words.

So spoke a Flathead Indian chief many years ago when he came seeking relief for his people and obtained nothing. What shall we tell our people when we go back home and confess to them that although we passed the law, although we provided the money, we left here indifferent to the fact that the administering official to whom the task had been entrusted had utterly failed and refused to act, and we walked off and left him in complete control of the situation, unconditionally surrendering to his misguided sense or lack of appreciation of the task before him.

Mr. President, I ask unanimous consent to submit my resolution, and I ask that it be considered and agreed to by the Senate.

The VICE PRESIDENT. The clerk will state the resolution submitted by the Senator from Oklahoma.

The legislative clerk read the resolution (S. Res. 322), as follows:

Resolved, That it is the sense of the Senate that, in order to relieve suffering and distress among farmers and stockmen in the drought-stricken areas of the United States the Secretary of Agriculture should proceed more rapidly and effectively to carry out, in accordance with the intent of the Congress in enacting such provisions, his powers and duties under section 2 (a) of the act of April 6, 1949 (relating to the making of loans for agricultural purposes in areas in which production disasters have occurred); section 2 (b) of such act (relating to the making of loans to farmers and stockmen for agricultural purposes in areas in which economic disasters have occurred); section 2 (c) of such act (relating to special livestock loans to producers of livestock in need of supplementary financing); section 2 (d) of such act (relating to the furnishing of feed for livestock and seed for planting in major disaster areas); section 208 of the Agricultural Act of 1954 (authorizing the Commodity Credit Corporation to sell certain feed grains); section 407 of the Agricultural Act of 1949, as amended by section 301 of the Agricultural Trade Development and Assistance Act of 1954 (authorizing the Commodity Credit Corporation to make farm commodities and products thereof available for use in relieving distress in disaster areas); and any other provisions of law authorizing the furnishing of relief to farmers and stockmen in the drought-stricken areas.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

Mr. REYNOLDS. Mr. President, reserving the right to object, in my recol-

lection there has never been a Secretary of Agriculture more sincerely, honestly, and intelligently interested in the agriculture of America than is the present Secretary of Agriculture, Mr. Benson. No Secretary of Agriculture, present company excepted, has been less motivated by political considerations in his actions than has the present Secretary of Agriculture. No man, including the Senator from Oklahoma [Mr. KERR], is more truly concerned over the problems of the farmer and the stockmen, or is more anxious to provide sane and sensible relief than is the present Secretary of Agriculture.

Mr. President, I object.

The VICE PRESIDENT. Objection is heard. The resolution (S. Res. 322) will lie over, under the rule.

Mr. ANDERSON. Mr. President, with reference to the subject which the Senator from Oklahoma [Mr. KERR] has been discussing, I desire to ask unanimous consent to have placed in the RECORD a telegram and a letter. The telegram is one of a series of telegrams, of which I have received a great many.

There being no objection, the telegram and letter were ordered to be printed in the RECORD, as follows:

TUCUMCARI, N. MEX., *August 18, 1954.*

Hon. CLINTON P. ANDERSON,
Senate Office Building,
Washington, D. C.:

Ranchers with whom we have talked are disappointed with new drought program. Feel they are being let down when ranges are at worst condition. Sixty cents per hundredweight on grain used will not enable them to maintain foundation herds with no grass or prospects for wheat pasture. Would like to have cottonseed products included in program. Our personal opinion that program as outlined is not adequate. Many will be forced to liquidate. Do favor strict administration of program but a better program for those eligible with paupers oath eliminated.

BOARD OF DIRECTORS, FARMERS COOPERATIVE ASSOCIATION,
W. C. LEE, *President,*
CHARLES B. WILLIS, *Manager.*

THE FIRST NATIONAL BANK,
Tucumcari, N. Mex., August 17, 1954.

Hon. CLINTON P. ANDERSON,
United States Senate,
Washington, D. C.

DEAR SENATOR ANDERSON: I wrote you late last evening regarding the drought emergency feed program as passed recently by Congress. Since writing that letter, I have been doing some further checking regarding the prices of feed for cattle and sheep and I find that the following are, I believe, true:

Under the old drought emergency feed program, cottonseed cake purchased here without benefit of the program cost $78 per ton. Under the program the price was $35 per ton. This made it possible for the livestockman to use lots of the feed and keep his cattle in condition where they could be sold in case the drought continued on and it was impossible for him to carry on any further. As I understand the new drought emergency program, the only feed on which any reduction of price is allowed is the grain that actually goes into the feed, and this at the price of 60 cents per hundredweight reduction. They tell me that 1,200 pounds of grain is about all they can put in a ton of feed, which would mean that on the 1,200 pounds of grain a reduction of $7.20 per ton would be allowed. As I understand the new program, there is no allowance for cottonseed meal or other protein that might go into the feed, so the $7.20 per ton would be all the allowance that would be made for the livestock producer. This, going back to the original price of about $78, would mean that a ton of feed would cost the producer of cattle somewhere in the neighborhood of $70 in place of $35.

With the drought continuing as it has, it is going to be impossible for the cattle and sheep producer to pay any more for his feed than he has been paying and remain in business.

I am sorry that we were so slow in finding out about the provisions of the new program and that we are so late in calling it to your attention. We sincerely hope that something can be done to give the cattle and sheep producers of our State more assistance in purchasing his feed.

Anything you can do on this will, of course, be greatly appreciated.

With kindest regards.

Yours very truly,

HAROLD H. AULL,
Executive Vice President.

Mr. ANDERSON. Mr. President, I received an urgent telephone call from a lifelong friend, and the telegram which I have placed in the RECORD is from the board of directors of the Farmers Cooperative Association, who feel that the drought program needs to be somewhat changed. I took the trouble of telephoning to a longtime banker friend, who is very familiar with farm subjects, and he has written letters explaining that the old system of selling cottonseed cake, which had sold for $78, for some $35 was more satisfactory to the farmers, and he thinks perhaps it may be used again.

From my own point of view, at least, I have been talking these questions over with the Secretary of Agriculture and with individuals in the Department of Agriculture. I feel I am making some headway and that there is a possibility that in those areas where the drought is extreme there may be protein meal made available quickly.

The Water Facilities Act was signed, I think, on Tuesday of this week. Already I have been in correspondence with the individuals in the Department of Agriculture who administer that act. Since the particular sections which deal with the development of irrigation wells was my own bill incorporated in Senate bill 3137, it is a matter of sincere pleasure to me to know that officials in the Department of Agriculture have told me they would send a special representative to the eastern portion of my State, to the city of Clovis, and that he will be there on September 1. They asked me if I would meet him there and have lined up and available as many of the farmers who wanted relief as I could find. The representative of the Agriculture Department will bring application blanks and try to see to it that the applications are processed almost immediately, and that as soon as possible the authorization will be given for the construction of the wells.

I do not know that my experience has been unusual. I merely say that I have tried to realize that the problems of the Department are enormous, that the responsibilities at a time like this are very heavy, and I have tried to follow the old theory that perhaps we can catch more flies with honey than with vinegar. I have been trying my best to obtain cooperation from the Department of Agriculture.

I think the ration needs to be changed. There are many people in the Department who believe the same thing. It is a very serious matter. I believe that protein feed in Colorado, New Mexico, and Texas needs to be supplied, and there are many other people who believe the same thing.

Mr. JOHNSON of Texas. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. JOHNSON of Texas. I am sure the Senator from New Mexico and I feel that protein meal should be made available. I hope the efforts of the Senator from New Mexico and the efforts of others will be successful and that protein meal can be made available. I believe the Secretary will feel that he is justified in taking that action.

Mr. ANDERSON. I have urged the Secretary that he proceed immediately with the supplying of protein feed to Texas. The Senator knows that it caused trouble some time ago, but they have been trying to avoid trouble. I wish to express my belief that progress is being made. I hope it will be made faster than it has been made in the past. The Secretary has been very kind to me in connection with the matter, and I feel that we shall have a very efficient solution of the drought problem.

FEDERAL GRANTS FOR THE CONSTRUCTION OF SEWAGE FACILITIES TO PREVENT POLLUTION OF INTERSTATE WATERS AND THEIR TRIBUTARIES

Mr. NEELY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a press release issued by me on the 22d day of July 1954, relative to two bills which I introduced on that day in behalf of Federal grants for the construction of sewage facilities necessary to prevent pollution of interstate waters and their tributaries.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

MATTHEW M. NEELY (Democrat, of West Virginia), today introduced legislation in the Senate which would provide 50 percent Federal grants for the construction of sewage facilities necessary to prevent pollution of interstate waters and their tributaries.

Acting to forestall what he called possible financial ruin of various West Virginia municipalities, which have been ordered to provide certain sewage treatment under the 8-State Ohio River Valley water sanitation compact, Senator NEELY offered 2 alternative bills.

He asked the Senate to amend the Water Pollution Act of 1948 to provide outright grants-in-aid, instead of the 2 percent loans which the act authorized but for which no appropriations have been made. Rather than loans, now limited to $250,000 each, he asked for grants not exceeding 50 percent of the estimated reasonable costs to any State, municipality, or interstate agency for the construction of necessary treatment works to prevent discharge of untreated or inadequately treated sewage or other waste into interstate waters or into a tributary of such waters.

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Calling attention to the Ohio River compact, involving the States of Ohio, Illinois, Indiana, New York, Kentucky, Pennsylvania, and Tennessee as well as his home State of West Virginia, Senator NEELY put in a second bill which would provide grants to municipalities in those States to aid in the construction of sewage-treatment works to prevent pollution of waters in the Ohio River Basin.

Under the 8-State sanitation compact, which was authorized by Congress and has been held constitutional by the Supreme Court, Senator NEELY said that municipalities are required to build certain facilities. He pointed out that West Virginia cities have been notified to clean up the pollution, and that the State supreme court has held in one case involving Huntington that the city must proceed although it is financially unable to do so.

Senator NEELY'S proposed legislation is based on his belief that the Federal Government, which has jurisdiction and control of all navigable waters, should participate in paying the costs, along with the 20 million people who live in the 8-State area of over 200,000 square miles.

Senator NEELY said that in his opinion the Federal Government should promptly and generously lend its helping hand to this worthy cause. Failure to do so would be disastrous to innumerable American municipalities. For example, it would cost the city of Wheeling, W. Va., more than $20 million, and handicap it financially for years to come if it were in this matter compelled to bear its financial burden alone.

The Senator said the organizations which have urged Federal assistance include not only local city government agencies, but the Ohio Valley Trades and Labor Assembly, the Ohio Valley Board of Trade, and the West Virginia League of Municipalities.

DROUGHT CONDITIONS IN CERTAIN PORTIONS OF MISSOURI

Mr. SYMINGTON. Mr. President, I ask unanimous consent to have inserted in the RECORD a letter just received from the Honorable Thomas F. Brady, judge of the county court of Gentry County, Mo., in regard to the severity of the drought in this section of northwestern Missouri.

Gentry County is one of the counties which the Secretary of Agriculture has failed to designate for drought assistance.

This letter shows clearly that the need is there, and that assistance is important in that county as well as in the other counties of the State not yet designated.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COUNTY COURT OF GENTRY COUNTY,
Stanberry, Mo., August 17, 1954.

Hon. Senator SYMINGTON,
Washington, D. C.

DEAR SIR: Yesterday at Albany we circulated a petition to have this county declared a drought area. After two consecutive disastrous years in which we have lost our cloverseedings and also alfalfa, we feel that our county should have the opportunity to secure assistance in a reseeding program, rather than rely once again on an expensive hay program such as during the past winter. Every farmer we contacted signed it as they lost their cloverseed and also alfalfa the last 2 years which cost from $150 to $500 for seed and fertilizer.

The petitions are being sent to the Secretary of Agriculture. Could get every farm in county to sign if we had the time.

Yours truly,

Judge THOS. F. BRADY.

Mr. SYMINGTON. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Mr. Jack Baker, president of the Mexico (Mo.) Chamber of Commerce, with respect to drought conditions in the county of Audrain, presenting the same type and character of problem.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MEXICO (MO.) CHAMBER OF COMMERCE,
August 18, 1954.

Hon. STUART SYMINGTON,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: You will recall my telegram of July 14, in which I reported the severity of drought conditions in Audrain County and asked that action be initiated in an attempt to cushion the shock to our economy.

You were most prompt in alerting the appropriate Federal agencies to the approaching emergency and in notifying us of your actions and deep concern.

As you know, a committee from the Mexico Chamber of Commerce, together with our farm leaders went to Jefferson City and conferred with State officials and the Governor's emergency committee. This same committee also presented the facts to Assistant Secretary of Agriculture Ross Rizley, who stopped here briefly on July 29.

The Governor's emergency committee agreed with our appraisal of the drought and recommended to the Governor that Audrain County be declared in an emergency area. Governor Donnelly so recommended to the President of the United States.

President Eisenhower, on August 2, 1954, designated Audrain County as a drought-disaster area.

As of today, August 18, 1954, the following special-aid programs have been made available:

1. The so-called release of surplus grains to farmers and ranchers found eligible by the Farmers' Home Administration, and

2. a "new agricultural conservation practice," announced by Murray C. Colbert, chairman of the ASC office of the United States Department of Agriculture, in Missouri. This new practice is referred to as No. 13 with the ASC.

The so-called release of surplus grains in Audrain County is of doubtful benefit as assisting in the basic drought problem. The question of eligibility and who is eligible to buy how much, is quite confusing. As we understand it, farmers declared eligible will be permitted to buy 2 pounds of grain per day for 60 days per beef stock cow and 6 pounds per day per dairy cow in production.

Using today's Kansas City grain market as the basis for computation, surplus corn will cost eligible Audrain County farmers approximately $1.55 per bushel.

It is our considered opinion that farmers cannot economically afford to pay the price of $1.55 for surplus corn to feed $10 per hundredweight cows.

In 1953 surplus corn was made available in drought areas at $1 per bushel. Further, the $1.55 is above market price of corn in areas not affected by the drought. We question that in this emergency surplus grains are being furnished at reasonable prices.

The program announced in the newspapers as enabling "drought-suffering Missouri farmers" to provide pasture for their livestock and protect their lands from "water damage during the winter" could be a great assistance. It is our considered opinion that this could be one of the most progressive programs advanced and doubtless it would enable a great many farmers to carry on through the coming winter.

But here, too, there appears to be an obstacle which makes this program of little, if any, assistance to a farmer of our community.

Despite the news announcement that the ASC would share 80 percent of the cost of materials (seed and fertilizer) needed, according to soil tests, we discovered during a visit to the ASC State office at Columbia that funds were not available to make this new practice practical. We were told that the practice was limited to appropriated funds remaining in the 1954 ASC program, which were alloted to the counties at the beginning of the year.

In Audrain County the funds which have not been spent or allocated are so insignificant as to make practice 13 virtually of no useful purpose here.

Knowing your deep interest in the problem, we urge you to use your good offices in attempting to secure for our farmers economic aid in fact, which will assist them in remaining on the farm through the coming winter.

If aid for cover crops is to be given as outlined in ASC practice 13, funds must be made available immediately so that cropland may be seeded not later than September 15.

Most sincerely,

JACK BAKER,
President, Mexico, Mo., Chamber of Commerce.

ROBERT B. McLEAISH, ADMINISTRATOR, FARMERS' HOME ADMINISTRATION

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement regarding the excellent work of Mr. Robert B. McLeaish, Administrator of the Farmers' Home Administration.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

I wish to take a moment or two to pay tribute to an outstanding Government employee, an appointee of President Eisenhower, who on the first anniversary of his assuming responsibility for heading a Government agency has completed a year of exceptional achievement.

I refer to Mr. Robert B. McLeaish, Administrator of the Farmers' Home Administration.

In July 1953 this Texan, who in private life had made a reputation for ability and progressiveness in various endeavors, accepted the call to duty in Government service. In the space of 1 year he has proven that the promise of President Eisenhower to provide more efficient service at less cost to the taxpayers of the Nation can be fulfilled.

Briefly, under the direction of this capable administrator, without fanfare or widespread publicity, these things have been accomplished:

A reduction of $5½ million, representing approximately 20 percent of previous appropriations, has been made in the administrative cost of this agency.

At the same time, the FHA has maintained the efficient operation of all its previous activities, and in addition—

1. Has assumed responsibility for operating the livestock and disaster loan programs authorized by the Congress last year to meet drought and other emergency needs; and

2. Without seeking additional administrative funds, this year has undertaken the task of handling the water facilities and soil-conservation loans program on a Nationwide basis as ordered by the present Congress.

Further, despite assuming these additional responsibilities with reduced personnel and under a sharply reduced budget, I am reliably informed that the morale of

the personnel of this agency is exceptional; that the relationship between employees and the administrative corps is most warm and friendly.

I know from personal contact with Mr. McLeaish; his deputy, Mr. Henry C. Smith, a fellow Kentuckian; with others of the FHA administrative staff; and from the comments of other Members of the Congress, that this agency has been most helpful and cooperative with all Members of the Congress as well as with the general public.

To me the work thus far done by Mr. McLeaish for the Farmers' Home Administration typifies the spirit of the Eisenhower program to restore efficiency and economy in the Federal Government and to reestablish the confidence of the American people in the honest, integrity, and trustworthiness of those entrusted with administration of their Government.

CONDITION OF BITUMINOUS-COAL INDUSTRY

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement I have prepared, which I had intended to deliver in the Senate, upon the condition of the bituminous-coal industry.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

A PROGRAM TO HELP THE SOFT-COAL INDUSTRY

The bituminous- or soft-coal industry is one of the most important, if not the most important, industry in the United States. Coal is absolutely essential in the manufacture of steel and it also is the basic fuel for electric utilities, home heating, and many other uses. Without coal our modern civilization and our high standard of living in the United States would be impossible. In spite of this, the coal industry in the United States and in my own State of Kentucky is in a seriously depressed condition.

This is a subject which is very close to me. Throughout my life I have been convinced of the importance of the coal industry to the State of Kentucky, as well as to the national defense and national welfare of the United States.

I have dealt with this subject a number of times in the past, and I want to again emphasize the acute situation in coal in my own State, and again point out the importance of a healthy coal industry to the economy and welfare of my State and my country. Production of coal in the United States for the first half of 1954 was 183,218,000 tons, a decrease of 18.1 percent under 1953. Production of coal in the State of Kentucky for the same period was 25,962,000 tons, a decrease of 16.1 percent under 1953.

One of the principal reasons for the reduced production of coal in the United States is the importation of residual fuel oil. I have been convinced of this situation for a long time. Last year I introduced a bill to limit sharply the importation of residual oil. In the Senate and elsewhere I spoke in support of my proposal. I am still convinced that something must be done about these imports. For the week ended July 23, 1954, these imports were in excess of 2 million barrels, equivalent to more than 500,000 tons of coal, causing a loss of more than a million dollars in wages to American coal miners.

The efforts to restrict the importations of residual fuel oil, I am sorry to say were not successful. Inability to develop a program in this field, and other fields calculated to directly deal with the coal problems, led me to the conclusion that adoption of a national policy in connection with the coal industry was necessary.

With this in mind, it has been my pleasure to work with a group of outstanding coal representatives over the past few months to the end that the problems of the industry and solutions to these problems might be presented to top officials of the Government and dealt with at the highest level of Government responsibility. In line with this endeavor, a number of conferences were held and it was my pleasure to arrange for and attend with representatives of the industry meetings with top-level Government policy makers. We first met with the Department of Interior officials, and then on June 29, 1954, with President Eisenhower. I am happy to say that President Eisenhower cordially received us and expressed genuine interest and a determination to help the coal industry. I requested the President to appoint a committee of outstanding governmental officials to work with representatives of the coal industry.

Subsequent to the meeting with President Eisenhower, a Government committee was appointed by him to meet with coal-industry representatives and work diligently in search for a solution to our problems. Chairman of the committee is Dr. Flemming, Director of the Office of Defense Mobilization. On the committee with Dr. Flemming are Assistant Secretaries of Interior, Labor, State, Commerce and Defense.

The first meeting of the governmental committee appointed by President Eisenhower, and the committee representing the coal industry, will be in Washington next Monday, August 23, to begin their efforts to develop a national coal policy to increase coal markets and production, to increase employment and thus put many of our miners back to work.

I have written Mr. John L. Lewis, president of the United Mine Workers of America, expressing the hope that he or his designated representative will associate the United Mine Workers of America already so active in their efforts to improve conditions in the industry, will become associated with these committees. I know the profound knowledge, interest, and experience of Mr. Lewis and the record of the United Mine Workers of America in improving the working conditions, the safety, and the wage standards of the miners of Kentucky and America, would add great strength to this new effort.

Many people called attention to the importance of this meeting with the President at the White House, which I had arranged, including the United Mine Workers Journal in its August 1, 1954, issue. In a leading article in the Journal on that date by Justin McCarthy, entitled "Move for National Fuels Policy", it was stated—"The White House, the United States Senate and coal-State governors with an increasing awareness of the danger to American security caused by the depressed state of the coal industry, have moved into action with plans that, it is hoped, will result in the formulation of a national fuels policy long advocated by the United Mine Workers of America."

This is the chief purpose of the President's committee, the industry committee, and the United Mine Workers of America.

Since designation of the committee, it has been my pleasure to confer with Dr. Flemming a number of times, and, beyond question, the Government committee is seriously engaged in a program calculated to investigate this matter and assist the coal industry in every possible way. In this connection it is indeed gratifying to note that a few weeks ago the Government announced the financing the purchase of 10 million tons of American coal for export in the fiscal year ending June 30, 1955. This is an increase of 8,600,000 tons over the amount so purchased in 1954. On a proportionate basis, this step alone should mean an increase in Kentucky production of more than 1 million tons in the next 10 or 12 months.

Every citizen does, or should, appreciate that a strong and healthy coal industry is absolutely essential to the welfare and defense of the United States in times of emergency. Moreover, it should be recognized that the coal industry is a basic industry and one which cannot be turned on at a click of a switch. If we are to have a strong and vigorous coal industry in Kentucky and elsewhere in times of emergency, it must be maintained and encouraged in times of normal activity. Moreover, it should ever be kept in mind that coal is a principal employer of workers and that it is unreasonable to expect coal miners to make themselves available in times of emergency if there is nothing for them to do in normal times. I am sure the coal miners realize, as do the coal producers, that work and production are the answers to maintaining productive capacity.

I repeat that coal mining is one of the principal industries in Kentucky. In 1953 it furnished employment to 52,683 people in the State of Kentucky. The coal miners, members of the United Mine Workers of America, together with their families and dependents, constitute a patriotic group of our population. They make a most important contribution to the welfare and defense of our country. They should be encouraged and helped in every possible way. They ask only that they be given an opportunity to work and produce.

Myself a native and a resident of the eastern section of Kentucky all my life, I have always been interested in the problems of the coal industry and those who mine the coal. In 1947, I voted against legislation that would have destroyed industrywide bargaining for the United Mine Workers of America, and thus destroyed the UMWA legislation that was defeated by only one vote. I voted to preserve the rights of the United Mine Workers of America to manage its welfare fund as it now does. Last year, when the matter of the appointment of an administrator of the Federal mine safety program for the miners of America was before the President, I wrote to President Eisenhower, asking that he consult with Mr. John L. Lewis about the appointment of a man who would properly administer the law to protect the lives of miners.

I have worked to secure the development of the upper Kentucky, the Big Sandy, and the Green Rivers, neglected for 20 years, to provide cheaper transportation for coal and water to bring industries into the depressed coal areas. And on each of these rivers, neglected for so many years, a beginning has been made, either in appropriations, authorizations, or surveys. These improvements should have been made years ago. They are now on the way.

When it became necessary for the Federal Government to send surplus foods to the States for distribution by the States and county authorities, I have urged the Federal Government to rush its shipments of food and at one time when shipments of food were stopped I intervened with the Secretary of Agriculture, and shipments of food were started again at my request. These shipments of food are made by the Federal Government on order of the State government, and they are distributed by the local authorities in the county.

A great deal of misinformation and, I may say, political misinformation has been broadcast. These are the facts about food distribution and the people should know them:

First. The local county authorities decide what persons in a county are entitled to surplus food. The standards are liberal but the local officials must make the choice and send the number of those who receive food to the State Department of Agriculture at Frankfort.

Second. Then the Department of Agriculture at Frankfort certifies to the Department of Agriculture at Washington the amount of food the State of Kentucky and the various counties need.

Third. The Department of Agriculture at Washington then sends the food to the State

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government, which distributes it to the counties.

The efforts of a few politicians to blame their own failure to keep the rules on the Government in Washington is unworthy and is playing politics with the unfortunate need of unemployed people.

I have been glad to assist in all these matters to help the people and the miners of these coal areas, but the real solution of unemployment in the coal-mining districts is to increase markets and production by a national coal policy and to open the mines again.

To this end the program which we have submitted to the President and other top officials of the Government calls for a production of at least 450 million tons annually, restriction of residual fuel oil imports, limitation on use of natural gas for boiler fuel purposes, use of coal in Government installations here and overseas, increased coal exports, more equitable freight rates, and other steps calculated to maintain a strong coal industry in Kentucky and elsewhere, and to maintain and encourage the many thousands of coal miners without whom the coal never could be produced in times of peace or war.

FEDERAL HELP FOR NATION'S SCHOOLS

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement I have prepared relative to Senate bill S. 2601, the emergency school-construction bill.

It is a matter of deep regret to me that the bill was not considered and passed by the Senate at this session. It represented the beginning of an effort to meet the deficiency in the school facilities of this country. Second, it would have helped to implement the recent decision of the Supreme Court with respect to segregation.

I cannot let this night pass without saying that although the bill may not have passed in the House, it would have been a fine thing for it to have passed the Senate, looking forward to the next Congress.

I firmly believe that it did not receive consideration in the Senate because opposition to the consideration of the bill had been expressed on the Democratic side of the aisle. I think the opposition grew out of the fact that it was known that one of the purposes of the bill was to implement the decision of the Supreme Court. I want the responsibility to be fixed where it belongs—on the other side of the aisle.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

THE NATION'S SCHOOLS NEED FEDERAL HELP TO MEET CRITICAL CLASSROOM SHORTAGE

Public schools in America are faced with a real crisis as a result of the shortage of school buildings. It is a national problem; many of its causes are national in origin, and it will take national action to solve. The emergency is so serious that immediate steps by the Federal Government are necessary to provide the physical facilities needed to give our children a basic education.

On August 3, 1953, I introduced in the Senate, S. 2601, to provide for a systematic program of Federal financial aid for the construction of public school buildings. The purpose of the bill is to aid in constructing physical facilities within which the normal State educational systems can function. The bill contains no factor of Federal control over the actual educational process.

After a series of extensive hearings before the Education Subcommitte of the Committee on Labor and Public Welfare, of which I am chairman, an amended bill was favorably and unanimously reported to the Senate on July 9 of this year. I presented the bill to the Senate and joining with me were my distinguished colleague from Kentucky, Senator CLEMENTS, and Senator SMITH of New Jersey, Senators UPTON, BOWRING, MURRAY, HILL, NEELY, DOUGLAS, KENNEDY, and MCCLELLAN.

The present version of S. 2601 provides an authorization of $250 million per year for 2 years to help the States construct public school buildings. The formula for the allocation of Federal funds is based on both the school population of each State and the per capita income. Thus, provision is made to give maximum aid to the poor States, without sacrificing the interests of States with higher income levels. My own State of Kentucky would be entitled to nearly $8 million per year under this formula.

The following table shows the allocations to the States and Territories:

Distribution of $250 million to 48 States, District of Columbia, Alaska, Guam, Hawaii, Puerto Rico, and the Virgin Islands, according to various formulas with restrictions added [1]

State or Territory	Amount	Amount per school-age child
United States	$250,000,000	$7.36
Alabama	9,724,651	11.95
Arizona	1,776,275	8.38
Arkansas	5,769,344	11.99
California	10,618,342	4.95
Colorado	2,152,941	7.13
Connecticut	1,924,454	4.79
Delaware	296,399	4.23
Florida	5,687,986	8.99
Georgia	9,558,387	10.82
Idaho	1,232,377	8.33
Illinois	8,428,724	4.91
Indiana	6,026,864	6.90
Iowa	4,126,411	7.34
Kansas	3,222,846	7.86
Kentucky	8,095,352	11.07
Louisiana	7,034,640	10.39
Maine	1,798,084	8.99
Maryland	3,280,716	6.30
Massachusetts	5,468,573	6.04
Michigan	8,805,711	6.14
Minnesota	5,106,957	7.77
Mississippi	7,768,299	13.14
Missouri	5,950,678	7.41
Montana	851,519	6.26
Nebraska	2,046,098	7.23
Nevada	158,608	4.41
New Hampshire	876,013	8.04
New Jersey	4,896,400	5.23
New Mexico	1,796,944	9.22
New York	11,815,316	4.31
North Carolina	11,949,250	11.04
North Dakota	1,240,274	8.27
Ohio	10,089,869	6.01
Oklahoma	5,067,613	9.71
Oregon	2,195,723	6.57
Pennsylvania	12,500,000	5.80
Rhode Island	962,284	6.33
South Carolina	7,068,670	11.72
South Dakota	1,194,588	7.96
Tennessee	8,700,652	10.94
Texas	12,500,000	6.73
Utah	1,568,168	8.21
Vermont	747,588	8.90
Virginia	7,352,427	9.27
Washington	2,988,693	5.91
West Virginia	5,103,336	9.99
Wisconsin	5,221,399	6.96
Wyoming	427,787	6.20
District of Columbia	511,507	4.00
Alaska	300,887	13.14
Guam	85,147	7.78
Hawaii	823,620	7.07
Puerto Rico	5,000,000	6.96
Virgin Islands	104,787	13.14

[1] Minimum of $100,000 (other than for Virgin Islands and Guam), 2 percent ($5 million) maximum for territories, and 5 percent ($12,500,000) maximum for States.

The critical need for prompt action is illustrated clearly by the school facilities survey conducted last year under Public Law 815. It was found that the schools of our country need 340,000 additional classrooms, at a total construction cost estimated near $12 billion.

The need for school space increases constantly and one additional classroom is required each 15 minutes. The deficit is increasing at the rate of 67,000 classrooms each year.

The result of the tragic shortage of school buildings is that hundreds of thousands of children are forced into unsafe, unsanitary, unsuited structures. Other hundreds of thousands are already deprived of a fair education by being placed on a double shift basis. The conditions are endangering both the health and the minds of our children.

The situation is further complicated by the fact that dramatic inequities exist among the States. According to the latest figures made available to the subcommittee, the average investment in the school plant itself ranges from $137 per pupil in Mississippi to $790 in New York. The national average is only $454 per child. The estimated value of school property in my own State of Kentucky is sixth from the bottom, $233 per pupil.

Kentucky is among those States with greatest need for additional and improved school facilities. The State educational system is handicapped by the dual difficulty of low per capita income and high unemployment in those areas which depend on coal for their livelihood. Without Federal assistance, there is no way of giving our children a fully adequate education.

Information supplied to the subcommittee by the Kentucky Department of Education shows the magnitude of the problem. Out of 4,600 schools, 2,600 are one-teacher schools, while an additional 1,000 are 2- or 3-teacher schools. Forty percent of the 19,000 classrooms in Kentucky should be improved for the education of children.

These figures illustrate the problem in my State, but they exist in greater or lesser degree throughout the Nation. The bill presently before us will help substantially in taking the children of this country out of such schools.

It has often been argued that the field of education is one in which the Federal Government should take no part. The contention is based on the premise that financial assistance from the Federal level will carry with it control over local school systems. I oppose any type of Federal control over the schools, school teachers or school children. But various forms of Federal aid have been made available for education for 100 years, without control having slipped into Federal hands.

The argument of Federal control is least applicable to the present bill. This is legislation to help provide school buildings. It does not affect the processes of education itself. It is merely concerned with physical structures within which a State and local educational system can function more efficiently and more effectively. We can draw a proper parallel between this bill and the multitude of Federal-aid programs in such fields as highways, health, agriculture, welfare, social security, and emergency relief.

Education is a State and local responsibility, primarily

The Federal Government has entered these many fields, because, essentially, they are national problems. Education, too, is a national problem, not because the general level of education affects our entire political and economic life.

The proposed school construction bill has been supported by many national and local organizations in various fields, including education, labor, parents, women's groups.

I regret more than I can say that the bill has not passed the Congress at this session. Several times the majority leader of the Senate, Senator KNOWLAND, announced that the

bill was among those that were on the schedule to be voted upon by the Senate if the imperative appropriation bills, tax bills, the farm bill, and others which had to be considered could move quickly. Unfortunately, obstacles arose with respect to these bills, and their consideration took longer than expected. Also, the House of Representatives did not make the progress in committee on their school construction bill as we were able to make in the Senate in the Committee on Labor and Public Welfare.

I am glad that the distinguished majority leader of the Senate, Senator KNOWLAND, has announced his support of the bill. I am glad that the 11-member policy committee of the Republican Party in the Senate voted that the bill should be considered, and I am glad that the distinguished chairman of the Republican policy committee, Senator FERGUSON, announced his support of this bill. It has been on the calendar since July 9.

The calendar of bills has been called many times. There has never been an objection to the passage of the bill by a member of the majority party, my party. But each time, when the calendar of bills has been called for passage, I am sorry to say that the passage of this school-construction bill on the calendar has been prevented by an objection on the Democratic side of the Senate. I want to make it clear that my colleague, Senator CLEMENTS, of Kentucky, has not been one of those on the minority side who has objected and prevented the passage in the Senate of this bill to aid the schools of the Nation. He supports the bill. But I repeat, no objection to this bill has come from my side of the Senate, but always from the other side. Only last evening, when I made a last effort to bring the bill to consideration and passage, it was the leader of the minority, Senator JOHNSON of Texas, who made clear the opposition of members of his party to the passage of this bill.

It is my fervent hope, my prayer, that the Senate will heed my pleas next year and will vote for this bill so that the great need can be met.

Ours is a land of opportunity. We have risen to leadership in the community of nations, because we have afforded every citizen the opportunity to develop his abilities to the fullest, to participate in the economic and political life of the Nation. No single factor has contributed more to making that opportunity possible than the growth of our educational system.

The issue is a great one. It is the fundamental issue of husbanding our most valuable resource, the children of the Nation, the men and women who will manage the affairs of the Nation tomorrow. It is not a polemic over jurisdiction and control. These are but technicalities which we can solve; it is a question of how can we do the job, and do it now. By 1960, at the present rate there will be a deficit of more than 400,000 classrooms. That is the issue.

To put it bluntly, without financial aid from the Federal Government, the States whose financial basis is already seriously impaired by the high level of financial taxation, do not have the ability to meet the need.

Youth—or greatest resource—is being seriously neglected in a vital respect.

THE LATE SENATOR LESTER C. HUNT

Mr. HENDRICKSON. Mr. President, it was my sincere hope, at the time of the passing of our very distinguished colleague, the former senior Senator from Wyoming, Lester C. Hunt, that appropriate ceremonies would be arranged to recognize his many contributions to our great system of constitutional Government. It was my privilege to serve with Senator Hunt on many Senate committees. He made a great contribution to the cause which we all espoused.

Because the business of the Senate during the last 6 or 8 weeks has not permitted the holding of appropriate ceremonies, I ask unanimous consent to have printed at this point in the RECORD the remarks which I had intended to deliver concerning this very lovable, fine, and great American.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HENDRICKSON

Since the day in January 1949, when Lester Hunt and I were sworn in together as freshmen Senators, I have learned much about the qualities of the man—his quiet courtesy, his friendliness, his kindly sense of humor, his dedication to the cause of public service.

I knew him as a fellow member of the Armed Services Committee of the Senate where we worked together on several subcommittees. As a member of the committee, he was particularly diligent with regard to his membership and attendance. He was present at practically every meeting of the committee. His concern was with the whole job of being a Senator and he went to great pains to familiarize himself with the issues of any particular problem before it was brought up in the committee or discussed on the floor of the Senate so that he would be well informed.

The life of Lester C. Hunt is to my mind a great story of the vital half century in which he lived. I am told that he first saw the State which was to send him to the Senate when, as a 19-year-old Illinois boy, he pitched a no-hit game which led to his engagement by the professional baseball team in Lander, Wyo. He decided then that this State would be his home.

He served his country in World War I in the Army Dental Corps, being stationed at about 12 camps and bases in this country between September 1917 and May 1919. Shortly after being discharged as a major, he entered Northwestern University for postgraduate study of dentistry and on completing his course in 1920, he returned to Lander to resume his dental practice there.

He began his public career in his home town as a scoutmaster, as a member of the school board, and as the president of the Freemont County Medical and Dental Society.

He served his State as a member of the legislature, as its secretary of state, and then as its governor from 1943 to 1948. With typical modesty, Senator Hunt claimed that his greatest accomplishment as governor was having originated the "bucking bronco" used on Wyoming license plates, but we all aware of the fact that he made a great record as governor as well.

He was prominent in the Governors' Conference at Mackinac Island, Mich., in 1945, where he urged that small business "should have the first opportunity to reconvert and that it be assured of adequate materials." Three years later, he presided over the Governors' Conference in Portsmouth, N. H., and in 1949 he was elected to the Senate.

In the Senate he was active in District Affairs, served on the Senate Crime Investigating Committee, and was a long-time advocate of measures looking toward world peace, but his special concern was with the health of the Nation.

During 1951, he was active in the enactment of legislation which gave more autonomy to the Dental Corps of the Army, Navy, and Air Force and which raised the rank of the dental chief of the Public Health Service to major general. He was chairman of the subcommittee which created the Army Nurse Corps.

Three years ago, in 1951, he was honored by the members of his profession by being named the dentist of the year. The citation accompanying the medal reads:

"For distinguished contributions to the welfare and progress of dentistry, particularly his service in protecting the best interests of the profession and public health through promoting beneficial legislation and discouraging harmful legislation while acting in the performance of his duties as Senator in the Congress of the United States."

I join in the tributes today to a man who has demonstrated all of the best qualities of citizenship in his home community, in his State, and in his Nation. He was an exemplary man, an able public servant, and a good friend.

I have lost a good and true friend. I mourn his loss. Mrs. Hendrickson joins me in offering sincerest condolences to his good wife and family.

REMINISCENCES OF THE 83D CONGRESS

Mr. DIRKSEN. Mr. President, this is my 20th adjournment of Congress. I have an indelible impression of some of the tempestuous adjournments which have occurred on other occasions and in other years. A rather singular tranquility has fallen upon the Senate Chamber tonight, which is in sharp contrast with some adjournments I have witnessed. But it is an occasion, I think, when we can reminisce a little; and I shall not be guilty of impropriety by detaining the Senate too long.

I presume that for some persons adjournment is an occasion for stampede and frustration, because all the favorite legislative brain children which did not finally find their way to the statute books, but somehow got lost in the procedural picture, bring a sense of frustration. But we shall live through it, even as the country will live through it.

As we appraise the work of the 83d Congress, which is about to take its flight upon eerie wings, the first thing that comes to my mind is the thought of the stalwart and patriotic Members of the Senate who are not here to finish their labors during this Congress. It is rather singular that two Senators should have been taken from the State of Nebraska. It is equally singular that two Senators should have been taken from the State of North Carolina.

Then, too, we have witnessed the passing of the splendid gentleman to whom the Senator from New Jersey [Mr. HENDRICKSON] has just alluded, Senator Lester C. Hunt, of Wyoming. Senator Hunt always fascinated me, because he was born in a little country town in Douglas County, Ill. I presume that at the time of his birth, the place was just a bump in the road. He began life as a railroad telegrapher. How he ever wandered out to the wide open expanses of Wyoming, I shall never know. In any event, he was a gracious person and, I think, one of God's noblemen. So there is the pain of regret that he could not have finished his labors and have been with us tonight.

Then, there is one who was near and dear and very close to me, the great, stalwart American, to whom I referred in the convention of 1952 as "Mr. Republican," "Mr. Integrity," and "Mr.

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America," the illustrious Bob Taft. It is too bad that he is not here.

I may say for our majority leader: With what grace and what rare capacity and ability he has carried on the leadership of the Senate.

So as we come to the adjournment period, we think back upon those who will not be around the Senate circle, who will not carry on as a part of the Senate club. I am always delighted to think of the Senate as a club, because it seems to me the Senate functions effectively and functions earnestly if we never quite lose the "clubby" spirit. We can become very angry, and at times, I suppose, so intolerant of one another; but I remember the almost iridescent line written by the great sales manager of Christianity, the Apostle Paul, who said:

Let your forbearance be known in the sight of men.

Nothing can quite equal that line, because this is an arena in which tolerance and forbearance are so urgently necessary.

There is a gustiness and a saltiness about our remarks, on occasion, which is best exemplified by the address made so very recently by the very distinguished senior Senator from Oklahoma [Mr. KERR]. I like to hear BOB KERR. His gustiness reminds me of the great open spaces of Oklahoma. There is something at once so appealing and so winsome about him.

Believe me, Oklahoma is "the great open spaces." Things happen there that do not happen anywhere else.

I remember a man from my home town, who went to Oklahoma. After he had been there a while, he decided to pick up all the rocks in the soil and build a fence. It was a long and thick fence. Oh, the labor, sweat, turmoil, and aching that went into its building. When a neighbor came over to see him one day, the neighbor said, "Evidently you are a stranger here." The man said, "So I am. I have been here only 2 years."

"Well," the neighbor said, "why didn't you ask some advice before you picked up those rocks and built that stone fence? Don't you know that the great winds of Oklahoma will blow the fence over?"

My friend from home remarked, "What difference does it make? If the winds blow it over, it will be twice as high as it is now."

That is the spirit in Oklahoma.

When I heard my friend from Oklahoma pour himself with vigor and abandon into the kind of address he delivered tonight, I thought of the minister in a little country town in Illinois who forgot his notes for a sermon. He had left them on the pulpit, and the sexton of the church found them cn Monday morning. The sexton got out his "specs" and began to peer at the notes. He saw many strange little marginal markings. In the second paragraph the minister had written: "Throw your arms up in a great and reverent gesture." A few paragraphs further on, he had written: "Throw your arms up with a wide-open gesture and glower at the congregation." When the sexton got to the next paragraph, the notation there was: "Argument weak here. Yell like hell." [Laughter.]

So I have listened to the argument of my distinguished friend from Oklahoma. I wish he were here with all his salty, gusty manner, because I am sure he would appreciate it.

I only wish to say this about his observations, Mr. President, as they may relate to the Secretary of Agriculture: Never in my lifetime have I encountered any individual—and I am moving on toward the 60-year mark—whose innate and intrinsic piety I have felt more clearly than that of Ezra Taft Benson. Everybody knows what his origins are. Everybody knows what his background is. Everybody knows that his life has been devoted to the land and to the church. He has been a missionary for his church, and his church recognizes a tenet under which every youngster at the age of 12 automatically goes into the priesthood of the Mormon church. He has carried the word wherever he has gone, and he has sucked real vitality and nourishment from the soil.

He reminds me of that giant who was standing in that land where Hercules was supposed to carry on one of his labors. He found that others who had assailed this giant could not vanquish him. But Hercules—or it may have been Theseus—learned something: That so long as the giant had his feet upon the soil, he gained renewed strength, but he was ultimately vanquished in one of these labors, by simply lifting him from the terrain and running him through with a sword.

Ezra Taft Benson has derived his strength from the soil. He has received strength from his faith. He is the father of 6 children, 1 of whom is in uniform. He has given his life to this country.

Is there any Member of the Senate or the House of Representatives who has a greater or even an equal interest in the perpetuity of the free institutions of this land? Would it not be singular, indeed, if he were derelict in his duty as Secretary of Agriculture?

In the early days I may not have agreed with him. As I wandered around the country making speeches, hither and yon—on the prairies of South Dakota, and out in Los Angeles, Calif., in a special election—I heard people assail Ezra Taft Benson, and I stood on the platform and publicly and privately defended him.

Oh, what a joy and what a nurturing it was to my own soul when I saw the action of the Congress, and particularly of the Senate, which became a vindication of the courage, fortitude, and judgment of this public servant! He may turn out to be wrong, but let us not demean him, let us not demean his faith, his integrity, his interest in the perpetuity of this Republic and the free institutions which are an attribute of the Republic.

So I salute him as a great public servant from the West. When he is wrong, I shall be just as quick as any other Member of this body to castigate him for his errors of judgment. But certainly his mistakes will never be mistakes of heart—they will be mistakes of the mind, and no more.

I rose, Mr. President, not to discuss those matters, but to pay a little tribute to those with whom I have had the pleasure of serving. I shall start with the very distinguished Senator from Oregon WAYNE MORSE.

I remember when he spoke to me, long ago, in the lobby of the Morrison Hotel in Chicago, and suggested that perhaps I could assist him by coming to the great Irish State of O'Regan and aiding him in the course of the convention and in the course of his campaign. He has adorned the Senate with rare ability and with rare grace. We do not always agree with him. I do not know how many times I voted with him. Perhaps not at any time. I could not be sure unless I read through the RECORD.

I find him exceedingly gracious in the positions he asserts from time to time. I have heard him excoriated in unprintable terms in some portions of the country. I have heard him uplifted in glowing terms as if he were being placed in Abraham's bosom, in other sections of the country. But he is a man of geniality and grace.

So, notwithstanding the differences we have had, and notwithstanding the fact that I seldom could impel myself to vote on his side, I salute him as the leader of the Independent Party, as a gentleman, and as a public servant; and I pray for him in the hope that somehow he may yet come to his knees to confess the error of his ways.

Mr. MORSE. I thank the Senator for his graciousness and kindness, and I particularly appreciate his offer of prayer.

Mr. DIRKSEN. I was thoroughly distressed tonight, Mr. President, when I saw that red rose in his lapel, because I have learned that when that red rose appears, it is the signal for, shall I say charitably, a rather reasonably prolonged speech, not to exceed 12 or 15 hours. As we came in tonight and saw that symbol of love and affection and perfection, I had the idea it was also the symbol of another great rhetorical effort tonight. But better counsel has prevailed, and, so in the spirit of amity and accord, I am quite sure he will detain the Senate perhaps no longer than I shall detain it tonight.

As I think of this spirit of accord and amity and concord, I always think, Wayne, of the 2 deacons, the Republican and the Democrat, who were kneeling together in their supplications in a little church in a small village in Illinois. The Republican deacon was praying to the Lord and saying, "O, Lord, make us Republicans unlike the Democrats; make us hang together in accord; make us hang together in concord." And just then his Democratic brethren said, "Lord, any cord will do." [Laughter.]

So I am sure that there are times when some would hang you, Wayne, and you would hang some of us, but what an amazing attribute and what a great testimony it is to the world's most deliberative and unpredictable body, the Senate of the United States, that there can be such amity and accord, and that we can get along in the spirit of grace and unity.

I had hoped that my distinguished friend and colleague from Texas, the minority leader, might be present. I have forgotten, Mr. President, whether or not he came to Congress in the same

year I did, but if not, it was probably only one term later.

I came to the House of Representatives in 1933. It is entirely possible that he came in 1935. I saw the facile and gracious and kindly way in which he worked when he was a Member of the House of Representatives. It was a great training school. There we became the firmest of friends—so friendly, in fact, that I assured him time and time again that I would not lend my feeble talents, or what little vitality or energy I possessed, to attempt to conquer the great Commonwealth of Texas in the hope that we might elect a Republican there. I have stayed religiously away from that great empire—and not the least of the reasons is that he has adorned not only this body, but the other body, with grace and with distinction.

Mr. President, I want to say a word now about the majority leader of this body. When all is said and done, even a deliberative body can fall into the ways of confusion, but I learned long ago that even confusion bears analysis, and that confusion and deliberation require leadership.

So, tonight, I think it only appropriate that we pay testimony, and that I personally pay testimony, to a very distinguished Member of this body, BILL KNOWLAND, of California, for whom I have developed a rich and rare affection.

I think the first thing I should like to do is to pay testimony to his physical vitality. I always thought I was a pretty vital sort of fellow; but as I see him operate day after day, week after week, over long hours of the day, I get to feel like the veriest amateur. It is at once, I think, testimony to continent living and continent habits, testimony to his interest in the business of the public and in the job that is his responsibility. So we can be grateful, indeed, that he is a very physically vital person who has managed, under all sorts of circumstances, to carry on and to do a most burdensome job.

The second testimony I would pay to him, Mr. President, is to his rare patience. What a quality it is, after all; and how easy it is to lose patience here! I came to the Senate this morning at 20 minutes after 10. I scarcely left this floor. I was interested in one thing; and Mr. President, you must forbear with my selfishness, but early in July there was reported by the Public Works Committee a bill that meant so much, I think, to the people of Illinois, and particularly to 7 million people occupying an area of 412 square miles in the northern end of the State that is referred to as the quasi-municipal corporation known as the Sanitary District. The House passed the bill. I was so hopeful that the Senate would pass it. I am afraid there were times when I lost my patience. Once I threatened that I would resign from my committees if this one little touch could not be done by this Congress. That was simply an expression of my own weakness and my own frailty.

But little by little the thing came on until the last day. I was filled full of frustration tonight; and at one time I left the floor. But then I came back, because, oddly enough, the Colorado River project bill was suddenly withdrawn, after colloquy; and that most exuberant and vital Member from Nevada, GEORGE MALONE, suddenly terminated what otherwise would have been a 3-hour speech, and quickly we found ourselves back on the regular order, and so the futility of unanimous-consent procedure fell by the wayside; and there was a moment, then, when that measure, House bill 3300, which could very easily—to use the vulgarity of the day—"put me on the spot," was suddenly the order of business. It was the last measure passed by the Senate; and since it was previously passed by the House in the language in which it has now been passed by the Senate, the bill now goes to the White House; and if the good Lord is willing and if, with my feeble ability, I can persuade the Secretary of State to indicate that it will be advisable to avoid a veto of that bill, then justice will be done, and 7 million people in the State of Illinois will be happy.

But, Mr. President, in the last analysis, what is that? It is testimony to a great Member of the Senate—not a Member from Illinois, but a Member from California, the very distinguished BILL KNOWLAND.

Along with his outstanding ability, there has been an amazing humility about him. It is one of the qualities, I think, that has all too often gone out of life. When I say that, I think I can make a statement that will stand up: It is perhaps accountable for the fact that manners have gone out of government. I remember that some years ago a businessmen went to one of the Government agencies here in Washington, and when he came back to my office, his face was red, and he was bristling, and then he indulged in a kind of classic profanity that would have done justice, I think, to the Periclean age of ancient Greece. When I got a word in edgewise, I discovered what the trouble was. A very humble person in the executive branch of the Government had simply forgotten his manners; and when that substantial businessmen, who is a taxpayer, and who helps the wheels of business and of Government move, walked in, that young man looked at him and barked or snarled, "What do you want?"

Mr. President, this Government belongs to the people, but we have rather forgotten it, as a matter of fact. So when men like that walk in, the people in Government should get on their knees, because their salaries and their jobs are conditioned upon the patience of the taxpayer. That is what I call good manners—proper courtesy to one another.

Let it be said to the everlasting credit of a great President, whose 80th anniversary was observed recently—Herbert Hoover—that one of the things he insisted upon was good manners, good grace in government. At the bottom of it all is Humility, and it is spelled with a capital "H." There is no greater Christian virtue than that.

Let me say of BILL KNOWLAND that not only is he a man of patience, but he is a man of humility and of forbearance, as well. Along with it, think of the adapting it requires. It is no easy thing to sit with the policy committee and have first one Member and then another Member come in and insist that this bill be put on the calendar, or that that bill be put on the calendar, or that this bill be given an order of business. All cannot be accomplished, all cannot be achieved, within the limitations of time of one session. So it becomes a matter of judgment, finally; and he has endeavored to exercise it as best he can.

Mr. President, as I look back over BILL KNOWLAND'S leadership, I think he has done a splendid job in the field of judgment. I think he has brought to it a patience and a humility that I have never seen excelled in this body; and along with it, I have never seen him angered.

Oh, what a horrible business this would be, and how quickly the spirit of good fellowship would go out the door, if tempers were asserted too frequently here.

It is written in the sacred parchments, "Let not the sun set upon your wrath."

If wrath or anger ever takes over, the efficacy of this deliberative body or of any deliberative body will be destroyed. I learned that lesson long ago, Mr. President, because I saw a fist fight in the House of Representatives, when Members could not get along. Anger was the basis of it; anger is what impelled them to do it. They simply lost their tempers.

It is easy to lose one's temper here—how easy, when one's own particular legislative brain child, having gone through all the dangers, all the fortuities, all the uncertainties of the legislative process, finally comes to the floor, and then is not passed and enacted into law. Under those circumstances, how easy it is for one of us to lose his temper.

So here we have an opportunity to demonstrate whether there are the restraints on temper that maintain a tranquil and an even atmosphere in this body and make it finally—notwithstanding all the things that are said about us—a great deliberative body that resides in the good temper and in the tranquility that are here; and along with it, how genially BILL KNOWLAND could differ, and differ vigorously, with other Members on the floor of the Senate, and at the same time always do it in good fettle.

The other night I said to BOB HENDRICKSON, in the cloakroom, after he got through with his farewell speech, that in my judgment the measure of two men is their capacity to differ sharply but never become angry and never let the fever curve of anger rise. BOB HENDRICKSON and I have differed on a number of measures, and we have done it with vigor and with firmness. There was never any necessity for "pulling any punches," to use the language of the day; but at no time was there any occasion for anger to arise or for any other factor to impair the feeling of friendship and fellowship and the feeling of affection that I bear for him as he leaves this body. We sat in the Judiciary Committee for a long, long time; and I pay testimony to him now.

But it is the good temper in which we finally do things that measures, I think, the efficacy of this body.

And so, Bill, all praise to you, as you go on; and I hope you will have a well-deserved rest.

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And, Lyndon, I hope you, too, will have a well-deserved rest. I wish you had been here a moment ago, when I promised that I will not come down to the empire of Texas and try to accomplish your defeat and bring a Republican back to the Senate of the United States—which I think is one of the dimensions of my esteem and, frankly, my love and affection for you, that began when you and I were soldiers in the House of Representatives.

That is the lowly body in Congress; it is the lower House. I suppose that comes from the fact, Mr. President, that when the Congress met in New York during the first two sessions the Senate met upstairs and the House met downstairs, so this is the upper body and that is the lower body. Having served in both these bodies I have the greatest respect for both.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

That was at Philadelphia. I just desired to be historically correct.

Mr. DIRKSEN. Mr. President, it is amazing how my historical estimates always get turned upside down.

I was in West Virginia one night making a speech, and I was talking about that man whose name was lost in obscurity, who went up around the path at Thermopylae and told the Persians how to get through the pass. As a result of his treachery, Leonidas and that brave band were slaughtered at the pass. So I made a point of the fact that his name was lost in the dust of obscurity.

This was the difficulty I got into, Mr. President: when it was all over a very kindly and inoffensive man came around, after the meeting was over, and he was so timid he was afraid to talk to me, but finally he got me off in the corner and said, "Senator, I hope you will be a little more careful about your historical references to one whose name was not lost in the dust of obscurity. A great historian by the name of Josephus has diligently inscribed his name among the traitors of history, and his name was Ephialtes."

So, Mr. President, I bow as a disciple at the feet of the Master, and I stand corrected.

Mr. JOHNSON of Texas rose.

Mr. DIRKSEN. I now yield to my friend from Texas.

Mr. JOHNSON of Texas. I appreciate the generous sentiments the Senator has expressed. We will welcome him in Texas, as a visitor, as a friend, or even——

Mr. DIRKSEN. Or even as a Republican.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HENDRICKSON. I did not desire to make that correction for my own State, but I must protect my neighboring States.

Mr. DIRKSEN. I am sure the Senator must.

Mr. President, I would detain the Senate no longer except to add one word about the appraisal that comes at the end of every Congress. It will only be tomorrow, shall I say, or the next day, that we will get the various appraisals about what the 83d Congress has done. One of the most singular things about it, Mr. President, is that it will be a volume of appraisal by a good many: How many bills did they pass? How long were they? What was the volume of legislation? How did it compare with the 82d Congress? Did we put as many tons of stuff on the statute books as our predecessor Congresses?

That to me is the most singular appraisal I can possibly imagine because Mr. President, I remember a famous and historical line that the eminent historian Gibbon wrote in his great history "The Rise and Fall of the Roman Empire," when he said "Progress is made not by what goes on the statute books but by what comes off."

More often than not it is the things that never get on the statute books and it is the things we can take off the statute books that somehow release and remove the fetters upon the incentive and vitality and ingenuity and talent of people, which somehow gives expression to the soul of freedom, which finally results in progress.

Then of course there will be the group appraisals. "How much did we get?" I see them already. Here will be the labor group. Maybe this was not an effective Congress in their book, because they did not get all they wanted.

Here are the farm groups. Perhaps they will not appraise us too well, Mr. President, because they did not get all they wanted.

Here will be the veterans' group—and I belong to the Veterans of Foreign Wars and the American Legion—and maybe they will demean us and say "This was not done and that was not done."

And then will come the Federal workers and the postal workers to say "You did not do this, or you did not do that, or you did not do it recently."

It always reminds me of Barkley's favorite story about the man in Louisville, who said he was against Barkley. When Barkley said to him, "Did I not put your girl on the WPA?" He said "So you did." Then Barkley said "Did I not get your boy a job with the CCC?" And the man said "So you did." And Barkley said "Did I not get you a job on the PWA?" And he said "So you did." And then the question is, Why are you not for me? And the answer is "Well, you just have not done anything for me recently."

So it may be, Mr. President, that we have not done things for some people recently. But when all is said and done, Mr. President, I think this Congress, when the record is written, can take a great pride in the fact that it has exemplified something which in my judgment must necessarily be the hope of this Republic. What is that? The interest and the well being not of one group, not of one segment, not of one portion but of all the people of the United States of America. When we lose sight of the larger issue, when we lose sight, Mr. President, of the larger perspective—then look out.

I have had the opportunity of going abroad a good many times. I saw the political, and social, and economic cleavages which tore Germany apart and which tore Italy apart. I hope to God Almighty that no such cleavages may ever develop in this blessed Republic to tear us apart.

When we take our eye off the larger star that is shining in the firmament, the star of the benefit of all the people in this country, then indeed are we in danger.

So, testifying as I do to the leader of the Independent Party, for whom I have great affection, and to my old friend LYNDON JOHNSON of Texas, and to the great and courageous and redoubtable majority leader, who carried such a tremendous load in the 83d Congress, I conclude these very informal remarks by simply saying, Mr. President, I am happy indeed that along with the talent and the ingenuity and the vision in the legislative branch there is an equivalent vision in the White House; for over and over again, on those occasions when I have had a chance to breakfast, to lunch or visit with the President of the United States, he has constantly emphasized one thing, and that is his interest in the well being of all the people and all the groups and all the segments and all the sections of the greatest Republic on God's footstool.

With that kind of cooperation this Republic will long endure.

I yield the floor.

Mr. KNOWLAND. Mr. President——

The VICE PRESIDENT. The Senator from California.

Mr. KNOWLAND. Mr. President, first I wish to report to the Senate that the distinguished minority leader and I as a committee of the Senate communicated with the President of the United States a short time ago, told him that the Senate was about to complete its labors, and asked if he had any messages to this body. The President expressed to the Senator from Texas [Mr. JOHNSON] and to me his appreciation of the service of the 83d Congress and the record of accomplishment that it has. The President said that he had no additional messages at this time, and he asked us to extend his best wishes to each and every Member of the Senate of the United States.

Mr. President, I should now like to say just a few words as this session comes to a close. First, I wish to express my deep appreciation for the remarks of my good friend from Illinois, the senior Senator from that State, EVERETT DIRKSEN. I also wish to express my deep appreciation to all of the Members of the Senate on both sides of the aisle for the excellent cooperation we have had in meeting many grave problems in the domestic and international field, where there is no center aisle in this Chamber.

The work of the United States Senate could not be conducted unless there was a high degree of cooperation across the center aisle. I do not believe that any majority leader could have had finer cooperation than I have had from the distinguished Senator from Texas [Mr. JOHNSON], the minority leader.

To be sure, we belong to different political parties. To be sure, on many issues, as is customary in a legislative body, we do not vote in the same way. But over the long years of American history the Members of the Senate and

of the House have recognized that, after all, they, along with the Executive, are a part of a single government, and they do not deal at swords' points, so to speak.

In the 80th Congress, when our party controlled Congress, and the party represented across the aisle controlled the White House, much constructive legislation was put through on the recommendation of the President, with the assistance and counsel of the then Republican majority in the Senate. So it must be, because in the 83d Congress, unlike so many Congresses in our history, we end the session with an equally divided membership, because with the distinguished member of the Independent Party, who has at least temporarily taken his leave from the Republican Party, we have what in effect is an equal balance in the Senate.

There have been times, when, because of the losses we have suffered, our party has actually been in the minority in the Senate. In the other House the majority of Republican Members is only five. In a great body—and it is a great body—of 435 Members, with such a narrow margin, in the normal course of illness, the balance of power can be very easily upset. Therefore, to have any kind of constructive program at all, it is necessary and important to have the very fine cooperation which we have had.

I should also like to say a word of great appreciation to the employees of the Senate, those who serve at the desk and work the same hours, and many times longer hours than we do. This has been a very rigorous session. We have had a number of night sessions. On many days we have worked for 12 or 14 hours or more. As we have left our duties here, those who represent us at the desk and those who serve this body in other capacities have had additional hours of work.

I wish to pay tribute to our own representatives, the secretary for the majority, Mr. Reed, his able assistant, Mr. Brownrigg, and all the others who have assisted us.

I would not want this moment to pass without saying to our pages on both sides of the aisle that their efforts for the Senate and for us have helped us to operate this great body. Their efforts are appreciated by both the Democrats and the Republicans in this body.

Mr. President, the session is now drawing to a close. I wish to express my hope that everyone may return to his home and take with him pleasant recollections, not recollections of the few bitter controversies that sometimes develop in this Chamber, but of the cordial friendship which knows no party boundary.

As we look back, I know that so long as I shall live I shall cherish the friendships and associations I have been privileged to enjoy among my Republican colleagues on this side of the aisle and among my Democratic colleagues on the other side of the aisle. I have found them all to be men devoted to their country. There is no question in my mind that should our great Nation ever be challenged from any section of the world, every Senator in this Chamber will stand shoulder to shoulder, just as the American people will if war should challenge us from any quarter of the world, standing together as Americans united in a great cause.

Mr. HICKENLOOPER. Mr. President, I shall not attempt to gild the lily. Nor shall I attempt to add praise to the praises that have already been given to the most deserving Members of this body.

However I would feel remiss indeed if I did not say that I appreciate the great cooperation and the many fine rewards that have come to me as a result of the understanding cooperation of Members on both sides of the aisle at this session of Congress.

First I should like to say that we have 3 parties in the Senate: Democratic, Republican, and Independent. I shall discuss the Independent Party first. The membership of that party, collectively, is to me very dear, because there is a great personal attraction and a great personal friendship on my part for the entire membership of the Independent Party.

I have disagreed in a great measure with the voting of that party, but my love and affection for the member of that party is unbounded and sincere.

Second, from the Democratic Party and for the leadership of the distinguished Senator from Texas I have found nothing but the most sincere cooperation. I have found vigorous opposition on occasions, which I respect, but I have always found the most courteous and fair treatment and fair consideration with respect to any position I have taken. I respect the leadership. I respect the courtesies which have been extended to me.

With respect to my own party, as to which I am probably prejudiced and whose virtues I probably extol and exaggerate, I wish to say that the leader of the Republican Party in the Senate in my 10 years here has exhibited more courtesy, more decency, and more consideration for the members of his own party and for the problems confronting him—and this is said with due respect to other magnificent leaders I have known—than I have ever come in contact with.

BILL KNOWLAND at times has been a driver. We might as well face it. He has driven us. However, when the chips were down, we loved him. When the chips are down, we know he is working for his party and his country and for the cooperation of the Senate.

This feeling is not new with me. It is not a feeling I have arrived at after months of soul searching. I have known BILL KNOWLAND for many years.

But tonight I wish to pay tribute to two great Americans who disagree politically, but who have cooperated to operate the business of the greatest deliberative body in the world—BILL KNOWLAND, who has had charge, let us say, from time to time, of the majority of the Senate, and LYNDON JOHNSON, who, from time to time, was not quite sure whether he had a majority or a minority, but who has cooperated in loyalty to his own party as BILL KNOWLAND has to his party in his leadership. I think there has been no more magnificent demonstration of cooperative progress toward the good of the country than we have seen in this session. It has been a difficult session both for the majority and the minority. While I am not happy about all the results which have eventuated, nevertheless, I pay tribute to those great Americans who have been able, under trying circumstances, to defend their own particular interests and views, and yet have met their responsibilities.

Tonight I pay tribute to a great cooperative effort in a very difficult situation. And to BILL KNOWLAND, my leader—and I am for him—I want to say that one of the greatest jobs of leadership I have ever seen in a great many years of public and private life, not only here, but in my home State, has been performed by him, and tonight I tip my hat to him in salute for a great job of leadership.

And LYNDON JOHNSON, who has had his own problems, I salute as a gallant gentleman, a gallant American, and a great cooperator in the forward progress of the Government of the United States.

Mr. HENDRICKSON. Mr. President, I wish to associate myself with the remarks of the Senator from Iowa.

I may as well make an honest confession tonight. I am sure that our distinguished majority leader is not fully conscious of what I am going to say, because I do not think he knew that when I went to the Republican convention in Chicago in 1952, as a delegate-at-large from New Jersey, I could see nothing but a deadlock. In my briefcase I carried notes among which were notes prepared from which I had hoped to make a nominating speech if there should be a deadlock. That nominating speech would have been for BILL KNOWLAND, of California.

Why did I select him? Because as I watched him in my freshman years as a Senator I had seen in him talents of great leadership. My judgment has been confirmed in this session, Mr. President. As has been said tonight, he operated for the most part with the minority. His patience and his skill are outstanding. Is he a driver? No; not a driver, just a patient, God-fearing man who knew things had to be done and that we had to carry on, regardless.

I have often said to colleagues of mine on the floor that if I had to be engaged in a military operation where courage and steel were necessary I should like to serve under BILL KNOWLAND's leadership. The only way a battle can be won is through courage. I do not say that the battle of the Republican Party has been won, by any means. We still have to carry on, but our distinguished majority leader has carried us far. It is a high privilege and a great honor to serve under the leadership of the distinguished majority leader.

I know these accomplishments could not have been attained without the full cooperation of our distinguished minority leader. I have enjoyed service under his leadership. We have had a great and happy team, so far as a team can be made out of opposing parties.

Mr. President, as I leave this body I shall always remember with great appreciation the fine example of statesmanship which has been exhibited by our majority and minority leaders.

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PREVENTION OF GENERAL ASSEMBLY OF UNITED NATIONS FROM AUTHORIZING PAYMENT TO 11 AMERICAN EMPLOYEES DISMISSED BECAUSE OF REFUSAL TO TESTIFY

Mr. KNOWLAND. Mr. President, the only resolution we have at the desk upon which action has not been taken is House Concurrent Resolution 262 which I have discussed with the minority leader. I ask unanimous consent that it be stated and that it be considered at this time.

The VICE PRESIDENT. The clerk will state the concurrent resolution.

The legislative clerk read the concurrent resolution (H. Con. Res. 262) as follows:

Whereas 11 American employees in the United Nations were asked in 1952 and 1953 to testify before the Internal Security Subcommittee of the Senate concerning their membership in the Communist apparatus and other subversive activities, but refused under the fifth amendment to answer, with the result that such subcommittee recommended their dismissal from such employment; and

Whereas the Secretary General of the United Nations dismissed the 11 employees from their employment in the United Nations, and they appealed; and

Whereas on appeal the United Nations Administrative Tribunal awarded damages to the 11 employees in a total amount of $179,420 on account of such dismissal, and the International Court of Justice has recently upheld the Administrative Tribunal; and

Whereas the case is now before the General Assembly of the United Nations, which must approve the award of such damages before payment thereof can be made; and

Whereas the United States, which pays approximately one-third of the expenses of the United Nations, should not be compelled to contribute any of its funds for the payment of damages in a case of this kind to persons who have a record of disloyalty to the United States: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the United States delegation to the United Nations should take all possible steps to prevent the General Assembly of the United Nations from authorizing or approving the payment, to the 11 American employees in the United Nations who were dismissed because of their refusal under the fifth amendment to answer proper questions before the Internal Security Subcommittee of the Senate, of the awards of damages (in a total amount of $179,420) made by the United Nations Administrative Tribunal and recently upheld by the International Court of Justice, and that no part of the funds heretofore appropriated, or hereafter appropriated by the Congress for the United Nations shall be used for the payment of such awards.

The VICE PRESIDENT. Is there objection to the immediate consideration of the concurrent resolution?

Mr. MORSE. Mr. President, I should like to ask the majority leader one question.

Am I correct in my understanding that the spirit and intent of this resolution is shared by the President of the United States, by the Secretary of State, and by the American Ambassador to the United Nations, Mr. Lodge? I raise the question only because I think we should be very careful that we do not follow a course of action which may embarrass those who, under the Constitution, have the primary obligation in developing American foreign policy. It is my understanding that the spirit and intent of the resolution are shared by the President, the Secretary of State, and the American Ambassador to the United Nations.

Mr. KNOWLAND. Mr. President, I will say to the Senator from Oregon that the resolution, as I understand, appears to express the sentiments of the Congress relative to the use of American appropriated funds for the payment of damages to those who refused to testify and who based their refusal on the fifth amendment. I assume it does not go to the point that United Nation funds from other sources could not be used for such payment of damages, but that funds appropriated by the American Congress, from the American taxpayers, should not be used in this particular type of situation. I cannot specifically answer the Senator's question as to the Secretary of State and the President. I think the resolution was meant to express the sentiment of the Congress in the situation.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the concurrent resolution (H. Con. Res. 262) was considered and agreed to.

The preamble was agreed to.

AUTHORIZATION TO PRINT MATTERS IN THE RECORD AFTER ADJOURNMENT

Mr. KNOWLAND. Mr. President, I ask unanimous consent that Senators may be permited to make insertions in the RECORD for 10 days following the adjournment of Congress. This I understand, is the procedure we have followed, and under this procedure there will be required requests from individual Senators. I ask that on behalf of both the majority and minority leaders.

The VICE PRESIDENT. Without objection, it is so ordered.

APPOINTMENTS

The VICE PRESIDENT. The Secretary will read recommended appointments for the information of the Senate.

The Chief Clerk read as follows:

UNITED STATES SENATE,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, D. C., August 20, 1954.

Hon. RICHARD M. NIXON,
The Vice President,
United States Senate.

MY DEAR MR. VICE PRESIDENT: I am pleased to recommend Senator ALBERT GORE to membership on the United States delegation to the review session of the General Agreement on Tariffs and Trade.

Sincerely,

LYNDON B. JOHNSON.

UNITED STATES SENATE,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, D. C., August 20, 1954.

Hon. RICHARD M. NIXON,
The Vice President,
United States Senate.

MY DEAR MR. VICE PRESIDENT: I am pleased to recommend Senator JOHN F. KENNEDY to the subcommittee established by Senate Resolution 214 to study technical assistance and related programs.

Sincerely,

LYNDON B. JOHNSON.

The VICE PRESIDENT. The Chair announces two appointments: Senator ALBERT GORE to be a member of the United States delegation to the review session of the General Agreement on Tariffs and Trade, and Senator JOHN F. KENNEDY to the subcommittee established by Senate Resolution 214, to study technical assistance and related programs.

CUSTOMARY ORDERS

Mr. KNOWLAND. Mr. President, I have a series of customary orders which I should like to have acted on. I may say they have all been prepared in agreement and in consultation with the minority leader.

AUTHORIZATION TO MAKE APPOINTMENTS DURING THE ADJOURNMENT PERIOD

On motion of Mr. KNOWLAND, and by unanimous consent, it was

Ordered, That, notwithstanding the sine die adjournment of the House of Representatives and the temporary adjournment of the Senate, the President of the Senate be, and he is hereby, authorized to make appointments to commissions or committees authorized by law, by concurrent action of the two Houses, or by order of the Senate.

AUTHORIZATION TO RECEIVE MESSAGES FROM THE HOUSE AFTER ADJOURNMENT

On motion of Mr. KNOWLAND, and by unanimous consent, it was

Ordered, That, notwithstanding the sine die adjournment of the House of Representatives and the temporary adjournment of the Senate, the Secretary be, and he is hereby, authorized to receive messages from the House of Representatives after the aforesaid adjournment.

RECONVENING OF SENATE

On motion of Mr. KNOWLAND, and by unanimous consent, it was

Ordered, That when the Senate adjourns it stand adjourned until the fifth day after the Senators are notified to reassemble by the majority and minority leaders of the Senate, acting jointly, whenever in their opinion the public business of the Senate so requires.

ADDITIONAL BILL INTRODUCED

An additional bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HENDRICKSON (for himself, Mr. LANGER, Mr. KEFAUVER, and Mr. HENNINGS):

S. 3893. A bill to amend section 521 of Title V of the Social Security Act, as amended, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. HENDRICKSON when he introduced the above bill, which appear under a separate heading.)

AMENDMENT OF SOCIAL SECURITY ACT RELATING TO JUVENILE DELINQUENCY

Mr. HENDRICKSON. Mr. President, on behalf of myself, the Senator from North Dakota [Mr. LANGER], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Missouri [Mr. HENNINGS], I introduce a bill for appropriate reference to amend section 521, title V, of the Social Security Act, and for other purposes.

The bill relates to the subject of juvenile delinquency. I had intended to speak to the Senate about it tonight. However, I now ask unanimous consent to have the speech I had prepared printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 3893) to amend section 521 of title V of the Social Security Act, as amended, and for other purposes, introduced by Mr. HENDRICKSON (for himself, Mr. LANGER, Mr. KEFAUVER, and Mr. HENNINGS), was received, read twice by its title, and referred to the Committee on Finance.

The statement by Mr. HENDRICKSON is as follows:

STATEMENT BY SENATOR HENDRICKSON

The welfare of a child who runs away from his own home is gravely periled.

Unsupervised and on-the-loose, many times without funds, and often subjected to bad company, the runaway child all too frequently becomes the delinquent one.

Society's goal for such children should be, first, to get him back home as promptly as possible and, secondly, to try to find out why he ran away so that a repeat may be avoided.

To what extent are we geared to achieve those goals today?

What is happening to the runaway child?

For the past several months the Senate Subcommittee To Investigate Juvenile Delinquency has been inquiring into this subject.

Data are not yet complete, but certain shocking happenings are evident.

The fate of a runaway child upon being apprehended by the police depends upon the social conscience of the law enforcement agency and the resources available to it.

And all too often it is an unkind fate.

If a runaway child is picked up not too far from his home, the chances are that his or her parents will be contacted, and that those parents or the police will be able to provide the modest sum of money needed for transportation home.

The further the child gets away from home, these chances diminish.

Runaway children picked up States away from their home may be more likely to be given a "ride on the boot," to use the jargon, than returned home.

A "ride on the boot," is the practice of hauling a youngster to the city, county, or State limits and dumping him over the line.

This rids the officer's own jurisdiction of the problem.

And many youngsters have virtually crossed this country "riding on the boot."

Individual police agencies cannot always be condemned for this practice.

Ofttimes the police would have no place to hold a child but in a common adult jail.

No funds are available to the police for the care of the child or to finance his return home.

In many cases no other agency in the community stands ready to lend the police department help with the problem.

The problem reaches such proportions that California, the end of the line for the "boot riders," makes up special trains each year to return youngsters to homes across the Nation.

This Nation cannot afford to have tens of thousands of its youth virtually forced into delinquency because we lack the machinery and means to get the runaway child back home and adjusted there.

The machinery needed is not complex, nor are the funds required to establish and operate it extensive.

The achievement of this goal will require several steps.

A few days ago I introduced a resolution authorizing States to enter into an interstate compact relative to the return home of runaway children and such a compact, when entered into by the majority or all of the States, should help immeasurably.

Recognizing the serious nature of the runaway problem, the Congress some 4 years ago amended title 5, part 3 of the Social Security Act so as to permit child-welfare grants to States to be used, among other purposes, for the return of runaway children from one State to another.

Experience demonstrates that this was a wise step.

However, the language and age limitation adopted have proven too restrictive to achieve the maximum potential benefits through this device.

I, therefore, offer an amendment which would enable these funds to be used relative to the destitute and out-of-State runaway of 16 and 17 years of age, as well as those under 16.

The proposed language also drops out the requirement that such returns be in the child's best interest.

This restriction is dropped because experience demonstrates that it has resulted in costly and unreasonable delays in returning youngsters on the one hand, and has not resulted in other plans being ultimately made for such children.

I believe that the adoption of this proposed language would be of material assistance in saving the runaway child from a delinquent career.

It is not—and is not intended to be—the total answer to the problem.

The subcommittee intends to delve into every part of this subject.

However, the language which I am proposing should remedy some of the more obvious defects in the existing Federal laws.

Further Federal legislation will, no doubt, be needed as our investigation proceeds.

ADDITIONAL ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, August 20, 1954, he presented to the President of the United States the bill (S. 3706) to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes.

ADDITIONAL MATTERS ORDERED PRINTED IN THE RECORD

On request, and by unanimous consent, additional addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. KNOWLAND:

The Republican record of the 83d Congress.

By Mr. BRIDGES:

Statement prepared by him as to the record of the past two decades.

ADJOURNMENT

Mr. KNOWLAND. Mr. President, pursuant to the prior order, and if there is no further business, I move that the Senate stand adjourned.

The motion was agreed to; and (at 10 o'clock and 50 minutes p. m.) the Senate adjourned, the adjournment being pursuant to the order previously entered and H. Con. Res. 266.

NOMINATIONS

Executive nominations received by the Senate August 20 (legislative day of August 5), 1954:

UNITED NATIONS

James Phillip Nash, of Texas, to be an alternate representative of the United States of America to the ninth session of the General Assembly of the United Nations, to serve no longer than December 31, 1954.

DIPLOMATIC AND FOREIGN SERVICE

John J. Muccio, of Rhode Island, a Foreign Service officer of the class of career minister, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Iceland.

IN THE ARMY

The following-named persons for appointin the Regular Army of the United States, in the grades and corps specified, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.), title II of the act of August 5, 1947 (Public Law 365, 80th Cong.), Public Law 759, 80th Congress, Public Law 36, 80th Congress, as amended by Public Law 37, 83d Congress, and Public Law 625, 80th Congress:

To be majors

Moyar, John B., MC, O1775949.
Owens, Ross, MC, O263873.

To be captains

Farmer, Garland R., VC, O938989.
McCabe, Marshall E., MC, O1718628.
Mehnert, Erich C., VC, O1718887.
Sweigart, Thomas T., DC, O980803.
Williamson, Walter S., MC, O991873.

To be first lieutenants

Abagis, Kenneth M., JAGC, O999617.
Adams, Harriet M., ANC, N794553.
Boyers, Robert C., DC.
Carberry, Barbara G., ANC, N900418.
Cook, Margaret, ANC, N762945.
Daniels, Mary J., ANC, N774094.
Haegele, Ida L., ANC, N770160.
Hays, William L., VO, O970114.
Isham, Ruth M., WAC, L1020589.
King, Thomas J., DC, O1917258.
Koenig, Jane L., ANC, N805015.
Koontz, Rurth L., ANC, N795036.
Link, Lillian G., ANC, N723362.
Mathews, Peggie M., ANC, N805214.
Mobley, Ruth Z., ANC, N805146.
Moore, Daisy E., ANC, N764784.
Moseley, Leanora M. W., ANC, N805143.
Neirby, Gladys O., ANC, N733074.
Nichols, Barbara J., ANC, N792485.
Owen, Ethel, ANC, N752149.
Pelton, Ella M., ANC, N799429.
Roberts, Alma M., WMSC, M2918.
Smetters, George W., MC, O1934437.
Swab, Wealthy E., ANC, N796907.
Travers, Veronica R., ANC, N804280.
Weeks, Nelda L., ANC, N792991.

To be second lieutenants

Craig, Betty J., WAC, L1010548.
Evans, Mary L., ANC, N900387.
Foegen, George J., MSC, O3103349.
Rodgers, Marie L., ANC, N900592.
Russell, Marilyn J., WAC, L1010701.
Singletary, Winfield S., Jr., MSC, O4006499.

The following-named officers for appointment, by transfer, in the Judge Advocate

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General's Corps, Regular Army of the United States, in the grades specified:

To be major

Ivey, Robert H., O24849.

To be captain

Chase, David M., O26212.

The following-named person for appointment in the Medical Corps, Regular Army of the United States, in the grade of first lieutenant, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.), subject to completion of internship:

Chamblin, Stuart A., Jr., O4016542.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.):

To be first lieutenants

Atkinson, Larry R., O1335098.
Bauer, Charles J., O2028372.
Black, Roscoe, O969055.
Brooks, Edwin E., O2021103.
Coyle, Marcus W., O1342053.
Denny, Lawrence E., O955675.
Dyer, Robert A. J., Jr., O830433.
Grammer, William C., O2206026.
Hill, James G., O2208105.
Hollis, Richard C., O1330924.
Johnston, Walter L., O2026384.
Kingston, Robert C., O1913235.
Klingelhoefer, John W., O1924933.
Meyer, Keith, O2021094.
Morris, James F., Jr., O963573.
Mullett, Edwin, Jr., O994612.
Naegele, Eugene L., O972696.
Sherman, Lee M., O952624.
Sidney, Wilbur A., O1913208.
Snowden, Charles S., Jr., O972949.
Thralls, Rodney E., O2028369.

To be second lieutenants

Amundson, Donald M., O2263638.
Baughman, Larry J., O1935321.
Berkey, Ronald R., O4007169.
Blanton, Clay E., O1937155.
Cate, William F., Jr., O2096505.
Coffey, Vernon C., Jr., O4005173.
Comer, James L., O4013362.
Davis, Edwin G., O4005180.
Eckhart, John W., III, O4009249.
Forrest, Ernest E., Jr., O1695179.
Gaspard, George W., Jr., O1882042.
Graves, Charles E., O2266318.
Hammer, Hoyt M., Jr., O1873771.
Hasty, Gerald R., O948763.
Hill, Lloyd H., O1935778.
Hippler, Richard A., O969801.
Hurd, Philip S., O4009159.
Johnson, Gerald K., O1877023.
Kitts, James R., Jr., O1925086.
Koontz, William E., O4013542.
LaFrance, Raymond J., O1931561.
Landry, Robert L., O1914645.
Lawrence, Paul S., O1925195.
Lutz, Bradley T., O1881509.
McSorley, Lester F., O4005587.
Mennona, Edward, O2265907.
Morris, Hubert, O1931324.
Neely, Albert D., O1882369.
Paquette, Dean R., O1886333.
Pfanzelter, Max R., O1932252.
Ponder, Arno L., Jr., O4005141.
Price, Robert E., O994924.
Rorabaugh, William P., O1872474.
Stern, Jack M., O1889777.
Stonecipher, Robert G., O2026527.
Tower, John B., O4005273.
Walker, William O., O1915636.
Wootten, James P., O1894211.
Wyatt, James E., O4012131.
Young, Robert S., O990360.

The following-named distinguished military student for appointment in the Medical Service Corps, Regular Army of the United States, in the grade of second lieutenant, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.):

Conselman, Charles B.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.):

Albert, Yvan J.
Anderson, Cecil M., O4023879
Archibald, Robert J., Jr.
Blanke, Gerald F.
Boyd, Bobby K.
Bramblet, William B.
Bryan, Robert L.
Burke, Paul J., Jr., O1940768
Butterworth, Louis S., O4024029
Christensen, John E., O4017503
Cleveland, William L., Jr.
Convard, Frank L., Jr.
Cooper, Joe L.
Costen, Richard O.
Craig, Michael F., O4004233
Crall, Ralph L.
Creel, Tilford C.
Dailey, Donas H., O4012031
Davis, Bobby J.
Davis, Vernon K., O1939764
Dick, Bruce R.
Dickey, Robert R.
Douglass, Elmo T.
Dowdell, Joseph O.
Dulin, Ralph W.
Eberle, John S., O4015865
Erdal, Rasmus A.
Evans, Bobby G., O1941055
Federovitch, Frank J.
Fernandes, Vincent R.
Focht, Charles W.
Gerkey, George E., III
Ginn, Charles J.
Goebel, James R.
Goss, Gerald D., O4004141
Greenberg, William M.
Herndon, George W.
Herrmann, Klaus J.
Hess, Donald L.
Hill, Mickey E.
Hines, Thomas G.
Hissong, Fred, Jr.
Hoffert, Charles E., O4004235
Holland, Evan F.
Horlitz, Alfred E.
Hunter, Kelvin H., Jr.
Hutton, William E.
Johnson, Moses G. H.
Justiss, Robert E.
Kelley, Paul B., O4012926
Kirby, James W., O4000292
Kunkel, Frank J.
Labourdette, Albert H., Jr., O1939985
LaCour, Hugh, Jr.
Leach, Robert A.
Longanacre, Louis E., O4000610
Longhofer, Melvin L.
Ludwig, Donald J., O4020799
Lybert, Elmer J.
Lyles, Jesse D.
Mait, Martin B.
Marshall, Raymond E., O4018878
McCord, Thomas B., O4023731
McGee, Bernard A., Jr.
McNeil, Frank H., O1872502
Mitchell, Frederick H.
Moody, Herbert E.
Morgan, Jerry T.
Morrow, Robert D.
Muldrow, Robert, IV, O1939774
Mullen, Gordon R.
Nanopoulos, Constantine T.
Neroni, Frederick J.
Paoletti, Karl P.
Parry, Raphael P., Jr., O1880999
Peerenboom, Maurice A., Jr.
Pierce, James R.
Pinder, Richard S.
Presley, James N., Jr.
Rolph, Paul R., Jr.
Sanders, Drexel E., O1679579
Scott, Richard L.
Shreeve, Caleb A., Jr.
Simmons, Ronald F., O4013712
Smith, Ivan F.
Sontag, Paul D.
Thomas, Nelson H., Jr.
Thorp, Lee L.
Tinsley, Philip, Jr., O4015093
Toner, Francis J.
Traver, Thomas G.
Traxler, Grady M., O1940057
Walker, Robert L.
Wallace, Alvin J.
Warren, Carl W.
White, Chad B.
Whiteley, Frank G., O4001103
Whitmore, Wesley C.
Williams, David J.
Wize, David L.
Wisenteiner, Herman N.
Zoldak, Andrew B., O4033000
Zulli, Andrew W., Jr.

IN THE AIR FORCE

The following-named person for reappointment to the active list of the Regular Air Force, in the grade of lieutenant colonel, from the temporary disability retired list, under the provisions of section 407, Public Law 351, 81st Congress (Career Compensation Act of 1949):

Ellis L. Gottlieb, 2244A.

The following-named persons for appointment in the Regular Air Force, in the grades indicated, with dates of rank to be determined by the Secretary of the Air Force under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947); title II, Public Law 365, 80th Congress (Army-Navy-Public Health Service Medical Officer Procurement Act of 1947); and section 307 (b), Public Law 150, 82d Congress (Air Force Organization Act of 1951), with a view to designation for the performance of duties as indicated:

To be majors, USAF (Medical)

Eugene R. K. Leiter, AO511916.
Lawrence D. Stuart, AO2241414.
Fletcher H. White, AO369072.

To be captains, USAF (Medical)

Harry T. Cerha, O411960.
Fritz M. G. Holmstrom, AO1906782.

To be captains, USAF (Dental)

Dewey M. Metts, Jr., AO660782.
William T. Stillson, AO2240433.

To be first lieutenants, USAF (Medical)

Claude T. Anderson, AO703082.
Ned B. Chase, Jr.
James R. Clay
George P. Collins
Richard C. Dinmore, AO817639.
Dale E. Dominy
Charles M. Earley, Jr., AO2261729.
George C. Hamill, AO2261357.
Paul H. Jacobs, O1324541.
Carlton E. Jones, AO2091535.
Bruce R. Little
William C. McCormick, AO2261668.
Esteban Moreno-Salas, AO3000324.
Dwight E. Newton, AO703781.
Paul C. Peters, AO2261679.
Lawrence W. Pollard, Jr., AO2261681.
Jay H. Poppell
Harold C. Sadin
William I. Silvernail, Jr.
George G. Susat
James P. Taylor
Kermit Q. Vandenbos, AO4013838.
Julian E. Ward, AO1858964.

To be first lieutenant, USAF (Medical Service)

George F. Allen, AO2239083.

The following-named persons for appointment in the Regular Air Force, in the grade indicated, with dates of rank to be determined by the Secretary of the Air Force under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947):

To be first lieutenants

Vincent O. Adams, Jr., AO2215252.
Dale A. Bittinger, AO2218078.
Stuart E. Burtt, AO712375.
William A. French, AO2217565.
Frank W. Harding III, AO1860108.
James B. Hughes, AO943116.
Eugene D. Levy, AO2232213.
George J. Morton, AO2228684.
Edwin E. Thompson, AO1859135.
Joseph B. Wratten, Jr., AO1857480.

POSTMASTER

John B. Baxley to be postmaster at Barnwell, S. C., in place of J. H. Witherspoon, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 20 (legislative day of August 5), 1954:

UNITED NATIONS

James Phillip Nash, of Texas, to be an alternate representative of the United States of America to the ninth session of the General Assembly of the United Nations, to serve no longer than December 31, 1954.

UNITED STATES CIRCUIT JUDGE

Martin Donald Van Oosterhout, of Iowa, to be United States circuit judge for the eighth circuit.

UNITED STATES DISTRICT JUDGES

Vernon D. Forbes, of North Dakota, to be United States district judge for the district of Alaska, division No. 4.

Sherrill Halbert, of California, to be United States district judge for the northern district of California.

DIPLOMATIC AND FOREIGN SERVICE

John J. Muccio, of Rhode Island, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Iceland.

ROUTINE APPOINTMENTS OR PROMOTIONS IN THE DIPLOMATIC OR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

Thomas J. Maleady, of Massachusetts, for promotion from Foreign Service officer of class 2 to class 1.

Douglas Henderson, of Massachusetts, for promotion from Foreign Service officer of class 4 to class 3.

Hermann F. Eilts, of Pennsylvania, for promotion from Foreign Service officer of class 5 to class 4.

Herbert E. Weiner, of New York, for promotion from Foreign Service officer of class 5 to class 4 and to be also a consul of the United States of America.

Charles H. Pletcher, of Minnesota, for promotion from Foreign Service officer of class 6 to class 5.

The following-named persons to be also consuls general of the United States of America:

R. Borden Reams, of Pennsylvania.

Arthur L. Richards, of California.

R. Smith Simpson, of Virginia, to be a consul general of the United States of America.

The following-named persons to be consuls general of the United States of America:

Ernest H. Fisk, of Ohio.

Elvin Seibert, of New York.

Robert B. Dreessen, of Missouri, to be a consul of the United States of America.

Joseph B. Phillips, of Virginia, for appointment as a Foreign Service officer of class 1, a consul, and a secretary in the diplomatic service of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 2, consuls, and secretaries in the diplomatic service of the United States of America:

Edmund H. Kellogg, of Virginia.

William R. Tyler, of the District of Columbia.

The following-named persons for appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America:

Hubert M. Curry, of Illinois.

Roy I. Kimmel, of New Mexico.

James H. Lewis, of Pennsylvania.

Edward A. Mag, of Connecticut.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

James N. Cortada, of Florida.

Theo E. Hall, of Kansas.

Guy O. Long, of Pennsylvania.

George Moffitt, Jr., of Connecticut.

Stephen C. Worster, of Maine.

Miss Anna E. Simmons, of Texas, for appointment as a Foreign Service officer of class 5, a vice consul of career, and a secretary in the diplomatic service of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Miss Katharine S. Chase, of Connecticut.

William A. Hayne, of California.

James R. Huntley, of Washington.

Laurence G. Pickering, of Nebraska.

The following-named Foreign Service staff officers to be consuls of the United States of America:

Miss Sofia P. Kearney, of the Commonwealth of Puerto Rico.

Roland W. Kenney, of Connecticut.

J. H. Cameron Peake, of New York.

Robert L. Ware, Jr., of New Jersey.

The following-named Foreign Service Reserve officers to be consuls of the United States of America:

Vincent J. Augliere, of Virginia.

J. Raymond Ylitalo, of Minnesota.

George H. Owen, of New York, to be a secretary in the diplomatic service of the United States of America.

POSTMASTERS

ALABAMA

Silas H. Anderson, Bynum.
Earney W. Shaw, Holly Pond.
Ralph D. Buster, Sardis.
William J. Murphy, West Blocton.

ARIZONA

Klyle N. Stall, Chandler.

ARKANSAS

Robert C. Hixson, Paris.

CALIFORNIA

Emma M. Fernald, Julian.
Gust. J. Allyn, Richmond.
Lionel J. Worden, San Jose.
John C. Cummings, Yucaipa.

COLORADO

Theodore M. Erickson, Wheat Ridge.

CONNECTICUT

Edward J. Butner, Sr., Westport.

DELAWARE

Howard W. Dill, Harrington.

GEORGIA

Thomas Adamson 3d, Cedartown.
Ralph C. Key, Tallapoosa.

ILLINOIS

Ray C. Rogers, Bonnie.
Vernon W. Dickey, Marissa.
Owen W. Morell, Shobonier.
James W. O'Brien, Thayer.

INDIANA

Robert D. Sanders, Franklin.
Apphia L. Hess, Griffith.
Fred V. Hayden, Lowell.
Richard L. Pickett, Sheridan.

IOWA

Keith Gray, Postville.

KENTUCKY

Georgia R. Callahan, Canmer.

LOUISIANA

Leo S. Behrens, Madisonville.
Joseph Lubin Jewell, Jr., Maringouin.

MAINE

Leo T. Spain, Houlton.

MARYLAND

James W. Scott, La Plata.

MICHIGAN

Edward L. Baker, Detroit.
Calvin C. Oke, Richmond.
Almon Schoch, Romeo.

MINNESOTA

Erling M. Wollan, Glenwood.
Siegfried E. Schmidtke, Morristown.
Henry J. Schwegman, Taylors Falls.

MISSISSIPPI

John H. Magee, Magee.
Virginia M. Hatcher, Scott.
Keith D. Davis, Terry.

MISSOURI

Allen B. Cooper, Charleston.

NEW JERSEY

Harry C. Lake, Hampton.
Chester A. Newton, Milltown.
Elmer B. Reed, Sea Isle City.
Abel V. Del Vecchio, Springfield.
Agnes V. Huenke, Thorofare.
John Dawson, Trenton.
George Ekholm, Whitehouse.

NEW MEXICO

Hugh P. Cooper, Albuquerque.

NEW YORK

Edward W. Gent, Wellsville.

OHIO

Talmage O. Nelson, Crestline.
Homer H. Goltzene, Defiance.

OREGON

Mary J. Rugg, Pilot Rock.
Lola M. Steagall, Seneca.

PENNSYLVANIA

Harry H. Birney, Athens.
Americo P. Campagna, Lilly.
Robert Howard McFarland, Jr., Oaks.

SOUTH CAROLINA

John B. Baxley, Barnwell.
Clara C. Drake, Blenheim.

SOUTH DAKOTA

Percy C. Heinzen, Frederick.

TENNESSEE

William T. Starbuck, Hohenwald.
Runa S. White, Maryville.
Johnie E. Law, Westmoreland.

TEXAS

Charles A. Joplin, Littlefield.

VERMONT

Francis A. Bolles, Bellows Falls.

VIRGINIA

George C. Burnop, Chatham Hill.

WASHINGTON

Joseph E. Shannon, Dash Point.

WEST VIRGINIA

Adrian Fray Lilly, Beckley.
Helen J. Kemper, Dawes.
Obie H. Young, Dunbar.
Frank J. Ailiff, Fort Gay.
Leland S. Griffith, Jr., Hurricane.
Harry O. Rogers, Keyser.
Victoria B. Lindamood, Omar.

WISCONSIN

Lawrence T. Hoyt, Rosendale.
Maurice W. Schaefer, Sauk City.
Irene Peterson, Wilson.
Albert O. Olson, Woodville.

WITHDRAWAL

Executive nomination withdrawn from the Senate August 20 (legislative day of August 5), 1954.

UNITED NATIONS

Wright F. Morrow, of Texas, to be alternate representative of the United States of America to the ninth session of the General Assembly of the United Nations, to serve no longer than December 31, 1954, which was sent to the Senate on July 26, 1954.

HOUSE OF REPRESENTATIVES

FRIDAY, AUGUST 20, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Most merciful and gracious God, may our thoughts now go out toward Thee in adoration and thanksgiving, for hitherto Thou hast blessed us and daily we have dwelt in safety under the canopy of Thy divine providence.

Grant that when the hour of adjournment comes we may have within our

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minds and hearts the testimony of having sincerely tried to discharge the duties and responsibilities of our high calling with a pure and steadfast devotion to Thee and our fellow men.

We are leaving this Chamber commending and committing one another to Thy love and care and beseeching Thee that the benediction of Thy praise and peace may rest upon our President, our Speaker, our chosen Representatives, and all who, in this 83d Congress, have had the sacred privilege of serving our beloved country.

May the Lord bless us and keep us; may the Lord make His face to shine upon us and be gracious unto us; may the Lord lift upon us the light of His countenance and give us peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House, by Mr. Tribbe, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On August 13, 1954:

H. R. 2098. An act to provide for the compensation of certain persons whose lands have been flooded and damaged by reason of fluctuations in the water level of the Lake of the Woods.

On August 16, 1954:

H. R. 2763. An act to amend the Tariff Act of 1930, so as to modify the duty on the importation of wood dowels, and for other purposes;

H. R. 8300. An act to revise the internal revenue laws of the United States; and

H. R. 9077. An act to amend section 405 of the District of Columbia Law Enforcement Act of 1953, to make available to the judges of such District the psychiatric and psychological services provided for in such section.

On August 18, 1954:

H. R. 1337. An act for the relief of Mrs. Franca Gatti Ohta;

H. R. 1462. An act for the relief of Fotini X. Parisis;

H. R. 1768. An act for the relief of Claire Louise Carey and Vincent F. Carey;

H. R. 1788. An act for the relief of Wanda Luceri, also known as Sister Cecilia; Maria De Padova, also known as Sister Rosanna; Anna Santoro, also known as Sister Natalina; Valentina Ruffoni, also known as Sister Severina; Cosima Russo, also known as Sister Carmelina;

H. R. 2028. An act for the relief of Mrs. Antonietta Palmieri;

H. R. 2188. An act for the relief of Karoline Diekmeyer;

H. R. 2619. An act for the relief of Sister Aurelia Yanguas Teres and Sister Matilde Cuevas San Martin;

H. R. 2650. An act for the relief of Sister Anna Ettl;

H. R. 7145. An act for the relief of Anneliese Catalino;

H. R. 7494. An act for the relief of Elizabeth Forster Austin; and

H. J. Res. 560. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the American Legion National Convention of 1954, to authorize the granting of certain permits to the American Legion 1954 Convention Corporation on the occasion of such convention, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Ast, one of its clerks, announced that the Senate had passed without amendment a bill and a concurrent resolution of the House of the following titles:

H. R. 7840. An act to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act; and

H. Con. Res. 271. Concurrent resolution authorizing the Clerk to make corrections in the enrollment of H. R. 10051.

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 108. Concurrent resolution to correct enrollment in H. R. 7840.

The message also announced that the Senate agrees to the amendment of the House of Representatives to the amendment of the Senate numbered 1 to the bill (H. R. 2235) to authorize the Secretary of the Interior to construct the Santa Maria project, Southern Pacific Basin, Calif.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10051) entitled "An act making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House of Representatives to Senate amendments Nos. 1, 2, 3, 9, 12, 22, 25, 26, 31, 32, and 33 to the above-entitled bill.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the House of the following titles:

H. R. 2236. An act for the establishment of a Commission on Area Problems of the Greater Washington Metropolitan Area; and

H. R. 7886. An act for the relief of Mrs. Cecil Norton Broy.

SPEAKER EMPOWERED TO DECLARE A RECESS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that for the balance of the week it may be in order for the Speaker to declare a recess at any time subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PROVIDING RELIEF FOR THE SHEEP-RAISING INDUSTRY

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2862) to provide relief for the sheep-raising industry by making special nonquota immigrant visas available to certain skilled alien sheepherders.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GRAHAM]?

Mr. EBERHARTER. Mr. Speaker, reserving the right to object, this is the bill that was called up yesterday on 2 different occasions and after some reservations of objection it was objected to on 2 different occasions. The gentlemen who made the objections do not happen to be on the floor at this time. Mr. Speaker, the record does not show that any of those official objections that were made have been withdrawn.

Mr. WALTER. Mr. Speaker, will the gentleman yield to me?

Mr. EBERHARTER. I am glad to yield.

Mr. WALTER. In the first place, the gentleman is in error about the first objection. The gentleman from Michigan [Mr. HOFFMAN] made an objection, not to the bill but to the continuing debate. The objection was made by the gentleman from New York [Mr. CELLER] when the bill was called up the second time. I can assure the gentleman that the gentleman from New York [Mr. CELLER] told both the gentleman from Illinois [Mr. REED] and myself that he was not objecting any longer and it was entirely satisfactory to him to call up the bill. That is the reason why it is being called up.

The SPEAKER. The Chair will state that he also was advised of that position of the gentleman from New York [Mr. CELLER].

Mr. WALTER. If the gentleman will yield further, I should like to call the gentleman's attention to the fact that there will be an amendment offered to this bill which will affect, among others, the wives of many servicemen who are excludable now because of the commission of minor offenses. This bill is the only vehicle available for the committee to bring about a modification of section 212 (a) (9) of the Immigration and Nationality Act. So that if there is an objection, it will mean not only that the sheep and wool industry will be affected, but many alien wives of American soldiers will not be permitted to come to the United States with their American babies. Right now we have before us 22 private bills for the relief of such persons and there is no time to act on them.

I want to make it perfectly clear that the amendment I intend to offer would apply not only to the beneficiaries of S. 2862, but to any alien who may be excludable under section 212 (a) (9) of the Immigration and Nationality Act.

In enacting that section, the Congress drew a distinction between the youthful offender guilty of the commission of one crime only, and the alien whose transgression occurred after he had reached 18 years of age.

Since the enactment of that provision, however, it has become apparent to the Committee on the Judiciary that American consular officers are excluding en-

tirely too many aliens on very technical grounds. Case after case has been brought before us under private legislation, in which visas are being denied to persons who committed such petty crimes as theft of a loaf of bread during the famine days of 1946 in Germany, or for failure to return a ration card when required to do so in England, or for killing and roasting a duck while on an outing, and so forth.

The purpose of my amendment is to modify, or rather clarify, the purport of paragraph (9), subsection (a) of section 212 of the Immigration and Nationality Act, so as to bring it in conformity with section 1 of title 18, United States Code, as enacted into positive law on June 25, 1948. In other words, I want to make certain that section 212 (a) (9) of the Immigration and Nationality Act will be administered in accordance with American legal standards as set out in title 18 of United States Code, which classifies offenses and draws a very clear line between a felony, a misdemeanor, and a minor offense.

I hope that the other body will go along with my amendment and that upon the enactment of this bill, the Department of State will expeditiously proceed with the promulgation of necessary regulations and instructions, so that when the Congress convenes in January, the hundreds of private bills designed to waive misdemeanors committed abroad by aliens who intend to come to the United States will not be introduced again to plague our committee and to take up so much of the time of the House and Senate.

Mr. EBERHARTER. Mr. Speaker, did I understand the Speaker to say that it was his understanding that the gentleman from New York [Mr. CELLER] had indicated that he would have no further objection to the passage of this bill?

The SPEAKER. The gentleman is correct. The Chair was advised that Mr. CELLER had withdrawn his objection to the bill.

Mr. REED of Illinois. Mr. Speaker, will the gentleman yield?

Mr. EBERHARTER. I yield.

Mr. REED of Illinois. Mr. Speaker, Mr. CELLER spoke to me just before leaving for New York last night and asked me to notify the Speaker, the majority leader, and the minority leader that he had withdrawn his objection.

Mr. EBERHARTER. Mr. Speaker, in that case, and in view of the amendment to be offered, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GRAHAM]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for a period of 1 year after the effective date of this act, in any case in which the Attorney General, under the authority of section 204 of the Immigration and Nationality Act, grants permission for the importation of a skilled alien sheepherder into the United States and the investigation of the application for such importation discloses that—

(1) the employment offered such skilled alien sheepherder is permanent; and

(2) no immigration quota number of the quota to which such skilled alien sheepherder is chargeable under section 202 of the Immigration and Nationality Act is then available, a special nonquota immigrant visa may be issued to such skilled alien sheepherder as provided in this act: *Provided*, That such skilled alien sheepherder is otherwise eligible to receive an immigrant visa under the immigration laws.

SEC. 2. The Attorney General shall certify to the Secretary of State the name and address of every skilled alien sheepherder for which an application for importation under section 204 has been approved. If a quota number is not then available for such skilled alien sheepherder, the proper consular officer may issue a special nonquota immigrant visa to such skilled alien sheepherder.

SEC. 3. (a) There shall not be issued more than 385 special nonquota immigrant visas under this act.

(b) Nothing contained in this act shall be construed as increasing the immigration quota of any country or of altering the requirements for admission of aliens into the United States.

SEC. 4. The quota numbers deducted from the appropriate quotas on account of Public Law 587 (81st Cong.) and Public Law 307 (82d Cong.), to the extent that they reduce the immigration quota of any country subsequent to July 1, 1954, are hereby canceled.

With the following committee amendment:

Page 2, line 23, strike out all of section 4.

The committee amendment was agreed to.

Mr. WALTER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALTER, page 2, line 23, insert:

"SEC. 4. Any alien who is excludable because of the conviction of a misdemeanor classifiable as a petty offense under the provisions of section 1 (3) of title 18, U. S. C., by reason of the punishment actually imposed, or who is excludable as one who admits the commissions of such misdemeanor, may hereafter be granted a visa and admitted to the United States, if otherwise admissible: *Provided*, That the alien has committed only one such offense."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to place in the RECORD at this point several telegrams which I received this morning. They all pertain to the legislation under consideration, S. 2862.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

(The matter referred to follows:)

OGDEN, UTAH, *August 19, 1954.*

Representative CHAUNCEY REED,
Chairman, House Judiciary,
Washington, D. C.:

Labor situation remains critical. We urge S. 2862 be given reconsideration as essential to maintain domestic sheep operations in West. Idaho operators here at national ram sale ask this because they need replacement works to fill losses due to death, sickness, and natural mortality. Thanks for your consideration.

IDAHO WOOL GROWERS ASSOCIATION,
W. C. CLAAR, *Secretary.*

SAN ANGELO, TEX., *August 19, 1954.*

Hon. CHAUNCEY REED,
Chairman, Judiciary Committee, House of Representatives, Washington, D. C.:

Have just learned House rejected S. 2862, sheepherder bill. Especially in view of passage of agriculture bill and its wool provision additional, sheepherders very necessary in western sheep country. We sincerely urge that House consider again S. 2861 and act in time for Senate to agree to House amendment.

ERNEST WILLIAMS,
Secretary, Texas Sheep and Goat Raisers Association.

FRESNO, CALIF., *August 19, 1954.*

Hon. CHAUNCEY REED,
Chairman, House Judiciary Committee, Washington, D. C.:

Understand CELLER has withdrawn objection S. 2862. Imperative this bill be passed this session. Need for sheepherders is critical.

OAKLEY HUNTER,
Member of Congress.

FRESNO, CALIF., *August 19, 1954.*

Congressman CHAUNCEY REED,
Judiciary Committee Chairman, House Office Building, Washington, D. C.:

Please urge House consider again S. 2862 and act in time for Senate to agree to House amendment. Must have action on this bill dealing with sheepherders. Many domestic western wool growers have quit or curtailed operations as adequate help not available in this country. Would appreciate any action you can take to get reconsideration of this bill.

JOHN P. BIDEGARAY,
President, California Range Association.

SAN FRANCISCO, CALIF., *August 20, 1954.*

Congressman CHAUNCEY REED,
Chairman, Judiciary Committee,
House of Representatives,
Washington, D. C.

We are disturbed concerning rejection of sheepherding bill, S. 2862, in House today and will greatly appreciate if House will consider it again and act in time for Senate to agree to House amendment. Need for capable, reliable sheepherders in California is urgent. They are only available from Basque country. Please urge House to consider again.

CALIFORNIA WOOL GROWERS ASSOCIATION,
W. P. WING.

PENDLETON, OREG., *August 20, 1954.*

CHAUNCEY REED,
Chairman, Judiciary Committee,
House Building, Washington, D. C.

We urge the House consider again S. 2862 and act in time for Senate to agree to House amendment. Sheep industry needs herders in order to survive.

OREGON WOOL GROWERS ASSOCIATION, INC.,
VICTOR W. JOHNSON, *Secretary.*

ELKO, NEV., *August 20, 1954.*

Congressman CHAUNCEY REED,
Chairman of House Judiciary Committee,
House Office Building,
Washington, D. C.

Urge early consideration on Friday of Sheepherder bill No. S. 2862 so Senate has

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time to concur in House committee amendment before adjournment. Nevada desperately needs sheepherders.

NEVADA WOOL GROWERS ASSOCIATION,
CHANDLER B. CHURCH.

OGDEN, UTAH, *August 19, 1954.*

Hon. CHAUNCEY W. REED,
House of Representatives,
Washington, D. C.

Conference of Sheepmen, National Ram Sale, Ogden, Utah, today expressed great concern over lack of action by the House relative to S. 2862. It is imperative to the sheep industry of the West that this bill again be given consideration at the earliest possible moment to enable favorable action this session.

NATIONAL WOOL GROWERS ASSOCIATION,
By J. M. JONES, *Secretary,*
MONTANA WOOL GROWERS ASSOCIATION,
By EVERETT E. SHUEY, *Secretary.*
COLORADO WOOL GROWERS ASSOCIATION,
By BRETT GRAY, *Secretary,*
IDAHO WOOL GROWERS ASSOCIATION,
By M. C. CLAAR, *Secretary,*
NEVADA WOOL GROWERS ASSOCIATION,
By CHANDLER CHURCH, *President,*
CALIFORNIA WOOL GROWERS ASSOCIATION,
By W. P. WING, *Secretary,*
OREGON WOOL GROWERS ASSOCIATION,
By VICTOR W. JOHNSON, *Secretary.*

MUTUAL SECURITY PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 495)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed, with illustrations:

To the Congress of the United States:

I am transmitting herewith the report on the Mutual Security Program covering operations during the 6-month period ended June 30, 1954, in furtherance of the purpose of the Mutual Security Act of 1951, as amended.

The mutual security programs, as carried out through the Foreign Operations Administration, are effectively advancing the security of the United States and of our cooperating partners in the free world.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 20, 1954.*

THE LATE PAUL W. SHAFER

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MCCORMACK. Mr. Speaker, the death of Paul Shafer takes from our midst one of our most beloved members. For 18 years he represented the people of his district with devotion. As a member of the Committee on Armed Services his contributions to the national defense of our country will be long remembered.

But he will always be remembered by those who served with him because of his kindly disposition.

While of opposite political parties, I entertained for Paul Shafer a deep feeling of respect and of friendship. Our associations became close as a result of our service in the House, and as the years rolled by a strong friendship developed between us, a friendship that I valued very much.

His friends in and out of the Congress will miss Paul Shafer very much.

To his loved ones left behind, to the people of his district, and to the Michigan delegation, I extend my deep sympathy in the loss they have sustained.

JUVENILE DELINQUENCY

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I read an editorial from the Washington Post of today entitled "Grace After Meat":

Our townswoman, Miss Selma Borchardt, has come up with an interesting and perhaps valuable notion about the perplexing problem of juvenile delinquency, which has been giving so many of us so much worry of late. Speaking not long ago in Chicago at the convention of the American Federation of Teachers, Miss Borchardt suggested that a good deal of the ethical inadequacy of our modern youth can be attributed to the decline of the family dining table. Her idea, if we understand it, is that the old-fashioned family mealtime provided an admirable and relatively painless disciplinary ritual, emphasizing as it did both the corporate unity and the natural hierarchy of the family, with papa at the head and mama at the foot, and the children somewhere at the sides. But nowadays, Miss Borchardt lamented, "the catch-as-catch-can food supply for youth, from can to stove to gulp down—or perhaps from icebox directly down—is a part of the loss of family discipline. * * * Teachers wish that parents could have more time together with their children as a family. We believe it would reduce the problem of school discipline."

The more we think of this the more we are inclined to believe there is a great deal in what Miss Borchardt says. After all, pater familias has always been the symbol of authority, and the fact that it was formerly his function to serve the principal course tended to exemplify his importance as the breadwinner; and the fact that it lay in his power to punish obstreperous or unsocial conduct by temporary banishment from the table tended in turn to emphasize the importance of the bread that was won. It was almost as good, indeed, as one of these academic courses in economics. Again, papa, in his capacity as moderator of dinner-table conversation, could enforce a certain relevance and decorum in family discussion, especially when conducted in the presence of guests.

We recognize, of course, that in this matter many factors wholly beyond the control of either parents or schoolteachers have been at work; the ever-growing scarcity of domestic servants for one thing, and the fact that urban congestion and rising construction costs have made both dining rooms and dining tables an expensive luxury, well beyond the means of many families. All the same, we agree that a parallel might easily be found between the decline of the family dinner on the one side and the decay of parental authority, and the pitiful degradation of pater familias into the comic figure of contemporary folklore, on the other. And so we commend Miss Borchardt's suggestion as a research project, either to some ambitious candidate for a doctorate in sociology or to a foundation looking for a suitable subject of statistical study.

I am sure many of the Members of the House and Senate who know her agree with me, that she is a very fine American. She counts many of us her friends. She was president of the Teachers' Association of the American Federation of Labor and has done a very great deal in seeing that our educational institutions are allowed to grow and improve. She has fought a courageous and ceaseless fight against communism. She has been a strong upholder of the Constitution and has worked to see that freedom of religion is preserved and that freedom of all personal rights and privileges be maintained. We owe her a debt of gratitude.

STATUS OF APPROPRIATION BILLS FOR 1955

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes and to include a table indicating the progress of appropriations and budget estimates this year.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, we have now finished all of the appropriation bills for this session of Congress. The final figures show overall appropriations including deficiency and supplemental acts of $47,642,195,205. This figure is $2,596,395,780 below the budget estimates. The House of Representatives cut in the bill was $617,470,476 more, but the figures in the law were higher because of the increases that were placed upon the bill in the Senate.

The figures show drastic reductions from earlier years because of the decided reductions in the foreign aid and the Defense Department. The total appropriations are $6,897,000,000 under last year and $27,714,000,000 below the appropriations for the fiscal year 1953. This has been possible only by the hardest kind of work on the part of the Appropriations Committee and the cooperation of those who were anxious to save money in the House of Representatives—on the floor and in the committee.

Of course, a considerable portion of the reduction has been possible because of the slackening of the active war in Korea and the reduction in foreign aid, but the Military Establishment has left unobligated funds available to commit

aggregating $15,706,806,000 as of July 1. This has been because it has been found that the Military Establishment estimated its expenditures way above their requirements and it has been found that spare engines and spare parts for the armed services are not required in such volume as had been planned.

I am submitting the table showing the progress of the appropriation bills through the Congress in accordance with the request which was granted me:

Title	Budget estimates considered by Congress	Reported to House	Passed House	Reported to Senate	Passed Senate	Public law
Regular annual:						
Treasury-Post Office:						
Treasury	$578,783,000	$577,855,600	$577,855,600	$577,855,600	$577,855,600	$577,855,600
Post Office	2,760,000,000	2,755,386,000	2,755,386,000	2,754,877,100	2,754,877,100	2,754,877,100
Total	3,338,783,000	3,333,241,600	3,333,241,600	3,332,732,700	3,332,732,700	3,332,732,700
State, Justice, and Commerce:						
State	116,191,960	108,410,000	108,410,000	113,783,280	113,783,280	113,910,000
Justice	117,732,000	176,542,000	176,542,000	177,352,000	177,352,000	176,864,500
Commerce	930,997,000	786,222,000	808,222,000	769,072,000	769,072,000	837,022,000
USIA	89,000,000	75,814,000	75,814,000	80,614,000	80,614,000	73,914,000
Total	1,313,920,960	1,146,988,000	1,168,988,000	1,140,821,280	1,140,821,280	1,201,710,500
Civil functions	465,160,000	430,983,700	430,983,700	484,095,500	484,095,500	457,071,300
Independent offices	5,987,622,360	5,566,118,763	5,566,118,763	5,700,729,413	5,700,775,413	5,651,770,063
Interior	427,751,110	363,360,989	364,337,989	427,601,006	427,601,006	405,936,149
Agriculture	698,741,813	698,741,813	720,102,654	722,791,971	725,351,971	723,683,150
Department of Defense:						
Independent Agency	55,000	55,000	55,000	55,000	55,000	55,000
Office of Secretary	13,500,000	12,500,000	12,500,000	13,000,000	13,000,000	12,750,000
Interservice activities	547,500,000	527,500,000	527,500,000	527,500,000	527,500,000	527,500,000
Army	8,211,000,000	7,615,523,000	7,619,066,986	7,619,066,986	7,890,067,986	7,619,066,986
Navy	9,915,000,000	9,705,818,500	9,705,818,500	9,719,102,500	9,725,602,500	9,712,823,500
Air Force	11,200,000,000	10,819,310,000	10,819,310,000	10,982,860,000	11,060,881,000	10,927,930,000
Total	29,887,055,000	28,680,706,500	28,684,250,486	28,861,584,486	29,217,106,486	28,800,125,486
Legislative and Judiciary:						
Legislative	73,704,406	54,725,995	54,775,995	71,009,006	71,034,006	70,695,754
Judiciary	28,645,505	27,579,950	27,579,950	27,739,135	27,739,135	27,501,740
Total	102,349,911	82,305,945	82,355,945	98,748,141	98,773,141	98,197,494
Labor-HEW:						
Labor	299,635,000	298,704,000	298,714,000	298,943,000	299,286,000	299,030,000
Health, Education, and Welfare	1,652,709,261	1,637,615,011	1,658,913,761	1,670,768,761	1,671,138,761	1,663,413,761
Related agencies	13,141,000	12,627,000	12,751,000	12,758,000	12,758,000	12,754,500
Total	1,965,485,261	1,948,946,011	1,970,378,761	1,982,469,761	1,983,182,761	1,975,198,261
District of Columbia	(172,650,626)	(168,487,838)	(168,487,838)	(170,359,816)	(170,438,847)	(169,928,099)
Federal contributions	21,890,000	17,890,000	21,890,000	21,890,000	21,890,000	21,890,000
Mutual security	3,438,549,805	2,895,944,000	2,895,944,000	2,990,824,816	2,790,824,816	2,781,499,816
Subtotal regular bills	47,647,309,220	45,165,227,321	45,238,591,898	45,764,289,074	45,923,155,074	45,449,814,919
The supplemental, 1955	2,132,330,908	1,194,188,079	1,303,334,628	2,015,788,574	2,034,513,749	1,659,101,929
Subtotal, 1955	49,779,640,128	46,359,415,400	46,541,926,526	47,780,077,648	47,957,668,823	47,108,916,848
Deficiency and supplemental acts:						
Commodity Credit Corporation	(741,548,788)	(741,548,788)	(741,548,788)	(741,548,788)	(245,900,917)	(681,769,763)
2d supplemental, 1954	27,942,616	25,785,707	25,785,707	27,917,616	27,917,616	27,517,616
Mexican farm-labor program	550,000	478,000	478,000	478,000	542,000	542,000
3d supplemental, 1954	430,458,241	394,521,596	456,470,496	442,348,741	476,248,741	505,218,741
Subtotal, 1954 and prior	458,950,857	420,785,303	482,734,203	470,744,357	504,708,357	533,214,357
Grand total, session	50,238,590,985	46,780,200,703	47,024,660,729	48,250,822,005	48,462,377,180	47,642,195,205

ACCOMPLISHMENTS AND FAILURES OF THE 83D CONGRESS

Mr. RAYBURN. Mr. Speaker, most of the people of the United States and many peoples in free and enslaved lands over the world held high hopes for the success of the Republican administration when it assumed the solemn responsibility of guiding this great and powerful Nation on January 20, 1953.

President Eisenhower and the Republican Party were looked to for vigorous and creative leadership. What a disappointment we all have suffered.

As we look around us at the end of the 83d Congress, we see that the grand hopes of our people and of friendly peoples in foreign lands have been crushed on the bitter walls of disillusionment. We witness confusion instead of confidence. We see dismay and uncertainty, instead of pride and courage.

In the 20 months since the Eisenhower administration and the Republican Party took over, we have seen our country undergo an amazing transition; we have seen our Government lose prestige and power throughout the world; we have seen our influence as a leading Nation diminish, and here at home we have seen great segments of our economy struck down.

If there is one word in the English language that would properly describe this Republican administration, it is the word "inept." For, my colleagues, this administration has bungled our foreign relations through an ineptness that astounds those of us who, even though in the minority in Congress, want to protect this great Government; want it to occupy the same eminence it should occupy in world affairs, and want it to survive, above all else.

But the sad fact before us is this: Since the Eisenhower administration took over, this Government has not won a battle on a foreign diplomatic front.

On domestic issues, the Eisenhower administration has exhibited an ineptness in considering what is best for all the people, an ineptness magnified by its desire and programs to benefit selected groups; groups of tremendous wealth and privilege; groups that ignore the increased power of the masses of working men and women and the millions of farmers, who provide the food and fiber which create the basic wealth of this Nation.

If I were addicted to making predictions, I would say that if the Eisenhower administration and the Republican Party continue on the course they have adopted, the reaction of the people of this country will be dangerous.

This so-called Eisenhower business administration and Republican Congress have proved by their programs and actions that they are strictly for big business.

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The measures they have espoused and enacted which could be classified as of benefit to the people are merely extensions, or modifications and expansions, of policies and laws which originated in previous Democratic administrations. I refer to housing, reciprocal trade, social security, mutual aid—all of which were initiated by Democrats and all of which were once denounced and fought by Republicans.

The voters of this country cannot be fooled forever. They know the Republicans realized that they would have to have something to use in their political campaigns, that they would have to have some bait to try to attract voters, so they can stay in power.

The people also know by now, however, that the Eisenhower administration and the Republican Congress have done a big job—a big job on the farmer, the consumer, the laborer, and the family with a small income.

The administration and the Republican Congress have driven down prices for farm products and have driven up prices for the consumer. They gave big-moneyed people handsome tax advantages over the people who earn their income by toil. And all this, my friends, is what our Republican colleagues hail as stabilized economy.

We Democrats do not want a stabilized economy for this country. We Democrats want a thriving and growing economy for this country.

A stabilized economy is easily recognized as the old Republican squeeze play—squeeze the little fellow and make the big fellow bigger. It is a vise—a vise to get the last dollar from the consumer and to pay the least dollar to the farmer and worker.

If the Republican Congress and the Eisenhower administration had paid as much attention to the problems confronting the Nation's future security as they have paid to their program to reduce the American farmer to the state of Hoover-advocated peasantry and to their program to reduce labor to the impotent state of Hoover poverty, we would feel safer in our position in world affairs.

Yes, my friends, it is a sad fact that many good people voted for a change in 1952, and it is a sadder fact that many of them have gotten a change with a vengeance.

When the Republican candidate for President and Republican orators went all over the country in the fall of 1952 they denounced the Truman-Acheson foreign policy. They ate up the agreements of Yalta, Potsdam, and Teheran blood raw every morning for breakfast.

Since coming into power, I presume somebody in the State Department read the provisions of these agreements and understood them. I have heard nothing about them since—not even a suggestion of a change in them. Neither do I hear the Republicans repeating their campaign calls for a change in the Truman-Acheson policy. The fact is that since this Republican administration came into power no attempt has been made to change the Truman-Acheson policy. But they did make one change. They administer it in a sorry fashion. I am sad to say the Republicans have administered it in such a blundering way that we now have fewer friends in the world than we ever had in the history of the United States.

Yes, we have witnessed a new aggressive power rise in Communist countries due to Republican faltering steps in our foreign relations. We are now witnessing failure upon failure in Asia and Europe through ineptness. We can see a drift away from American leadership abroad, a drift of once friendly nations to the powers on the plains of Asia.

Neither the people of America nor the peoples of friendly or unfriendly nations know, from the welter of conflicting statements by Republicans in the executive branch and Republicans in the legislative branch, who is speaking for this Nation on international affairs. But the unfriendly nations do see clearly that in this confusion the Republican leaders do not know what they are doing or where they are going. And, my friends, the Reds are taking full advantage of it.

This 83d Republican Congress ended its deliberations with a smidgen of positive legislation and with a mass of problems unsolved through ineptness and the lack of constructive ideas on what to do.

Unfortunately for the people of this great country in a perilous period yet unequaled in our history, this 83d Congress will blot our record with the reputation of having worked harder and produced less original legislation than any of its predecessors.

The Republicans hailed their legislative program as "dynamic" and "forward-looking."

It was as "dynamic" as the dodo, as "forward-looking" as yesterday.

It was not conceived for the benefit of the best interests of all the people, but for big business and the privileged people.

Of all the major legislation enacted, only five bills would fall into the category of positive law. In the first session, the tidelands oil and emergency refugee bills became law. In the second session, the St. Lawrence Waterway, the revision of the tax structure, and the Democratic anti-Communist bills were enacted. It was in the maze of so-called minor legislation that the Republican Party and the Republican administration did most of the work for the privileged people and big business, excepting, of course, the vast advantages granted them in the Revenue Revision Act.

What about the remainder of the President's program that became law? Again I say, it was either extension, revision, or modification of basic laws enacted in previous Democratic administrations. Without the help of the Democrats who voted in the interest of the people, much of this part of President Eisenhower's program would have gone the way the rest of his program did—the bills he proposed which were either defeated, sidetracked, or ignored by the Republican leaders in the position of responsibility.

The record shows that the Republican-controlled Congress repudiated certain proposals of the party's elected leader, scorned many of their and President Eisenhower's bright campaign promises, abandoned pronounced principles, and handed their chief bitter morsels of compromises. Yet the Republican administration and the Republican press have the audacity to hail these compromises as "victories."

As an American, as leader of the Democratic minority in the House, I cannot take partisan comfort from this record, dismal as it is, distorted as it is, by Republican publicists and apologists, who brazenly hail defeats as victories and embarrassing compromises as achievements.

It is, to me, a solemn and tragic spectacle that portends ill for our country and for our people.

Mr. Speaker, I have now served longer in the Congress of the United States than any Member presently sitting in the House of Representatives. I do not contend that this endows me with any special wisdom. It is an accident of fate which leaves me in this position of seniority after so many other of our colleagues have left this scene.

Out of that long experience of more than 40 years, however, has grown the deep conviction that the continued existence of our free political institutions rests upon two bulwarks:

First, the two-party system. Second, party responsibility.

It is with grave sense of sorrow that I say we have seen those foundations shaken and weakened, and the future of our Nation threatened.

The Republican Party, entrusted with the reins of Government at both ends of Pennsylvania Avenue for the first time in 20 years, has demonstrated in 20 months its complete inability to govern.

It has revealed an ineptitude that is shocking to those of us who have devoted our lives to the service of our people.

Excepting in its determination to advance big business over the interest of the mass of individuals, the Republican administration has disclosed a complete lack of unity, an utter division of aims and goals.

It has unveiled an unparalleled vacuum of leadership.

It has uncovered a rash of conflicting elements and contentious views.

It has brought before the American people the spectacle of a Republican President pleading—and often pleading in vain—with a Republican Congress to support his proposals.

It could be that since the Republicans labored so long and so faithfully in the fields of the minority—hurling stones at constructive Democratic measures—their power to function as a responsible majority has atrophied.

It is evident, whatever the cause, that the Republican Party has spawned a generation of habitual obstructionists as varied as the fish in the sea—obstructionists who are incapable of acting cohesively and constructively.

The GOP today is not a unified political entity. It is a conglomeration of splinter groups, each of which considers that it and it alone should rule—rule not only the party, but the Nation. For this

great democracy, the situation in the Republican Party is pitiful.

The American people tell us that they are confused by the erratic gyrations of this Republican Congress and this Republican administration. Well, they should be.

Deliberations of this Congress have been hampered and impeded, and actually stalled, by constant conflicts which have raged between Republican conservatives and Republican progressives—with the middle-of-the-roaders fighting both. The Republican nationalists and the Republican internationalists have engaged in constant cat-and-dog fights, while the Republican interventionists and Republican isolationists cut each other up.

Then we see the Republican chief executive using hammer and tongs on his own forces in the GOP Congress to try to get what he wants.

The picture of the Republican Party strife was not painted by the Democratic minority. The Republicans did it themselves. An artist, at least an amateur artist himself, President Eisenhower recognized the painting. In a desperate and almost frantic appeal to end the free-for-all Republican fracas, President Eisenhower publicly called for more political fusion and less political fission.

Bitter seeds of collapse have been sown by Republican dissension and the fruit will be a sour crop of disintegration. To me, it is a dire warning that our American way of political life is endangered by a breakup of what purports to be the conservative political party.

Under a system of two strong and unified political parties, this Nation has grown and prospered. We Democrats are alarmed over the growth of splinter parties under the Republican banner, over the desertion of principles of the founders of the party, and the failure to follow their elected chief. For we know the wisdom of the doctrine of two unified parties. It has been proved in the history of other countries where splinter parties have strangled parliamentary action, and their nations have been reduced to impotency as a result.

This is the most crucial of all times for the United States. Yet, we find ourselves with an elected leader who does not lead, because the men and women in his party's rank and file refuse to follow. Even though these people wear the Republican insignia, they ignore the discipline of party responsibility, wander off on tangents and desert their party standard.

How can the Republican leadership have the audacity to ask the voters of America to elect more irresponsibles to Congress in November? How can they ask the voters to compound an existing evil?

President Eisenhower voluntarily set the standard by which the American electorate is to decide on how to vote in November. On the recent date of August 4, the President announced at his press conference that the issue of the 1954 election was the enactment of a program based on the Republican platform.

The record shows that in contrast to the Republican pledges to the people in the 1952 National Convention, their platform is now in shambles.

In foreign policy the platform promised for America a "dynamic initiative"; a course of action "animated by courage, self-respect, steadfastness, vision, purpose, competence, and spiritual faith."

What have we had for the past 20 months?

We have had indecision, instead of initiative; we have had timidity instead of courage; we have had abasement instead of self-respect; retreat instead of steadfastness; blindness instead of vision; bungling instead of purpose; and incompetence instead of competence.

We have witnessed a startling exhibition of evasiveness, of alternate threats and withdrawals, of contradictory statements from immature voices high in Republican circles; voices that have not quit sounding off despite repudiation by their Chief Executive.

The Vice President of the United States announced one day that American ground troops were going to be sent to Indochina. Another day, the White House denied it. "Massive retaliation" was threatened against Red aggressors by the Secretary of State. Yet the Reds march on and prove his words empty.

The President asserts we can find a means of peaceful coordination with the Reds, even as they gain ground and our position in the world grows graver. Yet almost at the same time the Republican leader of the Senate calls for war against Red China. To cap the climax of indecision and lack of determination or ideas of how to meet the situation, the Secretary of Defense takes a "new look" at the latest defense New Look and pronounces that it is all "political" and not a "military" matter.

In the midst of this whirligig came the fall of Dien Bien Phu; the surrender at Geneva, the abandonment of 12 million people—once free people—in Indochina to Communist slavery; and an uneasy truce dictated by the Reds, a truce as shaky and as unsure as the truce the Chinese wrung from us in Korea. After all this, the brave and almost forgotten words of the 1952 Republican platform come to haunt us as an echo of a once great party. That platform promised:

> Our Nation will become again the dynamic moral and spiritual force which was the despair of the despots and the hope of the oppressed.

I say again, if there is any one word that can fully describe this administration, it is the word "inept."

By the most recent ineptness of this administration, we have not only lost face in Asia, but we probably have lost all Asia. We have lost prestige in Europe, where our allies are confused and confounded by the ever-shifting actions and statements of the Republican administration. Threats by the Secretary of State to retaliate against friendly nations have alienated the once warm friendship they held for us. These nations have given evidence of wanting to go their way on independent paths, and that has given aid and comfort to our enemies, potential and actual.

And, my friends, what has happened to that Republican platform pledge of "liberation"? Imagine the disillusionment of enslaved peoples in Communist-controlled countries, when they recognize that the Republicans also have failed on that one.

To be honest we must stamp the word "failure" on that flowing Republican platform promise:

> We will come to enjoy the reality of peace.

To speak on Republican promises and Republican performances is like shooting fish in a barrel.

Take the field of foreign economic policy, in which the Republican administration promised "trade, not aid."

President Eisenhower surely knows by now that we must encourage the free flow of international commerce; that we must buy from other countries if they are to get the dollars needed to pay for goods bought from us. He must know also, by this time, that international friendships are built upon trade and good will and not upon threats of reprisals.

President Eisenhower did embrace the reciprocal trade policy instituted a score of years ago by a Democratic administration. But his Republican Party, wedded to high protective tariffs, fought him down. In the first session, the Reciprocal Trade Act was extended for only 1 year with the aid of Democrats who furnished more votes for it than the Republican majority. The President was placed in the negative position of promising his Republican leaders that he would not negotiate any new trade pacts and that he would destroy the bipartisanship of the Federal Tariff Commission by surrendering to demands to put an additional Republican "protectionist" on the majority side.

Only with the help of the Democrats did the President succeed in getting another bare 1-year extension of this act in the second session. Again we Democrats provided more votes than did the Republicans. Amid much ballyhooing the Randall Commission was created, a group of businessmen and legislators, to bring forth recommendations for promoting trade abroad. He endorsed its recommendations for a 3-year extension of the trade act, with additional power for the President to reduce tariffs, and for a reduction in taxes on American corporations doing business abroad.

On this, the Republican Congress handed the President one of his most severe rebuffs. It tossed the tax and tariff proposals out of the window.

On national defense the Republicans slogan makers promised a New Look and more "boom for a buck." Ignoring the tense international problems in the Eastern Hemisphere, the President and his economy-minded coworkers looked at national defense from a dollar angle and not from the broad view of national safety.

Since then, the Republicans have vacillated on national security as much as they have on foreign policy. The Secretary of Defense announced the Nation was going to have fewer war planes and better defense. He said he was going to economize by cutting the

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fighting forces, and that this would produce more safety for the Nation. How can you reconcile these statements?

The President went along on this program, which purported to prepare for any type of war with emphasis on retaliatory atomic attacks. Economy was the key, but safety was sidetracked. By last May, events in the Far East disclosed the weakness of the plan. The administration took a new look at the New Look, and since then they have been looking over old problems and new problems.

Manpower goals destined to go down, now are to go up.

Defense spending was to decline. Now it is to rise.

The Air Force was to have fewer fighting wings. Now it is to have more fighting wings, nearly as many as the Truman administration said were needed.

Universal military training is out one day, in another day, and denied by the White House, until at least after the November elections.

The Republican platform had pledged:

We will strip it—

Our preparedness program—

clear of—lack of coordination.

On national economy, the Republican platform said:

Our goal is a balanced budget, a reduced national debt.

The budget has not been balanced.

The national debt limit has been increased by $6 billion, to $281 billion.

Large annual deficits continue.

We saw the unusual situation of the Republicans promising to balance the budget, cut taxes, stop deficit spending and reduce the national debt—and then claim credit for a percent reduction in individual income taxes the Democrats had provided to take effect on January 1 this year.

At no time after World War II did the then President Truman ever recommend deficit financing. The fact is that the Truman administration, despite the cost of the Korean conflict, operated the Government on a cash basis. For the 8 years, 1946 to 1953, inclusive, cash operating income of the Government exceeded operating outgo by $6,862,000,000. Excepting 1949, 1952, and 1953, a surplus in revenue was recorded.

At the outset, this administration instituted a "hard-money" policy. It boosted the interest rate on new Government securities and withdrew support from outstanding obligations. Certain Government bonds dropped 10 percent in market value. The smart operators and bankers grabbed these low-priced securities, thereby boosting their interest return.

The Secretary of the Treasury and his other hard-money advocates soon were forced to abandon this policy and began to support the bonds through purchases. President Eisenhower, using his influence on the Federal Reserve Board, supposedly an independent agency created by Congress, and on the Treasury, shifted to a soft-money policy, to counteract the effect the hard-money policy had on business, employment, and the economy as a whole.

The Republicans wanted to avoid an economic recession. Since then the Federal Reserve System has pumped money into the economy, booming certain securities on the stock market, many far beyond their true earning value. If such an operation had been undertaken under a Democratic administration, the Republicans would have condemned it as inflation.

In the first session, the Republican Congress dealt a defeat to the President when it rejected his plea to increase the national debt limit from $275 billion to $290 billion. This session granted the administration a temporary 1-year increase of $6 billion after refusing to fulfill a request for a $15 billion permanent increase.

The Republican platform advocated an economy of "full production."

In December 1952, the last month of the Democratic administration, the Federal Reserve Board's seasonally adjusted index of industrial production stood at 133 percent of the 1947–49 average, the accepted base of 100 percent. For June of this year, it was 124 percent, a drop of 9 percent.

Another promise was eclipsed by performance.

Fewer people were working in July of this year than in the same month in the last year of the Truman administration. In July 1952, the number of jobless was at 1,942,000. In July 1954, the jobless numbered 3,346,000, an increase of 40 percent, and the working force is increasing a million a year.

Republicans dismiss the increased unemployment as conditions resulting from soft spots in the economy. Individuals without jobs or income may be soft spots for the Republicans, but idle workers are in a depression of their own.

This administration pays more attention to the manufacturers and their profits than to the condition of the workers. It points with pride to "profits after taxes of manufacturing corporations in 1953," described by a joint report of the Federal Trade Commission and the Securities and Exchange Commission as "6 percent higher than in 1952."

To counteract the decline in earnings of workers and income of farmers, we Democrats sought to get the Republican Congress to increase the personal exemption on individual income taxes from $600 to $700. This would have saved the taxpayers around $2½ billion—money which could have been used to buy food and goods, thereby stimulating business activity and more employment. But the Republicans defeated this effort. They succeeded in winning, however, on a proposal to exempt from taxation a portion of income from dividends on stocks, thereby giving relief to individuals on unearned income—more relief than granted to persons who work for a living.

The Republicans dropped the excess-profits taxes on corporations. This benefited the most profitable of corporations because of the 450,000 operating in this country, only about 50,000 were paying excess-profits taxes.

While the Republicans did reduce excise taxes by $990 million, they continued for a year the Korean increases in excise taxes amounting to $1,077,000,000, making the so-called excise-tax reduction actually an increase of $87 million. The Republicans sought to make those excise levies permanent, but we Democrats mustered enough strength to defeat that move, which would have saddled the people and business with these levies forever. The Republicans also continued for another year the corporate tax rate of 52 percent, to bring in $2 billion. The peacetime rate previously was 42 percent.

Now the Republicans continue to claim credit for the 11 percent tax reduction on individual income, which we Democrats provided for in the 81st Congress. What the Republicans did on this was purely negative.

The individual income-tax payers will save $3 billions through positive action taken by the Democrats, yet the Republicans claim they did it.

The Republicans also allowed the social-security taxes to increase from 3 to 4 percent on payrolls, half to be paid by the workers and half by the employers.

On agriculture, the Republicans made big promises in the 1952 campaign. At the national plowing contest in Kasson, when he was a candidate, Mr. Eisenhower stated that he not only favored 90 percent of parity on farm commodity prices but he favored 100 percent in the market place for 1954. But at Brookings, S. Dak., later, he placed no time limit on his pledge.

After the election, President Eisenhower changed his mind. He went all out for Secretary of Agriculture Benson's proposal for flexible price supports from 75 to 90 percent. Whenever a minimum is set on price supports, it automatically becomes the maximum.

The Eisenhower administration put full pressure on Congress to adopt the flexible provision. Republicans were told that if they reenacted the Democratic 90 percent rigid price support for the basic commodities of cotton, corn, wheat, rice, tobacco, and peanuts, President Eisenhower would veto the bill, thereby placing into effect the old Aiken Act, passed by the Republican-controlled 80th Congress. This would have made the maximum price support 75 percent.

The Republican compromise of 82½ percent was adopted in view of this threat. Despite the fact that it was a compromise, President Eisenhower hailed it as a victory over the farm bloc in Congress.

This victory over the farmers and the farm bloc in Congress comes at a time when farmers are getting 20 percent less for their prdoucts than they were getting 2 years ago. This means another cut of 7½ percent to producers of the basic crops.

The victory was a repudiation of the President's own campaign promises for the Republican platform said:

We favor a farm program aimed at full parity prices for all farm products in the market place. • • • The Republican Party

will create conditions providing for farm prosperity and stability.

In 20 months, Secretary Benson accomplished an unprecedented thing. They turned the town people against the farmer. I think this effort to turn the townfolks against the farmer was one of the cruelest things I have ever heard of.

Why they did it is pretty obvious. They did it for political reasons, and they used the false argument that Government-held farm surpluses increase the cost of living. This discreditable and demagogic tactic will rise to haunt the Republican Party, even though they did it because they are trying to lure into the GOP fold the huge vote in the vast cities across the land.

The Republican-controlled House Committee on Agriculture repudiated the false argument that stored farm surpluses increased the cost of living. In a special study of the problem the committee found that while the prices the farmer receives have dropped, the retail prices paid by consumers have risen.

Out of each dollar spent by the housewife for food produced in this country, the report said the farmer receives 44 cents gross, or 14 cents net, after paying the cost of production, including gasoline, fertilizer, seed, labor, trucks, tractors, and other supplies. Thus with a heavy investment and for the labor of himself and his family, the farmer gets but 14 cents of each consumer's dollar, a small margin.

The 56 cents of the consumer's dollar goes to the processor, the middleman, and the retailer.

A typical example cited by the committee was wheat. It reached a peak price of $2.81 a bushel in January 1948. The average price of a loaf of bread was then 13.9 cents. Wheat is now $1.91 a bushel, and the average price of a one-pound loaf of bread has increased to 17 cents.

Who are the profiteers under the Republicans—big business? The great mass of consumers and the struggling farmers do not profit.

The Republicans pledged a stabilized economy in their campaign pledges. The cost of living has been constantly increasing. The costs have been increased not only on food, but on utility rates as well. The vast power companies and the telephone companies have increased their rates; the price of gasoline has raised the cost of transportation; and hikes have occurred in almost all lines of services. This accounts for increased earnings by certain elements of industry.

President Eisenhower embraced the principle of the housing program initiated in previous Democratic administrations—a program which has made it possible for millions of young couples to acquire homes, for millions of city dwellers to move out of slums into modern, healthy apartments.

The Republican Party has made promises for improved housing and slum clearance. President Eisenhower asked Congress to authorize the construction of 140,000 units of low-cost housing. But the Republicans rebuffed him, 75 percent of the GOP Members of the House voting against his recommendation.

The Republicans cut his request down to 35,000 low-cost-housing units, just one-fourth of his request. On the straight rollcall for the 140,000 units, only 51 House Republicans voted for the President's program, and 150 voted against him. On the same vote, 124 Democrats voted for the 140,000 units while 61 voted against. In other words, 66⅔ percent of the Democrats voted for his proposal and 75 percent of the Republicans voted against it.

Yet the compromise on 35,000 units was hailed by administration ballyhooers as a victory for President Eisenhower.

It seems that the Republican publicists around the White House are trying to brainwash the American people to a point where one must ask: "When is a victory a defeat, and when is a defeat a victory?"

The answer could be: "In Republican administration propaganda."

Certainly the Republicans cannot claim a victory for the President on his proposals they rejected:

First. Revision of the Taft-Hartley Labor Act.

Second. Statehood for Hawaii and Alaska.

Third. The trade, not aid, program.

Fourth. The health insurance program.

Fifth. Give 18-year-olds a vote.

Sixth. The internal security proposals.

The Republicans did revise and extend the social-security program, instituted by the Roosevelt administration in 1934, and passed by Democrats despite the GOP cries of "socialism" and "radicalism."

When the social-security proposal was brought before the House 20 years ago, every Republican Member who voted, voted to kill the measure on a motion to return it to the Committee on Ways and Means.

Even the revision was a compromise as compared with the request of President Eisenhower, who proposed to cover 10,500,000 in the old-age and survivors insurance system. The Republican Congress slashed the coverage, dealing the President another blow. It did raise the monthly benefit payments in the belief that this would be politically adroit.

It was a strange scene in the House for us Democrats to see this program espoused by reactionary Republicans, who had denounced the social-security system as "socialistic" and "radical" in the days of Roosevelt and Truman.

The mutual-security program, also initiated by the Democrats to aid European, Asiatic, and other countries to combat communism in the early post World War II years, was continued after the Republicans cut the President's proposal to $2.7 billion. The President needed Democratic assistance in both sessions to defeat the Republican isolationists. In the session just closed, 141 Democrats and only 118 Republicans in the House supported Mr. Eisenhower.

Both the President and the Republican Congress displayed their opposition to public power, as embodied in the Tennessee Valley Authority and great Federal projects that have brought cheap power into western regions which have since prospered.

The determined efforts of this administration to give away to big business electrical power, developed by taxpayers' money, and the Federal Government's great timber and oil reserves and grazing lands are revealed in policy and legislation. Much of this has been accomplished through so-called minor bills, rushed through in more or less disguised form to benefit selected groups and special interests which contribute substantially to Republican campaign funds.

During his presidential campaign, Mr. Eisenhower pledged in Tennessee to support the Tennessee Valley Authority. He later reversed himself and cited TVA as "creeping socialism." His recent order to the TVA to let its facilities be used by a new power corporation set up after he entered the White House was a shocking act. Not in my memory has a Chief Executive taken such a drastic step, particularly when an established government function was involved.

This development has caused alarm among many people, especially since the administration has committed itself to a giveaway policy—a policy by which private interests in many lines are acquiring projects developed at taxpayers' expense for the benefit of the entire country.

The administration giveaway policy would have gone so far as to let business take over Government patents on atomic energy, which truly belong to the taxpayers—the taxpayers who contributed $10 billion to the development of this source of limitless energy. Only the determined efforts of the Democrats in Congress prevented this policy being written into law as a part of the revised atomic energy bill.

The Republican Party is determined to take care of its own. Thus, legislation to bolster the shipyards by authorizing modernization of old ships and the building of new merchant marine vessels unneeded while thousands of wartime and postwartime vessels rot at their hawsers has been speeded through Congress in the final days of the session.

Now, let us go back for a brief review of the "dynamic" and forward-looking" Republican program:

The major bills enacted were, as I said before, originally instituted by Democratic administrations; namely:

First. Reciprocal trade.

Second. Mutual security.

Third. Housing.

Fourth. Social security.

Fifth. Farm price supports.

As for the five positive pieces of legislation enacted by this Congress, the tidelands and St. Lawrence Waterway bills had been before Congress for a long time, and before World War II we Democrats initiated a study looking to the revision of the revenue bill, but were interrupted by the emergency of the all-out war in the early forties. The emergency refugee bill was supplemental to previous refugee legislation enacted by the Democrats after World War II.

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This administration said it wanted an anti-Communist law. But then it became apparent that the kind of law wanted by the administration was a weak-as-water measure which would have slapped the Communists on their wrists and told them not to be naughty boys. The strong anti-Communist bill finally enacted into law was initiated by the Democrats and passed over administration opposition. It answers effectively the Republican charge that Democrats are traitors to their country, a falsehood of the lowest type.

Throughout this Congress, the Republicans have shown hostility toward veterans of our wars and legislation benefiting them. They have clipped appropriations where possible and blocked measures proposed to improve the condition of the veterans.

Throughout this Congress, the lack of resourcefulness of the Republicans has become more and more obvious, the absence of vision has become more pronounced, and the negative approach to critical problems confronting the Nation is glaringly apparent.

The situation is such between the President, who has embraced much of the Democratic legislative program, and the Republicans in Congress, who have resisted it, that the country will be better off if it returns a Democratic Senate and House in the November elections.

But there is one significant thing that must be cited. While the Republicans denounced the Roosevelt and Truman legislative programs, during two entire sessions of this Congress, they have not sought to repeal one piece of welfare legislation.

In 1952 the people of the United States concluded that they wanted a change. Let me repeat, many of them got it with a vengeance. After these months of change, I want to ask you, Mr. Farmer, Mr. Laboring Man, Mr. Small-Business Man, "What is your financial condition in 1954 compared to what it was in 1951 and 1952?" and ask you wherever you live, in any section of the United States, "Have you been benefited by and are you proud of the change?"

NORTH PACIFIC FISHERIES TREATY LEGISLATION

Mr. TOLLEFSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. TOLLEFSON. Mr. Speaker, on July 23 the House approved H. R. 9786-S. 3713 which provided for the International Convention for the High Seas Fisheries of the North Pacific Ocean. It implements the fishery treaty entered into between the United States, Canada, and Japan.

Through inadvertence, one sentence was omitted from the committee report. The sentence reads as follows:

It is the view of the committee that nothing in this bill should be construed as in any way abandoning the so-called abstention doctrine with regard to the protection to its coastal fisheries as a legal principle to which the United States adheres as a matter of sound policy.

ADMINISTRATION OF FARM PROGRAM BY SECRETARY BENSON

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, I want to make a public apology to the Secretary of Agriculture for a statement made last Tuesday which appeared in the CONGRESSIONAL RECORD on page 14844 when I stated that "the Secretary does not answer letters written by Members of Congress."

In this morning's mail I received a letter signed by the Secretary of Agriculture replying to my telegram of August 12 requesting that the ASC county elections in Missouri be postponed.

I realize the Secretary is a busy man and that he is surrounded by a group of people who are solicitous of his health and welfare and possibly he is so protected and surrounded that he is not permitted to come in contact with some of the problems which are facing the farmers. I can understand that may be the reason why in the past some of my letters have been answered by assistants of the Secretary, and why I may have gained the impression that the Secretary does not personally reply to his mail.

Now that I have had this letter signed by Secretary Benson I am encouraged to believe that his attention may have been called to some of the problems which are facing our farmers. His attention may have been called to the fact that some of the people responsible for administering the farm program are considering disregarding the intention of Congress by amending the ASC regulations to comply only with the letter of the law and ignoring the spirit of the amendment recently adopted to the Agricultural Act which says that the Secretary is prohibited from imposing any limitations upon the number of terms for which members of county committees may be reelected. For the same reason that there should be no limitation on the terms of county committeemen, there likewise should be no limitation on the terms of community committeemen, and the farmers themselves should be left free to make their own selections. That was the intention of Congress when the original law was passed, and I believe that is the intention of Congress now, as indicated by the amendment adopted just this week.

DANGER OF EXCESSIVE OIL IMPORTS

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JARMAN. Mr. Speaker, on May 25, 1954, I addressed the House as to the dangers of continued excessive oil imports.

Since that address the gravity of the situation in Oklahoma has increased. This is exemplified by the fact that oil production in my State has declined from 538,000 barrels daily in May to about 490,000 barrels per day for the month of August—a cut of approximately 50,000 barrels daily. Oklahoma production is almost 100,000 barrels per day below the corresponding month in 1953.

This cut is reflected in a sharp drop in collections from Oklahoma's 5-percent gross production tax. I quote from an editorial in the Daily Oklahoman of August 16, 1954:

Collections from the 5-percent gross production tax dropped a half million dollars below collections from the same source in the corresponding month a year ago. The decline was the result of drastic reductions in oil allowables reflecting the global glut of petroleum.

Claude Barrow, oil editor of the Daily Oklahoman, had a recent comment in regard to the disturbing influence of oil imports on Oklahoma's economy in his column on August 11, 1954:

In spite of the industry's expressed desire to reduce excessive stocks of crude oil and products this year, there's no relief in sight from imports. Last year foreign oil deliveries of all oils averaged 1,023,000 barrels daily—equal to more than 2 months' production of Oklahoma fields. Estimates for this year indicate receipts of 1,057,000 barrels daily.

It is clear that oil imports are injuring Oklahoma oil producers.

Add to this local picture the anticipated return of Iranian oil on the international and national scene at a time when an excessive amount of foreign oil is already finding its way into the country, and you will have a situation which calls for the close scrutiny of the Congress. It may be too late in these closing days of the 83d Congress for congressional action. I cite you these facts to insure a congressional awareness of the problem. It is a problem which must be dealt with at the earliest opportunity by the 84th Congress.

STRIKE AGAINST AMERICAN AIRLINES

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include some newspaper items.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MURRAY. Mr. Speaker, the strike of the pilots against American Airlines is most unfortunate, most unwise, most unwarranted, and most senseless and is causing much inconvenience to passengers traveling by air. This strike should be ended immediately in the public interest. Under leave to ex-

tend my remarks I am including editorials on this distressing situation which have appeared in the Fort Worth (Tex.) Star Telegram, the New York Herald Tribune, the Cincinnati Inquirer, the Ohio State Journal, the Washington (D. C.) Sunday Star, the San Diego Union, the Richmond News-Leader, the New York Times, and the Stamford Advocate:

[From the Fort Worth Star-Telegram of August 12, 1954]

A SENSELESS STRIKE

American Airlines, in formally suspending its 1,243 striking pilots and copilots, again has urged them to return to their jobs and get the system back into operation. Hope that the fliers will come to a realization of the economic havoc they are creating, for themselves and for others, and stop the senseless affair should not be relinquished.

The strike, insofar as the public can see, has nothing to recommend it. It simply does not reflect common horsesense. Why a thing like this should go on, with heavy loss to the airline, to the fliers, to the other employees of the line who are beginning to be furloughed from their jobs, and at vast inconvenience to the public, is more than we can fathom.

The central issue is not complicated. It involves the flying time on east-west transcontinental nonstop flights which were started last year with the appearance of the faster DC–7 planes. The trip is scheduled in 8 hours and 35 minutes. The pilots do not want to make this exception to the old safety rule limiting them to 8-hour flights—a rule which went into effect 23 years ago in the horse-and-buggy days of commercial aviation.

The Civil Aeronautics Board is the United States agency charged with the responsibility of determining and regulating aviation safety and the protection of the public. It reviewed the situation and held that the safety of the public would not be adversely affected. It waived the 8-hour limit and permitted the scheduling of 10-hour flights on transcontinental operation. The United States circuit court of appeals refused to reverse this ruling. That is where the matter stood when the Airline Pilots Association, after conferences had failed, struck to enforce the 8-hour limit.

Inasmuch as 12 hours of pilot duty are permitted on overseas flights without affecting safety, and inasmuch as the Federal agency charged with preserving aviation safety considers the domestic 10-hour limit reasonable, the striking pilots cannot seem to have much of a case.

It is true that scheduled flight time and actual flight time may vary, depending upon headwinds and other conditions, but the average time on the westbound transcontinental flights has been only slightly greater than the scheduling. The pilots are not being fatigued. Nonstop flights are less trying than flights having intermediate stops. Modern aviation has navigational aids never heard of when the 8-hour rule was established. The transcontinental planes carry a pilot, copilot, and a flight engineer—3 men to handle the craft, and they fly only 10 days a month.

The coast-to-coast nonstop flights represented a great improvement in aviation service to the public, and it is unrealistic to believe that their discontinuance can be forced by the methods of a strike. The public cannot be blamed if it gets the impression the pilots are attempting a featherbedding demand and standing in the way of aviation progress.

Over this dispute the largest airline in the country has been shut down. It has 17,463 employees, many of whom have dependents and must be laid off as the strike continues. Of the one-thousand-two-hundred-and-odd striking pilots and copilots, only some 50 were engaged in the nonstop operation. Thus the whole vast stoppage, damaging to the interests of thousands not directly involved, affecting livelihoods and family welfare, and crippling the company's ability to earn the money from which wages are paid, stems from 50 men's argument over flight time. The strike is unjustifiable from any consideration, and is an attempt to bring hurtful economic pressure upon a question of safety, which properly is the function and the responsibility of the Civil Aeronautics Board.

[From the New York Herald Tribune of August 17, 1954]

AN UNWISE STRIKE CONTINUES

The case of the pilots striking against American Airlines has not improved in the last 2 weeks. Its effects, moreover, are steadily becoming worse. The Air Line Pilots Association, by insisting on flights limited to 8 hours, is hampering the development of nonstop flights across the continent, a logical and almost necessary stage of progress in air transportation. It has flouted the judgment of the Civil Aeronautics Board and of the Civil Aeronautics Administration, ignored a court decision on the legal aspect of its flight, disregarded the experience of transoceanic flights, and spread a good deal of confusion throughout the airline system. Now the nonpilot personnel of American Airlines are also affected; the company has felt impelled to remove more than 15,000 employees from the payroll because of the grounding of its planes by the 1,200 strikers.

From the standpoint of the general public, this is not a pretty record. A nonstop flight across the continent, with two pilots and an engineer, does not impose any heavier strain on the personnel than many shorter flights with more frequent landings and takeoffs—indeed, the CAB has found it to be safer. Considering the hours flown by pilots each month, the extra time over 8 hours involved in the nonstop flights is by no means excessive. It has been limited to 10 hours by the CAB, and the plausible expectation is that with the improvement in planes the time required to cross the country will diminish. Thus the precedent can hardly operate to the disadvantage of the pilots, any more than the similar but longer leeway allowed for transatlantic flights. The pilots cannot expect to win popular support on this issue; whether or not they have exposed themselves to legal penalties will be known when the breach-of-contract action filed by American Airlines is decided in the courts. Meanwhile the best advice that could be given the pilots would be to get back on the job and into the air.

[From the Cincinnati Enquirer of August 15, 1954]

A STUPID STRIKE

The longer the strike persists, the more puzzled the public becomes at the position taken by the Air Line Pilots Association against transcontinental nonstop service by American Airlines. The more puzzled, and certainly the less sympathetic.

It borders upon the unbelievable that the 1,150 pilots employed by American are willing economically to crucify their airline rather than permit it to continue service on a coast-to-coast flight which involves only 35 minutes flight overtime, in one direction, and for which the senior pilots are paid at the rate of $18,000 a year, working only 10 days each month.

Actually, only some 50 pilots are directly concerned. And they, for that matter, chose the transcontinental runs for themselves.

The company bought its fleet of 25 DC–7 long-range airliners at a cost of more than $40 million for the express purpose of providing nonstop service across the Nation. The estimated flight time of 8 hours is exceeded in a westerly direction only because the prevailing winds were found stronger than anticipated. Eastbound flights were correspondingly shorter.

The safety and fatigue considerations have been examined by competent authorities, and the Civil Aeronautics Board authorized the 8-hour-and-35-minute flight time between Idlewild and Los Angeles. The pilots' association, ignoring the fact that much longer tours of duty are routine in transoceanic flights, insists that none of its men can fly more than 8 hours on a domestic route. Arbitration is refused.

The clear intent either is to make American Airlines pay some special form of extortion to operate its DC–7's (although economic demands have been kept out of the picture) or else terminate nonstop transcontinental flights for the foreseeable future.

In the very nature of the operation, an intermediate stop to keep a pilot from putting in 35 minutes overtime in the air would increase rather than decrease any possible hazard, for it would mean an extra landing and takeoff for the big plane, plus the long and wasteful descent and ascent to the upper air strata in which the nonstop flights operate.

The pilots' association has won many concessions from the airlines (and the public), but it risks more than it realizes in this stupid stand against progress.

[From the Ohio State Journal of August 12, 1954]

UNREASONABLE, UNWARRANTED AIRLINE STRIKE SHOULD BE ENDED

The strike of pilots which has grounded all flights of the American Airlines is one of the most astonishing work stoppages of all time. The nominal issue is whether the crews on American Airlines nonstop coast-to-coast flights can be required to fly more than 8 hours a day in order to consummate the flights.

NONSTOPS AT STAKE

Actually, it simmers down to an issue of whether nonstop transcontinental air schedules can be continued, or the union can deprive the public of this service they want and need. What the Pilots' Association, an American Federation of Labor union, is saying in effect is that nonstop air service cross-country from New York to Los Angeles and from Washington to Los Angeles should be abandoned.

And why does the union say this? Because the flight from east to west, due to strong prevailing winds through a good part of the year, requires, on an average, 35 minutes over 8 hours. And an 8-hour workday has been in the union's contract, under Civil Aeronautics Board rules, since 1931. The union wants intermediate stops on the transcontinental route, with changes of crews, so as to keep each crew member within the former 8-hour limit.

The pilots' stand does not take into account the fact that when the union contract was first drawn up 23 years ago, there was no nonstop transcontinental service even contemplated. In those days there weren't any airplanes which could fly nonstop from New York to Chicago with a payload.

CHANGING CONDITIONS

In the intervening years, mechanical progress and public adoption of air travel have advanced to the stage where planes can fly not only from coast to coast on nonstop daily schedules, but cross the Atlantic Ocean nonstop in 12 hours.

The flight crew on an American Airlines nonstop coast-to-coast trip consists of two pilots and a flight engineer. Each pilot on a nonstop flight makes 5 round trips a month—a total of 10 individual flights. He

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is on flight duty 10 days of the month; off duty 20 days. Captains of DC–7 nonstop coast-to-coast crews averaged a monthly pay of $1,477.68 in June, captains of DC–6's and DC–6B's averaged $1,397.83. The average for copilots in the 2 classes of planes was $891.44 and $725.80, respectively. Even with periodic physical examinations and training tests to maintain his own efficiency, the pilots do not spend as many as 15 days out of a month on duties or requirements connected with their employment.

It does not seem unreasonable that pilots should be scheduled in this nonstop service to fly an extra 35 minutes over the former 8-hour maximum, when pilot members of the same union are flying nonstop trips in overseas service with limits up to 12 hours.

PILOT UNION OVERRULED

From the beginning of the 8-hour rule in 1931, it always was stipulated in contracts and CAB rulings that the maximum limit could be waived by the Civil Aeronautics Board for good reason. When the American Airline nonstop flights were inaugurated it was contemplated that they could be made just under 8 hours, but experience showed that an additional 35 minutes should be allowed. It should be noted that this much time is not always required to make the flight.

A hearing was held on this matter by the Civil Aeronautics Board, before which the Pilots' Association stated its position in detail. The CAB ruled that "All of these considerations lead the Board to the conclusion that the continued application of the 8-hour rule with respect to the transcontinental nonstop is not necessary in the interests of safety." The union appealed the ruling to the United States court of appeals for an order staying the Board's decision pending final appeal. The court refused the stay.

ACTION IS UNREASONABLE

Ruled against by the CAB and the Federal courts, the Pilots' Association scorned proposals of arbitration and resorted to a strike. No one will gainsay the pilots the right to strike, but their stand in this instance is unreasonable from start to finish. Certainly, the public which needs and supports commercial airlines has some rights in the matter. And one of these is the right to expect the pilots to make the small concession involved—35 minutes—in the interest of progress in air transit, the very business in which they are engaged.

Twelve American Airline flights into Columbus alone have been canceled as a result of the strike. The air travel of more than 20,000 persons a day throughout the country is affected. So are more than 17,000 American Airlines employees. Worse, there is a threat that the strike may spread to other lines, out of sympathy.

In the absence of any convincing proof that there would be greater safety to air travelers if transcontinental flights were broken up with intermediate stops and changes of crews, pilots would be well advised to call off their strike and agree to arbitration, at least.

[From the Washington Sunday Star of August 15, 1954]

GROUNDED AIRLINE

At midnight tonight most of 16,000 employees of American Airlines will be dropped from the company payroll or will receive the required notice for such severance. The reason for this drastic action by the Nation's biggest air carrier is that its entire fleet of planes has been grounded since midnight of July 30 by a strike of its 1,200 pilots.

The real issue, directly affecting only about 50 of these 1,200 pilots, is whether American may operate a nonstop transcontinental schedule involving more than 8 hours of continuous flying by a single crew. For more than 20 years there has been an 8-hour limitation, by Government regulation, on overland commercial flying. When American set up its nonstop cross-country schedule it hoped to make the trip in less than 8 hours each way. Experience proved that the westbound flight, against prevailing winds, took more time. The company accordingly asked and received from the Civil Aeronautics Board express permission to schedule transcontinental nonstop service within a 10-hour limit. Both the Civil Aeronautics Administration and the CAB expressed the opinion that the longer flying time—for a nonstop operation—would not "have an adverse effect on safety." The company then scheduled its eastbound flights in 7 hours 35 minutes and its westbound in 8 hours 35 minutes.

The Air Line Pilots' Association objected to the breaking of the 8-hour rule and issued a strike notice. National Mediation Board efforts to produce an agreement failed and the Board's proposal for arbitration was rejected by the union although accepted by the company.

The cross-country airliners are operated by a pilot, copilot and flight engineer. They average five round trips monthly, meaning 10 working days per month. Flying time is limited to 85 hours per month. Salaries run close to $20,000 yearly. Flying a modern airliner by a three-man crew without intermediate landings and takeoffs permits relaxation for the pilots en route—unless weather conditions are unusually severe. It is difficult to believe, particularly in view of the CAB's consideration of the point, that there is any danger involved in the extra flying time required for five westbound flights per month.

It has been proved that there is a public demand for the nonstop service. The Pilots' Association will be doing itself, the airline industry, and the public a real injury if its action forces abandonment of this service.

[From the San Diego Union of August 13, 1954]

MATTER OF MINUTES

Airline pilots are finding little public sympathy for their strike against American Airlines.

In effect, what the pilots want is a featherbedding provision (adding an unneeded third pilot), or a halt to aviation progress. Neither request is reasonable.

The protest of the pilots does not involve working conditions or pay. The airmen are striking because transcontinental flights from east to west will take slightly more than the 8 hours of their usual shift. American estimates the extra time at 35 minutes. The pilots claim the flight takes 9 hours, sometimes 10.

The fliers' contention that piloting beyond the 8-hour mark automatically impedes safety is disputed by the Civil Aeronautics Board, which has issued a temporary order extending flying time to 10 hours for a crew. The CAB is charged with enforcing strict safety rules.

With two pilots and an engineer the flight crew is not confined during the usual trip. And the 8-hour day is not involved in a 40-hour-week question, or anything like it. The pilots fly only 10 days a month. The schedule does not appear exhausting to a point of creating danger.

On overseas airlines pilots often fly as long as 12 hours, although they usually have 3 men.

Within a short time we will have planes with speed to make this dispute academic. Meanwhile, it seems foolish to halt welcome nonstop cross-country flights because of 35 minutes' difference for a pilot who flies 10 days out of 30.

[From the Richmond News Leader of August 14, 1954]

STAND PAT, AMERICAN

American Airlines has an opportunity just now—a terribly painful opportunity, to be sure—to render a service of incalculable value to the entire air-transportation industry. If American can stand fast in the face of an unwarranted strike of its 1,200 pilots, the industry may be saved in the future the catastrophic effects of the labor practices that have so harassed the railroad industry.

Let us put it bluntly: This is a featherbed strike the pilots are staging. The aim is to force American Airlines, as a price for maintaining transcontinental nonstop service, to employ additional pilots that are not needed to perform work that does not have to be done. This is the sort of make-work agreement devised by the railroad unions and extended to outrageous limits by the musicians' union. It cannot be justified in economics, in law, or in the long-term welfare of the union members themselves.

The American labor movement has been marred by some strange and unwarranted strikes, but none has been stranger or more unwarranted than this one. Only 50 pilots actually are involved in a dispute that on Monday will throw more than 16,000 employees off American's payroll. These 50 pilots are the aristocrats of the air—the senior pilots and copilots, earning from $10,000 to $20,000 a year, who fly the transcontinental runs. In a normal month they work only 10 days and are off 20, and the immediate cause of their dispute is that on 5 days a month American would require them to fly an extra 35 minutes to an hour beyond the pilot's customary 8-hour-flight limitation. This flying time is necessary to maintain westbound nonstop service from New York to Los Angeles; on eastbound flights, from Los Angeles to New York, prevailing tailwinds permit nonstop service within the 8-hour limit.

The Civil Aeronautics Board has approved American's westbound schedule as a safe one. The Civil Aeronautics Administration, which enforce's CAB's orders, also has found no hazard in the extra 35 minutes. A Federal court has refused to set aside the CAB's ruling.

Plainly, the pilots would not be subjecting their own company to heavy loss of revenue, imposing upon their fellow employees, and damaging their own high reputations, if they did not feel that a labor gain of great importance is at stake. They must know the absurdity of their contention that the extra 35 minutes of flying time is not safe. They do know that within a few years new jetliners will permit westbound transcontinental runs in much less than 8 hours and thus make the question academic. But if they can win this strike, establishing a featherbed practice and usurping the clear prerogatives of management, the pilots will have established a make-work precedent for all airlines.

The railroads wents through this and surrendered and came bitterly to regret it. If this time American refuses to surrender to the pilots' economic rough stuff, the entire industry will be in American's debt for years to come.

[From the New York Times of August 16, 1954]

THE AIRLINE STRIKE

The walkout of 1,243 pilots of American Airlines is well into its third week and the financial losses are rapidly mounting. While other air transport companies have scheduled additional flights and are taking up some of the slack left in the Nation's vital communications system, nevertheless thousands of innocent bystanders are being inconvenienced and hurt.

Apart from the many customers of the airline business who cannot travel as they wish the strike, beginning today, will result in the disbanding of the company's scattered staffs, affecting a total of about 15,000 persons. If the company carries out its announced plan, nearly 1,900 employees will be dropped from the payroll immediately. Two-week layoff notices will go out to 13,821 others.

To these, and to the watching public, this seems an unfortunate spectacle of failure in labor-management relations. The issue involved is so complicated and technical that the outsider finds it difficult to place the blame. But there is obviously need for mediation. Before the strike the Air Line Pilots Association told the National Mediation Board that suggestions of arbitration of the issue were "inappropriate and impractical." American Airlines has said it was ready to arbitrate its "legal" right to maintain present nonstop schedules. The phrasing of this offer appears to place a limitation on the arbitration, but the company's position is that neither the line nor the pilot has the right to arbitrate or modify safety standards approved by the Civil Aeronautics Administration.

The suffering public and the many workers who are losing their means of livelihood are not interested in the legalistic aspects of the dispute. Is there any reason why the National Mediation Board cannot ask the disputing parties to sit down and start talking things over again?

[From the Stamford (Conn.) Advocate of August 6, 1954]

THE AIRLINE STRIKE

The issues in the present strike being conducted by the Airline Pilots' Association against the American Airlines are not too difficult to understand. It is hard to understand, however, what the pilots expect to gain by their action.

A nonstop transcontinental flight from New York to California takes 8 hours and 35 minutes because of prevailing headwinds. The eastward flight takes about an hour less. The Civil Aeronautics Administration after a thorough study extended the time a pilot can be in the air on continuous land flight from 8 hours to 10 hours. The CAA decided that there was no violation of safety in the longer schedule. It has been pointed out that transoceanic air service allows for 12 hours in the air and that the safety record has been almost perfect.

The pilots say that they have a 2-hour preparation period before the flight starts and that they also have a 30-minute debriefing period at the end of the trip. The airlines point out that actually the 3-man crew only works 10 calendar days a month and that the wages for captains run to $1,600 a month.

The striking pilots, however, claim that they are striking purely in the interest of safety. Here they place their judgment directly against the opinion of the CAA. Also it is ironical that members of the same association find that it is safe enough to fly planes on the same schedule for Trans-World and United Airlines. It has been noted that pilots have shown a distinct preference for the transcontinental flight since the DC–7s were put into operation late last year.

What, then, are the pilots seeking? Their wage rate seems well above the average. The hours are not burdensome. The CAA has certified that their working conditions are safe. Is it possible that the pilots are striking merely to show their strength?

Whatever the reason, the airline is losing $750,000 a day in receipts and the public is learning that there are other means of transportation.

PROGRAM FOR 1955

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, I should like to have the attention of the gentleman from Texas [Mr. RAYBURN]. I would like to inquire what the program of the new leadership in power in the House will be beginning on January 5, next. Will it be one of a strong national defense program, fight against Communism, 90 percent parity for the farmers and protection of servicemen, aged, veterans, small business, irrigation, soil conservation, REA, the rights of labor? I would inquire of the gentleman from Texas what the program of the majority leadership will be beginning in January when our party takes control.

Mr. RAYBURN. I do not know who will be in charge of the leadership, but if it is the Democratic Party, we are always for the people and the answer to the gentleman is strongly in the affirmative.

Mr. WICKERSHAM. I thank the gentleman.

The people will look forward to the new leadership and its important program.

THE SCHOOL SITUATION

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BAILEY. Mr. Speaker, I have asked for this 1 minute to express my utter disappointment at the failure of the administration and the 83d Congress to do something about the serious situation confronting the schools of our Nation.

I was very much impressed with an article appearing in one of the local papers only yesterday, telling about the serious situation in the city of Baltimore. It is true that that situation exists throughout the Nation. There will be 700,000 boys and girls without satisfactory schoolrooms, having to attend school in double sessions this coming year. It is a really serious situation, and I cannot understand why the Congress can further delay meeting what is already a national disgrace, and continuing a disgrace, for us to disregard this problem.

ALCIDE DE GASPERI'S VISIT TO CHICAGO RECALLED

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I wish to associate myself with the gentleman from New Jersey [Mr. RODINO] and others who have voiced the deep grief of the Members of this body at the sudden passing of former Premier Alcide De Gasperi, of Italy. He was one of the great men of our times, one of the truly great men of the ages.

Minutes before his passing, with his family gathered about him, with Msgr. Rodolfo Grandi, who gave him extreme unction, he said: "I say goodby to all people who loved me."

Thus he took his leave of us, for numbered among the countless thousands in all the nations of the free world, who truly loved him were we in the House of Representatives of the Congress of the United States.

Possessed of the simple goodness of Francis of Assisi, he kept the Iron Curtain from descending on his country. Pressed between the totalitarian left and the totalitarian right, he steered a course which was bringing about, culturally and economically, something of a renaissance in Italy. The evidence: the *Andria Doria* and the *Christoforo Columbo* in shipbuilding; the purchase of 400,000 acres of land from absentee landlords for settlement by landless peasants. It is understandable that in Italy Signor De Gasperi's death is mourned by great and small.

In a special manner the people of Chicago will join in that grief. For we recall with pleasure the visit of the great Premier and his daughter Maria to our city in January 1947. On that occasion we shared with him the exhibition of modern art, displayed at our Art Institute, and congratulated De Gasperi and all Italy on the textiles, ceramics and other evidences of the cultural and economic renaissance which was taking place under his guidance and encouragement.

We in the United States join with the people of the free world in the sense of loss which we share with the people of Italy. With Adenauer of Germany, Schuman of France, Spaak of Belgium, De Gasperi was endeavoring to weld a United States of Europe which would be a bulwark of free nations against the executioner state. Premier De Gasperi, in death, has thrown the torch of democracy and unity to the free world. His monument must be a free and United States of Europe.

DEFENSE CONTRACTS

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, the Defense Department has issued a new invitation for bids on Army tanks. This invitation contains a provision that makes it almost impossible for any concern but General Motors to get this tank contract.

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The Defense Department's decision last year gave an exclusive contract for M–48 tanks to General Motors. It forced the closing of all other sources of supply. The Government ordered the facility at Birdsboro in my district to be put in mothballs. Several hundred workers lost their jobs. The Government lost millions of dollars it had invested in the plant and in training employees for the required skill.

And now General Motors is again favored by this provision in the new invitation for tank bids.

Here is the unfair provision which kills all chances for fair bidding and for the opportunity for GM competitors to get the tank contract:

> In the event that this award requires a reopening of a facility that has been in standby or is now in the process of being placed in standby, the cost of the Government for such layaway and the cost required for reopening will be considered in evaluating this proposal.

This kind of procedure may be good for General Motors. But it is bad for Pennsylvania and it is not good for the Nation.

What chance will there be in the future for anyone to compete successfully with General Motors? Great damage is being done to free enterprise by practices of this administration in favoring giant monopolies without consideration for small business or the public welfare.

WE STILL LIKE IKE

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, we have written the record. I hope we play it long and often between now and November. If we do, the voters are going to join in a revived chorus of the one they sang back in 1952. This time they are going to say "We still like Ike."

I also wish to express my appreciation at this time to my colleagues on both sides of the aisle for their friendship and their good will. I have thoroughly enjoyed my service here.

I would especially like to express my deep appreciation to the Republican leadership of the House, our Speaker, JOE MARTIN; our floor leader, CHARLIE HALLECK; our whip, LES ARENDS; LEO ALLEN; and all the others who have provided leadership for the Eisenhower program.

Never in the history of the Congress have we had a finer demonstration of effective leadership for a forward-looking program than has been evidenced here during the past 2 years. No President in our time was more worthy of the support of Congress and no President in our time has received the kind of cooperation that Dwight Eisenhower has had.

CORRECTING ENROLLMENT OF BILL

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S. Con. Res. 108) that was adopted unanimously by the Senate last evening.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H. R. 7840), entitled "An act to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act," is authorized and directed to make the following corrections:

On page 9 of the House engrossed bill, after line 3, insert the following:

"SEC. 206. (a) Section 3201, section 3202 (a), section 3211, and section 3221 of the Internal Revenue Code of 1954 are hereby amended by striking out '$300' each place it appears in each such section and inserting in lieu thereof '$350.'

"(b) Section 3231 (e) (1) of the Internal Revenue Code of 1954 is hereby amended by inserting at the end thereof the following sentence: 'Compensation for service as a delegate to a national or international convention of a railway labor organization defined as an "employer" in subsection (a) of this section shall be disregarded for purposes of determining the amount of taxes due pursuant to this chapter if the individual rendering such service has not previously rendered service, other than as such a delegate, which may be included in his "years of service" for purposes of the Railroad Retirement Act.' "

On page 13, of the House engrossed bill, after line 19, insert the following:

"SEC. 407. The amendments to the Internal Revenue Code of 1954 made by section 206 shall become effective as if enacted as a part of the Internal Revenue Code of 1954."

The resolution was agreed to, and a motion to reconsider was laid on the table.

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WOLVERTON. Mr. Speaker, Senate Concurrent Resolution 108 provides a technical amendment to H. R. 7840. This amendment to the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act was passed by the Senate last evening after it had adopted H. R. 7840 as previously passed by the House.

This amendment is necessary because since the bill passed the House a new revenue act was adopted by Congress and signed by the President. This latter act not being in existence at the time this House passed H. R. 7840, reference was made to the Revenue Tax Act then in existence. Hence the necessity to bring the act as passed in the Senate, containing the original reference, in accord with the present law. The amendments are purely technical and do not change any substantive part of the bill as passed by the House and Senate.

It is most gratifying to me as the sponsor of the legislation contained in H. R. 7840, and, which was introduced by me at the request of the 23 Railroad Brotherhoods, and, also equally gratifying to all who have supported the legislation, to realize that now it is an accomplished fact so far as congressional action is concerned. All that it needs now to become law is the approval of the President. I feel confident he will give the bill his approval.

The bill is exceedingly meritorious. It is particularly so in reducing the retirement age of women workers and as surviving beneficiaries to 60 years instead of 65 years as it was in the previous law. It also enables children of deceased workers, who are handicapped mentally or physically to be continued as beneficiaries beyond the present 18-year-old limitation. It also permits railroad workers who continue to work beyond 65, and, at a reduced wage, to have the full benefit of the larger wages earned by them before reaching the 65-year age. It also, among many other benefits, permits retired workers to earn $100 per month by employment other than on railroad, in addition to retirement benefits, also increases the benefits of those railroad workers who under the new law will pay into the retirement fund on the basis of $350 instead of $300 monthly earnings. For all such it will mean a substantial increase in their retirement benefits based on the additional amount paid into the fund.

The new law is also noteworthy in that it increases substantially the per diem pay when the worker is unemployed. This is in recognition of the higher cost of living that now exists as contrasted with the lower cost of living that prevailed when the per diem pay for unemployment was originally adopted.

There are many other changes contained in the new law designed to be helpful, but, I think I have mentioned a sufficient number to clearly demonstrate the merit of the legislation that passed the House by a vote of 367 to 0, and, the Senate by almost a unanimous vote.

The members of the railroad brotherhoods, and, their representatives who worked so hard and faithfully for the passage of the bill, are highly grateful and appreciative of the favorable action taken by Congress, and, may I in extending their appreciation also express my own for the help and cooperation extended to me as sponsor of the legislation.

Mr. HESELTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HESELTON. I know that the hundreds of thousands of men and women who work on American railroads are gratified today because of the approval last night in the other body of H. R. 7840, the Wolverton bill to amend the Railroad Retirement Act and the Railroad Unemployment Insurance Act. It will be recalled that this bill passed the House on July 30 by a vote of 360 to 0. Since that time, the able representatives of railroad brotherhoods, having the responsibility for seeking final action, have done excellent work and they are to be congratulated not only for their consistent and patient efforts but for their success of last night. I am confident that the bill will be signed by the President so that these much needed improvements in the Railroad

Retirement Act and the Railroad Unemployment Insurance Act will become effective soon.

I want to add that it seems most desirable to enact Senate Concurrent Resolution 108 at this time which would make technical changes in order to bring the bill into accord with the recently enacted Internal Revenue Code of 1954. It is my understanding that there is no objection to enactment of this resolution on the part of those who have had the responsibility of developing and presenting these amendments.

MRS. CECIL NORTON BROY

Mr. JONAS of Illinois submitted the following conference report and statement on the bill (H. R. 7886) for the relief of Mrs. Cecil Norton Broy:

CONFERENCE REPORT (H. REPT. NO. 2677)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7886) for the relief of Mrs. Cecil Norton Broy, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the House recede from its disagreement to the amendments of the Senate numbered 2 and 3, and agree to the same.

EDGAR A. JONAS,
E. L. FORRESTER,
Managers on the Part of the House.

WILLIAM LANGER,
PAT MCCARRAN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7886) for the relief of Mrs. Cecil Norton Broy, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to such amendments, namely:

The bill as passed the House would appropriate the sum of $3,000 to Mrs. Cecil Norton Broy, in full settlement of all claims against the United States for medical and hospital expenses incurred by her husband, Charles Clinton Broy, as a result of his having been struck by a train operated by the Imperial German Government and the German National Railways at a crossing in Bergheim, Germany, on August 29, 1940, while he was employed by the United States Government in the diplomatic service.

The Senate increased the sum to $10,000 and made other minor amendments to the bill. At the conference the Senate conferees receded from its amendment No. 1, and the House conferees receded from its disagreement to the amendments of the Senate Nos. 2, 3, and agreed to the same.

EDGAR A. JONAS,
E. L. FORRESTER,
Managers on the Part of the House.

Mr. JONAS of Illinois. Mr. Speaker, I call up the conference report on the bill (H. R. 7886) for the relief of Mrs. Cecil Norton Broy, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the statement.

The conference report was agreed to, and a motion to reconsider was laid on the table.

ESTATE OF REV. PANG WHA IL

Mr. JONAS of Illinois. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1504) for the relief of the estate of Rev. Pang Wha Il.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Rev. Pang Wha Il, deceased, the sum of $10,000, in full satisfaction of all claims against the United States for compensation for the death of the said Rev. Pang Wha Il, sustained on December 10, 1952, as a result of having been severely assaulted by a second lieutenant in the Army of the United States while such second lieutenant was leading a raiding party in the village of Dong Chang Ri in Korea: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE FISCAL SITUATION OF THE UNITED STATES GOVERNMENT

The SPEAKER. Under the previous order of the House, the gentleman from Pennsylvania [Mr. EBERHARTER] is recognized for 15 minutes.

Mr. EBERHARTER. Mr. Speaker, I had intended to make some rather extensive remarks concerning the fiscal situation, the tax situation, appropriations and so forth, but I am not quite prepared at this time to do so other than make some general observations.

I will call the attention of the membership to some statements made by the present Secretary of the Treasury in the January report, pages 237 and 238, wherein he stated what he considered to be the fiscal policies the Department had established and what he conceived to be the true aims of the Treasury Department. Among those aims he said:

We have a sound stable dollar, not one of declining value.

Mr. Speaker, it seems to me when it comes to that objective the Secretary of the Treasury has changed his policies quite radically from what they were about a year ago. At that time he started out to have what he called a hard dollar. Of course, that policy was followed with so much inflexibility that the first reaction of business and the consuming public was that the dollar became so hard to get that we were heading into a recession. Now we have the exact opposite policy being followed by the Treasury Department in which they are trying to have a little bit of inflation—just a little bit of inflation. Of course, he admitted after a period of time that the Government securities were bringing a lower interest rate now than at any time for many years. He stated also as one of his policies:

The Government should not spend more than it takes in.

Mr. Speaker, the record shows that for the fiscal year just ended more money was spent by the Federal Government than was spent by the Truman administration. I call attention to an editorial which appeared in the Chicago Tribune of July 27, 1954, in which it was stated:

When Mr. Eisenhower was campaigning for his office he promised to bring about a sharp reduction in expenditures. In the year which ended in mid 1952, just before the campaign started, the Government disbursed $65.4 billion. The achievement of Mr. Eisenhower in bringing about economies must be measured by how much he has cut the spending below this figure of $65.4 billion. He has not reduced it at all. Instead he has increased it. The Treasury outgo in the year he has just reviewed was $2 billion more than was spent by his predecessor whose record he had criticized.

Continuing from this editorial:

The administration has indicated what the outgo is going to be for the new fiscal year which will end June 30, 1955. The total as is set down by the Treasury bulletin is $65.6 billion, or a little more than Truman spent in his worst year, and Truman at least had two excuses for a swollen budget. He was fighting a war in Korea that has been over since July 27, 1953. Moreover, he was carrying out the program of economic aid under the Marshall plan. Economic aid, we are told time and again, has been almost completely stopped.

Mr. Speaker, I want to also refer to the fact that the administration is attempting to take credit for cutting taxes by over $7 billion.

The fact of the matter is, Mr. Speaker, right or wrong, that the present administration has increased taxes by continuing ones which would have been automatically reduced, such as $2 billion on corporations, on which the rates would have gone from 52 percent to 47 percent on April 1. The administration, in effect, raised those taxes from 47 percent to 52 percent, so they did not reduce those taxes; they increased them. Excise taxes which were to have been reduced on cigarettes, liquor, and other beverages, automobiles, trucks, and so on, increased rates which were to have expired April 1, were continued for 1 year to the extent of $1 billion, so that was an actual increase in excise taxes. Of course, another instance is that of the excess-profits tax. There the administration got an extension of those taxes for 6 months amounting to an increase of $800 million.

Mr. Speaker, I should like to make this further point. Whenever the general public, the ordinary taxpayer, comes to fill out his income-tax return next April 15, he will find, unless he has been a very unfortunate person during the calendar year 1954, that he is not entitled to any tax reductions under the measure passed by the administration.

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Mr. Speaker, they talk a lot about the benefits to the ordinary taxpayer. What are the benefits? The benefits go to somebody who has been so unfortunate as to have very, very large medical expenses during the year. The benefits go to people who have been so unfortunate as to become widowers, people who were so unfortunate as to lose their wives within the past few years and have to hire someone to take care of their children. They are the ones to whom these fringe benefits go. Of course, there are some benefits to persons who are past 65 or who are retired on a pension or who get an annuity. But the ordinary workingman, the ordinary salaried man, the ordinary businessman, gets no benefit whatsoever.

Of course, all these statements were put out by hucksters for the administration who are trying to create an impression throughout the country that taxes were reduced for everyone. So we have this picture as it is today and one that is being misrepresented. And do not let us kid ourselves, the people are going to have a sad awakening and they are not going to like it.

The fact is also, I should like you to keep in mind, that this administration actually spent more money than we did during the last year of the Truman administration, even though we were fighting in Korea.

I want you to bear in mind that the income tax reductions which the administration has actually made go largely, so far as individuals are concerned, to those who are rich enough to own stock and get their income from dividends—over one-third of the total relief for individuals goes to this very small group. I want you also to know that corporations, by taking advantage of the new depreciation methods alone, will save $19 billion in the next 16 or 18 years. That is all relief, not to the individual taxpayer, the workingman, but to larger businesses and corporations. I wish the general public could become properly informed as to just what the financial and fiscal situation under this administration has been and realize fully that it has resurrected the long since discredited "trickle-down" theory of taxation of the Republican twenties.

Mr. McVEY. Mr. Speaker, will the gentleman yield?

Mr. EBERHARTER. I am delighted to yield to the gentleman.

Mr. McVEY. I have been listening very closely to the information the gentleman has been giving us, but it does not seem to me that he has given the complete picture. The gentleman has spoken about the slight increase in expenditures during the first year of the present administration over the previous administration. Is it not true that many of those expenses were caused by authorizations which had been made before? That is, we were authorized to make certain expenditures, and some of those things could not be cut down. We had to go through with the expenses incurred during the previous administration.

Mr. EBERHARTER. I am certain all of us must realize, and the gentleman must realize, too, in order to have a continuing defense program or any other program of the Government, authorizations must be made perhaps many years in advance.

Mr. McVEY. I agree with that.

Mr. EBERHARTER. For defense purposes, for flood-control purposes, for any kind of program of a continuing nature which is brought before the Congress and recommended by administrations, there is required a program, not just a 1-year program. That is why there are authorizations in advance.

Mr. McVEY. If we are going to give the story, should we not tell that part of the story?

Mr. EBERHARTER. Certainly. I do not call defense spending any extraordinary expense in these times. We need plenty of it for our own good. I think defense spending should be called a current expense, because ever since we have been established as a Government we have had to spend money for defense purposes, to maintain an Army and a Navy and an Air Force and everything like that. That is not an extraordinary expense. Of course, sometimes the bill for defense costs more than at other times.

Mr. McVEY. Is it not the gentleman's feeling that the Eisenhower administration has cut down both expenditures and taxes during the time it has been in office? Is not that true?

Mr. EBERHARTER. They did not cut taxes to the extent of $7 billion. They merely let laws reducing taxes go into effect to the extent of $5 billion. The Secretary of the Treasury, I think the gentleman will remember, opposed in his earlier indications the reduction of 10 percent in individual income taxes until we balanced the budget. That was to go into effect under the law that had already been passed by the Congress when they were increased during the Korean incident. I do not say I can quote the Secretary exactly, but that was his position earlier and the one the members of our committee had.

Mr. McVEY. The question I asked was, Is it not the gentleman's feeling that the Eisenhower administration has cut taxes and cut expenditures? Will the gentleman answer that question?

Mr. EBERHARTER. It has cut taxes primarily by letting the law take effect as enacted before it came into control, and I say the benefits went in the wrong direction in the areas in which the administration took affirmative action. That has not been a well-balanced reduction. The Secretary of the Treasury himself in stating some of the aims of the Treasury said any tax reduction should be for the welfare of the consuming public, but he has not followed that principle out in his reductions proposed to the Congress.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. EBERHARTER. I yield.

Mr. BYRNES of Wisconsin. I was interested in the gentleman's discussion concerning the increases we permitted to lapse the first of this year. Do I correctly understand that the gentleman's position on that is that those were not, therefore, tax reductions, because we simply let the existing law take effect, which existing law automatically provided for reductions?

Mr. EBERHARTER. Certainly they are tax reductions, but I am referring to the claims for the credit for letting them take place.

Mr. BYRNES of Wisconsin. Tax reductions approved by this amendment.

Mr. EBERHARTER. The previous administration had put onto the statute books laws which provided for those reductions. As a matter of fact, about $8 billion in reductions would have taken place had nothing been done by the administration.

Mr. BYRNES of Wisconsin. The gentleman does not consider those reductions?

Mr. EBERHARTER. Those are reductions; but I say the Democratic administration put those reductions on the statute books.

SPECIAL ORDER GRANTED

Mr. GROSS asked and was given permission to address the House for 5 minutes today, following the conclusion of the legislative program and special orders heretofore entered.

INVESTIGATION OF BENEFITS FOR DEPENDENTS OF MEMBERS OF ARMED FORCES

The SPEAKER. Pursuant to the provisions of House Resolution 549, 83d Congress, the Chair appoints as members of the select committee to conduct an investigation and study of the benefits provided under Federal law for the surviving dependents of deceased members and former members of the Armed Forces the following Members of the House: Mr. BATES, Massachusetts, chairman; Mr. KEAN, New Jersey; Mr. KEARNEY, New York; Mr. TEAGUE, Texas; Mr. HARDY, Virginia.

SPECIAL ORDERS GRANTED

Mr. HARDY asked and was given permission to address the House for 5 minutes, following the conclusion of the legislative program of the day and any special orders heretofore entered.

Mrs. ROGERS of Massachusetts asked and was given permission to address the House for 5 minutes, following the legislative program of the day and any special orders heretofore entered, and to revise and extend her remarks and include an editorial or editorials.

THE LATE HONORABLE ALCIDE DE GASPERI

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, all of those of Italian descent in the Commonwealth of Massachusetts, and in my own district, and I have many of them, mourn deeply as do all the people of the United States the passing of

the late Alcide De Gasperi, the soldier and statesman and former Premier of Italy. It was my honor and privilege to meet the great Italian. We admire greatly his fight against terrible odds in Italy against communism and his fight for a free world. We can ill afford to lose him. His loss seems almost irreparable. But I believe someone in Italy must rise up to carry the torch he carried so valiantly so long.

The following is an editorial from the Lowell Sun:

LOSS OF A FRIEND

The sudden death of Alcide De Gasperi, former premier of Italy, removes a friend of America from the tense European diplomatic scene. It was only a little more than a year ago that this Italian patriot lost a vote of confidence in the Italian chamber of deputies and was forced to resign, but that incident in no way diminished his interest in the political welfare of his country.

He was a strong advocate of the European Defense Community plan, and was practically in total agreement with Secretary of State John Foster Dulles as to the methods for organizing and making this alliance function. He had, within a matter of hours before his death, expressed himself as vehemently opposed to the watered-down EDC proposed by Premier Mendes-France of France, contending that the new plan merely created a shell which could not hold together under dire international emergency.

He was a foe of communism, both at home and abroad, and made no attempt to compromise his opinion under any circumstances. Two years ago when the Red members of the chamber of deputies started to throw their weight around and the Red underground came to the surface in an effort to incite trouble, De Gasperi took a firm stand against the Communist threat. In a historic speech in the chamber, he warned the Reds that they had no right to incite a revolution in Italy and added that "if existing laws are not sufficient to curb you, we will make new ones."

The United States needs more friends of that type. As time goes by, it becomes distressingly evident that too many European statesmen, who hitherto have professed undying friendship for America, are losing their strength of purpose and are trying to straddle the barrier between the two political worlds. De Gasperi never straddled—he was forthright in his opinions, and never feared the results.

He performed an exemplary job of helping lead Italy back from the slough of despond after World War II, and in that achievement, one of his most difficult tasks was to put down the ever-present threat of Communist domination. We hope that his high ideals and traditions will be carried forward and that the memory of his statemanship will serve to guide Italian officials. And in the meanwhile, the United States and all freedom-loving nations mourn the passing of a loyal, unwavering and courageous friend.

THE APPROPRIATION BILLS

Mr. CANNON. Mr. Speaker, standing here on this floor, I have witnessed the close of 53 sessions of the United States Congress. And this is the gloomiest close of any session of the Congress I have attended in those 44 years.

Both at home and abroad, we are confronted with failure of American policies and a consequent menace to American prosperity and security unprecedented in the history of our Government from 1784 down to the present day.

Abroad our prestige and influence is at its lowest ebb.

Here in the House at the close of the fiscal year, we have failed to achieve vital assurances given the American people when Congress met in January of 1953.

When this Congress convened we had unqualified assurance—as announced through the press and from the hustings—by those in a position to speak with authority, that this Congress would balance the budget; that it would reduce the national debt; that it would eliminate deficit spending; that it would enhance the buying power of the dollar; and that it would reduce the cost of living.

President Eisenhower, in his campaign, had promised to reduce spending by 40 percent. Secretary Humphrey had assured us that a balanced budget was possible by July 1. Chairman TABER told the newspapers it would be no trouble to wipe out the anticipated $2.9 billion deficit, and Budget Director Dodge reiterated that there was no qualification of any kind in the Eisenhower administration's determination to balance the budget.

They came in at the opening of the session with a long and ambitious list of promises of drastic retrenchment. As the session proceeded they have had to repeatedly revise their schedule and back away from their widely advertised programs and bring in supplementals to replace the cuts. As the Wall Street Journal disconsolately inquires, "If the 1955 deficit exceeded expectations it is fair to ask when, if ever, the administration proposes to balance the budget."

Today Congress is adjourning and the Government reports that it had gone into the red by $2 billion during the month of July—the first month of the new fiscal year 1955.

This deficit resulted from the expenditure of $4,827,000,000 during the month of July as against receipts of $2,828,000,000.

It is to be noted that this deficit for the first month of the fiscal year 1955 was higher than the deficit for the first month of the fiscal year 1954.

Congress voted $54.3 billion in new money for Federal operations in fiscal 1955, which is $2.6 billion below the budget estimates.

"There have been some bigger cuts but not in recent years," said Chairman TABER. But the 82d Congress is within recent years and the cut below the budget estimates for that year was $10 billion after the last conference report was signed—and then $8.5 billion after the Senate had reopened the appropriation for atomic energy.

Two of the supply bills sent to the White House this session actually appropriated more money than the administration asked. And a third reached the President in exactly the amount he had requested. It has been some time since we heard of the meat ax.

Following the failure of the special squad of business experts drawn from the financial centers of the Nation in the 80th Congress, the system was revised in the 83d Congress. Instead of taking the corporation executives themselves, they mobilized some 29 or more first lieutenants from the big-business units to knock the billions out of the administration's budgets. The identities of these Sherlocks are a carefully guarded secret and there is no way of knowing whether they pass on the amount of the funds for Federal agencies which regulate the business of the investigators under the law, or whether in some instances—notably REA and TVA and so forth—they are recruited from interests which hope to take over the business of the units which they investigate or otherwise promote private enterprises in that particular field. Or whether farm cooperatives and Federal farm agencies are being investigated and criticized by men in the grain or packing industries whose profits are enhanced by low prices for farm products. It is all done in the dark and is strictly a star chamber proceeding.

It is doubtless true, as the chairman explains, that these business representatives are "some of the highest grade people in the country." But their point of view is not necessarily that of the consumers whom the Federal utilities serve or of the Members of the Congress who wrote the laws and established and financed the agencies under investigation. And as has been seen, they were no more successful in balancing the budget than their predecessors in the 80th Congress. In the end the effective work of the hearings had to be turned out by the staff of the committee.

In this connection, it is to be noted that a local paper editorially referred to the passage of the 10 supply bills before June 30, the end of the fiscal year, as a major achievement and the President addressed a letter to the chairman of the House Committee on Appropriations felicitating him on this exceptional accomplishment.

I am always glad to see the House given credit where credit is due. But it must be confessed that the enactment of the supply bills before the end of the fiscal year is a Senate achievement. When we reported the one-package bill in the 81st Congress, it included all bills enacted before the June 30 deadline this year. The committee reported it out March 21 and notwithstanding the obstacles placed in its way, it passed the House May 10—more than a month before the last of the same bills passed the House this year. The only difference was that the Senate, unable to get in many increases, as they did this year, delayed consideration of the bill until August. Had the Senate acted as promptly that year as this year, we would have made a record indeed. So, reluctantly, it must be conceded that the credit is due the Senate rather than the House.

Notwithstanding the assurances of every congressional and administration leader, the budget has not been balanced and there is no indication that it can be balanced in the remaining 2 years of this administration.

And for every deficit expenditure there is a corresponding increase in the national debt. This administration was swept into office on a platform promising

UNIVERSITY OF MICHIGAN LIBRARIES

an end to deficit spending and a reduction in the national debt. The only attention it has given the subject is to continue deficit financing and to increase the public debt until it was necessary to enact a bill raising the statutory limit on the debt from $275 billion to $290 billion. As a result the purchasing power of the dollar has dropped, the cost of living has increased, the value of Government bonds has deteriorated, and the United States Government is that much further along the road to bankruptcy. No more deplorable record has ever been made in the fiscal history of the country.

On March 18 last, I made some remarks in the House on the measure pending at the time to revise the internal-revenue laws of the United States, a revenue-reducing measure. These remarks appropriately apply here and I wish to voice them again. I said:

Mr. Chairman, I am in favor of tax reduction. I think there can be no Member of the Congress on this floor or on the floor of the other body, who has been or is today more emphatic and insistent in his advocacy of approximate tax reduction.

Both political parties, in their platforms, and every Member of the House and Senate, collectively and individually are committed to tax reduction; have pledged themselves directly or indirectly, to their various constituencies to retrench expenditures, to balance the budget, to lower the national debt and to reduce taxes, especially to reduce taxes.

Notwithstanding these assurances we have not balanced the budget. We are every day consistently spending more than we take in. The national debt is growing steadily, and we are now asked to raise the statutory ceiling on the debt so that we may increase it instead of decreasing it.

Mr. Chairman, I am in favor of lower taxes, not only because we have promised it but because it is imperative if we are to avoid financial and economic castrophe.

But for everything under Heaven there is an appointed season and an appropriate time. "There is a time to weep and a time to laugh. There is a time to mourn and a time to dance." There is a time to levy taxes and a time to reduce taxes.

And this is not the appointed or appropriate time to reduce taxes.

Never before in the history of the Republic, since Hamilton took office as the first Secretary of the Treasury, have our national finances been in such desperate straits. And the situation grows daily progressively worse.

I daresay a majority of the Members of the Congress are on the boards of directors of hometown banks. There are Members of the Congress who are serving today on the boards of directors of some of the greatest banks in the United States. There are many more Members who like myself are on the boards of various small country banks of such limited capacity and resources as to require minute scrutiny of every application for credits and discounts. But there is not a Member here serving on the board of any bank, large or small, who, if the United States were a corporation or an individual, applying for a loan of $5 or $5 billion, would not immediately upon the submission of its statement of financial worth, demand that the applicant immediately come in and start payment on its obligations and promptly and drastically curtail its overdrafts of deficit spending.

And that is what we should do here today. We should provide irrevocably—in this bill or in the next germane bill enacted—that the first $5 billion paid into the Treasury of the United States each fiscal year should be applied as a payment on the national debt. That should be the minimum. Even at that pitiful rate of payment it would require 55 years to liquidate the debt. It would be the year of our Lord 2009 before the last of the bondholders were paid in full. And unless some steps are taken—and taken soon—the bondholders will eventually find themselves with these beautifully engraved certificates fit only to be used as wallpaper along with similar certificates issued by fly-by-night gold-mine promoters and duster oil stocks.

Mr. Chairman, these are times of peace, such as we had from the close of the Second World War in 1945. Let us look at the record of those years. In 1946 we took in $45 million more than we paid out. In 1947 we took in $5 billion more than we paid out. In 1948 we took in $6 billion more than we paid out. In 1950 we took in $450 million more than we paid out, and in 1951 we took in over a billion dollars more than we paid out. But today, with no all-out war, and with the highest national income and highest Federal revenues in history we are spending vastly more money than we take in.

Notwithstanding all our pledges to balance the budget, we are not balancing the budget and there is no prospect that we will balance even next year's budget. At the close of the World War in 1945, the national debt stood in round figures at $279 billion. We steadily reduced that debt until at the close of 1952 it had dropped to approximately $267 billion. Today they are clamoring to raise the legal debt ceiling of $275 billion. Instead of retrenching expenditure and balancing the budget and reducing the national debt they propose further deficit spending, and an increase in the national debt, and a corresponding reduction in the buying power of the dollar.

Now, Mr. Chairman, I want to ask a very serious question, and the country is entitled to an honest answer. If, with the revenue coming in from all these taxes, we can't pay expenses and balance the budget and hold the national debt down to where it is now, how can we hope to pay expenses and hold down the national debt and keep the dollar at its present value, when we cancel these taxes, and all this revenue we have derived from these taxes stops coming in? That is the one question before the Congress and the country today.

And twisting statements of facts will not help the situation. It was astonishing to hear on the floor recently—after repeated and complete disproval in former sessions—the claim that the 80th Congress balanced the budget. Nothing could be further from the facts. We went in the red in the Hoover administration. We took over the Government in 1933 still in the red. We turned it back in 1948 in the black. The budget was not balanced by the 80th Congress. If anyone has any apprehension of misgivings on that score they have but to turn to table 5, on page A10, of the budget submitted in 1948. It is there in black and white.

But, Mr. Chairman, this is not a simple matter of political or partisan issues. It is a matter fraught with the most serious consequences. We are engaged today in a cold war of extermination. It is a battle for survival. It is nonetheless awesome because it is an economic war. Because if we lose the economic war, we have lost the military war. Stalin sat by waiting for us to spend ourselves into bankruptcy and then expected to take us over without a blow. This bill, reducing the national revenues, accelerates our rate of speed on the downgrade to the very situation for which he was waiting.

This bill is a bill to reduce national revenues, a bill to defer indefinitely hope of balancing the budget, a bill to increase the national debt, a bill to further decrease the purchasing power of the dollar, a bill to forfeit the confidence of the investing public.

Mr. Chairman, let me appeal to sound business commonsense. Let us refuse to spend more money than we take in. Let us retain sufficient taxes to pay our way. Let us insist on the adoption of some orderly method of servicing the national debt that will bring our bonds back to par. While we continue to negotiate with every form of foreign banditry, let us pay our debts and keep our powder dry.

The SPEAKER. The time of the gentleman from Missouri has expired.

RECESS

The SPEAKER. The Chair declares a recess until 2:30 p. m.

(Thereupon (at 12 o'clock and 54 minutes p. m.) the House stood in recess until 2:30 p. m.)

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 o'clock and 30 minutes p. m.

STUDY OF TRANSPORTATION PROBLEMS IN THE WASHINGTON METROPOLITAN AREA

Mr. BROYHILL. Mr. Speaker, I call up the conference report on the bill (H. R. 2236) for the establishment of a Commission on Area Problems of the Greater Washington Metropolitan Area, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. SMITH of Virginia. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman from Virginia what effect, if any, does this have on the transportation facilities on the Virginia side of the river?

Mr. BROYHILL. It has absolutely none.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2584)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2236) for the establishment of a Commission on Area Problems of the Greater Washington Metropolitan Area, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, and 44, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be in-

serted by the Senate amendment insert the following:

"TITLE I—REGULATION OF TRANSPORTATION

"Short title

"SECTION 1. This title may be cited as the 'Washington Metropolitan Area Transit Act'.

"Necessity for legislation

"SEC. 2. The Congress hereby finds (1) that the vast majority of the passengers carried in the Washington metropolitan area are transported within the District of Columbia or in interstate commerce; and (2) that the furnishing of an efficient and economical passenger transit system which will meet the needs of the inhabitants of the said area and of the Federal agencies located therein requires that transit facilities within the area be regulated by a single agency without regard for State lines, because (a) interstate and intrastate operations are intertwined both economically and in actual operation; (b) it is necessary that interstate and intrastate operations each contribute their share of the carriers' revenues, and no more; (c) to allow separate regulation of particular intrastate operations would be impracticable and may lead to discrimination against interstate commerce; and (d) intrastate operations within the area which compete with regulated interstate operations are likely to lessen the effectiveness of regulation of the latter.

"Definitions

"SEC. 3. As used in this title—

"(a) The term 'metropolitan area' means the District of Columbia and the counties of Montgomery and Prince Georges in the State of Maryland.

"(b) The term 'transportation subject to this title' means transportation of persons, by a common carrier for hire, either over a regular route or routes or by taxicab, from any point in the metropolitan area to any other point in such area, except—

"(1) such transportation performed by a common carrier by railroad subject to part I of the Interstate Commerce Act, as amended;

"(2) such transportation performed in the course of an operation over a route the major portion of which is outside of the metropolitan area;

"(3) such transportation performed by a person which engages therein solely within the State of Maryland and which proves to the Commission that it does not, in the course of performing any such transportation, transport any passengers traveling to or from the District of Columbia; and

"(4) such transportation performed solely for sightseeing purposes.

"(c) The term 'metropolitan-area carrier' means any person engaged as a common carrier for hire in transportation subject to this title.

"(d) The term 'person' means any individual, firm, copartnership, corporation, company, association, or joint-stock association; and includes any trustee, receiver, assignee, or personal representative thereof.

"(e) The terms 'interstate commerce' and 'interstate operations' include commerce and operations between the State of Maryland and the District of Columbia.

"Washington Metropolitan Area Transit Commission

"SEC. 4. (a) There is hereby established in the executive branch of the Government an independent agency to be known as the Washington Metropolitan Area Transit Commission (hereinafter referred to as the 'Commission'). The Commission shall be composed of three Commissioners appointed by the President of the United States by and with the advice and consent of the Senate. For at least 2 years immediately prior to taking office, one of the Commissioners shall have been a resident of the District of Columbia and one shall have been a resident of that part of Maryland which is in the metropolitan area. Not more than two of the Commissioners shall be members of the same political party. Each Comissioner shall be appointed for a term of six years, except that the Commissioners first appointed shall be appointed one for a term of two years, one for a term of four years, and one for a term of six years, and whenever a vacancy shall occur, other than by expiration of term, the person appointed to fill such vacancy shall hold office for the unexpired portion of the term of his predecessor. Each Commissioner shall receive a salary at the rate of $15,000 per annum.

"(b) Any Commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office, and shall not engage in any other business, vocation, or employment. No person in the employ of or holding any official relation to any metropolitan-area carrier, or owning stocks or bonds thereof, or who is in any manner pecuniarily interested therein, shall enter upon the duties of or hold such office. No vacancy in the Commission shall impair the right of the remaining Commissioners to exercise all the powers of the Commission. Upon the expiration of his term of office a Commissioner shall continue to serve until his successor is appointed and shall have qualified.

"(c) The Commission shall have a chairman who shall be selected annually by the Commission from among its members, and may serve in such capacity for more than one term if reselected by the Commission. Such chairman shall be vested with responsibility for administrative functions, efficiency, and staff supervision of the Commission, and shall assign, and reassign for expedition, matters for hearings, and for reports, all to the end that public interest may be promptly and adequately served.

"Certificates of public convenience and necessity

"SEC. 5. (a) Except as provided in subsection (b), no person shall engage in transportation subject to this title unless there is in force a certificate of public convenience and necessity issued by the Commission authorizing such person to engage in such transportation.

"(b) Any person which, immediately prior to the date this section takes effect, was lawfully engaged in any transportation which, by section 3 (b), is defined as transportation subject to this title, shall be under the duty to continue to furnish the transportation in which it was so engaged until a certificate is issued to such person in accordance with this subsection. The Commission, at the earliest practicable time after this section takes effect, shall issue to such person a certificate authorizing such person to engage in the transportation in which it was so engaged. The Commission may require persons referred to in this subsection to furnish to the Commission such information as may be necessary for the purpose of carrying out the provisions of this subsection.

"(c) Where an application is made under this section for a certificate and subsection (b) does not apply, the Commission shall issue a certificate authorizing the whole or any part of the transportation covered by the application if it finds that the applicant is fit, willing, and able to perform such transportation properly, and to conform to the provisions of this title and the rules, regulations, and requirements of the Commission thereunder, and that such transportation is required by the public convenience and necessity; otherwise such application shall be denied. The Commission shall act upon applications under this subsection as speedily as possible, after affording interested persons a reasonable opportunity for hearing. Application for a certificate under this section shall be made in writing to the Commission and shall be so verified, shall be in such form, and shall contain such information, as the Commission by regulations shall require.

"(d) Each certificate issued under this section shall specify the routes over which the carrier is authorized to engage in transportation subject to this title and the service to be rendered.

"(e) The Commission, upon petition or complaint or upon its own initiative, after affording a reasonable opportunity for hearing to interested persons, may by order amend any certificate issued under this section if the public convenience and necessity so require.

"(f) No certificate issued under this section may be transferred unless such transfer is approved by the Commission as being consistent with the public interest.

"General duties of metropolitan-area carriers

"SEC. 6. It shall be the duty of every metropolitan-area carrier to furnish transportation subject to this title as authorized by its certificate and to establish reasonable through routes with other metropolitan-area carriers; to provide reasonably safe and adequate service, equipment, and facilities in connection with such transportation; to establish, observe, and enforce just and reasonable individual and joint fares, and just and reasonable regulations and practices relating thereto; and, in case of joint fares, to establish just, reasonable, and equitable divisions thereof as between the carriers participating therein which shall not unduly prefer or prejudice any of such carriers.

"Schedule of fares, regulations, and practices

"SEC. 7. (a) Each metropolitan-area carrier shall file with the Commission, and print, and keep open to public inspection, schedules showing (1) all fares it charges for transportation subject to this title, including any joint fares established for through routes over which it performs transportation subject to this title in conjunction with another metropolitan-area carrier, and (2) to the extent required by regulations of the Commission, the regulations and practices of such carrier affecting such fares. Such schedules shall be filed, posted, and published in such form and manner, and shall contain such information, as the Commission by regulations shall prescribe. The Commission may reject any schedule so filed which is not consistent with this section and such regulations. Any schedule so rejected shall be void.

"(b) Each metropolitan-area carrier which, immediately prior to the effective date of this section, was engaged in transportation which, by section 3 (b), is defined as transportation subject to this title, shall file a schedule in compliance with subsection (a) within thirty days after such date. The fares shown in such schedule shall be the fares which such carrier was authorized to charge, immediately prior to such date, under the law under which it was then regulated, and the regulations and practices affecting such fares which shall be shown in such schedule shall be such of the regulations and practices, then in effect under such law, as the Commission shall by regulations require.

"(c) Any metropolitan-area carrier which desires to change any fare specified in a schedule filed by it under this section, or any regulation or practice, specified in any such schedule, affecting such a fare, may file a schedule in compliance with this section, showing the change proposed to be made.

"(d) Each schedule filed under this section shall state a date on which the schedule shall take effect. Except in the case of a schedule filed under subsection (b), the date

UNIVERSITY OF MICHIGAN LIBRARIES

so stated shall be at least thirty days after the date on which the schedule is filed. Except for any fare, regulation, or practice shown therein which is suspended by the Commission in accordance with section 8 (c), the schedule shall take effect on the date so stated, unless the Commission by order authorizes its taking effect on an earlier date.

"(e) No metropolitan-area carrier shall charge, for any transportation subject to this title, any fare other than the applicable fare specified in a schedule filed by it under this section and in effect at the time. During the period before a schedule filed by it under this section has become effective, no carrier referred to in subsection (b) shall charge, for any transportation subject to this title, any fare other than the fare which it was authorized to charge for such transportation immediately prior to the effective date of this section, under the law under which it was then regulated.

"(f) Every metropolitan-area carrier shall keep currently on file with the Commission, if the Commission so requires, the established divisions of all joint fares for transportation subject to this title in which such carrier participates.

"Power to prescribe fares, regulations, and practices

"SEC. 8. (a) (1) The Commission, upon complaint or upon its own initiative, may suspend any fare, regulation, or practice shown in a schedule filed with it under section 7 (except a schedule to which section 7 (b) applies), at any time before such fare, regulation, or practice would otherwise take effect. Such suspension shall be accomplished by filing with the schedule, and delivering to the carrier or carriers affected thereby, a statement in writing of the reasons for such suspension. The period of suspension shall terminate ninety days after the date on which the fare, regulation, or practice involved was suspended, unless the Commission extends such period as provided in paragraph (2).

"(2) If, after affording to interested persons reasonable opportunity for hearing, the Commission finds that any fare, regulation, or practice so suspended is unjust or unreasonable, it shall issue an order prescribing the lawful fare, regulation, or practice to be in effect. The fare, regulation, or practice so prescribed shall take effect on the date specified in such order. If such an order has not been issued within the ninety-day suspension period provided for in paragraph (1), the Commission may from time to time extend such period, but in any event the suspension period shall terminate no later than one hundred and eighty days after the date the fare, regulation, or practice involved was suspended. If no such order is issued within the suspension period (including any extension thereof), the fare, regulation, or practice involved shall take effect at the termination of such period.

"(b) Whenever, upon complaint, or upon its own initiative, and after affording to interested persons reasonable opportunity for hearing, the Commission finds that any individual or joint fare in effect for transportation subject to this title, or any regulation or practice affecting such fare, is unjust or unreasonable, the Commission shall issue an order prescribing the lawful fare, regulation, or practice thereafter to be in effect.

"Powers as to through routes and joint fares

"SEC. 9. (a) Whenever, upon complaint or upon its own initiative, and after affording to interested persons reasonable opportunity for hearing, the Commission is of the opinion that the divisions of any joint fare for transportation subject to this title are or will be unjust, unreasonable, inequitable, or unduly preferential or prejudicial as between the participating carriers, the Commission shall prescribe the just, reasonable, and equitable divisions thereof to be received by the participating carriers. The Commission may require the adjustment of divisions between such carriers from the date of filing the complaint or entry of the order of investigation, or such other date subsequent thereto as the Commission finds to be just, reasonable, and equitable.

"(b) Whenever required by the public convenience and necessity, the Commission, upon complaint or upon its own initiative, and after affording to interested persons reasonable opportunity for hearing, shall establish through routes and joint fares for transportation subject to this title, or the regulations or practices affecting such fares, and the terms and conditions under which such through routes shall be operated.

"Changes in routes and services

"SEC. 10. (a) The Commission, by order, may require any metropolitan-area carrier to extend any route, to establish a new route, or to make any other addition to service, for the furnishing of transportation subject to this title if, upon complaint or upon its own initiative, and after affording to interested persons reasonable opportunity for hearing, it finds that such extension of route, new route, or addition to service is required by the public convenience and necessity.

"(b) No metropolitan-area carrier shall abandon any route or discontinue any service specified in a certificate issued to such carrier under section 5, unless such carrier is authorized to do so by an order issued by the Commission. The Commission shall issue such an order if, upon application by such carrier, and after affording interested persons reasonable opportunity for hearing, it finds that the abandonment of such route or the discontinuance of such service is consistent with the public interest. The Commission, by regulations or otherwise, may authorize such temporary suspensions of routes or services as may be consistent with the public interest. The fact that a carrier is operating a route or furnishing a service at a loss, or is not realizing a reasonable profit from such route or service, shall not, of itself, determine the question of whether abandonment of the route or discontinuance of the service is consistent with the public interest, so long as the carrier is realizing a reasonable profit on its operations as a whole in performing transportation subject to this title.

"Exclusive jurisdiction over routes and operations

"SEC. 11. (a) With respect to transportation subject to this title, the Commission shall have the sole power to regulate the equipment of all metropolitan-area carriers, and in the case of such carriers operating over a regular route or routes, to prescribe the routes over which they shall operate, to regulate their operating schedules and their loading and unloading, and to locate their stops, platforms, and loading and unloading zones, and to require the appropriate marking thereof. The Commission shall have the sole power to establish taxicab stands on public space in the metropolitan area.

"(b) No order, rule, or regulation shall be made by the Commission under subsection (a) of this section without prior consultation on the matter with the appropriate officials of any State, county, or municipality to be directly affected thereby.

"Security for the protection of the public

"SEC. 12. No certificate of public convenience and necessity shall be issued under section 5, and no certificate issued under such section shall remain in force, unless the person applying for or holding such certificate complies with such reasonable regulations as the Commission shall prescribe governing the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer or other securities or agreements, in such reasonable amount as the Commission may require, conditioned to pay, within the amount of such surety bonds, policies of insurance, qualifications as a self-insurer or other securities or agreements, any final judgment recovered against such motor carrier for bodily injuries to or the death of any person, or for loss or damage to property of others, resulting from the operation, maintenance, or use of motor vehicles, streetcars, or other equipment or facilities utilized in furnishing transportation subject to this title.

"Accidents reports and investigations

"SEC. 13. Whenever there occurs in the metropolitan area, either on the property of any metropolitan-area carrier or directly or indirectly arising from or connected with the maintenance or operation of equipment or facilities used by such carrier in the performance of transportation service to which this title applies, any accident attended with loss of human life or personal injury without loss of life, it shall be the duty of such carrier to give immediate notice of such accident to the Commission. Thereupon the Commission, if in its opinion the public interest will be served thereby, shall cause an investigation to be made of the accident.

"Accounts, records, and reports; depreciation

"SEC. 14. (a) The Commission may require annual or other periodic reports, and special reports, from any metropolitan-area carrier; prescribe the manner and form in which such reports shall be made; and require from any such carrier specific answers to all questions upon which the Commission deems information to be necessary. Such reports shall be under oath whenever the Commission so requires.

"(b) Each metropolitan-area carrier shall keep such accounts, records, and memoranda with respect to activities in which it is engaged (whether or not such activities constitute transportation subject to this title), including accounts, records, and memoranda of the movement of traffic, as well as of the receipts and expenditures of money, as the Commission by regulation prescribes. The Commission shall by regulation prescribe the form of such accounts, records, and memoranda, and the length of time they shall be preserved. No such carrier may keep any additional accounts, records, or memoranda which impair the integrity of those prescribed or approved by the Commission or constitute a financial burden on the carrier.

"(c) The Commission shall prescribe regulations requiring metropolitan-area carriers to maintain appropriate reserves against depreciation. The Commission shall prescribe the classes of property for which depreciation charges may properly be included under operating expenses and the rate of depreciation which shall be charged with respect to each of such classes of property, and may classify the carriers as it may deem proper for this purpose. The Commission may, when it deems necessary, modify the classes and rates so prescribed. Metropolitan-area carriers shall not charge to operating expenses any depreciation charges on classes of property other than those prescribed by the Commission, or charge with respect to any class of property a rate of depreciation other than that prescribed therefor by the Commission, and no metropolitan-area carrier shall include under operating expenses any depreciation charge other than as prescribed by the Commission.

"(d) At all times the Commission and each of its members shall have access to all lands, buildings, and equipment of all metropolitan-area carriers, and to all accounts, records, and memoranda kept by such carriers. When authorized by the Commission to do so, any employee of the Commission may inspect any such land, buildings, equipment, accounts, records, and memoranda. This section shall apply, to the

extent found by the Commission to be reasonably necessary for the administration of this title, to any person controlling, controlled by, or under common control with, any metropolitan-area carrier.

"(e) Every metropolitan-area carrier shall have an office within the metropolitan area and, except as provided in subsection (f) of this section, shall keep in such office all accounts, records, and memoranda which the Commission shall require to be kept there. Such accounts, records, and memoranda shall not be removed from the metropolitan area except under such conditions as the Commission shall prescribe.

"(f) Any metropolitan-area carrier which operates both inside and outside of the metropolitan area and which has its principal office outside of the metropolitan area, may keep all of its accounts, records, and memoranda at such principal office but shall produce such accounts, records, and memoranda before the Commission whenever the Commission shall so direct.

"(g) Nothing in this title shall impair any authority of the Interstate Commerce Commission, the Public Utilities Commission of the District of Columbia, or the Public Service Commission of Maryland to exercise, with respect to any metropolitan-area carrier, powers similar to those granted to the Washington Metropolitan Area Transit Commission by this section, where the exercise of such powers is necessary or appropriate to enable such Commission to regulate any matter which the Washington Metropolitan Area Transit Commission is not authorized to regulate.

"(h) The Commission may by regulation, order, or otherwise, to the extent deemed by it to be consistent with the public interest, exempt from the operation of subsections (c) and (e) of this section any carrier by taxicab which, if required to comply therewith, would be subjected to an undue financial burden because of the small scale of its operations.

"Issuance of securities

"SEC. 15. (a) As used in this section the term 'securities' means stocks; stock certificates; or bonds, mortgages, or other evidences of indebtedness payable in more than one year from date of issuance.

"(b) Subject to subsection (g) of this section, no metropolitan-area carrier shall issue any securities, or directly or indirectly receive any money, property, or services in payment of securities issued or to be issued by it, until the Commission, by order, shall have approved the issuance of such securities.

"(c) Upon application made to it by any such carrier for approval of the issuance of securities, the Commission, after affording reasonable opportunity for hearing to interested parties, shall by order approve or disapprove the issuance of such securities. The Commission shall give its approval if it finds that the proposed issuance of securities is in the public interest.

"(d) Any such order of the Commission approving the issuance of securities shall specify the purposes for which the proceeds from the sale or other disposition thereof are to be used and the terms and conditions under which such securities shall be issued and disposed of. It shall be unlawful for the applicant to apply such proceeds, or to issue or dispose of such securities, in any manner other than as specified by the Commission in its order.

"(e) Any securities issued in violation of this section shall be void.

"(f) Nothing in this title shall impair any authority of the Interstate Commerce Commission or the Public Service Commission of Maryland to regulate the issuance of securities by any metropolitan-area carrier which does not operate exclusively in such area.

"(g) The Commission may by regulation, order, or otherwise, to the extent deemed by it to be consistent with the public interest, exempt from the operation of this section any metropolitan-area carrier which does not operate exclusively in such area and which, before issuing securities, must obtain the approval of the Interstate Commerce Commission or the Public Service Commission of Maryland.

"(h) Any metropolitan-area carrier or any agent, director, or officer thereof, who shall directly or indirectly issue, or cause to be issued, any securities contrary to the provisions of this section, or who shall apply the proceeds from the sale or other disposition of securities for any purpose not authorized by the order of the Commission approving the issuance of such securities, shall forfeit and pay into the Treasury of the United States a sum not less than $1,000 nor more than $10,000 for each offense.

"(i) Whoever, being an officer, agent, or employee of a metropolitan-area carrier, issues or negotiates any securities of such carrier, or causes such securities to be negotiated, knowing that in violation of section 1001 of title 18 of the United States Code any person has falsified, concealed, or covered up a material fact, or has made any false, fictitious, or fraudulent statement or representation, or has made or used any false writing or document, in connection with any application made under this section with respect to such securities, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

"Consolidations, mergers, and acquisitions of control

"SEC. 16. (a) It shall be unlawful, without approval of the Commission in accordance with this section—

"(1) for two or more metropolitan-area carriers, each of which operates exclusively in that area, to consolidate or merge their properties or franchises, or any part thereof, into one person for the ownership, management, or operation of properties theretofore under separate ownership, management, or operation; or

"(2) for any metropolitan-area carrier which operates exclusively in such area or any person controlling, controlled by, or under common control with, such a carrier (.) to purchase, lease, or contract to operate the properties, or any substantial part thereof, of any metropolitan-area carrier which operates exclusively in such area, or (ii) to acquire control, through ownership of its stock or otherwise, of any metropolitan-area carrier which operates exclusively in such area.

"(b) Any person seeking approval of any transaction to which subsection (a) applies shall make application to the Commission in accordance with such regulations as the Commission shall prescribe. If, after affording interested persons a reasonable opportunity for hearing, the Commission finds that, subject to such terms, conditions, and modifications as it shall find to be just and reasonable, the proposed transaction is consistent with the public interest, it shall enter an order approving and authorizing such transaction upon the terms and conditions, and with the modifications, so found to be just and reasonable.

"(c) It shall be unlawful to continue to maintain or exercise any ownership, management, operation or control accomplished or effectuated in violation of subsection (a) of this section.

"(d) Persons participating in any transaction approved by the Commission under this section are hereby relieved from the operation of all restraints, limitations, and prohibitions of law, Federal or State, insofar as may be necessary to enable them to carry into effect the transaction so approved in accordance with the terms and conditions, if any, imposed by the Commission.

"Administrative provisions

"SEC. 17. (a) The Commission may make and amend such general or special rules and regulations, and issue such orders, as may be necessary to carry out the provisions of this title.

"(b) The Commission may appoint and fix the compensation of such officers and employees, and make such expenditures, as may be necessary to carry out the provisions of this title.

"(c) In the conduct of any hearings or investigations authorized by this title, the Commission, any of its members, or any duly designated examiner shall have the same powers to take evidence, issue subpenas, take depositions, and compel testimony as are vested in members of the Civil Aeronautics Board and its duly designated examiners by section 1004 of the Civil Aeronautics Act of 1938 (49 U. S. C., sec. 644). Actions of the Commission, its members, or its examiners in such cases shall be governed by the procedures specified in such section, and be enforced in the manner provided therein.

"(d) The Commission, with the consent of any department or agency of the Government, may avail itself of the use of information, service, facilities, officers, and employees thereof in carrying out the provisions of this title.

"Power to require compliance with title

"SEC. 18. (a) Any person may file with the Commission a complaint in writing with respect to anything done or omitted to be done by any person in contravention of any provision of this title, or of any requirement established pursuant thereto. If the person complained against shall not satisfy the complaint and there shall appear to be any reasonable grounds for an investigation, the Commission shall investigate the matters complained of. Whenever the Commission is of the opinion that any complaint does not state facts which warrant action on its part, it may dismiss the complaint without hearing. At least ten days before the date it sets a time and place for a hearing on a complaint, the Commission shall notify the person complained of that the complaint has been made.

"(b) The Commission may institute an investigation at any time, on its own initiative, in any case and as to any matter concerning which complaint is authorized to be made to or before the Commission by any provision of this title, or concerning which any question may arise under any of the provisions of this title, or relating to the enforcement of any of the provisions of this title. The Commission shall have the same power to proceed with any investigation instituted on its own motion as though it had been appealed to by complaint.

"(c) If, after affording to interested persons reasonable opportunity for hearing, the Commission finds in any investigation instituted upon complaint or upon its own initiative, that any person has failed to comply with any provision of this title or any requirement established pursuant thereto, the Commission shall issue an appropriate order to compel such person to comply therewith.

"Reconsideration of orders

"SEC. 19. Any person affected by any final order or decision of the Commission may, within thirty days after the publication thereof, file with the Commission an application in writing requesting a reconsideration of the matters involved, and stating specifically the errors claimed as grounds for such reconsideration. No person shall in any court urge or rely on any ground not so set forth in such application. The Commission, within thirty days after the filing of such application, shall either grant or deny it. Failure by the Commission to act upon such application within such period shall be deemed a denial thereof. If such

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application is granted, the Commission, after giving notice thereof to all interested persons, shall, either with or without hearing, rescind, modify, or affirm its order or decision. The filing of such an application shall act as a stay upon the execution of the order or decision of the Commission until the final action of the Commission upon the application, except that upon written consent of the applicant such order or decision shall not be stayed unless otherwise ordered by the Commission. No appeal shall lie from any order of the Commission until an application for reconsideration has been made and determined.

"Judicial review

"SEC. 20. Notwithstanding section 25 (a) of this title, paragraphs 65 to 69a, inclusive, of section 8 of the Act of March 4, 1913 (37 Stat. 989, ch. 150), as amended (D. C. Code, sections 43–705 to 43–710, inclusive), which provide for judicial review of orders and decisions of the Public Utilities Commission of the District of Columbia, shall apply in the same manner and to the same extent with respect to orders and decisions of the Washington Metropolitan Area Transit Commission.

"Judicial enforcement

"SEC. 21. (a) If any person violates any provision of this title, or of any regulation, order, or certificate issued thereunder, the Commission or, in the case of a violation of section 5 (a), any party in interest, may apply to the United States district court for any district in which such person resides or carries on business or in which the violation occurred for an order enjoining such violation or enforcing compliance with such provision. Such court shall have jurisdiction, by injunction or other process, mandatory or otherwise, to restrain such person, his officers, agents, employees, and representatives from further violation of such provision, and to enjoin upon them obedience thereto.

"(b) Upon the request of the Commission, any United States attorney shall institute in the proper court and prosecute under the direction of the Attorney General any necessary proceeding for the enforcement of any provision of this title, or of any regulation, order, or certificate issued thereunder, or for the punishment of any violation of any such provision. The costs and expenses of such prosecutions shall be paid out of the appropriations for the expenses of the courts of the United States.

"Expenses of investigations, valuations, and other proceedings

"SEC. 22. (a) All expenses of any investigation, valuation, or other proceeding of any nature, conducted by the Commission, of or concerning any metropolitan-area carrier, and all expenses of any litigation, including appeals, arising from any such investigation, valuation, or other proceeding, shall be borne by such carrier. Such expenses, with interest at 6 per centum per annum, may be charged to operating expenses and amortized over such period as the Commission shall deem proper and be allowed for in the rates to be charged by such carrier. When any such investigation, valuation, or other proceeding has been initiated it shall be the duty of the carrier to pay to the Commission, from time to time, such reasonable sum or sums as, in the opinion of the Commission, are necessary to cover the expenses which by this section are required to be borne by such carrier. The money so paid by the carrier shall be deposited in the Treasury of the United States in the name and to the credit of the Commission, and may be disbursed by the Commission for the purpose of defraying expenses of the investigation, valuation, proceeding, or litigation in question. Any unexpended balance of the sum or sums so paid by such carrier remaining after the payment of such expenses shall be returned to such carrier.

"(b) The amount expended by the Commission in any calendar year in all investigations, valuations, or other proceedings of or concerning any one metropolitan-area carrier shall not exceed—

"(1) one-tenth of one per centum of the gross operating revenues of such carrier, derived from transportation subject to this title, for its last preceding fiscal year; or

"(2) in the case of a carrier which was not engaged in such transportation during the whole of its last preceding fiscal year, one-tenth of one per centum of the average gross operating revenues, derived from transportation subject to this title, of all other metropolitan-area carriers (exclusive of carriers to which this subparagraph (2) applies) for their last preceding fiscal years.

"(c) For the purposes of subsections (a) and (b) of this section—

"(1) The term 'metropolitan-area carrier' includes, in addition to any person to which section 3 (c) of this title applies, any person which makes application under section 5 for a certificate of public convenience and necessity; except that such term does not include any carrier by taxicab, or any applicant for such a certificate to engage in transportation by taxicab.

"(2) The term 'transportation subject to this title' means any transportation which, by section 3 (b) of this title, is defined as transportation subject to this title, whether such transportation was engaged in before or after the date of the enactment of this title.

"(d) The unobligated balance on the date this section takes effect, of any sum which was paid as a special franchise tax under paragraph 42 of section 8 of the Act of March 4, 1913 (37 Stat. 974, ch. 150), as amended (D. C. Code, sec. 43–412), by any carrier which by section 3 (c) of this title is defined as a metropolitan-area carrier, shall be returned to such carrier.

"Penalty for violations

"SEC. 23. Whoever knowingly and willfully commits any violation of any provision of this title or any order, rule, or regulation issued under this title or any term, condition, or limitation of any certificate issued under this title, for which no penalty (other than a forfeiture) is otherwise provided by this title, shall be fined not more than $5,000. For the purpose of this section, the act, omission, or failure to act, of any officer, agent, or employee of a metropolitan-area carrier, acting within the scope of his employment, shall be deemed the act of such carrier.

"Continuing violations

"SEC. 24. Every day during which any person shall fail knowingly or willfully to comply with any order or direction of the Commission, or to perform any duty enjoined by this title, shall constitute a separate and distinct violation of such order, direction, or duty.

"Applicability of other laws

"SEC. 25. (a) Section 8 of the Act of March 4, 1913 (37 Stat. 974 ch. 150), as amended (D. C. Code, title 43), shall not apply with respect to metropolitan-area carriers, except that—

"(1) the application of the following provisions of such section shall not be affected by this title: Paragraph 3 (D. C. Code, sec. 43–302), which relates to the use, by public utilities, of equipment belonging to other utilities doing business in the District of Columbia, paragraph 75 (D. C. Code, sec. 43–804), which prohibits public utilities from issuing certain types of dividends, and paragraph 100 (D. C. Code, sec. 43–1004), which relates to the number of directors of public utilities.

"(2) the application of the following provisions of such section shall not be affected by any provision of this title other than section 16 (d): Paragraph 54 (D. C. Code, sec. 43–501), which relates to assignments of franchises, and acquisitions of stocks and bonds, of public utilities, and paragraph 76 (D. C. Code, sec. 43–805), which relates to reorganizations and consolidations by public utilities;

"(3) paragraph 77 of such section (D. C. Code, sec. 43–806), which relates to the manner in which public utilities may apply the proceeds of securities issued by them, shall apply in the case of securities with respect to which certificates were issued under such paragraph prior to the effective date of this section;

"(4) provisions of such section which relate to the administration and enforcement of the provisions referred to in paragraphs (1) (2), and (3) of this subsection, and to judicial review of orders and decisions made in the course of such administration and enforcement, shall continue to apply to the extent necessary to carry out this subsection; and

"(5) the application of such section with respect to services performed by any metropolitan-area carrier which do not constitute transportation subject to this title shall not be affected by this title.

"(b) The Public Utilities Commission of the District of Columbia may not exercise, with respect to any metropolitan-area carrier, any regulatory authority vested in such Commission by the joint resolution entitled 'Joint resolution to authorize the merger of street-railway corporations operating in the District of Columbia, and for other purposes', approved January 14, 1933 (47 Stat. 752), as amended.

"(c) The vehicles of the metropolitan-area carriers shall not be subject to regulations made by the Public Utilities Commission of the District of Columbia under the provision of law codified as the third sentence of section 47–2331 (d) of the Code of the District of Columbia.

"(d) Nothing in this title shall affect the applicability of the Act of February 25, 1931 (46 Stat. 1419, ch. 302; D. C. Code, sec. 44–214), or paragraph nineteenth of the unification agreement set forth in the joint resolution entitled 'Joint Resolution to authorize the merger of street-railway corporations operating in the District of Columbia', approved January 14, 1933 (47 Stat. 759, D. C. Code, sec. 44–214 note), which relate to the transportation of school children in the District of Columbia at reduced fares, except that the functions thereby imposed upon the Public Utilities Commission of the District of Columbia shall be exercised hereafter by the Washington Metropolitan Area Transit Commission. Nothing in this title shall affect the applicability of the provision of law codified as section 44–213 of the Code of the District of Columbia, which relates to the transportation in the District of Columbia, free of charge, of policemen and firemen.

"(e) The following provisions of law are hereby repealed: Section 4 of the Act of January 4, 1933 (47 Stat. 760, D. C. Code sec. 44–201), which relates to the issuance of certificates of public convenience and necessity by the Public Utilities Commission of the District of Columbia; and section 16 of the Act of May 23, 1908 (35 Stat. 250, D. C. Code, sec. 44–202), which relates to equipment and services to be furnished by street railways.

"(f) The Interstate Commerce Act, the laws of the District of Columbia other than those provisions of such laws which are referred to in subsections (a), (b), (c), and (d) of this section, and the laws of Maryland, shall be inapplicable to metropolitan-area carriers and to transportation subject to this title to the extent that such laws are inconsistent with, or are in duplication of, any provision of this title or any rule, regulation, or order lawfully prescribed or issued under this title.

"Existing rules, regulations, orders, and decisions

"SEC. 26. Notwithstanding any provision of section 25, all rules, regulations, orders, decisions, or other action prescribed, issued, made, or taken by the Interstate Commerce Commission, the Public Utilities Commission of the District of Columbia, or the Public Service Commission of Maryland, and which are in force at the time this section takes effect, with respect to carriers which, by section 3 (c) of this title, are defined as metropolitan-area carriers, in relation to matters concerning transportation which, by section 3 (b) of this title, is defined as transportation subject to this title, shall remain in effect, and be enforceable under this title, according to their terms, as though they had been prescribed, issued, made, or taken by the Washington Metropolitan Area Transit Commission pursuant to this title, unless and until otherwise provided by such Commission in the exercise of its powers under this title.

"Transfer of records

"SEC. 27. The Public Utilities Commission of the District of Columbia and the Interstate Commerce Commission shall transfer to the Washington Metropolitan Area Transit Commission such of their records as pertain to matters which by this title are placed under the jurisdiction of the latter commission. The Washington Metropolitan Area Transit Commission is authorized to receive from the Public Service Commission of Maryland any records pertaining to matters which by this title are placed under the jurisdiction of the Washington Metropolitan Area Transit Commission.

"Pending actions or proceedings

"SEC. 28. (a) No suit, action, or other judicial proceeding lawfully commenced by or against the Public Utilities Commission of the District of Columbia, the Interstate Commerce Commission, or the Public Service Commission of Maryland, or any officer of any such commission in his official capacity or in relation to his discharge of official duties, shall abate solely by reason of the taking effect of any provision of this title. The court before which any such suit, action, or other proceeding is pending may, upon the filing at any time within eighteen months after the date of the enactment of this title of a motion or supplemental petition showing a necessity for survival of such suit, action, or other proceeding in order to obtain a settlement of the questions involved, allow the same to be maintained, with such substitutions as to parties as are appropriate.

"(b) To the extent that the Washington Metropolitan Area Transit Commission determines such action to be necessary or appropriate in the exercise of the powers and duties vested in or imposed upon it by this title, such Commission—

"(1) shall continue and carry to a conclusion any proceeding, hearing, or investigation which, at the time this section takes effect, is pending before the Public Utilities Commission of the District of Columbia or the Interstate Commerce Commission; and

"(2) with the consent of the Public Service Commission of Maryland, may continue and carry to a conclusion any proceeding, hearing, or investigation which is pending before that Commission at the time this section takes effect.

"Provisions inapplicable to taxicabs

"SEC. 29. To the extent that provisions of this title relate to routes, through routes, and joint fares, such provisions shall not apply with respect to carriers by taxicab.

"Annual report of Commission

"SEC. 30. The Commission shall make an annual report to the Congress as soon as practicable after the first day of January of each year, which shall contain, in addition to a report of the work performed under this title, such other information and recommendations concerning passenger transportation within the metropolitan area as the Commission deems advisable.

"Effective dates

"SEC. 31. This section and sections 1, 2, 3, 4, and 17 shall take effect on the date on which this act is enacted. The remaining provisions of this title shall take effect July 1, 1955.

"TITLE II—METROPOLITAN WASHINGTON COMMISSION"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment to the title and agree to the same.

CARROLL D. KEARNS,
JOEL T. BROYHILL,
JAMES C. DAVIS,
Managers on the Part of the House.

ANDREW F. SCHOEPPEL,
JOHN M. BUTLER,
ED C. JOHNSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2236) for the establishment of a Commission on Area Problems of the Greater Washington Metropolitan Area, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The bill as passed by the House provided for the establishment of a temporary commission with the duty to study and make recommendations pertaining to (1) highway, bridge, and traffic problems affecting the District of Columbia and the counties of Arlington and Fairfax and the cities of Alexandria and Falls Church in the Commonwealth of Virginia and the counties of Montgomery and Prince Georges in the State of Maryland for the purpose of expediting the movement of traffic in the Greater Washington Metropolitan Area, and (2) the integration of the public transportation system for the Greater Washington Metropolitan Area, and the need for additional public transportation facilities for such area.

The Senate made 44 amendments.

Amendments numbered 2, 3, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 39, 40, 41, 43, and 44: These amendments merely made clerical, conforming, or minor drafting changes, largely made necessary because of the few Senate amendments which were substantive in character. The House recedes.

Amendment numbered 4: The bill as it passed the House provided that the Commission should be known as the "Commission on Area Problems of the Greater Washington Metropolitan Area." This amendment changed the name to "Metropolitan Washington Commission." The House recedes.

Amendments numbered 7 and 8: The House bill provided that the Commission should consist of 11 members. Of these 4 were to be appointed by the President from the executive branch or from private life, 2 from the majority party, and 2 from the minority party. These amendments changed the number to be appointed by the President from 4 to 2 (thus reducing the Commission membership to 9), and eliminating the provision with respect to appointment from the majority and minority parties. The House recedes.

Amendments numbered 34, 35, 36, 37, and 38: These amendments modified the specification of matters to be studied and reported on by the Commission, some of the changes being merely clarifying. However, a substantive change was to eliminate the language directing the Commission to study "the integration of the public transportation system for the Greater Washington Metropolitan Area, and the need for additional public transportation facilities for such area". Also eliminated was the sentence directing the Commission to give consideration to the establishment of a Greater Washington Metropolitan Area Transportation Commission to regulate public transportation in nearby Virginia and Maryland and in the District of Columbia. The House recedes on these amendments.

Amendment numbered 42: This amendment granted to the Commission certain additional powers which are appropriate for the conduct of its studies and investigations, including the power to require by subpena the attendance of witnesses and the production of books, documents, and papers, and the power to administer oaths. The House recedes.

Amendment numbered 1: This amendment inserted in the bill a new title creating a Washington Metropolitan Area Transit Commission, and authorizing it to regulate public transportation by bus, streetcar, and taxicab in the area. The conferees have agreed to a substitute for this amendment, which is generally similar to the Senate amendment, except that the new Commission will not be authorized to regulate transportation in the Virginia portions of the metropolitan area, and the conference substitute spells out the powers of the new Commission in greater detail than the Senate amendment did.

The conference substitute for this amendment will constitute title I of the act.

Title I provides for an independent agency, to be known as the Washington Metropolitan Area Transit Commission, which is to consist of three Commissioners to be appointed by the President by and with the advice and consent of the Senate, and which, stated generally, will have the function of regulating public transportation by streetcar, motorbus, or taxicab in an area (referred to as the "metropolitan area") consisting of the District of Columbia and the counties of Montgomery and Prince Georges in the State of Maryland.

The regulatory provisions of such title would not become effective until July 1, 1955.

More specifically, the transportation to be regulated by the new Commission is the transportation of persons by any common carrier for hire, either over a regular route or routes or by taxicab, from any point in the metropolitan area to any other point in such area, with certain exceptions referred to below.

In general, the regulatory scheme provided for by title I is the same as that provided in the District of Columbia Public Utilities Law and in part II of the Interstate Commerce Act, which relates to motor carriers. The main points of difference between tile I and District of Columbia law are as follows:

1. The new Commission could require metropolitan area carriers to establish through routes and joint fares with other such carriers; there is no similar provision in District of Columbia law.

2. The new Commission could require metropolitan area carriers operating over regular routes to carry insurance or make other arrangements for satisfying liabilities for personal injuries, death, or property damage arising out of their operations; there is no similar provision in District of Columbia law. There is a provision in District of Columbia law requiring carriers by taxicab to carry insurance.

3. Under District of Columbia law, the Public Utilities Commission is required to determine the value of the property of District of Columbia carriers; the new Commission would not be required to value the property of metropolitan area carriers, but could do so where necessary to fix rates.

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In all three of the above cases, title I is similar to part II of the Interstate Commerce Act.

The language used in many provisions of title I differs considerably from the corresponding provisions of the District of Columbia law; this results in most cases from an effort to express, more clearly than the District of Columbia law does, the effect of the District of Columbia law as it is now interpreted and applied.

Following is an explanatory statement regarding some of the principal provisions of title I.

Section 3 defines the kinds of transportation and carriers covered. Carriers subject to regulation under the title are called "metropolitan area carriers," and are defined as persons engaged as common carriers for hire in "transportation subject to this title." The latter term covers transportation of persons by a common carrier for hire either over regular routes or by taxicab from one point in the metropolitan area to another point in the area. The charter operations of streetcar and bus companies are excluded by the phrase "over regular routes."

There are four exceptions to this general definition. First, railroads regulated under the Interstate Commerce Act are excluded from regulation under the title. Second, transportation is not regulated if it is performed in the course of an operation over a route the major portion of which is outside the metropolitan area. For example, if a carrier runs a bus from Pittsburgh, Pa., to Washington, D. C., which picks up passengers in Rockville, Md., and discharges them in Washington, the fare for the Rockville-Washington transportation would not be fixed under the title, but would continue to be fixed by the Interstate Commerce Commission. But if the same carrier established a route which served Rockville and Washington only, that service would be regulated under the title. The third exception is that carriers which operate wholly inside Maryland, and which prove to the new Commission that they do not transport passengers traveling to or from the District of Columbia, are not to be regulated under the title. The fourth exception is for sight-seeing vehicles.

Section 4 provides for the new Commission above referred to. There is a residence requirement that for at least 2 years prior to his appointment one Commissioner shall have resided in the District of Columbia and one shall have resided in that part of Maryland within the metropolitan area. The term of office is 6 years, and the salary is $15,000 per annum. The section also provides for removal of a Commissioner under certain circumstances, and places certain restrictions on holding the office of Commissioner. In addition, this section provides for the selection, and specifies the powers, of the chairman of the Commission.

Under section 5, metropolitan area carriers would be required to obtain from the new Commission certificates of public convenience and necessity authorizing them to engage in transportation subject to the title, but certificates would be issued to existing carriers without necessity for a showing of public convenience and necessity. This section corresponds to section 44–201 of the District of Columbia Code, and sections 206, 207, 208, and 212 of the Interstate Commerce Act. The section spells out some matters which are not specified in the very brief provision of the District of Columbia law; for example, the title makes it clear that the new Commission would have power to amend a certificate issued by it, and to approve or disapprove the transfer of such a certificate. The new Commission would have no general power to revoke a certificate, as the Interstate Commerce Commission has under section 212 of its act, but section 12 of this title, which relates to insurance and other security arrangements, authorizes the new Commission to revoke a certificate for failure to comply with requirements established under that section.

Section 6, which specifies the general duties of metropolitan area carriers, is substantially similar to section 216 (a) of the Interstate Commerce Act. It provides, among other things, that carriers are under a duty to establish reasonable through routes with other carriers, and to establish reasonable joint fares in connection with such routes, and reasonable divisions of such fares between the participating carriers. The District of Columbia law does not contain such a provision.

Section 6 requires each metropolitan area carrier "to provide reasonably safe and adequate service, equipment, and facilities" in connection with the transportation it is required to perform. This and other provisions of the title make it unnecessary to include detailed provisions as to maintenance and repair of, and additions to, equipment and facilities, such as sections 43–208 and 44–202 of the District of Columbia Code.

Sections 7 and 8, which relate to fares and regulations and practices affecting fares, give to the new Commission powers of substantially the same type as those given the District of Columbia Public Utilities Commission and the Interstate Commerce Commission by sections 43–323 to 43–330, inclusive, and section 43–411, of the District of Columbia Code, and sections 216 and 217 of the Interstate Commerce Act.

Under section 9, the new Commission could require metropolitan-area carriers, other than carriers by taxicab, to establish through routes and joint fares with other such carriers, and could regulate the divisions of such fares between the participating carriers. There is no corresponding provision in District of Columbia law, but the Interstate Commerce Commission has powers of substantially the same type, with respect to motor carriers, under sections 216 (e) and 216 (f) of the Interstate Commerce Act.

Under section 10 (a), the Commission may require any metropolitan-area carrier (other than a carrier by taxicab) to extend any of its routes or establish a new route, and may require any metropolitan-area carrier (including a carrier by taxicab) to make any other addition to service required by the public convenience and necessity. The District of Columbia Public Utilities Commission and the Interstate Commerce Commission now have substantially the same powers.

Section 10 (b) provides that a metropolitan-area carrier may not abandon a route or discontinue a service specified in its certificate of public convenience and necessity, unless the Commission authorizes it to do so. Where a carrier is realizing a profit from its operations as a whole, the Commission would not be required to approve abandonment of a particular route which is being operated at a loss.

Section 11 is derived from the last two provisos of section 40–603 (e) of the District of Columbia Code. The first of these provisos, together with section 47–2331 (d) of the District of Columbia Code, gives the District of Columbia Public Utilities Commission certain powers over the routes and operations of streetcars, busses, and taxicabs operating in the District. The second proviso creates a joint board composed of the District of Columbia Commissioners and the members of the District of Columbia Public Utilities Commission. This joint board is authorized to give full force and effect of law to actions taken by the District of Columbia Public Utilities Commission under the first proviso.

Section 11 (a) vests these powers over routes and operations exclusively in the new Commission as to transportation subject to this title. Section 11 (b) provides that the new Commission shall consult with the appropriate State, county, or municipal officials before taking any action under the section.

Section 12 authorizes the Commission to issue regulations requiring each person applying for, or holding, a certificate of public convenience and necessity, to file surety bonds, policies of insurance, or to make other financial arrangements to insure payment of any judgment recovered against it for damages resulting from its operations in furnishing transportation subject to the title. Under section 215 of the Interstate Commerce Act, as interpreted and applied, the Interstate Commerce Commission has the same type of powers with respect to motor carriers under its jurisdiction. The District of Columbia Commission has no similar power as to streetcar and bus operations of the type regulated by this title, but it does have a similar power to require insurance in case of taxicab operations in the District.

Section 15 provides that each metropolitan area carrier shall obtain approval of the new Commission before issuing securities. Carriers subject to the District of Columbia law are now required by section 43–802 of the District of Columbia Code to obtain approval of the District of Columbia Public Utilities Commission before issuing securities, and carriers subject to part II of the Interstate Commerce Act are required by section 214 of that act to obtain approval of the Interstate Commerce Commission before issuing securities. It is provided in this section that the Commission may, to the extent deemed by it to be consistent with the public interest, exempt from the operation of the section any metropolitan area carrier which does not operate exclusively in the area and which, before issuing securities, must obtain approval of the Interstate Commerce Commission or the Public Service Commission of Maryland.

Sections 43–501, 43–502, and 43–805 of the District of Columbia Code place certain restrictions on consolidations, mergers, and acquisitions of control which involve carriers operating in the District of Columbia. Section 16 of this title provides that any such transaction which involves two or more metropolitan area carriers operating exclusively in the metropolitan area shall be unlawful without approval of the new Commission. Section 16 (d) provides that persons participating in any transaction approved under the section are relieved of all restraints and prohibitions of law insofar as necessary to effectuate the transaction. Except for the relatively few cases covered by this section, existing District of Columbia laws, other Federal laws (including sec. 5 of the Interstate Commerce Act), and State laws would continue to apply.

Section 22 of this title and section 43–412 of the District of Columbia Code both provide that expenses of investigations, valuations, and other proceedings, including litigation arising therefrom, shall be paid by the carrier involved. The principal difference between the two is that the limit which a District of Columbia carrier can be required to pay is a specific percentage of its present valuation, while under this title the limit is a specific percentage of the metropolitan area carrier's gross operating revenues for the previous year. Another difference is that money paid by a District of Columbia carrier can be expended "for such purposes as may be approved by the Public Utilities Commission," while under this title money paid by a metropolitan area carrier can be expended by the new Commission only to defray expenses of investigations, valuations, proceedings, or litigation. A third difference is that carriers by taxicabs will be exempt from the operation of this section.

The District of Columbia Code contains numerous penalty provisions for violations of the District of Columbia laws regulating public utilities. Most of these provisions

were enacted some years ago and the penalties, especially the fines, are so slight as to be of little punitive value today. In the interest of simplicity, section 23 of this title contains a single penal provision covering all violations of the title other than violations specifically provided for in section 15. Under section 23 fines up to $5,000 may be imposed.

The first 4 subsections of section 25 deal with the effect of the title on specified provisions of District of Columbia law. Subsection (a) would make the basic act under which District of Columbia public utilities are regulated largely inapplicable to metropolitan area carriers. Certain of the provisions of that act, however, would continue to apply and be administered by the District of Columbia Public Utilities Commission. These relate to such matters as the use by one public utility of another's equipment; prohibitions against public utilities issuing certain types of dividends, and the number of members of boards of directors of public utilities. Under subsection (d) the provisions of District of Columbia law relating to reduced fares for schoolchildren and free transportation for policemen and firemen would continue to apply, except that the new Commission would administer them.

Subsection (e) makes the provisions of District of Columbia law not specifically dealt with in the first four subsections, and the Interstate Commerce Act and the laws of Maryland, inoperative to the extent they are inconsistent with or duplicate provisions of this title.

Section 29 provides that the provisions of the title which relate to routes, through routes, and joint fares shall not apply with respect to carriers by taxicab.

Section 31 deals with the time when the various provisions of the title are to become effective. The regulatory provisions of the title will not become effective until July 1, 1955. This postponement of the effective date of the regulatory provisions will give the new Commission time to get organized and will give affected carriers time to prepare themselves for operations in accordance with the provisions of the new title.

CARROLL D. KEARNS,
JOEL T. BROYHILL,
JAMES C. DAVIS,
Managers on the Part of the House.

Mr. BROYHILL. Mr. Speaker, I move the previous question.

The previous question was ordered.

Mr. ROONEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the conference report?

Mr. ROONEY. I am.

The Clerk read as follows:

Motion offered by Mr. ROONEY to recommit the conference report with instructions to eliminate section 1 pertaining to the establishment of the Washington Metropolitan Area Transit Regulatory Commission.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. ROONEY) there were—ayes 28, noes 72.

Mr. ROONEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and ninety Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 95, nays 164, not voting 172, as follows:

[Roll No. 148]

YEAS—95

Abernethy	Feighan	Murray
Addonizio	Fogarty	O'Hara, Ill.
Albert	Forand	O'Neill
Alexander	Fountain	Patman
Andrews	Friedel	Perkins
Ashmore	Garmatz	Pfost
Barrett	Gentry	Poage
Bennett, Fla.	Granahan	Polk
Boggs	Green	Price
Brooks, Tex.	Hagen, Calif.	Priest
Buchanan	Hart	Rhodes, Pa.
Burdick	Hays, Ark.	Rodino
Burleson	Herlong	Rogers, Fla.
Byrne, Pa.	Holtzman	Rooney
Campbell	Ikard	Selden
Cannon	Johnson, Wis.	Shelley
Carlyle	Jones, Ala.	Sheppard
Carnahan	Jones, N. C.	Shuford
Chudoff	Karsten, Mo.	Sieminski
Cooper	Kee	Smith, Miss.
Crosser	Kelley, Pa.	Spence
Dawson, Ill.	Kilday	Staggers
Delaney	King, Calif.	Steed
Dingell	Lane	Sullivan
Dodd	Lanham	Sutton
Dollinger	McCarthy	Thornberry
Donohue	Mahon	Trimble
Dowdy	Marshall	Watts
Durham	Matthews	Whitten
Eberharter	Miller, Calif.	Williams, Miss.
Evins	Mills	Winstead
Fallon	Multer	

NAYS—164

Abbitt	Frelinghuysen	Ostertag
Allen, Calif.	Fulton	Passman
Allen, Ill.	Gamble	Philbin
Andresen, August H.	Gary	Phillips
Arends	Gavin	Pillion
Aspinall	Goodwin	Poff
Auchincloss	Graham	Prouty
Bailey	Grant	Radwan
Bates	Gross	Ray
Battle	Gwinn	Rayburn
Becker	Hagen, Minn.	Reams
Belcher	Hale	Reece, Tenn.
Bender	Halleck	Reed, Ill.
Bennett, Mich.	Harden	Reed, N. Y.
Berry	Hardy	Rees, Kans.
Betts	Harrison, Nebr.	Rhodes, Ariz.
Boland	Heselton	Roberts
Bolton, Frances P.	Hess	Robeson, Va.
	Hillings	Rogers, Colo.
	Holmes	Rogers, Mass.
Bolton, Oliver P.	Hope	Rogers, Tex.
	Hyde	St. George
Bonin	James	Saylor
Bow	Jarman	Schenck
Boykin	Javits	Scherer
Bramblett	Jenkins	Seely-Brown
Bray	Jensen	Simpson, Pa.
Brown, Ga.	Johnson, Calif.	Small
Brown, Ohio	Jonas, Ill.	Smith, Va.
Brownson	Jonas, N. C.	Smith, Wis.
Broyhill	Jones, Mo.	Springer
Budge	Judd	Stauffer
Bush	Kean	Taber
Byrd	Kearney	Talle
Byrnes, Wis.	Keating	Teague
Chenoweth	Kersten, Wis.	Thomas
Cole, Mo.	Long	Thompson, Tex.
Coon	McConnell	Tollefson
Corbett	McIntire	Tuck
Cretella	McMillan	Van Zandt
Cunningham	McVey	Vorys
Curtis, Mass.	Mack, Wash.	Walter
Dague	Magnuson	Wampler
Davis, Ga.	Mailliard	Warburton
Davis, Wis.	Martin, Iowa	Wharton
Dawson, Utah	Merrill	Wickersham
Derounian	Merrow	Wigglesworth
Devereux	Miller, Kans.	Willis
Donovan	Miller, Md.	Wilson, Calif.
Dorn, N. Y.	Morano	Wilson, Ind.
Edmondson	Mumma	Withrow
Elliott	Natcher	Wolverton
Fenton	Neal	Young
Fernandez	Nicholson	Younger
Forrester	O'Brien, N. Y.	Zablocki
Frazier	O'Konski	

NOT VOTING—172

Adair	Barden	Bolling
Andersen, H. Carl	Beamer	Bonner
	Bentley	Bosch
Angell	Bentsen	Bowler
Ayres	Bishop	Brooks, La.
Baker	Blatnik	Buckley
Busbey	Hinshaw	Oakman
Canfield	Hoeven	O'Brien, Ill.
Carrigg	Hoffman, Ill.	O'Brien, Mich.
Cederberg	Hoffman, Mich.	O'Hara, Minn.
Celler	Holifield	Osmers
Chatham	Holt	Patten
Chelf	Horan	Patterson
Chiperfield	Hosmer	Pelly
Church	Howell	Pilcher
Clardy	Hruska	Powell
Clevenger	Hunter	Preston
Cole, N. Y.	Jackson	Rabaut
Colmer	Kearns	Rains
Condon	Kelly, N. Y.	Regan
Cooley	Keogh	Richards
Cotton	Kilburn	Riehlman
Coudert	King, Pa.	Riley
Crumpacker	Kirwan	Rivers
Curtis, Mo.	Klein	Robsion, Ky.
Curtis, Nebr.	Kluczynski	Roosevelt
Davis, Tenn.	Knox	Sadlak
Deane	Krueger	Scott
Dempsey	Laird	Scrivner
D'Ewart	Landrum	Scudder
Dies	Lantaff	Secrest
Dolliver	Latham	Sheehan
Dondero	LeCompte	Short
Dorn, S. C.	Lesinski	Sikes
Doyle	Lipscomb	Simpson, Ill.
Ellsworth	Lovre	Smith, Kans.
Engle	Lucas	Stringfellow
Fine	Lyle	Taylor
Fino	McCormack	Thompson, La.
Fisher	McCulloch	Thompson, Mich.
Ford	McDonough	
Gathings	McGregor	Utt
George	Machrowicz	Van Pelt
Golden	Mack, Ill.	Velde
Gordon	Madden	Vinson
Gregory	Mason	Vursell
Gubser	Meader	Wainwright
Haley	Metcalf	Weichel
Hand	Miller, Nebr.	Westland
Harris	Miller, N. Y.	Wheeler
Harrison, Va.	Mollohan	Widnall
Harrison, Wyo.	Morgan	Wier
Harvey	Morrison	Williams, N. J.
Hays, Ohio	Moss	Williams, N. Y.
Hébert	Moulder	Wilson, Tex.
Hiestand	Nelson	Wolcott
Hill	Norblad	Yates
Hillelson	Norrell	Yorty

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Canfield with Mr. McCormack.
Mr. Hand with Mr. Fine.
Mr. Adair with Mr. Colmer.
Mr. Miller of New York with Mr. Gregory.
Mr. LeCompte with Mr. Haley.
Mr. Horan with Mrs. Kelly of New York.
Mr. Busbey with Mr. Bowler.
Mr. Riehlman with Mr. Pilcher.
Mr. Pelly with Mr. Williams of New Jersey.
Mr. Harvey with Mr. Riley.
Mr. Wolcott with Mr. Sikes.
Mr. Jackson with Mr. Harrison of Virginia.
Mr. Smith of Kansas with Mr. Barden.
Mr. Clevenger with Mr. Keogh.
Mr. Mason with Mr. Norrell.
Mr. Widnall with Mr. Lesinski.
Mr. Patterson with Mr. Gathings.
Mr. Norblad with Mr. Dorn of South Carolina.
Mr. Curtis of Missouri with Mr. Chatham.
Mr. Vursell with Mr. Vinson.
Mr. Bishop with Mr. Yorty.
Mr. Hill with Mr. Blatnik.
Mr. Short with Mr. Wheeler.
Mr. Ayres with Mr. Hébert.
Mr. McDonough with Mr. Bonner.
Mr. Cotton with Mr. Thompson of Louisiana.
Mr. H. Carl Andersen with Mr. Roosevelt.
Mr. Williams of New York with Mr. Fisher.
Mr. Carrigg with Mr. Dies.
Mr. King of Pennsylvania with Mr. Gordon.
Mr. McGregor with Mr. Brooks of Louisiana.
Mr. McCulloch with Mr. Wilson of Texas.
Mr. George with Mr. Rivers.
Mr. Harrison of Wyoming with Mr. Wier.
Mr. Westland with Mr. Landrum.
Miss Thompson of Michigan with Mr. Buckley.

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Mr. Baker with Mr. Howell.
Mr. Latham with Mr. Bolling.
Mr. Holt with Mr. Davis of Tennessee.
Mr. Stringfellow with Mr. Harris.
Mr. Utt with Mr. Lyle.
Mr. Kearns with Mr. Holifield.
Mr. Velde with Mr. Chelf.
Mr. Bosch with Mr. Engle.
Mr. Van Pelt with Mr. Klein.
Mr. Hillelson with Mr. Hays of Ohio.
Mr. Scott with Mr. Lantaff.
Mr. Ford with Mr. Deane.
Mr. Dondero with Mr. Kluczynski.
Mr. Gubser with Mr. Machrowicz.
Mr. Kilburn with Mr. Doyle.
Mr. Wainwright with Mr. Kirwan.
Mr. Knox with Mr. Dempsey.
Mr. Simpson of Illinois with Mr. Lucas.
Mr. Krueger with Mr. Cooley.
Mr. Sheehan with Mr. Mack of Illinois.
Mr. Laird with Mr. Yates.
Mr. Hruska with Mr. Condon.
Mr. Bentley with Mr. Madden.
Mr. Hoeven with Mr. Secrest.
Mr. Beamer with Mr. Bentsen.
Mrs. Church with Mr. Metcalf.
Mr. Hunter with Mr. Richards.
Mr. Osmers with Mr. O'Brien of Illinois.
Mr. Ellsworth with Mr. Morrison.
Mr. Hosmer with Mr. Regan.
Mr. Fino with Mr. Moss.
Mr. Meader with Mr. Rains.
Mr. Oakman with Mr. Morgan.
Mr. Crumpacker with Mr. Rabaut.
Mr. Hoffman of Michigan, with Mr. Mollohan.
Mr. Scudder with Mr. O'Brien of Michigan.
Mr. Chiperfield with Mr. Celler.
Mr. Hoffman of Illinois with Mr. Preston.
Mr. Cole of New York with Mr. Patten.
Mr. Hiestand with Mr. Powell.
Mr. Coudert with Mr. Moulder.

Mr. FRIEDEL changed his vote from "nay" to "yea."

Mr. BYRD changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

Mr. HYDE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. HYDE. Mr. Speaker, the law which was enacted today for creating a Washington Metropolitan Area Transit Commission for the regulation of transportation of passengers in the District of Columbia and in Montgomery and Prince Georges Counties, Md., and also creating a Metropolitan Washington Commission for the study of mass transportation in the greater Washington Metropolitan area is the first real concrete step in the direction of providing adequate and up-to-date mass transportation for this area.

Title I of the bill establishes a Commission to regulate the transportation in the District of Columbia and Maryland counties and title II of the bill establishes a Commission to study the area transportation problem. For the residents of Montgomery and Prince Georges Counties, Md., this is good news.

The new regulatory Commission could require metropolitan area carriers to establish through routes and joint fares with other such carriers; there is no similar provision in the District of Columbia law. The new Commission could require metropolitan area carriers to carry insurance or make other arrangements for satisfying liabilities for personal injuries, death, or property damage arising out of their operations; there is no similar provision in the District of Columbia law. Under District of Columbia law, the Public Utilities Commission is required to determine the value of the property of District of Columbia carriers; the new Commission would not be required to value the property of metropolitan area carriers, but could do so where necessary to fix rates.

In all three of the above cases, the bill is similar to part II of the Interstate Commerce Act.

The language used in many provisions of the bill differs considerably from the corresponding provisions of the District of Columbia law; this results in most cases from an effort to express, more clearly than the District of Columbia law does, the effect of the District of Columbia law as it is now interpreted and applied.

COVERAGE OF THE BILL

Section 3 defines the kinds of transportation and carriers covered by the bill. Carriers subject to regulation under the bill are called metropolitan-area carriers, and are defined as persons engaged as common carriers for hire in transportation subject to this act. The latter term covers transportation of persons by a common carrier for hire over regular routes on public streets or highways from one point in the metropolitan area to another point in the area. Taxicabs and charter operations of streetcar and bus companies are excluded by the phrase "over regular routes."

There are four exceptions to this general definition. First, railroads regulated under the Interstate Commerce Act are excluded from regulation under the bill if it is performed in the course of an operation over a route the major portion of which is outside the metropolitan area. For example, if a carrier runs a bus from Pittsburgh to Washington, which picks up passengers in Rockville and discharges them in Washington, the fare for the Rockville-Washington transportation would not be fixed under the bill, but would continue to be fixed by the Interstate Commerce Commission. But if the same carrier established a route which served Rockville and Washington only, that service would be regulated under the bill. The third exception is that carriers which operate wholly inside Maryland or wholly inside Virginia, and which prove to the new Commission that they do not transport passengers traveling to or from the District of Columbia, are not regulated under the bill. The fourth exception is for sightseeing vehicles.

CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Under section 5 of the bill, metropolitan area carriers would be required to obtain from the new Commission certificates of public convenience and necessity authorizing them to engage in transportation subject to the bill. This section corresponds to section 44–201 of the District of Columbia Code, and sections 206, 207, 208, and 212 of the Interstate Commerce Act. The section spells out some matters which are not specified in the very brief provision of the District of Columbia law; for example, the bill makes it clear that the new Commission would have power to amend a certificate issued by it, and to approve or disapprove the transfer of such a certificate, as the Interstate Commerce Commission has under section 212 of its act, but section 12 of the bill, which relates to insurance and other security arrangements, authorizes the new Commission to revoke a certificate for failure to comply with requirements established under that section.

GENERAL DUTIES OF METROPOLITAN AREA CARRIERS

Section 6 of the bill, which specifies the general duties of metropolitan area carriers, is substantially similar to section 216 (a) of the Interstate Commerce Act. The corresponding provision of District of Columbia law, section 43–301 of the District of Columbia Code, imposes the same duties on District of Columbia carriers, except that it does not provide, as does section 6 of the bill, that carriers are under a duty to establish reasonable through routes with other carriers, and to establish reasonable joint fares in connection with such routes, and reasonable divisions of such fares between the participating carriers.

Section 6 requires each metropolitan area carrier to provide reasonably safe and adequate service, equipment, and facilities in connection with the transportation it is required to perform. This and other provisions of the bill make it unnecessary to include detailed provisions as to maintenance and repair of, and additions to, equipment and facilities, such as sections 43–208 and 44–202 of the District of Columbia Code.

FARES—REGULATIONS AND PRACTICES AFFECTING FARES

Sections 7 and 8 of the bill, which relate to fares and regulations and practices affecting fares, give to the new Commission powers of substantially the same type as those given the District of Columbia Public Utilities Commission and the Interstate Commerce Commission by section 43–323 to 43–330, inclusive, and section 43–411, of the District of Columbia Code, and sections 216 and 217 of the Interstate Commerce Act. An attempt has been made to specify these powers more clearly in the bill than they are specified in those provisions of the District of Columbia law. For example, there is no specific authority in the District of Columbia law for the Public Utilities Commission to suspend the operation of a proposed increased fare, but it is the practice of that Commission to do so. The bill specifically authorized the Washington Metropolitan Area Transit Commission to suspend any proposed new fare filed with it, and spells out the procedure for such suspension.

THROUGH ROUTES AND JOINT FARES

Under section 9, the new Commission could require metropolitan area carriers to establish through routes and joint fares with other such carriers, and could regulate the divisions of such fares between the participating carriers. There

is no corresponding provision in District of Columbia law, but the Interstate Commerce Commission has powers of substantially the same type under sections 216 (e) and 216 (f) of the Interstate Commerce Act.

CHANGES IN ROUTES AND SERVICES

Section 10 (a) of the bill provides that the Commission may require any metropolitan area carrier to extend any of its routes, establish a new route, or make any other addition to service required by the public convenience and necessity. The District of Columbia Public Utilities Commission and the Interstate Commerce Commission now have substantially the same powers, but these powers are not spelled out in any single provision of the acts involved. It is not entirely clear whether these commissions may require a carrier to establish a new route, as opposed to extending an existing route, but the bill would expressly grant this power to the new Commission.

Section 10 (b) provides that a metropolitan area carrier may not abandon a route or discontinue a service specified in its certificate of public convenience and necessity, unless the Commission authorizes it to do so. Where a carrier is realizing a profit from its operations as a whole, the Commission would not be required to approve abandonment of a particular route which is being operated at a loss. Section 10 (b) is a specific statutory expression of existing law in abandonment cases arising under the District of Columbia law and the Interstate Commerce Act, as those laws are interpreted and applied.

EXCLUSIVE JURISDICTION OVER ROUTES AND OPERATIONS

Section 11 of the bill is derived from the last 2 provisos of section 40–603 (e) of the District of Columbia Code. The first of these provisos gives the District of Columbia Public Utilities Commission certain powers over the routes and operations of motor carriers operating in the District. The second proviso creates a joint board composed of the District of Columbia Commissioners and the members of the District of Columbia Public Utilities Commission. This joint board is authorized to give full force and effect of law to actions taken by the District of Columbia Public Utilities Commission under the first proviso.

Section 11 (a) of the bill vests these powers over routes and operations exclusively in the Washington Metropolitan Area Transit Commission as to transportation subject to the bill. Section 11 (b) of the bill provides that the new Commission shall consult with the appropriate State, county, or municipal officials before taking any action under the section.

No similar provision is contained in part II of the Interstate Commerce Act.

SECURITY FOR THE PROTECTION OF THE PUBLIC

The power given to the new Commission by section 12 of the bill represents one of the major differences between the bill and existing District of Columbia law. Under section 12 the Commission would issue regulations requiring each person applying for, or holding, a certificate of public convenience and necessity under the bill to file surety bonds, policies of insurance, or to make other financial arrangements to insure payment of any judgment recovered against it for damages resulting from its operations in furnishing transportation subject to the bill. Under section 215 of the Interstate Commerce Act, as interpreted and applied, the Interstate Commerce Commission has the same type of powers with respect to motor carriers under its jurisdiction. The District of Columbia Commission has no similar power as to streetcar and bus operations of the type regulated by the bill. The law of Virginia imposes a similar security requirement, but with specific limits on the amount of security required.

ISSUANCE OF SECURITIES

Section 15 of the bill provides that each metropolitan area carrier shall obtain approval of the new Commission before issuing securities. Carriers subject to the District of Columbia law are now required by section 43–802 of the District of Columbia Code to obtain approval of the District of Columbia Public Utilities Commission before issuing securities, and carriers subject to part II of the Interstate Commerce Act are required by section 214 of that act to obtain approval of the Interstate Commerce Commission before issuing securities.

In general, a metropolitan area carrier operating exclusively in the metropolitan area would not be required to obtain the approval of the Interstate Commerce Commission, the District of Columbia Public Utilities Commission, or the Maryland or Virginia public utilities commissions before issuing securities to which this section applies.

In the case of a metropolitan area carrier which operates partly outside the metropolitan area in Maryland or Virginia, the bill would leave unimpaired any authority which the Interstate Commerce Commission or the Maryland or Virginia public utilities commissions have over securities issued by the carrier. In order to avoid unnecessary overlapping of regulations in such a case, section 15 (g) provides that the new Commission may exempt the carrier from the operation of section 15, leaving the security issue to be regulated by the other Commission. No such exemption provision is contained in the District of Columbia law or the Interstate Commerce Act.

CONSOLIDATIONS, MERGERS, AND ACQUISITIONS OF CONTROL

Sections 43–501, 43–502, and 43–805 of the District of Columbia Code place certain restrictions on consolidations, mergers, and acquisitions of control which involve carriers operating in the District of Columbia. Section 16 of the bill provides that any such transaction which involves two or more metropolitan area carriers operating exclusively in the metropolitan area shall be unlawful without approval of the new Commission. Section 16 (d) provides that persons participating in any transaction approved under the section are relieved of all restraints and prohibitions of law insofar as necessary to effectuate the transaction. Except for the relatively few cases covered by this section, existing District of Columbia laws, other Federal laws (including section 5 of the Interstate Commerce Act), and State laws would continue to apply.

EXPENSES OF PROCEEDINGS

Section 22 of the bill and section 43–412 of the District of Columbia Code both provide that expenses of investigations, valuations, and other proceedings, including litigation arising therefrom, be paid by the carrier involved. The principal difference between the two is that the limit which a District of Columbia carrier can be required to pay is a specific percentage of its present valuation, while under this bill the limit is a specific percentage of metropolitan area carriers' gross operating revenues for the previous year. Another difference is that money paid by a District of Columbia carrier can be expended "for such purposes as may be approved by the Public Utilities Commission," while under this bill money paid by a metropolitan area carrier can be expended by the new Commission only to defray expenses of investigations, valuations, proceedings, or litigation.

PENALTIES

The District of Columbia Code contains numerous penalty provisions for violations of the District of Columbia laws regulating public utilities. Most of the provisions were enacted some years ago and the penalties, especially the fines, are so slight as to be of little punitive value today. In the interest of simplicity, section 23 of this bill contains a single penal provision covering all violations of the bill other than violations specifically provided for in section 15. Under section 23 fines up to $5,000 may be imposed.

APPLICABILITY OF OTHER LAWS

The first four subsections of section 25 deal with the effect of the bill on specified provisions of District of Columbia law. Subsection (a) would make the basic act under which District of Columbia public utilities are regulated largely inapplicable to metropolitan area carriers. Certain of the provisions of that act, however, would continue to apply and be administered by the District of Columbia Public Utilities Commission. These relate to such matters as the use by one public utility of another's equipment; prohibitions against public utilities issuing certain types of dividends, and the number of members of boards of directors of public utilities. Under subsection (d) the provisions of District of Columbia law relating to reduced fares for school children and free transportation for policemen and firemen would continue to apply, except that the new Commission would administer them.

Subsection (e) makes the provisions of District of Columbia law not specifically dealt with in the first four subsections, and the Interstate Commerce Act and the laws of Maryland and Virginia, inoperative to the extent they are inconsistent with or duplicate provisions of the bill.

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FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Ast, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7774. An act to establish a uniform system for the granting of incentive awards to officers and employees of the United States, and for other purposes.

THE NATIONAL CUSTOMS SERVICE ASSOCIATION

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCORMACK] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. McCORMACK. Mr. Speaker, recently the National Customs Service Association, representing employees of the United States Customs Service, held its 16th biennial convention in Boston, Mass. Some 23 branches of this nationwide organization were represented at the meeting.

I have more than a casual interest in this group since I have come to know personally many of its members over the years and I have an intimate knowledge of their activities and their problems.

The customs service, in which these employees take great pride, is the second oldest unit of the administrative branch of the Federal Government and I know something of its fine history and traditions.

Does the customs service of today differ from the customs of yesterday? In many particulars, yes; basically, no. The functions assigned to it—of supervision and inspection and protecting the revenue—remain the same, but the way in which these functions are administered is very different from that of yesteryear. There has been a substantial curtailment, and in some cases abandonment, of responsible protective procedures. I refer, in particular, to those measures which guard our ports against smuggling.

There is in the United States today, and rightfully so, much public alarm over the Communist menace, and because of it we are operating on a war economy. But while we have been expanding our military strength we have failed, for the sake of economy, to deal adequately with a highly dangerous political weapon of the Communist, designed to weaken the moral fiber, the health, and the sanity of our youth—the narcotics evil.

It has been stated on numerous occasions by responsible persons, including spokesmen for the American delegation to the United Nations, that narcotic drugs are being used by Communist countries as a weapon in the cold war. Dope is being poured into the country as part of a calculated plan to undermine our young men and women.

The dangers and horrors of drug addiction—and how the drugs are smuggled into the country—have been brought home to us by the alert American press which has done a splendid service in awakening the public to this evil.

Hearings have been held by congressional committees on the subject of juvenile delinquency and through them all, when seeking cause, runs the pattern of narcotics addiction. How long can we remain complacent, or ignore the conditions which can make even an 8-year-old child a user of narcotics?

Hearings by the Senate Foreign Relations Committee, under the chairmanship of the distinguished gentleman from Wisconsin, Senator ALEXANDER WILEY, on the subject of international control of opium production, reveal that opium is imported, as are its derivatives, morphine and heroin. These drugs are clandestinely introduced into the United States from abroad—smuggled across our borders and through our seaports.

Congress has recognized that merchant seamen are frequently used as carriers of narcotics, and attempted to curb the practice by the enactment of Public Law 500, approved by the President on July 15, 1954. This law provides for the revocation or denial of merchant marine documents to persons involved in narcotics violations. But further steps are necessary.

The narcotic problem has become so acute in the city of New York that the police narcotics squad has had to increase its personnel from 30 men and women in 1951 to 132 at the present time and they admit they find it increasingly difficult to cope with the situation even with an expanded force.

Inspector Peter Terranova, who heads the narcotics squad in New York, places the responsibility on the United States Customs Service which is charged with the prevention of smuggling. At the Senate hearings to which I have referred, Inspector Terranova urged that the customs service abandon its present system of spotchecking the luggage of passengers arriving from abroad and that inspectors be directed to inspect every piece of baggage. He also recommended the formation of a port patrol and a border patrol to combat smuggling. The customs patrol along the borders was abolished some time ago as an economy measure, and the seaport patrol has been reduced to an impotent force.

Recently at the port of New York, according to press reports, merchant seamen of a foreign freighter docked at a Brooklyn pier, walked ashore with quantities of opium concealed on their persons, and were apprehended by the New York police far from the wharf. No customs guard of any kind was being maintained on the ship or at the berth, presumably in an effort to save a few dollars.

Customs enforcement has been reduced to the extent that at the port of Boston there are times when there is not a single port patrol on duty. Similar conditions prevail in San Francisco, Philadelphia, New York, and other large seaports.

It invites speculation to note that the customs service has been reducing its staff at a time when full-scale attempts to flood the country with narcotics are in progress. The origin of these drugs is said to be Communist Asia and the plan to use them to demoralize the youth of the United States is obviously Communist inspired. The customs service is the barrier past which this tide of dope must pass. As such, it is one of the most sensitive agencies in our Government, and should be the last department to feel the effects of an economy program. All changes in the methods of enforcement and supervision have been made by administrative regulation, presumably to meet budget reductions.

In answer to a direct question by a Member of Congress at a recent hearing, an official of the Customs Bureau stated that the situation as to narcotic drugs is definitely improving and that there has been a reduction in the number of addicts and the amount of drugs smuggled into the United States. The viewpoint expressed by this customs official is hard to reconcile with testimony brought out during other hearings which indicated that narcotics addiction is, in fact, increasing. What are the true facts? Competent authority in other enforcement activities agree that narcotics addiction is increasing, even while admitting that they have only a percentage of the cases of addiction. Police authorities state that more and more crimes are found to have a narcotic background. They also agree that the only effective means of combatting addiction is to prevent the smuggling of the drug by seizing it before it enters the country and before it is adulterated and passed on to the sellers.

The Customs Bureau is now offering a reward of $500 for information leading to the seizure and arrest of persons involved in smuggling of heroin, provided the amount of drug is one kilogram—2.2 pounds. The value of this amount of heroin in the illicit market would run into astronimical figures and the inducement of a $500 reward with the attendant danger to the informer is not calculated to be very effective. This approach seems to be rather unrealistic and is an indication of the futility of the customs attempt at solving a very serious problem.

On March 15, 1954, an interim report was made by the Senate Committee on the Judiciary in connection with its investigation of juvenile delinquency, and the report stated that New York is the major port for heroin in the United States. On August 9, 1954, Chief Magistrate John M. Murtagh, of New York City, stated:

Almost every addict in the city is an active criminal and the Federal Government is failing miserably in dealing with the public health and enforcement aspects of the problem. Despite the extent of the problem, the Federal authorities take a rather indifferent attitude. They refuse to recognize that the problem has reached the proportions it has. They take the attitude that there is no seriously alarming increase in

the use of narcotics. Our experience in the courts is to the contrary.

How can we reconcile such statements with those of the Customs Bureau that there is no danger or problem?

It is hard to fathom why it has not been more generally understood that the core of the entire problem is the complete breakdown of supervision and enforcement at the customs level. Customs officers are charged with the prevention of smuggling of all descriptions, including dope, obscene material, subversive literature, and are the first line of defense against the smuggling of atomic weapons which, admittedly, may be concealed in hand luggage of travelers. This aspect of smuggling has moved the Congress to provide rewards for information leading to the apprehension of individuals atempting to smuggle atomic weapons into the country. If the officers who are charged with intercepting these smuggling attempts are rendered impotent by administrative regulations which make this function a token action only, the odds on the side of the smuggler or subversive are thereby greatly increased and the intent of Congress completely nullified.

The Customs Bureau has, in recent years, extended the calculated-risk theory in connection with the supervision of the activities of carriers, importers, travelers and others to an extent never contemplated by Congress when it passed the Tariff Act. Congress never planned that the barrier of customs protection should be made vulnerable by administrative relaxation of safeguards to an extent entirely out of keeping with the original intent.

Packages arriving by mail are passed with only the briefest screening, and 95 percent of them receive no examination. Upon the arrival of vessels and aircraft only a spot-check examination is made of passengers' luggage. The physical searching of vessels and aircraft and other carriers has been lessened. The once vigorous routine of customs inspection is no longer vigorous or routine.

The implications in this situation should be a matter for deep concern. It has been said that appropriation difficulties make changes necessary and that budget directives determine whether a job is to be done in a particular manner, or even done at all. It is said, too, that customs budget requests are in competition with the many others presented by other departments and must, therefore, expect to share in across-the-board cuts which are imposed in order to effect economies in the overall budget presented to the Congress.

Rather than upset this budget-imposed ceiling figure, customs must administer its program with a reduced staff irrespective of whether it means relaxation of controls and opening the doors of the ports of entry to smugglers.

This matter should be investigated and if Congress or the Budget Bureau has erred the mistake should be corrected at once. The problem is so serious that an appropriate committee or subcommittee of the House should investigate why our controls have been curtailed and abandoned and why responsible protective procedures are not reinstated in connection with the smuggling of narcotics. I believe the narcotics problem is second only in importance to the Communist problem. The menace is real and the present danger should no longer be ignored. I realize that it is late in the session to expect action by this Congress, but Congress and the present administration should give some thought to the matter in order that a subcommittee or a special committee, if not appointed to investigate this alarming situation between now and next January, may be appointed in the next Congress, probably in January, to investigate all phases of this matter. If our inspection forces are too small, if Congress is at fault in not providing sufficient funds, if our enforcement agencies need strengthening, if the Budget Bureau is imposing economies which are threatening to wreck our barriers against smugglers, then such an investigation should reveal the reason and provide the remedy. Unless the dangers and horrors of narcotics addiction is lessened we cannot for long maintain the economic and military and moral strength to fight the greatest of all evils—communism.

THE LATE ALCIDE DE GASPERI

Mr. ADDONIZIO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ADDONIZIO. Mr. Speaker, the free world is shocked and saddened by the passing of the noble statesman Alcide De Gasperi, eight-time Premier of Italy. Dr. Konrad Adenauer spoke for the free world when he exclaimed "This is indeed a grievous blow" upon receipt of the sad news. The free world owes much to this great leader who led his country out of postwar chaos and allied it firmly with the Western World against Communist aggression. He was one of the leading spirits in Western Europe's progress toward unification, and news reports indicate he fought for the European army almost to the very hour of his death. Under his leadership Italy made a remarkable recovery from the ravages of war and became one of the most politically stable countries in Western Europe.

Mr. De Gasperi dedicated his life to Italy's welfare and future. He suffered hardship and imprisonment, but he never wavered in fighting for democracy which was the guiding principle of his life. As he stated in his address to the United States Congress in September 1951, the events of his political life led him "to experience different regimes, to sustain struggles for national independence and freedom, to witness the suppression of the democratic parliamentary system, and finally to see the triumph of our free institutions." It was my privilege to spend some time with this truly great man during his visit to this country, and I was most impressed with his sincerity and simplicity of manner, with his gentleness and goodness of heart as well as by his sagacity and vision.

His passing is mourned by all lovers of democracy. His place in history will surely be a high one. May the ideals that guided him throughout his long and illustrious career be victorious in the struggle between the democratic and totalitarian worlds.

SPECIAL COMMITTEE TO INVESTIGATE CERTAIN MATTERS

Mr. DEROUNIAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RAY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RAY. Mr. Speaker, on June 3, I introduced House Resolution 574, asking for the appointment of a special committee to investigate and report to the House on two matters:

First. The ways in which and the extent to which actions of the Government of the United States, including its recognition of the Soviet Government, have contributed or may contribute to the growth of communism or the spread of communistic influence in this country.

Second. Whether or not, and if so, to what extent, the charter of the United Nations and the privileges and immunities extended to its members and employees have contributed or may contribute to the growth of communism or the spread of communistic influence in this country.

On that same date, a duplicate of that resolution was introduced by Hon. FRANCIS E. DORN, and each of us made a brief statement to the House of his reasons for introducing such a resolution.

The resolution was referred to the Rules Committee, and in due course we had a fair hearing before that committee, with nearly all members in attendance. The notice I received of the time of the hearing was so short that other Members of the House who were interested in the resolution were unable to appear. The list of Members on both sides of the aisle who have expressed interest in and approval of the resolution is impressive.

We read and hear too much about fear of this and fear of that. House Resolution 574 was not born in fear. It reflects a widely held conviction that we must learn what our dangers are and then face up and prepare to meet them. Also, that the dangers from within are just as real as those from outside. This resolution would break new ground and would explore and bring to public attention the ways in which and the extent to which actions of our Government have contributed or may contribute to the growth of this danger from within. With such knowledge, and only in that way, can we measure and deal effectively with the problem.

I have been informed, and have heard no one question the fact, that no other committee is studying the ways in which and extent to which actions of our Government have contributed or may contribute to the growth of communism within our borders. The chairman of

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the Un-American Activities Committee, Hon. HAROLD VELDE and the former chairman of that committee, Hon. MARTIN DIES, authorized me to make, and I did make, that statement before the Rules Committee.

In common with many others whose bills have been heard but not reported out by the Rules Committee, I am deeply disappointed that House Resolution 574 has not come to the floor for a vote.

Believing as I do that the problem is important, and that work in the field is necessary, I intend to devote all the time I can between now and the end of this year to a personal inquiry into the subject matter of the resolution. I will do this with a hope that a factual study can be presented early in the next session of Congress which will convince the leadership and the Rules Committee of the necessity for immediate action on the new resolution which will be introduced at that time.

BALTIC COMMITTEE

Mr. SCHENCK. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 272 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed for the use of the Select Committee To Investigate the Incorporation of the Baltic States into the U. S. S. R., 1,000 additional copies of part 1 of the hearings on the Baltic States investigation, held by the said select committee during the 83d Congress, 1st session.

The resolution was agreed to, and a motion to reconsider was laid on the table.

EFFECT ON AMERICAN INDUSTRY AND LABOR OF UNITED STATES FOREIGN POLICY

The SPEAKER. Under previous order of the House, the gentleman from Iowa [Mr. GROSS] is recognized for 5 minutes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a speech made by Mr. Swanson.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, it is becoming increasingly clear to those who are willing to give sober thought to the situation that United States foreign policy is placing American industry and labor in an increasingly severe straitjacket.

Mr. Speaker, a prominent businessman of Iowa, Mr. Fred W. Swanson, chairman of the boards of the Globe Hoist Co. and the Globe Machinery & Supply Co., of Des Moines, Iowa, recently completed a world tour. Upon his return he spoke to the annual meeting of the Iowa Manufacturers' Association in Des Moines, and he said, among other things:

From every foreign trip I take I return more and more of a nationalist, a strong nationalist, if you please. Unafraid, I am willing to stand up and be counted as one of those who are for America first and, as well, for America last. With 3,000 different languages in the world, with hundreds of different races in the world, educated and uneducated races, civilized and savage races, and with countless different ideals, ideologies, and religions in the world, the position of those who propagandize for a one-world government is simply incomprehensible to me. They would submerge us with those who are jealous of and covet our wealth. They would shackle us to a dictatorial overall majority of foreign peoples to control our affairs and stifle every natural impulse and drive what from the beginning has made America greater than all other nations of the world.

Following is the address of Mr. Swanson:

Mr. President, fellow members and guests, a few winters ago an acquaintance vacationing in Florida dropped into a small tabacco shop and asked the little old gentleman behind the case for his favorite brand cigar. "Sorry, Sir," the proprietor said, "We don't carry that brand." Exasperated, my acquaintance said, "Well, why don't you? It's the best cigar made." The proprietor replied, "My friend, if you would just add three words to your statement, if you would just say, 'Well, why don't you? It's the best cigar made, in my opinion,' then no one could take exception. You know, what may be the best cigar to you, may not be the best cigar to the next customer that comes into my shop. Opinions vary." Today my remarks are expressed in my opinion and are not intended to reflect any views but my own.

Sell—where? Speaking generally as Iowa manufacturers, we must sell in export markets, in domestic markets, or in both

Let us consider export markets first. Export sales are important to industry and of importance to the economy and well-being of our Nation.

The trade publication, American Exporter, recently sent out a questionnaire to 2,137 American manufacturers doing an export business.

Replies were received from 470 manufacturers employing a labor force of 838,470 and doing a combined export business of $1,500,000,000.

Estimates supplied by the 470 manufacturers revealed—

That if the current export level were reduced by 50 percent, the 470 manufacturers would have to discharge 26,201 workers or 3.1 percent.

That if all exports were permanently eliminated, the 470 manufacturers would have to discharge 46,837 employees or 5.6 percent.

That the total dollar sales of the 470 manufacturers in 1952 were $12,683,000,000, of which export sales were 10.47 percent.

That if all export business of the 470 manufacturers reporting were lost, their profits would be reduced (as a few estimated) from not very much to (as many estimated) most drastically.

That 447 of the 470 manufacturers reported their exports would increase substantially if dollars were freely available abroad.

That 135 of the 470 manufacturers reported their belief that European competition and tariff and protection of local industry abroad were the deterrents to increased exports.

That 58 percent of the exporting manufacturers were not in favor of a fuller trade with Eastern Europe and Russia in nondefense exports.

That regardless of the cold war, 59 percent of the exporting manufacturers would not encourage West-East Europe trade.

That 58 percent of the reporting manufacturers felt that United States foreign aid should be given to only noncompetitors.

Sell—where? For 3 months this year it was my privilege, on a flight around the world, to visit many countries in all of which my company has sold Globe hoists. For a better knowledge of our country's export possibilities in a large part of the world visited, I invite your interest to certain observations and facts as developed on my trip.

Hawaiian Islands: Beautiful, a vacationers' paradise, but islands, outside of sugar and pineapples, largely dependent upon tourists and the defense expenditures of Uncle Sam. Local manufacturing is wanting but very much wanted. Due to the absence of even limited opportunities in industry, in the years 1948–50 the Caucasian population decreased and is only now leveling off. The cry there is for more local manufacturing and for the protection of local manufacturing, but it is acknowledged that if more manufacturing is to be secured labor-management relations in industry, transportation, and agriculture must improve. As to the agricultural workers of the islands, they are paid higher wages than in any other place in the world and, on a per capita basis, Hawaii today enjoys the highest standard of living of any island in the world.

New Zealand and Australia: Two countries down under with populations, after a settlement of nearly 150 years, of approximately 2 million and 8,500,000 people respectively in areas of 104,000 and 3 million square miles. Do these two countries have there what we want here? They have among other things—

The virtual control of wages by the government.

The control of many prices by the government.

The control of materials and of building by the government.

The control of milk distribution by many of their cities as sole milk distributors.

And among other commodities the control and monopoly of the sale of tobacco by the government.

True, in a land nearly the size of the United States, they have beautiful cities in Australia—the cities of Sydney, Melbourne, Brisbane, Adelaide, with a combined population of 4,500,000 out of a total population of 8,500,000, but they have far too many deterrents to attract migration and for needed growth. In 1953, with an objective of 250,000, they had to be content with a net gain in population of but 42,883, only a one-half of 1 percent gain. They are not going socialistic. They are socialistic. For years, under a labor government, socialism was encouraged and now many Australians consider it too far advanced and too late for them to retrace their steps to free enterprise as we know it here in the United States.

It was in Sydney a leading attorney informed me—I quote—"Quite contrary to the United States, where a great majority of your labor leaders are sincere and honest and in favor of private enterprise, Diogenes, with his lantern, would find but few sincere, honest labor leaders in all of Australia in favor of private enterprise."

It was in Sydney that the Australian manager of one of the largest worldwide companies doing business in Australia and New Zealand said to me, "Mr. Swanson, when is your country going to make up and quit giving handouts to Great Britain and France?" Handouts—yes; in the period July 1, 1945, to December 31, 1952, the United States, in addition to military aid, gave outright gifts to these two countries of $6,262,498,000.

And it is in the Province of New South Wales that by law every worker must belong to a union. The only exceptions are unless an Australian ex-serviceman; or one engaged in controlling other employees; or one under 18 years of age; or one engaged in an industry covered by a federal award; or one in receipt of an income in excess of $112 a week or $5,600 a year. Every other worker is compelled by law to be a member of a union. In New Zealand and Australia a $10,000-a-

year man is a very high salaried executive. For example, September 15 of last year the order in council increased the salaries of managers of orchards to $30 per week, male workers 21 and over to $26.94 per week, female workers to $18.48 per week.

New Zealand and Australia, members of the Commonwealth of Nations, are British to the core in their loyalties to Britain and to British-manufactured products. Of this I will comment later.

Manila and the Philippines: Manila, formerly the Pearl of the Pacific, a city of nearly 1 million, rebuilding from the terrific destruction inflicted by the Japanese. The Philippine Islands, rich in natural resources and with more potential than any group in the Malayan Archipelago—islands friendly to American products, but islands already encouraging and protecting local products and manufacturers by imposing restricted allocations of American product importations (drugs and tobaccos for example.) In the postwar period July 1, 1945, to December 31, 1952, the Philippines received $692,762,000 in outright gifts from the United States. In 1953 we exported products to them in the value of $351 million and imported from them products to the value of $276 million.

Japan: a nation of 85,500,000 people, that from July 1, 1945, to December 31, 1952, has received in gifts from the United States the sum of $2,073,705,000; a nation that is regaining fast its manufacturing facilities and ability to produce quality products at low cost efficiency; a nation claimed by some to be the most heavily taxed people in the world, a nation with a per capita income of $167 in terms of United States dollars, small indeed when compared with America's per capita income of $1,894, of Canada's $1,296, of Denmark's $697, of Norway's $698, of England's $633; a nation that practically makes it impossible to bring in products that compete with products manufactured in their country; a nation that, because of its high taxes, its stagnation in foreign trade, due partly because of inflation, and its living discomforts and tax harassment of foreign business houses, has caused in the past year a shrinkage from 417 to 308, or of 109 Americans employed in United States trading firms in the Tokyo area.

It is impossible today to export a great many American-made products into that country that compete with local industry.

Hong Kong: A British Crown Colony, 32 square miles in area, a port of great commercial value, one of the greatest transshipment ports in the world—a port that has only been partially cooperative and only partially successful in cutting shipments to Communist China of materials the United States considers essential to war uses.

The British are shrewd traders and look after themselves. Believe it or not, last March 5 the chairman of the powerful and influential Hong Kong and Shanghai Banking Corp. said, "It is Britain's policy to encourage trade with China."

Hong Kong is a valuable piece of property for Great Britain. An oil official, looking for sites, told me that business property well located sells from $32 to $40 per square foot; in other words, a filling-station property 100 feet by 60 feet, 6,000 square feet, would cost the oil company the sum of $240,000.

Singapore: An island British Crown Colony with an area of 217 square miles and with a population of over 1 million, 80 percent Chinese. Here, as in all British Commonwealth countries, the importer of American-made goods encounters severe handicaps in trading against the British.

Thailand and Burma: Thailand, a country of 17 million well-nourished people friendly to America, a country that, like Burma, is closing in on landownership by other than natives. In Thailand, I believe, a foreigner can now own his home and 2½ acres. In Burma, all land has been nationalized and the foreigner is prohibited from any ownership whatsoever. In Burma the peasant farm family has an annual income of from 50 to 65 American dollars. Burma, tied to sterling, discriminates in favor of England against imports from America. And, by the way, I found in Bangkok, Thailand, that your money was being spent by 8 or 9 agencies of the United Nations which, as you know, is largely supported by the United States.

India: In the cities of Calcutta, New Delhi, and Bombay, besides discussions with many people, I bought every newspaper as published.

India, a country with an area of 1,221,880 square miles, a little more than ⅓ the size of the United States and with a population in 1951 of 356,829,485—or more than twice that of the United States.

India, a member of the British Commonwealth of Nations, a participant in the sterling area.

India, a land of some very thick cream at the top, of a very thin body of skim milk in the scant middle and of millions and millions of crowded poverty-stricken people, 99.99 percent poor, at the bottom.

India, a land that 2,500 years ago gave the world one of its greatest religious teachers, the founder of a religion with pure and lofty philosophy, but nevertheless, a land today where, in places, begging is carried on as an organized business.

India, a land of at least 40 different main languages, an estimated 287 different dialects, and of at least 40 different concepts of democracy, a land flush in the newness of its independence, a land opposed to anything and everything that isn't India and Asiatic. "Asia for the Asiatics" is no idle slogan. It is the serious intent of over one billion people of this world. There is considerable doubt whether "Whites" will either control or manage business anywhere in the East within 10 to 20 years.

India, a land of many provinces, in some of which English is no longer allowed to be taught in the lower grade schools.

India, a land where the average annual income of an agricultural laboring family is $92.40, the average daily wage of casual workers—men, 21 cents; women, 11 cents.

India, a land that recently forced, through their exacting demands for operation, the closing of the General Motors and Ford Motor plants.

India, with a Premier it would seem unfriendly to America but a Premier who never spoke, if he did speak as rumored, truer words than, "Just mention communism and the United States Government will give you millions."

India, a land where the Union Planning Minister could say on March 25 last, "Nobody can at present tell what will happen to private enterprise in the future. There is a demand for greater equality in the country today and unlimited freedom to capitalists neither desired nor desirable, because people have been more conscious and have now been awakened."

India, a land where on March 18 last, the Union Minister for Commerce and Industry could threaten commercial interests by saying, "Industrialists must reconcile themselves to the possibility of greater measure of government control and direction in the economic sphere." And, further, this Minister would not wholly endorse without radical qualifications the right of employers to dismiss laborers in what he called a "Welfare State." An acquaintance of mine, thinking to enlarge his small plant in India, now, to the contrary, considers closing it as his labor force, on hearing of his plans, presented demands for an agreement that after 6 months' employment his workers must be kept on the payroll for life.

To India last year we exported nearly $100 million less than we imported from them. Today, if India manufacturers can't furnish, British manufacturers have an advantage over American manufacturers. In spite of their troubled history the past 300 years with England, India stoutly defends its participation in the sterling bloc and I believe is more pro-British than pro-American with Nehru, its Prime Minister, favoring communism.

Ceylon: a British crown colony of 25,332 square miles and 8,103,600 clean, contented and prosperous people. Good roads connect all parts of the island. There is little begging and education is fostered. Notwithstanding that it is a British crown colony, I found American products and Americans most welcome.

Pakistan: A dominion of 365,967 square miles area and with a population of 75,687,000 people. Pakistan, a member of the British Commonwealth of Nations. Notwithstanding American aid and our military alliance with it, American imports are discriminated against. Their import trade control provides that, I quote, "Where an item is licensable on the dollar as well as a nondollar area but a license for the dollar area is not issued to an importer in spite of his holding a category for the dollar area, a license will be issued to him for the nondollar area on the basis of his dollar plus nondollar categories." It is true our exports to Pakistan in recent years have exceeded our imports from there. But there is much in industrial and automobile equipment that if made in America cannot be shipped into the dominion.

Iraq: I was in Bagdad, its capital, 5 days. This country has 116,600 square miles and 5,100,000 people. It, too, is tied to sterling. The largest dealer there in automobiles and in the distribution of car parts told me that if he could import American cars without restriction, he could sell 75 percent of all the cars sold in the entire country but, as it was, he was allotted only a small percentage of his requirements, while British cars suffered under no such severe allocation. (It may be of interest for you to know that in 1952 Great Britain exported twice as many automobiles as did the United States—309,832 against 141,026; but that Great Britain imported only 1,452 passenger cars against the United States 33,306. As a plain American or English subject, try and import an American car into England.)

And it was on the plane from Bagdad to Rome that the sole Iraq representative returning to serve on an international organization with headquarters in Geneva said to me, "Why does your country give money to my country or help in military preparations for defense? We are one of the great oil-producing countries of the world. It is my belief that the common people of every country receiving your gifts of money and aid feel that, as a result, their rich are made richer and that your country is simply helping to perpetuate their present political conditions."

Italy: I was in Rome 6 days. Tourist trade was good. Hotels were all filled to capacity and the city gave every evidence of prosperity, and why should Italy not be prosperous? The United States from July 1, 1945, to December 31, 1952, gave it $2,209,206,000. Its industrial production index for January this year stood at 166 as compared to 101 in 1938. But you should not have been surprised to learn from the U. S. News & World Report of March 5, 1954, that the United States, pumping dollars and arms into Italy in an effort to keep the country out of the grip of Communists, doesn't seem to be winning many friends or influencing Italian opinion much in the process.

Sixty-nine percent of the Italian public in a recent poll said that the statement, "The United States is trying to dominate the world," was true or partly true.

Forty-three percent of the Italian public said that either the United States meddled

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too much in Italian affairs or wasn't interested enough.

And, the most alarming attitude of all, most Italians polled expressed their belief that the United States has selfish motives for helping their country financially.

May we add, that notwithstanding this country, in the period July 1, 1945, to December 31, 1952, gave France outright the huge sum of $3,107,890,000, I believe a poll there would show a far less favorable attitude toward America. In my opinion, all around the globe there is far less respect for America today than in any period in our lifetime. We are envied and suffered because of our wealth. We are not liked and as long as our foreign policy will let the nations of the world continue to bleed us, they will bleed us with delight and with cunning diplomacy.

England: My last stop, England, the mother of the British Commonwealth of Nations. The United Kingdom of Great Britain and Northern Ireland, with London the capital, has an area of 94,279 square miles, and a population of 50,368,455.

A population of 50,368,455 is just the beginning. The British Commonwealth of Nations covers 12,993,272 square miles of the world's land surface and has a population of 619,178,882, a population more than one-fourth of the inhabitants of the world. Within this huge sterling area and huge population the products of Great Britain have in most cases a duty preference of 10 percent and in many countries of the Commonwealth it is just impossible to import American products if like products are made in England but not in the importing Commonwealth Nation. (For example, no matter how badly wanted, it is impossible today to import my company's product into New Zealand, Australia, Pakistan, etc.) Add to the Commonwealth Nations, excluding Canada and Newfoundland, the countries closely tied to sterling, Norway, Sweden, Denmark, Holland, Belgium, Portugal, etc., and you have a good look at the shrewdness, ingenuity, sagacity, and ability of the British traders to create a preferred position for British manufactured products. As I see it, through one way or another, they have a trading advantage with nearly one-third of the people of the world; pretty good, isn't it, for the tight little island?

July 4 next will be England's independence day, as on that day all rationing will have been abandoned. The women are well dressed, the shops are full of merchandise, confidence is mounting, industries are humming, with production at the highest ever. Exports are rising; in fact, while the exports of the United States declined the first 2 months of this year compared to the first 2 months of last year, the exports of Great Britain were greater.

Yes, it is true, rich old Uncle Sam in the period July 1, 1945, to December 31, 1952, gave Great Britain $3,226,924,000 outright part of which was used to reduce their outstanding debt, and it is also true that, while the United States Government is still operating at a loss of billions of dollars a year, the British Government expects to end this year with a small surplus.

Sell—where? In England, if you have the materials and products they don't have and need. England is our best export customer and, considering what we have done for it, why shouldn't it be?

Before I discuss sell—where? From the domestic standpoint, I want to express my opinion that if the United States is to give away outright the sum of $30,246,609,000 as it did in the period July 1, 1945, to December 31, 1952, with total aid, economic and military, given or promised of $60 billion, it should zealously look after the interests of its producers and secure equal opportunities for them to trade in those countries benefited by our aid and gifts.

In many ways I resent the smug self-assurance of the British people, their assumption that they are a superior race to the manor and purple born. But in many ways I admire them for not only their high qualities of personal standards in business but for their constant and steady pursuit of Great Britain's greatness. They are not afraid to stand up and be counted for Great Britain and for whatever is in the interests of Great Britain first and that's an attitude, in my opinion, we are in sore need of today here in America. It was Theodore Roosevelt who said, "The man who loves other countries as much as his own stands on a level with a man who loves other women as much as he loves his own wife."

From every foreign trip I take, I return more and more of a nationalist, a strong nationalist, if you please. Unafraid, I am willing to stand up and be counted as one of those who are for America first and, as well, for America last. With 3,000 different languages in the world, with hundreds of different races in the world, educated and uneducated races, civilized and savage races, and with countless different ideals, ideologies and religions in the world, the position of those who propagandize for a one-world government is simply incomprehensible to me. They would submerge us with those who are jealous of and covet our wealth. They would shackle us to a dictatorial overall majority of foreign peoples to control our affairs and stifle every natural impulse and drive that from the beginning has made America greater than all other nations of the world.

However, I venture the opinion that it will soon be patriotic for the voices of Americans to again proclaim the necessity of protecting the precious heritage bestowed upon our great Republic by the Founding Fathers, and that those visionaries and pied pipers who, as self-acclaimed oracles of advanced thought, would now lead us into the abyss of destruction, will be silenced.

Listen to these statements made by British Sir Gerald Templer, High Commissioner for the Federation of Malaya, as published in the March 21, 1954, issue of Bombay Times of India:

"Thirty years ago it would have seemed strange if the British administration of the colonial type should be devoting all the resources at its command for the formation of a Malayan nation.

"It was fashionable then to regard nationalization as a great evil, cause of wars, and the greatest barrier to the spirit of peace and understanding over the whole human race.

"We know now that the emotional force behind modern wars of aggressors may be ideological or racial, but is never likely to be national; and that a sense of nationhood is perfectly compatible with a determination to work together with other nations for the establishment of a lasting peace."

I can't understand how one can widely travel and not realize, if economic and governmental policies of the nations visited are studied, that every country is today thinking and planning on how to make their country stronger and more self-sustaining and self-sufficient. Certainly, such an objective is legitimate and commendatory, even if, in the world we live in today with its wants, needs, desires, etc., it could never be 100 percent attained. India today, with 356 million people including 82,381 unwanted foreigners, of whom 5,261 are Americans, is willing to go to any lengths to have the goods and products consumed and used in India produced in India and sold in India by Indians. They are willing to heavily subsidize, to pay more, to do anything if only what they consume can be produced in India by Indian labor.

It is not one country that is alone in its aspirations to become as independent as possible of outside sources. Nearly all countries have that aspiration. And it is in the interest of that aspiration that we see British diplomacy at its best in promoting the British Commonwealth of Nations with import preferences to such nations.

British diplomacy, in my opinion, is a national one, concerned first and always for British interests, as witness their handsprings throughout their entire history in the interest of British trade and, as you have recently read, running true to form, they now want almost unlimited trade with Communist Russia. "God save the King" has an abiding meaning to them. It's a symbol of national unity; it means: God, look after and carry on eternally our precious and noble land. Would that Americans exercise a like foresight and cherish a like allegiance to this wonderful land of America, the home of the free and of the brave of which we proudly, though sometimes thoughtlessly, sing.

I do not agree with the recommendations of those Americans, regardless of their station or position in our society, who profess to believe that the United States world policy doesn't make sense and that our tariff walls should gradually, then completely, be removed. I believe in fully protecting our American workers, in fully protecting our American agriculture, and in fully protecting our American industry against the competition of cheap foreign labor. To be sure, conditions change as times change but, if in the moral or spiritual world certain principles are right to follow through the years of the past, present, and the future, so likewise in the political, economic, and free world certain sound and fundamental principles, that have helped to build America into the rich and marvelous Nation it is, are right to follow through the years of the past, present, and the future. Why should America without restriction and without regard to its own interests open wide its markets to the world when practically every country in the world, to encourage and protect its local manufacturing, is, more or less, as much and as fast as it can, closing its markets to the world?

I believe in friendship, intercourse, and trade among nations. I realize that our country cannot wholly exist within the fences of its national boundaries. I realize we are dependent upon certain materials that are available only from foreign countries. I believe in well-balanced reciprocal trade agreements where when you give something you get something for the something you give, but I do not believe in a Simple Simon role for the United States, in Pollyanna thinking or in suicidal policies just because in the past we have built success upon success and become strong and powerful. The lowering of duties on imports into America should be done with caution and without injustice to our own economies; never, in my opinion, unless compensating opportunities are secured for exports that benefit America and our own economies.

Here we are, a country, because of our generosity in aiding and in giving something for nothing, deeper in debt than all other nations of the world combined and now, according to some of those who would lead us, not satisfied with our distinction of being "Uncle" to the rest of the world to the tune of nearly $40 billion given away since 1945 to not less than 80 countries of the world. We are expected to lead off with the removal of tariffs, trusting them to follow once our gifts are curtailed or completely eliminated. We are expected to say to them and to the rest of the world, "Come, one and all, feast on our energy and on our initiative; feast on the better things for better living that we have been able to secure for ourselves and our posterity; come, share our wealth and our prosperity that through our toil and our private enterprise system and our constitutional freedoms and our ambitions and our genius we have created, and so forth. We will be happy if you buy of

us what you can't produce, but, no matter, come, sell us anyway; Santa Claus lives here in America." Should the gates of our markets be opened gradually, then completely, as recommended, I wonder whose ox will be gored first? I am sure it will be the other fellow's.

And I am sure that, if they can prevent it, it will not be England's ox that will ever be gored.

England's policies are long-range policies for England to endure as ours should be long-range policies for America to endure. April 6, R. A. Butler, the British Chancellor, presented his new budget to the English Parliament. Only a few changes were made from his last year's budget but, think of this as coming from free-trade England, the new budget included a proposed increase in the English duty on imported chicory of 79 cents per 100 pounds, with farmers and small holders naturally delighted. Only a 9,000-ton-a-year crop, used mainly for mixing in extract form with coffee, is grown in England and only $190,000 worth was imported in 1952. But as was said, "This increase in duty will be a great help and protection to growers." The London newspapers rightfully dubbed the Butler figures the "chicory budget." I dub it as another revelation of how one very farsighted country notices "even its smallest sparrow."

Sell—where? We have already expressed our belief that we must strive to trade with all nations. Our recommendations to Iowa manufacturers, for such as they are worth, are to sell, if they can, in, what I call for many, the unlimited and the limited world export markets, but to sell all they can in the tremendous, unlimited, here at home United States markets. What they can sell in an export market depends upon the product they make and whether a like or similar product is made in the foreign market. What they can sell in the United States depends only upon their engineering, manufacturing, and merchandising ability and upon the effort they are willing and capable of making.

On my trip, I was proud to find the great variety of American goods sold overseas. In Singapore I quickly listed from memory over 60 American products that I had, up to then, noticed advertised or displayed. Never in my life have I seen a finer dealer's display of Sheaffer pens than I saw in Hong Kong, or a bigger billboard advertising Sheaffer pens than I saw at the airport in Bangkok. However, I soon learned that Sheaffer has factories in Canada and Australia; that General Motors, Ford, Gillette, Firestone, International Harvester, and a great percentage of the manufacturers of American goods I saw advertised and displayed, had found it necessary, not alone because of dollar shortages abroad, but because also of import restrictions abroad, to establish foreign plants in the British sterling bloc and in other areas.

Sell—Where: In the greatest and most marvelous market in the world, the home market. Our population is increasing at an astounding pace. In the 12 years after 1940 we enjoyed an increase of 8,827,000 and an additional increase in the year August 1, 1953, over August 1, 1952, of 2,725,000.

Mr. McKeehan, Jr., in a talk made in Washington, D. C., January 12, 1954, before the 10th Annual White House Conference of Business and Industry Associates of Advertising Council gave these facts:

"We are gaining more new families.

"We are raising bigger families.

"Our people are living longer.

"We have more jobs—62,306,000 in September 1953—20 million higher than the 1939 average.

"We are earning more money. In 1952, the average middle-income family earned $3,981. Discretionary spending power of the population is now five times as great as in 1940.

"Our farms have become mechanized and are far more efficient.

"We have more high-school graduates—7,266,000.

"We have more students in college—2,377,000.

"We have more savings—$244 billion in 1952. The ownership of life insurance rose from $111 billion in 1940 to $276 billion in 1952.

"We are making great technological progress.

"We are eating better and eating better food.

"We have more leisure time and more travel time.

"We have broadened our horizons; 27 million of our homes have television sets, almost all of our homes have radios.

"We have experienced important cultural progress.

"We are experiencing a great renewal of spiritual interest.

"And nothing has been said about the coming atomic age, the age of medicine, and the age of electronics, guided missiles, radar, calculators, and electronic brains—new developments so fantastic as to be almost unreal."

And may I add that, more important than all else, we are a compact, prosperous people, 160 million strong, speaking one language in a territory comparable to the size of Europe, but, contrary to Europe, with its scores of nations, scores of different languages, centuries-old hatreds, and tariff barriers, we have not only no hatreds, no tariff barriers, but we have throughout the length and breadth of our land the same ambitions and the same most wonderful opportunities for all who are alert and who will really work to gain their desires.

Yes, America, your land and my land, with 6 percent of the world's population, creates nearly 50 percent of the world's wealth. And what opportunities for business success lie before us. As McKeehan said:

"Our school facilities ought to be almost doubled in the next few years.

"We need more and better highways. (We have 70 percent of the world's motor vehicles—1 to every 2.9 persons of our population, unlike Japan with 1 to every 159, Sweden, 1 to every 15, Spain, 1 to every 160, Russia, 1 to every 742, and India, 1 to every 1,253 persons.)

"We must rebuild or remodel the great majority of our dwellings.

"We must rebuild many of our cities.

"We need to expand hospital facilities.

"We must modernize much of industry.

"We need to increase our output of electrical energy by 250 percent."

Yes, a $500 billion program in these fields alone. In 1948 the United States output of goods and services was $246.7 billion. In 1960 the figure is estimated at $416 billion. A vast potential of the future that calls upon every American to realize that here in America, as in no other country, he can be master of his fate.

I leave a closing thought with you. You remember the story of Elijah and Elisha and their journey together to the banks of the River Jordan. And of Elijah's statement to Elisha before he was carried up into heaven in a chariot of fire, "Ask what I shall do for thee, before I be taken away from thee." And of the response of Elisha, "I pray thee, let a double portion of thy spirit be upon me." What was the spirit of Elijah that Elisha would be prompted to request in a double portion? In my opinion it was not only the spirit of faith, the spirit of hope, the spirit of courage, the spirit of will but, as God gave him the power and resources and the opportunities so richly to do, it was the spirit to carry on fearlessly and relentlessly in God's truths to insure forever the destinies of his people.

Again, in my opinion, that is what America needs today—not only a double portion of the faith, the character, and the right spirit, but the will to follow through, and to carry on fearlessly and relentlessly the destinies of our people in the paths and ways that have made our country great. Nowhere else in the world can practically every workman, if he will work, buy, and enjoy every comfort for better living—truly with his possessions he is a capitalist. And nowhere else in the world can capital, if but well managed, become such a productive worker for increased wealth. Labor and capital in America are one, for in America truly all of us are workers and truly all of us can be capitalists. I know statistics and comparisons are boring and odious but, in my opinion, here in America we need right now as never before to think straight for Americans, to count our blessings and privileges, one by one, and to one by one guard and preserve our freedoms and policies that made our blessings and our prosperity and our privileges possible.

The world has given much to America and has much to offer America. But America has given much and more to the world—hope and ideals, material goods and aid. Twice we have gone to the rescue of those fighting dictatorships. We in America realize full well that we are not superior in all things. Far from it. But, this we know, we are superior in the privilege and freedom we have to take advantage of untold opportunities unknown to any other peoples of the world and to have and enjoy, what we have earned to enjoy, the highest standards and ways of living of any people that have ever lived.

Let us then, as Iowa manufacturers, be business builders for America and for the world, producing products to serve at home and abroad wherever there is an opportunity and the need. But let us, as Americans, be mindful of our heritage and of our obligation to those who follow us and be forever imbued with the courage to defend and the foresight to stand up and be counted for America's welfare and for America's everlasting and enduring prosperity and growth, first, last, and forever. Let us hold fast to that, whatever it is, whatever it has been in the past, that has been good for America and made America great. To much of what I have said I hope you can say "Amen."

FINALITY OF CONTRACTS BETWEEN GOVERNMENT AND COMMON CARRIERS

The SPEAKER. Under previous order of the House, the gentleman from Virginia [Mr. HARDY] is recognized for 5 minutes.

Mr. HARDY. Mr. Speaker, on August 12, when the Consent Calendar was called, I objected to consideration of S. 906. This was a bill which proposed to establish the finality of section 22 contracts between common carriers and the Government. I explained my objections privately to the gentleman from Minnesota [Mr. O'HARA] and called his attention to the extremely short period of time which the bill allowed, and suggested that I would withdraw my objection if the bill were amended to provide more reasonable time limits. The gentleman from Minnesota agreed to the amendments which I suggested, but it later developed that there were others who objected to the measure, and as a consequence he did not call it up again with the amendment.

I was amazed to find from the RECORD of yesterday that S. 906 was called up by unanimous consent and passed without the amendment which had been agreed upon between the gentleman from

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Minnesota [Mr. O'HARA] and me. I know that in its present form the bill is considered unwise by many Members of this House; and, in my judgment, if this bill finally becomes law, it will cost the taxpayers of the United States many millions of dollars.

There are now pending a number of reparations suits which run into stupendous sums and which grow out of section 22 rates entered into in World War II. I do not understand that these suits would be affected by the legislation, but they indicate the extent to which possible excessive costs to taxpayers can result through section 22 contracts. I think it deplorable also that these suits have been pending for such a long period of time and necessarily leave the carriers in a difficult position. I believe that there should be legislation similar to that of S. 906, but I think that the time limits are entirely inadequate; 180 days, or 2 years in the case of contracts entered into during a national emergency declared by the Congress, is entirely too short a period. All of you know that in the course of regular governmental business the redtape that is involved would make it, in many instances, impossible for the Government to file claims for refund of excessive charges.

I call attention to the fact that frequently, especially in emergency periods, the authority to negotiate section 22 contracts is delegated to officers of little experience with railroad tariffs. Errors in judgment are not surprising and frequently section 22 contracts have involved substantial miscalculation. Only yesterday the gentleman from Missouri [Mr. JONES] called attention to inferior type of equipment frequently used by the railroads to transport National Guard men. He stated also that the rates charged were not less than the rates applicable to a single individual. It would seem to me that here is a case where section 22 rates might have been appropriately negotiated. Another specific type of case would have to do with the introduction of new items of military hardware. On such new items there would, of course, be no commodity rate applicable, and a reasonable rate would have to be negotiated under section 22, the only alternative being the use of a class rate which is always very high.

Mr. Speaker, I do not think that these matters can be properly disposed of with finality in a period of 180 days in peacetime, or within 2 years during periods of national emergency declared by the Congress. I am surprised that this bill was called up on yesterday by the gentleman from Minnesota and disappointed that, since he knew my position and since he had agreed to the amendment which I requested, I am disappointed that he failed to offer that amendment.

Mr. Speaker, the only course now open to prevent this improper legislation from becoming law is for the President to withhold his approval. I sincerely trust that he will do so, and it is my intention to urge him to do so.

SPECIAL COMMITTEE ON TAX-EXEMPT FOUNDATIONS

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, I had hoped to avoid the necessity of making these remarks concerning the work of the Special Committee To Investigate Tax-Exempt Foundations, but recent events which, while not materially affecting the work of this committee, have been damaging to the entire principle of congressional investigations have left me no choice.

In my years of service in the Congress, I have never observed a better organized smear campaign against a congressional committee nor such wanton distortion of the facts by the public press. The editorials and articles appearing concurrently in the Daily Worker, the New York Times and Herald Tribune attacking the committee and its work would appear to be more than a coincidence.

Let me go back to the beginning of the work of this committee. As a member of the Cox committee, the predecessor of this committee, I had observed three bodies of evidence which seemed to me of great importance: The first pointed to Communist or Communist sympathizer infiltration into the foundations; the second pointed to a much broader condition, namely, foundation support of Fabian socialism in America; and the third pointed to the financial aspect of the foundations.

There are presently some 7,000 foundations with assets in excess of $10 billion and with an annual income in excess of $300 million.

Less than a dozen of these foundations are widely known to the public.

There is much to indicate that the thousands of foundations unknown to the public are set up generally to avoid payment of taxes.

The number of foundations is rapidly increasing each year. They now have tremendous resources, which largely are taken out of our taxable income.

The tax-exempt foundations in America—big and little—are becoming a major concern.

Fabian socialism is not communism; it is a technique of nonviolent revolution by the consent of a duped, propagandized population.

It is the technique that brought socialism to Great Britain.

In the United States Fabian socialism has taken the name "New Deal" and "Fair Deal."

Of this there can be no doubt.

Norman Thomas, the long-time head of the Socialist Party in the United States, has publicly admitted that the New Deal almost put the Socialist Party out of business by taking all of the principal planks from its platform.

Parenthetically, I want to say a brief word to those Americans who approve of the New Deal-Fair Deal-Fabian revolution, and therefore might call this investigation a tempest in a teapot.

It is their privilege to do so, but it is my privilege to oppose this overt subversion of traditional American ideals.

I have fought it for 20 years during its steady progress, and as long as I continue to serve the public I will continue to fight it.

Although the Cox committee was not looking for Fabian socialism, the evidence presented before it disclosed to me what might be an important clue to the location of the nerve center of subversion in America—the left-wing intellectuals, whose prestige and influence seemed to be the product of the tax-exempt foundation grants.

I therefore suggested to the Congress that the investigation be extended.

In doing so, I realized that if my suspicions were true all of the enormous power and prestige of the foundations, and to some extent that of the corporations from which they sprang, would be pitted against the committee.

If I were wrong, the investigation would cause no more excitement than did the Cox committee investigation.

I also realized that if my surmise concerning Fabian socialism was correct, every left-wing group that is participating in or benefiting from the intellectual revolution would join in the attack on the committee.

I also realized that the left-wing press and the pseudoconservative press would be under terrific pressure from these intellectuals and organizations to discredit the committee and distort the facts concerning its work.

What I did not realize was that this influence would reach even into the conservative press.

And from what has happened in the last month, it is obvious that the large foundations are trying to make certain that never again will a mere committee of the Congress have the temerity to look into their social and political science activities and into their financial power.

Let me review the method adopted by the committee.

After discussing with the staff the best and fairest method of approaching this inquiry, we decided to inform the foundations in advance of the main lines of investigation.

To me, this offered the foundations a tremendous advantage, knowing in advance the area of the inquiry.

But this step was violently attacked as prejudgment of the case, in spite of the fact that when the outline was presented by Mr. Dodd, the committee's director of research, he stated, and I quote:

> As this report will hereafter contain many statements which appear to be conclusive, I emphasize here that each of them must be understood to have resulted from studies which were essentially exploratory; in no sense should they be considered proved.

As the hearings got under way, it became very obvious that the ranking minority member of the committee had no intention of permitting orderly hearings and was determined to discredit and harass the investigation.

Throughout the hearings Mr. HAYS assumed an attitude of aggressive suspi-

cion and insulting distrust of the majority members of the committee and of the committee staff.

He could not have made it clearer that he intended to frustrate to the limit of his abilities any orderly procedure.

It is interesting to note that Mr. HAYS, the minority member in question, is representative of the political group that has benefited most from the intellectual revolution that has taken place in America, and it seems probable to me that his rude, unreasoning, and ruthless attitude during the foundation hearings is one of defending an important source of New Deal strength in America.

I do not know whether one of Mr. HAYS' objectives was to force the discontinuance of the public hearings, but at least he was successful in making that decision necessary.

I would like to take a moment to describe to you the tactics of Mr. HAYS that eventually forced this action.

In his role of a skillful provocateur, he interrupted witnesses beyond all reason, attempting to frighten witnesses and to disorganize both their initial presentations and orderly interrogation by others.

During one of the 3-hour sessions, Mr. HAYS interrupted one witness 246 times.

During the public hearings he indulged in intemperate attacks upon the staff and upon the majority members of the committee.

He accused the chairman of lying and being a coward and accused Mr. GOODWIN of duplicity and cowardice.

As an example of the Marxian technique of attacking a messenger when the message cannot be attacked, he cast aspersions upon the character and record of a distinguished Catholic nun, the daughter of Senator MCCARRAN, whose scholarly work on Fabian socialism in Great Britain had been placed in evidence.

As further examples, Mr. HAYS characterized an outstanding group of American scholars appearing as committee witnesses as "crackpots," "dredged up" by the committee.

As was written to the chairman of the committee by the eminent Prof. Kenneth Colgrove, subsequent to his appearance before the committee, Mr. HAYS created, and I quote:

> A fear among competent persons who might otherwise question the omniscience of the directors of those foundations. Witnesses are thereby warned that no matter how objective their testimony, no matter how legitimate their questions, their character would be smeared and their testimony ridiculed.

In spite of the sniping by Mr. HAYS Professor Colgrove was able, on a piecemeal basis, to get a very valuable body of evidence into the record concerning the deplorable lack of science contained in so many of the foundations' social science projects.

Actually, a great deal of so-called social science, as carried on with foundation funds, is little more than an elaborate argument that Government can take better care of the people than the people can take care of themselves.

Prof. A. H. Hobbs was criticized for his attack upon the Kinsey report, which initially was a foundation project.

Actually, anyone who had taken the time to examine this highly questionable statistical study cannot help but agree with Professor Hobbs, even if only for one reason, namely, that it makes a laughing stock of morality and reduces human love to the animal level.

In his letter to the chairman, Professor Colegrove also states:

> Obviously, no self-respecting scholar would care to testify before such a committee under such circumstances.

When the truth is known concerning the work of this committee, a large section of the American press which printed virtually none of the competent and pertinent testimony presented to the committee and has printed practically all of Mr. HAYS' tidbits of character assassination and so-called witty barbs, will be faced with an embarrassing situation.

It seems to me that a suitable subject for congressional investigation would be the source and nature of the pressure which is behind the terriffc attack upon the committee by three large papers, in addition to the Daily Worker—the New York Times, the New York Herald Tribune, and the Washington Post and Times Herald.

The promptness and uniformity with which a large section of the press has attacked the committee's decision to discontinue the public hearings on the false ground that the foundations would thereby be deprived of a chance to defend themselves, indicates the thoroughness of the plans and press coverage behind Mr. HAYS' effort to frustrate the hearings.

Regarding the cry of injustice resulting from the discontinuance of the public hearings, let me point out that it is only common sense to conclude that no action could have been more favorable to the foundations because they were thereby given an opportunity to speak in their own defense and completely avoid having to substantiate their claims through cross-examination.

Some of the foundation answers have not yet been received, but thus far there has been very little to refute the basic suspicion that caused me to suggest this investigation, namely, that the large foundations have supplied the bulk of the money that has been used to lay the intellectual base for and perpetuate the prestige of the New Deal.

In fact, one of the briefs filed by the Carnegie group states that one of their projects which had been criticized as being socialistic, namely, the report of the Commission on Social Studies by the American Historical Association, was not socialistic.

Here are the exact words used by Mr. Charles Dollard, president of the Carnegie Corp. of New York, in refuting that charge.

I quote:

> The worst that can be said is that the authors not only reported this trend but appeared to accept it cheerfuly. What they were accepting was not socialism—it was the New Deal.

I believe that special attention should be given to the foundations' charge that the discontinuance of the hearings will deprive them of proper publicity for their filed statements.

A good example of the degree to which they will be penalized is found in a single issue of a single newspaper—the New York Times of July 25—published the day after the Ford Foundation released its statement attacking the committee.

In that 1 issue there were 3 completely favorable stories regarding the Ford Foundation, totaling approximately 4,000 words, that went into more than a million American homes.

One of the articles was a front-page feature carried over to the pages adjacent to the other two articles.

Nothing could have been planned more meticulously.

This was their own story and contained many derogatory statements which would have had to have been corroborated had the Ford Foundation been subjected to the normal procedure of cross-examination.

Every citizen who read the New York Times July 25—Sunday—was completely assured of the purity of the Ford Foundation.

It will be interesting to see how many words of these remarks are carried by the same paper.

In spite of the fact that through this superb public relations smear campaign in an effort to exonerate the tax-exempt foundations of all blame, even before the committee report has been prepared, I am determined that the committee work shall proceed normally, that an adequate public record shall be developed, and that a fair, objective report of findings will be rendered.

This is the task to which I have set myself and this is the task which I propose to finish, regardless of the forces attempting to stifle and discredit, the investigatory powers of this legislative body.

If I have seemed to have been silent under this abuse for too long a time, it is because I am confident that in the end the truth will prevail.

In summing up, I would like to speak with more bluntness than is my usual custom. This committee has been subjected to various and strange pressures and harassments. It began to be reviled from many directions very early in its career.

A steady procession of condemnatory resolutions emanating from a puzzling assortment of organizations have followed its work. As I mentioned before, several of the major newspapers—notably the New York Times, the New York Herald Tribune, and the Washington Post and Times Herald—have joined with the Daily Worker in a steady, constant, almost daily campaign of savage attacks, both in editorials and what purported to be news reports.

These savage attacks have been of a nature so venomous and untruthful as to eliminate any explanation but one.

The attitude of the committee and of its staff and the occurrences at the hearings have been deliberately misrepresented to the public with such obviously

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intended malice that no explanation seems rational but that the power of some of the major foundations and their sycophants is truly great.

It has been said that the foundations are a power second only to that of the Federal Government itself. Perhaps this statement should be modified because it seems to have become an affront for a congressional committee to dare to subject foundations to criticism. Perhaps the Congress now should admit that the foundations have become more powerful, in some areas at least, than the legislative branch of the Government.

PROCEDURE IN THE HOUSE OF REPRESENTATIVES

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MARSHALL. Mr. Speaker, the longer I am a Member of this body the more appreciation I have for the rules of the House, and the greater respect for my colleagues. Under our rules we expedite matters. We get our work done. In the years I have been here we have always been ahead of the other body in that regard.

We are always appreciative of the guests we have that come to this Chamber. They come from all over the world.

The other body has certain ways of informing their guests by handing out pamphlets showing where they are seated and so on, in this way they are identified. The Members of this body are of fully as great stature as Members of the other body. Guests who come from all over the world have no way of identifying Members. I hope sometime something can be done to identify the Members of the House so that guests may recognize them. I would suggest two electric signs similar to the signs they have in Griffith Stadium carrying the names of Members so that the guests can see who is speaking. Electric lights could easily identify the Member speaking and the district in the State he represents, perhaps, since we have found committee action so important that committee could be identified.

HON. DAVID LYNN, ARCHITECT OF THE CAPITOL

Mr. CANNON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CANNON. Mr. Speaker, I am certain every Member of the House noted with the deepest regret the decision of the Architect of the Capitol, Mr. Lynn, to retire at the end of this year. We realize that he is richly entitled to a vacation. But it is the removal of a landmark. It is the end of a notable era in congressional and Capitol history. It is as if we looked around one morning and found the dome of the Capitol missing.

Mr. Lynn has rendered exceptional service in that very important national position. He is one of the seven men who have served as Architect of the Capitol since 1793.

On August 22, 1954, he will have completed his 31st year of service as Architect of the Capitol and more than 53 years of service here on Capitol Hill.

He was appointed Architect of the Capitol by President Coolidge August 22, 1923.

During his tenure of office, there have been constructed under his supervision and added to the buildings under his charge the New House Office Building, the First Street wing of the Senate Office Building, the United States Supreme Court Building, the central refrigeration plant, and other additions to the Capitol Power Plant supplying services to the buildings on Capitol Hill, the annex and addition to the Main Library of Congress Building, and the legislative garage.

In that time the 62 acres of land immediately north of Constitution Avenue have been acquired and developed as a part of the Capitol Grounds park area, affording a direct vista of the Capitol Building from the Union Station. The Capitol, Senate and House Office Buildings have been completely air conditioned and changes and additions to bookstacks and other improvements have been made at the Library of Congress. One of the most interesting and difficult tasks accomplished during this period was the reconstruction, in 1949–50, of the 90-year-old roofs over the Senate and House wings of the Capitol and the remodeling of the interior of the House and Senate Chambers, originally completed and occupied in 1857 and 1859, respectively.

All of us can testify that Mr. Lynn is a man of patience, tact, and diplomacy. His duties require frequent contact and consultation with the leaders of the House and Senate, as well as congressional committees and individual Members of Congress and their staffs, and he has met all tests with unfailing courtesy and kindness.

Mr. Lynn has served longer than any predecessor, with the exception of Edward Clark who served for 37 years. William Thornton, appointed by President Washington, served as Architect of the Capitol from 1793 to 1794; B. H. Latrobe, appointed by President Jefferson, from 1803 to 1811 and 1815 to 1817; Charles Bulfinch, appointed by President Monroe, from 1818 to 1829; Thomas U. Walter, appointed by President Fillmore, from 1851 to 1865; Edward Clark, appointed by President Johnson, from 1865 to 1902; Elliott Woods, appointed by President Theodore Roosevelt, 1902 to 1923; and David Lynn, appointed by President Coolidge, from 1923 to 1954.

During this eventful period of more than 30 years Mr. Lynn has disbursed millions of dollars and had the responsibility for the construction and maintenance of some of the most famous and most artistic buildings in the world. They will stand forever as a memorial to his distinguished service and the integrity of his flawless administration.

I am certain I express the regret of all Members of the Congress that he is retiring and the universal appreciation of the historic service rendered in one of the most exacting positions on the face of the globe.

His charming wife, a daughter of a former Member of Congress and Clerk of the House, the beloved South Trimble, has had a large part in his career and his accomplishments.

We wish for them health, happiness, and contentment, and length of days.

HON. ROBERT CROSSER, A REPRESENTATIVE FROM THE STATE OF OHIO

Mr. CANNON. Mr. Speaker, I cannot see this session close without paying tribute to one of the truly great men of the Congress and the Nation.

With this session of the Congress, our friend—and the friend of all mankind—BOB CROSSER, completes one of the notable services in length of tenure and record of accomplishment in the history of the House. He was first elected to Congress 40 years ago. It has been a notable 40 years. Great changes have taken place and great progress has been made. And BOB CROSSER, the great commoner, has had a very large part in the procedure of the House and all industrial legislation in particular throughout those fruitful years. His service to his fellow man is written where it can never be forgotten. There is not an enactment concerned with social progress upon the statute books but bears the imprint of his service and his devotion.

And now, at the close of his long and distinguished career here on this floor, I join the Members of the House in wishing him every happiness in the years to come—"the last for which the first was made."

We wish him good health and good fortune and Godspeed.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield.

Mr. FEIGHAN. Mr. Speaker, the gentleman from Missouri [Mr. CANNON] has ably described the character, personality, and devotion to the cause of his fellow man, of our distinguished colleague, BOB CROSSER, when he said that he has made an imprint. Indeed, the imprint which BOB CROSSER has indelibly impressed in the economic and social life of our beloved country, shall, I hope, never be erased. The name of BOB CROSSER shall always be remembered as the father of the railroad retirement law. Only those who served with Mr. CROSSER could adequately describe the uphill fight in which he engaged against strong odds, to bring to fruition this legislation which now is acclaimed by so many, including those who at first bitterly opposed such legislation. The same could be said about many other legislative battles to improve the conditions of the workingmen in which BOB CROSSER has taken a leading role. A most distinguished gentleman is leaving the Halls of Congress in which he has established an enviable record, and he will be sorely missed. I join with my colleagues in wishing you, BOB CROSSER,

the blessings of the infinite God above who watches over all of us.

Mr. POLK. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield.

Mr. POLK. Mr. Speaker—

ROBERT CROSSER, Democrat, of Cleveland, Ohio, was born at Holytown, Lanarkshire, Scotland, and moved to Cleveland, Ohio, with his parents in September 1881; attended the public schools at Salineville, Ohio, graduating from the high school in 1893; entered Kenyon College, Gambier, Ohio, in September 1893, and graduated in June 1897 with the degree of A. B., M. C. L., honorary, June 1929; LL. D., honorary, May 1942; professor of law of torts, Baldwin Wallace Law School, 1904–5; entered the law school of Columbia University in October 1897, remaining part of a year, and the Cincinnati Law School in October 1898, graduating from the latter in June 1901 with the degree of LL. B.; was admitted to the bar of Ohio in June 1901, and entered upon the practice of law in Cleveland in September 1901; was a member of the Ohio House of Representatives, 1911–12; was elected a member of the Fourth Constitutional Convention of Ohio, which convened at Columbus on January 9, 1912, and adjourned August 26, 1912, serving as chairman of the initiative and referendum committee, and was the author of the initiative and referendum amendment to the constitution; member Cleveland City Club and Phi Delta Phi legal fraternity; was elected to the 63d Congress from the State at large; reelected to the 64th Congress from the 21st Ohio District, and reelected to the 65th Congress; again elected to the 68th, 69th, 70th, 71st, 72d, 73d, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82d and 83d Congresses; author of the railroad retirement law, the railroad unemployment insurance law, and the Railway Labor Act of 1934; member of the Interstate Commerce Committee.

This is the brief biography of the dean of the Ohio Democratic congressional delegation, the Honorable ROBERT CROSSER, of Cleveland, which appears on page 115 of the 1954 Congressional Directory.

This biography is so brief and so typical of the innate modesty of Mr. CROSSER that I think it appropriate for me to add something to it by way of elaboration and to record some of my personal experiences with and observations of BOB CROSSER, whom it has been my privilege to know since November of 1930.

Soon after my election to the 72d Congress, I came to Washington to confer with the Democratic leadership about committee assignments for the 72d Congress and other matters relating to my approaching service in Congress. Then as now Mr. CROSSER was one of the most respected and responsible leaders of our party. He was one of the first to whom I went for counsel and guidance. I shall never forget our first meeting. Mr. CROSSER said, "Young man, you are Mr. POLK but your name should be Mr. Pollock for it was Pollock in Scotland from whence your ancestors came." This reference to my Scottish ancestors was naturally surprising to me and I was glad to tell Mr. CROSSER that I am a direct descendent of Robert Bruce Polk or Pollock who migrated as a young man from Scotland to Ireland, where he married and later came to the Eastern Shore of Maryland, about 1672 with his wife and family. The name Pollock had been shortened to Polk by Robert Bruce Polk in Ireland.

It is characteristic of Mr. CROSSER, an expert on Scottish genealogy and history, that he had taken the time to check upon the name and family background of a newly elected member of his delegation and he already knew that one of my paternal ancestors came from Scotland.

Because of Mr. CROSSER'S support in my behalf before the Democratic members of the Ways and Means Committee and with Speaker John N. Garner, I was placed on a select committee—the Committee of Agriculture—something unusual for a first-term member in those days. For this loyal support and advocacy of my cause by Mr. CROSSER, I am deeply grateful.

Mr. CROSSER is a master of detail and a master of the art of tracing ideas to their basic fundamentals. His clear and logical and honest thinking has served him and his constituents well in his long and successful legislative career.

No other representative from the State of Ohio, in the history of our Government, has served as long as BOB CROSSER. He first came to Congress on March 4, 1913. Only one other living Member of the House of Representatives, former Speaker SAM RAYBURN, of Texas, the dean of the House, began his service on that date.

Except for 4 years, Congressman CROSSER has served continuously as a Representative from Cleveland since March 4, 1913.

The watchword of his service can well be summed up by the word "integrity." BOB CROSSER is the soul of integrity.

While BOB CROSSER was always loyal to his party, he always placed principle above party and he did not always follow the course of action recommended and advocated by other party leaders. For example, on March 11, 1933, he led the opposition in the House against the so-called Veterans Economy Act, a bill to cut veterans' pensions and compensation. I was glad to join with Mr. CROSSER in this controversy with President Roosevelt. We temporarily lost the fight in the House but a few days later the Senate liberalized the bill to some extent and a few months later the law was repealed. Our fight against practicing economy at the expense of war veterans and their dependents aroused public sentiment throughout the country to such an extent that these pension cuts were soon restored.

Every veteran in the United States owes a debt of gratitude to Congressman CROSSER for his fight against this so-called Economy Act of 1933. Never, since that date has a similar attempt been made to cut veterans' pensions and compensation benefits.

For his work and service in their behalf, all veterans should be grateful to BOB CROSSER.

In the field of railroad labor legislation, Mr. CROSSER has long been acknowledged the supreme authority in the United States. He authored and steered through Congress, in the face of strong opposition, the railroad retirement law, the railroad unemployment insurance law, and the Railway Labor Act of 1934. It was my privilege to be associated with him in all three of these legislative battles and thus I learned to know his deep sympathy with, and understanding of, the problems of all those who work in the various laboring crafts.

In every legislative controversy, BOB CROSSER always championed the cause of the underprivileged, the defenseless, and the downtrodden.

What is best for the public interest, for the welfare of all the people of our great country has always been uppermost in his mind and heart.

Mr. CROSSER'S retirement from active public service will leave a great void in the 84th and succeeding Congresses.

The following lines were recently written of him by an unknown admirer:

FORTY YEARS IN CONGRESS

Congressman CROSSER, of Cleveland, Ohio,
A most remarkable, wonderful man,
Forty years, has been a Member of Congress;
And, ever since his career here began,
He has, because of his marvelous merit,
Grown, as a statesman of national fame,
Until not only the House, but the Senate,
Loves to do honor to his worthy name.

His graduation from high school and college,
Paved the way for honorary degrees;
And his devotion to every known duty
Gave him the vision and courage to seize
Every worthwhile opportunity offered.
Keeping himself always under control,
Onward and upward he climbed, without ceasing,
Toward the high peak of his coveted goal.

As an example, for others to follow,
His loyal life is a bright polar star—
After he's gone, it will ever keep shining,
From the celestial regions afar.
May he be spared many more years of service—
But, when he's called by his Maker to go,
With his last breath, as he from the earth passes,
May he "Praise God from whom all blessings flow."

In 1793, Robert Burns wrote a song entitled "Bannockburn," a sort of Scotch ode, that one might suppose to be Robert Bruce's address to his followers on the morning of the battle of Bannockburn:

BANNOCKBURN

Scots, wha hae wi' Wallace bled,
Scots, wham Bruce has aften led;
Welcome to your gory bed,
Or to glorious victorie.

Now's the day, and now's the hour;
See the front o' battle lower;
See approach proud Edward's power—
Edward! chains and slaverie!

Wha will be a traitor knave?
Wha can fill a coward's grave?
Wha sae base as be a slave?
Traitor! coward! turn and flee!

Wha for Scotland's King and law
Freedom's sword will strongly draw,
Freeman stand, or freeman fa'?
Caledonian! on wi' me!

By oppression's woes and pains!
By your sons in servile chains!
We will drain our dearest veins,
But they shall—they shall be free!

Lay the proud usurpers low!
Tyrants fall in every foe!
Liberty's in every blow!
Forward! let us do, or die!

Like Robert Bruce, who fought for political freedom for Scotland and against English oppression and tyranny, ROBERT CROSSER has always fought legislative battles for the common people, the little people of America and for all those who

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have needed help and support in their efforts for economic and social betterment.

To all the selfish interests and powerful monopolies, BOB CROSSER would say, in the words of Robert Burns—

> Lay the proud usurpers low!
> Tyrants fall in every foe!
> Liberty's in every blow!
> Forward! Let us do, or die!

Mr. PRIEST. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Tennessee [Mr. PRIEST], the whip of the House.

Mr. PRIEST. Mr. Speaker, it has been my pleasure and very great privilege to serve on the Committee on Interstate and Foreign Commerce with the gentleman from Ohio for quite a number of years. During all that association, I found him to be a man of great courage and high principles—a man of keen intellect, devoted to the public interest.

I think his unfaltering devotion to principles, what he believed to be in the public interest, are perhaps outstanding characteristics as far as he is concerned. I have learned a great deal from him. I have learned a great deal with reference to the very important matters coming before that great committee. I shall personally miss him here and miss him on that committee a great deal.

Mr. CANNON. Mr. Speaker, I yield to the gentlewoman from Ohio [Mrs. FRANCES P. BOLTON].

Mrs. FRANCES P. BOLTON. Mr. Speaker, I cannot possibly let the day go by without expressing something of my very warm affection for our distinguished colleague, BOB CROSSER. When my husband came here in 1928, he and ROBERT CROSSER were already great friends. His friendship was deep and lasting and it has been my good fortune to have fallen heir to it. I often wonder whether this "dour Scot" knows how great a pleasure it has been to me to feel that he would sit and talk with me about so many things. Especially have I appreciated the quality of our regard for each other which permitted us to tease each other about this and that as only good friends can.

We are going to miss him. Cleveland is going to miss his representation here in this House. We were truly shocked when we found that his vote had not carried. We felt it always would; but, Bob, you are going to be here with us, because you have been here so long that you have left an imprint on this House of your very deep interest in the welfare of the people which will be a very real challenge to all who follow you. Although I have not been a member of your committee, I have appeared before you where I have always been given every courtesy. It is with the greatest reluctance that we let you go. But perhaps you will take with you something so warm that you will be amazed how often your spirit will come to us here just as ours will go to you wherever you are.

We wish you well whatever you do, wherever you go. May Heaven be ever kind to you.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, when I came to the 63d Congress, the gentleman from Ohio [Mr. CROSSER] came to the same Congress. With a slight variation, we have been in the Congress ever since. He and I sought positions on the great Committee on Interstate and Foreign Commerce, which I still think is one of the greatest, if not the greatest, legislative committee in this House. It has a varied and wide jurisdiction. Having served on that committee for 24 years, and as its chairman for 5 years, it has been one of my prides that I have been associated with it and with such outstanding and noble characters as BOB CROSSER. I never knew a man, in or out of private life, that I thought had a higher sense of justice, a greater devotion to the public service, and trying to serve his day and generation well, and make this country better while he lived and leave it better for those who come after, than BOB CROSSER.

I shall miss his personal friendship here. I shall miss his fine, warm personality. I wish for him throughout the years that are allotted to him that his life may lead through green pastures and by still waters.

God bless you, Bob, and keep you many years to come.

Mr. CANNON. Mr. Speaker, I yield to the gentleman from Tennessee [Mr. REECE].

Mr. REECE of Tennessee. Mr. Speaker, for many years it was my pleasure to be associated with my friend, the distinguished gentleman from Ohio, on the important committee to which the former great Speaker referred. In my years of service here, I have never been associated with a man who had a broader concept of justice, a deeper sense of responsibility to duty, than has been demonstrated by the gentleman from Ohio. As a result of his service and endeavors his name has become associated with much of the important legislation dealing with matters affecting interstate commerce that is on the statute books today.

He is a man who has the qualities of heart and mind which endear him to the people who know him. He has just as strong friends on one side of the table as he has on the other.

Although he has devoted himself wholeheartedly to his work as a Member of Congress and to his membership on the Committee on Interstate and Foreign Commerce, he has other interests. Some of his interests and mine have followed parallel paths. He is a great student of Andrew Johnson. I like to think of Andrew Johnson and read about him. Bob and I have frequently undertaken to analyze the life and character of that great American. While I can readily recognize that some of our colleagues, Bob, might not share our estimate of that great American, that is because they have not studied him as much as you and I and are not as familiar with his real record of achievements.

In all my work on the Committee on Interstate and Foreign Commerce there has never been a time when there was any feeling between BOB CROSSER and me despite at times our divergent views on legislative matters, because everyone respects the opinion and sincerity of BOB CROSSER.

We are going to miss him in this legislative Chamber. There is no man on the Committee on Interstate and Foreign Commerce who will be missed more than BOB CROSSER. He has endeared himself to that particular segment of American life known as railway labor; but in his efforts which caused that great segment of the American people to become endeared to him, he at no time has offended the other segments of our citizenry, or other segments of the industry which has legislative matters pending before that committee.

I, too, want to join the other Members of the House in wishing BOB CROSSER health and happiness as he proceeds on his journey through life which, I am sure, will be more peaceful and restful than have been the 38 years he spent here as a Member of Congress.

I am sure he leaves with the love and affection of every Member of Congress on both sides of the aisle.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks at this point on the life, character, and public service of Mr. CROSSER.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ROONEY. Mr. Speaker, I wish to say a word in tribute to my good friend and distinguished colleague, Hon. ROBERT CROSSER, of Ohio, the ranking minority member and former chairman of the Committee on Interstate and Foreign Commerce.

I have a feeling of deep regret since BOB CROSSER will not be serving with us in the next Congress and I am sure that his many friends in this body feel the same way. When he leaves us at the end of this session, perhaps this evening, we will lose a most distinguished and able statesman. While he has had a commendable record during his 38 years of service, I think the crowning achievement in his long legislative career here in the House was the enactment of the original Railroad Retirement Act. He has every reason to feel proud of being known as the father of railroad retirement. Railroad workers throughout the Nation have a great reverence for this kindly gentleman who for so many years has been one of their best friends and ablest advocates.

My association with him has been most cordial and pleasant and his successful sponsorship of legislative reforms needed by the workingmen will always stand as a monument to his devotion to their cause. I hope that he will enjoy many more years of good health, happiness, and the comfort and rest which he has richly earned.

Mr. HARRIS. Mr. Speaker, I would like to take this opportunity to pay tribute to my colleague and associate, the Honorable ROBERT CROSSER. For 14 years I have had the pleasure of serving in the Congress with BOB CROSSER, or "Mr. Bob," as he is affectionately known to

most of us. For 12 years out of those 14 years, I have been intimately associated with him on the Interstate and Foreign Commerce Committee. And for 4 years, during the 81st and 82d Congresses, Mr. Bob served as chairman of our committee.

BOB CROSSER has given unstintingly of his time and talents to the service of his fellowmen. If you try to describe Mr. Bob, you run into some difficulties, because he does not fit any conventional pattern. Born in Scotland, he has brought with him to this country a heritage of rugged independence. He has coupled this independence with indomitable courage. A lesser man might have given up struggling against difficult physical odds. Not so Mr. Bob.

One reason, perhaps, apart from his Scotch ancestry, for his courage and perseverance is BOB CROSSER's deeply religious attitude. Again, Mr. Bob's religion does not fit a conventional mold.

Recently, we had an informal farewell luncheon in honor of Mr. Bob. The luncheon was attended by the Speaker, Mr. MARTIN; the majority leader, Mr. HALLECK; the former Speaker, Mr. RAYBURN; and most of the members of our committee. They spoke at the luncheon of BOB CROSSER's service in Congress and on the Interstate and Foreign Commerce Committee. When it was BOB CROSSER's turn to say a few words, he did not speak of the many years which he has spent in Congress and of his achievements in the legislative field. Mr. Bob spoke in deeply felt words of his conception of man's relation to God.

If he were not the modest man that he is, BOB CROSSER might well have spoken on this occasion of his achievements throughout his many years of service in Congress. He might have spoken of his struggle for the passage of legislation to achieve better working conditions for the working people and particularly for railroad workers. He might have spoken of his untiring efforts to secure legislation providing for retirement benefits for railroad workers.

Recently the House unanimously passed amendments to the Railroad Retirement Act broadening the benefits provided under that act. BOB CROSSER is generally considered the father of this legislation. When these amendments were considered, many Members of the House paid tribute to BOB CROSSER and his achievements in the Congress in behalf of railroad workers. Today, I want to take this opportunity to join the Members who spoke then praising Mr. CROSSER's accomplishments.

As I have said, all through these years, Mr. Bob has maintained an independence of action and thought that has made him respected and honored by his colleagues on both sides of the aisle. All through his long years of service, he has been proud of the fact that he was not beholden to any political organization and that his actions and his votes in the Congress were dedicated solely by his best judgment of what is best for his fellowmen. His retirement will lose to the Congress and to our committee the services of a man whose services and talents are hard to replace and I assure you that I feel a great personal loss in BOB CROSSER's retirement.

Mr. PATMAN. Mr. Speaker, ROBERT CROSSER, who is retiring at the end of the 83d Congress, has a great record to his credit. I have never known a Member of Congress to have such a conscientious feeling about his duty to his constituents. It has been my privilege to serve with BOB CROSSER 25½ years, and during that time, I have been closely associated with him. His every thought and action, as a true Representative of the people of his district, were in consideration of whether or not they would redound to the benefit and help of the people he represented. In order to effectively represent his people, it was necessary that he have a fine working relationship with his colleagues in the House. This he succeeded in doing—not by yielding his beliefs and principles in any respect, but by fair dealings, loyalty, and faithful performance of duty. Such a Member always has the admiration and respect of his colleagues, and no Member was admired or respected more by Democrats and Republicans than BOB CROSSER. He was always on the side of right and never, knowingly, on the side of wrong. His quick, intelligent mind and tremendous backlog of knowledge and information caused him to be one of the most powerful Members of Congress.

Bob was an able debater and was always fair and honorable. He did more for the retired railroad worker than all the rest of the Congress combined while he was serving. He was our leader in that fight, and without his vigorous and intelligent leadership, the railroad workers would probably not have the most generous and favorable retirement system in the United States today.

Bob was also a great friend of independent business, particularly, small business. He was always fighting for rights and benefits for the workers, veterans, aged, and particularly, the classes and groups of people who did not have special representatives in Washington to look after their interests.

Although BOB CROSSER has retired, I am sure he will be called upon many times for his advice and counsel in connection with so many public questions and proposals that he knows so much about, and many of them he knows more about than any other person. In his case, there will be no retirement because I know that he will continue to work in the interest of the people of this Nation and the country in the way and in the capacity that it will be possible for him to serve without being a Member of Congress.

The example set by BOB CROSSER in his conduct as a Member of the House, as chairman of one of the greatest committees of the United States Congress, as a great debater upon the floor of the House, and for the many far-reaching achievements to his personal credit will continue to be an inspiration to the present Members of the United States Congress and those who serve after us.

Mr. DINGELL. Mr. Speaker, the farewell to my good friend BOB CROSSER awakens in me a deep sense of sorrow for in him I have had always an adviser, a leader, and a friend.

Nearly always we voted together as liberals, as progressives, especially so in legislation pertaining to the great railway brotherhoods and their members for whom Bob spoke and carried on even before my arrival on the scene in this Chamber 22 years ago. He was my guide and I voted with him because he was railway labor's outstanding friend, and I had confidence in the course he outlined. In turn the dean of Ohio's congressional delegation consulted and voted with me in matters pertaining to taxes, social security, and other important measures brought forth by the Committee on Ways and Means.

I shall miss him as will so many of you. He will never be forgotten because of the splendid service he rendered unto all the people of this Nation, and particularly to Ohio and his own district. He will be succeeded by another, but never quite replaced, for the CROSSER course was always lofty, but not always the easiest to follow.

Good luck Bob, and may God bless and keep you always safe and happy.

Mr. CROSSER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CROSSER. Mr. Speaker, and my beloved friends, it was always somewhat natural for me to express myself vigorously in behalf of causes to which I am wholeheartedly devoted, but I am somewhat awkward in trying to reply to such complimentary remarks in regard to myself by good friends.

Many, many years ago, at the request of Members of the House, I endeavored to pay a most deserved tribute to a distinguished colleague, who as a very young man had enlisted in the Union Army as a private at the beginning of the war against secession. He had served with distinction throughout that war, was frequently praised by his superior officers and was discharged at the end of the war with the rank of brevet brigadier general. He served later in public office, including a number of terms in Congress. He was 90 years of age and was leaving the House at the close of the session on March 3, 1925. He passed from this earthly scene within a few months after the Congress had adjourned. He had served his country with great distinction in time of war and also as a public official in time of peace.

At the beginning of my tribute I expressed myself substantially as follows: "Earnest and continuous devotion to one's best understanding of right is the sublimest expression of life."

In what I trust has been the attitude of true humility, in an effort to enable my fellow man to enjoy equal rights in the bounty of the Creator, I have tried constantly to observe, uphold, and promote the standard of life which I have just stated.

Men may continue to talk learnedly on subjects labeled with impressive titles

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such as moral philosophy, political economy, political science, religion, ethics, methaphysics, and other titles to identify their discourses and may be expert elocutionists or skillful dramatists in their presentations to assemblies, but when all will have been said, that which more than all else every person desires is to know what is right, otherwise called the truth or the real.

If, constantly, day after day without evasion, equivocation, or hesitation, the individual, during every moment when he is conscious, instantly obeys the "still small voice," or as William Ellery Channing urged when he said, "be obedient to the promptings of your own soul" or as others sometimes say, "obey your highest inspirations or intuitions," then the individual will know the right, that is, the truth which will make men free. Moreover the more constantly and persistently we obey the promptings of "the still small voice," the more clearly will be realized certain and unerring guidance and the more vivid will be the joy and bliss in realizing the right, that is to say the truth.

Regular and immediate response to one's inspiration, or as Channing urged, "obedience to the promptings of your own soul" makes certain that there will soon awaken in the individual, the fuller realization of reliable guidance toward increasing enjoyment of unalloyed good.

Long ago I became convinced that the philosophy of democracy is substantially the same in principle as that which had been taught almost 2,000 years ago by the Galilean, as the universal brotherhood of man, the understanding and realization of which, I have strived earnestly to promote.

Because of my unqualified acceptance of and support of that principle, as just explained, and in order to have freedom of mind, I have considered it proper to deny myself membership in humanly devised organizations which might in any way induce partiality on my part in deciding, according to principle, what is right or wrong. In deciding what is right between persons or even groups of persons, our minds, so to speak, should proceed on the straight line of principle to the just decision, without any inclination toward one side or the other because of partiality or attachment to any person or persons. We should endeavor continually to have the freedom of mind which makes it possible to decide and to act at all times according to the right, the truth, which embodies the eternal principles of justice.

I have given much study and thought to such subjects as ethics, political science, political economy, metaphysics, and so forth. After all, however, treatises in regard to such subjects are simply classifications for the purpose of simplifying the task of ascertaining what in any case may be designated as the right, the truth or the real. As already stated, right is that which is in accord with, indeed is identical with the Supreme Power of the Universe and its activity. Truth means the same as right and both words mean the same as the word "real."

I am, of course, well aware of the fact that when one emphasizes the importance and necessity of knowing and living the truth, the sneering egotist is always ready to bark the hackneyed question: "What is truth?"

Instead of giving what might be called the stereotyped answers of the market place or the street, I would say that the most perfect answer to that question was given by the man of Nazareth to Pontius Pilate, who was at the time groping for some excuse for his decision to execute Jesus. Pilate stated that the people were angry because He—Jesus—claimed to be their king. Jesus explained to Pilate that he had made no such statement but had said to the people that the kingdom of heaven is within and that he had also told his hearers that if they would live the truth as he had explained it to them they would experience joy and bliss always. Pilate, again trying to excuse his cowardice and still trying to baffle Jesus, then asked him "What is truth?" Jesus instantly answered Pilate saying "he that doeth the will of the Father shall know of the doctrine." By the word "doctrine," Jesus, of course, meant the truth. Pilate then snapped back, "How can we know the will of the Father?" Jesus answered, "Be obedient to the still small voice."

As I have already noted, Channing said, "Be obedient to the promptings of your own soul." Other statements of that truth might be quoted, but it is unnecessary to do so.

A more complete statement of the principle just mentioned is that in order to realize fully the life with which man is endowed by the Creator, it is necessary to think and act in harmony with the Supreme Power and the law of creation.

With no intention of being in the least sacrilegious in the analogy, I might suggest that if a person should devise a very useful mechanism which would increase man's comfort and improve human standards of life, everybody would assume that the device in question should be operated in accordance with the plans and ideas of the person who had devised or invented the mechanism. Now, if that is the proper action in the use of what is humanly constructed and arranged, then surely, in order to make the best use of our lives, we must live the right, which means the truth, that which is in accord with the law of the Infinite Mind, the individual should comply with the directions of his Creator, must constantly accept the guidance designated by the greatest of all men as "the still small voice."

There are many distractions, mistakenly believed to be harmless but which obstruct the prompt recognition and availment of the perfect unfolding guidance of the all-knowing, unlimited mind and its activity, which is the source of all that may be designated as truth, the real, or the right.

Many persons, for example, engage in the observance of conventional formalities of one kind or another, various symbolisms, ceremonies, and other erroneous conceptions which are of a concrete nature, and generally materialistic. As a result of such practices men become contentious in their efforts to uphold and promote programs, and even fetishes or cults of groups with which they may be associated. The more numerous may be such distractions, however, the more it must be emphasized that always the most important requirement is that the individual be constantly conscious of the existence of absolute right. There is no other reality or existence whatsoever. Whether or not we fully understand at any moment the exact nature of right, if nevertheless we continue to know that right, the truth, the real is all that exists or can exist, we can be sure that a state of true happiness will be experienced more and more fully as the individual continues to be in accord with the law of the perfect government, which may be called the true law of life if you will. It is the only law which can be properly observed. Failure to observe that law results in the so-called evil or wrong which seems to plague mankind.

For the purpose of illustration, let us take the office of the legislator, that is membership in the policy determining branch of government, in other words, the body which officially determines the policies, the interpretations of the ever-prevailing absolute right, the truth, which is to prevail among the people collectively. Unless the person who attempts to be a legislator, is what may be described as afire with zeal for a specific policy or policies which he is certain would increase the people's realization of justice, their fuller enjoyment of infinite good, he should not even seek membership in any lawmaking body. Indeed it may be truly said that when a person seeks membership in any lawmaking body, because of the desire for a title, he greatly, and very harmfully lessens his fellowman's enthusiasm in the search for and understanding of the "Truth that will make men free." Such a title seeker promotes one of the worst of all evils which the cynics call "playing the game of politics."

The principle which I have been trying to explain is expressed in the lines of Horatio Bonar, as follows:

Thy soul must overflow if thou
Another's soul wouldst reach;
It needs the overflow of heart
To give the lips full speech.

Think truly and thy thoughts
Shall the world's famine feed;
Speak truly, and each word of thine
Shall be a fruitful seed;
Live truly, and thy life shall be
A great and noble creed.

In these lines the poet has made it clear that in everything we do, but more especially when as lawmakers we undertake to formulate public policies, we should search our consciences thoroughly and constantly to make sure that we are not trying to serve what is wrongly considered to be even personal material advantage instead of promoting the good of all. No person, young or old, should seek office in the lawmaking branch of government of any kind, unless he is constantly obedient to the still, small voice. He may believe that no one will know the difference, but finally when less and less often the promptings of right elevate

his thought he will then realize the fatal error of promoting what is mistakenly regarded as the material interests of so-called self.

Some may say, of course, that no person controls his own conduct in accordance with the strict standards just now discussed. Such reputation assassins will sneeringly say that even those who sincerely advocate and work earnestly for fundamental principles which they are certain would promote justice, yes, such malicious slanderers say that such earnest, sincere workers for the right are first of all, if not altogether concerned about personal profit, personal advancement and glorification.

Cynics may ask if I have at any time set aside what was regarded as being of great material advantage to me in order to make certain of better serving the cause of justice for our fellowmen.

My answer to such questions is that not once but many, many times have I disregarded what was generally considered to be of great material advantage to me in order that I might do my very best to establish and to promote the success of a principle which I knew would make men free in a politico-economic sense, and which would hasten and finally bring into actual experience the equal rights provided by the Creater for all mankind.

Because it was one of the earliest tests of my fidelity to a great cause, yes, a sacred principle, I mention an instance which might be regarded by the cynic as trifling, although I did not so consider it. When I had graduated from Cincinnati Law School and began the practice of law in Cleveland, I immediately tendered my services to Tom Johnson, the greatest mayor in Cleveland's history, who was serving his first term. My reason for doing so was that before I had settled in Cleveland, I had learned that Johnson had become an earnest advocate, champion, and I might almost say evangelist for a great principle of political economy advocated by P. E. Dove, the French physiocrats, John Stuart Mill, Herbert Spencer, and by Henry George.

I had previously become a convert to the same principle of political economy. Promptly therefore after I arrived in Cleveland, I volunteered my help to Mr. Johnson when I learned that Johnson had abandoned a marvelously successful business career—which from his start as a newspaper boy, during the war against secession, had made him a millionaire shortly after he was 30 years of age—yes, had quit a most prosperous business in order to promote the cause which he believed would enable all of his fellowmen to actually enjoy equal rights and would abolish the distress and suffering of humanity and assure all men of justice.

Shortly after I had settled in Cleveland, some of the people in the neighborhood where I resided were urging me very earnestly to be a candidate for the city council. I was, of course, complimented by their urgence, but to make sure of not doing anything that would harm the cause to which I was as much devoted as was my then leader, Tom Johnson, I called to see Mr. Johnson and asked him what he thought of the suggestion that I become a candidate for the council. He was very complimentary, and said that he was very desirous of having my cooperation. He said that he was aware of my devoticn to the principle of political economy of which he had become such an earnest champion. He said, however, that for the advantage of the cause which he knew was close to my heart, as it was to his, he thought that it would be better to support another man who had already become a candidate and was a long-time resident of the ward, and for that reason might be more certain of election than myself. He explained that he knew that, like himself, I would be concerned primarily with the cause for which he, Johnson, was fighting and like himself, my first concern would be to make sure of the election of a sufficient number of councilmen who would be friendly to our cause. I promptly agreed and said that I was not there to ask for his support or to urge any special viewpoint, but because I regarded him as the leader in a struggle for the governmental approval of the sound principle of political economy which, if put into effect, would assure justice to all men. I cheerfully assured him at once that I would not be a candidate because he had satisfied me that for the good of the cause I should accept his judgment as to what was the best course under the circumstances.

At the risk of overemphasis, but because of the transcendent importance of the principle, let me again stress the fact that what may be designated as the truth, the right, the real, has always existed. Infinite mind, infinite spirit, or principle and the law of its action are all in all. All that really exists is one. The leading physicists agree that there is no independent entity called matter. It is clear therefore that the individual can create nothing. He can, however, become conscious of, that is discover, the right and continue to do so with joy unlimited.

Everyone who has had experience in public life, or indeed has been engaged in any field of human activity, is well aware of the efforts to sway him from what he believes to be right and that the human inclination is to try to please our fellows as far as possible.

Since I started as a Member of the House on March 4, 1913, it has been my desire to merit the good will of all of my colleagues and I do not believe that I have neglected any proper course of action to earn such good will. My philosophy of life does not permit me to hate a single human being, notwithstanding the fact that many times in election strifes I have been the victim of tactics which most people would have felt justified a person to be not only hostile but almost violent in retaliation.

It is well known that, as a close student of the philosophy of democracy, I have always contended that as Thomas Jefferson insisted, every individual must have absolute freedom of thought and speech and be subject to no coercion in the performance of his public duty. That is the way in which we secure the cross section of public opinion, that is to say, ascertain the voice of democracy. I have felt also that it was especially important that a person who aspires to public office should be always absolutely free in mind to decide what he believes to be right in reference to any particular subject that may require a decision during his tenure of such public office.

In my effort to uphold that standard of conduct I realize that I have displeased persons whom I would, of course, have preferred to please, if I could have done so consistently with what I believed to be the requirements of ethics and justice. Let me say again, however, that whether or not I have displeased or disappointed persons in connection with political campaigns in my home territory or disappointed some of my colleagues in the House, with whom I may have found it necessary at times to disagree, I bear no ill will to anyone.

We should all, of course, as already said, earnestly endeavor always to uphold, that is to live, the right, truth, the real, existing eternally by virtue of the Supreme Power, the only lawgiver, in the absolute sense. In earnestly serving the cause of truth, let us, however, avoid any histrionics about the sacrifice made in doing so. We often hear sentimental balderdash about dying for one's faith, and as answer to that kind of talk, my colleagues, I shall close this address by quoting the lines of Ernest Crosby:

LIFE AND DEATH

So he died for his faith. That is fine.
More than most of us do.
But, say, can you add to that line
That he lived for it, too?
In his death he bore witness at last
As a martyr to the truth.
Did his life do the same in the past,
From the days of his youth?
It is easy to die. Men have died
For a wish or a whim—
From bravado or passion or pride,
Was it harder for him?
But to live—every day to live out
All the truth that he dreamt,
While his friends met his conduct with doubt
And the world with contempt,
Was it thus that he plodded ahead,
Never turning aside?
Then we'll talk of the life that he lived.
Never mind how he died.

NATIONAL SALVATION ARMY WEEK

Mr. KEATING. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (S. J. Res. 173) to authorize the President to proclaim the week of November 28, 1954, through December 4, 1954, as National Salvation Army Week.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the joint resolution, as follows:

Whereas in October of 1879 a lone woman Salvation Army officer, Lt. Eliza Shirley, encouraged the formation of an official party, comprising 7 women officers and Commissioner George Scott Railton, to extend the

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work of the Salvation Army in the United States; and

Whereas today the Salvation Army has grown into a huge operation with its 3,996 officers administering 6,400 centers of charitable and religious work assisted by 34,687 prominent citizens of all races and creeds who have formally associated themselves in the close relationship of lay leadership; and

Whereas the Salvation Army, acting under a charter issued by the State of New York in 1899, is an organization designed to operate as a religious and charitable organization with the following purposes: The spiritual, moral, and physical reformation of all who need it; the reclamation of the vicious, criminal, dissolute, and degraded; visitation among the poor and lonely and sick; the preaching of the Gospel and dissemination of Christian truth by means of open-air and indoor meetings: Therefore be it

Resolved, etc., That the President of the United States is requested and authorized to officially proclaim the week beginning November 28, 1954, through December 4, 1954, as National Salvation Army Week.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that my time be postponed until later today, by which time I expect to have certain information that I hope to have before speaking.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

RECESS APPOINTMENT OF COMPTROLLER GENERAL

Mr. HALLECK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3868) authorizing the payment of salary to any individual given a recess appointment as Comptroller General of the United States before the beginning of the 84th Congress.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding section 1761, as amended, of the Revised Statutes, any individual appointed by the President to the office of Comptroller General of the United States before the beginning of the first regular session of the 84th Congress may be paid the salary for such office as provided by law.

SEC. 2. This act shall cease to be in effect upon the 41st day following the beginning of the first regular session of the 84th Congress unless prior to such day the President shall have submitted to the Senate a nomination to fill such office.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WHY I CAME TO CONGRESS

Mr. MILLER of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MILLER of Kansas. Mr. Speaker, I think it is well known, under what unusual circumstances I came to the House of Representatives. It was because inadvertently the House had made an appropriation to build a dam in my district, which the people did not want and they expressed their disapproval by defeating the former Member from that district who had advocated the construction of that dam, and by electing a man who opposed its construction. There came a time when an amendment was offered to an appropriation bill to continue construction of that dam, and it is universally conceded that on account of my activity here that amendment was defeated. Something else has happened since then. The same influences that had brought about the authorization of this dam have also brought about an authorization for two additional dams in my district under exactly similar circumstances. The people out there are absolutely opposed to these dams, as they were and still are opposed to construction of Tuttle Creek Dam. They proved it in the primary campaign. I had no opposition in my party for the nomination, but there was a great deal of rivalry for the nomination on the Republican ticket and the issue was definitely: "Shall these dams be constructed?" The gentleman who was opposed to those dams won by a decisive majority, which shows again that the people—the majority of the Republicans as well as Democrats in that district are still opposed to the building of those dams. The nomination hinged upon that issue.

You Members of Congress passed a bill providing pilot watershed projects to demonstrate the best methods of control of excess water. That program is well under way. It was in the first session of this Congress that you provided for the first time an appropriation of $5 million to implement the development of these pilot watershed programs, and it is being done. One project is being developed in the valley of the Delaware River, where one of the three big dams is authorized to be built. The people are progressing with it. Last Thursday, they had a demonstration out there in the neighborhood of a little town of less than 200 people. There were perhaps 5,000 people there to see what could be done. Louis Bromfield was there to give the main address. There were soil conservation experts from the surrounding States to observe the success of the project. It was shown conclusively that floods can be prevented by controlling the flow of the water from raindrop to the river channel.

Mr. Speaker, I understand that it is a well-established custom to give due regard to the interests and opinions of the people and the Members of Congress of all the congressional districts. This being the case I am confident that no future Congress will make appropriations to implement construction of these dams now that better methods of flood control are being demonstrated in the various projects authorized and provided for by this preceding Congress. The more than $150 million that would be necessary to build these dams of questionable value would be more than enough to finance the implementation of modern upstream water control measures and have money left over for channel improvement measures by way of dikes, flow ways, and bank stabilization, which in all probability would be all the protection necessary for the cities of Topeka, Lawrence, and Kansas City, when the upstream measures have been taken.

Now that the pilot watershed program has proved the effectiveness of upstream water control, I confidently believe that future Congresses will appropriate the necessary funds to develop this program with great speed and efficiency.

ESTABLISHING UNIFORM SYSTEM FOR GRANTING INCENTIVE AWARDS TO OFFICERS AND EMPLOYEES OF THE UNITED STATES

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to recognize the gentleman from Kansas [Mr. REES] to move to suspend the rules and pass the bill (H. R. 7774) to establish a uniform system for the granting of incentive awards to officers and employees of the United States, and for other purposes, as amended by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. WICKERSHAM. Mr. Speaker, reserving the right to object, I should like to inquire of the majority leader, since he is requesting permission to suspend some more rules and have some more unanimous-consent requests, if it would not be possible to consider the Washita project, S. 118, which passed the Senate unanimously, which was strongly recommended by the President of the United States in his budget message, and in which no later than yesterday the Secretary of the Interior stated he favored and which the Department of the Air Force has indicated it is highly essential to the air base at Clinton, Okla.

Would the gentleman consider calling up this measure under unanimous consent or under suspension? Three weeks ago the same bill was reported out of committee by a 10 to 3 vote. At the same time the Rules Committee was meeting and the administration leaders informed us that they would not meet any more. Is there any chance?

Mr. HALLECK. The gentleman has discussed this matter with me several times. My position with respect to it is unchanged. There are a great many measures that will not be acted upon at this session of the Congress for one reason or another. That is all I can say to the gentleman at this time.

Mr. WICKERSHAM. I withdraw my reservation of objection, Mr. Speaker, and trust that the majority leader may reconsider and change his attitude in the future.

Mr. Speaker I wish to read the copy of a letter to the majority leader, which the Air Force delivered to me today.

I quote the letter:

DEPARTMENT OF THE AIR FORCE,
Washington, D. C., August 20, 1954.

Hon. CHARLES A. HALLECK,
House of Representatives,
Washington, D. C.

DEAR MR. HALLECK: My attention has been called to S. 118, a bill "to authorize the Secretary of the Interior to construct, operate, and maintain the initial phase of the Washita River Basin reclamation project, Oklahoma."

A development of an irrigation and reclamation project in this area will undoubtedly have several beneficial effects upon the Clinton-Sherman Air Force Base. We are informed that the water table which serves the wells supplying the airbase has been falling. Thus, the impounding of water may serve as a potential standby for these wells. Furthermore, we envision several thousand military personnel and civilian dependents as ultimately being stationed in the area. Owing to the nonavailability of on-base family housing, it is clear that adjacent communities will be augmented, which in turn will serve to place a further drain on the present water supply in those surrounding communities. Another considerable benefit of this project would be the creation of a potential recreation area for our personnel.

In consequence of the benefits we have mentioned, we feel that passage of this bill would be in the overall interest of the Department of the Air Force.

Sincerely yours,

JAMES H. DOUGLAS,
Under Secretary.

Mr. SMITH of Virginia. Mr. Speaker, reserving the right to object, does the gentleman know what this new bill is?

Mr. HALLECK. Yes, I think I know fairly well what it is.

Mr. SMITH of Virginia. Would the gentleman impart that same information to the membership of the House?

Mr. HALLECK. Yes. It is a bill, the principal part of which, of course is the Senate amendment, which was just adopted today. It provides in its general terms for a 5-percent increase for postal employees and a 5-percent increase for classified employees. It has certain other features, one of which is the appointment of a commission to study the matter of reclassification.

Mr. SMITH of Virginia. Mr. Speaker, further reserving the right to object, there are 29 Members of the House who, feeling very deeply that it was necessary to reduce expenditures here and balance the budget, went out right far on the limb the other day in order to try and sustain the position of the President of the United States who had the same objective in view, according to his statements.

I would like to know in determining whether I should object to this request or not, whether the President has abandoned his previous expressions of his intent to see that this budget was not further unbalanced by this proposition unless the necessary revenues to meet the payments were included in the bill.

Mr. HALLECK. Let me say to the gentleman, as far as I know, the President has not reversed his position. I think that was expressed in the other body by those qualified to speak there in the debate.

May I also say to the gentleman that as far as I am concerned my personal position has not changed.

I took the position from the beginning that there should be an increase in postal rates, may I say an increase that I think has been long overdue, to offset this cost. That is my present position.

We have all got to be practical.

Mr. SMITH of Virginia. Yes, yes. And this matter of balancing the budget I consider the most practical with which we have to deal.

Mr. HALLECK. Yes, that is right, that is very true.

And may I say to the gentleman he and I have been great friends for a long time, and I will put my record up against his in that regard.

May I also say to the gentleman that in asking this consent request do not get the impression I am indicating support for this bill, because I am not. I want that understood.

It is quite apparent to me that this Congress is not going to adjourn until this measure is acted upon. When the sine die adjournment resolution is adopted, as I hope it will be adopted today after the social-security conference report is acted upon here and acted upon in the other body, I hope that the amended adjournment resolution which we sent to the other body some days ago will then come before us.

My whole purpose here is to dispose of the matter at this time ahead of the vote on the sine die adjournment resolution in order that our work may be quickly terminated.

Mr. SMITH of Virginia. I am wondering if we will have copies of the bill available when it comes over here.

Mr. HALLECK. I think the amendment was printed in the other body. I am quite sure that it was, and undoubtedly those copies will be available.

Mr. SMITH of Virginia. May I say to the majority leader that his friendship for me is fully reciprocated. I have admired his courage through the years that I have served with him. What I have had to say here is no criticism of the majority leader, for whom I have the highest regard and affection; but I would like to repeat that those of us who have felt so deeply, I am sure, the desirability, and the necessity of bringing this budget within reach of balance, it is difficult for us to understand when we support the President at some personal and political sacrifices in his declared efforts to do certain things that will bring that about, it is difficult for us to understand why suddenly the rug is pulled out from under us, leaving us in midair.

Mr. HALLECK. May I say to the gentleman, if he will yield, that the rug is not being pulled out from under anyone.

The gentleman will remember that some days ago we took action on a combined bill. It was the text of both bills that had been reported by the Committee on Post Office and Civil Service. One provided for an increase of rates—and may I say a reasonable increase in rates, a needed increase in rates, and what we conceived to be a reasonable increase in pay for postal employees and provision for reclassification subject to veto of the Congress of the United States.

I did everything in my power to bring that bill to passage because I thought it was right, and the RECORD will disclose that of the Republicans, all but two voted for it. We tried to enact a program, the kind of a program the gentleman from Virginia talks about. We did not succeed in that attempt because there were not enough votes on that side to pass the measure. Here we are confronted with a practical situation. The House of Representatives, not with my vote, passed some days ago a bill for postal employees. The other body by an overwhelming vote, may I say to the gentleman from Virginia—I understand 69 to 4—passed this bill. Under the circumstances, I do not think it is incumbent upon me or the Speaker to take the individual responsibility of saying to the House of Representatives that under those circumstances you cannot act on the measure.

Mr. SMITH of Virginia. Perhaps the gentleman is right, but it does not seem to me to be the proper way to legislate; that is, to bring in a new bill here that the Members do not know anything about and have never seen and pass it without any opportunity for amendment or discussion.

Mr. DINGELL. Mr. Speaker, reserving the right to object, and I shall not object, I want to ask what I believe to be a pertinent question. I may say to my friend from Indiana, the majority leader, that frankly I am not satisfied even with a 5-percent increase. I think it might well be 7 or 10 percent. We have been lagging behind this program all of these years. But I would like to know now at this late hour that we may finally have an increase in pay for the postal employees and for other classified Federal employees whether the bill provides a retroactive increase in pay or will the pay increase be current or after enactment, and, if so, when?

Mr. HALLECK. I am informed it is current. May I say to the gentleman from Michigan that what we are doing now is to complete the procedure. I take it a second will be demanded, which will give 20 minutes of debate on each side. I do not pretend to be an expert on all features of this bill. We have had a number of things here that have come along rapidly in recent days.

Mr. DINGELL. I am not going to ask for a second because I want to speed up the moment when these employees will know that they are going to get a pay increase.

Mr. SIEMINSKI. Mr. Speaker, reserving the right to object to ask one question: Does this companion bill giving a rate increase with a salary increase encompass the proposition that rates will be increased to wipe out the whole postal deficit, or are we putting this on a special charge account levied against the

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people, still leaving the commercial users of the mails to run riot to the extent of a deficit of over $400 million? Do you lump them together or is this a specified rate increase for a specified purpose?

Mr. HALLECK. The bill we brought in under suspension would have raised or would have increased the rates about $230 million. It would not have wiped out the current deficit of $400 million. This bill has no provision at all for rate increase. It will cost the Post Office Department and also the taxpayers an additional $112 million. That is not good business.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

AMENDMENT TO SOCIAL SECURITY ACT AND THE INTERNAL REVENUE CODE

Mr. REED of New York submitted the following conference report and statement on the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 2679)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 9, 10, 12, 13, 30, 45, 47, 48, 50, 51, 52, 124, 125, 137, 139, 140, 141, 162, 190, 196, 201, 202, 239, 254, 255, 257, 275, and 299.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 5, 6, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 36, 37, 39, 40, 41, 42, 43, 44, 46, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 163, 166, 167, 168, 169, 170, 171, 172, 175, 177, 178, 179, 180, 182, 183, 184, 185, 188, 191, 192, 193, 194, 195, 197, 198, 199, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 258, 259, 260, 261, 262, 263, 264, 267, 268, 272, 273, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 334, 335, 336, 337, 338, 339, and 340 and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "$100"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with the following amendments:

Restore the matter proposed to be stricken out by the Senate amendment.

On page 4, of the House engrossed bill, strike out lines 20 and 21.

On page 4, of the House engrossed bill, strike out "(C)" on line 22 and insert "(B)."

On page 6, lines 6 and 7, of the House engrossed bill, strike out "(other than the retirement system of the Tennessee Valley Authority)."

And the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with the following amendments:

On page 2, line 10, of the Senate engrossed amendments, strike out "(c)(1)" and insert the following: "(d) (1)."

On page 2, line 15, of the Senate engrossed amendments, strike out "sentence" and insert the following: "sentences."

On page 3, line 6, of the Senate engrossed amendments, strike out "(7)" and insert the following: "(6) (as renumbered by subsection (g) (1) of this section)."

On page 3, line 7, of the Senate engrossed amendments, strike out "paragraph (7)" and insert the following: "such paragraph (6)."

On page 3, line 9, of the Senate engrossed amendments, strike out "(8)" and insert "(7)."

And the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with the following amendments:

Restore the matter proposed to be stricken out by the Senate amendment.

On page 11, of the House engrossed bill, strike out lines 3 through 9 and insert the following:

"(4) Section 211 (c) (5) of such Act is amended to read as follows:

"'(5) The performance of service by an individual in the exercise of his profession as a physician, lawyer, dentist, osteopath, veterinarian, chiropractor, naturopath, optometrist, or Christian Science practitioner; or the performance of such service by a partnership.'"

And the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with the following amendments:

On page 7, line 10, of the Senate engrossed amendments, strike out "(i)" and insert "(j)."

On page 7, line 12, of the Senate engrossed amendments, strike out "(g)" and insert "(h)."

And the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: On page 8, line 11, of the Senate engrossed amendments strike out "(j)" and insert "(k)"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "(l)"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "(m)"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: Restore the matter proposed to be stricken out by the Senate amendment, and on page 23, line 15, of the House engrossed bill strike out "paragraph (2) of"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "(j) and (m)"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: Restore the matter proposed to be stricken out by the Senate amendment, and on page 24, line 6, of the House engrossed bill, strike out "paragraph (2) of"; and the Senate agree to the same.

Amendment numbered 138: That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: Restore the matter proposed to be stricken out by the Senate amendment, and on page 57, line 25, of the House engrossed bill, strike out "and (4)" and insert: ", (4), and (5)"; and the Senate agree to the same.

Amendment numbered 160: That the House recede from its disagreement to the amendment of the Senate numbered 160, and agree to the same with an amendment as follows: Strike out the matter proposed to be stricken out by the Senate amendment and insert the following:

"TERMINATION OF BENEFITS UPON DEPORTATION

"SEC. 107. Section 202 of the Social Security Act is amended by adding after subsection (m) thereof (added by section 102 (i) of this Act) the following new subsection:

"'*Termination of Benefits Upon Deportation of Primary Beneficiary*

"'(n) (1) If any individual is (after the date of enactment of this subsection) deported under paragraph (1), (2), (4), (5), (6), (7), (10), (11), (12), (14), (15), (16), (17), or (18) of section 241 (a) of the Immigration and Nationality Act, then, notwithstanding any other provisions of this title—

"'(A) no monthly benefit under this section shall be paid to such individual, on the basis of his wages and self-employment income, for any month occurring (i) after the month in which the Secretary is notified by the Attorney General that such individual has been so deported, and (ii) before the month in which such individual is thereafter lawfully admitted to the United States for permanent residence,

"'(B) if no benefit could be paid to such individual (or if no benefit could be paid to him if he were alive) for any month by reason of subparagraph (A), no monthly benefit under this section shall be paid, on the basis of his wages and self-employment income, for such month to any other person who is not a citizen of the United States and is outside the United States for any part of such month, and

"'(C) no lump-sum death payment shall be made on the basis of such individual's wages and self-employment income if he dies (i) in or after the month in which such notice is received, and (ii) before the month

in which he is thereafter lawfully admitted to the United States for permanent residence. Section 203 (b) and (c) of this Act shall not apply with respect to any such individual for any month for which no monthly benefit may be paid to him by reason of this paragraph.

"'(2) As soon as practicable after the deportation of any individual under any of the paragraphs of section 241 (a) of the Immigration and Nationality Act enumerated in paragraph (1) in this subsection, the Attorney General shall notify the Secretary of such deportation.'"

And the Senate agree to the same.

Amendment numbered 161: That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "108"; and the Senate agree to the same.

Amendment numbered 164: That the House recede from its disagreement to the amendment of the Senate numbered 164, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert the following:

"(b) Subparagraph (B) of section 213 (a) (2) of such Act is amended by inserting '(except wages for agricultural labor paid after 1954)' after '$50 or more in wages' in that part of such subparagraph which precedes clause (i), and by striking out clause (iv) and inserting in lieu thereof the following:

"'(iv) if an individual is paid wages for agricultural labor in a calendar year after 1954, then, subject to clause (i), (a) the last quarter of such year which can be but is not otherwise a quarter of coverage shall be a quarter of coverage if such wages are less than $200; (b) the last 2 quarters of such year which can be but are not otherwise quarters of coverage shall be quarters of coverage if such wages equal or exceed $200 but are less than $300; (c) the last 3 quarters of such year which can be but are not otherwise quarters of coverage shall be quarters of coverage if such wages equal or exceed $300 but are less than $400; and (d) each quarter of such year which is not otherwise a quarter of coverage shall be a quarter of coverage if such wages are $400 or more; and

"'(v) no quarter shall be counted as a quarter of coverage prior to the beginning of such quarter.

If, in the case of any individual who has attained retirement age or died or is under a disability and who has been paid wages for agricultural labor in a calendar year after 1954, the requirements for insured status in subsection (a) or (b) of section 214, the requirements for entitlement to a computation or recomputation of his primary insurance amount, or the requirements of paragraph (3) of section 216 (i) are not met after assignment of quarters of coverage to quarters in such year as provided in clause (iv) of the preceding sentence, but would be met if such quarters of coverage were assigned to different quarters in such year, then such quarters of coverage shall instead be assigned, for purposes only of determining compliance with such requirements, to such different quarters.'"

And the Senate agree to the same.

Amendment numbered 165: That the House recede from its disagreement to the amendment of the Senate numbered 165, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "109"; and the Senate agree to the same.

Amendment numbered 173: That the House recede from its disagreement to the amendment of the Senate numbered 173, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "110"; and the Senate agree to the same.

Amendment numbered 174: That the House recede from its disagreement to the amendment of the Senate numbered 174, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "111"; and the Senate agree to the same.

Amendment numbered 176: That the House recede from its disagreement to the amendment of the Senate numbered 176, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "112"; and the Senate agree to the same.

Amendment numbered 181: That the House recede from its disagreement to the amendment of the Senate numbered 181, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "113"; and the Senate agree to the same.

Amendment numbered 186: That the House recede from its disagreement to the amendment of the Senate numbered 186, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "114"; and the Senate agree to the same.

Amendment numbered 187: That the House recede from its disagreement to the amendment of the Senate numbered 187, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"COVERED EMPLOYMENT NOT COUNTED UNDER OTHER FEDERAL RETIREMENT SYSTEMS

"SEC. 115. Notwithstanding any other provision of law, in determining eligibility for or the amount of any benefit (other than a benefit under title II of the Social Security Act or under the Railroad Retirement Act of 1937, as amended) under any retirement system established by the United States or any instrumentality thereof, there shall not be taken into account any service which, by reason of the amendments to section 210 (a) of the Social Security Act made by section 101 (c) of this Act, constitutes employment as defined in such section 210 (a)."

And the Senate agree to the same.

Amendment numbered 189: That the House recede from its disagreement to the amendment of the Senate numbered 189, and agree to the same with the following amendments to the House engrossed bill:

Restore the matter proposed to be stricken out by the Senate amendment.

On page 93, line 5, strike out "481 (a)" and insert "1402 (a)."

On page 93, line 6, after "Internal Revenue Code", insert "of 1954."

On page 93, line 7, strike out "There" and insert "there."

On page 93, line 13, strike out "481" and insert "1402."

On page 93, line 14, after "Code", insert "of 1954."

On page 93, line 16, strike out "and (7)," and insert "(7), and (8),".

On page 93, line 17, strike out "and (6)," and insert "(6), and (7),".

Page 94, line 2, strike out "1426 (h)," and insert "3121 (g),".

Page 94, line 6, strike out "per centum" and insert "percent."

And the Senate agree to the same.

Amendment numbered 200: That the House recede from its disagreement to the amendment of the Senate numbered 200, and agree to the same with the following amendments:

On page 31, line 10, of the Senate engrossed amendments, strike out "sentence" and insert the following: "sentences".

On page 32, in lines 13 and 14, of the Senate engrossed amendments, strike out "service, described in subsection (c) (4) or (5)," and insert the following: "service described in subsection (c) (4), or service described in subsection (c) (5) insofar as it relates to the performance of service by an individual in the exercise of his profession as a Christian Science practitioner,".

On page 32 of the Senate engrossed amendments, beginning with "(computed" in line 20, strike out all through line 2 on page 33 and insert the following: "(computed, in the case of an individual referred to in paragraph (1) (A), without regard to subsection (c) (4), and, in the case of an individual referred to in paragraph (1) (B), without regard to subsection (c) (5) insofar as it relates to the performance of service by an individual in the exercise of his profession as a Christian Science practitioner) of $400 or more, any part of which was derived from the performance of service described in subsection (c) (4), or from the performance of service described in subsection (c) (5) insofar as it relates to the performance of service by an individual in the exercise of his profession as a Christian Science practitioner, as the case may be."

On page 33, line 14, of the Senate engrossed amendments, strike out "(8)" and insert the following: "(7) as renumbered by subsection (a) (2) of this section)."

On page 33, line 15, of the Senate engrossed amendments, strike out "paragraph (8)" and insert the following: "such paragraph (7)."

On page 33, line 17, of the Senate engrossed amendments, strike out "(9)" and insert the following: "(8)."

On page 34 of the Senate engrossed amendments strike out lines 6, 7, and 8 and insert in lieu thereof the following:

"(5) Section 1402 (c) (5) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(5) the performance of service by an individual in the exercise of his profession as a physician, lawyer, dentist, osteopath, veterinarian, chiropractor, naturopath, optometrist, or Christian Science practitioner; or the performance of such service by a partnership.'"

And the Senate agree to the same.

Amendment numbered 238: That the House recede from its disagreement to the amendment of the Senate numbered 238, and agree to the same with the following amendment: On page 99, lines 3 and 4, of the House engrossed bill strike out "1420 (e) of the Internal Revenue Code" and insert "3122 of the Internal Revenue Code of 1954"; and the Senate agree to the same.

Amendment numbered 256: That the House recede from its disagreement to the amendment of the Senate numbered 256, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "$100"; and the Senate agree to the same.

Amendment numbered 265: That the House recede from its disagreement to the amendment of the Senate numbered 265, and agree to the same with the following amendments to the House engrossed bill:

Restore the matter proposed to be stricken out by the Senate amendment.

On page 102, line 4, strike out "1426 (b) of the Internal Revenue Code" and insert "3121 (b) of the Internal Revenue Code of 1954."

On page 102, line 6, strike out "Serv-" and insert "serv-."

On page 102, strike out lines 10 and 11.

On page 102, line 12, strike out "(C)" and insert "(B)."

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On page 103, line 3, strike out "Service" and insert "service."

On page 103, in lines 23 and 24, strike out "(other than the retirement system of the Tennessee Valley Authority)."

On pages 104 and 105, strike out subsection (e).

And the Senate agree to the same.

Amendment numbered 266: That the House recede from its disagreement to the amendment of the Senate numbered 266, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "(e)"; and the Senate agree to the same.

Amendment numbered 269: That the House recede from its disagreement to the amendment of the Senate numbered 269, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "(f)"; and the Senate agree to the same.

Amendment numbered 270: That the House recede from its disagreement to the amendment of the Senate numbered 270, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "(c), (d), and (e)"; and the Senate agree to the same.

Amendment numbered 271: That the House recede from its disagreement to the amendment of the Senate numbered 271, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"AMENDMENT RELATING TO COLLECTION OF EMPLOYEE TAX

"SEC. 205A. Section 3102 (a) of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new sentence: 'An employer who in any calendar quarter pays to an employee cash remuneration to which paragraph (7) (B) or (C) or (10) of section 3121 (a) is applicable may deduct an amount equivalent to such tax from any such payment of remuneration, even though at the time of payment the total amount of such remuneration paid to the employee by the employer in the calendar quarter is less than $50; and an employer who in any calendar year pays to an employee cash remuneration to which paragraph (8) (B) of section 3121 (a) is applicable may deduct an amount equivalent to such tax from any such payment of remuneration, even though at the time of payment the total amount of such remuneration paid to the employee by the employer in the calendar year is less than $100'."

And the Senate agree to the same.

Amendment numbered 274: That the House recede from its disagreement to the amendment of the Senate numbered 274, and agree to the same with an amendment as follows: Strike out the matter proposed to be stricken out by the Senate amendment and insert in lieu thereof the following:

"FILING OF SUPPLEMENTAL LISTS OF EMPLOYEES BY CERTAIN NONPROFIT ORGANIZATIONS

"SEC. 207. (a) Paragraph (1) of section 3121 (k) of the Internal Revenue Code of 1954 is amended by striking out the third sentence thereof and inserting in lieu thereof the following: 'Such list may be amended at any time prior to the expiration of the twenty-fourth month following the first calendar quarter for which the certificate is in effect, by filing with the prescribed official a supplemental list or lists containing the signature, address, and social security account number (if any) of each additional employee who concurs in the filing of the certificate.'

"(b) Paragraph (1) of such section 3121 (k) is further amended by striking out the period at the end of the fifth sentence thereof and inserting in lieu thereof the following: ', except that, in the case of service performed by an individual whose name appears on a supplemental list filed after the first month following the first calendar quarter for which the certificate is in effect, the certificate shall be in effect, for purposes of such subsection (b) (8) and for purposes of section 210 (a) (8) of the Social Security Act, only with respect to service performed by such individual after the calendar quarter in which such supplemental list is filed.'"

And the Senate agree to the same.

Amendment numbered 333: That the House recede from its disagreement to the amendment of the Senate numbered 333, and agree to the same with an amendment as follows: On page 47, line 2, of the Senate engrossed amendments, strike out "209" and insert "210"; and the Senate agree to the same.

Amendment numbered 341: That the House recede from its disagreement to the amendment of the Senate numbered 341, and agree to the same with the following amendments:

On page 50, line 21, of the Senate engrossed amendments, after "paid" insert the following: "prior to the enactment of this Act."

On page 51, line 3, of the Senate engrossed amendments, after "filed" insert the following: "on or before January 1, 1957, and."

And the Senate agree to the same.

Amendment numbered 342: That the House recede from its disagreement to the amendment of the Senate numbered 342, and agree to the same with an amendment as follows: On page 51, line 16, of the Senate engrossed amendments, after "Secretary" insert the following: "of Health, Education, and Welfare"; and the Senate agree to the same.

DANIEL A. REED,
THOMAS A. JENKINS,
RICHARD M. SIMPSON,
JERE COOPER,
JOHN D. DINGELL,
Managers on the Part of the House.

EUGENE D. MILLIKIN,
EDWARD MARTIN,
JOHN J. WILLIAMS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The following Senate amendments made technical, clerical, clarifying, or conforming changes (including changes in section references made necessary by the enactment of the Internal Revenue Code of 1954): 5, 9, 10, 13, 15, 25, 28–30, 32, 35, 37–44, 46–60, 61–63, 67, 68, 71–73, 79, 80, 83, 84, 86, 87, 97, 100–110, 112–124, 135, 138, 142, 143, 146, 147, 149, 150, 152, 153, 155–159, 161, 162, 165, 166, 168–186, 188, 190–199, 201–237, 239–253, 257–259, 261–264, 266–270, 272, 273, 275–297, 298–318, 320, 321, 323–328, 330–333, 335–337, 339, and 340. With respect to these amendments (1) the House either recedes or recedes with amendments which are technical, clerical, clarifying, or conforming in nature, or (2) the Senate recedes in order to conform to other action agreed upon by the committee of conference.

Amendments Nos. 1, 2, and 3: The House bill amended section 209 (h) of the Social Security Act so as to exclude from wages, for purposes of old-age and survivors insurance, cash remuneration paid by an employer to an employee in any calendar year for agricultural labor unless such remuneration is $200 or more. This provision would replace the provision in present law (eliminated by section 101 (a) (4) of the bill, which excludes agricultural labor performed in a calendar quarter from covered employment unless the cash remuneration paid for such labor is $50 or more and the individual performing such labor is "regularly employed" for that purpose. Under the Senate amendments, coverage for agricultural labor would depend upon the payment to the employee of $50 or more in a calendar quarter rather than $200 or more in a calendar year. The Senate recedes from amendments Nos. 1 and 2, and the House recedes from its disagreement to amendment No. 3 with an amendment reducing the amount of such cash remuneration from $200 to $100, with the result that, under the conference agreement, coverage for agricultural labor depends upon the payment to the employee by any one employer, of $100 or more in a calendar year.

Amendment No. 4: The House bill removed the exclusion from "employment" of services performed in connection with the production, harvesting, or processing of crude gum (oleo-resin), thereby covering such services under old-age and survivors insurance on the same basis as other agricultural labor. The Senate amendment restored the provision excluding such services from the coverage. The House recedes.

Amendment No. 6: The House bill continued in effect the provisions of the present law excluding from "employment" services performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949. The Senate amendment provided in addition for the exclusion from "employment" of services performed by foreign agricultural workers lawfully admitted to the United States from the Bahamas, Jamaica, and the other British West Indies on a temporary basis to perform agricultural labor. The House recedes.

Amendment No. 7: Section 101 (c) of the House bill extended coverage to most service (now excluded) performed by employees of Federal instrumentalities who are not already covered by a federally established retirement system. It also extended coverage to service performed by two groups of employees (employees of Federal home loan banks and individuals subject to the retirement system of the TVA) who are now covered by other retirement systems. Paragraph (3) of section 101 (c) made certain administrative provisions applicable to civilian employees of Coast Guard exchanges and other activities (who constitute one of the groups brought under coverage by the bill). The Senate amendment deleted these provisions, thereby continuing the exclusion of these employees from coverage. The House recedes with an amendment which in effect restores the House language but continues the exclusion from coverage of employees of Federal home loan banks and individuals subject to the retirement system of the TVA.

Amendment No. 8: Section 101 (d) (1) of the House bill provided for the coverage of certain ministers and members of religious orders employed by nonprofit tax-exempt organizations upon the filing by the organization concerned of a certificate (concurred in by two-thirds of the clergymen employees) waiving its exemption from the taxes imposed by the Federal Insurance Contributions Act. Clergymen who concur in the filing of such certificate, and those employed by the organization thereafter, would be covered on a compulsory basis. Section 101 (d) (2) of the House bill provided for the coverage, on a compulsory basis, of self-employed ministers and members of religious orders (as

well as other ministers and members of religious orders to the extent that their income is derived from self-employment). Section 101 (d) (3) of the House bill made it clear that nothing in the bill should be construed to mean that any minister is an employee of an organization for any purposes other than those specified.

The Senate amendment struck out these provisions of the House bill, and substituted a new provision which would permit both employed and self-employed ministers and members of religious orders (other than those who have taken a vow of poverty) to elect voluntarily and on an individual basis, as provided in section 1402 (e) of the Internal Revenue Code of 1954 (added by amendment No. 200), to be covered under old-age and survivors insurance as self-employed individuals. The substituted provision would also permit Christian Science practitioners (who under the House bill are covered on a compulsory basis as professional self-employed) to elect coverage on the same individual basis. In addition, the Senate amendment contained a new provision providing that ministers and members of religious orders (and United States citizens performing ministerial services in the employ of American employers) shall compute their net earnings from self-employment derived from such services without regard to certain provisions of the Internal Revenue Code of 1954 relating to income from sources outside the United States. The House recedes with a clerical amendment.

Amendment No. 11: Section 101 (g) (1) of the House bill extended coverage to self-employed farm operators having annual net earnings of $400 or more from self-employment. It also provided for self-employed farm operators an optional method of reporting income for old-age and survivors insurance purposes; under this provision, the farm operator could presume his net earnings from farming to be 50 per centum of his gross income from farming if such gross income is less than $1,800, and could presume his net earnings from farming to be $900 if such gross income is more than $1,800 and such net earnings (otherwise computed) would be less than $900. Section 101 (g) (2) of the House bill provided that, in determining net earnings from self-employment, rentals paid in the form of crop shares should not be included.

Section 101 (g) (4) of the House bill extended coverage to all professional self-employed individuals, except physicians, on the same basis as nonprofessional self-employed individuals are now covered. Among those to whom coverage would be extended by this provision are lawyers, dentists, osteopaths, veterinarians, chiropractors, naturopaths, optometrists, Christian Science practitioners, architects, accountants (of several specified types), funeral directors, and professional engineers.

The Senate amendment strikes out these provisions, thereby continuing in effect the present exclusion from coverage of self-employed farm operators and self-employed professional individuals.

The House recedes with an amendment which (1) restores the House provisions relating to the coverage of self-employed farm operators, and (2) continues the present exclusion from coverage of most professional self-employed individuals but extends coverage to architects, accountants, funeral directors, and engineers (along with Christian Science practitioners on the basis provided by amendments Nos. 8 and 200).

Amendment No. 12: This amendment, which relates to the exclusion of coal royalties in computing net earnings from self-employment, merely restores a provision, contained in section 101 (g) (3) of the House bill, which was stricken out by amendment No. 11 along with the provisions relating to coverage of self-employed farm operators and self-employed professional individuals. In view of the action taken by the conferees on that amendment, the Senate recedes.

Amendments Nos. 14, 16, 17, 18, and 19: Section 101 (h) (1) of the House bill, relating to the prohibition against coverage of employees in positions under a State or local retirement system, made such prohibition inapplicable to employees who (while holding such positions) are ineligible to be members of such system. The same provision of the House bill provided that individuals in positions under such a system (other than those ineligible for membership and policemen and firemen), either on the date of the enactment of the bill or on the date the State agreement is made applicable to their coverage group, can be covered for old-age and survivors insurance purposes only upon a referendum. The Senate amendments, which are technical in nature, divided this provision into two subparagraphs in order to permit the application of separate effective dates to the two parts. The House recedes.

Amendments Nos. 20, 21, 22, 23, and 24: The House bill provided that 90 days' notice be given all eligible employees of any referendum held on the question of whether service subject to a State or local retirement system should be covered under a State agreement for old-age and survivors insurance purposes. It also provided, as a condition of such coverage, that a majority of the eligible employees must vote in the referendum and that two-thirds of those voting must vote in favor of coverage. The Senate amendments would require that not less than 90 days' notice be given, and that a majority of the eligible employees vote in favor of coverage. The House recedes.

Amendments Nos. 26 and 27: The House bill provided that, if a State or local retirement system covers positions of State employees and employees of one or more political subdivisions, or covers employees of two or more political subdivisions, each such subdivision (and the State, if its employees are also covered) may be deemed to have a separate retirement system for purposes of section 218 of the Social Security Act. The Senate amendments provided that any one or more of the subdivisions concerned (or any one or more of such subdivisions and the State, if State employees are covered) may be deemed to have a separate retirement system; the subdivisions could thus be grouped together, if desired, according to size, location, number, or type of personnel involved. The Senate amendments also provided that, where a retirement system covers positions of employees of more than one institution of higher learning (including a junior college or teachers' college), the employees of each such institution shall (if the State so desires) be deemed to have a separate retirement system for purposes of section 218. The House recedes.

Amendment No. 31: This amendment added to the House bill a new provision, effective January 1, 1955, permitting a State to deem certain inspectors of agricultural products to be State employees who would constitute a separate coverage group for purposes of section 218 of the Social Security Act. The House recedes.

Amendment No. 33: This amendment added to the House bill a new provision permitting the modification of the agreement entered into with the State of Utah pursuant to section 218 of the Social Security Act so that the agreement will apply to services performed by employees of certain designated schools and State agencies (with the employees of each such school and agency constituting a separate coverage group). The State may include any one or more of these groups under the agreement; and any group so included by a modification agreed to before 1955 may be covered retroactively with respect to services performed after any date specified in the modification, but not earlier than December 31, 1950. The House recedes with a clerical amendment.

Amendment No. 34: This amendment added to the House bill a new provision providing that if the agreement entered into with the State of Arizona pursuant to section 218 of the Social Security Act is modified prior to January 1, 1956, so as to make such agreement applicable to service performed by employees in positions covered by the Arizona teachers' retirement system (all of whom shall be deemed to constitute a separate coverage group), such modification may be made effective with respect to service performed in such positions after any effective date specified therein, but not earlier than December 31, 1950. The House recedes with a clerical amendment.

Amendment No. 36: Section 101 (j) of the House bill established a presumption that work deductions have been made from the benefits of certain State and local employees whose services prior to 1955 were covered retroactively by a State under an agreement entered into under section 218 of the Social Security Act. This presumption would enable employees who were entitled to old-age and survivors insurance benefits (and not subject to deduction under section 203 (b) of the Social Security Act) at the time the services were performed to qualify for recomputation of their primary insurance amounts, and would arise solely for the purpose of determining entitlement to such a recomputation. (Under existing law such a recomputation is authorized only where the primary beneficiary has had deductions from benefits on account of services performed during 12 months out of a period of 36 months. This amendment makes clarifying changes with respect to the method of recomputation and provides additional dates as of which an individual may be presumed to become entitled to old-age insurance benefits, but it makes only minor changes in the substance of the House bill. The House recedes.

Amendment No. 45: This amendment would remove funeral directors from the list of the professions excluded from coverage by section 211 (c) (5) of the Social Security Act, thereby covering them under old-age and survivors insurance on a compulsory basis. In view of the action taken by the conferees on amendment No. 11 (relating to professional self-employed), the Senate recedes.

Amendments Nos. 64, 65, and 66: The House bill provided that the determination of an individual's starting and closing dates for purposes of computing his average monthly wage should, where more than one date was possible, be made on the basis of the dates yielding the higher average monthly wage. The Senate amendments would base this determination instead on the dates yielding the higher primary insurance amount, in order to avoid the necessity of using the date which produces the higher average monthly wage even though use of an alternative date would produce a higher primary insurance amount and therefore a higher benefit. The House recedes.

Amendments Nos. 69 and 70: Section 102 (e) (2) of the House bill provided that an individual, in computing his average monthly wage, could drop out the 5 years of lowest earnings (instead of the 4 such years) only if he had at least 20 quarters of coverage prior to his closing date. The Senate amendment eliminated the requirement that the 20 quarters occur prior to the closing date, thereby permitting the 5-year drop-out in the case of any individual having at least 20 quarters of coverage regardless of when the quarters occurred. The House recedes.

Amendment No. 74: The House bill provided that an individual could secure a "work recomputation" of his primary insurance amount (to take account of earnings after the last previous computation thereof) only if he has earnings of not less than $1,000

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in a calendar year afer 1953 and after the last previous computation of such amount. This amendment, in order to conform with the increase made by amendments Nos. 130–134, in the exempt amount for retirement test purposes, would require earnings of more than $1,200 (rather than earnings of "not less than $1,000") in any such calendar year as a condition of the recomputation. The House recedes.

Amendment No. 75: This amendment added to the House bill a provision making it clear that an individual can qualify for only one "work recomputation" on the basis of earnings in any one calendar year. The House recedes.

Amendment No. 76: Under the House bill, an individual who qualified for a work recomputation before 1955, and who also had enough earnings during 1954 to qualify him for a work recomputation under the new provisions added by the bill, would have to choose one or the other since the recomputation under existing law would preclude a recomputation under the new provisions on the basis of his 1954 earnings. The Senate amendment eliminates the necessity for this choice, thereby making it possible for the individual to obtain the recomputation under existing law and also (if it would increase the benefit) under the new provisions. The House recedes.

Amendments Nos. 77, 78, 81, and 82: Under the House bill, in the first work recomputation to which an individual becomes entitled after enactment all applicable starting and closing dates and benefit formulas would be used, even though the 4 or 5 years of lowest earnings were dropped out in a previous computation of such individual's primary insurance amount. The Senate amendments, to avoid a complete reopening of the benefit recomputation provisions and the necessity of redetermining data already available, would provide that where the drop-out provisions have previously been applied in computing an individual's primary insurance amount, any recomputation shall be made only through use of the new benefit formula in section 215 (a) (1) (A) of the Social Security Act, as amended by the bill. The House recedes.

Amendment No. 85: The House bill permitted the inclusion, in the computation or recomputation of an individual's primary insurance amount, of earnings for the year in which the individual became entitled to old-age insurance benefits or filed his application for recomputation, but only upon application filed after the close of that year. If he should die in the year in which he became entitled to old-age insurance benefits or filed his application for a recomputation, however, the survivors could not obtain a recomputation of his primary insurance amount since they would be entitled to such a recomputation only if the individual himself could have obtained the recomputation upon filing an application therefor in the month of his death. The Senate amendment would make it clear that the survivors could obtain the recomputation. The House recedes.

Amendments Nos. 88, 89, 90, 91, 92, 93, 94, 95, 96, and 98: Section 102 (e) (5) of the House bill contained provisions preserving the rights of individuals to qualify for certain recomputations under existing law prior to 1955. These amendments make it clear that, if an individual dies without filing his application for such a recomputation, any of his survivors entitled to monthly benefits or a lump-sum death payment on the basis of his earnings could file an application and secure the recomputation to which he would have been entitled. The House recedes.

Amendment No. 99: The House bill provided that the closing date for an individual who dies or who becomes entitled to old-age insurance benefits in 1956 would be July 1, 1956 (instead of January 1, 1956), if use of the later date would result in a higher primary insurance amount and the individual had not less than six quarters of coverage after 1954; and the later closing date would be permitted in all such cases regardless of which starting date or benefit formula was used. The Senate amendment, to take care of individuals newly covered in 1955, provided that the later closing date would be used only with a starting date of December 31, 1954, and only in computing the primary insurance amount under the new formula contained in section 215 (a) (1) (A) of the Social Security Act, as amended by the bill. The House recedes.

Amendment No. 111: The House bill provided that the recomputation of an individual's primary insurance amount shall be effective (where he has not died) for and after the month in which he filed the application for such recomputation. The Senate amendment, to provide old-age insurance beneficiaries on the rolls in September 1954 with an adequate opportunity to file applications, would provide that the recomputation can be effective for up to 12 months retroactively. The House recedes.

Amendment No. 125: The House bill provided that the amount of a lump-sum death payment under section 202 (i) of the Social Security Act may not exceed $255, which is the maximum (three times the maximum primary insurance amount) permitted under existing law. The Senate amendment would eliminate this limitation, so that the lump-sum death payment based on an individual's earnings would continue to be equal to three times the amount of such individual's primary insurance amount. The Senate recedes.

Amendments Nos. 126, 127, 128, 129, 136, 145, 148, and 154: The House bill retained as a part of the retirement test the provisions of present law (section 203 of the Social Security Act) which provide that deductions from benefits on account of earnings shall be made only for months in which the beneficiary concerned (or, in the case of dependents' benefits, the old-age insurance beneficiary) is under the age of 75. The Senate amendment lowered from 75 to 72 the age above which such deductions will not be imposed under the amended provisions of section 203 (or under those of the present provisions of section 203 which, to take care of individuals whose taxable years do not coincide with the calendar year, will remain in effect for months after 1954). The House recedes.

Amendments Nos. 130, 131, 132, 133, 134, and 144: The House bill, in placing the retirement test entirely on an annual basis, provided that no deductions from benefits would be made on account of earnings if such earnings do not exceed $1,000 for a taxable year of 12 months (or a proportionate amount for a shorter taxable year). The Senate amendment increased the amount of earnings permitted without deduction from benefits to $1,200 for a taxable year of 12 months (or $100 times the number of months involved for a shorter taxable year). The House recedes.

Amendments Nos. 137, 139, 140, and 141: The House bill, in combining wages and net earnings from self-employment as "earnings" for retirement test purposes, included earnings derived from noncovered employment within the United States as well as net earnings from self-employment derived from certain noncovered trades and businesses. The Senate amendment provided that only earnings arising from covered employment and self-employment shall be included in "earnings" for retirement test purposes. (It is expected that the possibility of changing the date for filing reports of earnings for retirement test purposes, so as to conform with the new April 15 filing date for income-tax returns, will be considered early in the next session of Congress.) The Senate recedes.

Amendment No. 151: The House bill contained a provision requiring that deductions be made from the benefits of survivors and dependents who are residing abroad, except in certain specified cases. The Senate amendment deleted this provision. The House recedes.

Amendment No. 160: Section 107 of the House bill provided that any wages and self-employment income earned by an individual while he is unlawfully in the United States may not be counted in computing his benefits, if the Attorney General has notified the Secretary of such unlawful residence. Section 108 of the House bill provided that no benefits shall be paid under section 202 of the Social Security Act on the basis of the wages and self-employment income of any individual after such individual has been deported under any one of 14 specified paragraphs of section 241 (a) of the Immigration and Nationality Act, if the Attorney General has notified the Secretary of such deportation. The Senate amendment deleted these provisions of the House bill.

The House recedes with an amendment providing that (1) no such benefits shall be paid to any individual on the basis of his wages and self-employment income for any month after the Attorney General notifies the Secretary that such individual has been deported under one of the specified paragraphs and before he has been lawfully readmitted to the United States, (2) no benefits shall be paid to any survivor or dependent of an individual so deported and not lawfully readmitted for any month in which such survivor or dependent is outside the United States, except in the case of survivors and dependents who are citizens of the United States, and (3) earnings by such individual after he has been so deported shall not deprive his survivors and dependents (under section 203 of the Social Security Act) of benefits to which they are otherwise entitled.

Amendment No. 163: The House bill provides an alternative basis for determining fully insured status in the case of individuals newly covered on January 1, 1955 (and others living on that date). Under this provision, the individual would be fully insured for old-age and survivors insurance purposes if all of the quarters elapsing after 1954 and before July 1, 1956, or (if later) before the quarter in which he attains retirement age or dies, are quarters of coverage. The Senate amendment makes it clear that there must be at least six of such quarters so elapsing. The House recedes.

Amendment No. 164: Section 109 (b) of the House bill amended section 213 (a) (2) (B) of the Social Security Act so as to provide a method for crediting quarters of coverage on the basis of annual amounts of wages received for agricultural labor. The Senate amendment deleted this provision as being unnecessary when it placed the coverage test for agricultural labor on a quarterly rather than an annual basis. The House recedes with an amendment which in effect restores the House language with an appropriate modification to conform with the action taken by the conferees on amendments Nos. 1–3 (relating to coverage for agricultural labor).

Amendment No. 167: The House bill provided that any individual who died prior to September 1, 1950, having at least six quarters of coverage but not being fully insured under the law in effect at that time, shall be deemed to have died a fully insured individual (except for purposes of determining entitlement of a former wife divorced). Such individual's primary insurance amount would be computed under the provisions of section 215 (d) (4) of the present Social Security Act, except that his closing date would be the first day of the quarter in which he died. The Senate amendment provided that if the individual was currently insured when he died, and some other person was

entitled to a benefit on the basis of his wages, his primary insurance benefit would be computed under the act as in effect prior to September 1950; in all other cases the computation would be as provided in the House bill. The House recedes.

Amendment No. 187: This amendment adds to the bill a new section providing that service which is performed after 1954 in the employ of the Federal Government, and which constitutes "employment" under section 210 (a) of the Social Security Act, shall not be credited toward benefits under any Federally-established retirement system other than the old-age and survivors insurance system and the railroad retirement system. The House recedes with an amendment limiting the application of the section to Federal service newly covered by the bill.

Amendment No. 189: This amendment would delete section 201 (a) of the House bill, which made the necessary changes in the provisions of the Internal Revenue Code relating to the exclusion of farm income from "net earnings from self-employment" for purposes of the Self-Employment Contributions Act to correspond with the changes made in section 211 (a) of the Social Security Act (relating to coverage of self-employed farm operators for old-age and survivors insurance purposes). To conform with the action taken by the conferees with respect to the coverage of these farm operators, the Senate recedes.

Amendment No. 200: This amendment would delete section 201 (c) of the House bill, which made the necessary changes in the provisions of the Internal Revenue Code relating to the exclusion of professional services from the definition of "trade or business" for purposes of the Self-Employment Contributions Act to correspond with the changes made by the House bill in section 211 (c) of the Social Security Act (relating to the exclusion from coverage of professional self-employed individuals for old-age and survivors insurance purposes.

In addition, this amendment would add new provisions to section 1402 of the Internal Revenue Code of 1954 to replace the provisions stricken out by amendments Nos. 8 and 274, and to conform with the new provisions added by amendment No. 8 (as well as those added by amendment No. 45, relating to coverage of funeral directors). Section 1402 (e), as added by this amendment, would permit any employed or self-employed minister or member of a religious order (other than one who has taken a vow of poverty), and any Christian Science practitioner, to file a certificate certifying that he elects to be covered by the old-age and survivors insurance system established by title II of the Social Security Act. Any such individual would be covered as a self-employed individual (and subject to the self-employment tax) for the taxable year with respect to which the certificate is filed and all succeeding taxable years, but he would be required to file such certificate on or before the due date of the return for his second taxable year ending after 1954 for which he has net earnings from self-employment (some part of which was derived from service as such minister, member, or practitioner) of $400 or more.

The House recedes with amendments (1) conforming with the action taken by the conferees on amendment No. 11 (relating to the coverage of self-employed professional individuals), and (2) making certain clerical, clarifying, and conforming changes.

Amendment No. 228: This amendment would delete section 203 of the House bill, which made the necessary changes in the Internal Revenue Code to correspond with the changes made by the House bill in section 205 (p) (3) of the Social Security Act (relating to the application of certain special rules to civilian employees of Coast Guard exchanges). To conform with the action taken by the conferees with respect to the coverage of Federal employees, the Senate recedes.

Amendments Nos. 254, 255, and 256: These amendments make changes in the provisions of the Internal Revenue Code relating to the exclusion of cash remuneration paid for agricultural labor from "wages" for purposes of the Federal Insurance Contributions Act which correspond with the changes made by the Senate amendments in section 209 (h) of the Social Security Act (relating to coverage of agricultural labor for old-age and survivors insurance purposes). The Senate recedes from amendments Nos. 254 and 255, and the House recedes from its disagreement to amendment No. 256 with an amendment to conform with the action taken by the conferees on amendments Nos. 1–3 (relating to coverage of agricultural labor).

Amendment No. 260: This amendment makes changes in the provisions of the Internal Revenue Code relating to the exclusion of certain forms of agricultural labor from "employment" for purposes of the Federal Insurance Contributions Act which correspond with the changes made by Senate amendments Nos. 4 and 6 in section 210 (a) (1) of the Social Security Act (relating to the exclusion from coverage for old-age and survivors insurance purposes of services performed as crude gum workers and as West Indian agricultural workers lawfully admitted to the United States on a temporary basis). To conform with the action taken by the conferees with respect to the coverage of such services, the House recedes.

Amendment No. 265: This amendment would delete section 205 (d) of the House bill, which made the necessary changes in the provisions of the Internal Revenue Code relating to the exclusion of Federal service from "employment" for purposes of the Federal Insurance Contributions Act to correspond with the changes made by the House bill in section 210 (a) of the Social Security Act (relating to the exclusion of Federal service from "employment" for old-age and survivors insurance purposes).

This amendment would also delete section 205 (e) of the House bill, which made the necessary changes in the provisions of the Internal Revenue Code relating to the exclusion from "employment" of services performed in the employ of nonprofit tax-exempt organizations for purposes of the Federal Insurance Contributions Act to correspond with the changes made by the House bill in section 210 (a) of the Social Security Act (relating to the exclusion from coverage for old-age and survivors insurance purposes of services performed in the employ of such organizations).

The House recedes with an amendment to conform with the action taken by the conferees on amendment No. 7 (which in effect restored the House language relating to coverage of Federal employees but continued the exclusion from coverage of Federal home loan bank employees and TVA employees) and amendment No. 8 (which provided for the coverage of ministers on an individual voluntary basis).

Amendment No. 271: The Senate amendment added to the House bill a new section making it clear that an employer may deduct, from the remuneration paid by him to an employee for domestic service, for service not in the course of his trade or business, for agricultural labor, or for industrial homework, an amount equivalent to the employee tax imposed by section 3101 of the Internal Revenue Code of 1954, even though at the time of payment he cannot be certain that the test for liability to the tax will be met. The House recedes with an amendment designed to conform with the action taken by the conferees in placing the coverage and taxability tests for agricultural labor on an annual basis.

Amendment No. 274: This amendment deletes the provisions of the House bill which established procedures for the filing of certificates by nonprofit organizations, waiving their tax exemption with respect to ministers and members of religious orders in their employ, in order to enable such ministers and members of religious orders to obtain coverage under the old-age and survivors insurance system. To conform with the action taken by the conferees on amendments Nos. 8 and 200, the House recedes, with an amendment providing that the list accompanying any certificate filed by a nonprofit organization with respect to its lay employees may be amended (by filing a supplemental list, as provided in existing law) only within a period of 2 years after the certificate takes effect.

Amendment No. 319: The House bill provided that whenever a domestic corporation enters into an agreement to have the employees of one or more of its foreign subsidiaries covered under old-age and survivors insurance, and such agreement is terminated in its entirety, the domestic corporation may not again enter into such an agreement. Under the Senate amendment, the prohibition against entering into a later agreement would exist only if the former agreement was terminated by a notice of termination filed by the domestic corporation or by the Secretary or his delegate. The House recedes.

Amendment No. 322: The House bill provided that all amounts received by the Secretary from a domestic corporation pursuant to an agreement for the coverage of the employees of a foreign subsidiary of such corporation should be regarded for purposes of section 201 of the Social Security Act (relating to the Federal Old-Age and Survivors Insurance Trust Fund) as taxes collected under the Federal Insurance Contributions Act. The Senate amendment provided that, for purposes of section 201, remuneration (paid for services covered by the agreement) which would constitute wages if the services constituted employment, and which is reported to the Secretary or his delegate pursuant to the agreement or appropriate regulations, shall be considered wages subject to employment taxes. The House recedes.

Amendment No. 329: This amendment added to the House bill a new provision requiring that each domestic corporation which enters into an agreement for the coverage of the employees of one or more foreign subsidiaries shall be considered an employer in its capacity as a party to such agreement, separate and distinct from its identity as an employer of individuals on its own account. The House recedes.

Amendment No. 334: Section 301 of the House bill extended for 1 additional year (to September 30, 1955) the provision of the 1952 amendments to the Social Security Act which increased the proportion of State public assistance expenditures to be borne from Federal funds. The Senate amendment extended that provision for 2 additional years (to September 30, 1956). The House recedes.

Amendment No. 338: This amendment lowers from 75 to 72 the age above which deductions from railroad retirement survivor benefits on account of outside earnings will not be imposed under the Railroad Retirement Act of 1937. In order to conform with the action taken by the conferees in dealing with the corresponding age requirement for the retirement test in section 203 of the Social Security Act, the House recedes.

Amendment No. 341: This amendment would add to the House bill a new section 403, relating to service performed in the employ of certain tax-exempt organizations after 1950 and prior to 1955. Under this amendment, if an individual was employed during such period by a tax-exempt organization which failed to file a waiver certificate under section 1426 (1) (1) of the Internal Revenue Code of 1939, and his service would have constituted employment if the organization had filed such certificate,

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the individual will be deemed to have received remuneration for employment (as defined in section 210 of the Social Security Act and section 1426 (b) of the Internal Revenue Code of 1939) to the extent that employment taxes (not refunded) have been paid with respect thereto. Taxes paid prior to the enactment of the bill must have been paid in good faith and upon the assumption that the certificate was filed. Similarly, if the organization filed the certificate but the individual's signature did not appear on the list of concurring employees, his remuneration may be deemed to constitute remuneration for employment to the extent that employment taxes (not refunded) were paid with respect thereto. The House recedes with an amendment making it clear that in either case a part of the employment taxes must have been paid before the enactment of the bill, and providing that the individual concerned (where the certificate was filed but his signature did not appear on the list) must file his request to have such remuneration treated as remuneration for employment within 2 years after the enactment of the bill.

Amendment No. 342: This amendment added to the House bill a new section 404, which would direct the Secretary to conduct a full and complete study of the feasibility of providing increased minimum benefits ($55, $60, or $75 a month) under title II of the Social Security Act. The study would include estimates of the increased costs involved, the impact on the Trust Fund, and the reductions in public assistance grants which might result from such increased benefits. The House recedes with an amendment to make it clear that the "Secretary" is the Secretary of Health, Education, and Welfare.

DANIEL A. REED,
THOMAS A. JENKINS,
RICHARD M. SIMPSON,
JERE COOPER,
JOHN D. DINGELL,
Managers on the Part of the House.

Mr. REED of New York. Mr. Speaker, I call up the conference report on the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see record set out above.)

Mr. REED of New York. Mr. Speaker, the conference report on H. R. 9366, now before us represents a magnificent victory for this House.

The other body struck out of the bill our provisions extending social-security protection to farm operators and self-employed professionals. I am gratified to report that, under the conference agreement, the American farmer and his family will be entitled to the social-security coverage provided in the House bill. This means that about 3.6 million farmers, their wives, and their children, will now have this essential basic retirement and survivors protection. I estimate that these individuals ultimately will become entitled to about $40 billion in benefits.

We also succeeded in extending social-security protection to about 100,000 professionals—namely, accountants, engineers, architects, and undertakers.

The House bill would have added about 1.3 million farm workers to the system. The Senate bill added about 2.3 million. Under the conference agreement, about 2 million of these workers and their families will now become entitled to this protection for the first time.

In all, the bill as agreed to in conference will add more than 10 million persons to the social-security system. Thus, substantially all of the employed and self-employed people of this country will now be entitled to this protection. In practical effect, we have finally achieved the goal of universal coverage.

Insofar as benefits are concerned, both bills were in complete agreement and no changes have been made. Thus, those now receiving benefits will start drawing their increased payments about October 1.

The conferees accepted the liberalized retirement test contained in the Senate bill. Once an individual reaches age 72, he will be able to draw full benefits irrespective of any outside earnings. Under present law, he is unable to do this until he reaches 75. We also agreed that an individual could earn up to $1,200 a year—instead of $1,000 as in the House bill—without loss of benefits. Finally, the conferees agreed to the House provision which requires that all earnings, and not just covered earnings, be counted in determining whether an individual has in fact retired.

I think that this bill represents a splendid victory for the American farmer and his family. The bill as a whole is one of the truly magnificent achievements of this Congress and of this administration.

Mr. Speaker, I would like to enumerate briefly the action of the conferees with respect to the substantive differences between the House passed version and the Senate passed version. In this discussion I will use as a reference the numbers of the respective Senate amendments.

Amendments 1, 2 and 3 amend section 101 (a) of the bill. The House bill covered farm workers who are paid at least $200 in cash wages by any one employer in a calendar year. The Senate bill covered farm workers who are paid at least $50 in cash wages by any one employer in a calendar quarter. The Senate receded and concurred in the House version with an amendment providing that coverage would be extended to farm workers who are paid at least $100 in cash wages by any one employer in a calendar year. It is estimated that this change in present law will result in extending coverage to an additional 2.1 million agricultural workers.

Amendment No. 4 also amends section 101 (a) of the House bill. The House bill would have covered individuals performing services in connection with production or harvesting of gum naval stores. The Senate bill would continue the present exclusion of this group of individuals. The House receded and concurred in the Senate amendment.

Amendment No. 6: This amendment also pertains to Section 101 (a). The Senate bill excluded from coverage temporary agricultural workers who have been lawfully admitted to the United States from the Bahamas, Jamaica, and the other British West Indies. There was no comparable provision in the House bill. However, this exclusion of temporary agricultural workers from the British West Indies will be somewhat similar to the present exclusion of agricultural workers from Mexico.

Amendment No. 7. This amendment amends section 101 (b) of the bill and relates to extension of coverage to certain Federal employees. The House bill covered most Federal employees not previously covered by old-age and survivors insurance and not covered by Federal staff retirement systems including temporary employees in the field services of the Post Office Department, census-taking employees of the Bureau of the Census, civilian employees of the Coast Guard Post Exchanges, employees paid on a contract or fee basis, employees whose compensation is nominal, employees of the district Federal home loan banks and of the Tennessee Valley Authority who already have existing retirement systems, and so forth. The conferees accepted the extended coverage as provided in the House bill with the exception that the district Federal home loan bank employees and the Tennessee Valley Authority employees will not be brought in under the OASI system. The conferees in taking this action instructed the committee staffs and the staff of the Department of Health, Education, and Welfare to make a study of dual coverage under the OASI program and Federal retirement systems.

Closely related to the extension of coverage to certain Federal employees is amendment No. 187 which adds section 114 to the bill. As adopted by the Senate, this amendment would have provided that Federal service credited under the old-age and survivors insurance program for benefit purposes could not be used to establish retirement credit under any other Federal retirement system. The conferees modified this provision to provide that its limiting effect would be applicable to only those groups newly brought into the old-age and survivors insurance program by H. R. 9366.

The action of the conferees with respect to extending coverage to Federal civilian employees will extend coverage to approximately 150,000 persons not presently participating in the system.

Amendment No. 8: This amendment applies to section 101 (d) of the bill and relates to the extension of coverage to ministers. The House bill would cover ministers and members of religious orders employed by nonprofit organizations other than employees of religious orders who have taken a vow of poverty, on the same voluntary group basis as lay employees of such organizations are covered under present law. Self-employed ministers under the House bill would be covered compulsorily. Under the House bill, Christian Science practitioners are treated as professional self-

employed and are covered on a compulsory basis. The Senate bill would permit ministers, Christian Science practitioners, and members of religious orders who have not taken a vow of poverty, whether employees or self-employed, to secure coverage as self-employed persons but on an individual voluntary basis.

Ministers, Christian Science practitioners, and members of religious orders who are citizens of the United States employed outside the United States by an American employer would be covered on the same voluntary basis. They would not be covered if employed by a foreign employer outside the United States. Self-employed ministers outside the United States would be treated like other self-employed citizens of the United States who are in a foreign country. Related to this amendment, amendment No. 200 provides the procedure to be followed for voluntary coverage under which the individual must elect coverage within 2 years. A certificate must be filed by the individual on or before the due date of his tax return for the second taxable year ending after 1954 for which he has net earnings of $400 or more. In determining the period during which a certificate may be filed there shall not be included any taxable year for which the individual has no income from the performance of service as a minister or Christian Science practitioner. Likewise, in determining such period there is not counted any year in which his total self-employment income from whatever sources totals less than $400. This provision would extend coverage to about 250,000 individuals.

Amendment No. 11: This amendment applies to section 101 (g) of the bill and relates to the coverage of farm operators and professional self-employed individuals. The House bill would cover self-employed farm operators whose net earnings from farm self-employment totaled $400 or more in a year. The Senate bill deleted the House provision, thus continuing the exclusion of farmers from coverage. The conferees have agreed to extend coverage to farm operators under the terms of the House bill. It is pointed out that this coverage of farmers will be effective January 1, 1955, with the payment of contributions due in April 1956 in virtually all cases. This will extend coverage to approximately 3.6 million farmers.

The House bill would also have extended coverage to all professional self-employed persons except physicians. The Senate bill continued the present law exclusion of these professionals except for Christian Science practitioners and for self-employed funeral directors. In addition to the exclusion of physicians, the conferees agreed to exclude the following categories of professional self-employed persons: lawyers, dentists, and other medical practitioners. They have brought in to the old-age and survivors insurance system self-employed professional architects, accountants, and engineers. This action of the conferees will extend coverage to approximately 100,000 persons not heretofore covered.

Amendments 22 and 24: These amendments apply to section 101 (g) of the bill and relate to the referendum procedure for the coverage of State and local employees. The House bill would require that in order for State and local retirement system members to be covered under OASI (a) a majority of the members eligible to vote in the referendum would so vote and (b) two-thirds or more of those voting voted in favor of coverage. The Senate bill would require that a majority of the employees eligible to vote in the referendum would have to vote in favor of coverage. The House receded and concurred in the Senate amendments.

Amendments 26, 27, 31, 33, 34, and 36: These amendments all relate to the extension of coverage to State and local employees and make minor changes in the provisions of the House-passed bill relating thereto. The House concurred in the Senate amendments.

Amendment 61: This amendment pertains to the effective date for benefit changes. It is technical in nature and is occasioned by the lengthy consideration given to this important legislation by the Congress. As was intended at the time of House action on H. R. 9366, the benefit changes will be effective with respect to the month of September 1954 and will be reflected in the checks received in the early part of October.

Amendment 125 pertains to section 102 (i) relating to maximum lump-sum death payments. The House bill would have limited this maximum to $255. The effect of the Senate amendment was to make the maximum $325.50. The Senate agreed to the House version providing for a maximum lump-sum death payment of $255.

Amendment 126: This amendment applies to section 103 (a) of the bill and relates to the age at which the retirement test no longer applies. The House-passed version of H. R. 9366 retained the present law provision making the retirement test applicable to all persons who have not attained age 75. The Senate bill reduced this age to age 72 for retirement test purposes. The House receded and concurred in the Senate amendments.

Amendments 130, 137, 138, 139, 140, and 141: These amendments also apply to section 103 and relate to the amount of earnings permitted to beneficiaries without loss of benefits. Under the House bill the exempt amount permitted without loss was $1,000 a year. The Senate bill raised this exempt amount to $1,200 per year and the conferees adopted the Senate version. In determing the amount of earned income which a beneficiary has received, the House bill would have counted earnings from covered and non-covered employment. The Senate bill would have counted earnings only from covered employment. The conferees adopted the House-passed version.

Amendment No. 151: The House bill would have provided for the denial of benefits to dependents and survivors of an insured worker under certain circumstances when such person reside outside the United States. The Senate deleted this provision and the House concurred in the Senate amendment, thus continuing present law in this respect.

Amendment No. 160: This amendment relates to the House provisions denying benefit payments and disallowing wage credits in the case of persons during a period of unlawful residence and upon deportation. The Senate had acted to delete these provisions from the bill. Because of administrative problems which existed in regard to the House version, the conferees agreed to retain the House version but to limit its applicability to cases where there was actual reportation and have it affect only the primary insured individual.

Amendment No. 334: This amendment applies to section 301 of the bill and relates to public asistance. The House bill would have continued the present matching formulas for old-age assistance, aid to the blind, aid to the permanently and totally disabled, and aid to dependent children until September 30, 1955. The Senate bill extended the provision until September 30, 1956, and the conferees adopted the Senate amendment.

Amendment No. 342: This amendment applies to section 404 and relates to increasing minimum old-age insurance benefits. The Senate bill added a provision directing the Secretary of Health, Education, and Welfare to conduct a study with a view to determining the feasibility of increasing the minimum old-age insurance benefit to $55, $60, and $75. The study is to include an analysis of the increased cost offset by the saving to the Federal Government in grants to the States for public assistance. The House conferees agreed to the Senate amendment.

The amendments to which I have not specifically referred in the foregoing numeration are considered to be technical, conforming or clerical in nature and were approved by the conferees.

Mr. JAVITS. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. JAVITS. May I ask the gentleman, are ministers covered by the conference agreements?

Mr. REED of New York. Yes.

Mr. JAVITS. They are covered on a voluntary basis?

Mr. REED of New York. Yes.

Mr. JAVITS. I wish to congratulate the gentleman and his colleagues on a great job. I wish lawyers and doctors had been included, but I think the gentleman and his colleagues have done a great job for the country.

Mr. REED of New York. I thank the gentleman.

Mr. Speaker, I yield such time as he may desire to the gentleman from New Jersey [Mr. KEAN].

Mr. KEAN. Mr. Speaker, I am most happy to support this conference report. We have won a tremendous victory for the good of the American people. Now we will have what I have worked for for years: practically universal coverage.

It is unfortunate that the Senate conferees would not agree to include lawyers. It is unfortunate that doctors still will have no protection. But these are comparatively small groups.

Nearly every American worker will now have protection for his old age; protection for his widow and children in case of his premature death.

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We must, of course, continue to work to strengthen the old-age and survivors insurance system. Improvements can still be made. Inequities will continue to show up in the future. But this bill is a far-reaching step in the right direction.

Enormous credit is due to the gentleman from New York [Mr. REED], who so valiantly piloted this bill and who fought in conference for the House position as to coverage. The American worker owes him a real debt of gratitude.

Mr. REED of New York. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. DEROUNIAN].

Mr. DEROUNIAN. Mr. Speaker, I should like to take this occasion to express my very keen gratification and also thanks to the conferees of the House on the social-security bill with reference to a provision in which we have concurred. A very serious problem had presented itself with reference to certain charitable institutions—nonprofit organizations—which because of routine administrative omission or inadvertence found themselves barred from extending the benefits of social security to their employees. The North Shore Hospital in my congressional district is such a nonprofit group that was affected. The Senate amendment in which we have concurred gives authority for the retroactive filing of certain certificates required by the Bureau of Internal Revenue. Without this authority we would have had a very unjust situation and the chief sufferers would have been the employees affected.

It is definitely indicated—and I do it with great emphasis—that I express my thanks particularly to the gentleman from New York, our great chairman of the Ways and Means Committee, and to the members of his group and to the members of our conference committee, on both sides, who joined in making correction of this situation possible.

Mr. REED of New York. Mr. Speaker, I yield 10 minutes to the gentleman from Tennessee [Mr. COOPER].

Mr. COOPER. Mr. Speaker, as is usually the case of a conference on major legislation, there are conference agreements in this conference report with which I was entirely in accord and there are others about which I have questions. However, in order to get a bill enacted into law, it was necessary that certain compromises be made.

I will summarize the major conference agreements and point out the difference between the House and Senate bills.

FARM OPERATORS AND SELF-EMPLOYED PROFESSIONAL GROUPS—FARM OPERATORS

The House bill provided for coverage of self-employed farm operators who have net earnings from their farming operations of $400 or more in a year. The Senate deleted this provision from the House bill, having the effect of excluding farmers from social-security coverage.

The conference agreement would extend coverage to self-employed farm operators as provided for in the House bill. I personally question whether or not the majority of farm operators desire social-security coverage. It has always been my position that self-employed groups who desired coverage should have it extended to them. At the same time, I have felt that those groups who have not indicated pretty clearly that they want coverage should not be covered. The Senate was not convinced that the majority of individual farmers did want coverage, and therefore excluded them from coverage. It is my feeling that the Congress should have waited until individual farmers more clearly indicated a desire for coverage before it should have been extended to them.

As in the case of most of the other newly covered groups in this bill, the coverage would be effective on January 1, 1955. The conferees felt that if farmers do not desire to be covered, and manifest that position to the Congress, it would be possible to conform to their wishes by repealing this extension of coverage to them, since like other self-employed persons, they do not file and pay their social-security tax until after the close of their taxable year, which in the case of most farmers would be by April 15, 1956.

About 3½ million self-employed farm operators would be covered under this provision.

SELF-EMPLOYED PROFESSIONAL GROUPS

The House bill extended compulsory coverage to all self-employed professional groups except physicians. The Senate excluded all these groups except Christian Science practitioners, on a voluntary basis, and funeral directors.

In addition to the coverage of Christian Science practitioners and funeral directors, the conference agreement would extend coverage to architects, engineers, and public accountants. The other professional groups now excluded would continue to be excluded, namely: lawyers, physicans, dentists, osteopaths, veterinarians, chiropractors, naturopaths, and optometrists. Many lawyers in my district have indicated a desire for social-security coverage. I regret that lawyers were not covered.

RETIREMENT TEST

The House bill provided that a beneficiary could earn $1,000 a year in covered or noncovered employment and self-employment without loss of benefits. The Senate raised this amount to $1,200 a year. The Senate bill also reduced from age 75 to age 72 the age above which a beneficiary can earn any amount of money without loss of benefits. The House conferees accepted these two Senate amendments.

The House bill provided that earnings in both covered and noncovered employment and self-employment would be counted in determining whether or not a beneficiary exceeds the work-clause amount. The Senate provided that only earnings in covered employment and self-employment would be counted in making this determination. The Senate accepted the House amendment, which would also take into account earnings from noncovered employment and self-employment.

FEDERAL EMPLOYEES

The House bill extended coverage to most Federal employees not covered by Federal staff retirement systems, including temporary employees in the field service of the Post Office Department, census-taking employees of the Bureau of the Census, civilian employees of Coast Guard post exchanges, employees paid on a contract or fee basis, employees whose compensation is nominal, and so on. In addition, the House bill extended coverage to employees of district Federal home loan banks and the Tennessee Valley Authority, who already have retirement systems. The Senate bill deleted the House provisions, and also provided that services performed after 1954 for the Federal Government which were covered by the old-age and survivors insurance program shall not be credited toward benefits—other than OASI or railroad retirement benefits—under any retirement system established by the United States or a Federal instrumentality.

The conference agreement extended coverage to the same persons as the House bill did, except employees of the district Federal home loan banks and the Tennessee Valley Authority who already have retirement systems. I was very disappointed that coverage was not extended to these two groups, since employees of the Federal Reserve banks and certain other agencies who already have retirement systems of their own are now under social security coverage.

The conferees did direct that a study be made of the duplication and overlapping of benefits for the same Federal service. The conference agreement also would prohibit duplicate credits for the same Federal service in the case of the Federal employees who are being covered for the first time.

MINISTERS

The House bill extended coverage to ministers and members of religious orders employed by nonprofit organizations other than employees of religious orders who have taken a vow of poverty on the same voluntary group basis as lay employees of such organizations are now covered under present law. Self-employed ministers under the House bill would have been covered on a compulsory basis. Christian Science practitioners under the House bill were treated as professional self-employed persons, and would have been covered on a compulsory basis.

The Senate bill would have permitted ministers, Christian Science practitioners, and members of religious orders who have not taken a vow of poverty, whether employees or self-employed, to secure coverage as self-employed persons on an individual voluntary basis. In the case of ministers, Christian Science practitioners, and members of religious orders who are citizens of the United States but employed outside the United States by an American employer, coverage under the Senate bill would have been granted on the same voluntary basis. Under the Senate bill these groups would be required to elect coverage within 2 years. The filing of a certificate would be required by the individual on or before the due date of his tax return for the second taxable year ending after 1954 for which he has net earnings of $400 or more. In determining the period during which a certificate may be filed, the Senate bill would have excluded any taxable year

for which the individual has no income from the performance of service as a minister or Christian Science practitioner. Also, in determining such period a year in which his total self-employment income from whatever source totals less than $400 would not be counted.

The House conferees accepted the Senate amendments.

FARM WORKERS

The House bill covered farm workers who are paid at least $200 in cash wages by any one employer in a calendar year. The Senate bill would cover farm workers who are paid at least $50 in cash wages by any one employer in a calendar quarter.

The conference agreement would cover farm workers who are paid at least $100 in cash wages by one employer in a calendar year. This would extend coverage to about 2.1-million farm workers.

EMPLOYEES CONNECTED WITH THE PRODUCTION OF GUM NAVAL STORES

The House bill would have covered individuals performing services in connection with production or harvesting of gum naval stores. The Senate bill would retain the provision of present law and thus continue to exclude from coverage individuals performing such services. The House conferees accepted the Senate amendment.

FOREIGN AGRICULTURAL LABORERS

The Senate bill would exclude from coverage temporary agricultural workers who have been lawfully admitted to the United States from the Bahamas, Jamaica, and the other British West Indies. The House conferees accepted the Senate amendment.

ELECTION OF COVERAGE BY STATE AND LOCAL EMPLOYEES WHO ALREADY HAVE RETIREMENT SYSTEMS

The House bill would require that in order for State and local retirement system members to be covered under OASI (a) a majority of the members eligible to vote in the referendum would so vote and (b) two-thirds or more of those voting voted in favor of coverage. The Senate bill would require that a majority of the employees eligible to vote in the referendum would have to vote in favor of coverage. The House conferees accepted the Senate amendment.

The House bill permits the State to treat a statewide retirement system either as a single system or as consisting of a separate system for the employees of the State and each political subdivision concerned. The Senate bill permits the State one additional alternative with respect to a statewide reirement system: Any one political subdivision or any combination of one or more political subdivisions—or of the State and any one or more political subdivisions—could be considered a separate retirement system for purposes of the referendum. The House conferees accepted the Senate amendment.

Under the House bill public colleges and universities would not be able to act independently of public schools when the employees of the public schools and the employees of public colleges and universities are under the same retirement system. The Senate bill provides that, if a State desires, the employees of each institution of higher learning could be treated as having a separate retirement system for the purpose of the referendum and coverage under OASI. The House conferees accepted the Senate amendment.

INSPECTORS OF AGRICULTURAL PRODUCTS

The Senate bill adds a provision under which persons employed as inspectors of agricultural products pursuant to agreements between a State and the United States Department of Agriculture may be deemed, at the option of the State, to be State employees. Such persons would be considered a separate coverage group for the purposes of the State and local coverage provisions. The House conferees accepted the Senate amendment.

EDUCATIONAL EMPLOYEES OF THE STATE OF UTAH

The Senate bill adds a provision under which certain groups of educational employees of the State of Utah may be deemed to be separate coverage groups. These employees may be covered retroactively to January 1, 1951 if they are covered before January 1, 1955. This provision would make it possible to afford these educational employees of the State the same combination of protection afforded by OASI and the State retirement system that other educational employees in the State of Utah now have. The House conferees accepted the Senate amendment.

MEMBERS OF THE ARIZONA TEACHERS RETIREMENT SYSTEM

The Senate bill adds a provision which would enable the State of Arizona to obtain coverage retroactive to January 1, 1951 for members of the Arizona Teachers Retirement System if a modification of the State agreement is entered into prior to January 1, 1956. The House conferees accepted the Senate amendment.

RECOMPUTATIONS IN THE CASE OF RETROACTIVE COVERAGE UNDER STATE AGREEMENTS

This provision was added in the Senate bill at the request of representatives of the Department of Health, Education, and Welfare to carry out what was believed to be the intent of the House bill.

This section of the bill relates to work recomputations resulting from presumed work deductions in case of individuals covered under retroactive State agreements such as in the State of Virginia. The Senate bill changes the provision of the House bill in the following respects: The Senate amendment enables survivors of persons who died before January 1, 1956, without having filed applications for recomputations to obtain recomputations even though the survivors do not file for such recomputations until subsequent to January 1, 1956. The House bill would have given recomputations only to those survivors who filed before January 1, 1956. The Senate amendment also adds additional points for deeming when the application for the recomputation was filed in order to provide more equitable results in the recomputation of benefit amounts and clarifies the provisions of the House bill with respect to the closing dates to be used in connection with the recomputations. The Senate amendment also specifically requires the filing of applications in order to receive benefits rather than imposing upon the Department the necessity of determining the individuals to whom the provisions might apply.

The House conferees accepted the Senate amendment.

EFFECTIVE DATE OF BENEFIT INCREASES

The Senate bill specifies the effective date for benefits changes—September 1954. The House bill uses the language "after the last day of the month following the month in which the Social Security Act Amendments of 1954 are enacted." Whenever the House bill uses the quoted provision the Senate bill makes the effective date September 1954 by using the language "after August 1954." The House conferees accepted the Senate amendment.

WITHOLDING OF SOCIAL-SECURITY TAXES

Under the Senate bill, new provision is added authorizing employers of agricultural workers, caual workers, domestic workers, and home workers to withhold the employees' share of social-security taxes prior to the time the worker meets the $50 cash wage test for coverage under the program. This provision was added for the purpose of making it clear that the employer would not have to gage the exact time at which $50 was reached, such as, for apple and berry pickers. The provision was made applicable to all cases where the $50 cash-wage test is used for uniformity.

Under the conference agreement, agricultural workers would be covered only if they earn $100 from one employer in a calendar year, and the Senate provision was accepted with an amendment reflecting this change as to agricultural workers.

CONTINUATION OF PRESENT MATCHING FORMULAS FOR PUBLIC-ASSISTANCE PAYMENTS

The House bill would have continued the present matching formulas for old-age assistance, aid to the blind, aid to the permanently and totally disabled, and aid to dependent children until September 30, 1955. The Senate bill extends the provision until September 30, 1956. The House conferees accepted the Senate amendment.

EMPLOYEES OF NONPROFIT INSTITUTIONS

The Senate added two provisions:

First. To provide for coverage prior to the date of enactment of the bill of employees of certain tax-exempt organizations which have failed effectively to waive their tax exemption so as to cover their employees, but which had paid taxes with respect to their employees under the belief that they had effectively filed a waiver. This applies only to the years prior to January 1, 1955. The House conferees accepted this provision.

Second. To provide retroactive coverage in the case of an individual who was, prior to the date of enactment of the bill, an employee of a tax-exempt organization which had filed a tax waiver so as to provide social-security coverage for its employees, but such waiver was not effective in the case of such individual because he failed to append his signature to the list required to accompany such waiver. The provision

UNIVERSITY OF MICHIGAN LIBRARIES

would be applicable only in the case of an individual with respect to whom taxes were withheld and paid by the employer. This provision is effective only with respect to service performed prior to enactment of the bill. The House conferees accepted this provision with an amendment requiring that proper action must be taken within 2 years.

The House bill contained a provision which permitted an individual who failed to sign the list required to accompany a waiver to sign a supplemental list at a subsequent time thus permitting the waiver to become effective with respect to such individual as of the time he signs the supplemental list. The Senate struck this provision. The Senate conferees receded with an amendment putting a 2-year limitation on the time within which action must be taken.

RECOMPUTATION OF BENEFITS

Under the House bill, once a worker on the rolls earns $1,000 in a year after 1953 he establishes eligibility for a work recomputation but through an oversight in drafting he is not required to earn $1,000 in another year before he can get another recomputation. The Senate bill raises the qualifying requirement from $1,000 of earnings in a year to more than $1,200 to make it comparable to the exempt amount in the retirement test contained in the Senate bill. The Senate bill also corrects the drafting error, thus avoiding the administrative problem of having a large number of individuals applying for recomputations when there would be little change in their benefit amounts resulting from such recomputations. The House conferees accepted the Senate amendment.

BENEFITS OF DEPENDENTS AND SURVIVORS RESIDING ABROAD

The House bill would have provided for the denial of benefits to dependents and survivors of an insured worker when such dependents and survivors reside outside the United States unless they could show a residence in the United States for 3 out of the last 5 years, or unless it could be shown in the case of a child less than 3 years old that he was born in the United States, or unless the wages of the insured worker gave him a currently insured status on the basis of military service or covered earnings accrued from work outside the United States. The Senate bill deletes this provision and continues present law. The House conferees accepted the Senate amendment.

WAGE RECORD AND BENEFITS OF PERSONS ILLEGALLY IN THE UNITED STATES OR WHO ARE DEPORTED FROM THE UNITED STATES

The House bill provided for the deletion from the wage record, both for purposes of determining insured status and computing benefits, the earnings of an individual during any period in which he may have been in this country illegally. The House bill also would have terminated all benefits payable on an individual's wage record upon notification by the Attorney General that the person has been deported from the United States because of unlawful entry, conviction of a crime, subversive activity, and so on as set forth as grounds for deportation in the Immigration and Nationality Act. The Senate deleted these provisions from the House bill.

The conference agreement would deny benefits to persons who are deported, while still paying benefits to the dependents and survivors of such persons unless they are outside of the United States and are not citizens of the United States.

LUMP-SUM DEATH PAYMENTS

The House bill would have limited the maximum lump-sum death payment to $255. The Senate deleted this limitation, and this had the effect of permitting a maximum lump-sum death payment of three times the amount of the primary beneficiary's benefit. The conferees agreed to the House limitation of $255.

STUDY OF MINIMUM BENEFITS

The Senate added an amendment directing the Secretary of Health, Education and Welfare to conduct a study with a view to determining the feasibility of increasing the minimum Old-Age and Survivors Insurance benefit to $55, $60, and $75. The study is to include an analysis of the increased cost offset by the saving to the Federal Government in grants to the States for public assistance. The House conferees accepted this amendment.

Mr. REED of New York. Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. Mr. Speaker, today the House is called upon to accept the conference report on another major piece of legislation which has been presented to the Congress by the Committee on Ways and Means. The legislation before us today is the Social Security Amendments of 1954, H. R. 9366. By approving the conference report relating thereto, we will have sent to the Senate and, I am confident, to the President for approval, a bill that will mean security and well-being to virtually every American during the period of his retirement. It will also mean security and well-being to every American family in the event that the wage earner meets an untimely death.

It was my privilege as a ranking Republican member of the Ways and Means Committee to serve as a conferee on the conference committee. The House conferees have met with the Senate conferees for several days, and we have emerged from that conference with the finest social-security legislation that has ever been written.

This social-security bill was a long time in the preparation. It is a major part of the President's legislative program. The Committee on Ways and Means has held lengthy public hearings and equally lengthy executive sessions in preparing this bill for the consideration of Congress. Similarly, the Senate Finance Committee has given it careful consideration. It was passed by an overwhelming vote in both Chambers of the Congress. The conferees have perfected it in the final form in which it is now presented to this distinguished body.

As approved by the conferees, the security and protection afforded under the old-age and survivors insurance program are extended to 10,200,000 workers who were previously excluded from participation in the system. I would like at this time to enumerate these major categories which are newly covered and indicate the number of individuals coming within each group:

Farm operators	3,600,000
Farm workers	2,100,000
Domestic workers	200,000
State and local employees	3,500,000
Ministers	250,000
Home workers	100,000
Fishermen	50,000
Employees of foreign subsidiaries	100,000
Employment not in course of trade or business	50,000
Professional self-employed	100,000
Federal employees	150,000
Total	10,200,000

Thus, under the Social Security Amendments of 1954, we have achieved virtually universal coverage of the American public.

With respect to coverage, we have excluded certain professional self-employed persons, such as doctors, dentists, other related medical professions, and lawyers. It is my hope that these groups who have been excluded will undertake to make their desires known to the Congress in future years as to whether or not they wish to come under this system. Doctors were originally included in the program during the work by the Committee on Ways and Means on the social security amendments. However, knowing the wishes of the doctors of Ohio as I do, I made a successful motion to have them excluded from coverage. Our Ohio doctors, as well as the medical profession throughout the Nation, work endlessly in behalf of their fellowmen.

I am also pleased that we were able to extend coverage to ministers, Christian Science practitioners, and members of religious orders on an individual voluntary basis as self-employed individuals. It is appropriate that members of the clergy should be permitted to decide for themselves as to whether or not they will participate in the old-age and survivors insurance program.

The bill, as approved by the conferees, gives greater protection and increased opportunity for self-determination as to coverage to teachers and other State and local employees who are covered under State and local retirement systems. As approved by the conferees, H. R. 9366 has greater safeguards to protect State and local employees from being forced involuntarily into this system. I have worked particularly hard to see that our outstanding State and local employees are not compelled to accept OASI coverage in opposition to their own desires. I am sure this bill successfully meets this problem. I have worked tirelessly to entirely exclude policemen and firemen from the OASI system. I have also worked successfully to make certain that before OASI coverage would apply to other State and local employees, that a majority of eligible voters in an employment group would have to vote affirmatively in favor of coverage. This safeguard will apply for the protection of teachers and other public employees.

Farm operators will be given coverage effective January 1, 1955, but they will not be called upon to make contributions to the system until April 1956. This time sequence will permit the American farmer to make his views known to Congress as to whether or not he desires to remain in the system. Certainly, the Congress was advised by the majority of the national farm organizations that farmers did desire old-age and survivors insurance coverage.

Another feature of H. R. 9366 which particularly pleases me is the liberalization of the retirement test. The conferees approved a provision permitting a retired individual to earn up to $1,200 a year without loss of benefits. Present law permits employed individuals to earn only $75 per month without loss of earnings. A self-employed individual can earn $900 per year under present law. By putting both the employed and self-employed on an annual basis and by increasing the limitation to $1,200, a beneficiary will have greater flexibility in arranging periods of employment for himself to supplement his annuity. We have also reduced from age 75 to age 72 the age at which the work clause becomes inapplicable. Thus, persons who have attained age 72 will be permitted to continue working and draw benefits without regard to the $1,200 limitation.

We have also continued until September 30, 1956, the present matching formulas for old-age assistance, aid to the blind, aid to the permanently and totally disabled, and aid to dependent children. Without this action such public-assistance payments would have been reduced effective September 30, 1954.

The bill when it becomes public law will mean that the over 6 million beneficiaries now on the OASI rolls will receive increased annuities ranging from $5 to $13.50 per month. These increases will be effective with respect to the month of September and will be reflected in the checks which will be received on approximately October 1 of this year.

For those persons retiring in the future, further liberalization is made in the benefit amounts. The present range of benefits from $25 to $85 per month for a primary insured individual will be increased to a range of from $30 per month to $108.50. H. R. 9366 increases maximum family benefits from $168.75 per month to $200 per month. A worker and his wife retiring in the future after attaining age 65 will be able to receive a maximum benefit of $168.75 per month instead of $127.50 per month as under present law.

Thus, I have summarized the highlights of the many beneficial changes that have been made in our social security law by the Social Security Amendments of 1954, H. R. 9366. By extending coverage to over 10 million American workers, by substantially increasing benefits and by greatly liberalizing the retirement test, we have succeeded in removing many of the inequities that have heretofore been present in the law. We have provided a realistic floor of protection for our senior citizens. We have made substantial progress in providing an old-age and survivors insurance program that properly meets the needs of the American people.

Mr. REED of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, the substance of what I have to say is likely something that I have said on this floor time and again. I just want to tell my Democratic friends that they have nothing for which they need make any apologies if and when they go home to their constituents. You can be proud of the fact that throughout the 20 years of the Social Security System you have had spokesmen—and I am proud to say that I have perhaps been in the vanguard among those—who have advocated more or less, mostly more than anything that exists in this bill; and had the Republicans voted with us while they were in the minority, as we are going to vote with them today as the minority group, most of the provisions of this bill would long ago have been law and would have been enjoyed by the people of this United States.

As I say, this is another part of the Eisenhower program that stems from the hearts and philosophy of the Democrats. It is not a question of saying who deserves the credit. It has been a great job, and I will say to my friends on both sides of the aisle, I am most happy that at long last our Republican friends have recognized the real value of the social-security system. When we get hospitalization and disability provisions in the law, which I have also advocated and pioneered in the proposal for years, then and only then will we have a rounded out system. I say to you now, as I have said in the past, that the day is coming when hospitalization and disability benefits will be provided. I know my good friends on the committee, the Republicans, are going to see through that, and despite any conservative tendencies they are going to admit that it is essential to the welfare of the people.

The social-security system has put out of business—paralyzed and put out of business the old poorhouses. They are going out of business. There is no use for them. Ma and Pa are living together at home, either with a son or a daughter; or they have a little piece of mud, with a cow or a goat, and they raise a little fruit and a few vegetables and they have their own milk and they live happily together instead of being separated in two different poorhouses and dying of broken hearts.

I am happy to have lived to see the day when I find such wonderful cooperation between the members of the Democratic Party and the Republican Party working together for the social betterment and the welfare of our people.

Mr. Speaker, this is indeed a very happy occasion for me. For many years I have introduced legislation which would make coverage under social security liberal and practically universal. When H. R. 9366 passed the House coverage was extended to practically everyone who is not now covered under the old-age insurance program. The only exception as far as any large group is concerned was physicians. The conference agreement as contained in the conference report while excluding in addition to physicians, lawyers, dentists, osteopaths, veterinarians, chiropractors, naturopaths, and optometrists, extends coverage to most of the persons which the House bill covered. I regret that coverage was not made all-inclusive. Be assured exclusion was not my idea.

I stated regret on the floor of the House when H. R. 9366 was being considered that more realistic benefits are not being provided for retired persons, their dependents, and survivors. We are increasing benefits to some extent but they are still deficient and not what I believe they should be.

I am particularly disappointed that my efforts to have disability insurance payments included in this legislation were unsuccessful. This is, in my opinion, one of the two great shortcomings of our present social-security system. As long as I have strength I shall continue my fight to provide disability insurance payments to disabled workers and their dependents. In most cases these persons are as worthy and much more in need of benefit payments than those who are now eligible for them because the breadwinner in a family may become disabled when his financial obligations to his family and on his home are the greatest, and he may also be faced with heavy medical expenses.

The other major shortcoming is the lack of a provision for hospitalization benefits for social-security beneficiaries. Here again I have long fought to formally provide such benefits and I shall continue to do so until they are enacted.

On the whole, with the exceptions I have pointed out above, the pending conference report is a big step forward in liberalizing our social-security system. No one man can take an undue share of credit for the advancements contained in the pending legislation. However, in all modesty, I state without fear of contradiction that major improvements and liberalizations in the system have been one of my major aims and accomplishments ever since social security was first proposed and enacted into law. I will not take the time of the Members to enumerate the provisions in the conference report which were contained in legislation which I have previously introduced in each and every Congress from the very beginning of the system. The gentleman from Tennessee has given an excellent statement on the provisions as agreed to in conference. It is a matter of record that most, if not all, of these are contained in legislation which I first introduced years ago.

There is another reason why this is somewhat of an occasion as far as I am concerned. Our friends, the Republicans, on the other side of the aisle, for years fought the efforts of those of us on this side to improve the social-security system. They have finally seen the light and I welcome their arrival in our camp, belated as it may be. Had the Republicans while they were in the minority voted with us Democrats then in the majority all these improvements, and many more, would long ago have been enacted into law and the benefits enjoyed by many who are to receive them at this late date.

UNIVERSITY OF MICHIGAN LIBRARIES

In my opinion no piece of legislation has ever been enacted by the Congress which is as humane and practical as our social-security laws. It is my hope that in the next session of Congress we will provide disability-insurance benefits and hospitalization benefits as well as adequate payments to retired workers, their dependents, and the survivors of deceased workers. My efforts will not cease until this is accomplished.

Mr. RFED of New York. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. EBERHARTER] 1 minute.

Mr. EBERHARTER. Mr. Speaker, I am very much pleased that this conference report comes in as it is. I certainly will support it wholeheartedly.

My only regret, Mr. Speaker, is that we do not have a little more coverage. I tnink lawyers should be covered; I think physicians and dentists should have been covered; but most of all I am sorry that we did not insert in this measure a provision which would take care of those who become permanently and totally disabled and who are eligible by reason of payments into the social-security system.

The way the bill is now, if a man works for 25 years and by that time is 45 years of age and becomes permanently and totally disabled, he cannot draw a cent of benefits for 20 more years, until he is aged 65. I say that is something that will certainly have to be taken care of in the very near future, because if a person is permanently and totally disabled at 50 years of age he would still have to wait 15 years before he could draw any benefits. That ought to be corrected.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent that all Members of the House may be permitted to extend their remarks at this point in the RECORD on the pending conference report.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARSHALL. Mr. Speaker, I am disappointed that the Senate did not see fit to include dentists under social security. I realize the problem in the closing days of a session for conferees to agree on all features of the bill in conference.

Dentists rely largely on their hands in doing dentist work. Anything that affects their hands handicaps them in doing their work. Age, disease, and accidents may render them without means of livelihood. It is regrettable that they were not included; as a group they are most worthy.

Dr. Earl H. McGonagle, D. D. S., of Royalton, Minn., has worked hard in behalf of dentists. He appeared before the committee as an individual urging consideration for them. He understands the feeling of local dentists and took a survey which indicates the feeling of dentists in three typical States:

	Yes	*No*
Massachusetts	1,164	51
Minnesota	927	325
Oregon	327	140

Showing a predominance for inclusion.

Dr. McGonagle was aware of some of the groups in opposition and their attitude. I know that the work and expense he put forth is not lost and I predict, that in the near future, dentists will be covered.

Mr. DONOHUE. Mr. Speaker, as one who has consistently supported the continuing expansion and benefits liberalization of our social-security laws, I am happy to vote in favor of this conference report. Although it still excludes many segments of our society that, in my judgment, should be covered and who want to be included, it is nevertheless another forward step and argues well for further improvement and coverage in the near future.

The acceptance of this conference report will add more than 10 million persons to the social-security system and a majority of all the employed and self-employed people of this country will now be entitled to protection.

One outstanding modern improvement contained in this report is, in my opinion, the extending of coverage to approximately 100,000 professional people; namely, accountants, engineers, architects, and undertakers. Also more than 3 million farm operators with their wives and children will now have this essential basic retirement and survivors' protection.

The report constitutes a measure of substantial merit basically designed to promote the general welfare of the people of the United States and I urge its unanimous passage.

Mr. REED of New York. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to, and a motion to reconsider was laid on the table.

SELECT COMMITTEE ON SMALL BUSINESS

Mr. SEELY-BROWN. Mr. Speaker, I ask unanimous consent that the Select Committee on Small Business may have permission to file sundry reports.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

PAY RAISE BILL

Mr. REES of Kansas. Mr. Speaker, I move to suspend the rules and pass the resolution (H. Res. 710).

The Clerk read the resolution, as follows:

Be it resolved, etc., That upon the adoption of this resolution the bill H. R. 7774, with the Senate amendments thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendments be, and the same are hereby, agreed to.

The SPEAKER. Is a second demanded? [After a pause.] If not, the question is: Shall the rules be suspended and the resolution passed?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was passed.

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the resolution just passed.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. BARRETT. Mr. Speaker, the first reason for a pay increase for classified Federal employees is just plain justice. There should be an equitable upward adjustment for Federal employees to permit them to meet the difficult problems created by the continued increase in the cost of living in recent years.

The Consumer Price Index of the Bureau of Labor Statistics, United States Department of Labor, has risen 95 percent since August 1939, the month immediately prior to the outbreak of the war in Europe. Some salary rates have been brought up to this so-called cost-of-living index; that is, they have been increased as much as the proportionate increase in the price index. These employees should receive some increase in their pay rates to permit them to achieve some improvement in their overall living standards. This is taking place constantly in this country in private industry. Otherwise, the American standard of living would not have been raised so much above what it was even 40 or 50 years ago.

Then there are many other employees whose salary rates are still far below a cost-of-living level. Their pay has not been increased in the proportion that puts them in the same financial situation in which they were in 1939.

Another reason that may be given in favor of pay raises for Federal employees is to secure and retain the right employees. A pay raise is more than merely attempting to cope with rising prices. The Government has an important interest in this salary problem. We must therefore be thinking in terms of improving the operating functions of the Government. If we are going to build up and maintain a civil service that provides an incentive for the best qualified and most productive employees to make it their lifework, we must maintain pay at reasonable levels.

That is to be done not only by recruiting the best qualified persons for Government jobs but also by retaining their services by giving them reasonable inducement to remain in the Federal service. Such an inducement has not been given Federal employees. That has been proved by the unduly high rate of turnover in Government jobs, a rate which does not compare favorably with industry. It is neither possible nor feasible for the Government to offer the unusual rewards industry provides for its administrative and technical people in the upper salary levels. It is possible, however, for the Government to provide salaries that buy as much today as they did before World War II.

For that reason and to alleviate the hardship that so many persons are facing with prices rising so sharply in recent years, I am strongly in favor of the best possible improvement of pay rates we can make at this time. Certainly this 83d Congress should not adjourn without recognizing the imperativeness of grant-

ing an equitable pay increase to all Federal employees.

I am voting in favor of H. R. 7774 which provides a 5-percent increase for postal and classified Federal employees, and urge all Members of the House present to do likewise. This is the final opportunity of the 83d Congress to begin to bring the standards of our public servants to their deserved level.

Mr. JAVITS. Mr. Speaker, it is gratifying that by concurrence of both Houses, some recognition, even though inadequate, has been given to the postal employees and employees of the Federal Government. No one can pretend that this increase is equivalent to the financial necessities involved but it is at least a token of good faith on a really minimal basis and should be so considered.

Postal and Federal employees are dependent for adequate compensation upon the sense of justice of the Congress and the country. There is no question but what their pay scales do not reflect realistically either present-day costs of living or the prevailing rates of compensation in private employment. In addition, consideration must be given to the limitation upon opportunity in the Federal employment which must be compensated for in adequate pay, security of tenure and retirement, and high morale of Government service.

I hope very much that the President will approve this bill. It is understandable that the financial agencies of Government should want the Post Office deficit reduced before raising compensation of postal workers but this is the responsibility of Congress and not the postal worker. The President should not penalize the postal workers for the Congress' judgment on this matter. For, it is only fair to state that as the peoples' elected representatives the Congress may choose to express its representative capacity by holding postal rates where they are and causing the postal deficit to be paid out of taxes. I hope very much that this distinction will be very clear to the executive department and that this bill so long needed will be signed into law.

Mr. FULTON. Mr. Speaker, it is a tribute to the fairness of this Congress and the Eisenhower administration that the pay raise for our good postal and Federal employees has now passed the Senate and the House.

Today is a time of accomplishment for those of us who have fought for so many months to obtain a cost of living increase for these loyal employees. While it is not quite the raise we had asked for, it is nevertheless a fine step in the right direction.

May I compliment the fine cooperation and excellent representation given during this long and trying period by the officers, both national and local, of the postal unions.

Good unionism makes good employees and good representation. Count on my continued support of our fine postal and Federal employees.

Mr. DONOHUE. Mr. Speaker, I am happy to rise in support and urge prompt passage of this bill granting a reasonable cost-of-living pay adjustment to our postal and Federal employees, together with certain other so-called fringe benefits.

We all know that whenever the cost of living rises, as it has been doing for the past several years, persons with fixed incomes suffer the most. Some workers can obtain raises to offset at least a portion of the increased cost of living, but those whose incomes are stationary or whose salaries are set by law have serious trouble trying to keep up with rising prices and maintain their family on a decent living scale.

Such is the current predicament of our Federal employees. Their salaries are set by law, and it takes action by the Congress to raise their compensation. An important consideration in this connection is that while Federal employees may organize, they are not allowed to strike; and, to have the record present the truth on this subject, let us remind ourselves that they have never shown any disposition to strike. They have been content to rely upon a sense of fair play on the part of Congress and the general public.

May I also remind you that the best insurance against any misguided reception of false Communist propaganda by our Government employees is to wisely and practically extend them adequate salary compensation.

It is only ordinary common sense and recognition of the facts of life that if our Government employees are sufficiently compensated to enable them to meet their personal and family obligations with confidence and a high morale, then there will be no doubt of their loyalty as good Americans and their repudiation of Communist ideas.

Mr. KERSTEN of Wisconsin. Mr. Speaker, the passage today of the increase for the salaries of postal workers and other Federal employees is well merited. Postal employees and other Federal employees do not have a labor union to bargain for them. They are employees of the United States Government and therefore do not enjoy the right of collective bargaining. Therefore we in Congress have a special duty to see that they receive a just wage. All too often the postal employees have had to do supplemental work in order to eke out a living wage for themselves and families.

The postal employees of Milwaukee, like every other large city, perform a vital service for the community both for industry and the millions of private communications. They are deserving of adequate support in this vital service.

Mr. REES of Kansas. Mr. Speaker, this bill that carries the number H. R. 7774, as it passed the House related only to what is known as the incentive awards program for Federal departments and agencies. Similar legislation relating to awards program was approved by the House and the other body in another bill.

So the Senate struck out all the provisions of H. R. 7774, being the incentive awards program and substituted a bill relating primarily to salary increases. So, in reality, you have a Senate proposal under a House bill number. It contains provisions of a bill now pending before the other body. As chairman of the House Post Office and Civil Service Committee I am reporting the amended bill to the House.

The measure before you contains the following provisions:

First. A permanent 5-percent increase in the minimum rate of each grade, through GS–17, of all employees paid under the Classification Act of 1949, with a minimum increase to each employee of $170 a year and a maximum increase of $440 a year. The bill also provides an increase of 5 percent with a minimum of $170 and a maximum of $440 per annum for legislative employees, certain judicial officers and employees, officers, and employees in the Department of Medicine and Surgery in the Veterans' Administration, and employees in the Foreign Service of the State Department. In addition, the bill contains a provision increasing the maximum compensation payable to officers and employees of the Central Bank for Cooperatives, or any production credit corporations, production credit associations, or bank for cooperatives, so as to permit the granting to such employees of increases corresponding to those provided other employees by the bill. No rate of basic compensation which is $14,800 or more per annum shall be increased.

Second. The annual salary for the Treasurer of the United States is increased from GS–16 to GS–18.

Third. An increase in the maximum allowable per diem for Federal employees to $12 per day from the present rate of $9 per day.

Fourth. A permanent 5-percent increase for all postmasters, officers, and employees in the postal field service with a minimum of $200 and a maximum of $440 except in the case of fourth-class postmasters, hourly rate employees, skilled-trades employees of mail equipment shops, job cleaners in first- and second-class post offices, and employees paid on a fee or contract basis.

Fifth. An increase of 5 percent—computed to the nearest half cent—with a minimum of $200 in the rate of basic compensation of each employee paid on an hourly basis.

Sixth. An increase of 5 percent in each rate of basic compensation for postmasters in post offices of the fourth class.

Seventh. An increase in the allowable per diem for employees in the transportation service to $9 per day from the present rate of $6 per day.

Eighth. A biweekly pay period for personnel of the postal field service.

Ninth. Establishes a Commission on Postal Field Service Classification to conduct an investigation and study for the purposes of developing a plan for the establishment of a uniform, integrated, and equitable classification and pay system for all postmasters, officers, employees, and positions in the postal field service. The Commission is directed to report the results of its study together with recommendations to the Senate and the House of Representatives on or before March 1, 1955.

UNIVERSITY OF MICHIGAN LIBRARIES

	Estimated costs
Pay increases (postal field service)	$101,500,000
Pay increases (classified and other)	212,000,000
Per diem travel allowance (Postal Transportation Service)	4,500,000
Per diem travel allowance (classified and other) (approximately)	20,000,000
Total estimated cost	338,000,000

While the provisions of this bill have not been considered specifically by the House, we have approved a number of them. For example, we have approved some salary increases and other fringe benefits for postal employees. Our committee has recommended salary increases for Federal employees in much the same manner as is contained in this bill. I do feel it only fair to point out, however, that with respect to postal employees, some aspects of this bill are not as generous as the bill which was approved by a majority of the Members of this House on July 21 but failed passage because it was brought up on suspension of rules, that required a two-thirds vote in order to pass. It did receive a majority vote of the House. Some of the objection to that particular bill was that it was combined with postal rate increases. One of the main beneficial features not in this bill that was in the other bill is the additional longevity grade for postal employees.

I should like to point out further that while the objection is voiced to increases in postal rates to cover postal employees salaries, and these objections come from employees themselves, as a matter of fact, employees probably are more liberally treated in such bills than bills which deal solely with pay increases. For example, in the 80th Congress postal rate increases were combined with salary increases and postal employees received the largest single increase they have ever received in their salary scale, $450 per year.

As chairman of the committee, I am making this motion to pass H. R. 7774 as amended by the Senate because I realize at this late date it appears to be the last possible chance for Members to vote on a legislative vehicle for salary adjustment for postal employees and Federal employees. As stated at the beginning, I feel as in considering any legislation, Members should be familiar with provisions in legislation submitted for vote.

This may be described as the twilight hour of the 83d Congress. Throughout the two sessions of this Congress I have worked ceaselessly on the problem of salary adjustments, and the revenue with which to pay them. Our committee held hearings over a period of many months on both of these subject maters and problems relating thereto. All groups interested were given opportunity to be heard. The Postmaster General and his assistants made a complete and exhaustive presentation on these problems. Also on the question of reclassification. All agreed reclassification in postal service is long past due. I submitted a plan on reclassification approved by a majority of members of our committee that to be fair and equitable to all parties concerned. I regret to say this proposal did not even receive consideration in the other body. I don't understand why my proposal for reclassification could not at least be considered.

At the moment the action we are taking today is approached with misgivings. I state here as I did on July 21 when I proposed to link a pay bill, a bill providing similar salary benefits as those in this bill plus an additional longevity grade, with a bill providing both revenue and reclassification: "From the best information I have been able to obtain both revenue and job reclassifications are 'musts' on any pay adjustments."

I also stated I would be willing to take such parliamentary action which at the time had the best prospect of success. As I have said, I am presenting this matter with misgivings but at this hour it is the only alternative. I would say this bill's final approval is a possibility, but my proposal with revenue and a beginning on reclassification, was in my opinion a certainty.

Mr. HAGEN of Minnesota. Mr. Speaker, now that we have approved and sent to the President this much needed, greatly desired, and long delayed postal and Federal employee pay legislation, let us take a look at its provisions and features.

However, I first want to thank the House for accepting and unanimously approving H. R. 7774, of which I was the first author. It was originally known as the Hagen bill, entitled "An act to establish a uniform system for the granting of incentive awards to officers and employees of the United States, and for other purposes." It passed the House on April 5.

The Senate Committee on Post Office and Civil Service later amended it with the Carlson pay proposal. This was the measure adopted by the Senate this morning by a vote of 69 to 4. So it came back to the House still carrying the same number and first-page title as the original Hagen bill, H. R. 7774, greatly amended, and with a new last-page title, "An act to increase the rates of compensation of classified, postal, and other employees of the Government, and for other purposes." H. R. 7774 will now carry this new title.

Since there was little or no opposition to this new improved measure and everyone apparently believed that it was acceptable as to its pay raise and other provisions, it was not even necessary to give an explanation of it prior to passage.

This legislation has been before the House for many months and every Member was somewhat aware of the major parts, if not the details of the various measures which have been up for consideration.

So it was most gratifying to me to have the House and Senate accept and so strongly approve a measure which myself and others on both the House and Senate Post Office Committees thought was necessary to meet the situation. Our original views and position certainly have been vindicated.

I believe a brief explanation of the measure as it was passed by the Senate and the House and as it goes to the President is desirable.

The provisions of H. R. 7774 follow:

First. A permanent 5-percent increase in the minimum rate of each grade, through GS–17, of all employees paid under the Classification Act of 1949, with a minimum increase to each employee of $170 a year and a maximum increase of $440 a year. The bill also provides an increase of 5 percent with a minimum of $170 and a maximum of $440 per annum for legislative employees, certain judicial officers and employees, officers and employees in the Department of Medicine and Surgery in the Veterans' Administration, and employees in the Foreign Service of the State Department. In addition, the bill contains a provision increasing the maximum compensation payable to officers and employees of the Central Bank for Cooperatives, or any production credit corporations, production credit associations, or bank for cooperatives, so as to permit the granting to such employees of increases corresponding to those provided other employees by the bill. No rate of basic compensation which is $14,800 or more per annum shall be increased.

Second. The annual salary for the Treasurer of the United States is increased from GS–16 to GS–18.

Third. An increase in the maximum allowable per diem for Federal employees to $12 per day from the present rate of $9 per day.

Fourth. A permanent 5-percent increase for all postmasters, officers, and employees in the postal field service with a minimum of $200 and a maximum of $440 except in the case of fourth-class postmasters, hourly rate employees, skilled-trades employees of mail-equipment shops, job cleaners in first- and second-class post offices, and employees paid on a fee or contract basis.

Fifth. An increase of 5-percent (computed to the nearest half cent) with a minimum of $200 in the rate of basic compensation of each employee paid on an hourly basis.

Sixth. An increase of 5 percent in each rate of basic compensation for postmasters in post offices of the fourth class.

Seventh. An increase in the allowable per diem for employees in the transportation service to $9 per day from the present rate of $6 per day.

Eighth. A repeal of present law which restricts the number of permanent appointments, promotions, and transfers in the Federal service.

Ninth. A biweekly pay period for personnel of the postal field service.

Tenth. Establishes a Commission on Postal Field Service Classification to conduct an investigation and study for the purposes of developing a plan for the establishment of a uniform, integrated, and equitable classification and pay system for all postmasters, officers, employees, and positions in the postal field service. The Commission is directed to report the results of its study together

with recommendations to the Senate and the House of Representatives on or before March 1, 1955.

The Commission will be composed of (A) the chairman and ranking minority member of the Committee on Post Office and Civil Service of the Senate, (B) the chairman and ranking minority member of the Committee on Post Office and Civil Service of the House of Representatives, (C) the Postmaster General, (D) two officers or employees of the Post Office Department to be appointed by the President, and (E) two representatives of postal employee organizations to be appointed by the President.

ANNOUNCEMENT

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I take this time in order to announce to the House that I expect the other body will act on the conference report on the social-security measure very shortly. Upon the adoption of that conference report I sincerely hope they will send back to the House the amended sine die adjournment resolution which we passed some time ago. It will provide for sine die adjournment of the House but, of course, include provisions that the other body may remain in session or at least in recess. We will adopt that here, and, so far as I can see, we will be ready to move to adjourn today, which will bring about a sine die adjournment until January 5, 1955.

Mr. Speaker, of course any Member of the House could force a record vote on the motion to adjourn. I trust that Members will stay here until we do finally get the sine die adjournment resolution agreed to.

CLERK AUTHORIZED TO RECEIVE MESSAGES FROM THE SENATE

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that notwithstanding the sine die adjournment of the House the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

FAILURE OF WITNESSES TO APPEAR OR REFUSAL OF WITNESSES TO ANSWER QUESTIONS BEFORE COMMITTEES OF THE HOUSE

Mr. HALLECK. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 711.

The Clerk read the resolution, as follows:

Resolved, That by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession but by its permission; be it further

Resolved, That in all cases involving the failure of witnesses to appear or refusal of witnesses to answer questions before committees of the House of Representatives properly certified pursuant to the provisions of section 104 of the Revised Statutes of the United States as amended, or involving a charge of perjury before such committees, pending during any period of adjournment of the 83d Congress in any court of the United States where subpenas duces tecum may be issued by the due process of said court and addressed to the Clerk or any other officer or employee of the House of Representatives directing them to appear as witnesses before the said court at any time during any such period of adjournment and to bring with them certain and sundry papers in the possession and under the control of the House of Representatives wherein such documentary evidence is needful in any said court of the United States, that the Clerk of the House, or any other officer or employee of the House, be authorized to appear during any such period of adjournment at the place and before the court named in the subpenas duces tecum so issued, but shall not take with them any papers or documents on file in their office or under their control or in their possession as officers or employees of the House; and be it further

Resolved, That when any said court determines upon the materiality and the relevancy of the papers and documents called for in the subpenas duces tecum then any said court through any of its officers or agents have full permission to attend with all proper parties to the proceeding and then always at any place under the orders and control of this House and take copies of any documents or papers in possession or control of said officers or employees that the court has found to be material and relevant, except minutes and transcripts of executive sessions, and any evidence of witnesses in respect thereto which the court or other proper officer thereof shall desire, so as, however, the possession of said documents and papers by the said officers or employees shall not be disturbed, or the same shall not be removed from their place of file or custody under said officers or employees; and be it further

Resolved, That a copy of these resolutions be transmitted by the Clerk to any of said courts whenever such subpenas are issued as aforesaid.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER. The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

REPORTS FILED WITH CLERK FOLLOWING ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that reports filed with the Clerk following the sine die adjournment by committees authorized by the House to conduct investigations may be printed by the Clerk as reports of the 83d Congress.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

AUTHORIZATION TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Concurrent Resolution 273.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That notwithstanding the sine die adjournment of the two Houses, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The resolution was agreed to, and a motion to reconsider was laid on the table.

APPOINTMENT BY SPEAKER OF COMMISSIONS, ETC.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that notwithstanding the sine die adjournment of the House the Speaker be authorized to appoint commissions, boards, and committees authorized by law or by the House.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PRINTING OF REPORTS OF COMPTROLLER GENERAL

Mr. HALLECK. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 712.

The Clerk read the resolution, as follows:

Resolved, etc., That notwithstanding the sine die adjournment of the House, reports of the Comptroller General of the United States made to the Congress pursuant to the Government Corporation Control Act (59 Stat. 597) shall be printed during such adjournment as House documents of the 2d session of the 83d Congress.

The resolution was agreed to, and a motion to reconsider was laid on the table.

PRINTING OF RULES AND MANUAL OF HOUSE

Mr. HALLECK. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 713 providing for the printing of a revised edition of the Rules and Manual of the House of Representatives for the 84th Congress as a House Document.

The Clerk read the resolution, as follows:

Resolved, etc., That a revised edition of the Rules and Manual of the House of Representatives for the 84th Congress be printed

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as a House document, and that 1,600 additional copies shall be printed and bound for the use of the House of Representatives, of which 700 copies shall be bound in leather with thumb index and delivered as may be directed by the Parliamentarian of the House for distribution to officers and Members of Congress.

The resolution was agreed to, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that all Members of the House shall have the privilege until 10 days after the adjournment sine die of the House to extend and revise their own remarks in the CONGRESSIONAL RECORD on more than one subject, if they so desire, and also to include therein such short quotations as may be necessary to explain or complete such extension of remarks, but this order shall not apply to any subject matter which may have occurred or to any speech delivered subsequent to the adjournment of Congress.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

ADDITIONAL COMPENSATION TO CERTAIN EMPLOYEES OF THE HOUSE

Mr. HALLECK. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 714.

The Clerk read the resolution, as follows:

Resolved, That effective September 1, 1954, there shall be paid out of the contingent fund of the House, until otherwise provided by law, additional basic compensation to certain employees of the House, as follows:

OFFICE OF THE PARLIAMENTARIAN

Messenger at the Speaker's table (whose title shall be changed to "clerk to the Parliamentarian"), at the rate of $650 per annum.

OFFICE OF THE CLERK

Enrolling clerk, at the rate of $800 per annum.

Chief bill clerk, at the rate of $500 per annum.

Property custodian, at the rate of $1,540 per annum.

The resolution was agreed to, and a motion to reconsider was laid on the table.

HON. EDWARD J. HART

The SPEAKER. The Chair recognizes the gentleman from New Jersey [Mr. SIEMINSKI].

Mr. SIEMINSKI. Mr. Speaker, it has been said that one of the greatest orators ever to grace these Chambers, at least in our time, is spending his last day here with us today. I refer to the Honorable EDWART J. HART, representing the 14th District of New Jersey, who finishes 20 years of dedicated and distinguished service in the House of Representatives.

When Congressman HART recently paid his respects to the late, eminent Joseph Tumulty, aide to President Woodrow Wilson, those who heard Congressman HART know that they experienced one of the rare occasions of this House. It was a highlight of the House of Representatives. Congressman HART is voluntarily retiring at the end of this term, finishing 20 years of brilliant service.

Being one of the junior members of the delegation from New Jersey, I was accorded this courtesy because it is to Congressman HART that I owe my election to the Congress. I was in Korea in November of 1950 when it was announced to me that I had won a seat in the House of Representatives. When I returned home, I learned that it was Congressman HART who, with Mrs. Sieminski and the Honorable John V. Kenny went up and down my district, as well as his own, to make my election and his possible. You will therefore, I am sure, forgive me for taking this valuable time of yours to say:

Ed, in the presence of our colleagues, on behalf of Mrs. Sieminski and all of the district, to you and to your lovely wife, Loretta, thank you very much. No greater love hath a man than to do what you did in my absence, to help our little family, and our great district, do its share in seeing that, during the Korean war, and, we hope, in the days ahead, that the Stars and Stripes mean what they did then, do now, and shall in the future. Thank you very much, Congressman HART.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. SIEMINSKI. I yield to the gentleman from Texas.

Mr. RAYBURN. Mr. Speaker, there are few men in my time, which has been a long time as some things go, who have retired from this House whose leaving causes greater regret to me than the retirement of ED HART. He has given me a rich friendship ever since I came to know him. The elements are mixed in ED HART in such a fashion that he elicits friendship from other people because he knows what friendship means and knows how to give it in unmeasured terms.

I have visited with him in his great State, and he has introduced me to his friends and his neighbors in terms more glowing than I deserved. In my opinion, ED HART is not only a seasoned statesman, a great patriot, but he is one of the greatest orators it has ever been my privilege to listen to. All over he is a man—fundamentally sound—kind, tolerant, and great. I trust in the years that are allotted to me, our paths may cross often and in the years that are to come, I hope and pray I might touch a few more men as great and as fine as I know ED HART to be.

Mr. SIEMINSKI. Mr. Speaker, I yield to the gentleman from Tenenssee [Mr. COOPER].

Mr. COOPER. Mr. Speaker, I could not feel right if I failed to embrace this opportunity to raise my voice in this brief but very sincere tribute to my good friend and distinguished colleague, ED HART, of New Jersey. I have enjoyed a very warm and close friendship with him throughout his period of service here, and have admired him greatly throughout all that time. I feel I express the true sentiment and feeling of every Member of this body when I say to him that he enjoys the very highest degree of confidence, respect, esteem, and genuine affection of all of his colleagues in this Chamber. He is a man of the very highest character and integrity, recognized ability and demonstrated devotion to the public service. I am happy to join in the expressions of this tribute to this great and distinguished American who has been with us here throughout these years. We now, with deep regret, recognize that he is voluntarily retiring from the House of Representatives and does not choose to continue his most distinguished service here.

Mr. SIEMINSKI. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON. Mr. Speaker, it has been my privilege to have been closely associated with our departing colleague, Mr. HART, of New Jersey, during his membership in this House. During the 20 years that it has been my privilege to be so associated with him, I have had abundant opportunity to observe something of the character, the honesty, and purpose, and integrity of this distinguished American. In this life, I have lived long enough to learn that you gain much by the associations you have in life. I have gained much by my association with ED HART. To come in contact with him is to be impressed with the spirit of service that has actuated him throughout his 20 years in this body and which will actuate him when he has left this body. He leaves a record of distinguished service of which he and his family can be justifiably proud. I say to you, as one who comes from New Jersey, there is no one in the State of New Jersey for whom there is higher regard and respect regardless of political affiliation than there is for ED HART.

I assure you that it is with a sense of great personal loss that I see him leave this House. If it shall be my good fortune to return in the session to be held in January next, I will come back feeling that we have suffered a great loss in not having in our midst this splendid, outstanding American, one who has been so anxious to serve, and who has served so well.

He goes to high office in our State as a result of the recognition by the Governor of our State of his great ability, his honesty, and his integrity. Although he leaves us, I am certain that he will render that type of service in the new office that will continue to bring honor to him, to his party, and to all who claim his friendship.

What finer tribute could I pay to our departing friend, ED HART, than to say, he has served faithfully and well the people of the congressional district he has had the privilege to represent in the Congress of the United States, seeking always to promote their welfare as well as the welfare of all our people, without rancor to anyone and with friendship for all. Never has he spoken an unkind word of anyone. He leaves the House with a host of friends because he has been a friend to all. God bless him in all his endeavors through the years to come.

Mr. SIEMINSKI. Mr. Speaker, I yield to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, this day would not be complete for me were I not to indulge my desire to pay tribute to my good friend ED HART, of New Jersey. I have known him for 20 years. We have been friends, not only Democratic friends but personal friends, warm friends, intimate friends.

I have listened to his eloquent remarks on this floor on rare occasion, and I have drunk deeply of his philosophy and of his understanding, and the expounding of certain problems that he was privileged to place before the assembly.

I feel that I have grown richer spiritually and mentally by the fact that I have been here to listen. ED HART is a man of the finest character. He is gracious, kind, deeply religious, friendly, and has a keen desire to extend a helping hand to anyone who needs it. I, for one, shall miss him henceforth. God willing, I, too, shall be back here in January, and this Chamber without ED HART will not, to me at least, be the same. The well-beaten path to this Chamber should serve his successor as a guide and as a direction in which he might well follow if he wants to render unfaltering and the highest form of service to his people, to his State, to his district, and to his country.

I bid him Godspeed, and the happiness and health that he deserves for a job well done.

Mr. SIEMINSKI. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, it is with regret that I see Congressman EDWARD J. HART, of New Jersey, retire from the House. For 20 years he has been a valuable Member of the House. An eloquent orator, a solid statesman, and a fine patriot; he has served with ability and distinction. As chairman of the Merchant Marine Committee he had an important part in keeping the American flag on the high seas.

To know ED HART is to love and respect him. We are all sorry to see him leave and he carries with him to his new post in New Jersey the sincere wishes of all.

Mr. PHILBIN. Mr. Speaker, I have highest regards and deepest affection for my valued friend, ED HART, and I greatly regret his decision to retire from this House.

Few men indeed in the history of the Congress could possibly have equaled the record and career of this distinguished son of New Jersey. Great statesman, great patriot, great student of Government, great in his devotion to humanity, great in the depth and warmth of his patriotism, and great in his love of his innumerable friends, ED HART leaves a glorious legacy of service in this body.

A lawyer of superlative distinction, a mentality of alertness and penetration, a heart of gold, ED HART has served his district, State, and Nation with remarkably outstanding ability, zeal, and unselfishness.

His many contributions to the cause of forward-looking government, his unswerving, untiring devotion to his sworn duty, his impeccable integrity, lofty character, and his unflinching loyalty indelibly mark ED HART with the insignia of greatness.

With all my heart, I wish him good health, peace, and happiness. I will always cherish his friendship.

Mr. O'HARA of Illinois. Mr. Speaker, if in the graciousness of my constituents I am returned to the 84th Congress I shall miss ED HART and BOB CROSSER, and this historic Chamber, where so many of America's great have left the imprint of their lofty genius, will feel the lonesomeness of their absence. None has ever served the Congress, the country, God, and fellow men with greater devotion or with higher ability. Their names are enrolled forever in the affectionate memory of their countrymen.

The farewell address today of BOB CROSSER and the eloquent remarks of ED HART will never be forgotten by their colleagues who were privileged to be here. Printed as they will be in the CONGRESSIONAL RECORD of this day they will be read and reread during the years as strengthening inspiration to the generations to come.

I could not permit this occasion to pass without mention of the late dean of the House of Representatives, A. J. Sabath, who was reelected to the 83d Congress but passed to his eternal rest before the day of our swearing in. We of the Illinois delegation have missed him so very, very much. Congressman THOMAS O'BRIEN, dean of the Democratic delegation, has commissioned me to express this sentiment of himself and all of us. I am sure the members of the delegations from all the other States have shared our feeling of great loss.

Mr. AUCHINCLOSS. Mr. Speaker, when I first heard that ED HART had decided to retire I found it hard to believe that the people he has represented so long in Congress would permit him to do so, but it is his own decision and on his insistence his retirement will take place at the close of this session. It is needless to say that Congress will lose a very able and greatly beloved Member. Although it has not been my privilege to hear ED HART speak on many occasions on the floor of the House, I have heard him elsewhere and I wish that every Member had been able to listen to his flow of oratory. Rich in humor, sincere in sentiment, devoted to truth, he stirs his listeners and arouses the best in them.

ED HART is an ardent Democrat and loyal to the cause of his party. At the same time, however, he has an abiding belief in friendship and would never do anything to harm a friend no matter what his politics might be. Liberties taken in friendship's name generally lead to disaster but ED HART treats friendship as a sacred thing and for that reason men are drawn to him.

He has earned a rest and I hope he will enjoy the days to come in the sunshine found in wide open spaces. May God's rich blessings shower down upon him and his good wife for many, many years to come.

Mr. ROONEY. Mr. Speaker, one of the great men of this House is the genial, scholarly, and distinguished gentleman from the 14th District of New Jersey, my colleague and good friend Hon. EDWARD J. HART who has decided to retire after 20 years of service.

I am sorry to see him leave us since during more than half of that time, ED HART has been most kind and helpful to me. I feel privileged to have this opportunity to pay tribute to our esteemed and beloved colleague who has served his district, his State, and his country so ably and conscientiously. He is one of the most capable and diligent men of our time and during his two decads of service has won for himself the enthusiastic commendations of his colleagues on both sides of the aisle. He has been a most faithful public servant and deserving of every bit of praise that may be showered upon him.

I wish Ed Godspeed and hope that he will live many many years to enjoy happiness and success in his new undertakings and surroundings.

Mr. SPENCE. Mr. Speaker, I want to join with his other colleagues in paying a tribute of affectionate regard and admiration to ED HART.

When he first came to Congress 20 years ago a mutual friend who had served here a long time said to me, "A new Member has come from New Jersey. You will hear from him. He speaks with fluency and eloquence and is a man of great capacity and sincerity." This prediction has been fulfilled for ED HART has grown in the admiration, respect and confidence of his colleagues through the years.

He has served his constituents with fidelity and with intense zeal. He became an outstanding chairman of a great committee. His splendid service to his district, State and Nation entitle him to their eternal gratitude; and with all he is a kindly, modest man who makes friends because he gives friendship. His fine disposition and good will have gained him an enviable place in the Congress of the United States. He is retiring of his own volition, and we all know that he could stay here as long as he desired.

We hope in his retirement that he may have all things which he desires, that he may have a long life, health, and happiness and may be showered with God's greatest blessings all his days.

Mr. McCORMACK. Mr. Speaker, one of the greatest pleasures of my years of service in the National House of Representatives is the fact that it enabled me to meet and know our distinguished and brilliant colleague, the gentleman from New Jersey [Mr. HART]. During our 20 years of service together there has developed between us a close and lasting friendship. ED HART's friendship will always remain as one of my treasured memories.

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For the past 20 years Congressman ED HART has been one of the outstanding Members of the Congress.

During that period he has been the most eloquent Member of the House, which body numbers among its membership many Members of outstanding ability in the field of oratory. ED HART is not only eloquent but sound in thoughts he expressed when he addressed the House. His devotion to duty has been evidenced by his close attendance to his committee work and to the House during its sessions.

Among those who served with each other there is no Member who has more favorably impressed himself upon his colleagues than has ED HART.

Congressman HART is not seeking reelection and is retiring from the House.

I shall miss ED HART. I shall miss him personally because of our close friendship. I shall miss him as one of the Democratic leaders because we could always depend upon the support of ED HART. His sense of loyalty—strong and lasting loyalty—is a trait ED HART possesses and evidenced.

In retirement from the House, I wish ED HART every happiness and success he so richly deserves.

My wish is that he will in the future frequently visit Washington and the Chamber he loves, the National House of Representatives. ED HART will always be welcomed by his friends and those who served with him.

Mr. SHELLEY. Mr. Speaker, when I was elected to the House 5 years ago and became a member of the Merchant Marine and Fisheries Committee ED HART was chairman of that committee. As a freshman member of the House and of the committee I was a little green about procedures and perhaps a little inclined to be impetuous in some of my actions on legislative matters. Fortunately for me ED HART was on hand to lend me the benefit of his kindly wisdom and to steer me on the right course—the course which he has followed through his 20 years of service in this House. By following that course ED HART has accomplished much for his district, for the country, and particularly for our maritime industry; and he has done so without sacrificing the personal friendship of those with whom he has worked and with whom he may have been forced to disagree at times. That, it seems to me, proves the measure of the man.

I know that I shall sorely miss ED HART personally and that the loss of his wonderful moderating influence will make the work of our committee and of the House just that much more difficult. But certainly his tireless efforts during the past 20 years have entitled him to some measure of rest from the strain of his congressional labors. His home State of New Jersey could have made no wiser choice in picking a man to fill the important post which he is about to assume there. I am sure that he will give to that service to his own people the same unstinting devotion that has characterized the broader duties he has performed here in Congress, and that the people of New Jersey will be the richer for his efforts, just as the national scene will be the poorer for his retirement.

Mr. Speaker, I do not intend to say goodby to ED HART either publicly in these remarks or privately later. This could not be a permanent farewell to a man who has ahead of him many years of fruitful life, and during those years I sincerely hope and expect to see Ed many times and to continue to glean from him the sage advice and good counsel which he has so generously given during the too short years I have served with him here. So, to Ed, I will now say only "so long until next time, and may that next time be soon."

In the meantime, I will carry in my mind and in my heart the fond remembrance of ED HART as a great and kind gentleman; a distinguished leader of his party; a statesman whose service to his country was unmarked by any consideration other than the good of the people as a whole; and an outstanding friend. To say that ED HART is all of those things is no exaggeration. To say that the Congress and the Nation suffer an irreparable loss with his self-chosen retirement is also no exaggeration. But the ill wind which blows him away from Washington will, I trust, in bringing him home to New Jersey and his new career carry with it every possible source of personal satisfaction and contentment. Certainly he has richly earned those blessings. If the people of New Jersey appreciate him as we do here he cannot fail to find them. May God blass you and care for you, Ed, for many years to come.

Mr. PATMAN. Mr. Speaker, ED HART is retiring as a Member of Congress at the end of this Congress. He will never retire from public service because Ed will continue to be in the harness working in the public good as long as he lives; he is just that type citizen and devoted servant of the people.

It has been my privilege to work with ED HART on a number of important congressional matters. ED is entitled to a lion's share of the credit for the passage of the Maximum Employment Act of 1946. He was on the committee that considered the proposal and assisted in getting the bill favorably reported by the committee and assisted in getting the bill passed by the House of Representatives, which resulted in the bill becoming a law. It is now one of the laws that is recognized as containing more of our Government's economic policy than any other law that has ever been enacted. ED HART was a member of the Joint Committee on the Economic Report since its organization 8 years ago. This committee has made a number of wonderful and lasting contributions to the economy of our Nation.

He has always been an aggressive, vigorous fighter in the interest of the plain people of the country and just as hard a fighter against special interests and benefits for a few. He demonstrated his loyalty to the little man, the small-business man, the independent merchant, and for the competitive free-enterprise system. He was a bitter foe of monopoly and always an effective watchman for the people.

The people of his district were fortunate in having a Representative like ED HART. His record as a Member of Congress proves conclusively that the people who elected him have a right to be very proud of the type service he has rendered and the fine Representative that he has made. ED HART is highly regarded and admired by all of the Members of Congress on both sides of the aisle who served with him.

I personally regret very much to see him leave as I have learned to depend upon him for guidance and advice. Although he does not expect to continue as a Member of Congress, I understand he will continue in public service, and we expect to see him on Capitol Hill from time to time and as often as possible.

Mr. HOWELL. Mr. Speaker, for many years, the House of Representatives has gained from the presence of EDWARD J. HART. His well-informed, reasoned counsel has guided the House to wise decisions on many occasions. While constantly devoted to the needs of his constituents in Hudson County, he was able at all times to perceive and understand national needs.

When I first came to Congress in 1949, I benefited greatly from the advice that ED HART freely gave me. I am sure that all of us from New Jersey on the Democratic side of the aisle have been able to perform our duties with greater effectiveness because of ED HART'S personal interest in our activities and problems.

As chairman of the Merchant Marine and Fisheries Committee, he used his expert knowledge of maritime affairs to the best advantage. His interest in shipping grew from the great port of New York, an important part of which was included in his district. The committee will miss his thorough understanding of the shipping industry.

ED HART has given the rich years of his life to his State and country. With his retirement, the Nation, New Jersey, and Hudson County lose a true friend and a devoted public servant.

Mr. SIEMINSKI. Mr. Speaker, I yield to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Speaker, one of the pleasures of coming to Congress is to meet the fine men and women who are Members of this body. My colleague Bud Gearhart introduced me, in the early days of my service, to ED HART, of New Jersey. At the time he mentioned to me the fact that he considered Mr. HART the greatest orator in the House of Representatives. So I watched carefully and waited for the time when I could hear him speak. He really and truly is a fine orator; but like many men who speak well, he talked very seldom. When he told me the other day that he was leaving the Congress and gave me some of the reasons which convinced him that he should retire from the House, which I thought were very plausible and convincing, I told him I was sorry he had not talked more during the

time we were both in the Congress. To listen to him was a real pleasure.

ED HART is an honest, friendly individual; he is not moved by rabid partisanship, and he is a man who tries in every way to be kind and helpful to his colleagues in the House.

To me it has been a great pleasure to know Mr. HART; for one reason because of the fact that my wife came from that part of New Jersey where he lives.

I certainly wish for him the rest and leisure he deserves. After commuting back and forth from New Jersey for 20 years and working hard at his congressional duties, he deserves a good rest. My association with ED HART has been very pleasant and has increased my faith in human nature.

My best wishes follow him in all his endeavors.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentleman yield?

Mr. SIEMINSKI. I yield.

Mr. FRELINGHUYSEN. I, too, should like to join in tribute to our colleague, ED HART. As a junior member of the New Jersey delegation it has not been my privilege to know him for many years, but I have certainly enjoyed my association with him. His friendly attitude makes us all regret his retirement. He is in every sense of the word an inspiration to us on both sides of the aisle. He has been a devoted public servant in the best sense of the word, not only to the State of New Jersey but to the Nation.

At this time I wish him and Mrs. Hart health and happiness in the years ahead. ED HART, even in retirement, will continue to be an inspiration to all of us.

Mr. THORNBERRY. Mr. Speaker, will the gentleman yield?

Mr. SIEMINSKI. I yield.

Mr. THORNBERRY. I wish, Mr. Speaker, to join with my other colleagues in paying tribute to ED HART. When I first came here almost 6 years ago Mr. HART began to take a friendly interest in me as a new Member and has continually since then encouraged me. ED HART has in many ways demonstrated the great depth and breadth of his character as a man.

I want him to know that I wish him well. I am grateful that I had the opportunity of serving with ED HART.

Mr. THOMPSON of Texas. Mr. Speaker, will the gentleman yield?

Mr. SIEMINSKI. I yield to the gentleman from Texas.

Mr. THOMPSON of Texas. Mr. Speaker, I could not let this opportunity go by without adding my words of tribute to ED HART. I served on the committee with him for a number of years, part of which time he was chairman. He was a kind, interested chairman; especially considerate of his subcommittee chairmen, one of which I was.

I cannot say that I blame him for wanting to stay home and enjoy the comparative rest I am sure he has in mind. I have a hunch, however, that he will never be out of public service, and while I do not wish him the burdens that sometimes beset public servants, yet I do want to say that I hope the country will continue to have the benefit of his services. I join with his host of other friends in wishing him well.

Mr. AUCHINCLOSS. Mr. Speaker, will the gentleman yield?

Mr. SIEMINSKI. I yield.

Mr. AUCHINCLOSS. Mr. Speaker, I consider ED HART one of my best friends and I am full of affection for him.

Mr. Speaker, I ask unanimous consent to extend my remarks. I make this request because my heart is too full and I have many things I want to say.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey ?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, will the gentleman yield?

Mr. SIEMINSKI. I yield.

Mr. WICKERSHAM. Mr. Speaker, I served for some time under the chairmanship of Mr. HART. He is one of the most capable, honest, efficient chairmen I have had the pleasure of serving with.

Coming from Oklahoma, I would like to compare him as having the sterling qualities of the late Will Rogers. We are going to miss ED HART in this Chamber.

Mr. TOLLEFSON. Mr. Speaker, will the gentleman yield?

Mr. SIEMINSKI. I yield.

Mr. TOLLEFSON. Mr. Speaker, it has been my privilege ever since I came to Congress to serve on the Committee on Merchant Marine and Fisheries, of which our colleague is and has been a member, and during several years of that time chairman of the committee.

I am sure that in ability, fairness, and effectiveness ED HART has no peer in the House. The merchant marine, the maritime industry, the fishing industry of America are indebted to ED HART for the service he has rendered in Congress in behalf of their welfare. Before actually coming to Congress after my first election, one of my friends said to me: "You are going to the big league now." After I came to Congress and served with men like ED HART, I knew what my friend was talking about, because ED HART in Congress has been a big leaguer.

The Congress will lose the services of a most capable individual, the people of his district will lose the services of an able Representative. We regret his decision to leave us, but that is his decision.

Mr. SIEMINSKI. Mr. Speaker, I yield to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Speaker, I cannot let this occasion pass without joining my colleagues of the House in paying this well-deserved tribute to our very fine friend from New Jersey, ED HART. As a member of the Illinois delegation I can say that frequently we have spoken about ED HART, and the unanimous opinion of the members of the Illinois delegation has been that he is a fine gentleman and an able statesman. I know that every member of the Illinois delegation joins in this tribute that is being paid to ED HART. He has performed a great service to his district, State, and Nation. He has been of invaluable service to the Nation in helping to build and maintain an adequate merchant marine. He has performed magnificently, and we all wish him well.

Mr. SIEMINSKI. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I met the gentleman from New Jersey [Mr. HART] on the very first day I came to Congress. I have been his friend ever since. To be a friend of ED HART is to be a friend of a great American and a great man.

Mr. SIEMINSKI. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, when I came to Congress 12 years ago I was assigned to the Committee on Education. One of the senior members of that committee and therefore one of the first men I was privileged to observe and know was our good friend and colleague from New Jersey [Mr. HART].

For almost every man there is some word that more accurately describes than any other or suggests his most outstanding qualities. Without in the least minimizing the extraordinary ability, the diligence, the integrity, the good judgment and the skill of Mr. HART as a legislator, all of which have been referred to here today, I would say that the word most applicable to him, as I got to know him as a new member of the Committee on Education when he sort of took me under his wing, is the word "kindliness." First and most of all Ed HART is a kindly gentleman. I do not believe anyone ever heard him raise his voice in anger or personal bitterness, either in conversation or in debate. He never uttered a sentence that had a sting or a barb or an innuendo. He did not speak often, but when he did, it usually summed up cogently the essentials of the matter at hand.

ED HART is known, admired, and loved for his fairness, his straight-forwardness, his kindliness. He has left an indelible impression on the mind and character of every one of us who has been privileged to know him.

We certainly wish ED HART the best of all good things in the years ahead.

Mr. SIEMINSKI. Mr. Speaker, I yield to the gentleman from California [Mr. ALLEN].

Mr. ALLEN of California. Mr. Speaker, I would like to join with others in expressing the thankfulness I have for the privilege of having served on the Committe on Merchant Marine and Fisheries with the gentleman from New Jersey [Mr. HART]. He is now the dean of our committee.

During the early days that I served on that committee I recognized the experience and the knowledge of problems of the committee which he brought to us. During the time he was chairman he demonstrated to me many of his most accomplished and outstanding abilities. It has been a great pleasure to serve with him. I admire him greatly. He has done a great service for the committee and the industries with which it is concerned and I join with others in wishing for him the best of things in the years ahead.

Mr. GAVIN. Mr. Speaker, will the gentleman yield to me?

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Mr. SIEMINSKI. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. Mr. Speaker, I, too, want to join my colleagues in paying tribute to my very good and able friend, ED HART—a great legislator and a great American.

I have known ED HART since coming to Congress some 12 years ago. He has always been a friendly and kind associate. Always glad to greet you and always ready to offer his good counsel and be helpful to a colleague in any way he could.

His work here in the Congress of the United States has been outstanding. He commands the respect and admiration of the membership on both sides of the aisle.

We here today cannot attempt to grasp and sum up the aggregate of his service in the Congress in a short space of time; and it is needless.

However, I will say that by his work in the Congress of the United States, stimulated by his love of country, he has produced a record which I may say genuinely has won for him the hearty commendations of not alone his colleagues but the people of his State and Nation as well.

I sincerely regret to hear of his retiring from this body after 20 years of public service. My wish for our good friend, Ed, is good health, happiness and contentment, and all the good things in life over the years ahead.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. SIEMINSKI. I yield to the gentleman from Iowa.

Mr. CUNNINGHAM. I wish to join my colleagues in all that they have said about my friend ED HART. I wish him well always.

Mr. SIEMINSKI. Mr. Speaker, before yielding to Congressman HART, I should like to make these few observations. If anyone will look at the Congressional Directory, he will see, perhaps, on ED HART, the briefest biography of any Member of Congress: A handful of words which say: "Born—" and the date; "Jersey City, N. J.; lawyer, Democrat."

If you ask ED, if he will talk about it, you get the impression that one reason he does not say much is that it's like going to the opera. Many people go to an opera without knowing the plot or understanding the words. Nevertheless, they are moved by the music. Ed believes that no matter what he says of himself unless, when he is with you, he does something for you, all that is written may fall to earth as ashes.

Gentlemen, I think you will be rewarded for staying to listen to the farewell remarks of our dear and beloved friend, the Honorable EDWARD J. HART of New Jersey, to whom I now yield.

Mr. HART. Mr. Speaker and my colleagues of this great deliberative, legislative body; to use a common phrase, it is kind of tough to take it. To sit here with all these splendid Representatives of various sections of the United States and to hear the encomiums that in their supreme generosity they have showered upon me has been a very difficult if, nevertheless, much enjoyed experience.

I am not going to do what my beloved colleague, Mr. SIEMINSKI, suggested, namely: deliver a farewell speech. Unless a speech is delivered from the heart, it is not worth delivering. But there are times when the heart is too overflowing with sentiment and emotion to permit one to make the kind of speech one would like to make, if circumstances were otherwise.

My good friend from California, Mr. JOHNSON, referred to the pleasure of serving here with so many fine people. And my equally good friend, Mr. TOLLEFSON, referred to the membership here as big leaguers. The greatest joy, the greatest solace in the midst of many difficulties that can come to a Member of this House, it seems to me, is that which comes from his association with the greatest cross section of Americans that is to be found anywhere in the world; and that is in the membership of the House of Representatives.

The one great and abiding regret that I shall take with me is not the severance, of course, but the disruption of the many beautiful friendships that it has been my privilege to form in this House through the years with so many splendid, patriotic, able, conscientious American gentlemen.

I know that the hours are going to be lonely for a long, long time to come because of the deprivation that will come to me of the association and the friendships of the Members of this House.

Gratitude is the fairest flower that blossoms in the human heart, and my heart today is full of gratitude, gratitude for many things: Gratitude to God for the many blessings and benefits that he has endowed me with; gratitude for the privilege of having served in this great body for 20 years; gratitude for the friendships that have accumulated in that time; gratitude for the opportunities that have been given to me to be helpful on occasion to many Members of the House; and gratitude above all to all of those who either today publicly on the floor of the House or who during the past few weeks privately have expressed their sincere regret over the fact that at the end of the present session I shall no longer be a Member here.

This is indeed a great institution, my colleagues of the House of Representatives. It has performed its tasks supremely well. George Washington, after the Constitution had been adopted, said:

> Let us raise a banner to which the wise and honest can repair. The event is in the hands of God.

The banner was raised, and it was the great work of the Congress of the United States to keep that banner ever unsullied and ever waving. That it has done.

In a famous speech delivered in Mount Vernon the great President Woodrow Wilson said:

> What we seek is the reign of law, based upon the consent of the people and sustained by the organized opinion of mankind.

The House of Representatives has been faithful to the task of maintaining that reign of law with the consent of the people and in the interest of the people and for the welfare of the great Republic—a great task nobly done.

I have often observed that it is absurd to attempt to particularize one party as against another in the matter of patriotism and the desire to serve the public welfare. In this Chamber and, indeed, in party politics all over the country there is no room for rancor—because we are all Americans, we all address ourselves to the great object of preserving and prospering this great Republic. If on occasion we differ as to the method of doing so, it raises no reason in the world for anybody to feel rancorous toward a member of the opposing party for pursuing the methods that he assumes to be the best.

So, ladies and gentlemen, it has been a magnificent experience to have served in this House through 20 years. It is an honor beyond description to be a Member of this House for only 1 term, for only 1 month, for only 1 week. This House breathes the spirit of popular sovereignty. This House breathes the spirit of Americanism and of what America is and of what Americanism was intended to be. The principles espoused by the Founding Fathers were not theirs. The principles of the Declaration of Independence did not find their source in that age. Those principles were the expression of the spiritual hopes of men which had prevailed over centuries. Nevertheless, the Republic of the United States marked the first opportunity that those principles had to be applied on a universal scale in a great country. It was not easy to maintain them at first. It is not easier to maintain them today because maintaining a republic is not a static job. It is a job of continuous action. It is a job that requires dedication on the part of the membership of both Houses of Congress. That dedication has been displayed—manifested time and time again, year in and year out in the recognition by the Members of this House of the great part that they have to play in maintaining the great mission of America, which is not only to conserve these immortal principles for our own people, but in God's good time to scatter them all over the earth so that in the words of one who I do not recall "There shall come a day when the whole heaven will dome and bend above a world without a serf, a servant, or a slave."

I would be presumptuous, my friends, if I were to detain you any longer at this late hour, the closing hour, perhaps, of this session of the 83d Congress. But I do want to say I am not making a farewell speech—I am not saying goodby to my friends whom I expect to see here frequently in the future and whose friendships I expect to continue to cultivate. I shall merely say with gratitude to all, to those who have spoken here today and to those who have been my friends and associates through the years, and to those especially from my own State who have given so many expressions of their regard and affection—to the Speaker of this House whose friendship I glory in—to my beloved friend, the ex-Speaker of the House and minority leader, one of the great Americans of our time, SAM RAYBURN, and to all others with whom I have had the privilege of consorting, I say not goodbye but Ave atque Vale, hail and farewell.

REPRESENTATIVES FROM THE STATE OF OHIO

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Speaker, I appreciate it would take more temerity than I have to attempt, without apology, to address this House after the great speech we have just listened to by the gentleman from New Jersey [Mr. HART]. I have a duty, however, that I feel I must perform.

I have been a Member of this House for quite a while, and it has been my privilege to see 15 Congresses close. We always had a fine time in these closing exercises and we are having a fine time at the close of this session. There is a tendency on the part of some of those who have been here a good while to take up considerable time. But this afternoon we gave some time to show our esteem and respect for a fellow Ohioan who has served longer than most of us. I refer to my good friend, Hon. ROBERT CROSSER. I think he has served longer than any Democrat from Ohio. At the same time I think I can claim the honor of having served longer than any Republican from the State of Ohio. I am not sure that I am right with reference to this service. But what I rose for was two things, one of which is this: I heard what I thought was a very eloquent short speech a few months ago. It was delivered on this floor by our good friend, the former Speaker, Hon. SAM RAYBURN. As I remember it was on the occasion of some ceremony here, perhaps his birthday. At any rate, SAM RAYBURN stood there where he is now sitting and he said something to the effect that he was very proud of the fact that his people had elected him 21 consecutive times to high place in this great body. Just think of that. The finest thing that came to his mind was the fact of having been elected 21 times by his own home folks. I do want to compare myself to him, but one of the finest thoughts that comes to me is that my people have elected me 15 successive times to this the greatest legislative body in the world.

Mr. Speaker, I arose for another matter and it is to call attention to the fact that the great State of Ohio loses four very fine Members of this House at the close of this session.

We lose ROBERT CROSSER. He is an institution unto himself. I knew him long before I came here, knew him and respected him because of the great honesty of purpose he displayed when he was a member of the constitutional convention in Ohio.

We are going to lose another fine Democrat, Hon. ROBERT SECREST. I am sorry he is not here today. BOB SECREST's district adjoins mine. He is a Democrat and I am a Republican. We do not always agree and we did not always help each other very much politically but we never did throw any rocks into each other's backyard. ROBERT SECREST has been promoted to a position to which a Republican President must appoint a Democrat. He is a fine American citizen and will render good service in the high position to which he has been appointed.

On the Republican side we are going to lose another fine Member. The heavy hand of adversity has stricken him. He has suffered from a pernicious sickness that has made it impossible for him to carry on. I refer to Hon. ALVIN WEICHEL. He is from Ohio. Both Democrats and Republicans are sorry that Al is going, but I want him to know that he has our very kindest regards.

Another man is going to leave us voluntarily. He is well on his way to a position over in the Senate. He thinks it is a promotion. I do not know whether it is or not. Anyway, he wants to be promoted and the people of Ohio want to promote him. I refer to GEORGE BENDER.

Being the great Republican State that Ohio is, we feel that the Republicans of Ohio with a good many Democrats will elect Senator BENDER. You may never have thought of it but it is true that every Republican President from Lincoln to Herbert Hoover, who was selected by convention, came from Ohio. Let me explain—the Republican Party was founded by Abraham Lincoln and he was the first Republican President. All the Republican Presidents from Lincoln to Hoover came from Ohio except Theodore Roosevelt and Calvin Coolidge. Each of these two fine gentlemen inherited the Presidency by reason of his having been a Vice President. Yes, Ohio is truly the mother of Republican Presidents. There are enough Republicans in Ohio to elect a Republican Senator.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. JENKINS. Yes, I am glad to yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, Ohio is a proud State; it is proud of its beautiful land. It is known in song and story as "Beautiful Ohio." It is known for its great cities, for the large number of its educational institutions, but perhaps above everything else it is known for the men and women it has contributed to the Nation.

Ohio is proud of the representation it has had in the past and at the present time in the Congress of the United States. I am happy to join with the dean of the Ohio delegation, THOMAS JENKINS, in paying tribute to 3 of the members of the Ohio delegation, 2 Democrats and 2 Republicans, who at the end of this session when the final gravel falls sometime this evening will no longer be Members of this body or at least will not participate in our deliberations.

As Mr. JENKINS has said, my good old friend, BOB CROSSER, the great Scotsman, has been an institution not only in Washington and Congress, but also in Ohio for many, many years, for far longer than one-third of a century.

And BOB SECREST has been a great Representative of the people.

And AL WEICHEL, whom I have known for at least 25 or 30 years, stayed here and served his constituency, his State, and his country to the detriment of his own health and perhaps of his own life. Our best wishes and our personal regards go out to him.

Then, GEORGE BENDER who served Ohio, if I remember correctly, 14 years as Congressman at large, and since has represented the new 23d District in northern Ohio. He leaves us, and yet he does not leave us, for the reason that there is the feeling out in Ohio that he is going to be elected to the other body come November and that he will be back here and we will be able to hear him singing Onward Christian Soldiers, and a few of the other old-time songs as we get together in some friendly affair.

I have known GEORGE BENDER for a great many years. My first acquaintance with him came back in 1930 when he was elected as a kid senator, a young boy senator from Cuyahoga County. He served in the Ohio Legislature when I was a youngster serving as Lieutenant Governor. I have watched GEORGE BENDER grow and develop throughout the years. To prove to all of us and the people of Ohio that he did have and does have now the qualities of statesmanship that have made him the splendid and truly great representative of the people that he is in this body.

And with him as he leaves this Chamber tonight, Mr. Speaker, go the best wishes, I am sure, just as they go with all members of the Ohio delegation who are leaving us, our best wishes and Godspeed.

I am looking forward to seeing all of of these men in the future. May I say in conclusion I hope we may have the opportunity to continue working in behalf of the great State which we represent in this body.

Mr. VORYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VORYS. Mr. Speaker, today GEORGE BENDER leaves the House, but not Capitol Hill.

Mr. Speaker, my association in legislative work with GEORGE BENDER began 32 years ago when I was elected to the Ohio General Assembly and he was reelected to the Ohio Senate. Two years later I joined him in the State Senate.

We both were elected to Congress in 1938 and have served together almost continuously ever since. Until 1952 he was Ohio's Congressman at large and was in the complicated position of being the Congressman of other Congressmen; we of the Ohio delegation were both his colleagues and his constituents. It is significant that, in that position, he had the support of his Republican colleagues throughout the State at every primary and election.

Now he is leaving us in the House, but he is not leaving Capitol Hill. He will be back next year, a Member of the other body. We will miss him here in the House, but once more we Republican Congressmen will rely upon him to represent us. At the same time he will be representing all the people of Ohio, in

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the spirit of his great Republican predecessor, Robert A. Taft, in carrying forward the constructive program of the Republicans under President Eisenhower.

George, we say to you today goodbye, but we will be seeing you back in the Capitol next January.

RECESS

The SPEAKER. The Chair declares the House in recess subject to the call of the Chair, the bells to be rung 15 minutes before reassembly.

Thereupon (at 5 o'clock and 29 minutes p. m.) the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 7 o'clock and 20 minutes p. m.

STILL FURTHER MESSAGE FROM THE SENATE

A still further message from the Senate, by Mr. Ast, one of its clerks, announced that the Senate had passed without amendment bills and a concurrent resolution of the House of the following titles:

H. R. 4340. An act for the relief of Charles J. Abarno and others;

H. R. 9988. An act for the relief of the Federal Republic of Germany; and

H. Con. Res. 272. Concurrent resolution authorizing the printing of additional copies of part 1 of the hearings on the Baltic States investigation.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a concurrent resolution of the House of the following titles:

H. R. 951. An act for the relief of the Trust Association of H. Kempner;

H. R. 8606. An act for the relief of Neil C. Hemmer and Mildred Hemmer; and

H. Con. Res. 266. Concurrent resolution providing for adjournment sine die of the 83d Congress, 2d session.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 2862. An act to provide relief for the sheep-raising industry by making special nonquota immigrant visas available to certain skilled alien sheepherders.

The message also announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 109. Concurrent resolution authorizing the President of the Senate and the Speaker of the House to sign enrolled bills and joint resolutions.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9366) entitled "An act to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes."

PROVIDING FOR ADJOURNMENT OF THE SENATE AND HOUSE OF REPRESENTATIVES

Mr. ALLEN of Illinois. Mr. Speaker, I call up the concurrent resolution (H. Con. Res. 266) providing for adjournment sine die of the 83d Congress, 2d session, with an amendment of the Senate thereto, and move that the House concur in the Senate amendment.

The Clerk read the title of the concurrent resolution.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That the House of Representatives shall adjourn on August 20, 1954, and that when it adjourns on said day, it stand adjourned sine die.

"*Resolved further*, That the consent of the House of Representatives is hereby given to an adjournment sine die of the Senate at any time prior to December 25, 1954, when the Senate shall so determine; and that the Senate, in the meantime may adjourn or recess for such periods in excess of 3 days as it may determine."

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

AUTHORITY TO SIGN ENROLLED BILLS AFTER ADJOURNMENT

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Concurrent Resolution 109.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That notwithstanding the sine die adjournment of the House of Representatives and the temporary adjournment of the Senate, the Speaker of the House of Representatives and the President of the Senate be and they are hereby authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The concurrent resolution was concurred in, and a motion to reconsider was laid on the table.

COMMITTEE TO NOTIFY THE PRESIDENT

Mr. ALLEN of Illinois. Mr. Speaker, I offer a resolution (H. Res. 715) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That a committee of two Members be appointed by the House to wait upon the President of the United States and inform him that the House of Representatives has completed its business of the session and is ready to adjourn, unless the President has some other communication to make to it.

The resolution was agreed to, and a motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints as a committee to wait upon the President the gentleman from Illinois, Mr. ALLEN, and the gentleman from Texas, Mr. RAYBURN.

TRUST ASSOCIATION OF H. KEMPNER

Mr. HYDE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 951) for the relief of the Trust Association of H. Kempner, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 4, after "hear", insert ", determine, and render judgment on."

Page 1, line 8, after "by", insert "assignors of."

Page 1, line 10, strike out "any."

Page 1, line 10, after "losses", insert ", if any."

Page 1, line 10, after "to", insert "hear."

Page 1, lines 10 and 11, after "determine", insert ", and render judgment on the claims against the United States for."

Page 1, line 11, strike out "various."

Page 1, line 11, after "amounts", insert ", if any."

Page 2, line 2, after "Custodian", insert "after seizure during World War I."

Page 2, line 2, after "Custodian." insert "Suit may be instituted in the Court of Claims pursuant to this act at any time within 1 year from date of approval of this act by the President."

Page 2, line 12, strike out all after "States" down to and including "States," in line 14.

Page 3, line 3, after "1924", insert ": *Provided further*, That no payment shall be made pursuant to this act from the appropriated funds in the United States Treasury: *And provided further*, That nothing contained here shall be construed as an inference of liability on the part of the United States Government, the Government of Germany, or nationals thereof."

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SUTTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SUTTON. Is it necessary in the next few days to ask permission to extend remarks?

The SPEAKER. No; Members have 10 days within which to extend their own remarks without requesting permission.

A WORD OF APPRECIATION

The SPEAKER. Under the previous order of the House, the gentlewoman from Massachusetts is recognized for 10 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I am still waiting to hear about a matter that I think interests all of us. Before speaking I had hoped to

have that information. It has not come yet but I shall pray for it and I believe every Member here will pray for it. It is the signing by the President of veterans' bills.

Mr. Speaker, I want the House to know of my deep appreciation of the Members of our Committee on Veterans' Affairs and of its staff and their cooperation.

I wish to take this opportunity to thank the membership for any and all courtesies shown to me and for their forbearance. I know it has been a very busy year, a hard year for all of us; it has been a trying year. We have had numerous deaths in our midst, we have had many sorrows and many joys—but, when the smoke clears away we shall feel we have accomplished much—we look hopefully toward a bright and happy future.

We go away with a light heart in some ways, a light heart because we return to our homes; but a heavy heart in others because we are leaving one another. The international situation is not too bright. We may have to return, but thank God our sons are not now at war.

I would like to thank the staff and everybody who works here at the Capitol for their endless patience, the Parliamentarians, the Clerk of the House, and the other clerks, the reporters, the men on the doors, the telephone operators, the pages, and all who make the wheels of Congress go around. I am devoted to you all.

Mr. ROONEY. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. ROONEY. I imagine the gentlewoman would agree with me that when Members get to the closing hour of a Congress there is a grand feeling.

Mrs. ROGERS of Massachusetts. That is right.

Mr. ROONEY. But the feeling when one returns the following January is a much grander one.

Mrs. ROGERS of Massachusetts. I agree with the gentleman, and at the close of this Congress we can all feel that many benefits will come to all because of the legislation we have passed. So many on both sides of the aisle have been very helpful to me. I hope I will see each one of you back.

NEIL C. HEMMER AND MILDRED HEMMER

Mr. HYDE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8606) for the relief of Neil C. Hemmer and Mildred Hemmer, with a Senate amendment and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 5, after "appropriated,", insert "to Neil C. Hemmer and Mildred Hemmer of Austin, Minn."

Page 2, lines 2, and 3, strike out "[in excess of 10 per cent thereof.]"

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

COMMITTEE TO INFORM THE PRESIDENT

Mr. ALLEN of Illinois. Mr. Speaker, your committee appointed to inform the President that the House is ready to adjourn, and to ask him if he has any further communications to make to the House, has performed that duty. The President has directed us to say that he has no further communication to make to the House.

The SPEAKER. Will the gentleman from Tennessee [Mr. COOPER] kindly take the chair?

Mr. COOPER assumed the chair.

The SPEAKER pro tempore (Mr. COOPER). The Chair recognizes the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, I offer a resolution that I am very happy to present because we are thanking one of the finest men who has ever served as Speaker of the House of Representatives.

I know JOE MARTIN. I have known him a long time. He is easy to deal with. His word is his bond. I only have to talk to him once about anything. So, Mr. Speaker, I am happy to present this resolution.

The Clerk read as follows:

House Resolution 716

Resolved, That the thanks of the House are presented to the Honorable JOSEPH W. MARTIN, JR., Speaker of the House of Representatives, for the able, impartial, and dignified manner in which he has presided over the deliberations and performed the arduous duties of the Chair during the present term of Congress.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was unanimously agreed to, and a motion to reconsider was laid on the table.

Mr. MARTIN of Massachusetts. Mr. Speaker, words cannot fully express the sentiment and emotion I feel on the adoption of this resolution. I deeply appreciate the words of my very good and beloved friend of many years, SAM RAYBURN, the minority leader. SAM and I have been around here a good many years. We have worked together. We have accomplished, I believe, a great deal for the good of the country. Any words of praise he may say about me I return to the fullest extent because he was a great Speaker and one for whom we have the greatest affection. There is one thing that can be said, that while there were differences of opinion there never was any obstruction.

I want to thank the majority leader, Mr. HALLECK, for his loyalty, for his strong cooperation. He has proved himself to be one of the great majority leaders of our time.

I am also deeply appreciative of the cooperation and the good will of every Member of this House, no matter on which side of the aisle he may sit. In order for a record to be achieved it is necessary for a Speaker to have the cooperation of the entire membership of the House. I have had that cooperation to a rare degree.

I want you all to know as we leave Washington and go back to the political wars that may be ahead that every one of you carry with you my deepest appreciation for your warm friendship.

This has been a great session of Congress; it has been an historic session of Congress. Many things have been done in this Congress that will leave their imprint upon American life in the years that are ahead. All of us, no matter which side of the aisle he sits upon, may feel genuinely proud of the fact that all had a part in that record.

The parting of friends is always an occasion of regrets.

Two years of intimate association here in this great legislative body bring to me the real merits of our associates. Loyal and lasting friendships develop. With all my heart I believe that we here in this great American Congress are meeting the great challenges of our era. I believe here is one of the real citadels of freedom and its fullest expression of popular government. And I am very proud that I have had the privilege of presiding here over this House for the last 2 years.

My friends on the Republican side have been so good to me through the years, not only as their leader for 14 years, but in making me the Speaker of the House. I can never forget the loyalty of their support. And I want to thank those on the Democratic side for their many courteous demonstrations of friendship and assistance.

In conclusion, I again thank the House for this resolution. I want to repeat what I said before; may all of you go back to your homes safely and may health and prosperity follow you in the years ahead.

I thank you very much for your many kindnesses. [Applause, the Members rising.]

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 179. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended;

H. R. 1461. An act for the relief of Kenneth McRight;

H. R. 1665. An act for the relief of Carl Plowaty and W. J. Plowaty;

H. R. 1980. An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes;

H. R. 2263. An act to provide certain employment benefits for employees of the Federal Government, and for other purposes;

H. R. 2781. An act for the relief of Nicholas Matook;

H. R. 3014. An act for the relief of Dr. Alfred L. Smith;

H. R. 3232. An act for the relief of Dennis F. Guthrie;

H. R. 3384. An act for the relief of John B. Daniel, Inc.;

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H. R. 3446. An act for the relief of Mrs. Emily Wilhelm;

H. R. 3757. An act for the relief of Dorothy Kilmer Nickerson;

H. R. 4017. An act to provide for the conveyance of certain land and improvements to the England Special School District of the State of Arkansas;

H. R. 4813. An act for the relief of Radu Florescu and Nicole Elizabeth Michel Florescu;

H. R. 5499. An act to provide for the construction, maintenance, and operation of the Michaud Flats project for irrigation in the State of Idaho;

H. R. 6287. An act to extend and amend the Renegotiation Act of 1951;

H. R. 6290. An act to discontinue certain reports now required by law;

H. R. 6529. An act for the relief of Raleigh Hill;

H. R. 7785. An act to amend the Civil Service Retirement Act of May 29, 1930, to make permanent the increases in regular annuities provided by the act of July 16, 1952, and to extend such increases to additional annuities purchased by voluntary contributions;

H. R. 7853. An act to permit retired policemen and firemen of the District of Columbia to waive all or part of their relief or retirement compensation;

H. R. 7881. An act to validate a conveyance of certain lands by Southern Pacific Railroad Co. and its lessee, Southern Pacific Co., to Morgan Hopkins, Inc.;

H. R. 8498. An act authorizing construction of works to reestablish for the Palo Verde Irrigation District, California, a means of diversion of its irrigation water supply from the Colorado River, and for other purposes;

H. R. 8647. An act to amend Revised Statutes 4426;

H. R. 9115. An act to provide that contributions received under Public Law 485, 80th Congress, for the construction of a merchant marine chapel shall be invested in Government obligations pending their use for such construction;

H. R. 9709. An act to extend and improve the unemployment compensation program;

H. R. 9712. An act granting the consent of Congress to certain New England States to enter into a compact relating to higher education in the New England States and establishing the New England Board of Higher Education;

H. R. 9756. An act to increase the borrowing power of Commodity Credit Corporation;

H. R. 9909. An act to prohibit payment of annuities to officers and employees of the United States convicted of certain offenses, and for other purposes;

H. R. 9924. An act to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes;

H. R. 9936. An act making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes; and

H. R. 10009. An act to provide for the relief of customs tariff schedules, to improve procedures for the tariff classification of unenumerated articles, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 264. An act to provide for the conveyance of certain land in the State of Maryland to the Disney-Bell Post 66 of the American Legion, Bowie, Md.;

S. 738. An act for the relief of Maria Busa;

S. 906. An act to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act;

S. 1259. An act for the relief of Anastasia Kondylis;

S. 1504. An act for the relief of the estate of Rev. Pang Wha Il;

S. 1604. An act for the relief of Margot Herta Matulewitz;

S. 1605. An act for the relief of James Arthur Cimino and Joan Cimino;

S. 1687. An act for the relief of T. C. Elliott;

S. 1873. An act for the relief of Ursula Wilke and Mike Mario Wilke;

S. 2033. An act relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear in public eating places serving such trout;

S. 2068. An act for the relief of Francesco Marinelli;

S. 2074. An act for the relief of certain Basque sheepherders;

S. 2301. An act for the relief of Katherina Picerkona and her minor son, Helmut;

S. 2316. An act for the relief of the Birmingham Iron Works, Inc.;

S. 2345. An act for the relief of Yun Tai Miao and his wife, Chao Pei Tsang Miao;

S. 2366. An act for the relief of Ito Yukiko;

S. 2618. An act for the relief of Ertogroul Osman;

S. 2636. An act for the relief of Arturo Rodriguez Diaz;

S. 2639. An act for the relief of Etsuko Tamaki (Shimizu);

S. 2640. An act for the relief of Esther Joanne Potter;

S. 2649. An act for the relief of Chaya Frangles;

S. 2731. An act for the relief of Jean Cantalini;

S. 2789. An act for the relief of Gianni Bernardis;

S. 2842. An act for the relief of Dr. Felix de Pinies;

S. 2849. An act for the relief of Elisa-Pompea Roppo (Elisa-Pompea Cardone);

S. 2879. An act for the relief of Peter Julian Newbery and Prudence Ellen Newbery;

S. 2884. An act for the relief of Sister Anna Scrinzi, Sister Giuliana Paladini, Sister Iolanda Mazzocchi, and Sister Giuseppina Zanchetta;

S. 2887. An act for the relief of Hon Cheun Kwan;

S. 2893. An act for the relief of Seraphina Papgeorgiou;

S. 2941. An act for the relief of Kim Kwang Suk and Kim Woo Shik;

S. 2945. An act for the relief of Eulalio Rodriguez Vargas;

S. 2954. An act for the relief of Christine Thum;

S. 2993. An act for the relief of Ruth Wehrhan;

S. 3056. An act for the relief of S. Sgt. Silvestre E. Castillo;

S. 3058. An act for the relief of certain nationals of Italy;

S. 3108. An act to modify the act of October 8, 1940 (54 Stat. 1020) and the act of July 24, 1947 (61 Stat. 418) with respect to the recoupment of certain public-school construction costs in Minnesota;

S. 3112. An act for the relief of Emiko Watanabe;

S. 3138. An act for the relief of Wakako Niimi and her minor child, Katherine;

S. 3145. An act for the relief of Bonita Lee Simpson;

S. 3148. An act for the relief of Francesco Pugliese;

S. 3221. An act for the relief of Ingeborg Otto;

S. 3276. An act for the relief of Cleophat Robert Joseph Caron;

S. 3404. An act for the relief of Anni Stroee Jacobsen;

S. 3447. An act to amend the Internal Revenue Code to permit the filling of oral prescriptions for certain drugs, and for other purposes;

S. 3485. An act for the relief of Liselotta Kunze;

S. 3577. An act for the relief of Milos Knezevich;

S. 3586. An act for the relief of Mrs. Hildegard Simon Walley;

S. 3601. An act to provide that the Secretary of Agriculture is authorized to extend until not later than October 18, 1962, certain timber rights and necessary ingress and egress, and for other purposes;

S. 3625. An act for the relief of Mrs. Juana Padilla de Caballero (Mrs. Juana Padilla de Ontiveros);

S. 3652. An act for the relief of Francis Timothy Mary Hodgson (formerly Victor Charles Joyce);

S. 3706. An act to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes;

S. 3840. An act for the relief of Klyce Motors, Inc.; and

S. 3844. An act to provide for a reciprocal and more effective remedy for certain claims arising out of the acts of military personnel and to authorize the pro rata sharing of the cost of such claims with foreign nations, and for other purposes.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills and a joint resolution of the House of the following titles:

On August 19, 1954:

H. R. 697. An act for the relief of Demetrios Christos Mataraggiotis, and Zoi Demetre Matagraggiotis, his wife, and Christos Mataraggiotis and Constantinos Mataraggiotis, their minor son;

H. R. 717. An act for the relief of Henriette Matter;

H. R. 822. An act for the relief of Sister Giuseppina Giaccone;

H. R. 832. An act for the relief of Katharine Balsamo;

H. R. 834. An act for the relief of Arthur J. Boucher;

H. R. 839. An act for the relief of Sister Mary Gertrude (Mary Gertrude Kelly);

H. R. 877. An act for the relief of Nasser Esphahanian;

H. R. 1622. An act for the relief of Agustin Mondreal;

H. R. 1627. An act for the relief of Johann Groben;

H. R. 1904. An act for the relief of Patricia A. Pembroke;

H. R. 1975. An act to amend section 2201 of title 28, United States Code, to extend the Federal Declaratory Judgments Act to the Territory of Alaska;

H. R. 2061. An act for the relief of Regine du Planty;

H. R. 2154. An act authorizing the issuance of a patent in fee to Leona Hungry;

H. R. 2393. An act for the relief of Brother Eugene Cumeriato;

H. R. 2480. An act for the relief of Charlotte Margarita Schmidt;

H. R. 2483. An act for the relief of Giacomo Bartolo Vanadia;

H. R. 2500. An act for the relief of Stanislaw Majzner (alias Stanley Maisner);

H. R. 2794. An act for the relief of Mrs. Claire Godreau Daigle;

H. R. 3024. An act for the relief of Sergio Emeric;

H. R. 3388. An act for the relief of Louis Ella Attaway;

H. R. 3447. An act for the relief of Maria Paccione Pica;

H. R. 3507. An act for the relief of Maj. Elias M. Tsougranis;

H. R. 3520. An act for the relief of Mrs. Erna Rosita Pont (formerly Erna Rosita Michel);

H. R. 3566. An act for the relief of Pimen Maximovitch Sofronov;

H. R. 3665. An act for the relief of Marko Ribic;

H. R. 3750. An act for the relief of Inge Beckmann;

H. R. 3869. An act for the relief of Gilbert Elkanah Richards, Adelaide Gertrude Richards, and Anthony Gilbert Richards;

H. R. 3874. An act for the relief of Roberto Johnson;

H. R. 4015. An act for the relief of Josef, Paula, and Kurt Friedberg;

H. R. 4054. An act for the relief of Jorge Sole Massana and Montserrat Thomasa-Sandhez Massana;

H. R. 4426. An act for the relief of Andrea Paulette Quatrehomme and her child;

H. R. 4427. An act for the relief of Mrs. Helena Piasecka;

H. R. 4437. An act for the relief of Louise Rank;

H. R. 4522. An act for the relief of Petrus Van Keer;

H. R. 4815. An act for the relief of Alexander Petsche;

H. R. 4908. An act for the relief of Pietro Petralia;

H. R. 4969. An act for the relief of Basilios Xarhoulacos;

H. R. 5119. An act for the relief of Augusta Oppacher Bialek;

H. R. 5194. An act for the relief of Pauline Katzmann;

H. R. 5319. An act for the relief of Henry (also known as Heinrich) Schor, Sally (also known as Sali) Schor, and Gita (also known as Gitta Aviva) Schor;

H. R. 5344. An act for the relief of Bob Kan and Fourere Kan;

H. R. 5459. An act for the relief of Takeko Ishiki;

H. R. 5553. An act for the relief of Dr. Lu Jen-lung;

H. R. 5718. An act to limit the period for collection by the United States of compensation received by officers and employees in violation of the dual compensation laws;

H. R. 5749. An act for the relief of Maria Teresa Lubiato;

H. R. 6266. An act for the relief of Frank Robert Gage;

H. R. 6355. An act for the relief of Elena Scarpetti Savelli;

H. R. 6442. An act for the relief of Tamiko Fujiwara;

H. R. 6492. An act for the relief of Rodolfo Navarro;

H. R. 6498. An act for the relief of Elfriede Lina Avitable, nee Roser;

H. R. 6672. An act to provide for a temporary increase in the public debt limit;

H. R. 6752. An act for the relief of Mrs. Maria Giuseppa De Lisa Quagliano;

H. R. 6762. An act for the relief of Mrs. Irmgard (Chrapko) Broughman;

H. R. 6858. An act for the relief of Mrs. Efthemia Soteralis;

H. R. 7031. An act for the relief of Mrs. George A. Meffan;

H. R. 7033. An act for the relief of Mrs. Anna J. Weigle;

H. R. 7151. An act for the relief of Mazal Kolman;

H. R. 7217. An act for the relief of Astor Vergata;

H. R. 7229. An act to provide for the conveyance to T. M. Pratt and Annita C. Pratt of certain real property in Stevens County, Wash.;

H. R. 7581. An act for the relief of Gaetano Conti;

H. R. 7813. An act authorizing the Secretary of the Interior to adjust or cancel certain charges on the Milk River project;

H. R. 7734. An act to amend section 47 of the National Defense Act concerning the requirement for bond covering certain property issued by the United States for use by Reserve Officers' Training Corps units maintained at educational institutions;

H. R. 7828. An act for the relief of Mariana George Loizos Kelils;

H. R. 7829. An act for the relief of Shimasoi Michiko;

H. R. 7834. An act for the relief of Erika Schneider Buonasera;

H. R. 7885. An act for the relief of Sohan Singh Rai and Jogindar Kaur Rai;

H. R. 7938. An act for the relief of Miss Martha Heuschele;

H. R. 7947. An act for the relief of Mrs. Erika (Hohenleitner) Stapleton;

H. R. 8065. An act for the relief of Carlos Francisco, Mariqueta Mina, and Roberto Mina Ver;

H. R. 8205. An act to authorize the conveyance by the Secretary of the Interior to Virginia Electric & Power Co. of a perpetual easement of right-of-way for electric transmission line purposes across lands of the Richmond National Battlefield Park, Va., such easement to be granted in exchange for, and in consideration of, the conveyance for park purposes of approximately 6 acres of land adjoining the park;

H. R. 8244. An act for the relief of Mrs. Dorothy Nell Woolgar Allen;

H. R. 8375. An act for the relief of Ilse Radler Hughes;

H. R. 8424. An act for the relief of Mrs. Else Johnson;

H. R. 8554. An act for the relief of Maria M. Khoe;

H. R. 8557. An act for the relief of Ezio Bertoni;

H. R. 8628. An act to amend the Tariff Act of 1930 to insure that crude silicon carbide imported into the United States will continue to be exempt from duty, and with respect to duties applicable to certain prepared fish;

H. R. 8859. An act to convey the reversionary interest of the United States in certain lands to the city of Pawnee, Okla.;

H. R. 8932. An act to reclassify dictaphones in the Tariff Act of 1930;

H. R. 8936. An act for the relief of Dana Evanovich;

H. R. 9029. An act for the relief of Paul James Patrie;

H. R. 9248. An act to amend section 308 (5) of the Tariff Act of 1930, as amended;

H. R. 9496. An act for the relief of Elisabeth Hoeft;

H. R. 9512. An act for the relief of Mrs. Franziska (Han) Rigau;

H. R. 9790. An act to amend the act of June 30, 1948, so as to extend for 1 year the authority of the Secretary of the Interior to issue patents for certain public lands in Monroe County, Mich., held under color of title;

H. R. 9953. An act for the relief of Mr. Fu-Ho Chan, Mrs. Fu-Ho Chan, and their child, Richard Chan; and

H. J. Res. 585. A resolution fixing the time of assembly of the 84th Congress.

On August 20, 1954:

H. R. 270. An act to provide for the control and extinguishment of outcrop and underground fires in coal formations, and for other purposes;

H. R. 1461. An act for the relief of Kenneth McRight;

H. R. 1514. An act for the relief of Clint Lewis;

H. R. 1797. An act to provide for the conveyance of certain land to the State of Oklahoma for the use and benefit of the Eastern Oklahoma Agricultural and Mechanical College at Wilburton, Okla., and for other purposes;

H. R. 1912. An act for the relief of Hayik (Jirair) Vartiyan, Annemarie Vartiyan, and Susanig Armenuhi Vartiyan;

H. R. 1980. An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes;

H. R. 2009. An act to authorize the sale of certain land in Alaska to the Niniichik Hospital Association, of Niniichik, Alaska, for the use as a hospital site and related purposes;

H. R. 2010. An act to authorize the sale of certain land in Alaska to the Alaska Evangelization Society, of Levelock, Alaska, for missionary purposes;

H. R. 2012. An act to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for a campsite and other public purposes;

H. R. 2014. An act to authorize the sale of certain public land in Alaska to the Community Club of Chugiak, Alaska;

H. R. 2015. An act to authorize the sale of certain land in Alaska to Lloyd H. Turner, of Wards Cove, Alaska;

H. R. 2024. An act for the relief of Frank L. Peyton;

H. R. 2263. An act to provide certain employment benefits for employees of the Federal Government, and for other purposes;

H. R. 2615. An act for the relief of Julio Mercado Toledo;

H. R. 2645. An act for the relief of Donald James Darmody;

H. R. 2781. An act for the relief of Nicholas Matook;

H. R. 2791. An act for the relief of Esther E. Ellicott;

H. R. 2815. An act for the relief of Floyd C. Barber;

H. R. 2881. An act for the relief of Mrs. Rosaline Spagnola;

H. R. 3008. An act for the relief of Esther Smith;

H. R. 3014. An act for the relief of Dr. Alfred L. Smith;

H. R. 3216. An act for the relief of E. C. Mills;

H. R. 3217. An act for the relief of Mrs. Florence D. Grimshaw;

H. R. 3232. An act for the relief of Dennis F. Guthrie;

H. R. 3273. An act for the relief of Edgar A. Belleau, Sr.;

H. R. 3384. An act for the relief of John B. Daniel, Inc.;

H. R. 3446. An act for the relief of Mrs. Emily Wilhelm;

H. R. 3516. An act for the relief of Anna K. McQuilkin;

H. R. 3522. An act for the relief of Arthur S. Rosichan;

H. R. 3732. An act for the relief of Catherine (Cathrina) D. Pilgard;

H. R. 3854. An act to authorize the sale of certain public land in Alaska to the Turnagain Arm Community Club of Anchorage, Alaska;

H. R. 3951. An act for the relief of Frank G. Koch;

H. R. 4118. An act to authorize the preparation of rolls of persons of Indian blood whose ancestors were members of certain tribes or bands in the State of Oregon, and to provide for per capita distribution of funds arising from certain judgments in favor of such tribes or bands;

H. R. 4175. An act for the relief of Charles R. Logan;

H. R. 4329. An act for the relief of Huntington, McLaren & Co.;

H. R. 4474. An act for the relief of Frederick Joseph Buttaccio and others;

H. R. 4531. An act for the relief of Lyman Chalkley;

H. R. 4580. An act for the relief of the Florida State Hospital;

H. R. 5028. An act for the relief of Petra Ruiz Martinez and Mr. and Mrs. Marcelo Maysonet Mirell;

H. R. 5086. An act for the relief of George Eldred Morgan;

H. R. 5092. An act for the relief of Robert Leon Rohr;

H. R. 5093. An act for the relief of the survivors of Melvin Edward Williams;

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H. R. 5460. An act for the relief of Chancy C. Newsom and the legal guardian of Susan M. Newsom, a minor;

H. R. 5461. An act to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment on the claim of Wah Chang Corp. against the United States;

H. R. 5489. An act for the relief of Rocco Forgione;

H. R. 5986. An act for the relief of Harold E. Wahlberg;

H. R. 6287. An act to extend and amend the Renegotiation Act of 1951;

H. R. 6290. An act to discontinue certain reports now required by law;

H. R. 6332. An act for the relief of James Philip Coyle;

H. R. 6455. An act to create a National Monument Commission, and for other purposes;

H. R. 6529. An act for the relief of Raleigh Hill;

H. R. 6562. An act for the relief of Capt. C. R. MacLean;

H. R. 6566. An act for the relief of Daniel D. Poland;

H. R. 6814. An act to facilitate the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes;

H. R. 6959. An act to authorize the sale of certain land in Alaska to the Baptist Mid-Missions, an Ohio nonprofit corporation, for use as a church site;

H. R. 7045. An act for the relief of Dr. Marciano Gutierrez, Dr. Amparo G. Joaquin Gutierrez, and their children, Rosenda, Rebecca, and Raymundo, and Mrs. Brigida de Gutierrez;

H. R. 7290. An act to authorize an appropriation for the construction of certain public-school facilities on the Klamath Indian Reservation at Chiloquin, Oreg.;

H. R. 7413. An act for the relief of Harold J. Davis;

H. R. 7835. An act for the relief of S. Sgt. Frank C. Maxwell;

H. R. 7853. An act to permit retired policemen and firemen of the District of Columbia to waive all or part of their relief or retirement compensation;

H. R. 8020. An act authorizing the transfer of certain property of the United States Government (in Klamath County, Oreg.) to the State of Oregon;

H. R. 8027. An act to amend the act of March 6, 1952 (66 Stat. 16), to extend the time during which the Secretary of the Interior may enter into amendatory repayment contracts under the Federal reclamation laws, and for other purposes;

H. R. 8128. An act to amend section 1089 of the Code of Law for the District of Columbia to attachment proceedings;

H. R. 8183. An act for the relief of Elfriede Ida Geissler;

H. R. 8193. An act to amend the Refugee Relief Act of 1953;

H. R. 8252. An act for the relief of the city of Fort Smith, Ark.;

H. R. 8647. An act to amend Revised Statutes 4426;

H. R. 8753. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to establish and operate motor vehicle pools and systems and to provide office furniture and furnishings when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government motor vehicles, and to authorize the United States Civil Service Commission to regulate operators of Government-owned motor vehicles, and for other purposes;

H. R. 8915. An act to amend the act entitled "An act to consolidate the police court of the District of Columbia and the municipal court of the District of Columbia, to be known as the municipal court for the District of Columbia, to create the municipal court of appeals for the District of Columbia, and for other purposes";

H. R. 9357. An act for the relief of S. H. Prather, Mrs. Florence Prather Penman, S. H. Prather, Jr.;

H. R. 9712. An act granting the consent of Congress to certain New England States to enter into a compact relating to higher education in the New England States and establishing the New England Board of Higher Education;

H. R. 9757. An act to amend the Atomic Energy Act of 1946, as amended, and for other purposes;

H. R. 9868. An act to amend the Merchant Ship Sales Act of 1946 to provide for the charter of passenger ships in the domestic trade;

H. R. 9910. An act to amend section 413 (b) of the Foreign Service Act of 1946;

H. R. 9924. An act to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes;

H. R. 9936. An act making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes; and

H. R. 10090. An act to provide for the review of customs tariff schedules, to improve procedures for the tariff classification of unenumerated articles, and for other purposes.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. MCCORMACK (at the request of Mr. PRIEST) and to include an address.

Mr. DAVIS of Wisconsin in one instance to include his voting record in the 2d session of the 83d Congress.

Mr. LANE and to include additional matter.

Mr. FERNANDEZ and to include additional matter.

Mr. HAGEN of California and to include extraneous matter.

Mr. BENDER in eight instances.

Mr. DORN of New York.

Mrs. PFOST and to include extraneous matter.

Mr. POAGE.

Mr. O'BRIEN of New York.

Mr. CURTIS of Massachusetts in two instances.

Mr. REED of Illinois and to include a report of the activities of the Committee on the Judiciary.

Mr. YOUNG in four instances.

Mr. PHILBIN in two instances and to include extraneous matter.

Mr. PRICE in four instances.

Mr. GARMATZ.

Mr. FEIGHAN in two instances.

Mr. HAGEN of Minnesota in three instances and to include extraneous matter.

Mr. BRAY in three instances.

Mr. BROWNSON.

Mr. EDMONDSON.

Mr. BURDICK.

Mr. CROSSER in two separate instances, in each to include extraneous matter.

Mr. HYDE in two instances within 5 legislative days after adjournment.

Mr. WOLVERTON in eight instances and to include additional matter.

Mr. HESELTON and to include additional matter.

Mr. ROONEY and to include extraneous matter.

ADJOURNMENT

Mr. ALLEN of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with the provisions of House Concurrent Resolution 266, the Chair declares the House adjourned sine die.

Accordingly (at 7 o'clock and 38 minutes p. m.) the House of Representatives adjourned sine die.

MESSAGE FROM THE SENATE AFTER SINE DIE ADJOURNMENT OF THE HOUSE

Pursuant to a special order agreed to on August 20, 1954, the Clerk of the House received a message from the Senate announcing that on August 20, 1954, the Senate had passed bills and a concurrent resolution of the House of the following titles:

H. R. 3300. An act to authorize the State of Illinois and the Sanitary District of Chicago, under the direction of the Secretary of the Army, to help control the lake level of Lake Michigan by diverting water from Lake Michigan into the Illinois Waterway;

H. R. 10187. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the payment of appraisers', auctioneers', and brokers' fees from the proceeds of disposal of Government surplus real property, and for other purposes; and

H. Con. Res. 262. Concurrent resolution expressing the sense of the Congress with respect to the payment of damages to certain American employees in the United Nations who were dismissed because of their refusal under the fifth amendment to answer questions before a committee of Congress.

APPOINTMENTS BY THE SPEAKER AFTER SINE DIE ADJOURNMENT OF THE HOUSE

TWO HUNDREDTH ANNIVERSARY OF THE BIRTH OF JOHN MARSHALL

The SPEAKER, pursuant to the provisions of section 2, Public Law 581, 83d Congress, and the order of the House of August 20, 1954, empowering him to appoint commissions, boards, and committees authorized by law or by the House, did, on August 21, 1954, appoint as members of the United States Commission for the celebration of the 200th anniversary of the birth of John Marshall the following members on the part of the House to serve with himself: Mr. BETTS, Ohio; Mr. POFF, Virginia; Mr. WALTER, Pennsylvania; Mr. GARY, Virginia.

ALEXANDER HAMILTON BICENTENNIAL COMMISSION

The SPEAKER, pursuant to the provisions of Public Law 601, 83d Congress, and the order of the House of August 20, 1954, empowering him to appoint commissions, boards, and committees authorized by law or by the House did, on August 21, 1954, appoint as members of the Alexander Hamilton Bicentennial Commission the following members on the part of the House to serve with him-

self: Mr. MARTIN, Iowa; Mr. COUDERT, New York; Mr. ROONEY, New York; Mr. RODINO, New Jersey.

WOODROW WILSON CENTENNIAL CELEBRATION COMMISSION

The SPEAKER, pursuant to the provisions of Public Law 705, 83d Congress, and the order of the House of August 20, 1954, empowering him to appoint commissions, boards, and committees authorized by law or by the House, did, on September 2, 1954, appoint as members of the Woodrow Wilson Centennial Celebration Commission the following members on the part of the House: Mr. WAMPLER, Virginia; Mr. HARRISON, Virginia.

COMMISSION ON GOVERNMENTAL USE OF INTERNATIONAL TELECOMMUNICATIONS

The SPEAKER, pursuant to the provisions of section 2, Public Law 558, 83d Congress, and the order of the House of August 20, 1954, empowering him to appoint commissions, boards, and committees authorized by law or by the House, did, on September 14, 1954, appoint as members of the Commission on Governmental Use of International Telecommunications the following members on the part of the House: Mr. VORYS, Ohio; Mr. RICHARDS, South Carolina.

BILLS AND JOINT RESOLUTION ENROLLED AFTER SINE DIE ADJOURNMENT OF THE HOUSE

Mr. LECOMPTE, from the Committee on House Administration, subsequent to the sine die adjournment, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles:

H. R. 951. An act for the relief of the Trust Association of H. Kempner;

H. R. 1107. An act for the relief of the J. A. Vance Co.;

H. R. 1254. An act to provide authorization for certain uses of public lands;

H. R. 2032. An act for the relief of Clarence D. Newland;

H. R. 2233. An act to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Cheyenne River Sioux Reservation, S. Dak., and for other purposes;

H. R. 2235. An act to authorize the Secretary of the Interior to construct the Santa Maria project, Southern Pacific Basin, Calif.;

H. R. 2236. An act to provide for a commission to regulate the public transportation of passengers by motor vehicle and street railroad within the metropolitan area of Washington, D. C., and for the establishment of a metropolitan Washington commission;

H. R. 2876. An act for the relief of Leo F. Pinder;

H. R. 3300. An act to authorize the State of Illinois and the Sanitary District of Chicago, under the direction of the Secretary of the Army, to help control the lake level of Lake Michigan by diverting water from Lake Michigan into the Illinois Waterway;

H. R. 4340. An act for the relief of Charles J. Abarno and others;

H. R. 4638. An act for the relief of David W. Wallace;

H. R. 5420. An act to amend section 161, title 35, United States Code, relating to the patenting of plants;

H. R. 6451. An act to provide for the conveyance of certain public lands in Utah to the occupants of the land;

H. R. 6593. An act to provide for the promotion, precedence, constructive credit, distribution, retention, and elimination of officers of the Reserve components of the Armed Forces of the United States, and for other purposes;

H. R. 6616. An act to amend title 17, United States Code, entitled "Copyrights";

H. R. 6808. An act for the relief of Col. Samuel J. Adams, and others;

H. R. 7130. An act to amend the Immigration and Nationality Act to provide for the loss of nationality of persons convicted of certain crimes;

H. R. 7774. An act to increase the rates of compensation of classified, postal, and other employees of the Government, and for other purposes;

H. R. 7840. An act to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act;

H. R. 7886. An act for the relief of Mrs. Cecil Norton Broy;

H. R. 8606. An act for the relief of Neil C. Hemmer and Mildred Hemmer;

H. R. 9366. An act to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes;

H. R. 9580. An act to revise and extend the laws relating to espionage and sabotage, and for other purposes;

H. R. 9680. An act to provide for greater stability in agriculture; to augment the marketing and disposal of agricultural products; and for other purposes;

H. R. 9728. An act to revise, codify, and enact into law, title 21 of the United States Code, entitled "Food, Drugs, and Cosmetics";

H. R. 9729. An act to revise, codify, and enact into law, title 13 of the United States Code, entitled "Census";

H. R. 9730. An act to amend various statutes and certain titles of the United States Code, for the purpose of correcting obsolete references, and for other purposes;

H. R. 9859. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes;

H. R. 9987. An act to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of new ship construction, and for other purposes;

H. R. 9988. An act for the relief of the Federal Republic of Germany;

H. R. 10051. An act making appropriations for Mutual Security for the fiscal year ending June 30, 1955, and for other purposes;

H. R. 10187. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the payment of appraisers', auctioneers', and brokers' fees from the proceeds of disposal of Government surplus real property, and for other purposes; and

H. J. Res. 565. Joint resolution to amend the joint resolution providing for the membership of the United States in the Pan American Institute of Geography and History and authorize appropriations therefor.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED AFTER SINE DIE ADJOURNMENT OF THE HOUSE

The SPEAKER announced that pursuant to Senate Concurrent Resolution 109, 83d Congress, that he did on August 23, 1954, sign enrolled bills and a joint resolution of the following titles:

H. R. 951. An act for the relief of the Trust Association of H. Kempner;

H. R. 1107. An act for the relief of the J. A. Vance Co.;

H. R. 1254. An act to provide authorization for certain uses of public lands;

H. R. 2032. An act for the relief of Clarence D. Newland;

H. R. 2233. An act to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Cheyenne River Sioux Reservation, S. Dak., and for other purposes;

H. R. 2235. An act to authorize the Secretary of the Interior to construct the Santa Maria project, Southern Pacific Basin, Calif.;

H. R. 2236. An act to provide for a Commission to regulate the public transportation of passengers by motor vehicle and street railroad within the metropolitan area of Washington, D. C., and for the establishment of a Metropolitan Washington Commission;

H. R. 2876. An act for the relief of Leo F. Pinder;

H. R. 3300. An act to authorize the State of Illinois and the Sanitary District of Chicago, under the direction of the Secretary of the Army, to help control the lake level of Lake Michigan by diverting water from Lake Michigan into the Illinois Waterway;

H. R. 4340. An act for the relief of Charles J. Abarno and others;

H. R. 4638. An act for the relief of David W. Wallace;

H. R. 5420. An act to amend section 161, title 35, United States Code, relating to the patenting of plants;

H. R. 6451. An act to provide for the conveyance of certain public lands in Utah to the occupants of the land;

H. R. 6573. An act to provide for the promotion, precedence, constructive credit, distribution, retention, and elimination of officers of the Reserve components of the Armed Forces of the United States, and for other purposes;

H. R. 6616. An act to amend title 17, United States Code, entitled "Copyrights";

H. R. 6808. An act for the relief of Col. Samuel J. Adams and others;

H. R. 7130. An act to amend the Immigration and Nationality Act to provide for the loss of nationality of persons convicted of certain crimes;

H. R. 7774. An act to increase the rates of compensation of classified, postal, and other employees of the Government, and for other purposes;

H. R. 7840. An act to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act;

H. R. 7886. An act for the relief of Mrs. Cecil Norton Broy;

H. R. 8606. An act for the relief of Neil C. Hemmer and Mildred Hemmer;

H. R. 9366. An act to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes;

H. R. 9580. An act to revise and extend the laws relating to espionage and sabotage, and for other purposes;

H. R. 9680. An act to provide for greater stability in agriculture; to augment the marketing and disposal of agricultural products; and for other purposes;

H. R. 9728. An act to revise, codify, and enact into law, title 21 of the United States Code, entitled "Food, Drugs, and Cosmetics";

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H. R. 9729. An act to revise, codify, and enact into law, title 13 of the United States Code, entitled "Census";

H. R. 9730. An act to amend various statutes and certain titles of the United States Code, for the purpose of correcting obsolete references, and for other purposes;

H. R. 9859. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes;

H. R. 9987. An act to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of new-ship construction, and for other purposes;

H. R. 9988. An act for the relief of the Federal Republic of Germany;

H. R. 10051. An act making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes;

H. R. 10187. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the payment of appraisers', auctioneers', and brokers' fees from the proceeds of disposal of Government surplus real property, and for other purposes; and

H. J. Res. 565. Joint resolution to amend the joint resolution providing for the membership of the United States in the Pan American Institute of Geography and History and authorize appropriations therefor.

SENATE BILLS AND JOINT RESOLUTION SIGNED AFTER SINE DIE ADJOURNMENT OF THE HOUSE

The SPEAKER announced that pursuant to Senate Concurrent Resolution 109, 83d Congress, that he did on August 23, 1954, sign enrolled bills and a joint resolution of the Senate of the following titles:

S. 2862. An act to provide relief for the sheep-raising industry by making special nonquota immigrant visas available to certain skilled alien sheepherders;

S. 3868. An act authorizing the payment of salary to any individual given a recess appointment as Comptroller General of the United States before the beginning of the 84th Congress; and

S. J. Res. 173. Joint resolution to authorize the President to proclaim the week of November 28, 1954, through December 4, 1954, as National Salvation Army Week.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT AFTER SINE DIE ADJOURNMENT OF THE HOUSE

Mr. LECOMPTE, from the Committee on House Administration, subsequent to the sine die adjournment of the House, reported that that committee did, on the following dates, present to the President for his approval bills and joint resolutions of the House of the following titles:

On August 21, 1954:

H. R. 179. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended;

H. R. 1665. An act for the relief of Carl Piowaty and W. J. Piowaty;

H. R. 3757. An act for the relief of Dorothy Kilmer Nickerson;

H. R. 4017. An act to provide for the conveyance of certain land and improvements to the England Special School District of the State of Arkansas;

H. R. 4813. An act for the relief of Radu Florescu and Nicole Elizabeth Michel Florescu;

H. R. 5499. An act to provide for the construction, maintenance, and operation of the Michaud Flats project for irrigation in the State of Idaho;

H. R. 7785. An act to amend the Civil Service Retirement Act of May 29, 1930, to make permanent the increases in regular annuities provided by the act of July 16, 1952, and to extend such increases to additional annuities purchased by voluntary contributions;

H. R. 7881. An act to validate a conveyance of certain lands by Southern Pacific Railroad Co., and its lessee, Southern Pacific Co., to Morgan Hopkins, Inc.;

H. R. 9709. An act to extend and improve the unemployment compensation program;

H. R. 8498. An act authorizing construction of works to reestablish for the Palo Verde Irrigation District, Calif., a means of diversion of its irrigation water supply from the Colorado River, and for other purposes;

H. R. 9115. An act to provide that contributions received under Public Law 485, 80th Congress, for the construction of a merchant marine chapel shall be invested in Government obligations pending their use for such construction;

H. R. 9756. An act to increase the borrowing power of Commodity Credit Corporation; and

H. R. 9909. An act to prohibit payment of annuities to officers and employees of the United States convicted of certain offenses, and for other purposes.

On August 25, 1954:

H. R. 951. An act for the relief of the Trust Association of H. Kempner;

H. R. 1107. An act for the relief of the J. A. Vance Co.;

H. R. 1254. An act to provide authorization for certain uses of public lands;

H. R. 2032. An act for the relief of Clarence D. Newland;

H. R. 2233. An act to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Cheyenne River Sioux Reservation, S. Dak., and for other purposes;

H. R. 2236. An act to provide for a commission to regulate the public transportation of passengers by motor vehicle and street railroad within the metropolitan area of Washington, D. C., and for the establishment of a Metropolitan Washington Commission;

H. R. 2876. An act for the relief of Leo F. Pinder;

H. R. 3300. An act to authorize the State of Illinois and the Sanitary District of Chicago, under the direction of the Secretary of the Army, to help control the lake level of Lake Michigan by diverting water from Lake Michigan into the Illinois Waterway;

H. R. 4340. An act for the relief of Charles J. Abarno and others;

H. R. 4638. An act for the relief of David W. Wallace;

H. R. 5420. An act to amend section 161, title 35, United States Code, relating to the patenting of plants;

H. R. 6451. An act to provide for the conveyance of certain public lands in Utah to the occupants of the land;

H. R. 6573. An act to provide for the promotion, precedence, constructive credit, distribution, retention, and elimination of officers of the Reserve components of the Armed Forces of the United States, and for other purposes;

H. R. 6616. An act to amend title 17, United States Code, entitled "Copyrights";

H. R. 6808. An act for the relief of Col. Samuel J. Adams and others;

H. R. 7130. An act to amend the Immigration and Nationality Act to provide for the loss of nationality of persons convicted of certain crimes;

H. R. 7774. An act to increase the rates of compensation of classified, postal, and other employees of the Government, and for other purposes;

H. R. 7840. An act to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act;

H. R. 8606. An act for the relief of Neil C. Hemmer and Mildred Hemmer;

H. R. 7886. An act for the relief of Mrs. Cecil Norton Brov;

H. R. 9366. An act to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors' insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes;

H. R. 9580. An act to revise and extend the laws relating to espionage and sabotage, and for other purposes;

H. R. 9680. An act to provide for greater stability in agriculture, to augment the marketing and disposal of agricultural products, and for other purposes;

H. R. 9728. An act to revise, codify, and enact into law title 21 of the United States Code, entitled "Food, Drugs, and Cosmetics";

H. R. 9729. An act to revise, codify, and enact into law title 13 of the United States Code, entitled "Census";

H. R. 9730. An act to amend various statutes and certain titles of the United States Code for the purpose of correcting obsolete references, and for other purposes;

H. R. 9859. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes;

H. R. 9987. An act to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of new ship construction, and for other purposes;

H. R. 9988. An act for the relief of the Federal Republic of Germany;

H. R. 10051. An act making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes;

H. R. 10187. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the payment of appraisers', auctioneers', and brokers' fees from the proceeds of disposal of Government surplus real property, and for other purposes; and

H. J. Res. 565. Joint resolution to amend the joint resolution providing for the membership of the United States in the Pan American Institute of Geography and History and authorized appropriations therefor.

On August 26, 1954:

H. R. 2235. An act to authorize the Secretary of the Interior to construct the Santa Maria project, Southern Pacific Basin, Calif.

BILLS AND JOINT RESOLUTIONS APPROVED AFTER SINE DIE ADJOURNMENT OF THE HOUSE

The President of the United States, subsequent to the sine die adjournment of the House, notified the Clerk of the House that, on the following dates, he had approved and signed bills and joint resolutions of the House of the following titles:

On August 20, 1954:

H. R. 7486. An act to amend section 1071 of title 18, United States Code, relating to the concealing of persons from arrest, so as to increase the penalties therein provided;

H. R. 8034. An act for the incorporation of the Sons of Union Veterans of the Civil War;

H. R. 8384. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Talent division of the

Rogue River Basin reclamation project, Oregon;

H. R. 8658. An act to amend title 18, United States Code, to provide for the punishment of persons who jump bail;

H. R. 8921. An act to establish the rate of compensation for the position of the General Counsel of the Department of Commerce;

H. R. 9888. An act to amend the laws granting education and training benefits to certain veterans to extend the period during which such benefits may be offered; and

H. J. Res. 561. Joint resolution to authorize the quartering in public buildings in the District of Columbia of troops participating in activities related to the American Legion National Convention of 1954.

On August 21, 1954:

H. R. 686. An act for the relief of Mrs. Erna Gronowski;

H. R. 787. An act for the relief of Israel Ratsprecher and Maryse Ratsprecher;

H. R. 795. An act for the relief of Jean Hollis Vock;

H. R. 1463. An act for the relief of Ilona Elizabeth Carrier;

H. R. 2371. An act for the relief of Mrs. Maria M. Broix;

H. R. 2403. An act for the relief of Laszlo Varga and Nike Varga;

H. R. 2440. An act for the relief of Lidija Cimze;

H. R. 2499. An act for the relief of Adolfo L. Kalb, and his wife, Mrs. Eugenia G. Kalb;

H. R. 2627. An act for the relief of Cecelia Lucy Boyack;

H. R. 2793. An act for the relief of Miyoko Nagare;

H. R. 2901. An act for the relief of Tokuko Kobayashi, and her minor son;

H. R. 3017. An act for the relief of Felix Petrover;

H. R. 3238. An act for the relief of Danica Maria Vavrova;

H. R. 3344. An act for the relief of Carmen Salvador and her daughter, Ruby Salvador;

H. R. 3675. An act for the relief of Herre van der Veen, Mrs. Marie van der Veen, Helen Winifred van der Veen, and Jan Herre van der Veen;

H. R. 3743. An act for the relief of Chaim Szemaja Segal and Icek Hersz Segal;

H. R. 4248. An act for the relief of Albertas Bauras;

H. R. 4330. An act for the relief of Dr. Orlando Artuso and family;

H. R. 6026. An act for the relief of Gertrud O. Heinz;

H. R. 6553. An act for the relief of Esterina Pella Bellucci;

H. R. 6982. An act for the relief of Maria Elizabeth Sanchez Y Moreno;

H. R. 7041. An act for the relief of Waltruade Elsa Solleder;

H. R. 7152. An act for the relief of Jozef Van den broeck.

H. R. 7593. An act for the relief of Theresia Probst Uhl;

H. R. 7629. An act for the relief of Mrs. Ruth Gruschka Krug;

H. R. 7761. An act for the relief of John Lewis Pyles, Jr.;

H. R. 7807. An act for the relief of Heinz Gerhard Rolappe;

H. R. 7924. An act for the relief of Giuseppi Clementi;

H. R. 7925. An act for the relief of Mrs. Dina Mianulle (nee Kratzer);

H. R. 8066. An act for the relief of Mrs. Gertrud Eckerl Strickland;

H. R. 8152. An act to extend to June 30, 1955, the direct home and farmhouse loan authority of the Administrator of Veterans' Affairs under title III of the Servicemen's Readjustment Act of 1944, as amended, to make additional funds available therefor, and for other purposes;

H. R. 8180. An act to increase the amount of Federal aid to State or Territorial homes for the support of disabled soldiers, sailors, and airmen of the United States;

H. R. 8334. An act for the relief of Helmut Cermak and Hana Cermak;

H. R. 8520. An act to provide for the inclusion of the Ainsworth, Lavaca Flats, Mirage Flats Extension, and O'Neill irrigation developments in the Missouri River Basin project;

H. R. 8694. An act for the relief of Suzanne L'Heureux;

H. R. 9000. An act to integrate the Judge Advocate's promotion list with that of the Army to restore lost seniority and grade, and for other purposes;

H. R. 9336. An act for the relief of Marianne Geymeier;

H. R. 9390. An act to extend certain civilian-internee and prisoner-of-war benefits under the War Claims Act of 1948, as amended, to civilian internees and American prisoners of war captured and held during the hostilities in Korea;

H. R. 9406. An act to provide for the conveyance of certain real property to the town of Beaufort, N. C.;

H. R. 9889. An act to authorize the Secretary of the Interior to execute an amendatory contract with American Falls Reservoir District No. 2, Idaho, and for other purposes; and

H. R. 9996. An act for the relief of Susan Ellen Heiney.

On August 23, 1954:

H. R. 669. An act for the relief of George D. Kyminas;

H. R. 804. An act for the relief of Enrichetta F. C. Meda-Novara;

H. R. 818. An act for the relief of Mrs. Emma Martha Staack;

H. R. 868. An act for the relief of Ciriaco Catino;

H. R. 905. An act for the relief of Franciszek Wolczek;

H. R. 950. An act for the relief of Panoula Panagopoulos.

H. R. 970. An act for the relief of George Economos;

H. R. 977. An act for the relief of Mrs. Aimee Dutour Rovzar;

H. R. 1171. An act for the relief of Mrs. Wai-Jan Low Fong;

H. R. 1324. An act for the relief of Georgina Chinn;

H. R. 1697. An act for the relief of Mrs. Katharina Batke;

H. R. 1897. An act for the relief of Mrs. Betty E. LaMay;

H. R. 1974. An act to amend the third paragraph of section 4, chapter 1, title I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (31 Stat. 322; 48 U. S. C., sec. 101), as amended;

H. R. 1976. An act to amend title 28, United States Code, to permit the registration of judgments in or from the District Court for the Territory of Alaska;

H. R. 2051. An act for the relief of Ivo Markulin;

H. R. 2224. An act to amend the Army-Navy Medical Services Corps Act of 1947 (61 Stat. 734), as amended, so as to authorize the appointment of a Chief of the Medical Service Corps of the Navy, and for other purposes;

H. R. 2358. An act for the relief of Dr. Vahram Uluhogian;

H. R. 2359. An act for the relief of Joseph Veich, also known as Guiseppe Veic;

H. R. 2635. An act for the relief of Olga Abitia;

H. R. 2654. An act for the relief of Sisters Linda Salerno, Luigiana C. Cairo, Antonietta Impieri, Anna Impieri, Rosina Scariato, Iolanda Gaglianone, Maria Assunta Scaramuzzo, Franceschina Cauterucci, and Filomena Lupinacci;

H. R. 2843. An act to authorize the Secretary of the Interior to investigate and report to the Congress on the conservation, development, and utilization of the irrigation and reclamation resources of the Waimanalo, Oahu; Waimea, island of Hawaii; and Molokai projects, Territory of Hawaii;

H. R. 2879. An act to stay deportation proceedings on Juan Onativia;

H. R. 3116. An act for the relief of Dimitra Makhavitzki;

H. R. 3125. An act for the relief of Alexander Hahn and Suzanne Hahn;

H. R. 3144. An act for the relief of Elias Y. Richa;

H. R. 3444. An act for the relief of Toki Yaeko;

H. R. 3616. An act for the relief of Nicoletta Di Donato;

H. R. 3677. An act for the relief of Sister Paolina (Angela Di Franco);

H. R. 3759. An act for the relief of Babette Mueller Esposito;

H. R. 3855. An act for the relief of Sister Agrippina (Agrippina Palermo), Sister Battistina (Franceschina Serpa), Sister Romana (Angela Iolanda Morelli), Sister Franceschina (Maria Caruso), and Sister Bruna (Giuseppina De Caro);

H. R. 4092. An act for the relief of Mira Tellini Napoleone;

H. R. 4371. An act for the relief of June Ann Sakurai;

H. R. 4740. An act for the relief of Kaoru Yoshioka;

H. R. 4881. An act to amend the Canal Zone Code in reference to the survival of things in action;

H. R. 4998. An act for the relief of Paul Frkovich;

H. R. 5072. An act for the relief of Carmen D'Ottavio, also known as Cameron D'Ottavio;

H. R. 5077. An act for the relief of Sophia Nassopoulos;

H. R. 5443. An act for the relief of Eva Lowinger;

H. R. 5639. An act for the relief of Edeltraud Kamberg Douglass;

H. R. 5816. An act for the relief of Mrs. Caridad Rosa Avila Leyva de Ernest;

H. R. 5822. An act for the relief of Evanthia Demetrios Makrozonari;

H. R. 5944. An act for the relief of Alberto Ugo Landry;

H. R. 6280. An act to extend temporarily the rights of priority of nationals of Japan and certain nationals of Germany with respect to applications for patents;

H. R. 6885. An act to amend section 1 of Joint Resolution 12 enacted by the 25th Legislature of the Territory of Hawaii, in the regular session of 1949 and approved by the 81st Congress of the United States of America at the 2d session (Public Law 746, ch. 833);

H. R. 7334. An act to authorize certain property transactions in Cocoli, C. Z., and for other purposes;

H. R. 7987. An act for the relief of Roger Feghali;

H. R. 8570. An act to authorize the Secretary of the Navy to dispose of certain uncompleted naval vessels, and for other purposes;

H. J. Res. 356. Joint resolution authorizing the erection of a memorial gift from the people of the Netherlands; and

H. J. Res. 359. Joint resolution designating the period from October 11 to October 16, inclusive, 1954, as National Nurse Week.

On August 24, 1954:

H. R. 5314. An act to extend the coverage of the Servicemen's Indemnity Act to members of the Reserve Officers' Training Corps when ordered to active-training duty for periods in excess of 14 days;

H. R. 5340. An act for the relief of Tibor, Szuzsa (Susanne), and Judith Sauer;

H. R. 5354. An act for the relief of Liborio Guido Rutilio;

H. R. 5832. An act to authorize the commissioner of public lands of the Territory of Hawaii to sell public lands to certain lessees, permittees, and others;

H. R. 5997. An act to enable the Legislature of the Territory of Hawaii to authorize the issuance of general obligation bonds,

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the proceeds thereof to be used for veterans' mortgages;

H. R. 6113. An act to amend title 18 of the United States Code, so as to increase the penalties applicable to the smuggling of goods into the United States;

H. R. 6367. An act for the relief of Nobu Nogawa Nitta;

H. R. 6393. An act granting the consent and approval of Congress to an interstate forest-fire protection compact;

H. R. 6414. An act for the relief of Barbara Pator Allen;

H. R. 6855. An act for the relief of Mrs. Elizabeth Metzing Rink;

H. R. 6886. An act to ratify and confirm sections 5 and 6 of Act 254 and Act 280 of the Session Laws of Hawaii 1953 and to authorize the issuance of certain public improvement bonds by the Territory of Hawaii;

H. R. 7051. An act for the relief of Mary George Solomon;

H. R. 7131. An act to repeal a limitation on pay of certain officers of the Navy;

H. R. 7140. An act for the relief of Robert A. Duval;

H. R. 7398. An act to repeal the requirement of section 3921 of the Revised Statutes that postmasters report to the Postmaster General failure to cancel postage stamps;

H. R. 7399. An act to authorize the sale of postage-due stamps for philatelic purposes;

H. R. 7411. An act for the relief of Mrs. Esterlee Hutzler Weinhoeppel;

H. R. 7451. An act for the relief of Erika Jette Lavery;

H. R. 7460. An act to pay Warren P. Hoover for services rendered the Army of the United States;

H. R. 7517. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue public improvement bonds;

H. R. 7518. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue public improvement bonds;

H. R. 7568. An act to authorize and direct the Farm Loan Board of Hawaii to convey certain land and to ratify and confirm certain acts of said Farm Loan Board;

H. R. 7569. An act to authorize the removal of a restrictive covenant on land patent No. 9628, issued to the board of the Hawaiian Evangelical Association on January 18, 1929, and covering lots 5 and 6 of Waimea townlots, situated in the county of Kauai, T. H.;

H. R. 7584. An act for the relief of Angele Marie Boyer (nee Pieniazeck);

H. R. 7606. An act for the relief of Michael Henry LaFleur;

H. R. 7612. An act for the relief of Enrico Intravaia;

H. R. 7628. An act for the relief of Mrs. Adriana M. Truyers Aretz;

H. R. 7945. An act for the relief of Bart Blaak (formerly Johannes J. M. Gijsbers);

H. R. 8006. An act to authorize the Secretary of the Interior to issue patents for certain lands in Wisconsin bordering upon inland lakes or rivers;

H. R. 8038. An act to authorize the conveyance to the Hot Springs School District and to Garland County, Ark., for school and for other public purposes, of certain land originally donated to the United States and situated in Hot Springs National Park, Ark., and for other purposes;

H. R. 8041. An act to provide benefits under the laws administered by the Veterans' Administration based upon service in the Women's Army Auxiliary Corps under certain conditions;

H. R. 8115. An act for the relief of Tannous Estephan;

H. R. 8146. An act for the relief of Palmina Smarrelli (nee Lattanzio);

H. R. 8239. An act for the relief of Fung Ping Wah (also known as Reginald Ping Wah Fung) and his wife, Fung Wai-Yin Li (also known as Doris Fung);

H. R. 8365. An act to confirm the authority of the Secretary of the Interior to issue patents-in-fee to allotments of lands of the Mission Indians in the State of California prior to the expiration of the trust period specified in the act of January 12, 1891, as amended;

H. R. 8385. An act to amend section 2382 of the Revised Statutes, in order to make the size of townlots conform in size to local standards;

H. R. 8501. An act to provide for the conveyance of certain land in Sumter County, Ga., to the Americus and Sumter County Chamber of Commerce;

H. R. 8736. An act to authorize the issuance of a land patent to certain public lands, situate in the county of Kauai, T. H., for school purposes;

H. R. 8821. An act to authorize the exchange of lands acquired by the United States for the Catoctin recreational demonstration area, Frederick County, Md., for the purpose of consolidating Federal holdings therein;

H. R. 8897. An act to authorize and direct the Secretary of the Interior to transfer 40 acres of land in the northern Cheyenne Indian Reservation, Mont., to school district No. 6, Rosebud County, Mont.;

H. R. 9194. An act to provide for the conveyance of certain land owned by the Federal Government near Vicksburg, Miss., to Vicksburg, Miss.;

H. R. 9236. An act to amend the Federal Credit Union Act, as amended;

H. R. 9582. An act to provide for the disposition of surplus personal property to the Territorial government of Alaska;

H. R. 9630. An act to authorize the Secretary of the Interior to execute an amendatory contract with the Black Canyon Irrigation District, Idaho, and for other purposes;

H. R. 9671. An act for the relief of Dr. Liang Nun Wang and his wife and child, Fa-chi Ling Wang and Eileen Wang;

H. R. 9814. An act for the relief of Alfio Capizzi;

H. R. 9821. An act to amend titles 18 and 28 of the United States Code; and

H. R. 9882. An act to incorporate the Foundation of the Federal Bar Association.

On August 26, 1954:

H. R. 697. An act for the relief of Demetrios Christos Mataraggiotis, and Zoi Demetre Mataraggiotis, his wife, and Christos Mataraggiotis and Constantinos Mataraggiotis, their minor sons;

H. R. 803. An act for the relief of Christakis Modinos;

H. R. 822. An act for the relief of Sister Giuseppina Giaccone;

H. R. 832. An act for the relief of Katharine Balsamo;

H. R. 839. An act for the relief of Sister Mary Gertrude (Mary Gertrude Kelly);

H. R. 877. An act for the relief of Nasser Esphahanian;

H. R. 1627. An act for the relief of Johann Groben;

H. R. 1646. An act for the relief of Arthur Neustadt and Mrs. Emma Neustadt;

H. R. 2393. An act for the relief of Brother Eugene Cumerlato;

H. R. 2480. An act for the relief of Charlotte Margarita Schmidt;

H. R. 2483. An act for the relief of Giacomo Bartolo Vanadia;

H. R. 2500. An act for the relief of Stanislaw Majzner (alias Stanley Maisner);

H. R. 2794. An act for the relief of Mrs. Claire Godreau Daigle;

H. R. 3024. An act for the relief of Sergio Emeric;

H. R. 3388. An act for the relief of Louie Ella Attaway;

H. R. 3447. An act for the relief of Maria Paccione Pica;

H. R. 3520. An act for the relief of Mrs. Erna Rosita Pont (formerly Erna Rosita Michel);

H. R. 3566. An act for the relief of Pimen Maximovitch Sofronov;

H. R. 3665. An act for the relief of Marko Ribic;

H. R. 3869. An act for the relief of Gilbert Elkanah Richards, Adelaide Gertrude Richards, and Anthony Gilbert Richards;

H. R. 3874. An act for the relief of Roberto Johnson;

H. R. 4015. An act for the relief of Josef, Paula, and Kurt Friedberg;

H. R. 4054. An act for the relief of Jorge Sole Massana and Montserrat Thomasa-Sanchez Massana;

H. R. 4426. An act for the relief of Andrea Paulette Quatrehomme and her child;

H. R. 4427. An act for the relief of Mrs. Helena Piasecka;

H. R. 4437. An act for the relief of Louise Rank;

H. R. 4522. An act for the relief of Petrus Van Keer;

H. R. 4620. An act for the relief of Natale Joseph John Ratti;

H. R. 4908. An act for the relief of Pietro Petralia;

H. R. 4959. An act for the relief of Muhittin Schuer;

H. R. 5119. An act for the relief of Augusta Oppacher Bialek;

H. R. 5194. An act for the relief of Pauline Katzmann;

H. R. 5459. An act for the relief of Takeko Ishiki;

H. R. 5749. An act for the relief of Maria Teresa Lubiato;

H. R. 6266. An act for the relief of Frank Robert Gage;

H. R. 6442. An act for the relief of Tamiko Fujiwara;

H. R. 6498. An act for the relief of Elfriede Lina Avitable, nee Roser;

H. R. 6752. An act for the relief of Mrs. Maria Giuseppa De Lisa Quagliano;

H. R. 6858. An act for the relief of Mrs. Efthemia Soteralis;

H. R. 6955. An act for the relief of Margers Nulle-Siecenieks;

H. R. 7033. An act for the relief of Mrs. Anna J. Weigle;

H. R. 7045. An act for the relief of Dr. Marciano Gutierrez, Dr. Amparo G. Joaquin Gutierrez, and their children, Rosenda, Rebecca, and Raymundo, and Mrs. Brigida de Gutierrez;

H. R. 7088. An act for the relief of Antonio Cazzato;

H. R. 7138. An act for the relief of Rosa Marie Adelheid Herok;

H. R. 7150. An act for the relief of Thora June Grumbles;

H. R. 7151. An act for the relief of Mazal Kolman;

H. R. 7581. An act for the relief of Gaetano Conti;

H. R. 7635. An act for the relief of Martti Ilmari Timonen, Maj-Lis Timonen, and Marja Timonen;

H. R. 7828. An act for the relief of Mariana George Loizos Kellis;

H. R. 7829. An act for the relief of Shimasoi Michiko;

H. R. 7834. An act for the relief of Erika Schneider Buonasera;

H. R. 7885. An act for the relief of Sohan Singh Rai and Jogindar Kaur Rai;

H. R. 7938. An act for the relief of Miss Martha Heuschele;

H. R. 7947. An act for the relief of Mrs. Erika (Hohenleitner) Stapleton;

H. R. 8065. An act for the relief of Carlos Francisco, Manriqueta Mina, and Roberto Mina Ver;

H. R. 8375. An act for the relief of Ilse Radler Hughes;

H. R. 8424. An act for the relief of Mrs. Else Johnson;

H. R. 8554. An act for the relief of Maria M. Khoe;

H. R. 8557. An act for the relief of Ezio Bertoni;

H. R. 8936. An act for the relief of Dana Evanovich;

H. R. 9029. An act for the relief of Paul James Patrie;

H. R. 9496. An act for the relief of Elisabeth Hoeft;

H. R. 9512. An act for the relief of Mrs. Franziska (Han) Rigau;

H. R. 9678. An act to promote the security and foreign policy of the United States by furnishing assistance to friendly nations, and for other purposes;

H. R. 9936. An act making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes; and

H. R. 9953. An act for the relief of Mr. Fu-Ho Chan, Mrs. Fu-Ho Chan, and their child, Richard Chan.

On August 27, 1954:

H. R. 1843. An act to increase the retired pay of certain members of the former Lighthouse Service;

H. R. 2015. An act to authorize the sale of certain land in Alaska to Lloyd H. Turner, of Wards Cove, Alaska;

H. R. 2024. An act for the relief of Frank L. Peyton;

H. R. 2815. An act for the relief of Floyd C. Barber;

H. R. 2874. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Mary K. Reynolds, as successor in interest to the Colonial Realty Co.;

H. R. 3419. An act to authorize a $50 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

H. R. 4175. An act for the relief of Charles R. Logan;

H. R. 4213. An act to authorize works for development and furnishing of water supplies for waterfowl management, Central Valley project, California, and for other purposes;

H. R. 4474. An act for the relief of Frederick Joseph Buttaccio and others;

H. R. 4690. An act to provide for the erection of appropriate markers in national cemeteries to honor the memory of members of the Armed Forces missing in action;

H. R. 5092. An act for the relief of Robert Leon Rohr;

H. R. 5553. An act for the relief of Dr. Lu Jen-lung;

H. R. 5986. An act for the relief of Harold E. Wahlberg;

H. R. 6223. An act to amend section 87 of the National Defense Act of June 3, 1916, as amended (32 U. S. C. 47), to relieve the States from accountability and pecuniary liability for property lost, damaged, or destroyed except in cases where it shall appear that the loss, damage, or destruction of the property was due to carelessness or negligence or could have been avoided by the exercise of reasonable care;

H. R. 6658. An act to provide for the conveyance of certain lands by the United States to the county of Cumberland, State of North Carolina, without remuneration;

H. R. 6987. An act for the relief of Gene C. Szuto and Florence C. Szutu;

H. R. 7251. An act to authorize the Secretary of the Interior to transfer to Vernon F. Parry, the right, title, and interest of the United States, in foreign countries, in and to a certain invention;

H. R. 7508. An act for the relief of James Dore, Jr.;

H. R. 8155. An act to continue until the close of June 30, 1955, the suspension of duties and import taxes on metal scrap, and for other purposes;

H. R. 8634. An act to amend section 22 of the Organic Act of Guam; and

H. R. 9584. An act to protect the rights of vessels of the United States on the high seas and in territorial waters of foreign countries.

On August 28, 1954:

H. R. 717. An act for the relief of Henriette Matter;

H. R. 834. An act for the relief of Arthur J. Boucher;

H. R. 1622. An act for the relief of Agustin Mondreal;

H. R. 1904. An act for the relief of Patricia A. Pembroke;

H. R. 1975. An act to amend section 2201 of title 28, United States Code, to extend the Federal Declaratory Judgments Act to the Territory of Alaska;

H. R. 2154. An act authorizing the issuance of a patent in fee to Leona Hungry;

H. R. 3507. An act for the relief of Maj. Elias M. Tsougranis;

H. R. 4721. An act to provide that the excess-land provisions of the Federal reclamation laws shall not apply to lands in the Owl Creek unit of the Missouri Basin project;

H. R. 4815. An act for the relief of Alexander Petsche;

H. R. 4969. An act for the relief of Basilios Xarhoulacos;

H. R. 5319. An act for the relief of Henry (also known as Heinrich) Schor, Sally (also known as Sali) Schor, and Gita (also known as Gitta Aviva) Schor;

H. R. 5344. An act for the relief of Bob Kan and Fourere Kan;

H. R. 5718. An act to limit the period for collection by the United States of compensation received by officers and employees in violation of the dual compensation laws;

H. R. 6127. An act to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes," approved May 1, 1906, as amended, and for other purposes;

H. R. 6355. An act for the relief of Elena Scarpetti Savelli;

H. R. 6492. An act for the relief of Rodolfo Navarro;

H. R. 6672. An act to provide for a temporary increase in the public-debt limit;

H. R. 6762. An act for the relief of Mrs. Irmgard (Chrapko) Broughman;

H. R. 7031. An act for the relief of Mrs. George A. Meffan;

H. R. 7217. An act for the relief of Astor Vergata;

H. R. 7221. An act for the relief of Anders Taranger;

H. R. 7229. An act to provide for the conveyance to T. M. Pratt and Annita C. Pratt of certain real property in Stevens County, Wash.;

H. R. 7734. An act to amend section 47 of the National Defense Act concerning the requirement for bond covering certain property issued by the United States for use by Reserve Officers' Training Corps units maintained at educational institutions;

H. R. 7762. An act for the relief of M. M. Hess;

H. R. 7813. An act authorizing the Secretary of the Interior to adjust or cancel certain charges on the Milk River project;

H. R. 8205. An act to authorize the conveyance by the Secretary of the Interior to Virginia Electric & Power Co. of a perpetual easement of right-of-way for electric transmission line purposes across lands of the Richmond National Battlefield Park, Va., such easement to be granted in exchange for, and in consideration of, the conveyance for park purposes of approximately 6 acres of land adjoining the park;

H. R. 8244. An act for the relief of Mrs. Dorothy Nell Woolgar Allen;

H. R. 8628. An act to amend the Tariff Act of 1930 to insure that crude silicon carbide imported into the United States will continue to be exempt from duty, and with respect to the duties applicable to certain prepared fish;

H. R. 8859. An act to convey the reversionary interest of the United States in certain lands to the city of Pawnee, Okla.;

H. R. 8932. An act to reclassify dictophones in the Tariff Act of 1930.

H. R. 9020. An act to provide increases in the monthly rates of compensation payable to certain veterans and their dependents;

H. R. 9248. An act to amend section 308 (5) of the Tariff Act of 1930, as amended;

H. R. 9302. An act to permit retired members of the uniformed services to revoke elections made under the Uniformed Services Contingency Option Act of 1953 in certain cases where the elections were made because of mathematical errors or misinformation;

H. R. 9680. An act to provide for greater stability in agriculture; to augment the marketing and disposal of agricultural products; and for other purposes;

H. R. 9790. An act to amend the act of June 30, 1948, so as to extend for 1 year the authority of the Secretary of the Interior to issue patents for certain public lands in Monroe County, Mich., held under color of title;

H. R. 9962. An act to increase by 5 percent the rates of pension payable to veterans and their dependents;

H. J. Res. 257. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the First International Instrument Congress and Exposition to be held in Philadelphia, Pa., from September 13 to September 25, 1954; and

H. J. Res. 585. Joint resolution fixing the time of assembly of the 84th Congress.

On August 30, 1954:

H. R. 1797. An act to provide for the conveyance of certain land to the State of Oklahoma for the use and benefit of the Eastern Oklahoma Agricultural and Mechanical College at Wilburton, Okla., and for other purposes;

H. R. 1980. An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes;

H. R. 2009. An act to authorize the sale of certain land in Alaska to the Ninilchik Hospital Association, of Ninilchik, Alaska, for the use as a hospital site and related purposes;

H. R. 2010. An act to authorize the sale of certain land in Alaska to the Alaska Evangelization Society, of Levelock, Alaska, for missionary purposes;

H. R. 2012. An act to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for a camp site and other public purposes;

H. R. 2014. An act to authorie the sale of certain public land in Alaska to the Community Club of Chugiak, Alaska;

H. R. 2061. An act for the relief of Regino du Planty;

H. R. 2781. An act for the relief of Nicholas Matook;

H. R. 3384. An act for the relief of John B. Daniel, Inc.;

H. R. 3750. An act for the relief of Inge Beckmann;

H. R. 3854. An act to authorize the sale of certain public land in Alaska to the Turnagain Arm Community Club of Anchorage, Alaska;

H. R. 4118. An act to authorize the preparation of rolls of persons of Indian blood whose ancestors were members of certain tribes or bands in the State of Oregon, and to provide for per capita distribution of funds arising from certain judgments in favor of such tribes or bands;

H. R. 6290. An act to discontinue certain reports now required by law;

H. R. 6959. An act to authorize the sale of certain land in Alaska to the Baptist Mid-Missions, an Ohio nonprofit corporation, for use as a church site;

H. R. 7290. An act to authorize an appropriation for the construction of certain public-school facilities on the Klamath Indian Reservation at Chiloquin, Oreg.;

H. R. 8020. An act authorizing the transfer of certain property of the United States Government (in Klamath County, Oreg.) to the State of Oregon;

H. R. 8183. An act for the relief of Elfriede Ida Geissler;

H. R. 8252. An act for the relief of the city of Fort Smith, Ark.;

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H. R. 9712. An act granting the consent of Congress to certain New England States to enter into a compact relating to higher education in the New England States and establishing the New England Board of Higher Education; and

H. R. 9757. An act to amend the Atomic Energy Act of 1946, as amended, and for other purposes.

On August 31, 1954:

H. R. 179. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended;

H. R. 270. An act to provide for the control and extinguishment of outcrop and underground fires in coal formations, and for other purposes;

H. R. 1461. An act for the relief of Kenneth McRight;

H. R. 1514. An act for the relief of Clint Lewis;

H. R. 2615. An act for the relief of Julio Mercado Toledo;

H. R. 2645. An act for the relief of Donald James Darmody;

H. R. 2791. An act for the relief of Esther E. Ellicott;

H. R. 2876. An act for the relief of Leo F. Pinder;

H. R. 3008. An act for the relief of Esther Smith;

H. R. 3014. An act for the relief of Dr. Alfred L. Smith;

H. R. 3216. An act for the relief of E. C. Mills;

H. R. 3217. An act for the relief of Mrs. Florence D. Grimshaw;

H. R. 3232. An act for the relief of Dennis F. Guthrie;

H. R. 3273. An act for the relief of Edgar A. Belleau, Sr.;

H. R. 3446. An act for the relief of Mrs. Emily Wilhelm;

H. R. 3522. An act for the relief of Arthur S. Rosichan;

H. R. 3732. An act for the relief of Catherine (Cathrina) D. Pilgard;

H. R. 3757. An act for the relief of Dorothy Kilmer Nickerson;

H. R. 3951. An act for the relief of Frank G. Koch;

H. R. 4017. An act to provide for the conveyance of certain land and improvements to the England Special School District of the State of Arkansas;

H. R. 4329. An act for the relief of Huntington, McLaren & Co.;

H. R. 4340. An act for the relief of Charles J. Abarno and others;

H. R. 4531. An act for the relief of Lyman Chalkley;

H. R. 4580. An act for the relief of the Florida State Hospital;

H. R. 5028. An act for the relief of Petra Ruiz Martinez and Mr. and Mrs. Marcelo Maysonet Mirell;

H. R. 5086. An act for the relief of George Eldred Morgan;

H. R. 5093. An act for the relief of the survivors of Melvin Edward Williams;

H. R. 5460. An act for the relief of Chancy C. Newsom and the legal guardian of Susan M. Newsom, a minor;

H. R. 5489. An act for the relief of Rocco Forgione;

H. R. 5499. An act to provide for the construction, maintenance, and operation of the Michaud Flats project for irrigation in the State of Idaho;

H. R. 6332. An act for the relief of James Philip Coyle;

H. R. 6451. An act to provide for the conveyance of certain public lands in Utah to the occupants of the land;

H. R. 6455. An act to create a National Monument Commission, and for other purposes;

H. R. 6562. An act for the relief of Capt. C. R. MacLean;

H. R. 6566. An act for the relief of Daniel D. Poland;

H. R. 6616. An act to amend title 17, United States Code, entitled "Copyrights";

H. R. 6808. An act for the relief of Col. Samuel J. Adams, and others;

H. R. 6814. An act to facilitate the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes;

H. R. 7413. An act for the relief of Harold J. Davis;

H. R. 7785. An act to amend the Civil Service Retirement Act of May 29, 1930, to make permanent the increases in regular annuities provided by the act of July 16, 1952, and to extend such increases to additional annuities purchased by voluntary contributions;

H. R. 7835. An act for the relief of S. Sgt. Frank C. Maxwell;

H. R. 7840. An act to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act;

H. R. 7853. An act to permit retired policemen and firemen of the District of Columbia to waive all or part of their relief or retirement compensation;

H. R. 7881. An act to validate a conveyance of certain lands by Southern Pacific Railroad Co., and its lessee, Southern Pacific Co., to Morgan Hopkins, Inc.;

H. R. 7886. An act for the relief of Mrs. Cecil Norton Broy;

H. R. 8027. An act to amend the act of March 6, 1952 (66 Stat. 16), to extend the time during which the Secretary of the Interior may enter into amendatory repayment contracts under the Federal reclamation laws, and for other purposes;

H. R. 8128. An act to amend section 1089 of the Code of Law for the District of Columbia relating to attachment proceedings;

H. R. 8193. An act to amend the Refugee Relief Act of 1953;

H. R. 8498. An act authorizing construction of works to reestablish for the Palo Verde Irrigation District, California, a means of diversion of its irrigation water supply from the Colorado River, and for other purposes;

H. R. 8606. An act for the relief of Neil C. Hemmer and Mildred Hemmer;

H. R. 8647. An act to amend Revised Statutes 4426;

H. R. 8915. An act to amend the act entitled "An act to consolidate the police court of the District of Columbia and the municipal court of the District of Columbia, to be known as the municipal court for the District of Columbia, to create the municipal court of appeals for the District of Columbia, and for other purposes";

H. R. 9115. An act to provide that contributions received under Public Law 485, 80th Congress, for the construction of a merchant marine chapel shall be invested in Government obligations pending their use for such construction;

H. R. 9729. An act to revise, codify, and enact into law, title 13 of the United States Code, entitled "Census";

H. R. 9756. An act to increase the borrowing power of Commodity Credit Corporation;

H. R. 9868. An act to amend the Merchant Ship Sales Act of 1946 to provide for the charter of passenger ships in the domestic trade;

H. R. 9910. An act to amend section 413 (b) of the Foreign Service Act of 1946;

H. R. 9988. An act for the relief of the Federal Republic of Germany;

H. R. 10187. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the payment of appraisers', auctioneers', and brokers' fees from the proceeds of disposal of Government surplus real property, and for other purposes; and

H. J. Res. 565. Joint resolution to amend the joint resolution providing for the membership of the United States in the Pan American Institute of Geography and History and authorize appropriations therefor.

On September 1, 1954:

H. R. 1912. An act for the relief of Hayik (Jirair) Vartiyan, Annemarie Vartiyan, and Susanig Armenuhi Vartiyan;

H. R. 2263. An act to provide certain employment benefits for employees of the Federal Governmnet, and for other purposes;

H. R. 4813. An act for the relief of Radu Florescu and Nicole Elizabeth Michel Florescu;

H. R. 5461. An act to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment on the claim of Wah Chang Corp. against the United States;

H. R. 6287. An act to extend and amend the Renegotiation Act of 1951;

H. R. 8753. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to establish and operate motor vehicle pools and systems and to provide office furniture and furnishings when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government motor vehicles, and to authorize the United States Civil Service Commission to regulate operators of Government-owned motor vehicles, and for other purposes;

H. R. 9366. An act to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes;

H. R. 9709. An act to extend and improve the unemployment compensation program;

H. R. 9909. An act to prohibit payment of annuities to officers and employees of the United States convicted of certain offenses, and for other purposes;

H. R. 9924. An act to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes; and

H. R. 10009. An act to provide for the review of customs tariff schedules, to improve procedures for the tariff classification of unenumerated articles, and for other purposes.

On September 3, 1954:

H. R. 1107. An act for the relief of the J. A. Vance Co.;

H. R. 1254. An act to provide authorization for certain uses of public lands;

H. R. 2032. An act for the relief of Clarence D. Newland;

H. R. 2233. An act to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Cheyenne River Sioux Reservation, S. Dak., and for other purposes;

H. R. 2235. An act to authorize the Secretary of the Interior to construct the Santa Maria project, Southern Pacific Basin, Calif.;

H. R. 4638. An act for the relief of David W. Wallace;

H. R. 5420. An act to amend section 161, title 35, United States Code, relating to the patenting of plants;

H. R. 6573. An act to provide for the promotion, precedence, constructive credit, distribution, retention, and elimination of officers of the Reserve components of the Armed Forces of the United States, and for other purposes;

H. R. 7130. An act to amend the Immigration and Nationality Act to provide for the loss of nationality of persons convicted of certain crimes;

H. R. 9580. An act to revise and extend the laws relating to espionage and sabotage, and for other purposes;

H. R. 9730. An act to amend various statutes and certain titles of the United States Code, for the purpose of correcting obsolete references, and for other purposes;

H. R. 9859. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for

navigation, flood control, and for other purposes;

H. R. 9987. An act to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of new ship construction, and for other purposes; and

H. R. 10051. An act making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes.

BILLS DISAPPROVED AFTER SINE DIE ADJOURNMENT OF THE HOUSE

The President of the United States, subsequent to the sine die adjournment of the House of Representatives, on September 8, 1954, transmitted to the Clerk of the House a list of bills disapproved, together with his reasons for such actions, as follows:

FEDERAL EMPLOYEES COMPENSATION, H. R. 7774

H. R. 7774. In order that Federal workers may not have to undergo a period of uncertainty as to my action on H. R. 7774, "An act to increase the rates of compensation of classified, postal, and other employees of the Government, and for other purposes," I wish to announce that I shall withhold my approval from this bill.

The American people desire to reward properly, even generously, dedicated and faithful service on the part of their Government career employees. In return for the taxes they pay, they expect to have a civil-service system that is free of partisan politics, encourages efficient operation, rewards merit, and provides steady pay increases as the value of each employee increases with service and experience. I am wholeheartedly in accord with those desires.

Since taking office, this administration has developed a personnel program applying the best practices of progressive employers to the requirements of public service. In furtherance of that program, recommendations were made by this administration to the Congress for reasonable pay increases and adjustments in pay scales. H. R. 7774 is inconsistent with these principles. Unfortunately, the general pay increase proposed by this bill ignores and therefore tends to perpetuate the inequities we must correct.

On February 24, 1954, I approved and promptly submitted to the Congress the program to which I have just referred. It is the broadest and most constructive of its kind ever placed before the Congress. Most of its important provisions were passed at this session and these measures, in themselves, are so important as to constitute a milestone in the improvement of the civil-service system. These provisions include:

1. For the first time an inclusive system of group life insurance and unemployment compensation benefits similar to those enjoyed by workers in private industry, have been provided for Federal employees.

2. Restrictions on permanent promotions and reinstatements of former career employees have been removed.

3. The statutory limit on the number of employees in the executive branch has been adjusted to meet present day needs.

4. The incentive awards programs have been liberalized and made applicable to all employees.

5. Arbitrary restrictions upon the accumulation of annual leave have been repealed.

6. Longevity pay increases have been authorized for all except the three highest classified service grades.

7. An equitable system for overtime pay has been established.

These measures not only will benefit our Federal career system and its employees, but also will improve the sound management of the Federal Government, to whose efficiency this administration is resolutely dedicated. H. R. 7774 is not a part of a progressive and efficient program.

An important part of the administration's program that was not enacted into law involves general pay increases based upon the purposes of correcting inequities, promoting efficiency, and rewarding merit and experience.

In withholding my approval from this bill, I want to make it absolutely clear that the administration is not departing from the principles and purposes which it has hitherto advocated. I shall continue to urge the enactment of the remaining parts of the personnel program which was submitted to this session of Congress so that obvious distortions in the pay scales of both the postal and classified services can be corrected; so that adjustments and more equitable relationships between grades and steps within those grades can be made, and so that a proper and effective relationship between pay and work performed will be established and maintained.

Legislation is obviously unwise that disregards these principles of sound personnel management and ignores the necessity of revenue to pay for salary increases.

This measure, because it ignores the administration's recommendations for postal-rate increases, would add $112 million to the cost of operating the Post Office Department which is operating at a deficit of $400 million this year. It is well to remember that since 1945 the accumulated postal deficit has reached the staggering total of $4 billion. Likewise, this measure would add more than $200 million to civil service pay without providing any revenue to meet it.

My remarks in Washington on June 10 are now particularly pertinent. I then said:

> We hope to uproot the ingrained habit of operating the vast Post Office Department in an extravagantly wasteful and unbusinesslike manner. We cannot permit the deliberate operations of our Postal Department at a gigantic loss because a few are opposed to adequate postal rates. And we must have classification and promotional procedures for postal personnel that will serve the best interest of the Government, the public and the postal workers themselves.

Legislation for pay increases and classification adjustments related to work performed is still vital and urgently needed. The inequities presently existing in pay scales must still be corrected. I shall therefore resubmit to Congress when it convenes in January the recommendations previously made by the administration, together with such additional recommendations as any change in conditions then existing may warrant.

While this bill is limited to civilian personnel, I must observe, parenthetically, that consideration of a complete Federal personnel program must eventually meet certain imperative needs of the members of the Armed Forces. These patriotic men and women, whose morale, skill, and dedication to service are so important to us all, now lack adequate medical care for dependents and reasonable survivorship benefits for their families. It is most important that these needs of Armed Forces personnel, serving their country often in remote corners of the world, engage our serious consideration.

I am confident that the Congress will consider all of these recommendations promptly and that the American people will regard them as fair and just.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 23, 1954.*

NINA BERBEROVA, H. R. 692

H. R. 692. I am withholding my approval of H. R. 692, for the relief of Nina Makeef, also known as Nina Berberova.

This alien entered the United States as a visitor and has not departed within the time permitted. She is now unlawfully in the United States. The bill would grant her the status of a lawful permanent resident upon payment of the required visa fee. The alien is a native of Russia, 53 years of age, who apparently is stateless. She entered the United States in November 1950. Prior to that entry she had been a long-time resident of France. It appears that she can return to France.

Upon the alien's failure to depart when her period of lawful stay expired, deportation proceedings were instituted. She was accorded a hearing and ordered deported. However, the Board of Immigration Appeals granted the alien the privilege of departing voluntarily from the United States, and alternatively ordered that in the event she failed to depart the order of deportation should be reinstated. She has failed to depart.

This alien has been permitted to remain in the United States beyond the period of time authorized by law and she should be required to depart in accordance with the terms under which she was granted admission to this country. There are many other aliens in foreign countries who are awaiting an opportunity to come to the United States for permanent residence but who are required to follow the regular means of obtaining permanent resident status. There are no facts present in this case justifying the enactment of special legislation granting this alien preferential treatment over others seeking to enter the United States.

The enactment of this bill undoubtedly would encourage other aliens to attempt to enter the United States as visitors for a temporary period and thereafter seek exemption from requirements of the immigration laws through special legislation.

Accordingly, I am constrained to withhold my approval from the bill.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 24, 1954.*

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PUBLIC HEALTH SERVICE, FOREIGN QUARANTINE DIVISION, H. R. 6253

H. R. 6253. I am withholding my approval of H. R. 6253, a bill to amend Public Law 410, 78th Congress, with regard to compensation for overtime, Sunday, and holiday work of employees of the United States Public Health Service, Foreign Quarantine Division.

This bill would amend the Public Health Service Act in two major respects. First, it would establish special rates of overtime, Sunday, and holiday pay for certain quarantine inspection personnel of the Public Health Service comparable to those received by customs inspectors of the Treasury Department and immigrant inspectors of the Department of Justice under special premium pay statutes enacted many years ago. Second, with certain important exceptions, it would require that when night-overtime, Sunday, or holiday inspections are performed at the request of the owner, agent, master, or other shipping company representatives, the requesting party shall reimburse the United States for the extra cost represented by overtime compensation.

It is important to note that no charges would be payable by the carrier for services performed in connection with the inspection of persons arriving by (1) international highways, ferries, bridges, or tunnels, (2) regularly scheduled aircraft or trains, or (3) regularly scheduled Great Lakes vessels or vessels operated between Canadian ports and Puget Sound, or for services in connection with the inspection of the conveyances or vessels in which such persons arrive.

Under existing law, the inspection services are rendered without charge, regardless of the hour at which they are rendered. However, the Surgeon General, under his statutory authority to fix the hours during which quarantine service shall be performed at each quarantine station has—at most places other than airports—fixed the regular hours of quarantine service from 6 a. m. to 6 p. m., 7 days a week (Sundays and holidays included). When a vessel arrives within that time, quarantine service is rendered, and rendered free, even if it extends beyond that time. If the vessel arrives after 6 p. m., service will be rendered only if the vessel is in distress, or there is illness aboard, or there are other emergency conditions; otherwise the vessel is required to anchor at quarantine until the following morning and must await its turn for inspection. The delay incident to this waiting period is expensive to the owner of the vessel—it may run as much as $5,000 per day—and thus the owners are willing, indeed anxious, to pay whatever premium rates for out-of-hours inspection are authorized by law.

Although the bill would require certain reimbursements as indicated above, it would also require all employees performing these inspectional or quarantine services to be paid at the rate of one-half a day's pay for each two hours of overtime (or fraction thereof of at least one hour) between 5 p. m. and 8 a. m., with a limit of two-and-one-half days' pay for the full period from 5 p. m. to 8 a. m. For any Sunday or holiday duty, however brief or fleeting, the employee would be entitled to two "additional" days' pay. If the day falls within the employee's regular tour of duty, this would, apparently, entitle him to three days' pay. This means that the Government must pay the premium rates in all cases regardless of whether reimbursement is later made. The Federal Employees' Pay Act of 1945, as amended, under which these employees are now paid, provides for twice the regular rate of pay only for holiday work (and correspondingly less for less than a day's work), no extra pay for Sunday work (unless performed in excess of 40 hours a week), and overtime pay at the rate of time and one-half for employees whose annual salaries are less than $2,980. Employees at higher salaries are entitled to overtime pay on the basis of a rate schedule which decreases as the basic salary increases until their overtime rates of pay are less than the rates payable for straight time.

The special rates of pay proposed for these employees have been justified on the ground that these rates, and to a large extent the other provisions of the bill, are patterned after similar legislation which has long been in effect for customs and immigration inspectors (19 U. S. C. 267, 1451; 5 U. S. C. 342c), and that, like such inspectors, the irregular, sporadic, and unpredictable nature of their overtime, Sunday, and holiday services is different in character from that to which most other Federal employees are subject and is more burdensome.

These contentions require close examination. The claims of the shipowners for out-of-hours service have merit. The claims of the inspectional employees for equal treatment with other inspectional groups have much merit, but equality of treatment for all inspectional employees is not brought about by this bill. Furthermore, the special pay features of the bill depart from principles of overtime and premium pay set forth in the so-called fringe benefits bill recently enacted by the Congress. This factor and the reimbursement requirement combine to make it impossible for me to give my approval to this bill.

I recognize that the existence of the highly preferential rates of customs and immigration premium pay statutes creates severe administrative problems for the Public Health Service, since quarantine inspectors work in close proximity with these other inspectional services. However, the premium rates for the customs and immigrant inspectors are so far out of line with prevailing industrial and governmental practice that I do not believe extending their use to other groups of Federal employees would be good management. Legislation relating to groups of inspectional employees should seek to improve the overall pattern of premium compensation rather than to attempt to patch the existing uncoordinated pay structure.

In the recently enacted liberalizations of existing law governing overtime and holiday pay there are several special features; for example, provisions for call-back time, standby pay in lieu of overtime, and the like, which will make considerably more equitable the premium pay available to these inspectional employees. Overtime compensation at the full rate of time and one-half will be based on regular pay up to an amount equal to the entrance salary of grade GS–9 instead of the present $2,980 limit of the Federal Employees' Pay Act. The large majority of these employees are classified in that grade.

In circumstances such as these, I cannot give my approval to H. R. 6253 even though the problems which the bill seeks to solve are real and pressing. I intend to have these problems further explored as they relate to both domestic and international carriers. I shall also direct further study of effective means to rationalize and coordinate overtime and premium pay for all inspectional service in relation to that for other Federal employees. Upon completion of these studies, I hope to be able to make recommendations to the Congress for necessary legislation.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 27, 1954.*

ANNA K. M'QUILKIN, H. R. 3516

H. R. 3516. I have withheld my approval from H. R. 3516, for the relief of Anna K. McQuilkin.

The bill provides for a direct payment award of $6,125 to Mrs. McQuilkin, who claims that her brother, a World War I veteran who died in the service in 1918, applied for and was issued yearly renewable term insurance in the sum of $10,000 and that she is entitled to the proceeds thereof as the sole beneficiary.

The Veterans' Administration and predecessor agencies have disputed her claim over a number of years, contending that their records and those of the Military Department fail to disclose that the brother made application for insurance. In 1922 the Veterans' Bureau, after careful consideration of the evidence presented in support of the claim, rejected it. Upon this denial, an award of automatic insurance of $25 a month was made to the deceased veteran's father, based on the determination that there had been no application for insurance. A total sum of $3,875 had been paid to the father at the time of his death in 1930. The $6,125 proposed for payment by H. R. 3516 represents the difference between the amount paid to the father and the sum of the insurance for which application was allegedly made.

During the period 1920 to 1932 Mrs. McQuilkin engaged the services of a number of attorneys to prosecute her claim. New counsel in July 1932 instituted suit against the Government in the United States District Court for the Northern District of Illinois and secured a judgment in the amount of $12,592.50. The lower court decision, however, was reversed on appeal to the circuit court of appeals on the ground that the statutory period of limitations for filing such a suit had expired.

The Judiciary Committees appear to have accepted the lower court decision against the Government as now conclusive of the merits of Mrs. McQuilkin's claim. This would not seem, however, to be the case in view of the procedural turn of the circuit court of appeals ruling which precluded review of the substantive question of whether there was substantial evidence to support the findings of the district court.

I also agree with the Veterans' Administration that the case does not pre-

sent any equitable consideration which warrants the direct gratuity award proposed. Unfortunately the procedural reversal by the circuit court of appeals has left the parties in the unsatisfactory position which existed prior to the district court suit. The evidence in this case is complex and controversial. I believe, therefore, that in fairness to Mrs. McQuilkin she is entitled to a day in court for decision of her claim on its merits, and I would be willing to approve a jurisdictional enactment waiving the bar of any statute of limitations.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 31, 1954.*

S. H. PRATHER ET AL., H. R. 9357

H. R. 9357. I have withheld my approval from the bill (H. R. 9357) for the relief of S. H. Prather, Mrs. Florence Prather Penman, S. H. Prather, Jr.

The bill proposed to pay the sums of $5,000 to S. H. Prather, $2,000 to Mrs. Florence Prather Penman, and $1,000 to S. H. Prather, Jr., for personal injuries and property damages sustained at Quitman, Ga., as the result of a collision of their family automobile with a car driven by one Howard Hart, an alleged bootlegger. The committee report on this bill (H. Rept. No. 2208) indicates that the collision occurred on August 6, 1935, when Hart was being pursued by an investigator of the Alcohol Tax Unit, Bureau of Internal Revenue, Treasury Department, and by a State officer. The report of the Treasury Department embodied in the House report states that the officers, while traveling at approximatetly 70 miles per hour, had pursued the car for a distance of about 2 miles, but had slowed down when Hart turned into a dirt side street of the town of Quitman, picked up speed to 75 miles an hour, and collided with the Prather car, which was proceeding at a lawful rate of 20 to 25 miles per hour. Hart's car contained approximately 43 gallons of illicit whisky at the time.

The officers in this instance were acting in the performance of their official duties in attempting to apprehend persons who were violating the law in their presence. The report of the special investigator of the Alcohol Tax Unit states that Mr. Prather conceded when interviewed that the officers were doing their duty and were without blame, "but that he felt someone should compensate him for the damages suffered," since the violators who had caused the wreck had no financial responsibility.

The misfortune suffered by this family as a result of the automobile accident, for which they were in no manner responsible, is most lamentable. While it is true the accident might not have happened if the law-enforcement officers had not been pursuing the bootleggers, there is nothing in the file to indicate the law-enforcement officers were acting negligently or were doing anything other than their duty. Unfortunately, the culprits legally and morally responsible for the injuries cannot be made to respond in damages. Enactment of the bill would constitute a gratuity and would create a dangerous precedent which might set in motion a chain of endless requests for the payment of damages by the Government arising out of accidents in which law-enforcement officers may have been remotely involved.

Accordingly, I am constrained to withhold my approval from the bill.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 31, 1954.*

METROPOLITAN WASHINGTON AREA TRANSPORTATION, H. R. 2236

H. R. 2236. I have withheld my approval from H. R. 2236, entitled "An act to provide for a Commission to regulate the public transportation of passengers by motor vehicle and street railroad within the metropolitan area of Washington, D. C., and for the establishment of a Metropolitan Washington Commission."

Title I of this enactment would establish a Washington Metropolitan Area Transit Commission to regulate public transportation by bus, streetcar, and taxicab in the District of Columbia and the counties of Montgomery and Prince Georges in the State of Maryland. The bill would grant to the proposed new Commission, in strengthened form, most of the powers now separately exercised in this regard by the Interstate Commerce Commission and the Public Utilities Commissions of the State of Maryland and the District of Columbia.

Title II of the bill would create a temporary Metropolitan Washington Commission to study, investigate, and make recommendations with regard to certain aspects of the Washington metropolitan area transportation problem.

The regulation of public transportation in the greater Washington area must contend with the growth of an integral economic community spreading far beyond the boundaries of the District of Columbia to include Montgomery and Prince Georges Counties in Maryland and Arlington and Fairfax Counties and the cities of Alexandria and Falls Church in Virginia. Within this community, the daily travel of persons back and forth across State lines has reached dimensions with which present facilities cannot cope. Under these circumstances, it is understandable that the present division of responsibility for regulation among four different agencies no longer meets the needs of the area. This division of responsibility has contributed, as it could not help but do, to the development of an inadequate system of public transportation. The situation plainly requires unification of regulatory authorities over public transportation throughout the metropolitan area.

The present enactment, however, falls substantially short of this objective. Its failure to include the Virginia segment of the metropolitan area within the jurisdiction of the proposed Commission is a fundamental deficiency. Through this omission of an integral and important part of the greater economic community, a system of fragmented and divided regulatory authority is continued. What is worse, the Federal Government is placed in the position of treating the carriers and persons within one segment of the area on a different and discriminatory basis from those in the remainder of the area. In the absence of any substantial grounds for this differentiation, the measure is unacceptable even as a temporary expedient.

This bill is also unsatisfactory because it extends, without sufficient safeguards, the authority of the Federal Government to matters that have, hitherto, been considered as primarily the concern of the District of Columbia and of the States. The problem is difficult because the urgency of need and the extent of Federal interest in the Nation's Capital both argue for unification of regulatory authorities under Federal auspices, at least for the time being. However, in any such arrangement means must be found to give adequate recognition to the rights and responsibilities of the District and of the States involved. Specifically, provision should be made to enable the States of Maryland and Virginia and the District of Columbia eventually to make arrangements for the exercise of this function under joint responsibility. In this regard, it would appear desirable to explore the feasibility of utilizing an interstate compact or other cooperative arrangements in which the Federal Government would participate and the Federal interest would be fully protected. In addition, every effort should be made to minimize the impact of any new Commission upon the internal affairs of the District of Columbia.

With respect to title II of the enactment, I agree that further study of metropolitan transportation problems is desirable. The primary mission assigned to the Commission is related directly to highway, bridge, and traffic problems. In emphasizing this role rather than consideration of mass transit problems, the bill unnecessarily complicates relationships with the National Capital Planning Commission and the National Capital Regional Planning Council. I believe that further consideration by the Congress will result in a more orderly allocation of responsibilities between the Commission and these existing planning agencies. Title II also establishes undesirable limitations governing the appointment and qualification of members of the Commission.

I hope that the 84th Congress will promptly enact a measure to unify regulatory authorities over public transportation and provide for a further transit study with adequate coverage and recognition of State and District responsibilities. Since title I of this bill would not have become fully effective until July 1, 1955, there need be no significant loss of time in obtaining its objectives. Similarly, time did not permit the Congress to provide funds for title II before adjournment. Therefore, since an appropriation cannot be made until after the Congress convenes in January, little time, if any, need be lost in the studies which a revised title II would encompass.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 3, 1954.*

MRS. ROSALINE SPAGNOLA, H. R. 2881

H. R. 2881. I have withheld my approval from H. R. 2881, a bill for the relief of Mrs. Rosaline Spagnola.

This enrolled enactment would pay to Mrs. Rosaline Spagnola the sum of $675.50 as additional compensation on account of the accidental death of her

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son in 1947 at Schofield Barracks, Hawaii.

As a member of the Armed Forces, the beneficiary's son had been convicted of housebreaking by a court-martial, sentenced to 5 years' confinement, and given a suspended dishonorable discharge. While confined in a post stockade he was shot and killed during an abortive jailbreak. It was subsequently determined that the decedent was not involved in the attempted escape in any way, and his death was declared to have occurred in line of duty. On the basis of this determination the beneficiary was paid the usual 6 months' death gratuity.

Earlier in his military career the beneficiary's son had taken out a $10,000 national service life insurance policy, designating his mother as beneficiary, and paying the premiums on his policy by allotments from his pay. However, since he had forfeited all pay and allowances while in confinement his allotment became ineffective, causing the policy to lapse for lack of premium payment. When the beneficiary made application after her son's death for regular monthly payments under the policy, the Veterans' Administration made such payments to her over a period of several years in an aggregate amount of $4,324.50 before discovering that the policy had not actually been in effect at the time of the son's death. Under discretionary authority which it possesses, the Veterans' Administration waived recovery of the amount thus erroneously paid to the beneficiary on the grounds that she had received it in good faith and to require repayment would work an undue hardship on her. In this connection, it may be noted that the award proposed by the present measure is based on the difference between the aggregate amount of the erroneous insurance payments and $5,000, the sum deemed by the Congress to be a reasonable total payment in the light of the circumstances of the case.

It appears that, even if she were dependent upon her son for support, which she was not, the beneficiary is ineligible for survivorship benefits under laws administered by the Veterans' Administration, because such benefits are denied in cases in which the serviceman died while in confinement, regardless of whether or not his death was incurred in line of duty.

The only question presented by this case is whether its special facts warrant the additional relief which the bill would afford the beneficiary. It might be argued that such relief is warranted not only because the beneficiary, apart from the issue of dependency, is ineligible for benefits under laws administered by the Veterans' Administration even though her son died in line of duty but also because neither she nor her son was ever specifically notified by the Veterans' Administration that this insurance had lapsed. Even if such arguments were valid, and I do not consider that they are, I still believe that there would be no justification for the award proposed here. I believe that any equities which might have existed in favor of the beneficiary were more than satisfied when the Veterans' Administration waived recovery of the insurance payments erroneously made to her.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 1, 1954.*

RALEIGH HILL, H. R. 6529

H. R. 6529. I am withholding my approval from the bill, H. R. 6529, 83d Congress, an act for the relief of Raleigh Hill.

The bill would authorize and direct the Administrator of Veterans' Affairs to pay the proceeds of national service life insurance of Walter H. Nichols, Jr., to Raleigh Hill, uncle of the insured and designated principal beneficiary of such insurance.

National service life insurance in the amount of $10,000 matured on April 8, 1945, the date of death in service of Walter H. Nichols, Jr. The Veterans' Administration denied the claim of his uncle, Raleigh Hill, the designated principal beneficiary, on the ground that he did not stand in loco parentis to the insured and was therefore not within the permitted classes of beneficiaries, a statutory requirement applicable to national service life insurance maturing prior to August 1, 1946. The correctness of the Veterans' Administration determination under the applicable law is not disputed.

Favorable action appears to have been predicated on a belief that because the restriction concerning the permitted classes of beneficiaries has been removed as to national service life insurance maturing on and after August 1, 1946, payment should be made to an ineligible beneficiary in this case involving insurance which matured prior to August 1, 1946, and further, that the Government failed to advise the insured properly concerning classes of eligible beneficiaries. I am advised that the latter view is not supported by the record. As to the former, a similar view was urged in support of H. R. 3733, 83d Congress, which likewise proposed to pay an ineligible beneficiary the proceeds of a national service life insurance policy. In my message of February 23, 1954, returning the bill without approval, I said that it seemed to me irrelevant and unwise to accept as justification for that bill the fact that the ineligible beneficiary could at the time of the message qualify as a beneficiary under existing law which was not made retroactive. My view has not changed and applies with equal force to the present case.

Furthermore, approval of H. R. 6529 would be discriminatory and precedential. I am advised that of the approximately 3,600 claims for the proceeds of national service life insurance denied by the Veterans' Administration because the claimants were not within the classes of beneficiaries permitted by law, it is estimated that a majority were cases similar to Mr. Hill's, where the claimants had been designated as beneficiaries.

As stated on previous occasions, I am opposed to setting aside the principles and rules of administration prescribed in the general law relating to veterans' benefit programs. Uniformity and equality of treatment to all who are similarly situated must be the steadfast rule if the Federal programs for veterans and their beneficiaries are to be operated successfully. Approval of H. R. 6529 would not be in keeping with these principles.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 1, 1954.*

CARL PIOWATY AND W. J. PIOWATY, H. R. 1665

H. R. 1665. I have withheld my approval from H. R. 1665, for the relief of Carl Piowaty and W. J. Piowaty.

This bill authorizes and directs the Secretary of the Treasury to pay to Carl Piowaty and W. J. Piowaty the sum of $4,450 in full settlement of their claim against the United States for war-crop advances made to them by the Regional Agricultural Credit Corporation prior to April 16, 1943.

The claims of the United States against these two persons and their claims against the United States have been adjudicated in the courts where both sides were afforded an opportunity to present all pertinent evidence on the issues involved. The case was tried before a jury in the circuit court of Orange County, Fla., on May 22 and 23, 1947, and a judgment was obtained against both Carl Piowaty and W. J. Piowaty for the full amount they owed. They appealed the verdict to the Supreme Court of Florida where the lower court's judgment was sustained on February 13, 1948. Appeal for a rehearing was thereafter denied.

In 1950, W. J. Piowaty and his wife instituted an action in the circuit court of Orange County, Fla., seeking a declaratory judgment relieving their real property from the lien of the judgment. That suit was dismissed on motion of the United States. In 1951, suit was filed by the United States against Carl Piowaty, W. J. Piowaty, and the Globe Indemnity Co. on the bonds which were posted when the appeal was taken to the Supreme Court of Florida. Carl Piowaty and W. J. Piowaty filed an answer in that suit, but on motion for summary judgment, judgment was rendered against all the defendants in favor of the United States on October 29, 1952.

In the light of this history of repeated judicial review, I cannot agree that Carl Piowaty and W. J. Piowaty should be given the special consideration and relief which the bill would provide.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 2, 1954.*

TRUST ASSOCIATION OF H. KEMPNER, H. R. 951

H. R. 951. I have withheld my approval from H. R. 951, for the relief of the Trust Association of H. Kempner.

This bill would provide an indirect means for payment of approximately $1 million by the United States for certain peacetime commercial losses of the Kempner Trust Association. To accomplish this purpose the bill would require the Court of Claims to determine the amount that the trust association lost as a result of cotton sales made to certain private business firms in Germany during 1923 and 1924. The bill would then require that the Court of Claims determine how much of the property seized during World War I by the United States from a German firm wholly unconnected

with Kempner or the cotton sales, Germann & Co., had been lost through improper administration by the Alien Property Custodian. The determined amount of the loss of the Germann & Co. vested property would be then withdrawn from the war claims fund and used to compensate the Kempner Trust Association to the extent of its loss.

Following World War I the Kempner Trust Association through subsidiary corporations entered into contracts for the sale of cotton with a number of German textile manufacturers for future delivery. A fall in cotton prices before delivery led the German firms to breach their contracts with the association. The amounts payable by the German debtors on account of the breaches of contract, as determined by judgments and negotiated settlements, could not be paid through the subsequent period before World War II because of German foreign exchange controls, and, as a result, the trust association lost money on the transactions. These losses would be paid by the United States if this bill were enacted although it is clear that the United States bears no moral or legal liability for the transactions which resulted in the losses in question.

Moreover, the method of payment proposed by the bill raises serious questions of propriety. The matter involving Germann & Co. has no relationship to the claim which the Kempner Trust Association seeks to have paid. During World War I the Alien Property Custodian had seized the property of Germann & Co., a firm in the Philippines, as enemy property. When the property was returned to Germann & Co., following enactment of legislation authorizing return of seized property after World War I, it was claimed that the firm's assets had been depleted by approximately $1 million during the period of its administration by the Alien Property Custodian through allegedly improper payments. The Treaty of Berlin which terminated World War I between the United States and Germany, however, precludes Germann & Co. from asserting any claim against the United States on account of the seizure of its property or any losses during the period it was held by the United States. There is, therefore, no valid claim to be asserted by Germann & Co. as the basis for the proposed determination by the Court of Claims. Even if such a claim existed, however, the proposed payment of its proceeds to the Kempner Trust Association instead of to Germann & Co. would not appear to be a proper disposition of the rights of the latter company.

Furthermore, the bill confers upon the United States Court of Claims jurisdiction to sit in judgment upon the acts of the former German Government with respect to acts committed in Germany. I am informed that this would be contrary to a well-recognized principle of international law and practice.

For these reasons, the purpose and method of payment would not appear justified. Moreover, enactment of this bill would establish an undesirable precedent for the assumption by the United States for the commercial losses of American citizens, even where no governmental sponsorship of the commercial venture appeared. It would also set an undesirable precedent for the use of the German and Japanese assets vested during World War II for commercial losses suffered during peacetime in lieu of their present use through the war claims fund as the source of payment of the wartime personal injury damages suffered by American nationals.

Accordingly, I am constrained to withhold my approval from the bill.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 3, 1954.*

SANITARY DISTRICT OF CHICAGO, H. R. 3300

H. R. 3300. I have withheld my approval of H. R. 3300, to authorize the State of Illinois and the Sanitary District of Chicago, under the direction of the Secretary of the Army, to help control the lake level of Lake Michigan by diverting water from Lake Michigan into the Illinois Waterway.

The bill would authorize the State of Illinois and the Sanitary District of Chicago, under the supervision and direction of the Secretary of the Army, to withdraw from Lake Michigan, in addition to all domestic pumpage, a total annual average of 2,500 cubic feet of water per second into the Illinois Waterway for a period of 3 years. This diversion would be 1,000 cubic feet per second more than is presently permitted under a decree of the Supreme Court of the United States dated April 21, 1930. The bill also would direct the Secretary of the Army to study the effect in the improvement in conditions in the Illinois Waterway by reason of the increased diversion, and to report to the Congress as to the results of the study on or before January 31, 1957, with his recommendations as to continuance of the increased diversion authorized.

The bill specifies that the diversion would be authorized in order to regulate and promote commerce, to protect, improve, and promote navigation in the Illinois Waterway and Mississippi Valley, to help control the lake level, to afford protection to property and shores along the Great Lakes, and to provide for a navigable Illinois Waterway. No mention is made of possible improvement of sanitary conditions or increase in hydroelectric power generation on the waterway.

I am unable to approve the bill because (1) existing diversions are adequate for navigation on the Illinois Waterway and Mississippi River, (2) all methods of control of lake levels and protection of property on the Great Lakes should be considered before arbitrarily proceeding with the proposed increased diversion, (3) the diversions are authorized without reference to negotiations with Canada, and (4) the legitimate interests of other States affected by the diversion may be adversely affected. I wish to comment briefly on each of these points.

I understand that waterborne traffic on the Illinois Waterway has grown in the last 20 years from 200,000 tons to 16 million tons annually. The Corps of Engineers advises, however, that the existing diversions of water are adequate for navigation purposes in the Illinois Waterway and the Mississippi River. Surveys are now underway by the International Joint Commission and the Corps of Engineers to determine the best methods of obtaining improved control of the levels of the Great Lakes and of preventing recurrence of damage along their shores. Reasonable opportunity to complete these surveys should be afforded before legislative action is undertaken.

The diversion of waters into and out of the Great Lakes has historically been the subject of negotiations with Canada. To proceed unilaterally in the manner proposed in H. R. 3300 is not wise policy. It would be the kind of action to which we would object if taken by one of our neighbors. The Canadian Government protested the proposed authorization when it was under consideration by the Congress, and has continued its objection to this bill in a note to the Department of State dated August 24, 1954. It seems to me that the additional diversion is not of such national importance as to justify action without regard to the views of Canada.

Finally, as is clear from the report of the Senate committee, a major purpose of the proposal to divert additional water from Lake Michigan into the Illinois waterway is to determine whether the increased flow will improve existing adverse sanitation conditions. The waters of Lake Michigan are interstate in character. It would seem to me that a diversion for the purposes of one State alone should be authorized only after general agreement has been reached among all the affected States. Officials of several States adjoining the Great Lakes, other than Illinois, have protested approval of the bill as being contrary to their interests and not in accord with the diversion authorized under the 1930 decree of the Supreme Court. Under all of these circumstances, I have felt that the bill should not be approved.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 3, 1954.*

FEDERAL FOOD, DRUG, AND COSMETIC ACT, H. R. 9728

H. R. 9728. I have withheld my approval from H. R. 9728, to revise, codify, and enact into law, title 21 of the United States Code, entitled "Food, Drugs, and Cosmetics."

The legislative history of this measure indicates that it was enacted in the view that existing law would not be substantially changed by the bill or that no changes in existing law would be made which would not meet with substantially unanimous approval.

Notwithstanding this, the bill makes one very important substantive change and casts serious doubts on the status and interpretation of other statutory provisions. The most important change is the deletion from the multiple seizure powers of the present law the authority which the Food and Drug Administration has had for a number of years to make more than one seizure of food, drugs, and cosmetics, where they bear identical labeling which is believed fraudulent or so materially misleading as to injure or damage the purchaser or consumer. In the cases subject to removal of authority made by the bill, the Food and Drug Administration

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would be able to seize only one shipment of the articles believed to be so misbranded. Such a limitation would make it possible for fraud and material deception to continue unabated until the validity of the labeling involved in the seizure case is definitely settled by the courts.

The enactment also contains a new substantive provision affecting the administration of the Federal Food, Drug, and Cosmetic Act, the meaning of which is very uncertain, namely, that the Administrative Procedure Act "shall continue to apply to all activities of the Food and Drug Administration." The Administrative Procedure Act already applies to both rulemaking and adjudication under this regulatory statute, as it does to other acts of Congress not expressly excepted. The Federal courts, I am informed, have discussed on several occasions the relationship of these two enactments. The new language, unless it should be regarded as mere surplusage, might be held to effect basic changes in existing procedures, thereby placing the Food and Drug Administration under requirements not applicable to any other Federal agency. Such a change in the scope of the Administrative Procedure Act should not be adopted without full consideration.

The interest of the consumer public is the principal objective of the Federal Food, Drug, and Cosmetic Act. I believe that substantive changes which may seriously affect the administration of this law should not be placed in the statute books without extending to the responsible enforcement agency, the great industries affected, and the consumer public, the full opportunities for hearing and discussion afforded by the usual operation of the legislative process both in the committees and in both Houses of the Congress.

Finally, the enactment, through oversight, may nullify the provisions of legislation relating to the importation of animals and poultry into the Virgin Islands, approved on July 22 of this year (Public Law 517). The enrolled measure apparently does not take into consideration the amendments to the Organic Act of the Virgin Islands which were made by that act. Here again the adverse effects would be serious.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 3, 1954.*

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1847. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to amend section 62 of the National Defense Act of June 3, 1916 (39 Stat. 198), as amended (32 U. S. C., 1946 ed., sec. 4c), to include American Samoa, Guam, and the Virgin Islands"; to the Committee on Armed Services.

1848. A letter from the Comptroller of the Currency, transmitting the annual report of the Comptroller of the Currency for the year 1953, pursuant to section 333 of the United States Revised Statutes; to the Committee on Banking and Currency.

1849. A letter from the Director, Agricultural Credit Services, Department of Agriculture, transmitting reports showing the names of all persons against whom claims in excess of $1,000 have been compromised during the fiscal year 1954, pursuant to section 41 (g) (4) of the Farmers' Home Administration Act of 1946, Public Law 731, 79th Congress; to the Committee on Agriculture.

1850. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated January 23, 1953, submitting a report, together with accompanying papers and an illustration, on a review of reports on Denison Reservoir, Red River, Tex., and Okla., with a view to determining whether any modification of the recommendations contained therein is advisable at this time, particularly with reference to crossing over Lake Texoma at the Willis site. This investigation was requested by resolutions of the Committee on Public Works, House of Representatives, and the Committee on Public Works, United States Senate, adopted on April 21, 1950, and August 18, 1949, respectively (H. Doc. No. 496); to the Committee on Public Works and ordered to be printed.

1851. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 15, 1954, submitting an interim report, together with accompanying papers and an illustration on a survey of Truckee River and tributaries, California and Nevada, covering only the immediate flood problems on Truckee River. This report is submitted under the authority for a preliminary examination and survey of Truckee River and tributaries, in California and Nevada, authorized by the Flood Control Act approved on June 28, 1938 (H. Doc. No. 497); to the Committee on Public Works and ordered to be printed.

1852. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 28, 1954, submitting an interim report, together with accompanying papers and an illustration, on a survey of Richland, Chambers, and Cedar Creeks, Tex. This interim report is submitted in response to resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted on March 31, 1944, and February 28, 1945, requesting a review of reports on Trinity River and tributaries, Texas (H. Doc. No. 498); to the Committee on Public Works and ordered to be printed.

1853. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated February 19, 1954, submitting a report, together with accompanying papers and an illustration on a review of reports on, and preliminary examinations and surveys of White River and tributaries, Missouri and Arkansas, made pursuant to several congressional authorizations listed in the report. It is also submitted in response to preliminary examinations and surveys of White River, Ark., and Black River, Mo. and Ark., authorized by the River and Harbor Act approved August 30, 1935, and the Flood Control Act approved June 28, 1938, respectively (H. Doc. No. 499); to the Committee on Public Works and ordered to be printed.

1854. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 7, 1954, submitting a report, together with accompanying papers and an illustration, on a review of reports on Saginaw River, Mich., requested by a resolution of the Committee on Public Works, House of Representatives, adopted on August 17, 1949 (H. Doc. No. 500); to the Committee on Public Works and ordered to be printed.

1855. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 8, 1954, submitting an interim report, together with accompanying papers and illustrations, on a preliminary examination and survey of harbors in Alaska, with a view to determining the advisability of improvements in the interest of navigation, flood control, hydroelectric power, and related water uses, authorized by the Flood Control Act, approved on June 30, 1948. It is also submitted in final response to a number of other congressional authorizations listed in the report (H. Doc. No. 501); to the Committee on Public Works and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 9171. A bill to provide additional time to disabled veterans for filing application for assistance in purchasing an automobile or other conveyance and to make such assistance available to certain disabled persons who have not been separated from the active service; without amendment (Rept. No. 2676). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOLVERTON: Committee on Interstate and Foreign Commerce. A report pursuant to House Resolution 127, relating to the work of the committee; without amendment (Rept. No. 2678). Referred to the Committee of the Whole House on the State of the Union.

Mr. REED of New York: Committee of Conference. H. R. 9366. A bill to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes; without amendment (Rept. No. 2679). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONAS of Illinois: Committee of Conference. H. R. 7886. A bill for the relief of Mrs. Cecil Norton Broy; without amendment (Rept. No. 2677). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII,

Mr. CURTIS of Massachusetts introduced a bill (H. R. 10286) to amend section 1717 of title 18 of the United States Code, so as to make nonmailable certain defamatory and other matter, which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. OLIVER P. BOLTON:

H. R. 10287. A bill for the relief of Kazuko Iwata Rausch; to the Committee on the Judiciary.

By Mr. HILLINGS:

H. R. 10288. A bill for the relief of J. Ross Reed, Jr; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1146. By the SPEAKER: Petition of the President, House of Representatives, Montevideo, Uruguay, petitioning consideration of their resolution with reference to the Guate-

malan situation and expressing its solidarity and friendship to cooperate with its sister nation, and so forth; to the Committee on Foreign Affairs.

1147. Also, petition of Henri Bonnet, Ambassador of France to the United States, Washington, D. C., petitioning consideration of their resolution with reference to expressing sincere and heartfelt condolences on the occasion of the death of Representative Paul W. Shafer; to the Committee on House Administration.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308 (b), which provides as follows:

(b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the CONGRESSIONAL RECORD.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received for the second calendar quarter of 1954.

QUARTERLY REPORTS

The following quarterly reports were submitted for the second calendar quarter 1954:

(NOTE.—The form used for reports is produced below. In the interest of economy questions are not repeated, only the answers are printed and are indicated by their respective letter and number. Also for economy in the RECORD, lengthy answers are abridged.)

File two copies with the Secretary of the Senate and file three copies with the Clerk of the House of Representatives.
This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.
Place an "X" below the appropriate letter or figure in the box at the right of the "Report" heading below:
"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.
"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19------	REPORT PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT	P	QUARTER 1st	2d	3d	4th
		(Mark one square only)				

NOTE ON ITEM "A".—(a) In General: This "Report" form may be used by either an organization or an individual, as follows:
(i) "Employee".—To file as an "employee," state in Item "B" the name, address, and nature of business of the "employer." (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee.")
(ii) "Employer".—To file as an "employer," write "None" as answer to Item "B."
(b) Separate Reports.—An agent or employee should not attempt to combine his Report with the employer's Report.
(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.
(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING.—(1) State name, address, and nature of business; (2) if this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers; except that: (a) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (b) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(a) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—Section 302 (e).
(b) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).
(c) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, place ☐ an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (a) Short titles of statutes and bills; (b) House and Senate numbers of bills, where known; (c) citations of statutes, where known; (d) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed, in connection with legislative interests, set forth: (a) description; (b) quantity distributed, (c) date of distribution, (d) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed.)

4. *If* this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. *If this is a "Quarterly" Report, disregard this Item "C 4" and fill out Items "D" and "E" on the back of this page.* Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.

AFFIDAVIT

[Omitted in printing]

PAGE 1

UNIVERSITY OF MICHIGAN LIBRARIES

NOTE ON ITEM "D."—(a) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302 (a) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN EMPLOYER.—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(c) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE.—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. RECEIPTS (INCLUDING CONTRIBUTIONS AND LOANS):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $_____Dues and assessments
2. $_____Gifts of money or anything of value
3. $_____Printed or duplicated matter received as a gift
4. $_____Receipts from sale of printed or duplicated matter

5. $_____Received for services (e. g., salary, fee, etc.)
6. $_____TOTAL for this Quarter (Add items "1" through "5")

7. $_____Received during previous Quarters of calendar year
8. $_____TOTAL from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302 (a).

9. $_____TOTAL now owed to others on account of loans
10. $_____Borrowed from others during this Quarter
11. $_____Repaid to others during this Quarter

12. $_____"Expense money" and Reimbursements received this Quarter

Contributors of $500 or more (from Jan. 1 through this Quarter)

13. Have there been such contributors?
Please answer "yes" or "no": _____

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor*
	(*"Period"* from Jan. 1 through _____, 19____)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N. Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	TOTAL

NOTE ON ITEM "E".—(a) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302 (b) of the Lobbying Act.

(b) IF THIS REPORT IS FOR AN AGENT OR EMPLOYEE. In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. EXPENDITURES (INCLUDING LOANS) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $_____Public relations and advertising services
2. $_____Wages, salaries, fees, commissions (other than item "1")
3. $_____Gifts or contributions made during Quarter
4. $_____Printed or duplicated matter, including distribution cost
5. $_____Office overhead (rent, supplies, utilities, etc.)
6. $_____Telephone and telegraph
7. $_____Travel, food, lodging, and entertainment
8. $_____All other expenditures

9. $_____TOTAL for this Quarter (Add "1" through "8")
10. $_____Expended during previous Quarters of calendar year

11. $_____TOTAL from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302 (b).

12. $_____TOTAL now owed to person filing
13. $_____Lent to others during this Quarter
14. $_____Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More
In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blatten, 3127 Gremlin Bldg., Washington, D. C.—Public relations service at $800.00 per month.
$4,150.00	TOTAL

A. Claris Adams, 1701 K Street NW., Washington, D. C.
B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.
C. (2) All existing and prospective legislation which may affect the life insurance business.
D. (6) $1,406.25.

A. J. Carson Adkerson, 976 National Press Building, Washington, D. C.
C. (2) All legislation affecting strategic minerals, including manganese.
D. (6) $250.
E. (4) $10.25; (7) $7.65; (8) $1; (9) $18.90; (11) $18.90.

A. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.
C. (2) Generally any legislation which will affect the aircraft industry.
D. (6) $5,046.49.
E. (2) $3,750; (4) $788.79; (7) $507.70; (9) $5,046.49; (10) $4,768.13; (11) $9,814.62.

A. W. L. Allen, 5913 Georgia Avenue NW., Washington, D. C.
B. The Commercial Telegraphers' Union, 5913 Georgia Avenue NW., Washington, D. C.
C. (2) Legislation introduced, repealed, or modified which may affect the interests of employer union, or allied and affiliated organizations, or other labor organizations concerned.

A. Allied Wool Industry Committee, 414 Pacific National Life Building, Salt Lake City, Utah.
D. (6) $1,000.
E. (11) $2,000.

A. W. R. Allstetter, 616 Investment Building, Washington, D. C.
B. The National Fertilizer Association, Inc., 616 Investment Building, Washington, D. C.
C. (2) Any legislation that might affect the manufacture or distribution of fertilizer or the general agricultural economy.
D. (6) $100.

A. Thomas H. Alphin, M. D., 1523 L Street NW., Washington, D. C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
C. (2) All bills (Senate and House) relating to health and welfare.
D. (6) $620.
E. (7) $33.71; (9) $33.71; (10) $27.04; (11) $60.75.

A. Amalgamated Association of Street, Electric Railway and Motor Coach Employes of America, 1214 Griswold Street, Detroit, Mich.
E. (11) $321.40.

A. Joseph Amann, 711 West Lake Street, Minneapolis, Minn.
B. Engineers and Scientists of America, 711 West Lake Street, Minneapolis, Minn.
C. (2) Any legislation affecting the interests of professional engineers and other members of affiliated units.

A. American Cancer Society, 47 Beaver Street, New York City, N. Y.
C. (2) Appropriations for public health.
E. (1) $4,999.98; (7) $1,304.19; (9) $6,304.17; (10) $6,462.35; (11) $12,766.52.

A. American Cotton Manufacturers Institute, Inc., 203-A Liberty Life Building, Charlotte, N. C.
C. (2).[1]
D. (6) $3,321.62.
E. (2) $2,781.77; (4) $46.73; (5) $306.26; (6) $75.86; (7) $111; (9) $3,321.62; (10) $2,098.51; (11) $5,420.13; (15).[1]

[1] Not printed. Filed with Clerk and Secretary.

A. American Dental Association, 222 East Superior Street, Chicago, Ill.
C. (2) To protect and further the interests of the public and the dental profession in matters of patents, legislation, and regulations.
D. (6) $14,988.81.
E. (2) $7,850.63; (4) $3,948.09; (6) $950.83; (7) $2,239.26; (9) $14,988.81; (10) $9,897.75; (11) $24,886.56; (15).[1]

A. American Farm Bureau Federation, 221 North La Salle Street, Chicago, Ill., and 261 Constitution Avenue NW., Washington, D. C.
C. (2) Legislation affecting agriculture. (3) Nation's Agriculture and Newsletter.
D. (6) $33,774.
E. (2) $19,755; (4) $4,422; (5) $2,093; (6) $1,653; (7) $766; (9) $28,689; (10) $26,616; (11) $55,305; (15).[1]

A. American Federation of Labor, 901 Massachusetts Avenue NW., Washington, D. C.
C. (2) Legislation affecting the interests of working people. (3) American Federationist.
E. (1) $6,734.08; (2) $19,351.24; (4) $3,959.28; (5) $892; (9) $30,936.60; (10) $27,616.65; (11) $58,553.25; (15).[1]

A. American Federation of the Physically Handicapped, Inc., 1370 National Press Building, Washington, D. C.
C. (2) To establish the Federal Agency for Handicapped; tax exemptions for handicapped and for those who support handicapped who cannot care for themselves.
D. (6) $5,000.
E. (2) $1,000; (4) $900; (6) $350; (7) $200; (8) $2,000; (9) $4,450; (10) $2,750; (11) $7,200.

A. American Hospital Association, 18 East Division Street, Chicago, Ill.
C. (2) All legislation which may affect the ability of hospitals to render good care or which may affect care for the American people.
D. (6) $13,716.81.
E. (2) $6,793.54; (4) $131; (5) $1,676.05; (6) $541.79; (7) $417.96; (8) $778.97; (9) $10,339.31; (10) $10,543.02; (11) $20,882.33.

A. American Hotel Association, 221 West 57th Street, New York, N. Y.
C. (2) All bills and statutes of interest to the hotel industry.
D. (6) $130,500.80.
E. (9) $12,995.66.

A. American Legion, National Headquarters, 700 North Pennsylvania Street, Indianapolis, Ind.
C. (2).[1] (3) American Legion magazine, Legislative Bulletin, Merchant Marine Bulletin, and Air Review.
D. (6) $6,224.83.
E. (2) $10,363.89; (4) $2,774.94; (5) $2,338.92; (6) $421.90; (7) $278.97; (9) $16,178.62; (10) $22,484.38; (11) $38,663.

A. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.
C. (2) All existing and prospective legislation which may affect the life insurance business.
D. (6) $3,092.98.
E. (2) $2,477.64; (5) $387.09; (6) $203.25; (7) $25; (9) $3,092.98; (10) $8,267.92; (11) $11,360.90; (15).[1]

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
C. (2) The general legislative interest is to advance the science and art of medicine.[1] (3) Information bulletins.
D. (6) $10,000.
E. (2) $6,709.42; (4) $211.86; (5) $1,230.30; (6) $236.40; (7) $425.34; (8) $1,097.66; (9) $9,910.98; (10) $10,130.13; (11) $20,041.11; (15).[1]

[1] Not printed. Filed with Clerk and Secretary.

A. American National Cattlemen's Association, 515 Cooper Building, Denver, Colo.
C. (2) Supported or opposed legislation affecting cattle industry, including reciprocal trade, support prices, appropriations, etc. (3) The American Cattle Producer.
D. (6) $42,995.23.
E. (2) $5,250; (6) $57.97; (7) $1,936.60; (8) $16.90; (9) $7,261.47; (10) $9,603.15; (11) $16,864.62.

A. American Nurses' Association, Inc., 2 Park Avenue, New York, N. Y.
C. (2) Any legislation relating to health, nurses, or nursing. (3) Federal Legislation News.
D. (6) $335,029.10.
E. (2) $1,464.61; (4) $24; (5) $339.96; (6) $88.22; (7) $211.48; (8) $1.25; (9) $2,129.52; (10) $2,321.32; (11) $4,450.84.

A. American Osteopathic Association, 212 East Ohio Street, Chicago, Ill.
C. (2) Bills affecting the public health.
D. (6) $508.80.
E. (2) $375; (4) $29.41; (5) $69; (6) $35.39; (9) $508.80; (10) $497; (11) $1,005.80.

A. American Paper and Pulp Association, 122 East 42d Street, New York, N. Y.
C. (2) Legislative interests are those affecting the pulp and paper industry, its operations, properties, and practices.
D. (6) $1,165.
E. (2) $750; (6) $185; (7) $230; (9) $1,165; (10) $895; (11) $2,060.

A. American Parents Committee, Inc., 132 Third Street SE., Washington, D. C., and 52 Vanderbilt Avenue, New York, N. Y.
C. (2) Support of Federal aid for school construction, etc.[1]
D. (6) $1,290.17.
E. (2) $1,147.71; (4) $103.44; (5) $130.26; (6) $61.91; (7) $24.07; (8) $507.41; (9) $1,974.80; (10) $5,144.80; (11) $7,119.60.

A. American Petroleum Institute, 50 West 50th Street, New York, N. Y.
C. (2) Legislation affecting the petroleum industry.
D. (6) $1,240.
E. (2) $6,145; (5) $3,500; (6) $372; (8) $1,022; (9) $11,039; (10) $12,176; (11) $23,215; (15).[1]

A. American Pulpwood Association, 220 East 42d Street, New York, N. Y.
C. (2) Legislative interests are those affecting the pulpwood industry, its operations, properties, and practices.

A. American Retail Federation, 1625 I Street NW., Washington, D. C.
C. (2) Registrant is generally interested in all legislation and legislative proposals affecting the retail industry.
D. (6) $49,915.97.
E. (2) $8,750; (4) $226.70; (5) $773.33; (6) $602.54; (7) $310.98; (9) $10,663.55; (10) $10,359.49; (11) $21,023.04.

A. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D. C.
D. (6) $3,131.89.
E. (2) $737.50; (3) $500; (5) $375; (6) $85.50; (7) $1,433.89; (9) $3,131.89; (10) $1,965.23; (11) $5,097.12; (15).[1]

A. American Tariff League, Inc., 19 West 44th Street, New York, N. Y.
C. (2) H. R. 8860, H. R. 9159, H. R. 9474, and H. R. 9476.
D. (6) $17,299.17.

[1] Not printed. Filed with Clerk and Secretary.

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E. (2) $9,529; (4) $2,449.44; (5) $1,545.88; (6) $254.15; (7) $539.24; (8) $2,414.15; (9) $16,731.86; (10) $29,747.62; (11) $46,479.48; (15).[1]

A. American Textile Machinery Association, 93 Grand Street, Worcester, Mass.
C. (2) The general legislative interests of the association consist of matters affecting the textile machinery industry.
D. (6) $12.98.

A. American Veterans Committee, Inc., 1751 New Hampshire Avenue NW., Washington, D. C.
C. (2) Legislation affecting the general welfare, especially in the fields of international affairs, civil rights, liberties, and veterans benefits.
D. (6) $762.32.
E. (2) $1,480; (8) $20; (9) $1,500.

A. American Tramp Shipowners Association, Inc., 11 Broadway, New York, N. Y.
C. (2) The association is interested in amending existing shipping legislation in order to extend operating and construction differential subsidies to American-flag vessels engaged in so-called tramp trades.
D. (6) $3,600.
E. (2) $2,062.50; (4) $158.05; (5) $208.34; (6) $105.64; (7) $625.58; (8) $263.05; (9) $3,423.16; (10) $17,485.83; (11) $20,908.99; (15).[1]

A. American Zionist Committee for Public Affairs, 1737 H Street NW., Washington, D. C.
C. (2) In favor of the mutual-security program.
D. (6) $1,689.96.
E. (1) $400; (2) $1,004; (5) $208.96; (6) $43.25; (7) $54.60; (9) $1,710.81; (11) $1,710.81; (15)[1].

A. America's Wage Earners' Protective Conference, 815 15th Street NW., Washington, D. C.
C. (2) Tariff and customs bills.
D. (6) $2,960.
E. (2) $3,028.90; (9) $3,028.90; (10) $3,256.85; (11) $6,285.75.

A. Richard H. Anthony, 19 West 44th Street, New York, N. Y.
B. The American Tariff League, Inc., 19 West 44th Street, New York, N. Y.
C. (2) H. R. 8860, H. R. 9159, H. R. 9474, and H. R. 9476.
D. (6) $3,375.
E. (7) $355.95; (9) $355.95; (10) $143.73; (11) $499.68.

A. John R. Arent, 1102 Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
C. (2) Measures affecting mining, such as income taxation, social security, public lands, stockpiling, monetary policy, etc.
D. (6) $900.
E. (7) $148.60; (9) $148.60; (10) $60.95; (11) $209.55.

A. Hector M. Aring, 826 Woodward Building, Washington, D. C.
B. Johns-Manville Corp., 22 East 40th Street, New York, N. Y.
C. (2) Revenue bill of 1954, social security, housing and reciprocal trade.
D. (6) $1,250.
E. (8) $398.55; (9) $398.55; (10) $624.54; (11) $1,023.09.

A. Arkansas Railroad Committee, 1115 Boyle Building, Little Rock, Ark.
B. Class 1 railroads operating in the State of Arkansas.
C. (2) Generally legislation affecting Arkansas railroads.
D. (6) $3,000.
E. (7) $2,848.47; (9) $2,848.47; (10) $3,363.16; (11) $6,211.63.

A. W. C. Arnold, 200 Colman Building, Seattle, Wash.
B. Alaska Salmon Industry, Inc., 200 Colman Building, Seattle, Wash.

A. Arth-itis and Rheumatism Foundation, 23 West 45th Street, New York, N. Y.
C. Appropriations for public health.
E. (1) $900; (7) $234.77; (9) $1,134.77; (10) $1,163.22; (11) $2,297.99.

A. Associated General Contractors of America, Inc., Munsey Building, Washington, D. C.
C. (2).[1]

A. Associated Third-Class Mail Users, 1406 G Street NW., Washington, D. C.
C. (2) All legislation relating to postal laws and regulations.
D. (6) $1,665.
E. (2) $3,545; (4) $590.64; (5) $280.05; (6) $79.66; (7) $1,138.13; (8) $75; (9) $5,-708.48; (10) $7,773.64; (11) $13,482.12; (15).[1]

A. Association of American Physicians & Surgeons, Inc., 360 North Michigan Avenue, Chicago, Ill.
C. (2) The association concerns itself with only proposed legislation affecting physicians and surgeons in the practice of their profession.
D. (6) $1,500.
E. (4) $1,500; (9) $1,500; (11) $1,500.

A. Association of American Railroads, 929 Transportation Building, Washington, D. C.
C. (2) Support legislation members believe to be in their interest and in the interest of a sound national transportation policy; oppose legislation which they believe contrary to such interest.[1]
D. (6) $67,632.21.
E. (2) $35,046.90; (3) $22,600; (4) $670.21; (5) $3,977.33; (6) $494.59; (7) $966.66; (8) $3,876.52; (9) $67,632.21; (10) $56,832.14; (11) $124,464.35; (15).[1]

A. Association of American Ship Owners, 90 Broad Street, New York, N. Y.

A. Association of Casualty & Surety Companies, 60 John Street, New York, N. Y.
C. (2) Legislation affecting casualty and surety companies. (3) Casualty and Surety Journal.
D. (6) $1,932.48.
E. (2) $1,456.26; (4) $88.94; (5) $132.70; (6) $28.85; (7) $80.77; (8) $194.96; (9) $1,-982.48; (10) $2,127.77; (11) $4,110.25.

A. Association of Western Railways, 474 Union Station Building, Chicago, Ill.
C. (2) All Federal legislative proposals which do or may affect the western railroads.
D. (2) $506.67.
E. (2) $240.31; (7) $266.36; (9) $506.67; (11) $506.67.

A. Edward Atkins, 51 East 42d Street, New York, N. Y.
B. National Association of Shoe Chain Stores, Inc., 51 East 42d Street, New York, N. Y.
C. (2) Legislation regarding labor laws and revenue act.

A. Awalt, Clark & Sparks, 822 Connecticut Avenue, Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
C. (2) All legislation that might affect member companies as going electric utilities.[1]
D. (6) $1,250.
E. (6) $0.11; (7) $0.82; (9) $0.93; (10) $7.93; (11) $8.86.

A. Charles E. Babcock, Route 4, Box 73, Vienna, Va.
B. Junior Order United American Mechanics, 3027 North Broad Street, Philadelphia, Pa.
C. (2) Control of immigration; improvement of free public schools; and suppression of communism.
D. (6) $179.67.
E. (5) $4; (7) $12.41; (8) $1.25; (9) $17.66; (10) $78.25; (11) $95.91.

A. Gibbs L. Baker, 917 15th Street NW., Washington, D. C.
B. Mastercraft Linen Fabrics Corp., 1071 Sixth Avenue, New York, N. Y.; Frederick J. Fawcett, Inc., 129 South Street, Boston, Mass.; and Hughes Fawcett, Inc., 115 Franklin Street, New York, N. Y.
C. (2) Introduction and enactment of tariff legislation.
E. (6) $20.42; (7) $69.81; (8) $12.15; (9) $102.38; (10) $117.75; (11) $220.13.

A. John A. Baker, 1404 New York Avenue NW., Washington D. C.
B. Farmers Educational and Cooperative Union of America (National Farmers Union), 1404 New York Avenue NW., Washington, D. C.
D. (6) $2,400.
E. (7) $542.58; (9) $542.58; (10) $364.11; (11) $906.69.

A. J. H. Ballew, Nashville, Tenn.
B. Southern States Industrial Council, Stahlman Building, Nashville, Tenn.
C. (2) Support of legislation favorable to free enterprise system and opposition to legislation unfavorable to that system.
D. (6) $2,250.

A. Hartman Barber, 10 Independence Avenue SW., Washington, D. C.
B. Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express, and Station Employees, 1015 Vine Street, Cincinnati, Ohio.
C. (2) Interested in all legislation affecting labor, especially railroad labor.
D. (6) $1,904.19.
E. (6) $111.64; (7) $59.33; (8) $398.25; (9) $569.22; (10) $539.49; (11) $1,108.71.

A. Joel Barlow, 701 Union Trust Building, Washington, D. C.
B. Hudson Bay Mining & Smelting Co., Ltd., 500 Royal Bank Building, Winnipeg, Manitoba, Canada, et al.[1]
C. (2) Current revenue revision.
E. (4) $0.60; (6) $7.37; (9) $7.97; (10) $44.34; (11) $52.31.

A. Joel Barlow, 701 Union Trust Building, Washington, D. C.
B National Machine Tool Builders' Association, 10525 Carnegie Avenue, Cleveland, Ohio.
C. (2) Any legislation affecting machine tool industry.

A. Arthur R. Barnett, 1200 18th Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
D. (6) $742.50.
E. (6) $2.90; (7) $59.43; (8) $6.16; (9) $68.49; (10) $91.34; (11) $159.83.

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[1] Not printed. Filed with Clerk and Secretary.

A. Irvin L. Barney, Room 412, Railway Labor Building, 10 Independence Avenue SW., Washington, D. C.
B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.
C. (2) H. R. 356, S. 1911, H. R. 7840, S. 2930, and all other legislation of interest to railroad employees and labor in general.
D. (6) $2,424.99.

A. A. K. Barta, 810 18th Street NW., Washington, D. C.
B. The Proprietary Association, 810 18th Street NW., Washington, D. C.
C. (2) Measures affecting the proprietary medicine industry.
E. (7) $125; (9) $125; (10) $125; (11) $250.

A. Ralph E. Becker, 1346 Connecticut Avenue NW., Washington, D. C.
B. The National Association of the Legitimate Theatre, Inc., and the League of New York Theatres, Inc.
C. (2) Any legislation affecting the excise tax on admissions to the legitimate theater.
D. (6) $1,250.
E. (5) $317.38; (6) $489.23; (7) $186.39; (9) $993; (10) $4,472.63; (11) $5,465.63.

A. Mrs. Rachel S. Bell, 1025 Connecticut Avenue NW., Washington, D. C.
B. Legislative Committee of the Committee for a National Trade Policy, 1025 Connecticut Avenue NW., Washington, D. C.
C. (2) Legislation relating to foreign economic policy.
D. (6) $1,800.
E. (7) $38.08; (9) $38.08; (11) $38.08.

A. Julia D. Bennett, Hotel Congressional, Washington, D. C.
B. American Library Association, 50 East Huron Street, Chicago, Ill.
C. (2) Interested in legislation affecting libraries and librarians.
E. (2) $1,511.20; (3) $5; (4) $97.95; (5) $0.65; (7) $23.38; (8) $2; (9) $1,640.23; (10) $1,664.14; (11) $3,304.32.

A. Ernest H. Benson, 10 Independence Avenue SW., Washington, D. C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
C. (2) All legislation affecting railway employees and labor in general.
D. (6) $4,500.

A. Preston B. Bergin, Room 1121, 1001 Connecticut Avenue NW., Washington, D. C.
B. Jewelry Industry Tax Committee, Inc., Room 1121, 1001 Connecticut Avenue NW., Washington, D. C.
C. (2) Repeal of the excise tax on jewelry and jewelry store merchandise.
D. (6) $4,250.
E. (2) $534.68; (5) $634.71; (6) $361.52; (7) $373.80; (9) $2,404.71; (10) $3,217.57; (11) $5,622.28.

A. Sam B. Berrong, 1214 Griswold Street, Detroit, Mich.
B. Amalgamated Association of Street, Electric Railway, and Motor Coach Employees of America, 1214 Griswold Street, Detroit, Mich.
C. (2) Laws, proposed laws, and proposed amendments to laws affecting the interests of the members of the Amalgamated throughout the United States.
E. (10) $321.40; (11) $321.40.

A. J. Raymond Berry, 85 John Street, New York, N. Y.
B. National Board of Fire Underwriters, 85 John Street, New York, N. Y.
C. (2) Legislation affecting stock fire-insurance companies.
D. (6) $700.
E. (5) $882; (7) $132.45; (9) $1,014.45; (10) $153.85; (11) $1,168.30.

A. Joe Betts, 261 Constitution Avenue NW., Washington, D. C.
B. American Farm Bureau Federation, 221 North LaSalle Street, Chicago, Ill.
C. (2).[1]
D. (6) $1,365.
E. (7) $132.86; (9) $132.86; (10) $86.39; (11) $219.25.

A. Andrew J. Biemiller, 901 Massachusetts Avenue NW., Washington, D. C.
B. American Federation of Labor, 901 Massachusetts Avenue NW., Washington, D. C.
C. (2) All bills affecting the welfare of the country generally, and specifically bills affecting workers.
D. $2,720.
E. (6) $25.75; (7) $266.25; (8) $97; (9) $389; (10) $368; (11) $757.

A. Walter J. Bierwagen, 900 F Street NW., Washington, D. C.
B. Amalgamated Association of Street, Electric Railway, and Motor Coach Employees of America, 1214 Griswold Street, Detroit, Mich.
C. (2) Laws, proposed laws, and proposed amendments to laws affecting the interests of the members of the Amalgamated throughout the United States.

A. Bigham, Englar, Jones & Houston, 99 John Street, New York, N. Y., and 932 Shoreham Building, Washington, D. C.
B. The American Institute of Marine Underwriters, the Association of Marine Underwriters of the United States, American Cargo War Risk Reinsurance Exchange, American Marine Hull Insurance Syndicate.
C. (2) General questions affecting the insurance of ships and their cargoes against marine risks, reparations, subrogation.
E. (5) $58; (6) $5; (7) $30; (9) $93; (10) $93; (11) $186.

A. Henry Bison, Jr., 917 15th Street NW., Washington, D. C.
B. National Association of Retail Grocers, 360 North Michigan Avenue, Chicago, Ill.
C. (2) Legislation affecting the business enterprises of independent retail grocers.
D. (6) $1,151.67.
E. (5) $90; (6) $20.51; (7) $41.16; (9) $151.67; (10) $133.60; (11) $285.27.

A. John H. Bivins, 50 West 50th Street, New York, N. Y.
B. American Petroleum Institute, 50 West 50th Street, New York, N. Y.
C. (2) Legislation affecting the petroleum industry.

A. James C. Black, 1625 K Street NW., Washington, D. C.
B. Republic Steel Corp., Republic Building, Cleveland, Ohio.
C. (2) Legislation affecting employer.
D. (6) $600.
E. (7) $500; (9) $500; (10) $500; (11) $1,000.

A. William Rhea Blake, 162 Madison Avenue, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 18, Memphis, Tenn.
C. (2) Legislation affecting the raw-cotton industry as will promote the purposes for which the council is organized.
E. (10) $130.36; (11) $130.36.

A. Blue Cross Commission, 425 North Michigan Avenue, Chicago, Ill.
C. (2) General interest in legislation for payroll deductions, war damage, economic controls, taxation of fringe benefits, and hospital and health matters.
E. (2) $3,150; (8) $762.62.

[1] Not printed. Filed with Clerk and Secretary.

A. John N. Bohannon, 75 Macon Avenue, Asheville, N. C., and 1028 Connecticut Avenue NW., Washington, D. C.
B. Consolidated Natural Gas Corp., 30 Rockefeller Plaza, New York, N. Y.
D. (6) $4,500.
E. (5) $688.67; (6) $185.81; (7) $879.05; (9) $1,753.53; (10) $1,840.77; (11) $3,594.30.

A. Paul H. Bolton, 1001 Connecticut Avenue NW., Washington, D. C.
B. National Association of Wholesalers, Inc., 1001 Connecticut Avenue NW., Washington, D. C.

A. Sanford H. Bolz, 927 15th Street NW., Washington, D. C.
B. American Jewish Congress, 15 East 84th Street, New York, N. Y.
C. (2) To oppose antisemitism and racism in all its forms and to defend civil rights incident thereto.
D. (6) $187.50.
E. (7) $2; (9) $2; (11) $2.

A. Sanford H. Bolz, 927 15th Street NW., Washington, D. C.
B. Cigarette Lighter Manufacturers Association, Inc., 303 Fifth Avenue, New York, N. Y.
C. (2) Revision of method of collection of manufacturers' excise tax on cigarette lighters.
E. (10) $3.30; (11) $3.30.

A. Joseph L. Borda, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers.

A. Robert T. Borth, 777 14th Street NW., Washington, D. C.
B. General Electric Co., 570 Lexington Ave., New York, N. Y.
C. (2) Labor relations, wage and hour matters, controls over wages and salaries, and social security. (3) [1].
D. (6) $375.
E. (4) $44; (5) $130; (6) $5; (7) $75; (9) $254; (10) $331.50; (11) $585.50.

A. R. B. Bowden, 100 Merchants' Exchange Building, St. Louis, Mo. and 600 Hibbs Building, Washington, D. C.
B. Grain & Feed Dealers National Association, 100 Merchants' Exchange Building, St. Louis, Mo.
C. (2) General legislation affecting the grain and feed trade.
E. (6) $2; (7) $11.

A. Charles M. Boyer and Justice M. Chambers, 2517 Connecticut Avenue NW., Washington, D. C.
B. Reserve Officers Association of the United States, 2517 Connecticut Avenue NW., Washington, D. C.
C. (2) Legislation for development of a military policy for the United States which will guarantee adequate national security. (3).[1]

A. Joseph E. Brady, 2347 Vine Street, Cincinnati, Ohio.
B. International Union of United Brewery, Flour, Cereal, Soft Drink, and Distillery Workers of America, 2347 Vine Street, Cincinnati, Ohio.
C. (2) All legislation involving or in the direction of national prohibition, taxation of alcoholic beverages, etc.
E. (6) $19.70; (7) $264.53; (9) $284.23; (10) $150.70; (11) $434.93.

A. Harold P. Braman, 907 Ring Building, 18th and M Streets NW., Washington, D. C.
B. Nation Savings and Loan League, 907 Ring Building, 18th and M Streets NW., Washington, D. C.

[1] Not printed. Filed with Clerk and Secretary.

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C. (2) Support of bills to improve facilities of savings and loan associations for encouragement of thrift and home financing. Oppose legislation adverse to savings and loan associations.
D. (6) $1,000.

A. Harry R. Brashear, 610 Shoreham Building, Washington, D. C.
B. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.
C. (2) Any legislation affecting transportation matters in which members of the association are interested.

A. Breed, Abbott & Morgan, 1317 F Street NW., Washington, D. C.
C. (2) S. 1850—a bill for the relief of Dr. John D. MacLennan.

A. James M. Brewbaker, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers.

A. David F. Brinegar.
B. Central Arizona Project Association, 510 Goodrich Building, Phoenix, Ariz.
C. (2) Water and soil legislation affecting Arizona.
D. (6) $2,250.
E. (5) $44.80; (7) $191.21; (9) $236.01; (10) $65.22; (11) $301.23.

A. W. S. Bromley, 220 East 42d Street, New York, N. Y.
B. American Pulpwood Association, 220 East 42d Street, New York, N. Y.
C. (2) Legislative interests are those of employer.

A. William F. Brooks, 604 Hibbs Building, Washington, D. C.
B. National Grain Trade Council, 604 Hibbs Building, Washington, D. C.
C. (2) Bills to increase foreign trade in surplus agricultural commodities and proposals relative to basic farm legislation.

A. C. R. Brown, 10 Independence Avenue SW., Washington, D. C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
C. (2) All bills affecting railway labor and labor in general.
D. (6) $3,186.49.

A. Brown, Lund & Fitzgerald, 900 F Street NW., Washington, D. C.
B. American & Foreign Power Co., Inc., 2 Rector Street, New York, N. Y.
C. (2) Revenue Act of 1954.
E. (6) $85.39; (7) $43.50; (8) $30; (9) $158.89; (11) $158.89; (15).[1]

A. Brown, Lund & Fitzgerald, Washington Loan & Trust Building, Washington, D. C.
B. National Association of Electric Companies, Ring Building, Washington, D. C.
C. (2) Any legislation that might affect the members of the NAEC.
D. (6) $5,949.99.
E. (2) $5,477.49; (5) $262.50; (6) $13.39; (8) $30; (9) $5,783.38; (10) $5,771.84; (11) $11,555.22; (15).[1]

A. Paul W. Brown, 925 South Homan Avenue, Chicago, Ill.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.
C. (2) Postal legislation.
D. (6) $178.23.
E. (6) $1.75; (7) $168.85; (9) $170.60; (10) $375.80; (11) $546.40.

[1] Not printed. Filed with Clerk and Secretary.

A. Russell B. Brown, 1110 Ring Building, Washington, D. C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D. C.
C. (2) Legislation that might affect the petroleum industry and taking such action with respect to such legislation as directed by the association.
E. (8) $25.15; (9) $25.15; (10) $13.85; (11) $39.

A. Thad H. Brown, Jr., 1771 N Street NW., Washington, D. C.
B. National Association of Radio and Television Broadcasters, 1771 N Street NW., Washington, D. C.
C. (2) Legislation, local, State or Federal, which relates to the television broadcasting industry.

A. John M. Brumm, 2212 M Street NW., Washington D. C.
B. Committee for the Nation's Health, 2212 M Street NW., Washington, D. C.
C. (2) Interested in all legislation regarding national health insurance.
D. (6) $2,374.98.
E. (8) $19.70; (9) $19.70; (10) $21.85; (11) $41.55.

A. Henry H. Brylawski, 1030 Woodward Building, Washington, D. C.
B. District of Columbia Business Practice Council, 1030 Woodward Building, Washington D. C.
C. (2) All legislation affecting businessmen in the District of Columbia.
D. (6) $225.
E. (6) $16; (10) $20; (11) $36.

A. Henry H. Buckman, 4805 Dorset Avenue Chevy Chase, Md.
B. Florida Inland Navigation District Citizens Bank Building, Bunnell, Fla.
C. (2) Legislation affecting river and harbor works, flood control, and other water use and conservation, and related subjects.
D. (6) $1,350.
E. (6) $4.23; (8) $15.38; (9) $19.61; (10) $29.11; (11) $48.72.

A. Henry H. Buckman, 4805 Dorset Avenue Chevy Chase, Md.
B. The Vulcan Detinning Co., Sewaren, N. J.

A. George J. Burger, 740 Washington Building, Washington, D. C.
B. Burger Tire Consultant Service, 250 West 57th Street, New York, N. Y., and National Federation of Independent Business, 740 Washington Building, Washington, D. C.
C. (2) Interested in rubber tires bill, basing point legislation, antitrust law legislation, quantity limit discount case, spare tire monopoly, Senate Resolution 213—all legislation affecting independent small business.

A. Donald T. Burke, 1200 18th Street NW., Suite 510, Ring Building, Washington, D. C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D. C.
D. (6) $391.66.
E. (7) $65; (8) $9.52; (9) $72.52; (10) $83.75; (11) $156.27.

A. Thomas H. Burke, 718 Jackson Place NW., Washington, D. C.
B. United Automobile, Aircraft and Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich.
C. (2) Support all legislation favorable to the national peace, security, democracy, prosperity and general welfare; oppose legislation detrimental to these objectives.
D. (6) $1,495.
E. (7) $962; (9) $962; (10) $962; (11) $1,924.

A. Burley & Dark Leaf Tobacco Export Association, post-office box 860, Lexington, Ky.
D. (6) $9,855.25.
E. (2) $3,668.32; (5) $393.50; (6) $218; (7) $460.66; (8) $820.55; (9) $5,561.03; (10) $5,062.05; (11) $10,623.08.

A. F. Hugh Burns, 821 Cafritz Building, Washington, D. C.
B. Great Lakes-St. Lawrence Association, 821 Cafritz Building, Washington, D. C.
C. (2) Any legislation affecting improvements in Great Lakes-St. Lawrence system.
D. (6) $750.
E. (8) $50; (9) $50; (10) $336.80; (11) $386.80.

A. Robert M. Burr, 155 East 44th Street, New York, N. Y.
B. National Electrical Manufacturers Association, 155 East 44th Street, New York, N. Y.
C. (2) Legislation regarding excise taxes on electric refrigerators, electric ranges, electric water heaters, domestic electric appliances, commercial electric cooking equipment, electric fans, and legislation affecting imports of products into the United States.
D. (6) $204.75.

A. Orrin A. Burrows, 1200 15th Street NW., Washington, D. C.
B. International Brotherhood of Electrical Workers, 1200 15th Street NW., Washington, D. C.
C. All legislation dealing with the electrical workers in particular and labor in general, such as annual and sick leave; Federal retirement liberalization; unemployment insurance and severance pay; and other liberal benefits for the workers.
D. (6) $2,874.99.

A. Eugene J. Butler, 1312 Massachusetts Avenue NW., Washington, D. C.
B. National Catholic Welfare Conference, 1312 Massachusetts Avenue NW., Washington, D. C.
C. (2) All legislation affecting religious, charitable, and educational institutions and organizations.
D. (6) $2,874.99.
E. (8) $49.75; (9) $49.75; (10) $33.70; (11) $83.45.

A. Lawrence V. Byrnes, 10 Independence Avenue SW., Washington, D. C.
B. Brotherhood of Locomotive Engineers, B. of L. E. Building, Cleveland, Ohio.
C. (2) Legislation affecting labor and transportation.
D. (6) $3,313.50.

A. C. G. Caffrey, 1625 I Street NW., Washington, D. C.
B. American Cotton Manufacturers Institute, Inc., 203–A, Liberty Life Building, Charlotte, N. C.
C. (2) Legislation to promote the advancement and best interest of the cotton textile industry.
D. (6) $760.20.
E. (6) $3; (7) $10; (8) $10; (9) $23; (10) $23; (11) $46.

A. James A. Campbell, room 716, 900 F Street NW., Washington, D. C.
B. American Federation of Government Employees, room 716, 900 F Street NW., Washington, D. C.
C. (2) All bills of interest to Federal Government employees and District of Columbia government employees.
D. (6) $2,307.66.

E. (7) $230.76; (9) $230.76; (10) $269.22; (11) $499.98.

A. Canal Zone Central Labor Union & Metal Trades Council, Box 471, Balboa Heights, Canal Zone.
C. (2) Legislation affecting welfare of United States citizens in Canal Zone.
D. (6) $4,696.50.
E. (2) $1,800; (7) $1,800; (9) $3,600; (10) $3,600; (11) $7,200.

A. Julian W. Caplan, 1028 Connecticut Avenue NW., Washington, D. C.
B. National Retail Furniture Association, 666 Lake Shore Drive, Chicago 11, Ill.
C. (2) Legislation that affects retail trades.

A. John L. Carey, 270 Madison Avenue, New York 16, N. Y.
B. American Institute of Accountants, 270 Madison Avenue, New York, N. Y.
C. (2) Legislation affecting certified public accountants.
D. (6) $87.50.
E. (6) $10; (9) $10; (10) $10; (11) $20.

A. James K. Carr, 2101 K Street, Sacramento, Calif.
B. Sacramento Municipal Utility District, 2101 K Street, Sacramento, Calif.
C. (2) Matters pertaining to Central Valley project (Calif.) which affect the interest of the Sacramento Municipal Utility District.
D. (6) $735.28.
E. (7) $33.75; (8) $366.28; (9) $400.03; (10) $266; (11) $666.03.

A. T. C. Carroll, 12050 Woodward Avenue, Detroit, Mich.
C. (2) Legislation of interest to railroad employees.

A. Henderson H. Carson, 600 First National Bank Building, Canton, Ohio.
B. East Ohio Gas Co., 1405 East Sixth Street, Cleveland, Ohio.
C. (2) All legislation of interest to the natural gas industry.
D. (6) $631.50.
E. (1) $163.40; (2) $20; (4) $44; (5) $2.50; (6) $32.40; (7) $96.50; (8) $26.70; (9) $385.50; (10) $631.50; (11) $1,017.

A. Albert E. Carter, 1026 16th Street NW., Washington, D. C.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
C. (2) Retained to represent the company before administrative agencies and commissions and on legislative matters affecting company's interest.
D. (6) $3,000.
E. (5) $723; (6) $21.70; (7) $12.40; (8) $426.80; (9) $1,183; (10) $1,031.76; (11) $2,215.66.

A. Clarence B. Carter, Post Office Box 798, New Haven, Conn.
B. Railroad Pension Conference, Post Office Box 798, New Haven, Conn.
C. (2) For H. R. 122—to amend the Railroad Retirement Act of 1937.

A. Ralph H. Case, 889 National Press Building, Washington, D. C.
B. Sioux Tribe of Indians, Cheyenne River Reservation, South Dakota.
C. (2) S. 695 and H. R. 2233, Oahe Dam project.
D. (6) $2,000

A. Benjamin F. Castle, 1625 I Street NW., Washington, D. C.
B. Milk Industry Foundation, 1625 I Street NW., Washington, D. C.

A. Larry Cates, 861 National Press Building, Washington, D. C.
B. Clarence N. Sayen, president, Air Line Pilots Association, 55th Street and Cicero Avenue, Chicago, Ill.
C. (2) Aviation legislation and Railway Labor Act.
D. (6) $2,372.

A. Central Arizona Project Association, 510 Goodrich Building, Phoeniz, Ariz.
C. (2) Water and soil legislation affecting Arizona.
D. (6) $10,471.
E. (1) $50; (2) $5,076; (4) $737.22; (5) $1,112.40; (6) $116.76; (7) $823.81; (8) $58.54; (9) $7,974.73; (10) $8,065.83; (11) $16,040.56.

A. Central Electric & Gas Co., 114 South 12th Street, Lincoln, Nebr.
C. (2) Proposing an amendment to the Securities Act of 1933 to increase the exemption for small issues of securities.
E. (9) $1,550; (11) $1,550.

A. Chamber of Commerce of the United States of America, 1615 H Street NW., Washington, D. C.

A. Justice M. Chambers, 2517 Connecticut Avenue NW., Washington, D. C.
B. M. Golodetz & Co., 120 Wall Street, New York, N. Y.
C. Congressional activity in the development of the strategic stockpiling program of the United States.
D. (6) $625.

A. Walter Chamblin, Jr., 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers, 918 16th Street NW, Washington, D. C.

A. Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
C. (2) Promoting Senate Joint Resolution 87 and House Joint Resolution 289, a proposed Christian Amendment to the Constitution of the United States. (3) The Christian Patriot.
D. (6) $2,797.14.
E. (1) $1,196; (2) $5,600.70; (4) $2,426.84; (5) $205.35; (6) $20; (7) $460.62; (9) $9,909.51; (10) $6,585.43; (11) $16,494.94; (15).[1]

A. Abiah A. Church, 1771 N Street NW., Washington, D. C.
B. National Association of Radio and Television Broadcasters, 1771 N Street NW., Washington, D. C.
C. (2) Any legislation which affects the broadcasting industry.

A. Omer W. Clark, 1701 18th Street NW., Washington, D. C.
B. Disabled American Veterans, 1423 East McMillan Street, Cincinnati, Ohio.
C. (2) Legislation affecting war veterans, their dependents, and survivors of deceased veterans. (3) DAV semimonthly.
D. (6) $2,769.24.

A. Robert M. Clark, 525 Shoreham Building, Washington, D. C.
B. The Atchison, Topeka and Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill.
C. (2) Pending and prospective legislation affecting the interest of the railway company.
D. (6) $5,025.

A. Clear Channel Broadcasting Service, 532 Shoreham Building, Washington, D. C.
C. (2) Opposed to any proposed legislation calling for the duplication of class I–A clear channel frequencies or the limitation of the power of class I–A standard broadcast stations.
E. (7) $18.90; (9) $18.90; (10) $123.41; (11) $142.31.

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[1] Not printed. Filed with Clerk and Secretary.

A. Coal Producers' Committee on Underground Gas Storage Safety, care of W. G. Stevenson, Grant Building, Pittsburgh, Pa.
C. (2) Legislation pertaining to underground storage of gas.

A. Russell Coleman, 616 Investment Building, Washington, D. C.
B. The National Fertilizer Association, 616 Investment Building, Washington, D. C.
C. (2) Any legislation that might affect the manufacture or distribution of fertilizer or the general agricultural economy.
D. (6) $125.

A. Howard O. Colgan, Jr., 15 Broad Street, New York, N. Y.
B. New York Stock Exchange, 11 Wall Street, New York, N. Y.
C. (2) Proposed Federal tax legislation affecting the interests of the New York Stock Exchange and its members.
D. (6) $350.
E. (7) $6.75; (9) $6.75; (11) $6.75.

A. Colorado Railroad Legislative Committee, 615 C. A. Johnson Building, Denver, Colo.
C. (2) All legislation, both general and special, that affects Colorado railroads.
E. (11) $826.20.

A. Colorado River Association, 306 West Third Street, Los Angeles, Calif.
C. (2) Opposes any legislation jeopardizing California's water rights on the Colorado River.
E. (2) $2,250; (4) $183.93; (5) $601.62; (6) $380.79; (7) $2,083.80; (9) $5,500.14; (10) $4,842.56; (11) $10,342.70; (15).[1]

A. Committee for Defense of the Constitution by Preserving the Treaty Power, 36 West 44th Street, New York, N. Y.
C. (2) Opposing any amendment to the Constitution of the United States which would change the traditional treatymaking power or hamper the President in his constitutional authority to conduct foreign affairs.
D. (6) $95.
E. (2) $43.17; (4) $1,281.07; (5) $16.64; (6) $42.40; (8) $80.26 (9) $1,463.54; (10) $24,902.09; (11) $26,365.63; (15).[1]

A. Committee on Foreign Trade Education, Inc., 270 Park Avenue, New York, N. Y.
C. (2) Legislation affecting import and export trade of United States.
D. (6) $415.
E. (4) $130; (5) $116.63; (6) $28.88; (7) $9.27; (8) $6.39; (9) $291.17; (11) $291.17.

A. Committee on Laws, National Board of Fire Underwriters, 85 John Street, New York, N. Y.
C. (2) Legislation affecting stock fire insurance companies.
D. (6) $1,268.
E. (2) $1,150; (4) $250; (5) $1,449; (7) $539; (9) $3,388; (10) $6,145; (11) $9,533.

A. Committee for the Nation's Health, 2212 M Street NW., Washington, D. C.
C. (2) Interested in all legislation regarding national health insurance.
D. (6) $12,880.08.
E. (2) $6,754.86; (4) $520.81; (5) $1,425.46; (6) $174.95; (7) $239.99; (8) $75.50; (9) $9,211.57; (10) $11,408.41; (11) $20,614.98; (15).[1]

A. Committee for Pipe Line Companies, 643 Munsey Building, Washington, D. C.
C. (2) Functions to protect the legitimate interests of petroleum pipelines.
D. (6) $1,017.

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[1] Not printed. Filed with Clerk and Secretary.

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E. (2) $12,315.81; (5) $1,667.58; (6) $150.80; (7) $628.58; (8) $3,061.92; (9) $17,824.69; (10) $9,104.04; (11) $26,928.73; (15).[1]

A. Committee for the Return of Confiscated German and Japanese Property, 1013 18th Street NW., Washington, D. C.
C. (2) Amendment of the Trading With the Enemy Act to authorize the return of German and Japanese property confiscated by the Government of the United States.
D. (6) $1,743.
E. (2) $142.73; (4) $200; (5) $125; (9) $465,73; (11) $465.73.

A. Arthur D. Condon, 1000 Vermont Avenue NW., Washington, D. C.
B. Amana Refrigeration, Inc., Amana, Iowa.

A. Arthur D. Condon, 1000 Vermont Avenue NW., Washington, D. C.
B. Independent Advisory Committee to the Trucking Industry, Inc.

A. Arthur D. Condon, 1000 Vermont Avenue NW., Washington, D. C.
B. Salt Producers Association, 726 LaSalle, Wacker Building, Chicago, Ill.

A. Lawrence R. Condon, 165 Broadway, New York, N. Y.
B. Estate of Mary Clark DeBrabant and Katherine C. Williams, 120 Broadway, New York, N. Y.
C. (2) Legislative interests relate to a possible revision of section 7 of the Technical Changes Act of 1949 (63 Stat. 895).
E. (10) $2,500.

A. John C. Cone, 815 15th Street NW., Washington, D. C.
B. Pan American World Airways System, 815 15th Street NW., Washington, D. C.
C. (2) Supporting or opposing any aviation legislation that might have a bearing on the operation of Pan American World Airways System.

A. Conference for Inland Waterways Dry-Bulk Regulation, 402 Commonwealth Building, Washington, D. C.
C. (2) The legislative interest is to bring about an amendment of section 303 (b) of the Interstate Commerce Act. (3).[1]
E. (4) $2,909.48; (6) $109.05; (7) $217.45; (8) $528.62; (9) $3,764.60; (10) $10,417.76; (11) $14,182.36; (15).[1]

A. Conference on State Defense, 111 8th Avenue, New York City, N. Y.
C. (2) Opposition to Federal taxation of State and local government bond interest.
D. (6) $1,000.
E. (5) $69.53; (6) $172.69; (9) $242.22; (10) $1,606.25; (11) $1,848.47.

A. Richard J. Congleton, 763 Broad Street, Newark, N. J.
B. Prudential Insurance Company of America, 763 Broad Street, Newark, N. J.
C. (2) General interest in all legislation affecting the business of the company.
E. (7) $2,976.69; (9) $2,976.69; (10) $888.06; (11) $3,864.75.

A. Congress of Industrial Organizations, 718 Jackson Place NW., Washington, D. C.
C. (2) Support all legislation favorable to the national peace, security, democracy, prosperity, and general welfare; oppose legislation detrimental to those objectives. (3) Report on Congress.
D. (6) $34,935.45.
E. (2) $14,464.90; (3) $485.92; (4) $10,424.28; (5) $1,575.91; (6) $1,034.59; (7) $5,583.12; (8) $1,366.73; (9) $34,935.45; (10) $18,458.36; (11) $53,393.18; (15).[1]

[1] Not printed. Filed with Clerk and Secretary.

A. Julian D. Conover, Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
C. (2) Measures affecting mining, such as income taxation, social security, public lands, stockpiling, monetary policy, etc.
D. (6) $2,500.
E. (6) $37.03; (7) $74.02; (9) $111.05; (10) $81.35; (11) $192.40.

A. Cooke and Beneman, 1632 K Street NW., Washington, D. C.
B. The J. R. Watkins Co., Winona, Minn.
C. (2) Proposed Revenue Code of 1954 (H. R. 8300), seeking clarification of language regarding specially denatured alcohol.

A. J. Milton Cooper, 505 Washington Building, Washington, D. C.
B. National Association of Amusement Parks, Pools, and Beaches, 203 North Wabash Avenue, Chicago, Ill.
C. (2) H. R. 8224.

A. J. Milton Cooper, 505 Washington Building, Washington, D. C.
B. National Coal Association, Southern Building, 15th and H Streets NW., Washington, D. C.
C. (2) Legislative interests are general in character and those affecting the coal industry.

A. J. Milton Cooper, 505 Washington Building, Washington, D. C.
B. Nation-Wide Trailer Rental System, 512 South Market Street, Wichita, Kans.
(C) Excise tax on utility trailers.

A. J. Milton Cooper, 505 Washington Building, Washington, D. C.
B. New York Stock Exchange, 11 Wall Street, New York, N. Y.
C. (2) Federal tax legislation affecting the interests of the New York Stock Exchange and its members.

A. J. Milton Cooper, 505 Washington Building, Washington, D. C.
B. Sullivan, Bernard, Shea and Kenney, Ring Building, Washington, D. C.
C. (2) H. R. 8300.

A. Wilmer A. Cooper, 104 C Street NE., Washington, D. C.
B. Friends Committee on National Legislation, 104 C Street NE., Washington, D. C.
C. (2).[1] (3) Washington Newsletter.
D. (6) $1,312.50.
E. (6) $3.38; (7) $116.34; (8) $3.25; (9) $122.97; (10) $96.72; (11) $217.69.

A. J. G. Corona, suite 101, 1405 G Street NW., Washington, D. C.
B. Western Union Telegraph Co., 60 Hudson Street, New York, N. Y.
C. (2) General legislative interests cover any legislative proposals affecting the interests of the telegraph company.
E. (7) $45; (9) $45; (10) $38.50; (11) $83.50.

A. Cotton, Brenner & Wrigley, 225 Broadway, New York, N. Y.
B. Martin Aloysius Madden, 27 West 96th Street, New York, N. Y.
C. (2) S. 3216, for the relief of Martin Aloysius Madden.
E. (4) $431.84; (6) $103.74; (7) $840.84; (9) $1,376.42; (11) $1,376.42; (15).[1]

A. Cox, Langford, Stoddard & Cutler, 1625 I Street NW., Washington, D. C.
B. Henry Field, 3551 Main Highway, Coconut Grove, Fla.
C. (2) Private Law 164, 83d Congress (H. R. 786), to record the lawful admission for permanent residence of Yusuf (Uash) Lazar.
D. (6) $779.06.

A. A. M. F. Crass, Jr., 1625 I Street NW., Washington, D. C.
B. Manufacturing Chemists' Association, Inc., 1625 I Street NW., Washington, D. C.
C. (2) Any legislation affecting the chemical industry.
D. (6) $250.

A. Robert A. Crichton, 1701 K Street, Washington, D. C.
B. American Life Convention, 230 North Michigan Avenue, Chicago, Ill.
C. (2) All existing and prospective legislation which may affect the life-insurance business.
D. (6) $725.
E. (7) $25; (9) $25; (10) $350.75; (11) $375.75.

A. Edwin L. Crosby, M. D., 18 East Division Street, Chicago, Ill.
B. American Hospital Association, 18 East Division Street, Chicago, Ill.
D. (6) $625.
E. (7) $52.65; (9) $52.65; (11) $52.65.

A. Edward B. Crosland, 195 Broadway, New York, N. Y., and 1001 Connecticut Avenue NW., Washington, D. C.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N. Y.
C. (2) Matters affecting communications.
D. (6) $6,000.

A. Leo J. Crowley, 540 Equitable Building, Denver, Colo.
B. Colorado Railroad Legislative Committee, 615 C. A. Johnson Building, Denver, Colo.
C. (2) All legislation both general and special that affects the railroads.
E. (10) $826.20.

A. John C. Cuneo, Box 1054, Modesto, Calif.
B. The Townsend Plan, Inc., 6875 Broadway Avenue, Cleveland, Ohio.
C. (2) The Townsend bills in Congress.
D. (6) $2,210.58.
E. (1) $407.30; (5) $547.67; (6) $115.14; (7) $148.98; (8) $163.42; (9) $1,382.51; (10) $1,833.41; (11) $3,215.92.

A. Ralph E. Curtiss, 944 Washington Building, Washington, D. C.
B. National Licensed Beverage Association, 420 Seventh Street, Racine, Wis.
C. (2) Any legislation affecting tavern and restaurant industry.
D. (6) $2,250.
E. (4) $40.45; (6) $0.56; (7) $121.81; (8) $0.90; (9) $163.72; (10) $58.28; (11) $222.

A. Bernard Cushman, 1001 Connecticut Avenue NW., Washington, D. C.
B. O. David Zimring, 1001 Connecticut Avenue NW., Washington, D. C.

A. N. R. Danielian, 821 Cafritz Building, Washington, D. C.
B. Great Lakes-St. Lawrence Association, 821 Cafritz Building, Washington, D. C.
C. (2) S. 2150, Participation by United States with Canada in construction of the St. Lawrence Seaway; proponent.
D. (6) $2,083.33.
E. (7) $192; (9) $192; (10) $436.59; (11) $628.59.

A. Paul J. Daugherty, Columbus, Ohio.
B. Ohio Chamber of Commerce, 820 Huntington Bank Building, Columbus, Ohio.
C. (2) Matters affecting business and commerce in Ohio.
D. (6) $720.
E. (7) $320.48; (9) $320.48; (11) $320.48.

[1] Not printed. Filed with Clerk and Secretary.

A. Joan David, 1625 I Street NW., Washington, D. C.
B. National Committee on Parcel Post Size and Weight Limitations, 1625 I Street NW., Washington, D. C.
C. (2) To obtain repeal of Public Law 199, 1st session, 82d Congress.
E. (2) $1,501; (3) $6.72; (5) $3.30; (6) $1.40; (8) $55.70.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.
B. Chicago Bridge & Iron Co., 1305 West 105th Street, Chicago, Ill.
C. (2) H. R. 8300, the proposed Internal Revenue Code of 1954, relating to the tax treatment of income derived from foreign sources.
E. (6) $5.40; (7) $151.56; (9) $156.96; (11) $156.96.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.
B. Clearing Industrial District, Inc., 38 South Dearborn Street, Chicago, Ill.
C. (2) Provisions of 1954 revenue revision bill relating to taxation of gains and losses upon sale of real property by dealers.
E. (6) $44.81; (7) $244.97; (9) $289.78; (11) $289.78.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.
B. John Stuart, 345 Merchandise Mart, Chicago, Ill.
C. (2) Provisions of 1954 revenue revision bill relating to corporate distributions and adjustments.
E. (6) $63.42; (7) $21.51; (9) $84.93; (10) $487.56; (11) $572.49.

A. Sherlock Davis, 1117 Barr Building, 910 17th Street NW., Washington, D. C.
B. United States Cuban Sugar Council, 910 17th Street NW., Washington, D. C.
C. (2) Anything which pertains to sugar or trade with Cuba.

A. T. C. Davis, 230 Park Avenue, New York, N. Y.
B. Missouri Pacific Railroad Co., 25 Broad Street, New York, N. Y.
C. (2) S. 978 and any other legislation affecting Missouri Pacific Railroad Co.

A. Donald S. Dawson, 731 Washington Building, Washington, D. C.
B. Motor Carriers Leasing Conference, 4195 Central Avenue, Detroit, Mich.
C. (2) For passage of H. R. 3203.
D. (6) $625.

A. M. D. DeTar, 1001 Connecticut Avenue, Washington, D. C.
B. National Oil Jobbers Council, Suite 708, Ferguson Building, Springfield, Ill.
C. (2) Legislative matters which would restrict importation of crude oil and hinder petroleum production, and establish a national fuels policy.
E. (2) $10; (4) $135.81; (5) $382.82; (6) $2.10; (9) $530.73; (11) $530.73; (15).[1]
A. R. T. DeVany, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers, 918 16th Street NW., Washington, D. C.

A. Cecil B. Dickson, 1600 I Street NW., Washington, D. C.
B. Motion Picture Association of America, Inc., 1600 I Street NW., Washington, D. C.
C. (2) Legislation affecting the motion-picture industry.
D. (6) $3,900.
E. (7) $1,300; (9) $1,300; (10) $1,300; (11) $2,600.

[1] Not printed. Filed with Clerk and Secretary.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D. C.
B. Sacramento-Yolo Port District, 312 Court House, Sacramento, Calif.
C. (2) Legislation in support of the Sacramento River Deep Water Channel project.
D. (6) $2,488.55.
E. (8) $88.55; (9) $88.55; (10) $117.70; (11) $206.25.

A. Disabled American Veterans, 1423 East McMillan Street, Cincinnati, Ohio.
C. (2) All legislation affecting war veterans, their dependents and survivors of deceased veterans. (3) The DAV Semi-Monthly.
E. (2) $6,628.81; (7) $103.09; (9) $6,731.90; (10) $3,197.65; (11) $9,929.55.

A. Disabled Officers Association, 1604 K Street NW., Washington, D. C.
C. (2) All legislation affecting disabled veterans and their dependents, and survivors of deceased veterans.
E. (2) $2,750; (9) $2,750; (10) $2,750; (11) $5,500.

A. Walter L. Disbrow, 900 F Street NW., Room 314, Washington, D. C.
B. Retirement Federation of Civil Service Employees of the United States Government, 900 F Street NW., Room 314, Washington, D. C.
C. (2) Retention and improvement of the Civil Service Retirement and United States Employees' Compensation Acts.
D. (6) $1,463.93.
E. (7) $111; (9) $111; (11) $111.

A. Wesley E. Disney, 501 World Center Building, Washington, D. C.
B. Thomas J. Green and Edward Simone, 70 Pine Street, New York, N. Y.
C. (2) In favor of proposed repeal of tax on preferred stock of banks which have made loans or issued preferred stock to Reconstruction Finance Corporation.

A. Wesley E. Disney, World Center Building, Washington, D. C.
B. Independent Natural Gas Association of America, World Center Building, Washington, D. C.
C. (2) General legislative interests include any matters affecting the natural gas industry.
D. (6) $3,333.32.
E. (6) $8.75; (8) $1.60; (9) $10.35; (11) $10.35.

A. Wesley E. Disney, World Center Building, Washington, D. C.
B. National Building Granite Quarries Association, 1028 Connecticut Avenue, Washington, D. C.
C. (2) Specific legislation is for percentage depletion in H. R. 8300, relating to granite and other minerals.
D. (6) $300.
E. (6) $4; (8) $2.20; (9) $6.20; (11) $6.20.

A. District Lodge No. 44, International Association of Machinists, 1029 Vermont Avenue NW., Washington, D. C.
C. (2) Supporting or opposing, as the case may be, legislation affecting working conditions of Government employees and incidentally organized labor in general.
D. (6) $16,087.17.
E. (2) $5,348.91; (4) $500; (5) $1,385.01; (6) $297.96; (7) $3,089.25; (8) $3,371.76; (9) $13,992.89; (10) $19,888.81; (11) $33,881.70; (15).[1]

[1] Not printed. Filed with Clerk and Secretary.

A. Division 241, Amalgamated Association of Street, Electric Railway, and Motor Coach Employees of America, 1608 West Van Buren Avenue, Chicago, Ill.
C. (2) Legislative interests include laws, proposed laws, and proposed amendments to laws affecting the interests of its members and their families.

A. Doherty, Rumble & Butler, W-1006 First National Bank Building, St. Paul, Minn.
B. Iron Ore Lessors Association, Inc., W-1451 First National Bank Building, St. Paul, Minn.
C. (2) Amendment of Internal Revenue Code.
E. (7) $282.12; (9) $282.12; (10) $224.94; (11) $507.06.

A. William C. Doherty, 100 Indiana Avenue NW., Washington, D. C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D. C.
C. (2) All legislation pertaining to postal and Federal employees.
D. (6) $1,500.

A. W. J. Donald, 155 East 44th Street, New York, N. Y.
B. National Electrical Manufacturers Association, 155 East 44th Street, New York, N. Y.
C. (2) Legislation regarding excise taxes on electric refrigerators, electric ranges, electric water heaters, domestic electric appliances, commercial electric cooking equipment, electric fans, and legislation with respect to amendment of the Labor Management Relations Act.

A. James L. Donnelly, 39 South La Salle Street, Chicago, Ill.
B. Illinois Manufacturers' Association, 39 South La Salle Street, Chicago, Ill.
C. (2) All legislation of general interest to manufacturers. (3) Industrial Review and miscellaneous bulletins.
E. (7) $541.39; (9) $541.39; (10) $670.67; (11) $1,212.26.

A. Robert F. Donoghue, 842 Wyatt Building, Washington, D. C.
B. Pacific American Tankship Association, 25 California Street, San Francisco, Calif.
C. (2) Legislation affecting the merchant marine, particularly the tanker division thereof.
D. (6) $1,625.
E. (6) $37.57; (7) $1.60; (9) $39.17; (11) $39.17.

A. James J. Donohue, 610 Ring Building, Washington, D. C.
B. National Electrical Contractors Association, Inc., 610 Ring Building, Washington, D. C.
C. (2) Legislation that affects the building construction and electrical industries. (3) Weekly News Letter; monthly magazine, Qualified Contractor.

A. Thomas J. Donovan, 155 East 44th Street, New York, N. Y.
C. (2) Legislation affecting excise tax on alcoholic beverages.

A. J. Dewey Dorsett, 60 John Street, New York, N. Y.
B. Association of Casualty and Surety Companies, 60 John Street, New York, N. Y.
C. (2) Legislation affecting casualty and surety companies.
D. (6) $112.50.

A. C. L. Dorson, 900 F Street NW., Washington, D. C. (Room 314).
B. Retirement Federation of Civil Service Employees of the United States Government, 900 F Street NW., Washington, D. C.

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C. (2) Retention and improvement of the Civil Service Retirement and United States Employees' Compensation Acts.
D. (6) $1,372.70.
E. (10) $48.50; (11) $48.50.

A. John E. Dougherty, 211 Southern Building, 15th and R Streets NW., Washington, D. C.
B. The Pennsylvania Railroad Co., 1740 Suburban Station Building, Philadelphia, Pa.
C. (2) Any legislation affecting the interests of the Pennsylvania Railroad Co.

A. Mrs. F. P. Douglas, 1026 17th Street NW., Washington, D. C.
B. League of Women Voters of United States, 1026 17th Street NW., Washington, D. C.
D. (6) $649.98.
E. (7) $22; (9) $22; (10) $20.70; (11) $42.70.

A. James W. Douthat, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers.

A. Fayette B. Dow, Munsey Building, Washington, D. C.
B. Committee for Pipe Line Companies, Tulsa, Okla.
C. (2) The committee is opposed to S. 3075 which if enacted would divorce pipelines; and interested in an appropriation for the Interstate Commerce Commission adequate to enable it to perform its regulatory duties.

A. M. J. Dowd, El Centro, Calif.
B. Imperial Irrigation District, El Centro, Calif.
D. (6) $2,190.
E. (7) $637.83; (9) $637.83; (11) $637.83.

A. Adin M. Downer, 610 Wire Building, 1000 Vermont Avenue NW., Washington, D. C.
B. Veterans for Foreign Wars of the United States.
C. (2) Legislation affecting all veterans and their dependents. (3) VFW Magazine and VFW Legislative Newsletter.
D. (6) $1,750.
E. (7) $131.70; (9) $1,331.70; (10) $112.20; (11) $243.90.

A. W. A. Dozier, Jr., 17 Molton Street, Montgomery, Ala.
B. Medical Association of the State of Alabama, 537 Dexter Avenue, Montgomery, Ala.
C. (2) All health matters covered by legislative action. (3) P. R. Notes.
D. (6) $1,800.
E. (4) $225; (9) $225; (10) $225; (11) $450.

A. Read Dunn, Jr., 1832 M Street NW., Washington, D. C.
B. National Cotton Council of America, Post Office Box 18, Memphis, Tenn.
C. (2) Legislation affecting the raw-cotton industry as will promote the purposes for which the council is organized.
D. (6) $435.
E. (7) $60.26; (9) $60.26; (11) $60.26.

A. Henry I. Dworshak, 1102 Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
C. (2) Measures affecting mining, such as income taxation, social security, public lands, stockpiling, monetary policy, etc.
D. (6) $900.
E. (7) $120.45; (9) $120.45; (10) $61.40; (11) $181.45.

A. Joseph L. Dwyer, 1625 K Street NW., Washington, D. C.
B. American Petroleum Institute, 50 West 50th Street, New York, N. Y.
C. (2) Legislation affecting the petroleum industry.
D. (6) $3,276.
E. (7) $500.95; (9) $500.95; (10) $583.28; (11) $1,084.23.

A. Eastern Meat Packers Association, Hotel Statler, New York, N. Y., and 740 11th Street NW., Washington, D. C.
C. (2) Matters affecting meatpackers.
D. (6) $80.16.
E. (2) $27.16; (3) $1.59; (4) $1.02; (5) 98 cents; (7) $24.88; (8) 50 cents; (9) $56.13; (10) $29.30; (11) $85.43; (15).[1]

A. George S. Eaton, 907 Public Square Building, Cleveland, Ohio.
B. National Tool and Die Manufacturers Association, 907 Public Square Building, Cleveland, Ohio.
C. (2) Bills especially affecting the interests of contract tool and die shops, which are small businesses, including the extension of the Renegotiation Act, general tax revision, amendment of the Taft-Hartley Act.
D. (6) $125.

A. John W. Edelman, 811 Warner Building, Washington, D. C.
B. Textile Workers Union of America, 99 University Place, New York, N. Y.
C. (2) Support of all legislation favorable to the national peace, security, democracy, and general welfare; oppose legislation detrimental to these objectives.
D. (6) $1,934.17.
E. (7) $309.17; (9) $309.17; (10) $224.92; (11) $534.09.

A. Herman Edelsberg, 1003 K Street NW., Washington, D. C.
B. Antidefamation League of B'nai B'rith, 212 Fifth Avenue, New York, N. Y.
C. (2) Supports legislation which promotes the civil rights of all Americans, and opposes undemocratic discrimination against any Americans.
D. (6) $140.
E. (7) $15; (9) $15; (10) $15; (11) $30.

A. Joseph H. Ehlers, 1026 17th Street NW., Washington, D. C.
B. American Society of Civil Engineers, 33 West 39th Street, New York, N. Y.
C. (2) Legislative interests relate to matters affecting the engineering profession.
E. (4) $25; (5) $50; (9) $75; (10) $65; (11) $140.

A. Bernard H. Ehrlich, 1367 Connecticut Avenue NW., Washington, D. C.
B. National Association and Council of Business Schools, 418 Homer Building, 13th Street at F NW., Washington, D. C.
C. (2) Legislative interest on all bills relating to the education and training of veterans and all other legislation affecting proprietary schools.
D. (6) $1,050.
E. (4) $15; (6) $35.26; (8) $87.28; (9) $137.54; (10) $103.51; (11) $241.05.

A. Oscar Elder, 1771 N Street NW., Washington, D. C.
B. National Association of Radio & Television Broadcasters, 1771 N Street NW., Washington, D. C.
C. (2) Registrant is interested in any legislation—local, State, Federal, or international—which affects the broadcasting industry.

A. John Doyle Elliott, 305 Pennsylvania Avenue SE., Washington, D. C.
B. The Townsend Plan, Inc., 6875 Broadway Avenue, Cleveland, Ohio.
C. (2) Enactment into law of H. R. 2446, generally known as the Townsend plan.
D. (6) $910.

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[1] Not printed. Filed with Clerk and Secretary.

A. Otis H. Ellis, 1001 Connecticut Avenue, Washington, D. C.
B. National Oil Jobbers Council, 708 Ferguson Building, Springfield, Ill.
C. (2) Affiant is interested in general legislation which might affect the business interests of independent oil jobbers and marketers.
D. (6) $4,500.

A. Newell W. Ellison, 701 Union Trust Building, Washington, D. C.
B. Empire Zinc Division, the New Jersey Zinc Co., Gilman, Colo.
C. (2) Bills to amend the mineral-leasing laws to provide for multiple-mineral development of the same tracts of the public lands, and for other purposes.
E. (6) $25; (8) $5; (9) $30; (11) $30.

A. Newell W. Ellison, 701 Union Trust Building, Washington, D. C.
B. Theodore Roosevelt Association, 28 East 20th Street, New York, N. Y.
C. (2) General interest is to protect the rights of the Theodore Roosevelt Association under the act of May 21, 1932 (47 Stat. 163).
E. (6) $9.41; (8) $8.46; (9) $17.87; (10) $92.72; (11) $110.59.

A. John H. Else, 302 Ring Building, Washington, D. C.
B. National Retail Lumber Dealers Association, 302 Ring Building, Washington, D. C.
C. (2) Housing and labor legislation and all measures affecting retail lumber dealers.
D. (6) $3,050.
E. (7) $286.50; (9) $286.50; (10) $360; (11) $646.50.

A. Northcutt Ely, 1200 Tower Building, Washington, D. C.
B. American Public Power Association, 1757 K Street NW., Washington, D. C.
C. (2) Legislation affecting public power projects generally.
E. (10) $138.14; (11) $138.14.

A. Northcutt Ely, 1200 Tower Building, Washington, D. C.
B. Department of Water and Power of the city of Los Angeles, 207 South Broadway, Los Angeles, Calif.
C. (2) Legislation affecting the city's rights in the Colorado River and related matters, and legislation affecting public power projects.
D. (6) $1,000.

A. Northcutt Ely, 1200 Tower Building, Washington, D. C.
B. East Bay Municipal Utility District, 512 16th Street, Oakland, Calif.
C. (2) Interior Department appropriations bill, 1955, and legislation affecting social-security coverage for municipal employees.
D. (6) $2,100.

A. Northcutt Ely, 1200 Tower Building, Washington, D. C.
B. Imperial Irrigation District, El Centro, Calif.
C. (2) Legislation affecting the district's rights in the Colorado River and related matters.
D. (6) $2,100.
E. (6) $55.05; (8) $12.40; (9) $67.45; (11) $67.45.

A. Northcutt Ely, 1200 Tower Building, Washington, D. C.
B. Six Agency Committee and Colorado River Board of California, 315 South Broadway, Los Angeles, Calif.
C. (2) Legislation affecting California's interest in the Colorado River and legislation relating to reclamation and water resources policies.
D. (6) $10,658.26.
E. (4) $15.75; (6) $56.43; (8) $61.08; (9) $133.26; (10) $96.67; (11) $229.93.

A. Northcutt Ely, 1200 Tower Building, Washington, D. C.
B. Water Project Authority of the State of California, Sacramento, Calif.
C. (2) Interior Department Appropriations bill, 1954, and legislation affecting the Central Valley Project and Federal reclamation and power policies generally.

A. Northcutt Ely, 1200 Tower Building, Washington, D. C.
B. Water Resources Board of the State of California, Sacramento, Calif.
C. (2) Army civil functions appropriations bill, 1955, and legislation affecting flood-control projects generally.

A. Emergency Committee on Natural Resources, 709 Wire Building, Washington, D. C.
C. (2) Conservation of natural resources. (3)[1].
D. (6) $345.50.
E. (5) $258.09; (9) $258.09; (11) $258.09.

A. K. Blyth Emmons, 925 15th Street NW., Washington, D. C.
B. National Small Businessmen's Association, Inc., 2834 Central Street, Evanston, Ill.
C. (2) All legislation pertaining to small business, either directly or indirectly. (3) Pulling Together.
D. (6) $2,475.
E. (7) $300.45; (9) $300.45; (10) $388.75; (11) $609.20.

A. Engineers and Scientists of America, 711 West Lake Street, Minneapolis, Minn.
C. (2) Any legislation affecting the interests of professional engineers and other members of affiliated units.

A. Myles W. English, 952 National Press Building, Washington, D. C.
B. National Highway Users Conference, Inc., 952 National Press Building, Washington, D. C.
C. (2) Legislation pending before the Congress dealing with Federal grants-in-aid to States for highways, or repeal, modification, or extension of Federal excise taxes on motor vehicles, gasoline, oil, tires, or auto parts.

A. Walter M. Evans, 512 Travelers Building, Richmond, Va.
B. Virginia Associated Businessmen, 512 Travelers Building, Richmond, Va.
C. (2) Legislative activities were conducted with respect to action at this session of Congress to equalize taxes as between the mutuals and the cooperatives and the private business enterprises with which they compete. (3).[1]

A. Edward Falck & Co., 1625 I Street NW., Washington, D. C.
B. Southern California Gas Co., 810 South Flower Street, Los Angeles, Calif.
C. (2) All legislation of interest to the natural gas industry.
D. (6) $4,000.
E. (2) $600; (5) $450; (6) $245.53; (7) $373.98; (9) $1,669.51; (10) $4,086.51; (11) $5,756.02; (15) [1].

A. Farmers Educational and Cooperative Union of America (National Farmers Union), 1417 California Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D. C.
C. (2) National Farmers Union is interested in all Federal legislation, bills, resolutions, appropriations and other proceedings affecting American agriculture and farmers, either directly or indirectly.
D. (6) $42,704.37.
E. (2) $10,873.89; (3) $187.50; (4) $264.21; (5) $3,181.34; (6) $1,811.65; (7) $6,879.26; (8) $511.98; (9) $23,709.83; (10) $29,584.90; (11) $53,294.73; (15).[1]

[1] Not printed. Filed with Clerk and Secretary.

A. Mrs. Albert E. Farwell, Box 204A, Route 2, Vienna, Va.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.
C. (2) Measures which affect the welfare of children and youth in fields of education; social and economic well-being; child labor and environmental situations; Federal research agencies in education, health, juvenile protection and homemaking; world understanding and peace among nations.

A. Joseph G. Feeney, 1209 Whitehall Building, 17 Battery Place, New York, N. Y.
B. National St. Lawrence Project Conference, 814 Transportation Building, Washington, D. C.
C. (2) Any legislation with reference to the St. Lawrence waterway and power project (opposed).
D. (6) $1,200.
E. (7) $616.62; (9) $616.62; (10) $751.65; (11) $1,368.27.

A. Harold E. Fellows, 1771 N Street NW., Washington, D. C.
B. National Association of Radio and Television Broadcasters, 1771 N Street NW., Washington, D. C.
C. (2) Legislation—local, State, Federal, or international—which affects the broadcasting industry.

A. John A. Ferguson, 918 16th Street NW., Suite 501, Washington, D. C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Suite 501, Washington, D. C.
C. (2) Any legislation pertaining to natural gas.
D. (6) $3,750.

A. John H. Ferguson, 1025 Connecticut Avenue NW., Washington, D. C.
B. Legislative Committee of the Committee for a National Trade Policy, 1025 Connecticut Avenue NW., Washington, D. C.
C. (2) Legislation relating to foreign economic policy.
D. (5) $300; (6) $300; (7) $375; (8) $675.

A. Josiah Ferris, 510 Union Trust Building, Washington, D. C.
B. United States Sugar Corp., Clewiston, Fla.; Fellsmere Sugar Producers Association, Fellsmere, Fla.; American Sugar Cane League, New Orleans, La.

A. Maurice W. Fillius, 703 National Press Building, Washington, D. C.
B. National Association of Alcoholic Beverage Importers, Inc.
C. (2).[1]
D. (6) $375.

A. James Finucane, 1013 18th Street NW., Washington, D. C.
B. Committee for the Return of Confiscated German and Japanese Property, 1013 18th Street NW., Washington, D. C.
C. (2) Amendment of the Trading with the Enemy Act to authorize the return of German and Japanese property confiscated by the Government of the United States.
D. (6) $142.73.

A. James Finucane, 1013 18th Street NW., Washington, D. C.
B. National Council for Prevention of War, 1013 18th Street NW., Washington, D. C.
C. (2) In support of legislation and legislative policy dealing constructively with foreign affairs.
D. (6) $1,225.
E. (7) $107; (8) $107; (9) $107; (10) $100; (11) $207.

[1] Not printed. Filed with Clerk and Secretary.

A. Adrian S. Fisher, 701 Union Trust Building, Washington, D. C.
B. Theodore Roosevelt Association, 28 East 20th Street, New York, N. Y.
C. (2) To prevent any action being taken under H. R. 5471 which is in violation of the act of May 21, 1932.
E. (6) $9.41; (8) $8.46; (9) $17.87; (10) $92.72; (11) $110.59.

A. Bernard M. Fitzgerald, Washington Loan and Trust Building, Washington, D. C.
B. Brown, Lund & Fitzgerald, Washington Loan and Trust Building, Washington, D. C., representing National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
C. (2) Any legislation that might affect the members of the NAEC.
D. (6) $472.50.

A. Stephen Fitzgerald & Co., 502 Park Avenue, New York, N. Y.
B. Creole Petroleum Corp., 350 Fifth Avenue, New York, N. Y.
C. (2) Support for the Reciprocal Trade Agreements Act and, more specifically, to oppose legislation such as the Simpson bill (H. R. 5894).
D. (6) $35,157.76.
E. (1) $12,725; (2) $15,529.85; (4) $6,949; (6) $543.73; (7) $8,158.86; (8) $10,008.19; (9) $53,914.63; (10) $12,482.17; (11) $66,-398.80.

A. F. Stuart Fitzpatrick, 1615 H Street NW., Washington, D. C.
B. Chamber of Commerce of the United States of America, 1615 H Street NW., Washington, D. C.

A. Roger Fleming, 261 Constitution Avenue NW., Washington, D. C.
B. American Farm Bureau Federation, 221 North La Salle Street, Chicago, Ill.
C. (2).[1]
D. (6) $1,500.
E. (7) $43.40; (9) $43.40; (10) $58.70; (11) $102.10.

A. Donald G. Fletcher, 745 McKnight Building, Minneapolis, Minn.
B. Rust Prevention Association, 745 McKnight Building, Minneapolis, Minn.
C. (2) Legislation affecting funds for research on plant-disease control and crop improvement.
D. (6) $2,175.
E. (2) $558.33; (4) $18; (5) $272.68; (6) $129.83; (7) $565.64; (9) $1,544.48; (10) $798.09; (11) $2,342.57.

A. Florida Citrus Mutual (Legislative Fund), Lakeland, Fla.
C. (2) Any legislation that affects the citrus industry.
E. (2) $2,499.99; (4) $2.87; (5) $40; (6) $8.46; (7) $386.10; (8) $1.56; (9) $2,938.98; (10) $2,691.73; (11) $5,630.71.

A. Florida Inland Navigation District, Citizens Bank Building, Bunnell, Fla.
C. (2) Potentially interested in all legislation affecting river and harbor works, flood control, and other water use and conservation, and related subjects.
E. (2) $1,350; (8) $19.61; (9) $1,369.61; (10) $1,279.11; (11) $2,748.72.

A. Florida Railroad Association, 404 Midyette-Moor Building, Tallahassee, Fla.
C. (2) Proposed legislation of interest to members of Florida Railroad Association.
D. (6) $2,512.50.
E. (2) $1,875; (6) $3.33; (7) $342.23; (9) $2,220.56; (10) $2,396.69; (11) $4,617.25.

[1] Not printed. Filed with Clerk and Secretary.

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A. John J. Flynn, 734 15th Street NW., Washington, D. C.
B. International Union of Electrical, Radio, and Machine Workers, 734 15th Street NW., Washington, D. C.
C. (2) Any and all legislation affecting the welfare and security of working men and women and their families.
D. (6) $1,425.
E. (7) $130; (9) $130; (10) $100; (11) $230.

A. Aaron L. Ford, Munsey Building, Washington, D. C., and Plaza Building, Jackson, Miss.
B. Otho F. Hipkins, 4316 Santiago Street, Tampa, Fla.
C. (2) Retained to assist in obtaining passage of a private bill, H. R. 4799.
E. (7) $150; (8) $5; (9) $155.

A. Mrs. J. A. Ford, 305 Pennsylvania Avenue SE., Washington, D. C.
B. Townsend Plan, Inc., 6875 Broadway, Cleveland, Ohio.
C. (2) H. R. 2446 and H. R. 2447.

A. Forest Conservation Society of America, 2144 P Street NW., Washington, D. C.
C. (2) Forest conservation.
E. (2) $185; (4) $12; (5) $25; (9) $222; (10) $232; (11) $454.

A. Forest Farmers Association Cooperative, Post Office Box 7284, Station C, Atlanta, Ga.
C. (2) 1955 agricultural appropriation bill and general tax revision bill. (3) The Forest Farmer.
E. (4) $52; (6) $150; (7) $333.49; (9) $535.49; (10) $246.35; (11) $781.84.

A. J. Carter Fort, 929 Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.
C. (2) Legislation affecting transportation.
D. (6) $6,563.34.
E. (7) $179.75; (9) $179.75; (10) $151.48; (11) $331.23.

A. Charles E. Foster, 1701 18th Street NW., Washington, D. C.
B. Disabled American Veterans, 1423 East McMillan Street, Cincinnati, Ohio.
C. (2) The DAV is interested in all legislation affecting war veterans, their dependents and survivors of deceased veterans. (3) DAV Semimonthly.
D. (6) $1,814.40.

A. Ronald J. Foulis, 195 Broadway, New York, N. Y., and 1001 Connecticut Avenue NW., Washington, D. C.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N. Y.
C. (2) Matters affecting communications.
D. (6) $4,000.

A. Fowler, Leva, Hawes and Symington, 1701 K Street NW., Washington, D. C.
B. Waterways Council Opposed to Regulation Extension, 21 West Street, New York, N. Y.
C. (2) S. 3111 and legislation related to extension of regulation to bulk carriers on waterways.
D. (6) $3,500.
E. (4) $4.29; (6) $14.52; (7) $32.12; (9) $50.93; (11) $50.93.

A. L. S. Franklin, Box 401, Greensboro, N. C.
B. National Tax Relief Coalition, Box 401, Greensboro, N. C.
C. (2) Tax limitation.
D. (6) $650.
E. (2) $375; (5) $25; (7) $250; (9) $650; (10) $860; (11) $1,510.

A. Robert Franklin, 2438 Tulare Street, Fresno, Calif.
B. Allied Wool Industry Committee, 414 Pacific National Life Building, Salt Lake City, Utah.
E. (10) $2,000.

A. Robert Franklin, 2438 Tulare Street, Fresno, Calif.
B. National Wool Growers Association, 414 Pacific National Life Building, Salt Lake City, Utah.
C. (2) Legislation affecting wool industry.
E. (10) $3,382.21.

A. Robert W. Frase, 812 17th Street NW., Washington, D. C.
B. American Book Publishers Council, Inc., 2 West 46th Street, New York, N. Y.
C. (2) General legislative interests include all matters affecting the general book-publishing industry except for postal rates.
D. (6) $1,750.
E. (2) $780; (4) $175; (5) $345; (6) $185; (7) $227.50; (8) $65; (9) $1,777.50; (10) $776.98; (11) $2,554.48; (15).[1]

A. George H. Frates, 1163 National Press Building, Washington, D. C.
B. National Association of Retail Druggists.
C. (2) To oppose legislation detrimental to independent retail druggists and to further legislation favorable to the profession. (3) N. A. R. D. Journal.
D. (6) $2,800.
E. (2) $675; (5) $399; (6) $80; (9) $1,154; (10) $2,396; (11) $3,550.

A. Friends Committee on National Legislation, 104 C Street NE., Washington, D. C.
C. (2).[1] (3) Washington Newsletter.
D. (6) $26,954.56.
E. (2) $10,511.53; (3) $181.86; (4) $1,097.06; (5) $2,059.89; (6) $212.23; (7) $1,006.32; (8) $831.04; (9) $15,899.93; (10) $16,395.12; (11) $32,295.05; (15).[1]

A. George M. Fuller, 1319 18th Street NW., Washington, D. C.
B. National Lumber Manufacturers Association, 1319 18th Street NW., Washington, D. C.
C. (2) No particular bills, but any legislation inimical to the interests of the lumber industry, American industry, and free enterprise.
D. (6) $4,299.98.
E. (7) $843.38; (9) $843.38; (10) $989.29; (11) $1,832.67.

A. Wallace H. Fulton, 1625 K Street NW., Washington, D. C.
B. National Association of Securities Dealers, Inc., 1625 K Street NW., Washington, D. C.
C. (2) S. 2846, H. R. 7550, and H. R. 8300.
D. (6) $625.

A. John F. Gale, 616 Investment Building, Washington, D. C.
B. The National Fertilizer Association, Inc., 616 Investment Building, Washington, D. C.
C. (2) Any legislation that might affect the manufacture or distribution of fertilizer or the general agricultural economy.
D. (6) $30.

A. Lawrence H. Gall, Suite 501, 918 16th Street NW., Washington, D. C.
B. Independent Natural Gas Association of America, 918 16th Street NW., Washington, D. C.
C. (2) Any legislation pertaining to natural gas.
D. (6) $1,450.

[1] Not printed. Filed with Clerk and Secretary.

A. M. J. Galvin, 207 Union Depot Building, St. Paul, Minn.
B. Minnesota Railroads.[1]
C. (2) Interested in all matters affecting railroads.
D. (6) $500.
E. (7) $1,102.97; (9) $1,102.97; (10) $420.90; (11) $1,523.87.

A. Earl H. Gammons, 1735 De Sales Street NW., Washington, D. C.
B. Columbia Broadcasting System, Inc., 485 Madison Avenue, New York, N. Y.
C. (2) Legislation applicable to or affecting the radio and/or television industry.

A. Gwynn Garnett, 261 Constitution Avenue NW., Washington, D. C.
B. American Farm Bureau Federation, 221 North La Salle Street, Chicago, Ill.
C. (2) Foreign aid.
D. (6) $1,187.50.
E. (7) $78.85; (9) $78.85; (10) $52.75; (11) $131.60.

A. Marion R. Garstang, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
C. (2) Any legislation that may affect milk producers or the cooperatives through which they act together to process and market their milk (3) News for Dairy Co-ops and the Alert.
D. (6) $2,511.96.
E. (8) $12; (9) $12; (10) $111.48; (11) $123.48.

A. Gas Appliance Manufacturers Association, Inc., 60 East 42d Street, New York, N. Y.
C. (2) In general, legislation which concerns or affects members of the Gas Appliance Manufacturers Association, Inc., including H. R. 8224 and H. R. 8300.
D. (6) $2,020.52.
E. (2) $1,500; (4) $95.60; (6) $424.92; (9) $2,020.52; (10) $500; (11) $2,520.52.

A. Mrs. Paul Gehbahr, 830 Witherspoon Building, Philadelphia, Pa.
B. The Board of Christian Education of the Presbyterian Church.

A. Gus F. Geissler, 1404 New York Avenue NW., Washington, D. C.
B. Farmers Educational and Cooperative Union of America (National Farmers Union) 1404 New York Avenue NW., Washington, D. C.
D. (6) $1,000.
E. (7) $125; (9) $125; (11) $125.

A. J. M. George, 165 Center Street, Winona, Minn.
B. The Inter-State Manufacturers Asociation, 163–165 Center Street, Winona, Minn.
C. (2).[1]
D. (6) $1,500.

A. J. M. George, H. K. Brehmer, and C. S. McMahon, 165 Center Street, Winona, Minn.
B. National Association of Direct Selling Cos., 163–165 Center Street, Winona, Minn.
C. (2).[1]
D. (6) $3,000.

A. Leo E. George, 711 14th Street NW., Washington, D. C.
B. National Federation of Post Office Clerks, 711 14th Street NW., Washington, D. C.
C. (2) All legislation pertaining to the postal service and the welfare of Postal and Federal employees. (3) Union Postal Clerk.
D. (6) $3,000.
E. (10) $200; (11) $200.

[1] Not printed. Filed with Clerk and Secretary.

A. Stanley Gewirtz, 1107 16th Street NW., Washington, D. C.
B. Air Transport Association of America, 1107 16th Street NW., Washington, D. C.
C. (2) Legislation affecting welfare of airlines and air transport industry.
E. (7) $51.75; (9) $51.75; (10) $38.65; (11) $90.40.

A. Walter A. Giblin, room 412, 10 Independence Avenue SW., Washington, D. C.
B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.
C. (2) H. R. 356, S. 1911, H. R. 7840, and S. 2930.
D. (6) $2,424.99.

A. Ernest Giddings, 1201 16th Street NW., Washington, D. C.
B. Legislation-Federal Relations Division of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
C. (2) Bills pending before the 83d Congress relating to public education.
D. (6) $1,373.25.
E. (7) $104.57; (9) $104.57; (10) $93.35; (11) $197.92.

A. Hugh V. Gittinger, Jr., 312 Wire Building, 1000 Vermont Avenue NW., Washington, D. C.
B. Washington Real Estate Board, Inc., 312 Wire Building, 1000 Vermont Avenue NW., Washington, D. C.
C. (2) All local measures affecting the District of Columbia are of interest.

A. Nathaniel H. Goodrich, 1625 I Street NW., Washington, D. C.
B. American Jewish Committee, 386 Fourth Avenue, New York, N. Y.
C. (2).[1]
D. (6) $162.49.
E. (7) $5; (9) $5.

A. Dr. H. T. Gordon, P. O. Box 2214, Washington, D. C.
B. The Townsend Plan, Inc., 6875 Broadway, Cleveland, Ohio.
C. (2) H. R. 2446.
D. (6) $815.10.
E. (7) $367.25.

A. James J. Gormley, 260 St. John Avenue, Staten Island, New York.
B. Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, 1214 Griswold Street, Detroit, Mich.

A. Philip P. Gott, 221 North La Salle Street, Chicago, Ill.
B. National Confectioners' Association of the United States, Inc., 221 North La Salle Street, Chicago, Ill.
C. (2) Legislative proposals affecting the confectionery industry.
D. (6) $2,000.
E. (8) $794.74.

A. Lawrence L. Gourley, 1757 K Street NW., Washington, D. C.
B. American Osteopathetic Association, 212 East Ohio Street, Chicago, Ill.
C. (2) Bills affecting the public health.
D. (6) $375.

A. Government Employees' Council, American Federation of Labor, 100 Indiana Avenue NW., Washington, D. C.
C. (2) All legislation that affects Government employees is of interest to this council.
D. (6) $5,168.38.
E. (2) $3,620.96; (4) $318.38; (5) $650; (6) 151.30; (8) $881.86; (9) $5,622.50; (10) $5,518.32; (11) $11,140.82; (15).[1]

[1] Not printed. Filed with Clerk and Secretary.

A. Grain and Feed Dealers National Association, 100 Merchants Exchange, St. Louis, Mo.
C. (2) Legislation affecting the grain and feed trade.
D. (6) $150.
E. (2) $40; (4) $50; (6) $2; (9) $92; (10) $89.46; (11) $181.46.

A. Grand Lodge of the Brotherhood of Locomotive Firemen and Enginemen, 318/418 Keith Building, Cleveland, Ohio.
C. (2) To promote general interests of locomotive firemen and enginemen.
D. (6) $24.50.
E. (2) $4,975.17; (4) $125.78; (5) $699.07; (6) $182.45; (7) $2,627.16; (8) $31.79; (9) $8,641.42; (10) $6,687.03; (11) $15,328.45; (15).[1]

A. S. H. Grauten, 3743 Upton Street, Washington, D. C.
C. (2) Recognition of services of civilians employed on construction of Panama Canal by amending act of May 29, 1944 (Public Law 319, 78th Cong.).
E. (4) $27.97; (7) $2.88; (9) $30.85; (10) $53; (11) $83.85.

A. Mrs. Virginia M. Gray, 3501 Williamsburg Lane NW., Washington, D. C.
B. Citizens Committee for UNICEF, 132 Third Street SE., Washington, D. C.
C. (2) Legislative matters affecting the United Nations Children's Fund.
D. (6) $500.
E. (5) $25.22; (6) $6.80; (7) $17.70; (9) $49.72 (11) $49.72.

A. Mrs. Virginia Gray, 3501 Williamsburg Lane NW., Washington, D. C.
B. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.
C. (2).[1] (3) National Parent-Teacher.

A. Great Lakes-St. Lawrence Association, 821 Cafritz Building, Washington, D. C.
C. (2) S. 2150, to authorize United States participation with Canada in construction of the St. Lawrence seaway.
D. (6) $6,000.
E. (1) $10,336.71; (2) $1,932.46; (4) $145.31; (5) $714.65; (6) $490.92; (7) $508.63; (8) $382.73; (9) $17,461.41; (10) $64,538.88; (11) $81,935.29; (15).[1]

A. Paul S. Green, 1737 H Street NW., Washington, D. C.
B. American Zionist Committee for Public Affairs, 1737 H Street NW., Washington, D. C.
C. (2) In favor of the mutual security program.
D. (6) $400.
E. (7) $22.60; (9) $22.60; (11) $22.60.

A. Ernest W. Greene, 731 Investment Building, Washington, D. C.
B. Hawaiian Sugar Planters' Association, Post Office Box 2450, Honolulu, T. H.

A. Francis Thornton Greene, 1701 K Street NW., Washington, D. C.
B. American Merchant Marine Institute, Inc., 1701 K Street NW., Washington, D. C., and 11 Broadway, New York, N. Y.
C. (2) General legislative interest is to support all legislation favorable to, and to oppose all legislation hostile to, maintenance of the American merchant marine.[1]
D. (6) $2,500.
E. (7) $312.79; (9) $312.79; (10) $379.97; (11) $692.76.

[1] Not printed. Filed with Clerk and Secretary.

A. Jerry N. Griffin, 731 Washington Building, Washington, D. C.
B. National Coal Association, 15th and H Streets NW., Washington, D. C.
C. (2) Legislative interests are general in character and we are interested in any legislation which affects the coal industry.
D. (6) $1,200.

A. Weston B. Grimes, 436 Bowen Building, Washington, D. C.
B. Cargill, Inc., 200 Grain Exchange, Minneapolis, Minn.
C. (2).[1]
D. (6) $6,874.98.
E. (7) $7; (9) $7; (10) $1; (11) $8.

A. I. J. Gromfine, 1001 Connecticut Avenue NW., Washington, D. C.
B. O. David Zimring, 1001 Connecticut Avenue NW., Washington, D. C.

A. John J. Gunther, 1341 Connecticut Avenue NW., Washington, D. C.
B. Americans for Democratic Action, 1341 Connecticut Avenue NW., Washington, D. C.
C. (2) All bills covered by convention-adopted platform.
D. (6) $1519.96.
E. (7) $479.31; (9) $479.31; (10) $156.88; (11) $636.19.

A. Violet M. Gunther, 1341 Connecticut Avenue NW., Washington, D. C.
B. Americans for Democratic Action, 1341 Connecticut Avenue NW., Washington, D. C.
C. (2) All bills covered by convention-adopted platform.
D. (6) $1669.98.
E. (7) $205.31; (9) $205.31; (10) $263; (11) $468.31.

A. Frank E. Haas, 280 Union Station Building, Chicago, Ill.
B. The Association of Western Railways, 474 Union Station Building.
C. (2) Federal legislative proposals which may or do affect western railroads.
D. (6) $240.31.
E. (7) $266.36; (9) $266.36; (11) $266.36.

A. Hugh F. Hall, 261 Constitution Avenue NW., Washington, D. C.
B. American Farm Bureau Federation, 221 North La Salle Street, Chicago, Ill.
C. (2) Revenue revision; agricultural appropriations; ACP payments; REA; appropriation, Agricultural Extension Service and Research; control and eradication of animal and plant diseases and pests; social security, coverage of farmers and farm labor; restricted retirement pensions with premiums tax deductible.
E. (7) $25.44; (9) $25.44; (10) $24.45; (11) $49.89.

A. Radford Hall, 515 Cooper Building, Denver, Colo.
B. American National Cattlemen's Association, 515 Cooper Building, Denver, Colo.
C. (2) Legislation affecting cattle industry.
D. (6) $1,950.
E. (6) $11.73; (7) $148.54; (9) $160.27; (10) $661.89; (11) $822.16.

A. E. C. Hallbeck, 711 14th Street NW., Washington, D. C.
B. National Federation of Post Office Clerks, 711 14th Street NW., Washington, D. C.
C. (2) All legislation pertaining to the postal service and the welfare of postal and Federal employees. (3) Federation News Service Bulletin.
D. (6) $2,875.12.
E. (7) $409.05; (9) $409.05; (10) $523.59; (11) $932.64.

[1] Not printed. Filed with Clerk and Secretary.

UNIVERSITY OF MICHIGAN LIBRARIES

A. Joseph J. Hammer, 26 Broadway, New York, N. Y.
B. Socony-Vacuum Oil Co., Inc., 26 Broadway, New York, N. Y.
C. (2) Legislation of interest to the petroleum industry.
D. (6) $1,525.06.
E. (6) $14.48; (7) $385.58; (9) $400.06; (10) $482.61; (11) $882.67.

A. William A. Hanscom, 1700 I Street NW., Suite 4, Washington, D. C.
B. Oil Workers International Union, 1840 California Street, Denver, Colo.
C. (2) Support all legislation favorable to the national peace, security, democracy, prosperity, and general welfare—oppose legislation detrimental to those objectives.
D. (6) $2,055.
E. (7) $180; (9) $180; (10) $540; (11) $720.

A. Murray Hanson, 1625 K Street NW., Washington, D. C.
B. Investment Bankers Association of America, 1625 K Street NW., Washington, D. C., and 33 South Clark Street, Chicago, Ill.
C. (2) Tax and other legislation affecting the securities business. (3).[1]
D. (6) $600.
E. (2) $97.50; (4) $39.52; (5) $126.96; (6) $45.35; (7) $104.28; (9) $413.61; (10) $837.42; (11) $1,251.03.

A. Eugene J. Hardy, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers.

A. Ralph W. Hardy, 1771 N Street NW., Washington, D. C.
B. National Association of Radio & Television Broadcasters, 1771 N Street NW., Washington, D. C.
C. (2) Legislation—local, State, Federal, or international—which affects the broadcasting industry.

A. Winder R. Harris, 441 Washington Building, Washington, D. C.
B. Shipbuilders Council of America, 21 West Street, New York, N. Y.
C. (2) Maritime matters.

A. Merwin K. Hart, 7501 Empire State Building, New York, N. Y.
B. National Economic Council, Inc., Empire State Building, New York, N. Y.
C.[1]
D. (6) $500.
E. (7) $40.38; (9) $40.38.

A. Stephen H. Hart, 520 Equitable Building, Denver, Colo.
B. National Live Stock Tax Committee, 515 Cooper Building, Denver, Colo.
C. (2) Interested in general livestock tax matters including specifically proposed amendments to the Internal Revenue Code concerning capital gains on sale of breeding livestock and deduction of soil conservation, brush control and other ranching expenditures; and livestock accounting methods.

A. Paul M. Hawkins, 1625 I Street NW., Washington, D. C.
B. American Retail Federation, 1625 I Street NW., Washington, D. C.
C. [1]
D. (6) $3.375.
E. (7) $117.05; (9) $117.05; (10) $48.15; (11) $165.20.

A. Edward B. Hayes, room 2500, 135 South La Salle Street, Chicago, Ill.
B. A. L. Mechling Barge Lines, Inc., 51 North Desplaines Street, Joliet, Ill.
C. (2) All legislative activities relating to or affecting the transportation of commodities by water.
E. (6) $6.11; (7) $30.35; (8) $74.90; (9) $111.36; (10) $124.52; (11) $235.88; (15).[1]

A. Joseph H. Hays, 280 Union Station Building, Chicago, Ill.
B. The Association of Western Railways, 474 Union Station Building.
C. (2) Legislative proposals which may or do affect Western railroads.

A. John C. Hazen, 808 Sheraton Building, 711 14th Street NW., Washington, D. C.
B. National Retail Dry Goods Association, 100 West 31st Street, New York, N. Y.
C. (2).[1]
E. (7) $104.02; (8) $1.25; (9) $105.27; (10) $21.15; (11) $126.42.

A. Patrick B. Healy, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
C. (2) Legislation that may affect milk producers or the cooperatives through which they act together to process and market their milk. (3) News for Dairy Co-ops and The Alert.
D. (6) $2,070.90.
E. (8) $10.25; (9) $10.25; (11) $10.25.

A. K. W. Heberton, room 101, 1405 G Street NW., Washington, D. C.
B. Western Union Telegraph Co., 60 Hudson Street, New York, N. Y.
C. (2) Legislative proposals affecting the interests of the telegraph company.
E. (7) $145.20; (9) $145.20; (10) $188.70; (11) $333.90.

A. George J. Hecht, 52 Vanderbilt Avenue, New York, N. Y.
B. American Parents Committee, Inc., 132 Third Street SE., Washington, D. C.
C. (2) Support of Federal aid for school construction, etc.[1]

A. F. Cleveland Hedrick, Jr., 1001 Connecticut Avenue NW., Washington, D. C.
B. Bridgeport Brass Co., Bridgeport, Conn.
C. (2) Tax legislation.

A. F. Cleveland Hedrick, Jr., 1001 Connecticut Avenue, Washington, D. C.
B. Radio-Electronics-Television Manufacturers Association, 777 14th Street NW., Washington, D. C.
C. (2) Tax legislation.

A. Robert B. Heiney, 1133 20th Street NW., Washington, D. C.
B. National Canners Association, 1133 20th Street NW., Washington, D. C.
C. (2) Long-range plans for agriculture and other legislation directly affecting the food-canning industry, and opposition to mandatory marketing orders.
D. (6) $833.33.
E. (7) $347.25; (9) $347.25; (10) $103.46; (11) $450.71.

A. Kenneth G. Heisler, 907 Ring Building, 18th and M Streets NW., Washington, D. C.
B. National Savings and Loan League, 907 Ring Building, 18th and M Streets NW., Washington, D. C.
C. (2) Support of bills to improve facilities of savings and loan associations for encouragement of thrift and home financing. Oppose legislation adverse to savings and loan associations.
D. (6) $375.

A. Maurice G. Herndon, 1002 Washington Loan & Trust Building, Washington, D. C.
B. National Association of Insurance Agents, 96 Fulton Street, New York, N. Y., 1002 Washington Loan & Trust Building, Washington, D. C.
C. (2) Any legislation which affects, directly or indirectly, local property insurance agents. (3) The American Agency Bulletin.
D. (6) $104.
E. (7) $104; (9) $104; (10) $142.90; (11) $246.90.

A. Clinton M. Hester, 426 Shoreham Building, Washington, D. C.
B. Boston Wool Trade Association, 263 Summer Street, Boston, Mass.; Philadelphia Wool and Textile Association; National Wool Trade Association.
C. (2) Any and all proposed legislation affecting the wool-trade industry.
D. (6) $400.
E. (6) $11.49; (9) $11.49.

A. Clinton M. Hester, 426 Shoreham Building, Washington, D. C.
B. National Association of Hot House Vegetable Growers, Post Office Box 659, Terre Haute, Ind.
C. (2) Any and all proposed legislation affecting the hothouse vegetable industry.

A. Clinton M. Hester, 426 Shoreham Building, Washington, D. C.
B. United States Brewers Foundation, 535 Fifth Avenue, New York, N. Y.
C. (2) Any and all proposed legislation affecting the brewing industry.
D. (6) $5,000.
E. $91.42; (9) $91.42.

A. Robert C. Hibben, 1105 Barr Building, Washington, D. C.
B. International Association of Ice Cream Manufacturers, 1105 Barr Building, Washington, D. C.
C. (2) Legislation which may affect the ice-cream industry.

A. W. J. Hickey, 2000 Massachusetts Avenue NW., Washington, D. C.
B. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D. C.
D. (6) $187.50.

A. Ray C. Hinman, 26 Broadway, New York, N. Y.
B. Socony-Vacuum Oil Co., Inc., 26 Broadway, New York, N. Y.
C. (2) Legislation of interest to the petroleum industry.
D. (6) $1,596.90.
E. (6) $20.12; (7) $326.78; (9) $346.90; (11) $346.90.

A. Charles M. Holloway, 1201 16th Street NW., Washington, D. C.
B. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
C. (2) Bills pending before the 83d Congress relating to public education.
D. (6) $352.50.
E. (7) $13.50; (9) $13.50; (11) $13.50.

A. Fuller Holloway, 1000 Shoreham Building, Washington, D. C.
B. The Toilet Goods Association, Inc., 9 Rockefeller Plaza, New York, N. Y.
D. (6) $3.450.
E. (6) $23.35; (7) $39.50; (8) $15.66; (9) $78.51; (11) $78.51.

A. Oscar W. Holste, Room 407, 10 Independence Avenue SW., Washington, D. C.
B. Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, 1015 Vine Street, Cincinnati, Ohio.
C. (2) Interested in all legislation affecting labor and especially railroad labor.
D. (6) $1,640.

[1] Not printed. Filed with Clerk and Secretary.

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A. J. M. Hood, 2000 Massachusetts Avenue NW., Washington, D. C.
B. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D. C.
D. (6) $300.

A. Victor Hood, 4310 Queensbury Road, Riverdale, Md.
B. Journeymen Barbers, Hairdressers, Cosmetologists, and Proprietors International Union, 1141 North Delaware, Indianapolis, Ind.
C. (2) Legislation affecting labor, district barber laws, veterans' education laws, social-security laws, workmen's compensation laws, etc.
D. (6) $2,227.58.
E. (7) $652.58; (9) $652.58; (11) $652.58.

A. Samuel H. Horne, Munsey Building, Washington, D. C.
B. Underwriters Service Corp., Meridian, Miss.
C. (2) Proposed Internal Revenue Code of 1954; H. R. 8300.

A. Jesse V. Horton, Post Office Box 2013, Washington, D. C.
B. National Association of Postal Supervisors, Post Office Box 2013, Washington, D. C.
C. (2) All legislation affecting postal employees, including supervisors, and the postal service. (3) Semi-monthly News Letters, and the Postal Supervisor.
D. (6) $2,375.
E. (7) $142.86; (9) $142.86; (10) $173.74; (11) $316.60.

A. Mrs. Jency Price Houser, 1420 New York Avenue NW., No. 914, Washington, D. C.
C. (2) Housing Act.
D. (6) $2,713.
E. (1) $25.50; (2) $1,560; (3) $20; (4) $125.22; (5) $150; (6) $60; (7) $50; (8) $726.43; (11) $2,717.15.

A. S. H. Howard, 1414 Evergreen Avenue, Millvale, Pittsburgh, Pa.
B. Brotherhood of Railroad Signalmen of America, 503 Wellington Avenue, Chicago, Ill.
C. (2) Legislation of interest to railway employees and labor in general.
D. (6) $600.

A. Harold K. Howe, Suite C, 2480 16th Street NW., Washington, D. C.
B. American Institute of Laundering, Box 1187, Joliet, Ill.
C. (2) Legislation affecting the laundry industry and the members thereof.
D. (6) $2,649.99.
E. (2) $1,154; (7) $375.97; (9) $1,529.97; (10) $1,662.45; (11) $3,192.42.

A. Harold K. Howe, 207 Mills Building, Washington, D. C.
B. The Lawn Mower Institute, Inc., 207 Mills Building, Washington, D. C.
C. (2) All matters of interest to the lawn mower industry.
D. (6) $1 800.

A. Hudson, Creyke, Lipscomb & Gray, 400 Washington Building, Washington, D. C.

A. William T. Huff, 806 Connecticut Avenue, Washington, D. C.
B. Trans World Airlines, Inc., 10 Richards Road, Kansas City, Mo.
C. (2) All legislation of interest to air transport operations.
D. (6) $2,319.84.
E. (7) $284; (9) $284.

A. Raymond E. Hughes, 85 John Street, New York, N. Y.
B. National Board of Fire Underwriters, 85 John Street, New York, N. Y.
C. (2) Legislation affecting stock fire insurance companies.
D. (6) $450.
E. (5) $567; (7) $406.45; (9) $973.45; (10) $441.78; (11) $1,415.23.

A. C. A. Hummel, 122 West Washington Avenue, Madison, Wis.
B. Wisconsin Railroad Association, 122 West Washington Avenue, Madison, Wis.
C. (2) Legislation affecting railroads and transportation generally.
D. (6) $593.30.
E. (7) $524.64; (9) $524.64; (11) $524.64; (15)[1].

A. C. E. Huntley, 2000 Massachusetts Avenue NW., Washington, D. C.
B. American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D. C.
D. (6) $250.

A. John M. Hurley, 515 Hoge Building, Seattle, Wash.
D. (6) $349.95.
E. (7) $467.91; (9) $467.91; (10) $529.27; (11) $997.18; (15)[1].

A. Kenneth N. Hurley, 2700 South 16th Street, Arlington, Va.
C. (2) Tax and finance.

A. W. C. Hushing, 901 Massachusetts Avenue NW., Washington, D. C.
B. American Federation of Labor, 901 Massachusetts Avenue NW., Washington, D. C.
C. (2) All bills affecting the welfare of the country generally, and specifically bills affecting workers.
D. (6) $3,110.
E. (6) $24.50; (7) $273; (8) $86; (9) $384; (10) $378; (11) $762.

A. Illinois Railroad Association, room 1526, 33 South Clark Street, Chicago, Ill.
C. (2) Legislation affecting railroads.
E. (2) $825; (9) $825; (10) $825; (11) $1,650.

A. Independent Natural Gas Association of America, 918 16th Street NW., Suite 501, Washington, D. C.
C. (2) Any legislation pertaining to natural gas.
D. (6) $26,930.
E. (2) $7,200; (5) $375; (9) $7,575; (10) $7,575; (11) $15,150; (15)[1].

A. Indiana Tax Equality Committee, Inc., 2d Floor, Board of Trade Building, Indianapolis, Ind.
E. (10) $1; (11) $1.

A. Ingoldsby & Coles, 813 Washington Building, Washington, D. C.
B. The American Tramp Shipowners Association, Inc., 80 Broad Street, New York, N. Y.
C. (2) The association is interested in amending existing shipping legislation in order to extend operating and construction differential subsidies to American-flag vessels engaged in so-called tramp trades, and in other legislative matters affecting American-flag shipping.
E. (6) $14.25; (7) $115.43; (9) $129.68; (10) $83.47; (11) $218.15; (15).[1]

A. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D. C.
C. (2) Activity consisted of furnishing information to the House Subcommittee on Intergovernmental Relations and written and oral presentations to the House and Senate Armed Services subcommittees of the Appropriations Committees on H. R. 8873, Defense Department appropriation bill for fiscal year 1955, with reference to section 715.
D. (6) $350.

A. International Association of Machinists, Machinists Building, Washington, D. C.
C. (2) All legislation affecting the socio-economic and political interests of the American workingman.
D. (6) $2,150.
E. (1) $1,250; (4) $250; (5) $150; (6) $200; (7) $300; (9) $2,150; (10) $2,150; (11) $4,300.

A. International Union of Electrical, Radio and Machine Workers, 734 15th Street NW., Washington, D. C.
C. (2) Legislation affecting the welfare and security of working men and women and their families.
E. (2) $1,425; (7) $130; (9) $1,555; (10) $1,525; (11) $3,080.

A. The Inter-State Manufacturers Association, 163–165 Center Street, Winona, Minn.
C. (2) S. R. 49; H. R. 2685; H. R. 8353; H. R. 6052; S. 586; S. 3263; S. 2836; H. R. 8654; H. R. 8300; H. R. 3599; H. R. 7125; H. R. 5860.
D. (6) $3,000.
E. (4) $41.55; (9) $41.55; (10) $20.70; (11) $62.25.

A. Investment Trust Lecture Bureau, 1316 New Hampshire Avenue NW., Washington, D. C.
B. Robert Bruce Edwards, 1316 New Hampshire Avenue NW., Washington, D. C.
C. (2) Seeking hearings by joint Senate and House Banking and Currency Committees to remove the opposition to mutual funds by stock dealers, bankers, and papers, etc.
D. (6) $200.
E. (1) $500; (2) $600; (3) $50; (4) $200; (6) $2–300; (7) $2,000; (9) $3,650; (10) $5,000; (11) $8,650.

A. Iron Ore Lessors Association, Inc., W–1481 First National Bank Building, St. Paul, Minn.
C. (2) Amendments of Internal Revenue Code.
D. (6) $5,030.
E. (2) $1,500; (6) $128.81; (7) $3,452.07; (9) $5,080.88; (10) $11,401.90; (11) $16,482.78; (15).[1]

A. Boyd J. Jackson, Klamath Indian Tribe, Klamath Agency, Oreg.
B. Klamath Indian Tribe, Klamath Agency, Oreg.
C. (2) Supporting H. R. 9188; seeking amendments to S. 2745.

A. Robert C. Jackson, 1625 I Street NW., Washington, D. C.
B. American Cotton Manufacturers Institute, Inc., 203–A Liberty Life Building, Charlotte, N. C.
C. (2).[1]
D. (6) $737.50.
E. (7) $88; (9) $88; (10) $97.24; (11) $185.24.

A. Seward H. Jacobi, 119 Monona Avenue, Madison, Wis.
B. Wisconsin State Chamber of Commerce, 119 Monona Avenue, Madison, Wis.
C. (2) Legislation affecting business and industry.[1]
D. (6) $2,750.

A. C. Clinton James, 900 F Street NW., Washington, D. C.
B. District of Columbia Building and Loan League, 1 Thomas Circle, Washington, D. C.
C. (2) Federal legislation affecting savings and loan business.

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[1] Not printed. Filed with Clerk and Secretary.

UNIVERSITY OF MICHIGAN LIBRARIES

D. (6) $349.98.
E. (5) $125; (8) $125; (9) $125; (10) $125; (11) $250.

A. Japanese American Citizens League, 1759 Sutter Street, San Francisco, Calif.
C. (2) To promote the welfare of persons of Japanese ancestry in the United States and Hawaii.
D. (6) $375.
E. (2) $300; (11) $600; (15).[1]

A. Ray L. Jenkins, 541 Washington Building, Washington, D. C.
B. Societe Internationale, Pour Participations Industrielles Et Commerciales, S. A., Peter Kerianstr, 19 Basle Str., Switzerland.
C. (2) Any legislation affecting the client.

A. Jewelry Industry Tax Committee, Inc., 1001 Connecticut Avenue, Washington, D. C.
C. (2) The general legislative interests of the corporation are to obtain repeal of the excise tax on jewelry and jewelry store merchandise.
D. (6) $9,641.
E. (2) $4,518; (4) $216.32; (5) $1,524.17; (6) $371.48; (7) $1,980.21; (8) $1,409.09; (9) $10,019.27; (10) $18,719.36; (11) $28,738.63.

A. William T. Jobe, 810 18th Street NW., Washington, D. C.
B. National Association of Ice Industries, 810 18th Street NW., Washington, D. C.
C. (2) General interest in matters affecting ice industry.

A. Peter Dierks Joers, Mountain Pine, Ark.
B. Dierks Lumber & Coal Co., 1006 Grand Avenue, Kansas City, Mo.
C. (2) Flood Control Act of 1945, Millwood Dam, and legislation affecting lumber industry.

A. Johns-Manville Corp., 22 East 40th Street, New York, N. Y.
C. (2) Revenue bill of 1954, social security, housing, and reciprocal trade.
E. (2) $1,250; (8) $398.55; (9) $1,648.55; (10) $1,874.54; (11) $3,523.09.

A. Gilbert R. Johnson, 1208 Terminal Tower, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.
C. (2) Legislation relating to Great Lakes shipping.
D. (6) $3,750.
E. (7) $104.39; (9) $104.39; (10) $45.17; (11) $149.56.

A. Reuben L. Johnson, Jr., 1404 New York Avenue NW., Washington, D. C.
B. Farmers Educational and Cooperative Union of America (National Farmers Union), 1404 New York Avenue NW., Washington, D. C.
D. (6) $1,350.
E. (7) $69.10; (9) $69.10; (11) $69.10.

A. W. D. Johnson, 10 Independence Avenue SW., Washington, D. C.
B. Order of Railway Conductors, ORC Building, Cedar Rapids, Iowa.
C. (2) St. Lawrence seaway project and all legislation directly and indirectly affecting the interests of labor generally and employees of carriers under the Railway Labor Act, in particular.

A. Bascom F. Jones, 930 Broadway, Nashville, Tenn.
B. Class I railroads in Tennessee.
C. (2).[1]

[1] Not printed. Filed with Clerk and Secretary.

A. Charles W. Jones, 1832 M Street NW., Washington, D. C.
B. National Cotton Council of America, Post Office Box 18, Memphis, Tenn.
C. (2) The National Cotton Council of America favors such action on any legislation affecting the raw-cotton industry as will promote the purposes for which the council is organized.
D. (6) $525.
E. (7) $92.71; (9) $92.71; (10) $46.20; (11) $138.91.

A. Jones, Day, Cockley & Reavis, 1759 Union Commerce Building, Cleveland, Ohio, and 1135 Tower Building, Washington, D. C.
B. The M. A. Hanna Co., Leader Building, Cleveland, Ohio.
C. (2) S. 2150 which became Public Law 358, 83d Congress, 2d session.
E. (6) $32.79; (7) $76.32; (9) $109.11; (10) $89.37; (11) $198.48.

A. J. M. Jones, 414 Pacific National Life Building, Salt Lake City, Utah.
B. National Wool Growers Association, 414 Pacific National Life Building, Salt Lake City, Utah.
C. (2) S. 2911, H. R. 7775, S. 2313, S. 2548, H. R. 6787, and S. 2862.
D. (6) $2,500.
E. (6) $284.02; (7) $3,083.81; (8) $588.83; (9) $3,956.66; (10) $2,874.67; (11) $6,831.33.

A. L. Dan Jones, 1110 Ring Building, Washington, D. C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D. C.
C. (2) Legislation that might affect the petroleum industry.
E. (8) $24.30; (9) $24.30; (10) $19.38; (11) $43.68.

A. Lyle W. Jones, 501 13th Street NW., Washington, D. C.
B. The United States Potters Association, East Liverpool, Ohio.
C. (2) Interested in all legislation affecting the pottery industry.
D. (6) $2,500.
E. (5) $262.76; (6) $104.53; (7) $10.78; (8) $102.48; (9) $480.55; (10) $587.78; (11) $1,068.33.

A. Phillip E. Jones, 920 Tower Building, Washington, D. C.
B. United States Beet Sugar Association, 920 Tower Building, Washington, D. C.
C. (2) Interested in any legislation affecting sugar, particularly the Sugar Act of 1948 and related legislation.
D. (6) $4,250.

A. Rowland Jones, Jr., 1625 I Street NW., Washington, D. C.
B. American Retail Federation, 1625 I Street NW., Washington, D. C.
C. (2) Registrant is generally interested in all legislation and legislative proposals affecting the retail industry, including the industry's relations with the Federal Government, with its suppliers, with its employees and with its customers.
D. (6) $3,000.
E. (7) $150.98; (9) $150.98; (10) $209.89; (11) $360.87.

A. Journeymen—Barbers, Hairdressers, Cosmetologists, and Proprietors International Union of America, 1141 North Delaware, Indianapolis, Ind.
C. (2) Legislation affecting labor.
E. (2) $2,227.58; (9) $2,227.58; (11) $2,227.58.

A. Jerome J. Keating, 100 Indiana Avenue NW., Washington D. C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D. C.
C. (2) All legislation pertaining to Postal and Federal employees.
D. (6) $1,374.

A. Francis V. Keesling, Jr., 315 Montgomery Street, San Francisco, Calif.
B. City and County of San Francisco, City Hall, San Francisco, Calif.
C. (2) Legislation of interest to the City and County of San Francisco.
D. (6) $3,000.
E. (5) $934; (6) $273.85; (7) $596.66; (8) $51.30; (9) $1,855.81; (10) $1,517.32; (11) $3,373.13.

A. Nathaniel S. Keith, 3212 Macomb Street NW., Washington, D. C.
B. Redevelopment Builders of New York, 110 East 42d Street, New York, N. Y.
C. (2) In support of the Housing Act of 1954, H. R. 7839 and S. 2938.
D. (6) $5,000.
E. (6) $10; (7) $35.70; (9) $45.70; (10) $40.35; (11) $86.05.

A. Miss Elizabeth A. Kendall, 23 West Irving, Chevy Chase, Md.
C. (2) Any legislation related directly or indirectly to the development of the Antarctic Continent.[1]
For H. J. Res. 353, S. J. Res. 127, S. 3381, and H. R. 8954.
E. (4) $5; (6) $20; (8) $5; (9) $30; (10) $100; (11) $130.

A. I. L. Kenen, 1737 H Street NW., Washington, D. C.
B. American Zionist Committee for Public Affairs, 1737 H Street NW., Washington, D. C.
C. (2) In favor of the mutual security program.
D. (6) $583.33.
E. (7) $32; (9) $32; (11) $32.

A. Harold L. Kennedy, 203 Commonwealth Building, Washington, D. C.
B. The Ohio Oil Co., Findlay, Ohio.
C. (2) Generally interested in all legislative matters that would affect the oil and gas industry.
D. (6) $500.
E. (2) $125; (5) $75; (7) $25; (9) $225; (10) $210; (11) $435.

A. Miles D. Kennedy, 1608 K Street NW., Washington, D. C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
C. (2).[1] (3) American Legion magazine and legislative bulletin.
D. (6) $3,100.
E. (7) $231.65; (8) $116.13; (9) $347.73; (10) $156.15; (11) $503.93; (15).[1]

A. Ronald M. Ketcham, 1757 K Street NW., Washington, D. C.
B. Los Angeles Chamber of Commerce, 1151 South Broadway, Los Angeles, Calif.
D. (6) $2,750.
E. (2) $2,750; (9) $2,750; (10) $2,750; (11) $5,500.

A. Omar B. Ketchum, 610 Wire Building, 1000 Vermont Avenue NW., Washington, D. C.
B. Veterans of Foreign Wars of the United States.
C. (2).[1] (3) VFW magazine and VFW Legislative Newsletter.
D. (6) $3,000.
E. (7) $225; (9) $225; (10) $270; (11) $495

[1] Not printed. Filed with Clerk and Secretary.

A. Jeff Kibre, 930 F Street NW., Washington, D. C.
B. International Longshoremen's and Warehousemen's Union, 150 Golden Gate Avenue, San Francisco, Calif.
C. (2) General interests in legislative matters affecting trade unions and their members and the maritime industry as well.
D. (6) $821.72.
E. (2) $325; (5) $100.15; (6) $68.46; (8) $68.39; (9) $562; (10) $498.33; (11) $1,060.33.

A. John A. Killick, 740 11th Street NW., Washington, D. C.
B. Eastern Meat Packers Association, Hotel Statler, New York, N. Y., and 740 11th Street NW., Washington, D. C.
C. (2) Matters affecting meat packers.
D. (6) $583.34.
E. (7) $80.87; (9) $80.87; (11) $80.87.

A. John A. Killick, 740 11th Street NW., Washington, D. C.
B. The National Independent Meat Packers Association, 740 11th Street NW., Washington, D. C.
C. (2) S. 2404, posting of bonds for livestock purchasing; Taft-Hartley Act revision; tax law revision, H. R. 8300.
D. (6) $109.76.
E. (7) $42.50; (9) $42.50; (10) $30.74; (11) $73.24.

A. H. Cecil Kilpatrick, 912 American Security Building, Washington, D. C.
B. Minot, DeBlois, and Maddison, 294 Washington Street, Boston, Mass.
C. (2) H. R. 5418 and H. R. 8300, to tax real estate investment trusts like security investment trusts.
E. (4) $185.51; (6) $12.25; (7) $63.66; (8) $1.25; (9) $262.67; 10) $198.48; (11) $461.15.

A. H. Cecil Kilpatrick, 912 American Security Building, Washington, D. C.
B. Estate of Harry C. Trexler (a charitable trust), 1227 Hamilton Street, Allentown, Pa.
C. (2) Amendment of section 421 (c), Internal Revenue Code, to alleviate hardships of tax on income of charities; amendment to section 512 (b) (11) of H. R. 8300, relating to charitable deductions.
E. (4) $7.94; (6) $3.44; (7) $23.63 (8) $1.25; (9) $36.26; (10) $17.08; (11) $53.34.

A. Joseph William Kinghorne, 1365 Iris Street NW., Washington, D. C.
B. National Broiler Association, Inc., 77 West Washington Street, Chicago, Ill.
C. (2) Legislation that may tend to affect the production and/or marketing of commercial broilers.
D. (6) $300.
E. (7) $150.59; (9) $150.59; (11) $150.59.

A. Vance N. Kirby, 122 South Michigan Avenue, Chicago, Ill.
B. Central Electric and Gas Co.; 144 South 12th Street, Lincoln, Nebr.
C. (2) Proposing an amendment to the Securities Act of 1933 to increase the exemption for small issues of securities.
D. (6) $1,550.

A. Vance N. Kirby, 122 South Michigan Avenue, Chicago, Ill.
B. The Peoples Gas Light and Coke Co., 122 South Michigan Avenue, Chicago, Ill.
C. (2) Proposing an amendment to the Internal Revenue Code to provide for adjusted original cost depreciation for income tax purposes.
D. (6) $1,540.
E. (9) $305.67; (10) $536.27; (11) $841.94.

A. Jesse L. Kirk, Klamath Agency, Oregon.
B. Klamath Indian Tribe, Klamath Agency, Oregon.
C. (2) Supporting H. R. 9188; seeking amendments to S. 2745.

A. Clifton Kirkpatrick, 162 Madison Avenue, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 18, Memphis, Tenn.
C. (2) The National Cotton Council of America favors such action on any legislation affecting the raw cotton industry as will promote the purposes for which the council is organized.
D. (6) $360.
E. (7) $28.60; (9) $28.60; (10) $34.52; (11) $63.12.

A. C. W. Kitchen, 777 14th Street NW., Washington, D. C.
B. United Fresh Fruit and Vegetable Association, 777 14th Street NW., Washington, D. C.
C. (2) Interested in any legislation affecting the marketing and distribution of fresh fruits and vegetables, directly or indirectly.
E. (2) $85.70; (6) $14.53; (9) $100.23; (11) $100.23.

A. Allan B. Kline, 221 North La Salle Street, Chicago, Ill.
B. American Farm Bureau Federation, 221 North La Salle Street, Chicago, Ill.
C. (2) Legislation affecting American agriculture.
D. (6) $1,250.

A. Robert E. Kline, Jr., 917 Munsey Building, Washington, D. C.
B. Palmer-Bee Co., Detroit, Mich.
C. (2) Bill for relief of Palmer-Bee Co.
E. (6) $6.94; (7) $114.87; (8) $16.23; (9) $138.04; (10) $177.59; (11) $315.63.

A. Burt L. Knowles, Munsey Building, Washington, D. C.
B. The Associated General Contractors of America, Inc., Munsey Building, Washington, D. C.

A. Robert M. Koch, 619 F Street NW., Washington, D. C.
B. National Agricultural Limestone Institute, Inc., 619 F Street NW., Washington, D. C.
C. (2) All legislation which directly or indirectly affects the interests of agricultural limestone producers.
E. (7) $48.50; (9) $48.50; (10) $68.70; (11) $117.20.

A. John T. Koehler, 1039 Investment Building, Washington, D. C.
B. Embassy of Denmark, 2374 Massachusetts Avenue NW., Washington, D. C.
C. (2) Legislation authorizing final settlement of claims arising from the requisitioning of 40 Danish vessels by the United States in 1941.

A. John Kolanda, 10 Independence Avenue SW., Washington, D. C.
B. Railway Employees' Department, A. F. of L., 220 South State Street, Chicago, Ill.
C. (2) All legislation of interest to railroad employees and labor in general.
D. (6) $1,999.98.

A. Lake Carriers' Association, Cleveland, Ohio.

A. Horace R. Lamb, 15 Broad Street, New York, N. Y.
B. St. Regis Paper Co., 230 Park Avenue, New York, N. Y.
C. (2) To provide information for the preparation of a special act to authorize the execution of a deed conveying certain rights in real property erroneously conveyed to the United States.
E. (10) $10.24.

A. A. M. Lampley, 10 Independence Avenue SW., Washington, D. C.
B. Brotherhood of Locomotive Firemen and Enginemen, 318 Keith Building, Cleveland, Ohio.
C. (2) All legislation affecting labor organizations in general and railroad labor in particular.
D. (6) $2,750.

A. Alfons Landa, 1000 Vermont Avenue NW., Washington, D. C.
B. Independent Advisory Committee to the Trucking Industry, Inc.

A. Alfons Landa, 1000 Vermont Avenue NW., Washington, D. C.
B. Salt Producers Association, 726 La Salle, Wacker Building, Chicago, Ill.

A. Fritz G. Lanham, 2737 Devonshire Place NW., Washington, D. C.
B. American Fair Trade Council, Inc., 1434 West 11th Avenue, Gary, Ind.
D. (6) $500.

A. Fritz G. Lanham, 2737 Devonshire Place NW., Washington, D. C.
B. National Patent Council, Inc., 1434 West 11th Avenue, Gary, Ind.
D. (6) $2,000.

A. Fritz G. Lanham, 2737 Devonshire Place NW., Washington, D. C.
B. State Tax Association, Post Office Box 2559, Houston, Tex.
C. (2).[1]

A. Fritz G. Lanham, 2737 Devonshire Place, NW., Washington, D. C.
B. Trinity Improvement Association, Inc., 1308 Commercial Standard Building, Fort Worth, Tex.
D. (6) $1,175.

A. La Roe, Winn, and Moerman, 743 Investment Building, Washington, D. C.
B. Eastern Meat Packers Association, Inc., Statler Hotel, New York, N. Y.
C. (2).[1]
D. (6) $1,500.
E. (5) $2,018.51; (7) $117.83; (8) $13; (9) $2,149.34; (10) $2,280.69; (11) $4,430.03.

A. La Roe, Winn, and Moerman, 743 Investment Building, Washington, D. C.
B. The National Independent Meat Packers Association, 740 11th Street NW., Washington, D. C.
C. (2).[1]
D. (6) $4,500.
E. (5) $2,018.51; (6) $33.01; (7) $444.24; (8) $84.26; (9) $2,580.02; (10) $2,949.28; (11) $5,529.30.

A. J. Austin Latimer, 1420 New York Avenue NW., Washington, D. C.
B. National Association of Postmasters of the United States, 1111 17th Street NW., Washington, D. C.
C. (2) Legislation appertaining to the United States Postal Service.

A. John V. Lawrence, 1424 16th Street NW., Washington, D. C.
B. American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
D. (6) $7,500.
E. (7) $14.10; (9) $14.10; (10) $15.80; (11) $29.90.

A. League of New York Theaters, 234 West 44th Street, New York, N. Y.
C. (2) Any legislation affecting the excise tax on admissions to the legitimate theater.

A. League of Women Voters of the United States, 1026 17th Street NW., Washington, D. C.
C. (2).[1] (3).[1]
D. (6) $1,811.48.
E. (2) $648.98; (4) $2,027.83; (6) $11.39; (9) $2,689.20; (10) $3,547.29; (11) $6,236.49.

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[1] Not printed. Filed with Clerk and Secretary.

UNIVERSITY OF MICHIGAN LIBRARIES

A. James R. Lee, 1426 G Street NW., Washington, D. C.
B. Water Heater Division, Gas Appliance Manufacturers Association, 60 East 42d Street, New York, N. Y.
C. (2) In general, legislation which concerns water heater manufacturers, particularly the excise tax.
D. (6) $1,500.
E. (5) $585; (6) $54.12; (7) $186.15; (9) $825.27; (10) $302.34; (11) $1,127.61.

A. Ivy Lee and T. J. Ross, 405 Lexington Avenue, New York, N. Y.
B. Committee of American Steamship Lines, 1701 K Street NW., Vashington, D. C.
C. (2) Legislation affecting the United States merchant marine. (3).[1]
D. (6) $11,851.30.
E. (2) $2,166.68; (4) $2,273.91; (6) $95.24; (7) $1,035.10; (8) $1,780.37; (9) $7,351.30; (10) $4,275.86; (11) $11,627.16; (15).[1]

A. Ivy Lee and T. J. Ross, 405 Lexington Avenue, New York, N. Y.
B. United States Cuban Sugar Council, 910 17th Street NW., Washington, D. C.
C. (2).[1] (3).[1]
D. (6) $2,300.73.
E. (4) $2,157.49; (6) $24.46; (8) $118.78; (9) $2,300.73; (10) $2,288.92; (11) $4,589.65; (15).[1]

A. Legislation-Federal Relations Division of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
C. (2) Bills pending before the 83d Congress relating to public education. (3).[1]
E. (2) $2,335; (4) $2,038.79; (5) $103.19; (6) $161.12; (7) $1,959.19; (9) $6,677.29; (10) $9,650.38; (11) $16,327.67; (15).[1]

A. Legislative Committee of the Committee for a National Trade Policy, 1025 Connecticut Avenue NW., Washington, D. C.
C. (2) Legislation relating to foreign economic policy.
D. (7) $4,065.18.
E. (2) $2,700; (4) $545.17; (7) $38.08; (8) $117; (9) $3,400.25; (10) $2,405; (11) $5,805.25.

A. Legislative Committee of Office Equipment Manufacturers Institute, 777 14th Street NW., Washington, D. C.

A. G. E. Leighty, 10 Independence Avenue SW., Washington, D. C.
C. (2) All legislation of interest to railway employees.

A. Mrs. Newton P. Leonard, 341 Sharon Street, Providence, R. I.
C. (2) The general legislative interests of the National Congress are concerned with measures which affect the welfare of children and youth in the field of education; social and economic well-being; child labor and environmental situations; Federal research agencies in education, health, juvenile protection, and homemaking; world understanding and peace among nations.

A. Dr. William M. Leonard, Railway Progress Building, Washington, D. C.
B. Federation for Railway Progress, Railway Prcgress Building, Washington, D. C.
C. (2) Transportation legislation.
D. (6) $500.

A. The Liaison Committee of the Mechanical Specialty Contracting Industries, 610 Ring Building, Washington, D. C.
C. (2) All legislation affecting the mechanical specialty contracting industries.
D. (6) $8,213.02.
E. (2) $6,000; (8) $2,213.02; (9) $2,213.02; (10) $8,410.02; (11) $16,623.04; (15).[1]

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A. Frederick J. Libby, 1013 18th Street NW., Washington, D. C.
B. National Council for Prevention of War, 1013 18th Street NW., Washington, D. C.
C. (2) Bills affecting world peace.
D. (6) $1,224.99.
E. (10) $173.42; (11) $173.42.

A. Walter Lichtenstein, 105 West Madison Street, Chicago, Ill.
B. Gardner & Jones, 105 Madison Street, Chicago, Ill.

A. Life Insurance Association of America, 488 Madison Avenue, New York 22, N. Y., and 1701 K Street NW, Washington, D. C.
C. (2) Legislation which might affect the welfare of policyholders and annuitants.
D. (6) $8,391.48.
E. (2) $5,934.37; (5) $2,084.03; (6) $249.49; (7) $122.49; (9) $8,391.48; (10) $5,494.45; (11) $13,885.93.

A. Life Insurance Policyholders Protective Association, 116 Nassau Street, New York, N. Y.
C. (2) General education concerning the effect of inflation on the purchasing power and value of life insurance, as affected by Federal policies or measures which are deemed to be inflationary, or inflationary-retarding, in character. (3).[1]
D. (6) $5,522.65.
E. (2) $1,369.13; (4) $1,044.01; (5) $773.14; (6) $210.71; (7) $413.33; (9) $3,810.32; (10) $6,388.02; (11) $10,198.34; (15).[1]

A. Leo F. Lightner, 717 National Press Building, Washington, D. C.
B. Engineers and Scientists of America, 711 West Lake Street, Minneapolis, Minn.
C. (2) Any legislation affecting the interests of professional engineers and other members of affiliated units.

A. L. Blaine Liljenquist, 917 15th Street NW., Washington, D. C.
B. Western States Meat Packers Association, Inc., 604 Mission Street, San Francisco, Calif.
C. (2) I support or oppose legislation affecting the livestock and meat industry.
D. (6) $3,016.64.
E. (7) $10.17; (9) $10.17; (10) $57.90; (11) $68.07.

A. John W. Lindsey, 1625 K Street NW., Washington, D. C.
B. National Association of Securities Dealers, Inc.
C. (2) S. 2846, H. R. 7550, and H. R. 8300. (3).[1]
D. (6) $375.

A. Esther Lipsen, Railway Progress Building, Washington, D. C.
B. Federation for Railway Progress, Railway Progress Building, Washington, D. C.
C. (2) Transportation legislation.
D. (6) $25.03.
E. (6) $50; (7) $400; (9) $450; (10) $181.59; (11) $631.59.

A. Robert G. Litschert, 1200 18th Street NW., Suite 510, Ring Building, Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
C. (2).[1]
D. (6) $495.
E. (6) $4.42; (7) $124.30; (8) $22.40; (9) $151.12; (10) $132.76; (11) $283.88.

A. Walter J. Little, 510 West Sixth Street, Los Angeles, Calif.
B. Major Steam Railroads of California.
C. (2) In opposition to St. Lawrence seaway and repeal of dual benefits under Railroad Retirement Act; in support of repeal of excise transportation taxes and time lag bill.
D. $2,451.12.
E. (6) $33.94; (7) $1,046.85; (8) $265.65; (9) $1,346.44; (10) $1,042.42; (11) $2,388.86 (15).[1]

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A. John M. Littlepage, 840 Investment Building, 15th and K Streets NW., Washington, D. C.
B. The American Tobacco Co., Inc., 111 Fifth Avenue, New York, N. Y.
C. (2) Any legislation affecting a company engaged in the manufacture and sale of tobacco products.

A. Cordon C. Locke, 643 Munsey Building, Washington, D. C.
B. Committee for Pipe Line Companies, 35 East Wacker Drive, Chicago, Ill.
C. (2) Legislation favorable to the pipeline industry.
D. (6) $5,000.

A. Benjamin H. Long, 2746 Penobscot Building, Detroit, Mich.
B. Blue Cross Commission, 425 North Michigan Avenue, Chicago, Ill.
C. (2) Legislation for payroll deductions, war damage, economic controls, taxation of fringe benefits, and hospital and health matters.
D. (6) $3,150.
E. (6) $100.93; (7) $1,068.24; (8) $74.78; (9) $1,243.95; (10) $619.95; (11) $1,863.90; (15).[1]

A. Leonard Lopez, room 303, Medical Science Building, 1029 Vermont Avenue NW., Washington, D. C.
B. District No. 44, I. A. of M., Room 303, Medical Science Building, 1029 Vermont Avenue NW., Washington, D. C.
C. (2) Legislation affecting working conditions of Government employees and incidentally organized labor in general.
D. (6) $1,166.66.
E. (7) $10; (9) $10; (11) $10.

A. Lord, Day & Lord, 25 Broadway, New York, N. Y., and 500 Wyatt Building, Washington, D. C.
B. Agency of Canadian Car & Foundry Co., Ltd., 30 Broadway, New York, N. Y.
C. (2) Legislation having relation to World War I claims.

A. Lord, Day & Lord, 25 Broadway, New York, N. Y., and 500 Wyatt Building, Washington, D. C.
B. S. A. Healy Co., 61 Westchester Avenue, White Plains, N. Y.
C. (2) S. 1762.

A. Otto Lowe, 820 Woodward Building, Washington, D. C.
B. National Canners Association, 1133 20th Street, Washington, D. C.
C. (2) Legislation affecting canning of food products.
D. (6) $1,500.
E. (7) $500; (9) $500; (10) $500; (11) $1,000.

A. James C. Lucas, 1625 I Street NW., Washington, D. C.
B. American Retail Federation, 1625 I Street NW., Washington, D. C.
C. (2).[1]
D. (6) $750.

A. Lucas & Thomas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Acacia Mutual Life Insurance Co., Washington, D. C.
C. (2) Interested in Federal tax matters affecting life-insurance companies.
D. (6) $750.

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A. Lucas & Thomas, 1025 Connecticut Avenue NW., Washington, D. C.
B. American Finance Conference, 176 West Adams Street, Chicago, Ill.
C. (2) General legislation.
D. (6) $1,250.

A. Lucas & Thomas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Mobile Homes Manufacturers Association, 20 North Wacker Drive, Chicago, Ill.
C. (2) General legislation affecting mobile homes.
D. (6) $1,000.

A. Lucas & Thomas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Revere Copper and Brass, Inc., 230 Park Avenue, New York, N. Y.
C. (2) Legislation providing for continuation of the suspension of certain import taxes on copper.

A. Lucas & Thomas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Adolph von Zedlitz, care of 100 Park Avenue, New York, N. Y.
C. (2) S. 155 and H. R. 3594, to amend section 32 of the Trading With the Enemy Act.

A. John C. Lynn, 261 Constitution Avenue NW., Washington, D. C.
B. American Farm Bureau Federation, 221 North LaSalle Street, Chicago, Ill.
C. (2).[1]
D. (6) $2,343.75.
E. (7) $94.10; (9) $94.10; (10) $103.90; (11) $198.

A. A. E. Lyon, 10 Independence Avenue SW., Washington, D. C.
C. (2) Any legislation affecting labor—especially railroad labor.
D. (6) $750.

A. Avery McBee, 610 Shoreham Building, Washington, D. C.
B. Hill & Knowlton, Inc.
C. (2) Legislation affecting aviation, the steel industry, and other industries which may be clients of Hill & Knowlton. (3).[1]

A. Robert J. McBride, 1424 16th Street NW., Washington, D. C.
B. Regular Common Carrier Conference of American Trucking Associations, Inc., 1424 16th Street, Washington, D. C.
C. (2) The general legislative interest is protection and fostering of the interest of federally regulated motor common carriers of general commodities.
D. (6) $975.

A. John A. McCart, room 716, 900 F Street NW., Washington, D. C.
B. American Federation of Government Employees, room 716, 900 F Street NW., Washington, D. C.
C. (2) All bills of interest to Federal Government employees and District of Columbia employees.
D. (6) $1,507.69.
E. (7) $27.75; (9) $27.75; (10) $16.90; (11) $44.65.

A. Frank J. McCarthy, 211 Southern Building, 15th and H Streets NW., Washington, D. C.
B. The Pennsylvania Railroad Co., 1740 Suburban Station Building, Philadelphia, Pa.

A. J. L. McCaskill, 1201 16th Street NW., Washington, D. C.
B. Division of Legislation and Federal Relations, National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
C. (2) Bills pending before the 83d Congress relating to public education. (3).[1]
D. (6) $550.
E. (7) $305.27; (9) $305.27; (10) $82.03; (11) $387.30.

A. McClure & Updike, 626 Washington Building, Washington, D. C.
B. Iron Ore Lessors Association, Inc., W-1481 First National Bank Building, St. Paul, Minn.
C. (2) Amendments of Internal Revenue Code.
D. (6) $6,000.
E. (4) $15.66; (6) $164.81; (7) $1,222.19; (8) $8.35; (9) $1,411.01; (10) $855.72; (11) $2,266.73; (15).[1]

A. Angus McDonald.
B. Farmers Educational & Cooperative Union of America, 1404 New York Avenue NW., Washington, D. C.
C. (2) [1].
D. (6) $1,500.
E. (7) $268.75; (9) $268.75; (10) $285.07; (11) $501.82.

A. Edwin McElwain, 701 Union Trust Building, Washington, D. C.
B. National Machine Tool Builders' Association, 10525 Carnegie Avenue, Cleveland, Ohio.
C. (2) Any legislation affecting machine tool industry.

A. Joseph A. McElwain, 500 Main Street, Deer Lodge, Mont.
B. Montana Power Co., Butte, Mont.
C. (2) All legislation affecting Montana Power Co.
D. (6) $1,000.
E. (6) $90; (7) $200; (8) $50; (9) $340; (10) $230; (11) $570.

A. Rev. A. J. McFarland, 126 North 6th, Sterling, Kans.
B. Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
C. (2) The Christian Amendment Resolution. (3) The Christian Patriot.
D. (6) $810.
E. (7) $350; (9) $350; (10) $250; (11) $600.

A. Ernest W. McFarland, LaSalle Building, 1028 Connecticut Avenue NW., Washington, D. C.
B. American Cable and Radio Corporation; RCA Communications, Inc.; and Western Union Telegraph Co., New York City, N. Y.
D. (6) $7,500.

A. Thomas Edward McGrath, 4012 14th Street NW., Washington, D. C.
B. Taxpayers, United States of America, 4012 14th Street NW., Washington, D. C.

A. M. O. McKercher, 3860 Lindell Boulevard, St. Louis, Mo.
B. The Order of Railroad Telegraphers, O. R. T. Building, St. Louis, Mo.
C. (2) Legislation affecting the welfare of railroad employees.
D. (6) $1,440.

A. Joseph V. McLaughlin, 1503 H Street NW., Washington, D. C.
B. Railway Express Agency, Inc., 219 East 42d Street, New York, N. Y.
C. (2) Legislation in connection with parcel post.
D. (6) $5,000.
E. (7) $742.95; (9) $742.95; (10) $991.56; (11) $1,734.51.

A. W. H. McMains, 1135 National Press Building, Washington, D. C.
B. Distilled Spirits Institute, 1135 National Press Building, Washington, D. C.
C. (2) Legislation affecting the domestic distilling industry.

A. Ralph J. McNair, 1701 K Street NW., Washington, D. C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
C. (2) Legislation which might affect the welfare of policyholders and annuitants.
D. (6) $375.

A. Daniel J. McNamara, 1608 West Van Buren Avenue, Chicago, Ill.
B. Division 241, Amalgamated Association of Street Electric Railway and Motor Coach Employees of America, 1608 West Van Buren Avenue, Chicago, Ill.
C. (2) Laws, proposed laws, and proposed amendments to laws affecting the interests of its members and their families.

A. Joseph P. McSparron, Machinists Building, Washington, D. C.
B. International Association of Machinists, Machinists Building, Washington, D. C.
C. (2) Legislation affecting the socioeconomic and political interests of the American workingman, including all pending legislation dealing with railroad matters.
D. (6) $1,037.50.
E. (7) $960; (9) $960; (10) $240; (11) $1,200.

A. James E. Mack, 1028 Connecticut Avenue NW., Washington, D. C.
B. National Confectioners' Association, 221 North La Salle Street, Chicago, Ill.
C. (2) Any legislative proposals affecting the confectionery industry.
D. (6) $3,000.
E. (8) $573.35.

A. W. Bruce Macnamee, 1701 K Street NW., Washington, D. C., and 11 Broadway, New York, N. Y.
B. American Merchant Marine Institute, Inc., 1701 K Street NW., Washington, D. C., and 11 Broadway, New York, N. Y.
C. (2) Legislation favorable to the maintenance of the American merchant marine.
D. (6) $1,000.
E. (7) $29.58; (9) $29.58; (10) $28.41; (11) $57.99.

A. James B. Madaris, Room 412, 10 Independence Avenue SW., Washington, D. C.
B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.
C. (2) H. R. 356, S. 1911, H. R. 7840, S. 2930.
D. (6) $2,424.99.

A. Carter Manasco, 4201 Chesterbrook Road, Falls Church, Va.
B. National Business Publications, Inc., 1001 15th Street NW., Washington, D. C.
C. (2) All legislation affecting the members of the above-named trade association.
D. (6) $2,400.
E. (6) $43.10; (7) $86.90; (9) $130; (10) $167.52; (11) $297.52.

A. Carter Manasco, 4201 Chesterbrook Road, Falls Church, Va.
B. National Coal Association, Southern Building, Washington, D. C.
C. (2) All legislation affecting the members of the above-named trade association.
D. (6) $2,600.
E. (6) $43.10; (7) $86.90; (9) $130; (10) $167.52; (11) $297.52.

A. Manufacturing Chemists' Association, Inc., 1625 I Street NW., Washington, D. C.
C. (2) Legislation affecting the chemical industry. (3)[1].
D. (6) $2,375.

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E. (1) $500; (8) $1,875; (9) $2,375; (10) $2,375; (11) $4,750.

A. Olya Margolin, 1637 Massachusetts Avenue NW., Washington, D. C.
B. National Council of Jewish Women, 1 West 47th Street, New York, N. Y.
C. (2) Not employed specifically to support or oppose any legislation, but for the purpose of securing information to be transmitted to headquarters for the preparation of educational and other material.
D. (6) $1,625.78.
E. (8) $53.84; (9) $53.84; (10) $60.85; (11) $114.69.

A. Winston W. Marsh, 777 14th Street NW., Washington, D. C.
B. The National Association of Independent Tire Dealers, Inc., 777 14th Street NW., Washington, D. C.
C. (2)[1]. (3)[1].
D. (6) $19.
E. (7) $2.50; (9) $2.50; (10) $2.50; (11) $5.

A. Fred T. Marshall, 1112-18 19th Street NW., Washington, D. C.
B. The B. F. Goodrich Co., 500 South Main Street, Akron, Ohio.
C. (2) Legislation affecting and of interest to the B. F. Goodrich Co.

A. Edwin G. Martin, 717 National Press Building, Washington, D. C.
B. Morton Co., Worcester, Mass.
C. (2) Tariff status of silicon carbide.
D. (6) $2,250.
E. (6) $11.76; (7) $130.71; (9) $142.47; (11) $142.47.

A. Robert F. Martin, 931 Washington Building, Washington, D. C.
B. Vitrified China Association, Inc., 931 Washington Building, Washington, D. C.

A. Mike M. Masaoka, 1737 H Street NW., Washington, D. C.
B. Japanese American Citizens League, 1759 Sutter Street, San Francisco, Calif.
C. (2) Legislation affecting persons of Japanese ancestry in the United States and Hawaii.
D. (6) $300.
E. (8) $25; (9) $25; (10) $15; (11) $40.

A. Walter J. Mason, 901 Massachusetts Avenue NW., Washington, D. C.
B. American Federation of Labor, 901 Massachusetts Avenue NW., Washington, D. C.
C. (2) All bills affecting the welfare of our country generally, and specifically bills affecting workers.
D. (6) $2,720.
E. (6) $22.65; (7) $271; (8) $92.35; (9) $386; (10) $370; (11) $756.

A. P. H. Mathews, Transportation Building, Washington, D. C.
B. Association of American Railroads, Transportation Building, Washington, D. C.
C. (2) Generally to support legislation which the railroads believe to be in their interest and in the interest of a sound national transportation policy, and to oppose legislation which they believe to be contrary to such interest.
D. (6) $4,749.97.
E. (7) $521.66; (9) $521.66; (10) $507.30; (11) $1,028.96.

A. C. V. and R. V. Maudlin, 1111 E Street NW., Washington, D. C.
B. National Association of Waste Material Dealers, Inc., 271 Madison Avenue, New York, N. Y.
C. (2) All legislation pertaining to or affecting the waste materials industry.
D. (6) $1,800.
E. (4) $68.30; (6) $23.40; (7) $18.20; (9) $109.90; (11) $109.90; (15).[1]

A. Cyrus H. Maxwell, M. D., 1523 L Street NW., Washington, D. C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
C. (2) All bills relating to health and welfare. (3) Informational bulletins.
D. (6) $625.
E. (7) $46.96; (9) $46.96; (10) $59.78; (11) $106.74.

A. Medical Association of the State of Alabama, 537 Dexter Avenue, Montgomery, Ala.
C. (2) All health matters covered by legislative action. (3) P. R. Notes.
D. (6) $19,020.
E. (2) $1,800; (4) $225; (9) $2,025; (10) $2,025; (11) $4,050.

A. Medical Society of the District of Columbia, 1718 M Street NW., Washington, D. C.
C. (2) Interested in legislation pertaining to the practice of medicine and all related services and that affecting the public health, including extension of social security into the field of the practice of medicine. (3) Medicals Annals of the District of Columbia.
D. (6) $4,497.50.
E. (8) $4,497.50; (9) $4,497.50; (10) $21,650; (11) $26,147.50.

A. Merchants National Bank and Trust Co. of Syracuse, 216 South Warren Street, Syracuse, N. Y.
C. (2) Discontinuance of the Postal Savings System by H. R. 6939.
E. (6) $0.88; (7) $178.94; (9) $179.82; (10) $154.20; (11) $334.02.

A. William R. Merriam, Railway Progress Building, Washington, D. C.
B. Federation for Railway Progress, Railway Progress Building, Washington, D. C.
C. (2) Transportation legislation.
D. (6) $300.
E. (6) $15; (7) $70; (9) $85; (10) $70; (11) $155.

A. James Messer, Jr., 404 Midyette-Moor Building, Tallahassee, Fla.
B. Florida Railroad Association, 404 Midyette-Moor Building, Tallahassee, Fla.
C. (2) Proposed legislation of interest to members of Florida Railroad Association.
D. (6) $1,875.

A. Ross A. Messer, 724 Ninth Street NW., Washington, D. C.
B. National Association of Post Office and General Services Maintenance Employees, 724 Ninth Street NW., Washington, D. C.
C. (2) All beneficial legislation affecting custodial employees of the Post Office and General Services Administration. (3) The Post Office and General Services Maintenance News.
D. (6) $500.
E. (7) $258.60; (8) $302.04; (9) $560.64; (10) $114.86; (11) $675.50.

A. J. T. Metcalf, 1002 L. & N. Building, Louisville, Ky.
E. (7) $322.90; (9) $322.90; (10) $352.57; (11) $675.47.

A. Clarence R. Miles, 1615 H Street NW., Washington, D. C.
B. Chamber of Commerce of the U. S. A.

A. Harold M. Miles, 65 Market Street, San Francisco, Calif.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif.
C. (2) All legislation affecting the interests of the major steam railroads.

A. Milk Industry Foundation, 1625 I Street NW., Washington, D. C.

A. Benjamin R. Miller, 1424 16th Street NW., Washington, D. C.
A. Dale Miller, Mayflower Hotel, Washington, D. C.
B. Dallas (Tex.) Chamber of Commerce.
C. (2) General legislation affecting Dallas and Texas, such as appropriations and revenue bills.
D. (6) $1,500.
E. (5) $76.07; (6) $26.17; (7) $728.50; (8) $97.36; (9) $928.10; (10) $900; (11) $1,828.10.

A. Dale Miller, Mayflower Hotel, Washington, D. C.
B. Intracoastal Canal Association of Louisiana and Texas, Second National Bank Building, Houston, Tex.
C. (2) For adequate river and harbor authorizations and appropriations; H. R. 8367.
D. (6) $2,250.
E. (6) $28.63; (7) $174.34; (9) $202.97; (10) $47.66; (11) $250.63.

A. Dale Miller, Mayflower Hotel, Washington, D. C.
B. Texas Gulf Sulphur Co., Newgulf, Tex., and New York, N. Y.
C. (2) General legislation affecting sulphur industry.
D. (6) $2,250.
E. (5) $920.05; (6) $172.26; (7) $273.96; (8) $23; (9) $1,389.27; (10) $1,503.85; (11) $2,893.12.

A. Paul I. Miller, 104 C Street NE., Washington, D. C.
B. Friends Committee on National Legislation, 104 C Street NE., Washington, D. C.
C. (2).[1] (3) Washington Newsletter.
D. (6) $1,000.
E. (7) $164.90; (9) $164.90; (10) $25.70; (11) $190.60.

A. John Minadeo, 10 Independence Avenue SW., Washington, D. C.
B. Brotherhood Railway Carmen of America, 4929 Main Street, Kansas City, Mo.
C. (2) H. R. 356, H. R. 7840, S. 1911, S. 2930.
D. (6) $2,424.99.

A. Douglas G. Mode, 705 Ring Building, Washington, D. C.
B. Bridgeport Brass Co., Bridgeport, Conn.
C. (2) Legislation providing for continuation of the suspension of certain import taxes on copper.
D. (6) $600.
E. (6) $50; (7) $100; (9) $150; (11) $150.

A. Harry L. Moffett, 1102 Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington, D. C.
C. (2) Measures affecting mining, such as income taxation, social security, public lands, stockpiling, monetary policy, etc.
D. (6) $1,250.
E. (6) $2; (7) $149.92; (9) $151.92; (10) $17.95; (11) $169.87.

A. Justus R. Moll, 1001 Connecticut Avenue NW., Washington, D. C.
B. O. David Zimring.

A. F. E. Mollin, 515 Cooper Building, Denver, Colo.
B. American National Cattlemen's Association, 515 Cooper Building, Denver, Colo.
C. (2) Supported or opposed legislation affecting cattle industry, including reciprocal trade, support prices, appropriations, etc.
D. (6) $3,300.
E. (6) $46.24; (7) $546.68; (8) $16.90; (9) $609.82; (10) 492.29; (11) $1,102.11.

A. Albert H. Monacelli, 161 East 42d Street, New York, N. Y.
B. Stockholders of Bessemer Securities Corp., 465 East 57th Street, New York, N. Y.

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[1] Not printed. Filed with Clerk and Secretary.

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C. (2) H. R. 8300 (Internal Revenue Code of 1954).
E. (6) $0.30; (7) $22.14; (9) $22.44.

A. Donald Montgomery, 777 14th Street NW., Washington, D. C.
B. American Hotel Association, 221 West 57th Street, New York, N. Y.
C. (2) Any and all bills and statutes of interest to the hotel industry.
D. (6) $1,875.
E. (7) $146.40; (9) $146.40; (10) $139.45; (11) $285.85.

A. George W. Morgan, 90 Broad Street, New York, N. Y.
B. Association of American Ship Owners, 90 Broad Street, New York, N. Y.
C. (2) Legislation with respect to maritime matters and transportation.

A. Morris Plan Corporation of America, 103 Park Avenue, New York, N. Y.
C. (2) Bank holding company bills and similar legislation.
E. (4) $10,065.67; (7) $946.39; (8) $15; (9) $11,027.06; (11) $11,027.06; (15).[1]

A. Giles Morrow, Suite 610, 1111 E Street NW., Washington, D. C.
B. Freight Forwarders Institute, Suite 610, 1111 E Street NW., Washington, D. C.
C. (2).[1]
D. (6) $4,374.98.
E. (5) $37.82; (6) $5.59; (7) $40.09; (9) $83.50; (10) $145.04; (11) $228.54.

A. Harold G. Mosier, 610 Shoreham Building, Washington, D. C.
B. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.
C. (2) Any legislation of interest to the aircraft manufacturing industry.
D. (6) $3,750.
E. (4) $3.12; (7) $608.85; (9) $611.97; (10) $880; (11) $1,491.97.

A. William J. Mougey, 802 Cafritz Building, Washington, D. C.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. T. H. Mullen, 711 14th Street NW., Washington, D. C.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N. Y.
D. (6) $250.
E. (6) $35; (7) $30; (9) $65; (10) $45; (11) $110.

A. Allen P. Mullinnix, 1616 I Street NW., Washington, D. C.
B. Retired Officers Association, 1616 I Street NW., Washington, D. C.
C. (2)[1]. (3) The Retired Officer.
D. (6) $1,200.

A. Howard E. Munro, 901 Massachusetts Avenue NW., Washington, D. C.
B. Central Labor Union and Metal Trades Council of the Panama Canal Zone, Post Office Box 471, Balboa Heights, C. Z.
C. (2) All legislation affecting A. F. of L. union members employed on the Canal Zone.
D. (6) $1,800.
E. (3) $196.72; (5) $73.44; (6) $104.39; (7) $768.63; (9) $1,143.18; (10) $1,394.12; (11) $2,537.30.

A. Walter J. Munro, Hotel Washington, Washington, D. C.
B. Brotherhood of Railroad Trainmen.
C. (2) Advocating favorable labor legislation and opposing unfavorable labor legislation.

[1] Not printed. Filed with Clerk and Secretary.

A. Dr. Emmett J. Murphy, 5737 13th Street NW., Washington, D. C.
B. National Chiropractic Insurance Co., Webster City, Iowa.
C. (2) Legislative interest of employer is to promote the welfare of its policyholders and prevent discrimination against the chiropractic profession.
D. (6) $300.
E. (8) $300; (9) $300; (10) $300; (11) $600.

A. Ray Murphy, 60 John Street, New York, N. Y.
B. Association of Casualty and Surety Companies, 60 John Street, New York, N. Y.
C. (2) Legislation affecting casualty and surety companies.
D. (6) $112.50.

A. J. Walter Myers, Jr., Post Office Box 7284, Station C, Atlanta, Ga.
B. Forest Farmers Association Cooperative, Post Office Box 7284, Station C, Atlanta, Ga.
C. (2) 1955 Agricultural appropriations bill and general tax revision bill.
E. (6) $50; (7) $333.49; (9) $383.49; (10) $246.35; (11) $629.84.

A. National Agricultural Limestone Institute, Inc., 619 F Street NW., Washington, D. C.
C. (2) All legislation which directly or indirectly affects the interests of agricultural limestone producers.
D. (6) $1,951.02.
E. (2) $1,500; (4) $197.64; (5) $128.38; (6) $76.50; (7) $48.50; (9) $1,951.02; (10) $1,180.45; (11) $3,131.47; (15)[1].

A. National Association and Council of Business Schools, 601 13th Street NW., Washington, D. C.
C. (2) Legislation concerning education of all kinds, particularly bills relative to GI education for Korean Veterans (Public Law 550).
D. (6) $2,270.11.
E. (2) $1,050; (4) $15; (6) $35.26; (8) $87.28; (9) $1,187.54; (10) $1,178.96; (11) $2,366.50.

A. National Association of Direct Selling Companies, 163–165 Center Street, Winona, Minn.
C. (2).[1]
D. (6) $14,175.
E. (4) $141.67; (8) $5.13 (9) $146.80; (10) $79.50; (11) $226.30

A. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
C. (2) Legislation that might affect members as going electric utilities.[1]
D. (6) $5,671.33.
E. (1) $5,479.80; (2) $16,237.51; (4) $720.22; (5) $1,527.12; (6) $517.24; (7) $1,360.18; (8) $279.27; (9) $26,121.34; (10) $21,528.25; (11) $47,649.59; (15).[1]

A. National Association of Independent Tire Dealers, Inc., 777 14th Street NW., Washington, D. C.
C. (2) Statutes or bills which will affect the interests of independent tire dealers.[1] (3) Dealer News.
D. (6) $53.40.
E. (2) $19; (4) $31.90; (7) $2.50; (9) $53.40; (10) $74.78; (11) $128.18.

A. National Association of Insurance Agents, 96 Fulton Street, New York, N. Y.
C. (2) Any legislation which affects, directly or indirectly, local property insurance agents.
D. (6) $3,079.

[1] Not printed. Filed with Clerk and Secretary.

E. (2) $3,378.48; (5) $495.45; (6) $182.23; (7) 104; (9) $4,160.16; (10) $4,666.17; (11) $8,826.33; (15).[1]

A. National Association of the Legitimate Theatre, Inc., 234 West 44th Street, New York, N. Y.
C. (2) Any legislation affecting the excise tax on admission to the legitimate theater.
E. (2) $1,250; (9) $1,250; (10) $1,350; (11) $2,600.

A. National Association of Letter Carriers, 100 Indiana Avenue, NW., Washington, D. C.
C. (2) All legislation pertaining to postal and Federal employees.
D. (6) $131,232.11.
E. (1) $7,625.05; (2) $5,000; (4) $2,219.30; (6) $3,113; (7) $12,256.42; (8) $6,700; (9) $36,913.77; (10) $13,425.32; (11) $50,339.09.

A. National Association of Margarine Manufacturers, Munsey Building, Washington, D. C.

A. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N. Y.
C. (2) Supported S. 975, the savings and loan branch bill; H. R. 7839 and S. 2938, the Housing Act of 1954; and S. 76 and S. 118, the bank holding company bills.
D. (6) $506.61.
E. (2) $337.50; (8) $169.11; (9) $506.61; (10) $553.89; (11) $1,060.50; (15).[1]

A. National Association of Post Office and General Services Maintenance Employees, 724 9th Street NW., Washington, D. C.
C. (2) Beneficial legislation affecting postal employees and General Services employees, and Post Office custodial employees and G. S. A. in P. B. S. employees, in particular. (3) The Post Office and General Services Maintenance News.
D. (6) $10,374.22.
E. (2) $680.16; (4) $254.78; (5) $155; (6) $160.55; (7) $258.60; (8) $302.04; (9) $1,811.14; (10) $1,233.36; (11) $3,044.50; (15).[1]

A. National Association of Postal Supervisors, Post Office Box 2013, Washington, D. C.
C. (2) All legislation affecting postal employees, including supervisors, and the postal service. (3) Semimonthly News Letters and the Postal Supervisor.
D. (6) $7,740.69.
E. (2) $2,375; (4) $4,121.26; (5) $300; (6) $22; (7) $142.86; (9) $6,961.12; (10) $5,462.96; (11) $12,424.08.

A. National Association of Postmasters, 1111 17th Street NW., Washington, D. C.
D. (6) $20,071.99.
E. (2) $1,500; (6) $21.32; (7) $100.46; (9) $1,621.78; (10) $505; (11) $2,126.78.

A. National Association of Retired Civil Employees, 1625 Connecticut Avenue NW., Washington, D. C.
B. National Association of Retired Civil Employees, 1625 Connecticut Avenue NW., Washington, D. C.
C. (2) Legislation affecting retired civil employees. (3) The Annuitant.
D. (6) $275.
E. (2) $275; (9) $275; (10) $275; (11) $550.

A. National Association of Storekeeper-Gaugers, 1218 Locust Avenue, Baltimore, Md.
C. (2) All legislation affecting Federal classified employees, and that in particular which would affect our position—United States storekeeper-gaugers.
D. (6) $645.90.

[1] Not printed. Filed with Clerk and Secretary.

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E. (2) $500; (9) $500; (10) $500; (11) $1,000.

A. National Association of Travel Organizations, 1424 K Street NW., Washington, D. C.
C. (2) Legislation affecting the welfare of the travel industry.
D. (6) $7,979.89.
E. (2) $333.99; (3) $50; (5) $78; (6) $12; (9) $473.99; (10) $473.99; (11) $947.98.

A. National Broiler Association, 77 West Washington Street, Chicago, Ill.
C. (2) Legislation that may tend to affect the production and/or marketing of commercial broilers.
D. (6) $300.
E. (2) $300; (6) $12.50; (7) $218.78; (9) $531.28; (10) $162.82; (11) $694.10.

A. National Canners Association, 1133 20th Street NW., Washington, D. C.
C. (2) Long range plans for agriculture and other legislation directly affecting the food canning industry, and opposition to mandatory marketing orders, title IV, S. 3052.
D. (6) $395,716.71.
E. (2) $3,395.49; (4) $1,044.27; (5) $258.59; (7) $6,710.21; (8) $202.04; (9) $11,610.60; (10) $4,663.44; (11) $16,274.04; (15).[1]

A. National Coal Association, 802 Southern Building, Washington, D. C.
C. (2) All measures affecting bituminous-coal industry.

A. National Committee on Parcel Post Size and Weight Limitations, 1625 I Street NW., Washington, D. C.
C. (2) Public Law 199, H. R. 2685, S. 3263, parcel post size and weight limitations.
D. (6) $1,186.86.
E. (2) $1,534.58; (3) $6.72; (4) $1,141.19; (5) $59.82; (6) $16.85; (8) $62.44; (9) $2,821.60; (10) $3,929.95; (11) $6,751.55; (15).[1]

A. National Committee of Shippers and Receivers, 100 West 31st Street, New York, N. Y.
C. (2) Section 402 (c) of the Interstate Commerce Act.
D. (6) $2,750.
E. (2) $1.89; (5) $2.30; (6) $56.26; (7) $165.49; (8) $6.21; (9) $232.15; (10) $61.85; (11) $294.

A. National Conference for Repeal of Taxes on Transportation, care of D. G. Ward, Mathieson Building, Baltimore, Md.
C. (2) Legislation which will repeal the existing excise taxes on the transportation of persons and property.
D. (6) $2,325.80.
E. (2) $48; (4) $1,371.27; (5) $42.64; (9) $1,401.91; (10) $35.49; (11) $1,497.40; (15).[1]

A. National Cotton Compress and Cotton Warehouse Association, 1085 Shrine Building, Memphis, Tenn.
C. (2) All matters affecting the cotton compress and cotton warehouse industry.
D. (6) $346.13.
E. (2) $201.67; (5) $131.56; (6) $12.90; (9) $346.13; (10) $349.17; (11) $695.30.

A. National Cotton Council of America, Post Office Box 18, Memphis, Tenn.
C. (2) The National Cotton Council of America favors such action on any legislation affecting the raw-cotton industry as will promote the purposes for which the council is organized.
D. (6) $4,788.38.
E. (2) $4,044.70; (4) $24.70; (5) $199.80; (6) $14.80; (7) $504.38; (9) $4,788.38; (10) $3,227.77; (11) $8,016.15; (15).[1]

[1] Not printed. Filed with Clerk and Secretary.

A. National Council on Business Mail, Inc., 105 West Monroe Street, Chicago, Ill.
C. (2) All legislation relating to the postal service.
D. (6) $1,764.74.
E. (1) $1,500; (6) $9.55; (7) $149.30; (8) $105.89; (9) $1,764.74; (10) $2,027.46; (11) $3,792.20; (15).[1]

A. National Council, Junior Order United American Mechanics, 3027 North Broad Street, Philadelphia, Pa.
C. (2).[1] (3) The Junior American.
E. (2) $183.33; (4) $58.65; (5) $10; (9) $251.98; (10) $322.49; (11) $574.47.

A. National Council for Prevention of War, 1013 18th Street NW., Washington, D. C.
C. (2) Bills affecting world peace. (3) Peace Action.
D. (6) $8,457.74.
E. (2) $4,843.06; (3) $125; (4) $721.50; (5) $884.85; (6) $121.48; (7) $235.49; (8) $1,289.68; (9) $8,221.06; (10) $9,012.08; (11) $17,233.14; (15) [1].

A. National Economic Council, Inc., Empire State Building, New York, N. Y.
C. (2) [1]. (3) [1].
D. (6) $34,477.18.
E. (2) $17,004.12; (4) $8,569.70; (5) $5,377.15; (6) $1,428.34; (7) $3,124.57; (8) $979.89; (9) $36,983.77; (10) $30,085.54; (11) $67,069.31; (15) [1].

A. National Electrical Contractors Association, Inc., 1200 18th Street NW., Washington, D. C.
C. (2) All legislation that affects the building construction and electrical industries. (3) Qualified Contractor.

A. National Federation of Business and Professional Women's Clubs, Inc., 1790 Broadway, New York, N. Y.
D. (6) $7,138.52.
E. (2) $2,716.74; (4) $753; (5) $220; (6) $204.15; (8) $104.87; (9) $3,998.76; (10) $5,170.06; (11) $9,168.82; (15) [1].

A. National Federation of Post Office Clerks, Suite 502, 711 14th Street NW., Washington, D. C.
C. (2) All legislation pertaining to postal service and the welfare of postal and Federal employees. (3) The Union Postal Clerk.
D. (6) $152,683.62.
E. (2) $7,136.84; (4) $17,354.63; (5) $380; (6) $3,755.96; (7) $1,962.97; (8) $5,844.09; (9) $36,434.49; (10) $21,365.30; (11) $57,799.79; (15) [1].

A. National Food Brokers Association, 527 Munsey Building, Washington, D. C.
D. (6) $1,242.43.
E. (2) $1,000; (4) $212.43; (5) $30; (9) $1,242.43; (10) $3,128.77; (11) $4,371.20.

A. National Housing Conference, 1129 Vermont Avenue NW., Washington, D. C.
C. (2) Housing legislation and appropriation measures affecting housing. (3) Building a Citizens Housing Association and the Housing Yearbook—1954.
D. (6) $23,785.20.
E. (2) $8,372.49; (4) $2,608.47; (5) $2,645.18; (6) $455.32; (7) $542.88; (8) $9,983.04; (9) $24,607.36; (10) $16,339.06; (11) $40,945.42; (15) [1].

A. National Independent Meat Packers Association, 740 11th Street NW., Washington, D. C.
C. (2) S. 2404, posting of bonds for livestock purchasing; Taft-Hartley Act revision; tax law revision, H. R. 8300.
D. (6) $3,355.98.
E. (1) $156.27; (2) $556.18; (3) $2.50; (4) $165.50; (5) $48.49; (6) $28.48; (7) $126.29; (8) $78.79; (9) $1,162.50; (10) $837.36; (11) $1,999.86; (15) [1].

[1] Not printed. Filed with Clerk and Secretary.

A. National Institute of Diaper Services, 67 West 44th Street, New York, N. Y.
C. (2) Legislative interests to secure deduction for income tax purposes for amounts paid for antiseptic diaper service used to cure or prevent skin infection, in accordance with H. R. 5502.
D. (6) $13,314.39.
E. (1) $800.37; (2) $750; (6) $35.77; (8) $67.28; (9) $1,653.42; (10) $2,631.08; (11) $4,282.50.

A. National Labor-Management Council on Foreign Trade Policy, 815 15th Street NW., Room 424, Washington, D. C.
C. (2) To amend the Tariff Act of 1930 and customs simplification bills.
D. (6) $9,225.
E. (2) $3,021.32; (4) $22.34; (5) $618.15; (6) $110.79; (7) $17.25; (8) $1.60; (9) $3,791.45; (10) $4,472.79; (11) $8,264.24; (15).[1]

A. National Live Stock Tax Committee, 515 Cooper Building, Denver, Colo.
D. (6) $447.50.

A. National Lumber Manufacturers Association, 1319 18th Street NW., Washington, D. C.
C. (2) All legislation affecting the interests of the lumber manufacturing industry.
D. (6) $2,528.50.
E. (9) $4,288.33; (10) $7,875.45; (11) $12,163.78; (15).[1]

A. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
C. (2) Any legislation that may affect milk producers or the cooperatives through which they act together to process and market their milk. (3) News for Dairy Co-ops and the Alert.
D. (6) $63,785.54.
E. (2) $34,713.49; (4) $4,056.12; (5) $9,574.10; (6) $1,465.33; (7) $4,715.27; (8) $2,584.69; (9) $57,099; (10) $83,802.30; (11) $140,901.30; (15).[1]

A. National Multiple Sclerosis Society, 270 Park Avenue, New York, N. Y.
C. (2) Appropriations for public health.
E. (1) $600; (7) $156.50; (9) $756.50; (10) $775.50; (11) $1,532.

A. National Reclamation Association, 897 National Press Building, Washington, D. C.
C. (2) All statutes relating to water and land conservation measures.
D. (6) $14,907.
E. (2) $5,614.79; (4) $2,493.96; (5) $1,330.72; (6) $284.75; (7) $1,015.09; (8) $825.98; (9) $11,565.29; (10) $10,464.09; (11) $22,029.38; (15).[1]

A. National Retail Dry Goods Association, 100 West 31st Street, New York, N. Y.
C. (2).[1] (3).[1]
D. (6) $4,125.
E. (2) $3,375; (4) $2,576.48; (5) $517.60; (6) $59.73; (7) $104.02; (8) $2.50; (9) $6,635.33; (10) $5,895.07; (11) $12,530.40; (15).[1]

A. National Retail Furniture Association, 666 Lake Shore Drive, Chicago, Ill.
C. (2) Legislation that affects retail trades.
E. (4) $75; (9) $75; (11) $75.

A. National Rivers and Harbors Congress, 1720 M Street NW., Washington, D. C.
C. (2) All matters pertaining to river and harbor improvement, flood control, navigation, irrigation, reclamation, soil and water conservation, and related subjects.
D. (6) $7,405.

[1] Not printed. Filed with Clerk and Secretary.

E. (1) $450; (2) $2,040.99; (4) $652.04; (5) $228.45; (6) $83.85; (7) $525.52; (8) $2,966.57; (9) $6,947.42; (10) $6,716.98; (11) $13,664.40; (15).[1]

A. National St. Lawrence Project Conference, 814 Transportation Building, Washington, D. C.
C. (2) Any legislation with reference to the St. Lawrence Waterway and power project.
D. (6) $25,910.
E. (1) $8,208.10; (2) $10,125.50; (4) $3,423.68; (5) $1,722.29; (6) $485.86; (7) $1,502.72; (8) $362.81; (9) $25,830.96; (10) $23,291.31; (11) $49,122.27; (15).[1]

A. National Savings and Loan League, 907 Ring Building, 18th and M Streets NW., Washington, D. C.
C. (2) Support of bills to improve facilities of savings and loan associations for encouragement of thrift and home financing. Oppose legislation adverse to savings and loan associations.
D. (6) $6,571.69.
E. (2) $1,375; (4) $412.31; (6) $100; (9) $1,887.31; (10) $1,792.37; (11) $3,679.68; (15).[1]

A. National Small Business Men's Association, 2834 Central Street, Evanston, Ill.
D. (6) $5,000.
E. (2) $4,597.92; (5) $1,524.26; (6) $228.96; (9) $6,351.14; (10) $6,273.80; (11) $2,624.94; (15).[1]

A. National Society of Professional Engineers, 1121 15th Street NW., Washington, D. C.
C. (2) All legislation affecting the interests of professional engineers.
D. (6) $102,410.25.
E. (2) $1,183; (4) $473.57; (9) $1,658.57; (10 $1,744.45; (11) $2,403.02; (15).[1]

A. National Tax Equality Association, 231 South La Salle Street, Chicago, Ill.
C. (2) General legislative interests relate to corporate income-tax legislation. (3).[1]
D. (6) $13,103.
E. (1) $1,895.42; (2) $3,189.97; (4) $2,178.-83; (5) $497.63; (6) $1,872.31; (7) $3,015.16; (9) $12,649.32; (10) $7,190.73; (11) $19,-840.05; (15).[1]

A. The National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $4,471.54.
E. (2) $1,100; (5) $406.58; (6) $45.48; (7) $62.79; (8) $14; (9) $1,628.85; (10) $1,428.10; (11) $8,056.95; (15).[1]

A. National Wool Growers Association, 414 Pacific National Life Building, Salt Lake City, Utah.
C. (2) S. 2911, H. R. 7775, S. 2313, S. 2548, H. R. 6787 and S. 2862.
D. (6) $942.
E. (1) $2,000; (2) $2,500; (6) $284.02; (7) $3,083.81; (8) $588.83; (9) $8,456.66; (10) $15,434.81; (11) $23,891.47; (15) [1].

A. Nation-Wide Committee of Industry, Agriculture and Labor on Import-Export Policy, 815 15th Street NW., Room 424, Washington, D. C.
C. (2) To amend the Tariff Act of 1930 and customs simplification bills. (3) [1].
D. (6) $7,945.78.
E. (1) $27,579.38; (2) $9,538.27; (4) $1,-871.66; (5) $444.94; (6) $443.88; (7) $613.59; (8) $12.14; (9) $40,503.86; (10) $18,905.35; (11) $59,409.21; (15).[1]

A. William S. Neal, 918 16th Street NW., Washington, D. C.
B. National Association of Manufacturers.

[1] Not printed. Filed with Clerk and Secretary.

A. Alan M. Nedry, 1001 Connecticut Avenue, Washington, D. C.
B. Otis H. Ellis, General Counsel, National Oil Jobbers Council, 1001 Connecticut Avenue, Washington, D. C.
C. (2) General legislative matters which might affect business interests of independent oil jobbers.
D. (6) $225.
E. (7) $75; (9) $75; (10) $15; (11) $90.

A. Samuel E. Neel, 1001 15th Street NW., Washington, D. C.
B. Mortgage Bankers Association of America, 111 West Washington Street, Chicago, Ill.
C. (2) Any legislation affecting the mortgage banking industry. (3) [1].
D. (6) $6,747.75.
E. (2) $240.72; (4) $185.51; (5) $1,592.97; (6) $383.09; (7) $595.46; (9) $2,997.75; (10) 2,407.16; (11) $5,404.91.

A. J. L. Nellis, General Counsel, Midwest Conference on Truck Reciprocity, 908 Colorado Building, Washington, D. C.
C. (2) H. Res. 407. (3) [1].
E. (1) $1,500; (2) $350; (4) $334.34; (5) $271.12; (6) $200; (7) $125; (8) $95; (11) $3,225.46; (15) [1].

A. G. W. Nelson, 10 Independence Avenue SW., Washington, D. C.
B. Brotherhood of Railroad Trainmen.
C. (2) Advocating legislation favorable to labor and opposing unfavorable legislation.

A. George R. Nelson, Machinists Building, Washington, D. C.
B. International Association of Machinists, Machinists Building, Washington, D. C.
C. (2) All legislation affecting the socio-economic and political interests of the American workingmen.
D. (6) $900.

A. Herbert U. Nelson, 22 West Monroe Street, Chicago, Ill., and 1737 K Street NW., Washington, D. C.
B. National Association of Real Estate Boards, 22 West Monroe Street, Chicago, Ill., and 1737 K Street NW., Washington, D. C.
C. (2) Any legislation affecting the real estate industry.
D. (6) $1,250.
E. (2) $229.64; (3) $17; (6) $13.42; (7) $2,085.22; (8) $1,089.38; (9) $3,434.66; (10) $1,559.53; (11) $5,024.19; (15).[1]

A. New York Stock Exchange, 11 Wall Street, New York, N. Y.
C. (2) Proposed Federal tax legislation affecting the interests of the New York Stock Exchange or its members.
E. (2) $3,350; (7) $137.99; (8) $6.75; (9) $3,494.74; (10) $3,396.38; (11) $6,891.12; (15).[1]

A. Russ Nixon, 930 F Street NW., Washington, D. C.
B. United Electrical, Radio & Machine Workers of America, 11 East 51st Street, New York, N. Y.
C. (2) Support all legislation favorable to national peace, security, democracy, prosperity, and the general welfare. Oppose legislation detrimental to these objectives.
D. (6) $1,170.
E. (7) $195; (9) $195; (10) $195; (11) $390.

A. William R. Noble, Suite 509, 1028 Connecticut Avenue NW., Washington, D. C.
B. National Retail Farm Equipment Association, 1014 Locust Street, St. Louis, Mo., and National Retail Hardware Association, 964 North Pennsylvania Street, Indianapolis, Ind.

[1] Not printed. Filed with Clerk and Secretary.

C. (2) Inform associations as to pending legislation and furnish interpretations.
D. (6) $3,375.

A. Nordlinger, Riegelman, Benetar & Charney, 420 Lexington Avenue, New York, N. Y.
B. Webb & Knapp, Inc., 383 Madison Avenue, New York, N. Y.
C. (2).[1]
D. (6) $6,000.
E. (11) $1,030.29.

A. O. L. Norman, 1200 18th Street NW., Washington, D. C.
B. National Association of Electric Cos., 1200 18th Street NW., Washington, D. C.
D. (6) $582.
E. (7) $13.32; (8) $2.16; (9) $15.48; (10) $5.60; (11) $21.08.

A. Harry E. Northam, 360 North Michigan Avenue, Chicago, Ill.
B. Association of American Physicians and Surgeons, Inc., 360 North Michigan Avenue, Chicago, Ill.
C. (2).[1] (3).[1]

[1] Not printed. Filed with Clerk and Secretary.

A. Northern Hemlock & Hardwood Manufacturers Association, Washington Building, Oshkosh, Wis.
C. (2) Legislation affecting the timber industries of Wisconsin and Michigan, taxation, forestry, and labor-management relations.
D. (6) $100.
E. (8) $15; (9) $15; (10) $10; (11) $25.

A. E. M. Norton, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
C. (2) Any legislation that may affect milk producers or the cooperatives through which they act together to process and market their milk. (3) News for Dairy Co-ops and the Alert.
D. (6) $4,962.68.
E. (7) $68.80; (9) $68.80; (10) $109.12; (11) $177.92.

A. Charles E. Noyes, 270 Madison Avenue, New York, N. Y.
B. American Institute of Accountants, 270 Madison Avenue, New York, N. Y.
C. (2) Legislation affecting certified public accountants.
D. (6) $937.50.
E. (6) $40; (7) $170.88; (9) $210.88; (10) $127.66; (11) $338.54.

A. Donald W. Nyrop, 710 Ring Building, Washington, D. C.
B. Conference of Local Airlines, 710 Ring Building, Washington, D. C.
C. (2) Support legislation which is in the interest of a sound national air transport policy and oppose legislation contrary to such interests.
D. (6) $449.87.
E. (2) $360; (4) $77.87; (7) $12; (9) $449.87; (10) $308.41; (11) $758.28.

A. John Lord O'Brian, 701 Union Trust Building, Washington, D. C.
B. Theodore Roosevelt Association, 28 East 20th Street, New York, N. Y.
C. (2) General interest is to protect the rights of the Theodore Roosevelt Association under the act of May 21, 1932 (47 Stat. 163).
E. (6) $9.41; (8) $8.46; (9) $17.87; (10) $92.72; (11) $110.59.

[1] Not printed. Filed with Clerk and Secretary.

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A. Edward H. O'Connor, 176 West Adams Street, Chicago, Ill.
B. Insurance Economics Society of America.
C. (2) All bills proposing to amend the Social Security Act. (3).[1]
D. (6) $5,544.

A. Herbert R. O'Conor, 1701 K Street NW., Washington, D. C.
B. American Merchant Marine Institute, Inc., 1701 K Street NW., Washington, D. C., and 11 Broadway, New York, N. Y.
C, D, and E.[1]

A. Herbert R. O'Conor, Mathieson Building, Baltimore, Md.
B. Worthington Corp., 99 Park Avenue, New York, N. Y.
C. (2) Tax revenue legislation.

A. Herbert R. O'Conor, Jr., 10 Light Street, Baltimore, Md.
B. National Automobile Dealers Association, 1026 17th Street NW., Washington, D. C.
C. (2) S. 3596, in support thereof.
D. (6) $1,250.
E. (6) $10; (7) $44.60; (9) $54.40; (11) $54.40.

A. Eugene O'Dunne, Jr., Southern Building, Washington, D. C.
B. National Association of Wool Manufacturers, 386 Fourth Avenue, New York, N. Y.
C. (2) Legislation having direct or specific impact on the wool textile industry.
D. (6) $2,500.
E. (6) $44.60; (8) $13; (9) $57.60; (10) $130.98; (11) $188.58.

A. Eugene O'Dunne, Jr., Southern Building, Washington, D. C.
B. Wilbur-Ellis Co., Inc., 320 California Street, San Francisco, Calif.
C. (2) Legislation having direct or specific impact on any food products produced or handled by this company.
D. (6) $1,000.

A. Graeme O'Geran, 131 Orvilton Drive, Dewitt, N. Y.
B. Merchants National Bank & Trust Co., 214 South Warren Street, Syracuse, N. Y.
C. (2) Discontinuance of the postal savings system and refund of earnings to member banks of the Federal Reserve System based on the maintenance of reserves requirement of the Federal Reserve System.
E. (6) $0.88; (7) $178.94; (9) $199.82; (10) $154.20; (11) $334.02; (15).[1]

A. W. Raymond Ogg, 261 Constitution Avenue NW., Washington, D. C.
B. American Farm Bureau Federation, 221 North La Salle Street, Chicago, Ill.
C. (2) Government credit policies; immigration legislation; increased lending authority for Export-Import Bank; foreign aid; Customs Simplification Act; St. Lawrence seaway; sales of United States surplus farm products for foreign currencies; United States relationships to North Atlantic Treaty nations; extension of Reciprocal Trade Agreements Act; repeal or modification of buy-American legislation.
D. (6) $1,225.
E. (7) $22.93; (9) $22.93; (10) $29.17; (11) $52.10.

A. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
C. (2) Legislation affecting railroad interests.
E. (7) $422.48; (9) $422.48; (11) $422.48; (15).[1]

[1] Not printed. Filed with Clerk and Secretary.

A. Fred N. Oliver, 110 East 42d Street, New York, N. Y., and Investment Building, Washington, D. C.
B. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N. Y.
C. (2) Legislation which the mutual savings banks have an interest in opposing or supporting.

A. Robert Oliver, 718 Jackson Place NW., Washington, D. C.
B. Congress of Industrial Organizations, 718 Jackson Place NW., Washington, D. C.
C. (2) Support all legislation favorable to the national peace, security, democracy, prosperity, and general welfare; oppose legislation detrimental to these objectives.
D. (6) $1,624.98.
E. (7) $1,230.66; (9) $1,230.66; (11) $1,230.66.

A. Clarence H. Olson, 1608 K Street NW., Washington, D. C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
C. (2).[1] (3).[1]
D. (6) $2,250.
E. (7) $317.80; (9) $317.80; (10) $12.45; (11) $330.25; (15).[1]

A. Joseph C. O'Mahoney, 236 Southern Building, Washington, D. C.
B. Upper Missouri Development Association.
C. (2) Legislation affecting construction of dams and reservoirs on interstate streams including appropriation bills, and in support of S. 1857.

A. Order of Railway Conductors of America, O. R. C. Building, Cedar Rapids, Iowa.
E. (2) $2,125; (5) $1,220.74; (6) $65.55; (9) $3,411.29; (10) $3,275.01; (11) $6,686.30.

A. Morris E. Osburn, Central Trust Building, Jefferson City, Mo.
B. Missouri Railroad Committee.
C. (2) Legislation affecting Missouri railroads.
E. (7) $1,029; (9) $1,029; (10) $690; (11) $1,719; (15).[1]

A. Pacific American Tankship Association, 25 California Street, San Francisco, Calif.
C. (2) Legislation affecting the merchant marine, particularly the tanker division thereof.
D. (6) $200.
E. (2) $1,625; (6) $20.65; (9) $20.65; (10) $1,625; (11) $1,645.65.

A. Robert S. Palmer, 204 State Office Building, Denver, Colo.
B. Colorado Plateau Uranium Committee.
C. (2) Legislation affecting mining in general and uranium in particular.
E. (7) $2,524.01; (9) $2,524.01; (11) $2,524.01.

A. Lovell H. Parker, 611 Colorado Building, Washington, D. C.
B. National Coal Association and National Council of Coal Lessors, Washington, D. C.; Iron Ore Lessors Association, St. Paul, Minn.; Maryland Electronic Manufacturing Corp., College Park, Md.; Pittsburgh Plate Glass Co., Pittsburgh, Pa.; W. A. Shaeffer Pen Co., Fort Madison, Iowa.
C. (2) Tax legislation affecting the bituminous coal industry; the iron ore industry; the pen and pencil industry, the plate glass industry, and legislation dealing with excess profits tax relief in hardship cases.
D. (6) $5,250.

[1] Not printed. Filed with Clerk and Secretary.

A. Parker, Milliken & Kohlmeier, 620 South Spring Street, Los Angeles, Calif.
B. The Farmers and Merchants National Bank of Los Angeles, as trustee of the Mary Paula Ball Trust, Fourth and Main Streets, Los Angeles, Calif.
C. (2) To establish the value at the date of death of Mary Paula Ball, deceased, as the income tax basis for certain property included in the estate of said decedent for Federal estate tax.
D. (6) $10,000.
E. (6) $44.64; (7) $923.87; (9) $968.51; (11) $968.51.

A. James G. Patton.
B. Farmers Educational and Cooperative Union of America, 1417 California Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D. C.
C. (2).[1]
D. (6) $1,250.
E. (7) $509.96; (9) $509.96; (11) $509.96.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. Allstate Insurance Co., 7447 Skokie Boulevard, Skokie, Ill.
C. (2) Elimination of disparities in tax treatment between stock, mutual, and reciprocal fire and casualty insurance companies.
E. (6) $81.79; (8) $3.42; (9) $85.21; (10) $50.35; (11) $135.56.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. Blue Cross Commission, 420 North Michigan, Chicago, Ill.
C. (2) Equitable tax treatment of payments made by employers for employee coverage and benefits received under prepaid hospitalization and medical plans.
E. (4) $35.62; (6) $44.90; (8) $10.23; (9) $88.75; (10) $17.75; (11) $106.50.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. Estate of Mary Clark de Brabant and Katherine C. Williams, 120 Broadway, New York, N. Y.
C. (2) Propose revision of section 7 of the Technical Changes Act of 1949, as amended.
E. (6) $8.80; (7) $1.70; (9) $10.50; (10) $20.10; (11) $30.60.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. Field Enterprise—Educational division, Merchandise Mart Plaza, Chicago, Ill.
C. (2) To obtain equitable tax treatment for taxpayers electing to use the installment method of accounting.
E. (6) $29.70; (7) $432.30; (8) $14.34; (9) $506.34; (11) $506.34.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. Field Foundation, Inc., 135 South La Salle Street, Chicago, Ill.
C. (2) To obtain amendment in proposed tax law affecting real estate holdings of charitable organizations.
E. (6) $116.24; (7) $191.22; (8) $24.42; (9) $351.88; (11) $331.88.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. Howard F. Knipp, 3101 South Hanover Street, Baltimore, Md.

[1] Not printed. Filed with Clerk and Secretary.

C. (2) Amendment to the partnership provisions of the Internal Revenue Code to provide that a partnership's fiscal year does not terminate upon the death of a partner.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. The Sixty Trust, 1109 Hospital Trust Building, Providence, R. I.
C. (2) To obtain amendment in proposed tax law affecting investments of pension and profit-sharing trusts.
E. (6) $8.73; (7) $65.78; (8) $15.27; (9) $89.78; (11) 89.78.

A. Edmund W. Pavenstedt, in care of White & Case, 14 Wall Street, New York, N. Y.
B. International Minerals and Chemicals Corp., 20 North Wacker Drive, Chicago, Ill.
C. (2) To amend section 34 of the Trading With the Enemy Act to protect the interests of domestic corporations owning stock in enemy corporations, assets of which have been seized by the Alien Property Custodian.
E. (7) $62.89; (9) $62.89; (11) $62.89.

A. Albert A. Payne, 1737 K Street NW., Washington, D. C.
B. Realtors' Washington Committee of the National Association of Real Estate Boards, 1737 K Street NW., Washington, D. C.
C. (2) Any legislation affecting the real estate industry.
D. (6) $2,650.
E. (6) $8.10; (7) $130.60; (8) $45.51; (9) $184.21; (10) $284.17; (11) $468.38.

A. Peoples Gas Light & Coke Co., 122 South Michigan Avenue, Chicago, Ill.
C. (2) Proposing an amendment to the Internal Revenue Code to provide for adjusted original cost depreciation for income-tax purposes.
E. (9) $1,981.77; (10) $3,570.46; (11) $5,552.23.

A. J. Hardin Peterson, Cochrane Building, Lakeland, Fla.
B. Florida Citrus Mutual, Lakeland, Fla.
C. (2) Interested in any legislation that affects citrus industry.
D. (6) $2,499.99.
E. (4) $2.87; (5) $40; (6) $8.46; (7) $386.10; (8) $1.56; (9) $438.99; (10) $101.34; (11) $540.33.

A. J. Hardin Peterson, Cochrane Building, Lakeland, Fla.
B. West Coast Inland Navigation District, Court House, Brandenton, Fla.
C. (2) Any river and harbor bill affecting the intercoastal waterway from the Caloosahatchee to the Anclote on the west coast of Florida.
D. (6) $200.
E. (5) $10; (6) $5.18; (7) $4.80; (8) $3.50; (9) $23.48; (11) $23.48.

A. Andrew A. Pettis, 1404 New York Avenue NW., Washington, D. C.
B. Industrial Union of Marine and Shipbuilding Workers of America, 534 Cooper Street, Camden, N. J.
C. (2) All statutes and bills pertaining to ship construction, ship repair, and all statutes and bills pertaining to labor.
D. (6) $2,192.28.
E. (5) $234.61; (6) $80.97; (7) $1,523.17; (9) $1,838.75; (10) $1,185.44; (11) $3,024.19.

A. Albert T. Pierson, 54 Meadow Street, New Haven, Conn.
B. The New York, New Haven & Hartford Railroad Co., 54 Meadow Street, New Haven, Conn.
C. (2) All legislation which might affect the New Haven Railroad and its subsidiaries (the Connecticut Co., New England Transportation Co.).
D. (6) $2,500.

A. Albert Pike, 488 Madison Avenue, New York, N. Y.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
C. (2) Legislation which might affect the welfare of policyholders and annuitants.
D. (6) $115.
E. (7) $42.52; (9) $42.52; (11) $42.52.

A. Rufus G. Poole, 1625 K Street NW., Washington, D. C.
B. National Automobile Dealers Association, 1026 17th Street NW., Washington, D. C.
C. (2) Amendments to Taft-Hartley act affecting retail automobile and truck dealers.
D. (6) $5,025.
E. (6) $8.64; (8) $14; (9) $22.64; (10) $592.79; (11) $615.43.

A. Poole, Shroyer & Denbo, 1625 K. Street NW., Washington, D. C.
B. The American Metal Co., Ltd., 61 Broadway, New York, N. Y.
C. (2) Any legislation directly affecting lead or zinc industry.
D. (6) $817.50.
E. (6) $31.34; (8) $15.45; (9) $46.79; (10) $192.65; (11) $239.44.

A. Frank M. Porter, 50 West 50th Street, New York, N. Y.
B. American Petroleum Institute, 50 West 50th Street, New York, N. Y.

A. Stanley I. Posner and Bernard H. Ehrlich, 1367 Connecticut Avenue NW., Washington, D. C.
B. National Institute of Diaper Services, 67 West 44th Street, New York, N. Y.
C. (2) Legislative interest to secure deduction for income-tax purposes for amounts paid for antiseptic-diaper service—H. R. 5502.
D. (6) $750.
E. (6) $35.77; (8) $67.28; (9) $103.05; (10) $716.98; (11) $820.03.

A. William I. Powell, Ring Building, Washington, D. C.
B. American Mining Congress, Ring Building, Washington D. C.
C. (2) Measures affecting mining, such as income taxation, social security, public lands, stockpiling, monetary policy, etc.
D. (6) $1,125.
E. (7) $27.90; (9) $27.90; (10) $16.40; (11) $44.30.

A. Homer V. Prater, 900 F Street NW., Washington, D. C.
B. American Federation of Government Employees, 900 F Street NW., Washington, D. C.
C. (2) All bills of interest to Federal Government employees and District of Columbia employees.
D. (6) $1,500.
E. (10) $3.50.

A. John H. Pratt, 905 American Security Building, Washington, D. C.
B. Great Lakes-St. Lawrence Association, 821 Cafritz Building, Washington, D. C.
C. (2) Support of S. 2150 and related legislation.
D. (6) $650.
E. (8) $6.55; (9) $6.55; (10) $30.25; (11) $36.80.

A. William H. Press, 1616 K Street NW., Washington, D. C.
B. Washington Board of Trade, 1616 K Street NW., Washington, D. C.
C. (2) Legislation affecting the District of Columbia of interest to the Washington Board of Trade.
D. (6) $4,500.

A. Murray Preston, 901 Hibbs Building, Washington, D. C.
B. Great Lakes-St. Lawrence Association, 821 Cafritz Building, Washington, D. C.
C. (2) Support of S. 2150, to authorize United States participation in construction and operation of a St. Lawrence seaway, enacted into law May 13, 1954.
D. (6) $1,790.50.
E. (7) $28; (9) $28; (11) $28.

A. Allen Pretzman, 50 West Broad Street, Columbus, Ohio.
B. Scioto-Sandusky Conservancy District, 50 West Broad Street, Columbus, Ohio.

A. Harry E. Proctor, 1110 Investment Building, Washington, D. C.
B. National Association of Mutual Savings Banks, 60 East 42d Street, New York, N. Y.
C. (2) Savings and loan branch bill, Housing Act of 1954; bank-holding company bills.
D. (6) $337.50.
E. (6) $2.60; (7) $103.38; (9) $105.98; (10) $6.65; (11) $112.63.

A. Proprietary Association, 810 18th Street NW., Washington, D. C.
C. (2) Measures affecting proprietary medicine industry.
E. (7) $125; (9) $125; (10) $125; (11) $250.

A. Prudential Insurance Company of America, 763 Broad Street, Newark, N. J.
C. (2) General interests in all legislation affecting the business of the company.
E. (2) $6,500; (7) $4,863.12; (9) $11,363.12; (10) $5,305.92; (11) $16,669.04; (15).[1]

A. Ganson Purcell, 910 17th Street NW., Washington, D. C.
B. Insular Lumber Co., 1406 Locust Street, Philadelphia, Pa.
C. (2) General legislative interests of client are those affecting foreign commerce of the United States, including tax and tariff legislation.
E. (6) $1.76; (8) $9.33; (9) $11.09; (10) $28.19; (11) $39.28.

A. Alexander Purdon, 1701 K Street NW., Washington, D. C.
B. Committee of American Steamship Lines, 1701 K Street NW., Washington, D. C.
C. (2) General legislation in connection with the promotion and advancement of the American merchant marine.
D. (6) $750.
E. (7) $109.93; (9) $109.93; (10) $161.87; (11) $271.80.

A. Edmund R. Purves, 1735 New York Avenue NW., Washington, D. C.
B. American Institute of Architects, 1735 New York Avenue NW., Washington, D. C.
C. (2) Legislation relating to architectural profession.
D. (6) $200.
E. (4) $35; (6) $25; (7) $150; (10) $210; (11) $210.

A. C. J. Putt, 920 Jackson Street, Topeka, Kans.
B. The Atchison, Topeka & Santa Fe Ry. Co., 920 Jackson Street, Topeka, Kans.
C. (2) General legislative interest in matters affecting railroads.
E. (7) $409.76; (9) $409.76; (10) $339.78; (11) $749.54.

A. Luke C. Quinn, Jr., 1001 Connecticut Avenue NW., Washington, D. C.
B. American Cancer Society, 47 Beaver Street; United Cerebral Palsy Association, 369 Lexington Avenue; Arthritis and Rheumatism Foundation, 23 West 45th Street; National Multiple Sclerosis Society, 270 Park Avenue, New York City, N. Y.

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[1] Not printed. Filed with Clerk and Secretary.

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C. (2) Public health.
D. (6) $7,499.97.
E. (2) $946; (5) $1,312.65; (6) $301.30; (7) $2,286.59; (9) $4,846.54; (10) $4,647.57; (11) $9,494.11.

A. F. Miles Radigan, 1200 18th Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
C. (2) Legislation that might affect going electric utilities.
D. (6) $18.
E. (7) $75.19; (9) $75.19; (10) $139.85; (11) $215.04.

A. Alex Radin, 1757 K Street NW., Washington, D. C.
B. American Public Power Association, 1757 K Street NW., Washington, D. C.
C. (2) Any legislation affecting the generation, transmission and distribution of electrical energy by local publicly owned electric systems, and the management and operation of such systems.
D. (6) $2,500.

A. Railroad Pension Conference, Post Office Box 798, New Haven, Conn.
C. (2) For H. R. 122, to amend the Railroad Retirement Act of 1937.
D. (6) $214.75.
E. (4) $74.30; (5) $195.03; (6) $2.15; (7) $14.35; (8) $9.37; (9) $295.20; (10) $268.27; (11) $563.47.

A. Railway Labor Executives' Association, 10 Independence Avenue SW., Washington, D. C.
C. (2) Any legislation affecting railroad labor.

A. Alan T. Rains, 777 14th Street NW., Washington, D. C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D. C.
C. (2) Interested in any legislation affecting the marketing and distribution of fresh fruits and vegetables, directly or indirectly.

A. DeWitt C. Ramsey, 610 Shoreham Building, Washington, D. C.
B. Aircraft Industries Association of America, Inc., 610 Shoreham Building, Washington, D. C.
C. (2) Any legislation affecting the aviation industry.

A. Donald J. Ramsey, 1612 I Street NW., Washington, D. C.
B. Silver Users Association, 1612 I Street NW., Washington, D. C.
C. (2) H. R. 2518 and S. 2555, to repeal certain legislation relating to the purchase of silver, and for other purposes.
D. (6) $4,249.98.
E. (7) $662.74; (9) $662.74; (10) $656.37; (11) $1,319.11.

A. Stanley Rector, Washington Hotel 506, Washington, D. C.
B. Unemployment Benefit Advisors, Inc., Hotel Washington, Washington, D. C.
C. (2) The overall field of social security. (3) The Advisor.
D. (6) $4,999.98.

A. Otie M. Reed, 777 14th Street NW., Washington, D. C.
B. National Creameries Association, 817 New York Building, St. Paul, Minn.
C. (2) Any legislation that may affect milk producers and dairy products manufacturing firms.
D. (6) $1,678.50.
E. (2) $1,687.50; (4) $147.49; (5) $150; (9) $1,984.99; (10) $2,206.17; (11) $4,191.16.

A. Regular Common Carrier Conference of the American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
C. (2) The general legislative interest is protection and fostering of the interest of federally regulated motor common carriers of general commodities.
D. (6) $3,057.35.
E. (2) $2,533.33; (4) $399.02; (5) $125; (9) $3,057.35; (10) $3,801.07; (11) $6,858.42; (15).[1]

A. Gerard D. Reilly, 1120 Tower Building, Washington, D. C.
B. Foremanship Foundation, 512-20 Harries Building, Dayton, Ohio.
C. (2) Supporting provisions relating to supervisors in the Labor-Management Relations Act, 1947, and opposing bills contemplating modification or repeal.
D. (6) $1,250.01.

A. James Francis Reilly, 1625 K Street NW., Washington, D. C.
B. Potomac Electric Power Co., 929 E Street NW., Washington, D. C.
C. (2) S. 1691 and H. R. 4830, which became Public Law 323.
D. (6) $3,750.
E. (6) $10; (7) $50; (8) $10; (9) $70; (10) $110; (11) $180.

A. Reserve Officers Association of the United States, 2517 Connecticut Avenue NW., Washington, D. C.
C. (2) Legislation for development of a military policy for the United States which will guarantee adequate national security. (3) The Reserve Officer.

A. Retired Officers Association, 1616 I Street NW., Washington, D. C.
C. (2).[1] (3) The Retired Officer.
D. (6) $25,121.58.

A. Retirement Federation of Civil Service Employees of the United States Government, 900 F Street NW., Washington, D. C.
C. (2) Retention and improvement of the Civil Service Retirement and United States Employees' Compensation Acts.[1]
D. (6) $10,682.59.
E. (2) $3,504.75; (4) $593.40; (5) $364.46; (6) $30.75; (7) $148.91; (8) $1,776.65; (9) $3,418.92; (10) $5,094.80; (11) $11,513.72; (15).[1]

A. Andrew E. Rice, 1751 New Hampshire Avenue NW., Washington, D. C.
B. American Veterans Committee, Inc., 1751 New Hampshire Avenue NW., Washington, D. C.
C. (2) Legislation affecting the general welfare, especially in the fields of international affairs, civil rights and liberties, and veterans benefits.
D. (6) $1,480.
E. (7) $20; (9) $20.

A. Roland Rice, 618 Perpetual Building, Washington, D. C.
B. Regular Common Carrier Conference of the American Trucking Associations, Inc., 1424 16th Street NW., Washington, D. C.
C. (2) The general legislative interest of registrant is the protection and fostering of the interests of federally regulated motor common carriers of general commodities.
D. (6) $900.

A. Siert F. Riepma, Munsey Building, Washington, D. C.
B. National Association of Margarine Manufacturers, Munsey Building, Washington, D. C.

[1] Not printed. Filed with Clerk and Secretary.

A. George D. Riley, 901 Massachusetts Avenue NW., Washington, D. C.
B. American Federation of Labor, 901 Massachusetts Avenue NW., Washington, D. C.
C. (2) All bills affecting the welfare of the country generally and specifically bills affecting workers.
D. (6) $2,720.
E. (6) $25.85; (7) $263; (8) $94.15; (9) $383.

A. E. W. Rising, 1215 16th Street NW., Washington, D. C.
B. National Water Conservation Conference, 341 Suburban Station Building, Philadelphia, Pa.
C. (2) All legislation relative to development, utilization, and conservation of natural resources, including bills to authorize projects, and appropriations for construction of projects.
E. (2) $193.73; (4) $185.41; (5) $135; (6) $19.89; (7) $2.40; (9) $536.43; (10) $620.95; (11) $1,157.38.

A. E. W. Rising, 1215 16th Street NW., Washington, D. C.
B. Western Beet Growers Association, Post Office Box 742, Great Falls, Mont.
C. (2) Legislation that may affect or limit the right of the American farmer to grow and market sugar beets.
D. (6) $450.
E. (2) $46.15; (4) $13.10; (5) $31.35; (6) $25.34; (7) $183.73; (9) $299.67; (10) $347.44; (11) $647.11.

A. Paul H. Robbins, 1121 15th Street NW., Washington, D. C.
B. National Society of Professional Engineers, 1121 15th Street NW., Washington, D. C.
C. (2) All legislation affecting the interests of professional engineers.
D. (6) $250.

A. Edward O. Rodgers, 1107 16th Street NW., Washington, D. C.
B. Air Transport Association of America, 1107 16th Street NW., Washington, D. C.
C. (2) General legislative interests for the proper advancement of the airline industry.[1]
D. (6) $1,250.
E. (7) $451; (9) $451; (10) $470.77; (11) $921.77.

A. Frank W. Rogers, Suite 801, 1701 K Street NW., Washington, D. C.
B. Western Oil and Gas Association, 510 West Sixth Street, Los Angeles, Calif.
C. (2) Federal legislation affecting the petroleum industry in Washington, Oregon, California, Arizona, and Nevada.
D. (6) $3,000.

A. Watson Rogers, 527 Munsey Building, Washington, D. C.
B. National Food Brokers Association, 527 Munsey Building, Washington, D. C.
C. (2).[1]
D. (6) $1,000.

A. W. Crosby Roper, Jr., 701 Union Trust Building, Washington, D. C.
B. Empire Zinc Division, the New Jersey Zinc Co., Gilman, Colo.
C. (2) S. 3344 and H. R. 8896, bills to amend the mineral leasing laws to provide for multiple mineral development of the same tracts of the public lands, and for other purposes.
E. (6) $25; (8) $5; (9) $30; (11) $30.

A. George B. Roscoe, 1200 18th Street NW., Washington, D. C.
B. National Electrical Contractors Association, Inc., 1200 18th Street NW., Washington, D. C.

[1] Not printed. Filed with Clerk and Secretary.

C. (2) Legislation that affects the building construction and electrical industries.

A. Ross-Meehan Foundries, Chattanooga, Tenn.
E. (2) $4,325; (7) $3,251; (9) $7,576.

A. Delbert L. Rucker, 616 Investment Building, Washington, D. C.
B. The National Fertilizer Association, Inc., 616 Investment Building, Washington, D. C.
C. (2) Any legislation that might affect the manufacture or distribution of fertilizer or the general agricultural economy.
D. (6) $25.

A. Albert R. Russell, 162 Madison Avenue, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 18, Memphis, Tenn.
C. (2) The National Cotton Council of America favors such action on any legislation affecting the raw cotton industry as will promote the purposes for which the council is organized.
D. (6) $277.20.
E. (7) $120.70; (9) $120.70; (10) $48; (11) $168.70.

A. Francis M. Russell, 1625 K Street NW., Washington, D. C.
B. National Broadcasting Co., Inc., 1625 K Street NW., Washington, D. C.
C. (2) Legislation affecting National Broadcasting Co., Inc., and/or affiliated companies.
E. (7) $117; (9) $117; (10) $58.75; (11) $175.75.

A. Horace Russell, 221 North La Salle Street, Chicago, Ill.
B. United States Savings and Loan League, 221 North La Salle Street, Chicago, Ill.
C. (2) Legislation directly or indirectly affecting the savings and loan business.
D. (6) $3,750.
E. (7) $104.19; (9) $104.19; (10) $131.50; (11) $235.69.

A. M. O. Ryan, 777 14th Street NW., Washington, D. C.
B. American Hotel Association, 221 West 57th Street, New York, N. Y.
C. (2) Any and all bills and statutes of interest to the hotel industry.
D. (6) $3,750.
E. (7) $375.61; (9) $376.61; (10) $508.30; (11) $883.91.

A. William H. Ryan, 1029 Vermont Avenue NW., Washington, D. C.
B. District Lodge No. 44, International Association of Machinists, 1029 Vermont Avenue NW., Washington, D. C.
C. (2) Legislation affecting working conditions of Government employees and, incidentally, organized labor in general.
D. (6) $2,083.33.
E. (7) $50; (9) $50; (10) $15; (11) $65.

A. Robert A. Saltstein, 777 14th Street N W., Washington, D. C.
B. Smaller Magazines Postal Committee, 305 East 46th Street, New York, N. Y.
C. (2) Interested in matters affecting second-class postal rates.
D. (6) $1,250.
E. (2) $17.63; (4) $27.13; (6) $30.86; (7) $77.56; (9) $153.18; (10) $221.54; (11) $374.72.

A. Charles E. Sands, 4211 Second Street NW., Washington, D. C.
B. Hotel and Restaurant Employee and Bartenders International Union, 525 Walnut Street, Cincinnati, Ohio.
C. (2) Labor and social legislation.
D. (7) $1,600.
E. (5) $111.25; (9) $111.25; (11) $222.50.

A. John T. Sapienza, 701 Union Trust Building, Washington, D. C.
B. Fulton Land & Timber Co., 711 Orchard Road, Hagerstown, Md.
C. (2) Current revenue proposals.

A. John T. Sapienza, 701 Union Trust Building, Washington, D. C.
B. Lessees of B. V. Hedrick Gravel & Sand Co., Lilesville, N. C.
C. (2) Depletion legislation, and in particular, the depletion provisions of H. R. 8300.

A. John T. Sapienza, 701 Union Trust Building, Washington, D. C.
B. Hudson Bay Mining & Smelting Co., Ltd., et al.,[1] 500 Royal Bank Building, Winnipeg, Manitoba, Canada.
C. (2) Revenue revision.
E. (4) $0.60; (6) $7.37; (9) $7.97; (10) $44.34; (11) $52.31.

A. Harrison Sasscer, 1201 16th Street NW., Washington, D. C.
B. Division of Legislation and Federal Relations of the National Education Association of the United States, 1201 16th Street NW., Washington, D. C.
C. (2) Bills pending before the 83d Congress relating to public education.
D. (6) $59.25.
E. (7) $12.50; (9) $12.50; (10) $5; (11) $17.50.

A. Satterlee, Warfield & Stephens, 49 Wall Street, New York, N. Y.
B. American Nurses' Association, 2 Park Avenue, New York, N. Y.
C. (2) Legislation relating to nurses, nursing, or health.
D. (6) $3,200.
E. (7) $126.62; (9) $126.62; (11) $126.62.

A. Henry P. Schmidt, 10 Independence Avenue SW., Washington, D. C.
B. Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, 1015 Vine Street, Cincinnati, Ohio.
C. (2) Interested in all legislation affecting labor and especially railroad labor.
D. (6) $1,540.

A. Schoene & Kramer, 1625 K Street NW., Washington, D. C.
B. Railway Labor Executives Association, 10 Independence Avenue SW., Washington, D. C.
C. (2) Against H. R. 356; for S. 2930 and H. R. 7840.
E. (6) $14.02; (9) $14.02; (11) $14.02.

A. Ed D. Schorr, 33 North High Street, Columbus, Ohio.
B. The Coal Producers' Committee on Underground Gas Storage Safety, care of W. G. Stevenson, Grant Building, Pittsburgh, Pa.
C. (2) Interest is in legislation pertaining to underground storage of gas.
E. (2) $60; (4) $144; (5) $315.64; (7) $678.68; (9) $1,198.32; (11) $1,198.32.

A. Mildred Scott, 1370 National Press Building, Washington, D. C.
B. American Federation of the Physically Handicapped, Inc., 1370 National Press Building, Washington, D. C.
C. (2) To establish the Federal Agency for Handicapped, etc.[1]
D. (6) $300.
E. (7) $50; (9) $50; (10) $25; (11) $75.

[1] Not printed. Filed with Clerk and Secretary.

A. Durward Seals, 777 14th Street NW., Washington, D. C.
B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D. C.
C. (2) Interested in any legislation affecting the marketing and distribution of fresh fruits and vegetables, directly or indirectly.

A. Hollis M. Seavey, 532 Shoreham Building, Washington, D. C.
B. Clear Channel Broadcasting Service, 532 Shoreham Building, Washington, D. C.
C. (2) Opposed to any proposed legislation calling for the duplication of class I–A clear channel frequencies or the limitation of the power of class I–A standard broadcast stations.
E. (7) $18.90; (9) $18.90; (10) $123.41; (11) $142.31.

A. Harry See, 10 Independence Avenue SW., Washington, D. C.
B. Brotherhood of Railroad Trainmen.
C. (2) Advocating favorable labor legislation and opposing unfavorable labor legislation.
E. (7) $42.96; (9) $42.96; (10) $31.35; (11) $74.31.

A. P. L. Shackelford, Room 413, 10 Independence Avenue SW., Washington, D. C.
B. Sheet Metal Workers' International Association, 642 Transportation Building, Washington, D. C.
C. (2) H. R. 356, S. 1911, H. R. 7840, and S. 2930.
D. (6) $2,250.

A. A. Manning Shaw, Washington Loan and Trust Building, Washington, D. C.
B. Brown, Lund & Fitzgerald, Washington Loan and Trust Building, Washington, D. C., for National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
C. (2) Any legislation that might affect the members of the N. A. E. C.
D. (6) $3,793.99.

A. Mark R. Shaw, 114 Trenton Street, Melrose, Mass.
B. National Council for Prevention of War, 1013 18th Street NW., Washington, D. C.
C. (2) Favor economic aid to Europe and Asia, etc.[1] (3) Peace Action.
E. (7) $62.01; (9) $62.01; (10) $41.50; (11) $103.51.

A. Leander I. Shelley, 30 Broad Street, New York, N. Y.
B. American Association of Port Authorities, Washington, D. C., and Airport Operators Council, Washington, D. C.
C.[1]
D. (6) $375.
E. (9) $356.01; (10) $356.01; (11) $712.02.

A. Bruce E. Shepherd, 488 Madison Avenue New York, N. Y.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
C. (2) Legislation which might affect the welfare of policyholders and annuitants.
D. (6) $120.

A. Robert H. Shields, 920 Tower Building, Washington, D. C.
B. United States Beet Sugar Association, 920 Tower Building, Washington, D. C.
C. (2) Interested in any legislation affecting sugar, particularly the Sugar Act of 1948 and related legislation.
D. (6) $10,000.

[1] Not printed. Filed with Clerk and Secretary.

UNIVERSITY OF MICHIGAN LIBRARIES

A. Earl C. Shively, 16 East Broad Street, Columbus, Ohio.
B. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.
C. (2) Legislation affecting railroad interests.[1]
D. (6) $422.48.
E. (7) $422.48; (9) $422.48; (11) $422.48.

A. Silver Users Association, 1612 I Street NW., Washington, D. C.
C. (2) Legislation regarding silver.
D. (6) $795.
E. (2) $6,246.98; (3) $5; (5) $966.51; (6) $342.94; (7) $662.74; (8) $413.95; (9) $8,638.12; (10) $9,266.68; (11) $17,904.60.

A. Six Agency Committee, 315 South Broadway, Los Angeles, Calif.
C. (2) Legislation affecting California's interest in the Colorado River, etc.[1]
E. (2) $6,305; (8) $133.26; (9) $6,438.26; (10) $3,096.67; (11) $9,534.93; (15).[1]

A. Stephen Slipher, 711 14th Street NW., Washington, D. C.
B. United States Savings & Loan League, 221 North La Salle Street, Chicago, Ill.
C. (2) Interested in legislation affecting savings and loan associations, housing, home financing, thrift, and financial institutions. (3) Washington Notes.
D. (6) $1,600.
E. (7) $27.75; (9) $27.75; (10) $39.70; (11) $67.45.

A. Smaller Magazines Postal Committee, Room 301, 305 East 46th Street, New York, N. Y.
C. (2) Postal rate legislation.
D. (6) $1,061.
E. (2) $1,580.67; (4) $250; (5) $4.50; (6) $68.83; (7) $211.34; (8) $42.65; (9) $2,157.99; (10) $1,885.38; (11) $4,043.37; (15).[1]

A. Miss Elizabeth A. Smart, 138 Constitution Avenue NE., Washington, D. C.
B. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
C. (2) Legislation dealing with alcohol, narcotics, international relations, women and children.[1]
D. (6) $606.12.
E. (5) $110.25; (6) $55.48; (9) $165.73; (10) $723.32; (11) $889.05.

A. Anthony W. Smith, 718 Jackson Place NW., Washington, D. C.
B. Congress of Industrial Organizations, 718 Jackson Place NW., Washington, D. C.
C. (2) Regional development, resource conservation, labor relations.
D. (6) $30.

A. Carl K. Smith, 10 Independence Avenue SW., Washington, D. C.
B. International Brotherhood of Electrical Workers, 330 South Wells Street, Chicago, Ill.
C. (2) H. R. 356, S. 1911; H. R. 7840 and S. 2930.
D. (6) $1,323.

A. Fred Smith & Co., Inc., 161 East 42d Street, New York, N. Y.
B. Edward Mallinckrodt, 16 West Moreland Place, St. Louis, Mo.
C. (2) Legislation involving conservation principles, including modification of S. 1555 and H. R. 4449 to protect Dinosaur National Monument.
D. (6) $3,000.
E. (2) $1,250; (4) $1,024; (5) $472.30; (6) $236.72; (7) $1,069.10; (8) $709.55; (9) $4,761.75; (10) $4,300.75; (11) $9,062.50; (15).[1]

A. James R. Smith, Manager, 719 Omaha National Bank Building, Omaha, Nebr.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.
C. (2) Legislation relating to river and harbor maintenance improvement; the American merchant marine; soil conservation; flood control; regulation of domestic transportation.
D. (6) $2,400.
E. (10) $368.79.

A. Lloyd W. Smith, 416 Shoreham Building, Washington, D. C.
B. Chicago, Burlington & Quincy Railroad Co., 547 West Jackson Boulevard, Chicago, Ill., and Great Northern Railway Co., 175 East Fourth Street, St. Paul, Minn.
C. (2) Any legislation affecting directly or indirectly the Chicago, Burlington & Quincy Railroad Co. and the Great Northern Railway Co.
D. (6) $3,500.

A. Purcell L. Smith, 1200 18th Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
C. (2).[1]
D. (6) $3,750.
E. (6) $6.93; (7) $190.37; (8) $56.91; (9) $254.21; (10) $328.80; (11) $583.01;

A. Robert E. Smith, 116 Nassau Street, New York, N. Y.
B. Life Insurance Policyholders Protective Association, 116 Nassau Street, New York, N. Y.
C. (2) General education concerning the effect of inflation on the purchasing power and value of life insurance, as affected by Federal policies or measures which are deemed to be inflationary, or inflationary retarding, in character.
E. (7) $496.20; (9) $496.20; (10) $865.55; (11) $1,361.75.

A. Spencer M. Smith, Jr., 2144 P Street NW., Washington, D. C.
B. Forest Conservation Society, 2144 P Street NW., Washington, D. C.
C. (2) Forestry appropriations and conservation.
D. (6) $150.

A. Sylvester C. Smith, Jr., 763 Broad Street, Newark, N. J.
B. Prudential Insurance Company of America, 763 Broad Street, Newark, N. J.
C. (2) General interest in all legislation affecting the business of the company.

A. J. D. Snyder, 1040 La Salle Hotel, Chicago, Ill.
B. Illinois Railroad Association, 33 South Clark Street, Chicago, Ill.
C. (2) Legislation affecting railroads.
D. (6) $825.

A. J. Taylor Soop, 10 Independence Avenue SW., Washington, D. C.
B. International Brotherhood of Electrical Workers, 330 South Wells Street, Chicago, Ill.
C. (2) H. R. 7840, H. R. 356, and S. 1911.
D. (6) $585.

A. Southern States Industrial Council, 1103 Stahlman Building, Nashville, Tenn.
C. (2) Support of legislation favorable to free enterprise system and opposition to legislation unfavorable to that system. (3) Southern States Industrial Council Bulletin.
D. (6) $17,209.50.
E. (2) $16,787.50; (4) $4,401.28; (5) $2,018.38; (6) $165.58; (7) $2,265.52; (8) $481.97; (9) $26,120.23; (10) $24,072.16; (11) $50,192.39.

A. Lyndon Spencer, 305 Rockefeller Building, Cleveland, Ohio.
B. Lake Carriers' Association, 305 Rockefeller Building, Cleveland, Ohio.

A. Spokesmen for Children, Inc., 20 East 93d Street, New York, N. Y.
C. (2) Better laws for maternal and child health and welfare.
D. (6) $631.13.
E. (1) $25; (4) $133.90; (5) $25.21; (6) $29.07; (9) $213.18; (10) $230.05; (11) $443.23.

A. A. L. Spradling, 1214 Griswold Street, Detroit, Mich.
B. Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, 1214 Griswold Street, Detroit, Mich.
C. (2) Laws, proposed laws, and proposed amendments to laws affecting the interests of the members of the Amalgamated throughout the United States.

A. Thomas G. Stack, 1104 West 104th Place, Chicago, Ill.
B. National Railroad Pension Forum, Inc., 1104 West 104th Place, Chicago, Ill.
C. (2) Bills pending before the 83d Congress relative to increasing benefits for all railroad employees covered by the Railroad Retirement Act. (3) Rail Pension News.
D. (6) $1,500.
E. (1) $214.50; (2) $1,500; (4) $1,400; (6) $93; (7) $1,129.67; (9) $4,337.17; (10) $5,190.09; (11) $9,527.26.

A. Howard M. Starling, 837 Washington Building, Washington, D. C.
B. Association of Casualty and Surety Companies, 60 John Street, New York, N. Y.
C. (2) Legislation affecting casualty and surety companies.
D. (6) $150.
E. (7) $12.50; (9) $12.50; (10) $8.75; (11) $21.25.

A. Mrs. Nell F. Stephens, Post Office Box 6234, Northwest Station, Washington, D. C.
C. (2) Health and nursing care.

A. Mrs. Alexander (Annalee) Stewart, 214 Second Street NE., Washington, D. C.
B. Women's International League for Peace and Freedom, 214 Second Street NE., Washington, D. C.
C. (3) Four Lights and Washington Newsletter.
D. (6) $11,838.20.
E. (2) $7,559.85; (4) $1,177.70; (5) $3,345.30; (6) $300.53; (7) $977.07; (9) $13,360.45; (10) $9,393.35; (11) $22,753.80.

A. Charles T. Stewart, 1737 K Street NW., Washington, D. C.
B. National Association of Real Estate Boards, 22 West Monroe Street, Chicago, Ill.
C. (2) Any legislation affecting the real-estate industry.
D. (6) $3,650.14.
E. (7) $115.29; (8) $34.85; (9) $150.14; (10) $225.35; (11) $375.49.

A. Erskine Stewart, 711 14th Street NW., Washington, D. C.
B. National Retail Dry Goods Association, 100 West 31st Street, New York, N. Y.
C.[1]
E. (8) $1.25; (9) $1.25; (10) $1.25; (11) $2.50.

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[1] Not printed. Filed with Clerk and Secretary.

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A. Edwin L. Stoll, 1737 K Street NW., Washington, D. C.
B. National Association of Real Estate Boards, 22 West Monroe Street, Chicago, Ill.
C. (2) Any legislation affecting the real-estate industry.
D. (6) $2,533.46.
E. (8) $33.46; (9) $33.46; (10) $104.19; (11) $137.65.

A. Sterling F. Stoudenmire, Jr., 61 St. Joseph Street, Mobile, Ala.
B. Waterman Steamship Corp., 61 St. Joseph Street, Mobile, Ala.
C. (2) Any legislation affecting the American Merchant Marine and transportation generally.
D. (6) $1,000.

A. Paul A. Strachan, 1370 National Press Building, Washington, D. C.
B. American Federation of the Physically Handicapped, Inc., 1370 National Press Building, Washington, D. C.
C. (2) To establish the Federal agency for handicapped, etc.
D. (6) $700.
E. (7) $150; (9) $150; (10) $75; (11) $225.

A. O. R. Strackbein, executive secretary, America's Wage Earners' Protective Conference, 815 15th Street NW., Washington, D. C.
C. (2) To amend Tariff Act of 1930 and customs simplification bills.
D. (6) $3,000.

A. O. R. Strackbein, 815 15th Street NW., Washington, D. C., legislative counsel for International Allied Printing Trades Association, Box 728, Indianapolis, Ind.
C. (2) Copyright convention bills and liquor advertising bills.
D. (6) $625.

A. O. R. Strackbein, as chairman of National Labor-Management Council on Foreign Trade Policy, 815 15th Street NW., Washington, D. C.
C. (2) To amend Tariff Act of 1930 and customs simplification bills.
D. (6) $1,625.

A. O. R. Strackbein, as chairman for Nationwide Committee of Industry, Agriculture, and Labor on Import-Export Policy, 815 15th Street NW., Washington, D. C.
C. (2) To amend Tariff Act of 1930 and customs simplification bills.
D. (6) $7,500.

A. Arthur D. Strong, 1034 Midland Bank Building, Minneapolis, Minn.
B. Upper Mississippi Waterway Association, 1034 Midland Bank Building, Minneapolis, Minn.
C. (2) All legislation relating to the improvement and development of navigable waterways in the upper Mississippi River, etc.[1]
D. (6) $1,332.24.

A. Arthur Sturgis, Jr., 1625 I Street NW., Washington, D. C.
B. American Retail Federation, 1625 I Street NW., Washington, D. C.
C. (2) Registrant is generally interested in all legislation and legislative proposals affecting the retail industry, including the industry's relations with the Federal Government, with its suppliers, with its employees, and with its customers.[1]
D. (6) $625.
E. (7) $15.50; (9) $15.50; (10) $3; (11) $18.50.

[1] Not printed. Filed with Clerk and Secretary.

A. J. M. Sturrock, Post Office Box 2084, Capitol Station, Austin, Tex.
B. Texas Water Conservation Association, Post Office Box 2084, Capitol Station, Austin, Tex.
C. (2) Legislation concerning the development, conservation, protection, and utilization of Texas land and water resources through existing State and Federal agencies, etc.[1] (3) Texas water.
D. (6) $1,500.
E. (2) $51.25; (5) $13.95; (6) $54.33; (7) $834.79; (8) $66.05; (9) $1,020.37; (10) $1,105.10; (11) $2,125.47.

A. Sullivan, Bernard, Shea & Kenney, 804 Ring Building, Washington, D. C.
B. Brown Co., Berlin, N. H.
C. (2) Modifications of the Clayton and Federal Trade Commission Acts.

A. Sullivan, Bernard, Shea & Kenny, 804 Ring Building, Washington, D. C.
B. Charles T. MacDermott, Jr., 34 Mechanic Street, Worcester, Mass., acting as chairman for a group of companies affected by proposed revenue revision.
C. (2) Proposed 1954 revision of the Internal Revenue Code, H. R. 8300.
E. (10) $2,508.94.

A. Sullivan, Bernard, Shea & Kenny, 804 Ring Building, Washington, D. C.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif.
C. (2) Proposed 1954 revisions of the Internal Revenue Code.

A. Sullivan, Bernard, Shea & Kenny, 804 Ring Building, Washington, D. C.
B. Standard Fruit & Steamship Co., 944 St. Charles Avenue at Lee Circle, New Orleans, La.
C. (2) Proposed 1954 revisions of the Internal Revenue Code.

A. Noble J. Swearingen, 1790 Broadway, New York, N. Y.
B. National Tuberculosis Association, 1790 Broadway, New York, N. Y.
C. (2) Legislation affecting general public health, tuberculosis in particular.
D. (6) $865.60.
E. (4) $122.16; (6) $30.84; (7) $446.54; (9) $599.54; (10) $292.97; (11) $892.51; (15).[1]

A. Charles P. Taft, 1025 Connecticut Avenue NW., Washington, D. C.
B. Legislative Committee of the Committee for a National Trade Policy, 1023 Connecticut Avenue NW., Washington, D. C.
C. (2) Legislation relating to foreign economic policy (Reciprocal Trade Agreements Act).
D. (6) $600.

A. Tax Equality Committee of Kentucky, 310 Commerce Building, Lousville, Ky.
C. (2) Advocating revision of section 101, IRC.
D. (6) $513.
E. (2) $146.25; (4) $23.50; (8) $135; (8) $11.69; (9) $316.44; (10) $1,565.59; (11) $1,882.03; (15).[1]

A. Dwight D. Taylor, Jr., Room 400, 918 16th Street NW., Washington, D. C.
B. American Airlines, Inc., Room 400, 918 16th Street NW., Washington, D. C.
C. (2) Legislation affecting civil aviation.
D. (6) $1,150.
E. (7) $152; (9) $152; (10) $317; (11) $469.

[1] Not printed. Filed with Clerk and Secretary.

A. Edward D. Taylor, 777 14th Street NW., Washington, D. C.
B. Manufacturers Institute, 777 14th Street NW., Washington, D. C.

A. Jay Taylor, 712 First National Bank Building, Amarillo, Tex.
B. American National Cattlemen's Association, 515 Cooper Building, Denver, Colo.
C. (2) Legislation affecting cattle industry.

A. Tyre Taylor, 917 15th Street NW., Washington, D. C.
B. Southern States Industrial Council, Stahlman Building, Nashville, Tenn.
C. (2) Legislation favorable to the maintenance of a free enterprise system.
D. (5) $3,000.
E. (5) $235.12; (6) $65.85; (7) $141.10; (9) $442.07; (10) $392.71; (11) $834.78; (15) [1].

A. Marjorie L. Temple, Room 200, 1917 I Street NW., Washington, D. C.
B. National Federation of Business and Professional Women's Clubs, Inc., 1790 Broadway, New York, N. Y.
C. (2)[1]. (3)[1].

A. John U. Terrell, 424 Wyatt Building, Washington, D. C.
B. Colorado River Association, 306 West Third Street, Los Angeles, Calif.
C. H. R. 4449, S. 1555, S. 964, and H. R. 236.
D. (6) $3,000.

A. Texas Water Conservation Association, 207 West 15th Street, Post Office Box 2084, Capitol Station, Austin, Tex.
C. (2) Legislation concerning the development, conservation, protection, and utilization of Texas' land and water resources through existing State and Federal agencies. (3) Texas Water.
D. (6) $4,227.18.
E. (1) $568.80; (2) $1,908.60; (4) $1,056.92; (5) $826.84; (6) $170.12; (7) $671.42; (8) $844.10; (9) $1,046.80; (10) $6,316.82; (11) $12,363.62; (15)[1].

A. Oliver A. Thomas, 43 Sierra Street, Reno, Nev.
B. Nevada Railroad Association, 43 Sierra Street, Reno, Nev.
C. (2) Legislation affecting the interests of Nevada railroads.
D. (6) $675.
E. (6) $24.70; (7) $693.40; (9) $718.10; (10) $549.23; (11) $1,267.33; (15).[1]

A. Chester C. Thompson, 1319 F Street NW., Washington, D. C.
B. The American Waterways Operators, Inc., 1319 F Street NW., Washington, D. C.
C. (2) All matters affecting barge and towing vessel industry and water transportation.
D. (6) $6,500.
E. (7) $165.30; (9) $165.30; (10) $274.85; (11) $440.15.

A. Julia C. Thompson, 711 14th Street NW., Washington, D. C.
B. American Nurses' Association, Inc., 2 Park Avenue, New York, N. Y.
C. (2).[1] (3).[1]
D. (6) $1,464.61.

A. Eugene M. Thoré, 1701 K Street, Washington, D. C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
C. (2) Legislation which might affect the welfare of policyholders and annuitants.
D. (6) $3,000.

[1] Not printed. Filed with Clerk and Secretary.

UNIVERSITY OF MICHIGAN LIBRARIES

E. (7) $79.97; (9) $79.97; (10) $21.41; (11) $101.38.

A. G. D. Tilghman, 1604 K Street NW., Washington, D. C.
B. Disabled Officers Association, 1604 K Street NW., Washington, D. C.
C. (2) Legislation pertaining to the pay of military personnel.
D. (6) $2,750.
E. (10) $48.50; (11) $48.50.

A. E. W. Tinker, 122 East 42d Street, New York, N. Y.
B. American Paper & Pulp Association, 122 East 42d Street, New York, N. Y.
C. (2) Legislative interests are those of employer.
D. (6) $500.
E. (6) $150; (7) $200; (9) $350; (10) $350; (11) $700.

A. William H. Tinney, 211 Southern Building, 15th and H Streets NW., Washington, D. C.
B. The Pennsylvania Railroad Co., 1740 Suburban Station Building, Philadelphia, Pa.

A. H. Willis Tobler, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
C. (2) Any legislation that may affect milk producers or the cooperatives through which they act together to proceess and market their milk. (3) News for Dairy Co-ops and the Alert.
D. (6) $2,481.40.
E. (5) $73.95; (6) $10.62; (7) $21.85; (9) $106.42; (10) $589.80; (11) $696.22.

A. John H. Todd, 1085 Shrine Building, Memphis, Tenn.
B. National Cotton Compress & Cotton Warehouse Association, 1085 Shrine Building, Memphis, Tenn.
C. (2) Legislation affecting the cotton compress and cotton warehouse industry.
D. (6) $166.67.

A. Bernard Topkis, 1316 New Hampshire Avenue, Washington, D. C.
B. Hickory Handle Association, Jonesboro, Ark.
C. (2) Improve trade legislation.

A. Wallace Townsend, 306 Commercial National Bank Building, Little Rock, Ark.
B. Southwestern Gas & Electric Co., Shreveport, La.
C. (2) Appropriation for the Southwestern Power Administration.
D. (6) $600.

A. Estate of Harry C. Trexler, 1227 Hamilton Street, Allentown, Pa.
C. (2) Seeking amendment to Internal Revenue Code.

A. Harold J. Turner, Henry Building, Portland, Oreg.
B. Spokane, Portland & Seattle Railway Co., Southern Pacific Co., and Union Pacific Railroad Co., Henry Building, Portland, Oreg.
C. (2) All bills which directly affect railroads of Oregon.

A. Unemployed Service Association, 623 Third Street NW., Washington, D. C.
C. (2) Various proposals for unemployed.

A. United Cerebral Palsy Associations, Inc., 369 Lexington Avenue, New York, N. Y.
C. (2) Appropriations for public health.
E. (1) $999.99; (7) $260.84; (9) $1,260.83; (10) $2,625.83; (11) $3,886.66.

A. United States Cuban Sugar Council, 910 17th Street NW., Washington, D. C.
C. (2).[1] (3).[1]
D. (6) $49,078.59.
E. (1) $3,794.56; (2) $1,239.50; (4) $2,076.96; (5) $205.24; (6) $56.53; (9) $7,372.79; (10) $4,405.76; (11) $11,778.55; (15).[1]

A. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
C. (2).[1] (3).[1]
D.[1]
E. (2) $4,820.60; (4) $9,504.42; (5) $700.37; (6) $584.27; (7) $193.13; (8) $430.10; (9) $16,232.89; (10) $19,416.40; (11) $35,649.29; (15).[1]

A. Arvin E. Upton, 1826 Jefferson Place NW., Washington, D. C.
B. St. Regis Paper Co., 230 Park Avenue, New York, N. Y.
C. (2) Legislation to authorize the Secretary of Defense, on behalf of the United States, to execute and deliver a deed to St. Regis Paper Co. conveying to said company certain rights in real property located in Jefferson County, N. Y., erroneously conveyed to the United States by said paper company in a deed dated October 6, 1941, as a part of the lands acquired by the Government for Pine Camp Military Reservation, now known as Camp Drum.
E. (6) $3.13; (8) $1.48; (9) $4.61; (10) $7.65; (11) $12.26.

A. A. L. Viles, 444 Madison Avenue, New York, N. Y.
B. The Rubber Manufacturers Association, Inc., 444 Madison Avenue, New York, N. Y., and 1832 M Street NW., Washington, D. C.

A. Virginia Associated Businessmen, 512 Travelers Building, Richmond, Va.
C. (2) Legislation to equalize income taxes of the mutuals, the cooperatives, and similar organizations with their taxpaying competitors. (3).[1]
D. (6) $1,191.
E. (2) $1,000; (4) $964.57; (5) $300; (6) $2.78; (7) $127.37; (8) $143.62; (9) $2,538.34; (10) $2,910.60; (11) $5,248.94; (15).[1]

A. Vitrified China Association, Inc., 931 Washington Building, Washington, D. C.

A. The Vulcan Detinning Co., Sewaren, N. J.

A. Paul H. Walker, 1701 K Street NW., Washington, D. C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
C. (2) Legislation which might affect the welfare of policyholders and annuitants.
D. (6) $50.

A. Stephen M. Walter, 1200 18th Street NW., Washington, D. C.
B. National Association of Electric Companies, 1200 18th Street NW., Washington, D. C.
D. (6) $2,091.24.
E. (7, $97.47; (8) $16.76; (9) $114.23; (10) $62.12; (11) $176.35.

A. Thomas G. Walters, 100 Indiana Avenue NW., Room 509, Washington, D. C.
B. Government Employees' Council, Room 509, 100 Indiana Avenue NW., Washington, D. C.
C. (2) Duties are to represent the member unions and the Government Employees' Council on matters affecting them before the Congress.
D. (6) $2,625.

[1] Not printed. Filed with Clerk and Secretary.

A. Quaife M. Ward, 1625 I Street NW., Washington, D. C.
B. American Retail Federation, 1625 I Street N. W., Washington, D. C.
C. (2).[1]
D. (6) $1,000.
E. (7) $27.45; (9) $27.45; (11) $27.45.

A. Milo J. Warner, 904 Nicholas Building, Toledo, Ohio.
B. The Prudential Insurance Company of America, Newark, N. J.
C. (2) Legislation which may affect the interests of the mutual policyholders of the Prudential Insurance Company of America.
D. (6) $10,500.
E. (5) $1,886.43; (7) $1,886.43; (8) $417.86; (9) $2,304.29.

A. Washington Board of Trade, 1616 K Street NW., Washington, D. C.
C. (2) Legislation affecting the District of Columbia, of interest to the Washington Board of Trade.

A. Washington Home Rule Committee, Inc., 1717 Connecticut Avenue NW., Washington, D. C.
C. (2) S. 2413, a bill to provide local self-government for the District of Columbia.
D. (6) $4,842.73.
E. (2) $1,963.04; (4) $389.58; (5) $937.11; (6) $157.18; (8) $856.26; (9) $4,303.17; (10) $4,200.08; (11) $8,503.25; (15).[1]

A. Washington Real Estate Board, Inc., 312 Wire Building, 1000 Vermont Avenue NW., Washington, D. C.
C. (2) All local measures affecting the District of Columbia.

A. Vincent T. Wasilewski, 1771 N Street NW., Washington, D. C.
B. National Association of Radio and Television Broadcasters, 1771 N Street NW., Washington, D. C.
C. (2) Registrant is interested in any legislation—local, State, Federal, or international—which affects the broadcasting industry.

A. Waterways Council Opposed to Regulation Extension, Room 1610, 21 West Street, New York, N. Y.
C. (2) S. 3111. (3) Pamphlet entitled "A Danger to American Industry and to the Public."
D. (6) $25,450.
E. (2) $5,548.93; (4) $1,355.93; (5) $261.81; (6) $53.75; (8) $150; (9) $7,370.42; (11) $7,370.42; (15).[1]

A. J. R. Watson, Room 1, I. C. R. R. Passenger Station, Jackson, Miss.
B. Mississippi Railroad Association, Room 1, I. C. R. R. Passenger Station, Jackson, Miss.
C. (2) Legislation affecting railroads in Mississippi.

A. William H. Webb, 1720 M Street NW., Washington, D. C.
B. National Rivers and Harbors Congress, 1720 M Street NW., Washington, D. C.
C. (2) All matters pertaining to river and harbor improvement, flood control, navigation, irrigation, reclamation, soil and water conservation, and related subjects.
D. (6) $2,148.93.
E. (4) $122; (7) $235.26; (8), $306; (9) $663.26; (10) $568.55; (11) $1,231.61; (15).[1]

[1] Not printed. Filed with Clerk and Secretary.

A. E. E. Webster, 10 Independence Avenue SW., Washington, D. C.
B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.
C. (2) All bills affecting railroad employees and labor in general.
D. (6) $3158.69.

A. Wayne M. Weishaar, 1115 17th Street NW., Washington, D. C.
B. Aeronautical Training Society, 1115 17th Street NW., Washington, D. C.
C. (2) Registrants is generally interested in legislation affecting aviation training or contract overhaul of aircraft and supports in principle increased use of civil aviation know-how by the armed services through use of the contract principle.
D. (6) $3,300.
E. (3) $2.30; (4) $6.38; (7) $2; (9) $0.68; (10) $1; (11) $11.68.

A. Bernard Weitzer, 3147 16th Street NW., Washington, D. C.
B. Jewish War Veterans of the United States of America, 1712 New Hampshire Avenue NW., Washington, D. C.
C. (2).[1]
D. (6) $2,499.96.
E. (5) $121.73; (6) $24.20; (7) $266.93; (8) $16.84; (9) $429.70; (10) $489.49; (11) $919.19.

A. Don Welch, Post Office Box 231, Madill, Okla.
C. (2) The interests of the railroad industry generally.
D. $2,866.81.
E. (7) $1,388.49; (9) $1,388.49; (10) $568.40; (11) $1,952.89; (15).[1]

A. William E. Welsh, 897 National Press Building, Washington, D. C.
B. National Reclamation Association, 897 National Press Building, Washington, D. C.
C. (2) Reclamation Act, 1902, and all amendatory and supplementary acts thereto; all other statutes relating to water and land conservation measures.
D. (6) $3,249.99.
E. (7) $439.11; (8) $94.89; (9) $534; (10) $518.47; (11) $1,052.47.

A. Wenchel, Schulman & Manning, 1625 K Street NW., Washington, D. C.
B. Estate of Mary Clark deBrabant and Katherine C. Williams, 120 Broadway, New York, N. Y.
C. (2) Legislative interests relate to a possible revision of section 7 of the Technical Changes Act of 1949 (63 Stat. 895).
E. (6) $46.73 (9) $46.73; (11) $46.73.

A. Charles F. West, Machinists Building, Washington, D. C.
B. International Association of Machinists, Machinists Building, Washington, D. C.
C. (2) Interested in substantially all legislation affecting the socio-economic and political interests of the American workingman, including all pending legislation dealing with social security, national health, aid to physically handicapped, labor relations, displaced persons, etc.
D. (6) $500.

A. West Coast Inland Navigation District, Court House, Bradenton, Fla.
C. (2) Any river and harbor bill affecting the intercoastal waterway from the Caloosahatchee to the Anclete on the west coast of Florida, its rights-of-way and appropriations therefor, for authorization of alternate route and appropriation therefor.
E. (2) $200; (6) $5.18; (7) $4.80; (8) $3.50; (9) $213.48; (11) $213.48.

[1] Not printed. Filed with Clerk and Secretary.

A. A. L. Wheeler, 911 Sheraton Building, Washington, D. C.
B. Marvin Small, 53 Park Place, New York City, and J. George Spitzer, 923 Old Nepperhan Avenue, Yonkers, N. Y.
C. (2) Section 1235 of H. R. 8300 only.
D. (6) $1,000.
E. (6) $19.03; (7) $86.28 (9) $105.31; (11) $105.31.

A. George Y. Wheeler 2d, 1625 K Street NW., Washington, D. C.
B. National Broadcasting Co., Inc., 1625 K Street NW., Washington, D. C.
C. (2) Legislation affecting National Broadcasting Co., Inc. and/or its affiliated companies.
E. (7) $15.70; (9) $15.70; (10) $11.50; (11) $27.20.

A. Wheeler & Wheeler, 704 Southern Building, Washington, D. C.
B. Missouri Pacific Railroad Co., 25 Broad Street, New York, N. Y.
C. (2) Legislative counsel for the abovenamed organization on any legislation affecting it.
E. (6) $30; (7) $35; (8) $20; (9) $85; (10) $75; (11) $160.

A. John C. White, 838 Transportation Building, Washington, D. C.
B. American Cotton Shippers Association, Cotton Exchange Building, Memphis, Tenn.
C. (2) Legislation affecting cotton and foreign trade.
D. (5) $500.
E. (6) $15.73.

A. Richard P. White, 635 Southern Building, Washington, D. C.
B. American Association of Nurserymen, Inc., 635 Southern Building, Washington, D. C.
C. (2) Any legislation affecting the nursery industry directly.
D. (6) $3,125.02.
E. (2) $31.25; (4) $11.42; (5) $16.01; (6) $4.89; (7) $4.06; (9) $67.63; (10) $84.74; (11) $152.37.

A. H. Leigh Whitelaw, 60 East 42d Street, New York, N. Y.
B. Gas Appliance Manufacturers Association, Inc., 60 East 42d Street, New York, N. Y.
C. (2) Legislation particularly affecting the interests of manufacturers of gas appliances and equipment.

A. Louis E. Whyte, Suite 501, 918 16th Street NW., Washington, D. C.
B. Independent Natural Gas Association of America, Suite 501, 918 16th Street NW., Washington, D. C.
C. (2) Any legislation pertaining to natural gas.
D. (6) $750.

A. Elizabeth Wickenden, 544 East 86th Street, New York, N. Y.
B. American Association of Social Workers, 1 Park Avenue, New York, N. Y.
C. (2) Social security and related welfare legislation. (3) Public Social Policy Bulletins.
D. (6) $475.

A. John J. Wicker, Jr., 501 Mutual Building, Richmond, Va.
B. Mutual Insurance Committee on Federal Taxation, 20 North Wacker Drive, Chicago, Ill.
C. (2) All measures affecting taxation of mutual fire and casualty insurance.
D. (6) $2,298.64.
E. (2) $1,550; (5) $487.85; (6) $12.93; (7) $247.86; (9) $2,298.64; (10) $1,790.72; (11) $4,089.36.

A. A. E. Wilkinson, 1511 K Street NW., Washington, D. C.
B. Anaconda Copper Mining Co., 616 Hennessy Building, Butte, Mont.
C. (2) In favor of legislation to suspend excise import tax on imported copper.
D. (6) $750.
E. (6) $38.75; (7) $116; (8) $73; (9) $227.75; (10) $184.51; (11) $412.26.

A. Wilkinson, Boyden, Cragun & Barker, 744 Jackson Place NW., Washington, D. C.
B. Arapahoe Indian Tribe, Wind River Reservation, Fort Washakie, Wyo.
C. (2) All legislation affecting Indians or Indians tribes.

A. Wilkinson, Boyden, Cragun & Banker, 744 Jackson Place NW., Washington, D. C.
B. Indians of California, care of Clyde F. Thompson, Post Office Box 901, Redding, Calif.
C. (2) Registrants are seeking authorization to use funds to the credit of the Indians of California for prosecution of the case entitled *Indians of California* v. *United States*, Docket No. 31, before the Indian Claims Commission, and possible related legislation.

A. Wilkinson, Boyden, Cragun & Barker, 744 Jackson Place NW., Washington, D. C.
B. Klamath Indian Tribe, Klamath Agency, Oreg.
C. (2) Supporting H. R. 9188; seeking amendments to S. 2745.
E. (9) $7.90.

A. Wilkinson, Boyden, Cragun & Barker, 744 Jackson Place NW., Washington, D. C.
B. Menominee Tribe of Indians, Menominee Indian Agency, Neopit, Wis.
C. (2) All legislation relating to Indian tribes.
E. (6) $16.39; (7) $22.30; (8) $3.23; (9) $41.92; (10) $229.99; (11) $271.91.

A. Wilkinson, Boyden, Cragun & Barker, 744 Jackson Place NW., Washington, D. C.
B. Northern Cheyenne Tribe of Indians, Tongue River Reservation, Lame Deer, Mont.
C. (2) All legislation affecting Indians or Indian tribes.

A. Wilkinson, Boyden, Cragun & Barker, 744 Jackson Place NW., Washington, D. C.
B. Shoshone-Bannock Tribes of the Fort Hall Reservation, Idaho.
C. (2) Interested in all legislation affecting Indians or Indian tribes or groups.
E. (9) $7.30.

A. Wilkinson, Boyden, Cragun & Barker, 744 Jackson Place NW., Washington, D. C.
B. Southern Ute Tribe of the Southern Ute Reservation, Colo.; Consolidated Ute Agency, Ignacio, Colo.
C. (2) Supported legislation to authorize rehabilitation program from tribal funds of the Southern Ute Tribe of Indians in Colorado.
E. (4) $4.75; (7) $14.20; (8) $7.44; (9) $26.39.

A. Franz O. Willenbucher, 1616 I Street NW., Washington, D. C.
B. Retired Officers Association, 1616 I Street NW., Washington, D. C.
C. (2).[1] (3) The Retired Officer.
D. (6) $1,800.

A. Leon W. Williams, 2 Gouverneur Place, New York, N. Y.
C. (2) H. R. 4108.
D. (6) $1.25.

[1] Not printed. Filed with Clerk and Secretary.

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E. (4) $16.11; (8) $6.11; (9) $27.73; (10) $33.84.

A. C. J. S. Williamson, 839 Shoreham Building, Washington, D. C.
B. California State Chamber of Commerce, 350 Bush Street, San Francisco, Calif.
C. (2) Legislation and specific bills or regulations of interest to California economy.
D. (6) $2,952.
E. (2) $2,325; (7) $627; (9) $2,952.

A. Hugh S. Williamson, 1621 K Street NW., Washington, D. C.
B. Association of American Ship Owners, 90 Broad Street, New York, N. Y.
C. (2) Legislation with respect to maritime matters including river and harbor improvements.

A. James M. Williamson, 1000 Shoreham Building, Washington, D. C.
B. The J. R. Watkins Co., Winona, Minn.
C. (2) Proposed Revenue Code of 1954 (H. R. 8300).

A. John C. Williamson, 1737 K Street NW., Washington, D. C.
B. Realtors' Washington Committee of the National Association of Real Estate Boards, 1737 K Street NW., Washington, D. C.
C. (2) Any legislation affecting the real-estate industry.
D. (6) $4,800.
E. (6) $16.50; (7) $1,038.78; (8) $12.50; (9) $1,067.78; (10) $477.62; (11) $1,545.40.

A. Kenneth Williamson, Mills Building, 17th and Pennsylvania Avenue NW., Washington, D. C.
B. American Hospital Association, 18 East Division Street, Chicago, Ill.
D. (6) $2,568.87.
E. (9) $322.56; (10) $119.99; (11) $142.55.

A. James L. Wilmeth, 3027 North Broad Street, Philadelphia, Pa.
B. The National Council of the Junior Order of United American Mechanics of the United States of North America, Inc.
C. (2) S. 3191 and H. R. 8363, to make unlawful to affiliate with Communist Party; H. R. 8193 and H. R. 8499, revise laws relating to immigration, etc. (3) Junior American.
D. (6) $68.65.
E. (4) $58.65; (5) $10; (9) $68.65; (10) $72.50; (11) $141.

A. E. Raymond Wilson, 104 C Street NE., Washington, D. C.
B. Friends Committee on National Legislation, 104 C Street NE., Washington, D. C.
C. (2).[1] (3) Washington Newsletter.
D. (6) $1,875.
E. (6) $7.87; (7) $271.09; (9) $278.96; (10) $395.14; (11) $674.10.

A. Frank E. Wilson, M. D., 1523 L Street NW., Washington, D. C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
C. (2) All bills relating to health and welfare.
D. (6) $900.
E. (7) $321.55; (9) $321.55; (10) $298.10; (11) $619.65.

A. Everett T. Winter, 1978 Railway Exchange Building, St. Louis, Mo.
B. Mississippi Valley Association, 1978 Railway Exchange Building, St. Louis, Mo.
C. (2) Legislation relating to river and harbor maintenance and improvement; the American Merchant Marine; soil conservation; flood control; regulation of domestic transportation.
D. (6) $3,750.
E. (7) $558.04; (9) $558.04; (10) $432.32; (11) $1,040.36.

A. Theodore Wiprud, 1718 M Street NW., Washington, D. C.
B. The Medical Society of the District of Columbia, 1718 M Street NW., Washington, D. C.
C. (2) Legislation pertaining to the practice of medicine and all related services and that affecting the public health, including extension of social security into the field of the practice of medicine. (3) Medical Annals of the District of Columbia.

A. Wisconsin Railroad Association, 122 West Washington Avenue, Madison, Wis.
C. (2) Legislation affecting railroads and transportation generally.
D. (6) $1,117.94.
E. (2) $593.30; (7) $524.64; (9) $1,117.94; (11) $1,117.94.

A. Walter F. Woodul, Chronicle Building, Houston, Tex.
B. Angelina & Neches River Railroad Co., Keltys, Tex., et al.[1]
C. (2) Generally legislation affecting Texas railroads.
D. (6) $6,663.23.
E. (6) $147.73; (7) $1,700.78; (9) $1,848.51; (10) $1,519.83; (11) $3,368.34; (15).[1]

[1] Not printed. Filed with Clerk and Secretary.

A. Walter F. Woodul, Chronicle Building, Houston, Tex.
B. Humble Oil & Refining Co., Houston, Tex.
C. (2) Legislation that may affect the oil and gas industry.
D. (6) $873.46.
E. (6) $73.87; (7) $850.39; (9) $924.26; (10) $759.91; (11) $1,684.17; (15).[1]

A. Albert Young Woodward, 1625 I Street NW., Washington, D. C.
B. Signal Oil & Gas Co., 811 West Seventh Street, Los Angeles, Calif.
C. (2) Legislation introduced in the Congress affecting the Signal Oil & Gas Co. and its operations and interests.
E. (2) $526.10; (6) $223.48; (7) $1,587.79; (8) $499.21; (9) $2,836.58; (11) $2,836.58; (15).[1]

A. Frank K. Woolley, 261 Constitution Avenue NW., Washington, D. C.
B. American Farm Bureau Federation, 221 North La Salle Street, Chicago, Ill.
C. (2) Legislation affecting agriculture.[1]
D. (6) $2,250.
E. (7) $80.25; (9) $80.25; (10) $101.04; (11) $181.29.

A. Edward W. Wootton, 900 National Press Building, Washington, D. C.
B. Wine Institute, 717 Market Street, San Francisco, Calif.
C. (2) Legislation affecting California wine and brandy industry.[1]

A. Donald A. Young, 1615 H Street NW., Washington, D. C.
B. Chamber of Commerce of the U. S. A.

A. J. Banks Young, 1832 M Street NW., Washington, D. C.
B. National Cotton Council of America, Post Office Box 18, Memphis, Tenn.
C. (2) The National Cotton Council of America favors such action on any legislation affecting the raw cotton industry as will promote the purposes for which the council is organized.
D. (6) $1,800.
E. (7) $40; (9) $40; (11) $40.

A. O. David Zimring, 11 South La Salle Street, Chicago, Ill., and 1001 Connecticut Avenue NW., Washington, D. C.
B. Railroad labor organizations.
E. (6) $27.22; (9) $27.22; (10) $1,196.33; (11) $1,223.55.

[1] Not printed. Filed with Clerk and Secretary.

REGISTRATIONS

The following registrations were submitted for the second calendar quarter 1954:

(NOTE.—The form used for registration is reproduced below. In the interest of economy, questions are not repeated, only the answers are printed, and are indicated by their respective letter and number. Also for economy in the RECORD, lengthy answers are abridged.)

FILE TWO COPIES WITH THE SECRETARY OF THE SENATE AND FILE THREE COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19------

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th

(Mark one square only)

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:
(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)
(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".
(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:
(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.
(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:
1. State name, address, and nature of business.

2. If this Report is for an Employer, list names or agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (a) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (b) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(a) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302 (e).
(b) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).
(c) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (a) Short titles of statutes and bills; (b) House and Senate numbers of bills, where known; (c) citations of statutes, where known; (d) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed, in connection with legislative interests, set forth: (a) Description, (b) quantity distributed; (c) date of distribution, (d) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.

AFFIDAVIT

[Omitted in printing]

PAGE 1

UNIVERSITY OF MICHIGAN LIBRARIES

A. American Superphosphate Institute, Post Office Box 905, Alexandria, Va.
C. (2) Legislation which will affect the broad phases of agriculture and the well-being of the superphosphate industry. (4) Agents' salary, $8,000 per annum; anticipated expenses not to exceed $800.

A. American Zionist Committee for Public Affairs, 1737 H Street NW., Washington, D. C.
C. (2) The mutual-security program. (4) Salaries and publications estimated at $10,000.

A. Joel Barlow, Walter Slowinski, and Walker Winter, 701 Union Trust Building, Washington, D. C.
B. Eastern Corp., Bangor, Maine.
C. (2) The general legislative interests concern the current revenue revision.

A. F. W. H. Beauchamp, 26 O'Farrell Street, San Francisco, Calif.
B. Transportation Association of America, 130 North Wells Street, Chicago, Ill.
C. (2) Legislation having anything to do with transportation. (4) $12,000 yearly salary and expenses incurred in connection with association business.

A. Fleming Bomar and Robert J. Bird, 306 Southern Building, Washington, D. C.
B. Community Services, Inc., Graniteville, S. C.
C. (2) H. R. 9388.

A. Richard Fyfe Boyce, Route 1, Box 284, Alexandria, Va.
B. Diplomatic and consular officers, retired, 3816 Huntington Street NW., Washington, D. C.
C. (2) Legislation affecting the foreign service and its active and retired personnel.

A. Boykin & DeFrancis, Shoreham Building, Washington, D. C.
B. Studiengesellschaft fur Privatrechtliche Auslandsinteressen E. V., Contrescarpe 46, Bremen, Germany.
C. (2) Interested in all bills affecting the Trading With the Enemy Act.

A. Homer L. Brinkley, 744 Jackson Place NW., Washington, D. C.
B. National Council of Farmer Cooperatives, 744 Jackson Place NW., Washington, D. C.
C. (4) Annual rate of compensation, $20,000.

A. Derek Brooks, 5709 Franklin Avenue, Falls Church, Va.
B. New York Board of Trade, International Trade Section, 291 Broadway, New York, N. Y.
C. (2) Guaranties against the risk of nonpayment by foreign debtors due to currency inconvertibility, exchange transfer block, and other noncommercial hazards. (4) $42.50 per diem, plus expenses.

A. Brown, Lund & Fitzgerald, 900 F Street NW., Washington, D. C.
B. American and Foreign Power Co., Inc., 2 Rector Street, New York, N. Y.
C. (2) Revenue Act of 1954.

A. Henry H. Brylawski, 1109 Woodward Building, Washington, D. C.
B. District of Columbia Business Practices Council, 1109 Woodward Building, Washington, D. C.
C. (2) All legislation affecting businessmen in the District of Columbia. (4) Ordinary office expenses; compensation, $200 per month.

A. Francis J. Buckley, 2423 West Second Street, Chester, Pa.
B. Ross-Meehan Foundries, 1601 Carter Street, Chattanooga, Tenn.
C. (2) Continuation of broad production base policy for defense materiel. (4) Approximately $1,000.

A. Justice M. Chambers, 2517 Connecticut Avenue NW., Washington, D. C.
B. M. Golodetz & Co., 120 Wall Street, New York, N. Y.
C. (2) Congressional activity in the development of the strategic stockpiling program of the United States.

A. Warren A. Clohisy, 1500 Massachusetts Avenue NW., Washington, D. C.
B. Mail Order Association of America, 1500 Massachusetts Avenue NW., Washington, D. C.
C. (2) Postal legislation bills affecting the mail-order business, both as to mail-order companies and their customers.

A. Committee for Collective Security, 90 John Street, New York, N. Y.
C. (2).[1] (3).[1] (4) approximately $1,000.

A. Committee on Foreign Trade Education, Inc., Building A, Room 801, 270 Park Avenue, New York, N. Y.
C. (2) Legislation affecting import and export trade of United States. (3) COFTE News. (4) Anticipated expenses would be $167 per month.

A. Committee for the Return of Confiscated German and Japanese Property, 1013 18th Street NW., Washington, D. C.
C. (2) It is the purpose of this committee to support the sanctity of private property in international relations, and hence it is promoting the amendment of the Trading With the Enemy Act to authorize the return of German and Japanese property confiscated by the Government of the United States. (4) $1,300 per month.

A. Conference on State Defense, 111 Eighth Avenue, New York, N. Y.
C. (2) Opposition to Federal taxation of State and local government bond interest. (4) $1,000 per annum.

A. Cotton, Brenner & Wrigley, 225 Broadway, New York, N. Y.
B. Martin Aloysius Madden, 27 West 96th Street, New York, N. Y.
C. (2) For the relief of Martin Aloysius Madden.

A. Dr. Edwin L. Crosby, 18 East Division Street, Chicago, Ill.
B. American Hospital Association, 18 East Division Street, Chicago, Ill.
C. (2) Legislation affecting hospitals. (4) Annual rate of salary, $30,000.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.
B. Chicago Bridge & Iron Co., 1305 West 195th Street, Chicago, Ill.
C. (2) Proposed Internal Revenue Code of 1954, relating to the tax treatment of income derived from foreign sources.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.
B. The Copley Press, Inc., 428 Downer Place, Aurora, Ill.
C. (2) Provisions of 1954 revenue revision bill relating to corporate distributions and adjustments, including corporate liquidations.

A. Charles W. Davis, 1 North La Salle Street, Chicago, Ill.
B. The Singer Manufacturing Co., 149 Broadway, New York, N. Y.
C. (2) Proposed Internal Revenue Code of 1954, relating to the tax treatment of income derived from foreign sources.

[1] Not printed. Filed with Clerk and Secretary.

A. Waters S. Davis, Jr., League City, Tex.
B. The National Association of Soil Conservation Districts, League City, Tex.
C. (2) Legislative interests will be exclusively those of my employer as stated in its preliminary report. (4) Anticipated travel expenses for legislative purposes, $650.

A. M. DeTar, Suite 1121, 1001 Connecticut Avenue NW., Washington, D. C.
B. National Oil Jobbers Council, Suite 708, Ferguson Building, Springfield, Ill.
C. (2) Legislation which would restrict importation of crude oil and/or petroleum products, and establish a national fuels policy. (4) Expenses estimated at $1,500.

A. District of Columbia Business Practices Council, 1109 Woodward Building, Washington, D. C.
C. (2) Legislation affecting businessmen in the District of Columbia. (4) Salary of executive secretary and expenses.

A. Eastern Corp., Bangor, Maine.
C. (2) Legislative interests concern the current revenue revision.

A. A. J. Edgar, 1601 Carter Street, Chattanooga, Tenn.
B. Ross-Meehan Foundries, 1601 Carter Street, Chattanooga, Tenn.
C. (2) Continuation of broad production base policy for defense materiél. (4) Approximately $1,000.

A. Newell W. Ellison, 701 Union Trust Building, Washington, D. C.
B. Empire Zinc Division, the New Jersey Zinc Co., Gilman, Colo.
C. (2) S. 3344 and H. R. 8896—bills to amend the mineral leasing laws to provide for multiple mineral development of the same tracts of the public lands, and for other purposes.

A. Emergency Committee on Natural Resources, 709 Wire Building, Washington, D. C.
C. (2) Conservation of natural resources.

A. Charles J. Fain, 1303 New Hampshire Avenue NW., Washington, D. C.
B. National Rural Electric Cooperative Association, 1303 New Hampshire Avenue NW., Washington, D. C.
C. (2) Legislation affecting rural electrification programs. (4) $10,000 annual salary.

A. Forest Conservation Society of America, 2144 P Street NW., Washington, D. C.
C. (2) Forest conservation.

A. Fowler, Leva, Hawes & Symington, 1701 K Street NW., Washington, D. C.
B. Waterways Council Opposed to Regulation Extension, 21 West Street, New York, N. Y.
C. (2) Legislation related to extension of regulation to bulk carriers on waterways. (4) Compensation based on time spent, minimum $3,500, maximum $10,000 and expenses.

A. Nolen J. Fuqua, Duncan, Okla.
B. The National Association of Soil Conservation Districts, League City, Tex.
C. (2) Legislative interests will be exclusively those of my employer as stated in its preliminary report. (4) Anticipated travel expenses for legislative purposes, $550.

A. Daniel B. Goldberg, 111 Eighth Avenue, New York, N. Y.
B. Conference on State Defense, 111 Eighth Avenue, New York, N. Y.
C. (2) Opposition to Federal taxation of State and local government bond interest.

A. Charles A. Grant, 1450 Broadway, New York, N. Y.
B. Silk and Rayon Printers and Dyers Association of America, Inc., 1450 Broadway, New York, N. Y.
C. (2) Seeks legislation creating a regulatory commission. (4) Regular salary and expenses.

A. Paul S. Green, 1737 H Street NW., Washington, D. C.
B. American Zionist Committee for Public Affairs, 1737 H Street NW., Washington, D. C.
C. (2) The mutual security program. (4) Compensation at the rate of $800 a month.

A. John H. Gunn, Boatmen's Bank Building, St. Louis, Mo.
B. Transportation Association of America, 130 North Wells Street, Chicago, Ill.
C. (2) Legislation having anything to do with transportation. (4) $7,800 yearly salary and reimbursement of actual expenses incurred.

A. Hardboard Association, 30 North LaSalle Street, Chicago, Ill.
C. (2) Legislation that would change the classification of hardboard tariffwise, protection against dumping and increased imports. (4) Estimated expenses $2,000.

A. Bernard C. Harter, 5402 Albemarle Street, Washington, D. C.
B. Dr. A. B. Baker, chairman, the Committee for Research in Neurological Disorders, University Hospital, University of Minnesota, Minneapolis, Minn.
C. (2) Appropriation bills in House and Senate on neurological research. (4) Annual compensation, $7,500 and travel expenses.

A. Patrick B. Healy, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
C. (2) Any legislation that may affect milk producers or the cooperatives through which they act together to process and market their milk. (4) Salary of $10,000 per annum and expenses.

A. George R. Heidrich, Charles Town, W. Va.
B. The National Association of Soil Conservation Districts, League City, Tex.
C. (2) Legislative interests will be exclusively those of my employer as stated in its preliminary report. (4) Anticipated travel expenses for legislative purposes, $400.

A. Samuel H. Horne, Munsey Building, Washington, D. C.
B. Chicago Bridge & Iron Co., 1305 West 105th Street, Chicago, Ill.
C. (2) Internal Revenue Code of 1954.

A. Samuel H. Horne, Munsey Building, Washington, D. C.
B. The Singer Manufacturing Co., 149 Broadway, New York, N. Y.
C. (2) Internal Revenue Code of 1954.

A. Samuel H. Horne, Munsey Building, Washington, D. C.
B. Underwriters Service Corp., Meridian, Miss.
C. (2) Proposed Internal Revenue Code of 1954.

A. Kenneth N. Hurley, 2700 16th Street South, Arlington, Va.
C. (2) Tax and finance.

A. Whitney W. Orons, Post Office Box 46, Seabrook, Md.
C. (2) Any legislation which may affect, directly or indirectly, the value of my personal investment in railroad securities.

A. Frank G. Johnson, 823 Dupont Circle Building, Washington, D. C., and Kake, Alaska.
B. National Congress of American Indians, 823 Dupont Circle Building, Washington, D. C.
C. (2) Legislation affecting Indians, Indian tribes, bands, or groups in the United States and Alaska. (3) The Washington Bulletin. (4) $65 per week.

A. Reuben L. Johnson, Jr.
B. Farmers Educational and Cooperative Union of America, 1417 California Street, Denver, Colo., and 1404 New York Avenue NW., Washington, D. C.
C. (2) Legislation on matters of interest to the National Farmers Union. (4) $5,400 per annum, all expenses incurred by me are paid by the National Farmers Union.

A. Phillip E. Jones, 1001 Tower Building, Washington, D. C.
B. United States Beet Sugar Association, 1001 Tower Building, Washington, D. C.
C. (2) Interested in any legislation affecting sugar. (4) $17,000 annual salary plus expenses.

A. James P. Kem, 1625 K Street NW., Washington, D. C.
B. Conference for Inland Waterways Dry-Bulk Regulation, 402 Commonwealth Building, Washington, D. C.
C. (2) Legislative interest is to bring about an amendment of section 303 (b) of the Interstate Commerce Act.

A. James P. Kem, 1625 K Street NW., Washington, D. C.
B. Field Enterprises—Educational Division, Merchandise Mart Plaza, Chicago, Ill.
C. (2) To obtain change in tax treatment for taxpayers electing to use the installment method of accounting.

A. James P. Kem, 1625 K Street NW., Washington, D. C.
B. Field Foundation, Inc., 135 South LaSalle Street, Chicago, Ill.
C. (2) To obtain amendment in proposed tax law affecting real-estate holdings of charitable organizations.

A. James P. Kem, 1625 K Street NW., Washington, D. C.
B. Johnston, Lemon & Co., Southern Building, Washington, D. C.
C. (2) The legislative interest is opposition to H. R. 3998.

A. I. L. Kenen, 1737 H Street NW., Washington, D. C.
B. American Zionist Committee for Public Affairs, 1737 H Street NW., Washington, D. C.
C. (2) The mutual security program. (4) $1,166.66 a month.

A. John A. Killick, Hotel Statler, New York, N. Y., and 740 11th Street NW., Washington, D. C.
B. Eastern Meat Packers Association, Hotel Statler, New York, N. Y., and 740 11th Street NW., Washington, D. C.
C. (2) General interest in legislation affecting meat-packing industry. (4) $35, estimated for legislature purposes.

A. Joseph William Kinghorne, 1365 Iris Street NW., Washington, D. C.
B. National Broiler Association, Inc., 77 West Washington Street, Chicago, Ill.
C. (2) Legislation that may tend to affect the production and/or marketing of commercial broilers. (4) Annual salary is $1,200 plus incidental office expense.

A. Rowland F. Kirks, 1026 17th Street NW., Washington, D. C.
B. National Automobile Dealers Association, 1026 17th Street NW., Washington, D. C.
C. (2) Any legislation affecting retail automobile and truck dealers.

A. Edith C. Krogh, 130 North Wells Street, Chicago, Ill.
B. Transportation Association of America, 130 North Wells Street, Chicago, Ill.
C. (2) Legislation having anything to do with transportation. (4) $9,200 yearly salary; reimbursement of actual expenses incurred.

A. Dillard B. Lasseter, Chevy Chase Club, Chevy Chase, Md.
B. Organization of Professional Employees of the United States Department of Agriculture, Post Office Box 381, Washington, D. C.
C. (2) Legislation to enable Federal employees to qualify for United States civil service retirement service credit for time formerly spent working in Federal-State programs, such as H. R. 1553. (4) $500, to include all expenses incurred by me.

A. Leon B. Lent, 14th and F Streets NW., Washington, D. C.
B. Federal Retirement Protective Association, room 1147, National Press Building, 14th and F Streets NW., Washington, D. C.
C. (2) Legislation affecting retirement interests of Federal employees. (3) $200 per month.

A. Walter Lichtenstein, 105 West Madison Street, Chicago, Ill.
B. Gardner & Jones, 105 West Madison Street, Chicago, Ill.

A. Norman M. Littell, 1826 Jefferson Place NW., Washington, D. C.
B. Wade Crawford and 11 associated Klamath Indians.[1]
C. (2) H. R. 7320 and S. 2745. (4) Compensation $1,100 plus expenses.

A. Leonard Lopez, 1029 Vermont Avenue NW., Washington, D. C.
B. District Lodge No. 44, International Association of Machinists, 1029 Vermont Avenue NW., Washington, D. C.

A. Lucas & Thomas, 1025 Connecticut Avenue NW., Washington, D. C.
B. Mobile Homes Manufacturers Association, 20 North Wacker Drive, Chicago, Ill.
C. (2) General legislation affecting mobile homes. (4) Compensation $1,000 per quarter and $200 expenses.

A. Roy M. Lynnes, 77 West Washington Street, Chicago, Ill.
B. National Broiler Association, Inc., 77 West Washington Street, Chicago, Ill.
C. (2) Interested in any legislation that may tend to affect the production and/or marketing of commercial broilers. (4) Annual salary $1,200.

A. Charles T. McGavin, 711 14th Street NW., Washington, D. C.
B. National Parking Association, Inc., 711 14th Street NW., Washington, D. C.
C. (2) Opposed to encroachment of Government into field of private enterprise. (4) $4 per hour.

A. Ellis W. Manning, 1625 K Street NW., Washington, D. C.
B. Shell Oil Co., 50 West 50th Street, New York, N. Y.

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[1] Not printed. Filed with Clerk and Secretary.

UNIVERSITY OF MICHIGAN LIBRARIES

C. (2) Proposed revision of section 501 (e) of H. R. 8300.

A. Ellis W. Manning, 1625 K Street NW., Washington, D. C.
B. Shell Oil Co., 50 West 50th Street, New York, N. Y.
C. (2) Proposed Senate amendment to section 403 (c) (3) of H. R. 8300.

A. Ellis W. Manning, 1625 K Street NW., Washington, D. C.
B. General Motors Corp., Detroit, Mich.
C. (2) Proposed revision of section 861 (a) (1) of H. R. 8300.

A. Ellis W. Manning, 1625 K Street NW., Washington, D. C.
B. General Motors Corp., Detroit, Mich.
C. (2) Proposed revision of section 1035 of H. R. 8300.

A. Miller & Chevalier, 1001 Connecticut Avenue, Washington, D. C.
B. Affiliated Gas Equipment, Inc., 17877 St. Clair Avenue, Cleveland, Ohio.
C. (2) Affiliated is interested in provisions of H. R. 8300 having to do with restricted stock options.

A. Miller & Chevalier, 1001 Connecticut Avenue, Washington, D. C.
B. Sears, Roebuck & Co., Homan & Arthington, Chicago, Ill.
C. (2) H. R. 8300, having to do with pension and profit-sharing trusts, deduction for dividends received, and income from retail establishments in foreign countries.

A. Miller & Chevalier, 1001 Connecticut Avenue, Washington, D. C.
B. Young & Rubicam, Inc., 285 Madison Avenue, New York, N. Y.
C. (2) Interest is in the enactment of H. R. 6339, a bill to amend section 459 (d) of the Internal Revenue Code.

A. Miller & Chevalier, 1001 Connecticut Avenue, Washington, D. C.
B. Sierra Talc & Clay Co., Post Office Box 390, South Pasadena, Calif.
C. (2) H. R. 8300, covering percentage depletion.

A. Joseph L. Miller, 1025 Connecticut Avenue, Washington, D. C.
C. (2) All Federal legislation of concern to the northern textile industry. (4) $1,500 fees; $150 expenses.

A. Seymour S. Mintz, William T. Plumb, Jr., and Robert K. Eifler, 810 Colorado Building, Washington, D. C.
B. John H. Davis et al., Seattle, Wash.
C. (2) Revision of the proposed Internal Revenue Code of 1954 (H. R. 8300).

A. Seymour S. Mintz, William T. Plumb, Jr., and Robert K. Eifler, 810 Colorado Building, Washington, D. C.
B. Hughes Tool Co., Houston, Tex.
C. (2) Revision of proposed Internal Revenue Code of 1954 (H. R. 8300).

A. Mobile Homes Manufacturers Association, 20 North Wacker Drive, Chicago, Ill.
C. (2) Housing Act of 1954, as well as all legislative measures affecting mobile homes. (4) anticipated expenses $5,000.

A. Douglas G. Mode, 705 Ring Building, Washington, D. C.
B. Bridgeport Brass Co., Bridgeport, Conn.
C. (2) Legislation providing for continuation of the suspension of certain import taxes on copper; (4) annual compensation and expenses $3,000.

A. Albert H. Monacelli, 161 East 42d Street, New York, N. Y.
B. Stockholders of Bessemer Securities Corp., 465 East 57th Street, New York, N. Y.
C. (2) H. R. 8300 (Internal Revenue Code of 1954).

A. Francis A. Mulhern, 111 8th Avenue, New York City, N. Y.
B. Conference on State Defense, 111 8th Avenue, New York City, N. Y.
C. (2) Opposition to Federal taxation of State and local bond interest.

A. Andrew P. Murphy, Jr., 1028 Connecticut Avenue NW., Washington, D. C.
B. National Association of Home Builders of the United States, 1028 Connecticut Avenue NW., Washington, D. C.
C. (2) Generally interested in legislation affecting construction and housing. (4) Annual salary $9,000, expenses about $20 per month.

A. National Association of Soil Conservation District, League City, Tex.
C. (2) National legislation relating to the soil resources of the Nation.

A. National Congress of American Indians, Dupont Circle Building, Room 823, Washington, D. C.
C. (2) This association is interested in all legislation affecting Indians, Indian tribes, bands, or groups in the United States and Alaska. (3) The Washington Bulletin.

A. National Council of Salesmen's Organizations, Inc., 80 West 40th Street, New York, N. Y.
C. (2) General legislation of interest to wholesale salesmen including Federal income tax, Jenkins-Keogh bill, H. R. 6483. (4) $500 per year.

A. National Federation of Post Office Motor Vehicle Employees, 412 5th Street NW., Washington, D. C.
C. (2) All legislation of interest to post office motor vehicle employees.

A. National Wool Growers Association, 414 Pacific National Life Building, Salt Lake City, Utah.
C. (2) S. 2911 and H. R. 7775, Wool Act; S. 2313, to include grease wool under the Commodity Exchange Act; S. 2548 and H. R. 6787, grazing bill; S. 2862, McCarran labor bill.

A. Nordlinger, Riegelman, Benetar & Charney, 420 Lexington Avenue, New York, N. Y.
B. Silk and Rayon Printers and Dyers Association of America, Inc., 1450 Broadway, New York, N. Y.
C. (2) Enactment of a law creating regulatory commission.

A. Nordlinger, Riegelman, Benetar & Charney, 420 Lexington Avenue, New York, N. Y.
B. Webb & Knapp, Inc., 383 Madison Avenue, New York, N. Y.
C. (2) Redevelopment of southwest section of Washington, D. C.

A. Frank Norton, Mercantile Securities Building, Dallas, Tex.
B. Transportation Association of America, 130 North Wells Street, Chicago, Ill.
C. (2) I am interested in all legislation having anything to do with transportation. (4) $9,600 yearly salary.

A. James L. Oakes, 139 Main Street, Brattleboro, Vt.
B. Edgar C. Salvesen, 2 Country Hill, Brattleboro, Vt.
C. (2) To prevent prejudice to persons currently receiving social security benefits who are now in noncovered employment. (4) Total compensation not in excess of $100.

A. Herbert R. O'Conor, Mathieson Building, Baltimore, Md.
B. Worthington Corporation, 2 Park Avenue, New York, N. Y.
C. (2) H. R. 8300, tax revision legislation.

A. Herbert R. O'Conor, Jr., 10 Light Street, Baltimore, Md.
B. National Automobile Dealers Association, 1026 17th Street NW., Washington, D. C.
C. (2) Any legislation aimed at enabling automobile manufacturers and their authorized dealers to enter into legal agreements prohibiting the sale of new motor vehicles by authorized dealers to unauthorized persons for resale to customers and include in their selling agreements with their authorized dealers legally enforceable exclusive representation provisions. (4) $1,250 per quarter.

A. Alvin E. Oliver, 600 Ribbs Building, Washington, D. C.
B. Grain and Feed Dealers National Association, 100 Merchants Exchange Building, St. Louis, Mo.
C. (2) Legislation affecting the grain and feed trade.

A. Robert Oliver, 718 Jackson Place NW., Washington, D. C.
B. Congress of Industrial Organizations, 718 Jackson Place NW., Washington, D. C.
C. (2) Support all legislation favorable to the national peace, security, democracy, prosperity, and general welfare; oppose legislation detrimental to these objectives.

A. Robert S. Palmer, 203 State Office Building, Denver, Colo.
B. Colorado Plateau Uranium Committee.
C. (2) Legislation affecting mining in general and uranium in particular.

A. Lovell H. Parker, Colorado Building, Washington, D. C.
C. (2) Tax legislation with respect to excise tax on automobile accessories.

A. Parker, Milliken & Kohlmeier, 650 South Spring Street, Los Angeles, Calif.
B. The Farmers & Merchants National Bank of Los Angeles, as trustee of the Mary Paula Ball Trust, Fourth and Main Streets, Los Angeles, Calif.
C. (2) To establish the value at the date of death of Mary Paula Ball, deceased, as the income-tax basis for certain property included in the estate of said decedent for Federal estate tax. (4) $10,000 compensation, plus $1,000 estimated expenses.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. Field Enterprises—Educational Division, Merchandise Mart Plaza, Chicago, Ill.
C. (2) To obtain change in tax treatment for taxpayers electing to use the installment method of accounting.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. Field Foundation, Inc., 135 South La Salle Street, Chicago, Ill.
C. (2) To obtain amendment in proposed tax law affecting real-estate holdings of charitable organizations.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 575 Madison Avenue, New York, N. Y.
B. Fifty Broadway Building, Inc., 50 Broadway, New York, N. Y.
C. (2) Representation in connection with obtaining an amendment to proposed provisions in H. R. 8300 with respect to corporate liquidation.

A. Paul, Weiss, Rifkind, Wharton & Garrison, 1614 I Street NW., Washington, D. C.
B. The Sixty Trust, 1109 Hospital Trust Building, Providence, R. I.
C. (2) To obtain amendment in proposed tax law affecting investments of pension and profit-sharing trusts.

A. Catherine A. Pearce, 130 North Wells Street, Chicago, Ill.
B. Transportation Association of America, 130 North Wells Street, Chicago, Ill.
C. (2) Legislation having anything to do with transportation. (4) $5,100 yearly salary, plus actual expenses.

A. Mrs. Helen L. Peterson, 823 Dupont Circle Building, Washington, D. C.
B. National Congress of American Indians, 823 Dupont Circle Building, Washington, D. C.
C. (2) I am interested in all legislation affecting Indians, Indian tribes, bands, or groups in the United States and Alaska. (3) The Washington Bulletin. (4) $600 per month.

A. J. Hardin Peterson, Lakeland, Fla.
B. Tomoka Land Co., 8–10 West Center Street, Sebring, Fla.
C. (2) For modification of section 1237, H. R. 8300, making same applicable to corporations on lands held more than 10 years and for similar legislation. (4) $500 retainer, plus expenses.

A. J. Hardin Peterson, Cochrane Building, Lakeland, Fla.
B. West Coast Inland Navigation District, Court House, Bradenton, Fla.
C. (2) Any river and harbor bill affecting the Intercoastal West Coast Waterway, its right-of-ways, and appropriations therefor; for authorization of alternate route and for appropriations therefor. (4) $200 per month.

A. Percy W. Phillips and Robert J. Bird, 306 Southern Building, Washington, D. C.
B. The Minot Mercantile Corp., care of Equitable Trust Co., Wilmington, Del.
C. (2) H. R. 8300.

A. Radner, Zito, Kominers & Fort, 520 Tower Building, Washington, D. C.
B. Pacific Far East Line, Inc., 141 Battery Street, San Francisco, Calif.
C. (2) Legislation authorizing Federal Maritime Board to reprice and sell certain Government-owned vessels.

A. Redevelopment Builders of New York, 110 East 42d Street, New York City, N. Y.
C. (2) In favor of certain redevelopment housing legislation. (4) Total fee $10,000.

A. James Francis Reilly, 1625 K Street NW., Washington, D. C.
B. Potomac Electric Power Co., 929 E Street NW., Washington, D. C.
C. (2) S. 3387, S. 1403, and H. R. 3998.

A. Harry Rieck, Preston, Md.
B. The National Association of Soil Conservation Districts, League City, Tex.

A. Frank M. Robbins, 1601 Carter Street, Chattanooga, Tenn.
B. Ross-Meehan Foundries, 1601 Carter Street, Chattancoga, Tenn.
C. (2) Continuation of broad production base policy for defense material. (4) Approximately $2,000.

A. G. A. Robinson, 1520 18th Street NW., Washington, D. C.
B. National Clay Pipe Manufacturers, Inc., 1520 18th Street NW., Washington, D. C.
C. (2) All legislation affecting business, particularly public health and sanitation. (4) Expenses of less than $200 a month.

A. Robert Emmet Rodes, 34 West 65th Street, New York, N. Y.
C. (2) Enforcement of United States treaties with Morocco.

A. W. Crosby Roper, Jr., 701 Union Trust Building, Washington, D. C.
B. Empire Zinc Division, the New Jersey Zinc Co., Gilman, Colo.
C. (2) S. 3344 and H. R. 8896, bills to amend the mineral leasing laws.

A. Ross-Meehan Foundries, Chattanooga, Tenn.
C. (2) Continuation of broad production base policy for defense materiel. (4) Approximately $5,000.

A. Jack Garrett Scott, 839 17th Street NW., Washington, D. C.
B. National Association of Motor Bus Operators.
C. (2) All proposed legislation which would affect the intercity motorbus industry.

A. Salvage, Lee & Chase, 1625 I Street NW., Washington, D. C.
B. New York Coffee and Sugar Exchange, 113 Pearl Street, New York, N. Y.
C. (2) All legislation affecting the New York Coffee and Sugar Exchange.

A. Silk & Rayon Printers & Dyers Association of America, Inc., 1450 Broadway, New York, N. Y.
(C) (2) Seeks enactment of law creating regulatory commission.

A. Russell Singer, 1712 G Street NW., Washington, D. C.; Fleming Bomar & Robert J. Bird, 306 Southern Building, Washington, D. C.
B. American Automobile Association.
C. (2) H. R. 8300.

A. Fred Smith & Co., Inc., 161 East 42d Street, New York, N. Y.
B. Edward Mallinckrodt, 16 West Moreland Place, St. Louis, Mo.
C. (2) Legislation involving conservation principles, including modification of S. 1555 and H. R. 4449, to protect Dinosaur National Monument. (4) $3,000 per quarter, plus expenses.

A. Spencer M. Smith, Jr., 2144 P Street NW., Washington, D. C.
B. Forest Conservation Society, 2144 P Street NW., Washington, D. C.
C. (2) Forest Conservaton.

A. Samuel Elliot Stavisky, 9307 Singleton Drive, Bethesda, Md.
B. United States Cuban Sugar Council, 910 17th Street NW., Washington, D. C.
C. (2) All legislation pertaining to sugar and Cuban trade. (4) $15,000 annually, plus expenses.

A. D. M. Strickland, 1520 18th Street NW., Washington, D. C.
B. National Clay Pipe Manufacturers, Inc., 1520 18th Street NW., Washington, D. C.
C. (2) All legislation affecting business, particularly public health and sanitation.

A. Sullivan, Bernard, Shea & Kenney, 804 Ring Building, Washington, D. C.
B. Brown Co., Berlin, N. H.
C. (2) Modifications of the Clayton and Federal Trade Commission Acts.

A. Sullivan, Bernard, Shea & Kenney, 804 Ring Building, Washington, D. C.
B. Southern Pacific Co., 65 Market Street, San Francisco, Calif.
C. (2) Proposed 1954 revisions of the Internal Revenue Code.

A. Sullivan, Bernard, Shea & Kenney, 804 Ring Building, Washington, D. C.
B. Standard Fruit and Steamship Co., 944 St. Charles Avenue at Lee Circle, New Orleans, La.
C. (2) Proposed 1954 revisions of the Internal Revenue Code.

A. Maude M. Taylor, 220 East 42d Street, New York, N. Y.
B. Transportation Association of America, 130 North Wells Street, Chicago, Ill.
C. (2) All legislation having anything to do with transportation. (4) $8,400 per year and actual expenses.

A. Ruth H. Tegtmeyer, Statler Office Building, Boston, Mass.
B. Transportation Association of America, 130 North Wells Street, Chicago, Ill.
C. (2) All legislation having anything to do with transportation. (4) $9,600 per year and expenses incurred.

A. Austin J. Tobin, 111 8th Avenue, New York City, N. Y.
B. Conference on State Defense, 111 8th Avenue, New York City, N. Y.
C. (2) Opposition to Federal taxation of State and local government bond interest.

A. H. Willis Tobler, 1731 I Street NW., Washington, D. C.
B. National Milk Producers Federation, 1731 I Street NW., Washington, D. C.
C. (2) Any legislation that may affect milk producers or the cooperatives through which they act together to process and market their milk. $10,000 per annum, plus expenses.

A. Tomoka Land Co., 8–10 West Center Street, Sebring, Fla.
C. (2) For modification of section 1237, H. R. 8300, making same applicable to corporations on lands held more than 10 years, and for similar legislation. $500 fee and approximately $400 expenses.

A. Steve Toney, 600 57th Avenue, Capitol Heights, Md.
C. (2) Work for the reduction of taxes and raising exemptions.

A. H. F. Torok, 1601 Carter Street, Chattanooga, Tenn.
B. Ross-Meehan Foundries, 1601 Carter Street, Chattanooga, Tenn.
C. (2) Continuation of broad production base policy for defense material. (4) Approximately $1,000.

A. Noel T. Tweet, Town House, Kansas City, Kans.
B. Missouri-Arkansas Basins Flood Control Association, Town House, Kansas City, Kans.
C. (2) Legislation pertaining to flood control and soil conservation. (4) $8,400 per year and $1,000 expenses.

A. Vegetable Growers Association of America, Inc., 528 Mills Building, 17th and Pennsylvania Avenue NW., Washington, D. C.
B. Vegetable Growers Association of America, Inc., 528 Mills Building, Washington, D. C.
C. (2) Agricultural interests pertaining to the vegetable industry. (4) $7,500 annually.

UNIVERSITY OF MICHIGAN LIBRARIES

A. Paul H. Walker, 1000 Vermont Avenue, Washington, D. C.
B. Life Insurance Association of America, 488 Madison Avenue, New York, N. Y.
C. (2) Legislation which might affect the welfare of policyholders and annuitants. (4) $10,000 per annum.

A. Frank J. Waters, 727 West 7th Street, Los Angeles, Calif.
B. Hughes Tool Co., Houston, Tex.
C. (2) Revision of proposed Internal Revenue Code of 1954 (H. R. 8300).

A. Thomes Watters, Jr., 161 William Street, New York, N. Y., and Shoreham Building, Washington, D. C.
B. Bigham, Englar, Jones & Houston, 99 John Street, New York, N. Y., and Shoreham Building, Washington, D. C.
C. (2) Matters affecting marine insurance companies as subrogees of property owners whose property was damaged or destroyed by the enemy during World War II.

A. West Coast Inland Navigation District, Governmental Corporation Court House, Brandenton, Fla.
C. (2) Any river and harbor bill affecting the International West Coast Waterway, its right-of-ways and appropriations therefor for authorization of alternate route and for appropriation therefor.

A. A. L. Wheeler, 911 Sheraton Building, Washington, D. C.
B. Marvin Small, 53 Park Place, New York City, N. Y. and J. George Spitzer, 923 Old Nepperhan Avenue, Yonkers, N. Y.
C. (2) Section 1235 of H. R. 8300 only.

A. Joseph F. Wildebush, 7 Church Street, Paterson, N. J.
B. Silk & Rayon Printers & Dyers Association of America, Inc., 1450 Broadway, New York, N. Y.
C. (2) Seeks legislation creating a regulatory commission for printers dyers, and finishers of silk and manmade fibers.

A. W. E. Wilkinson, Glenn Building, Atlanta, Ga.
B. Transportation Association of America, 130 North Wells Street, Chicago, Ill.
C. (2) Legislation having anything to do with transportation. (4) $7,800 yearly salary; reimbursement of actual expenses incurred.

A. Wilkinson, Boyden, Cragun & Barker, 744 Jackson Place NW., Washington, D. C.
B. Indians of California, care of Clyde F. Thompson, Post-Office Box 901, Redding, Calif.
C. (2) Registrants are seeking authorization to use funds to the credit of the Indians of California for prosecution of the case entitled "Indians of California v. United States," Docket No. 31, before the Indian Claims Commission, and possible related legislation.

A. Wilkinson, Boyden, Cragun & Barker, 744 Jackson Place, Washington, D. C.
B. Klamath Tribe of Indians, Klamath Agency, Oreg.
C. (2) Supporting H. R. 9188; seeking amendments to S. 3532. (4) Expenses not to exceed $1,000.

A. Wilkinson, Boyden, Cragun & Barker, 744 Jackson Place NW., Washington, D. C.
B. Shoshone-Bannock Tribes of the Fort Hall Reservation, Idaho.
C. (2) Legislation affecting Indians or Indian tribes or groups. (4) Annual compensation of $5,000.

A. Wilkinson, Boyden, Cragun & Barker, 744 Jackson Place NW., Washington, D. C.
B. Southern Ute Tribe of the Southern Ute Reservation, Consolidated Ute Agency, Ignacio, Colo.
C. (2) Support legislation to authorize a rehabilitation program from tribal funds of the Southern Ute Tribe of Indians in Colorado. (4) Expenses not expected to exceed $100.

A. Leon W. Williams, 2 Gouverneur Place, Bronx, N. Y.
C. (2) A bill for the relief of Leon W. Williams. (4) Expenses about $100 per year.

A. Williams, Myers & Quiggle, 817 Munsey Building, Washington, D. C.
B. Bristol Laboratories, 630 Fifth Avenue, New York, N. Y.
C. (2) Internal Revenue Code of 1954. (4) Compensation—$1,000 retainer, plus $30 per hour.

A. Edward L. Wilson, 20 North Wacker Drive, Chicago, Ill.
B. Mobile Homes Manufacturers Association.
C. (2) Specific interest relative to the current Housing Act of 1954—H. R. 7839 and S. 1472—as well as all legislative measures affecting mobile homes. (4) Salary $150 per month. Expenses estimated quarterly including transportation $1,000.

A. Harry E. Zwinggi, Clark Building, Pittsburgh, Pa.
B. Transportation Association of America, 130 North Wells Street, Chicago, Ill.
C. (2) Legislation having anything to do with transportation. (4) $10,000 yearly salary; reimbursement of actual expenses incurred.

EXTENSIONS OF REMARKS

Outlawing Communism

EXTENSION OF REMARKS
OF

HON. USHER L. BURDICK

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. BURDICK. Mr. Speaker, Congress in a state of hysteria about communism, fanned by the action of Russia against the United States and the constant propaganda put out here in Washington by the Russian Embassy against the United States, and the convictions obtained by the Government, made a bold stroke, as it thought, to complete the destruction of Communist thinking in the United States. Under this law, and the laws we have—the Smith Act—a card-carrying Communist must register or be guilty of a crime. Under this new law, as it left the house, if his registration shows him to be a Communist, he is ipso facto a felon. Anyone who has spent a week in a law school knows such action is unconstitutional. This process repeals the fifth amendment of the Constitution completely.

Congress has declared, in this bill, that communism is a felonious conspiracy against the United States. Tomorrow or next year the Congress can, in like manner, declare any organization, in their opinion engaged in a conspiracy against the United States and make advocates of that movement felons. Many good people in the United States are working daily and assiduously to build a world government that will be superior to our own Government, and destroy the Constitution of the United States. That movement is going on while this anti-Communist bill was being debated.

It makes no difference the way in which people contrive to destroy our Government, whether by force or violence, or through any other means, designed and intended to destroy our Constitution. When the Constitution is destroyed, our Government is destroyed. Has anyone made any move to "outlaw" these builders of a world government?

In the interest of this great Republic, does it make any difference what ism is set up to destroy it? Is not nazism just as bad as communism? Is not fascism just as bad? While we seek to destroy one ism why should we be so hysterical as to allow the other two to progress?

We have destroyed communism in the United States, the proponents of this bill say, by legislative fiat exactly in line with the means employed by Hitler and his gestapo. By this action we have ceased to operate as a democracy.

While we have put communism out of business here—as believed—we foster it in the United Nations. That organization is full of Communists, and many of them are citizens of the United States. We continue our appropriations to keep Communists there, as was evidenced by the mutual security appropriation bill, which passed the House—$5,788,000—just ahead of the anti-Communist bill. We oust Communists from the payroll of the United Nations and the United Nations puts them back and pays them damages. We do nothing about that but continue our appropriations to that organization.

Both the Bible and the statutes of the world outlaw murder, arson, and all other major crimes, but has that stopped murder and all the rest? We have stopped Communists, but will that stop communism? Not at all. Communism is a condition of mind, and no matter what the penalty some people will keep on thinking what they want to think. Congress cannot stop thinking for if it does, more violence has been done to our Constitution and the Government than the thinking of these misguided people.

Up to the time people do some overt act, the thinking of communism is a right any individual has under the Constitution. If, however, he takes part in any undertaking to destroy the Government, either in planning it or acts committed in execution of the design, the

thinker of communism has committed a punishable act against the Government.

This bill really is designed to keep men from thinking whatever they want to think, and that is clearly unconstitutional.

Republican Social Security Program

EXTENSION OF REMARKS
OF

HON. DANIEL A. REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. REED of New York. Mr. Speaker, enactment of my bill H. R. 9366, to extend and improve the social-security system, represents one of the most outstanding achievements of this Republican Congress. It extends vital retirement and survivorship protection to over 10 million Americans for the first time. Moreover, the bill provides substantial increases in benefits both for those who are already drawing benefits and for those who will become entitled to benefits in the future. The following are the highlights of this new social security legislation:

I. EXTENSION OF COVERAGE

First. Farmers: The bill extends social security coverage for the first time to self-employed farm owners and operators. This means that old-age and survivors insurance protection will be extended to about 3.6 million farmers, their wives, and their children.

Second. Farm workers: The bill also extends coverage to about 2 million farm workers who are not covered today. In general, farm workers who are employed regularly by one farmer are covered at the present time. The bill extends this same protection to those farm workers who earn $100 or more in the course of a year from one employer.

Third. Professional groups: The bill extends social security coverage to accountants, architects, engineers, and morticians. As a result, the only professional groups which will not be covered by social security in the future are lawyers, doctors, dentists, and other medically related professions.

Fourth. Ministers: The bill covers ministers and members of religious orders, whether self-employed or employees, if they elect individually for coverage on the same basis as self-employed individuals. It is estimated that this amendment will extend coverage to about 260,000 persons.

Fifth. State and local employees: The bill extends coverage to the employees of State and local governments who are covered by State and local retirement systems—other than policemen and firemen—under voluntary agreements between the States and Federal Government, if a majority of the members of the system vote in a referendum in favor of coverage. There are about 3.5 million persons in this group.

Sixth. Domestic workers: The bill extends coverage to domestic workers in private homes—and others who perform work not in the course of the employer's place of business—who are paid $50 in cash wages by an employer in a calendar quarter, regardless of the 24-day test required in the present law. This provision will extend coverage to about 250,000 persons.

Seventh. Miscellaneous: The bill also extends social security coverage to the following groups for the first time:

(a) American citizens employed outside the United States by foreign subsidiaries of American companies, under voluntary agreements between the Federal Government and the parent American company—about 100,000.

(b) Home workers who are now excluded from coverage as employees—whether or not they are now covered as self-employed persons—because their services are not subject to State licensing laws—about 100,000.

(c) Employees engaged in fishing and related activities, on vessels of 10 net tons or less or on shore—about 50,000.

(d) American citizens employed by American employers on vessels and aircraft of foreign registry.

(e) Cotton-gin workers: The following is a breakdown of the additional coverage: 3,600,000 farmer operators, 2,100,000 farm workers, 200,000 domestic workers, 3,500,000 State and local employees, 250,000 ministers, 100,000 home workers, 50,000 fishermen, 100,000 employees of foreign subsidiaries, 50,000 in employment not in course of trade or business, 100,000 professional self-employed, and 150,000 Federal employees; totaling 10,200,000.

II. INCREASE IN BENEFITS

First. More than 6.5 million persons now on the benefit rolls will have their benefits increased as of September 1, 1954. The average increase for retired workers will be about $6 a month, with proportionate increases for dependents and survivors. The range in primary insurance amounts for those now on the rolls would be $30 to $98.50, as compared to $25 to $85 under present law.

Second. Persons who retire or die in the future would, in general, have their benefits computed by the following new formula: 55 percent of the first $110 of average monthly wage—rather than $100 as in present law—plus 20 percent of the next $240—rather than 15 percent of the next $200. Thus, an individual's retirement benefit will be as high as $108.50 a month, and he and his wife together could receive as much as $162.75 in retirement benefits.

Third. The minimum monthly benefit amount for a retired worker would be $30, and the minimum amount payable where only one survivor is entitled to benefits on the deceased insured person's earnings, would be $30.

Fourth. The maximum monthly family benefit of $168.75 would be increased to $200; the provision of existing law that total family benefits cannot exceed 80 percent of the worker's average monthly wage would not reduce total family benefits below 1½ times the insured worker's primary insurance amount, or $50, whichever is the greater.

III. EARNINGS BASE

The total annual earnings on which benefits will be computed and contributions paid is raised from $3,600 to $4,200.

IV. COMPUTATION OF BENEFITS

The individual will be entitled to drop out from the computation of his average monthly wage for benefit purposes up to 5 years of his lowest earnings.

V. RETIREMENT TEST

The earnings limitation would be removed entirely at age 72—instead of at 75, as under present law. For beneficiaries under age 72, the earnings limitation would be made the same for wage earners and self-employed persons. A beneficiary could earn as much as $1,200 in a year from covered work without loss of benefits. He would lose a month's benefit for each unit of $80—or fraction thereof—of covered earnings in excess of $1,200, but in no case would he lose benefits for months in which he neither earned more than $80 in wages nor rendered substantial services in self-employment. Beneficiaries engaged in noncovered work outside the United States would have their benefits withheld for any month in which they worked on 7 or more days.

VI. ELIGIBILITY FOR BENEFITS

(a) As an alternative to the present requirements for fully insured status, an individual would be fully insured if all the quarters elapsing after 1954 and up to the quarter of his death or attainment of age 65 were quarters of coverage, provided he had at least 6 quarters of coverage after 1954.

(b) Benefits would be paid to the surviving aged widow, widowed mother, and children, or parents of any individual who died after 1939 and prior to September 1, 1950, and had at least 6 quarters of coverage.

VII. PRESERVATION OF BENEFIT RIGHTS FOR DISABLED

The period during which an individual was under an extended total disability would be excluded in determining his insured status and the amount of benefits payable to him upon retirement or to his survivors in the event of his death. Only disabilities lasting more than 6 months would be taken into account. Determinations of disabilities generally would be made by State vocational rehabilitation agencies or other appropriate State agencies pursuant to agreements with the Secretary of Health, Education, and Welfare.

VIII. RECOMPUTATION OF BENEFITS FOR WORK AFTER ENTITLEMENT

An individual may have his benefit recomputed to take into account additional earnings after entitlement if he has covered earnings of more than $1,200 in a calendar year after 1953 and after the year in which his benefit was last computed.

IX. CONTRIBUTION RATES

Employers and employees will continue to share equally, with the rates on each being as follows:

Calendar year:	*Rate (percent)*
1954–59	2
1960–64	2½
1965–69	3
1970–74	3½
1975 and after	4

The self-employed would pay 1½ times the above rates.

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PUBLIC ASSISTANCE

First. The provisions of the 1952 amendments, presently scheduled to expire on September 30, 1954, with respect to temporary increases in Federal payments to State for old-age assistance, aid to dependent children, aid to the blind, and aid to the permanently and totally disabled are extended through September 30, 1956.

Second. The provisions of the 1950 amendments for approval of certain State plans for aid to the blind which did not meet the requirements of clause (8) of section 1002 (a) of the Social Security Act are extended from June 30, 1955, to June 30, 1957.

Prayer for Peace

EXTENSION OF REMARKS
OF
HON. LEO W. O'BRIEN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. O'BRIEN of New York. Mr. Speaker, many Members of the House of Representatives on this, the final day of the second session of the 83d Congress, are revising and extending remarks in the RECORD.

Some are devoting their remarks to the accomplishments or lack thereof of this particular Congress. That is their right, and their duty, because the people are entitled to those views in determining their choices for Federal offices in November.

I should like to address myself, Mr. Speaker, to something alien to politics—something which may be the true and final key to the closed door of world peace.

It is my privilege to conduct, over station WRGB in Schenectady, N. Y., a weekly television commentary which is nonpartisan and nonpolitical. Two and one-half years ago, during one of those programs, I remarked:

> Wouldn't it be a wonderful thing if all the people of the world who believe in the power of a Supreme Being were to join simultaneously, say at noon, London time, on a specified day, in a mighty prayer for peace?

Mr. Speaker, I expressed conviction that such an assault upon the gates of Heaven, joined in by the bus driver at an American street corner and the camel driver in some faroff desert; by the policeman in New York City and the store clerk in Paris; by the housewife in Des Moines and the lawmaker in Bombay, would surely produce what every decent human heart is aching for—a world untroubled by war and threat of war.

Mr. Speaker, the usual mail response to my program is not great because I avoid controversy as religiously as possible.

But during the week following the suggestion of a moment of simultaneous prayer I received more than 400 letters, some of them signed by entire families. They came from 40 communities and 4 States. They came from wives and mothers, fathers, children, clergymen, and college students.

Those letters overwhelmed me with their deep sincerity and their humble belief that prayer would bring peace.

I felt that I had been handed a great responsibility to further what I had suggested and what those people so strongly endorsed. I wrote to the Governor of New York State and the President of the United States, asking them to use their greater power and influence to bring about that moment of universal and simultaneous prayer. Their responses were cordial but, until today, I have felt that the pleas of those people had gone unanswered and that, somehow, I had failed them.

Mr. Speaker, the President of the United States delivered a speech on Thursday of this week at Evanston, Ill. Among other things, he said this:

> The goal should be nothing short of inviting every single person in every single country of the world who believes in the power of a Supreme Being to join in a mighty, simultaneous, intense act of faith. The act of faith might take the form of a personal prayer by the hundreds of millions—delivered simultaneously and fervently for the devotion, wisdom, and stamina to work unceasingly for a just and lasting peace.

Mr. Speaker, on tomorrow, with the cares and concerns of the session 24 hours and 350 miles away from me, I shall report back to those wonderful people who wrote me 2½ years ago.

I shall tell them that their voices did not cry out in the wilderness and that what they fervently desire has now been endorsed in the strongest possible terms by the powerful leader of the most powerful nation on earth.

I shall suggest to them, also, that they write to President Eisenhower, telling him what they told me so long ago, and urging him to set in motion at once the international machinery for carrying into effect this mighty and simultaneous plea to Almighty God.

Eighty-third Congress, Second Session, Second Report to the People of the Fifth Congressional District of Maryland

EXTENSION OF REMARKS
OF
HON. FRANK SMALL, JR.
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. SMALL. Mr. Speaker, with the adjournment of the 83d Congress at hand, it is only natural that attention will be focused on our accomplishments during the two sessions of this Congress. I therefore submit the following report to my constituents:

PUBLIC WORKS COMMITTEE

As a member of the Committee on Public Works, I have continued to devote much time to legislation dealing with this subject. Certain public works projects, such as those involving roads, navigable streams and tidewater, where local governments cannot act without Federal participation—as in the case of Peace Cross—and those projects which are interstate in nature, must necessarily have Federal participation and coordination. The consideration of legislation covering such matters involves endless hours of hearings, including the presentation of highly technical data.

Another subject coming under the jurisdiction of the Committee on Public Works is the study of our water supply and water pollution. One of our basic resources is water. We are running short on this resource in the United States, and are faced with the necessity of finding some economical way to take the salt out of the ocean water, so that it will be usable in supplementing our fresh water supply. The shortage of water directly affects the growth of industry. For instance, the production of every ton of steel involves the use of 8,000 gallons of water. Herein enters the problem of pollution. The water taken out of our streams for industrial purposes is dumped back, contaminated with chemicals, and this polluted water kills marine life. We have here, then, a twofold problem, not yet solved; accordingly, much research and work remain to be done before we can arrive at the answers.

PEACE CROSS

"Why doesn't somebody do something about the floods at Peace Cross?" For 20 years or more this question has been pressed by residents, businessmen, and motorists who have been plagued by the ever-increasing floods at the intersection of United States Routes 1 and 50, in Bladensburg. Therefore, upon coming to Congress in January 1953, as Representative of the Fifth Congressional District of Maryland, one of the first things I did was to inquire into the legislative steps necessary to get flood relief at Peace Cross. It was a pleasure for me to spearhead the drive in Congress for the Anacostia River flood-control project.

One of the problems not generally known to the public was the fact that the Anacostia River is considered a navigable river and therefore comes under the jurisdiction of the United States Army engineers. Even though the Maryland State Legislature, on April 11, 1953, made available $4,250,000 for the Peace Cross flood-control project, this money could not be used until a Federal appropriation, also, was available, which would enable the Army engineers to go in and supervise the work. It was necessary, therefore, that the Army engineers make a comprehensive survey of the project and submit their report and recommendations.

Early in the 1st session of the 83d Congress I started my campaign for "project Peace Cross." On March 6, 1953, I called in person on Director Joseph M. Dodge, of the Bureau of the Budget. At that time I urged Director Dodge to include funds for Peace Cross in the budget that he was then preparing for submission to the Congress. Repeatedly thereafter I made strong representations to Director Dodge; the Honorable JOHN TABER, chairman of the House Appropriations Committee; and the Honorable GLENN R. DAVIS, chairman

of the Subcommittee on Army Civil Functions and Military Construction. I presented in evidence photographs, cartoons, editorials, articles, and letters received from individuals and citizens' groups, all of which pointed up the seriousness of the situation. Not once were these gentlemen permitted to forget the urgent need for an appropriation to clean up the mess at Peace Cross. On March 18, 1953, I asked Chairman TABER for an opportunity to present testimony and witnesses before the House Appropriations Subcommittee then about to consider the Army civil functions appropriation bill. During April and May I contacted the leaders of the House, outlining to them the deplorable conditions that existed in the Bladensburg area and urging their support of the project. On May 13 I testified before the Army Civil Functions Subcommittee of the House Appropriations Committee.

Back in April 1953, while contacting the Army engineers, I was reminded that the overall policy announced by the President for the entire country was "No new starts on construction in 1953." This meant that any project on which work had not already been started was a hopeless cause for that year. Nevertheless, I continued to present the Peace Cross project at every opportunity, and on May 22, 1953, I testified before the Senate Committee on Appropriations. When the Army civil-functions appropriation bill left the House, it did not include funds for the Anacostia River Basin flood-control project, but through the efforts of Senator JOHN MARSHALL BUTLER and Senator J. GLENN BEALL, an item of $500,000 was inserted on the Senate side and received Senate approval. To our great disappointment the item was knocked out by the conferees, and the bill that went to the President for signature contained no funds for Peace Cross.

Another attempt was made on July 30, 1953, to obtain construction funds for Peace Cross when the supplemental appropriations bill was amended by the Senate to provide $200,000 for this purpose, but again the item was struck out when the bill went to conference. On August 1, 1953, I went on the floor of the House with the purpose in mind of offering a motion to have the House put this item back in the supplemental appropriations bill. However, after discussing the matter with the conferees I realized that they were working under extreme pressure and that there were a number of other items that would have to be considered if the debate were opened for consideration of the Peace Cross item. To force the issue at that time was not practicable. In spite of all our efforts, another appropriation bill had been passed without any provision for flood relief at Peace Cross.

So, we had to start all over again in the 2d session of the 83d Congress. More representations were made to the Bureau of the Budget, to the congressional leadership, and to the committees. Finally I appealed directly to the President, and this time I got results. My first information that Peace Cross was included in the proposed budget came from the White House. This was clear evidence that the President had acted in our behalf.

Inclusion of the item in the budget was the first and most important step. The next step was to again appear before the House and Senate committees. This I did, presenting additional arguments and material. I displayed a map showing that civil-defense highways led, of all places, directly to Peace Cross. I showed the committee blowups of photographs depicting actual flood conditions, with buses and ambulances bogged down in the middle of the Peace Cross puddle. I quoted reports telling of the man-hours lost by Federal and District of Columbia Government employees when Peace Cross was flooded, because they were daily commuters between Prince George's County and the Nation's Capital and must go through Bladensburg.

Now we were getting somewhere. The House approved an item of $1 million for Peace Cross; the Senate lowered the amount to $900,000 but approved the item; and the conferees approved this latter amount. At long last an appropriation bill containing funds for Peace Cross was on its way to the White House. The President signed the bill on June 30, 1954.

So, in the end, somebody has done something about Peace Cross.

AID TO EDUCATION

Although, as a businessman, I am generally opposed to Federal grants and subsidies and the intervention of the Federal Government which usually goes with such aid, there is an instance in which I make exception—that is, Federal aid to our schools in Government-impacted areas. In this situation, where the Federal Government causes an impacted condition in certain areas by the installation of its agencies, resulting in an additional financial burden on local governments, I feel it is only fair that the Federal Government contribute toward that financial responsibility.

The Fifth Congressional District has several areas that are highly impacted as a result of the expansion of Federal projects and installations. We are vitally affected because of the heavy expense incurred, not only in the construction of schools but also in the construction and maintenance of roads; maintenance of police and fire protection, sanitary facilities, and various other facilities which are normal and necessary adjuncts to our schools. The Federal Government has taken thousands of acres of our ground, causing a heavy loss in tax revenue. At the same time we are confronted with a continuing heavy influx of population coincidental with the expansion of Federal projects and installations. This increase in population adds to the overburdening of our already crowded school systems.

While I am basically committed to and support reduction in Government expenditures and balancing the budget, I think it would be wrong to start with our schools and our schoolchildren. I, therefore, voted to restore the item providing aid to schools in the second supplemental appropriations bill and supported the school construction in federally affected areas bill and legislation for emergency school construction.

Other legislative action, not involving appropriations, is sometimes necessary to aid our schools. For instance, early in 1953, the Prince George's County Board of Education sought my assistance in obtaining a much-needed site for a proposed new school in the Oxon Hill-Forest Heights area. The site in question was part of the St. Elizabeths Hospital tract. I ascertained that congressional action would be necessary to effect a transfer of this land from the Federal Government to the Prince George's County Board of Education Accordingly, I promptly introduced appropriate legislation. By diligently pursuing, step by step, the legislative procedure essential to passage of a bill in Congress, I succeeded in obtaining approval of this transfer of land. The bill has now been signed by the President and has become law.

Another notable instance of legislative action involving school property is found in Charles County where the Board of Education is seeking title to the ground on which Lackey High School and the Indian Head Elementary School are located. This ground is owned by the Federal Government and is under the jurisdiction of the Navy Department until transfer is effected. The Navy Department recommended approval of the request for a transfer, and subsequently the Department of Defense gave approval as disposal project No. 24, subject to approval of the Armed Services Committees of the House and Senate. Approval was given, also, by the Department of Health, Education, and Welfare. Complying with my urgent requests, repeatedly emphasized, that action be taken prior to adjournment of the 83d Congress, the Senate and House committees have now given their approval of the transfer.

THE HATCH ACT

From the time this legislation was enacted I have felt that the sections prohibiting Federal, State, or local government employees from taking an active part in political management or in political campaigns are unfair. I am sure that I have as many civil-service employees in my district as any Member of Congress, and I feel that they should have the right to go out and get on a stump and express themselves freely as to why they think I should or should not be reelected to Congress. They pay taxes and they have the same obligations as other citizens. They should not be penalized because they happen to earn their bread and butter by working for a Government agency.

The bill that I introduced to amend the Hatch Act is a simple one. It would merely eliminate the two sections of the act that prohibit Government employees from participating in political campaigns. The other portions of the act that now protect them from pressure, coercion, and compulsion to contribute to political campaigns are still retained. With the adoption of my amendment,

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the employees would still have the protection of the original act, plus the restoration of their right to express themselves like other citizens.

Two days of hearings were held on my bill in February of this year before the Subcommittee on Elections of the House Administration Committee. The Civil Service Commission expressed itself during the hearings as opposed to my amendment. The Commission argued that the provision of the Hatch Act that states, "No officer or employee in the executive branch of the Federal Government, or any agency or department thereof, shall take any active part in political management or in political campaigns," while set up in restricting language, is actually a "protection" for Federal employees, since it applies to supervisors as well as subordinates and "protects" the individual employee from political coercion. I cannot agree with this theory. You can set up all sorts of "protection" around people. You can put them in jail in order that they will not be hit by an automobile, and keep them there the rest of their lives—if you consider such action "protection." But I do not think this kind of protection is justifiable. As I have stated, the main portion of the Hatch Act which is purported to be for the protection of Government employees, is retained. I fail to see where my proposed amendment removes this protection from any Government employee; it simply restores the right to individual citizens of the United States of America to express themselves.

The hearings were adjourned, subject to call of the chairman, and no further action has been taken on my bill. But some good did result from the hearings. During the consideration of this legislation, it was pointed out that unduly severe penalties could be imposed upon a State or local employee for minor infractions of the Hatch Act, such as wearing an oversized political button. The penalty for such violation would be the same as if the employee had hired a sound truck and actively campaigned. Attention having been called to this situation, the question was raised: "What advisability is there of giving more discretion to the Commission on the supension or removal of State and local employees?" This question was referred to the Civil Service Commission for study, and the Chairman requested that the Commission report back to the subcommittee. After receiving the Commission's report, the full Committee on House Administration reported favorably on a bill granting the Commission more discretion in imposing penalties on State and local employees.

This liberalization is indicative of the growing sentiment with respect to the prohibitive and punitive features of the Hatch Act, and I shall continue to press for further liberalization for all Government employees.

ANDREWS AIR FORCE BASE AND FRIENDSHIP INTERNATIONAL AIRPORT

I have conferred with the Secretary of Commerce and other high officials of the Government to emphasize our continued opposition to proposed partial commercialization of Andrews Air Force Base. At a conference with the Secretary of Commerce and representatives of the commercial airlines as recently as June 22, 1954, Senator JOHN MARSHALL BUTLER and I advocated the use of Friendship International Airport to handle the overflow of transoceanic and transcontinental air traffic which cannot be readily accommodated at Washington National Airport.

JONES POINT BRIDGE

Legislative action was completed in the House on August 17, authorizing construction of the Jones Point Bridge across the Potomac from Prince George's County to Alexandria. This bill will now go to the White House for final approval. This new bridge will be an important link in the development of the metropolitan area, and I have supported this legislation actively in committee and on the floor of the House. A central area bridge to serve the downtown area of Washington was included in the authorization.

DELAWARE AND CHESAPEAKE CANAL

I supported in committee and on the floor, legislation for widening and deepening the Delaware and Chesapeake Canal. This project, when completed, should be a great benefit to the port of Baltimore and to the whole State of Maryland.

GOOD MANAGEMENT

The 83d Congress set a modern speed record June 30 when it completed action on every regular appropriation bill a day before the new fiscal year began, and saved money in the process. Disregarding all other achievements, this is a noteworthy accomplishment indicative of good management. The second session of the 80th Congress was the only other in the past 25 years to operate so efficiently. The total amount approved in the appropriation bills this year was $47,642,131,205—almost $7 billion less than in 1953. We have achieved a tax cut of over $7 billion.

The immense volume of legislation confronting Members of Congress is better understood when you know that 10,695 measures were introduced in the Senate and House in 1953, and by June 30, 1954, the number had climbed to 15,133. The President has signed into law in this Congress more than 500 bills.

The United States Department of Commerce reports that the gross national production for 1953 reached $365 billion, the greatest in all our history, exceeding 1952 by $19 billion. It is believed that 1954 will top any previous year. Personal services and personal income are proportionately higher than any previous years. Employment for the month of July this year showed an increase of 50,000 over the previous month. Virtually all business indicators show an optimistic picture.

Construction also is hitting all-time highs, and is expected this year to exceed any previous year by $3 billion. All of this, plus an estimated increase of 19 million in our population in the next 6 years, heralds an era of continued production and prosperity. It is largely up to everyone to take advantage of his opportunities under such an expanding peacetime economy. It is my purpose to serve the best interests of the people of the Fifth Congressional District of Maryland and the best interests of the United States. I have an efficient staff dedicated to the ideal of service and always ready to assist in every way we can in any worthy matter before the Government. You will find us on the job daily at 1608 New House Office Building, Washington, D. C.

Eisenhower-McKay Power Policy Loses $21 Million Payroll for Pacific Northwest

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EXTENSION OF REMARKS

OF

HON. WARREN G. MAGNUSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the RECORD a statement I have prepared relative to the loss of $21 million in payrolls in the Pacific Northwest, due to the Eisenhower-McKay power policy.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MAGNUSON

A $21 million annual payroll has been lost to the Pacific Northwest by the Eisenhower-McKay power policy.

That policy has decreed no new starts on the Columbia River or its tributaries.

That power policy has assured that there will not be a single new kilowatt on the line—put there by this administration.

That policy has substituted the word "partnership" for performance. It has substituted "confusion" for comprehensive development.

It has driven a $270 million investment and a $21 million yearly payroll from the Pacific Northwest into the arms of British Columbia.

I now document these statements.

On August 5 the lead story in the American Metal Market bore this headline, "Reynolds Metals To Participate in Big Frobisher Project—American Aluminum Firm To Have Role in Vast Development."

Now what is the Frobisher project and what is the role of Reynolds Aluminum Co. in that project?

The Frobisher project is a projected $700 million power and metallurgical development on the headwaters of the Yukon River in British Columbia. The project itself is to be undertaken by Northwest Power Industries, Ltd., a subsidiary of Quebec Metallurgical Industries and Frobisher, Ltd.; which in turn are subsidiaries of Ventures, Ltd. These are Canadian firms but their main financial substance is United States capital. As I have already stated, the entire project is estimated to cost $700 million; $270 million of this, according to the American Metal Market, will be spent by 1962, "by which time it is hoped that 880,000 horsepower will have been developed."

Still quoting the American Metal Market, "Site of the huge project is the Atlin Lake region along the British Columbia-Yukon border, 800 miles north of Vancouver."

What is the role of Reynolds Aluminum Co.? Again I quote from the American Metal Market.

"Reynolds Metals * * * is taking a 30 percent interest in the joint enterprise," and again, "Reynolds Aluminum Co. have signed for 30 percent of the hydroelectric power."

Now, what does this mean for the Pacific Northwest? It means that Reynolds has had to sign up for a share in the Canadian project in order to get the cheap kilowatts it needs for aluminum production. American capital which should be available for development in the Pacific Northwest is moving to Canada. The aluminum industry now must consider the possibility of moving elsewhere—and out of the United States—just as the textile industry has moved out of New England.

One-third of the electric output at the Frobisher project will provide power for about 200,000 tons of new aluminum capacity. It is reasonable to assume that the American company, Reynolds, would have brought these potlines to the Northwest had the cheap kilowatts been available. If the announcement in the American Metal Market is true, the Pacific Northwest has already lost this investment and this payroll.

Now, let's translate this into an economic loss—spelled out in terms of jobs and payrolls.

The potential economic loss to Washington and Oregon can be reckoned best in terms of potential payrolls which have now been diverted elsewhere. A 1954 study, The Impact of the Aluminum Industry on the Economy of the Pacific Northwest, prepared by the Stanford Research Institute for the Aluminum Company of America, identified 7,600 employees actually in the Northwest aluminum industry in 1952, of which about 4,800 were employed in the production of 350,000 tons of primary aluminum, and the balance in fabrication of basic aluminum commodities such as sheet, cable, wire and rod.

Allowing for a potential of 200,000 tons of aluminum in the Canadian project, that project represents a potential permanent payroll of 2,500 workers diverted from Washington and Oregon by the administration's short-sighted policy of blocking further development of low-cost power in that area.

Add a proportionate amount of basic fabrication and this becomes a permanent payroll of 4,000 workers, enough to support a city the size of Wenatchee, Wash.

With the addition of the community services and related employment, which such a payroll would create, the total becomes 7,000 employed persons; which, with families, is a city the size of Everett, Wash.

Furthermore the initial 8-year construction program ($270 million of an ultimate $700 million) for the Canadian project calls for steady work for 4,000 to 5,000 construction and related service workers throughout that period—with practically permanent employment for that many assured throughout the duration of the overall 20-year-construction program.

Now, let's translate into dollars the loss of 200,000 tons of new aluminum capacity. I have already demonstrated that a plant of that size would create employment for about 7,000 people. Assuming an average yearly earning of $3,000 per worker, which is conservative, this means that the Republican administration through its policy of blocking Northwest power development has cost Washington and Oregon a potential payroll of more than $21 million per year.

This is a single example of what the Eisenhower-McKay power policy has done to our region. Seven thousand jobs at a single crack is a price too high to pay for a slogan. I refer, of course, to the word "partnership"—coined in the last campaign and parroted ever since.

Low-cost power is the greatest economic resource of our Pacific Northwest. By blocking further rapid development of that resource the administration has placed us in a position of economic colonialism, and has made feasible the Canadian competition which I have just recounted. The impact on our economy of no new starts will have disastrous and long-range implications.

Someone has sold the Pacific Northwest down the river. Along with that they have sold Alaska down the river—because Alaska, too, was scheduled for hydroelectric and aluminum development.

The Pacific Northwest has been and could continue to be, the aluminum capital of the world—provided the cheap kilowatts are on the line for aluminum production. But the Eisenhower-McKay power policy has decreed that the kilowatts will not be on the line and that when and if they do come on, they will not be cheap but high-cost kilowatts.

Who has sold the Pacific Northwest down the river? Eisenhower and McKay—and the fact that a great American aluminum company has decided to move to Canada with 7,000 jobs and a $21 million payroll clinches the point.

New England's Great Textile Industry

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. PHILBIN. Mr. Speaker, I have noted Senator GREEN's very able statement appearing in yesterday's RECORD regarding the textile industry in New England and wish to commend him for his clearly stated views on this subject of such great importance to Massachusetts and New England.

It is incredible that anyone should discount the importance of the textile industry. It is even more incredible that a banker and economist should, if he is correctly quoted, state or intimate that the New England economy should be predicated on products for export. The direct contrary is true and has been true for many years, namely, that the New England economy, to achieve maximum prosperity, must strengthen its greatest markets, the markets of America.

If there are those who wish to sacrifice the great textile industry because it has suffered temporary reverses and is undergoing a period of readjustment, they must never forget that this industry at the present time, as Senator GREEN so aptly pointed out, employs over 200,000 men and women, who with their families are directly dependent upon this great industry. Every intelligent economic report, as well as sound economic theory, tends to support the thesis that it is imperative to retain a vital, dynamic textile industry in New England. As the report of Prof. Seymour E. Harris, of Harvard University stated:

> This is a matter of outstanding importance whose significance we cannot overemphasize.

An industry with a payroll of $750 million a year is certainly favorable and vital to any area and obviously, since it is the second largest source of industrial wages in our region, it is of utmost essentiality to preserve it as a healthy economic unit. There is a great deal of misrepresentation concerning the New England textile industry and this is deplorable. Not only are its total wages high but it has spent huge sums modernizing its plant and equipment, purchasing products of other New England industries and paying substantial taxes in many communities.

Senator GREEN's analysis of the importance of the textile industry to New England is not only admirable but convincing. How any banker could be unaware of its importance is a deep mystery to me, as it will be to other persons interested in our New England economy. Of course, there are some who favor opening the doors wide to the influx of cheaply produced foreign goods. If this is done to a greater extent than it has been done, there can be but one definite result and that will be to destroy a great many of our New England and American industries, which depend largely upon our own markets and pay wages and insure working conditions that cannot be compared with those of any other nation. In fact, our standards are infinitely higher than those of any other nation and must be preserved at all costs.

I must be frank and say that when I read of a responsibly placed leader of finance making such indiscriminate attacks upon a great industry like the textile industry it does much to break my confidence in that kind of leadership and makes me feel that fuzzyminded thinking has more influence in our financial and economic policies than is generally supposed by the American people.

I hope there will be no repetition of such unwarranted criticism of a great industry upon which so many citizens of New England depend to such a large extent for their livelihood.

The Big Slide of 1954

EXTENSION OF REMARKS
OF
HON. W. R. POAGE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. POAGE. Mr. Speaker, Mr. Farmer, can you feel the price supports on which you have so long relied sliding out from under you just when you need them most? American farmers asked Mr. Benson for a fish but were given a serpent; they asked for a loaf but were handed a stone by the present Republican administration. The farmers of America have asked for 90 percent of parity supports, and in the campaign of 1952 were promised those supports by the party now in power. In a speech made by General Eisenhower at Brookings, S. Dak., during that campaign, we find the following statement:

> The Republican Party is pledged to the sustaining of a 90-percent parity price support, and it is pledged even more than that, to helping the farmer obtain his full parity—100 percent of parity—with the guaranty and the price supports of 90 percent.

This was not an extemporaneous speech but a well thought out appeal for

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farm votes. The above quotation appeared in the news release handed out before the speech by the Republican Campaign Committee, as well as in the speech itself.

On July 1 of this year the House of Representatives was called upon to redeem that pledge. I doubt that during the past 18 years I have been a Member of this House that I have ever witnessed a more cruel exhibition than that day's repudiation of the party pledge and of all party members who tried to honor it. On that day we saw a coalition of those who were determined to pull the foundations out from under all price supports, repudiate not only their party's pledge, but also repudiate the only real farm leaders their party has produced, including Chairman HOPE, of the Agriculture Committee. Everyone agreed that farm prices were low—too low—yet the overwhelming majority of the Republicans voted for a "flexible" plan, a "sliding scale." Now I ask you, have you ever seen anything slide uphill? In spite of any explanations or excuses they may offer, the Republican leaders demanded and received unwaivering support of lower farm prices, and this program does mean lower supports every time supports are needed. Let no one deceive you. When the country suffers a widespread disaster like drought, production will naturally decrease, the prices will go up without any supports. Farmers do not need price supports when production is short—but that is the only time this sliding program would give 90-percent supports. Farmers need supports when the market is low. That is exactly when the Republican plan will slide right out from under them. Any time farm prices start sliding down, Mr. Benson's supports will slide right down with them. Reminds me of buying a lead life preserver.

Much of our fuzzy thinking on price supports stems from the fact that most people do not know or do not remember that the great bulk of our losses have occurred on commodities which were being supported by the very flexible plan which the Republicans are now extending to all crops. Our greatest losses, on potatoes, occurred while the support on potatoes was flexible. Supports on dairy products were and still are flexible. On the other hand, supports on the basic commodities have not been flexible and up until the day the present administration came into power had not cost the taxpayers one thin dime. In fact as of January 1, 1953, the basics showed a net profit to the Government of $13,011,290. True, Mr. Benson has lost more than $100 million on basics during the past 18 months. But about fourteen-fifteenths of all price-support costs have involved nonbasics—and most of his losses have been under flexible programs. How stupid can we get? Here we abandon the cheapest and most effective support program we have yet devised and substitute a program which has proven to be both costly and ineffective. Does anyone think flexibles kept us from growing excessive surpluses of potatoes?

Another widespread fallacy which has received general acceptance in recent months is the belief that lower farm prices would, of themselves, eliminate our surplus problem. A lot of people seem to believe if you will but lower the price of farm products you will materially reduce farm production without any governmental controls. Mr. Benson points to the evils of large surpluses and then, without one scintilla of proof, assumes that if we would lower the price of our basic commodities we would automatically reduce our surpluses. There never was a more fallacious conclusion presented to the American people. If you do not control the production of agricultural commodities, lowering the price will simply result in the production of more and more of the things you do not need, until everyone goes broke together.

Let me illustrate this with the example of cotton. In 1937 we produced our largest cotton crop. At that time we had supports of 53 percent of parity. The farmers knew their product would bring a smaller amount of money per unit of production. They reacted as farmers always have and always will react; they tried to make up in increased units of production what they stood to lose in price. With 53 percent supports they grew our largest cotton crop. How can anyone seriously believe 75 percent supports would control production?

Do not tell the American people you will restore the farmer's freedom if you destroy his livelihood. You do not restore anybody's freedom by making him an economic slave. The latest statistics show that even now all farmers, including the most prosperous, in our rich Texas blacklands just barely make 75 cents per hour for their labor. The Republican Party wants these farmers to work for less than the legal minimum wage for industry, and for less than one-half of the actual average industrial wage.

The farmer will work in the face of seemingly insurmountable difficulties to provide for his family. If he has to grow twice as much to receive the money necessary to pay his obligations, then he will attempt to grow such an amount, and our surplus problem is only aggravated. Of course, the present administration's program will bring about a reduction of surpluses in time—after it has bankrupted enough farmers. What American wants that kind of production control?

The Republicans speak of a flexible program as opposed to what they call the rigid system which is now in effect. Let me point out that we have no rigid system, and that just as parity in itself is flexible so is 90 percent of parity. Parity is that price for farm products which will return to the farmer today a buying power comparable to that which his production had during the base period—generally July 1, 1909, through June 31, 1914. In other words, parity relates the present value of the farmer's products to the cost of things he has to buy. It goes up when farm costs go up; it comes down when the general level of prices comes down. It is not a fixed amount in dollars and cents, but is intended to retain a maximum degree of stability in farmers' buying power. That is all the "flex" I want to see.

I am of the opinion that agriculture is still the basis of our entire economy. History has proven that any time we let the price of the basic agricultural commodities drop to as low as 75 percent of parity, our country has suffered a devastating depression. From past experience we know that jackrabbit stew and other such dishes do not compare very favorably with the meals of prosperity we have enjoyed during the past 20 years of Democratic administration. In fact, when the farmer cannot buy and a depression comes, it is likely to be more difficult to catch a jackrabbit in Pittsburgh than in Punkin Center. Many of our great labor organizations have realized this fact, and I have been heartened to see them take a firm stand for national prosperity against the Eisenhower-Benson policy of creep-unemployment.

We have heard a lot of talk about principle in connection with the farm-price-support program. I have listened to some very tear-jerking speeches about "I stand above petty politics" and "I base my stand on principle," and "I am for 75 or 82½ percent of parity supports because it would be wrong in principle to get 90 percent."

Now let us be sensible. What is the difference in principle between 90 and 75 percent? It is merely a question of arithmetic. True, it is a matter of tremendously important economics, but there is no principle involved in the choice of figures. It is pure hogwash to tell the American people that the level of support is a matter of principle.

I think it is a sound principle to give price supports to the American farmer when he cooperates by accepting controls to bring his production in balance with consumptive demands. I think such supports should be high enough to keep the farmers' children in shoes, and maybe to invite Santa Claus to visit the farm home at Christmas. I am for that principle. The Democratic Party, and 19 independent acting Republican Congressmen are for that principle.

Why should we accept 82½ percent of parity next year? Why should we accept 75 percent of parity the following year? The proponents of the administration have not told us. They have talked in generalities about the evils of the present program. They have talked about the immorality of 90-percent supports. The freedom about which Mr. Benson talks will not be restored by this cut in farm income, because even Mr. Benson admits we will have to maintain exactly the same controls which we have today. We will still have acreage allotments. We will still have marketing quotas. We will still have surpluses. We will still spend tax money to move these surpluses; but we will have less tax money because there will be less income. We will retain every evil, but we will lose most of the benefits of the present program.

We will not get lower prices for the consumer. The producer of basic commodities always gets a very small part of the consumer's dollar: about 2½ cents

out of a 17-cent loaf of bread, about two bits out of a $3.99 shirt, possibly half a cent out of a 21-cent box of cornflakes. Actually, the price of wheat has dropped 10 to 15 percent since this administration came into office, but the price of bread has gone up by a like percentage. If Mr. Benson is able to cut the farmer's price of corn by 25 cents per bushel, how much do you believe that will reduce the price of grits? The only reduction in the price of food will be the result of lessened consumer buying power, as unemployment increases.

In the final analysis, you get neither a reduction of surpluses nor an increase in freedom for the farmer. You get neither lower prices to consumers nor any saving to the taxpayer. The only thing you do get is less income for the farmer, less buying power in farm areas, and a lesser degree of prosperity throughout the entire country. This Republican plan for flexible supports is nothing more than the revival and expansion of a system which has already failed. It proposes that you burn the house down because you cannot afford a new living room carpet, and that you move the family out and live under the trees. I think we had better remember that those trees will shed their leaves, come winter.

Report to the People of the Eighth Congressional District of Wisconsin—VIII

EXTENSION OF REMARKS

OF

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. BYRNES of Wisconsin. Mr. Speaker, under leave to extend my remarks, I include a report to the people of the Eighth Congressional District of Wisconsin on my voting and attendance record for the 2d session of the 83d Congress.

No attempt has been made to include votes on all of the numerous bills, motions, and amendments, but the report does include all rollcall votes, all quorum calls, and my votes on some other measures on which there was no record taken, but which I believe are of importance and concern to the people of my district. The purpose of this report is to collect in one place and in concise form information which is scattered through some 14,000 pages of the CONGRESSIONAL RECORD. It also contains information which is not available from any public record but which I feel should be made available to the people.

The descriptions of the bills and the amendments or motions as contained in the report are for the purposes of identification only; no attempt is made to describe the legislation completely or to elaborate upon the issues involved. I believe this word of caution is advisable, in view of the fact that the descriptions used are, for the most part, taken from the official titles of the bills which unfortunately do not always reflect the nature or true purpose of the legislation. Upon request, I will be pleased to furnish more complete information concerning any particular bill, as well as a summary of the issues involved and the reasons for my vote.

The furnishing of this report continues a service I began in the 1st session of the 80th Congress. This is the eighth report of my voting and attendance record. These eight reports show how I voted on 1,252 questions in the House of Representatives. Based on quorum calls and the record votes, they also show an attendance record of 95 percent.

Voting and attendance record, Representative John W. Byrnes, 8th District, Wisconsin (83d Cong., 2d sess.)

Roll call No.	Date	Measure, question, and result	Vote
	1954		
1	Jan. 6	Call of the House	Present.
2	Jan. 20	Quorum call	Present.
		H. R. 5337, providing for the establishment of a United States Air Force Academy:	
3	Jan. 21	On passage. (Passed, 329 to 36)	Nay.
		H. J. Res. 358, to discharge indebtedness of Commodity Credit Corporation:	
4	Jan. 27	On passage. (Passed, 323 to 27)	Yea.
		H. R. 7209, continuing the effectiveness of the Missing Persons Act until July 1, 1955, allowing the continued pay and allowances of servicemen missing in Korea:	
	do	On passage. (Passed, voice vote)	Yea.
5	Feb. 2	Quorum call	Present.
6	Feb. 3	do	Present.
7	do	do	Present.
8	Feb. 4	do	Present.
9	do	do	Present.
		H. R. 3300, authorizing the State of Illinois and the Sanitary District of Chicago, under direction of the Secretary of the Army, to divert water from Lake Michigan into Illinois Waterway:	
10	do	On amendment designed to prevent additional diversion of water until survey of lake levels had been completed by Corps of Engineers and submitted to Congress. (Rejected, 177 to 202.)	Yea.
11	do	On motion to recommit. (Rejected, 150 to 234)	Yea.
	do	On passage. (Passed, voice vote)	Nay.
12	Feb. 16	Quorum call	Present.
13	do	do	Present.
14	Feb. 17	do	Present.
		H. R. 4646, providing for the exchange of certain public and private lands in order to prevent Federal lands acquisition from interfering with sustained-yield timber operations:	
15	do	On motion to recommit. (Adopted, 226 to 161)	Nay.
16	Feb. 18	Quorum call	Present.
		H. Res. 400, to provide funds for the operation of the Committee on Un-American Activities:	
17	Feb. 25	On passage. (Passed, 363 to 1)	Yea.
18	Mar. 1	Quorum call	Present.
19	do	do	Present.
20	Mar. 2	do	Present.
		H. J. Res. 355, relating to supplying of agricultural workers from Mexico:	
21	do	On motion to recommit. (Rejected, 156 to 250)	Nay.
	do	On passage. (Passed, voice vote)	Yea.
22	do	Quorum call	Present.
23	do	do	Present.
24	Mar. 4	do	Present.
		H. R. 8067, making appropriations for the Departments of State, Justice, and Commerce, and the United States Information Agency, for fiscal 1955:	
25	Mar. 5	On an amendment to increase funds for subsidies to air carriers from $23,000,000 to $40,000,000. (Adopted, 265 to 105)	Nay.
	do	On passage. (Passed, voice vote)	Yea.
26	Mar. 8	Quorum call	Present.
		H. R. 8127, amending and supplementing the Federal-Aid Road Act to authorize appropriations for continuing the construction of highways:	
	do	On passage. (Passed, voice vote)	Yea.
		H. R. 8149, authorizing further Federal assistance to the States for surveying the need for diagnostic or treatment centers, for hospitals for the chronically ill and impaired, for rehabilitation facilities, and for nursing homes, and to provide assistance in construction of such facilities through grant to public and nonprofit agencies:	
	Mar. 9	On passage. (Passed voice vote)	Nay.
27	Mar. 10	Quorum call	Present.
		H. R. 8224, reducing and extending certain excise taxes:	
28	do	On motion to recommit, with instructions to remove taxes on admissions of 50 cents or less. (Rejected, 200 to 213.)	Nay.
29	do	On passage. (Passed, 411 to 3.)	Yea.
30	Mar. 11	Quorum call	Present.
31	Mar. 15	do	Present.
32	do	do	Present.

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Voting and attendance record, Representative John W. Byrnes, 8th District, Wisconsin (83d Cong., 2d sess.)—Continued

Roll call No.	Date	Measure, question, and result	Vote
	1954		
33	Mar. 17	Quorum call	Present.
		H. R. 8300, revising the internal revenue laws:	
34	Mar. 18	On motion to recommit with instructions to increase personal exemptions and eliminate section dealing with double taxation of dividends. (Rejected, 204 to 210.)	Nay.
35	do	On passage. (Passed, 399 to 80.)	Yea.
36	Mar. 22	Quorum call	Present.
37	do	do	Present.
38	Mar. 23	do	Present.
39	Mar. 24	do	Present.
		H. R. 8152, extending for one year, until June 30, 1955, the Veterans' Administration's direct loan program for VA homes and farmhouses:	
	do	On passage. (Passed, voice vote.)	Yea.
40	Mar. 29	Quorum call	Present.
		H. R. 8224, reducing and extending certain excise taxes:	
41	Mar. 30	On adoption of conference report. (Adopted, 395–1.)	Yea.
42	Mar. 31	Quorum call	Present.
		H. R. 8583, appropriating funds for various independent offices for fiscal 1955:	
43	do	On motion to recommit with instructions to adopt language preventing FNMA from liquidating mortgages. (Rejected, 180 to 214.)	Nay.
	do	On passage. (Passed, voice vote.)	Yea.
44	Apr. 1	Quorum call	Present.
45	Apr. 2	do	Present.
	do	H. R. 7839, aiding in the provision and improvement of housing, the elimination and prevention of slums, and the conservation and development of urban communities:	
46	do	On motion to recommit with instructions to provide 35,000 public housing units each year for 4 years. (Rejected, 176 to 211.)	Nay.
47	do	On passage. (Passed, 352 to 46.)	Yea.
48	Apr. 5	Quorum call	Present.
49	Apr. 7	do	Present.
50	Apr. 8	do	Present.
		H. R. 8649, authorizing the admission into evidence in certain criminal proceedings of wiretap information secured in national security investigations:	
51	do	On amendment requiring a court order in order to make wiretap evidence admissible. (Passed, 221 to 166.)	Nay.
52	do	On passage. (Passed, 379 to 10.)	Yea.
53	Apr. 12	Quorum call	Present.
54	Apr. 14	do	Present.
		H. R. 303, transferring the administration of health services for Indians and the operation of Indian hospitals to the United States Public Health Service, now under the Department of Interior and Bureau of Indian Affairs:	
	Apr. 26	On passage. (Passed, voice vote)	Yea.
55	Apr. 27	Quorum call	Present.
		H. R. 7397, amending the Public Health Grant-in-Aid Act by consolidating and simplifying the several public health grant-in-aid programs for assisting States and local communities in providing necessary public health services:	
	do	On passage. (Passed, voice vote)	Yea.
56	Apr. 28	Quorum call	Present.
57	Apr. 29	do	Present.
		H. R. 8873, appropriating funds for the Defense Department for fiscal 1955:	
58	do	On passage. (Passed, 377 to 0)	Yea.
59	May 5	Quorum call	Present.
60	do	do	Present.
61	May 6	do	Present.
		S. 2150, providing for creation of the St. Lawrence Seaway Development Corporation to construct part of the St. Lawrence seaway in the United States territory:	
62	do	On motion to recommit. (Rejected, 157 to 242.)	Nay.
63	do	On passage. (Passed, 241 to 158.)	Yea.
64	May 10	Quorum call	Present.
65	do	do	Present.
		H. R. 2556, amending United States Code relative to extradition of certain fugitives from United States to countries occupied by United States jointly with 1 or more powers:	
66	do	On motion that enacting clause be stricken out (that the bill be killed). (Adopted, 228 to 68.)	Nay.
67	May 11	Quorum call	Absent.
		H. Res. 533, citing Bernhard Deutch for contempt of House of Representatives by refusal to answer questions before the Committee on Un-American Activities:	
68	do	On adoption. (Adopted, 346 to 0)	Absent.[1]
		H. R. 9040, authorizing cooperative research in education:	
69	May 12	On passage. (Passed, 296 to 55)	Yea.
		H. Res. 532, providing for consideration of H. R. 7434, establishing a National Advisory Committee on Education:	
70	do	On resolution. (Adopted, 194 to 140)	Yea.
71	May 13	Quorum call	Present.
		H. R. 7434, establishing a National Advisory Committee on Education:	
72	do	On passage. (Passed, 179 to 157.)	Yea.
73	May 19	Quorum call	Present.
		H. R. 7601, providing for a White House Conference on Education:	
74	do	On passage. (Passed, 269 to 69.)	Yea.
75	May 26	Quorum call	Present.
		H. R. 9242, authorizing certain construction at military and naval installations and for the Alaska communications system:	
76	do	On passage. (Passed, 346 to 0.)	Yea.
		H. Res. 568, providing for the consideration of H. R. 9366, amending the Social Security Act and Internal Revenue Code:	
77	June 1	On adoption. (Adopted, 270 to 76)	Yea.
		H. R. 9366, amending the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increasing the benefits payable thereunder, preserving the insurance rights of disabled individuals, and increasing the amount of earnings permitted without loss of benefits:	
78	do	On passage. (Passed, 355 to 8)	Yea.
		H. J. Res. 243, amending the pledge of allegiance to the flag of the United States of America by adding the words "under God" after the words "one nation":	
	June 7	On passage. (Passed, voice vote)	Yea.
		H. R 2828, providing for per capita payments to members of the Menominee Tribe of Indians from the trust funds credited to the tribe and for freeing the tribe from Federal supervision over a period of years:	
	June 8	On adoption of conference report. (Adopted, voice vote.)	Yea.
79	June 9	Quorum call	Present.
		H. Res. 580, providing for the consideration of H. R. 7494, extending the Trade Agreements Act for 1 year:	
80	June 11	On adoption. (Adopted, 273 to 63.)	Absent.[1]
		H. R. 7494, extending the authority of the President to enter into trade agreements under sec. 350 of the Tariff Act of 1930, as amended, for 1 year:	
81	do	On passage. (Passed, 281 to 53.)	Absent.[1]
82	June 14	Quorum call	Present.
		H. R. 9517, appropriating funds for the government of the District of Columbia for fiscal 1955:	
83	June 15	On amendment fixing the Federal payment to the District of Columbia at $20 million instead of $16 million. (Passed, 186 to 168.)	Nay.
84	June 16	Quorum call	Present.
		H. R. 8729, extending for 2 years the present authority of the Federal Reserve banks to purchase securities directly from the Treasury in amounts not to exceed $5 billion outstanding at any one time.	
85	do	On motion to recommit with instructions to limit bond purchasing authority to periods when no cash is available. (Rejected, 80 to 250.)	Nay.
86	June 17	Quorum call	Present.
		H. Res. 583, providing for disagreement to a Senate amendment to the Housing bill providing for public housing and agreeing to conference requested by Senate:	
87	do	On passage. (Passed, 360 to 19.)	Yea.
88	June 28	Quorum call	Present.

[1] If present, would have voted "yea."

Voting and attendance record, Representative John W. Byrnes, 8th District, Wisconsin (83d Cong., 2d sess.)—Continued

Roll call No.	Date	Measure, question, and result	Vote
	1954	S. Con. Res. 91, expressing the sense of Congress that the United States support the Organization of American States in taking appropriate action to prevent interference in Western Hemisphere affairs by the international Communist movement:	
89	June 29	On passage. (Passed, 372 to 0.)	Yea.
90	June 30	Quorum call	Present.
		H. R. 9678, promoting the security and foreign policy of the United States by furnishing assistance to friendly nations (mutual security bill):	
91	do	On amendment stating it to be the sense of Congress that no funds should be used for governments which are committed by treaty to maintain Communist rule over any defined territory of Asia. (Passed, 389 to 0.)	Yea.
92	do	On passage. (Passed, 260 to 126.)	Yea.
93	do	Quorum call	Present.
94	July 1	do	Present.
95	July 2	do	Present.
		H. R. 9680, providing for continued price support for agricultural products, augmenting the marketing and disposal of such products, and providing for greater stability in the products of agriculture:	
96	do	On amendment to provide flexibility in price supports from 82½ to 90 percent of parity for the 1955 crops of basic commodities. (Passed, 288 to 170).	Yea.
	do	On passage. (Passed, voice vote)	Yea.
		H. R. 6342, amending the Public Buildings Act of 1949 relative to acquisition of real property and the construction of public buildings for housing Federal agencies, including post offices, by executing purchase contracts:	
	July 7	On adoption of conference report. (Adopted, voice vote)	Yea.
		H. R. 9640, amending the Vocational Rehabilitation Act so as to promote and assist in the extension and improvement of vocational rehabilitation services, provide for a more effective use of available Federal funds and otherwise improve the provisions of that act:	
97	July 8	On passage. (Passed, 347 to 0.)	Yea.
	do	H. R. 9709, a bill to extend and improve the unemployment compensation program:	
98	do	On motion to recommit with instructions to impose Federal standards upon State programs. (Rejected, 110 to 241.)	Nay.
99	do	On passage. (Passed, 309 to 36.)	Yea.
		H. R. 9580, revising and extending the laws relating to espionage and sabotage:	
100	do	On passage. (Passed, 324 to 0.)	Yea.
101	July 12	Quorum call	Absent.
		H. Res. 623, providing for the consideration of H. R. 8356, the health service prepayment plan reinsurance bill:	
102	July 13	On passage. (Passed, 274 to 88.)	Yea.
		H. R. 8356, the health service prepayment plan reinsurance bill:	
103	do	On motion to recommit. (Adopted, 238 to 134.)	Nay.
104	July 15	Quorum call	Present.
		H. Res. 627, reiterating the opposition of the House of Representatives to the seating of the Communist regime in China in the United Nations:	
105	do	On passage. (Passed, 381 to 0)	Yea.
106	July 20	Quorum call	Present.
		H. R. 7839, the Housing Act of 1954:	
107	do	On recommittal motion designed to provide 140,000 new units of public housing over a 4-year period in lieu of the 35,000 new units for fiscal year 1955. (Rejected, 156 to 234.)	Nay.
108	do	On adoption of conference report. (Adopted 358 to 30)	Yea.
		H. R. 9888, extending the time for initiating training under the Korean GI bill of rights to 3 years instead of the present 2 years after date of induction:	
109	July 21	On passage. (Passed, 399 to 0)	Yea.
		H. R. 9020, granting increases in compensation and pension to veterans of all wars and their dependents:	
110	do	On passage. (Passed, 399 to 0.)	Yea.
		H. R. 9245, providing postal rate increases and postal pay increases:	
111	do	On motion to suspend rules and pass with an amendment. (Rejected, 228 to 171. A ⅔ majority is necessary for passage under suspension of the rules.)	Yea.
		H. R. 7130, providing for loss of nationality by native-born or naturalized citizens upon conviction of advocating or conspiring to advocate the overthrow of the United States by use of force or violence:	
	do	On passage. (Passed, voice vote.)	Yea.
		H. R. 8180, increasing Federal contributions to State homes for disabled American veterans:	
	do	On passage. (Passed, voice vote.)	Yea.
112	July 22	Quorum call	Present.
		H. Res. 664, citing Boiza Baxter for contempt of the House of Representatives by refusal to answer questions before the Committee on Un-American Activities:	
113	July 23	On passage. (Passed, 376 to 0.)	Yea.
114	do	Quorum call	Present.
		H. R. 9757, amending the Atomic Energy Act of 1946, as amended:	
115	July 24	On amendment relating to atomic patents. (Passed, 203 to 159.)	Yea.
116	July 26	Quorum call	Present.
		H. R. 9757, amending the Atomic Energy Act of 1946, as amended:	
117	do	On motion to recommit. (Rejected, 165 to 222)	Nay.
118	do	On passage. (Passed, 231 to 154)	Yea.
119	July 27	Quorum call	Present.
		H. R. 10051, the mutual security appropriation bill for fiscal 1955:	
120	July 28	On passage. (Passed, 266 to 128)	Nay.
		H. R. 8300, a bill to revise the internal revenue laws of the United States:	
121	do	On motion to recommit with instructions for House conferees to agree to Senate amendment which deleted section providing credit against the income tax of an individual of a percentage of the dividends received from certain domestic corporations. (Rejected, 169 to 227.)	Nay.
122	do	On adoption of conference report. (Adopted, 316 to 77.)	Yea.
123	do	Quorum call	Present.
		H. Res. 626, providing for the consideration H. R. 236, authorizing the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado:	
124	do	On passage. (Rejected, 188 to 195.)	Yea.
		H. R. 9756, increasing the borrowing power of the Commodity Credit Corporation:	
125	July 29	On passage. (Passed, 317 to 57.)	Yea.
		H. Con. Res. 265, providing for sine die adjournment of the 2d sess. of the 83d Cong. on July 31:	
126	do	On passage. (Rejected, 183 to 193.)	Yea.
127	do	Quorum call	Present.
128	July 30	do	Present.
		H. R. 7840, amending the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act:	
129	do	On passage. (Passed, 360 to 0.)	Yea.
		H. R. 9666, amending sec. 1001, par. 412, of the Tariff Act of 1930 with respect to hardboard:	
130	do	On passage. (Passed, 235 to 109.)	Yea.
		H. Con. Res. 266, providing for sine die adjournment of the 2d sess. of the 83d Cong. on July 31:	
131	do	On passage. (Adopted, 179 to 167.)	Yea.
		H. R. 8384, authorizing the Secretary of the Interior to construct, operate, and maintain the Talent division of the Rogue River Basin reclamation project, Oregon:	
132	do	On passage. (Passed, 163 to 144.)	Yea.
133	do	Quorum call	Absent.
		H. R. 9821, providing for orderly termination of Federal supervision over the property and members of the Menominee Indian Tribe of Wisconsin:	
	Aug. 3	On passage. (Passed, voice vote.)	Yea.
		H. R. 7785, making permanent the increases in regular annuities under the Civil Service Retirement Act:	
	do	On passage. (Passed, voice vote.)	Yea.
		H. R. 9909, prohibiting payment of annuities to Federal officers and employees convicted of certain crimes:	
	do	On passage. (Passed, voice vote.)	Yea.
		H. R. 8006, safeguarding the rights of riparian landowners in Wisconsin whose title to property has been brought into question by reason of errors in original survey and grant:	
	do	On passage. (Passed, voice vote.)	Yea.
		S. 3681, authorizing Civil Service Commission to make available group life insurance for civilian officers and employees in Federal service:	
	do	On passage. (Passed, voice vote.)	Yea.

UNIVERSITY OF MICHIGAN LIBRARIES

Voting and attendance record, Representative John W. Byrnes, 8th District, Wisconsin (83d Cong., 2d sess.)—Continued

Roll call No.	Date	Measure, question, and result	Vote
	1954		
134	Aug. 4	Quorum call	Present.
		S. 16, amending the immunity provision relating to testimony given by witnesses before either House of Congress or its committees:	
135	...do	On passage. (Passed, 293 to 55.)	Yea.
136	Aug. 9	Quorum call	Present.
		H. R. 9245, establishing a joint committee of Congress to study postal field service reclassification and providing a 7-percent pay increase for postal employees:	
137	...do	On motion to discharge the Committee on Rules from further consideration of H. Res. 590, the rule providing for consideration of H. R. 9245. (Passed, 348 to 29.)	Nay.
138	...do	On passage. (Passed, 352 to 29.)	Nay.
		H. Res. 687, providing for consideration of S. 2033, relating to the labeling of foreign-produced trout sold in the United States:	
139	...do	On passage. (Passed, 209 to 159.)	Yea.
		H. R. 9678, promoting the security and foreign policy of the United States by furnishing assistance to friendly nations:	
140	...do	On motion to recommit. (Rejected, 97 to 266.)	Nay.
		On passage. (Passed, 202 to 55.)	Yea.
141	Aug. 16	Quorum call	Present.
		S. 3706, outlawing the Communist Party, prohibiting members of Communist organizations from serving in certain representative capacities, and for other purposes:	
142	...do	On passage. (Passed, 305 to 2)	Yea.
		S. 2308, authorizing and directing the investigation by the Attorney General of certain offenses by Government officers and employees with other Governmental agencies:	
	...do	On passage. (Passed, voice vote)	Yea.
	...do	H. Res 705, providing for House agreement to Senate amendment to H. R. 6672, providing for a temporary increase in statutory debt limit until June 30, 1955:	
	...do	On passage. (Passed, 193 to 31.)	Yea.
		H. R. 9680, providing for continued price support for agricultural products, augmenting the marketing and disposal of such products, and providing for greater stability in the products of agriculture:	
	Aug. 17	On recommittal of conference report. (Rejected, voice vote.)	Yea.
	...do	On adoption of conference report. (Adopted, 208 to 47.)	Nay.
		H. R. 10263, providing rewards for information concerning illegal manufacture or acquisition of special nuclear material and atomic weapons:	
	...do	On passage. (Passed, voice vote.)	Yea.
143	...do	Quorum call	Present.
		S. 3706, outlawing the Communist Party, prohibiting members of Communist organizations from serving in certain representative capacities, and for other purposes:	
144	...do	On motion to instruct conferees to accept Senate amendments. (Adopted, 208 to 100)	Nay.
		H. R. 10051, making appropriations for Mutual Security for fiscal year 1955:	
145	Aug. 19	On adoption of conference report. (Adopted, 188 to 77)	Nay.
146	...do	On motion ordering previous question on amendment providing $55 million and providing 80 percent o. the foreign currency generated shall be used to strengthen and improve the civilian economy of Spain. (Adopted, 186 to 76.)	Nay.
		S. 3706, outlawing the Communist Party, prohibiting membership of Communist organizations from serving in certain representative capacities, and for other purposes:	
147	...do	On adoption of conference report. (Adopted, 265 to 2.)	Yea.
		H. R. 2236, providing for regulation of certain public transportation in the Washington metropolitan area:	
148	Aug. 20	On recommittal of conference report with instructions to eliminate establishment of Washington Metropolitan Area Transit Regulatory Commission. (Rejected, 95 to 161.).	Nay.

AN EXPLANATION OF TERMS

Of necessity the report contains parliamentary and legislative terms with which the reader may not be familiar. An explanation of some of these terms may, therefore, be helpful:

A. A quorum call consists of a calling of the roll of Members to determine whether or not a quorum—a majority of Members—is present. No business may be conducted when it is found that a quorum is not present.

B. Recommittal: Generally, on all important bills, a motion to recommit the bill to a committee, with or without instructions, is voted upon by the House before it votes upon passage of the bill. If such a motion is adopted, it means that the bill will be changed, delayed, or even killed. However, when a motion to recommit is accompanied by instructions, the vote generally indicates whether the Member is in favor of or opposed to the change in the legislation proposed by the instructions and does not necessarily indicate his position on the bill as a whole. A motion to recommit with instructions, if adopted, does not kill the bill.

C. The type of bill can be determined by the letters which precede its number. All bills that originate in the House are designated by an H; those that originate in the Senate by an S. There are four main types:

First. H. R. (S.) designates a bill which when passed by both Houses in identical form and signed by the President, becomes law.

Second. H. J. Res. (S. J. Res.) designates a joint resolution which must pass both Houses and be signed by the President before becoming law. It is generally used for continuing the life of an existing law, or in submitting to the States a constitutional amendment, in which case it does not require the signature of the President but must be passed by a two-thirds majority of both Houses.

Third. H. Con. Res. (S. Con. Res.) designates a concurrent resolution. To become effective it must be passed by both the House and Senate but does not require the President's signature. It is used to take joint action which is purely within the jurisdiction of Congress. Many emergency laws carry the provision that they may be terminated by concurrent resolution, thus eliminating the possibility of a Presidential veto.

Fourth. H. Res. (S. Res.) designates a simple resolution of either body. It does not require approval by the other body nor the signature of the President. It is used to deal with matters that concern one House only, such as changing rules, creating special committees, and so forth.

D. Rule: Important bills, after approval of the committee concerned, go to the House Committee on Rules where a rule, in the form of a House resolution (H. Res.), is granted covering the time allowed for debate, consideration of amendments, and other parliamentary questions.

E. Conference: Representatives from both Houses of Congress meet in conference to work out differences existing in the legislation as passed by the two bodies. Upon conclusion of their conference, a report is submitted to each House setting forth the agreements reached. Each House then must act by way of adopting or rejecting the report in whole or in part.

F. Ordering the previous question: A motion to order the previous question, if adopted, shuts off further debate on the question before the House and prevents further amendments to such proposition.

G. A bill may pass, or be defeated, by one of the following kind of votes:

First. Voice vote: The Speaker first asks all in favor to say "aye" then those opposed to say "nay." If there is no question as to the result, this is sufficient.

Second. Division: If the result of the voice vote is in doubt, the Speaker asks those in favor to stand, then those opposed to stand. He counts in each instance and announces the result. If he is in doubt, or if demand is made by one-fifth of a quorum, then—

Third. Tellers are ordered. A Member on each side of the question is appointed as teller, and they take their places at each side of the center aisle. Those in favor walk through and are counted. Those opposed do likewise. The result settles most questions, but any Member, supported by one-fifth of a quorum, can ask for a rollcall. This privilege is guaranteed by the Constitution.

Fourth. Rollcalls place each Member on record on the particular measure involved. Each Member's name is called and his vote recorded. Rollcalls constitute the official voting record of the House.

The outcome of various votes are indicated in parentheses in the record above. In the case of rollcall votes, the actual vote is shown—the yeas first and the nays last.

Hate Mail

EXTENSION OF REMARKS
OF
HON. LAURENCE CURTIS
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. CURTIS of Massachusetts. Mr. Speaker, during the closing days of the session a report on the subject of hate mail from the Postmaster General was received by the chairman of the House Committee on Post Office and Civil Service. This report resulted from the initiative of our colleague, Representative JACOB K. JAVITS, of New York, who has filed a resolution requesting it.

There is general aversion in this country to certain willful purveyors of falsehood concerning racial and religious groups whose one object seems to be to divide class against class and group against group, and hold up to contempt the ideals of liberty, equality before the law, and brotherly human consideration which have been foundation stones of our American civilization since the days of our Founding Fathers.

This type of propaganda is bad enough during ordinary times; but it is unbearable during a period of cold war when cunning adversaries are seeking every means to infiltrate, subvert, and divide the American people.

The time has come to find a way of curbing this evil. That must be done without encroaching upon time-honored American freedoms granted by the Bill of Rights, and particularly freedom of the press. Here is another example where purveyors of division use the cloak of American constitutional freedom in order to undermine those very freedoms. Constitutional protections were never intended to serve as a cloak for such activities. A way must be found within the framework of the Constitution to put some limit on this type of activity, and I believe it can be.

Existing law is inadequate to restrain this menace. That fact was spelled out in detail in the above-mentioned report from the Postmaster General. He said:

> The Congress has, over the years, prescribed what may or may not be transmitted through the mails. * * * Section 1717 of title 18, United States Code, provides that circulars, postcards, prints, newspapers, etc., which contain matter advocating or urging treason, insurrection, or forceful resistance to any law of the United States are nonmailable. This same section also provides that matter in violation of a number of other sections of title 18 is likewise nonmailable. * * * It should be noted, however, that these sections do not expressly provide for the exclusion from the United States mails of matter attacking a particular religion, religious group, or race. * * * It is, of course, regretted that the postal facilities are employed for the dissemination of material of this type. However, in the absence of authority to exclude it, the Postmaster General has no alternative but to accept the material and deliver it to destination.

This report from the Postmaster General came too late in the session to make possible the drafting and mature consideration and enactment of legislation at the present session. However, this deficiency in our laws must be remedied, and I have therefore filed a bill which, during the adjournment of Congress, will be available to Members and to the many persons and organizations interested in this subject.

It is clear that there are principles of law which can be relied upon to provide some measure of remedy to the intolerable abuse above referred to. The Supreme Court of the United States has many times held that even freedom of speech is not unlimited.

The most frequently cited limitation was that voiced by Mr. Justice Oliver Wendell Holmes when he pointed out that freedom of speech could not be construed so as to permit a prankster to shout "fire" while sitting in a crowded theater. Even more to the point is the decision of the Supreme Court in *Beauharnais* v. *Illinois* (343 U. S., p. 250), in which it upheld the provisions of an Illinois statute making it a crime to exhibit in any public place any publication which "portrays depravity, criminality, unchastity, or lack of virtue of a class of citizens, of any race, color, creed, or religion" which "exposes the citizens of any race, color, creed, or religion to contempt, derision or obloquy."

In the chapter of the Criminal Code dealing with postal crimes and nonmailable matter, there is a catchall provision making letters and writings nonmailable which are used in the commission of other crimes which are there listed. The dissemination of hate mail during these days of the cold war might properly be attacked as an attempt at sabotage or subversion; and a provision might be inserted in the chapter dealing with that subject, and then included in the abovementioned list. However, in view of the difficult constitutional questions involved, it seemed better, at least for the time being, to limit the remedial provisions to one making the dissemination of such material nonmailable.

The bill which I am filing was drafted along the above lines and reads as follows:

> A bill to amend section 1717 of title 18 of the United States Code, so as to make nonmailable certain defamatory and other matter
>
> That section 1717 of title 18 of the United States Code is hereby amended by relettering subsections (b) and (c) thereof as (c) and (d), respectively, and by inserting after subsection (a) of such section a new subsection as follows:
>
> "(b) Any written or printed matter or thing upon which is written, printed, or otherwise impressed any epithet, term, or language of libelous, scurrilous, defamatory, or threatening character as regards an individual or religious or racial group, or calculated by the manner or style of display and obviously intended to reflect indecently and injuriously upon the character or conduct of another or which portrays depravity, criminality, unchastity, or lack of virtue of a class of citizens of any race, color, creed, or religion, or which exposes the citizens of any race, color, creed, or religion to contempt, derision, or obloquy is nonmailable matter, and shall not be conveyed in the mails, nor delivered from any post office, nor by any letter carrier, and shall be withdrawn from the mails under such regulations as the Postmaster General shall prescribe."

The Republican Record

EXTENSION OF REMARKS
OF
HON. WILLIAM F. KNOWLAND
OF CALIFORNIA
IN THE SENATE OF THE UNITED STATES
Friday, August 20, 1954

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD, The Republican Record of the 83d Congress. It is understood, pursuant to the prior order, that additions and corrections may be made at a later publication date; but I desire to have the material printed in today's RECORD.

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, and I shall not object, is this confined to the Republican record of the 83d Congress, or is it the record of the 83d Congress?

Mr. KNOWLAND. It is the record of the 83d Congress; but I believe it is customary for both the majority leader and the minority leader to have it printed.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE REPUBLICAN RECORD

The Eisenhower administration and the 83d Congress worked together and our joint efforts resulted in the following notable achievements:

We ended the fighting and sacrifices of American lives in Korea; kept the United States out of the war in Indochina; liquidated the Communist foothold in Guatemala; strengthened the free nations; and confronted Russian imperialism and Communist aggression with the firm determination to safeguard freedom and attain genuine peace.

We reorganized and strengthened the national defense by policies and programs capable of providing security over the long pull at substantial savings and without undue strain on the national economy.

We acted decisively to safeguard the Nation from enemies within its borders and to rid government, labor, education, and all other phases of American life from Communist infiltration and subversion.

We successfully bridge the difficult transition from war to peace and maintained prosperity at the highest level in the Nation's history. Price, wage, and rent controls were ended, freeing American enterprise from undue Government interference. The national economy was stabilized and the value of the dollar strengthened, ending the cheating of our people by inflation and avoiding the distress of deflation, while employment, production, wages, and earnings remained high.

We cut taxes by nearly $7½ billion, reducing individual income-tax payments, excise taxes on goods consumers buy, and providing substantial benefits in other deductions and allowances for individuals and enterprise.

We acted to end the shameful waste of farm surpluses, and to provide farmers with a long-range program for an independent, self-reliant agriculture, with Government providing a shield against destructive forces beyond farmer control.

We continued, strengthened, and enlarged programs to meet human needs, to strengthen civil rights, to aid our veterans to become established in civilian life, and to provide adequate care for the disabled, to expand social security, and to assist the aged, the blind, and dependent widows and children.

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We arrested the trend toward destructive socialistic tendencies in Government by the encouragement of private competitive enterprise, thrift, and the self-reliance of our people.

We encouraged the States to meet their proper responsibilities; urged labor and private enterprise to solve their own problems without Government interference; and worked to make all our people more self-reliant. We restored to the States the rights of the States to develop submerged lands, and other resources within their boundaries.

In these and all other respects a Republican administration and Congress fostered the forward progress of a free nation under a government without favoritism, without corruption, without waste or extravagance, but efficient, economical, trustworthy, and fair to all.

OUTSTANDING PROGRAM ENACTED DESPITE SLENDER MARGIN

In two busy, exacting sessions, the 83d Congress carried through to enactment an outstanding program of constructive legislation. It did this even though Republican control rested on slender voting margins. The Senate began and ended with a bare Republican majority of one. For almost a year after the death of Senator Taft, Republicans were actually in the minority. In the House the Republican margin in the first session started at 7 but fell to 4 at the close of the second session through deaths and resignations.

The achievements of the Congress were made possible by close coordination between House and Senate and harmonious relations with the President and the executive departments and agencies. Congress' heaviest workload—the regular annual appropriation bills—was efficiently handled and fully completed in the 1954 session before the start of the new fiscal year July 1. This removed confusion and uncertainty from Government administrative in the executive branch—an achievement which Democratic-controlled Congresses utterly failed to accomplish in recent years.

Party support of the Republican leadership and of the President ran exceptionally high. Congress was neither a rubber-stamp nor an unruly critic of the President's program. Beginning with White House conferences with Republican leaders in both Houses including standing committee chairmen, and continuing with weekly conferences throughout the session, Congress and the President cooperated for the good of the Nation. Detailed and continuous bipartisan consultations, not only on foreign policy but on domestic legislation as well, were carried on by the President and the Republican leadership with Democratic Party leaders in both Houses of Congress.

The major accomplishments in detail are:

REPUBLICANS END KOREAN WAR AND PRESS FOR PEACE WITH HONOR

By placing American interests foremost and with firm, realistic policies, the Republican administration accomplished the following in its conduct of foreign relations:

It ended the fighting in Korea, secured the exchange of prisoners, and began the peaceful reconstruction of that war-torn country. By strengthening Korean troops, the administration was able to bring home several American divisions.

It kept America out of a hot war in Indochina while giving France aid and support until a negotiated truce was signed.

It played an effective part in ending the Communist regime which had seized power in Guatemala.

It took the initiative against communism in all parts of the world—

By exposing Communist hypocrisy, designs, and tactics at Berlin and Geneva conferences.

By a congressional resolution supporting a united Germany.

By a Senate resolution condemning the Soviet mistreatment of minorities and its callous disregard of human rights.

By reaffirming official policy denying Red China's admission to the United Nations.

By leading American states at Caracas in the adoption of a resolution declaring communism to be a threat to freedom and peace in the Americas and pledging full consultation in the event of any aggression.

By negotiating arms pacts to strengthen central American countries against Communist subversion.

By taking appropriate steps to oust Americans in the United Nations who serve the Communist cause and by instituting an FBI check on the fitness of Americans for loyal service.

By undertaking to share information on atomic weapons with allies in the common defense against Communist aggression.

And by proposing an international pool of atomic energy for peace.

At the same time the administration acted resolutely to reinforce the defenses of the free world. It pressed France and Italy for action on the European Defense Community by indicating that American aid may not be forthcoming unless EDC or a satisfactory alternative is carried through. It continued to train and build up the NATO forces and to equip them with planes, guided missiles atomic weapons, and other materiel. New air bases were acquired in Spain and the bases elsewhere improved. European recovery and security are now so well advanced that American aid may be steadily and safely reduced. Military aid was given to Pakistan and aid to Nationalist China continued.

Security pacts

In addition to our network of security pacts with 39 nations, a treaty was concluded with Korea, a mutual assistance agreement was signed with Japan, and negotiations were begun on a security pact for southeast Asia. The Senate ratified three treaties providing for the legal status of United States forces in Europe, and four treaties to settle claims and improve relations with Germany. The Senate approved authority for the President to take appropriate steps consistent with constitutional processes to restore German sovereignty.

Working strongly for world economic progress, the Congress and administration simplified customs procedures, made new studies of the trade agreements program and extended the act for another year, and continued the International Wheat Agreement. It concluded treaties of commerce and friendship with several nations, agreements on sugar production and marketing, and treaties concerning German debt settlements, Mexican migratory labor and duty-free trade with the Philippines. It climaxed years of hope and effort by arranging for American participation in the St. Lawrence Seaway, opening the heart of the Nation to ocean shipping.

Humanitarian deeds

Continuing its great humanitarian tradition the United States sent food to East Germany, wheat to Pakistan, and entered upon a comprehensive program for distributing farm-surplus commodities for famine and distress relief, and in exchange for strategic raw materials. A program was enacted offering refuge for 214,000 Iron Curtain refugees, including many orphaned children.

By many changes and improvements, the administration has achieved better management in handling foreign affairs. The State Department was reorganized. The Foreign Operations Administration and United States Information Service were set up as independent agencies. The Voice of America was greatly improved. Regulations on security risks have been tightened and at the same time the rights of individuals have been protected. By a complete overhaul, national-defense policies and programs were brought into more realistic relationship with foreign policies and commitments. And in this field of heavy executive responsibility for the conduct of foreign affairs, the President worked in close cooperation with Congress and with bipartisan representatives in both Houses.

REPUBLICANS INCREASE NATION'S DEFENSE AT LESS COST

By departmental reorganization, better management, and a thorough overhaul of the entire national-defense program, the Republican administration has built a highly flexible, mobile Army, Navy, and Air Force capable of handling anything short of a major international war requiring all-out mobilization. Should an all-out war occur, this program would and could be rapidly enlarged.

Most significant are the actions (1) to maintain a large, well-rounded, highly trained and equipped military force for the indefinite future; (2) to incorporate atomic and other new weapons into the regular military arsenal for strategic and tactical use; (3) to establish an Air Force Academy comparable to West Point (Army) and Annapolis (Navy); and (4) to gear our military program to our foreign policies and commitments.

These are history-making decisions. They result from a fresh appraisal of our defense program by a new team of military and civilian officials following the end of fighting in Korea. Their main object is to bring our defense program abreast of latest developments in policy, technology, strategy, and tactics. Recognizing the long-term threat and varied tactics of Communist aggression, the new program replaces crisis planning for peak danger years with continuous combat readiness for any contingency. Research, production, procurement, and expenditures are better coordinated to fit the large military program into the framework of a sound civilian economy which the Nation can afford to sustain indefinitely if necessary.

Many billions available for defense

Defense Department appropriations for 1955 alone total $28.8 billion of which $7.6 billion is for the Army, $9.7 billion for the Navy, $10.9 billion for the Air Force, with the remainder for other departmental expenses. Supplemented by $55 billion in carry-over funds, the total available for expenditure will be $83.8 billion. In addition, $1.3 billion has been authorized for military public works and large sums for atomic energy, merchant marine, and other programs related to the regular defense establishment. For 1955 it is planned to have an Air Force of 120 wings with 970,000 men and women as part of a planned buildup to 137 wings by 1957; an Army of 17 divisions with 1,173,000 men and women; and a Navy and Marine Corps of 689,000 personnel operating 1,080 ships and 13,200 aircraft. Plans for improving the Reserve force are in the making.

Compared with previous years, the Administration has achieved greater actual defense power at lower costs and with substantial savings to taxpayers.

The new program includes greater attention to continental defense by extension of the radar system to the Far North in cooperation with Canada, by a new continental aid defense command with improved fighter-interceptor forces and antiaircraft weapons, by coordinating communications systems throughout the country, by increasing the role of the National Guard in home defense, and by building cooperation in civil defense between local, State, and Federal units.

NATO forces improved

Our striking and defensive force in global operations has been strengthened by the ac-

quisition of bases in Spain and by improvements in other foreign installations provided for in military public works appropriations. NATO forces in Europe have been improved in organization, by provisions for the exchange of information on atomic technology, by new equipment for conventional weapons, guided missiles, and atomic cannon, and by enlarged training programs for handling these newer weapons.

By extended research and development, advances in technology and new production arrangements, all the armed services are improving the effectiveness of equipment and material. Congress provided $5 million for special air research and facilities at selected airbase laboratories. The President approved an expanded stockpiling program for the purchase of some 35 to 40 strategic metals and minerals from domestic producers wherever possible. The Army concentrated its medium-tank production for greater efficiency at less cost.

Many changes have been instituted to improve service morale. Legislation was passed to provide control of promotions and better proportion between grades of officers. The program for handling security risks has been firmed up. Commissions will be denied to doctors and dentists if they turn out to be security risks. Segregation in the services has been ended.

NATION PROSPERS UNDER REPUBLICANS

President Eisenhower and the Republican Congress have given the Nation its greatest period of prosperity in history—and have done so despite the adjustments required in changing from a war to a peacetime economy.

The depression predicted by calamity howlers and partisan critics did not materialize.

Prosperity was not accident, however. The Republican Congress and Administration took positive steps to instill public confidence, to smooth out the bumps that appeared here and there, and to spur peacetime activity to supplant declining war demands. Yet the Government did not resort to any of the deadly socialistic drugs prescribed by left-wing economic medicine men.

Cost of living stabilized

The cost of living was stabilized. In contrast to the 6 percent average annual increase in living costs under the Truman administration, the cost of living has been held down to only slightly more than 1 percent since Republicans took charge. Likewise the rapid decline in purchasing power of the dollar occurring under the Democrats has been stayed. The value of the dollar has varied only one-half cent in the past 18 months.

Republicans moved quickly to wipe out restrictive controls. Less than a month after inauguration the President voluntarily ended wage controls. Price controls were removed by March 17, 1953. Federal consumer and real estate credit controls were abolished. Many other emergency powers over various aspects of the Nation's economy were repealed by law, although Congress continued to June 30, 1955, the President's authority to allocate scarce and strategic materials in emergency and under the V-loan program, whereby the Government guarantees qualifying types of defense contract loans.

In line with Republican campaign pledges to remove the Government from competition with private business, the Congress acted to dispose of some 28 federally owned synthetic rubber plants and restored to States their rights to develop oil, minerals, and other natural resources.

Construction activities encouraged—small business aided

Congress enacted a great number of laws to help maintain a healthy, growing economy. In the construction field alone, this Congress compiled a notable record. It voted funds and encouraged the building of such things as houses, ships, hospitals, health clinics, highways, airports, and rivers, harbors, and flood-control projects.

Small business already is benefiting from the Small Business Administration, created by the Republican 83d Congress to make loans, sublet prime contracts, and otherwise strengthen the backbone of America.

All business will be stimulated and more jobs created as a result of the tax laws enacted by the 83d Congress.

Congress increased Federal research funds so that new ideas and technological processes can be made available for commercial uses, in turn meaning more jobs and better products.

In a variety of ways the Republican Congress and administration moved to aid those relatively few areas of chronic and temporary unemployment. At least a dozen projects worth more than $20 million are being built in distressed communities through the tax-benefit program of the Office of Defense Mobilization. Congress extended unemployment compensation coverage to some 4 million workers. It also strengthened the unemployment compensation system by setting up a reserve of $200 million from which States may borrow when necessary, and in addition it provided for the refund of excess tax collections to States, enabling them to increase benefits to unemployed workers, as 25 States have already done.

In addition, the Government has a whole arsenal of economic weapons which Republicans have pledged to use, if it should become necessary, to maintain a high standard of living for our people.

Under Republican leadership, the Nation's economic barometers read "fair weather ahead."

REPUBLICANS MAKE RECORD-BREAKING TAX REDUCTIONS

Republicans kept their pledge to reduce taxes—by a whopping $7.4 billion in 1954, the largest tax cut the American people ever enjoyed in a single year.

Individual income taxes were reduced by about 11 percent beginning January 1, 1954, the first tax cut since the Republican 80th Congress. Only because the Republican Congress and administration slashed Government spending by billions of dollars was the $3 billion income-tax reduction possible.

By contrast, under Democrats taxes reached an all-time high in 1952. In fact, Democratic Congresses voted 14 out of 15 income-tax increases since the first income tax law was passed in 1913 by Democrats.

Excise tax cuts voted by the 83d Congress means savings for everybody—in all, some $999 million—and will stimulate business activity and employment. Excise taxes were reduced on such things as stoves, refrigerators, clothes driers, handbags, cosmetics, admission tickets, sporting goods, telephone calls, and telegrams. To offset this loss to the United States Treasury, existing excise rates were continued on such items as liquor, beer, cigarettes, gasoline, automobiles, and cabaret admissions.

The excess-profits tax on business was continued for 6 months, to December 31, 1953, to coincide with the date of tax cuts for individuals and to bring in some $800 million of needed revenue to the United States Treasury.

Millions benefit from tax revision law

Millions of persons and thousands of businesses will enjoy additional tax cuts under the far-reaching tax revision law the Republican 83d Congress enacted this year.

Over 60 percent—$827 million—of the $1.4 billion of tax relief provided in the law goes to individuals.

The first complete revision of the internal revenue laws in more than 75 years, the tax reform law represents the combined efforts of congressional committees and administration officials to simplify Federal tax laws, remove inequities, close loopholes, and stimulate the country's economic growth without at the same time endangering the Government's financial condition.

New tax features of particular benefit to individuals include:

Larger deductions for medical expenses, affecting some 8,500,000 persons;

Tax deductions up to $600 for costs of care of dependents (child under 12 or other dependent mentally or physically unable to care for himself), affecting some 2,100,000 working people;

Fairer treatment of persons receiving retirement income, affecting some 1,800,000 people; more generous treatment of annuities, affecting some 800,000 people;

More liberalized deductions for dependents, affecting some 1,400,000 taxpayers;

More flexible provisions for depreciation, affecting some 9,600,000 persons;

Partial relief from double taxation of dividends, affecting some 7,100,000 of the 47 million taxpayers in this country;

More liberal deduction for interest under installment purchase contracts, affecting some 1,600,000 people; and

More liberal allowance for soil and water conservation expenses, affecting some 500,000 farmers.

Some $536 million in tax relief will flow to business under the new tax code. At the same time, Congress continued for 1 year the 52 percent tax on corporate earnings over $25,000 which, it is estimated, will bring in $1.2 billion in revenue.

Features of the new tax code designed to stimulate business growth and create jobs include:

More flexible provisions for depreciation, affecting some 600,000 corporations;

A longer period for applying net operating losses against profits and allowance for dividend-received credit and percentage depletion in computing losses, affecting some 50,000 businesses;

An option to taxpayers to deduct research and experimentation costs from current expenses or to amortize the costs, affecting countless businesses;

Less stringent tax treatment of "surplus" earnings accumulated by businesses to allow business, especially small enterprises, greater freedom in retaining funds for growth and expansion;

Increased rates of percentage depletion on a variety of critical and strategic minerals in order to encourage the development of domestic sources of supply;

More equitable treatment of partnerships; and tax accounting in closer accord with business accounting.

Congress closed over 50 loopholes through which taxpayments had been avoided in the past and improved the law by many more technical provisions.

Honesty and fairness replace corruption in tax collecting

Besides providing generous tax cuts for the American people, Republicans cleaned up the mess found in the Nation's tax collection agency, the Internal Revenue Service. Shown to be riddled with corruption under the Democratic administration, the agency is now well on its way toward becoming a model of honesty and fairness under the Eisenhower administration. The crooks and grafters have been weeded out. Tax cases are being vigorously prosecuted.

The up-to-date business methods installed by Republicans are giving taxpayers quicker rulings, faster audits, and earlier refunds.

NEW OPPORTUNITIES FOR AMERICAN FAMILIES TO HAVE GOOD HOMES OF THEIR OWN

The Republican 83d Congress has made it possible to help fulfill the fundamental desire of American families to have good homes of their own.

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Enactment of the Housing Act of 1954 and related laws constitute a program designed to meet the problems of housing, for both civilians and servicemen, while providing sound community development and maintaining a growing economy.

President Eisenhower asserted in his housing message to Congress last January 25 that the major objective of the Republican administration's national housing policy was "the development of conditions under which every American can obtain good housing." When he signed the new law August 2, he hailed the congressional action as "a major advance toward meeting America's housing needs."

Lower downpayments, longer periods to repay

The Republican-sponsored housing law permits lower downpayments, lower monthly payments, longer repayment terms of up to 30 years, and increased mortgage limits of up to $20,000. More money is made available for home loans by the merger of all FHA mortgage insurance activities into one authorization which was increased by $1.5 billion.

Under the new FHA-insured mortgage program, it is possible, for example, to buy a $9,000 new home for $450 down and monthly payments of $46.83.

This example of the new lower downpayment—in this case less than half the former downpayment rate—indicates how housing opportunities can open up in areas and for income groups never before reached. Mortgage amounts under the new law are now 95 percent of the first $9,000 of the value of a new home plus 75 percent of the value in excess of $9,000. A $12,000 home can be purchased for $1,200 down, instead of $2,400, with monthly payments of less than $60. Home buyers also are protected by guaranties required from builders or sellers using FHA-insured mortgages.

Housing actions result from intensive study

Within a few weeks after taking office in 1953, the Republican Admininsration ordered a complete review of all Government housing activities and policies. A 23-member Presidential Advisory Committee on Housing was appointed. The Senate and House Banking and Currency Committees held extended hearings in the 1st session of the 83d Congress. These resulted in the Omnibus Housing Amendments of 1953, which encouraged construction of lower priced sale and rental housing and authorized construction of 33,000 public housing units. More than 1,100,000 new homes were constructed during the first year of the new administration. Then, with the study of the Housing and Home Finance Agency, the recommendations of the Presidential Advisory Commission, and testimony received by congressional committees, a broad-scale housing program has become law. This Housing Act of 1954 presents a coordinated pattern, instead of a patchwork of assorted housing laws.

Protections for home owners provided

Also during the second session of this Congress, congressional committees unearthed a major scandal wherein many alleged irregularities and the taking of windfall profits were found to have occurred in the administration of housing laws under the Truman administration. Republicans were determined to stop profiteering and other abuses and tightened up provisions of the 1954 law with this end in view. The law also provides protection to home owners from shoddy repair work by making lenders take part of the risk in each FHA-insured loan for home improvements or repairs. FHA cracked down on luxury repairs by issuing an order in June 1954 prohibiting loans for such purposes.

The new housing law includes a new element. This is the urban renewal program to save our cities by clearing slums and redeveloping blighted housing areas. Where salvage of blighted areas is impossible, slum clearance is promoted and families are provided with public housing. The law allows commitments for upwards of 35,000 such public housing units during the coming year for low-income families.

Early in 1954 the volume of private housing construction began to move ahead of 1953. In midsummer the Bureau of Labor Statistics reported that for the first 6 months of this year 564,100 units had been completed, indicating that the 1954 rate may come close to the all-time record. Housing is geared into almost every industry in the country. These feeder industries cover the whole range of consumer durable goods. Taken as a whole, they add up to employment for some 5 million persons and a sound prosperous economy.

The long-standing concern for servicemen and their families received action by the Republican Congress in a new law authorizing up to $175 million for 13,613 units of family housing for personnel in the military services. The Secretary of Defense would certify the necessity for such housing to be provided by the military departments near military bases. Military statisticians estimated that the cost of the units would be amortized over a period of 14 years because no housing allowance would have to be paid for each family occupying the housing units that could be constructed under this law.

The Congress also authorized home and farmhouse loans to veterans and granted Korean war veterans the same preference as World War II veterans in admission to Government housing.

BUILDING THE NATION—DEVELOPING RESOURCES

Under Republicans, the Nation moved forward with a great program of public works and with outstanding measures to develop our natural resources.

The Republican Congress authorized over $1 billion for 183 navigation, flood control, and beach erosion projects throughout the Nation.

It approved the St. Lawrence Seaway project.

The administration, through the Federal Power Commission, approved construction of the St. Lawrence River power project by the State of New York and the Province of Ontario. When completed, the project will generate the second largest amount of power of any similar project in the country.

The 83d Congress approved the largest Federal coast-to-coast roadbuilding and improvement program in history.

It authorized an $837 million military and naval public works construction program.

It modernized the Atomic Energy Act to speed up the development of nuclear energy for peacetime use.

It revised Federal land acts for a more economical development of mineral lands and other natural resources.

It authorized irrigation and reclamation projects.

It made surplus seed available for reseeding of rangelands.

It revised the Water Facilities Act to aid conservation of land throughout the United States, its Territories, and possessions.

The Republican Congress returned to the States their rights to submerged lands, but retained for the Federal Government almost nine-tenths of the offshore lands and 83 percent of the estimated mineral deposits.

It provided for upstream watershed protection and flood prevention under local control, thereby helping reverse the 20-year trend toward a policy of having the Federal Government hand down decisions on what projects are needed and where.

It permitted the Federal Power Commission to license local public-utility districts and private power companies to pay for and construct their own power projects at no cost to the Federal Government. Such projects would be operated on a partnership basis with the Government, with the Army engineers handling navigation and flood-control features of such projects.

It authorized what potentially will be the third largest public power dam in the Nation—Priest Rapids Dam on the Columbia River. Construction of other dams also was authorized.

It authorized construction of new tankers for defense purposes.

It approved a modernization program for merchant ships and created a Federal Ship Mortgage Insurance Fund to facilitate private financing of new ship construction.

It approved a lease-purchase program whereby rent money may be used for eventual purchase of Government buildings, saving taxpayers millions of dollars in outlays for new post offices and other Federal structures.

It approved legislation for various services to improve public lands.

The President proposed a vast $50 billion national road-building program, most of which would be self-financing.

Platform pledge on resource development fulfilled

The record of this Congress in the fields of public works, natural resources, and water policy fulfilled in detail the promises in the Republican platform adopted in 1952. For example, the platform stated: "We favor restoration to the States of their rights to all lands and resources beneath navigable inland and offshore waters within their historic boundaries." This was done.

In the first session, two long-standing and important questions relating to use of submerged lands and the historic rights of States were resolved. The Submerged Lands Act of 1953 confirmed the ownership, title rights, development rights, and leasing rights of States to the lands and resources under navigable waters out to their historic boundaries. The Federal Government's authority is preserved in the case of navigation, commerce, national defense, and related matters.

Another new law, the Outer Continental Shelf Lands Act, extended the jurisdiction and control of the Federal Government to the subsoil and seabed of the entire Continental Shelf adjacent to the shore of the United States.

The Federal Aid to Highways Act authorizes a 2-year program of $1.9 billion in Federal aid for building, improving, and modernizing roads in every State. It will make possible the improvement of about 40,000 miles of highways; stimulate the Nation's economy through additional employment and increase business for manufacturers of road building materials and equipment; strengthen national defense; it means less traffic congestion and safer travel. In July 1954, the President proposed a $50 billion contruction and modernization program for the Nation's highways. The plan is based on a system of properly articulated highways that is intended to help solve the problems of speedy, safe transcontinental travel and intercity communication, plus a financing proposal based on self-liquidation of each project where that is possible.

Dream of seaway to Atlantic Ocean realized

The dream of an all-water route from the Atlantic through the Great Lakes to the Midwest for most oceangoing ships was realized in the St. Lawrence Seaway legislation. Increased expansion in commerce and trade will in all probability run into the billions. The seaway will bolster the line of communication in our national defense system. Cost of the project is to be financed by bonds which will be paid off by tolls.

The omnibus rivers and harbors and flood control bill authorized more than $1 billion for 105 navigation projects at an estimated cost of $319.2 million, 56 flood-control projects at $413.3 million, 22 beach-erosion-

control projects at a cost of $14 million, and modifications for a variety of existing projects. Almost every area of the Nation is benefitted by the law.

The Republicans gave more impetus than ever before to the development of atomic energy for peacetime use by our people. The Congress passed legislation bringing the Atomic Energy Act of 1946 up to date for the common defense of free nations, for the promotion of peacetime uses, and to meet other realistic and fast-moving developments in the fields of nuclear energy. The act permits limited exchange with United States allies of information about atomic developments and authorizes and encourages atomic development by private industry. The Atomic Energy Commission is permitted to dispose of electric energy it produces in the course of its own operations, but not to produce electricity for commercial purposes unless authorized by Congress. Private industry will be permitted to use atomic reactors and related facilities under a licensing system. The Congress expressed its belief that atomic power at competitive and consequently lower cost could be reached more quickly if private enterprise were encouraged to participate. The AEC entered into an agreement with the Westinghouse Co. to develop and build an atomic powerplant near Pittsburgh. The Duquesne Light Co., a privately owned public utility serving the Pittsburgh area, was licensed to operate the atomic generating station, paying the Government for the atomic heat generated at the Westinghouse plant. The heat would be used to make electricity. The AEC also announced it was negotiating with a private utility in the South to furnish AEC with power. The AEC in turn would feed the power to TVA which is running short of electricity because of atomic demands. The AEC also entered into a contract with North American Aviation for an atomic power test plant near Los Angeles.

REPUBLICAN ACHIEVEMENTS BENEFIT WORKERS

Without fanfare and without the aid of a lot of new laws, the Republican administration set a record of substantial achievements benefiting workers throughout the Nation.

Foremost among these was the successful transition from a war to peace economy without serious effects on the workers. The picture for the first half of 1954 shows that after a slight dip in economic activity, prices were stabilized, industrial production raised above 125 percent of the 1947–49 base of 100, employment pushed to 62 million, and personal income headed for an annual total of $285.5 billion, over three-quarters of a billion better than the same period in 1953 which was the most prosperous year in American history. Extremes of inflation and deflation, most harmful to wage earners, were avoided by Government policies and activities.

Where employment difficulties arose, as in scattered pockets of labor surplus areas, the administration moved swiftly to meet them with a corrective program. The Labor Department gathered and analyzed data from 150 labor market areas, pinpointing those in need of aid. The Commerce Department set up a development division to aid depressed areas in locating new industries and launching new products. The Small Business Administration set up by the 83d Congress increased its loans to small business, helped small producers to bid on defense work, and pressed prime contractors to subcontract work to small firms. The Office of Defense Mobilization modified its manpower policies to help absorb unemployment and eased tax amortization procedures to aid firms in depressed areas. Special "set asides" in defense procurement were held open for firms having idle capacity and surplus labor.

Unemployment compensation reserve established

Congress strengthened the Federal-State system of unemployment compensation by providing for a $200 million reserve out of unemployment tax revenues and earmarking this reserve for loans to States. In addition, the excess tax revenues will be returned to the States to stimulate them to provide larger benefits. Since Republicans took office in January 1953, 25 States (19 with Republican administrations, 6 with Democratic) have increased their unemployment insurance benefits. These actions, supplemented by substantial tax cuts, price stability, and general stimulation of the economy, prevented these pockets of labor surplus from resulting in severe hardships to workers and communities or endangering a sound economy during the changeover from war to peace.

Making good on the Republican pledge to encourage an era of industrial peace, the President announced a policy of keeping the Government out of labor disputes and the administration moved to restore collective bargaining to full force and effect. It ended wage controls, releasing the backlog of negotiated wage increases blocked by Government regulations under the previous administration. The National Labor Relations Board speeded up its procedures for handling elections, settling labor disputes, and disposing of cases of unfair labor practices; while the Labor Department increased its disposition of wage violation cases under the Davis-Bacon Act.

Taft-Hartley Act changes stymied by Democratic votes

The Republican administration proposed and Congress carefully considered over a score of improvements in the Taft-Hartley Act which experience had indicated were fair and necessary, but Democrats in the Senate killed the legislation. By voting solidly to send the bill back to committee, Senate Democrats clearly labeled their action as political in order to discredit the law and to save the issue for another Democratic Party bid for the favor of labor leaders in future campaigns. Yet the law had been passed originally over President Truman's veto with Democratic support in both Houses, had not been repealed afterward by two Democratic-controlled Congresses, and has for more than 6 years successfully safeguarded the rights of union members against labor bosses and management alike.

Under the act strike losses to workers have been greatly reduced, collective bargaining strengthened, and the growth of labor unions stimulated. As late as last fall at its St. Louis convention, it was announced that the A. F. of L. had a million and a half more members than it had in 1952; while President Walter Reuther announced to the CIO convention in November that "The CIO • • • is at the strongest point in its history, both in respect to the size of our membership and our financial structure."

The administration aided labor in many other respects. A new clause was put into effect in all Government and defense contracts eliminating discriminations on account of race, religion, color, or national origin in the recruitment, employment, pay, training, and promotion of employees. The cost of living has been kept down and tax reductions amounting to more than $7.4 billion in 1954 practically amount to a raise in pay for all workers, with a large number of additional benefits going to workers in tax-revision legislation. Average hourly and weekly wages are again rising. Social security has been broadened and benefits increased. Congress enacted an expanded program of vocational rehabilitation which in 5 years will raise the number of disabled persons restored to self-supporting lives from the present 60,000 to 200,000 per year.

REPUBLICANS BOLSTER THE NATION'S FARM ECONOMY

In policy and action the 83d Congress and the Eisenhower administration fully recognized the importance of farmers and farming to the national welfare.

The agricultural progress record is impressive. Chief among the accomplishments was the slowing of the decline in farm prices—a decline that registered its greatest drop during the last 2 years of the Truman administration.

From February 1951 to January 1953, just before Republicans took control of the Government, the farm price average dropped 17 percent. Since then, there has been a further trend downward from the war and postwar price peaks, but the decline has been held to less than 8 percent.

The Congress and administration together have acted to strengthen the farm economy in the following ways:

1. Developed, with the cooperation of farmers, farm organization leaders, land-grant colleges, and others, a new farm price-support program keyed to peacetime conditions and directed toward assuring agriculture its rightful share of the national income while preserving the American farmer's traditional independence and initiative.

2. Reduced taxes and changed certain tax law provisions to make them more equitable to farmers.

3. Expanded both off-farm and on-farm grain storage, essential to the proper functioning of price-support operations.

4. Launched a large-scale farm-surplus disposal program in an effort to move some of the surplus into stomachs, instead of storage.

5. Provided far more than did the preceding Democratic Congress and administration for REA loan funds for extension of rural electrification and telephones.

6. Stepped up soil-, water-, and forest-conservation work.

7. Gave generous assistance to drought-stricken farmers and stockmen in the Southwestern States in the form of credit, low-cost feed, hay, and reduced rail rates.

8. Stabilized cattle prices by the purchase of 250 million pounds of beef in 1953 and programs to stimulate beef consumption.

9. Sent special trade missions abroad to explore possibilities of expanding United States agricultural trade.

10. Supported continued United States participation in a revised International Wheat Agreement with an average increase in price of 25 cents a bushel for wheat.

11. Intensified agricultural research and education activities.

12. Increased the 1954 national cotton-acreage allotment to 21.4 million acres, to alleviate hardship on many cotton farms that would have resulted from the 18-million-acre allotment required under previous legislation.

13. Reorganized the Agriculture Department to effect better supervision, coordination, and review of farm problems and also established the National Agricultural Advisory Commission to advise the Secretary of Agriculture.

President Eisenhower and his Secretary of Agriculture carried out fully the President's assurances at the outset of his administration to support existing agricultural laws, including continuance through 1954 of price supports on basic commodities at 90 percent of parity. However, in transmitting to Congress on January 11, 1954, his recommendations for a new farm program, President Eisenhower observed:

"Present laws discourage increased consumption of wheat, corn, cotton, and vegetable oils, and encourage their excessive production. The huge and growing surpluses held by the Government act as a constant threat to normal markets for these

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products. Thus, present law produces results which in turn are hurtful to those whom the laws are intended to help. Partly because of these excessive stocks, farm income has fallen steadily over the past 3 years."

The President recommended flexible—in place of rigid—price supports for the basic commodities, with adjustment to the flexible program to be accomplished gradually in the interest of both the farmers and the Nation's economy as a whole. Congress responded with legislation adhering in principle to the flexible-support provisions of the bipartisan Agricultural Acts of 1948 and 1949, but which the Democratic 81st and 82d Congresses did not permit to take effect.

Under the new legislation, the Agricultural Act of 1954, mandatory price support for the 1955 crop of five basic commodities—wheat, corn, cotton, rice, and peanuts—will be within a range of 82½ to 90 percent of parity, depending upon the supply outlook for each commodity. Tobacco price support will be maintained at 90 percent of parity as long as marketing quotas are in effect.

Senator AIKEN, chairman of the Committee on Agriculture and Forestry, said the minimum level of support for the basic commodities next year, in view of the supply situation, would be: tobacco, 90 percent; cotton, 90 percent; rice, 89 percent; corn, 90 percent; peanuts, 86 percent; and wheat, 82½ percent.

Nonbasic commodities for which price support is required are milk and butterfat and their products, at levels between 75 and 90 percent of parity necessary to assure adequate supplies; honey and tung nuts, at 60 to 90 percent of parity, and wool including mohair.

Price support for wool and mohair is designed to increase production. For wool, support is to be established at a level necessary to encourage production of 300 million pounds of shorn wool annually. For mohair, it is to be at the parity percentage necessary to obtain a desired level of yearly production.

The Secretary of Agriculture is authorized, but not required, to support other nonbasic commodities at variable levels.

The law also provides for a gradual transition after January 1, 1956, from the "old parity" to the "modernized parity" formula in computing parity prices for the basic commodities to which the "modernized parity" formula does not now apply.

Among other provisions in the Agricultural Act of 1954 are incentives for good and proper land use practices and the transfer of agricultural attachés in foreign countries from the State Department to the Deparment of Agriculture.

On the Rural Electrification Administration programs, the Republican record was considerably better than that of the Democrats in the preceding Congress. For the 2 fiscal years 1954 and 1955 the Republican 83d Congress approved total loan authorizations for the electric program, including contingency authorizations, of $350 million. The 82d Congress, under Democratic control, voted total loan authorizations for this program, including contingency authorizations, of only $275 million.

REA electric loans, in the first full fiscal year under the Republican administration ending June 30, 1954, totaled $167,104,100 compared with $164,972,662 for fiscal 1953.

The fiscal 1955 regular loan authorization for the REA telephone program of $75 million voted by the 83d Congress is the highest for any single year since the start of this program in 1950. The amount authorized for fiscal year 1954 for telephone loans, $67.5 million, was the second highest for any 1 year. Fiscal year 1954 telephone loans totaled $74,712,000, compared with $41,727,000 made by the Truman administration in fiscal 1953.

These figures make a mockery of the claim of critics that Republicans are unsympathetic to REA.

Two important agricultural conservation measures enacted by the 83d Congress were extension of the Water Facilities Act, heretofore applicable only to 17 Western States, to all of the United States, its Territories and Possessions, and the Watershed Protection and Flood Prevention Act.

Both enable and encourage expansion of conservation and improved use of America's two greatest natural resources—soil and water.

Aids to farmers in tax laws

Tax laws enacted by the 83d Congress are of benefit to farmers and farm families in a number of ways. Under the tax revision law, farmers can claim a $600 dependency deduction for a child regardless of the child's earnings if such dependent is receiving on-the-farm training and the farmer continues to furnish more than half of his support.

The revision law also allows for farmers:

Deductions up to 25 percent of farm income for soil and water conservation expenses;

More rapid writeoff of the cost of new depreciable assets—farm machinery, equipment, etc. Under the declining balance method of depreciation now permitted, the farmer can write off in the first year twice the amount allowed under the straight-line method;

Removal of the tax on proceeds from sale of cattle when the sale is necessitated by disease, provided the proceeds are reinvested in cattle within 1 year after the close of the taxable year.

Previously where a farmer did not file a declaration of estimated tax by January 15, he had to file his final income-tax return by January 31. This deadline is now extended to February 15. Also, where a farmer files a declaration by January 15, his final return is now not due until April 15.

Farmers' accounting requirements are eased to permit the use of the farmer-preferred hybrid bookkeeping system.

Another Republican-passed tax law provides for rapid amortization of farm grain-storage facilities. Whereas before such facilities could be amortized only over their "useful life," this now can be done over a 5-year period. This provision was included in the Technical Changes Act of 1953 (P. L. 287, approved Aug. 15, 1953), which was reenacted by the tax-revision law.

REPUBLICANS SET NEW LANDMARKS IN CIVIL AND POLITICAL RIGHTS

The Republican Party has been traditionally the party of civil and political rights. In 1953–54 the frontier of progress in these basic rights moved forward.

The historic United States Supreme Court decision of May 17, 1954, outlawing segregation in the Nation's public elementary and high schools set another great landmark.

Under the Republican pledge to press for equality of rights of all citizens of every race, color, and creed, the Justice Department filed a brief and a Justice Department official appeared before the United States Supreme Court on December 8, 1953, to urge, in behalf of the Republican administration, that the Court find public school segregation to be in violation of the 14th amendment to the Constitution. The decision of the Court was unanimous.

Among the forthright actions taken by the administration since it took office in January 1953 was that of eliminating segregation in the Armed Forces. That action was coupled with the abolition of segregation in military post schools and among civilian employees in military and naval installations and in Federal civilian employment.

A Government Contract Committee has been established to promote equal job opportunities on all Government work done by private industries. This is a direct effort to prevent discrimination among employees of those industries engaged in Government work.

The Veterans' Administration was ordered to eliminate segregation in all veterans' hospitals as rapidly as possible without sacrificing medical considerations. That program is well on its way to fulfillment.

Various steps have been taken to eliminate segregation in the Nation's Capital. The Department of Justice argued successfully in the case of a restaurant before the Supreme Court with the result that all restaurants and public places in the District of Columbia are now open to all persons. Since the Supreme Court's May 17 decision, plans have been initiated by District of Columbia officials to bring segregation to an end in their schools, city playgrounds, institutions, and agencies.

Negroes receive important posts

Negroes have been given high political appointments in the Republic administration, including delegate to United Nations; legal counsel, Post Office Department; minority groups consultant, Labor Department; member, Caribbean Commission; Ambassador to Liberia; adviser and consultant, War Claims Commission; member, Federal Parole Board; Register, Treasury Department; adviser on business affairs, Commerce Department; Special Assistant to Commissioner of Public Housing on Racial Affairs; Advisory Committee on Government Housing Policies and Programs; member, International Development Advisory Board; assistant counsel, Foreign Operations Administration; Governor of Virgin Islands; Assistant Secretary, Labor Department; head of United States Educational Mission to Afghanistan; National Board of Field Advisers to Small Business Administration; member of Board of Foreign Scholarships; and in many other departments and agencies.

The 83d Congress passed legislation to remove certain restrictions against Indians and to give them more rights of American citizenship. Public Law 281 gives the Indians personal-property rights whereby they may sell or buy without permission of the Bureau of Indian Affairs. Public Law 280 provides that Indians can obtain the same rights as others in civil and criminal cases. Indians are also permitted to negotiate their own land leases.

The Federal Voting Assistance Act of 1954 makes it possible for members of the Armed Forces and civilians serving overseas to vote in national and State elections provided they are qualified voters in their respective States.

Solid Democratic Party opposition defeated the passage of a bill to give the vote to 18-year-old citizens.

Statehood for Hawaii was voted but blocked by Democratic Party tactics in the Senate tying statehood for Alaska in the same bill, despite the fact that Alaska and Hawaii present entirely different problems of statehood.

BETTER HEALTH, EDUCATION, WELFARE, AND SOCIAL SECURITY

To expedite and improve human welfare and social progress many agencies operating in these fields were drawn into a new Health, Education, and Welfare Department with Cabinet status. For the first time, all such problems are receiving systematic and comprehensive study instead of piecemeal consideration.

Education

Recognizing Federal responsibility in districts which are overcrowded because of Federal activities, the 83d Congress provided financial aid for school construction. Congress also continued to July 1, 1956, Federal aid in the maintenance and operation of schools in these areas. These funds will cover the expenses of about 1 million school children.

The Office of Education was authorized to contract and cooperate with universities, colleges, and State educational agencies for research, surveys, and demonstrations, and to establish a nine-member National Advisory Committee to aid in supervising educational problems. A $1 million fund was approved for allotment to States for conferences on educational problems preliminary to a White House conference scheduled for November 30, 1955.

Health

To safeguard the Nation's health the Hill-Burton Act was extended to 1957 and expanded for hosptal facilities for the aged, chronically ill, and phsyically disabled.

A broader program of vocational rehabilitation has been established to increase State financing and activities, and to encourage closer Federal-State-local cooperation. It includes the training of doctors, physical therapists, occupational therapists, rehabilitation counselors, psychologists, and social workers. Increased emphasis is placed on improvement of rehabilitation techniques and special facilities such as community workshops, speech and hearing clinics, and initial staffing of such facilities.

Increased grants were made for research on cancer, heart, mental health, and arthritis. A new clinical center of the National Institutes of Health in Bethesda, Md., was opened with 500 beds to seek cures for such diseases.

As a health protective measure, Congress passed a law specifically giving the Food and Drug Administration power to inspect factories where pharmaceutical and food products are manufactured.

The Robert A. Taft Sanitary Engineering Center was opened for the purpose of research in the public sanitation field.

Social security

A social security act was passed bringing some 7 million more persons into the Federal retirement system and increasing the benefits of the 5 million already retired.

Under this act, social security beneficiaries now have the advantage of a much more liberalized program. They may now earn as much as $1,200 a year from covered work without loss of benefits. In addition, the new formula makes it possible for beneficiaries to earn more than $100 in any one month without losing all 12 months' benefits.

The age of beneficiaries for earning unlimited amounts without losing their benefits has been lowered from 75 to 72 years.

Those under the railroad retirement system have benefited by a change in the law which increases the benefits of some 36,000 an average of $24 a month, retroactive to October 30, 1951.

Welfare

As the new and expanded programs of vocational rehabilitation, hospitals for the chronically ill, and increased social security benefits go into effect, the need for other temporary forms of public assistance should decrease. Persons receiving such relief either are being returned to a productive life or are being cared for under the new programs which give them greater freedom as individuals.

AID TO VETERANS

This administration insisted that the human approach rather than the cold casework approach be made toward veterans and their problems. This resulted in a reorganization of the Veterans' Administration along functional lines, giving veterans and their dependents faster, better service at less overhead cost.

Among the more important specific benefits given to our veterans was the increase in compensation payments to those with service-connected disabilities as well as an increase in the monthly payments to widows and dependent parents of veterans. Non-service-connected disability pensions were also increased.

The 83d Congress extended to July 1, 1955, the act providing for Federal contributions of dependency allotments for more than 1 million enlisted personnel. Over 11,000 Korean war prisoners and soldiers missing in action were benefited for a period well beyond the truce by extension of the Missing Persons Act to July 1, 1955, providing for a continuance of pay checks and family allotments. Privileges of soldiers overseas to send home gifts duty-free and bring back their personal possessions free of duty were extended for another 2 years.

The Congress increased by $100 million the revolving fund to finance direct Veterans' Administration loans to war veterans unable to finance home and farmhouse loans through private lending sources.

Under the old-age and survivors insurance system, military personnel under certain circumstances are provided wage credits for active duty without payment to the OASI fund.

Congress simplified the handling of veterans' life insurance policies, giving better protection for the insured veteran as well as realizing savings of about $600,000 a year through less paperwork.

A law was passed which provides that all types of tuberculosis among veterans causing 10 percent disability within 3 years of discharge is presumed to be service-connected.

Korean War veterans were granted the same preferences as World War II veterans in war housing, in civil-service appointments, and in free postage service. Time has been extended for Korean veterans to initiate training under the GI bill of rights.

Funds for hospital beds largest ever voted

To take care of the ever-increasing load of hospitalized veterans and to provide them with adequate facilities, the Congress enacted the largest appropriation ever provided for a total of 114,415 beds, the highest number the VA feels it can use and staff properly.

Federal payments for each veteran cared for in a State soldiers' home have been increased.

Under appropriations passed all veterans' hospitals will continue to operate. Since January 1953, new veterans' hospitals have been opened at Birmingham, Ala; Syracuse, N. Y.; and Durham, N. C. Further, a portion of the new hospital at West Haven, Conn., providing 396 beds for tuberculosis cases, has been opened and the hospital at Indianapolis, Ind., has been converted to a tuberculosis hospital.

Construction was completed on hospitals at Chicago and Oklahoma City as well as at Minneapolis. New hospitals are being built and completed at Ann Arbor, Mich.; Brockton, Mass.; Chicago; Cincinnati; New York City; two at Pittsburgh; at St. Louis, Mo.; Salisbury, N. C.; and Los Angeles. Additions are being made to existing hospitals in Dallas and Houston, Tex., and conversion projects started on the hospitals at West Roxbury, Mass.; Dearborn, Mich.; and Jefferson Barracks, Mo. Additional hospitals are being planned for early construction at Cleveland; San Francisco; and Topeka, Kans.

REPUBLICAN ACTION ON THE COMMUNIST ISSUE

The Republican 83d Congress, acting in concert with the Eisenhower administration, was able to put the full weight of the Federal Government behind the effort to deal with communism as a domestic issue in the United States. Action has been vigorous and results tangible.

With the threat of Communist domination hanging over the entire world, Americans sometimes forget that for 20 years the Republicans—with the aid of those Democrats who had not surrendered to the New Deal—fought this battle. Never in control of the executive branch, and always a minority in the National Legislature—except during the 80th Congress—it was a ceaseless Republican effort that brought about the great exposures and forced through the first installments of remedial legislation. The breaking of the Alger Hiss case was a Republican achievement. So was the William Remington case. The revelation of the destruction of subversive records in the armed services was brought about by Republicans. When a journalist's beat revealed that there was a secret military directive permitting the commissioning of Communists in the Army, it was the Republica attack that forced the Truman administration to cancel the order. In the field of legislation it was the Republicans who passed the Taft-Hartley Act—with its non-Communist oath—over Truman's veto. What eventually became the Internal Security Act of 1950 was initiated by Republicans during the 80th Congress, and it was Republican determination that provided the pressure to pass the final act over the Truman veto.

With the installation of the Eisenhower administration, action on the Communist issue began at once. The Truman Loyalty Order (Executive Order 9835 of March 21, 1947) was revoked and on April 29, 1953, the President issued a new order completely reorganizing security procedures. The executive branch moved forward using existing law. The Congress pushed on with investigations of infiltration and simultaneously began the consideration of new laws.

A series of measures, passed by both Houses and sent to the President, strengthens the hand of the executive in combating the Communist conspiracy in this country.

These measures include:

1. S. 3706, which outlaws the Communist Party and provides for the determination of the identity of certain Communist-infiltrated organizations was passed with almost unanimous support of both parties in the House and Senate.

2. S. 16, which makes possible the granting of immunity to witnesses testifying before congressional committees. Under this measure subversives will no longer find an easy refuge in the fifth amendment. Furthermore, witnesses who otherwise might be perfectly willing to testify but who dread penalties, are now encouraged to give evidence that will throw additional light on the conspiracy.

3. H. R. 7486, which imposes heavier penalties for concealing persons from arrest. Only light penalties could be imposed upon the four Communists who concealed Robert Thompson in the Sierra Mountains for months before the FBI ran him to ground. Thompson was one of the 11 Communist leaders convicted in 1949 in the first Smith Act trial. Under the new measure much stiffer penalties can be imposed for harboring fugitives.

4. H. R. 8658, which imposes heavier penalties on bail jumpers. The genesis of this measure was the Gerhardt Eisler case. Eisler, a top Communist agent, escaped from New York on the Polish ship *Batory* after he had been indicted for passport violation.

5. H. R. 9909, known as the Alger Hiss bill. The measure denies a Government pension or retirement benefits to any Government employee convicted of a felony.

Still another measure, approved by the President July 29, 1954, amended the Internal Security Act by requiring that all printing presses owned or controlled by Communists must be registered with the Attorney General.

Meantime investigations were continued by congressional committees. The most sensational single revelation was the Senate Internal Security Subcommittee's disclosure of the circumstances surrounding Truman's promotion of Harry Dexter White from the Treasury to the International Monetary Fund. This promotion had been made in the

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face of repeated warnings from the FBI concerning White's subversive activities and associations. Among the more notable congressional documents was the same subcommittee's report, Interlocking Subversion in Government Departments, published July 30, 1953.

Proof that the exploration of the past is still a hot issue was shown by the fact that during the year 1953, no fewer than 305 witnesses before congressional committees invoked the 5th amendment. A substantial number would not answer questions about their past affiliations. During the 2d session of this 83d Congress, 27 recalcitrant witnesses before the House Un-American Activities Committee were cited for contempt of Congress; 5 such witnesses before the Senate Committee on Government Operations were cited.

While these efforts were being pursued in Congress, the executive branch was pressing action under already existing law. A new Division of Internal Security has been set up in the Justice Department, in charge of an Assistant Attorney General. This Division will have the handling of all court proceedings in matters affecting internal security.

Since January 1953, 50 high-ranking Communists have been convicted under the Smith Act, which provides drastic penalties for those advocating the overthrow of government by force and violence. During the same period—since January, 1953—three Communist leaders have been convicted of filing false affidavits under the non-Communist oath section of the Taft-Hartley Act. Four more are under indictment and are about to go to trial.

The Subversive Activities Control Board, operating under the provisions of the Internal Security Act, held lengthy hearings and finally issued an order requiring the Communist Party to register the names of its officers and members with the Attorney General. The Communists appealed the order and the decision of the United States Court of Appeals has yet to be announced. Meantime, after other hearings, the Board ordered the Labor Youth League to register as a Communist-front organization.

In addition to the various types of action enumerated above some 2,400 security risks were weeded out from Federal employment between January 1953 and June 30, 1954. As of August 16, 1954, 105 alien subversives had been deported since January 1953 and, in addition, 355 new deportation proceedings and warrants for arrest had been issued against alien subversives.

CLEANING UP THE MESS

The Republican Party, when it came into office in January 1953, inherited a mess. Members of the Truman administration had been convicted of fraud. The involvement of no less than 14 Government officials in instances of favoritism and influence had been exposed. Members of Truman's official family had accepted valuable gifts; mink-coat and deep-freeze scandals had disgusted the Nation. Hundreds of Federal employees had been caught trying to improve their private fortunes through their positions on the public payroll. Ten Federal agencies were entangled in shadowy manipulations.

There were 78 headlined scandals in the Agriculture Department, 48 in the Internal Revenue Bureau, 19 in the Defense Department, 10 in the RFC, 9 in the Justice Department, 5 in the Post Office Department.

Machinations of influence peddlers had spread through the land. Mixed up in the awarding of many Government loans and contracts were corrupt political bosses and underworld characters.

Pledge to oust crooks kept

In their 1952 platform, the Republicans pledged to put an end to corruption, to oust the crooks and grafters, and to restore honest government to the people.

That pledge is being kept. Under leadership intent upon exposing rather than covering up corruption, the Congress and the Executive are cooperating in providing the kind of government in which decent citizens can take pride.

The Internal Revenue Bureau is one Government agency which has felt the impact of this teamwork. Following the exposé of malpractice, unheeded by the Truman administration, a total of 388 revenue officials were separated and 60 convicted in the year 1953 alone. Even a former Commissioner, topman of the Bureau, Joseph D. Nunan, Jr., has been found guilty of cheating the Government of $91,000 on his own income taxes and sentenced to 5 years in prison.

By the end of 1953, Attorney General Brownell had referred 614 tax-evasion cases for prosecution, cases which had been hidden in desk drawers during the previous administration. Many of the tax cases involved tax exemption of racketeers who had made campaign contributions to Democrats. One such case resulted in a 5-year prison term for Frank Costello, infamous New York racketeer of the Truman era. Another was the case of the notorious underworld character, Frank Cammarata, whose income-tax delinquency was whitewashed by New Deal-Fair Deal officials for 8 years.

The Senate Banking Committee has uncovered enormous windfall profits under the Federal Housing Administration's construction program. Top Truman officials in the FHA, including Assistant Commissioner Clyde L. Powell and General Counsel Burton C. Bovard, have been fired.

Use of restricted information uncovered

The use of restricted information by Truman officials for financial gain has been uncovered. A high Agricultural Department official, Jack Cowart, accepted shares of stock in a company having dealings with the Department; Cowart has been found guilty of perjury in connection with this irregularity. Steps have been taken to strengthen the conflict-of-interests law, which is intended to prevent Federal officials from serving the interests of themselves and friends when their official responsibility is to serve the interests of the Government.

A searching inquiry by the Senate Agriculture Committee uncovered many irregularities in the Commodity Credit Corporation during the Truman administration. As of January 1, 1954, shortages involved some $11,310,000. The Republican administration, in its first few weeks in office, discovered in the CCC books some 70 shortages which occurred during New Deal-Fair Deal days.

E. Merl Young, of the Reconstruction Finance Corporation, peddled influence; Young has been convicted of perjury. An investigation by a Senate committee disclosed that the RFC Board of Directors poured about $4 million into an obviously bankrupt firm; this is still under investigation. The RFC has been abolished.

Nine indicted in surplus ship deal

Nine individuals have been indicted in a crooked surplus ship deal.

The Senate Judiciary Committee found in the Office of Alien Property a number of employees who were on the subversive list. It also found irregularities. One alien businessman was found to have been drawing a salary of $97,000 a year from a defunct company.

The Republican administration exposed a cash-for-leave scheme which was operated in the previous administration. It was discovered that more than 50 employees of the Rent Stabilization Office had been fired for bookkeeping purposes as of a certain day, given cash for up to 90 days' accumulated leave, rehired the next day on a temporary basis, and 30 days later restored to the permanent payroll. Officials responsible in this case have been fired, and a change in the law now prevents such abuses.

Other abuses are being corrected. For example, Truman pardoned many criminals secretly, some of them members of the old Pendergast machine of Kansas City. Now, the Department of Justice makes public all pardons. As a matter of fact, all Federal pardons were made public until Franklin D. Roosevelt took office. Then the curtain of secrecy fell, not to be lifted until the Republicans came back into office.

Congressional investigations continue to turn up shocking cases of corruption and crookedness during preceding administrations. Thousands of pages of testimony have been placed in the official record. And the complete story has not yet been told.

REPUBLICANS REVERSE THE TREND TOWARD BIG GOVERNMENT—PRACTICE EFFICIENCY AND ECONOMY

Through reorganization of executive departments and agencies, reduction of Federal personnel, and large-scale paring of appropriations and expenditures, the 83d Congress and the Eisenhower administration made the Government more efficient and economical, cut down its size, and checked the New Deal-Fair Deal trend toward an all-powerful central Government.

These were the accomplishments:

In 1953 and 1954, the Congress, with the administration's cooperation, cut appropriations by many billions of dollars.

The new obligational authority voted for fiscal year 1954 was close to $20 billion below the amount ($80.2 billion) provided for fiscal year 1953. This was by far the largest peacetime decline in the level of appropriations in a single year in the history of the Government.

For fiscal year 1955 the Eisenhower administration's budget request was the lowest in years. Therefore, the appropriation reduction by Congress was considerably less than for the previous year. Budget requests submitted for the 10 regular annual appropriations for fiscal year 1955 were $44.2 billion and the actual amount appropriated was a little under $42.7 billion—a cut of about $1.5 billion. Substantial reductions also were made in two other large money bills, the fiscal 1955 foreign aid and the supplemental measures.

Also in concluding action on the regular annual appropriation bills for the new 1955 fiscal year which began this July 1, the Congress set a record for expeditious handling of these bills. This was only the second time since World War II that Congress finished work on the regular appropriations before the start of the new fiscal year. The first time occurred in the second session of the Republican 80th Congress in 1948.

Truman budget cut by more than $10 billion

The spending budget for the fiscal year 1954, proposed by Truman before he left office in January 1953, was reduced by more than $10 billion. Also, the Republican administration actually cut fiscal 1954 spending by more than $6½ billion under the amount spent in fiscal 1953.

As President Eisenhower remarked on July 22 this year in reporting on the administration's fiscal progress, "We have come over two-thirds of the way toward balancing the budget. As we have done this while putting into effect a tax program which will return nearly $7½ billion to the people." Truman's budget deficit for fiscal 1953 was $9.4 billion and he had forecast a deficit for fiscal year 1954 of $9.9 billion. The actual fiscal 1954 deficit was approximately $3 billion.

Over 200,000 taken off Government payroll

Well over 200,000 persons were removed from the Federal civilian payroll.

Congress approved all 12 of President Eisenhower's Government reorganization plans. These plans included creation of the

Department of Health, Education, and Welfare and authorized departments and agencies to operate on a sounder, more businesslike basis.

Congress also established two commissions, the Commission on Organization of the Executive Branch of the Government (called the Hoover Commission) and the Commission on Intergovernmental Relations.

The Hoover Commission has a mandate to survey all Federal functions and recommend changes to promote economy and efficiency, including abolition of any functions found no longer to be of value to the American people. The Intergovernmental Relations group is studying such problems as overlapping jurisdictions between Federal and State Governments, Federal grants-in-aid to States, and conflicts between Federal and State Governments over tax resources.

Statement by Hon. Styles Bridges, of New Hampshire, About the Record of Nearly Two Decades of His Service in the Senate

EXTENSION OF REMARKS

OF

HON. STYLES BRIDGES

OF NEW HAMPSHIRE

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. BRIDGES. Mr. President, I ask to have printed in the RECORD a statemnt prepared by me regarding happenings during the nearly two decades of my service in the Senate.

There being no objections, the statement was ordered to be printed in the RECORD, as follows:

ADDRESS OF SENATOR STYLES BRIDGES, OF NEW HAMPSHIRE

Within a few hours the Vice President of the United States will bring down the gavel and the 83d session of the Congress will come to an end. Soon thereafter each of us will return to the tasks and duties which await us at home.

In my case, I intend to present my record to the people of New Hampshire and ask that they return me to the United States Senate. I am not unmindful that the voters of my Sate have seen fit to repose great trust and confidence in me for many years. I know that my energies have been dedicated to the meeting of that challenge, and I take personal satisfaction in feeling that I have done so successfully.

The people of my State have extended to me the highest honors possible for them to extend to any citizen, for which I am deeply grateful. They elected me as their chief executive in 1934 and I had the privilege of serving as Governor during 1935 and 1936. I was elected to the United States Senate in 1936 and I am now completing my eighteenth consecutive year of service in that body.

My colleagues in the United States Senate have honored me with electing me President pro tempore of that body. In addition, I am now serving as chairman of the Appropriations Committee, ranking member of the Armed Services Committee, chairman of the Senate Armed Services Preparedness Subcommittee, member of the Republican Policy Committee, member of the Senate Personnel Committee, and member of the Nonessential Expenditures Committee. Prior to my election as President pro tempore of the Senate, I served during the 82d Congress as the Republican leader of the Senate.

This session of Congress has been constructive and fruitful. In all fairness it must be stated that its accomplishments have been under Republican leadership with the cooperative effort of thoughtful members of both political parties who have examined each legislative proposal on its merits and have supported this well-balanced American program without allowing blind partisanship to destroy their perspective.

We have all worked together and we have accomplished much:

(1) For the first time in two decades we have overhauled our tax structure. The new tax bill removes many of the inequities and injustices and makes a sound start toward producing the required revenue for the Government. The new law provides the necessary incentives to business and to labor so that we may continue to expand our economy and to enjoy the fruits of our labor.

(2) We have made a realistic start toward reduction of taxes which, together with our program of economy in Government, has narrowed the gap between income and expenditures so that our budget is very nearly in balance.

(3) Our Defense Establishment is realistically organized to meet the demands of modern warfare. The Army, Navy, and Air Force appropriations are consistent with present needs and provide the essential flexibility that will enable us to adjust ourselves as the military situation requires.

(4) We have revised the Atomic Energy Act of 1946 to provide a sound program for the development of atomic energy for private industry and peaceful use. At the same time, the Nation's atomic weapon stockpile has grown rapidly in total numbers, increased variety and versatility of weapons. In the last 2 years the development of thermonuclear weapons has been vigorously prosecuted. This Nation has available now for its own defense, and the defense of the free world, weapons whose blast effect is measured in millions of tons of dynamite. The present state of our military preparedness should give would-be aggressors cause for reflection.

(5) A few other of the administration programs which have been adopted are: (a) The Korean defense pact, (b) the highway program, (c) the housing program, (d) the reciprocal-trade program, (e) various appropriation bills for the defense and other executive departments.

(6) Additionally I should like to point out that legislation has been enacted to: (a) provide a Federal program of flexible supports for farm prices, (b) put teeth into our war against subversion, (c) provide for a multi-million-dollar Federal-State program for specialized medical facilities, (d) provide increased aid to veterans with service-connected disabilities, (e) extend Federal unemployment compensation benefits to an estimated 4 million persons, (f) provide wider coverage under the social-security program, including for example, plans whereby 9 million additional workers will receive the benefits of the old-age and survivors' insurance system.

These are but a few of the legislative accomplishments that this Congress has achieved under Republican leadership. Time does not permit me to discuss the many desirable measures which have been enacted. It is sufficient to say that the record is available for public examination.

There have been sharp differences of opinion on some of these issues, and the decisions which we have reached followed full discussion and debate. The fact that we reached decisions has again demonstrated the strength of our free institutions.

The ending of this session of Congress will have a deep personal significance for me. It will mark the completion of my 18th year as a Member of the United States Senate. Eighteen years is a large part of a man's life. During those two decades there have been many changes in this world in which we live. This country emerged from a worldwide depression; in Europe a Fascist-totalitarianism threat appeared, and was finally defeated by free men; another, more sinister form of oppression now stalks the world; there have been political upheavals in Europe and Asia and the Near East; armed aggression was met and partially repelled in Korea; and the world is now sharply divided into two armed camps which glare at each other over fortified boundary lines.

No man among us can predict when the tinder will light in this dry forest of hate and engulf the world in another conflagration. At home there have been marvelous changes in our society—television, electronics, refrigeration, air-conditioning, and the marvel of the atom which promises so many benign uses for the health and prosperity of man. Our people are better fed, better clothed, better educated and more healthy than people have ever been since the beginning of time.

There have been many changes, some good, some bad, some will have a profound effect upon the heritage which we transmit to our children.

Since I have played a part in the deliberations leading toward the decisions in many of the events of the last two decades, I ask the forbearance of my colleagues to recall some of these events and to make some reflections upon them.

SOME THINGS DO NOT CHANGE

I suggest that in the ever-changing society of the world community of nations in which we live, there are some things that do not change. There are certain eternal values which stand the test of time and provide guideposts for those who would live in dignity and in freedom. Perhaps it is old-fashioned, and, if so, I confess that I am, to emphasize that truth, morality, justice, courage, honesty, fidelity, and devotion are qualities which cannot be eroded by time. America was a great land when Christopher Columbus discovered it. It had its fruitful fields; it had its mountains, its forests, its streams. But a race of hearty forbears, dedicated to the fundamental beliefs which I have listed, made this country a great Nation.

ALL CHANGE IS NOT PROGRESS

The only lamp by which our feet can be guided is the lamp of experience. I therefore suggest to you that all change is not progress. I have observed in my 18 years in this most honored of legislative assemblies that whenever we have equivocated or compromised on the fundamental philosophy of decent living, which I have briefly discussed, we have ultimately paid the price.

As a young boy, born on the farm, I early learned the realities of life. I learned the meaning of labor, of management, of frugality, and the conforting emotions that one derives from earning his way in the world. I also learned that you can't get something for nothing. And when I came to the Senate of the United States in the year 1936 I was one of a lonely group of 16 Republicans lost in a Sargasso Sea of Democrats. We tried to stem the tide of the New Deal. We did manage to crystallize opposition to the plan to "pack" the Supreme Court of the United States and to destroy its equal sovereignty with the other branches of our Government. We did hold the line on some other basic issues but by and large it was a period of excesses and creeping socialism; a system of Government controls in the guise of security, supplanted individual freedom of enterprise through which America had grown great.

THE ESSENCE OF GOVERNMENT IS THE ABILITY TO FORESEE

The essence of government is the ability to foresee. It is, therefore, apparent that governments will not long endure unless

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their representatives realistically appraise the facts and chart the probable future developments. It was apparent to some people in the years before World War II that the Nazis were bent on world conquest; that the Black Shirt Fascists of Mussolini were a threat to world peace; and that the development of the militaristic Government of Japan would eventually explode in the Far East.

Why was it not apparent to more people? These totalitarian philosophies degraded the dignity of man. They made him the slave of the state, they crushed minority groups, oppressed freethinkers, and regimented men's minds. We knew these things in America. We could not claim ignorance of the facts. And yet we appeased, we compromised, we equivocated. In the year 1937 when I introduced a resolution in this Senate to stop the shipment of war materials—including scrap iron and steel to Japan—that resolution was defeated. We met that steel and scrap iron just 5 years later on that tragic Sunday when the Japanese bombs rained on Pearl Harbor.

I was one of the few Senators who voted against the Neutrality Act in which we professed that the struggle between nazism and the free world was none of our business. That act was passed, and we tried to sit smugly aside while other men died. But again the attempted compromise with basic principles failed. Shortly thereafter, I was this time one of the many who voted to repeal the Neutrality Act and assume our rightful responsibilities in world affairs. Who knows how the course of history could have been changed if we had recognized the Nazi-Fascist threat and taken prompt action before it developed into the military machine which almost dominated Europe. We do know that the price of appeasement was hundreds of thousands of lives and untold suffering on farflung battlefields of the world. We do know that by failure to foresee we dissipated the greatest asset of this Nation—the lives of its young men.

I know there are many people in the United States who would like to forget that there was a war in Korea. But unfortunately there were 33,417 young American men who gave their lives in that fruitless struggle. There are 108,650 American boys who were wounded—some of them maimed for life—who will never be the same as a result of that ill-fated conflict. You will recall that when General of the Army Douglas MacArthur was summarily dismissed from his position as Commander in Chief of the Far East, that he told us the truth and the truth was bitter. He said in war "there is no substitute for victory." He said we cannot buy time with American lives. He told us that if as a nation we felt resort to arms was necessary, we should bring all of our power to bear to bring the conflict to a victorious conclusion. But again we equivocated. We fought a stalemate war. Though every schoolchild in America knows that we were fighting Red China, officially our diplomats refuse to accept that fact and to the end claimed that our enemies were guerrillas.

We never declared war on Red China. We never took action against our opponent where such action would damage him. We never even stopped our allies from continuing their trade with the Reds. On several occasions when we had victory within our grasp, we denied our military leaders the right to push forward to that victory.

It is a tragedy that I have to discuss the Korean war. I know it must be unpleasant. There are many who got their iceboxes—they got their television sets, their autos, and mink coats—but there were many families who got death notices from the War Department. These dead and wounded American young men cannot be forgotten or ignored. They gave their lives for a principle and we as a nation did not stand behind them. At the time of the MacArthur hearings I joined with seven of my colleagues in a report which stated any settlement of the Korean war based upon the status quo will be a Munich-like respite which will make the ultimate reckoning infinitely more costly. I don't like to, but I must, suggest that the first part of that reckoning was paid a few weeks ago at Geneva when world communism engulfed more millions of human souls.

NECESSITY FOR A STRONG ECONOMY

During these trying years I more than once recalled the statement of Abraham Lincoln that "if this country is to be destroyed it will be destroyed from within." For 18 years, therefore, I have worked as a Member of the Senate Appropriations Committee in an effort to balance the budget and promote sound fiscal policies. I know that government cannot continue to spend more than it takes in any more than a private family can spend more than it earns without eventual bankruptcy. This is truth. All of those who do not recognize it are compromising with the fundamental principles which are eternal. Therefore, while I have consistently voted to increase American military, naval and air power, I have insisted that America must be strong economically as well as militarily.

In the 80th Congress, in cooperation with my Senate colleagues, we balanced the budget. For the first time in 22 years we reduced the national debt and checked wartime inflation and saved more than $9 billion. I think we proved that the job can be done if there is a will to do it.

I am an advocate of the free enterprise system—a capitalist as the left-wingers put it. I believe government should stay out of business as much as possible in order to avoid competition with taxpayers. Government competition will ultimately drive those taxpayers into bankruptcy and dry up the source of Government revenue. I have not been able to understand why Uncle Sam must make rope, ice cream, chewing gum, and false teeth; operate schools and movies, and, believe it or not, even run undertakers' parlors.

Some small measure of success has attached itself to my efforts in this direction, but there is much to be done and I earnestly enlist the support of all who are willing to admit that they too are free enterprisers.

ATOMIC ENERGY

It was my privilege in the year 1942 to be one of four Members of the United States Senate to be told of the Government's plans to probe the mysteries of nuclear fission in an effort to construct the first atomic bomb. As a member of the Appropriations Committee during these war years, I was charged, with my colleagues, with the responsibility for secretly providing the funds required for this project.

It would be amusing, if it were not so tragic, that although we kept this secret from the Members of this Senate and from the American people, we were apparently stolen deaf, dumb, and blind by the Russians. Perhaps by this time we have learned.

I suggest that there is more to the atom than military weapons. We have, during this session of Congress, listened to extensive discussions which, had they been on other subjects would have been roundly denounced as filibuster. But there has come from these discussions a residual value. Those of us who have followed the progress of atomic energy know the hopeful side of the atom. We realize that the industrial, medical, agricultural and research applications of this force will play a vital role in our future development. The American people have invested almost $6 billion in capital, plants, and equipment in our atomic energy program. It is comforting to be able to assure you that this investment is a wise one. Our atomic strength has undoubtedly restrained the barbarians, and its benign applications give promise limited only by man's ingenuity and resourcefulness.

COMMUNISM

My views on communism are the same as they were toward fascism, since, though the enemy has changed his color to red, the danger to free institutions is indentical.

As early as 1943 I began to publicly question the administration's appeasement of Soviet Russia. It was apparent that a philosophy based upon force, denying God, and ruthlessly exterminating all opposition, would eventually slake its thirst with the blood of free people. Again the facts were apparent. Again we disavowed truth, honesty, and courage, and even denied our God. There were many voices raised, including mine, against the sell-out deals in Asia and Southeast Europe, but we ignored the warnings of conscience and again set in motion events which ultimately engulfed us.

During this period I have been an advocate of collective security. It may be a surprise to some of my critics, but I voted for aid to Turkey, Greece, the ECA, the North Atlantic Pact, the Military Aid Pact, and other programs of a like nature which seemed to me to provide strength to the free world. I advocated the United Nations Charter, but I refuse to distort the lessons of history and therefore warned when the charter was formulated that the veto provision in the hands of the Russians was likely to render the peace organization ineffective. I have opposed the scoop-shovel approach to foreign aid, and those who would dissipate the assets of the United States in gigantic Santa Claus giveaway operations. Mutual assistance and aid for those who will help themselves is the philosophy which I have consistently backed. The shores of history are strewn with the wrecks of nations which have tried to buy freedom. Freedom is not for sale. If people want it they have to fight for it—Uncle Sam cannot export it.

STOMACH COMMUNISM

There is a basic fallacy in the approach of some people to the problem of communism. They believe that if by magic the United States can feed and clothe and provide the people of the world with all of the material goods from televisions to bathtubs, that communism will disappear from the face of the earth. This is the doctrine of stomach communism, the thesis that communism thrives in undeveloped regions of the earth, that it spreads among undernourished people, that a correlation exists between man's material possessions and his political philosophy. In the two decades which I have watched this insidious force develop, I have concluded that this thesis is false. Communism is a state of mind, not a question of calories. Political philosophy is that of the soul, not of the stomach.

Call the roll of the traitors of freedom. Mention Fuchs, Alger Hiss, the Rosenbergs, Greenglass, Gold, May, and others. Were any of these underprivileged people? Were they poor? Were they undernourished? Or did they accept the benefits and privileges of free society without accepting the responsibilities that adhere to freemen?

And I say to you, and I beg of you to listen, that the only force in the world capable of combating the political philosophy of communism is the political philosophy of independence. The State of New Hampshire is far from the most wealthy State in our great Nation. The income of our people does not rank high in comparison with the people who live in some other localities, but we have few Communists, and relatively few fellow travelers, because we are God-fearing, truthful, honest, industrious, frugal people who have adhered to the faith of our fathers. You may not find many televisions or bathtubs in the mountains of Tennessee, but it is

a sure bet that if you're looking for a Communist you had better take one with you.

Germany, under Hitler, was the best fed, best equipped, most industrial society in Europe. If there was anything to the theory that totalitarianism depends on lack of calories, the Germans would have never fallen for it.

Fancy names for policies of appeasement do not impress me. I did not believe 15 years ago that you could do business with Hitler, and I solemnly warn you today that you cannot do business with the Kremlin. Any spiritual compromise which we make, any dishonesty with which we delude ourselves, has a price tag attached, and that price will be measured in the lives of American boys.

As you would expect, the Communists do not take kindly to my philosophy. Frankly, I receive some satisfaction from the fact that they have on numerous occasions attacked me. I had the special honor to be singled out by TASS, the Soviet News Agency, as "one of the principal enemies of communism in the world." Radio Moscow, I am pleased to say, described me as "An American cannibal who has been the foremost enemy of communism in the American Congress since 1936." Now I don't want to profess to steal the laurels from some of my colleagues, but that is a title which I have been aspiring to attain for the last 18 years. Pravda stated that "far from being a pawn of the Wall Street imperialist, Fascist clique, Bridges is one of its leaders * * * who was largely instrumental in blocking the peaceful intentions of the Soviet Government."

Thoughtful people will reflect on these statement when occasionally my opponents fabricate mysterious tales of the China lobby. The explanation for the attention which I have gotten from Moscow is simple enough. The masters of the Kremlin know that I will never compromise my convictions in the face of their pressure. The Kremlin knows that I do not share the hopeless illusion that Communists are men of good will.

LIBERALS VERSUS CONSERVATIVES

One of the most interesting and, in some ways, most amusing changes that I have witnessed in the last 18 years is the confusion that certain pressure groups have created in the public mind as to the definition of the words liberal and conservative.

In the year 1776 by the Declaration of Independence "a new order was given to the world." This new order was a liberal order based upon the fundamental belief that man had certain inalienable rights and that governments among men derived their just powers from the consent of the governed.

This new liberal order was a doctrine of individuality, of self-reliance, and it stressed the importance of each person over and above the importance of the State. It recognized the innate divinity of man as one of God's creatures and the capacity of man of chartering his own way. Now the liberals of this age, and of any age, are the people who support that doctrine. They do not believe that government should encroach on the private life of the individual unless such encroachment is imperative in the national welfare.

In 1934 I was elected Governor of the State of New Hampshire at the relatively young age of 36. I was labeled a liberal at that time. I would say that the program of my administration was liberal. We adopted a pay-as-you-go finance in State government. We balanced our budget without curtailing essential services or cutting back necessary relief programs during that depression period. New Hampshire was a pioneer in the interstate pacts and social legislation. It was the first State to qualify under the Federal Social Security Act and the second to enact legislation to provide unemployment insurance for workers. Under my administration we developed and provided funds for a State cancer commission for clinics and detection of this dreaded killer. We extended State aid to widowed mothers, and I achieved some personal satisfaction from being the first Governor of New Hampshire to appoint a woman judge and other women to executive positions within the State government.

I was then, and am still, dedicated to the political philosophy as in the Declaration of Independence. I believe this is a liberal philosophy, and I believe that by any proper definition of the term, I am a liberal.

Now, regimentation, totalitarianism, and autocracy are as old as pages of history. People have been regimented by military oppressors since the days of Genghis Khan. It is no trick to organize a society when you force the people to obey your will beneath the roughshod boots of storm troopers. The new order of our country was a new order because it reposed its power in the people. So I say to you with great solemnity that any person, no matter under what excuse, no matter what guise, no matter what temporary expedient is used, who attempts to take power, responsibility, and authority from the people and place it in the hands of a centralized government, that man is an antiliberal. He opposes the new order. He turns back the pages of history.

How strange that in this very Chamber we hear over and over again the voices of those who would increase Government power, extend controls over our people, describe themselves as liberals while we who would keep our people free are termed conservatives or reactionaries, depending upon who is describing them. Again, this is an example of intellectual dishonesty for which we will ultimately pay the price. The time has come when we must stop turning horse chestnuts into chestnut horses and to recognize that the philosophy which made this Nation great was a philosophy not of bureaucracy and hypocrisy, but one of truth and reason.

CONCLUSION

I am not unmindful of the strains and stresses of the closing days of a Congress or of the demands which are made upon the time of individual Senators. However, I have believed it proper that I should make the principles for which I stand a matter of public record.

Handouts to the Greedy, Brushoffs to the Needy

EXTENSION OF REMARKS

OF

HON. ISIDORE DOLLINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. DOLLINGER. Mr. Speaker, I chose as the title of my report to my constituents this year "Handouts to the Greedy, Brushoffs to the Needy." We have had 2 years of Republican administration; nothing has been accomplished; the campaign promises which garnered Republican votes were conveniently forgotten; effective leadership and a constructive forward-looking program have been found completely lacking; the critical needs of the people of our country have been ignored; the responsibilities of our Government in these crucial days have not been met at home or abroad.

The Republican Party will point with pride to certain beneficial measures passed during this session, such as the social-security amendments. Bear in mind that in each instance, they were only carrying out a continuation of the Democratic program. Also remember that they succeeded in scuttling more beneficial laws than they enacted—public housing among them. The Republicans would have you believe that we are enjoying prosperity. Who is enjoying the prosperity and what kind is it? The stock market in June was breaking 1929 peak prices—yet United States industry was operating far below capacity. If you own property your income has increased, but if you are a worker, job prospects are not too good, and unemployment in July passed the 3 million mark. Facts do not bear out the claim of prosperity asserted by the administration.

One clear and irrefutable fact has emerged: the Republican philosophy of government has not changed. All major legislation pushed by the Republicans has been based on their theory that if you make the well-to-do more prosperous, some benefits will trickle down to those less fortunate. The Democrats have always legislated on the principle that the masses must have direct help; that when the vast majority enjoy even reasonable financial security, those at the top of the economic ladder benefit accordingly. Let us not forget that this same Republican philosophy and type of leadership which backed big business and huge profits to the utmost in the 1920's also disregarded the little people, the wage earners, farmers, and small business. Our Nation, as a result, suffered the worst depression in our history; millions lost their homes, and 14 million men were unemployed.

We must avoid a repetition of such a tragic period. A depression, with its attendant factors of disunity, discontent, and panic, invites an upsurge of communism. It was during 1931 and 1932 that the Communists made their first real progress and gained a strong foothold here—those were depression years. When we legislate for the benefit of all the people, when we make it possible for all to enjoy security, we provide effective weapons against communism. To forget the human element in our Government is to foster communism. The Republicans, as proven by their legislative record, have not profited by the lessons their past mistakes should have taught them; their aims remain unchanged—help those who have, and ignore all others.

GREAT GIVEAWAYS

The Republican administration has already given away to private ownership, industry, and monopolies, billions of dollars of natural resources of our country, which rightfully belong to all the people. More such giveaways are contemplated. The first major legislation steered through the Republican Congress turned over to oil monopolies upwards of $70 billion in tidelands oil. President Truman twice vetoed this oil giveaway and protected public ownership of these vast reserves. President Eisenhower, during his campaign, promised to maintain TVA; already the utility and power interests have been successful in undermining TVA which provides millions with electricity and power at reasonable rates. Public lands, grazing

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rights, timber rights, as well as water and power development rights are all threatened; it will take constant vigilance and determination to prevent these from falling into the hands of private ownership. The administration has also proposed to dispose of the Government's multi-million-dollar helium, titanium, and zirconium production facilities, another windfall for big business and loss to the taxpayers.

The latest giveaway was provided by the atomic energy bill. The American taxpayers have invested, so far, $12 billion to advance research and experiment. Now the way is clear for a few favored utilities to reap huge profits, with no safeguards provided to protect the people against this subsidized private monopoly. We already have proof of windfalls to big business under the new atomic bill; the President ordered awarding of a contract to a syndicate which was $90 million higher than that offered by a rival syndicate and $140 million more than TVA would require to supply the power.

TAXES

During the 1952 campaign, the Republicans promised to ease the tax load of the American people. Their failure to do so amounts to a betrayal.

The tax bill as passed, provided for a reduction of taxes by $1.4 billion. About one-fourth of these reductions will go to individuals, and the remaining ones will go to corporations. Of the one-fourth which will benefit individual taxpayers, more than one-third of the benefit will go to those who have income from stock dividends.

Instead of increasing the individual tax exemption which is wholly inadequate under present high living costs, the Republican administration has liberalized tax deductions only for those taxpayers who suffer some misfortune, such as those required to pay tremendous medical expenses, but the majority who would have benefited by an increase of individual tax reduction of even $100 per year were completely ignored.

The tax bill is neither equitable nor economically sound. Unemployment continues at a high rate, purchasing power is shrinking. The need for an intelligent and constructive tax policy which would increase mass purchasing power and stimulate industrial production is urgent.

HOUSING

A critical housing shortage still exists; millions of Americans are without homes or living quarters of their own; millions exist in substandard dwellings; the need for new housing in our country has not been met for decades, and although it is a disgrace to us, we have refused to provide adequate shelter for our people.

The President, in a special message, asked for authority to make 140,000 public-housing starts over a 4-year period. The housing bill as passed, authorizes only 35,000. However, these are only to replace buildings torn down for slum clearance. It stands to reason that since there will be no new building, there will be no tearing down of slum dwellings as there would be no housing units to replace them.

The law is a far cry from the great need which exists and is a sham and a delusion. The public-housing program started under the Democratic leadership provided for 135,000 housing starts each year for a 6-year period. The Republicans have now scuttled this program. Under the law, bankers and builders profit, but the very needy who must rely on assistance from the Government, through the public-housing program, are forgotten. This measure is another repudiation of the Republican campaign promise to help the little fellow.

I have fought for public housing and the protection of tenants. I did all in my power to have the public-housing program extended. The housing bill which came before us was inadequate and unfair. This is one more instance where the Republican administration failed to meet its responsibility to the people.

LABOR

The Republicans wooed the labor vote by definite promises to revise objectionable features of the Taft-Hartley law and to make it fair and acceptable to union labor and millions of other working persons in our country. The Republican administration did nothing whatever to correct the law; the hardships and inequities go on. In view of the definite promises made, this is a rank betrayal of labor, and it will not be forgotten by all those who relied upon the Republicans to keep their word.

Living costs have continued to rise and wage increases have not been adequate to meet the increased cost of living. I introduced a measure to increase the minimum wage now set by law to $1.25 per hour, but no action was taken on such legislation by the Republican leadership.

IMMIGRATION

Another high-sounding, fine promise by the Republicans that they would revise the Naturalization Act of 1952, known as the McCarran-Walter Immigration Act, has been ignored. Nothing has been done to wipe out the inequities, injustices, and unfairness of this law. As the law stands, it causes untold hardships; it has earned us criticism and disrespect; it is contrary to the very principles of democracy and brotherhood of man upon which our Nation was founded.

I voted against the McCarran Act when it came before us; I voted to sustain former President Truman's veto of the measure. Thereafter, I introduced a bill to repeal the McCarran Act. I also joined with a number of members of Congress in an effort to have the McCarran Act changed, and introduced an omnibus immigration and naturalization bill to revise and replace it. These efforts have all been in vain, and suspicion, racial discrimination, and fear, continue to flourish under our present law. No longer can we be looked upon as a place of refuge for the oppressed, no longer can visitors and immigrants feel welcome in our great land. The failure of the Republican Congress to meet its obligation in this regard has lowered our standing among the great nations of the world.

SOCIAL SECURITY

The social-security amendments passed provide benefits that will be a great boon to the millions dependent upon social security, and some of those who have suffered hardships because of lack of coverage under the law or insufficient payments in these days of high living costs. The amendments are a step in the right direction, but there is still much need for improvement.

The Republicans are taking pride in this accomplishment, but we must remember that formerly they opposed the program, cut down on the coverage of the law and fought against liberalizing the benefits. Do not forget that the leadership under the Democratic Party began this great program which is so helpful to workers, that they saw the need for safeguards against unemployment, destitution, and dependency.

The major new amendments provide coverage for additional millions of persons, a raise in the ceiling of allowable earnings for social-security beneficiaries, and an increase in benefits for each beneficiary.

POSTAL AND FEDERAL SALARIES

After much delay, wrangling, and bitter debate, the Republican leadership finally permitted passage of a bill providing for the long-overdue pay raises for postal and Federal employees. The bill was inadequate, and does not grant sufficient increases to assure the employees of a decent living. Our faithful postal and Federal employees merited better and more generous treatment, but once again false economy prevailed, and they are victims of the Republican drive to save at the expense of the little fellow.

I shall continue my efforts to obtain an adequate wage for all Federal and postal employees.

GENERAL TOPICS

I have always vigorously opposed any reductions in appropriations for the Veterans' Administration. Any economy measure which brings hardship to our veterans, their widows, and dependents, is unjustified. Our veterans should have adequate medical, hospital, and domiciliary services, and I shall not spare my efforts in their behalf.

Although an effort was made to give some assistance to veterans, yet very little was done during this session as compared to the needs. The 5-percent pension raises voted for most dependents is inadequate in these days of high prices, but the administration insisted on paring the figure from the 10 percent requested to the 5 percent finally allowed. The watered-down veterans bills finally passed leave much to be desired—once again the Republican administration saved a few dollars at the expense of the needy veterans.

Another big problem was ignored by the administration and another promise broken when consumers were left with no protection against runaway prices and profiteers. The Republicans eliminated price controls and at the same time assured the public that prices would remain stable. Living costs continued to soar and have reached a new high. I

reintroduced my bills providing for a Consumers' Advisory Bureau and a Joint Committee on Consumers, to try to help, but was unable to get Congress to take action on them.

I have lost no opportunities to fight for civil rights, and reintroduced my bills to prohibit discrimination. It is only by continued vigilance and striving that we can hope to end the evils of discrimination which exist in our country.

Space does not permit my giving complete details regarding all major questions and all my efforts in behalf of the people I represent. Unfortunately, some must be omitted from my report. I have advocated an investigation as to the resurgence of fascism and anti-Semitism in Germany; I have worked for all possible assistance under our foreign-aid bills; Federal aid to education and construction of schools.

BRONX CONGRESSIONAL OFFICE

I wish to remind my constituents that I maintain a congressional office at 938 Simpson Street, Bronx, which is open daily. They are welcome to call there and to take up their problems. I also invite them to write me so that I may have the benefit of their views and suggestions regarding legislation.

It is my aim to render faithful and conscientious service to the people who have chosen me to represent them in Congress and I have tried, to the best of my ability, to fulfill my duties to the satisfaction of my constituents in the 23d District of New York.

Fort Stanton Grazing Land

EXTENSION OF REMARKS
OF
HON. ANTONIO M. FERNANDEZ
OF NEW MEXICO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. FERNANDEZ. Mr. Speaker, at about this time last year, just before the adjournment of Congress, I inserted in the CONGRESSIONAL RECORD a warning that the General Services Administration and the Department of Health, Education, and Welfare did not seem disposed to comply with the law requiring grazing lands carved out of the public domain to be returned to the public domain when the use for which they were withdrawn had been terminated. I called attention to a tract of land comprising 27,000 acres at Fort Stanton, N. Mex. This land had been used for the raising of beef in connection with the Fort Stanton hospital. The utilization of that hospital by the Public Health Service had been terminated as of June 30, 1953. The hospital facilities with 259 acres of land had been transferred to the State welfare department of New Mexico for its use.

The balance of the 27,000 acres under the law should have been returned to the public domain from which it was carved. Subsequent events proved that my concern about the matter was justified.

Instead of returning this land to the public domain, the Public Health Service proposed, and the General Services Administration agreed, that 12,760 acres of this land should be transferred to the New Mexico Department of Public Welfare purportedly for the protection of the water rights and water supply of the hospital.

Since the Mescalero Indians claimed a right to the property, I introduced one bill transferring all the grazing land to the Indians in order that the Indians might have the opportunity of presenting their claim thereto. At the same time I introduced a bill directing that it be returned to the public domain, as the law requires.

The Indians presented their claim to the Committee on Interior and Insular Affairs. At the same hearings I submitted to the committee on behalf of the State department of public welfare a memorandum which had been prepared to show the need of these lands by the hospital to protect its water rights and water supply. However, the memorandum actually showed exactly the contrary. The memorandum and the evidence showed first, that all the water rights and water supply going to the hospital originated at a point several miles up the stream above the land involved; and second, that all of the watershed from which it draws its water supply lay several miles above the land involved from whence the water is piped to the hospital. True, the evidence showed also that there were water rights appurtenant to a small 40-acre tract within the reservation; but it was admitted that the water owned under this water right was also being piped in at the point of diversion above, and had so been piped in for approximately 20 years. The memorandum above referred to also stated that application had been made for the formal transfer to the water pipe intake.

The Department thereupon asserted that the land was needed also for the purpose of raising beef for the hospital.

I believe I represented the consensus of opinion in the State when I urged that a hospital has no more business running a ranch for the production of beef than a ranch has in running a hospital.

As proof of that I call attention to the manner in which they propose to break up this big ranch. Although it is nicely subdivided and fenced into a bull pasture, a dairy pasture, and several rotating pastures, the Health, Education, and Welfare Department is undertaking to cut across all those fences without rhyme or reason, leaving a long narrow strip of several miles high and dry on one side which would render it useless for any purpose. Every fence except a portion of the south boundary fence will have to be removed and relocated. I have been unable to find out who will bear this expense. Nor have I found out what is the sense of this foolish and extravagant decision. Certainly no man with any knowledge of land or ranching would ever undertake the division of any such tract of land in the absurd manner proposed. This tract of grazing land should be returned immediately to the public domain for administration by the Bureau of Land Management. Of course, if the Mescalero Indians are entitled to it, they may assert those rights at any time so long as the land is held by the Federal Government and so long as the Government does not divest itself of the fee title to the land.

If the hospital is to be supplied a ranch for the raising of beef, then the entire tract already fenced and subdivided into pastures should be turned over to the hospital. Wherever it goes it should go as an entity. It is folly to break it up in the manner proposed by the Department and as shown by the map on file with the committee and with the General Services Administration.

So far as I am concerned, I shall continue to protest the breaking up of this land in this fashion, and I shall continue to protest its being left idle and useless as it has been for over a year. The duty of the Department to return this land for utilization is plain. The livestock industry, as well as the Mescalero Indians, have been hard hit for pasture. This land should be utilized immediately. As every good rancher knows, fences have to be kept up and in order. As it stands now, it is no man's land, and no one has the responsibility to protect it.

The Interior and Insular Affairs Committee, after hearing the testimony of the Mescalero Indians, did not approve that bill. It did not report out any bill, undoubtedly because as urged by the Department, the General Services Administration Act contains sufficient authority for the General Services Administration and the Department to act if they will only act. The committee's decision not to report any bill out, checks the matter back to the General Services Administration.

The people of New Mexico are watching and wondering at the fumbling manner in which this little matter is being handled. And they wonder why.

Where Is England Going?

EXTENSION OF REMARKS
OF
HON. GEORGE H. BENDER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. BENDER. Mr. Speaker, under the English governmental system, the "loyal opposition" is almost a part of the ruling organization. Where there has been a relatively close division of authority between the majority and the minority, the activities and efforts of the party out of power are often closely identified with the Government itself. In the present situation, the British Labor Party, headed by former Prime Minister Clement Attlee, is almost a second voice of the Government itself, and its official actions take on great importance.

Because of this unique parliamentary background, the visit of Attlee and seven other leaders of the British Labor Party to Moscow and Peiping has been properly noted as an item of major concern to our own country. In conjunction with the apparent easing of trade relations between Britain and Russia,

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the cordiality demonstrated on this trip behind the Iron Curtain and the seeming determination of Great Britain to play the role of world arbitrator on some program of "peaceful coexistence" must give Americans much food for somewhat indigestible thought. If the British Empire is to receive substantial assistance from the United States and is then to utilize this opportunity to deal with Communist-led nations as if they were good friends, perhaps it is time for Uncle Sam to take still another good look at our foreign policy. Our entire purpose has been the development of stanch friends and warm allies. If we are to find them something less than stanch and considerably north of warm, we may be constrained to look elsewhere.

House Restaurant

EXTENSION OF REMARKS
OF
HON. JOHN J. ROONEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. ROONEY. Mr. Speaker, with reference to the remarks I made here on the floor of the House yesterday concerning the splendid management of the House restaurant facilities, I include the following figures which show the appropriations made for over 7 years for the House and Senate restaurants:

House restaurants [1]

	Appropriations		
	Operations	Capital	Total
1948	$27,500	----------	$27,500
1949	27,500	----------	27,500
1950	47,500	----------	47,500
1951	47,500	----------	47,500
1952	47,500	----------	47,500
1953	47,500	$23,000	70,500
1954	47,500	----------	47,500
	292,500	23,000	315,500
1955 (present year)	12,500	----------	12,500
Total	305,000	23,000	328,000

[1] Include House dining rooms and coffee shop in Capitol; cafeteria in New House Office Building; and carryout service in both office buildings.

Senate restaurants [1]

	Appropriation		
	Operations	Capital	Total
1948	$45,000	$84,000	$129,000
1949	42,500	15,000	57,500
1950	42,500	13,000	55,500
1951	42,500	34,000	76,500
1952	42,500	18,500	61,000
1953	65,000	1,600	66,600
1954	65,000	4,250	69,250
	345,000	170,350	515,350
1955 (present year)	67,500	----------	67,500
Total	412,500	----------	582,850

[1] Include Senate dining rooms and coffee shop in Capitol; cafeteria, carryout service and coffee shop, Senate Office Building.

Social-Security Amendments Improve Social-Security Benefits

EXTENSION OF REMARKS
OF
HON. CHARLES A. WOLVERTON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. WOLVERTON. Mr. Speaker, it is gratifying to realize that after months of hearings and consideration the bill providing improvements in benefits and coverage under social security has at last come to Congress for final action.

While I would have liked to see additional improvements made, yet, I realize that the amendments as adopted do provide a considerable increase in benefits to those now under social security and those who will come under its provisions in the future. It is likewise commendable in the increased number of individuals who have been brought within social-security provisions and who previously did not have its benefits.

In all, the bill will add more than 10 million persons to the social-security system. When this additional number is added to the individuals already under the bill it will mean that a very large percentage of all our workers will have been provided for under our social-security program.

Included in this number of new additions there will be approximately 2,100,000 agricultural workers; 150,000 Federal civilian employees not presently participating in the system; 250,000 of certain individuals classed as ministers and members of religious orders, with certain restrictions and limitations; 3,600,000 of farm operators and professional self-employed individuals. In my opinion it is unfortunate that physicians, lawyers, dentists, and other medical practitioners are not included in the bill as self-employed persons. The bill does include self-employed professional architects, accountants, and engineers. This will extend coverage to approximately 100,000 persons not heretofore covered. I see no valid reason why any professionally employed person, regardless of the type of his or her employment, should have been excluded. I am of the opinion that this exclusion will be remedied in the next session of Congress. I certainly hope so.

Under the terms of this bill State and local employees would be entitled to come under the social-security system if a majority of the employees of the particular organization so applying should vote in favor of coverage. Under this provision there can be several million more new additions. It depends upon the result of referendums that may be held.

There are many other changes contained in this new law, all of which are designed to broaden and improve the provisions of the present act. For instance, the age at which the retirement test no longer applies with respect to limitation of earnings of those under social security has been reduced from age 75 to age 72 and the limitation of earnings to those under 72 has been raised to $1,200 per year. Thus, the reduction of the age to 72 and the increase of allowable earnings to $1,200 is a decided improvement with respect to our aged persons.

In conclusion, it is particularly gratifying that in addition to the improvements already mentioned there have been substantial increases to be paid present beneficiaries under the social-security system. The increases under the present bill range from the present $25 to $85, to $30 to $98.50. But individuals who retire in the future will get higher benefits, up to a maximum of $108.50 instead of $98.50 for those already retired. Since a wife who is 65 gets half of the husband's benefit, a couple both over 65 could draw $162.50 a month.

There may be many changes that experience under the new law will show to be necessary, yet it is a great victory to have attained what has been accomplished under the bill now before us. It has my support, with the hope that any further improvements found necessary can be given further consideration at the next session.

Amending the McCarran-Walter Act

EXTENSION OF REMARKS
OF
HON. LAURENCE CURTIS
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. CURTIS of Massachusetts. Mr. Speaker, the need for amendment of the McCarran-Walter Act was pointed up in the debate yesterday regarding the bill to admit outside the quotas provided by that law a large number of Spanish sheepherders needed on the western ranges. The Spanish quota is only 250, yet upward of 600 sheepherders were admitted in this manner.

The same need is also pointed up by the number of private bills acted on by the House Committee on the Judiciary, on which I serve. These bills are passed to relieve injustices caused by the present law. We should either enforce the McCarran-Walter Act with its restrictions, or amend it, rather than circumvent it in this piecemeal fashion. This procedure is not fair because those who have some measure of influence or who happen to know a Congressman secure an advantage.

Four thousand such private bills were introduced at this session. The numbers favorably acted upon by the past four Congresses were: 79th Congress, 14 bills; 80th Congress, 80 bills; 81st Congress, 81 bills; 82d Congress, 729 bills.

The President of the United States in his state of the Union message stated that there were injustices in the present law, and urged that they be corrected. When the present law was passed, a Presidential commission was appointed to study the law and recommend

amendments. This Commission issued its report on January 1, 1953, and bills have been offered based on that report and otherwise by both Republicans and Democrats. I filed one of several similar bills filed in the House. Yet no action has been had.

Many Members will leave this session regretting this result. This is a subject of great interest in the district which I represent. It should be given priority at the next session.

Statement by Hon. Stuart Symington, of Missouri

EXTENSION OF REMARKS
OF

HON. STUART SYMINGTON

OF MISSOURI

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. SYMINGTON. Mr. President, because of the drought in Missouri, farmers in my State need action now under S. 3137, the extension of the Water Facilites Act of August 28, 1937. This bill has now been signed by the President and is Public Law 597.

Provisions of this law should be made immediately available to drought-stricken farmers.

Since this legislation is now public law, the benefits of this legislation should be made immediately available. Further delay seems inexcusable.

Despite the immediate need, however, Mr. R. B. McLeaish, Administrator of the Farmers' Home Administration, has just written me that it will be approximately 30 days from date of signature by the President before the rules and regulations will be issued.

This means it will be the latter part of September before the county FHA supervisors will be in a position to receive and process applications for loans.

The basic provisions of S. 3137 are not new. Loans for development of facilities for water storage and utilization have been made in the arid and semi-arid States of the United States since August 28, 1937.

As the farmers in Missouri and other midwestern States suffered the ravages of drought, they repeatedly requested that the provisions of this act be made available for them.

On March 10, 1954, True D. Morse, Under Secretary of Agriculture, wrote to the President of the Senate, submitting a proposed bill to make this assistance available throughout the Nation. On March 16 Senator AIKEN introduced the bill, S. 3137.

The bill was reported by the Senate Agriculture Committee on May 17, and was passed by the Senate on May 24, and by the House with amendments on July 27. The Senate agreed to the House amendments July 28.

On August 5 the bill was sent to the President.

In view of the history of this legislation and the fact that the basic provisions had the approval of the Department of Agriculture more than 5 months ago, and the last amendments were adopted nearly a month ago, it is difficult to understand why the necessary instructions and regulations are not ready now.

Mr. President, at this point in my remarks I ask unanimous consent to have inserted in the RECORD a letter which I wrote to Mr. McLeaish on August 19; a copy of his letter dated August 17; a copy of my letter to Mr. McLeaish dated August 9; and a copy of a letter from Mr. McLeaish dated July 28, 1954, received by the Honorable PAUL C. JONES, Congressman from Missouri's Tenth District.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UNITED STATES DEPARTMENT
OF AGRICULTURE,
FARMERS' HOME ADMINISTRATION,
July 28, 1954.

Hon. PAUL C. JONES,
House of Representatives.

DEAR CONGRESSMAN JONES: This is in response to your letter of July 21 regarding the extension of the Water Facilities Act now being considered by the Congress.

The amendment to the act being considered by the Congress provides for loans for soil- and water-conservation measures for the installation of water facilities. These loans may be made as direct Government loans or insured by the Government in the same maner as loans are now insured under the Bankhead-Jones Farm Tenant Act. As the result of these new features, present policies and procedures for making water-facilities loans will have to be revised extensively to provide for the making and servicing of both direct Government loans and insured loans. At the present time the new features are being studied carefully, and the new policies and procedures are being developed. It is expected that within approximately 30 days after the bill is signed by the President the Farmers' Home Administration will be in a position to announce the new program to the public and to its field officials.

The program will be administered by the Farmers' Home Administration through its State and county offices. Each agricultural county of the country is served by a county office of the Farmers' Home Administration, with a county supervisor in charge. Farmers who are interested in receiving assistance under the program will file their applications with the county supervisor.

You will observe, from the enclosed pamphlet entitled "Loans for Water in the West," which briefly explains the water facilities program as it is presently administered by the Farmers Home Administration, that farmers are expected to pay as much of the cost of the facilities from their own funds as they are able. However, these loans have been made for 100 percent of the cost of facilities when it appears that applicants are carrying on sound farming programs and have some equity in their property after providing reasonable security for the loans.

The enclosed pamphlet states that the interest rates on water facilities loans is 3 percent. Under the present act and the proposed amendment, the Secretary of Agriculture is authorized to fix the rate of interest on insured loans. It provides, however, for a loan insurance charge of not less than 1 percent on outstanding principal balances. In view of this provision, the interest rate on both direct loans and insured loans likely will be between 4 percent and 5 percent.

If we can furnish you additional information, we shall be pleased to do so upon your request.

Sincerely yours,

R. B. MCLEAISH,
Administrator.

AUGUST, 9, 1954.

Mr. R. B. MCLEAISH,
Administrator, Farmers Home Administration,
Department of Agriculture,
Washington, D. C.

DEAR MR. MCLEAISH: As I am sure you are aware, thousands of farmers in Missouri, suffering as they are from the third straight year of drought, are intensely interested in the Water Facilities Act as amended by the Congress.

It is our understanding from conversations with your office that it will take approximately 30 days after the bill is signed by the President before the Farmers Home Administration will be in a position to make available the provisions of the new program to the public.

As shown by a recently completed survey of the State by Dr. Edward L. Clark, State geologist, 56 counties in Missouri are in critical to bad condition and 22 are in only fair condition, insofar as water supplies are concerned.

More than 200 well drillers in Missouri now have a big backlog of orders for wells as soon as information is ready on these loans. Thousands of other farmers will order wells drilled just as soon as they are sure they can obtain the financial backing for this purpose.

In many sections of Missouri the hauling of water became a commercial business in recent weeks. Much of this would not have been necessary had it been possible for the drought-stricken farmers to drill wells or install other water facilities.

For the above reasons I urge that everything possible be done to expedite provisions for the new water-facilities program in Missouri and will appreciate your keeping my office informed as steps are taken to this end.

With kind regards, I am,

Sincerely yours,

STUART SYMINGTON.

UNITED STATES DEPARTMENT
OF AGRICULTURE,
FARMERS' HOME ADMINISTRATION,
Washington, D. C., August 17, 1954.

Hon. STUART SYMINGTON,
United States Senate.

DEAR SENATOR SYMINGTON: This is in reply to your letter of August 9 regarding the critical condition of the water supply and the interest of farmers in Missouri in the proposed amendment of the Water Facilities Act, which is now on the President's desk.

When it became apparent the bill would likely become law, present policies and procedures for making water facilities loans were examined to determine revisions that would be required to provide for making and servicing of both direct Government loans and insured loans. New policies and procedures are being developed as rapidly as possible. It is expected that within approximately 30 days after the bill is signed by the President, rules and regulations will be issued and county supervisors will be in a position to receive and process applications for loans.

We will be glad to keep you informed of the progress made in expediting provisions for the water facilities program in Missouri.

Sincerely yours,

R. B. MCLEAISH,
Administrator.

UNIVERSITY OF MICHIGAN LIBRARIES

AUGUST 19, 1954.

Hon. R. B. MCLEAISH,
Administrator, Farmers' Home Administration, Department of Agriculture, Washington, D. C.

DEAR MR. MCLEAISH: This is to acknowledge receipt of your letter of August 17, replying to mine of August 9.

On March 15, Senator AIKEN introduced a bill to extend the Water Facilities Act. It was passed by the Senate on May 24 and by the House on July 27. The House changes were adopted by the Senate on the next day and it went to the President for signature on August 5.

The water-supply emergency in Missouri has been fact for months and such fact has been fully known to the Department of Agriculture. As you know, I have been urging action for some time.

On July 28, in a letter to Congressman PAUL C. JONES, you stated that your program would be ready within approximately 30 days after the bill is signed by the President. That meant you would be prepared to act on or about the 28th of this month.

Since the purpose and major provisions of the bill have been known to you for months, it was difficult to understand why the necessary instructions and procedures could not have been ready in anticipation of the President's action.

However, you advise that it will take still another 30 days after presidential signature—which has not yet taken place.

This delay appears to me to be inexcusable, in face of the dire distress of thousands of American farmers. I would be interested in knowing the cause of the delay. I would be even more interested in learning that you have changed your plans and will act immediately upon learning of presidential action on this bill.

Sincerely,

STUART SYMINGTON.

History of H. R. 7304, To Prevent Discrimination by Segregation in Interstate Commerce

EXTENSION OF REMARKS
OF

HON. JOHN W. HESELTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. HESELTON. Mr. Speaker, I deeply regret the events which made it impossible to secure a vote in the House on H. R. 7304. From conversations I have had with many of my colleagues I am convinced that it would have passed the House with a substantial majority. It is a most unfortunate instance of how a majority of the House can be deprived of their clear right to cast their votes on meritorious proposals which they favor.

Because of this and because of the many inquiries I have received as to the possibility of voting on the bill, I feel compelled to make a brief statement as to the facts.

I introduced H. R. 7304 on January 18, 1954. It was referred to the House Committee on Interstate and Foreign Commerce, of which I am a member.

Public hearings were held on May 12, 13, and 14.

The bill, in a slightly amended form, was favorably reported to the House by a vote of 19 to 7 on July 21, 1954. On that date, the gentleman from New Jersey [Mr. WOLVERTON], chairman of the committee, wrote the following letter:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERSTATE AND
FOREIGN COMMERCE,
Washington, D. C., July 21, 1954.

Hon. LEO E. ALLEN,
Chairman, Rules Committee,
House of Representatives,
Washington, D. C.

DEAR MR. CHAIRMAN: I am attaching hereto a copy of the bill H. R. 7304—providing relief against certain forms of discrimination in interstate transportation—together with a copy of House Report No. 2480.

The committee is very anxious to have this bill brought up promptly on the floor of the House, and I would appreciate it if you could arrange to set a date for the granting of such rule as promptly as possible.

Sincerely yours,

CHARLES A. WOLVERTON,
Chairman.

No hearing was scheduled before the Rules Committee and no rule was granted as requested.

After it was announced on July 30 that suspensions would be in order on August 3, I conferred with Speaker MARTIN and told him I would like to be recognized to call up H. R. 7304. He said he would be very glad to recognize me.

However, under the procedures prevailing in the House in connection with suspensions, it is also necessary to receive the approval of the leadership on both sides. For this portion of the record I now quote certain questions asked of me and the replies I made in the House on August 4:

Mr. HOWELL. Mr. Speaker, I am very much interested in a bill which has been reported out of the Committee on Interstate and Foreign Commerce, H. R. 7304. I know many of the members are anxious for that bill to come to a vote. It deals with the prohibition of segregation in interstate travel. I wonder if anyone could tell me what the situation is and what the prospects are of that bill coming to a vote.

Mr. HESELTON. Mr. Speaker, if the gentleman will yield, I happen to be the author of that bill. It was reported out of my committee by a vote of 19 to 7. I am extremely anxious to have it come up for a vote, because I am convinced that an overwhelming majority of the Members of the House would like to vote on that bill. I am doing everything I can to bring that about, but I cannot give the gentleman any assurance at this time that it will be possible to do so.

Mr. HOVELL. Is there any chance of getting a rule on that bill?

Mr. HESELTON. I cannot answer that, either We were told that the Committee on Rules has suspended meetings. I do not know whether that will be changed or not.

* * * * *

Mr. MCCARTHY. I understood it was to have been called up under suspension of the rules. Does the gentleman from Massachusetts know whether that plan has been changed or what will be necessary in order to bring it up?

Mr. HESELTON. I understand, in order to do that, it has to receive the approval of the leadership on both sides.

Since that time, with many others interested in this legislation, I consistently sought reconsideration so that either a rule could be granted or arrangements could be made for my recognition for a suspension. But all this was without success. However, again I want to pay a deserved tribute to Speaker MARTIN who did everything possible to assist me in my efforts.

Nevertheless, I believe much has been accomplished toward early enactment of this legislation. I shall refile the bill on January 5 next, when the 84th Congress convenes. Both the chairman of the committee, the gentleman from New Jersey [Mr. WOLVERTON], and the ranking minority member, the gentleman from Tennessee [Mr. PRIEST], have assured me that prompt hearing on the bill will be scheduled. In view of the understanding the committee has of the pertinent evidence and of the bill, an early favorable report can be expected. In connection with floor consideration, I recommend strongly that all who are interested in having this bill become law make their wishes known to the members of the Rules Committee and to the House leadership.

The report of the Committee on Interstate and Foreign Commerce is House Report No. 2480.

The text of H. R. 7304 as reported by the committee is as follows:

Be it enacted, etc., That all persons traveling within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, and privileges of any public conveyance operated by a common carrier engaged in interstate or foreign commerce, and all the facilities furnished or connected therewith, subject only to conditions and limitations applicable alike to all persons, without discrimination or segregation based on race, color, religion, or national origin.

SEC. 2. It shall be unlawful for any common carrier engaged in interstate or foreign commerce, or any officer, agent, or employee thereof, to segregate, or attempt to segregate, or for any other person to aid or assist any such officer, agent, or employee in segregating or attempting to segregate, passengers using any public conveyance or facility of such carrier engaged in interestate or foreign commerce, on account of race, color, religion, or national origin of such passengers. Any such carrier or officer, agent, or employee thereof who unlawfully and willfully segregates or attempts to segregate such passengers on account of race, color, religion, or national origin, or any such other person who aids or assists any such officer, agent, or employee in segregating or attempting to segregate such passengers on such account, shall be guilty of a misdemeanor and shall, upon conviction, be subject to a fine of not to exceed $1,000 for each offense, and shall also be subject to suit by the injured person in an action of law, suit in equity, or other proper proceeding for damages or preventive or declaratory or other relief.

Pay Increase for Postal and Other Government Employees

EXTENSION OF REMARKS
OF

HON. CHARLES A. WOLVERTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. WOLVERTON. Mr. Speaker, I am pleased to know that we will get a chance, even at this last hour, to vote an increase

of pay to our faithful postal and other Government employees. They are entitled to it.

The bill now before us provides a straight 5 percent increase for all classified employees with a minimum increase for such workers of $170 and a maximum of $440.

The minimum rate of each grade is to be increased by 5 percent and this amount will be carried over to all other within-steps of the grade, subject to the minimum and maximum standards.

The salaries of postal workers, will be increased by a flat 5 percent; with a $200 minimum and $440 maximum.

It is pleasing to realize that the increases are granted to the postal workers without an increase of the rate for first-class mail. This is a separate and distinct subject. It should come before the Congress in a bill that relates to that subject and no other. It can then be decided on its own individual merit. It was unfair and unjust to demand that the postal workers should have no increase unless and until Congress passed legislation that would provide an increase of rates for first-class mail. Such an increase would have been unfair to the users of first-class mail. At the present time this type of mail is providing revenue that amounts to over a $150 million more per year than the expense of servicing such mail. Thus, it would be unjust to put an additional burden upon the only class of mail that is paying its own way and showing a substantial profit. It was wise and just to separate the question of an increased mail rate from the question of an increase for postal workers.

It is, indeed, most pleasing that our efforts in behalf of our postal employees and other governmental workers have proved successful. Now, it is my hope that the President will give his approval to the legislation.

Report to the People of the Second Congressional District of Wisconsin

EXTENSION OF REMARKS
OF

HON. GLENN R. DAVIS

OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. DAVIS of Wisconsin. Mr. Speaker, I include herewith my sixth annual report to the people of the Second Congressional District of Wisconsin. In the 5 immediately preceding years I prepared reports on my voting and attendance records for the sessions of Congress. This is a similar compilation for the 2d session of the 83d Congress complete to the date of sine die adjournment on August 20.

By means of newsletters and conferences throughout the district during congressional recesses, I have attempted to inform my constituents and report to them on my stewardship as their Representative in Washington. This voting report is in keeping with my purpose of keeping the people of my district as fully informed as possible on congressional issues.

It is a complete record. It is not a hand-picked list of a few so-called key votes compiled by some lobbyist, pressure group, or political campaign committee. The whole record is here in concise form for the people to examine and evaluate for themselves.

If more complete information on any measure considered, or an explanation of any particular vote is desired, I shall be glad to respond to such requests, as I always have in the past.

The report follows:

Voting record—1954

Roll call No.	Date	Identification and result of vote	My vote
1	Jan. 6	Quorum call	Present.
2	Jan. 20	do	Present.
3	Jan. 21	H. R. 5337, authorizing appropriation of $26 million to initiate construction of a U. S. Air Force Academy. (Passed, 329 to 36.)	No.
4	Jan. 27	H. J. Res. 358, to discharge indebtedness of the Commodity Credit Corporation, thus increasing available lending funds by $850,000,000. (Passed, 323 to 27.)	Aye.
5	Feb. 2	Quorum call	Present.
6	Feb. 3	do	Present.
7	do	do	Present.
8	Feb. 4	do	Present.
9	do	do	Present.
10	do	Amendment to H. R. 3300 to authorize the State of Illinois and the Chicago Sanitary District to divert additional water from Lake Michigan to the Illinois Waterway, which amendment would prevent any additional diversion until pending survey of lake levels by Corps of Engineers had been completed and submitted to Congress. (Rejected, 177 to 202.)	Aye.
11	do	Motion to recommit (kill) H. R. 3300, to authorize the State of Illinois and the Chicago Sanitary District to divert additional water from Lake Michigan into the Illinois Waterway. (Rejected, 150 to 234.)	Aye.
12	Feb. 16	Quorum call	Present.
13	do	do	Present.
14	Feb. 17	do	Present.
15	do	Motion to recommit (kill) H. R. 4646, to provide for exchange of certain public and private lands, to prevent Federal lands acquisition from interfering with sustained-yield timber operations. (Agreed to, 226-161.)	No.
16	Feb. 18	Quorum call	Present.
17	Feb. 25	H. Res. 400, providing $275,000 for the operation of the Committee on Un-American Activities. (Adopted, 363 to 1.)	Aye.
18	Mar. 1	Quorum call	Present.
19	do	do	Present.
20	Mar. 2	do	Present.
21	do	Motion to recommit (kill) H. J. Res. 355, relating to the supplying of agricultural workers from Mexico. (Rejected, 56 to 197.)	No.
22	Mar. 3	Quorum call	Present.
23	do	do	Present.
24	Mar. 4	do	Present.
25	Mar. 5	Amendment to H. R. 8067, making appropriations for Departments of State, Justice, and Commerce, to increase from $23,000,000 to $40,000,000 the amount allowed for subsidy payments for air carriers. (Adopted, 265 to 105.)	No.
26	Mar. 8	Quorum call	Present.
27	Mar. 10	do	Present.
28	do	Motion to recommit H. R. 8224, to reduce excise taxes which exceed 10 percent to that figure, and extend certain expiring excise taxes for 1 year, with instructions to insert provision repealing all taxes on admissions of 50 cents or less. (Rejected, 200 to 213.)	No.
29	do	H. R. 8224, to reduce excise taxes which exceed 10 percent to that figure, and extend certain expiring excise taxes for 1 year (Passed, 411 to 3.)	Aye.
30	Mar. 11	Quorum call	Present.
31	Mar. 15	do	Present.
32	do	do	Present.
33	Mar. 17	do	Present.
34	Mar. 18	Motion to recommit H. R. 8300, general tax revision bill, correcting inequities and loopholes in Federal tax laws, and extending 52 percent corporate tax for 1 year, with instructions to increase personal income tax exemptions from $600 to $700. (Rejected, 204 to 210.)	No.

UNIVERSITY OF MICHIGAN LIBRARIES

Voting record—1954—Continued

Roll call No.	Date	Identification and result of vote	My vote
35	Mar. 18	H. R. 8300, general tax revision bill, correcting inequities and loopholes in Federal tax laws, and extending 52-percent corporate tax for 1 year. (Passed, 339 to 80.)	Aye.
36	Mar. 22	Quorum call	Present.
37	do	do	Present.
38	Mar. 23	do	Present.
39	Mar. 24	do	Present.
40	Mar. 29	do	Present.
41	Mar. 30	Conference report on H. R. 8224, to reduce excise taxes. (Adopted, 395 to 1.)	Aye.
42	Mar. 31	Quorum call	Present.
43	do	Motion to recommit H. R. 8583, independent offices appropriation bill, with instructions to insert provision to prevent the Federal National Mortgage Association from selling mortgages below par value. (Rejected, 180 to 214.)	No.
44	Apr. 1	Quorum call	Present.
45	Apr. 2	do	Present.
46	do	Motion to recommit H. R. 7839, to aid in provision and improvement of housing, and elimination and prevention of slums, with instructions to add provision for 35,000 low-rent public housing units for each of next 4 years. (Rejected, 176 to 211.)	No.
47	do	H. R. 7839, to aid in provision and improvement of housing and elimination and prevention of slums by encouraging private enterprise in building. (Passed, 352 to 36.)	Aye
48	Apr. 5	Quorum call	Present.
49	Apr. 7	do	Present.
50	Apr. 8	do	Present.
51	do	Willis substitute amendment to H. R. 8649, to authorize admission into evidence of wiretap information in cases involving traitors, saboteurs, and spies, requiring prior court order for wiretapping. (Adopted, 221 to 166.)	No.
52	do	H. R. 8649, to authorize, upon order of Federal courts, admission into evidence of wiretap information in cases involving prosecution for traitors, saboteurs, and spies. (Passed, 377 to 10.)	Aye.
53	Apr. 12	Quorum call	Present.
54	Apr. 14	do	Present.
55	Apr. 27	do	Present.
56	Apr. 28	do	Present.
57	Apr. 29	do	Present.
58	do	H. R. 8873, Department of Defense appropriation bill for 1955 fiscal year, containing $28,700,000,000. (Passed, 377 to 0.)	Aye.
59	May 5	Quorum call	Present.
60	do	do	Present.
61	May 6	Motion to recommit (kill) S. 2150, providing for creation of the St. Lawrence Seaway Corporation. (Rejected, 157 to 242)	No.
63	do	S. 2150, providing for creation of the St. Lawrence Seaway Corporation. (Passed, 241 to 158.)	Aye.
64	May 10	Quorum call	Present.
65	do	do	Present.
66	do	Motion to strike enacting clause of H. R. 2556, to permit extradiction of certain fugitives from United States to countries occupied by United States jointly with 1 or more other powers. (This action killed the bill.) (Carried, 228 to 68.)	No.
67	May 11	Quorum call	Present.
68	do	H. Res. 533, citing Bernhard Deutch for contempt of the House of Representatives for failure to answer questions before the Committee on Un-American Activities. (Agreed to, 346 to 0.)	Aye.
69	May 12	H. R. 9040, to authorize cooperative research in education. (Passed, 296 to 55)	Aye.
70	do	H. Res. 532, the rule providing for consideration of H. R. 7434, to establish a National Advisory Committee on Education. (Adopted, 194 to 140.)	Aye.
71	May 13	Quorum call	Present.
72	do	H. R. 7434, to establish a National Advisory Committee on Education. (Passed, 179 to 157)	Aye.
73	May 19	Quorum call	Present.
74	do	H. R. 7601, to provide for a White House Conference on Education to be held prior to Nov. 30, 1955. (Passed, 269 to 69)	Aye.
75	May 26	Quorum call	Present.
76	do	H. R. 9242, to authorize construction at military and naval installations in amount of $877,000,000. (Passed, 345 to 0)	Aye.
77	June 1	H. Res. 568, closed rule providing for 3 hours of debate on and waiving points of order against H. R. 9366, to amend the Social Security Act. (Adopted, 270 to 76.)	Aye.
78	do	H. R. 9366, amending the Social Security Act, to extend coverage under old age and survivors insurance program, increase benefits, preserve insurance rights of disabled individuals and increase earnings permitted without loss of benefits. (Passed, 355 to 8.)	Aye.
79	June 9	Quorum call	Present.
80	June 11	H. Res. 580, providing for the consideration of H. R. 9474, to extend the authority of the President to enter into reciprocal trade agreements for 1 year. (Adopted, 273 to 63).	Paired For.
81	do	H. R. 9474, to extend the authority of the President to enter into reciprocal trade agreements for 1 year. (Passed, 281 to 53)	Paired For.
82	June 14	Quorum call	Present.
83	June 15	O'Hara amendment to H. R 9517, making appropriations for the government of the District of Columbia, which amendment was to fix the Federal payment to the District at $20,000,000, instead of $16,000.000. (Adopted, 186 to 168.)	No.
84	June 16	Quorum call	Present.
85	do	Motion to recommit H. R. 8729, to extend for 2 years the authority of the Federal Reserve banks to purchase securities directly from the Treasury in amounts not to exceed $5,000,000,000 outstanding at any one time, which motion would require the Government to use cash that is now in banks before borrowing. (Rejected, 80 to 250.)	No.
86	June 17	Quorum call	Present.
87	do	H. Res. 583, providing for disagreement to Senate amendments to and sending to conference of H. R. 7839, proposed Housing Act of 1954. (Adopted, 360 to 19.)	Aye.
88	June 28	Quorum call	Present.
89	June 29	S. Con. Res. 91, to express the sense of Congress on interference in Western Hemisphere affairs by Soviet Communists. (Adopted, 372 to 0)	Aye.
90	June 30	Quorum call	Present.
91	do	Vorys amendment to H. R. 9678, Foreign Assistance Extension Act of 1954, stating it to be the sense of Congress that no funds should be used for governments which are committed treaty to maintain Communist rule over any defined territory of Asia. (Adopted, 389 to 0.)	Aye.
92	do	H. R. 9678, Foreign Assistance Extension Act of 1954, authorizing $3,400,000,000 in assistance to friendly nations. (Passed, 260 to 126)	No.
93	do	Quorum call	Present.
94	July 1	do	Present.
95	July 2	do	Present.
96	do	Harrison amendment to H. R. 9680, to continue price supports for agricultural products, augment marketing and disposal of such products, and provide greater stability for agriculture; which amendment provided flexibility in price supports from 82½ percent to 90 percent of parity for basic commodities. (Adopted, 228 to 170.)	Aye.

Voting record—1954—Continued

Roll call No.	Date	Identification and result of vote	My vote
97	July 8	H. R. 9640, to amend the Vocational Rehabilitation Act to extend and improve the vocational rehabilitation services, provide for more effective flexible use of Federal funds, and increase the authorization for the President's Committee for Employing the Physically Handicapped. (Passed, 347 to 0.)	Aye.
98	...do....	Motion to recommit H. R. 9607, to extend and improve the unemployment compensation program, with instructions to increase the benefits and provide 26 weeks of coverage by Federal mandate. (Rejected, 109 to 241.)	No.
99	...do....	H. R. 9607, to extend and improve the unemployment compensation program by including 4,000,000 workers not now covered, employers of 4 or more employees in each of 20 weeks per year, and Federal civilian employees. (Passed, 309 to 36.)	Aye.
100	...do....	H. R. 9580, to strengthen the internal security of United States by amending statutes relating to espionage, sabotage, and registration of foreign agents. (Passed, 323 to 0.)	Aye.
101	July 12	Quorum call	Present.
102	July 13	H. Res. 623, providing for the consideration of H. R. 8356, health service prepayment plan reinsurance bill, waiving points of order. (Adopted, 274 to 88.)	Aye.
103	...do....	Motion to recommit H. R. 8356, health service prepayment plan reinsurance bill. (Agreed to, 238 to 134)	No.
104	July 15	Quorum call	Present.
105	...do....	H. Res. 627, reiterating the opposition of the House of Representatives to the seating of the Communist regime in China in the United Nations. (Adopted, 381 to 0.)	Aye.
106	July 20	Quorum call	Present.
107	...do....	Motion to recommit the conference report on H. R. 7839, the Housing Act of 1954, with instructions to include a provision for 140,000 new units of public housing over a 4-year period in lieu of 35,000 new units for fiscal year 1955. (Rejected, 156 to 234.)	No.
108	...do....	Conference report on H. R. 7839, the Housing Act of 1954. (Adopted, 358 to 30)	Aye
109	July 21	H. R. 9888, extending the time for initiating training under the Korean GI bill of rights from 2 years to 3 years from induction date. (Passed, 399 to 0.)	Aye.
110	...do....	H. R. 9020, granting a 5 percent increase in compensation and pension to veterans of all wars and to their deepndents. (Passed, 399 to 0)	Aye.
111	...do....	H. R. 9245, providing for postal pay increases, amended to provide for postal rate increases and reclassification of employees. (Failed, 228-171, a two-thirds majority being necessary for passage under suspension of rules.)	Aye.
112	July 22	Quorum call	Present
113	July 23	H. Res. 664, citing Bolza Baxter for contempt of the House of Representatives by refusal to answer questions before the Committee on Un-American Activities. (Adopted, 376-0.)	Aye.
114	...do....	Quorum call	Present.
115	July 24	Cole amendment to H. R 9757, Atomic Energy Act of 1954, substituting a requirement that showing be made that patentable idea was not developed while employed by AEC, for compulsory licensing of patents. (Agreed to, 203-159.)	Aye.
116	July 26	Quorum call	Present.
117	...do....	Motion to recommit H. R. 9757, the Atomic Energy Act of 1954. (Rejected, 165 to 222)	No.
118	...do....	H. R. 9757, the Atomic Energy Act of 1954. (Passed, 231 to 154.)	Aye.
119	July 27	Quorum call	Present.
120	July 28	H. R. 10051, the Mutual Security appropriation bill for 1955, totaling $2,895,944,000. (Passed, 266 to 128)	No.
121	...do....	Motion to recommit the conference report on H. R. 8300, Tax Revision Act of 1954, with instructions to delete sec. 34 providihg credit against the income tax of an individual of a percentage of the dividends received from certain domestic corporations. (Rejected, 169 to 227.)	No.
122	...do....	Conference report on H. R. 8300, Tax Revision Act of 1954. (Adopted, 316 to 77)	Aye.
123	...do....	Quorum call	Present.
124	...do....	H. Res. 626, providing for the consideration of H. R. 236, to authorize the construction of the Fryingpan-Arkansas project, Colorado. (Rejected, 188 to 196.)	Aye.
125	July 29	H. R. 9756, increasing the borrowing power of the Commodity Credit Corporation from $8,500,000,000 to $10,000,000,000. (Passed, 317 to 57)	Aye.
126	...do....	H. Con. Res. 265, fixing Saturday, July 31, for sine die adjournment. (Rejected, 183 to 193)	Aye.
127	...do....	Quorum call	Present.
128	July 30	....do	Present.
129	...do....	H. R. 7840, to increase railroad retirement benefits and taxes, and amend the Railroad Unemployment Insurance Act. (Passed, 360 to 0)	Aye.
130	...do....	H. R. 9666, to include hardboard in the tariff schedules relating to wood and manufacturers of wood. (Passed, 235 to 109)	Aye.
131	...do....	H. Con. Res. 266, fixing Saturday, July 31, for sine die adjournment. (Agreed to, 179 to 167)	Aye.
132	...do....	H. R. 8384, to authorize the construction of the Talent division of the Rogue River Basin reclamation project, Oregon. (Passed, 163 to 144)	Aye
133	Aug. 3	Quorum call	Present.
134	Aug. 4	....do	Present.
135	...do....	S. 16, authorizing Federal courts to grant immunity from prosecution to witnesses who testify before either House of Congress on its committees. (Passed, 293 to 55.)	Aye.
136	Aug. 9	Quorum call	Present.
137	...do....	Motion to discharge the Committee on Rules from further consideration of H. R. 9245, postal workers pay-raise bill. (Agreed to, 348 to 29)	No.
138	...do....	H. R. 9245, postal workers pay raise bill. (Passed, 352 to 29)	No.
139	...do....	H. Res. 687, providing for consideration of S. 2033, relating to the labeling of packages containing foreign-produced trout sold in United States, and requiring certain information to be posted in public eating places serving such trout. (Agreed to, 209 to 159.)	Aye.
140	...do....	Motion to reconsider the conference report on H. R. 9678, Foreign Assistance Act of 1954. (Rejected, 97 to 266.)	Aye.
141	Aug. 16	Quorum call	Present.
142	...do....	S. 3706, to amend the Subversive Activities Control Act to provide for determination of identity of certain Communist-infiltrated organizations, and to outlaw the Communist Party. (Passed, 305 to 2.)	Aye.
143	Aug. 17	Quorum call	Present.
144	...do....	Motion to instruct House conferees on S. 3706, to amend the Subversive Activities Control Act, to provide for determination of identity of certain Communist-infiltrated organizations, to agree to Senate amendments to House amendments to the bill. (Adopted, 208 to 100.)	No.
145	Aug. 19	Conference report on H. R. 10051, foreign assistance appropriation bill for 1955. (Adopted, 188 to 77)	No.
146	...do....	Motion for the previous question on Taber motion to recede and concur with an amendment on Senate amendment No. 31 to H. R. 10051, foreign assistance appropriation bill. (This amendment included proviso requiring 80 percent of foreign currencies generated by our aid to Spain to be for development of civilian economy, instead of 60 percent being available for military construction, as provided by our treaty. Adoption of motion for previous question prevented my motion to strike proviso.) (Adopted, 186 to 76.)	No.
147	...do....	Conference report on S. 3706, to amend the Subversive Activities Control Act, to outlaw the Communist Party, and provide for the determination of the identity of certain Communist-infiltrated organizations. (Adopted, 265 to 2.)	Aye.
148	Aug. 20	Motion to recommit conference report on H. R. 2236, for the establishment of a Commission on Area Problems of the Greater Washington Metropolitan Area, to study transportation problems. (Rejected, 95 to 164.)	No.

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Congressional Report

EXTENSION OF REMARKS
OF

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. YATES. Mr. Speaker, I am including in my report to my constituents letters on Captain Rickover to point out an important congressional activity. A Congressman does not concern himself only with legislation. He is the advocate and champion of individuals who are caught in the frightening and frustrating maze of the impersonal bureaucracy and endless redtape of big government. He may be called upon to help work out immigration difficulties, veterans needs, social-security adjustments, or he may suddenly be thrust into an almost hopeless case, as I was in the case of a Navy captain named Hyman G. Rickover.

A graduate of the Naval Academy, a Chicagoan, Rickover was the man who envisioned and planned the atomic submarine. His work was described by the Secretary of the Navy as "the most important in the history of the Navy." Yet for reasons unknown and undisclosed, the Navy twice refused to promote him to admiral, an action which Time magazine called "brazen prejudice." As a result he was faced with compulsory retirement at age 53.

I was asked to help Rickover and I agreed to do so. When he received his promotion to admiral, and was retained on active duty in the Navy, I felt I had made a real contribution.

I am also including in this report the following excerpts from a newsletter to my constituents on the atomic energy bill:

JULY 26, 1954.

ATOMIC ENERGY BILL

(Newsletter No. 158)

The atomic energy bill had just been called up for consideration in the House. Speaker JOE MARTIN and Majority Leader CHARLIE HALLECK were determined to bolster the flagging hopes of Republican Senators by driving the bill through the House in 1 day, and this they did. It was a sleepy 3:15 in the morning before we adjourned. Those of us who opposed the bill saw our efforts to correct its worst features defeated by the Republican majority voting solidly.

Perhaps the principal reason underlying opposition to the bill was the feeling that the $12 billion investment of the people of the United States in the development of atomic energy was being given away to a few companies whose vast wealth and resources permitted them to qualify to receive licenses. Even with respect to these giant corporations, the probability existed that they would have to be given additional subsidies for some time.

It seemed to me that the Government should not overlook the feasibility of requiring the payment of compensation for the valuable rights it granted, and I offered an amendment which would require the Atomic Energy Commission to take into consideration the payment of a franchise fee as a possible condition in the licenses it granted for the development of atomic energy for commercial purposes. I pointed out to the House that under the terms of the act, licenses could be granted for 40 years. "Certainly within that period of time," I said, "such fantastic progress will be made in the use and application of nuclear energy as will dwarf the pioneering efforts made thus far. * * * Should not the people of the United States who have already contributed so much to the development of atomic energy, and who are now asked to license their exclusive ownership to prospective developers, be paid compensation in the nature of royalties just as are the patentees for whose benefit the House has already adopted an amendment?" The amendment was rejected when Congressman COLE, Republican, of New York, who opposed my amendment, argued that the licensees would pay compensation through increased taxes. This caused Congressman ALBERT, Democrat, of Oklahoma, to murmur: "Well, give me a railroad and I'll pay taxes, too."

It's anybody's guess when Congress will adjourn. I hope our adjournment does not depend upon an occurrence similar to that of the city council meeting in California, which was disrupted by an earthquake. The councilmen hastily tumbled out of the building to safety, leaving only the clerk to conclude the meeting. He hesitated just long enough to write across his minutes: "On motion of the city hall, the council adjourned."

Your friend,

SIDNEY R. YATES,
Member of Congress.

Second Interim Report of the Committee on Communist Aggression

EXTENSION OF REMARKS
OF

HON. EDWARD J. BONIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. BONIN. Mr. Speaker, on Monday, August 9, 1954, the Committee on Communist Aggression filed its second interim report of its hearings recently concluded in the United States and Europe. As a member of that committee, I wish to report some of my personal observations about Communist aggression and the methods by which it is perpetuated.

I noticed that from the moment the Communists become the bosses their activity is marked by brutality and terror. Murder and robbery are common. Anyone opposed to their violence and threats are assassinated by party men or front-organization leaders.

We discovered that certain class groups are especially earmarked for the death penalty without any form of legal or judicial justification. This is particularly true of priests and stanch supporters of Christianity. The same fate is accorded to public officials, right-wing political leaders, and those sympathetic to law and order. Judges, lawyers, and heads of veterans' organizations are speedily liquidated without the slightest effort to give them a fair and impartial trial.

In thousands upon thousands of families, the male members are murdered or sent to concentration camps deep in the heart of Siberia. The same fate is applied to many of the women, but it is common practice to violate the persons of these women before their fate is sealed.

These crimes against the life and freedom of the people of the captive nations proceeds hand in hand with every outrage against mankind's most cherished possessions, public as well as private; moral as well as material; religion, culture, art, and even the national treasure, suffer the destructive blows of terror and violence. Under Marxism, all property, whether real or personal, is confiscated. Industrial plants, family dwellings, small shops and stores become the property of the state for the enrichment of the bosses in the Kremlin.

Another common practice after the Communists take over is the invasion of all churches and property under its control. The Marxist plan to wipe out religion is the same in every country. The assassination of the clergy ranges from the highest ecclesiastical authorities down to the humblest clergyman.

When the hard core of the Communist Party moves in, they dismantle the interior of practically every church with speed and alacrity. Altars, tables, and statues disappear and are replaced by portraits of Lenin and Stalin. In some instances, they permit a few churches to remain untouched for the purpose of using them as a showplace to outsiders that freedom of religion is permitted.

The local party leaders also confiscate, for their own use, churches and convents and then use them for prisons, shops, warehouses and even theaters.

Innocent men and women taken prisoners are beaten with clubs and butts of guns until they faint. When they succumb to this violence, they are doused with cold water to revive them. In this way, thousands upon thousands lose their lives.

Prisoners are locked in dark, damp and unsanitary cells. At 12 o'clock midnight, they are removed from their cells and escorted to the interrogation room where they are cross-examined amid curses, insults and beatings. At six in the morning, they are returned to their cells but not allowed to sleep. One witness testified that he was confined in such a small cell that he was forced to stand in a stooping position for many weeks. Water is kept on the floor of the cell so he could not sit down. Those who are confined in such cells usually die from spinal disturbances or go insane.

The Communists use the most refined tortures to obtain confessions. Large numbers of prisoners die as a result of their sufferings and ill treatment.

The committee heard about the so-called amnesty offered by the Kremlin. This amnesty is granted—not a general pardon, a means which had until recent date been applied in free nations and in the civilized world, exclusively to political offenses—to murders, thieves, robbers, and other criminals. The use of the term "amnesty" has been distorted to include the foulest types of criminal that humanity abhors. It is almost unbelievable that a government could stoop to such distortions of accepted practices in a civilized nation.

After the "amnesty" to common criminals, the rabble led by these criminals are equipped with arms furnished by the Kremlin. Thereafter, they begin their crimes of violence, robbery, burglary,

and murder to terrorize the unsuspecting public. The terrorized public remains passive because of fear; fear of what might happen to them today, tomorrow, or next week. Fear for the safety of father, mother, husband, wife, or children. Fear of starvation, fear of imprisonment, fear of arrest and torture. Fear is everywhere in captive nations and no segment of life has any feeling of security.

Every means is used by the Communists to instill fear. The man on the street, the farmer in the country are made to realize that their very existence is dependent upon the good will of the Communists in power.

The people behind the Iron Curtain are suffering cruel and barbarous treatment but no matter how dark the present may be for these people they refuse to submit to atheistic communism or to accept the abject slavery under Russia. Once again they will be free.

Intelligent Solution of Labor Problems by Labor Groups

EXTENSION OF REMARKS
OF
HON. GEORGE H. BENDER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. BENDER. Mr. Speaker, the best way to settle labor-management disputes is within the family itself. Both management and labor understand better than any outsiders exactly what the issues really involve, how far they can go in reaching an understanding, and where the basic troubles lie. Government intervention is always, at best, a last resort technique, to be used where all else has failed.

In the recent Studebaker Co. difficulty, the workers of the company accepted a voluntary pay cut designed to keep the organization in operation in the face of a serious competitive situation. Other instances in which labor organizations have cooperated to keep their employer in business have occurred in the immediate past. These are evidence of intelligent labor statesmanship, and the examples merit public notice and commendation.

The arbitration decision recently handed down in the railway trainmen controversy proposed an acceptance of the original offer of a 5 cents per hour increase which was made by management originally, to the disappointment of the brotherhood membership. But the use of the machinery provided by the Railway Labor Act was employed in accordance with its procedural structure, and represents again a victory for the orderly processes of government. There is growing evidence that the day of violence in labor disputes has come to an end. Sober reason, good judgment, and the establishment of legal techniques designed to facilitate the consideration of facts are a better answer every time.

The Record of the "Do Something" 83d Congress

EXTENSION OF REMARKS
OF
HON. CHARLES B. BROWNSON
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. BROWNSON. Mr. Speaker, the constructive record of the 83d Congress is proof that the Congress and the President can work together. This successful cooperation between the executive and the legislative is in marked contrast to the bitter struggles which have been so evident in previous administrations with almost disastrous results to our national welfare.

With mutual respect and a shared goal great enough to command a common loyalty, President Eisenhower and the Republican 83d Congress have succeeded in reversing long standing trends toward higher and higher spending, have overhauled income-tax laws and reduced income taxes, and have accomplished the happy transition from war to peace with minimum disturbance of the economy, now virtually free of shackling controls.

The theme of this cooperative effort on the part of Congress and the White House is best expressed in the simple philosophy of President Eisenhower as I heard him state it at the Lincoln's Birthday rally in Washington, this year. He said:

> In all those things which deal with people, be liberal, be human. In all those things which deal with the people's money or their economy, or their form of government, be conservative—and don't be afraid to use the word.

During the first 18 months of each term I have been given the privilege of presenting a weekly report to the citizens of the 11th Indiana District over radio stations WIBC, WIRE, and WISH. As the date of a campaign approaches this privilege is quite properly suspended. Because I believe that the folks back home are entitled to know in detail the accomplishments of the 83d Congress and exactly what part I played and how I voted on the major issues as their representative, I am making this report to them on this, the closing day of the second session of the House of Representatives.

This has been a Congress of constructive achievement. The people did get the change for the better they voted for in 1952. This has been a "can do" and a "will do" Congress. Its program has been neither New Deal nor ultrareactionary. On the whole, this Congress has wisely applied traditional American principles in working out thoughtful solutions to today's serious problems.

ECONOMIC AFFAIRS—SPENDING

The Republican 83d Congress appropriated, overall, $26 billion less to run the Government for 2 fiscal years than the last Democratic Congress appropriated in 1951 and 1952. In his first year in office President Eisenhower and the Congress cut over $12 billion from the budget President Truman submitted and emphatically said could not be cut.

Even though the Eisenhower budget requests for the last 2 years were about $23½ billion below those of the preceding Truman administration, Congress cut an additional $4.6 billion from his budget requests during the first session and trimmed an additional $2½ billion from the administration's estimates during the second session, which has just adjourned. Congress took $657 million from the President's requests for foreign aid, alone, in this year's economy drive.

These economies were effected by exercising rigid controls over spending, by reducing the Federal payroll by over 200,000 employees, by taking a new and realistic look at defense requirements, and through 14 reorganization plans submitted to the Congress by the President and considered in the House of Representatives by the Committee on Government Operations, of which I am a member and a subcommittee chairman.

As a "watch dog" committee charged with examining into the economy and efficiency of nonmilitary activities overseas, the International Operations Subcommittee was gratified to be singled out by Herbert Hoover for mention in his nationwide broadcast from the Government economy rally of the farm-city conference, May 25, 1954. In commenting on the Brownson subcommittee investigation of the construction of staff quarters in Germany during a previous administration, former President Hoover said:

> While the authorities can carefully watch efficiency and waste in Washington, their influence seems to decrease inversely with distance.

Working closely with the Appropriations Committee in cooperation with the Bureau of the Budget and the General Accounting Office, investigating committees of the Congress are credited by responsible students of the Government scene with major achievements in cutting Federal spending.

TAXES

In order to understand fully the significance of the 83d Congress actions in cutting excise, excess-profits, and income taxes it is necessary to review briefly 20 years of recent history.

In the 20 years of Democratic Presidents there were many new taxes imposed, many tax rates raised, and many tax exemptions cut. Direct tax collections from individual citizens went up from $427 million in 1933 to more than $30 billion—70 times as much. The individual was also paying the Federal Government more than 3 times as much tax on his automobile, twice as much tax on his gasoline, twice as much tax on his radio, 25 percent more tax on cigarettes, 50 percent more tax on his beer, and 10 times as much tax on liquor.

Between 1932 and 1952, personal income tax exemptions fell from $1,500 to $500. The "little man," for whom the Democrats profess so much sympathy, in 1952 paid seven times the income taxes he paid in 1933. World War II, the Korean police action, and the efforts of the New Deal to spend its way out of a depression were important factors in explaining some of these tax increases.

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In these 20 years of tax increases, there were only 2 tax reductions. The first was when the excess-profits tax was allowed to lapse temporarily after World War II. The second was when the Republican 80th Congress balanced the budget and cut income taxes in 1948 over the veto of President Truman.

In contrast, the overall tax-cut program of the Eisenhower administration and the Republican 83d Congress, the greatest in all history, will save the citizens of the United States $7.4 billion every year. Of the total amount, individuals will receive an overall tax saving of nearly $4¾ billion. Most of the remainder will be translated into investments that will create more employment for more people.

The 10 percent reduction in Federal income taxes which went into effect last January 1 saves individual taxpayers a total of $3 billion annually. This tax cut would not have been possible if Congress and the administration had not cut the Truman budget for fiscal year 1954 by $12 billion. Nor would the $2 billion tax saving by elimination of the excess-profits tax have been possible without this budget cutting. It is significant that the 52 percent income tax on corporations had to be retained.

The Republican excise tax reduction law will save taxpayers nearly a billion dollars more a year by reducing the Federal tax on such every-day purchases as bus, train, and airplane tickets, household appliances, cosmetics, movie admissions, telephone calls, and telegrams.

The omnibus tax revision act will not only save taxpayers $1.4 billion, of which $827 million is for individuals, but will help millions of Americans by giving them fairer tax treatment than they now receive. This is the first complete revision of the Federal tax code in 75 years. It will help parents of dependent children who work, retired persons, and widows living on retirement income, farmers active in soil and water conservation and working widows and mothers with child-care expenses, persons receiving sick benefits, and those burdened with large medical expenses.

In signing the nearly 1,000-page measure, President Eisenhower said:

> I congratulate the Congress and its leaders for having enacted this monumental tax revision. * * * In addition to removing inequities in our tax system, this law will help our economy expand and thus add materially to the strength of our Nation. It will help our people produce better goods at cheaper prices—and it will help to create more jobs.

FARM POLICY

President Eisenhower sought to replace the wartime system of high, rigid price supports for farm products with a flexible, or sliding-scale, rule. The aim was to provide leeway for the Government to encourage production of needed crops by high-support prices and to discourage surpluses of others by dropping the support level. Specifically, the proposal was for authority to support prices of five basic commodities; wheat, corn, rice, cotton, and peanuts; between 75 and 90 percent of parity. Support at 90 percent was mandatory.

The House approved the flexible system but limited the range to 82.5 and 90 percent of parity for the first year. The Senate followed, five weeks later, with the same action.

It is interesting to note that throughout the entire United States only 20 percent of cash receipts to the farmer come from the 5 basic commodities affected by this legislation. In Indiana only 14 percent of the farmers cash receipts are derived from wheat, corn, rice, cotton and peanuts, but, 68 percent of agricultural cash receipts come from meat animals and dairy and poultry products for which price supported feeds are an element of cost.

A majority of Indiana farmers insist that the flexible system is the sensible solution to the growing problem of overproduction and costly Federal aquisition of surpluses.

TAFT-HARTLEY

The President, though accepting in spirit the Taft-Hartley Labor Act, nevertheless had promised to revise that act to meet some union objections. The bill that eventually issued from the Senate Labor Committee was not in fact an administration bill. It was a compromise that apparently did not totally please any faction.

On August 21 the New York Times described the result of the Senate action in the following words:

> The net of it was that the Democrats rose in great strength, all members of the party present standing together, and the measure was killed by vote of 50 to 42.
>
> Three Republicans, and the Independent, Mr. MORSE, joined the 46 Democrats against the bill as a motion of Senator LISTER HILL, Democrat, of Alabama, to send it back to committee. Forty-two Republicans were quickly overcome.

REMOVING GOVERNMENT COMPETITION

As a result of 20 years of big government, bureaucrats in Washington managed to poke their noses into over 100 different private business enterprises in competition with taxpaying small-business men. This was an almost inevitable result of the previous administration's theory of centralized power and the matching philosophy of tax and tax, spend and spend, elect and elect.

But President Eisenhower, his Republican administration and his Republican Congress brought a different policy to Washington—less government in business. The executive and the legislative branches are cooperating in a large-scale reduction of Federal commercial-type services and manufacturing operations, with accompanying cuts in the Federal payroll and budget. Up to now, it is estimated that the sale of the Government's commercial-type enterprises to private taxpaying owners would return as much as $40 billion to the Treasury.

Specific programs where marked progress has already been made include:

Sale of the Inland Waterways Corporation for $9 million.

Liquidation of the Reconstruction Finance Corporation.

Sale of Bluebeard's Castle Hotel in the Virgin Islands for $410,000. This is a 48-room luxury establishment built in 1934 as a New Deal public works project.

Disposal of tin and rubber facilities.

Closing of a uniform factory in the Brooklyn Navy Yard.

Reducing paint manufacturing.

Eliminating some sawmill operations.

Reducing coffee-roasting operations in the Armed Forces.

Returning certain airport control towers to city governments.

Eliminating certain mapmaking activities in the highway field.

Much of the exhaustive study on the problem of effectively eliminating Government competition with private enterprise has been undertaken by the House Committee on Government Operations, of which I am a member. Special credit should go to my colleague and fellow subcommittee chairman, Hon. CECIL M. HARDEN, of Indiana, whose work in this field has continued the efforts of the Bonner subcommittee, on which I served, and has attracted national attention.

The President, his Cabinet, and the Republican 83d Congress have accepted the challenge of Abraham Lincoln's definition of the proper function of government, first laid down on July 1, 1854, when he was an unsuccessful candidate for the United States Senate. The legitimate object of government is "to do for the people what needs to be done, but which they cannot, by individual effort, do at all, or do so well, for themselves."

HEALTH AND WELFARE

HOUSING

The heart of the President's housing program was the liberalization of FHA home mortgage loan terms and the construction of 35,000 new low-rental public-housing units every year for 4 years. Slum-clearance measures were also recommended.

The 83d Congress did liberalize the program for insurance of loans for home building and home improvement. Included in the law was the Brownson amendment, the only amendment passed by the House, which ultimately provided for reducing downpayments required on new housing from $2,000 on a $10,000 house to $700, with authorization for the President to reduce these requirements further to $500 at his discretion. This should provide an expanded market for new-home construction and make it possible for many veterans who have used up their GI loan privileges to trade in the equity they now have in a small house as downpayment on a larger home to meet the space requirements of expanding families.

Public housing was limited to 35,000 units for a single year. While this is at the rate of construction requested by the President, some critics have stated that restricted language in the bill makes attainment of the full number of starts doubtful. Administration supporters generally believe that the omnibus housing bill will result in additional employment in the building industry, increase the numbers of low-cost housing units built by private enterprise, and tighten up the loopholes which made possible the FHA scandals of the previous administration that have come to light during the past year.

HEALTH

Congress approved two major items in President Eisenhower's health program. These were bills granting Federal money to the States to help build diagnostic and treatment centers, rehabilitation facili-

ties and nursing homes and expanding the vocational rehabilitation plan.

One major proposal for health legislation was killed in the House. It was a plan to set up a $25 million Federal fund to reinsure private, voluntary health insurance policies involving exceptional risks not ordinarily covered now. This plan received support from many medium and smaller sized insurance companies and Blue Cross groups. It was opposed by the American Medical Association at the last minute.

The defeat of this plan was a blow to the President from the Democrats who opposed it with an almost solid bloc of 162 votes, many from the same Congressmen who were most enthusiastic in support of the Ewing socialized medicine proposals. The bill fell under a strange crossfire. On the one side, ultraconservatives in both parties claimed it approached socialism. On the other side, New and Fair Deal Democrats spurned the Eisenhower approach as altogether too tame for them.

SOCIAL SECURITY

In this field, the 83d Republican Congress gave the President a victory that was in strictly human terms the most significant of his administration. Feeling that it was time the Republicans put some gold in the gold painted brick called social security, Congress allowed the rate to rise, raised the base from $3,600 to $4,200 and extended the protection of old-age pensions and survivors insurance to 10 million additional Americans. Beginning in October the 6.3 million now receiving old-age and survivors benefits will get from $5 to $13.50 more in their monthly checks.

This was not a contentious issue. In the House both parties overwhelmingly approved the administration's proposal, in fact the vote was 355 to 8. Nowhere during the long discussion of this issue was there a significant and informative record vote. The 83d Congress also broadened the unemployment compensation system to cover Federal employees and workers in thousands of small business establishments and reaffirmed the principle of State control of these funds. After December 31, 1955, the law will apply to employers of four or more workers, extending protection to nearly a million more employees.

VETERANS

Besides providing generously for the operations of the Veterans' Administration and its hospitals, the 83d Congress approved a 5 percent increase in service-connected disability compensation to 2 million eligible veterans and increased pensions and compensation of widows and dependent parents.

A 1-year extension during which Korean veterans are eligible to start and complete GI-bill training under Public Law 550, 82d Congress was approved.

FOREIGN AFFAIRS

FOREIGN AID

The foreign-aid program was extended for another year, but the President's request for nearly $3.5 billion was cut by the Congress to just over $2.7 billion, as compared with the $4.5 billion appropriated last year. Included in the authorization law was the strong request that the President explain the situation to Congress if Red China is admitted to the United Nations.

FOREIGN TRADE

Here the Congress gave the President considerably less than he had requested. On the basis of a study made for him by a special commission headed by Clarence B. Randall, an industrialist, he had strongly appealed for a 3-year extension of a reciprocal-trade, tariff-cutting program and had asked for authority to make further tariff reductions up to 15 percent. Congress voted a 1-year extension with no additional tariff-cutting power.

Part of the Atomic Energy Act permits limited exchange of atomic material and information with allies and thus becomes a foreign policy measure.

A treaty of mutual defense with South Korea cleared the Senate easily.

PUBLIC WORKS

HIGHWAYS

From the roads subcommittee of the House Committee on Public Works, of which I am a member, came a 2-year Federal-aid highway program authorizing $975 million annually for 1956 and 1957 to be spent in cooperation with the States. This is an increase of approximately $500 million in Federal moneys available annually to the States for road work and represents the return of virtually all of the Federal gasoline tax money to the States.

New emphasis is being placed on the interstate highway system establishing a new formula of 60 percent Federal funds and 40 percent State funds. Helpful to Indiana will be the new provision that half of the funds for interstate highways will be apportioned among the States in the ratio of each State's population to the national population.

ST. LAWRENCE SEAWAY

Herbert Hoover and every President since has favored United States participation with Canada in building on the St. Lawrence River a seaway linking the Atlantic Ocean to the Great Lakes. This year a bill authorizing the seaway, the cost of which to the United States is indicated in this legislation to be about $105 million, was passed by the House, 241 to 158. In the Senate the vote was 51 to 33.

Although I originally supported the Dondero bill which provided for sale to private investors of seaway bonds, I opposed the Wiley bill in committee and on the floor of the House because I felt that the estimated $105 million represented only a fraction of the ultimate cost of the seaway to the taxpayers and because it seemed obvious that if the project had merit private investors would buy the bonds and eliminate this drain on the Treasury.

ATOMIC ENERGY

The President's request for legislation encouraging private enterprise to participate in the development of peacetime atomic power was bitterly contested by Democrats in a 13-day Senate filibuster. They predicted private monopoly of atomic power and high rates to users. But the measure, which also authorizes fuller international cooperation in atomic-energy matters, was passed by both Houses.

ANTISUBVERSION

Passage of legislation to outlaw the Communist Party, to grant witness immunity, to make peacetime espionage and sabotage punishable by death, and to provide for citizenship forfeiture, was enacted in the closing days of the 83d Congress. The President's request that evidence secured through wiretapping be made admissible passed the House and died in the Senate.

The bill outlawing the Communist Party declares as "findings of fact" that the Communist Party is an "instrumentality of a conspiracy to overthrow" the Government and is "the agency of a hostile foreign power." This bill also deprives the party of "the rights, privileges, and immunities attendant upon legal bodies created under the jurisdiction of the laws of the United States or any political subdivision thereof." Under this provision the Communist Party would be prohibited from holding bank accounts, obtaining enforcements of contracts in the court, or filing candidates for public office.

The anti-Communist bill also makes anyone "knowingly or willfully" a party member "subject to all the provisions and penalties of the Internal Security Act of 1950 as a member of a 'Communist-action' organization." In other words the new bill would require that party members must now register individually, regardless of whether the party itself ultimately registers. This legislation also provides that in determining whether a person is a Communist Party member, juries shall consider evidence under 14 headings including whether he is on a membership list, has contributed money to the party, has written, spoken, or otherwise carried out its orders, or indicated willingness to carry out its purposes.

EISENHOWER SCORES 0.830

Today the White House issued a list of 64 bills requested by the President, only 11 failed to pass. Figured as we are used to in computing batting averages, this would give him a percentage of 0.830. Last year President Eisenhower scored 0.727. This compares with President Truman's averages for the years 1947 through 1952 of 0.477, 0.457, 0.441, 0.442, 0.404, and 0.349.

Of the 64 measures listed by the White House as major legislation on the administration program for the second session, 7 were considered by the Senate only and did not reach the House for a vote.

The implementation of the remaining 57 programs required action in 84 instances by the House. Out of these 84 chances to support the administration's program, I voted with the President 72 times; against his program 8 times, and was absent 4 times. This gives me a batting average of 0.857 for the year. I voted against the administration program only 9.5 percent of the time and missed balloting on 4.8 percent of the issues on that official list.

So noncontroversial was much of the Eisenhower program that on 29 of the 84 votes which implemented the 64-item list no rollcalls were demanded. Considering only the 55 cases in which there were record votes, I supported the President 80 percent of the time and opposed

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his program only 14 percent of the time.

Mr. Speaker, I am proud of the record of the Eisenhower administration and of the 83d Congress. This has been a "Do-Something" Congress. Its program has been constructive and its accomplishments have been evolutionary rather than revolutionary. As the President said:

> The economic program being enacted by the present Congress marks a milestone in constructive legislation. It will help to reduce unemployment and to stimulate enterprise and development in all directions.

Do you remember 1952? That was the year when they told us, "You never had it so good." President Eisenhower comparing the first half of 1954 with the same period in 1952, President Truman's last year in office, said he found industrial production up 3.3 percent; the gross national production up 4.4 percent; nonagricultural employment up 1.1 percent; personal incomes up 7.2 percent; disposable personal income up 8.8 percent; per capita disposable income up 5.3 percent; and bank debits outside New York City up 10.2 percent.

The daring young men who came to Washington with President Roosevelt are old and tired and disillusioned now. All they can predict for the future of their great country is doom, disaster, and depression. They insist on campaigning again and again on the basis of a depression they were unable to lick until World War II came along and bailed them out. Why, the Democrats in the Senate even killed the President's proposal to grant voting privileges to 18-years-old because they were afraid to trust anyone with the ballot who was so young he could not remember the last depression.

The record of the 83d Congress and the Eisenhower administration will speak for itself to people who are looking ahead toward the future. Under consent I include in the RECORD the following tabulation of the official list of major legislation on the administration program together with my voting record on each issue so that my constituents will know exactly where their Representative stood:

Voting record of Charles B. Brownson on major legislation of administration program

Item	Bill	Description	My vote	Date	Score
1	H. R. 7434	Advisory Council on Education:			
		Rule	Absent	May 12, 1954	Absent.
		Passage	Nay	do	Wrong.
2	S. 2475	Agricultural surplus disposal:			
		Passage	Yea (not record)	June 16, 1954	(Right.)
		Conference	Yea (not record)	June 30, 1954	(Right.)
3	H. R. 5027	Air Force Academy, passage	Absent	Jan. 21, 1954	Absent.
4	H. R. 9757	Atomic Energy Act amendments:			
		Patents	Yea	July 24, 1954	Right.
		Recommit	Nay	July 26, 1954	Right.
		Passage	Yea	do	Right.
5	H. R. 8658	Bail jumping, passage	Yea (not record)	July 21, 1954	(Right).
6	S. 2714	CCC borrowing power, $6,750,000,000 to $8,500,000,000	Yea (not record)	Mar. 5, 1954	(Right).
	H. R. 9756	CCC borrowing power, $8,500,000,000 to $10,000,000,000	Yea	July 29, 1954	Right.
7	H. R. 7130	Citizenship forfeiture, passage	Yea (not record)	July 21, 1954	(Right).
8	S. 3706	Communist infiltration and outlawing Communist Party:			
		Passage	Yea	Aug. 16, 1954	Right.
		Accept Senate amendment	Yea	Aug. 17, 1954	Wrong.
		Adopt conference report	Yea	Aug. 19, 1954	Right.
9	S. 16	Compulsory Testimony or Witness Immunity Act, passage	Yea	Aug. 4, 1954	Right.
10	H. R. 9040	Cooperative research on education, passage	Yea	May 12, 1954	Right.
11	H. R. 6665	Cotton acreage adjustment marketing quotas, passage	Yea (not record)	July 31, 1953	(Right.)
12	H. R. 6584	Customs valuation, passage. (Died in Senate committee.)	Yea (not record)	July 30, 1953	(Right.)
13	H. R. 8097	District of Columbia public works, passage	Yea (not record)	Mar. 22, 1954	(Right.)
	H. R. 9517	District of Columbia appropriations amendment to implement authorization passage	Yea	June 15, 1954	Right.
14	H. R. 6672	Debt limit increase:			
		Recommit with instructions	Nay	July 31, 1953	Right.
		Passage	Yea	do	Right.
115	S. 23	Defense facilities protection. (Died in Senate.)			
116	S. J. Res. 33	18-year-old voting: Rejected in Senate (34 yeas, 24 nays; lacked required 2/3 majority. For: 27 Republicans, 7 Democrats: against: 0 Republicans, 24 Democrats) May 21, 1954.			
17	S. 3245	Emergency farm loans, passage	Yea (not record)	Aug. 4, 1954	(Right).
18	H. R. 9580	Espionage and sabotage, passage	Yea	July 8, 1954	Right.
19	H. R. 8224	Excise taxes reduction:			
		Recommit with instructions	Nay	Mar. 10, 1954	Right.
		Passage	Yea	do	Right.
20	S. 2308	FBI investigation authority, passage	Yea (not record)	Aug. 16, 1954	(Right.)
21	H. R. 9680	Farm program, flexible parity amendment	Yea	July 2, 1954	Right.
22	S. 3681	Federal employees group life insurance, passage	Yea (not record)	Aug. 3, 1954	(Right.)
23	H. R. 2263	Federal employees fringe benefits, passage	Yea (not record)	May 3, 1954	(Right.)
124	H. R. 8860	Foreign economic policy:			
		Kean bill introduced			
		No action in House committee			
25	H. R. 7486	Fugitive harboring, convicted felons, passage	Yea (not record)	July 7, 1954	(Right.)
126	H. R. 3575	Hawaiian statehood:			
		Recommit	Nay	Mar. 10, 1953	Right.
		Passage	Yea	do	Right.
		Senate included Alaska, House Rules Committee refused to send bill to conference.			
127	H. R. 8353	Health reinsurance, recommit	Nay	July 13, 1954	Right.
28	H. R. 8127	Highway Act extension, passage. (I supported in subcommittee and in committee.)	Yea (not record)	Mar. 8, 1954	(Right.)
29	S. 967	Hospital Survey and Construction Act amendment, passage	Yea (not record)	Mar. 9, 1954	(Right.)
30	H. R. 7839	Housing:			
		Recommit with instructions	Yea	Apr. 21, 1954	Right.
		Passage	Yea	do	Right.
		Recommit conference report with instructions	Nay	July 20, 1954	Wrong.
		Adoption of conference report	Yea	do	Right.
31	Executive B	International Sugar Agreement: Executive treaty ratified by the Senate, House action not required.		Apr. 28, 1954	
32	Executive A	Korean Security Treaty: Executive Korea Mutual Defense Treaty ratified by the Senate, House action not required.		Jan. 26, 1954	
33	H. R. 6342	Lease purchase, passage. (I supported in subcommittee and in committee.)	Yea (not record)	July 24, 1953	(Right.)
134	S. 3363	Medical care military dependents. (No committee action.)			
35	H. J. Res. 355	Migratory labor, Mexican farm labor:			
		Recommit	Nay	Mar. 2, 1954	Right.
		Passage	Yea (not record)	do	(Right.)
36	H. R. 9924	Military Family Housing: Passage	Yea (not record)	July 29, 1954	(Right.)
37	H. R. 9242	Military Public Works: Passage	Yea	May 26, 1954	Right.
38	H. R. 9678	Mutual security program:			
		Anti-Communist amendment	Yea	June 30, 1954	Right.
		Passage	Yea	do	Right.
		Recommit conference report	Nay	Aug. 9, 1954	Right.
	H. R. 10051	Mutual security appropriations:			
		Passage	Yea	July 28, 1954	Right.
		Adoption of conference report	Yea	Aug. 19, 1954	Right.
		Spanish amendment	Yea	do	Right.
39	H. R. 9245	Postal rates, reclassification, pay adjustments:			
		(Failed under suspension)	Yea	July 21, 1954	Right.
		Discharge Rules Committee	Yea	Aug. 9, 1954	Wrong.
		Passage	Yea	do	Wrong.
	H. R. 7774	Senate amendment	Yea (not record)	Aug. 20, 1954	(Wrong.)
40	H. R. 9474	Reciprocal trade, passage	Yea	June 11, 1954	Right.
41	S. 3593	Reenlistment bonus, passage	Yea (not record)	July 14, 1954	(Right.)

See footnotes at end of table.

Voting record of Charles B. Brownson on major legislation of administration program—Continued

Item	Bill	Description	My vote	Date	Score
42	H. R. 6287	Renegotiation Act, passage	Yea (not record)	July 22, 1953	(Right.)
43	H. R. 9859	Rivers, harbors, flood control, passage. (I supported this bill in committee.)	Yea (not record)	July 26, 1954	(Right.)
44	S. 2150	St. Lawrence Seaway:			
		Recommit	Yea	May 6, 1954	Wrong.
		Passage	Nay	do	Wrong.
		I offered an amendment in committee and in the House to amend this bill to provide for private financing to be repaid from tolls to save the taxpayers over $100,000,000. When this amendment was rejected I was forced to oppose the bill as fiscally unsound.			
45	H. R. 6276	Ship Mortgage Act amendments	Yea (not record)	June 7, 1954	(Right.)
46	S. 3546	Ship repair, for merchant marine	Yea (not record)	July 29, 1954	(Right.)
47	H. R. 9366	Social-security program, amendments:			
		Adoption of rule	General pair announced for.	June 1, 1954	Absent.
		Passage	General pair announced for.	do	Absent.
48	H. R. 5173	State unemployment funds, recommit	Nay	July 8, 1953	Right.
149	S. 2650	Taft-Hartley Act amendments. Recommitted by Senate, 50 to 42, May 7, 1954. For recommital; 46 Democrats, 3 Republicans, 1 Independent; against recommital, 42 Republicans.			
50	S. 3458	Tanker construction, Navy charter	Yea (not record)	July 14, 1954	(Right.)
51	S. 2408	Tanker construction, trade in	Yea (not record)	July 6, 1954	(Right.)
52	H. R. 10009	Tariff schedule and customs simplification	Yea (not record)	July 26, 1954	(Right.)
53	H. R. 8300	Tax revision:			
		Recommit with instructions	Nay	Mar. 18, 1954	Right.
		Passage	Yea	do	Right.
		Recommit conference report with instructions	Nay	July 28, 1954	Right.
		Adoption conference report	Yea	do	Right.
154	H. R. 1449	Upper Colorado project			
		Never brought to vote in either House or Senate.			
55	H. R. 6788	Upstream flood control	Yea (not record)	Mar. 11, 1954	(Right.)
56	H. R. 9709	Unemployment insurance coverage:			
		Recommit with instructions	Nay	July 8, 1954	Right.
		Passage	Yea	do	Right.
57	H. R. 9020	Veterans' compensation, passage	Yea	July 21, 1954	Right.
58	H. R. 9888	Veterans' education and training (Korean veterans), passage	Yea	do	Right.
59	H. R. 8152	Veterans' home loan, passage	Yea (not record)	Mar. 24, 1954	(Right.)
60	H. R. 9640	Vocational rehabilitation, passage	Yea	July 8, 1954	Right.
61	S. 3103	War powers extension, passage	Yea (not record)	June 22, 1954	(Right.)
62	S. 3137	Water Facilities Act amendments, passage	Yea (not record)	July 27, 1954	(Right.)
63	H. R. 7601	White House Conference on Education, passage	Yea	May 19, 1954	Right.
164	H. R. 8649	Wiretapping, amendment requiring authorization by court order	Nay	Apr. 8, 1954	Right.
		Passage	Yea	do	Right.

1 Defeat of administration program.
( ) Not a record vote.

Management Problems of Government Dwarf Those of Our Biggest Corporations

EXTENSION OF REMARKS
OF
HON. STUART SYMINGTON
OF MISSOURI
IN THE SENATE OF THE UNITED STATES
Friday, August 20, 1954

Mr. SYMINGTON. Mr. President, I ask unanimous consent to include a statement in the RECORD on the management problems of Government.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, even if we consider only those activities which every one of us would agree must be done by Government, the management problems dwarf those of our biggest corporations.

The direction in these times of such diverse areas as foreign policy, national defense, fiscal affairs, agricultural policy, and many more comparable management problems demands great numbers of able and experienced top executives, backed up by a large group of capable career people.

The problem of how to recruit and retain this body of management skill is one of the most difficult challenges to the success of democratic government.

The problem becomes diminished in time of actual shooting war, because it is relatively easy to persuade men from outside Government to serve as a patriotic act.

Since World War II, I have heard innumerable people say: "I'd be glad to serve—if we got into a war."

But the irony is, that under the ruthless logic of modern war, our ability to win would depend upon what had been done in the years before war started.

The greatest patriotic service can be done by those who serve when the need for their help is great—as it is now—and there is not the obvious compulsion of wartime.

I have long been interested in this problem of getting men to run our Government. In 1945 I left business to come to Washington; and have had some first-hand knowledge of the difficulties faced by the previous administration in persuading businessmen to take on the top policy jobs in an administration with which the majority of businessmen were not in sympathy.

As example, after Korea started, and while thousands of American boys were being wounded and killed on the field of battle, for months it was impossible to obtain anyone to accept the vitally important post of Economic Stabilizer.

The first man who finally took that job, months after we had gone to war, was the 34th asked.

When the administration changed, we had hoped—every public spirited American would have hoped—that this was one problem of government which would diminish considerably.

After all, the new administration had the support of a majority of executives in industry.

It seemed logical, therefore, to expect that industry would do everything in its power to assure that the new administration would be able to obtain adequate assistance from the ranks of business, and retain that executive talent necessary to perform its exacting tasks.

There has recently been published two significant analyses of the record of this administration in manning direction of its responsibilities through calling upon business executives to accept management jobs in government.

The first of these is a report by Fortune magazine.

The second is an editorial which recently appeared in one of the world's great newspapers, the St. Louis Post-Dispatch.

The conclusions of those carefully written analyses are pessimistic.

The Fortune report concluded that "the administration from now on will find it harder to locate businessmen who are willing to serve."

Not only are businessmen hard to get for Government posts, but the Fortune report, and the Post-Dispatch editorial, conclude that even if businessmen are successful in making the change from industry to government, they are in general inclined to consider their government service as an interlude, to be made as brief as decently possible.

Apparently, the problem of getting, and keeping, good men is to remain acute.

Apparently it is becoming steadily more difficult for this administration to get good men into government.

When they do come in, it is equally difficult to persuade them to stay long enough to learn what it is all about, so that they may contribute not only on the basis of their inherent ability, but also from a background of real knowledge of government environment.

Experience is fully as important in government as it is in business.

Let us imagine the consternation in General Motors if a new president was to be appointed from outside the company; one who knew very little about the company's problems; and one who, it was understood, planned to remain only a little over a year.

This would not be businesslike in business, but it is apparently accepted as standard procedure in the management of our Government.

The Post-Dispatch editorial said: "Secretary of the Interior McKay, himself a businessman * * * is quoted by Fortune as believing that for top jobs in the Government, the Government will have to depend in the long run mainly on men willing to stay in political life."

That is the only way we can obtain the experience so vital for good government.

Despite this need, no real effort has been made to retain such public services. In fact, since January 1953, we have lost the services of many devoted and able men for whom the government service was a career.

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Their loss was far worse than the highly touted industry men who came down for a "12 month or so fling."

My colleagues who serve on the Civil Service Committee know much better than I what has happened to the group of people just beneath the top policy levels.

Concerning them, the Post-Dispatch said: "Or as Cabell Phillips, a Washington correspondent of the Sunday New York Times, wrote in Harper's magazine: 'When the businessmen came to Washington some of them had a pretty definite conviction that the $10,000 and $12,000 career people they found in their departments couldn't be much good; otherwise they would have left long ago to make more money elsewhere.'"

The Post-Dispatch concludes that the Government has "lost some unusually experienced people whose counterparts it will be virtually impossible to recruit from the business world, replacing them in large measure with lawyers and business executives on loan, who have no intention of making government a career."

But the loss of top-level civil-service career men and women has not been the full measure of the loss of the experience so vitally needed to manage the executive agencies.

The policy of replacing experienced people already in Government now affects even Presidential appointees who rose from the career ranks and had little or no partisan political background.

What happened to the widely endorsed Hoover Commission idea of career Assistant Secretaries who were to furnish the continuity so necessary to the orderly operation of large Government departments?

Let us look at what happened recently in the Atomic Energy Commission.

This agency, charged with so much of the responsibility for the future of each one of us, was treated in the last administration so nonpolitically that the first Commission was composed of 4 Republicans and 1 Democrat.

On June 30 the term of Atomic Energy Commissioner Eugene M. Zuckert expired.

In my judgment, Mr. Zuckert was one of the most competent, most respected, and most patriotically constructive men who ever devoted his energies to the public service.

And his is a remarkable record.

After obtaining a public-school education in New York, Mr. Zuckert enrolled at Yale University, from where he received a B. A. degree in 1933.

Four years later he received a bachelor of law degree from Yale, and certification for completing a combined law and business course at Harvard and Yale.

With that unusual training, Mr. Zuckert then became a member of the bar in both Connecticut and New York; and practiced law in both States.

Most of his professional career, however, has been devoted to the public service.

From 1937 to 1940, Mr. Zuckert had his first experience in Government when he became an attorney for the Securities and Exchange Commission.

Later, at the age of 29, he became a member of the faculty of the Harvard Graduate School of Business Administration.

Mr. Zuckert advanced in rank in this profession, becoming assistant dean of the school and serving as administrative head of the first advanced management course ever given at the Harvard Graduate School.

During this same period, Mr. Zuckert served as a special consultant to the commanding general of the Air Force, assisted in the training of thousands of Air Force officers, and carried out a number of special assignments for the Air Force's commanding general.

In 1944 and 1945, Mr. Zuckert served in the office of the Chief of Naval Operations. He was released from the Navy in September 1945, to become my executive assistant when I was Administrator of the Surplus Property Administration.

When I moved from Surplus Property to become Assistant Secretary of War for Air, Mr. Zuckert went with me as special assistant.

In September 1947 the Air Force became coequal with the Army and Navy in the National Defense Establishment. As Secretary of the Air Force, I was fortunate to have Mr. Zuckert as Assistant Secretary. His contributions to efficient management of this new Department were invaluable.

In January 1952, Mr. Zuckert was nominated for appointment as a member of the United States Atomic Energy Commission. This appointment was confirmed by the Senate on February 4, and he served in this responsible position until June 30, 1954.

The above recital of some of the major responsibilities of Gene Zuckert in no way gives adequate measure of the great worth of this able man. His industry, his integrity, his sense of perspective, his analytical ability, and his practical efficiency combine to make him a most valuable public servant.

It is incredible to me that this great American patriot was not only thrown out of the Government by the administration apparently for no other reason than the fact he was a Democrat, but was not even thanked by his chief when he left after such an outstanding job.

The Trip-Lease Bill

EXTENSION OF REMARKS
OF
HON. A. S. MIKE MONRONEY
OF OKLAHOMA
IN THE SENATE OF THE UNITED STATES
Friday, August 20, 1954

Mr. MONRONEY. Mr. President, I ask unanimous consent to include in the RECORD a statement prepared by me on the trip-lease bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, one of the great disappointments of this 83d Congress has been our failure to act and secure final passage of H. R. 3203. This bill, which deals primarily with transportation of agricultural commodities from farm to market, was passed by the House on June 24, 1953.

It was exhaustively studied by two committees of the Senate Committee on Interstate and Foreign Commerce—but due to some unknown obstruction in the committee it was never sent to the floor for consideration. I feel certain that many members, if not most members of the Senate committee, favored its passage.

Lengthy hearings were held both in the House and Senate on this trip-leasing bill. A total of 702 printed pages of testimony was taken by the subcommittee under the late Senator Dwight Griswold, of Nebraska, and later by the full Interstate Commerce Committee. Hearings requiring 520 pages of testimony were also held by the House Committee on Foreign and Interstate Commerce before its overwhelming passage of the bill through that body more than a year ago.

Rarely has any measure had the unanimous support from all farm organizations that this bill enjoyed. Recent testimony from farm groups included the American Farm Bureau Federation, the Farmers Union, the National Grange, the National Council of Farmer Cooperatives, the United Fresh Fruit and Vegetable Association, and many others. They all expressed to both the House and Senate committees the urgent need of agricultural interests for its passage.

On May 6, 1954, Secretary of Agriculture Ezra T. Benson testified before the Senate committee. The following excerpt from his testimony is particularly convincing and in point:

"A great deal of confusion over a long period of time has resulted in growing uncertainties and conflicting opinions with respect to the matter of trip leasing. In order that all parties may be properly guided by the intent of Congress, it is our hope that H. R. 3203 will be enacted into law, thus removing the multiple uncertainties concerning the activities of vehicles embraced within the provisions of section 203 (b) (4a), (5), and (6) of the Interstate Commerce Act.

"We believe, however, that the Commission's amended order does not restore the flexibility which Congress intended should accompany the exemptions set forth in section 203 (b) (4a), (5), and (6) of the Interstate Commerce Act. We wish, therefore, to express our continuing interest in, and support of, the legislation proposed by H. R. 3203.

"The flexible, efficient, and economic movement of exempt and processed agricultural commodities may not be adequately accomplished under the rules presently prescribed by the Commission."

I had been extremely hopeful that favorable action could be taken on the measure by the Senate committee and by the Senate before adjournment; however, the press of other business has been such that we have been precluded from further considering the matter in committee with the result that it has been impossible to present the bill for final action on the floor.

This bill is designed to provide a flexible pool of motor carriers which can be used in the marketing of agricultural commodities, particularly at harvest time, and utilized to serve producers and consumers alike in the better distribution of commercial goods all at lower cost and quicker service than would otherwise be possible.

In addition the bill gives the Interstate Commerce Commission certain authority not heretofore specifically provided by statute to regulate leasing practices of authorized motor carriers, and promote safety on the highways.

The bill goes further than this, however, in that it preserves the right of the farmer and the small truck owner to lease their trucks without restrictive and unjustified regulation which would have the effect of increasing costs to the farmer and the consumer, load the highways with empty returning trucks, and throw many truck owners, small-business men out of business. It should be remembered also that during World War II the Defense Transportation Administration specifically ordered the utilization of our trucking facilities on an all-out trip-leasing basis as the most economical and efficient operation of our national truck fleet—a principle which still holds good today.

The practice of leasing trucks, particularly those of farmers on a single-trip basis or for short periods, has been the custom in the trucking business since time immemorial. Under such a practice the most economical and efficient use is made of the farmer's truck and the small-business man's truck, subject to all the safety regulations prescribed by the Commission and at approved rates under the full supervision of duly authorized carriers. If the practice is discontinued by administration regulation, as is threatened, untold damage will be done to our system of marketing farm products. The passage of this bill will prevent such a disaster.

It has been sincerely felt by some that the changes proposed by the Interstate Commerce Commission would rectify the damage about to be done and protect the farmer.

This is not the case as can be clearly seen from a reading of the testimony of every leading farm group in this country. The record before the committees of both Houses shows that without exception the farm groups that testified support the bill in its entirety.

I am convinced by careful study that the proposed changes do not protect the farmer, and by the same token the consumer, and the small-business man truck owners.

The Grange Stands for Good Government

REMARKS
OF
HON. RUSSELL V. MACK
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. MACK of Washington. Mr. Speaker, the Grange is the greatest farm organization in the world. One of the things in which every granger is deeply interested is good government—government that is progressive, forward looking, efficient, economical, and humane.

The Grange through its national offices has spoken out for many programs it favors in its goal of obtaining better Government.

I am happy to report to my Grange brothers and sisters that the present Congress enacted many, of course not all, ideas, either in whole or in part, for which we grangers stand.

SOCIAL SECURITY

Grangers will recall that about a year ago I took an opinion poll among all of the 99 granges of my district as to how Grange members felt about farmers being covered by social security. Replies from grangers showed that more than 90 percent of all those answering my poll wanted farmers to get the benefits of social security.

I am happy to report that the social-security bill passed by this Congress provides social-security coverage for the Nation's 3½ million farm owners. I was happy to work and vote for social-security protection for the farmers. The grangers wanted this. They got their wish.

WHAT FARMERS MUST PAY

The new law treats farmers as self-employed people, not employees. When an employee is covered by social security, his withholding tax is 4 percent of his income. Half of this tax is paid by the employee and half by the employer.

In the case of farmers and all self-employed persons the tax rate is 3 percent instead of 4 percent and the full 3 percent is paid by the self-employed person.

Thus, if your annual income as a farmer is $2,000, your 3-percent withholding tax for that year will be $60; if your income is $3,000, your tax will be $90; and if your income is $4,200, your social-security tax will be $124 a year.

A farmer's social-security tax does not become due until he pays his income tax. In short, his first withholding tax for social security will not be due and payable until April 1, 1956. This tax will be on the farmer's income for the year 1955.

HOW TO QUALIFY FOR BENEFITS

A person to start drawing a social-security pension must be 65 years of age.

A person must be in a sense a retired person. He is allowed to earn from his profession or trade up to $1,200 a year without this income affecting his right to a pension. However, if he earns in salary or wages from his business or farm more than $1,200 a year net, the pensioner forfeits 1 month's pensions for each $80 he earns above $1,200.

The pensioner must have paid into the social-security fund withholding taxes for one-half the years between his start under the system, January 1, 1955, and his 65th birthday. Thus, if you are 62 years old on January 1, 1955, you must pay into the fund for 18 months before you are fully covered. If you are 59 years old, you must pay into the fund for 3 years. If 55 years old now, you must pay into the fund for 5 years.

Young farmers, who are under 45, will be permanently insured when they have paid into the fund for 10 years.

Farmers over 65 may qualify by paying into the fund for 18 months. Eighteen months is the minimum one must be covered to get benefits.

HERE IS WHAT YOU GET

Upon retirement at age 65 you are entitled to a pension equal to 55 percent of the first $110 of your average monthly earnings plus 20 percent of that part of your average monthly earnings that are above $110 a month.

Example: If your average monthly earnings were $200 you get $60.50—which is 55 percent of the first $110—plus $18—which is 20 percent of the remaining $90. Thus, on $200 a month earnings you receive $78.50 a month.

If your average earnings were $300 you receive $60.50 on the first $110, plus $38—which is 20 percent of the remaining $190—or a total pension of $98.50.

If, and when, your wife becomes 65, she is entitled to half of what you get. If you receive a pension of $78.50 a month, she will be paid an additional $39.25. If you receive $98.50, she will receive $49.25, the 2 of you receiving a total monthly pension of $147.75.

When an insured farmer dies, his widow is entitled to receive, starting at age 65, three-quarters of the pension the farmer received. If he received $100 a month, she will get for the rest of her life or until she remarries, a pension of $75.

The system also provides a small amount of death benefits to cover funeral expenses.

I will be glad to discuss with you or groups of your farmers, the new social-security law as it affects farmers and all other groups. Most people are interested in this new law.

GRANGE HIGHWAY IDEA ACCEPTED

The National Grange always has held that all gasoline tax money should go into highway building and not be diverted to other purposes.

The present Congress enacted a bill which, in effect, approves this Grange policy by compelling the use of all funds derived from the 2-cent-a-gallon Federal gasoline tax on highway building.

Heretofore, for many years past, our Government has been collecting about $875 million a year from its 2-cent Federal gas tax.

Of this $875 million collected from the Federal gas tax, Congress spent only $575 million in past years on highways and diverted $300 million or more to other purposes, some of it to foreign aid. Some of the gasoline tax money was actually diverted to build highways in foreign countries at a time when we desperately needed better roads in our own country.

This Congress authorized the expenditure of $875 million annually on building highways, or $300 million more than ever has been authorized heretofore. Thus, all, or practically all, of the gasoline tax revenues will go into highway building. As a result of this expanded highway program Washington State will receive more than $5 million a year of additional Federal funds for building highways.

This is what the Grange wanted. I was happy to support this legislation. I not only supported it, but since I am a member of the Public Works Committee, which prepared this legislation, I was in a position to help write it.

THE PUBLIC POWER QUESTION

I am, as you know, an advocate of public power development of the Columbia River and its tributaries. I know there is a great deal of talk about President Eisenhower planning to scuttle all public power development on the Columbia. I put such talk down to politics.

There is talk that there will be no new starts on the Columbia River in the future. There is no foundation for such talk.

It was Truman, himself, when the Korean war began, who issued the order against new starts on river and harbor flood-control work. That Truman order remained in effect until after the Korean war ended, which was well into Eisenhower's first year. Truman, not Eisenhower, was the author of the no-new-starts policy.

The Flood Control Committee, of which I am chairman, in its bill this year authorized the expenditure of $180 million for power-dam building during the next 2 years on the Columbia River. That was the largest amount authorized for any river development in any one area of the entire Nation.

This $180 million for Columbia power development was approved by the United States Army Engineers and by the Budget Bureau, which organizations are the President's spokesmen on river-development matters.

This bill authorizing this huge $180 million sum passed both Houses of Congress and will be signed by the President. This does not look like the President is going to scuttle Columbia River power development, does it? Perhaps all this talk about Ike scuttling Columbia River power development is mainly directed at making election votes rather than hydroelectric kilowatts.

Of course, I know, President Eisenhower says we ought to develop power by partnership arrangements.

Development of power exclusively and solely by the Federal Government never

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has, and is not now, getting the Northwest additional power as fast as the Northwest needs it. Building of Federal power dams on the Columbia started 21 years ago. In those 21 years the Federal Government has completed little more than 3 million kilovolts of installed capacity—an average of only about 150,000 kilovolts of installed hydroelectric power completed a year. We must have 500,000 kilovolts of additional power annually to keep up with the growing demand of our region. We have been increasing our power supply less than one-third of the amount we require for growth.

Ike wants the local interests, the States, the countywide PUD's and the municipal public-power utilities to get into the picture and help develop power.

By State, county and municipal bodies working together with the Federal Government, we can get more power sooner and that is what the Northwest needs and I think what the Northwest wants. The Priest Rapids Dam proposal is one example of what can and should be done.

CUTTING FEDERAL SPENDING

For several years, the National Grange as pursued with great vigor a campaign for the elimination of waste and extravagance from the Federal Government and the achievement of more efficient and effective Government.

Great progress has been made in this direction by the present Congress. In the first 19 months of the Eisenhower administration $14 billion of wasteful and extravagant spending were eliminated.

President Truman as he left office submitted a budget which he said provided for spending $10 billion more than would be taken in from revenues. In other words, he predicted a $10 billion deficit for the first 12 months of Eisenhower's administration.

Eisenhower gave a tax reduction not contemplated by Truman. Eisenhower raised veterans' pensions. Eisenhower increased social-security and railroad-retirement pensions. Eisenhower provided more money to ease credits in order to encourage more home building. Despite all these and other expanded services which President Eisenhower put into effect, Ike cut the deficit which President Truman predicted would be $10 billion to approximately $3 billion—made a budget deficit reduction of $7 billion. He did this by eliminating or lessening, as Grangers suggested, waste and extravagance from Government.

AIDS TO FARMERS IN TAX LAWS

Tax laws enacted by the 83d Congress are of benefit to farmers and farm families in a number of ways. Under the tax-revision law, farmers can claim a $600 dependency deduction for a child regardless of the child's earnings if such dependent is receiving on-the-farm training and the farmer continues to furnish more than half of his support.

The revision law also allows for farmers:

Deductions up to 25 percent of farm income for soil and water conservation expenses.

More rapid writeoff of the cost of new depreciable assets—farm machinery, equipment, and so forth. Under the declining balance method of depreciation now permitted, the farmer can write off in the first year twice the amount allowed under the straight-line method.

Removal of the tax on proceeds from sale of cattle when the sale is necessitated by disease, provided the proceeds are reinvested in cattle within 1 year after the close of the taxable year.

Previously, where a farmer did not file a declaration of estimated tax by January 15, he had to file his final income-tax return by January 31. The deadline is now extended to February 15. Also, where a farmer files a declaration by January 15, his final return is now not due until April 15.

Farmers' accounting requirements are eased to permit the use of the farmer-preferred hybrid bookkeeping system.

Another Republican-passed tax law provides for rapid amortization of farm grain-storage facilities. Whereas before such facilities could be amortized only over their useful life, this now can be done over a 5-year period. This provision was included in the Technical Changes Act of 1953—Public Law 287, approved August 15, 1953—which was reenacted by the tax-revision law.

Tribute to Hon. Thomas E. Martin, of Iowa

EXTENSION OF REMARKS
OF
HON. DANIEL A. REED
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. REED of New York. Mr. Speaker, now that this 83d Congress is drawing to a close, I wish to take the opportunity of paying a tribute to our distinguished colleague, the Honorable THOMAS E. MARTIN of Iowa.

TOM MARTIN has been one of the most distinguished and valuable members of the Committee on Ways and Means. His service on that committee, of which I have the honor to be chairman, has been marked by sound judgment, great integrity, hard work, and a conscientious sense of duty both to the people of Iowa and to the American people as a whole. He has made a splendid record of achievement on our committee.

Tom became a member of the Committee on Ways and Means in 1947. Since that time, he has actively fostered the welfare of the farmer, businessman, and laborer. During this past session alone, his contributions toward overhauling our tax system and improving our social-security program have proven invaluable. He has worked to see that our domestic producers and workers are adequately protected from excessive imports of foreign goods. He has continued to conscientiously represent the interest of his Iowa constituents and has also served equally well the people of the United States.

I must note with regret that TOM MARTIN is now leaving this House where he has served so notably. However, as United States Senator from the great State of Iowa he will continue to serve his State and his country with distinction. I wish him every success.

The Advantages and Disadvantages for the United States of Economic Self-Sufficiency

EXTENSION OF REMARKS
OF
HON. HARLEY M. KILGORE
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
Friday, August 20, 1954

Mr. KILGORE. Mr. President, I ask unanimous consent to have printed in the RECORD a paper on the advantages and disadvantages for the United States of economic self-sufficiency which I have had my staff prepare in cooperation with various experts in this field and drawing upon governmental and private studies. This is a subject which I feel is of great importance in the shaping of national policy. It cannot be covered in all its aspects in a brief paper, but I believe that this is a very valuable discussion of some of the problems and I should like to invite this paper to the attention of the congressional committees which are concerned with this subject.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

THE ADVANTAGES AND DISADVANTAGES FOR THE UNITED STATES OF ECONOMIC SELF-SUFFICIENCY

There is little doubt that no other developed nation in the world outside of the Soviet empire could attain economic self-sufficiency so readily as could the United States, if self-sufficiency is used to mean the situation in which there are no economic dealings with other nations while the existing standard of living does not fall drastically. This paper will seek to examine some of the advantages and disadvantages of a policy deliberately designed to make the United States economically self-sufficient. Such a policy would involve economic changes so numerous and complex that there is no pretense in this brief paper to have done more than touch on a few of the more obvious. The effect of ending international capital movement is, for example, ignored completely.

Clearly a policy pointed toward economic self-sufficiency would involve substantial economic dislocation within this country at least during a transition period. At present over 4 million people earn their living from international trade. These people would have to find other jobs. Many industries are dependent on foreign sources of supply for raw and partially fabricated materials. These industries would have to develop domestic sources of supply or where this is impossible they would have to develop substitutes. If this, too, is impossible they would have to change their production or go out of business. Undoubtedly there would be a difficult period during which many industries would have to operate at less than full capacity. It is assumed herein that the transition period to complete, or virtual, independence in the economic sphere from all other nations would be tolerable

although no study has been made which confirms or denies this assumption.

After examining the case of complete self-sufficiency, the paper will go on to examine two other possibilities which are something less than complete economic self-sufficiency. First of these other possibilities would involve making the Western Hemisphere into an economic unit in which the United States would inevitably be the dominant member. The second would involve ending our economic dependence on other nations for everything except those commodities which we could not produce at all within the United States or only at very high cost. There are, of course, many other variations between complete self-sufficiency and substantial economic relations with other friendly nations which are not discussed.

THE ADVANTAGES OF COMPLETE ECONOMIC SELF-SUFFICIENCY

In a world full of threats of war probably the greatest single advantage arising from economic self-sufficiency would be the complete freedom from any dependence on foreign sources of supply and the elimination thereby of certain vulnerable points in our national strength.

Overseas supply lines, as we have learned in two World Wars, are vulnerable to enemy attacks. There is also the danger that many of our overseas sources of supply, particularly those sources located in southeast Asia and the Middle East, might either be destroyed or seized by hostile forces. The threat of having all or a significant part of our overseas supplies of materials cut off in this manner and our industrial production thereby disrupted would be eliminated by economic self-sufficiency. However, even though our own production would be unaffected by the loss of foreign supply sources, their loss would have an adverse effect on the industrial output of our allies, and the burden on our production would be increased as we tried to compensate for this decline in our allies' output. Presumably we would do this so long as our military strategy continues to be based on a system of alliances as it is today.

Development of atomic weapons has reached the point where our major ports are, or soon will be, vulnerable either to airborne or submarine attack which might render these ports useless for periods of time. The significance of this threat to our security would be greatly diminished by economic self-sufficiency even though we would probably still have need of our ports for the movement of troops and supplies overseas.

The Navy, the Air Force, and to a lesser extent, the Army, in the event of war would have to devote some of their forces to the protection of ocean supply lines and foreign sources of materials.

Economic self-sufficiency would, therefore, relieve the Armed Forces of certain responsibilities. Likewise certain of our industrial resources would be freed since the need for a merchant marine would be reduced. The only threat to our sources of supply remaining should we attain self-sufficiency would be direct attacks on this country.

A second benefit to be expected is that cutting off international trade would give an extremely powerful impetus to the discovery of new domestic resources or the development of substitutes for imports. The situation on petroleum reserves is a classic example of how the apparently alarming depletion of a domestic resource caused the Government to give a special stimulus to new discoveries which have caused proven reserves to expand over the years. Complete self-sufficiency would cause this experience to be repeated in many other areas. The development of substitutes and technological improvements which conserve materials or permit us to use lower-grade raw materials have frequently prevented us from suffering the consequences from losses of foreign sources of supply. Artificial rubber, synthetic textiles, and atabrin are famous examples of substitutes developed to replace natural imports. The increased use of taconite is helping to replace the depleted rich domestic iron ores, although at a higher cost. It should be kept in mind, however, that ending all international trade might easily cause us to exhaust certain of our natural resources much more quickly than we would if we continued to meet part of the domestic demand from imports. Furthermore, it is likely that no satisfactory replacement is possible for all our essential imports.

The third benefit to be gained from economic self-sufficiency would be the possibility that it would insure a more continuously high level of employment. Although there is no way of proving this point—indeed some recent evidence points to the opposite conclusion, it seems possible that by eliminating foreign sources of supply we would generate a demand for the domestic production of many of the things which we now secure from abroad. Any gain in employment resulting from such a demand would have to be offset against the loss of employment resulting from shrinking export markets in order to arrive at the net effect of self-sufficiency on domestic employment. (It might be considered consistent with a policy of self-sufficiency to continue grant aid to foreign countries for the sake of our political and security requirements even though we had ceased to import from abroad. To the extent that grant aid replaced normal dollar earnings of other nations arising from their exports to the United States, the reduction in employment resulting from declining exports would be reduced.) Since the United States probably would be an inefficient producer of a number of the things we now import, the real cost of these goods would be high, which would probably mean that a large amount of labor would be required for their production. If the demand for these goods did not drop off too severely as a result of higher prices, considerable employment might be generated, although the low productivity of such labor would imply that the wages paid this labor would be low.

A related benefit to the one mentioned above would be the elimination of a possible element of instability in the domestic economy. Economic fluctuations in other nations can be transmitted to this Nation through declines or increases in the demand for our exports, through variations in prices of our imports and in other ways. (The great size of the United States economy relative to all other free nations, even taken together, however, indicates that we are likely to be the single most important element in determining the level of economic activity in the free world.) It is possible, on the other hand, that international trade is on balance a stabilizing influence on our domestic economy. In any event, the effect of imports and exports on the general level of economic activity in this country is slight when compared with more powerful factors, such as consumer spending, private investment, and the Federal budget.

There is no question but that certain particular interests in the United States would be greatly benefited from the termination of all foreign trade. Industries such as lead and zinc mining, woolgrowing, watch manufacturing, pottery, and hand-blown glass manufacturing, which now produce less than the total domestic demand, would enjoy a great expansion in the demand for their output, although they could not expect to take over the entire share of the markets now supplied by imports.

DISADVANTAGES OF COMPLETE SELF-SUFFICIENCY

There are also disadvantages to such a policy. Were there not, it would be hard to understand why we had not long since adopted it.

The first important drawback to a policy of self-sufficiency is that it would be accompanied by a general lowering of our standard of living. The task of evaluating the cost of this country of a complete cessation of international trade would be a massive one which goes back far beyond the scope of this paper. The pattern of production within the country would be shifted, in some fields quite markedly, consumer preferences would alter as imported products ceased to be available, wage structures would have to adjust to reductions in output in certain fields and to increase in others. It can be said with certainty, however, that our standard of living would decline with such a stoppage of international trade. Some, possibly many, prices would go up and the quality of goods would deteriorate; wage levels would decline to some extent; and the range of goods available to consumers would be restricted. The basic cause for such a decline in living standards goes to the heart of the theory of international trade.

We engage in international trade for the same reason that we have domestic trade; that is because as individuals and as a Nation we have discovered that we can secure the things we want with the least effort by producing those things at which we are most efficient and trading our products for the specialties of others. This principle of obtaining the biggest return for one's efforts by concentrating on the things wherein one is most efficient and exchanging the surplus of that product for the products of others, applies to nations as strongly as it does to individuals.

A few indications can be given to show what the effect might be of stopping international trade. These indications, which must be heavily qualified, are only hints, and there is no pretense that the full ramifications of such a change in our economic life have been considered. In 1950 the United States was deficient in the domestic production of raw materials to the extent of about 9 percent, the balance being supplied by imports. If it is assumed that the total output of the raw material consuming industries would have been reduced by approximately the same percentage in the absence of imports, the gross national product would have been less by roughly $10 billion in that year. Since both imports and exports would have been eliminated, this $10 billion drop would have been offset by the amount of the export surplus (in that year it was $1.4 billion) leaving a reduction in goods and services available in the United States of $8.5 billion. Obviously, the actual situation might not have been this bad since under these circumstances there would have been many compensating changes, such as an increase in the domestic output of raw materials, a switch in the pattern of consumption of raw materials to those items which are more plentiful in this country, and the development of synthetic substitutes. These changes might largely offset the physical reduction in supply of raw materials, but only at higher costs. The effect of the increased raw materials prices alone may be illustrated by the fact that a 2-cent increase per pound in the price of basic metals would add roughly $2.5 billion to our annual bill for these metals. Whereas the Nation was only slightly in deficit in the production of its raw materials in 1950, there is every indication that our dependence on foreign sources of supply will increase rather sharply so that the real cost of shutting off international trade will probably go up markedly over the years.

The detrimental effect of ending our international trade would be considerably more important than just the shortage of raw materials which such action would create. We would be forced to cut back significantly

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on the production of many items where we are highly efficient, for example, many types of machinery and major farm products such as cotton, wheat, and tobacco. These types of production yield high returns because they are efficient. We would in turn expand production in the relatively inefficient industries which yield lower returns. It is apparent under these conditions that our factories and farms would be producing less to some extent than they now do. Declining total output can only mean a falling standard of living.

Some indication of the possible cost to the consumer in finished goods from stopping all trade can be gained from comparing imported and domestic prices for comparable goods. Using data prepared by the Tariff Commission with the necessary adjustments to make the foreign values shown roughly comparable to domestic prices, it appears likely that consumers would have had to pay $40 million more in 1950 than they actually expended to buy the same amount of china tableware if they had bought entirely at domestic prices. This is not a prediction that they would have done so, but is rather a hint as to the possible magnitude of the added cost. Similarly in the field of motorcycles consumers in 1950 would have had to pay some $1 million more than they actually did if they had bought the same quantity of motorcycles entirely at domestic prices. The total additional cost to consumers of ending international trade could only be guessed at after a more detailed analysis of hundreds of items.

Attainment of economic self-sufficiency very possibly might have an adverse effect on the vigor and productivity of the American capitalist system which in turn would weaken our industrial base for war production. Numerous examples are available both at home and abroad to show how lack of foreign competition has led to stagnation in an industry. Watches and opticals are two important industries in this country which claim an important defense role. Foreign competition in both cases has been a significant element in keeping American technology up to date with foreign technology. On a bigger scale one can point to France as an example of what happens to an entire economy which systematically isolates itself from foreign competition. Economic stagnation in France is one of the major sources of weakness in the whole free world today. By contrast other European nations which suffered as heavily as France in the last two wars have today much more vigorous economies in part as a result of permitting more free international competition.

The whole system of military alliances on which this Nation has built its postwar security could be seriously weakened by a United States policy of seeking self-sufficiency. In the first place it is recognized both here and abroad that the relationship of giver and aid recipient, which has characterized United States relations with many other nations since the end of World War II is highly undesirable and damaging to good relations between nations. We have been willing to assume the burden of foreign aid because we felt it desirable to have friends with strong economies and military establishments. Other free nations are dependent upon the United States for many raw and manufactured materials which they now finance largely by their exports to us. If we became economically self-sufficient, we would be faced with the choice of seeing the military establishments of our allies begin to deteriorate rather rapidly (most foreign economies are now in sufficiently good condition to be able to survive, although with lower standards of living, without United States exports if they cut back their military efforts sharply; Japan is probably the major exception) or increasing our aid substantially.

On psychological grounds our alliances would suffer from a policy of economic self-sufficiency. Other nations have long been fearful that the United States would return to isolationism. It would be hard to convince them that our cultural and political interests in the rest of the world were as great as ever after we had closed one of the main channels of contact between nations.

Although this paper does not deal with the reasons which might cause this country to desire economic self-sufficiency, it is probable that the major reason usually given for advocating this course is the desire to strengthen the Nation in the event of war. There should be a brief discussion, therefore, of the desirability of terminating international economic relations prior to the time when such relations might be broken off as a result of war. Since we only engage in international trade to the extent that it is profitable to the Nation, we can increase our wealth to a greater extent by permitting international trade to go on as long as possible than we can by stopping it. If properly used, this greater wealth can increase our ability to wage war rather than decrease it. Furthermore, we can add to our military strength by increasing our supplies prior to hostilities through imports of those materials which are useful to our war potential and which are inefficiently produced in this country. Included within this group of commodities are many raw materials and certain manufactured items.

If the Nation were actually preparing for the most efficient conversion to a wartime economy, we should deliberately seek to discourage domestic production in peacetime of those things which we will not produce in war, either because they are luxuries or because they depend for their production on imports which would not be available in wartime. Conversely we should seek to expand production beyond normal peacetime needs the industries whose production is in greater demand in war—e. g., steel, aluminum, certain chemicals, etc. International trade would be an invaluable counterpart to such a program. In peacetime we could satisfy through imports the consumer demand for those goods which we would not manufacture while providing a market in peacetime through exports for the industries we wish to expand in anticipation of abnormally large wartime demands. Such a pattern of international trade might have the incidental advantage to us of causing production of goods not essential in war to expand in potentially hostile countries while causing production of war essentials to be retarded in those countries. These considerations would indicate that if the United States were now preparing to make itself as self-sufficient as possible in war, it should probably seek to expand international trade prior to the war.

TWO MODIFICATIONS ON COMPLETE ECONOMIC EFFICIENCY

The first variation involving something less than complete self-sufficiency would be to make an economic entity out of the Western Hemisphere or a major portion thereof.

The Western Hemisphere as a self-contained unit would be free of many of the drawbacks which face economic self-sufficiency for the United States alone. The Western Hemisphere is much more nearly self-sufficient in raw materials than the United States. Being a larger area than the United States, it would be less injured by the reduction in economic competition, and there would be more opportunity within the areas for specializing on producing the things at which each nation is most efficient. The military advantages and disadvantages of this possibility would have to be considered.

There is one fatal difficulty in this proposal which probably would prevent its ever becoming a reality; the other nations in the hemisphere, or at least very important ones, would not willingly agree to such an arrangement. There would be for one thing serious economic drawbacks in such an arrangement for several nations, particularly in Latin America, Brazil, Chile, and Argentina, for example, all have big markets outside the Western Hemisphere. Many of their products are also exported by the United States. They would therefore suffer hardships by the loss of non-Western Hemispheric markets. The United States might compensate them for this loss but the heavy cost would raise doubts as to the worth of the policy.

There are political forces which would also work against making the Western Hemisphere a self-sufficient bloc. The ties of the commonwealth are still strong, so there is little reason to believe that Canada would agree to a system which would cut her off economically from the other commonwealth countries. To the south we find both friendliness and willingness to cooperate with us and also considerable resentment of what is considered Yankee imperialism. Argentina is deliberately trying to organize an anti-United States bloc in South America. Some of the other big Latin American nations have been cultivating their relations with Western European nations recently as a counterweight to American influence. In such a situation an attempt by the United States to form a self-sufficient economic grouping of nations in the Western Hemisphere would seem almost certain to provoke a strong anti-United States reaction. This modification of complete economic self-sufficiency, therefore, appears not to be feasible.

The other possibility would involve attaining as complete a degree of economic self-sufficiency as possible while still importing those materials which it would be impossible or very costly to produce in this country. This modification would avoid the difficulties which would arise under complete self-sufficiency from not being able to replace certain imported items from domestic sources, but it would also reduce the military advantages of self-sufficiency since the dependence on foreign sources of materials would not have been ended. Indeed such a policy might have the serious disadvantage of pinpointing for a potential enemy exactly those imported items which it would be most difficult for us to replace.

There is real question as to whether such a policy could be successful because of the likelihood that the nations which are the materials suppliers would not agree to supply us only with raw materials. Most of the nations which are the main suppliers of raw materials resent a relationship in which they are only suppliers of raw materials, and they are seeking to industrialize their economies. Furthermore, many of the areas which are major suppliers of materials are associated with Western European nations which are anxious to sell their manufactured goods to the United States. These European nations might not agree to have the territories and countries associated with them supply materials to the United States when the parent countries have little or no economic relations with the United States. It is entirely possible that the other free nations would set out purposefully to make themselves economically independent of us if we sought to make ourselves largely independent of them.

It is certainly possible, on the other hand, that other nations when faced with a gradual decline in United States imports would strive even more vigorously to maintain their dollar-earning capacity which would cause them to maintain or expand their exports of raw materials to the United States. All the same, a policy which restricted United States imports to raw materials would undoubtedly re-create a dollar shortage problem which would tend to cause all nondollar nations to expand their trade with each other in order to secure the materials which they otherwise might buy from us.

This development could go on to the extent that our access to foreign raw materials might be significantly reduced.

Like the first modification of complete economic self-sufficiency, therefore, the second possibility appears to face important, practical obstacles. If the above analysis is correct, one would probably have to assume that there would be a great chance, should we ever set out to attain a large degree of economic self-sufficiency, that the process would be difficult to arrest and might go on to a state of complete self-sufficiency.

Eighty-third Congress, 2d Session: Accomplishments Worthy To Be Remembered

EXTENSION OF REMARKS
OF

HON. CLIFTON (CLIFF) YOUNG

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. YOUNG. Mr. Speaker, it has been aptly said that there are two dangers to the American form of government. The first is a Communist conspiracy which threatens our way of life; the second is the growing complexity of our Government which makes it difficult for citizens to know what is being done on their behalf.

Therefore, Mr. Speaker, I believe it my responsibility as Nevada's Representative in Congress to make this report to the people of my State on overall accomplishments during the 2d session of the 83d Congress.

Representative government can work only if the people are well informed. If we are to keep this experiment in freedom from perishing at the hands of our enemies, it is imperative that the people know what is being accomplished at the national level and the direction in which we are moving. With this thought in mind, I am going to summarize achievements which I believe will be of particular interest to the people of Nevada.

INTERNATIONAL AFFAIRS

First, I should like to speak on developments in the international field. For the first time in 17 years there are no wars being fought in the world. Our foreign policy is based on resolution, firmness, patience, and, above all, upon strength. Our Government has been working diligently toward the formation of the European Defense Community; a settlement is near on the Iranian oil problem and the British dispute in the Suez Canal area; the Communist threat in Guatemala has been stopped. Although the situation remains tense in Korea and Indochina, a regional pact of the anti-Communist nations of this area appears to offer the best hope for peace, and its formation is being steadfastly pursued by our Government.

MUTUAL SECURITY

The 83d Congress continued the mutual security program, but on a greatly reduced basis. The total amount voted was $2.7 billion. Of this sum, 85 percent was allocated directly or indirectly for military assistance.

While I voted to continue authority for this program, I opposed appropriations when it appeared that the Foreign Operations Administration, as a result of loose bookkeeping procedures, could not present to Congress an accurate and businesslike record of its financial transactions. Furthermore, it was shown that even if additional funds were not appropriated this year, the program could be continued for another 18 to 24 months by using the unexpended and unobligated funds on hand.

I concluded, therefore, that the question of additional appropriations should be deferred until next year, when Congress receives a clearer picture of financial requirements. With so much belt tightening here at home, it seemed unfair to ask American taxpayers to give additional money to an agency which already has more than it will use during the next 18 months.

NATIONAL SECURITY

Our national security program is a subject of paramount interest to all Americans. While economies have been effected in the armed services, they have not been made by sacrificing our strength. Only the fat and waste have been removed; the sinew and muscle of our military strength have been improved with the changes.

Our air strength is today superior to that of any other nation, and a powerful air force will continue to be the cornerstone of our security program.

For the first time in many years we are making plans for a strong, well-equipped Reserve force—ready for instant action. Although our primary purpose is to deter military aggression, our military experts recognize the possibility of either small brush-fire wars or all-out conflicts. They have planned accordingly.

ECONOMIC HEALTH

Mr. Speaker, with civilization under the greatest siege in history, it is apparent our country faces a period of prolonged peril. The so-called New Look in our preparedness plans means merely that it is a security program for the long pull.

Because military strength and economic health are indivisible, I should like also to discuss the condition of our national economy.

There are those who predicted that the transition from wartime to peacetime economy could not be made without a severe depression. Events of the past year have proved they were wrong. Today the Nation's economic health is good and getting better.

The elimination of unnecessary spending and the enactment of sound legislation in the fields of taxation, housing, atomic energy, highway development, public works, and agriculture have strengthened our economy. We have again demonstrated the ability and resourcefulness of democratic government to meet and dispose of problems that face us.

TAX REDUCTIONS

In the field of taxation, the 83d Congress was responsible for the biggest tax cuts in the history of our country—nearly $7½ billion.

For the first time in 78 years there was a complete revision of our tax laws. Benefits to taxpayers include increased allowance for medical expenses, exemption of retirement income for persons over 65 years of age, and deductions for widowed mothers who work and must pay for child care, to mention only a few of the 3,000 changes.

Congress also removed and reduced the annoying taxes on items such as washing machines, telephone calls, ladies' handbags, baby oils, cosmetics, jewelry, cigarette lighters, and many other things that we purchase daily. I will be pleased to send a more detailed explanation on tax changes to those who write to my office.

These tax cuts were made possible only by reductions in Government expenditures and elimination of unnecessary jobs. It is interesting to note that more Federal jobs were abolished than there are people in the entire State of Nevada.

ATOMIC ENERGY

Shackles were removed from development of atomic energy by amending the Atomic Energy Act of 1946. This legislation should hasten the day when the atom will become the tireless servant of mankind, instead of a threat to its existence.

The new law eliminates Government monopoly in the field of atomic energy, and permits international cooperation for both peacetime and military purposes.

HOUSING

With the passage of the Housing Act of 1954, it should be easier for Nevada citizens to buy their own homes. The law provides for lower down payments, extended mortgage periods, and other advantages. Also, loopholes which permitted past abuses were closed.

This legislation should result in an unprecedented period of home construction. Certainly nothing could do more to prevent the spread of socialism or communism than making it possible for every American citizen to own a home.

AGRICULTURE

An important achievement of the 83d Congress was the adoption of a flexible price-support program for agriculture, with supports from 82.5 percent to 90 percent of parity.

The high, rigid support program of recent years resulted in huge surpluses. These surpluses not only drained our soil resources, but now cost the Government—and the American taxpayers—$700,000 a day for storage costs alone.

Of interest to the Nevada wool industry is the provision made for incentive payments to wool producers, for the purpose of guaranteeing a minimum domestic production for national defense purposes.

COMMUNISM

Several legislative blows were struck at communism by the enactment of bills that outlaw the Communist Party; grant immunity to fifth-amendment witnesses to compel testimony; deprive persons of rights as American citizens, upon conviction of subversive activities; increase

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penalty for subversive activities; and extend the time before the statute of limitations applies.

With regard to this latter provision, you will recall that Alger Hiss could not be tried for espionage because the statute of limitations prevented trial on this charge. He was finally convicted of perjury before a congressional committee.

A series of minor bills increased the penalty for harboring fugitives, required registration of printing equipment used for publishing subversive or Communist material, and provided for special action similar to the Government's present loyalty and security program to keep subversives out of defense plants.

In addition, more than 2,400 security risks have been removed from Federal jobs; and the Department of Justice has sought out and convicted 41 top leaders of the Communist Party, and has deported 105 subversives—all within the brief period of the past 18 months.

VETERANS

Veterans' compensation and pension benefits have been increased and improved; the time extended within which disabled veterans may secure vocational education; and a record number of beds provided for hospitalization of our veterans.

SOCIAL SECURITY AND RAILROAD RETIREMENT

The social security program was expanded and benefits increased. If details of these changes are desired, I will be glad to furnish them upon request to my office.

Similar action was taken with respect to the Railroad Retirement Act.

HOSPITAL CARE AND VOCATIONAL REHABILITATION

The hospital construction program was continued and more funds appropriated for medical research. I regret that time does not permit me to tell of the outstanding gains being made in the battle against cancer, heart disease, and other diseases by your Government.

The vocational rehabilitation program was strengthened as Congress provided for a greatly expanded program in the years ahead to aid disabled persons in becoming economically independent.

RECLAMATION AND FLOOD CONTROL

Mr. Speaker, I should like now to discuss matters which are in some ways of more direct concern to the people of Nevada.

I was pleased to support in the 83d Congress the following reclamation and flood control measures of benefit to my State: $118,000 appropriated for reclamation work on the Humboldt River in the vicinity of Battle Mountain; $40,000 appropriated for flood control planning at Matthews Canyon in Lincoln County; authorized flood control work on the Truckee River in the so-called Washoe project; continued work on the Las Vegas pumping project, a study to find ways of using water from Lake Mead. The final report on this study is scheduled for January 1956.

Also, legislation was approved granting rights-of-way to the Las Vegas Valley Water District, to bring water from Lake Mead to the Las Vegas area.

A reclamation measure was passed by the House to encourage joint Federal-State and local cooperation in small reclamation projects up to $5 million in size. This law would have resulted in both economy and decentralization, but unfortunately failed to obtain Senate approval in the closing days of this session.

PUBLIC LANDS

With nearly 85 percent of Nevada's total area under Federal control, we are vitally concerned with the administration of this great natural resource. A jungle of outdated laws and insufficient personnel in the Bureau of Land Management are hampering proper administration of the public domain. Reorganization of the Bureau of Land Management and assignment of more personnel to Nevada have helped considerably in this situation. But more employees are needed to clear the backlog of pending claims and a number of changes in existing laws are necessary.

I sponsored a bill to establish a commission to make a complete study of some 5,000 public-land laws and bring them up to date. Countless conflicts in southern Nevada between small tract applicants and mining claimants point up the need for prompt action in this field.

A serious problem in northern and central Nevada is the presence of halogeton, a poisonous weed which is dangerous to the livestock industry.

I assisted in a successful move to restore funds for the halogeton control program. A large part of the total appropriation will be spent in Nevada.

A grazing bill which would have provided greater stability to livestock operations of Nevada's sheep and cattle growers was defeated in the closing days of Congress.

MINING

The 83d Congress enacted a multiple mineral development bill—Public Law No. 585—which will open additional lands for mining claims in Nevada and eliminate doubts heretofore arising over the validity of claims based on a discovery of uranium.

Because of the complex nature of this bill, which changes basic mining law, I prepared a summary of it for Nevada miners. Copies have been sent to each county recorder in our State for distribution when mining claimants file their affidavits of performance of annual assessment work. Additional copies are available from my office.

Encouragement has been given western miners by the President's announcement of a new stockpiling program based on long-range security requirements. Although this will be of some assistance, new laws will be required in the future to protect our mining industry from the unfair competition of foreign imports.

Specifically, legislation is necessary to give our lead and zinc industry stability, and to prevent the violent ups and downs that have plagued the lead and zinc producers in the past. In foreign-aid legislation, Congress ended a policy followed for many years of using United States money to build up mines in foreign countries which later compete with American producers.

ANTI-GAMBLING BILLS

A number of anti-gambling bills were introduced in both Houses, several of which, if enacted, would have had a disastrous effect upon the legalized gambling industry in Nevada. I appeared at several committee hearings, testifying on a bill introduced by Representative KEATING, of New York, which presented the most direct threat to Nevada's gambling industry. I am glad to report that we were able to work out an amendment which would have protected Nevada's industry from the effects of this measure. While the adjournment of Congress prevented passage this session, it can be expected that similar legislation will be introduced in a future Congress.

HIGHWAYS AND AIR TRANSPORTATION

The Federal Highway Act passed by the 83d Congress provides for an expenditure of $966 million during each of the next 2 years for highway construction. This is the greatest sum of money ever authorized for this purpose. It will mean that the State of Nevada will receive approximately $8,719,541 for each of the next 2 years.

Air transportation also received assistance this year when Congress voted to continue the Federal aid-to-airport program. This should be of assistance to communities like Reno and Elko, where municipal airport development is planned.

I was successful in obtaining passage of my amendment in the House for the appropriation of $69,449 to cover damages caused by Federal Government planes to the Elko Municipal Airport in 1952.

INDIANS

I am proud to report that the 83d Congress made a better record toward improving conditions of our Indian citizens than any Congress since the establishment of the Bureau of Indian Affairs over 100 years ago. Legislation was enacted to provide for termination of Federal control over some 10,000 Indians during the next few years.

The bill which I introduced and which affected certain Nevada colonies and reservations, was not perfected prior to adjournment. However, valuable groundwork was done. Still to be worked out are provisions for Federal contributions for welfare services to Indians during the transition period, and improvements to be made prior to termination of Federal control. The typhoid case at the Elko colony and the lack of authority of local health officials to institute proper health measures, indicates need for prompt action in this field.

ONE HUNDRED PERCENT VOTING RECORD

Mr. Speaker, I am sorry that time does not permit greater detail on many of these measures; and there are other items of importance which I have not been able to discuss. However, I am planning a tour of my State following adjournment, when I will be able to present personally further information to my constituents.

It is my belief and hope that most Nevadans will approve in general the measures I have supported. There per-

haps will be some bills or parts of legislation enacted by the Congress which will not receive the unqualified approval of all of my constituents. Mr. Speaker, this is to be expected in a legislative body made up of 435 Representatives from 48 States and all walks of life. The compromise of conflicting and differing viewpoints is an indispensable part of democratic process. However, I should like the citizens of my State to know that in my efforts to represent them faithfully I have been present for every roll call vote during my term in office.

I trust that the record of accomplishment outlined in this report will be of interest to them; I sincerely hope it will assist in an understanding of the sometimes confusing picture of their National Legislature.

Engraved on the wall over the Speaker's rostrum is a quotation from Daniel Webster, which reads:

> Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also in our day and generation may not perform something worthy to be remembered.

Mr. Speaker, I think that the 83d Congress has performed well in its efforts to follow the advice of this great American.

Formosa: Eisenhower Stand Versus Truman

EXTENSION OF REMARKS
OF
HON. GEORGE H. BENDER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. BENDER. Mr. Speaker, everyone who has studied the Kremlin's basic policies insists that the one element which matters in the thinking of the Communist clan is the knowledge that deterrent force is available to cut them down to size. Nothing in the history of the recent past suggests reason to believe that the Moscow powers will respect the integrity of small nations in any degree, unless the prospect of superior force provided by large nations is on the horizon.

Red China is making loud noises on the subject of Formosa. Her intentions are clear, no matter how much we may seek to delude ourselves on the question. China means to seize Formosa at the earliest possible moment, and she is waiting only for the opportunity. Here is a case where the difference between American foreign policy under President Eisenhower and our policy under former President Harry Truman becomes evident. We did not clarify our intentions in 1950, and the Chinese construed our silence as an open invitation to aggression in Korea. This time, we have spoken, and no one will be able to say that Uncle Sam remained silent when he had a duty to speak.

Our Seventh Fleet is protecting Formosa. This is the order. Red China knows it. Moscow knows it. If any attack is made on the island, we shall resist it because we must. The Free World's future is at stake. No new Communist aggression will go unchallenged, and the knowledge of this truth is the greatest deterrent we can present to the Reds in our time.

Report to Constituents of the 12th Congressional District of New York

EXTENSION OF REMARKS
OF
HON. FRANCIS E. DORN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. DORN of New York. Mr. Speaker, since my election to Congress, I have endeavored to remain in close contact with the people of the 12th Congressional District whom I have the honor to represent.

My congressional office here in Washington and my office in the Federal Building in Brooklyn have been open to them at all times. It has been my aim to assist them in their problems with the Federal Government. I have not waited for my constituents to seek me. Sometime ago I attached a trailer to my car and I have traveled throughout the district giving to each and every person an opportunity to present to me his or her problem and to inform me of their views and advise me how they thought I might be of the greatest service to them and the community in which we live.

Shortly after the President delivered his state of the Union message this year, I mailed a questionnaire to the registered voters of the district, requesting that they express their opinions concerning the legislative program the President had recommended. I deeply appreciate the assistance which I received from the thousands of voters who replied to the questionnaire. Knowing the will of the people, as their representative, I was enabled to vote so as to reflect their views. It is also my pleasure to report that the answers were overwhelmingly in support of the President's program.

Now that the 83d Congress is completing its work, I believe it only fair to let the people of my district know of my efforts to serve them, and in support of the President's program, I have prepared a report which I submit to the House, and which I shall give as wide circulation as possible in the 12th New York Congressional District.

The duties and responsibilities of a member of the majority are heavy. Constant attendance at committee meetings and a great deal of study is necessitated. My committee, Merchant Marine and Fisheries, has met most regularly and has fostered important measures looking toward the improvement of the condition of our depleted merchant marine. The committee initiated action to make the Merchant Marine Academy at Kings Point, N. Y., a permanent service institution.

In addition, I wish to report that bills which I personally sponsored have been enacted into law. One of the bills was a measure to increase the penalties for smuggling, from $5,000 to $10,000, and the term of imprisonment therefor from 2 years to 5 years. The bill was strongly urged by the Treasury Department. Also enacted was my proposal for Congress to authorize the President to present a gold medal to Irving Berlin in recognition of his services in composing many patriotic songs, including God Bless America. Legislation to assist some of our future citizens, as well as other persons whose difficulties could only be resolved by the Congress, has also been part of my program.

In addition to the legislation which I personally sponsored, I am proud of my membership in the Republican 83d Congress, which has become known as the "can do" Congress, for it has established an outstanding record of legislative achievement. The Fair Deal spending spree has been halted; inflation has been checked; long-suffering taxpayers will benefit from the first comprehensive tax revision in this century; national defense has been tightened; social-security benefits have been expanded; homeownership has been made easier; the St. Lawrence Seaway is on the way to reality; Communists and security risks have been expelled from Government; and the people have at long last seen honesty, integrity, and forthrightness restored in Washington. Above all, the Nation is at peace.

The record of accomplishments by the Republican Congress is a long one, but here is a summary of major achievements:

Taxes: Taxes are being reduced by nearly $7,500,000,000 this year—the largest savings to taxpayers in any year in our history. These tax savings have been achieved in this way: A 10-percent cut in individual income taxes, effective January 1, 1954, and the ending of the corporation excess-profits tax on December 31, 1953, both of which were made possible as the result of slashes made in the previous administration's spending program; the excise-tax reduction, effective April 1, 1954, which lowered rates on most items to 10 percent and on household appliances to 5 percent; and the general tax revision, giving $827 million relief to individuals and $536 million relief to corporations.

Social security: A greatly expanded and improved social security program will bring under coverage approximately 9 million more of our citizens, who will also receive the increased benefits provided by the new law.

Housing: The Republican 83d Congress approved a housing program which will greatly accelerate private building, principally through lowered downpayments on both old and new FHA-approved homes, with 10 additional years to repay mortgages. Congress also provided for a 1-year extension of the public housing features of the program. Further, the widespread graft and corruption which existed in the housing program of the previous administration

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was disclosed and remedial provisions placed in the present housing law.

Atomic energy: The Atomic Energy Act of 1946 has been brought up to date and strengthened. It will permit development and use of atomic energy by private industry under AEC licenses.

Defense: The Defense Department and the Congress cut the fiscal 1954 appropriation by approximately $6,500,000,000 below the last Truman budget request for fiscal 1954. For fiscal 1955, the Congress approved a budget for the Defense Department of $28,800,000,000, which represented a reduction of approximately $9 billion below the last Truman budget request. Despite this reduction in appropriations, our national defense has been strengthened. The Army has maintained its 20 divisions and 18 regimental combat teams with 65,000 fewer men. It has added five antiaircraft battalions with radar units. Since January 1953, Army effectiveness and capability have been increased by introduction of the 280 millimeter atomic cannon and the Nike guided missile. The Navy added 19,600 men to the allowance for the active fleets. The Air Force is growing stronger and more effective and will have 121 wings by June 30, 1955, and 137 wings by June 30, 1957. The effectiveness of all branches has been increased by modernized methods and equipment. This Congress also approved legislation creating an Air Force Academy.

Mutual security: Authorized and appropriated funds to continue our Mutual Security Program of technical and financial assistance to friendly nations. One provision of the measure requires that the Foreign Operations Administration discontinue its operations by June 30, 1955, at which time its technical assistance programs will be turned over to the State Department.

Internal security: Approved legislation which will remove the legal rights and privileges of the Communist Party, and will impose stiff penalties on members of "Communist action" groups who did not register under the Subversive Activities Control Act. It will abolish the Government-guaranteed bargaining rights of business or labor organizations found by the Subversive Activities Control Board to be "Communist infiltrated." Also approved was legislation to cancel the citizenship of anyone found guilty in Federal court of conspiring to overthrow the Government.

Veterans: Passed legislation to give a 5 percent increase in compensation to 2 million veterans with service-connected disabilities. Under the new law there will also be increased compensation payments for childless widows of veterans and to a dependent mother or father of a disabled veteran.

Farm prices: The Congress approved legislation to provide for flexible farm supports. This will result in lessened cost of commodities, and the consumer will see it in the cheaper cost of foods at the markets.

St. Lawrence Seaway: The St. Lawrence Seaway project was approved by Congress this year after 30 years as an also-ran. Work has already started on the big ditchdigging and hydroelectric undertaking.

Government in business: With enabling legislation enacted by the Republican 83d Congress, the President has been able to take the Federal Government out of some 100 different private business enterprises, into which the previous Democratic administrations had become involved. These include such odd ventures as baking, furniture repair, sawmills, ropemaking, laundries and dry cleaning, tire retreading, the manufacture of paint and ice cream, making motion pictures, writing life insurance, and operating railroads and ships.

All of the foregoing, together with other cuts in Federal appropriations, has enabled the budget to come within $3 billion of being balanced, whereas, the last Truman budget put the Nation $9.5 billion in the red.

Of course, in the short space of 2 years, it would be completely impossible to correct the errors of the previous Democratic administrations. But, a fine start has been made and, with another Republican Congress, there will be more strides forward.

The record of legislation enacted by this Congress is by no means a complete measure of the activities of your Representative in the Congress and in his office. My work entails many calls upon members of the Cabinet and to the various commissions and executive agencies. Yet, during this session of Congress, I have missed only one vote, and that was because I was in the office of the Secretary of the Navy attempting to assure that the construction of the Navy's new CVA–62 would be assigned to the New York Naval Shipyard in Brooklyn. I might say, at this point, that my colleague, Representative JOHN RAY, and I, with the assistance of our good Senator IVES, were successful in this endeavor and the keel is due to be laid early next year.

Along this same line, I have made every effort to keep the Federal agencies in Brooklyn so there would be as little displacement of employees as possible. While I have been only moderately successful in this, I have been able to have other agencies moved in to replace those which were taken away.

Among my other accomplishments, of which I am justly proud, is the pinpointing of funds for the Fort Hamilton Veterans' Hospital, so that the hospital could be operated at its full capacity, and in cooperation with other local Congressmen obtaining funds for the deepening of Gowanus Canal.

My Washington office is lined with cabinets filled with the files of those of my constitutents who have come to me with their problems with the Federal Government. I have done my utmost to be helpful to those who have asked, for I sincerely believe I am here at their request to act in their stead.

The Washington office of your Representative in Congress is a busy place. The mail is heavy and I, with my staff, often answer as many as 100 letters a day. Many of the good people of Brooklyn have called at my office, where they are most welcome. My office in Washington will remain open, in competent hands, for those having problems in the Capital. Also I can be reached at my Brooklyn office by those wishing to see me on any matter. I want all of the residents of the 12th New York Congressional District to know that I am at their service whenever they need me—and that I am "on the job."

De Gasperi: Fighter for Freedom to His Last Breath

EXTENSION OF REMARKS
OF
HON. THOMAS J. LANE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. LANE. Mr. Speaker, under leave to extend my remarks in the RECORD, I want to pay tribute, along with so many millions of others, to that great friend of the West, Alcide De Gasperi, who lived and died for freedom, passing to his eternal reward on August 19, 1954.

ALCIDE DE GASPERI—A STANCH ALLY

Seven-time Premier of Italy.

Uncompromising foe of fascism, communism, and neutralism.

Early in life he took his stand for freedom and remained loyal to it until the end.

"Gesu, Gesu," were his last words, as he called to Jesus, before he died, heartbroken over the betrayal of his battle for a united Europe.

As he heard of those who, through fear, through lack of moral integrity, and through greed for temporary gain, would sell out freedom to Communist slavery.

Alcide De Gasperi was a shining example of the true Italian, faithful to his God and to his country.

He was a world figure as well, with the foresight and the will to work for the unification of free Europe, as the only means of curbing the Communist appetite for conquest.

He went to prison rather than fight for Austria and against the Allies during World War I.

Later, he was elected to the Italian Chamber of Deputies, but walked out in protest against the Fascists and their methods. He was jailed and persecuted by the Fascists. After the end of World War II, and in recognition of his lifelong devotion to freedom, he was elected Premier of Italy. He held this key post from December 1945 to July 1953. He thwarted the Communists at every turn; led Italy from the prostration of defeat up the difficult road of economic recovery to the position of partner in the defense of Western Europe. With De Gasperi as the leader of Italy during these critical years, we gained a trusted and valuable ally. He wore himself out in his successful efforts to save war-ravaged Italy from the clutches of communism.

He was a humble man who put principle above personal ambition.

His impressive strength was in his faith, his sincerity, and his courage.

A devout Catholic, he lived his faith day in and day out, helping others, translating Christian ideals into Christian practice, and stressing the need for faith, hope, and charity in the solution of all human problems.

He saw through the deceptive slogans of communism.

He exposed its fundamental cruelty, its terror, and its contempt for God and man.

To combat it, he brought a constructive program to Italy and the world, based upon reason, upon real cooperation, upon sublime faith in God and the unimpeachable honesty of his own character.

It is not enough to say that we shall miss him.

Real men with the courage of their convictions are rare in this age of expediency and of shameful compromise.

De Gasperi was one of these good men and true.

His death, at the end of a long and fruitful life, is a loss that defies measurement.

All of us in the United States and throughout the civilized world grieve over the passing of an able statesman and a dear friend.

The record of his exemplary life will strengthen and support us in the struggle against communism to make the world that better place for which Alcide de Gasperi worked with all his heart and soul.

The Commemoration of the Acadians

EXTENSION OF REMARKS
OF
HON. LEVERETT SALTONSTALL
OF MASSACHUSETTS
IN THE SENATE OF THE UNITED STATES
Friday, August 20, 1954

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to include in the CONGRESSIONAL RECORD a statement made by me in regard to the commemoration of the Acadians.

There being no objection, the statement was printed in the RECORD, as follows:

Henry Wadsworth Longfellow a century ago in his poem, Evangeline, described a people remarkable for the simplicity of their manners, the ardor of their piety and the purity of their morals. A century before, in 1755 and in 1758, the Acadian people were forcibly deported into exile. Some 12,000 were scattered along the coast from Boston to Georgia; some thousands, across the ocean. Some others escaped to the forests. Others found graves in the cold Atlantic. For 11 years the survivors were deprived of freedom and religious liberty.

Today, descendants of the Acadians number close to 400,000 in Louisiana, 300,000 in New Brunswick, 400,000 in Quebec; others are scattered throughout Canada and the United States. Many thousands of them are my constituents in Massachusetts. Marvelous to relate, almost all the Acadian descendants, though thoroughly merged into the mass and almost indistinguishable, proudly bear and carefully spell out an original Acadian name, and along with their English still speak the soft tongue of their forefathers.

In the valley of the Memramcook, in Canada, representatives of more than a million proud descendants of those Acadians, this week have begun a commemoration of the second century of the expulsion of their ancestors from their Acadie. This commemoration is observed also in Massachusetts, Louisiana, and in the Provinces. I join with them in this commemoration. I send my greetings and best wishes to the representatives met in Memramcook where the Acadians upon their return from exile, erected their first permanent church structure and later their first college.

My constituents of Acadian descent know that abundant providence answered the labor, the tears, and the prayers of their forebears. And recognition should be given to the devoted clergy who came to their side from France and Quebec. Today, more than 200 Acadians are ordained priests, thousands are in the learned professions, others are known to us as successful business men.

The Acadian people of 1755 suffered for its resistance in a cause which was not understood. The children suffered; the issue prospered. That resistance and providence with them, made the Acadian descendant a fine, prosperous, and thoroughly happy people. I am happy on this occasion to offer my sincere felicitations and hearty greetings to the Acadians.

Thomas E. Martin, Champion Stockpiler of the Congress

EXTENSION OF REMARKS
OF
HON. LEROY JOHNSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. JOHNSON of California. Mr. Speaker, Hon. THOMAS E. MARTIN, with whom I have served for 12 years, is leaving the House of Representatives. I served with him on the Military Affairs Committee for several terms up to the time that he transferred his committee assignment to the Ways and Means Committee.

We were serving together when the Stockpiling Act, under which we are now operating, was first enacted. The bill, which provided for stockpiling, became a statute on July 23, 1946. On that day, it was signed by President Truman. It seemed almost incredible to me that within 1 year after the shooting war had stopped, we were again developing a stockpiling program.

The purpose of building a stockpile is to have available certain critical materials, which in the event of war may be denied us, so we may have them for use in waging a victorious conflict. The most conspicuous example of being shutoff from critical materials necessary in the conduct of a war was the sealing off of southeast Asia by Japan in 1942. Southeast Asia had been our traditional supply of rubber, and the result of our being denied our usual source of rubber, was that we set up a large domestic rubber program, including synthetic rubber.

I soon learned that Mr. MARTIN was intensely interested in the stockpiling program. I wondered why he was so interested. The reason, I believe, was because when he entered Congress in the 76th Congress, he saw the shadows of the coming conflict, and he realized the need for preparation for the conflict by having critical materials available for utilization in building a war machine. Consequently, he was very active in getting two laws enacted, which became Public Law 117 of the 76th Congress and Public Law 520 of the 79th Congress.

All during the years, since that time, even though his committee duties have taken him into another field, he has taken a keen, active, and intelligent interest in the problem of stockpiling. He is recognized by the mineral industry as an intelligent and ardent stockpile advocate. He keeps in contact with the developments and the varying needs of our stockpiles. There is a provision in the law that requires the filing of a stockpiling progress sheet every quarter with the Armed Services Committees. For a time I was on the subcommittee, of which Mr. DURHAM was the chairman, to determine and check as to the progress of our stockpiling program.

Mr. MARTIN has kept abreast of what has been going on, although he has never asked us on the subcommittee that is required to check on the stockpiling progress, for any information.

I proclaim him the champion stockpiling Member of the 83d Congress. He has contributed much toward the realization that a sound stockpiling system is one step in the direction of adequate national security. No man in the Congress that I know of, or have heard of, has pursued the problem as much as THOMAS E. MARTIN.

We are sorry that he is leaving the House of Representatives. We are hoping that he may be successful in his present endeavor to change his congressional service to another body. His knowledge in a vital national defense field should not be lost now, considering the critical situation in which our country finds itself.

Democrats Fight Against Atomic Monopoly

EXTENSION OF REMARKS
OF
HON. MELVIN PRICE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. PRICE. Mr. Speaker, the Democratic Party in the 83d Congress waged a fight to protect the public interest in atomic energy development. We were determined that the people's investment of $12 billion in the atomic energy program should provide a broad base for the industrial development and application of the peacetime uses of atomic energy.

We wanted all business to be on an equal footing, to have equal opportunity. We did not propose to stand aside and permit a few large corporations, already possessed of inside information as contractors of the Atomic Energy Commission, to monopolize the future development of atomic enterprise.

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A key issue in the Democratic fight against monopoly control of atomic energy was the compulsory licensing of patents. An amendment to the atomic energy bill rushed through the House by the Republican steamroller would have opened the door to private patenting of inventions in the atomic energy field without any safeguards against monopoly bottlenecks. This amendment would have allowed a handful of giant corporations to get a stranglehold on the development of atomic technology. The benefits of this technology, built up by public funds, would have been channeled into the hands of a few companies strategically placed in the atomic energy program.

The Democratic Party stood firm against restrictive patents. We wanted the door opened to private enterprise, but not to be slammed shut again in the face of all American industry by a few corporate patent holders. We insisted on an amendment in conference, to require that all patents of primary importance to the atomic-energy program within a 5-year period must be licensed to other qualified companies desiring to use them on payment of a reasonable royalty fee.

The usual false cry of "socialism" was raised against the Democratic Party position. Our opponents tried to ignore the fact that the compulsory patent provision sponsored by Democratic Members of Congress also was supported by the President of the United States, the American Bar Association, a majority of the Senate, and outstanding patent lawyers. Our position was vindicated by the whole Congress.

A recent editorial in the Wall Street Journal suggests that repeal of the patent provisions should be an early order of business in the next Congress. I believe, on the contrary, that the period of compulsory patent licensing should be extended from 5 years to 10 years, as proposed in the Kerr amendment which passed the Senate. Furthermore, I believe that the Congress should correct other weaknesses in the atomic-energy bill which was rushed through the Congress by the Republican leadership in the closing days of this session.

Democratic Members made valiant efforts to plug the loopholes in the bill against monopoly and corporate favoritism and to prevent an atomic giveaway, but were successful only in part. The next Congress should take a close look at this legislation.

Mr. Speaker, one man stands out above all others in the fight to safeguard the public interest in atomic energy development. That man is CHET HOLIFIELD from the 19th District of California. The Nation owes CHET HOLIFIELD an everlasting debt of gratitude for his courage and leadership in the atomic energy fight.

As a distinguished member of the Joint Committee on Atomic Energy, Representative HOLIFIELD insisted on exploring in full public hearings the many-sided features of the atomic energy bill.

He exposed many of the legislative loopholes by which self-seeking interests could monopolize the peacetime benefits of atomic energy.

He placed upon the public record essential facts about the notorious Dixon-Yates deal in an effort to stop this raid on the Public Treasury.

I was honored to join with Representative HOLIFIELD in a separate report on the atomic energy bill which revealed many of its basic defects and which told what could be done constructively to protect the people's $12 billion investment in atomic energy.

Without the Holifield-Price report and the courageous support given to it by many Members of the House and Senate, the atomic energy bill would have slipped through the Congress without full realization by the Members of its implications for the future of atomic energy development.

My Report to the People—The Work of the 1954 Session of the 83d Congress

EXTENSION OF REMARKS
OF
HON. HARLAN HAGEN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. HAGEN of California. Mr. Speaker, I am entitling these remarks "My Report to the People—The Work of the 1954 Session of the 83d Congress." I will deal exclusively with those acts, approved by both Houses of Congress, which are of most immediate interest to the people of my district. I feel that this report is a necessary part of the best performance of my job. Almost everyone has decisions important to his welfare which turn on the state of some Federal law included among those which I will hereafter describe and the overwhelming number of people do not have personal access to information concerning Federal statutes. With respect to those matters which are not hereinafter touched upon I hold myself and my office available at all times for the furnishing of information.

The Congress substantially revised the tax laws to create the following tax situation:

THE EXCISE TAX REDUCTION ACT

(a) Extended through April 1, 1955, existing rates on liquor—including beer and wines—cigarettes, gasoline and diesel fuel, trucks and autos and their parts and accessories.

(b) Reduced from 20 to 10 percent the tax on furs, jewelry, luggage, toilet preparations, electric bulbs and tubes, cameras and their lenses, and films.

(c) Reduced from 15 to 10 percent the tax on sporting goods, lighters, mechanical pens and pencils; reduced the tax on pistols and revolvers by 1 percent.

(d) Reduced from 10 to 5 percent the tax on electric, gas, and oil appliances, refrigerators, and freezers—exclusive of air conditioners.

(e) Reduced to 10 percent the tax on long-distance telephone and telegraph messages and local telephone and transportation charges.

(f) Renewed the 20-percent tax on nightclub and horse and dog track admissions but reduced tax on movies and other admission charges over 50 cents from 20 to 10 percent. Admissions to almost all school and college athletic events and nonprofit civic-type performances employing only amateurs are made tax exempt.

THE INCOME TAX ACT OF 1954

(a) The deadline for filing income-tax returns is extended by 1 month. Persons now required to file returns are persons under age 65 with a gross income of $600 or more and persons over age 65 with a gross income of $1,200 or more.

(b) Dividend income: The first $50 of dividend income is not included in taxable income. Amounts in excess of $50 are included but after calculating his tax with such income included the taxpayer can deduct an amount equal to 4 percent of the value of such excess dividend receipts.

(c) Child-care expenses: Amount actually expended for the care of a child under 12 years or an incapacitated child are deductible by the following people: An unremarried widow, widower, or divorced or legally separated person; a wife whose husband is unable to work; a working husband and wife team but if their joint income exceeds $4,500 every dollar of such excess reduces the child-care deduction.

(d) All persons over age 65 and those persons under that age who have retired under a nonmilitary Government retirement plan can claim a $1,200 maximum retirement income deduction. Retirement income includes pensions, annuities, dividends, interest, and rent. Amounts of income already nontaxable, such as social security, railroad retirement, and military pensions are deductible from the maximum $1,200 amount and this taxpayer can deduct from his tax only 20 percent of the remainder.

(e) Children's earnings: Heretofore if a child earned over $600 the parent lost his exemption. Under the new law parents can still claim the child as a dependent regardless of earnings provided they furnish over half his support and he or she is under 19 years of age or, if older, is attending school continuously during any 5-month period. Scholarship receipts of the child are ignored in calculating dependency.

(f) The definition of other dependents for exemption purposes has been liberalized. The test is the provision of over half of the dependent's support or at least 10 percent of a mutual contribution of relatives to over half the support of a relative. Close relatives need not live with the taxpayer and nonrelatives can be claimed if they live with the taxpayer.

(g) Farmers: Can claim as a business deduction the cost of all soil and water conservation work, including land leveling, ditch building, windbreaks, up to 25 percent of his gross income. Amounts in excess of the 25-percent figure can be deducted from subsequent year's income.

Note: I secured a similar law for California during my service in the State legislature.

(h) Depreciation: Farmers and other businessmen can depreciate their income-earning property with a life of over 3 years by new methods which permit accelerated amounts of depreciation during the early life of the property.

(i) Medical expenses: Taxpayers can take the standard deduction but if expenses are large they can itemize and deduct the cost of all expenditures in excess of 3 percent of their gross income up to a maximum amount of $2,500 per person or, in the case of a family, $10,000.

NOTE.—Efforts to increase the personal exemption over $600 were defeated. The bill extended the present 52 percent corporate income tax for 1 year.

FARM LEGISLATION

The much-disputed farm legislation does the following:

(a) For 1955 crops of cotton, corn, wheat, rice, and peanuts establishes a parity support price which, in the discretion of the Secretary of Agriculture, can range from 82½ to 90 percent of parity. Without further congressional action, support on post-1955 crops will range between 75 and 90 percent of parity.

(b) So-called modernized parity with respect to cotton, corn, wheat, and peanuts will apply beginning in 1956. This parity concept will reduce the actual support level on these crops and it is provided that such reduction can occur only at the rate of 5 percent each year until the modernized parity level is reached.

(c) Cotton: In addition to reducing the parity level of cotton, provision was made for permitting county committees, in their discretion, to distribute quota acreage on a history rather than a tilled acreage basis. Also provision is made for surrender of acreage, in a quota year, without future loss of such acres.

(d) Dairy products: Fluid milk is added to the list of dairy products made eligible for support but the level of support remains the present scale of 75 to 90 percent of parity discretionary with the Secretary. The expenditure of $50 million annually by the CCC to increase consumption of milk by school children is directed and provision is made for free distribution to the armed services and to veterans' hospitals of surplus dairy products when such distribution will not supplant the normal requirements of such bodies.

(e) Wool: For a 4-year period beginning April 1, 1955, wool will be supported up to 110 percent of parity through a system of payments back to growers to give them the difference between the parity figure and the market price of wool if below that figure. The price received by the individual grower is virtually ignored in making this rebate which will come out of funds received from tariffs on wool. Wool is presently supported at 90 percent of parity and this is an experiment in something similar to the Brannan plan.

Note: Growers should be reluctant to commit their clip for sale until the effective date of this act in order to secure the best price.

(f) The authority of the Secretary to impose regulation, under certain criteria, on the use of acres diverted from quota crops is recognized. In addition he is authorized to deny ACP payments to a farmer who knowingly violates his acreage allotment.

(g) Marketing agreements: Canned or frozen grapefruit is added to marketing agreement eligibles. Agreements can be retained in force though products selling above parity and order can include specifications of packaging. In addition foreign fruits and vegetables may be required to comply with American marketing agreement standards as to maturity, size, and quality.

Note: Quotas on cotton are almost a certainty in 1955 and farmers must work to secure the best regulations governing diverted acres and agitate for that method of county distribution of acres, historical versus tilled acres, which they deem desirable.

Death of a Patriot: De Gasperi

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. RABAUT. Mr. Speaker, in times such as these in the world's history, when loyalty and dedication to principles of national honor are attributes not always found in persons of high place in government, all of us note with a sincere and profound sorrow the passing away, on August 19, of Alcide De Gasperi, 8 times Premier of Italy and a true friend of the cause of democracy.

He was our friend and he will be missed.

Premier De Gasperi turned his every effort and energy, throughout the course of his 73 years of life, to the cause of his native land. He fought the good fight, from early youth, to raise the lot of his countrymen. His record of participation in public affairs is unexcelled. Under his leadership, the popular party of Italy broke with Mussolini. For this he was forced into retirement and later jailed.

But his spirit never broke.

His continued opposition to the forces of tyranny which had seized power almost cost him his life on a number of occasions. He was forced to seek sanctuary in the Vatican, together with others who were, during World War II, working to advance the cause of freedom.

At the close of the conflict on Italian soil he became leader and party secretary of the newly formed Christian Democrat Party. His rise was swift and by 1945 he had become Premier.

De Gasperi, taking over the reins of government at a time when confusion and chaos seemed ready to submerge all beneath its weight, accomplished incredible changes. He strove, with marked success, to raise conditions among the rank-and-file and it might well be said that he, by the power of his character and by dint of his unflagging energies, turned the tide for Christianity against communism in the famous election of 1948.

Since that time, he battled the Communists in Italy, assisting greatly in the work of European unity and defense within the framework of the North Atlantic Treaty Organization. It was he who was most responsible for Italian participation in that group.

It has been said that in the turbulent story of many republics, the fate of all may, at one time more than all others, hang upon a people's ability to bring forth from their midst the man to meet the moment, and so doing, provide the strength to meet the hour.

Such a man was De Gasperi.

He seems to have been divinely ordained to light the way in the difficult task of reconstruction of his beleaguered country. His name and his stature were enough to swing the tide against the Red plague of communism, which since the end of World War II has beset his country on all sides. In fighting the cause of freedom at home, he greatly strengthened the position of the free alliance in Europe and throughout the world. Italy's situation was such that, had she fallen to communism, the West might have suffered an irreparable loss, not to mention the suffering which would have been inflicted upon a troubled people, weary from over a decade of strife and weakened by internal difficulties.

The name De Gasperi, as long as faith and courage and loyalty are counted as desirable traits in a man, will stand for firmness of character and strength of mind and purpose in the never-ending quest for freedom among the peoples of the earth.

As an implacable archantagonist of communism, he demonstrated, irrefutably, that communism can be beaten, if those who have the opportunity will but take strength and heart to do so.

He proved, through every day of his long and useful life, that it matters not what the odds may be, so long as you work unceasingly with what you have to further the cause of that which you know to be just and right.

Farmers' Home Administration

EXTENSION OF REMARKS
OF
HON. WILLIAM S. HILL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. HILL. Mr. Speaker, I would like to call your attention to an agency in the United States Department of Agriculture, the Farmers Home Administration, where some remarkable improvements have been made under the Eisenhower administration.

The Farmers Home Administration, through loans and other assistance, helps small farmers place their operations on a more efficient basis. The

agency also provides emergency loans for farmers who because of drought, floods, or similar disasters need a supplemental source of credit.

Under the Eisenhower administration the lending activities of this agency have been increased 28 percent. Administrative overhead costs have been cut 20 percent. Loan making and servicing authority has been decentralized and placed at the county level close to the farmers. Additional powers have been given the agency that tremendously broaden its ability to help farmers develop their farms, build and improve farm homes, acquire land, weather emergencies, install irrigation and other water facilities, and carry out soil conservation measures.

Let me review each of these improvements briefly.

First, the expansion of lending activities. In fiscal 1954, during the first full year under the Eisenhower administration, the Farmers Home Administration made or insured loans totaling $292,452,000. This was a 28-percent increase over the amount loaned in 1953—and more funds had been advanced in 1953 than in any previous year.

Two-thirds of the funds loaned were advanced through the regular programs of the agency to operators of family-type farms, who needed credit to improve and adjust their operations, buy and improve farms. More credit was advanced to these small farmers than had ever been advanced in any year by the Farmers Home Administration or its predecessor agencies.

About one-third of the amount loaned was handled through the emergency-loan programs which serve the emergency credit needs of all farmers, including small ones. These loans, which include the livestock and economic emergency loans authorized in the 1st session of the 83d Congress, have enabled thousands of drought-stricken farmers to keep going, have prevented countless foreclosures and forced liquidations.

Now let us see what the Eisenhower administration has accomplished in this agency in the way of more efficient and economical administration. Since July 1, 1953, the administrative budgets for this agency have been reduced by $5,800,000, or approximately 20 percent.

It is hard to believe that such a reduction in the cost of operation could be made while activities were being increased. But such is the case.

Here are some of the things that were done to cut overhead costs. Four area finance offices and the national finance office of the agency were combined into one office in St. Louis. The Washington staff was reduced by 35 percent.

The State office staffs were also reduced. However, at the county level where the agency comes in direct contact with the farmer, care was taken in realining the offices to maintain an adequate number of contact points for loan making and servicing.

Further savings in time and money were achieved by eliminating a duplicate set of files on 60,000 real-estate loans, but cutting out unnecessary reports and forms by simplifying procedures.

At the same time the services of the agency were greatly strengthened and improved by the placing of added authority in the hands of the men who run the program at the county level.

The importance of this step cannot be overstated. In the long run it may prove to be the greatest improvement measure taken in the reorganization of the agency.

Here is what was done.

County supervisors, the men who work directly with the farmers, are being given the power of final approval on a much larger percentage of the loans. Many loans that in the past were held up until an official from a higher echelon could find time to review and approve them will, in the future, be approved quickly in the county.

County supervisors have also been given more authority in dealing with farmers and local lenders on loan-servicing matters.

To expedite real-estate loanmaking the appraisal work of the agency is being placed in county offices, closer to the farmers to be served. Practically all the handling of real-estate insurance has been transferred from State to county offices.

In addition, greater use is being made of State and county committees. The new State committees, made up of five State agricultural leaders, are being asked to take an extremely independent view of the operations of the agency in their State. Any further improvements they suggest will be given the most careful consideration.

The three-member county committee, composed of men whose judgment is highly respected in their communities, will also be relied upon to a greater extent than in the past to help adapt national policies to local needs. These committeemen have all been reminded that it is their decision and not the Government's as to whether or not a farmer meets the eligibility requirements for the agency's services.

Services of other public and private organizations are being used to the fullest extent possible. During the past year the Farmers Home Administration entered into an agreement with the Federal Extension Service under which the services of the extension home demonstration agents are being used to the greatest extent possible by the farm families who borrow from the Farmers Home Administration.

Every possible step is being taken to make sure that no Government funds are advanced when private or cooperative credit is available to meet the needs of the applicants. The agency does not lend funds when the farmer can obtain the funds from his regular credit sources. During the past year agency officials have contacted private lenders throughout the country to make sure that this policy was understood.

The record on legislation affecting the activities of this agency is as spectacular as all of the other improvements. I have already mentioned the special livestock and emergency loans provided by the 83d Congress last summer.

In addition, Bankhead-Jones Farm Tenant Act amendments, placed on the statute books a few days ago, will greatly increase the ability of the Farmers Home Administration to meet the needs of small farmers who turn to the agency for assistance.

Here is the background behind these amendments. Under the insured mortgage program admministered by the Farmers Home Administration, farmers can obtain loans to buy or develop family-type farms or to enlarge small farms to a point where they are efficient family-type units.

Funds for insured loans can be supplied by banks, insurance companies, or any other source of private or cooperative credit. The full value of the loan is insured by the Government. For several years the interest that private lenders receive on these loans has been set by law at 3 percent, and the money market has been such that only a few insured loans have been made each year. Lenders found they could get a better return elsewhere. Public Law 521 permits the Secretary of Agriculture to change the interest rate to match fluctuations in the money market. If necessary, he can place the return to the lender on insured loans as high as 4 percent.

As of today it is not known exactly what rate will bring in sufficient funds to carry on a reasonable program of adequate size to meet the needs. The agency is surveying the market and will set its sights accordingly.

The one thing that is clear, and the most important element, is that in the future thousands of eligible farmers will not be turned away because of lack of funds.

The agency has on hand about 24,000 applications for farm ownership loans. Many of these applicants are eligible for insured loans. There are also thousands of farmers who need a loan of this type, who have not applied for one, because it is common knowledge in rural areas that the agency for years has lacked funds for farm purchase and development. In addition these insured loans will take the place of direct Government loans for farm housing.

The principle of insuring private loans rather than making direct Government loans will soon be carried a step farther, with further immense benefits to the farmers of our country.

S. 3137, recently passed by both Houses, will make water facilities and soil-conservation loans available on a direct and on an insured basis throughout the Nation.

This is an extremely important piece of legislation. The water-facility loans enable farmers to buy pumps, drill wells, install irrigation systems, and take similar steps needed to supply their fields, their stock, and their families with an adequate water supply. The soil-conservation loans will enable farmers to build terraces, improve their pastures, and finance a wide variety of soil-conserving measures.

At a time when drought annually threatens thousands of farm enterprises, when soil conservation is needed on millions of acres, these new loans—only the water-facility loans have been available before, and they were limited to the

Western States—these new loans will give farmers throughout the width and breadth of the land a chance to build for themselves a kind of security that heretofore they have always wanted but were never able to finance.

All in all, the record set by the Eisenhower administration in the Farmers Home Administration is one worth noting.

A great increase has been made in the scope and the size of the services rendered the Nation's farmers. At the same time major economies have been achieved in administration. It is a record of which we can all be proud.

UNITED STATES DEPARTMENT OF AGRICULTURE, FARMERS HOME ADMINISTRATION

Comparison of amounts loaned in fiscal years 1953 and 1954

Program	1953	1954	Percent change, 1953–54
REGULAR PROGRAMS			
Farm ownership:			
Direct	$18,993,869	$19,538,667	2.9
Insured	10,689,227	9,530,793	−10.8
Total, farm ownership	29,683,096	29,069,460	−2.1
Farm housing	19,294,817	16,067,934	−16.7
Production and subsistence:			
Borrowed funds	119,999,931	139,996,321	16.7
State corporation funds	9,765,905	7,358,453	−24.7
Total, production and subsistence	129,765,836	147,354,774	13.6
Water facilities:			
Individuals	4,931,784	5,002,366	1.4
Associations	1,068,155	1,497,600	40.2
Total, water facilities	5,999,939	6,499,966	8.3
Subtotal, regular programs	184,743,688	198,992,134	7.7
EMERGENCY PROGRAMS			
Emergency:			
Production	43,099,739	31,740,044	−26.4
Economic	0	26,244,173	
Special livestock	0	35,164,561	
Fur	766,865	296,600	−61.3
Orchard	91,175	15,290	−83.2
Subtotal, emergency programs	43,957,779	93,460,668	112.6
Total, all loans	228,701,467	292,452,802	27.9

Congressman Wayne L. Hays, of Ohio, Reports to His Constituents

EXTENSION OF REMARKS
OF

HON. WAYNE L. HAYS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. HAYS of Ohio. Mr. Speaker, under leave to extend my remarks, I include a report to the people of the 18th Ohio Congressional District—Belmont, Carroll, Columbiana, Harrison, and Jefferson Counties:

IN WASHINGTON WITH WAYNE L. HAYS

AUGUST 19, 1954.

THE NATIONAL ECONOMY

"United States Acting To Give Business a Prod," reads a headline in the New York Times of July 30, 1954. The article goes on to say that the Government is speeding up planned Federal expenditures in the hope of prodding the national economy into greater activity, according to the Secretary of Commerce. Because I urged some weeks ago that the administration take positive action to avert depression, my opponent, in a television appearance, called me a "Fear Dealer." I believe that the humor of this phrase will escape my constituents who have lost their jobs because of the decline in business activity. As the Representative in Congress of a district hard hit by unemployment, I have considered it no more than my duty to speak out on this subject, and will continue to work, through every avenue open to me, for the prosperity of our area and the country as a whole.

NEWSLETTER MAILING LIST

This newsletter is being distributed to some persons who have not received previous issues. If you have received more than one copy because of duplication in mailing lists, I would appreciate your passing the extra one on to someone else. I would be glad to have the names and addresses of any of my constituents not now on the regular newsletter list who might find these occasional communications from Washington of interest.

HOW YOUR REPRESENTATIVE VOTED ON MAJOR LEGISLATION BEFORE THE 83D CONGRESS

It has been my privilege to serve the people of the 18th District for 3 terms in the House of Representatives. During the 83d Congress, for the first time, I have been a member of the minority party in the Congress and the party in opposition to the administration. I have sought conscientiously to act as one of a responsible minority and a loyal opposition, casting my vote on each issue according to my evaluation of its effect on our district and the Nation. A brief explanation of some of the important legislation before this Congress and my position on these bills is given below.

First session

Hawaiian statehood, H. R. 3575: First major point in President Eisenhower's legislative program to come before the House, this bill was opposed by many Democrats because the administration had not endorsed Alaskan statehood also. I believed that both Territories deserved statehood but could not justify voting against admission of Hawaii on that ground. I voted "Yes." March 10, 1953.

Tidelands bill, H. R. 4198: Posed as a States' rights issue, this legislation was in fact a measure to give away to a few coastal States the offshore oil and gas resources which I believed should be developed for all of the American people. Ohio schools would have benefited, as would those of other States, from a share in the revenue from Federal leases, under an amendment which I supported. I voted "No." April 1, 1953.

Agriculture appropriation bill, H. R. 5227, amendment to reduce soil-conservation funds by $55 million: The worth of this program to conserve the productive soil of America's farmlands has been amply demonstrated. One of the few farmers in the House, I was particularly concerned about this threat to the effective operation of the soil-conservation program. I voted "No." May 20, 1953.

Reciprocal trade agreements extension, H. R. 5495: The trade-agreements program, in effect since 1934, is based on a sound principle, for economic isolationism is as unrealistic in the world in which we live as political isolationism. However, excessive concessions made under the program have worked to the detriment of domestic industry, including the pottery and glass industries of our area. Because it did not afford sufficient protection I could not support the bill. I voted "No." June 15, 1953.

Reciprocal Trade Agreements Act amendments, H. R. 5894, motion to recommit: A major provision of this bill, to give much-needed protection to domestic industries injured by unfair foreign competition, was the restriction of imports of foreign residual fuel oil, which have had an adverse effect on our coal industry. The motion to send it back to committee, which I opposed, in effect killed the bill. I voted "No." July 23, 1953.

Mutual Security Act of 1953, H. R. 5710: This was a bill to carry on the program to strengthen the United States by providing economic and military aid to free and friendly countries of Europe and Asia. I voted "Yes." June 19, 1953.

Second session

Tax revision bill, H. R. 8300: This bill, the first comprehensive revision of the Internal Revenue Code in many years, disappointed me in some respects, notably its failure to increase the personal exemption and grant meaningful relief to the small taxpayer. Because it partially eliminated double taxation of dividends and included other good provisions, I supported the measure. I voted "Yes." March 18, 1954.

Social Security Act amendments, H. R. 9366: This was a bill to extend the coverage and increase the benefits of the old-age and survivors insurance program. Further improvements in the social-security system are needed but must wait for another session. I voted "Yes." June 1, 1954.

Agricultural Act of 1954, H. R. 9680: The Wall Street Journal, which has a few farm readers, explains that flexible means lower. Ninety percent of parity means 90 percent of a fair price. There are some who would like to see the farmer get 75 percent of a fair price under some conditions. The bill was finally compromised in the House at 82½ to 90 percent. This is far removed from the 100 percent of parity promised in 1952 campaign speeches. As a farmer I look for the day when farm legislation will not be written for the special interests of the wheat growers west of the Mississippi and the cotton farmers. Because better legislation could not be secured in this Congress I voted for this bill. Passage came on a voice vote. I voted "Yes." July 2, 1954.

Health service prepayment plan reinsurance bill, H. R. 8356, motion to recommit: The health needs of the people, and their need for protection against the heavy financial strain occasioned by serious illness, would not have been met by this legislation. Indeed, its principal beneficiaries would have been the insurance companies to which subscribers to voluntary health plans pay their premiums. The motion to recommit killed the bill. I voted "Yes." July 13, 1954.

Reiterating opposition of House Representatives to seating of Communist regime in China in United Nations, House Resolution 634: To seat Red China in the United Nations would be to give the regime responsible for vast loss of American lives and treasure an opportunity to further push the designs of the Communist world and to impede the policies of the United States and our friends. I was proud to join my colleagues in a renewed expression of firm opposition to any such proposal. I voted "Yes." July 15, 1954.

Veterans compensation and pension increase, H. R. 9020: The principal provision of this bill was a 5 percent increase in all monthly wartime rates of disability compensation. It also increased payments to widows, children, and dependent parents of veterans. This was little enough for those to whom the country owes so much. I voted "Yes." July 21, 1954.

Atomic Energy Act amendments, H. R. 9757: With this bill's stated objective I fully agreed—to bring the 1946 law into accord with atomic progress, to make legislative controls better conform with the scientific, technical, economic, and political facts of atomic energy as they exist today. Because of certain harmful provisions in the legislation as reported to the House, however, I could not conscientiously vote for it. The American people have a multi-billion-dollar

investment in atomic development, which would not in my judgment be properly protected under this measure. Specifically it did not provide adequately for Government participation in atomic power, and it did not provide for compulsory licensing of patents. I voted "No." July 26, 1954. The conference report, however, included the compulsory licensing provision. I therefore supported its acceptance. Passage came on a voice vote. I voted "Yes." August 17, 1954.

Communist control bill, S. 3706, motion to direct House conferees to agree to Senate amendments to House amendments: Behind an intricate parliamentary situation lay a simple issue—after years of denouncing the Communist conspiracy and seeking to place the blame for its inroads into Government and other areas of our American national life, should the Congress make knowing and willful membership in the Communist Party a crime and provide punishment therefor. Opposed by the present leadership, the proposal came before us as a result of skillful management by Senator HUMPHREY, Democrat, of Minnesota, and Representative DIES, Democrat, of Texas. Although it was brought up late in the session, after many Members had returned to their districts, it passed 208 to 100. I voted "Yes." August 17, 1954.

Trade With the Philippines

EXTENSION OF REMARKS

OF

HON. HERBERT C. BONNER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. BONNER. Mr. Speaker, the first of last July this Congress passed H. R. 9315 amending the Philippine Trade Act of 1946 by delaying the imposition of graduated tariffs on imports from the Philippines into the United States, which would have begun July 4.

When this matter was first brought up in this Chamber on June 22, I objected to its consideration by unanimous consent.

These objections were based on the fact that the Philippines, by Act 698, had materially limited the importation of American leaf tobacco and leaf-tobacco products into the Philippines, in violation of the spirit and intent of its trade agreement with the United States, under the Philippine Trade Agreement of 1946.

Subsequently, Gen. Carlos P. Romulo, special representative of President Magsaysay of the Philippines, with the rank of Ambassador, communicated and assured me, for the President and himself, that this situation would be eliminated at a special session of the Philippine Congress to be held shortly thereafter.

In view of these assurances from such high sources, I withdrew my objections and the bill passed the House, by unanimous consent, on June 23. Within the past 2 weeks the Philippine Congress has passed a bill, which not only fails to eliminate the discrimination against American leaf tobacco, but actually adds further restrictions to its importation into the Philippines. This new law provides that for 1956 and succeeding years, no American tobacco can be imported into the Philippines, except in quantities sufficient to maintain the manufacture of tobacco products in the Philippines at the level of the preceding year, after all locally produced tobacco has been bought and used. It further provides excessive and arbitrary support prices for local tobacco production, far in excess of world prices.

Mr. Speaker, the Philippines have failed to live up to their agreements, both in violating their trade agreement with the United States and failing to live up to the promises given me personally.

Any restriction on the volume of importation of tobacco from the United States into the Philippines is a violation of their agreement with us.

Increasing allowable imports for 1954 from 25 to 40 percent of 1950 imports is a mere gesture and is continuing a material violation.

But, in 1955 they go back—now by law and not by regulation—to the situation existing when I objected to considering H. R. 9315 and then in 1956 they go to a formula far more restrictive than those I called attention to on June 22.

Mr. Speaker, presumably there will be conferences between the Philippines and the United States, on an executive level, in the next few months. But, ultimately, this Congress must act to effect any change in the existing trade relations as requested by the Philippines.

I serve notice now that at that time I will remember commitments made, adhered to, and violated, and be influenced by the failure of the Philippines to live up to their commitments.

Social-Security Law Is Greatly Improved

EXTENSION OF REMARKS

OF

HON. RUSSELL V. MACK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. MACK of Washington. Mr. Speaker, the present Republican Congress did more to broaden, improve, and better the social-security law than any Congress ever has done since social security was first started in 1937.

The new Social Security Act, passed in August by Congress, gives the protection and benefits of social security to 10,200,000 new and additional Americans. It gives coverage to 3,500,000 farm owners, to 2,500,000 farmworkers, to 50,000 commercial fishermen, and to 250,000 ministers, none of whom have had the protection of this law heretofore.

About the only groups now left uncovered by social security are lawyers, physicians, dentists, osteopaths, chiropractors, and veterinarians. Any of these will be covered by social-security protection if and when members of the group convince Congress that they want this protection.

BENEFITS INCREASED

The new social-security law increases the benefits of the 6 million people now drawing social-security pensions by $5 to $13.50 a month for single persons. It increases the benefits by $7.50 to $20.75 for married couples where the man and wife both are 65 years of age or older.

In some cases the increased benefits are larger due to changes in the formula on which the amount of an elder citizen's pension is based.

WORKER CAN EARN MORE

When I first came to Congress, 8 years ago, if a retired social-security worker earned more than $14.99 in any calendar month his pension was taken away from him for that month.

This I thought cruel and a great injustice. My first work in trying to reform the social-security law was in trying to get this measly limit of $14.99 a month on earnings increased.

Personally, I felt there should be no limit on earnings. I regarded social security as a form of insurance. The worker had paid for his policy through monthly withholding taxes. I thought he should get his pension check regardless of what his monthly earnings were. Also, I regard it as not only wrong but uneconomic to discourage a person, who wants to work, from working. The more goods produced the more goods there are to divide up among our people and the higher the general average of prosperity is. Men should not be penalized for working.

But I could not get my way with Congress that year. We could not get the limit on a pensioner's earnings eliminated entirely.

A number of us moved to have the limit raised from $14.99 a month to $50 and introduced bills to accomplish that purpose. Our proposal for raising the limit from $14.99 to $50 prevailed.

Next year, I put in a bill to raise the limit on earnings to $100 a month. The committee and Congress that year raised the limit on earnings to $75. While this was not as much as I had asked and thought it should be, it helped. It is always wise, I think, to take a half a loaf if you cannot get a whole one.

The 83d Congress, which just adjourned, raised the limit on earnings. It raised it to $1,200 a year.

Under this provision, a worker can earn $200 a month for 6 months and still draw his pension for all 12 months provided his annual earnings do not exceed $1,200. If his annual earnings do exceed $1,200 for the calendar year, the pensioner must forfeit 1 month of his pension for each $80 of earnings he has above $1,200.

By "earnings" is meant the money you receive in wages or salary on profits from your business. If you have income from rents, dividends, or interest these do not count in making up the $1,200 limit on earnings.

HERE IS WHAT YOU GET

Here is how social-security benefits are figured:

Upon retirement at age 65 you are entitled to a pension equal to 55 percent of the first $110 of your average monthly earnings plus 20 percent of that part of

your average monthly earnings that are above $110 a month.

Example: If your average monthly earnings were $200, you get $60.50—which is 55 percent of the first $110—plus $18, which is 20 percent of the remaining $90. Thus, on $200-a-month earnings, you receive $78.50 a month.

If your average earnings were $300, you receive $60.50 on the first $110 plus $38—which is 20 percent of the remaining $190—or a total pension of $98.50.

If and when your wife becomes 65, she is entitled to half of what you get. If you receive a pension of $78.50 she will be paid an additional $39.25. If you receive $98.50, she will receive $49.25, the two of you receiving a total monthly pension of $147.75.

When an insured person dies, his widow is entitled to receive, starting at age 65, three-quarters of the pension the insured received. If he received $100 a month, she will get for the rest of her life or until she remarries, a pension of $75 a month.

The system also provides a small amount of death benefits of $90 to $255 to cover funeral expenses. This must be applied for by the heirs in order to obtain it.

WHAT FARMERS MUST PAY

The new law treats farmers as self-employed people, not employees. When an employee is covered by social security, his withholding tax is 4 percent of his income. Half of this tax is paid by the employee and half by the employer.

In the case of farmers and all self-employed persons the tax rate is 3 percent instead of 4 percent and the full 3 percent is paid by the self-employed person.

Thus, if your annual income as a farmer is $2,000, your 3-percent withholding tax for that year will be $60; if your income is $3,000 your tax will be $90, and if your income is $4,200 your tax will be $124 a year.

A farmer's social-security tax does not become due until he pays his income tax. In short, his first withhholding tax for social security will not be due and payable until April 1, 1956. This tax will be on your income for the year 1955.

FARMER PROTECTION

Two years ago when a social-security bill was under consideration the Democrats refused to provide social-security coverage and protection. Mr. Doughton, the chairman of the committee, said there was no indication that farmers wanted coverage.

I rather felt farmers did want social-security coverage. I prepared a poll of public opinion and sent it to the 99 granges in my district. I asked the grange officers to discuss the matter with their farmers and report back to me how their farmers felt about social-security coverage. More than 90 percent of the answers received from farm groups were in favor of social-security coverage for the farmer.

Some of us Congressmen kept working for farmer's social-security coverage. Now the farmer has it.

MINISTERS AND FISHERMEN

The Republican 80th Congress and the Democratic 81st and 82d Congresses refused to provide social-security protection for ministers and for fishermen and shellfish bed workers. Members of these former Congresses felt ministers and fishermen did not want this protection.

I talked to many fishermen in my area. I talked to ministers about social security. Most of them said they wanted it.

I sent a poll to ministers and asked their opinion. In almost 150 replies from ministers all but 6 said they thought ministers should be covered by social security. I was happy to work to have the ministers obtain the protection of this law.

LIKE INSURANCE

Social security is something like insurance, during the earning years of your youth you pay something into an insurance fund every payday. Then, when you are 65, you are entitled to draw monthly pension benefits, that is social security.

This is not charity. You pay for your own old-age protection. You get your pension as a matter of right as something you bought and paid for.

Much of the credit for the development of a sound Federal social security law belongs not to us politicians but to the members of the Fraternal Order of Eagles, and sisters of their auxiliaries. It was the Eagles who sponsored the first old-age pension laws. Colorado, in 1933, was the first State to adopt an old-age system and Washington, also in 1933, the second State to adopt such a law. I am proud that my own aerie in Hoquiam, Wash., and my neighboring aerie in Aberdeen, supplied the leaders in this fight for the first old-age pension laws in our State.

I have been happy during my 8 years in Congress to work for a sound and enduring system of social security. I am glad that the 83d Republican Congress has enacted the best social-security law ever enacted.

This does not mean that the new law is perfect. It is not. It still needs improvements to eliminate remaining injustices and inequalities. These, in time, will come.

The new law, however, is a very good one. Most Americans, I think, will be happy with it.

Report to Wisconsin on My Activities

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a summary of my activities during the past two sessions of the 83d Congress.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

"What happened in Washington affecting our State during the 83d Congress?"

"What did our senior Senator, ALEX WILEY, do for his State? What legislation was he interested in? What Wisconsin causes did he advance? What sort of success did he achieve?"

To these and a great many similar questions, the people of Wisconsin have a right to receive factual answers.

Here, then, is my biannual report to you.

After each Congress, I make a similar report to the people of our State.

I am deeply appreciative of the wonderful reaction which these previous reports have received. Literally thousands of letters have poured into my office commenting favorably upon my overall record down here.

ST. LAWRENCE SEAWAY LAW

First off, the greatest single success insofar as Wisconsin is concerned during the 83d Congress was, of course, the passage of the Wiley St. Lawrence Seaway law.

As you know, for three long decades, we of the Badger State had been fighting for the seaway. Always we faced a desperate uphill battle.

A mass of selfish lobbyist interests had combined to prevent Wisconsin and the other Lake States from having deep-water access to the world.

Now, however, with President Eisenhower's signature of Public Law 358, the dream of three decades has come to pass.

In my office is a memorable picture of the President signing the Wiley law; alongside is one of the pens which the President used in the signing and which he then presented as a gift to me.

I will treasure these remembrances, symbolizing the climax of a legislative battle which I have waged since I came to the Senate 15 years ago.

I am grateful that I was in a position as chairman of the Senate Foreign Relations Committee to lead the fight for this historic law.

LAKE CONNECTING CHANNELS

Next, one of the highest priority issues in the coming Congress will be the passage of appropriations to deepen the connecting channels to the upper Great Lakes.

During this past 83d Congress, I helped lay the basis for this future connecting channel legislation.

Again and again I pointed out that Wisconsin must have 27-foot deep-draft channels in order to get the full benefit of the Great Lakes seaway.

Now, I am confident of early passage of the channel legislation. I have been working continuously with my colleagues to round up the necessary votes to help clinch this final chapter of the St. Lawrence Seaway story.

ANTISUBVERSION BILLS

Another highlight of the 83d Congress was the passage of antisubversion legislation.

My readers are familiar with the fact that I am particularly interested in this subject because of my dual capacity as chairman of the Foreign Relations Committee and as ranking Republican on the Judiciary Committee (which is the group most directly concerned with internal security legislation).

Throughout the 2 years of the 83d Congress (as in previous Congresses) I had urged that we pass necessary bills against the Communist menace at home and abroad.

A great many of these bills fortunately were enacted, notably the bill to outlaw the Communist Party; the bill to confer immunity, where necessary, so as to open up the closed mouths of the stubborn "I refuse to answer back"; the bill to punish espionage in peacetime with the severest penalty; the provision to end Communist domination of unions; and a great many other measures.

Unfortunately, not all of the antisubversive bills for which I had fought were enacted, but at least many of the important security goals for which I had labored were recorded into law.

PROTECTION OF CONSUMERS

Continuing with this account of the 2-year program, once again, in 1953 and 1954, I continued my fight for the protection of Wisconsin's hundreds of thousands of home and industrial consumers of natural gas.

Their gas rates have gone up and up and up and up. Skyrocketing rates have added to the cost of living. They have added to the cost of Wisconsin business; and this has caused harm in our State.

Therefore, I fought on the floor of the Senate, fought in messages to the Federal Power Commission, to protect Wisconsin consumers from arbitrary unjustified increases in gas rates.

I praised the Supreme Court decision which finally required protection of consumers from unfair treatment. Now that decision must be faithfully implemented.

Another issue on which I fought to protect our people was in relation to our natural resources. I fought against efforts to despoil our public lands, to open them up to certain private interests which might not have the well-being of the Nation's heritage at heart.

So, too, I fought to safeguard the right of the 48 States to the oil-rich submerged tidelands.

FIGHTING FOR FARMERS

I feel that special note should now be taken of efforts on behalf of the great farm segment of our State.

As my readers know, I have always felt that upon a healthy agriculture depends a healthy business and healthy labor segment of our population, and vice versa.

Accordingly, I fought to raise dairy parity, which has not been at fair levels in relation to the dairyman's heavy toil and heavy investment.

I fought, too, for adequate soil-conservation funds, adequate rural-electrification funds, adequate recognition of Wisconsin's and the Nation's great system of cooperatives.

I fought for greater agricultural-research funds so as to find more uses for dairy products. I urged stepped-up education to increase vital dairy consumption—the drinking of more milk and eating of far more vitamin-rich cheese, butter, and ice cream.

STRIVING FOR PEACE

A great deal of my efforts were, of course, directed toward that greatest of all goals—world peace.

Everyone realizes what an atomic-hydrogen war would mean: Mass slaughter of civilians, destruction of cities, the turning back of civilization into the Dark Ages.

Therefore, as chairman of the Senate Foreign Relations Committee, I devoted my principal endeavor toward strengthening the free world alliance against communism.

Unfortunately, the Red menace continues to surge against our ramparts across the earth. Half of Indochina has fallen to the Kremlin. Elsewhere throughout the world Communist internal subversion and external aggression threaten.

Right in our own backyard, so to speak, I particularly directed my fire against the Communist-dominated Government of Guatemala, which held power in a land but a few hours bomber time away from the Panama Canal. Fortunately, the Red regime fell at long last, thanks to the courage of men who were willing to lay down their lives for Guatemala's liberty.

I may note now that a review of all my other activities on the Senate Foreign Relations Committee—together with the activities of my colleagues, is being published as a separate Senate document.

During a period of 2 years, for example, our committee held over 270 meetings. We evaluated a great many treaties, resolutions, and nominations. As the world situation dramatically changed from day to day, often from hour to hour, I called my colleagues repeatedly together so that our committee might consult with the highest leaders of our Government—military, political, diplomatic, economic—on matters affecting world peace.

BATTLE TO PROTECT CONSTITUTION

Looking back, one of the early battles in the 83d Congress was over this issue: "Shall the traditional system of checks and balances within the United States Government continue?"

In other words, shall the system, which has served us so well for a century and three quarters, the system of checks and balances between the executive, legislative, and judicial branches—shall it endure or shall we start tinkering and tampering with the Constitution, upsetting it and endangering it by giving more power to one branch over another?

Fortunately, President Eisenhower righly advised the Congress not to upset the delicate checks and balances under the Constitution—not to pass a dangerous amendment, identified as Senate Joint Resolution 1—an amendment which, in spite of its glittering dressing, contained so much legal dynamite that no one knew how severely it might explode our delicate international relations.

And so, it was my privilege, with the President's backing, to lead the fight against the amendment, against those who, in the name of allegedly protecting the Constitution, were unwittingly endangering it.

This was not only the President's and my position—to keep the Constitution intact, unimpaired—but it was the position of his entire Cabinet and administration, and the position of a great many legal, business, women's, church, conservation, and other organizations throughout the Nation.

Fortunately, we prevailed in this fight to protect the Constitution. We defeated Senate Joint Resolution 1. Even its backers retreated and never dared to offer for a vote some of the worst features of the proposed amendment.

SIGNIFICANT ANTI-RED PUBLICATIONS

Turning to still other matters, during the Congress, I helped bring about publication of numerous congressional booklets which, I am glad to say, many observers have kindly and highly commended.

They include:

(a) A 285-page Internal Security Manual, Senate Document No. 47, containing, for the first time within the covers of one book, all the laws, Executive orders, and resolutions of the United States on internal security. This book is sold for 70 cents by the Government Printing Office; already thousands have been purchased.

(b) A booklet on Worldwide Strength of the Communist Movement, exposing Red power in each region and country throughout the world, as well as many other publications.

FIFTEEN GOALS OTHERS AND I FOUGHT FOR

Of course, there were a great many issues in which all of us in the congressional majority joined for final successful action. These issues proved to be the major milestones of the 83d Congress. Among them were:

1. The reduction of taxes by $7 billion;

2. The revision and reform of the Nation's complicated and obsolete internal revenue system (which for the first time in three-quarters of a century was simplified and overhauled);

3. The extension and broadening of the Nation's social-security program, thus helping to assure a square break for the more than 10 percent of our population 65 years of age and older and for all those approaching elderly years;

4. Private development of the miracles of atomic energy, yet with adequate protection of the people's investments;

5. Greater economy in Government—reduction of the Federal payroll and budget—so as to conserve the taxpayers' resources;

6. More effective United States defense measures;

7. Stimulation of wider private homeownership by better mortgage terms;

8. Progress toward improved health for our people, including legislation for diagnostic centers, and hospitals for the chronically ill;

9. Expansion of vocational rehabilitation so that the handicapped are not left as drains on themselves, on their loved ones, on their community, but can gainfully earn their own way;

10. Research on the Nation's heavy challenges for expanded education;

11. Fourteen reorganization plans to streamline Government—wipe away the cobwebs, the overlapping and duplication;

12. Strengthening of the vital new Small Business Administration;

13. Curbing of the inflationary price rise by sound fiscal policy;

14. Cost-of-living increases in veterans' pensions and aid to their dependents;

15. Expansion of our Federal highway system.

All of these and other actions were principles for which ALEX WILEY stands and for which he voted; they are principles for which the Republican 83d Congress stood and voted.

Basically, they are the goals spearheaded by the great man who occupies the White House, Dwight D. Eisenhower.

TAKING UP INDIVIDUAL MATTERS

No report on the work of the 83d Congress would be complete without referring to that great mass of Wisconsin matters which never reached the floor of the Senate.

I refer to the hundreds of appeals from individual constituents asking some redress or action from some Federal Government agency, perhaps the Department of Agriculture or the Veterans' Administration, or the Department of Commerce or the Department of Labor or any of the other scores of Government agencies, commissions, bureaus, or divisions.

In each of these instances, it was my pleasure carefully to weigh each appeal, then I did what I could, wherever I felt that the cause of an individual Badger citizen merited submission of the case to governmental officials.

As a result, I am deeply appreciative of the many kind letters which have come to my office in response to these actions in our people's behalf. But such efforts for our citizens—for our farmers or our city people, for our Wisconsin tourist industry, for our boys in the Armed Forces, for citizens and immigrants, for lawyers and doctors, housewives and white-collar workers, factory hands and miners—should not surprise anyone.

After all, we, in the United States Senate, or in the House of Representatives, have been sent down here to Washington in order to serve you, to fulfill your needs, to represent you in the best, worthiest possible way. We are your servants; the joy of being a public servant is to perform the job faithfully and well.

THE FIGHT AGAINST CRIME

All in all, this is only, of course, a partial report on 2 years of work in 1953 and 1954.

I could refer to a great many other issues: To my battle, for example, against the forces of crime at home and abroad.

In this respect, I fought for the enactment of the international opium protocol to control the vicious worldwide dope traffic (which has already cost us so much harm, particularly to our younger citizens. The

protocol was ratified unanimously by the Senate.

I fought, too, for the mass of legislation which had been recommended by the Kefauver Senate crime committee, of which I had been a member.

Not only did I fight for bills which I regarded as sound, but I fought against bills which I regarded as unsound, notably the infamous Chicago water-steal bill, which has been traditionally opposed by our own and other Lake States, and which President Eisenhower fortunately and wisely vetoed.

SUGGESTIONS ON PRESIDENTIAL APPOINTMENTS

And while I fought for good bills and opposed bad ones, I fought for good leadership as well.

I submitted various suggestions to the White House on Executive appointments, and I am exceedingly gratified that several such suggestions were adopted by President Eisenhower, notably in his selection of able Wisconsin-born Lewis Castle to head up the St. Lawrence Seaway Development Corporation.

CONCLUSION

And so I bring this brief report to an end. I hope you have found that it answers, if only in brief summary, your question, "What did ALEX WILEY do for his State and Nation?" The answer is: He did everything he could to report what he humbly feels are the best interests of 3½ million Wisconsinites and 160 million other Americans.

I want to thank my readers for their attention and to invite their reactions to this report.

Housing Act of 1954—Gross Inadequacy in Face of Growing Need

EXTENSION OF REMARKS

OF

HON. LOUIS C. RABAUT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. RABAUT. Mr. Speaker, one of the most crying needs of our economy in this year of 1954 is an enlarged and revitalized housing program.

Coming from the Detroit area as I do—one of the most hard-hit and afflicted regions in this matter of public housing—I can appreciate the inadequacies of legislation which passed the Congress this July and was approved by the President during the early part of August.

The Housing Act of 1954 is an unrealistic approach to a problem which, in its immensity and urgency, and in terms of internal economic stability, is exceeded by few others.

The necessity for more low-cost housing is, at this time, desperate.

The truth of the matter is that private industry, notwithstanding the fine job it does, cannot provide sufficient housing, at a cost which low-income families can afford. At a time in our history when population is jumping by unprecedented leaps and bounds, this situation is one which calls for the most immediate type of relief.

We have asked for bread and we have been given crumbs.

Of the 37.1 million housing units in existence today, 9 million, or approximately 24 percent, are considered substandard.

Eight million American families still live in houses unfit for human habitation.

Out of more than 40 million nonfarm homes, 20 percent are classed as substandard because of structural condition or lack of basic sanitary facilities.

In addition to these 20-percent substandard homes, 4 million American families live in houses that have deteriorated to near-slum conditions and do not meet health and safety standards.

The housing bill which was passed by this Congress authorizes a start in construction of a maximum of 35,000 low-rent public-housing units between now and next June 30.

The original 1954 recommendation—and it was by any standards insufficient—was for 140,000 units over a 4-year period.

The proposal hit upon what seems to be a traditional snag in housing legislation.

The Public Housing Act was begun in 1937. It called for federally aided low-rent housing projects that would be locally owned and operated. Included also was a PHA-administered slum-clearance and low-rent housing program.

The Housing Act of 1949 set up the first realistic postwar public-housing policy on a long-term basis. It called for 135,000 new starts for federally subsidized housing units a year. This program, in 1951, was diminished to a limit of 50,000. A year later it was further reduced to 35,000.

In 1953, the last of President Truman's budget messages, the need was estimated at 75,000 public-housing units.

Thus, the need increases while provisions for housing decrease.

It can be shown that slums and blighted areas comprise about one-fifth of the total metropolitan area. In these confined and inadequate quarters some 33 percent of the population is housed. It can also be shown that these same regions account for a tremendously overproportionate amount of major crimes, juvenile delinquency, fires, and tuberculosis.

And yet it cannot be said to be absolutely and entirely the fault of those who are forced to live in these areas, detrimental to health and invitational, at times, to certain elements of the people who are, on occasion, unmindful of their duties to society.

We are giving billions, as well we must for the sake of national security, to the raising of standards in underdeveloped countries all over the world, but we seem to be forgetting those of our own citizenry to whom we owe first allegiance and from whom we expect so much in the continuation of the free American way of life.

On March 30 of this year, while the House was debating upon the Independent Offices appropriation bill dealing with slum clearance and possible housing projects, I said that it was a privilege to stand in the well of the House and represent the little people of this Nation, those receiving $2,000 a year or less.

I said at that time that it is easy enough to dangle before their eyes 40-year mortgages and more expensive homes, but it is impossible for them to attain such homes. I asked my colleagues whether they knew that the home in America is sometimes the most treasured among those who have the least of this world's goods. "But for people and for homes and for the small folk of this Nation," I stated "we will wreck the housing program and send them honeyed words."

It is my sincere belief that we should, as soon as is humanly possible to do so, set about to pump life into our housing program, and take vigorous steps in the direction of slum clearance and redevelopment of urban centers.

Otherwise, it becomes the rankest type of hypocrisy to preach equality and opportunity abroad and yet deny to those at home the first-class citizenship status which a decent dwelling or home can help to provide.

Happiness at home, be it ever so humble, could well be said to be the basis of contentment and prosperity within a nation. Surely, in this day and age, and in this land which has done so much to raise the standards of human dignity for so many, such a goal cannot be unattainable.

Our potential is so great, if we will but make the effort.

Highlights of New Social Security Legislation

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks, I wish to insert at this point a brief summary of what I believe are the highlights of the new social security legislation which the Congress has approved. It is my feeling that many people would like to have a concise résumé of the principal features of this important milestone in the field of social legislation.

EXTENSION OF COVERAGE

Farmers: The bill extends social-security coverage for the first time to self-employed farm owners and operators. This means that old-age and survivors' insurance protection will be extended to about 3.6 million farmers, their wives, and their children.

Farm workers: The bill also extends coverage to about 2 million farm workers who are not covered today. In general, farm workers who are employed regularly by one farmer are covered at the present time. The bill extends this same protection to those farm workers who earn $100 or more in the course of a year from 1 employer.

Professional groups: The bill extends social-security coverage to accountants, architects, engineers, and morticians.

As a result, the only professional groups which will not be covered by social security in the future are lawyers, doctors, dentists, and other medically related professions.

Ministers: The bill covers ministers and members of religious orders—except those who have taken the vow of poverty—whether self-employed or employees, if they elect individually for coverage on the same basis as self-employed individuals. It is estimated that this amendment will extend coverage to about 260,000 persons.

State and local employees: The bill extends coverage to the employees of State and local governments who are covered by State and local retirement systems—other than policemen and firemen—under voluntary agreements between the States and Federal Government, if a majority of the members of the system vote in a referendum in favor of coverage. There are about 3.5 million persons in this group.

Domestic workers: The bill extends coverage to domestic workers in private homes—and others who perform work not in the course of the employer's place of business—who are paid $50 in cash wages by an employer in a calendar quarter, regardless of the 24-day test required in the present law. This provision will extend coverage to about 250,000 persons.

The bill also extends social-security coverage to the following groups for the first time:

First. American citizens employed outside the United States by foreign subsidiaries of American companies under voluntary agreements between the Federal Government and the parent American company—about 100,000.

Second. Home workers who are now excluded from coverage as employees—whether or not they are now covered as self-employed persons—because their services are not subject to State licensing laws—about 100,000.

Third. Employees engaged in fishing and related activities, on vessels of 10 net tons or less or on shore—about 50,000.

Fourth. American citizens employed by American employers on vessels and aircraft of foreign registry.

Fifth. Cotton-gin workers: The following is a breakdown for the additional coverage—3,600,000 farmer operators, 2,100,000 farmworkers, 200,000 domestic workers, 3,500,000 State and local employees, 250,000 ministers, 100,000 homeworkers, 50,000 fishermen, 100,000 employees of foreign subsidiaries, 50,000 in employment not in course of trade or business, 100,000 professional self-employed, and 150,000 Federal employees; totaling 10,200,000.

INCREASE IN BENEFITS

More than 6.5 million persons now on the benefit rolls will have their benefits increased as of September 1, 1954. The average increase for retired workers will be about $6 a month, with proportionate increases for dependents and survivors. The range in primary insurance amounts for those now on the rolls would be $30 to $98.50, as compared to $25 to $85 under present law.

Persons who retire or die in the future would, in general, have their benefits computed by the following new formula: 55 percent of the first $110 of average monthly wage—rather than $100 as in present law—plus 20 percent of the next $240—rather than 15 percent of the next $200. Thus, an individual's retirement benefit will be as high as $108.50 a month, and he and his wife together could receive as much as $162.75 in retirement benefits.

The minimum monthly benefit amount for a retired worker would be $30, and the minimum amount payable where only one survivor is entitled to benefits on the deceased insured person's earnings, would be $30.

The maximum monthly family benefit of $168.75 would be increased to $200; the provision of existing law that total family benefits cannot exceed 80 percent of the worker's average monthly wage would not reduce total family benefits below 1½ times the insured worker's primary insurance amount, or $50, whichever is the greater.

EARNINGS BASE

The total annual earnings on which benefits will be computed and contributions paid is raised from $3,600 to $4,200.

COMPUTATION OF BENEFITS

The individual will be entitled to drop out from the computation of his average monthly wage for benefit purposes up to 5 years of his lowest earnings.

RETIREMENT TEST

The earnings limitation would be removed entirely at age 72—instead of at 75, as under present law. For beneficiaries under age 72, the earnings limitation would be made the same for wage earners and self-employed persons. A beneficiary could earn as much as $1,200 in a year from covered work without loss of benefits. He would lose a month's benefit for each unit of $80—or fraction thereof—of covered earnings in excess of $1,200, but in no case would he lose benefits for months in which he neither earned more than $80 in wages nor rendered substantial services in self-employment. Beneficiaries engaged in noncovered work outside the United States would have their benefits withheld for any month in which they worked on 7 or more days.

ELIGIBILITY FOR BENEFITS

As an alternative to the present requirements for fully insured status, an individual would be fully insured if all the quarters elapsing after 1954 and up to the quarter of his death or attainment of age 65 were quarters of coverage, provided he had at least 6 quarters of coverage after 1954.

Benefits would be paid to the surviving aged widow, widowed mother, and children, or parents of any individual who died after 1939 and prior to September 1, 1950, and had at least 6 quarters of coverage.

PRESERVATION OF BENEFIT RIGHTS FOR DISABLED

The period during which an individual was under an extended total disability would be excluded in determining his insured status and the amount of benefits payable to him upon retirement or to his survivors in the event of his death. Only disabilities lasting more than 6 months would be taken into account. Determinations of disabilities generally would be made by State vocational rehabilitation agencies or other appropriate State agencies pursuant to agreements with the Secretary of Health, Education, and Welfare.

RECOMPUTATION OF BENEFITS FOR WORK AFTER ENTITLEMENT

An individual may have his benefit recomputed to take into account additional earnings after entitlement if he has covered earnings of more than $1,200 in a calendar year after 1953 and after the year in which his benefit was last computed.

CONTRIBUTION RATES

Employers and employees will continue to share equally, with the rates on each being as follows:

Calendar year:	Rate (percent)
1954–59	2
1960–64	2½
1965–69	3
1970–74	3½
1975 and after	4

The self-employed would pay 1½ times the above rates.

PUBLIC ASSISTANCE

The provisions of the 1952 amendments, presently scheduled to expire on September 30, 1954, with respect to temporary increases in Federal payments to State for old-age assistance, aid to dependent children, aid to the blind, and aid to the permanently and totally disabled are extended through September 30, 1956.

The provisions of the 1950 amendments for approval of certain State plans for aid to the blind which did not meet the requirements of clause (8) of section 1002 (a) of the Social Security Act are extended from June 30, 1955, to June 30, 1957.

A Report on the Agricultural Conservation Program in Ohio

EXTENSION OF REMARKS
OF
HON. JAMES G. POLK
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. POLK. Mr. Speaker, I recently expressed my concern over the policies of Secretary of Agriculture Benson in administering the agricultural conservation program. He seems not to fully understand the importance of conserving our Nation's greatest asset—outside of our children—our topsoil. Since 1936 we have made great strides in Ohio in assisting farmers in carrying out soil conservation practices. Prior to the ACP we used only 175,000 tons of lime and in 1952 we used 2,641,173 tons. But in 1954 we are going to use less than 2 million tons—possibly as low as 1,500,000 tons. Our lime needs in Ohio are 4,900,000 tons annually, according to soil specialists

at Ohio State University. Why have we reversed this trend?

Prior to the agricultural conservation program, we used 15,862 tons of superphosphate in Ohio and in 1952 we used 84,199 tons of superphosphate under the ACP on pastures and seedings of legumes. In 1954, to date, our farmers have not applied for one-third this much.

In 1953 the 91,346 Ohio farmers participating in the agricultural conservation program seeded 368,706 acres of green manure. In 1954 this very important practice has been completely eliminated from the ACP. Why? To date, less than half of the 91,346 Ohio farmers participating in this conservation program in 1952 have carried out any conservation practices under the 1954 program. Why?

From an examination of the 1952 Ohio ACP Handbook and of the 1954 Handbook it is quite apparent what the reasons are. Between the restrictions imposed in connection with the price-support program and the regulations set forth in the 1954 ACP Handbook, Ohio farmers are subject to more regimentation than at any time in our history. For example, practice 2, on page 6, is itemized as follows:

Initial establishment on cropland of alfalfa, timothy, red clover, Ladino clover, and bromegrass to retard erosion and to improve soil structure, permeability, or water-holding capacity, as a part of crop rotation.

This practice is applicable only in counties or parts of a county where it is determined that crop rotations for soil improvement which includes perennial grasses, perennial and biennial legumes, or mixtures of such legumes and perennial grasses are not now generally in use.

Federal cost-sharing will be allowed for the establishment on cropland of legumes or legumes and grasses, up to 35 percent of the cropland and where the county committee determines it is not now an accepted practice.

The seeding must be for the purpose of improvement of the soil structure, retard erosion, permeability or water-holding capacity.

Federal cost-sharing will be limited to an acreage increase up to 35 percent of the cropland as of January 1, 1954, excluding land to be plowed for grain during 1954 and all approvals will be subject to a further determination of eligibility of acreage on or after July 1, 1954.

The application of lime will apply only to land that shows need of at least 2 tons of lime per acre by an accepted soil test and then the minimum amount required by the soil test, or on land that has not grown alfalfa or sweet clover satisfactorily in the last 4 years. If a seedbed is prepared in the summer or fall, the surface of the soil should be tilled so as to provide sufficient loose soil needed to establish a firm seedbed.

Federal cost sharing will be limited to the following operations:

(a) Applying minimum total of 90 pounds of available phosphate, potash, and nitrogen.

(b) Applying a minimum of 2 tons per acre of agricultural ground limestone or its equivalent or that additional amount of lime required as determined by the method indicated above.

(c) Seeding a minimum of one of the following mixtures on each acre:

1. Alfalfa, 10 pounds; timothy, 2 pounds.
2. Alfalfa, 7 pounds; medium red clover, 3 pounds; timothy, 2 pounds.
3. Alfalfa, 4 pounds; medium red clover, 4 pounds; Ladino clover, one-half pound; timothy, 2 pounds.
4. Medium red clover, 7 pounds; Ladino clover, one-half pound; timothy, 2 pounds.
5. Alfalfa, 10 pounds; bromegrass, 6 pounds.

One-half of 1 pound of Ladino clover may be added to any 1 of the above mixtures.

Grazing must be delayed until the new seeding has obtained a near maximum growth.

The county committee may approve substitutions for the above seedings if the cost of the substituted seeds are as much or more than the cost of the above-mentioned seeds and the percentage of legumes or grasses is about the same, and if 75 percent of the substituted seeds are of perennial nature.

The seeding must remain for at least 2 years.

All of the above-mentioned operations must be carried out in order to receive Federal cost sharing.

This practice will not apply in a county unless the PMA committee can supply evidence to the State PMA committee to the effect that this practice is not now generally used in the county.

Now, Mr. Speaker, did you realize how many restrictions are spelled out in this practice? Farmers' experiences in establishing this practice are to be completely ignored and each farmer must follow this practice to the letter to be entitled to any assistance. Less than 2 percent of Ohio farmers have signified their intention of utilizing this practice.

Ohio farmers are experienced businessmen. They furnish all the work and most of the money under the ACP program. Would it not be a sound public policy for the USDA to encourage them to engage in the agricultural conservation program instead of making it difficult or impossible for them to do so? I am firmly convinced that we certainly should be getting the maximum of soil conservation out of the ACP money which is appropriated instead of setting up administrative red tape to prevent farmers from fully utilizing the program Congress has provided.

In 1952 a farmer could seed alfalfa by applying the amounts of lime, fertilizer, and seed he determined were proper. Under this administration, the farmers are directed from Washington as to the exact amount of lime to use, the exact amount of seed, and the minimum amount of fertilizer. Farmers who have found that other rates are equally satisfactory are denied assistance under Mr. Benson's program.

I will not take the time to go into the other practices in the 1954 Agricultural Conservation Program Handbook but they are equally wrapped in red tape.

Could it be that Secretary Benson and his assistants are taking this means to overcome the wishes of Congress? When the Secretary asked that this program be drastically reduced to $140 million for 1954, the Congress insisted on a minimum of $195 million. Could it be that the Secretary has written in all these restrictions so that farmers will not earn more than the $140 million he originally wanted? Many of my constituents who have used lime in the past, seeded clovers, and alfalfas, and carried out many other conservation practices since 1936 under the ACP with great success, cannot understand why they must change their procedures to comply with rules laid down in Washington.

Like most Americans, when they are told they must do this, or they must do that, on their farms, they are refusing to participate in the 1954 agricultural conservation program. Is it just the farmers who are the losers? Oh, no, Mr. Speaker, it is our entire Nation and particularly future generations. If we do not continue conserving our soil, our Nation's leading soil scientists tell us this Nation could have difficulty providing the food and fiber future generations will need.

Under previous agricultural conservation programs, we increased the acreage of legumes and new seedings several hundred percent; the use of agricultural limestone went up over 10 times; the use of cover crops also went up over 10 times. Even so, our soil specialists at Ohio State University estimate we were only using 50 percent of the practices necessary to get our conservation job done. Now, instead of helping come closer to our goal, we find the trend has been reversed.

Thousands of Ohio farmers have decided that the red tape and restrictions are too complicated to allow them to continue their partnership with the Federal Government in carrying out soil-conservation practices. Unless immediate changes are brought about, Ohio will this year turn back the largest amount of conservation funds since these programs were begun. Not because they are not needed to bring about conservation practices on Ohio farms, but because Ohio farmers cannot comply with the red tape and restrictions prescribed by Secretary Benson.

Social Security—A Story of Progress in an Uncertain World

EXTENSION OF REMARKS

OF

HON. LOUIS C. RABAUT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. RABAUT. Mr. Speaker, one of the most fundamental yearnings of every man, aside from a natural desire to derive a full measure of enjoyment from the fruits of his own labor, is to be able to live out the last years of his life peacefully and without dependence upon others, secure in the knowledge that, should he pass away, either during his working days or retirement, his wife and minor children will be provided for.

It was in the middle thirties that a program was inaugurated, the intent of which was to make available to our elder citizens some of the means with which they might live out their lives, beyond their years of active productivity, and look to the care of their loved ones, with dignity and self-respect. This program is social security.

It was never intended, nor do its sponsors, of which I have been one of the most articulate since its inception, mean that social security is to take the place of private savings, insurance or pension

It is to supplement those financial safeguards. It is to provide a base upon which can be built other forms of protection.

In the year of 1954, social security takes on an increased meaning to those who are now and are to be covered in the future by its provisions. Rising costs of living have made the dollar diminish in buying power, below, in comparative worth, what had been anticipated when the program was first passed by Congress.

Our older citizens are continually faced with greater expenses of living, and in many cases they lack the wherewithal to obtain even a modest percentage of the basic necessities of human life.

On April 6 of this year, shortly after hearings were begun by the Ways and Means Committee of the House on the Social Security Amendments of 1954, I made seven recommendations, the carrying through of which I felt to be imperative, in the light of present cost-of-living and economic conditions.

Since that time, the Congress has wisely acted to extend protection and coverage on 6 of the 7 points and on the seventh it took partial action. The provisions to which I addressed my remarks in that earlier speech follow:

First. The present bill extends old-age and survivors coverage to approximately 10 million more people.

Second. The Federal Government has agreed to continue contributions to the State for public and old-age assistance to those who are not included within the insurance system.

Third. It was agreed that the $75 limitations on monthly earnings should be increased to $100, computed on a yearly basis. This would mean that $1,200 could be earned in any given year, or in any segment of that year before benefits would be lost.

Fourth. Provision has been made for those workers who become permanently and totally disabled. They will be eligible for benefits, to be computed on periods of time other than their disability interval.

Fifth. Monthly benefits have been increased.

Sixth. The 2-percent contribution remains in effect as is.

Seventh. The earnings base on which benefits will be computed and contributions paid is increased from $3,600 to $4,200. I had asked that it be raised to $4,800.

The great majority of those things which I recommended have been carried into being by the 1954 social-security bill. This measure is part of a continuing effort, begun under a Democratic administration and effectuated by subsequent Congresses, to perfect the social-security system.

The present bill makes coverage available to approximately 3.6 million farmers and to certain professional people, including accountants, architects, engineers, and morticians. It also covers, on a voluntary basis, ministers, and members of religious orders.

The individual, for purposes of computation of benefits, will be able now to drop out from the computation of his average monthly wage for benefit purposes up to 5 years of his lowest earnings.

For disabled persons, certain provisions are made. By freezing old-age and survivors insurance status during extended total disability, these periods of non-wage-earning time are excluded from any computation of retirement or survivors benefits. In addition, there is available to the disabled individual the 4- or 5-year dropout mentioned above.

Many persons will be interested to know that the earnings limitation will now be removed entirely at age 72. Previously, it has been age 75.

In the matter of increase of benefits, the range in primary insurance amounts for those now on the rolls would be $30 to $98.50, compared to previous highs of $25 to $85.

The following chart will show how these raises will affect the many classes of persons covered by social security:

Retired worker (65 or over)

Old monthly payment:	New monthly payment
$25	$30.00
$40	45.00
$55	60.00
$70	78.50
$85	98.50

Worker and wife (65 or over)

Old monthly payment:	New monthly payment
$37.50	$45.00
$58.40	67.50
$80	90.00
$105	117.80
$127.50	147.80

Widow, widower, parent, or child

Old monthly payment:	New monthly payment
$18.80	$30.00
$30	33.80
$41.30	45.00
$52.50	58.90
$63.80	73.90

Widow and 1 child

Old monthly payment:	New monthly payment
$37.60	$45.00
$58.40	67.60
$80	90.00
$105	117.80
$127.60	147.80

Widow and 2 children

Old monthly payment:	New monthly payment
$45.10	$50.20
$58.50	67.60
$80	90.20
$140.10	157.10
$168.90	197.10

It has been a gratifying thing to observe, Mr. Speaker, as one of those who at its beginning, and through the years, has worked to make social security a reality, to note the beneficial extent to which the program has come. It is my sincerest hope that social security will continue to expand to meet the needs of all Americans, and that in line with sound fiscal requirements its provisions will be examined constantly by our Congress to assure the most equitable and substantial benefits and protection to our elder citizens, through whose efforts our Nation has become great, and to their dependents who, one day, will follow in their footsteps.

Anfuso's Great Record as Congressman

EXTENSION OF REMARKS
OF
HON. EUGENE J. KEOGH
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. KEOGH. Mr. Speaker, it is my distinct pleasure to address the House of Representatives regarding our former colleague, the Honorable Victor L. Anfuso, of New York, who has distinguished himself as a jurist on the bench in Brooklyn.

Many of you, I am sure, will remember Judge Anfuso who served in the 82d Congress during the years 1951 and 1952. In that short period of only 2 years he established a brilliant record as a great legislator and humanitarian. He continued that record on the bench where his humane approach and wise decisions have elicited much praise and recognition for him.

POSTAL AND FEDERAL WORKERS

In Congress, Anfuso was a member of the Post Office and Civil Service Committee, where he took to his work most diligently. He sponsored legislation to better the lot of the postal workers and Government employees, he labored earnestly to improve their working conditions and to enable them to cope with the high cost of living by advocating substantial pay increases.

Congressman Anfuso was then the only Member on the committee from New York City, which has the largest number of postal and Federal employees. He was literally deluged with letters, telegrams, and personal calls to use his great influence and prestige in behalf of these hundreds of thousands of people and their families. He was only too happy to champion their cause in Congress because he regarded it as fair, just, and humane.

After many months of effort and untold obstacles, a pay increase bill was finally voted out by the committee, thanks to the untiring work of Congressman Anfuso and some of his colleagues. The men and women of the postal service throughout the country have given evidence of their appreciation of the unselfish services of Representative Anfuso on their behalf.

In his own Borough of Brooklyn, the postal employees presented him with the following citation:

> In appreciation to Hon. Victor L. Anfuso for your magnificent effort in behalf of all postal personnel, your approach and study of our problem while a member of the House Post Office Committee, your careful and thorough consideration during long sessions, your equitable and just conclusions regarding our needs, your energetic and eloquent words in debate on the House floor.
>
> *Resolved*, That we, through our elected representatives, hereby express our heartfelt gratitude.

BROOKLYN POSTAL EMPLOYEES

The bill was passed and the millions of postal and civil-service employees and their families were grateful.

Soon after the passage of this bill, Representative Anfuso canceled a trip

abroad in order to make a study of the postal service in his own State. He traveled from town to town, city to city, at his own cost and expense in the winter of 1951, visiting large and small post offices, in order that he could learn at first hand the working conditions of those who handle our mail.

VETERANS

But it was not only on the Post Office and Civil Service Committee that Representative Anfuso distinguished himself.

He also championed the cause of the veterans and lent his full support to the GI bill of rights. To raise the morale of our troops in foreign lands he introduced a bill to provide free postage for members of the Armed Forces of the United States serving outside the continental United States and Alaska.

He was in Congress less than 1 month when he took up the fight of the hopelessly crippled veterans who were threatened with eviction from Halloran Hospital. He also received this commendation from the veterans:

To Hon. Victor L. Anfuso, presented in behalf of the grateful veterans of Brooklyn in appreciation for your genuine and untiring efforts in retaining a Veterans' Administration regional office in Brooklyn.

The veterans of Brooklyn will be forever thankful for your endeavors in their behalf.

FRANK J. NEWELL,
Chairman, Citizens Committee.
FRED SCHEFF.

BROOKLYN, N. Y., *May 25, 1951.*

IMMIGRATION

The first day he was in Congress Representative Anfuso, who had previously served as special assistant to the Commissioner of Immigration and Naturalization Service, introduced a bill to improve the immigration laws and to admit 34,000 aliens of Italian nationality unable to enter the United States during the war years.

Because of the inequities of the McCarran-Walter immigration bill, he spoke several times on the floor of the House in opposition to that bill, pointing out its discriminatory and racist features and the injustices it contains. He did everything possible to defeat that obnoxious bill. He not only voted against it but urged many of his colleagues to vote against it. When President Truman vetoed the bill in 1952 Congressman Anfuso voted to uphold the President's veto in the hope of preventing enactment of the measure.

Even after he left Congress at the end of 1952, Anfuso continued his fight against the McCarran-Walter Immigration Act in the hope of amending it to make it more liberal. He became chairman of the National Committee To Amend the McCarran Act and thus continued his efforts to eliminate those features which are discriminatory against all races and nationality groups.

When he returns as a Member of Congress next January Anfuso will make the immigration problem the first item on his legislative program in Congress.

SECURITY OF OUR COUNTRY

During his service in the 82d Congress Representative Anfuso took a deep interest in matters pertaining to the defense and security of the United States. He introduced a bill to increase the Marine Corps to help fight the war in Korea.

He investigated the security of the Panama Canal and rendered a report warning the country that Panama was open for air attack. On March 24, 1951, following this report, President Truman took precautionary steps to safeguard this strategic arsenal of defense in the Western Hemisphere.

As far back as August 1951 Representative Anfuso cautioned our allies not to deal with the North Korean truce negotiators as they "were unscrupulous agents and stooges of Russia and that for us to place any faith in Communist promises would be a clear betrayal of American interests and security."

POLISH REFUGEES

The Polish newspapers of America praised Representative Anfuso for his great service regarding Polish refugees and stated that "he had won the confidence of the Poles of Brooklyn and New York for his actions in Congress."

CRIMES AND CRIME PREVENTION

First. Narcotics: On June 21, 1951, Representative Anfuso introduced a bill to establish a customs port patrol in order to improve the enforcement of the antismuggling laws. The bill was principally directed against the smugglers of narcotics into the United States. Its purpose was to apprehend the drug before it got into the country and thus rob the smuggler of the great profit he would have derived from its sale in this country. Women's organizations throughout the country, interested in the welfare of their children, supported this legislation.

Second. Bureau of Crime Prevention: On April 1, 1952, Representative Anfuso offered a bill to conduct a study of the causes of juvenile delinquency and to create under the Department of Justice a Bureau of Crime Prevention which he regarded as more important than fighting crime.

He had been interested in this problem ever since 1936 when he founded the Italian Board of Guardians to curb crime and prevent juvenile delinquency among youths of Italian extraction.

For his humanitarian work regarding youth he was first to be knighted in 1946 by Pope Pius XI a commander of the Knights of the Holy Sepulcher, one of the highest honors ever to be awarded to a layman by the Catholic Church.

RECOGNITION OF BROOKLYN

Representative Anfuso brought recognition and fame to Brooklyn with the Battle of Brooklyn commemorative stamp issue. The Brooklyn Eagle of September 25, 1951, stated editorially that "the people of Brooklyn are indebted especially to Representative Anfuso for this action."

ISRAEL

In Congress, Representative Anfuso voted for grants-in-aid to Israel to enable that country to absorb the hundreds of thousands of Jewish immigrants who settled there since Israel was established as an independent state. On several occasions he urged the United States Government to give full support to Israel as a bastion of democracy in the Middle East. He will continue these efforts also in the next Congress.

ANFUSO AND TRUMAN

In 1952, due to reapportionment of the congressional districts in Brooklyn, Anfuso had to step aside as the junior Congressman of the borough and accept a judicial post. All his friends in Congress and all those who observed his work in Washington regretted his departure. Among these was President Truman.

Drew Pearson, on May 1, 1952, wrote of Representative Anfuso's conference with President Truman as follows:

President Truman was very blunt. As Anfuso was leaving, Truman asked how the New Yorker's own campaign was going.

"I may not be back," replied Anfuso, "the party has other ideas."

"Oh, no," objected Truman, vehemently, "you should come back. We need men like you in Congress. Don't you agree to anything like that. Give 'em hell. You did it before, and you can do it again."

CONCLUSION

Anfuso did not return to Congress for reasons beyond his control. He was appointed to the bench where he served with great distinction as a jurist. This year the people of his district have once again turned to him for representation in Congress.

By public demand and popular acclaim Anfuso was prevailed upon to run for Congress. He has received formal designation of the Democratic Party as its standard bearer for Congress in the Eighth Congressional District of Brooklyn. The citizens of that district now have the opportunity to return Anfuso to Congress, where he has served them so well and so devotedly in the past.

Accomplishments of the 2d Session of the 83d Congress

EXTENSION OF REMARKS
OF

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mrs. KELLY of New York. Mr. Speaker, the 83d Congress has adjourned. The record of this Congress is now history. The future will judge what contribution this record will have made toward the prestige of the United States at home and abroad. Whether issues were faced fairly and decisions were made courageously, remain to be seen. To what degree the action or lack of action affected both home and world conditions or whether a new historic pattern was set up will be decided. Conclusions will be drawn also from the promises pledged by this administration and from their fulfillment.

At the end of the 1st session of the 83d Congress, I reported to my constituents on that session. In that report, I summarized the action of the first session by stating that most of the laws enacted were extensions of the laws of the

previous Democratic Congresses with the following exceptions:

Public Law 31, the tidelands oil bill, giving the States the submerged lands beneath navigable waters within boundaries of affected States—within the 3-mile limit except on the Texas and Florida gulf coasts, 10½ miles;

Public Law 212, the submerged lands amendment confirming Federal jurisdiction over the natural resources of the subsoil and seabed of the submerged lands seaward from historic State boundaries in the Continental Shelf;

Public Law 205, authorizing the disposal of the Government-owned rubber producing facilities; and

Public Law 203, providing for the admission of 214,000 refugees and special quota immigrants. As of Friday, August 13, 1954, only 3,734 refugees had been admitted under the provisions of this act.

Also during the period of the 1st session of the 83d Congress, numerous commissions were created to report their findings to the Executive and to make recommendations for change in the subject of each assignment.

The 2d session of the 83d Congress began with action anticipated to establish the New Look program of the Republican Party. To accomplish this, the New Deal legislation of the past 20 years was to be repealed. Study commission reports were submitted, their findings to be used to enact the new legislation which would amend or discredit the old.

A check with Library of Congress reveals 35 advisory or study groups have been established since President Eisenhower took office. Of these 35 groups, 15 have reported, 10 have not reported their findings, and the remaining 10 groups are of a continuing nature.

As one examines the record of the 83d Congress, it is difficult to characterize. Numerically controlled by the Republicans, with a President representing the more liberal Republican viewpoint, it followed a continuously see-saw movement in an attempt to overcome intra-party difficulties, causing confusion and uncertainty which prevailed on almost every issue. This contributed to the indefinite foreign policy and to the misunderstanding of that policy by our allies. Such enigmatical phrases as "massive retaliation" and the "united action" policy for southeast Asia have in no way helped to clear the atmosphere. When the actual recommendations of the President were submitted to Congress, the true division within the party emerged.

The findings of the various study groups referred to above, did not repudiate the Democratic legislation of the past as had been predicted during the 1952 campaign. It was realized that the Democratic policies were substantially sound. They were well conceived and of long-range character. Instead of being repudiated, they have been amended and broadened to fit present needs. For example, the social-security laws and the unemployment-compensation law were accepted by this Republican administration; the Reciprocal Trade Agreements Act was extended for 1 year, and the Public Housing Act of 1954, although nominally extended for 1 year, was actually killed by a Republican amendment.

Democratic support saved the Eisenhower program is so many instances it brought forth this remark from one of the Old Guard Republicans, "You have no strong virile party if you continue to do the things"—as a member of the majority—"which you condemn as the opposition."

The investigations which consumed so much time in this session have widened the great cleavage in the Republican Party and caused unnecessary misunderstanding and distrust at home and abroad.

President Eisenhower has declared many times that the program emerging from this Republican Congress must be the issue on which the new Congress will be chosen. My report to you briefly covers the work of the 2d session of the 83d Congress.

INTERNATIONAL—MUTUAL SECURITY ACT

The Mutual Security Act of 1954 is the implementation of our United States foreign policy. It represents the cost to the United States of collective security. It is the United States share of our partnership with other free nations for the security of the Free World.

The Mutual Security Act of 1954 provides the basic authorization for assistance to two groups of nations. The first, which receives approximately 75 percent of this year's funds, consists of nations which have joined with us in carrying out a common military effort. These nations must have either joined with us in a regional defense undertaking—such as NATO—or have entered into firm bilateral agreements with us for military cooperation. Most of this aid is in the form of weapons, airplanes, tanks, ammunition, and so forth, for the use of the armed forces of the cooperating countries. In addition, direct forces support is given in limited amounts. This consists of commodities and other aid to maintain larger forces than could otherwise be provided in certain nations where their military budgets are overextended. Some defense support is also given to a few of our military allies. This consists of aid to support the economies of these countries so as to make it possible to devote a larger proportion of their resources to military purposes than would otherwise be possible.

The other group of nations provided for in the mutual security program are those which have not yet been able to develop effectively their own resources. Assistance is given in the form of technical cooperation—Point 4—and also as "development assistance." The act this year specifically limits the use of technical cooperation funds to technical training purposes together with equipment and commodities necessary for instruction or demonstration purposes. These restrictions have been enacted to prevent large-scale economic or commodity assistance to be given under the guise of technical cooperation.

In the case of certain underdeveloped countries, it is recognized that major capital investments are essential. This is particularly the case where land reclamation and water development programs are needed. The act provides that assistance of this character can be given for 1 year only. Development assistance must terminate—except for necessary liquidation—after June 30, 1955.

The Mutual Security Act, as has been the case in previous years, also continues the authorization for a number of smaller programs which have to do with foreign nations. These include provision for United States contributions to the Intergovernmental Committee for European Migration, for the United Nations Children's Fund, for the Palestine refugees in the Near East, for ocean freight charges on relief shipments by United States voluntary nonprofit relief agencies, for Chinese and Korean students, and for United States support of multilateral technical cooperation programs of the United Nations and the Organization of American States.

For the administration of the Mutual Security Act of 1954 the President requested an appropriation of $3,438,549,805. The Congress allowed an appropriation in the amount of $2,781,499,816.

I sponsored in the Committee on Foreign Affairs an amendment to the Mutual Security Act to prevent the supplying of military aid to Iraq. Although my amendment was defeated, language was included in the bill as enacted which should assure that military aid to Iraq cannot be used for aggression against Israel.

The Foreign Aid Act also contains authority for the expenditure of 6 million Irish pounds in Ireland. This sum remained in the accounts from former ECA programs for Ireland and will be used to develop the agricultural production and marketing potential of Ireland and for the exchange of students between the United States and Ireland.

The new legislation continues the program ICMME for the movement of migrants and refugees, escapees and expellees, from Europe to other parts of the world. This provision was included in the original Mutual Security Act as a result of an amendment which I sponsored—called the Kelly amendment.

At the request of President Eisenhower, the new law gives greater authority to the President than that given in previous legislation. The President can terminate the Foreign Operations Administration whenever he chooses and can turn over its functions to any existing department of the Government or to a new agency at his discretion.

Included in the Mutual Security Act is a section which tightens the controls of shipments of arms, ammunition, and implements of war into or out of the United States. Because of my special interest in this subject, in connection with my work on the Battle Act—which deals with strategic exports by foreign countries to the Soviet bloc—I regard this as important because of the unwise decision of this Administration to alter the strategic list under the Battle Act.

During this Congress, there has been a powerful drive from abroad to seat Communist China in the United Nations. Red China, with its long record of crime and violence, which violates all the principles upheld by the United Nations, has

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rightly been termed an aggressor. Red China is still at war with the United Nations. North Korea is still occupied by Chinese soldiers.

Fear that the present administration might succumb to an acceptance of this pressure, led the Congress to pass several resolutions and amendments. I was one of the members of the Committee on Foreign Affairs who wrote President Eisenhower warning him that acceptance of a Locarno pact with Soviet Russia and Red China would result in a complete reappraisal of the foreign-aid program. Our letter was timed to arrive at the White House on the day of the conference with the British on the southeast Asia policy.

RECIPROCAL TRADE

The Commission on Foreign Economic Policy, known as the Randall Commission, submitted a report which became a matter of controversy. Basically, it recommended "trade not aid" with the nations of the free world. At the same time, it recommended retention of the peril-point and escape-clause features. These are extremes, diametrically opposed to each other.

If the United States wants to maintain its present world markets and its high record of industrial expansion, it not only must seek new markets, but also it must meet competition from foreign trade. With the dollars thus gained, the foreign nations can then purchase United States goods. Otherwise, our allies will be forced to trade with Russia and her satellite nations in order to survive. There is grave danger that this is happening at the present time. Because of the uncertain policy on trade of the present administration, nations have made trade agreements with the Russian bloc. Previously, this had been prevented by foreign aid which was equivalent to the dollar gap—difference between United States exports of about $15 billion and United States imports of about $10 billion. The average amount of foreign aid was about $5 billion a year.

The recent decision of President Eisenhower to increase by 50 percent the tariff on Swiss watches is inconsistent with his advocacy of freer trade. This strikes at the one nation which pays wages comparable to the wage levels in the United States. It is shocking to have the President assure the world that this action is in the interest of the United States national defense. It is also shocking when one realizes that the Swiss are one of the largest importers of United States industrial products.

In March, President Eisenhower selected certain recommendations from the report of the Randall Commission. One was a 3-year extension of the reciprocal trade program. The system had been set in motion two decades ago in the first administration of President Franklin D. Roosevelt. Republican resistance was so strong that President Eisenhower agreed to settle for a 1-year extension. He made it clear that he would have more to say on the subject next year. This is ducking the issue until next session. The Republicans did this last year, too. Their excuse then was to gain time for a complete study of the foreign economic policy. But, economic conditions have a way of not waiting while their ramifications are being investigated.

STATEHOOD FOR HAWAII AND ALASKA

The President approved of statehood for Hawaii but not for Alaska. A bill admitting Hawaii to the Union passed the House and, along with many of my colleagues, I tried to have Alaska admitted at the same time. This action failed. In the Senate, the one-package bill admitting both passed by a vote of 46 to 43. When this issue reached the House, however, individual bills were presented and at the request of the Republican leaders, the measures were killed. Incidentally, I was honored to receive from the Hawaiian Legislature a commendation for my favorable action to the Territory.

NATIONAL

In my 1953 report to my constituents on the 1st session of the 83d Congress, I commented on Secretary of the Treasury Humphrey's statements concerning the $81 billion carryover which he claimed was the I O U of the past administration about which he could do nothing. At that time, I pointed out that 74 percent, or more than $62 billion of this $81 billion, was for national defense, with charges included for guns, tanks, planes, etc. I charged then that the President and the Secretary of the Treasury were presenting this carryover as waste and unnecessary authorizations and appropriations by Congress and if they wanted to do something about it, they could ask the Congress to rescind these programs for defense. This they did not do and it is interesting to note that we no longer hear the Secretary referring to the $81 billion carryover as an I O U of the previous administration.

After the Republican administration had analyzed these authorizations, they no longer criticized this balance, but used it for their so-called New Look economy. They deemed it possible to reduce appropriations in 1954–55 programs on account of this carryover.

It is important to note that deliveries made now, along with those which have been made for the past 2 years, are carrying out programs which were generated by the previous Democratic administration. Jet planes being delivered now, those delivered to Formosa, Japan, and Indochina, were authorized 3 years ago. The lead time in new scientific equipment is long. Therefore, what the Republican administration has economized on is the future security of the United States, and that is my reason for criticizing this as false economy.

Table of appropriations, 83d Cong., 2d sess.

Title	Budget estimates	Amount as passed House	Amount as passed Senate	Amount as enacted	Public Law No.
2d supplemental, 1954	$27,942,616	$25,785,707	$27,917,616	$27,517,616	304
Treasury [1]	578,783,000	577,855,600	577,855,600	577,855,600	374
Post Office	2,760,000,000	2,755,386,000	2,754,877,100	2,754,877,100	
State	116,191,960	108,410,000	113,783,280	113,910,000	471
Justice	177,732,000	176,542,000	177,352,000	176,864,500	
Commerce	930,997,000	808,222,000	769,072,000	837,022,000	
U. S. Information Agency	89,000,000	75,814,000	80,614,000	73,914,000	
Army civil functions	465,160,000	430,983,700	484,095,500	457,071,300	453
3d supplemental, 1954	430,458,241	456,470,496	476,248,741	505,218,741	357
Independent offices	5,987,622,360	5,566,118,763	5,700,775,413	5,651,770,063	428
Interior	427,751,110	364,337,989	427,601,006	405,936,149	465
Agriculture	698,741,813	720,102,654	725,351,971	723,683,150	437
National defense	29,887,055,000	28,684,250,486	29,217,106,486	28,800,125,486	458
Legislative	73,704,406	54,775,995	71,034,006	70,695,754	470
Judiciary	28,645,505	27,579,950	27,739,135	27,501,740	
Labor [2]	299,635,000	298,714,000	299,286,000	299,030,000	472
Health, Education, Welfare	1,652,509,261	1,658,913,761	1,671,138,761	1,663,413,761	
District of Columbia [3]	172,476,546	168,487,838	170,438,847	169,928,099	468
Supplemental, 1955	2,132,330,908	1,303,334,628	2,034,513,749	1,659,101,929	----------
Mutual Security [4]	3,438,549,805	2,895,944,000	2,790,824,816	2,781,499,816	----------

[1] Does not include permanent and indefinite appropriations, such as interest on the public debt, $6,800 million (estimated); refunding internal revenue collections, $2,728 million (estimated); and disbursements from trust funds, such as old-age and survivors insurance, $5,980 million (estimated), unemployment insurance, etc.

[2] Also carried in this bill, but not included in above figures, are appropriations for: National Labor Relations Board, $8,400,000; National Mediation Board, $1,220,500; and the Mediation and Conciliation Service, $3,134,000.

[3] Payable from District of Columbia revenues except for Federal contribution of $21,890,000.

[4] Also carried in this bill $2,462,075,979 of unobligated funds previously appropriated.

INCREASING NATIONAL DEBT LIMIT

The administration succeeded in raising the national debt limit from $275 billion to $281 billion. Interest on this debt is nearly $7 billion.

EXCISE TAXES

Public Law 324, the Excise Tax Reduction Act of 1954, reduced revenues by $999 million a year; extended for 1 year certain excise taxes which would automatically have been reduced April 1, 1954 (these included the tax on distilled spirits, wine, beer, cigarettes, gasoline, cars, trucks, buses, motorcycles, parts and accessories, and diesel fuel); and made the following reductions:

Reduced to 10 percent the 20-percent excise tax on furs, jewelry, toilet preparations, electric light bulbs and tubes, cameras, lenses and film, leases of safe deposit boxes, and most general admissions if price exceeds 50 cents; the 25-percent tax on long distance telephone calls; the 15-percent tax on sporting goods, mechanical pens, pencils, and lighters, transportation, and local telephone and telegraph messages.

Reduced to 5 percent the 10-percent tax on home appliances—refrigerators and freezers—but excluding air conditioners.

Exempted from any excise tax all admissions costing 50 cents or less, and admission to school athletics, to amateur civic theater performances, and to nonprofit museums and planetariums.

TAX BILL

Before giving details on the tax bill which was enacted in the 2d session of the 83d Congress, I would like to point

out that the 10-percent tax reduction which became effective January 1, 1954, was the only real tax relief afforded the average taxpayer and this was given by the Democratic 82d Congress.

The Revenue Act of 1954 is a recodification of the tax laws. Included in this new law are the following provisions:

First. It eliminates inequities on many individuals with special needs or problems; for example, allowances for medical expenses, child-care expenses, and so forth.

Retirement income: Allows retired taxpayers 65 years or older who have earned more than $600 in any 10 years prior to retirement to exclude from taxes the first $1,200 of retirement income from rents, pensions, annuities, dividends, and interest. It extends the retirement income credit to persons under 65 whose retirement income is derived from public retirement systems.

Charity: Under the new law, the maximum deduction for charitable contributions is raised from 20 percent to 30 percent of adjusted gross income but an additional 10 percent deduction can apply only to contributions to educational institutions, hospitals, churches, conventions of churches, nonprofit cemeteries and burial companies.

Child-care expenses: The new law permits a workingwoman, widower, divorced person, or working wife who files a joint return with her husband and whose combined income does not exceed $4,500, to deduct for tax purposes up to $600 for actual child-care expenses. This deduction can be taken only for children under 12 years except in the case of a workingwoman or widower whose dependent is mentally or physically handicapped. This last item is of special interest to me because I was the original sponsor of the law to grant such tax relief to widows and widowers. I regret the Congress did not see fit to allow a more liberal deduction. Where $600 a year is actually spent for child care, the deduction amounts to approximately $12.50 per week.

Dependents: Parents can now claim $600 dependency exemption for children who are under 19 and who are students in high school or college, regardless of the dependent's earnings.

Second. The second category includes benefits for corporations and other business firms. It permits companies to depreciate new plants and equipment faster in the early years of use.

Third. The date for filing individual income tax returns is changed in the new law from March 15 to April 15.

The tax bill of the 83d Congress gives very little relief to the average taxpayer. Eighty percent of our people earn less than $5,000 a year. This group receives $311 million reduction—approximately 9 percent—while corporations and individuals earning over $5,000 a year will enjoy 90 percent of the tax relief provided in this act. This is known as the "trickle down" policy under which tax concessions are made to the well-to-do with the hope that they will seep through to those below.

I voted to increase the individual tax exemptions which would benefit all taxpayers but this motion was not adopted. It failed in the House by a 210 to 204 vote; a victory as narrow as it was important.

ATOMIC ENERGY

The 2d session of the 83d Congress enacted a bill for the revision of the Atomic Energy Act of 1946—the McMahon Act. The act of 1946 was essentially concerned with the atom as a weapon. Control of the atomic potential was entirely in the hands of the Government for military purposes. One does not have to be a scientist to realize what a stupendous move it is to view this power in another perspective.

Because of the far-reaching importance of the bill for the revision of the Atomic Energy Act, it should have been brought to the floor at the beginning of the session to permit ample discussion and debate. Instead, it was brought up during the closing days of the session under the suspension rule which limits debate to 40 minutes and prohibits amendments. It was a one-package bill combining both international and domestic provisions. Although there is urgency in the international concept, the domestic provisions look to the distant future and should be weighed prudently.

The bill was divided into three parts:

First. To enable the United States to give nuclear weapons information to its allies;

Second. To share peacetime information with friendly nations; and

Third. To turn over to private American enterprise industrial application of atomic energy.

In respect to the first and second, the law is so restrictive that it is meaningless. In respect to the third, which regulates the role private enterprise should play, the bill is so loose as to endanger the public interest. This involves the private against public power issue along with the nonmilitary use of atomic energy.

A provision of the bill has made the Atomic Energy Commission a power broker between TVA and a private utility group. A directive, requested by the President, instructed the Commission to buy its additional power from a private powerplant which would be constructed for that purpose with public Government funds.

Here is another giveaway program. Fourteen billion dollars of public funds have been used for research and building of atomic-energy plants. When the Government disposes of its investments, it should be reimbursed by the private investors. These funds could then be relayed to the taxpayers in the form of tax reductions.

HOUSING

Public Law 570 is the Housing Act of 1954. Public housing is a necessity but the 83d Congress ended this noteworthy program. It is true that there may have been some mistakes in the execution of the housing program, but the good far surpassed the errors. Because of the FHA-engineered revolution in housing finance, nearly 60 percent of United States families own their own homes today or have good equity in them. Prior to 1934, the average family of moderate means was unable to own or to look forward to owning a home. The lower downpayment, lower interest rates, and long-term self-amortizing mortgages sponsored by FHA changed all this.

The Democratic Party accepted governmental responsibility in assisting low-income groups to obtain decent housing. It recognized this program as a social and moral imperative and initiated it for that reason.

I have always given full support to public-housing legislation, but I voted against the Housing Act of 1954 because I desired no part in any fraud. This law put an end to public housing. For many years, a bloc in Congress has led the fight against this critically needed social legislation. This same group can vote for subsidies to other facets of American life and yet claim it is socialistic to make decent homes available to a large number of people. This same group can vote to draft all boys to protect our homes but they deny the veterans and the low-income groups the homes they fight to protect. When private enterprise or local governments are unable to cope with a problem, it is the duty of the Federal Government to encourage and initiate a solution.

This bill as passed by the House contained no future public-housing units. The Senate restored the original request for additional units but when the bill was reported from conference, it stipulated new units could be built only to house persons displaced from slum-clearance projects. This means no new units will be built. A bill with a title only is the record of the 83d Congress in public housing.

Senator IVES declared "It sounds the death knell for Federal public housing which is so desperately needed to prevent further deterioration of our main urban communities," and again in referring to this bill he pointed out that the compromise rules out adequate public housing in any part of the country and particularly hits the State of New York.

Senator LEHMAN charged:

> This bill actually prohibits public housing. * * * In the guise of a 1-year extension it snuffs the whole program out.

AGRICULTURE

The Agricultural Act of 1954 establishes new flexible farm price supports. The administration asked supports ranging from 75 to 90 percent of parity while the farm bloc fought for retention of the present 90-percent rigid supports. Congress accepted the flexible principle but narrowed the range from 82.5 to 90 percent.

I believe in farm price supports, but I do not believe that these supports should provide waste in the form of Government storage of perishable food surpluses. The present support program was initiated in an emergency period when the economy of the country was at its lowest ebb. At that time, this agricultural support program of parity stabilized the economic life of this Nation. President Roosevelt claimed it an emergency program as did President Truman. Both Presidents approved the Brannan plan which permitted perishable goods to be sold in the open market.

In the 1948 campaign President Truman recommended flexible supports, and later, in his state of the Union message, he recommended these be written into the law. The law was enacted because it was recognized that rigid supports did not fit present-day needs. During the Korean war, our agricultural products were disposed of and the law was not enacted.

At the present time, the whole farm program must be reviewed to meet changing conditions. I voted for flexible supports as a step in this direction, but I realize that it is far from being the complete answer. The issue must be faced "head on" and looked at from the standpoint of the consumer, the taxpayer, and the industrialist as well as the farmer. The consumer is overtaxed and overcharged in this process which encourages the excessive production of food, not for the consumer's family, but for storage and spoilage. The food surpluses cannot be dumped on the foreign market. Greater adaptability in the farm program is needed to allow for allocating surpluses to school lunch programs, institutions, and to our armed services. Some of these provisions are now being adopted. Along with other colleagues, I have recommended them. In 1952, I sought to have the armed services supplied by these Government-owned stocks. This has not been carried out. The present administration has sold surpluses to the services at a lower price over and above the normal purchase of the services. This does not alleviate conditions. During the next session I hope that this problem will be extricated from political entanglements and be studied by a commission. Then it will be viewed, as it should be, as a factor in the economy of the whole country. The cost to the Federal Government to store its surpluses is about $750,000 a day.

AGRICULTURAL TRADE AND DEVELOPMENT ACT

This act gave the President authority to dispose of $1 billion of surplus commodities to foreign countries during the next 3 years. To relieve famine and other emergencies, $300 million may be given away. Foreign currencies can be collected for that which is sold, and those currencies must be used abroad. This is an attempt to reduce the stockpile of agricultural surpluses owned by the Government. It is not a solution to the basic problem which will have to be met after the effects of the flexible-support program are determined.

COMMODITY CREDIT CORPORATION

Public Law 312 increases the borrowing power of the Commodity Credit Corporation from its present borrowing limit of $6.75 billion to $8.5 billion. I was not in favor of this increase of $1.75 billion as it means the right to purchase more agricultural surpluses. As of August 19, 1954, the Government owned the following: 457 million pounds of butter representing $306 million; 426 million pounds of cheese representing $171 million; 254 million pounds of dry milk representing $42 million; 324 million bushels of corn representing $528 million; 756 million bushels of wheat representing $1,928,000,000, 803 million pounds of cottonseed oil representing $143 million. Total holdings including the above amounted to $3,739,000,000. This does not, however, represent the total investment by the Government in agricultural support, which is evident by the authority granted to the Commodity Credit Corporation.

PUBLIC WORKS

Public Law 358 authorizes United States participation with Canada in the development of the St. Lawrence Seaway, a construction project which will deepen the St. Lawrence River channel to permit ocean shipping. This will enable large vessels to sail from the Atlantic ports to ports on the Great Lakes. Every President since World War I had recommended this action. Beneficial economic aspects and continental defense aspects caused many previous opponents to vote favorably on this measure in this Congress. Its soundness is still questioned because it is felt that the 27-foot channel will prove too shallow for oceangoing ships and that severe winters will make traffic icebound for at least 5 months of the year.

Public Law 350 authorized $966 million for highway construction in fiscal 1956 and 1957.

Also authorized is $1.08 billion for rivers and harbors improvements and flood- and beach-erosion control projects.

SOCIAL SECURITY

The Social Security Act of 1954 expands and increases the benefits of old-age and survivors insurance system. The 1954 amendments to this law extend coverage of the old-age pension plan to 10 million persons and grant a slight increase in the monthly benefit payments. When this bill was under consideration by the House Committee on Ways and Means, I urged the committee to extend coverage to self-employed farmers and professional people, and to repeal that provision of the law which limits to $75 per month the right of a recipient to earn by his own labor more than that figure. I stated that persons able and willing to continue working past retirement must be encouraged to do so without penalty of loss of benefits. I recommended a gradual increase in social security payments so that the ultimate return to the retired worker might be greater. The committee recommended raising the limitation on earnings to $1,000 a year in accordance with the President's wishes. But, this merely allows a recipient of social security benefits to earn $83.33 per month instead of the original $75 a month, if the worker's earnings are spread over a 12-month period.

Among other programs continued by the 83d Congress were the extension of Federal aid for construction of medical facilities; aid for improvement of vocational rehabilitation services to handicapped persons; aid to schools in defense areas; assistance to construction industry and Federal insurance of home mortgages. It will be noted that these laws continue worthwhile projects originally enacted by previous Democratic administrations.

The unemployment compensation system was extended to cover Federal employees and workers in thousands of small business establishments. After December 31, 1955, the law will apply to employers of 4 or more workers. The old law applied to employers of 8 or more.

VETERANS AND SERVICEMEN

The 2d session of the 83d Congress enacted the following laws of benefit to veterans and servicemen:

Extending for 1 year the time limit for initiating training under the GI bill of rights for veterans of the Korean conflict;

Providing a 5-percent increase in rates of compensation for service-connected disabled veterans of all wars, survivors and dependents;

A similar increase in rates of non-service-connected pensions for veterans and dependents;

Extending to July 1, 1955, authorization to continue pay and allowances of servicemen missing in Korea;

Exempting from limitation on dual compensation certain officers retired for disability;

Extending for 1 year to June 30, 1955, authority of the Veterans' Administration to make direct loans for home and farm purchase;

Prohibiting reduction of disability rating in effect for 20 years or more;

Increasing reenlistment bonuses;

Extending time for filing claims by prisoners of war;

Increasing Federal aid to State homes for disabled veterans;

Giving veterans of Korean conflict the same preference right of entry to homesteads as World War II veterans; and

Making WAC's eligible for veterans' benefits under certain conditions.

AIR FORCE ACADEMY

Public Law 325 established a United States Air Force Academy similar to the Military Academy at West Point and the Naval Academy at Annapolis. The first class of 300 cadets will be enrolled in July 1955. Each Member of Congress from New York will be permitted to appoint 10 candidates to compete in the entrance examinations. Twenty-one boys from New York State will be chosen to enter the first class at the Academy. I welcome applications from those boys residing in my congressional district who are interested in a career in the United States Air Force.

MEASURES DEFEATED IN 83D CONGRESS

The following measures failed of enactment in this Congress:

Hawaiian statehood: The House Rules Committee refused to consider the Senate version of this bill and the measure was thereby killed.

Taft-Hartley law amendments: The House Committee on Labor pigeonholed all bills designed to correct inequities in this labor law.

Wiretapping evidence: The Senate shelved the bill to permit the use of evidence gathered by wiretapping in criminal cases of treason, espionage, and sedition.

Constitutional amendment: The Senate defeated an amendment to lower the voting age from 21 to 18.

McCarran-Walter Immigration Act: No action was taken in this session to

provide correction of inequities in this Immigration and Nationality Act.

The Congress failed also to adopt uniform rules of procedure to control the conduct of legislative investigating committees.

Health plan: This was actually a reinsurance plan. It provided a $25-million fund which would guarantee the losses to insurance companies by their expansion of voluntary health insurance. This bill was defeated in the House on the grounds that it was unworkable and inadequate.

SALARY INCREASE FOR FEDERAL EMPLOYEES

In an effort to obtain passage of a bill to increase first-class-postage rates, the Republican leaders in Congress tied this provision into the bill to increase the salaries of postal employees. The rate increase was originally contained in a separate bill but this measure had been unpopular in the House and the leadership felt that by including it in the popular pay-raise bill, the administration recommended rate increase would win support. Also included in the pay-raise bill was a provision giving the Postmaster General the authority to reclassify positions in the post office. The tactics used in the consideration of this legislation were unwise and, in my opinion, mere subterfuge. Those of us who voted against this bill did so with the understanding that this was not the only way to bring the postal pay-raise bill to the floor.

In the final days of the session, the Congress passed a bill granting a 5-percent pay increase to classified Government employees and postal workers. It was obvious to the supporters of this measure that the Republican leadership, in permitting the bill to be brought up in the final week of the session, did so in the complete knowledge that the President would veto the bill and, with the Congress in adjournment, there would be no opportunity to override his veto. I favored an increase in salary for Federal employees; I signed the petition to discharge the committee on the Corbett bill and I voted against adjournment of the session when an attempt was made in July to adjourn without giving consideration to the needs of our postal workers and other employees of the Government.

ANTISUBVERSION LAWS

The Communist threat is the basic problem of the whole free world. It should be faced squarely outside the realm of partisan politics because it undermines the foundation principles of our Government. Those ill-advised individuals who make it a political issue are playing into the hands of the Communists who view with equal hatred all freedom-loving individuals. The gravity of this menace warranted sincere consideration of anti-Communist legislation early in the session. Instead, bills were brought up near the end of the session, when debate was limited and amendments prohibited. The Congress enacted the following laws on the subject of internal security:

Making the death sentence instead of life imprisonment the maximum penalty for peacetime espionage and otherwise strengthening present law;

Outlawing the Communist Party and bringing Communist-infiltrated labor unions under authority of the Subversive Activities Control Board;

Increasing the penalty for harboring convicted felons;

Making bail jumping by Federal prisoners a separate offense and imposing stronger penalties;

Authorizing congressional committees to grant immunity to witnesses under certain conditions;

Revoking the citizenship of persons convicted of conspiring to advocate the overthrow of the United States Government by force or violence;

Denying retirement annuities to Federal officials convicted of Federal felonies or pleading fifth amendment;

Requiring all organizations required to register under the Internal Security Act to register with the Attorney General all printing and publication equipment.

When the administration-backed bill depriving Communist-infiltrated labor unions of their rights to collective-bargaining privileges reached the floor of the Senate, Democratic Members attached a rider outlawing the Communist Party and making membership in it a crime. This was passed by the Senate, with the vote 85 to nothing. In the House the bill to outlaw the Communist Party was passed. I am recorded for this bill. In conference the bill was changed, and, when finally enacted, the Communist Party was outlawed, but membership in it was not declared a crime. Instead, individual members of the Communist Party were put under obligation of registering with the Government or being subject to fine and imprisonment. Under the Internal Security Act, Communist-action groups had already been thus listed.

Let us recall the bitter criticism by the Republicans of the foreign policy of the previous Democratic administrations. The Republicans pledged that communism would be stopped; that Soviet-dominated nations would be liberated; that the United States would have a new, dynamic foreign policy.

What is the record of the past 2 years? As a result of the unsatisfactory truce in Korea, the Communists control the northern sector. This success of the Soviet strategy for world conquest permitted the buildup of forces in Indochina and the catastrophe of the century—the partition of Vietnam with millions added to the tyrannical rule of communism. The so-called peace has been purchased at a dreadful price. Instead of a new, dynamic policy, the unity of the free world has been crumbling under this administration's leadership, and the nations of the world are seeking to appease rather than to retard the Communists.

In addition to the Communist advances in Asia and the weakening of Allied unity in Europe, the Western Hemisphere is facing a grave threat in Central America—Guatemala. In spite of these advances, military appropriations were cut back, funds were decreased for the mutual-security program—including Point 4—and for anti-Communist propaganda. All this in a world where the Soviet Union is bending every effort to launch a successful large-scale propaganda campaign.

I believe in a careful spending of the taxpayers' money, and I have great concern that a sound economic policy be established, but I do not believe that drastic cuts in defense should be made at the expense of the security of the United States. The failure of the New Look is admitted. The bluff of "massive retaliation" did not work. As a result, the National Security Council has ordered several groups of experts to analyze the plan of United States strategy in its military, economic, and diplomatic phases. This is the reappraisal. It is predicted that the agonizing result will be a sizable increase in security spending because of the great advances of the Communists.

Russia has not increased her divisions but has mechanized them with the most advanced equipment. Meanwhile, the United States has lulled herself into a cruising speed in order to balance the budget and is depending upon retaliation with the bomb.

Today the world is at a critical period. Each day brings about problems which can be faced only by a responsible citizenry. It is urgent that each one bear his responsibility with a sense of understanding based on equity. One must always bear in mind the common good—the common goal. In this way the principal figures in public life throughout the world will be given the help they need to bear their extraordinary burdens. We, as Americans, are singularly blessed because loyal citizens of this free country can help to make the world a better place for everyone. That is why I, as a legislator, want to emphasize this fact: achievements must be viewed as to whether they are contributions toward our ultimate goal, or whether they are roadblocks which may be used as a breathing spell for our enemies.

Whether we like it or not, America cannot stand alone in a place of isolation. Scientific accomplishments have taken us out of the stronghold to which we once adhered. Knowing this, we cannot be optimistic about a world where the resolution of so many grave problems is still pending. An uneasy truce in Korea, the unhappy settlement in Indochina, and the growing menace of communism are not accomplishments. They constitute a serious challenge to be faced only with forthright decisions by all Americans and the free world. We must not only pray for peace, but pray for a peace under God, for without God there can be no just peace.

Question of the Week

EXTENSION OF REMARKS

OF

HON. GEORGE H. BENDER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. BENDER. Mr. Speaker, after Attlee et al. return to England, what will Churchill have to say?

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Russian Air-Atomic Power Growing

EXTENSION OF REMARKS
OF

HON. MELVIN PRICE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. PRICE. Mr. Speaker, today, we and all freedom-loving peoples find ourselves gravely threatened by the force of aggressive Soviet communism. This is not the first time our Nation has been threatened by external foes. We have prevailed before—and we will prevail again.

Let us recognize, however, the unique dimensions of the threat now confronting us. In the form of the Soviet dictatorship, we face an enemy whose mad ambition is the domination of our entire planet. In the eyes of the Russian rulers, peace—if by peace we mean the absence of actual armed conflict—is but a breathing spell which must be used to prepare for fresh aggression. Moreover, the Russian rulers now have at their command a growing stockpile of atomic and hydrogen bombs, plus the planes needed to carry these weapons to targets here in America. In short, a totalitarian regime whose aim is the total conquest of the entire world is coming into the possession of total military power.

Reflect with me for a moment on how atomic weapons have changed the strategic position of our Nation. Up to now, our American atomic stockpile has been probably our greatest material asset in our effort to prevent the outbreak of a third world war. We and our allies have not begun to match the Communist world in number of men under arms. Yet our atomic preponderance has served to offset this disadvantage—we have canceled out Communist superiority in raw brawn power with the superiority of our air-atomic power.

So long as we possessed a monopoly in atomic and hydrogen weapons, it was reasonable to hope that the fact of our monopoly could indefinitely deter the Soviets from launching an all-out war. But we have such a monopoly no longer. In 1949, the Russians tested their first atomic bomb—sooner, much sooner, than most of us had expected. A year ago this month, the Russians also achieved a thermonuclear—a hydrogen—explosion, only 9 months after our own first full-scale hydrogen test. As if this were not enough, we learned this spring of the existence of two new Soviet jet bombers, comparable to our own B–47 and B–52. Once more, most officials in Washington were surprised at the speed with which the Russians mastered the art of producing high-performance bombers.

The meaning of these ominous increases in Russian air-atomic power for our strategic position in the world should be plain for all to see. In World War I and World War II, the cities and industries of America enjoyed immunity from direct enemy attack—thanks to the 3,000 miles of ocean which separated us and our enemies in Asia and Europe. When we found ourselves at war, we therefore still had time to convert our unrivaled economy to the production of armaments, and—despite initial setbacks—to triumph in the end.

Today, bombers now actually in the Red Air Force can take off from Russian bases and reach the cities of America in a few hours. Carrying the nuclear bombs which are today actually in Russia's stockpile, such planes might devastate our Nation and keep up from undertaking the industrial mobilization which made possible our victory in the First and Second World Wars.

I am sometimes forced to believe that too many Americans are whistling in the dark when they speculate on the consequences of a nuclear attack against our Nation. Perhaps this is not too surprising except for those of us who have served in the Armed Forces, or who have seen the devastated cities of Europe or Japan, few of us can comprehend the effects of even a World War II blockbuster bomb—which contained, at most, a few tons of TNT. How, then, can we comprehend the real meaning of atomic and hydrogen weapons—whose destructive force is measured in thousands or millions of tons of TNT equivalent.

Think back for a moment to the destruction inflicted on Germany and Japan during World War II. Today, as a result of the development of hydrogen weapons, a single plane—on a single mission—can carry a cargo of destructive force greater than the force of all the bombs dropped by all the planes on all of Germany and Japan during all the 6 years of the Second World War.

I am not sure how many of you witnessed, in the movie theater or over your television screen, the pictures of our first full-scale hydrogen test, held at our Pacific proving grounds in the fall of 1952. The effects of that hydrogen explosive extended over an area covering 300 square miles. If a weapon of equal destructive force were dropped over St. Louis, that city would cease to exist. It is as simple and terrible as that.

One thing is certain. All our history proves that, when the American people are acquainted with the hard facts of national survival, they measure up to them. It is not in our American tradition to turn our backs upon reality, and to close our eyes to it. We cannot wish Russian atomic and hydrogen bombs out of existence. They are real, appallingly real.

I believe it is high time that the American people be told more about the nature of the atomic peril now facing us, and about what we must do to overcome it. Do not mistake my meaning. It is vital that atomic secrets be kept closely guarded. The American people neither want to know nor need to know the secret details of our national atomic program. But they do want—and they do need—to know the precise nature and dimensions of the threat now facing our country.

Our civil-defense officials, I hasten to add, have said many times that a Soviet nuclear attack could now inflict grave damage upon our Nation and that the capacity of the Russians to wound us is rapidly increasing. But the real meaning of these abstract phrases has somehow not been driven home to the people. Our fellow countrymen do not yet really know, in terms they can really understand, the calamitous nature of atomic warfare. I do not say this in any partisan sense, since I can sympathize with the difficulties of bringing this message home. Nonetheless, I urge with all the power at my command that the administration now leave no stone unturned in getting across to all Americans throughout the length and breadth of our land the true meaning of the ominous growth in Soviet air-atomic power.

I reject the notion that atomic war is inevitable. But in the same breath I warn you that atomic war could be made inevitable by the weakening of our resolve to remain militarily and economically strong and by any faltering in our determination to help other free nations help themselves in our common task of standing up to aggressive communism.

Do all of us regret the necessity of using our moneys, our skills, and our resources to manufacture armaments? Of course we do. But all recorded history shows that dictators have only contempt for military weakness. If we now make the mistake of failing to build the defenses we need to stay alive and free, we may never have a chance to correct this mistake.

Strong military defense is a strong offense. The first military requirement of national survival is therefore an air force capable of answering any nuclear attack against us with devastating atomic reprisal. Our military posture must be such that an aggressor will know an atomic attack against the cities of America would mean the inevitable ruin and downfall of the dictator who perpetrated it. We must not stop there, however. The threat of atomic retaliation must remain the foundation of our national military strategy in this nuclear age. The threat of reprisal—by itself—is not enough. We also need—if it is possible to secure them—a continental defense and civil defense of such efficiency that our enemies will know that an atomic attack—even a sneak attack—could never destroy us.

All of us hope that the fear of reprisal will serve to keep our enemies from striking. But we can never be sure this will be the case. Therefore, if our enemies do strike, we need a continental defense program capable of intercepting and destroying attacking bombing fleets, and a civil defense program capable of minimizing the consequences of the bombs which penetrate our defenses and fall on our cities. In fact, an offensive continental and civil defense—coupled with maintaining our capacity of retaliation—represent our best and surest way of preventing a nuclear attack. The reason for this is apparent. If our foes know that we can blunt the power of their offensive against our Nation, and destroy the industries of their nation at the same time, they may choose never to strike.

Do we have an offensive defense today. The answer is "No." Today, we could in all probability destroy not more than a small fraction of any hostile aerial fleets which might be sent against our country. Will we have an effective

continental and civil defense 3 or 4 years from now, in 1957 or 1958? Unless there is a bold stepup in our programs in the meanwhile, the answer must again be "No." It is true that new inventions in the field of guided missiles and radar detection are improving our ability to intercept enemy bombing planes. But our defenses are growing more slowly than the growth which is now taking place in Russian offensive strength. Soviet scientists are feverishly working to develop more powerful and more efficient nuclear bombs. The result is that, without a stepup in our own defensive preparations, an attack against us 3 or 4 years from now would be far more devastating than an attack today.

In this age of offensive missiles, hydrogen bombs, and jet bombers flying at almost the speed of sound, no defense against air attack can even begin to be 100 percent effective. Yet there is much we can do—and must do—to achieve a higher level of continental defense than we enjoy presently. If we now step up the rate of our defensive preparations—without diminishing our offensive strength—we may have it in our power to create a continental defense of such efficiency as to tip the balance against war and for peace.

Let us never make the mistake, however, of imagining that the threat of air-atomic attack is the only danger now confronting us—though it is by far the greatest danger. We must reckon with the tremendous conventional military forces of the Red army and the satellite nations. We must also reckon with the fact that the Communists are adept in using the techniques of subversion, infiltration, propaganda, and political, and economic warfare to achieve their ends.

When we say that the Communist threat is a total threat, we should not be blind to the full meaning of that phrase. To meet a total threat we must develop a total response. As in the case of the downfall of Czechoslovakia, communism often achieves its ends through political infiltration—and you cannot stop infiltration with an atomic bomb. Today untold numbers of misguided people throughout the world have been duped by the vicious outpourings of the Moscow propaganda machine—and you cannot counter lies with atomic bombs. Today also millions of people in Asia and Africa—lacking the elementary necessities of a life of dignity—have been tempted to cast their lot with the way of Moscow—and you cannot fill empty stomachs with atomic bombs.

I have spent my entire period as a United States Congressman working for the military defenses our country needs if it is to survive. I, nonetheless, tell you most solemnly that armed strength, standing by itself, cannot bring to this world a just and lasting peace. We of this free-world civilization know that in its fundamentals the wanting and maintenance of true peace depends, not on things material but on things spiritual. We know that the only lasting foundation of true peace is the brotherhood of man. We also know that material forces—even the terrible forces of atomic energy—cannot be held accountable for the plight in which the world now finds itself.

Like any other force in the physical world, atomic energy is indifferent to the hopes of man. Like every other force in the physical world, atomic energy is neither good nor is it bad. It is for man to choose whether the atom will be used to lighten man's burdens and to improve our material lot here on earth or whether it will be used to destroy man. The identical atomic material which, in the form of atomic bombs, can lay our cities waste is the same material which, in the form of fuel for peacetime atomic-power reactors, can bring new riches, new dignity, and new hope to the peoples of the world. Every pound of uranium-235—the material which can be used either in an atomic bomb or in a power reactor capable of lighting cities and running the wheels of factories—contains more energy than 2½ million pounds of coal. This incredible fact will be the key to a world in which civilization as we know it will be destroyed or to a world made richer beyond the wildest dreams of our forefathers.

Within the next decade, our country will have in actual operation several atomic power reactors which will be actually producing electricity. In time, atomic power will provide an important supplement to our coal, oil, and hydroelectric resources. Our Nation, however, is uniquely endowed with great quantities of cheap natural fuels which can be used in power-production. Other nations are far less fortunate. For such nations, atomic power will represent a God-given opportunity to raise standards of living.

I am sure I voice the deepest thoughts of every person here today when I say that we Americans stand ready to share the benefits of the peacetime atom with all those who share our vision of a better world. Last December, when President Eisenhower addressed the United Nations and expressed our willingness to explore with other nations the possibility of using the atom in a common fight against common enemies of all mankind—poverty and disease—I believe he spoke for the conscience of all America. It now appears all too clear that the Russian rulers would be unwilling to join in a peacetime international atomic energy agency, and to assure the minimum requirements of membership in such an agency. This fact, however, need not keep us from joining with the free nations in such an international pool. I earnestly hope that President Eisenhower will now move affirmatively and vigorously to bring such an international atomic energy agency into being.

The prospect of international regulation of nuclear weapons, and all other weapons as well, now appears dim. But let us never cease hoping—and working—for that goal. If all the energies now expended on the output of the tools of war could somehow be diverted to a crusade against poverty and want, the consequences would stagger the imagination. Were this to happen, those who follow us might be able to look upon a world transformed. They might be able to look upon a world in which, thanks to the atom, the age-old poverty of Asia and Africa was conquered—a world in which, thanks again to the atom, the scourge of cancer was eliminated. Almost a century ago, when our Nation was locked in a terrible struggle which pitted brother against brother, Abraham Lincoln spoke to his fellow countrymen in words whose wisdom has not been diminished by the passage of time. He said: "We cannot escape history." He said, "We will be remembered in spite of ourselves."

Neither can we Americans of this generation escape history. We, too, will be remembered in spite of ourselves. We in America represent the last bright hope of the decent people of the world for a better tomorrow. This responsibility has been thrust upon us, and we cannot evade it—even if we would.

Let us therefore now pledge our minds, our hearts, and our souls to the great task of this generation—building the better world of tomorrow.

The Reed-Dirksen Tax Limitation Amendment

EXTENSION OF REMARKS
OF

HON. RALPH W. GWINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. GWINN. Mr. Speaker, on April 27, 1954, I appeared before the Senate Committee on the Judiciary which was then holding hearings on Senate Joint Resolution 23, the so-called Reed-Dirksen tax limitation amendment. The underlying theory of the proposed amendment has my enthusiastic support as the following excerpts from my testimony indicate:

STATEMENT OF HON. RALPH W. GWINN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

We have been for some years, Mr. Chairman, in the House, submitting proposed constitutional amendments limiting the power of Congress to tax and spend and borrow.

One of those limits the total amount that Congress may tax and spend for the civilian purposes of Government to 2½ percent of the national income.

Excluding the military, veterans, and interest charges on the national debt 2½ percent of the national income, or roughly $7 billion will cover all legitimate civilian functions of the Government.

Another resolution limits the total tax that may be taken to one-tenth of the national income, which would be roughly $30 billion for all purposes, including war, veterans, and interest charges except that three-fourths of the membership of Congress may increase that percentage as an emergency such as war might require.

I appear for this resolution, the Dirksen-Reed resolution, because it, too, proposes to pull the purse strings and to take from Congress unlimited power to tax and spend. That is the only way to stop the socializing of our economy.

We thought we had defined and limited the functions of Government in the Constitution. The forefathers provided a second limitation on Congress by depriving it originally of the power to tax as we now have it.

Since we have broken down the constitutional limitation concept and Congress can do anything that it wants to do, provided it can find the money, we must provide a defense for ourselves.

We now have no defense as Members of Congress against the demands of a multitude of groups. Any group that is organized, and they seem to be coming up in increasing numbers, can come forward and say, "You gave these people houses across the street; you built power plants for this group in 1 or 2 or 10 States; you have made loans; you have given subsidies here, there, and yonder; now we have just organized the fruit industry, or the spinach industry, and we want subsidies for our group."

Congress is unable, so long as it has this unlimited power to tax, to defend itself against those groups. Nobody knows that better than the chairman.

We are not going to defend ourselves against any group so long as any group well organized can come to Congress and say, "You have done it for others, you must do it for us."

The equalitarian rule in politics is an absolute rule.

The Reed-Dirksen proposal limits the power to tax and relieves those who carry the principal burden of all taxes, viz, the workers who earn $5,000 or less. They pay about 85 percent of all taxes however levied.

This proposal is honest. It tells each group the truth of tax burdens it must bear. It reduces the amount all must pay. Instead of concealing or pretending to shift the burdens of taxes, it limits the total taxes for the benefit of all.

We have already limited State, county, and city taxes. By this proposed amendment, Congress, too, will be limited as the city council or the board of supervisors or the State legislatures are limited as to what they may tax, spend, or borrow.

We do not have socialism in Milwaukee or Bridgeport, although we elect a Socialist mayor. We do not have Communists and Socialists down at the city hall in our smaller political subdivisions for the simple reason that all those political subdivisions have exhausted the amount of money they have by the time they have provided for their streets, police, health, and education. They levy their 2½ percent on the real estate or their sales taxes, spend it all for their regular, constitutional functions and go home. Very few have income taxes, but even if they do, they are limited in functions so they can't go Socialist. They are all forced to spend whatever they have on their traditional services. They have nothing left for socialism. There is nothing left in the till, so Socialists and Communists do not hang around the tills. They go to Washington.

You find no group going down to city hall in any of our cities and saying, "We have organized a little group of voters in the east end that want some houses and we have 1,500 votes out there. If you will build us the houses we will deliver you votes."

It sounds absurd just because we have not done it in the cities where the money is. It is really absurd because we have done it in Washington where the money is not. If we are going to go Socialist or Communist why not go Socialist in the city where the money is?

I resent the Federal Government coming into Yonkers, taking $1,400 per family out of that community, bringing it down to Washington and mushing it around for an incredible period of time and then sending it back only 2 or 3 cents on the dollar to build houses or remove slums or make power or loans or gifts.

Now, we must limit the power of the Congress to do these outrageous things under pressure, to come into those communities to take the money away and then come back and say they are going to give us our dams, our power, our houses, our loans, our subsidies, or what not.

We cannot repeal the socialism that we have. The big argument for this type of legislation, it seems to me, is that by constitutional procedure an overall limitation on all functions of Government is provided. No particular group getting special benefits will be hurt while the others will continue to receive their special benefits. All will be treated alike. All will be deprived of special privilege and the free economy thus restored at once. We must resort to constitutional procedures to restate the theory of government for all because Congress cannot repeal our Socialist measures one at a time.

We cannot say to any group, "Come up to the mourner's bench now and confess your sins and give up your loot that you are getting."

I have tried it. I have talked to the farmers in Indiana, in Iowa, and Nebraska only last week. They say, "We know this is bad. We are not comfortable about taking this money, having our corn and wheat put in the cribs and bins to be owned in common. We don't believe in Government-owned or communal corn, wheat, cotton, and all the rest. But don't talk to us about giving up our particular benefits so long as the other groups are getting theirs."

So Congress is in the hopeless situation of being unable to repeal laws one at a time and restore our constitutional limited functioning voluntarily.

Until we restate the constitutional theory of government and limit its taxing and spending power Congress will go on and on voting special favors for one group after the other. Each group will insist upon getting theirs for no other reason than that the others are getting theirs.

The gentleman, Mr. Ruttenberg, suggested that many of these things ought to be decided at the ballot box. You cannot decide these questions at the ballot box. You cannot even frame the questions to go before the people in a vote.

How absurd it would be to say to the people, how many houses do you want? How many loans would you like to have? How many dams do you want? How many subsidies, this, that, and the other.

Mr. RUTTENBERG. You got a vote on the wheat quota restrictions.

Representative GWINN. We certainly did. Seven to one.

Mr. RUTTENBERG. Overwhelmingly for it.

Representative GWINN. That is right. That does not make it right.

Mr. RUTTENBERG. That is what the people want.

Representative GWINN. But when the people are in the position I described of having to get theirs because the others are getting theirs, you don't have a democratic election process of a constitutional character; you have an auction. Our candidates on the Federal side are traveling across this country now in contrast with our local, State, and county and city candidates for office, saying, "How much do you bid for the vote of Tennessee in terms of appropriations for Tennessee Valley for the 20th year straight on end? How much for the subsidies for wheat in Kansas?" and so on, State after State after State.

Our Federal candidates are in this humiliating position of trying to outbid the other candidates for the vote.

That, I submit, Mr. Chairman, is not a free election in a free country. It is not a constitutional republic functioning at all.

It makes our party system ridiculous and it already indicates that we are at the point where we must do away with the party system if we are going to have that kind of bidding for largesse from the Treasury.

The proposed amendment before the committee, as I understand it, is an effort to restore the constitutional theory of government, Mr. Chairman. We have no theory now. Each day we operate according to the day's needs or pressures. We have no constitutional limitation on what we may do.

It is just as if we were going to court each day with no theory of contract or tort or equity by which to resolve the questions before the court.

It is even suggested that we submit everything to the vote of the jury, including the validity of the contract itself. We are in that impossible position in Washington today.

Now, if the constitutional or contract theory of government can be restored by limiting the amount of taxes that can be collected to the point where the taxes collected will be exhausted when the traditional functions of the Government are provided for, then we will restore the republic by that process.

With this evil progressive tax we now have, the Senators in 1913 predicted when the 16th amendment was proposed just exactly what has happened. I would like, Mr. Chairman, to give you some interesting excerpts from the debates.

Many of them predicted that this was the beginning of the socialization of our economy. Congress would have no limitation on its power to tax and therefore would be undefended by constitutional limitations on what could be demanded of them.

The attitude of the American people regarding income taxes prior to the passage of the 16th amendment deserves more study than it has received. Most of us are familiar with the incident that occurred in Congress wherein one Member of that body was derisively hooted down when he predicted that the rates of the proposed income tax might conceivably reach 10 percent of a man's income. His fears came to pass at the early date of 1918, just 5 years after the 16th amendment became law. In 1918 the maximum rate of the tax climbed to 69 percent.

Justice Brewer of the United States Supreme Court, speaking at a graduation exercise in Oregon said this:

"We shall probably have an income tax. They will amend the Constitution so as to permit it. None of us are very long remembered but if I should be remembered at all, I should like to be remembered for my position on this question. Let me indulge in a little prophecy. * * * We shall have, as I remarked, an income tax. It will turn out to be the greatest incentive to extravagance the world has ever seen. The boys on Capitol Hill will think that they can put the screws on a comparative few without endangering their popularity, and they will increase the pressure and squeeze until there is nothing left to squeeze."

Congressman Sereno Payne, of New York, speaking on the floor of the House on July 12, 1919, made this observation:

"The character of the argument which has been made, that this tax is for use in time of war, leads me to observe that the chief purpose of the tax is not financial but social. It is not primarily to raise money for the State, but to regulate the citizen and to regenerate the moral nature of man. * * * You are creating here an ideal condition for corruption and for the political Jack Cade of the future to levy blackmail."

Both Justice Brewer and Congressman Payne proved to be good prophets. Income-tax rates are now at the confiscatory level of 91 percent of the incomes in the highest tax bracket and the money is used to institute a new social order. Under this social order, or New Deal as it has been called, certain of the citizenry are provided with low-rent housing, cheap power, subsidies, handouts, and the myriad other characteristics of the socialized state. The cost of the largesse is distributed among the rest of the people who are told that the program is necessary

to improve the living conditions and thus the morals of the few to be benefited. The extent of this robbing of a thousand Peters to pay a few Pauls is only limited to the notions of virtue at the moment prevailing in Washington.

Now such a program is doomed to fail. It has failed. A few examples will indicate the extent of the failure. TVA is one of the pet schemes of the socializers, who justify this vast monopoly by the low rates at which it sells the power it produces. Those cheap rates are only possible because the people of 41 States are compelled to pay each year $150 to $200 millions to TVA to make up the deficits incurred in its operations. It is further subsidized by complete exemption from local, State, and Federal taxes. Those facts are common knowledge. It is not widely known, however, that statistics prove that the productivity of the people in Tennessee has severely declined since the advent of TVA. The natural consequence of that loss is that they become ever more dependent on the Federal dole.

Public housing is another example. Again it is common knowledge that Government housing units are paid for out of general funds and are tax exempt. But the Socialists justify public housing because it tends to decrease crime rates. The facts prove them wrong. In the city of Los Angeles, according to police records, the incidence of crime in the public housing developments is 96 percent greater than in the slums themselves and 1,000 percent greater than in private housing developments.

One of the characteristics common to the socialistic projects is the exemption from taxation enjoyed by them. Thus a Government project appears to operate more cheaply and efficiently than the private enterprises with which it competes. The fallacy of the reasoning is obvious of course. The practical results of the fallacious reasoning are not always immediately apparent and thus responsible citizens are often not aroused until they are faced with the accomplished fact of the socialistic state. It is brought about in this manner:

Suppose X represents a Government project such as TVA, which is tax exempt and subsidized from tax revenues. Let Y represent a private enterprise in competition with X and which pays the taxes necessary to subsidize X. Now it is fundamental that X can operate only as long as Y operates and pays taxes. In order that the existence of X can be justified, it must be able to sell its product more cheaply than Y, and in so doing, X attracts business away from Y. Y, faced with this loss of business, while its operating costs and tax burden remain constant, is forced to go out of business. Result—abolition of private enterprise and complete Government monopoly which is now in a position to charge whatever it wishes for its product. X can now charge three, ten, or a hundred times more for its product than Y and could in a free economy. Witness what has happened in Russia. In any event, X must now base its prices on the actual costs of production since taxes from Y can no longer hide the deficits.

There is another result of this evil cycle. So long as customers of X can get a product at half cost, an exaggerated demand for the product will be created. The demand will increase so enormously that the whole community will be threatened with a shortage of the product and the Government cannot tax Y fast enough to meet the abnormal demand.

What I have just described is not just theoretical. It has happened. When TVA went into the Tennessee Valley, 21 private power companies were forced out of the area. Today the people of Tennessee must pay whatever rates TVA may see fit to exact. What those rates would be if the TVA were run as an honest business and could not depend on the annual subsidy from Congress, I leave to your imagination.

Further, the cheap power produced and sold by TVA has led its consumers to abandon the use of coal and oil as fuel, and has created such a tremendous demand for the cheap electricity, that there is a serious shortage of power in the TVA area.

There is an estimated $19 billion worth of taxable property in the city of New York. Of this amount $7 billion, including public housing and the subway system, is tax exempt and the city is now in desperate financial straits because it can find no more ways to tax the Y's that are still in business.

The subway system in New York City is classic instruction in the lessons of socialism. The subways are owned and operated by the city and the whole system is tax exempt. For years the nickel fare was cited as proof of the proposition that government-owned and operated transportation was the best, cheapest, and most efficient transportation. But what has happened? The rolling stock has become old and needs replacement. The fare has gone from a nickel to a dime to 15 cents and a 20-cent fare is probable. The service often leaves much to be desired. The city cannot raise any more revenues for further subsidies since it has reached the maximum rate level of 2½ percent on the assessed valuation of taxable property in the city. The State legislature in Albany has refused city requests for further State aid. Thus the millions of New Yorkers who must depend on the subway for their daily transportation are faced with the grim prospect of riding in ancient trains and paying higher and higher fares.

The corruption and crime in New York City is well known. But at least the amount of waste, graft, and corruption is limited to tolerable proportions by the municipal charter which limits taxes to 2½ percent of the assessed valuation and city debts to 10 percent of such valuation. The Federal Government is under no such prohibition, and consequently the possibilities of graft, waste, and corruption are unlimited. The exposures of the corruption that have already taken place should not have surprised anyone. They were inevitable, for if money is taken forcibly from the people of Massachusetts to provide cheap power for the people of Tennessee, it is perfectly obvious that everyone connected with the administration of that operation is tempted to graft, waste, and steal. For if Government is dishonest and immoral it follows that those who conduct the affairs of Government are or will become dishonest and immoral.

This proposition is proved in the case of public housing. There is no morality in a transaction where private property is taken from one group to provide half-cost tax-exempt housing for another group, with schools, streets, and police thrown in for free. Witness the current exposures and scandals of FHA. Yet the apologists for socialized housing and similar schemes find nothing immoral in this. Their thesis is simply that these dishonest schemes fail merely because they cannot get honest administrators. That is the same as saying that the only thing wrong with the narcotics traffic is that Lucky Luciano conducts it.

The immorality of public housing and the corruption of its administrators is bad enough, but there is yet a greater evil, and that is the corruption of the tenants. The regulations in effect at a public housing development in Houston, Tex., allow each apartment one illegitimate child; but if the offense should be repeated, the whole family must move out, the innocent as well as the guilty. Now isn't it perfectly obvious from this illustration that as the Government undertakes to provide near-free housing, cheap power, and the like, for the people, in that very process the Government becomes the sole arbiter of what is moral, of what is right and wrong?

The bins, cribs, and storage facilities of the Nation are bulging with communal agricultural property, the purchase price of which was wrongfully taken from the taxpayers. Now we don't know what to do with the ill-gotten goods that remain after the rats and mildew have done their work. It is even suggested that the cure for this immoral consequence of the original immoral act is to sell our communalized butter at 30 cents per pound to our brothers and sisters in Russia suffering from the poor production of their particular kind of communism, while our own taxpaying housewives must pay 80 cents per pound.

The charge that the income tax leads to socialism and communism was advanced at a very early date. Senator Bartlett in 1894 said the following on the floor of the Senate:

"Mr. Chairman, this is not democracy; it is communism. * * * Such a road leads on to the social conditions of semibarbarous countries, where no one dare show any sign of the possession of wealth unless he be in a position to heavily bribe Government officials."

On April 9, 1894, Senator Hill, of New York, branded the proposed income-tax law "a step toward socialism." He said:

"It is charged agains the friends of a Federal income tax that they are artfully driving a thin edge of a wedge to offset a forced redistribution of property. * * * Taxation of all sorts, taxation at every turn, taxation upon income, with all the necessary bureaucracy, machinery, and inquisition, has long been the appropriate and most perfect instrument with which European governments have multiplied their functions and prolonged their supervision, their control, their repression of the people's doings."

Joseph Choate, noted attorney who argued for the appellants in the famous case of *Pollock* v. *Farmer's Loan and Trust Company*, made this argument when appearing before the Supreme Court:

"The act of Congress which we are * * * [attacking] * * * is communistic in its purpose and tendencies as is defended here upon principles so communistic, socialistic * * * as ever have been addressed to any political assembly in the world."

The question of limiting the power of the Government to tax received attention in the 1913 debates regarding the income tax. Listen to the exchange between Senator Weeks, of Massachusetts, and Senator Norris, of Nebraska:

"Senator WEEKS. I would like to ask the Senator from Nebraska where we are likely to stop in the unequal taxation which is proposed in this income-tax provision, and I think the country would like to know where the limit is to be placed. Are we to adopt the suggestion of the gentlemen to whom I refer that eventually if a man has $100,000 income we will take one-half of it, on the theory that he will have enough left, or are we to approach this subject in moderation and determine where we can get the most income with the least danger of unduly sacrificing reasonable equality in our system of taxation?

"Senator NORRIS. The question of the Senator from Massachusetts could be raised every day upon a proposition to tax anything to raise revenue anywhere. You could ask, Where is the limit going to be? Every man must know that there is no limit."

Senator Norris' candor is engaging but his premise is faulty. There is a limit. That limit is reached when you tax the incentive for profit to death. That limit has been reached already. Everyone has heard or knows of cases where an individual simply ceases working for more than a certain salary on the grounds that his take-home pay is too small to be worth the additional effort. Such an attitude, had it existed earlier in our history would never have developed the tremendous, capitalistic industrial complex that characterizes America. Does anyone believe

that Henry Ford would have built his empire if he had known that his personal income would be subject to a 91-percent tax and that his estate would be subject to a 77-percent bite? Or even if he were personally willing, does anyone believe that he could have succeeded had he been subject to such rates? Of course, if the premise is that America does not need men like Henry Ford, or that large private industry is undesirable, the question becomes academic.

The proponents of the amendment to limit the power of the Federal Government to tax, borrow, and spend have several reasons for their proposal.

1. Encourage the profit incentive of American ingenuity.
2. Reduce the number of Federal employees.
3. Eliminate bureaucracy as far as possible.
4. Reduce the possibilities of graft, waste, and corruption in the Federal Government.
5. Reassert the jurisdiction of the States over matters of State concern, i. e., redefine the concept of the division of powers.
6. Use tax moneys for the benefits of those communities which paid the taxes.
7. Return to the philosophy of taxation for raising revenues and not as a device to accomplish political and social ends.
8. Get the Federal Government out of competition with private enterprise.
9. Eliminate subsidizing special groups at the expense of the whole Nation.
10. Return the Federal Government to its legal and moral functions of preserving the peace and protecting the life, liberty, and property of its citizenry.

Most of the 10 propositions have been already discussed but I would like to say just a few additional words about 2 of them.

The number of Federal employees totals today 2,361,057, costing in payrolls alone $10.5 billions annually. The number of employees in 1930 was 604,948, costing $1 billion and serving a population of 123,191,000. Stated in percentages, the population of the United States increased 30 percent between 1930 and 1954 while the number of Federal employees increased 300 percent; the payroll increased 900 percent. If the number of Federal employees had increased in direct proportion with the increase in population, the figure would be around 900,000, costing an annual $5 billion. I submit 900,000 employees is enough to administer the proper functions of the Federal Government.

The 16th amendment, more than anything else, is responsible for the complete breakdown of the traditional American concept of the division of powers. It must be remembered that the founders of the Republic intended the Constitution to be a contract between the States and the Federal Government wherein the latter was given only such powers as were surrendered by the former. The bulk and residue of governmental power was intended to remain in the hands of the States. The tremendous revenues made possible by the income tax has been used to bribe the States to surrender practically all of their remaining powers. The device used is the now familiar Federal grant-in-aid. The States today are mere agents of the Federal Government. The prostitution of the States is so complete that only very little Federal money is required in many cases to keep the States quiescent. For example, in the year 1953, the Bureau of Internal Revenue collected $12,996,197,025 in the State of New York. During that same year New York received from the Federal Government the princely sum of $286,076,374, representing a 2.20-percent return. I have no doubt if the above figures had been available to the people of New York in 1789, they would never have ratified the Constitution of the United States. Certainly they would never have consented to the proposition that the boundaries of New York State were to be only convenient geographical aids without any political significance.

Mr. Chairman, the history of the years that have transpired since the adoption of the 16th amendment, and particularly the last 25 years, present powerful, persuasive, and irresistible proof that the people must curb the powers of the Federal Government. Since it has been amply demonstrated that the Constitution as it now is written and interpreted is not sufficient, we must amend it, if constitutional government is to survive.

The principal threat to America is not Russian communism, but our own attempts at socializing the Nation. I frankly admit that I support this amendment because I view it as an instrument to dry up the socialistic swamp. If the Federal Government has only a limited amount of funds at its disposal, it will be deterred from embarking on any further socialistic ventures and will be compelled to abandon those to which it is already committed.

I will not admit that the concept of a constitutional republic is obsolete. I consider it my obligation and duty to preserve the Republic of the United States of America; it is not my obligation and duty to be party to any further attempts at sovietizing the Republic.

"The power to tax is the power to destroy"; it is the better part of wisdom to contain such power with the fetters of constitutional limitations.

It is appropriate to include in my remarks a story that Dean Clarence Manion, former dean of the Notre Dame Law School, tells, and which was recently placed in the CONGRESSIONAL RECORD. It goes like this:

"TEN WORDS

"I rode to Chicago on an airplane a short time ago with a very influential man from New York. I gave him this business all the way from LaGuardia Field to the Midway Airport. He sat silently, stoically listening and nodding. Finally he began to take notes. I felt encouraged, and gave him more; but when he left the airplane he gave me his notes. He said: 'Manion, watch your blood pressure, my friend.' He said: 'You can't do anything about this despotic trend. The fate of our civilization is in the cards. Here,' he said, 'is the 10-word cycle of civilization. It has happened to everybody; it will happen to us.' The 10 words burned themselves into my recollection.

"Do you know them? Ten short words—none of them very sweet.

"Civilization begins in 'bondage.' Bondage is word No. 1.

"And out of bondage comes 'faith in God,' word No. 2.

"And with faith in God comes 'courage,' and its comes from no other place. Courage is word No. 3.

"And with courage, men acquire their 'liberty,' No. 4.

"And after liberty comes 'abundance,' word No. 5.

"And then, after abundance, 'selfishness.'

"And after selfishness 'complacency.'

"And then after complacency, 'apathy.'

"And after apathy 'dependency,' the 'gimme' stage.

"And after that, back to bondage again: Bondage to bondage in 10 fateful steps.

"Where are we on this vicious circle of civilization? Would you hazard a guess? We have passed the point where faith gave us liberty and procured abundance. Are we in the stage of selfishness, or complacency, or apathy, or perhaps even dependency? God save the mark."

I want to conclude on a happier note than that which is struck by Dr. Manion's fatalistic little story. The brief interlude in man's political history alluded to in the 10 words as "liberty" and "abundance" is like the short time in the flight of a bird when it passes through a lighted room in its journey from outer darkness to outer darkness. That light is only effective as long as the walls keep out the overwhelming darkness. Even so, the light of liberty can only shine as long as the walls of constitutional limitations can deflect the surge of totalitarian darkness. The sole genius of the American political structure is its recognition of the immutable law that the degree of liberty of the individual is in direct proportion to the degree of restraint on governmental power.

This Nation was conceived in bondage, and was born when the chains of bondage were broken. Our constitutional shield has been battered and buffeted by those who would deliver us again into bondage, and it is time that we strengthen our defense by again reasserting the concept of constitutional limited government. If we do this we need not fulfill the prophecy of the 10 words, but remain forever in the lighted room.

I would like to insert in the RECORD as part of my remarks, the following survey compiled by the Tax Foundation, regarding debt limitations on the various States and the general remarks on this subject of Dean Clarence Manion, former dean of the Notre Dame Law School:

"Alabama: Governor may negotiate temporary loans up to $300,000 to meet treasury deficiencies. After 1933 no additional State debt is possible without a constitutional amendment.

"No amount beyond money on hand and appropriated shall be spent.

"Arizona: The State may contract debts for casual deficits up to a $350,000 total. Additional borrowings require constitutional amendments with retirement within 25 years specified.

"Legislature must provide for revenues, sufficient to meet the annual expenses of the State, including debt.

"Arkansas: Except for highway purposes, education, war pensions, and existing debts, the general assembly is prohibited from appropriating or expending more than $2½ million in any biennium which may be exceeded by three-fourths vote in both houses. Additional State debt must be approved by a majority of the voters at a general or special election.

"California: Legislature may create debt up to $300,000. Additional debt requires authorization by voters at an election and must be accompanied by provisions by which the principal and interest can be met within 75 years. A sinking fund also is required.

"If expenditures in the proposed budget exceed revenues, the governor must recommend additional revenue.

"Colorado: If the appropriations of the legislature exceed the total tax provided for by law additional taxes must be levied within the defined limits or the appropriations reduced.

"Limit of $3,015,000 by legislature permitted for public buildings, refunding, and casual deficits. Additional debt requires a constitutinal amendment. Existing amendments authorize highway bonds and earmark certain revenues.

"Connecticut: No applicable provision.

"Delaware: Debt may be created by concurrence of three-fourths of all members of each house.

"Florida: A constitutional amendment would be needed to create State debt.

"The legislature must provide for raising revenue sufficient to meet expenses and retire State debt.

"Georgia: Debt shall not exceed taxes lawfully levied each year; however, $500,000 is permitted to meet casual deficiencies, plus $3.5 million for school teachers' salaries. Additional indebtedness requires sanction by constitutional amendment.

"The legislature may make supplementary appropriations only when there is an unappropriated surplus in the treasury or a tax to raise the money has been provided.

"Idaho: Appropriations or expenditures may not exceed the total tax unless provision is made to increase the tax within the overall limitation.

"Legislature can create debt of $2 million in aggregate for any purpose.

"At a general election the voters may authorize borrowing exceeding $2 million but these must be accompanied by measures to raise the necessary amount to pay interest and principal within 20 years.

"Illinois: Loans up to $250,000 are permitted to meet casual deficits. Additional borrowing must be submitted to the voters at a general election and receive the approval of a majority. Provision must be made for a tax to be levied sufficient to meet the interest payments, with the tax also approved by the voters.

"Approved by the voters.

"Appropriations may not exceed revenues, and all appropriations requiring money to be paid out of the treasury shall expire at the end of the fiscal period.

"Indiana: With passage of law, debt may be contracted for the purpose of meeting casual deficits in the revenue and to pay interest on the State debt.

"Additional debt must be authorized by a constitutional amendment.

"Iowa: Debts up to $250,000 are permitted to meet casual deficits. Other debts must be authorized by law which shall also provide revenues to meet interest and repay the principal within 20 years. Law creating additional debt and the tax for revenue to retire it must be approved by majority of votes cast in general election.

"Kansas: Debts up to $1 million are permitted for extraordinary expenses. Every other debt shall be authorized by a vote of the electors at a general election; such debts must be accompanied by provision for taxes to pay the principal and interest. Debt for highways is specifically prohibited.

"Kentucky: Debt not to exceed $500,000 may be contracted to meet casual deficits or failures in revenue. Additional debt, along with provision for a tax to pay principal and interest within 30 years, must be approved by majority vote at a general election.

"The legislature shall provide for an annual tax which, with other resources, meets the estimated expenses of each fiscal year.

"Louisiana: Borrowings to meet deficiencies in revenue are limited to $1 million during a fiscal year and cannot at any time exceed $2 million. Additional borrowings require constitutional amendment.

"Maine: Aggregate debt created by the legislature may not exceed $2 million. Additional debt must be approved by a majority of voters at a special or general election.

"Maryland: Legislature may borrow up to $50,000 to meet temporary deficiencies in the treasury. Additional debt may be authorized by the legislature, with a tax enabling retirement within 15 years. However, veterans' compensation bonds authorized by the legislature must be approved by the people.

"Revenues sufficient to cover appropriations must be provided.

"Massachusetts: The legislature may borrow in anticipation of revenues, with payment of the loan made within the year. Additional debt may be created by two-thirds approval of each house of the legislature.

"The Governor's budget must include taxes, revenues, loans, and other means to meet proposed expenditures.

"Michigan: $250,000 is debt limit to meet deficits in revenue. Fifty million may be borrowed for highways.

"The legislature must provide an annual tax, sufficient, with other resources, to pay estimated expenses, interest on debt, and deficiencies that occur in resources.

"Minnesota: For meeting extraordinary expenses, up to $250,000 may be borrowed by law which shall include a tax sufficient to retire debt within 10 years. Legislature may authorize highway bonds not to exceed $75 million at any one time. Additional loans would require a constitutional amendment.

"Mississippi: No applicable provision.

"Missouri: From the present time on borrowing in excess of $1 million must be submitted by the assembly to the voters who must give the measure approval by a majority of those qualified. Assembly must provide for the retirement of bonds so approved within 25 years.

"The Governor's budget must recommend revenues sufficient to meet expenditures.

"Montana: No appropriation shall exceed the total tax provided by law applicable to such expenditure.

"Borrowing for casual deficits must not exceed $100,000. Additional debts must be approved by a majority of the voters and means must be provided to meet principal and interest.

"Nebraska: Legislature may borrow up to $100,000 for casual deficits. Additional debt requires constitutional amendments.

"Appropriations cannot exceed revenue authorized to be raised in a fiscal period.

"Nevada: Debt must not exceed 1 percent of assessed valuation. All debt authorization must be accompanied by provision to pay principal and interest.

"The legislature must provide an annual tax sufficient to meet estimated expenses for each fiscal year. When yearly expenses exceed income, a tax sufficient to remove the deficiency must be provided.

"New Hampshire: No applicable provision.

"New Jersey: Debt is limited to 1 percent of appropriations in general appropriation law, and must be approved by a majority of voters at an election. Provision to pay interest and extinguish principal in 35 years must be made for all debt.

"No appropriations shall be made in a fiscal period which exceed the total amount of revenue on hand and anticipated.

"New Mexico: Debt of $200,000 is permitted for casual deficits. Additional debt must be approved by a majority of State electors and there must be provision for payment of interest and principal within 50 years. Additional debt may not exceed 1 percent of the assessed valuation of all property subject to taxation. In some cases, however, highway bonds may exceed the 1 percent limitation, except that those payable from proceeds of taxes on property may not exceed $2 million.

"New York: Legislature may borrow in anticipation of revenues. All other State debt requires approval by majority of voters, except that debt not exceeding $300 million for the elimination of grade crossings does not require approval of voters.

"The Governor must recommend legislation when necessary to provide revenue sufficient to meet proposed expenditures in his budget. All payments from the treasury must be under appropriation, and such payments must be made within 2 years after the appropriation act.

"North Carolina: The legislature may borrow in anticipation of taxes due within the year not to exceed 50 percent of such taxes, to meet a casual deficit and, in a biennium, up to two-thirds of the amount by which the State's outstanding debt was reduced in the preceding biennium. Additional debt must be approved by the voters.

"North Dakota: State may borrow up to $2 million, with borrowing beyond that secured by mortgage on State property. Borrowing beyond the value of State property requires constitutional amendment.

"Ohio: Debts to meet casual deficits are limited to $750,000. Additional debt must be by means of constitutional amendment and there must be means provided to meet interest payments and to provide a sinking fund to redeem the principal.

"The legislature must provide for raising revenue sufficient to meet annual expenses, and able to pay the interest on the State debt.

"Oklahoma: $500,000 may be borrowed to meet casual deficits. Additional borrowing must be authorized by law and approved by a majority of the people voting at a general election. Such law must provide for payment of interest and principal within 25 years.

"The legislature in the year following one in which expenditures exceed revenues must levy a tax which, with other resources, removes the deficiency.

"Oregon: $50,000 debt is permitted and up to 4 percent assessed valuation for highways. Other debts require constitutional amendment.

"The legislature shall provide for raising revenues sufficient to meet annual expenses and to pay interest on the State debt, if any.

"Pennsylvania: $1 million is permitted for deficiencies in revenue and $100 million may be borrowed for highways—by legislative action.

"Rhode Island: $50,000 is the express limit on borrowing by the general assembly, but it may also borrow in anticipation of revenues up to 30 percent of actual receipts from taxes during the prior fiscal year. Money so borrowed must be paid back within the fiscal year. The consent of the people must be given for further borrowing.

"South Carolina: The legislature can borrow for the ordinary and current business of the State. Additional debt must be approved by two-thirds of the State's voters and the assembly shall levy a tax sufficient to pay interest on debt approved by voters.

"An annual tax sufficient to meet annual expenses must be levied and the legislature in the year following one in which expenditures exceed revenues must levy a tax sufficient with other income to remove the deficiency.

"South Dakota: $100,000 may be borrowed for casual deficits. Other indebtedness (for rural credits) up to one-half of 1 percent of valuation may be made by a two-thirds vote of the members of each branch of the legislature.

"An annual tax sufficient to meet annual expenses must be levied, and the legislature in the year following one in which expenditures exceed revenues must levy a tax sufficient with other income to remove the deficiency.

"Tennessee: No applicable provision.

"Texas: $200,000 may be borrowed for casual deficiencies in revenue. Veterans' land bonds limited to $25 million (legislative approval only). Additional borrowing requires a constitutional amendment.

"If an appropriation bill exceeds estimated revenue, the appropriation must either be reduced or additional revenue provided.

"Utah: Appropriations must not exceed the total tax.

"Borrowings to a maximum of 1½ percent of assessed valuation may be made for revenue deficiencies.

"Vermont: No applicable provision.

"Virginia: Casual deficits may be met by borrowing. Other debts must be approved by the voters and a sinking fund must be provided, but such debt may not exceed 1 percent of assessed real property in the State.

"Washington: $400,000 may be borrowed to meet failures in revenues. Additional debt must be approved by voters and provide means to pay interest and principal within 20 years.

"West Virginia: Debt may be contracted to meet casual deficits.

"When expenditures exceed revenues in a fiscal year, the legislature shall in the ensuing year levy a tax sufficient with other income to remove the deficiency.

"Wisconsin: $100,000 debt is permitted for extraordinary expenditures.

"Legislature must provide an annual tax sufficient to meet estimated expenditures of the States for 1 year. If expenditures exceed income in any one year, the legislature must, in the ensuing year levy a tax sufficient with

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other income to remove the deficiency and sufficient to pay the estimated expenses for that year.

"Wyoming: Total debt created by the legislature may not exceed 1 percent of the assessed value of taxable property.

"No debt in excess of taxes for current year may be created without approval of the voters."

"THE CONSTITUTION IS YOUR BUSINESS

"(By Clarence Manion)

"We are a country of highly organized special interests. Everybody is concerned with his special interest and indeed has to be in this highly organized and thoroughly competitive age. But what alarms me is that seldom, if ever, do I find any organization that is brought together in the general interest. And it is precisely the general interest of the United States that is in need of help and attention. If I should ask you to tell me what phase or branch of industry you represent, we would call the roll of all the enterprises, manufacturing, merchandising, exploration, advertising, transportation. That's your business, isn't it? That's the great mistake we all make. Your business is only incidentally the business of merchandising and manufacturing and selling and transporting.

"The Constitution is your business. It's the only business you have. If it weren't for the Constitution, there wouldn't be any business in this country that is private in nature. And if you permit the foundation of all business enterprise to be innervated or subverted, then you won't be in business any longer. You will be at the beck and the call of totalitarian direction.

"Let me give you two recent historical events, both of which ought to be well known to you. A few months ago, the Government of Guatemala seized 230,000 acres of land belonging to the United Fruit Co. What did the United Fruit Co. do about it? Nothing. There isn't anything that anybody can do about the seizure of their property in Guatemala. There isn't any constitution in Guatemala worthy of the name. It's full of escape hatches through which the dictator can crawl at his convenience. And Guatemala is not behind the iron curtain yet. Guatemala is just behind our backs.

"About the same time, the then President of the United States seized the steel properties of the country and what did the owners of the steel mills do about it? They went to the courts and asserted their constitutional rights. The courts and, ultimately, the Supreme Court decided that the President had exceeded his powers and they ordered the President to return the properties to their owners, which the President did. All of us took that news calmly. Here and there, there was a toast to the good old Constitution. Beyond that, there wasn't a ripple of interest or of recollection.

"But I want to remind you and urge you to remember the disparity between the Guatemalan seizure and the seizure in the United States of America. What took place in Guatemala is what is taking place all over the world. Not merely behind the Iron Curtain but in front of it. What took place in the Steel case takes place only in the United States of America.

"This is the only place on earth where an individual can force his Government to respect his rights * * * and that's the very definition of liberty; and that is why I say the Constitution is your business. It is the license under which you continue to operate as a private property owner and as a private enterpriser. And I direct your attention to the Constitution and to the jeopardy in which it finds itself.

"The United States of America, which is the hope and envy of mankind, is merely the incarnation of four basic political convictions; and when those convictions disappear, disintegrate, or are subverted, the United States will collapse. The hope of the world will disappear.

"What are those four facts? After all, it isn't difficult to recall when the United States was a vacant lot and there wasn't any United States; and onto that vacant space some architects came with a plan for reconstruction—the only time in the world when a political organization was planned in advance. It didn't evolve; it was made, deliberately, according to a prescription which was advertised to the world. And that expression, that plan, that blueprint, is known as the American Declaration of Independence.

"Did you ever hear of it? Well, try to find a copy some place. It's difficult. There you find the four facts of American life expressed with the first breath of the new life of this Republic.

"No. 1: 'We hold this truth to be self-evident,' they said, 'that all men are created * * *.' There is a God, in other words. God exists according to this blueprint, not as a matter of faith, but as a matter of fact; the fact of God's existence is postulated and built into cornerstone No. 1 of the Republic. And remember that 'We hold this truth to be self-evident * * *.'

"No. 2: 'That all men are created equal.' And here is the most bedeviling phrase in anybody's language today—human equality. How equal can people be? What are the limitations and potentialities of human equality? The Russians are selling a brand of human equality around the world, and millions of people are buying it. They want to be equal. What is the natural law of equality? What is the fact of equality?

"It says here, 'All men are created equal.' All men, in other words, are equal in God's sight. That's the precise expression, 'in God's sight'; and for that reason, they are equal before the law of the land, because if I know anything about the law of the land it is merely a projection of God's law—equality before God—equality before the law and beyond that inequality in every conceivable way. Did you ever hear anybody advertising the limitations of human equality? Do you think you're all equal, one to another? Do you think it is possible to make you equal?

"I ask you to take a look at that fingerprint of yours, J. Edgar Hoover says there is only one like it on earth. You are the only man or woman who now lives or who has ever lived who had that distinctively individual trade-mark. Contemplate it. Think of an all-wise providence that breathes into you a mark of differentiation from everybody else on earth. And do you think that's the end of your individuality? No, that's only the beginning. Everything about you is different. God made men and women, each of whom is different from every other one; and in that difference lies the secret of civilization.

"Thank God for those differences. Some want to be farmers, some what to be fabricators, some want to be politicians, professors; out of that great difference in ambition and in energy and in aptitude and in intellect, we are fed and clothed. Did you ever realize that? There's only one thing missing in that great heterogeneous mass of differences necessary to spark a great civilization like ours—that's freedom. These intellects, these energies, these ambitions, this enterprise need to be free in order to achieve; and that brings us to:

"No. 3: 'We hold this truth to be self-evident,' they said, 'that all men are endowed (not by the Constitution or the Bill of Rights, but) by their Creator with certain unalienable rights and amongst these are life and liberty.' It so says, 'life and liberty' joined together, inseparable, unalienable, as gifts of God. Liberty is as important to human nature as life is. Without liberty, man disintegrates—so that's the third great fact of life—the divine origin of rights and obligations because obligations are just the reverse side of the coin of right. And now, finally, for the fourth fact of life.

"How to preserve this human freedom—that's the $64 question. How to keep men free? Now, they had not to observe but to invent * * * to make something—Fact No. 4: 'We hold this truth to be self-evident,' they said, that to secure these rights, to protect these gifts of God, governments are instituted among men, deriving their just powers from the consent of the governed. Man makes government to protect the gift God gave to man.

"We begin to get perspective. Government is last, not first. God is first; government is last; and now the opposition to communism begins to be rationalized. It's the fact of God's existence that puts government in its place—that puts natural limitations upon government which man has a moral obligation to enforce—that keeps government a servant, lest it develop into a master.

"Every totalitarianism that ever existed was materialistic and godless because where there is no God government is God. That's why communism is godless—that's why every tyranny from Herod to Hitler was godless. It's the fact of God that subordinates government. You businessmen better advertise the fact of God, not to save your souls (I'm not worried about them); I'm worried about saving your civilization. The fact of God is first in the order of importance.

"Now about government—how to keep it confined—how to keep it in its place. There are many unfortunate notions about government today. Government is, according to these specifications, a tool, a device, manufactured to do a special job, like a lathe or a drill press. It's a dangerous tool. And then, for the first time, in any age of history, they tied their government down, they limited it, they controlled it. They made it serve rather than master them. And that's the rationale of your history, this inseparable, logical linking between the Declaration of Independence and the Constitution of the United States.

"There are three things that you must sell. You must sell the Declaration of Independence, the Constitution of the United States, and, yes, the Ten Commandments of God. Because when all this was done, somebody asked James Madison why this Government won't work. 'Nobody has ever done this to government before. It won't function. You can't treat government like this; it has no power.' And Madison answered classically. He said, 'We have staked the whole future of American civilization not upon the power of government, far from it, but upon the capacity of mankind for self-government.'

"Better advertise that. Tell them what William Penn said 100 years before the Declaration of Independence was written, 'Those people who will not be governed by God will be ruled by tyrants.' The Founding Fathers knew it. Our generation should know it. Those people who will not, in other words, govern themselves according to the laws of their Creator, will be ruled by a despotism. It was so in every age of history. It will be so with us.

"Self-government, self-restraint, moral consciousness, that's the price of your constitutional system, and so the ten commandments have come back into currency. Sell those three things: God's commandments, the blueprint for freedom, the Declaration of Independence, and the constitutional confinement of government in the interests of freedom because there isn't any definition of freedom that isn't contained in the phrase 'limited government.'

"Forty years ago, Woodrow Wilson said something that ought to be on a few billboards. Woodrow Wilson said, 'The history of liberty is the history of the limitation of governmental power.' He said, 'When we resist the concentration of governmental power, we resist the processes of death, be-

cause,' he added, and this is important, 'a concentration of governmental power is what always precedes the death of human liberty.'

"Today, 40 years later, the Communists have taken Wilson's phrase and paraphrased it into a command. The Communists say, 'A concentration of governmental power is what must precede the death of human freedom.' And so they first concentrate power and then they seize it, as they seized it in Czechoslovakia and in Hungary and in Bulgaria and Rumania and Latvia and Lithuania—in 15 separate nations containing 600 million people, since the end of World War II.

"First, they consolidated control over the police; then they consolidated control over the ballot boxes; and then the people, in terror of the police, voted themselves behind the Iron Curtain. There wasn't any marching Russian army. There was no dropped bombs. Czechoslovakia voted almost unanimously to go behind the Iron Curtain; so did 600 million people in that greatest conquest of all time.

"You think they won't try it on us? Their first objective is to concentrate power and when the Communist conspirator comes to this country he looks first for the centralized control of the police. And where does he find that? He goes to Washington. He has Dexter White or Alger Hiss or somebody ready to take over the job. But he can't find the centralized control over the police because, with the remarkable previsions of their generation, the Founding Fathers decentralized the control of the police. It is not in Washington. Police are controlled in the States of the Union, and the cities and the hamlets of the United States, by constitutional provision. There isn't any consolidation over the power of the police. Police control is a State control, not because of anything you did or I did but because of something the Founding Fathers wisely did before the word 'Communist' was current.

"And then they look for the ballot boxes, and where do they find those? In Washington, controlled by the minister of voting? They find the ballot boxes dispersed through 48 independent constitutional jurisdictions called States. Voting qualification is a State right; 48 different places, 48 different rules.

"And last of all is the land. The land which they want to confiscate is the first act of the Communist government. Where is the central control of the land? How can they get their hands on that? They look for it in Washington and they don't find it there. They find land controlled by the wise prevision of the Founding Fathers—not in Washington but—in 48 separate, individual constitutional jurisdictions called State land, and properly is locally controlled under State law. Keep it that way; States rights is your best defense against communism. Defend States rights. Learn about them. Understand them.

"Of course, the Pentagon has its part to play; so do the other expensive measures that we use to defend ourselves against marching Russian armies and dropping Russian bombs. But I remember what the Communist told me in Notre Dame, who had lately escaped from the Daily Worker, a decade ago. 'The Constitution,' he said, 'is the greatest frustration of the Communist conspirators in the United States of America.' And how few of us know it. They know it. The Constitution of this country is your greatest protection.

* * * * *

"I know how human we are, how reluctant to take upon ourselves the burden of saving our fellow man, but it isn't George's job. Don't expect George to do it. He won't do it. He hasn't done it. I've talked to him. He isn't interested at all. You must do it, each and every one of you. If you're troubled with apathetic sickness, I'll tell you how to get rid of it.

"I had a client the other day, believe it or not; and what is more extraordinary, a paying client. We had been working with him for weeks to try to insulate him against the post mortem impacts of the Federal tax collector. You know what I mean? Don't know how much good we did but we went through all of the usual motions. We had created a big trust agreement. He'd rewritten his will and the will of his wife. We made gifts, inter vivos of course. They were all inter vivos; none of them were causa mortis, lawyers take notice. We had had deeds of land, oh yes, life insurance policies reassigned, bank accounts readjusted, a big stack of documents on the desk.

"My client had reached the signing stage and he was signing away with a big smile on his face. At that point, I interrupted him. I said, 'John, you seem to be getting a kick out of this.' I wasn't getting any kick out of it. I was fed up with it, tired and disgusted.

"John laid down his pen and looked at me, still smiling. He said, 'Pat, I certainly do get a kick out of this. You know, I'm an old man. I'm ready to admit it to you. I've been pretty successful. I've accumulated quite a bit of property, more than I ever thought I would be able to count. Unfortunately, I lost my wife a few years ago. I have some lovely children and grandchildren. I'd like to have them have some of this property. I knew that unless I sat down and did something like this, it would all go to the four winds and the rest of it would go to the Government.' He said, 'I think we've done the best we could. I'm very happy. I'm going to sleep tonight.' He started to sign again.

"At that, I interrupted him a second time. I said, 'John, now that you've taken care of their property, what are you going to do about their liberty?' John didn't even stop this time. He just laughed out loud, shrugged his shoulders. 'Liberty,' he said, 'I don't know anything about liberty. I'm just a merchant. I'll have to leave liberty to the politicians and the professors.'

"Then I told him something that I'm going to tell you. 'Tear up the trust agreement. Tear up the will. Throw away the life-insurance policies. Forget the bank account. Forget the common stock. Forget everything, because unless you leave your children liberty, you leave them nothing at all.'

"Ask the Jews in Germany. Ask the well-propertied Jews in Germany what good their property and their wealth did them when they were faced up against the concentrated, unlimited power in the hands of Adolf Hitler. Ask the ghosts of 10 million kulaks murdered by Joe Stalin. Ask those ghosts, "Say, fellows, you had lots of property. What good did it do you when you were faced up against the concentrated unlimited power called communism?"

"Wherever you ask the question and of whomsoever you ask it, the answer comes back, always the same. In time of unlimited, concentrated government, your property is going to buy your children just one thing—a ticket to the concentration camp—a one-way ticket to the point of no return. So, will you please think about that the next time you pay that life insurance premium, the next time you put a codicil on that will, the next time you stash away a few dollars for the new grandchild?

"Think about it, please, particularly when you look at those children and those grandchildren. Gather them around you and take a look at them, as I have looked at mine. Then ask yourself one question: 'How much power, how much unlimited, concentrated power is my Government going to have when these youngsters are as old as I am?'

"Ask yourself that question, my friends. That will do it. I guarantee that it will do it. Then and there you'll make a resolution that your legacy, not of property but of liberty, to these, your children, is going to compare favorably to the big fortune of freedom that the Founding Fathers left to you."

Nevada Miners Helped by 83d Congress

EXTENSION OF REMARKS
OF
HON. CLIFTON (CLIFF) YOUNG
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. YOUNG. Mr. Speaker, for nearly a century the rugged hills of Nevada have poured forth mineral wealth in abundance. Indeed, so fabulous were shipments of precious metals from Virginia City and other mines in my State that the impact of this newly mined wealth was felt in foreign capitals.

Historians say the European nations commanding top positions in world monetary circles viewed with alarm the immense silver production from the Comstock lode. Their efforts to demonetize silver were eventually crowned with success by the enactment of legislation that came to be known as the "Crime of '73." Thereafter, the price of silver declined; and numerous western mines were closed.

During the past several decades, foreign influence has again exerted its baneful effects on western mining. At present the chief concern is not the production of silver or precious metals, but the production of lead, zinc, mercury, and strategic minerals vital to national security. The harmful influence is in the form of imports which threaten the very existence of important segments of the American mining industry.

There are some in our country who say that we should obtain our minerals abroad and thereby conserve the limited quantities we have in this country. Still others say we must trade with other nations or lose our friends in foreign lands. Whatever the reasons for supporting the purchase of metals abroad, records show that from January 1, 1951, to June 1, 1953, nearly $180 million was spent by our Government in developing and exploiting mineral resources in foreign countries. In the same period the Defense Minerals Exploration Administration, which was set up to encourage mineral development in our country, spent less than $25 million.

Mr. Speaker, while at first glance the arguments in favor of securing our metals from foreign countries may appear sound, they do not stand up under careful analysis.

First. If we depend largely on foreign sources, then in time of war these sources of supply may not be accessible—or worse—they may even fall into enemy hands. We do not depend on foreign munitions factories for our grenades and shells and bombs. Strategic minerals are of no less importance to our national security program.

Second. Experience shows that as our dependency on foreign sources increases,

the price of minerals that we buy shows a corresponding rise. What was a deceptive bargain initially becomes an ever more costly expedient.

Third. America is far from being a have-not nation in the field of mineral resources, as some people advancing this economic theory would have us believe. We have only scratched the surface of metal reserves. To develop our domestic sources we must stimulate exploratory and development work; we must furnish prospectors with incentives; we must encourage additional investment. These things cannot be done without a sound, well-defined, long-range mineral program.

Fourth. Friends and allies are necessary in a world confronted by a Communist menace, but we should not buy them at the sacrifice of a sturdy domestic mining industry, which is capable of supplying our wartime needs in conjunction with a sound stockpiling program. This is too great a price to pay.

There are those who say that if American mines cannot compete with foreign producers, it is against our national economic interest to give them protection from imports. They do not consider the many factors which place the American mining industry at a disadvantage, no matter how efficient its operations, no matter how rich the ore bodies, no matter how sound the management. Foreign producers have at their disposal an arsenal of economic weapons not available to American miners operating within the traditional structure of our American economy. These include currency manipulations, international cartels, nationalized industries which can place the total resources of a country behind its exports, and low-cost labor which receives in some cases one-tenth of the wages paid in this country. Against this formidable array of economic weapons, all foreign to our way of life, American miners have no hope whatsoever of competing successfully. Without protection our mines become mere puppets, opening and closing as the economic strings are loosened or pulled by foreign interests.

I am pleased to report a change in the policy followed by our Government in past years, which showed more apparent concern for mining welfare in foreign lands than in our country. This previous policy was well illustrated by the statement made by former President Truman when he signed the Strategic and Critical Materials Stockpiling Act. His statement revealed that the previous administration had little regard for the welfare of the domestic mining industry. Mr. Truman said:

> It is only because of the overriding importance of this purpose that I am able to overcome my reluctance to sign a bill which reaffirms the application to stockpile purchases of the provisions of title III of the act of March 3, 1933, known as the Buy-American Act * * * there can be a serious conflict between its provisions and the foreign economic policy which this Government is actively pursuing.

In most instances, former President Truman's administration ignored the provisions of the Buy-American Act in making stockpile purchases, by declaring that such purchases were determined "to be inconsistent with the public interest or the cost to be unreasonable."

I should like to use this opportunity to summarize briefly developments occurring during the past year which are grounds for optimism about the mining future in this country.

First. The 83d Congress has discontinued the practice of spending funds to develop mines in foreign countries which will later compete with United States producers. Furthermore, Congress abolished the Metals and Minerals Staff of the State Department and directed that the Department, in dealing with the metals and minerals program, should look to the Interior Department for information and policy guidance.

Second. Congress in the past 2 years has made the most thorough investigation in the history of our country on the status of production in the strategic mineral field. This investigation should make possible the formulation of recommendations for a sound, long-range program in the years ahead.

Third. The President announced early this year a new stockpiling program based on long-range requirements recognizing the nonavailability of metals from foreign sources and the dangers of interference with these sources through enemy action. The announcement of a program to purchase 200,000 tons of lead and 300,000 tons of zinc in newly mined ore from domestic sources during the next few months is further evidence of concern for the welfare of this industry. Such a measure is, of course, a short-range policy, but it should help sustain lead and zinc producers until a long-range policy of quota limitation against foreign imports—or a flexible tariff—can be developed.

Fourth. A determined effort is under way to return our currency to the gold standard. Our departure from this helpful restraint against inflation is the cause of many of our monetary ailments today. For the first time in many years there are strong forces in Washington working for the return of the gold standard.

Fifth. The 83d Congress passed legislation in the field of taxation providing for greater depletion allowances and deductions for cost of exploration, both of which should stimulate mining activities.

Sixth. In the Department of the Interior a new concern for the welfare of the western mining industry has been evidenced. A thorough study of the operations and organization of the Bureau of Mines has been completed. This should result not only in greater efficiency, but in better service.

Seventh. A Minerals Policy Commission of Cabinet level has been appointed to work out a minerals policy for our country. It is hoped that the recommendations of this Commission will contain elements of a long-range program and a discontinuance of the day-to-day operations causing such uncertainty in the past. The program of geological survey in Nevada has already been greatly accelerated.

Eighth. A multiple-mineral development bill was enacted which will open additional lands for mining claims in Nevada and eliminate doubts heretofore arising over the validity of claims based on a discovery of uranium. Because of the complex nature of this bill, which changes basic mining law, I prepared a summary of it for Nevada miners. Copies have been sent to each county recorder in our State for distribution when mining claimants file their affidavits of performance of annual assessment work. Additional copies are available from my office.

Mr. Speaker, these are the highlights of advances in the mining field during the past year. While much remains to be done, we have made significant progress in the right direction. I join with other Congressmen from mining States in expressing hope that our Government will continue its progress in formulating a sound, long-range mineral program, giving not only sorely needed stability to American miners, but also complete assurance to those responsible for national security that minerals necessary for free-world defense will be available in the event of a national emergency.

Tax Reform and Other Achievements of the Eisenhower Administration

EXTENSION OF REMARKS
OF
HON. BOB WILSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. WILSON of California. Mr. Speaker, perhaps the most notable accomplishment of the Eisenhower administration has been the tax-reduction bill, a monumental act that grants benefits to every citizen in every walk of life.

Because it covers so many situations, I feel my constituents in the 30th District of California would appreciate knowing the more salient features of this bill. I am going to list them here, but first, I want briefly to review the significant performance of the Eisenhower administration, which, since January 1, 1953:

Acted resolutely to stop the war in Korea and put an end to the casualty lists.

Ended burdensome price and economic controls and gave our people more freedom.

Stabilized the dollar and the soaring cost-of-living that had increased 50 percent in 10 years.

Gave industry incentives to provide new jobs, and to build a sound peacetime economy.

Returned ownership of the tidelands, with valuable oil reserves, back to the States.

Cut taxes $7.4 billion—including a 10-percent income tax cut—the greatest total cut in history.

Reorganized our military defense with new emphasis on air power, including naval air.

Took courageous action on farm surpluses in an attempt to end mounting excesses.

Revised the Housing bill to provide better terms and special provisions for military.

Gave increased benefits to social-security recipients and disabled veterans.

Passed stringent anti-Communist laws and eliminated disloyal workers from the Government.

As San Diego's Representative in Congress, I naturally had a special interest in legislation and administrative decisions that benefited the area. These are some I worked on:

Federal Narcotics Office established in San Diego for the first time.

Mission Bay channel dredging appropriation of $750,000 to end the bottleneck there.

Additional beds at the Naval Hospital for veterans of San Diego County.

Additional judgeship for the San Diego area, including $220,000 for new courtroom.

Fisherman's Protective Act to help our tuna fishermen regain their freedom of the seas.

Extension and revision of legislation to bring over $10 million to San Diego schools.

Simplified customs clearance for boats entering and leaving Mexico via our port.

Sale of Linda Vista homes to the occupants, and elimination of temporary housing.

Awarding of the F–102 contract at San Diego by insisting on condemned lease of plant 2.

Wetback control bill to provide orderly system and control of Mexican workers.

Fifteen million dollar naval construction authorizations and appropriations for this area.

Action by Maritime Administration in reducing rates, $5 per ton at port of San Diego.

Inclusion of San Diego in proposed sea-water conversion program.

Stabilization of employment at naval station, repair facility, and naval air station.

Repeal of Thomas rider and passage of vital fringe benefits laws for Federal workers.

Increase of military household goods allowance, and repeal of restrictions on retirement.

Three new harbor patrol boats to the San Diego Coast Guard station.

The 83d Congress has given the taxpayers of this country more tax relief than at any time in the history of our country.

DEPENDENTS

First. A parent can claim a deduction of $600 for each child regardless of the child's earnings if the child is under 19 and the parent continues to furnish more than half the child's support.

Second. A parent can also claim the $600 dependency deduction for a child over 18 regardless of the child's earnings if the child is attending school or college, or receiving on-the-farm training, and the parent continues to furnish more than half the child's support.

Third. An aged parent or other dependent cared for by several members of a family can be claimed as a deduction by one of the members of the family.

Fourth. A taxpayer can claim a $600 dependency deduction for a foster child.

Fifth. A taxpayer can claim a $600 dependency deduction for a child awaiting adoption.

Sixth. A taxpayer can claim a $600 dependency deduction for any other person, regardless of relationship, if the taxpayer supports that person in his home.

Seventh. A taxpayer can claim a $600 dependency deduction for a cousin who is institutionalized because of physical or mental disability.

Savings to taxpayers, $85 million.

CHILD-CARE EXPENSES

First. Single working parents, such as a widow, are allowed a deduction up to $600 for the expense of child-care for children up to 12 years of age.

Second. The same deduction is allowed for a married woman who must work because her husband is incapacitated.

Third. The same deduction is allowed with respect to any dependent, regardless of age, who is mentally or physically incapable of caring for himself.

Fourth. A similar deduction is allowed a married woman if the combined income of her husband and herself does not exceed $5,100.

Savings to taxpayers, $130 million.

MEDICAL EXPENSES

First. Medical expenses can be deducted when they exceed 3 percent of income, instead of 5 percent as under present law.

Second. Example: A family with $3,000 gross income and medical expenses of $150 will be able to deduct $60. The same family can deduct nothing today.

Third. The bill doubles the present maximum limit on the amount that can be deducted.

Savings to taxpayers, $80 million.

HEAD OF FAMILY

First. A single taxpayer who has a dependent son or daughter will be entitled during the first 2 years after the death of his spouse to the same income-splitting privilege as is accorded married couples.

Second. A single individual can receive half the benefits of income splitting if he has a dependent parent and if the taxpayer maintains a household for the father or mother.

Savings to the taxpayers, $11 million.

RETIREMENT INCOME CREDIT

First. All retired people 65 and over, including schoolteachers, firemen, policemen, and civil servants, will in effect be exempt on all retirement income up to $1,200. This will mean a tax reduction for these retired people of up to $240 a year.

Second. Example: A retired single individual over 65 who has a total retirement income of $3,000 today pays about $300 in income tax. Under the bill, his tax is reduced to $60—a saving of $240.

Third. The same exemption will extend to individuals under 65 if they receive a pension from a public-retirement system, such as do teachers.

Savings to taxpayers, $141 million.

CREDIT PURCHASES

This bill allows a deduction for interest up to 6 percent on installment purchases.

Total saving to taxpayers, $10 million.

CHARITABLE CONTRIBUTIONS

This bill increases from 20 to 30 percent the allowable deduction for charitable contributions to churches, hospitals, and educational institutions.

Total saving to taxpayers, $25 million.

AID TO FARMERS

First. Deductions up to 25 percent of farm income are allowed for soil and water conservation.

Second. The bill permits more rapid writeoff of the expense of farm machinery, equipment, and construction.

Third. Removes tax on the proceeds of the sale of cattle when the sale is necessitated by disease.

Savings to taxpayers, $10 million.

SICKNESS AND ACCIDENT PLANS

First. Premiums paid by employers to health and accident plans will not be taxable to their employees.

Second. All accident and health benefits paid as reimbursement for actual medical expenses to employees, their wives, or children, are completely exempted from tax.

Third. Payments to employees for loss of wages due to injury or illness are exempted up to $100 a week.

Savings to taxpayers: No estimate possible.

DEATH BENEFITS

The bill exempts all death benefits up to $5,000 paid by an employer to the widow or other beneficiary of an employee.

Savings to taxpayers: No estimate possible.

PENSIONS AND ANNUITIES

In addition to the $1,200 exemption extended to retirement income, the bill also provides a simpler method for taxation of pensions and annuities, ends annual 3-percent tax paid on annuities, and provides instead a method of computing tax on basis of cost divided by years of life expectancy.

Savings to taxpayers, $10 million.

DIVIDEND CREDIT

First. Excludes first $50 in dividends from taxation and provides a credit against tax equal to 4 percent of the balance.

Second. Example: An individual with $50 or less in dividends from his savings will be entirely exempt from tax on that amount.

Third. Example: An individual with $250 in dividends from his savings will exclude the first $50 entirely, and then reduce his total tax by $8—4 percent of the balance of $200.

Savings to taxpayers, $204 million.

DEPRECIATION

The bill will permit the more liberal writeoff of the cost of new equipment. For example, in the first year of life of new equipment the taxpayer will be able to write off twice the amount now allowed.

Savings to taxpayers, $375 million, of which $75 million represents savings to individuals, such as farmers, shopkeepers, and salesmen.

DECLARATIONS OF ESTIMATED TAX

The requirements are eased for filing declarations of estimated tax. Upward of a million taxpayers will be relieved of the present requirement for filing.

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FILING TAX RETURNS

Tax returns will be due April 15 instead of March 15, giving taxpayers 1 additional month in which to prepare their final tax returns and make their final tax payments.

RESEARCH AND EXPERIMENTATION

The bill grants taxpayers an option to either deduct as an expense or to amortize research and experimental expenditures.

No revenue estimate possible. The provision is designed to encourage business research, with the objective of creating new products, new processes, and new jobs.

METHODS OF ACCOUNTING

The bill brings tax accounting rules into harmony with business accounting, thereby eliminating to a great extent two sets of books. It provides realistic computation of net income for tax purposes, in conformity with sound business practices.

Savings to taxpayers, $47 million.

DEPLETION

The bill increases the rate of percentage depletion on a variety of critical and strategic minerals in order to encourage the development of domestic sources of supply.

Savings to taxpayers, $34 million.

PARTNERSHIPS

First. The bill adopts comprehensive provisions concerning the tax treatment of partners and partnerships in order to remove confusion of existing law. Principal objectives are simplicity, flexibility, and equity between partners.

Second. Certain proprietorships and partnerships are given the option to be taxed as corporations.

Savings to taxpayers, $20 million.

INVENTIONS

The bill extends capital-gains treatment to proceeds realized by an inventor on the sale or exchange of a patent.

No revenue estimate possible. The new provision is designed to encourage invention and thereby promote a healthy economy and an improving standard of living.

NET OPERATING LOSS

The bill extends the net operating loss carryback to 2 years and makes certain other adjustments.

Savings to taxpayers, $120 million.

LIFE INSURANCE

The bill lessens the estate tax on the proceeds of certain life-insurance policies.

Savings to individual taxpayers, $25 million.

CONSOLIDATED RETURNS

The bill removes the 2-percent penalty tax with respect to consolidated returns filed by regulated public utilities.

Savings to taxpayers, $35 million.

IMPROPER ACCUMULATIONS

The bill eases the penalty tax on certain accumulated earnings in order that businesses, especially small businesses, may have greater freedom in retaining their funds for legitimate business purposes.

Savings to taxpayers, $10 million.

CORPORATION INCOME TAX

The bill extends for 1 year the present 52-percent corporation income tax.

The total increase in revenue, $1.2 billion.

REPUBLICAN ACTION FOR TAXPAYERS

The 10-percent reduction in Federal income taxes which went into effect last January 1 saves individual taxpayers a total of $3 billion annually. This tax cut would not have been possible if the Congress and the administration had not cut the Truman budget for fiscal 1954 by $12 billion.

Nor would the $2 billion tax saving by elimination of the excess-profits tax have been possible without this budget cutting.

The Republican excise-tax reduction law saves taxpayers an additional $1 billion.

The Tax Revision Act will save taxpayers $1,400,000,000.

A total of $827 million of this tax saving is for individuals. The remainder, $536 million, is tax relief for business.

The overall tax-cut program will save $7,400,000,000. Of this amount, individuals receive an overall total tax saving of $4,700,000,000. The tax savings so far surpass any previous total in the history of Congress.

Report to the People of the Sixth District by Hon. DeWitt S. Hyde, of Maryland

EXTENSION OF REMARKS

OF

HON. DeWITT S. HYDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. HYDE. Mr. Speaker, I have made a report to the voters of the Sixth Congressional District of Maryland on my voting record during the 2d session of the 83d Congress. At this time, I would like to make a short report on my work and some of the things I was able to accomplish during my first term in Congress.

I was fortunate enough to have 11 of my own bills enacted into law. So far as we have been able to discover from the record, which is not complete at this time, we succeeded in enacting more of our own bills into law than any other freshman Congressman; we do know that was true so far as the first session was concerned.

For the benefit of the Sixth District of Maryland, one of my bills enacted into law will permit the industries and municipalities of Maryland to have access to and use of the water in the Potomac River by giving authority to the Department of Interior to grant rights-of-way across the canal.

Another bill provides for the transfer of national park lands in Frederick County. It permits a consolidation of Federal holdings through an exchange for lands owned by the Church of the Brethren. The church owns two tracts in the area, separated from each other by Government-owned tracts, therefore the bill is of benefit to the Church of the Brethren and to the Federal Government.

We also introduced a bill providing for a metropolitan area transit commission to regulate public transportation in the Washington metropolitan area. This bill was passed by Congress in the form of an amendment to another bill which had been introduced on this subject.

We had adopted by the Public Works Committee, a resolution providing for a review of records and surveys to determine what might be done at the Savage River Dam and Reservoir to provide a water supply for the town of Westernport.

As a member of the Judiciary Committee and of Subcommittee No. 1 of that committee, we handled all of the major bills dealing with the control of communism. An examination of the record will show that I took a major part in the action on the floor of the House which resulted in the favorable adoption of the bill to control espionage and sabotage; the bill to grant immunity in subversive investigations before congressional committees and the so-called wiretapping evidence bill.

I was also a member of the Committee on the District of Columbia which is an important committee to western Maryland because of its control over laws dealing with the Washington milkshed. As a member of this committee I introduced six bills which became law and which are of vital importance to residents of Maryland who have businesses or business connections in the Nation's Capital.

There are, of course, many other major pieces of legislation on which I took an active part either before committees or on the floor of the House. Some of these are: The railroad retirement bill, a bill to outlaw the Communist Party, a bill of benefit to labor-surplus areas by authorizing loans to assist in building industrial plants—incidentally, we also introduced a bill to help obtain Government contracts for labor-surplus areas and we were happy to see that as a result of such congressional proposals, the President executed directives which were helpful in locating the new Pittsburgh Plate Glass Co. in Allegany County. Other bills on which I took an active part were a bill to continue the flood-control project in Allegany County; the control of slum areas in the Nation's Capital; a bill to repeal the 15 percent transportation tax—this was cut to 10 percent in the excise-tax bill; a bill to provide assistance to federally impacted areas in school construction; a bill for which I was coauthor and which became law to authorize the District of Columbia to enter into civil-defense compacts—this will allow cooperation between District and Maryland officials.

While engaged in this heavy legislative schedule, our office has managed to handle the problems of hundreds of residents of the Sixth Congressional District involving the Federal Government.

We are grateful to the people of the Sixth District of Maryland for the opportunity to serve them and the Nation as a Member of the United States House of Representatives.

Record of the 83d Congress

EXTENSION OF REMARKS
OF

HON. MELVIN PRICE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. PRICE. Mr. Speaker, the 83d Congress has come to a close.

It was the first Republican-controlled Congress since the 80th Congress. It was the first Republican Congress since 1929 to serve under a Republican President.

Unlike the 80th Congress, the 83d Congress has given no one justification to refer to it as a "do nothing" Congress. As a matter of fact, with the close of the second session, the administration leaders could very properly point to it as having, in varying degrees, accomplished a large portion of President Eisenhower's program. It was an active Congress, though slow moving throughout the first session and for several months of the final session. In the last 3 months, however, it became a hard-working Congress and produced a fair volume of work.

Having said all these things, however, I do not wish to convey the impression that I was in full agreement with everything done in the 83d Congress. I found it necessary at times to vigorously oppose much of this legislative effort, especially when it tended toward the ofttime mentioned giveaway program. I did, however, support a great deal of the administration's program. I think the voting record of the 83d Congress will show that I probably gave more support to the President's program than many of my Republican colleagues from the State of Illinois. This, I might add, is true of the entire Democratic delegation from the State of Illinois.

APPROVED DEMOCRATIC PROGRAMS

In its accomplishments and achievements, the 83d Congress could take little credit for originality. Most of its major efforts were directed toward the continuation of programs initiated in previous Democratic administrations under President Roosevelt and President Truman. Among these were: The Mutual Security program, housing legislation, expansion of social security, unemployment insurance, railroad retirement, atomic energy, vocational rehabilitation, hospital construction, public health grant-in-aid, reciprocal trade agreements, highway construction, and extension of other programs created by Democratic Congresses.

I cannot think of a single program considered in the 83d Congress which was initiated by the new administration except its giveaway program, such as tidelands oil, the Dixon-Yates contract, raids on national parks and forests, announced new policies on reclamation, irrigation and power, and timberland grabs. Many of these did not show themselves in the final box score of Congress, because an administrative approach was used to institute new policies in these fields, which, in my opinion, were not in the public interest.

Frequently, however, as in the timberland grab, the grazing grab, and a few other grabs, it was necessary that the groups, seeking distribution of our national resources to private interest, had to come to Congress to get what they wanted. And, although they came with White House approval, we were able to muster sufficient support to defeat their plans. These defeats rightfully should be charged against the President's program.

REPUBLICANS OPPOSED EISENHOWER

Major controversies during the 83d Congress evolved around increasing the debt limit and tax revision, housing, flexible price supports in agriculture, Taft-Hartley revision, and on the final form most of the legislation previously mentioned was to take. In most of the instances, the Democratic minority was found supporting the request of President Eisenhower while the obstacles and major opposition to many of his proposals were coming from within his own party. It was not an infrequent situation in the 83d Congress, both the first and second session, to find the Democrats carrying the ball for the White House and pushing the enactment of the worthwhile sections of the President's program.

The box score on the success of President Eisenhower's program during the 83d Congress, as announced by the White House, is most certainly open to challenge. It is ridiculous for White House aides to claim that nearly all the legislation the President asked for was enacted, and more ridiculous still is their claim that his batting average in this regard was .830 or that he struck out only 11 times in 65 tries, as his press secretary, James C. Hagerty, stated.

Actually, little of the President's program was enacted in the form he requested. In many cases, the only similarity between the legislation he suggested and the final bill enacted into law was the title. Throughout both sessions of the Congress, it was apparent that administration congressional leaders either were not clear on the President's position on housing, social security, atomic energy, reciprocal trade agreements, and foreign aid, or they were careless in presenting his position in floor debate.

DEMOCRATS TOOK INITIATIVE

In many cases, the action of both the House and the Senate on important parts of the administration's legislative program was considered in the Congress itself as defeats for the administration. In many more instances the Democratic minority took the initiative to save major parts of the President's program. On at least four different occasions the minority embarrassed Republican leadership in the House into following Democratic efforts to enact vital sections of legislation requested by the President.

It was noted also that the White House claimed credit for the enactment of several pieces of veterans' legislation. The record will show, however, that the administration vigorously opposed the enactment of several of these veterans' measures, for which it now takes credit, to the extent of threatening veto. The administration's attitude on H. R. 9020, a bill to increase benefits for veterans was such as to draw condemnation from the National Tribune, regarded as the voice of the veterans of the United States. It comes in poor grace now for White House aides to claim any credit for the veterans' legislation enacted during the 83d Congress.

In retrospect, reviewing the first 2 years of the new administration, its successes and failures, I intend to comment herein principally on its legislative program, but I do not feel that we can overlook action early in the present administration to create the "hard dollar." Nor can we overlook the failure of the Republican administration to arrest inflationary trends or to stop the rising cost of living.

VALUE OF DOLLAR DECLINES

Nearing the half-way mark in the Eisenhower administration and at the end of the first Congress during that administration, we find that the value of the dollar is at its lowest mark in history and living costs are at an all-time high. Quite naturally, these portend serious problems for the administration to solve in its remaining 2 years. Up to this time, and with little hope for success in the future, the administration has not been able to balance the budget.

It has increased the national debt to $18 billion, which they seek to hide with tricky bookkeeping.

Under previous methods of determining the public debt, a $100 savings bond was charged as a $100 obligation of the Federal Government. Under the Eisenhower administration, the obligation is charged as a $75 obligation although at its maturity the Government owes the holder of that bond $100. With this bookkeeping gimmick, the Eisenhower debt of $274 billion would be $286 billion, $18 billion greater than the $268 billion debt under President Truman.

Undoubtedly in 1952 many people turned to President Eisenhower for leadership with the feeling that he could bring unity to the Nation and to the world. These must be sorely disappointed when they look at the lack of unity and the steadily increasing conflict among the nations supposed to be allied.

CONFUSION INSTEAD OF CONFIDENCE

As we look around us at the end of the 83d Congress, we see that the grand hopes of our people and of friendly people of foreign lands have been crushed in disillusionment. We witness confusion instead of confidence. We see dismay and uncertainty, instead of pride and courage. We have lost the initiative in foreign policy, and we have seen our influence diminish.

Despite boasts of a firm foreign policy dressed with high-sounding slogans, we at the moment see the European Defense Community, which is the cornerstone of the NATO program, near collapse. It is ironical that the build-up of NATO and the ground work of EDC was one of the greatest achievements of General Eisenhower, serving under appointment of President Truman.

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But the sad fact is, since the Eisenhower administration took over, this Government has not won a battle on a foreign diplomatic front.

NATIONAL SECURITY

As a member of the House Committee on Armed Services and the Joint Committee on Atomic Energy, my time and interest have been directed principally to matters of national security.

During the first session, Congress cut $5 billion from the Air Force, and the Secretary of Defense said he was going to economize by having fewer war planes, but better defenses. Senator RUSSELL, of Georgia, was prompted to suggest that we might be even stronger if the administration cut $10 billion from the Air Force.

In the 1954 budget, some of the Air Force strength was restored, but there were still cuts in the defense budget. These were instituted over the objections of our military leaders—whose selection had been heralded with the thought of having new men take a New Look at requirements. Following the unprecedented action of having the Budget Director sit in on sessions of the National Security Council, the dollar philosophy overrode the safety philosophy.

The 1954 cut was sold by the slogan-makers as giving more "bang for a buck," and being a "New Look," based upon "instant, massive retaliatory" power. When the facts were closely analyzed, it was found that we were getting less bangs for fewer bucks; that our power of retaliation was decreased rather than increased.

Events in the Far East of last spring brought home the weaknesses of the plan to substitute economy for safety in the defense. Since then the administration has been giving the New Look a new look.

Manpower goals destined to go down, now are to go up.

Defense spending was to decline. Now it is to rise.

The Air Force was to have fewer fighting wings. Now it is to have more fighting wings—nearly as many as the Truman administration said were needed.

Universal military training is out one day, in another, and denied by the White House, until at least after the November elections.

ATOMIC ENERGY

In the field of atomic energy, Congress provided a pretty good bill. Except in the section applying to international sharing of materials, the bill was not the one requested by the administration. Domestically, the Republican leadership would have gone so far as to let a relatively few private interests take over Government patents on atomic energy, which truly belong to the taxpayers who contributed $10 billion to the development of this source of limitless energy. Only the determined efforts of the Democrats in Congress prevented this policy being written into law as a part of the revised atomic-energy bill. We were given a last-minute assist from the President.

GIVEAWAY DIXON-YATES CONTRACT

The administration's giveaway program started early; perhaps the first bill to go through the 83d Congress was one turning over to a few coastal States the offshore oil resources that are properly the property of all the people. In their zeal to achieve this giveaway, which reversed several Supreme Court decisions, Congress and the administration went too far even for themselves. They quickly enacted another law taking back anything beyond the continental shelf.

The utility interests then began demanding the giveaway of the Tennessee Valley Authority. They have continued their efforts, and finally may have succeeded in the form of an indirect attack. The Dixon-Yates contract with the Atomic Energy Commission is designed to hamstring TVA's ability to serve as a yardstick for electric-power rates. I have opposed this contract because I do not believe the Atomic Energy Commission should be used for this purpose.

The Commission has enough to do to handle our nuclear weapons and atomic energy program for peaceful uses without involving itself in the controversy over power policy.

A bold attempt was made to give away our timberlands, but fortunately enough Members of Congress saw the dangers to stop it. Under the terms of this bill, cutover timberland, acquired by the Government in connection with dams or target ranges, would have paid for by an equivalent area of virgin timberland from the national forests. At present owners of such land are reimbursed in cash.

Two attempts were made to turn over the national forests to the big cattle-grazing interests, but this, too, was defeated.

VETERANS

Veterans have received few benefits from this Congress and from the administration. In the administration of veterans' affairs, as in all other matters, the administration looks at the dollar sign rather than the service rendered. Appropriations have been cut, and many needed services have been curtailed. The administration has had the hospitalization program under constant attack.

In Congress, in response to great demand to enable veterans, widows, and dependents to help meet rising living costs, the Committee on Veterans' Affairs—where bipartisanship actually works—brought out a bill, H. R. 9020. It was roadblocked for weeks by the Republican leadership, who used the threat of a veto. They finally forced the committee to vastly curtail the measure, so that millions of disabled veterans, as well as all veterans of the Spanish-American War, were denied increases. Then it was brought up under a gag rule, so that it had to be accepted as it was, or completely rejected. This was the reason for the unprecedented censure in the pages of the National Tribune.

The President recommended, and Congress agreed, that the day, November 11, be renamed Veterans Day.

LABOR

Candidate Eisenhower told the American Federation of Labor that he thought certain provisions of the Taft-Hartley law could be used to break unions. He promised to repeal these union-busting sections. In September 1953, Martin Durkin, who had been assigned the job of eliminating these provisions, resigned as Secretary of Labor, claiming he had been doublecrossed. When the Taft-Hartley recommendations were finally sent to Congress, the sections labor felt were union busting were intact. Congress then failed to act; in fact, only united Democratic effort in the Senate prevented even more obnoxious provisions from being written.

AGRICULTURE

Candidate Eisenhower told an audience at Brookings, S. Dak., in 1952, that the Republican Party was pledged to give the farmer 100 percent of parity, with the guaranty of the price supports of 90.

In June of this year the President told a news conference he never implied or insinuated any such thing.

Meanwhile, he and his Secretary of Agriculture, Ezra Taft Benson, were asking for a flexible support system, with the minimum of 75 percent of parity. When Congress gave him a bill putting price supports at from 82½ to 90 percent, he and his White House aids proclaimed a victory.

Had no bill been written, the President would have had his 75 to 90 percent of parity.

The administration, which campaigned so ardently against what it called the socialistic Brannan plan, recommended a Brannan plan for wool, and points to this measure as a victory.

Secretary Benson told a congressional committee that the Nation can remain prosperous with farmers receiving a gradually declining percentage of national income. He said this just a few weeks after he had reduced the price of dairy products by 20 points, although there was no correspondingly large decrease in the price to the consumer.

One of the early acts of the new administration was to wreck the Soil Conservation Service by a reorganization which left much of the work up to individual States. This resulted in the loss of most of the highly trained experts in this field from the program.

The 1954 drought, which brought suffering to Illinois farmers, dramatically highlighted the need for a program which would assure an ever-normal reservoir of water, one of the goals of a well-rounded soil-conservation program.

WELFARE—SOCIAL SECURITY

The social-security expansion bill was the major highlight of the positive action of the Congress, but in passing this legislation the President was dealt a blow, for the congressional leadership failed to achieve his goal of increasing coverage by 10,500,000.

We of the minority, however, welcomed the final endorsement of this program by the Republicans. When this program was instituted by the Roosevelt administration in 1934, it was met by Republican cries of "socialism" and "radicalism." Every Republican on the Ways Means Committee in 1934 voted to kill the bill. The Republican platform of 1936 contained a plank promising to repeal the law.

The law, as amended, raises benefits, raises payroll deductions, provides waiver of premium and no loss of equity for the permanent and totally disabled, and includes some new workers.

Other phases of the welfare program did not fare so well. The health reinsurance program was defeated; while the housing program was virtually emasculated. The President had requested a watered-down public-housing program of 35,000 units a year for 4 years. Democrats tried desperately to save this program; the best that could be accomplished was 35,000 units for 1 year. The tricky language of the bill is such, however, that only a very small portion of these needed homes will ever be constructed.

School construction legislation, promised by Candidate Eisenhower, was not even recommended by the administration, despite a survey by the Office of Education, showing the need for 345,000 new classrooms.

Authorizations to expand grants in aid for health services, vocational rehabilitation and hospital construction were enacted. Much of this worthwhile program—all of it carrying out legislation adopted by the previous Democratic administrations—was negated by budget cuts.

TRADE NOT AID

The Republicans in 1953 offered a catchy phrase, "Trade, not aid." In order to carry out this program, the President forwarded a comprehensive foreign trade bill to the Congress, which provided for a 3-year extension of the Reciprocal Trade Agreements Act (a Democratic program), and asked for permission to further reduce tariffs. The best he could obtain was a flat 1-year extension, and the threat was made that he probably would not get more than that next year, if, in fact the Republican leadership did not repeal the whole program. This has been one of the victories claimed by the White House staff.

The extension adopted by the Congress does nothing to further the exportation of farm products, of which we have a surplus, nor does it provide any means of correcting inequities in the administration of the law which have been harmful to such industries as coal and chemicals.

TAX REVISION

Individual income-tax reductions went into effect at the beginning of 1954. They were automatic, having been provided for in a law passed by a Democratic Congress and approved by a Democratic President. The 83d Congress adopted a tax-revision law, which provided for some worthwhile reductions, and which I supported. I joined, however, the Democratic effort to increase the personal exemptions of individual taxpayers which would have greatly increased general consumer purchasing power.

POSTAL AND FEDERAL EMPLOYEES PAY RAISE

House and Senate Members were practically unanimous in approving a 5-percent pay raise for all Federal employees including all employees in the postal service. It was vetoed, however, by President Eisenhower because it did not carry with it postal rate increases. Congress had refused to increase postal rates at the request of Postmaster General Summerfield, particularly due to opposition to any increase in first-class mail rates.

SUMMARY

On the whole it would seem that claims of administration victory fall far short when it is remembered that the following major proposals were rejected by the Congress:

First. Revision of the Taft-Hartley Labor Act.

Second. Statehood for Hawaii and Alaska.

Third. Trade, not aid.

Fourth. Health insurance.

Fifth. Eighteen-year-old vote.

Sixth. Internal security proposals.

Of all the bills enacted in the program, even those which were watered down by compromise, only five fall into the category of positive law. These were the tidelands bill; the emergency refugee act—the beneficial effects of which have been negated by the investigative zeal of Scott McLeod in the State Department; the St. Lawrence waterway—long advocated by the Democratic administrations; the tax revision law; and the anti-Communist bill. This last bill was not requested by the administration but was enacted under the leadership of the Democrats in Congress and is a stiffer bill than that requested by the White House.

One thing stands crystal clear about the 83d Congress. While it spent many hours in oratory denouncing the Roosevelt and Truman administrations, it did not, during 2 entire sessions, seek to repeal 1 piece of welfare legislation initiated under Democratic administration.

For political reasons they have not dared to make a direct approach, but have chose, rather, to wreck these programs by the indirect method of withholding appropriations, or feet dragging in the administrative level.

Senator Wiley Insists Foreign Aid Is a Bargain For Wisconsin Taxpayers—I Do Not Agree

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EXTENSION OF REMARKS

OF

HON. LAWRENCE H. SMITH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. SMITH of Wisconsin. Mr. Speaker, my good friend and distinguished senior Senator from Wisconsin, Mr. WILEY, has replied to my statement in the RECORD on August 5. In it I called attention to an extended statement on the floor of the Senate by him in which he asserted that the foreign-aid program was a highly profitable scheme for the people of Wisconsin and the Nation.

I pointed out, Mr. Speaker, that it was true some business firms in Wisconsin did secure some contracts for goods and services, thus giving employment to their employees but notwithstanding, Wisconsin taxpayers paid out $2 for every dollar received under the foreign-aid program. The Senator did not answer that charge, except to say that it was not a new one and has been repeated many times.

He then proceeds to mention many intangible benefits of "what might have happened" if we had not engaged in this great giveaway program.

Nor does he, Mr. Speaker, meet the main contention of my argument, that although foreign aid has cost the United States more than $60 billion that communism still marches on. Twelve million Indochinese have just disappeared behind the Iron Curtain while American military equipment is about to be seized by the same Communists and in the last 3 years $2 billion of American dollars have gone down the drain. And it will be only a matter of a few months when all of Indochina will be lost to the free world.

France and Italy, the Senator says, might have succumbed to communism but they have not. Well, there is considerable doubt about that statement. Italy teeters on the brink of communism—the Communists are so powerful that they control all labor unions and the Government is impotent to proceed against them.

And France, Mr. Speaker, which is the key to the NATO organization, backed so strongly by the United States, is at the mercy of the Communists. They have succeeded in preventing approval of the European Defense Community and it now appears that EDC is on the rocks.

How can it be said that France and Italy have successfully prevented domination by the Reds? In outward appearances only is that true. France and Italy are not presently on the Soviet timetable, not until all of Asia is safely under control of the godless Communists.

American dollars, Mr. Speaker, are not the answer to this problem. Public officials and private citizens in untold numbers who have been abroad have said that the foreign-aid program is not meeting its objective. We cannot help people who do not want to be helped. Nor will dollars buy friends. Oh yes, there are many countries that want our money but without strings attached.

Mr. Speaker, the issue of communism is a political one. It is not primarily economic or military and until we realize those facts, American dollars are going down a rathole.

In the matter of following the President, who is the leader of my party, I can only say that I opposed this policy when a Democrat was in the White House. My respectful disagreement with the President and with my good friend, Senator WILEY, is based on the conviction that the foreign-aid program has not and is not now suceeding. Time only will tell. I realize, too, that Mr. WILEY has supported the program under Mr. Truman as well as under Mr. Eisenhower, and he no doubt is convinced that foreign aid is doing a good job. We are in respectful disagreement.

Mr. Speaker, do we provide hope to enslaved millions, as the Senator has said? I do not agree. Every day there are reports that our allies and, yes, the United States, through Mr. Stassen are actively engaged in a drive to do business with Russia and its satellites. The

friendly underground movement in those countries are alarmed over the prospect that war material will begin to flow to the industrial machine that is building weapons and ammunition to put down the underground and ultimately to be used against our own armies.

What are we doing to encourage these people? Our State Department has refused to consider breaking off diplomatic relationships. No, our policy seems to be that we will do business with the Communists, as usual. Britain, France, and Germany are all striving for increased trade with the Reds.

There is very little encouragement for the underground under these circumstances.

Mr. Speaker, yes, Wisconsin is willing to pay its share toward foreign aid. It has no other choice. But the people of Wisconsin and in all the other States should have an opportunity to express themselves on this issue.

In a very recent poll of my constituents, I asked the question of their attitude on the foreign-aid program. Result: Yes, 443; no, 828. Statewide, I believe the same results would prevail.

And Mr. Speaker, I think it is quite significant, as one attempts to analyze the sentiment of the people of Wisconsin on this subject, to note that the vote in the Wisconsin delegation to Congress was 8 to 4 against the foreign-aid program.

Communism and the Admission of Red China to the United Nations

EXTENSION OF REMARKS
OF

HON. LOUIS C. RABAUT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. RABAUT. Mr. Speaker, as much as any time in the history of our Nation and the long course of its external relations with neighbor countries of the world, we are being called upon continually to adjust our thinking to the changing pace of international events. We are faced—as the leader of the free-world alliance—with the necessity for maintenance of peace and security. Cognizant of our strength, it is to us that our less fortunate friends have turned, for assistance in the age-old battle against the ravages of hunger and poverty, and the diseases of despotism which would crush the spirits and warp the minds of all mankind.

In the field of foreign affairs the problem haunting us today is unquestionably godless communism. Its poisoned tentacles seek to pervade the lives and way of life of every human upon the face of this earth. It feasts upon weakness and indecision. It preys especially upon those who have little of this world's possessions, promising always the millennium and making payment ever in terms of human slavery, torture, and anxiety. Its argument is a compelling and persuasive one, yet a so-called logic which, carried to its correct and final conclusion, denies the freedom of men's minds and wills and substitutes therefor an all-thinking and all-providing state. It is a highly malignant cancer which may strike all of us down.

There are many areas of the world in which this global conspiracy is at work. Hardly a day passes by in which we do not hear of some new Red atrocity or do not become painfully aware of some new Communist tension or aggression. Working in the shadows of human indifference and ignorance, it woos and wins by lies and trickery what it has failed to subjugate by force of arms.

To many Americans, one of the most brazen, though certainly not the latest act of Communist effrontery, is the attempt by the Red China "peoples' republic" of Peiping to gain admission into the United Nations. Many of its friends have argued that it is in the interests of world peace that this be done. However, a look at Red China's record can only serve to convince us otherwise.

It has been almost 5 years since the Communists seized power in China. Since that time, and with a ruthless dispatch, they have moved to wipe out all vestige of political freedom for their opponents. In November of 1950, without cause or reason, they turned loose into Korea hundreds of thousands of troops, who engaged the United Nations and Republic of Korea in battle. The Chinese were supplied with munitions and materiel by the Soviets. If there could have been any questions about the peaceful tendencies of the Mao-Tse-Tung regime before this, the invasion of Korea dispelled those doubts.

As a result of this open and unprovoked act of hostility the Red Chinese were branded as aggressors by the United Nations.

Since the conclusion of the Korean armistice, on July 27, 1953, there has been little indication that the Peiping government has changed its views, internationallywise, in any important respect.

It supported the Communist inspired and led Viet Minh army in its predatory moves against the rightful Indochina States of Cambodia, Vietnam, and Laos.

It has given aid and comfort to the divisive and subversive forces of Communist guerrillas in nations within the southeast Asian sphere.

It has maltreated and humiliated, on many occasions, nationals from foreign nations who had the misfortune to be detained within China's borders.

The Red Chinese have continued, unabated, their campaign of hate against the United States and other Asian and western nations with whom we have allied ourselves in the furtherance of peace.

They have violated, consistently and with a shameless lack of concern, many of the solemn provisions of the Korean Armistice.

Following that truce meeting, and in direct and diametrical contravention of its terms, they have stymied the neutral Nations Supervisory Commission in the work which had been assigned to it in North Korea. They have made a minimum and disruptive effort to carry into effect the provisions of the armistice with regard to the holding of the political conference, which would have dealt with some of the many problems which, following the Korean conflict, remained to be settled. The Reds did everything in their power to block the successful accomplishment of that aspect of the agreement pertaining to nonrepatriated prisoners of war.

Those in authority in the Peiping government have demonstrated, in the clearest and most unmistakeable of terms, that they are not to be trusted and that to them the honor which civilized men attach to a solemn promise is worth nothing.

Of greater importance than all these considerations is the fact that the Communists do not represent the millions who populate their country. Order, such as it is, is maintained there only by the strongest and most stringent type of controls, and police action. Property, belonging to both native Chinese and to foreigners has been confiscated. The family, basic unit of society that it is, has been attacked with an increased and malevolent dedication. To the authorities there, human life and liberty are the cheapest of commodities.

It is especially important to Americans that they take an increased notice of this attempt by the Red Chinese to "shoot" their way into the council halls of the United Nations. It is important because efforts will be made, at the time that organization convenes early this fall, to plead the unholy cause of its admission. It is alarming, for the United Nations was originally set up as an international group dedicated to world peace.

Red China's friends, however, will say that we must face reality. To them we say that if we would truly face reality, we would realize, in our heart of hearts, that there can be no dealing with the Communists on an honorable, brother-to-brother basis. The Iron and Bamboo Curtains which move farther and farther over the earth each day leave within their awful confines many peoples and nations who believed the promises which communism made and reached for the sugar-coated delights which communism has always offered to the unwary and the guileless.

We cannot compromise nor bargain nor coexist with communism.

No amount of rationalization or pressure should compel us to admit Red China to the United Nations. In every agreement to which the Reds have become a signatory party, they have violated their word. They have been branded as aggressors, and are still, actually, at war with the very group to which they seek admission. In Korea and Indochina they have perpetrated the most unbelievable atrocities. Murder, pillage, and attack upon unarmed and defenseless peoples are their normal standards of behavior.

And even so, for sake of trade considerations, or for lack of moral strength and courage, many nations would do business with them, even upon such terms as the Reds themselves lay down.

The Communist Chinese have shown neither the ability nor the disposition to put aside their warlike tendencies and

abide by normal, civilized rules of human conduct.

We would fail to keep faith with those of our sons who died on Korean soil in defense of freedom—some of them the victims of the most unutterable brutality and calculated murder—were we to allow Peiping's representatives to enter into the conclaves and councils of the United Nations.

It would be the gravest of mistakes to permit the entry of Red China into the United Nations, there to impede and disrupt the cause of peace to which that international organization professes, above all, to be dedicated.

At this time a matter of such paramount importance merits the thoughtful reflection and consideration of every loyal American.

My Record in the 83d Congress

EXTENSION OF REMARKS
OF

HON. EDWARD J. BONIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. BONIN. Mr. Speaker, at the close of my first term in the House of Representatives I take this means to report to my constituents. The people of Luzerne County elected me to office because they wanted a change from what they had. I feel that it is now my duty to tell them what I have done, and equally important, what I have not done.

It has been a great honor for me to be a Member of the Republican 83d Congress. In spite of a slim GOP majority, we have accomplished more in 2 years than any Congress before us. The task has not been easy. It has involved long hours of work and little relaxation. I have probably seen less of Washington than most tourists. However, the record we achieved is well worth the effort put into it. We can truthfully announce that over 90 percent of our campaign promises have been enacted into law during the first half of the President's term. Ike's program, which I have supported, has been truly dynamic and energetic.

During the first session of the 83d Congress the Republican Party was smeared by its opponents as the "do-nothing party with the do-nothing Congress." They could not have been more wrong. This slogan backfired in their faces. Indeed, the press has consistently referred to the 2d session of the 83d Congress as the "get it done" Congress. We did not rush into hasty measures merely to get our names in the newspapers. Instead, we spent almost an entire year in study and thoughtful planning. This year the planning bore fruit in the tremendous legislative accomplishments of the Republican Party.

LEGISLATIVE ACCOMPLISHMENTS

The primary job of a Congressman is to pass the laws necessary to preserve the national well-being. We have done that job. The economy and efficiency achieved by the 83d Congress is only a small example of what can and will be done in the future. We have kept our campaign pledges. The Korean "police action" has been stopped; the mad spending spree and giveaway program has come to a halt; inflation has been checked without a nationwide depression—although the anthracite industry in our area has been sick for many years, it now appears that some real help will soon restore its place in our national economy through the export of coal to European countries—the national defense has been streamlined and we are receiving more protection for much less money; social security, railroad retirement, and veterans' benefits have been liberalized; fringe benefits for Federal employees have been greatly increased; home ownership has been made easier; the program for starting new public works, discontinued by the Democrats in 1950, has been revitalized with Luzerne County receiving a share; the absurd high parity for western millionaire wheatgrowers has been equalized in an attempt to lower food prices; some surplus foods have been distributed to unemployed families, and plans are under way to expand this program; a record-breaking highway-construction program has been approved, with Pennsylvania receiving a grant of $38,513,000; foreign aid has been wisely reduced; the budget has been brought closer to balance by careful expenditure and economy without reducing services; the Government is getting out of business and such corrupt institutions as the RFC are finished; the Atomic Energy Act has been revised to allow citizens to receive the blessings of atomic energy without harming the security of the Nation; Communists and security risks have been expelled from the Government; loyal and honest individuals have been appointed to Government positions; and an aggressive foreign policy has recouped many of the former administration's blunders.

TAX LEGISLATION

The Republican Congress reduced taxes by $7,400,000,000. This is the largest single tax cut in the history of the world. It is a very detailed piece of legislation, which revised the entire code of internal revenue laws. The Republican Congress was able to reduce your taxes by reducing the Truman budget by $13 billion and by plugging former loopholes which enabled large industries and wealthy taxpayers to evade paying their full share. I am now preparing an explanation of this law for distribution to you.

FOREIGN POLICY

The Republican administration has supplanted former appeasement policies with new and vigorous stands. We ended the war in Korea. We averted a war in Indochina without involving a single American soldier and without giving up territory not already lost. On the other hand, we are attempting to redeem the tragedies of Yalta and Potsdam. Every effort is being made to aid the people of Poland, Lithuania, Hungary, Eastern Germany, and other countries to maintain their faith in God and democracy. We have vowed that we will not surrender them completely to Communist subjugation but will take every step possible to peacefully raise the bloody heel of bolshevism from their backs.

BOX SCORE

What we have not done is just as important as what we have done. The Republican Party has not succumbed to the Communist hoax. We have prevented the attempt of New Dealers to socialize medicine and other phases of American life. We have not allowed the Federal Government to spend us to destruction with lavish giveaway programs to false foreign friends. We have eliminated the practice of paying Federal employees a full day's wage for a few hours work. We have not accepted any mink coats or deep freezers. And we have not paid spies high salaries that they might eat well while they stole our secrets. Nor have we knowingly hired or promoted any spies or subversives.

What is our box score? The Republican 83d Congress batted an average of almost .950 on campaign pledges and major legislation, leaving the past Democratic Congress—whose average was only .420—well in the cellar.

COMMITTEE ASSIGNMENTS

In my first 2 years here, I have served on four different congressional committees. According to veteran Congressmen, this is quite unusual, as new Congressmen generally receive only one committee post. I was quite honored when one old and distinguished Member of Congress told me: "Your excessive number of committee assignments is a fitting tribute to your reliability, responsibility, integrity and willingness to serve your people." I have endeavored to do no more than to give Luzerne County my best in this job and I am highly encouraged that, through me, Luzerne County is honored by such statements. However, I am not a vain man and wish no greater reward save that of knowing that I have fulfilled the obligations I assumed when I came to Washington.

My first committee assignment was the Post Office and Civil Service Committee. This committee has been very busy with salary proposals and position reclassification programs for the 2,600,000 Federal employees. These measures required months of study and debate. This committee also initiated the action which deprived Alger Hiss and other traitors, employed by the Democratic administration, of their pension rights. While the salary increase was vetoed by the President this year, the fringe benefits provided in other bills should prove a real boon to the career official whether he be a civil servant or a mailman.

The Veterans' Affairs Committee, my second post, dealt with all of the legislation concerning our veterans. Much detailed, noteworthy legislation was written in this committee. As a veteran who served as an enlisted man in both the Army and the Navy, I have been acutely aware of the veterans' problems and have worked for their best interests. Disability schedules were revamped this year. The educational benefits for Korean veterans have been extended. And I have made great effort, both in committee and in individual cases, to cut redtape left over from the old administration. I have also worked in close cooperation with all the veterans' organi-

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zations and am very grateful for their advice on veterans' legislation.

My third committee assignment was to the Committee of Objectors. Much of the work of the Congress consists of private bills authorizing relief in hardship cases and those involving immigration and naturalization problems. While each of these appear small, they represent a tremendous amount of work. It was my duty to study all of these bills and decide that public funds were not spent unwisely or that subversives did not sneak into this country. This work took a great deal of time, especially at night, when I studied these bills. It also brought me into close liaison with Secretary of the Treasury Humphrey and the FBI.

My final committee assignment was to the Select Committee on Communist Aggression. This committee investigated the methods of Communist infiltration, take-over, and subjugation of the Baltic States and the eastern and central European nations. We heard witnesses from all of the Communist-dominated peoples of the world. The reports of the Committee on Communist Aggression are now available in limited quantity and I shall be most happy to supply individuals with a copy so long as the supply holds out.

ATTENDANCE RECORD

I am happy to state that my attendance record is one of the best in Congress. According to the Clerk of the House who keeps the records, I answered 100 percent of the rollcalls until late in June of this year. The only votes I missed were those which took place during my absence on official business of Congress.

LETTERS FROM CONSTITUENTS

The letters and telegrams sent to me have been most helpful in my work here. The advice, the encouragement, and the criticism have aided me in all of my activities. I received an average of 300 letters a week from Luzerne County, plus others from various sections of the State and Nation. I have answered each of these letters and explained my stand on the issues. I have always told the truth in my letters home, because I sincerely believe that the people of Luzerne County have had enough political bluffing in recent years. I do not believe in making false statements merely to get votes; for, if I do not live up to my oath of office, I do not deserve to be here.

All letters are filed according to the subject matter, in the case of bills before the Congress. When legislation came before the House, or when attempting to decide how I should vote on any issue, I went through the appropriate files to see for a second or third time what had been written. The suggestions and recommendations, as expressed in your letters and in the questionnaires, were important factors in making my decisions. I have supported most of the President's program because the people believed in it and because it was obviously in the best interests of the Nation.

It is my conviction that I have an obligation to keep my constituents currently informed on issues. With the start of both sessions, I circulated a detailed questionnaire on public policy. Many thousands of these were returned. All were studied, analyzed, and used. I published the results of this survey in the CONGRESSIONAL RECORD and received many comments on it from other Congressmen. I also had the results printed at my own expense and circulated to those who sent in questionnaires and to many others who requested the results. These questionnaires have been a constant source of information and guidance; I am greatly appreciative of your help in answering them.

A second practice which I initiated was my bimonthly newsletter. This newsletter is published at my own personal expense and contains a brief report of my activities during the preceding 2 weeks. The newsletter currently has a circulation of over 12,000 and is growing rapidly as more people request it. It is my hope to continue these newsletters now that Congress has adjourned. The administrative branch of our Government will be issuing regulations with which many people will be concerned. I will be able to report on new legislation before us during the next session of Congress. Committees in Congress will be hearing testimony on various important issues, and the national current events will keep me well supplied with data for you.

UNEMPLOYMENT

Much time has been spent in discussing what should be done about our unemployment situation. However, I should like to point out what has been done. I have made it a practice not to issue publicity statements on these things and will only briefly touch on my intensive activities in this field.

Luzerne County has received a large share of Federal funds for construction and reconstruction. The sum of $800,000 has been appropriated during my 2 years for the river-control project at Swoyersville and Forty Fort.

A new Reserve armory is to be constructed at Wilkes-Barre to replace the present building, which has been condemned. This will enable more men to receive the financial benefits of the active Reserve. The new armory will be heated with anthracite, not oil, as some individuals rumored in the Luzerne County papers.

I was able to secure an appropriation for the necessary expansion and completion of the control tower at the Avoca Airport.

A large portion of the highway development funds will be spent in Luzerne County as the new Turnpike extension is pushed northward.

I was successful in stopping any further conversion from coal to oil in all Federal buildings in our area. Such conversion plans were apparently "in the mill" when the Republican Congress took control.

I have been in constant contact with many of our manufacturing firms regarding Government contracts. Although not widely publicized, many of these small firms have received, or are under consideration for, contracts or subcontracts. Through the Small Business Administration, established by this Congress, small manufacturers are in a better position to obtain Government contracts.

The program of importing cheap residual oil which cut out anthracite markets has received much of my attention. This practice was initiated by the past administration supported by the oil lobby. I introduced legislation to prohibit this but those same interests were able to kill it. The fight was continued on the floor of the House where I opposed the extension of the treaties which permitted such importation. While we could not kill this legislation completely, we did limit its extension to 1 more year. I am confident that a Republican Congress will put an end to this disastrous practice next January.

I am using my efforts to have an Internal Revenue Service field office established in Kingston.

The United Mine Workers Journal said the Eisenhower administration is doing something definite to help the ailing coal industry:

> Increasing Government concern over the sagging economy of the American coal industry, which threatens the national security in case of war, has brought concrete action by Uncle Sam in the announcement that 10 million tons of anthracite and bituminous coal will be purchased by the Federal Government for shipment, under the economic aid program, to fuel-short Allied Nations in Europe and Asia.

I am pleased to have an active part in revitalizing the anthracite coal industry. With the continued cooperation of the coal mine workers, it is hoped that the coal industry will regain its market and bring increased employment to the people of Luzerne County.

Several conferences have also been arranged by me with the President and Cabinet members for our community business leaders to discuss our situation. I have personally discussed various concrete proposals, with the President, Secretary of Defense Wilson, and Mobilization Director Flemming. They have assured me that everything possible will be done to aid our community and plans are currently being studied to devise an active program to accomplish this end. The President told me, however, that he wants a long-range, sound program and not half-baked measures designed to get a few votes. I think we will all agree with Ike on this.

During the past 20 years, many temporary solutions were tried—look what they resulted in. I am confident that we will see great changes in the next few years of the Republican administration—changes which will build for the future and not for election day.

I also made a protest over the alleged removal of our social-security offices to Baltimore, only to verify that the local newspaper, carrying the story, had not published the truth. Mrs. Oveta Culp Hobby, Secretary of Health, Education, and Welfare, called me personally to tell me that the story was untrue. Actually, my Democratic predecessor voted both in the Appropriations Committee and on the floor of the House to construct the new building in Baltimore. Mrs. Hobby has told me that, under revised plans, they will be moving only old papers and records to the new building and that Luzerne County will not lose any jobs. She has stated that the President, deeply

concerned with our community, does not want anything done which will hurt us.

CONCLUSION

I regret that this report is all too brief, as I feel that you are all entitled to know what went on in Washington. However, because I am circulating this at my own expense, I must, of necessity, keep it short. If any of you have any questions about my activities, I shall be glad to answer them for you. It has been a high honor to serve Luzerne County in this office, and I sincerely hope that I have fulfilled the confidence which you placed in me.

Report to My Constituents in the Sixth Congressional District of Maryland

EXTENSION OF REMARKS

OF

HON. DeWITT S. HYDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. HYDE. Mr. Speaker, at the close of my first term in Congress I feel it is my duty to make a report of my voting record to the voters of the Sixth Congressional District of Maryland. An analysis of this report will show that I cast my vote on every bill that was brought to a vote except one which involved water control of Lake Michigan. I missed this vote because I was absent from the city on official business as a member of a special committee studying immigration and labor problems in the Virgin Islands.

Following is the itemized statement of my complete voting record for the 2d session of the 83d Congress:

Date	Bill	Description and vote	My vote
Jan. 21	H. R. 5337	To provide for establishment of an U. S. Air Force Academy. (Passed, 331 to 36.)	Yea.
Jan. 27	H. J. Res. 358	To discharge indebtedness of Commodity Credit Corporation, thus increasing available lending funds. (Passed, 323 to 27.)	Yea.
Feb. 4	H. R. 3800	Authorize State of Illinois and the Sanitary District of Chicago, under direction of Secretary of Army, to help control lake level of Lake Michigan; on Ford amendment. (Failed, 177 to 202.)	Paired; for.
Do	do	Same bill; on motion to recommit. (Failed, 150 to 234.)	Paired; for.
Feb. 17	H. R. 4646	Provide for the exchange of certain public and private lands; on motion to recommit. (Passed, 226 to 161.)	Yea.
Feb. 25	H. Res. 400	Providing funds for the operation of the Committee on Un-American Activities; on agreeing to the resolution. (Passed, 363 to 1.)	Yea.
Mar. 2	H. J. Res. 355	Amending act of 1951 relating to the supplying of agricultural workers from the Republic of Mexico; on motion to recommit. (Failed, 156 to 250.)	Nay.
Mar. 5	H. R. 8067	Appropriations for Departments of State, Justice, and Commerce and the U. S. Information Agency for fiscal year ending June 30, 1955; on Clevenger amendment. (Passed, 265 to 105.)	Yea.
Mar. 10	H. R. 8224	To reduce excise taxes; on motion to recommit. (Failed, 200 to 213)	Nay.
Do	do	Same bill; vote on passage. (Passed, 411 to 3)	Yea.
Mar. 18	H. R. 8300	Revision of the internal revenue laws of the United States; on motion to recommit with instructions on dividend credit and $100 additional exemption. (Failed, 204 to 210.)	Nay.
Do	do	On same bill; on passage of bill. (Passed, 340 to 79)	Yea.
Mar. 30	H. R. 8224	To reduce excise taxes; on adoption of conference report. (Passed, 395 to 1)	Yea.
Mar. 31	H. R. 8583	Appropriations for the Executive Office and independent agencies for fiscal year ending June 30, 1955; on motion to recommit with instructions to require sell mortgages at par. (Failed, 180 to 214.)	Nay.
Apr. 2	H. R. 7839	To aid in the provision and improvement of housing, the elimination and prevention of slums and the conservation and development of urban communities; on motion to recommit. (Failed, 176 to 211.)	Nay.
Do	do	Same bill; on passage. (Passed, 353 to 36.)	Yea.
Apr. 8	H. R. 8649	To authorize the admission into evidence in certain criminal proceedings of information intercepted in national security investigations; on amendment requiring court order. (Passed 221 to 166.) (I believed it would cause undue delay.)	Nay.
Do	do	Same bill; on passage. (Passed, 378 to 10.)	Yea.
Apr. 29	H. R. 8873	Appropriations for Department of Defense and other related independent agencies for fiscal year ending June 30, 1955; on passage. (Passed, 378 to 0.)	Yea.
May 6	S. 2150	St Lawrence seaway; on motion to recommit. (Failed, 157 to 242.)	Yea.
Do	do	Same bill; on passage. (Passed, 241 to 158.)	Nay.
May 10	H. R. 2556	Amend sec. 3185 of title 18, U. S. Code, to strike the enacting clause to permit extradition of certain fugitives from United States to countries occupied by United States jointly with 1 or more other powers. (Passed, 228 to 68.)	Nay.
May 11	H. Res. 533	A resolution certifying the report of the Committee on Un-American Activities as to refusal of Bernhard Deutch to answer questions before committee; on agreeing to resolution. (Passed, 346 to 0.)	Yea.
May 12	H. R. 9040	To authorize cooperative research in education; on passage. (Passed, 296 to 55.)	Yea.
Do	H. Res. 532	Resolution providing for consideration of H. R. 7434, to establish a National Advisory Committee on Education; on agreeing to resolution. (Passed, 194 to 140.)	Yea.
May 13	H. R. 7434	To establish a National Advisory Committee on Education; on passage. (Passed, 179 to 157.)	Yea.
May 19	H. R. 7601	To provide for a White House Conference on Education; on passage. (Passed, 269 to 69.)	Yea.
May 26	H. R. 9242	To authorize certain construction at military and naval installations and for the Alaska communications system; on passage. (Passed, 346 to 0.)	Yea.
June 1	H. Res. 568	Providing for consideration of H. R. 9366, a bill to amend the Social Security Act; on ordering previous question. (Passed, 270 to 76.)	Yea.
Do	H. R. 9366	To amend the Social Security Act and the Internal Revenue Code to extend coverage under the old-age and survivors insurance program, increase the benefits payable, preserve the insurance rights of the disabled, and increase the amount of earnings permitted without loss of benefits; on passage. (Passed, 356 to 8.)	Yea.
June 11	H. Res. 580	Providing for consideration of H. R. 9474, to extend authority of the President to enter into trade agreements under sec. 350 of the Tariff Act of 1930; on passage. (Passed, 274 to 63.)	Yea.
Do	H. R. 9474	To extend the authority of the President to enter into trade agreements under sec. 350 of the Tariff Act of 1930; on passage. (Passed, 281 to 53.)	Yea.
June 15	H. R. 9517	Appropriations for the government of the District of Columbia for fiscal year ending June 30, 1955; on motion to increase contribution. (Passed, 186 to 168.)	Yea.
June 16	H. R. 8729	To extend for 2 years authority of Federal Reserve banks to purchase securities directly from Treasury; on motion to recommit. (Failed, 80 to 250.)	Nay.
June 17	H. Res. 583	Providing for sending to conference H. R. 7839, a bill to aid in the provision and improvement of housing; on agreeing to resolution. (Passed, 361 to 19.)	Yea.
June 29	S. Con. Res. 91	To express the sense of Congress on interference in Western Hemisphere affairs by the Soviet Communists; on agreeing to resolution. (Passed, 372 to 0.)	Yea.
June 30	H. R. 9678	To promote the security and foreign policy of the United States by furnishing assistance to friendly nations; on Vorys amendment stating it to be the sense of Congress that no funds be used for governments which are committed by treaty to maintain Communist rule over any defined territory in Asia. (Passed, 389 to 0.)	Yea.
Do	do	Same bill; on passage. (Passed, 260 to 126.)	Yea.
July 2	H. R. 9680	To provide continued price supports for agricultural products, to augment the marketing and disposal of such products and provide greater stability for agricultural; on amendment to provide flexibility in price supports from 82½ to 90 percent of parity. (Passed, 228 to 170.)	Yea.
July 8	H. R. 9540	To amend Vocational Rehabilitation Act to promote and assist in the extension and improvement of vocational rehabilitation services; on passage. (Passed, 347 to 0.)	Yea.
Do	H. R. 9709	To extend and improve the unemployment compensation program; on motion to recommit. (Failed, 110 to 241.)	Nay.
Do	do	Same bill; on passage. (Passed, 309 to 36.)	Yea.
Do	H. R. 9580	To revise and extend the laws relating to espionage and sabotage; on passage. (Passed, 324 to 0.)	Yea.
July 13	H. Res. 623	Providing for consideration of H. R. 8356, to improve the public health by encouraging more extensive use of voluntary prepayment method in the provision of personal health services; on agreeing to resolution. (Passed, 274 to 88.)	Yea.
Do	H. R. 8356	Health service prepayment plan reinsurance bill; to improve the public health by encouraging more extensive use of the voluntary prepayment method in the provision of personal health services; on motion to recommit. (Passed, 238 to 134.)	Nay.
July 15	H. Res. 627	Reiterating the opposition of the House of Representatives to the seating of the Communist regime in China in the United Nations; on agreeing to the resolution. (Passed, 381 to 0.)	Yea.
July 20	H. R. 7839	To aid in the provision and improvement of housing, the elimination and prevention of slums and the conservation and development of urban communities; conference report, on motion to recommit. (Failed, 156 to 234.)	Nay.
Do	do	Same bill; conference report, on adoption. (Passed, 358 to 30)	Yea.
July 21	H. R. 9888	To extend the period for granting education and training benefits to veterans under the Korean GI bill of rights; on motion to suspend rules and pass. (Passed, 400 to 0.)	Yea.
Do	H. R. 9020	To provide increases in compensation and pension to veterans of all wars and their dependents; on motion to suspend rules and pass. (Passed, 399 to 0.)	Yea.
Do	H. R. 9245	Providing for postal pay increases, amended to provide for postal rate increases and reclassification; on motion to suspend rules and pass. (Failed, 228 to 171.) (Two-thirds vote needed.)	Yea.
July 23	H. Res. 664	Certifying the report of Committee on Un-American Activities as to refusal of Bolza Baxter to answer questions before committee; on agreeing to the resolution. (Passed, 377 to 0.)	Yea.
Do	H. R. 9757	To amend the Atomic Energy Act; on Cole amendment on patents. (Passed, 202 to 161)	Yea.

UNIVERSITY OF MICHIGAN LIBRARIES

Date	Bill	Description and vote	My vote
July 26	H. R. 9757	To amend the Atomic Energy Act; on motion to recommit. (Failed, 165 to 222)	Nay.
Do	do	Same bill; on passage. (Passed, 231 to 154)	Yea.
July 28	H. R. 10051	Appropriations for Mutual Security for fiscal year ending June 30, 1955; on passage. (Passed, 266 to 128)	Yea.
Do	H. R. 8300	To revise the internal revenue laws; conference report, on motion to recommit. (Failed, 169 to 227)	Nay.
Do	do	Same bill; conference report, on adoption. (Passed, 315 to 77)	Yea.
Do	H. Res. 626	Providing for consideration of H. R. 236 to authorize construction, operation, and maintenance by Secretary of Interior of Fryingpan-Arkansas project, Colorado; on agreeing to resolution. (Failed, 188 to 195).	Yea.
July 29	H. R. 9756	To increase the borrowing power of the Commodity Credit Corporation; on passage. (Passed, 317 to 87)	Yea.
Do	H. Con. Res. 265	Providing for sine die adjournment of 2d sess. of 83d Cong.; on agreeing to resolution. (Failed, 183 to 193)	Yea.
July 30	H. R. 7840	To amend Railroad Retirement Act, the Railroad Retirement Tax Act and the Railroad Unemployment Insurance Act; on passage. (Passed, 361 to 0.)	Yea.
Do	H. R. 9666	To amend sec. 1001, par. 412 of the Tariff Act with respect to hardboard; on passage. (Passed, 235 to 109.)	Yea.
Do	H. Con. Res. 266	Providing for adjournment sine die of 83d Cong.; on agreeing to resolution. (Passed, 180 to 167.)	Yea.
Do	H. R. 8384	To authorize the Secretary of the Interior to construct, operate, and maintain the Talent division of the Rogue River Basin reclamation project, Oregon; on passage. (Passed, 163 to 144.)	Yea.
Aug. 4	S. 16	To authorize Federal courts to grant immunity from prosecution to witnesses who testify before either House of Congress or their committees; on motion to suspend rules and pass. (Passed 294 to 55.)	Yea.
Aug. 9	H. Res. 590	Providing for the consideration of H. R. 9245; on motion to discharge Committee on Rules from further consideration. (Passed, 346 to 29.)	Yea.
Do	H. R. 9245	Providing for postal pay increases, amended to provide for postal rate increases and reclassification; on passage. (Passed, 352 to 29.)	Yea.
Aug. 9	H. Res. 687	Providing for consideration of S. 2033, bill relating to the labeling of packages containing foreign-produced trout sold in the United States; on agreeing to resolution. (Passed, 209 to 159.)	Yea.
Do	H. R. 9678	To promote the security and foreign policy of the United States by furnishing assistance to friendly nations; on motion to recommit. (Failed, 97 to 266.)	Nay.
Aug 16	S. 3706	To outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities; on motion to suspend rules and pass. (Passed, 305 to 2.)	Yea.
Aug. 17	do	Same bill; on motion to instruct conferees to agree to Senate amendment to the House amendment. (Passed, 208 to 100.)	Nay.
Aug. 19	H. R. 10051	Appropriation for Mutual Security for fiscal year ending June 30, 1955; on adoption of the conference report. (Passed, 188 to 77.)	Yea.
Do	do	Same bill; on motion to recede and concur in Senate amendment No. 31, assistance to Spain. (Passed, 188 to 76.)	Nay.
Do	S. 3706	To outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities; on adoption of conference report. (Passed, 265 to 2.)	Yea.
Aug 20	H. R. 2236	To establish a Commission on Area Problems of Greater Washington Metropolitan Area and to set up a Commission to regulate transportation in the Greater Washington metropolitan area; on motion to recommit. (Failed, 95 to 164.)	Nay.

The Committee on Labor and Public Welfare in the 83d Congress

EXTENSION OF REMARKS
OF

HON. H. ALEXANDER SMITH

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. SMITH of New Jersey. Mr. President, it has been a high privilege for me to serve as chairman of this important committee as successor to the late beloved Senator Robert A. Taft. But I cannot claim sole credit for the fine accomplishments of this committee. Every member of the committee, both Democrats and Republicans, has contributed to our record, and I want to take this occasion to thank all the members of the committee for their constructive cooperation.

It is with great sorrow that we record the death of Senator Dwight Griswold, of Nebraska, who served this committee faithfully and effectively in the 83d Congress until his untimely death on April 12, 1954. Mrs. EVA BOWRING, of Nebraska, who was appointed to fill the vacancy, has served on this committee since her appointment with great and deeply appreciated effectiveness.

The work of the committee was done by the standing Subcommittees on Labor, Civil Rights, Health, Education, and Veterans' Affairs and the special Subcommittee on Railroad Retirement Legislation. I owe a special debt of gratitude to Senator IVES for his constructive work in the field of civil rights, and his initiation of the investigation of employee welfare and pension funds, as recommended by President Eisenhower. Senator IVES also served as chairman of our special Subcommittee on Committee Rules and Procedure.

In the field of health, the initiative has been vigorously carried forward by Senator PURTELL and, as the following report shows, we have gone a long way toward carrying out the President's recommendations by the important health legislation passed this year. The failure to make definite progress in the health-reinsurance program was due primarily to the apparent misunderstanding on the part of the House of the experimental nature of the proposals. We plan to pursue this matter vigorously in 1955.

Senator COOPER, of Kentucky, has headed up the committee's efforts in the field of education. The measures recommended by the administration were all adopted. The committee regrets that the important emergency school-construction program was not adopted this year.

Senator GOLDWATER, of Arizona, acted as chairman of the Subcommittee on Veterans' Affairs. The report brings out clearly the accomplishments in this field. Following the death of Senator Griswold, Senator GOLDWATER took over, as additional duty, the chairmanship of the Special Subcommittee on Railroad Retirement Legislation.

I desire to add a word of special commendation for all members of our staff for their faithful and efficient work.

I also want to express my gratitude to the Secretary of Health, Education, and Welfare, Mrs. Hobby, and to Mr. Nelson Rockefeller for their aid and guidance in the field of welfare legislation; and to Secretary Mitchell, of the Department of Labor, for his advice in the field of labor legislation.

Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD the report of the committee activities in the 83d Congress.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT ON COMMITTEE ACTIVITIES

The Committee on Labor and Public Welfare is 1 of the 15 standing Commitees of the Senate. Its area of responsibility, as defined by the Legislative Reorganization Act of 1946, covers a wide area of legislative matters in the social field. In general, the committee has jurisdiction over legislation of a substantive nature relating to the Department of Labor and the Department of Health, Education, and Welfare. It deals with hospitalization and medical care, vocational rehabilitation, education and training matters, and soldiers' and sailors' civil relief matters, all of which are within the purview of the Veterans' Administration. Railroad retirement matters, United States employees' compensation matters, the Federal school-lunch program, the National Science Foundation, and certain educational and welfare activities of the government of the District of Columbia also come before this committee.

HEALTH LEGISLATION

During the 83d Congress, 43 bills dealing with various aspects of the Nation's health problems, exclusive of measures relating to health problems of veterans, were introduced and referred to this committee. These bills were subsequently assigned to the Subcommittee on Health for preliminary consideration and report. Among these bills, which covered a great range of health subjects, were the following principal measures upon which action was completed by the committee.

(a) Extension of the Hospital Survey and Construction Act

During the 1st session of the 83d Congress, the committee considered and favorably reported S. 967, which had been introduced on February 16, 1953, and which extends for 2 additional years, that is to June 30, 1957, the Hospital Survey and Construction Act. Experience has demonstrated the value of this program and the soundness of its basic administrative provisions. Its survey and planning provisions have promoted ordinary planning for hospital service in all of the States. A total of 106,000 beds have been constructed or have been approved for construction under this act. S. 967 became Public Law 151 on July 27, 1953.

(b) Medical Facilities Survey and Construction Act of 1954

During the 2d session, the committee considered and favorably reported a bill (H. R. 8149) to broaden the base of the hospital construction program. This bill, which was a companion to S. 2758, was designed to carry out this part of the program of the President as submitted to Congress in his health message of January 18, 1954. It authorized appropriations of $20 million annually for the construction of diagnostic and

treatment facilities, $20 million annually for the construction of hospitals for the chronically ill, $10 million annually for the construction of comprehensive rehabilitation facilities and $10 million annually for the construction of nursing or convalescent homes. The bill also authorized an appropriation of $2 million in order to enable the States to survey their respective needs for these categories of facilities and for revising State plans to provide an overall program for the construction of such facilities.

Extensive hearings were held on the measure. It was passed by the Senate on June 22 of this year and was signed into law by the President on July 12 of this year. It is now Public Law 482 of the 83d Congress.

(c) Vocational rehabilitation

A bill (S. 2759) to amend the Vocational Rehabilitation Act was introduced on January 19, 1954, to implement another aspect of the President's health program contained in his special health message of January 18, 1954. After extensive hearings on this measure, the bill was reported to the Senate on June 22, 1954. The Senate passed the bill on July 7, 1954, and on August 3, 1954, it was signed into law by the President. (Public Law 565.)

This bill is one of the most important pieces of welfare legislation enacted by the Congress in many years. In general, it provides for greatly increasing our efforts to rehabilitate the physically handicapped. It authorizes annual appropriations for rehabilitation purposes of $30 million for fiscal year 1955, $45 million for fiscal year 1956, $55 million for fiscal year 1957, $65 million for fiscal year 1958, and for each year thereafter such sums as Congress may determine.

Among the innovations contained in this legislation is authorization for the first time for the making of Federal grants for the purpose of training the professional personnel required in rehabilitation work. The rehabilitation of our physically handicapped has lagged for many years because of failure to train and utilize the necessary personnel. Furthermore, new techniques in physical medicine have been developed in recent years which make possible the rehabilitation of a much larger proportion of our handicapped people than was true in earlier years. This act seeks through demonstration and special project grants not only to encourage the training of personnel but also to make more widely applicable throughout the Nation these new discoveries in physical medicine. The act also gave greater latitude to the States in the administration of the rehabilitation program on the State and local level.

It is expected that the number of handicapped persons rehabilitated each year will increase from the past level of 60,000 to a total of 200,000 per year by 1959.

(d) Factory inspections

On July 29, 1953, the committee favorably reported to the Senate, with an amendment, H. R. 5740, enactment of which had been requested by the President in order to more fully safeguard the public health.

The bill was designed to provide clear and enforceable statutory authority for Federal Food and Drug Administration inspection of factory and other establishments in which food, drugs, devices, or cosmetics are manufactured. Legislation of this kind became necessary as the result of a Supreme Court decision which indicated that existing law did not provide proper authority to make the necessary inspections.

The measure was passed by the Senate on August 3, 1953. The House disagreed with the Senate amendment and thereafter the Senate receded from its amendment and passed the measure without amendment. On August 7, 1953, the President approved the bill and it became Public Law 217.

(e) Food standards regulations

On March 9, 1954, the committee favorably reported to the Senate, with an amendment, H. R. 6434, which amended various sections of the Federal Food, Drug, and Cosmetic Act so as to simplify the procedure governing the establishment of food standards. The bill was passed by the Senate on April 5, 1954, and was signed into law by the President on April 15, 1954. (Public Law 335.)

This important measure was designed to facilitate the making of changes in food standards regulations, the old standard making procedures having become slow and cumbersome. The old standards required formal hearings whether or not a proposed regulation was controversial. These old procedures resulted in useless expenditure of time and money by both the Federal Government and the food industry concernd. This measure (H. R. 6434) will greatly expedite the prescribing of food standards, and thus will aid in the protection of the public health.

(f) Regulations governing residues of pesticide chemicals on agricultural commodities

The committee conducted hearings and thereafter acted upon and favorably reported, with an amendment, H. R. 7125. The measure, as amended, was passed by the Senate on July 6, 1954. The Senate amendment was concurred in by the House, and on July 22, 1954, the President signed the measure into law. (Public Law 518.)

This measure is designed to insure greater protection of public health by improving, simplifying, and speeding up the procedure under the Federal Food, Drug, and Cosmetic Act for regulating the amount of residue of pesticide chemicals which may remain on agricultural commodities. It is clearly in the interest of protecting the public health that poisonous substances, as contained in most pesticide chemicals, be kept out of foods to the fullest extent possible. When the use of pesticide chemicals is required in the production of agricultural crops, a tolerance must be established in order to overcome possible injurious effects of such chemicals. The old procedures governing the establishment of such tolerances were cumbersome, time-consuming, and impracticable. Under this measure, the procedure will be more simple and the process speeded up without jeopardizing the public health.

(g) Health Service prepayment-plan reinsurance

In his health message of January 18, 1954, the President recommended the establishment of a limited Federal Reinsurance Service to encourage health-insurance organizations to offer broader health-protection policies to more people. A bill to carry forward this recommendation, S. 3114, was introduced in the Senate on March 11, 1954. It was subjected to extensive hearings in the Committee on Labor and Public Welfare and was favorably reported to the Senate, with amendments, on July 12, 1954.

This measure would provide support services and a financial backstop for private efforts for the expansion of prepayment protection against the cost of medical, hospital, and other health care. It is designed to remove obstacles to the extension of coverage for broader ranges of benefits and to additional groups of people. This would be accomplished through the reinsurance of prepayment offerings to groups with difficult enrollment problems, and the reinsurance of health plans which offer new or more liberal benefits, so that prepayment insurance carriers may be encouraged to experiment in extending coverage and benefits.

This measure frankly seeks to encourage a greater risk taking by health-insurance organizations with a view to bringing about necessary improvements in the scope and the coverage offered by voluntary health-insurance plans. The bill proceeds on the assumption that voluntary prepayment health-insurance plans, with further experimentation and experience, can meet the need for protection against the costs of illness for a large majority of the population who are able and willing to give voluntary health-insurance premiums a priority in their family budgets.

The bill proposes a self-supporting, completely voluntary reinsurance program. It would establish a central pooled reserve or reinsurance fund to consist of reinsurance premiums and of fund earnings. While this fund is designed to be self-sustaining, provision is made for repayable capital advances to the fund by the Federal Government to the extent of $25 million, if needed. Participation in the program by insurance carriers is entirely voluntary in the same manner as participation in prepayment health-insurance plans is entirely voluntary with respect to the individual citizen. Reinsurance premiums to be charged to participating insurance carriers would be calculated with a view both to keeping the fund self-sustaining and to stimulating and encouraging plans in furtherance of the program's objectives. There are provisions in the bill designed to preclude the Secretary of Health, Education, and Welfare, who would administer the program, from exercising control over the carriers' premium rates or subscription charges. In every respect, the bill seeks to follow the principle of furthering the development of voluntary health-insurance protection by maintaining and fostering competition among private health-insurance plans.

A similar measure, H. R. 8356, was brought before the House of Representatives on July 13, 1954, and by a vote of 238 to 134, was recommitted to the House Committee on Interstate and Foreign Commerce. The bill before the Senate, S. 3114, was on the Senate calendar when the Senate recessed on Friday, August 20, 1954.

I was so much shocked by the action of the House in recommitting the President's health service prepayment plan reinsurance proposal that I released a statement to the press, dated July 14, 1954, as follows:

"WASHINGTON, July 14.—As chairman of the Committee on Labor and Public Welfare I feel very much concerned over the action of the House yesterday in sending back to committee and virtually killing President Eisenhower's Federal health reinsurance bill, which is really the heart of the President's health program. Our committee in the Senate has just reported this bill to the floor and we had expected to have it come up for debate here within the next week or 10 days.

"I have been in the Senate for 10 years and have been on the Committee of Labor and Public Welfare for that entire period. We have had facing us each year the consideration of an overall health program for the American people which would avoid the dangers of socialized medicine, but which would establish a voluntary system providing for our families the necessary health care, and particularly would provide for those catastrophies overtaking families with a sudden or prolonged illness, especially of the breadwinner.

"We have seen the failure of socialized medicine in England and I have been opposed to any such approach to the question. I am a son of a physician and my younger years were lived in a physician's family where I came to understand the values of the relationship of doctor and patient. There is no profession I respect more than the medical profession, and I admit I am prejudiced from the noble life that my father lived. I never could tolerate the thought of mechanized medicine where the patient becomes a number merely and he may be assigned to a

doctor that may be good, or may be second rate. Anything that even tends to threaten the intimate relationship between patient and doctor is a distinct loss to this country. For that reason in talking over some kind of voluntary health insurance with Secretary Hobby and her very efficient staff, it was decided that we should endeavor to build on the voluntary health insurance plans that have been growing up in this country, as the Blue Cross, and the Blue Shield, and on the plans of the many insurance companies which have been studying this subject for years. The problem was whether these insurance coverages could be expanded in two directions (1) to cover more of our population at a reasonable premium, and (2) to widen the scope of the coverage. As of today I am advised that there are 54 million persons covered by the Blue Cross and 29 million persons covered by the Blue Shield in addition to the various insurance company coverages, etc.

"Secretary Hobby has mobilized all the important insurance experts in the country, as well as other advisers who have studied both the medical side, and the social side of the problems involved. We have come up with a plan, which, admittedly, may not be perfect, but which has all the earmarks of intelligent experimentation with the principle involved. With our 48 States as laboratories we should find an ultimate sound solution.

"We want no interference with the individual family having its own family doctor, but we do want to develop that sense of security in our people so that if catastrophic illness overtakes them they will have at least reasonable coverage against such a disaster.

"Much to my amazement the opposition to this wonderful conception has come principally from two groups of people. First, the American Medical Association, which shortsightedly and without adequate study, has suggested that this plan is a step in the direction of socialized medicine, and, second, from our large labor groups who have been favoring the compulsory program of socialized medicine.

"I have been conscious in my own office as chairman of the Labor and Public Welfare Committee of a barrage of high-pressure endeavors to kill this bill based on statements which are totally inadequate and totally untrue, which can have no motive other than the desire to frustrate this important program which President Eisenhower and his group are trying to offer the American people at this critical time.

"As chairman of the Labor and Public Welfare Committee, as I said at the opening of these remarks, I must protest vigorously against this sort of thinking and against this hysterical runaway under pressure of political groups from the responsibilities that lie before us."

(h) Overtime compensation for United States Public Health Service Quarantine Service employees

On June 22, 1953, there was introduced a bill, S. 2167, which posed to entitle Foreign Quarantine Division employees of the United States Public Health Service to overtime and holiday payments identical with those payable to Customs and Immigration employees. The bill also provided, just as do the special statutes applicable to the Customs and Immigration employees, that the carriers reserving such overtime or holiday services would reimburse the Federal Government for the amount thereof.

A companion bill, H. R. 6253, was introduced in the House. Public hearings were held thereon and the House Committee on Interstate and Foreign Commerce reported H. R. 6253 favorably, with an amendment relieving motorbus carriers, as well as rail and air carriers operating on published schedules, from the obligation of reimbursing the Federal Government for overtime and holiday services received. As amended, the bill, H. R. 6253, passed the House on the call of the calendar on July 6, 1954, and was referred to this committee on July 7, 1954.

This committee unanimously approved the House bill, H. R. 6253, and it passed the Senat on the call of the calendar on August 11, 1954. It was vetoed by the President on August 27, 1954.

LEGISLATION RELATING TO EDUCATION

Growing out of its responsibilities in the field of education, the Committee on Labor and Public Welfare received 46 bills during the 83d Congress dealing with problems of education, exclusive of bills concerned with veterans' education and Federal aid for education in the health field. These bills were subsequently assigned to the Subcommittee on Education for preliminary consideration and report to the full committee. Among these bills, which covered a wide range of educational matters, were the following principal measures upon which the committee acted.

(a) Federal assistance for school construction in areas affected by Federal activities

In the first session the committee considered and formally reported a bill, H. R. 6049, the purpose of which was to amend and extend for 1 year Public Law 815 of the 81st Congress which had been enacted in 1950 primarily to deal with the Federal Government's responsibility for aiding school construction in communities that had been burdened with substantial increases in school attendance as a result of defense and related Federal activities. This was in accordance with a request of the President. The Senate passed the measure on August 1, 1953, and it was signed by the President on August 8, 1953. It became Public Law 246 of the 1st session of the 83d Congress.

In the closing days of the second session, another bill was reported from the committee to further extend Public Law 815. This bill, S. 3628, authorized appropriations for school construction in so-called impacted areas for 3 additional years, namely, 1956, 1957, and 1958. It proposed also to extend for an additional 3 years the authority of the Commissioner of Education to provide minimum school facilities for the education of children residing on Federal property with respect to whom no local educational agency is able to provide suitable free public education.

The bill, S. 3628, was passed by the Senate on August 11, 1954. On August 16, 1954, the bill was amended (reduced by 1 year) and was passed by the House of Representatives. The Senate thereafter agreed to the House amendments and at the time this statement was sent to the printer, S. 3628 had already gone to the President.

(b) Federal assistance for maintenance and operation of schools in areas affected by Federal activities

In the first session the committee considered and favorably reported a bill, H. R. 6078, to amend and extend Public Law 874 of the 81st Congress which had been enacted to provide a program of financial assistance for the maintenance and operation of schools in areas affected by Federal activities. The bill was passed by the Senate on August 1, 1953, and was signed into law by the President on August 8, 1953. This bill, which had been requested by the President, became Public Law 248 of the 1st session of the 83d Congress.

In the closing days of the 2d session of the 83d Congress, the committee considered and favorably reported a bill, S. 3629, to eliminate the so-called 3-percent absorption requirement contained in Public Law 248 of the 1st session of the 83d Congress. S. 3629 was passed by the Senate on August 11, 1954. The bill was passed by the House on August 16, 1954, and at the time this statement was sent to the printer S. 3629 had gone to the President.

(c) State and White House Conferences on Education

After hearings on a companion Senate measure (S. 2723), the committee reported H. R. 7601, to provide for State and White House Conferences on Education. The measure authorized appropriations to the States in order to assist them in holding State conferences and preparing reports prior to the holding of a White House Conference in 1955 to consider and advise the President on significant and pressing problems in the field of education. This legislation was specifically requested by the President in order that careful deliberation, beginning at the State and local level, could be given to the Nation's educational problems. The Senate passed the measure on June 17, 1954, and on July 26, 1954, it became Public Law 530.

(d) National Advisory Committee on Education

Following hearings on a companion Senate measure (S. 2724), the committee reported H. R. 7434 to establish in the Department of Health, Education, and Welfare a 9-member National Advisory Committee on Education. The committee is required to meet not less than three times each calendar year. Its function is to recommend to the Secretary the initiation of studies of national concern in the field of education and the law requires that it propose to the Secretary appropriate action indicated by such studies. In addition, the committee is required from time to time to advise the Secretary on the progress being made in carrying out its recommendations. The Secretary, in turn, is required to advise the Congress annually in regard to the studies initiated under the act, the recommendations made by the committee, and the action taken with respect to such recommendations. This bill was passed by the Senate on June 17, 1954, and became Public Law 532 on July 26, 1954.

(e) Cooperative research in education

The committee also held hearings on S. 2856, a bill which had been introduced to authorize cooperative research in education. Committee action was taken, however, on H. R. 9040, a companion measure which had been received from the House of Representatives. This measure authorized the Office of Education and the Department of Health, Education, and Welfare to enter into contracts on jointly financed cooperative arrangements with universities and colleges and State educational agencies for the conduct of research, surveys, and demonstrations in the field of education. Prior to the enactment of this bill, the Office of Education had no legislative authority to enter into such arrangements. A prime advantage of cooperative research work with organizations in the field of education is that such procedure makes full use of existing facilities and avoids the centralization of the staff and facilities in Washington, D. C. The same general procedure has been followed in the field of public health and in that field has resulted in notable improvements and great returns for each Federal dollar expended. This bill became Public Law 531 on July 26, 1954.

LABOR LEGISLATION

(a) National Labor Relations Act amendments

During the 1st session of the 83d Congress, the Committee on Labor and Public Welfare conducted extensive hearings lasting 6 weeks on proposed revision of our fundamental labor relations laws. Scores of witnesses representing labor, management, and the public testified in person before the committee or submitted statements dealing with

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every aspect of the National Labor Relations Act of 1947, more familiarly known as the Tart-Hartley Act. Thereafter, numerous conferences were held which were participated in by various officials from the executive departments who are concerned with labor-management relations matters.

Shortly after the opening of the 2d session of the 83d Congress—on January 11, 1954—the President submitted to the Congress his recommendations for changes in the Taft-Hartley Act. The President's recommendations, while endorsing the fundamentally sound principles on which the Taft-Hartley Act is based, proposed certain improvements which the experience of 7 years under the statute had shown to be desirable.

Simultaneously with the receipt of the President's message and in order to carry forward and place in legislative form the President's recommendations, I introduced a bill, S. 2650. Two and one-half weeks of public hearings were then held during which testimony was taken on every phase of the bill. Then followed numerous meetings of the committee in which every provision of the bill was thoroughly debated and discussed. On April 15, 1954, the bill was favorably reported to the Senate with certain modifications and amendments. On May 7, 1954, the fifth day of debate on the bill, a motion to recommit was carried by a vote of 50 to 42 in which 46 Democratic Members of the Senate voted solidly for recommitttal. This action, for all practical purposes, removed all possibility of securing desirable or necessary amendments to our labor-management relations laws during the remainder of the 83d Congress.

(b) *Investigation of employee welfare and pension funds*

The President, in his labor message of January 11, 1954, recommended, among other things, that "Congress initiate a thorough study of welfare and pension funds covered by collective bargaining agreements, with a view of enacting such legislation as will protect and conserve these funds for the millions of working men and women who are the beneficiaries."

Implementing this recommendation, the Committee on Labor and Public Welfare considered and reported Senate Resolution 225. This resolution, which was approved by the Senate on April 28, 1954, authorized the creation of a special subcommittee "to make a full and complete study and investigation with respect to the establishment and operation of employee welfare and pension funds under collective-bargaining agreements, for the purpose of ascertaining whether legisaltion is necessary for the conservation of such funds and the protection of the interests of the beneficiaries thereof." The resolution authorized expenditures not to exceed $75,000 for carrying out its objective. Thereafter, the committee considered and adopted a second resolution, Senate Resolution 270, to broaden the scope of the inquiry to include all "plans and funds subject to collective bargaining." This resolution, which also raised the limit of allowable expenditures to $125,150, was approved by the Senate on July 17, 1954.

Senator IVES was designated chairman of the subcommittee and with gratifying celerity chose a highly competent staff of trained specialists. Without delay, the subcommittee began to develop the data and information essential for the making of sound recommendations in this area. Under the able direction of the distinguished senior Senator from New York, the subcommittee is enlisting the cooperation of labor unions, employers, insurance and banking institutions, as well as appropriate Federal and State agencies and is conducting its investigation and study in an objective and impartial fashion. The subcommittee's sole purpose is to develop the facts upon which to base remedial legislation in the interests of the millions of working men and women who are the beneficiaries of these funds.

(c) *Repeal of the dual benefits prohibition of the Railroad Retirement Act*

The Labor Committee's special Subcommittee on Railroad Retirement, under the chairmanship of the late Senator Griswold, held 4 days of hearings in February 1954, on S. 2178, H. R. 356 (a previously House-passed bill) and other bills to repeal the duel benefit prohibition of the Railroad Retirement Act. This prohibition had been written into the Railroad Retirement Act in 1951.

Witnesses before the subcommittee represented all interested parties. Spokesmen of the operating railroad groups and pensioners testified in favor of this legislation. Spokesmen for the nonoperating railroad groups and the railroads opposed it. The subcommittee, after careful consideration of the matter, concluded that the so-called "dual benefit ban" was unfair and productive of undue hardship on persons who were eligible for benefits under both the social security and railroad retirement systems.

On May 24, 1954, the committee favorably reported S. 2178, which was a companion measure to H. R. 356, already passed by the House. The bill was passed by the Senate on June 2, 1954, and it was approved by the President on June 16, 1954. It is now Public Law 398 of the 83d Congress.

(d) *Railroad retirement amendments*

Late in the 2d session the committee favorably reported H. R. 7840, a companion bill to S. 2930, upon which hearings had been held by the Special Subcommittee on Railroad Retirement Legislation, which was then under the chairmanship of Senator GOLDWATER. These bills proposed a series of amendments to the Railroad Retirement Act, the Railroad Tax Act and the Railroad Unemployment Insurance Act.

H. R. 7840 was favorably reported by the committee on August 2, 1954. It was passed by the Senate by a voice vote on August 19, 1954, and at the time this statement was sent to the printer, H. R. 7840 had already gone to the President.

In general, H. R. 7840 liberalized the so-called fringe benefits for various beneficiaries under the Railroad Retirement Act. It amended the Railroad Unemployment Insurance Act so as to increase the maximum monthly compensation for both benefit purposes. It increased the tax base from $300 to $350 a month, effective July 1, 1954. The tax rate of 6¼ percent was left unchanged.

(e) *Federal Equality of Opportunity of Employment Act*

The Subcommittee on Civil Rights of the Committee on Labor and Public Welfare held 6 days of hearings during February and March 1954 on S. 692, a bill to prohibit discrimination in employment because of race, color, religion, national origin, or ancestry. This bill was introduced by Senator IVES, the chairman of the subcommittee, on January 29, 1953, for himself and 18 cosponsors.

During the hearings all witnesses testified that the bill would not be disruptive, would be workable, and would be a significant step forward. No witnesses appeared in opposition to the bill.

On April 28, 1954, the bill was favorably reported by the full committee and was on the Senate calendar awaiting action when the Senate adjourned on August 20, 1954.

VETERANS' AFFAIRS

During the 2d session of the 83d Congress the committee acted upon a number of bills relating to veterans' affairs, among which the following are the most important:

(a) *Extension of educational privileges for veterans of the Korean war*

On August 2, 1954, the committee reported and thereafter on August 11, 1954, the Senate passed H. R. 9888, to require that veterans of the Korean war initiate courses of instruction or training under the Veterans' Readjustment Act of 1952 by August 20, 1954, or 2 years after discharge, whichever is later. Section 1 of this bill simply extends that period for initiating a course from 2 years to 3 years after date of discharge. The present law requires that a course of training be completed within 7 years from date of discharge and this is extended for 1 additional year.

Sections 2 and 3 relate exclusively to veterans undergoing training under Public Law 16 of the 78th Congress (World War II veterans), or Public Law 894 of the 81st Congress (Korean veterans), both of which relate to education and training for service-connected disabled veterans. There is no time limit set in which to initiate training under these acts. However, there is an overall completion date of 9 years after date of discharge for World War II veterans which will expire on July 25, 1956. This date would be extended 4 years for those persons who have not (a) attained vocational rehabilitation because of mental or physical disability, (b) had not met nature of discharge requirements, such requirement later being corrected pursuant to law, (c) had not timely established the existence of compensable disability connected with service.

Section 3 of the bill provides the same coverage to a Korean veteran training under Public Law 894, and at the same time limits vocational rehabilitation in line with the precedent set with World War II training to 9 years after the enactment of this proposal or 9 years after date of discharge of the veteran, whichever is the earlier.

H. R. 9888 was signed into law by the President on August 20, 1954. It is Public Law 610.

(b) *Increased Federal aid for State veterans' homes*

In the closing days of the second session the committee favorably reported H. R. 8180, a bill to increase from $500 to $700 per year the Federal aid to States for the support of veterans, domiciled or hospitalized in State homes, who are eligible for such care in Federal hospitals or domiciliaries. Prior to enactment of this measure the payment of the $500 rate was restricted to June 30, 1956. This bill, in addition to raising the rate from $500 to $700, would remove the restrictive date of June 30, 1956, thus establishing $700 as a permanent rate for Federal aid to State homes.

This bill was signed into law by the President on August 21, 1954, and is now Public Law 613.

(c) *Hospitalization of Filipinos who served in the United States Armed Forces*

On June 2, 1954, the committee considered and favorably reported H. R. 8044, a House-passed bill which extended for 5 additional years the authority for the American Government to bear a portion of the expense incident to hospitalization of Filipinos with service-connected disabilities incurred in behalf of the United States during World War II.

The bill was amended by the committee to make payments on a graduated scale, to expire in December of 1959 when the program itself will come to an end.

The bill, as amended by the committee, was passed by the Senate on June 7, 1954. The Senate amendments were accepted by the House and on June 18, 1954, the bill was signed by the President. It is now Public Law 421.

(d) *Outpatient dental service for Spanish-American War veterans*

The committee considered and favorably reported without amendment, H. R. 6412, to restore for Spanish-American War Veterans and veterans taking training under Public Law 16, their eligibility for outpatient dental

service. Public Law 16 provides in general for the education and training of veterans of World War II and the Korean War suffering from service-connected disabilities. H. R. 6412 would allow such veterans to receive outpatient dental service.

The bill was passed by the Senate on July 6, 1954, and is now Public Law 494.

In addition to the above bills, the committee acted upon several bills of a minor nature in regard to veterans affairs. Among these was a bill (S. 2719) to permit the Veterans' Administration to deny or to order discontinued the pursuit of the course of education or training by a veteran in a foreign country if the pursuit of such course of education or training was determined by the Veterans' Administration not to be in the best interests of either the veteran or the Government of the United States.

Among the bills of a minor nature and of a somewhat different character considered and reported by the committee was S. 3393, which authorized the conveyance to Milwaukee County, Wis., of 28 acres of land, located on the Veterans' Administration center at Wood, Wis.

There was also reported from the committee S. 631, a bill to permit veterans to suspend or delay their programs of education or training under the GI bill of rights in order to perform services as religious missionaries. This latter bill was passed by the Senate and, along with the above-mentioned minor bills, was still pending in the House of Representatives when the Congress adjourned. Enactment of this measure is no longer necessary, however, inasmuch as its purpose has been achieved by administrative action of the Veterans' Administration.

NOMINATIONS

In addition to its legislative functions, the committee, during the 83d Congress, considered, approved, and recommended the confirmation of hundreds of nominations. Among these were the Secretaries and other top echelon officials in the Departments of Labor and Health, Education, and Welfare. The committee also considered and approved nominations to the Federal Coal Mine Safety Board of Review in the Department of the Interior, the Federal Mediation and Conciliation Service, the National Labor Relations Board, the National Mediation Board, the Railroad Retirement Board, and the National Science Board. Most numerous of the nominations considered were appointments and promotions in the regular corps of the United States Public Health Service. The most controversial and time consuming nomination considered by the committee was that of Albert C. Beeson to be a member of the National Labor Relations Board. None of the nominations passed on by the committee were rejected by the Senate.

COMMITTEE RULES

At its meeting on March 24, 1954, the committee adopted and incorporated into its standing rules suggestions in regard to rules and policies governing Senate investigating committees and subcommittees which had been made by the majority policy committee. These rules governing investigations were incorporated into the committee rules as rule 14. Committee rule 14 was redesignated as rule 15.

At the same time that this action was taken, the chairman was authorized to appoint a five-member subcommittee to study the subject and report back to the committee with specific suggestions in regard to rules for governing investigations to be made by this committee or any of its subcommittees.

To this date, only three other committees of the Senate have followed the example of the Labor Committee in adopting the majority policy committee's suggestion. These committees are Armed Services, Select Committee on Small Business, and District of Columbia.

COMMITTEE STAFF

The record of accomplishment made by the Committee on Labor and Public Welfare in the 83d Congress would not have been possible without efficient and able assistance at the staff level. The permanent staff of the committee in the 83d Congress consisted of only 14 employees. Of that number, six employees, including the majority and minority staff directors, are professional employees. The remaining eight employees are clerical.

A special Subcommittee To Investigate Employee Welfare Funds was authorized late in the second session. This subcommittee's functions are kept separate from those of the standing committee. Its personnel, consisting of 7 professional employees and 4 clerical employees, are not integrated with the staff of the parent committee.

COMMITTEE BUDGET

During the 83d Congress, there was appropriated from the contingent fund of the Senate a total of $15,000 for the use of the full committee for the payment of contingent expenses. An additional $125,150 was appropriated for expenditure by the special subcommitee on employee welfare funds for both contingent expenses and salaries of personnel assigned to that subcommittee. Together, these amounts total $140,150. This latter figure does not include the salaries of the staff of the full committee which are estimated at $109,459.39 for the whole of the 83d Congress.

This compares with total committee expenditures of $476,309.91 in the 82d Congress and $335,178.64 in the 81st Congress.

A Timely Review—A Parting Thought

EXTENSION OF REMARKS

OF

HON. WILL E. NEAL

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. NEAL. Mr. Speaker, the 83d Congress is now past history. It has set an outstanding record of achievement. House leaders and committee chairmen have worked hard and long to evolve a legislative program designed to turn the Nation from a highly geared foreign-war quasi-prosperity to one based on fundamental American principles.

Every important piece of legislation has been carefully studied, thoroughly debated, and properly amended to fit the needs of the times and the existing economic situation created by years of wars, war fears, and inflation.

At home, as a result of laws passed during this Congress, every citizen and every businessman will receive tax relief. Pensioners and welfare recipients will be given an increase in pensions. The Republican administration has achieved cutbacks of approximately $12 billion.

Communism has been recognized for what it is and has been legally outlawed as a political party.

The program for national defense has been greatly augmented and its cost is being scrupulously guarded. Future wars cannot escape atomic destruction. No nation engaged in atomic war can ignore the dangers of unexpected attack. Atomic war is unthinkable and must be prevented if humanly possible. But we dare not relax our efforts to build adequate defense. The administration, fully realizing this, has adopted measures to defend our country against aggression from any source.

Progress is being made toward getting the Federal Government out of competition with private business. Private investment, the bedrock of industrial success, is assured more freedom to build new plants and provide employment for more people.

A Presidential committee has been appointed to review the coal industry's declining markets in an effort to find remedial measures conducive to the proper maintenance of an industry so essential to the Nation's welfare. This is of particular interest to the people of my State, West Virginia.

The unnecessary waste of our productive soils and the high cost of overproduction is being attacked by legislation to preserve the independence of the farmer, maintain his standards of living, and prevent the cost of storage of unnecessary overproduction.

War recession fears are fast fading. The people of America are looking to the Republican Party as the peacetime party. More people are employed now than ever before in peacetime, and there are fewer unemployed than before the Korean war.

Housing and home financing, making possible the supply of needed homes for our growing population, is being met by carefully prepared legislation. For the first time the country has a coordinated housing bill with benefits in every one of the fields of housing—new, existing, urban, suburban, and rural. The new housing bill will provide more homes, smaller downpayments, and longer terms. For example, the minimum payment on a $12,000 home now is $1,200, just half what it was under previous law. The period for paying back loans has been extended to 30 years, which means that the monthly payments on a $10,000 mortgage over a 30-year period is $54, while under the old law it was $67. Limits on the amounts of mortgages for individual homes have been increased from $16,000 to $20,000. This will help our families to have better homes.

A very important item of the new housing law is the provision to insure mortgages on lower cost homes to help those whose needs are the greatest. FHA can now insure mortgages up to 95 percent of the value of semicompleted homes. Under the old low-cost program the mortgage was $5,700. Now it is $6,650.

The buyers of new homes are given certificates showing the FHA appraisal. This reassures and fortifies the buyer that his judgment is good as to the house he is buying, and gives him the opportunity of making his final decision after he has seen the appraisal. The new act provides substantially the same benefits for buying older homes as those provided for new homes. On a $6,000 older home, the downpayment now is only $600, just half the former amount. These more liberal terms will encourage enlargement and modernization of older homes and the purchase of larger older homes. Also, a man can buy his house

and get an appraisal that will take into account the repairs that will be needed.

Remember, FHA does not operate a Government subsidy, either for the buyer or for the builder. FHA does not lend money and does not build homes, but it enables millions of families to own far better homes than they could otherwise afford, and safeguards have been written into the law for the protection of all the people.

Every piece of legislation passed by this Congress has been planned to stabilize the Nation economically and to readjust to peacetime activities with the least possible disturbance to the people and their purchasing power.

These facts certainly justify the Republican reputation for successfully handling the Government's affairs during periods of peace. The administration deserves much credit for its successful readjustment program to solve the problems of our domestic economy, but our foreign policy presents the greatest challenge. This administration inherited a foreign policy that grew out of years of overexpansion and mistaken judgment. It continues to be the most serious problem facing the Nation today. The free world faces a serious challenge. America, in her attempts to unite and strengthen her allies, is faced with many provocations and many failures, due to the lack of cooperation on the part of allied countries whose interests are much in common with ours. Thirty-five years and three foreign wars have involved this Nation far beyond our wishes. We have made mistakes and have suffered both military and diplomatic defeats by assuming that our foreign allies fully understand our intentions. It has taken us a long time to learn that we cannot buy friendship. American foreign policies must be revised in the light of psychological reactions. Then our people will no longer be taxed so heavily to carry unwelcome handouts to people in foreign lands.

We must not continue to spend ourselves poor and become more deeply entailed in the affairs of nations beyond our shores. With so much to be done toward developing and improving our own America, with such great opportunities to utilize our resources to improve the lot of our citizens, America can and must stand strong in her philosophy of free men, free enterprise, world peace, and normal trade among nations.

The Republican administration has made an excellent beginning. We must make sure that there will be a majority sympathetic to its policies and principles to finish the job.

Prophets of Doom and Gloom

EXTENSION OF REMARKS
OF
HON. MELVIN PRICE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. PRICE. Mr. Speaker, the Commerce Department, in its regular monthly business review, says that employment continued "to drift downward through July."

Secretary of Commerce Weeks and his coworkers must be prophets of doom and gloom.

What the Changes in the Social Security Law Mean To You

EXTENSION OF REMARKS
OF
HON. EDWARD A. GARMATZ
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. GARMATZ. Mr. Speaker, in my contacts with the people in my district, I have discovered that there is one subject, above all others, in which there is a great amount of interest. As a very large percentage of my constituents will now be covered by the Social Security Act, I have been asked repeatedly by individuals, what the amendments just made by Congress, will mean to them.

The past 2 years have seen a number of changes in my district. Many houses have been torn down to make room for expanded businesses, parking lots, low-rent housing projects, and so forth. This has resulted in the removal of many of my constituents and therefore, to attempt to reach them individually by mail, in the usual manner, is difficult, if not impossible. Under the circumstances, I am taking this means of conveying to them the information on the Social Security Act changes, in which they are interested.

Briefly, they are as follows:

The amended act extends coverage to employees of State and local governments who are covered by State and local retirement systems, under voluntary State-Federal agreements on condition that a majority of the system members vote for coverage in a referendum.

To farmworkers who receive at least $100 in cash wages in a calendar year by a given employer,

To domestic workers and casual workers receiving $50 in cash wages in a calendar quarter by a given employer,

To ministers and members of religious orders on a voluntary self-employed basis,

To American citizens employed outside the United States by foreign subsidiaries of American companies, if parent company agrees.

To homeworkers now excluded because their services are not subject to State licensing laws.

To employees in fishing and related activities on vessels of 10 net tons or less or on shore thereby covering all fishermen, and American citizens in the employ of American employers on vessels and aircraft of foreign registry.

To self-employed farm operators and self-employed members of the following groups: architects, engineers, funeral directors, and public accountants.

The amended law increases from $3,600 to $4,200 the total creditable and taxable earnings upon which benefits would be computed.

It removes earning limitation of beneficiaries at age 72—now 75. It allows beneficiaries under such age to earn up to $1,200 per year—now up to $75 per month—without deduction of benefits, and provides for loss of 1 month's benefit for each unit of $80 or fraction thereof of covered earnings in excess of $1,200, no loss of monthly benefit, however, for any month in which he neither earned more than $80, nor rendered substantial services in self-employment. Withholds benefits to beneficiaries engaged in noncovered work outside the United States for any month in which they worked on 7 or more days.

It excludes periods of permanent and total disability in determining insured status and amount of benefits payable on death or retirement. An individual's insured status is frozen at the point of disability.

It allows the recomputation of benefits to take into account additional earnings after entitlement to benefits, if the employee has covered earnings of more than $1,200 in a calendar year after 1953 and after the year in which his benefit was last computed.

It sets the contribution rates for employers and employees at 2 percent up to $4,200 through 1959, and one-half percent increase each 5-year period thereafter through 1975; and 4 percent after 1975. The self-employed would pay 1½ times the above rates.

It extends through September 30, 1956—now through September 30, 1954—the public assistance provisions with respect to temporary increases in Federal payments to States for old-age assistance, aid to dependent children, aid to the blind, and aid to the permanently and totally disabled. It extends provisions for approval of certain State plans for aid to the blind which did not meet the requirements of the Social Security Act from June 30, 1955, to June 30, 1957.

The following tables show the increases current beneficiaries of old-age and survivors insurance will receive beginning with the September checks, which will be delivered the early part of October:

Retired worker

Old monthly payment:	New monthly payment
$25	$30.00
$40	45.00
$55	60.00
$70	78.50
$85	98.50

Worker and wife (65 or over)

Old monthly payment:	New monthly payment
$37.50	$45.00
$58.40	67.50
$80.00	90.00
$105.00	117.80
$127.50	147.80

Widow, widower, parent, or child

Old monthly payment:	New monthly payment
$18.80	$30.00
$30.00	33.80
$41.30	45.00
$52.50	58.90
$63.80	73.90

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Widow and 1 child

Old monthly payment:	New monthly payment
$37.60	$45.00
$58.40	67.60
$80.00	90.00
$105.00	117.80
$127.60	147.80

Widow and 2 children

Old monthly payment:	New monthly payment
$45.10	$50.20
$58.50	67.60
$80.00	90.20
$140.10	157.10
$168.90	197.10

GATT Loaded for Another Round

EXTENSION OF REMARKS

OF

HON. GEORGE W. MALONE

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. MALONE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me on the so-called General Agreement on Tariffs and Trade to be held at Geneva, Switzerland, in November.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The State Department is apparently up to its old tricks, planning new giveaways to take place after the Congress has adjourned or recessed.

Preparations are under way, I am informed, for a ninth go-around of GATT, or the so-called General Agreement on Tariffs and Trade, to be held at Geneva, Switzerland, in November.

It is my further understanding that formal announcement of this session, and of any hearings to be held preceding it, will be made shortly after Senators and Representatives have cleared their desks and returned to their homes.

GATT is an arrangement which grew out of proposals made in part by the late Harry Dexter White and V. Frank Coe "for expansion of world trade and employment"; and in subsequent preparations of a "suggested charter for an international trade organization of the United Nations," in which Mr. Coe and also Victor Perlo participated. The ITO was repudiated by the Congress but GATT was substituted to accomplish the same purposes.

GATT has never been submitted to the Congress for approval or rejection, and the State Department apparently feels that the Congress and the American people should know as little about it as possible, and the sessions held in foreign lands when the Congress is not in session.

GATT sessions have been held successively in Geneva, Switzerland; Annecy, France; Geneva again; Torquay, England; and back again to Geneva, where the ninth session will be held. They are foreign resort cities, remote from American industries, investors, and workers.

At these sessions the so-called contracting parties, of which there are now 34, including Communist Czechoslovakia, appear at these conferences with their baskets on each arm for the United States to fill with trade subsidies and concessions. It is a one-way street and American mining and manufacturing industries can only suffer further losses at these sessions; many have already been injured or sacrificed completely by State Department giveaways at these conferences.

There is every reason to believe that this is the intention at the ninth session, in which Japan has been invited to participate, which may explain the State Department's great secrecy in the matter while the Congress remained in session.

In other words, the State Department has set itself up as a final and dictatorial arbiter in these matters, and in clear defiance and contravention of article I, section 8, of the United States Constitution which provides that the Congress of the United States shall lay duties and imposts—meaning tariffs—and regulate the commerce of the United States with foreign countries.

No treaties that the State Department makes at any of these sessions—and it has made treaties with all of the so-called contracting parties who have brought their empty baskets to these foreign vacation watering places for the State Department to fill out of American pockets—have ever been submitted to the Senate as required by the Constitution.

And, as I stated before, GATT itself has never been submitted to the Congress, although it is a loaded gun held at the head of every American industry.

As a matter of fact there is a great reluctance on the part of the State Department to even discuss its GATT activities, or its procedures, at least while the Congress is in session.

On August 10, 10 days before the Congress recessed, I directed a number of questions to the State Department concerning the preparations it was making toward the coming session, and the procedures being followed.

I received a list of the so-called contracting parties but no other information.

Subsequently a list of written questions was prepared and submitted to Mr. Thruston B. Morton, Assistant Secretary of State for Congressional Relations, five of which related to intersessional meetings at Geneva which already have taken place in preparation for the November junket. I have received no answer.

The answers, however, will be forthcoming when the Congress returns, even should it be necessary to call Mr. Morton, or his superior, Secretary Dulles, as a witness for interrogation by a Senate subcommittee.

The State Department assumes authority to participate in these multilateral trade shuffles as growing out of the Trade Agreements Act of 1934. That act contemplated only bilateral agreements and it is so stated in the hearings that prefaced its approval by a New Deal Congress.

GATT grew out of postwar conferences in which Mr. White and Mr. Coe participated, and embraced a blanket, one-world socialistic concept of multilateral schemes to divide the markets of the world with our low-wage of slavery-wage competitors.

GATT is based on no law ever passed by the American Congress, but is conducted as an artificial superstate by so-called contracting parties of which the United States for one has never had authority to be a party or to contract away the jobs and investments of American workingmen and investors.

It would be better judgment for the State Department to withdraw from the coming session at Geneva.

The State Department is apparently determined to keep our record intact, of never having won a conference.

Withdrawal from GATT would at least prevent its losing another one in which the Nation's wealth, prosperity, industry, and commerce is the stake thrown into the world pot by an irresponsible State Department.

Television and the Current Public Interest

EXTENSION OF REMARKS

OF

HON. ANDREW F. SCHOEPPEL

OF KANSAS

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. SCHOEPPEL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me on television and the current public interest.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TELEVISION AND THE CURRENT PUBLIC INTEREST

As this significant session of Congress nears adjournment there are a number of compelling reasons, in my opinion, for calling both congressional and public attention to some timely and relevant matters in the field of television.

Certain of these have come to my particular attention during recent extended hearings of the Subcommittee on Communications of the Senate Interstate and Foreign Commerce Committee. Pending a public report from the subcommittee, which has many complex details to consider, I believe it may serve a real purpose to offer some summary comments of my own on this subject of television, so new and yet so obviously important to our way of life.

The very fact that no previous session of the American Congress has been so closely followed by so many of the Nation's citizens is itself a commentary on this miracle of modern communication. And I would add that the significance of this goes far beyond the special television attention that has been paid to the several spectacular hearings of recent months.

What is of really lasting significance is that television has shown itself to be a valuable new tool of the democratic process itself.

Moreover, television is a tool of communication that I am sure we are only beginning to use to its fullest capacities for public enlightenment and enrichment. It is in this latter respect that I want to talk about television today.

One thing that has stood out in the hearings to which I referred is that the average member of the public has only what might be called a "spectator knowledge" of television. Because people cannot see behind the scenes that appear on their TV sets, they have many questions—both about what they see and what they cannot see on television. Many of these are why questions about television itself.

One of the biggest why questions about television is why we don't have more of it—more stations as well as more and better programs of many kinds.

The public is generally aware that the Federal Communications Commission has provided spectrum space for over 2,000 stations, yet with fewer than 400 on the air. There now seems little hope of local station coverage for hundreds of communities. My own State of Kansas has 49 potential TV stations on the big chart over the FCC. Yet we have only 4 on the air and 5 more in the works.

Many other States have very similar situations. As a result many millions of citizens have only fringe TV service from some distant city, or none at all. They wonder with good reason why this wonderful new service that everybody wants is so scarce.

Other millions of citizens are confused over the fact that we have two kinds of television, and that very few of the 30 million

sets in use will receive both kinds of TV broadcasts. Most television service is broadcast by what are called VHF stations—those in the very high frequency band of wave lengths. These include most of the oldest and biggest stations. On the other hand, many of the newer and smaller stations are in the UHF, or ultra high frequency band. And so many of television's worst headaches seem to be concentrated here that they are sometimes referred to as the "Un Happy Frequencies." Indeed, this UHF situation is so unhappy that about 70 permits to build such stations have been returned, unused, to the FCC. Twenty more UHF stations which were on the air have given up the ghost.

Now, if television is such an obviously useful and popular new service, why should this be? There are some reasons, but we are still looking for practical answers to the problems behind the reasons. Having heard or read more than 3,000 pages of testimony on this whole TV question, I would like to offer some personal comments and recommendations.

In so doing I do not presume, of course, to speak for my colleagues on the Senate Interstate and Foreign Commerce Committee nor for those on the subcommittee.

To begin these personal views, I can sum up what seems to me to be the basic problem of television; in some terms very familiar to folks in my part of the country—TV suffers from a drought.

Television's drought has nothing to do with weather or the atmosphere. As a matter of fact, there seems to be no shortage of air waves or channel allocations for TV stations except in isolated cases. As I have said, the FCC has made provision for more than 2,000 commercial stations, plus 242 educational stations.

Television's drought is an economic drought. Television lives off the dollar revenue it receives from advertisers, and over many parts of the country there is not enough advertising rainfall to grow a television station. Even in the biggest cities we seem already to have TV stations planted too close together for the advertisers to water them all profitably.

We also find that it takes a good many commercial announcements to irrigate each TV program. And there are a good many kinds of programs that simply can't bloom in the limited economic moisture of TV.

I sometimes think that may be why we have so many cowboy movies on television. It doesn't take much rainfall to keep cowboys going—and it doesn't take too much economic revenue to put old cowboy films on TV. It does cost too much to put first-run, modern movies on TV. The same is true for good Broadway plays, opera, and even many of the feature sports events. The big prize fights now have to be "blacked out" on TV because if they are seen on television, it dries up the dollar rainfall at the stadium box office.

Having heard all this explained by station owners, network presidents and others, I certainly can't say this is any fault of the advertisers. In fact, they deserve a great deal more credit than they receive for picking up the bills for all the television service we now receive. Not everyone is aware, indeed, that the advertising revenue of the stations must be stretched to pay for all the public service broadcasts of speeches, hearings, and other special events covered by television.

However, these questions remain: How do we make it possible to extend television service to those areas where advertising cannot support stations? How do we add to television service the many fine programs that are too costly or not suited to advertising sponsorship? How do we make still more public service broadcasts possible so that television can truly meet its potentials as a modern communications marvel?

And in this last area, how do we find the money to build those 242 educational stations? They properly cannot sell advertising so they have no direct revenue support at all. So far only six have found enough money, from public and private grants, to get on the air.

We have heard a variety of suggestions on these matters from many witnesses in our hearings. We are considering and will explore further all the data we can get. As interim efforts to help the struggling UHF stations, we have encouraged the Senate Finance Committee to allow a tax credit of $7 per unit on TV sets capable of tuning in both VHF and UHF stations. We are also exploring liberalization of the limitation on network or other group ownership of UHF stations.

But I am frank to say that when it comes to this basic economic drought that is stunting the growth of television, I have so far heard of only one suggestion that seems broad enough and bold enough to have some major possibilities.

That suggestion is to provide television with a "subscriber" source of revenue so as to broaden its economic base and also its services. Apparently this is not only technically possible but would be as economically feasible for television as it is for newspapers or magazines.

Because magazines and newspapers get about a dollar from their subscribers for every $2 they get from their advertisers, they can do far more for their readers, and many more of them can exist. Similarly, if television stations could collect fees from viewers for some kinds of programs beyond what the advertisers can sponsor, then I believe we could have more TV stations and more and better program service.

I first heard a detailed report of such box office television possibilities in a speech by Dr. Millard C. Faught, delivered here in Washington before the National Small Businessmen's Association. It made so much sense to me that on April 7 of this year I requested its insertion in the CONGRESSIONAL RECORD. Since then, having heard the detailed economic problems of television paraded before the Senate Subcommittee on Communications, I am more persuaded than ever that this potential new subscription use of TV should be thoroughly explored.

For that reason I have urged the subcommittee to request the Federal Communications Commission to look into this matter with a view to action. In this I am encouraged by a recent declaration by Mr. Rosel Hyde, Chairman of the FCC itself. He has advised the House Interstate and Foreign Commerce Committee that the FCC has sufficient present authority to explore such new services from television and, if subscription TV can be shown to be in the public interest, to authorize its use.

In that case the reasonable question seems to be, What are we waiting for? In some recent weeks permits to build new television stations have been returned to the FCC unused at a greater rate than new ones have been issued. The reason offered in nearly every case is the same—not enough revenue prospects from advertising in the given area to justify the rising costs of a TV station.

Yet many of these disappointed broadcasters recognize that the addition of subscription service to the advertising programing that could be done in many market areas might well make the difference between a profitable and effective local station and no station at all. As a result a group of UHF broadcasters have themselves urged the FCC to authorize subscription TV. I would go further and conclude that if such an expansion of TV service is good for UHF it ought to help all TV stations, large or small, VHF or UHF.

There are a number of reasonable prospects as to why this should be so. For one thing, I am told on good authority that the gadgetry necessary to equip regular broadcasting stations and regular TV receivers, both old and new, to receive the special subscription programs has been highly perfected. Various field tests of it have already been held under FCC temporary authorizations. There seems to be no technical reason why this service could not be added to TV right along with the advent of color.

Secondly, as I understand the economics involved here, the new programs offered to viewers in their homes for a fee would have to be the same kind and quality of entertainment that people now pay for outside the home. As a firm believer in human nature, I am sure of one thing—the home box-office TV programs would have to be much better than the advertising-sponsored shows, or nobody would pay for them. They would have to add something to television, not just substitute for what we now have.

The advocates of this new TV service point out that the first prospect of benefit from this expansion of television usage would be the increase in stations, especially in the smaller cities and areas of scattered population. That I am certainly for.

They also argue that the new source of revenue should not only ease the cost burden on advertisers but actually give them more choice of stations to cover their markets and ease their present dependency on the limited network affiliations. I believe Senator BRICKER would be interested in this prospect, since he is concerned about network control of TV in this country.

In the speech on this subject to which I referred earlier, subscription television is described as "an instantaneous economical electronic distribution system"—and no one denies that we could use some cost-reducing progress in distribution, especially after hearing Congressman HOPE'S recent report on farm distribution costs.

It is also pointed out that if you add up all of the oldsters, plus those who are ill or infirm and those with infants in their homes, we have a total house-bound audience of people, who can't or prefer not to go out to the movies or for other entertainment, larger than the present average weekly movie audience—some 50 million people. If this system will bring many new kinds of entertainment and enrichment to those people in their homes at nominal cost, then I am for it on that score.

Obviously, any major new economic operation, such as this would be, will cause competitive adjustments in the status quo. This new use of TV would probably require some new rules of the game among broadcasters and perhaps in allied industries like the movies. The FCC would wisely want to take this into account. However, I believe that after these new services had been established and adjusted, the broadcasting industry and the overall economy would greatly gain from the expansion of public service thus to be derived from the modern miracle of television.

I will not take the time to pursue all the arguments for or against this new television idea here. I merely wish to call attention to a central and timely thought, which is this: Television has already proved itself to be a vital new factor in our lives in the United States—and clearly affected with the public interest. There is no dispute on that score. I merely wish to point out that we have so far only scratched the surface of what TV can really do to help our citizenry understand and enjoy modern living. If millions of our people still do not have television, and if those who do can have still better television service, then let's speed up the process of expanding all types of TV service.

In this broad objective I use this idea of giving TV a home box office only as an example. It sounds to me like at least one

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major new way of moving television forward. There are other things to be done and appropriate congressional committees are looking into them.

However, while we are in recess, I see no apparent reason why the FCC, with the authority it says it already has to do so, should not explore thoroughly this major new subscription concept of television service with a view to helping end the economic drought that is slowing down television growth.

If we have spectrum space for 49 TV stations in Kansas, I would like to see them on the air. And I believe the folks who live in the more than 1,500 other American towns and cities with a TV allocation, but no station, feel the same way.

Representative Craig Hosmer's Report to the People

EXTENSION OF REMARKS
OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. HOSMER. Mr. Speaker, I feel this report is a necessary part of the performance of my duties as the Representative in the 83d Congress of the people of California's 18th Congressional District. The strength of our Republic and the American way of life depends on the extent to which the people know the facts about our "government of the people, by the people, and for the people."

This report, which is not printed at Government expense, covers in Part One my personal activities and, in Part Two the general activities of the Congress in cooperation with President Eisenhower's administration. It necessarily is in broad outline and covers only highlights. But with respect to further details, I hold myself and my office available at all times for additional information.

PART ONE

Membership on the House Select Committee on Small Business gave me opportunity to coauthor the law setting up the Small Business Administration and to assist numerous small businesses in our area.

Membership on the Interior and Insular Affairs Committee brought me directly into the successful fight to defend our vital Colorado River water supply against an onslaught by the upper Colorado Basin States of Wyoming, Utah, Colorado, and New Mexico. Regarding this activity the Santa Fe New Mexican, a newspaper hostile to our southern California interests, said on August 15:

> Congressman CRAIG HOSMER * * * is the Member * * * most likely to be hung in effigy * * * throughout this four-State area. HOSMER is the southern California Congressman who led bitter opponents of the upper Colorado River Basin project in their fight to kill the bill in the House. HOSMER's team won.

Other activities in which I was privileged to play a part include the following:

Leadership with Senator KNOWLAND in arousing United States public opinion to reverse the British decision to allow Red China membership in the United Nations.

Amendments to education appropriations restoring substantial Federal-aid funds for our school district.

Appropriations for flood-control work on the Los Angeles River.

Constant activity to keep Long Beach Naval Shipyard open and employment at levels comparable with other naval shipyards.

Blocking confiscation of Catalina Island sport and commercial fishing grounds by the Navy Department.

Appointment of outstanding young men to Army and Naval Academies on strict merit basis.

Retaining naval commissary at Terminal Island for benefit of Armed Forces dependents.

Preventing cut in medical personnel at Terminal Island Naval Dispensary.

Passage of tidelands law with provisions most favorable to 18th District and which avoided expensive litigation.

Appropriation of $8 million to begin $16 million renovation and modernization of Long Beach Veterans' Hospital and Paraplegic Center.

Advanced deliveries of steel to construct urgently needed Long Beach Harbor fireboats.

Obtained establishment of Moulton Commission to develop means to improve medical service for Armed Forces dependents.

Obtained passage of new law guaranteeing southern California homes an adequate supply of natural gas from Texas for cooking and heating.

Sponsored legislation restoring VA benefits to GI dependents in Germany and Japan.

Carried on constant campaign to awaken American public to dangers of illegal narcotics which included appearances on all major television networks.

Obtained consolidation of city of Lakewood into a single postal delivery area.

Represented problems of hundreds of local citizens and groups to various Federal departments and agencies.

Reprints of my July 22 speech in Congress, entitled "Revolution in Russia," were obtained by anti-Soviet forces for clandestine circulation amongst resistance groups behind the Iron Curtain.

PART TWO

With mutual respect and a shared goal of peace and prosperity, both at the same time, President Eisenhower and the 83d Congress worked together in the best interests of the people's lives and the people's pocketbooks. The theme of this cooperative effort was expressed by the President when he said:

> In all those things which deal with people, be liberal, be human. In all those things which deal with the people's money or their form of government, be conservative—and don't be afraid to use the word.

I summarize the results of this effort under various headings for convenient reference:

TIDELANDS

The first major act of the 83d Congress was to restore to the States their proper title to the submerged coastal lands. This will benefit the 18th District and other California areas by billions of dollars.

INTERNATIONAL

Sacrifice of American lives in Korea stopped. United States kept out of Indochina war, and a truce was made under circumstances giving us opportunity again to tackle the southeast Asia problem. Communist drive for huge oil reserves in Iran defeated. Explosive Suez dispute settled. Communist regime in Guatemala destroyed.

State Department reorganized. Voice of America improved. Opposition to admission of Red China to U. N. reaffirmed. Frequent bipartisan foreign-policy consultations. Limited sharing of atomic weapons and benefits commenced with allies.

Mutual-security funds pared by billions and earmarked 80 percent for military aid. Foreign Operations Administration overhauled.

Housecleaning made amongst United States employees in the United Nations.

St. Lawrence Waterway undertaken in cooperation with Canada.

Reciprocal trade promoted with friendly nations to allow them to make a living through trade and thus remove need for foreign aid. Customs procedures simplified.

DEFENSE

Defense Department organization and policies overhauled. Army-Navy-Air Force coordinated and balanced for greater armed strength at less cost. Billions of defense dollars saved in 1½ years by efficient manpower utilization, standardized procurement, and other modernized business practices.

Air Force upped to 143 wings and Air Academy established. New air and naval bases acquired in Spain.

Modernization of United States merchant marine undertaken.

Trend started in 1946 to whittle away fringe benefits of servicemen and their families stopped. Measures begun to restore these benefits, make service life more attractive, and reduce turnover of military personnel.

INTERNAL SECURITY

Security regulations tightened. Thirteen new anti-Red laws adopted. Pensions denied to Alger Hiss and other disloyal employees. Two thousand four hundred security risks detached from Government jobs after persistent investigation. FBI given prime responsibility for internal security. Fifty Communist Party leaders jailed and 22 more to stand trial. One hundred additional organizations declared subversive. Four hundred and sixty subversive aliens deported or under deportation warrants. Communist Party outlawed.

GOVERNMENT SPENDING AND TAXES

Federal spending slashed—not by meat-ax approach—but selectively to bring 100 cents return for every tax dollar spent. By squeezing out waste and duplication, this 83d Congress appropriated $26 billion less than did the 82d Congress to run the Government for 2 years.

Federal budget deficit cut by two-thirds.

One hundred and fifty million dollars saved annually by improving Government "housekeeping" activities of the General Services Administration. Senator KUCHEL's lease-purchase program adopted, saving millions in outlays for new post offices and other Federal buildings.

Taxes cut by $7.4 billion, the greatest tax cut in the history of the United States or any other country. Income taxes cut 10 percent and excise taxes cut an average of 50 percent.

Tax laws revised completely for the first time in over 75 years. Loopholes were eliminated. Hardships were eliminated on working mothers, parents of dependent children, retired persons, persons burdened with large medical bills, and so forth.

The Internal Revenue Service speeded up and cleaned up. Vigorous prosecutions of tax cases begun.

THE ECONOMY

Government controls on wages, prices, and rents abolished. Small business people aided by establishment of the Small Business Administration with lending powers as an independent agency of the Government. Major revision of atomic energy laws to provide peacetime uses for atom secrets through cooperation of Government and private initiative.

Inflation halted. Cost of living which had risen 6 percent per year during 1948–52 stabilized within a 1 percent range during last 18 months. During same period, value of dollar has varied less than one-half cent.

Successful transition from a war to peace economy without economic distress. Employment pushed to 62 million. The 1954 estimated national income of $285.5 billion is $750 million better than in 1953, which was the most prosperous year in United States history.

GOVERNMENT REORGANIZATION

Health, Education, and Welfare Department established. Thirteen reorganization plans streamlining Government departments and agencies adopted. Nearly 250,000 unnecessary Government jobs abolished.

Hoover Commission kept on the job.

Crooks, grafters, and influence peddlers weeded out of all branches of the executive and legislative departments.

Commissions established to study complexities of relations between the Federal Government and the States, and the activities of the Government as they relate to private business.

Legislation passed to get the Federal Government out of competition with private business and to dispose of such items as hotels, barge lines, rubber plants, and so forth. RFC liquidated.

Pay increases, voted by House for postal and civil service workers, vetoed by President because Senate unreasonably insisted on eliminating postal-rate increases needed to help pay for them.

Development and conservation of natural resources, public lands and water resources revitalized, and States taken into partnership with Federal Government in this effort. Presidential-Hoover Commission-congressional Water Resources Policy Committee put in action. I was appointed a member of this group.

VETERANS

Veterans' Administration reorganized. Benefits increased for 2,347,000 deserving disabled veterans, widows, and dependent parents. Largest appropriations in history for VA hospital beds. New hospitals constructed. Korean GI bill extended. Veterans' loan fund increased by $100 million. Median income for veterans in the 25-to-34 age bracket today is $3,631, a 51-percent increase over $2,401 in 1947.

AGRICULTURE

Flexible farm price supports substituted for rigid support program which was costly to consumers both in higher prices and higher taxes. Additional borrowing power given Commodity Credit Corporation, and adequate disaster relief funds provided. Administration of rural electrification and telephone programs speeded up.

SOCIAL PROGRESS

Social-security coverage broadened by 7 million persons and payments liberalized. Similar action taken with respect to Railroad Retirement Act. Coverage under unemployment compensation system extended to 4 million additional workers.

Three-year, $182 million program adopted for construction of diagnostic centers, hospitals for chronically ill, vocational rehabilitation, and nursing homes.

Largest appropriations in history for cancer, heart, mental health, and arthritis research.

Education research fostered. Aid given for school construction and operation in areas overcrowded because of Federal activities.

Bold $1.9 billion highway construction program enacted.

Housing measures adopted to make certain every American family has opportunity for a decent home, in a good neighborhood. Downpayments on homes reduced, mortgage payment periods extended. Slum clearance continued. Vigorous crack-down on FHA irregularities.

Supreme Court antisegregation decision implemented; Armed Forces and other segregation being eliminated at top speed. Restrictions on citizenship rights of Indians removed.

To have been privileged to take part in this tremendous effort by our Government during these historic times has been a great honor. In concluding, I wish to express my heartfelt appreciation to the citizens of California's 18th Congressional District for permitting me to serve them in the 83d United States Congress.

Vital Role of Democratic Party in Our Nation's History

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. PHILBIN. Mr. Speaker, the Democratic Party, our oldest major political party, has played a most significant vital role throughout the history of the Nation, and I firmly believe that it is destined to play an even greater and more glorious role in the future.

TWO-PARTY SYSTEM IMPORTANT

The two-party system, which distinguishes our American Government from the chaotic, splinter-party governments of Europe now suffering from the ills and evils of socialism, is fully accepted by the American people, as well as recognized by leading political scientists, as one of the great stabilizing influences of our democracy. It is well said to be the balance wheel between the extremes of ultraconservative, special privilege on the one hand, and unbridled, proletarian radicalism on the other. As one of our two great political groups, the Democratic Party has a traditional and honored place in this system.

CHANGE NOT NECESSARILY PROGRESS

A great political theorist once characterized change as progress, yet common experience readily discloses that not all change is progress. On the contrary, change without stability often represents retrogression. It may work, as it has so many times in the cycle of history when peoples abandoned basic moral values, and traded liberty for bread, to revert great governments and prosperous nations back into the slough of mediocrity, ultimate collapse and the oblivion of nameless dust. It is the kind of change, rather than change itself, therefore, which determines whether it is good or bad for free government, good or bad for the people, and that is a basic problem for political and party leaders.

EXTREMES IN BOTH PARTIES

Man has mastered many things in this age of miracles and wonders, yet he does not seem to have mastered the art of avoiding extremes in directing social and political change. If we have not yet learned apparently how to stop the pendulum of social change at the central point of the golden mean, this failure, if it be such, cannot be ascribed to the Democratic Party any more than to the opposing party, because it is a fact that extremes as well as mistakes have certainly typified past administrations in both parties, and I may state, parenthetically, the process still continues up to the present hour.

DEMOCRATIC PARTY DOMINANT IN SOLVING NATIONAL EMERGENCIES

One fact stands out boldly, however, that in almost every national crisis, war, depression and stress, our Democratic Party has been called upon trustfully by the American people to furnish the inspiring, effective leadership that ultimately pointed the way to decisive victory over ruthless enemies as well as to the most desirable containment of forces of domestic greed and selfishness whose excesses were responsible for economic and social evils which, in several periods, notably in the early 1930's, brought stagnation, unemployment, poverty, and distress into the lives of millions of Americans and whipped up fires of dissension and radical agitation which at this time constitute such a grave peril to our free way of life.

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Will history repeat itself, will the Nation be plunged into world war III? Will we suffer serious economic reverses? While I am a confirmed optimist concerning the future, only time, and the quality, skill, and courage of current leadership can or will determine these questions. Most assuredly the Democratic Party will join patriotically and constructively in their solution.

GREAT DEBT TO DEMOCRATIC PARTY

That the Nation owes a great, eternal debt for the achievements and contributions of past Democratic leadership rising up as it did, in so many emergencies, from the very loins of the common people of America, grappling so courageously, so effectively, so successfully, with dangerous foreign aggression and fearful domestic problems alike, is undeniable.

It is said that the times invariably produce great men to lead free governments out of the wilderness of despair, away from the shoals of danger. The history of the Democratic Party convincingly testifies to this fact. From the immortal Jefferson to Jackson, Cleveland, Wilson, Roosevelt, and Truman, without regard to differences of opinion in the Nation, and divisions of outlook in the party, acting with firm purpose, strongly supported by repeated and emphatic expressions of the popular will, the Democratic Party stood for and fought for the basic principles of the Constitution, the rights of sovereign States, for civil and religious liberty and toleration, for individual freedom, of conscience, inquiry, and action, for the security, welfare, and elevation of the great rank and file.

Democrats can be justifiably proud that down through the years, on the whole and with very few exceptions, the Democratic Party, by its pledges, its program, and its affirmative action has given meaning, substance, and realization to the great American ideal—"the right to life, liberty, and the pursuit of happiness."

To summarize: In time of crisis, peril, threat to our security, military or economic, the majority of the American people selected the Democratic Party and its great historic leadership to solve the most difficult and urgent of national problems. It is to our great credit that no matter how grave, challenging, or momentous these problems were, our party has tackled them with unshakable faith, inspiring confidence, successful achievement, and consequent benefit to the Republic.

PARTY NOT INFALLIBLE

A political party, whatever can be said for it, is merely a human institution, a human instrumentality directed by men and women who believe in its basic principles, and who conceive it as the best vehicle for promoting the national and general interests. Like every other human institution, it is capable of error and mistake, subject to the weaknesses and limitations of the human character and the human mind. I would be the last to claim infallibility for my great party, though in view of its tremendous achievements for the country in every period of American life, it requires no defense from me or anyone else. If it erred, its errors arose like the errors of the opposing party arose and still arise, from ordinary human frailty of individual leaders vested with temporary power, and indeed its shortcomings were shared by the American people who time and time again followed its leadership.

PARTY'S ILLUSTRIOUS LEADERSHIP IN STATE

From the time of the great Jefferson, one of the greatest political thinkers and prophets of all times, the record of the Democratic Party rings and resounds down through the unbroken channels of history acclaimed by triumphant and grateful voices of millions of loyal Americans who have adhered to its principles, sustained its leadership and benefited by its policies.

This record comprises a series of contributions and achievements in behalf of the struggling masses of America and Massachusetts which cannot possibly be equalled by any other party or any other political group.

Great personalities whose vision and ability changed the course of history made this impressive record:

The fearless David I. Walsh, trail blazer of the Massachusetts democracy, one of the greatest statesmen of our time, first great progressive governor of our beloved Commonwealth, father of practically all the first, great, social legislation of our era in the interest of ordinary men and women, who later rendered renowned service to our State and Nation in Washington as our United States Senator; outstanding, enlightened leader in the House of Representatives, able, humane, and courageous, Congressman JOHN W. MCCORMACK; brilliant young Senator JOHN F. KENNEDY, of noted heritage, whose great ability and zeal for the people's cause will elevate him to still higher national office; former Gov. James M. Curley, unsurpassed orator, gifted personality, friend of the poor; former Gov. Paul A. Dever, powerful, capable, champion of labor, distinguished orator and leader; former Governor and Secretary of Labor Maurice J. Tobin, beloved by all, vigorous exponent of the workingman, so tragically taken from us at the height of his powers; former Gov. Charles F. Hurley, of late, lamented memory, a man of great sincerity and forward-looking spirit; former Gov. Joseph B. Ely, great lawyer, gifted administrator, the man whose brilliant speech nominated his close friend, the idol of millions, the Happy Warrior, Gov. Al Smith for the Presidency; former Senator Marcus F. Coolidge, another able fighter for social justice, and others too numerous to mention—all represented and typified the central theme of the Democratic Party's objective—the betterment and advancement of the common people.

And there were and are many more in the service of our Commonwealth, its various subdivisions, and of the Nation, including my own very distinguished Massachusetts Democratic colleagues in the House of Representatives at Washington, distinguished members of our great general court, outstanding constitutional officers of the State and many others, whose leadership and unselfish service has furthered and protected the interest of the people.

COSMOPOLITAN CHARACTER OF PARTY

The Democratic Party in State and Nation is comprised of many groups of different origin and racial stocks, from different geographical areas, of different color and creed, of varied economic levels—workers in the factories, farmers in the fields, clerks, skilled artisans, professional classes, scientists, preachers, journalists, scholars, businessmen, houeswives—people drawn from every calling and station. They have joined together in a great united movement to promote the cause of humane, forward-looking government under the Constitution, to stand for government of laws by men, government for the benefit of the people who compose the country, and not just merely for special groups of wealth, power, and affluence who seek selfish and ofttimes antisocial ends.

GREAT BENEFITS TO THE PEOPLE

In truth, every generation of Americans has been the beneficiary of the wisdom, foresight, and humane judgment of leaders of the Democratic Party. In fact, there is hardly a person in America today who, in some way or other, has not been specifically benefited by virtue of the policies and program of the Democratic Party or the service of some of its leaders. It has been a great humanizing influence in American life. Protector of the weak, refuge of the poor, defender of liberty, champion of the oppressed, promoter of social justice, advocate of the defenseless, militant apostle of the great American principle of toleration and equity for all, the Democratic Party more than any other agency, more than any other single force save the spiritual strength so beneficently engendered by the Almighty in the minds and hearts of loyal Americans, the Democratic Party has been responsible for the greatest social, political, and economic progress of the Nation.

STIMULUS TO PROSPERITY AND WELL-BEING

It not only provided leadership but furnished the stimulus, the direction and the guiding genius for the incredible advancement and improvement which the Nation has made in living standards and state of well-being during the past few decades. Our party has done more to improve the lot of the individual average American, to promote a very high level of general prosperity among all classes of our people, businessmen, farmers, as well as workers, to improve the health, housing, education, the general welfare of our people, I repeat, than any other human agency at any time in history.

Can it honestly be doubted that were it not for the Democratic Party and its enlightened leadership in State and Nation during the past quarter century that our average citizen would ever be in the position of self-sufficiency, prosperity, and happiness in which he so happily finds himself today?

PEOPLE GRATEFUL AND WILL RETURN TO FOLD

The American people have reaped a rich harvest from their devotion to the Democratic Party and I have every confidence that they will return to its fold. If the Democratic Party is to assume its great responsibilities during this desperate crisis, it must be the purpose of its leaders to maintain and expand the

great gains which have been made under Democratic leadership for ordinary Americans and their families under our cherished free enterprise system—the most fabulous economic system the world has ever known.

We are fortunate indeed that the Democratic Party is not static and moribund, but rather abounds with vigor, vitality, and a progressive spirit.

HIGH AIMS—SOUND APPROACH

Our Democratic program, in line with its best traditions, must be soundly grounded in morality and truth. It must be grounded also in respect, devotion, and reverence for the great immutable verities of our matchless Constitution. In our support of stable government and a stable flexible economy, we shall need not only sound convictions but a sound approach to public questions and sound interpretation of our mission.

We must stand erect and resolute against the great Red lie of communism and godless Marxism at home and abroad.

We must be intent upon preserving the Bill of Rights and the precious liberties of the individual gained by freemen only after centuries of struggle and bloodshed.

We must be vigilant against those kinds of human selfishness which tend to stultify our progress so that we may work wholeheartedly to eliminate poverty, disease, distress, and low standards, to uphold our free system and the cause of freedom against the irreligion, slavery, and the debauchery of communism.

The Nation that could afford to pour out about $90 billion in cold cash to foreign nations since 1946 can certainly afford a substantial portion of its huge national product to take care of the urgent social needs of the American people.

We must never lose sight of the great fundamentals—the spiritual ideals and political principles which have made this Nation the greatest on earth.

TOLERANCE FOR DIFFERENT VIEWPOINTS

We know the reasons for our recent defeats and must act to correct them by rooting out the causes. Thus we will command public confidence and support.

While there is bound to be widely different interpretations of principle and method in the formulation of party programs and differences on policy as well, if our party is to regain the trust of the people there must be room for different shades of opinion and different viewpoints on public issues. No party membership can agree fully on every issue. Frank discussion, critical appraisal, and honest independent judgment are desirable. Our leaders as well as workers must be something more than automatons; our elected officials, something more than "yes" men for would-be bosses or so-called braintrusters. They must reflect the will of the people who elect them and work primarily for the good of the country. They should lend themselves neither to hysteria nor expediency, remembering that our party spreads out over every section and must therefore welcome to its ranks every person and group accepting the fundamental philosophy that government exists by popular consent to protect freedom and to promote the best interests, prosperity, and happiness of the people and that our party is the most effective instrument for achieving these commendable ends.

RADICALS SHOULD NOT DOMINATE

The Democratic Party is not a revolutionary party. In origin and outlook, it is committed to American institutions, to free enterprise and free initiative which have contributed so greatly and invaluably to the building of this Nation. Since we believe that we can accomplish all necessary and desirable reforms without destroying or shackling this peerless economic system, we can never allow radical doctrinaires who do not believe in the essential principles of our free way of life, but who sponsor and strive for a bureaucratic, socialistic, or communistic state, to infiltrate and dominate the affairs, policies, and machinery of our party.

We must fairly and impartially seek an area of agreement among the party's component parts, sectional, social, and occupational, that will enable us to appeal to a maximum majority and thus attain our chosen goals. If the program and policies of the party are wisely and soundly shaped responsively to public need and with reference to truly progressive doctrine, and trusted, capable, experienced leadership is selected, we will be entitled to popular support and can reestablish our position in State and Nation.

A BROAD PROGRAM

Many vital issues impend in this distressed world and in the Nation the outcome of which will decide the destiny of free government for generations to come, perhaps for all time. I shall not presume here to outline them in detail, but in a broad sense these are some of the considerations which will have to be met by our party:

First. Wholehearted international cooperation with the United Nations and with all nations of good faith and honest motives to check communism and promote peace. Of utmost importance, is a strong, resolute, unwavering foreign policy, backed up by overwhelming streamlined modernized armed power, uncompromisingly rejecting appeasement.

This policy must be designed to prevent Communist aggression and infiltration.

It must imply sincere participation of the free nations according to their abilities and potential power.

It should avoid hysterical, unfounded fears concerning war, atomic energy, or the power of communism.

It should be willing to help alleviate distress and reinforce democracy within our means, but should eschew international flying saucers spraying American cream and honey over foreign landscapes.

We should not move too fast economically or militarily in these matters. Unprotected atomic pooling could present the greatest of perils and revolutionary military concepts are always difficult to implement.

In Europe, in Asia and elsewhere, we must squarely reject any partnership, or material support of those who are acting as part of, or in concert with, the world Communist conspiracy to destroy us.

To recognize diplomatically, or consent to its admission to United Nations of any nation whose hands are dripping with the blood of American boys, must be squarely rejected by this Nation.

Second. The continuance of our efforts to uncover and expose Communists and subversives in the United States and ruthlessly drive them out of positions in Government and their entrenched places of influence in American life.

Third. A strong reaffirmation of our position on civil rights, racial and religious toleration, and determined protection of those great constitutional safeguards set up to defend the sacred rights of the individual against unwarranted, illegal, interference with his liberties.

Fourth. An immediate program on the domestic, social, and economic front to reverse unfortunate current recessionary trends in the economy which are responsible for releasing the dangerous forces of fear and confusion in the Nation and have already caused substantial unemployment.

We must recognize always that communism and dangerous social unrest are easily promoted by unemployment, fear, and want.

We must seek to rule out not only the letter but the spirit of antilabor discriminations and assures stability for labor, business, and agriculture with employment for all.

In short, we must declare war against recession, depression, and need by proposing the immediate use of all necessary resources of this great, powerful Government to strengthen the American economy and restore confidence and prosperity for all our people, since any weakness in our national armor, military or economic, would be the strongest weapon our potential enemies could have.

With a fundamental program carried forward by honest, courageous, forward-looking and sensible leadership, the Democratic Party can and will, God grant, once again as in the past lead State and Nation along the way to prosperity, security, and peace.

Our great party founder, Thomas Jefferson, once said, "The same God who gave us life, gave us liberty at the same time."

It is for every American, regardless of race, creed, or party to preserve it. With courage, faith, hard work, unflagging allegiance to American institutions, and abiding faith in the Almighty, we will.

The Jewish New Year

EXTENSION OF REMARKS
OF
HON. HUGH D. SCOTT, JR.
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. SCOTT. Mr. Speaker, with the approach of the Jewish New Year which

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will be widely and appropriately celebrated by a very substantial number of citizens, I, as their Congressman, would like to extend the following greeting to my constituents; "On this Jewish New Year, 5715, may I wish you and your families a New Year of peace and happiness that will bring fulfillment of all your dearest wishes."

House Committee on Agriculture Report on Farm Bill

EXTENSION OF REMARKS

OF

HON. CLIFFORD R. HOPE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. HOPE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include herewith a part of the report of the House Committee on Agriculture on the bill H. R. 9680, the Agricultural Act of 1954:

America is blessed by the most productive agriculture of all the nations. Our people are the best fed and clothed. Our storehouses are stocked against our needs and are our security, in peace or war. We have food and fiber to share with friendly peoples of other nations.

Yet this very abundance has brought great economic problems to our farm people. Their income has dropped and their costs have increased. Abundance is a blessing that belongs to all our people. Its problems should be shared by all.

THE PROBLEMS

These problems derive from the vast expansion of our agricultural output, in response to appeals from our Government for ever-increasing production of food and fiber during World War II, and to meet foreign obligations following the war.

In the postwar era a large part of the world was scarred and destitute and the products of our farms fed and clothed the people. The Korean conflict with the worldwide threat of communism called for a new surge of production, and the farmers again responded to the appeal of their government.

Food and fiber output attained a rate more than 40 percent above prewar levels.

Our increase in population and ever-rising standard of living absorbed a large part of this. But the recovery of world agriculture, and reductions in our foreign-aid programs, have seriously curtailed farm exports.

This decline of foreign markets, combined with the fact that we cannot instantly cut off agricultural production as we can curtail factory output, has brought about the accumulation of so-called surplus which is the root of agriculture's troubles today.

ABUNDANCE IS SECURITY

Our Government now has many billions of dollars invested in materials for defense—guns, planes, ships. These materials are not charged as surplus against industry. Food is equally as important in war and its abundance must be recognized as an essential element of the Nation's safety. The Government now has around $6 billion invested in food and feed stocks, only a small fraction of the annual military budget.

It should be pointed out that after World War II industry was protected against the competition of surplus war material. Trucks and cars, and other Government surplus items were kept off the normal competitive market. Industrial war plants were recognized as surplusage, and charged off to war.

The farm program, with very little expense compared to the disposal of the surplus of other war materials, protected agriculture, and the country averted a repetition of the farm bankruptcy that followed World War I.

In any discussion of the present farm problem, all Americans should realize:

1. That they should be thankful that our problem is one of too much—and not too little;

2. Our farm program is a small price to pay to prevent a collapse of agriculture such as brought on the depression after World War I;

3. Abundance is an essential element of security in a troubled world.

THE FARMERS' CRUCIAL POSITION

Net farm income has declined 13 percent in the past 2 years while other sectors of our economy have achieved new records. This loss of income already has been felt by business and industry that supply the needs of our farm population. Without the price support, surplus removal, and marketing agreement programs, farmers' incomes in 1953 would have been $3 billion lower or a net income of 25 percent less, according to the estimates of competent economists.

Our present integrated program—price supports, surplus removal, and marketing agreements—covered 70 percent of the value of all crops produced and livestock and livestock products in 1953. About 90 to 95 percent of all farmers producing crops and livestock for market were directly or indirectly benefited by existing price stabilization and market-agreement programs that prevented further impairment of agricultural income.

But now agriculture is in a crucial position. This should be the concern of city people as well as farmers.

1. Farmers face impairment of income by their voluntary actions severely limiting the acreage of major crops in order to bring production into balance with consumption.

2. Unless Congress acts, the 1949 Agricultural Act will take effect in 1955, supplanting the 90 percent of parity price supports for the basic crops by a system of flexible supports that may drop the support level for several major crops to around 75 percent of parity.

Such a sudden deterioration of prices would be dangerous not only to agriculture but to the whole economy.

THE REMEDY

The committee, in H. R. 9680, presents a farm program to protect the income of farmers while comprehending the interests, the needs, and the security of all segments of the economy and of all our people.

The bill continues 90 percent of parity price support on the basic crops for 1 year, and maintains other elements of the present integrated program for farm income stability.

It moves in the direction of greater freedom of choice by farmers.

It provides better management of abundance, and a means of moving surpluses into useful purposes.

It encourages the expansion of markets and consumption at home and abroad.

It reduces the cost of farm programs.

H. R. 9680 conforms to the spirit of the recommendations of the President with respect to adjustability, moderation, and greater farmer freedom in the operation of farm programs.

The legislation embraces the President's request for a $2,500 million commodity setaside, as an arsenal of food for peaceful use and for safety in any emergency. It meets his recommendation for incentives aimed at making the United States more self-sufficient in the production of wool.

NO ISSUE ON PRINCIPLE

Congress and the people long since have accepted the principle of price supports for agriculture and such policies have been in effect for more than 20 years.

No matter of principle is involved between supports at 90 percent of parity and supports at 75 percent of parity. Anyone who accepts the theory that the Federal Government ought to support prices of agricultural commodities at a level as high as 75 percent, or between 75 and 90 percent of parity, is subscribing to the same principle as those who say it should be 90 percent.

The sole question involved is what is the best way to do the job, and the committee feels that under the conditions existing at this time 90 percent supports, with effective production controls, will work better than a flexible price program at lower levels.

POPULAR MISCONCEPTIONS

There are serious misunderstandings and misconceptions of the general farm program. They should be corrected.

Misconception No. 1: That the present program of 90-percent supports on the basics is primarily responsible for the accumulation of existing surpluses. The facts refute this.

The present accumulation of food and fiber has occurred in the last 2 years. This was due to the 30-percent drop in farm exports, near record production by a war-expanded agricultural plant, and the failure of the former Secretary of Agriculture in 1952 to proclaim controls for the 1953 crops when evidence indicated that our agriculture was moving into a surplus position. Although a 90-percent support program on the basic commodities was in effect for the 10 years previous to 1952, we accumulated no surpluses during that time.

At the onset of the Korean conflict our Government encouraged expansion of the production of food and fiber. We were blessed with favorable weather, and did not need all that was produced. A large part of the surplus went into Government-supported storage and has been charged against the farm program, although the overproduction was brought about by Government policy related to national defense—and by the fact that the then Secretary of Agriculture did not use the tools available to him through acreage allotments and marketing quotas.

Misconception No. 2: That a flexible price-support program, at 75 to 90 percent of parity, would of itself discourage production and help remove the surplus problem. Evidence before the committee indicates that with all farm products in ample supply farmers will maintain or increase their production as they seek to protect their income in the face of lower prices. Had flexible price supports been in effect since 1952 there is no reason to believe our surplus problem would have been any less.

Milk production has not been reduced by the cut in the support price level from 90 percent of parity to 75 percent on April 1. It continues at 4 to 5 percent above levels of a year ago in spite of lower prices.

The only evidence before the committee in support of the theory that flexible price supports would reduce production is a statement by the Secretary of Agriculture that certain studies showed that a 10-percent reduction in the price of a farm product would mean 2 percent less production of that product in the following year.

Misconception No. 3: That flexible price supports would result in important price reductions to consumers and a substantial increase in consumption. That, too, is fallacy. The farm price of the basic commodities supported at 90 percent of parity is only a small part of the retail cost of consumer products made from them. A drop of 10 to 20 percent in the farm prices of these

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commodities would reduce consumer prices for their products less than 3 percent.

Misconception No. 4: That flexible supports would mean less Government controls and less expense. The committee studies indicate this is not true for the immediate years ahead. Since the evidence indicates that lower support prices of themselves have little effect in curtailing production, it is obvious that the same controls must be used with either 90 percent or flexible price supports in effect. The legislation proposed for flexible supports requires exactly the same controls that we now have under the 90-percent supports for the basic crops.

Misconception No. 5: That agriculture is subsidized to a greater extent than other segments of our economy. While it is the earnest hope of this committee that the farm program, by balancing production to need, soon will eliminate the current costs of price supports, we respectfully submit that the subsidy is the oldest economic principle written in the laws of the United States. Only recently has it been used to any appreciable extent to protect agriculture. The first Congress in 1789 set up the principle to encourage the development of an American merchant fleet. Many billions in subsidies have gone to business and industry. A House Appropriations Subcommittee in January 1954 published figures indicating subsidies amounting to $45,662,835,506 for business since World War II, a large part of this for business reconversion payments. In contrast, farm price support and surplus removal operations in the last 20 years have cost only $3,500,000, or 1 percent of the value of crops and livestock marketed.

FLEXIBILITY IS INHERENT

The committee emphasizes that flexibility is inherent in the farm program provided in this bill.

The fundamental parity concept itself is flexibility of supports for agriculture. It gears support prices to the prices of things farmers must buy. When the prices of manufactured articles drop, the farm price supports automatically are reduced by law.

Moreover, wheat producers in H. R. 9680 are given a choice for 1956 between the provisions of the then existing law or a two-price system which has gained much favor among wheatgrowers. The two-price program, if adopted in an election by growers, would support at 100 percent of parity that part of the wheat crop consumed domestically as human food, and let the remainder go into other use and into world markets at world prices. After a two-price system becomes established, the curbs on production would be reduced or eliminated. If wheat farmers find this program satisfactory, with appropriate enabling legislation the plan may be expanded to other major export crops.

FARMERS' INCOME TO DROP FURTHER

The farmers already have moved at their own election, and at great sacrifice in income, to bring supplies of price-supported crops into line with demand.

Wheat farmers voted 390,221 to 57,536 to reduce their 1954 wheat crop to 62 million acres, against 78 million acres in 1953, and they are expected to follow the Secretary of Agriculture's call for a further reduction to 55 million acres in 1955. Assuming normal yields and stable prices in 1955, this will mean a slash in farmers' income on wheat from $2,349 million in 1953 to $1,644 million in 1955—a cut of $705 million or 30 percent. In the case of cotton, the producers voted 458,382 to 29,071 to reduce their acreage from 27 million in 1953 to 21,379,000 in 1954. A further reduction to around 17,500,000 acres is the prospect for 1955. Assuming normal yields for 1955, this will mean a cut in cotton income from $3,007 million in 1953 to $1,771 million in 1955—a slash of $1,236 million or about 42 percent.

Without H. R. 9680, the 1949 Farm Act would become operative, and these farmers would have a further reduction of 15 percent in price on their smaller 1955 crops.

This shows the reductions of income that the producers have accepted in their own efforts, under present law, to adjust production to demand. We do not believe they should take a heavier loss by lower supports through a flexible price system in 1955.

CONSUMERS' POSITION

Consumers get more and better food today with an expenditure of a smaller percentage of their total income than in any other period in history.

Figures prepared by Department of Agriculture economists show that in 1914 the average factory employee could buy 3½ pounds of bread with an hour's earnings; in 1929 he could buy 6⅖ pounds with 1 hour's earnings; and in 1953 he could buy 10 7/10 pounds.

These economists have set up a table for other major foods, showing what 1 hour's average factory pay bought in 1914, 1929, and 1953, as follows:

	1914	1929	1953
Round steak.....pounds..	0.9	1.2	1.9
Pork chops.....do....	1.0	1.5	2.1
Butter.....do....	.6	1.0	2.2
Milk.....quarts..	2.5	3.9	7.5
Eggs.....dozen..	.6	1.1	2.5
Potatoes.....pounds..	12.4	17.7	32.6
Oranges.....dozen..	.....	1.3	3.6
Bacon.....pounds..	.8	1.3	2.2
Tomatoes.....No. 2 cans..	.....	4.4	10.0
Cheese.....pounds..	1.0	1.4	2.9

It must be noted that the largest reduction in the price of food in comparison with wages has occurred during the years of the development of the present program that has as its aim a parity of income for agriculture. It is evident, therefore, that consumers have gotten their greatest concessions in prices of food and fiber in the time of their growth of farm-income stability.

FARM PRICE—CONSUMER PRICE

We recommend an examination of the current-wide marketing margins for farm products. Take wheat and cotton, 2 of the biggest of the 6 basic crops that get 90 percent of parity price supports:

A loaf of bread—the 16-ounce loaf—by Government figures, sells at an average of 16 cents. The farmers get 2¼ cents for the total amount of wheat in the loaf. So if the price of the wheat were cut in half, this would not mean much in the cost of bread. The price a farmer gets for wheat would have to be cut about 75 cents a bushel to reflect a 1-cent reduction in the cost of a loaf of bread.

A shirt—a $3.95 cotton shirt—contains about 30 cents' worth of cotton. That is what the farmer gets. Cutting back the price of cotton would mean very little in the price of a shirt.

In the case of tobacco, the producers in 1953 received about $800 million for that part of their crop consumed in the United States. Federal, State, and local taxes on the 1953 crop, by the time it reached the consumers, amounted to approximately $2,100,000,000.

A spokesman for confectioners, during the hearings on this bill, proposed removal of the 90-percent support on peanuts. It was disclosed that a 5-cent peanut candy bar contains about one-half cent of peanuts; and if the confectioners got their peanuts free, this would not change the price on the 5-cent candy bar, although a few more peanuts might be added.

RURAL-URBAN INTEREST INSEPARABLE

The committee deplores any tendency in the consideration of farm programs toward a separation of the interests of the farmers and our great consuming populations of the cities. These interests are one and the same. They are inseparable. Stability for agriculture is equally as important to urban people as to the people on the farms.

GRASSROOTS STUDY

The committee has made an exhaustive study of agriculture. Between last August and February, its members traveled 20,000 miles into every major agricultural region in an effort to learn at the grassroots the kind of agricultural program the Nation needed. Traveling by bus along much of the way they made frequent stops for interviews with farmers in their fields and in small groups in the farm villages.

Spokesmen for various segments of the economy appeared at the committee's public hearings. Hundreds of farmers testified. A vast majority asked for a continuation of the 90 percent of parity supports for the basic crops, and for a continuation of the various other price stabilization mechanisms, including marketing agreements and surplus removal for perishable crops. Spokesmen for organized labor, representing sizable consumer interests, appeared at these hearings and generally endorsed farm price supports at 90 percent, or more, of parity.

OBJECTIVES

Out of its experience and study, and convinced that a prosperous agriculture is essential to the well-being and security of all of us, city and farm folk alike, the committee presents this bill dedicated to these vital objectives:

1. To attain a fair share of the national income for agriculture;

2. To assure continued abundance of food and fiber for the American people, at fair prices to consumers;

3. To use our abundance for the greatest good of our own people, to develop foreign markets and to meet our obligations to friendly peoples across the seas;

4. To keep our vast agricultural plant in readiness for mobilization against any emergency that may be thrust upon it;

5. To conserve our soil, and maintain and improve our production facilities against a growing population's demands for an ever higher standard of living;

6. To maintain a maximum of freedom of enterprise in farming, keeping it a business in which free and self-respecting men and women can earn a decent living for themselves and their families.

Report to Nevada

EXTENSION OF REMARKS

OF

HON. GEORGE W. MALONE

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. MALONE. Mr. President, I ask unanimous consent to extend my remarks in the RECORD and include a brief statement to my fellow Nevadans to summarize my own participation in the accomplishments of the 83d Congress. Much of my time during the second session was necessarily devoted to the work of the Minerals, Materials, and Fuels Senate Economic Subcommittee, of which I am chairman. The heavy schedule imposed by that task did not, however, prevent my full participation in the consideration and action required by a long list of bills vitally affecting the lives and future of not only

Nevadans but of all Americans. In each such case I acted and voted in accordance with what I sincerely believed to be the best interests of the United States and of Nevada.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REPORT TO NEVADA

AGRICULTURE

In respect to this intensely important measure, I supported the major farm bill containing a system of flexible farm price supports and other provisions to help solve the agricultural problems that have disturbed this Nation since the end of World War II.

Important provisions of the bill included flexible price supports ranging from 82.5 percent to 90 percent parity for wheat, cotton, corn, peanuts, and rice.

A $2.5 billion set-aside of surplus crops for a national stockpile and for domestic and foreign relief.

A new direct payment program to encourage the production of wool as a security measure.

A modernized parity formula effective in 1956.

More work remains to be done. As is known to all of us, accumulated surpluses had become a real problem by 1953, and a real effort will be made to solve it.

ATOMIC ENERGY ACT REVISION

Production of nuclear commercial power is a real possibility in the high cost power areas in the near future. Hence, the Atomic Energy Act was amended to permit, for the first time, private firms to build and own atomic energy plants, and to produce and use fissionable fuels, such as uranium, that are the source of atomic energy. The measure denies to private companies the right to own these fissionable raw materials, which will be owned by the Government, but leased to private users.

Private firms will be permitted to obtain private patents on atomic energy processes if such processes had no origin within the operations of the Atomic Energy Commission.

Preference is given to rural cooperatives and other public bodies in the purchase of atomic power. On August 13, 1954, the Conference Report on the Atomic Energy Act was rejected by the Senate and sent back to conference, chiefly because of my objection to the wording of that part of the bill pertaining to preference to States and municipalities on federally financed power.

As reported from the conference, section 44 read: "In contracting for the disposal of such energy the Commission shall, insofar as practicable, give preference and priority to public bodies and cooperatives." I pointed out the fact that as Senator Newlands had caused the preference clause to be adopted in 1901 in the Reclamation Act, this section should be more clearly expressed, and requested the elimination of the words "insofar as practicable." The Senate sent the bill back to conference, where the phrase was eliminated from the preference clause.

INTERNAL REVENUE CODE REVISION

As a member of the Senate Finance Committee, I took an active role in rewriting and amending the Internal Revenue Code, a tremendous job done in a very limited time. This is the first time in 78 years that we have made a complete revision of our tax laws. The new law will provide tax reductions of approximately $7.5 billion—the largest cut made in our history.

Three important amendments which I introduced are included in the new law.

Veterans: An amendment which provides that bequests to or for the use of any veterans' organizations are allowable deductions—exemptions from inheritance tax.

Depletion allowance: Raised the depletion allowance on 32 strategic and critical minerals from 15 percent or less to 23 percent.

Retirement income: Provides a credit against tax liability equal to 20 percent of retirement income up to $1,200, received by an individual who is 65 years of age or over and who has received earned income in excess of $600 in each of any 10 calendar years before the taxable year. Extends credit to individuals under 65 retired under public retirement systems, such as policemen, firemen, and teachers.

MUTUAL SECURITY ACT—FOREIGN AID

I bitterly opposed this continued dole to foreign nations.

I succeeded in eliminating section 412 of the act, under which it was proposed that funds be reallocated to assist in the procuring, stimulation, and increase abroad of the mining of critical and strategic materials.

I offered an amendment which would authorize the appropriation of $13,079,000,000 (the entire amount requested for foreign aid in 1954) for construction within the United States of military aircraft for the Armed Forces of the United States.

I offered an amendment which provided that none of the funds authorized to be appropriated for foreign aid shall be used to furnish assistance to any nation recognizing Communist China.

MINERALS, MATERIALS, AND FUELS ECONOMIC SUBCOMMITTEE

Report 1627 contains the findings and recommendations of accessibility and availability of supplies of critical raw materials to the United States in time of war and for our expanding economy. Copies of the report are available. The subcommittee found that the Western Hemisphere can be defended, and that it can be made self-sufficient in production of the necessary critical materials.

Senate Resolution 271 provides for the continuation of the work of this subcommittee for further investigation of the accessibility of critical materials, including substitutes and replacements.

SOCIAL SECURITY

As a member of the Senate Finance Committee, I played an important role in amending the social-security law to provide extended coverage and increased benefits.

COLUMBIA INTERSTATE COMPACT COMMISSION

The Malone bill, S. 3336, was enacted as Public Law 484 to promote the apportionment of the waters of the Columbia River and tributaries for irrigation and other purposes, by including the States of Nevada and Utah among the States authorize to negotiate a compact providing for such apportionment.

ANTIGAMBLING

Several antigambling bills were introduced in the Senate and House which, if enacted, would have had an adverse effect on the legalized gambling industry in Nevada. I was successful in blocking passage of two such bills which reached the Senate floor.

TRADE AGREEMENTS ACT OF 1934

I opposed any extension of the 1934 Trade Agreements Act, for which an extension of 3 years was sought. The Randall Commission's recommendation for a 3-year extension, reduced tariffs and added billions to European countries for stabilization of currencies was turned down by Congress and an extension of only 1 year was granted.

June 24, 1954, I made a 2-hour speech on the Senate floor, putting up a vigorous fight against extension of the Trade Agreements Act.

During the 1st session of the 83d Congress I offered a substitute bill which would have returned to Congress its constitutional responsibility to regulate foreign trade through the adjustment of duties, imposts and excises, commonly known as tariffs and import fees. In fighting for fair trade I am fighting for adequate protection to the small business of this Nation, and the workers and investors who, because of the free-trade policy, have to compete with the low-wage standard countries of Europe and Asia.

VETERANS

In addition to my amendment to the Internal Revenue Code revision, which exempted bequests to veterans' organizations from inheritance tax, I supported or sponsored other measures for the benefit of veterans.

I supported the measure which provides a 5-percent increase in compensation for disabled veterans. Following that I personally pushed through an additional measure which provides a 5-percent increase in compensation to all veterans and their dependents.

At the time when the Veterans' Administration appropriations for 1955 were being considered on the Senate floor I vigorously protested any provision which would reduce the bed capacity in the Veterans' Administration hospital at Reno, and stressed that the Reno facility should have funds to operate at full capacity of 166 beds. The appropriation for the fiscal year of 1955 calls for an average patient load of 123.

I supported the bill which grants Korean veterans 1 additional year in which to begin or complete education or training under the GI bill. The existing law gives Korean veterans 2 years after discharge to begin education or training; the new bill extends this period to 3 years.

HAWAII-ALASKA STATEHOOD

In the Interior Committee and on the Senate floor, I voted to tie Alaskan statehood in with the bill for Hawaiian statehood.

I am against statehood for either Alaska or Hawaii, and believe few citizens have considered the full import of the precedent of admitting to statehood with full voting rights in the Senate and House of Representatives of offshore, noncontiguous areas. In 1947, I, with five other Senators, reported on Puerto Rico's application for statehood after a full investigation of that territory. Our report was adverse to statehood, and favored a self-governing area, electing its own governor and adopting its own constitution, approved by the Congress of the United States. This was done in 1951 and Puerto Rico has experienced satisfaction with its self-government.

In the 1st session of the 83d Congress, I introduced S. 2003, a self-government bill for Hawaii which would grant the people of that territory the right to elect their governor and to adopt a constitution, approved by Congress. The late Senator Hugh Butler, former chairman of the Senate Interior and Insular Affairs Committee, introduced a similar bill for the Territory of Alaska. Both bills should be reintroduced and passed in the 84th Congress providing for each territory to elect its own governor, elect or appoint their own judges and otherwise govern themselves.

INTERNAL SECURITY AND SUBVERSION

Several important security measures passed by the 83d Congress to which I gave my support included: The Defense Facilities Production Act of 1954, which authorizes the Federal Government to guard strategic defense plants against sabotage, espionage or other subversion; the Espionage and Sabotage Act of 1954, making espionage a capital offense and removing the statute of limitations on peacetime espionage. The present limitation is 10 years. The bill also requires registration with the Attorney General of persons who have received any espionage, counterespionage or sabotage training from a foreign government or a foreign political party.

POSTAL AND FEDERAL SALARY INCREASE

The measure to increase by 5 percent the salaries of postal and Federal employees was given my support.

PUBLIC WORKS

The omnibus rivers and harbors and flood-control measure is the first such bill passed in 4 years and was given my support. It authorizes $1.07 billion for 183 projects throughout the Nation, including funds to start the Carson-Truckee project, to be commenced when the entire Washoe reclamation project is authorized.

PUBLIC LAND DEVELOPMENT

I worked for and supported important new laws revising Federal land acts to aid and expedite the systematic and multiple development of strategic minerals, such as oil, gas, and uranium on public lands. One of these, Public Law 585, revises the statutes to permit mineral leases and locations for exploration and development of more than one mineral on the same piece of land. Before the new law went into effect only minerals covered by the Leasing Act could be developed.

INDIANS

It is encouraging to note that for the first time in history the 83d Congress has acted to end, rather than extend, Federal control over the American Indians. Legislation has been approved which would "start the ball rolling to get the Government out of the Indian business." Legal machinery can now be set in motion by provisions of various measures which would free about 10,000 reservation Indians in five States—Oregon, Utah, Texas, Alabama, and Wisconsin.

Among other important Indian legislation enacted by Congress were bills designed to improve the Government's health and hospitalization facilities for Indians of the Nation by transferring the health program from the Interior Department to the Department of Health, Education, and Welfare; give the Indians the right to own and sell property and possess firearms and liquor; and provide more efficient law enforcement on reservations.

In July 1953 I introduced a bill to abolish the functions of the Bureau of Indian Affairs. Additionally the bill would have removed guardianship over Indians and trusteeship over Indian lands, all within 3 years. The Interior and Insular Affairs Committee did not take action on this measure but I am encouraged by the strides made this year on Indian legislation and am hopeful that I will succeed in my long endeavor to make our American Indians complete citizens.

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Railroad Employees Benefit by Action of 83d Congress

EXTENSION OF REMARKS
OF
HON. CLIFTON (CLIFF) YOUNG
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. YOUNG. Mr. Speaker, from the early days of settling the West, the railroads have played an all-important part in building the economy and strengthening commerce in my State. Several important Nevada communities were founded on this vital industry. Hundreds of railroad employees in Nevada have participated in making the railroad network in the United States the outstanding system of rail transportation in the entire world.

During World War I and World War II, the railroads made a magnificent contribution to the military effort of our country. A large part of the success of our Nation's railroad transportation system is due to the skilled and capable workers who are employed by the railroad companies. Their efforts, together with capable management, have given us a railroad system that is the envy of the world.

Mr. Speaker, I was glad to support legislation during this session to improve the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act. Many of these provisions were desired by the railroad employees in my congressional district, and I am sure they were pleased to see Congress take favorable action on the two measures that contained these meritorious changes.

One of the bills enacted—Public Law 398—repealed retroactively an amendment to the Railroad Retirement Act passed in 1951, which prohibited payments of annuities under the Railroad Retirement Act and the Social Security Act, which has been referred to as the dual-benefit provision. Under that provision, the railroad retirement annuity, or pension of an individual, was reduced if the individual had creditable railroad service before 1937 and was entitled to receive old-age benefits under the Social Security Act.

This law will increase benefits for approximately 36,000 annuitants presently on the rolls by an average of $24 a month. It is estimated that over the next 50 years about 120,000 railroad workers will benefit.

Another bill contains amendments to provide the following benefits:

First. Reduces the eligibility age from 65 to 60 years of widows, dependent widowers, or parents, for survivor's annuities.

Second. Relieves hardship of widowed mothers of physically or mentally disabled children over 18 years of age.

Third. Provides full survivor benefits to widows, dependent widowers, and dependent parents who are also eligible for a railroad retirement annuity in their own right.

Fourth. Increases the creditable compensation from the present maximum of $300 a month to a maximum of $350 a month in the calculation of a retirement or survivor annuity.

Fifth. Disregards the compensation earned after age 65, if the crediting of such compensation would diminish the annuity.

Sixth. Changes the disability work clause to a maximum of $100 in earnings for any month without loss of the annuity for that month.

Seventh. Excludes the service of certain delegates to national or international conventions of railway labor organizations from coverage under this act.

Eighth. Eliminates the requirement in the present law that a child over age 16 and under 18 years must attend school regularly in order to be eligible for a survivor's annuity.

Ninth. Provides waiver of retirement benefits for certain individuals who are receiving non-service-connected veterans' pensions.

The principal amendment to the Railroad Retirement Tax Act increases the tax base from $300 to $350 a month, at the tax rate of 6½ percent now in effect. In return for the tax on their additional monthly compensation in excess of $300, but not in excess of $350, employees would obtain benefit rights on the average at the rate of $3 for each $1 in taxes they pay.

The amendments to the Railroad Unemployment Insurance Act alter slightly the schedule of base-year compensation, and the daily benefit rates for unemployment are increased by 50 cents a step, with a maximum daily rate of $8.50.

Mr. Speaker, the improvements that have been accomplished by the 83d Congress in the laws affecting the welfare of railroad workers and their dependents are forward steps in an overall program which recognizes the important contribution of the working people to the continuing growth of our national economy. I hope that when the next Congress convenes it will continue the study of certain other proposals with a view toward further improving the Railroad Retirement Act.

A Tribute to a Great Humanitarian

EXTENSION OF REMARKS
OF
HON. JOHN W. McCORMACK
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. McCORMACK. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to say that I cannot let this House adjourn without spreading on the RECORD an expression of the high esteem in which I hold one of our distinguished colleagues, the Honorable PETER W. RODINO, JR., of the 10th New Jersey District. It is a feeling which I know is shared by all Members of this House, Republicans as well as Democrats.

Although he is young in years, I know of no Member of Congress of either party who has greater ability than Mr. RODINO, or who has used his abilities more diligently in the interest of his constituents and of our beloved country.

As minority whip, moreover, I can testify few Members have been more conscientious in attendance at sessions of the House or at committee meetings and hearings than our young friend from New Jersey. I need not remind you, Mr. Speaker, how important this conscientiousness is in the conduct of the affairs of this House or in the passage of legislation, for you were minority leader in this House for many years, and no doubt have had many occasions when you wished that your party colleagues were as diligent in the performance of their duties as our young friend from New Jersey has been in his.

It is not, however, of Mr. RODINO's ability or of his devotion to duty that I wish to speak today. It is, rather, to his great

heart, his warm human sympathies, his deep humanitarianism that I wish to pay tribute. For PETER RODINO, more than any other Congressman I have ever met in all the many years I have been in Congress, has revealed repeatedly that in his every action, his every word, he is guided and governed by a desire to help his fellow man and especially those men, women, and children who dwell in the 10th District of New Jersey.

I could cite innumerable examples of how Mr. RODINO has revealed this trait in his daily performance as a Member of this House. I daresay that you, too, Mr. Speaker, could also cite additional examples of his humanitarianism that have come to your attention. But for the sake of brevity it probably would be better to dwell for a moment on only one.

This was the case of John Hvasta. Although the rescue of this young American soldier from behind the Iron Curtain has been emblazoned on the front pages of all our daily newspapers and has been told many times over the radio and on the television screen, I doubt if, notwithstanding this enormous publicity, a sufficient number of people realize that the prime mover in the rescue of Hvasta, indeed for a long time the only American who concerned himself with Hvasta's fate, was PETER RODINO.

As a colleague of Mr. RODINO, however, I have had an unusual opportunity to know how much Mr. RODINO did in this case and also why he did it.

As we all know, John Hvasta was the son of naturalized American parents of Czech birth. A veteran of World War II, during which he had fought valiantly for the preservation of the democracy of the land his parents had adopted, Hvasta was in Czechoslovakia after the war on a visit, when he was arrested by the Communists as a spy. He was thrown into jail and, without a trial, or given one of those travesties of justice that the Communists call trials, he was sentenced to 10 years in prison as an American spy.

As soon as he learned of this outrage, my good friend Representative RODINO sprang into action. It mattered not that Hvasta and his parents did not live in Mr. RODINO's own district but lived rather in Hillside, N. J., outside the 10th District; the fact that a fellow American was in trouble and was being abused by the Communists was sufficient.

Indeed, it is these two factors in the case that give us the key to PETER RODINO's character. The first factor was that a fellow human being was in trouble. The second was that an American was being mistreated by Communists. These two elements of the case fused in PETER RODINO two outstanding characteristics: his love for his fellow man and his hatred of communism.

Spurred by these two great emotions, Representative RODINO lost no time in starting his campaign to obtain Hvasta's freedom. He went to the State Department, he went to the White House, he went to the press, he took to the air over the radio. Day after day, until his efforts were finally crowned with success, he devoted all his great talents and energies to the cause of John Hvasta. And he never let up until he saw with his own eyes that Hvasta was freed from the Communist grip and was reunited with his parents in Hillside, N. J.

I wish to emphasize, however, that while the Hvasta case captured the headlines, it is no way represented all that Representative RODINO has done for people. I know, because I have made it my duty to know how all our Congressmen conduct their affairs, that Representative RODINO has been tireless in serving his constituents. No errand is too trivial, no trouble is too great for this young Congressman, if by performing this errand or incurring this trouble he can benefit one of his constituents. And, incidentally, I might add that the political faith of the constituent is never a consideration to Representative RODINO when he is called upon for help. Republicans as well as Democrats have reason to be grateful that in Congress they are represented by PETER RODINO and that in PETER RODINO they have a friend.

This House is about to adjourn. Soon all of its Members will be scattered all over the country, back in their home districts. Among them will be PETER RODINO. Although you, Mr. Speaker, and I, myself, will be back in our home districts, I am sure since I have known you for many years, that you must share with me a wish for something that is quite unattainable. That wish is that I be allowed to accompany Representative RODINO among his constituents when he returns to his district. I would like to make this trip because it would give me great pleasure to see the warm, friendly greeting his constituents are certain to give to PETER RODINO when he walks among them again. I am confident that this will be their feeling because, just as all his friends here in Congress have responded to Representative RODINO's deep human sympathies, so must the people of his district, who know him even better than we do, give him their friendship and appreciation.

While it will be impossible for me to be with the gentleman from New Jersey [Mr. RODINO] when he returns to his home in New Jersey, I am confident, nevertheless, that I shall see him again soon. For, when Congress reconvenes in January, I am sure that, thanks to the good sense of the intelligent, discerning voters of the 10th New Jersey Congressional District, PETER RODINO will have been reelected as a reward for his splendid service and will be back here for another 2 years as a Member of this House.

My Report to the People of the Ninth Congressional District of Minnesota

EXTENSION OF REMARKS
OF
HON. HAROLD C. HAGEN
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. HAGEN of Minnesota. Mr. Speaker, this is in the nature of a partial report of my activities during the 83d Congress for the last 2 years. Despite all that the DFL candidates can say, this is 1 of 2 Congresses in the past 30 years that has cut taxes, reduced appropriations, and approved many other excellent measures for the people's welfare.

I voted to cut all your excise taxes and that became law. I voted to cut from 10 percent to 5 percent the tax on refrigerators, stoves, fans, water heaters, flatirons, air heaters, electric blankets, grills, toasters, broilers, juicers, food choppers and grinders, clothes dryers, dishwashers, floor polishers, waxers, mangles, garbage disposals, power lawn mowers, and home freezers.

I voted to cut the tax on furs from 20 percent to 10 percent, which not only means much to the women who wear fur coats but also to the persons who produce furs and do trapping in northern Minnesota.

I voted to cut the tax on jewelry from 20 percent to 10 percent and to cut the tax on matches and cutting oils.

I voted to cut the taxes on luggage, including handbags for ladies, from 20 percent to 10 percent.

I voted to cut the tax on toilet preparations from 20 percent to 10 percent. This was of particular importance to the woman, since cosmetics, powders, rouges, and other toilet preparations have now become a necessity instead of a luxury to the women. Also, this tax cut applied to powders and other preparations used for babies.

I voted to cut your tax on long-distance telephone calls from 25 percent to 10 percent, and your telegram, cable, and radio messages from 15 percent to 10 percent.

I voted to cut the tax on your local telephone bill from 15 percent to 10 percent.

You have been paying 15-percent tax on your tickets on trains, airplanes, and buses for many years. I voted to cut that tax from 15 percent to 10 percent and on sporting goods from 15 percent to 10 percent which is an item of importance to your children and youngsters who are interested in baseball, football, basketball, and other athletics.

I voted to cut the tax on electric light bulbs from 20 percent to 10 percent and on fountain pens and mechanical pencils and ballpoint pens from 15 percent to 10 percent and on cameras, lenses, and films from 20 percent to 10 percent.

In order to save your motion-picture theater from disaster I voted to cut the tax on tickets from 20 percent to 10 percent on tickets costing 51 cents or more and to totally eliminate the tax on tickets costing 50 cents or less, thus saving you from a tax when you send your youngsters to the movies. I also voted to cut the tax on baseball and other amusements, the same percentage, and eliminated entirely the 20-percent tax on college athletic events and amateur theater performances.

REDUCED TAXES

When my Democratic-Farmer-Labor opponents attack our record in the 83d Congress, let them explain how we reduced taxes by $7,400,000,000 this year,

the largest tax cut the American people ever enjoyed in a single year.

Your individual income taxes were reduced by about 11% beginning January 1, 1954, the first tax cut since the Republican 80th Congress of 1947–48. I voted to slash Government spending by billions of dollars, and the present administration's budget was ten billion dollars (ten thousand million dollars) under the Truman budget. I am very proud that in this new tax bill that I was a coauthor of some of the proposals and amendments which greatly benefited every farmer in my district, State, and the entire Nation and most of the citizens too.

My record on all laws, bills, and proposals pertaining to agriculture, is an open book of which I am proud. Not only have I always voted for all legislation which would help agriculture, thus helping everybody in the Ninth District, but I have been a leader in writing many of these laws and pressing for and seeking up for their passage in my twelve years as your representative in Congress.

This also is true of rural electrification of farms and telephones for farms. When I was a comparative youngster only two or three percent of the farms in northwestern Minnesota were electrified. Today, due to the REA which I have enthusiastically supported in all my public life, the wives of most farmers today do much of their work with electricity and the men of the farms are able to produce far more food with far less help than in the olden days of hand labor. I am proud of my record on REA, and telephones for farms, and will never be satisfied until every farm and village home in these fifteen northwest Minnesota counties has electricity and telephone service.

ALWAYS FOR VETERANS

In the 12 years that I have been your Congressman there have been more than 300 laws passed aiding the veterans of the various wars; we have in Minnesota approximately 422,000 veterans of all wars.

My record on supporting legislation for veterans has been such that I have in my files at least two dozen letters from the leaders of the American Legion, the DAV, the Veterans of Foreign Wars, the AMVETS, and other veteran organizations highly commending me for my support of laws which would benefit the men and women who lost time out of their young lives in order that America would not be conquered.

I shall not attempt to go into detail on these matters, since the veterans' officials themselves will notify their membership through their various publications as to my record with regard to the bills that they sponsored or opposed. Any official of State or National veterans' organizations will gladly testify to anyone of my 100-percent record for veterans, their wives, and their dependents.

FRIEND OF THE INDIAN

We have numerous Indians in the Ninth Congressional District of Minnesota—more than the remainder of the State combined. I think every leader among them knows that I always have sponsored the bills to give them the money to which they rightfully were entitled and also to relieve them as much as possible from the old bureaucracy in Washington, D. C. I have been the author of school bills and much legislation for their welfare.

SUPPORTER OF SMALL BUSINESS

We have established in Congress small-business committees. I have actively supported anything and everything that would help small business, because in my district virtually all business is small business.

It is not good when you see vast organizations of capital gradually gobble up the economy and throttle the independent industrialist and businessman. I realize that this is heresy to some of my ultraconservative friends, but they should realize that if the thousands of small businesses in the Ninth Minnesota District are forced to the wall by huge organizations of capital, that gradually we will have an economic bureaucracy. I shall do everything in my power in the future as I have in the past to stop this trend.

HELPED THE AGED

With regard to the aged, the blind, and the dependent children who get payments from Uncle Sam, let me say that in every case I have supported raises for these unfortunate persons. All of us should realize that those who have reached their declining years of life have contributed in some way to the building of America and that the few dollars that they receive for a mere subsistence, they earned in their contributions to American economy. I would like to see the payments to the aged and the blind and the dependent children substantially raised. I always have felt that if we can send $50 to $60 billion to foreign nations in 9 years that we should be able to spend at least part of that amount so that the aged, the blind, and the dependent children could at least have a decent standard of living in this richest nation of the world's history.

FAVORS CUTTING FOREIGN AID

And while we are talking about sending $60 billion overseas in 9 years, let me tell the voters of the Ninth Congressional District of Minnesota that I did not vote for one dime of that foreign aid with this one exception:

I did vote for military aid to Greece and Turkey. I visited Greece in 1945 and I realize that here were two allies who would use military aid to hold off the Russian threats and keep them from taking over the Near East, the Mediterranean Sea, and North Africa.

I have no apologies to make for voting aid to Greece and Turkey, because they have proved with their wonderful armies and their wonderful spirit that that money was well invested.

But I cannot say as much for some of our other so-called European allies. I have voted against continuing to send billions for those nations because I traveled through them several times and know something about the conditions. I think present conditions in the European Defense Community and the North Atlantic Treaty Organization justify my votes against sending these billions of dollars to people who put up signs: "Go home, Yanks."

If your Federal taxes are high because of the fifty to sixty billion dollars sent overseas to these ungrateful nations, you cannot blame United States Representative HAROLD C. HAGEN. I would far prefer to put some of those billions into building schools, into building hospitals, into building roads and highways and farm-to-market roads, into cutting your taxes substantially, and into building an Air Force against which no aggressor would dare to attack us.

If my giveaway Democrat-Farmer-Labor opponents want to attack that record of my voting against billions of dollars to ungrateful foreign nations, they are welcome to do it. I think you farmers, workers, and business and professional people of the 15 northwestern Minnesota counties comprising the Ninth Congressional District will overwhelmingly support my stand.

And I hope the day comes when Congress will quit giving billions of dollars a year to ungrateful nations, most of which, at the turn of a hat, would double-cross us if it paid them and their economy.

Incidentally, I have always voted against trade with the Communist nations, and for appropriations for the House Un-American Activities Committee, which has exposed so many Communists and undercover organizations trying to destroy the American way of life.

MISCELLANEOUS ISSUES

Briefly I voted for and supported the following:

Commodity Credit: Price-support borrowing power raised $1.5 billion.

Stockpiling program: New appropriation of $380 million granted.

Housing Act: Provides lower downpayments, longer mortgage period.

Lease purchase: New program to promote special building for Government use. Cost is less to taxpayers.

St. Lawrence Seaaway construction.

Ending of wage, price, rent, and materials controls.

Increasing health research funds: Three-year, $182 million hospital program adopted.

The creation of the Department of Health, Education, and Welfare.

Increased benefits to veterans and to their dependents.

The extension of social-security coverage to 10 million more citizens and benefits increased. Unemployment insurance expanded to 4 million more persons.

The restoration of offshore tidelands to States while protecting and safeguarding Federal rights.

More State control provided for modern highway and rural road program of almost $2 billion in 1956 and 1957.

A stronger defense program with heavier reliance on atomic weapons and airpower. Voted for establishment of the Air Force Academy.

Shortage of space prevents me from mentioning the details of all the legislation. I will be glad to answer any inquiry from anyone about anything not

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covered in this report. Just write me a card or letter.

AGAINST POSTAL RATE INCREASE

There are a number of fine daily and weekly newspapers in my district. I am proud to say that, as a member of the House Post Office Committee, and its vice chairman, I have opposed the drastic increase of the postal rates not only for newspapers and magazines, but all postal raises.

The post-office system does many things for the average citizen such as selling Government bonds, duck stamps, postal savings, rural services to farmers, and a host of other activities which mean so much to every man, woman, and child in the Nation.

To me the postal system is a service system and not one which is run as a business with a balanced budget. If the postal system loses $300 million a year that means that each man, woman, and child in the Nation pays $2 a year for the wonderful and marvelous services they get from the post offices of America. I also feel that the fourth-class offices, some of which are being closed, are the neighborhood gathering places and dispense services to small communities; they should not be canceled out for the sake of a few dollars unless as good service can be given by other means.

Again I say that if Uncle Sam can spend 50 to 60 billion dollars in 9 years building up the economy and competition of foreign nations to America that we can well afford to spend one-third of $1 billion a year to give America the many services the post-office system renders.

Furthermore, newspapers and magazines, because they are able to offer themselves to you folks for reasonable prices, make the United States the best informed and best educated nation in all the world, and that is something that cannot be weighed in dollars and cents.

This is just a brief summary of my activities in Congress since I first was elected in 1942.

Let me say to all of you men and women in the Minnesota Ninth District who have so loyally supported me the past 12 years, that I thank you from the bottom of my heart for your votes, and I hope to continue serving you so long as my health and abilities will hold out and as long as you reelect me.

More than 20,000 letters a year come into my office from the Ninth District, and I am proud to say that none of them received at my office ever have remained unanswered. I and my loyal staff try to answer every letter the day it arrives and to get action on any request from any constituent whether he be a Democrat, DFL, or Independent, or Republican. Every letter is read by me and every letter going out is signed by me.

I feel that as your Congressman, Representative HAROLD C. HAGEN, that I have a duty to each and every one of you, whether you support me for reelection or not. Please do not hesitate to write me on any official problem you may have and also please write as to your ideas and opinions on the important issues and problems before the country and the Congress so I may have the benefit of your views and suggestions regarding legislation.

I try to get things done, and I think I have built up a reputation of getting things done for every constituent who has asked my aid in the past 12 years.

If I am reelected on November 2, I only pledge to keep running my office efficiently, honestly, and to serve you to the best of my ability as long as I am your Congressman.

Benefits for Federal Employees

EXTENSION OF REMARKS

OF

HON. CLIFTON (CLIFF) YOUNG

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. YOUNG. Mr. Speaker, I have been privileged to represent in Congress a State which has perhaps the highest percentage of Federal employees in the country—more than twice the national ratio.

A sizable number of hardworking, loyal Americans are making a great contribution to the efficient operation of the Federal Government in Boulder City, Babbitt, Reno, Las Vegas, and throughout the State of Nevada.

During the past year I have received letters from many of these employees of the Federal Government, in which they expressed their views and presented constructive suggestions with respect to bills before Congress. I should like, therefore, to summarize the excellent steps which have been taken in behalf of Federal employees by the 83d Congress.

GROUP LIFE INSURANCE

A sound group life insurance plan is now available to Federal employees. The principal features of the plan are:

First. Low-cost insurance without requiring a medical examination.

Second. Voluntary participation, with coverage for term life insurance in an amount of employee's salary raised to the next $1,000.

Third. At a biweekly cost per $1,000 not to exceed 25 cents to the employee and 12½ cents to the Government.

Fourth. Payment of double indemnity for accidental death.

Fifth. Payment for accidental loss of eyesight or limbs.

Sixth. Insurance provided without further cost after retirement on annuity, either for disability or after 15 years of creditable civilian service.

Seventh. Free insurance if employee is 65 years of age or older, with reduced coverage.

Eighth. If an insured employee leaves Government service, the insurance continues in effect for 31 days, during which he may purchase without a medical examination an individual life insurance policy at standard rates.

Ninth. All Federal employees are eligible except (a) noncitizens employed overseas or (b) the small group excluded because of type of employment, such as part time, seasonal, or intermittent employment.

This legislation is a part of the program to improve the Government's personnel system. In signing this measure on August 17, 1954, President Eisenhower urged all eligible employees to give serious consideration to this program as a source of additional economic security for their families.

SOCIAL SECURITY

Old-age and survivors insurance benefits under the Social Security Act have been extended to over 100,000 additional part-time and temporary Federal employees. Also, the survivorship and retirement benefits of 890,000 Government workers already covered will be increased.

UNEMPLOYMENT INSURANCE

Unemployment benefits have been provided for Federal employees for the first time. This valuable financial protection against unemployment will be provided by the Government without cost to the employee, on the same basis as it is available to persons employed in private industry.

Federal civilian employees as a group are subject to the risk of unemployment on nearly the same scale as nongovernmental workers in the same type of work. Involuntarily separated Federal employees in the past have been forced to rely upon accrued annual leave and refund from their retirement accounts while looking for other jobs. This course obviously defeats the purpose of the retirement program, as well as annual leave.

Unemployment compensation will be payable to eligible Federal workers who are unemployed after December 31, 1954. A Federal worker's rights to benefits are to be determined under the unemployment-compensation law of the State to which his Federal services and wages are assigned.

I was pleased to support this measure to include Federal employees in the unemployment-insurance system.

SUBSTANTIAL FRINGE BENEFITS

Additional benefits have been provided by the 83d Congress which are of special interest to Federal employees, and which indicate that forward steps have been taken on personnel legislation. These can be summarized as follows:

First. Restrictions on permanent promotions and reinstatements of Federal career employees have been removed, and the statutory limit on the number of permanent employees in the executive branch has been adjusted to meet present-day needs. This modification of the so-called Whitten amendment raises the ceiling on permanent appointments by 10 percent, thereby opening 358,000 permanent jobs. As a result, the promotions and reinstatements of career employees will be made permanent and many thousands of present indefinite employees can achieve permanent career status.

Second. Arbitrary restrictions on the accumulation and use of annual leave have been repealed.

Third. Longevity pay increases have been authorized for all except the three

highest classified service grades. This action makes additional pay increases available to many long-time career employees.

Fourth. More equitable overtime pay practices have been established.

Fifth. Crafts, trades, and manual labor positions previously under the Classification Act will be transferred to the wage board pay system, generally resulting in some pay increase for the employees involved.

Sixth. For positions where increased pay is necessary to recruit scarce skills, the Civil Service Commission has been authorized to establish entrance rates above the minimum rates of the grade involved. In the localities and positions where such action is taken, present employees will in many instances receive the benefits of the higher rates as will those being recruited.

Seventh. Temporary increases in annuities of retired Federal workers voted several years ago have been made permanent.

Eighth. Federal employees paid on a per diem basis have been granted the benefit of excused absence with pay like that available to employees paid on an annual basis, when such absence is authorized by administrative order.

Ninth. Government incentive awards programs have been expanded and made applicable to all employees.

PAY BILLS

Mr. Speaker, during the early months of this session of Congress, I gave careful study to the existing pay rates for postal and other Federal employees in relation to the cost-of-living index. It was my conclusion that a raise in pay should be provided for these workers, and I submitted testimony to this effect, urging the House committee to report a bill. Thereafter I supported the measure to increase the pay of postal workers, and also the measure subsequently considered and passed to provide salary increases to classified, postal and other employees of the Government, and for other purposes.

The final form of the latter measure was considered during the closing days of the 83d Congress. It provided for a 5 percent general pay increase, but lacked provision for the correction of existing inequities in Federal pay scales. These provisions were proposed to improve the civil service system, reward individual merit, and provide steady pay increases for Federal employees.

In withholding approval of this measure as inadequate to meet the vital and urgent need of legislation for pay increases and classification adjustments, the President stated his intention to pursue this objective next January when the 84th Congress convenes.

Mr. Speaker, at this time Federal employees know that the 83d Congress recognized the real value of their service to the efficient functioning of our vast governmental operations. The enactment of the legislative program to which I have referred in detail reflects the notable progress made toward the development of a personnel system that will attract and hold competent men and women in public service.

Furthermore, this group of workers shares with all citizens of our country the many benefits of legislative action which reduced taxes, expanded hospital and health facilities, encouraged home ownership, as well as the benefits of ever increasing security made possible by the extensive legislative program enacted by the 83d Congress.

Republican Social Security Law Benefits Millions

EXTENSION OF REMARKS
OF

HON. RICHARD M. SIMPSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. SIMPSON of Pennsylvania. Mr. Speaker, the Republican 83d Congress accomplished an historic expansion of social security, bringing into the program in one instance millions of the Nation's farm owners and workers as well as providing dependency and survivors benefits to their spouses and dependent children.

As a result of this and other improvements in social security, more than 6.4 million Americans already receiving benefits will get larger benefit checks starting October of this year.

In a short time, also, a total of 10 million more Americans, including farmers who previously were ineligible, will start building credits toward retirement and survivorship benefits in their own social security accounts to help them through their years of retirement, or to ease the burden of their widows and dependent children.

The improvements in social security approved by the Republican Congress are the most extensive in the history of this program. The Congress has substantially expanded the coverage provisions of the law so that we have achieved virtually universal coverage under the OASI program.

Taking cognizance of the rise in living standards in the Nation, the Republican Party designed a social-security program that would provide more adequate benefits.

For instance, maximum monthly benefits for families dependent upon social security as a result of the death of the head of the family, were increased from $168.75 per month to $200.

Let us look at what this means in the way of security for the family of a young worker with an average covered earnings of $300 a month. The family would include 3 children, ages 7, 5, and 2. If this worker should die his widow would receive:

(a) An initial lump-sum payment of $255.

(b) Two hundred dollars per month for the first 11 years—until the eldest child reaches 18 years of age.

(c) One hundred and ninety-seven dollars per month for the next 2 years.

(d) One hundred and forty-seven dollars per month for the next 3 years.

(e) Seventy-three dollars per month for life, beginning at age 65.

Under the old law the maximum payment for single retired workers was $85 per month. The maximum payment for a husband and wife, both over 65, was $127.50. As a result of the Republican revision single workers already retired at the maximum will now receive $98 a month. A husband and wife will receive $147 a month. Single workers planning retirement in the future, will receive $108 per month, provided their average annual earnings are $4,200 per year. Husband and wife, both age 65 or more, can receive as much as $162 per month.

In addition, a retired worker can earn outside his social-security payments as much as $1,200 per year without loss of any benefits; and at age 72, instead of 75, all restrictions on outside earnings are lifted.

Our farmers—long neglected in social-security planning by previous Congresses—now for the first time in our history have full partnership in a program that is designed to ease the burden of their own retirement, or the dependency of those who outlive them.

For the first time, self-employed farm owners and operators—3,600,000 of them—will be covered by old-age and survivors insurance protection—and this means their wives and children as well.

Farm workers, more than 2 million more of them, for the first time will be participants in social security. The Republican improvements in social security extend coverage to all farm workers who earn $100 or more a year while working for one farm owner.

For all of our agricultural workers included in the expanded social-security program the new benefits accrue quickly.

A farm worker at or near 65 years of age must have 6 quarters of coverage after January 1, 1955, to qualify.

For example, a single farm worker with an average wage of $150 per month, would draw monthly retirement benefits, at age of 65, of $68 per month. If the worker is married and his wife is 65 he would receive $102 a month. The maximum benefits for farmers based on an annual earning of $4,200 per year, would be $108 for a single retired person or $162 per month for husband and wife, both age 65.

For a self-employed farm operator, the retirement date is 1956, at age 65. Paying his own social-security tax on annual earnings of $400 or more, the self-employed farm operator is also eligible for the the maximum monthly benefit of $108.50, assuming that his earnings for 18 months prior of mid-1956 are at an annual rate of $4,200. If less, the benefits on retirement will be below the maximum monthly payment of $108.50.

By increasing coverage for 10 million more Americans, the Republican Congress brought into the program, in addition to our American farmers, 200,000 domestic workers; 250,000 ministers; 100,000 additional homeworkers; 50,000 fishermen; 100,000 employees of foreign subsidiaries; 100,000 accountants, architects, engineers, and morticians; 50,000

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miscellaneous employment groups; 150,000 Federal employees not otherwise covered, plus 3,500,000 State and local government employees.

Many other additional equitable refinements to social-security payments were adopted by the Republican 83d Congress.

In the event of total disability, a worker no longer suffers a loss in the accumulation of benefit payments for the period of his disability. Nor are the 5 years of lowest income to be computed in the accumulation of social-security credits for employment.

The law governing Federal payments to States for old-age assistance, aid to dependent children, and aid to the blind and permanently disabled was scheduled to expire on September 30, 1954. This was extended for 2 years to allow the Congress to give the subject further study, and to continue increased benefits to those eligible for aid, who also have to meet the higher cost of living which was the harvest of continued inflation and waste for two decades before the new administration took office.

For those widowed, survivors benefits have been boosted so that, on the basis of the deceased husband's earnings, the payments will be more in line with the higher cost of living. A widow, with 1 child, now drawing $127.60 per month, will receive monthly payments of $147.80 hereafter.

For domestic servants, the social-security law has been simplified to provide for eligibility if the earning is at least $50 in cash wages in any 3-month period.

Previously, social-security benefits for a widowed woman with 2 children, based on the deceased husband's earnings ranged from $45 a month to $169.90. This range has been broadened, with an increase to $50.20 per month at the base, to $197.10 for a mother with 2 dependent children.

Not a single social-security beneficiary was neglected by the Republican 83d Congress. Each 1 of the 6½ million previously on the rolls is eligible for at least a $5 a month increase in benefits payments. The range increases up to almost $20 a month for the single retired person under the new program.

For families, the basic increase ranges from a rockbottom boost in payments of $6 a month to an increase of more than $30 per month.

The improvements in social-security legislation were also designed so that those presently on the rolls need do nothing themselves to acquire the increased benefits due them. The administration of the social-security agency will automatically increase the payments for all receiving benefits.

For those approaching retirement age who are presently contributing earnings to the social-security system at the maximum covered wage of $300 per month, the payment upon retirement is $98.50 per month.

For the farmers and other self-employed who have been added to social-security rolls by the Republican 83d Congress, the first report on their earnings for social-security coverage is to be filed in conjunction with income-tax payments in April 1955.

Social-security tax, designed to pay for the increased coverage, is to be paid when a self-employed worker or farmer earns more than $400 per year.

The total annual earnings on which benefits will be computed in the future were extended from $3,600 to $4,200 for eligibility in drawing maximum benefits.

As a result of the efforts of the Republican 83d Congress, most of the inequalities in social-security coverage were eliminated—eliminated in less than 18 months after years of procrastination by previous administrations.

Now our farmers, long desirous of social-security eligibility, our ministers, homeworkers, and others who sought social-security equality with their fellow Americans, have had their pleas answered—answered by sensible, considerate, and equitable improvements in social security, improvements which were designed to benefit more of our citizens at a lower cost to all of us.

The Honorable Thomas E. Martin

EXTENSION OF REMARKS
OF
HON. RICHARD M. SIMPSON
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. SIMPSON of Pennsylvania. Mr. Speaker, one of the most able Members of the House will complete his distinguished service as a Representative with the expiration of this Congress, but will return in the 84th Congress as a Member of the United States Senate.

I refer to the Honorable THOMAS E. MARTIN, Congressman from the First District of Iowa. Since January 1939 he has been one of our most capable Members. Accountant, lawyer, farmer, statesman—these are the accomplishments one should stress in attempting to describe TOM MARTIN. Before he came to the House he served outstandingly as mayor of Iowa City. He has long been active in State and national Republican affairs.

Mr. MARTIN'S service in the House of Representatives has been marked by a devotion to duty and a capacity for detail. He became a member of the Committee on Ways and Means in 1947. He has always actively and zealously fostered the welfare of the farmer, the businessman, and the worker. He has worked diligently to strengthen and improve our social-security system and to protect our domestic workers and producers from excessive imports of foreign goods produced by cheap foreign labor.

One of the accomplishments for which he will be remembered as a Member of the House is the National Stockpile Act, which became public law in 1939. Mr. MARTIN was one of the sponsors and, in fact, is known as the father of our national program of stockpiling strategic war materials. He has always been an outspoken proponent of national preparedness. He achieved a splendid record as a commissioned officer in the United States Army in World War I, and has a son who served as an officer in World War II and the Korean conflict.

While serving the Nation through his important committee assignments, Mr. MARTIN has also conscientiously represented the interests of his Iowa constituents. His devotion to the progress of his State and the welfare of its people stems from the fact that the Martins are a pioneer Iowa family. His great-grandfather settled in Monroe County, Iowa, in 1843.

As a colleague of TOM MARTIN in the House of Representatives and on the Committee on Ways and Means, I regret his decision not to seek reelection as Representative of the First Congressional District of Iowa. However, I am confident that when he takes the oath of office next January as the junior Senator from Iowa, he will continue his illustrious career as a legislator and a statesman.

Buffalo Harbor

EXTENSION OF REMARKS
OF
HON. EDMUND P. RADWAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. RADWAN. Mr. Speaker, the gratifying announcement that Buffalo is to receive a substantial Federal appropriation for its harbor this year represents an excellent opportunity to reassess our whole port picture.

As in the case of other leading ports of the Nation, we are constantly confronted with problems which must be met and solved if we are to maintain our preeminence as a port. Some of these problems arise out of the passage of the St. Lawrence Seaway bill. Others existed long before the St. Lawrence represented a practical possibility.

First and foremost of these problems, in my opinion, is that of securing appropriations to complete existing authorized projects specifically for the improvement of Buffalo Harbor. This year we have been able to secure the first appropriation for that purpose in 3 years. It is, I believe, the largest appropriation yet received for these current projects. And the administration has recommended an even larger appropriation for the next fiscal year. For the first time, we are making substantial progress toward completion.

When completed, these projects will provide greatly needed additional depths for existing commerce of the type that has made the port of Buffalo great. But in addition these depths have the effect of better adapting the port to any potential St. Lawrence Seaway commerce, because that is essentially a deep-water project.

New project authorizations may be needed to implement the St. Lawrence

Seaway. They should be thoroughly surveyed and enacted by Congress, if warranted. We shall continue to be vigilant in that connection and to cooperate with local interests in procuring deserved Federal assistance. This includes Federal initiative in the replacement of the Ohio Street Bridge over the Buffalo River, probably one of the worst obstructions to navigation in the United States.

There are other port problems which we must face up to and attack as purely local matters, if we are to meet the competition of other Great Lakes ports. Any worthwhile program for the port of Buffalo should include the following:

First. A survey of new traffic patterns.

Second. An examination of the need, if any, for a municipal St. Lawrence type terminal to supplement existing facilities.

Third. The stimulation of new trade.

Fourth. The construction of new outer harbor terminals in aid of existing Lakes traffic.

Fifth. Beautification of the whole waterfront for recreational purposes.

Sixth. Rehabilitation of blighted reaches of the harbor.

Seventh. Revival of passenger traffic out of Buffalo.

In this entire program for the port of Buffalo, it is important to point out that the problem is primarily a local one. The initiative lies with the city, the mayor, and the common council. Such initiative properly taken will require the cooperation of other communities, outside of the city of Buffalo; the Chamber of Commerce of the city of Buffalo, as well as the interest, time, and cooperation of all civic-minded citizens.

Your Federal Government, as represented by your Congressman, can fulfill an important supporting role in some instances, but only a supporting role. A Congressman is merely the agent of the people's will. For example, the harbor funds that Buffalo will receive as a result of the appropriation were obtained because the people of the city of Buffalo united and demanded their proper share of such Federal appropriations. Without the help of the people at home, the newspapers, representatives of labor and industry, and the chamber of commerce, your Congressman would meet with little success in achieving present good news. Another example, the creation of new deep-water terminals and recreational areas in the outer harbor involves the creation of a new land mass from the existing shore line to the harbor line. There exists no better way of accomplishing this than by use of the rock and earth generated under Federal dredging contracts. The Federal appropriation we have just received makes it possible for the city to make an appropriate arrangement with the United States in that direction. Here again I must emphasize that the initiative lies with the city.

Recognition of the respective roles played by your city and by your Congressman in the matter of port development represents perhaps the biggest step forward in the accomplishment of results.

The Poor Must Wait

EXTENSION OF REMARKS
OF
HON. AUGUSTINE B. KELLEY
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. KELLEY of Pennsylvania. Mr. Speaker, from now until election day the air will be blue with political arguments over the work of the 83d Congress—whether it was as good a Congress as the Republicans are trying to claim or as bad as the Democrats insist.

Of course, both sides will have a lot of convincing arguments for particular groups.

In other words, the Republicans—as usual—should get enthusiastic support for their efforts and their record in Wall Street, in the big utility combines, in the board rooms of the giant corporations, and in the realm of the rich generally. For this has certainly been a Congress determined to give to the wealthy every conceivable kind of special consideration on everything from taxes to the exploitation of natural resources.

But what about the rank and file of the people? When they look at the results of the work of this Congress, they see little indeed in the way of accomplishments which benefit the people generally.

The one big achievement—virtually the only one—has been a series of amendments to the Social Security Act. These improvements, in line with the steady progress made by the Democrats over the years in keeping the Social Security Act abreast of changing requirements, found the Republican Party for the first time on our side in this respect.

In 1936 the Republicans promised in their platform to repeal social security. In Congress after Congress after that time, Republican Members voted against expanding coverage and improving benefits. In the 80th Congress, which they controlled, they tried to take away social security from nearly a million persons.

This year they came around to supporting the Democratic view on social security. And that represents one of the very few achievements of this Congress in behalf of the people.

It was a Congress which did absolutely nothing about improving the level of unemployment compensation benefits, despite an alarming increase in joblessness. It was a Congress which failed utterly to take effective steps toward restoring prosperity. It was a Congress which refused to raise income-tax exemptions, but insisted instead on giving all real tax relief to corporations and their big stockholders. Some people—those who have suffered serious hard luck—get minor adjustments in their taxes, but the average wage earner will keep on paying present high rates without any break.

But Congress alone is not entirely to blame. It has had no real leadership from the administration in seeking to correct economic dislocations. The Republican Party, of course, have never been noted for its ability to handle bad times.

So, when the Republicans boast about this Congress, they—as usual—will convince the well-to-do. And when the Democrats protest about the failures of this Congress, I suppose no one will agree with us except—as usual—the rank and file of the people. They can see how bad a failure this Congress has been just by looking at their own family budgets and bank accounts.

Report of Hon. Don Magnuson, of Washington, to Constituents

EXTENSION OF REMARKS
OF
HON. DON MAGNUSON
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. MAGNUSON. Mr. Speaker, in the 2 sessions of the 83d Congress, it has been my privilege and honor to represent the people of the great State of Washington in the House of Representatives.

With the closing of the second of those sessions, I consider it fitting that I give here something of an accounting of my efforts of the past 2 years, so that my constituents better may judge the work which I have done. This report will deal only with such subjects as have specific local applications to the State of Washington.

As Congressman at Large, I represent all the people of my State. Washington has almost 2,500,000 residents, and this means that I have, I believe, the largest constituency of all the Members of this body save one. To that constituency I address this accounting, necessarily brief and incomplete:

MERCHANT MARINE AND FISHERIES

As a member of this great committee, I am gravely aware of the low estate to which our merchant marine and our shipbuilding industry have fallen. I worked vigorously to improve this situation and gave my support to the several measures approved by the 83d Congress to that end. They were few enough, but a start. I also supported the allocation of some $3 million a year from fish-products-tariff revenue to research in the important fisheries industry and was active on behalf of other measures I considered beneficial to our fisheries.

I am gratified to have been named to a subcommittee which will hold hearings later this fall on the west coast in an attempt to find a solution to the perplexing problem of the deterioration of our shipbuilding industry.

PUBLIC POWER

It is no secret—either here in this body or in my home State—that I am a strong supporter of public power. That inexpensive public power is the key which unlocked the golden door of economic and industrial expansion of my State and the entire Pacific Northwest is not arguable. I introduced a bill for

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Federal construction of Hells Canyon Dam—it is gathering dust, as was inevitable—urged the fastest possible completion of dams now building, did everything possible to obtain adequate funds for the Bonneville Power Administration and resisted with all my strength the no-new-starts policy of this administration and the various administrative blows at public power in the Northwest.

PRIEST RAPIDS DAM

The Priest Rapids law, of which I was cosponsor in the House, proposes what might be termed a slightly modified form of public power. It gives local public agencies the opportunity to finance and construct this great dam on the Columbia River for integration into the comprehensive plan of development. I sponsored the legislation when it became apparent that there was no other immediate prospect for meeting the grave shortage of electricity which is threatening the Northwest. If financing indeed becomes available, as we have been assured it will, this well could be the most important piece of legislation enacted by the 83d Congress insofar as the people of the State of Washington are concerned.

FORT LEWIS SEWAGE TREATMENT

I was fortunate enough to persuade the House Armed Services Committee that the pollution of Puget Sound by Fort Lewis sewage—in violation of State law—was both reprehensible and dangerous to health. As a result, the committee and the Congress authorized construction of a sewage-treatment plant at Fort Lewis, and later appropriated the necessary funds—$793,000—to pay for it. A most serious situation of long standing, which for years has defied correction, soon will be eliminated.

RECLAMATION

The staggering financial blow which the administration's original budget struck at the Columbia Basin reclamation project startled and dismayed my entire State. Cutting the Reclamation Bureau's request almost in half, the budget proposal would have disrupted utterly the orderly development of the project. With other members of Washington's delegation, I went to bat for the Columbia Basin. A substantial increase in the appropriation resulted, and the same was true of the Roza division of the Yakima project.

RIVERS AND HARBORS, ZINTEL CANYON

Washington was exceptionally well treated in the 1954 omnibus rivers and harbors law in point of the number of projects authorized. I testified on behalf of all the projects ultimately included in the law and find it gratifying that they were approved. Funds with which to carry them out must await another Congress, but authorization is at least a long first step. In the case of Tacoma's port industrial waterway, among the projects authorized, my State's Senators even were successful in amending the supplemental appropriations bill to include the appropriation required, but the House Appropriations Committee knocked out these funds.

In this same general field, the Corps of Engineers, at my request, was directed to survey Zintel Canyon, in the Horse Heaven Hills, for flood-control possibilities. Waters from this canyon periodically flood and damage the city of Kennewick.

NONLEGISLATIVE

The nonlegislative duties of a Member of Congress can be counted by the score each day. Most are for individuals, some are for industries, some are for entire communities. Again, just touching the high spots, I should like to mention that I have participated in the effort, gratifyingly successful, to maintain a stable work schedule at the Puget Sound Naval Shipyard; in the successful drive to obtain approval of a new terminal post office for Seattle; in obtaining a market for Cle Elum-Roslyn coal; in the arrangements for storing grain in the reserve fleets at Olympia and Astoria, which not only provided profitable activity for men at the ports of Tacoma, Seattle, and Vancouver, but also put those idle vessels to work; in gaining substantial additional military sea transport service activity for Puget Sound; in attempts to solve the economic problem created for the Port Townsend area by the closure of Fort Worden.

I have resisted, in those cases where I thought opposition was justified, the steady parade of removals of Federal offices and activities from my State. The administration, I would observe, seems bent on making Washington a poor stepchild of California.

Finally, I should like to take this means of informing my constituents that my Washington, D. C., office will remain open, and that I shall be in the State from now until near the year's end, with offices in the United States Courthouse, Seattle.

The Honorable Carl T. Curtis

EXTENSION OF REMARKS

OF

HON. RICHARD M. SIMPSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. SIMPSON of Pennsylvania. Mr. Speaker, for the past 16 years the First Congressional District of Nebraska has been ably represented in the House of Representatives by my distinguished friend and colleague, the Honorable CARL T. CURTIS. It is with great regret that I wish to advise you that this is the last Congress in which Mr. CURTIS will be a Representative. Our loss, however, is the Senate's gain. Mr. CURTIS will surely serve in the 84th Congress, but in a different capacity, that as the junior Senator from Nebraska.

Although only 49 years old, CARL is dean of the Nebraska congressional delegation. He enjoys a long record of achievement in the House of Representatives. I predict that his service in the United States Senate will be marked by the same integrity, industry, and capacity as a legislator and statesman which he evidenced as a Congressman.

I believe all Members of the House know that Mr. CURTIS was elected to the 76th Congress and took office January 3, 1939. It is also well known that he became a member of the Ways and Means Committee in 1945. However, as one of those who has had the privilege of knowing CARL CURTIS intimately, as a colleague and friend, I want to bring to your attention and the attention of the country some of his achievements which, because of his innate modesty, Mr. CURTIS may have permitted to be overlooked.

I served with CARL CURTIS on the Ways and Means Committee and have firsthand knowledge of his influence upon legislation affecting the entire Nation. Not only is he an outstanding authority on social security, but he has also been the author of many provisions in our Federal tax laws which have aided the farmer and the businessman. His interest in the youth of America, as a family man, has made him particularly active in supporting the 4–H groups.

It is doubtful, to my mind, that any congressional district in the United States has ever been more ably served than has the First Congressional District of Nebraska, during the busy and fruitful years Mr. CURTIS has represented its interests here in Washington. Now that he has been called upon by his State to serve in the United States Senate, we in the House will miss his forceful personality and cheerful friendliness. However, I feel sure that all Members on both sides of the aisle will join with me in wishing CARL CURTIS continued success in the discharge of his new responsibilities.

The First Congressional District of Nebraska is losing an excellent Congressman, but the entire State of Nebraska will gain a most able and qualified Senator.

Farm Program

EXTENSION OF REMARKS

OF

HON. JOHN B. BENNETT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. BENNETT of Michigan. Mr. Speaker, I voted against the farm bill providing for flexible price supports when it was before the House recently and was against the conference report, which was even worse than the original bill which passed the House.

The prosperity and stability of American agriculture is one of the most important domestic problems which has faced this Congress. What is good for agriculture is good for every other segment of our economy, and the country as a whole. What is bad for agriculture is, likewise, bad for the remainder of our economy. It is a matter of fact our national welfare and prosperity depends in large degree on the welfare and prosperity of the American farmer.

Secretary of Agriculture Benson made a serious mistake on April 1 of this year when he reduced the support level on dairy products to 75 percent of parity. This action on the part of the Secretary of Agriculture has caused the dairy farmers of my district—and elsewhere around the country—considerable hardship and loss of income. That is the reason I introduced a bill to forbid the Secretary of Agriculture to reduce the support level on dairy products by more than 5 percent in any 1 year. That is also the reason I supported the amendment of the gentleman from Wisconsin [Mr. O'KONSKI] to restore the 90 percent parity level for dairy products. In all fairness, this amendment should have been adopted and I regret very much that it was rejected.

The advocates of a flexible support program tell us this action is necessary in order to reduce surpluses of dairy products which are now on hand; but, the truth is that a flexible program may have just the opposite effect. The best and most effective way to unload the surplus of dairy products which the Government has on hand is to dispose of it through school lunch programs; various public welfare programs; and to permit people who are receiving old-age assistance and other forms of public aid to buy these products at prices they can afford to pay. I am sponsoring a bill which would provide for the disposal of surplus food stocks in this very manner.

It is true that surpluses of farm products are troublesome, but we should thank God we live in a land of plenty rather than a land of scarcity. The farmers and the support program are being blamed for these surpluses—but nothing could be further from the truth. The truth is that the present surplus is caused not by the support program, nor by the farmer, but by the Government, itself. During the war period our Government pleaded with the farmer to increase their plants in order to provide necessary food and fiber for our own people and for our allies. Our farmers responded patriotically and produced to the fullest extent. After the war it was the policy of the Government to rehabilitate our allies and supply them with food. With American aid European farms were restored and the productivity reestablished. Since that time the need for export of farm commodities has not been as great. Surely the farmer cannot be blamed for doing the very thing his Government asked him to do.

Mr. Speaker, we have invested billions of dollars during the last decade in materiel of war. This materiel is not charged as surplus against American industry. Food is also a materiel of war and, therefore, its present abundance should be charged against the farm program which has protected not only the farmer but every segment of our economy.

It has also been charged that agriculture has been and is subsidized more than any other part of our economy. Nothing could be further from the truth. The truth is that since the beginning of World War II subsidies related to our war production have cost some $45 billion. Yet, our country's farm price support and surplus removal operations in the last 20 years have only cost $3½ billion—less than 1 percent of the total value of the crop and livestock marketed.

It is also argued that a flexible system would result in lower living costs. This, too, has been proven a fallacy. Let us take a look at a few items on today's prices. If cotton were reduced to 75 percent of parity, it would lower the price about 5 cents per pound. The average amount of raw cotton in a shirt is three-quarters of a pound. This would save the consumer 4 cents on a $2.50 shirt; a housedress three-quarters of a pound saving consumer 4 cents on a $2.98 or $4.98 dress. A similar small saving would be made on other cotton goods.

Let us take a look at wheat. The value of the farmer's wheat in a 1-pound loaf of bread in 1953 was 2½ cents. The average sale of 1-pound loaves during 1953 was 60.4 cents. The farmer would have to reduce the price of wheat 80 cents per bushel to save the consumer 1 cent per loaf.

In 1952 the price of the farmer's tobacco going into cigarettes averaged about 55 cents per pound. The farmer's share in a regular size package was 3.3 cents. To save the consumer 1 cent per package of cigarettes the farmer would have to reduce his price over 15 cents per pound. Likewise the 75 percent level on dairy products leaves little, if any, saving to the ultimate consumer, but it will mean a tremendous financial loss to the farmer.

Mr. Speaker, I would like to make one final argument. The proponents of the flexible system contend that the 90 percent support program is pricing our farm goods out of the world market. There may be some truth in this contention, but it is likewise true that our industrial goods and finished products are also being priced out of the world market for the simple and obvious reason that our wage scale on the farm and in the factory is at much higher levels than in any other place on the face of the globe. We cannot compete with slave wage rates which are paid in foreign countries. Therefore the argument that farm prices are too high for export does not hold water.

The farmer cannot walk alone. He cannot be asked to sell his products in a free market and buy them in a protected market. All the American farmer wants is a fair and equal chance.

The Automobile Industry: In War or Peace a Productive and Dependable Giant

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EXTENSION OF REMARKS
OF

HON. LOUIS C. RABAUT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. RABAUT. Mr. Speaker, there never has been any question in my mind, since the time I first entered the House in 1935, as to the importance and the preeminence of the automobile industry in the free American way of life. I have watched the city of Detroit and the State of Michigan and the entire Nation grow in strength and vigor and prosperity because of the automobile. We have seen how, heretofore, in line with increased standards of living and lowered production costs, almost every family either owns or can look forward to owning a motorcar. We know that the automobile has become the symbol of Yankee ingenuity and genius, no matter in what section of this earth you may go.

The automobile is as truly and typically American as is soda pop on a warm summer afternoon or baseball or hamburgers and hot dogs.

The automobile industry is one of the sturdiest props upon which our entire economic structure rests. Yet, in 1954, it is in trouble.

Earlier this year, Mr. Speaker, while this House was debating passage of the St. Lawrence Seaway Development Corporation, I spoke out in behalf of the area from which I come and which I have served in Congress for 18 years. These were my words:

> I want to make a special appeal to the Members of the House today in the name of the great automobile industry, which is located in the Great Lakes area. The automobile industry has brought wealth into the economy and a change into the lives of the people of almost every section of the world. It has done a tremendous job for the United States. It has increased real estate values in every section of the country. Almost everyone of you would admit that you could not live where you reside if it were not for the good roads and if it were not for the automobiles. You who bring your produce to market from your districts recognize that the automobile is the cause of the good roads. It is the goose that laid the golden eggs. That industry has served so well, it has grown from a luxury to a necessity in our very way of life.
>
> The automobile industry purchases products from every State in the Union. It has made a tremendous business throughout the Nation. It is the first business of the Nation, surpassing in gigantic strides every other phase of economic activity in the country. The automobile is dependent upon steel, and the Detroit area in the dark days of World War II earned for itself, because of its significance, its know-how, its genius, and its manpower the name of the "hub of the arsenal of democracy." This is the industry that is dependent upon the Great Lakes area. This is where it exists. It appeals to this House today for its support of this bill.

The automobile industry still has the manpower, the productive capacity upon which it has become famous. It still retains its genius and its vision. But it no longer has the market. It no longer has the buyers.

As a consequence, this industry is reeling. It may well be that, if something is not soon done to rectify this great problem, our working people—with their ability and know-how, and our unrivaled auto manufacturies may suffer severe hardship. Even now, unemployment in Michigan, the home of the auto, has reached staggering heights, disaster proportions.

The problem of recession, grave as it is, has affected other sections of our country also.

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For the first 6 months of 1954, the national percentage of those who have been forced to cash in life insurance policies has been up 22 percent. Loans on life insurance for the first 6 months of 1954 are up nearly 27 percent from last year. In manufacturing, the average wage has dropped to approximately $71 a week. Prices continue to creep upward. Foreclosures are on the increase. Overtime pay is virtually nonexistent; the average weekly timesheet is less than 40 hours. Mortgages are up 11 percent.

We need jobs to increase buying and to halt retrogression and possible depression.

We must take steps to stimulate a market which, up to this time, has served as an indicator of the healthful condition of our econonmy. We must do something to invigorate our sagging economy.

Yet, at a time when work is down and unemployment is up, we have seen that tax relief is parceled out to those who stand least in need of it.

We have the goods on our shelves, the autos in our showrooms, but we cannot buy them. There was a time when we could, but it seems past.

It can be said, generally, that what is good for the auto manufacturing industry is good for the entire national economy. Its byproducts are sold and its influences are felt in every corner of our land. It is the chief customer of the steel industry and what affects the former works a hardship or otherwise, as the case may be, upon the latter. Rubber is dependent, in great measure, upon the automobile.

In short, the auto industry is one of our p votal American industries, the success and furtherance of which should be the deep concern of our Government, our policymakers, and of every citizen in our land.

For, in war and in peace, it has been a stanch defender of our liberties and a most productive and dependable friend.

Accomplishments of the Committee on Ways and Means in the 83d Congress

EXTENSION OF REMARKS
OF

HON. DANIEL A. REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. REED of New York. Mr. Speaker, I would like to take this opportunity to commend my colleagues on the Committee on Ways and Means for their outstanding record of accomplishment made during the 83d Congress. This record was compiled only as the result of the most diligent and conscientious effort on the part of every committee member.

Since the convening of the 83d Congress on January 3, 1953, the Committee on Ways and Means has acted favorably on 16 major bills and several bills of somewhat lesser importance. The major legislation included revision of our Federal tax laws, tax-reduction measures, amendments to our social security and unemployment compensation programs, customs simplification and tariff revision, and amendments to the renegotiation act of 1951. For the most part this legislation represented important measures in the President's legislative program. All this legislation was considered most carefully and deliberately by the committee before reporting it to the House of Representatives. Public hearings were held on much of the legislation reported by the committee followed by a thorough study in executive session.

This distinguished legislative record should provide a source of satisfaction and a realization of accomplishment to the committee membership. It is a tribute to the unceasing effort, cooperation, and ability of my collegaues on the Committee on Ways and Means.

I would like at this time to briefly refer to the legislative activity of the committee and other matters affecting the committee during the 83d Congress.

In the 1st and 2d sessions of the 83d Congress, the Committee on Ways and Means reported a total of 52 bills. The status of those bills is as follows:

Legislative status:	*Bills*
Enacted into law	[1] 41
Passed by the House	[2] 7
Recommitted by the House	[3] 2
Rule not granted	[4] 2
Passed House and Senate but Presidential approval withheld	[5] 1

[1] Includes one bill (S. 3447) enacted without being reported.

[2] Of these 7 bills, 2 (H. R. 3370 and 4927) were embodied in H. R. 8300 (Public Law 591).

[3] H. R. 5894 and H. R. 6413.

[4] H. R. 1 and H. R. 5534.

[5] H. R. 157.

During the Congress, the committee held 104 days of public hearings on a variety of subjects and heard the testimony of approximately 1,135 witnesses. Data concerning these hearings follow:

Subject	Days	Witnesses
Graduated cigarette tax	3	28
Extension of distilled spirits bonding period	2	20
Unemployment insurance	26	50
Admissions tax on movie theaters	1	52
Reciprocal trade extension	16	205
Customs simplification	7	43
Excess profits tax extension	11	112
Revenue revision	25	504
Social security	12	110
Increasing free entry limitation allowed American tourists	1	11

A more detailed breakdown of the work of the committee follows:

I. GENERAL TAX REVISION (H. R. 8300, PUBLIC LAW 591)

During the 83d Congress the Committee on Ways and Means conducted an unprecedented and intensive study of our tax laws designed to develop a more equitable and more precise Internal Revenue Code. This project was initiated pursuant to a motion adopted by the Joint Committee on Internal Revenue Taxation on August 15, 1951. In response to a questionnaire sent out to the general public, over 15,000 taxpayer suggestions for improvements in the Internal Revenue Code were received. Groups of leading tax experts throughout the country were organized to study specific problem areas in our Federal tax structure. These groups furnished reports to the committee. Many organizations conferred with the technical staff on tax proposals.

The committee conducted public hearings on 40 different topics of major importance in connection with general tax revision. In the course of these hearings, the committee heard testimony from over 500 witnesses. It conducted hearings on 25 days and 10 nights. The committee remained after adjournment of the first session for 2 weeks to conclude this program of hearings.

The staff of the Joint Committee on Internal Revenue Taxation, the committee staff, and the staffs of the Treasury Department and the Internal Revenue Service conducted joint studies covering the entire code. This work continued intensively while Congress was in adjournment between the 1st and 2d sessions.

When the Congress convened for the second session, the committee started promptly to work in daily executive sessions on the preparation of the new code. The bill which was reported, H. R. 8300, is the first comprehensive revision of the Federal tax laws ever undertaken. Almost 900 pages long, it is the largest piece of legislation ever enacted by the Congress. The bill was signed into law by the President on August 16, 1954. This legislation was referred to by the President as the cornerstone of his legislative program. It has been estimated that over 500,000 man-hours of work have been spent on the bill by the members of the committee and the technical experts who participated in its preparation.

II. OTHER LEGISLATIVE WORK DURING THE FIRST SESSION

Many of the bills which the committee reported during the first session were enacted into law during the second session.

A. TAX LEGISLATION

H. R. 1: This bill provided for an individual income-tax reduction for the calendar year 1953 by moving back by 6 months the termination date of the individual income tax increase imposed under the Revenue Act of 1951. The Revenue Act of 1951 provided an increase in individual income tax liability of about 11 percent of the then existing tax, or 9 percent of the income after tax, whichever was smaller. Under present law this increase terminated as of December 31, 1953. Under H. R. 1 the termination date would have been June 30, 1953. This legislation was not considered by the House of Representatives.

H. R. 62: This bill amends sections 371 of the Internal Revenue Code of 1939 so as to permit distilled spirits and wines rectified in bonded manufacturing warehouses, class 6, and distilled spirits produced in proof and bottled in such warehouses, to be withdrawn therefrom without payment of duty or tax for shipment to Guam, American Samoa, Panama Canal Zone, or the Virgin Islands.

This bill passed the House but was not acted on by the Senate.

H. R. 157: This bill provided for the removal of the 20-percent excise tax on admissions to motion pictures if the principal amusement offered in connection with such admission is the showing of motion pictures.

This bill was passed by the House and the Senate but was killed by pocket veto. Note, however, that some excise tax relief was accorded to the motion-picture industry by H. R. 8224 enacted during the second session.

H. R. 3370: This bill eliminates a hardship on taxpayers who served in the Armed Forces of the United States and acquired children in the Philippines by providing that such children, born or adopted prior to January 1, 1953, may be claimed as dependents by taxpayers who were members of the Armed Forces of the United States at the time the children were born or legally adopted. The provisions of this bill were incorporated into the Internal Revenue Code of 1954.

H. R. 4152: This bill extended for 1 year the provisions of the Internal Revenue Code of 1939 which excluded from taxable income the compensation of members of the Armed Forces of the United States received as the result of active service in combat zones, such as Korea, or hospitalized as the result of wounds, disease or injury incurred while serving in a combat zone.

This bill became Public Law No. 213. Note that H. R. 8300 enacted a permanent provision which will continue this relief while the draft law is in effect.

H. R. 4927: This bill amends section 3656 (b) (1) of the Internal Revenue Code of 1939 so as to permit the acceptance of uncertified checks in payment for stamp taxes. The result of the bill is that uncertified checks may be used in payment of all types of Internal Revenue taxes without regard to whether they are collectible by the use of stamps.

This bill has passed the House but was not acted on by the Senate. Note that the substance of the bill was incorporated into H. R. 8300.

H. R. 4980. This bill provided that a person entitled to the drawback of taxes paid on distilled spirits used for designated nonbeverage purposes can elect in writing to file monthly claims and receive the refund on a monthly basis upon the filing of an appropriate bond.

The bill became Public Law 283.

H. R. 5257: This bill made applicable to the Trust Territories of the Pacific Islands the sections of the Internal Revenue Code of 1939 which are derived from the Harrison Anti-Narcotic Act enacted in 1914. The legislation in question is designed to provide for the orderly supply of narcotic drugs for medical purposes in the trust territories.

This bill became Public Law 238.

H. R. 5407: This bill extends from 8 to 12 years the period during which certain distilled spirits may be retained in internal revenue bonded warehouses before the payment of tax.

The bill was passed by the House and reported by the Senate Finance Committee.

H. R. 5898: This bill provided for a 6-month extension of the excess profits tax as requested by the President so as to extend until December 31, 1953, the period with respect to which the excess profits shall be effective at the full rate.

The bill became Public Law 125.

H. R. 6403: This bill provided for abatement of jeopardy assessments when jeopardy does not exist.

The bill became Public Law 274.

H. R. 6413: This bill provided that employees of the Federal Government subject to an income tax imposed by cities with a population of 500,000 or more persons shall pursuant to an agreement between the Secretary of the Treasury and the proper State authorities have such city income taxes withheld from their pay.

This bill was recommitted by the House.

H. R. 6426. This bill, known as the Technical Changes Act of 1953, contained 17 sections amending various provisions of the Internal Revenue Code of 1939. Among the most important of these was a section eliminating the provision of the Code which permitted citizens of the United States to avoid United States income taxes upon amounts earned abroad if they remain absent from the United States for 17 out of 18 consecutive months, even though they did not acquire a foreign residence. Another provision of the bill permitted the amortization of farm grain storage facilities over a 5-year period.

The Senate amended the bill so that citizens who remained abroad 17 out of 18 months could retain as exempt income the first $20,000 earned abroad.

The bill became Public Law 287.

H. R. 6440: This bill extended the benefits of section 345 of the Internal Revenue Act of 1951 which abates the income tax on the income of trusts accumulated for the benefit of servicemen who were subsequently killed on active duty between December 7, 1941, and January 1, 1948, to cases which, prior to the 1951 legislation, had been adjudicated by the courts.

This bill was reported by the Senate Finance Committee with amendments but was not passed by the Senate.

B. TARIFF AND CUSTOMS LEGISLATION

H. R. 222: This bill suspends for 2 years the import duty imposed under paragraph 207 of the Tariff Act of 1930, as amended, on crude bauxite.

The bill became Public Law 499.

House Joint Resolution 293: This joint resolution would permit articles imported from foreign countries for the purpose of exhibition at the Washington State Third International State Fair, Seattle, Wash., to be admitted without payment of tariff or duties.

The resolution became Public Law 185.

H. R. 568: This bill extended until June 30, 1954, the suspension of the 2-cents-per-pound import tax on copper imposed under section 3425 of the Internal Revenue Code of 1939.

The bill became Public Law 4.

H. R. 2763: This bill amends the Tariff Act of 1930 so as to provide for the assessment of duty and import tax on dowels of certain species of wood at the same rate applicable to lumber of the same species of wood and to provide for the duty-free entry of dowels not of certain specific types of wood.

The bill became Public Law 595.

H. R. 3658: This bill continued for an additional 2 years the existing law which permits the entry of bona fide gifts that do not exceed $50 in value without the payment of duties or taxes, when such gifts are sent from abroad by members of the Armed Forces.

The bill became Public Law 19.

H. R. 3659: This bill continued until July 1, 1955, the existing law which allows the exemption from duty of personal and household effects brought into the United States under Government orders.

The bill became Public Law 20.

H. R. 5148: This bill continued the existing exemption of metal scrap from import duties and taxes for another year, until June 30, 1954, but excluding the zinc scrap from the suspension unless such zinc scrap is imported under the terms of a written contract entered into prior to July 1, 1953.

The bill became Public Law 221.

H. R. 5534: This bill, as reported, would suspend for 1 year the duty upon silicon aluminum, or certain aluminum silicon, aluminum, aluminum scrap, or aluminum alloy.

The bill did not pass the House.

H. R. 5495: This bill, known as the Trade Agreements Extension Act of 1953, extended until June 12, 1954, the authority of the President to enter into trade agreements, as requested by the President, reduced from 1 year to 9 months the period within which the Tariff Commission must make its investigation and report on applications for relief under the escape clause, and established a temporary bipartisan commission to be known as the Commission on Foreign Economic Policy.

The bill became Public Law 215.

H. R. 5561: This bill was designed to make it clear that chemically synthesized cocaine and other narcotic drugs are covered by existing provisions of law, and to the same extent, as are those narcotic drugs which are produced from natural sources.

The bill became Public Law 240.

H. R. 5877: This bill, known as the Customs Simplification Act of 1953, represented a major overhaul and modernization of the administrative and procedural provisions of the customs law. It contained 24 sections designed to simplify customs operations, reduce both to the Government and to the public the expense and delay incident to customs administration, and eliminate certain inequities.

The bill became Public Law 243.

H. R. 5894: This bill proposed to amend the Trade Agreements Extension Act of 1951 and certain other provisions of law in order to provide protection for American workers, miners, farmers, and producers.

The bill was recommitted by the vote of the House.

H. R. 6465: This bill closed the loopholes in the tariff laws by which foreign producers have avoided the import duty imposed for the protection of the domestic rubber-soled footwear industry.

The bill became Public Law 479.

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H. R. 6548: This bill amended certain administrative provisions of the Tariff Act, as amended, with respect to the determination of value, the conversion of currency, and reentry of certain American metal products exported for further processing.

The bill passed the House but was not acted on by the Senate.

C. SOCIAL SECURITY AND RELATED LEGISLATION

H. R. 2062: This bill permitted the coordination of the Wisconsin retirement fund with the Federal old-age and survivors insurance system by permitting members of the Wisconsin retirement fund, while retaining the protection of that fund, to be covered by old-age and survivors insurance if the State so desires.

The bill became Public Law 279.

H. R. 4151: This bill provided for the extension until July 1, 1955, of the existing wage credits with respect to the Old-Age and Survivors Insurance system of individuals who have served in the active military and naval service of the United States since September 14, 1940.

The bill became Public Law 269.

H. R. 5173: This bill provided that the excess of collections from the Federal unemployment tax over unemployment compensation administrative expenses shall be used to establish and maintain a $200 million reserve in the Federal unemployment account. Under the bill this reserve is to be available for advances to the States. The bill also provided that the remainder of such excess collections shall be returned to the States.

The bill became Public Law 567.

H. R. 5303: This bill amended sections 1606 and 1607 of the Internal Revenue Code of 1939 in order to permit unemployment insurance coverage under State unemployment compensation laws for seamen employed on certain vessels operated for the account of the United States.

The bill became Public Law 196.

D. OTHER LEGISLATION

H. R. 5256: This bill provided for a system of judicial retirement for the judges of the Tax Court of the United States. It provided that a judge of the Tax Court may elect to retire with pay after serving for a period of 10 years and reaching the age of 70, or after serving an aggregate of 18 years, or more. His retirement pay under the bill varies in proportion to his length of service. Judges who elect to retire under the plan may be recalled at the discretion of the chief judge up to 90 days of service annually.

The bill became Public Law 219.

H. R. 6287: This bill amends the Renegotiation Act to extend the renegotiation authority to December 31, 1954. The present expiration date is December 31, 1953. In addition, the bill provides three amendments dealing respectively with synthetic rubber, prime contracts for machine tools, and standard commercial articles.

The bill passed both Houses of Congress and is now awaiting approval by the President.

H. R. 6672: This bill provides for a temporary $6 billion increase in the statutory debt limit.

The bill became Public Law 686.

In addition to the foregoing, the committee held 3 days of public hearings and heard 32 witnesses on H. R. 1417, a bill to provide for a graduated excise-tax rate on cigarettes in lieu of the present flat rate. However, the committee took no further action on this bill.

III. LEGISLATIVE WORK DURING THE SECOND SESSION

A. TAX LEGISLATION

H. R. 8300: This bill, constituting the Internal Revenue Code of 1954, has been referred to above.

House Concurrent Resolution 263 and House Concurrent Resolution 268: These concurrent resolutions were designed to make certain technical and conforming changes relating to the enrollment of H. R. 8300.

H. R. 8224: This bill granted excise-tax relief of $1 billion and removed certain discriminatory features of the excise-tax provisions of the Internal Revenue Code of 1939. Under the bill most excise-tax rates which were in excess of 10 percent were reduced to 10 percent.

The bill became Public Law 324.

B. TARIFF AND CUSTOMS LEGISLATION

H. R. 7709: This bill continues until the close of June 30, 1955, the suspension of certain import taxes on copper.

The bill became Public Law 452.

H. R. 8155: This bill continues until the close of June 30, 1955, the suspension of duties and import taxes on metal scrap. The bill became Public Law 678.

H. R. 8628: This bill amends the Tariff Act of 1930 to insure that crude silicon carbide imported into the United States will continue to be exempt from duty.

The bill became Public Law 689.

H. R. 8932: This bill would reclassify dictaphones under the Tariff Act of 1930 so that they will be dutiable as business machines rather than as musical instruments.

The bill became Public Law 693.

H. R. 9248: This bill provides for the deferment of the filing of a customs bond in connection with the entry of certain racing vehicles and craft brought into the United States to participate in non-purse-type races.

The bill became Public Law 694.

H. R. 9315: This bill provides for an 18 months' extension on a reciprocal basis of the period of the free entry of Philippine articles into the United States.

The bill became Public Law 474.

H. R. 9474: This bill extends the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930 for a period of 1 additional year.

The bill became Public Law 464.

H. R. 9666: This bill would change the tariff classification of hardboard under present tariff law. The bill has passed the House. The Senate Finance Committee did not report the bill, but adopted a resolution directing the United States Tariff Commission to make a study of the hardboard industry and to report on the proper classification of hardboard on or before February 28, 1955.

H. R. 10009: This bill provides for the review of customs tariff schedules, improves procedures for the tariff classifications of unenumerated articles, and makes other changes in the customs laws.

This bill is awaiting approval by the President.

House Joint Resolution 256: This joint resolution permits articles imported from foreign countries for the purpose of exhibition at the First International Instrument Congress and Exposition, Philadelphia, Pa., to be admitted without payment of tariff.

The resolution became Public Law 481.

House Joint Resolution 537: This joint resolution permits articles imported from foreign countries for the purpose of exhibition at the Washington State Fourth International Trade Fair, Seattle, Wash., to be admitted without payment of tariff.

The resolution became Public Law 485.

House Joint Resolution 545. This joint resolution permits articles imported from foreign countries for the purpose of exhibition of the International Trade Sample Fair, Dallas, Tex., to be admitted without payment of tariff.

The resolution became Public Law 486.

C. SOCIAL SECURITY AND RELATED LEGISLATION

H. R. 9366: This bill constitutes an overall revision and liberalization of the social-security program. Among the amendments which it makes in present law are those which extend coverage under the old-age and survivors insurance program to 10.2 million additional persons, increase the benefits for those already retired and those who will retire in the future, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits. Aided by the extensive analysis made by its Subcommittee on Social Security, the committee held extensive public hearings and lengthy executive sessions in order carefully to consider this important legislation.

The bill was approved by the President on September 1, 1954.

H. R. 9707: This bill extends and improves the unemployment-insurance system. It extends unemployment compensation coverage to millions of workers to whom this protection has not heretofore been available. The bill is awaiting approval by the President.

D. OTHER LEGISLATION

S. 3605: This bill abolishes the offices of Assistant Treasurer and Assistant Register of the Treasury and provides an Under Secretary for Monetary Affairs and an additional Assistant Secretary in the Treasury Department. The bill became Public Law 516.

S. 3447: This bill will amend the Internal Revenue Code to permit the oral prescription to certain nonhabit-forming narcotic drugs. The bill is awaiting approval of the President.

In addition to the foregoing the committee held public hearings on H. R. 8352, a bill which would have increased from $500 to $800 the additional exemption from customs duties allowed to

residents under existing law thereby raising the total free entry privilege to $1,000. The committee took no further action on the bill.

SUBCOMMITTEES

The Committee on Ways and Means has four subcommittees.

First. Subcommittee on Administration of the Internal Revenue Laws: This subcommittee is composed of Congressmen ROBERT W. KEAN, Republican, of New Jersey, chairman; THOMAS E. MARTIN, Republican, of Iowa; John W. BYRNES, Republican, of Wisconsin; ANTONI N. SADLAK, Republican, of Connecticut; CECIL R. KING, Democrat, of California; THOMAS J. O'BRIEN, Democrat, of Illinois; and HALE BOGGS, Democrat, of Louisiana.

Since January 15, 1953, this subcommittee has held public hearings concerning revenue administration on 41 days, at which 73 witnesses testified. In preparation for these hearings and in the course of related studies, the subcommittee staff has interrogated 182 witnesses in Washington and 7 other cities.

The subcommittee's public hearings have dealt with four subjects: First, improper political influence in selection and promotion of Bureau of Internal Revenue personnel, in particular in the Alcohol and Tobacco Tax Division; second, interference by former high Treasury officials in disposition of tax cases for personal or political reasons; third, efforts by several taxpayers and their representatives, to "fix" tax cases and prevent tax fraud prosecutions through the exertion of influence on Bureau, Treasury, and Department of Justice officials; and fourth, progress made by the Internal Revenue Service in implementing subcommittee recommendations for the improvement of the administration of the internal revenue laws.

Collateral studies by the subcommittee staff concerned the recent reorganization of the Bureau of Internal Revenue and the Tax Division of the Department of Justice. These studies, as well as analyses of many cases involving the problems dealt with in public hearings, furnished material for the subcommittee's concluding report.

During the second session this subcommittee met in public and executive session to receive the testimony of the Commissioner of Internal Revenue on the progress being made to improve the Internal Revenue Service.

Second. Subcommittee on Social Security: This subcommittee is composed of Congressman CARL T. CURTIS, Republican, of Nebraska, chairman; ANGIER L. GOODWIN, Republican, of Massachusetts; HOWARD H. BAKER, Republican, of Tennessee; THOMAS B. CURTIS, Republican, of Missouri; JERE COOPER, Democrat, of Tennessee; JOHN D. DINGELL, Democrat, of Michigan; and WILBUR D. MILLS, Democrat, of Arkansas.

The Subcommittee on Social Security carried out a study of the social security program and held extensive public hearings on the old-age and survivors insurance and public assistance programs.

Third. Subcommittee on Unemployment Insurance: This subcommittee is composed of Congressmen THOMAS A. JENKINS, Republican, of Ohio, chairman; NOAH M. MASON, Republican, of Illinois; VICTOR A. KNOX, Republican, of Michigan; JAMES B. UTT, Republican, of California; NOBLE J. GREGORY, Democrat, of Kentucky; AIME J. FORAND, Democrat, of Rhode Island; and HERMAN P. EBERHARTER, Democrat, of Pennsylvania.

In connection with unemployment insurance, reference is made to the activities of the full committee in regard to H. R. 5173 and H. R. 5303.

Fourth. Subcommittee on Taxation of Life Insurance Companies: This subcommittee is composed of Congressmen THOMAS B. CURTIS, Republican, of Missouri, chairman; VICTOR A. KNOX, Republican, of Michigan; JAMES B. UTT, Republican, of California; WILBUR MILLS, Democrat, of Arkansas; and NOBLE J. GREGORY, Democrat, of Kentucky. The subcommittee is conducting a study of the problems involved in the treatment of life-insurance companies for Federal income-tax purposes which are presently taxed under a temporary formula. The subcommittee has held numerous meetings with interested individuals and groups for the purpose of securing factual information. It is engaged in formulating various alternative proposals for a permanent method of taxing life insurance companies which are to form the basis of public hearings at a future date.

OTHER ACTIVITIES

As previously pointed out, H. R. 5495 provided for the creation of a temporary bipartisan Commission on Foreign Economic Policy. The Commission studied and reported on the subjects of international trade and its enlargement consistent with a sound domestic economy, our foreign economic policy, and the trade aspects of our national security and total foreign policy. Three members of the Committee on Ways and Means were named as members of the Commission; viz.: Honorable DANIEL A. REED, Republican, of New York; Honorable RICHARD M. SIMPSON, Republican, of Pennsylvania; and Honorable JERE COOPER, Democrat, of Tennessee.

IN MEMORIAM

With the death on July 24, 1954, of Representative A. Sidney Camp, of Georgia, the committee lost one of its ablest and most distinguished members who will long be remembered for his keen mind, devotion to duty, and judicial temperament.

Senate Resolution 301

EXTENSION OF REMARKS
OF
HON. WAYNE MORSE
OF OREGON

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. MORSE. Mr. President, within the next few days I shall prepare a documentation supporting the bill of particulars which I have filed by way of amendment to Senate Resolution 301. I ask unanimous consent that my amendment to Senate Resolution 301 in the form of a bill of particulars, along with the documentation material which I shall prepare in support of that amendment, be inserted in the body of the final issue of the CONGRESSIONAL RECORD for this session of Congress.

There being no objection, the matter referred to will be printed in the RECORD, as follows:

Senate Resolution 301

(In the Senate of the United States, July 31, 1954)

Amendment intended to be proposed by Mr. MORSE to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. MCCARTHY, viz:

On page 1, lines 4 and 5, strike out the words "and such conduct is hereby condemned.", and insert in lieu thereof the following: "because the said Mr. MCCARTHY—

"(a) declined to comply with a request made by letter on November 21, 1952, by the chairman of the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration, that he appear before the subcommittee to supply information concerning certain specific matters involving his activities as a Member of the Senate;

"(b) unfairly accused his fellow Senators GILLETTE, MONRONEY, HENDRICKSON, HAYDEN, and HENNINGS of improper conduct in carrying out their duties as Senators;

"(c) as chairman of a committee resorted to abusive conduct in his interrogation of Gen. Ralph Zwicker, including a charge that General Zwicker was unfit to wear the uniform, during the appearance of General Zwicker as a witness before the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations on February 18, 1954;

"(d) received and made use of confidential information unlawfully obtained from a document in executive files upon which document the Federal Bureau of Investigation had placed its highest classification; and offered such information to a lawfully constituted Senate subcommittee in the form of a spurious document which he falsely asserted to the subcommittee to be 'a letter from the FBI';

"(e) openly invited and incited employees of the Government to violate the law and their oaths of office by urging them to make available information, including classified information, which in the opinion of the employee would be of assistance to the junior Senator from Wisconsin in conducting his investigations, even though the supplying of such information by the employee would be illegal and in violation of Presidential order and contrary to the constitutional rights of the Chief Executive under the separation-of-powers doctrine;

"(f) attempted to invade the constitutional power of the President of the United States to conduct the foreign relations of the United States by carrying on negotiations with certain Greek shipowners in respect to foreign trade policies, even though the executive branch of our Government had a few weeks previously entered into an understanding with the Greek Government in respect to banning the flow of strategic materials to Communist countries; and

"(g) permitted and ratified over a period of several months in 1953 and 1954 the abuse of senatorial privilege by Mr. Roy Cohn, chief counsel to the Permanent Investigations Subcommittee of the Senate Committee on Government Operations of which committee and subcommittee the junior Senator from Wisconsin is chairman, Mr. Cohn's abuse having been directed toward attempting to secure

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preferential treatment for Pvt. David Schine by the Department of the Army, at a time when the Army was under investigation by the committee.

"SEC. 2. It is the sense of the Senate that such conduct is hereby condemned."

DOCUMENTATION OF CHARGES UNDER CONSIDERATION BY THE SELECT COMMITTEE ON THE RESOLUTION (S. RES. 301) TO CENSURE SENATOR JOSEPH R. MCCARTHY

(Submitted by Senator WAYNE MORSE)

I appreciate the invitation tendered by the chairman of the select committee, on its behalf, to submit documentation of the charges contained in the amendment, in the nature of a bill of particulars, which I submitted to the resolution to censure Senator MCCARTHY.

The original resolution and the amendments to it consist of allegations of misconduct and proposals for action to be taken by the Senate.

Implicit in the Senate's action of August 2, 1954, creating the select committee and referring to it the resolution and amendments were instructions to the committee to do three things:

(1) To determine whether the evidence supports the specific allegations that Senator MCCARTHY has committed improper acts;

(2) To recommend what action should be taken by the Senate to discipline Senator MCCARTHY, if, as I believe it will, the evidence supports the allegations of improper conduct;

(3) To recommend to the Senate what action, in the committee's opinion, should be taken to remedy the unwholesome situation that has developed over controversial investigations.

The committee has not invited comment upon the latter two tasks and I will not volunteer them. My views are a matter of record.

I do not possess any special sources of information, either as a Senator or as an individual, as to the charges of misconduct brought against Senator MCCARTHY by Senators FLANDERS and FULBRIGHT and me. The documentation which is hereby submitted is based upon data and testimony and the statements of Senator MCCARTHY himself which are contained in transcripts and a report of Senate committees and public statements. This material is confined to the allegations of misconduct contained in the bill of particulars of my amendment to Senate Resolution 301. In some instances those allegations are the same or similar to the allegations made by the Senator from Vermont and the Senator from Arkansas.

This material is submitted with the hope that it will be of assistance to the commitee in discharging its duties and will expedite its work.

Respectfully submitted.

WAYNE MORSE,
United States Senator.

(Copies to all members of select committee, Senator JOSEPH MCCARTHY.)

COMMITTEE ITEM 1

Incidents of contempt of the Senate or a senatorial committee, referred to in the following:

A. Amendment proposed by Mr. FULBRIGHT to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. MCCARTHY, viz: "(3) Although repeatedly invited to testify by a committee of this Senate headed by the Senator from Iowa, the junior Senator from Wisconson denounced the committee and contemptuously refused to comply with its request."

B. Amendment proposed by Mr. MORSE to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. MCCARTHY, viz: "(a) Declined to comply with a request made by letter on November 21, 1952, by the chairman of the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration, that he appear before the subcommittee to supply information concerning certain specific matters involving his activities as a Member of the Senate."

C. Amendment proposed by Mr. FLANDERS to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. MCCARTHY, viz: "(17) He has continued to show his contempt for the Senate by failing to explain in any manner the six charges contained in the Hennings-Hayden-Hendrickson report which was filed in January 1953. This involves his bank transactions, possible income-tax evasions, and the Lustron deal. The taint persists until he satisfactorily explains these matters, which he refused to do, although invited six times to appear, during the 82d Congress."

Documentation

Report of the Subcommittee on Privileges and Elections to the Committee on Rules and Administration, United States Senate, pursuant to Senate Resolution 187 and Senate Resolution 304.

Summary of facts

1. On August 6, 1951, Senate Resolution 187 was introduced in the Senate by Senator William Benton of Connecticut. The resolution called for an investigation of Senator JOSEPH MCCARTHY's participation in the 1950 Maryland senatorial general election and "such investigation with respect to his other acts since his election to the Senate, as may be appropriate to enable such committee to determine whether or not it should initiate action with a view toward the expulsion from the United States Senate of the said Senator JOSEPH R. MCCARTHY." The resolution was referred by the President of the Senate to the Senate Committee on Rules and Administration and, in turn, to its Subcommittee on Privileges and Elections for consideration. (Report, p. 1, appendix, pp. 59–60.)

2. By letter of September 17, 1951, Senator MCCARTHY informed Senator GUY GILLETTE, chairman of the subcommittee, that he proposed to cross-examine witnesses "who appear to ask for my expulsion because of my exposure of Communists in Government." (Appendix, p. 60.)

3. By letters of September 25 and October 1, 1951, Senator GILLETTE advised Senator MCCARTHY that cross-examination of witnesses before the subcommittee would be limited to subcommittee members. Senator GILLETTE also stated:

"It is hoped that if you desire to appear and make any statement in connection with this matter, that a time can be fixed before the 10th of October. I should be glad to have your comment relative to a convenient time for you if you desire to come before us." (Appendix, p. 61.)

4. By letter of October 4, 1951, Senator MCCARTHY acknowledged the letter from Senator GILLETTE, stating as follows:

"This is to acknowledge receipt of your letter of October 1 in which you offer me an opportunity to appear before your committee and answer Senator Benton's charges.

"Frankly, GUY, I have not and do not intend to even read, much less answer, Benton's smear attack. I am sure you realize that the Benton type of material can be found in the Daily Worker almost any day of the week and will continue to flow from the mouths and pen of the camp followers as long as I continue my fight against Communists in Government." (Appendix, pp. 61–62.)

5. By letter of December 21, 1951, Senator GILLETTE advised Senator MCCARTHY (in part):

"As I have told you before, if you care to appear before the subcommittee, we should be glad to make the necessary arrangements as to time and place. Your letter and this reply will be made available to the members of the subcommittee by copy and you will be promptly advised as to what action the subcommittee decided to take.

"In the meantime, as I have stated above in this letter, I shall be glad to confer with you personally as to matters concerning our staff and its work." (Appendix, pp. 65–66.)

6. On April 8, 1952, Senator HAYDEN, chairman of the Committee on Rules and Administration, introduced on the floor of the Senate, Senate Resolution 300 (exhibit 14 at p. 68 of report), which recited a charge by Senator MCCARTHY "that the subcommittee lacked jurisdiction to investigate such acts of the Senator from Wisconsin [Mr. MCCARTHY] as were not connected with election campaigns" and which stated the purpose of the resolution to be as follows:

"Now, therefore, to determine the proper jurisdiction of the Committee on Rules and Administration and to express the confidence of the Senate in its committee in their consideration of Senate Resolution 187, it being understood that the following motion is made solely for this test and that the adoption of the resolution is opposed by the Members on whose behalf it is submitted, be it

"*Resolved*, That the Committee on Rules and Administration be, and it hereby is, discharged from the further consideration of Senate Resolution 187." (Report, p. 5, appendix pp. 68–69.)

7. On April 10, 1952, the Senate voted on Senate Resolution 300, and, by a vote of 60–0 upheld the jurisdiction of the Senate Subcommittee on Privileges and Elections to continue its investigation of Senator MCCARTHY and confirmed its confidence in the honesty and integrity of the Members of the subcommittee. (Report, p. 5.)

8. On April 10, 1952, Senator MCCARTHY introduced Senate Resolution 304 to investigate Senator Benton of Connecticut. The resolution requested the Committee on Rules and Administration of the United States Senate to make such investigation of Senator Benton's 1950 senatorial campaign funds and other activities, and his associates, as the committee deemed necessary in order to recommend action to the Senate. (Report, p. 5.)

9. On May 7, 1952, Senator GILLETTE, as chairman of the subcommittee, wrote Senator MCCARTHY:

"MY DEAR SENATOR: The Subcommittee on Privileges and Elections in executive session this morning voted to hold public hearings on Senate Resolution 187 which was introduced in the Senate by Senator William Benton of Connecticut on August 6, 1951, and was thereafter referred to this subcommittee for action.

"It was further decided that the hearings are to begin on Monday, May 12, and that the first charge to be heard will be Senator Benton's 'Case No. 2,' wherein it was alleged that you had improperly received a fee of $10,000 in 1948 from the Lustron Corp. for an article on housing which was included in an advertising booklet published by that company.

"The subcommittee has not yet determined the order of witnesses for this first case but we expect to do so by Friday after consultation with the staff.

"In the meantime I do wish to extend to you the opportunity to appear at the hearings for the purpose of presenting testimony relating to this charge. The hearings in this case will probably continue for several days and we shall make whatever arrangements for your appearance are most convenient for you." (Appendix, pp. 79–80.)

10. By two letters dated May 8, 1952, addressed to Senator GILLETTE, Senator MCCARTHY acknowledged the invitation to appear before the subcommittee. In one letter Senator MCCARTHY discussed the Lustron case. In the other he discussed his resolution calling for an investigation of Senator BENTON. (Appendix, pp. 80–82).

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11. On May 10, 1952, Senator GILLETTE again wrote Senator MCCARTHY. His letter stated in part:

"You will note from my letter of the 7th that I stated in the concluding paragraph 'I shall extend to you the opportunity to appear at the hearings for the purpose of presenting testimony relating to this charge. The hearings in this case will probably continue for several days and we shall make whatever arrangements for your appearance are most convenient for you.'

"The subcommittee, in determining its further action relative to the Benton resolution, decided to take up the charges one by one and, if additional evidence was desired in addition to the staff report that was before us, that the subcommittee would undertake to develop further testimony where it seemed desirable to do so. At their meeting on May 7 the subcommittee concluded that they wished to take some additional testimony with reference to charge No. 2 and fixed next Monday, May 12, as the date for the hearing, at which witnesses under them could be heard.

"It seemed the courteous thing to do to invite you to attend so you could have full opportunity to present additional evidence or, at a later period, to present any evidence you might wish to make available to us in refutation or explanation of any evidence which you adduced at the hearing. That was the purpose of my letter to you and you were assured that the opportunity will continue to be yours to present such matter as you wish to present to us in connection with this hearing and to attend, if you desire to do so." (Appendix, p. 83.)

12. On June 9, 1952, Senator GILLETTE advised Senator MCCARTHY that he had "fixed this Thursday, 10 a. m., for you to present a statement to us relative to your resolution concerning Senator BENTON." Senator GILLETTE stated that hearings would be held in room 104B (Senate Office Building). (Appendix, p. 86.)

13. By letter of June 11, 1952, Senator MCCARTHY advised Senator GILLETTE that he would be unable to attend the hearing on Thursday, and that he would be "tied up" Monday and Tuesday of the following week (Appendix, p. 86.)

14. In a letter dated June 12, 1952, addressed to Senator GILLETTE, Senator MCCARTHY stated:

"This will confirm our conversation on the Senate floor that I will be available either Thursday or Friday of next week to appear before your committee. As I told you on the floor, it may be extremely difficult for me to appear on Wednesday. I understand from our conversation that BENTON wants to be present but will be unable to appear Thursday or Friday.

"Under the circumstances, it will be perfectly agreeable to me to appear Saturday, if necessary. There is also the remote possibility that I may be able to meet with your committee Wednesday, although I doubt it very much at this time." (Appendix, p. 87.)

15. By letter of June 18, 1932, Senator GILLETTE advised Senator MCCARTHY that he had ordered a meeting of the subcommittee to be held on Monday, June 23, at 10 a. m., and that the subcommittee would at that time receive from Senator MCCARTHY a substantiation of the charges contained in S. Res. 304. (Appendix, p. 87.)

16. By letter of June 19, 1952, Senator MCCARTHY advised Senator GILLETTE that it was necessary that he, Senator MCCARTHY, appear in court in Syracuse, N. Y., on Monday, June 23. (Appendix, p. 88.)

17. By letter of June 20, 1952, Senator GILLETTE advised Senator MCCARTHY, "We will consult your convenience as to the fixing of another date for hearing you on your resolution which pertains to Senator Benton." (Appendix, p. 91.)

18. By letter of June 23, 1952, Senator GILLETTE advised Senator MCCARTHY that he would expect to hear from Senator MCCARTHY on his return from Syracuse. (Appendix, p. 92.)

19. Senator GILLETTE received a letter dated June 24, 1952, from Mary B. Driscoll, secretary to Senator MCCARTHY, stating that Senator MCCARTHY "suggests a date be set far enough in advance so that all concerned will have ample time to arrange their schedules and so that no excuse can be made to postpone this hearing any longer." The letter referred to a hearing on Senate Resolution 304. The letter concluded, "Senator MCCARTHY will be available for this purpose on July 3." (Appendix, p. 92.)

20. On June 25, 1952, Senator GILLETTE sent the following telegram to Senator MCCARTHY:

"Re your letter June 24, signed by your secretary, Mary Driscoll, I have acted on your suggestion and fixed July 3, 10 a. m., as the time to hear your testimony on your Resolution No. 304. The place will be Senate Caucus Room and you will receive card confirming this in due time." (Appendix, p. 93.)

21. By letter of July 1, 1952, Senator MCCARTHY advised the subcommittee in part as follows:

"I understand you want additional material to implement that contained in the resolution presented on Benton. I shall appear in accordance with your request. However, I want it definitely understood that I have never requested, nor do I now request, the opportunity of appearing before your committee on the Benton matter. I feel that your committee was given ample leads in my resolution if you cared to conduct the same kind of investigation of Benton that you conducted of MCCARTHY.

"I am far too busy with more important matters to waste much time on Benton. However, in view of your request, I shall appear and try to give you such material on Benton as is available to me without making a detailed investigation of his case. If an investigation is to be made, it will have to be made by your staff as they did in my case." (Appendix, p. 93.)

22. On September 10, 1952, Senator GILLETTE wrote to Senator HAYDEN, suggesting that in view of the resignation of Senator WELKER from the subcommittee, the membership of the subcommittee be reduced to three members. Senator GILLETTE tendered his resignation from the subcommittee. (Appendix, p. 95.)

23. On November 7, 1952, Mr. Paul J. Cotter, chief counsel for the subcommittee, sent the following letter to Senator MCCARTHY:

"DEAR SENATOR MCCARTHY: In connection with the consideration by the Subcommittee on Privileges and Elections of Senate Resolution 187, introduced by Senator Benton on August 6, 1951, as well as the ensuing investigation, I have been instructed by the subcommittee to invite you to appear before said subcommittee in executive session. Insofar as possible, we would like to respect your wishes as to the date on which you will appear. However, the subcommittee plans to be available for this purpose during the week beginning November 17, 1952.

"It will be appreciated if you will advise me at as early a date as possible of the day you will appear, in order that the subcommittee may arrange its plans accordingly." (Appendix, p. 96.)

24. The following telegram was sent to Senator MCCARTHY, apparently on November 14, the day on which the subcommittee received a letter from Mr. Ray Kiermas, administrative assistant to Senator MCCARTHY (see letter in appendix, p. 98):

"Reference is made to our letter of November 7 again inviting you to appear before this subcommittee and to the reply of your administrative assistant received today. You are advised that this committee does not consider the aforementioned letter of your assistant to be an adequate or satisfactory answer. This committee desires an opportunity to examine you under oath to clarify, if possible, certain questions that have been raised from facts at hand, particularly with respect to your intricate financial transactions and certain of your activities. Your continued refusal to carry out the instructions of the United States Senate would appear to present a conscious disregard by you for the Senate's authority and a desire to prevent a disclosure of the facts. Failure to receive a reply by return wire that you will appear before this committee in executive session no later than November 20 can only be construed as a final refusal to testify under oath before this committee.

"THOMAS C. HENNINGS,
"Chairman, Subcommittee on
"Privileges and Elections."

(Report, p. 99.)

25. On November 21, 1952, Senator THOMAS C. HENNINGS, who had succeeded Senator GILLETTE as chairman of the subcommittee, addressed a letter to Senator MCCARTHY which stated in part:

"DEAR SENATOR MCCARTHY: As you will recall, on September 25, 1951, May 7, 1952, and May 10, 1952, this subcommittee invited you to appear before it to give testimony relating to the investigation pursuant to Senate Resolution 187."

The letter contained a copy of the November 7 letter to Senator MCCARTHY, together with the following communication received by the subcommittee on November 14, 1952, dated November 10, 1952:

"DEAR MR. COTTER: Inasmuch as Senator MCCARTHY is not now in Washington, I am taking the liberty of acknowledging receipt of your letter of November 7.

"I have just talked to the Senator over the telephone and he does not know just when he will return to Washington. It presently appears that he will not be available to appear before your committee during the time you mention. However, he did state that if you will let him know just what information you desire, he will be glad to try to be of help to you.

"Sincerely yours,

"RAY KIERMAS,
"Administrative Assistant to Senator McCarthy."

The letter signed by Senator HENNINGS further stated in part:

"Pursuant to your request, as transmitted to us through Mr. Kiermas, we are advising you that the subcommittee desires to make inquiry with respect to the following matters:

"(1) Whether any funds collected or received by you and by others on your behalf to conduct certain of your activities, including those relating to communism, were ever diverted and used for other purposes inuring to your personal advantage.

"(2) Whether you, at any time, used your official position as a United States Senator and as a member of the Banking and Currency Committee, the Joint Housing Committee, and the Senate Investigations Committee to obtain a $10,000 fee from the Lustron Corp., which company was then almost entirely subsidized by agencies under the jurisdiction of the very committees of which you were a member.

"(3) Whether your activities on behalf of certain special interest groups, such as housing, sugar, and China, were motivated by self-interest.

"(4) Whether your activities with respect to your senatorial campaigns, particularly with respect to the reporting of your financing and your activities relating to the financial transactions with, and subsequent employment of, Ray Kiermas involved violations of the Federal and State Corrupt Practices Acts.

"(5) Whether loan or other transactions which you had with the Appleton State Bank,

of Appleton, Wis., involved violations of tax and banking laws.

"(6) Whether you used close associates and members of your family to secrete receipts, income, commodity and stock speculations, and other financial transactions for ulterior motives.

"We again assure you of our desire to give you the opportunity to testify, in executive session of the Subcommittee, as to the foregoing matters. The 82d Congress expires in the immediate future and the subcommittee must necessarily proceed with dispatch in making its report to this Congress. To that end, we respectfully urge you to arrange to come before us on or before November 25, and thus enable us to do our conscientious best in the interests of the Senate and our obligation to complete our work. We would thank you to advise us immediately, so that we may plan accordingly." (Appendix, pp. 98-99.)

26. By letter of December 1, 1952, Senator McCARTHY acknowledged the letter of November 21 sent to him by Senator HENNINGS. Senator McCARTHY's letter to Senator HENNINGS questioned the honesty of the subcommittee, stated that Senator McCARTHY would "ordinarily not dignify" the subcommittee by answering the letter of November 21, and further stated in part:

"However, I decided to give you no excuse to claim in your report that I refused to give you any facts. For that reason you are being informed that the answer to the six insulting questions in your letter of November 21 is 'No.'" (Appendix, p. 102.)

The foregoing itemization presents only the essential facts dealing with the charges under this heading. A fully rounded account is contained in the subcommitte's report.

Conclusion

By continued failure to appear before a competent subcommittee of the Senate, culminating in his failure to respond to the request of November 21, 1952 to appear and testify on charges of irregularity against him, the Senator from Wisconsin did not discharge his duties as a Senator and should be censured therefor.

COMMITTEE ITEM II

Incidents of encouragement of United States employees to violate the law and their oaths of office or executive orders, referred to in the following:

A. Amendment proposed by Mr. FULBRIGHT to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. McCARTHY, viz: "(5) The junior Senator from Wisconsin openly, in a public manner before nationwide television, invited and urged employees of the Government of the United States to violate the law and their oaths of office."

B. Amendment proposed by Mr. MORSE to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. McCARTHY, viz: "(e) Openly invited and incited employees of the Government to violate the law and their oaths of office by urging them to make available information, including classified information, which in the opinion of the employees could be of assistance to the junior Senator from Wisconsin in conducting his investigations, even though the supplying of such information by the employee would be illegal and in violation of Presidential order and contrary to the constitutional rights of the Chief Executive under the separation-of-powers doctrine."

C. Amendment proposed by Mr. FLANDERS to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. McCARTHY, viz: "(14) He has publicly incited Government employees to violate their security oaths and serve as his personal informants, thus tending to break down the orderly chain of command in the civil service, as well as violating the security provisions of the Government."

Documentation

1. Hearings before the Special Subcommittee on Investigations of the Committee on Government Operations, United States Senate, 83d Congress, 2d session, pursuant to Senate Resolution 189 (printed).

2. Stenographic transcript of hearings, Permanent Subcommittee on Investigations of the Committee on Government Operations, United States Senate. (Transcript used where printed hearings not available. When used, date of testimony will be indicated for convenience in matching material when printed hearings become available.)

SUMMARY OF FACTS

1. On May 5, 1954, when Senator McCARTHY was questioned by Mr. Joseph Welch, special counsel for the Army, regarding the source from which he obtained a classified document, which is further described in the documentation to committee item III, he replied in part:

"Senator McCARTHY. Mr. Welch, I think I made it very clear to you that neither you nor anyone else will ever get me to violate the confidence of loyal people in this Government who give me information about Communist infiltration. I repeat, you will not get their names, you will not get any information which will allow you to identify them so that you or anyone else can get their jobs." (Hearing, pt. 20, pp. 767-768.)

2. The following are excerpts from statements made by Senator McCARTHY before the subcommittee on May 27, 1954:

"Senator McCARTHY. Mr. Chairman, in view of Senator McCLELLAN's statement and his request, I would like to make it clear that I think that the oath which every person in this Government takes, to protect and defend this country against all enemies, foreign and domestic, that oath towers far above any presidential secrecy directive. And I will continue to receive information such as I received the other day. In view of Senator McCLELLAN's statement that he feels that it is a crime for someone to give me information about traitors in Government, I am dutybound not to give the Senator the names of those informants." (Transcript, vol. 22, p. 3915.)

"Senator McCARTHY. May I say that that will be my policy. There is no power on earth that can change that.

"Again, I want to compliment the individuals who have placed their oaths to defend the country against enemies, and certainly Communists are enemies, above and beyond any presidential directive. And none of them, none of them, will be brought before any grand jury because of any information that I give. If any administration wants to indict me for receiving and giving the American people information about communism, they can just go right ahead and do the indicting." (Transcript, vol. 22, p. 3916.)

* * * * *

"Senator McCARTHY. * * *

"I am at this point deeply concerned to find my two Democrat colleagues in effect notifying the 2 million people who work for this Government that they think it is a crime for those employees to give the chairman of an investigating committee evidence of Communist infiltration, treason. I think that will serve to discourage them. As far as I am concerned, I would like to notify those 2 million Federal employees that I feel it is their duty to give us any information which they have about graft, corruption, communism, treason, and that there is no loyalty to a superior officer which can tower above and beyond their loyalty to their country." (Transcript, vol. 22, p. 3918.)

* * * * *

3. The following are excerpts from statements made by Senator McCARTHY before the subcommittee on May 28, 1954:

"Senator McCARTHY. * * *

"If I am wrong, I would like to get the committee's advice on that. I still advise all of those employees that anything they have given me in confidence will be treated in confidence." (Transcript, vol. 23, pp. 4260-4261.)

* * * * *

"Senator McCARTHY. * * *

"May I say in answer to Senator JACKSON—he says that J. Edgar Hoover—it is odd how J. Edgar Hoover is used as a shield for some of our friends—that J. Edgar Hoover said it would be a violation of law to give information to unauthorized people.

"Of course that is true. But Senator JACKSON knows that the chairman of a committee, a committee set up under the Reorganization Act to get all the information from the executive, is not an unauthorized person.

"* * * Senator McCLELLAN talked about the indiscriminate handing out of information. We are not talking about that. We are talking about Federal employees giving the chairman of a committee, which has been set up to investigate the executive—that was made very clear in the Reorganization Act—that chairman getting information.

"* * * I hope my Democrat friends will finally, at long last, agree with me that we should not try to punish the loyal Federal employees who say, 'I will not protect any crookedness, any dishonesty in Government, merely because my boss or someone else takes a "secret" stamp and stamps it on a document.' If we can do that, I think we can perform a great service.

"May I say, Mr. Chairman, the reason I have taken so much time on this is because I do want to make it very, very clear to all of the Federal employees, as I have said before, that there is no power on earth which will force me to disclose the names of individuals who are respecting their oath, their oath to defend this United States against all enemies, foreign and domestic, and giving the head of a committee information." (Transcript, vol. 23, pp. 4269-4271.)

* * * * *

4. The following are excerpts from a colloquy between Senator McCARTHY and Senator McCLELLAN which took place in the hearings before the subcommittee on June 1, 1954:

"Senator McCLELLAN. * * *

"I do take this position, that I am talking about classified information. If the Senator has a right, as chairman of this committee or as a United States Senator, to have the secret files of this Government, the classified files, dealing with the security of this country, to have them pilfered, and the documents given to him, then I say it will destroy the security system that protects this country at this hour." (Transcript, vol. 24, p. 4433.)

* * * * *

"Senator McCARTHY. * * *

"I pointed out, Mr. Chairman, previously that as chairman of the Investigating Committee I have no choice, under the Reorganization Act I have the duty, but to examine and expose any wrongdoing in the executive branch.

"I pointed out that you cannot hide wrongdoing behind a stamp of secrecy. Let's not bring J. Edgar Hoover into this. J. Edgar Hoover made no decision as to whether or not these documents could be made public. That was made by the Attorney General.

"Let me finsh, please. I didn't interrupt you, Senator McCLELLAN.

"I want to make it very clear that while I am chairman of the committee, I will receive evidence of wrongdoing, graft, corruption, treason, from any Government employee who will give that to me. I feel those Government employees have a high duty to do that. They all take an oath, as I recall, to

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defend this Nation against all enemies, foreign and domestic.

"I believe that oath towers far above any loyalty to a superior officer who might be jailed if they give us the facts." (Transcript, vol. 24, p. 4438.)

• • • • •

"Senator McCarthy. Let me say this: If a Presidential directive, one I think mistakenly made, unwisely made—I don't think this Congress is bound by any Presidential directive of secrecy. When Truman wrote his blackout order in 1948 which protected the Alger Hisses in the Government, I thought he was making a grievous error. When President Eisenhower, whom I respect greatly, passed his secrecy order which went far beyond the Truman order, I thought he was making a grievous error and I felt he was not entitled to do it.

"May I say, Senator, just for your benefit, I am not setting myself above any law. I feel that I have an oath as a Senator, an oath as the chairman of an investigating committee. That oath binds me to get information of wrongdoing in government. I feel that there is no valid directive of any kind which can say that, as chairman of the committee, I must not do that.

"If the Congress passes a law and the President signs it, saying the chairmen of these investigating committees must not get information of wrongdoing, that the American people must not know what is going on, that the American people must not hear of treason, that they must not hear of graft and corruption, if we pass that law and it is made a law, then there is nothing I can do except abide by it. But, Senator, I just will not abide by any secrecy directive of anyone. I think you and I have seen and will see Presidents come and go." (Transcript, vol. 24, pp. 4446–4447.)

5. The following are excerpts from a colloquy between Senator McCarthy and Senator Symington which took place in the hearings before the subcommittee on June 16, 1954:

"Senator Symington. Senator McCarthy, as I see it, based on your own words, if a man or if an employee of the Army gave an unauthorized person secret, top secret, or confidential material, would that be a violation of the Espionage Act?

"Senator McCarthy. An unauthorized person, yes. I believe, Senator, however, to get a conviction for a violation of the Espionage Act, the information would have to be of such a nature that it would be of benefit to an enemy. But essentially, I think that you are correct in that.

"Senator Symington. Thank you. That act, as I read it, makes it a felony punishable by a fine up to $10,000 and by a jail sentence up to 10 years for any person having control of classified documents who divulge them to an unauthorized person; is that correct?

"Senator McCarthy. You are speaking about the McCarran Act. I think that is the penalty provided in the McCarran Act, an excellent act.

"Senator Symington. United States Code, Annotated, title XVIII, Crime and Criminal Procedures, 701–1698, paragraph 793." (Transcript, vol. 35, p. 6983.)

6. The following are excerpts from a colloquy between Senator McCarthy and Senator McClellan which took place in the hearings before the subcommittee on June 16, 1954:

"Senator McCarthy. I think you are completely wrong, Senator. I don't think any Government employee can deny the people the right to know what the facts are by using a rubber stamp and stamping something 'secret'." (Transcript, vol. 35, p. 7013.)

• • • • •

"Senator McCarthy. Senator, may I make it very clear so there is no question about it: Regardless of who tries to sustain me or vice versa, while I am chairman of the committee I will receive all the information I can get about wrongdoing in the executive branch. I will give that information to the American people.

• • • • •

"Senator McCarthy. And I will protect anyone who gives me that information." (Transcript, vol. 35, p. 7014.)

7. The following are excerpts from a colloquy between Senator McCarthy and Senator Symington which took place in the hearings before the subcommittee on June 16, 1954:

"Senator Symington. Regardless of instructions from his superior, anybody can decide themselves, regardless of the classification of a document, if they believe that it is wrong, whatever their superior does, therefore they have the right to tell it to a congressional committee, is that right?

"Senator McCarthy. Senator, so there is no question, let me repeat again, anyone who has evidence of wrongdoing, has not only the right but the duty to bring that evidence to a congressional committee." (Transcript, vol. 35, p. 7037.)

8. The following are answers given by Senator McCarthy to questions asked him by Mr. Welch in the hearing before the subcommittee on June 16, 1954:

"Senator McCarthy. Well, I will answer it as I think it should be answered. No. 1, we have received no information from the FBI. No. 2, I do think, Mr. Welch, and I know you are asking for the information, No. 2, if the FBI has been issuing reports to a certain agency, that, we will say, Mr. X is a traitor, is guilty of spying, espionage and what have you, if someone in that agency knows that the reports were being ignored, I think he has a duty to bring that to his committee, to the Jenner committee, to the Velde committee, some committee with jurisdiction." (Transcript, vol. 35, p. 7039.)

• • • • •

"Senator McCarthy. • • • Let me answer your question. If the FBI, as in the Alger Hiss case, has reported evidence of treason to a department, if the head of that department knows all about it, if he refuses to act on it, then I think it is the duty of any American who loves his country, to bring that to the attention of the proper investigating committee, and I think that is the rule that we should follow, not only in 1954 but in 1964, 1974, 1984, 1994. Otherwise, Mr. Welch, if we can cover up wrongdoing, if we can cover up treason by a stamp of secrecy, then you and I won't—strike that. Let's say that this Nation certainly won't have too long to live." (Transcript, vol. 35, p. 7041.)

Conclusion

By the statements set out above, Senator McCarthy invited Government employees to submit to him classified executive information without regard to their oath of office, provisions of law, executive regulations and ethical obligations. For this invitation to anarchy, the Senator from Wisconsin should be censured.

COMMITTEE ITEM III

Incidents involving receipt or use of classified document or other confidential information, from executive files, referred to in the following:

A. Amendment proposed by Mr. Morse to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. McCarthy, viz: "(d) Received and made use of confidential information unlawfully obtained from a document in executive files upon which document the Federal Bureau of Investigation had placed its highest classification; and offered such information to a lawfully constituted Senate subcommittee in the form of a spurious document which he falsely asserted to the subcommittee to be 'a letter from the FBI'."

B. Amendment proposed by Mr. Flanders to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. McCarthy, viz: "(13) He received and held a valuable classified document in possible violation of the Espionage Act. (Revealed in the Army-McCarthy hearings that he had improperly obtained J. Edgar Hoover's report on subversives from the Army, and failed to restore the document to properly authorized hands.) He permitted the document to fall into the hands of a gossip columnist (Walter Winchell)."

Documentation

Hearings before the Special Subcommittee on Investigations of the Committee on Government Operations, United States Senate, 83d Congress, 2d session, pursuant to Senate Resolution 189.

Exhibits

(a) Copy of Federal Register of March 16, 1948, volume 13, No. 52, containing Presidential directive of March 13, 1948 (Confidential Status of Employee Loyalty Records).

(b) Copy of Federal Register of April 29, 1953, volume 18, No. 82, containing Executive Order 10450 of April 27, 1953 (Security Requirements for Government Employment).

Summary of facts

1. At a hearing before the special subcommittee on May 4, 1954, during an examination of Secretary Robert T. Stevens, Senator McCarthy produced a 2¼-page document to which he referred as follows:

"Senator McCarthy. Mr. Secretary, I would like to give you a letter, one which was written incidentally before you took office but which was in the file, I understand, all during the time you are in office—I understand it is in the file as of today—from the FBI, pointing out the urgency in connection with certain cases, listing the fact, for example, that Coleman had been in direct connection with espionage agents—" (Hearing, pt. 18, p. 703.)

• • • • •

"Senator McCarthy. I want to question the Secretary as to whether or not the original of this and other letters like it are in his file. I want to make it clear that I have gotten neither this letter nor anything else from the FBI." (Hearing, pt. 18, p. 704.)

2. The following colloquy between Mr. Ray Jenkins, subcommittee counsel, and Mr. Stevens occurred on May 5, 1954:

"Mr. Jenkins. Mr. Stevens, since yesterday afternoon, have you or not, through yourself or those under your command examined the files of the Intelligence Department of the Pentagon with special reference to the original of the letter about which you were questioned yesterday afternoon?

"Secretary Stevens. Yes, sir.

"Mr. Jenkins. State whether or not such a letter was found in that file or any other file.

"Secretary Stevens. No, sir." (Hearing, pt. 19, p. 720.)

3. Mr. Robert Collier, assistant counsel to the subcommittee, was then called to the stand and sworn. He was interrogated regarding a conference between himself and Mr. J. Edgar Hoover, Director of the FBI, on the subject of the above document. The following are excerpts from Collier's testimony:

"Mr. Collier. Upon receiving your instructions, I communicated with the FBI, and within a short period of time obtained an appointment with Mr. Hoover. I went to see him, having advised him of the date and the type of letter involved. Mr. Hoover at that time informed me that they had not found such a letter. He did have another letter of the same date.

"In order to be perfectly sure that they had obtained the correct letter, I returned to the Senate Office Building and obtained from Roy Cohn, in Senator McCarthy's office, the letter which I now have in my

hand and which was the one produced yesterday by Senator McCarthy. I took that letter to Mr. Hoover, and at that time he compared this letter with the letter in his possession of the same date.

"I can now report to you that Mr. Hoover advised me that this letter is not a carbon——

"Mr. Jenkins. Identify the letter when you say 'this letter.'

"Mr. Collier. This is the letter produced yesterday by Senator McCarthy. This is not a carbon copy or a copy of any communication prepared or sent by the FBI to General Bolling on January 26, 1951, or any other date. The FBI has in its files a letter——

"Mr. Jenkins. Are you now stating what Mr. Hoover personally told you?

"Mr. Collier. Yes, sir.

"Mr. Jenkins. You may proceed.

"Mr. Collier. The FBI does have in its files a file copy of a letter dated January 26, 1951, the same date, prepared and sent by the FBI to General Bolling, which was a 15-page interdepartmental memorandum. A carbon copy of that went to Maj. Gen. Joseph F. Carroll, United States Air Force.

"Mr. Hoover, in comparing the two documents, advised me that the form of the carbon copy which I have, the one introduced, and the yellow copy of the FBI memorandum prepared on January 26, are materially different in form." (Hearing, pt. 9, pp. 721, 722.)

* * * * *

"* * * Mr. Hoover advised me, and examined the two documents in my presence, advised me that the substance of the original FBI 15-page memorandum and the substance of the 2¼-page carbon copy, contain information relating to the same subject matter, and that in some instances exact or identical language appears in both documents." (Hearing, pt. 19, p. 723.)

Note.—On pages 722 and 723, Mr. Collier recounted in detail the differences between the two documents. See also Mr. Collier's testimony on pages 749 to 754, of part 20.

4. The following are excerpts from the testimony of Senator McCarthy before the special subcommittee on May 5, 1954:

"Mr. Jenkins. There was handed to me, Senator McCarthy, a letter dated January 26, 1951, and referred to herein as a 2¼-page letter. As I recall, Senator, that letter was handed to me by you; is that correct?

"Senator McCarthy. That is correct. It was passed along the table by me." (Hearing, pt. 20, p. 759.)

* * * * *

"Mr. Jenkins. Senator McCarthy, you are bound to be aware of the fact some attack has been made upon that letter. I want to ask you at this time to tell this committee all of your knowledge, without my asking you any specific questions at this time, with respect to the 2¼-page letter, particularly where you obtained possession of it, when you obtained possession of it, when it came, and give any other knowledge that you may have pertaining to that 2¼-page letter.

"Senator McCarthy. First let me make it very clear, Mr. Jenkins and Mr. Chairman, that I will not under any circumstances reveal the source of any information which I get as chairman of the committee * * * I will give you the information that you request, Mr. Jenkins. This came to me from someone within the Army.

"As I recall the time, I do not recall the date, I recall he stated very clearly the reason why he was giving me this information was because he was deeply disturbed because even though there were repeated reports from the FBI to the effect that there were Communist infiltration, indications of espionage in the top-secret laboratories, the radar laboratories, that nothing was being done, he felt that his duty to his country was above any duty to any Truman directive to the effect that he could not disclose this information. * * *" (Hearing, pt. 20, pp. 759–760.)

Note.—See exhibit "a"—the so-called Truman directive of March 13, 1948, which states in part "all reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business."

See also exhibit "b"—Executive Order 10450, April 28, 1953, section 9 (c), which states: "The reports and other investigative material and information developed by investigations conducted pursuant to any statute, order, or program described in section 7 of this order shall remain the property of the investigative agencies conducting the investigations, but may, subject to considerations of the national security, be retained by the department or agency concerned. Such reports and other investigative material and information shall be maintained in confidence, and no access shall be given thereto except, with the consent of the investigative agency concerned, to other departments and agencies conducting security programs under the authority granted by or in accordance with the said act of August 26, 1950, as may be required for the efficient conduct of Government business."

"Mr. Jenkins. * * * Then, Senator, you did not get the 2¼-page document from the Federal Bureau of Investigation?

"Senator McCarthy. I did not, sir.

* * * * *

"Mr. Jenkins. But, as I do understand it, Senator McCarthy, and we are trying to pursue this question to its logical end so that the committee may know all the facts, that 2¼-page document was delivered to you by someone from the Army?

"Senator McCarthy. Yes. I can go a step further, Mr. Jenkins.

"Mr. Jenkins. And perhaps in the Intelligence Department? Can you go that far?

"Senator McCarthy. An officer in the Intelligence Department.

"Mr. Jenkins. Very well. Senator, when was that letter, that 2¼-page document, delivered to you?

* * * * *

"Senator McCarthy. Mr. Jenkins, I would have difficulty giving you an exact date, but it was early last spring, roughly a year ago." (Hearing, pt. 20, p. 766.)

* * * * *

"Senator Symington. Senator, I have two questions.

"First, did you discuss this article or letter with Mr. Hoover, or the FBI, before you offered it for evidence?

"Senator McCarthy. I did not. * * * I have never discussed with Mr. Hoover any report that appeared to have originated in the FBI. I have used my own judgment and the ones that I thought should be used I have used." (Hearing, pt. 20, p. 766.)

* * * * *

"Mr. Welch. Do you understand that J. Edgar Hoover sent to the Army a document 2¼ pages in length? Just 'Yes' or 'No.'

"Senator McCarthy. I don't know the length of these other documents.

"Mr. Welch. Let us face up to it, Senator. Do you understand that J. Edgar Hoover sent to the Army a document 2¼ pages in length?

"Senator McCarthy. As far as the document on January 26 is concerned the answer is 'No'." (Hearing, pt. 20, p. 774.)

5. The question of whether or not the contents of the documents (the 15-page memorandum and the 2¼-page document produced by Senator McCarthy) could legally be disclosed arose during the questioning of Mr. Collier on May 5, 1954. The following colloquy took place between Senator Mundt, subcommittee chairman, and Mr. Collier:

"Senator Mundt. * * * You were quoting Mr. Hoover, then, when you said that in some instances the language was identical, that the subject matter was identical, and that as Mr. Hoover interprets the security laws, the subject matter, both of the FBI copies and of the copies from Senator McCarthy's files, because they deal with an identical subject, should not be revealed in public short of a ruling of the Attorney General. Is that correct?

"Mr. Collier. I want to make it clear. Mr. Hoover did not, of course, refer to this carbon copy when he stated that, because actually this is not a carbon copy of any FBI document. He was referring to his own document, the 15-page memorandum, when he suggested that 'I respectfully refer you to the Attorney General for his opinion'." (Hearing, pt. 19, pp. 724–725.)

6. The following are excerpts from a colloquy between Senator McClellan and Mr. Collier before the subcommittee on May 5, 1954:

"Senator McClellan. * * * From what you have seen of the two documents, the one that has been presented here, and the one that you discussed with Mr. Hoover, I will ask you to state whether it would be possible for anyone to compose or present the document now before us except that they had access to the original document or the original copy thereof which still remains confidential and restricted.

"Mr. Collier. You are asking for my personal opinion on that?

"Senator McClellan. From what you have observed of the two. Would it be possible, except that the author of the document now before us must have had access to the original or the original copy thereof?

"Mr. Collier. I would say that since seven of the paragraphs are identical, that the person who wrote this document must have had access to the original, because the identical language is contained therein.

"Senator McClellan. It is still restricted so far as the FBI is concerned?

"Mr. Collier. Mr. Hoover told me, and as I have stated to the committee at the beginning of this testimony, that it carries the highest classification the Bureau can place on a document, confidential, that he does not feel that he has any right to declassify it." (Hearing, pt. 20, p. 755.)

7. On May 5, 1954, Senator Mundt, as chairman of the Special Investigating Subcommittee, addressed a letter to Attorney General Brownell, asking the opinion of the Attorney General as to whether or not the contents or any part of the 2¼-page and the 15-page documents could be released to the public. (Exhibit No. 15, hearing, pt. 21, p. 819.)

8. On May 6, 1954, there was introduced in the hearing before the subcommittee a letter from Attorney General Brownell to Senator Mundt (exhibit No. 16, hearing, pt. 21, pp. 820, 821) which stated, in part, with regard to the 2¼-page document introduced in the hearing by Senator McCarthy:

"Your second request refers to a 2¼-page document, dated January 26, 1951, a copy of which was delivered to us by Mr. Robert A. Collier, assistant counsel of your subcommittee, and which is returned herewith. This document purports to be a copy of a letter with a salutation: 'Major General Bolling, Assistant Chief of Staff, G–2, Department of the Army, Washington, D. C., Sir:'. It is marked 'personal and confidential.' It closes with the following typewritten signature: 'Sincerely yours, J. Edgar Hoover, Director.'

"Mr. Hoover has examined the document and has advised me that he never wrote any such letter. However, this document does contain phraseology which is identical in words and paragraphs with those contained in the 15-page memorandum referred to previously. In addition this document contains the listing of names identical with names contained in the 15-page memorandum.

"After these names there appear the words 'derogatory' or 'no derogatory' which were not contained in the original memorandum. Although the 2¼-page document purports to be a letter signed by J. Edgar Hoover, Director of the FBI, these evaluations of 'derogatory' or 'no derogatory' were not made by him nor by anyone on his behalf. In fact, there is nothing contained in the 2¼-page document to show who made such evaluations. In view of these facts and because the document constitutes an unauthorized use of information which is classified as confidential, and for the reasons previously stated, it is my opinion that it should not be made public."

"Sincerely yours,

"HERBERT BROWNELL, Jr.,
"Attorney General."

9. Although there has not to my knowledge been a definitive decision declaring the receipt of such classified information as that contained in the 2½-page document to be a violation of Federal law, a reading of the applicable Federal statute casts great doubt upon the legality of such receipt. Title 18, United States Code, section 793 (f), provides:

"Whoever, being entrusted with or having lawful possession or control of any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, note, or information, relating to the national defense, (1) through gross negligence permits the same to be removed from its proper place of custody or delivered to anyone in violation og his trust, or to be lost, stolen, abstracted, or destroyed, or (2) having knowledge that the same has been illegally removed from its proper place of custody or delivered to anyone in violation of its trust, or lost, or stolen, abstracted, or destroyed, and fails to make prompt report of such loss, theft, abstraction, or destruction to his superior officer—

"Shall be fined not more than $10,000 or imprisoned not more than 10 years, or both."

The foregoing is followed by a subsection (g), which reads as follows:

"If two or more persons conspire to violate any of the foregoing provisions of this section, and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be subject to the punishment provided for the offense which is the object of such conspiracy."

Conclusion

The testimony set out above indicates that Senator MCCARTHY made use in a hearing before the Special Subcommittee on Investigations of a document which he knew had been extracted from executive files in contravention of an Executive order. The receipt of such a classified document may also have been in violation of the Espionage Act, and certainly was in violation of the spirit and intent of the sections of the Espionage Act set forth above. For this improper use of classified executive material the Senator from Wisconsin should be censured.

COMMITTEE ITEM IV

Incidents involving abuse of colleagues in the Senate, referred to in the following:

A. Amendment proposed by Mr. FLANDERS to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. MCCARTHY, viz: "(30) He has ridiculed his colleagues in the Senate, defaming them publicly in vulgar and base language (regarding Senator HENDRICKSON—'a living miracle without brains or guts'; on FLANDERS—'senile—I think they should get a man with a net and take him to a good quiet place')."

B. Amendment proposed by Mr. MORSE to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. MCCARTHY, viz: "(b) unfairly accused his fellow Senators GILLETTE, MONRONEY, HENDRICKSON, HAYDEN, and HENNINGS of improper conduct in carrying out their duties as Senators."

Documentation

Report of the Subcommittee on Privileges and Elections to the Committee on Rules and Administration, United States Senate, pursuant to Senate Resolution 187 and Senate Resolution 304.

Summary of facts

1. On August 6, 1951, Senate Resolution 187 was introduced in the Senate by Senator William Benton, of Connecticut. The resolution called for an investigation to determine whether expulsion proceedings should be instituted against Senator JOSEPH R. MCCARTHY. The resolution was referred by the President of the Senate to the Senate Committee on Rules and Administration and, in turn, to its Subcommittee on Privileges and Elections for consideration. There was also referred to this committee and subcommittee on April 10, 1952, a resolution (S. Res. 304) introduced by Senator MCCARTHY, calling for an investigation of Senator Benton. (Report, pp. 1, 5.)

2. During the course of the above investigations, Senators GILLETTE, MONRONEY, HENDRICKSON, HAYDEN, and HENNINGS served on the Subcommittee on Privileges and Elections, as did Senators WELKER and MARGARET CHASE SMITH.

3. During the time that Senator GILLETTE was chairman of the subcommittee, Senator MCCARTHY on numerous occasions was invited to appear and assist the subcommittee on its investigations. Senator MCCARTHY failed to appear before the subcommittee, and instead he made attacks upon the integrity of the subcommittee and its members. The following are quotations from letters written by Senator MCCARTHY. The letters are reproduced in their entirety in the appendix of the report of the subcommittee.

December 6, 1951: "* * * a horde of investigators hired by your committee at a cost of tens of thousands of dollars of taxpayers' money, has been engaged exclusively in trying to dig up on MCCARTHY material covering periods of time long before he was old enough to be a candidate for the Senate—material which can have no conceivable connection with his election or any other election. This is being done in complete disregard of the limited power of your elections subcommittee. The obvious purpose is to dig up campaign material for the Democrat Party for the coming campaign against MCCARTHY.

"When your elections subcommittee, without Senate authorization, spends tens of thousands of taxpayers' dollars for the sole purpose of digging up campaign material against MCCARTHY, then the committee is guilty of stealing just as clearly as though the members engaged in picking the pockets of the taxpayers and turning over the loot to the Democrat National Committee." (Appendix, p. 62.)

"While the actions of Benton and some of the committee members do not surprise me, I cannot understand your being willing to label GUY GILLETTE as a man who will head a committee which is stealing from the pockets of the American taxpayer tens of thousands of dollars and then using this money to protect the Democrat Party from the political effect of the exposure of Communists in government. To take it upon yourself to hire a horde of investigators and spend tens of thousands of dollars without any authorization to do so from the Senate is labeling your elections subcommittee as even more dishonest than was the Tydings committee." (Appendix, pp. 62–63.)

December 19, 1951: "As I have previously stated, you and every member of your subcommittee who is responsible for spending vast amounts of money to hire investigators, pay their traveling expenses, etc., on matters not concerned with elections, is just as dishonest as though he or she picked the pockets of the taxpayers and turned the loot over to the Democrat National Committee." (Appendix, p. 65.)

4. On April 8, 1952: Senator HAYDEN, chairman of the Committee on Rules and Administration, introduced on the floor of the Senate, Senate Resolution 300 (exhibit No. 14, appendix, pp. 68–69), which pointed out the issue involved with respect to Senator MCCARTHY's charge that the Subcommittee on Privileges and Elections lacked jurisdiction to investigate such acts of a Senator as were not connected with an election campaign, and his attack upon the honesty and motives of the members of the subcommittee.

On April 10, 1952, the Senate voted on Resolution 300, and, by a vote of 60 to 0, upheld the jurisdiction of the Senate Subcommittee on Privileges and Elections to continue its investigation of Senator MCCARTHY and confirmed its confidence in the honesty and integrity of the members of the subcommittee. (Report, p. 5.)

5. In May 1952 Senator MCCARTHY wrote letters to the subcommittee containing the following statements:

May 8, 1952: "I am sure that you would never knowingly allow your committee to serve the Communist cause. However, the damage done is the same whether it is knowingly and deliberately done. There can be no question in your mind or in anyone's mind that this year-long investigation by your subcommittee would never have been commenced if I had not been exposing Communists in Government." (Appendix, p. 81.)

* * * * *

"If you have evidence of wrongdoing on MCCARTHY's part, which would justify removal from the Senate or a vote of censure by the Senate, certainly you have the obligation to produce it. However, as you well know, every member of your committee and staff privately admits that no such evidence is in existence. It is an evil and dishonest thing for the subcommittee to allow itself to be used for an evil purpose." (Appendix, p. 82.)

May 11, 1952: "Some shallow thinkers may say that you gentlemen are dishonest to have planned to use your committee as a sounding board to headline the statements of a witness after your staff had reported he was mentally unbalanced. I beg you not to let this distract you from the honest, gentlemanly job you are doing. Those critics fail to realize that everything is ethical and honest if it is done to expose the awfulness of McCarthyism." (Appendix, p. 83.)

* * * * *

"I ask you gentlemen not to be disturbed by those who point out that your committee is trying to do what the Communist Party has officially proclaimed as its No. 1 task. You just keep on in the same honest, painstaking way of developing the truth. The thinking people of this Nation will not be deceived by those who claim that what you are doing is dishonest. After all, you must serve the interest of the Democrat Party—there is always the chance that the country may be able to survive. * * * After all, isn't MCCARTHY doing the terribly unpatriotic and unethical thing of proving the extent to which the Democrat administration is Communist ridden? Unless he can be discredited, the Democrat Party may be removed from power." (Appendix, p. 84.)

6. On September 9, 1952, Senator WELKER resigned from the Subcommittee on Privileges and Elections. On September 10, 1952, Senator GILLETTE submitted his resignation from the subcommittee in a letter to Senator HAYDEN, chairman of the Committee on Rules and Administration. The following

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statement was contained in Senator GILLETTE's letter:

"If Senator WELKER carries out his announced intention and sends his resignation to you, the opportunity is clear for a return to a three-man membership. My resignation would be clearly indicated and would leave Senators HENNINGS, MONRONEY, and HENDRICKSON. As you know, there are no three Members of the Senate who are more capable, or more high minded, than these men. They have always been scrupulously fair in their consideration of the difficult problems laid before the subcommittee. There is no doubt in my mind that it would be in the best interest of the work of the subcommittee to take the action I have suggested." (Appendix, p. 95.)

7. On December 1, 1952, Senator MCCARTHY wrote a letter to Senator HENNINGS, who had replaced Senator GILLETTE as chairman of the subcommittee. The following are excerpts from Senator MCCARTHY's letter to Senator HENNINGS:

"I was interested in your declaration of honesty of the committee and would like to believe that it is true.* * * Senator GILLETTE also resigned without giving any plausible reason for his resignation from the committee. Obviously, he also couldn't stomach the dishonest use of public funds for political purposes. For that reason it is difficult for me to believe your protestations of the honesty of your committee." (Appendix, p. 102.)

"I thought perhaps the election might have taught you that your boss and mine—the American people—do not approve of treason and incompetence and feel that it must be exposed." (Appendix, p. 103.)

* * * * *

"This letter is not written with any hope of getting an honest report from your committee. It is being written merely to keep the record straight." (Appendix, p. 104.)

Conclusion

For these unwarranted attacks upon members of a duly constituted subcommittee of the Senate, Senator MCCARTHY should be censured.

COMMITTEE ITEM V

Incident relating to Ralph Zwicker, a general officer of the Army of the United States, referred to in the following:

A. Amendment proposed by Mr. FULBRIGHT to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. MCCARTHY, viz: "(4) without justification, the junior Senator from Wisconsin impugned the loyalty, patriotism, and character of Gen. Ralph Zwicker."

B. Amendment proposed by Mr. MORSE to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. MCCARTHY, viz: "(c) as chairman of a committee resorted to abusive conduct in his interrogation of Gen. Ralph Zwicker, including a charge that General Zwicker was unfit to wear the uniform, during the appearance of General Zwicker as a witness before the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations on February 18, 1954."

C. Amendment proposed by Mr. FLANDERS to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. MCCARTHY, viz: "(10) He has attacked, defamed, and besmirched military heroes of the United States, either as witnesses before his committee or under the cloak of immunity of the Senate floor (General Zwicker, General Marshall)."

Documentation

Hearings before the Permanent Subcommittee on Investigations of the Committee on Government Operations, United States Senate, 83d Congress, 2d session, pursuant to Senate Resolution 189, part 3, January 30, February 18, and March 4, 1954.

Summary of facts

1. On February 18, 1954, Gen. Ralph W. Zwicker, commanding officer, Camp Kilmer, appeared as a witness before the permanent subcommittee in connection with its investigation of alleged Communist infiltration in the Army. The subcommittee met in executive session in room 110, Federal Building, New York, Senator JOSEPH R. MCCARTHY (chairman) presiding. The chairman was the only subcommittee member present. (Hearings, p. 145.)

2. General Zwicker was asked questions about the honorable discharge from the Army of Major Peress, a witness at an earlier hearing who had refused to answer whether or not he was a member of the Communist Party, claiming the privilege of the fifth amendment. Certain of the questions asked General Zwicker he refused to answer on the grounds of a Presidential directive. (Hearings, pp. 146, 147.)

3. When asked about the Peress testimony, General Zwicker stated that his knowledge of what Peress had been asked and had refused to answer was confined to what he had read in the press, but that he knew generally the reasons for calling Peress before the subcommittee, and he knew that Peress had refused to answer some questions. The following colloquy ensued early in the hearing:

"The CHAIRMAN. Did you know that he refused to answer questions about his Communist activities?

"General ZWICKER. Specifically, I don't believe so.

"The CHAIRMAN. Did you have any idea?

"General ZWICKER. Of course I had an idea.

"The CHAIRMAN. What do you think he was called down here for?

"General ZWICKER. For that specific purpose.

"The CHAIRMAN. Then you knew that those were the questions he was asked, did you not? General, let's try and be truthful. I am going to keep you here as long as you keep hedging and hemming.

"General ZWICKER. I am not hedging.

"The CHAIRMAN. Or hawing.

"General ZWICKER. I am not hawing, and I don't like to have anyone impugn my honesty, which you just about did.

"The CHAIRMAN. Either your honesty or your intelligence; I can't help impugning one or the other, when you tell us that a major in your command who was known to you to have been before a Senate committee, and of whom you read the press releases very carefully—to now have you sit here and tell us that you did not know whether he refused to answer questions about Communist activities. I had seen all the press releases, and they all dealt with that. So when you do that, General, if you will pardon me, I cannot help but question either your honesty or your intelligence, one or the other. I want to be frank with you on that." (Hearings, pp. 147, 148.)

4. Later in the hearing, the chairman (Senator MCCARTHY) asked General Zwicker the following question:

"The CHAIRMAN. Do you think, General, that anyone who is responsible for giving an honorable discharge to a man who has been named under oath as a member of the Communist conspiracy should himself be removed from the military?"

General Zwicker asked whether the question was general or specific, and after stating that he was dealing in generalities, the Chairman (Senator MCCARTHY) asked General Zwicker the following hypothetical question:

"The CHAIRMAN. Let us assume that John Jones is a major in the United States Army. Let us assume that there is sworn testimony to the effect that he is part of the Communist conspiracy, has attended Communist leadership schools. Let us assume that Maj. John Jones is under oath before a committee and says, 'I cannot tell you the truth about these charges, because, if I did, I fear that might tend to incriminate me.' Then let us say that General Smith was responsible for this man receiving an honorable discharge, knowing these facts. Do you think that General Smith should be removed from the military, or do you think he should be kept on in it?"

General Zwicker stated that the hypothetical General Smith should be kept if he were acting under competent orders to separate the man, and then the chairman asked him to assume that General Smith originated the order directing the honorable discharge. General Zwicker stated that "that is not a question for me to decide, Senator." The following colloquy then took place:

"The CHAIRMAN. You are ordered to answer it, General. You are an employee of the people.

"General ZWICKER. Yes, sir.

"The CHAIRMAN. You have a rather important job. I want to know how you feel about getting rid of Communists.

"General ZWICKER. I am all for it.

"The CHAIRMAN. All right. You will answer that question, unless you take the fifth amendment. I do not care how long we stay here; you are going to answer it.

"General ZWICKER. Do you mean how I feel toward Communists?

"The CHAIRMAN. I mean exactly what I asked you, General; nothing else. And anyone with the brains of a 5-year-old child can understand that question.

"The reporter will read it to you as often as you need to hear it so that you can answer it, and then you will answer it.

"General ZWICKER. Start it over, please."

(The question was reread by the reporter.)

"General ZWICKER. I do not think he should be removed from the military.

"The CHAIRMAN. Then, General, you should be removed from any command. Any man who has been given the honor of being promoted to general, and who says, 'I will protect another general who protected Communists,' is not fit to wear that uniform, General. I think it is a tremendous disgrace to the Army to have this sort of thing given to the public. I intend to give it to them. I have a duty to do that. I intend to repeat to the press exactly what you said. So you know that. You will be back here, General." (Hearings, pp. 152, 153.)

5. At the conclusion of the hearings, the following statements were made:

"The CHAIRMAN. General, you will return for a public session at 10:30 Tuesday morning.

"General ZWICKER. This coming Tuesday?

"The CHAIRMAN. Yes.

"General ZWICKER. Here?

"The CHAIRMAN. Yes.

"General ZWICKER. At what time?

"The CHAIRMAN. 10:30. In the meantime, in accordance with the order which you claim forbids you the right to discuss this case, you will contact the proper authorities who can give you permission to tell the committee the truth about the case before you appear Tuesday, and request permission to be allowed to tell us the truth about the——

"General ZWICKER. Sir, that is not my prerogative, either.

"The CHAIRMAN. You are ordered to do it.

"General ZWICKER. I am sorry, sir, I will not do that.

"The CHAIRMAN. All right.

"General ZWICKER. If you care to have me, I will cite certain other portions of this.

"The CHAIRMAN. You need cite nothing. You may step down." (Hearings, p. 157.)

Conclusion

The abusive and threatening conduct resorted to by Senator MCCARTHY, as set forth

above, in his questioning of Gen. Ralph Zwicker, for declining to testify in violation of instructions issued by his superiors and contained in an Executive order, was unwarranted and unjustified and an abuse of the Senator's position of chairman of the Subcommittee on Investigations, for which the Senator from Wisconsin should be censured.

ALLEGATIONS NOT INCLUDED IN NOTICE OF HEARING

The select committee's notice of hearing did not include two allegations of misconduct contained in my bill of particulars, by way of an amendment to Senate Resolution 301. These omissions may not be based upon any final determination not to consider the allegations. In the case of the conduct which was the subject of the so-called Army-McCarthy hearings, the select committee may have felt that it should not take any action until the Subcommittee of the Government Operations Committee had completed its work by the filing of reports.

It is respectfully submitted that the two omitted allegations make a prima facie case of improper activities warranting censure. I am therefore providing the following summary of the material upon which those two charges are based for the further consideration of the select committee.

ITEM F OF MORSE AMENDMENT

Charge

(Senator McCARTHY) "attempted to invade the constitutional power of the President of the United States to conduct the foreign relations of the United States by carrying on negotiations with certain Greek shipowners in respect to foreign trade policies, even though the executive branch of our Government had a few weeks previously entered into an understanding with the Greek Government in respect to banning the flow of strategic materials to Communist countries."

Documentation

Hearings, Permanent Subcommittee on Investigations of the Committee on Government Operations, United States Senate, 83d Congress, 1st session, pursuant to Senate Resolution 40, part I, March 30 and 31, 1953.

Summary of facts

1. On March 29, 1953, Senator JOSEPH McCARTHY, chairman of the Permanent Subcommittee on Investigations, announced that he had effected an agreement with Greek owners of 242 merchant ships to break off all trade with Communist China, North Korea, and Far Eastern ports of the Soviet Union. He stated that although the vessels were all owned by Greek nationals, only 51 flew the Greek flag; 17 were registered as British, 34 Canadian, 52 Liberian, and 88 Panamanian. (See hearings, pp. 1–5.)

2. Before effecting the above agreements, Mr. McCARTHY had been informed by Mr. Harold Stassen, Director for Mutual Security, that the Government was dealing with foreign governments, and in particular the Greek Government, to stop trade with the Communist nations. (Hearings, p. 4.)

3. Mr. McCARTHY carried out the negotiations for the above agreements and effected the agreements secretly, without advising the State Department or other governmental agencies, and in fact refused to reveal the manner in which said agreements had been obtained. (Hearings, p. 3.)

4. On March 23, 1953, 6 days before the agreement between Mr. McCARTHY and the Greek shipowners, the Government of Greece, after negotiations with the United States Government, gave notice forbidding merchant ships under the Greek flag to ply at ports controlled by the Communist China Government and the North Korea Government. (Hearings, appendix, p. 63.)

5. Prior to the time of the agreement between the Greek shipowners and Mr. McCARTHY, ships of the Liberian and Panamanian flags had been forbidden by their governments to transport goods to and from Communist China and North Korean ports. (Hearings, p. 17.)

6. At the time of the agreement between Mr. McCARTHY and the Greek shipowners, the United States was working with the countries of the United Kingdom and other countries on agreements to stop shipments of articles of military value to Communist and North Korean ports. (Hearings, pp. 18–21.)

7. On March 30, 1953, Mr. McCARTHY stated that he and his assistants had been able to do what the State Department had been unable to do, and that he wanted to give his assistants credit for dealing a heavier blow to the Communists than had the State Department. (Hearings, p. 36.)

8. On March 30, 1953, Mr. McCARTHY stated that he intended to continue to try to get agreements with foreign shipowners to remove their ships from trade with the Communists, even though he had been informed by Mr. Harold Stassen, Director of Mutual Security, that his efforts were impairing the ability of the United States Government to negotiate with other governments in this field. (Hearings, p. 36.)

Conclusion

The agreements effected by Senator McCARTHY were an infringement upon the exclusive power of the executive branch of the Government to negotiate with foreign governments and execute agreements (including those governing the activities of their nationals and vessels), and such actions by Senator McCARTHY threatened the ability of the United States to carry on negotiations and execute agreements in this field. For this infringement upon the jurisdiction conferred exclusively upon the executive branch by the constitutional doctrine of separation of powers the Senator from Wisconsin should be censured.

ITEM G OF MORSE AMENDMENT

Charge

(Senator McCARTHY) "permitted and ratified over a period of several months in 1953 and 1954 the abuse of senatorial privilege by Mr. Roy Cohn, chief counsel to the Permanent Investigations Subcommittee of the Senate Committee on Government Operations of which committee and subcommittee the junior Senator from Wisconsin is chairman, Mr. Cohn's abuse having been directed toward attempting to secure preferential treatment for Pvt. David Schine by the Department of the Army, at a time when the Army was under investigation by the committee."

Documentation

Hearings before the Special Subcommittee on Investigations of the Committee on Government Operations, United States Senate, 83d Congress, 2d session, pursuant to Senate Resolution 189.

Statement

The transcript of the Army-McCarthy hearings will show that Mr. Roy Cohn while chief counsel of the Permanent Investigations Subcommittee of the Senate Committee on Government Operations, with the knowledge and acquiescence of Senator McCARTHY, sought from the Department of the Army preferential treatment for his friend David Schine.

The following incidents illustrate a few of Cohn's improper activities while serving as a staff member of the subcommittee of which the junior Senator from Wisconsin was chairman:

In a telephone conversation, Cohn told one Lieutenant Blount he was "never going to forget" the names of persons whom he believed had refused to give preferential treatment to Private Schine.

Cohn threatened to "wreck the Army" and to secure dismissal of the Army Secretary.

Cohn also threatened to keep the investigations of the Army going indefinitely and to "get General Ryan for the way he had treated Dave at Fort Dix."

The extended hearings are replete with other examples of Cohn's shameful use of threats of reprisal and investigation in order to secure preferential treatment for Schine. They demonstrate an abuse of his office. His activities were of a type that should have been prevented and prohibited by the chairman of the subcommittee.

Senator McCARTHY as chairman of the subcommittee that would be directly and adversely affected, should have been the first to put a stop to such derelictions.

Veterans' Day

EXTENSION OF REMARKS

OF

HON. CLIFTON (CLIFF) YOUNG

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. YOUNG. Mr. Speaker, this year—1954—for the first time November 11 will be designated Veterans' Day instead of Armistice Day, as in the past.

This new designation of the day we honor those valiant men and women who have served our country faithfully in time of war is a fitting tribute to the courage of those who sacrificed their lives, and to the loyalty of all those who continue to serve their country in their individual and joint endeavors to preserve for our Nation the freedom and peace they won at great personal sacrifice.

The city of Washington is soon to be the place of assembly of one of these groups of veterans which have, through the years, won for themselves nationwide acclaim for their responsible leadership as civilians in considering the course of our national administrative and legislative policy. The Nation's Capital is preparing to welcome veteran members of the American Legion when they convene here for the first time. I know that my colleagues from every State join with me in extending a cordial greeting from the Members of the House of Representatives.

Mr. Speaker, during recent months we have acted upon various legislative measures in an overall program for veterans, and the record of the 83d Congress in this respect has been exceptionally good. I should like to refer first to some of the important measures enacted, and then to the several charges that have been made against the Congress which do not accurately reflect legislative attitude toward the American veteran.

The interest and welfare of veterans has been advanced by measures which provided these benefits:

First. Increased monthly rates of service-connected compensation payable to veterans of all wars and peacetime, and their dependents.

Second. Increased by 5 percent monthly rates of non-service-connected pension payable to veterans and their dependents.

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Third. Prohibited the reduction of any rating of disability or permanent total disability for compensation or pension purposes where the rating has been in effect continuously for 20 or more years.

Fourth. Continued the direct home-loan program to June 30, 1955, and authorized the sum of $150 million for continuation of this program.

Fifth. Extended for 1 year the time for initiating a course of education and training under the Korean GI bill.

Sixth. Extended for an additional 4 years the time disabled veterans qualified under Public Law 16 may take advantage of training opportunities.

Seventh. Automatic renewal of 5-year life insurance term policies under United States Government life insurance and national service life insurance.

Eighth. Extended to Korean veterans homestead rights given to other veterans.

Ninth. Placed Korean veterans on a par with veterans of World War I and World War II by authorizing veterans' benefits to persons disabled in connection with reporting for induction in the Armed Forces.

Tenth. Extended coverage of Servicemen's Indemnity Act to members of the Reserve Officers' Training Corps, when ordered to active training duty for periods of 14 days or more.

Eleventh. Granted veterans' benefits to women who served in the Women's Army Auxiliary Corps, who were honorably discharged for disability which rendered them physically unfit for service in the Women's Army Corps.

Twelfth. Authorized outpatient dental care for Spanish American War veterans and disabled veterans in training under Public Law 16.

Thirteenth. Made uniform the service-connected presumption for all types of tuberculosis among veterans causing 10 percent disability within 3 years of discharge.

Fourteenth. Appropriated a total of $3,500,000,000 for the activities of the Veterans' Administration during the coming fiscal year.

Fifteenth. Activated an additional 3,000 hospital beds, making a total of 127,000 available beds throughout the country.

Mr. Speaker, for the purpose of a better understanding of legislative procedure and action, I should now like to review the several charges made against the Congress. Unfortunately, there are probably few fields of Government activity needing clarification more than that of the veterans' program.

The charges alleged are, first, that there was an economy move to cut veterans' benefits; second, that defeat of the Teague amendment harmed the hospitalization program; and third, that there was an attempt to destroy the veterans' preference law.

The following information is respectfully presented.

First. There was no attempt to economize on the veterans' program. This charge resulted from a misunderstanding of the appropriation procedure in Congress.

When officials of the Veterans' Administration appear before Congress early in the session to make their budget requests for the next fiscal year, it is impossible to submit an estimate in the exact amount required for the entire year for pensions and benefits. In 1953, Congress appropriated part of the funds in the initial appropriation bill, with the understanding that as soon as the Veterans' Administration could determine the exact amount required, it would be submitted for consideration in a supplemental appropriation bill. In the subsequent appropriation bill some $215 million—the exact additional amount required—was appropriated, instead of the rough estimate of $300 million submitted for the first appropriation bill.

Had Congress appropriated all of the money included in the initial estimate, it would have resulted in an excess appropriation in the amount of $85 million. There are two objections to appropriating more money than is required. First, it means the American taxpayer must pay interest on these funds, since the amount is added to the national debt; and, second, the availability of surplus funds in department accounts is a powerful temptation for unnecessary spending. This is borne out by the record in the past of some departments indulging in a spending spree the month preceding the end of the fiscal year.

It should be pointed out that there was no attempt on the part of Congress to avoid any obligation which the law provides.

Second. The Teague amendment was properly rejected. The amendment was offered during consideration of the second supplemental appropriation bill in 1953. It called for $10 million to be appropriated for the Veterans' Administration, ostensibly for medical services and hospitalization. It was voted down for a number of reasons. These are as follows:

It was not requested by the Veterans' Administration and it probably would not have been expended had it been appropriated.

It had not been considered by the House Appropriations Committee, whose duty it is to conduct hearings on all appropriation bills.

The wording of the amendment was such that there was no requirement that it be spent for medical services. It might have gone for any one of a dozen other uses.

There was then a surplus in the fund for which the appropriation was requested. Further, it was known that there would be a surplus in this particular fund of approximately $6 million at the end of the year. Thus, the only result would have been to increase this surplus by $10 million. It would not have meant expanded or improved medical services for veterans.

To have appropriated funds to be added to the surplus would have increased the overwhelming national debt, upon which the American taxpayers now pay more interest than it took to run the entire Federal Government each year only several decades ago.

The regular appropriation bill for the next fiscal year, starting July 1, 1953, to be considered shortly thereafter, was the logical place to appropriate funds for an expanded veterans' program. In fact, nearly $4 billion was appropriated for the Veterans' Administration in the bill several months later.

Third. There was no attempt to destroy the veterans' preference law. It was said that an attempt was made to destroy veterans' preference laws by giving the Attorney General authority summarily to dismiss certain employees in the Department of Justice.

The circumstances involved were as follows: There were certain security risks and undesirables in the Department of Justice that the Attorney General wanted to eliminate for the good of the service. This did not represent any wholesale attempt to destroy veterans' preference among Federal employees. It affected only a small segment of the total employees in an agency of great responsibility. Similar authority to dismiss employees in the State and Commerce Departments had been given several years previously to the then President, Mr. Truman, and to Mr. Acheson. No one has charged that former President Truman and Mr. Acheson violated veterans' preference in those two Departments. I am sure that President Eisenhower and Mr. Brownell would not have violated this authority had it been granted by the 83d Congress.

Mr. Speaker, I trust that this review of the facts and circumstances involved in the widespread misunderstanding of this legislative action will serve to establish a better understanding of procedure in the National Legislature and to confirm the cooperative attitude of the 83d Congress in considering the interest and welfare of veterans. In conclusion, I might add that there are times when Members of Congress themselves find parliamentary procedure somewhat complex.

Congress Should Take a Second Look at the Farm and Dairy Program

EXTENSION OF REMARKS

OF

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. MORSE. Mr. President, it was my intention sometime during the closing days of the session to deliver a speech which I have prepared on the subject, Congress Should Take a Second Look at the Farm and Dairy Program.

It is a speech which seeks to pay tribute to some very outstanding work in research on dairy problems which has been conducted by the department of dairy husbandry at Oregon State College under the leadership of Prof. P. M. Brandt. For many years Professor Brandt has been at the head of the dairy department of Oregon State College, and I consider him to be one of the keenest students of the dairy farmers' problems

not only in the State of Oregon but in the Nation. In fact, on several occasions in recent years, I have recommended to the United States Department of Agriculture that very careful consideration should be given by Federal agricultural officials working on dairy problems to the findings, suggestions, and recommendations of Prof. P. M. Brandt.

In the speech which I have prepared for delivery in the Senate I have not presented the detailed research material which has been prepared under Professor Brandt's directorship, on the new protein solids-not-fat program. However, I have placed all the material in the hands of the responsible officials in this field working in the United States Department of Agriculture.

I am making my speech on the need for taking a second look at the farm and dairy program today a matter of public record because I am hopeful that it will receive consideration by Members of the Congress between now and the convening of the 84th Congress next January. I am confident that by that time the present policy being followed by the United States Department of Agriculture will have resulted in such further harm to the dairy industry that the new Congress may look with more favor upon a dairy program that will do justice to the dairy farmers.

I hope between now and January to have further consultations with Professor Brandt and obtain the benefit of his up-to-date suggestions and recommendations based upon developments within the dairy industry since his early studies to which I allude in my speech.

In view of the fact, Mr. President, that there is an informal gentleman's agreement within the Senate that we should adjourn before midnight tonight, I will not take the time to read my entire speech on this dairy topic at this time. However, I do ask unanimous consent to have my speech printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

CONGRESS SHOULD TAKE A SECOND LOOK AT THE FARM AND DAIRY PROGRAM

The Congress has passed and sent to the President for signature the administration's 1954 New Look agriculture bill. In my judgment, the Eisenhower-Benson bill represents a backward look, not a forward look toward a solution to the farm and dairy problems of our Nation. Concentrating on the reduction of farm price supports, it takes away an agriculture program which has shown many beneficial results and substitutes in its place nothing more positive than reliance on the "law of supply and demand."

The dairy industry is one of the great agricultural industries of the State of Oregon. In my opinion, the people of Oregon will not condone the Eisenhower-Benson agriculture program which presupposes a conflict of interest between producers and consumers, which tells the man in the city that he can secure more and better dairy products only at the expense of the man on the farm. I think the people of my State are looking for a program built on the mutual interest and the mutual benefit of farm producers and city consumers.

DEVELOPMENT OF OREGON DAIRY INDUSTRY

An important factor in the development of the dairy industry in Oregon has been the work of the Department of Dairy Husbandry at Oregon State College, under the intelligent and far-sighted leadership of Prof. P. M. Brandt. Through his work at Oregon State College, Professor Brandt has served the dairy industry and the people of Oregon since September 15, 1917. During his 37 years in this field he has built up a vast store of knowledge about dairy problems.

Today I propose to draw upon some of Professor Brandt's observations on dairy problems in the State of Oregon for the purpose of calling the attention of the Senate to some of the points to be considered in the development of a sound dairy program. On January 8, 1954, Professor Brandt told the Oregon Dairymen's Association at its 60th annual meeting:

"We dairymen are living in a new age. We have been in it longer than most of us realize because of the circumstances of its origin. These circumstances came upon us during a time when the industry was struggling to meet the problems of daily life complicated by those of World War II. When the national emergency had passed, the first natural move was to think of rebuilding the industry on its old foundation. But the foundation was not there. And so we find ourselves building on a new one in a new era. It has taken time to realize this and to become adjusted to the changed conditions.

"We have lived in an era in which milk fat determined the price of all dairy products. But fat has abdicated and we have a new king. It is protein.

"The dairy industry must offset the losses in the market value of its products, due to the substitution of the cheaper vegetable fats, by capitalizing upon the use of other components of milk which have heretofore occupied a secondary position. This is where the proteins and other solids-not-fat come into the picture. Once we fully understand the problem and realize the possibilities to the industry of its solution, the progress that can be made on the new protein solids-not-fat program should be parallel to that which followed the discovery of the vitamins."

MODERN APPROACH TO DAIRY FARMING

"Changes in values that will be reflected in prices and a new understanding of food values may excel in significance to the industry the developments which characterized its entrance into certain new eras in the past. It is likely that the introduction of the farm separator and the discovery of the Babcock test for fat will be considered of no greater significance as history-making milestones than will be the protein milestone when its possibilities are fully realized. There is nothing to be feared in this new era by those who enter it with courage and the determination to meet its challenges intelligently.

"But the problems of this current age cannot be solved by an approach characterized by an obstinate determination to maintain status quo, any more than they can be solved by those whose proposals are based upon low ideals, selfish motives or face-saving urges. If we take the wrong road on occasion in exploring this new field, let's find the right one as soon as our mistake is discovered and then proceed about our business of remodeling our dairy industry on a broad, sound, and modern foundation."

I am in complete agreement with Professor Brandt when he states, in effect, that the problems of a new age can best be solved by the adoption of new methods. The success of the dairy industry in the State of Oregon can be measured by its willingness to apply new technologies to the production, processing, and marketing of its products, and its determination to take to market the best possible product at the lowest price commensurate with a reasonable profit for its producers.

Prior to 1920, Oregon was primarily an importing State insofar as dairy products were concerned. Cheese of good quality was produced in Oregon, and it found a ready sale in out-of-State markets. Evaporated milk was sold on world markets by manufacturers who operated on a regional or nationwide basis. Ice cream, however, was manufactured for local sale only and was of relative minor economic importance. Butter had to be imported, and the imported product was generally of low quality.

In the early 1920's the dairymen of Oregon inaugurated a program which resulted in the development of a butter industry that was thriving at the time of the entry of the United States into World War II. I quote some of the observations of Professor Brandt on the experiences of Oregon dairymen during the development period of the Oregon butter industry:

"In the early 1920's when Oregon first produced surplus butter it was quite common for the brokers from terminal markets to appear on the programs of various manufacturers' meetings to describe as diplomatically as possible the low quality of the butter manufactured and to plead for its improvement. This led Oregon State College to undertake a study to determine exactly what was wrong with the quality of Oregon butter and what was the actual effect of its quality upon its marketability. As a result of this study it was definitely established that if Oregon expected to find a ready sale for its surplus butter, marked improvement would have to be made in its quality. Of course, this improvement was equally necessary if any industry growth was anticipated.

"During this same period there was an increase in the number and in the producing ability of the dairy cows in the State. This was due to improvement in their feeding and management and in the progress in the eradication of destructive diseases. This was a reflection of the determination of Oregon farmers to develop a strong and virile dairy industry.

"DEVELOPMENT OF MARKET FACILITIES

"The growth and development of the dairy industry on the farms, and the awakening of progressive manufacturers, particularly the cooperatives, to the real problems involved in the production of a quality product, led to statewide quality-improvement programs and efforts. One of the first and most important of these was the inauguration of the Federal market-grading service in Portland. This was accomplished through the cooperation of producers and processors. This service gave reliability to the quality grading of butter, and for the first time put a stable footing under the price structure by providing reliable and honest market quotations. This development took the guess out of the quality angle so far as butter was concerned, and made it possible for the manufacturers to offer the dairy farmer a sound and workable cream-grading program.

"STANDARDIZATION OF PRODUCT

"The next step was improvement in butter-manufacturing methods to produce a more standardized product. This was followed by the organization of a central sales agency which serviced most of the cooperatively owned creameries. Thus we find, in retrospect, that the chaotic conditions in the dairy industry, particularly with reference to butter in the early 1920's, was stabilized by the early 1930's. In general, by the mid-1930's, Oregon had developed a reputation as favorable for the quality of its butter and all other dairy products as it was unfavorable in the late teens and early twenties. It continued in that status until the impact of pre-World War II population shifts, when the picture changed with reference to the utilization of fluid milk."

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World War II brought an increased demand for fluid milk, and one of the problems which faced the Oregon dairy industry during the wartime period was a shortage of farm labor. Professor Brandt described the results of these wartime conditions:

"The result was a gradual slackening of interest in the production of cream for butter and milk for manufacturing purposes, except for cheese. The tendency was to divert fluid milk production to grade A or its equivalent. There was also a special wartime quality known as market milk. It was accompanied by a decrease in the number of dairy cows and incongruously caused many farmers, well-equipped to produce grade A or the equivalent quality of milk, to discontinue dairying, first because of labor shortages, and later because of good prices received for competing products under the various price-support programs."

CREAM-GRADING PROGRAM DESTROYED

"Government war price control regulations reduced the spread permitted in the price to be paid for first-grade and second-grade cream to 1 cent for each pound of milk fat. This effectively destroyed Oregon's State-wide cream-grading program. It restored 1920 butter quality. That, together with the Government-purchasing program which took the better grades of butter away from civilians, effectively subordinated the butter business to other products, to the joy of the oleomargarine and many Midwest butter manufacturers who specialized in a low-grade product. This characterized the picture in the early 1940's."

GROWTH IN USE OF SUBSTITUTE PRODUCTS

"To recapitulate, war pricing procedures had virtually eliminated an effective cream-grading program, and had deprived the civilian consumers of the better grades of butter, thus encouraging the use of substitutes. Another factor was the repeal by Congress of the 10-cent-per-pound tax on oleomargarine which in turn led to the repeal of most of the remaining State laws controlling the sale of colored oleomargarine. Concurrently with this development, but on the favorable side, was an increase in the production of milk powder. At this writing there is continued interest in the increased utilization of nonfat milk powder and certain components of milk other than fat."

Today in the State of Oregon 50 percent of milk produced is used in fluid form. This is compared to a 30-percent use of milk in fluid form in the 1930's. Professor Brandt states that it is unlikely that we will ever again see as low a per capita consumption of milk as in the 1940's, and it is unlikely that we will ever again see so much milk produced in the State of Oregon that the normal population will consume only 30 percent of the total production.

At the same time, dairy experts believe that it is unlikely that discriminating consumers will ever again buy much butter scoring less than 92 (grade A). The butter market has given way to the cheaper substitutes of vegetable origin. The market for cheese and other dairy products of high food value because of their protein content is as yet comparatively unexplored.

The agricultural industry is characterized by high risk, uncertainty and high fixed costs. The national importance of an increasing supply of wholesome food products makes it imperative that our dairy industry produce at a high level. We cannot afford to decrease dairy production, yet at the same time the dairyman cannot be asked to keep up high production unless the Government is willing to underwrite some portion of his financial risk and assist in the development of demand for his larger production.

In his speech to the Oregon Dairymen's Association, Professor Brandt listed a number of guideposts to be followed by dairymen in their efforts to meet today's problems in the dairy industry. In my opinion, this list merits the attention of the Committee on Agriculture when it deliberates upon proposals to be submitted to the Congress in the next session. The following are Professor Brandt's recommendations:

"1. A practical method for determining the solids not fat in milk is required. Research at Oregon State College on this subject has been fruitful in developing a test, based on the protein content of milk which appears to be very satisfactory. It is hoped that the industry will be willing to use this new tool.

"2. The consumer must be given reliable information on the nutritional value of solids not fat and especially of the protein of milk.

"3. The dairy industry must demonstrate to the consumer how to get more of his daily protein needs from milk and milk products. It is available at relatively low cost and has unique nutritional quality. There is an unlimited opportunity for the expansion of the use of dairy products on the basis of protein and nutrient energy value if the consumer is fully informed as to its value, cost, and availability.

"4. Industrial uses must be found for the low-quality milk fat and milk solids now destroying the market for good quality products. The low-quality products should not reach the consumers' table. The future dairy industry must be built on quality. Government research laboratories have been established with a legal obligation to find other uses for these low-grade products. The acceleration of this research program should be insisted upon.

"5. While satisfactory progress has been made by the dairy farmers of this country in improving production per cow this progress must be further intensified particularly through artificial insemination. The national goal should be a dairy cow that will produce 12,000 pounds or more of milk per year, containing 1,050 pounds or more of solids-not-fat and a consistent amount of milk fat. The new era demands new standards of production based on volume of milk and solids instead of pounds of fat.

"6. The quality of milk from a sanitary standpoint must be continuously improved. Quality dairy products of all kinds will do more to promote the welfare of the dairy industry and its relations with the consuming public than any other one thing. One quality of milk, all good enough for grade A use, should be the goal for Oregon.

"7. Improved and lower cost of dairy housing goes hand in hand with better quality of milk. The capital investment in dairy farm buildings must be reduced without a sacrifice of quality in the milk produced. The increasingly high cost of labor makes imperative the adoption of labor-saving devices and improved buildings, built around this objective.

"8. Public health and economy of production demand increased emphasis upon the control and eradication of livestock diseases. This will call for further restrictions on the unregulated movement of all kinds of livestock. Such restrictions are in the public interest.

"9. The Oregon Dairy Products Commission has now inaugurated a comprehensive program of education, promotion, and advertising to increase the consumption of dairy products in Oregon and to bring about a broader understanding by the public of industry problems. If this program is successful, it should be expanded. The extent of such expansion should be determined by the needs of the time and the success of the then current program."

Today Professor Brandt and other farsighted and progressive-thinking persons outside of Government are doing their part in the development of new methods for meeting new problems in the dairy industry. In my judgment, the representatives of the people in the Congress should be equally willing to explore new approaches directed to the solution of our farm and dairy problems.

It is time for a second look at what can be done to assure for America a healthy and expanding agricultural economy, which means a healthy and expanding national economy for all of our people.

Hon. Edith Nourse Rogers, of Massachusetts, Replies to Hon. John C. Phillips' Statement

EXTENSION OF REMARKS

OF

HON. EDITH NOURSE ROGERS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mrs. ROGERS of Massachusetts. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement which I have prepared as a reply to the charges made by Hon. JOHN C. PHILLIPS against our Committee on Veterans' Affairs and others:

I have read with deep regret the statement issued by the Honorable JOHN C. PHILLIPS under date of July 19, which was just recently released, in which he attacks veterans' operations generally, and in several instances attacks the operations and procedure of the Committee on Veterans' Affairs in particular.

First, I would like to plead guilty to the charge which Mr. PHILLIPS makes that I am "a veteran enthusiast." I make no apology for my position on veterans' matters. In fact, I take great pride in it. It is hard for me to imagine any reasonable person being other than enthusiastic about what our veterans have given for this country and for the entire world. All that we have and enjoy today has been bought at a precious price by our veterans. Yes, I am a veteran enthusiast.

Congressman PHILLIPS has seen fit to criticize Representative RADWAN and myself concerning the bill H. R. 9020, which provides for a 5-percent increase in the rates of compensation. Mr. PHILLIPS makes the statement that the Veterans' Affairs Committee "apparently operates by asking the professional veterans what they would like to have." It is quite true that we seek the advice and counsel of all veterans' groups and all Government agencies concerned in the field of veterans' affairs. The compensation and pension bills were considered on two different occasions by the Subcommittee on Compensation and Pensions headed by the gentleman from New York [Mr. RADWAN]. Two days of hearings were held during the 1st session of the 83d Congress in 1953, and 4 days of hearings were held during the second session. In all, over 100 bills were considered on this subject before the 2 measures which were approved were finally reported by the committee. The hearings which were held resulted in the printing of approximately 400 pages of printed testimony. Approximately 12 individual Members of Congress appeared before the subcommittee to express their belief and conclusion on legislation of this sort. I submit that the record shows that our legislation has been carefully considered in every detail. In addition to the hearings the subcommittee held three executive sessions before it

recommended H. R. 9020 to the full committee. The full committee then went over the bill on three different occasions before it was reported favorably to the House. For anyone to say that we did not consider the legislation fairly and adequately, and particularly H. R. 9020, is to fly in the face of the facts.

Mr. PHILLIPS makes quite a point of the fact that there are a few cases of people earning good salaries who are at the same time drawing compensation from the Government for a service-connected disability. The Congress has long recognized that the loss which a man suffers in the defense of his country should be compensated, or an attempt made, at least, to compensate him for his injury. Many injuries cannot be compensated, no matter what amount of money is finally appropriated or granted. The least we can do is make an effort in that direction.

Other intemperate and unfounded charges were made by Congressman PHILLIPS, but the most outrageous one was that made upon Miles D. Kennedy, the legislative director of the American Legion. Mr. Kennedy needs no defense from me. He is a fine, upstanding and stalwart citizen with whom I have enjoyed working in behalf of the veterans and the group which he represents. He is a man of high principle, and of a pleasing personality, and I believe that any reasonable man will be able to sit down with Miles Kennedy and come to a meeting of the minds. To characterize Miles Kennedy as Congressman PHILLIPS has done, and the American Legion as being "on the side of homosexuals and subversives" is an outrageous charge, and one which does not have any basis in fact whatsoever. The simple proposition presented to the House when that question was up for debate was whether or not the Secretary of State, the Attorney General and the Secretary of Commerce should be given authority to wipe out the Veterans Preference Act if they so desired in the administration of their departments. The American Legion and Members of Congress rightly opposed this, and it is important to note that a majority of both the House and Senate voted against this provision and it was not contained in the appropriation finally enacted into law.

Furthermore, it was a clear invasion of the jurisdiction of the Committee on Post Office and Civil Service by attempting to do by appropriation rider something that the legislative committee did not believe was warranted. The Appropriations Committee has for a number of years been desperately trying to invade the field of veterans' affairs, and we must be constantly on the alert to prevent them from invading this legislative field.

I regret the necessity of making this statement, but the ill-tempered charges which Congressman PHILLIPS has made, charges which I repeat are without foundation, leaves me no other course to follow. I shall continue to be a veterans' enthusiast, and I shall continue to work for the best interests of all the American people, including its 21 million veterans and their dependents.

The Gallant Story of the REA Cooperatives in Idaho

EXTENSION OF REMARKS

OF

HON. GRACIE PFOST

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mrs. PFOST. Mr. Speaker, the story of REA cooperatives in Idaho is the story of democracy on the march—a fine example of people working together cooperatively to build a better and freer democratic world. It is a pleasure to review that gallant story today.

Statistics are pretty dull things. Only when we breathe life and meaning into them do they take on real significance. Nothing illustrates the progress of people working together better than these two sets of statistics:

In 1935, when the Rural Electrification Administration was established, only 29.8 percent of Idaho's 13,443 farms had rural electrification from central stations on what is known as high-line service.

Latest figures show that 96.8 percent of all Idaho farms, or 38,994, were receiving central-station service.

In other words, there has been an increase from 29 percent to nearly 97 percent. I believe you will agree with me that not only Idaho but all America can be proud of such progress.

THE LONG UPHILL ROAD

This has been no easy achievement. REA had slim pickings when it started out. There were many long, sparsely settled country roads with just a few members to the mile, and main highways with not many more.

Nevertheless, Idaho was in the REA program right from the start. The first Idaho loan was approved in September 1935, and the first REA line placed in operation on July 6, 1936. I am happy to report that the Idaho pioneers in this program live in the congressional district I represent. That first loan went to the Northern Idaho Rural Electrical Rehabilitation Association of Sandpoint.

THE REA PROGRAM IN IDAHO

The dreams and visions of the pioneers have paid off in solid achievement. REA approved over $15,146,000 in electrification loans in Idaho to 10 borrowers. All of them are cooperatives.

These loans will make possible the construction of 6,622 miles of line and other rural electrical facilities to serve 16,632 rural consumers. Considering 5 an average family, this means that over 80,000 rural people will receive the benefits and blessings of electricity.

As of January 1 of this year, REA had actually advanced $13,333,869 of the amount approved for loans, and the REA cooperatives who had received these funds were actually operating 5,969 miles of line which served 14,876 families and other rural consumers, or some 75,000 people.

That is a good-sized operation and accomplishment—in anybody's language.

REPAYMENT OF REA LOANS

The REA program is American democracy at its best. People form their own cooperatives under local laws just as in any other private business enterprise, only they work together as a group. The repayment record demonstrates this is no handout program. Idaho borrowers have already repaid to the Federal Government $1,235,178 in interest and $1,782,401 in principal on their REA loans. Some $132,253 was paid ahead of the time it was due. Only the small amount of $30,856 was more than 30 days overdue. On an advanced total of more than $13 million, that is a pretty spectacular financial record.

WHAT IDAHO PAYS FOR ITS REA ELECTRICITY

What, on the average, do Idaho families pay for their electricity? The answer can only be fully appreciated by first recalling the good old days before REA was established. Beginning rates of 20 cents, 17 cents, and 15 cents per kilowatt were quite common. According to the latest REA compilation, the average rate paid by Idaho farm consumers in 1952 was 2½ cents a kilowatt-hour retail.

This figure is even more remarkable when it is realized that today's retail rate includes repayment of principal and interest on the REA loan. One day the REA borrowers will own the whole system themselves.

INCREASE IN CONSUMPTION

Not too long ago, electricity meant an occasional electric bulb overhead. It means far more than that in Idaho today. During the period from December 1947 to December 1953, the average monthly consumption of electricity on REA lines more than doubled.

Having a public power yardstick in neighboring Washington and Oregon has undoubtedly helped push down REA cooperative rates in Idaho. In Oregon, REA families pay 1.9 cents retail per kilowatt-hour for their rural electricity; in Washington it costs them an average of only 1.6 cents. There is nothing like public power competition in your own backyard to push down power rates.

Washington and Oregon cooperatives can buy power directly from Federal multiple-purpose projects. Their example has spurred me on in my consistent advocacy of Federal construction of the high, multiple-purpose Hells Canyon Dam in accordance with well-laid, long-established and sound engineering plans.

NORTHERN LIGHTS, INC., SANDPOINT

There are six lusty cooperatives operating in the congressional district I represent. Each has an impressive record. The first in the field is Northern Lights, Inc., at Sandpoint, which, under the name of the Northern Idaho Rural Electrical Rehabilitation Association received that initial loan back in 1935. I challenge any Member of this House to show a finer record of accomplishment.

REA has approved nearly $3 million in loans and advanced $2,809,358. As a result this fine cooperative has 1,140 miles of line energized for the benefit of 2,992 members and their families.

The people are paying back on the dotted line. They have already repaid $246,732 in interest and $268,336 on the principal. Moreover, they made advance payments of $15,946.35 before they were due, and have no overdue payments.

CLEARWATER VALLEY LIGHT & POWER ASSOCIATION, LEWISTON

The Clearwater Valley Light & Power Association at Lewiston has done an equally fine job. Its first loan was received in 1937, and its first electricity turned on in 1938.

Its original loan was for $400,000. A total of $3,388,000 has now been ad-

UNIVERSITY OF MICHIGAN LIBRARIES

vanced by the REA. Clearwater Valley is a little larger than Northern Lights, with 1,911 miles of line energized which serves 4,055 members, or about 20,000 persons.

This well-managed cooperative has also fared well financially. It has repaid to REA $541,132 in interest and $647,307 in principal. Here again the payments have been made before they were due. Also the records are as clean as a whistle, with no payments overdue.

KOOTENAI RURAL ELECTRIC ASSOCIATION, INC., COEUR D'ALENE

The Kootenai Rural Electric Association secured its first REA loan, which was for $214,000, in 1938, and power was turned on for the first time in 1939. Up to the present time this cooperative has had $1,211,288 in loans approved, most of which has been advanced.

Somewhat smaller than its neighbors, it has 693 miles of line energized, and 2,137 members, which means that it is serving around 10,000 persons.

Kootenai is another upstanding cooperative. It shows what the folks back home can do when they are given the opportunity to provide essential services for themselves. It has repaid the Government $132,780 in interest and $242,744 in principal. It has also made advance payments of $52,044 before they were due.

IDAHO COUNTY LIGHT & POWER COOPERATIVE ASSOCIATION, GRANGEVILLE

Let us go to Grangeville next and see what kind of a job the Idaho County Light & Power Cooperative Association is doing. The first REA loan for $191,000 was made on September 12, 1938. The electricity was first turned on on September 22, 1939.

The cooperative advises REA has approved loans totaling $1,153,500. Of this sum, $1,093,525 has actually been advanced to this cooperative. With 615 miles of energized line, it has connected 921 consumers, or approximately 6,000 persons.

Its financial record is a splendid one. It has paid the Federal Government $93,569 in interest. It has repaid $153,687 in principal. At the same time it has made advance payments of $47,035 before being due. No amount is overdue.

LOST RIVER ELECTRIC COOPERATIVE, INC., MACKAY

The Lost River Electric Cooperative of Mackay started a little later. Its first loan was made on July 1, 1940, for $79,000, and electricity was turned on for the first time just a little less than a year later.

To date REA has approved loans of over $1,337,000, over $850,000 of which has actually been advanced. This system has 259 miles of energized line and 695 consumers, or some 4,100 people receiving the benefits of electricity.

Its financial record is excellent, too. It has paid back to the REA $43,005 in interest and $58,921 on principal. Advance payments total $40,593.47. No sums are overdue.

SALMON RIVER ELECTRIC COOPERATIVE, INC., CHALLIS

Youngest and smallest cooperative in my district is the Salmon River Electric Cooperative, Inc., at Challis. The date of its first loan was May 8, 1950. It was for $655,000. Electricity was turned on for the first time on June 30, 1951.

From the beginning, the total loans approved for the Salmon River Cooperative now amount to $1,350,000. Practically all of this has been advanced by REA. The exact figure of the advance is $1,248,957.

There are 313 members, or some 1,500 persons, being serviced. There are no overdue amounts on this system.

REA IS A PEOPLE'S PROGRAM

Mr. Speaker, there are two sides to this power question—the people's side and monopoly's side. Either you are for electricity at a price the average man can afford to pay, or you go along with the monopolists and believe charges should be all the traffic will bear.

I have tried to make my position clear. I am for the average man and small business. They are the heart and sinews of America. We preserve and promote democracy in proportion as we build solidly from the average man up.

The REA is a program for the average farmer, and at the same time it brings great benefits to the towns and cities which surround the rural area served. Until every farmer and rural resident who can reasonably be reached receives the benefit of REA electricity, the job in Idaho will not be finished.

I am happy to have had this opportunity, Mr. Speaker, to present the distinguished record of REA cooperatives in Idaho—and particularly in the congressional district I represent. I want to assure these REA folks here and now that they can count on me as their stanch supporter and friend.

Administrator Nelsen's Alibi Not Good Enough

EXTENSION OF REMARKS

OF

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. MORSE. Mr. President, another subject matter which I intended to discuss in the closing days in the Senate by way of a brief speech deals with an attempt of Administrator Nelsen, of the REA, to alibi his inadequate support of a much-needed speeding up of the rural-electrification program. However, the early adjournment hour which we have set for ourselves here in the Senate renders it impossible for me to take the time of the Senate to deliver a few brief comments that I wanted to make on the subject. Therefore, I ask unanimous consent to have inserted in the RECORD a brief statement under the subject Administrator Nelsen's Alibi Not Good Enough.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ADMINISTRATOR NELSEN'S ALIBI NOT GOOD ENOUGH

Mr. President, on July 19 I inserted in the daily CONGRESSIONAL RECORD an editorial from the St. Louis Post-Dispatch which was critical of the Republican administration's actions, or halfhearted actions, on the rural-electrification program.

Mr. Fred Strong, Deputy Administrator of REA, has sent me a copy of Administrator Nelsen's letter of reply in the event that I wished to insert it in the RECORD also. It reads as follows:

JULY 1, 1954.

The EDITOR, ST. LOUIS POST-DISPATCH,
St. Louis, Mo.

DEAR SIR: Our attention has been called to an editorial in your issue of June 12, 1954, concerning the REA program.

We feel that your impression that we are "not very enthusiastic" about the REA program must be based on inaccurate information, and we believe that you will welcome the facts.

During the past year, we have made electric loans totaling $181 million that will bring service to 180,500 consumers. In both dollars and consumers, that surpasses what was done by REA during the 12 months before we took office. We have reduced the backlog of loan applications from $220 million to $130 million. We have pushed the power-supply program, and our percentage of loans made for generation and transmission facilities equals the longtime level. In the rural-telephone program, the past year has been by all standards the biggest in the 5-year history of that program. Loans for the year are expected to reach $74 million—nearly twice the $41 million program the year before. Rural telephone construction and subscriber connections are running about one-third ahead of the previous fiscal year. Moreover, we have reduced the administrative cost of the two programs substantially.

In our judgment, the effectiveness of REA is to be measured by how well REA meets the needs of its borrowers—not by the number of dollars loaned. We think you will agree, however, that even looking at the dollar volume alone, the record made so far in our administration could not have been established by those who are out of sympathy with the program.

Sincerely yours,

ANCHER NELSEN,
Administrator.

Mr. President, the Administrator's letter puts the best face on an ugly situation. But the unattractive facts are not changed.

1. Mr. Nelsen begs the question on the "not very enthusiastic" charge by citing his record of electric loans for 1954. The loan program for 1954 was almost identical with that of preceding years, fiscal 1953, 1952 (when the Korean War required minimum expenditures). Mr. Nelsen's loan program record was made possible by funds which the administration did not ask for and the authorization of which they opposed. Mr. Nelsen is very proud of lending $167,104,100 in electric funds. It should be pointed out, however, that the administration originally planned only a $120 million loan program. When the Congress—in opposition to the administration—increased the funds available this planned program was increased to $135 million. After more than half the fiscal year had passed, and after REA had been severely criticized for a slowdown on loans the planned program was finally increased to $165 million. It is this last figure of which Mr. Nelsen is so proud, but it took funds which the administration did not want authorized, and a lot of pressure from the Congress to get him to carry out the program of which he is now so proud in print.

When Mr. Nelsen says "We have pushed the power-supply program." It is well that he limits himself to comments on generation and transmission loans for proof, because the administration has attacked power supply from almost every other possible angle throughout the country.

The telephone program has been growing slowly as it got under way. At the rate the program is moving, it will be something like a half century before all farmers have telephones. Compared to the old crusading spirit of REA when it was launching the REA electric program, the attitude on the telephone program is almost negative.

On the reduction of administrative costs, Mr. Nelsen has been so successful that he was criticized by the House Subcommittee on Agricultural Appropriations. Whether he has actually reduced administrative costs by promoting efficiency is a question. There is no question about his having reduced administrative expenditures by sharply slashing important technical and advisory service to the rural systems.

2. The rural electrics do not and cannot exist with REA alone, even though it is run in a manner entirely satisfactory to them. They are dependent upon the Federal power program in many areas for low-cost power, for adequate supplies, for bargaining power with the private utilities. Anyone, including Mr. Nelsen, who says that the Federal power program has or is being run with the best interests of the rural electric systems in mind is simply in error. One could recite a volume of changes made in the Federal power program which are harmful and potentially destructive to the rural electric systems. This is an incomplete list: The gutting of the staffs of Southeastern Power Administration, the Southwestern Power Administration, and Bonneville Power Administration; the violation of the SPA-co-op contracts; the marketing criteria for the Missouri Basin; the reshuffling of cost allocations to power on multiple-purpose projects which are under way and are designed to increase power costs to the rural electric systems; the refusal of the administration to recognize the rights of the Georgia cooperatives to the power from Clark Hill Dam; the President's attack upon TVA (from which 52 co-ops get their power) as "creeping socialism" and his order to AEC to help the private utilities invade TVA. To say that the administration is "enthusiastic" about the rural electric systems in the face of the frontal assault upon their power supply which makes up 32 cents of every dollar taken in by those systems requires a new definition for the word.

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The Republican Smear of ADA Unwarranted in Fact

EXTENSION OF REMARKS
OF
HON. WAYNE MORSE
OF OREGON
IN THE SENATE OF THE UNITED STATES
Friday, August 20, 1954

Mr. MORSE. Mr. President, it had been my intention on this last day of this session of Congress to deliver a speech in defense of the organization, Americans for Democratic Action, by way of answer to the unwarranted smear attacks of certain Republican spokesmen against ADA. Because of the lateness of the hour and the general informal understanding existing in the Senate that each Senator shall be privileged to have inserted in the CONGRESSIONAL RECORD speech material that he had intended to deliver today, I shall forego the pleasure of making this particular speech on the floor of the Senate at this time. However, I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD the speech that I had intended to make entitled "Republican Smear of ADA Unwarranted in Fact."

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REPUBLICANS' SMEAR OF ADA UNWARRANTED IN FACT

Recent statements by the conservative leadership of the Republican Party make it abundantly clear that the 1954 congressional campaigns will not be waged on the merits of programs. It is apparent that these leaders do not want to talk about such issues as employment, public power, taxes, offshore oil, and national defense. They would engage the country in sundry diversionary issues by attacking individuals and organizations and impugning their motives rather than debating the programs for which they stand. It is my hope that the liberal candidates will refuse to be sidetracked by these tactics and will take the poor record of the 83d Congress and the Eisenhower administration to the people of America. So that the record may be clear, and perhaps some of the false charges be put to rest, I want to expose one of the principal diversions being used today.

Americans for Democratic Action has been selected by the leaders of the Republican Party as the whipping boy in the 1954 campaign. The President of the Senate and Vice President of the United States has on a number of recent occasions attacked ADA. The Vice President told a GOP gathering in San Francisco that "The Democratic Party, unfortunately, is controlled in California and nationally by its ADA left-wing, a group of men honestly, but I believe mistakenly, dedicated to the socialization of basic institutions in this country." Later he told a GOP audience in New York that ADA was in control of the Democratic Party of that State.

Senate Majority Leader KNOWLAND has implied that ADA is attempting to take over the leadership of the Senate.

ADA is generally called left-wing or Socialist by Republican leaders, but there is no attempt to argue against the programs for which the ADA stands. As an ADA vice chairman, let me put the record straight. Americans for Democratic Action is dedicated to a program of constitutional liberalism and its policies are dictated by the needs, aspirations and desires of the American people.

Few, if any, of ADA's attackers would attempt to stick a Communist label on it. They argue that the organization is a group of determined Marxists seeking to destroy our democratic free enterprise system and replace it with socialism. This is the line of those politicians who oppose any social or economic program in America—cry "socialism" when the Communist charge cannot be made to stick—at everyone and everything standing for progress. The baiters of ADA have been pretty careful not to label it Communist. Its record and public reputation of vigorous anticommunism is too clear.

What is ADA, and what does it stand for? I'll tell you.

ADA was organized in 1947 by a group of distinguished Americans with the general purpose of restoring the influence of liberalism in the national and international policies of the United States.

ADA has operated in the politics of ideas, believing that in a democracy progress comes as ideas are proposed, debated, accepted, rejected or modified by the people themselves. I have always considered this one of the sources of our country's political health. Some of the things ADA has advocated have been accepted; some have not—at least, not yet; some, no doubt, never will be. The point is that ADA has laid its views on the line for all to see. Those who disagree can dispute the soundness of the views, and many have. It has seemed to me that those who denounce ADA and its views as subversive—which is ridiculous—do so because they are afraid of the ideas, afraid that the ideas will be accepted on their merits, and find it easier and safer to denounce than to refute them. For myself, I believe, as did Thomas Jefferson, that in a free country we can tolerate any error of thought as long as reason is free to combate it.

The first task ADA set for itself after it was founded was to expose and frustrate the attempt of the Communists to trap American liberals into supporting their sinister objectives. In 1948 ADA exposed the Communist domination of the so-called Progressive Party in a series of widely distributed, well-documented pamphlets. It continued this opposition and exposition through subsequent campaigns.

In policy, platform, and performance ADA has opposed the Communists on all the important issues of our time. ADA supported aid to Greece and Turkey, the Marshall plan, point 4, the North Atlantic Pact, the military-aid program, and antiaggression action in Korea. ADA's anticommunism has not been confined to mere opposition to Communist lines. ADA has not only exposed Communist machinations within political movements, but has kept them out of civil-rights mobilizations and other liberal organizations, and has revealed the hidden purpose of Communist propaganda.

Early in 1953 the ADA publicly warned of a developing new Communist line calling for a revival of the popular front which deceived so many Americans in the thirties and which still, unfortunately, is a real factor in several European countries. In March of this year, 1954, the ADA again called public attention to the new Communist official program brazenly identified as "the American way."

"The ADA describes this new attempt of the Communists to deceive Americans this way: 'The real purpose behind this Yankee Doodle pose * * * [is] disrupting the unity of the free world.'

"In their main and sole immediate purpose, weakening and isolating America," continued this same statement just 4 months ago, "the Communists set themselves in diametric opposition to the ADA and the broad movement of American liberals who believe that the unity of the free world and the strength of the United States are the two major premises of our national policy."

I cite these instances of ADA's continuous and continuing opposition to communism not because the record of ADA needs defense, but because the technique of distortion used by some Republican leaders is first to concede that ADA is not a Communist-front organization, and to go on to say that ADA is "doing the work of the Communists."

What is the work the ADA is doing for the Communists? What is the socialism it seeks to foist on the United States? Let us revive an old American custom and look at the record.

It has been charged, for example, that Americans for Democratic Action wants "every teacher to have the right to be a member of the Communist Party, and to teach communism to our youth." The policy statement of ADA, adopted at its annual convention in Chicago in April 1954, says this: "We oppose legislative interference with academic freedom. We have confidence in the will and the ability of those who are charged with the conduct of our educational institutions to exclude from teaching positions all persons who have surrendered their own freedom of thought to Communist or fascist control." What sane or honest per-

son can see in this any support for the right of Communists to teach our youth?

It has been charged that ADA urges that "Communists be guaranteed the right to serve in at least 99 percent of all Federal and State positions." What fanciful nonsense—the truth is that ADA says, and again I quote its recent convention position: "We recognize the important necessity for guarding sensitive agencies from the activities of Communists or Fascists." ADA does believe that more than 99 percent of all Government workers, Republican and Democrat, are loyal, decent Americans and that far too many of them have suffered deep injustices because of the ill-defined standards and faulty administration of the loyalty-security programs. We have seen in the recent juggling of figures on security risks, the ease with which the program can be perverted into a political purge when so many basic rights are denied the accused.

ADA has always held the view expressed by President Eisenhower in his memorable speech at Columbia University, when he said, "Here in America we are descended in blood and spirit from revolutionaries and rebels—men and women who dared to dissent from accepted doctrine. As their heirs, may we never confuse honest dissent with disloyal subversion."

In fairness to a difference of point of view that exists within ADA on the issue of outlawing the Communist Party, I wish to point out that there are those in the organization who do not share the position taken by me and the Senator from Minnesota, Mr. HUMPHREY, on the Humphrey-Morse-Kennedy amendment recently adopted by the Senate which sought to outlaw the Communist Party. The difference of opinion is one which exists within other groups—for that matter within the Senate of the United States itself—and is based upon very sincere and honest opposing contentions. As I see it those within the ADA and within other organizations who hold to the point of view that it is a mistake to outlaw the Communist Party argue from the assumption that the Communist Party is in fact a political party. I do not accept that assumption as being a sound one. The burden of the argument of the Senator from Minnesota, Mr. HUMPHREY, who incidentally is a past president of ADA, and of the rest of us who supported the Humphrey-Morse-Kennedy amendment proposing the outlawing of the Communist Party, is based upon the contention that the Communist Party is not a political party. Such being our argument, it is fair to ask us the question, "If the Communist Party is not a political party, then what is it?" Our answer is that the Communist Party in fact is a criminal conspiracy dedicated to the overthrow of the United States Government by force. It is a criminal conspiracy that participates in a gamut of subversive activities including sabotage, espionage, and treasonable conduct. It is a conspiracy which has always operated underground as far as its criminal conspiratorial activities are concerned. We who would outlaw the Communist Party take the position that the so-called above-ground activities of the Communist Party are but political window dressing, political propaganda, and political deception.

Further, we take the position that any individual who knowingly, willfully, and intentionally joins the Communist conspiracy, recognizing full well the conspiratorial objectives of the organization, should be made criminally liable for the act of joining the conspiracy. Those of us who supported the Humphrey amendment which sought to outlaw the Communist Party made very clear that the conspiracy, which we were seeking to make a Federal criminal offense, was one which required the existence of a criminal intent or mens rea on the part of the defendant. Therefore, we have not been able to accept the argument of those in the ADA and in other organizations including Members of the United States Senate who have contended that our amendment violated some way, somehow, freedom of speech and freedom of thought and would lead to thought control.

Neither have we seen any logic to the contention that our amendment seeking to outlaw the Communist Party and making the willful and intentional joining of the Communist Party a criminal offense constituted a threat to our political parties in the United States. When opponents of our point of view have asked the question, "Would not the outlawing of the Communist Party be a precedent sometime, when a tyrannical majority may prevail in the United States, for outlawing the Republican Party or the Democratic Party?" Our answer to the question is "No" and for the simple reason that our amendment proposing to outlaw the Communist Party is based upon the allegation that the Communist Party is not a political party at all, but is, in fact, a conspiracy to overthrow our Government by force.

Under our judicial system in the United States no political party could possibly be jeopardized by our amendment because it is perfectly obvious that a legitimate political party under our constitutional system would not be one which has as its objective the overthrowing of our constitutional system of government by force. However, we fully appreciate the fact that there are many people in our country just as sincere in their devotion to our form of government as are those of us who think that the Communist Party should be outlawed and who believe that we are mistaken in the course of action which we have followed in our support of the Humphrey-Morse-Kennedy amendment.

As I've said before, there are those in the ADA—and for all I know, possibly a majority in the ADA—who hold to a point of view contrary to those of us who supported the the Humphrey-Morse-Kennedy amendment. The debate in the Senate shows that there are many in the Senate who at least felt that the Humphrey-Morse-Kennedy amendment should be watered down before final adoption and they succeeded in doing so in the conference report recently adopted by the Senate.

For that matter, the record is clear that even the President of the United States and J. Edgar Hoover have not favored going as far as we went in the Humphrey-Morse-Kennedy amendment. Therefore let me make very clear that the difference of opinion within the ADA over the issue of whether or not the Communist Party should be outlawed does not in any way justify any smear attack on the ADA under such a false charge that it is soft on communism.

There are many organizations in the United States which are strongly anticommunistic, but I want to say here and now that I do not know of any organization that is more anti-Communist and is more dedicated to checking the spread of communism than is the Americans for Democratic Action.

Now that the conference report has been adopted on the so-called Butler subversive control bill, I am satisfied that in the next session of Congress the new law is going to need a considerable amount of revising and amending. I am perfectly aware of the fact that the introduction of the Humphrey-Morse-Kennedy amendment resulted in the offering of a great many amendments to the Butler bill here on the floor of the Senate. We all know—if we're to be frank about it—that it resulted in a considerable amount of compromising of legislative proposals in connection with the bill here on the floor of the Senate.

If time had permitted, the best procedure to have followed would have been to send the entire bill, along with the Humphrey-Morse-Kennedy amendment and the rest of the amendments which were proposed here on the floor of the Senate, back to the Judiciary Committee for further hearings and consideration. Many Members of the Senate in our cloakroom discussions on the bill agreed that it was most unfortunate that the Butler bill did not come up for debate on the floor of the Senate at least 2 months ago. If it had been considered earlier, then the sound course of action would have been to send it back to committee for consideration of such amendments as the Humphrey-Morse-Kennedy amendment. Personally I wish that course of action could have been followed, but with the adjournment date hanging over our heads like a sword of Damocles, time did not permit of further committee hearings and consideration on the bill.

I am satisfied that the final bill which we passed from a draftsmanship standpoint is not a very good example of legislative art. Likewise I am fearful that it has some legislative hodgepodge characteristics and it may very well be that it has some legal inconsistencies within it. Undoubtedly it is one that is going to raise a good many administrative problems and serious questions of public policy. Therefore I wish to say here and now that as one of the cosponsors of the Humphrey-Morse-Kennedy amendment, I intend between now and the next session of Congress to do a great deal of legal research work on the Butler bill as amended, and prepare whatever amendments I decide are necessary in order to meet any fair and sound criticism of the bill which may develop in the weeks and months between now and the opening of Congress.

Mr. President, on the subject of ADA's opposition to communism I wish to read an editorial in the August 6, 1954, edition of the Commonweal. The editorial reads as follows:

"THE IDEA OF COMMUNISM

"Communism is a three-way danger. It is, first of all, an idea that has won the allegiance of millions throughout the world. As an idea, communism presents a more or less coherent philosophy of life and of man rooted in dialectic and historical materialism. Secondly, communism is a political conspiracy; as such it is an internal threat wherever it has followers to carry out party orders. Thirdly, communism is a worldwide military force embarked on a program of expansion and aggression.

"The three aspects of communism go hand in hand. The idea comes first; the party is able to enlist from convinced ideologues followers ready to carry out subversion or, when the climate is right, to change social disorder and discontent into the coin of mass political action. This latter activity is hopeless in the United States at the present time, but such was not the case during the bleak depression years and in countries like Italy and France the unhappy social scene is still a fruitful vineyard for Communist apostles. In both these countries communism is able to command a large number of votes. The votes come not from convinced Communist ideologues but from dissatisfied people who take that way to express discontent with their lot.

"The problem of fighting communism is to keep each of these three avenues of Communist approach closely guarded. It would not do, for instance, to concentrate so exclusively on counteracting communism as an idea that the avenue of internal subversion was ignored. It would not do to concentrate so completely on the problem of subversion as to ignore the military aspects. In this place or that, one or the other danger may be greater than the others, but the 3-way attack must be met by an alert 3-way defense.

"Communism as an idea has probably been the most neglected of all three, both here and abroad. Both leftwing and rightwing

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opinion in the United States has been guilty of obscuring the real nature of communism as an idea. For years—with notable exceptions—many patriotic liberal Americans neglected to take a good hard look at just what communism means in terms of ideas. The rude awakening that came after the war was really unnecessary. In the glow of the wartime alliance with Russia even stalwart generals were saying that the difference between communism and democracy was just about as crucial as the difference between American Democrats and Republicans. If the philosophy of communism had been seriously examined, we might have avoided many well-meant but disastrous moves. Too many Americans felt that communism was undoubtedly foreign and perhaps even on the screwball side, but were not yet sufficiently oriented to the ideological age to believe that the future of the world might actually be dependent on the abstruse dialectics found in dull, barely readable Marxist tomes. By and large, we were pushovers for the sentimentality that colored so many of our attitudes toward Russia when we fought a common enemy. That sentimentality afflicted all strata of society. It is as easy to find it in back issues of Life magazine as in the glowingly liberal-opinion weeklies. (Longtime Commonweal readers will recall that in July 1945, this magazine and the Catholic World were attacked by Pravda as the two worst examples of 'the warmongering Catholic press,' so do not read the above as an apologia.) A more general knowledge of the idea behind communism would have saved Americans from many of the illusions that drugged the Nation at the time.

"On the other hand, there is a segment of American society which still stands in as much need of education about the idea of communism as those who thought about the subject so hazily in those days. This is a group which is ready to bracket every idea which does not conform to its own hardy right-wing convictions as communistic.

"There is no more affinity between communism and the kind of liberalism espoused, say, by the ADA or the American Veterans Committee than there is between the native fascism of Gerald L. K. Smith and the stanch republicanism of the late Senator Taft. But, for political and propaganda purposes, this group is forever ready to attribute every idea left of Dwight Eisenhower's fictitious dead center to Karl Marx. These terribles simplificateurs have created all kinds of mischief by consistently tarring patriotic and idealistic people with the Communist brush. 'If supporting public housing is communistic,' many have felt through the years, 'then I don't mind being communistic.' A good example of this sort of thing was found recently when a supposed authority on communism before a congressional committee identified the writings of two Popes as communistic. As long as good people and good ideas are arbitrarily associated with communism, for partisan gain, the essential wickedness of communism as an idea will be obscured.

"There are proposals now for a more general education in communism, notably a widely publicized plan offered by the American Bar Association. We heartily approve such a program, provided it truly means education about communism and is not used as a means for partisan propagandists and lobbyists to include as communistic the teachings and beliefs of just about everyone who disagrees with them, from the Popes who wrote the social encyclicals to the liberals of Americans for Democratic Action.

"The so-called right wing cannot alone defeat communism in America. The attack of the Communists is directed against Americans of both parties and from every shade of the political spectrum. We need to fire our volleys against communism from both left and right. The sooner this simple fact is generally understood the better all around. No group of Americans is the special target of communism, and none has a monopoly on anticommunism. With wider understanding of the Communist idea, it might become clear to all that however we Americans may disagree among ourselves we face in communism a common enemy and will either have to hang together or hang separately."

Much is made in attacks upon ADA of its opposition to loyalty oaths. ADA does oppose loyalty oaths for private individuals and says that "to the extent that any oath can have meaning, we believe that the traditional oath by Government employees in support of the Constitution and the laws of the United States is sufficient." I am puzzled, too, by the attitude on loyalty oaths of some of the self-styled professional anti-Communists, experienced and knowing as they are in the ways of Communist deceit and treachery. Do they think that a disciplined Communist agent would, for an instant, hesitate to sign an oath or anything else if it suited his purpose?

The charge is made that ADA advocates the destruction of the FBI and is supporting the abolition of congressional committees investigating communism. ADA does not believe that in a free country any person or agency of the Government is sacrosanct and above criticism. It has criticized the methods of the FBI a number of times, particularly for the use of wiretapping—a position, incidentally, consistently sustained by the courts. ADA maintains that, so long as wiretapping is against the law—and ADA opposes its legalization—it should not be permitted especially by that agency—the Justice Department—responsible for the enforcement of Federal law. But ADA insists that the job of hunting down spies and saboteurs is the work of the professionals in the FBI and intelligence agencies. It upholds the position of former President Truman and President Eisenhower and that the FBI and other confidential files of executive agencies should not be disclosed, for any purpose whatever, without presidential authorization.

On the question of the operations of certain investigating committees of the Congress, many thoughtful leaders, both Republicans and Democrats, as well as millions of Americans have learned a bitter lesson in the kind of havoc, close to anarchy, that a free-wheeling investigating committee can create when operating in defiance of any rules of procedure and responsible conduct. The ADA has long warned of such dangers. Several years ago it called for the abolition of the House Un-American Activities Committee, a position, incidentally, which it has not advocated since that committee has adopted a code, however imperfect, of procedure. The organization is very specific in its emphasis on "the vital need for legislative investigations."

I shall not attempt to trace the origins of all the distortions and misstatements that have been made about ADA, or to attempt to place them back in the context of either the printed page nor of the times from which they were torn. It is always easy to find a sentence or two uttered by a public official or an organization at some time or other and twist it to serve one's own purpose. Recently, before a committee of the House, we saw an example of this when excerpts from Papal writings were publicly identified as a Communist-line document.

It has been charged that ADA is a dangerous Socialist outfit, selling the Communist line "under another brand name." The most specific example of ADA's socialist tendencies generally cited is that the organization favors "a series of regional duplicates of TVA." President Eisenhower also has talked about TVA in terms of "creeping socialism." I am sure ADA offers no apologies for its support of the brilliant success of TVA, nor for its advocacy of more such successes for the American people.

There are social and economic ideas which have taken deep root in America and which any parties or politicians would seek to uproot at their own peril. The origins of many of these ideas are obscure. I am told that the earliest proposal for a graduated income tax appeared in some kind of socialist manifesto. I know it appeared in the Communist Manifesto of 1848. Does that make it a bad idea? Unlike some of my colleagues, I have deep faith in the common sense and good judgment of the American people, who have the greatest opportunities for self-enlightenment of any nation. As long as they remain free, uninhibited, fearless, and curious, they are perfectly capable of directing the destiny of this Nation within the traditional framework of our Constitution and laws. I fear that some of my colleagues do not share my faith in the wisdom of the people.

I do not believe that even the Grand Old Party with the unprecedented millions it is pouring into election propaganda can foist on the American people ideas which are not sound and good for the country. I do not believe that all the commercials and slogans the ad men can concoct will, in the eyes of the voters, obscure the record of the Republican Party in office.

Many charges are leveled at the foreign policy stands of ADA. It is said that "they" (meaning Americans for Democratic Action) "are extreme internationalists and one-worlders." In the present state of the world, I just do not see what, if any, meaning can be any longer attached to the phrase internationalist. Atomic power, the hydrogen and the dreaded cobalt bomb combined with the threat of Soviet power has robbed such dictionary terms as isolationist and internationalist of all rational meaning. As Wendell Willkie said, there is one world, and the United States, by act of history, is leader of the free nations in it.

Even the most painstaking efforts by the ADA opposition have failed to make the Communist smear stick. And this, of course, is maddening and frustrating to those who seek to destroy the organization. It undoubtedly accounts for the fact that the anti-ADA hucksters have had to dream up some new slogans. In the coming campaign we can expect to hear a lot of loose talk about ADA and socialism and statism.

ADA will continue as an independent political organization. It does not try to control any other political organization or party. Let those who would attack ADA by innuendo come forward and debate the programs for which it stands.

ADA is for the United Nations, free world opposition to Communist aggression, point 4 aid to underdeveloped areas, and a strong national defense.

ADA is for small business, it is for the protection of the legitimate rights of big business, and it stands for a policy which will assure a fair share of the Nation's income for the farmers, a vigorous antimonopoly program, and much needed housing, health, education, and social-security programs. ADA also supports a conservation program which seeks a development of the Nation's resources in the interest of all the people. It is opposed to a giveaway of the people's heritage in the natural resources of the country even though that giveaway may be clothed in such plausible slogans as a partnership relation between the Federal Government and local interests, including private utility monopolies. The ADA is dedicated to the sound American constitutional principle of equal protection under the law for all of our citizens.

For the record I list just a few of the names of prominent and distinguished Americans who are members of Americans for Democratic Action:

Arthur J. Altmeyer, Francis Biddle, Joseph A. Bierne, L. S. Buckmaster, James B. Carey, Joseph S. Clark, Jr., Elmer Davis, James E.

Doyle, David Dubinsky, Thomas K. Finletter, A. J. Hayes, Averell Harriman, Hubert H. Humphrey, W. P. Kennedy, Leon H. Keyserling, Herbert H. Lehman, Robert R. Nathan, Reinhold Niebuhr, James G. Patton, Walter P. Reuther, Mrs. Eleanor Roosevelt, Franklin D. Roosevelt, Jr., Arthur M. Schlesinger, Arthur M. Schlesinger, Jr., Telford Taylor, Harold Urey, Robert F. Wagner, James A. Wechsler, Mrs. Quincy Wright.

And the late Senator Brien McMahon and the late Hugo Ernst, president of the AFL Restaurant Workers, were among its membership.

Let those who oppose the principles and programs of ADA as set forth in this speech say so. Let them meet advocates of the principles of ADA in public discussions and let the public decide the issues. Let us have an end to this disgraceful campaign of untruths which many Republican spokesmen are conducting against Americans for Democratic Action. Citizens generally should recognize the attacks against the ADA for what they are, namely, political smear attacks. They are part of the big lie technique that has come to characterize so much of the campaign strategy of the reactionary wing of the Republican Party. The attacks against the ADA are obviously based upon the fear of political reactionaries in America that they have reached the end of their political rope insofar as frightening the American people any longer with their political scarecrow arguments. The time has come for the American people to call a halt to the political hysteria which reactionary political forces so dominant under the Eisenhower administration have tried to stir up in our country. The vicious attacks that have been increasing in recent months against the ADA are good examples of the political desperation of the reactionaries.

I conclude by saying, Mr. President, that the truth is that the average patriotic citizen in America will find himself in agreement with the principles and objectives of the program of the Americans for Democratic Action if he will only take the time to familiarize himself with that program. I have complete faith in the fairness of the American citizenry once it takes the time to find out the facts about a given matter, and therefore I'm satisfied that those political reactionaries who think that they can smear the ADA into political oblivion are themselves going to be repudiated by the voters of America.

Record of Activity of the Committee on the Judiciary of the House of Representatives

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EXTENSION OF REMARKS

OF

HON. CHAUNCEY W. REED

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. REED of Illinois. Mr. Speaker, it is with pleasure that I make this report on the activity of the Committee on the Judiciary of the House of Representatives of the 83d Congress. The accomplishments of the committee are due entirely to the interest and labors of the members of that committee and its staff. The record of the committee in this Congress is, in my humble opinion, outstanding. A total of 16,363 measures were introduced in the House and Senate during both sessions of the 83d Congress, of which 36.2 percent were referred to the Committee on the Judiciary. Of this total, 11,855 were House bills. A total of 44.2 percent of all the bills introduced in the House in this Congress were referred to the Committee on the Judiciary.

The total number of House and Senate bills referred to the Committee on the Judiciary consisted of 1,010 public bills and 4,921 private bills.

Out of the total number of 1,246 Senate bills which passed the Senate, 704 were referred to the Committee on the Judiciary, which was 56.5 percent of all bills passed by the Senate. Of the 704 Senate bills referred to the House Judiciary Committee, 62 were public bills and 642 were private bills..

The work of the committee was assigned to five standing subcommittees, as well as to special subcommittees, whose reports are as follows:

SUBCOMMITTEE NO. 1: GENERAL JURISDICTION OVER BILLS AS ASSIGNED, SPECIAL JURISDICTION OVER IMMIGRATION AND NATURALIZATION

In the first session, Subcommittee No. 1 held public hearings on legislation pertaining to submerged lands and after having drafted a bill introduced by Representative GRAHAM, it steered through the House the Submerged Lands Act, enacted on May 22, 1953 (Public Law 31). The act of August 7, 1953 (Public Law 212), amending the Submerged Lands Act so as to provide for the jurisdiction of the United States over the outer Continental Shelf and to authorize the lease of such lands, was also prepared and piloted through the House and through conference by the subcommittee.

During the first session, the subcommittee also conducted extensive hearings on 12 bills providing for an emergency immigration program recommended by the President. The hearings referred to above, together with executive consideration of draft legislation prepared by the subcommittee staff, led to the enactment of Public Law 203, known as the Refugee Relief Act of 1953.

The subcommittee drafted and recommended for enactment a bill to provide for the naturalization of persons serving in the Armed Forces of the United States after June 24, 1950, Public Law 86, enacted on June 30, 1953.

Further, during the first session of the 83d Congress the subcommittee recommended for enactment a bill permitting the entry of 500 orphans under ten years of age, adopted by United States service personnel or civilian employees of the United States Government (Public Law 162); also a bill to provide for the creation of a Commission on Judicial and Congressional Salaries.

In the second session, most of the subcommittee's time was consumed by public hearings and executive sessions on legislation pertaining to the strengthening of internal security. The committee held public hearings on over 20 bills designed to outlaw the Communist Party, to provide for strengthening of administrative and judicial controls over organizations and individuals intending to overthrow the United States Government by force and violence, etc. Public hearings on that subject took up 10 sessions of the subcommittee. Numerous executive meetings, conferences with Government officials, and meetings of the full committee led to the enactment of the following statutes:

Subversive Activities Control Act Amendments of 1954 (to outlaw the Communist Party, etc.);

Espionage and Sabotage Act of 1954 (strengthening the statutes pertaining to sabotage and espionage);

Amendment to title 18, United States Code, section 3486 (granting immunity to witnesses in proceedings relative to internal security);

Expatriation Act of 1954 (providing for loss of citizenship of persons convicted for violation of the Smith Act).

The subcommittee has held hearings and spent considerable time on a bill to permit review of decisions of the heads of departments, or their representatives or boards, involving questions arising under Government contracts. This bill was enacted into law on May 11, 1954.

Having investigated the operations under the Refugee Relief Act of 1953, the subcommittee has recommended for enactment, and succeeded in having enacted, an amendment to the said act, providing for a more flexible distribution of immigrant visas allocated under the act and facilitating the entry of certain orphans.

In addition, Subcommittee No. 1 recommended for approval several statutes of lesser importance, such as, a law facilitating the entry of Philippine traders, and a law providing for the immigration of skilled Basque sheepherders.

The extent of work of this subcommittee cannot be appreciated without a review of its activity in the area of private legislation. The following table sets this forth:

House bills:	
Private laws	428
Pending in Senate	45
Passed by Senate (withdrawn from the White House)	1
Adverse action by Senate committee	20
Reported in House—Senate bills substituted on House floor	4
Tabled	303
Tabled (House or Senate companion bills were passed in lieu)	73
Deferred by subcommittee	51
Departmental reports submitted, no action taken	1,709
Reports requested and not submitted	314
No reports requested	399
Total	3,347
House joint resolutions:	
Private laws	2
Pending in Senate	1
Not acted upon	1
Total	4
Senate bills:	
Private laws	323
Vetoed	2
Recommitted	1
Tabled	16
Deferred by subcommittee	2
Not acted upon	205
Total	549
Total number of bills referred to the committee	3,900
Total number of private laws	753

In addition, congressional action on individual cases referred to Congress by the Attorney General under the provisions of the Displaced Persons Act of 1948, as amended; the Refugee Relief Act of 1953; the Immigration Act of 1917, as amended; and the Immigration and Nationality Act of 1952, is set forth below:

Disposition of immigration cases referred to Congress under the provisions of sec. 4 of the Displaced Persons Act of 1948, as amended

Number of immigration cases (sec. 4 of Displaced Persons Act) pending at the beginning of the 83d Cong.	876
Number of cases referred to the committee during the 83d Cong.:	
1953 cases	1,439
1954 cases	1,068
Total	3,383

Disposition of immigration cases referred to Congress under the provisions of sec. 4 of the Displaced Persons Act of 1948, as amended—Continued

Number of cases approved on House concurrent resolutions (Nos. 29, 73, 110, 197, 227, and 254, 83d Cong)	2,697
Number of cases which were not approved	195
Number of cases withdrawn by the Attorney General	9
Number of cases being held for further information	8
Total	2,909
Number of cases in process at close of the 83d Cong	474

Disposition of immigration cases referred under sec. 6 (Refugee Relief Act of 1953)

Number of cases referred to the 83d Cong. under sec. 6 (Refugee Relief Act of 1953) (no action has been taken on these cases)	36
Number of cases left in process at close of 83d Cong	36

Disposition of immigration cases referred under sec. 19 (c) of the Immigration and Naturalization Act of 1917

Number of immigration cases under sec. 19 (c) (2) of the 1917 act pending at the beginning of the 83d Cong	4,092
Number of cases referred to the committee during the 83d Cong.:	
1953 cases	5,417
1954 cases	2,051
Making a total of	11,560
Number of these cases which were approved	9,943
Number of these cases which were not approved	1,347
Number of these cases which were withdrawn by the Attorney General	129
Making a total of	11,419
Number of cases in process at close of the 83d Cong	141

Disposition of immigration cases referred under sec. 244 (a) (1) of the Immigration and Naturalization Act of 1952

Number of cases referred to the 83d Cong. under sec. 244 (a) (1)	301
Number of cases approved during the 83d Cong	6
Number of cases left in process at close of 83d Cong	295

Disposition of immigration cases referred under sec. 244 (a) (5) of the Immigration and Naturalization Act of 1952

Number of cases referred to the 83d Cong. under sec. 244 (a) (5); no action has been taken on these cases	86
Number of cases left in process at the close of the 83d Cong	86

SUBCOMMITTEE NO. 2: GENERAL JURISDICTION OVER JUDICIARY BILLS AS ASSIGNED—SPECIAL JURISDICTION OVER BANKRUPTCY AND REORGANIZATION

Due, perhaps, to the complete revision of the Bankruptcy Act in the previous Congress, only a few of the bills referred to Subcommittee No. 2 in the 83d Congress related to its special jurisdiction over bankruptcy and reorganization. Of these, one proposal was to amend the Bankruptcy Act so as to take the reorganization of wholly intrastate railroads from under the provisions of section 77 (which govern railroad reorganizations and provide for proceedings before the Interstate Commerce Commission) and place such reorganizations under the provisions of chapter 10 and of section 178 of the Bankruptcy Act which govern reorganizations of intrastate public utilities, involving proceedings only before the appropriate State utility commission. This proposal was intended to benefit the Long Island Railroad, the only class I railroad that would be affected by the legislation. Hearings were held on this proposal by the subcommittee and study was given to the important and complex issues involved. However, no action was taken because of the course pursued by the Long Island in petitioning the district court to be dismissed from the pending bankruptcy proceeding and to be permitted to reorganize under laws of the State of New York.

The only bankruptcy bill handled by the subcommittee which was enacted into law in this Congress was one to permit referees serving the District of Columbia to reside outside the District (Public Law 194).

Two other bankruptcy bills upon which the subcommittee conducted hearings passed the House, but were not acted upon in the Senate. One of these was designed to clarify and confirm the validity of State tax liens against bankruptcy trustees (H. R. 5796); and the other permits 2 notices in bankruptcy proceedings to be combined so as to authorize 1 mailing instead of 2, thereby effecting an economy in the administration of bankruptcy cases (H. R. 8210).

A preliminary hearing was held in the second session on the various bills proposing to amend the Bankruptcy Act to grant special relief to farmer-debtors (agricultural compositions), but the subcommittee took no action on these proposals.

With respect to general judiciary bills assigned to subcommittee No. 2, a considerable amount of the subcommittee's time was required to handle six bills providing for the temporary continuation of various emergency statutes, either with or without amendments. The House bills were enacted in all but one instance, where the Senate companion bill was substituted. These extensions related to title II of the First War Powers Act, 1941, the Emergency Powers Continuation Act, and the war-risk hazards and detention statutes, among others (Public Laws 12, 97, 99, 100, 443, 457).

The subcommittee handled a bill which was enacted to strengthen title VI of the Espionage Act so as to insure effective seizure action and to simplify and modernize the procedure for forfeiture and disposition of property thereunder. (Public Law 264.)

Another bill assigned to the subcommittee, and which was enacted, increases the penalties for smuggling goods into the United States to a fine of not more than $10,000 (formerly $5,000) or imprisonment for not more than 5 years (formerly 2 years), or both.

Other general judiciary bills handled by the subcommittee and enacted into law included one that declares the United States Court of Claims to be a court established under article III of the Constitution and amends the act creating the court to improve its effectiveness and efficiency in administration. (Public Law 158.)

Another such bill authorized the publication of the Federal Register and Code of Federal Regulations with cumulative annual pocket supplements. (Public Law 200.)

A substantial amount of the subcommittee's time was necessarily devoted to bills proposing new Federal corporate charters or proposing amendments to old ones. Amendments were made to the congressional charters of the Veterans of Foreign Wars (Public Law 43), the American War Mothers (Public Law 79) and the American Legion (Public Law 80). Bills were enacted to incorporate the National Conference on Citizenship (Public Law 257), the National Safety Council (Public Law 259), the Board of Fundamental Education (Public Law 507), the National Fund for Medical Education, and the Sons of Union Veterans of the Civil War.

The subcommittee conducted hearings on a group of bills proposing constitutional amendments or legislation relating to the power of the President to veto bills passed by Congress. Most of these proposed the so-called item veto. No action was taken thereon.

Hearings were held also on three bills sponsored by the American Bar Association as a part of its anticrime program. One of these, H. R. 7404, was passed by the House but was not acted upon in the Senate. This bill sought to amend the Criminal Appeals Act to permit the Government to appeal from an order granting a motion to suppress evidence in a criminal prosecution. Time did not permit action by the subcommittee on the other two bills, one of which sought to punish the use of interstate commerce in furtherance of conspiracies to commit organized crime offenses against any State (H. R. 7118). The other would prohibit certain acts and transactions with respect to gambling materials.

Subcommittee No. 2, Committee on the Judiciary

Number of bills referred to subcommittee	81
Number of hearings held	30
Number of bills reported to House	23
Number of bills passed the House	21

SUBCOMMITTEE NO. 3: GENERAL JURISDICTION OVER JUDICIARY BILLS AS ASSIGNED—SPECIAL JURISDICTION OVER PATENTS, TRADE-MARKS, AND COPYRIGHTS, ALSO MONOPOLY POWER

Among the bills handled by subcommittee No. 3 which were enacted into law was one which permits all civil actions against the United States for recovery of taxes erroneously or illegally assessed or collected, to be brought in the district court of the taxpayer's residence with a right of trial by jury. (Public Law 559.) This is considered an important liberalization in the remedies available to taxpayers.

Important assistance to State enforcement agencies is expected to result from the enactment of a bill to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited by State law. (Public Law 385.)

Following a full public hearing on the New Jersey-New York Waterfront Commission compact, which sets up a bi-State agency to improve waterfront labor conditions in the port of New York area, a bill was enacted granting congressional consent to the compact pursuant to the Constitution. (Public Law 252.)

Other miscellaneous bills which were handled by the subcommittee and enacted into law included a bill to provide a cutoff or termination date after which claims against the Government may not be filed under section 17 of the Contract Settlement Act of 1944 (Public Law 431); a bill to amend the Copyright Act with reference to the time for depositing material in the Copyright Office; and two bills authorizing the transfer by the United States to designated individuals of interests in patents inadvertently assigned to the Government.

The subcommittee also handled the bill H. R. 7740 which passed the House but was not acted upon in the Senate. Under the provisions of that bill, the crime of arson was added to those crimes enumerated in the Federal Fugitive Felon Act.

In reporting the bill H. R. 1067, which was eventually enacted into law, the subcommittee provided for the authorization of the Supreme Court to make and publish rules of procedure for the review of decisions of the Tax Court of the United States.

The subcommittee also reported favorably the bill S. 984, which provided for judicial review of certain Tax Court decisions. This bill, however, was not considered by the

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House although a rule for its consideration had been adopted.

One of the most important legislative subject matters considered by the subcommittee during the Congress was that of wiretapping. The subcommittee had referred to it four bills dealing with the interception of communications in the interest of national security. Extensive research both with regard to law and legislative history were conducted prior to the holding of hearings on the legislation. Extensive hearings were held and the views of experts, as well as all interested parties, were obtained. Subsequently, a series of executive sessions of the subcommittee were devoted to the consideration of the legislation. As a result of all this work, the House finally passed the bill H. R. 8649 which permitted the introduction into evidence of intercepted communications in certain specified criminal cases relating to national defense and security. That bill as passed by the House was not reported by the Committee on the Judiciary of the Senate. In regard to this legislation, it should be noted that a bill to permit the use in evidence of intercepted communications was a major plank in the antisubversive legislative program.

Considerable time of the subcommittee was expended in conducting full public hearing on the five so-called patent extension bills and in evolving a single amended bill (H. R. 3534) which the subcommittee recommended. This proposal would authorize the extension of patents covering inventions whose practice was prevented or curtailed during certain emergency periods by service of the patent owner in the Armed Forces; by production controls; or by the owner having granted a license to the United States, either royalty free or for a nominal royalty, for a national-defense program since September 1, 1939. This bill, with the committee amendments, passed the House on July 27, 1954, and was favorably reported by the Senate Committee on the Judiciary on August 5, 1954, but no action thereon was taken by the Senate in the closing days of the session.

One of the most important bills enacted into public law during the 83d Congress was the bill (H. R. 6616) which amended title 17 of the United States Code entitled "Copyrights." This legislation, which amended certain sections of title 17 of the United States Code, was made necessary when the Senate approved the Universal Copyright Convention. The revisions of the copyright law contained in this legislation conform our statutes with the standards prescribed by that Convention. The ratification of the Convention, together with the implementing legislation, represents considerable progress in the field of international copyright relationships. The subcommittee also handled two bills, H. R. 5420, relating to the patenting of plants, and H. R. 6280, which provided for the temporary extension of the rights of priorities of nationals of Japan and certain German nationals with respect to patent applications, both of which have been enacted into law.

Only one bill handled by Subcommittee No. 3 and which was favorably reported to the House by the Committee on the Judiciary failed to pass on a vote. That bill, H. R. 2556, requested by the Department of State, sought to correct certain oversights and omissions in our extradition statute (sec. 3185, title 18, U. S. C.) and to bring that statute in line with provisions customarily included in current extradition treaties and to cover certain practices in modern military occupations.

In its special area of antitrust legislation, the activities of the subcommittee were largely confined to the first session. This was due to the announcement early in the second session of the appointment of the Attorney General's National Committee To Study the Antitrust Laws, whose report is not expected until shortly before the next Congress convenes.

A preliminary hearing, at which the authors only were heard, was held on six bills relating to the clarification of the antitrust laws and to pricing practices under those laws.

A full hearing was held on a bill to amend the Clayton Act in order to provide for discretionary treble damages in private actions under the antitrust laws (H. R. 4597). This proposal was incorporated in H. R. 467 and reported to the full committee without recommendation. The provisions of H. R. 467, which the subcommittee recommended to the full committee would amend the Clayton Act so as to permit the United States to recover actual damages sustained from antitrust law violations and to provide a uniform statute of limitations, applicable to such actions and to private treble damage suits as well. Preliminary discussion of these proposals was had in the full committee, but further consideration thereof was deferred, pending the receipt and study of the report of the Attorney General's committee.

Subcommittee No. 3, Committee on the Judiciary

Number of bills referred to subcommittee	60
Number of hearings held	24
Number of bills reported to House	18
Number of bills passed the House	16

SUBCOMMITTEE NO. 4: GENERAL JURISDICTION OVER JUDICIARY BILLS AS ASSIGNED—SPECIAL JURISDICTION OVER REVISION OF THE LAWS

REVISION OF THE LAWS

The primary function of the subcommittee with respect to the revision of the laws—the classification of public laws of the United States Code and the District of Columbia Code—has been carried on in conformity with the policy of classifying the laws immediately upon their promulgation. With the large number of bills awaiting the President's signature the total of public laws will probably exceed 800 or 900. These last laws will be classified as soon as practicable upon their receipt from the Government Printing Office.

The 1952 edition of the United States Code containing the laws up to the beginning of this Congress was completed and delivered during the early part of the second session. It consists of 6 volumes comprising over 10,000 pages and contains many new editorial notes and cross-references. Supplement I containing the additions to and changes in the laws enacted during the first session of this Congress was prepared and was delivered in July. It consists of 1 volume of about 550 pages.

Supplement II of the District of Columbia Code containing the laws to January 5, 1954, and notes to the decisions as of the beginning of this Congress was also prepared and delivered early this year. It consists of 2 pocket parts to be inserted in the 2 volumes of the 1951 edition.

As soon as possible after the classification of all the laws of this session, copy will be forwarded to the Government Printing Office for the printing of Supplement II of the United States Code and Supplement III of the District of Columbia Code. It is hoped that these supplements will be available in the early part of next year.

The other phase of the subcommittee's function—that of preparing bills to enact into law separate titles of the United States Code—has been going forward steadily. Bills have been introduced to enact into law Title 13, Census; Title 20, Education; Title 21, Food and Drugs; Title 23, Highways; and Title 43, Public Lands. Of these, the bills to revise titles 13 and 21 have been passed by both Houses. In addition, an improvement bill designed to make clerical and technical changes in the laws to conform them to the revised titles of the code was also prepared and has passed both Houses. Comprehensive reports on all these bills were prepared showing in detail precisely what the bill is intended to do.

In addition to the codification bills that have been introduced, committee prints have been prepared and published covering the proposed codification of the laws relating to the Armed Forces. These drafts have been prepared in cooperation with the armed services and are intended as a basis for a bill to consolidate Title 10, Army, Title 34, Navy, and includes provisions relating to the Air Force and the Department of Defense. Committee prints of a proposed bill to revise and codify title 16 of the United States Code, Conservation and Reclamation, have been printed and distributed widely. In addition, a committee print of a comprehensive proposed report on this bill has also been printed and given wide distribution with the view of introducing a bill at the beginning of the 84th Congress.

The subcommittee has cooperated with the other subcommittees of the Committee on the Judiciary with respect to the form of bills, particularly those affecting titles of the United States Code that have been enacted into law.

One of the judiciary bills which was assigned to subcommittee No. 4 and which was enacted into law, makes bail jumping a separate Federal offense and provides penalties therefor. (Public Law 603.) Another such bill makes applicable to the Canal Zone section 1362 of the Criminal Code relating to the injury or destruction of Federal communication lines or systems. (Public Law 192.) Twelve other enacted bills pertain to national holidays or days of observance or celebrations.

Several bills handled by the subcommittee passed the House but were not acted upon in the Senate. One of these would authorize the United States district courts to allow to counsel assigned by the court to represent indigent defendants charged with felonies, fees for such services not exceeding stated maximum amounts. (H. R. 10158.) Another such bill sought to expand the application and modernize the provisions of the law prohibiting postal employees from inducing the purchase of postage to increase the emoluments or compensation of postmasters or post-office employees. (H. R. 7326.)

A substantial amount of the time of the subcommittee was devoted to holding public hearings on important assigned bills and in the consideration of such proposals in executive sessions. Several of these bills proposed amendments to the Constitution of the United States to fix the number of justices of the Supreme Court; to provide for the retirement of Federal judges at age 75; to specify certain appellate jurisdiction of the Supreme Court; and to restrict the eligibility of justices of the Supreme Court for the offices of President and Vice President (S. J. Res. 44, H. J. Res. 27, 91, and 194); to provide that the executive power of the United States shall not be construed to extend to any taking of private property other than in a manner presented by an act of Congress (S. J. Res. 3, H. R. 640, H. J. Res. 21); and to redefine treason to include adhering to any group which advocates the overthrow by force or violence of the Government of the United States, or in collaborating with any agent of a foreign nation in working for the overthrow or weakening of our Government, whether or not by force or violence (H. J. Res. 4, 45, and 483).

On June 10, 1954, the subcommittee favorably reported to the full committee with amendments Senate Joint Resolution 44, relating to the Supreme Court. The Committee on the Judiciary laid the resolution on the table.

A full public hearing was held also on proposals to establish a public-defender system in the district courts of the United States for the representation of indigent defendants in criminal cases. Although the subcommittee did not recommend a so-called public-defender bill, it did recommend the bill which would allow the payment of fees to counsel assigned to represent indigent defendants in felony cases. As mentioned above, that bill passed the House but died in the Senate.

Subcommittee No. 4, Committee on the Judiciary

Number of bills referred to subcommittee	180
Number of hearings held	53
Number of bills reported to House	21
Number of bills passed the House	16

SUBCOMMITTEE NO. 5: GENERAL JURISDICTION OVER JUDICIARY BILLS AS ASSIGNED—SPECIAL JURISDICTION OVER CLAIMS BILLS

This subcommittee, with reference to general legislation, had referred to it 69 bills dealing with a variety of subjects. Among the subjects were such matters as Government contracts, pledge of allegiance, the Federal judicial administration, judicial review of the rulings of the Veterans' Administration, and sundry amendments to title 18 of the United States Code, which is the Federal penal law.

The subcommittee disposed of 48 public bills. Among those enacted into public law was an omnibus judgeship bill which provided many additional circuit and district judges throughout the country. In addition, it contained provisions providing for additional places for holding court and also rearranged some of the judicial districts. Another bill enacted into law was one which amended the pledge of allegiance to the flag.

The subcommittee also handled the bill which provided for an increase in the penalties for the harboring of fugitives. That bill, which covers all Federal crimes of harboring, was one of the main points in the President's program of antisubversive legislation.

Another measure enacted into law extended the Federal Declaratory Judgment Act to the Territory of Alaska and another also enacted into law provided for the registration of judgments in and from the district court for Alaska.

This subcommittee also handled claims bills, both of a public and private nature. In the consideration of these bills, hundreds of hearings were conducted by the subcommittee in the course of their deliberation. In addition, this subcommittee conducted hearings in California on a bill amending the Japanese-American Evacuation Claims Act of 1948.

The volume of the workload of this subcommittee in regard to claims against the Government is clearly set forth in the following tabulation:

Subcommittee No. 5

Private laws	95
Public claims laws	4
Pending in Senate	121
Deferred	59
Tabled	17
Recommitted	2
On House calendar	3
Departmental reports received and no action taken	187
Departmental reports requested and not received	76
Adversely reported	72
Rejected under rules	69
No action	157
Vetoed	8
Pocket vetoed	5
Settled administratively	18
Sent to Court of Claims by House resolution	17
House resolution (Texas City)	1
Rereferred to subcommittee No. 1	1

Subcommitte No. 5—Continued

SENATE BILLS

Private laws	34
Vetoed	4
At White House (House and Senate as of Sept. 1, 1954)	73
Total number of claims bills before subcommittee No. 5	1,023

SPECIAL ACTIVITIES

In addition to the work of the standing subcommittees, the Committee on the Judiciary performed other functions.

Pursuant to a committee resolution, a special subcommittee was appointed to investigate the Department of Justice. This special subcommittee continued the work which a similar subcommittee had started in the 82d Congress. A report of the previous work was filed with the committee in the first session of this Congress. The subcommittee in this Congress conducted extensive hearings both in Washington and in various cities throughout the country. At the conclusion of its work, the subcommittee submitted reports on various matters which it had investigated and included in its reports specific recommendations for legislation to improve the administration of the Department of Justice.

A special subcommittee also was constituted to consider a resolution of impeachment of Associate Justice Douglas, of the Supreme Court. After hearing was held, this subcommittee reported adversely on the resolution to the full committee which then tabled the resolution.

The Committee on the Judiciary was also charged by the House of Representatives to handle the problem which arose when members of the Un-American Activities Committee and its employees, as well as former members, were served with processes in civil action arising out of their work as members of that committee. An interim report was filed on this matter and the consideration of this problem is continuing.

Another special subcommittee was appointed to consider the claims which arose out of the explosion in Texas City, Tex. That subcommittee conducted several days of hearings both in Washington and Texas City. A bill providing for relief was introduced after a study of the testimony and it passed the House. In the closing days of the Congress, the Senate passed the resolution with amendment, but due to the lack of time, the measure was not considered in conference.

The Special Antitrust Subcommittee, on September 14, 1953, filed its final report on the newsprint problem. The report portrayed the important considerations which had prompted the subcommittee, with the cooperation of the Department of Commerce, to undertake a careful exploration of the factors impeding expansion of newsprint production in the United States. The report reviews the prior activities of the subcommittee, beginning in 1950, and refers to the importance of newsprint, its economic background, its prices and recurring shortages in supply, its future outlook, and the factors affecting future production and demand. The subcommittee's report deals at length with the progress report submitted October 2, 1953, by the Department of Commerce, at the request of the Committee on the Judiciary, entitled "Study of Newsprint Expansion." The Department's study and its report related primarily to the use of bagasse (a sugarcane waste product) in the manufacture of newsprint. Other promising sources for newsprint were also discussed in that report.

In its final report the subcommittee made a number of findings and recommendations, including the recommendation that studies by the Department of Commerce of new sources of raw materials for newsprint be continued to assist the program for newsprint development.

In accord with the subcommittee's recommendation and pursuant to its previous request, the Department of Commerce submitted to the Committee on the Judiciary, on August 5, 1954, a second progress report in its study of newsprint expansion, entitled "Newsprint Production From Hardwoods." This most comprehensive report deals with a major investigation of the Department of Commerce into the technical and economic feasibility of utilizing hardwood resources for the manufacture of newsprint in the United States.

The record thus compiled in the field of newsprint is a most important accomplishment. Apart from the fact that the Department's reports have stimulated interest and attracted recognition throughout the Nation and abroad, they will also constitute an invaluable source of reference material for congressional legislation for many years to come.

Legislation of Interest to Veterans

EXTENSION OF REMARKS

OF

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. BRAY. Mr. Speaker, each session I make a report to the veterans of my district concerning legislation of special interest to them and their families. While the veteran is interested in legislation that especially applies to veterans, he and his family are equally interested in legislation that helps the overall economy and well-being of their country. He is particularly interested in legislation that protects his home and country against enemy aggression from abroad and subversive boring from within.

This Congress has been unusually successful in enacting legislation that I believe will assist in curbing communism in this country. A brief summary of what has been accomplished in this field follows:

First. Gave Government more time to prosecute Communists by extending statute of limitations.

Second. Provided means for compelling a Communist to testify by granting him immunity from prosecution.

Third. Set death penalty for spying in peacetime.

Fourth. Outlawed Communist Party.

Fifth. Denied Federal pensions to convicted subversives.

Sixth. Required Communist agencies to register their printing equipment.

Seventh. Stiffened penalties for jumping bail.

Eighth. Took United States citizenship from convicted Communist conspirators.

Ninth. Cracked down on Communist labor unions.

Tenth. Increased penalties for harboring fugitives from justice.

Eleventh. Tightened espionage and sabotage laws.

Twelfth. Took pensions from Federal employees who hide behind fifth amendment or give false testimony.

In the field of national defense, the overall expenses have been cut and the number of men under arms decreased. By improving weapons and ammunition, especially as applies to jet aircraft and atomic advancements, the armed poten-

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tial of the United States has greatly increased.

The veterans' hospital program has been improved and the number of beds increased, although there is still a great deficiency of hospital beds for veterans. We have been making efforts which we hope will soon be successful in getting more hospital beds for Indiana, but the situation in Indiana is still critical. Indiana is one State where the number of general surgical and medical beds has been decreased instead of increased. This condition is principally in the Indianapolis area. Both the Cold Springs Hospital and Billings Hospital were general medical and surgical hospitals and provided a fairly adequate number of beds. Then the Veterans' Administration built a fine, new, modern hospital with 494 beds near Indiana University Medical Center on West 10th Street in Indianapolis. This would have adequately taken care of the needs of Indiana; but in 1950 the Billings Hospital, which had been an Army hospital at Fort Benjamin Harrison, was ordered abandoned because it was deteriorating. About the same time the Cold Springs Hospital of 500 beds was changed to a tuberculosis hospital. The result is that Indiana has 353 less beds available for medical and surgical use than were available before the new hospital was built.

The situation in Indiana regarding the hospitalization of the mentally ill veterans is deplorable. At the present time there is not even room for the service-connected cases in the hospital at Marion, and many of our service-connected, mentally ill veterans are being confined in jails throughout the State.

I have had many conferences with officials of the Veterans' Administration in an attempt to get an increase in veterans' hospital facilities in Indiana. Indianapolis is well suited for additional hospital facilities for the reason that it is centrally located in an area badly in need of veteran hospital beds. Also it is one of the few locations in the United States with ample doctors, nurses, and technicians available. This is due to the great facilities of the Indiana University Medical Center in Indianapolis. We should be able to get additional facilities in the Indianapolis area soon.

Over the country as a whole one of the reasons for the present shortage of veterans' hospital facilities is that, in many instances veterans' hospitals have been located where there was insufficient available medical personnel to adequately staff the hospital. So we have many veterans' hospitals that are not fully utilized because of the lack of adequate medical personnel. I hope that we have eliminated that difficulty and that future hospital construction will be properly placed. There has been a notable increase in the number of available beds in the country as a whole for mental and tubercular cases but there is still a great shortage.

There has been considerable publicity over some veterans receiving hospitalization to which they were not entitled. Unfortunately, there are some such cases but I believe that the number is small. The veterans and veterans' organizations do not and have not condoned dishonesty in this matter. A special congressional committee, appointed from the Veterans' Affairs Committee, after making an exhaustive study recently, issued a resolution concerning hospitalization of veterans. This resolution is fair and is receiving the support of the Legion, Veterans of Foreign Wars, and Disabled American Veterans. Few can find fault with it. This resolution follows:

Resolved, That the Committee on Veterans' Affairs approves the present unlimited hospitalization of service-connected veterans; and be it further

Resolved, That the committee urges the cooperation of all veterans' groups and all other parties interested in medical care for veterans that the new admission policy be given a fair trial and period of operation before any final conclusion is reached on its workability or feasibility; and be it further

Resolved, That no legislation be considered on this subject until the effect of the new policy has been determined; and be it further

Resolved, That the committee approves the continued hospitalization of non-service-connected neuropsychiatric and tubercular veterans; and be it further

Resolved, That the committee approves the continued hospitalization of other groups of non-service-connected veterans where beds are available and the veteran does not have the ability to pay for private hospitalization.

It may be necessary for the Veterans' Administration to change some of its regulations to insure that chiselers do not endanger the veterans' hospitalization program.

In this session of Congress I am happy to state that adequate appropriations were made for the activities of the Veterans' Administration.

Two bills raising the pensions and compensation for veterans and their dependents were passed by this Congress. One of the bills took considerable effort on the part of those of us who were interested in getting it passed.

The American veteran does not want any special privileges, but our country, since its founding, has recognized that the veteran has certain fundamental rights. We intend to see that these rights are protected.

Representation in Principle and Practice

EXTENSION OF REMARKS

OF

HON. BURR P. HARRISON

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. HARRISON of Virginia. Mr. Speaker, a Member of Congress is sent to Washington as a representative of the people. It is his duty to protect their interests and to promote their welfare and desires.

There are those who now are trying to make it appear that a Congressman should not exercise his own independent judgment. They imply that, like a robot, he should assume any position the bureaucrats have induced the President to endorse.

This is not my conception of the duties of a Member of Congress. I believe that a representative of the people should give careful and fair consideration to any recommendation made in the name of the President of the United States. I believe he should support the recommendation whenever he finds it in the best interest of the Nation and in accordance with the welfare and wishes of the people he represents.

If, after sincere and fair consideration, however, a Congressman believes that a measure is contrary to the best interests of the people, he should oppose it—regardless of pressure from the executive branch of the Government.

Conscientious representation—without dictation or blind obedience—is a fundamental principle of our democratic form of government. I have observed that principle in considering the recommendations made by President Eisenhower.

On 59 recorded votes, I supported the position of the Eisenhower administration. These votes are:

First. Extend the authority of the President to reorganize executive departments, as recommended by Hoover Commission.

Second. Create a new Under Secretary of State.

Third. Supplemental appropriation bill for 1954.

Fourth. Annual personnel review in military service.

Fifth, sixth, seventh, and eighth. Four votes to carry out presidential recommendations as to State ownership of tidelands.

Ninth and tenth. To follow administration recommendation on temporary admissibility of foreign seasonal farm laborers.

Eleventh. To liberalize national bank report requirements.

Twelfth. State, Justice, Commerce appropriation bill for 1954.

Thirteenth. Agricultural appropriation bill for 1954.

Fourteenth. Health, Education, and Welfare appropriation bill for 1954.

Fifteenth. To authorize reorganization of Department of Agriculture.

Sixteenth. To extend President's authority to negotiate reciprocal trade agreements, 1954.

Seventeenth. Independent offices appropriation bill for 1954.

Eighteenth, nineteenth, twentieth, and twenty-first. To carry out Presidential recommendations on Mutual Security Act, 1954.

Twenty-second. To give wheat to Pakistan.

Twenty-third. To carry out President's recommendations as to disposal of synthetic rubber plants.

Twenty-fourth. To reorganize Department of Defense to provide additional assistant secretary.

Twenty-fifth. To cut leave for top officials.

Twenty-sixth. To carry out President's recommendation as to appropriation for Air Force.

Twenty-seventh. To pass defense appropriation bill for 1954.

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Twenty-eighth and twenty-ninth. To carry out President's recommendation as to unemployment compensation.

Thirtieth. To provide emergency drought aid.

Thirty-first and thirty-second. To extend excess profits tax for 6 months.

Thirty-third. To approve creation of United States Information Agency.

Thirty-fourth. To keep Red China out of United Nations.

Thirty-fifth. To provide Federal airport funds.

Thirty-sixth and thirty-seventh. To carry out President's recommendation to permit continued importation of Venezuelan oil.

Thirty-eighth. To end Reconstruction Finance Corporation.

Thirty-ninth. To permit use of surplus foods for foreign relief.

Fortieth. To create an Air Force Academy.

Forty-first. Cancel CCC debt.

Forty-second and forty-third. To reduce taxes on excises.

Forty-fourth. To permit wiretapping in security cases after approval of a court.

Forty-fifth. Defense appropriation for 1955.

Forty-sixth. To carry out President's recommendation for military construction.

Forty-seventh. To expand social security.

Forty-eighth. To extend President's authority to negotiate reciprocal trade agreements through 1955.

Forty-ninth. To carry out President's recommendations as to bond-buying authority of Federal Reserve.

Fiftieth. To express congressional disapproval of Communist interference in Western Hemisphere.

Fifty-first. To prohibit use of mutual security funds to any government maintaining Communist rule in Asia.

Fifty-second. To provide a flexible support for basic agricultural commodities.

Fifty-third. Resolution to oppose seating of Red China in United Nations.

Fifty-fourth and fifty-fifth. For atomic energy bill.

Fifty-sixth. To increase borrowing limit of Commodity Credit Corporation.

Fifty-seventh. To restrict immunity of witnesses under fifth amendment.

Fifty-eighth. To strengthen laws to deal with subversives.

Fifty-ninth. To provide surplus agricultural commodities to Spain.

Other proposals of the Chief Executive which I supported are not included because record votes were not had.

On the following 13 measures, I disagreed with and voted against the recommendations made by the executive branch of the Government. It will be seen that included among these are a number of proposals originated by President Truman as part of his Fair Deal, and now adopted by the Eisenhower administration as its own. Apparently, in some cases, what was regarded yesterday as creeping socialism has suddenly become "a dynamic program of progress."

A measure unsound when advocated by President Truman does not suddenly become sound when advocated by President Eisenhower.

These 13 proposals are:

First. Permanent increase of the national debt limit by $15 billion: This administration was elected on a promise to balance the budget. I was utterly amazed when the proposal was made to increase the national debt permanently, so that deficit financing might be continued. Since I believe in sound government finance and a balanced budget, I opposed this suggestion, but it passed the House, and a temporary compromise later was approved.

Second. Reed tax revision bill: There were some relatively small items in this bill which were in the public interest, but I could not give my approval to the large items of tax relief awarded limited segments of the population and financed out of borrowed dollars.

Third. The St. Lawrence Seaway project: This proposal, originally made in the New Deal days, ultimately will cost a billion dollars for a project in Canada which will be ice blocked over half the time.

Fourth. Creation of Department of Health, Education, and Welfare: I believe that these fields, particularly education, are primarily problems for the States.

Interference by the Federal Government should not be encouraged, therefore, by elevating these bureaus to department status.

Fifth. Bills for Federal educational conferences: I opposed these measures for the same reason. The decision of the Supreme Court of the United States had invaded the rights of the States in the field of education far enough, without giving legislative sanction to further abuses in the guise of Federal cooperation.

Sixth. Bill to permit 245,000 additional immigrants from countries behind the Iron Curtain: In the preceding Congress, I supported the McCarran-Walter Act, which was intended to place further admission of immigrants on an orderly basis, favor nationalities which had demonstrated their assimilability, and recognize that a population deficiency no longer exists in our Nation. It was and is my conviction that this law, properly administered, could give adequate effect to our humanitarian impulses, while endeavoring to safeguard our national interests. I could not support a proposal for the early admission of large numbers of persons from behind the Iron Curtain, outside the quotas provided in existing law and with the inherent danger of welcoming many subversive agents cloaked as refugees.

Seventh. Bill to change the number of members of Tariff Commission so as to give one political party a majority: The Tariff Commission has always been bipartisan, and should have continued to be. The question of markets for our agricultural products and an outlet for our surplus production is too vital for decision on a partisan basis.

Eighth. Hawaiian statehood: This proposal, advocated so long by President Truman and now by President Eisenhower, would make a State out of these far-away islands. I voted against this, and it has not yet become law.

The notorious Harry Bridges and his Communist-dominated union are very powerful in Hawaii. Only 16 percent of the people are of the Caucasian race. The rest are Japanese, Chinese, Portuguese, Mongolians, Koreans, Filipinos, Melanesians, and dozens of other races and nationalities.

If Hawaii became a State, this polyglot population would have two United States Senators and a Congressman. Virginia probably would lose a Congressman if Hawaii became a State, through the reapportionment process.

Ninth. Public housing: To my surprise, President Eisenhower has endorsed much of President Truman's program to spend hundreds of millions of dollars to socialize the housing industry. Pressure from the White House caused part of this program to become law, but I opposed it.

Tenth. Foreign-aid program: Although I have generally supported measures for mutual security and for aid to other nations which show a willingness to help themselves, I voted against bills which gave $135 million to Nehru's India and which provided over $2 billion for Indochina and southeast Asia to be spent almost in any way the military wants.

Eleventh. Subsidies to airline corporations: I voted against an administration proposal to raise the appropriation committee's recommendation for $23 million to $70 million for subsidies to these corporations.

Twelfth. Wiretapping: I supported a bill permitting use in evidence in security cases of evidence obtained by wiretapping, provided a court order first was obtained, but I voted against an administration proposal to permit wiretapping of a citizen's calls after mere approval of a politically minded Attorney General.

Thirteenth. Health reinsurance plan: This was a proposal by the President to make the taxpayer pay insurance corporations for certain losses in health insurance policies. I opposed it and it was defeated, but the President says it will be presented again in the next Congress.

Unemployment in the Coal Mines

EXTENSION OF REMARKS
OF
HON. WILLIAM G. BRAY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. BRAY. Mr. Speaker, finally the efforts of the United Mine Workers and the coal industry have been recognized, at least to a slight degree, by our Government. For years the Government has turned a deaf ear to the critical and dangerous plight in which the coal industry in the United States finds itself. Our Government apparently does not yet completely comprehend the grave disaster which hovers over our coal industry in America, but for the first time

in many years sane and constructive steps are being taken. However, these steps are only a fraction of what is needed to revive the coal industry, which is so necessary to our American economy.

The United States Foreign Operations Administration is negotiating for the purchase of 10 million tons of American coal to be sent abroad. I called Harold Stassen, Director of FOA, and requested that the coal operators of Indiana be given an opportunity to bid on part of this order. I was assured that this would be done.

Another step which has given us some occasion for hope is that President Eisenhower has named a top level committee:

First. To recommend action on the Nation's requirements for defense purposes of all forms of fuel;

Second. William Hahman, of the United States Bureau of Mines, a career man in Government and an expert on the coal problems, has been appointed as staff director of this committee.

Senator GEORGE W. MALONE, of Nevada, chairman of the Subcommittee on Minerals, Materials, and Fuels Economics of the Interior and Insular Affairs Committee of the Senate, has launched an investigation of the country's fuel resources, with special emphasis on coal.

One of the greatest disasters which has ever happened to our coal industry is the importation of residual fuel oil from Venezuela. It seems that our country in its zeal to help or bolster the economy of foreign countries has lost sight of home commodities. The domestic coal industry is suffering from such neglect. In 1953 alone, 136 million barrels of residual fuel oil were imported into this country. This would have meant $75 million to the American miners. The transportation of this coal would have meant $88 million to American railroads, one-half of which would have been paid to railroad labor. These industries and workmen pay taxes to support America. Venezuela makes no such contribution. In addition, Venezuela is now building walls against the United States exporting goods to their country.

This situation is not a political matter, because both parties have been deaf to the cry of the American coal industry.

I introduced H. R. 3912, which was aimed at curtailing the importation of residual fuel oil. We finally got to vote on the Simpson bill, which was similar to the one which I introduced but included other commodities. Although this measure was defeated, I am proud that I voted and worked for the bill. I have voted against the Reciprocal Trade Agreements Act extension each time it has come to the floor of the House as a protest against this mistreatment of the American coal industry.

I also introduced H. R. 8441, which proposed that the retirement age under the Social Security System be reduced to 60 years. This change is especially needed in the mining industry, and it would have stimulated employment by encouraging earlier retirement.

Mr. Speaker, the welfare of the coal industry in America has been ignored for too many years. The only bright light in the country's dismal failure to properly recognize the problems of the coal industry is that our Government is at last becoming aware of conditions which have been wrecking the coal industry, and is beginning to think in terms of the fundamental economic relation of coal to our whole industrial system. Everyone knows that the quantity of oil and gas in the world, especially in the United States, is limited. How many years our supply will last, no one knows; but we do know that if a war today should shut out the South American and Near East oil, there would be gasoline rationing in the United States within a short time. Millions of furnaces now served by oil would of necessity be converted to coal, or they would grow cold.

The production of power in the United States will become increasingly dependent upon coal. The further development of hydroelectric power is limited in the United States.

Recently, when I pointed out to a group this almost complete disregard for the coal industry, one person said, "I realize that sometime we will need coal badly, but when that time comes is time enough to start digging it." Such ignorance is appalling. Coal miners cannot be created by merely pressing a button. It takes years of training to make a good coal miner. The young men who should be learning to mine coal are leaving the mining areas because there is no work there. In Indiana miners are often the sons and grandsons of miners. They are real Americans who believe in honesty and freedom, and are not guilty of "featherbedding." The American miner produces more coal per capita by far than any other miner on earth. However, unless some affirmative action is taken there will be no one to mine the coal when that great emergency and need of coal arrives.

The following is a quotation from John L. Lewis in the United Mine Workers Journal of January 1, 1952:

> In times of war, the United States coal industry has always been called on to supply the needs not only of domestic industry but also of our allies. This it has done—

He observed—

> without any Government subsidy. Yet, in peacetime, our foreign coal market is allowed to vanish as foreign shippers take it over.

If America ever suffers for fuel it will not be because the fuel is not available. There are known deposits of coal in the United States which will last us for 2,000 years. There will be coal many centuries after the oil and gas are gone. As for power produced by atomic energy, the fact is that the atomic plants in the United States are one of the largest users of coal. A recent United States Geological Survey report on coal resources says:

> The contribution of coal to the total production of energy in this country must inevitably be enlarged to include some of the needs now served by petroleum and natural gas.

It should be self-evident that there is much which can be and should be accomplished for the coal industry and American miners. The future is still dark in this industry, but as I have pointed out, there is a ray of hope which is encouraging. I intend to continue my fight to see that everything possible is done to revitalize the coal industry and to help the coal miners.

The Challenging Problem of Falling Farmer Income

EXTENSION OF REMARKS
OF
HON. ED EDMONDSON
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. EDMONDSON. Mr. Speaker, with the possible exception of the danger of atomic warfare, there is no more urgent problem before the American people today than our steady and alarming fall in farmer income.

According to recent figures, the American farmer's income in 1954 is going to be about 25 percent below the 1952 figure. In some sections of the country, where the drought has caused terrible damage to both pasture and crops, the farmer's 1954 income will not even be one-fourth of what he made 2 years ago.

This does not mean that the people of America are eating less food, or that food prices are down in proportion. On the contrary, the prices of many foods are above the 1952 figures, and food consumption is well above the level of 2 years ago.

The simple truth is that the farmer is getting a smaller share of America's food dollar. I understand that only about 40 cents out of the total food dollar is received by the men whose productive effort on the farm is chiefly responsible for the food itself.

On the so-called basic commodities the farmer's percentage is much smaller.

Most people who complain about price supports for farm products do not know the plain facts about the share which goes to the farmer.

Recently the Committee on Agriculture of the House of Representatives published these surprising figures:

Although wheat is the principal ingredient in a loaf of bread, less than 3 cents of the 17 cents loaf price is received by the wheat farmer.

The peanut farmer receives less than one-half a cent for the peanuts in a 5-cent peanut bar.

As for clothing, in an average $3 cotton garment the cotton farmer's share is about 30 cents.

These are typical examples of the farmer's share in prices paid by American consumers, and it was understandable that the Committee on Agriculture reached the conclusion that 90 percent price supports on the basic commodities were having very little effect upon the cost of living of the average American family.

Unfortunately the administration in power in Washington has decided to ignore the findings of the great House committee, and to follow an independent course of action which is sure to result in further reduction of farmer income.

This decision, which was announced in many newspapers as "a great administration victory," was at the same time a costly defeat for the farmers of America.

The subsidies paid out to farmers under our farm program have been only a minor fraction of the great Government subsidies paid out to the Nation's industry and business—from transportation to manufacturing to many other branches of commerce. There has been no attempt by the administration to scale down subsidies for the shipping industry, for the airlines, for the great factories which are protected by high tariff walls. The solitary victim has been the American farmer.

It is a great injustice, and I cannot protest too strongly against the action. If the facts are brought home to the people, I feel sure they will register their protest as well when they go to the polls in November.

Atomic Energy Chairman Defends Hunter Vote Position

EXTENSION OF REMARKS
OF
HON. W. STERLING COLE
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. COLE of New York. Mr. Speaker, it has recently come to my attention that one of my esteemed colleagues, Hon. OAKLEY HUNTER, of California, has been unjustly criticized by the press in his area for voting for the House version of the atomic energy revision bill.

Ordinarily, I would not take it upon myself to rush to the defense of the gentleman from California because I know that he is well able to protect himself against such unfair attacks. However, it seems that another member of the Joint Committee on Atomic Energy, Representative MELVIN PRICE, of Illinois, has seen fit to take a hand in the situation from the seemingly authoritative position of one, as he puts it, who is familiar with this legislation.

In the daily CONGRESSIONAL RECORD for August 20, 1954, Mr. PRICE had caused to be reprinted an editorial from the Fresno Bee, one of the McClatchy newspapers, which denounces Mr. HUNTER's vote for the House version of the atomic energy revision bill as "imperiling public power and as a vote against the welfare of his region." The editorial inferentially mentions Mr. HUNTER's denial of the newspaper's interpretation, and Mr. PRICE observes that he believes "the gentleman from California is mistaken."

I should like to point out, Mr. Speaker, that I am chairman of the Joint Committee on Atomic Energy and that I also am familiar with the legislation which Mr. HUNTER wisely supported with his vote.

And I want to go on record unqualifiedly as stating that Mr. HUNTER in supporting the House version of the atomic energy revision bill, did not vote against public power nor did he vote against the best interests of his district. Quite the contrary, he voted in the best interest of the people of his district, of the United States, and of the free world. In effect, he voted for a revolution in the American standard of living by unshackling the atom from the out-dated restrictions which the advocates of Government monopoly had allowed to remain in force.

Further, let me emphasize that public power was never involved in the question of revising the atomic energy law except insomuch as some groups tried to involve it for their own political purposes. Mr. HUNTER was absolutely correct when he stated:

The atomic energy bill is not a power bill. It is a bill to advance research and development in aid of the art of making atomic machines or of using atomic fuel for the generation of power. It was not the intention of the framers of this legislation to turn the Atomic Energy Commission into a federally sponsored commercial electric power generating agency. The Atomic Energy Commission is basically a development and regulatory agency. Its only production is in connection with weapons.

Farm Problems and the Agricultural Program and Legislative Record of the Eisenhower Administration

EXTENSION OF REMARKS
OF
HON. JOHN S. COOPER
OF KENTUCKY
IN THE SENATE OF THE UNITED STATES
Friday, August 20, 1954

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by me on farm problems and the agricultural program and legislative record of the Eisenhower administration.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I desire to make a brief statement on farm problems and the agricultural program and legislative record of the administration of President Eisenhower.

I do not make this statement in a narrow partisan vein. The farmers of my State of Kentucky know that I am genuinely interested in their welfare. They know that I have demonstrated this interest in work for them and in actual legislation for them in the Senate.

At the outset, I want to mention specifically some of the things that have been done during the present administration to help Kentucky and Kentucky farmers.

1. The permanent support price for tobacco has been maintained at 90 percent of parity. The amendment which I introduced in 1948, which became law, and which gave to tobacco farmers for the first time in history a permanent 90 percent support price, was approved by President Eisenhower in his recommendation to the Congress. It is the first time that a President ever specifically recommended permanent 90 percent support prices for tobacco.

2. The Department of Agriculture, in 1953, gave support prices for the first time in history to N2 and NK categories of lower grades of dark air-cured tobacco.

3. The Rural Electrification Administration released in 1953 and 1954 to the Eastern Kentucky Rural Electric Cooperative Corp. $22,175,033 to complete its generating and transmission system. The funds had been held up for over 13 years. The funds released will give Kentucky the largest generating REA plant in the United States and the second largest REA system. It will serve 84 counties and 135,000 farm consumers with cheap power.

4. The Department of Agriculture made available to Kentucky the largest amount for projects in the new watershed and conservation programs established by this administration.

5. The new tax law contains a provision which allows farmers to deduct as expenses money spent for soil and water conservation, including expenditures for the prevention of land erosion. This will cut taxes by a total of $10 million per year.

6. The Congress passed a Federal-aid-for highways bill, which increased total authorizations from $575 million to $875 million, and Kentucky's annual share from $10,170,437 to $15,666,480.

7. The Department of the Treasury for the first time recommended against the passage of the graduated excise tax on cigarettes—a tax opposed by tobacco growers and the entire tobacco industry.

8. For the first time in history a Secretary of Agriculture appointed Kentuckians, Mr. Clarence Miller, of Shelbyville, to be head of the Tobacco Branch of the Commodity Credit Corporation, which administers the tobacco support program; and Mr. Robert Owen, of Cynthiana, to be head of the Tobacco Branch of the Foreign Agriculture Service, to increase tobacco exports.

In addition to working on the above major accomplishments for Kentucky, and particularly urging on the President and the Secretary of Agriculture the continuation of permanent 90 percent supports for tobacco, I was happy to take the following specific action for the farmers of Kentucky:

1. I introduced with Senator SCHOEPPEL, of Kansas, an amendment to increase funds for our State agricultural experiment stations to promote markets and research for farmers. It became law.

2. I introduced with Senator MUNDT, of South Dakota, an amendment to provide that the Commodity Credit Corporation shall be reimbursed for surplus commodities used abroad in bartering for strategic stockpile materials. This amendment which was passed is designed to encourage the disposal of surplus crops, such as tobacco, by giving the Commodity Credit Corporation a financial incentive to dispose of them.

3. I joined Senator CLEMENTS, of Kentucky, in an amendment to increase the penalty on excess tobacco from 40 to 50 percent. It became law.

4. Department of Agriculture approved my request in 1953 to allow flat storage of wheat when regular storage facilities were not available.

5. The Interstate Commerce Commission withdrew its so-called trip-lease order after I had introduced an amendment to force its action. If the order had been maintained, it would have removed part of the exemptions enjoyed by farmers in hauling their crops.

6. I introduced, and as chairman of the subcommittee reported, a bill to furnish Federal aid in the construction of school buildings in the amount of $250 million for the next 2 years. The bill did not come to a vote this year, but the unanimous vote it received in the committee gives me faith that it will be approved by the Congress next year.

7. I introduced an amendment to the Tennessee Valley Authority appropriations bill in 1953, which was passed, giving TVA $1.75 million of additional funds.

After a conference with the President and the Director of the Bureau of the Budget in 1953, in which I recommended an additional steam plant unit be included in the budget,

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funds for the additional steam plant unit were included for TVA.

There are 5.4 million farms and 24 million farm people in the United States. Approximately 1 million farm people live on 220,000 farms in Kentucky. The standard of living of our farm families, and their opportunities rest upon an honest and real solution of present farm problems. The prosperity of the Nation requires that the purchasing power and the prosperity of the farmer be maintained and advanced.

I am convinced that farm problems are economic and not political. They are not going to be solved by self-seeking politicians, by demagoguery, or by the desire of either great party to win political advantage.

Farm problems can only be solved by farmers, by their representation in Congress, and by an administration willing to look honestly at the facts, and willing to take the action necessary to cure real causes of farm difficulties.

The farmers that I represent know that I have always given them the facts, and the truth. It is the purpose of this short statement, to give them the facts as I see them.

The first thing I want to say is this: While I have not agreed with Mr. Benson, the Secretary of Agriculture, on several points, I say frankly that I believe the Secretary, and this administration are actually and earnestly striving to face up to the real and basic causes of the decline in farm income, and to do something to remove and cure these basic causes. Let us look at some of these problems on the basis of facts.

First. What are the facts about falling farm prices?

The highest net income in the history of the farmers of the United States for any 2-year period was enjoyed in 1947 and 1948.

After the Korean war began, Government spending and inflation pushed the average price of all farm products to their highest level in February 1951.

From that date, in the administration of President Truman, prices fell steadily for 2 years, before the administration of President Eisenhower took office. In this 2-year period, under the administration of President Truman, they fell 15 percent from their high level. The average price level dropped only 7 percent after the new administration came into office and has partly recovered and stabilized.

It is the same story with cattle. Following the removal of controls after World War II, cattle prices advanced, and the cattle population increased to its highest figure in history—approximately 94 million head of cattle.

Cattle prices reached their highest level in April 1951, during the inflation of the Korean war—an average of $30.30 a hundred. Then, under the administration of President Truman, cattle prices began to fall, and fell steadily, to an average of $19.10 in January 1953, when President Eisenhower assumed office. This decline in prices, plus the drought in 1952 and 1953, sent to the market in 1953, the largest slaughter in history—one-half billion pounds more meat than could be consumed. Average cattle prices dropped in 1953 from $19.10 to $14.50. Thus, it is clear that about three-fourths of the price drop occurred under the Truman administration.

I do not think I can be judged as political when I say that the present administration was not responsible for the drought, or for the tremendous production of cattle during the previous 7 years which were the real causes of lower cattle prices.

The general price level of all farm prices has gone up 3 points and the average price of cattle has gone up $1.40, and have reasonably stabilized since President Eisenhower assumed office.

I point out these facts, and remind my farmer friends, that farm prices had been falling for 2 years under the previous administration and the greatest percentage of fall had taken place before President Eisenhower came into office. Prices have stabilized since he came into office. Some prices, as tobacco and hogs, are at the best since the administration came into office.

I remind my friends that farm prices fell for 3 years while fixed 90-percent support prices on the basic crops were in effect. I do this to emphasize that the farm problem is not political—but economic. We must look honestly for the real causes. We must build a better farm program—one that is good in peacetime as well as in war. This the administration of President Eisenhower is doing.

FARM PRODUCTION AND CONSUMPTION

It is an unfortunate fact that at least a part of the high price levels of recent years is a result of war and war inflation. During World War II there were markets for practically everything that the farmer produced. The American farmer, with limited help, equipment, and fertilizer, literally mined his soil to produce food and fiber for our troops and workers, and the troops and civilian population of our foreign allies. After the close of the war, agriculture enjoyed for a few years a large foreign market in war-destroyed countries which could not yet produce their own food. With the Korean war, large war export demands opened up again. Now, the countries of Western Europe and of other allies have recovered. Some produce sufficient food and fiber for their needs. Others, because our prices are too high for them, will not buy our farm products. Ordinarily, to assure farmers of good prices at present levels of production, it would be necessary for 1 out of every 3 bales of cotton, 1 out of every 2 bushels of wheat, 20 percent of our corn, and 25 percent of tobacco produced to go into export to foreign countries. Exports of tobacco have slightly increased, but exports of agricultural products as a whole in the 1952–53 crop year fell 31 percent from the previous year. This loss of exports, occurring before the administration of President Eisenhower, is a major cause in the decline of farm prices.

But, while exports have gone down, the tremendous production of the war and postwar years has been maintained. For example, at the present time the Government has purchased or has under loan wheat, corn, and cotton equivalent to from 25 to 75 percent of a whole year's production.

This production is reflected in Government purchases through the Commodity Credit Corporation. Today the Government owns, or has in loan, crops representing over $6.1 billion in value; 804 million bushels of corn, 879 million bushels of wheat, 7.2 million bales of cotton, are in its stores. This administration has extended price supports of over $6.7 billion by loans and purchase of surplus agricultural commodities to hold up farm prices, on production built up before it came into office.

Present Government stocks of surplus dairy products are valued at more than $520 million. Purchases of additional surplus dairy products are being made at the rate of nearly $1 million per day while storage charges on the existing stocks are costing approximately $53,000 per day.

Personally, I believe that we should be thankful that we have a surplus of food and fiber, as a protection against future shortages, and to aid less fortunate nations. But it is a fact that the large surplus stocks held by the Government have the effect of driving down farm prices. That is what has been happening. Also under the provisions of law passed before this administration came into office surpluses require acreage reductions.

It would have been impossible for any administration or any Secretary of Agriculture to have cured within a few months the causes built up in the previous administration which have produced a decline in farm prices.

The following facts are clear:

1. The high price levels of the war years were caused by the unusual demands of our Armed Forces and those of our allies and the demands of war-stricken countries for food.

2. As foreign countries have recovered, the export markets for our crops have declined.

3. While demand has declined, our large production has been maintained, and the surpluses have had the effect of depressing farm prices.

4. War inflation increased wages, transportation costs, and taxes, which have raised the price of the equipment and supplies that farmers must buy.

5. These facts make it plain that if we are to have a sound farm program in peacetime, our farmers and Government must work together to increase the markets for farm products at home and abroad. While this is being done, it is necessary to bring total farm crops into better balance with present consumption.

We must face these facts. They cannot be solved by political magic. The previous administration would not face these basic problems. The administration of President Eisenhower is honestly trying to find increased markets for farmers and at the same time bring production into balance with present consumption. At the same time, it has given full support prices under the law for farm products. Let us see what the administration has done in a year and a half to honestly work at these problems.

OVERPRODUCTION

It was the duty of the Secretary of Agriculture under the law to call for acreage reductions, because of surplus crops. As required by law, the Secretary has proclaimed market quotas for corn, wheat, and cotton, which will withdraw for the time being from production about 30 million acres. Some acreage reductions for tobacco were also required. If these reductions required by law had been taken by the previous administration, we would not have had a part of the surpluses which have depressed prices. The Secretary's action will have a helpful effect on corn, wheat, cotton, and tobacco prices.

MEASURES TAKEN BY THE ADMINISTRATION TO DISPOSE OF SURPLUS CROP AND INCREASE EXPORTS

Among the many steps which this administration has taken, I will name a few:

1. In 1953 and 1954, Congress authorized the sale of $600 million of surplus crops to our allies in exchange for their currencies.

2. In 1954, Congress authorized the President to dispose of $1 billion of surplus crops over a 3-year period at home or abroad for relief, disaster, and economic aid.

3. In 1953, Congress authorized a gift of 1 million tons of wheat to Pakistan and extended the International Wheat Agreement which will dispose of 811 million bushels of wheat abroad, at an estimated price of $1.5 billion.

4. In 1954, the President asked and the Congress gave him authority to set aside $2.5 billion of surplus farm stocks as a reserve for emergencies. This has never been done before and will have the effect of removing their pressure on farm prices.

5. In 1953 and 1954, the Department of Agriculture bought 225 million pounds of beef, representing almost a million head of cattle, to stabilize beef prices.

6. The present administration has made the strongest effort in history for research to find new uses for farm products.

7. The present administration has made the strongest efforts in history to help farmers sell their crops abroad.

A special division has been set up in the Agriculture Department to work out an improved export program. Government trade

missions have been sent throughout the world to sell American agricultural products. In some instances price adjustments have been made to meet world levels. Research has been undertaken in both marketing and utilization of farm products abroad. Congress has passed legislation which will make foreign trade in agricultural products easier by authorizing currency convertibility, bartering agreements, and other means of using surplus commodities. As a result of these efforts, tobacco, grains, cotton, dairy products, fats, and oils are moving in increasing quantities into foreign trade rather than warehouses. Robert Owen, a Kentuckian, is head of the Tobacco Branch in the Foreign Agriculture Service.

DOMESTIC CONSUMPTION

Upon the domestic side, the situation is favorable and there is ground for optimism. In 1953 and 1954, following the end of the Korean war, there has been unemployment in some areas, although not as great as in 1950. At the same time, because of the honest and sound financial policies of the administration, total national income, wages, total employment, construction, and savings are the highest in history. Our population, now 160 million, is increasing at the rate of 2½ million a year. Food consumption is high, and beef consumption the highest in history. If the honest economic measures this administration has begun are continued, our growing population and food consumption will use our farm production.

I have pointed out these basic facts to emphasize that this administration is doing the things that are needed to place agriculture on a sound peacetime basis.

Now I want to talk to you about price supports, because there is a great deal of misunderstanding about this question.

PRICE SUPPORTS

In the first place, I think it should be made clear that during the war most crops were selling above their price supports and many crops which had no price supports were selling at high prices. It must be remembered, too, that since 1951, although 90-percent fixed supports have been in effect on the basic crops at all times, farm prices declined. These two facts show that while price supports are needed to put a floor under farm prices, price supports will not alone assure high prices for farm products. As I have said before, the real problem is to find markets for farm crops.

At the close of the recent Congress, Senate bill 3052 was passed, amending the permanent price-support law. Price supports on five basic farm crops—corn, wheat, cotton, rice, and peanuts—were fixed on a flexible basis, ranging from 82½ percent to 90 percent of parity, as the Secretary of Agriculture may decide. The support price for milk products was fixed at 75 percent to 90 percent of parity. The old permanent rate for the basic crops was 75 percent to 90 percent.

I want my record on price suports to be absolutely clear. In 1948 I introduced the amendment which passed, which gave tobacco for the first time in history a permanent 90 percent of parity support price. Last year, in 1953, I introduced Senate bill 2578 to continue the support of the five other basic crops—corn, wheat, cotton, rice, and peanuts—at 90 percent for an additional 2-year period. In the session of Congress just ended, I voted for every amendment to maintain support prices at 90 percent of parity. I have supported, and voted for 90 percent support prices because I believe that in this period of adjustment after war, farm income should be supported and protected. That is my position now.

Nevertheless, many misrepresentations and untruths about price supports are being continually made and told to farmers. The chief untruth told farmers, is that flexible supports—or sliding scale supports, as they call them—is a Republican plan, one adopted for the first time by the Eisenhower administration. This is not true. The exact opposite is the truth. Flexible supports first became a part of the agricultural law in 1938 under the administration of President Roosevelt and they have remained the law ever since that time. What has really happened is that from time to time, the percentage of support has been increased. These are the true facts:

1. From 1938 until the beginning of World War II, six basic crops—corn, wheat, tobacco, cotton, rice, and peanuts—were supported at 52 to 75 percent of parity, a flexible scale.

2. At the beginning of World War II, to encourage production, support prices on basic crops were raised to 90 percent temporarily, but to return to the old flexible scale of 52 percent to 75 percent on December 31, 1948.

3. In 1948, upon recommendation of President Truman, who asked in a special message for flexible supports, a Republican Congress raised permanent price supports from a level of 52 percent to 75 percent to a level of 60 percent to 90 percent of parity. The vote in the Senate for passage of the farm bill was 79 to 3. The two Kentucky Senators at that time, Senators Barkley and COOPER, voted for the bill which established flexible supports from 60 percent to 90 percent on five basic commodities and 90 percent on tobacco.

4. In 1949, under the administration of President Truman, a Democratic Congress continued permanent flexible price supports, raising the level to a range of 75 percent to 90 percent.

5. The recent Congress raised the level of permanent supports from 82½ percent to 90 percent, the highest level of permanent supports since 1938. I point out this fact because of the misrepresentations that have been made and because there are many who do not know that since 1938, permanent supports for the basic crops have been flexible and the 90 percent support has been only upon a temporary basis. This has been true under both Republican and Democratic administrations. What was done in the last session of the Congress was to fix the permanent supports at 82½ percent to 90 percent, the highest in history, and remove the temporary 90 percent supports on five basic crops on January 1, 1955. This administration has supported all the basic crops at 90 percent of parity during 1953 and 1954.

TOBACCO

To those of my own farmers in Kentucky who will ask about tobacco, I am happy to say that the permanent 90 percent support prices for tobacco were not changed and remain in full force and effect. Tobacco is one of the six basic commodities. But unlike corn, wheat, cotton, rice, and peanuts, the support price of tobacco is fixed by law at 90 percent of parity on a permanent basis. Prior to 1948, its permanent support price was 52–75 percent and its temporary price 90 percent.

In 1948, I introduced in the Senate an amendment to the basic Agricultural Act requiring that tobacco be supported at 90 percent of parity on a permanent basis. The amendment was passed by the Congress and became law. In his message to the Congress on January 11, 1954, President Eisenhower recommended the maintenance of permanent 90 percent support prices for tobacco, saying:

"Tobacco farmers have demonstrated their ability to hold production in line with demand at the supported price without loss to the Government. The relatively small acreage of tobacco and the limited areas to which it is adapted have made production control easier than for other crops.

"The level of support to cooperators is 90 percent of the parity price in any year in which marketing quotas are in effect.

"It is recommended that the tobacco program be continued in its present form."

Tobacco is a relatively small crop compared to corn, wheat, and cotton. Its market is limited to a few major tobacco companies. Tobacco farmers have cooperated in the control of production. During the time that it has been supported, the Government has not suffered any loss of money because of its support. On the contrary, in its total operation since 1933, the Government has profited in the sum of $1,884,565 through its support operations, according to the reports of the Commodity Credit Corporation.

During the course of the debate on the farm bill, in response to my questions, the distinguished chairman of the Senate Committee on Agriculture, Senator AIKEN, and other members of the committee, stated that it was the unanimous opinion of the committee that the support price for tobacco should be maintained at 90 percent of parity in accordance with the amendment which I first introduced in 1948.

The amendment which I introduced in 1948, and which has been the law since that time, maintaining permanent support prices for tobacco at 90 percent of parity, has brought millions of dollars to Kentucky tobacco growers and the growers of other States. For the past 2 years, I urged the Department of Agriculture and the President to recommend to the Congress the continuance of permanent 90 percent supports for tobacco. They did this, and I am glad that I have again been able to help our Kentucky tobacco growers. Tobacco prices in 1953 were the highest in history. This administration has helped to increase burley tobacco exports, and I am sure that tobacco prices will be good again this year.

FARM PROGRAMS AND FARM APPROPRIATIONS

The charge has been made, without any supporting facts, that the present administration would cut farm programs and farm appropriations. Again, what are the true facts?

First, every farm program has been maintained, strengthened and placed on a basis to provide more permanent benefits to farmers. Research, and export programs have been strengthened.

Second, the facts show that the level of agricultural appropriations has remained about the same since the close of World War II, whatever party has been in power. In 1953, the present Congress appropriated $718 million for agriculture. This year, 1954, we appropriated $724 million. Appropriations for different programs remain about the same. The largest 2-year appropriation in history for loans for REA was in 1947 and 1948. In these past 2 years, 1953 and 1954, $412.5 million has been appropriated for REA loans to local cooperatives. The REA has moved quickly to loan the funds, and today has the lowest backlog of applications in history. The agricultural stabilization and conservation program, formerly known as the PMA program, the Soil Conservation Service, FHA, the Extension Service, and all the farm-credit agencies, have received adequate appropriations. The administration has spent in these 2 years more than $6.7 billion to support farm prices, the largest sum in all history.

I know that no farmer and no farm mother wants a program that will only succeed through war. We cannot build an honest and moral prosperity on war and the bloodshed of the young men and the young farmers of the Nation.

I am sure that the record which I have given above shows that this administration is earnestly and honestly striving to build

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a farm program that will work in peace. It is succeeding. The administration will complete a sound program for peace, if the farmers will give it a chance and their cooperation.

It has been a matter of great pride to me that I have been able to work and strive for the farmers of Kentucky and the Nation. I believe that they deserve and must have a fair share of the Nation's income; living opportunities in roads, schools, electric power, hospitals, and health facilities equal to city population; and full opportunity for the advancement of their children. For no group of our people are more energetic, reliable, and patriotic than the farm families of America.

SOCIAL SECURITY

Upon the recommendation of President Eisenhower, the Congress passed into law a new and better social security program. Under the new law, more than 3½ million farmers and their families will receive social-security protection. The new law has a special provision to make it easier for low-income farm operators to compute their net earnings. In addition, special provision is made for approximately 1⅓ million farmworkers so that they too can have this protection.

How Social Security Affects You

EXTENSION OF REMARKS

OF

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. BRAY. Mr. Speaker, every man, woman, and child in the United States is affected by social security. All should be aware of their rights, privileges, and responsibilities under the program.

From my mail and questions asked me personally, I realize that there is gross misinformation and lack of information regarding the social-security program. This is easily understandable, for this legislation has been changed many times in its history of 20 years, and the laws relating to it cover many pages in various volumes of statutes.

On the following pages I am merely attempting to outline the many features of the program, and to highlight the many changes incorporated in the new law which was passed by the 83d Congress and signed by President Eisenhower.

The new law amends and extends social-security benefits in many ways. The old-age and survivors insurance program now covers about 8 out of 10 of the Nation's jobs. During the course of a year about 62 million people work in employment or self-employment that is covered under the program. The new law extends coverage to about 10 million additional people who in the course of a year work in jobs that are not now covered. Coverage has been extended to self-employed farm operators and certain self-employed professional groups, members of State and local government retirement systems—other than policemen and firemen—additional farm workers and domestic workers, ministers and members of religious orders, most Federal employees not covered by retirement systems, and certain other smaller groups.

The new law amends the method for computing the average monthly wage, on which benefits are based, and works to the advantage of all insured persons. The new law also increases the maximum amount of earnings considered for both tax and benefits purposes from $3,600 a year to $4,200 a year, effective January 1, 1955.

The new law makes provisions for newly covered workers, who, if continuously engaged in employment after 1954, die or retire before they can meet the regular requirements for insured status. The law provides that a person is fully insured at the time of his death or the attainment of age 65, if all of the quarters elapsing after 1954 and up to that time are quarters of coverage, provided he has at least 6 quarters of coverage after 1954.

Prior to enactment of the new law workers lost or suffered reduced social-security rights when they experienced periods of total disability before reaching retirement age. Unless the person was fully insured at the time of disablement, he sometimes lost his fully insured status when he reached retirement age because the entire period of his disability was included in the time which is the basis for determining his insured status. The new law provides a freeze of old-age and survivors insurance status during extended total disability.

In social-security provisions you frequently come across references to "quarters of coverage." A calendar quarter is a 3-month period beginning January 1, April 1, July 1, or October 1. Thus the first quarter of any year is comprised of the months of January, February, and March; the second quarter is April, May, and June; the third is July, August, and September; and the final quarter is October, November, and December. A quarter of coverage under the program is a quarter in which you were paid $50 or more in wages—or in which you were credited with $100 or more in self-employment income covered by the law.

Some specific provisions under the social-security program are as follows:

Increased benefits: Under the new law all present recipients of retirement benefits will receive increases ranging from $5 to $13.50 per month. Benefits for dependents and survivors are increased proportionately. The benefit schedule for future retired workers is increased as much as $23.50 per month.

Earnings limitations: The past law imposed a loss of benefits on annuitants under age 75 who earn more than $75 a month in wage employment covered by the social-security-system, or more than $900 a year from self-employment. The new law changes this limitation to $1,200 a year for both wage earners and self-employed, thus increasing the amount of allowable earnings and spreading earnings from seasonal employment over the year. For earnings above $1,200, one or more benefits would be withheld depending on the amount earned and the number of months worked. Earnings from any type of work, whether or not covered by social security, will be figured in applying the limitation. The age at which benefits are payable without regard to earnings is reduced from 75 to 72.

Dropout: Your social-security benefit is based on your average earnings of past years. The new law permits dropping out up to five of your lowest years, making your average earnings, and consequently your monthly benefit, larger.

Tax rate: The present 2-percent tax rate on employees and employers remains the same under the new law, but the tax base is increased from $3,600 to $4,200 annually. That means persons in covered employment will pay 2 percent of their wages each year on the first $4,200. The law increases the future tax rates—previously scheduled to rise to 3¼ percent in 1970—to 3½ percent in 1970 and to 4 percent for 1975 and thereafter. The self-employed pay 1½ times the employees' rate.

Disability freeze: In the computation of benefits, the new law will waive any period of more than 6 months during which the wage earner is totally disabled, provided he had been working regularly under social security before he became disabled. Otherwise these months of little or no income would reduce the average monthly earnings and consequently the monthly benefit.

Farmers: The self-employed farm operator will report his net income for social-security purposes by transferring the information from his income-tax return to a simple supplementary form. If his net earnings from self-employment do not amount to as much as $400 or more in a given year, he pays no self-employment tax on such income and receives no credit toward benefits.

The special provisions for low-income farm operators is as follows: A self-employed farm operator with gross income of not more than $1,800 in a year who reports his income tax on a cash basis could report, for credit toward benefits under old-age and survivors insurance, either his actual net earnings from farm self-employment, as determined on his income-tax return, or 50 percent of his gross income. If he elects to use the latter option, he will be spared the necessity of keeping records of his expenses, computing depreciation, and so forth. Practically all farmers know their gross income and could apply the 50-percent rule.

A farm operator whose gross income from self-employment is more than $1,800 will have to compute his net earnings. If his actual net earnings as computed are less than $900, he can, if he wishes, report $900; otherwise he will have to report his actual net.

Rentals received in the form of crop shares, like other rentals from real estate, are excluded from gross income for social-security purposes.

Farmworkers: Under the new law a farmworker will be covered in his work for any one employer if he receives cash wages of $100 or more in the year from that employer. This provision brings into the program about 2.1 million workers, while continuing to exclude those farm employees who are normally engaged in other activities and who do

farmwork only in the peak-harvest periods.

Farmworkers' earnings will be reported annually. Therefore, provision must be made for converting annual earnings into quarters of coverage. Farmworkers will be given 1 quarter of coverage for annual earnings of more than $100 but less than $200; 2 quarters of coverage for earnings amounting to $200 but less than $300; 3 quarters for earnings amounting to $300 but less than $400; and 4 quarters of coverage for annual earnings amounting to $400 or more.

Professional people: The new law extends coverage to about 100,000 people who during the course of the year are self-employed in the practice of certain professions—architects, engineers, accountants, and funeral directors. These professional people will report their earnings for social-security purposes annually with their income-tax reports.

Employees of State and local governments: Prior to the new law State and local government employees were covered under voluntary agreements between the individual States and the Federal Government, excluding, however, employees who are in positions covered by a State or local retirement system. There are about 3.7 million employees in positions covered by State and local retirement systems in the course of a year.

Under the new law a State can bring members of a State or local retirement system—except policemen and firemen—under its old-age and survivors insurance agreement provided that a referendum by secret written ballot is held among the members of the system, and that a majority of the members of the system who are eligible to vote in the referendum vote in favor of old-age and survivors insurance coverage.

The law continues the previous exclusion of approximately 200,000 policemen and firemen who are covered by a State or local retirement system. Policemen and firemen, because of the arduous nature of their work, have special provisions in their retirement systems such as lower retirement ages, and feel it would be unwise to attempt to integrate these provisions with old-age and survivors insurance.

In the past, employees whose positions were covered by a retirement system but who were not themselves eligible for membership in the system received the same treatment as employees who were members of the retirement system. The new law provides for covering these employees—other than policemen and firemen—without a referendum.

The new law also provides for covering without a referendum employees who could not be covered when their coverage group was covered because they were under a retirement system, but whose system was later dissolved by action taken prior to enactment of this law.

Teachers: The status of teachers in the State of Indiana regarding the new social-security legislation is somewhat different from that of the employees of municipal or local government. The teachers retirement system of Indiana is under the jurisdiction of the State government and cannot be changed except by the State legislature.

These courses of action are possible by the Indiana legislature:

First. To authorize by law the taking of a referendum by the Indiana teachers whereby they could come under the social-security system in addition to the present State teachers' retirement system.

Second. Take no action and in this case the Indiana teachers will not come under the social-security system.

Third. Pass legislation whereby the Indiana teachers would have a combination of social security and teachers' retirement.

It is doubtful if the third plan, to wit: That the State teachers' retirement system be coordinated with the social-security system would meet with favor as there is a considerable pride in the workings of the Indiana State teachers' retirement system and past proposals to coordinate this retirement system with the social-security system have never been very popular. Any coordinated system would still be completely independent of the social-security system.

There are, however, teachers who in exceptional cases cannot come under the Indiana teachers' retirement. A plan may be worked out by the State whereby these teachers would be eligible to participate in the social-security system.

Various colleges and universities in Indiana can participate in the social-security program by action of the institution, together with a referendum by the members under the system.

Any additional employment or self-employment under social security while engaged in teaching or after retiring from teaching can make a teacher eligible to receive social-security benefits as well as his or her teachers' retirement benefits.

Domestic workers: This law covers all domestic workers who work in nonfarm private homes and who are paid $50 in cash wages by an employer in a calendar quarter. It would delete the unnecessary and complicated requirement of the past, limiting the coverage of domestic workers to those who work for a single employer on 24 days during a calendar quarter. The simplified test of coverage for domestic services in private homes provided by the new law would cover, during the course of a year, about 200,000 more household workers than does the present law.

Ministers and members of religious orders: Ministers and members of religious orders who have not taken a vow of poverty, whether self-employed or employees, may secure coverage by filing a certificate indicating their desire to be covered as self-employed persons. Christian Science practitioners may be covered on the same basis. In general, these people would have a 2-year option after coverage becomes available on January 1, 1955, or a 2-year option after the individual becomes a minister, member of a religious order, or practitioner, in which to elect coverage.

Federal Government employees: The law extends coverage to approximately 150,000 civilian employees of the Federal Government and its instrumentalities who are not covered by retirement systems.

United States citizens employed abroad: The law makes old-age and survivors insurance coverage possible, at the option of the employer, for about 100,000 United States citizens who are employed outside of the United States by foreign subsidiaries of parent American companies.

Home workers: The law extends employee coverage to about 100,000 additional homeworkers. Homeworkers who have the status of employees under the usual common-law rules applicable in determining employer-employee relationship have been covered since 1937. In addition, homeworkers who do not have employee status under the usual common-law rules are now covered as employees if they work according to specifications of the person for whom the work is done on materials or goods furnished by that person and required to be returned to him or his designee and if they are paid cash wages of $50 or more during a calendar quarter by a given employer.

Railroad retirement: Railroad employees now have some protection under the Social Security System, as well as under the Railroad Retirement System. Legislation was passed a few years ago which partially coordinated the two systems.

Retirement age: There has been considerable interest in having the retirement age on social security lowered, and bills have been introduced to that effect. It has been pointed out that such lowering of retirement age might be especially beneficial in times of unemployment, and it would also be in harmony with some retirement plans which have fixed the retirement age at 60 years, such as the United Mine Workers system. However, the Ways and Means Committee did not recommend any change of retirement age this year. The matter will probably be given more study during the next session of Congress.

Wives and widows: There was also legislation introduced to lower the age at which a widow would be eligible to begin drawing social-security benefits. However, no change was made in the law regarding the retirement age of a wife or widow. The law now provides that the widow, unless she has children under the age of 18, cannot begin drawing social-security benefits until she is 65, regardless of the time that her husband was deceased. It has been pointed out that in many instances this has caused great suffering, as the widow has no means of livelihood until she reaches 65. There was also an effort made to lower the age at which the wife could begin drawing social-security benefits once her husband has begun drawing his. There was some precedent for consideration of this matter in the recent railroad-retirement legislation which lowered to 60 the age at which a widow can draw railroad retirement.

Legislation was introduced to change the amount drawn by the wife or widow

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under certain conditions. Under the present law if a husband is covered by social security, when his wife reaches the age of 65, she ordinarily receives an amount equal to one-half of the amount of her husband's benefits. Unless the wife's separate entitlement for employment and contributions under social security is equal to more than half the amount that her husband is entitled to receive, she receives no extra payment for the contribution she has made. There was legislation introduced to change this situation, but no action was taken on it in this session of Congress.

Self-employed: This phase of the law is misunderstood to a greater extent than any other provision. I have personally received inquiries from several people who were entitled to social-security benefits and were not aware of it. Two typical examples were brought to my attention recently.

A man 74 years of age who had worked as an employee and contributed to the Social Security System 3 quarters was totally unaware that his later earnings of $800 per year sharpening lawnmowers entitled him to social-security coverage as self-employed. All he had to do was to file schedule C, of income tax return form 1040, showing the amount that he had earned each year since he became self-employed since 1950, and pay the proper amount into the social-security system as a self-employed person. He was then entitled to draw social-security benefits.

Another case was that of a school-bus driver, 65 years of age, who was not entitled to draw social-security benefits as an employee of the school township because the political subdivision for which he had rendered services had not entered into an agreement to have its employees covered. He was, however, entitled to social-security coverage as a self-employed person. All that was necessary for him to do was to file schedule C of form 1040 showing his earnings as a self-employed person and paying his social-security tax as such. He is now drawing his social-security benefits. There are many similar cases and each must be studied individually to see if it is covered by social security.

Veterans: I am anxious to explain just what credits for social security a veteran receives. I know of specific instances where veterans' widows and children receive social security and the only time the veteran was under social security was while he was in the Army. I would like to explain that as simply as possible.

A social security wage credit of $160 is provided for each month of active military or naval service performed between September 16, 1940, and July 1, 1955. These credits count the same as earnings for covered work in determining whether a veteran is insured for old-age and survivors insurance benefits, and in computing the amount of the benefit. The credits may not be counted for social security purposes, however, if a benefit based in whole or in part on the same period of military service is determined to be payable by a Federal agency other than the Veterans' Administration.

Any specific question regarding social security coverage can be answered at the field offices, which in the Seventh District counties are as follows:

Greene, Morgan, Monroe, and Owen: 205 South Walnut Street, Bloomington.

Daviess, Knox, and Martin: 204 La Plante Building, Vincennes.

Clay and Sullivan: Room 306, Post Office Building, Terre Haute.

Johnson: 36 South Pennsylvania, Indianapolis.

Gibson: Courthouse, Fourth and Vice Streets, Evansville.

I will also be happy to obtain any information you need and work with you in any way I can if you will write me at my office: WILLIAM G. BRAY, Member of Congress, Room 1017, New House Office Building, Washington, D. C.

Biennial Report to Citizens of the Fifth Congressional District of Connecticut

EXTENSION OF REMARKS

OF

HON. JAMES T. PATTERSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. PATTERSON. Mr. Speaker, it has been my custom in the past four sessions of Congress to make a report to the people of the Fifth Connecticut District at the end of each session. This condensed summary deals with major legislation that has been passed by Congress, and my own participation in this legislation, as well as other personal activities which had a direct bearing on the people I represent in our Nation's Capital.

The President, in his state of the Union message, outlined in general terms what he was to propose more specifically in later stages as his program. The President thus demonstrated from the very beginning that he comprehended the problems confronting the Nation and the whole world and proposed logical and down-to-earth solutions. The major portion of this program emerged from Congress without serious or damaging alterations.

The President's legislative program constituted 64 proposals, and Congress, in cooperation with the administration, attained the very high batting average of 0.828. This percentage is far greater than any for prior Congresses in modern history. It is evident from this fact that the President and the Republican Congress worked in concert and harmony for the general welfare of the Nation. This has been a Congress of constructive achievement.

The end of the fighting in Korea in July of 1953 fulfilled the promise made by the President in his campaign for election. The President and Congress kept faith with the American people and brought an end to the burdens and sufferings which were largely being borne by us. Here was an example of decision contrasted to indecision by the previous administration. In the first year of this administration, peace came to the world and we were ready to chart a course which involved no bloodshed and no loss of American lives. From then on, we seized the initiative in world affairs from Soviet Russia, and have maintained it. We are the bulwark of the free Western World and the hope to which subjugated peoples in totalitarian nations cling for survival.

Civil rights has been the subject of demagoguery for so long that it seemed impossible to accomplish anything substantial in this area. Yet quietly and effectively, the Republican administration has done more to break down the dividing line between differing groups of Americans than has been done since the days of Abraham Lincoln. The color of one's skin, his race or national origin is not a criterion for judgment but rather we are rapidly approaching the proposition that man shall be judged by his ability alone. This is due, in large measure, to the outlawing of segregation in our school systems, the integration of men and women in our military forces, and the appointment of Negroes to positions of great responsibility in government.

The economic planners, who had controlled the course of government for so long, brought the encroachment of the Federal Government into all types of business enterprises. We found, upon taking office, that the Government was roasting coffee, making ice cream, manufacturing paint, maintaining shipping facilities, and otherwise engaging in many other practices which very obviously should be a part of our private economic system.

This situation has been corrected and already billions of dollars have accrued to the Government through the sale of many of these operations. The business ventures stripped of government subsidy are now taxpaying members of the national community. This program is a continuing one, and it is expected that the amount which will revert to the Federal Treasury will approximate $40 billion.

A vigorous campaign to rid the Government of potential subversives was instituted and has been strengthened by the passage of legislation by the Congress. The Communists who had found it convenient to bore from within are now stripped of positions of influence in the Government and are being dealt with in a judicious manner by our courts. The Communist Party, as such, will no longer have the rights and privileges of a political party, and other enactments assure that the Government may protect itself through adequate espionage and sabotage laws. In addition, peacetime spying has become a crime to the same degree as treasonous activities in time of war. To assure the effectiveness of congressional investigations involving subversives, immunity from self-incrimination can now be extended so that spies and traitors may no longer take refuge in evasion or silence.

The "mess" exists no longer in Washington. Honesty and integrity are the rule rather than the exception. These homely American virtues have become part of the accepted rules of procedure in Government. There has been a housecleaning of those who sought to

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make Government their private prey for nefarious schemes and undertakings.

Energetic investigations by congressional committees in the internal revenue and housing fields have brought about correction of inadequate legislation.

A 20-year attempt to bring into being American participation in the St. Lawrence Seaway has been realized. This will broaden the economic frontiers of America and strengthen the bonds of friendship between us and our Canadian neighbor to the north.

The so-called tidelands dispute has been ended after several years of bickering. The rights of the several States involved, to the marginal lands off their coastlines, had a far deeper meaning than the oil reserves which figured so prominently in the debate. Under this statute, Connecticut, for instance, is assured that there will be no Federal interference with the harbor facilities, oyster beds, and other valuable properties on the coast of our State.

A monumental accomplishment of this Congress has been the first complete revision of our tax laws in decades. Through the modernization of the Internal Revenue Code, savings of $7.4 billion in taxes came to the American people. This is certainly one facet of Government which directly affects each and every one of us, and will be dealt with at greater length later in this report.

It is appropriate that I hereafter discuss in some detail the most significant legislative actions of the 83d Congress.

ATOMIC ENERGY

This subject occupies a prominent place in this report because of my assignment to the Joint Committee on Atomic Energy and my chairmanship of its Subcommittee on Security. I consider myself to be partially responsible for the outstanding record of this Congress in the atomic field.

Through major revisions of the Atomic Energy Act of 1946, we not only fulfilled Republican Party pledges but opened this Nation's vast nuclear potential both for defense and peaceful purposes.

Basically, the secrecy provisions are modified to permit disclosure of sufficient information to our allies so that their armed forces may be trained in the use of the latest atomic weapons. Secondly, the changes make possible the development of a domestic nuclear power industry and allow for the pooling of atomic resources and knowledge so that our friends and allies may share with us the peacetime benefits of atomic research.

One of the most satisfactory and important results of this bill is the avenue it opens for American private industry to put its skill to work developing special applications of atomic energy in commerce, agriculture, and medicine. This conforms to the American principle of private enterprise and initiative to which—at long last—the policy of our country is directing itself.

This was no easy task as we were hamstrung by a small group of self-appointed Democrat guardians of Government monopoly. But in the end, the atomic revision program sailed through by a resounding vote. It represents a tribute to the drive and leadership of the President and the administration, and I am proud of my part in the formulation of this bill.

In the administrative field, the most important international development in the area of atomic energy in the postwar era was President Eisenhower's plan for the pooling of information and know-how by the nations of the world. His grasp of the initiative has assured us of the cooperation of many countries in the peacetime use of atomic power, and has enhanced the possibilities of an effective free-world coalition to a great degree. The fulfillment of this proposal will result in the economic betterment of all nations and counteract very thoroughly the Soviet propaganda line that our efforts in atomic and nuclear energy are directed toward destruction.

NATIONAL DEFENSE

My membership on the House Armed Services Committee makes me particularly aware of the need for maximum defense and security of our country. The times in which we live make necessary the maintenance of a strong military force devoted to the protection of our citizens against any potential aggressor.

During the 83d Congress and because of the very special knowledge of the President and this administration, there has been a radical overhaul of the Nation's defense structure. The results add up to a highly maneuverable Army, Navy, and Air Force capable of reacting instantly in an emergency. There are now specific lines of policy in our national defense program arrived at after careful deliberation and constituting decisions aimed to meet changing conditions. These include, first, a military force geared to the indefinite future, well-rounded, highly trained, and superbly equipped with the best material and weapons our technology can produce; second, the integration of atomic and other newly developed weapons into the Armed Forces; third, the establishment of an Air Force Academy comparable to West Point and Annapolis; fourth, bringing into balance our resources and commitments, our military capabilities and our foreign policies and obligations, so that any position our Government takes can be backed up by strength in being.

All of this has been accomplished with due regard for the abilities of our citizens to pay a fair share for our national defense. We have not subordinated the economic well-being of our Nation to military inefficiencies and waste. Continuation of these policies will result in increased strength at a far lower cost than has heretofore been possible.

NATIONAL ECONOMY

The 83d Congress saw 1953 end up as the most prosperous year in the Nation's history. Evidence is accumulating that 1954 will measure up as another year of sound business and plenty. Inflation has been halted. For the housewife, wage earner, and producer this is good news and part of the change the American people voted for when the Republican Congress and the President were handed the reins of government in 1952.

The Republican administration provided an area development program to work with the States and communities in searching for new industries. Under the Office of Defense Mobilization, surplus labor regions were helped by tax amortization benefits and assistance was given to local firms in obtaining Government contracts. A permanent agency was created—the Small Business Administration—solely responsible for the job of aiding small business.

As Republicans, we have tackled our economic future without crisis, and have made a good start toward a better tomorrow for all our people.

TAXES

The outstanding change in the fiscal policy of the United States is the fact that the overall tax-cut program will leave an additional $7.4 billion in the pockets of the American people. This tax cut would have been impossible without savings effected by the Republican administration. The history of the United States records no such relief to the American taxpayer for any previous year. It influences for good the prosperity and well-being of millions of Americans and thousands of business enterprises. What makes this fiscal achievement even more remarkable is the fact that in the face of returning $7.4 billion to the American people by these tax cuts, we expect the cost of the Federal Government for the next fiscal year to be less than any other prior to World War II. This budget reduction represents a savings of $125,580,000 to the taxpayers of Connecticut.

The tax-revision bill of 1954 was the greatest economic undertaking of any single Congress. It resulted in the first complete overhauling of our revenue laws in 75 years. This act alone will save the American taxpayers $1.4 billion. Millions of people who are retired or living on pensions; people who have heavy medical bills; working people with dependents; farmers who are concerned about soil-conservation costs; working widows and widowers with dependent children; people who have heretofore suffered double taxation of their dividends—all these become the beneficiaries under the new tax law.

The one welcome change which must be evident to all citizens is the complete repeal or reduction of the so-called nuisance taxes in the excise field. The everyday services you use and items you purchase were classified as "luxuries" and subject to taxation on that basis. About one billion dollars will be retained in the pockets of our people through reductions of the Federal tax on transportation, cosmetics, movie admissions, telephone calls and telegrams, as well as numerous other items in common use.

And this is only the beginning. There is still work to do in cutting spending and balancing the budget. But we are on the way to a bright future, and the largest tax saving in history is but one step in that direction.

I am extremely proud of the role I played in this Congress to assist my fellow citizens in keeping for themselves a

greater share of their earnings. The combination of reduced taxes and a severe cut in Federal spending makes this possible.

VETERANS AND SERVICEMEN

The principles of sound business which we applied to the defense dollar were found to be effective also in their application to the Veterans' Administration dollar. Here, we sought and found the opportunity to get more for our money by lowering administrative costs and retaining the largest portion of the money appropriated for the benefit of veterans and their dependents. It was thus possible to amplify and increase veterans' benefits without excessive expenditures.

Action taken by the Congress and the Republican administration includes provision for a 5-percent increase in compensation for service-connected disabled veterans, survivors, and dependents; extension of the act authorizing dependency allotments; continuation of the Missing Persons Act to July 1, 1955, to help the families of Korean servicemen missing in action; extension for 1 year of the time limit for initiating training under the GI bill of rights for veterans of the Korean conflict; and simplification of veterans' life-insurance policies with better protection.

There are many other enlargements of the veterans' program—all of which showed sound judgment, respect, and gratitude for those who bore the brunt of battle.

LABOR

A strong national economy is the first desire of the laboring man and women. This is so because the person who lives by his wage-earning ability is the first and most seriously injured by economic dislocation.

Perhaps no greater benefit has accrued to our working people than the stability which has been evidenced in our economy for the past 2 years. Nineteen hundred fifty-three and 1954 are certain to be the most prosperous peacetime years of our history. Wages are high, strikes are few, and a more pleasant relationship exists between labor and management.

The working force of our Nation totals over 60 millions, and our national income is extremely high. For the first time in 40 years inflation has been halted and our dollars retain their purchasing power.

It was the intention of the President to effect needed revisions of the Taft-Hartley Act. It was my feeling also that this action was essential to augment the welfare of the American workingman. Unfortunately, a willful majority in the Senate, composed almost entirely of Democrats, thwarted the desire of this administration for the revisions which had been sought. Conservative Democrats and the so-called liberal wing of that party united for vastly different reasons to kill the changes which had been recommended.

Notwithstanding this setback, there were several accomplishments in the field of labor relations, including such enactments as extended coverage under the unemployment compensation program; improved system of vocational rehabilitation for the physically disabled and handicapped; liberalized benefits under the Railroad Retirement Act; and strengthening of the State unemployment tax systems.

AGRICULTURE

After extensive hearings and long debate on the floor of both Houses, the agriculture bill providing flexible price supports of 82.5 to 90 percent of parity on basic crops was passed. This is a start toward giving back to our farmers some of the economic freedom taken from them by previous administrations through the rigid high price support policy.

Other enactments by the administration and Congress to help the farmer were measures to move surplus farm products from storage to the table of the consumer; off-farm and on-farm grain storage was substantially increased so that price-support operations could be rendered more workable; REA loan funds were extended; conservation work on soil, water, and forests was intensified; there was assistance to drought-stricken farmers; cotton farms were aided; agricultural research expanded; and the Department of Agriculture was reorganized to give farmers better service and to cut down overhead so that a greater portion of Agriculture Department appropriations will directly benefit farmers.

SOCIAL SECURITY, HEALTH, AND WELFARE

As Republicans, we can look with pride on the positive action taken in this field. The liberalization of the Social Security Act is perhaps the major achievement.

Coverage under this act was broadened, adding 10 million citizens to the eligibility rolls who were not previously covered. This list includes farmhands, domestic, and self-employed workers. The new act also increases benefits for the more than 6 million people now entitled to and drawing benefits.

Moreover, the Republican Congress and administration extended aid for school construction; authorized the Office of Education to cooperate in research and surveys looking to general improvements in our educational system; granted Federal money to the States to help build diagnostic and treatment centers, rehabilitation facilities, and nursing homes; expansion of the vocational rehabilitation plan; increased the power of the Food and Drug Administration for the protection of the public; and approved programs for home construction loan guaranties, slum clearance, and community rehabilitation.

PERSONAL ACCOMPLISHMENTS

Because of the highly industrialized economy of our State, and particularly of our own Fifth District, the development and furthering of industry and employment is without question the area in which most of my time and energies have been directed during my four terms as your Congressman. I have always felt that not only must our existing businesses be given all possible aid and encouragement but it is of equal importance to the prosperity and well-being of the State that new industries be induced to locate in our midst and, by so doing, create new employment opportunities for our people. I have attended innumerable meetings and conferences in Connecticut and Washington for the purpose of fostering business and employment in the district. Meetings with manufacturers, union members, small-business men, civic groups, and Government officials all contributed to a better understanding of mutual problems whose solution will benefit all of us.

I initiated two proposals during this session of Congress which are aimed at increasing the general prosperity and employment of all our people. I am quite sure that these proposals are familiar to most of you, but I will run the risk of being repetitious and mention them again very briefly.

You will remember some months ago I advocated that the Government should give serious consideration to an industrial educational program in conjunction with national defense by placing Government contracts now in those defense plants which under the Government's war plans would be used for the production of war materiel. This would have the dual result of keeping our highly skilled workers employed and, at the same time, would encourage the training of other workers in operating and maintaining the modern complex machinery which makes up our industrial might. With the advent of the atomic age, this training assumes even greater importance. I have been assured by the Office of Defense Mobilization that a review is being maintained of all industries in which the loss of critical skills is threatened, and whenever this occurs the ODM will attempt to devise measures to preserve these skills. In this connection, the Defense Department, the Atomic Energy Commission, and the Maritime Commission have been ordered to select defense facilities which should be maintained to the fullest extent possible. This move will cover industries which produce over 1,000 military items, and the contracts to be let will amount to several hundred million dollars a year.

The preservation of our industrial mobilization base assures there will be no industrial Pearl Harbor in the event of military action, and it further envisions a practical and comprehensive program for the retention of the skills so laboriously learned. The practical application of this policy has already been demonstrated in the case of the watch industry, where it was feared that tariff reductions had brought about a serious decline in the employment of very necessary skills for the national defense. Connecticut has thus benefited already from the program which parallels my policy recommendation to the Executive Office of the President.

The President has also recognized the corollary problem concerning our lack of scientists and engineers and has appointed a committee at the Cabinet level to study ways and means of encouraging our young people to pursue higher technical and scientific studies in our colleges and universities.

The second proposal is the establishment of an atomic reactor plant in our area, under the provisions of the Atomic

Energy Act. To encourage the construction of these atomic plants throughout the country, the Atomic Energy Commission has indicated that it will pay the difference between the building of a conventional and a nuclear powerplant. The first utility company to sign such a contract with the AEC is in Pittsburgh. The plant will be finished in 1957 and will be capable of turning out 60,000 kilowatts of electricity, or enough for a city of 60,000 people. Such a plant in our area would provide increased employment opportunities, as it is doing in the Pittsburgh area, and would also be the first step in attracting new industries. It behooves us to lose no time in pushing this project to an early completion.

I have, during the past 2 years, continued my usual policy of advocating suitable tariffs for commodities manufactured in our district to offset unfair competition by foreign goods which undersell the American market through use of slave and low-wage labor. For that reason, I voted against the extension of the Reciprocal Trade Agreements Act. In addition, I have made countless representations before the Tariff Commission regarding higher tariffs on Swiss watches, which rates were recently raised by the President; bicycles; wood screws, pins, and many other commodities of local importance. I assisted in getting legislation passed closing a loophole in the law which had permitted the importation of rubber-soled footwear that was unfairly competing with our local products.

The well-being of our people depends almost completely upon the protection of jobs in industry. The safeguards we have placed in State and Federal law to assure fair wages under good working conditions are being subverted by the domination of imported goods in the American market. Without assurance of a sales place for the products our working people manufacture, the progressive labor legislation under which we operate would be useless. Job opportunities are being lost and wages depleted by tariff preferences which seriously lower the production of goods in our industrial plants. I am devoted to the program of enhancing, not retarding, the production and sale of Connecticut-made goods.

I found that legislation passed for the benefit of industry in Guam was being used as a means of circumventing the custom laws of the United States by the transshipment of foreign-made goods through Guam to the United States. I introduced legislation to correct that situation. I feel that in pursuing this policy on tariff matters, I am protecting the welfare and economic livelihood of the people I represent.

The opening of the new veterans' hospital at West Haven last year was a great satisfaction to those of us who had worked so diligently for its establishment. However, I am still distressed that so many of our Connecticut veterans who need mental treatment are not able to secure this treatment in veterans' hospitals within our own State. Consequently, I introduced legislation in this session which directed the Veterans' Administration to survey the 300-bed veterans' hospital at Newington for the purpose of converting this facility into a neuropsychiatric hospital exclusively for veterans. This move has the support of all veterans' organizations in the State and I intend to press for the survey and subsequent favorable action early next session.

I was able to secure an appropriation of $400,000 during this session for the dredging of the Housatonic River. One of the advantages which will result from this operation will be the delivery of coal by barge to the power companies producing electricity. Under Connecticut law, the savings in transportation costs will be immediately reflected in the cheaper rates charged consumers.

Since the original passage of the Patterson Copper Act of 1947, extensions have been granted which are now effective until June 30, 1956. So great a portion of our working force is concentrated in the copper and brass industries that an unimpeded flow of copper is essential for a healthy economy in the Fifth District. The saving in cost of copper ore through the Patterson Act enables our plants to compete more readily with fabricators in other areas. In these two ways the workers of the Fifth District have materially benefited by its passage and extension.

A goodly number of textile firms are located in Connecticut, some of them in the Fifth District. The provisions of the Flammable Fabrics Act would have injured these operations, although there was no intent on the part of Congress to interfere with the manufacture of standard textiles. Without in any way rendering ineffective the standards of safety in the act, changes proposed by me were adopted by the Congress. Thus, the continued operation of Connecticut textile mills was assured.

I also sponsored legislation for the benefit of our veterans such as the giving of Government employment preference to the children of veterans whose lives were lost in active duty; a sliding scale of service for doctors and dentists having World War II military service and currently being recalled to active duty; a 10-percent increase in the retirement pay of disabled veterans; and the appointment of female nurses in the National Guard.

Of direct interest to all taxpayers in Connecticut is legislation I introduced in the House which would allow the collection of tolls on federally aided superhighways as is now possible on federally aided bridges. This would stop the general levying of State taxes to pay for these highways. Action has already been taken to assure this type of financing for the Killingly-Greenwich Expressway.

The increased number of tragedies resulting from the entrapment of children in discarded refrigerators and iceboxes brought this problem to national attention. To guard against future cases of this kind, I introduced legislation to require inside latches as standard equipment in the manufacture of refrigerators. Hearings in both Houses of Congress on this measure brought together representatives of firms manufacturing these items and those of an inventive mind who had devised systems for escape from refrigerators. Most assuredly, much good will result from these meetings.

I was successful in securing extensions of mail-service delivery routes in the Fifth District, and obtained a supplemental appropriation for extra clerical help in the Bethlehem post office to permit Christmas mailings.

In addition to answering voluminous correspondence on legislative matters, my office has processed unlimited inquiries of a more personal nature relating to veterans' compensation and insurance claims, immigration cases, selective service and military personnel problems, and many other matters of the utmost importance to the people concerned.

In conclusion, may I say that the elections this year will determine whether President Eisenhower's program, endorsed by a large majority of our citizens, will go forward to completion. This election will determine whether the historic record of Republican accomplishments since January 1953 will be continued—or whether it will be sabotaged and defeated by a hostile Congress. It is the duty of every voter to make this decision according to his own conscience.

My service in the Congress has been rewarding in the spiritual sense, as I have had the opportunity to meet thousands of you wonderful people, and have gained satisfaction from the thought that I have been able to serve as your Representative in our National Government. I am particularly proud of my association with the 83d Congress, one which accomplished much for the good of America. Please feel free to call upon me or my office for any service which I may be able to render.

They Call It Old-Age Security

EXTENSION OF REMARKS
OF
HON. THOMAS J. LANE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. LANE. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include my statement, which reads as follows:

THEY CALL IT OLD-AGE SECURITY

There has been, and will continue to be, in this election year much beating of gums and drums concerning the passage of a bill to improve our social-security system.

They forgot, however, to ask about the reactions of those affected by this legislation, those already trying to eke out a living from old-age and survivors insurance and old-age assistance.

Their answer would be, "Disappointment."

After all the political oratory has gone with the wind, we find that the average benefit to those now on the rolls will be increased by the munificent sum of $1.50 a week.

At a time when the dollar itself is but a ghost of its former purchasing power.

Of course we were pleased to see more potential beneficiaries brought under the coverage of the act. It is encouraging to note that the amount of income that may be exempted from benefit calculations has been raised. These and other slight renova-

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tions are signs of progress, snail-like though they be, pointing toward the distant day when all Americans will be covered adequately.

Our immediate responsibility, however, is to those now 65 or older who must live today; who cannot eat and clothe themselves and find shelter on promises that the future holds in store.

They need help now.

The administration has failed to exercise that leadership which could provide real instead of shadow benefits.

It cannot understand why we do not rejoice because the benefits for those at the bottom of the list have been increased from $25 to $30 a month. It maintains correctly—and according to mathematics—that this is an increase of 20 percent; conveniently forgetting that some States will confiscate this gain when it applies to those who must seek old-age assistance to supplement their meager old-age and survivors insurance benefits.

I repeat: "The average increase for all beneficiaries amounts to $6 per month."

Looks like something, on paper.

But, did any member of this administration go down to the corner grocery store and see what he could get for $6, and spread this over a month?

To an older person trying to keep his head above water with no other means of support, $72 a year extra doesn't make much difference. A cheap suit, a pair of cardboard shoes, and a few more loaves of bread. That's all.

Organizations like the National Pension Federation have been waging a valiant fight to correct this shameful injustice toward the aged, whom we should honor and respect.

There is no reason in the world why we, the most prosperous Nation on earth, cannot do more for our senior citizens.

We act like spendthrifts where foreign aid is concerned and like misers when it comes to our own people.

Liberal Congressmen in both parties are fighting against this contradiction. We know that the United States will be strong and secure only to the extent that it builds security for all of its people. Then, and only then, can we expect others to follow the example of our leadership. We cannot preach to the world when we neglect the deserving in our own homeland.

With unflagging zeal we must work to put life into the Social Security Act so that it will provide at least $100 a month to bring freedom from worry and want to all of the oldsters in our ranks.

A Tribute to the Honorable Carl T. Curtis

EXTENSION OF REMARKS

OF

HON. THOMAS A. JENKINS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. JENKINS. Mr. Speaker, as this 2d session of the 83d Congress draws to a close, I would like to pay tribute to the Honorable CARL T. CURTIS, of the 1st Congressional District of Nebraska. When the 84th Congress convenes in January 1955, Mr. CURTIS will no longer be in our midst as a colleague. Instead, Mr. CURTIS will be in the United States Senate as the junior Senator from the great State of Nebraska.

I have watched with interest Mr. CURTIS' career in the House of Representatives since he was first elected to the 76th Congress and took office on January 3, 1939. During much of the intervening 16 years, Mr. CURTIS and I have served together on the Committee on Ways and Means.

I need not recite to the membership of this body the fact that Mr. CURTIS has distinguished himself by his outstanding record of accomplishment. Mr. CURTIS is perhaps our most able authority on social-security legislation. During this Congress he has served as a chairman of a Subcommittee on Social Security. This subcommittee has made a major contribution to the development of the social-security amendments of 1954. Mr. CURTIS is also an eminent tax authority and has been the author of many provisions in our Federal tax laws which have aided farmers, businessmen, and labor.

Mr. CURTIS has always served Nebraska well; he has also ably filled his responsibilities to the people of the United States. The people of the entire State of Nebraska could make no better choice in selecting for its United States Senator the man that the people of the First Congressional District of Nebraska have elected to represent them in the United States House of Representatives for eight consecutive terms.

As CARL CURTIS leaves the House of Representatives, I am certain that he will take to his new responsibilities as Senator the same attributes of integrity, industry, and ability which he has brought to his duties in the House of Representatives.

Attack on California Is Designed To Deceive Congress and Delude Taxpayers

EXTENSION OF REMARKS

OF

HON. HARRY R. SHEPPARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. SHEPPARD. Mr. Speaker, for a number of years various spokesmen of several Colorado River Basin States have continued a slanderous and malevolent campaign against water agencies and officials of California.

I suspect that one purpose of these ill-advised assaults, in addition to injuring California, is to delude the residents of certain other States, chiefly those of Colorado, Utah, Arizona, Wyoming, and New Mexico. The officials of these States have found it necessary, on several recent occasions, to invent excuses for their own shortcomings. They have stormed up Capitol Hill with fantastic and costly water and power projects, only to find themselves unable to browbeat Congress into approving them.

In the main, these projects would have irreparably damaged the economy of my State, and therefore the Representatives of California were obliged to oppose them, and this opposition provided an escape hatch which the proponents of these water and power monstrosities welcomed. What better way was there in which to conceal their own failures from the people at home than to blame California? California the water hog. California the industrial octopus. California the incomparable water thief. California the cunning. California the opulent. California the agricultural despot.

Even an amateur propagandist knows that it is not difficult to make people believe that something big is wicked. California is the biggest Colorado River Basin State—biggest in size, in wealth, in population, in production. Persons who make it their life work to avoid sound reasoning would find it quite convenient to charge big California with being impiously wicked. Especially is this true of persons who must devise a smokescreen to hide their own efforts at deception.

It must be said, however, that by virtue of its bigness California has been able to withstand these nefarious attacks and to assimilate them with the ordinarily difficult job of maintaining dignity, building, progessing and protecting its citizens, while at the same time making an honest living.

The truth of the matter is that since the 80th Congress there has been an intensive drive to deprive California of Colorado River water to which it is legally entitled under contracts with the Federal Government, contracts that were authorized by Congress.

But long before the 80th Congress, the upper basin States joined the State of Arizona, which is both a lower and an upper basin State, in attempting to prevent development in California. Arizona led a concerted fight to prevent the building of Boulder Dam. The upper basin States joined Arizona in blackmailing California into paying tribute for their permission to allow the great dam to be constructed. California is still paying this unjust protection money.

Arizona sent its militia to stop the construction of Parker Dam, for which California was paying, but Congress quickly put an end to that nonsense. Three times Arizona went to the United States Supreme Court in its frenzied fight to prevent California progress, and each time was either thrown out or defeated.

The Colorado Basin States ganged up against California to force through the Senate the Mexican Water Treaty. California stood alone against this irrational scheme which depleted irreparably one of the West's greatest natural resources. California warned the Colorado Basin States that they would suffer grievous consequences if they gave enormous amounts of Colorado River water forever to Mexico. Those States today admittedly are ruing their rashness.

The Colorado River compact of 1922, which is the acknowledged law of the river, was written as a seven-State pact. But Arizona refused to ratify it, and the other 6 States were forced to adopt it as a 6-State pact. Not until 1944, when Arizona devised a scheme to steal large amounts of California's legal share of the river, did Arizona see an advantage in being a member of the compact. Then

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suddenly Arizona hailed the compact as a great device, and knocked on the door of the family entrance, begging permission to come in and be forgiven. Whether Arizona is a member still remains a question which must be answered by the Supreme Court. The fact is there is no such animal as a seven-State compact. There is only a six-State compact. But a ruling in this matter must be made by the Court.

The compact was intended to be a basinwide covenant, and it did not divide the waters of the river between individual States. It created a lower and an upper basin, and it left it to these basins to write compacts of their own. Thus the upper basin States were to enact an agreement among themselves which would divide the water to which they were entitled under the main compact. The same procedure was to be followed by the lower basin States of California, Nevada, and Arizona.

It took the upper basin States 27 years to negotiate their own compact, and the lower basin States have never been able to agree.

In the 80th Congress Arizona introduced the central Arizona project bill, an unbelievable vehicle for helping big landowners to get richer. For years Arizona had been destroying its underground water resources. War-boom growers wanted to continue to open up more desert land, but underground water supplies were swiftly diminishing. There was only one way in which these speculators could carry on, and that was to take water from the Colorado River. But there was not enough water in the river to which Arizona was entitled for this scheme, so they planned to take it away from California. The upper basin States thought this was a fine idea, and gave their wholehearted support to Arizona.

We of California were not overly enthusiastic about a plan to open our back door to burglars. We said so. "California is a water hog," screamed Arizona and the upper basin States.

At this time, for the previous 25 years, California and Arizona had been involved in a controversy that was obviously insoluble by any means of their own. Therefore, California proposed that the old Colorado River controversy be taken before the Supreme Court for final adjudication. It was necessary to get the permission of the Congress to do this, as the Federal Government was a required party, and the Government could not be taken into court without congressional permission. Proper resolutions were filed by California Members of Congress for the purpose of achieving this.

Arizona and the upper basin States descended on Washington in force to block these resolutions. Through three Congresses California sought vainly to get the controversy before the court, and in each Congress Arizona and the upper basin States defeated the resolutions.

It should be mentioned here that the proposed central Arizona project was also defeated.

The Arizona speculators were getting nowhere fast. And suddenly they reversed their course. They did the very thing California had been trying to do for years. On August 13, 1952, the State of Arizona took the lower Colorado River controversy into the Supreme Court on an original action. It is now in progress.

The suit was a severe shock to the upper basin States. Their old crony Arizona had let them down by doing what California wanted done. So the only thing the upper basin States could do was to howl publicly that California had tied Arizona up in the Supreme Court.

I regret that my esteemed colleague, Congressman ASPINALL, of Colorado, saw fit to accept the false statements emanating from professional upper basin California haters. In the CONGRESSIONAL RECORD of August 24, the gentleman from Colorado [Mr. ASPINALL], speaking of California, stated:

> Thus far, she has her sister State of Arizona tied up in the Federal courts and has petitioned the Court to blanket all of the other Colorado Basin States into her linen-washing expedition.

I feel certain that the gentleman from Colorado [Mr. ASPINALL] is aware that it was Arizona which filed the Supreme Court suit against California, with the hearty approval and assistance of his own State of Colorado.

It is quite true that California has petitioned the Court to make the States of Colorado, Wyoming, Utah, and New Mexico parties to the action. The suit asks for interpretations of basic principles of the Colorado River compact and for decisions which would affect the rights of every basin State. Thus, it would seem reasonable to assume that what affects one State in the basin would affect all States in the basin, and what applies to the rights of one State would apply to the rights of all States.

For years the upper-basin States have been spending midnight oil to concoct a scheme for development of their water and power resources at the expense of others. They came up Capitol Hill last year with a proposal that almost defies description. If Congress thought the central Arizona project was unbelievable in its scope, its ridiculous financing, and its nefarious concepts, they have not seen anything. The proposed Colorado River storage project was simply out of this world by comparison.

I shall not repeat here the facts which reveal these projects as the most costly, infeasible, and unjust schemes ever placed before Congress under the guise of reclamation. That has been done numerous times by experts, and these revelations brought about the defeat of the projects. Just let me say that the central Arizona project would have cost the taxpayers of the Nation more than $2 billion in lost interest alone. The upper Colorado project more than doubles that figure. For what? For something that is totally unnecessary to the economy of the Nation.

The upper-basin rangers came into this Congress with what they considered to be a slick program. First they put up the Fryingpan-Arkansas project as a kind of test bill. It was comparatively small itself, but it was in reality a forerunner for a gigantic project which would take a million acre-feet of the purest Colorado River water completely out of the basin, never to be recovered. If they could get by with that, they figured Congress would swallow anything.

California did not think that was so wise. We said so.

The Fryingpan slipped through the Senate; but when it got to the House, aroused Congressmen from many States prevented it from getting a rule on the floor, and it died.

Meanwhile, the upper Colorado project was being pushed out of the Senate and House Interior Committees. The House Rules Committee balked, and there it was spiked. Vain efforts were made to pass it in the Senate. Its demise took place on the Senate floor on the last night of the session.

Why? Because only California objected? Not at all. Senators and Congressmen from other States were not about to let their constituents be burdened with a gigantic new taxload. None of these projects could pay for themselves. They would have to be paid for by the people of all States, and mostly by the people of the States which are the largest taxpayers. That includes California.

But taxation was not California's only reason for opposing these projects. There was an even more important reason: these projects would seriously damage California's rights to waters of the Colorado River, waters which California must have to live and progress, waters which California owns, waters that California has spent hundreds of millions to develop and to bring to its farms, homes, and industries.

Because California has defended itself and its rights, California has been branded a thief, a scoundrel, an octopus, a hog. Because California has refused to pay to have its own water stolen, California is accused of trying to prevent development in other basin States. How silly can you get? If other neighboring States were more developed and were prospering, California would benefit. But must California ruin its own economy to achieve this end?

The criticisms of California by my friend, Congressman ASPINALL, are only the latest in a long line. There have been others more vitriolic, and I have no doubt there will be more of the same. But Mr. ASPINALL's words have a familiar ring, and in the main his theme is typical of the "blame California war" that other basin States have been carrying on for years to conceal their own efforts to fleece the taxpayers of the Nation.

All of the terriers snapping at the California bear charge that California has consistently obstructed or opposed the building of reclamation projects in the upper basin. The fact is that California has not only failed to oppose upper basin development, but has repeatedly supported such development.

Let us look at the record:

In the year 1940 the Boulder Dam Project Adjustment Act was adopted by Congress with the active support of California, and its delegation in both Houses. That act provides that for 15 years there shall be paid out for investigation and

construction of projects located exclusively in the upper basin States—Colorado, New Mexico, Utah, and Wyoming—the sum of $500,000 per year, a total of $7,500,000. Further, for the next 35 years a like sum each year shall be equitably distributed for the same purposes among the seven States of the Colorado River Basin. From this it will follow that at least another eight or nine million will fall to the share of the upper basin States. This money is being derived and will be derived from the rates paid for power produced at Hoover Dam. Most of the money is being taken from the pockets of the household and commercial power users in California.

These provisions of the act were not only agreed to by California but vigorously supported in Congress by the California delegation. They confer a special benefit upon the upper basin States, which have these funds available in addition to their fair share of the funds appropriated to the Bureau of Reclamation for general investigation of projects throughout the West.

Furthermore, in each and every one of the following named projects, the California representatives on the congressional committees voted for the projects and either supported and voted for them on the floor or permitted them to be adopted without objection by unanimous consent. In no case did California oppose any of these projects.

Provo—Deer Creek—project, Utah.

Mancos project, Colorado. In this instance, the Colorado River Board of California affirmatively supported reauthorization of the project before congressional committees and with the California delegation.

Paonia project, Colorado. In this instance California took the same affirmative position as in the case of the Mancos project.

Eden project, Wyoming.

Weber Basin project, Utah.

Fort Sumner project, New Mexico.

Vermejo project, New Mexico.

Big Thompson project, Colorado.

California officially and repeatedly joined with representatives of other States in commending the efforts of the upper basin States to come to an agreement upon an upper basin compact and repeatedly expressed the hope and the belief that they would be able to harmonize their views and make such a compact. When the compact had been made and ratified by the legislatures of the upper basin States, it came here for the consent of the Congress. The bill sets up certain criteria for the measurement and administration of the waters of the upper basin States which are distinctly different from those which are applicable to all seven Colorado Basin States under the original Colorado River compact of 1922.

In the hearings which were held on the upper basin compact bill before the House Committee on Public Lands representatives of California appeared and testified on one point only. They stated that California had no interest whatever in how the upper basin States proposed to handle their affairs among themselves, but they asked that it be made crystal clear that the action of Congress should not be taken so as to interpret or vary the terms of the original Colorado River Basin Compact. It developed then that the official representatives of the upper basin States disclaimed having any such idea and, quite harmoniously, language was agreed upon between California and the upper basin States which was added to the act and properly preserves all questions of interpretation of the Colorado River Compact. This being settled, California approved the passage of the bill and it was passed on the Consent Calendar in both Houses.

Certainly no fair-minded person would consider that there was anything in the nature of obstruction or opposition on the part of California in these proceedings. The suggestion made by California was promptly and frankly accepted and agreed to by the upper basin States as being in proper order. The bill was not delayed nor was it jeopardized nor lost.

There should be an end to irresponsible whisperings that California has been a dog-in-the-manger as regards upper basin reclamation projects. It is not true. The record is plain.

Inasmuch as the statement of Mr. ASPINALL reflects the general tenor of previous attacks on California, I wish to comment briefly upon it.

Mr. ASPINALL, like all the others before him, says he "would question the motives of the vociferous members of the vanguard operating for the well-oiled and carefully prepared propaganda barrage of the lower basin."

The motives, Mr. ASPINALL, of the Members of Congress to whom you refer are simple and open: they are to preserve and to protect the vital Colorado River water supplies of California. These water supplies belong to California by virtue of contracts required by Congress, and California presumes that the sincerity of Congress is not to be questioned.

Mr. ASPINALL, in his statement, bemoans the fact that he has "no trained lobbyists, no well-heeled specialized groups grinding out propaganda for my use. I have no battery of trained engineers and specialists at my disposal."

Is Mr. ASPINALL referring to officials of the water agencies of California? These agencies are political subdivisions of the State of California and they have the power to tax. Their representatives come to Washington to help California Members protect and preserve California's water rights. Is Mr. ASPINALL referring to the attorneys for these agencies? Is he referring to the engineers of these agencies?

I should like to remind these attackers of California's representatives who come to Washington that similar officials appear regularly in Congress from all other Colorado Basin States. Attorneys and engineers from the upper basin States spend a great deal of time on Capitol Hill lobbying for their own projects. Colorado even has a Federal judge that will take off for Washington on short notice, leaving his judicial robes scattered behind him, whenever there is an opportunity to assault California.

My colleague mourns that the upper basin has no great metropolitan areas, no great centers of industrialization.

Is that the fault of California?

Then he goes on to say that, unless the underdog upper basin can obtain public sympathy, "we shall have seen superior political power used to squeeze legitimate benefits from people of a deserving area so that the greedy can hog the public trough."

Is Mr. ASPINALL saying that California should not defend itself, should not protect its rights and its citizens? Is he saying that California should throw away billions of investments made by its citizens, just to help some upper-basin farmers get water on a few acres of high-altitude sagebrush?

Mr. ASPINALL says that California is opposing its neighbors' development to fatten its own political nest, and that this explains California's proclivity "to hide as much of this as possible behind the cleanest possible skirts that can be prostituted for this end."

Since when has it been prostitution to keep burglars out of one's house?

The central Arizona project, the Fryingpan-Arkansas project, the Colorado River storage project, all are designed to steal water from California, water that rightfully belongs to California under legal mandate approved by Congress. These projects would seriously damage California's farms, homes, and industries. These projects would rock the foundations of billions of investments made by California citizens in good faith and with reliance on the integrity of the United States Government.

Do the officials and representatives of the upper basin expect California to stand idly by while its last horse is being stolen from the barn?

If Arizona and the upper basin States want to develop and progress—and I would be the first to wish them well in this respect—let them come into Congress with proposals that are founded on sound and reasonable principles. If they want to build projects, let them propose projects that need not injure others in order to be built. Let them come to Congress with proposals that do not inflict hardships on the entire Nation. Let them not ask Congress to approve schemes that benefit a few Rocky Mountain farmers to the detriment of all other farmers thousands of miles away. Let them not ask for gigantic gifts from the taxpayers of this country to grow more crops of the kind that are already in great surplus and heavily subsidized.

If Arizona and the upper basin States want to build, let them build justly and fairly with their own materials and not with materials that others have acquired by industriousness and forethought.

If California is big, it is because California has builded wisely, has paid its own way, and has applied its God-given abilities.

And so help me, I for one, intend to protect and preserve what California has done. I shall continue to oppose every attempt to destroy or diminish the advantages which we have created with our sweat and our money. Let those who depreciate and malign California remember that, and be duly warned.

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The Republican Excise Tax Reduction Program

EXTENSION OF REMARKS
OF
HON. THOMAS A. JENKINS
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. JENKINS. Mr. Speaker, an important part of the Republican tax reduction program was accomplished in the Excise Tax Reduction Act of 1954. This legislation granted $1 billion in tax relief to the American consumer. As this 83d Congress comes to a close, I would like to remind my colleagues of what we accomplished in this major excise tax reduction act.

The Federal revenue needs limited us in the extent to which we could grant excise tax relief. In view of this fact the Congress very wisely reduced to 10 percent those ad valorem rates which previously exceeded that percentage. Accordingly, we cut in half, from 20 percent to 10 percent, the excise taxes on toilet preparations, luggage, admissions, furs, jewelry, and long-distance telephone calls. We reduced by one-third, from 15 percent to 10 percent, the excise taxes on sporting goods, mechanical pencils and pens, mechanical lighters, transportation services, and local telephone services. We have removed entirely the excise taxes on general admissions where the cost of tickets is 50 cents or less. We have also cut in half, from 10 percent to 5 percent, the excise tax on electric, gas, and oil appliances, refrigerators, and quick-freeze units of the household type. The appliances on which the reduced tax rate will apply included such things as stoves, clothes dryers, dishwashers, electric fans, and so forth.

The effect of these excise tax cuts is to reduce Federal receipts from excise taxes by $1 billion. This means that the American consumers will have $1 billion of additional spending power. The housewife is relieved of the need of paying prohibitive excises on articles that are essential to the health and welfare of her family. The businessman will find that these retained tax savings will provide his customers with the means of making additional purchases from him. Thus, not only have the dealers benefited who sell articles on which the excise tax rates have been reduced but we have also found that other dealers have benefited as well.

These excise tax reductions took effect April 1, 1954, and beneficial results have already manifested themselves in my State of Ohio and I am sure in every other State in the United States. Small-business men owning jewelry stores, sporting goods shops and drug stores have all expressed their approval of this important tax reduction legislation. Many housewives have also told me of of how they are now purchasing articles which their families have needed for years but which they delayed buying because of the prohibitive excise tax rates. Shortly after this Excise Tax Reduction Act went into effect, my wife purchased a new refrigerator. When she handed the money to the salesman, he said, "Oh, yes, I must refund to you the tax reduction allowed under the new law which amounts to $22.50."

The reduction in the admissions tax was particularly essential to thousands of small-theater operators throughout the United States. These small-business men were threatened with bankruptcy if the 20-percent admissions tax had been continued. By exempting completely general admissions costing 50 cents or less we have assured that these theaters in small communities will continue to provide sometimes the only form of entertainment available in the vicinity.

The fact that these excise-tax reductions will enable the small shops, theaters, and businesses to continue to operate will mean continued payrolls for wage earners in the communities.

The Excise Tax Reduction Act of 1954 was an important step in the Republican Party's record of making good on its campaign promises. Since 1933 the Democrats have imposed or increased excises on 94 different classes of items. This figure does not take into account the increases in regulatory excises. In 1932 the revenue yield from excise taxes was $450 million, which represented approximately 1 percent of our national income. In 1952 the revenue yield from excises was $9.8 billion, which represented over 3 percent of our national income. Thus, the Democratic Party has a record of talking about tax reduction while enacting only tax increases. The Republican Party, on the other hand, has not only talked about tax reduction, but they have granted tax reduction.

In the Excise Tax Reduction Act of 1954 the Republican 83d Congress and the Eisenhower administration have provided an additional $1 billion in savings for the national wage earners and home buyers to use for the things they want and need. I am proud of that record because of the tax saving it means to every American family.

As a ranking Republican member of the tax-writing Committee on Ways and Means and as a member of the House-Senate conference committee, it was my privilege to participate in the preparation of the Excise Tax Reduction Act of 1954. This very substantial and significant start in Republican tax relief will benefit every American housewife, businessman, and wage earner. There follows a table showing the rate changes made by the Excise Tax Reduction Act of 1954 and the tax savings that are resulting to the American people:

Excises under which rates were reduced as of April 1, 1954

Excise	Old rate	Rate as of Apr. 1, 1954	Tax saving in fiscal 1955 (millions)
Retailers' excises:	*Percent*	*Percent*	
Furs	20	10	$20
Jewelry	20	10	100
Luggage	20	10	40
Toilet preparations	20	10	55
Manufacturers' excises:			
Electric, oil, and gas appliances	10	5	85
Sporting goods	[1] 15	10	3
Mechanical pencils, pens, and lighters	15	10	4
Electric light bulbs and tubes	20	10	20
Cameras, lenses, and film	20	10	15
Pistols and revolvers	11	10	[2]
	Cents		
Matches (per thousand)	2	[2]	4
Cutting oil (per gallon)	6	[2]	1
Miscellaneous excises:	*Percent*		
Long-distance telephone, leased wires, etc	25	10	265
Domestic telegraph, cable and radio dispatches	15	10	
Local telephone	15	10	125
Transportation of persons	15	10	95
Admissions:			
General, over 50 cents	20	[4] 10	145
General, 50 cents or less	20	0	40
Miscellaneous nonprofit organizations	20	0	6
Safe deposit box rentals	20	10	5
Total			999

[1] Scheduled under the Revenue Act of 1951 to be reduced to 10 percent on Apr. 1, 1954; excludes fishing equipment which was taxed at 10 percent.
[2] Negligible.
[3] Not to exceed 10 percent of manufacturers' price.
[4] Excludes dog and horse races, cabarets, club dues, and initiation fees, which are still taxed at 20 percent.

Your Congressman Reports

EXTENSION OF REMARKS
OF
HON. CECIL R. KING
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. KING of California. Mr. Speaker, as we come to the close of the 83d Congress I wish to again make my report to the people I am honored to represent in our 17th District of California. For the past 12 years I have had the privilege of serving this district as its Representative in the Congress of the United States, one of the most populous and fastest growing constituencies in the Country with perhaps more industries and varied problems of any other district. It includes two of the Nation's greatest ports of entry—our Los Angeles Harbor and our Los Angeles International Airport—as well as a major portion of the Navy's Roosevelt base on Terminal Island, the Army's Fort MacArthur at San Pedro,

and the world-renowned Catalina Island. It also includes the greatest food-fish producing port in the world; the greatest aircraft production, with hundreds of subsidiary manufacturing concerns; one of the greatest oil-refining and export centers; one of the greatest shipbuilding centers during the war; and is one of the heaviest industrial areas in the West.

It will not be possible to discuss in detail or even touch upon all the bills considered, or the unfortunate controversies that arose during this session which have been amply covered by the press from day to day. As a member of the most important Committee on Ways and Means, having so much vital legislation before it, including revision of the Social Security Act as well as the Tax Revision Bill, the 83d Congress proved a very busy one for me. The tax revision itself entailed our committee hearing the testimony of over 1,100 witnesses consuming 84 days in public hearings alone, and the new law comprises over 1,000 pages of several thousand sections. I will be obliged to confine my report to those proposals that have dealt largely with the general welfare of our people and in which my constituents have indicated their greatest interest.

TAXATION

The tax-revision bill, originating in my Committee on Ways and Means, has afforded tax benefits which have been widely publicized. I supported the major portion of the revision proposals, however, I was not at all satisfied with the meager benefits afforded the great proportion of our citizens earning low or moderate incomes. I was the author in the House of Representatives of the proposal to grant increased personal income-tax exemptions, which was hotly debated and only defeated by 6 votes in the House, 204 to 210 and by but 3 votes in the Senate, 46 to 49. It is my contention that, in addition to the much-needed tax relief this amendment would have afforded the millions of moderate and low-income earners, the tremendous added purchasing power would have provided a marked stimulus toward insuring a steady economy by its distribution through trade channels.

Several of the bills I authored were incorporated in this tax-revision bill, including increased allowances for dependents, increased allowances for retired persons, allowances for child-care expense, as well as the reduction of tax on theater admissions and the legislation that closed the loophole through which millions of dollars in income taxes had been avoided in the past on incomes earned outside the United States.

I also supported the excise-tax reductions, but am dissatisfied with many phases of that legislation inasmuch as it still places a heavy burden on the householder and merchandiser by retaining the relatively heavy tax on many home appliances that are now considered essentials and not luxuries in the modern home.

The principal benefit accorded the average taxpayer is the 10 percent reduction on individual incomes voted by the 82d Congress under the previous administration.

SOCIAL SECURITY

The Social Security Act is also under the jurisdiction of my Committee on Ways and Means, and as a strong advocate over the years, I was in accord and supported the improvements and worthwhile revisions that were made in the act. There were, however, a number of proposed amendments which I regret were not approved by the committee. One of the most important of these was the increase in earnings allowed retired persons before forfeiting their benefits. I was not only in favor of raising the limit, but introduced legislation and advocated that the limitation be removed altogether. I am also the author and have long been an advocate of legislation calling for reduction in the age of eligibility for retirement to at least 62 for men and 60 for women, and have always supported the grants-in-aid to the States for aid to the aged, blind, handicapped, and other victims of impoverished circumstances.

In spite of the strong opposition through the years to the social-security law, and the prejudiced attempt to tag it as a form of "creeping socialism," the law is now an integral part of the American way of life, and the sooner it is perfected and established on a sound actuarial basis, the sooner will be abolished the fear of insecurity in later life and the lifting of the heavy burden of direct relief from the local tax rolls. What greater bulwark against communism could there be than the contentment of a citizenry assured of a feeling of security they have earned when they reach the waning of their productive years?

FULL EMPLOYMENT

Full employment in our country should be one of the paramount aims of all of us, as it is the heart and strength of our country's economic well-being to which nothing could contribute more than a continuing healthy business cycle kept alive by full employment. In the interest of those temporarily out of employment, I was one of the group of 80 Members of the House of Representatives who sponsored a proposal to liberalize and revise the unemployment-compensation benefits.

EDUCATION

America's educational needs are well known to every parent who sends a child to an overcrowded classroom operating 2 or 3 shifts a day. They are well known to every overworked teacher responsible for handling a classroom jammed with children.

I have been an active advocate of every possible aid to education. One of the prime problems in our great State is the extreme overburdening of local educational facilities with the constant influx of citizens from other sections of the country—particularly to southern California—which will require continuous close attention. I believe that every possible incentive should be offered to the teaching profession, particularly in the matter of adequate compensation, to encourage and insure the perpetuation of a high standard of education in our great State.

I was one of the authors and sponsors of the legislation enacted that has eased the tax burden on our retired teachers, and later retired firemen, policemen, and civil servants were added as beneficiaries of this legislation. A number of school districts in our area have been included in the program of assistance to schools in crowded defense areas, and I am pleased to have been instrumental in having obtained Federal funds which eased the tax burden for these school districts.

VETERANS

I have consistently through the years, as in this Congress, supported legislation in behalf of our veterans and their dependents, their benefits, their pensions, their hospital and medical care. The continuing influx into southern California of veterans from all areas of the United States, much as in our school situation, continues to present a serious problem. Leading veteran organizations have rated my voting record in behalf of our veterans at 100 percent, and I shall continue to work to expedite correction of the inadequacy of facilities for their benefit and comfort.

SMALL BUSINESS

It has always been an unquestioned American tradition that this Government shall aid, counsel, and protect the interests of small business in order to preserve our democratic system of free competitive enterprise. With the dissolution and absorption of the Reconstruction Finance Corporation and the Small Defense Plants Administration, a great number of Congressmen, including myself, favored legislation to create a new permanent independent Small Business Administration with the paramount duty of encouraging and assisting small enterprises in peacetime as well as in any emergency period.

Recognizing the importance of our small businesses in defense-production efforts and the national economy, I have consistently urged reasonable Federal assistance and guidance to them throughout my congressional service. Our small-business firms have a substantial employment figure. By granting reasonable help to keep these firms going we are taking safety steps in the prevention of threatening unemployment. I have assisted in the establishment of industries in our area—both large and small—and through the years have devoted my best efforts to aid the businesses of my district where discrimination or other inequitable treatment was evident, and have succeeded in enacting corrective legislation for their relief.

CONSERVATION AND NATURAL RESOURCES

I have remained alert at all times in my determination to protect and preserve our vast national forests and parks that have been set aside for the enjoyment of all our people, to insure against the incessant attempt at encroachment by special interests. I am also alert to the attempts of certain private power interests to acquire for personal profit the remaining great water and power potential of the West. A like concern was alerted in this session of the Congress over the partially successful attempt of certain private interests to control the vast peacetime atomic-energy program of our Government

which was paid for so dearly by the people of our country whose equity to date in this program amounts to more than $12 billion, and I voted to protect the people's investment.

SOUTHERN CALIFORNIA WATER RIGHTS

Southern California has been confronted since the turn of the century with the problem of an adequate water supply. Very critical complications are now presenting themselves due to the threatened encroachments from other States that are parties to the Colorado River compact, because of the machinations of land speculators and promoters who seek to deprive southern California of its contractual rights and its fair share of the water of the Colorado River. Water represents to the people of southern California a basic necessity to insure the needs of its thriving, evergrowing population, industry and agriculture, and I am pleased to be considered one of the leaders in the Congress in the fight to protect southern California's water rights.

POSTAL AND FEDERAL WORKERS

One of the keen disappointments of this session was the outcome of the long and vigorously debated proposal for pay increases for our postal workers and other Federal employees. I feel our Government's service generally has suffered greatly due to the inadequacy and unattractiveness of Federal pay scales, and have long felt they were entitled to a substantial increase to somewhat compensate for the rise in living costs. I was a member of the group in the House that vigorously supported this enactment and regret that after overwhelming approval in both the House and Senate, the President saw fit to veto this legislation.

COMMUNISM

My constituents will recollect that in my previous report to them I covered quite fully the legislation I had introduced for the outlawing of the Communist Party in our country. My bill, H. R. 5941, was the first introduced in the House of Representatives, and I am gratified that the major provisions of my bill were overwhelmingly approved by both the Senate and the House. I also voted to revise and extend the laws relating to espionage and sabotage.

NARCOTICS

I am the author of three bills as a result of extensive study and conferences with our country's chief narcotics enforcement authority, Commissioner Harry J. Anslinger, the details of which I have previously reported to you. As you may recall, these bills are designed to augment and strengthen the enforcement and authority of the enforcement officers in the various fields dealing with the vicious narcotics menace. Because of the unprecedented heavy schedule of the Committee on Ways and Means, also having jurisdiction over such bills, we were able to conduct hearings on but one of these bills, which was approved for presentation to the House, and I have been assured that early hearings will be accorded the others following the convening of the 84th Congress in January.

DISTRICT ENTERPRISES AND DEVELOPMENT

Harbor: Our Los Angeles Harbor, serving 7 million people of southern and central California and 14 million people in a 12-State area, is one of the leading ports of the Western Hemisphere and one of the greatest man-made harbors in the world, embracing 1,800 acres of channel and anchor area, with 28 miles of water frontage served by 3 major railroads. It has been my privilege to have been of every possible assistance toward its continual growth and development, including the establishment of foreign trade zone No. 4 at our harbor, and sponsoring a bill this session which gained Federal assistance for the dredging and improving of the east basin to enhance the usefulness of the new $8 million terminal, which is rated the largest and most modern passenger cargo terminal in the world.

With regard to the Redondo Beach project, I am pleased to report that following my success in securing approval of my proposal authorizing construction of a breakwater at Redondo Beach for the protection of the shoreline and the creation of a small-boat harbor, I have in this session succeeded in securing an appropriation of $50,000 for further engineering to bring the project to construction stage, and trust the next session will approve the full appropriation in conjunction with local support of this much-needed shore protection and boat haven. This small boat harbor will be a priceless asset not only to Redondo Beach, but the whole surrounding area.

Airport: Our Los Angeles International Airport is one of the finest and most important air terminals in the world, of which we may also justly be proud. I have taken particular interest in insuring its designation as an international port of entry. My most recent accomplishment toward its growth and development was in assisting in having it designated as the west coast terminal for the Scandinavian Airline System's transpolar service. I am continuously working with the Federal agencies in Washington and the interested organizations locally toward its further development and expansion to maintain its position as one of the most important airports in the world.

Fishing industry: The world's largest fishing industry operates out of our port of Los Angeles. The annual catch is estimated at around 1 billion pounds with a value of some $75 million, and recently a new $3 million fishermen's wharf has been completed. I have worked very closely with this important industry all through the years of my congressional service and am constantly in touch with the industry's local and Washington representatives on their problems.

I have sponsored numerous legislative proposals in behalf of our great fishing industry, including a proposal for the protection of our fishing vessels on the high seas, and another of vital interest to the sports fishing and water-taxi craft operators which were enacted into law this session. The National Fisheries Institute, in its most recent bulletin, lists me as among the leaders in the House noted for championing the welfare of the fishing industry.

Merchant marine and shipbuilding: This industry is also of vital importance to our port and the 17th Congressional District. I have long been associated with those interested in shipping and our United States merchant marine, and served for several years on the Committee on Merchant Marine and Fisheries of the House of Representatives. I authored, and was successful in securing enactment into law this session, legislation providing relief for the shipping industry from the imposing of certain unfair and arbitrary duties. This legislation was enacted, keeping in mind the highly competitive conditions American shipping meets from foreign lines, and is not now in a position to bear further inequitable burdens.

I was also the sponsor of a successful legislative effort in this session providing for a program of merchant ship construction in American shipyards, as well as legislation to maintain ship construction and ship-repair yards, in addition to an enactment providing that 50 percent of all cargoes originating in the United States be carried by American shipping.

VOTING RECORD

Being mindful that the voters of my district have reposed trust and confidence in me for many years, my energies and efforts have been dedicated to meeting that challenge. My overall attendance and voting record is one of the best in the Congress, according to the records of the Clerk of the House of Representatives.

Much has been said about relative support of the President in this administration. In the first session of this Congress, my voting record of support of the legislative recommendations of the President was 82 percent, which was high on the list in both the Senate and the House regardless of party. During the second session of this Congress, I am unable as yet to say what my percentage rating will be, or how the rating will be determined, as it is well known there have been many controversial votes on amendments that will complicate the record, to say the least.

One of the occasions on which I have most vigorously addressed this House was against the present administration's recommendation to reduce the Air Force appropriation which I felt would imperil our national security, and I feel my stand has subsequently been clearly justified by the restoration of this reduction.

I realize full well that my legislative record may not please each and every one of my constituents, which is to be expected in a democracy where each of us has the right to his own opinion—a right that we must respect and safeguard. I have always voted as my perception and conscience dictates, and have determined my stand on what I considered best for the people of our district and the country.

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TO KEEP THE RECORD STRAIGHT

I have noted that quite a number of Members have brought to the attention of the House and their constituents, the distorted analysis bearing on their voting record by the active opposition in their districts. This seems to be a popular new technique intended by constant repetition to shake the faith of the people in their Representatives. My own opposition in the last and this present campaign has repeatedly resorted to the use of this device with a premeditated intent to mislead the voters.

Undue critical implications are repeatedly directed to absences over the years from certain rollcalls, but obviously omitting the fact that the Member was paired on a vote, which records his stand on such legislation, and disregarding absences when excused from the House on official business of investigating committees or on more urgent official business than adding his vote in most instances to an already unanimous vote.

Knowing full well that a Representative with "Communist leanings" would be distasteful to the voters of any constituency, some zealous aspirants to seats in Congress, including my own, are resorting to the cunning device of misrepresentation and setting forth a distorted analysis of voting records associating the votes to preserve and protect the civil rights, liberties, and constitutional guaranties of our citizens, with "softness toward communism."

The "guilt by association" technique is employed also by listing Members on certain votes with the former Republican Member of the House from New York, the now deceased Vito Marcantonio.

In my district the opposition has gone a step further in widely circulating a Communist newspaper's denunciation of me, by cunningly removing its identity as a Communist newspaper.

It would appear the time has come to recognize that the philosophy which made this Nation great was a philosophy not of hypocrisy and deceit, but one of truth and reason.

CONCLUSION

As your Representative in the Congress these past 12 years, confronted with the difficulty of having to serve the better part of each year 3,000 miles distant from my constituency, I have conscientiously endeavored to serve you and bring credit and distinction to our district. My office staff and I take pride in the reputation our office has gained for promptness and efficiency in handling congressional services.

My files are replete with letters of appreciation from individuals and organizations for services rendered. I treasure these "thank you" expressions and encouraging good wishes, and shall always strive to justify your confidence and good will.

The measure of success we have achieved has been with your guidance that I have welcomed on all important congressional matters in our partnership in public affairs.

Hon. Charles W. Vursell, of Illinois, Supports REA 100 Percent

EXTENSION OF REMARKS

OF

HON. CHARLES W. VURSELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. VURSELL. Mr. Speaker, after 12 years of my constant support of the farmers and farm legislation, on every front, I have learned that a false campaign is being made against me in an effort to deceive the farmers in my district. Of course, those who are circulating the report that I have voted against REA appropriations know the charges they make are false. They are not interested in the welfare of agriculture. They are only interested in trying to secure the farmers' vote, and apparently, have little regard for the truth and facts.

I have always believed the truth is more powerful than deception or falsehoods. I want to destroy these charges by smothering them with the truth.

HERE IS THE TRUTH

Some months ago I mailed the farmers of my district my complete official voting record, proving, without question, that I voted for the REA loan fund in the past 12 years I have been in the Congress for a total of $2,659,000,000; that this amount was $75 million more than was requested by the Presidents under whom I served: Mr. Roosevelt, Mr. Truman, and Mr. Eisenhower. All of these loan funds, of course, are paid back by the cooperatives with interest, and is a worthy investment in the good cause to bring light and power to the farmers of Illinois and America. It is from these loan funds that every expense of REA is financed.

No one can search the record and offer any facts tending to prove the above statement does not give the absolute truth. Most farmers are familiar with my constant interest in behalf of agriculture, and have observed my record year after year. Those who have, know the above statement gives the facts. The official CONGRESSIONAL RECORD will further prove the truth of my statement.

Mr. Speaker, when I came to Congress in 1943, only about 45 to 50 percent of the farmers of Illinois had REA light and power. Now, about 95 percent of the farmers in Illinois have light and power, and for the past 12 years I have voted for every dollar of the money used to extend this light and power to the farmers. Having owned and operated farms most of my life, and having helped to organize the Marion County Farm Bureau over 40 years ago, of which I am a charter member, and having been a leader in the Congress for 12 years in my support of REA and soil conservation, I feel confident the sound-thinking, honest farmers I have supported, on every occasion, with beneficial legislation, will not be easily deceived by one who has never done anything, whatsoever, for agriculture or for farmers.

Mr. Speaker, a false and misleading circular has been handed out over my district comparing my voting record on REA with that of the senior Senator from Illinois, which carries the name of my opponent promising to support REA, if elected.

I do not come to the farmers with promises because I have already delivered the goods supporting REA 100 percent, and I shall continue to fully support rural electric light and power because of the great service it has rendered, and will continue to render, to the people.

I have not looked up the Senator's voting record. I am not interested in what position he took on legislation.

Mr. Speaker, however, since my opposition has seen fit to use this deceptive means by falsely comparing the Senator's record with mine, I want to give you the facts.

COMPARISON OF RECORDS

I was elected to Congress in 1942, and had the privilege of serving for 6 years in the House of Representatives in the Congress before the senior Senator was elected in 1948.

During these first 6 years, beginning January 6 of 1943 through 1948, I voted for REA loan funds totaling $1,405,000,000. This was before the Senator was elected.

During the following 6 years, while both the Senator and I served in the Congress, from 1949 through 1954, I voted for REA loan funds for another total of $1,254,000,000. That makes a 12-year total I voted for of $2,659,000,000, which is $75 million more than was requested by all of the 3 Presidents under whom I served.

These facts cannot be challenged or disapproved by anyone. In the face of such a record, the false charges being made against me fall flat. They are smothered with the facts and the truth.

THE SENATOR'S RECORD

Mr. Speaker, I do not know how the Senator referred to voted on REA loan funds during the past 6 years he served. However, since my opponent has made a comparison, I would like to point out that during the past 6 years the Congress appropriated about $1,254,000,000 for the REA loan fund. If the Senator voted for all of these appropriations passed during the past 6 years, he could have only voted for a total of $1,254,000,000, which is less than half of the REA appropriations I have voted for during 12 years of service, which total $2,659,000,000.

It would seem that anyone who seeks the great responsibility of representing 350,000 people in this district in the Congress, on the vast and important problems of government with which we have to cope, should run on his own merits, if he has any, rather than to try to discredit and tear down, by misrepresentation, my record of 12 years of earnest service in behalf of agriculture, and in behalf of the farmers of southern Illinois and the Nation.

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The Atomic Energy Program

EXTENSION OF REMARKS
OF
HON. THOMAS A. JENKINS
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. JENKINS. Mr. Speaker, as a member of the Joint Committee on Atomic Energy it has been my privilege to assist in the preparation of the 1954 amendments to the Atomic Energy Act. These amendments will have far-reaching effect in bringing our atomic law into line with the scientific, technical, economic, and political facts of atomic energy as they exist today. These amendments will also insure that our atomic-energy program will be designed to maximize atomic energy defense utilization and also to give greater opportunity for the peacetime utilization of this form of energy. These amendments are designed to permit cooperative endeavor between the Government and private enterprise in developing uses of atomic energy without jeopardizing our national security.

We have all read and been told about the military implications of atomic energy. Therefore, I do not propose today to dwell on that aspect of the program. Instead I would like to discuss the peacetime application of this new source of energy which, with proper handling, can provide limitless benefits to the American people.

ATOMIC ENERGY AND MEDICINE

In medical circles the atomic-energy program has offered up vistas in diagnostic fields comparable to those resulting from the invention of the microscope and the X-ray machine. This is accomplished through the use of radioactive isotopes. These isotopes are infinitesimally small chemical particles which are introduced into the body by means of drinking an atomic cocktail, intravenously, or otherwise. They go into every organ, vein, and cell. Their passage can be traced with minute accuracy. These tracers have proved particularly valuable in diagnosis of cancer, brain tumors, and glandular diseases. The Atomic Energy Commission now manufactures more than 100 types of radioactive isotopes which have peaceful uses only. Through the use of isotopes, doctors can now have a picture of what goes on in every part of the living body. Our men of medicine can unerringly locate sources of disease. Thus, atomic energy proffers for the future an assurance of greater longevity through medical science.

THE ATOM AND INDUSTRY

Fission—or the splitting of the atom—generates terrific heat. This heat can be used to produce steam which in turn generates electricity. When this energy is harnessed, and tremendous strides have already been made to that end, our entire power industry will be revolutionized. In view of that fact, the Joint Committee on Atomic Energy has taken an active part in stimulating the atom-for-peace program. The Atomic Energy Commission has a 5-year development and research program under way at the present time to advance the peaceful use of the atom.

The 1954 atomic energy amendments have made it possible for private industry to participate and aid in this development program. Greater productive efficiency and a more abundant way of living are in the offing to the American people through this application of atomic energy to our great industrial resources.

ATOMIC ENERGY AND AGRICULTURE

The role of the atom in agriculture is equally as intriguing as in the fields of industry and medicine. Detailed study of plant characteristics and growing habits has been possible with the advent of the atom. New types of disease-resistant crops are being developed. Experiments now under way will result in spectacular new varieties of fruits and flowers in the next decade. Through exposure to atomic radiation, crops can be preserved for years without refrigeration or any other type of preservative. By using atomic energy to assure a greater output of farm produce, man's oldest industry—agriculture—will be assisted immeasurably by man's youngest industry—atomic energy.

In the summer of 1953, as a member of the Joint Committee on Atomic Energy, my committee colleagues and I visited our atomic military installations overseas and also inspected our sources of raw materials necessary to the development of atomic energy. I am pleased to report to the American public based on this exhaustive inspection trip that our atomic-energy program is being carried out in the most effective and efficient manner possible.

The 104-page Atomic Energy Act Amendments of 1954 will provide us with a law that will permit this program to go forward with even greater speed. Under this legislation enacted by the Republican 83d Congress, we are making tremendous strides in developing atomic energy for use in national defense and in the development of a prosperous, peacetime economy.

Federal Civil-Service Employees

EXTENSION OF REMARKS
OF
HON. OLIN D. JOHNSTON
OF SOUTH CAROLINA
IN THE SENATE OF THE UNITED STATES
Friday, August 20, 1954

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by me relative to Federal civil-service employees.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I believe Federal civil-service employees should know of the fine representation they have received at this session of Congress through the American Federation of Government Employees and the other member organizations of the AFL Government Employees Council.

Many of the important provisions of the fringe-benefit bill which was passed at this session appear to be taken intact from the legislative program adopted by the American Federation of Government Employees 2 years ago.

At every hearing held by the Senate Post Office and Civil Service Committee, representatives of the AFGE were on hand to express opinions, suggestions for improvement, and facts regarding proposed legislation.

We are all familiar with the fine work done by the great postal unions on behalf of post office employees. I think classified employees should know that the path to improvement of their wages and working conditions would have been many times more difficult had it not been for the intelligent and effective activity of the AFGE and its officers and representatives.

It has been a pleasure to have had the cooperation of this patriotic and public-spirited organization of Government employees.

The Record of the 83d Congress and the Eisenhower Administration

EXTENSION OF REMARKS
OF
HON. GEORGE MEADER
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. MEADER. Mr. Speaker, for my colleagues and my constituents I want to summarize and appraise the record of the 83d Congress and the Eisenhower administration.

Through the legislative and executive decisions of the first Republican administration in two decades has run a common theme. The American people have resumed their forward progress under traditional principles of economic and political freedom. A government planned and controlled economy has been rejected. We have turned our back on socialism.

The record covers a wide variety of fields of national and international concern: Atomic energy, the St. Lawrence Seaway, taxation, appropriations, Government in business, economic controls, the Korean war, an expanded highway system, national defense, subversives, housing, social security, reorganizations in the Executive departments, and many other aspects of government.

GETTING GOVERNMENT OUT OF BUSINESS

Under the New Deal the empire builders made the Federal Government the biggest lender, the biggest ship line operator, the biggest warehouser, the biggest landholder and the biggest tenant in the country. The Eisenhower administration took steps to get the Government out of competition with private business. The Reconstruction Finance Corporation is being liquidated; the Federal barge line has been sold; synthetic rubber plants owned by the Government are being sold and drastic curtailment is

in process in ropemaking, paintmaking, box manufacturing, scrap processing, retail merchandising and a host of other activities in which the Government ought not to be engaged. The curtailment of these activities is reflected in a reduced number of employees in the Federal Government and a reduction in its cost.

EFFICIENT ADMINISTRATION

President Eisenhower selected a strong cabinet of citizens of stature and wide business experience. Businesslike and economic methods were put into practice in the executive branch of the Government. Reorganizations, such as that of the Defense Department and the creation of a new Department of Health, Education, and Welfare, brought about improved service at reduced cost. That again is reflected in reduction of Federal personnel and cost of operations.

FINANCES

The Eisenhower administration inherited from the Truman administration a backlog of commitments in excess of $80 billion for which there was no money in the Treasury. Until those obligations can be discharged, a balanced budget cannot be attained, and tax relief of necessity has to be limited. Nevertheless, a reduction in the deficit was achieved, tax relief was granted, and we are making strides toward a balanced budget.

APPROPRIATIONS

The budget of the outgoing Truman administration was cut by over $12 billion for the first fiscal year under the new Republican team. Subsequent budgets presented by the Eisenhower administration have been at substantially lower levels.

TAXES

Economies made it possible to cut excise and personal income taxes substantially and to eliminate the excess-profits tax. Such tax relief totals $7½ billion a year.

The Internal Revenue Code was revised completely for the first time in 75 years, eliminating inequities which had grown up during previous administrations.

HOUSING

Existing housing laws were revised facilitating home building for individual ownership in contrast to Government-subsidized rental housing. Under the new legislation it is expected that a record number of new dwellings will be built and older houses modernized.

The housing law has been tightened to keep out chiselers and windfall profiteers who flourished under the lax administration of the Democrats.

HIGHWAYS

President Eisenhower and the Congress recognized early that national highway needs were not met under 20 years of Democratic rule. Both long- and short-range programs of highway improvement were advanced to meet our rapidly expanding national economy and defense requirements.

Current Federal highway aid was nearly doubled. The President also proposed to spend $50 billion in the next 10 years for highway improvement, inviting State cooperation.

SOCIAL SECURITY

Financial assistance to the Nation's aged has been substantially expanded. New provisions cover more of our citizens and benefits have been increased.

NATIONAL DEFENSE

The military establishment was reorganized to give greater power to the Secretary of Defense. The new power, exercised by able administrators, eliminated much of the waste, inefficiency, and duplication which had made our defense costly under Democratic rule, while limiting its effectiveness.

SUBVERSIVES CONTROL

Democrats pooh-poohed and called a "red herring" Communist infiltration of our Government, labor unions, educational circles, and other important segments of our national life.

Immediately on taking office, the Republican administration recognized subversion and espionage and dealt with them effectively and forthrightly.

A tougher program against subversives was initiated without any loss at all in civil liberties and individual rights.

We outlawed the Communist Party and provided enforcement agencies with the tools to ferret out and prosecute those who would overthrow our Government.

ECONOMIC CONTROLS

Controls on wages, prices, and industrial materials and the huge bureaus administering them were abolished promptly. In place of them, the Republican administration substituted intelligent use of indirect controls on credit, stabilizing wages and prices and halting inflation.

We proved we can have prosperity without war and without straitjacketing bureaucratic regulation of our national economy.

FARM PROBLEM

Republicans have made a start in solving the tremendous problem of Government owned and stored surplus farm products. Rigid supports under Democrats resulted in Federal ownership of huge stocks of grains and dairy products. High support prices raised the food bill of consumers, unfairly increased costs of production of nonsupported agricultural commodities and resulted in a discriminatory squeeze. Storage facilities, maintained at public expense, were at the bursting point.

To face the controversial problem was an unpleasant task, requiring courage and intelligence. Despite determined and misguided opposition, a system of flexible price supports was adopted, and bureaucratic control of agriculture is on the way out.

ST. LAWRENCE SEAWAY

The Democrats, under strong Presidents and weak Congresses, gave lip service to the St. Lawrence Seaway, but the power and the navigation potential of our great international water system went undeveloped. The St. Lawrence Seaway under Republicans is now a reality—a milestone in American history. The economic benefit to our great industrial and agricultural heartland and to the whole Nation will be tremendous. Perhaps equally important is the concrete demonstration of a successful way to conduct foreign relations. By joining with our sister nation to the north in an international public work of common benefit to both our peoples, we have emphasized our common interests and thereby minimized our differences.

ATOMIC ENERGY

Because of its use as a weapon, nuclear fission has been a Government monopoly. Now the vast new field of peacetime commercial and industrial uses of atomic energy has been opened to the pioneering ingenuity and inventiveness of the American citizen. Diehard New Dealers sought to exclude private individuals from developing this new resource and to preserve it as a socialistic Government monopoly. Here again the Republican administration demonstrated its sincere and abiding faith in those principles of freedom upon which America has grown great.

FOREIGN AFFAIRS

The bankrupt foreign policy of Roosevelt-Truman-Acheson left to the new Republican administration a disastrous heritage in international affairs. While New Dealers coddled Communists, Russian imperialism since World War II engulfed 800 million peoples in China and eastern Europe. We were bogged down in a stalemate war in Korea. Iran, a crossroads between East and West, was embroiled in a bitter, debilitating dispute over rich oil deposits. Egypt and Britain were at swords' points over Suez. Viet Minh Communists were gaining ground in Indochina. Puppet communistic governments showed their heads in the Western Hemisphere, in British Guiana, and Guatemala. The billions poured out to stem the tide of communism seemed to have little effect. As Senator Taft said of the Korean war, the world situation we inherited from Roosevelt, Truman, and Acheson seemed to hold no possibility of a satisfactory solution.

The Korean fighting was stopped, and on honorable terms. The tension in Iran and Egypt was eased, and lasting solutions to those difficulties are on the verge of becoming a reality. Communistic regimes in British Guiana and Guatemala were overthrown. Prospects of peace and progress in international affairs are better now than they have been at any time since World War II.

CONCLUSION

The record I have outlined briefly was made through teamwork. It is refreshing to have a President who recognizes the prerogatives and independence of the legislative branch of the Government—who works with rather than on the Congress. Without this atmosphere of cooperation and mutual respect, the Eisenhower administration and the Republican 83d Congress could not have progressed so far in such a short time in their crusade to advance our national welfare under time-tested principles of economic and political freedom and efficient and honest government.

The Record of the 83d Congress

EXTENSION OF REMARKS
OF

HON. THOMAS A. JENKINS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. JENKINS. Mr. Speaker, the 83d Congress which began in January 1953 will come to an end in a few months in January 1955. With the adjournment of this second session it is likely that we will not convene again until the 84th Congress meets to take up the Nation's legislative business next January.

I think that the 83d Congress will be recorded in history as a hard-working Congress that left a distinguished record of legislative accomplishment. The convening of the 83d Congress marked the first time in 20 years that the Republican Party has been in power in both the executive and legislative branches of our Federal Government. During the 80th Congress from 1946 to 1948, when the legislative branch was under Republican control, many changes for the good of the country were effected. Of these, not the least salutary change was the repeal of the many repressive economic controls with all their accompanying dishonesty and ill effects.

In the election of 1952, the people showed that they had had enough of the New and Fair Deals, with all their favoritism and extravagance, their program of cold wars and manufactured emergencies, and their failure to stamp out communism despite the expenditure of countless thousands of lives and billions of dollars.

In 1952 the people elected Dwight D. Eisenhower as President, and elected a Republican majority in the House and Senate. I should like to discuss briefly what has been the result of that election of a Republican President and Congress.

The most pressing problem confronting the new President was to bring an immediate halt to the trend of 20 years of extravagance, irresponsible deficit financing, ever-increasing taxes, improvised and profligate foreign policy, economic encroachment on our free-enterprise system, and the never-ending growth of our bureaucratic Federal Government.

From the standpoint of the American family, the most serious situation that President Eisenhower inherited was the Korean war, which Mr. Truman glibly characterized as a police action, but which cost us the lives of over 33,000 American boys, and the maiming of over 100,000 of other American boys, not to mention the terrible waste of our natural resources.

Another serious situation that President Eisenhower inherited from the Truman administration was the critical condition of our Federal fiscal affairs. The Truman administration left unpaid bills in excess of $80 billion, a scheduled deficit of $9.9 billion for fiscal 1954, and a public debt that was perilously near its statutory limit.

A further serious situation that the President found was the program of extravagant expenditures that had characterized the terms of Roosevelt and Truman with their philosophy that the Federal Government could spend the taxpayer's dollars better than the taxpayer.

I shall discuss, as a Member of Congress, each of these situations to which I refer. The President could not well remedy these serious situations except by the concerted, courageous cooperation of the Congress of the United States. For my part, I can say that, from a somewhat extended service as a Member of Congress, the 83d Congress has been the most diligent, effective Congress of any during my service.

The President with the loyal support of the Congress was able to end the Korean war. He accomplished this by demanding justice and doing so in a firm, determined way. He supplanted New and Fair Deal methods of diplomacy—tainted and tinted as they were with timidity, improvisation, and unfortunately in some cases questionable loyalty. President Eisenhower lent direction to our foreign affairs. He has made great strides in halting the advance of international communism. The Republican Congress encouraged him in his work and approved his actions. Communist Moscow now knows that it cannot double-deal President Eisenhower. There is much work to be accomplished in the field of foreign affairs and President Eisenhower, aided by a Republican Congress, is best qualified to effectively do the job.

The President, with the aid of the 83d Congress, proceeded to relieve the Nation from the threat of fiscal insolvency. The President courageously tackled the job of reducing Government expenditures. The Truman-planned deficit of $9.9 billion for fiscal 1954 was slashed to an actual deficit of $3.3 billion by instituting the most stringent economy measures. With the cooperation of an alert Congress, many thousands of Government employees, most of whom spent their time defending the Roosevelt and Truman extravagances, were removed from the Federal payroll.

In all, Federal expenditures have been slashed over $12 billion, taxes have been cut $7.4 billion and the Federal budget has been brought almost into balance.

Every student of government knows that the President could not have accomplished much, except for the loyal cooperation of the Congress. I shall attempt to recount how the Congress of the United States in the 83d Congress has assisted the President's program and has put the country back on a program that is distinctly American.

The 83d Congress recognized the terrific plight in which your great country found itself. It also recognized the fact that it was the duty of the 83d Congress to assist the President and that it was, likewise, the duty of the President to cooperate with the Congress.

The Congress indicated its willingness to work with and support a thoroughly American President in his dynamic program to bring peace and prosperity to the world. President Eisenhower's policies have clearly indicated that we would not countenance aggression by any country, and that by working in consonance with our allies we have established our determination not to approve the dishonest methods pursued by the Communist countries of the world.

The Republican 83d Congress made tax reduction possible to the extent of $7.4 billion. This total amount was composed of $3 billion in individual income tax cuts, $1 billion in excise tax cuts, $2 billion from the expiration of the excess-profits tax, and $1.4 billion from the Internal Revenue Code of 1954. The excise tax cuts were effective April 1, 1954, and have already done much to stimulate business activity and to provide a substantial tax saving to the American consumer. We reduced the excise taxes on such articles as toilet preparations, jewelry, communications services, transportation, sporting goods, furs, admissions, and electric, gas, and oil appliances. This $7.4 billion in tax reduction would not have been possible without the most stringent Government economy on the part of the Eisenhower administration and the Republican 83d Congress.

Social-security benefits have been increased for the over 6 million retired individuals now drawing annuities under the old-age and survivors insurance program. These increases have ranged from a minimum of $5 to a maximum of $13.50 for those persons now on the benefit rolls. We have extended old-age and survivors insurance coverage to 10.2 million persons who were previously denied the opportunity to participate in the program. The retirement test under the social-security program has been greatly liberalized so that a person may earn up to $1,200 a year without loss of benefits and at age 72 he will be able to earn any amount without being deprived of his benefit entitlement.

Unemployment insurance coverage has been extended to over 4 million additional American workers. The unemployment-insurance program has been placed on a sound financing basis which will assure that taxes collected for this purpose are used solely for the administration and payment of benefits under the program.

As a member of the Joint Committee on Atomic Energy, it was my privilege to work on the preparation of a new atomic energy law which will permit the development and use of atomic energy by private industry. We have also laid the groundwork for an international atomic pool devoted to peaceful uses of this form of energy.

During the 83d Congress substantial strides were made in removing the Federal Government from activities which were in direct competition with private enterprise. An example of this is found in the case of the Government owned synthetic-rubber industry which is being profitably sold to private businesses. Government owned barge lines were sold to private operators. The artificial restraints caused by wage, price, rent, and materials controls had been eliminated so that our free-enterprise system can develop and expand.

This enumeration briefly summarizes but a few of the major highlights of the Republican legislative program. I have

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not mentioned the vast hospital construction program designed to improve our national health, the highway development program allotting $875 million a year to States, the authority for participating in the development of the St. Lawrence Seaway, the many aids to small business, the housing program which will permit longer mortgages, thus stimulating home ownership, the strengthening of Government loyalty and security programs, and so forth.

This constructive and dynamic legislative program for the development of a peaceful and prosperous America has already proved itself effective and is the result of the combined efforts of the Republican 83d Congress and the Eisenhower administration.

The citizens of my Tenth Congressional District in the great State of Ohio have honored me by electing me to represent them in 15 consecutive Congresses of the United States. It is gratifying to me to be able to report to them such a distinguished record of accomplishment as was achieved in this, the Republican 83d Congress.

The Coffee Story—A Fantastic Deception

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mrs. SULLIVAN. Mr. Speaker, there is every sign now that the worst of the coffee-price gouge is over and that prices will go down to more realistic and legitimate levels. But for months now, the housewives of this country have paid out in tribute to speculators and others an extra 30 cents a pound in the price of their favorite brands of coffee. A family using a pound a week has thus been held up at the annual rate of about $15 a year on coffee alone.

The story of the sudden and precipitate increase in the price of this much desired beverage is the story of a fantastic deception. It has certainly been an expensive deception, too, for the average family.

Much of the story has now come out. Some of it is still wrapped in mystery. I hope we will get to the bottom of it and bring the whole story out in great detail. For I am sure we could learn from the full facts in this case how to protect ourselves in the future—how to protect the consumers of the United States—from this kind of fraud and deception and unconscionable robbery in the price of what most households regard as an essential cost-of-living item.

The price of coffee in the green bean as imported from Brazil and other countries has been going up gradually but steadily over the years since 1939, along with the prices of most commodities. During World War II, of course, and also during the first wave of inflation which followed the Korean war, there were strong pressures on coffee prices, but they did not run completely out of hand. The reason why some semblance of reasonableness was maintained over this period was that Brazil, as the main coffee-producing nation of the world, was still working off huge surpluses accumulated from other years. Europe, which has always been a big market for coffee, was practically out of the market in World War II and after that many nations of Europe had little dollar exchange for coffee purchases. So Brazil's stocks remained very high.

In recent years, however, Brazil's output had been steady or declining, and demand increased, both from Europe and the United States. The surplus carryover stocks were dwindling.

CONDITIONS RIPE FOR A "SCARE" MARKET

Coming on top of this potential narrowing of the supply-demand situation was a severe frost in Brazil last year which damaged or destroyed millions of young coffee trees. Perhaps the extent of the damage was not realized at first, or perhaps the fact that the repercussions of this tree damage would not show up in coffee supplies for at least another year acted to maintain stability in the coffee markets. In any event, prices of the green bean did remain fairly stable at around 58 cents a pound.

There was a small flurry in coffee import prices in July and August of 1953, but after prices rose altogether only about 5 cents a pound, the market quieted down and coffee beans fell back to 58 cents, wiping out the increase entirely. And the price of the green bean remained fairly constant from then until December. Coffee was coming into the country in normal volume and there seemed to be no crisis of any kind.

Sometime around December, however, crop reports out of Brazil began to predict dire shortages in the supply due to come to market 7 months later—that is, in the crop year beginning July 1, 1954. Reports described the extent of the 1953 frost in Brazil as being much more severe than had been thought at the time.

These factors came at a time when conditions were ripe for a "scare" in the coffee market. And that is exactly what resulted.

GREEN COFFEE PRICES ZOOM FROM 58 TO 94 CENTS A POUND

According to the Federal Trade Commission in its report many months later on this situation, "the trade"—that is, the coffee-importing trade—"behaved as though Brazilian coffee were the world supply of coffee."

Even though the 1953–54 crop—that is, the coffee coming to market between July 1, 1953, and June 30, 1954—was as large as those of previous years and supplies were coming through normally, the scare talk about the extent of the deficiency in the new crop coming to market after July 1, 1954, set off the kind of frenzied buying in New York which did, in effect, create a shortage where none existed. That always happens when there is scare talk of a big shortage in any popular commodity—scare buying at a time when supplies are normal will actually cause a shortage as buyers try to lay in stocks against future price rises.

In this case the scare buying spree was a violent one. And it was furthered, according to the Federal Trade Commission, by the abnormally excessive purchases of green coffee by a few big American firms.

Everyone knows what happened after that to the price of a pound of coffee in the corner grocery store. It skyrocketed from about 90 cents or so a pound on the average to about $1.25 a pound, with vacuum-packed tins running substantially higher.

Meanwhile, stocks of coffee on hand in the United States rose tremendously, but we did not know too much about that at the time because the Census Bureau, which used to make regular monthly reports on this matter, had been cut so in funds that it no longer was making its monthly coffee reports.

So the American public was paying out 30 or 35 cents more a pound for coffee on the basis of a shortage which by then had not actually occurred—and which we know now was never destined to occur. It was a price gouge based on many factors, including poor crop reporting, belated statistics, an artificially created domestic shortage attributable largely to overpurchasing and hoarding by big roasters, and a propaganda campaign waged by coffee-producing interests to keep the bubble rising as long as possible and as high as possible.

And all through this fiasco, as the Federal Trade Commission now tells us, the trade behaved as if the Brazilian supply of coffee was, in fact, the whole world's supply. Actually, Brazil's crop represents only about one-half the world's supply.

So while it is true that the Brazilian crop this year is below last year's crop, the total available crop will be, we are told, at least as big as in previous years.

OFFICIAL DO-NOTHINGNESS AS COFFEE PRICES ROSE

But first, Mr. Speaker, let me outline the situation here in Washington as the prices of green coffee beans and of the roasted product in the grocery stores continued their dizzy rise from December until very recently.

As soon as the imported bean began to shoot up in price on the New York Exchange, the prices in the grocery stores began to go up, too—at the rate of 5 cents every time the customer turned around. As I understand it, this did not represent any great profit taking on the part of the independent grocer—his wholesale price was rising by leaps and bounds. But the markups as they occurred were made on tins of coffee and on bags of coffee which had been made out of green beans roasted a long time before the import price began to rise. The small grocer who cannot stock far ahead got none of this markup.

But while coffee was becoming one of the great luxuries of American life, official Washington was completely silent and apparently disinterested. Yet I noticed from periodic reports on the financial pages of the newspapers that despite all the talk of great coffee shortage, imports were holding up normally and stocks on hand were relatively favorable.

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It was on the strength of these reports, and other information I was able to obtain, that I first called to the attention of the Congress in mid-January the apparently unjustified gouge in coffee prices to the consumer. On the same day, I wrote to the Secretary of State urging that this country seek to work out some arrangement with Brazil to assure adequate supplies for import into this country in the face of what we were then told would be a world shortage. As I pointed out, when shortages impended in zinc, lead, copper, or other strategic materials, we had always in the past arranged to make sure that the United States received adequate supplies from friendly and allied producer nations. I urged we do the same thing in regard to coffee.

The State Department, in effect, informed me, however, that the price increase in coffee seemed to be completely legitimate in view of the shortage, that we had no controls on prices in this country and therefore should not suggest Brazil hold coffee prices from going berserk, and that there was really not much we could do about the situation but be patient and wait 7 years for the new coffee trees recently planted in Brazil to begin bearing fruit.

Nevertheless, following my protest on the House floor, the President suggested the Federal Trade Commission investigate the spiraling price of coffee and report on the factors involved, particularly whether any laws were being violated. This was about the only constructive step the administration took in this matter.

A Senate subcommittee began a much-publicized investigation, but so far—and it is many, many months since it began—I have not seen any report or explanation or clarification from the Senate subcommittee.

In the meantime, in company with Senator GILLETTE, of Iowa, I sought to get action on legislation to bring coffee trading under the same sort of exchange controls as apply to many other commodities. It seems strange to me that we exercise supervision over the exchanges which handle many domestic agricultural commodities, but leave completely free from any control trading in a wholly imported commodity which most Americans use and consider, if not essential, then at least very desirable.

But the House Agriculture Committee has never reported out the bill to control coffee trading.

In another step I tried to provide means by which the Census Bureau could resume its previous studies of monthly reports on stocks of coffee on hand. The information I had was that we had ample stocks of coffee in the United States. But official figures were lacking. In a similar situation of rising coffee prices in the late 1940's Senator GILLETTE arranged for the Census Bureau to make such studies, and he has told me they were instrumental in helping to correct excessive price increases based on artificial shortages.

I appreciate the fact, Mr. Speaker, that the House agreed to my amendment to the Commerce Department appropriation bill to earmark a modest $10,000 of the Census Bureau appropriation for these regular coffee studies. But when the bill got over to the Senate this amendment for some reason—never clearly or intelligently explained or even defended—was knocked out of the bill. I wrote to the members of the conference committee on this appropriation bill, pointing out that the Senate action would eliminate the possibility of conducting these monthly studies. But the conference bill failed to contain the Sullivan amendment. So the Census Bureau cannot make the regular reports everyone agrees are necessary if we are to know accurately how much coffee we do have on hand.

The startling thing about the Senate action was that in killing my amendment, the Senate Appropriations Committee implied it was providing money in another way for these same studies. The report of the committee said the studies should be made. It said they would be made out of a different item in the Census Bureau appropriation.

But, Mr. Speaker, the same committee which made that statement in its report failed to include a single cent in the appropriation for the other items it said would finance the coffee studies.

Is it any wonder I was puzzled? And though I wrote to all the Members of the conference committee, none has ever told me why the funds for coffee reports were never included in the Census Bureau appropriation. I thought at first it was a technical error. But when the conference committee failed to correct that technical error in the bill, the answer had to be that it was a deliberate decision not to have the coffee studies made each month by the Census Bureau. And, of course, they are not being made.

FIRST PRICE DECLINE CHECKED BY BRAZILIAN DECREE

In the late spring, Mr. Speaker, the United States Department of Agriculture made a very significant report on world coffee supplies. It showed there was no shortage either in the 1953–54 crop or in the prospective 1954–55 crop. For some reason, this report received little attention outside the coffee trade. It seemed to have some effect there, however, for the coffee market in New York began to show signs of softening—prices came down a bit.

At this point, however, Brazil issued a decree setting the minimum export price on green coffee at 87 cents a pound at shipboard, which represented a price higher than the then-prevailing price in New York—in other words, a minimum export price at about the highest level Brazilian coffee had brought during the previous months of shortage scare.

When this occurred, I wrote again to the Secretary of State urging that this country intervene with Brazil to have the decree relaxed. I warned it would cause all sorts of difficulties to Brazil, as well as to the American consumer.

The State Department again replied to the effect that the coffee crop in Brazil had been badly damaged—ignoring the fact that world supplies were up to normal—and again implying that there was not too much we could do about the situation until the supplies increased. The letter did acknowledge, however, that the American Embassy in Brazil had informed the Brazilian Government that the artificially high minimum export price would be regarded by many Americans as a Brazilian attempt to maintain prices at an excessive level.

But nothing happened to bring prices down. The market price in New York remained high—the downward trend previously noticed was halted by the reaction to the Brazilian decree. But one thing did happen: Importers began to cut down on their purchases. Some had already as much coffee on hand as they could handle. Many independent roasters were finding the price too high to compete. The result: Brazil lost a lot of coffee sales.

FEDERAL TRADE COMMISSION REPORT BRINGS OUT FACTS

When the Federal Trade Commission completed its long study and made its report late last month, Mr. Speaker, it confirmed my fears—that we were made the victims of a huge hoax on coffee prices and coffee supplies.

The Commission flatly stated that the coffee price spiral "cannot be explained in terms of the competitive laws of supply and demand."

It placed the blame on poor crop reporting, speculation in the New York Exchange by both Brazilian and American interests, abnormal buying for inventory purposes, trading irregularities on the unsupervised and uncontrolled exchange, the Brazilian decree attempting to freeze export prices at an artificially high level, and a certain amount of concentration in the coffee-roasting industry.

But fundamentally, the report stressed that there was no real shortage of coffee and that there had not been one and would not be one. It also stressed that the price was bid up and was held up without relationship to supply-demand factors.

And the American housewife paid through the nose.

Was it necessary? Could it have been avoided?

I think the facts as brought out by the Federal Trade Commission clearly show the increases were unnecessary and could have been avoided.

I particularly believe that if the Federal Government and the Congress had been alert to this budget headache for the American housewife, and if they had been inclined to do something about it, we could have avoided this whole mess.

A Tribute to the Honorable Thomas E. Martin

EXTENSION OF REMARKS
OF
HON. THOMAS A. JENKINS
OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. JENKINS. Mr. Speaker, with the convening of the 84th Congress in January 1955, the House of Representatives is going to lose to the United States Senate

one of its most distinguished Members. I refer to the Honorable THOMAS E. MARTIN, of the First Congressional District of Iowa.

TOM MARTIN and I have served together in the House of Representatives and on the Committee on Ways and Means for many years. In that time I have been impressed by his industry, wisdom, integrity, and effectiveness.

Many of the provisions of our Federal tax laws that have been of particular benefit to the American farmer are attributable to the diligent efforts of the future junior Senator from Iowa, TOM MARTIN. He has been instrumental in obtaining excise tax relief for farmers on certain automobile parts used in farm machinery, in extending capital gains tax treatment to breeding stock and dairy stock, in obtaining rapid tax amortization for grain and crop storage facilities, and in providing tax deductions for soil and water conservation projects.

Mr. MARTIN is a veteran of World War I and had members of his immediate family serve in both World War II and in the Korean conflict. As a consequence, he is a man who has taken great interest and has demonstrated a keen insight in matters affecting our foreign affairs. To no other man can greater credit be given for our program of stockpiling strategic materials. Mr. MARTIN is not only the author of this legislation but he has also been its most able supervisor to make certain that it is being properly administered.

As a distinguished soldier, lawyer, legislator, and statesman, Mr. MARTIN's record clearly demonstrates his fitness for the office he seeks. As he leaves the House of Representatives, I wish him well.

Does the Eisenhower-Churchill "List" Include the Restoration of Freedom and Independence by Self-Determination to All the Once Free and Independent Nations Now Captive and Enslaved by Communist Russian Red Colonialism?

EXTENSION OF REMARKS

OF

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. FEIGHAN. Mr. Speaker, I should like to bring to the attention of the House some reactions of Americans of eastern European descent to a matter which I brought to the attention of the House 3 days ago, August 17. I refer to the confusion caused by Churchill's statement concerning the "list," which he claimed was drawn up between himself and the President of the United States on the occasion of their recent meeting in Washington. This "list" would appear to have included those nations occupied by the Russian Communists, the restoration of whose freedom and independence, the United States and the United Kingdom still seem to have some interest. From this "list," declared Churchill, some nations were excluded.

There is no other interpretation possible with regard to this extraordinary disclosure, than that those nations, excluded from the famous—or should I say infamous—"list," are about to be bargained away under the pressures of the requirements of a coexistence policy.

This obvious interpretation of Churchill's statement, I am certain has already spread throughout all of Europe, both sides of the Iron Curtain, and has caused renewed anxiety and widespread discouragement among our most dependable allies. Aggravated by the present moves of the Kremlin to create a paralysis of the forces of freedom by advocating peaceful coexistence, our friends of central and eastern Europe, and all thinking Americans have expressed alarm at these developments.

As an example of the reaction to the administration's appeasement program, many people of the Rumanian-American group have expressed to me their foreboding, recalling what happened in 1944, when Churchill ceded Rumania to Stalin, in order to have an illusory free hand in Greece, and they fear a similar deal could have been envisaged in Washington as part of the overall objective for insuring coexistence between the expanding Soviet tyranny and the shrinking free world. This foreboding is confirmed in their view by the determination of the Soviet Union to destroy a country of 20 millions, which since the outbreak of the Bolshevik revolution, proved to be one of the most intransigent anti-Russian and anti-Communist outposts of Europe.

In addition to this strong and continuous insistence of the Soviet Union on strengthening its control over Rumania, they mention the well-known attitude of Great Britain, as well as the apparent disinterest of American propaganda for that region. The fact was brought to my attention, for instance, that a so-called Iron Curtain propaganda agency, like the National Committee for a Free Europe, while spending huge sums for propaganda in other less important sectors, ignores almost completely the cause of the Rumania nation.

These same feelings have been expressed to me by responsible leaders of other American organizations representative of persons from other non-Russian nations now imprisoned in the Red colonial empire. It is therefore apparent that the Churchill statement, together with the ominous silence of the White House, has cast a dark and harmful shadow upon United States intentions toward the non-Russian nations enslaved by the Russian Communists.

Similar rumors are spreading in other national groups, I have been informed.

Commonsense dictates that we must not forget the hundreds of millions of non-Russian people who are enslaved behind the Iron Curtain, who in the event of an all-out war with the Russian Communists, will prove to be our real secret weapon.

It is of vital importance to us not to lose faith and support of those hundreds of millions of anti-Communist people.

What Congress Does, or Fails To Do, Affects You, Your Family, Your Home, Your Job, Your Life

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mrs. SULLIVAN. Mr. Speaker, when the House adjourns at the close of business today we will have written the complete and final history of this Congress, except for any actions the Senate may take later in the year and except for any emergency which may require us to reconvene before the 83d Congress goes out of existence shortly after New Year's Day.

The final weeks of this congressional session have been almost nightmarish. Attempts were made in the final weeks to pass complex bills which were entitled to much more careful consideration than the time permitted us would allow. We did not know until today, for instance—until the very last day of this Congress—what the final provisions would be of the social security bill which has been before Congress since early this year. The conference report compromising the differences between the House and Senate versions of the social security bill was not presented until today.

Other bills, just as important to the people of our districts, came through the House in such a rush these past weeks that it was like being in the middle of a Mississippi flood.

It seems to me that we could have avoided much of this last-minute rush and accorded more careful consideration to these important bills. I hope the next Congress convening in January will make an effort to schedule the work on a more continuous and consistent basis over the life of the Congress rather than to let so many things drag out to the very end when it is almost impossible to know all the details of all the important bills descending on the Congress in a flood of legislation.

OUR WORK IS TOO IMPORTANT TO TOO MANY PEOPLE TO EXCUSE SLIPSHOD LEGISLATION

Mr. Speaker, it is hard to think of a single aspect of the lives and happiness of the people of the United States that is not affected by the work we do here in the Congress. What we do or fail to do affects each person, each family, each home in a variety of important respects. The wage earner's job, the widow's social security benefits, the veterans's hospitalization or homeownership or educational rights under the GI bill, the rehabilitation of the handicapped, the prices of things people buy in the stores, the safety of our population from atomic attack, the taxes we pay, the state of prosperity in the country—all these things are directly involved in the bills we pass in the Congress.

I have tried since coming to the Congress to examine into legislation—into all bills which come before us—from this standpoint of their effect upon people; that is, how they affect homelife and the family, what influence they would have

in the prevention of juvenile delinquency or in the improvement of educational opportunities, whether they would mean better homes or poorer homes for the families which make up our country.

From that standpoint the 83d Congress has done some good work but has left a lot to be desired. The housing program which we have passed in effect would kill the very successful public-housing program. It would on the other hand, seek to make home ownership easier for more people by further reducing downpayments on FHA housing, but there is a strong possibility that this might have the unfortunate consequence of making prices of housing higher as the downpayments are lowered. If more people can afford the downpayment to buy houses, the market price might well go up. That means monthly carrying charges would also rise.

It is not enough to make it easier for our families to buy homes if the monthly payments are so high that during any short period of economic downturn, they lose their homes.

This is just one illustration of the complexity of the problems we face as they affect people and families. Obviously when we legislate in a hurry, in a last-minute rush, "jokers" can easily be slipped into the bills with unexpected and unfortunate consequences.

MAJOR ISSUES OF THIS CONGRESS

Among the important issues which we attempted to deal with in this Congress, in addition to housing and social security, were such things as:

Taxes, including a complete rewriting and codification of all of the income-tax statutes; removal of what nearly all of us on the Democratic side and which President Eisenhower in his 1952 campaign also called the "union busting" provisions of the Taft-Hartley Act; better unemployment compensation provisions; and aid to our hard-pressed schools; strengthening of national defense; improvement of civilian-defense programs; the Voice of America program for counteracting Communist lies throughout the world; correction of a gaping loophole in the food and drug inspection program which resulted from a Supreme Court decision; statehood for Hawaii and Alaska; the reciprocal trade agreements program begun under Cordell Hull in 1934 to expand world trade and thus lessen the tensions which lead to war; the ownership of the so-called tidelands; continuation of the mutual security program, including the tremendously successful point 4 program first outlined as the fourth major point of former President Truman's 1948 inaugural speech; the peacetime uses of atomic energy.

Mr. Speaker, the list is endless. All of these things and many more are of direct concern to every American family. On some of these issues, Congress went through the motions of legislating but did little; on others it accomplished some worth-while things. On balance, however, the record was not the kind we could have made if there had been more of a will here to legislate in behalf of the great mass of the people. In so many instances, this Congress legislated on behalf of the few—of those with wealth and power, leaving only crumbs for the average citizen.

THE TAX BILL

Nowhere was this more evident than in the tax-revision bill. We passed a bill—a bill jammed down the throats of those of us who tried to improve it—which accords tremendous increases in take-home pay for people with substantial income from stock dividends and which gives business corporations very attractive means of increasing their net profits through lower taxes, but which gives to the average citizen not a single important means of reducing this tax bill. As one news story which I saw recently pointed out: If your luck has been bad enough, you will get some tax relief under this bill. If a husband or wife dies during the year, or if medical and hospital bills are a substantial part of your income, or if a low-income family has to hire help to care for the children because both parents have to work to assure even the barest kind of subsistence, then there are some benefits in the tax bill for moderate-income families.

But the average wage earner gets no break in lower tax rates or higher exemptions. Our efforts to write an additional $100 exemption per person into the law, making the individual exemption $700 a year instead of $600, were voted down. Thus a family of 4 will still have to pay income taxes on income over $2,400 a year. Can anyone tell me how a family of 4 can live today—can pay the basic costs of living without any frills or luxuries—and get along on $2,400 a year Yet this tax bill seems to assume that such a family can get along all right and that on anything over that it should pay income taxes. Even the $2,800-a-year basic exemption we tried to provide for such a family would have been less than enough tax relief for those who need it most.

THE TIDELANDS ISSUE

Early in the 83d Congress, the administration launched one of its strongest crusades—to give away to a few coastal States valuable natural resources under the ocean floor, chiefly oil. The Supreme Court has said over and over that these valuable resources belonged to all of the people of the United States. President Truman vetoed efforts in past Congresses to give away these resources. I was one who tried to get the royalties from these offshore oil deposits earmarked for educational purposes but the administration insisted on pushing through the bill to sign away all Federal Government claims to these resources. Consequently, while four of our coastal States were made very happy by this tremendous windfall of natural resources which the Supreme Court insisted belonged to you and me and all of the people of this country, our schools continue in a desperate financial situation which has meant overcrowding, lack of proper facilities, underpaid teachers, and alarming deterioration in the quality of education.

A DISTRESSING DOWNTURN IN ECONOMIC ACTIVITY

The past year saw what had been the most prosperous economy the United States, or any other nation, has ever known, turn into a nationwide recession. St. Louis, one of the great industrial centers of the world, almost overnight became a distressed area, which means unemployment of more tha 6 percent. Many other major business centers of the country also went on the distressed list. Unemployment mounted by leaps and bounds. Job opportunities shrank.

In this situation, the Congress provided no constructive solutions. My bill, which I cosponsored, for a Federal-local public-works program was pigeonholed in the House Public Works Committee and was never even called up for hearings on the need for this kind of legislation. While our jobless were experiencing prolonged periods of hopelessness verging on despair, the inadequate unemployment-compensation rates were not raised. Not a single State today has an unemployment-compensation rate which is in line with the cost of living.

The cost of living itself—the Consumers' Price Index—has not reflected this general downturn in economic activity. Prices today for the consumer are higher than they were before this recession began. Creeping inflation has been cheating the housewife every day of more and more money out of her limited budget.

THE COFFEE HOAX

In one item alone—coffee—she has paid out 30 cents a pound more than a year ago. I began last January to try to expose the hoax behind this unnecessary and unconscionable increase in coffee prices, based on a much-publicized shortage which never, in fact, existed. I am happy that as a result of my protests and the facts I presented on the House floor the Federal Trade Commission agreed to look into this matter, and recently—after many months of study—confirmed what I said here in January.

The proof of that pudding was in the sudden and sharp price decline which came almost immediately after the Federal Trade Commission made its report showing no shortage and no legitimate economic reason for the tremendous hike in coffee prices. The break in coffee prices has been attributed to a change of currency regulations in Brazil. That may have had some effect—an effect such as putting the last straw on the camel's back. Actually, it was an action which recognized the futility of trying to keep coffee prices high in the face of the FTC study. Brazil had no choice but to change its regulations, since its exports had already come almost to a halt. But the speculators who had bought up huge and extraordinary stocks of coffee beans, although they tried to prolong the high price as long as possible, finally had to participate in the long overdue downward march of coffee prices.

In the period between the time when I first pointed to the hoax of a coffee shortage and protested the unconscionable prices for coffee until the Federal Trade Commission, months later, confirmed the facts, I tried repeatedly, but without success, to get the Congress and the administration to take action in this matter. I pleaded for passage of legislation to place the coffee exchange under the same regulations as apply to other commodity exchanges. That was blocked

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in the House Agriculture Committee. I succeeded in persuading the House to write an amendment into the Commerce Department appropriation bill to renew the regular monthly tabulations of coffee stocks on hand in the United States, as a means of preventing price rises based on nonexistent shortages, but this amendment was mysteriously killed in the Senate Appropriations Committee. I tried to get the State Department to intervene strenuously with Brazil to end restrictive practices intended to help boost coffee prices even higher, but was told by State Department officials there was nothing to be done—that there was a tremendous coffee shortage and that was all there was to it.

The coffee hoax perpetrated on the American consumer, Mr. Speaker, has been one of the most mysterious and effective gouges we have seen in this country in a long time. We have not yet gotten to the bottom of it. I intend to pursue this matter until we do get all the facts and expose those most responsible.

DISTRIBUTION OF SURPLUS FOOD

In view of the joblessness and distress in the Nation, Mr. Speaker, and the actual hunger which has occurred among some of our people, I have tried, as you know, to seek a sensible approach to the problem of getting some of our surplus food to needy families. My solution was based on the use of a food-stamp plan such as was in effect during the first and second Roosevelt administrations prior to World War II.

Unfortunately, I could get no support whatsoever from the Department of Agriculture on this matter. The Agriculture people seemed to be much more concerned about dumping and getting rid of these surpluses abroad or anywhere, on any basis whatsoever, just to get rid of them, than joining in any sensible program which would assure some of this food getting to those who need it. The surplus food distribution system now in effect is hopelessly inefficient and inadequate in many parts of the country. Complaints have been coming in daily that foodstuffs are not available when and where needed; that the wrong people in some cases have been getting much of this food; that the ones really in need are often pushed around and ignored and tied up in redtape so that the food items they receive are not worth the horrible amount of time and trouble necessary to get them. No funds have been provided for certification of the needy, putting a tremendous burden on State and local welfare agencies.

Consequently, since the present system seems clearly to be inadequate for the needs of these times, I intend to press in the next Congress for a more sensible approach and will reintroduce my food-stamp bill.

FOOD AND DRUG INSPECTION

One accomplishment of this Congress in which I am deeply proud to have played an important part was in the passage of legislation clearly defining the rights of the Food and Drug Administration to inspect the conditions under which food and drugs shipped in interstate commerce are actually manufactured or prepared. The Supreme Court had decided that a loophole in the law prohibited the Federal agents from making factory inspections except by invitation of the factory owners. Obviously, a factory producing filthy or contaminated or unfit products injurious to health is not going to invite a Federal inspector to come in and see how the work is being done.

Shortly after the Supreme Court decision, I worked for passage of a bill to restore the rights of the inspectors to go into these factories on their own initiative. But it was a shock to me, after the law was finally passed and put into effect, that the Congress and the administration were reducing the number of food and drug inspectors and thus making it impossible for the Food and Drug Administration to do its job properly. I have been fighting against these appropriation cuts which so affect every kitchen and dining-room table in the Nation, and which make it more possible for unsafe drugs to get into our medicine cabinets. Even though we gave the Food and Drug Administration broadened powers, including now the right to control residual pesticides on foods, its appropriation is still substantially less than under the Truman administration. This is another continuing fight of mine which I intend to renew when the Congress reconvenes. These battles are never won unless they are fought over and over again.

SOCIAL SECURITY

The best job done by this Congress, and one of its few accomplishments in behalf of ordinary people, has been on the social-security law. A year ago there was a strong drive on the part of powerful interests to destroy the basic soundness of the social-security system by turning it into a general dole and disbursing the reserve fund. This was called putting social security on a pay-as-you-go-basis. What it would have done, however, would have been to destroy the reserve fund built up over the past 17 years and make future social-security benefits dependent upon current revenues. As our population got older, the day-to-day expense of social-security payments would become so great that benefits would have to be slashed almost to nothing, or the program would collapse of its own weight. Instead of each wage earner during his working lifetime contributing, along with his employer, to his future benefits, the youngest wage earners would be carrying the burden for those who retired.

We blocked this attempt to kill off social security. I am glad that President Eisenhower did not join in that attack on the program but instead proposed changes in line with the kind of program the Roosevelt and Truman administrations had pioneered and improved over the years. The new law expands coverage to more people, raises the amount of each wage-earner's paycheck which can be credited to benefits, and thus makes possible a further increase in benefits. This will be of tremendous help to our beneficiaries and those who look forward to retiring under the social-security system.

I favored the changes in the law as far as they went. I joined in a proposal to liberalize the law much further, both in benefits and coverage; but since this was the best we could do in this Congress, and since it was really a substantial improvement, I have no desire or intention of trying to minimize the importance of what was done.

As a sponsor of improvements in the Railroad Retirement Act, which is the social-security system for railroad workers, I helped to bring about a reduction from 65 to 60 in the minimum age at which widows of railroad workers can begin receiving their survivorship benefits. I intend to work for similar treatment in the Social Security Act, too. It will be one of the first bills I will introduce in the new Congress.

A widow who has spent her entire adult life as a housewife finds it extremely difficult and sometimes impossible to try to find employment at age 60 and begin supporting herself. To have to wait until 65 in order to begin collecting social-security survivorship benefits is a serious hardship which I hope to see corrected by reducing this minimum age to 60, as we did on railroad retirement.

AID TO VETERANS, TO THE HANDICAPPED, TO THE SICK

The modest increase voted by this Congress in veterans' benefit rates, including disability benefits, does not begin to reflect the increases in the cost of living and the needs of the veteran. We had to agree to this bill or get nothing. That is exactly how the matter was presented to us in the final days of the session. This is an area where more compassion and less budgeteering is necessary.

A bill which would expand the Government's program for rehabilitation of the physically handicapped was passed, but the appropriations necessary to carry it out were not forthcoming in sufficient amount. It is regrettable that the Congress should attempt to persuade the handicapped that we are doing a lot for them and then fail to appropriate sufficient funds. A similar deception was practiced on the matter of special hospitals and clinics for a variety of chronic diseases—a law which says we will do something about it, but an appropriation which fails to include enough money.

THERE IS SO MUCH YET TO BE DONE

Mr. Speaker, this Congress is adjourning with a tremendous amount of necessary work still undone. Undoubtedly, a criticism like that could probably be made about any Congress as it adjourns, but I know of few instances over the years in which I have watched Congresses in action where so little was accomplished of value to the average family.

This is particularly hard to excuse in view of the fact that our economic machine is definitely not running at full strength. It is almost as if the powers that be here in Washington believe a rate of unemployment of 3 or 4 million persons is not unusual or even disturbing. To me, it is alarming. It is alarming that we are not trying to build a solid

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foundation of full employment, but seem to be content with partial employment and vast unemployment.

The fact that we are not now experiencing a 1929–33 depression is hardly gounds for complacency in the face of genuine recession. We cannot be complacent in this situation. We must organize our efforts and our resources and our intelligence to restore prosperity for all and to keep this country growing stronger and better for all of our people. That is my goal as a Congresswoman.

Republican Party's Tax Program

EXTENSION OF REMARKS
OF
HON. THOMAS A. JENKINS
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. JENKINS. Mr. Speaker, as a ranking majority member of the House Committee on Ways and Means, it is appropriate that I should at this time review briefly for my colleagues in the Congress and for the people of our great Nation the accomplishments of the Republican 83d Congress with respect to Federal taxation.

Greater tax reduction was granted to the American taxpayer during the Republican 83d Congress than has ever been granted by any other Congress in our history. In fact, the only other Congress that has ever come close to granting as much tax relief was granted by another Republican Congress. I refer, of course, to the 80th Congress.

Tax reduction and reduced expenditures have been the traditional fiscal policy of the Republican Party as a formula for achieving a balanced budget and debt retirement. Under this formula, the Republican Party has dedicated itself to a high standard of living for all the people under a peaceful, free-enterprise system. During the present Congress, we have continued in this tradition.

We Republicans can be proud of the outstanding record that the 80th Congress achieved with respect to taxes. Taxes were reduced $5 billion per year, the budget was balanced for the first time in 17 years, $7 billion was paid on the national debt, and a surplus of $8.4 billion was left in the Treasury in 1948. We are all aware of the tremendous boom that occurred simultaneously in our economy.

That Republican policy, which was so ably carried out in the 80th Congress, represented a marked departure from the philosophy prevailing during the 20 years of Democratic rule, when 14 major revenue measures were enacted into law increasing taxes.

In the Republican 83d Congress, we have even improved on our past record and have made a long-overdue departure from the New and Fair Deal programs of tax and tax, spend and spend.

Since January 1, 1954, this Republican 83d Congress has given the American people $7.4 billion in tax relief—a startling figure. This $7.4 billion tax-reduction program consists of $3 billion in individual income-tax cuts, $2 billion from the expiration of the excess-profits tax, $1 billion in excise-tax reduction, and $1.4 billion in tax relief from the new Internal Revenue Code of 1954, H. R. 8300.

These tax cuts were accomplished despite the fact that when the Eisenhower administration took office in 1953, the Truman administration had left $81 billion in unpaid bills which would fall due and have to be paid by the new administration. These tax cuts were accomplished despite the fact that the Truman administration had proposed a planned deficit of $9.9 billion for fiscal year 1954.

The Eisenhower administration and the Republican 83d Congress reduced this planned deficit of $9.9 billion to an actual deficit of $3.3 billion by instituting the most stringent economy measures. In all, Republican fiscal policy has slashed expenditures by the Federal Government over $12 billion. It is obvious that the $7.4 billion in tax reduction was made possible by sound Republican economy measures which have not adversely affected our national security.

During the current session of the 83d Congress, we have passed the Excise Tax Reduction Act of 1954 which has the effect of reducing excise tax collections by almost $1 billion. In this important tax reduction legislation, we have cut in half the excise tax rates on such articles as cosmetics, admissions, ladies handbags, jewelry, electric light bulbs, and so forth. We have also markedly reduced the excise taxes on telephone services, transportation tickets, and so forth. These excise tax reductions have already done much to stimulate business and employment, not only in those industries directly affected by the taxes, but also in other industries. Consumers have had to pay less for many of these taxed items and have thus more money available for other purchases. Certainly the housewife has found our excise tax structure less harassing than it has been in the past.

The President has recently signed into law, the Internal Revenue Code of 1954, H. R. 8300. This is generally conceded to be the most important legislation and the most monumental piece of legislation to be enacted into law since the founding of our Republic. H. R. 8300 represents the first complete overhaul of our Federal tax laws in over 75 years.

This revision includes a rearrangement of the provisions of the code to place them in more logical sequence, the deletion of obsolete material, and an attempt to express the Internal Revenue laws in a more understandable manner. This new code also contains many substantive changes, the purpose of which is to remove inequities, to end harassment of the taxpayer, and to remove tax barriers to further expansion of production and employment. We have sought to create tax laws which will be conducive to the dynamic development of our national economy. Over 500,000 man-hours of work have gone into the careful preparation of H. R. 8300.

Time does not now permit me to enumerate and describe the many long-overdue improvements which H. R. 8300 makes in our Federal tax laws. I can say without contradiction, however, that these improvements will have a beneficial effect on every American taxpayer and his family. Persons from all walks of life—whether he be a businessman, a housewife, a farmer, or a laboring man—will find that because of H. R. 8300, his taxes are being more fairly applied to him.

I am proud to have been a member of the committee that wrote this legislation and presented it to the House of Representatives. I am proud to have been a Member of the 83d Congress, which has given this new tax law to the American people. The Internal Revenue Code of 1954 now belongs to the people. I am confident they will find that we have succeeded in eliminating many tax restraints that had an adverse effect on the proper operation of our free enterprise system. I am confident that from it the American people will realize a higher standard of living and a more prosperous well-being.

The tax program of the Republican 83d Congress without question stands as a monumental achievement in our great history.

Sound Liberal Programs and Policies Provide Impetus To Development of the West

EXTENSION OF REMARKS
OF
HON. THOMAS H. KUCHEL
OF CALIFORNIA
IN THE SENATE OF THE UNITED STATES
Friday, August 20, 1954

Mr. KUCHEL. Mr. President, I ask unanimous consent to have printed in the RECORD a statement I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The past 2 years have brought marked and reassuring changes in the attitude of the Federal Government toward the progressive, energetic, venturesome, and determined people of the West.

In my home State of California dissatisfaction had developed about the way on occasion after occasion the expanding West had been virtually ignored by the National Government. There was, in the past, undeniable and widespread resentment that many pressing problems received scant attention in the National Capital. It is heartening to know that sentiment has changed. The millions of devoted citizens of the West are grateful that their problems now receive sympathetic consideration, that their ambitions are being nourished, and that their energies are appreciated.

The accomplishments of the 83d Congress have wiped out the basis for earlier complaints that the West, despite towering evidence of its expanding economy and mounting population, was being neglected.

These constructive and reassuring achievements were made possible because of the unselfish, patriotic fashion in which this Congress labored. The passage of bills for the welfare of the Nation and my State was

facilitated by the unusual degree of bipartisan harmony and the readiness of Members on both sides of the aisle to cooperate in advancing the multiple interest of our people.

The developing history of our Nation contains clear evidence of a departure from a paternalistic and a sometimes domineering attitude on the part of the Federal Government toward its constituent units. In California, especially, we are thankful for the trend toward willing cooperation and consultation, the determination to carry on a program of sound liberal approaches to successive problems, and the cautious conservatism that fosters our energies and our resources.

The record of the 83d Congress has been characterized as "can do" and as "will do." In my estimation, the 83d Congress actually did. It enacted a host of measures which will benefit our Nation as a whole. It displayed respect for the independence and the stature of our people. It acknowledged the rights and responsibilities of other units of Government. It passed legislation to promote the economic and social welfare of the entire country.

Many analyses and reviews of the legislative record have highlighted the disposition of Congress to improve and perfect and extend activities and procedures which make Government the servant, not the master, of the people. Appraisals of the measures which have been shaped on the anvil of discussion and debate emphasize the way in which liberal and conservative viewpoints have been blended to the advantage of a forward-looking America.

A number of my colleagues have directed attention to the many achievements of Congress during the first 2 years of the Eisenhower administration. I wish to register the appreciation of California for different particular pieces of legislation which are vital to a State with many growing pains, assorted interests, and promising potentialities.

California will share with all other States in future benefits flowing from various new laws inscribed on the statute books. Because of its cosmopolitan makeup, its wide variety of conditions and concerns, and numerous challenges to the courage and ability of its people, California has extraordinary reason to approve the course on which the Federal Government is proceeding.

The 2d session of the 83d Congress wound up with an impressive boxscore of accomplishment. I desire to enumerate a number of constructive actions of distinct importance and value to my State. There is considerable satisfaction in having been able to play a small part in bringing them to an acceptable conclusion.

BENEFITS FROM GENERAL LAWS

Pieces of legislation of national scope which are decidedly beneficial to California include the following:

The Federal highway law: Because it extends so far along the coast, is traversed by key segments of the national highway system, and has an unusual concentration of motor vehicles, California is grappling constantly with traffic congestion problems this bill is intended to help alleviate. In company with 11 colleagues from both sides of the aisle, I was grateful for the chance of becoming cosponsor of a bill extending the Federal aid program for another 2 years because good roads are so vital to America's economy. The feature allocating part of future Federal grants with regard to population will materially aid my State, which is entitled to a total of $46,988,000. Having 5.11 percent of the national total of interstate highway mileage, California's $9,746,000 for this kind of construction will give an impetus to improvement of routes used by hundreds of thousands of visitors as well as our own people. Under the formula set out in the law, California also will receive $14,459,000 for primary, $7,444,000 for secondary, and $15,339,000 for urban highways.

The lease-purchase law: An inevitable consequence of California's phenomenal population increase in the past two decades is a dire need for new and larger buildings to overcome space shortages and crowding in post offices, courthouses, and other Federal structures. Scores of California communities deserve buildings better located, more efficiently laid out, and with adequate space. As the person assigned to steer this bill on the floor of the Senate, I appreciate the backing of so many of my colleagues who supported our amendments designed to safeguard the National Treasury and the interests of the taxpayers against possible extravagance, waste, and needless expenditures. The novel program for acquiring buildings made possible by this law should result in better service to the public, saving of time and money by Government agencies in their operations, and speedier transaction of business.

The Federal Housing Act: Several features were specially designed to help solve unique problems in my State. The terrific demand for homes in California's spreading communities cannot be filled for a long time, so we may be expected to use the revised housing program enthusiastically. Particular provisions I proposed to fit particular situations clear the way for a commendable redevelopment plan in the City of Richmond and will enable southern California Indians to replace unsanitary, deteriorating homes.

The Omnibus Public Works Act: Urgent protection to several sections of our State against floods will be provided, port facilities will be improved, and restoration of beaches encouraged through the authorization of Federal expenditures exceeding $50 million for projects in California. These carefully planned undertakings, most of which call for a high degree of local participation, will promote our economy and make the State a more attractive place to live. The Senate Public Works Committee, by adding four projects I advocated wholeheartedly, made this measure of material significance to our State. The program includes the dredging of Los Angeles-Long Beach, Richmond, Port Hueneme, and Playa del Rey harbors; beach erosion control and repair at Anaheim Bay, between Point Mugu and San Pedro, and between Carpenteria and Point Mugu; and further or new flood protection in Los Angeles County, in the Sacramento Basin, on the lower San Joaquin River, on the Santa Maria and San Lorenzo Rivers, and on San Lorenzo Creek. Total work in California made possible under the bill will exceed $184 million in cost.

Maritime legislation: The Fishermen's Protective Act, bolstering our traditional insistence on freedom of the seas, will remove a threat of seizure by certain foreign nations that has brought uneasiness to boat owners and crew. My part as cosponsor in putting this measure through Congress was prompted by the far-reaching effect of maritime activities on California's commercial activity and employment. The measure implementing the North Pacific fishing convention will further conservation of varieties of fish important to our fishermen and canneries and is a related measure that will safeguard the future of our State. The various new construction laws, such as the Emergency Ship Repair Act with I cosponsored enthusiastically because it is a form of national life insurance, should check the decline of California building and repair yards and in time increase our commerce. With west coast shipyards allotted 29 percent of the work of modernizing vessels from the mothball fleet, more employment for California workers appears in prospect.

School and airport construction appropriations: California, one of the leaders in all branches of aviation, always has been progressive in providing airport facilities, but even the most awake communities have been unable to keep pace with the mounting demands of air transportation and private flying. As I noted in remarks in the Senate, America's transportation system must be geared to the atomic age and the $22 million fund reviving the Federal airport program will allow a number of projects to go forward in my State, which has been allotted over $900,000. Because of the varied activities of Federal agencies in California, dozens of communities have suffered an "impact" on schools and been certified as eligible for Government financial aid in overcoming classroom shortages. California had the largest number of unfilled "entitlements," for which $36,756,933 was needed, so the $55 million appropriation I backed to make possible pro rata payments is of great importance to 68 school districts in the State.

Agriculture measures: Since only 13 percent of the income of California agriculture in 1952, as I pointed out in recent debate on the Senate floor, was derived from the 6 basic commodities, California was gravely concerned about the question of flexible versus rigid support prices. The high-level support policy worked against, rather than for, the bulk of California agriculture and pushed upward the painfully-high cost of living. By moving toward a better balanced agricultural economy, Congress has taken a direction that should benefit producers and consumers of my State considerably. Three other measures I had the opportunity to cosponsor will help California agriculture substantially. One piece of legislation of particular concern to California, which Senators ANDERSON and EASTLAND joined me in framing, was the amendment to the Agricultural Adjustment Act averting threatened painful and unfair cuts in cotton acreage. The revised allocation formula, recognizing recent expansion of cotton culture in the Southwest and West allowed California farmers to plant 237,285 more acres than were permissible under the 1938 statute quotas. This means in the neighborhood of $200 million of cash receipts to our growers. The Water Facilities Act, which raised the ceiling on loans for systems bringing supplemental water to farms, should lead to added benefits from the many irrigation-reclamation developments under way in the State. The bill permitting expenditures for insect and pest control in neighboring countries was necessary to head off a threatened invasion of the Mexican fruitfly that could have taken a costly toll of our citrus and other fruits.

Social-security law amendments: California, it is well known, is the home of a near-record number of retired citizens and a conspicuous exponent of generous aid to all unfortunates. Hence, California naturally favored the liberalization of pensions, annuities, and grants-in-aid voted by this Congress. The special provisions which I joined in introducing that guarantee recipients against cuts in their benefits and which I urged the Finance Committee to include to simplify procedure through which public employees may participate in the system are of extra significance to my State.

Natural resources legislation: Several measures—like the Water Facilities Act listed above—giving an incentive to industries and activities founded on our Nation's bountiful assortment of natural resources are of concern to California. One measure of which I was cosponsor that will react to the advancement of our State's economy modernizes the mining and leasing laws and knocks down obstacles in the way of multiple development of public lands of the West.

TOWARD A BETTER CALIFORNIA

Although classified as a measure primarily intended to end a distressing situation in California, the DeLuz Dam bill approved by

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this Congress will do much more than provide an equitable sharing of water of the Santa Margarita River between residents of the Fallbrook area of our State and the national-defense establishments on the stream. The greatest significance of the law lies in recognition that under the unique dual system of Government in this country the Federal Government cannot disregard the laws and established procedures of the States making up the entire Union.

Passage of the legislation which we hope will conclude the Santa Margarita River controversy was the outcome of months of negotiations, discussions, hearings, and conferences which occupied much time and tested the ingenuity of my colleague, my predecessor, and my fellow Californians in the House as well as myself. I believe the bill which President Eisenhower signed July 28 assures the Marines at Camp Pendleton, as well as two other naval installations in the area, of a dependable water supply without jeopardizing the future development of the residential and agricultural communities in the vicinity. The measure as finally worked out in conferences between the Senate and the House should enable the military and the civilian residents of this basin to live amicably, as real neighbors.

In view of California's unusual geographical and topographical characteristics, it is not surprising that a great variety of measures was proposed in Congress to help agencies and groups dealing with regional and local problems and to promote the welfare of different segments of our population. The 83d Congress showed heartening readiness to consider these legislative proposals sympathetically.

Unquestionably our people were disappointed Congress did not see fit to further their efforts to attack a costly and distressing menace to their health, comfort, and property, the exasperating phenomenon known as smog. Our hopes were bolstered, however, that early assistance will be extended for cleaning up the atmosphere in metropolitan and industrial centers.

This problem is by no means peculiar to my State, though the popular mind conceives of it as being most acute there. We appreciate the serious attention that was given the proposed legislation the senior Senator from Indiana and I sponsored to spur antipollution programs. When Congress reconvenes, we trust more data will be available and a coordinated air cleansing plan will have been worked out through studies and consultations President Eisenhower has advised us he believes to be a worthwhile undertaking.

In this regard, I should like to inform my colleagues that Senator CAPEHART and I wrote the President recently suggesting steps the Federal Government might take to reinforce our cities, counties, civic and industry organizations, and individual citizens in their efforts to bring air contamination under control. We suggested an interdepartmental commission might link the forces of the Federal Government which could be strong allies in the fight against smog. Since the second session ended, we have been encouraged by the following letter from one of the Chief Executive's aides:

"Your suggestion for the establishment of an interagency committee has been discussed with the Secretary of Health, Education, and Welfare, and the Secretary agrees that the proposal is an excellent one.

"Such a group could define the nature and magnitude of the problem, evaluate the steps which need to be taken to abate air pollution, and canvass the resources of the Government which might be employed to assist in such abatement.

"The Secretary of the Department of Health, Education, and Welfare is presently seeking to ascertain what other Federal agencies should be represented and is taking steps leading to the establishment of this group."

Repeatedly I have said that rigid economy in Federal operations is essential to the preservation of our form of government. Nevertheless, within the limits of reduced expenditures many activities must and can be carried on. This Nation never can or will turn the clock back on progress. It is necessary that public works be maintained, for instance, to help us raise levels of living and protect our people. For these reasons, I have proposed a variety of measures and urged a number of appropriations that will stimulate development of California resources, broaden opportunities for employment and production, and create more attractive environments.

In addition to the projects authorized in the omnibus public-works bill, Congress has approved a number of my bills. Among those which will benefit different sections of the State are one making available a few hundred acres of land in the Camp Roberts Military Reservation for a site for Nacimiento Dam and the resulting reservoir that will replenish shrinking water supplies and a similar measure authorizing construction of Vaquero Dam, in the Santa Maria Basin which will provide flood control, restore the falling underground water level through better percolation, and prevent salt-water intrusion into irrigation supplies. The replacement of a temporary weir with a permanent diversion dam for the Palo Verde irrigation district, made possible by a bill I am happy the Interior and Insular Affairs Committee agreed should be reported with amendments, will save the Government money in the long run besides overcoming an engineering difficulty in putting water on parched land in Imperial Valley.

Several appropriation items which I strongly urged and which received final approval will promote the interests of many people in specific sections of my State. These include $750,000 for reopening the entrance to Mission Bay where a number of persons lost their lives in treacherous waters, a preliminary sum of $50,000 to initiate studies of problems and development possibilities in San Francisco Bay and tributaries, an increase of $1,200,000 in flood-control funds to speed up protection for thickly settled foothills communities of the Los Angeles metropolitan area, an additional $250,000 for more intensive fire prevention on Government-owned lands comprising much of the Los Angeles and San Diego watersheds, an extra $1 million to finance relocation of residents being forced out of the area to be flooded by Monticello Dam, a $100,000 fund to conduct a study into problems affecting migratory workers, and the $1 million needed to replace the pipefitters' shop at San Francisco Navy Yard, which was destroyed by fire.

Besides the foregoing items, which were more or less of an emergency character, this Congress granted necessary funds for continuing California programs which affect wide areas of my State. We are grateful Congress responded to my appeals for $2,500,000 for the lower San Joaquin Valley, including the Cherry Valley Reservoir, $3 million for the Sacramento River project, and $8,500,000 for the Los Angeles County drainage program.

One humanitarian accomplishment of the recent session which should be cited was the voting of money to begin a too-long-delayed reconstruction of the Long Beach Veterans' Hospital. The $8 million item which I urged in order to start replacing dilapidated, overcrowded, temporary structures is belated recognition of the debt this country owes a most tragic class of former servicemen, the paraplegics and quadraplegics who face years of heart-tugging discomfort and handicaps. With the fund to build 4 up-to-date wings of permanent character, the Congress started redeeming a neglected pledge made 4 years ago when several score of crippled veterans were abruptly moved to what really were only makeshift quarters and many dozen others were required to travel long distances for outpatient treatments at an institution with pitifully inadequate facilities.

This meritorious investment supplements the appropriation of a year ago to provide sorely needed neuropsychiatric facilities in northern California. With the funds previously provided, the Veterans' Administration already has chosen a site at Palo Alto on which a hospital will be constructed so treatment can be provided a large number of veterans whose unfortunate condition calls for attention at the earliest practicable minute.

In the drive for adjournment, bills which regrettably died on the calendar included two reported from the hard-working Interior and Insular Affairs Committee on which I had the privilege of serving. Because plans have been carefully worked out, I particularly disliked to have the session end without action on my bill to extend Federal credit to the South San Joaquin and Oakdale Irrigation Districts for the $50 million Tri-Dam project. I introduced this legislation at the request of these two public agencies of California to make posible carrying out the proposed work, the cost of which would be defrayed through sale of electric energy but unfortunately the time-consuming filibuster in the last month jammed the calendar so badly that consideration of this needed legislation was impossible.

Other measures in which I had a deep interest involve rather complex problems which need more time for study. The consideration given this year will help smooth the way in the future for legislation authorizing the Trinity-San Luis units of the great Central Valley project and remedying the tax revenue losses suffered by political subdivisions when the Federal Government acquires large amounts of property. The need for some type of "in lieu tax" compensation to local governments denied the right to assess federally owned land and buildings has been demonstrated and acknowledged. I trust that a satisfactory formula for correcting the inequitable situation will be forthcoming from the Commission set up by President Eisenhower to recommend a solution of the problem.

Republican Revision of Our Federal Tax Law

EXTENSION OF REMARKS

OF

HON. THOMAS A. JENKINS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. JENKINS. Mr. Speaker, the Republican 83d Congress has completed one of the most monumental legislative undertakings in the history of our Nation in giving final congressional approval to the Internal Revenue Code of 1954, H. R. 8300. The President of the United States, who has termed this bill the "cornerstone" of his legislative program, signed this important measure into public law on August 16, 1954.

This legislation represents the first complete revision of our Federal tax law in over 78 years. Since the adoption of the previous Internal Revenue Code in 1939, 14 major revenue measures have been enacted into law increasing taxes. This has resulted in a Federal tax law

that is fraught with complexities, inequities, and obsolete provisions.

The Internal Revenue Code of 1954 contains over 3,000 changes in our tax laws. The purpose of these changes is to remove tax barriers to further expansion of production and employment and to make our tax laws apply more fairly to our citizens. Over 500,000 man-hours of work were devoted to this project.

I am proud that as a member of the Committee on Ways and Means and as a member of the House-Senate tax conference committee, I helped to write this legislation. I am confident that this new tax law will remove many artificial restraints on our free enterprise system to permit the dynamic development of a peaceful and prosperous America.

This new Federal tax law of 929 pages will correct the countless inequities that were present in the old code and which were permitted to work against some of the most deserving groups of our taxpayers, such as working mothers, retired pensioners, widows, widowers, heads of families, and those burdened with high medical expenses. This new tax law also closes loopholes which were present in the old code and which permitted some taxpayers to avoid their fair share of the tax burden.

This Republican tax revision will result in a saving to the American taxpayer of $1.4 billion. This figure, when added to the $6 billion in tax reduction already made possible by the Republican 83d Congress, brings the total tax relief which has been granted since January 1, 1954, to a total of $7.4 billion. I might point out that the bulk of this total tax relief has gone to the individual taxpayer.

I would now like to briefly enumerate some of the highlights of the Internal Revenue Code of 1954 without endeavoring to give a comprehensive recitation of these benefits or a technical explanation thereof.

RETIREMENT INCOME CREDIT

This provision allows a 20 percent tax credit on retirement income up to $1,200 for retired persons. This means a tax reduction for these retired people of up to $240 a year. It is estimated that over 1.5 million taxpayers will benefit from this provision at a tax saving of $141 million. I am pleased that it was my motion in committee which resulted in this important provision being included in the Internal Revenue Code of 1954. This relief will assure that our teachers, public employees, and other senior citizens will enjoy a more bountiful retirement.

DEPENDENTS

The $600 dependency exemption has been liberalized under the new Internal Revenue Code with respect to the requirements for qualification as a dependent. A taxpayer will be allowed to claim a deduction of $600 for each child under 19 years of age regardless of the child's earnings if the parent provides more than half of the child's support. If the child is over 18, the taxpayer can claim the child as a dependent if the child is attending school or college or receiving on-the-farm training. In this case, also, the parent is required to furnish over half the child's support. An aged parent or other dependent cared for by the contribution from several members of the family can be claimed as a deduction by one of the members of the family. Foster children and children awaiting adoption can similarly be claimed as dependents. If a taxpayer supports a person in the taxpayer's home, a dependency exemption of $600 may be taken regardless of relationship. In excess of 1.3 million taxpayers will benefit from this liberalized treatment of dependents with a tax saving of $35 million.

CHILD CARE EXPENSES

Under the 1939 code a taxpayer was not permitted to deduct amounts paid for child care expenses incurred to permit the taxpayer to be gainfully employed to provide for the child's support. The 1954 code will permit single working parents, such as a widow, to deduct up to $600 for the expense of child care for children up to 12 years of age. The same deduction is allowed for a married woman who must work because her husband is incapacitated. A similar deduction is allowed regardless of age where the dependent is mentally or physically incapable of caring for himself. A $600 deduction is also allowed in the case of a married woman if the combined income of her husband and herself does not exceed $5,100; 2.1 million taxpayers will realize an estimated tax saving of $130 million.

MEDICAL EXPENSES

Medical expenses can be deducted when they exceed 3 percent of adjusted gross income, instead of 5 percent as under prior law. The Internal Revenue Code of 1954 also doubles the maximum limit on the amount that can be deducted. It is expected that 8.5 million taxpayers will save $80 million in taxes as a result of this liberalized medical expense deduction provision.

HEAD OF FAMILY

Under the 1939 code a relative was required to reside in the taxpayer's household to qualify the latter as a head of household. The new code permits a taxpayer to qualify as a head of a household if he maintains a household for his dependent parent or parents, which need not be the same residence as his. Also a single taxpayer who has a dependent son or daughter will be entitled during the first 2 years after the death of his spouse to the same income-splitting privilege as is accorded married couples. This provision will grant the American taxpayer a tax saving of $11 million.

AID TO FARMERS

The Internal Revenue Code of 1954 permits a deduction of up to 25 percent of farm income spent for soil and water conservation. A more rapid writeoff of the expense of farm machinery, equipment, and construction is permitted under the new law. The tax is removed on the proceeds realized from the sale of cattle where the sale is necessitated by disease. These tax savings to American farmers will amount to over $10 million a year.

CREDIT PURCHASES

On installment purchases a deduction for interest of up to 6 percent is allowed. The total saving to the American taxpayer from this provision will be $10 million.

EMPLOYEE ACCIDENT AND SICKNESS BENEFITS

Employees will no longer be taxed on any employer contributions to an accident or health plan whether this plan is insured or noninsured. All accident and health benefits paid as reimbursement as medical expenses are completely exempted from tax. Compensation received by employees for loss of wages due to injury or illness is exempt up to $100 a week.

DEATH BENEFITS

All death benefits up to $5,000 paid by an employer to the widow or other beneficiary of the deceased employee will be exempt.

PENSION AND ANNUITIES

In addition to the $1,200 exemption extended to retirement income to which I previously referred, the Internal Revenue Code of 1954 also provides a simpler method for taxation of annuity and pension income based on purchase cost divided by years of life expectancy. This new provision will represent a saving of $10 million to the American taxpayer.

LIFE INSURANCE

The estate tax on the proceeds on certain life insurance policies will be reduced under the new code with a saving to individual taxpayers of $25 million.

DOUBLE TAXATION OF DIVIDENDS

The Internal Revenue Code of 1954 grants partial relief from the double taxation of dividends. This is accomplished by excluding the first $50 in dividends from taxation and providing a credit against tax equal to 4 percent of the balance. This provision will benefit millions of American taxpayers and will provide increased funds for equity investment to insure the development of American productive facilities.

DEPRECIATION

The Internal Revenue Code of 1954 has greatly liberalized the write-off of the cost of new equipment. This more rapid recovery of investment cost will make it easier for small business to obtain credit for modernization and expansion. It will assist the farmer in maintaining modern equipment and buildings on his farm. It will also encourage greater availability of jobs for the American worker.

TAX RETURNS

The requirements are eased for filing declarations of estimated tax with millions of taxpayers relieved from the present requirement for filing. Tax returns will be due April 15 instead of March 15, giving taxpayers 1 additional month in which to prepare their final tax return and make their tax payments.

SCHOLARSHIPS, PRIZES, AND AWARDS

The new code will exempt payments for fellowships and scholarships for individuals who are candidates for degrees unless the payments are made for services rendered. Certain prizes and awards that are given in recognition of religious, charitable, scientific, educational, artistic, literary, or civic achievement will generally be tax exempt.

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RESEARCH AND DEVELOPMENT COSTS

Taxpayers are given an option to either deduct as an expense or to amortize research and experimental expenditures. This provision will encourage business research with the objective of creating new jobs, new processes, and new products.

INVENTIONS

The new code extends capital gains treatment to proceeds realized by an inventor on the sale or exchange of a patent. This new tax treatment will encourage invention and thereby give impetus to an ever-improving standard of living and a healthy economy.

CONSOLIDATED RETURNS

The 2 percent penalty tax with respect to consolidated returns filed by regulated public utilities is removed. Also the stockownership requirement of an affiliate group was reduced from 95 percent to 80 percent.

NET OPERATING LOSS

The new code extends the net operating loss carryback 1 additional year to make it 2 years and makes certain other adjustment in this area.

IMPROPER ACCUMULATION OF SURPLUS

The penalty tax on certain accumulated earnings has been eased so that business, especially small business, may have greater freedom in retaining funds for legitimate business purposes.

Other important changes were made in the provisions of the Federal tax law affecting the taxation of partnerships, corporate adjustments and distributions, depletion, and similar areas of interest of both individual and corporate taxpayers.

In the Internal Revenue Code of 1954 we have, Mr. Speaker, greatly simplified our Federal tax structure. I am confident that as these provisions have their full effect upon our American economy, we will find our free-enterprise system operating more effectively for the welfare of all Americans. Citizens from my great State of Ohio and from every State in the Union will find that this cornerstone of President Eisenhower's legislative program as enacted by the Republican 83d Congress will provide an economic atmosphere conducive to expanding business, greater employment, and an ever-increasing well-being on the part of the American people.

A Comparative Report

EXTENSION OF REMARKS

OF

HON. MORGAN M. MOULDER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. MOULDER. Mr. Speaker, many Republican candidates for Congress are asking the people to vote for them because they claim that they will support all legislation proposed by the Eisenhower administration.

I hold the deep conviction that the first duty of a Member of Congress is to serve and represent the best interests of the people of his district and his country. In carrying out that duty, he should vote for legislation he believes good and against legislation he considers contrary to the best interests of the people, regardless of pressure from the executive branch of the Government.

Conscientious representation—without dictation or blind obedience—is a fundamental principle of our democratic form of government. I have followed that principle during my service as your Representative in Congress from the 11th District of Missouri.

The following important issues were among those presented for consideration during the 83d Congress. On some of these issues I voted with the Eisenhower administration; on others I voted against it. But on every issue I voted for what I honestly believed to be the best interests of the people I represent.

In the following table I have indicated my vote on each of these issues, together with the position of the administration. I ask you—the people I represent—how you would have voted?

	Eisenhower administration position	My vote
1st sess., 83d Cong.		
Provide more funds for veterans' medical care (Feb. 19, 1953).	(?)	Yes.
Give away tidelands oil reserves (Apr. 1, 1953).	Yes	No.
Restore funds for Southwest Power Administration transmission lines (Apr. 28, 1953).	No	Yes.
Increase funds for rural telephones by $10 million (Mar. 19, 1953).	(?)	Yes.
Provide funds for stronger Air Force (July 2, 1953).	No	Yes.
Reduce REA funds by $15 million (Mar. 19, 1953).	(?)	No.
Extend President's authority to make reciprocal trade agreements (June 15, 1953).	Yes	Yes.
Provide additional funds for hospital construction (May 26, 1953).	Yes	Yes.
Extend excess profits tax on corporations (July 10, 1953).	Yes	Yes.
Increase national debt limit by $15 billion (July 31, 1953).	Yes	No.
Authorize emergency aid for drought areas (July 9, 1953).	Yes	Yes.
2d sess., 83d Cong.		
Provide funds for Un-American Activities Committee (H. Res. 400, Feb. 25, 1954).	(?)	Yes.
Prohibit foreign aid funds to governments committed by treaty to maintain Communist rule in Asia (H. R. 9678, June 30, 1954).	(?)	Yes.
Appropriate new funds for foreign aid (H. R. 10051, July 28, 1954). NOTE.—Foreign Operations Administration already had on hand more than $9 billion in unexpended funds.	Yes	No.
Prohibit importation of Mexican laborers without consent of Mexican Government (H. J. Res. 355, Mar. 2, 1954).	No	Yes.
End tax on admission tickets of 50 cents or less (H. R. 8224, Mar. 10, 1954).	No	Yes.
Reduce excise tax rates (H. R. 8224, Mar. 10, 1954).	(?)	Yes.
Increase personal exemption for all taxpayers from $600 to $700 (H. R. 8300, Mar. 18, 1954).	No	Yes.
Appropriations for Department of Agriculture for fiscal year 1955, H. R. 8779, Apr. 14, 1954.	Yes	Yes.
Amendment to H. R. 8779 to increase amount provided for the national school lunch program by $6,452,584, Apr. 14, 1954. NOTE.—The Committee on Appropriations recommended increased appropriations requested by the Bureau of the Budget bringing the total for the National School Lunch Program to $9 million. This restoration of funds plus the additional $6 million provided in the amendment mentioned above provided $15 million for the school lunch program as in previous years.	Yes	Yes.
Provide lower flexible support prices on basic farm commodities (H. R. 9680, May 6, 1954).	Yes	No.
Extend coverage and increase benefits of social security program (H. R. 9336, June 1, 1954).	Yes	Yes.
The Cole amendment to Atomic Energy Act, which amendment authorized commission to grant and give away exclusive patent rights to Government owned atomic energy and hydrogen power to private utility and commercial corporations, without reservation of restrictions for protection of public interests, H. R. 9757, July 26, 1954.	Yes	No.
To increase borrowing power of Commodity Credit Corporation H. R. 9756, July 29, 1954.	Yes	Yes.
Oppose admission of Communist China to United Nations (H. Res. 627, July 15, 1954).	Yes	Yes.
Extend deadline for education and training for Korean veterans (H. R. 9888, July 21, 1954).	(?)	Yes.
Increase veterans disability compensation payments (H. R. 9020), July 21, 1954.	(?)	Yes.
Increase salaries of postal workers (H. R. 9245), Aug. 9, 1954.	No	Yes.
On motion to instruct House and Senate conferees to agree on amendment outlawing Communist party and providing criminal punishment for membership in Communist Party, S. 3706, August 17, 1954.	No	Yes.
Omnibus river and harbor and flood control bill (H. R. 9859) July 26, 1954. NOTE.—In addition to previous authorization of 3 reservoirs in the Osage River Basin, this bill authorizes the appropriation of $144 million for the comprehensive plan for the Missouri River Basin and includes provision for a system of 9 reservoirs for flood protection on the Osage River and tributaries in Missouri and Kansas in accordance with the recommendation of the Chief of Army Engineers.	Yes	Yes.

Crisis in Our Schools

EXTENSION OF REMARKS

OF

HON. ELIZABETH KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mrs. KEE. Mr. Speaker, as this Congress approaches its final hours, I want to call attention again to the fact that we have failed to take any genuinely effective step to solve the crisis in our schools.

I have cited this problem to the House at various times and in connection with various legislative proposals which have been before us. It is with great disappointment that I find the Congress getting ready to terminate the work of the 83d Congress with not a single dent made in this problem.

While it is true that we have passed some minor legislation dealing with the schools—and they are, indeed, minor bills—we proceeded to negate even that little bit by providing insufficient appropriations.

For instance, we authorized a series of State conferences on education over the coming year culminating in a White House conference next year. The House at first refused to appropriate any money whatsoever for this purpose. The Senate did approve funds for the White House conference and for contributions toward the States' preliminary conferences. But in the final settlement of the differences between the House and Senate versions of the Supplemental Appropriations Act, a compromise figure was provided which will not go nearly as far as it should in financing the cost of the various conferences on education.

As I told the House when we had this measure before us, and also in connection with other bills we passed for an Advisory Commission on Education and for Cooperative Research with the colleges on educational problems, we have been authorizing a lot of studies into a problem which we already know could be effectively helped if not entirely solved by financial help to our schools.

But we have given no help of that nature. The administration has said that it thinks we ought to wait on this problem until after the White House conference is held. That would mean no possible financial help to our schools from the Federal Government until sometime after December 1955, which would mean no help whatsoever until the start of the school year beginning in September of 1956. In other words, if the administration recommended an aid-to-education program following that White House conference late next year, the first time the Congress could take it up would be in 1956 for the fiscal year of 1957 which starts July 1, 1956. So it would not be applicable for the first time until 2 years from now.

Many bills were introduced to provide Federal aid to education immediately. On the tidelands bill, many of us tried to earmark royalties from offshore oil for Federal aid to education. Because of the opposition of the President's advisers, anxious to give away these natural resources belonging to the people of the United States, we were unable to add that provision to the bill.

And so our overworked teachers and overcrowded schools continue a situation which is a disgrace to our country. Here we are, a nation of vast resources, but unable to provide the kind of educational facilities our children require.

I was thinking of this situation recently when I happened across a news article reporting on an analysis presented by a team of psychiatrists and psychologists at a professional convention in one of our largest cities. They were reporting on attitudes toward our schools.

And their major finding was this: that as citizens we tend to expect too much from our schools. We tend to blame the schools, as they put it, for everything that goes amiss with the State and its citizens.

We expect our schools to solve the growing divorce problem, bad or reckless driving habits on our highways, the lack of international understanding among peoples, the apathy about religion, the increase in mental illness.

Forgetting that there is a home before there is a school, we even have the tendency sometimes to blame the schools for all juvenile delinquency, all adult crime, all cases of fraud and deceit and brutality and injustice.

Truly, we expect too much from our schools. And yet, so inconsistent are we, so inclined to wishful thinking and shortcut thinking, that while expecting miracles from our schools, we starve them out for funds, relegate them to unsafe or horribly overcrowded facilities, and even deny to the men and women who spend their lives as teachers the basic fundamental of decent minimum salaries on which they can live in dignity.

PENALIZING AMERICA BY NEGLECTING OUR SCHOOLS

Perhaps we have come to expect so much from our schools—too much, according to that scientific report presented at the American Orthopsychiatric Association convention—because we have found among our school teachers, underpaid and abused as they are a dedication to a great cause seldom found in any profession outside of the clergy. Instead of rewarding them for that, however, we punish them for it.

Schoolteachers are not angels, but we expect them always to conduct themselves with the utmost propriety and serve as good examples to the children at all times.

Schoolteachers have all the human desires of all the rest of us, but we expect them to live in near poverty and not complain.

Schoolteachers put in an exhausting day at the job, but we nevertheless expect them to have the reserves of strength and of interest necessary to carry them through unlimited hours of unpaid overtime on extracurricular activities, on parent-teacher association matters, on civic and community enterprises.

Schoolteachers, in other words, are considered special servants of democracy, and as such are expected to do more and give more—and get less—than other public servants or private employees.

The amazing thing, Mr. Speaker, is not that we expect these things from our schoolteachers but that they generally are so willing to do what we expect from them.

But is it fair?

Certainly it is not fair to the teachers who are so poorly treated. But is it fair to the community? Is it fair to the Nation? Is it fair to our way of life?

I think not.

As our society has become more complex, we have not permitted our educational system to keep pace. We have denied it the necessary facilities, the necessary funds, the necessary support. And we are—and will be—paying a high price for that neglect.

I would like to equate that, at least briefly, to our concern about defense appropriations, our insistence here, whenever a military appropriation bill comes before us, that the administration seek and obtain sufficient funds to man our Defense Establishment and provide the weapons we and our allies need for the security of freedom. If the President fails to ask for as much money for defense as we feel he should receive, we insist on giving it to him anyway.

Now I am heartily in favor of adequate appropriations for defense, but freedom is not guaranteed by guns alone. Freedom is also a state of mind, an attitude, a philosophical conception which we learn, and which we learn to appreciate. Once appreciated, once learned, it is a concept which commands our total allegiance. We do not, as a people, compromise on freedom. We accept no substitutes for it. We demand the pure, unadulterated product—or as pure and unadulterated a variety as we can achieve in a far-from-perfect society.

DEMOCRACY IS ROOTED IN OUR EDUCATIONAL SYSTEM

The psychiatrists and psychologists notwithstanding, I believe that the fundamental strength of our democracy lies today—and has reposed for many, many years—in our educational system. While we learn much of democracy in our homes as children, the biggest contribution in that regard is most often made, I believe, in the group activities of the school, particularly when good teachers relate these activities to the problems of living together and working together and striving together in a democratic society.

Probably no one single factor has contributed as much as our universal free public educational system to the durability and strength of the American democracy we know today—to make us at the youthful age among nations of only 165 years one of the few nations in the world today able to boast of a continuous period of constitutional democracy stretching back that many years.

That thought is both reassuring and disturbing as this session and this term of Congress near their final hours with no attention having been paid to the needs of the schools and no prospect of a real attack on this problem in the near future under present leadership. It is reassuring to remember how great a contribution our educational system has made to our democracy. It is disturbing to know that in a time of crisis in our schools, our Nation is failing them. How long can our schools continue to bolster our national life when we ignore their needs?

In the 84th Congress, it will be my purpose to work with all my strength for better treatment for our schools and our hard-working teachers. I trust we shall have the kind of Congress at that time which will find sympathy in its heart and resourcefulness enough to face up to this problem effectively.

Development of the Green River

STATEMENT

OF

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in

the RECORD a statement I have prepared on the development of the Green River.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

DEVELOPMENT OF THE GREEN RIVER

At the end of the congressional session, I wish to express the appreciation of the people of Kentucky and particularly those of western Kentucky to the administration and the Congress for bringing at last to reality the plans and hopes for the development of the Green River which had been held for years. This year the Congress has enacted and the President has approved appropriations totaling $5.6 million for locks and dams 1 and 2 on the Green River. This amount includes a regular appropriation of $4.8 million for the 1955 fiscal year and a supplemental appropriation of $800,000 for fiscal year 1954. Both these items were recommended by President Eisenhower in his budget message. In addition, we have obtained the enactment of legislation which authorizes the expenditure of an additional $3.4 million for the dredging of the Green River.

The Green River project is a new start made by this administration, and no appropriation had been previously approved for the modernization of its locks and dams. The existing structures are old and obsolete and not usable for present-day traffic. For example, it is interesting to note that lock 1 was built in 1835 and has dimensions of 35 by 139 feet. Lock 2 is only 36 by 114 feet.

Modernization work will make modern river transportation accessible to the coal fields of western Kentucky. The high benefit-cost ratio of this work (1.5 to 1) derives from the fact that coal can be shipped economically from the Green River Valley for use by the Tennessee Valley Authority and the Atomic Energy Commission. The AEC has stated that our atomic project at Portsmouth will save 40 cents per ton on 1.78 million tons of coal from western Kentucky when the work is completed.

Additional savings of 30 cents per ton on about 3 million tons per year can be made by the TVA steam plants. Since both AEC and TVA are the property of the people of the United States, the savings will go directly to the Government and to the people of the United States.

In a very real sense, therefore, the funds which have been and will be appropriated for this work represent an investment of the United States Government which will rapidly repay itself and begin piling up financial dividends. The total Federal cost of this project is placed by the Corps of Engineers at $14,399,000. It will be repaid from these savings. In one instance alone, the Federal Government will make an annual saving of nearly $1 million when this work is completed. I refer, of course, to the reduced cost of coal which is to be purchased for the generation of power for use by the Atomic Energy Commission.

Additional benefits in lowered cost of private and public transportation for the benefit of all the people of the region will increase the benefits to be derived from this construction beyond the saving from the transportation of coal alone.

The real importance of the Green River project can be clearly recognized from the unusual efforts taken during the past year by both the legislative and executive branches of this administration to secure the appropriation of funds for the work to get underway.

Before actual construction on a river project can begin, the work must be authorized by the Congress, money must then be allocated by the Corps of Engineers to complete planning, and finally appropriations must be made by the Congress for actual construction. These steps sometimes take years. None of these steps had been taken before 1953. Every one of these necessary steps have been taken since January 1953 by the administration of President Eisenhower and the present Congress.

1. Both the Senate Public Works Committee and the House Public Works Committee at the call of their chairman, Senator EDWARD MARTIN, of Pennsylvania, and Congressman GEORGE DONDERO, of Michigan, took the unusual action in 1953 to recommend to the Department of the Army that the reconstruction work on Green River was justified under the act of 1909. Acting upon this recommendation, the Secretary of the Army, Hon. Robert Stevens, approved the project. It was the only such authorization made during 1953.

2. At the very close of the session of Congress in 1953, the vital need for this project led the Senate Committee on Appropriations to urge the Corps of Engineers to allocate $100,000 to complete planning of the project so that construction could begin in 1954.

Senator BRIDGES, chairman of the Committee on Appropriations, and Senator KNOWLAND, chairman of the Subcommittee on Civil Functions, which considered the Green River project, spoke and gave their support on the Senate floor to the allocation of the $100,000 of planning funds.

3. This year, despite the urgent necessity of the Bureau of the Budget and the President to balance Government expenditures with receipts, President Eisenhower recommended that funds be included in the appropriations bill for fiscal year 1955 to begin these improvements on the Green River. The President also recommended a supplemental appropriation of $800,000 for fiscal year 1954 so that work could begin at the earliest possible time. As President Eisenhower pointed out in his budget message to the Congress, the Green River project is one of those selected for speedy action to assure expeditious movement of traffic in existing harbors or waterways serving important requirements of commerce or national security.

4. A toal sum of $5,600,000 was appropriated this year by the Congress for the Green River improvement. It represents the 14th largest appropriation for river improvement in the budget.

Finally, it is important to point out that the Green River appropriation has had during the past year the support of the major agencies of Government concerned with this question, including the Atomic Energy Commission, the Department of the Army, the Bureau of the Budget, and, of course, the President of the United States.

I am glad to have had a part in urging personally before every committee, before the Corps of Engineers, the Bureau of the Budget, and the President of the United States, the necessity for the authorization and appropriation of construction funds for the development of the Green River.

Mr. President, I want to emphasize here that this project has had the long-time and enthusiastic and strong support of my colleague, Senator CLEMENTS. It has been a pleasure to work with him for the advancement of the Green River project.

It has also had the long support of the Green River Valley Citizens League, Inc. Many people of the region have joined in the support of this league and all deserve great credit. I would like to mention particularly the names of their officers who have pursued this work with great energy. The present officers of the Green River Citizens League, Inc., are James R. Hines, president, Bowling Green; Albert P. Harding, executive vice president-secretary, Central City; J. Morton Williams, treasurer, Beaver Dam; and C. A. Reis, honorary president, South Carrollton. The board of directors consists of the following persons: James R. Hines, Bowling Green; Albert P. Harding, Central City; J. Morton Williams, Beaver Dam; William C. Sumpter, Bowling Green; Fred E. Massey, Central City; R. A. Demunbrun, Brownsville; Dr. W. H. Washburn, Beaver Dam; John Q. Adams, Hartford; Homer Boyd, Rockport; I. G. Reynierson, Island; Landon Wills, Calhoun; Chester A. Hope, Drakesboro-Paradise; Edward Delker, Owensboro; James Hays, Rochester; W. A. Moore, Morgantown; Col. Oren Coln, Livermore; J. E. Wood, Greenville; Ross Morton; Centertown; James J. Turner, Dundee; Byron Royster, Sebree; Harry Wheeldon, South Carrollton; and Harry Scott, Henderson. Some of those who gave their energies for their people have passed on.

The beginning of this improvement, too long delayed, will mean the completion of the entire project. As the modernization of its navigation facilities are completed and the reservoir projects are begun (the Mining City Reservoir on Green River, Nolin Reservoir on Nolin River, No. 2 Barren Reservoir on Barren River, No. 2 Green Reservoir on Green River, and Rough River Reservoir on Rough River), a great industrial expansion in this area will inevitably result. Its certain result will be to increase the production of coal in the area and to supply work for its miners. Benefits will accrue to miners, farmers, businessmen, consumers and, indeed, to all the people of the Green River Valley. I am glad that this great project has been started by President Eisenhower and the Congress and that its completion is assured.

Federal Aid to Education

EXTENSION OF REMARKS
OF
HON. MORGAN M. MOULDER
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. MOULDER. Mr. Speaker, I am deeply concerned about the educational crises which continue to face us in this country. We all know that the completion of a school year is no more final than the formal ending of Congress, because the problems go on. The need for Federal aid to education is not a dead issue because you know, as well as I do, that the urgent need for aid to our schools is still with us.

It is still with us because almost nothing short of a miracle could pull us out of this situation. The facts of the case we all know. Nationwide surveys reveal that our schools are in desperate need of more teachers, more buildings, and money to finance them through this period. The statistics of elementary and secondary education point out to us the increased demand for school services and the decreases in qualified manpower and the purchasing power of our school dollars.

During World War II the enrollment in schools declined slightly, many fully qualified teachers left the profession, school construction practically stopped, and financial support lagged.

By 1947, however, constructive forces among all citizens began to move rapidly to remedy this wartime neglect and loss. The Council of State Governments published a very fine study in 1949 of our 48 State school systems in an effort to assist the States in working out solutions of the problems which faced their respective school systems.

A great deal has been done by citizens' groups in local communities to alleviate our school problems, but to date the

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overall needs have not been completely relieved. In this year we still find that our school manpower is affected, as well as financial support, and school construction. Meanwhile, enrollments steadily continue to increase, the purchasing power of the school dollar declines, and school administrators find that they are forced to employ many people to teach who do not meet the State requirements for certification. These conditions are in turn affected by worldwide economic forces and unrest. In our present position of world leadership in the necessary struggle for national security and for peace and freedom for all peoples everywhere, the expenditures of the Federal Government have increased by leaps and bounds, resulting in turn in tremendous increases in our Federal taxation. This combination of heavy Federal expenditures for defense and foreign aid, together with lower purchasing power and higher local and State governmental costs produces a general public reaction against any increase in local taxation for any purpose, no matter how essential. With this understandable reluctance to increase local and State taxes, it follows that any effort to meet the need for higher teachers' salaries, new school construction, and recruitment in teacher education is seriously handicaped.

Many of us in Congress are well aware of these existing conditions in our schools. Although it was limited aid, the 83d Congress recognized the responsibility of the Government for the impact caused by Federal activities upon the local educational agencies and enacted some emergency legislation to provide assistance to schools in federally affected areas. Under one of these laws the United States Commissioner of Education was authorized to make contributions toward operating costs of the local schools overburdened with increased attendance, as the result of Federal activities, and deprived of local revenues because of the tax-exempt status of Federal properties.

A recent report of the United States Office of Education shows that Missouri was entitled to receive $809,113 for school operation and maintenance in our federally affected areas.

The other school-aid legislation passed by Congress provided for grants to the States for inventory surveys of their existing school facilities and to determine the need for constructing additional school buildings. It also authorized financial assistance for school construction in federally affected areas. Under this law, Public Law 815, Missouri had $2,971,661 reserved of the Federal funds for the construction of vital school construction projects in the fiscal year 1954.

Although this legislation indicates the Federal Government's recognition of its responsibility for federally affected areas, you and I know perfectly well that it meets only to a very slight degree the pressing problems of our schools.

I am concerned that the Congress has not, up to this time, approved any constructive measures for overall Federal aid to education because I earnestly believe that it is of vital importance. It seems to me that the details and opposition which have bogged it down are quite small, in comparison to the overall need for Federal aid to meet the emergency facing our school systems.

We understand and can justify our expenditures for defense, social security, public health, veterans' benefits, and many other vital programs. However, we must find the means and a way to convince people that our schools are of equal importance.

Our school systems have helped this Nation reach its peak of leadership today among the nations of the world. And to our loyal teachers we owe a great deal. For generations we have confidently placed our children in their hands. In recent years, in many cases, our teachers have accepted even more school responsibility in the guidance of our young people. More extracurricular activities have been added to our educational systems and our teachers have graciously accepted this additional responsibility.

I cannot help feeling—and I hope others will realize it—that our teachers are our first line of defense. I am sure, in fact, that they always have been, but we have never talked about it enough. Our schoolteachers, who are so grossly underpaid, are the quiet force in this country that molds our most precious resource—our children. The full impact of the valuable service teachers give to the people of this country and its future, in a sense, ultimately guides the destiny of the free world. I earnestly hope, in the near future, that we can find a way to provide for our school systems the additional financial support which they so urgently need.

Coal Miners Will Benefit Under Mutual Security Act

EXTENSION OF REMARKS
OF
HON. ROBERT B. CHIPERFIELD
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. CHIPERFIELD. Mr. Speaker, I would like to bring to the attention of the House the fact that approximately $200 million of the foreign aid funds which we have voted this year are to be used to finance the shipment of coal from mines in the United States to foreign nations. It is expected that as a result of this program 10 million more tons of coal will be produced in this country during the present fiscal year than would have otherwise been possible.

I represent one of the major coal producing areas in the State of Illinois. Conditions in this industry have been far from satisfactory. I am sure that families who derive their livelihood from the mining of coal will find conditions better as a result of this program than would otherwise have been the case.

It is my understanding that this program for sending coal to nations which it is in our interest to help is comparable in concept to the program for disposing of surplus agricultural commodities which is specifically provided for in the Mutual Security Act this year. Both programs are based on the proposition that we should send commodities which are excess to our own needs to foreign nations whenever we can rather than to send money to be spent wherever the recipient nation desires. I am sure we render them an important service and at the same time recognize the needs of our own people when we operate in this manner.

In addition to the export plan other steps have been taken to bolster the coal industry. President Eisenhower has named a top-level Cabinet committee to make recommendations.

This action marks another step the present administration is taking to improve the situation of the coal miners of the United States. But my chief objective is to see that the coal industry does not have to meet unfair competition from other competitive power-producing products.

The Major Accomplishments of the Republican Administration

EXTENSION OF REMARKS
OF
HON. JOHN S. COOPER
OF KENTUCKY
IN THE SENATE OF THE UNITED STATES
Friday, August 20, 1954

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement I have prepared on the major accomplishments of the Republican administration.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE MAJOR ACCOMPLISHMENTS OF THE REPUBLICAN ADMINISTRATION

Now that the work of the 83d Congress has been completed, I should like to review briefly the record which the administration and Congress have made in the interests of the United States. The record of achievement is a most impressive one.

The accomplishments of our administration mean different things to different people. To all of us they mean a new honesty in Government. To many of us they mean the return of a son or husband from war, to yet others lower taxes, more industry, better schools and roads and hospitals.

We have the assurance of a firm foreign policy, of a strong national defense.

It is a record of which all of us can be proud. Here are some of the major accomplishments of President Eisenhower and the Republican 83d Congress:

1. We have peace. The war in Korea—with nearly 160,000 casualties—has been ended. The United States has not plunged recklessly into another war. There have been no crises or national emergencies declared by the President. Wartime controls have been repealed. Our foreign aid program has been tailored to meet defense needs. Our national defense is the strongest in peacetime history and the deterioration of our military forces after World War II was not allowed to recur after the end of the Korean conflict.

2. Financially our house is in far better order. Savings in Government spending have amounted to $8.5 billion, despite the

fact that we found $81 billion in unpaid Government bills when President Eisenhower took office. Nearly all of the savings have been returned to the taxpayers in four tax reductions. The first general tax reduction in more than half a century was completed, benefiting 26 million individual taxpayers. Inflation has been halted and the value of the dollar has been stabilized so that income and savings are no longer threatened by constant devaluation of the currency.

3. We have fully proved that the United States can have both peace and prosperity. The economy of the previous 12 years was based on a war economy. The 2 years of the Eisenhower administration have been the most prosperous in our history. We have the biggest total employment in our history, whereas the level of unemployment is still considerably less than during 1949. Over 62 million people are employed today, as compared to fewer than 59 million in 1949. At the same time, unemployment is 700,000 less than in July 1949. During 1953–54, average hourly earnings reached the highest level in history, peacetime expenditures for new plants and industries reached their highest point, construction reached its highest value; retail sales are the highest, and so are personal income and savings.

4. The disastrous drop in farm prices—which brought on a decrease of 45 points in the farm-price index—during the previous administration has been stopped. Farm prices have not only been stabilized but have begun to increase. A large-scale farm surplus disposal program has been undertaken and export markets are being expanded. Soil and water conservation programs have been improved. Drought relief has avoided a catastrophe for thousands of farmers and stockmen. Funds for rural electrification and the Tennessee Valley Authority have been increased.

5. A new housing program has been enacted to make home ownership easier for millions of Americans. This will mean an unparalleled expansion of the construction industry. Special provision is made for housing in agricultural areas, small towns, and for veterans.

6. The new road bill will improve our highway system, by increasing Federal assistance. Kentucky will receive nearly $15 million per year, as compared to $10 million under the present law. Not only will it be easier for all of us to travel, but improved transportation will help commerce and expand production.

7. Social-security payments have been increased and social-security coverage extended to 10 million more people. Protection is extended to millions of farmers and professional people. The act also provides coverage for persons who become totally disabled.

8. School and hospital construction funds have been approved in greater amounts. A new hospital program will make hospitals, nursing homes, and convalescent homes available to more people. A rehabilitation program has been passed for the physically handicapped. Schools in federally affected areas will receive aid in construction and operation of schools.

9. The Veterans' Administration has been reorganized to give better, more effective service to our veterans. Two laws have been passed to increase compensation and pension payments for all veterans. GI benefits for Korean veterans have been extended. The largest appropriation in our history for medical services has been passed, providing a total of 114,415 hospital beds for veterans.

10. A new Government security program has been put into effect. Legislation has been passed to outlaw the Communist Party, to protect defense industries against sabotage, and to effectively punish treason. Two thousand and four hundred Government employees have been separated as security risks; 41 Communist leaders have been convicted, and 208 have been deported.

Mr. President, all of us who have worked together for the achievement of this program can be proud that the job which the people have given us in 1952 is being done. The cooperation between the Congress and the President has made it possible to put into law this tremendous legislative program. I believe that the confidence of the people in this administration is well deserved.

Agricultural Price Support

EXTENSION OF REMARKS
OF
HON. OLIN E. TEAGUE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. TEAGUE. Mr. Speaker, during the debate on the recently adopted farm bill, it was quite apparent that there is considerable confusion about the attitude of the present administration on the price support program. The administration made campaign promises that price supports would be retained at 90 percent of parity and hinted broadly that supports might be raised to 100 percent of parity. Shortly after assuming office, this promise was abandoned and a great deal of publicity was given to a study of agricultural programs conducted under the supervision of the Department of Agriculture. We waited for more than a year for the results of the study and a concrete recommendation from the administration. Early this year, the President confirmed the statements of his Secretary of Agriculture which the latter had been making since assuming office, and announced the administration's sliding-scale price-support program.

During the past year, Mr. Speaker, the Secretary of Agriculture has had authority to adjust the basis of price supports for milk and butter-fat products and has known that quantities of stored commodities were becoming unmanageable; nevertheless, few constructive steps have been taken to dispose of this surplus, although a number of ideas have been advanced. The present plan under the recently enacted farm bill for support of dairy products has not met with approval of those dairymen in my district and I seriously question if it is a sound approach to the problem.

I am flatly opposed to the sliding scale program since I do not feel that it offers any sort of overall solution to our agricultural problems. I do not believe that the reduction of price support levels will discourage production to any great degree. Many of the responsible agricultural leaders of Texas express the opinion that it may result in an actual increase in production. Their explanation is simple. They say that farmers have fixed expenses, such as cost of living, payment of taxes, production costs, and payments on equipment and land, which must be met. If the return per unit is reduced, it will force the farmer to produce more units at a smaller return to meet his fixed expenses. The result will be increased production.

The administration has given a great deal of publicity to its year-long study of the agricultural problem. Unfortunately, it has used a broadside approach which does not take into account the peculiarities and problems of various types of agricultural commodities, actually fits none. The problems relating to price support of the basic commodities and designated nonbasic commodities are entirely different. It is doubtful that the 2 can be placed together in 1 program. I was hopeful that the administration would recognize the problem and come up with a new recommendation designed to meet the peculiar problems confronted in various types of agricultural activities. The administration has failed to meet the problem and offers a sliding scale price support program which can have only one result—loss of income to the farmer.

Mr. Speaker, the economy of our country is based on three great activities: business and industry, labor, and agriculture. Our country cannot be prosperous unless these three major groups prosper and share fairly in the Nation's wealth. Contrary to popular belief, the industrial and business activities of the Nation are subsidized, protected, and bolstered by a variety of Federal programs. A general tariff structure protects practically every manufacturer in the Nation. Retailers and wholesalers are protected in most States by fair-trade acts. The Federal Government has virtually subsidized entire segments of industry for many years, such as the airlines, merchant marine, and railroads. The oil and mining industries are greatly affected by the depletion allowance. Other great industries, such as the publishing business and the highway transport industry, are dependent on facilities maintained at the taxpayer's expense. During periods of emergency, when the Federal Government has contracted with the great manufacturing concerns of the Nation for implements of war, it has guaranteed those concerns a profit and has encouraged expansion through the medium of tax concessions. In an effort to encourage expansion of industries necessary to the defense of the country, our Government has granted over $6 billion in tax concessions. Two billion eight hundred million dollars have been granted to the private power companies alone in tax concessions spread over the next 33 years.

We have passed a framework of laws and established a series of programs aimed at strengthening the position of organized labor. The Federal Government has underwritten the social-security program. We have paid out hundreds of millions of dollars in the last 20 years for unemployment insurance. The rights of labor unions to bargain and strike are guaranteed by Federal law, with the result that wages for organized labor are at an all-time high. The laboring man is guaranteed a minimum wage of 75 cents an hour.

It is obvious, therefore, that if the Government is to protect and subsidize

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industry and business activities and underwrite the position of labor, it cannot then neglect the third great segment of our economy, the agriculture industry. The price-support program maintained by the Federal Government for the past 20 years is nothing more than a minimum wage law for farmers. Contrary to popular belief, the price-support program does not guarantee the farmers a profit. He continues to be subjected to the hazards of weather and insects. His production is not guaranteed. The price-support program only guarantees that if he is successful in producing a product, he will receive a certain minimum price for that product.

There is widespread misunderstanding in the public mind as to the operation and cost of the price-support program. The record shows that the price-support program has cost the taxpayers a little more than a billion dollars in the last 20 years. In return for the billion dollars, the Nation has developed a stable agricultural economy, maintained an orderly system of marketing, and developed a method for storing and handling surpluses which has proved to be a great asset in 2 great wars which we have fought during the last 20 years. We have also made great strides in conserving our land.

By June 30, 1953, we had lost only $20,720,931 on the basic agricultural commodities, corn, cotton, peanuts, rice, tobacco, and wheat. We had lost $707,815,005 on the designated nonbasic commodities, milk, and butterfat, honey, irish potatoes, tung oil and wool. Irish potatoes alone accounted for $478,097,057 of the loss. The total loss on milk and butterfat products for the last 20 years has been $136,524,896.

Investors Diversified Services

EXTENSION OF REMARKS
OF
HON. HARLEY M. KILGORE
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
Friday, August 20, 1954

Mr. KILGORE. Mr. President, I ask unanimous consent to have printed in the RECORD a statement prepared by me.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Faith in tomorrow, a willingness to invest in America's future, is a pillar of our free enterprise system. This faith is a characteristic of Investors Diversified Services, now observing its 60th anniversary. It was founded on July 10, 1894, and today is one of the leading financial institutions of the world with assets of approximately $1½ billion.

Investors Diversified Services has taken a leading role in building the resources, facilities, and services of the United States and Canada. The IDS, among other operations, is one of the principal mortgage financiers in the United States and has helped create hundreds of thousands of home and business buildings throughout the land. The investments of IDS range from small first mortgages on single family dwellings to multimillion dollar commitments in American industries from food products to transportation.

We need not fear for the future of the private enterprise so long as there are such companies with vision, faith in the future and an understanding of the needs of a growing Nation in a changing world.

Workload of the Committee on Foreign Affairs

EXTENSION OF REMARKS
OF
HON. ROBERT B. CHIPERFIELD
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. CHIPERFIELD. Mr. Speaker, the House Foreign Affairs Committee is preparing a survey of its activities during the 83d Congress. I believe this document will prove useful to the Members of the House of Representatives, to the Congress in general, and to the press and public, in giving a review of activities which form an important part of the formulation and implementation of United States foreign policy.

The Committee on Foreign Affairs during this 83d Congress has just concluded legislative activities which demonstrate not only the time-consuming nature of the activities, but also the complexity and far-reaching effects of foreign affairs. Particularly significant is the fact that the committee broke new ground in the formation of foreign policy in several respects:

First. During the first session it wrote into the Mutual Security Act of 1953 a provision that 50 percent of the military equipment for Europe should be delivered only on condition that the European Defense Community comes into being. Up to that time there apparently had been no other instance in which the Congress had taken initiative to such an extent in giving direction to the Executive for the conduct of foreign affairs in this manner. In the Mutual Security Act of 1954 the committee wrote into the act a modification which was adopted by the Congress. Countries will now be eligible to receive military aid financed from funds appropriated for fiscal years 1954 and 1955 on the condition that they have either joined together in or are developing collective defense programs in a manner satisfactory to the United States as determined by the President. The basic requirement remains that a signatory of the European Defense Community Treaty must have ratified that instrument before it can qualify for assistance. The provision recognizes the fact that a new approach to mutual American and European security objectives may be necessary if the European Defense Community Treaty is not ratified and provides the President with the means to pursue such an approach.

Second. Under the Mutual Security Act of 1954, considered during the second session, as a result of committee action concurred in by the Congress, the Foreign Operations Administration is to be terminated at the close of business on June 30, 1955. For the first time in many years, we will not have an independent agency or semi-independent agency dispersing foreign aid. Beginning July 1, 1955, the regular departments of the executive branch will take over such activities as will proceed under the mutual-security program.

Third. As I stated in my remarks on the conference agreement on the Mutual Security Act of 1954:

Another significant feature of this bill has been the changing pattern of foreign aid from economic to military. We all recall that under the Marshall plan foreign aid was almost 100 percent economic, but with the initiation of the mutual-security bill there has been a most significant change until now this year's bill carries between 75 and 85 percent for military support to our allies and only a relatively small proportion for economic aid which is largely devoted to carrying out the point 4 program. So we have seen a shift from 2 years ago when our aid was about equally divided between economic and military to the vast majority of our aid being for military purposes to our allies for our own security and the defense of the free world.

Fourth. In the Mutual Security Act of 1954, the House Foreign Affairs Committee insisted on putting in a loan provision, which was substantially adopted by the Congress. Under the act, not less than $200 million can be used only to make loans. This should result in a subsequent saving of this amount for our hard-pressed taxpayers.

Fifth. The downward trend in our foreign-aid spending has been considerably accelerated due in large part to the committee's activities in this regard. The original Executive request for the Mutual Security Act of 1953 was $5,828,732,500. The committee cut this amount by almost $500 million. The final amount appropriated was $4,531,507,000. In the Mutual Security Act of 1954, President Eisenhower asked for $3.6 billion, in contrast to President Truman's last budget request in 1952 for $7.9 billion. The committee cut the $3.6 billion by $7,500,000. The final amount appropriated was $2,781,499,816.

It should be noted that this session of the Congress cut our foreign aid more than 50 percent below the 1952 figure.

While the mutual-security legislation has been the most important work of the committee during this Congress, mention should be made of the multitude of other bills and resolutions which have been a part of committee activity. Such measures include international bridges and power projects, international claims, reorganization of the Department of State and of the Foreign Service of the United States, the question of the seating of the Chinese Communists in the United Nations, Soviet Communist interference in Latin America, international telecommunications, international organizations such as the International Labor Organization and the Pan American Institute of Geography and History, congressional expressions of sympathy and good will following drought and flood disaster to

the Netherlands, Great Britain, and Belgium, good-will expressions on Pan American Day, international sanitation projects, controlling the exportation and importation of arms and munitions, the charter of vessels to citizens of the Philippines, and even the question of increasing the fee for executing an application for a passport from $1 to $3. This is by no means an exhaustive list, but it does give an indication of the variety of the subjects with which the Foreign Affairs Committee has dealt.

In connection with its consideration of measures on these diverse subjects, the committee received 38 messages from the President and executive communications. The committee made 75 requests to Government departments and agencies for reports on legislation under consideration.

The fact that a bill or a resolution is small or may involve little or no money has made little difference to the committee in considering every measure fully and carefully. The increasing workload of committee activities was amply demonstrated during the 83d Congress. Two hundred and sixty-five full committee and subcommittee meetings were held, during which 361 witnesses were heard—totaling 701 appearances—and 11,507 pages of printed and typed record were compiled. The time spent in session by the full committee was 306 hours, 54 minutes, and by the subcommittees 158 hours, 42 minutes, making a total of 465 hours and 36 minutes of House Foreign Affairs Committee activity in this respect.

A statistical summary of committee operations is given in the following table:

Analysis of activities

Number of consultative subcommittees	8
Number of special legislative subcommittees	4
Miscellaneous subcommittees	4
Number of conference committees	2
Number of meetings of conference committees	6
Number of bills and joint resolutions referred to the committee (Of this number 24 are duplicates.)	111
Number of simple and concurrent resolutions referred to the committee (Of this number 60 are duplicates.)	175
Number of bills and joint resolutions considered by the committee (Includes duplicate measures.)	48
Number of bills and joint resolutions reported favorably (Includes separate bills incorporated by committee.)	25
Number of bills and joint resolutions favorably reported by committee and passed by House (Includes separate bills incorporated by committee.)	25
Number of bills and joint resolutions enacted into law (Includes separate bills incorporated by committee.)	20
Number of simple and concurrent resolutions considered by the committee (Includes duplicate measures.)	28
Number of simple and concurrent resolutions reported and acted upon in the House	11
Number of hearings (Open and executive.)	265

Analysis of activities—Continued

Number of pages of committee hearings (Includes printed hearings, stenographic transcripts, and committee minutes of open and executive sessions.)	11,507
Number of pages of reports	1,723
Number of witnesses	361
Number of witness appearances before committee	701
Number of meetings with Rules Committee	7
Number of committee reports:	
Reports on legislation	31
Minority reports on legislation	2
Conference reports	2
Reports on resolutions of inquiry	0
Subcommittee reports on legislation (printed and mimeographed)	6
Special reports	11
Total	52
Number of messages from the President and Executive communications referred to the committee	38
Number of House documents referred to the committee	38
Number of memorials and petitions referred to the committee	128
Number of reports requested from Government departments and agencies on legislation referred to the committee	75
Approximate number of pages in Congressional Record of House consideration on bills and resolutions reported by committee	348
Number of Members sponsoring measures referred to the committee	152
Number of studies and memoranda prepared for the members of the committee by the staff	513
Time spent in sessions:	
By committee: Executive, 261 hours, 54 minutes. Open, 45 hours, 0 minutes.	
By subcommittees: Executive, 97 hours, 1 minute. Open, 61 hours, 41 minutes.	
Total	465 hours, 36 minutes
Approximate total authorization in measures considered by committee and passed by House and enacted into law	$8,411,748,775
(By way of comparison, the money involved in public bills before the committee during the 73d Cong. was $102,000.)	

Recognizing the tremendous stake that the public has in what the House Foreign Affairs Committee does, I have tried to make as much information as possible available to the public. With the committee's cooperation, it has been my practice after each secret session meeting to give the press a digest of information received or action taken during the meetings, consonant of course with security regulations. Practically all documents published for the use of the committee, with the exception of those having a security classification, are available either for distribution to the public or for inspection by the public. These include the committee's legislative calendar, legislative hearings, reports on legislation, reports of study missions, background studies on special subjects, and the survey of its activities.

I believe this practice of informing the public to the greatest possible extent is a vitally important part of our responsibilities as representatives of the people.

Foundations Investigation Statement of Representative Wayne L. Hays

EXTENSION OF REMARKS
OF

HON. WAYNE L. HAYS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. HAYS of Ohio. Mr. Speaker, Mr. CARROLL REECE, the chairman of the Special Committee To Investigate Tax-Exempt Foundations, in the CONGRESSIONAL RECORD of August 20, made an unwarranted and flagrant attack on three of the Nation's leading newspapers—the New York Times, the New York Herald Tribune, and the Washington Post and Times Herald. He has coupled his intemperate remarks concerning these newspapers with a similar attack on me and on my work as the ranking minority member of that committee. I want to make it perfectly clear that Mr. REECE gave me no notice of his intention to make this assault and that he reserved his statement until the closing hours of the session and inserted it in the CONGRESSIONAL RECORD under permission to revise and extend his remarks.

Mr. REECE has accused these three great newspapers of deserting their traditional principles of honest and unbiased presentation of the news. Not content with that reckless assertion, he has in his statement deliberately linked the names of these newspapers with that of the Daily Worker in an effort somehow to infer guilt by innuendo since he has not one iota of evidence to present.

This statement by Mr. REECE is thoroughly in keeping with the manner in which the hearings of the Reece committee were conducted. The obvious purpose of the hearings was not to present the facts but rather to indict the tax-exempt foundations. The witnesses included some members of the staff and certain others who testified not to facts but to their own biases, prejudices, and opinions. Finally, public hearings were terminated just as the foundations were preparing to have their day in court and to answer the charges against them in the same forum in which the charges had been made.

Perhaps the most astonishing part of Mr. REECE's entire denunciation is his effort to justify his refusal to permit the foundations to testify in open hearing. While this denial of the most basic right guaranteed to our citizens is thoroughly in the pattern of the entire hearings, it is shocking to hear a Member of Congress seek to justify a refusal to grant equal rights under the law, a refusal to permit one who has been accused to testify publicly in his own defense, and to imply that the right to take the witness stand and to answer questions under cath isn't particularly important. Mr.

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REECE then adds the gratuitous insult that under the committee's system of taking evidence the foundations will "completely avoid having to substantiate their claims through cross-examination." I for one won't be a party to so cynical an approach to the fundamental American guaranties of public hearings, of testimony under oath and of examination and cross-examination. Further, I do not think that our people will look with favor upon that sort of procedure by a committee of Congress.

It is not at all surprising that a member of Mr. REECE'S own party, Representative JAVITS of New York, introduced a resolution calling on the Rules Committee of the House to examine into the Reece inquiry to determine what remedial steps should be taken in the interest of fair procedure.

For my own part, the course which Mr. REECE proposed to follow became clear to me early in the hearings. I determined that I would insist that the basic rights of the American citizen be protected and that I would not stand by and see the rules of fair play abandoned by a committee on which I was sitting. At this time, I want to pay tribute to the integrity, courage, and honesty of Representative GRACIE PFOST of Idaho who joined me in insisting that this committee observe the safeguards of fair procedures. I also want to repeat for the RECORD that the decision to end public hearings before the foundations had been afforded an opportunity to testify publicly was reached by a three-to-two vote, in which Mrs. PFOST and I voted "No."

The hearings were characterized by the testimony of certain witnesses who linked the names of patriotic Americans with persons, causes, and organizations whom the witnesses held to be either subversive or too liberal to suit their own biases. In the same manner, the testimony of these witnesses contained quotations taken from context so that time after time an impression was created completely at variance with the viewpoint of the person quoted.

The task of seeking to protect the good name of fellow Americans and of insuring that statements were not taken from context was aggravated by the frequent committee practice of refusing to require that all written statements of witnesses be submitted in advance in accordance with committee rules. The insistence of Mrs. PFOST and myself that this be done met with rebuffs and excuses. The result, I regret to add, was that the names of many fine Americans were subjected to unjustified attack.

Mr. REECE has seen fit to assail my performance of my duties as a member of the committee. I want to say to Mr. REECE here and now that all of my life I have stood for fair play and the protection of the rights of every citizen. It was those principles that conflicted with the judgment he wanted to obtain through the committee, and I want him to understand perfectly well that neither he nor anyone else can frighten me into retreating from them.

The attack by Mr. REECE upon me has even been placed upon religious grounds. My response to Mr. REECE is that in these hearings and out of them I have respected the beliefs and tenets of every religious group in this country, and I shall continue to do so. I invite Mr. REECE or anyone else to prove a single instance in which I have ever disparaged the religious faith of anyone. I do not think that Mr. REECE has advanced himself, the committee, or the Congress by raising this issue.

Mr. REECE has spoken of me as a part of the New Deal. That to Mr. REECE is the vilest epithet which may be hurled at anyone. The philosophy of Mr. REECE and most of the witnesses throughout the hearings was that the New Deal and the foundations were a part of a plot which from 1932 on deceived the American people, the United States Congress, the Supreme Court, and the executive branch of our Government. As a result of this plot, the Congress legislated, the President administered, and the Supreme Court upheld laws which gave us social security and unemployment insurance, which protected the rights of the laborer and the farmer, and which safeguarded the health of our families. By reason of this plot which Mr. REECE sees, we have bank insurance for our deposits, we have our present educational system, and we have the multitude of other benefits which our Government has made possible during this time. If the forces who have guided the Reece committee could have their way and could wipe out this plot, then all of us would be living in the depressed conditions which existed before our people elected into office the New Deal which Mr. REECE hates so bitterly. I know that I am speaking for the people I represent when I tell Mr. REECE that we are thankful that the conditions of labor and our farmers have been improved, that our health and educational standards have advanced mightily, that our savings cannot be wiped out by bank failures, and that our Government has given us protection against the specters of unemployment and a penniless old age.

I have been heartened by the courage which the foundations have shown in the reports they have filed with the committee since the public hearings were abruptly and arbitrarily halted. In those statements, the foundations have told their story and have made out their case as best as they can under the unfair conditions imposed upon them. They have faced up to the greatest evil with which the Reece committee has threatened the country. That evil is that the foundations may be so intimidated by the committee that they will knuckle under to the forces of reaction and will no longer be willing to make grants to those who seek only freedom to think and to speak according to their own consciences. If this committee were to succeed in instilling an icy fear into the hearts of the men who operate our foundations, then it would have won its ultimate victory. It would have stifled one of our greatest sources of freedom in thought, deed, and word.

The evidence which has come to our committee from the foundations has supplied impressive and dramatic proof of the benefits which they have brought about in our land. When we consider the advances in education which they have made possible, their grants to our institutions of higher learning, the miracles of science and the freedom from pain and disease which they have given to old and young and their magnificent cooperation with our Government, then it becomes clear that the statement which Mr. REECE has made is so utterly at variance with the facts as to discredit his entire course of procedure in this investigation.

Michigan Archers Revive Old Sport

EXTENSION OF REMARKS
OF
HON. ELFORD A. CEDERBERG
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. CEDERBERG. Mr. Speaker, we in Michigan are proudly proclaiming our State as the "water wonderland" and with our year-round outdoor recreation facilities which nature has bestowed upon us and which has been perpetuated by wise planning of our people, I hope many of my colleagues will find time to come to Michigan after we adjourn and enjoy our many attractions.

Michigan leads the way in many phases of conservation and outdoor recreation development, and today I would like to refer to one particular phase of recreation in which our State has contributed tremendously to the revival of an ancient sport. I refer to modern archery which is truly becoming the sport of sportsmen.

Man probably owes his very survival in his life with the beasts of the field and forest to his invention of the bow and arrow. This combination was one of the earliest weapons used in quest of meat supplies for the family larder. One writer has said that the invention of the bow and arrow probably marked the time in history of man when he first gained control over the beasts of the earth.

The Bible tells us of Elisha's discussion of the use of the bow and arrow with the King of Israel and the Israelites were known as great archers as were their opponents, the Egyptians.

Mounted bowmen were an important part of the Roman legions. Henry the Eighth, King of England, was considered a crack marksman with the bow and arrow. These pieces have long been associated with the American Indian.

Invention of gunpowder in the 17th century changed man's hunting habits and the bow and arrow began to lose popularity. In recent years, however, modern pioneers have revived this noble sport but the powerful glass-powered weapons of today are a far cry from the bows of the ancients or of yesteryear's Indian.

MICHIGAN LEADS ARCHERY REVIVAL

Michigan is far out in front in promoting this modern revival of archery. The

sporting goods trade calls this the fastest growing sport in the Nation. It is a healthful, inexpensive sport in which all members of the family can participate and it can be enjoyed either in the backyard, on the range or along field and stream.

Proof that sportsmen are really turning to the skill of archery in Michigan is indicated by the latest reports of the Michigan Department of Conservation showing that about 27,000 archery permits are being sold annually for hunting deer during a special bow-and-arrow season which our State provides. Bow-and-arrow hunters from other States are also finding the Michigan program attractive as indicated by the conservation department report that 2,300 out-of-State bowmen obtained Michigan archery permits last year to hunt deer—an increase of 30 percent over the previous year.

MICHIGAN ARCHER SHOWS SKEPTICS

One of the men who deserves a great amount of credit for his part in the present day revival of this ancient sport is Fred Bear, founder and president of the Bear Archery Co., located in Grayling, Mich., in the district I represent in Congress. Mr. Bear is a champion, crack bowman but more than that, in my opinion, he exemplifies our American system of private initiative.

When Fred Bear and a companion went to Canada a few years ago in quest of moose, being equipped with only a bow and arrow for weapon, he was laughed at and some Canadian operators even cancelled his reservations. An Ojibway Indian told him, "Moose big. String gun too little." The veteran Canadian guides who accompanied the party were skeptical—skeptical that is until they had to help drag out the huge half-ton hulk of an arrow-pierced bull moose. I have a picture of Mr. Bear and that moose hanging in my office and I am proud of it because it not only demonstrates the skill of one of my constituents but shows that this is still the land of opportunity and it refutes the claim that we are loosing the pioneering instincts of our elders.

Mr. Bear has turned a hobby into an industry. As word of his successful bow-and-arrow expedition into the Canadian wilds spread among other sportsmen there was a spurt in bow-and-arrow production. Back in 1937 Michigan had only 173 deer hunters who carried a bow and arrow instead of a powerful rifle. Today we have over 27,000 such hunters in Michigan.

While some people sit on their hands and complain that there's little new under the sun, Fred Bear has gone into ancient history and revived an old business—the bow-and-arrow business—which he has streamlined considerably.

In pioneering this revival he designed and shaped his own bows and arrows and friends began asking for duplicates of his equipment. As the result we found a new industry had sprung up in the heart of our northwoods game country near the town of Grayling, Mich. He is president and actively directs the affairs of the Bear Archery Co., which makes a popular widely used bow known for its maple core and fiberglass back and belly as well as arrows and other archery supplies. The firm employs over 100 people in the design and production of the highest quality archery equipment—a real example of the American private enterprise system.

Every schoolchild has recited the poem which, in part, says, "I shot an arrow into the air; it fell to earth, I know not where." But not so with Mr. Bear; for when he shoots, the record indicates he pretty well knows where his arrows fall, since he is three times Michigan archery champion and has piled up laurels in other competition. In addition, he has promoted the sport by assisting archery organizations and in providing instruction.

POPULARITY SPREADS ACROSS NATION

Today the popularity of the sport of archery has spread from coast to coast and border to border. The National Field Archery Association is probably the leading organization of archers, and it has done much in fostering archery contests, activities, and good will. A few months ago this association came forward with a commendable program to help cement farmer-hunter relations by guaranteeing its members to be sportsmen and gentlemen. Under this plan, every member of a club affiliated with the National Field Archery Association subscribing to the sportsmanship guaranty is given an identification card, which reads:

LANDOWNER'S GUARANTY AGAINST PROPERTY DAMAGE

The National Field Archery Association has confidence that our member, whose name appears on the front of this card, is a gentleman and a sportsman. May we request that you allow him to hunt with bow and arrow on your property with the understanding that if he in any way damages your property or livestock, and refuses to make settlement, we will, upon presentation of his name and proper proof of damage, pay for said damages up to the amount of $100.

That is an example of the spirit among archers.

Most States recognize the bow and arrow as legal weapons for hunting game. Many States, like Michigan, establish preseason periods for deer hunting before the time allocated the gun hunters. In Michigan if the archer does not bag his buck during the bow season he may obtain a special permit to continue to hunt deer with either bow and arrow or gun during the regular season.

As Mr. Bear had said:

When you go hunting with bow and arrow, you will be extracting the greatest value from our outdoor heritage. You will look for more than just the game you are after: you will observe the soil and the trees that grow on it, the streams and the waters that flow in them, the chickadees that may perch on your bowstring and the squirrels that eye you as you sit silently in your blind. Then you will indeed feel kind to the world.

So for pure relaxation and sporting fun I hope you will journey to the heart of Michigan's water wonderland in the 10th Congressional District.

Social Security, 1954 Model

EXTENSION OF REMARKS
OF
HON. SAMUEL W. YORTY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. YORTY. Mr. Speaker, at long last the 1954 amendments to the Social Security Act, about which so many words have been spoken and so many promises made—have been passed. These amendments, if I may say so, caused more sound and fury than any other social-security proposal of the past, with the possible exception of the first Social Security Act back in 1935. At great cost a special subcommittee spent many months last year for a study of the existing system preparatory to legislation. During this session the Ways and Means Committee in the House and the Committee on Finance in the Senate conducted further hearings. You have heard extravagant claims as to the great improvements in social security which will be made this year. Now, at last, the dust has settled a little and we can examine what has happened.

What kind of improvements in our Social Security System do we find? Benefits will be a little bit higher. The work clause will be a little bit more lenient. The totally and permanently disabled will get a little lift through the wage-credits freeze, but no benefits, mind you. These are, in fact, "Let's do a little bit" amendments.

In other words, with a tremendous grinding of the gears, and a great amount of tooting of the horn, the 1954 model of amendments to the Social Security Act have finally been passed—and it looks very much like the old with a few minor improvements. In many respects, it does not even meet the standards set by the Advisory Council on Social Security in 1947 during the 80th Congress. Somehow or other the discussions of the bill seem to have got bogged down in technicalities and to have lost sight of what would be the effect, in terms of meeting their daily needs, on the people who must depend upon social-security benefits.

In just one respect—namely the extension of the coverage of the system to about 10 million jobs—does this bill improve the existing social-security system in any really substantial way.

As I have said, it increases benefits—but only by a little bit. Now I am concerned with this matter because my experience and my conscience tell me that the benefits now being paid by our social-security system are, in most cases, completely inadequate for our times. The 1954 amendments increase benefits slightly—by an elaborate method of providing a small increase in the wage base, by a revised benefit formula, and by a 5-year dropout provision which would permit retiring workers to eliminate the 5 years in which wages were lowest or nonexistent in computing the

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benefit amount. But I am not convinced that this will make enough difference in the amount of benefits which will average around the starvation figure of $57 per month.

And on this point I want to say another word. We heard cries against too great an increase in benefits at this time from a number of sources, on the ground that the Congress has consistently increased benefits every time an election comes around. Now the facts of the matter are that benefits have been increased only twice since the system was inaugurated in 1935: once in 1950 and once in 1952. It simply is not true, therefore, that the benefit structure of our social-security system has gradually crept up and up, as some people would have you believe, and that we must therefore proceed cautiously at this time.

None of the people, I am sure, who are worrying about the size of benefits being too large have ever tried to subsist on a payment of $57 per month. We must not succumb to the easy assumption that social-security payments are simply a small segment of the retirement income for most Americans: a segment supplemented by income from investments, or from private pension plans. A recent survey of persons receiving old-age and survivors insurance benefits showed that almost half—or 45.3 percent—had no other income.

Let us not allow ourselves to believe, then, that the increases in benefits—increases ranging between $5 and $7 per individual, I am told—will provide any kind of genuine security for those thousands of Americans who have no other source of income for their declining years. It is small wonder that of present beneficiaries 1 in 6 men, 1 in 5 women, and 1 in 8 aged widows are finding it necessary to ask for supplementation from public assistance because their benefits are not adequate to meet their needs.

This is no time, in my opinion, for a slight increase in benefits. It is a time, rather, for us to recognize that the benefits of our social-security system should provide the assurance that at least the minimum daily needs of our senior citizens can be provided.

As a measuring rod for the adequacy of this bill I would like to use the proposals which I have made, in company with some 61 other members of this House, for necessary improvements in social security.

At the very least, according to this measuring rod, the present wage base for benefits should be increased to $4,800, in order that a larger proportion of wages paid can be covered. The 1954 amendments increase the wage base—again by a little bit—from $3,600 to just $4,200. Now I call your attention to the fact that this small increase is far below 1935 standards with respect to the proportion of wages covered. For when the original Social Security Act in 1935, adopted the wage base of $3,000, 97 percent of all covered workers had earnings under that amount, and thus could qualify for benefits on the basis of all their earnings. Today, with wages more than doubled over the low wage scales of 1935, it is not enough to increase the wage base to only $4,200. As I have said, it should have been increased to at least $4,800.

Now it must be clear to everyone that unless the wage base bears some reasonable relationship to the total amount of wages, the amount of wage-replacement furnished by benefits is going to diminish. In other words, there is no replacement at all for wages received above the maximum set for the wage base. Thus, under previous law, any earnings in excess of $300 per month could not be counted toward benefits. Under the recent amendments this amount will be increased slightly to $350 per month. But this, in my opinion, is just a half-step forward. To bring our system more nearly in line with present wage rates and present working conditions—and to increase the amount of benefits—we proposed that, at the least, wages up to $400 per month, or $4,800 per year, should be creditable. I am convinced that $4,800 is the minimum figure we should accept at this time.

Now let us see how the bill measures up in another respect. My measuring rod calls for benefits—as well as a waiver of premiums—for workers who have become permanently and totally disabled. The "little bit" social-security bill, which has now been enacted into law, provides only for a waiver of premiums—no benefits. It says, in effect, that a worker will not be penalized if he is not working in covered employment because he is completely disabled. That is a little bit better than the existing system which reduces the amount of the benefit for periods of such disability. But it completely overlooks what will happen to the disabled worker and to his family because the paycheck has ceased with the disability. It simply says that if that man and his family can wait patiently until he gets to be 65 years of age, he will not be penalized then because he could not work.

I remind you that, in connection with the 1950 amendments, the House passed a bill which would have provided payments beginning with the time when the family breadwinner is disabled. We lost out in conference and succeeded only in getting a compromise measure which set up an assistance program for the totally and permanently disabled. This means that the family of a worker so disabled must wait until all resources are exhausted, and then submit themselves to the fine-tooth-comb investigation which is part of the means test of public assistance, before they can get any help.

My proposal to provide benefits would, on the other hand, mean that the family could be assured of a minimum income in lieu of the wages which the breadwinner brought home when he was able to work. And I suggest further that failure to provide benefits at this time overlooks the significance of one of the most important developments of the last decade, namely, the remarkable advances which have been made in rehabilitation and retraining techniques. A sound benefit system for the totally and permanently disabled could, of course, use these services—through an expansion of the already established State vocational rehabilitation services—to provide the retraining services and prosthetic appliances which would make it possible for such workers to return to a new job or a new vocation.

This, I may say, is one answer to those persons who protest at the cost of a benefit system for the disabled, or who assure us that it would encourage malingering. In terms of costs alone, I insist that a benefit system, which can make use of rehabilitation techniques for those men and women who can return to work, would not be expensive. It would provide benefits for the period during which the family is readjusting to a completely new—and a completely harrowing—situation caused by an unpredictable and a serious handicap of the breadwinner. I must add that cost is, to my mind, not the major consideration in such tragic cases. Far more fundamental are the human considerations of what happens to the family of the victim of an unforeseen disablement. If we are concerned, in our social-security system, with providing security against wage loss caused by death or retirement, surely we shall not have a genuinely protective system until we have added protection against wage loss caused by a complete disablement. I look forward to the day when we shall have achieved this goal. It has not been achieved in 1954.

Finally, the 1954 amendments make a revision in the retirement test—or work clause—which will allow earnings of up to $1,200 per year without deduction. My measuring rod for a minimum was also $1,200 per year, because I was convinced that we must revise the existing work-clause provision which, in effect, penalizes beneficiaries for working to supplement their inadequate benefits.

I am glad to report that in this respect, at least, the 1954 amendments were brought up to meet our yardstick, for the original bill as proposed by the administration would have set the minimum at $1,000 rather than $1,200. I am glad to report, too, that by an amendment proposed by Senator GEORGE, the age at which no deduction can be made for earnings is lowered from 75 to 72. This means that people aged 72 or over will get full benefits regardless of their earnings.

But I call your attention to one part of this section of the bill which has received little attention and which certainly was not contained in my yardstick—namely, that its retirement test would apply to all earnings, whether in covered or in uncovered employment. This will mean that many retired individuals whose earnings have not affected their benefits because they were working in uncovered employment, would be subject to the retirement test.

As I have said, the bill has at least one adequate feature, in that it extends the coverage of the old-age and survivors insurance system by about 10 million jobs, making an important advance toward the goal of practically universal coverage. The retirement test, as I have just said, has been improved in one direction

but made more restrictive in another. I am glad to see, too, that the amendments retain the matching formula for Federal grants to State public assistance programs which was established by the 82d Congress. In this, you will note, it departs from the original proposal, contained in H. R. 7200, which would have decreased the amount of the total Federal contribution at the expense of 30 States for old-age assistance and 20 States for aid to dependent children—including my own State of California in both cases.

But I am concerned with the fact that the 1954 amendments to the Social Security Act are simply stopgap legislation. Let us be very clear in our minds that, at best, this is piecemeal legislation. Let us remember that we are here concerned with the food and the shelter and the way of life of millions of our fellow citizens. And let us look forward to the day when our social security system can become a genuinely protective and genuinely secure program along the lines which I have suggested. A little bit of improvement in our social security system at this time is just not enough.

Facts About Facts Forum

EXTENSION OF REMARKS
OF
HON. WAYNE L. HAYS
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. HAYS of Ohio. Mr. Speaker, under leave to extend my remarks, I include an analysis which I have had made of the radio program Facts Forum.

This program, which is only one of the operations conducted by the Dallas, Tex., organization of the same name, purports to present both sides of a public issue, the commentator debating himself.

The analysis has been made in connection with my duties as ranking minority member of the Special Committee To Investigate Tax Exempt Foundations.

The facts set forth were secured by listening to tape recordings of Facts Forum broadcasts. Quotations used are identified by tape number.

The analysis follows:

FACTS ABOUT FACTS FORUM

Facts Forum claims to present both sides of important issues. To some degree, it does present two sides, rather than both sides. Although there is a good deal of factual material in its presentations, the two points of view it presents are not necessarily the only points of view possible, nor even the principal points of view held by most people.

The program is in no sense impartial. Although two sides are presented, there is no doubt which side Facts Forum itself is on. That is the key to its partisan character.

The technique used is that of presenting an important question and two contrasting viewpoints, and then, almost in every case, identifying one viewpoint on this single question with the entire philosophy of government to which Facts Forum adheres. The program is also characterized by half truths, distortions, generalizations, and exaggerations. One program (No. 53, dealing with the Bricker amendment) even misquoted the Constitution, stating that article VI reads, "All treaties * * * shall be the supreme law of the land * * * anything in the Constitution to the contrary notwithstanding." The actual language of the Constitution simply asserts the supremacy of the Federal power over the State and reads: "This Constitution and the laws of the United States which shall be made in pursuance thereof and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."

A single program may not have too much effect on a casual listener, but it is the cumulative effect that takes its toll—the steady hammering away of Facts Forum's own isolationist and reactionary views, the repetitious identification of liberalism and internationalism with subversion and communism.

How does this program differ from a truly impartial program, such as American Forum of the Air? Listening to American Forum week after week will not give you even a hint of how the producer and moderator feel about the subjects under discussion. Listening to American Forum regularly will not produce a consistent line of political thought. On the other hand, listeners know all too clearly where Facts Forum stands and what its political thinking is.

This is indicated by the flood of mail coming to newspapers and Congress from listeners in support of the side which Facts Forum supports, such as the Bricker amendment and Senator MCCARTHY.

In addition to its technique in regular programs, Facts Forum frankly discloses its own views in the infrequent programs where it presents only one side. Such a program was The American Bill of Rights and Thanksgiving (No. 104). Here is Facts Forum speaking for itself:

"Today, all over the globe, people are promoting a philosophy of government which they like to call liberal and progressive, but which, in its essence, is a return to the dark ages of human civilization. * * * It is a philosophy which holds that government has the power and the responsibility to do something for the people; that the force of government must be used to control all the lives of all the people all the time, in order to insure them economic security. It is a philosophy which has been promoting in this century throughout the world an implacable drive toward a monolithic uniformity; a leveling off of mankind to a dull level of mediocrity; a drift toward a great one world of animated puppets where everyone will have his equal share of a little bit of nothing. * * * In the 20th century, this fearless American philosophy of freedom is despised, not only by the totalitarian governments, but also by the so-called free governments throughout the world. * * * Countless numbers of Americans today apparently, by what they say and do, are not only willing but eager to sell their birthright of freedom for the mess of pottage which goes under the label of government subsidies and economic assistance to the public."

Some of its views seeped through in another broadcast, an otherwise neutral Christmas program last year (Hope of the World), where the following political ideas were expressed in the context of an appeal for religious faith:

"I do not look to government for rights, privileges, or assistance, knowing that government can give me nothing that government has not first taken away from me."

Here, in capsule form, are the views which Facts Forum tries to inculcate in its listeners through its technique of presenting both sides. Here are the keys to Facts Forum's political thinking: the linking of liberal with dark and dictatorial rule; the idea that government assistance of any kind brings the people under its complete control and kills their spirit; the attack on the one world ideal of the United Nations; the denunciation of our allies as so-called free governments equal to the totalitarians.

There is a close identity between Facts Forum's message and the personal opinions of H. L. Hunt, who, in the words of Facts Forum moderator, Dan Smoot, "was among the original founders of Facts Forum and is its heaviest financial contributor" (No. 112).

In a pamphlet written in 1950 (quoted in an interview in the Washington Post, February 16, 1954, p. 1), Hunt said, "The public is entitled to the facts on both sides of all issues and cannot be pacified with the * * * kind of news which leftwing workers are willing to let them have." Hunt's ideas of how to present "the facts on both sides" without including leftwing views is apparently carefully followed in the Facts Forum format.

According to the same interview, Hunt does not like the words "liberal" and "progressive" which he identifies with "vicious, radical, spendthrift elements" and with "alleged people's parties ruled by ruthless and murderous dictators who say they are also liberals." Next to Communists, he is quoted as saying that the word that seems to arouse him most is "liberal."

These and others of Hunt's basic political ideas seem to be faithfully reflected in Facts Forum.

The following conclusions have been drawn from a careful study of Facts Forum programs of the past year:

1. The major technique of Facts Forum is to identify a legitimate viewpoint with all of Facts Forum's political philosophy.

This permits it to use factual material in presenting the side to which it is opposed, thereby leading to the claim that it is completely fair and unbiased. But that may be compared to the situation involved when a lynch mob rushes its victim to the nearest tree, loops a noose around his neck, gives him 2 minutes to speak in his own defense, and then strings him up. Under those conditions, a casual bystander is not apt to be in the mood to believe him.

It should also be noted that many of the facts presented on the anti-Facts Forum side are carefully selected. Much of this material is actually neutral in character, deliberately chosen for its lack of persuasive capacity. Some of the arguments presented on the other side actually damage the case in behalf of which they are ostensibly introduced.

Facts Forum's theories are communicated via a "shotgun marriage" between a valid point of view and its entire position. It deliberately ignores the fact that other positions are possible. A person holding one view similar to that of the program finds himself driven toward swallowing a whole philosophy.

The result is that, although the question may be reasonable and the pro and con is sometimes valid, the arguments presented produce extreme positions. There is no room for moderates on either side. (This is apparently in line with H. L. Hunt's advocacy of both sides without what he calls the leftwing side.)

If Facts Forum has its way, Americans will be driven to choose between its own extreme views and the other extreme, leaving no moderates and no middle way.

The world of Facts Forum becomes a black and white world where wishy-washy liberals, and some Democrats and Republicans, at best naive and wooly-headed and at worst conscious traitors, are contrasted with red-blooded Americans upholding the principles

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of the Constitution to save America from communism, and in the process becoming advocates of isolationism, McCarthyism, and against the United Nations, antiforeign aid, antiliberal, antilabor, antilarge segments of both great parties.

Examples:

In No. 98, the affirmative side holds that an adequate national defense can be secured together with tax reductions and a balanced budget. The negative says an adequate defense is impossible without higher taxes. This is legitimate, but the prejudice is disclosed when the affirmative is linked with an advocacy of isolationism and Herbert Hoover's theory of hemisphere defense, implying that one is not possible without the other. Thereby no possibility is conceded of believing that adequate defense is possible with lower taxes but without isolationism and hemisphere defense, nor the belief that adequate defense may be secured without increasing taxes by cutting fat from the defense budget, yet having no truck with isolationism.

In No. 101, the affirmative says the United States should remain in the U. N. if Red China is admitted. The negative says "No," but it also becomes a general argument against the U. N. itself. This ignores the middle position of opposing Red China's entry in the U. N. and still supporting the U. N.

In No. 103, the affirmative holds that the administration is antilabor because of its failure to carry through the proposed Taft-Hartley amendments. The negative says it is not antilabor for that reason, but it also contains strong arguments against unions and union domination of government in general. This leaves no room for the view that Taft-Hartley may be right, but unions are legitimate.

In No. 105, the affirmative says that the Democrats won a great victory in the 1953 elections, referring to the Wisconsin and New Jersey congressional votes and the New Jersey gubernatorial race. The negative denies it, but also denounces "New Deal Republicans" for aping the Democratic foreign policy, being soft on communism, and attacking McCarthy. It leaves out the moderate republicanism which opposes the Democrats and yet is not isolationist and is against McCarthy.

In No. 106, the affirmative wants the United States to depend on the U. N. to get Russia and China to release American prisoners in Korea and demand an accounting for prisoner atrocities. The negative says "No," but the argument becomes pro and anti U. N. There are many who may disapprove of the U. N.'s handling of the Korean prisoner issue, but may yet be unwilling to have support for the U. N. itself depend on such an explosive and emotional issue.

In No. 110, approval of the Eisenhower foreign policy is opposed to disapproval, but disapproval is linked with isolationism. What is opposing Eisenhower's foreign policy, but for completely different reasons than isolationism?

In No. 115, the affirmative favors picketing as part of strikes, while the negative does not. But the negative also opposes unions in general. This eliminates the possibility of wanting to limit picketing, but still favoring unions.

In No. 116, the affirmative wants the United States to continue to support the International Labor Organization, while the negative says "No," but it also includes arguments against the U. N. and for the Bricker amendment. This ignores opposition to ILO, but at the same time still favoring the U. N. and opposing the Bricker amendment.

In No. 123, approval of foreign aid is opposed to disapproval, but disapproval becomes part of a general argument for isolationism. This would cut out the middle position of disapproving foreign aid to various degrees and yet not being isolationist.

In No. 126, one side favors Eisenhower's housing program, while the other argues that housing and other Government aids are socialistic and communistic. This would have us believe that those who favor Government aid in housing and other fields, whether they are for or against Eisenhower's policy specifically, are dupes of the Communists.

2. The anti-Facts Forum side is often exaggerated, distorted, or oversold, or presented in such fashion as to raise doubts.

Examples:

In No. 98, on national defense and taxes, the argument that we cannot provide adequate defense and still reduce taxes is oversold.

References are made to "these costly efforts * * * the fate of the free world depends on active, all-out cooperation—on unlimited effort * * * no sacrifice is too big, no expenditure too large, no effort too great * * * we must be ready to accept these burdens * * * no matter what the cost may be * * * lofty spirit of generosity and sacrifice."

Such a presentation could well frighten a person who has hitherto believed that making some sacrifices is necessary, but who would reconsider his position if "sacrifices and expenditures" had to be "unlimited" and "all-out" and other such unnecessary superlatives.

Again in No. 98, the listener hears a tongue-in-cheek presentation on the anti-Facts Forum side: "At this critical moment in history, it is worse than dangerous nonsense to be agitating for tax reductions and balanced budgets." When it is put this way, one may well question the value of a position which considers it dangerous nonsense to be advocating such pleasant prospects as tax reduction and budget balancing.

In No. 117, the anti-isolationist side says: "The announced motive of isolationism—politely called neutrality—is to prevent America from becoming involved in any future foreign wars." It goes on to answer this argument rather weakly, but isolationism doesn't look so bad when defined as the prospect of not getting into wars. The implication is left that internationalism has the motive of getting us into wars. This is presented as supposedly an argument against isolationism.

In the same section, our system of alliances is oversold. We hear: "More than 1,500,000,000 people in the world * * * are * * * willing to stand and die with us against our common enemy." The headlines in the daily paper would shake anyone's belief in this extreme and naive view. A true presentation of the internationalist position would admit differences between us and our allies.

In No. 106, another tongue-in-cheek view is presented: "The United Nations is the only agency which can operate effectively in the present chaos of world affairs and eventually emerge with a permanent peace, because within the framework of the United Nations, all nations can meet and intelligently resolve their difficulties." In the same script: "The United Nations is working toward permanent peace in Asia."

True enough, but put this way, it is highly unrealistic. A true pro-U. N. view would say the U. N. is the best way to get peace, but not the only way; that permanent peace is a fine ideal, but the U. N. would be satisfied with some temporary peace, too; that sometimes "all" nations do not always act "intelligently" to solve their problems. In other words, by not admitting imperfections in the U. N. doubts can be raised.

In the same script, the pro-U. N. side, for no reason whatsoever, contains a factual recital of six cases of horrible atrocities against Americans in Korea, and urges, tongue in cheek, that this should not "destroy our faith" in the U. N. It has the opposite effect of arousing anger against the U. N.

3. A major characteristic of the program is the deliberate and constant repetition of language discrediting liberals in general and liberal Democrats and Republicans and lumping them with Socialists, Communists, and totalitarians (in keeping with H. L. Hunt's views, coincidentally).

Here are a few examples, among many:

No. 99: "Adlai Stevenson, Dean Acheson, and their friends in the Socialist wing of the Democratic Party."

No. 100: "The Roosevelt-Truman New-Fair Deal * * * has all the characteristics of the totalitarian movement."

No. 101: "Totalitarian liberals and left-wingers."

No. 102: "Twenty years of New Deal socialism. * * * It will matter little whether we call the final result progressive capitalism, social democracy, economic planning, New Dealism, or just plain communism."

No. 103: "In the late 1930's * * * we were caught in a strong tidal drift toward the philosophy of a Socialist labor government."

No. 105: "'Me-too' tactics of liberal Republicans—promising to do everything the New Deal had done, only better. * * * If their only choice at the polls is between New Deal Republicans and New Deal Democrats, voting is meaningless."

In No. 107: "During the past 8 years * * * fundamental decisions in American policy have been made by traitors or by men under the influence of traitors whose allegiance lay in Moscow."

No. 111: "During the New and Fair Deals, the Socialist revolution made enormous advances in America."

4. The anti-Facts Forum side is generally presented less strongly.

Examples:

In No. 100, the truth is told but not enough of it. We hear: "Government business corporations, although operating as efficiently and economically as possible, are dedicated primarily not to making a profit, but to serving the people."

This is true. But a sincere partisan of that position would have mentioned that some Government corporations nevertheless have more profits and turned them back into the Treasury—like FCIC, FHA, and HOLC. Without this, there is the implication that Government corporations always lose money.

The same program says, rightly enough, that Government-owned businesses pay no taxes. But since there is a great deal of discussion of TVA on the program, mention might have been made of one of TVA's strongest arguments that also applies to other Government agencies—because of TVA, private corporations do more business than they would otherwise do, make more profits, and thereby pay higher taxes.

In No. 103, pro and con on Taft-Hartley, ex-Secretary of Labor Durkin's case for the Taft-Hartley amendments is presented, but about half of the prolabor time is wasted on a recital of the contents of the disputed 19 amendments. This is boring to listen to, and means nothing to listeners uninformed on the technicalities of one of the most complicated laws on the books.

It is not balanced when on the prolabor side you hear such statements as: "The definition of the word 'supervisor' in the original act should be limited," and "The holding of a representation election should be delayed for a period of 4 months after the commencement of a strike," while on the other side, you hear such colorful and emotion-packed phrases as "irresponsible power in the hands of monopolistic labor bosses; government was in the hands of those who had allied themselves with the labor bosses; President Eisenhower's labor advisers appear dedicated to the old New Deal philosophy that the political support of powerful union leaders must be bought at any cost."

5. The program often makes vital issues of subjects which are not really current at all, but which provides the opportunity of

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presenting arguments that have been generally discredited, or else gives another chance of attacking an issue Facts Forum is very much interested in.

Examples:

No. 115 deals with union picketing in strikes. Surely this is not much of an issue at the present time. The documentation for the script proves this, since every single reference is taken from technical books and economic periodicals, and not one from a newspaper or speech, as in other scripts. The idea, apparently, is to question a principle acccpted to a large degree and to take another whack at unions.

No. 116 deals with the International Labor Organization, again not an issue of vital importance to the news of the day. Yet it gives the program an opportunity to again attack totalitarian liberals and socialism in the U. N. and to reflect on unions, too.

6. The program fosters the technique of the "smear."

Example:

In No. 88: "One of the most powerful Communist fronts is the Methodist Federation for Social Action. * * * This Communist front's credo—rejecting the profit motive as an economic base for society—is closely similar to a resolution passed by the World Council of Churches in Amsterdam in 1947, rejecting the ideologies of both communism and capitalism, and also very similar to a statement along the same line issued in late 1950 by His Holiness Pope Pius VI."

The reaction of one of the top Government officials to Facts Forum's supposed impartiality is presented in this item written by the Washington staff of the New York Herald Tribune (August 15), in a regular Sunday column devoted to inside Washington items:

"Unlike most members of the Cabinet, Secretary Dulles had refused to appear on television shows sponsored by Facts Forum, the program supported by H. L. Hunt, Texas oilman.

"Facts Forum is said to be nonpartisan and nonpolitical, which normally would satisfy Mr. Dulles' determination not to participate in political affairs while running the State Department. However, he is not satisfied the program is either nonpartisan or nonpolitical."

An excellent example of why Mr. Dulles should feel this way is provided by the program of July 3, last, discussing the Jenner-McCarran resolution to break diplomatic relations with Communist nations. The following quotes should be studied carefully, because they typify how Facts Forum can claim to be impartial, and yet be guilty of the grossest partiality:

"Same day, May 13, 1954, while Republican Senator JENNER was standing on the floor of the Senate introducing his resolution to break off diplomatic relations with the Soviets and their captive satellites, Republican Secretary of State John Foster Dulles was at Geneva, Switzerland, in formal conference with the Soviets and one of their captive satellites. The fascinating coruscations of life is the kaleidoscope of history.

"It may or may not have embarrassed Republican Secretary of State Dulles to have Republican Senator JENNER introduce such a resolution. Be that as it may, Senators JENNER and MCCARRAN posed for the American people a question of immense and far-reaching importance, should America break off diplomatic relations with all Communist countries.

"Facts Forum believes that a question of such great significance to the American people should be answered by the American people. Nowhere is an informed public opinion more critically needed than in the area of Soviet-American relations. Here is a problem that both underlies and overrides every other national problem we have. If we could find a correct and positive answer to the question of what to do about American-Soviet relations, we would thereby make an enormous contribution to the peace, security, and well-being of our Nation. Here then is an excellent answer to those millions of sincere Americans who frequently and, it must be confessed, honestly say to themselves, 'I know things are in bad shape, but what can I do. I'm just one little individual with no influence or authority, not too much information, not sure of my own convictions and with rather poor ability to express the ideas and communicate the information I have. If the greatest people in our land are confused and divided about the terrible problems of our times, what on earth can I do about it?' "

Notice how subtly these words have been phrased. Nowhere can you put your finger on the words which say specifically that Facts Forum questions Mr. Dulles' Geneva conference with the Soviets, and supports the Jenner move to break relations. Yet that is the impression which is inescapably drawn.

Remember, too, that these words are not read, so that they can be studied at leisure. They are listened to. They are heard fleetingly. What other conclusion can a listener reach when these successive ideas are flung at his eardrums:

"Secretary * * * Dulles * * * in formal conference with the Soviets."

"It may or may not have embarrassed * * * Dulles."

"Senators JENNER and MCCARRAN posed * * * a question of immense and far-reaching importance, Should America break off relations with Communist countries."

"If we could find a correct and positive answer to the question of what to do about American-Soviet relations."

"Here then is an excellent answer."

Who is to be blamed for thinking that JENNER's resolution to break relations is an excellent answer to American-Soviet relations and Secretary Dulles is wrong to confer with America's enemies?

This is the technique of the "poison tongue" which insidiously pours venom into the unsuspecting listener's ear as Claudius poured poison into the ear of Hamlet's father as he slept.

No wonder Mr. Dulles refuses to credit Facts Forum's claim of impartiality, as the Tribune reports.

It is time the American people and the authorities also recognized the spuriousness of that claim.

The Record of the 83d Congress

EXTENSION OF REMARKS

OF

HON. J. GLENN BEALL

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. BEALL. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by me on the record of the 83d Congress.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The record of the 83d Congress is now in, and it is one of which we may be justly proud. President Eisenhower and a Republican Congress have successfully put this country on the road toward peace and prosperity.

At adjournment the score was added up, and President Eisenhower figures he asked for 64 specific bills, and 54 were passed, giving him a batting average of 0.830. As he says, that is a good rating in any ball club.

When Congress adjourned, the Baltimore Sun gave the administration's box score as 16 recommendations approved and 6 failures. The Washington Star commented that the President's batting average actually will run below 0.830, but well over 0.500. The Star said: "And 0.500 was way over the horizon during recent Democratic years. President Truman in the years 1947 through 1952 averaged 0.477, 0.457, 0.441, 0.442, 0.404, and 0.349."

The Star said further: "A close look at the 20 roll call votes, which in the long run will likely prove the most significant of the session, shows President Eisenhower took a stand on 16. His views prevailed 10 times, a 0.625 average."

Comments by leading newspapers and reporters verify that the administration and the Congress have been successful in enacting a program which, as the President said in his state of the Union address, has as its objective the building of a stronger America, "a nation whose every citizen has good reason for bold hope; where effort is rewarded and prosperity is shared; where freedom expands and peace is secure—that is what I mean by a stronger America."

Roscoe Drummond, chief of the New York Herald Tribune Washington bureau, wrote that most Washington correspondents agree the the 83d Congress "has been an extraordinarily productive Congress. As much significant legislation has been put on the statute books as during any comparable 2-year period in recent years, and more than most. This Congress has been more responsive to the President's requests on domestic matters than any previous Congress since the first 2 years of the New Deal."

The Baltimore Sun commented editorially that the Eisenhower administration stuck to "its announced principles when the going was tough and won the victory." The editorial concluded, "The main thing is that the President has stuck to his announced political philosophy. In a middle-of-the-road country, he has held to the middle of the road."

On the President's activities the Baltimore Sun said, "He has played the game straight with the people of the country and his report last night made mention of his failures as well as his successes. Something else that came through was that buoyant hopefulness—some call it indomitability—of a man who knows his own mind and is not dismayed by occasional setbacks."

The Washington Star stated that this was a "do-something Congress" in an editorial and said "the Democrats will never win this year by attacking a 'do-nothing Congress.' "

Upon adjournment the Washington Post and Times Herald said: "The President has been successful in getting a very large part of his program enacted, and on the whole it is a good program." The editorial concluded with "in general the outcome is good enough to warrant hearty congratulations to both the President and Congress."

The Washington Post and Times Herald said: "It is worthy of note, however, that the President has established excellent relations with Congress. He has reversed the 'honeymoon' theory of dealing with Congress—that a major portion of a President's program must be enacted at the first session after the presidential election before the inevitable family feuding begins. Mr. Eisenhower was notably more successful in the 2d session of the 83d Congress in getting his measures through, despite the loss of Senator Taft's able leadership."

In its appraisal the New York Times wrote: "Judged in the light of the President's own program, which in general we have supported, we would say that the record on the whole has been a creditable one. While there have been some notable failures, there have been some notable successes * * * as the weary legislators start homeward they have a right to feel that, whatever else may be

said about them, they cannot be fairly accused of having constituted a 'do-nothing' Congress."

Commenting on President Eisenhower's activities the New York Times said, "Even the most hard bitten opponent of the President would be forced to admit in all honesty that a very great deal of positive accomplishment has been achieved in the last 19 months, that fears of a recession have been pretty well dissipated, that important legislation has been adopted and that in some spheres—though not all—the international outlook is better than it was."

"On domestic matters," the Times editorial said, "the President had every right implicity to claim credit on behalf of his administration for checking inflation, for cutting the Federal deficits and for directing the Nation toward, instead of away from, a balanced budget."

During the 10 years I served in the House of Representatives, I do not recall any session of Congress which received the commendation and praise that has been given the 83d.

The objective which President Eisenhower has is a worthwhile one and as he stated "all branches of this Government—and I venture to say both of our great parties—can support the general objective" of the program he gave for building a stronger America.

Let us review the record of the 83d Congress by comparing it with the recommendations President Eisenhower made in his state of the Union address before a joint session of the Congress last January 7.

AGRICULTURE

President Eisenhower: "The well-being of our 160 million people demands a stable and prosperous agriculture. Conversely, every farmer knows he cannot prosper unless all America prospers. * * * Therefore, a farm program promoting stability and prosperity in all elements of our agriculture is urgently needed."

The record: President Eisenhower was able to go before the American people and say:

"When we took over you will recall farm income was toppling and we had such unmanageable surpluses which continued to grow at an alarming rate that they were depressing the market and there was literally nothing you could do as long as the growth of these surpluses wasn't checked to bring prosperity and the promise of real stability to the farmer.

"So we started with the knowledge that every hour we were paying $30,000 of your money, every day $700,000 of your money, just for storage of these crops which we could not dispose of and which were depressing the market and further cutting prices.

"Now we've gotten a program that will encourage efficient production, will stimulate consumption and stabilize farm income."

The President recommended, and Congress passed, a farm bill providing for flexible, in place of rigid, price supports for basic commodities. The law sets price supports for the basic commodities within a range of 82½ to 90 percent of parity, depending upon the supply outlook for each commodity. Tobacco price supports will remain at 90 percent because of the strict acreage control.

In addition the administration and the Congress took action which slowed the decline in farm prices, which had their greatest drop during the last 2 years of the Truman administration.

Congress and the administration acted in many other ways to strengthen the farm economy and the Republican record on the rural electrification program is considerably better than that of the Democrats. Also farmers will benefit greatly under the new tax revision law which was enacted this session.

The record shows that the Republican Party fully recognizes the importance of the farmer to the national welfare.

LABOR

President Eisenhower: "The Labor-Management Relations Act of 1947 is basically a sound law. However, 6 years of experience have revealed that in some respects it can be improved."

The record: The Republican administration recommended and the Congress was ready to pass improvements to the Taft-Hartley Act but Democrats voting as a bloc in the Senate killed the legislation.

The Republican administration aided the working people in many other ways, and one was by putting a clause into effect in all Government and defense contracts eliminating discriminations on account of race, religion, color, or national origin in the recruitment, employment, pay, training, and promotion of employees.

President Eisenhower: "Protection against the hazards of temporary unemployment should be extended to some 6½ million workers, including civilian Federal workers, who now lack this safeguard."

The record: Congress broadened the unemployment compensation law for the first time since 1935, bringing 4 million additional workers within its coverage. Congress strengthened the Federal-State system of unemployment compensation by providing for a $200 million reserve out of unemployment tax revenues and earmarked this reserve for loans to States.

To encourage industrial peace the Republican administration made it a policy to keep Government out of labor disputes and restored collective bargaining to full force and effect. By ending wage controls it released the backlog of negotiated wage increases previously blocked by Government regulations of the Truman administration.

TAXES

President Eisenhower: "The new budget provides for a lower level of taxation than has prevailed in preceding years. * * * As additional reductions in expenditures are brought gradually but surely into sight, further reductions in taxes can and will be made."

The record: A $7.4 billion tax reduction was passed, the largest tax cut the American people ever had in a single year.

Individual income taxes were reduced by 10 percent beginning January 1, 1954, and that was the first reduction since the Republican 80th Congress. It is worth remembering that Democratic Congresses are responsible for 14 of our 15 income-tax increases since the first income-tax law was passed in 1913.

Further, excise tax cuts by this session of Congress means $999 million in savings for the people of this country.

The biggest single improvement was the enactment of the tax revision law, an 875-page document which is the first complete overhaul of tax laws in 75 years. On August 10, 1954, I prepared an analysis of this bill showing how it benefits the small taxpayers—individuals, small-business men, and farmers. It appears on page 13975 of the CONGRESSIONAL RECORD and copies are available for distribution to the people of Maryland.

Because of the previous summary, I shall not elaborate on this achievement of the Eisenhower administration and the Congress, but everyone will benefit by this bill, and under its provisions individuals will save a total of $827 million.

Furthermore, Congress and the administration reduced appropriation requests by a total of $6.9 billion, which means that the taxpayers will have $6.9 billion to spend as they see fit rather than have it collected as taxes by the Federal Government. The Council of State Chambers of Commerce figures that Maryland's share of this saving is $129,030,000.

The Republican administration cleaned up the corrupt practices in the Internal Revenue Service, and now treats each taxpayer honestly, fairly, and equally.

INTERNAL SECURITY AND COMBATING COMMUNIST INFILTRATION

President Eisenhower: "The subversive character of the Communist Party in the United States has been clearly demonstrated in many ways, including court proceedings. We should recognize by law a fact that is plain to all thoughtful citizens—that we are dealing here with actions akin to treason, that when a citizen knowingly participates in the Communist conspiracy he no longer holds allegiance to the United States."

The record: Legislation denying legal rights to the Communist Party was passed, and as the President requested a bill to take away citizenship of persons convicted of conspiracy against the United States Government was passed. Five other bills which will make it easier for the Government to combat Communist infiltration and subversion were passed.

The result was that President Eisenhower could report to the people the Republican program for combating communism had been successful. He said, "It is a record during this past year not only for operation as we went along—getting rid of people, deporting many people that shouldn't be here—but getting up the plan that will make us even better and stronger in the future."

APPROPRIATIONS AND SPENDING

President Eisenhower: "This budget is adequate to the current needs of the Government. It recognizes that a Federal budget should be a stabilizing factor in the economy. Its tax and expenditure programs will foster individual initiative and economic growth."

The record: Budget requests for the 1955 fiscal year were $56,958,616,690 and Congress appropriated $54,288,093,410, of which $28,800,125,486 was for defense purposes.

The Council of State Chambers of Commerce reported on August 19, 1954, that congressional actions "indicate that a commendable effort has been made in cutting what was generally conceded at the outset to be a pretty tight budget."

President Eisenhower himself reduced requests for 1955 appropriations by $4.3 billion below the $61.2 billion provided for the fiscal year 1954. Thus the total reduction by the administration and the Congress from the 1954 amount was $6.9 billion.

These reductions in Federal spending mean two things. First, we are approaching a balanced budget and the end of Federal deficits. Two, tax reductions will follow reductions in expenditures.

President Eisenhower could proudly state that we have reduced Federal deficits by two-thirds, and "We're well on the way toward the goal finally of achieving balanced budget in our income and our outgo. Now we haven't used any meat ax in reducing the expenditures that are making this possible. It's been a selective type of reduction of expenditures, and it's taken a very great amount of work."

As he has explained many times, this administration is liberal where people are concerned, but conservative with the people's money.

CIVIL AND POLITICAL RIGHTS

President Eisenhower: "Segregation in the Armed Forces and other Federal activities is on the way out. We have also made progress toward its abolition in the District of Columbia. These are steps in the continuing effort to eliminate interracial difficulty."

The record: The Republican Party was founded for the protection of the individual's civil and political rights, and during the 83d Congress the party lived up to its great tradition.

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The Justice Department filed a brief with the United States Supreme Court urging in behalf of the Republican administration that segregation in the public-school system be found a violation of the 14th amendment to the Constitution. On May 17, 1954, the Court unanimously outlawed segregation in the Nation's public elementary and high schools.

Segregation in the Armed Forces was ended as soon as the Republican Party took over administration of your Government, and that was followed with the abolition of segregation in military post schools and among civilian employees on military and naval reservations.

The Veterans' Administration began eliminating segregation in all its hospitals, and a Government contract committee began working to promote equal job opportunities in all Government work done by private industries.

Elimination of segregation in the Nation's Capital progressed and the Republican Department of Justice successfully argued before the Supreme Court for the ending of segregation in Washington's restaurants and public places.

Legislation giving American Indians more rights of citizenship was passed, also laws making it possible for members of the Armed Forces and civilians serving overseas to vote in National and State elections.

Negroes have been appointed to fill high Government positions, and for the first time in American history a Negro attended a meeting of President Eisenhower's Cabinet as the representative of a department.

The Democratic Party, voting in a bloc, killed the President's bill to give the vote to 18-year-old citizens; and Democratic opposition ended chances of statehood for Hawaii during the 83d session of Congress.

CORRUPTION IN GOVERNMENT DURING PREVIOUS ADMINISTRATION

President Eisenhower: "It is manifestly the joint purpose of the congressional leadership and of this administration to justify the summons to governmental responsibility issued last November by the American people." That was stated in the President's first message to Congress on February 3, 1953.

The record: The Republican Party is exposing rather than covering up evidence of corruption, and a high sense of integrity has been restored to your Government. The 5-percenter finds the atmosphere in Washington changed.

There have been no scandals in the Eisenhower administration and that can be stated categorically. Compare that with the horrible headlines of the previous administration when 10 Federal agencies were involved in scandals. The record shows 78 headlined scandals in Agriculture, 48 in Internal Revenue, 19 in the Defense Department, 10 in RFC, 9 in Justice, and 5 in the Post Office.

The Senate Committee on Banking and Currency, of which I am a member, continues to investigate and expose scandalous activities in the housing field; and undoubtedly further investigations will reveal more corruption in other agencies which the Democratic administration covered up.

INTERNATIONAL AFFAIRS

President Eisenhower: "American freedom is threatened so long as the world Communist conspiracy exists in its present scope, power, and hostility. More closely than ever before, American freedom is interlocked with the freedom of other people * * *. In the task of maintaining this unity and strengthening all its parts, the greatest responsibility falls to those who, like ourselves, retain the most freedom and the most strength."

The record: The world enjoys a greater feeling of peace at this particular time than during any period since World War I.

The Republican administration ended the fighting in Korea; kept us out of a war in Indochina; and was successful in ending the reign of a Communist government in Guatemala—the only place where communism had been successful in getting control of a government in the Western Hemisphere.

To our network of security pacts with 39 nations were added a treaty with Korea, a mutual-assistance agreement with Japan, and work was begun on a security pact for southeast Asia.

This administration continued to work for peace through the North Atlantic Treaty Organization and the United Nations.

The President, who has the responsibility for conducting our affairs with other nations gave an accounting of his stewardship in this field by saying: "* * * we tried to talk frank and full talks with our allies to establish better relationships—to get closer to them—to know exactly where we were going. In spirit, in the development of our economic measures and in the building of our military measures * * *. We will make certain that our friends understand us better * * *. We're going to develop better partnership in all parts of the world between us and our cooperating friends."

Most important was that the President advised and cooperated with Members of Congress on a bipartisan basis. The Republican Party realizes that our foreign policy is too important to our national survival to permit it to become a subject of political argument.

FOREIGN ASSISTANCE AND TRADE

President Eisenhower: "Military assistance must be continued. Technical assistance must be maintained. Economic assistance can be reduced. * * * The fact that we can now reduce our foreign economic assistance in many areas is gratifying evidence that its objectives are being achieved." What is necessary, the President said, is "the creation of a healthier and freer system of trade and payments within the free world—a system in which our allies can earn their own way and our economy can continue to flourish."

The record: In the field of mutual security the President asked for a little over $3 billion in new money and Congress appropriated $2,781,499,816. The President asked for and Congress granted authority to transfer funds between areas, and authority to move funds originally intended for Indochina and to use this money to strengthen the defenses of southeast Asia and the western Pacific.

Congress approved continuing military assistance and technical cooperation but declared that in the opinion of Congress the economic aid and the Foreign Operations Administration should end by June 30, 1955.

Congress and the administration went on record as being opposed to admission of Red China into the United Nations, and by amendment to the foreign-aid bill Congress provided that new military assistance is to be held back from France and Italy until they ratify the European Defense Community treaty.

"The foreign-aid law," President Eisenhower declared in his report, "is not one merely to be—to help other people for humanitarian purposes—but it is to serve our enlightened self-interest. To give us a greater security—a greater feeling of peace and confidence in the world."

Going along with President Eisenhower's trade-not-aid theory the Congress extended the Reciprocal Trade Agreements Act for 1 more year, and the Republican administration announced its intention of negotiating a trade agreement with Japan under the provisions of that act.

The President's idea was again expressed in his Denver address when he said, "Reciprocal trade is another problem that is now under earnest study and will be taken up by the next Congress. We got another year—as a result of the Randall report—in which to study certain features of this whole business so that our friends could, with us, make a living through profitable trade and which would eliminate the need for these great grants in the future."

NATIONAL DEFENSE

President Eisenhower, after enumerating five considerations which had been given in planning our defense program, said: "This new program will make and keep America strong in an age of peril. The international and defense policies which I have outlined will enable us to negotiate from a position of strength as we hold our resolute course toward a peaceful world."

The record: Congress voted $28.8 billion for operations of the Army, Navy, and Air Force, supplemented by $55 billion in carry-over funds, so that a total of $83.8 billion will be available.

Also approved was a military public-works program of $887 million, including secret projects abroad, and a $450 million naval-construction program for patrol and submarine-warfare vessels.

The objective is to bring our defense program into line with the latest developments in policy, technology, strategy, and tactics. The Republican defense program is designed to have this Nation militarily ready to meet any emergency.

Congress also approved construction of a United States Air Force Academy, which will be built near Colorado Springs, Colo., at a cost of $126 million.

NATIONAL ECONOMY

President Eisenhower: "The American economy is one of the wonders of the world. This administration is determined to keep our economy strong and to keep it growing. At this moment, we are in transition from a wartime to a peacetime economy. I am confident that we can complete this transition without serious interruption in our economic growth. But we shall not leave this vital matter to chance. Economic preparedness is fully as important to the Nation as military preparedness."

The record: The Nation is enjoying the greatest period of prosperity in American history, without the stringent economic controls favored by the Democrats, and in spite of the transition from a war to a peacetime economy.

Under the Republican administration the cost of living has gone up only slightly more than 1 percent as compared to the 6 percent annual increase under the Truman administration.

One of the first acts of the Republicans was to abolish economic controls. Also the administration removed the Federal Government from competition with private business and disposed of 28 synthetic-rubber plants, sold barge lines, rope plants, coffee-roasting plants, and numerous others.

Mineral rights under offshore waters were returned to the States where title has historically rested.

A Small Business Administration replaced the RFC and makes small loans to American businesses, and Congress and the administration created a national atmosphere which will stimulate business and strengthen the economy.

The lie was given the predictors of gloom and doom, and the President could say, "Every fact today that we have gives the lie to those prophets of gloom and doom that saw we were going to be in economic depression and forming bread lines at this time in our history."

Time magazine stated that the Eisenhower administration "had met a recession and licked it, not by the kind of pump-priming and governmental interference dear to the hearts of New Dealers, but by trimming Government expenditures and by giving private industry the kind of climate and incentive that allows enterprise to flourish."

The Republican administration has maintained a strong and prosperous economy, and is prepared to see that the economy expands and our standard of living constantly rises.

NATIONAL RESOURCES AND PUBLIC WORKS

President Eisenhower: "Part of our Nation's precious heritage is its natural resources. It is the common responsibility of Federal, State, and local governments to improve and develop them, always working in the closest harmony and partnership."

The Republican administration returned to the States their rights to submerged lands, and took a number of steps to conserve and protect our natural resources by revising the Federal Lands Acts, authorizing irrigation and reclamation projects, making surplus seed available for reseeding of rangelands, revising the Water Facilities Act, and authorizing construction of what may be the largest public-power dam in the Nation, the Priest Rapids Dam on the Columbia River.

In the public-works field the Congress authorized construction of new tankers which will build up our defenses and give new contracts to the critical shipbuilding industry.

President Eisenhower proposed a $50 billion national roadbuilding program, and Congress authorized Federal expenditures of $966 million yearly for 1956 and 1957 on a matching basis with the States. This is about $250 million more than was available for the last 2 fiscal years.

The Congress also approved a lease-purchase plan so that private enterprise may construct public buildings which the Government may pay for like rent, with ownership after a specified number of years. It is estimated this will save the taxpayers millions of dollars in outlays for new buildings.

The omnibus rivers and harbors bill authorized more than $1 billion for 105 navigation improvements. This included $101 million for deepening and widening the Chesapeake & Delaware Canal, which links the Port of Baltimore with the Delaware River and the Philadelphia port. With the improvements, the canal will be a 24-hour, all-weather channel for the largest seagoing vessels.

Improving the C. & D. Canal will place Baltimore's port in a more competitive position with ports affected by the new St. Lawrence seaway, which the 83d Congress authorized after 30 years' debate, despite the active opposition which I gave to the project.

In the atomic-energy field, the 83d Congress and the Eisenhower administration made great strides in development of atomic energy for peacetime purposes. Private enterprise will be encouraged to enter this new field and assist in bringing atomic power into everyday use.

HEALTH, EDUCATION, AND WELFARE

President Eisenhower: "Now, along with the protection of freedom and maintenance of a strong and growing economy, this administration recognizes a third great purpose of Government: concern for the human problems of our citizens."

The record: Two of the most important actions of the 83d Congress in this field was increasing social-security benefits, and increasing coverage to about 7 million people not previously covered by the program; and the second was passage of the housing bill, including 35,000 units of public housing.

Higher benefits for social-security annuitants will give 6 million retired people more money beginning in October, and the maximum family benefit was raised from $168.80 to $200 per month. Among those groups now included in the program are self-employed farmers and farm workers.

The housing bill will expand construction of housing and is intended to make certain, as President Eisenhower said, "that every American family has an opportunity for a decent home in a good neighborhood among good citizens."

Also the bill contained provisions to prohibit "windfall" profits, and to avoid a repetition of the scandals which characterized administration of the law under previous administrations.

Congress continued authorization of Federal assistance to schools in federally impacted areas, and the funds will cover expenses of about 1 million pupils. Other educational benefits were authorization for research and surveys into educational problems, and a $1 million appropriation for surveys prior to a White House conference in November 1955.

In his report to the people President Eisenhower reiterated his desire to formulate a program which will give every American access to good medical facilities.

Congress extended the Hill-Burton Act which gives Federal assistance for expansion of hospital facilities; and under an improved vocational rehabilitation program, closer Federal-State-local cooperation is being encouraged.

The administration opened a new medical center at Bethesda, Md., to seek cures for certain diseases, and grants for research on cancer, heart, mental health, and arthritis were increased.

VETERANS

President Eisenhower: "The internal reorganization of the Veterans' Administration is proceeding with my full approval. When completed, it will afford a single agency whose services, including medical facilities, will be better adapted to the needs of those 20 million veterans to whom this Nation owes so much."

The record: Congress passed bills providing increase in compensation to veterans with service-connected disabilities and for widows and dependent parents of veterans. Also disability pensions for non-service-connected cases were increased.

Congress increased the revolving fund to finance direct VA loans by $100 million, and military personnel, in certain circumstances, will be given wage credits for social security while on active duty.

A law was also passed providing that all types of tuberculosis for veterans suffering 10-percent disability within 3 years of discharge will automatically be assumed to be service-connected.

The largest appropriation ever provided for operation of VA hospitals was authorized by this Congress. The program calls for 114,415 beds, the largest number the VA feels it can use. And under the appropriation all VA hospitals will continue to operate, in fact additional hospitals in a number of cities throughout the country are being opened or are under construction.

Korean war veterans were granted the same preferences as other veterans in housing, civil-service appointments, free postage, and the time extended for Korean veterans to apply for GI bill of rights training.

MAJOR LEGISLATIVE ACTIONS

The Office of Coordinator of Information of the House of Representatives, in its final edition of the Major Legislative Actions of the 83d Congress, records that during this session the Congress:

Passed 20 bills for governmental reorganization that have become public laws, while 3 others await the President's signature; and 11 reorganization plans became effective.

Twenty-six public laws affecting veterans and servicemen are now on the books, and six other bills are to be signed by President Eisenhower.

The Congress passed, and the President signed, 37 bills pertaining to the national defense and internal security, and 7 others remain to be signed.

Presidential action awaits 3 bills on our national economy, and 25 others have already become public laws.

In the field of natural resources the President has signed 34 bills, and 4 others await his signature.

Twenty-eight bills were passed and signed concerning international affairs, and six others are yet to be acted on by the President.

The agricultural industry will be affected by 21 new public laws, and 3 other bills are now before the President.

Social security, health, and welfare were of great concern to this Congress, and 21 new public laws on these subjects have become effective, and 6 other bills await signature.

MY PERSONAL BILLS AND ACTIVITIES

During this session I sponsored a total of 69 bills—ranging from bills for the relief of individuals to one which would abolish the Federal National Mortgage Association—and at the end of the session a total of 22 had been favorably acted on by the Congress and have become public laws. Two were still before the President for his signature. Four others were passed by the Senate, but were not acted on by the House of Representatives, and two remained on the Senate Calendar when Congress adjourned.

As a member of the Senate Committees on Banking and Currency, Public Works, and the District of Columbia, I participated in committee work on such major legislation as the housing bill, the omnibus rivers and harbors bill, and the huge public-works bill for the Nation's Capital City.

When retail prices of coffee skyrocketed early this year, I introduced a resolution calling for a study of the coffee situation and was appointed chairman of a special Subcommittee on Coffee Prices. Public hearings were held and our investigation coincided and we cooperated with the Federal Trade Commission, which was investigating at the request of President Eisenhower.

My committee is continuing to study the factors which rapidly brought coffee prices to over $1 per pound, and in its report the Federal Trade Commission said the coffee price spiral "cannot be explained in terms of the competitive laws of supply and demand."

We are now studying the voluminous report by the Federal Trade Commission, and we will prepare such legislation as will meet the recommendations of FTC for introduction in Congress next January, and file our report before Congress convenes.

Since January 1953 my office has handled thousands of requests from the people of Maryland and we have been of service to numerous veterans, and at all times assisted and cooperated with anyone who has had a problem with any governmental agency.

Our efforts to have the new social-security building, which employs several thousand, located in the Baltimore area were successful and Congress appropriated over $20 million for construction. This new building and the over 4,000 employees will continue to add to the economic progress of Baltimore.

The project which gave me the greatest satisfaction was the granting by the Office of Defense Mobilization of a Certificate of Necessity for tax amortization to the Pittsburgh Plate Glass Co., which will build a new plant in Cumberland.

The Cumberland area has had a labor surplus for a number of years and the location of this new plant in Cumberland will help the city regain its place in the industrial world.

THE JOB AHEAD

This has been a very successful session of Congress as the record shows, and the Eisenhower administration has made great progress toward its goal of building a stronger America, but much remains to be done.

During both sessions of the 83d Congress I was proud of my voting record, which consistently supported President Eisenhower. Believing, as I do, that the President's program was in the best interest of every person in this country and that in order for that program to succeed it needed the support of every Republican in the Congress, I pledged myself to cooperate with, and to assist, the President in effecting that program.

The Congressional Quarterly, an independent authoritative congressional news service, selected 10 votes which they determined crucial in putting the President's program through Congress. In 9 out of 10 of those key votes I supported President Eisenhower, and the 1 time I defected was to vote against the St. Lawrence Seaway, a project which might take commerce away from the port of Baltimore.

The Baltimore Sun in a news story stated, "Senator J. GLENN BEALL, a stanch outspoken administration supporter, came through with a near perfect record for the Eisenhower program in the 83d Congress.

"Take away the St. Lawrence Seaway issue, an administration-backed measure," the article continued, "that both Senators voted against for sectional reasons and Senator BEALL gets a perfect 'A' in his backing of Mr. Eisenhower's program."

Earlier this year the Congressional Quarterly listed me as 1 of 18 Republican Senators who had been a consistent supporter of the President. The record shows that other than for the St. Lawrence Seaway my votes were for the Eisenhower program, and that includes every item on the President's list and I was pleased that my votes helped make it possible for the President to report that 54 of his bills had been passed by Congress.

Beginning in January I will continue to support President Eisenhower's program in the 84th Congress and I will join with him in his efforts to achieve "peace abroad, greater security, and greater and greater prosperity at home."

Your Right To Know

EXTENSION OF REMARKS
OF

HON. SAMUEL W. YORTY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. YORTY. Mr. Speaker, our form of government requires an informed citizenry. The people, themselves, must make decisions of basic importance. Obviously channels of communication between information sources and the people must be kept open and available to the maximum possible extent. In totalitarian countries the government monopolizes the channels of communication and shapes public opinion by depriving the people of all but one side of any question. Nothing is more vital to us than to guard against news monopolies in our country.

NEWSPAPER SUBSIDY

To encourage wide dissemination of information, newspapers and other news media are delivered by our post office at less than cost. The press is in this way subsidized by the taxpayers to the extent of $100 million annually. The newspapers quite properly fight for this subsidy in order to keep their mail subscription rates down and enable more persons to read their newspapers. They argue that the post office renders a governmental service and need not pay all its costs out of postal revenue as does private enterprise.

OTHER INFORMATION CHANNELS

But less-than-cost postal service to newspapers cannot of itself insure adequate public information. Most newspapers hold partisan views. In some areas the press is dominated by one political party. So, as a safeguard, other channels of communication are also kept open at less than cost by you, the people of America. One of these is the congressional frank which makes it possible for you to receive official speeches from the CONGRESSIONAL RECORD without postage. This method of keeping you informed at minimum cost is widely used by members of both political parties. It serves to prevent the party with large campaign funds from monopolizing the mail as a means of communication. It is a time honored and tested means of insuring you of the opportunity to learn both sides of public questions. It does involve some cost but not nearly so much as the annual subsidy you pay to have newspapers, magazines, and similar media delivered to you at a low rate.

SUBSIDY JUSTIFIED

Any newspaper that criticizes use of the congressional frank to keep you informed should pay first-class postage rates on its own product. If all newspapers published all sides of all questions the situation might be different. But as matters stand it is well that others besides the newspapers can use subsidized postal service to keep you informed. The newspapers, which are after all private profit enterprises, have no right to a monopoly on less-than-cost postal service. Most of them would not want this. I have always had great respect for our free press. I have consistently tried to maintain and protect the privilege they have of getting their product delivered to you through the mails at less than cost. I think this is important to you as a citizen who must have full information.

POSTAL PAY VETO AND RATES

The President vetoed a bill increasing the salaries of postal employees because the Congress failed to increase postal rates to cover the increased cost. But the administration had proposed an increase in first-class letter rates from 3 cents to 4 cents, although this class of mail more than pays its way at 3 cents and is the class used by most citizens for everyday correspondence. The administration also wanted to increase airmail rates which are already high enough. The proposed increase in mail rates for newspapers was relatively small but was opposed by most of the press and I think properly. Newspaper mail subscription rates should be kept as low as possible, not for the benefit of the newspapers but for the benefit of the public.

ADVERTISING TECHNIQUE IN POLITICS

We live in an age of high-powered propaganda and advertising techniques. Of course, the party in power enjoys an advantage in getting into the news columns. No administration in the history of our Nation has relied on advertising-agency techniques and professional publicity men to the extent of the present one. Even a simple Presidential report to the people is elaborately staged with teleprompters, cue cards, rehearsals, and all the tricks and paraphernalia of the professionals. I think this has been carried to such an extreme that the President's naturalness is affected. His true personality is lost in a maze of elaborate props. He loses something and so do the people.

The use of professional propaganda techniques by the administration has made a true appraisal of its actions more difficult. The press releases for public consumption and the actual facts are hard to match up. Then, too, there is often as much significance in what is omitted as in what is said.

ANTICALIFORNIA ACTIONS

There has not been much emphasis in the administration's news releases in California concerning the administration's attack on California's vital water rights by its backing of the Frying Pan-Arkansas diversion and the upper Colorado storage project. Our competent engineers and lawyers are alarmed at the implications of these bills. The bills were stopped primarily by the Democrats, but with the help of many independent Republicans, but they will be back next session with administration support and California will be hard put to stop them. Incidentally, the administration seems to be inclined to be unfriendly to California. Troopships were, without careful consideration, transferred away from San Francisco at great loss to our State. Not even the fourth *Forrestal* aircraft carrier was scheduled for west-coast construction. Our shipyards have not been awarded a fair proportion of available work. The Air Academy went to Colorado although California would have provided an ideal site. The great Trinity River project is still stalled while far less feasible projects in other States are pushed. All in all, it certainly cannot be said that the Republicans are good for California.

FARM FACTS

Other facts need to be carefully considered by our citizens. Farm prices are to be flexed further downward although farm mortgage debt is increasing, prices paid by farmers are up, prices received by farmers are down, and prices paid by consumers are as high as ever. No real effort to end surpluses by increased consumption has been made. In fact a cut in school-lunch funds was attempted.

UNEMPLOYMENT

Unemployment has returned to haunt the homes of many of our workers. We are now supposed to be pleased when unemployment just does not get worse, although our growing population makes it essential that we constantly expand our labor force. We are asked to think it unimportant that 4 to 5 million willing workers are without employment. Among them are many veterans in need of special job placement help, yet Veterans' Employment Service funds are being

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diverted to other purposes and the service sharply curtailed.

ROAD PROGRAM DEFERRED

Our roads are literally falling apart. In spite of the glowing, deceptive news releases the much-heralded roads-expansion program was only authorized for commencement in the middle of 1955. The sound and meritorious Hearst highway program was shunted aside.

NO SCHOOL FUNDS

A modest appropriation for construction of school classrooms was refused, although even the wealthier States like California are critically short of school facilities.

TAX FAVORITISM

Taxes were reduced, but except for special groups there was no real attempt to help those least able to pay. Dividends from corporation stocks were granted preferred tax status. An increased personal income-tax exemption of benefit to all was refused. In spite of the boasting of a great overall tax revision, the discrimination against individual workers, professionals, and business proprietors as compared with those doing business in the corporate form, was not even remotely removed. For example, the individual cannot add to his personal tax-free income by driving a corporation-owned car at corporation expense, and charging many other items to the corporation.

The much-discussed double taxation of dividends fails to take into account the 52-percent ceiling on corporation taxes as against a ceiling in the 90's for individuals.

SOCIAL SECURITY

The Democratic-sponsored social-security system was improved, but the changes cannot be classed as substantial and appear to be motivated by political opportunism. This is so because the administration originally tried to put over a social-security tax freeze which would have jeopardized the social-security fund and made any increase in benefits impossible.

Those receiving old-age assistance were given no real help. The same is true of the totally disabled.

The health insurance proposals were so patently of no real merit or consequence that no one lamented their defeat.

DIPLOMATIC WEAKNESS

If one turns away from domestic affairs and turns to international matters, the need for public access to facts is even more pronounced. Cuts in our military strength were hailed as just the opposite. The Air Force program was first slashed and then subsequently restored with a consequent loss of 2 years time and a huge undisclosed waste of tax money. Military cuts contributed to diplomatic weakness and set off a chain of diplomatic defeats the like of which we have never seen. The bluff, bluster, and slogans failed to frighten our enemies. They must not be permitted to deceive our own people. Partisan propaganda and the administration press must not be permitted to obscure the facts of these international reverses, which are certain to have far-reaching consequences. Our people are entitled to the truth, irrespective of the effect upon the political fortunes of the party in power.

All in all, I do not think the Republican record in Washington is one in which they can take much pride. Hard money, unemployment, lower income, distressed farmers, diplomatic weakness, and a tendency to cut back and contract—to underrate the great American potential for expansion cannot be obscured for long by advertising-agency techniques.

The facts are certain to get out.

This Nation is comparatively new. We have come far but there are vast new horizons ahead if we have the faith and confidence to move forward in the bold manner befitting the great talent of our people.

Will Atomic Energy Serve or Destroy Humanity?

EXTENSION OF REMARKS

OF

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. HOLIFIELD. Mr. Speaker, the encouragement and support I have received in my fight on the atomic-energy bill are heartening indeed. Many people in my district, in personal talks and letters, have shown that they understand the fundamental issues at stake. Leading newspapers and magazines have endorsed my views. Many Members of the House and Senate stood with me in this legislative battle. Their kind and generous remarks about my work on the atomic-energy bill are deeply appreciated.

HOLIFIELD FIGHTS AGAINST ATOMIC MONOPOLY

Why did I make this fight? The answer is simple enough. As a member of the Joint Congressional Commitee on Atomic Energy—the committee that keeps watch on the atomic-energy program—I know that we stand on the threshold of a new atomic era, charting in these Halls of Congress the future course of atomic-energy development. This great new source of energy can serve humanity or destroy it.

If we legislate wisely, untold benefits will be realized by our people and by those of other lands. If we legislate carelessly, atomic-energy development will be fenced in by a few giant monopolies, withholding from the people the full benefits of atomic enterprise and causing other nations to turn away in disillusionment.

The people of the United States have brought about wonderful progress in atomic energy with their hard-earned tax dollars. The American people own the huge plants and the laboratories that are producing atomic weapons for defense and pioneering new peacetime uses for the atom. It is only right and fair that the people get back some real dividends when peacetime benefits begin to flow from their $12 billion investment in atomic energy.

ATOMIC BENEFITS MUST BE WIDELY SPREAD

That is why I fought for the right of all industry—big and little—to participate in atomic enterprise. I fought against restrictive patent provisions and concealed subsidies that would enable a few large corporations to maintain a stranglehold on this new field of industrial activity.

That is why I fought for the right of all agencies—public and private—to produce and distribute electrical power from atomic fission. I fought against the efforts of giant utility combines to put heavy toll charges on the flow of atomic power to our factories and farms and homes.

This is no academic debate. Within our lifetime atomic energy will come out of the laboratories and go to work. The tremendous energy generated in the splitting of atoms will be harnessed for heating and lighting our homes, for turning factory wheels, for doing the work of farm, mine, and mill. Atomic science will discover new and better ways of producing and preserving food, of testing metals and industrial equipment, of treating cancer and other dread diseases.

MEDICAL PROGRESS IN ATOMIC FIELD

Nearly 1,800 scientists are hard at work in research programs applying atomic discoveries to medicine and biology. New knowledge has been gained about cancer, heart disease, arthritis, and other serious maladies. I witnessed personally an important experiment in treating human brain tumor with atomic radiation at one of our national atomic laboratories.

In addition to supplying radioactive materials—radioisotopes—for medical research in hundreds of hospitals, medical schools, and clinics, the Atomic Energy Commission gives grants-in-aid for cancer research and has established four of its own clinical facilities for such research. The Argonne Cancer Research Hospital in Chicago, a $4 million project, is the largest ever built for this purpose.

Recently a portable X-ray machine, weighing under 20 pounds, has been developed. This device, costing less than $250, does not have to be connected with a power outlet. A radioactive thulium capsule in the machine does the work. Mobile units of this type in place of expensive and immovable X-ray machines, will bring medical care to more people at less cost.

At Los Angeles the UCLA atomic-energy project covers the complete range of the applications of atomic energy in the field of biology and medicine. Both in the breadth of its activities and the importance of its work, the UCLA atomic-energy project is one of the world centers of atomic knowledge in medicine and biology.

The University of California Medical School in San Francisco has a radiological laboratory which is one of the best equipped facilities of its kind in the world. This is one of the Nation's important centers for the development of

methods for the treatment of certain types of cancer.

CALIFORNIA HAS LEADING ATOMIC ROLE

As a matter of fact, California is one of the leading States in the Union in atomic-energy activities.

The Atomic Energy Commission has more than 39 contracts for unclassified research projects with California educational institutions and research establishments. Through these projects, the Commission and its contractors are seeking new knowledge in such varied fields as chemistry, physics, biology, biophysics, medicine, metallurgy and reactor development. California contracts represent nearly 10 percent of the Commission's unclassified research work.

The great University of California is certainly one of the most important organizations in the national atomic-energy program. The university, under a contract with the Atomic Energy Commission, operates the widely known Los Alamos Scientific Laboratory in New Mexico. In this facility the first development and production work on atomic weapons was carried out during the war. It is today the outstanding institution of its kind in the world.

The world center of development of electronuclear accelerators is at the University of California's radiation laboratory at Berkeley. This is the site of the Bevatron, the most powerful atom-splitter in the world.

An important part of the complex of atomic energy research installations in the bay area is the Livermore Laboratory, which is primarily a weapons development center.

The naval ordnance research at Inyokern has been an important contributor to the Nation's atomic-energy program. The Salton Sea area is the site of test activities in connection with ballistic problems in the development of atomic weapons.

Two low-power research reactors are in operation in the State of California, one at Livermore and another at the North American Aviation Laboratory at Downey. Both were designed and built by North American Aviation.

Two of the important centers for both classified and unclassified research work in California are at the California Institute of Technology and Stanford University.

California's large stake in atomic energy is reflected in the fact that three of the State's congressional representatives are members of the Joint Committee on Atomic Energy. I am privileged to be a senior member of the committee, having served on it since it was established 8 years ago. Serving with me on the committee are the Senate majority leader, Senator KNOWLAND, and Congressman HINSHAW, of the 20th District.

The recent 16th semiannual report of the Atomic Energy Commission lists about a dozen important advisory groups to the Commission, covering all phases of the national atomic-energy program, with one or more Californians on each board or committee.

The same report of the Commission shows an even 100 California users of radioactive isotopes supplied by the Commission. These 100 users include manufacturing plants, industrial and university research groups, hospitals, clinics, individual doctors, and medical schools. Their experiments in every field of knowledge involve more than 250 different radioactive isotopes.

ATOM SPELLS INDUSTRIAL PROGRESS

Among the California business firms actively engaged in the atomic-energy program are the Pacific Gas & Electric Co., the Bechtel Corp., the Fluor Corp., and Kaiser Engineers, Inc. Many others are doing important work of a developmental nature. Some are producing important items of equipment, particularly in the field of atomic instruments.

The value of the atom in making industrial production jobs easier, faster, and cheaper is recognized by leading California industries. Thus the petroleum industry, important in our State, uses radioactive instruments and materials in prospecting, well drilling, pipeline operations, and refining processes.

Experiments are going forward in the use of atomic energy to propel vehicles and to provide a new source of electricity. A pound of uranium, no bigger than two lumps of sugar, can produce as much energy as 1,500 tons of coal.

Already the Government has built and launched a submarine, the U. S. S. *Nautilus*, to be powered by atomic energy. If experiments on land-based models prove out, a submarine of this type can travel submerged around the circumference of the earth at high speed.

The time may not be too far off when ships, airplanes, and locomotives will be driven by atomic power.

An $85 million project is under way for the construction of a full-scale atomic reactor to produce 60,000 kilowatts of electricity. That is enough to supply a fair-sized city.

The Army engineers, jointly with the Atomic Energy Commission, have called for bids on the construction of a package atomic reactor that can be transported by the Army to remote places, such as Greenland, and used to provide heat and power.

As a member of the Joint Congressional Committee on Atomic Energy, I have insisted that the Government take steps to widen the basis of reactor construction so that many companies will acquire know-how in the atomic field.

The Atomic Energy Commission has now agreed to sponsor the building of five different types of atomic-power reactors. One of them, to cost $10 million, will be built for the Atomic Energy Commission by the California firm, North American Aviation. The company will assume $2.5 million of the total cost, and will furnish the reactor site, to be located near the company's field test laboratory in the Santa Susana Mountains, north of Los Angeles.

THE SHADOW OF ATOMIC WAR

As we strive to put the atom to work for peace and the welfare of mankind, we cannot ignore the ominous shadow of atomic war that hangs over our civilization.

The death-dealing capacity of atomic and hydrogen bombs has become so great that their use in modern warfare seems too horrible to contemplate. Yet we dare not let apathy and indifference rule our lives.

Now, if ever, there is a need for leadership of the highest type and cool, clear thinking by our Government officials. Above all it is imperative that the people know exactly the facts about atomic destruction. Only then can we begin to plan for a realistic and effective civil defense.

A few months ago, as an official observer, I flew in a helicopter over the site of a hydrogen bomb test explosion in the South Pacific. I saw a gaping hole in the ocean floor, at least a mile in diameter and almost 200 feet deep in the center. It has been estimated that it would take more than 4 million truck loads of gravel to fill this gigantic crater.

What this terrible explosive force could mean in the destruction of our homes and communities and our way of life must be stated again and again in clear, simple, and understandable terms by the most responsible authority in Government. I believe that the President of the United States is the official in the best position to know the real facts about atomic-hydrogen bombs and to share this knowledge with the people for the sake of national defense and survival. I have appealed to the President to make the facts known to the utmost degree consistent with national security.

I was pleased to note that the President permitted motion-picture films of the first atomic-hydrogen test explosions made in November 1952 to be shown to the public. I helped to make this film available to the people of my district. The scenes shown, impressive and startling as they are, pale into insignificance beside the results of the latest hydrogen bomb explosion.

WE NEED REALISTIC CIVIL DEFENSE

In the Congress, I have introduced legislation which would put civil-defense authorities on a par with the military and which would prepare the way for a realistic civil-defense program. I believe our people would be more willing and able to assume the burdens and sacrifices of self-protection if they are fully informed and convinced that our Federal Government can offer a workable civil-defense program.

Less big talk by national officials about massive retaliation and more sound planning to avert atomic warfare or to reduce its ruinous impact should be the order of the day.

The dangerous times in which we live offer no easy solutions. Yet I cannot believe that the destiny of mankind, under divine guidance, is a world of death and desolation, an atomic desert brought about by warring nations. A people alert, informed, and confident will exercise that powerful instinct for survival and keep their leaders striving constantly for peace.

I have faith in the American people. I believe they have the right to know the possibilities and the handicaps in their struggle to survive and be free. Without knowledge hope is empty and aspirations are blind.

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HOLIFIELD WORKS FOR PEACETIME ATOMIC USES

It has been a fascinating and sobering experience for me, as a member of the Joint Committee on Atomic Energy, to watch the development of this revolutionary new source of energy. The atomic program, dedicated these past 10 or 12 years mainly to building bigger military weapons for defense, now can direct more effort to the peaceful arts.

The vistas of opportunity it opens up are breathtaking. It holds forth the exciting promise of scientific and industrial progress, improved health and better living. As an individual citizen and as a Member of Congress I shall continue to work toward the goal of making the atom the kindly servant and not the evil destroyer of mankind.

Hagen Supported the New Social-Security Program With Increased Benefits

EXTENSION OF REMARKS
OF
HON. HAROLD C. HAGEN
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. HAGEN of Minnesota. Mr. Speaker, during the 83d Congress which is now coming to a close, I have worked for and supported legislation to increase the benefits under the social-security program. I was especially concerned to see that farmers were included.

I believe every person in the United States should come under social-security protection. The benefit age should be reduced from 65 years to 62 years.

Social security should be so improved that it will take the place of our present outdated old-age pension system.

Social-security payments at the age of 62 should not be denied on account of any other retirement or income benefits a person may be getting.

Although all the benefits I have worked for have not been enacted into law, I do believe this Congress has made a step in the right direction.

For the benefit of the citizens of my district, I would like to outline the benefits under the social-security program enacted by this Congress which I have supported and worked for during the past years:

INCREASED BENEFITS UNDER THE NEW SOCIAL-SECURITY PROGRAM

First. Average monthly wage: Your average monthly wage determines the amount of your benefits. The following chart will apply only if you worked at least 1½ years under the program since January 1, 1951.

(a) List by years all your earnings covered by social security, plus an estimate of your covered earnings up to the time you retire at age 65 or later. To realize the largest possible average monthly wage you may use either 1937 or 1951 as the starting date in your computation. Maximum covered annual earnings are as follows: 1937 through 1950, $3,000; 1951 through 1954, $3,600; after 1954, $4,200.

(b) In computing your average wage, you may cross out four of the lowest income years listed. You can cross off an additional year if you have more than 5 years of covered employment at any time. You can also cross off years in which you were under an extended total disability.

(c) Next, add the total wages earned in the years not crossed off. Divide by the number of months involved in the remaining years. This will give you your average monthly wage. Now locate this amount on the chart below under the heading "Average monthly wage."

Second. Monthly retirement pay: You and your wife, if both 65, will receive benefits as shown on the chart below. If your wife is under 65 when you retire, you will receive the benefit of a single person until she reaches 65. Your widow, at 65, will receive payments indicated whether or not you retire before your death. A woman with a wage record receives benefits in her own right if a higher amount will be realized.

INCREASED FAMILY SECURITY (SURVIVOR'S MONTHLY BENEFITS)

Third. Surviving widow: Your widow, if you leave children under age 18, is entitled to benefits shown on the chart below, regardless of her age as long as any child is under the age of 18 years.

Fourth. Surviving parents or orphans: Your mother or father who are dependent on you are eligible for benefits only if there is no surviving widow or child. Benefits for a parent, age 65, and also for one orphan under 18 years, are shown on the chart. Two parents, or two or more orphans receive correspondingly larger amounts.

Fifth: Lump sum at death: Lump-sum payments are in addition to benefits to eligible survivors. In the event there is no widow or widower surviving, the payment is made to the person paying burial expenses.

Now find the amount payable in your case in the columns opposite the amount you have determined to be your average wage:

Estimated average monthly earnings to age 65	Monthly retirement payments at age 65			Monthly payments to surviving widow with—			Monthly payments to dependent parents or orphan	Lump-sum payment at death
	Husband and wife	Single	Widow	3 children	2 children	1 child		
$54	$45	$30	$30	$50	$50	$45	$30	$90
$80	66	44	33	66	66	66	33	132
$100	82	55	41	82	82	82	41	167
$120	93	62	46	96	96	93	46	189
$140	99	66	49	112	112	99	49	195
$150	102	68	51	120	120	102	51	205
$160	105	70	52	128	128	105	52	211
$170	108	72	54	136	136	108	54	217
$180	111	74	55	144	144	111	55	223
$190	114	76	57	152	152	114	57	229
$200	117	78	58	160	157	117	58	235
$210	120	80	60	168	161	120	60	241
$220	123	82	61	176	165	123	61	247
$230	126	84	63	184	169	126	63	253
$240	129	86	64	192	173	129	64	255
$250	132	88	66	200	177	132	66	255
$260	135	90	67	200	181	135	67	255
$270	138	92	69	200	185	138	69	255
$280	141	94	70	200	189	141	70	255
$290	144	96	72	200	193	144	72	255
$300	147	98	73	200	197	147	73	255
$310	150	100	75	200	200	150	75	255
$320	153	102	76	200	200	153	76	255
$330	156	104	78	200	200	156	78	255
$340	159	106	79	200	200	159	79	255
$350	162	108	81	200	200	162	81	255

Thaddeus Kosciuszko

EXTENSION OF REMARKS
OF
HON. ROBERT CROSSER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. CROSSER. Mr. Speaker, because of my admiration for the character and life of Thaddeus Kosciuszko, who was born February 12, 1746, at Siechnowicze, Poland, more than 200 years ago, I wish at this late hour of the session to refer briefly to the statement written by America's great champion of democracy, Thomas Jefferson, at the time he was Secretary of State, to Gates:

I see Kosciuszko often. He is the purest son of liberty among you all that I have ever known, the kind of liberty which extends to all, not only to the rich.

On January 23, 1798, Congress authorized the Secretary of the Treasury to issue to Kosciuszko a certificate of indebtedness of $12,260.54 with interest at 6 percent, from January 7, 1793, to December 31, 1797. The final settlement of the account was made by a payment amounting to $15,227.87.

I desire also to have reprinted in connection with this statement a copy of Kosciuszko's will, which is in the following language:

I, Thaddeus Kosciuszko, being just in my departure from America, do hereby declare and direct that should I make no other testamentary disposition of my property in the United States thereby authorize my friend, Thomas Jefferson, to employ the whole thereof in purchasing Negroes from among his own as any others and giving them liberty in my name in giving them an education in trades and otherwise, and in having them instructed for their new condition in the duties of morality which may make them good neighbors, good fathers, or

mothers, husbands or wives in their duties as citizens, teaching them to be defenders of their liberty and country and of the good order of society and in whatsoever may make them happy and useful, and I make the said Thomas Jefferson my executor of this.

T. KOSCIUSZKO.

Fifth day of May 1798.

There was difficulty in putting this testament into effect as Jefferson was of advanced age at the time of Kosciuszko's death. It was never carried out, but in 1826 the legacy went to found the Colored School at Newark, the first educational institute for Negroes in the United States, and which bore Kosciuszko's name.

The foregoing quotations give evidence of the fact that Kosciuszko was a man of very great character, a sincere and earnest champion of liberty. Many men who lived 200 years ago, or even less time ago, had demonstrated skill in warfare, which was a common occurrence in the Old World at that time. No European of whom I know, who had training and ability in military affairs, was in any way to be compared with the great Thaddeus Kosciuszko. None of them, I say, had developed the true love of liberty and understood the importance of freedom to the human race, and the degree of unselfishness and high understanding of political principles of popular government as had Kosciuszko.

I am pleased to have the opportunity to pay this brief tribute to a character whom I have so long admired.

Accomplishments of the 83d Congress and Eisenhower Administration

EXTENSION OF REMARKS

OF

HON. HOMER FERGUSON

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. FERGUSON. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by me relative to the accomplishments of the 83d Congress and the Eisenhower administration.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Through cooperative effort the Republican 83d Congress and the Eisenhower administration attained three major goals which can be simply stated as peace, preparedness, and prosperity.

These were our major accomplishments:

We guided the Nation away from involvement in war and toward the heartfelt desire of all Americans for peace.

We put into effect a preparedness program for military strength necessary for long-range security while maintaining a sound economy.

We demonstrated that there can be even greater prosperity for the American people under peacetime conditions than in wartime.

Here are the highlights of the Republican record covering the 19 months since President Eisenhower took office and the two sessions of the 83d Congress:

INTERNATIONAL AFFAIRS

Ending of the war and the casualties in Korea.

Keeping of United States troops out of Indochina and support of the truce to halt the prolonged conflict there.

Ratification of a mutual defense treaty with Korea and launching of a Korean rehabilitation program.

Signing of a mutual assistance agreement with Japan.

Support of the successful effort of a majority of the Guatemalan people to regain control of their government from the Communists.

Strengthening of the North Atlantic Treaty Organization (NATO).

Adoption of a resolution by both Houses of Congress against Red China's admission to the United Nations.

Senate adoption of a resolution calling upon President Eisenhower to take appropriate steps consistent with our constitutional processes to restore German sovereignty. This resolution takes on added significance in view of the French National Assembly's vote of August 30, 1954, to postpone debate indefinitely on the 6-nation European Defense Community (EDC) Treaty.

Acquisition of military bases in Spain and the Netherlands and strengthening of bases elsewhere.

Ratification of treaties on the status of United States forces in Europe.

Signing of the declaration by Western Hemisphere nations at the Caracas, Venezuela, conference holding Communist imperialism to be a menace to all.

Settling of the oil controversy in Iran, thus thwarting Communist designs on the oilfields there.

Continuance, but on a reduced basis, of foreign aid.

Improvement of the international information program, including the Voice of America.

Extension of the trade-agreements program.

Passage of the Refugee Relief Act to admit up to 214,000 persons to the United States in excess of the quota limitation, including many orphaned children.

Sending of food to East Germany and the Danube River flood sufferers behind the Iron Curtain.

Launching of a large-scale surplus food-disposal program to help hungry peoples of the world.

Senate adoption of the resolution condemning persecution of minority groups by Russia and Soviet satellite countries.

Adoption by both Houses of Congress of a concurrent resolution urging free elections in East Germany and early unification of Germany.

Laying of groundwork for an international pool of atomic energy resources for peacetime uses.

NATIONAL DEFENSE

Overhauling of national-defense program to achieve adequate security for the long pull with emphasis on combat effectiveness and mobility of the Armed Forces and elimination of waste and extravagance.

Appropriation by Congress of $28.8 billion for the Defense Establishment. This sum, plus $55 billion in carryover funds, makes a total of $83.8 billion available for defense. While this gigantic sum is available, our defense strategists, headed by President Eisenhower, have determined that only $36 billion should be spent this year if we are to keep a strong peacetime economy.

A steady buildup and improvement in the Nation's airpower. Today the Air Force has 115 wings activated—70 percent more wings in the highest category of readiness than last year. Plans call for 120 Air Force wings by June 1955, and 137 wings by June 1957.

Greater attention to continental defense.

Revision of the Atomic Energy Act, including authority for Government to share information on atomic weapons with allies in a common defense against Communist aggression.

Establishment of an Air Force Academy, to be located at Colorado Springs, Colo.

Enlargement of the military- and naval-construction program.

NATIONAL ECONOMY

Greatest prosperity in Nation's history achieved since the start of the Republican administration and the 83d Congress, despite adjustments required in a changeover from a war to a peace economy.

Wages, income, employment, production of goods, and services—all higher in 1953 and 1954 than in the years of most favorable economic activity when Democrats were in power.

Freeing of workers, farmers, and businessmen from wage, price, and other restrictive controls.

Cost of living held down. Purchasing power of the dollar has varied only one-half cent in the last 19 months. Under the Truman administration the cost of living rose an average of 6 percent a year.

Special aids extended to small business, including creation of Small Business Administration to make loans to small business firms and assist them in obtaining an equitable share of Government orders for equipment and supplies.

Extension of unemployment insurance benefits to 4 million additional workers and improved financing of unemployment insurance program.

Reduction of Federal Government competition with private business.

Restoration of collective bargaining through Government policy of nonintervention in labor-management affairs of nonemergency nature.

Increase in Federal research funds for development of new ideas and technological processes which will create more jobs and better products.

RESOURCE DEVELOPMENT—PUBLIC WORKS

Inauguration of vast public-works program for all America. It includes:

St. Lawrence Seaway project to connect the Great Lakes with the Atlantic Ocean. Democrats talked about the seaway project for years; Republicans acted.

Most comprehensive Federal-State highway-construction program in history for development of 40,000 miles of roads in the Nation. Even greater road development will result from President Eisenhower's proposed $50 billion highway program.

Authorization of more than $1 billion for flood control, river and harbor work, and beach-erosion projects.

Provision in new Atomic Energy Act for development of peacetime uses of atomic energy, with private enterprise taking an important part.

Reclamation projects, power dams, and public-buildings construction.

A ship modernization and construction program for improvement and strengthening of the merchant marine.

All of these new public works will create more jobs, stimulate manufacturing, and bolster the entire economy.

Congress also authorized return to the States control over submerged lands within their historic boundaries with retention by the Federal Government of all of the offshore lands on the outer Continental Shelf. The outer shelf contains almost nine-tenths of all offshore lands and it is estimated that 83 percent of mineral deposits in offshore lands are in the outer shelf.

HOUSING

Through passage of the Housing Act of 1954 and related laws home ownership was brought within reach of additional thousands of American families. This act authorizes lower down payments, lower monthly payments, and longer periods of loan repayment under the FHA mortgage-insurance program. The act also provides for clearance and redevelopment of slum

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areas and includes authority for construction of up to 35,000 additional federally aided public low-rent housing units. The public projects are to be used primarily to house families displaced by slum-clearance work.

FINANCE AND TAXATION

Republican administration advanced over two-thirds of way toward balancing the Democratic deficit-riddled Federal budget by substantial cuts in appropriations in both sessions of the 83d Congress.

Reduction of fiscal year 1954 appropriations $20 billion below those of fiscal year 1953 was the largest peacetime decline in the level of appropriations in a single year in the history of the Government.

Federal expenditures for fiscal year 1954 were $10 billion below those proposed by Mr. Truman in his last budget, and $6.5 billion under the amount spent in fiscal year 1953. The budget deficit declined from $9.4 billion for fiscal year 1953 to $3 billion for fiscal year 1954.

Republican economy made possible tax reductions totaling $7.4 billion. Millions of persons and thousands of businesses throughout the Nation will be benefited by income-tax reduction, excise-tax cuts, and reductions and adjustments provided for in tax revision act, the first complete revision in Federal tax laws in 75 years.

AGRICULTURE

Long farm-price decline arrested.

New long-range flexible price-support program devised to promote stable, productive, prosperous agriculture for benefit of entire Nation. Agricultural Act of 1954 designed to provide an effective floor under farm prices while avoiding accumulation of price-depressing surpluses.

Improvements initiated and funds increased for REA electricity and telephone programs, soil, water, and forest-conservation work, and agricultural research and education.

Grain-storage facilities expanded to increase effectiveness of price-support operations.

Drought-stricken farmers and stockmen aided.

Legislation enacted to dispose of surplus agricultural commodities through barter arrangements with foreign countries, expansion of school-lunch program, and distribution of food to those in need both at home and abroad.

Agricultural attachés transferred from State Department to Department of Agriculture in the interest of promoting increased markets abroad for products of American farms.

SOCIAL SECURITY

New Social Security Act brings 10.2 million more persons into social-security system and increases benefits to persons now drawing social-security checks. Railroad retirement benefits also liberalized.

HEALTH, EDUCATION, WELFARE

Nation's health, education, and welfare activities given a big push forward by consolidation of all major agencies and programs in these fields into a single department, headed by Mrs. Oveta Culp Hobby.

Federal aid in the operation and construction of schools in areas overcrowded because of national-defense activities continued.

Federal Office of Education authorized to contract and cooperate with institutions of higher learning and other educational agencies for research, surveys, and demonstrations, and to establish a National Advisory Committee to aid in supervising educational problems.

To safeguard the Nation's health, the law authorizing Federal aid in hospital construction was extended and expanded to help the aged, chronically ill, and physically disabled.

A broader program of vocational rehabilitation authorized.

CIVIL SERVICE

The 83d Congress and the executive department also combined to develop and adopt a program of improvements for the civil-service system that constitutes a marked advance in the benefits received by Government employees.

For the first time in history, group-life insurance and unemployment compensation benefits similar to those enjoyed by workers in private industry were provided most Federal employees under the terms of two congressional acts. Longevity-pay increases were authorized for the civil service scale except in the three highest classified service grades. An equitable system for overtime pay was established in the executive departments.

The Republican administration liberalized incentive award programs and made them applicable to all employees. Arbitrary restrictions upon the accumulation of annual leave were repealed. Restrictions on permanent promotions and reinstatements of former career employees were removed and the statutory limit on the number of employees in the executive branch was adjusted to meet present-day needs.

VETERANS

In the field of veterans' legislation, the Republican Congress approved a 5-percent increase in pensions for veterans of all wars and their widows and other dependents. The fund for building veterans' hospitals was increased to a record high and construction speeded. Financing of homes and farms for veterans was made easier. Korean veterans were given the same benefits and preferences as World War II veterans. The system of veterans' life insurance was simplified. The Veterans' Administration itself was reorganized for greater service.

CIVIL RIGHTS

Republicans vigorously pushed civil and political rights. The administration's Attorney General argued strongly for the Supreme Court decision ending segregation in the public schools. Discrimination came to an end in the armed services, veterans' programs, and in the awarding of Government contracts. Negroes were appointed to more high political and civil service posts than ever before.

COMMUNISM

After 20 years of stubborn minority effort, Republicans obtained the position within the Government in 1953 from which they could really grapple with the Communist issue. Fellow travelers in the Government are no longer protected. The net result is this: at last governmental machinery for dealing with the threat has been designed, set up, and put into vigorous action. The United States is now the only country in the free world equipped to do this job and do it with due regard for the Constitution and the Bill of Rights. It is a Republican triumph of the first magnitude.

The President has established new security regulations that are fair, honest, and written in language anybody can understand. The new Internal Security Division in the Department of Justice was organized to give exclusive attention to vigorous prosecution of antisubversive laws. Communist leaders have been convicted and jailed. Subversive aliens have been deported. Security risks have been weeded out of Federal employment. Labor unions have been given weapons to protect themselves against Communist inroads. In short, Republicans take seriously the idea this is a free country and that Americans do not propose to surrender their freedom.

A series of eight measures enacted by Congress strengthens the hand of the Executive in combating the Communist conspiracy in this country. These laws provide for—

No. 1. Outlawing the Communist Party and determining the identity of certain Communist-infiltrated organizations.

No. 2. Making it possible to grant immunity to witnesses testifying before congressional committees. Under this measure subversives will no longer find an easy refuge in the fifth amendment. Furthermore, witnesses, who otherwise might be perfectly willing to testify but who dread penalties, are now encouraged to give evidence that will throw additional light on the conspiracy.

No. 3. Imposing heavier penalties for concealing persons from arrest. Only light penalties could be imposed upon the four Communists who concealed Robert Thompson in the Sierra Mountains for months before the FBI ran him to ground. Thompson was 1 of the 11 Communist leaders convicted in 1949 in the first Smith Act trial. Under the new measure much stiffer penalties can be imposed for harboring fugitives.

No. 4. Imposing heavier penalties on bail jumpers. The genesis of this measure was the Gerhart Eisler case. Eisler, a top Communist agent, escaped from New York on the Polish ship *Batory* after he had been indicted for passport violation.

No. 5. Denial of a Government pension or retirement benefits to any Government employee convicted of a felony. This measure is known as the Alger Hiss bill.

No. 6. Revocation of citizenship of persons convicted under the Smith Act of engaging in treason, joining a movement to overthrow the Government by force and violence, or plotting against the Government.

No. 7. Making peacetime spying a capital offense, including the death penalty. The 10-year statute of limitations on peacetime espionage was removed.

No. 8. Requiring all printing presses and other processing equipment owned, controlled, or used by Communists to be registered with the Attorney General.

HONESTY IN GOVERNMENT

The Republican Congress and the Eisenhower administration worked together to clean up the mess inherited from the Truman administration. Honesty and integrity in the Federal Government have been restored. Crooks and grafters have been ousted from Federal office. Several hundred tax evasion cases have been referred for prosecution—cases which were hidden in desk drawers during the previous administration. Some of these cases involved tax exemption of racketeers and underworld characters who had contributed to the previous administration's campaigns. A total of 388 Internal Revenue officials have been separated from their positions and 60 were convicted in 1953 alone. Nine high-placed individuals were indicted in a crooked surplus ship deal. All pardons are now made public. Both the Congress and executive department uncovered irregularities and windfall profits in FHA-insured housing project loan cases.

Question of the Week

EXTENSION OF REMARKS

OF

HON. GEORGE H. BENDER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. BENDER. Mr. Speaker, what was that those "experts"* were saying about the weakness of Chiang Kai-shek's Formosa forces?

*Synonym for Democrats.

A Report to South Dakota From Your Senator

EXTENSION OF REMARKS
OF

HON. KARL E. MUNDT

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. MUNDT. Mr. President, I ask unanimous consent to have printed in the RECORD my report to the people of South Dakota regarding the achievements of the current session of the 83d Congress and its effect on the State of South Dakota.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

As we near the end of another session of Congress, I want to follow my custom of making a report to the people of South Dakota concerning some of the achievements of special interest to our State which have taken place during the current session of Congress.

In a way, this has been an unusual session of Congress in that it is only the second Republican Congress to sit in Washington since 1930 at which time the Republicans lost control of Congress to the opposition party midway in the administration of President Hoover. In addition, this session of Congress has been the first Republican Congress to serve under a Republican President for nearly a quarter of a century. Thus a report on its activities and accomplishments is something of more than normal interest to all Americans.

If I were asked to select a single word to characterize the record of this 83d Congress—this Republican Congress working together with President Dwight D. Eisenhower—I would select the term "active." It has been one of the most active sessions of Congress and one passing more legislation of direct benefit to more people than any to convene in Washington since the turn of the century.

Very definitely it has been a "do-something" hard working constructive session of Congress. Credit for its remarkable record of achievement must go to both Democratic and Republican Members of Congress since the margin of majority in both Houses was so slender that it took bipartisan support by both Democrats and Republicans to pass virtually every item on our agenda of achievement. In freely extending these words of commendation to our Democratic colleagues, I do not detract one iota from the great credit due President Eisenhower, himself, and to Speaker MARTIN of the House of Representatives and to Majority Leader KNOWLAND of the United States Senate. Indeed, in this great record of achievement there is credit enough for all.

It can honestly be reported to the good folks of South Dakota that this 83d Congress was in a very true sense "a peoples' Congress." No one segment of our economy, no one section of the country, no one political party, and no one class or group such as labor, agriculture, industry, small business, or the professions was singled out for special treatment or favored considerations. Under the leadership of that great American whom millions of our citizens call "Ike," this Congress kept its eye on the general welfare of all the people and its record clearly demonstrates that its goal was in fact "a fair chance for a free people" rather than favors for some and penalties for others.

Of course, the greatest achievement of the first 20 months of the Eisenhower administration was one for which Congress cannot alone claim credit. I refer, naturally, to the ending of the Korean war and the development of foreign policies which have helped bring to all the world the global peace for which all of us, regardless of party, have for so long hoped and prayed. Had President Eisenhower done nothing else than to provide the needed world leadership to bring order out of chaos, to present a firm front against Communist aggression, to put an end to the blood letting in Korea, and to start the welcome homeward trek of American boys in uniform from far-flung battle lines to their homes on the farms and in the towns and cities of America he would go down in history as a President of remarkable achievement.

Not since the opening days of World War II, have we had actual world peace until the ending of the Korean war followed by the peace settlement in Indochina brought to people everywhere the blessings of peace and the prospect for orderly world affairs. While the menace of imperialistic, warlike, and aggressive communism still haunts the world the fact that for the first time for a quarter of a century it can be reported in August of 1954 that no armies anywhere are shooting and killing the defenders of another country is indeed most encouraging evidence of the accomplishments of President Eisenhower and Secretary Dulles in world leadership. The implementation of these foreign policies by congressional resolutions, by appropriations, and by legislative acts ranks high among the achievements also of this 83d Congress.

Turning to specific accomplishments which should be brought to the attention of Americans everywhere, Mr. President, permit me now to list in separate sections some of the achievements of this Republican 83d Congress and the Eisenhower administration which are of special interest to the great farm State of South Dakota:

Indicative of the validity of using the term "action" as the best word in the English language to describe the record of the 83d Congress is the fact for example that on four separate fronts this session of Congress took action on problems on which earlier sessions of Congress have done nothing but talk for many, many years. For over 20 years, Congresses have talked and Presidents have proclaimed about the desirability of building the St. Lawrence Seaway which ultimately will make a salt-water port of Duluth, Minn., and greatly reduce transportation rates for heavy freight moving in and out of South Dakota. However no Congressional action ever materialized until this year when with Eisenhower's urging from the White House and Members of Congress working "on the Hill" the legislation authorizing the building of the great seaway finally and firmly became law.

Likewise with taxes. This session of Congress passed the first major tax-reform legislation in 75 years. Others had talked of the need of simplifying income-tax returns, of giving tax credits to farmers and small-business men on the same basis as have long been enjoyed by large industries and corporations, and of extending other credits and considerations to hard pressed taxpayers all along the line. Again, the tax reform proposals never got beyond the talking stage until the 83d Congress under the leadership of Secretary of the Treasury George Humphrey actually went to work developing the correctives. As a result, taxpayers paying taxes in 1955 will be both surprised and gratified by the many new concessions and reductions accorded them. In addition, new studies are already underway for the purpose of adding still more correctives and concessions in the next session of Congress. All of this was made possible, of course, only because of the vigorous economy program of President Eisenhower's administration and the sharp decreases in Federal expenditures both at home and abroad. For example, we already have more than 245,000 fewer employees on the Federal payroll than when President Eisenhower took office.

Highways are as essential to the growth and development of farm and community opportunities, today, as railroads were 100 years ago. Hence, this Congress devoted itself to that problem and as a result the largest highway building program in American history was voted by Congress and signed by President Eisenhower. Special emphasis was placed on farm-to-market roads as was right and proper. In addition, President Eisenhower has recently announced advocacy of a still larger and more extensive program of improving the Nation's highways. As every American shares in the increased safety and convenience of motoring and the availability of roads leading to market, this is a national program of direct benefit to every American citizen.

The fourth important action area of the 83d Congress as contrasted with the talkative pattern of earlier Congresses was the legislation establishing a West Point of the air in the form of a new national Academy to train young men for flight duty with America's growing Air Force. This has been talked about by many Congresses as our national defense has come to rely increasingly upon aviation and its associated activities. Not until President Eisenhower and the Republican 83d Congress came along, however, was action secured. Like West Point and Annapolis, this new National Air Academy will be something of which all Americans can take pride and training in which will be something to which many young Americans can confidently aspire.

AGRICULTURE

Speaking as a member of the Senate Committee on Agriculture, Mr. President, and as a South Dakotan representing one of the great agriculture States of the Union, I am convinced that agriculture is America's basic industry. The success of farming underlies the prosperity of our entire economy. I think it is correct to say, "As the prosperity of agriculture goes, so goes the prosperity of our entire Nation."

I was personally disappointed that Congress by a narrow majority adopted a price-support range of crop loans running from 82½ to 90 percent of parity for the 6 basic crops in place of the straight-across-the-board, 90-percent price-support loans which I advocated and which have been in effect for some time. I was one of those who worked and talked and fought and voted for an extension of the 90-percent price-support formula.

In fact, it was my vote as a member of the Senate Committee on Agriculture and Forestry which gave us the 8 to 7 majority in committee to report out favorably the 90-percent price-support extension provisions. I was also a member of the group writing the strong committee report favoring the continuance of 90-percent price supports on the basic farm commodities of corn, wheat, rice, tobacco, peanuts, and cotton. However, on the Senate floor we fell short by 5 votes of having sufficient support to have our committee bill adopted and those favoring a sliding range running from 82½ to 90 percent of parity defeated us by a narrow margin of votes.

The final action by Congress was secured by bipartisan action by those representing areas on the west and east coasts and by those representing city constituents. There was much crossing of party lines and on both the Democratic and Republican side of the center aisle were found active proponents as well as vigorous opponents of the 90-percent provisions. As Newsweek reported the farm vote, "it cut party lines into ribbons."

The determining factor was the area of the country from which a Senator or Representative came rather than the political party to which he belonged. Actually the

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strongest and most effective opponents of our 90-percent price-support position were 2 Democrats and 1 Republican: Senator CLINT ANDERSON, New Mexico, Democrat; Senator SPESSARD HOLLAND, Florida, Democrat; and Senator GEORGE AIKEN, Vermont, Republican. This so-called big three of our Senate Agriculture Committee have long led the fight for so-called flexible price supports.

On the other hand, the strongest and most effective supporters of the 90 percent price support extension were also recruited from both political parties. They included Senator MILTON YOUNG, of North Dakota, Senator ED THYE, of Minnesota, both Republicans; and Senator HUBERT HUMPHREY, of Minnesota, and Senator ALLEN ELLENDER, of Louisiana, both Democrats. All are members of our Senate Agricultural Committee. In that capacity, I was happy to join with the foregoing Senators and others of my colleagues in waging the best fight we could to support the extension of 90 percent price supports on our basic farm commodities.

As I stated immediately after the Senate vote, a single defeat on a single vote is not going to end the battle for farm parity. That fight shall and will go on. We are already at work planning amendments to be introduced in the next session of Congress to move toward the goal of securing for every farmer in America the full parity income to which he is entitled.

While our efforts in this session did not result in a total victory neither were they marked by total defeat. The Anderson-Aiken-Holland group had favored sliding price supports ranging from 75 percent of parity to 90 percent. On the other hand, the Young-Thye-Humphrey-Ellender-Mundt group had votes enough to defeat that proposal. Hence, in last-minute strategy those opposing the 90 percent price supports extension modified their position and moved to raise their price support proposal upward so that the bottom level would be 82½ percent rather than 75 percent of parity. By this strategy they picked up enough additional votes to defeat our straight 90 percent proposal but the compromise of course means that price supports on basics must be set at 82½ percent or higher and that they cannot drop below that halfway point between 75 and 90. While we did not get all we fought for this will give us the highest price supports in peacetime American history.

There is another element of real hope for the future of farming in the big Senate debate on agriculture and the final action that was taken. Advocates both of the sliding scale ranging from 82½ to 90 percent and of the straight 90 percent price support extension on the 6 basic commodities (of which only corn and wheat are produced in South Dakota) publicly expressed their desire and determination that farmers should receive full parity income. That means that while the price of any single commodity might range below parity the prices of other commodities must be enough above parity so that the whole income picture of the farmer should attain 100 percent parity with that of his city cousins working in industry or operating industrial enterprises. It is encouraging to realize that the fight for parity has at least been won to the extent that Senators and Representatives from all farming sections of the country now advocate the desirability of developing programs designed to give the farm family full parity.

The dispute and the argument is all about methods. Some argue that flexible supports for the basics with other programs designed to help producers of the nonbasic farm products will more quickly give the farmer 100 percent parity income for his full farm operation than will a program of 90 percent straight-out price supports for the basic commodities. Since this theory is now to be given an opportunity to test itself in actual practice (between the price ranges of 82½ to 90 percent), I naturally hope that it will work and that as a result farmers can start receiving a fair price for a full crop without the necessity of curtailing production and of having many acres of their farm tract lying idle in each crop year. Obviously, even 100 percent price supports for wheat, for example, will not provide a farmer with full parity income if he is required to leave from 20 to 40 percent of his wheat acres lying unproductive every year.

At best, such a 100-percent price-support program would result in a "parity income" for that farmer of from only 80 to 60 persent insofar as his wheat acreage is concerned. What is needed is a program to produce 100 percent parity income from the farm—and that will require that all of a farmer's acres contribute to his income and that all of his products sell at prices which will average out at parity. It remains my personal conviction, Mr. President, that the program of 90 percent price supports which I supported is best designated to produce this result until we can evolve and legislate some better formula for farm prosperity. However, if the revised program will do the job, I shall be among the first to salute it. If it does not do the job, however, I shall remain among those insisting that we replace it with a program which will result in our farmers receiving the 100 percent parity income they deserve. As a member of the very important Senate Committee on Agriculture and Forestry, I pledge myself to this assignment. The fight for parity will go on until its objectives are achieved.

Quite apart from the big debate over the best method to employ to assure our farmers of parity income, this 83d Congress has taken some very important and noteworthy steps to benefit the American farmer. In fact, except for the change in the parity-producing formula, I would label this Congress one of America's best insofar as producing helpful results for our farmers is concerned.

Let me list here, sir, a few of these helpful steps which this Congress and President Eisenhower have taken during the past 20 months which are certain to make farming more attractive and more profitable. Of special note are several actions by Congress enabling the farmer to keep on the farm more of the income which he receives for his labors and his products. After all, stay-on-the-farm income for the farmer is all that actually counts. Whenever the tax collector or the manufacturer takes from the farmer an undue amount of what he gets for his products, he is decreasing the farmer's stay-on-the-farm income and depriving him of money he needs to support and educate his family. Our farmers are not simply interested in handling a lot of money—what they want and need is a program of economic life which will enable them to keep on the farm and in their family bank account the money required to prosper and to get ahead. This Congress has moved rapidly and far in the direction of enabling the Nation's farmers to retain for themselves more of the money that they take in.

SOME IMPORTANT NEW BENEFITS FOR FARMERS

Included in the new farm bill, for example, are many features of which South Dakota farmers generally are certain to approve once they learn all the details. Let me list some of them here: (1) Wool is an important product in South Dakota—this new bill for the first time provides price supports for well up to 110 percent of parity in an all-out effort to increase American wool production and to make woolgrowing attractive and profitable. (2) Agricultural surpluses have been placed in a setaside category to the tune of $2½ billion in surpluses. Henceforth they will not be figured in acreage allotments, in parity formula, or in determining price supports. Instead they are earmarked for use in war emergencies, in famine relief, for foreign aid, for school-lunch programs, drought relief in the United States of America, and for charitable institutions and undertakings. (3) South Dakota farmers and others practicing summer fallowing will be gratified to learn that the new farm bill makes special provisions for them by providing "bonus acres" to be planted to wheat as compared with areas where summer fallowing is now regularly practiced. (4) To further assist small farmers next year unclaimed acres will be redistributed within the county to farmers with the smallest tracts and farming the smaller farms. (5) The new farm bill also for the first time sets up "commercial wheat areas" which will mean great benefits for South Dakota wheat producers since it takes out of the wheat picture altogether those areas of the country raising only small patches of wheat for domestic feed purposes.

As I stated earlier, I did not vote for this new farm bill because I am dedicated to the extension of 90-percent price supports for our basic commodities until such time as I am convinced a better farm program is available. I shall continue my fight for parity for the American farmer in the next Congress. It is, however, only fair to point out that the five factors in the new farm bill which I have mentioned above are important steps in the direction of developing permanent farm prosperity and in providing conditions which will help our farmers achieve the full parity which they deserve and require. They are indeed five important steps in the right direction, and as a member of the Senate Committee on Agriculture and Forestry I voted for all of them in committee and, in fact, helped to develop and write some of them which are of special importance to South Dakota.

FARMERS RECEIVE OTHER ASSISTS FROM 83D CONGRESS

In addition, our American farmers have received still other direct benefits from the Eisenhower administration and from this Republican 83d Congress. As the full program of Congress is carefully studied and understood, it will be realized that a great deal has been accomplished in providing our farmers with that cherished goal of "peace with prosperity" and "progress with freedom."

In fact, from the standpoint of "stay-on-the-farm-income"—and I repeat, that is the income which really counts and which actually helps the farmer—this Republican 83d Congress has granted concessions and established rights for the American farmer which he has never before had. I am mighty happy to have been among those supporting these new "assists" which are going to mean so much to American agriculture.

Permit me to list some of these new farm benefits at this point: (1) The new tax reduction bill for the first time gives the farmers of America the rights and privileges to depreciate the farm machinery and equipment which they buy as the same fast depreciation rate for tax purposes that the Democratic Congresses have for the past several years provided to the large corporations producing farm machinery, equipment, and supplies. To farmers purchasing large supplies of equipment, this can save the average farmer many hundreds of dollars and will, alone, more than compensate for a few cents per bushel less income which peacetime prices may bring in as against the higher prices always accompanying a bloody war. (2) Also, I am the author of an amendment which passed the Congress enabling farmers to deduct from taxes the cost of replacement animals which they must buy to compensate for animals which are condemned and must be sold because of epidemic animal diseases. (3) The new Republican tax measure contains another even more important tax concession for the American farmer. Now for the first time when he pays his taxes the farmer can deduct the money he has spe..t

for soil and water-conservation practices up to a full 25 percent of his total farm income. Thus many conservation-minded farmers will be enabled to engage in soil and water-conservation practices who could never afford to do so before and hundreds of dollars will be used in rebuilding their productive acres instead of going to the tax collector.

Economists predict that the completion of the St. Lawrence Seaway will increase the price received by South Dakota farmers as much as 15 cents per bushel since the low-water rate of shipping grain to eastern terminals is so much cheaper than the high costs of railway transportation. This is positive, definite farm aid which continues in peacetime or war, in good economic times or bad. While Democratic Presidents promised this for years, they failed to authorize this seaway. President Eisenhower and the Republican 83d Congress faithfully kept their promises and now the long-hoped for seaway is to become a reality. Already there is talk of cheaper freight rates to South Dakota farmers as the railroads prepare to meet this new form of transportation competition and before the year is out we may well begin to realize cash dividends from this constructive Republican action.

As every farmer knows, there has been a drop in farm prices which began even before the end of the Korean war which was brought to a halt by President Eisenhower in keeping with his campaign promise. For example, from 1951 to 1953—the last 2 years of the Truman administration—farm prices dropped from 113 percent of parity (their wartime level) to 94 percent of parity, with the war still raging in Korea. That was a drop in the last 2 years of the Truman administration of 19 percent. Since that time and since President Eisenhower took office, peace has replaced war but the great drop in farm prices which had been predicted with the coming of peace did not take place. Instead, farm prices have dropped from the 94-percent level prevailing in the war-ridden months at the end of the Truman administration to a range running from 93 to 88 percent, with an average of 92 percent of parity for the first 2 years of the Eisenhower administration during which time peace has come not only to America but to the entire world.

Thus even in time of peace the sharp slide of farm prices starting in 1951 has been virtually stopped and the price range has leveled off. Our next job, of course, is to start the trend of farm prices upward again but this time we are determined to do it without war. We must not trade our boys for bank accounts. Blood money is not the goal of any American farmer.

For too many years we have been trying to build our American economy on borrowed money and on bleeding men. President Eisenhower is determined to provide peace with prosperity; progress with freedom; security with solvency. In a short 20 months, he is already making great strides toward those goals.

REA AND RTA

As a member of the Senate Committee on Appropriations, I am happy to report that the 83d Congress has supplied more money for REA loans than was available during the past 2 years of the Democratic administration. In fact, we have supplied more money than the REA co-ops have required and more than they have been able to use but I think this is wise procedure because we must always be ready for emergencies and ready for such new developments as atomic power and the development of additional transmission lines.

From the standpoint of rural telephone improvement, the Republican 83d Congress is the unchallenged and unchallengeable "champion of them all." In fact for the improvement of rural telephones, the 83d Congress has provided more money than all other American Congresses combined. As a member of the Appropriations Subcommittee providing funds for RTA, I, personally, made the motion to provide some of these extra funds and I take real pride in the fact that South and North Dakota now lead the entire Nation in the rate at which our rural telephone service is being improved. All those who read this report need do is to talk with South Dakota farmers who have applied for rural telephone loans to realize what a real friend the Republican 83d Congress has proved to be to those desiring modernized telephone service.

OTHER DIVIDENDS FROM SOUND, HONEST, LOYAL GOVERNMENT

I must admit that in this report to South Dakota I have talked mostly about agriculture and about governmental measures and policies of special interest to farmers. That is because South Dakota is the most agricultural State in the Union and my main interest in the Senate is to help produce and maintain farm prosperity. That is why I prize so highly my position on the Senate Committee on Agriculture and Forestry and the fact that the subcommittees on which I serve as a member of the Senate Committee on Appropriations deal mainly with such South Dakota matters as river development, REA and RTA, soil conservation, reclamation, Indian affairs, weed eradication, agricultural research, and similar activities in which South Dakotans have a special interest.

However, the Eisenhower administration and the Republican 83d Congress—this new Republican team of which so much has been said and written—has a great record of achievement in the general field of good government.

Let me list here, in quick summary, some of the outstanding accomplishments which resulted from the fact that in November 1952, the American voters put an end to Trumanism and placed in the White House one of the greatest of our alltime Americans—Dwight D. Eisenhower, who is affectionately called Ike by millions of his fellow citizens.

1. The terrible war in Korea has been ended and in the month of August peace was brought to the entire world for the first time in 25 years as the Indochina war was also brought to a close without the involvement of America or the loss of a single American soldier.

2. Despite the prophets of gloom and despair, we have moved from war into a peacetime economy without suffering from either a recession or a depression. Construction is taking place at an alltime high. We have the highest employment of any year in our peacetime history with more men working for more pay than ever before. That makes for a good market and helps account for the record-breaking consumption of such farm products as beef and pork.

3. Federal spending has been sharply reduced. We already have more than 240,000 fewer people working on the Federal payroll than when Eisenhower took office. Your Government is costing you less so you can keep more of what you earn to spend on your own family and for your own needs.

4. Taxes have been sharply reduced. Nearly a billion dollars a year have been cut off from the so-called excise taxes alone. These are the Federal sales taxes which Democratic Congresses imposed and which are paid in part when you buy a watch or a suitcase or a ticket to travel or a ticket to the movies and which are paid in part, indirectly, as they are "covered in" on the cost of an automobile, a suit of clothes, or anything else you have to buy. In addition, your income taxes were dropped on an average of 10 percent and many special exemptions and considerations were given the so-called little taxpayer. In all, $7,400,000,000 have been saved the Nation's taxpayers of which $4,700,000,000 is saved to the individual taxpayer. This is the first tax reduction bill since the Republican 80th Congress made a cut in taxes.

5. Building the St. Lawrence Seaway—a project which will save every South Dakota citizen money as he buys heavy products shipped in from the east and which will increase his income on everything he raises and ships east.

6. Conservation and REA and RTA: These vast achievements I have previously mentioned, Mr. President, but the 83d Congress has well been called the most conservation-minded Congress since the days of Teddy Roosevelt. And our record on REA and RTA is above all criticism.

7. Honesty has been restored to Government. Once again public office has become a public trust. Perhaps this can be demonstrated by the fact the Chamber of Commerce in Washington reports that since the inauguration of President Eisenhower, "Sales of whisky have fallen off 25 percent and the sale of alarm clocks has increased by 35 percent in the District of Columbia."

8. President Eisenhower pledged himself to get the Communists out of Government. The statistics show that since he took the oath of office he has removed from the Federal payroll 2,486 security risks which the FBI and other security agencies reported would jeopardize our security and endanger our peace if they remained in office. All 2,486 of these faithless Americans and Communist agents were placed in office by either the Fair Deal or the New Deal, but, like George Washington, President Eisenhower believes that "only Americans should be placed on guard" in public office.

9. Veterans' benefits and social security benefits have been greatly increased under the new administration. Benefits to our elderly citizens have been expanded as much as $25 per month.

10. Price and wage controls were ended by the 83d Congress so that markets could be reopened for our farm products and so that workingmen could again have a full and fair opportunity to get ahead and to care for their families.

11. Special attention was devoted to the highway situation in America. We passed the first billion dollar highway improvement program in our Nation's history. Much of this was earmarked for improvement of farm-to-market roads and many millions of dollars from this appropriation will be utilized in South Dakota.

12. Benefits for farmers: Except for the "no decision" fight fought over price support levels, as I have previously stated, this 83d Congress has compiled a tremendous record of tax concessions, conservation aids, and overall farm benefits looking to the permanent prosperity of our American farmers. Among other things, more effective steps have been taken to keep out competitive farm imports than at any time in the past 20 years. No change was made in the price support program for nonbasics and the Department of Agriculture has announced that next year corn will again be supported at 90 percent. Thus, in South Dakota, only wheat has been effected by the new legislation and it is reported that wheat will be supported at $2.05 per bushel. I insist we must find a better support level and provide better prices for wheat producers and I pledge myself to continue the fight for full parity income for the American farmer. In the meantime, we can be gratified that our farm bloc was able to defeat the effort to substitute flexible price supports ranging from 75 percent to 90 percent of parity for our prevailing farm program.

13. National defense: In this dangerous era of Communist aggression and of Rus-

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sian imperialism, it is good to know that President Eisenhower has brought a New Look to our national defense establishments. Our defense is costing us sharply less but our defenses against aggression have been greatly strengthened. We lead the world in jet planes, in electronic defenses, and in fighting strength in the air and on the sea. Boys are no longer being drafted from their homes to fight in foreign lands and not since the days of George Washington has our Nation had a leader as able as President Eisenhower to protect our peace and to safeguard our national security. Here is a President who is respected and admired throughout the world and if given adequate and proper support he is indeed, the world's best hope for peace.

I have listed only a few of the 54 significant achievements of the Eisenhower administration and the 83d Congress which is about to adjourn. The Eisenhower batting average is 830 percent—a mighty fine batting average unequaled by any big league batter in American baseball history. Of the 64 Eisenhower proposals, 54 of them have been enacted into law by this Republican 83d Congress.

As a freshman Member of the Senate, like all other freshman Senators, I have had to start "at the low end of the totem pole" on my committee assignments, through lack of the seniority which comes with a second and third term in the Senate. However, my years of experience in the House of Representatives helped me to get committee assignments so I now hold envied positions on three very important Senate committees—Appropriations, Agriculture, and the Republican policy committee. I am grateful for these significant assignments and it has been a pleasure to work with my older and more experienced colleagues, shoulder to shoulder, in advancing our legislative record. I am also grateful for my assignment to the Committee on Government Operations, which "rides herd" on wasteful spending and stands guard against dishonesty and disloyalty in government. As a member of that committee, I was able to help push through to successful passage the bill to deny to Alger Hiss a Federal pension when he is dismissed from the Federal penitentiary, where my efforts in the House, along with those of now Vice President NIXON, helped to place him.

In Government, there is no substitute for experience insofar as service in Congress is concerned. I am sure I have made my fair share of mistakes in the past, as have we all, but I assure you they were mistakes of the head and not of the heart. I shall try to improve my personal batting average as experience gives me additional insight and judgment. In conclusion, Mr. President, I congratulate this Congress and President Eisenhower on the fact that by working together in harness this team has made a record of achievement which ranks high among that of all American Congresses. Out of the dark days and nights of the Korean war, this team has brought us into the broad daylight of world peace. And it has made the passage from war to peace without serious economic repercussions and without the customary postwar depression. With peace in the world and with continuing prosperity at home, we can all look forward to an era of increasing opportunity for all the people of America.

When I first ran for Congress I set as my goal the determination to help provide "a fair chance for a free people" in America. Our freedoms remain intact. The spirit of liberty and independence which settled this continent and made us the leader of the modern world still functions in our cherished Republic. Toward these goals the 83d Congress has indeed contributed much. As we approach adjournment, we can take satisfaction in our work as we rededicate ourselves to still greater and more fruitful results in the years ahead.

Summary of the Work of the Committee on Agriculture and Forestry

EXTENSION OF REMARKS

OF

HON. GEORGE D. AIKEN

OF VERMONT

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. AIKEN. Mr. President, I ask unanimous consent to have printed in the RECORD a summary of the work of the Committee on Agriculture and Forestry during the 83d Congress.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON AGRICULTURE AND FORESTRY.

Attached is a list of all bills approved by the Senate Committee on Agriculture and Forestry during the 83d Congress.

A total of 196 bills, including 160 Senate bills and 15 resolutions and 21 House bills and joint resolutions, were referred to the committee during the 83d Congress. Of these, the committee reported 59 and 43 were enacted into law.

The committee considered 47 nominations during the Congress, including the Secretary, Under Secretary, and five Assistant Secretaries of Agriculture. Nominations to the newly created Farm Credit Board were among those considered. All nominations were reported favorably and confirmed.

During the first session, the committee conducted 60 days of hearings and held 23 executive meetings. During the second session, the committee conducted 40 days of hearings and met in executive session 29 times, making a total of 100 days of hearings and 52 executive sessions during the 83d Congress.

In addition to handling specific legislation, the committee held a series of hearings on foreign trade in agricultural commodities during the first session. This laid the groundwork for future legislation, since foreign trade in agricultural products and our policies with respect to it have a profound effect on our domestic agricultural program. The testimony has been published in five volumes.

Hearings were held in both sessions on the importation of wheat classified as "unfit for human consumption." The hearings brought forth testimony showing that small quantities of Canadian damaged wheat had been brought into this country prior to 1950, but that during the years 1950, 1951, and 1952 over 60 million bushels of wheat classified as "wheat unfit for human consumption" had been imported into the United States. It was made evident that this wheat imported during the past 3 years into the United States on a tariff loophole displaced the sale of good United States wheat, thereby depressing prices and making our import quota limitations ineffective. As a result of these hearings and investigations by the Department of Agriculture, large importations of feed wheat have ceased and normal amounts are now being imported for legitimate purposes. Criminal and civil action has been taken against the importers who were converting such wheat to human use and to export under the International Wheat Agreement.

LIST OF BILLS ACTED ON BY SENATE COMMITTEE ON AGRICULTURE AND FORESTRY, 83D CONGRESS

S. 725: National survey of forest resources extended to include Alaska and other territories and possessions. Approved August 8, 1953. (Public Law 224.)

H. R. 2458 (S. 731): Authorizes the transfer of certain land at Cherry Point, N. C. Approved August 8, 1953. (Public Law 234.)

H. R. 3107 (S. 894): Provides for the conveyance of certain national forest land in Basalt, Colo. Approved August 8, 1953. (Public Law 233.)

S. 1152: Extends for a period of 5 years the authority of the Secretary of Agriculture to make loans to fur farmers. Approved August 13, 1953. (Public Law 255.)

H. R. 3480 (S. 1207): Extends until December 31, 1955, the period for which foreign agricultural workers may be made available for employment in the United States. Approved August 8, 1953. (Public Law 237.)

S. 1276: Amends title I of the Bankhead-Jones Farm Tenant Act to permit increased interest rates and second mortgage loans. Approved July 22, 1954. (Public Law 521.)

S. 1367: Extends the authority of the Federal Crop Insurance Corporation to expand the crop-insurance program into additional counties. Approved August 13, 1953. (Public Law 261.)

S. 1381: Permits the Commodity Credit Corporation to rotate its stocks of commodities to prevent deterioration and for other reasons. Approved July 29, 1954. (Public Law 554.)

S. 1386: Adds coffee to the list of commodities covered by the Commodity Exchange Act. Referred to House Committee on Agriculture February 12, 1954.

S. 1399: Authorizes sale of certain improvements on forest lands to the Salt River Valley Water Users Association at their fair appraised value, the proceeds to be used for a Forest Service ranger dwelling. Approved June 18, 1954. (Public Law 401.)

S. 1400: Permits the Secretary of Agriculture to release reversionary rights in and to a tract of land located in Wake County, N. C. Approved June 21, 1954. (Public Law 428.)

H. R. 4353 (S. 1505): Reorganizes the Farm Credit Administration to provide increased farmer participation in management, and to make it an independent agency under a Federal Farm Credit Board. Approved August 6, 1953. (Public Law 202.)

S. 1577: Authorizes the exchange of town lands for forest lands in Eagle County, Colo. Referred to House Committee on Agriculture January 25, 1954.

S. 1679: Consolidates and simplifies agricultural extension service authorizations. Approved June 26, 1953. (Public Law 83.)

S. 1990: Would provide subpena power for investigations (now limited to proceedings) under the Commodity Exchange Act, and provide for injunctions against violations of the act. Referred to House Committee on Agriculture February 12, 1954.

S. 2055: Provides for the control of scrapie and blue tongue in sheep, and incipient or potentially serious minor outbreaks of diseases of animals. Approved August 8, 1953. (Public Law 227.)

H. R. 5451 (S. 2099): Provides for 62-million-acre minimum wheat allotment for 1954 and for wheat-marketing penalty equal to 45 percent of the parity price. Approved July 14, 1953. (Public Law 117.)

S. 2112: Provides for the transfer of price-support wheat to Pakistan to relieve famine, the proceeds from the sale of part of such wheat in Pakistan being used for benefit of people of Pakistan and other programs of mutual interest. Approved June 25, 1953. (Public Law 77.)

S. 2163: Authorizes the transfer of cotton-field station near Statesville, N. C., to the State of North Carolina. Approved August 13, 1953. (Public Law 265.)

S. 2249: Authorizes the President to use surplus agricultural commodities to assist in

meeting famine or other urgent relief requirements of nations and peoples friendly to the United States. Approved August 7, 1953. (Public Law 216.)

H. R. 6054 (S. 2267): Provides for additional emergency assistance to farmers and stockmen through economic disaster loans in production disaster areas, special livestock loans, and feed and seed assistance. Approved July 14, 1953. (Public Law 115.)

S. 2313: Adds wool to the list of commodities covered by the Commodity Exchange Act. Referred to House Committee on Agriculture February 12, 1954. The substance of this bill was passed as part of H. R. 9680, the Agricultural Act of 1954.

S. 2367: Authorizes the Department of Agriculture to contract for general research work. Approved July 28, 1954. (Public Law 545.)

S. 2404: Authorizes bonding of packers. Reported to Senate with an amendment January 11, 1954.

S. 2475: (The Agricultural Trade Development and Assistance Act of 1954) provides until June 30, 1957, for the sale of surplus agricultural commodities for foreign currencies and for the transfer of surplus agricultural commodities to friendly nations for famine and other relief, and contains various permanent provisions for the use of agricultural commodities for domestic and foreign relief and for barter for strategic materials. Approved July 10, 1954. (Public Law 480.)

S. 2548: Provides for improved administration of national forest and certain Bankhead-Jones Act lands by providing encouragement for range improvement by permittees, compensation for such improvements lost through Government action or transfer of the permit, regulations governing base property standards and transfer of permits, procedures for review of departmental decision, and multiple-use advisory boards. Referred to House Committee on Agriculture April 8, 1954.

H. R. 6788 (S. 2549): (The Watershed Protection and Flood Prevention Act) provides for technical and financial assistance to State and local agencies in undertaking flood-prevention work and agricultural phases of water management in watersheds and subwatersheds. Approved August 4, 1954. (Public Law 566.)

S. 2583: Provides indemnities for persons whose swine were destroyed in July 1952 (prior to the beginning of the Federal-State indemnity program), because of infection or exposure to vesicular exanthema. Approved July 27, 1954. (Public Law 535.)

H. R. 6665 (S. 2643): Increases the 1954 national cotton-acreage allotment from 17,910,448 to 21 million acres, plus (1) 315,000 acres allocated one-half to Arizona, California, and New Mexico, and one-half to the remaining States (with certain exceptions); (2) 59,374 acres to provide each State with at least 66 percent of its 1932 acreage; and (3) 4,968 acres to give Florida special relief, making the total acreage to be allotted 21,379,342 acres. Also provided for distribution of the additional acreage allotted, made other changes in the cotton-quota law, provided increased allotments for types of wheat in short supply (durum), and permitted section 32 operations for Irish potatoes. Approved January 30, 1954. (Public Law 290.)

S. 2714: Increases Commodity Credit Corporation borrowing authority to $8,500,000,000 (from $6,750,000,000). Approved March 20, 1954. (Public Law 312.)

S. 2715: Provides a statutory penalty for "excess" peanuts picked or threshed in violation of producer's agreement. Referred to House Committee on Agriculture June 8, 1954.

S. 2786: Consents to Southeastern Interstate Forest Fire Protection Compact. Approved July 27, 1954. (Public Law 536.)

S. 2911: Provides price support for wool and mohair through payments and other methods at levels necessary to obtain desired production. Referred to House Committee on Agriculture April 28, 1954. The substance of this bill was passed as part of H. R. 9680, the Agricultural Act of 1954.

S. 2987: Provides for transfer of hay and pasture seeds by the Commodity Credit Corporation to certain agencies administering grazing lands. Approved July 26, 1954. (Public Law 524.)

S. 3050: Increases marketing penalty for tobacco to 50 percent (from 40 percent) of the average market price for the preceding marketing year. Approved June 22, 1954. (Public Law 425.)

H. R. 9680 (S. 3052): (The Agricultural Act of 1954) provides support at 82½ to 90 percent of parity for the 1955 crops of the basic agricultural commodities, provides an incentive support program for wool, and makes numerous other changes in the law with respect to price support, use of diverted acres, disposition of surplus commodities, quotas and acreage allotments, marketing agreements and orders, soil conservation, and agricultural attaches. Approved August 28, 1954. (Public Law 690.)

S. 3137: Extends the benefits of the Water Facilities Act (previously limited to the arid and semiarid areas) to the entire United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands, changes the limitation of $100,000 for any one project to a limitation of $25,000 on the indebtedness of any individual and $250,000 on the indebtedness of any corporation or agency, provides for loans for general soil and water conservation work, and provides for a program of insured loans in addition to direct loans. Approved August 17, 1954. (Public Law 597.)

S. 3207: Removes the $10 limit on fees for registration of commission merchants and floor brokers under the Commodity Exchange Act. Referred to House Committee on Agriculture June 8, 1954.

S. 3245: Authorizes until June 30, 1955, up to $15 million in emergency loans to farmers and stockmen in areas where other credit is temporarily not available. Approved August 31, 1954. (Public Law 727.)

S. 3339: Authorizes the Farm Credit Administration to make land bank commissioner type loans until June 30, 1959. Referred to House Committee on Agriculture July 19, 1954.

S. 3487: Permits the central and regional banks for cooperatives to issue consolidated debentures. Approved August 23, 1954. (Public Law 630.)

S. 3601: Authorizes the Secretary of Agriculture to extend certain timber-cutting rights of the M. R. Prestridge Lumber Co. for 5 years. Approved August 31, 1954. (Private Law 949.)

H. R. 9756 (S. 3686): Increases Commodity Credit Corporation borrowing authority to $10 billion (from $8,500,000,000). Approved August 31, 1954. (Public Law 754.)

S. 3697: Authorizes the Secretary of Agriculture to cooperate with Canada and Mexico in controlling incipient or emergency outbreaks in those countries of insect pests or plant diseases. Approved August 13, 1954. (Public Law 586.)

S. 3774: Extends the Watershed Protection and Flood Prevention Act to Alaska, Hawaii, and Puerto Rico. Referred to House Committee on Agriculture August 16, 1954.

S. 3800: Prohibits the introduction of cattle which have been infested with or exposed to ticks into the Virgin Islands, except from the British Virgin Islands for slaughter; and restores the authority of the Secretary of Agriculture to prohibit the introduction of live poultry into the Virgin Islands to prevent the spread of disease. Passed Senate August 10, 1954.

Senate Joint Resolution 119: Validates conveyance of a 40-acre tract in Okaloosa County, Fla. Approved June 18, 1954. (Public Law 425.)

House Joint Resolution 355 (S. J. Res. 121): Permits continuation of the Mexican farm labor recruitment program in the absence of agreement with Mexico. Approved March 16,1954. (Public Law 309.)

House Joint Resolution 458 (S. J. Res. 134): Authorizes the Secretary of Agriculture to quitclaim certain retained rights in land to the board of education of Irwin County, Ga. Approved July 2, 1954. (Public Law 473.)

H. R. 107: Authorizes the Secretary of Agriculture to consent to the transfer of the site of the original Fort Buford, N. Dak., to the State of North Dakota. Approved June 18, 1954. (Public Law 409.)

H. R. 3097: Provides for the transfer of certain land in Napa County, Calif., to the University of California. Approved June 28, 1954. (Public Law 430.)

H. R. 4017: Provides for the conveyance of certain land and improvements to the England Special School District, Arkansas. Approved August 31, 1954. (Public Law 739.)

H. R. 4928: Authorizes the Secretary of Agriculture to convey certain land to the city of Clifton, N. J. Approved July 27, 1954. (Public Law 541.)

H. R. 6263: Authorizes the Secretary of Agriculture to convey certain lands to the Rotary Club of Ketchikan, Alaska. Approved July 26, 1954. (Public Law 525.)

H. R. 6393: Consents to the south central interstate forest fire protection compact. Approved August 24, 1954. (Public Law 642.)

H. R. 6435: Includes onions and coffee in the list of commodities covered by the Commodity Exchange Act. Passed Senate with amendments June 18, 1954.

Asian Pact Reached in Manila Marks United States Leadership

EXTENSION OF REMARKS

OF

HON. GEORGE H. BENDER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. BENDER. Mr. Speaker, nations do not reach positions of world leadership easily or quickly. The British, under the direction of a series of brilliant Foreign Ministers, seized international prestige in the 19th century and retained it well into the 20th. Two World Wars have reduced her influence, but the tradition of diplomatic skill remains even to this day. Our own country has been thrust into the role of No. 1 spokesman for the free world because of our economic, military, and strategic position. But the retention of this rank requires active, intelligent direction.

We have begun to exercise this direction. Our participation in every constructive program has been marked by difficulties and setbacks, to be sure, but they were not caused by American errors. They were prompted by foreign fears. In Asia, the SEATO agreement marks the first time in world history that the millions of people in this undeveloped area have attempted to unite for any major purpose. Critics charge that the pact does not include still larger groups.

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In Asia, times move slowly, and a beginning is difficult to achieve. Nothing can be gained unless it is started, and we are starting.

Congressman Frank E. Smith, of Mississippi, Reports From Washington

EXTENSION OF REMARKS
OF
HON. FRANK E. SMITH
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. SMITH of Mississippi. Mr. Speaker, under unanimous consent, I include my newsletter of August 20, reporting to my constituents on the work of the 83d Congress:

YOUR CONGRESSMAN REPORTS FROM WASHINGTON—FRANK SMITH'S NEWSLETTER

The 83d Congress has concluded its legislative business after a session that has often seemed to be more concerned with investigation than with legislation. Newspapers and commentators friendly to the administration have made much of the success achieved in writing into law a large portion of President Eisenhower's "dynamic, progressive" program. On two of the most important issues for the country as a whole, and especially for the people of Mississippi, however, the Congress has taken definite steps backward.

The new farm bill represents a major victory for those who have been attempting to place the blame for high food prices on the American farmer. It appears likely to further accelerate the decline in farm income now in progress. Interestingly enough, the withdrawal of assistance to the farmer has come at a time when business and industry are getting greater assistance than ever in the form of the new tax and housing bills, and various rulings and regulations of the administrative departments.

Thanks to the set-aside gadget in the farm bill, it now appears likely that the support level for cotton in 1955 will continue at 90 percent. After 1955, however, the support price is virtually certain to be reduced, unless the law is changed at the next session of Congress. Thanks to the strong effort being made to divide consumers from farmers, the prospects for any major change in the law are not good.

If cotton farmers are ever to achieve 100 percent of parity at the market place, they must have an active export market. The same holds true for the producers of most other important farm commodities. This Congress has passed a bill which will be of some assistance in the disposal overseas of some surplus commodity stocks, but nothing has been achieved toward building up and strengthening a permanent export market.

President Eisenhower submitted a limited, but commendable, trade program to the Congress, and then completely turned his back upon virtually all of it. As a result the Congress failed to pass any important measures designed to improve world trade, and several proposals which would offer serious new restrictions were narrowly defeated. At the administrative level, for the first time in more than 20 years the President personally approved additional new tariff barriers when he directed an increase in the duty on imported watches.

At a time when our country should be doing everything possible to outmaneuver Russia in the field of trade warfare, we are virtually inviting other free nations to increase their trade with Communistic countries by making it harder for them to trade with the United States.

The 84th Congress will inherit some perplexing problems.

The Record of the 83d Congress

EXTENSION OF REMARKS
OF
HON. HOWARD S. MILLER
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. MILLER of Kansas. Mr. Speaker, as a Member of Congress representing the First Congressional District of Kansas, I avail myself of the unanimous consent of the House to review briefly the record of the 83d Congress that has completed its last session, and to explain what has been my stand upon some of the main issues that have come before this honorable body. I wish just to state that my respect and admiration for the Members of this body increase with my acquaintance with them, and that I am happy to learn that the broad center aisle that separates the membership of the two parties has little or no significance in the decisions arrived at upon most of the questions that arise for debate and settlement.

One of the first questions to arise in the 83d Congress was included in the bill to give to the States of Florida, Louisiana, Texas, and California the interest of the Federal Government in the tidelands oil area off the coast of these States. The Supreme Court had already decided that this was Federal property. It was estimated to be worth many billions of dollars. I did not see then, and I cannot see now, any justification for the Federal Government giving to four States billions of dollars' worth of property belonging to all the States. The center aisle did not mean a thing in the vote upon this issue. It is likely the greatest giveaway in the history of the world. I am glad that I opposed it, as I would do again. I also opposed giving, without consideration, to private power interests, the potential power of Niagara Falls. There was no talk of mink coats or deep freezes in connection with these transactions. They would have been peanuts when billions were involved. In my opinion, the enactment of these laws is an entry on the debit side of the national ledger and is difficult to explain as anything other than the payment of a political debt.

It is with a feeling of relief that I pass to the enactment of legislation which was of undoubted benefit to all the people. Such was the enactment of legislation making possible a beginning of joint soil-conservation and flood-prevention practices which will, in one integrated program, expedite such a water-control program as will at the same time save our soil, conserve the use of water, and largely prevent waste and destruction from excessive rainfall upon the land. The invention and development of modern earth-moving machinery has made such a program possible as it never was until within the last 20 years. Congress, under the leadership of able, progressive Members—both Democrats and Republicans—has wisely harkened to the admonition of soil-conservation experts in the Department of Agriculture and has enacted progressive legislation in keeping with the times. It is to be regretted that some of the agencies in other departments of the Government have not yet come to understand the great changes that have recently come about in modern, up-to-date methods of flood control and succeeded in having inserted into the bill when in the other body crippling amendments which will interfere with effective compliance with the wishes of the Members of Congress. In time this will be corrected as the new program proves its worth as it is bound to do.

Flood prevention and soil conservation go hand in hand; in fact soil-conservation measures must precede flood-prevention measures. It was with this in view that I introduced a bill to make expenses incurred in soil-conservation practices deductible from farm income for income-tax purposes. This bill was referred to the Ways and Means Committee, and I appeared before that committee to explain its meaning and the justice of my stand. The committee brought out a tax bill containing all the essential provisions of my bill, and they are now a part of the law of the land. These provisions will greatly encourage soil-conservation practices and expedite the flood-prevention program depending upon them.

However great the importance of flood-prevention measures on the land where the rain falls, they are only a part of the measures needed in the river basin and on the river channel. Nothing can take the place of channel improvement, bank stabilization, dikes, and proper flow ways. They are needed in any case, and it is a subversion of justice to attempt to tie them in with controversial issues. Any comprehensive, sensible water-control program must include all these measures. They are needed beyond any question, and it is a disservice to the public to attempt to tie them in with the controversial issue of big dams on the river channel. It only clouds the issue, creates dissension and controversy between segments of society that should intelligently seek to understand each others problems and work them out together.

There was no more controversial issue to arise in the 83d Congress than that of the so-called farm program. The entire problem revolves upon the question of prevention or handling of surplus farm commodities arising out of our superabundance of rich agricultural land. The problem is as old as the Nation, but practically nothing was done about it until the early thirties, when the economic situation of agriculturalists became unbearable, and led to a general depression.

The following are excerpts from the RECORD of comments I made on the floor of the House during debate on the farm bill:

I just want to say in conclusion, if we ruin the farmer, if we just put him in straits,

we will all feel it. I do not care whether you are a white-collar man, a merchant, a manufacturer, a professional man, or who you are, you will all feel it up and down Main Street. Who was it that came before this House saying, "We must do something for the farmer" in the lean years of the early thirties? It was everybody, for we were all in distress. That could happen again. It is because we do not want it to happen, it is because we are determined that it shall not happen, that we should pass this bill giving the American farmer equal consideration with other segments of our population.

Where is the most distress now? Why, it is among the manufacturers of farm machinery. The workers in that industry are nearly all out of a job. Why? Because the farmer cannot buy these tractors at the price he is getting for his products at the present time. I know, because I went through this situation. I know what happened to the cattlemen a year ago. I had 110 head of cattle on feed when I came to Congress, and I know I put up about $10,000. I know what is happening to the dairymen now. Those are things we have to think about. Mr. Chairman, I would like to say just one more word in passing about parity. Parity means equality; equality means justice; and 100 percent of parity is just equal justice. We farmers are willing to take off that 10 percent just as a margin, give it to you, just as a bargaining figure. But when you do anything more than that you are simply asking the farmer to take less than is coming to him.

The Winter Veterans Hospital: During the past session, legislation that affected the veterans was of great interest to me. I was especially pleased that the 83d Congress saw fit to appropriate $21,133,000 to construct a new Winter Veterans Hospital in Topeka, Kans. This was a most needed project, and one in which I was most interested. All too often we forget the debt the Nation owes to its war veterans, to those who made it possible for this Nation to exist. I supported the measure to increase the pension benefits to those with non-service-connected disabilities. After all, the wars were not won solely by those who were killed and maimed, but equally by those who survived.

On railroad retirement I said for the RECORD:

I rise in support of this bill. I have received from the leaders of the railroad brotherhoods nothing but approval of its provisions. These facts, coupled with the additional consideration that the funds involved in this bill are all contributed by the railroad management and the members of the railway brotherhoods, together with the fact that it is an economically sound arrangement, make it imperative that this bill shall be passed. I shall vote for the bill.

On vocational training I quote for the RECORD:

I would like to identify myself with this very popular program. I am sure that we are not going to have a record vote on it. Mr. Chairman, it is with much satisfaction that I rise to support this amendment increasing the Federal appropriation for vocational training. Now that more and more youth of the country are given the opportunity, even compelled to attend school for a longer time than formerly, it is all the more important that they be given opportunity to learn some of the arts of making a living. Formerly, it was the custom that every male child should learn a trade and the custom of apprenticeship was universal. With the arrival of universal education that custom has been discontinued, but the basic reason for its existence in the past remains with us. While the arts and customs of making a living have changed, the necessity remains. There can be no more important undertaking on the part of the Federal Government than that of sharing with the several States the responsibility and expense of contributing to the vocational training of the young people of the Nation. I shall support the amendment offered by the gentleman from Virginia to increase the participation of the Federal Government in that program.

On the motion to increase the postal rates, this is my record:

After listening attentively to arguments on both sides, I am thoroughly convinced that this motion should not pass. The postal rate bill provides for an increase on first-class matter from 3 cents to 4 cents on weights up to 1 ounce, notwithstanding the fact that first-class mail is making a profit of more than $100 million per year. It provides for only a slight increase in postal rates for third- and fourth-class mail; not nearly enough to make up for the loss now sustained in those categories. Now, is it reasonable and just to increase the postal charge against the part paying its way for the benefit of the section that is not paying its way? To do so is to make every man, woman, and child, rich and poor alike, pay tribute of 1 cent to the users of the third- and fourth-class mail every time they drop a letter in the mailbox. It is not fair, and it is unjust to try to put the Members of Congress in a position where they would have to vote for this injustice in order to support a well-deserved increase in the salaries of postal employees.

If we defeat this motion it is likely that the petition to bring out the Corbett bill before the House will receive the eight additional signatures which it now lacks and there may be time to do justice by the postal employees without at the same time levying unjust tribute upon every man, woman, and child in the United States every time they buy a postage stamp.

On social security, I stated for the RECORD on June 1:

This bill is not perfect. No bill so comprehensive in nature and covering so broad a field could be perfect. But it is an improvement over the present law, as it should be, and it will be further improved in the future sessions of Congress. It has, at their own request, brought under coverage millions of people not heretofore enjoying the benefits of social security. It has increased the cost of coverage to make more secure those already covered. This is something that had to be done in any case, as social security is a business undertaking and must be on a business basis. Next to the United States Government this is the greatest business in the Nation. It must be actuarily sound. It is with great satisfaction that I support this bill.

I made the following remarks when efforts were being made to cut appropriations to land-grant colleges:

Kansas State College is an institution of national importance with several thousand students from every part of the Nation. It seems to me that it is poor business on the part of the National Government to seek to economize at the expense of our schools. I submit the telegram from President McCain to be included in the RECORD.

The appropriation which had been denied was restored.

On juvenile delinquency, I said for the RECORD in part:

Mr. Speaker, not only as a father, but as a citizen, I am greatly concerned about the increasing juvenile delinquency in this country. We are all concerned. Every man and woman in the Nation with any appreciation of the higher motivations of human beings must be greatly concerned. The question arises: What is the cause of this increase in delinquency among the youth of our land? Not until we have ascertained the cause can we intelligently even consider the remedy.

It is important to notice that this problem is acute only in the great centers of population where there is little or no opportunity for young people to find employment. There is no period in life wherein there is so much surplus energy and exuberance of spirit as in that of youth. I am confident that if the Government—local, State, and National—will devote half the time and effort in finding useful employment for the youth of our land that is now spent in apprehending and punishing them for misdemeanors, there will be no problem of delinquency.

On impacted schools: I supported legislation making appropriation to alleviate the burden imposed upon certain school districts by the influx of Federal employees working in defense plants and military installations.

On dairy price supports: No more vexing problem came before Congress than that concerning a support price on dairy products. It was plainly a belief among Members from the larger cities that butter is too high. I quote from the RECORD:

Mr. MILLER of Kansas. As I remember, one of our colleagues from New York City raised the questions of why these farmers should not produce this butter at 50 cents a pound. I would suggest that if he would get up at 5 or 6 o'clock in the morning, go out and feed those cows and milk them, then churn the butter, he would know the reason why.

On farm subsidies:

Mr. MILLER of Kansas. From all I have heard here today, if I did not know any better, I would think that the farmers of this country were the only people being subsidized. The fact of the matter is that during the last 12 years the American people have paid $40 subsidy to other segments of this country where they have paid $1 to the farmer.

Liquor advertising bill—I had this to say:

Members of the committee, I belong to a fraternal organization that will not accept as a member any person who is in any way connected with the manufacture and sale of alcoholic liquor. It is a part of the unwritten law. As a citizen of the United States, I do not wish to have one one-hundred-sixty-millionth part in promoting the liquor business.

I am proud to have been a Member of the 83d Congress. I believe that history will show that in the main it has been a good Congress. Many beneficial laws have been enacted. During its sessions I voted on each issue upon its merits as I saw them without regard to political considerations. I accepted office acknowledging no obligation to any party, interest, or group.

I have in every case voted my honest and considered convictions. This has been my conduct in the past, and it is my sole aim for the future.

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The Record of the 83d Congress: Too Much for the Few, Too Little for the Many

EXTENSION OF REMARKS
OF

HON. SIDNEY A. FINE
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. FINE. Mr. Speaker, now that the 83d Congress has concluded its work, it is appropriate to assess the record of the Republican Party in carrying out the responsibilities it sought and received from the people of the United States in the 1952 elections.

The Republican Party asked the voters to sweep the Democrats out of office and to elect the party of the "great crusade." This was the "crusade" that was to bring us a dynamic new foreign policy, strengthened national defense, a balanced budget and reduction of the national debt, higher prices to the farmer and lower prices to the housewife, and even "a new moral climate in Washington."

It has been nearly 2 years since those promises were made. Many people are beginning to wonder just when the "crusade" will get under way—and some of the crusaders are probably grateful that the law provides no punishment for obtaining election by false pretenses.

Those who expected a bold, new foreign policy have been disappointed. The only thing noticeably new about Republican foreign policy is the disturbing practice of making meaningless—and sometimes harmful—foreign policy statements for the sake of domestic political advantage. Too often our actions have not been based on the realities of the world situation, but on the apparent intention of the administration to satisfy the extreme rightwing of the Republican Party.

The inevitable result has been a serious deterioration of our position as a world leader. The uneasy truce in Korea only freed the Communists to concentrate on Indochina, where millions of Vietnamese were surrendered without a fight. EDC is apparently dead, leaving the western alliance shaky and disunited.

Successful conduct of our foreign policy would require no great ability or effort if we lived in a world composed solely of reasonable, peace-loving nations. And in a world afflicted by the godless Communist conspiracy, even devoted and intelligent labors are often unrewarded by success. Every American should recognize that it is the Communists who are mainly to blame for the world crisis.

We do not accuse the Republicans of failing because they are soft on communism. But we can justifiably criticize the present administration for failing to play square with the American people. Instead of a realistic, bipartisan approach to the serious problems facing us, we have had far too many irresponsible statements designed for home consumption.

We can hardly blame our allies for being confused, for we have given them no clear foreign policy to follow. The contradictory statements of a multitude of self-appointed spokesmen only serve to add further confusion.

It is time to realize that empty slogans about massive retaliation and seizing the initiative—whatever their value for political purposes—do not constitute a foreign policy. No matter how often repeated, they are no substitutes for wisdom, consistency, and determination.

We cannot possibly succeed in this battle for survival unless we are strong. We have learned through bitter experience that the ruthless men in the Kremlin will not be deterred from their plans for world domination by any regard for morality or justice. The only law they recognize is that of superior military strength.

It is tragic that, in the face of this clear dependence on strength for survival, the Republicans have drastically reduced the funds for our defense establishment. Next year we will have fewer men, fewer ships, and fewer combat disions to stop the Communists.

The administration has recognized its error in cutting the Air Force $5 billion last year—over Democratic opposition. They have now provided more funds for the Air Force, but they can never replace a year's loss of time and production.

The record of the Republican Party on foreign affairs has not been good.

In the past, the Republicans tried to blame every foreign policy failure—either real or fancied—on the party in power. Now, however, they tell us our troubles are solely the fault of the Communists.

The Communists are the motivating cause of the present situation—but I am afraid their advances have been made easier by the inept actions and lack of leadership of the present administration.

But one thing is clear. The Republican Party cannot blame its domestic shortcomings on the Communists. It must stand or fall on its own record.

Let us take a look at that record.

About the only really new legislation passed by the Republicans is the authorization of the St. Lawrence Seaway project. It is true that the administration was practically forced to seek action on the seaway project because of Canada's announced intention to "go it alone" if the United States did not act. It is also true that some of the traditional opposition to the seaway changed to support because of discovery of tremendous ore deposits in Canada, and that the Republican seaway bill left out the Federal power development that Democrats had proposed. Even so, we Democrats are willing to mark the St. Lawrence Seaway legislation up as a real accomplishment.

But that is just about all the 83d Congress did in the way of constructive new legislation of major importance. The 83d Congress passed other good legislation—but practically all of it simply extended or revised existing Democratic programs.

Social security coverage was extended and benefits were raised. The Republicans hardly deserve much credit for this action, however—their chief contribution was to finally stop opposing the program the Democrats had been advocating for years.

The reciprocal trade program—Cordell Hull's enlightened plan for increasing world trade—was extended for 1 year. But this was a hollow victory for the administration, which refused to fight for the 3-year extension recommended by its own Randall Commission when the Democrats in the Senate tried to enact it.

The legislation continuing established Democratic programs was good legislation, though it did not go far enough in many cases. But it was not a great accomplishment. It was merely reluctant acceptance by the Republican leadership of the progress they had fought so many years to prevent. And we Democrats, rejoicing at the long-overdue repentance of our Republican friends, gave them complete cooperation in enacting this legislation.

It must be admitted that the Republican Party has carried out some of its campaign promises. But, almost without exception, the pledges it has redeemed have been the public and private commitments to big business and special interests.

There is no secret about it. Secretary of Defense Wilson expressed the theme of the new administration pretty clearly when he said "What's good for General Motors is good for the country." In the eyes of the men who now run our Government, he was only putting first things first.

It did not take long to start putting the "big business first" policy into practice.

Secretary of the Treasury Humphrey started by raising interest rates on Government bonds. This so-called hard-money policy has now been abandoned, but it still costs the taxpayers millions of dollars a year in higher interest rates to large banks and lending agencies.

Billions of dollars in offshore oil reserves—which belonged to all the people of the United States—have been given away.

A $12 billion investment by the taxpayers in the development of atomic energy is being turned over to private industry without adequate provision for return of the people's investment.

The tax-revision bill offers a bonanza in special tax favors to corporations and their stockholders, while granting little or nothing to the small taxpayer.

Low-cost public power projects are getting a cold shoulder from official Washington, while private interests are casting greedy eyes on the TVA.

While special interests have been growing fatter at the expense of the taxpayer, what has happened to the average American?

Except for those in a few selected categories, the small taxpayer has received no reduction in his income tax from the Republicans. A Democratic attempt to raise personal exemptions for every taxpayer by $100 was defeated by a solid Republican vote.

A Republican Congress refused to enact even the minimum public housing

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program proposed by their own President and passed instead a crippled and inadequate measure, designed not to provide housing but to save face.

Instead of a realistic approach to the problem of making adequate medical care available to all at a price they can pay, the administration proposed a reinsurance plan for the benefit of insurance companies so inadequate that it was overwhelmingly rejected by Congress.

An attempt by Democrats to help relieve the serious unemployment situation by increasing unemployment compensation benefits was beaten down by the Republicans.

Farm income has declined sharply under the Republicans, while the price of food to the consumer remains near record levels. And the farmer—who thought he had been assured 90 or 100 percent of parity—has found to his sorrow that the administration's solution to the problem of declining farm prices is to further reduce support levels.

The administration opposed a 10 percent increase in disability compensation for our disabled war veterans, reluctantly allowing a 5 percent increase to become law.

The President vetoed a pay increase for Federal employees—admitting that it was deserved and needed—because Congress had refused to accept an administration edict for an unfair increase in first-class postal rates.

The Republicans failed to balance the budget—an understandable situation in view of their rush to give away billions in national resources. And instead of reducing the national debt, they have increased it to the point where it was necessary to raise the legal limit on its size.

The 83d Congress cannot properly be described as a do-nothing Congress—but some of its actions would have been far better left undone.

Some Republican campaign promises have been carried out—but almost all of these have been pledges to a favored few, while promises to benefit the majority of the people have been forgotten.

The Republicans sought election with the slogan "time for a change"—but the few good things they have done have consisted mostly of continuing Democratic programs they condemned when they were in the minority.

The record of the Republicans is bad enough standing alone. It appears even worse when compared to the Democratic record during the first 2 years after assuming office.

When the Democratic Party took office in 1933 after 12 years of Republican rule, our country was in the midst of the worst depression in its history—13 million of our 48 million workers were unemployed. Thousands of banks had failed. Farm prices were far below the cost of production, and our great cities were haunted by breadlines.

Under Democratic leadership, immediate steps were taken to meet this crisis.

The National Banking Act was passed, insuring bank depositors against loss and saving the American banking system from complete collapse.

The securities and exchange law was enacted to protect investors in the stock market and to prevent repetition of the abuses which had contributed to the depression.

The reciprocal trade program was established.

Steps were taken to help bring farmers fair prices and cheap credit through a farm price-support program and the Farm Credit Act.

The Tennessee Valley Authority was established, bringing new prosperity to an entire region through low cost public power.

Legislation was enacted to help Americans own their own homes and to save homes with defaulted mortgages.

All these constructive steps—and many others—were taken by a Democratic administration and a Democratic Congress in less than 2 years.

Why have the Democrats accomplished so much for the people of America—and why have the Republicans accomplished so little?

There's nothing magic about it. The answer can be found in the basic principles of the two political parties.

Republican administrations have consistently operated our Government on the theory that if every possible advantage is given to big business and the few at the top of our economic structure, some benefits will then trickle down to the rest of us. That may be a good theory for the few who get the benefits, but for the rest of the people it just doesn't work.

The Democratic Party, on the other hand, believes that a prosperous economy must be based on the well-being of all the people, not on great wealth for a few. And by putting that philosophy into practice, the Democratic Party established a record of 20 years of lasting legislative achievements. Social security, Federal insurance of bank deposits, public housing, minimum-wage legislation—these and hundreds of other constructive legislative measures stand as permanent mouments of our concern for the future of America.

The records of the two parties show that the Republicans have consistently favored special interests and big business at the expense of the people, while the Democratic Party has worked to benefit all Americans by establishing and maintaining a broad base of prosperity.

The issues are clearly drawn. I am confident the people will choose wisely in November.

Atoms for Peace Without Russia

EXTENSION OF REMARKS
OF
HON. GEORGE H. BENDER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. BENDER. Mr. Speaker, President Eisenhower's famous address to the U. N. last December is still having its effect throughout the world. When he offered to cooperate with the nations of the earth in the development of atomic energy for peacetime purposes, the world applauded. But, as usual, the Russians abstained. Now their abstention has revealed itself as dissent.

Despite the negative response from Moscow, we are going ahead. Along with our friends, principally Britain and Canada, the process of utilizing atomic reactors to develop new power resources is going ahead. What this can mean to countries like Italy, India, and other areas without substantial coal or other powermaking resources, is incalculable. If industrialization can be brought to these areas, they will become producers in their own right of the material elements which have made American and western civilization the most comfortable in history.

Simultaneously, our readiness to share this atomic resourcefulness in the face of the Soviet Union's refusal to join is another demonstration of the empty and meaningless protestations of the Communists for the poor and backward areas of the world.

Uncle Sam does not enjoy the prospect of doing it alone in any international undertaking, but if we cannot induce others to join us for mutual help, we can—and will—do what must be done ourselves. We are confident that as our intentions become clear, others will move to our side.

Postal Employees Deserve a Raise

EXTENSION OF REMARKS
OF
HON. CHARLES J. KERSTEN
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. KERSTEN of Wisconsin. Mr. Speaker, I am still firmly of the opinion that the postal workers are entitled to a raise in pay. The raise in pay should not have to be dependent on a raise in rates, although a raise in rates may well be in order, too.

I am of the opinion that the great gains in efficiency in administration brought about by the businesslike effectiveness of the Republican administration created such savings in efficiency that a raise in the postal workers' pay would not disrupt our Federal budget.

When the discharge petition was before the House on the original bill to raise postal workers' pay, I was then in Europe with the Committee on Communist Aggression, of which I was chairman, and was hence unable to sign the petition. Had I been here I would have done so.

I am sure that the postal workers are well aware of my interest in their situation. When the pay-raise bill was before the House on August 20, I expressed myself as follows:

Mr. KERSTEN of Wisconsin. Mr. Speaker, the passage today of the increase for the salaries of postal workers and other Federal employees is well merited. Postal employees and other Federal employees do not have a

labor union to bargain for them. They are employees of the United States Government and therefore do not enjoy the right of collective bargaining. Therefore we in Congress have a special duty to see that they receive a just wage. All too often the postal employees have had to do supplemental work in order to eke out a living wage for themselves and families.

The postal employees of Milwaukee, like every other large city, perform a vital service for the community both for industry and the millions of private communications. They are deserving of adequate support in this vital service.

Mr. Speaker, I believe that when the new 84th Congress convenes in January 1955 the first item of business should be consideration of a raise for the postal workers.

Achievements of the Eisenhower Administration and the Republican 83d Congress

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EXTENSION OF REMARKS
OF

HON. CHARLES A. WOLVERTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. WOLVERTON. Mr. Speaker, the achievements of the Eisenhower administration and the Republican 83d Congress have been highly satisfactory. As the session comes to a close it is my desire to set forth some of the accomplishments for the benefit of the constituency that I have had the honor and privilege of representing.

Taking an overall view of the situation since President Eisenhower was inaugurated in January 1953 and the Republican Congress assumed its duties, the accomplishments have been very worthwhile. It is the general opinion that taken all in all it has been a good program and will prove highly acceptable and beneficial to the people.

The task that was assumed by President Eisenhower and the Republican Congress in January 1953 was no easy one. In fact, the conditions that were found to exist upon taking over the Government, after the preceding administration, were far more difficult than expected. But with resolute purpose the task of cleaning up and improving conditions was undertaken.

In order that the people of the First Congressional District may fully understand what has been the accomplishments of the present administration, it is my purpose to first set forth what was expected of it and, then, what was done by it.

WHAT WAS EXPECTED OF THE REPUBLICAN PARTY?

The people wanted the Republican Party—

First. To end the war in Korea.

Second. To restore sound policies consistent with American ideals and principles of government.

Third. To end extravagant and wasteful expenditures in government.

Fourth. To provide relief from the increasing burden of taxation.

Fifth. To require loyalty to American ideals by all who held offices of public trust.

Sixth. To establish freedom from bureaucratic control and regimentation.

Seventh. To maintain a strong national defense.

Eighth. To maintain our dignity as a nation in foreign affairs and to promote peace and security upon honorable terms and conditions.

These were the fundamental demands of our people. To meet these demands was the responsibility of the Republican President and Republican Congress. The task was no easy one as the result of the limited majorities in both Houses of Congress; but, nevertheless, the obligation existed.

Thus, it is appropriate that at this time, as the November elections are approaching, to take an account of what has been accomplished in view of what was desired. In my opinion, it shows a record of achievement that justifies continued support of President Eisenhower and Republican control of both Houses of Congress.

KOREA

Our people had grown weary of war and its exacting sacrifices. World War II was ended only to be followed by the Korean conflict. The sacrifices of our best in manhood brought distress to the families of America, our national resources were being depleted, and our burden of taxes increasing. All of this created an understandable desire for an honorable peace. To accomplish this became the first task of the Republican administration. President Eisenhower took the leadership and with courage and firmness sought an end to the conflict. He and the people of the Nation gave thanks to God that these efforts proved successful. And it is our fervent hope and prayer that our Nation will continue to be wisely guided through the treacherous conditions that are all about us, especially in the Far East, that we may avoid war there and every other place where trouble exists.

NATIONAL DEFENSE

Under the leadership of President Eisenhower on questions relating to military strategy and the elements necessary to provide adequate national defense and security, together with the executive ability of Secretary of Defense Wilson with respect to production, the country now has more defense at less cost than at any time in recent years. The consequent decrease in appropriations has helped very materially in reducing the cost of government, resulting in corresponding decrease in the burden of taxation. The fact that this has been done while providing adequate defense in these troublous times has been a most outstanding and worthy accomplishment.

REDUCTION IN COST OF GOVERNMENT

The record that has been made by the Republican administration, since it assumed office in January 1953, with respect to the elimination of waste and extravagance in government, and the reduction of cost of government has been most commendable.

In the two sessions of Congress since January 1953, the reduction in the expenses of government as compared to the last administration has totaled approximately $12 billion. Because of this policy of economy the Republican 83d Congress has been able to enact the largest tax-saving program in the history of our country. No Congress in history has ever adopted a tax-saving program equal to that voted by the present Republican Congress. For 20 years, with the single exception of 2 years during the Republican 80th Congress, taxes against the earnings of our people went upward and never downward. The theory of previous administrations has been to spend and spend and then tax and tax until the burden had become unbearable. Waste and extravagance went hand in hand producing the need for higher and higher taxes. The upward trend of ever-increasing taxation has not only been stopped, but the trend has been reversed and is now downward instead of upward

Today, I am happy to report, the annual tax bill for the American people is $7,400,000,000 less than it was when the Republican administration took up the reins of government This is an achievement unparalleled in the history of our Government

Personal income taxes are 10 percent lower; excise taxes on commodities in general use are in most cases 50 percent less; our retired schoolteachers, firemen, police, working mothers, the disabled and handicapped, investors in enterprises that provide jobs for wage earners, are all benefiting by a reduced taxation policy. Furthermore, the extensive revision of our Internal Revenue Code, correcting hundreds of inequities that developed in the course of years, brought deserving relief to millions of our citizens.

The large share of the tax savings will go to individuals as the 52-percent corporation tax on our larger business enterprises has been continued.

BUREAUCRATIC CONTROL AND REGIMENTATION ENDED

Not only has the burden of taxation been decreased, but the irritating effect of bureaucratic control has been eliminated. This has become a thing of the past. No longer are we faced with the danger of an increasing tendency to adopt foreign ideologies that could lead to regimentation of a kind not in accord with our American principles. No longer are we restrained by controls or in fear of regimentation. In times of peace there is no need nor justification for a system of controls or regimentation whatsoever. To prevent such, is the present and future policy of the Republican Party.

INFLATION HAS BEEN STOPPED

The adverse result of inflation, with the consequent reduction of the value of the dollar, is something with which we are all unfortunately familiar. For a decade and more the purchasing value of the dollar has been continually decreasing. Such a trend once started is not easy to stop. However, we can all be thankful that this continual downward trend has been stopped as a result of the policies adopted by this Republican administration. To millions of our

citizens, particularly our older citizens living on fixed incomes from pensions, annuities, or life savings, as well as veterans and their dependents, this accomplishment of the Republican Party brings to an end the fear of a reduced standard of living. A continuation of these policies can and will bring further advantageous results.

HOUSING AND HOME OWNERSHIP

Good housing and living conditions make for a stronger America. The need for improved living conditions for a vast number of our people has been recognized, and, the present Republican Congress has provided for the need by a program which will materially meet the existing need.

The program adopted not only makes possible the elimination of so-called slum areas, but, also make it easier for individuals in rural or city areas to construct and own their own homes. All of this is being done within the concept of a free enterprise system. The result of this legislation will undoubtedly be helpful to all who seek better living conditions and look forward to the day when they can own their own home.

SOCIAL SECURITY

While it is gratifying to realize that we have in America the highest standard of living in all the world, yet, there is need for an ever-increasing system of old-age and survivors insurance. The Republican Congress has recognized this need and has accordingly brought upward of 10,200,000 more earners under the social-security plan.

This additional coverage includes 3,600,000 farm operators; 2,100,000 farmworkers; 200,000 domestic workers; 3,500,000 State and local employees; 250,000 ministers; 100,000 homeworkers; 50,000 fishermen; 100,000 American employees of foreign subsidiaries of American companies; 50,000 in employment not in course of trade or business; 100,000 professional self-employed, such as accountants, architects, engineers, and morticians; and 150,000 Federal employees; totaling 10,200,000. Lawyers, doctors, and dentists are not included but should be. In my opinion this will be done in the near future.

More than 6,500,000 persons now on the benefit rolls will have their benefits increased as of September 1, 1954. The average increase for retired workers will be about $6 a month, with proportionate increases for dependents and survivors. The range in primary insurance amounts for those now on the rolls would be $30 to $98.50, as compared to $25 to $85 under previous law.

The bill also provided for a continuation of the increases in Federal payments to the States for old-age assistance, aid to the blind, and aid to the permanently and totally disabled.

This legislation presented by the Republican administration and adopted by the Congress leaves no doubt of a sincere and honest desire to be helpful to the aged and handicapped among our people. I trust and expect that further additions in coverage and benefits will be possible in the near future.

RAILROAD RETIREMENT AND UNEMPLOYMENT ACT

The Railroad Retirement and Unemployment Act was amended at this session of Congress to liberalize retirement and unemployment benefits to railroad workers and their dependent survivors.

Henceforth, widows, dependent widowers, and dependent parents of covered workers can qualify for benefits at age 60 instead of 65; dependent children permanently and totaled disabled before the age of 18 and their mothers will continue to receive survivor benefits beyond the present cut-off age; maximum daily unemployment benefits are increased from $7.50 to $8.50 and disabled workers drawing retirement benefits are now allowed to earn $100 monthly from outside sources without losing their annuities.

HEALTH

I have been particularly interested in providing additional health facilities and adopting ways and means to meet the increasing cost of medical and hospital attention. The cost of such has gotten to a point where the burden is too much for a family to bear in cases of prolonged illness. While much has been accomplished in the endeavor to provide additional facilities, yet there remains much to be done in alleviating the cost of medical and hospital attention. This will be a subject that will receive renewed attention in the next session of Congress.

However, the Congress did adopt important measures in the field of health. One of the most worthwhile bills adopted was that for a 3-year health and hospital program providing $182 million for the construction of diagnostic centers, hospitals for the chronically ill, as well as rehabilitation and nursing homes.

Furthermore, a $2 million fund has been provided for surveys by State authorities to determine the needs in the field of health. Research programs have also been provided for to continue the assault against the Nation's major killers—cancer, heart ailments, and other disorders of the mental and nervous systems including poliomyelitis, arthritis, rheumatism, muscular dystrophy, cerebral palsy, blindness, and many other diseases that bring so much distress to individuals and their families. For these purposes the present Republican Congress voted the greatest amount of money our researchers in these fields have ever had available. I am proud to have had a part in formulating this humane program. I give assurance of my continuing interest in this and all similar programs that have as their objective the alleviation of disease, the care of the ill, and making more comfortable the aged, chronically ill, and handicapped in life.

AGRICULTURE

The question as to what should be our farm policy was one that created a distinct division of thought. Midwest and southern farmers were generally in favor of maintaining a fixed parity of 90 percent for wheat, corn, cotton, and peanuts. The administration favored a policy of flexible parity ranging from 75 percent to 90 percent. This issue was finally decided by adopting a flexible policy ranging from 82½ percent to 90 percent.

This issue is not one that in any great measure directly affects New Jersey farmers. It is due to the fact that the crops of New Jersey are mostly of a diversified character and the so-called basic crops covered by parity are not grown in great quantities in New Jersey when compared with the quantities raised elsewhere.

However, as the effect of subsidy, whether fixed or flexible, is to hold up the price of grain, it does have a detrimental effect on the poultry business in the State of New Jersey. This arises from the fact that the price of poultry feed is made higher as a result of the subsidy policy or price maintenance of crops that go into the manufacture of poultry feed. The fact that the administration demanded a flexible rather than fixed parity is most gratifying as a step toward getting away from the former policy that created a definite problem for our poultrymen.

The New Jersey poultry farmers in my opinion are entitled to some assistance in meeting the high price of poultry feed. With the price of eggs going down at this time, and feeds costs remaining high, a distinct problem is created that makes it difficult for the poultry farmer to remain in business except at a loss.

There have been several suggestions made by poultry farmers to relieve or better the conditions they presently face, namely, first, that the Government buy 1 million cases of eggs for school lunches and relief clients; second, that Government-owned surplus grains be made available to them at reduced prices; and, third, that New Jersey be declared a drought disaster area, making its farmers eligible for emergency loans.

At the present time the subject is under consideration by the Department of Agriculture in an effort to find a basis upon which help may be extended. If none is found voluntarily by the Department, then it should be a matter of congressional consideration and the adoption of legislation that would provide a helpful remedy.

HIGHWAY CONSTRUCTION

The Republican 83d Congress has enacted the most comprehensive and expanding road program ever adopted by Congress. It seeks to put our road-building program on a basis that will insure up-to-date roads throughout the Nation. For the next 2 years upward of a billion dollars will be provided annually for the purpose. This means for the first time in our history, virtually 100 percent of the tax money collected by the Federal Government on gasoline and oil sales will be returned to the States for road-building purposes. This will bring to an end the previous policy of diverting as much as 40 percent of such revenue to other and unrelated purposes.

It is also important to note that this new policy also returns to the States, counties, and local municipalities greater control over the type of roads they can build—control that had been heretofore lodged in a Federal bureau. Thus, now for the first time the funds made available for road construction in certain

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areas may be used to build highways in accord with the localities served.

WAR CLAIMS

Important legislation has been adopted that will be helpful in dealing with many kinds of problems that have arisen in connection with prisoners of war and others who were made subject to hardships and losses incident to improper and illegal enemy action.

EDUCATION

The basis for an attack on how we can best provide better educational advantages for our children has been established by appropriate legislation. These bills provide close cooperation between the Federal and State Governments to the end that there may be a complete cooperation in our research to determine regional needs thus avoiding duplication of effort and diffusion of our resources in meeting the problems of education arising from the increasing number of children to be educated.

VETERANS

The rights of the men and women who served their country during the Korean conflict have been safeguarded and there has been extended to them the same benefits accorded to those men and women who served in World War I and World War II.

Furthermore, the Congress has recognized the necessity of providing more adequately for our disabled veterans of all wars. Thus, a program has been adopted that will increase benefits to them, to widows, survivors, and to dependent parents. This is in accord with the Republican policy to recognize our obligation to those who served their country and are in need, their widows and survivors.

DISPLACED PERSONS

Recognizing the hardships placed upon individuals and families abroad who were separated as the result of war, this Nation, under Republican leadership, has sought to alleviate their unfortunate condition in every possible way, including the admission into this country of a limited number under strict security regulations.

INTERNAL SECURITY

The present administration has sought diligently to ascertain the existence of any and every disloyal employee in the Government service. As a result of this effort, some 2,400 persons were found to be security risks and have either resigned or been discharged from Government employment. As a result our people can feel confident that secrets vital to our welfare will not fall into the hands of our enemies through the activities of spies and traitors. Additional powers have been given to the Justice Department, and additional penalties provided to adequately and effectually deal with this traitorous class.

COMMUNISM

There is no doubt where the present administration stands on the issue of communism. The active and aggressive prosecution by the Department of Justice has resulted in the conviction of 50 Communist Party leaders on charges of conspiring against the United States Government. Twenty-two more are on trial or scheduled for trial. Almost 100 additional organizations have been declared subversive in character by the Department of Justice. Orders to deport 268 aliens with records of Red activity have been issued by the Republican Attorney General. Congress has passed laws that will outlaw the Communist Party and make it a crime to belong to any political party or organization that advocates the overthrow of our Government by force.

Congressional committees, regardless of the complaints from subversive sources will continue to press their investigations against subversive elements as long as the need exists.

ATOMIC-ENERGY PROGRAM

This is an atomic age. It brings both fear and hope. Fear because of the known disastrous results that follow its use. Hope because of the claim that it can be adapted to useful and beneficial purposes. The future alone will show whether the good uses will prevail over the harmful uses of which it is capable. Whatever may be its possible uses this Nation is alert to the necessity of keeping ahead in all that pertains to its use.

During President Eisenhower's first year in office he inspired the free world by a proposal for a world atomic energy agency to promote the use of atomic energy in peaceful pursuits for all mankind. The failure of the Soviet Union to accept the proposal made plain that the underlying purpose and intent of the Kremlin is not for peace but for war. Notwithstanding this setback our Nation through the action of the Congress and the approval of the President has adopted legislation that brings this whole subject of atomic power into its proper relationship from the standpoint of national security in time of war, as well as peaceful use of its powerful elements that can promote the welfare of mankind.

EFFICIENCY AND ECONOMY IN THE FEDERAL GOVERNMENT

It was immediately apparent when the present administration took over the management of our Government that there was a surplus of employees in Government service. As a result of this condition efficiency was at a low ebb and economy ignored.

In promoting both efficiency and economy the executive departments of our Government immediately upon assuming their respective departments began a careful study of the situation to ascertain how the evils could be best remedied, and, with as little distress as possible to the surplus employees whose services were not necessary to the proper functioning of the Government.

As a result of these studies nearly a quarter of a million jobs have been abolished or consolidated by executive departments, thereby saving millions of dollars to the American taxpayer and at the same time greatly improving the efficiency of Government departments. At the same time loyal employees have been assured that they will be treated fairly in their Government careers. In this connection there has been a revision of civil-service standards whereby there has been restored to the civil-service system equitable rules and regulations in the place of the inequitable standards previously utilized in a program of employment and advancement based on political favoritism.

Furthermore, in an effort to provide a continuing program of promoting efficiency and economy in the Federal Government there have been established commissions to make close and careful studies of governmental departments and their operations. It is expected that the result of these studies will be to show other ways and means of obtaining more efficiency and economy in our Government. To attain this objective will mean further reduction in the cost of government and consequent reduction of Federal taxation to the individual taxpayer. It can also be expected by continuing this effort that a balanced budget will be accomplished in the not distant future.

CONFIDENCE RESTORED

The conduct of Republicans in high office in the Federal Government, under this administration, has brought renewed confidence in the existence of honesty and integrity in the fulfillment of public duties. These, together with the necessary ability to fulfill the duties of the respective office, are the elements that make for good government.

With this type of leadership our policies of government represent the honest convictions of the officials who formulate them, and, are based upon previous experience and success in their individual affairs that has made them recognized leaders in their respective activities.

Already there are signs that our Nation is stronger financially and economically than it was at the time the Eisenhower administration took over. Today we have a prosperity based upon peace and not the false prosperity of war. There is an adherence to the principles that make a strong foundation by recognizing and utilizing the old and tried principles that have contributed greatly to the strength of our Nation.

THE FUTURE—OUR DUTY

The accomplishments of the present administration, worthwhile though they may be, do not entitle us to rest on our oars. There is important work yet to be done. The welfare of our people can be still further promoted by the fulfillment of the magnificent program of President Eisenhower.

What can and should be done by our citizens to make certain that the President's program is made effective in its entirety? The answer is plain—election of another Republican Congress in November.

President Eisenhower needs and deserves the help of another Republican Congress during the last half of his first term of office. Election of an unsympathetic Congress could wreck the magnificent gains already made. Furthermore, there is need of a larger Republican majority than he had during the first half of his present term of office.

The small Republican majorities in the House and Senate have made it difficult to accomplish all that was desired by the President and, in the way he desired. At times because of such limitation it has been necessary to compromise and thereby take less than was desired. But, notwithstanding the lack of a large working majority that has been a distinct handicap, the accomplishments have been highly satisfactory. However, if the present administration is to accomplish all that is expected of it there must be a sufficient majority in both House and Senate to give an unquestioned Republican control to the President in both Houses of Congress. Thus, the issue in the coming election in November will be the control of Congress. It cannot be too strongly emphasized that a Republican control in both branches of Congress is necessary if President Eisenhower is to accomplish all that is expected of him during his administration.

Aside from political considerations that might be urged to give support to the President by electing a Republican Congress, the overruling consideration should be our national welfare.

The uncertainty that pervades the world requires a strong hand at the helm with a Congress in sympathy with the captain of the old ship of state. Division between captain and crew as to the course to be followed could easily bring us upon the rocks. The situation is too serious to be trifled with. We must sail a straight course or take the dire consequences that could follow a change in policies. Today we have peace. Tomorrow we could have war if the wrong course is followed.

When things are going along all right, we should let well enough alone. Things that may require a remedy can be dealt with as they arise by those who have had the experience and shown good judgment in bringing us where we are today. The importance of experience in these treacherous and uncertain times cannot be overemphasized nor should it be overlooked.

President Eisenhower and the Republicans in the Senate and House are working as a team. They have accomplished much notwithstanding the handicaps with which they were faced. The conditions that confront us call for the strength that comes from continued unity of purpose and unity of action by a sympathetic Congress.

Results of Questionnaire, First Congressional District, Wisconsin

EXTENSION OF REMARKS

OF

HON. LAWRENCE H. SMITH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. SMITH of Wisconsin. Mr. Speaker, under leave to extend by remarks, I am including a recent questionnaire on important issues confronting the American people, as we go into the next congressional campaign. These issues involve both foreign and domestic policies. I include the tabulated results at this point:

Final tabulation of results, questionnaire from Congressman Lawrence H. Smith, 1st District, Wisconsin

	Yes	No
1. Do you favor increasing the Federal debt limit?	92	1,321
2. Do you favor return to the States of all Federal gasoline and oil tax revenues for highway construction purposes without Federal dictation?	1,137	370
3. Do you think that the Taft-Hartley Act is fairer to all parties than the old Wagner Act?	1,455	70
4. Do you think that employers should have the right to talk freely to their employees about all labor-management matters?	1,509	60
5. Do you favor reciprocal trade agreements regardless of competition of foreign products with domestic products?	437	999
6. Do you approve of Government buying up and storing farm surpluses?	287	1,085
7. Do you believe that the Federal Government should go into the business of producing and selling electric power?	161	1,377
8. Do you favor old-age insurance payments to all persons 65 and older, regardless of need or prior eligibility?	457	1,060
9. Do you believe that the administration and control of health and medical services to all the people is a proper function of the Federal Government?	160	1,380
10. Do you favor socialized medicine?	86	1,452
11. Do you favor a constitutional amendment making treaties with foreign nations of no force and effect if they deny or abridge any right enumerated in the United States Constitution?	995	401
12. Should the United States continue its program of economic aid to foreign countries?	484	909
13. Do you believe atomic and hydrogen bomb know-how should be shared with other countries?	152	1,328
14. Do you think that the United States should continue to pay ⅓ of the cost of maintaining the United Nations?	134	1,390
15. Should the United States sever diplomatic relations with Russia?	876	543
16. Do you believe American military aid to foreign countries should be continued?	736	627
17. Do you favor keeping American troops abroad?	628	871
18. Do you think we should demand that our allies halt all trade with Russia and her satellites?	1,048	399
19. Do you feel that the President should have the power to commit the United States to active resistance in aggression in Europe and Asia without the consent of or consultation with Congress?	129	1,413

Record of Republican 83d Congress

EXTENSION OF REMARKS

OF

HON. CHARLES J. KERSTEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. KERSTEN of Wisconsin. Mr. Speaker, the domestic record of the Republican 83d Congress has been outstanding restoring sound and effective government for the people. The dangerous trend toward socialistic, ever-increasing government interference in the people's private affairs has been arrested and measures which encourage private enterprise and foster self-reliance have been adopted.

BIG GOVERNMENT TRIMMED DOWN

The Republican Congress and Republican administration have substantially helped the people by cutting down big government and by spending less of the people's money. The people are now able to determine for themselves to a greater extent how they shall dispose of their own money, instead of having the Government spend it for them.

More than 200,000 persons have been removed from the Federal civilian payrolls—a large saving to the American taxpayer. Congress also approved all 12 of President Eisenhower's government reorganization plans, which enable Government departments to operate on a more efficient basis.

The spending budget for fiscal year ending July 31, 1954, proposed by Truman before he left office was reduced more than $10 billion by the Republican administration after it came into office. Truman had predicted a budget deficit of $9.9 billion for fiscal 1954. The Republican administration cut this predicted deficit to an actual $3 billion.

TAXES CUT

Because of these cuts in Federal spending, the Republican 83d Congress was able to pass on substantial tax cuts to the American people. During the Democratic administrations taxes had constantly increased, until they had become a tremendous burden even on the poorest people. The Democrats had turned the income tax into a soak-the-poor tax with their extremely high rates and their niggardly tax exemptions. During all their long rule in Washington the Democrats had never increased the personal tax exemption, in fact, they had constantly decreased it. Now when they are out of power they loudly proclaim that they are in favor of increasing the tax exmption. The fact is, however, that the only increase in tax exemption—from $500 to $600 per person—in the past 22 years was enacted by a Republican Congress over Truman's veto.

The Republican 83d Congress slashed excise taxes by 33 to 50 percent on many items such as stoves; refrigerators; clothes driers; handbags; cosmetics; railroad, bus, and airline tickets; sporting goods; telephone calls and telegrams; movie tickets and tickets to our Milwaukee Braves' games.

Personal income-tax rates are now 10 percent lower. The Republican 83d Congress has also provided special income-tax consideration to retired schoolteachers, firemen and police, and other persons living on retirement income, to working mothers, to persons supporting dependents, to disabled and handicapped, to persons injured at work, to installment buyers, to small-business men in more rapid despreciation rates, to shareholders in business, and to persons with medical expenses. Everyone has benefitted from these lower income-tax rates and the special changes relieve previous inequities in the tax laws.

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SOCIAL-SECURITY BENEFITS INCREASED

The Republican 83d Congress expanded the social-security program to include 7 million more persons. Farmers, farmworkers, accountants, architects, engineers, ministers, State and local government employees are all newly included under social-security coverage.

Social-security benefits were also substantially increased. The maximum monthly family benefit is increased from $168.75 to $200. The minimum monthly benefit for a retired worker is increased from $25 to $30. An individual retired worker can now receive up to $108.50, and together with his wife can receive up to $162.75.

Earnings limitation under the new law is removed at age 72, instead of at 75, under the former law. Thus, anyone over 72 may earn any amount without forfeiting his social-security benefits. For those under 72 the law is modified to permit such person to earn up to $1,200 per year without loss of benefits; and even if earnings are between $1,200 and $2,160 per year his benefits are only proportionally reduced.

MORE HOMES

The Republican 83d Congress has made it possible to help fulfill the fundamental desire of American families to have good homes of their own by changes in the law respecting FHA mortgages.

The Republican-sponsored housing law permits lower downpayments, lower monthly payments, longer repayment terms of up to 30 years, and increased mortgage limits of up to $20,000. More money is made available for home loans by the merger of all FHA mortgage insurance activities into one authorization, which was increased by $1.5 billion.

Under the new FHA-insured mortgage program, it is possible, for example, to buy a $9,000 new home for $450 down and monthly payments of $46.83.

This example of the new lower downpayment—in this case less than half the former downpayment rate—indicates how housing opportunities can open up in areas and for income groups never before reached. Mortgage amounts under the new law are now 95 percent of the first $9,000 of the value of a new home plus 75 percent of the value in excess of $9,000. A $12,000 home can be purchased for $1,200 down, instead of $2,400, with monthly payments of less than $60. Home buyers also are protected by guaranties required from builders or sellers using FHA-insured mortgages.

ST. LAWRENCE SEAWAY

The St. Lawrence Seaway has at last become a reality for Milwaukee and Wisconsin. This seaway will eventually mean more jobs, more income, more business for Milwaukee. Milwaukee can become the most important port on the Great Lakes by serving as a point of exchange between the industrial and agricultural Midwest and the markets of Europe and South America.

The St. Lawrence Seaway project had been proposed and reproposed repeatedly over the past 30 years. Yet it remained for the Republican 83d Congress and the Republican administration to finally give the green light to this important project.

SMALL BUSINESS AIDED

The 83d Congress helped small business not only through needed tax relief but also by creating the Small Business Administration as an independent agency of the Federal Government. The Small Business Administration is authorized to make loans up to $150,000 to help small businesses. Large loans which created so much scandal during the Democrat administration are not permitted to be made; it is the intent of the law to see that the primary benefit goes to small entrepreneurs.

INTERNAL SECURITY

About 2,400 persons found to be security risks have left or been discharged from Government employment during the first year and a half of the Republican administration. Fifty Communist leaders have been convicted in court and 256 Red aliens have been ordered deported.

Various measures have been adopted to make it more difficult for the Communists to operate in our country. The Communist Party has been outlawed; their power to control certain unions is being limited. Witnesses testifying before congressional committees may be granted immunity under certain circumstances, in order to enable these committees to ferret out more facts on Communist activities in our midst.

KERSTEN COMMITTEE EXPOSES COMMUNIST TACTICS

Congressional committees continued their excellent work of exposing Communist activities in America during the 83d Congress. The House Select Committee on Communist Aggression, of which I was chairman, brought to light many facts regarding the Communist seizure of the Eastern European countries and of the treatment of the various people subjected to Communist rule. The Department of State has praised the committee for its work in thus helping American foreign policy against the Reds by bringing out these hitherto little known details of Communist brutality.

CLEANING UP THE CORRUPTION MESS

The Republican Party, when it came into office in January 1953, inherited a mess. Members of the Truman administration had been convicted of fraud. The involvement of no less than 14 Government officials in instances of favoritism and influence had been exposed. Members of Truman's official family had accepted valuable gifts; mink-coat and deep-freeze scandals had disgusted the Nation. Hundreds of Federal employees had been caught trying to improve their private fortunes through their positions on the public payroll. Ten Federal agencies were entangled in shadowy manipulations.

There were 78 headlined scandals in the Agriculture Department, 48 in the Internal Revenue Bureau, 19 in the Defense Department, 10 in the RFC, 9 in the Justice Department, 5 in the Post Office Department.

Machinations of influence peddlers had spread through the land. Mixed up in the awarding of many Government loans and contracts were corrupt political bosses and underworld characters.

In their 1952 platform, the Republicans pledged to put an end to corruption, to oust the crooks and grafters, and to restore honest government to the people.

That pledge is being kept. Under leadership intent upon exposing rather than covering up corruption, the Congress and the Executive are cooperating in providing the kind of government in which decent citizens can take pride.

I believe that the American people are well satisfied with the record of the Republican 83d Congress and of the Republican administration in restoring sound, efficient, and effective government in the United States Government which is responsive to the true needs of the people, but which does not overwhelm the people's liberties in a socialistic morass.

An Astounding Record of Cutting Government Spending by the Republican Administration

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EXTENSION OF REMARKS

OF

HON. CHARLES A. WOLVERTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. WOLVERTON. Mr. Speaker, the Republican Congress and the Eisenhower administration have fulfilled a solemn pledge to the American people—we have cut Government spending and increased the efficiency of Federal functions without impairing the Nation's security. This is how we accomplished our objective:

BUDGET FOR FISCAL 1954

First, take the final Truman budget, for fiscal 1954. President Truman asked for $66,568,819,353 in new funds—regular annual and supplemental appropriations. He said this figure could not be cut. But the Republican Congress and the administration knew there was plenty of fat in each item of that budget, and they accomplished one of the greatest feats in the history of free government—they reduced the Democrat spending program for fiscal 1954 by $12,029,378,802.

To do this, the legislative branch and the executive branch worked in close harmony and cooperation, as the Constitution intended. The departments, now headed by economy-minded Republicans, revised their Democratic predecessors' estimates and were able to reduce the budgets for their departments by many millions. Then the Republican Congress finished the job for fiscal 1954 by further trimming the Truman cannot-be-cut budget.

BUDGET FOR FISCAL 1955

The tremendous job was not finished. The Republican administration was de-

termined to further reduce spending, to bring the cost of your Government down to a place where we could ease the staggering load on American taxpayers. It accomplished this in the present fiscal year.

Listen to President Eisenhower's appraisal of the fiscal 1955 budget. In his message to Congress on January 21 of this year, he said:

> This new budget is the first prepared entirely by this administration. It provides adequately, in my judgment, for the national defense and the international responsibilities of the Nation. * * * The budget also provides adequately for the current needs of the Government and for constructive forward steps in our domestic repsonsibilities and programs.
>
> This budget marks the beginning of a movement to shift to State and local governments and to private enterprise Federal activities which can be more appropriately and more efficiently carried on in that way.
>
> This budget also benefits from material savings from the decreased costs of Federal operations resulting from our constant effort to improve the management of Government activities and to find better and less expensive ways of doing the things which must be done by the Federal Government.

And President Eisenhower renewed the Republican Party's pledge to the American people. He said:

> This administration is dedicated to greater efficiency and economy in meeting the Nation's security requirements and the necessary and valid functions of the Government.

FOUR YEARS OF APPROPRIATIONS

The best way to show the remarkable accomplishments of the Republican Congress and the administration is to compare appropriations for the 2 years of Republican control, fiscals 1954 and 1955, with the last 2 years of Democrat rule, fiscals 1952 and 1953.

In fiscal years 1952 and 1953, when a Democrat Congress and a Democrat President were in control, Congress gave the Federal Government a total of $166,416,788,116.

In fiscal years 1954 and 1955, with a Republican Congress and a Republican administration managing the Nation's budget, Congress has appropriated a total of only $102,181,571,756.

In just 2 years, the Republican administration has cut the cost of Government by $64,235,216,360. In just 2 years, it cut the cost of Government almost 40 percent.

ONE THOUSAND SIX HUNDRED DOLLARS SAVED FOR YOUR FAMILY

Here is what the $64,235,216,360 cut in appropriations means to you. It figures out to an average saving of $395 for every man, woman, and child in this country, based on a population of 162 million.

In the average family of 4 persons, this means a saving of nearly $1,600. That is $1,600 of your family's much-needed money that the Government will not be spending.

Another way of looking at it is to realize that this $64,235,216,360 reduction in Government costs for 2 years is nearly equal to the total amount that Mr. Truman asked to run the Government in his last budget request, for fiscal 1954. Thus, the Republican administration has in effect eliminated nearly a whole year of typical Truman spending.

REPUBLICAN VERSUS DEMOCRAT SPENDING

A Republican administration has been able to make these tremendous cuts and savings because, for the first time in 20 years there has been a real desire by both the administration and the Congress to save money.

One of the biggest headaches inherited from the Truman administration was the matter of purchase commitments it had entered into involving payment at some future time. As of June 30, 1953, President Eisenhower was faced with spending authorizations which had been made in the past but for which cash had to be found in future months.

Much of the $81 billion in unpaid Truman bills was the result of the military buildup contracted for at the start of the Korean war in 1950. President Truman and his budget experts predicted in the final Democratic budget that fiscal 1954 would be a peak spending year. In fact, Truman predicted that the first full fiscal year of the Eisenhower administration would wind up with a deficit of $9,992,000,000.

But here is what actually happened in fiscal 1954, under the economy-minded Republicans:

The deficit for fiscal 1954 is only $3,020,000,000. That is $6,893,000,000 less than Truman forecast, and it is $6,411,000,000 below the Truman deficit for the preceding year.

A 55-YEAR COMPARISON

The Republican Party has a long record of low spending. To prove this, I am going to compare Republican and Democratic spending for the last 55 fiscal years.

Since 1900, America has experienced 26 years of Republican administrations. Republicans have spent $186,525,000,000 in those 26 years, and we have kept the country at peace. Democrats have spent $821,795,000,000 in 27 years, and they kept the country at war—hot and cold.

Republican administrations have spent, on the average, $6,663,000,000 a year for 26 years.

Democrat administrations have spent, on the average, $29,350,000,000 a year, or almost 5 times more.

SMALL SAVINGS BRING BIG RESULTS

In August of 1953, President Eisenhower ordered the heads of all Government departments and agencies "to take every possible step progressively to reduce the expenditures of your department during the fiscal year 1954." Here are some examples of the results.

Some 216,243 unnecessary Federal jobs have been eliminated in the period of January 1953 to June 1954, saving the taxpayers $851 million.

There are 7,055 fewer Government automobiles in service today, for a saving of about $2 million a year.

General Services Administration, the Government's housekeeping and supply agency, has saved $150 million since the Republicans took over management of Government property and supplies.

The Government's rent bill was decreased by about $8 million in 1953. Government-leased space was cut from 41 million square feet to 36 million square feet.

The Budget Bureau has halted the practice established by Democrat administrations of running wild in making needless and extravagant purchases in the final days of each fiscal year so that no appropriation would be returned to the Treasury. Now, when purchases in the closing days of a fiscal year exceed the level of the preceding months, the excess buying is charged to the guilty agency's new appropriations for the next year.

In the Republican-controlled House of Representatives, the Appropriations Committee set 15 task forces to work to lay the groundwork for reductions in appropriations. These task forces were composed of 80 of the country's foremost business and management experts, who were borrowed temporarily for the most part from some of the country's most efficient businesses. They were assisted by experienced staff members of the General Accounting Office, an agency which is responsible to Congress.

These engineers, certified public accountants, researchers, and business executives worked for months in the Government departments and agencies and found innumerable instances of waste, inefficiency, and unnecessary expense that had built up during the previous 20 years. With the reports of the task forces to guide them, Members of the House were able to achieve the tremendous budget reductions.

Any individual who has been in financial difficulties well knows that these troubles cannot be straightened out overnight. The same holds for your Federal Government. But in the short space of time the Republicans have been in control in Washington, the record shows what they have been able to do, with economy and efficiency our guiding policies.

Much more remains to be done, and it will be done. Every citizen, his children and his children's children, will ultimately reap the benefit in further lowering of taxes, steady prices, a solvent Government, and a future you can rely on.

To assure the realization of such a future, the President should have a Republican Congress again in 1955 and 1956.

More and Better Housing

EXTENSION OF REMARKS

OF

HON. GEORGE H. BENDER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. BENDER. Mr. Speaker, the biggest single factor in brightening the economic forecast during the past year has been the record established by the construction industry. Homes, highways, and public utility expansion have been high on the agenda of activity. In August, the figure reached a new record of

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more than $3½ billion. In 1953, the building set its high level at $35,250,000,000. At the present annual rate, 1954 should do better than $36½ billion.

What is most cheerful about this picture is the tremendous amount of private residential construction throughout the country. People have always been home conscious in America. Nowadays this attitude has become more pervasive than ever. "A home for every family" sounds like a slogan out of Aladdin and his magic lamp to most countries where homes are luxuries. But in our own land, there is every good prospect for reaching this ideal for every family which desires a home. With our liberalized lending facilities underwritten by new congressional legislation, the possibility becomes more than a dream.

In its spreading effects, homeownership means the manufacture and purchase of household goods, extension of utilities, school buildings, employment expansion, and a steadily widening influence upon the economy. More and better housing is the sign of a healthy economy.

Procedure for Amending the Constitution

EXTENSION OF REMARKS
OF
HON. RALPH W. GWINN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. GWINN. Mr. Speaker, here is a fundamental and possibly a necessary next amendment to the Constitution. It clarifies the fifth article of the Constitution, making it possible for three-fourths of the States by identical resolution to amend the Constitution without calling a convention or making it necessary for Congress to take action:

House Joint Resolution 568

Joint resolution proposing an amendment to the Constitution of the United States relating to the procedure for amending the Constitution

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That in lieu of article V of the Constitution of the United States, the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid, to all intents and purposes, as part of the Constitution:

"ARTICLE —

"SECTION 1. The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or on the application of the legislatures of two-thirds of the several States shall call a convention for proposing amendments; or the legislature of any State, whenever two-thirds of each house shall deem it necessary, may propose amendments to this Constitution by transmitting to the Secretary of State of the United States and to the secretary of state of each of the several States a certified copy of the resolution proposing the amendment, which shall be deemed submitted to the several States for ratification when certified copies of resolutions of the legislatures of any 12 of the several States by two-thirds of each house shall have been so transmitted concurring in the proposal of such amendment; which, in any case, shall be valid to all intents and purposes as part of this Constitution when ratified by the legislatures of three-fourths of the several States: *Provided*, That no State, without its consent, shall be deprived of its equal suffrage in the Senate.

"SEC. 2. The act of proposal, concurrence in a proposal, or ratification of an amendment, shall not be revocable.

"SEC. 3. A proposal of an amendment by a State shall be inoperative unless it shall have been so concurred in within 7 years from the date of the proposal. A proposed amendment shall be inoperative unless it shall have been so ratified within 15 years from the date of its submission, or shorter period as may be prescribed in the resolution proposing the amendment.

"SEC. 4. Controversies respecting the validity of an amendment shall be justiciable and shall be determined by the exercise of the judicial power of the United States."

SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission.

Tribute to Hon. Robert C. Hendrickson, of New Jersey

EXTENSION OF REMARKS
OF
HON. EDWIN C. JOHNSON
OF COLORADO
IN THE SENATE OF THE UNITED STATES
Friday, August 20, 1954

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent to insert in the RECORD a letter which I wrote to Senator ROBERT HENDRICKSON on August 20, 1954.

I do this because I hold Senator HENDRICKSON in such high regard. His services in the Senate were an inspiration to every other Senator.

He is a man of great courage and fixed purpose. He will stand up for what he believes is right, come what may. At the same time he is the personification of kindness and good will toward all.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON INTERSTATE AND
FOREIGN COMMERCE,
August 20, 1954.

Hon. ROBERT C. HENDRICKSON,
Committee on Armed Services, Senate Office Building, Washington, D. C.

DEAR ROBERT: I rejoiced in the wonderful tributes paid to you yesterday on the Senate floor. The good part about them is that they are so richly deserved and sincere. You have been a splendid Senator dedicated and devoted to your task.

I am especially indebted to you for your courageous and timely crusade on juvenile delinquency. That is the major problem of this day. You tackled it with determination and understanding. The loss of your leadership in this vital cause is a tragedy.

As I bow out of the Senate the most precious thing which I take away with me is the friendships and the memory of my association with my beloved colleagues. From them and from you I have gained inspiration and renewed faith in men.

Whatever you do and wherever you may go, I hope for you happiness in abundance and success without stint.

With affectionate regard, I am

Most sincerely,

EDWIN C. JOHNSON,
United States Senator, Colorado.

Civil Rights Advanced by Republican Administration

EXTENSION OF REMARKS
OF
HON. CHARLES A. WOLVERTON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. WOLVERTON. Mr. Speaker, throughout the long struggle for equality for all Americans, there have been several basic steps which had to be taken before the tide of man's inhumanity to man could be turned.

Within 2 short years, the Republican administration has established landmark after landmark in the field of human rights.

In his inaugural address on January 20, 1953, President Eisenhower reaffirmed a promise made during the 1952 campaign. He said:

We reject any insinuation that one race or another, one people or another, is in any sense inferior or expendable.

On April 2, 1954, the Chicago Defender, a leading Negro newspaper which had long supported the Democrat administrations, said that in 15 months of the Eisenhower administration, "the admittedly low stock of the Negro has risen to a new high and the potentialities are even greater."

This is high praise indeed from those who have endured decades of broken promises from political manipulators who used the frustrations of many of our citizens to promote their own political goals.

THE RECORD OF DEVELOPMENTS

There have been 17 important developments during the short time the Republican administration has been able to proceed in fulfilling its campaign pledges on civil rights.

These are historic steps which stand in glowing contrast to the shocking neglect that existed from 1932 to 1952.

Segregation at Army post schools was abolished by the Eisenhower administration.

Employment discrimination in the District of Columbia service contracts and segregation in District eating establishments has been outlawed by the Republican administration.

Segregation in United States naval installations in the South was ended by the Republican administration.

Racial discrimination has been effectively banned on Federal contract jobs by the President's Government Contract Committee.

Segregation has been outlawed in major veterans' hospitals in the South.

Segregation has been abolished in District of Columbia recreation facilities.

A total of 45 qualified Negroes have been appointed to high positions in the Federal Government, including J. Ernest Wilkins, of Chicago, who was appointed Assistant Secretary of Labor. In addition, Mrs. Lois Lippman, of New York City, has the distinction of being the first Negro woman ever to serve as a White House secretary.

REAL EQUALITY IN THE MILITARY

In other areas of the civil-rights question, the Republican administration moved forward steadily to improve the equality of all of our people.

Legislation has been presented to Congress by the Attorney General requesting the establishment of a public defender so that all, rich and poor alike, will be provided with full justice under the law when called before the bar of justice.

The Department of Justice under a Republican Attorney General has also expanded its investigative staff which goes into action when violations of civil rights are apparent. In 1 year the Attorney General has called on the Federal Bureau of Investigation to conduct preliminary investigations in 9,000 complaints of civil-rights violations.

In one branch of our military services, the Navy, the steps taken to restore equality among civilian employees at installations are worthy of recounting in detail.

In a report to the President, Navy officials stated that out of 60 naval bases in the South, 20 reported on August 1, 1953, the first year of the Republican administration, that segregation practices had ceased.

In 17 additional installations, segregation has been ended since that date. In 21 other naval bases, the gradual cessation of segregation in cafeterias, washrooms, and other facilities has been under way and is now about completed.

On March 1, 1954, the Navy Department announced it was ending separate enlistments for Navy stewards, a move aimed at changing the predominantly Negro composition of its stewards' branch.

The Secretary of Defense on February 1, 1954, issued a memorandum to the Secretaries of the Army, Navy, and Air Force directing the services to end all segregation in all military post schools by September 1, 1955. The order forbids services to open any new segregated schools. It orders the end of segregation of Negro and white children on 21 bases still maintaining separate schools.

The order also secured from the United States Office of Education an agreement to operate unsegregated schools in States where, because of delays in implementing the Supreme Court decision, segregated schools are being retained temporarily.

PREJUDICES BREAKING DOWN

The Department of Health, Education, and Welfare is actively assisting the Defense Department in its nonsegregation policy by providing assistants and funds so that the quality of teaching and facilities will not suffer.

Senator LEVERETT SALTONSTALL, Republican, of Massachusetts, chairman of the Senate Armed Services Committee, said in regard to this decision on March 1, 1954:

> This is an educational experience of incalculable importance for the American people. Its effects are already spilling over from the uniformed services into many other aspects of life in the United States. Prejudices are being broken down everywhere, North and South, by the demonstrated fact that men and women can work side by side in a common task without regard to color or creed.

These are gains, however, that have been made only since the Republican administration and the Republican Congress tackled the problems with courage and insight.

THE REPUBLICAN RECORD

In 18 of 19 civil-rights tests, a majority of Republicans voted favorably; 3 times Republicans lined up 100 percent on the issue.

The only Fair Employment Practices Act passed in the history of the House of Representatives was backed by Republicans 142 to 42, rejected by Democrats 134 to 116.

The House has passed an antipoll tax bill five times. Ninety-one percent of the Republicans voted for these bills, only 9 percent against. Democrats lined up 45 percent against, 55 percent for.

The same ratio held for antilynch bills passed by the House on two occasions.

THE REPUBLICAN PLEDGE

I direct attention to the words of the Republican candidate for President, Dwight D. Eisenhower, who, in October 1952, said:

> There is discrimination. This crusade is pledged to use every single item of leadership and influence it has to eliminate it. It intends to enforce the full Constitution, not part of it.

Human equality in America is a weapon against communism.

Knowing this and aware that deeds, not promises, will help build a better, more secure America, the Republican Party has and will continue to fulfill its pledges on civil rights. The record is outstanding. Progress so far has encouraged the fine American citizens who for so long were denied the rights of full citizenship. A Republican administration will continue to serve as a guarantee that the rights of all Americans can and will be preserved.

Hon. Lester C. Hunt

EXTENSION OF REMARKS

OF

HON. ESTES KEFAUVER

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. KEFAUVER. Mr. President, I ask unanimous consent to include in the RECORD a statement prepared by me regarding the death of Senator Lester C. Hunt.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, as we come to the close of this 2d session of the 83d Congress, I want to say that I am saddened by the absence here of my good friend and colleague, Lester Hunt.

He was a distinguished governor of a great State before representing that State in the Senate of the United States. We served together on the Judiciary Committee and we served together, during many trying days, as members of the Senate Crime Committee.

Lester Hunt was a devoted servant of the people, not only of his own State, but also of the United States. We will miss him greatly in the years ahead. America has suffered a loss in his passing.

The 83d Congress and Farm Legislation

EXTENSION OF REMARKS

OF

HON. AUGUST H. ANDRESEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. AUGUST H. ANDRESEN. Mr. Speaker, on this closing day of the 83d Congress, I cannot refrain from briefly reviewing the course of farm legislation in this session. I am also prompted to say a few words because I have today received the following kind and generous letter from my good friend, and chairman of the Committee on Agriculture, the Honorable CLIFFORD R. HOPE, of Kansas:

HOUSE OF REPRESENTATIVES, U. S.,
COMMITTEE ON AGRICULTURE,
Washington, D. C., August 20, 1954.

Hon. AUGUST H. ANDRESEN,
House of Representatives,
Washington, D. C.

DEAR AUGUST: I would not want to leave Washington without taking this opportunity to express my appreciation of the great contribution which you have made to the Committee on Agriculture during the sessions of the 83d Congress.

This has been a busy Congress as far as the Committee on Agriculture is concerned and I feel that the committee can well be proud of the legislation which it has reported. Your knowledge of agriculture and your conscientious attention to the problems before the committee have made it possible for you to make a real contribution to all of the important legislation which the committee has considered.

I have depended much on your judgment, not only on those matters (dairying, livestock, research, improved marketing, and conservation) to which you have given particular attention, but on all important problems before the committee. Certainly, you have represented the farmers and others in your own district and State magnificently and I am sure that they are grateful for the splendid work which you have done. Your hard work for American agriculture has always been beneficial to the economy of our entire country.

Looking forward to seeing you in January and with kindest regards, I am,

Very cordially yours,

CLIFFORD R. HOPE,
Chairman.

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I want to publicly thank Congressman HOPE for his very kind and unsolicited expression of my work as a member of the Committee on Agriculture. We have served together on this committee for many years, during which time we have worked in close cooperation for what we and other members of the committee believed to be for the best interests of American agriculture. We have always taken the position that it is vital to the economy of our country to have a strong and prosperous agriculture to assure an abundant supply of food and fiber for the consumption and use of American consumers at reasonable prices. I regard CLIFFORD HOPE as one of the outstanding agricultural leaders in the United States. He is intimately acquainted with all phases of American agriculture and the problems of our farmers. Serving as a member of the Committee on Agriculture, under the leadership of Chairman CLIFFORD HOPE, is a distinct privilege. All of the members of our committee are men of outstanding ability intimately familiar with the farm problem. Although the committee is divided along political party lines, there is no political partisanship among our members in the consideration of farm legislation. We all want to do what is for the best interests of American agriculture. The membership of the committee represents all parts of the country and all types of agricultural production.

When Mr. HOPE and I first came to Congress, approximately 28 percent of the American people were engaged in agricultural pursuits. According to the last estimate of the Census Bureau, only 13.3 percent of our people are engaged in agricultural production. This large reduction in our farm population has had a material effect upon the membership of the House of Representatives in the consideration of legislation to establish an equitable and sound farm program.

Due to modernized farming and favorable growing weather, our country has been blessed with an abundance of production in all types of agricultural products during the last decade. This has created a surplus problem with which the Committee on Agriculture and the Congress have sought to deal in this and past sessions. Abundant supplies of food should be a blessing instead of a curse.

Members of Congress do not administer laws. This is in the hands of the executive branch of the Government, and many times during my service, I have found that the executive branch does not always administer laws in accordance with the intent of Congress. While I firmly believe in separate and independent branches of our Government, I nevertheless feel that it would be better for American agriculture if closer cooperation could be maintained between the legislative and executive branches of the Government.

Our country is now passing through a transition period from a wartime inflated economy to peacetime operations. Unfortunately, it appears that during the past 3 years, the reduction in the income of farmers for the sale of their products comes first without any appreciable reduction in the things that farmers must buy. The cost of labor has gone up which has been reflected in higher prices of manufactured and other articles. It should also be noted that falling of farm prices, whether under fixed or flexible supports, has not been materially reflected in the price of food to consumers. It is argued that labor and distribution costs are going up and therefore the consumer has not had any material benefit from the reduction in prices of farm products. Many economists have erroneously argued that a reduction in farm prices would bring cheaper food to the people.

I became a member of the Committee on Agriculture when I first came to Congress. I selected this committee for my service because I felt that abundant food production would be for the benefit of the entire country and its economy. Most of the members of the committee feel as I do. We believe that in order to avoid serious economic trouble in this country, we must have a sound and prosperous agriculture.

AGRICULTURAL LAW OF 1954

Our Committee on Agriculture held hearings for nearly 12 months. We heard the testimony and recommendations of more than 2,000 witnesses representing every farm product and from every section of the country. We also heard the testimony of leading representatives of all farm organizations and the spokesmen for the Department of Agriculture. During my service in Congress I have never found so many sharp differences of opinion and variety of recommendations for farm legislation, as were presented to us in this session. All of this added to the difficulty which faced the committee in the drafting of a new farm law.

There are 30 members on the Committee on Agriculture. Finally, after months of deliberation, a large majority of the committee favorably reported a bill, H. R. 9680, to the House of Representatives for consideration. This bill provided for 90 percent of parity support for basic farm products for the 1955 crop year and 80 percent to 90 percent support for dairy products for the same period. My motion made in the Committee on Agriculture to fix 85-percent support for dairy products failed by a close vote. This was due to the large amount of dairy products in the hands of the Government acquired under the dairy support program.

When the House of Representatives debated and considered H. R. 9680, the farm bill, a large majority of the House membership approved the 80-percent support for dairy products as reported by the committee. However, the House set aside, also by a large majority, the 90 percent of parity support for basic commodities recommended by the committee, and established a support price for such commodities at 82½ percent to 90 percent of parity. The Senate adopted the same support level for basic commodities, but refused to agree to a support for dairy products from 80 percent to 90 percent of parity and established the support price for dairy products at 75 percent to 90 percent of parity over my vigorous protest. I also did my best to secure a change in the attitude of the Senate conferees when we met in conference to consider both House and Senate bills, but without success. Therefore, the support price on dairy products will remain at 75 percent of parity until such time as the Secretary of Agriculture, at his discretion, increases the support level.

In dealing with a price-support program for dairy products, the difficulty has been in handling the huge surplus of butter, cheese, and milk powder which has accumulated in the hands of the Government. If it were not for the surplus, there would be no problem for the dairy farmers of this country. The Secretary of Agriculture has been given blanket authority in the new farm law to use any method he may deem necessary to dispose of Government stocks of dairy products. As a part of the surplus program, the following proposals, offered by me and approved by the House, were adopted:

First. Milk, as well as other dairy products, now may be purchased by the Government in support operations from 75 to 90 percent of parity.

Second. The Secretary of Agriculture may use any method necessary to dispose of Commodity Credit Corporation stocks of dairy products.

Third. Fifty million dollars a year for 2 years was approved for boosting fluid milk consumption in schools. This additional consumption of milk should reduce the amount of milk now used for manufactured products.

Fourth. Fifteen million dollars annually was directed to be used for the next 2 years for the brucellosis-eradication program. It is estimated that there are approximately 1,500,000 brucellosis-infected cows in this country. This congressional policy provides that up to $50 per head can be paid as an indemnity in the disposal of reactor cattle. If this program is properly and successfully administered, milk production should be reduced by an estimated 2 billion pounds a year.

Fifth. Donations of CCC stocks of dairy products to the military services and veterans' hospitals were fully authorized. Many of our soldiers have been fed oleomargarine and given very little milk.

Sixth. The Secretary of Agriculture is directed to make a study of the various methods of production control and of the various methods of price support which could be made applicable to milk and butterfat and their products, including programs to be operated and financed by dairymen; and to submit to Congress on or before the 3d day of January 1955, a detailed report thereof showing among other things the probable costs and effects of each type of operation studied and the legislation, if any, needed to put it into effect. The purpose of the study and report is to develop basic material which can be used by Congress in formulating an improved agricultural program for milk and butterfat and their products. Alternative programs are to be submitted for consideration by Congress and for possible submission to a referendum of dairy

farmers. The Secretary may conduct such hearings and receive such statements and briefs in connection with such study as he deems appropriate.

Seventh. Laws heretofore enacted provide authority for the Secretary of Agriculture to dispose of dairy stocks and other surplus farm commodities in the hands of the Government for relief and other purposes in this country and abroad.

The surplus problem is not an easy one to deal with, but I hope that with the authority given to the executive branch of the Government a solution may be found. With the increase in population in this country, it is my estimate and hope that inside of a few years, the present problem confronting dairy farmers will be solved. Incidentally, but very important, is the fact that around 4 million babies are born in this country every year and they each should have from a pint to a quart of milk a day. The dairy industry is also giving serious consideration to improving the marketing and advertising of dairy products. All of our citizens should consume more milk and other dairy products, because there is no better food in the world.

When the new Congress convenes, I will urge immediate consideration of new farm legislation. I will also urge a study to develop the facts as to the reason why consumers have not had their cost of food reduced, when you consider the lower prices received by farmers. In other words, I want a thorough investigation on the whole food situation in an effort to find a satisfactory solution that will encourage our farm population to continue abundant production under more prosperous conditions.

BUTTER, A CASUALTY OF WAR AND GOVERNMENT EDICT

Dairy farmers of the United States are being blamed by some for the surplus situation which has now occurred in the case of butter and other manufactured dairy products. This criticism is not justified. Government records will show that butter and other dairy products are a casualty of World War II, and Government regulations.

The per capita consumption of butter in 1939 was estimated by the Department of Agriculture at 17½ pounds. In 1942, butter was placed under the ration system, and by 1945, butter consumption was reduced to 10½ pounds per capita. Consumers in this country were urged by agencies under the Roosevelt administration to use less butter and to eat more oleomargarine, and other substitutes so that our butter could be shipped to England, Russia, and other allies during the war. Several hundred million pounds of butter were sent to our allies. During the same period around 1½ billion pounds of butter were consumed by men in all branches of our fighting forces in all parts of the world. In the past 4 years our men in the Army have been fed mostly oleomargarine.

Prior to World War II, dairy farmers fed a considerable amount of milk produced on each farm to poultry, hogs, and other livestock. To use this milk, the Government devised an attractive proposal for dairy farmers to convert both whole and skim milk into milk powder. Millions of dollars were spent by the Government in the construction of milk-drying plants. This was a part of the war effort in order to supply our soldiers and allies with millions of pounds of milk powder which could be reconstituted into liquid milk and used for all edible purposes. Since the termination of the war in Korea, the demand for milk powder has disappeared, and hundreds of millions of pounds of this product has passed to the Government as a part of the surplus.

FARMERS NOT RESPONSIBLE FOR DAIRY PROBLEM

When Paul V. McNutt was Federal Security Administrator, an order was issued by his Department and under his direction permitting oleomargarine manufacturers to flavor their synthetic product with a butter flavor so that oleomargarine would become more acceptable to the general public. He also issued an order permitting oleomargarine manufacturers to inject up to 16,000 units of vitamin A into oleomargarine so that the manufacturers could claim that their synthetic product contained the same vitamin content as butter. These Government regulations encouraged the consumption of oleomargarine as a substitute for butter and the per capita consumption of butter continued its downward decline to the detriment of every dairy farmer in this country.

TWENTY-EIGHT OLEOMARGARINE COMPANIES WIN

For more than 20 years prior to 1950, the oleomargarine companies tried to secure the enactment of legislation to permit the coloring of oleomargarine yellow in imitation of butter without the payment of any tax. Yellow is the historic color of butter, and the oleo companies felt that if they could imitate butter by coloring their synthetic product to look like butter, they could capture the butter market in the United States. They finally succeeded in putting through such a law in the 81st Democratic Congress under President Truman. This action increased the production and consumption of oleomargarine and further displaced the use of butter. It is estimated that for the year 1954 the consumption of oleomargarine will equal or exceed that of butter.

I have called these facts to your attention because I feel that you should be informed as to who is responsible for the plight of our great American dairy industry. A few hundred million dollars invested by the Government to save the dairy industry during the postwar period is a wise investment. Dairy products are vital to the health and welfare of all American consumers. It may take several years before proper readjustment can be made by dairy farmers, and they cannot do the job alone. They need the aid and assistance of the Federal Government, because the Federal Government is responsible for what has been done to this great industry, and by no stretch of the imagination can it be charged to our dairy farmers.

I also wish the record to show that I vigorously opposed the reduction in the support price on dairy products from 90 percent to 75 percent established and put into effect by Secretary Benson on April 1, 1954. I definitely felt that this drastic reduction was going too far at one time, and I offered legislation providing that the drop in the support price should not be more than 5 percent in any 1 year if a reduction was found to be necessary. I strongly believed that this large reduction in the support price would be very detrimental to dairy farmers and have a decided downward effect upon their purchasing power which in turn would affect the rest of the country.

I have introduced and am pressing for legislation to remove trade barriers in this country which now prohibit the shipment of milk from one section of the country to large consuming areas. There should be no trade barriers within the United States against the free flow of any commodity in domestic commerce.

As I have already stated, I will urge the new Congress to consider farm legislation in the coming session which will deal with the problems of all farmers whether they be engaged in dairy, poultry, grain, or livestock production. We must have a sound and lasting program for American farmers that will assure prosperous conditions in agriculture and also benefit our entire economy. In these remarks, I have dealt with the dairy problem because it is the most pressing and difficult to solve, but I am equally interested in all types of agricultural production and in the success of every sound farm program.

Erie Peninsula Saved

EXTENSION OF REMARKS
OF

HON. CARROLL D. KEARNS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. KEARNS. Mr. Speaker, I would like to take this opportunity on behalf of my constituents in northwestern Pennsylvania, particularly in the city of Erie and Erie County, to express my deep appreciation to the Committee on Public Works of the House of Representatives—to the subcommittee headed by the Honorable HOMER ANGELL, of Oregon, as well as to the full committee under the chairmanship of the Honorable GEORGE DONDERO, of Michigan—for reporting unanimously the bill authorizing aid to the Erie Peninsula. This was a major request for authorization from the Congress in order that the Commonwealth of Pennsylvania might participate in a matching program.

My confidence in the integrity of the Committee on Public Works was highly justified by the manner in which its members weighed this vital project whereby $2,006,000 was authorized as the Federal share for the preservation of Presque Isle Peninsula.

I would like also to commend Governor Fine and the Pennsylvania Legislature for their foresight and assistance in appropriating the Commonwealth's share for this project. And, too, I would like to pay special tribute to the citizens of

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Erie, headed by John Dwyer, chairman of the Save Our Peninsula Committee, which did yeoman service both in Harrisburg and Washington.

A Commendable Record of Republican Congress in Providing Hospital and Medical Facilities

EXTENSION OF REMARKS
OF
HON. CHARLES A. WOLVERTON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. WOLVERTON. Mr. Speaker, as chairman of the House Committee on Interstate and Foreign Commerce, I have been greatly interested during the present session in pressing for additional facilities to meet the demand that exists for research as to the causes and cure of the diseases that bring so much distress to individuals and expense to the families in which the long term illnesses exist.

While it has always been a subject in which I have been deeply interested during my 20 and more years of service on the committee, yet, this year there was more interest shown by the Congress, and, greater accomplishments attained than at any previous time. This accelerated interest was in no small measure due to the personal interest that was taken by President Eisenhower and his Secretary of Health, Education, and Welfare, Oveta Culp Hobby. In response to their request and interest it was possible to obtain additional legislation that expanded the hospital construction program and the research facilities so necessary for a proper and effective treatment of disease.

It was most gratifying to have appropriations made for this worthy purpose that far exceeded that of any previous Congress. The record of the 83d Congress was most commendable. The following is a short summary of the appropriations made for the institutions and facilities set forth:

HOSPITAL CONSTRUCTION

A 3-year health program costing $182 million was approved by the Republican Congress. It authorizes grants to nonprofit organizations for the construction of diagnostic centers, hospitals for the chronically ill, rehabilitation centers, and nursing homes.

In addition, the legislation provides a $2 million fund for surveys by State health authorities to determine their hospital and nursing-home needs.

All of the construction of facilities now made possible by this action is to be in connection with established hospitals or similar institutions.

For diagnostic centers there is a $20 million fund available for each of the next 3 years.

For chronic disease hospitals a similar amount is available annually for the next 3 years.

For rehabilitation centers a $10 million fund is available annually for a like period, and for nursing homes a similar amount has been provided annually for the next 3 years.

The President requested an amendment to the Hospital Survey and Construction Act to provide these funds. The Republican Congress prepared and passed this new program to facilitate the construction of these specialized types of institutions for the victims of long-time illnesses.

By providing more nursing and convalescent home facilities, beds in general hospitals will be released for the care of the acutely ill. This will also help relieve some of the serious problems created by the present short supply of trained nurses.

In addition, many illnesses can be cared for outside of any institution and, for this reason, the 83d Congress has provided Federal funds for the diagnosis and treatment of ambulatory patients. The provision of such facilities, particularly in rural areas and small isolated communities, will attract physicians to the sparsely settled sections where they are urgently needed.

DISABLED FIND NEW HOPE

In addition, your Republican Congress provided funds for the new Department so that disabled Americans could be rehabilitated into performing useful tasks.

The program in effect in 1952 barely cared for the current rate of disabled, creating a larger backlog each year.

We know that the greatest benefit in rehabilitation is in values such as happiness and the living of a useful life, but there is also a commonsense money value attached to the problem. In 1953, for instance, one-fifth of the support for the disabled was provided by public-assistance funds.

But the cost of rehabilitating disabled individuals is less than the cost of 1 year of public assistance.

For this reason, the number of disabled civilians to be rehabilitated is being stepped up from the total of 60,000 in 1952 to a total of 200,000 annually by 1959.

MILLIONS ADDED FOR MEDICAL RESEARCH

In 1947 the Republican 80th Congress authorized the construction of the National Institutes of Health in Bethesda, Md., a great research center devoted to the prevention and cure of diseases. It was an outgrowth of a single unit which was established in 1930 during the administration of President Herbert Hoover.

Fittingly enough, the expanded center, now one of the great research institutions of the world, was opened during the first year of the Eisenhower administration.

Funds which increased the requests by the administration by as much as $1 million in many cases were provided by the Republican Congress for cancer research, mental health, heart disease, neurology, and blindness research. These are the major killers and disablers in the Nation today, and the Republican Congress took steps to combat them on a modern research scale.

We knew that these killers, which strike at the heart, the mind, the bloodstream, and essential organs of our body, can be eliminated only by the most intense research effort.

In recognition of this need for painstaking, slow, basic probing of the secret of life and the killers which destroy it, the 83d Republican Congress examined at length the possibilities for what may be, in many cases, a final blow against many of our fatal diseases.

The leading cause of death in the United States today is heart disease—over 80,000 died as a result of such disorders in 1953. What the toll may be in 1954 no one knows.

Next is cancer—its toll this year will be 25,000 American lives, with a total of 530,000 stricken, unless the present rate is slowed.

We recognized also that mental diseases will continue to claim this mounting toll unless we put adequate weapons in the hands of those who have been fighting on this disease front. Each year our hospitals treat 900,000 mental patients, and the annual bill for treatment and care is more than $1 billion.

Another great disabler and killer is neurological diseases, which now affect more than 20 million Americans. They cause blindness, deafness, epilepsy, muscular disorders, and other cripplers.

The Republican Congress decided that now is the time to press whatever advantages medical science has over these diseases. In cancer, for instance, we learned that scientists now have an inkling of what happens in the healthy cells of our body. New chemicals are proving effective against the leukemias that so tragically and frequently strike our defenseless young. The cancerous disorders in women are better understood, and our scientists and research experts tell us that we may soon have good news for those who are or may be the victims of this tragic disorder.

In heart research, the chemical basis of the diseases is being laid before the eyes of our researchers. New drugs are on the way to alleviate hypertension, and cardiac surgery and assaults of rheumatic heart diseases are going forward now into the preventive stage.

We are near the break-through point in the wall of ignorance over the cause of epilepsy—a disorder that claims 1,500,000 victims today.

Therefore, when the Republican Congress considered legislation for research into the causes for so many of our human ailments, it increased the funds by $1 million for cancer research; $1 million for heart disease research; $1 million for research in neurological diseases, including blindness and deafness; and $1 million for research into mental disorders.

For cancer research alone, the funds was increased to $21,237,000. Mental health research funds were increased to $13,095,000; heart research funds increased to $16,168,000, and neurological and blindness research funds increased to $6,913,000.

By these actions, we are making an investment in the future for all of us, as well as moving forward on the economic front. Each year disease causes tremendous losses in wages and expensive medical and hospital care. It is sound economy to do what is essential in an effort to lessen this burden on the American people.

A Report to the People by Congressman Rhodes

EXTENSION OF REMARKS
OF

HON. GEORGE M. RHODES

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. RHODES of Pennsylvania. Mr. Speaker, I take this opportunity to report to the people of Berks County, the 14th District of Pennsylvania.

This report deals with the work and the record of the 83d Congress and gives my position on important national issues. I realize full well that my legislative record will not please every one of my constituents. That is to be expected in a democracy, where each has the right to his own opinion—a right that we must always respect and safeguard.

Nevertheless, I believe the voters have the right to know how their Representatives stand on issues of importance to our Nation. For that reason, I have always reported to my constituency on my actions as their Congressman. I want them to know the truth and the facts about their Government and important matters that are not always available to them through normal news channels. I have conscientiously tried to keep people informed and to represent them honestly and effectively. In all of my actions I have tried to do what I thought would promote the greatest good for the greatest number and what was in the public interest.

On some legislative proposals I have supported the Eisenhower administration. However, such legislation was similar to the proposals which liberal Democratic Members had sponsored and supported in the past. On many important issues I opposed the Eisenhower administration.

I was strongly opposed to the Eisenhower administration's hard-money policy and curtailment program. It had a devastating effect on the millions of workers and their families who suffered heavy loss of income because of part-time employment and unemployment. It raised the interest on private and public debts and placed an added and disproportionate tax burden on the average citizen.

In many areas throughout the Nation there was a sharp decline in business and a heavy increase in unemployment resulted. Berks County is only one of the many areas affected. The people of the entire State of Pennsylvania have been gravely hurt as a result of the new economic policy adopted by the Federal Government. Only great monopolies and industrial and financial empires gained as a result thereof.

It is quite apparent that the economic decline was not an accident. It was the result of a definite policy of adjustment inaugurated by White House advisers. There are definite advantages to be gained by big business monopolies as a result of curtailment policies, but the average citizen is adversely affected thereby.

It can be understood why administration leaders attempt to evade responsibility for the effect of this policy on families of jobless or part-time workers. That accounts for administration statements such as "there is no recession," "the decline in business and increase in unemployment is but a normal adjustment of the economy."

It is this attempt to evade responsibility that causes administration spokesmen to denounce critics as philosophers of doom. Those of us who challenge the Eisenhower administration policy of curtailment insist that the real philosophers of gloom are those who accept as normal what they call a necessary float of unemployment, or a standing army of unemployed workers of about 4 million.

A DISTRESSING DOWNTURN

The past 2 years saw what had been the most prosperous economy the United States, or any other nation, had ever known, turn into a nationwide recession. Almost overnight, Reading and Berks County, like many other sections, became a distressed area.

In this situation, the Congress provided no constructive solutions. My bill for a Federal-local public-works program, which I cosponsored, was pigeonholed. Several antidepression bills I introduced got nowhere with the GOP leadership. While our jobless were experiencing prolonged periods of hopelessness verging on despair, the inadequate unemployment-compensation rates were not raised. Not a single State today has an unemployment-compensation rate which is in line with the cost of living.

The cost of living itself—according to Consumers' Price Index—has not reflected this general downturn in economic activity. Prices today for the consumer are higher than they were before this recession began. Creeping inflation has been cheating the housewife every day of more and more of her limited budget.

ADMINISTRATION RESPONSIBLE

Mr. Speaker, it is hard to think of a single aspect of the lives and happiness of the people of the United States that is not affected by the work we do here in the Congress, and by policies planned and carried out by the Eisenhower advisers and administration leaders. What we do or fail to do affects each person, each family, each home in a variety of important ways. The wage earner's job, the widow's social security benefits, the veteran's hospitalization or homeownership, or educational rights under the GI bill, the rehabilitation of the handicapped, the price of things people buy in the stores, the safety of our population from atomic attack, the taxes we pay, the state of prosperity in the country—all these things are directly affected.

I have tried since coming to the Congress to examine all legislation—to look into all bills which come before us—for their probable effect upon people; that is, how they affect homelife and the family; what influence they would have in preventing juvenile delinquency or in the expanding of educational opportunities; whether they would mean better or worse homes for the families which make up our country.

MAJOR ISSUES OF THIS CONGRESS

Among the important issues which we dealt with in this Congress were:

Social security, housing, taxes, and a complete rewriting and codification of all the income-tax statutes; better unemployment compensation provisions; aid to our hard-pressed schools; strengthening of national defense; improvement of civilian-defense programs; correction of a gaping loophole in the food and drug inspection program; statehood for Hawaii and Alaska; the reciprocal trade agreements program begun under Cordell Hull in 1934 to expand world trade and thus lessen the tensions which lead to war; the ownership of the so-called tidelands; continuation of the mutual-security program; and the peacetime uses of atomic energy.

Mr. Speaker, the list is endless. All of these things and many more are of direct concern to every American family. On some of these issues Congress went through the motions of legislating but did little; on others, its accomplishments were worthwhile. On balance, however, the record was not the kind we could have made if there had been a greater will to legislate in behalf of the great mass of the people. In so many instances this Congress legislated on behalf of the few—of those with wealth and power, leaving only crumbs for the average citizen.

THE TAX BILL

Nowhere was this more evident than in the tax-revision bill. We passed a bill—a bill jammed down the throats of those of us who tried to improve it—which accords tremendous increases in take-home pay for people with substantial income from stock dividends and which gives business corporations very attractive means of increasing their net profits through lower taxes, but which gives to the average citizen not a single important means of reducing his tax bill.

The average wage earner gets no break in lower tax rates or higher exemptions. Our efforts to write an additional $100 exemption per person into the law, making the individual exemption $700 a year instead of $600, were voted down.

THE TIDELANDS ISSUE

Early in the 83d Congress the administration launched one of its strongest crusades—to give away to a few coastal States valuable natural resources, chiefly oil, under the ocean floor. The Supreme Court has said over and over that these valuable resources belong to all of the people of the United States. President Truman vetoed efforts in past Congresses to give away these resources. I was one who tried to get the royalties from these offshore oil deposits earmarked for educational purposes, but the administration insisted on pushing through the bill to sign away all Federal Government claims to these resources. Consequently, while four of our coastal States were made very happy by this tremendous windfall of natural resources which the Supreme Court insisted belong to you and me and all of the people of this country, our schools continue in a desperate financial situation which has meant

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overcrowding, lack of proper facilities, underpaid teachers, and alarming deterioration in the quality of education.

GOOD LIVING STANDARDS BULWARK AGAINST COMMUNISM

The real strength of America is centered in its people. Their loyalty, patriotism, high standard of living, and security for the family and home are all solid barriers against communism. The human factor in our economy is the bulwark of democratic government and our first defense against communistic slavery.

Communism cannot thrive in a land where government is dedicated to better homes, expanding educational facilities, and good working conditions. Any government whose constant aim is the progress of human welfare will never fall. Back in the lush 1920's we experienced national leadership which disregarded the human element and worshipped at the shrine of real estate and stock-market speculation—creation of large holding companies and a nationwide drive to make business bigger and more profitable. The millions of little people, including the wage earners, farmers, and small business were forgotten. Our Nation's purchasing power diminished to an all-time low. Farm prices dropped, banks, factories, and mills closed, and financial panic struck. Millions of homes and farms were foreclosed and 14 million men were unemployed.

In 1931 and 1932 Communist agitators were active in the industrial areas of America and they made great progress. Riots incited by Communists took place at relief stations and employment offices. Discontent, disunity, and defiance of law and order were rampant. That unfortunate period should serve as a warning that our Government might not survive another depression.

OUR FOREIGN POLICY

The limitations of this report will not permit me to comment on all the issues considered by the 83d Congress, but, before concluding, I want to say a few words about the poor performance of the present administration in the important field of foreign policy.

All of us will long remember the bitter criticisms heaped upon the foreign policy of the past administration by the Republicans. We will also recall the GOP campaign assurances that communism would be stopped in its tracks, that liberation of the Soviet-dominated nations would be at hand, and that our Nation would receive a new, dynamic foreign policy as soon as the Republicans were elected to office.

The miserable and even tragic record of the present administration in the field of foreign affairs makes mockery of those promises.

In less than 2 years Communists have made great gains. Their hold on one-half of Korea was sanctioned. The Reds then took over a big portion of Indochina, while our leaders stood by, piously pledging that they would not condone any agreements which would provide for the enslavement of free peoples. In the meantime, 7 million Vietnamese were committed to Communist bondage through the Indochina armistice agreement.

What is even more tragic is that the unity of the free world has been crumbling under the inept leadership of our Government during the past 21 months. Further, in the face of new Communist advances our administration has been cutting back our military, mutual security, and anti-Communist propaganda appropriations.

SOCIAL SECURITY

The social-security program was enacted by the Democratic Party in 1935. In the intervening period of almost 20 years under Presidents Roosevelt and Truman the program has been expanded. Each effort to establish social security met with opposition from Republican Party leaders. In 1935, every Republican member of the Ways and Means Committee voted against social security. It was called welfare statism. I am glad to report that the Republican Party in this session finally joined with the Democratic minority in adopting a social-security expansion program. The bill enacted by the 83d Congress was a step in the right direction, although it was far from adequate to meet the needs of the people. There was no desire on the part of administration leaders to consider bills which I and other liberal Members introduced for a more realistic social-security program.

AID TO VETERANS AND HANDICAPPED

The modest increase voted by this Congress in veterans' benefits rates, including disability benefits, does not begin to reflect the increases in the cost of living and the needs of the veteran. We had to agree to this bill or get nothing. That is exactly how the matter was presented to us in the final days of the session.

A bill which would expand the Government's program for rehabilitation of the physically handicapped was passed, but the appropriations necessary to carry it out were not forthcoming in sufficient amount. It is regrettable that the Congress should attempt to persuade the handicapped that we are doing a lot for them and then fail to appropriate sufficient funds. A similar deception was practiced on the matter of special hospitals and clinics for a variety of chronic diseases—a law which says we will do something about it, but an appropriation which fails to include enough money.

RAISING THE DEBT CEILING

The administration waited until the 11th hour before raising the ceiling on the national debt. The rise in the debt limit was in contradiction to everything that was promised by GOP leaders when the people were told that the budget would be promptly balanced and the national debt reduced.

VOTING RECORD

Being mindful that the voters of my district have reposed trust and confidence in me, my energies and efforts have been dedicated to meeting that challenge. According to the records of the Clerk of the House of Representatives my attendance and voting record is one of the best in Congress.

AVAILABLE FOR PUBLIC MEETINGS

During the past year my office has given assistance to many individuals on many different problems which pertained to the Federal Government. Student groups have been assisted by my office on their visits to the Nation's Capital. Many other groups had my cooperation when they visited Washington.

During the period when Congress is adjourned, it is my purpose to make myself available to appear before any group of citizens in my district at no cost to them. I will appear to answer questions, to speak on any specific national issue or to debate with any person selected by interested organizations.

My reading office is open for convenience of constituents. To extend this service I will visit rural postoffices where citizens can contact me about their problems and express their views. Time of visit will be announced in newspapers.

Our Privilege and Duty To Vote Election Day, November 2, 1954

EXTENSION OF REMARKS

OF

HON. THOS. E. MARTIN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. MARTIN of Iowa. Mr. Speaker, in this wonderful country of ours citizenship is a serious responsibility. If a government of the people, by the people and for the people is to be maintained, our citizens must be alert about taking part in elections.

The results of the primaries throughout the entire Nation show an alarming negligence on the part of hundreds of thousands of American citizens in their failure to go to the polls and vote. In neglecting to vote they fail to take advantage of a great privilege—the privilege of helping to select the type of representatives who they feel would best protect their interests and benefit the country as a whole.

The importance of the November 2 election cannot be too strongly emphasized. Every citizen who has reached the age of 21 should vote.

I appeal to the people of Iowa to come out and vote for Governor and other State officials, United States Senator and United States Representatives in Congress, State senators, members of the State legislature, and county officers, so that our State, district, and counties will have the right type of representation in public office.

No American citizen should neglect the privilege and let others do the voting. The character of our Government is largely what the voters make it. Every voter is part of the Government, and we should protect and cherish our right to participate in its elections.

A policy of indifference can no more win the peace than it could have won the war. Ask any returned serviceman the value of each person contributing his

share and doing his own part in an outlined program of action. The parents, wives, and sweethearts of veterans will remember that our servicemen fought for the freedoms we enjoy, and I hope that they will impress upon their friends and neighbors that the perpetuation of our Republic depends upon a wide-awake and vigilant electorate.

Every American citizen should take advantage of the opportunity to exercise his franchise. If we do this, we will express our will by voting for the candidates who we think will represent us best.

Let everyone vote, and get your friends and neighbors to vote. If each community leader secured two extra votes, this effort could change the entire election record.

It is our patriotic duty to vote at the general election, November 2, 1954.

The Need for a Republican Congress

EXTENSION OF REMARKS

OF

HON. CHARLES A. WOLVERTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. WOLVERTON. Mr. Speaker, today we stand at a pivotal point in history.

We have arrived on the threshold of a new era full of promise and abundance for the American people.

Whether we step over that threshold and lay immediate claim to the great heritage which is ours depends in large part on the decisions ahead of us.

One of those decisions will confront us in the 1954 election for Congress. At that time the American people will be called upon to pass judgment on the historic Republican accomplishments of the past 2 years. They will decide whether they want that far-sighted program to go forward to completion—or whether they want to be curtailed and defeated in large part by a Congress unfriendly to President Eisenhower.

The choice is a fateful one.

For the accomplishments of the Republican Party in the past 2 years have been vastly and fundamentally important. The Congress and the administration have put more money into the pockets of the American workers by reduction of Federal taxes; they have reduced the threat of socialism and communism within our borders; they have strengthened our defense against aggression from abroad; they have added in a thousand different ways to the continued peace and prosperity of all our people.

Much of what has been done would not be fully realized or felt until a later date. It will find its ultimate expression in the useful things a family can buy with its share of the $7,400,000,000 tax reduction. Or in the new and improved highways the Republicans provided to make future motoring safer and happier for millions of Americans.

It will be seen and appreciated when new housing and hospitals spring up in the wake of Republican-adopted legislation. It will be realized in the increased wealth and jobs which will be created all over America as a result of Republican moves to stabilize the dollar, balance the budget, overhaul our tax laws, revise our atomic-energy program, expand social security, and revitalize our farm economy.

PRESIDENT PLANS FOR EVERY AMERICAN

Seldom in history has an administration done so much in so short a time to add to the personal health, wealth, happiness, and safety of the American people.

These achievements of the 83d Congress and the Eisenhower administration were the results of months of planning and painstaking work to implement in law the solemn pledges of the President and his coworkers on Capitol Hill.

And this was long-range planning. It envisioned a program adapted to the needs of the American people which would be inaugurated by the 83d Congress and perfected by the 84th Congress. Like most Presidents before him, President Eisenhower mapped his plans with the idea that they would take 4 years—the length of his term of office—to complete.

Part of the reason for this is in the nature of the plans themselves. They are ambitious plans for a great and growing and powerful Nation. They are plans that reach into every American home, touch every American man, woman, and child; encompass every facet of national life—social, economic, and political—with two great aims: To make the country totally safe, and to increase the standard of living.

Is there any wonder that these were long-range plans? The job that confronted the Republicans when they took office in January 1953 was tremendous. To expect the President to complete his program in 2 years, or without a Republican Congress, would be like asking a ballplayer to make a home run with one hand.

This is what makes the forthcoming elections the most crucial nonpresidential balloting of our times. Under President Eisenhower's leadership, the American people have begun their march along the road leading to a prosperous free economy based on individual freedom.

In November, we must decide whether we wish to stick with the job of restoring our country to solvency, of keeping our economic and moral integrity, of making the United States a bulwark against world communism, or whether we want to swing back along the easy downhill stretch that leads to bankruptcy, bungling, and appeasement to the Red threat.

WHY REPUBLICAN MAJORITY IS ESSENTIAL

A Republican majority in the coming 84th Congress is essential if we are to continue to have honesty, integrity, and efficiency in Government in place of the old chiseling, influence peddling and extravagance.

A Republican majority is essential if we are to continue the largest tax-cutting program in the history of this or any other country.

A Republican majority is essential if we are to go on cutting Government spending, checking the ruinous forces of inflation, and preventing further devaluation of the dollar.

A Republican majority is essential if we are to continue the program of cleaning the Communists and subversives out of our Government.

A Republican majority is essential if we are to have a foreign policy whose aim is peace with freedom and security.

A Republican majority is essential if we are to carry out the greatest highway program ever voted into a transportation system equal to the needs of a rapidly growing nation.

A Republican majority is essential if we are to have a streamlined defense system based on commonsense expenditures and the realities of the atomic age.

A Republican majority is essential if we are to capitalize on the great start we have made toward full development and utilization of atomic energy for peacetime purposes as well as defense.

A Republican majority is essential if we are to continue the gains we have made in the fields of housing, social security, unemployment compensation, and agriculture.

ORGANIZING VOTE MOST IMPORTANT

And why is this majority so vital? Let me explain. The most important vote in both the House and Senate is the vote to organize each body at the start of Congress. This vote determines which party will control the legislative machinery for the next 2 years.

In the House of Representatives, the vote to organize decides who will be Speaker and which party will have a majority on the all-important committees. It is the Speaker and the committees who control to a large extent the flow of legislation through the House. Consequently, if opponents were to control Congress in 1955 and 1956, it is certain they would seek to scuttle the Eisenhower legislative program—and they would be in position to succeed.

Make no mistake about it. Opponents, in such a situation, would work full time trying to embarrass and handicap the Eisenhower administration and thus lay the groundwork for their own victory in 1956.

And do not be misled by some Democrats in Congress who boast that they have supported the Eisenhower program. The fact is, they have supported the Eisenhower program only when such action served their own purposes. Incidentally, we Republicans welcome their support when they admit that the Republican program is so good they have to vote for it. I say this because our program deserves the support of every good American—Republican, Democrat, or Independent.

It is difficult to appraise the true worth of the Republican accomplishments in the past 2 years because so much has been done. But the accomplishments in whole or even in part are a strong argument for voting President Eisenhower another Republican majority in Congress.

Take taxes, for example. Here is a Republican record that the newspapers

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have variously described as monumental and historical. The reason is plain enough. Not only did the Republican Congress vote the American people a $7,400,000,000 tax reduction, but it also brought about the first major overhauling of the Nation's tax laws since 1890.

THE REPUBLICAN TAX-CUT PROGRAM

This record-breaking tax reduction came in four parts. On January 1, 1954, individual income taxes were cut 10 percent for a saving of $3 billion. On the same date, the excess-profits tax was eliminated with a resultant saving of $2 billion. On April 1, it reduced Federal excise levies as much as 50 percent on many items and the saving here was nearly $1 billion.

The remainder of the reduction—$1,400,000,000—was voted in the general tax-reform bill which effected same 3,000 changes in the tax laws and provided welcome relief for millions of individual taxpayers as well as some businesses. The reform bill also removed countless inequities, harassments, duplications, and loopholes and provided a new climate in which American business could thrive and expand.

This, I submit, is a truly staggering feat and a very drastic and welcome change from the constantly increasing taxes of our predecessors.

In this vital sphere, the voters' choice is a simple one. The Republicans have demonstrated and proven that they are dedicated to a policy of letting the American people keep their money and spend it themselves. The Democrats have demonstrated and proven—with 20 years of recurrent tax increases—that they are committed to a policy which says the Government shall take the people's money and spend it for them.

The Republican Congress laid the groundwork for the tax cuts by launching the greatest economy program in American history. In fact, the 83d Congress cut appropriations for fiscal 1954 and 1955 $64 billion below the appropriations for fiscal 1952 and 1953.

Broken down: The tax cuts by the 83d Congress mean on an average a saving of $200 a year for each family of four. The cut in appropriations over the spending in the 2 previous years under the former administration means a saving of nearly $1,600 for each family of four.

THE TWO SPENDING RECORDS

Let me point out that since the turn of the century America has experienced 26 years of Republican administration and 27 years of Democrat administration in Washington. In those 26 years, the Republicans spent a total of $186 billion, and the country was at peace. On the other hand, the Democrats in 27 years spent $821 billion, and the country was at war, hot and cold.

Republican administrations have spent, on the average, about $6,663,000,000 a year.

Democrat administrations have spent, on the average $29,350,000,000 a year.

During the past 2 years of the Eisenhower administration, the Democrats have shown no inclination to change their expensive habits. They have continued to propose—and the Republican 83d Congress has repeatedly voted down—numerous plans for extravagant new programs and costly additions to existing ones.

If you approve of the Republican tax-cutting program and of the Republican economy drive, then your only choice is to vote for the party that made them possible. If you agree that your money should be spent by the Government with extreme caution and go for the greatest service possible, then it is clearly your duty to vote for Republican congressional candidates in November.

The task of cleaning up a Federal budget that has been out of control for more than a decade is no short-range proposition. But we have made an auspicious start. Next year and the year after, we expect to bring about more economies and more tax cuts. However, to do that we need your support at the polls.

The tax-cutting and economy drives were the two great cornerstones of national solvency on which the Republicans began building one of the greatest programs ever devised for the welfare of the American people and the good of the world. But even before they began to take shape, the President and his coworkers had a house-cleaning job to do in the Federal Government.

Just think back to this time 2 years ago. That is when every American felt shame for the disgraceful scandals that were being unearthed in Washington. This was the time when Americans rose up and demanded that something be done about those scandals.

Their confidence in President Eisenhower was not misplaced. The Government has been cleaned up, and no longer do you read of almost daily scandals in Washington.

SUBVERSIVES ON THE RUN

President Eisenhower made his appointments on the basis of honesty and integrity. He ended the days of the "windfall profiteer" and the "five percenter" and the "influence peddler" in Washington. Now, anyone with business to transact in Washington knows there is a new atmosphere, and once more all Americans can again take pride in the high standards that prevail in their Government.

In another kind of cleanup, the Republicans launched a hard-hitting attack on domestic Communists, pinks, and other security risks which completely reversed the old attitude of laxity and blindness.

The new Republican security program was inaugurated on May 28, 1953. By March 10, 1954, a total of 2,486 Government employees were separated for security reasons. Of this total, 1,086 were fired and 1,400 resigned. In addition to this, the Justice Department has taken action against a long list of Communist leaders and subversive aliens, and Congress has tightened and strengthened the Nation's antisubversive laws.

This program was based on the principle that working for the Government is a high privilege—not a right—and anybody whose background cannot meet the test does not belong in the Government.

Your vote for the Republican Party in November can assure a continuance of this vigorous drive to end the threat of Red treachery on the home front.

When the Eisenhower administration took office in January 1953, inflation was a great national problem. Today it is not, for we have ended inflation. The cost-of-living index, which had been climbing steadily for 12 years under our predecessors, has leveled off. The honesty of the dollar is being restored. In addition, we have ended the unnecessary controls on the wages you receive.

THE TRANSITION TO PEACE

One of the things that makes our great Republican program a standout is that it was inaugurated at the most difficult possible time—during the transition from a wartime to a peacetime economy.

The Eisenhower administration supplied the understanding and the economy necessary to make that transition with the least possible difficulty. You all remember how the prophets of doom were spouting pessimism and despair only a few months ago. They nearly talked us into the kind of a recession that our Republican policies were able to avoid. They wanted the Government to step in with drastic emergency measures to give the economy a false shot in the arm that it did not need.

I do not believe there is a greater tribute that can be paid to the courage and steadfastness of the Eisenhower administration and the 83d Congress than to point out that they refused to be stampeded in that uncertain period. They stuck to their guns while their opponents yelled "panic." They quietly went about the business of smoothing the way for inevitable adjustment from war to peace. And they succeeded in bringing about the desired upturn in business activity and employment without resort to the crisis technique of the New and Fair Dealers.

During this unsettled period, neither the 83d Congress nor the administration missed its stride. Working together, they continued to carry on the huge job of shifting the course of Government away from Federal control and regimentation and into new channels calling for greater individual responsibility, a new brand of State's rights, and an enlightened policy of home rule. They pushed ahead on their program to take the Government out of business by liquidating the Reconstruction Finance Corporation, selling the costly Federal barge line, arranging the sale of the Government synthetic-rubber industry, and surveying all areas of more than 100 business-type operations the Federal Government had gotten into during former regimes.

GOVERNMENT REORGANIZED

The Republican administration began reorganizing the entire structure of the Federal Government in the interest of economy and efficiency. Twelve plans for reorganizing and streamlining the Federal departments were approved by Congress. A Commission is hard at work formulating new reorganization proposals to supplement the original Hoover report recommendations.

FARM PROGRAM

Congress worked out a new farm program devoted to the best interests of all the people—farmers and city folks alike.

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HIGHWAY PROGRAM

A highway building program second to none in history was adopted. This sorely needed Republican program will provide nearly $2 billion for highways in the fiscal years 1956 and 1957. It will return about $875 million a year to the States—an amount approximating the money American motorists spend each year in Federal gasoline taxes.

SOCIAL SECURITY

The Republican Congress approved a record expansion of social-security coverage and payments, adding 10 million persons to the eligibility rolls and increasing monthly benefits for 6 million persons already receiving payments.

NATIONAL DEFENSE

Congress implemented, at President Eisenhower's request, a genuine military defense program while at the same time cutting $20 billion out of the military budget by eliminating waste and extravagance. This was accomplished without weakening our national defense and security.

HOUSING

Under the Republicans, a new housing law was adopted which will make home ownership available to additional thousands of our people. The Republican program permits longer mortgages, stimulates modernization and home repairs, and prescribes effective new slum-clearance methods.

The Republicans also wrote into the housing act safeguards against a recurrence of the windfall profiteering which the old law, enacted by our Democrat predecessors, made possible. This flagrant and vicious racket was uncovered by the Eisenhower administration during the past year. It is still under investigation by Republican committees of Congress.

SOME MORE ACCOMPLISHMENTS

HEALTH

In the field of health, the Republicans created a new Cabinet post—the Department of Health, Education, and Welfare—to make sure that our people's problems are handled at the highest possible administrative level. We also voted a 3-year, $182 million hospital building program and provided a $2 million fund for State health authorities to use in determining their hospital and nursing-home needs.

ATOMIC ENERGY

At the President's urging, the Republican Congress rewrote and modernized the Nation's basic atomic-energy law for the first time since its passage in 1946. This monumental achievement will enable our people to make greater use of the benefits which nuclear fission offers to our peacetime development. It also will enable our military leaders to add atomic planning to the free world's defense against possible Communist aggression in Europe.

FOREIGN AID

A start was made toward reducing and eliminating foreign-aid expenditures, and provided that a sizable part of the present $3 billion aid program be extended in the form of loans rather than gifts.

TRADE AGREEMENTS

The Trade Agreements Act was extended and our foreign economic policy was further implemented through the adoption of a 3-year $1,300,000,000 program for disposing of American farm surpluses abroad. We also voted a broad revison of the Nation's customs laws.

SHIPBUILDING

Legislation was passed that provides for a real shipbuilding program to revive, restore, and maintain our dwindling shipbuilding industry.

These are only some of the major accomplishments of the 83d Congress and the Eisenhower administration. Others were registered, in conformity with our campaign pledges, in many other fields such as veterans' affairs, civil rights, and immigration.

We feel that they are a good start toward a better tomorrow for all of our people. And we feel that they deserve the endorsement of the American voters in the congressional elections.

The Republican administration has endeavored since January 1953 to give the best Government service possible.

Two years ago you voted for a change. President Eisenhower and the 83d Congress have given you that change in a way that has built dignity and honesty and purpose into our governmental structure. They have more than earned the chance to complete that job. I urge you to give it to them in November.

St. Lawrence Seaway Approved

EXTENSION OF REMARKS
OF
HON. CARROLL D. KEARNS
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. KEARNS. Mr. Speaker, I want to reiterate my firm belief that the passage of the St. Lawrence Seaway legislation by the 83d Congress was an excellent step toward advancement of international trade and improved business for all the Great Lakes ports in this country.

I am particularly interested in the great port of Erie, and I feel that when the St. Lawrence Seaway is completed that many of the foreign ships will have Erie as their destination, and others will follow their lead, because of the great potential of the Erie Harbor and its vast mooring possibilities whereby many ships can have secure anchorage without facing bad seas.

I look forward to the railroads being the beneficiaries of shipments into Erie, and I predict that their tonnage will increase manyfold after the seaway is opened and the ships begin making Erie Harbor their port.

I sincerely hope that many Members of Congress will avail themselves of the opportunity to inspect the Erie Harbor and learn for themselves the great potential that lies ahead for our part of the country through legislation that made the St. Lawrence Seaway possible.

Report to Seattle's Maritime Industry

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. PELLY. Mr. Speaker, now that the 83d Congress is history, it is appropriate that we make reports to the people we represent. I have compiled such a report for the maritime industry of Seattle and, under general leave to extend my remarks, include it in the RECORD for the information of my colleagues.

In representing the city of Seattle in Congress during the past 2 years, shipping and ship construction have been foremost in my mind for two reasons: First, the industry was sick; and second, Seattle's waterfront and affiliated economy is our basic industry.

In the Congress, my first remarks on this subject to the House of Representatives occurred on February 9, 1953, when I informed the Members that the Navy's Bureau of Ships was letting a contract to build 23 air rescue boats to a Canadian shipbuilding firm under the Defense Department's offshore procurement policy. In these remarks I said:

> If, as I believe to be the case, our American workers are suffering from lack of employment while foreign boatbuilding plants are relatively busy, then such a policy of diverting work to foreign countries is distasteful to me and I am sure is distasteful to every American citizen and taxpayer.

On February 12, 1953, I again spoke to the House of Representatives, saying I had discovered that the Navy was under compulsion to spend $100 million a year in Canada under a long-standing procurement agreement. I said I was requesting the Secretary of Defense to review this policy and that it seemed to me "the economy of our American workers is the one that needs bolstering."

My efforts were successful. In response to my protest, Secretary of Defense Wilson rescinded the former policy. Since then $100 million of naval construction is allocated to American, rather than Canadian, shipyards. Since then, too, I have tried to be ever alert to protect our American shipping industry.

To try and restore our American merchant marine has been a discouraging effort. However, since Congressman THOR TOLLEFSON, of Tacoma, became acting chairman of the Merchant Marine and Fisheries Committee, prospects for improvement have increased greatly. My membership on the Interstate and Foreign Commerce Committee dovetails with Congressman TOLLEFSON'S work, and we have cooperated closely.

Whenever legislation like the gift in 1953 of a million bushels of wheat to Pakistan came before the House we have tried to insure shipment of at least 50 percent in American bottoms—likewise with agricultural commodities used for foreign aid. Against strong opposition from the farm bloc, we have sought to amend laws to allow delivery charges to

be paid by the Commodity Credit Corporation. In the closing days of the past session the 50–50 bill was passed and has been signed by the President—getting this matter into permanent law so it does not have to be fought out each year. Congressman TOLLEFSON deserves great credit for this legislation, and I enjoyed working with him for its passage.

Some of us in Congress have been regularly warning our colleagues of the need of maintaining a merchant marine. On February 2, 1954, when the subject of tariffs was under consideration, I addressed the House criticizing the Randall Commission report, which called for eliminating partial use of American vessels for cargo shipments financed by the Government. I said direct aid to our shipping industry, which the Commission report recommended, is not enough. We do not want a subsidized stockpile of idle ships. We need cargoes and trade to employ ships' crews, and keep the ship repair trades busy.

The CONGRESSIONAL RECORD contains my frequent remarks calling Congress' attention to the fact that we had no private-shipbuilding program and that we needed fast, modern merchant vessels to compete with foreign low-wage shipping. Time and again those of us who were interested in maritime problems called the House's attention to the need, in the event of war, for a fleet of such modern ships.

I was active in obtaining increased appropriations for naval ship construction, and for legislation to authorize construction of merchant ships. Any measure which would aid our shipping industry had my support. Both Houses of Congress passed one of my own bills to aid the shipowners by allowing them to reimburse the Government for quarantine officers' overtime pay. This legislation would have speeded up shipping and resulted in substantial savings to shipowners, but because the administration wanted all overtime for Government employees studied first, the President vetoed my bill.

Last year I was successful in persuading the Military Sea Transportation Service to allocate passengers to the Alaska Steamship Co., and the service continued. But now the problem is before us again, and there is apparently no satisfactory basis on which to operate these passenger ships. At my request, the House Merchant Marine and Fisheries Committee will hold hearings in Seattle on passenger service to Alaska. Some sort of Government operation or subsidy may be necessary.

Our efforts to have more MSTS ships using the Seattle port of embarkation have been successful and, of course, this puts overhaul and repair work in our local yards.

Every month, at my request, I am being furnished a report by the Maritime Commission to ascertain the number of reserve merchant-marine ships decommissioned in Budd Inlet. Only of late are we being given our fair share. This has meant we have not been getting our share of regular overhauls. I have assurance from the Maritime Administration of greater utilization of the moorage at Budd Inlet.

Incidentally, largely through my personal efforts, certain of these vessels were used for grain storage, which has helped our payrolls locally. On July 19 and 20, 1954, the supplemental appropriation bill came before the Congress. I was active in support of an amendment to restore approximately $44 million for construction-differential subsidies and national-defense allowances on four passenger-cargo ships to be built by private operators as replacement for outmoded ships.

Congressman ROONEY, of New York, when I promised support of his amendment, said:

> I would fully expect the support of the gentleman from Washington.

He said he knew of my interest in the American merchant marine, and that he and I were in agreement with regard to the important matter of unemployment in our shipyards.

I mention this because it shows that constantly and continually during the 83d Congress I have been working for a shipbuilding program. Sometimes this effort was, during limited debate, to yield my time to Congressman TOLLEFSON so he could adequately present his argument for a bill; sometimes it was simply to rise and not allow some unfair statement about the industry to go unchallenged. Actually the record will show that I have been one of the most active supporters in Congress for the maritime industry.

But what the printed record does not show is my efforts in behalf of local shipyards to help them obtain Government construction and repair contracts. Any and all shipyard and small boat plant operators who have sought contracts, or bid on work will testify as to my personal attention and endeavors.

Our community hopes last spring were centered on a $13 million bid of the Puget Sound Bridge & Dredging Co. to construct two destroyer escorts. Unfortunately this company's bid was $800,000 above the low bid. Since then the Department of the Navy has established a policy of inviting bids on an area basis and I am hopeful that an award for two destroyer escorts will be made to a Seattle bidder this October.

The Federal program for conversion of Liberty ships and for construction of tankers and cargo ships is meager, but in my opinion the stage is set for a future building program to meet the deficiency of 214 needed merchant ships to provide for essential defense requirements and also to provide for replacement of outdated ships.

As for myself, I look forward to continuing efforts to maintain our various shipbuilding skills and employ a full workload of various trades whose livelihood is dependent on construction and maintenance of an adequate American merchant marine. This effort must go hand in hand with a program of expanding the activity of Seattle and other Puget Sound ports. The trend of construction and operation under foreign flags by American money must be reversed. American standards, working conditions, and pay must be protected.

On June 30, 1954, speaking in Congress, I said:

> In World War II when victory was only possible because of these American ships, American seamen were patted on the back; now they are hit below the belt.

Since those remarks were made there have been certain developments which lead me to express more kindly remarks. The administration has not only recognized the need of cargoes to sustain our merchant marine, but has approved the proposal to embark on a ship-construction program to replace our outdated fleet of merchant ships.

I hope, as Representative in Congress from Seattle, to have an active part in restoring our maritime industries in the future.

Egyptian Blockade of the Suez Canal Against Israel

EXTENSION OF REMARKS

OF

HON. CHARLES J. KERSTEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. KERSTEN of Wisconsin. Mr. Speaker, ever since the State of Israel was established in 1948, the Government of Egypt has persisted in denying the facilities of the Suez Canal to all ships, including American vessels, engaged in trade with Israel. Egypt has sought to justify this blockade by contending that it is in a state of war with Israel and, therefore, entitled to block her shipping.

Neither our Government nor other western powers have accepted this defense, and twice in the United Nations Security Council, the delegation of the United States has voted to condemn the blockade as a breach of the U. N. negotiated Israel-Egypt armistice, and to rule that the Egyptian Government open the canal. The Egyptians refused to comply with the first decision handed down on September 1, 1951. On the second occasion, when this matter was brought before the United Nations, Egypt was rescued from an adverse ruling by the Soviet veto.

This blockade has resulted in a serious economic hardship to Israel. While certain foodstuffs are permitted to come through now, nevertheless, many products are prevented from shipment into Israel. As a result Israel presently is obtaining her necessary petroleum from the Soviet Union in exchange for oranges. Israel could get petroleum through the canal and not be obliged to go to the Soviet Union for it.

Presently the Egyptian officials examine the manifests of the cargo of American ships going to Israel. This is an indignity which the United States should not suffer.

It is to be hoped that when the British and Egyptians conclude their final agreement, that the relationship between Egypt and Israel will be relaxed and that the Egyptians will withdraw their unjust blockade.

I have addressed a letter to the Secretary of State requesting that the United States take a position in this matter to bring about the end of the unjust blockade which is hampering the economic well-being of the State of Israel.

Communism—The Record of the Republican Party in Fighting Its Insidious Influence in America

EXTENSION OF REMARKS
OF

HON. CHARLES A. WOLVERTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. WOLVERTON. Mr. Speaker, when President Eisenhower and the new Republican Congress took office in January 1953 they faced no greater challenge than the American people's overwhelming demand for a two-fisted, head-on, all-out attack on communism in this country. What the Republican administration has given the people during the past 2 years is exactly that.

BENDING TO THE RED WIND

During the two decades between 1933 and 1952 there was evidence galore of the Federal Government's laxity and blindness toward communism. But even today the country is shocked again as new evidence comes to light showing the past softness toward Communists. For example, Look magazine on December 15, 1953, published an enlightening entry which the late Harold Ickes, Democrat, then Secretary of the Interior, wrote in his diary on July 16, 1935. In this entry Ickes is discussing a conversation he had with George H. Dern, then Secretary of War.

The diary said:

> He (Dern) feels about Red hunting just as I do and thinks it is absurd to deny Communists an opportunity to express themselves or to have a ticket on the ballot. He thinks, as I do, that we are working toward a society of modified communism, although I believe he would be as unhappy in a Communist state as I. He feels, as I do, that it is better to bend to the wind than be torn from the trunk of the tree and dashed to the ground.

Bending to the Red wind certainly describes the attitude of our predecessors. And standing up against the wind and defying it describes how the Republican administration feels about communism.

Here is an example of what our predecessors' easy-going attitude meant. When our new Republican officials went into the Justice Department in Washington in 1953, they found the files in such incredible condition that the FBI's now famous report on Soviet espionage in 1945 had never been seen by the Department's Internal Security Section. Nor had the FBI's later special report on Harry Dexter White ever been seen by the Internal Security Section. In fact, until the Republican administration came in, the cases of the individuals cited in the espionage reports had never been evaluated by the Internal Security Section for possible prosecution.

Warren Olney III, Assistant Attorney General in charge of the Criminal Division, said the Republican housecleaning had turned up 20,000 letters, files, investigative reports, and the like which had been lying around the Department. He said the filing system which he inherited was "in such shape, in such condition, that those documents can—or could have at that time—come in and be in that office for years without ever getting the attention of the people who were especially assigned for that purpose."

One of the first things Olney did was to order Justice Department attorneys to go back and analyze the case of every single individual mentioned in the reports to determine whether prosecution was still possible, or whether they had been saved from the penitentiary by the statute of limitations.

A similar condition was found in the State Department. The Senate Permanent Investigating Subcommittee discovered chaotic conditions in the personnel files indicating widespread destruction of confidential information. The subcommittee reported that from 300 to 400 persons wandered in and out of the supposedly secret file room where personnel records on 8,000 Foreign Service officers were kept. Derogatory information could be removed at will. In many instances when State Department officers were up for promotion, material was stripped from the files so that the promotion panel might not see information unfavorable to the State Department officer under consideration.

THE COMMUNIST WEB OVER WASHINGTON

One of the most powerful and comprehensive exposés of Communist infiltration was the report issued by the Senate Internal Security Subcommittee on August 23, 1953. This report documents the charges Republicans have been making for years and demolishes Democrat attempts to whitewash their administration's failure to crack down on the Reds.

David Lawrence, the newspaper columnist, said the Senate report discloses "a deliberate conspiracy against the United States Government unparalleled since the treason of Aaron Burr." The report was signed by all members of the subcommittee—5 Republicans and 3 Democrats.

Here are a few of the subcommittee's conclusions about subversion in Government under our predecessors:

> The Soviet international organization has carried on a successful and important penetration of the United States Government. * * * This penetration has extended from the lower ranks to top-level policy and operating positions in our Government. * * *
>
> Thousands of diplomatic, political, military, scientific, and economic secrets of the United States have been stolen by Soviet agents in our Government and other persons closely connected with the Communists. Despite the fact that the Federal Bureau of Investigation and other security agencies had reported extensive information about this Communist penetration, little was done by the executive branch until congressional committees brought forth to public light the facts of the conspiracy.

One of the worst scandals revealed by the Senate committee report was the Harry Dexter White case, which was later amplified by Attorney General Herbert Brownell, Jr., and FBI Director J. Edgar Hoover. Harry Dexter White had a meteoric career in the Government, beginning in 1934 and culminating in appointment to the position of Executive Director for the United States in the International Monetary Fund in 1946.

As Attorney General Brownell revealed, White was discovered by the FBI in the early days of his Government career to be a Russian spy. FBI reports on his espionage activities went to the appropriate officials, including three reports to President Truman, before White's confirmation to his Monetary Fund job by the United States Senate. Later in 1946 President Truman received four additional reports on White's espionage activities. Yet White was never fired. He remained in the Government, receiving promotion after promotion, until he resigned voluntarily in 1947 with the best wishes of Harry Truman ringing in his ears.

Whittaker Chambers, the former Communist spy whose testimony sent Alger Hiss to prison, has said it was "a magic power" that was constantly operating in the United States Government to protect Harry Dexter White and the hundreds of other Russian agents. Two groups who did not succumb to his magic Red power, Chambers says, were the FBI and the House Committee on Un-American Activities.

Still another example of how the magic Red power functioned was given last winter to the Senate Internal Subcommittee by Spruille Braden, a top State Department official during the Roosevelt and Truman administrations. Braden served as Ambassador to Colombia, Cuba, and Argentina and as Assistant Secretary of State until his resignation in 1947.

Braden testified that penetration of the State Department by communistic or socialistic officials during the Roosevelt and Truman administrations may yet cause the loss of Latin America to the Communists, just as China was lost. Braden pointed to strong Communist influences in Guatemala and another unnamed Latin American country, and declared:

> This undermining of our national security has been countenanced and ever at times abetted by our own Government.

Braden disclosed he constantly ran into "roadblocks" in the State Department in his efforts to prevent the spread of communism in the Western Hemisphere. He cited instances in which his own anti-Communist warnings never reached the officials for whom they were intended and disappeared mysteriously. Today we are reaping the results in the form of the Communist troubles in Guatemala.

THE TOUGH REPUBLICAN LOYALTY PROGRAM

When President Eisenhower delivered his first state of the Union address in January 1953 he instructed the heads of all executive departments and agen-

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cies to put into effect immediately effective programs of security with respect to Federal employees. The President chose his words wisely, knowing the ineffectiveness of what had been done before.

In May 1953 President Eisenhower laid down, after careful study, his detailed program for Government personnel. This program was based on the simple fact that working for the Government is a privilege—not a right—and therefore the Government has the duty to demand the utmost in loyalty and reliability from its employees. Any doubts are to be resolved in favor of the Government—the United States Government.

The tough, new Eisenhower security program went into effect on May 28, 1953. From that date until March 10, 1954, the amazing total of 2,486 Government employees were separated for security reasons. Of this total, 1,086 were fired and 1,400 resigned. These figures were given by Philip Young, Chairman of the Civil Service Commission, in hearings before the Senate Post Office and Civil Service Committee.

No breakdown of these figures was available, but the Civil Service Commission did disclose a breakdown of the 2,429 security separations that took place from May 28, 1953, through December 31, 1953. This breakdown is as follows:

	"Risks" found	Number who were fired	Number who resigned
Agriculture Department	74	33	41
Air Force	189	75	114
Army	219	91	128
Atomic Energy Commission	1		1
Central Intelligence Agency	48	1	47
Civil Service Commission	2		2
Commerce Department	58	29	29
Civil Defense Administration	5	3	2
Foreign Operations Administration	83	164	19
General Services Administration	150	100	50
Health, Education, Welfare Department	78	11	67
Housing and Home Finance Agency	23	4	19
U. S. Information Agency	38		38
Interior Department	117	29	88
Justice Department	156	53	103
Labor Department	17	2	15
National Advisory Committee for Aeronautics	17	5	12
National Labor Relations Board	10	6	4
Navy	235	135	100
Post Office Department	284	180	104
State Department	117	5	112
Tennessee Valley Authority	5		5
Treasury Department	52	39	13
Veterans' Administration	302	92	210
White House Office	1	1	
Other Federal agencies	48	16	32
Total	2,429	1,074	1,355

Our opponents have tried to minimize these figures by saying "only" 2,400-plus employees had to be separated for security reasons. Our answer is that only one security risk is one too many. We Republicans will never ease up as long as even one security risk may be working in the Government.

We believe that one Alger Hiss was one too many; one Judith Coplon was one too many; one William Remington was one too many.

In connection with these figures, it should be kept in mind that many of these separations were based on information in files that were available to the Truman administration for a long time. Our predecessors looked the other way. We acted.

We are doing more than getting rid of the security risks we inherited. We are doing everything possible to keep out new security risks by insisting that newly hired Federal employees meet rigid standards.

CUSTING SECURITY RISKS FROM THE ARMED SERVICES

We recognize that the armed services are a key object of Red infiltration.

Secretary of Defense Charles E. Wilson annonunced on April 8, 1954, a new policy for keeping the armed services as free as humanly possible of subversives and other security risks. Secretary Wilson instructed the Army, Navy, and Air Force to set up uniform standards in order to get security risks out of the services and keep them out.

Under the new program, all officers and enlisted men are required to sign a loyalty certificate before entering service. If an individual refuses to fill out the loyalty form completely or discloses derogatory information, he is placed on a nonsensitive assignment pending investigation. If the investigation shows he is a security risk, he is separated under "conditions other than honorable." Known Communists are not taken into the services.

The Wilson order makes it "the duty of every member of the armed services to report any information coming to his attention which indicates that retention of any member of the armed services is not clearly consistent with the interests of national security."

CRACKDOWN BY THE JUSTICE DEPARTMENT

Here is the record of what the Justice Department, in cooperation with the Federal Bureau of Investigation and the Immigration and Naturalization Service, accomplished from January 1953 through May 1954:

First. Convicted 41 Communist Party leaders—13 in New York City, 7 in Honolulu, 5 in Pittsburgh, 5 in Seattle, 6 in Detroit, and 5 in St. Louis.

Second. Indicted 27 additional Communist leaders, including 9 who were put on trial in Philadelphia and 11 scheduled for trial in Cleveland.

Third. Ordered the addition of 62 new organizations to the Department of Justice list of subversive groups, making a total of 225.

Fourth. Convicted four persons for harboring fugitive Communist Party leaders.

Fifth. Secured the conviction of 1 person for treason and 2 for espionage. Eight others have been convicted for making false statements to the Government, and 7 others have been indicted. Three persons have been convicted for perjury, and one other indicted.

Sixth. Deported 93 alien subversives.

Seventh. Issued final deportation orders against 286 persons with records of subversive activity or affiliation.

Eighth. Started deportation proceedings against 349 subversive aliens.

Ninth. Started denaturalization proceedings against 24 naturalized citizens charged with being subversive.

Tenth. Barred entry into this country of 128 subversive aliens who had arrived at ports of entry.

As President Eisenhower has said:

> The constant surveillance of Communists in this country is a 24-hour, 7-day-a-week, 52-week-a-year job. It is carried out by the appropriate Federal agencies, in conformance with due process of law. It is being done quietly and relentlessly, and those who best know its effectiveness are the Communists themselves.

CLEANING UP UNITED STATES EMPLOYEES TO THE UNITED NATIONS

One of the worst messes inherited by the Republican administration was the situation among United States employees at the United Nations.

A House committee was told early in 1953, just before the Eisenhower administration took over, that more than 50 United States employees of the United Nations had refused to testify on whether or not they were Communists, for fear of incriminating themselves. When this was called to the attention of the then Secretary of State Dean Acheson, he in effect shrugged off this incredible condition with the remark that he was not "particularly aware" of the situation.

The new Republican administration was very much aware of this mess and very much determined to clean it up. The first official action of the new United States Ambassador to the United Nations, former Senator Henry Cabot Lodge, Jr., was to request the FBI to make a full field investigation of the 144 members of the United States delegation who were serving under him. He also requested an investigation of all 1,680 Americans on the payroll of the United Nations itself.

Later, Lodge announced he would do "everything in my power" to resist payment by the United Nations of a $135,000 award to 11 Americans who had been fired as security risks. The 11 persons had refused to answer questions about Communist connections before a Senate subcommittee. Lodge said the award by the U. N. Administrative Tribunal "was all wrong and should be reversed."

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CONGRESSIONAL INVESTIGATIONS

Investigating committees of the 83d Congress have vigorously pressed their probes of Communist activities, especially infiltration of the Federal Government in past administrations.

The House Committee held extensive hearings in Washington, Chicago, Detroit, Seattle, Los Angeles, San Francisco, Albany, New York City, Philadelphia, and Columbus, Ohio. It has investigated Communist infiltration in Government, the entertainment industry, defense areas, industry, labor unions, and education. The committee also heard several refugees who had fled from behind the Iron Curtain and were now ready to tell the free world their firsthand experiences with the Red dictatorship.

During 1953, a total of no less than 305 witnesses before congressional committees hid behind the fifth amendment privilege against self-incrimination in their refusal to answer questions about Communist affiliations. This is a higher figure than in any previous year and reflects the accelerated fight against the Communist conspiracy waged by Republicans.

Of this total of 305 refusals, 85 of the witnesses were employed at one time by the Federal Government, while 7 were employed by 1 State government. The other refusals included 40 in elementary or secondary education fields, 57 in higher education, 26 in arts and entertainment, 28 in the literary field, and 13 in printing and publishing.

In October 1953, President Eisenhower, taking note of the frequent refusal by Communist witnesses to testify, issued an Executive order permitting the firing of any Federal employee who refuses to testify on the grounds of self-incrimination before a congressional committee concerning alleged misconduct or disloyalty.

In discussing the President's order, Attorney General Herbert Brownell, Jr., said:

> I have not overlooked the fact that the loyalty and honesty of the overwhelming majority of all Federal employees is beyond question. But their good reputations and character are far better protected from unwarranted criticism when we root out the few who are unreliable and disloyal.

FIGHTING COMMUNISM THROUGH THE REPUBLICAN PARTY

The Republican drive against Communists is under constant attack, much of it from persons who call themselves liberals. J. Edgar Hoover, Director of the FBI, has accurately tagged the pseudoliberals as more destructive than even known Communists.

Hoover declared, in an address in Washington on April 23, 1954, that it is an established fact that every person who has dared to speak out against the threat of communism has become the target of vile and vicious attacks. Hoover said that whenever a person "has dared to expose the Communist threat, he has invited upon himself the adroit and skilled talents of experts of character assassination."

Mr. Hoover said it is unbelievable the way in which "otherwise respectable, seemingly intelligent persons, perhaps unknowingly, aid the Communist cause more effectively than the Communists themselves." Then he went on, "The pseudoliberal can be more destructive than the known Communist because of the esteem that his cloak of respectability invites."

The Republican assault on communism will not be stopped by the smears and jeers from the left. In fact, as long as the cmears and jeers continue, we can be sure we are doing a real job for America.

We can recall with pride the statement made in 1953 by Mrs. Oksana Stepanova Kasenkina, the former Russian school teacher whose dramatic leap to freedom from the Soviet consulate in New York in 1948 won world attention. At last reports, Mrs. Kasenkina had applied for United States citizenship and was living quietly in New York City. Here is what she said last year:

> I have never been a member of a political party. My party is this country and this Government * * * The United States is my party. But I love the Republicans because I believe the Republicans can save this country from the Communists.

Let us remember that the official blueprint for political action of the Communist Party, U. S. A., which rolled off the press in April 1954, calls for:

Defeat of Republican congressional candidates in 1954.

Defeat of the Republican presidential candidate in 1956.

It is nothing new for the Communist Party to use well-established and respectable organizations as vehicles for reaching their goals. Nor is it anything new for the Republican Party to serve as the chief roadblock, in the Communist path. We accept the challenge with pride, knowing there is no higher service we can render to our country.

The Republican administration deserves the support of all citizens who believe communism should be uprooted from our Government. The work already done by the Republican administration is a guaranty of what it will do in protecting our people against the insidious influence of communism.

Erie Airport Gets Aid

EXTENSION OF REMARKS
OF
HON. CARROLL D. KEARNS
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. KEARNS. Mr. Speaker, I wish to comment on the sound judgment and foresight shown by the 83d Congress in restoring to the supplemental appropriation bill $22 million for furthering the development of private airports in the United States.

I am particularly interested because the Port Erie Airport which serves the area embracing the third largest city in the Commonwealth of Pennsylvania will be the recipient of over $300,000 of this fund to improve its facilities.

This appropriation will make possible the construction of additional runways sufficiently long and properly conditioned to accommodate four-motored planes, which to date have been unable to land at Port Erie.

My good constituents of the 24th District of Pennsylvania, and particularly those of Erie County, join with me in expressing appreciation and tribute to my colleagues for recognizing Port Erie as one of the vital air centers of the United States.

Agricultural Legislation in the 83d Congress, 1st and 2d Sessions

EXTENSION OF REMARKS
OF
HON. CLIFFORD R. HOPE
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. HOPE. Mr. Speaker, when this Congress convened, the country was confronted with declining farm prices, a marked slackening of foreign demand for the products of our fields, accumulating surpluses, a gathering drought in the midcontinent, and other problems of vital interest to our agriculture.

The Congress took steps immediately to halt a serious decline in livestock prices, and a program was developed to aid farmers in the drought-devastated areas.

Attention then turned to the general problems and objectives of agriculture.

The Congress passed the Agricultural Act of 1954, conforming in major respects to the recommendations of the President, in the overall program he presented to Congress on January 11, 1954, "to achieve the stability and growth of income over the years to which our farmers are entitled and which the Nation must assure in the interest of all 160 million of our people."

It wrote into law the Agricultural Trade Development and Assistance Act of 1954, aimed at greater utilization and enjoyment, at home and abroad, of the abundance of food and fiber produced on the farms of the United States.

The Congress authorized direct Government loans and federally insured private loans for water facilities and conservation. It enacted a watershed development program, to enable and encourage expansion of conservation work and better use of America's two greatest resources—the soil and water.

It revamped and improved the farm credit system.

It expanded the crop insurance program, modernized the laws authorizing the Agricultural Extension Service, and took numerous other actions relating to the welfare of farmers and their families.

It extended the benefits of the social-security program to 3,600,000 farm operators.

Increased appropriations were provided for the growth of REA, for research

and extension, for FHA and other programs.

Following is a review of the actions in the various fields that are of interest to the farmers of the Nation and to the consumers who depend upon them for their food and fiber:

THE AGRICULTURAL ACT OF 1954, PUBLIC LAW 690

1. BASIC CROPS

A flexible price-support program at 82½ to 90 percent of parity is established for the 1955 crop of wheat, corn, cotton, peanuts, and rice, according to supply conditions. In 1956 and thereafter the support level of these crops will be at 75 to 90 percent of parity, unless Congress takes action to change these flexible levels. The support level of the sixth basic crop—tobacco—remains at 90 percent so long as marketing quotas are in effect.

These new provisions are made with respect to specified basic crops:

CORN

Existing marketing quota authority is repealed, while acreage allotment authority is retained. The act amends the definition of "normal supply" of corn to increase the carryover allowance from 10 to 15 percent of the domestic consumption and exports. The time for determining the average yield of corn in computing the national acreage allotment for corn is reduced from 10 years to 5 years, and the trend adjustment in computing such yield is eliminated. Likewise, the period of years used in apportioning the national corn allotment to counties is reduced from 10 to 5 years. The definition of "normal yield" for corn is amended by changing the period of years used from 10 to 5 years and by eliminating the adjustment for trends in yields.

WHEAT

(a) Commercial area: The act defines the noncommercial wheat-producing area, the effect being that producers in the commercial wheat area would be subject to acreage allotments and marketing quotas when required by law, while producers in the noncommercial area would not be subject to these limitations and would receive only 75 percent of the level of support accorded producers in the commercial area. The noncommercial area will consist of States that plant 25,000 or less acres of wheat annually. According to the best information available at this time this would place in the noncommercial area the 12 States—Alabama, Arizona, Connecticut, Florida, Louisiana, Maine, Massachusetts, Mississippi, Nevada, New Hampshire, Rhode Island, and Vermont. The provision is effective for 1955 and subsequent years. The allotments for other States will not be increased by the elimination of any State from the commercial area.

(b) Proclamation date: The final date for proclaiming the national acreage allotment of wheat is changed from July 15 to May 15, and for proclaiming the national marketing quota for wheat from July 1 to May 15.

(c) Summer fallow: The act provides, in areas where a summer fallow crop rotation of wheat is a common practice, for establishing minimum 1955 farm acreage allotments for farms on which a summer fallow and wheat rotation was practiced for the 1952 and 1953 crops of wheat. This is intended to give equitable treatment to wheat producers in the recognized summer fallow areas who practice summer fallowing.

(d) Normal supply: The allowance for carryover in the computation of "normal supply" of wheat is increased from 15 to 20 percent of domestic consumption plus exports.

(e) Surrender of acreage: Any part of a 1955 farm acreage allotment of wheat can be voluntarily surrendered and reapportioned to other farms in the county or, if not needed in the county, transferred to the State committee for reapportionment. Such surrendered acreage, for the purposes of farm history, shall be regarded as having been planted on the farm from which it was transferred rather than on the farms to which the allotment was transferred.

COTTON

Additional discretion is given to county committees in allotting cotton on a basis of the history of plantings on individual farms. In addition the county committee may limit any farm acreage allotment to not more than 50 percent of the cropland on the farm. The act makes permanent a temporary provision in present law that a cotton farmer may voluntarily surrender any of his cotton allotment he does not intend to plant, for reallocation in his county or State, with such surrendered acreage being counted in the history of his own farm for the purposes of computing future acreage allotments. A special provision is made relating to the support level for extra long staple cotton.

PEANUTS

The act as finally approved makes no change as to acreage allomentt and penalties relating to peanuts.

RICE

The Secretary of Agriculture is directed to make a study of multiple-price systems as applied to rice and report to Congress thereon by March 1, 1955.

2. DAIRY PRODUCTS

No change is made in the support level—75 to 90 percent of parity as may be determined by the Secretary. The Secretary has set the dairy support level at 75 percent for the current marketing year. The Secretary is given authority to use any method he determines necessary to dispose of surplus stocks of dairy products now owned by the Commodity Credit Corporation. Up to $50 million annually for a 2-year period may be used by the CCC to increase the consumption of fluid milk by school children. Surplus dairy products may be distributed free to the armed services and veterans hospitals after they have purchased their usual quantities in the commercial markets. An accelerated brucellosis eradication program is authorized for the next 2 years. The Secretary also is directed to make a study of alternate dairy price support methods and report back to Congress on or before January 3, 1955.

3. WOOL

Use of incentive payments to producers for 4 years, beginning April 1, 1955, is authorized to support the price of wool at a level, up to 110 percent of parity, as the Secretary determines necessary to encourage an annual domestic production of approximately 300 million pounds of shorn wool. When such goal is reached, the price of wool is to be supported at such level between 60 and 90 percent of parity as the Secretary determines necessary to encourage 360 million pounds of wool annually. Pulled wool is to be supported at such level in relationship to the level for shorn wool as will maintain normal marketing practices. Support prices for mohair may deviate from the support price for shorn wool to the extent of 15 percent above or below the comparable percentage of parity at which shorn wool is supported. If approved by producers, deductions may be made from payments to finance advertising and sales promotion programs. Wool is added as a commodity which is subject to regulation under the Commodity Exchange Act.

4. HONEY AND TUNG NUTS

No change is made in these commodities which now have mandatory supports at 60 to 90 percent of parity. Under this authority the support price for honey is 70 percent for the current marketing year and for tung nuts 65 percent of parity.

5. ALL OTHER CROPS

No change is made in the discretionary power of the Secretary of Agriculture to support prices of other crops at 0 to 90 percent of parity, except that Irish potatoes are made eligible for support along with all other nonmandatory commodities at 0 to 90 percent. Under this authority these supports are in force for 1954: Barley, oats, rye, and sorghums for grain, 85 percent of parity; flaxseed, 70; soybeans, 80; dry edible beans, 80; cottonseed, 75; and crude pine gum, 90.

6. SET-ASIDE

Authority is provided for the Commodity Credit Corporation to set aside reserves up to a value of $2,500,000,000 from the present CCC stocks. The commodities in the set-aside may be disposed of for (a) foreign relief purposes, (b) developing new or expanded markets, (c) donation to school-lunch programs, (d) transfer to the national stockpile, (e) research, experimental, or educational purposes, (f) disaster relief purposes in the United States, (g) sales to meet the need for increased supplies, in which case the sales price shall be not less than 105 percent of parity. The commodities in the set-aside will be excluded from the computation of "carryover" for the purpose of determining the price support level, but will be included in the computation of the total supplies for the purpose of determining marketing quotas and acreage allotments.

The CCC shall, as rapidly as the Secretary of Agriculture shall determine to be practicable, set aside within its inventories not more than the following maximum quantities and not less than the following minimum quantities of agricultural commodities or products thereof heretofore or hereafter acquired by it from 1954 and prior years' crops

and production in connection with its price-support operations:

Commodity	Maximum quantity	Minimum quantity
Wheat.....bushels..	500,000,000	400,000,000
Upland cotton.....bales..	4,000,000	3,000,000
Cottonseed oil.....pounds..	500,000,000	0
Butter.....do....	200,000,000	0
Nonfat dry-milk solids.do....	300,000,000	0
Cheese.....do....	150,000,000	0

7. MODERNIZED PARITY

Under existing law modernized parity will go into effect on wheat, corn, cotton, and peanuts for the crop year beginning January 1, 1956. On the basis of present price relationships, this would amount to a reduction in 1956 of 39 cents per bushel for wheat; 22 cents per bushel for corn; 1.8 cents per pound for cotton; and 2.8 cents per pound for peanuts. In order to prevent this abrupt drop, the present bill contains a transitional parity provision providing that the parity price shall be decreased only 5 percent per year until the gap between old parity and new parity is closed.

8. SUPPORT THROUGH PROCESSORS

Whenever price supports or surplus removal operations are carried out through purchases from, loans to, or payments to, processors the Secretary is required to obtain assurances that the producers of the agricultural commodities involved will receive the maximum benefits from the price support or surplus removal operations.

9. DIVERTED ACRES

The bill gives the Secretary no new or expanded authority to deal with diverted acres. However, in any programs for diverted acres, first, the Secretary may make his regulations applicable on an appropriate geographical basis; second, in semiarid or other areas where good husbandry requires maintenance of a prudent feed reserve, his regulations relating to diverted acres shall be administered in such manner as to permit the production of forage crops for storage and subsequent use in farm feeding operations; and, third, in areas declared to be disaster areas, the regulations shall be administered in such a manner as will most quickly restore the normal pattern of the agriculture of such areas.

10. ACP PAYMENTS

The agricultural conservation payment program is extended for 2 years. The legislation permits the Secretary to fix fair prices on conservation materials and services, although this is not mandatory as in existing legislation. Compliance with acreage allotments on basic crops is made a condition to eligibility for ACP payments, with the stipulation that this provision shall apply only to farmers who knowingly harvest crops in excess of their allotments, after a determination by the Secretary that a farmer's plantings are in excess of his allotment. The Secretary is required to give farmers a reasonable opportunity to get into compliance on plantings of basic crops if they are found to be in excess of allotments. Although application of this general provision on eligibility will not be possible in the current year, the provision relating to the opportunity of farmers to adjust their basic crops so as to comply with the acreage allotments will be effective for the 1954 crops which have not yet been harvested.

11. MARKETING AGREEMENTS

Producers of fruits and vegetables, in the new legislation, are permitted under marketing agreements to fix the type of package used. The legislation authorizes marketing orders to continue in operation during periods when the price of the regulated commodity is at or above parity. Grapefruit for canning or freezing is included in those commodities for which marketing orders may be issued. Funds collected under marketing agreements may be used for market research and development. Imported fruits and vegetables may be required to comply with the standards of maturity, size, and quality required in the marketing agreements adopted by domestic producers.

12. AGRICULTURAL ATTACHÉS

The new act provides for the establishment of a new and more effective representation of American agriculture and agricultural interests in our Embassies and missions abroad, by transferring the agricultural attachés from the jurisdiction of the Department of State to the Department of Agriculture.

The act provides that appointed employees and officers of the Department of Agriculture shall be regularly and officially attached to the diplomatic missions of the United States in foreign countries upon the request of the Secretary of Agriculture and the concurrence of the Secretary of State. Overseas agricultural representatives henceforward will be directly under the Secretary of Agriculture with respect to agricultural matters and their agricultural duties, and will make their reports directly to him. This should greatly improve the efficiency and value of our foreign agricultural representation.

13. TERMS OF COMMITTEEMEN

The Secretary of Agriculture is prohibited from imposing any limitation upon the number of terms for which members of the agricultural stabilization county committees may be reelected.

14. SALE OF CCC FEED GRAINS

The new act authorizes the Commodity Credit Corporation, for the period ending March 1, 1955, to sell feed grains it owns at the support price plus 10 percent at the point of storage. This temporarily relaxes a provision of the 1949 act prohibiting CCC from selling storable commodities into the commercial market at less than the current support price plus 5 percent plus a reasonable carrying charge. This is intended to make the feed grains available at a lower price to feeders who are unable to purchase the grains on the market except at prices above parity. A situation has developed in some parts of the Corn Belt in which farmers, fearful of the effects of the drought on this year's corn crop, are holding in storage their farm-stored stocks of corn.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954, PUBLIC LAW 480

This act declares it to be the policy of Congress that America's abundance of food and fiber shall be managed to expand international trade, to promote the economic stability of agriculture in the United States and the national welfare, and to further this Nation's foreign policy.

It permits the President, to the extent of $300 million in the next 3 years, to furnish emergency assistance on behalf of the people of the United States to friendly peoples of other nations, for meeting famine and other urgent relief requirements.

It makes commodities available for relief distribution abroad by private nonprofit welfare organizations. It expands the availability of food for needy persons in the United States, for the school-lunch program, and for other nonprofit uses.

While opening our storehouses wider for distressed people in other countries, the act places particular emphasis on the expansion of foreign-trade outlets for our farmers. To develop the new markets, the act authorizes sales for the local currencies of other countries, under the specific safeguards that the President shall—

First. Take reasonable precautions to safeguard against displacement of usual marketings of the United States or friendly nations, and to assure insofar as practicable that sales will not disrupt world prices.

Second. Take appropriate steps to assure that private trade channels are used both with respect to sales from privately owned stocks and from stocks owned by the Commodity Credit Corporation, so far as practicable.

The $700 million authorized for the trade program will be employed to reimburse CCC for commodities taken out of CCC stocks, to convert to dollars the local currencies of other countries received by private American exporters for goods delivered abroad under this program, and in meeting other expenses of the program.

Definite stipulations are made for the use of foreign currencies, which accrue to the Government, including purchase of stockpile materials, procurement of military equipment, materials and services, purchase of goods or services for other friendly countries, increasing production for domestic needs in friendly countries, to pay United States obligations abroad, and encouragement of multilateral trade and economic development.

The legislation is intended to make the best possible use of the production of American farms that is beyond commercial demands.

Moreover, the Mutual Security Act of 1954 embraces an important provision relating to the disposition in other countries of the products of American farms. It earmarks $350 million for the purchase and export of surplus agricultural commodities to be sold for foreign currency rather than supplied on a grant basis. The foreign currency thus obtained will be spent to promote the ob-

UNIVERSITY OF MICHIGAN LIBRARIES

jectives of the Mutual Security Act, but with particular emphasis on the purposes expressed in the Agricultural Trade Development and Assistance Act which are in harmony with the Mutual Security Act.

DROUGHT AND DISTRESS IN THE LIVESTOCK INDUSTRY, PUBLIC LAW 115

In January 1953, the cattle industry was suffering severely from falling prices, and a few months later the stability of this great segment of agriculture encountered a more serious threat—the worst drought since 1936 that dried up the grazing lands of the Central and South Central States.

A subcommittee of the House Committee on Agriculture was constituted promptly and given the job of finding some remedy for the falling cattle prices.

This group called for an end of price controls on beef, which had been imposed during the Korean emergency. This was done with beneficial results to both producers and consumers of beef. The subcommittee then recommended: First, acceleration of purchase of beef for the Armed Forces; second, emergency credit for the producers; third, purchase of beef for the school lunch program; and fourth, management of the imports of beef in a manner not depressing to the price of domestically produced beef.

Administrative machinery was organized in the Department of Agriculture to direct a price stabilization program.

In the midst of this program the full force of the drought caused wide devastation. This called for new action expanding the emergency program already in operation.

Congress enacted Public Law 115.

This permitted loans to farmers and stockmen for any agricultural purpose within the drought disaster area if such disaster had caused a need for emergency credit that could not be met by normal credit sources.

This law authorized, for 2 years, loans to established ranchers and livestock producers anywhere in the country whose operations were jeopardized by economic conditions resulting from drought.

It authorized the Secretary of Agriculture to furnish feed and seed to distressed farmers, ranchers, or stockmen, within the disaster area.

As a result, the cattle price decline was checked, stability was restored to the livestock industry and beef consumption rose to a new high in the United States.

At present, drought conditions are again a serious problem and, using the authority already provided by Congress, assistance is being extended to the damaged areas.

In addition, going to the aid of farmers and ranchers in the duststorm areas of the Great Plains, Congress approved a special appropriation of $15,000,000 last spring to be used in defraying the cost of listing, chiseling and other measures taken to check wind erosion.

These emergency programs have relieved much of the distress of the Nation's farmers who have seen their pastures wither and their crops damaged or destroyed.

CONSERVATION (WATERSHEDS AND WATER FACILITIES)

The greatest contribution made by the 83d Congress to the long-range interest of Agriculture was in the field of conservation. The Congress responded fully, with major pieces of legislation, to the great and growing dedication of farmers to the conservation and improvement of the Nation's greatest resources—soil and water. The good effects of this legislation, in terms of food and clothing for the growing population will be felt by the generations that follow.

In addition to extending the existing agricultural conservation payment program, the Congress enacted these far-reaching measures:

THE WATERSHED PROTECTION AND FLOOD PREVENTION ACT, PUBLIC LAW 566

This act provides the legislative authority for attacking the problems of upstream soil and water conservation and flood prevention, by concentrating the combined efforts of the Federal Government, States, counties, and other local government entities, soil conservation or watershed districts, and local citizens' groups. Costs will be shared by participants in proportion to the benefits to each. The program supplements both the present agricultural soil and water conservation programs and the programs for development and flood protection of major river valleys. It bridges the gap now existing between these two types of programs and will greatly enhance the ultimate benefits of both.

To be eligible for consideration under this act the size of the watershed cannot exceed 250,000 acres.

The initiative for all projects must come from people of the locality where the proposed program is to be carried out. The first step is the establishment in the local community of an organization—if such does not already exist—capable of acting as the sponsoring agency. Such local sponsoring organizations must be authorized by State law to carry out such works of improvement.

The next step is to make an outline of the general proposal for the project and submit this to the State or local representative of the Soil Conservation Service and to the governor of the State. If such application is not disapproved the Soil Conservation Service will assign technicians and other personnel to work with the local organization in making such surveys and studies as are necessary in working out detailed plans.

Conditions of eligibility for Federal aid include first, acquisition by the local organization of all land, easements, or rights-of-way necessary for the project; second, evidence that the local organization is willing and able to assume its proportionate share of the cost and to maintain and operate the improvements; third, assurances that landowners have acquired necessary water rights; and, fourth, agreements from owners of at least 50 percent of the land above each retention reservoir to carry out recommended soil-conservation measures and proper farm plans on their land.

EXTENSION OF WATER FACILITIES ACT, PUBLIC LAW 597

This act—

First. Expands the benefits of the old Water Facilities Act, now applicable only in the arid and semiarid areas, to the entire Nation and sets up a new system of Government-insured private loans, as well as direct loans from Federal appropriations, to finance these facilities. The old act has been operating in a limited area to finance such facilities as irrigation equipment, pumps, and wells. It has been of great assistance to many farms in the drought areas.

Second. Sets up a new system of direct Government loans and Government-insured private loans for general conservation work and development, including the improvement of farmland by soil or water conserving or drainage facilities, structures, or practices, improvement of soil fertility, establishment of improved permanent pasture, sustained yield afforestation or reforestation, or other erosion preventatives, and such other related measures as may be determined from time to time by the Secretary of Agriculture.

Loan limitations are set at $25,000 on the outstanding indebtedness to the United States of any individual farmer or rancher, and $250,000 in the case of an association or agency. This is applicable both to water facilities and to general conservation projects.

In addition to its great importance in advancing conservation work, the loan program should, first, materially assist in facilitating long-needed land-use adjustment, including the useful recovery of wornout croplands; second, aid substantially in bringing about desirable uses of acres diverted from production of surplus crops; and third, relieve the impact of drought conditions in various areas of the Nation.

The interest rates and the amount of insurance on loans will be fixed by the Secretary of Agriculture at levels intended to bring substantial private investments into the conservation and water facilities fields. The length of the loans will be adjusted to the repayment ability of individual borrowers. The program is administered by the Farmers' Home Administration.

The Watershed and Water Facilities Acts, combined with the programs now at work, should open a new era of effective conservation for the protection and improvement of the resources that will insure a future of continued abundance of food and fiber for America's growing population.

FARM CREDIT EXPANSION, PUBLIC LAWS 597, 521, 727, AND 255

The Congress opened the way for development through the Farmers' Home Administration of immense reservoirs of agricultural credit in the future. It expanded the authority for the Government to insure private loans, and authorized adjustments of interest rates to attract larger private investments in loans on farm properties and for farm improvements and operations.

The broadened field of operations in Public Law 597, which expands the Water Facilities Act, already has been discussed fully.

UNIVERSITY OF MICHIGAN LIBRARIES

Public Law 521 amends the Bankhead-Jones Farm Tenant Act permitting the Farmers' Home Administration to make direct loans on the security of second mortgages where the combined value of the first and second mortgages does not exceed the value of the farm as certified by the county FHA committee. It permits the Secretary of Agriculture to increase the rate of interest to not to exceed 5 percent in the case of direct loans and to base interest of not in excess of 4 percent on insured mortgage loans. This act is intended to encourage private lenders to make more money available for agricultural loans.

Public Law 727 authorizes the Secretary, until June 30, 1955, to make emergency loans for any agricultural purpose, except for refinancing of existing indebtedness, and not to exceed an aggregate of $15 million, to farmers and stockmen in any area where the Secretary determines there is need for such credit which cannot be met for a temporary period from commercial banks, cooperative lending agencies, the Farmers' Home Administration under its regular programs or under the act of April 9, 1949, or other responsible sources. Such loans shall, first, be made only to individuals or partnerships actively engaged in the operation of farms or ranches and shall not exceed $15,000 in the case of any one loan and $20,000 to any one borrower; second, be made at such rates of interest and on such terms and conditions as the Secretary prescribes; and, third, be secured by the personal obligation and available security of the producer.

Public Law 255 amends the Government Corporations Appropriation Act so as to extend for 5 years, ending June 30, 1958, the authority for making loans to fur farmers, for the purpose only of making necessary supplemental advances to such farmers now indebted for loans made under previous authority.

COOPERATIVE FARM CREDIT SYSTEM IMPROVED, PUBLIC LAWS 202 AND 630

This system is farmer owned and controlled, being operated with advisory direction from the Farm Credit Administration which is an agency of the Government. It is an entirely separate operation from the Farmers' Home Administration which makes direct loans from appropriated funds for many farm purposes where private funds are not available and insures private loans in several fields.

The lending institutions of the Cooperative Farm Credit System are the Federal land banks which make long-term farm mortgage loans, the Federal Intermediate Credit Bank, production credit associations, and the banks for cooperatives which finance the operations of farmers' cooperative associations.

The 83d Congress enacted Public Law 202 providing for greater farmer ownership and control of the cooperative farm credit agencies. This legislation laid the groundwork for retirement of more Government capital in these agencies, directed the Farm Credit Administration to delegate to the various Federal land banks and other district credit agencies more duties and authority; established a 13-member Farm Credit Board with full responsibility for policies of the Farm Credit Administration; eliminated the offices of the Land Bank Commissioner, Production Credit Commissioner, Cooperative Bank Commissioner, and Intermediate Credit Commissioner, whose functions now are carried out under direction of a governor appointed by the 13-member Board; and transferred the Division of Cooperative Marketing to the direct control of the Secretary of Agriculture.

Public Law 630 amended the Farm Credit Act of 1933 to authorize issuance and sale of consolidated debentures of the 12 regional banks for cooperatives and the Central Bank for Cooperatives, such debentures to be joint and several obligations of the 13 banks and to be secured by the pledged of collateral consisting mainly of obligations taken by the banks in connection with their loans to farmers' cooperative associations.

EXTENSION SERVICE LAW STREAMLINED, PUBLIC LAW 83

By enactment of Public Law 83 Congress simplified and facilitated the work of the Extension Service. Ten separate laws relating to this important service, devoted to agricultural education, were consolidated and codified, incorporating the substance of the various later acts into the Smith-Lever Act which is the basic law authorizing extension work.

Moreover, the act broadens the language of the Smith-Lever Act to define cooperative agricultural extension work as embracing "the giving of instructions and practical demonstrations in agriculture and home economics and subjects relating thereto." The phrase "and subjects relating thereto" was added to make certain that the new act authorizes all those extension activities, such as 4–H Club work, education in rural health and sanitation, and similar aspects of the manifold extension program heretofore carried out under existing law.

The House Committee on Agriculture emphasized, in reporting this legislation to the House, that it is especially interested in seeing that 4–H Club work is expanded as rapidly as can be done.

The new act authorized the appropriation of such sums as are deemed necessary for operation of the overall program of the Extension Service.

CROP INSURANCE EXPANDED, PUBLIC LAW 261

Congress through Public Law 261 authorized the expansion of the Federal crop insurance program as the experience of the Crop Insurance Corporation and the desires of farmers for such insurance indicates the operations should be broadened.

The legislation will permit the writing of crop insurance in 100 additional counties each year. It set up for the first time standards to be followed by the Crop Insurance Corporation in expanding the program, to assure that insurance will be made available first to those crops and counties where it is most needed and where there is the soundest experience in this field.

This program now appears to be on the way to providing farmers generally with a sound and businesslike insurance against such hazards as weather and pests.

CONTINUED IMPORTATION OF FARM LABOR, PUBLIC LAWS 237 AND 309

Producers of many crops, particularly fruits and vegetables, made a showing that continued importation of farm labor is necessary to assure adequate help in tending and harvesting these crops. The first session of this Congress approved Public Law 237 extending for 2 years, to December 31, 1955, the program permitting Mexican nationals to enter the United States to work on farms. The farmer-employers pay for this labor.

When the second session of this Congress convened last January it then seemed that the United States and Mexico were unable to come to terms for continuation of this program, and that this source of farm labor might be closed. The Congress enacted Public Law 309 authorizing the Department of Labor to carry on its program of placing Mexican farmworkers in temporary agricultural jobs pending the negotiation of a new agreement or, if after every practicable effort it was found impossible to reach a new agreement, to continue the program in the absence of an agreement. However, a new agreement was signed shortly after the adoption of the resolution.

Mexican farmworkers now are employed on American farms, where American citizens are not available to do this work, and they enjoy protection as to wages and as to working and living conditions.

GRAIN STORAGE, PUBLIC LAW 287

Such is America's abundance of food as to create problems of storage. In the grain-producing regions our warehouses and bins were packed to overflowing.

Congress, by Public Law 287, moved to provide adequate storage by encouraging private investment in facilities. This law allowed accelerated amortization over a 5-year period, instead of 20 years, for tax-payment purposes in relation to investment in such facilities. Supplementing this action the Department of Agriculture made storage-use guaranties to responsible commercial firms, including cooperatives, in order to encourage the construction of additional commercial storage facilities for wheat, corn, rye, oats, barley, grain sorghums, flaxseed, and soybeans, in areas where additional facilities were needed.

WHEAT PROGRAM FACILITATED, PUBLIC LAW 117

Because of the accumulated surplus, wheat farmers faced a cut in their crop from 72 million acres in 1953 down to 55 million acres in 1954. It was generally agreed that such an abrupt cut would place too severe a strain upon the financial situation of farmers and upon the general economy of the wheat-producing regions.

Congress, by Public Law 117, amended the Agricultural Adjustment Act of 1938 to provide an increase in the minimum national wheat allotment for 1954 from 55 million acres to 62 million acres.

This legislation also provided a reserve of not to exceed 1 percent of the national acreage allotment for distribution to new producing areas, and statutory recogni-

tion for the use of past acreage of wheat as a factor in making farm allotments.

COTTON PROGRAM ADJUSTMENTS, PUBLIC LAW 290

Similarly, cottongrowers were confronted with a cut from 25,284,600 acres in 1953 to 17,910,000 acres in 1954. This, too, would have meant a severe loss of income for farmers and a strain on the economy of the cotton-producing regions.

Congress passed Public Law 290, providing a minimum national cotton allotment of 21,379,000 acres in 1954.

This legislation also provided for special adjustment of allotments among the States, and to counties and individual farms. Provisions were made to prevent hardships and inequities in the assignments of acres. Certain long-range improvements were made in the cotton program.

REORGANIZATION AUTHORITY

Reorganization of the Department of Agriculture, to promote efficiency in its functions, was authorized by Reorganization Plan No. 2, which became effective June 4, 1953.

Two of the most important steps taken under this authority were: First, the placing of all domestic marketing activities in one agency—Agricultural Marketing Service; and, second, organization of the Foreign Agricultural Service, which revitalized the functions of the old Office of Foreign Agricultural Relations.

The Agricultural Marketing Service has brought together such closely related functions as crop, livestock, and price reporting; market news, inspection, and grading; agricultural economics and statistics; food-distribution programs; marketing agreements and orders; regulatory acts on marketing; and marketing research.

Prior to the reorganization, marketing research, for example, was scattered among five major agencies of the Department. Now it is centered in one division of the Agricultural Marketing Service where unified policies and procedures can be used to improve the effectiveness of the many research studies conducted within the Department and with public and private organizations.

The placing of all domestic marketing activities in one agency has enabled considerable expansion and improvement of the food-distribution programs of the Department, including the national school-lunch program, getting the surplus foods to needy persons, and the plentiful food program in which the agency works closely with the food trades to increase consumption of foods in plentiful supply.

The Foreign Agricultural Service has been strengthened, in preparation for important service in disposing of American farm products in foreign lands, with particular emphasis on developing new markets and offering various services to aid the people who are in the business of selling these products abroad. These functions should be aided materially by the transfer of the agricultural attachés from the jurisdiction of the Department of State to the Department of Agriculture.

These are the major specific provisions of Reorganization Plan No. 2:

First. Transferred to the Secretary of Agriculture all the functions not heretofore vested in him of all other officers, and of all agencies and employees of the Department of Agriculture, except the functions of hearings examiners, USDA corporations, the boards of directors and officers of such corporations, Commodity Credit Corporation's Advisory Board, the Farm Credit Administration or any agency, officer, or entity of the FCA;

Second. Provided for two additional Assistant Secretaries appointed by the President with the advice and consent of the Senate;

Third. Provided for an Administrative Assistant Secretary appointed by the Secretary of Agriculture with the approval of the President;

Fourth. Authorized the Secretary to delegate to any other officer, agency, or employee any of his functions, including any transferred to him by the provisions of this plan;

Fifth. Required the Secretary to give appropriate advance public notice and afford opportunity for interested persons and groups to present their views on proposed major changes in organizations, or delegation of functions;

Sixth. Required the Secretary in delegating functions to simplify and make efficient the operation of the Department, to place the administration of farm programs close to State and local levels, and to adapt the administration of the Department's programs to regional State, and local conditions; and

Seventh. Authorized the Secretary to make incidental transfers within the Department of records, property, personnel, and so forth.

PUBLIC LAW 216 (FAMINE RELIEF) AND PUBLIC LAW 77 (PAKISTAN)

Early in the 1st session of the 83d Congress steps were taken to combat hunger and starvation in other nations.

Upon the request of the President, the Congress enacted Public Law 216, authorizing him to use stocks of agricultural commodities acquired by the CCC through price-support operations to relieve famine and other urgent relief requirements abroad.

This authority, running to March 15, 1954, provided such assistance up to a total of $100 million.

In the same spirit, the Congress enacted Public Law 77, making a gift of up to 1 million long tons of wheat, from CCC stocks, to the Government of Pakistan, to relieve starvation and mass suffering by famine.

PUBLIC LAW 30, INSURANCE

The Congress took an important step to expand exports of agricultural commodities, prior to enactment of the Agricultural Trade Development and Assistance Act of 1954. Through Public Law 30 it provided insurance for such commodities held in storage in friendly countries. The insurance protects the owners against loss or damage and is intended to encourage holding of these commodities nearer the foreign markets so that the exporters may have the advantage of prompt delivery in these markets.

PUBLIC LAW 180, INTERNATIONAL WHEAT AGREEMENT

By Public Law 180 the Congress extended the International Wheat Agreement. Through this agreement the nations arrange for orderly movement of this food grain between exporting and importing populations.

Moreover, in the interest of building foreign trade generally, the Congress extended the Reciprocal Trade Act under which this country, through trade agreements, seeks to lower the barriers to the interchange of goods among nations.

OTHER ACTS FOR AGRICULTURE AND RELATED ACTIVITY

To provide ample funds for the price-support operations authorized by law, the 83d Congress increased the borrowing authority of Commodity Credit Corporation from $6,750,000,000 to $8,500,000,000 and then to $10 billion.

Public Law 536 grants the approval and consent of Congress to the southeastern interstate forest fire protection compact, including the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

Public Law 642 grants the consent and approval of Congress to the south central interstate forest fire protection compact, including the States of Arkansas, Louisiana, Mississippi, Oklahoma, and Texas.

The purpose of these two compacts is to promote effective prevention and control of firest fires in the southeastern and south central regions of the United States by the development of integrated forest fire plans, by the maintenance of adequate forest fire fighting services by the member States, by providing for mutual aid in fighting forest fires among the compacting States of the region and with States which are party to other regional forest fire protection compacts or agreements, and for more adequate forest protection.

Public Law 586 amends the authority of the Department of Agriculture to cooperate with States, and so forth, in the control and eradication of incipient and emergency outbreaks of insect pests and plant diseases and the use of the Department's contingency funds designated for such purposes, so as to permit use of the contingency funds for similar emergencies in Canada and Mexico. The new authority would be used only to carry out in such countries necessary measures to control incipient or emergency outbreaks of insect pests or plant diseases where immediate action is deemed necessary to eradicate, suppress, control, and prevent or retard the spread of such outbreaks into the United States.

Public Law 227 amends the act of May 29, 1884, which established the Bureau of Animal Industry, so as to provide for cooperation with States and political subdivisions in the eradication and control of scrapie and bluetongue of sheep.

Housing assistance.—The Congress extended for another year the farm-housing assistance program which provides financing, and grants in some cases, to qualified farmers unable to get housing loans from private lending sources.

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MOVING FARM PRODUCTS

The 83d Congress authorized expenditures totaling $420 million during fiscal years 1956 and 1957 on farm-to-market roads. The previous Congress authorized a total of $330 million in fiscal years 1954 and 1955 for this purpose.

After many years of debate in Congress, the St. Lawrence Seaway was approved. This should provide low water rates for the shipment of agricultural commodities from the Central States to world markets.

FARMERS' TAXLOAD LIGHTENED

Important changes were made in tax laws to ease the tax burdens on farmers, in addition to the general lowering of income and excise taxes for all taxpayers. These included:

First. The Internal Revenue Code was revised to permit farmers to charge off for income tax purposes the costs of certain soil and water conservation practices not heretofore deductible. This should be a substantial stimulus to conservation works. Previously such expenditures generally have been capitalized rather than deducted as current expenses. Under the new act farmers can count as current expenses their expenditures for soil and water conservation works such as leveling, grading, and terracing, contour furrowing, construction of diversion channels, drainage ditches and earthen dams, control and protection of water courses, outlets and ponds, eradication of brush, and planting of windbreaks.

Second. Depreciation allowances were liberalized, applying to all types of tangible depreciable assets, including farm equipment, machinery, and buildings. Henceforward the depreciation allowances will be considerably larger in the early years of the life of a property. The new method allows depreciation for tax-reporting purposes, of 40 percent of the cost of an asset in the first quarter of its service life and two-thirds of the cost in the first half of its life. This faster tax writeoff will increase available working capital. Farmers particularly have a vital stake in a more liberal depreciation policy. They are especially dependent on their current earnings or short-term loans to obtain funds for expansion. The faster recovery of capital investment provided by the new act will permit them to get short-term loans which otherwise would not be available.

Third. The principle of involuntary conversion is extended for farmers. Property involuntarily converted through fire, storm, and so forth, previously has gotten the tax advantage of not having to report gain if the insurance or other proceeds exceed the basis of the property—if the property is replaced. The new law embraces two additional types of losses as involuntary conversion: First, sale of property lying within an irrigation project that is sold to conform with acreage limitations of Federal reclamation laws and, second, livestock lost by disease or sold or exchanged due to disease.

Fourth. Accelerated amortization, for tax reporting, of storage facilities, already discussed under "Grain storage."

SOCIAL SECURITY FOR FARMERS

The 83d Congress extended social security—old-age retirement benefits and insurance protection for the family—to 3,300,000 farm operators. The program has been in operation for some 18 years for industrial workers.

The coverage for farm operators becomes effective January 1, 1955, but the first payment on the social-security taxes will not fall due until April 15, 1956. The program will apply to all farm operators with net earnings of $400 or more annually.

As in the case of other persons in the program, a farmer reaching the age of 65 will be entitled to monthly payments ranging between $30 and $108.50 a month, if he is single, or $45 to $162.80 monthly, if his wife is 65 or older. The actual level of payments, between the figures mentioned, depends upon the level of the individual farmer's earnings upon which he paid social-security taxes before he reached 65.

If a farmer dies before 65 and leaves a widow and 1 child under 18, these survivors will receive between $48 and $162.80 monthly. The benefits can go up to $200 a month if there are several children below 18.

To qualify for these benefits, farmers through 1959 will pay as social-security taxes 3 percent of their net earnings between $400 and $4,200. Thus the annual social-security tax for a farmer with net income of $400 will be $12. This will be progressively larger up to a tax of $126 annually for farmers with net earnings of $4,200 or more. As with all other persons in the program, the tax rate will increase slightly in 1960. A simplified method of paying the social-security taxes is provided for farmers.

The new act also covers 2,100,000 additional farmworkers. Some regularly employed farmworkers were brought into the program in 1951.

Commenting on the extension of coverage of farm operators and farmworkers, the House Committee on Ways and Means said:

> With extension of old-age and survivors insurance coverage to farmers and farmworkers, far more of these workers will be qualified for benefits under old-age and survivors insurance and thus have less need of old-age assistance. Another advantage of extending coverage to these and other groups now outside the system is that not only more of the aged but also more of the young widows and children will be receiving benefits without a means test. Accordingly, these old-age and survivors insurance beneficiaries are able to maintain a sense of their own continued independence and of their dignity and worth as individuals, even though their support from earnings has been cut off by the retirement or death of the insured worker. The knowledge that benefits will be paid irrespective of whether the individual is in need, supports and stimulates his own thrift and initiative, since he can add his personal savings (including homeownership and insurance) as well as pensions he may receive as a result of his work, to the basic old-age and survivors insurance benefits.

FUNDS FOR AGRICULTURE

The 83d Congress, in its two sessions, approved appropriations and loan authorization aggregating $2,778,400,000 for the Department of Agriculture, exclusive of the actions restoring the capital of the Commodity Credit Corporation. The previous Congress authorized $2,483,500,000 for the Department.

Liberal appropriations and authorizations were approved for research, education, and soil- and water-conservation programs.

A compilation of House Committee on Appropriations figures showed specific appropriations and authorizations of the 83d Congress and the comparative figures for the previous Congress as follows: Research—83d $129,600,000, 82d $112,100,000; REA electric facilities—83d $270 million, 82d $150 million; REA rural telephones—83d $150 million, 82d $60,200,000; Farmers' Home Administration loan authorizations—83d $330 million, 82d $317 million; and Extension Service—83d $78,800,000, 82d $67,100,000.

Funds provided by the 83d Congress enabled marked progress in rural electrification and rural telephone service. Reporting on REA during the 1954 fiscal year, the Department of Agriculture noted an increase in rural electrification loan volume, a reduced backlog of loan applications and increased power consumption by farmers. In the rural telephone program, the Department reported that during the past year telephone borrowers completed more cutover to modern dial service, built more miles of new lines and connected more subscribers than during the 4 previous years combined.

Pelly Pledges Continued Pay Effort

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. PELLY. Mr. Speaker, in the move to obtain passage of the pay raise bill for postal and classified civil-service workers, I have been in the forefront. At this time, I pledge to the thousands of people in my congressional district to vigorously continue my efforts in their behalf.

Congress recognizes the fairness of the raise at this time. To tie in needed revenues with the needed pay raise is unfair. Two wrongs will not make a right. The Post Office Department needs more revenue, and Government employees are entitled to more pay, but there should be no connection between the two.

Congress further realizes the need of an increase in pay for all Government employees and, in my opinion, they will receive it next January, if not during this session of the Congress. As for increased revenue, that is a matter which should be handled separately.

Again, I reiterate my pledge. I will unrelentingly pursue my efforts for a pay raise for all Government employees.

The Essentials of Democracy

EXTENSION OF REMARKS
OF
HON. ROBERT CROSSER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. CROSSER. Mr. Speaker, many times during my life as a legislator I have been asked what principles and procedure must be observed at all times in order to assure the existence and continuance of truly democratic government.

First of all, the meaning of the term "democracy" in itself is very significant. The word is derived from two Greek words—"demos" meaning "people," and the verb "kratein," meaning "to rule." The combination of the two words into the English word "democracy" means "the rule of the people."

Our Federal Government functions entirely through the agency of elected representatives. Many of the State governments have, however, made it possible for the will of the people to prevail regardless of the arbitrary decisions of the representatives of such State governments. In such States, the lawmaking power, when exercised by the duly elected representatives, is subject to control by the direct vote of the people, and in many States the power of removal or recall is reserved to the people themselves, so that in the true sense of the word, real democracy prevails in such States. The lawmaking branch of the Government, of course, is the policy-making branch. In Ohio, however, the action of the legislature in passing a law which is not in harmony with public sentiment, can be reversed.

The filing of a petition, with the secretary of state, signed by the legally required number of voters, demanding a popular vote on such law assures a vote by the people themselves at the following general election on the question of approving or disapproving the measure passed by the legislature. If the majority of the people vote against the measure submitted to the referendum vote then the action of the legislature becomes null and void.

Early in the history of our country, party nominations were made by party conventions, and the conventions were often completely dominated by one or a few persons, with the result that the wishes of the people were generally given very little consideration. The result was that between 40 or 50 years ago the great majority of the States adopted the principle of the direct primary, on the theory that the people would then be able to express their wishes directly at the polls in regard to candidacies for office.

While a primary system at its worst is far better than the old convention system where one or a few men could invariably dictate the policies of the party, the primary system has, however, not been altogether free from some of the same objections which made the actions of the old-time conventions a travesty on democracy in the sense that was intended by Jefferson, provided in the Declaration of Independence, when he stated that "the will of the people should be the law."

Under almost all of the primary laws which are in effect in the different States, there is an invariable tendency toward the control of party affairs in the hands of one or a very few people at most who are officials of the party. Having such power in their hands, the chairman or heads of the party committees is in a position which enables him almost always to determine the governing policies of party candidates as a condition for the candidates receiving the support of the chairman or head of the party. Almost invariably, therefore, a person elected to a policy-determining office finds himself not free to support or oppose a governmental policy if the head of the party committee requests a decision of a contrary nature from the person elected to the office which determines such public policies.

The general result, therefore, of the prevailing primary election systems, particularly in larger metropolitan areas, where the population is congested to a great degree is that the nominees of a party for public office feel practically forced to comply with the wishes of the head, or chairman, of their party committees. Even a little careful thought and consideration on the part of a student of the science of government would make clear the fact that, without additional safeguards, the system falls far short of carrying into effect the statement in the Declaration of Independence that the will of the people should be law.

It must be crystal clear to any careful observer that public officials elected to office with the understanding that they are to support the views of the chairman or head of the party to which they belong could not be free to serve their own best ideas of right.

I have discussed some of the essential principles and procedures of fundamental democracy partly because of my hope that it will be helpful to those considering entrance into public life, but who are without experience or great study, and particularly because it is desirable to understand the course of action I have personally pursued since beginning public life officially, almost 45 years ago. I realize, of course, that many persons I know were unable to understand why I pursued a course in contests for nominations and elections that almost invariably met with hostile opposition of a few persons holding the commanding positions in the party with which I have always been allied, namely, the Democratic Party. It surely must be evident to all who will give the subject a moment's thought that I did not invite or enjoy opposition by persons of political influence in my own party.

My course of action in all cases was pursued because of my positive and unshakable judgment that in order, at all times, to serve one's best understanding of the right a person must, at all times, whether as a candidate or elected official, keep his mind absolutely free from any promise or commitment to any person or group of persons to do, or not to do, what is intended by such promise or commitment.

The term "Right or truth" means that which is the expression or activity of the Supreme Power of the universe, whether that power be called the Infinite Mind, Infinite Spirit, Principle, God, or some other title designating the Supreme Power, and is all-knowing, all-powerful, benign, all-wise, and universally present action. A general abandonment of right thinking, that is, of the thinking which ultimately discovers the right, although it does not create it, would bring chaos throughout the world in a comparatively short time. It is what has destroyed civilization after civilization, and has caused dark ages to follow dark ages throughout the long history of the world. Surely it must be evident to anyone, therefore, that the failure to live according to our highest standard of right is the failure to try to obey the law of the Supreme Power of the universe.

In the light of what I have said, therefore, I would most earnestly state that I have held no personal hostility against anyone merely because I could not yield to that person's request or urgence, to do what did not appeal to my sense of right. One of my oldtime and most valued friends almost 35 years ago said to me one day, "You are a d— fool for devoting your life to the crowd. They do not appreciate you or your qualities." My answer was, "It is too bad if they do not appreciate me, but, after all, my duty, as I see it, is to be right rather than to do what is necessary to purchase appreciation."

Often, of course, in regard to questions of legislative policy it happens that between Members of the House who are very good friends indeed, there is a wide difference of opinion as to the proper course to be pursued by the Government. Fortunately, however, almost always, Members of the House who are at all acquainted with one another have not the least inclination to be hostile or impatient with a fellow Member who holds a different view of the same subject. That is as it should be, and that is the way it should be also among members of the party in connection with candidacies and party politics. They should all realize that the important thing for anyone to do is try to understand and support the right in every case to the best of his ability. Accordingly, his fellow members of the same party should be pleased, rather than offended, because he may insist on doing what he believes to be right, regardless of consequences. That is the way public opinion improves from time to time. When there is a general agreement among all those in a certain group that each must do the thing he believes to be right, regardless of how it may appear to others, then there will be a gradual improvement in the judgments of those who are honestly striving to ascertain the right and support it. Such general conduct will then tend toward the development of a truer democracy and better civilization as it continues.

As for myself, I repeat what I have already said on many occasions, that I

think it necessary to avoid committing myself in advance to the support of what others may decide, even sincerely, to be good, because I may myself with equally earnest mind believe such a course to be wrong. But even when it is necessary to make such a decision, the persons with whom I am forced to disagree may be very sure that I have no ill will or hate towards them of any kind whatsoever. The earnest effort by the individual to determine what is right, otherwise known as the truth, and the continuous support of his best understanding of right, is the sublimest expression of life by any individual. Every member of society should earnestly endeavor to induce his fellowman to constantly seek to learn the truth about the right at every moment of his existence, and in that way the progress toward the ideal life will not only be rapid but will bring increased joy and bliss to the individual. The thought is beautifully expressed in the lines entitled "The Sculptor Boy," which in conclusion I now quote as follows:

Chisel in hand stood a sculptor-boy,
With his marble block before him;
And his face lit up with a smile of joy
As an angel dream passed o'er him.

He carved the dream on that shapeless stone
With many a sharp incision,
With Heaven's own light the sculptor shone—
He had caught the angel-vision.

Sculptors of life are we as we stand
With our lives uncarved before us,
Waiting the hour when at God's command,
Our life-dream passes o'er us.

If we carve it then on the yielding stone
With many a sharp incision,
Its heavenly beauty shall be our own—
Our lives that angel-vision.

Our Current Farm Problem

EXTENSION OF REMARKS
OF

HON. THOMAS A. BURKE

OF OHIO

IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. BURKE. Mr. President, I ask unanimous consent to include in the RECORD a statement prepared by me regarding our current farm program.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, any farm program that is devised must meet the test of being good for the country as a whole and fair to the farmers. Judged by this standard, it is my opinion that neither the 75 percent to 90 percent of parity flexible supports nor the firm 90 percent of parity supports program is fully adequate or satisfactory.

Prices received by farmers dropped 20 percent since 1951.

The net incomes of farmers dropped 13 percent in the 2 years 1952 and 1953. According to official United States Department of Agriculture estimates just released, net income of farmers in 1954 will be 17 percent lower than in 1951.

The per capita income of nonfarm people in 1952 was $1,842. Farmers in that year, when farm prices averaged 100 percent of parity, received per capita incomes of slightly less than half of the national average for nonfarm people—only $905 per person, or 49 percent of the average per person income of nonfarm people. The average income of farm people was only $882 per person in 1953, only 46 percent of the average of $1,898 per person received by nonfarm people in that year, when farm prices had dropped to 92 percent of parity.

This very pronounced disparity between the incomes of farm people and others will be widened even farther in 1954, with farm prices now running below 90 percent of parity and smaller marketings due to drought and acreage reductions.

Obviously, farmers are not now receiving their fair share of the national income.

Moreover, dropping farm prices and farmers' incomes are seriously injuring our whole economy. Historical evidence proves that national depressions have always been led by farm depressions.

Farm prices dropped below 100 percent parity at the end of 1952. For about 1 year the rest of the economy continued to prosper. One year ago only 1.8 percent of the American labor force was unemployed. But about that time the fall-off in purchasing power of farmers began to show up in the rest of the economy. It is easy to understand what happened. Farmers quit buying farm machinery and household appliances and conveniences and other things that they could put off. Declining sales to farmers created cuts in the buying power of those industries dependent upon the farm market, which in turn resulted in further cuts in overall purchasing power. Unemployment has tended to increase steadily since last fall, fluctuating as high as 6 percent, and now stands at over 5 percent of the labor force. The Nation will lose an estimated $31 billion in lost production this year as a result of our failure to maintain full employment and full consumption. That's about half as much as the entire Federal budget. It is about as much as the entire cost of our national-defense program this year.

REDUCED PRICE SUPPORTS NOT THE ANSWER TO OVERPRODUCTION, ELIMINATION OF GOVERNMENT CONTROLS, OR CONSUMER PRICES

Lower price supports will not cure the so-called overproduction problem. Surpluses were not created by 90-percent supports in the first place. The tremendous needs of our Nation for food during the war did that. High wartime prices encouraged farmers to expand their productive ability, and good incomes made it possible for them to obtain the fertilizer, machinery, and improved practices to do so. In addition, the Government appealed to farmers to produce more food needed to supply our fighting men and our allies, and farmers responded with their characteristic patriotism. While other industries were granted enormous subsidies totaling some $45 billion in the form of tax write-offs, free or below-cost plants, etc., farmers were given nothing beyond the promise of 90 percent parity supports as protection against disastrous losses resulting from their increased productivity.

We have our present surplus problem because our farm productivity was geared up beyond our present market demands to meet the needs of wartime. We have had several unusually good crop years in a row, and we have lost some of our wartime foreign markets. Lower price supports will not reduce production. If anything, they will force farmers to produce more intensively than ever in order to meet their high and rigid operating costs.

GOVERNMENT CONTROLS

Nor will reduced price supports avoid Government controls on farmers. The administration has already demonstrated that the reduced price supports going into effect next year won't cut production, by ordering the most extreme Government restrictions on farmers in history into effect next year along with their reduced supports.

CONSUMER PRICES

Nor will reduced price supports cut the price of finished products to consumers. While prices received by farmers dropped 20 percent in the past 3 years, the cost of food to consumers has remained almost unchanged at close to the all-time record high. The House Committee on Agriculture, in its official report on farm prices and the cost of food, July 23, 1954, stated: "Thus far, almost none of the lower prices received by farmers since 1951 has been passed on to consumers in the form of lower retail food prices." Although we had the so-called rigid price supports in effect, the spread between farm income and consumer costs continued to widen—and was emphasized by the consistency of gradualness.

This further cut in farm prices and farm income will be a serious blow to family-sized farmers. It will be most dangerous in respect to those young farmers—many of them war veterans—who are just getting started, under a heavy burden of debts, high-priced land, livestock and equipment, and high-operating costs.

An individual farmer has only to compare the different support price levels to see what the administration's program will mean to his income. Ninety percent of parity for wheat is $2.23 per bushel; for corn it is $1.62 per bushel; for manufacturing milk it is $3.74 per hundredweight. Those are the support prices that are in effect, excepting for milk, before Secretary Benson's reductions take effect next year. Milk supports were set at 90 percent of parity for last year, but Mr. Benson chose to support the price only at 84 percent of parity. He has cut milk supports to 75 percent of parity for this year, but prices received by farmers have ranged between 72 percent and 74 percent of parity ever since.

Next year the support price floor will drop to $2.05 per bushel for wheat and $1.48 per bushel for corn. The law requires that milk prices be supported at not less than 75 percent of parity, but Secretary Benson has juggled the parity computation for manufacturing milk so as to permit him to cut the actual support price by another 15 cents per hundredweight, to $2.99 per hundredweight.

In 1956 additional sharp cuts in the price support floors for both wheat and corn are provided for by the administration's flexible supports law. The support floor in 1956 will drop to 75 percent of parity, and, in addition, parity itself will be cut by 5 percent. The resulting support price floors will therefore be $1.76 per bushel for wheat and $1.28 per bushel for corn.

How can anyone maintain that such drastic reductions in farm prices and incomes, below present levels that are already so low as to be causing grave injury to the national economy, will be in the national interest I simply ask each of my farm readers to apply these reduced price floors to his own situation, consider the extent to which they will cut his own purchasing power, and then consider the effect upon overall employment and economic well-being of similar cuts spread generally throughout the Nation's agriculture.

The Joint Committee on the Economic Report, comprised of 7 Senators and 7 Representatives of both parties, voted almost unanimously in the last session that such a policy would be extremely dangerous to the national economy under present conditions. I agree wholeheartedly with the opinion of this distinguished committee. For that reason, and because I think such a cut in farm income would be manifestly unfair to the Nation's farmers, I voted against the substituting of the flexible program for 90 percent of parity supports.

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SUGGESTED PROCEDURE

Instead of proceeding in the dangerous direction of lower farm income, it is my opinion that the shortcomings of the rigid 90 percent of parity supports program should be carefully and fully explored and remedial measures applied gradually.

Be Sure To Check Your Social Security Rights Unless You Are a Self-Employed Lawyer or Doctor or Practitioner in One of the Related Medical Arts Fields—You Are Probably Now Eligible for Coverage and Valuable Benefits—Monthly Rates Raised in Nearly All Cases and Substantially in Some Categories as Act Is Again Improved To Keep Abreast of Changing Conditions

EXTENSION OF REMARKS
OF

HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mrs. KEE. Mr. Speaker, I wonder how many of the Members who are over 35 or so will remember the spectacular success of one of the early motion pictures which was one of the first great "tear jerkers" of the screen—a picture called Over the Hill to the Poorhouse. While it portrayed primarily the ingratitude and loneliness which often were the lot of the aged when their productive years were over, it struck home and was so successful largely because millions of Americans in those days always had the melancholy feeling that for them, too, the county poorhouse might be the final stopping place on life's road.

I was recalling this lachrymose epic of the silent screen as we completed action here in the House of Representatives on the newest social-security bill. And I was struck by the phenomenal progress America has achieved not only since Over the Hill to the Poorhouse was first produced, but particularly in the 23 years since one of the Hollywood firms still thought enough of the popularity of its theme to remake this old movie into a talking picture. It occurred to me that the 1931 remake of the movie is now probably too old even for television—because the concept behind it is today completely out of date in the America we know. Today's youngsters would probably need a commentary in the way of a translation to understand what the movie was all about—and what a poorhouse is or was.

For that change I think we can thank—more than any other single piece of legislation—the Social Security Act first written into law in 1935 in the first administration of Franklin Delano Roosevelt. It was a historic and almost revolutionary change in American social thinking—that instead of humiliating charity in one's old age the average worker could look forward to a lifetime annuity which he and his employer had helped to pay for during his working career.

We accept social security today as a normal, everyday kind of program. This bill which we have just passed to further expand coverage and to increase benefits has had almost unanimous support here. The only reservations which have been expressed about it in the House have come from those of us who feel that even with these valuable changes in the statute it still does not quite go far enough. But there has been no violent condemnation of the program this time, no attacks on it as socialism, no threats to repeal it in the next Congress.

SOCIAL SECURITY HAD TEMPESTUOUS BEGINNING

It was not always thus. When the act was passed originally 19 years ago, it was bitterly attacked and condemned as "un-American," "Communist," "radical," "wild-eyed." The Nation was told that under this law people would stop saving their money, would stop buying life insurance, would refuse to make any effort to provide for their own security, would lose all self-respect, and would turn this country into a lot of loafers, bums, and panhandlers.

Furthermore, the Republican Party in its 1936 presidential nominating convention adopted as part of its platform for the candidacy of Alfred Landon, then Governor of Kansas, a plank pledging the Republican Party to repeal the social-security law in toto. During the latter months of the campaign billboards sprouted all over America condemning this law as a tax on wages and attempting to whip up support for the Republican nominee by opposing social security.

Does not that seem a very long time ago, Mr. Speaker? Almost as long ago as the existence of the conditions in the United States which made a movie like Over the Hill to the Poorhouse so familiar a theme to millions of sad-eyed moviegoers. Yet it was less than two decades ago.

Even so, attacks on the social-secruity system continued for many years. Some of the same Members of Congress who took a leading role in this session in helping to pass this new bill were, as recently as the 80th Congress in 1947–48 seeking to remcve people from the social-security rolls rather than add more to those rolls. And each time President Truman or the Democrats in Congress acted to increase benefits and coverage, there was tremendous Republican opposition.

WE CAN'T ALWAYS AFFORD 19 YEARS OF DELAY IN SUPPORTING PROGRESS

I feel now that insofar as social security is concerned, the Republican Party has probably learned the errors of its earlier ways. I am sorry that it has taken 19 years for this lesson to be learned. It now appears, however, that it is also taking 19 years on the average for the average Republican Congressman to learn some of the other lessons of American progress brought about by Democratic Congresses of recent years, such as the need for better defenses against recession and depression, the need for better unemployment compensation, the need for better housing for our people, the need for better schools, the need for a more unified free world in the fight against communism, the need for fairness to our civil servants, including postal workers and other Government workers, the need for a strong, prosperous coal industry.

We waited 19 years for the Republican Party nationally and in the Congress to come around to social security. Must we wait 19 years for a similar awakening in each of these other important areas? American progress cannot wait 19 years while the Republican Members of Congress catch up.

I am proud, Mr. Speaker, that throughout the last 25 years in crisis after crisis on the national scene the Democratic Party and particularly the Democrats in the Congress of the United States were always ready to meet any crisis with constructive proposals and effective legislation. It is inconceivable to me that a Democratic Congress, had there been one these past 2 years, would have sat idly by while millions of Americans lost their jobs, while plants shut down, payrolls were cut, and the railroads, the mines, the factories and the foundries, and the farms of our country headed into what we now know is a widespread recession. A Democratic Congress, I feel sure, would have provided the kind of vigorous spirit and intelligent approach which a new President, unskilled in political affairs, needed and could have found extremely helpful in restoring and maintaining prosperity. The President will need such Democratic legislative help and vitality in the coming session, too.

MAJOR NEW CHANGES IN SOCIAL SECURITY LAW

In making these comments, Mr. Speaker, I do not want to give the impression that the work on the social security law in this session has not been successful. This has been one of the best jobs this Congress has done. It was a bipartisan job with the improvements representing by and large most of the proposals made by Democrats on the Ways and Means Committee and concurred in by their Republican colleagues. In several important instances, such as the proposal to provide social security benefits to permanently disabled workers instead of making them wait until age 65 to begin collecting their annuities, and another to increase the amount of the average worker's paycheck subject to social security credit, the Democratic suggestions were not agreed to in full. These represent areas of needed future action.

This bill is so much better than the kind of social-security bill which was being favorably discussed by some leading Republican members of the Ways and Means Committee a year ago that the difference is really startling.

It is, however, a highly technical piece of legislation. Therefore, it would be virtually impossible to provide here in complete detail all of the provisions affecting each individual. Even if it were attempted, it would be something of a disservice to many workers or their dependents, because they might not then bother to check further into some of the technical provisions, thereby missing out

on added benefits which might be available to them. I would certainly urge, Mr. Speaker, that each person now receiving benefits, or about to retire in the near future, or who is newly covered by this bill, seek out specific information on the provisions which affect them.

Particularly, Mr. Speaker, the following newly covered groups should inquire further:

Farmers: They are brought under the act for the first time. Although farm operators have recently been paying social-security taxes for their hired hands, they did not have the protection of the social-security system for themselves or their dependents. They are now covered beginning January 1, but will not make their first self-employment tax payments until they file their 1955 income-tax returns, which would be due by April 15, 1956.

Other self-employed such as architects, engineers, public accountants, funeral directors.

Ministers and Christian Science practitioners and members of religious orders employed by nonprofit organizations, other than employees of religious orders who have taken a vow of poverty. Those in this particular group are included as individuals on a voluntary basis as self-employed persons, but would be required to make the election within the next 2 years as to whether or not they desire to be included.

As far as coverage under the new law is concerned, it extends generally to everyone except self-employed lawyers, physicians, or practitioners in related medical arts fields such as dentists, osteopaths, veterinarians, chiropractors, naturopaths, and optometrists, and except, also, to persons in the armed services—who can, however, later receive social-security credit for this service—and to very casual part-time workers. Virtually everyone else is covered.

CHANGES IN BENEFITS, CREDITS

For those already receiving social-security benefits, many changes and improvements are made. Benefits are raised a minimum of $5 and in some instances will run much higher. There is a provision for recomputation of credits to drop out of the worker's earning record up to 5 years during which he had not been earning or had earned a less-than-average income. Thus, in arriving at such a worker's monthly benefit, these low-income years would not act to bring down the average on which his benefit is based. Workers who were disabled before reaching age 65 and are now receiving a reduced annuity will also be entitled to a recomputation. And surviving dependents of a worker who died before September 1950, with at least 6 quarters of payroll credit, will also, in many cases, profit by the changes in the new law.

Other important changes to help those now on social-security benefits include provisions to do the following:

Allow the retired worker under age 72 to earn up to $1,200 a year without loss of monthly benefits, and to collect his monthly check in any event for any month in which he does not earn more than $80.

Allow the worker of 62—instead of the previous minimum of 75—to collect a monthly social-security check without regard to how much money he may still be earning.

For persons on the retirement rolls at this time, here are some examples of the new rates which will be paid:

If present primary benefit is:	New primary benefit will be:
$25 to $59	$5 higher
$60.80	$66.30
$66.60	$73.90
$72	$81.10
$77.10	$88.50
$81	$93.10
$85	$98.50

Dependents are given proportionate increases subject to a maximum family benefit of $200.

CHANGES IN FUTURE BENEFITS

For persons who have not yet retired under the social-security system, benefits will be larger in the future, up to a maximum of $108.50 in the primary benefit for the insured worker, under a new system of payroll credits and payroll taxes.

Instead of crediting only the first $3,600 of a worker's wage or salary toward social security—the amount on which both the employer and the employee make tax contributions—the maximum is now raised to $4,200. The higher tax collections will, in turn, make possible higher benefits.

In order to build up the higher benefits resulting from this increase in payroll credits, the worker would have to be covered at the higher income figure for about a year and a half or more, assuming he earns at least $4,200 a year in that period.

The combination of higher payroll taxes resulting in higher benefits in the future, plus the provision for allowing a dropout of low-income years from the computation of average monthly wages on which benefits are based, will mean substantial increases for many workers when they do retire, or for their surviving dependents in case of death.

The provision on permanently disabled workers, which does not go as far as I would like, nevertheless does give a break to these unfortunate individuals by freezing their payroll credits and their rights under social security until they are 65. Their ultimate benefits will therefore be based on the money they earned during their working careers, and will not be reduced as they have been in the past by averaging the earning credits over entire period of coverage prior to age 65.

DON'T NEGLECT YOUR RIGHTS UNDER SOCIAL SECURITY

As a final word, Mr. Speaker, I would again like to urge all retired persons or the surviving dependents of deceased workers to check their own status under the amended law to be sure they are accorded the full benefits to which they are entitled. The higher benefits for those now on the rolls are to become effective in October. If the higher checks are not sent out in October, I am assured they will be sent later retroactively to October.

Ministers, who must declare their intention of coming under the system individually on a voluntary basis within 2 years, should inquire into all of the details. I think most of them will elect to accept coverage. Widows of workers who died prior to September 1950 must make application for any additional benefits to which they are now entitled, and they should look into this matter promptly.

State and local government employees, including schoolteachers, having their own retirement systems have the opportunity to come into the system on a group basis, if they so desire. These groups must vote by referendum on whether they desire to be included. I am sure their organizations will promptly interest themselves in this matter and see to it that all the facts pro and con are made available to the individuals affected.

Mr. Speaker, it is a source of great satisfaction and deep pride to me as a Member of Congress to have had a hand in the enactment of legislation such as this social-security bill. I wish this present Congress had brought forth more accomplishments of this nature. I hope the forthcoming Congress meeting here next January will be more closely oriented to the needs of the people of our country than this Congress has been, and will have much more than one bill such as this to rank among its major achievements for the average person.

The Pledge of Allegiance to the Flag: "Under God" This Nation Lives

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. RABAUT. Mr. Speaker, on June 14, Flag Day, 1954, the President signed into law House Joint Resolution 243, which added to the pledge of allegiance to the flag of the United States the compelling and meaningful words "under God."

As the author and originator of this measure in the 83d Congress, Mr. Speaker, I wish to include in the RECORD at this time a short history and discussion of the pledge of allegiance and of the recent "under God" change which the Congress has wisely chosen to make upon it.

The following comments I made, in substance, on the floor of the House of Representatives on May 5 of this year. I believe, and it is a belief based upon a tremendous volume of correspondence which has been sent to me urging the adoption of the "under God" addition, that it may be of interest to the many members of my constituency to know the background of our pledge of allegiance to the flag.

An early and one of our most devoted and articulate American patriots once said that what we obtain too cheaply we

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esteem too lightly. May we, as present-day Americans, never forget our sacred traditions and the incomparable and religious nature of our heritage.

"Under God" in the pledge of allegiance to the flag expresses, aptly and forcefully, a grateful nation's attitude of dependence upon Almighty God. Certainly the spirit of the change should inspire and permeate every loyal citizen, no matter how humble or great his origin.

For under God this Nation lives.

The original author of the pledge was Francis Bellamy, who was born at Mount Morris, N. Y., May 18, 1855, and died August 28, 1931. Bellamy was trained for the ministry and was ordained in 1879 at the Baptist Church in Little Falls, N. Y., but at the time he wrote the pledge, he was an employee of the Youth's Companion magazine, and the chairman of the executive committee for the national public school celebration which was being held throughout the country in connection with the dedication of the World's Columbian Exposition grounds in Chicago on October 21, 1892, the 400th anniversary of the discovery of America.

In its original form, the pledge first appeared on the original program of the celebration, and has been recited from that day to this, with some changes, by school children all over America.

Bellamy's original wording was changed slightly by the First and Second National Flag Conferences in 1923 and 1924 and his work was officially designated as the Pledge of Allegiance to the Flag by Public Law 287, 79th Congress, approved December 28, 1945.

The pledge, as it now appears in law, reads as follows:

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

My reason for introducing this resolution may be briefly stated. The most fundamental fact of this moment of history is that the principles of democratic government are being put to the test. The theory as to the nature of man which is the keystone in the arch of American Government is under attack by a system whose philosophy is exactly the opposite. This conflict may be waged with the material implements of war, either hot or cold, but ultimately it will be won by the system of government which is founded upon true and lasting principles, and whose people cling to those principles regardless of the sacrifices entailed.

We are a religious people—

Said Mr. Justice Douglas, of the United States Supreme Court, in a recent decision—

whose institutions presuppose a Supreme Being.

This is true in a very fundamental sense. Our political institutions reflect the traditional American conviction of the worthwhileness of the individual human being. That conviction, in turn, is based on our belief that the human person is important because he has been created in the image and likeness of God and that he has been endowed by God with certain inalienable rights which no civil authority may usurp. These principles of the worthwhileness of the individual human being are meaningless unless there exists a Supreme Being. That is why, in four separate places in our Declaration of Independence, the fathers of our Nation referred to God, justifying, by the law of nature and nature's God, the aspiration of the Thirteen Colonies to the status of an independent nation, invoking the Supreme Judge of the world to determine the rectitude of their actions, and seeking the blessings of divine providence on their undertaking.

Truly, therefore, this Nation is founded under God.

I think it proper that the phrase "under God" is added after the word "nation." The religious influence in the origins of American Government was not directed to any particular attribute of our political institutions; rather, it permeated the whole tremendous effort of the fathers of our country to erect this monument to human freedom and liberty. It is the Nation itself which was born and lives under God.

The manner in which Lincoln inserted this phrase in his Gettysburg address was not, I believe, mere coincidence.

This Nation, at the moment he spoke, was in its darkest hour. The field on which he spoke had been the scene of a bloody battle to preserve the Union. This fact must have been uppermost in Lincoln's mind. He could have invoked divine providence to uphold the Union of the States. These, however, were the words he used:

That this Nation, under God, shall have a new birth of freedom.

Clearly, he meant this phrase to apply to the life of the Nation as a whole.

Now, in our pledge of allegiance to the flag, we salute the symbol of this Republic, and I think it most proper that this pledge express everything for which this Republic stands. The pledge is a reaffirmation of our love of country, of our devotion to an institution that finds its origin and development in the moral law and commands our respect and allegiance so long as it provides that "liberty and justice for all" in which free men can work out their own immortal destinies.

Has it ever occurred to you that the former wording of the pledge could serve any republic claiming to be indivisible and to insure liberty and justice for all? Remember, when you heard your own children recite the pledge of allegiance, that these same words could have come from little Muscovite children standing before the Red hammer-and-sickle flag of Soviet Russia. You know and I know that the Union of Soviet Socialist Republics would not, and could not, while supporting the philosophy of communism, place in its patriotic ritual an acknowledgment that their nation existed under God. Indeed, the one fundamental issue which is the unbridgeable gap between America and Communist Russia is belief in Almighty God.

By the addition of the phrase "under God" to the pledge of allegiance the consciousness of the American people will be more alerted to the true meaning of our country and its form of government. In this full awareness we will, I believe, be strengthened for the conflict now facing us and more determined to preserve our precious heritage.

More importantly, the children of our land, in the regular recitation of the pledge in school, will be daily impressed with a true understanding of our way of life and its origins. As they grow and advance in this understanding, they will assume the responsibilities of self-government equipped to carry on the traditions that have been given to us. Fortify our youth in their allegiance to the flag by their dedication to one nation under God.

Free Speech

EXTENSION OF REMARKS

OF

HON. USHER L. BURDICK

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. BURDICK. Mr. Speaker, the acme of liberty bequeathed to citizens of this country by the Constitution is found in the Bill of Rights or the first amendment to the Constitution. When the Constitution was first set up at Philadelphia, none of the first 10 amendments were contained in it; and the very first one written was the amendment guaranteeing free speech, a free press, and free religion. That must have been uppermost in the mind of Jefferson when he presented the Bill of Rights.

The greatest weapon a Member of Congress or anyone else can have is the right of free speech. Any attempt, therefore, to curtail, modify, or abridge this guaranteed personal right of liberty should be stopped where it begins. While serving in this Congress I always have and will continue to guard this right.

The Genocide Convention directly attacks this privilege, and that is the reason why I have fought this convention with all the power I possess. In this country we are accountable for what we say if it is not within the authority granted in the Constitution, but we are accountable here in this country under the Constitution and the laws of the various States. In this Genocide Convention, that right is taken away completely and under it we are subject to prosecution for our speech. Under the terms of this convention we can be tried in any country fixed by the judicial tribunal of the United Nations. How would anyone feel who was to be taken out of this country, shipped across the ocean and tried in Russia? You can imagine what kind of trial you would get. Yet there are many dupes in this country who, in the name of world peace, are willing to have this limitation placed on the provisions of the Constitution. What is peace without liberty? I am surprised that so many ministers are willing to

surrender this, the greatest right conferred on us by the Constitution. Any contrivance engineered by ingenious men and women to subvert this provision of our Constitution should demand serious examination before we embrace it. I am as strong for world peace as anyone in this country, but in order to have peace and quiet I am not willing to give up my liberty. That I will fight for regardless of those who are willing to meekly surrender their own liberty.

I do not know why American-born citizens—those whose ancestors went through all our wars for liberty—can be persuaded at this late date to give up any of the freedom won on the battlefields in our history. What would the old patriots who fought in the Revolution, and who framed the Constitution, think of their offspring who in 1954 are so eager for peace that they are willing to surrender their liberties? I hope I shall never see the day when the people of this country cower before some foreign potentate or some world government; when they are afraid to address or petition a government, and do their thinking through fear and not through reason. Those who live in dungeons, shackled with chains, are more free than men who do not dare to speak. We must be growing soft. Edmund Burke in the House of Commons said, "It is easier to make freemen slaves than slaves freemen." As long as we are comfortable and do not have to face war, are we to quietly surrender to the enslavement of our minds, which is worse than the enslavement of our persons? I think not; and as soon as the people of this country realize what is about to be done to them by a sinister organization like a world government, hatched up and planned by the United Nations, they will rise up in their might and drive these money changers out of the temple. Do these plotters believe the American people will be willing to play Little Red Riding Hood and let the wolves devour our Constitution and place liberty-loving people in a straitjacket?

I will answer them now, We will not do it.

The Voting Record of Your United States Representative in Congress, Harold C. Hagen

EXTENSION OF REMARKS
OF
HON. HAROLD C. HAGEN
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. HAGEN of Minnesota. Mr. Speaker, for six successive campaigns I have circularized my district and every voter there should know that I am not a Johnny-come-lately on parity. I have been for full parity for all storable farm products in my 12 years of the official life.

In the 12 years I have been in Congress there have been more than 300 laws passed benefiting the veterans, their widows and dependents, and creating opportunities for the millions of young men who were in our Armed Forces in the form of education, farm training, and the learning of trades. I have voted in every case for those who made the sacrifice of giving up from 1 to 7 years of their life to protecting this Nation.

In the past 9 years Congress has voted these billions to foreign nations, mostly in cash or in materials of war. With the exception of aid to arm Turkey and Greece, I have voted against all of these give-away programs. I was overseas twice—1945 and 1953—and learned that potentates and dictators and politicians were using American taxpayers' money to further their own selfish desires and that many Americans were riding the gravy-train over there and billions of these dollars have been wasted.

I believe that charity begins at home. I believe we should take some of these billions and build better farm-to-market roads, hospitals, and above all, schools because our entire educational structure in America is in jeopardy for lack of facilities to educate our children and our children's children. I also believe we should take some of this money we have been giving away and give our old people higher pensions and assistance and take care of our own problems first.

The farm surplus problem has been greatly added to by imports of foreign farm products. Tens of millions of dollars worth of cheaply produced grain, dairy products, oils, cheese, wool, and other farm commodities that compete with American-produced commodities are coming into the Nation under the so-called Reciprocal Trade Treaty law. In my 12 years as Congressman I have always voted against extension of this law because I realize that some nations produce farm products and pay wages as low as 30 cents to 50 cents per day for farm labor. The American standard of living and wages cannot stand that kind of cheap competition.

Briefly, my record on some of the important issues before the Congress in recent years follows.

We are in a transition from a wartime to a peacetime economy. Because of this some segments of our economy are being badly hurt. To ease those harmful effects, here is how I have voted:

For increased social-security benefits and to improve the present program.

For placing all aged under social security so that present inadequate old-age pension system can be given a better substitute program for our old people.

For increased unemployment compensation benefits and to extend the benefits to 1 year.

For 90 to 100 percent parity for dairy, wheat, and other farm products—see paragraph 1.

For increased school, hospital, and necessary public works—aids to create more employment.

For increased road aids with special emphasis on farm-to-market roads to create more employment and give farmers better highways.

For increased REA electric and telephone loans to help northern Minnesota rural areas and to create more employment.

For increased retirement benefits and increased tax exemptions for persons receiving retirement benefits.

For increased pensions and benefits for disabled veterans and their dependents—see paragraph 2.

For increased and easier loans and credits to homeowners, small business, farmers, and veterans.

For tax reduction to incomes below $5,000, and for greater medical deductions and deductions for students while attending college.

To help balance the budget and lower taxes, here is how I have voted:

Against dishing out $60 billion all over the world—see paragraphs 3 and 4.

Against unnecessary and wasteful military spending which weakens our defense rather than strengthens it. Supported building up of our Air Force.

Against increasing our national debt and passing on our bills to our children.

Against imports of foreign goods that create unemployment and loss of income to American farmers, workers, and business—see paragraph 5.

Against foreign entanglements which are sapping our blood and money, making enemies all over the world. If the United States had not played Santa Claus and dished out over $100 billion—no country in the world could afford a war or fight a war. If Communist Russia had not been given many billions of dollars even Russia could not afford to start any wars.

The Outstanding Accomplishments of the 83d Congress

EXTENSION OF REMARKS
OF
HON. CARROLL D. KEARNS
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 20, 1954

Mr. KEARNS. Mr. Speaker, under leave to extend my remarks, I include herewith the following outstanding accomplishments of the 83d Congress:

First. Two million six thousand dollars authorized for preservation of Presque Isle Peninsula in Erie, Pa.

Second. Appropriation of approximately $300,000 for improvement and repair of Erie Airport.

Third. Approval of $500,000 multiple-purpose building for Sharon, Pa.

Fourth. Income taxes cut 10 percent; excise taxes cut 50 percent; tax law revised. Total tax saving $7.4 billion.

Fifth. Korean war ended. Seized initiative for peace; new foreign policy based on firmness and strength.

Sixth. Appropriations for 1954–55 cut $64 billion below appropriations of previous Congress in 1952–53.

Seventh. Federal spending in 1953–54 cut $6.7 billion below amount spent in 1952–53.

Eighth. Social-security coverage extended to 10 million more citizens and benefits increased. Unemployment insurance expanded to 4 million more persons.

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Ninth. Communist Party stripped of all legal rights and Red infiltration of unions checked; 50 Communist Party leaders convicted; 93 alien subversives deported; 62 organizations added to subversive list; 2,486 security risks separated from Government service.

Tenth. More State control provided for modern highway program of almost $2 billion in 1956 and 1957.

Eleventh. New farm price program adopted to protect farmers and develop exports of farm products.

Twelfth. St. Lawrence Seaway approved.

Thirteenth. Stronger defense program adopted. Heavier reliance on atomic weapons and airpower. Air Force Academy established.

Fourteenth. Wage, price, rent, and materials controls ended.

Fifteenth. New housing program raises limits on Government-insured home mortgages, lowers down payments, makes home ownership easier for thousands.

Sixteenth. Investigations underway into 200 housing frauds; 23 FHA personnel convicted, 34 indicted.

Seventeenth. Foreign aid for 1954–55 $6 billion below 1952–53. Greater emphasis on military aid and loans.

Eighteenth. Health research funds increased. Three-year, $182 million hospital program adopted.

Nineteenth. Atomic-energy law revised.

Twentieth. Segregation ended in Armed Forces, VA hospitals, Government agencies.

Twenty-first. Reorganization plans adopted. Department of Health, Education, and Welfare created.

Twenty-second. RFC abolished. Small Business Administration established. Federal operations competing with private enterprise sold or abolished.

Twenty-third. Offshore tidelands restored to States; Federal rights safeguarded.

Twenty-fourth. Trade Agreements Act extended to 1955; $1.3 billion program adopted for disposal abroad of farm surpluses; Customs Code revised.

Twenty-fifth. Two hundred and sixteen thousand two hundred and forty-three unnecessary Federal jobs abolished.

Veterans' Legislation in the 83d Congress

EXTENSION OF REMARKS

OF

HON. ELIZABETH KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mrs. KEE. Mr. Speaker, from the earliest days of our country there has been a consciousness of the sacrifices made by the veterans of our Armed Forces, and the Nation's gratitude has been expressed in the form of various special programs designed for relief, protection, and benefit for them and their dependents.

In reviewing the history of legislation pertaining to veterans and their dependents, we are impressed with two fundamental principles firmly established by the Congress of the United States: First, the recognition of a Federal obligation to provide liberal benefits for those who bore the ardors of service and their dependents; and, second, a constructive progress in development of the system of benefits to meet changed conditions and resultant needs.

It may be of interest as indicating the magnitude of the Government's undertakings for its veterans and their dependents to point out a few figures on expenditures and numbers participating in some of the major programs.

As of July 31, 1954, there were 20,903,000 estimated living veterans. Then there were 3,378,270 cases of living and deceased veterans on the active compensation, pension, and retirement rolls of the Veterans' Administration. More than $25 billion have been expended through the Veterans' Administration and its predecessor agencies for these benefits alone.

More than 8,000,000 veterans have taken some GI bill training with a direct expenditure by the Government of more than $14½ billion. More than 600,000 disabled veterans have participated in the vocational rehabilitation program for the World War II and Korean conflict group at a direct cost of more than $1½ billion.

Disbursements for unemployment and self-employment allowances for World War II veterans approached $4 billion.

More than 3½ million loans have been guaranteed or insured under the GI bill, most of them being loans for the purchase or construction of homes. The default rate on these loans has been very small, a record of which the Government may well be proud as indicating the high character of its veteran population.

The story is not one that can be told merely in terms of laws, numbers, or dollars. The whole story can only be found in the hearts and minds of the great numbers of men and women whose bodies have been healed, whose minds have been improved, whose hands have been trained, whose families have been aided and protected, and whose opportunities to regain and maintain their positions as self-reliant, happy, and useful citizens have been made possible by a grateful Government and a grateful people.

I deem it a high privilege and a distinct honor to be a part of this movement as a member of the Committee on Veterans' Affairs of the House of Representatives. In my work with this committee I have discovered how much it has contributed toward the building of this great structure of veterans' benefits. The traditions of the committee impel it to look continually to the welfare of the veteran and his dependents and to strive tirelessly toward providing and perfecting sound legislative provisions in their behalf.

As evidence of the earnest desire of the committee to safeguard the legitimate interests of our veterans, we have in the 83d Congress reported favorably to the House of Representatives 36 bills of which 25 are now law, 2 have passed the House and are pending in the Senate, and 14 remain on the House Calendars. I shall not try to cover all of these proposals, but would like to mention some of the important measures.

One of these enactments increases by 5 percent all basic and certain special monthly wartime rates of disability compensation under laws administered by the Veterans' Administration. An increase from $75 to $87 monthly is provided in the wartime rate of death compensation for a widow without children, and from $60 to $75 monthly for a dependent mother or father or if both are dependent from $35 to $40 each. The peacetime rates of death compensation are in all cases 80 percent of the wartime rates—Public Law 695, 83d Congress, approved August 28, 1954.

Similarly, one of these laws increased by 5 percent all monthly rates of pension—nonservice connected—payable to war veterans and their dependents, with few minor exceptions—Public Law 698, 83d Congress, approved August 28, 1954.

Another measure which was first considered and reported by our committee, in effect freezes a rating of total disability or permanent total disability for compensation, pension, or insurance purposes if the veteran's rating has been continuously in force for 20 or more years—Public Law 311, 83d Congress, approved March 17, 1954.

One of these laws provides that on and after June 27, 1950, and prior to a date thereafter to be determined by the President or the Congress, any person who suffers a disability in line of duty, and not the result of his or her own misconduct while en route under orders to report to a place for final acceptance, induction, or entry upon active duty, or while at such place or en route home, shall be considered to have incurred such disability in active service in the Armed Forces. This places the veterans of the Korean conflict on a parity with veterans of World Wars I and II in this regard—Public Law 463, 83d Congress, approved June 30, 1954.

A bill from our committee, which became law, provides that any person with service of at least 90 days in the Women's Army Auxiliary Corps who, prior to the establishment of the Women's Army Corps, was honorably discharged for disability incurred in line of duty rendering her unfit to perform further service in the Corps shall be deemed to have been in active military service for the purposes of laws administered by the Veterans' Administration—Public Law 650, 83d Congress, approved August 24, 1954.

Another law, flowing from a bill reported by the committee July 19, 1954, extends by 1 year the time for initiating and completing courses under the Korean GI bill, thereby allowing 3 years in which to start such courses instead of the prior limitation of 2 years. It also extends from 7 to 8 years the period following discharge or release from service or following termination of the period beginning June 27, 1950, whichever is the earlier, within which a veteran must complete his education or training. Further, it grants trainees

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under Public Law 16, 78th Congress, who have been prevented from completing training by reason of disability or correction of discharge 4 additional years to complete their courses—Public Law 610, 83d Congress, approved August 20, 1954.

Provision was made for the automatic renewal of level premium term insurance at the expiration of the 5-year term. This is a definite protection to insured veterans who otherwise might fail to take timely action to continue their policies—Public Law 148, 83d Congress, approved July 23, 1953.

The Committee on Veterans' Affairs has been especially vigilant concerning the hospital and medical treatment rights of veterans. It has been anxious to see that no unwarranted curb be placed on these rights. The Subcommittee on Hospitals, of which I am a member, held lengthy hearings on the matter in 1953 at which veterans' organizations and other groups were represented.

Shortly after the adoption of House Resolution 34, authorizing the committee to make an inspection of the Veterans' Administration, our subcommittee on hospitals devised a comprehensive questionnaire which was submitted to each one of the 161 Veterans' Administration installations throughout the country. This questionnaire asked such pertinent questions as the average length of stay, the actual number of patients in the hospital at the time, the number of consultants, the number of attending physicians, the type of hospital care provided, and so forth. The data from the replies were published as House Committee Print 53, together with a series of 15 tables prepared at the subcommittee's request by the Bureau of the Census. This study has been acclaimed as one of the best documents ever prepared in this field.

You are aware, of course, of the form P–10 addendum which was adopted by the Veterans' Administration requiring the listing of assets and liabilities in nonservice-connected cases. By a resolution of March 24, 1954, the committee recognized that this addendum does not preclude hospitalization for needy cases, expressed its approval of present unlimited hospitalization for service-connected veterans, urged cooperation of all concerned in the new admission policy to give it a fair trial before any final conclusion is reached on its feasibility, resolved that no legislation be considered until the effect of the new policy is determined, registered approval of the continued hospitalization of non-service-connected neuropsychiatric and tubercular veterans, and declared approval of the continued hospitalization of other non-service-connected veteran groups where beds are available and the veteran does not have the ability to pay for private hospitalization.

Legislation enacted in the 83d Congress, other than that mentioned as emanating from the Committee on Veterans' Affairs, but which nonetheless had the consideration of the members of the committee, included the following as salient measures:

The Housing Act of 1954 which made various provisions affecting loan assistance under the GI bill, including the extension of the $7,500 home-loan guaranty provisions to loans for the alteration, improvement, or repair of veterans' homes under certain conditions, and provisions for warranty by the seller or builder that a family dwelling of a certain type substantially conforms with plans and specifications where loan guaranty is to be made—Public Law 560, 83d Congress, approved August 2, 1954.

On the 1st of June of this year the President approved an enactment of Congress which changed the name of the annual legal holiday known as Armistice Day to a new name to be known as Veterans' Day. On this annual occasion we shall honor all of the veterans and all of those who have died in service, including those who served in the early wars, in World War I, World War II, the Korean conflict, and at other times and places. Thus, their supreme contribution to the survival and progress of this Nation will always be recognized by every citizen—Public Law 380, 83d Congress, approved June 1, 1954.

Still another law extends to the sons of persons who have died or who may die as a result of service in the Armed Forces during the Korean conflict the same opportunities for appointment to the Military, Naval, and Air Force Academies as are now available to the sons of members of the Armed Forces who have died or who may die as a result of service in World Wars I and II—Public Law 381, 83d Congress, approved June 3, 1954.

The major benefits now available for veterans and their dependents include, first, compensation for wartime and peacetime veterans for disability or death due to service; second, pension for nonservice-connected disability or death for wartime service, or service on or after June 27, 1950, and before such date as shall thereafter be determined by Presidential proclamation or concurrent resolution of the Congress; third, medical and domiciliary care by the Veterans' Administration for service-connected disabilities or, under certain conditions, for nonservice-connected disability for veterans who served during a war, or on or after June 27, 1950, or if discharged for line of duty disability or if in receipt of compensation for service-connected disability; fourth, outpatient treatment for veterans with service-connected disabilities at Veterans' Administration hospitals or clinics or from approved private physicians, all Spanish-American War veterans being presumed to have service-connected disabilities for this purpose; fifth, vocational rehabilitation to overcome a handicap because of a compensable service-connected disability for veterans of World War II and those serving on or after June 27, 1950; sixth, education and training regardless of service connection for veterans of World War II and those who served on or after June 27, 1950; seventh, guaranteed or insured home, farm, or business loans under title III of the Servicemen's Readjustment Act, as amended, for veterans of World War II or with service on or after June 27, 1950, and unremarried widows of such veterans who died of a service-connected condition; eighth, United States Government life insurance, issued prior to April 25, 1951, for World War I veterans, but no such new insurance may be issued since April 25, 1951, except in certain specified cases; ninth, National Service life insurance issued prior to April 25, 1951, and the issuance of such new insurance after that date in certain specified cases; tenth, free indemnity to survivors in the immediate family of persons dying in the Armed Forces on and after June 27, 1950, in the amount of $10,000, less any amount of Government insurance in force; eleventh, a contribution by the Government of $1,600 towards the purchase price of an automobile or other conveyance for veterans of World War II or those serving on or after June 27, 1950, and who are entitled to compensation for the loss or permanent loss of use, of one or both feet, or one or both hands, or for permanent visual impairment of both eyes to a prescribed degree; and twelfth, for a war or peacetime veteran entitled to compensation for permanent and total directly service-connected disability for loss or loss of use, of both legs due to certain specific conditions such as to prevent him from moving about without the aid of braces, crutches, canes, or a wheelchair, a Federal grant of not more than 50 percent of the cost of a specially adapted home or a maximum of $10,000 with which to buy or build a new home, or remodel an existing home, or pay off indebtedness on such a special home already acquired.

We have today a system of veterans' benefits which is without parallel in other nations. It is a shining manifestation of the grateful spirit of the American people. It is a feature of our national life which is in keeping with the position of leadership which this country now occupies in the world. I know you will all join me in the high resolve that as a Nation we shall never forget the enduring patriotism of those who have so nobly served in our first line of defense.

The Republican Record

EXTENSION OF REMARKS
OF
HON. EDWARD MARTIN
OF PENNSYLVANIA
IN THE SENATE OF THE UNITED STATES

Friday, August 20, 1954

Mr. MARTIN. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The Republicans always run on their record.

The record of the Republican 83d Congress is outstanding.

The record of the Eisenhower administration is praiseworthy.

Together, in 2 years, the Congress and the administration have cut the cost of Government $64 billion.

Taxes have been reduced by $7.4 billion.

The first revision of our system of taxation in more than three-fourths of a century has been enacted. The purpose was to cure in-

equalities and to give help to the average American, the widows, the aged, the retired, and the parents of children in school.

The enactment of a new social security law covering an additional 10 million Americans and increasing benefits for 6.5 million already covered.

The enactment of the largest highway program in the history of the Nation, and returning to the States practically all of the gasoline taxes collected by the Federal Government.

The enactment of a lease-purchase bill which will permit the Government to own public buildings now being leased, without additional national cost. Within 25 years this will add several billion dollars to the assets of the Federal Government and permit the Government to give better service.

The omnibus flood control bill of more than a billion dollars will increase the facilities of water transportation in all parts of the United States, improve rivers and harbors, and add to our flood-control projects. In this bill, among many other approvals, Pennsylvania was authorized $91 million for deepening the Delaware River channel from Philadelphia to Trenton. This is bound to create long-term employment and industrial development.

The Eisenhower administration is cleaning out communism in the United States. Exactly 2,429 doubtful risks have been removed from the employment of our Government.

The internal security of our country has been strengthened by eight newly enacted anti-Communist laws.

The Communist Party has been outlawed.

Labor unions whose membership has become Communist infiltrated will not be recognized by the National Labor Relations Board.

Peacetime spying has been made a capital offense.

The statute of limitations on peacetime espionage was eliminated.

Our defense plants will be protected from Communist infiltration by a rigid system of security.

Unemployment compensation coverage was increased.

The atomic energy law was revised to permit development and use of atomic energy by private industry.

The hospital construction program of $182 million was approved.

The Small Business Administration was established on a permanent basis.

Federal equity in submerged lands beyond State boundaries was established.

The housing program was approved, stimulating home ownership and encouraging the modernization and repair of homes.

A new agricultural law was enacted to protect farmers on the price of things they sell and to develop export markets for American farm products.

The $1.3 billion farm-surplus program for disposal abroad was adopted.

Twelve new reorganization plans were enacted to provide for greater Government economy and efficiency.

Benefits to veterans and their families have been increased.

The customs code was revised and amended to eliminate inequities and inefficiency.

Wage, price, rent, and materials controls were ended.

Foreign aid was revised, with provision for a large percentage of aid in the form of loans rather than grants.

Defense was strengthened, but military spending was reduced.

The Eisenhower administration, by firmness of policy, is transferring our country from a wartime to a peacetime economy. The unemployment, regardless of the fact that our population has increased 31.5 million since 1939, is one-third of what it was at that time under a Democratic administration.

Through the wise leadership of the Eisenhower administration we attained peace. The Korean Defense Pact was ratified.

Now let us look at our State. During the last 94 years, the Republicans have been in power 82 years. What has been the result?

Our taxes are lower per capita than three-quarters of the States.

Our rivers and harbors have been improved and cleaned of pollution.

Our systems of public welfare, aid to the blind, public health, and public education are looked upon by most States in the Union as standards of excellence.

By careful administration we have encouraged agriculture, labor, and industry.

We had the first compensation laws in the United States.

We have the finest transportation system in the country.

We have the finest highway system of any State and the greatest mileage of improved highways in America.

We have a greater diversity of industry than any similar area in the world.

We have 170,000 family-sized farms.

Our workmen are more highly skilled than those to be found anywhere else.

We have more churches and accredited colleges than any other State in the Union.

All these combined make us the arsenal of democracy and a mighty cultural, agricultural, commercial, and industrial empire without equal.

Do we want to take a chance on returning to the theory of tax and tax and spend and spend?

Do we want higher taxes?

Do we want corruption in Government with Communists and fellowtravelers in high places?

Do we want controls on our business and our natural resources?

Do we want an administration that says taxes can be reduced without reducing Government expenditures?

This is demagoguery of the worst order—it is impossible to reduce taxes unless Government expenditures and commitments are correspondingly curtailed.

The Republicans in Pennsylvania and America have a great record on which to run. The Republican record over the years has been one of great accomplishments.

The 2 years of the Eisenhower administration have been years of great accomplishment in the finest Republican traditions.

Seldom in history has so much been done for the people in so short a time.

We stand at the threshold of a great new era in America.

The long-range, far-sighted Republican program for Pennsylvania and for our Nation must go forward vigorously and forthrightly with a Republican President, a Republican Congress, a Republican Governor, and a Republican legislature.

Statement Condemning Persecution of Religion by the Communist Government of Poland

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EXTENSION OF REMARKS

OF

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. FEIGHAN. Mr. Speaker, not so long ago the people of the free world were shocked upon hearing about the Russian Communists' mistreatment of that great Polish patriot, Cardinal Wyszynski. When the Russian Communists found that they could not bend Cardinal Wyszynski to their evil will they resorted to their usual practice of house arrest followed by the disappearance of their opponent. Cardinal Wyszynski had no fear of the terror of the Kremlin and openly challenged the Communists for their persecution of religion and their oppression of the Polish people. For his courageous stand he paid the penalty of arrest and imprisonment.

Right here in Washington the quisling Poles, who act as stooges for the Russian Communists, then carried on a propaganda program in the United States in an effort to convince the American people that the surviving Catholic bishops of Poland had entered into an agreement with the Communist occupiers of Poland—which would guarantee the peaceful coexistence between religion and communism in Poland. This action, of course, was a gross violation of the rules of diplomacy and common decency. While it proved again that the so-called diplomatic missions of the satellite countries to the United States are nothing but spy and propaganda nests, I regret to say that no action has as yet been taken by the executive branch of our Government to correct this dangerous situation.

On the occasion of these events, which happened almost simultaneously, I joined with the distinguished Senator from Tennessee, the Honorable ESTES KEFAUVER, in making a public statement condemning these actions of Communist aggression against the freedom-loving people of Poland. Under unanimous consent, I include in the RECORD the statement issued jointly by us at that time:

STATEMENT BY SENATOR ESTES KEFAUVER, OF TENNESSEE, AND CONGRESSMAN MICHAEL A. FEIGHAN, OF OHIO, CONDEMNING PERSECUTION OF RELIGION BY THE COMMUNIST GOVERNMENT OF POLAND, OCTOBER 13, 1953

The entire world has been shocked by the brutal action of the Polish Communist government arbitrarily removing from office Stefan Cardinal Wyszynski, Primate of Poland. This event took place over the weekend of September 26, 1953. This action was taken without formal charges being placed, without even the usual mock trial so characteristic of the Communist system.

While the arbitrary removal of the cardinal as head of the Catholic Church in Poland has been cofirmed, a great deal of mystery remains concerning the manner in which it was carried out and where the Cardinal is presently detained. The Polish Government has broadcast a statement accusing the cardinal of violating the agreement of April 1950 between the church and the government. This so-called agreement has been described as the modus vivendi through which the peaceful coexistence of church and state would be made possible.

The Polish Embassy in Washington on September 26, 1953, released a statement which seeks to establish the concurrence of the remaining Catholic bishops in Poland with the removal from office of the cardinal. A reading of this press release shows that it is either a complete falsehood or some of the remaining bishops of Poland were forced to issue it under circumstances of extreme duress. The Polish Embassy is obviously engaged in a propaganda campaign to distort the facts and keep the real truth concerning their persecution of religion from the American people.

The Polish Ambassador to the United States has in the past several days sent to

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many if not all the Members of Congress an English edition of the Polish constitution. This is hardly a coincidence. It is tied directly with the case of Cardinal Wyszynski. On May 8, 1953, the Polish bishops conference, of which Cardinal Wyszynski is chairman, sent a long and historic memorandum to President Boleslaw Bierut. This memorandum sets forth the violations by the government of the modus vivendi agreement established in April 1950. It states in clear and courageous language the diabolical plan of the state to either completely destroy religion or make it a vassal servant of communism. More than anything else it reflects the heroic struggles of Christian life against atheistic communism in the battle now raging in Poland. This historic document concludes with the following statement: "The Polish episcopate demands from the council of ministers that, in accordance with article 32, point 7 of the constitution of the Polish People's Republic, it undertake the defense of the rights of Catholics in the Polish People's Republic."

It is, therefore, hardly a coincidence that the Polish Ambassador to the United States should be giving wide distribution of English text copies of the constitution of the Communist Polish People's Republic at this particular time. It is apparent that he is taking an active part in the Polish Communist propaganda campaign here in America—calculated to deceive and mislead the American people. This is in violation of every accepted norm of diplomacy. What is more important is that this conspiracy must be brought to public attention and appropriate action taken by our Government.

The violent persecution of religion in Poland is a crime which must be vigorously condemned. Freedom of religion is a prime requisite to peace and those who violate it endanger the security of all freemen. All Americans, no matter what their religious beliefs may be, will view the Communist effort to stamp out religion in Poland as a threat to peace.

The Government of the United States can perform a service to all mankind by exposing the Communist propaganda campaign being carried on in the United States through the Polish Embassy and by making an official protest against the diabolical persecution of religion now taking place in Poland.

Farm Surpluses

EXTENSION OF REMARKS
OF

HON. HOWARD S. MILLER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. MILLER of Kansas. Mr. Speaker, it is after much serious thought that I come before the membership of the House to make a final statement in this session of my position upon the very difficult problem of farm surpluses. Let me first state that the American people are very fortunate in that this is a problem of surpluses rather than of deficiencies. This fact alone prevents the problem from becoming serious rather than simply difficult. At least it is not necessarily serious and can become so only by neglect or mishandling on the part of the people and the Government of the United States.

Let us review briefly the situation: From year to year, throughout the history of the country, the farmers of the Nation have produced more food and fiber than was necessary to feed and clothe the people. It was therefore necessary to find a market abroad for the surpluses. Now it is a well-known principle of economics that, barring governmental interference, the selling price of a surplus article determines the domestic price. For this reason, because there was no effective action taken by the Government of the United States to control the price of the surplus of farm products up to the passage of the Agricultural Adjustment Act of 1933, the farmers of the Nation were compelled by economic factors to accept for their products whatever price they would command in the free, competitive market of the world. This was the situation of agriculture as a part of the overall American economy during the 144 years from the inauguration of Washington to the passage of the AAA in the first administration of Franklin D. Roosevelt.

During all this time the American people, in their desire to build up a manufacturing industry so as to be independent of any foreign nation, enacted protective and sometimes prohibitive tariff laws to shut out or limit foreign competition with our domestic manufacturers. This policy greatly increased the cost of living to every person residing in the United States, and became a hardship upon those not directly benefited by the increased price of manufactured goods.

There can be no doubt that there was an indirect benefit accruing to every segment of society. For instance, the manufacturer of steel products, because of the increased price at which he sold his goods, could afford to pay a higher wage to his employees. But did he do it? To a limited degree, yes. The American worker in the steel mills did receive a higher wage than those of Great Britain or Germany for similar work, but the difference was not to a degree commensurate with the higher cost of living. The truth is that the American employers in industry encouraged and fostered immigration into this country of cheap European labor so as to hold down the cost of their labor regardless of the profits accruing to industry. This led to great economic injustice and inequality. It produced in our Nation Fifth Avenues of wealth and pride and arrogance and poverty rows of poverty and hopelessness and degradation. Inevitably, in a country of freedom of speech and assembly, the downtrodden people, sooner or later, will find a leadership and unite to demand redress of their wrongs.

It was out of this situation, long drawn out, that the great organizations of laboring men and women arose in the closing decades of the 19th and the early part of the 20th century. It was a momentous struggle often marked by violence as the opposing forces of organized industry threw roadblocks into every line of advance in a determined effort to prevent united action on the part of the employees. I well remember as a boy reading of the Chicago massacre and the Homestead strikes in which blood was spilled and lives were lost. What progress has been made. We now read in the preamble to our National Labor Relations Act the statement that the right of labor to unite and bargain collectively is fully recognized.

But it was not to give a brief summary of the history of organized labor that I set myself to write this statement for the RECORD. It was rather to place before the House the situation of that other segment of the people who do a great part of the manual labor of the Nation—the farmers and the farm families. The farmer and the farm family have always been the hardest working, poorest paid, segment of the Nation. Even at its worst, day labor was better paid than was agriculture. The farmer has survived and sometimes even prospered, in spite of his disadvantages. In some respects he was in an enviable situation. He was isolated. He needed little expensive clothing. He could produce nearly all his food. He could deny his children educational opportunities without too much criticism. He could work the whole family in his enterprise, and he did. He was in a favorable position to produce and rear a large family, and this also he did; that is, until recently. He was in business for himself, and he therefore had some feeling of independence. He could plant what he wanted to plant and as much as he wanted to plant. His wages were tied up in the products he produced and to realize on them all he had to do was to haul them to market and ask the dealer what he would give for them. It was as simple as that. No worry about what he should pay for the shoes for his children—they wore shoes in the wintertime—all he had to do was to ask the merchant. No worry about what the wife should receive for her butter and eggs. It was only necessary to ask the merchant. No worry about the price of corn and wheat. The dealer at the elevator could look at the Liverpool quotations, subtract the required number of cents, and tell him to a penny. And everybody seemed to envy the farmer for his independence. He did not need to know anything about markets or to worry about the price he should get or the price he should pay. All he needed was a strong back and a willingness to submit to economic servitude. What if they were called "clodhoppers" and "hayseeds" when they went to the city. And many a town or city boy regretted the time when he was too close to the ragged country boy who came to town with a load of corn or hogs or wheat.

I remember well on one occasion witnessing a whole flock of town boys—mostly merchants' sons—making sport of a country lad coming to town with a load of hogs. The boys were shouting: "Hayseed, hayseed." The farm boy wrapped his lines on the top endgate, leaped to the ground, and chased the whole gang to cover. Then he calmly climbed into the "three-box wagon" and proceeded to the stockyards as if nothing had happened. I particularly enjoyed this incident because I was at the time myself a farm boy, and it was an unwritten law among us to stand and fight even if you knew you would get licked.

Well, the time came in the history of American agriculture when the farmer made up his mind to stand and fight.

He has made up his mind that after subsidizing the manufacturing industry

for 140 years, and now that labor has organized and is getting a fair share in the national economy, out of self respect and in justice to his family, he will demand a fair share.

Some one has termed this parity for the farmer. I prefer to call it equality. It is more easily understood and therefore less easily questioned. Since I have lived with this problem all my life, worked and pinched and saved so that father and mother could pay the interest and taxes, and later required my own children to do the same thing, I should be able to explain what I mean.

Here it is in a nutshell: We demand a price for our products that will put us on an equal or nearly equal status with other segments of society doing equal labor. Ninety percent of parity is a concession we voluntarily make, is all the concessions we are willing to make. We are willing to go to great length to prevent burdensome surpluses by way of production control. If price supports are justified at all—and they are—they are justified on a basis of parity.

We object to any effort to reduce these supports below the established 90 percent to which we accede as a matter of convenience and not of right.

Any further reduction is a brazen attempt to make of us second-class citizens, and we have graduated from that status.

Be it understood that the proposed reduction of price support to less than 90 percent of a just price will not and cannot result in reduced production, but rather in increased production, for no farmer will be forced to reduce his planting on that basis. No one who understands the first principle of the economic laws governing agriculture would advocate or countenance such a measure to reduce production of surplus products. I repeat that the farmer, like the laboring man, has graduated from the status of second-class citizenship and it will be bad luck to the pseudo-statesman who is late in finding it out.

Accomplishments for Veterans

EXTENSION OF REMARKS
OF
HON. CHARLES A. WOLVERTON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Friday, August 20, 1954

Mr. WOLVERTON. Mr. Speaker, the Republican Party has always been interested in advancing the interests and welfare of veterans.

Evidence of this is the new law enacted this year granting a 5-percent increase in disability compensation for veterans. The new law also increases the rate of compensation for widows without children from $75 to $87 a month. Dependent parents are increased $15 a month, from $60 to $75. Where both parents are living, payments are increased $5 a month to each, from $35 to $40.

The Republican attitude toward veterans was expressed by President Eisenhower in his state of the Union message to Congress on February 2, 1953, when he said:

> Proper care of our uniformed citizens, and appreciation of the past service of our veterans, are part of our accepted governmental responsibility.

This Republican attitude has shown itself in the generous legislation enacted by the present Congress to benefit veterans.

RECORD NUMBER OF HOSPITAL BEDS

The Republican veterans' program in the 83d Congress provided more hospital beds and medical care for a greater number of veterans than in any other year. In the first year under the new Republican budget, fiscal 1954, the number of beds in operation was increased by nearly 5,000 to a total of 114,315. An additional increase of nearly 3,400 was provided for fiscal 1955. Appropriations were made to cover 117,700 operating beds.

The Republican administration has also provided money to give medical treatment to an additional 6,890 sick and injured veterans. Under the Republicans, this was increased to 102,370 in fiscal 1954, and to 105,100 in fiscal 1955.

The Republican Congress has also provided another important protection for sick and disabled veterans by prohibiting the Veterans' Administration from transferring funds intended by Congress to be used for hospital facilities to other programs.

The 83d Republican Congress has appropriated $33,032,875 a year more for veterans' hospitals than the Democratic Congress did for the fiscal year 1953, and nearly $55 million a year more than the Truman appropriation for fiscal 1952.

A VETERANS' CHAMPION FOR VETERANS' ADMINISTRATOR

Knowing the veteran and his problems intimately, President Eisenhower wanted a Veterans' Administrator who shared this knowledge and understanding with him. He found the ideal candidate in Harvey V. Higley, of Marinette, Wis., a prominent industrialist who has been active in American Legion projects for 32 years.

Mr. Higley, a lieutenant in World War I, is a past departmental commander of the American Legion for Wisconsin. In 1921 he was chairman of a special committee which created the department service office of the American Legion. He is chairman of the American Legion Retirement Fund, and indicative of his interest in veterans, Mr. Higley is chairman of the American Legion convalescent camp at Lake Tomahawk, Wis.

So favorably was the nomination of Mr. Higley greeted that the White House received telegrams of commendation from past and present national commanders of the American Legion, AMVETS, and Veterans of Foreign Wars. All agreed that Mr. Higley was a sound selection whose service would redound to the benefit of veterans everywhere.

OTHER ACCOMPLISHMENTS FOR VETERANS

In line with its policy to help the veteran in every way possible, the Eisenhower administration and the Congress have acted on many fronts. Here is the record of action taken by the President and the Congress in behalf of the veteran population:

First. Approved an appropriation of $3,977,000,000 for fiscal 1954, and $3,796,652,800 for fiscal 1955, for the Veterans' Administration, to be used for medical, hospital, and other benefits, for compensation and pensions, for readjustment benefits, and miscellaneous functions.

Second. Enacted two extensions of authority of the VA to make direct home loans in nonmetropolitan areas to veterans who are unable to get private financing. The legislation provides a total of $250 million to be used for such direct loans during fiscal years 1954 and 1955.

Third. Approved simplification of procedures in the handling of veterans' life insurance policies. The measure provides for automatic renewal of 5-year term policies, and eliminates the sending of premium-due notices. It will save an estimated $600,000 a year and give veterans better service.

Fourth. Continued the so-called Missing Persons Act to February 1, 1954. The legislation provided for continuance of paychecks and family allotments for approximately 11,000 Korean war prisoners or soldiers who were missing in action.

Fifth. Extended the privilege of free postage to veterans hospitalized outside the United States as a result of service in Korea.

Sixth. Extended to veterans of the Korean war the same preferences in occupancy of public housing as other veterans possess.

Seventh. Facilitated the appointment of veterans who lost civil-service opportunities due to service in the Armed Forces after June 30, 1950.

Eighth. Approved legislation providing an additional $75 million to pay World War II veterans for compulsory labor or inhumane treatment suffered as prisoners of war.

Ninth. Passed legislation providing that all types of tuberculosis among veterans causing 10 percent or more disability within 3 years of separation from service shall be presumed to be service connected.

Tenth. Passed legislation defining the preferential status of veterans in Federal employment.

Eleventh. Enacted a law prohibiting reduction of veterans' disability ratings which have been in effect for 20 years or more.

Twelfth. Enacted a law to restore eligibility for outpatient dental care to Spanish-American War veterans and veterans receiving vocational training under Public Law 16 of the 78th Congress.

Thirteenth. Authorized veterans' benefits to persons disabled in connection with reporting for induction into the Armed Forces.

Fourteenth. Extended for 1 year the time during which veterans may initiate courses of training under the Korean GI bill of rights. Veterans may now begin training up to 3 years after discharge—formerly eligibility was limited to 2 years; and they have until 8 years after discharge to complete their training—formerly only 7 years was allowed.

SENATE

MONDAY, NOVEMBER 8, 1954

On this day, Monday, November 8, 1954, under the terms of the order entered on August 20, 1954, the Senate met in special session in its Chamber in the Capitol at 12 o'clock meridian.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou all-knowing and all-loving God, who in such a time as this hast called Thy servants gathered here to the ministry of high service in public affairs: We come with tender thoughts concerning those who so often across fruitful years have answered to their names in this Chamber, but who now answer not, however we may call. This hour we see their faces and forms, as they are kept in memory—one coming from the West, with all its pioneer daring, and one from the South, with all its hallowed traditions; both in this body serving well their States and their Nation, in perplexing times, before suddenly they disappeared through the portal of death to enter a larger room of service in the Father's many-mansioned house. And so at the beginning of this session, with the busy bustle of activity about us, we are reminded that swift to its close ebbs out life's little day.

Now we pray that in all the deliberations here begun Thou wilt save us from pride of opinion, from intolerance and prejudice, and from lightly ascending any throne of judgment. Make us humble disciples of Thy truth, be it in Thy book or on the tongue of man, or in the mystery of silence. Send us humility for our arrogance, wonder for our dullness, and inspiration to conquer the inertia of our spirits. Give us grace to shun everything that cannot bear the eternal light nor live in the eternal love. We ask it in the dear Redeemer's name. Amen.

The VICE PRESIDENT (RICHARD M. NIXON, of California). The Chair is informed that pursuant to the order of the Senate of August 20, 1954, the majority and minority leaders instructed the Secretary of the Senate to notify the Members of the Senate to reassemble on the 8th day of November 1954, and that on the 25th day of September 1954 the Secretary communicated with each Member of the Senate. The order of August 20, 1954, and the communication from the Secretary will be printed in the RECORD.

The order of August 20, 1954, is as follows:

Ordered, That when the Senate adjourns it stand adjourned until the 5th day after the Senators are notified to reassemble by the majority and minority leaders of the Senate, acting jointly, whenever in their opinion the public business of the Senate so requires.

The communication addressed by the Secretary to the Members of the Senate is as follows:

SEPTEMBER 25, 1954.

Pursuant to Senate order of August 20, 1954, requiring a 5-day notice before the Senate convenes, the majority and minority leaders, acting jointly, have instructed me to advise you that the Senate will reassemble at noon on November 8, 1954.

J. MARK TRICE,
Secretary of the Senate.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Friday, August 20, 1954, was dispensed with.

ENROLLED BILLS PRESENTED AFTER ADJOURNMENT

Subsequent to the adjournment of the Senate on August 20, 1954, the Secretary of the Senate reported that he presented to the President of the United States the following enrolled bills:

On August 21, 1954:

S. 264. An act to provide for the conveyance of certain land in the State of Maryland to the Disney-Bell Post 66 of the American Legion, Bowie, Md.;

S. 738. An act for the relief of Maria Busa;

S. 906. An act to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act;

S. 1259. An act for the relief of Anastasia Kondylis;

S. 1504. An act for the relief of the estate of Rev. Pang Wha Il;

S. 1604. An act for the relief of Margot Herta Matulewitz;

S. 1605. An act for the relief of James Arthur Cimino and Joan Cimino;

S. 1687. An act for the relief of T. C. Elliott;

S. 1873. An act for the relief of Ursula Wilke and Mike Mario Wilke;

S. 2033. An act relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear in public eating places serving such trout;

S. 2068. An act for the relief of Francesco Marinelli;

S. 2074. An act for the relief of certain Basque sheepherders;

S. 2301. An act for the relief of Katherina Picerkona and her minor son, Helmut;

S. 2316. An act for the relief of the Birmingham Iron Works, Inc.;

S. 2345. An act for the relief of Yun Tai Miao and his wife, Chao Pei Tsang Miao;

S. 2366. An act for the relief of Ito Yukiko;

S. 2618. An act for the relief of Ertogroul Osman;

S. 2636. An act for the relief of Arturo Rodriguez Diaz;

S. 2639. An act for the relief of Etsuko Tamaki (Shimizu);

S. 2640. An act for the relief of Esther Joanne Potter;

S. 2649. An act for the relief of Chaya Frangles;

S. 2731. An act for the relief of Jean Cantalini;

S. 2789. An act for the relief of Gianni Bernardis;

S. 2842. An act for the relief of Dr. Felix de Piniés;

S. 2849. An act for the relief of Elisa-Pompea Roppo (Elisa-Pompea Cardone);

S. 2879. An act for the relief of Peter Julian Newbery and Prudence Ellen Newbery;

S. 2884. An act for the relief of Sister Anna Scrinzi, Sister Giuliana Paladini, Sister Iolanda Mazzocchi, and Sister Giuseppina Zanchetta;

S. 2887. An act for the relief of Hon Cheun Kwan;

S. 2893. An act for the relief of Seraphina Papgeorgiou;

S. 2941. An act for the relief of Kim Kwang Suk and Kim Woo Shik;

S. 2945. An act for the relief of Eulalio Rodriguez Vargas;

S. 2954. An act for the relief of Christine Thum;

S. 2993. An act for the relief of Ruth Wehrhan;

S. 3056. An act for the relief of S. Sgt. Silvestre E. Castillo;

S. 3058. An act for the relief of certain nationals of Italy;

S. 3108. An act to modify the act of October 8, 1940 (54 Stat. 1020), and the act of July 24, 1947 (61 Stat. 418), with respect to the recoupment of certain public school construction costs in Minnesota;

S. 3112. An act for the relief of Emiko Watanabe;

S. 3138. An act for the relief of Wakako Niimi and her minor child, Katherine;

S. 3145. An act for the relief of Bonita Lee Simpson;

S. 3148. An act for the relief of Francesco Pugliese;

S. 3221. An act for the relief of Ingeborg Otto;

S. 3276. An act for the relief of Cleophat Robert Joseph Caron;

S. 3404. An act for the relief of Anni Stroee Jacobsen;

S. 3447. An act to amend the Internal Revenue Code to permit the filling of oral prescriptions for certain drugs, and for other purposes;

S. 3485. An act for the relief of Liselotta Kunze;

S. 3577. An act for the relief of Milos Knezevich;

S. 3586. An act for the relief of Mrs. Hildegard Simon Walley;

S. 3601. An act to provide that the Secretary of Agriculture is authorized to extend until not later than October 18, 1962, certain timber rights and necessary ingress and egress, and for other purposes;

S. 3625. An act for the relief of Mrs. Juana Padilla de Caballero (Mrs. Juana Padilla de Ontiveros);

S. 3652, An act for the relief of Francis Timothy Mary Hodgson (formerly Victor Charles Joyce);

S. 3840. An act for the relief of Klyce Motors, Inc.; and

S. 3844. An act to provide for a reciprocal and more effective remedy for certain claims arising out of the acts of military personnel and to authorize the pro rata sharing of the cost of such claims with foreign nations, and for other purposes.

On August 25, 1954:

S. 2862. An act to provide relief for the sheep-raising industry by making special nonquota immigrant visas available to certain skilled alien sheepherders;

S. 3868. An act authorizing the payment of salary to any individual given a recess appointment as Comptroller General of the United States before the beginning of the 84th Congress; and

S. J. Res. 173. Joint resolution to authorize the President to proclaim the week of November 28, 1954, through December 4, 1954, as "National Salvation Army Week."

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED AFTER ADJOURNMENT

Pursuant to Senate Concurrent Resolution 109, adopted August 20, 1954, the following enrolled bills and joint resolutions were signed by the Speaker of the House of Representatives and the President pro tempore of the Senate subsequent to the adjournment of the Congress:

S. 2862. An act to provide relief for the sheep-raising industry by making special

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nonquota immigrant visas available to certain skilled alien sheepherders;

S. 3868. An act authorizing the payment of salary to any individual given a recess appointment as Comptroller General of the United States before the beginning of the 84th Congress;

H. R. 951. An act for the relief of the Trust Association of H. Kempner;

H. R. 1107. An act for the relief of the J. A. Vance Co.;

H. R. 1254. An act to provide authorization for certain uses of public lands;

H. R. 2032. An act for the relief of Clarence D. Newland;

H. R. 2233. An act to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Cheyenne River Sioux Reservation, S. Dak., and for other purposes;

H. R. 2235. An act to authorize the Secretary of the Interior to construct the Santa Maria project, Southern Pacific Basin, Calif.;

H. R. 2236. An act to provide for a Commission to regulate the public transportation of passengers by motor vehicle and street railroad within the metropolitan area of Washington, D. C., and for the establishment of a metropolitan Washington Commission;

H. R. 2876. An act for the relief of Leo F. Pinder;

H. R. 3300. An act to authorize the State of Illinois and the Sanitary District of Chicago, under the direction of the Secretary of the Army, to help control the lake level of Lake Michigan by diverting water from Lake Michigan into the Illinois waterway;

H. R. 4340. An act for the relief of Charles J. Abarnem and others;

H. R. 4638. An act for the relief of David W. Wallace;

H. R. 5420. An act to amend section 161, title 35, United States Code, relating to the patenting of plants;

H. R. 6451. An act to provide for the conveyance of certain public lands in Utah to the occupants of the land;

H. R. 6573. An act to provide for the promotion, precedence, constructive credit, distribution, retention, and elimination of officers of the Reserve components of the Armed Forces of the United States, and for other purposes;

H. R. 6616. An act to amend title 17, United States Code, entitled "Copyrights";

H. R. 6808. An act for the relief of Col. Samuel J. Adams, and others;

H. R. 7130. An act to amend the Immigration and Nationality Act to provide for the loss of nationality of persons convicted of certain crimes;

H. R. 7774. An act to increase the rates of compensation of classified, postal, and other employees of the Government, and for other purposes;

H. R. 7840. An act to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act;

H. R. 7886. An act for the relief of Mrs. Cecil Norton Broy;

H. R. 8606. An act for the relief of Neil C. Hemmer and Mildred Hemmer;

H. R. 9366. An act to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes;

H. R. 9580. An act to revise and extend the laws relating to espionage and sabotage, and for other purposes;

H. R. 9680. An act to provide for greater stability in agriculture; to augment the marketing and disposal of agricultural products; and for other purposes;

H. R. 9728. An act to revise, codify, and enact into law, title 21 of the United States Code, entitled "Food, Drugs, and Cosmetics";

H. R. 9729. An act to revise, codify, and enact into law title 13 of the United States Code, entitled "Census";

H. R. 9730. An act to amend various statutes and certain titles of the United States Code, for the purpose of correcting obsolete references, and for other purposes;

H. R. 9859. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes;

H. R. 9987. An act to amend certain provisions of title XI of the Merchant Marine Act, 1936, as amended, to facilitate private financing of new ship construction, and for other purposes;

H. R. 9988. An act for the relief of the Federal Republic of Germany;

H. R. 10051. An act making appropriations for mutual security for the fiscal year ending June 30, 1955, and for other purposes;

H. R. 10187. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the payment of appraisers', auctioneers', and brokers' fees from the proceeds of disposal of Government surplus real property, and for other purposes;

S. J. Res. 173. Joint resolution to authorize the President to proclaim the week of November 28, 1954, through December 4, 1954, as "National Salvation Army Week"; and

H. J. Res. 565. Joint resolution to amend the joint resolution providing for the membership of the United States in the Pan American Institute of Geography and History and authorize appropriations therefor.

REPORT ON NAVAL PROCUREMENT OF TUGBOATS BY SELECT COMMITTEE ON SMALL BUSINESS

Mr. THYE, from the Select Committee on Small Business, pursuant to the order of the Senate of August 19, 1954, submitted on August 24, 1954, a report (No. 2506) on naval procurement of tugboats; which was printed.

REPORT ON INVESTIGATION INVOLVING THE SECRETARY OF THE ARMY AND SENATOR JOSEPH R. McCARTHY, ET AL.

Mr. MUNDT, from the Committee on Government Operations, pursuant to the orders of the Senate of August 17 and August 19, 1954, submitted, on August 30, 1954, a report (No. 2507), together with a summary and finding of fact on the part of the minority members of the committee, and individual views of Mr. DIRKSEN and Mr. POTTER, relating to charges and countercharges involving the Secretary of the Army Robert T. Stevens, John G. Adams, H. Struve Hensel, and Senator Joseph R. McCarthy, Roy M. Cohn, and Francis P. Carr.

APPROVAL OF SENATE BILLS AND JOINT RESOLUTIONS AFTER ADJOURNMENT

The President of the United States, subsequent to the adjournment of the Senate, notified the Secretary of the Senate that he had approved and signed the following acts and joint resolutions:

On August 20, 1954:

S. 16. An act to permit the compelling of testimony under certain conditions and to grant immunity from prosecution in connection therewith;

S. 3546. An act to provide an immediate program for the modernization and improvement of such merchant-type vessels in the reserve fleet as are necessary for national defense;

S. 3655. An act to provide that the Metropolitan Police force shall keep arrest books which are open to public inspection; and

S. J. Res. 140. Joint resolution to establish a commission for the celebration of the 200th anniversary of the birth of Alexander Hamilton.

On August 21, 1954:

S. 1845. An act for the relief of Dr. Ian Yung-cheng Hu.

On August 23, 1954:

S. 232. An act for the relief of Hugo Kern;

S. 546. An act to authorize payment for losses sustained by owners of wells in the vicinity of Cold Brook Dam by reason of the lowering of the level of water in such wells as a result of the construction of Cold Brook Dam;

S. 1184. An act to authorize relief of authorized certifying officers from exceptions taken to payments pertaining to terminated war agencies in liquidation by the Department of State;

S. 1225. An act for the relief of Brunhilde Walburga Golomb Hartsworm;

S. 1308. An act for the relief of Leonard Hungerford;

S. 1904. An act for the relief of Ottilie Theresa Workmann;

S. 1959. An act for the relief of Mrs. Annemarie Namias;

S. 2420. An act to amend section 32 of the Trading With the Enemy Act, as amended;

S. 2744. An act to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof; and for other purposes;

S. 2958. An act for the relief of Ida Reissmuller and Johnny Damon Eugene Reissmuller;

S. 3028. An act to require the Postmaster General to reimburse postmasters of discontinued post offices for equipment owned by the postmaster;

S. 3085. An act for the relief of Mrs. Helen Stryk;

S. 3379. An act to amend section 4 of the Flammable Fabrics Act, with respect to standards of flammability in the case of certain textiles;

S. 3487. An act to authorize the Central Bank for Cooperatives and the regional banks for cooperatives to issue consolidated debentures, and for other purposes; and

S. 3816. An act to authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Mont., and Grand Canyon National Park, Ariz.

On August 24, 1954:

S. 3706. An act to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes.

On August 26, 1954:

S. 2456. An act for the relief of Martin Genuth;

S. 2461. An act for the relief of Berta Hellmich; and

S. 3233. An act to amend the Merchant Marine Act, 1936, to provide permanent legislation for the transportation of a substantial portion of waterborne cargoes in United States-flag vessels.

On August 27, 1954:

S. 3239. An act to authorize conveyance of land to the State of California for an inspection station;

S. 3302. An act granting to the Las Vegas Valley Water District, a public corporation organized under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada;

S. 3303. An act granting to Basic Management, Inc., a private corporation organized

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under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada;

S. 3393. An act authorizing the Administrator of Veterans' Affairs to convey certain property to Milwaukee County, Wis.;

S. 3532. An act to provide for the partition and distribution of the assets of the Ute Indian Tribe of the Uintah and Ouray Reservation in Utah between the mixed-blood and full-blood members thereof; and for the termination of Federal supervision over the property of the mixed-blood members of said tribe; to provide a development program for the full-blood members of said tribe; and for other purposes;

S. 3769. An act to amend section 709 of title 18, United States Code, so as to protect the name of the Federal Bureau of Investigation from commercial exploitation; and

S. J. Res. 183. Joint resolution to extend greetings to the Gold Coast and Nigeria.

On August 28, 1954:

S. 22. An act to validate certain payments for accrued leave made to members of the Armed Forces who accepted discharges for the purpose of immediate reenlistment for an indefinite period;

S. 1748. An act to incorporate the National Fund for Medical Education; and

S. 3873. An act to provide survivor benefits for widows of the Chief Justice and the Associate Justices of the Supreme Court of the United States.

On August 30, 1954:

S. 1042. An act to abolish the Commission for the Enlarging of the Capitol Grounds;

S. 3187. An act to authorize the United States of America to quitclaim all its right, title, and interest in and to certain lands in Arizona, except for mineral interests therein, and for other purposes;

S. 3189. An act providing for the conveyance by the United States to the Monterey County Flood Control and Water Conservation District, Monterey County, Calif., of certain lands in Camp Roberts Military Reservation, Calif., for use as a dam and reservoir site, and for other purposes;

S. 3595. An act to direct the Secretary of the Army to convey certain property located in El Paso, Tex., and described as part of Fort Bliss, to the State of Texas;

S. 3744. An act to change the name of Gavins Point Reservoir back of Gavins Point Dam to Lewis and Clark Lake;

S. 3750. An act to direct the Secretary of the Air Force or his designee to convey certain property located in proximity to San Antonio, Bexar County, Tex., to the State of Texas;

S. 3822. An act to authorize the conveyance to the State of Texas of approximately 9 acres of land in Houston, Tex., to be used for National Guard purposes; and

S. J. Res. 147. Joint resolution to establish the Woodrow Wilson Centennial Celebration Commission, and for other purposes.

On August 31, 1954:

S. 264. An act to provide for the conveyance of certain land in the State of Maryland to the Disney-Bell Post 66 of the American Legion, Bowie, Md.;

S. 361. An act to provide for renewal of and adjustment of compensation under contracts for carrying mail on water routes;

S. 541. An act to extend benefits under the War Claims Act of 1948 to certain classes of persons, and for other purposes;

S. 555. An act for the relief of Charles W. Gallagher;

S. 599. An act for the relief of Cpl. Robert D. McMillan;

S. 1183. An act for the relief of John L. de Montigny;

S. 1203. An act for the relief of Lt. Col. Rollins S. Emmerich;

S. 1504. An act for the relief of the estate of Rev. Pang Wha Il;

S. 2070. An act for the relief of the estate of Givens Christian;

S. 2074. An act for the relief of certain Basque sheepherders;

S. 2147. An act for the relief of Terrence Waller;

S. 2259. An act for the relief of Rev. Charles V. Rossini;

S. 2266. An act for the relief of Walter P. Sylvester;

S. 2308. An act to authorize and direct the investigation by the Attorney General of certain offenses, and for other purposes;

S. 2553. An act for the relief of Joseph V. Crimi, father of the minor child, Joseph Crimi;

S. 2632. An act for the relief of the Epes Transportation Corp.;

S. 2639. An act for the relief of Etsuko Tamaki (Shimizu);

S. 2649. An act for the relief of Chaya Frangles;

S. 2693. An act for the relief of Robert Lee Williams;

S. 2789. An act for the relief of Gianni Bernardis;

S. 2893. An act for the relief of Seraphina Papgeorgiou;

S. 2954. An act for the relief of Christine Thum;

S. 2980. An act conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp.;

S. 3017. An act for the relief of Thomas Barron;

S. 3058. An act for the relief of certain nationals of Italy;

S. 3108. An act to modify the act of October 8, 1940 (54 Stat. 1020) and the act of July 24, 1947 (61 Stat. 418) with respect to the recoupment of certain public school construction costs in Minnesota;

S. 3110. An act for the relief of the Portsmouth Sand and Gravel Co.;

S. 3148. An act for the relief of Francesco Pugliese;

S. 3245. An act to provide emergency credit.

S. 3329. An act to amend the District of Columbia Police and Firemen's Salary Act of 1953 to correct certain inequities;

S. 3447. An act to amend the Internal Revenue Code to permit the filling of oral prescriptions for certain drugs, and for other purposes;

S. 3482. An act to amend the District of Columbia Unemployment Compensation Act, and for other purposes;

S. 3485. An act for the relief of Liselotta Kunze;

S. 3494. An act for the relief of the Central Railroad Co. of New Jersey;

S. 3562. An act for the relief of the McMahon Co., Inc.;

S. 3601. An act to provide that the Secretary of Agriculture is authorized to extend until not later than October 18, 1962, certain timber rights and necessary ingress and egress, and for other purposes;

S. 3627. An act to amend the Civil Service Retirement Act, as amended;

S. 3628. An act to amend Public Law 815, 81st Congress, in order to extend for 2 additional years the program of assistance for school construction under title III of that act;

S. 3629. An act to postpone the effective date of the 3-percent "absorption" requirement in Public Law 874, 81st Congress, for 1 year;

S. 3712. An act to authorize the commander, Air University, to confer appropriate degrees upon persons who meet all requirements for those degrees in the Resident College of the United States Air Force Institute of Technology;

S. 3840. An act for the relief of Klyce Motors, Inc.;

S. 3844. An act to provide for a reciprocal and more effective remedy for certain claims arising out of the acts of military personnel and to authorize the pro rata sharing of the cost of such claims with foreign nations, and for other purposes;

S. 3868. An act authorizing the payment of salary to any individual given a recess appointment as Comptroller General of the United States before the beginning of the 84th Congress;

S. J. Res. 170. Joint resolution to approve the conveyance by the Tennessee Valley Authority of certain public-use terminal properties now owned by the United States; and

S. J. Res. 173. Joint resolution to authorize the President to proclaim the week of November 28, 1954, through December 4, 1954, as National Salvation Army Week.

On September 1, 1954:

S. 738. An act for the relief of Maria Busa;

S. 1259. An act for the relief of Anastasia Kondylis;

S. 1604. An act for the relief of Margot Herta Matulewitz;

S. 1605. An act for the relief of James Arthur Cimino and Joan Cimino;

S. 1873. An act for the relief of Ursula Wilke and Mike Mario Wilke;

S. 2068. An act for the relief of Francesco Marinelli;

S. 2156. An act for the relief of John Enepekides, his wife, Anna, and his son, George;

S. 2301. An act for the relief of Katherina Picerkona and her minor son, Helmut;

S. 2345. An act for the relief of Yun Tai Miao and his wife, Chao Pei Tsang Miao;

S. 2366. An act for the relief of Ito Yukiko;

S. 2496. An act for the relief of Harvey Schwartz;

S. 2626. An act for the relief of Arturo Rodriguez Diaz;

S. 2640. An act for the relief of Esther Joanne Potter;

S. 2670. An act to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes;

S. 2731. An act for the relief of Jean Cantalini;

S. 2842. An act for the relief of Dr. Felix de Pinies;

S. 2849. An act for the relief of Elisa-Pompea Roppo (Elisa-Pompea Cardone);

S. 2879. An act for the relief of Peter Julian Newbery and Prudence Ellen Newbery;

S. 2884. An act for the relief of Sister Anna Scrinzi, Sister Giuliana Paladini, Sister Iolanda Mazzocchi, and Sister Giuseppina Zanchetta;

S. 2887. An act for the relief of Hon Cheun Kwan;

S. 2941. An act for the relief of Kim Kwang Suk and Kim Woo Shik;

S. 2945. An act for the relief of Eulalio Rodriguez Vargas;

S. 2993. An act for the relief of Ruth Wehrhan;

S. 3056. An act for the relief of S. Sgt. Silvestre E. Castillo;

S. 3112. An act for the relief of Emiko Watanabe;

S. 3138. An act for the relief of Wakako Niimi and her minor child, Katherine;

S. 3145. An act for the relief of Bonita Lee Simpson;

S. 3221. An act for the relief of Ingeborg Otto;

S. 3251. An act to provide for the conveyance of certain mineral rights to Mrs. Pearl O. Marr, of Crossroads, N. Mex.;

S. 3276. An act for the relief of Cleophat Robert Joseph Caron;

S. 3404. An act for the relief of Anni Stroee Jacobsen;

S. 3577. An act for the relief of Milos Knezevich;

S. 3586. An act for the relief of Mrs. Hildegard Simon Walley;

S. 3625. An act for the relief of Mrs. Juana Padilla de Caballero (Mrs. Juana Padilla de Ontiveros); and

S. 3652. An act for the relief of Francis Timothy Mary Hodgson (formerly Victor Charles Joyce).

On September 2, 1954:

S. 2316. An act for the relief of the Birmingham Iron Works, Inc.; and

S. 2618. An act for the relief of Ertogroul Osman.

On September 3, 1954:

S. 2862. An act to provide relief for the sheep-raising industry by making special nonquota immigrant visas available to certain skilled alien sheepherders.

DISAPPROVAL OF SENATE BILLS AFTER ADJOURNMENT

The message also announced that the President had disapproved bills of the Senate of the following titles:

On August 26, 1954:

GEORGE PANTELAS

S. 154. I am withholding my approval of S. 154, for the relief of George Pantelas.

The beneficiary of the bill is an alien who is deportable on the ground that at the time of his last entry he was not in possession of a valid immigration visa and because of his record of crimes involving moral turpitude.

The bill would authorize and direct the Attorney General to discontinue the pending deportation proceedings, cancel any outstanding order of deportation, warrant of arrest and bond which may have been issued, and would exempt the alien from deportation in the future by reason of the same facts upon which the current proceedings are based.

The alien was born in Greece on February 12, 1903. He originally entered the United States in 1921. On May 3, 1929, he was convicted in California of issuing checks without sufficient funds and sentenced to an indeterminate term of imprisonment for not more than 14 years. He was subsequently deported from the United States on June 18, 1931, because of his criminal record. Thereafter, the alien reentered the United States as a temporary visitor on May 28, 1940, under an assumed name. In proceedings before the Immigration and Naturalization Service he testified that in order to obtain a Greek passport in another individual's name he paid $100 for a birth certificate and thereafter committed perjury and forgery in securing the necessary passport visa for his reentry.

While I am in sympathy with the evident purpose of this legislation to provide support for the family of the alien, the record of bad conduct presented in this case convinces me that the granting of the relief proposed would not be in the best interests of the United States.

Accordingly, I am withholding my approval from this bill.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 26, 1954.*

ESTATE OF MARY BEATON DENNINGER

S. 3064. I have withheld my approval from S. 3064, 83d Congress, an act for the relief of the estate of Mary Beaton Denninger, deceased.

The bill would authorize and direct the Secretary of the Treasury to pay to the estate of Mrs. Denninger the sum of $780.36 in full settlement of all claims of the estate against the United States for payment of certain installments of an indemnity under the Servicemen's Indemnity Act of 1951.

Robert William Denninger died in service on November 20, 1952. The proceeds of a policy of United States Government life insurance, $2,443.27, were paid on behalf of Mary Beaton Denninger, the designated beneficiary. However, in order to determine whether she was also entitled as a widow to an indemnity of $7,000 under the Servicemen's Indemnity Act of 1951, for which no beneficiary had been designated, it was necessary to obtain evidence of the interlocutory judgment of divorce which the serviceman had obtained from her effective March 12, 1952, as well as evidence pertaining to the dissolution of one of her prior marriages. Upon receipt of evidence establishing her eligibility, settlement was authorized on her behalf and, without knowledge that she had died 2 days previously, a check for $780.36 representing 12 accrued installments of indemnity was mailed to a Veterans' Administration agency on October 27, 1953, for delivery to the payee. Because of the death the check was returned and canceled.

The law prohibited payment to Mrs. Denninger's estate, and thereafter the Veterans' Administration made settlement of the indemnity in favor of the serviceman's parents, the next entitled beneficiaries. This settlement included the installments totaling $780.36 which had accrued during the lifetime of Mrs. Denninger. The bill proposes that, in addition, the Government pay $780.36 to Mrs. Denninger's estate.

Favorable action by the committees which considered the bill appears to have been based upon the view that the installments which accrued prior to Mrs. Denninger's death became her property and, accordingly, should be paid to her estate. The specific language of the law clearly expresses a contrary intention on the part of the Congress. I cannot agree either that the mandatory provision of the law should be abrogated in this case to the exclusion of other similar cases, or that the Government should be subjected to double payment of those installments of indemnity which accrued during Mrs. Denninger's lifetime. To do so would obviously be discriminatory and precedential.

As I have previously stated, if the law is to be changed it should be changed for all. Uniformity and equality of treatment under general law applicable equally to all must be the steadfast rule if the Federal programs for veterans and their dependents are to be operated successfully. Heeding the special plea of individual cases would obviously destroy the effectiveness of these programs.

For the foregoing reasons, I am unable to justify approval of S. 3064.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 26, 1954.*

On August 28, 1954:

GRAND TETON NATIONAL PARK

S. 1706. I have withheld my approval from S. 1706, to provide for taxation by the State of Wyoming of certain property located within the confines of Grand Teton National Park, and for other purposes.

The bill would permit the State of Wyoming and any taxing authority of the State to levy taxes on privately owned hotels or lodging facilities within Grand Teton National Park. It further provides that if the United States acquires such properties in the future, payments in lieu of taxes will be made by the United States in amounts equal to the last annual taxes assessed against the property by the State or locality when it was privately owned.

This legislation is unnecessary for two reasons: First, the State now has authority to tax privately owned hotel or lodging facilities in the park and has collected such taxes for some time. Second, there appears to be no disposition on the part of the United States to acquire any such property in Grand Teton National Park, either through purchase or donation. However, I am withholding my approval not only because the bill is unnecessary but also because of the precedent it might establish for piecemeal action in this field.

The present Congress approved my recommendation that a Commission on Intergovernmental Relations be established to study the means of achieving a sounder relationship between Federal, State, and local governments. I have requested that the Commission's report include recommendations as to how to solve the difficult problems which arise in the field of intergovernmental tax immunities. The Commission has a special study committee on in lieu payments and shared revenues. The Commission's report is expected in the near future, and it is anticipated that the administration will recommend legislation to accomplish its recommendations shortly thereafter.

I believe that questions of Federal tax immunity should be decided broadly and deliberately, rather than through a succession of piecemeal decisions and that this decision should await the recommendations of the Commission on Intergovernmental Relations on this question.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 28, 1954.*

On August 31, 1954:

ESTATE OF CARLOS M. COCHRAN

S. 820. I have withheld my approval from S. 820, for the relief of the estate of Carlos M. Cochran.

This enrolled enactment would pay the sum of $5,000 to the estate of Carlos M. Cochran, who was killed in line of duty when he was a member of the Armed Forces in 1942.

The soldier decedent was discovered lying beside a highway just outside the entrance to the military installation where he was stationed. Although he appears to have been temporarily of unsound mind at the time, the sentry at the gate to the installation who discovered him and took him into custody was not aware of this fact. While the sentry was telephoning for military policemen to come to the gatehouse for the decedent, he attempted to escape. He failed to obey the sentry's three shouted

commands to halt. The sentry then aimed his shotgun at the decedent's legs and fired. Just at this moment the decedent jumped into a ditch. As a result, he was struck in the chest rather than the legs, and was instantly killed.

A board of officers, which subsequently considered the case, determined that the sentry's actions had been reasonable under all of the circumstances. The board also determined that since the decedent was known to have been in a state of mental confusion at the time of the shooting, his death should be considered to be in line of duty.

The records of Army show that the regular death gratuity was paid in this case and that at the time of the decedent's entry into the military service he was offered but specifically refused national service life insurance.

The decedent's closest survivor seems to be a sister, who presumably would be the ultimate beneficiary of the bill. She is not entitled to survivorship benefits under laws administered by the Veterans' Administration, since sisters are not included within the categories of survivors eligible to receive benefits under such laws.

Laws administered by the Veterans' Administration and other Federal agencies provide systems of benefits for certain dependent survivors of members of the Armed Forces killed in line of duty. Benefits so authorized are generous and are payable to the specified survivors regardless of whether death results from the negligence or willful misconduct of fellow servicemen or any other person. Under the circumstances, I think it only fair and reasonable to consider the generous, uniform, and assured protection which these systems afford as the exclusive remedy against the United States on account of the death of a member of the Armed Forces killed in line of duty. Any other view would be productive of anomalies and serious inequities.

The foregoing view accords with that taken by the Supreme Court in denying relief in a negligence case brought under the Federal Tort Claims Act in which, as here, a member of the Armed Forces was killed not only in line of duty but incident to his actual military service. Such a view is in no sense novel. Military and veterans' survivorship benefits are the equivalent of civilian workmen's compensation benefits. The Federal Government and most of the States have abolished actions for damages between employers and employees and superseded them with workmen's compensation statutes, which provide the sole basis of liability in most cases.

Additionally, as already noted, the decedent had the opportunity to apply for a policy of national service life insurance in the maximum amount of $10,000. He was specifically offered this opportunity, but refused to take advantage of it, as is indicated by his service record.

Accordingly, while regretting the tragic death of the decedent, I am constrained to withhold my approval from S. 820.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, *August 31, 1954.*

LAWRENCE F. KRAMER

S. 2083. I have withheld my approval from the bill (S. 2083) for the relief of Lawrence F. Kramer.

The bill provides for payment to Lawrence F. Kramer of Paterson, N. J., of the sum of $67,500 in full satisfaction of his claim against the United States for (1) compensation for services rendered by him during the period from 1935 to 1952 in assisting and enabling the United States to prosecute successfully criminal proceedings against certain defendants who had defrauded the Government in connection with fixed prices on work projects in the State of New Jersey, and (2) for reimbursement for expenses incurred by him in rendering such services.

It appears that in late 1935, Mr. Kramer complained to the Works Progress Administration concerning the existence of a possible fraud conspiracy, collusive bidding, and bribery in connection with certain sand and stone supply contracts awarded, and to be awarded, by the Works Progress Administration in northern New Jersey. His sole information was that his father, Philip Kramer, operator of a stone quarry at Paterson, N. J., had been approached by one George Brooks to participate in the scheme, and had refused, and that as a result of his refusal, stone supplied by him had been rejected by the Works Progress Administration (apparently due to the influence of the conspirators), with the consequence that he suffered heavy business loss.

As a result of this complaint, an investigation was undertaken by the Government which culminated in the conviction of the lawbreakers in 1941 and a civil recovery (by way of settlement) in 1952. Apart from the initial tip concerning the existence of a possible conspiracy, and the furnishing of the names of certain persons having knowledge of the approach made to his father, it does not appear that claimant contributed anything to the successful prosecution and civil recovery.

There is nothing to distinguish this case from any other case in which the Government receives from a private citizen information concerning wrongful action with reference to which criminal proceedings are brought and civil recoveries are obtained. The vast majority of such proceedings are made possible by citizens who either because of their normal interest in law enforcement and good government, or because of self-interest supply law enforcement officers with information of the character here involved.

Even if claimant were to be treated as if he had commenced suit as an informer, he would be entitled to no more than the 10 percent of the civil recovery, whereas the bill proposes to award him 30 percent of that amount.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, *August 31, 1954.*

GRAPHIC ARTS CORP. OF OHIO

S. 2801. I am withholding my approval from S. 2801, for the relief of Graphic Arts Corp. of Ohio.

S. 2801 provides that the Secretary of the Treasury be authorized and directed to pay the sum of $84,359.19 to the Graphic Arts Corp. of Ohio, Toledo, Ohio, in full settlement of all claims of the said Graphic Arts Corp. against the United States. The bill would afford financial relief to the Graphic Arts Corp. for losses alleged to have been incurred in the performance of contract W–33–038i ac–2023 with the Army Air Corps during the period January 1 to June 1, 1946.

It is the contention of the corporation that it was not supplied with the full quantity of work contemplated by the contract during the contract period, and that the contractor was assured by representatives of the Army Air Corps that it would be protected against losses in its operation under the contract. However, it appears that the contractor did accept extensions of time and other amendments to the original contract under various change orders and supplements pertinent thereto by executing said documents. It is reported that payments totaling $2,029,185.29 were made to the contractor.

Insofar as furnishing work under the contract was concerned, it appears that there was substantial compliance by the Government within the contract period as extended.

There is an established rule that a formal written contract entered into on the basis of negotiations between the parties merges all such previous negotiations and is presumed in law to express the final understanding of the parties. Contract W–33–038 ac–2023, as amended, was entered into on a fixed-price basis. It contained no provision for payment of additional compensation merely because the contractor might suffer a loss in performance. Hence, while the contractor's claim is based primarily upon the premise that certain representations were made by Government officers at the time the contract was negotiated to the effect that the Government would protect the contractor from any loss in performance, the terms of the contract relating to the work to be performed and to the prices to be paid therefor were clear and unambiguous and such extraneous representations, even if established, legally could not be resorted to for the purpose of imposing an additional obligation on the Government. If the contractor felt that the formal contract and change orders and extensions, et cetera, did not afford it sufficient protection against losses in performance, it should not have signed the contract and accepted the extensions. Having done so, it seems clear that there is no liability for any further payment to the contractor, based upon the contract provisions.

Government audit of the contractor's records indicates that this corporation, although claiming a loss of $67,952.31 in the operation of the Gadi division for the 5 months' period beginning January 1, 1946, actually sustained a loss of only $46,213.94 during that period. Of this amount, the audit report shows only $29,432.29 was applicable to Army Air Corps contract W–33–038 ac–2023. Despite this loss of $29,432.29 on this contract for the first 5 months of 1946, the

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contractor actually earned a profit of $34,202.86 on the entire contract. The audit report also discloses that this contractor earned a profit of $392,329.15 on all other Government business for the years 1944, 1945, and the first 5 months of 1946. Its commercial business during the same period also operated at a substantial profit.

My approval of this bill would establish the undesirable principle of Government underwriting any wartime losses incurred by contractors providing goods and services to the Government, regardless of the fact that such contractors did not sustain a net loss. I am unable to perceive any circumstances which would warrant preferential treatment for the claimant to the detriment of other wartime contractors. I am satisfied that it is my duty to oppose this bill.

Although my examination of the record in this case does not lead me to believe that there is an equitable basis for this claim, it is possible that a court through judicial processes might be led to determine otherwise. In complex situations like this one, it is my opinion that judicial rather than legislative remedy should be sought. I would, therefore, be willing to give my approval to a jurisdictional bill waiving the bar of any statute of limitations against the claim.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 31, 1954.*

On September 1, 1954:

MRS. MERLE CAPPELLER WEYEL

S. 45. I am withholding my approval of S. 45, a bill for the relief of Mrs. Merle Cappeller Weyel.

This enrolled enactment would pay the sum of $5,437.21 to Mrs. Merle Cappeller Weyel in full settlement of her claim arising out of the death of her husband after his release from active duty in the Navy in 1948.

The husband of the beneficiary of this bill was recalled to active duty in 1947, after having been retired following the completion of 30 years of service. Prior to his release from this tour of duty, he was given a particularly thorough physical examination because of indications that he might be suffering from high-blood pressure. However, a board of medical survey determined, as a result of this examination, that he was physically qualified for release from active duty, and he was accordingly again returned to his retired status in February 1948.

Subsequently, this officer was treated and X-rayed by a private physician in September 1948. The X-ray disclosed that he was suffering from a malignancy which caused his death in December 1948, after two unsuccessful operations in private hospitals.

This deceased officer's case was twice considered by the Board for the Correction of Naval Records, which was established by statute to correct records where this was necessary to remove an injustice. It was contended by the beneficiary that the malignancy should have been discovered at the time her husband was released from active duty and that, if it had been discovered, he would have been kept on active duty until his death. On the basis of this, it was further contended she was entitled to be paid the usual death gratuity, the difference between her husband's active and retired pay for the period between his release from active duty and his death and the amount of private medical and hospital expenses incurred on his behalf. The present measure is based on these same contentions.

After twice reviewing the case, the Board concluded that it was to be presumed that the malignancy had existed at the time the decedent was released from active duty and that, had its existence been discovered, he would not have been released at the time he was. However, the Board concluded that the decedent would not have been kept on active duty until his death, but in all probability would have been retired for physical disability not later than July 1948.

I can perceive no justification for the payment which the bill would make on account of the cost of private medical and hospital care incurred on behalf of the decedent. He was, at all times, entitled to such care at facilities operated by the Navy Department. There is no showing that any attempt was made to take advantage of these facilities. But, on the contrary, it appears that, for personal reasons, the decedent elected to be treated privately. If the Government is to establish medical facilities and make provision for the care of servicemen and veterans, as it has done, it cannot, at the same time, be expected to undertake reimbursement of such personnel when they decide, for personal reasons, to obtain care at their own expense from private physicians and hospitals.

Another reason why I am unable to approve this measure is that, as enacted, it is either unfair to the beneficiary or to the Government. This results from the fact that the bill excludes payment of the death gratuity of 6 months' pay which was originally claimed by the beneficiary but recognizes and authorizes the payment of the difference between active duty pay and retired pay for the entire period between the date of the decedent's release from active duty and the date of his death. It is obviously inconsistent to exclude the one and recognize the other. If the decedent is to be considered on active duty for the entire period in question for pay purposes, he certainly should be so considered with respect to the payment of the death gratuity. On the other hand, if his active duty is considered to have ended prior to the date of his death, then it is equally obvious an adjustment should be made in the pay differential award. In all fairness, it would appear that this inconsistency should be resolved one way or the other.

It should be stressed that notwithstanding disapproval of the bill, the beneficiary can now have her claim settled administratively. Since the time when the case was last reviewed by the Board for the Correction of Naval Records, legislation has been enacted which permits administrative settlement of claims based on changes in records made by the Board. Reconsideration of the beneficiary's claim under such legislation would result in an award which, I am confident, will be equitable from the standpoint of both the beneficiary and the Government. In this connection I should like to express my belief that the Board should take into account, in its reconsideration of the case, the possibility that had it been discovered prior to his release from active duty medical treatment of the decedent's condition might very well have led to his retention on active duty until the date of his death.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 1, 1954.*

E. S. BERNEY

S. 46. I have withheld my approval from S. 46, entitled "For the relief of E. S. Berney."

This bill would pay to E. S. Berney the sum of $4,750 as compensation for damages allegedly sustained by him as a result of certain representations made by a representative of the Navy during World War II.

It appears that in the summer of 1943 a representative of the Navy discussed with the beneficiary the potential use of his Nevada ranch and certain adjoining ones as a bombing range. Although the evidence on this point is conflicting, it appears that such representative indicated that he expected the Navy to begin operations that fall and that, prior to the beginning of such operations, all livestock would have to be removed from the land. The beneficiary alleges, that on the basis of this information he disposed of his cattle and other property and vacated his ranch early in the fall. It developed, however, that the Navy did not need or begin to use his land until the following spring.

In subsequent condemnation proceedings, the court refused to recognize any damages occurring prior to the time when the Navy began using the land in question in the spring of 1944. On this premise the court awarded the beneficiary $766.67 for damages occurring after use by the Navy began. The present bill was designed to afford compensation for damages which were excluded by the court and which the beneficiary alleges were due to the premature vacation of his land.

Conceding the facts in this case to be as stated by the beneficiary, it still does not follow that he is entitled to the award proposed here. It has not been established that the damages allegedly sustained by the beneficiary were due to a reasonable reliance upon the representations of the Navy representative. There appears to have been no such reliance on the part of other ranch owners whose land was taken under similar circumstances and whose statements appear in the committee reports in support of some aspects of the beneficiary's claim.

In addition, there appears to be confusion as to the basis for measuring the damages which the beneficiary allegedly sustained. He made an unverified claim of damages in the amount of $12,000. Part of the damages so claimed are covered by the $766.67 condemnation award. The Congress reduced the claim

to $4,750, with no indication as to how this sum was arrived at.

From the foregoing, it seems to me, that the record in this case is inconclusive both with respect to the merits of the beneficiary's claim and as to the damages which he may have sustained. These uncertainties compel me to withhold my approval from this bill.

I would, however, be willing to approve legislation which would permit adjudication of the case by the appropriate district court. Such legislation should authorize the payment to the beneficiary of such damages as the court might determine to be reasonably attributable to his reliance upon the alleged representations made to him by the Navy representative. I believe that only by such means can the rather obscure elements of this case be considered and resolved in a manner fair to both the Government and the beneficiary.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 1, 1954.*

ELEPHANT BUTTE DAM

S. 417. I have withheld my approval from S. 417, a bill conferring jurisdiction upon the United States District Court for the District of New Mexico, to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande.

Under S. 417, jurisdiction would be vested, notwithstanding any statute of limitations or lapse of time, in the United States District Court for the District of New Mexico, "to hear, determine, and render judgment upon any claim against the United States for compensation for the taking of or for damage to real or personal property as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande."

The bill does not identify the persons to whom it would open the doors of the district court. It does not identify the date or dates on which the alleged taking of property or damage occurred. It does not identify the events which might be alleged to have caused the damage or the taking. Its only requirement is that suit be filed within 2 years from the date of enactment of the bill.

Construction of Elephant Butte Dam was commenced by the Interior Department in 1912. Approval of the bill would thus be an open invitation to anyone who believes that he has, at any time over the last 42 years, been injured in his property by the construction of this dam to bring the United States into court, no matter how stale his claim may be.

It appears that the cases around which the hearings on the bill principally turned are those of a number of persons who believe that the existence of the dam, taken in conjunction with the severe floods that descended the Rio Grande Valley in 1929, resulted in the permanent seeping or swamping, from and after that year, of their lands in the neighborhood of the now abandoned town of San Marcial. I am aware of no showing, however, that these landowners did not have an adequate opportunity to pursue their legal remedies within the period prescribed by general law or that there were sound reasons for their failure to do so. Still less am I aware of any reasons for including within the coverage of the bill not only these landowners, but also all others who, regardless of time, attribute a damaging or destruction of their property to the construction of Elephant Butte Dam.

The very purpose of a statute of limitations—whether it relates to suits between private citizens or to suits brought against the Government—is to avoid stale claims and to procure a reasonably prompt initiation of judicial action before records are lost or scattered, memories grow dim, and witnesses die or become unavailable. To say this is not to say that compliance with the statute must be insisted upon in cases where its waiver would avoid a clear inequity. The instant bill, however, is not in this exceptional category. On the contrary, the controversies with which it deals necessarily involve the resolution of questions of fact, of which some, at least, would require oral testimony from persons familiar with conditions as they were at the time when the claims originally arose. Thus, the nature of the claims here involved emphasizes the justice and wisdom of the general rule. Against this background, nothing in the terms or history of S. 417 of which I am informed offers any sound ground for the departure from existing law which the bill would sanction.

Beyond these considerations there is, in my judgment, no more merit to waiving the statute of limitations in order to permit the trying of cases which may range over all the forty-odd years of Elephant Butte history than there would be in the case of any other Federal river-control structure. In other words, I am seriously concerned that an exception as broad as that which S. 417 proposes to make in the case of Elephant Butte would be a precedent for attempts to secure similarly overgenerous legislation in the case of every other Federal river-control structure that anyone believes has caused him harm, regardless of how long ago the harm occurred.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 1, 1954.*

CUBAN-AMERICAN SUGAR CO.

S. 3304. I am withholding my approval from S. 3304, which would confer jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Cuban-American Sugar Co. against the United States.

The problem at the root of the lawsuit and the private relief bills involves the company's World War I excess-profits taxes for the year 1917. The specific facts in this 34-year-old controversy are set forth fully in the report of the Senate Judiciary Committee (S. Rept. 1963, 83d Cong., 2d sess.). Basically, the taxpayer, for the year 1917, computed its excess-profits tax liability on the invested capital method. Some years thereafter, it felt that its tax liability was excessive and requested the Commissioner to compute the tax under the relief provisions of the law. When this was done, additional taxes were found to be due, and were paid. Several years later, in 1927, a claim for refund was filed on the ground that the tax computation by the relief method was erroneous. This claim was rejected on March 15, 1933, although later that year the taxpayer attempted to amend it, claiming that the invested capital method should be used. This method had been used in a settlement of the years 1918, 1919, and 1920, controversy with respect to which had been going on concurrently. The claim for refund filed in 1933 was rejected on the grounds it was not filed within the statutory period.

The overall effect of the legislation would be to direct the Court of Claims to determine the 1917 liability of the taxpayer by applying the invested capital method used in settling the years 1918, 1919, and 1920, before the Board of Tax Appeals (even though sec. 3 of the enrolled enactment states that nothing in the act is to be construed as an inference of liability on the part of the United States) since, as the committee report indicates, there is no question but that the taxpayer's taxes were overpaid.

Since the bill grants relief from the operation of the statute of limitation, special equitable circumstances should appear which require that this taxpayer be singled out for special relief. It is difficult to find such circumstances in this case. Basically, the Senate report urges that the taxpayer was denied a proper hearing by the Commissioner with respect to this claim. Yet, as the Senate committee report itself indicates, both prior to 1921, and after 1927, the taxpayer and the Commissioner's representatives had numerous conferences with respect to the taxpayer's 1917 liability. It would have served no purpose to hold further conferences in 1933 on a refund claim which was filed after the statute had run and based on another method of computation.

It is also suggested that the Bureau of Internal Revenue and the taxpayer "agreed" to postpone any action on the 1927 claim for refund until the 1918, 1919, and 1920 cases were determined.

No valid evidence appears that there was such an agreement. Indeed, the only information regarding any such discussion is, as the Court of Claims stated in a decision rendered in 1939 on this matter and involving this taxpayer that a representative of the taxpayer had written a letter to the Bureau "purporting to confirm a conversation" with a representative of the Bureau that further conferences on the year 1917 were to be indefinitely postponed for the reason that nothing further could be done regarding the special assessment question until such question had been settled by the Bureau or the Board of Tax Appeals. This unilateral statement not only does not seem adequate evidence of such an agreement but illustrates the desirability of a statute of limitations which disposes of stale claims and the necessity for retaining or securing evidence with respect thereto.

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Finally, the bill requires the Court of Claims to use a specific method of computing invested capital—assuming the taxpayer has overpaid his taxes—to be based upon an amount arrived at in settling the controversy before the Board of Tax Appeals for the years 1918 through 1920. The year 1917 was not involved in that settlement, nor, as the Court of Claims indicated in its 1939 decision, "does the action taken with respect to subsequent years constitute conclusive proof as to 1917." Even assuming the desirability of granting jurisdiction to the Court of Claims for this year, it does not seem desirable to preclude the court from determining the correct tax liability for the year.

Since the proposed legislation would be discriminatory and would single out a particular taxpayer for relief from the statute of limitations without adequate reason therefor, and since it would preclude the Court of Claims from determining the true tax liability, I feel constrained to withhold my approval of S. 3304.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 1, 1954.*

On September 2, 1954:

CONTRACTS BETWEEN GOVERNMENT AND COMMON CARRIERS

S. 906. I have withheld my approval of S. 906, to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act.

This legislation provides that rates established under the provisions of section 22 of the Interstate Commerce Act, when accepted or agreed to by the Secretary of Defense, the Secretary of Agriculture, or the Administrator of General Services, or by any official or employee to whom the authority is delegated by them, shall be conclusively presumed to be just, reasonable, and otherwise lawful, and shall not be subject to attack, or reparation, after 180 days, or 2 years in the case of contracts entered into during a national emergency declared by Congress, after the date of acceptance or agreement upon any grounds except actual fraud or deceit, or clerical mistake.

The determination of what is a just, reasonable, or otherwise lawful rate on interstate shipments is now vested in the Interstate Commerce Commission. All shippers, including the Government, are bound as a matter of contract to pay the agreed rate, whether it be in the form of a tariff rate or a section 22 quotation. This contractual obligation is subject, however, to an overriding right of the shipper to appeal to the Interstate Commerce Commission to determine whether the agreed rate is lawful. The statute of limitations for such action in the present law is 2 years. This act would require the Government to determine the lawfulness of the rate, with finality, and through agencies other than the Interstate Commerce Commission, within 180 days at ordinary times, or within 2 years during a national emergency declared by Congress. Whereas the commercial shipper could contest the rate while it is in effect, the Government would apparently be required to cancel or refuse the rate and pay higher charges during any test of the lawfulness of the rate.

I am therefore unable to approve this legislation, which relegates the Government in its role as a user of transportation services to a position inferior to that of the general shipping public and restricts its access to the Interstate Commerce Commission, the body of experts authorized by Congress to determine the reasonableness of rates.

I see no reason why the Government should not be subject to the same limitations on retroactive review of its freight charges as the commercial shipper. That result could be accomplished equitably by an amendment to section 16 (3) of the Interstate Commerce Act specifying that the Government shall be subject to the 2-year limitation presently applicable to commercial shippers. The Government would then be on exactly the same basis under that section as all other shippers, and existing inequities in the present ratemaking relationships between the Government and the common carriers would be removed. I recommend that such legislation be enacted at the next session of the Congress.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 2, 1954.*

T. C. ELLIOTT

S. 1687. I am withholding my approval from S. 1687, "For the relief of T. C. Elliott."

The purpose of this enactment is to pay to T. C. Elliott, of Daytona Beach, Fla., the sum of $15,000 as compensation for his services in preparing and furnishing certain information to Members of Congress. The bill provides that payment authorized shall be free of Federal income tax.

This bill is faulty for two reasons. First, the exemption of the award from all Federal income taxes is totally unwarranted. Second, it is stated in the enactment that the payment is "compensation for services rendered." The record demonstrates that the sum to be paid is not true compensation, but a monetary award for special services.

The claimant, T. C. Elliott, was an employee of the Federal Government from November 1, 1900, until his retirement, January 31, 1944. During this period of employment Mr. Elliott was an auditor in the Navy Department, the Treasury Department, and the General Accounting Office. In such a position he became conversant with freight rates and transportation problems and furnished data on these subjects on many occasions to individual Members of Congress and to various committees of the Congress.

It is conceded that Mr. Elliott, in addition to performing his regular duties, rendered valuable service to Members of Congress. His efforts undoubtedly contributed to a saving to the Government of large sums of money, but the record is also clear that these services were rendered by Mr. Elliott voluntarily, after office hours, on his own time, or on his leave time, and were completely aside from his official duties or the requirements of his office. Mr. Elliott, like thousands of other devoted Government employees, is to be commended for the unselfish manner in which he made his knowledge of freight rates available to others.

Each year there accrue to the Government the beneficial results of extraordinary services rendered by interested private citizens and organizations who volunteer much useful information and experience to the Congress, to its individual Members, and to the executive branch agencies as well. I do not believe that claims for compensation for such volunteer services should be encouraged. Approval of legislation for that purpose would ratify an irregular and unformalized employment relation, and would also place the Congress and the executive agencies in an unacceptable and unbusinesslike position. If such services are to be on a regular or recurring or even a sporadic basis, formal arrangements for employment should be made. There are numerous alternatives. A regular full-time or part-time appointment, appointment as a consultant at a per diem or an hourly rate, and performance of work by contract are the most common. If the service is performed outside of a formal employment relationship, whatever recognition may be given to it should not be considered compensation.

I do not want my action in withholding approval of this bill to be construed as derogation of Mr. Elliott's services or as criticism of recognition by the Congress of special services afforded to its Members. While I cannot approve the bill in its present form for the reasons given above, I shall be glad to approve a bill which is by its terms an extraordinary monetary award for special service and which removes the tax-free status of the award.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 2, 1954.*

FOREIGN-PRODUCED TROUT

S. 2033. I am withholding my approval from S. 2033, relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear in public eating places serving such trout.

The bill would amend the Federal Food, Drug, and Cosmetic Act by making its criminal sanctions—imprisonment up to 3 years or a fine up to $1,000, or both—and certain civil sanctions applicable to the sale, offering for sale, possessing for sale, or serving of foreign-produced trout in violation of special provisions which the bill would add to the act with respect to such trout, except a certain species of lake trout largely imported from Canada. (These special requirements would be in addition to any of the other requirements of the act and to any applicable requirements of State law.)

These special requirements—none of them applicable to domestic trout—are as follows:

1. Foreign-produced trout would have to be packaged and, if the package is

broken while held for sale, each unit for sale consisting of one or more trout would have to be in a separate package.

2. Each such package would have to be clearly and conspicuously stamped or labeled, in type or lettering of specified size, with the word "trout" preceded by the name of the country in which such trout was produced.

3. It would be unlawful for any restaurant or other public eating place to possess, in a form ready for serving, any foreign-produced trout unless the restaurant or eating place displayed prominently and conspicuously a notice stating that "_____ trout is served in this restaurant," with the name of the country of origin inserted in the blank space.

According to the committee reports, the bill has the three-fold purpose of (1) protecting the public and consumer against deceptive and unfair acts and practices by requiring truthful disclosure of the origin of the trout being sold, (2) protecting our domestic trout producers against unfair competition from foreign producers of trout, and (3) protecting our source of supply for stocking the streams of our Nation with game trout.

It is claimed that in recent years certain merchants and restaurants have indulged in the practice of serving imported trout to restaurant patrons and other consumers as Rocky Mountain trout, Rocky Mountain rainbow trout, or under other descriptive names which, to the consumer, indicate their domestic origin. If domestic trout producers are deprived of this market, it is feared that they may be unable to continue their other important function of supplying eggs and fingerlings for restocking our streams of the sportsman-angler.

Fraud and deception in the marketing or serving of food or any other product cannot, of course, be condoned. I am convinced, however, that to the extent that the provisions and sanctions of the bill properly involve Federal functions, they are unnecessary to prevent fraud and deception. The Tariff Act and the Federal Food, Drug, and Cosmetic Act already provide for necessary labeling of imported products. Furthermore, the provisions of S. 2033 are discriminatory and oppressive against foreign trade, and to a very substantial extent they would invade a field of regulation and enforcement which I believe should be left to the States and localities. Finally, the costs of enforcement would be out of all proportion to funds available to the Food and Drug Administration for vital functions affecting the health of the American people.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 2, 1954.*

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

LEAVES OF ABSENCE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the junior Senator from Massachusetts [Mr. KENNEDY] be excused from attendance on the sessions of the Senate for an indefinite period because of illness.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I ask unanimous consent that the Senators from North Carolina [Mr. ERVIN and Mr. LENNON] be excused from attendance on the sessions of the Senate today and tomorrow in order that they may attend the funeral of former Senator William B. Umstead, late Governor of North Carolina.

The VICE PRESIDENT. Without objection, it is so ordered.

JOHN MARSHALL BICENTENNIAL MONTH COMMISSION

The PRESIDENT pro tempore, under authority of the order of the Senate of August 20, 1954, appointed, during the adjournment of the Senate, the Senator from Pennsylvania [Mr. MARTIN], the Senator from Maryland [Mr. BUTLER], the senior Senator from Virginia [Mr. BYRD], and the junior Senator from Virginia [Mr. ROBERTSON] as members on the part of the Senate of the John Marshall Bicentennial Month Commission, established by the act of August 13, 1954.

CALL OF THE ROLL

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk (Edward E. Mansur, Jr.) called the roll, and the following Senators answered to their names:

Anderson	Gillette	Monroney
Barrett	Goldwater	Morse
Beall	Gore	Mundt
Bennett	Green	Murray
Bowring	Hayden	Neely
Bridges	Hendrickson	Payne
Burke	Hickenlooper	Potter
Bush	Hill	Purtell
Butler	Holland	Reynolds
Byrd	Humphrey	Robertson
Capehart	Ives	Russell
Carlson	Jackson	Schoeppel
Case	Johnson, Colo.	Smathers
Chavez	Johnson, Tex.	Smith, Maine
Clements	Johnston, S. C.	Smith, N. J.
Crippa	Kilgore	Sparkman
Dirksen	Knowland	Stennis
Douglas	Kuchel	Symington
Duff	Langer	Thye
Dworshak	Lehman	Watkins
Ellender	Malone	Welker
Ferguson	Mansfield	Wiley
Flanders	Martin	Williams
Frear	McCarthy	Young
Fulbright	McClellan	
George	Millikin	

Mr. KNOWLAND. I announce that the Senator from Vermont [Mr. AIKEN] and the Senator from Massachusetts [Mr. SALTONSTALL] are absent on official business. The Senator from Kentucky [Mr. COOPER], the Senator from Oregon [Mr. CORDON], the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. JENNER], and the Senator from New Hampshire [Mr. UPTON] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL], the Senator from Mississippi [Mr. EASTLAND], the Senator from Missouri [Mr. HENNINGS], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

The Senators from North Carolina [Mr. ERVIN and Mr. LENNON] are absent by leave of the Senate, attending the funeral of the former Senator and the late Governor of North Carolina, Hon. William B. Umstead.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The VICE PRESIDENT. A quorum is present.

DEATH OF SENATOR MAYBANK, OF SOUTH CAROLINA

Mr. JOHNSTON of South Carolina. Mr. President, it is with profound sorrow that I announce the death of my colleague, the late Senator BURNET R. MAYBANK.

I offer the resolution, which I send to the desk, and request its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 323) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. BURNET R. MAYBANK, late a Senator from the State of South Carolina.

Resolved, That the Secretary communicate these resolutions to the House of Representatives when it next assembles, and transmit a copy thereof to the family of the deceased.

DEATH OF SENATOR McCARRAN, OF NEVADA

Mr. MALONE. Mr. President, I announce the death of my colleague, the senior Senator from Nevada [Mr. McCARRAN]

I offer the resolution, which I send to the desk, and request its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 324) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. PAT MCCARRAN, late a Senator from the State of Nevada.

Resolved, That the Secretary communicate these resolutions to the House of Representatives when it next assembles, and transmit a copy thereof to the family of the deceased.

SENATOR FROM SOUTH CAROLINA

Mr. JOHNSTON of South Carolina. Mr. President, I send to the desk the

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certificate of appointment of CHARLES E. DANIEL to be a Senator from the State of South Carolina, to fill the vacancy caused by the death of our late colleague, Senator MAYBANK.

The VICE PRESIDENT. The certificate will be read.

The certificate of appointment was read and ordered to be placed on file, as follows:

STATE OF SOUTH CAROLINA,
OFFICE OF THE GOVERNOR,
Columbia, September 6, 1954.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that pursuant to the power vested in me by the Constitution of the United States and the laws of the State of South Carolina, I, James F. Byrnes, the Governor of said State, do hereby appoint CHARLES E. DANIEL a Senator from said State to represent said State in the Senate of the United States until the vacancy therein, caused by the death of BURNET R. MAYBANK, is filled by election, as provided by law.

Witness: His Excellency, our Governor, James F. Byrnes, and our seal hereto affixed at Columbia, this 6th day of September, in the year of our Lord 1954.

[SEAL] JAMES F. BYRNES,
Governor.

By the Governor:
O. FRANK THORNTON,
Secretary of State.

SENATOR FROM NEVADA

Mr. MALONE. Mr. President, I present the certificate of appointment of ERNEST S. BROWN to be a Senator from the State of Nevada, to fill the vacancy caused by the death of our late colleague, Senator MCCARRAN.

The VICE PRESIDENT. The certificate will be read.

The certificate of appointment was read and ordered to be placed on file, as follows:

STATE OF NEVADA,
EXECUTIVE CHAMBER,
Carson City.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Nevada, I, Charles H. Russell, the Governor of said State, do hereby appoint ERNEST S. BROWN a Senator from said State to represent said State in the Senate of the United States until the vacancy therein, caused by the death of PATRICK A. MCCARRAN, is filled by election, as provided by law.

Witness: His Excellency, our Governor, Charles H. Russell, and our seal hereto affixed at Carson City, this 1st day of October, in the year of our Lord 1954.

CHARLES H. RUSSELL,
Governor.

By the Governor:
[SEAL] JOHN KOONTZ,
Secretary of State.

SENATOR FROM NEW HAMPSHIRE

Mr. BRIDGES. Mr. President, I present the certificate of election of NORRIS COTTON, to be a Senator from the State of New Hampshire, to fill the vacancy caused by the death of our late colleague, Senator CHARLES TOBEY.

The VICE PRESIDENT. The certificate will be read.

The certificate of election was read and ordered to be placed on file, as follows:

THE STATE OF NEW HAMPSHIRE,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954 NORRIS COTTON was duly chosen by the qualified electors of the State of New Hampshire, to represent said State in the Senate of the United States for the unexpired term ending the 3d day of January 1957.

Witness: His Excellency, our Governor, Hugh Gregg, and our seal hereto affixed this 5th day of November, in the year of our Lord 1954.

HUGH GREGG,
Governor.

By the Governor (with the advice of the council):
[SEAL] ENOCH D. FULLER,
Secretary of State.

SENATOR FROM NEBRASKA

Mrs. BOWRING. Mr. President, I present the certificate of election of Mrs. GEORGE P. ABEL to be a Senator from the State of Nebraska.

The VICE PRESIDENT. The certificate will be read.

The certificate of election was read and ordered to be placed on file, as follows:

STATE OF NEBRASKA,
EXECUTIVE OFFICE,
Lincoln.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954, Mrs. GEORGE P. ABEL was duly chosen by the qualified electors of the State of Nebraska a Senator from said State to represent said State in the Senate of the United States for the unexpired term ending on the 3d day of January 1955.

Witness: His Excellency, our Governor, and our seal hereto affixed at Lincoln, Nebr., this 4th day of November, in the year of our Lord, 1954.

ROBERT B. CROSBY,
Governor.

By the Governor:
[SEAL] FRANK MARSH,
Secretary of State.

SENATOR FROM NEBRASKA

Mr. REYNOLDS. Mr. President, I present the certificate of election of the Honorable ROMAN L. HRUSKA, to be a Senator from the State of Nebraska.

The VICE PRESIDENT. The certificate will be read.

The certificate of election was read and ordered to be placed on file, as follows:

STATE OF NEBRASKA,
EXECUTIVE OFFICE,
Lincoln.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954, ROMAN L. HRUSKA was duly chosen by the qualified electors of the State of Nebraska a Senator from said State to represent said State in the Senate of the United States for the unexpired term ending on the 3d day of January 1959.

Witness: His Excellency, our Governor, and our seal hereto affixed at Lincoln, Nebr., this 4th day of November, in the year of our Lord, 1954.

ROBERT B. CROSBY,
Governor.

By the Governor:
[SEAL] FRANK MARSH,
Secretary of State.

ADMINISTRATION OF OATH

The VICE PRESIDENT. If the Senators-elect and the Senators-designate will come to the desk, the oath of office will be administered to them.

Thereupon Mr. DANIEL of South Carolina, escorted by Mr. JOHNSTON of South Carolina; Mrs. ABEL, escorted by Mrs. BOWRING; Mr. BROWN, escorted by Mr. MALONE; Mr. COTTON, escorted by Mr. BRIDGES; and Mr. HRUSKA, escorted by Mr. REYNOLDS, respectively, advanced to the desk; and the oath of office prescribed by law was administered to them by the Vice President.

PROGRAM FOR THE SESSION—REPORT OF SELECT COMMITTEE

Mr. KNOWLAND. Mr. President, in a moment I shall suggest the absence of a quorum, the quorum call to include the names of the new Senators. In the meantime I wish to make a brief announcement.

Following the next quorum call I shall ask unanimous consent that there be a brief morning hour, under the 2-minute limitation, for the introduction of material into the RECORD.

I understand that the Senator from Utah [Mr. WATKINS] will then file with the Senate the report of the Select Committee To Study Censure Charges Against the Senator from Wisconsin [Mr. MCCARTHY], and that, following the filing of the report, and without further debate, the Senate, under the resolutions which have heretofore been submitted, will adjourn until 10 o'clock tomorrow morning out of respect to the memory of the late Senators MCCARRAN and MAYBANK, who died during the recess of the Senate.

I understand also that tomorrow there are to be memorial services for deceased Senators. Originally it was planned to have memorial services for the late Senators MCCARRAN and MAYBANK, as well as the two Senators for whom memorial services were not held at the close of the previous session, namely, the late Senator HUNT, of Wyoming, and the late Senator BUTLER of Nebraska.

After the original plans had been made the family of the late Senator MAYBANK requested that memorial services for him be postponed because of illness in his family. Of course, that was entirely agreeable to both the majority leader and the minority leader. Services will be arranged at a later date, at the convenience of the family, either during the present session or at a subsequent session of the Congress.

Originally it was thought that, depending upon the length of the memorial services, immediately following such services the Senate would proceed with the opening of the discussion on the censure resolution. However, within the past few minutes I have received an inquiry from the chairman of the Select Committee, the Senator from Utah [Mr. WATKINS]. I have conferred with the minority leader in connection with this request. The chairman of the committee indicates that there are to be some slight modifications or amendments in the report of the committee, in which, of

course, it is desired to have the concurrence of the Senator from North Carolina [Mr. ERVIN], who is necessarily absent from the city because of the death of the Governor of his State. I am assured that his concurrence can be obtained, so that by Wednesday morning at 10 o'clock the debate may begin. Presumably the chairman of the committee will make the opening statement at that time, and there will be no unnecessary delay in proceeding diligently with this matter.

That is the program which I lay before the Senate for its approval. It is proposed that the Senate convene each morning at 10 o'clock and continue in session until approximately 5:30 in the afternoon. Of course, that is entirely within the discretion of the Senate. However, that is my recommendation. I have previously discussed this question with the minority leader. Depending upon the progress which is made, the Senate can subsequently determine whether it will be necessary to hold sessions beyond the time I have indicated.

It is my hope—and I know that hope is concurred in by the minority leader—that committees of the Senate will not meet during the sessions of the Senate. The subject before the Senate is important. We feel that Senators on both sides of the aisle will wish to be present and hear the facts and arguments to be presented. So I hope that, so far as it is humanly possible to do so, every Senator will adjust his program to the schedule of the Senate so as to be present in the Senate Chamber during the debate on this subject.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the minority leader.

Mr. CAPEHART. Mr. President, will the Senator yield for a question?

Mr. KNOWLAND. I shall be glad to yield to the Senator from Indiana in just a moment. I yield first to the distinguished minority leader.

Mr. JOHNSON of Texas. Has the distinguished majority leader been assured that the junior Senator from North Carolina [Mr. ERVIN] has been consulted, and that the proposed modifications will be approved in time for the Senate to begin consideration of the censure resolution on Wednesday at 10 o'clock?

Mr. WATKINS. Mr. President, will the Senator yield to me to answer that question?

Mr. KNOWLAND. I yield.

Mr. WATKINS. I am informed that the Senator from North Carolina will arrive in the city late tomorrow afternoon. We intend to have him meet with us immediately to consider the proposed amendments to Senate Resolution 301.

Mr. JOHNSON of Texas. Does the Senator from California have the assurance of the Senator from North Carolina that he will be in the city tomorrow afternoon, and that within a relatively short time the modifications can be acted upon so that the report will be ready for presentation on Wednesday at 10 o'clock?

Mr. WATKINS. That is correct. I shall ask leave to file the report today, with the explanation that certain amendments will be made after the Senator from North Carolina returns to the city. I am sure he will be here tomorrow afternoon.

Mr. JOHNSON of Texas. Mr. President, the Senator from Texas is in complete accord with the announcements made by the distinguished majority leader [Mr. KNOWLAND]. Those announcements were made only after we had worked together on this program.

I think it is extremely important, not only to the select committee and the junior Senator from Wisconsin, but to the Senate, that each Member be present, and that the committee and the junior Senator from Wisconsin have adequate opportunity to make their presentations fully.

We are losing Monday. On Tuesday there will be memorial services for our departed colleagues. Because of the temporary absence of the Senator from North Carolina [Mr. ERVIN], the Senate will not begin consideration of the report until Wednesday morning at 10 o'clock. In view of the assurance of the chairman that the Senate will be able to begin consideration of the resolution at that time, and the assurance of the majority leader, I shall offer no objection, but I hope Senators are aware that the Senate has assembled for one purpose, and that is to receive and consider the report of the select committee. The Senator from Texas hopes that the Senate can proceed promptly with the business at hand and conclude it, in order that Senators may return to their respective States.

Mr. KNOWLAND. Mr. President, the minority leader may rest assured that, so far as the majority leader is concerned, he wishes to have the Senate proceed promptly and diligently with the consideration of the resolution. I hope the Senate can conclude consideration of this question promptly, bearing in mind the convenience of Senators and the desire to avoid late evening sessions. I believe that if the Senate will follow the plan outlined, and if Senators will remain close to the subject matter, we can move along satisfactorily.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. BRIDGES. Will the majority leader inform the Senator from New Hampshire whether the 10 o'clock meeting time has been decided upon as the regular meeting time, or whether that is merely his suggestion, leaving the Senate free to decide from day to day the time for meeting on the next day?

Mr. KNOWLAND. Of course, as the distinguished President pro tempore knows, the motion each evening setting the hour to which the Senate will adjourn lies within the discretion of the Senate. However, I will say that in our conferences the distinguished minority leader, the Senator from Texas [Mr. JOHNSON] and I felt, due to the fact that Senators would wish to proceed with dispatch on the subject, we would recommend to the Senate that the Senate meet at 10 o'clock each morning and remain in session until about 5:30 o'clock in the afternoon. In the event some unusual circumstances should present themselves, I am certain the minority leader and the majority leader would be glad to discuss such circumstances with all Senators and abide by the decision of the Senate. However, our recommendation is that the Senate meet at 10 o'clock, a. m.

Mr. CAPEHART. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. CAPEHART. I believe the majority leader suggested that no committee meetings be held during the time the Senate is in session. Unfortunately, before the Senate adjourned in August, I set a hearing of the Committee on Banking and Currency for tomorrow morning at 10 o'clock, in connection with the committee's investigation into the affairs of the FHA.

The reason I did so was that I had subpenaed four gentlemen to appear before the committee. They failed to appear, or refused to appear, apparently because we had announced that our hearings would close on last Friday. My opinion is that they were under the impression that if they failed to appear on Friday we would not call them at a later date. We ought not to permit anyone to evade a subpena or a summons issued by a committee of the Senate.

Under the circumstances, I have scheduled a hearing for 10 o'clock tomorrow morning and have subpenaed the four gentlemen who have thus far evaded our subpenas. That is the situation.

Mr. KNOWLAND. I may say to the distinguished Senator from Indiana, the chairman of the Committee on Banking and Currency, that I have just now discussed that matter with the minority leader. We recognize that there will be such unusual circumstances as the Senator from Indiana has mentioned.

Mr. CAPEHART. Then, as I understand, I may have unanimous consent for the Committee on Banking and Currency to meet tomorrow morning at 10 o'clock. Is that correct?

Mr. KNOWLAND. I am sure there will be no difficulty, so far as that matter is concerned.

Mr. CAPEHART. Mr. President, I ask unanimous consent that the Committee on Banking and Currency be permitted to meet tomorrow at 10 o'clock in the morning during the session of the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. CAPEHART. Mr. President, will the Senator from California yield further?

Mr. KNOWLAND. I yield.

Mr. CAPEHART. Another problem confronts us in the Committee on Banking and Currency. I do not know whether other committees are also faced with the same problem. However, earlier this year Congress passed a new law relating to the Export-Import Bank, which provided for a new Board of Directors consisting of five members. The President has submitted the names of four nominess for appointment to the Board of the Export-Import Bank.

I should like to hold a meeting of the committee at 3 o'clock this afternoon, and possibly another meeting at 10 o'clock tomorrow, and perhaps at a future time, as well, so that the members

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of the Committee on Banking and Currency may satisfy themselves as to whether they should report the nominations favorably. Therefore we are faced with a situation under which Congress itself has established a Board of Directors of the Export-Import Bank and the President has nominated 4 of the 5 members of the Board. I believe we should act on the nominations promptly.

Mr. KNOWLAND. I suggest to the distinguished Senator from Indiana that in our discussions the other day the distinguished minority leader and I did not finally work out the procedure with regard to the consideration of nominations at this session. I should think it would depend on whether a nomination was controversial in character or was merely routine.

Mr. CAPEHART. I have already called a meeting of the committee for 3 o'clock this afternoon. Does the Senator from California believe the Senate will have concluded its business by that time?

Mr. KNOWLAND. I believe the Senate will have concluded its business before 3 o'clock this afternoon. I would appreciate it very much if the Senator from Indiana would withhold his request until I have had an opportunity to consult with the minority leader.

Mr. CAPEHART. I shall be very glad to do so.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Wisconsin.

Mr. McCARTHY. I understand that the Senator from California has referred to some changes in the report of the select committee, and that the Senator from Utah has referred to amendments to the report.

I believe it would be highly improper to change the report at this time. I have publicly pointed out contradictions in the report, and have referred to statements in the report which I consider to be completely ridiculous. I do not believe that at this time the committee should be entitled to change the report. The report should be laid before the Senate as it was made by the select committee, without any changes. The members of the select committee have made their bed; now let them lie in it.

I shall certainly strenuously object to any changes being made in the report at this time.

Mr. KNOWLAND. Mr. President, I may suggest to the distinguished junior Senator from Wisconsin that the report which has been filed with the Senate is not formally before the Senate, although all Senators have had access to it. In other words, the report is in the nature of a committee print. Not having been formally presented to the Senate, it is still in the form of a committee print. Inasmuch as the Senate was not in session when the report was filed, obviously it could not be formally presented to the Senate.

I do not believe that the procedure sought to be followed is an unusual one. After a committee of the Senate—either a select, special, or standing committee—has provided a committee print, it is not unusual for the committee to find typographical or similar errors, and to make some changes in the report which the committee has in mind. It is not an unusual procedure, after the filing of a report and before action is taken on it by the Senate, for the committee to make necessary corrections or changes in what is a committee print.

Mr. McCARTHY. I certainly would not object to the correction of typographical errors, but I would strenuously object to any changes being made in the content of the report. For example, one of the bases for the proposed censure is that a member of a Senate committee can never be criticized.

I have pointed out that such a statement is ridiculous beyond words. In fact, it is imbecilic. After the committee has presented its report to the Senate, after I have pointed out some of the fantastic statements contained in it, and after my associates and I have based our presentation in the Senate on that report, I do not believe that at this late date the committee should be permitted to throw a new report at us.

If the committee is permitted to do so, it will be completely unfair to those of us who have based our case on what the committee has submitted as its report. Of course, I am not referring to any typographical changes which the committee may wish to make in its report.

Mr. KNOWLAND. I had hoped that we would not get into a general debate on the report before it was formally before the Senate under the schedule I have announced, and I trust we will not engage in such general debate at this time. I will say further that I have not personally seen what kind of changes the committee has in mind. In the final analysis, it is a subject which the Senate itself will have to determine.

Under the circumstances, and in view of the fact that the distinguished junior Senator from Wisconsin has not seen the type of changes that are proposed to be made—and it may well be that when he sees the proposed changes he will not have any objection to them—I hope we will not engage in a general debate at this time. Of course, on the other hand, the Senator from Wisconsin, when he hears the proposed changes, may feel that some basic changes in the report are being suggested. However, I hope that we will not engage in debate on that point at this time.

Mr. McCARTHY. As the Senator from California knows, this matter is a rather important one, not so much from the standpoint of the junior Senator from Wisconsin, because, so far as he is individually concerned, he is well able to take care of himself, but it is extremely important insofar as precedents that may be established are concerned. We have prepared our case based upon the report. Neither the Senator from Utah [Mr. WATKINS] nor any other member of the select committee has ever told me that the committee intended to change the report. If the committee had intended to change the report in any way, it seems to me that as a matter of courtesy to me the members of the committee would have sent me a telegram advising me what they proposed to do.

I may say to the distinguished Senator from California that it would be highly improper and highly irregular, after a special session of the Senate has been called to consider the report, to allow the committee to change that report at the last minute, or to throw a new report at us.

Mr. KNOWLAND. Mr. President, I would make this suggestion, and, to it I should like to invite the attention of the distinguished minority leader, in view of the discussion which has taken place. We are very anxious to be able to proceed under the schedule of starting the debate at 10 o'clock next Wednesday morning, without any further delay, because the Senate has been called back to act on this important question, and probably the Members of this body, particularly those who were running for reelection or for election, were in a very vigorous campaign, and have had no vacation. I have had none, and I think most of the other Members of the Senate have not been able to get any rest or vacation in the intervening period of time. So, Mr. President, we do not want to prolong the debate any further than may be necessary in order to do justice and equity. Since, obviously, the distinguished Senator from Wisconsin has not seen the proposed changes, and the Senator from Utah has indicated that his committee will not be prepared to present the changes until the distinguished Senator from North Carolina [Mr. ERVIN] has returned tomorrow afternoon, and since the Senate will be in session tomorrow, I was wondering whether, rather than prolonging the debate at this point, we would be in a sounder position from a parliamentary point of view to delay the filing of the report until the amendments are ready to be presented, which the Senator from Utah says will be tomorrow.

Mr. WATKINS. Mr. President, if the Senator will yield, I think we are unnecessarily borrowing trouble. There are very few changes in the report, and they are mostly typographical in nature, and there is one short deletion. The report appeared as a committee print. I was directed to prepare an amended resolution to present to the Senate. I feel that all members of the committee should be consulted. The Senator from North Carolina [Mr. ERVIN] has had no opportunity to discuss it.

Mr. KNOWLAND. So far as the committee report is concerned, the changes are substantially typographical changes?

Mr. WATKINS. With the exception of one short deletion of 4 or 5 lines, which is obviously an error.

Mr. KNOWLAND. The particular matter to which the Senator refers and which he feels the Senator from North Carolina should have an opportunity to pass upon is the resolution which has been mentioned in the report and which will be presented to the Senate and on which the Senate will vote.

Mr. WATKINS. I beg the Senator's pardon. I did not understand his question.

Mr. KNOWLAND. I say, the reason for the delay, so far as the Senator from North Carolina is concerned, relates to

the resolution rather than to the report. Is that correct?

Mr. WATKINS. That is correct.

Mr. McCARTHY. Mr. President, will the Senator from California yield in order that I may ask a question of the Senator from Utah?

Mr. KNOWLAND. I yield for that purpose.

Mr. McCARTHY. The Senator from Utah says there is a deletion of 4 or 5 lines which contain an obvious error. I should like to know which obvious error is being deleted. I must know that in order to prepare my case. I have found so many obvious errors that I should like to know which one the Senator is deleting. I am asking the Senator a frank question.

Mr. WATKINS. I will give the Senator from Wisconsin a frank answer. When this body adjourns I shall give the Senator a copy of the whole thing. There is nothing to hide.

Mr. McCARTHY. Mr. President, what is the parliamentary situation? Is the majority leader asking unanimous consent?

Mr. KNOWLAND. No; not at the moment. I asked unanimous consent that we might have a morning hour, and I am not sure whether such consent has been granted. So I want to ask unanimous consent that immediately following a quorum call we may have the usual morning hour for the introduction of material into the RECORD, under the 2-minute limitation.

Mr. McCARTHY. Will the Senator amend his request to include the request that the report be filed as is, and that any amendments which the Senator from Utah wishes to file he may bring in tomorrow? I think Senators should see the report as it now is. If the Senator from Utah wishes to make any amendments they can be brought in tomorrow.

Mr. KNOWLAND. I should not like to amend my unanimous consent request in that manner, because it deals with an entirely different subject. But before we settle this particular question the Senator from Wisconsin will have an opportunity to discuss it further. In the meantime, I shall discuss the question with the distinguished minority leader.

THE REGULAR SENATE ORDER—WORK OF COMMITTEES

Mr. MALONE. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. MALONE. I should like to say to the distinguished majority leader that the regular Senate order should be maintained so that the committees having to work continuously throughout vacation periods can function. My committee did that last year under Senate Resolution 143 and programed the work under Senate Resolution 271 again this year, starting immediately after the adjournment. The Mineral, Materials, and Fuels Economic Subcommittee of the Committee on Interior and Insular Affairs, of which I am chairman had originally set hearings, beginning on Monday, to run for a considerable length of time. We moved the date ahead to Wednesday for the start of the special session. A number of witnesses have been called, and it would be very inopportune to cancel their appearance at this time.

The work of the committee was scheduled to continue to and including December 22.

I would say to the distinguished Senator that it is most unusual to be called here to consider a report which we now understand will be amended.

Is it to be rushed through a continuous meeting, or a Senate session of long hours without proper opportunity to study the effect and precedent that would be established?

Mr. KNOWLAND. I have not suggested that we are going to rush it through.

Mr. MALONE. Mr. President, a point of order. I had not finished my question for which the majority leader had yielded to me.

Mr. KNOWLAND. I have the floor and had yielded to the Senator from Nevada. The majority leader is not trying to rush anything through. The report which has been presented is a committee print. The information was made available to the Members of the Senate.

We are sitting in one of the most important functions of the Senate of the United States—to consider a resolution which affects a Member of this great body, which is, in my opinion, the greatest legislative body in the world. I say that without any disparagement of our colleagues in the other Chamber.

Under those circumstances, it seems to me that we should proceed in as semijudicial a manner as is possible. We are not strictly a judicial body. Certainly the majority leader has no intention of requesting that the matter be rushed through. As I pointed out earlier, we are not requesting any around-the-clock session or a meeting for a period of time that would work hardship to Senators. But it does seem to me as a matter of fairness to the distinguished Senator from Wisconsin, to the committee, and to all the 96 Members of this body, on both sides of the aisle, that when the Senate is called into session on this particular matter and when some persons have said we are sitting perhaps somewhat as jurors, the jurors ought to be present and hear the arguments. I hope we have not prejudged this case. I think the overwhelming majority, even though some may have prejudged it, will keep an open mind in connection with the statements of the Senator from Wisconsin and the other Senators who will discuss his side of the case, until they have had the report of the committee, and until they have heard the discussion of the question. That being so, it seems to me to be an inequitable thing and an unfair thing to have various committees of the Senate meeting while those discussions are proceeding, following which Senators will be called upon to vote on a question of this magnitude.

Mr. WELKER. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. In a moment.

I would respectfully say to the Senator from Nevada that in the case of his committee or of other committees, arrangements be made to hold hearings in the mornings or evenings at a time when the Senate is not in session. It seems to me that would be the more orderly procedure. I have no control over what the 96 Members of this body may do. They may decide to meet at 12 o'clock and adjourn at 2 o'clock in the afternoon. I think that would be a mistake. But the Senate itself will determine its procedure.

I only recommend to the Senate a course of action which the Senate can approve, or it can take some other action. I was not trying to rush anything through.

CONTINUOUS SENATE SESSIONS

Mr. MALONE. Will the Senator yield to me that I might complete my question?

Mr. KNOWLAND. Yes; I yield to the distinguished senior Senator from Nevada.

Mr. MALONE. Again, I wish to ask the question of the distinguished majority leader. Is it fair to committees which have had meetings set for months to present now to the Senate a report which obviously will be changed, even though Senators have seen the original report? I hope the distinguished majority leader has not made up his mind as to how he will vote on the resolution.

I shall object to any unanimous-consent agreement to keep the Senate in continuous session.

Mr. KNOWLAND. The Senator from California has not. I do not normally prejudge cases.

Mr. MALONE. It is not necessary to judge the case now. I was interrupted in asking a question earlier in the debate. Does the Senator from California think it is fair to the committees which do their work during vacation periods to have the Senator monopolize the entire time, and thus to make it impossible for the committees to carry on their work, which it is customary to present at the next session?

Does the Senator from California believe that the precedent which was set during the 83d Congress of holding sessions almost around the clock, resulting in the deaths of nine Senators, should be continued at this session? And does the majority leader believe that all other programed work of the committees should be sidetracked?

CENSURE WITHOUT SENATE RULE VIOLATED

I agree thoroughly with the Senator from California that the resolution which the Senate is to consider is one of the most important matters ever to have come before the Senate, a resolution to censure a Senator, when there is no allegation that he has ever violated the rules of the Senate. It is not even alleged that the Senator to be censured has violated any rule of the Senate.

Mr. KNOWLAND. I may reply to the Senator that, under the circumstances which I have outlined I think the priority business before the Senate is the consideration of the resolution and the report of the select committee. The distinguished senior Senator from Nevada, as a Senator of the United States, will be entirely within his rights, at such time as he deems it advisable, to move

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that the Senate follow some other procedure. But I believe that in view of the fact that the Senate has been called into session for the purpose of considering the resolution and the report of the select committee, priority consideration should be given to them.

Merely expressing my own views, I believe that the Senate has returned for debate on the resolution and a consideration of the statements of the distinguished junior Senator from Wisconsin and other Senators who may participate in the discussion and lay facts before the Senate. Therefore, I would not wish to see a half-empty Chamber or even to have a few Senators absent, because I would not desire to have a censure resolution concerning me considered without all the facts being presented to all Senators who could possibly be present.

Mr. MALONE. I am saying to the majority leader that if the usual Senate procedure is followed then no committee hearings will interfere with it and time will be available for the Members to reflect on the precedent they are about to establish.

The Senator to whom the censure is directed is only the whipping boy—the objective is and has been to destroy the investigative power of the Senate.

THE REGULAR ORDER

Mr. WELKER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. WELKER. I agree with the distinguished majority leader.

So long as I am a Member of the Senate I shall object to any Members being off the floor until they have heard a full and complete debate. I believe every Member would wish to do exactly that.

Therefore, the regular order of the Senate should be followed—we should meet at noon, as the long-established procedure dictates, and the session should end at a reasonable time—perhaps 5 or 6 o'clock.

I have no desire to delay the proceedings. I have heard it said—and I think I heard it said by the senior Senator from Utah [Mr. WATKINS]—that after the Senate adjourned today the junior Senator from Wisconsin would be able to see what it was proposed to delete from the report. Would it not be fair, then, that every Senator who has worked on the report, whether he be for or against the censure resolution, be given the same right? I may inform the Senator that I have spent hour after hour, day after day, in trying to do honest, legal research on the matter, so as to be able to present a sound legal argument to the Senate. It may be that the 5 lines which it is proposed to delete will be the same 5 lines on which I have been working.

I have a further observation to make. Time seems to be of the essence in this matter. If committee hearings are to be held, I want to hear something about the Dixon-Yates contract, which I supported only a few months ago. I have been reading and hearing comments about that contract, and I should like to hear a discussion of the subject.

I understand also that some very important nominations have been received today. What does the Senate propose to do with respect to them? My colleague, the distinguished senior Senator from North Dakota [Mr. LANGER], who is chairman of the Committee on the Judiciary, knows that the investigation of nominations requires considerable time on the part of every member of the committee.

In conclusion, I say again that I do not desire to delay the procedure of the Senate. I am one Member who has sat the clock out on little, trivial matters.

I think the Senate of the United States owes the duty to the marine heroes of Iwo Jima to attend the unveiling of the monument to their memory on Wednesday. We have all been personally invited by General Shepherd, the Commandant of the Marine Corps, to attend. I think the Senate should consider that, and that certainly we can take time off to be present at that event.

I shall not delay the Senate. I shall be in attendance as long as any other Senator is.

The regular order should be followed.

Mr. CASE. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. CASE. I desire to make a parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota will state it.

Mr. CASE. Is a report before the Senate until it is presented? I note that the last part of the language of the motion relating to Senate Resolution 301 reads as follows:

> And that the committee be instructed to act and to make a report to this body prior to the adjournment sine die of the Senate in the second session of the 83d Congress.

Is there any report on which to act until it has been presented to the Senate?

The VICE PRESIDENT. Until the report shall be filed with the Senate, there is nothing officially before the Senate. The report, of which the present occupant of the chair has a copy in his hand, is a committee print which was issued by the committee for the information of the Members of the Senate, the press, and others. It is not, however, officially before the Senate at this time.

Mr. McCARTHY. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. McCARTHY. Reserving the right to object, and I do not intend to object to the request which the Senator has made, the Senator from Utah [Mr. WATKINS] has just informed me—and if I am incorrect in my understanding, he may correct me—that he knew of the deletions which had been made, that he knew of the obvious error that had been made, but he refuses to tell me what the obvious error is that was deleted. He tells me that he intends to ask to have presented today a committee report which is different from the one which I have been working on for months, which is different from the one the Vice President holds in his hand. I think that in common decency and common honesty, so long as the Senator from Utah knows what the obvious error is which has been deleted, he should tell the Senate. I should like to know whether it is an error in fact or in law.

I have gone over the report many times, and I have observed a great many obvious errors. I should like to know what obvious error it is that the chairman of the committee intends to delete. There is no reason on earth why he should not tell the Senate now what obvious error he proposes to delete. It should not be necessary for me to have to search all through the report to ascertain which of the obvious errors he has deleted.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. WATKINS. As soon as the report is filed, I take it that the clerk will permit the junior Senator from Wisconsin to examine it. We have only one other copy. I will send to my office for it and have it delivered here promptly.

Mr. KNOWLAND. Merely to clarify the matter, is the report, which the Senator from Utah now proposes to file, in its final form?

Mr. WATKINS. The report itself is in its final form. The only thing which it was desired to do was to prepare an amendment to Senate Resolution 301.

Mr. KNOWLAND. That resolution would not have to be reported until tomorrow or Wednesday.

Mr. WATKINS. That is correct.

Mr. KNOWLAND. The Senator is not now proposing to file a report based on the text of the committee print. What he is proposing to submit is not the exact text of the committee print, but it is substantially so. He is not asking that he be permitted to file a report today, and then to make some amendments to the report hereafter, is he?

Mr. WATKINS. No.

Mr. KNOWLAND. The report which the Senator is proposing to file will be the official report of the committee.

Mr. WATKINS. As I understand, there can be no report until it is filed, and there has been no report up to today.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. WATKINS. I yield the floor.

Mr. KNOWLAND. I yield to the Senator from Wisconsin.

Mr. McCARTHY. The Senator from Utah is aware of the obvious error that has been deleted——

Mr. WATKINS. Certainly; I would know about it.

Mr. McCARTHY. Let me finish. He has told me he is going to ask to have the report filed today. If the deletions have been made, why does not the Senator, in all honesty, tell us now what the obvious error was that was deleted? There is no reason why the Senator should not tell us what the error was.

Mr. WATKINS. The simple reason is that there is not anything before the Senate at the present time, and will not be until the report is filed.

Mr. McCARTHY. Why the secret?

Mr. WATKINS. It is no secret.

Mr. KNOWLAND. Mr. President, with due respect to my colleagues, I should like to say that just as soon as the report is filed, it will be public. It will be printed, will be available to the Senate,

will be an official Senate report, and will then be before the Senate.

Mr. McCARTHY. Mr. President, reserving the right to object, we have a fantastic situation on the floor of the Senate. It can be paralleled only by what I saw during the committee hearings. The Senator from Utah says that there were obvious errors in the report. That report was handed to me. I have worked upon that report, as have other Senators, basing a case upon it. The Senator now tells me he is going to ask to have a report filed, after having deleted the obvious errors. He tells me he knows what those obvious errors are. I do not know how we can force him to tell us, but this gives my colleagues some idea of what I had to put up with for days, while this Senator, who keeps secret obvious errors, sat as chairman of the committee.

Mr. WATKINS. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I shall yield in a moment.

The VICE PRESIDENT. The Senator from California has the floor.

Mr. KNOWLAND. I think the orderly procedure would be to proceed so that all Senators could have copies of the report. Then we ourselves can determine whether there has been any material change, or anything other than typographical errors, or just how substantial the change is. The orderly procedure would be to have the report filed, as is required under the motion which created the committee in the first place.

I wish to say, in all fairness to the members of the committee, that no member of the committee, on either side of the aisle, asked to be selected to serve on the committee. The committee was set up under a resolution of the Senate. The members of the committee have performed their duty. The Senate is going to have an opportunity to see the report and hear the debate. There will certainly be no effort to foreclose discussion. The Senator from Wisconsin and other Senators will have a fair and full opportunity to go into the matter and debate it. As I said before, I hope all Senators will follow the debate. However, I hope, in the interest of orderly procedure in the Senate, that the report may be filed. Under the resolution, the report could be filed at any time up to December 24, I think the date is. The committee has determined to file it today. I do not think that unanimous consent is required; I believe the committee can file the report when it is ready. When it is filed, it will be a public document. It will be printed as expeditiously as possible. It will be available to the Members of the Senate, to the press, and to the country. Then, when the Senate takes up the matter, it can be discussed by Senators who desire to speak.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I think what has been occurring in the Senate brings the Senate and the Congress of the United States into disrepute, not only throughout the country, but throughout the world. We have been hearing about this matter by television and radio, and have been reading about it in the newspapers, and I am ready to vote at this time. However, if it is necessary to the program of the majority leader that the filing of the report go over until Wednesday, what difference would it make if it did?

Mr. KNOWLAND. I say to the Senator from New Mexico that I am not ready to vote, because I believe it is desired that arguments be made, and I hope the Senator has not foreclosed consideration of the facts which may be presented.

Mr. CHAVEZ. No; I have not foreclosed consideration of the facts which may be presented, but I do desire that the Senate do something else besides listen to debate on the resolution. There is plenty of work to be done.

Mr. WELKER. Mr. President, will the Senator from California yield so that I may ask a question of the Senator from New Mexico?

Mr. KNOWLAND. I yield to the Senator from Idaho.

Mr. WELKER. My distinguished colleague from New Mexico made the statement that he is ready to vote now. I should like to ask him if he has read the 940 pages of testimony and documentary evidence, resulting in the report, which we now find is not final.

Mr. CHAVEZ. I have not read the report.

Mr. WELKER. Then certainly the Senator would not want to go on record as saying that he is ready to vote.

Mr. CHAVEZ. I have seen reports that are extremely thick which have not been read by Members of this body. I have been a Member of Congress for 24 years. I do not have any objection to hearing the debate, but I think the Senate is spending too much time on the whole matter.

I should like to ask the Senator from Idaho how many committee reports he has read. Members of committees may listen to the testimony taken before a committee, but I do not think that many committee reports are read. A member of a committee usually relies on what he remembers as a member in the jury box. Is that not correct?

Mr. WELKER. That may be correct. The resolution in the instant case is only the fourth such resolution on which Members of the Senate have been asked to sit as a jury, and I am sure that it is desired that every Senator read everything and hear everything relating to the inquiry.

Mr. CHAVEZ. That is correct.

Mr. WELKER. I agree with the Senator that we should do our work as expeditiously as possible.

Mr. CHAVEZ. I do not like to hear the word "decency" used in the Senate. There are 96 Senators, and they are all decent. Nor do I like to hear the word "dishonesty" used. I believe every Senator is honest. We might differ in conclusions. We might look at things from a different standpoint, and make different interpretations. However, if my opinions were different from those of another Senator, that fact would not lead me to think of him as being dishonest. I do not think such terms should be used in the Senate.

Mr. WELKER. I may say to my friend that I think every Senator who is accused should be given an opportunity to be judged by a jury of his peers, regardless of the State from which he comes.

Mr. CHAVEZ. I attended a very fine law school, one which is highly respectable. I practiced law. I invite my colleague to go to the United States courts or to the local district courts in New Mexico and ascertain whether or not I represented my constituents well, and whether they approved of my actions.

Mr. WELKER. I am sure the Senator from New Mexico has their approval.

Mr. CHAVEZ. I think a Member of the Senate who is accused should be judged by a jury of his peers; but, so far as the Senate is concerned, I believe the sooner we get the report and take action the better it will be for the country.

Mr. KNOWLAND. Mr. President, I understand the Senator from Utah has a report to be sent to the desk.

Mr. McCARTHY. Mr. President, does it require unanimous consent that the request be agreed to?

Mr. KNOWLAND. No; it does not.

Mr. McCARTHY. If objection is made to the filing of the report, may it nevertheless be filed?

Mr. KNOWLAND. My understanding is it does not require unanimous consent.

Mr. McCARTHY. But it can be filed despite any objection?

Mr. KNOWLAND. Yes.

Mr. McCARTHY. Is my understanding also correct that the filing of the report does not represent Senate approval or disapproval of it?

Mr. KNOWLAND. I do not interpret the filing of the report to connote either approval or disapproval. Filing the report is merely carrying out the responsibility of the committee.

Mr. McCARTHY. Mr. President, again reserving the right to object, I wonder whether the Senator from Utah will tell me sometime today whether he will point out what he calls the obvious error which he deleted. If he will do that, we can dispose of this matter now. But in common decency, I think the Senator from Utah should tell me which of the errors have been deleted; otherwise I shall have to compare both reports and search through them again. The time between now and tomorrow morning is short, and I have a great deal of work to do. There is no reason why the Senator from Utah should keep that secret from me.

Mr. KNOWLAND. If the distinguished Senator from Utah, as chairman of the select committee, has an additional copy of the report or can get an additional copy to turn over to the Senator from Wisconsin, I believe that would be advisable, and I would hope that he would do so. I understand that the report will be filed. We shall obtain a rush order to the printer to have the printing of the report expedited as much as possible. But if it would be possible to extend to the Senator from Wisconsin the

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courtesy to which I have referred, I hope it will be done.

Mr. WATKINS. Nearly 30 minutes ago I offered to send for the only other copy we have.

Mr. KNOWLAND. Is that the one now on the desk of the Senator from Utah?

Mr. WATKINS. Yes.

Mr. KNOWLAND. Will he give it to the Senator from Wisconsin?

Mr. WATKINS. Yes; at once.

Mr. McCARTHY. Mr. President, reserving the right to object, that does not answer the question. This document comprises 72 pages. I have between now and tomorrow morning to go through the entire document and compare it with the original one which was handed to me, in order to find out which of the obvious errors has been deleted. The Senator from Utah has told me that he knows what these errors are. Why does he not mark them for me?

Mr. WATKINS. They are marked in this copy.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. PAYNE in the chair). The Senator from Texas will state it.

Mr. JOHNSON of Texas. What is the pending question?

The PRESIDING OFFICER. There is no pending question.

Mr. JOHNSON of Texas. Then, Mr. President, I request the regular order.

Mr. WATKINS. Mr. President, I request recognition.

Mr. KNOWLAND. Mr. President, I have requested unanimous consent for the customary morning hour. I shall withdraw that request, and I shall not make it again until tomorrow morning, at which time we shall see whether we can have a morning hour.

Mr. WATKINS. Mr. President, I send to the desk a report by the Select Committee on Senate Resolution 301. It has already been discussed, and it has been pointed out that we are not quite ready for the printing of the amendments to the resolution itself; otherwise the report is complete.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. Has the report of the select committee been filed with the Senate?

The PRESIDING OFFICER. The report has been filed.

Mr. KNOWLAND. Very well.

Mr. McCARTHY. Mr. President, I ask unanimous consent that during the debate on the censure motion, my attorney, Mr. Edward Williams, be permitted to sit with me in the Senate Chamber.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, I did not hear the request; at the time it was made, I was engaged in conversation. Will the Chair please restate the request?

The PRESIDING OFFICER. The Senator from Wisconsin has requested unanimous consent that during the debate on the censure motion, his counsel be permitted to sit with him in the Senate Chamber.

Mr. JOHNSON of Texas. I have no objection.

The PRESIDING OFFICER. Is there objection?

Mr. KNOWLAND. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CAPEHART. Mr. President, I hold in my hand the report which has been corrected by the able Senator from Utah [Mr. WATKINS] and his committee. In the report numerous changes have been made, as compared with the committee print which for several days has been in the hands of every Senator.

I ask unanimous consent that the copy of the report I now hold in my hand, being the old report, as corrected, be printed to show the corrections or the changes which have been made in the report as filed today, as compared with the one which has been in the hands of Senators.

Mr. KNOWLAND. Reserving the right to object, let me inquire whether the Senator from Indiana means that the corrected report should be printed in the CONGRESSIONAL RECORD.

Mr. CAPEHART. Yes.

Mr. CASE. Mr. President, reserving the right to object, let me say to the distinguished Senator from Indiana that I think to do that would make the RECORD cumbersome. Most of the changes are grammatical corrections. There is only one change of any substance. I have already personally pointed it out to the Senator from Wisconsin [Mr. McCARTHY].

I think the changes themselves should be shown in the RECORD; that would be helpful.

Mr. CAPEHART. I am anxious to have only one thing accomplished, namely, to have the changes which have been made in the report being filed today, as compared with the committee print, so designated in the CONGRESSIONAL RECORD that one who reads the RECORD will be able to see immediately exactly what changes have been made.

Mr. CASE. I believe that should be done; the changes from the committee print, in arriving at the complete report, should be made available to every Member of the Senate. But it does not seem to me that it is necessary to print the entire report in the CONGRESSIONAL RECORD, for the report comprises many pages.

Mr. CAPEHART. Then, Mr. President, I amend my unanimous consent request, by asking that wherever changes occur, they be printed in the CONGRESSIONAL RECORD, and that the RECORD show both the old language and the new language.

Mr. KNOWLAND. Will the Senator from Indiana include in his request a further request that the pages on which changes or corrections have been made be shown?

Mr. CAPEHART. Yes; I include that additional request.

Mr. WATKINS. Mr. President, I should like to ask unanimous consent that the entire report be printed in the CONGRESSIONAL RECORD, and that the RECORD also show any changes which were made, as compared with the committee print, which was never a report.

Mr. CAPEHART. That is exactly my request.

Mr. WATKINS. I understand so, but I want all of it printed, because it will give information immediately in the morning to all Members of this body. There is nothing to hide; we are glad to stand on the report as made. No such report existed until I filed it. So let us have all of it made available.

Mr. CAPEHART. My request was that it be printed; and the able Senator from Utah has now suggested that that be done.

The only reason why I requested that it be printed is that it is different from the original committee print.

Mr. WATKINS. Slightly different.

Mr. CAPEHART. Yes; I so understand; and I take the Senator's word for it. But I think it should be printed in the CONGRESSIONAL RECORD, so that tomorrow morning each Senator will be able to see exactly what changes have been made.

Mr. KNOWLAND. I think the suggestion is a good one.

Mr. CAPEHART. So, Mr. President, in line with the suggestion of the chairman of the committee that the entire report be printed in the RECORD, I amend my unanimous-consent request so as to request that the entire committee report be printed in the CONGRESSIONAL RECORD, to show the changes which have been made in the final report as filed today.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Indiana?

Mr. WATKINS. Mr. President, reserving the right to object, let me say I heartily join in that request; in fact I had intended a little later to ask that the entire report be printed.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Indiana?

There being no objection, the report (No. 2508) was ordered to be printed in the RECORD, as follows:

[83d Cong., 2d sess.]

[S. Rept. No. 2508]

REPORT ON RESOLUTION TO CENSURE

(November 8, 1954.—Ordered to be printed)

(Mr. WATKINS, from the Select Committee To Study Censure Charges, submitted the following report to accompany S. Res. 301:)

The Select Committee To Study Censure Charges, consisting of ARTHUR V. WATKINS (chairman), EDWIN C. JOHNSON (vice chairman), JOHN C. STENNIS, FRANK CARLSON, FRANCIS CASE, SAM J. ERVIN, JR., to which was referred the resolution (S. Res. 301) and amendments, having considered the same, reports thereon and recommends that the resolution be adopted with certain amendments.

INTRODUCTION

On August 2 (legislative day, July 2), 1954, Senate Resolution 301, to censure the Senator from Wisconsin, Mr. McCARTHY, submitted by Senator FLANDERS on July 30, and amendments proposed thereto, was referred to a select committee to be composed of 3

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Republicans and 3 Democrats and named by the Vice President. By said order the select committee was authorized—

(1) To hold hearings;

(2) To sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate;

(3) To require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, and to take such testimony as is deemed advisable.

The select committee was instructed to act and to make a report to the Senate prior to the adjournment sine die of the Senate in the 2d session of the 83d Congress.

The order of the Senate is set forth in the hearing record, page 1 et seq.

The Vice President, on August 5, 1954, acting on the recommendations of the majority leader and the minority leader, made the following appointments of members of the select committee: From the majority, the Senator from Utah (Mr. WATKINS), the Senator from Kansas (Mr. CARLSON), and the Senator from South Dakota (Mr. CASE). From the minority, the Senator from Colorado (Mr. JOHNSON), the Senator from Mississippi (Mr. STENNIS), and the Senator from North Carolina (Mr. ERVIN). The select committee chose the Senator from Utah (Mr. WATKINS) as chairman, and the Senator from Colorado (Mr. JOHNSON) as vice chairman.

The select committee, on August 24, 1954, served upon the junior Senator from Wisconsin, and other interested persons, a notice of hearings, setting forth 5 categories containing 13 specifications of charges from certain of the proposed amendments, establishing the general procedural rules for the hearings before the select committee, and formally requesting the appearance of Senator MCCARTHY. The notice of hearings will be found in the hearing record, page 8.

All testimony and evidence taken and received by the select committee was at public hearings attended by Senator MCCARTHY and his counsel, *except the opinion of the Senate Parliamentarian which was obtained pursuant to Senator McCarthy's request.* [No testimony or evidence was taken or received in executive session, except the testimony of the Parliamentarian, which was taken with the knowledge and consent of the attorney for Senator MCCARTHY.] The public hearings were held in accordance with said notice of hearings, on August 31, September 1, 2, 7, 8, 9, 10, 11, and 13, 1954. The entire testimony, evidence, and proceedings at said public hearings [is] *are* in the printed record of the hearings. [and made part of this report by reference.]

At the commencement of the hearings, on August 31, 1954 (p. 11 of the hearings), the chairman stated:

"STATEMENT OF PURPOSES OF COMMITTEE MADE AT COMMENCEMENT OF HEARING

"Now, at the outset of this hearing, the committee desires to state in general terms what is involved in Senate Resolution 301 and the Senate order on it, which authorized the appointment of the select committee to consider in behalf of the Senate the so-called Flanders resolution of censure, together with all amendments proposed in the resolution.

"The committee, in the words of the Senate order was 'authorized to hold hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, to require by subpena, or otherwise, the attendance of such witnesses and the production of such correspondence, books, papers, and documents, and to take such testimony as it deems advisable, and that the committee be instructed to act and make a report to this body prior to the adjournment sine die of the Senate in the second session of the 83d Congress.'

"That is a broad grant of power, carrying with it a heavy responsibility—a responsibility which the committee takes seriously. In beginning its duties, the committee found few precedents to serve as a guide. It is true that there had been other censure resolutions before the Senate in the past, but the acts complained of were, for the most part, single occurrences which happened in the presence of the Senate or one of its committees. Under such circumstances, prolonged investigations and hearings were not necessary.

"It should be pointed out that some forty-and-odd alleged instances of misconduct on the part of Senator MCCARTHY referred to this committee are involved and complex, both with respect to matters of fact and law. With reference to the time element, the incidents are alleged to have happened within a period covering several years. In addition, 3 Senate committees already have held hearings on 1 or more phases of the alleged incidents of misconduct. Obviously, with all this in mind, the committee had good reason for concluding it faced an unprecedented situation which would require adoption of procedures, all within the authority granted it in the Senate order, that would enable it to perform the duties assigned within the limited time given by the Senate.

"The committee interprets its duties, functions, and responsibilities under the Senate order to be as follows:

"1. To analyze the charges set forth in the amendments and to determine—

"(a) If there were duplications which could be eliminated.

"(b) If any of the charges were of such a nature that even if the allegations were established as factually true, yet there would be strong reasons for believing that they did not constitute a ground for censure.

"2. To thoroughly investigate all charges not eliminated under No. 1 in order to secure relevant and material facts concerning them and the names of witnesses or records which can establish the facts at the hearings to be held.

"In this connection the committee believes it should function as an impartial investigating agency to develop by direct contacts in the field and by direct examination of Senate records all relevant and material facts possible to secure.

"When Senate Resolution 301 and amendments offered were referred to the committee, the committee interprets this action to mean that from that time on the resolution and charges became the sole responsibility of the Senate. To state it another way, the Senator, or Senators, who offered Resolution 301, and proposed amendments thereto, have no legal responsibility from that point on for the conduct of the investigations and hearings authorized by the order of the Senate. The hearings are not to be adversary in character. Under this interpretation, it became the committee's duty then to get all the facts and material relevant to the charges irrespective of whether the facts sustained the charges or showed them to be without foundation.

"The foregoing statement seems to be necessary in view of a widespread misunderstanding that the Senator who introduced the resolution of censure into the Senate and the Senators who offered amendments thereto, setting up specific charges against the Senator from Wisconsin, are the complaining witnesses, or the parties plaintiff, in this proceeding. That is not true, as has been explained. However, because of the fact that they had made some study of the situation, the committee did give them an opportunity to submit informational documentation of the charges they had offered. Also they were asked to submit the names of any witnesses who might have firsthand knowledge of the matters charged and who could give relevant and material testimony in the hearings.

"Since matters of law also will be involved in reaching evaluation of the facts developed, pertinent rules of the Senate and sections of law, together with precedents and decisions by competent tribunals, should be briefed and made a part of the hearing record, the committee believes.

"3. To hold hearings where the committee can present witnesses and documentary evidence for the purpose of placing on record, for later use by the Senate, the evidence and other information gathered during the preliminary investigation period, and for the development of additional evidence and information as the hearings proceed.

"The resolution of censure presents to the Senate as issue with respect to the conduct and possible punishment of one of its Members. The debate in the Senate preceding the vote to refer the matter to a select committee made it abundantly clear that the proceedings necessary to a proper disposal of the resolution and the amendments proposed, both in the Senate and in the select committee, would be judicial or quasi-judicial in nature, and for that reason should be conducted in a judicial manner and atmosphere, so far as compatible with the investigative functions of the committee in its preliminary and continuing search for evidence and information bearing on all phases of the issues presented.

"Inherent in the situation created by the resolution of censure and the charges made, is the right of the Senator against whom the charges were made to be present at the hearings held by the select committee. He should also be permitted to be represented by counsel and should have the right of cross-examination. This is somewhat contrary to the practice by Senate committees in the past, in hearings of this nature, but the present committee believes that the accused Senator should have these rights. He or his counsel, but not both, shall be permitted to make objections to the introduction of testimony, but the argument on the objections may be had or withheld at the discretion of the chairman. The Senator under charges should be permitted to present witnesses and documentary evidence in his behalf, but, of course, this should be done in compliance with the policy laid down by the committee in its notice of hearing, which is a part of this record.

"In general, the committee wishes it understood that the regulations adopted are for the purpose of insuring a judicial hearing and a judicial atmosphere as befits the importance of the issues raised. For that reason, and in accordance with the order the committee believes to be the sentiment of the Senate, all activities which are not permitted in the Senate itself will not be permitted in this hearing.

"4. When the hearings have closed, to prepare a report and submit it to the Senate. Under the order creating this committee, this must be done before the present Senate adjourns sine die.

"By way of comment, let me say that the inquiry we are engaged in is of a special character which differentiates it from the usual legislative inquiry. It involves the internal affairs of the Senate itself in the exercise of a high constitutional function. It is by nature a judicial or semijudicial function, and we shall attempt to conduct it as such. The procedures outlined are not necessarily appropriate to congressional investigations and should not, therefore, be construed as in any sense intended as a model appropriate to such inquiries. We hope what we are doing will be found to conform to sound senatorial principles and traditions in the special field in which the committee is operating.

"It has been said before, but it will do no harm to repeat, that the members of this committee did not seek this appointment. The qualifications laid down by the Senate order creating the commission, said the committee should be made up of 3 Democrat Senators and 3 Republican Senators. This

was the only condition named in the order. However, in a larger sense the proper authorities of the Senate were charged with the responsibility of attempting to choose Members of the Senate for this committee who could and would conduct a fair and impartial investigation and hearing. Members of the committee deemed their selection by the Senate authorities as a trust.

"We realize we are human. We know, and the American people know, that there has been a controversy raging over the country through a number of years in connection with the activities of the Senator against whom the resolution is directed. Members of this committee have been conscious of that controversy; they have seen, heard, and read of the activities, charges, and countercharges, and being human, they may have at times expressed their impressions with respect to events that were happening while they were happening.

"However, each of the Senators who make up this special select committee are mature men with a wide background of experience which should enable them to disregard any impressions or preconceived notions they may have had in the past respecting the controversies which have been going on in public for many years.

"We approach this matter as a duty imposed upon us and which we feel that we should do our very best to discharge in a proper manner. We realize the United States Senate, in a sense, is on trial, and we hope our conduct will be such as to maintain the American sense of fair play and the high traditions and dignity of the United States Senate under the authority given it by the Constitution."

As the investigations and the hearings progressed, the committee found that the period of time allotted to perform the task assigned would not be sufficient if all the charges were given thorough investigation and hearings were held thereon. The committee also was aware of the practical situation that required that its task be completed sufficiently early to permit the Senate to consider its report before that body must adjourn sine die.

"PROCEDURE FOR COMMITTEE HEARINGS ESTABLISHED IN NOTICE OF HEARINGS

"All testimony and evidence received in the hearings shall be such as is found by the select committee to be competent, relevant, and material to the subject matters so under inquiry, with the right of examination and cross-examination, in general conformity to judicial proceedings and in accordance with said order of the Senate.

"The select committee will admit, subject to said order, as competent testimony for the record, so far as material and relevant, the official proceedings and pertinent actions of the Senate and of any of its committees or subcommittees, taking judicial notice thereof, and using official reprints when convenient. Following Senate tradition, witnesses may be examined by any member of the committee, and they may be examined or cross-examined for the committee by its counsel. Witnesses may be examined or cross-examined either by Senator McCARTHY or his counsel, but not by both as to the same witness."

Senator McCARTHY was permitted to and made an opening statement in his own behalf at the commencement of the first hearing, on condition that it be relevant and material, and not to be received as testimony (hearing record, p. 14).

By unanimous vote of the members of the select committee taken after the issuance of the notice of hearings, it was decided to proceed with hearings only upon the 13 specifications set forth in the 5 categories contained in the notice of hearings, to which reference is hereby made (hearing record, p. 8).

I

Category I. Incidents of contempt of the Senate or a senatorial committee

A. General Discussion and Summary of Evidence

The evidence on the question whether Senator McCARTHY was guilty of contempt of the Senate or a senatorial committee involves his conduct with relation to the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration. An analysis of the three amendments referring to this general matter (being amendment (3) proposed by Senator FULBRIGHT, amendment (a) proposed by Senator MORSE, and amendment (17) proposed by Senator FLANDERS) reveals these specific charges:

(1) That Senator McCARTHY refused repeated invitations to testify before the subcommittee.

(2) That he declined to comply with a request by letter dated November 21, 1952, from the chairman of the subcommittee to appear to supply information concerning certain specific matters involving his activities as a Member of the Senate.

(3) That he denounced the subcommittee and contemptuously refused to comply with its request.

(4) That he has continued to show his contempt for the Senate by failing to explain in any manner the six charges contained in the Hennings-Hayden-Hendrickson report, which was filed in January 1953.

We have decided to consider and discuss in our report under this category the incident with reference to Senator HENDRICKSON, since the conduct complained of is related directly to the fact that Senator HENDRICKSON was a member of the Subcommittee on Privileges and Elections. This incident is referred to in the amendment proposed by Senator FLANDERS (30), the specific charge being:

(5) That he ridiculed and defamed Senator HENDRICKSON in vulgar and base language, calling him: "A living miracle without brains or guts."

The report referred to as the Hennings-Hayden-Hendrickson report is the report of the Subcommittee on Privileges and Elections to the Committee on Rules and Administration, pursuant to Senate Resolution 187, 82d Congress, 1st session, and Senate Resolution 304, 82d Congress, 2d session, filed January 2, 1953, *and appears on part II of the hearing record* [made part of this report and printed in the appendix]. The select committee admitted in evidence the Hennings-Hayden-Hendrickson report for the limited purposes of showing the nature of the charges before that subcommittee, as bearing upon the question of jurisdiction of that subcommittee, and what was the subject matter of the investigation (pp. 55, 121, and 524 of the hearings).

As stated by the chairman (p. 17 of the hearings), the select committee did not construe this category as involving in any way the truth or falsity of any of the charges against Senator McCARTHY considered by that subcommittee. These charges, as shown by its report and as stated briefly by the chairman, Senator HENNINGS, in a letter to Senator McCARTHY under date of November 21, 1952 (Hennings-Hayden-Hendrickson report, p. 98), were:

"Pursuant to your request, as transmitted to us through Mr. Kiermas, we are advising you that the subcommittee desires to make inquiry with respect to the following matters:

"(1) Whether any funds collected or received by you and by others on your behalf to conduct certain of your activities, including those relating to 'communism,' were ever diverted and used for other purposes inuring to your personal advantage.

"(2) Whether you, at any time, used your official position as a United States Senator and as a member of the Banking and Currency Committee, the Joint Housing Committee, and the Senate Investigations Committee to obtain a $10,000 fee from the Lustron Corp., which company was then almost entirely subsidized by agencies under the jurisdiction of the very committees of which you were a member.

"(3) Whether your activities on behalf of certain special interest groups, such as housing, sugar, and China, were motivated by self-interest.

"(4) Whether your activities with respect to your senatorial campaigns, particularly with respect to the reporting of your financing and your activities relating to the financial transactions with, and subsequent employment of, Ray Kiermas involved violations of the Federal and State corrupt practices acts.

"(5) Whether loan or other transactions which you had with the Appleton State Bank, of Appleton, Wis., involved violations of tax and banking laws.

"(6) Whether you used close associates and members of your family to secrete receipts, income, commodity, and stock speculations, and other financial transactions for ulterior motives."

The evidence taken by the select committee under this category consisted of letters and documents, oral testimony by Senator McCARTHY and oral testimony by Senator HAYDEN, and by the Parliamentarian. As to the statement regarding Senator HENDRICKSON, there is the testimony of a reporter. There is no material contradiction in any of the testimony relating to this category. The sending and receipt of the correspondence is admitted. There is no contradiction of the verbal testimony of Senator McCARTHY with reference to his conversations with Chairman GILLETTE, or that of Chairman HAYDEN with reference to the constitution of the Subcommittee on Privileges and Elections and the filing of its report, or of that of Parliamentarian Watkins, discussed fully hereinafter.

The evidence shows that the Subcommittee on Privileges and Elections was proceeding to investigate and report on Senate Resolution 187; that Senator McCARTHY was invited to appear to testify before the subcommittee on five separate occasions extending from September 25, 1951, to November 7, 1952, and formally requested to appear by letter and telegram of November 21, 1952; that Senator McCARTHY could not appear at the times specified in the request because of his absence in Wisconsin; that Senator McCARTHY did not appear before the subcommittee in answer to the matters under investigation regarding his own conduct, but did appear on one occasion in support of his Senate Resolution 304 directed against Senator Benton; that Senator McCARTHY accused the subcommittee of acting without power and beyond its jurisdiction, of wasting vast amounts of public money for improper partisan purposes, of proceeding dishonestly, of aiding the cause of communism, and that these accusations were directed toward an official subcommittee of the Senate. The uncontradicted testimony further shows that Senator McCARTHY directed and gave to the press an abusive and insulting statement concerning Senator HENDRICKSON, calculated to wound a colleague, solely because Senator HENDRICKSON was a member of the subcommittee and performing services required by the Senate.

Senate Resolution 187, introduced by Senator Benton, was not voted upon by the Senate, but when the jurisdiction of the Subcommittee on Privileges and Elections and the integrity of its members was attacked, the Senate by its vote of 60 to 0 in Senate Resolution 300, affirmed and ratified both.

Counsel for Senator McCARTHY advanced the contention that these specifications relating to "incidents of contempt of the Senate or a senatorial committee" were legally insufficient on their face as a predicate for

the censure of Senator McCarthy because (1) there has never been a case of censure upon a Member of Congress for conduct antedating the inception of the Congress which is hearing the censure charges (p. 18 of the hearings), and (2) because the subcommittee acted unlawfully and beyond its jurisdiction (pp. 53 to 58 of the hearings).

B. Findings of Fact

From the evidence and testimony taken with reference to the first category, the select committee finds the following facts:

1. On August 6, 1951, Senate Resolution 187, 82d Congress, 1st session, was introduced by Senator Benton and referred to the Committee on Rules and Administration (p. 20 of the hearings).

2. In turn, this resolution was referred by the Committee on Rules and Administration to its Subcommittee on Privileges and Elections (p. 280 of the hearings).

3. This resolution provided, inter alia, that whereas "any sitting Senator, regardless of whether he is a candidate in the election himself, should be subject to expulsion by action of the Senate, if it finds such Senator engaged in practices and behavior that make him, in the opinion of the Senate, unfit to hold the position of United States Senator": Therefore be it

"*Resolved*, That the Committee on Rules and Administration of the Senate is authorized and directed to proceed with such consideration of the report of its Subcommittee on Privileges and Elections with respect to the 1950 Maryland senatorial general election, which was made pursuant to Senate Resolution 250, 81st Congress, April 13, 1950, and to make such further investigation with respect to the participation of Senator Joseph R. McCarthy in the 1950 senatorial campaign of Senator John Marshall Butler, and such investigation with respect to his other acts since his election to the Senate, as may be appropriate to enable such committee to determine whether or not it should initiate action with a view toward the expulsion from the United States Senate of the said Senator Joseph R. McCarthy."

It will be noted that this proposed resolution authorized and directed such investigation as may be appropriate "with reference to his other acts since his election to the Senate."

4. Senator McCarthy was elected to the Senate in the fall of 1946, and took his seat in January 1947.

5. Among the charges pending before and investigated by that Subcommittee on Privileges and Elections, charges (1), (2), (3), and (4) related to matters since Senator McCarthy's election to the Senate in 1946, and charges (5) and (6) may or may not have referred to matters since his election to the Senate, or to matters both before and after his election.

6. Senator Guy M. Gillette was chairman of that Subcommittee on Privileges and Elections until his resignation on September 26, 1952 (p. 22 of the hearings).

7. By letter of Senator McCarthy to Chairman Gillette dated September 17, 1951, Senator McCarthy stated that he intended to appear to question witnesses, and that the subcommittee, without authorization from the Senate, was undertaking to conduct hearings in the matter (p. 280 of the hearings).

8. By letter of September 25, 1951, Chairman Gillette notified Senator McCarthy that the Benton resolution (S. Res. 187) would be taken up by the subcommittee on September 28, 1951, and that Senator McCarthy could be present to hear Senator Benton in executive session and make his own statement also, if time permitted (p. 23 of the hearings).

9. Senator McCarthy did not reply to this letter.

10. By letter of October 1, 1951, Chairman Gillette advised Senator McCarthy that Senator Benton had appeared and presented a statement in support of his resolution looking to action pertaining to the expulsion of Senator McCarthy from the Senate, that the subcommittee had taken action to accord to Senator McCarthy the opportunity to appear and make any statement he wished to make concerning the matter, and that the subcommittee "will be glad to hear you at an hour mutually convenient" before the 10th of October, if Senator McCarthy desired to appear (p. 23 of the hearings).

11. Under date of October 4, 1951, Senator McCarthy wrote to Chairman Gillette, in reply to the latter's letter of October 1, 1951, that "I have not and do not even intend to read, much less answer, Benton's smear attack" (p. 23 of the hearings).

12. By letter of December 6, 1951, Senator McCarthy advised Chairman Gillette (p. 24 of the hearings)—

(a) That the "Elections Subcommittee, unless given further power by the Senate, is restricted to matters having to do with elections."

(b) That "a horde of investigators hired by your committee at a cost of tens of thousands of dollars of taxpayers' money has been engaged exclusively in trying to dig up on McCarthy material covering periods of time long before he was even old enough to be a candidate for the Senate—material which can have no conceivable connection with his election or any other election."

(c) That the "obvious purpose is to dig up campaign material for the Democratic Party for the coming campaign against McCarthy."

(d) That "when your elections subcommittee, without Senate authorization, spends tens of thousands of taxpayers' dollars for the sole purpose of digging up campaign material against McCarthy, then the committee is guilty of stealing just as clearly as though the Members engaged in picking the pockets of the taxpayers and turning the loot over to the Democrat National Committee."

(e) That "if one of the administration lackies were chairman of this committee, I would not waste the time or energy to write and point out the committee's complete dishonesty."

(f) That instead of obtaining the necessary power from the Senate, "your committee decided to spend tens of thousands of dollars of taxpayers' money to aid Benton in his smear attack upon McCarthy."

(g) That "I cannot understand your being willing to label Guy Gillette as a man who will head a committee which is stealing from the pockets of the American taxpayer tens of thousands of dollars and then using this money to protect the Democrat Party from the political effect of the exposure of Communists in Government."

(h) That "to take it upon yourself to hire a horde of investigators and spend tens of thousands of dollars without any authorization from the Senate is labeling your Elections Subcommittee even more dishonest than was the Tydings committee."

13. Chairman Gillette replied to Senator McCarthy by letter of December 6, 1951 (p. 26 of the hearings), stating that the subcommittee did not seek its unpleasant task, but that since Senate Resolution 187 was referred by the Senate to the Committee on Rules and Administration, and by it to its Subcommittee on Privileges and Elections, its duty was clear and would be discharged "in a spirit of utmost fairness to all concerned and to the Senate."

14. In the same letter, Chairman Gillette informed Senator McCarthy, "your information as to the use of a large staff and the expenditure of a large sum of money in investigations relative to the resolution is, of course, erroneous."

15. By letter from Senator McCarthy to Chairman Gillette dated December 7, 1951, information was requested of the number and salaries of employees of the subcommittee (p. 26 of the hearings).

16. Chairman Gillette gave this information to Senator McCarthy under date of December 11, 1951 (p. 27 of the hearings).

17. Under date of December 19, 1951, Senator McCarthy wrote to Chairman Gillette stating that: "the full committee appointed you chairman of an elections subcommittee, but gave you no power whatsoever to hire investigators and spend vast amounts of money to make investigations having nothing to do with elections. Again, may I have an answer to my questions as to why you feel you are entitled to spend the taxpayers' money to do the work of the Democratic National Committee" (p. 27 of the hearings).

18. In the same letter, Senator McCarthy stated: "You and every member of your subcommittee who is responsible for spending vast amounts of money to hire investigators, pay their traveling expenses, etc., on matters not concerned with elections, is just as dishonest as though he or she picked the pockets of the taxpayers and turned the loot over to the Democratic National Committee."

19. In the same letter, Senator McCarthy stated: "I wonder if I might have a frank, honest answer to all the questions covered in my letter of December 7. Certainly as a member of the Rules Committee and as a Member of the Senate, I am entitled to this information. Your failure to give this information highlights the fact that your subcommittee is not concerned with dishonestly spending the taxpayers' money and using your subcommittee as an arm of the Democratic National Committee" (p. 28 of the hearings).

20. On December 21, 1951, Chairman Gillette wrote Senator McCarthy, advising him as follows:

(a) "I shall be very glad to give you such information as I have or go with you, if you so desire, to the rooms occupied by the subcommittee and aid you in securing any facts that are there available, relative to the employees of the subcommittee or their work," and stating further that—

(b) Previous correspondence had been printed in the public press, even before receipt by Chairman Gillette.

(c) That it was improper to discuss matters pertaining to pending litigation in the public press.

(d) That a meeting of the subcommittee was being called for January 7, 1952, to consider the Benton resolution.

(e) That if Senator McCarthy cared to appear before the subcommittee, he would be glad to make the necessary arrangements as to time and place.

(f) That he would be glad to confer with Senator McCarthy personally as to matters concerning the staff and the work of the subcommittee.

(g) That neither the Democratic National Committee nor any person or group other than an agency of the United States Senate has had or will have any influence on his duties and actions as a member of the subcommittee, and that no other member of the subcommittee has been or will be so influenced (p. 28 of the hearings).

21. Senator McCarthy wrote to Chairman Gillette on January 4, 1952, asking: "The simple question of whether or not you have ordered the investigators to restrict their investigation to matters having to do with elections, or whether their investigations extend into fields having nothing whatsoever to do with either my election or the election of any other Senator" (p. 29 of the hearings).

22. Chairman Gillette replied to Senator McCarthy by letter dated January 10, 1952, informing him that the staff of the subcommittee had just submitted a report on the legal question raised by Senator McCarthy, that this was being studied, and the subcommittee would then determine what ac-

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tion, if any, they would take (p. 29 of the hearings).

23. Because Senator McCARTHY questioned the jurisdiction of the subcommittee, the subcommittee adopted a resolution, approved by a majority of the Committee on Rules and Administration, that Senator McCARTHY be requested to bring to the floor of the Senate a motion to discharge the Subcommittee on Privileges and Elections (p. 30 of the hearings).

24. Senator HAYDEN, chairman of the Committee on Rules and Administration, informed Senator McCARTHY that the purpose would be to test the jurisdiction and integrity of the members of the subcommittee (p. 30 of the hearings).

25. Under date of March 21, 1952, Senator McCARTHY wrote to Senator HAYDEN, chairman of the parent Committee on Rules and Administration, that he thought it improper to discharge the subcommittee for the following reasons:

"The Elections Subcommittee unquestionably has the power and, when complaint is made, the duty to investigate any improper conduct on the part of McCARTHY or any other Senator in a senatorial election.

"The subcommittee has spent tens of thousands of dollars and nearly a year making the most painstaking investigation of my part in the Maryland election, as well as my campaigns in Wisconsin. The subcommittee's task is not finished until it reports to the Senate the result of that investigation, namely, whether they found such misconduct on the part of McCARTHY in either his own campaigns or in the Tydings campaign to warrant his expulsion from the Senate.

"I note the subcommittee's request that the integrity of the subcommittee be passed upon. As you know, the sole question of the integrity of the subcommittee concerned its right to spend vast sums of money investigating the life of McCARTHY from birth to date without any authority to do so from the Senate. However, the vote on that question cannot affect the McCARTHY investigation, in that the committee for a year has been looking into every possible phase of McCARTHY'S life, including an investigation of those who contributed to my unsuccessful 1944 campaign.

"As you know, I wrote Senator GILLETTE, chairman of the subcommittee, that I considered this a completely dishonest handling of taxpayers' money. I felt that the Elections Subcommittee had no authority to go into matters other than elections unless the Senate instructed it to do so. However, it is obvious that insofar as McCARTHY is concerned this is now a moot question, because the staff has already painstakingly and diligently investigated every nook and cranny of my life from birth to date. Every possible lead on McCARTHY was investigated. Nothing that could be investigated was left uninvestigated. The staff's scurrilous report, which consisted of cleverly twisted and distorted facts, was then 'leaked' to the left-wing elements of the press and blazoned across the Nation in an attempt to further smear McCARTHY.

"A vote of confidence in the subcommittee would be a vote on whether or not it had the right, without authority from the Senate, but merely on the request of one Senator (in this case Senator Benton) to make a thorough and complete investigation of the entire life of another Senator. A vote to uphold the subcommittee would mean that the Senate accepts and approves this precedent and makes it binding on the Elections Subcommittee in the future.

"A vote against the subcommittee could not undo what the subcommittee has done in regard to McCARTHY. It would not force the subcommittee members to repay into the Treasury the funds spent on this investigation of McCARTHY. A vote against the subcommittee would merely mean that the Senate disapproves what has already been done insofar as McCARTHY is concerned, and therefore, disapproves an investigation of other Senators like the one which was made of McCARTHY. While I felt the subcommittee exceeded its authority, now that it has established a precedent in McCARTHY'S case, the same rule should apply to every other Senator. If the subcommittee brought up this question before the investigation had been made, I would have voted to discharge it. Now that the deed is done, however, the same rule should apply to the other 95 Senators.

"For that reason, I would be forced to vigorously oppose a motion to discharge the Elections Subcommittee at this time.

"I hope the Senate agrees with me that it would be highly improper to discharge the Gillette-Monroney subcommittee at this time, thereby, in effect, setting a different rule for the subcommittee to follow in case an investigation is asked of any of the other 95 Senators" (p. 30 of the hearings).

26. In view of Senator McCARTHY'S refusal to make the requested motion in the Senate, Chairman HAYDEN, for himself, and for the other four members of the Subcommittee on Privileges and Elections (Senators GILLETTE, MONRONEY, HENNINGS, and HENDRICKSON), submitted Senate Resolution 300, 82d Congress, 2d session, on April 8, 1952 (p. 31 of the hearings).

27. Senate Resolution 300 provided that whereas Senator McCARTHY in a series of communications addressed to Chairman GILLETTE between December 6, 1951, and January 4, 1952, had charged that the subcommittee lacked jurisdiction to investigate such acts of Senator McCARTHY as were not connected with election campaigns, and attacked the honesty of the members of the subcommittee, charging that in their investigation of such other acts, the members were improperly motivated and were guilty of stealing just as clearly as though the members engaged in picking the pockets of the taxpayers, and whereas the subcommittee adopted a motion, as the most expeditious parliamentary method of obtaining an affirmation by the Senate of its jurisdiction of this matter and a vote on the honesty of its members, that Senator McCARTHY be requested to raise the question of jurisdiction and of the integrity of the members of the Subcommittee on Privileges and Elections, by making a formal motion on the floor of the Senate to discharge the committee, and that unless Senator McCARTHY did so, the chairman of the Committee on Rules and Administration or the chairman of the subcommittee would present such a motion, and since Senator McCARTHY in effect had declined so to do, therefore to determine the proper jurisdiction of the Committee on Rules and Administration and to express the confidence of the Senate in its committee in their consideration of Senate Resolution 187, be it resolved that the Committee on Rules and Administration be, and it hereby is, discharged from the further consideration of Senate Resolution 187 (p. 31 of the hearings).

28. The Senate voted upon this resolution on April 10, 1952, and the resolution was rejected by a vote of 0 to 60, with 36 Members not voting (p. 32 of the hearings).

29. Senator McCARTHY is recorded as not voting but he stated in the Senate that he could not wait for the vote and if present would have voted against the discharge of the subcommittee (p. 378 of the hearings).

30. Chairman GILLETTE wrote to Senator McCARTHY on May 7, 1952, fixing May 12, 1952, as the time for public hearing on Senate Resolution 187, informing him that the first charge to be heard would be the matter concerning the Lustron Corp. booklet, and extending to Senator McCARTHY "the opportunity to appear at the hearings for the purpose of presenting testimony relating to this charge. The hearings in this case will probably continue for several days, and we shall make whatever arrangements for your appearance as are most convenient for you" (p. 32 of the hearings).

31. Under date of May 8, 1952, Senator McCARTHY wrote to Chairman GILLETTE acknowledging receipt of the letter of May 7, 1952, asking on what point the subcommittee desired information, and giving a statement of facts with reference to the Lustron Corp. booklet, in argumentative fashion, and charging the subcommittee with knowingly allowing itself to serve the Communist cause, and stating:

"The Communists will have scored a great victory if they can convince every other Senator or Congressman that if he attempts to expose undercover Communists he will be subjected to the same type of intense smear, even to the extent of using a Senate committee for the purpose. They will have frightened away from this fight a vast number of legislators who fear the political effect of being inundated by the Communist Party line sewage.

"If you have evidence of wrongdoing on McCARTHY'S part, which would justify removal from the Senate or a vote of censure by the Senate, certainly you have the obligation to produce it. However, as you well know, every member of your committee and staff privately admits that no such evidence is in existence. It is an evil and dishonest thing for the subcommittee to allow itself to be used for an evil purpose. Certainly the fact that the Democrat Party may temporarily benefit thereby is insufficient justification. Remember the Communist Party will benefit infinitely more" (p. 32 of the hearings).

32. Senator McCARTHY again wrote to Chairman GILLETTE on the same day, May 8, 1952, demanding expeditious action in the Benton case (p. 35 of the hearings).

33. Chairman GILLETTE wrote to Senator McCARTHY under date of May 10, 1952, informing him that the subcommittee had concluded to take testimony on May 12, 1952, and that it was the courteous thing to do to invite him to attend, to present evidence in refutation or explanation, and that the opportunity would continue to be that of Senator McCARTHY to present such matter as he might wish in connection with the hearing and to attend if he so desired (p. 43 of the hearings).

34. On May 11, 1952, Senator McCARTHY wrote to Chairman GILLETTE, Senator MONRONEY, and Senator HENNINGS jointly, a sarcastic letter, the meaning and intention of which can be understood only by reading it in its entirety (p. 43 of the hearings).

35. The chief counsel for the subcommittee wrote to Senator McCARTHY on November 7, 1952, inviting Senator McCARTHY to appear before a subcommittee in executive session, in connection with Senate Resolution 187, during the week of November 17, 1952, and asking to be advised of the date of Senator McCARTHY'S appearance (p. 44 of the hearings).

36. The administrative assistant to Senator McCARTHY replied for Senator McCARTHY by letter of November 10, 1952, stating that Senator McCARTHY was away and that he did not know when he would return to Washington, stating, however, that if the subcommittee would let him know what information was desired he would be glad to try to be of help (p. 45 of the hearings).

37. Chairman HENNINGS, of the subcommittee, then wrote a letter to Senator McCARTHY under date of November 21, 1952, which because of its importance is set forth in full:

"DEAR SENATOR McCARTHY: As you will recall, on September 25, 1951, May 7, 1952, and May 10, 1952, this subcommittee invited you to appear before it to give testimony relating to the investigation pursuant to Senate Resolution 187.

"Under date of November 7, 1952, the following communication was addressed to you:

" 'DEAR SENATOR MCCARTHY: In connection with the consideration by the Subcommittee on Privileges and Elections of Senate Resolution 187, introduced by Senator Benton on August 6, 1951, as well as the ensuing investigation, I have been instructed by the subcommittee to invite you to appear before said subcommittee in executive session. Insofar as possible, we would like to respect your wishes as to the date on which you will appear. However, the subcommittee plans to be available for this purpose during the week beginning November 17, 1952.

" 'It will be appreciated if you will advise me at as early a date as possible of the day you will appear, in order that the subcommittee may arrange its plans accordingly.

" 'Very truly yours,

" 'PAUL J. COTTER,

" '*Chief Counsel.*'

"On November 14, 1952, the subcommittee received the following communication, dated November 10, 1952:

" 'DEAR MR. COTTER: Inasmuch as Senator MCCARTHY is not now in Washington, I am taking the liberty of acknowledging receipt of your letter of November 7.

" 'I have just talked to the Senator over the telephone and he does not know just when he will return to Washington. It presently appears that he will not be available to appear before your committee during the time you mention. However, he did state that if you will let him know just what information you desire, he will be glad to try to be of help to you.

" 'Sincerely yours,

" 'RAY KIERMAS,

" '*Administrative Assistant to Senator McCarthy.*'

"The subcommittee is grateful for your offer of assistance, and we want to afford you with every opportunity to offer your explanations with reference to the issues involved. Therefore, although the subcommittee did make itself available during the past week in order to afford you an opportunity to be heard, we shall be at your disposal commencing Saturday, November 22, through but not later than Tuesday, November 25, 1952.

"This subcommittee has but one object, and that is to reach an impartial and proper conclusion based upon the facts. Your appearance, in person, before the subcommittee will not only give you the opportunity to testify as to any issues of fact which may be in controversy, but will be of the greatest assistance to the subcommittee in its effort to arrive at a proper determination and to embody in its report an accurate representation of the facts.

"Pursuant to your request, as transmitted to us through Mr. Kiermas, we are advising you that the subcommittee desires to make inquiry with respect to the following matters:

"(1) Whether any funds collected or received by you and by others on your behalf to conduct certain of your activities, including those relating to 'communism,' were ever diverted and used for other purposes inuring to your personal advantage.

"(2) Whether you, at any time, used your official position as a United States Senator and as a member of the Banking and Currency Committee, the Joint Housing Committee, and the Senate Investigations Committee, to obtain a $10,000 fee from the Lustron Corp., which company was then almost entirely subsidized by agencies under the jurisdiction of the very committees of which you were a member.

"(3) Whether your activities on behalf of certain interest groups, such as housing, sugar, and China, were motivated by self-interest.

"(4) Whether your activities with respect to your senatorial campaigns, particularly with respect to the reporting of your financing and your activities relating to the financial transactions with and subsequent employment of Ray Kiermas, involved violations of the Federal and State Corrupt Practices Acts.

"(5) Whether loan or other transactions which you had with the Appleton State Bank, of Appleton, Wis., involved violations of tax and banking laws.

"(6) Whether you used close associates and members of your family to secrete receipts, income, commodity and stock speculation and other financial transactions for ulterior motives.

"We again assure you of our desire to give you the opportunity to testify, in executive session of the subcommittee, as to the foregoing matters. The 82d Congress expires in the immediate future and the subcommittee must necessarily proceed with dispatch in making its report to this Congress. To that end, we respectfully urge you to arrange to come before us on or before November 25, and thus enable us to do our conscientious best in the interests of the Senate and our obligation to complete our work. We would thank you to advise us immediately, so that we may plan accordingly.

"This letter is being transmitted at the direction and with the full concurrence of the membership of this subcommittee.

"Sincerely yours,

"THOMAS C. HENNINGS, Jr.,

"*Chairman.*"

(P. 45 of the hearings.)

38. This letter was delivered by hand to the office of Senator MCCARTHY in Washington on November 21, 1952 (p. 47 of the hearings).

39. On the same day, November 21, 1952, Chairman HENNINGS sent the following telegram addressed to Senator MCCARTHY at Appleton, Wis.:

"Today you were advised by letter delivered by hand to your office of the principal matters which the subcommittee desires to interrogate you in furtherance of your express desire transmitted to the committee by your administrative assistant, Mr. Ray Kiermas, under date of November 10. The subcommittee appreciates your willingness to help in the completion of the work in connection with the investigation of Resolution 187 and the investigations predicated thereon. Your prompt appearance before the subcommittee can save the Government much effort and expense. We are sure that you want to be of help to us in arriving at a proper determination of the issues in controversy. We are therefore at your disposal in executive session and for your convenience suggest that the subcommittee is available to you commencing with tomorrow, Saturday, November 22, but not later than Tuesday the 25th, to enable the committee to hear you and allow time thereafter to prepare the subcommittee report.

"Senator Benton has also been notified to appear by similar communication. This action is being taken at the direction and with the full concurrence of the committee members" (p. 47 of the hearings).

40. The copy of the telegram in the H-H-H Report, designated "Exhibit No. 42" at page 99 thereof, was not sent to Senator MCCARTHY and was inserted as an exhibit by error in place of the foregoing telegram of November 21, 1952, as shown by the fact it is not dated and as appears in the index of appendix, page 55, wherein exhibit No. 42 is described as "Telegram dated November 21, 1952, from Senator HENNINGS to Senator MCCARTHY. * * * Page 99" (p. 51 of the hearings).

41. On November 21, 1952, Senator MCCARTHY was deer hunting in northern Wisconsin (p. 298 of the hearings).

42. Senator MCCARTHY wrote to Chairman HENNINGS on November 28, 1952, stating that he had just received the wire of November 22, and that, as Senator HENNINGS had been previously advised, Senator MCCARTHY was not expected to return to Washington until November 27, on which date he did return (p. 49 of the hearings).

43. Senator MCCARTHY did not see the letter or telegram dated November 21, 1952, until November 28, 1952 (p. 299 of the hearings).

44. Senator MCCARTHY wrote to Chairman HENNINGS under date of December 1, 1952, stating as follows:

"Senator THOMAS C. HENNINGS, Jr.,

"*Chairman, Subcommittee on Privileges and Elections, Senate Office Building.*

"DEAR MR. HENNINGS: This is to acknowledge receipt of yours of November 21 in which you state that your object is to reach an 'impartial and proper conclusion based upon the facts' in the Benton application which asks for my removal from the Senate.

"I was interested in your declaration of honesty of the committee and would like to believe that it is true. As you know, your committee has the most unusual record of any committee in the history of the Senate. As you know two members of your staff have resigned and made the public statement that their reason for resignation was that your committee was dishonestly used for political purposes. Two Senators have also resigned. One, Senator WELKER, in the strongest possible language indicted your committee for complete dishonestly in handling your investigation. Senator GILLETTE also resigned without giving any plausible reason for his resignation from the committee. Obviously, he also couldn't stomach the dishonest use of public funds for political purposes. For that reason it is difficult for me to believe your protestations of the honesty of your committee.

"I would, therefore, ordinarily not dignify your committee by answering your letter of November 21. However, I decided to give you no excuse to claim in your report that I refused to give you any facts. For that reason you are being informed that the answer to the six insulting questions in your letter of November 21 is 'No.' You understand that in answering these questions I do not in any way approve of nor admit the false statements and innuendoes made in the questions.

"I note with some interest your reference to my 'activities on behalf of certain special-interest groups, such as housing, sugar, and China.' I assume you refer to my drafting of the comprehensive Housing Act of 1946, which was passed without a single dissenting vote in the Senate, either Democrat or Republican. Neither you nor any other Senator has attempted to repeal any part of that Housing Act. Or perhaps you refer to the slum-clearance bill which I drafted and introduced in 1948, which slum-clearance bill was adopted in toto by the Democrat-controlled Senate in 1949.

"When you refer to sugar, I assume you refer to my efforts to do away with your party's rationing of sugar, as I promised the housewives I would during my 1946 campaign. If that were wrong, I wonder why you have not introduced legislation in the Democrat-controlled Senate to restore sugar rationing. You have had 2 years to do so.

"I thought perhaps the election might have taught you that your boss and mine—the American people—do not approve of treason and incompetence and feel that it must be exposed.

"You refer to the above as 'special interests.' I personally feel very proud of having drafted the Housing Act in 1948 which passed the Congress without a single dissenting vote—a housing act which contributed so much toward making it possible for veterans and all Americans in the middle- and low-income groups to own their own home. Likewise, I am proud of having been able to fulfill my promise to American housewives to obtain the derationing of sugar. I proved at the time that rationing was not for the

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benefit of the housewives but for the commercial users.

"I likewise am double proud of the part I played in alerting the American people to your administration's traitorous betrayal of American interests throughout the world, especially in China and Poland.

"You refer to such activities on my part as 'activities for special interests.' I am curious to know what 'special interests' you mean other than the special interest of the American people.

"This letter is not written with any hope of getting an honest report from your committee. It is being written merely to keep the record straight.

"Sincerely yours,

"JOE MCCARTHY."

(P. 51 of hearings.)

45. Senator MCCARTHY appeared before the Subcommittee on Privileges and Elections once only, on July 3, 1952, in connection with his charges against Senator Benton under Senate Resolution 304, without in Senate Resolution 300 (pp. 52 and 375 of hearings).

46. Senator MCCARTHY did not appear before that subcommittee, at any other time, nor make any explanation in defense, except as shown in the foregoing correspondence, in connection with the charges pending against him, either before or after the Senate action in Senate Resolution 300 (pp. 52 and 375 of hearings).

47. Senator MCCARTHY did make an explanation of the Lustron matter on the floor of the Senate, on August 2, 1954 (p. 53 of hearings).

48. Senate Resolution 187, introduced by Senator Benton, was not voted upon by the Senate, although it was considered by the Senate in its vote on April 10, 1952, upon Senate Resolution 300 to test the jurisdiction of the subcommittee and the integrity of its members.

49. The vote of the Senate upon Senate Resolution 300 notwithstanding any previous question of the jurisdiction of the Hennings subcommittee, was a grant of authority to that subcommittee to proceed with its investigation of the charges pending against Senator MCCARTHY, since his election to the Senate.

50. Senate Resolution 187, introduced by Senator Benton, confined the subcommittee to activities of Senator MCCARTHY subsequent to his election in 1946.

51. Senator MCCARTHY's position was that he would not appear before the Hennings subcommittee upon the charges pending against him unless he was ordered to appear (p. 288 of hearings).

52. Senator MCCARTHY did not say in any of the correspondence relating to the hearings and his appearance, that he would not appear before the subcommittee unless he was ordered to do so, but testified that he so notified Chairman GILLETTE orally (p. 288 of hearings).

53. Senator MCCARTHY advised Chairman GILLETTE that unless he was given the right to cross-examine, that he had no desire to appear before the subcommittee, but that he would appear if ordered to do so (p. 288 of hearings).

54. At the hearings before the select committee, Senator MCCARTHY testified that the subcommittee knew that a witness was mentally incompetent "and they were going to call him solely for the purpose of doing a smear job" (p. 296 of hearings).

55. At the hearings before the select committee, Senator MCCARTHY testified that the insertion of the undated telegram, exhibit No. 42, in the Hennings report (found by this select committee to be a clerical error), "was completely dishonest," insisting upon this conclusion when the chairman asked whether it could not have been a mistake (pp. 299, 384, and 385 of hearing record).

56. Senator MCCARTHY told Chairman GILLETTE "that I would not appear unless I was ordered to appear or subpenaed. I forget which word I used. I told him I had no desire to appear before that committee and that his extending an opportunity meant nothing to me" (p. 305 of the hearing).

57. The report of the Subcommittee on Privileges and Elections was filed January 2, 1953 (p. 306 of the hearings).

58. On that day, Senator MCCARTHY, according to his own testimony, called Senator HENDRICKSON, a member of that subcommittee, by telephone and told him that it was completely dishonest to sign a report that was factually wrong (p. 306 of the hearings).

59. That evening Senator MCCARTHY gave a statement to the press regarding Senator HENDRICKSON, a member of that subcommittee, stating:

"This report accuses me either directly or by innuendo and intimation of the most dishonest and improper conduct.

"If it is true, I am unfit to serve in the Senate. If it is false, then the three men who joined in it—namely, HENDRICKSON, HENNINGS, and HAYDEN—are dishonest beyond words.

"If those 3 men honestly think that all of the 4 things of which they have accused me, they have a deep, moral obligation tomorrow to move that the Senate does not seat me as a Senator.

"If they think the report is true, they will do that. If they know the report is completely false and that it has been issued only for its smear value, then they will not dare to present this case to the Senate.

"This committee has been squandering taxpayers' money on this smear campaign for nearly 18 months. If they feel that they are honest and right, why do they fear presenting their case to the Senate?

"I challenge them to do that. If they do not, they will have proved their complete dishonesty.

"I can understand the actions of the left-wingers in the administration, like HENNINGS and HAYDEN. As far as HENDRICKSON is concerned, I frankly can bear him no ill will.

"Suffice it to say that he is a living miracle in that he is without question the only man in the world who has lived so long with neither brains nor guts" (pp. 67 and 68 of hearing record).

60. By letter of September 10, 1952, Chairman GILLETTE of the subcommittee wrote to Chairman HAYDEN, of the Committee on Rules and Administration, suggesting that the membership of the subcommittee be reduced from 5 members to 3, as it was originally, to facilitate the work of the subcommittee (p. 294 of the hearings).

61. Senator WELKER resigned as a member of the subcommittee on September 9, 1952 (p. 291 of the hearings).

62. Chairman GILLETTE resigned as a member of the subcommittee on September 26, 1952 (p. 294 of the hearings).

63. After consultation with the Parliamentarian, Senator HAYDEN, chairman of the parent Committee on Rules and Administration, decided it was unnecessary to appoint 2 Members of the Senate to take the places of those who had resigned, because it was a committee of 5 with a majority of 3, and because the Senate not being in session, it was very difficult to obtain Senators who were members of the Committee on Rules and Administration (p. 361 of the hearings).

64. Senator MONRONEY, who was in Europe, resigned as a member of the subcommittee, on November 20, 1952 (p. 361 of the hearings).

65. On November 20, 1952, Senator HAYDEN made it a matter of record by writing to the clerk of the Committee on Rules and Administration that he was appointing himself a member of the Subcommittee on Privileges and Elections in place of Senator MONRONEY (p. 362 of the hearings).

66. The subcommittee, with Senator HENNINGS as chairman, and Senators HENDRICKSON and HAYDEN as members, continued to function until January 16, 1953 (pp. 362 and 367 of the hearings).

67. Since January 1953 the Subcommittee on Privileges and Elections has had but three members (p. 362 of the hearings).

68. The suggestion of Senator GILLETTE that the membership of the subcommittee be reduced to three members was given consideration by both the Committee on Rules and Administration and the subcommittee (p. 362 of the hearings).

69. Senators HENNINGS, HAYDEN, and HENDRICKSON signed the subcommittee report pursuant to Senate Resolution 187 and Senate Resolution 304 (p. 363 of the hearings).

70. It was the opinion of Chairman HAYDEN, of the Committee on Rules and Administration, that without reducing the subcommittee to 3 members, the subcommittee could continue to function as a committee of 5 with but 3 members (p. 365 of the hearings).

71. It was the opinion of Chairman HAYDEN, that the Senate not being in session, it was not necessary for him as chairman of the parent committee to obtain confirmation by the parent committee of appointments to the subcommittee (p. 365 of the hearings).

72. Chairman HAYDEN testified that there was immediate important work for the subcommittee to do and that there was no one other than himself on the Committee on Rules and Administration who could be appointed to the subcommittee (p. 365 of the hearings).

73. This manner of conducting the Subcommittee on Privileges and Elections was consistent with its practice since before the 81st Congress and did not violate any rule of the parent committee (p. 366 of the hearings).

74. Chairman HAYDEN continued as chairman of the Committee on Rules and Administration, and Chairman HENNINGS of the Subcommittee on Privileges and Elections continued in office until about January 16, 1953 (pp. 367 and 369 of the hearings).

75. At the hearings before the select committee, Senator MCCARTHY testified when asked whether he had any evidence to support his written statements that the subcommittee was spending tens of thousands of dollars and as guilty as though engaged in picking the pockets of the taxpayers to turn the loot over to the Democrat National Committee, that he had produced this evidence in letters to the subcommittee (p. 377 of the hearings).

76. No such evidence appears in the letters.

77. When asked whether he had any evidence that the subcommittee had spent tens of thousands of dollars illegally, Senator MCCARTHY testified that, "They were spending a vast amount of money illegally, I don't know the exact figure" (p. 378 of the hearings).

78. When asked whether he knew that the matters pending before the subcommittee reflected seriously upon his character and activities and were of sufficient moment ordinarily to justify making some reply, Senator MCCARTHY testified that: "They were six insulting questions asked by the committee—by a Senator, not by a legal committee, I answered his questions. I told him the answer was 'No'" (p. 383 of the hearings). (But note that the above answer was contained in a letter from Senator MCCARTHY to Senator HENNINGS dated December 1, 1952, addressed to the latter as chairman of the Subcommittee on Privileges and Elections (pp. 51–52 of the hearings)).

79. At page 384 of the hearings, Senator MCCARTHY was asked whether it was his position that when matters of that serious nature are pending against a Member of the United States Senate, instead of appearing and making an answer, he can call them "insulting" and need not appear, and Senator MCCARTHY testified in reply that: "They are no more 'matters' than the 46 statements made by Senator FLANDERS."

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80. On January 2, 1953, Senator McCarthy bitterly criticized Senator Hendrickson with reference to the latter's work with the Subcommittee on Privileges and Elections, and then gave to the press a statement that Senator Hendrickson was "a living miracle in that he is without question the only man who has lived so long with neither brains nor guts" (pp. 66 and 425 of the hearings). (See also Finding of Fact No. 59.)

81. At the hearings before the select committee, when given the opportunity by Senator Case to withdraw or modify his remarks about Senator Hendrickson, a member of the subcommittee, Senator McCarthy indicated he had no desire to change his position (p. 425 of the hearings).

C. Legal Questions Involved in This Category

Several legal questions are involved and were considered in this part of the inquiry. They may be stated briefly as follows:

1. Is the Senate a continuing body?
2. Does the Senate have the power to censure a Senator for conduct occurring during his prior term as Senator?
3. Was it necessary for Senate Resolution 187 to be adopted by the Senate?
4. Was the Gillette-Hennings subcommittee acting beyond its power and jurisdiction?
5. Was it a lawfully constituted subcommittee?
6. Was it necessary for that subcommittee to subpena Senator McCarthy?
7. Was Senator McCarthy repeatedly invited to appear?
8. Was it the duty of Senator McCarthy to appear without an order or subpena to appear and was his failure to appear obstructive?
9. Was the request to Senator McCarthy to appear a legal basis for contempt, and was his reply contumacious?
10. Was Senator McCarthy's conduct toward that subcommittee contemptuous, independently of his failure to appear?
11. Did Senator McCarthy "denounce" the subcommittee?
12. Has the conduct of Senator McCarthy been contumacious toward the Senate by failing to explain the six charges contained in the subcommittee's report?
13. Did the reelection of Senator McCarthy in 1952 make these matters moot?

Discussion of legal questions

1. The Senate Is a Continuing Body

The fact that the Senate is a continuing body should require little discussion. This has been uniformly recognized by history, precedent, and authority. While the rule with reference to the House, whose Members are elected all for the period of a single Congress may be different, the Senate is a continuing body, whose Members are elected for a term of 6 years, and so divided into classes that the seats of one-third only become vacant at the end of each Congress. Senate Document No. 99, 83d Congress, 2d session, Congressional Power of Investigation, page 7.

Senate rule XXV (2) provides that each standing committee shall continue and have the power to act until their successors are appointed. That rule was followed in the case of the committee in question. The testimony taken in the hearings of the select committee shows that Senator Hayden, chairman of the Committee on Rules and Administration in the 82d Congress, certified the payroll for that committee for the 1st month of the 83d Congress.

The continuity of the Senate was questioned at the beginning of the 83d Congress, and the issue was decided in favor of the precedents. Congressional Record, volume 99, part 1, pages 108–129. [Senate rule XXV (2) provides that each standing committee shall continue and have power to act until their successors are appointed. Senate rule XXXII provides that the legislative business of the Senate shall be continued from session to session, and that the legislative business which remains undetermined at the close of the next preceding session of that Congress shall be resumed as if no adjournment had taken place. This rule makes it clear that all legislative business continues from session to session.] *For further discussion,* see Senate Document No. 4, 1953, 83d Congress. The rule that the Senate is a continuing body has been recognized by the Supreme Court, in *McGrain* v. *Daugherty* (273 U. S. 135, 182 (1927)), where the Court said:

"This being so, and the Senate being a continuing body, the case cannot be said to have become moot in the ordinary sense."

2. The Senate Has the Power To Censure a Senator for Conduct Occurring During His Prior Term as Senator

The contention has been made by Senator McCarthy that since he was reelected in 1952 and took his seat for a new term on January 3, 1953, the select committee lacks power to consider any conduct on his part, occurring prior to January 3, 1953, as the basis for censure. His counsel based this contention on several cases cited as authority for this proposition (p. 19 of the hearings), being *Anderson* v. *Dunn* (6 Wheat. 204); *Jurney* v. *MacCracken* (294 U. S. 125); and *U. S.* v. *Bryan* (339 U. S. 323). The argumentative basis for this contention is that the power to censure is part of the power of the Senate to punish for contempt, and that any limitations on the latter power must necessarily limit the power to censure. This contention is without foundation for at least two reasons: (1) The power to censure is an independent power and may be exercised by the Senate for conduct totally unrelated to any act or acts which may be contemptuous; and (2) even assuming that the power to censure is limited to the extent of the power to punish for contempt, the authorities cited do not sustain the proposition advanced.

The case of *Anderson* v. *Dunn* (6 Wheat. 204 (1821)) was an action in trespass for an assault and battery and false imprisonment against the Sergeant at Arms of the House of Representatives. The Supreme Court held that the defendant Sergeant at Arms had a proper and lawful defense by showing that he acted under the orders of the Speaker and had taken the plaintiff into custody for a high contempt of the dignity of the House. The only possible relevancy of the opinion to the matters now pending before the select committee appears in the opinion by Mr. Justice Johnson, at page 231, that the duration of the imprisonment for contempt of the House is limited when the legislative body ceases to exist on the moment of its adjournment, and the imprisonment must terminate with that adjournment. It is clear that this was dictum, applies to the House and not to the Senate, does not involve a case of censure of a Member of the Senate, and was the law only until Congress by statute made contempt of either House a criminal offense.

In the case of *Jurney* v. *MacCracken* (294 U. S. 125 (1935)) the defendant, a lawyer, was arrested by the Sergeant at Arms of the Senate, pursuant to a resolution of the Senate, for contempt in failing to produce and permitting the removal and destruction of certain papers, after they had been subpenaed by the special Senate committee investigating ocean and airmail contracts. The Supreme Court affirmed the dismissal of the defendant's writ of habeas corpus holding that where the offending act was of a nature to obstruct the legislative process, the fact that the obstruction has since been removed or that its removal has become impossible is without significance; that the enactment of Revised Statute 102 did not impair the right of Congress to punish for contempt; and that whether a recalcitrant witness has purged himself of contempt is for Congress to decide and cannot be inquired into by a court by a writ of habeas corpus. It is evident that this case does not deal with any question of censure or punishment of a Member of the Senate. MacCracken did contend that the Senate was absolutely without power itself to impose punishment for a past act, and that such punishment must be inflicted by the courts, as for other crimes, and under the safeguard of all constitutional provisions, but this contention was dismissed by the opinion of the Supreme Court, delivered by Mr. Justice Brandeis, at page 149.

The case of *United States* v. *Bryan* (339 U. S. 323 (1950)) involved a criminal trial for contempt of the House Committee on Un-American Activities, and the refusal of the defendant to produce certain records under subpena from that committee. In the opinion of the Supreme Court, by Mr. Chief Justice Vinson, mention is made of Revised Statutes, section 102 (2 U. S. C., sec. 192), enacted in 1857. It is clear that one of the purposes of the act was to permit the imprisonment of a contemnor beyond the expiration of the current session of Congress. The Supreme Court states unequivocally that the judicial proceedings under the statute are intended as an alternative method of vindicating the authority of Congress to compel the disclosure of facts which are needed in the fulfillment of the legislative function. The select committee was advised by its counsel that this case has no apparent bearing upon the contention of Senator McCarthy in these proceedings with reference to his failure to appear before the Gillette-Hennings subcommittee. Counsel further advised that it is inappropriate to cite cases of criminal contempt as the basis for the law of censure by the Senate of one of its Members.

It seems clear that if a Senator should be guilty of reprehensible conduct unconnected with his official duties and position, but which conduct brings the Senate into disrepute, the Senate has the power to censure. The power to censure must be independent, therefore, of the power to punish for contempt. A Member may be censured even after he has resigned (2 Hinds' Precedents 1239, 1273, 1275 (1907)). Precedents in both the Senate and House for expulsion or censure for conduct occurring during a preceding Congress may be found in Hinds (op. cit., 1275 to 1289). Precedents in the House cannot be considered as controlling because the House is not a continuing body.

In this connection, it must be remembered that the report of the Subcommittee on Privileges and Elections was filed on January 2, 1953, and since the new Congress convened the next day, there was not time for action in the prior session.

While it may be the law that one who is not a Member of the Senate may not be punished for contempt of the Senate at a preceding session, this no basis for declaring that the Senate may not censure one of its own Members for conduct antedating that session, and no controlling authority or precedent has been cited for such position.

The particular charges against Senator McCarthy, which are the basis of this category, involve his conduct toward an official committee and official committee members of the Senate. [These committees continue from session to session and there is no lapse in their legislative business.]

The reelection of Senator McCarthy in 1952 was considered by the select committee as a fact bearing on this proposition. This reelection is not deemed controlling because only the Senate itself can pass judgment upon conduct which is injurious to its processes, dignity, and official committees.

In the Senate on April 8, 1952 (Congressional Record, vol. 98, pt. 3, pp. 3701-3705), at the request of Senator Hayden, there were ordered printed Senate Expulsion, Exclusion,

and Censure Cases Unconnected With Elections, 1871–1951.

A résumé of precedents on expulsion, exclusion, and censure cases since the organization of the Committee on Privileges and Elections is printed on page 73 of the Hennings-Hayden-Hendrickson report. Another collection of Senate precedents appears in the CONGRESSIONAL RECORD, Senate, August 2, 1954, page 12989, being a study prepared by William R. Tansill, of the Government Division of the Legislative Reference Service of the Library of Congress, printed on motion of Senator MORSE. In election cases, the Senate, of course, considers conduct occurring before the commencement of the term of the Senator involved. Senator MORSE, in the same day, had printed in the same CONGRESSIONAL RECORD at page 12999 certain pertinent material from Hinds' Precedents, and at page 13000 certain pertinent material from Cannon's Precedents.

From an examination and study of all available precedents, the select committee is of the opinion that the Senate has the power, under the circumstances of this case, to elect to censure Senator MCCARTHY for conduct occurring during his prior term in the Senate, should it deem such conduct censurable.

3. It Was Not Necessary for Senate Resolution 187 To Be Adopted by the Senate

Senate Resolution 187, introduced by Senator Benton on August 6, 1951, was not actually a resolution for the expulsion of Senator MCCARTHY. In the resolution paragraph, the Committee on Rules and Administration is authorized to make an investigation "as may be appropriate to enable such committee to determine whether or not it should initiate action with a view toward the expulsion from the United States Senate of the said Senator, JOSEPH R. MCCARTHY."

In the regular order of Senate business, after this resolution was introduced, it was referred by the President of the Senate, without a vote by the Senate, to the Committee on Rules and Administration.

The Legislative Reorganization Act of 1946, in section 102, which incorporates rule XXV of the Standing Rules of the Senate, provides that among the standing committees to be appointed at the commencement of each Congress, with leave to report by bill or otherwise, there shall be a Committee on Rules and Administration, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to * * * credentials and qualifications. By section 134–A of the same act, each standing committee of the Senate, including any subcommittee of such committee, is authorized to hold such hearings, to sit and act at such times and places during the sessions and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses * * * as it deems advisable. It is further provided in the same section that each such committee may make investigations into any matter within its jurisdiction and report such hearings as may be had by it.

As stated by Senator CASE (at p. 61 of the hearings) reference is made on page 71 of the Hennings report, being the report of the Subcommittee on Privileges and Elections to the Committee on Rules and Administration pursuant to Senate Resolutions 187 and 304, that investigations with reference to alleged misconduct by a Senator may be undertaken by the Subcommittee on Privileges and Elections with or without specific Senate authorization or direction. That report states at the page indicated:

"The old Committee on Privileges and Elections was presented with five cases of expulsion or exclusion unconnected with an election. In three of these cases, those of Smoot, Burton, and Gould, the Senate adopted resolutions directing an investigation of the charges against the respective Senators. In the other two cases, those of La Follette and Langer, the petitions and protests of private citizens were referred by the Presiding Officer to the Committee on Privileges and Elections, which then conducted investigations without obtaining resolutions of authorization from the Senate.

"These precedents indicate that the legal power of the subcommittee to conduct investigations of its own motion is not subject to question; and also that the subcommittee may act under a resolution formally adopted by the Senate."

It is the opinion of the select committee, in addition to the conclusion made evident by the foregoing precedents, that the vote of the Senate on April 10, 1952, upon Senate Resolution 300, 82d Congress, 2d session, introduced by Senator HAYDEN for himself and Senators GILLETTE, MONRONEY, HENNINGS, and HENDRICKSON, to obtain the sense of the Senate upon the right and power of the Committee on Rules and Administration and its Subcommittee on Privileges and Elections to proceed with the investigation of Senator MCCARTHY under Senate Resolution 187, and to obtain a vote of confidence from the Senate in the integrity of the committee members, carried all the implications, and was to the same effect, as if the Senate by vote had directed that committee and subcommittee, on August 6, 1951, to proceed with the investigation sought by Senate Resolution 187.

It is, therefore, the opinion of the select committee that it was not necessary for Senate Resolution 187 to have been adopted by the Senate.

4. The Gillette-Hennings Subcommittee on Privileges and Elections Was Not Acting Beyond Its Power or Jurisdiction

The action of the Senate upon Senate Resolution 300 must be considered as an affirmance that as of April 10, 1952, when the actions of the Subcommittee on Privileges and Elections and the integrity of its members were ratified and approved by a vote of 60 to 0, the committee and subcommittee were acting within its power and jurisdiction.

The jurisdiction of the Subcommittee on Privileges and Elections was not limited to the conduct of Senator MCCARTHY connected with elections only but extended to acts totally unconnected with election matters, but which were relevant in inquiries relating to expulsion, exclusion, and censure. The debate in the Senate and the vote of the Senate makes this abundantly clear. (See CONGRESSIONAL RECORD, Senate, April 8, 1952, pp. 3701, 3753–3756.) One of the principal purposes of the introduction of Senate Resolution 300 was to affirm or deny the contention of Senator MCCARTHY that the Subcommittee on Privileges and Elections lacked jurisdiction to investigate such acts as were not connected with elections and campaigns. Senate Resolution 187, introduced by Senator Benton, provided for an investigation with reference to the other acts of Senator MCCARTHY since his election to the Senate (in the fall of 1946), as might be appropriate to carry out the purposes of the resolution. It is clear, therefore, that the subcommittee had the right and power to investigate the acts of Senator MCCARTHY at least since January 1947. While Senate Resolution 187 did not itself specify any charges against Senator MCCARTHY, the charges pending upon the Subcommittee on Privileges and Elections were known to Senator MCCARTHY and were disclosed to him in detail in the correspondence between him and the chairman of the subcommittee. Most of the six charges referred clearly to activities of Senator MCCARTHY after January 1947. It may be, although this select committee is not in a position to so decide, that some parts of the investigations and proceedings of the Subcommittee on Privileges and Elections were concerned with matters arising before January 1947, but it is the judgment of this select committee that this extension of power and authority did not ipso facto nullify the power and jurisdiction of that subcommittee to proceed with its lawful duties and powers.

It is, therefore, the judgment of the select committee that for purposes of the present inquiry, it can be stated that the Gillette-Hennings Subcommittee on Privileges and Elections was not acting beyond its power and jurisdiction so far as forming a basis for the possible censure of Senator MCCARTHY by reason of his conduct in relation with and toward that subcommittee.

5. The Gillette-Hennings Subcommittee on Privileges and Elections Was a Lawfully Constituted Committee

As shown by the testimony taken in this proceeding, the subcommittee originally had five members. After the resignations of Senators WELKER and GILLETTE, and the reduction of the number of acting members to 3, Senator HAYDEN, chairman of the Committee on Rules and Administration, the parent committee, decided that it was not necessary to fill the 2 vacancies, and that the work of the subcommittee would be better performed by the smaller number. After that time, Senator MONRONEY resigned, and Senator HAYDEN then appointed himself to that vacancy, so that the subcommittee continued with three members.

Senator HAYDEN testified that there was no rule of the parent committee or subcommittee which was contrary to the procedure adopted in this case, and that the procedure was consonant with the practice both before and after 1952. As a matter of fact, the subcommittee since 1952 has consisted of three members.

With the approval of Senator MCCARTHY and his counsel, testimony was taken from Charles L. Watkins, the Senate Parliamentarian, upon the status and legality of the Gillette-Hennings subcommittee. This testimony appears on page 535 of the hearings, and may be epitomized as follows:

1. The three-member subcommittee, as constituted by Senator HAYDEN, after the resignation of Senator MONRONEY, by appointing himself as the third member, was a legal committee for the discharge of regular business under the rules and precedents of the Senate.

2. There was no mandatory requirement for a chairman to fill a vacancy on a subcommittee.

3. Chairman HAYDEN of the parent Committee on Rules and Administration had the right to appoint himself a member of the Subcommittee on Privileges and Elections, without submitting the appointment to the Committee on Rules and Administration, for prior approval or subsequent ratification.

4. This was particularly true when the Senate was not in session.

5. Chairman HAYDEN had the right to recognize Senator HENNINGS as chairman of the Subcommittee on Privileges and Elections, and had the right to appoint the chairman of the subcommittee.

6. The subcommittee of 3 members had the right to designate 1 member as a legal quorum for the purpose of taking testimony.

7. The subcommittee of 3 members was authorized and had the duty to make a report to the full committee, signed by its 3 members, Senators HENNINGS, HAYDEN, and HENDRICKSON, and file the report with the full Committee on Rules and Administration, with Senator HAYDEN as chairman.

8. In a quasi-judicial proceeding such as an expulsion matter, although 3 of the original 5 members of the Subcommittee on Privileges and Elections have resigned, although 2 of the vacancies have not been filled, and the chairman of the Committee on Rules and Administration has appointed himself to the third vacancy on the subcommittee, that subcommittee of 3 members had the right to file a valid legal report with the parent committee, when less than half of its original 5 members have heard the evidence.

6. It Was Not Necessary for the Subcommittee To Subpena Senator McCarthy

A question has been raised in these proceedings whether it was necessary for the Subcommittee on Privileges and Elections to subpena Senator McCarthy to appear before it.

According to his testimony, he had no desire to appear before the subcommittee and advised the chairman that he would not appear before it to answer the charges made against him and pending before that subcommittee, unless he was ordered so to do. The provisions of the Legislative Reorganization Act, above referred to, make it clear that the subcommittee had the power and right to require the attendance of Senator McCarthy for purposes of investigation and examination "by subpena or otherwise." It can be stated, therefore, categorically, that it was not necessary for the subcommittee to issue its subpena for him. Section 134–A of the Legislative Reorganization Act does refer to "requiring" the attendance of witnesses, and the select committee is of the opinion that an invitation to appear, is not such action indicating a requirement to appear as is contemplated by the act. It is the opinion of the select committee that a request to appear, such as the letter and telegram from the subcommittee to Senator McCarthy dated November 21, 1952, was sufficient (aside from any question whether Senator McCarthy received them in time) to meet the requirements of the law. The related questions whether Senator McCarthy was repeatedly invited to appear, and whether he should have appeared even without invitation and without request or subpena, are considered hereinafter.

7. Senator McCarthy Was Repeatedly Invited To Appear

The select committee has carefully considered all the letters in evidence between Senator McCarthy and the Subcommittee on Privileges and Elections, and all the testimony relating to his appearance before the subcommittee. The facts relating to whether or not Senator McCarthy was repeatedly invited to appear before that subcommittee in order to make answer to the very serious charges against his character and his activities in the Senate have already been found by the select committee and incorporated hereinabove as findings of fact. This evidence and this testimony, upon analysis, has convinced the select committee that Senator McCarthy was invited by that subcommittee to appear before it in order to aid its investigation and to give answer to the charges made against him and pending before that subcommittee. It must be remembered that Senator McCarthy wrote to Chairman Gillette under date of September 17, 1951, stating that he intended to appear to question witnesses (see finding of fact No. 7). Senator McCarthy was invited to appear before the subcommittee by letter of September 25, 1951 (finding of fact No. 8), by letter of October 1, 1951 (finding of fact No. 10), by letter of December 21, 1951 (finding of fact No. 20), by letter of May 7, 1952 (finding of fact No. 30), by letter of May 10, 1952 (finding of fact No. 33), and by letter of November 7, 1952 (finding of fact No. 35).

8. It Was the Duty of Senator McCarthy To Accept the Repeated Invitations by the Subcommittee, and His Failure To Appear Was Obstructive of the Processes of the Senate, For No Formal Order or Subpena Should Be Necessary To Bring Senators Before Senate Committees When Their Own Honor and the Honor of the Senate Are at Issue

The matters against Senator McCarthy under investigation by the Gillette-Hennings subcommittee were of a serious nature. Apparently, Senator McCarthy knew the nature of these matters, since he testified:

"I know all about this matter: I have been living with it. It had been underway. They had been going far beyond the resolution, investigating things they had no right to investigate; going back beyond the time that I was even old enough to run for Senator, investigating the income-tax returns of my father, who died before I was elected. So I knew those facts" (p. 385 of the hearings).

Furthermore, Chairman Gillette specified one of the matters against Senator McCarthy (that of the Lustron payment) in his letter of May 7, 1952, to Senator McCarthy (p. 32 of the hearings), and Chairman Hennings specified all six of the matters in his letter to Senator McCarthy of November 21, 1952 (p. 45 of the hearings).

The mere reading of these matters (p. 46 of the hearings) without deciding or attempting to decide whether they are true or not, makes it clear that the honesty, sincerity, character, and conduct of Senator McCarthy were under inquiry. It is the opinion of the select committee that when the personal honor and official conduct of a Senator of the United States are in question before a duly constituted committee of the Senate, the Senator involved owes a duty to himself, his State, and to the Senate, to appear promptly and cooperate fully when called by a Senate committee charged with the responsibility of inquiry. This must be the rule if the dignity, honor, authority, and powers of the Senate are to be respected and maintained. This duty could not and was not fulfilled by questioning the authority and jurisdiction of the subcommittee, by accusing its members of the dishonest expenditure of public funds, or even by charging that the subcommittee was permitting itself to be used to serve the cause of communism. When persons in high places fail to set and meet high standards, the people lose faith. If our people lose faith, our form of government cannot long endure.

The appearance which we believe was necessary was before a subcommittee of the Senate itself, to which subcommittee the Senate, through its normal processes, had confided a matter affecting its own honor and integrity. In such a case legal process was not and should not be required.

9. The Request of November 21, 1952, to Senator McCarthy To Appear Did Not Form a Legal Basis for Contempt, but His Reply of December 1, 1952, Was, in Itself, Contumacious in Character

As appears from the findings of fact, Senator McCarthy was formally requested to appear by letter and by telegram from Subcommittee Chairman Hennings, dated November 21, 1952. The request was that he appear before the subcommittee between November 22 and November 25, 1952 (p. 46 of the hearings).

Senator McCarthy testified that he was in Wisconsin, on a hunting trip, and that he did not see the letter or telegram until November 28, 1952 (p. 298 of the hearings). The select committee accepts this testimony as true.

Considering this request as a formal request, and Senator McCarthy being unable to appear in the dates fixed because he did not know of the request in time, we believe that this request, considered independently, would not be contempt in the ordinary legal sense, but we think the letter which he wrote in reply to the request was contumacious in its entire form and manner of expression when directed at a committee of the Senate seeking to act upon a matter referred to it (p. 51 of the hearings).

10. The Conduct of the Junior Senator From Wisconsin Toward the Subcommittee on Privileges and Elections Was Contemptuous, Independently of His Failure To Appear

We have considered carefully all of the correspondence and all the conduct, relation, and attitude of Senator McCarthy toward the Subcommittee on Privileges and Elections. We believe it fair to say on the evidence in this record that the junior Senator from Wisconsin did not intend to appear before that subcommittee for examination.

He first questioned the jurisdiction of the subcommittee to inquire into any but election charges. Later he contended that the subcommittee was investigating conduct preceding his election to the Senate, and that, therefore, its activities were illegal.

He also stated that he would not appear unless he were given the right to cross-examine witnesses. We feel that this right should have been accorded to him and that upon proper request, either to the Committee on Rules and Administration, of which Senator McCarthy was a member (p. 27 of the hearings), or to the Senate itself, he could have obtained this right, but that, in any event, this cannot be a justification for contemptuous conduct.

The letters of Senator McCarthy to the respective chairmen of the subcommittee, dated December 6, 1951 (p. 24 of the hearings), December 19, 1951 (p. 27 of the hearings), March 21, 1952 (p. 30 of the hearings), May 8, 1952 (p. 32 of the hearings), May 8, 1952 (p. 35 of the hearings), May 11, 1952 (p. 44 of the hearings), and December 1, 1952 (p. 51 of the hearings), are clearly contemptuous, disregarding entirely his duty to cooperate, ridiculing the subcommittee, accusing these committee officers of the Senate with dishonesty and impugning their motives, and making it impossible for them to proceed in orderly fashion, or to complete their duties.

The same attitude was expressed in the statement given to the press by Senator McCarthy on January 2, 1953 (p. 68 of the hearings).

The letters to Senator McCarthy from Chairman Gillette, later from Chairman Hennings, and the letter from Chairman Hayden, were uniformly courteous and cooperative, as one Senator should have the right to expect from colleagues. There is no justification in his record for the harsh criticisms directed by Senator McCarthy to the subcommittee, in letters apparently sometimes given to the press before receipt by the person to whom directed (p. 27 of the hearings).

It is the opinion of the select committee that this conduct of Senator McCarthy was contemptuous, independently of his failure to appear before the subcommittee.

11. The Junior Senator From Wisconsin Did "Denounce" the Senate Subcommittee on Privileges and Elections Without Justification

We feel that the fact that Senator McCarthy denounced the Subcommittee on Privileges and Elections is established by reference to a few of the letters in the exchange of correspondence. In his letter of December 6, 1951 (p. 24 of the hearings), to Chairman Gillette, Senator McCarthy states that when the subcommittee, without Senate authorization, is "spending tens of thousands of taxpayers' dollars for the sole purpose of digging up campaign material against McCarthy, then the committee is guilty of stealing just as clearly as though the members engaged in picking the pockets of the taxpayers and turning the loot over to the Democrat National Committee." Such language directed by a Senator toward a committee of the Senate pursuing its authorized functions is clearly intemperate, in bad taste, and unworthy of a Member of this body.

These accusations by Senator McCarthy are continued and repeated in his letter to Chairman Gillette dated December 19, 1951 (p. 27 of the hearings). Under date of March 21, 1952 (p. 30 of the hearings), Senator McCarthy wrote to Senator Hayden, chairman of the parent Committee on Rules and Administration that: "As you know I wrote Senator Gillette, chairman of the subcommittee, that I consider this a completely dishonest handling of taxpayers' money." Similar language is used in Senator Mc-

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CARTHY's letters down to the last dated December 1, 1952 (p. 51 of the hearings).

If Senator McCARTHY had any justification for such denunciation of the subcommittee, he should have presented it at these hearings. His failure so to do leaves his denunciation of officers of the Senate without any foundation in this record.

The members of the subcommittee were Senators representing the people of sovereign States. They were performing official duties of the Senate. Every Senator is understandably jealous of his honor and integrity, but this does not bar inquiry into his conduct, since the Constitution expressly makes the Senate the guardian of its own honor.

It is the opinion of the select committee that these charges of political waste and dishonesty for improper motives were denunciatory and unjustified.

In this connection, attention is directed to the charges referred to this committee relating to words uttered by the junior Senator from Wisconsin about individual Senators.

It has been established, without denial and in fact with confirmation and reiteration, that Senator McCARTHY, in reference to the official actions of the junior Senator from New Jersey [Mr. HENDRICKSON], as a member of the Subcommittee on Privileges and Elections, questioned both his moral courage and his mental ability.

His public statement with reference to Senator HENDRICKSON was vulgar and insulting. Any Senator has the right to question, criticize, differ from, or condemn an official action of the body of which he is a Member, or of the constituent committees which are working arms of the Senate in proper language. But he has no right to impugn the motives of individual Senators responsible for official action, nor to reflect upon their personal character for what official action they took.

If the rules and procedures were otherwise, no Senator could have freedom of action to perform his assigned committee duties. If a Senator must first give consideration to whether an official action can be wantonly impugned by a colleague, as having been motivated by a lack of the very qualities and capacities every Senator is presumed to have, the processes of the Senate will be destroyed.

12. The Conduct of Senator McCarthy Has Been Contumacious Toward the Senate by Failing To Explain Three of the Questions Raised in the Subcommittee's Report

The report of the subcommittee was filed on January 2, 1953. Since that time Senator McCARTHY has given to the Senate, on the Senate floor, an explanation of the Lustron matter only. Of the other 5 matters, mentioned in the November 21, 1952, letter by Chairman HENNINGS, 3 are of a serious nature, reflecting upon Senator McCARTHY's character and integrity, and have not been answered either before the Senate or before any of its committees.

It is our opinion that the failure of Senator McCARTHY to explain to the Senate these matters: (1) Whether funds collected to fight communism were diverted to other purposes inuring to his personal advantage; (2) whether certain of his official activities were motivated by self-interest; and (3) whether certain of his activities in senatorial campaigns involved violations of the law; was conduct contumacious toward the Senate and injurious to its effectiveness, dignity, responsibilities, processes, and prestige.

13. The Reelection of Senator McCarthy in 1952 Did Not Settle These Matters

This question is answered in part by our conclusions that the Senate is a continuing body and has power to censure a Senator for conduct occurring during his prior term as Senator, and in part by the fact that some of the contumacious conduct occurred after his reelection, notably the letter of December 1, 1952. The Senate might have proceeded with this matter in 1953 or earlier in 1954 had the necessary resolution been proposed.

Some of the questions, notably the use for private purposes of funds contributed for fighting communism, were not raised until after the election. The people of Wisconsin could pass only upon what was known to them.

Nor do we believe that the reelection of Senator McCARTHY by the people of Wisconsin in the fall of 1952 pardons his conduct toward the Subcommittee on Privileges and Elections. The charge is that Senator McCARTHY was guilty of contempt of the Senate or a senatorial committee. Necessarily, this is a matter for the Senate and the Senate alone. The people of Wisconsin can only pass upon issues before them; they cannot forgive an attack by a Senator upon the integrity of the Senate's processes and its committees. That is the business of the Senate.

D. Conclusions

It is, therefore, the conclusion of the select committee that the conduct of the junior Senator from Wisconsin toward the Subcommittee on Privileges and Elections, toward its members, including the statement concerning Senator HENDRICKSON acting as a member of the subcommittee, and toward the Senate, was contemptuous, contumacious, and denunciatory, without reason or justification, and was obstructive to legislative processes. For this conduct, it is our recommendation that he be censured by the Senate.

II

Category II. Incidents of encouragement of United States employees to violate the law and their oaths of office or Executive orders

A. Summary of Evidence

The committee, pursuant to the category 2, "Incidents of encouragement of United States employees to violate the law and their oaths of office or Executive orders," received evidence and took testimony regarding:

1. Amendment proposed by Mr. FULBRIGHT to the resolution (S. Res. 301) to censure the Senator from Wisconsin [Mr. McCARTHY], viz:

"(5) The junior Senator from Wisconsin openly, in a public manner before nationwide television, invited and urged employees of the Government of the United States to violate the law and their oath of office."

2. Amendment proposed by Mr. MORSE to the resolution (S. Res. 301) to censure the Senator from Wisconsin [Mr. McCARTHY], viz:

"(e) Openly invited and incited employees of the Government to violate the law and their oaths of office by urging them to make available information, including classified information, which in the opinion of the employees could be of assistance to the junior Senator from Wisconsin in conducting his investigations, even though the supplying of such information by the employee would be illegal and in violation of Presidential order and contrary to the constitutional rights of the Chief Executive under the separation-of-powers doctrine."

This category involves alleged statements of Senator McCARTHY made at and during the hearings before the Special Subcommittee on Investigations for the Committee on Government Operations of the United States Senate pursuant to Senate Resolution 189, and reveals the following specific charges:

1. That Senator McCARTHY openly, in a public manner before nationwide television, invited, urged, and incited employees of the Government to violate the law and their oaths of office.

2. That he invited, urged, and incited such employees to give him classified information.

3. That the supplying of such classified information by such employees would be illegal, in violation of Presidential orders and contrary to the constitutional rights of the Chief Executive.

The committee received documentary evidence in the form of excerpts from the printed record of the testimony taken and published by the Special Subcommittee on Investigations for the Committee on Government Operations, oral testimony by Senator McCARTHY in his own behalf, and received documentary evidence offered by him from the reports of the Internal Security Subcommittee and the Committee on the Judiciary of the Senate wherein Government workers were invited to supply certain information to congressional committees.

From the aforementioned relevant and competent evidence and testimony so adduced, the select committee regards the following as having been established:

That at the hearings of the Permanent Subcommittee on Investigations for the Committee on Government Operations, following an attempt by Senator McCARTHY to question Secretary Stevens about the "2½-page document," and following questioning by certain members of that subcommittee, relative to the legality of his receiving and using the document, the Senator made the replies or statements which are the subject of this category of charges.

At those hearings Senator McCARTHY took the position that:

"I would like to notify those 2 million Federal employees that I feel it is their duty to give us any information which they have about graft, corruption, communism, treason, and that there is no loyalty to a superior officer which can tower above and beyond their loyalty to their country * * *" (hearing record, p. 87).

"Again, I want to compliment the individuals who have placed their oaths to defend the country against enemies—and certainly Communists are enemies—above and beyond any Presidential directive * * *" (hearings record, p. 87).

"I think that the oath which every person in this Government takes, to protect and defend this country against all enemies, foreign and domestic, that oath towers far above any Presidential secrecy directive. And I will continue to receive information such as I received the other day * * *" (hearing record, p. 87).

"That I have instructed a vast number of these employees that they are dutybound to give me information even though some little bureaucrat has stamped it 'secret' to protect himself" (hearing record, p. 87).

"I don't think any Government employee can deny the people the right to know what the facts are by using a rubber stamp and stamping something 'secret'" (hearing record, p. 89).

"While I am chairman of the committee I will receive all the information I can get about wrongdoing in the executive branch" (p. 89 of the hearings).

"I think that oath to defend our country against all enemies foreign and domestic towers above and beyond any loyalty you might have to the head of a bureau or the head of a department" (p. 90 of the hearings).

"I am an authorized person to receive information in regard to any wrongdoing in the executive branch. When you say 'classified document,' Mr. SYMINGTON, certainly I am not authorized to receive anything which would divulge the names of, we will say, informants, of Army Intelligence, anything which would in any way compromise their investigative technique, and that sort of thing. * * *" (p. 91 of the hearings).

"No one can deny us information by stamping something 'classified'" (p. 92 of the hearings).

"Any committee which has jurisdiction over a subject has the right to receive the information. The stamp on the document, I would say, is not controlling * * *" (p. 92 of the hearings).

"Anyone who has evidence of wrongdoing, has not only the right but the duty to bring that evidence to a congressional committee" (p. 92 of the hearings).

That the Senator, at the hearings of the select committee, admitted making some of the foregoing statements charged against him (pp. 261–263 of the hearings), and did not deny having made the others. At these hearings, Senator McCarthy took an affirmative position relative to the following question of Senator Ervin:

"Senator, when you made the statement which Mr. de Furia characterized as an invitation to the employees of the executive departments, did you mean to invite those employees to bring to you, as chairman of the investigating subcommittee, information relating to corruption, wrongdoing, communism, or treason in Government, even though such employees could find such information only in documents marked 'classified' by the department in which such employees were working?

"By Senator McCarthy. Yes" (hearing record p. 417).

In addition to the foregoing, which the committee believes to have been established, the select committee received the following additional evidence and testimony:

Senator McCarthy testified in his own behalf that—

"I was not asking for general classified information. I was only asking for evidence of wrongdoing. I was asking these people to conform with the criminal code which requires they give that evidence" (p. 262 of the hearings).

"When I invited them to give the chairman of that committee evidence of wrongdoing, I am inviting them not to violate their oath of office but to conform to their oath of office * * *" (pp. 263 and 264 of the hearings).

"I confined this information with regard to illegal activities on the part of Federal employees. It did not include general classified material * * * that as chairman of the Government Operations Committee and the investigation committee, if I did not try to get that information, then I should be subject to censure" (p. 265 of the hearings).

"I feel very strongly that if someone in the executive knows of wrongdoing, of a crime being committed, and they do not bring it to someone who will act on it they are almost equally guilty * * * and let me emphasize again I am not asking for general classified information; I am merely asking for evidence of wrongdoing. I maintain that you cannot hide wrongdoing by using a rubber stamp, stamping 'Confidential,' 'Secret,' or 'Top Secret'—I don't care what classification they stamp upon it—as long as it is evidence of wrongdoing" (p. 266 of the hearings).

"I am referring here, obviously, to valid information" (p. 394 of the hearings).

The Senator contended that the following statutes permitted, even imposed a duty upon, Federal employees to give to him the information so requested:

Title V, United States Code, section 652 (d) (p. 264 of the hearings).

Title XVIII, United States Code, section 4 (p. 265 of the hearings).

Title XVIII, United States Code, section 798 (p. 395 of the hearings).

Senator McCarthy further stated that the position which he took was not new or unprecedented, but that the Vice President (then Congressman), Nixon, took a position much stronger, and the then Senator Hugo Black in 1934 took a similar position to the one presently taken by him (p. 267 of the hearings). He introduced into the record excerpts from a report of the Committee on the Judiciary, 1951, "Subversive and Illegal Aliens in the United States," wherein the subcommittee invited the employees of the Immigration and Naturalization Service to report to the subcommittee laxity in enforcement of immigration laws or other matters affecting national security; and also parts of a report of the Internal Security Subcommittee, "Interlocking Subversion in Government Departments," wherein Government workers were invited to supply information of subversion to the Federal Bureau of Investigation or the congressional committees (pp. 418 and 419 of the hearings).

B. Legal Issue[s] Involved

The select committee believes that the charges in this category, and the evidence and testimony thereunder adduced, give rise to the following legal or quasi-legal question:

[1.] Whether Senator McCarthy openly invited, incited, and urged employees of the Government of the United States to report to him information coming to their attention without distinction to whether or not contained in a classified document; and thereby to violate (a) their oath of office, (b) the law of the United States, (c) Executive orders and directives.

Senator McCarthy contended at the hearings of the select committee, and by a brief submitted to the committee by his counsel, that he had not requested "classified" information, but only information relating to "graft, corruption, Communist infiltration and espionage" and that such information "could not be insulated from exposure by a rubber stamp." He asserts that by statute (title V, U. S. C., sec. 652 (9)) Federal employees are not precluded from furnishing such information to a Member of Congress; indeed, by virtue of title XVIII, United States Code, section 4, such employees have a duty to give such information. He further contends that as chairman of the Committee on Government Operations, a duty is imposed upon him by the Senate itself to get such information, and that in seeking this information he was doing no more than had been done in the past by other Senators and senatorial committees.

The committee believes that from a reading of the entire section 652 of title V, it will appear that this portion of the Civil Service Act of 1912 does no more than affirm that Federal employees do not lose or forfeit any of their rights merely by virtue of their Federal employment. A study of title XVIII, section 4, by the committee leads it to the conclusion that it applies only to persons possessing actual personal knowledge of the actual commission of a felony, as distinguished from information obtained by reviewing files.

As to the alleged precedents of other Senators and senatorial committees, the committee has taken note of the statements contained in the reports of certain senatorial committees cited by Senator McCarthy, as expressing the official opinion of the members of such committees. The committee was of the opinion that any similar statements of other Senators are expressions of individuals and do not establish senatorial precedent unless confirmed by official action.

The charges contained in this category involve the right of the legislative branch of the Government to investigate the executive branch and to be informed of the operations of that branch. This committee believes that the principles, frequently enunciated by the Senate and its committees, sustaining the right of the Congress to be informed of all pertinent facts with respect to the operations of the executive branch should not be relaxed; and any contrary view is hereby disavowed. These principles certainly embrace information of wrongdoing in the executive branch of a general nonclassified nature, and the right of employees to inform the Congress of the same.

The precedents do show with certitude, however, that the Congress has the constitutional power to investigate activities in the executive branch to determine the advisability of enacting new laws directed to such activities, or to determine whether existing laws directed to such activities are being executed in accordance with the congressional intent. To these ends the Congress may make investigations into allegedly corrupt or subversive activities in executive agencies or departments. The power to investigate such activities necessarily carries with it the power to receive information relating to such activities.

By the Reorganization Act of 1946, the Congress conferred upon the Senate Committee on Government Operations express authority to study "the operation of Government activities at all levels with a view to determining its economy and efficiency," and also that "Each such (standing) committee may make investigations into any matter within its jurisdiction."

In so doing Congress delegated, in part, to the Senate Committee on Government Operations its constitutional power to make investigations into alleged corruption or subversion in executive agencies or departments. The Senate Committee on Government Operations elected to exercise this delegated power through its Permanent Subcommittee on Investigations, whose chairman was Senator McCarthy.

The committee is immediately concerned with the conduct of Senator McCarthy rather than with the conduct of employees of the executive branch. The President no doubt has power to safeguard from public dissemination, by Executive order or otherwise, information affecting, for example, the national defense, notwithstanding that the regulations might indirectly interfere with any secret transmission line between the executive employees and any individual Member of the Congress. But the President, we think, cannot (nor do we believe he has sought by any order or directive called to our attention) deny to the Congress, or any duly organized committee or subcommittee thereof, and particularly the Committee on Government Operations of the Senate, any information, even though classified, if it discloses corruption or subversion in the executive branch.

This, we think, is true on the simple basis that the Congress is entitled to receive such information in the exercise of its investigatory power under the Constitution. The Congress, too, is charged with the responsibility for the welfare of the Nation.

What the executive branch may rightfully expect is that the coequal legislative branch, or its authorized committees, will inform the President, or his specially designated subordinate (ultimately the Attorney General), of the request, and that the desired information will be supplied subject to the protectives customarily thrown around classified documents by such committees.

In receiving such information, however, the Congress should refrain from thwarting or impeding the proper efforts of executive agencies, charged with duties incident to discovering, prosecuting, or punishing corruption or subversion in Government, or charged with safeguarding secrets involving the national defense.

However, the committee is equally of the view that the manner of approaching this important aspect of investigation in the light of the peculiar dangers of this hour must be taken into account. The executive branch is initially peculiarly charged with inquiry into and suppression of insidious infiltrations of subversives into its own departments and agencies; this responsibility is a delicate and necessarily confidential one, because it involves the clearing of loyal personnel as well as the identification and elimination of disloyal employees. It also involves techniques of investigation which must be kept secret to be effective.

For this reason, there has been developed, under pressure of necessity, a system by which certain information, involving the national security, is protected in the executive

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branch by a machinery of classification, to insure that such information will remain confidential, as against unauthorized revelation or publication by employees, officers, or other agents of the executive branch.

If this system, which has expanded during recent years to keep step with the danger, were to be presented to the Congress as an iron curtain, denying to properly authorized agencies or persons (in which class the Congress and its committees are to be placed first) any right of access, a situation would be presented against which this committee would protest with all its power, as other committees have protested in the past. This we would regard as a challenge to the coequal powers of the legislative branch.

If on the other hand the Executive has recognized the prerogatives of the Congress, and incidentally other agencies of Government, even in the executive department itself, to be informed of classified material or information, by orderly and formal application to responsible heads of departments or to the Presidential office itself, then the committee believes another problem of orderly constitutional government may be presented, and that the Senate itself would be the first to respect the necessary right of the Executive to protect its special functions, so long as the equally important powers of the legislative branch are not unduly impeded thereby.

We would be of the view that for the executive department, even the President himself, to deny to a properly constituted committee or subcommittee of the Senate or any Senator operating with authority in the matter, facts involving wrongdoing in any executive department, might well offer a proper ground for challenging such decision, on the broadest and soundest constitutional grounds. But by the same token, a failure of the Congress or any Member to adapt itself or himself, to reasonable regulations by the President or his authorized department heads (for example, the Department of Defense or the Federal Bureau of Investigation), with respect to matters involving national security, might readily expose the Congress to an equally sound criticism.

In this connection, it is apparent that Congress itself, by specific legislation, has expressed an intent to protect documents relating to national security, and to prevent unauthorized disclosures of such information contained therein. At the same time, the executive branch, by departmental orders and Presidential directives ("not inconsistent with law") has expressed a cooperative attitude, by providing an orderly method of disclosing such information to proper authorities, including, of course, the Congress, in a reasonable prescribed manner, not harmful to the Nation's interest.

(For a further consideration and discussion of these authorities by this committee, reference is made to the legal discussion contained in pt. *III* [IV], category *III–B* [3B] of this report.)

If the invitation of Senator McCarthy to the Federal employees is *a mere* [more a] solicitation of general information of wrongdoing, this committee would believe that he was within his senatorial prerogative, as there appears to be no law or Presidential order prohibiting employees of the Federal Government from giving such information to the Congress or Members thereof. Indeed, there is law which affirmatively imposes a duty upon such employees to disclose to proper authorities any actual knowledge of the commission of a felony.

A more difficult legal question is presented if the invitation of the Senator goes beyond general information of wrongdoing, and includes within its scope classified information and documents, such as the 2¼ [2½] -page document and the information contained therein. The law hereinbefore mentioned and Presidential orders would seem to prevent the receipt or disclosure of such information or documents except through established orderly procedures.

The task of considering the allegations embodied in category *II* [I] is a perplexing one because of the ambiguity of the statements made by Senator McCarthy as well as because of the difficulty of distinguishing between the constitutional power of the Congress to investigate the executive branch and the constitutional power of the President to withhold information from the Congress.

The statements of Senator McCarthy are susceptible of alternative constructions.

The first construction is that Senator McCarthy merely invited employees of the executive branch to bring to him as chairman of the Senate Committee on Government Operations and as chairman of its Permanent Subcommittee on Investigations, information acquired by them in the ordinary course of their employment having a logical tendency to disclose corrupt or subversive activities in governmental areas.

The second construction is that Senator McCarthy in effect urged employees of the executive branch to ransack confidential files of executive agencies or departments regardless of whether they had lawful access to those files, and bring to him classified documents the confidential retention of which in those files was necessary to enable the executive agencies charged with such duties to discover, prevent, or bring to justice persons guilty of corrupt or subversive activities in governmental areas.

If his statements were susceptible of the second construction alone, Senator McCarthy might well merit the censure of the Senate upon the allegations embodied in category *II*, [I] for the conduct reflected by the second construction would evince an irresponsibility unworthy of any Senator and particularly of a Senator occupying the chairmanship of the Senate Committee on Government Operations and its Permanent Subcommittee on Investigations.

Since his statements admit of the alternative construction set out above, however, the select committee feels justified in giving Senator McCarthy the benefit of the first or more charitable construction.

In receiving information relating to corruption or subversion in the executive branch under the circumstances delineated in the first construction, that is, without irregular and possibly illegal use of classified documents, the chairman of the Senate Committee on Government Operations and of its Permanent Subcommittee on Investigations would be exercising the investigatory power vested in the Congress by the Constitution. This would be true even though employees of the executive branch should communicate such information to him in disobedience to Presidential orders.

The committee does not overlook the allegation that the statements of Senator McCarthy were tantamount to incitement to employees of the executive branch to violate the provisions of the Espionage Act embraced in 18 United States Code 793 (d) (e), which are couched in this language:

"(d) Whoever having lawful possession of * * * any * * * information relating to the national defense which information the possessor has reason to believe could be used to the injury of the United States * * * willfully communicates * * * the same to any person not entitled to receive it * * * shall be fined not more than $10,000 or imprisoned not more than 10 years, or both.

"(e) Whoever having unauthorized possession of * * * any * * * information relating to the national defense which information the possesor has reason to believe could be used to the injury of the United States * * * willfully communicates * * * the same to any person not entitled to receive it * * * shall be fined not more than $10,000 or imprisoned not more than 10 years, or both."

These statutory provisions do not define who is entitled to receive information relating to the national defense. Moreover, the code leaves to conjecture the question whether the definition embodied in 18 United States Code 798 (b) applies to 18 United States Code 793 (d) (e). Since it is a cardinal rule of statutory construction that statutes defining crimes are to be construed strictly against the Government and it does not appear that the chairman of the Senate Committee on Government Operations and its Permanent Subcommittee on Investigations is a "person not entitled to receive" information relating to the national defense, within the purview of 18 United States Code 793 (d) (e), the select committee is of the opinion that the statements of Senator McCarthy cannot assuredly be deemed, under all the facts before us, to constitute an incitement to employees of the executive branch to violate the provisions of the Espionage Act embraced in 18 United States Code 793 (d) (e).

C. Findings of the Committee

After carefully considering, evaluating, and weighing the evidence and testimony presented at the hearings, and construing the applicable legal principles involved, the select committee is of the opinion—

1. That, insofar as Senator McCarthy invited Federal employees to supply him with general information of wrongdoing, not of a classified nature, he was acting within his prerogative as a United States Senator and as head of an investigative arm of the United States Senate, and was not inviting such employees to violate their oath of office, Presidential orders, or any law.

2. That the invitation of Senator McCarthy, made during the hearings before the Special Subcommittee on Investigations of the Committee on Government Operations and affirmed and reasserted at the hearings before the select committee, is susceptible to the interpretation that it was sufficiently broad by specific language and necessary implication to include information and documents properly classified by executive department heads as containing information affecting the national security.

3. However, the select committee is convinced that the invitation so made, affirmed, and reasserted by Senator McCarthy was motivated by a sense of official duty and not uttered as the fruit of evil design or wrongful intent.

4. That were the invitation as made, affirmed, and reasserted to be acted upon by the Federal employees, as to classified material affecting the national security, the orderly and constitutional functioning of the executive and legislative branches of the Government would be unduly disrupted and impeded, and this select committee warns such employees that such conduct involves the risk of effective penalties.

D. Conclusions

The select committee feels compelled to conclude that the conduct of Senator McCarthy in inviting Federal employees to supply him with information, without expressly excluding therefrom classified documents, tends to create a disruption of the orderly and constitutional functioning of the executive and legislative branches of the Government, which tends to bring both into disrepute. Such conduct cannot be condoned and is deemed improper.

However, the committee, preferring to give Senator McCarthy the benefit of whatever doubts and uncertainties may have confused the issue in the past, and in recognition of the Senator's responsibilities as chairman of the Committee on Government Operations and its Permanent Subcommittee on Investigations, does not feel justified in proposing his acts in this particular to the Senate as ground for censure.

The committee recommends that the leadership of the Senate endeavor to arrange a

meeting of the chairman and the ranking minority members of the standing committees of the Senate with responsible departmental heads in the executive branch of the Government in an effort to clarify the mechanisms for obtaining such restricted information as Senate committees would find helpful in carrying out their duly authorized functions and responsibilities.

III

Category III. Incidents involving receipt or use of confidential or classified document or other confidential information from executive files

A. Summary of Evidence

The evidence adduced before this committee relating to this charge was evolved from the testimony before the Special Subcommittee on Investigations for the Committee on Government Operations (Mundt committee), together with some testimony taken at hearings of this select committee.

The charge is based upon the specifications contained in amendment (d) proposed by Senator MORSE (hearing record, p. 3) and amendment (13) proposed by Senator FLANDERS (hearing record, p. 6).

The charge or charges inherent in these specifications are—

1. That Senator MCCARTHY received and used confidential information unlawfully obtained from an executive department classified document, and failed to restore the document.

2. That in so doing he was in possible violation of the Espionage Act.

3. That he offered such information to a Senate subcommittee in the form of a spurious document.

The evidence supporting these charges was in part derived in documentary form from the record of the Mundt subcommittee hearings held in April, May, and June 1954, and in part oral testimony presented before the select committee.

It is the opinion of the select committee that competent, relevant, and material testimony has been submitted before the committee to support the charge that Senator MCCARTHY, before the Mundt subcommittee, produced what purported to be a copy of a letter from J. Edgar Hoover, Director of the Federal Bureau of Investigation, to Major General Bolling, Assistant Chief of Staff, G2, Army, bearing the typed words "Personal and Confidential via Liaison," asserting it had been in the Army files (hearing records, pp. 95 and 96) and suggesting this was one of a series of letters from the FBI to the Army complaining "about the bad security setup at" the Fort Monmouth Signal Corps Laboratory, and giving information on certain individuals (hearing record, p. 96); that Mr. Hoover, after examining the "letter," which was dated January 26, 1951, declared that the "letter" was not a carbon copy or a copy of any communication prepared or sent by the FBI to General Bolling (hearing record, p. 99) but that "the letter" contained information identical in some respects with that contained in a 15-page interdepartmental memorandum from the FBI to General Bolling of the Army, dated January 26, 1951, marked "Confidential via Liaison"; also that Mr. Hoover had stated that "confidential" was the highest classification that could be put on a document by the FBI (hearing record, p. 110). It is also established that Senator MCCARTHY urged that the document, 2¼ pages in length, which he had received from an Army Intelligence officer be made available to the public (hearing record, p. 111).

It is further established that Attorney General Brownell, on May 13, 1954, advised Chairman MUNDT by letter that the 2¼-page document was not authentic; that portions of the 2¼-page document which were taken verbatim from the 15-page interdepartmental memorandum are classified "confidential" by law; this means they must not be disclosed "in the best interests of the national security * * *. It would not be in the public interest to declassify the document or any part of it at the present time" (hearing record, p. 116). The Attorney General further stated that "if the 'confidential' classification of the FBI reports and memoranda is not respected, serious and irreparable harm will be done to the FBI" (hearing record, p. 116).

Despite the fact that the Attorney General had ruled that the document was a classified document, Senator MCCARTHY insisted that all security information had been deleted from it, and a request was made by his attorney as follows:

"Mr. WILLIAMS. I want to read it, sir, because there is no security information in it.

"The CHAIRMAN. Are you offering it in evidence?

"Mr. WILLIAMS. Yes" (p. 314 of the hearings).

But Senator MCCARTHY suggested that the names contained in the document be deleted (p. 326 of the hearings). This committee received the document into the possession of the chairman, without making public the contents (p. 327 of the hearings) upon the advice of the Attorney General that the document was a security document and could not be declassified (p. 327 of the hearings). This committee thereupon ruled that the 2¼-page document is a security document and that the information contained in it should be kept classified (p. 328 of the hearings).

Clifford J. Nelson, of the Internal Security Division of the Department of Justice, testified that in January 1951 the word "confidential" was the only classification officially recognized by the FBI (p. 510 of the hearings); and that there was no regulation requiring any particular way of imprinting the classification designation on the document or paper (p. 511 of the hearings); and that it was not necessary for Government agencies "to go through their files and * * * declassify restricted information" when a new classification order was promulgated (p. 513 of the hearings).

Senator MCCARTHY's position was that the names contained in the document were not security information (p. 389 of the hearings); he requested that, in accordance with the rule of his committee, the names be deleted if the document be made public, "unless * * * the individual named can appear * * * and answer the charges against him" (p. 389 of the hearings). His position also was that he had presented the document to the Mundt committee in good faith believing it was a copy of a letter in the Army files, it being self-evident that certain information had been deleted (pp. 397 and 417 of the hearings). Finally, he insisted that the document and the information contained therein were not classified until Attorney General Brownell "classified it during the McCarthy hearings"; and "that it was not classified from the time I received it until the time that Brownell either classified it or attempted to classify it" (p. 432 of the hearings); "it did not disclose any secrets of our national defense of any kind" (p. 433 of the hearings).

B. Legal Issues Involved

1. What were the statutes, Executive orders, and directives applicable to the 2¼-page letter or document?

2. Was the 2¼-page letter or document or the information therein classified?

3. Was it proper for Senator MCCARTHY to attempt to make the 2¼-page letter or document public?

Congress has long recognized the need for providing legislation authorizing the heads of executive departments to make regulations relative to records and papers within their departments. As early as the act of June 22, 1874 (R. S., sec. 161, U. S. C., title 18, sec. 22), the Congress authorized the heads of executive departments to prescribe regulations, not inconsistent with law, controlling the conduct of its officers and clerks, and the custody, use, and preservation of its records and papers.

This early act is cited by the Department of Justice Order No. 3229, filed May 2, 1946 (11 Fed. Reg. 4920, 18 Fed. Reg. 1368), protecting official files, documents, records, and information in the offices of the Department, including the Federal Bureau of Investigation, as "confidential," by providing that "no officer or employee may permit the disclosure or use of the same for any purpose except in the discretion of the Attorney General."

To the same effect, Presidential directive of March 13, 1948, 13 Federal Register 1359, which was apparently in effect in May and June 1953; and the subsequent Executive Order No. 10290 of September 24, 1951, setting up a system of classification "to the extent not inconsistent with law." The regulations promulgated by such order expressly apply only to classified security information, which term is restricted to official information which requires safeguarding in the interest of national security. It restricts the dissemination of classified information outside the executive branch, but authorizes the Attorney General on request to interpret such regulations, in connection with any problem arising thereunder.

Of particular import is the Department of Justice order of April 23, 1948, directed to the "Heads of all Government Departments, Agencies and Commissions" (see testimony of Clifford J. Nelson, of the Department of Justice, hearing record, p. 512) providing as follows:

"As you are aware, the Federal Bureau of Investigation from time to time makes available to Government departments, agencies and commissions information gathered by the Federal Bureau of Investigation which is of interest to such departments, agencies or commissions. These reports and communications are confidential. All such reports and communications are the property of the Federal Bureau of Investigation and the subject at all times to its control and to all privileges which the Attorney General has as to the use or disclosure of documents of the Department of Justice. Any department, agency or commission receiving such reports or communications is merely a custodian thereof for the Federal Bureau of Investigation, and the documents or communications are subject to recall at any time.

"Neither the reports and communications nor their contents may be disclosed to any outside person or source without specific prior approval of the Attorney General or of the Assistant to the Attorney General or an Assistant Attorney General acting for the Attorney General.

"Should any attempt be made, whether by request or subpena or motion for subpena or court order, or otherwise, to obtain access to or disclosure of any such report or communication, either separately or as a part of the files and records of a Government department, agency, or commission, and reports and communications involved should be immediately returned to the Federal Bureau of Investigation in order that a decision can be reached by me or by my designated representative in each individual instance as to the action which should be taken."

This order, providing that all reports and communications are confidential and shall remain the property of and in the control of the FBI, was effective in January of 1951.

Executive Order 10501, dated November 5, 1953, also undertakes to safeguard official information in the interest of national defense, and also commits to the Attorney General the interpreting of the regulations in connection with the problems arising out of their administration.

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We mention in this connection the Espionage Act of June 25, 1948 (ch. 645, 62 Stat. 736; 18 U. S. C., secs. 793 (d) and (e); also ch. 645, 62 Stat. 736, 18 U. S. C. 792; also 18 U. S. C., sec. 4, ch. 645, 62 Stat. 684; also ch. 645, 62 Stat. 811, amended May 24, 1949, ch. 139, sec. 46, 69 Stat. 96, 18 U. S. C. 2387). (a) (1) (2) and (b) (cited in the brief of committee counsel, supplement to the record, p. 545 of hearing record) as showing a legislative intent to protect documents relating to national security, to prevent concealment of felonies; to forbid publications or disclosures not authorized by law by any officer or employee of the United States of information coming to him in the course of his employment or official duty.

These statutes are referred to here as affirmative evidence of congressional cooperation with the Executive, in a common effort to discourage unauthorized disclosures of confidential documents or information relating to the national defense, or obtained in the course of official duties; and to prevent interference with or impairment of the loyalty or discipline of the Armed Forces.

All the cited statutes, Executive orders, and directives are applicable to the 2¼-page letter or document.

In determining whether the letter or document was classified or contained classified information, reference must be made to the facts which have been established that the contents of this letter or document was taken from the 15-page interdepartmental memorandum dated January 15, 1951, from the FBI to the Army marked and classified confidential; that the letter or document in some respects contained identical language with that of the 15-page memorandum; and that Senator McCarthy knew in May of 1953 when he acquired the 2¼-page letter or document that it had been in part extracted from a document containing security information and, therefore, a classified document. It must be admitted, and in fact was so admitted by Senator McCarthy's counsel, that the material copied from a classified document retains the same classification as the document from which it is copied (hearing record, p. 753). It follows that the 2¼-page document retains the character of a classified document. While Senator McCarthy contends that the deletion of certain information from the 2¼-page document renders it an unclassified document, this position overlooks the legal necessity that declassification can only be effected by a legally constituted authority. Furthermore, the Attorney General has formally ruled that the document still contains security information. The committee, after examining the document, likewise has agreed that the 2¼-page document contains security information.

Apart from these considerations, the established facts show that Senator McCarthy attempted to make public over nationwide television the contents of a document which he believed emanated from the Federal Bureau of Investigation to the Intelligence Department of the Army regarding possible espionage in a defense installation and which bore a classified or confidential marking. This conduct on his part shows a disregard of the evident purpose to be served by such a document and overlooks the serious import which attaches to a document affecting the national defense, and the dangers flowing from causing such information to become public knowledge. This transgression is nonetheless grave even though the Senator personally may have been, as he contends, of the opinion that the document did not contain security information. This disposition on the part of Senator McCarthy to determine for himself what is or is not security information regardless of the evident classified marking on a document, confirmed by the opinion of a duly constituted agency authorized to make such a ruling, evidences a lack of regard for responsibility to the laws and regulations providing for orderly determination of such matters. This conduct on the part of Senator McCarthy is all the more serious when considered in the light of the act of June 25, 1948 (ch. 645, 62 Stat. 736, title 18, sec. 793 (d) and (e)) which provides that whoever having lawful or unauthorized possession of any document relating to national defense or information relating to the national defense which information the possessor has reason to believe could be used to the injury of the United States, attempts to communicate the same to persons not entitled to receive it, is an offender against the criminal laws of the country.

We believe under the facts and our conception of the law that the 2¼-page document was a legally classified document entitled to the protection and respect legally surrounding such a document, and binding on all civil and military officers of the Government, as well as on all employees of the Government.

Such a conclusion is not inconsistent with the further view that representatives of the legislative branch have a complete legal right to obtain access to such documents by using the methods available to them to get such information by formal request to the classifying agency or to the Attorney General or to the President himself. It is only when such orderly methods are rebuffed that an issue between two coequal branches of the Government can or should develop.

It follows that any attempt to make public the contents or any portion of this 2¼-page document, affecting national security, would be a transgression upon authority. When Senator McCarthy offered to make public this document, which he knew involved information irregularly obtained and which on its face carried a classification of "confidential" by the FBI, it was an assumption of authority which itself is disruptive of orderly governmental processes, violative of accepted comity between the two great branches of our Government, the executive and legislative, and incompatible with the basic tenets of effective democracy.

C. Findings of the Committee

1. During the hearings before the Permanent Subcommittee on Investigations of the Committee on Government Operations, Senator McCarthy, in the course of the development of his defense, offered to make public the contents of a document bearing the markings of the Federal Bureau of Investigation, "Personal and Confidential via Liaison," which contained classified information relating to the national defense. This offer was not accepted by the committee.

2. In offering to make the contents of the document public, Senator McCarthy acted in the bona fide belief that the document was a valid rather than a spurious instrument and offered it in evidence as such.

D. Conclusions

The committee concludes that in offering to make public the contents of this classified document Senator McCarthy committed grave error. He manifested a high degree of irresponsibility toward the purposes of the statutes and Executive directives prohibiting the disclosure to unauthorized persons of classified information or information relating to the national defense. He should have applied in advance to the Attorney General for express permission to use the document in his defense under adequate safeguards, or to the committee to receive its contents in evidence in an executive rather than an open session. The committee recognizes, however, that at the time in question Senator McCarthy was under the stress and strain of being tried or investigated by the subcommittee. He offered the document in this investigation, which was then being contested at every step by both sides. The contents of the document were relevant to the subject matter under inquiry, in our opinion.

These mitigating circumstances are such that we do not recommend censure on the specifications included in category III.

It is the opinion of this committee that it will not serve the necessary purposes of this inquiry to make public the 2¼-page document or any part of the contents thereof. If the committee had been of different opinion, the chairman would have been authorized, in light of the opinions of the Attorney General, still adhered to by the latter officer (p. 116 of the hearings), to direct a request to the President for authority to declassify the same. Pending the final action of the Senate in this matter, the committee has directed its chairman to retain physical possession of this document, in confidence. Unless the Senate otherwise directs, it will be surrendered to the Federal Bureau of Investigation for such disposition as shall be proper after the Senate has concluded its consideration of Senate Resolution 301.

IV

Category IV. Incidents involving abuses of colleagues in the Senate

A. General Discussion and Summary of Evidence

Pursuant to the category designated by the select committee, "Incidents Involving Abuses of Colleagues in the Senate," it received evidence and took testimony relating to—

Amendment proposed by Mr. Flanders to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. McCarthy, viz:

"(30) He has ridiculed his colleagues in the Senate, defaming them publicly in vulgar and base language (regarding Senator Hendrickson—'a living miracle without brains or guts'; on Flanders—'Senile—I think they should get a man with a net and take him to a good quiet place')."

Amendment proposed by Mr. Morse to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. McCarthy, viz:

"(b) Unfairly accused his fellow Senators Gillette, Monroney, Hendrickson, Hayden, and Hennings of improper conduct in carrying out their duties as Senators."

The alleged abuses of senatorial colleagues, considered in this category, result from certain oral and written statements of Senator McCarthy directed by him to and about certain fellow Members of the Senate, and center around the following specific charges:

1. That Senator McCarthy publicly ridiculed and defamed Senator Hendrickson in vulgar and base language by calling him "* * * a living miracle without brains or guts."

2. That Senator McCarthy publicly ridiculed and defamed Senator Flanders in vulgar and base language by saying of him "Senile—I think they should get a man with a net and take him to a good quiet place."

3. That Senator McCarthy unfairly accused Senators Gillette, Monroney, Hendrickson, Hayden, and Hennings of improper conduct in carrying out their senatorial duties.

As relating to this category, the select committee received documentary evidence in the form of correspondence between Senator McCarthy and the Subcommittee on Privileges and Elections, testimony taken before and published by the Permanent Subcommittee on Investigations of the Committee on Government Operations, being part of the Army-McCarthy hearings, the testimony of two reporters, certain other record evidence, and the testimony of Senator McCarthy in his own behalf.

We point out that for convenience, and by reason of related subject matter, the select committee has already considered and disposed of two of the charges contained in this category, being the charge that Senator McCarthy publicly ridiculed and defamed

Senator HENDRICKSON, in vulgar and base language, being No. 1 above mentioned, and the charge that Senator MCCARTHY unfairly accused Senators GILLETTE, MONRONEY, HENDRICKSON, HAYDEN, and HENNINGS of improper conduct in carrying out their senatorial duties, being No. 3 above mentioned. These two charges have already been considered and reported upon in this report under I—"Incidents of Contempt of the Senate or a Senatorial Committee." The discussion under this category IV, therefore, will be restricted to the one charge contained in the amendment proposed by Senator FLANDERS (30), that Senator MCCARTHY publicly ridiculed and defamed Senator FLANDERS, in vulgar and base language, by calling him "senile."

The evidence shows that on June 11, 1954, Senator FLANDERS walked into the Senate caucus room where Senator MCCARTHY was testifying before a vast television audience in the Army-McCarthy hearings, and unexpectedly gave Senator MCCARTHY notice of an intended speech attacking Senator MCCARTHY which he proposed forthwith to deliver on the Senate floor; that shortly thereafter Senator MCCARTHY was asked by the press to comment on Senator FLANDERS' intended speech; that Senator MCCARTHY thereupon made this remark concerning Senator FLANDERS: "I think they should get a man with a net and take him to a good quiet place"; and that on occasions prior to that time Senator FLANDERS made provocative speeches in respect to Senator MCCARTHY on the Senate floor.

B. Conclusions

The remarks of Senator MCCARTHY concerning Senator FLANDERS were highly improper. The committee finds, however, that they were induced by Senator FLANDERS' conduct in respect to Senator MCCARTHY in the Senate caucus room, and in delivering provocative speeches concerning Senator MCCARTHY on the Senate floor. For these reasons, the committee concludes the remarks with reference to Senator FLANDERS do not constitute a basis for censure.

V

Category V. Incident relating to Ralph W. Zwicker, a general officer of the Army of the United States

A. General Discussion and Summary of Evidence

This category refers to the question whether Senator MCCARTHY should be censured for his treatment of Gen. Ralph W. Zwicker, in connection with General Zwicker's appearance before the Senator as a witness.

The pertinent proposed amendments are that of Senator FULBRIGHT:

"(4) Without justification, the junior Senator from Wisconsin impugned the loyalty, patriotism, and character of Gen. Ralph Zwicker."

And that of Senator MORSE:

"(c) As chairman of a committee, resorted to abusive conduct in his interrogation of Gen. Ralph Zwicker, including a charge that General Zwicker was unfit to wear the uniform, during the appearance of General Zwicker as a witness before the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations on February 18, 1954."

And that of Senator FLANDERS:

"(10) He has attacked, defamed, and besmirched military heroes of the United States, either as witnesses before his committee or under the cloak of immunity of the Senate floor (General Zwicker, General Marshall)."

The select committee restricted its hearings to the case of General Zwicker. Its reasons for not inquiring into the case of remarks made against General Marshall appear in part VI of this report.

In his capacity as chairman of the Permanent Subcommittee on Investigations, Senator MCCARTHY held hearings to determine whether there were espionage activities in the radar laboratory at Fort Monmouth. General Zwicker was summoned as a witness and appeared on February 18, 1954, at a hearing held in New York, N. Y.

The evidence on this phase consisted of the records of both a public and executive hearing, the testimony of William J. Harding, Jr., who was a spectator at the public hearing, the testimony of Senator McCarthy and of General Zwicker, the testimony of Gen. Kirke B. Lawton, and of Capt. William J. Woodward, a medical officer who accompanied General Zwicker to the hearings, and of James M. Juliana and C. George Anastos, of the staff of the Permanent Subcommittee on Investigations.

There is no dispute concerning the reported testimony of General Zwicker and the questions, statements, and comments of Senator MCCARTHY during the hearings. General Zwicker attended a public hearing, as a spectator, in the morning of February 18, 1954, and testified as a witness at an executive session late that afternoon. There is dispute as to the attitude and truthfulness of General Zwicker, the statements made to and about him by Senator MCCARTHY at the conclusion of the executive session and concerning alleged utterances of General Zwicker prior to his testimony.

Gen. Kirke B. Lawton testified to a conversation which he had with General Zwicker at Camp Kilmer sometime before General Zwicker was called as a witness. It was charged that General Lawton was "gagged" by his military superiors, but after General Lawton testified, it became clear that his inability to give details of his conversation with General Zwicker was not the result of any military secrecy order but was the result of his inability to remember any of the details of the conversation. General Lawton testified that General Zwicker gave him the impression of being generally opposed to Senator MCCARTHY or the Senator's method in investigation. He could not remember any words used by General Zwicker but was permitted to testify to his general impression and conclusion as to the effect of General Zwicker's remarks.

William J. Harding, Jr., who was a spectator at the morning public session of the hearing held by Senator MCCARTHY in New York on February 18, 1954, testified that he was seated near General Zwicker. In the morning session, General Zwicker also was a spectator. Mr. Harding stated that Senator MCCARTHY addressed a question to General Zwicker, who was then seated in the audience, and that General Zwicker replied to the question. As General Zwicker seated himself, after replying to the Senator's question, Mr. Harding testified that the general muttered under his breath the letters "s. o. b." with reference to Senator MCCARTHY.

James M. Juliana and C. George Anastos, members of the staff of the Permanent Subcommittee on Investigations, were called as witnesses by the select committee. Mr. Juliana testified that he saw General Zwicker at Camp Kilmer on February 13, 1954, 5 days before the appearance of General Zwicker as a witness before Senator MCCARTHY in New York. On February 13, 1954, Mr. Juliana received from General Zwicker a copy of the Army order directing the honorable discharge of Maj. Irving Peress. In the New York hearing, Senator MCCARTHY tried to establish who was responsible for the advancement of Peress from captain to major, and who was responsible for his separation and discharge from the military service, the latter having occurred after he had claimed the protection of the fifth amendment as to his Communist connections and activities, at a hearing before Senator MCCARTHY. (The separation order was read into the record at these hearings before the select committee.) Mr. Juliana also testified that his copy of the Peress separation order was produced at the hearing of February 18, 1954, and handed by him either to Senator MCCARTHY, or to Roy M. Cohn, counsel for the subcommittee.

Under examination by counsel for Senator MCCARTHY, Mr. Juliana stated that when he talked to General Zwicker, General Zwicker said that he had been in contact with Washington, prior to discharging Major Peress on February 2, 1954, relative to the Peress matter, and that he, Mr. Juliana, had so informed Senator MCCARTHY prior to February 18, 1954.

C. George Anastos testified that he talked with General Zwicker about the Peress case, by telephone on January 22, 1954. General Zwicker gave him the name of Peress, and stated that the file showed there was information that Peress and his wife [was] *were* or had been [a Communist.] *Communists*, and that in August 1953 Peress had refused to answer a loyalty questionnaire. There was reference made also, according to Mr. Anastos, to an Army effort to get Peress out of the service. This testimony is in contrast with that of General Zwicker that he did not give to Mr. Anastos any information contained in the Peress classified personnel file. The next day, according to Mr. Anastos, General Zwicker called him voluntarily and told him of the Peress separation order.

Major Peress was examined by Chairman MCCARTHY on January 30, 1954. He had been promoted on November 2, 1953. He received an honorable discharge on February 2, 1954.

It was the contention of Senator MCCARTHY that General Zwicker was most arrogant, very irritating, and evasive, that he was untruthful in his testimony, and that he was "covering up" for his superiors. General Zwicker stood upon his testimony and contended that he had been truthful in all respects and as frank as he could be in view of the military restrictions upon his testimony. General Zwicker also contended that Senator MCCARTHY had full knowledge of General Zwicker's attitude and conduct with reference to the Peress case, and that this made Senator MCCARTHY'S treatment of him unjustified and unwarranted. General Zwicker appeared as a witness at the invitation of the select committee.

B. Findings of Fact

From the evidence and testimony taken with reference to this fifth category, the select committee finds the following facts:

1. In connection with this incident, Senator MCCARTHY was acting as chairman of the Senate Committee on Government Operations and chairman of its Permanent Subcommittee on Investigations (pp. 69 and 182 of the hearings).

2. Ralph W. Zwicker is a brigadier general of the Army of the United States, a graduate of West Point Military Academy, and an Army officer since 1927 (p. 80 of the hearings).

3. From July 1953 to August 1954, General Zwicker was the commanding officer at Camp Kilmer, an Army separation center (pp. 70 and 81 of the hearings).

4. Senator MCCARTHY began looking into the Peress matter in November 1953 (p. 182 of the hearings).

5. In late November or December 1953, General Zwicker had a conversation with Gen. Kirke B. Lawton, and gave General Lawton the impression that he was antagonistic toward Senator MCCARTHY (p. 438 of the hearings).

6. On January 22, 1954, C. George Anastos, a member of the staff of the Permanent Subcommittee on Investigations, talked to General Zwicker by telephone; the general gave him the name of Peress and made some reference to the latter's Communist connections (p. 519 of the hearings).

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7. This information was reported to Roy Cohn and Frank Carr of the subcommittee staff (p. 519 of the hearings).

8. On February 13, 1954, General Zwicker talked to James C. Juliana, another member of the subcommittee's staff, and gave to Mr. Juliana a copy of the Peress separation order (p. 515 of the hearings).

9. This copy was available to Senator McCARTHY at the New York hearing of February 18, 1954 (pp. 79, 515, and 516 of the hearings).

10. On the same date, General Zwicker also told Mr. Juliana that he was opposed to giving Peress an honorable discharge and had been in touch with Washington about the matter (p. 517 of the hearings).

11. This was reported by Mr. Juliana to Senator McCARTHY some days before February 18, 1954 (pp. 188, 189, 333, and 517 of the hearings).

12. Major Peress was summoned to appear before the permanent subcommittee by request made on January 26, 1954, and appeared on January 30, 1954 (p. 183 of the hearings).

13. Senator McCARTHY and General Zwicker met for the first time on February 18, 1954 (p. 330 of the hearings).

14. They had a pleasant social conversation during the lunch intermission (p. 456 of the hearings).

15. There was a public hearing during the morning of February 18, 1954, attended by General Zwicker as a spectator (p. 455 of the hearings).

16. During this morning session, William J. Harding, Jr., testified, after General Zwicker had answered a question of Senator McCARTHY, that he heard General Zwicker mutter under his breath, "You s. o. b., and (turning to his companions) said, "You see, I told you what we'd get" (p. 179 of the hearings).

17. General Zwicker testified he had no recollection of and knew of no reason for making such an utterance (p. 456 of the hearings).

18. Senator McCARTHY did not know of the Harding incident when he examined General Zwicker (p. 204 of the hearings).

19. General Zwicker was called as a witness at an executive session before Senator McCARTHY, sitting as a subcommittee of one, about 4:30 p. m. on February 18, 1954 (pp. 69 and 190 of the hearings).

20. At the beginning of the hearing, under examination by Mr. Cohn, General Zwicker testified that if he were in a position to do so, that he would be glad to tell what steps he took "and others took at Kilmer to take action against Peress a long time before action was finally forced by the committee," and that the information would not reflect unfavorably on General Zwicker or "on a number of other people at Kilmer and the First Army" (p. 70 of the hearings).

21. Senator McCARTHY then took over the examination of General Zwicker in an effort to bring out that the general's information, if given in evidence, "would reflect unfavorably on some of them, of course" (p. 70 of the hearings).

22. Senator McCARTHY then ordered the witness to reply to the question whether somebody kept Peress on, knowing he was a Communist, and General Zwicker responded that he respectfully declined to answer since he was not permitted to do so under the Presidential directive (p. 70 of the hearings).

23. General Zwicker tried unsuccessfully to have this Presidential directive read at the hearing before Senator McCARTHY (p. 354 of the hearings).

24. Senator McCARTHY stated that he was familiar with the provisions of the Presidential directive (p. 354 of the hearings).

25. The Presidential directive of March 13, 1948, provided:

"In order to insure the fair and just disposition of loyalty cases * * * reports rendered by the Federal Bureau of Investigation and other investigative agencies of the executive branch are to be regarded as confidential * * * and files relative to the loyalty of employees * * * shall be maintained in confidence * * *."—HARRY S. TRUMAN.

(P. 457 of the hearings.)

26. Senator McCARTHY then asked General Zwicker whether he knew on the day an honorable discharge was signed for Peress that Peress had refused to answer certain questions before the subcommittee, and General Zwicker replied: "No, sir, not specifically on answering any questions, I knew he had appeared before your committee" (p. 70 of the hearings).

27. When asked whether he "knew generally that he [Peress] had refused to tell whether he was a Communist," General Zwicker replied: "I don't recall whether he refused to tell whether he was a Communist" (p. 71 of the hearings).

28. General Zwicker testified that he had read the press releases about Peress, and knew that Peress had taken refuge in the fifth amendment, but that he did not know specifically that Peress had refused to answer questions about his Communist activities (p. 71 of the hearings).

29. Senator McCARTHY then told the witness: "General, let's try and be truthful. I am going to keep you here as long as you keep hedging and hemming" (p. 71 of the hearings).

30. The following then occurred:

"General ZWICKER. I am not hedging.

"The CHAIRMAN. Or hawing.

"General ZWICKER. I am not hawing, and I don't like to have anyone impugn my honesty, which you just about did.

"The CHAIRMAN. Either your honesty or your intelligence; I can't help impugning one or the other, when you tell us that a major in your command who was known to you to have been before a Senate committee, and of whom you read the press releases very carefully—to now have you sit here and tell us that you did not know whether he refused to answer questions about Communist activities. I had seen all the press releases, and they all dealt with that. So when you do that, General, if you will pardon me, I cannot help but question either your honesty or your intelligence, one or the other. I want to be frank with you on that.

"Now, is it your testimony now that at the time you read the stories about Major Peress, that you did not know that he had refused to answer questions before this committee about his Communist activities?

"General ZWICKER. I am sure I had that impression.

"The CHAIRMAN. Were you aware that the major was being given an honorable discharge * * *.

"The CHAIRMAN. Did you also read the stories about my letter to Secretary of the Army Stevens in which I requested or, rather, suggested that this man be court-martialed, and that anyone that protected him or covered up for him be court-martialed?

"General ZWICKER. Yes, sir" (pp. 71 and 72 of the hearings).

31. As to the Peress discharge, General Zwicker testified:

"The CHAIRMAN. Who ordered his discharge?

"General ZWICKER. The Department of the Army.

"The CHAIRMAN. Who in the Department?

"General ZWICKER. That I can't answer.

"Mr. COHN. That isn't a security matter?

"General ZWICKER. No. I don't know. Excuse me.

"Mr. COHN. Who did you talk to? You talked to somebody?

"General ZWICKER. No; I did not.

"Mr. COHN. How did you know he should be discharged?

"General ZWICKER. You also have a copy of this. I don't know why you asked me for it. This is the order under which he was discharged, a copy of that order."

And also:

"The CHAIRMAN. Did you take any steps to have him retained until the Secretary of the Army could decide whether he should be court-martialed?

"General ZWICKER. No, sir.

"The CHAIRMAN. Did it occur to you that you should?

"General ZWICKER. No, sir.

"The CHAIRMAN. Could you have taken such steps?

"General ZWICKER. No, sir.

"The CHAIRMAN. In other words, there is nothing you could have done; is that your statement?

"General ZWICKER. That is my opinion" (p. 72 of the hearings).

32. The Peress discharge order was dated January 18, 1954, was received by General Zwicker on January 23, 1954, and provided:

"a. That Peress be relieved from active duty and honorably discharged.

"b. That this be at the desire of Peress 'but in any event not later than 90 days from date of receipt of this letter'" (p. 454 of the hearings).

33. Major Peress asked for his discharge on February 1, 1954, and he was discharged the next day (p. 483 of the hearings).

34. Senator McCARTHY had read the Peress discharge order, and knew about it on February 2, 1954 (pp. 199 and 333 of the hearings).

35. Senator McCARTHY then examined General Zwicker as follows:

"The CHAIRMAN. Let me ask this question. If this man, after the order came up, after the order of the 18th came up, prior to his getting an honorable discharge, were guilty of some crime—let us say that he held up a bank or stole an automobile, and you heard of that the day before, let's say you heard of it the same day that you heard of my letter—could you then have taken steps to prevent his discharge, or would he have automatically been discharged?

"General ZWICKER. I would have definitely taken steps to prevent discharge.

"The CHAIRMAN. In other words, if you found that he was guilty of improper conduct, conduct unbecoming an officer, we will say, then you would not have allowed the honorable discharge to go through, would you?

"General ZWICKER. If it were outside the directive of this order?

"The CHAIRMAN. Well, yes; let's say it were outside the directive.

"General ZWICKER. Then I certainly would never have discharged him until that part of the case——

"The CHAIRMAN. Let us say he went out and stole $50 the night before.

"General ZWICKER. He wouldn't have been discharged.

"The CHAIRMAN. Do you think stealing $50 is more serious than being a traitor to the country as part of the Communist conspiracy?

"General ZWICKER. That, sir, was not my decision.

"The CHAIRMAN. You said if you learned that he stole $50, you would have prevented his discharge. You did learn something much more serious than that. You learned that he had refused to tell whether he was a Communist. You learned that the chairman of a Senate committee suggested that he be court-martialed. And you say if he had stolen $50 he would not have gotten the honorable discharge. But merely being a part of the Communist conspiracy, and the chairman of the committee asking that he be court-martialed, would not give you grounds for holding up his discharge. Is that correct?

"General ZWICKER. Under the terms of this letter, that is correct, Mr. Chairman.

"The CHAIRMAN. That letter says nothing about stealing $50, and it does not say anything about being a Communist. It does not say anything about his appearance before

our committee. He appeared before our committee after that order was made out.

"Do you think you sound a bit ridiculous, General, when you say that for $50, you would prevent his being discharged, but for being a part of the conspiracy to destroy this country you could not prevent his discharge?

"General ZWICKER. I did not say that, sir.

"The CHAIRMAN. Let's go over that. You did say if you found out he stole $50 the night before, he would not have gotten an honorable discharge the next morning?

"General ZWICKER. That is correct.

"The CHAIRMAN. You did learn, did you not, from the newspaper reports, that this man was part of the Communist conspiracy, or at least that there was strong evidence that he was. Didn't you think that was more serious than the theft of $50?

"General ZWICKER. He has never been tried for that, sir, and there was evidence, Mr. Chairman——

"The CHAIRMAN. Don't you give me that doubletalk. The $50 case, that he had stolen the night before, he has not been tried for that.

"General ZWICKER. That is correct. He didn't steal it yet.

"The CHAIRMAN. Would you wait until he was tried for stealing the $50 before you prevented his honorable discharge?

"General ZWICKER. Either tried or exonerated.

"The CHAIRMAN. You would hold up the discharge until he was tried or exonerated?

"General ZWICKER. For stealing the $50; yes.

"The CHAIRMAN. But if you heard that this man was a traitor—in other words, instead of hearing that he had stolen $50 from the corner store, let's say you heard that he was a traitor, he belonged to the Communist conspiracy; that a Senate committee had the sworn testimony to that effect. Then would you hold up his discharge until he was either exonerated or tried?

"General ZWICKER. I am not going to answer that question, I don't believe, the way you want it, sir.

"The CHAIRMAN. I just want you to tell me the truth.

"General ZWICKER. On all of the evidence or anything that had been presented to me as Commanding General of Camp Kilmer, I had no authority to retain him in the service."

And also:

"The CHAIRMAN. You say that if you had heard that he had stolen $50, then you could order him retained. But when you heard that he was part of the Communist conspiracy, that subsequent to the time the orders were issued a Senate committee took the evidence under oath that he was part of the conspiracy, you say that would not allow you to hold up his discharge?

"General ZWICKER. I was never officially informed by anyone that he was part of the Communist conspiracy, Mr. Senator.

"The CHAIRMAN. Well, let's see now. You say that you were never officially informed?

"General ZWICKER. No.

"The CHAIRMAN. If you heard that he had stolen $50 from someone down the street, if you did not hear it officially, then could you hold up his discharge? Or is there some peculiar way you must hear it?

"General ZWICKER. I believe, so, yes, sir; until I was satisfied that he had or hadn't, one way or the other.

"The CHAIRMAN. You would not need any official notification so far as the 50 bucks is concerned?

"General ZWICKER. Yes.

"The CHAIRMAN. But you say insofar as the Communist conspiracy is concerned, you need an official notification?

"General ZWICKER. Yes, sir; because I was acting on an official order, having precedence over that.

"The CHAIRMAN. How about the $50? If one of your men came in a half hour before he got his honorable discharge and said, 'General, I just heard downtown from a police officer that this man broke into a store last night and stole $50,' you would not give him an honorable discharge until you had checked the case and found out whether that was true or not; would you?

"General ZWICKER. I would expect the authorities from downtown to inform me of that or, let's say, someone in a position to suspect that he did it.

"The CHAIRMAN. Let's say one of the trusted privates in your command came in to you and said, 'General, I was just downtown and I have evidence that Major Peress broke into a store and stole $50.' You wouldn't discharge him until you had checked the facts, seen whether or not the private was telling the truth and seen whether or not he had stolen the $50?

"General ZWICKER. No; I don't believe I would. I would make a check, certainly, to check the story" (pp. 73–74 of the hearings).

36. The examination then proceeded on a further hypothetical basis as follows:

"The CHAIRMAN. Do you think, General, that anyone who is responsible for giving an honorable discharge to a man who has been named under oath as a member of the Communist conspiracy should himself be removed from the military?

"General ZWICKER. You are speaking of generalities now, and not on specifics—is that right, sir, not mentioning about any one particular person?

"The CHAIRMAN. That is right.

"General ZWICKER. I have no brief for that kind of person, and if there exists or has existed something in the system that permits that, I say that that is wrong.

"The CHAIRMAN. I am not talking about the system. I am asking you this question, General, a very simple question: Let's assume that John Jones, who is a major in the United States Army——

"General ZWICKER. A what, sir?

"The CHAIRMAN. Let's assume that John Jones is a major in the United States Army. Let's assume that there is sworn testimony to the effect that he is part of the Communist conspiracy, has attended Communist leadership schools. Let's assume that Maj. John Jones is under oath before a committee and says, 'I cannot tell you the truth about these charges because, if I did, I fear that might tend to incriminate me.' Then let's say that General Smith was responsible for this man receiving an honorable discharge, knowing these facts. Do you think that General Smith should be removed from the military, or do you think he should be kept on in it?

"General ZWICKER. He should be by all means kept if he were acting under competent orders to separate that man.

"The CHAIRMAN. Let us say he is the man who signed the orders. Let us say General Smith is the man who originated the order.

"General ZWICKER. Originated the order directing his separation?

"The CHAIRMAN. Directing his honorable discharge.

"General ZWICKER. Well, that is pretty hypothetical.

"The CHAIRMAN. It is pretty real, General.

"General ZWICKER. Sir, on one point; yes. I mean, on an individual, yes. But you know that there are thousands and thousands of people being separated daily from our Army.

"The CHAIRMAN. General, you understand my question——

"General ZWICKER. Maybe not.

"The CHAIRMAN. And you are going to answer it.

"General ZWICKER. Repeat it.

"The CHAIRMAN. The reporter will repeat it.

"(The question referred to was read by the reporter.)

"General ZWICKER. That is not a question for me to decide, Senator.

"The CHAIRMAN. You are ordered to answer it, General. You are an employee of the people.

"General ZWICKER. Yes, sir.

"The CHAIRMAN. You have a rather important job. I want to know how you feel about getting rid of Communists.

"General ZWICKER. I am all for it.

"The CHAIRMAN. All right. You will answer that question, unless you take the fifth amendment. I do not care how long we stay here, you are going to answer it.

"General ZWICKER. Do you mean how I feel toward Communists?

"The CHAIRMAN. I mean exactly what I asked you, General; nothing else. And anyone with the brains of a 5-year-old child can understand that question.

"The reporter will read it to you as often as you need to hear it so that you can answer it, and then you will answer it.

"General ZWICKER. Start it over, please.

"(The question was reread by the reporter.)

"General ZWICKER. I do not think he should be removed from the military.

"The CHAIRMAN. Then, General, you should be removed from any command. Any man who has been given the honor of being promoted to general and who says 'I will protect another general who protected Communists,' is not fit to wear that uniform, General. I think it is a tremendous disgrace to the Army to have this sort of thing given to the public. I intend to give it to them. I have a duty to do that. I intend to repeat to the press exactly what you said. So you know that. You will be back here, General" (pp. 75 and 76 of the hearings).

37. At page 77 of the hearings, the following occurred:

"The CHAIRMAN. Did you at any time ever object to this man being honorably discharged?

"General ZWICKER. I respectfully decline to answer that, sir.

"The CHAIRMAN. You will be ordered to answer it.

"General ZWICKER. That is on the grounds of this Executive order.

"The CHAIRMAN. You are ordered to answer. That is a personnel matter.

"General ZWICKER. I shall still respectfully decline to answer it.

"The CHAIRMAN. Did you ever take any steps which would have aided him in continuing in the military after you knew that he was a Communist?

"General ZWICKER. That would have aided him in continuing, sir?

"The CHAIRMAN. Yes.

"General ZWICKER. No.

"The CHAIRMAN. Did you ever do anything instrumental in his obtaining his promotion after knowing that he was a fifth-amendment case?

"General ZWICKER. No, sir.

"The CHAIRMAN. Did you ever object to his being promoted?

"General ZWICKER. I had no opportunity to, sir.

"The CHAIRMAN. Did you ever enter any objection to the promotion of this man under your command?

"General ZWICKER. I have no opportunity to do that.

"The CHAIRMAN. You say you did not; is that correct?

"General ZWICKER. That is correct.

"The CHAIRMAN. And you refuse to tell us whether you objected to his obtaining an honorable discharge?

"General ZWICKER. I don't believe that is quite the way the question was phrased before.

"The CHAIRMAN. Well, answer it again, then.

"General ZWICKER. I respectfuly request that I not answer that question.

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"The CHAIRMAN. You will be ordered to answer.

"General ZWICKER. Under the same authority as cited before, I cannot answer it."

38. At the hearings before the select committee, Senator MCCARTHY testified that General Zwicker was evasive (p. 193 of the hearings), that he changed his story (p. 192 of the hearings), that he was difficult to examine (p. 192 of the hearings), that it was "a long, laborious truth-pulling job," and that he was "most arrogant" (pp. 193 and 204 of the hearings).

39. As stated by the chairman and other members of the select committee, these were matters of argument (p. 195 of the hearings).

40. The transcript of the New York hearing shows that Senator MCCARTHY said to General Zwicker: "Then, General, you should be removed from any command. Any man who has been given the honor of being promoted to general and who says, 'I will protect another general who protected Communists', is not fit to wear that uniform, General," and Senator MCCARTHY testified he was referring to the uniform of a general (pp. 202 and 332 of the hearings).

41. General Zwicker did not make any such statement.

42. Senator MCCARTHY testified that General Zwicker had said in effect: "It is all right to give Communists honorable discharges" (p. 202 of the hearings).

43. There is no testimony in this record which justifies such a conclusion.

44. When asked to give the facts on which he based his testimony that General Zwicker was an unwilling witness, arrogant and evasive, Senator MCCARTHY reiterated his conclusion that: "All I can say is the full attitude was one of complete arrogance, complete contempt of the committee" (p. 204 of the hearings).

45. Senator MCCARTHY testified that he was justified in his treatment of General Zwicker solely by the latter's conduct at the hearing in New York (p. 330 of the hearings).

46. He testified further that he had not criticized General Zwicker and it was "just a method of cross-examination, trying to get the truth" (p. 331 of the hearings).

47. Senator MCCARTHY refused to draw any inference but that General Zwicker was not telling the truth (specifically excluding perjury, p. 337 of the hearings), as follows:

"Mr. DE FURIA. Now, assuming, Senator, that for the sake of this question, anyhow, that General Zwicker did testify in what we might call a stilted fashion, don't you think that the fair inference, rather than to say that the general was deliberately telling an untruth, or stalling, or distorting facts, that the fair, judicious inference was that he couldn't do very much else in the face of the Presidential orders and the other orders of his superiors; isn't that the fair way to look at it, Senator?

"Senator MCCARTHY. No, Mr. de Furia. When a general comes before me, first says, 'I didn't know this man refused to answer any questions,' then after he is pressed under cross-examination, he says, 'Yes, I knew he refused to answer questions, but I didn't know he refused to answer questions about Communist activities'—then, after further cross-examination, he says, 'Yes, I know that he refused to answer questions about Communist activities'—I can't assume that is the result of any Presidential directive. We cannot blame the President for that."

48. Before examining General Zwicker, Senator MCCARTHY knew that General Zwicker was opposed to giving Peress an honorable discharge (p. 342 of the hearings) and Senator MCCARTHY had received a long letter from the Secretary of the Army giving a full explanation of the Peress case (pp. 459 and 462 of the hearings).

49. Senator MCCARTHY contended at the hearings before the select committee that matters in the Peress personnel file could be revealed by General Zwicker (p. 344 of the hearings) and that General Zwicker was not relying on any Presidential order (p. 344 of the hearings).

50. Later, Senator MCCARTHY testified that General Zwicker was relying on Presidential and Executive orders, and that he, Senator MCCARTHY, had copies of them (pp. 347 and 354 of the hearings).

51. Immediately after General Zwicker had testified in New York, Senator MCCARTHY gave to the press his version of what had occurred at the executive hearing (p. 348 of the hearings).

52. Senator MCCARTHY could not recall whether he told the press that the Zwicker hearing had been held principally for the benefit of Secretary of the Army Stevens, did not think so, was reasonably certain he had not said so (p. 348 of the hearings).

53. On his right to reveal to the press what had been testified to at the Zwicker executive hearing, Senator MCCARTHY testified:

"Mr. DE FURIA. Senator, were you authorized by either the major committee or your Subcommittee on Permanent Investigations to reveal what transpired at the Zwicker executive hearing?

"Senator MCCARTHY. I discussed the matter with the representatives of the two Senators who were present and we agreed, in view of the Stevens' statement, it should be released.

"Mr. DE FURIA. You say you discussed it with the representatives of the two Senators?

"Senator MCCARTHY. That is correct.

"Mr. DE FURIA. In spite of the rules of your own committee that all testimony taken in executive session shall be kept secret and will not be released or used in public session without the approval of the majority of the subcommittee?

"Senator MCCARTHY. I felt that the two men who were present were representing the Senators and they constituted a majority. There were only four Senators on the committee at that time.

"Mr. DE FURIA. In a matter involving a general of the United States, then, you permitted an administrative assistant to exercise the prerogatives of the United States Senate?

"Senator MCCARTHY. I think I have recited the facts to you" (pp. 349 and 350 of the hearings).

And also:

"Senator MCCARTHY. May I say further, Mr. de Furia, in answer to your question, that General Zwicker had already released a distorted version of the testimony, through Bob Stevens, in affidavit form. I felt under the circumstances that the correct version should be released.

"Mr. DE FURIA. Why, Senator, you released this first 2 or 3 minutes after your hearing concluded, did you not?

"Senator MCCARTHY. No; I did not. It was the transcript.

"Mr. DE FURIA. You called in the press, did you not, right away?

"Senator MCCARTHY. I did not.

"Mr. DE FURIA. To tell them what had happened in the executive session?

"Senator MCCARTHY. Mr. de Furia, if you want to know what the practice was here, and what the practice is——

"Mr. DE FURIA. I do not want the practice.

"Senator MCCARTHY. I did not release the transcript.

"Mr. DE FURIA. I am not talking about the transcript. But you did tell the press what happened in the closed executive session, within a few minutes after that session ended?

"Senator MCCARTHY. I gave them a résumé of the testimony; yes.

"Mr. DE FURIA. Sir, I am asking you, upon what authority, or by what right, you did that?

"Senator MCCARTHY. Because that has been our practice.

"Mr. DE FURIA. In spite of the rule of your own committee?

"Senator MCCARTHY. That has been the practice of the committee.

"Mr. DE FURIA. General Zwicker's affidavit was not made until 2 days later; isn't that right, Senator? It is dated February 20.

"Senator MCCARTHY. I don't know what date it is dated, but the transcript was not released until after the distorted version of the testimony given by Zwicker.

"Mr. WILLIAMS. Do you have the rule there, Mr. de Furia?

"Mr. DE FURIA. Yes, I have the rule, and I would like to have it in evidence, if the chairman please.

"The CHAIRMAN. It will be received" (p. 350 of the hearings).

54. The rules of the Senate Committee on Government Operations, adopted January 14, 1953, provided:

"6. All testimony taken in executive session shall be kept secret and will not be released or used in public session without the approval of a majority of the subcommittee" (p. 352 of the hearings).

55. At that time the subcommittee consisted of seven members (p. 353 of the hearings).

56. During the executive session, Senator MCCARTHY said with reference to General Zwicker: "This is the first fifth-amendment general we've had before us" (p. 451 of the hearings).

57. After the executive session, Senator MCCARTHY said to General Zwicker:

"General, you will be back on Tuesday, and at that time I am going to put you on display and let the American public see what kind of officers we have" (p. 451 of the hearings).

58. The facts concerning Peress' Communist connections were known to General Zwicker's superior officers when he was directed to discharge Peress (p. 492 of the hearings).

59. General Zwicker was not responsible in any way for promoting or discharging Peress and was very much opposed to both (pp. 505 and 506 of the hearings).

60. Major Peress was not in a sensitive position so far as intelligence or classified information or material was concerned (p. 505 of the hearings).

C. Legal Questions Involved in This Category

The legal questions arising with reference to the incident relating to General Zwicker may be stated briefly, as follows:

1. Is there any evidence that General Zwicker was not telling the truth in testifying before Chairman MCCARTHY?

2. Is there any evidence that General Zwicker was intentionally irritating or evasive or arrogant?

3. What is the law governing the treatment of witnesses before congressional committees?

4. Was the conduct of Senator MCCARTHY toward General Zwicker proper under the circumstances?

1. There is no evidence that General Zwicker was not telling the truth in testifying before Chairman MCCARTHY

We have analyzed carefully the testimony of General Zwicker, of Senator MCCARTHY, and of the other witnesses relating to this question. We have concluded that General Zwicker, when he appeared as a witness before Senator MCCARTHY, on February 18, 1954, was a truthful witness. We feel that it was evident that his examination was unfair, and that General Zwicker testified as fully and frankly as he could do, in view of the Presidential and Army directives which restricted his freedom of expression. These directives were known to his examiners, and however much they may have been out of sympathy with the directives, the fact remains that this was no excuse for berating General

Zwicker and holding him up to public ridicule.

General Zwicker testified before the select committee. He underwent a vigorous and taxing cross-examination from Senator McCarthy's counsel. A reading of his testimony and examination makes it clear that in no material respect was it necessary for General Zwicker to modify or change his testimony from that given on February 18, 1954, and that the double exposure of his evidence under searching examination revealed no distortion of fact or untruth.

2. There is no evidence that General Zwicker was intentionally irritating, evasive, or arrogant

General Zwicker was initially examined at the New York hearing by Mr. Cohn, counsel for the subcommittee. It is evident that this examination was mutually courteous and satisfactory. Mr. Juliana and Mr. Anastos, of the staff of the subcommittee, both found General Zwicker to be cooperative and helpful. Even in his examination by Senator McCarthy, the record shows that the general was courteous and respectful throughout the hearing. We find in the record no single instance which supports the conclusion that he was intentionally irritating. Some questions General Zwicker refused to answer and in his answers to some of the questions, apparently, he meticulously sought to avoid the disclosure of material or information in the classified personnel file of Peress, or involving intra-Army discussions and policies, which he was under orders not to reveal. It should not have been difficult to meet this situation in a fair and reasonable way. Senator McCarthy said he was familiar with the Presidential order and the Army directives. A few moments could have been taken to analyze them, and so frame the questions propounded to the witness as to avoid any difficulty. The insistence that the witness answer long hypothetical questions and questions that are not clear even upon careful inspection and reflection, was much more the source of any resulting irritation on the part of the examiner than any conduct on the part of the witness.

Moreover, when he was before this committee, General Zwicker was subjected to a long and vigorous cross-examination and manifested great patience and candor and a complete lack of any tendency toward arrogance or irritability.

3. The law governing the treatment of witnesses before congressional committees

The law and precedent on this subject has been stated many times. Senate Document No. 99, 83d Congress, 2d session, 1954, on Congressional Power of Investigation gives an excellent summary of the law and procedure. Pertinent articles in current legal literature on the subject may be found in American Bar Association Journal, September 1954, at page 763, the Investigating Power of Congress: Its Scope and Limitations; Ohio Bar, August 9, 1954, at page 607, a Comparison of Congressional Investigative Procedures and Judicial Procedures With Reference to the Examination of Witnesses; and Federal Bar Journal, April–June 1954, page 113, Executive Privilege and the Release of Military Records. These articles are mentioned only as source material and do not necessarily express or contain the views of the select committee.

There are no statutes and few court decisions bearing on the subject (Dimock, Congressional Investigation Committees, p. 153 (1929)). There are few safeguards for the protection of the witness. His treatment usually depends and must depend upon the skill and attitude of the chairman and the members. Since an investigation by a committee is not a trial, the committee is under no compulsion to make the hearing public.

We call attention to three cases in the Federal courts discussing this subject. *Barksy* v. *United States* (167 F. (2d) 241 (1948)) was a prosecution for failure to produce records before a congressional committee pursuant to subpena. The court stated, at page 250:

"(14–17) Appellants press upon us representations as to the conduct of the congressional committee, critical of its behavior in various respects. Eminent persons have stated similar views. But such matters are not for the courts. We so held in *Townsend* v. *United States*, citing *Hearst* v. *Black*. The remedy for unseemly conduct, if any, by the committees of Congress is for Congress, or for the people; it is political and not judicial. 'It must be remembered that legislatures are ultimate guardians of the liberties and welfare of the people in quite as great a degree as the courts.' The courts have no authority to speak or act upon the conduct by the legislative branch of its own business, so long as the bounds of power and pertinency are not exceeded, and the mere possibility that the power of inquiry may be abused 'affords no ground for denying the power.' The question presented by these contentions must be viewed in the light of the established rule of absolute immunity of governmental officials, congressional and administrative, from liability for damage done by their acts or speech, even though knowingly false or wrong. The basis of so drastic and rigid a rule is the overbalancing of the individual hurt by the public necessity for untrammeled freedom of legislative and administrative activity within the respective powers of the legislature and the executive."

In *Townsend* v. *U. S.* (95 F. (2d) 352 (1938)), the defendant was convicted of failure to appear before a congressional committee.

In affirming the conviction, the court said, at page 361:

"(14–17) A legislative inquiry may be as broad, as searching, and as exhaustive as is necessary to make effective the constitutional powers of Congress (*McGrain* v. *Daugherty* (273 U. S. 135, 47 S. Ct. 319, 71 L. Ed. 580, 50 A. L. R. 1)). A judicial inquiry relates to a case, and the evidence to be admissible must be measured by the narrow limits of the pleadings. A legislative inquiry anticipates all possible cases which may arise thereunder, and the evidence admissible must be responsive to the scope of the inquiry, which generally is very broad. Many a witness in a judicial inquiry has, no doubt, been embarrassed and irritated by questions which to him seemed incompetent, irrelevant, immaterial, and impertinent. But that is not a matter for a witness finally to decide. Because a witness could not understand the purpose of cross-examination, he would not be justified in leaving a courtroom. The orderly processes of judicial determination do not permit the exercise of such discretion by a witness. The orderly processes of legislative inquiry require that the committee shall determine such questions for itself. Within the realm of legislative discretion, the exercise of good taste and good judgment in the examination of witnesses must be entrusted to those who have been vested with authority to conduct such investigations (*Hearst* v. *Black* (66 App. D. C. 313, 87 F. (2d) 68))."

Under these authorities, the Senate alone can review this record and determine, in justice to itself and to General Zwicker, whether the bounds of propriety, consonant with the lawful purpose of the subcommittee's investigation and fair and reasonable standards of senatorial conduct, were transgressed by Senator McCarthy in his examination of the general at New York on February 18, 1954, and later in his testimony before this committee.

The select committee is of the opinion that the very fact that "the exercise of good taste and good judgment" must be entrusted to those who conduct such investigations places upon them the responsibility of upholding the honor of the Senate. If they do not maintain high standards of fair and respectful treatment the dishonor is shared by the entire Senate.

4. The conduct of Senator McCarthy toward General Zwicker was not proper under the circumstances

In the opinion of this select committee, the conduct of Senator McCarthy toward General Zwicker was not proper. We do not think that this conduct would have been proper in the case of any witness, whether a general or a private citizen, testifying in a similar situation.

Senator McCarthy knew before he called General Zwicker to the stand that the Judge Advocate General of the Army, who was the responsible person under the statutes, had given the opinion that a court-martial of Major Peress would not stand under the applicable regulations and that General Zwicker had been directed by higher authority to issue an honorable discharge to Peress upon his application.

Senator McCarthy knew that General Zwicker was a loyal and outstanding officer who had devoted his life to the service of his country, that General Zwicker was strongly opposed to Communists and their activities, that General Zwicker was cooperative and helpful to the staff of the subcommittee in giving information with reference to Major Peress, that General Zwicker opposed the Peress promotion and opposed the giving to him of an honorable discharge, and that he was testifying under the restrictions of lawful Executive orders.

Under these circumstances, the conduct of Senator McCarthy toward General Zwicker in reprimanding and ridiculing him, in holding him up to public scorn and contumely, and in disclosing the proceedings of the executive session in violation of the rules of his own committee, was inexcusable. Senator McCarthy acted as a critic and judge, upon preconceived and prejudicial notions. He did much to destroy the effectiveness and reputation of a witness who was not in any way responsible for the Peress situation, a situation which we do not in any way condone. The blame should have been placed on the shoulders of those culpable and not attributed publicly to one who had no share in the responsibility.

D. Conclusions

The select committee concludes that the conduct of Senator McCarthy toward General Zwicker was reprehensible, and that for this conduct he should be censured by the Senate.

VI

Charges not included in the public hearings

Senate Resolution 301 provides that the committee "shall be authorized to hold hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, and to take such testimony as it deems advisable, and that the committee be instructed to act and make a report * * *."

At the outset of our deliberations, the committee decided, preliminarily, that it was advisable to proceed with hearings upon 13 of the charges in the various proposed amendments, classified into the 5 major categories outlined in the notice of hearing. The other charges, however, remained pending before the committee and its staff. We have studied them in the light of the law and testimony developed in the hearings and have also investigated the evidence suggested in the charges. The committee thereafter confirmed its tentative decision not to conduct hearings on these other items. The committee believes it desirable under the resolution from which its powers and duties stem, to express its reasons for determining

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that formal hearings need not be conducted on these remaining charges.

The committee eliminated some of the charges for reasons of legal insufficiency, having concluded that the particular conduct charged was not in its judgment a proper basis for Senate censure. The determination of what constituted "legal insufficiency" in the context of a charge intended to support a proposed motion to censure a Member of the United States Senate was the most difficult task imposed upon this committee. No precedents found by the committee were particularly helpful in connection with this task. The path is narrow and the guideposts few.

Only three Senators have previously been censured by the Senate. Two, Senators McLaurin and Tillman, in 1902, for abusive and provocative language and engaging in a physical altercation on the floor of the Senate. The third, Senator Hiram Bingham, was censured in 1929 for having brought into an executive session of the Finance Committee's meeting on the tariff bill, as his aide, the assistant to the president of the Connecticut Manufacturers Association. The Senate found this action by Senator Bingham, "while not the result of corrupt motives" to be "contrary to good morals and senatorial ethics * * * (tending) * * * to bring the Senate into dishonor and disrepute * * *." The very paucity of precedents tends to establish the importance placed by the Senate on its machinery of censure.

Obviously, with such limited precedents the task of this committee in undertaking to determine what is and what is not censurable conduct by a United States Senator was indeed formidable. Individuals differ in their view and sensitivities respecting the propriety or impropriety of many types of conduct. Especially is this true when the conduct and its background present so many complexities and shadings of interpretations. Moreover, it is fairly obvious that conduct may be distasteful and less than proper, and yet not constitute censurable behavior.

We begin with the premise that the Senate of the United States is a responsible political body, important in the maintenance of our free institutions. Its Members are expected to conduct themselves with a proper respect for the principles of ethics and morality, for senatorial customs based on tradition, and with due regard for the importance of maintaining the good reputation of the Senate as the highest legislative body in the Nation, sharing constitutional responsibilities with the President in the appointment of officials and judges through advice and confirmation and participating in the conduct of foreign affairs through the ratification of treaties.

At the same time we are cognizant that the Senate as a political body imposes a multitude of responsibilities and duties on its Members which create great strains and stresses. We are further aware that individual Senators may, within the bounds of political propriety, adopt different methods of discharging their responsibilities to the people.

We did not, and clearly could not, undertake here to establish any fixed, comprehensive code of noncensurable conduct for Members of the United States Senate. We did apply our collective judgment to the specific conduct charged, and in some instances to the way a charge was made and the nature of the evidence preferred in support of it. And on the basis of the precedents and our understanding of what might be deemed censurable conduct in these circumstances, we determined whether, if a particular charge were established, we would consider it conduct warranting the censure of the Senate.

In concluding that certain of the charges dropped were legally insufficient for Senate censure, we do not want to be understood as saying that this committee approves of the conduct alleged. Yet disapproval of conduct does not necessarily call for official Senate censure.

The decision to eliminate any of the charges was arrived at only following extremely careful and thorough consideration. Unquestionably, one consideration underlying the elimination of these charges was the overall time factor. Under Senate Resolution 301 the select committee was directed by the Senate to hold its hearings and file its report prior to the sine die adjournment of the Senate in the 2d session of the then 83d Congress. And it was expressly contemplated that the Senate should be able to meet and consider such report at an appropriate time prior to such adjournment.

In order to abide by this direction and conform to such purpose it was necessary to narrow and confine the scope of its deliberations, and particularly of its formal hearings. The committee's study developed 12 major reasons which, singly or cumulatively, led to the elimination of these other charges from the committee's formal hearings. Only a few of these reasons, in addition to the ground of legal insufficiency, involved the passing of judgment upon the merits of any particular charge. The other reasons deal with the feasibility of the committee's attempting to investigate, document, and receive suitable testimonial evidence upon such specifications.

We set forth here the 12 general grounds upon which the other charges were dropped. Following that will be set forth, and appropriately identified, each charge eliminated, with the reasons for the omission of that particular charge indicated by a number or numbers in the right margin of the page. The numbers in the right margin correspond to the numbers of the 12 reasons for eliminating charges.

The 12 reasons applied as appropriate for eliminating particular charges are—

1. Charges which, even if fully supported and established, would not in the judgment of the committee constitute censurable conduct.

2. Charges which, even if fully supported and established after investigation would, in the judgment of the committee, be of doubtful validity as a basic for censure.

3. Charges which are too vague and uncertain, or which were too broad in apparent scope to justify formal hearings by the committee.

4. Charges reflecting largely personal opinion rather than delineating specific, concrete conduct upon which a judgment of censure could properly be based.

5. Charges which, in order to determine properly, would have required more time to investigate, document, and take testimony upon, than was practically available to this committee.

6. Charges which were substantially covered or duplicated by other charges upon which the committee actually held hearings and received evidence.

7. Charges concerning statements made on the floor of the Senate about public officials, with which statements we may disagree, but which, if held censurable, would tend to place unwarranted limitations on the freedom of speech in the Senate of the United States.

8. Charges involving such matters as the receipt by a member of a committee of payments not corresponding to the value of services rendered, from persons subject to the jurisdiction of such committee (which might be reprehensible if true, because of some implication of improper influence), but which the committee believed were not susceptible of satisfactory proof in this forum.

9. Charges of improper treatment of a particular committee witness who is presently undergoing confidential security investigation by the executive department.

10. Charges involving misconduct of the staff of a standing committee of the Senate, over which that committee as a whole has jurisdiction and primary responsibility.

11. Charges concerning matters over which other committees have already acquired jurisdiction.

12. Charges on which no substantial evidence was submitted and none could be found by the committee.

	Reason why eliminated
The charges eliminated, and the reasons therefore, are:	
Amendments proposed by the Senator from Arkansas, Mr. FULBRIGHT:	
"(1) The junior Senator from Wisconsin, while a member of the committee having jurisdiction over the affairs of the Lustron Co., a corporation financed by Government money, received $10,000 without rendering services of comparable value.	8
"(2) In public hearings, before the Senate Permanent Investigations Subcommittee, of which he was chairman, the junior Senator from Wisconsin strongly implied that Annie Lee Moss was known to be a member of the Communist Party and that if she testified she would perjure herself, before he had given her an opportunity to testify in her own behalf.	9
"(6) The junior Senator from Wisconsin in a speech on June 14, 1951, without proof or other justification made an unwarranted attack upon Gen. George C. Marshall."	7
Amendments proposed by the Senator from Oregon, Mr. MORSE:	
"(f) Attempted to invade the constitutional power of the President of the United States to conduct the foreign relations of the United States by carrying on negotiations with certain Greek shipowners in respect to foreign-trade policies, even though the executive branch of our Government had a few weeks previously entered into an understanding with the Greek Government in respect to banning the flow of strategic materials to Communist countries; and	2, 5
"(g) Permitted and ratified over a period of several months in 1953 and 1954 the abuse of senatorial privilege by Mr. Roy Cohn, chief counsel to the Permanent Investigations Subcommittee of the Senate Committee on Government Operations of which committee and subcommittee the junior Senator from Wisconsin is chairman. Mr. Cohn's abuse having been directed toward attempting to secure preferential treatment for Pvt. David Schine by the Department of the Army, at a time when the Army was under investigation by the committee."	10
Amendments proposed by the Senator from Vermont, Mr. FLANDERS:	
"(1) He has retained and/or accredited staff personnel whose reputations are in question and whose backgrounds would tend to indicate untrustworthiness (Surine, Lavinia, J. B. Matthews).	4, 5
"(2) He has permitted his staff to conduct itself in a presumptuous manner. His counsel and his consultant (Messrs. Cohn and Schine) have been insolent to other Senators, discourteous to the public, and discreditable to the Senate. His counsel and consultant traveled abroad making a spectacle of themselves and brought discredit upon the Senate of the United States, whose employees they were.	4, 5, 10

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	Reason why eliminated
"(3) He has conducted his committee in such a slovenly and unprofessional way that cases of mistaken identities have resulted in grievous hardship or have made his committee, and thereby the Senate, appear ridiculous. (Annie Lee Moss, Lawrence W. Parrish, subpenaed and brought to Washington instead of Lawrence T. Parish.)	3, 4, 10
"4. He has proclaimed publicly his intention to subpena citizens of good reputation, and then never called them. (Gen. Telford Taylor, William P. Bundy, former President Truman, reporters Marder, Joseph Alsop, Friendly, Bigrant, Phillip Potter.)	1
"(5) He has repeatedly used verbal subpenas of questionable legality. (Tried to prevent State Department granting visa to William P. Bundy on ground that he was under 'oral subpena.')	2, 5
"(6) He has attempted to intimidate the press and single out individual journalists who have been critical of him or whose reports he has regarded with disfavor, and either threatened them with subpena or forced them to testify in such a manner as to raise the possibility of a breach of the first amendment of the Constitution. (Murray Marder of Washington Post; the Alsops; James Wechsler.)	4, 5
"(7) He has attempted 'economic coercion' against the press and radio, particularly the case of Time magazine, the Milwaukee Journal, and the Madison Capital Times. (On June 16, 1952, McCarthy sent letters to advertisers in Time magazine, urging them to withdraw their advertisements.)	2, 3, 5
"(8) He has permitted the staff to investigate at least one of his fellow Senators (Jackson) and possibly numerous Senators. Such material has been reserved with the obvious intention of coercing the other Senator or Senators to submit to his will, or for the purpose of inhibiting them from expressing themselves critically. (Cohn said he would 'get' Senator Jackson.)—Washington News, June 14, 1954.	4, 10
"(9) He has posed as savior of his country from communism, yet the Department of Justice reported that McCarthy never turned over for prosecution a single case against any of his alleged 'Communists.' (The Justice Department report of December 18, 1951.) Since that date not a single person has been tried for Communist activities as a result of information supplied by McCarthy.	1
"(11) He has used distortion and innuendo to attack the reputations of the following citizens: Former President Truman, Gen. George Marshall, Attorney General Brownell, John J. McCloy, Ambassador Charles E. Bohlen, Senator Raymond Baldwin, former Assistant Secretary of Defense Anna Rosenberg, Philip Jessup, Marquis Childs, Richard L. Strout of the Christian Science Monitor, Gen. Telford Taylor, and the three national press associations.	3, 4, 5
"(12) He has disclosed restricted security information in possible violation of the espionage laws. (McCarthy has made public portions of an Army Intelligence study, Soviet Siberia, which compelled the Army to declassify and release the entire document.)	4, 6, 12
"(15) He has used his official position to fix the Communist label upon all individuals and newspapers as might legitimately disagree with him or refuse to acknowledge him as the unique leader in the fight against subversion. (Deliberate slips such as calling Adlai Stevenson 'Alger'; saying that the American Civil Liberties Union had been 'listed' as doing the work of the Communist Party; calling the Milwaukee Journal and Washington Post local 'editions of the Daily Worker.')	3, 4, 5
"(16) He has attempted to usurp the functions of the executive department by having his staff negotiate agreements with a group of shipowners in London; and has infringed upon functions of the State Department, claiming that he was acting in the 'national interest.'	2, 3, 5
"(18) He has made false claims about alleged wounds which in fact he did not suffer. (Claims he was a tailgunner when, in fact, he was a Marine Air Force Ground Intelligence officer * * * claims he entered as buck private, when he entered as commissioned officer.)	1
"(19) His rude and ruthless disregard of the rights of other Senators has gone to the point where the entire minority membership of the Permanent Investigating Subcommittee resigned from the committee in protest against his highhandedness (July 10, 1953).	2
"(20) He has intruded upon the prerogative of the executive branch, violating the constitutional principles of separation of powers. (Within a single week (February 14–20, 1953) McCarthy's activities against the Voice of America forced the State Department three times to reverse administrative decisions on matters normally considered internal operating procedures: "((1) The Department had authorized the use of certain writings by pro-Communist authors as part of their program to expose Communist lies and false promises. McCarthy compelled the State Department to discontinue this practice; (2) the Department authorized its employees to refuse to talk with McCarthy's staff in the absence of McCarthy himself. It was compelled to cancel this directive; and (3) John Matson, a departmental security agent who had 'cooperated' with McCarthy, was transferred so as to be put out of reach of the Department's confidential files. McCarthy compelled the Department to return Matson to his original position.)	5
"(21) He has infringed upon the jurisdiction of other Senate committees, invading the area of the Internal Security Subcommittee and other committees of the Congress.	1, 3
"(22) He has failed to perform the solid and useful duties of the Government Operations Committee, abandoning the legitimate and vital functions of this committee.	3
"(23) He has held executive sessions in an apparent attempt to prevent the press from getting an accurate account of the testimony of witnesses, and then released his own versions of that testimony, often at variance with the subsequently revealed transcripts, and under circumstances in which the witness had little opportunity to correct or object to his version.	3, 4, 5
"(24) He has questioned adverse witnesses in public session in such a manner as to defame loyal and valuable public servants, whose own testimony he failed to get beforehand, and whom he never provided a comparable opportunity for answering the charges.	3, 5
"(25) He has barred the press and general public from executive sessions and then permitted unauthorized persons whom his whim favored to attend, in one case, a class of schoolgirls, thus holding the very principle of executive sessions up to ridicule.	3
"(26) His conduct has caused and permitted his subcommittee to be incomplete or incapacitated in its normal work for approximately 40 percent of the time that he has been its chairman. (During his 19 months as chairman of the subcommittee, his refusal to recognize their rights—later acknowledged by him—caused the minority members to leave the subcommittee on July 10, 1953, and they did not return until January 25, 1954. His personally motivated quarrel with the United States Army necessitated the interruption of the subcommittee's work and its exclusive preoccupation with the Army-McCarthy hearings from April 22, 1954, to June 17, 1954.)	2, 4, 10
"(27) He has publicly threatened publications with the withdrawal of their second-class mailing privilege because he disagreed with their editorial policy. (Washington Post, Wall Street Journal, Time magazine.) Letter to Postmaster General Summerfield made public August 22, 1953. See Washington Post, August 23, 1953.	12
"(28) He has exploited his committee chairmanship to disseminate fantastic and unverified claims for the obvious purpose of publicity. (McCarthy's hint that he was in secret communication with Lavrenti P. Beria and would produce him as a witness when Beria was on the verge of execution in Moscow.) Washington News, September 21, 1953 (announcement of plan to subpena Beria).	2
"(29) He has denied Members of Congress access to the files of the committee, to which every Member of Congress is entitled under the Reorganization Act (title II, sec. 202, par. d).	3, 11
"(31) He has announced investigations prematurely, subsequently dropping these investigations so that the question whether there was ever any serious intent to pursue them may be justifiably raised, along with the inevitable conclusion that publicity was the only purpose. (Central Intelligence Agency, Beria, etc.)	3
"(32) Checking through hearings, one will note that favorable material submitted by witnesses will usually have the notation 'May be found in the files of the subcommittee,' whereas unfavorable material is printed in the record.	3, 4, 5
"(33) He has permitted changing of committee reports and records in such a way as to substantially change or delete vital meanings. (Senator Margaret Chase Smith felt compelled to object to the filing of his 1953 subcommittee reports without their first being sent through the full committee.)"	8

VII

Bush amendment

Senate Resolution 301 submitted to the select committee for consideration contains not only the charges for censure, but also contains the amendment proposed by the Senator from Connecticut, Mr. BUSH, in regard to proposed changes in rules and procedure for Senate committees.

The select committee is aware of the fact that the Subcommittee on Rules of the Senate Committee on Rules and Administration has held extensive hearings on this subject.

Many witnesses appeared before that subcommittee, including Senator BUSH, and we are advised that this committee expects to have a report ready for the opening of the next session of Congress.

It is the firm conviction of the select committee that this is a subject which requires much study before affirmative action is taken on a general change in the rules and procedure of committees and subcommittees of the Senate. However, after hearing the evidence and the testimony presented at the hearing before our committee, we are of the opinion that had certain rules of committee procedure been in effect, much of the criticism against investigative committee hearings would have been avoided. For this reason, we report a separate resolution on the subject of the Bush amendment, to read as follows:

"*Resolved*, That subsection 3 of rule XXV of the Standing Rules of the Senate is amended by adding at the end thereof the following:

"'(c) No witness shall be required to testify before a committee or subcommittee with less than 2 members present, unless the committee or subcommittee by majority vote agrees that 1 member may hold the hearing, or the witness waives any objection to testifying before 1 member.

"'(d) Committee interrogation of witnesses shall be conducted only by members and authorized staff personnel of the committee and no person shall be employed or assigned to investigate activities until approved by the committee.

"'(e) No testimony taken or material presented in an executive session shall be made public, either in whole or in part or by way of summary, unless authorized by majority vote of the committee.

"'(f) Vouchers covering expenditures of any investigating committee shall be accompanied by a statement signed by the chairman that the investigation was duly authorized and conducted under the provisions of this rule.'"

And we recommend that this amendment to the rules be approved by the Senate to be effective January 3, 1955.

VIII

Recommendations of select committee under Senate order pursuant to Senate Resolution 301

For the reasons and on the facts found in this report, the select committee recommends:

1. That on the charges in the category of "Incidents of Contempt of the Senate or a Senatorial Committee," the Senator from Wisconsin, Mr. MCCARTHY, should be censured.

2. That the charges in the category of "Incidents of Encouragement of United States Employees To Violate the Law and Their Oaths of Office or Executive Orders," do not, under all the evidence, justify a resolution of censure.

3. That the charges in the category of "Incidents Involving Receipt or Use of Confidential or Classified or Other Confidential Information From Executive Files," do not, under all the evidence, justify a resolution of censure.

4. That the charges in the category of "Incidents Involving Abuse of Colleagues in the Senate," except as to those dealt with in the first category, do not, under all the evidence, justify a resolution of censure.

5. That on the charges in the category of "Incident Relating to Ralph W. Zwicker, a general officer of the Army of the United States," the Senator from Wisconsin, Mr. MCCARTHY, should be censured.

6. That with reference to the amendment to Senate Resolution 301 offered by the Senator from New Jersey, Mr. SMITH, this report and the recommendations herein be regarded as having met the purposes of said amendment.

7. That with reference to the amendment to Senate Resolution 301 offered by the Senator from Connecticut, Mr. BUSH, that an amendment to the Senate Rules be adopted in accord with the language proposed in part VII of this report.

The chairman of the select committee is authorized in behalf of the committee to present to the Senate appropriate resolutions to give effect to the foregoing recommendations.

JOINT COMMITTEE ON ATOMIC ENERGY

The PRESIDING OFFICER laid before the Senate the following communications:

UNITED STATES SENATE,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, D. C., November 8, 1954.

MR. PRESIDENT: I, ED C. JOHNSON, tender my resignation from the Joint Atomic Energy Committee effective today.

With best personal regards, I am,
Sincerely,

ED. C. JOHNSON.

UNITED STATES SENATE,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, D. C., November 8, 1954.

MR. PRESIDENT: Senator ALBERT GORE, of Tennessee, has been selected to fill the existing vacancy on the Joint Atomic Energy Committee.

With best personal regards, I am,
Sincerely,

LYNDON B. JOHNSON.

The PRESIDING OFFICER. The chair is informed that the Vice President appointed the junior Senator from Tennessee (Mr. GORE) to fill the vacancy on the Joint Committee on Atomic Energy.

FUNERAL EXPENSES OF THE LATE SENATOR MAYBANK, OF SOUTH CAROLINA

Mr. JOHNSTON of South Carolina submitted the following resolution (S. Res. 325), which was considered and unanimously agreed to:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed to arrange for and attend the funeral of Hon. BURNET R. MAYBANK, late a Senator from the State of South Carolina, on vouchers approved by the Committee on Rules and Administration.

FUNERAL EXPENSES OF THE LATE SENATOR McCARRAN, OF NEVADA

Mr. MALONE submitted the following resolution (S. Res. 326), which was considered and unanimously agreed to:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed to arrange for and attend the funeral of Hon. PAT MCCARRAN, late a Senator from the State of Nevada, on vouchers approved by the Committee on Rules and Administration.

MATERIAL PRINTED IN THE RECORD

On request, and by unanimous consent, the following material was ordered to be printed in the RECORD, as follows:

By Mr. MCCARTHY:

Booklet entitled "Official Communist Party Line on Senator MCCARTHY."

ADJOURNMENT

Mr. KNOWLAND. Mr. President, as a further mark of respect to the memory of the two departed Senators, the late Senator MCCARRAN and the late Senator MAYBANK, I now move that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 1 o'clock and 20 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, November 9, 1954, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate November 8, 1954:

DIPLOMATIC AND FOREIGN SERVICE

The following-named persons, who were appointed during the last recess of the Senate, to the offices indicated:

Norman Armour, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guatemala.

Gerald A. Drew, of California, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Bolivia.

Robert C. Hill, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to El Salvador.

Jack K. McFall, of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Finland.

John E. Peurifoy, of South Carolina, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Thailand.

John L. Tappin, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Kingdom of Libya.

Edward T. Wailes, of the District of Columbia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of South Africa.

Robert F. Woodward, of Minnesota, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Costa Rica.

The following-named persons, who were appointed during the last recess of the Senate, to the offices indicated:

Now a Foreign Service officer of class 1 and a secretary in the diplomatic service, to be also a consul general of the United States of America:

Loyd V. Steere, of California.

For promotion from Foreign Service officers of class 2 to class 1:

E. Tomlin Bailey, of New Jersey.
Frederic P. Bartlett, of New York.
Niles W. Bond, of Massachusetts.
Bernard Gufler, of Washington.
James E. Henderson, of California.
Fred W. Jandrey, of Wisconsin.
Brewster H. Morris, of Pennsylvania.
Robert Newbegin, of Massachusetts.

For appointment as Foreign Service officers of class 1, consuls, and secretaries in the diplomatic service of the United States of America:

Graham A. Martin, of Florida.
Benson E. L. Timmons III, of the District of Columbia.

For promotion from Foreign Service officers of class 3 to class 2:

William Belton, of Oregon.
William O. Boswell, of Pennsylvania.
John H. Burns, of Oklahoma.
John B. Holt, of Maine.
Raymond G. Leddy, of New York.
Gardner E. Palmer, of Michigan.
Stuart W. Rockwell, of Pennsylvania.
Roy Richard Rubottom, Jr., of Texas.
Horace G. Torbert, Jr., of Massachusetts.
Gerald Warner, of Massachusetts.
Murat W. Williams, of Virginia.

For reappointment in the Foreign Service as a Foreign Service officer of class 2, a consul, and a secretary in the diplomatic service of the United States of America, in accordance with the provisions of section 520 (a) of the Foreign Service Act of 1946:

John J. Haggerty, of Montana.

For appointment as Foreign Service officers of class 2, consuls, and secretaries in the diplomatic service of the United States of America:

Harlan P. Bramble, of Oregon.
Leo G. Cyr, of Maine.
W. Clyde Dunn, of North Carolina.
Richard B. Freund, of Illinois.
Robert G. Hooker, Jr., of California.
Paul T. Meyer, of New Jersey.
H. Gerald Smith, of Virginia.
Paul R. Sweet, of the District of Columbia.
William C. Trueheart, of Virginia.
Robert E. Ward, Jr., of South Carolina.

Now Foreign Service officers of class 3 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

V. Harwood Blocker, of Texas.
William J. Porter, of Massachusetts.

For promotion from Foreign Service officers of class 4 to class 3:

Robert W. Adams, of Texas.
Milton Barall, of New York.
Charles Philip Clock, of California.
Robert F. Corrigan, of Ohio.
Francis W. Herron, of Iowa.
Alfred le S. Jenkins, of Georgia.
Joseph J. Jova, of New York.
James C. Lobenstine, of Connecticut.
William L. Magistretti, of California.
Oliver M. Marcy, of Massachusetts.
Lee E. Metcalf, of Texas.
Joseph J. Montllor, of New York.
Albert W. Sherer, Jr., of Illinois.
Garrett H. Soulen, of Texas.
Miss Margaret Joy Tibbetts, of Maine.

For appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America:

Howard P. Backus, of Virginia.
Harry K. Baker, of Maryland.
J. Lawrence Barnard, of the District of Columbia.
Douglas N. Batson, of Mississippi.
Arthur E. Beach, of the District of Columbia.
James H. Boughton, of Connecticut.
John M. Cates, Jr., of California.
Wesley Harris Collins, of Mississippi.
John J. Conroy, of Maryland.
Edwin M. Cronk, of Virginia.
Bainbridge C. Davis, of Maryland.
Ben F. Dixon, of North Carolina.
Louis Mason Drury, of Maryland.
Russell Fessenden, of Virginia.
Edward R. Fried, of Maryland.
James F. Grady, of Massachusetts.
Herbert T. Krueger, of California.
Philip A. Mangano, of Maryland.
Kyle B. Mitchell, Jr., of Alabama.
John Howard Moore, of Illinois.
Denzil L. Page, of California.
Paul G. Sinderson, of Oklahoma.
George O. Spencer, of Maryland.
James W. Swihart, of Massachusetts.
C. Thayer White, of Texas.

For promotion from Foreign Service officers of class 5 to class 4:

William J. Barnsdale, of California.
Roland K. Beyer, of Wisconsin.
Curtis F. Jones, of Maine.
John M. Kavanaugh, of Louisiana.
Thomas H. Murfin, of Washington.
DeWitt L. Stora, of California.
Elmer E. Yelton, of Virginia.

For promotion from Foreign Service officers of class 5 to class 4 and to be also consuls of the United States of America:

Douglass K. Ballentine, of Texas.
Williams Beal, of Massachusetts.
William H. Bruns, of the District of Columbia.
William T. Carpenter, Jr., of the District of Columbia.
Philip H. Chadbourn, Jr., of California.
Arthur D. Foley, of Michigan.
William G. Gibson, of California.
Richard M. Herndon, of Pennsylvania.
Robert B. Hill, of Massachusetts.
Elmer C. Hulen, of Kentucky.
John J. Ingersoll, of Illinois.
Ralph A. Jones, of Pennsylvania.
David J. S. Manbey, of California.
David S. McMorris, of Alabama.
Joseph P. Nagoski, of Tennessee.
Albert V. Nyren, of Massachusetts.
David Post, of Pennsylvania.
Edward P. Prince, of New Hampshire.
Albert W. Stoffel, of New York.
Robert W. Stookey, of Illinois.
Norman E. Warner, of Iowa.
Harry R. Zerbel, of Colorado.

For appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

Harold Aisley, of Maryland.
Laurin B. Askew, of Tennessee.
Warren P. Blumberg, of Maryland.
Tobias J. Boyd, of Pennsylvania.
Delmar R. Carlson, of Colorado.
Raymond Cary, Jr., of Missouri.
Leonard R. Cowles, of Virginia.
Anthony Cuomo, of California.
Francis Dejmal, of Kansas.
Rockwood H. Foster, of the District of Columbia.
Robert H. Harlan, of Illinois.
Grant V. McClanahan, of Missouri.
Delbert D. Mehaffy, of Iowa.
Carvel Painter, of Wisconsin.
William E. Price, of Arkansas.
Joseph B. Tisinger III, of Maryland.
Walter G. Walcavich, of Virginia.

Now a Foreign Service officer of class 5 and a secretary in the diplomatic service, to be also a consul of the United States of America:

Daniel J. Meloy, of Maryland.

For promotion from Foreign Service officers of class 6 to class 5:

Nicholas G. Andrews, of New Jersey.
Michael P. Balla, of Pennsylvania.
Alf E. Bergesen, of New York.
Robert R. Brungart, of Maryland.
Frank N. Burnet, of New York.
Charles T. Butler, Jr., of Indiana.
Thomas A. Cassilly, of Maryland.
William R. Crawford, Jr., of Pennsylvania.
Michael A. Falzone, of New York.
Richard T. Foose, of West Virginia.
Robert M. Forcey, of California.
Richard D. Geppert, of New Jersey.
Pierre R. Graham, of Illinois.
Lindsey Grant, of New York.
William A. Helseth, of Florida.
Harold L. Henrikson, of Missouri.
Benjamin C. Hilliard 3d, of West Virginia.
Borrie I. Hyman, of California.
William M. Kahmann, of Missouri.
Lowell Bruce Laingen, of Minnesota.
Paul Baxter Lanius, Jr., of Colorado.
John C. Leary, of Massachusetts.
Philip M. Lindsay, of California.
Robert J. Martens, of California.
Kenneth W. Martindale, of Illinois.
Edward E. Masters, of Ohio.
Kermit S. Midthun, of Michigan.
Howard F. Newsom, of the District of Columbia.
Harry I. Odell, of New York.
Stephen E. Palmer, Jr., of New York.
Lloyd M. Rives, of New Jersey.
Lucian L. Rocke, Jr., of Florida.
H. Earle Russell, Jr., of Michigan.
Stanley D. Schiff, of New Jersey.
Edwin E. Segall, of Nebraska.
Richard R. Selby, Jr., of New Jersey.
John J. Shea, of New York.
John W. Simms, of Pennsylvania.
Jack M. Smith, Jr., of Georgia.
Sidney V. Suhler, of Texas.
Harold C. Swope, of Missouri.
Robert J. Tepper, of New York.
Calcolm Thompson, of Massachusetts.
Arthur T. Tienken, of New York.
Peter C. Walker, of New York.
John T. Whellock, of Illinois.
Merrill A. White, of Massachusetts.

For appointment as Foreign Service officers of class 5, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Mrs. Hazel O. Briggs, of Washington.
Miss Eleanor A. Burnett, of Florida.
Albert C. Cizauskas, of New York.
Mansfield L. Hunt, of Maine.
Miss Betty-Jane Jones, of Wisconsin.
Edward P. Noziglia, of New York.
Michael H. Styles, of Virginia.

For appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Miss Gloria E. Abiouness, of Virginia.
Harvey J. Feldman, of Illinois.
Robert H. Flenner, of Pennsylvania.
Wilbur W. Hitchcock, of New Jersey.
Wallace F. Holbrook, of Massachusetts.
Jack Liebhof, of New York.
Hugh J. McCall, of New York.
Nicholas V. McCausland, of California.
Leonardo Neher, of Illinois.
Frederick P. Picard III, of Nebraska.

Foreign Service staff officers to be consuls of the United States of America:

William O. Anderson, of Indiana.
Robert W. Caldwell, of North Carolina.
Paul B. Carr, of California.
Justie E. Gist, of Iowa.
William B. Snidow, of Virginia.
Mrs. C. Carey White, of Arizona.

Foreign Service Reserve officers to be consuls of the United States of America:

R. Jack Smith, of Virginia.
Charles S. Whitehouse, of Rhode Island.

DEPARTMENT OF DEFENSE

Carter Lane Burgess, of South Carolina, to be Assistant Secretary of Defense, a position to which he was appointed during the last recess of the Senate.

DEPARTMENT OF THE AIR FORCE

David S. Smith, of Connecticut, to be Assistant Secretary of the Air Force, a position to which he was appointed during the last recess of the Senate.

UNIVERSITY OF MICHIGAN LIBRARIES

DEPARTMENT OF THE NAVY

Albert Pratt, of Massachusetts, to be Assistant Secretary of the Navy, a position to which he was appointed during the last recess of the Senate.

DEPARTMENT OF COMMERCE

Philip Alexander Ray, of California, to be General Counsel of the Department of Commerce, to which office he was appointed during the last recess of the Senate.

DEPARTMENT OF AGRICULTURE

Ervin L. Peterson, of Oregon, to be an Assistant Secretary of Agriculture.

FEDERAL MARITIME BOARD

G. Joseph Minetti, of New York, to be a member of the Federal Maritime Board for the remainder of the term expiring June 30, 1958, to which office he was appointed during the last recess of the Senate.

FEDERAL COMMUNICATIONS COMMISSION

George C. McConnaughey, of Ohio, to be a member of the Federal Communications Commission for the unexpired term of 7 years from July 1, 1950, to which office he was appointed during the last recess of the Senate.

COMMODITY CREDIT CORPORATION

Ervin L. Peterson, of Oregon, to be a member of the Board of Directors of the Commodity Credit Corporation.

ATOMIC ENERGY COMMISSION

Willard Frank Libby, of Illinois, to be a member of the Atomic Energy Commission for the remainder of the term of 5 years expiring June 30, 1956, to which office he was appointed during the last recess of the Senate.

John Von Neumann, of New Jersey, to be a member of the Atomic Energy Commission for the term expiring June 30, 1959, to which office he was appointed during the last recess of the Senate.

NATIONAL LABOR RELATIONS BOARD

Theophil Carl Kammholz, of Illinois, to be General Counsel of the National Labor Relations Board for a term 4 years, vice George J. Bott upon the expiration of his term.

EXPORT-IMPORT BANK OF WASHINGTON

The following-named persons, who were appointed during the last recess of the Senate, to the offices indicated:

Glen E. Edgerton, of the District of Columbia, to be President of the Export-Import Bank of Washington.

Lynn U. Stambaugh, of North Dakota, to be First Vice President of the Export-Import Bank of Washington.

Hawthorne Arey, of Nebraska, to be a member of the Board of Directors of the Export-Import Bank of Washington.

Vance Brand, of Ohio, to be a member of the Board of Directors of the Export-Import Bank of Washington.

BUREAU OF LOCOMOTIVE INSPECTION

John A. Hall, of California, to be Director of Locomotive Inspection, to which office he was appointed during the last recess of the Senate.

MISSISSIPPI RIVER COMMISSION

Brig. Gen. William E. Potter (colonel, Corps of Engineers) to be a member of the Mississippi River Commission, under the provisions of section 2 of an act of Congress approved June 28, 1879 (21 Stat. 37; 33 U. S. C. 642), a position to which he was appointed during the last recess of the Senate, vice Brig. Gen. Herbert D. Vogel.

Brig. Gen. Charles G. Holle (brigadier general, U. S. Army) to be a member of the Mississippi River Commission, under the provisions of section 2 of an act of Congress approved June 28, 1879 (21 Stat. 37; 33 U. S. C. 642), a position to which he was appointed during the last recess of the Senate, vice Brig. Gen. Ernest Graves.

NATIONAL SECURITY TRAINING COMMISSION

Albert J. Hayes, of Maryland, to be a member of the National Security Training Commission for the remainder of the term expiring June 19, 1958, to which office he was appointed during the last recess of the Senate.

UNITED STATES CIRCUIT JUDGE

The following-named person to the office indicated, to which office he was appointed during the last recess of the Senate:

Walter M. Bastian, of the District of Columbia, to be United States circuit judge, District of Columbia circuit.

UNITED STATES DISTRICT JUDGE

The following-named person to the office indicated, to which office he was appointed during the last recess of the Senate:

Lamar Cecil, of Texas, to be United States district judge for the eastern district of Texas.

UNITED STATES ATTORNEYS

The following-named persons to the offices indicated, to which they were appointed during the last recess of the Senate:

Phil M. McNagny, Jr., of Indiana, to be United States attorney for the northern district of Indiana.

Leon P. Miller, of West Virginia, to be United States attorney for the Virgin Islands.

John R. Morris, of West Virginia, to be United States attorney for the northern district of West Virginia.

UNITED STATES MARSHALS

The following-named persons to the offices indicated, to which they were appointed during the last recess of the Senate:

Carlton G. Beall, of Maryland, to be United States marshal for the District of Columbia.

Russell R. Bell, of West Virginia, to be United States marshal for the southern district of West Virginia.

M. Frank Reid, of South Carolina, to be United States marshal for the western district of South Carolina.

Irl E. Thomas, of West Virginia, to be United States marshal for the northern district of West Virginia.

COLLECTOR OF CUSTOMS

Walter B. Heisel, of Alaska, to be collector of customs for customs collection district No. 31, with headquarters at Juneau, Alaska, to fill an existing vacancy.

UNITED STATES PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service:

I. FOR CONFIRMATION OF RECESS APPOINTMENT

To be senior assistant surgeons, effective date indicated

David P. Michener, September 23, 1954.
Earle W. Epps, September 23, 1954.
Eugene H. Guthrie, September 23, 1954.
James R. Harris, September 23, 1954.
William V. Trekell, September 23, 1954.
James L. Wellhouse, September 23, 1954.
Claude R. Garfield, September 24, 1954.
Douglas E. Bragdon, September 24, 1954.
Nicholas Revotskie, September 24, 1954.
Burton M. Cohen, September 24, 1954.
Donald R. Chadwick, September 24, 1954.
Lewis E. Patrie, September 24, 1954.
Edward L. King, September 24, 1954.
Eugene W. Ververka, September 24, 1954.
Harvey P. Wheelwright, September 25, 1954.
Roy P. Sandidge, Jr., September 27, 1954.
Edward F. Gorin, September 27, 1954.
Wallace P. Rowe, September 29, 1954.
Ergi J. Pesiri, September 29, 1954.
Hubert C. Burton, September 29, 1954.
Paul L. Kingsley, November 1, 1954.

To be assistant surgeon, effective date indicated

Adolph F. Friedman, November 2, 1954.

To be senior assistant dental surgeons, effective date indicated

Douglas J. Sanders, September 27, 1954.
Reuben L. Turner, September 28, 1954.
Fogle Godby, September 28, 1954.
Harold M. Fullmer, September 29, 1954.
Bill J. Brady, October 8, 1954.

To be assistant dental surgeons, effective date indicated

John H. Duffy, November 3, 1954.
Lawrence E. Van Kirk, Jr., November 3, 1954.

To be assistant scientists, effective date indicated

Melvin Manis, October 29, 1954.
Seymour Rubenfeld, November 1, 1954.

II. FOR CONFIRMATION OF RECESS PERMANENT PROMOTION

To be permanent medical directors, effective September 27, 1954

George W. Bolin	Randall B. Hass
Edward T. Thompson	Charles G. Spicknall
John E. Dunn, Jr.	Terrence E. Billings
Leo D. O'Kane	James R. Shaw
John A. Lewis, Jr.	James Watt
Jack L. James	Edgar B. Johnwick
Thomas A. Hathcock, Jr.	Francis J. Weber

To be permanent senior assistant surgeons, effective July 1, 1954

Warren J. Boyer, Jr.	Joshua L. Weisbrod
Arden A. Flint, Jr.	William S. Lainhart

To be permanent dental directors, effective September 27, 1954

John A. Hammer	Francis A. Arnold, Jr.
Ray P. Breaux	George E. Waterman

To be permanent senior assistant dental surgeons, effective July 1, 1954

Jack D. Robertson
Herbert Swerdlow

To be permanent sanitary engineer director, effective date indicated

Duncan A. Holaday, September 27, 1954.

To be permanent sanitary engineer, effective date indicated

William B. Schreeder, September 1, 1954.

To be permanent senior assistant sanitary engineers, effective date indicated

Donald J. Nelson, Jr., July 20, 1954.
Herbert H. Rogers, July 20, 1954.
Edwin M. Lamphere, August 30, 1954.

To be permanent scientist director, effective date indicated

Mayhew Derryberry, September 27, 1954.

To be permanent senior assistant sanitarian, effective date indicated

Harold V. Jordan, Jr., August 15, 1954.

To be permanent nurse officers, effective September 27, 1954

Arne B. Beltz
Dorothy E. Reese

To be permanent senior assistant dietitian, effective date indicated

Letitia W. Warnock, September 18, 1954.

IN THE AIR FORCE

The following-named officers for appointment in the Regular Air Force to the grades indicated under the provisions of title V of the Officer Personnel Act of 1947:

To be major generals

Maj. Gen. George Robert Acheson, 335A (brigadier general, Regular Air Force), United States Air Force.

Maj. Gen. Samuel Robert Brentnall, 364A (brigadier general, Regular Air Force), United States Air Force.

Lt. Gen. William Henry Tunner, 374A (brigadier general, Regular Air Force), United States Air Force.

Maj. Gen. William Evens Hall, 460A (brigadier general, Regular Air Force), United States Air Force.

Lt. Gen. Donald Leander Putt, 494A (brigadier general, Regular Air Force), United States Air Force.

Maj. Gen. Norris Brown Harbold, 369A (brigadier general, Regular Air Force), United States Air Force.

Maj. Gen. Albert Boyd, 424A (brigadier general, Regular Air Force), United States Air Force.

Maj. Gen. Manuel Jose Asensio, 324A (brigadier general, Regular Air Force), United States Air Force.

Maj. Gen. John Stewart Mills, 357A (brigadier general, Regular Air Force), United States Air Force.

To be brigadier generals

Brig. Gen. William Tell Hefley, 353A (colonel, Regular Air Force), United States Air Force.

Maj. Gen. Howard Graham Bunker, 376A (colonel, Regular Air Force), United States Air Force.

Maj. Gen. Frederic Ernst Glantzberg, 405A (colonel, Regular Air Force), United States Air Force.

Maj. Gen. Dudley Durward Hale, 431A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Jack Weston Wood, 441A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Harold Huntley Bassett, 445A (colonel, Regular Air Force), United States Air Force.

Maj. Gen. Roger James Browne, 449A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Marshall Stanley Roth, 458A (colonel, Regular Air Force), United States Air Force.

Maj. Gen. Harlan Clyde Parks, 472A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. George Elston Price, 475A (colonel, Regular Air Force), United States Air Force.

Maj. Gen. Floyd Bernard Wood, 500A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Hugh Arthur Parker, 505A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Stuart Phillips Wright, 510A (colonel, Regular Air Force), United States Air Force.

Maj. Gen. Richard August Grussendorf, 543A (colonel, Regular Air Force), United States Air Force.

Maj. Gen. Thetus Cayce Odom, 554A (colonel, Regular Air Force), United States Air Force.

Maj. Gen. Millard Lewis, 561A (colonel, Regular Air Force), United States Air Force.

Maj. Gen. Sory Smith, 573A (colonel, Regular Air Force), United States Air Force.

Maj. Gen. Lee Bird Washbourne, 810A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Frederick Jensen Dau, 834A (colonel, Regular Air Force), United States Air Force.

The following-named officers for temporary appointment in the United States Air Force under the provisions of section 515, Officer Personnel Act of 1947:

To be major generals

Brig. Gen. Matthew Kemp Deichelmann, 331A, Regular Air Force.

Brig. Gen. Merrill Davis Burnside, 495A, Regular Air Force.

Brig. Gen. Daniel Francis Callahan, 579A, Regular Air Force.

Brig. Gen. Samuel Russ Harris, Jr., 272A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. John Titcomb Sprague, 300A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Burton Murdock Hovey, 313A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. William Tell Hefley, 353A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Jack Weston Wood, 441A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Harold Huntley Bassett, 445A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Marshall Stanley Roth, 458A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. George Elston Price, 475A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Stuart Phillips Wright, 510A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Frank Arthur Bogart, 585A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Royden Eugene Beebe, Jr., 587A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. John Belvier Ackerman, 610A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. William Henry Powell, Jr., 684A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Frederick Jensen Dau, 834A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Albert Meldrum Kuhfeld, 884A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. Kenneth Paul Bergquist, 1117A (colonel, Regular Air Force), United States Air Force.

Brig. Gen. James Clyde Selser, Jr., 1284A (colonel, Regular Air Force), United States Air Force.

To be brigadier generals

Col. John Colt Baumont Elliott, 271A, Regular Air Force.

Col. Hoyt Leroy Prindle, 334A, Regular Air Force.

Col. Robert Loyal Easton, 368A, Regular Air Force.

Col. Emmett Felix Yost, 389A, Regular Air Force.

Col. Hollingsworth Franklin Gregory, 496A, Regular Air Force.

Col. Tom William Scott, 536A, Regular Air Force.

Col. Harold Lester Smith, 564A, Regular Air Force.

Col. Wendell Washington Bowman, 596A, Regular Air Force.

Col. Milton Frederick Summerfelt, 653A, Regular Air Force.

Col. Charles Hoffman Pottenger, 661A, Regular Air Force.

Col. Clinton William Davies, 778A, Regular Air Force.

Col. John Martin Breit, 1016A, Regular Air Force.

Col. Richard Thomas King, Jr., 1021A, Regular Air Force.

Col. Daniel Edwin Hooks, 1166A, Regular Air Force.

Col. Moody Rudolph Tidwell, Jr., 1553A, Regular Air Force.

Col. Don Davis Flickinger, 19078A, Regular Air Force, Medical.

Col. Benjamin Oliver Davis, Jr., 1206A, Regular Air Force.

Col. Charles Berton Root, 1258A, Regular Air Force.

Col. Victor Raymond Haugen, 1292A, Regular Air Force.

Col. Sam Wilkerson Agee, 1346A, Regular Air Force.

Col. Edwin Borden Broadhurst, 1350A, Regular Air Force.

Col. Kenneth Oliver Sanborn, 1363A, Regular Air Force.

Col. Don Richard Ostrander, 1343A, Regular Air Force.

Col. Fred Murray Dean, 1450A, Regular Air Force.

Col. Walter Erath Arnold, 1478A, Regular Air Force.

Col. Arthur Jenkins Pierce, 1509A, Regular Air Force.

Col. Marcus Fleming Cooper, 1543A, Regular Air Force.

Col. Cecil Hampton Childre, 1551A, Regular Air Force.

Col. Henry Riggs Sullivan, Jr., 1655A, Regular Air Force.

Col. William Emanuel Eubank, Jr., 1741A, Regular Air Force.

Col. Beverly Howard Warren, 1768A, Regular Air Force.

Col. James Franklin Whisenand, 1945A, Regular Air Force.

EXTENSIONS OF REMARKS

Communist Party Line on Senator McCarthy

EXTENSION OF REMARKS

OF

HON. JOSEPH R. McCARTHY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Monday, November 8, 1954

Mr. McCARTHY. Mr. President, I ask unanimous consent to have printed in the RECORD pages 1 to 19 of the booklet I now send to the desk.

There being no objection, the booklet was ordered to be printed in the RECORD, as follows:

"THROW THE BUM OUT"—OFFICIAL COMMUNIST PARTY LINE ON SENATOR McCARTHY

The House Un-American Activities Committee officially cites the Daily Worker as follows:

"Daily Worker: The chief journalistic mouthpiece of the Communist Party * * *. No other paper or publication of any kind in all American history has ever been loaded with such a volume of subversive, seditious, and treasonable utterance as has this organ of the American Communists."

"Telegraph agency of instructions to all Communists." (Louis Budenz, former editor of the Daily Worker.)

[From the Daily Worker, New York, N. Y., of September 28, 1954]

THROW THE BUM OUT

America is catching up with McCARTHY. The six-man Senate committee has voted unanimously in favor of a Senate censure

of the arch-conspirator against the American Constitution.

It is good news for America—for its free speech, its right to speak out for peace, coexistence, and the abolition of H-bomb war—that McCarthyism is no longer the untouchable sacred cow. The good sense of the people has won this important achievement.

However, the GOP, backed in this by the Democratic Party leader in the Senate, is trying to sweep the McCARTHY issue under the rug for the elections. They have ordered the postponement of any Senate action till after the elections. They thus hope to keep the issue quiet.

But the country has seen enough of the sordid McCARTHY conspiracy not to be content with this trick. In the first place, the voters should insist to their Senators on a Senate meeting before the November elections. They should insist on a swift vote of censure before November.

Following that, the country has every right to expect that the Senate will not merely rebuke McCARTHY for overstepping some of the rules, but will waste no time in digging into his whole shabby career.

[From the Daily Worker, New York, N. Y., of July 14, 1954]

AID SENATE FIGHT ON MCCARTHY

The effort of Senator RALPH FLANDERS, Republican, of Vermont, to strip Senator JOSEPH MCCARTHY, Republican, of Wisconsin, of his committee chairmanships is gaining ground in the United States Senate. Several Republicans have already indicated support. While a number of Democrats are also for it, the Senate Tory Democratic leadership has tried to evade the struggle by maintaining MCCARTHY is a "Republican problem."

Among Republicans who have not yet lined up behind the Flanders resolution is Senator IRVING M. IVES, of New York.

We urge all New Yorkers to write to IVES insisting he support the Flanders resolution.

We urge New Yorkers to write to Senator HERBERT LEHMAN suggesting he put the heat on the Democratic Senate leadership to line up behind the resolution.

We urge readers everywhere to take similar action in connection with their Senators.

[From the Daily Worker, New York, N. Y., of July 29, 1954]

WRITE YOUR SENATORS

Tell the two Senators from your State to support the Flanders censure resolution. Urge the organizations to which you belong, to do likewise.

In New York, Senator LEHMAN says he will support the censure; Republican IRVING M. IVES has been silent.

Many are also writing to Senator FLANDERS giving him their support in this move.

[From the Daily Worker, New York, N. Y.]

STILL TIME TO CENSURE

The next few days will tell whether McCARTHY can still blackmail the country. A shower of wires, letters, and calls will go a long way toward giving the Senators an indication of the feelings at home. They should be told no adjournment until Senator MCCARTHY is severely censured.

[From the Daily Worker, New York, N. Y., of July 16, 1954]

ACT NOW

We urge all readers to write at once to their Senators, insisting they vote for the Flanders resolution.

We urge all readers to reach their fellow-workers and neighbors and the leaders of the unions and other organizations they might belong to—urging them to take similar action.

They should also make their will known to Senator LYNDON JOHNSON, Democratic Senate leader, who is dodging the issue on the excuse that this is an inner Republican squabble.

[From the Daily Worker, New York, N. Y., of March 17, 1954]

STAMP OUT MCCARTHYISM

(By William Z. Foster)

During the past 10 days Senator MCCARTHY has received a number of resounding belts in the jaw. These came from Adlai Stevenson, E. R. Murrow, Senator Flanders, the Army leadership, broadcasting companies. Even Eisenhower himself had to give MCCARTHY a slap on the wrist. This sudden outburst of anti-McCarthy sentiment reflects the growing indignation of the American people at the outrageous manner in which the Wisconsin political thug has been intimidating the country.

This active anti-McCarthyism is all to the good, and it is to be hoped that the gathering attack against MCCARTHY will be developed to the full. MCCARTHY should not only be discredited politically, but he should also be fired from the Senate and put in jail where he belongs. Such an outcome would constitute a real victory for democracy and would be hailed as such all over the world.

With MCCARTHY discomfited, already social democrats like Max Lerner and Arthur Schlessinger in the New York Post act as if McCarthyism were dead. They make it appear as though McCarthyism is the work of but a few malevolent individuals, who are now being deflated. But this is a gross underestimation of the danger of McCarthyism, which is American fascism.

MCCARTHY as an individual reactionary is obviously dangerous, but the reality of the dangers personalized by him are the powerful figures behind him—the wealthy bankers and industrialists and big military tycoons, with their aggressive programs of facism and war. These are the elements who are chiefly responsibile for such power as MCCARTHY possesses.

Should their darling MCCARTHY be knocked out, however, in the present brawl, they will not be long in developing another political front. If they could so blow up a blockhead like MCCARTHY, they will not be long in finding replacements.

It is not enough to fight MCCARTHY regarding his methods, on the assumption that he represents only a small clique of irresponsibles. He must instead be fought on the grounds of his pro-Fascist objectives and in the realization that he is the outstanding figure of the American Fascist tendency.

What is wanted is not more carefully managed thought control or more gentlemanly red-baiting and Soviet hating as so many in labor and political circles have been doing. This line only feeds McCarthyism. The whole program of warmongering must be knocked out and the country embarked upon a realistic policy of peaceful coexistence between the United States and the Soviet Union. This alone can basically end the menace of McCarthyism.

The Eisenhower administration is figuring on using what they hope will be a more sensible MCCARTHY as their chief hatchetman in the November elections. That is why Vice President NIXON gave him such gentle handling in his Saturday night speech.

MCCARTHY will have many other powerful supporters. But the President and his Wall Street backers should not be allowed to get away with this shameful imposition upon the American people. MCCARTHY must be driven out of American public life completely. That would be an appetizer to a real head-on attack upon the main body of the threatening Fascist movement in this country.

In the coming November elections the labor and progressive forces should defeat every McCarthyite who appears on any ticket and elect strong anti-McCarthy candidates.

William Foster is under indictment for Communist activities in violation of the Smith Act.

UNITY CAN DEFEAT MCCARTHYISM

(By Philip Frankfeld, chairman of the Communist Party of Maryland)

(Pamphlet issued by Communist Party)

From the above pamphlet:

"But at all times, remember the fact that the main enemy is pro-Fascist McCarthyism and all of its workings and directing our main fight against it."

"The camp of McCarthyism remains united and follows a common policy directed by a unified command. It operates with deadly effectiveness."

Philip Frankfeld has been convicted for his Communist activities.

The national secretary of the Communist Party sent the following message to all Communist Party members through the Daily Worker of May 4, 1950:

"I urge all Communist Party members, and all anti-Fascists, to yield second place to none in the fight to rid our country of the Fascist poison of McCarthyism."

[From the Daily Worker, New York, N. Y., of May 7, 1953]

INVESTIGATE THE INVESTIGATORS

We New Yorkers are getting a good close-up look at what Senator HERBERT LEHMAN called the other day "creeping McCarthyism."

We are getting "creeping McCarthyism," and McCarthyite creeps, in the invasion of New York by the shoddy bunch of headline-hunters known as the Un-American Committee. This is headed by an ex-FBI cop whose great specialty was to have been the frameup of Steve Nelson as "an atomic spy" working with a "Scientist X." This shabby frameup—very much like the Rosenberg frameup—collapsed completely when even a fear-ridden Washington jury threw the whole mess out of court several weeks ago.

Velde's qualifications for hounding New York teachers, editors, artists, actors, and writers are given by his notorious contempt for education, which he expressed as follows:

"The basis of all communism and socialistic influence is education of the people. * * * If we say that we are opposed to socialism in America, as we all say we are, then we must oppose this bill (to create traveling libraries)." (March 9, 1950, House of Representatives.)

Such is the gent who now drags decent and patriotic Americans up in front of his roadshow in order to get them to become informers by "naming names" of other Americans who have dared to exercise their rights of free speech, free press, and the right of association to advocate ideas.

No wonder Senator LEHMAN cried out in dismay before 1,000 Democratic Party workers last week:

"Already, we tolerate subpenaing novelists, essayists, magazine and newspaper editors, scholars and school administrators to inquire into their political backgrounds and personal habits back to their youth and childhood.

* * * The investigators, who might better be called the inquisitors, have taken over."

Senator LEHMAN's justified alarm shows that many Americans are aware of the fact that the smokescreen of "probing subversion" covers up a vicious McCarran-McCarthy assault on New Dealers, Democrats, Negro and Jewish organizations, trade unions, churches, etc. The Un-American Committee peddles the big lie about communism in order to attack all progressive ideas.

These committees will never haul up before them a Ku Kluxer, an anti-Semite, a warmonger, or a union hater. No landlord gouging his tenants or politician rooking the city will ever be called up to "name names" by these hacks. After all, their own previous chairman, the smelly J. Parnell Thomas, was found out to be a crook.

It is with pride that New York can watch these courageous "noncooperating" witnesses give these thought-controllers some elementary lessons in American history. George Washington and Jefferson were also "noncooperating" with reference to thought-control tyranny.

[From Political Affairs of December 1953]

UNITY CAN ROUT MCCARTHYISM

(By national committee, Communist Party, United States of America)

On November 21, 1953, the national committee of the Communist Party of the United States issued a statement signed by William Z. Foster, Elizabeth Gurley Flynn, and Pettis Perry, dealing with the Brownell-Eisenhower assault upon the loyalty of ex-President Truman. The text of the statement follows:

"The situation is ripe for organized labor and its allies, by a united smash, to rout the McCarthyite pro-Fascists and warmongers, and to score a great political victory. This opportunity must not be missed. The working masses must not allow themselves to be politically deceived and blinded by the poison gas of the redbaiters, warmongers, and witchhunters.

"An organic part of the fight against McCarthyism is the fight to defend the Communists now being indicted and tried under the Smith, McCarran, and sedition laws, and to free Gene Dennis, Ben Davis, and the many others imprisoned under these laws."

The House Un-American Activities Committee officially cited Political Affairs as "an official Communist Party monthly theoretical organ. * * * A magazine devoted to the theory and practice of Marxist-Leninism."

[From the Daily Worker, New York, N. Y., of March 1, 1954]

DEMANDS GROWING: ACT NOW AGAINST MCCARTHY—ASKS BROWNELL ACT AGAINST "NO. 1 FASCIST"

ATHENS, OHIO, February 28.—Mrs. Agnes E. Meyer, educator and writer, yesterday called Senator JOSEPH R. MCCARTHY our No. 1 fascist, suggested legal action be instituted against him by Attorney General Herbert Brownell, Jr., and called on the President to intervene to protect the honor of the military against MCCARTHY's insults.

"If the President does not," she said, "the safety of every citizen and of our whole Nation will be undermined. For MCCARTHY has devised sinister methods by which force can conquer this country without overt violence."

In a speech before the Ohio chapter of the American Association of University Professors, Mrs. Meyer said, "Brownell would do the Nation a greater service if, instead of prosecuting a dead Communist, he would institute proceedings against MCCARTHY."

Mrs. Meyer, in her own Red-baiting phrase, apparently alluded to a recent speech by Brownell attacking the late Harry Dexter White, New Dealer and former Treasury official.

"There is no doubt all our freedoms today are being threatened," said Mrs. Meyer, whose husband is Eugene Meyer, chairman of the board of the Washington Post. "Our congressional investigators are seeking to curb all expression of opinion. The Nation's entire education system," she charged, "is being subjected to repression and intimidation.

She charged that the uneducated are sitting in judgment on education and educators, and called for a fairminded investigation of your unfairminded investigators.

Mrs. Meyer declared MCCARTHY would surely be thrown out of the Senate if the Republican National Committee disclosed the disgraceful facts about his record.

[From the Daily Worker, New York, N. Y., of March 12, 1954]

EISENHOWER FEELS THE PRESSURE

President Eisenhower said he agrees with Senator FLANDERS a little bit. The Vermont GOP Senator had charged the imitation-Hitler with trying to split the GOP, and capture it.

These are all signs—"straws," the New York Times calls them—that it is no longer tantamount to treason in Washington to criticize the leader of the pro-Fascist conspiracy in the United States. This means that the groundswell of popular patriotic hatred against bullying, lying, Fascist McCarthyism has already made itself very much felt in Washington and in the GOP.

When Adlai Stevenson charged the GOP with being "half MCCARTHY, half Eisenhower" he clearly stung the GOP, which had learned that the brand of Fascist McCarthyism is no longer the pure asset which GOP Chairman Hall proudly called it.

We have seen in America in the past few days such things as the terrific anti-MCCARTHY response to the CBS broadcast by Edward Murrow; the lashing out at MCCARTHY as a Hitler by the railroad brotherhood organ, Labor, etc.

This should be of the greatest encouragement to the patriotic crusade to resist, curb, and destroy this vile Fascist plot to debase America into a new form of Hitlerism at home and Hitlerite war with all the tricks borrowed from the anti-Communist fakeries of the Nazis.

But it is obvious that the trembling criticism of this Fascist conspiracy forced on the White House must be replaced by something far more direct and tougher. MCCARTHY knows that Eisenhower's "feather" criticism cannot stop him. He insolently sneered back at the President's criticism. He charged that all the GOP leaders who fear he is smearing them too heavily with the Fascist brush are "trying to curry favor with the leftwing press." MCCARTHY is here following the Fascist script down to the last letter.

It is good that the GOP is afraid of the McCarthyite label now.

It is up to the country to insist on more from anyone in public life who says he prefers America to Fascist McCarthyism. McCarthyism's financial dealings must be probed by the Senate. His star-chamber hearings and terrorizations must be stopped. Above all the fight has to be waged on the basic issues—peace and East-West trade against his inevitable war; the Bill of Rights against his spy fakeries and witch hunts of Communists; and more New Deal measures against the GOP's creeping socialism line.

[From the Worker, New York, N. Y., of July 25, 1954]

THE DEMOCRATS AND MCCARTHY

Senator FLANDERS, of Vermont, warned the GOP that if it follows the leadership of MCCARTHY it is sunk.

For the country will know how to recognize the guilt of the party which helps MCCARTHY try to Hitlerize the United States of America.

But the Democrats in Washington can't seem to grasp this yet, and they haven't been told in firm language that such is the case.

For example, the three Democrats on the McCarthy committee—SYMINGTON, JACKSON, and MCCLELLAN—who tangled with MCCARTHY during the recent hearings suddenly were afraid to join with GOP Senator POTTER to fire the sneaky ex-FBI Francis Carr.

POTTER was ready to defy MCCARTHY on this issue, but the Democrats began to waver and said this would "let MCCARTHY claim they oppose the investigation of communism."

Amazing how this MCCARTHY trick still has power to drug and paralyze his victims even when they start to fight back.

But the country, we are sure, wants the United States Senate to pass the Flanders motion to censure MCCARTHY on July 30 when his motion comes up.

Millions of voters want MCCARTHY forced to testify under oath on his spy rings, his weird financial deals with the corporations, and his defense of the Nazi murderers of helpless American GI prisoners.

At the very least, they want the Democrats to lead the fight to censure MCCARTHY, the goon who has branded them as responsible for "20 years of treason."

The voters, especially in the trade unions, are telling their United States Senators they want MCCARTHY censured on July 30 as the very first step, and they are telling Senator FLANDERS they approve what he is doing.

[From the Daily Worker, New York, N. Y., of July 19, 1954]

MCCARTHY A WOULD-BE HITLER, SAYS FLANDERS

WASHINGTON, July 18.—Senator RALPH E. FLANDERS (Republican, of Vermont) today charged that Senator JOSEPH R. MCCARTHY was the would-be Hitler of America. Detailing the methods whereby Hitler rose to power in Germany, FLANDERS called on fellow Republicans to back his Tuesday move to censure MCCARTHY. FLANDERS withdrew his original motion to oust MCCARTHY from his chairmanships under pressure from the GOP leadership in the Senate.

In releasing his speech today, FLANDERS said he "took his unusual step" because otherwise there would be no chance for the Senate or the public to consider his arguments against MCCARTHY. He claimed considerable Senate support for his resolution, including more than 12 Republicans.

Senate Republican leader WILLIAM F. KNOWLAND refused to disclose his strategy on the FLANDERS move, but is expected to try to kill the resolution either by moving to table it or by sending it to a Senate rules committee pigeonhole.

Before the resolution itself can be brought to vote, the Senate must approve FLANDERS' request for immediate consideration and it was possible the showdown will come then.

The tactic of comparing with Hitler anyone who fought communism was originated years ago by the Communists. Congressman Dies, Congressman Harold Velde, Senator

McCarran, and Senator Jenner have been similarly attacked by the Communists.

[From the Daily Worker, New York, N. Y.]

STILL TIME TO CENSURE

The decision of the Senate to shift the McCarthy censure motion to a six-member committee raises the serious danger that another whitewash of the reactionary Wisconsin Senator is in the making.

There is still hope, however, that some form of censure is possible this session. The Senators, cognizant of the tremendous popular pressure for some action on MCCARTHY, and hardly willing to face charges at home that the Flanders motion was killed by adjournment, voted to act on the committee's recommendation before the mid-August adjournment.

The committee, which Vice President NIXON will appoint, however, can bring in a recommendation on the eve of adjournment for no action or postponement of action to the next session. Senate Majority Leader KNOWLAND and Minority Leader JOHNSON, who have joined hands on the maneuver to save MCCARTHY, are apparently continuing on a rush-for-home stampede to get approval of what amounts to no action. Whether they will succeed depends in large measure on the response from those who are already being exhorted by electioneering candidates.

The very fact that the Senate was forced to schedule a debate on the Flanders motion and that the leaders of both parties have been unable so far to avoid action this session indicates the tremendous power of the anti-McCarthyism sentiment in the country. The Senate debate, despite the limited scope of the Flanders motion and the rush for adjournment, has served to still further expose the Fascist and corrupt nature of McCarthyism.

Like a cornered beast, MCCARTHY was only able to resort to the usual growl that served him so well in the past. He called the many Senators who voiced charges against him consummate liars and warned them they will indict themselves for perjury if they voice those charges before the Senate's committee.

The Senator's bullying tactics were successful on some occasions against some weak-kneed liberals or others without moral or self-respect, although MCCARTHY has been rebuffed by most honest witnesses. It now remains to be seen whether the whole Senate will be bullied successfully by the junior Senator from Wisconsin.

And we are still to hear from President Eisenhower on this most important question before Congress. The White House has been conspicuously silent while the storm rages and the administration's leaders are steering toward a whitewash of MCCARTHY. The voters will not absolve the administration of its full responsibility in this sordid business.

The next few days will tell whether MCCARTHY can still blackmail the country. A shower of wires, letters, and calls will go a long way toward giving the Senators an indication of the feelings at home. They should be told no adjournment until Senator MCCARTHY is severely censured.

[From Political Affairs of May 1954]

MAY DAY, 1954: WHAT FACES US?

VI. THE ROLE OF THE COMMUNIST PARTY

In the past period the party and the left have played a more active role in the mainstream of the anti-MCCARTHY movement. They are learning to influence the program and to bolster the fighting capacity of the movement as loyal participants in the struggle.

The campaign to build the circulation of the Daily Worker and the Worker and of the Morning Freiheit is an integral part of the fight against McCarthyism. It is an integral part of the effort to strengthen the role of the left in the coalition. The continuous attack by MCCARTHY on the Daily Worker is proof of its vitality in the struggle. The Daily Worker is the best fighter against McCarthyism.

The future struggle will be difficult and sharp. No one can predict its exact course or guarantee its outcome. The situation is fraught with great danger. At the same time, the advance of the anti-MCCARTHY movement beyond expectations of 6 months or a year ago reveals the great opportunities for building a movement which can stop McCarthyism in time.

The House Un-American Activities Committee officially cited Political Affairs as "an official Communist Party monthly theoretical organ * * * a magazine devoted to the theory and practice of Marxist Leninism."

[From the Worker, New York, N. Y. of October 3, 1954]

ACTION NOW URGED ON MCC. CENSURE

[From the Worker, New York, N. Y., of April 4, 1954]

THE BIG LIE TACTIC

What has made MCCARTHY so powerful within the space of 5 years? What has he got? The answer is simple. He has in his hands the power of the big lie. What is that big lie?

The big lie is that the United States of America faces a Communist menace both from the Socialist states, and from the Communist Party here in the United States of America.

The big lie which MCCARTHY rides for all it is worth is that Communists—that is Americans with Marxist ideas on peace, democracy, and socialism—are out to be spies.

Once a country swallows this fake—as Nazi Germany swallowed it—it is sunk. It is ready to be taken over by Fascist conspirators who are laughing up their sleeves at their victims.

There is no such thing as the Communist menace.

This is what every thinking American must retort to the warmongers and hysteria makers who are out to seize control of these United States.

There is such a thing as the social ideas of the Communists.

There is such a thing as the antiwar, antidepression activities of the Socialist-minded men and women who make up the Communist movement.

But there is absolutely no such thing as the conspiracy or the menace of which Fascist McCarthyism shrieks every day.

The Communist menace and the spy menace is a fake.

According to the FBI political boss, J. Edgar Hoover, the Communist conspiracy is out to get the following things:

"Settlement of the Korea war; recall of all American GI's from abroad; a five-power peace pact with China included; resumption of trade with the Communist countries; repeal of Taft-Hartley law, as well as the Smith and McCarran Acts."

Are these things bad for the United States?

No. Millions of Americans already agree with most of them, especially with the ideas of world peace and putting an end to the cold war.

McCarthyite fascism has never exposed a spy, as the conservative columnist, Walter Lipmann, notes. This is because he is not looking for spies at all but for Americans whose ideas are liberal, progressive, or Marxist.

McCarthyism starts with the fraud about the aims of the Communists. Then it moves up and starts lying about Roosevelt and the New Deal. It calls them treason.

McCarthyism calls the organization of the CIO a Communist plot. McCarthyism brands all peace as treason and appeasement. It is ready even to brand the Eisenhowers as traitors if the White House does not succeed in keeping war going in Asia.

The one thing McCarthyism is most afraid of is peace and trade with China and the Soviet Union. But peace means trade and jobs—without slaughter of our boys.

Some people say they oppose McCarthyite methods but favor its goals.

But this is absurd; McCarthyism's goal is police state and war.

Can there be nice methods for getting fascism and war?

McCarthyism's goal is fascism, and so are its methods.

The two cannot be separated.

If the Communists are robbed of their democratic right to advocate their opinions, no one else has any freedom left.

All you have to do to kill an idea—like job protection, or peace—is brand it "Communist." That will finish it, as long as McCarthyite fascism is allowed to get away with its big lie.

Communism is not the issue in the United States. The issue is jobs, peace, and democratic liberty.

Don't be fooled any more by the fake of the Communist menace. The menace is McCarthyite police state and its war conspiracies.

[From the Worker, New York, N. Y., of April 4, 1954]

"INVESTIGATIONS OF SENATORS JOSEPH R. MCCARTHY AND WILLIAM BENTON PURSUANT TO SENATE RESOLUTION 187 AND SENATE RESOLUTION 304

"(Report of the Subcommittee on Privileges and Elections to the Committee on Rules and Administration)

"(U. S. Government Printing Office, Washington, 1952)"

This official Senate report on MCCARTHY's shady finances was submitted in January 1952. Neither the Senate nor the Department of Justice has acted on it. J. Edgar Hoover who was supposed to investigate the charges uncovered by the Senate Committee instead praised MCCARTHY.

UNFIT FOR THE SENATE

Inside: Four full pages on Senator JOE "Low-Blow" MCCARTHY, his record and what you can do about him. See pages 7, 8, 9, and 10.

WHAT YOU CAN DO

Here is what you can do to help America against McCarthyism.

1. Tell your United States Senators that the probe of the Schine-Cohn-McCarthy scandal must be taken out of the MCCARTHY committee's hands. The Senate itself must probe this MCCARTHY scandal.

2. Insist that the United States Senate reopen the probe of MCCARTHY's weird financial deals which he refused to answer when Senator Benton charged him with deceit. Tell this to your Senators.

3. Refuse to let any Red scare tactic rob you of your rights to say what you please about peace, East-West trade, union rights, or any other social issue. Defend the rights of all Americans under the fifth amendment. They are your rights, too.

4. Stand up for the rights of all Americans, Communists as well as non-Communists, to say what they think without fear of punishment for subversion or disloyalty.

5. Urge the abolition of the viciously Un-American Committee on Un-American Activities and all such groups, like the Senate Committee on Internal Security.

6. Urge the repeal of all thought-control laws like the Smith Act, the McCarran Internal Security Act, and the McCarran-Walter Act.

7. Urge the end of the cold war, and its replacement with a policy of peaceful negotiation, East-West trade, and the outlawing of all atomic and H-bomb war.

8. McCarthyism hates peace. Every move to ease world tension is a blow against pro-war McCarthyism. Join with your neighbors in urging a peace policy in Washington, with reduced armaments, lower taxes, more schools, and a real antidepression program.

"McCarthyism has become the new religion of the modern day witch hunters. In their book you have to embrace McCarthyism or stand convicted of treason."—David Herman, president, local, AFL Hotel and Restaurant Workers Union, March 1954.

MCCARTHY, ANTI-NEGRO RACIST

Senator MCCARTHY's anti-Negro bias came out clearly in the disgraceful campaign he organized against Senator Tydings in Maryland in 1950.

At the direction of the MCCARTHY-picked campaign manager 75,000 pamphlets entitled "Back to Good Old Dixie" were distributed in Baltimore. The cover of the pamphlet showed four prominent Negro spokesmen of Baltimore quoting them as supporting MCCARTHY's man against Tydings.

The Senate committee which investigated the Tydings campaign found that the McCarthyites had used the names and pictures of the Negro leaders without their knowledge. In an article by Charles R. Allen, in the Baltimore Afro-American, it is justly said: "Certainly such a device was nothing less than a byproduct of a twisted racist mentality."

The whole nation was shocked by MCCARTHY's persecution of Mrs. Annie Lee Moss which brought about her suspension from her Army job. On Edward R. Murrow's TV program Americans saw how MCCARTHY and his stooge Cohn worked. They tried to destroy this Negro woman by the unsupported use of dirty FBI slander and gossip files and the words of perjured stoolpigeons like Mary Stalcup Markward.

Senator MCCARTHY took special pains to eliminate from every overseas library anything written by Walter White of the National Association for the Advancement of Colored People and any book or publication which in any way supported the doctrine of racial equality.

Among books which MCCARTHY had burned was Gunner Myrdal's scholarly work on the American Negro, An American Dilemma.

The Baltimore Afro-American observed: "As far as Senator JOSEPH MCCARTHY is concerned, all books expose America's racial discrimination can be burned and the sooner the better."

Following MCCARTHY's dastardly attack on Mrs. Eslanda Robeson, the Afro-American wrote:

"The insidious purpose of Senator MCCARTHY's latest junket into the darkened cave of the book-burners is becoming increasingly clear. His aim is to create the impression that authors who dare expose or protest American racial shortcomings are "following the Communist line and therefor what they write must be subversive."

If you wish more information on McCarthyism, or have any opinions you would like to express on this subject, please write to Sunday Worker, 35 East 12th Street, New York City, for the pamphlet, McCarthyism and the Big Lie, by Milton Howard, associate editor. We will be glad to send it to you free.

[From the Worker, New York, N. Y., of April 4, 1954]

UNFIT FOR THE UNITED STATES SENATE

If you are an average American, JOE MCCARTHY is your enemy. The United States Army papers showed that MCCARTHY and his stooge, Roy Cohn, tried to blackmail special privileges for their boy David Schine. The Army papers showed a gang of power-hungry operators using the racket of the Communist menace to gain dictatorial power. They want to command America. Anyone who doesn't obey them will be charged with being a Communist or helping the Communists.

America is waking up to this realization—

McCarthyism is a conspiracy to destroy the Constitution of the United States.

It is conspiracy to destroy democracy and America's chance for peace, under the mask of saving the country from communism.

MCCARTHY is unfit to sit in the United States Senate. The Army exposure in the McCarthy-Schine case proved that. Other vital facts prove it.

For example:

MCCARTHY is violating his oath as a Senator by refusing to answer questions on the following:

How did you bank $172,000 in cash in 4 years when your salary was about $50,000?

MCCARTHY was charged by Senator Benton, of Connecticut, with deceit, trickery, and falsehood—but MCCARTHY refused to answer on the witness stand.

This makes him unfit to sit in the Senate.

MCCARTHY violated his oath when he refused to tell a Senate committee how come he took $10,000 from the Lustron Corp. as a fee when he was on the Banking Committee which was handing out millions of Government money to the bankrupt Lustron Corp. (see p. 2).

MCCARTHY violated his oath when he refused an answer to the Senate committee's question how come an agent of Pepsi-Cola Corp. guaranteed his private loan of $25,000 just when MCCARTHY was acting on sugar quotas that the Pepsi-Cola Corp. was interested in (see p. 2).

MCCARTHY is violating his oath to uphold the United States Constitution by his deliberate plot to destroy the fifth amendment.

The fifth amendment was put into the Constitution by the Founding Fathers to protect the innocent. They did not want America to repeat the crimes of the anti-Catholic Royalist persecution of the 17th century.

In the 17th century, star-chamber inquisitors hunting un-British activities insisted that Englishmen admit that they were Catholics.

If they refused to discuss their religion with the prosecuting witchhunters, their silence proved them guilty.

America wanted to end this tyranny over men's minds.

The fifth amendment gives every American the right to the sacred privacy of his religious or political views.

MCCARTHY wants to destroy the fifth amendment. He says that silence is guilt. Guilt of what? Of having religious, social, or political views different from his own.

MCCARTHY calls all Americans who refuse to surrender to him their constitutional right to political and religious privacy fifth amendment Communists, or spies.

McCarthyism demands conformity to its prowar, labor-hating, anti-Semitic views, and charges all others with treason.

This makes McCarthyism itself treason to the United States.

MCCARTHY's plot against the fifth amendment and our democratic laws makes him unfit for the United States Senate.

PRESS QUOTES

"The Wisconsin Senator has succeeded in creating a situation in which anyone who doesn't like him, anyone who doesn't say what Mr. MCCARTHY wants him to say, anyone who is even mildly liberal, one might almost say anyone who is normally intelligent and can read, is under suspicion." (New York Times, February 1954.)

"Dwight D. Eisenhower still is President under the Constitution but he is not in full command of the Department of the Army today. Control of that vital element of our national defense system has passed in part at least from the White House to the unscrupulous hands of Senator MCCARTHY. No matter what he does, no matter what he says, no matter whom he attacks, the White House apparently will avoid a break with the wild man from Wisconsin." (St. Louis Post-Dispatch, February 1954.)

WHAT IS MCCARTHYISM?

"McCarthyism is the corruption of truth the abandonment of our historical devotion to fair play. It is the abandonment of the due process of law. It is the use of the big lie and the unfounded accusation against any citizen in the name of Americanism or security. It is the rise to power of the demagog who lives on untruth; it is the spread of fear and the destruction of faith in every level of our society. * * *

"This horrible cancer is eating at the vitals of America and it can destroy the great edifice of freedom." (Harry S. Truman, ex-President of the United States.)

"MCCARTHY is our No. 1 Fascist." (Mrs. Agnes E. Meyer, educator and writer, February 1954.)

"He is a political hoodlum." (Former Assistant Secretary of State Edward W. Barrett.)

"MCCARTHY, if allowed to go unbridled, can also destroy freedom." (Walter White, secretary, NAACP.)

"The efforts of McCarthyites are being made to defame Negro leaders." (Bishop William Walls.)

"A reign of mental terror has been unloosed over our land * * * a whole great political party has been labeled as traitorous. Treason is the ultimate indictment against a man's honor. And the Senator has applied this black term in effect to more than 27 million Americans who voted for the Democratic Presidential candidate in 1952." (Gov. Robert Meyner, of New Jersey, March 1954.)

"His assault on the Army was a supreme test of the ability of men in high office to meet a threat which in other parts of the world has been fatal to liberty itself. They have failed to meet that test. When will the occasion be presented again in terms so plain that virtually the whole people can see it and understand its meaning." (New York Herald Tribune, February 1954.)

"If we love our liberties and if we wish our children to live in a free world, we must repudiate and reject these political monsters and troglodytes who hate progress, who lust for power and trample into the earth individual rights and human dignity." (The Advance, national organ, Amalgamated Clothing Workers of America, CIO.)

SENATE

TUESDAY, NOVEMBER 9, 1954

The Senate met at 10 o'clock a. m.

Rev. Daniel Iverson, interim pastor, Bethesda Presbyterian Church, Bethesda, Md., offered the following prayer:

Our Father, we believe in Thine eternal greatness. Thou didst bring worlds into being by the breath of Thy mouth.

We have knowledge of Thy sovereign grace. Thou hast forgiven us of sin and freely offered life to those of us who put their trust in Thy way of salvation.

Thou hast loved us when we have been unlovely; Thou hast sustained us in our times of need; Thou hast kept us when we have been afraid; Thou hast comforted us in our times of sorrow.

Thou art a good God.

We have no right to come into Thy presence, yet through Thy tender mercies Thou hast invited us to come boldly to Thy throne of grace.

So, confessing our many sins and failures, we dare come into Thy presence asking that Thou wouldst bless us in the deliberations of the day, that we may be led to know and to do right regardless of cost.

And, Holy Father, keep this, our Nation, under the banner of faith and walking in the path of peace.

This prayer we make in the matchless name of Thy dear Son, even the Lord Jesus Christ. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, November 8, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. BRICKER was excused from attendance upon the sessions of the Senate after 12 o'clock noon tomorrow, and until the conclusion of the scheduled trip by members of the Joint Committee on Atomic Energy.

NOTICE OF MEETING OF COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. BRICKER. Mr. President, I wish to announce that this evening at 5:30 o'clock there will be a meeting of the Committee on Interstate and Foreign Commerce for the purpose of considering the nomination of George C. McConnaughey to be a member of the Federal Communications Commission, which nomination was transmitted to the Senate some time ago. I wish all members of the committee to take notice of this meeting. They will be notified personally.

SENATOR FROM NEW HAMPSHIRE

Mr. COTTON. Mr. President, I present to the Senate the certificate of election of my colleague the senior Senator from New Hampshire [Mr. BRIDGES] to be a Senator from the State of New Hampshire.

The PRESIDENT pro tempore. The certificate will be read.

The certificate of election was read, and ordered to be placed on file, as follows:

THE STATE OF NEW HAMPSHIRE,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954 STYLES BRIDGES was duly chosen by the qualified electors of the State of New Hampshire a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1955.

Witness: His Excellency, our Governor, Hugh Gregg, and our seal hereto affixed this 5th day of November in the year of our Lord, 1954.

HUGH GREGG,
Governor.

By the Governor (with advice of the council):

[SEAL] ENOCH D. FULLER,
Secretary of State.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Fulbright	Millikin
Aiken	George	Monroney
Anderson	Gillette	Morse
Barrett	Goldwater	Mundt
Beall	Gore	Murray
Bennett	Green	Neely
Bricker	Hayden	Pastore
Bridges	Hendrickson	Payne
Brown	Hickenlooper	Potter
Burke	Hill	Purtell
Bush	Holland	Robertson
Byrd	Hruska	Russell
Capehart	Humphrey	Saltonstall
Carlson	Jackson	Schoeppel
Case	Johnson, Colo.	Smathers
Chavez	Johnson, Tex.	Smith, Maine
Clements	Johnston, S. C.	Smith, N. J.
Cotton	Kefauver	Sparkman
Crippa	Kilgore	Stennis
Daniel, S. C.	Knowland	Symington
Dirksen	Kuchel	Thye
Douglas	Langer	Watkins
Duff	Lehman	Welker
Dworshak	Malone	Wiley
Ellender	Mansfield	Williams
Ferguson	Martin	Young
Flanders	McCarthy	
Frear	McClellan	

Mr. SALTONSTALL. I announce that the Senator from Maryland [Mr. BUTLER], the Senator from Oregon [Mr. CORDON], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], and the Senator from Kentucky [Mr. COOPER] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Texas [Mr. DANIEL], the Senator from Mississippi [Mr. EASTLAND], the Senator from Missouri [Mr. HENNINGS], the Senator from Oklahoma [Mr. KERR], the Senator from Louisiana [Mr. LONG], and the Senator from Washington [Mr. MAGNUSON] are absent on official business.

The Senators from North Carolina [Mr. ERVIN and Mr. LENNON] are absent by leave of the Senate, attending the funeral of the former Senator and the late Governor of North Carolina, Hon. William B. Umstead.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The PRESIDENT pro tempore. A quorum is present.

ATTACKS BY SOVIET MILITARY AIRCRAFT UPON UNITED STATES MILITARY AIRCRAFT

Mr. KNOWLAND. Mr. President, under the unanimous-consent agreement heretofore entered into there is to be a brief morning hour under the 2-minute limitation. Under the unanimous-consent agreement I should like to make a brief statement and ask that certain material be placed in the RECORD.

I ask unanimous consent to have printed in the body of the RECORD, as a part of my remarks, a letter which I have received from Mr. Ben H. Brown, Jr., Acting Assistant Secretary of State, giving certain information which I had requested regarding the recent shooting down of an American plane off the coast of Japan by Soviet military aircraft. The plane fell on the Island of Hokkaido with the loss of one life.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NOVEMBER 8, 1954.

The Honorable WILLIAM F. KNOWLAND,
United States Senate.

DEAR SENATOR KNOWLAND: I have now located the information which your office requested by telephone this morning:

(1) The November 7, 1954, attack by Soviet aircraft on the United States Air Force B–29 took place at 11:47 a. m., Tokyo time.

(2) A preliminary note from the United States Embassy, Moscow, protesting this attack on the B–29 was delivered to the Soviet Foreign Office at 9:40 a. m., Moscow time, November 8, 1954.

(3) There is appended a short summary of postwar incidents in which Soviet military aircraft have attacked or forced down United States military aircraft.

There are also appended copies of notes of protest sent on each of these occasions to the Soviet Government. In these, you will find more detailed accounts of the incidents in question.

Sincerely yours,

BEN H. BROWN, Jr.,
Acting Assistant Secretary.

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point, as a part of my remarks, a statement of the facts in nine cases which have occurred since April 12, 1950, involving attacks by Soviet planes upon American planes.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FACTS OF MAJOR CASES

1. The Soviets charged on April 12, 1950, that on April 8, 1950, a United States B–29 had penetrated U. S. S. R. territory along the Baltic 21 kilometers; Soviet fighters "demanded" that the B–29 land; the B–29 refused and opened fire, whereupon the Soviet fighter fired back, the American plane turned around toward the sea and disappeared. Investigation disclosed the B–29 was a Navy Privateer with 10 persons on board, completely unarmed, the incident occurred entirely over the high seas. (See tab A for documentation.)

2. On November 6, 1951, Soviet aircraft over the international waters of the Sea of Japan shot down a United States military P2V weather aircraft engaged under the U. N. command. The Soviets charged the United States plane had violated the Soviet border and opened fire on two Soviet fighters which sought to compel the airplane to land at a Soviet airdrome and only then did the Soviet fighters return fire. The Soviets protested (tab B).

3. In November 1951 a C–47 and a crew of four enroute from a German base to Belgrade lost their way. A Soviet fighter brought the plane down in Hungary. The men were held incommunicado and finally tried and convicted after trial by a military court of unlawfully crossing the Hungarian frontier and the United States paid to effect their release a fine of $123,605.15. It was charged, falsely, that the defendants had admitted deliberately violating an obligation to land voluntarily at a Hungarian airfield after crossing the border but the Soviets and Hungary have refused to join us in submitting the case to the ICJ (tab C).

4. On October 7, 1952, our investigation disclosed, Soviet fighter aircraft, presumably from the Kuriles, flew over Hokkaido above a B–29 aircraft and as the B–29 turned, at one point, the Soviet aircraft attacked without warning, and shot down the B–29 and its crew of eight. The Soviets charged that the airplane had overflown Soviet occupied islands, was asked to land by Soviet fighters, refused, and instead opened fire on the Soviet fighters which returned fire after which the B–29 went off. This case is being prepared for possible presentation to the ICJ (tab D).

5. In March 1953 MIG's from Czechoslovakia attacked an F–84 aircraft on patrol in Germany and shot it down in Germany. The Czechs asserted that our aircraft had crossed the Czech frontier, was intercepted south of Pilsen by fighters who requested it to land, that it refused and "an air battle" took place. Investigation showed the Czech account is completely false. This case is now in the departmental channels for early presentation of a diplomatic claim and possible litigation in the ICJ (tab E).

6. On March 15, 1953, a B–50 was attacked by Soviet aircraft over the international waters off Kamchatka, without causing injury. The United States protested on March 18. The Soviets replied on March 24 that a "B–29 type" plane had flown over the territory of Kamchatka for 70 kilometers on one occasion and again a half-hour later, that at the approach of Soviet fighters the second time the United States plane fired, whereupon the Soviet fighters returned fire in self-defense (tab E).

7. On July 29, 1953, an RB–50 with a crew of 17 was shot down without warning over the international waters of the Sea of Japan. The Soviets charged that the B–50 had shot at Soviet fighters who had come up to warn the B–50 that it was flying over Soviet territory, whereupon the Soviet fighters returned fire and the B–50 turned and flew away. This case, after investigation, is also being prepared for presentation of a diplomatic claim and possible litigation in the ICJ (tab G).

8. On September 4, 1954, a Navy P2V aircraft, while on a routine reconnaissance flight, was shot down without warning by 2 Soviet MIG fighters over international waters in the Sea of Japan about 44 miles from the Soviet coastline. One of the ten crew members was lost when the plane ditched. The U. S. S. R. claimed that the P2V had violated Soviet airspace and had opened fire on the Soviet MIG's. We rejected these charges as without foundation. The P2V was over international waters at all times and returned fire only after the MIG's had opened fire (tab H).

Mr. KNOWLAND. In connection with the most recent case, I ask unanimous consent to have printed in the body of the RECORD at this point, as a part of my remarks, an article which was published in yesterday's edition of the New York Times.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES PHOTO PLANE DOWNED IN JAPAN BY RED FIGHTERS—FLIER KILLED, 10 OTHERS SAFE AS MIG'S ATTACK RB–29 OVER JAPANESE-HELD WATERS—PROTEST SENT TO SOVIET—AIR FORCE SAYS RUSSIANS' FIRE WAS NOT RETURNED IN ATTACK OFF COAST OF HOKKAIDO

TOKYO, Monday, November 8.—A United States Air Force RB–29 photo-mapping plane crashed yesterday on Hokkaido Island after it had been fired on by two Russian-built MIG-type fighters, the Air Force said today.

All 11 crew members of the 4-engine plane bailed out. One died and the other ten suffered minor injuries, the announcement said.

[In Washington, the State Department said a protest had been sent to Moscow.]

While both attacking jets made two firing passes at the United States plane, setting it afire, its crew members did not fire back, the Air Force said.

The announcement did not say where the encounter took place. A report from Washington said it had been on the east coast of Hokkaido, the northernmost Japanese island, near disputed territory claimed by the Soviet Union, and that the parachuting crewmen had landed in the water. However, the Air Force here said that the 10 surviving crewmen had landed on the ground and that the 11th had been found dead.

PLANE IN JAPANESE TERRITORY

A State Department spokesman said the RB–29, a World War II type that had been on a mapping mission, had not left Japanese territory at any time.

The ten survivors were taken from the scene by an Air Force truck and a C–47 transport plane to their home station at Yokota Air Base, near Tokyo. Hospital authorities there said they were in excellent condition. Their names were not disclosed.

Only a narrow strait separates the northeastern tip of Hokkaido, where the plane crashed, from Soviet-occupied islands. Hokkaido is about 350 miles east of the area where Soviet MIG's shot down a United States Navy Neptune plane September 4.

Tight military secrecy was clamped about the area of the RB–29 crash. An air rescue officer, who said the survivors were tight-lipped, refused to discuss the case.

PLANE TRAILED SMOKE

The plane crashed into a farmhouse 40 miles inland from Nemuro about noon yesterday. Japanese residents and policemen said the plane was seen over the water, trailing a long stream of white smoke, while crew members bailed out. The stricken craft apparently continued inland after the crew had jumped.

A spokesman for Far East Air Force Headquarters in Tokyo said the plane was from the 91st Strategic Reconnaissance Squadron at Yokoto and was on a routine photo-mapping mission.

Asahi said a United States jet fighter crashed and burned near Kushiro, 75 miles southwest of Nemuro, shortly after the RB–29 went down. The pilot was reported to have parachuted. United States Air Force Headquarters said it had no such report.

The shooting down of the Navy Neptune in September drew a strong United States protest against a "wanton and unprovoked attack."

On July 28, 1953, a United States B–50 was lost over the Sea of Japan and Washington charged that Russians had shot it down.

On October 7, 1952, a B–29 superfortress disappeared in the same general area under circumstances that led officials to say it may have glided across the international boundary into Soviet territory. Three months later Japanese fishermen freed by the Russians said they had seen Soviet planes shoot down the B–29.

Mr. KNOWLAND. Mr. President, I ask to have printed in the body of the RECORD at this point, as a part of my remarks, a brief dispatch which came over the news ticker today relative to the same incident.

There being no objection, the dispatch was ordered to be printed in the RECORD, as follows:

The United States is sticking to its claim that the American bomber shot down Sunday by Russian MIG's never fired a shot and was never over Soviet territory.

The American plane was shot down in the northern Japan area while flying a photo-mapping mission. Ten crew members parachuted to safety, but an eleventh was killed.

The United States in an angry note yesterday said the incident occurred over Japanese territory and demanded moral and material reparations. A State Department spokesman said the United States would file a complete claim for damages after making an investigation of the incident.

The Soviet Union in a note to the United States yesterday claimed the American plane was over Soviet frontiers in the Kurile Island area and that the United States plane fired first. The Air Force claims the plane never fired and is trying to find out why not.

State Department officials said no decision has been reached yet on whether or not to focus additional world attention on the incident by calling it before the United Nations Security Council.

Mr. KNOWLAND. Mr. President, according to the investigation I have been able to make to date, the actual shooting down of the plane took place at 9:47 p. m. November 6, Washington time, or 3:47 a. m. November 7, Moscow time. The Moscow radio apparently released its first dispatch regarding the matter at 10 o'clock a. m. November 7, Washington time, which was 6 o'clock p. m. November 7, Moscow time. Those dates and times become significant, I think, in connection with the very brief statement which I wish now to make.

First of all, I believe that Ambassador Lodge and the entire American delegation to the United Nations at New York

should be commended by the American people for refusing to attend the 37th birthday celebration of the Soviet Union held in New York after they had received word of the shooting down of this additional American plane.

I likewise believe that Mr. Livingston T. Merchant, Assistant Secretary of State for European Affairs, should be commended for not attending the celebration held in Washington.

It was with a deep sense of shock and regret that I learned that the American Ambassador at Moscow, Mr. Bohlen, did not follow the same procedure and decline to attend the celebration being held in that city. I have so expressed myself to the State Department, and I have personally called Ambassador Lodge and commended him for his action. In fairness, let me say that there may be some extenuating circumstances. I have asked for a full report from the State Department as to what those circumstances might be, if any.

Mr. SMITH of New Jersey. Mr. President, since my return from the Manila conference, I have attended the sessions of the United Nations as a member of the American delegation, and our delegation has been considering the matter which was referred to by the Senator from California [Mr. KNOWLAND], namely, the shooting down of our aircraft by the Soviets.

I joined with Ambassador Lodge in what might be termed a boycott of the celebration of the anniversary of the establishment of the Soviet Union. Because of the shooting down of one of our planes by the Russians, we felt that we could not give recognition to a Soviet celebration by our attendance at it.

Mr. President, I now desire to address myself to other subjects.

The PRESIDENT pro tempore. The Senator from New Jersey has the floor.

THE PEACEFUL USES OF ATOMIC ENERGY

Mr. SMITH of New Jersey. Mr. President, on November 5, Ambassador Lodge, our former colleague in the Senate, made a memorable report to the United Nations on the subject of the peaceful uses of atomic energy. Of course, that report was very carefully edited by members of the State Department in Washington, by other departments of the Government, and by the National Security Council. It sets forth the position of the United States on that subject. I had the honor to be present with Mr. Lodge when he delivered the report to the United Nations. I believe it was one of the most important and memorable events in the history of the United Nations.

I have here the text of Mr. Lodge's statement. Again I feel that this is of such importance in our consideration of our international relations that the report should be embodied in the RECORD at this point in my remarks. Therefore, for the information of all Senators, I ask unanimous consent that Mr. Lodge's statement on the subject of international cooperation in the development of the peaceful uses of atomic energy be inserted in the body of the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

STATEMENT BY AMBASSADOR HENRY CABOT LODGE, JR., UNITED STATES REPRESENTATIVE IN COMMITTEE I, ON INTERNATIONAL COOPERATION IN DEVELOPING THE PEACEFUL USES OF ATOMIC ENERGY—REPORT OF THE UNITED STATES OF AMERICA

Mr. President:

I. THE SEQUEL OF THE PRESIDENT'S PROPOSAL

Almost 11 months ago many of us in this building heard a speech by President Eisenhower, who had flown here directly from a conference in Bermuda. His speech addressed itself to the overwhelming problems which then confronted the whole world, and still confront it today.

One problem was the danger of atomic war—wherein one nation could by surprise attack, inflict grievous atomic damage on the United States, and in return receive atomic retaliation of fearsome proportions, leaving a ruin of mangled bodies, cultures, and economic and political systems after the atomic dust had settled.

President Eisenhower knew, and said, that merely to present the threat and to promise retaliation was neither an adequate nor a true picture of the feelings or the purposes of the United States.

In the name of the human race; in the name of civilization; in the name of truly peaceful purpose—there had to be the promise of something more than earth-shattering explosions.

The President knew, and said, that such a speech had better be left unspoken unless he could add a message of peaceful hope.

In considering how best to present his message of hope, he was faced with a historical fact of controlling significance—the years long, stubborn problem of negotiating a system for reduction and control of armaments and for the effective eliminiation of nuclear weapons.

Seven years of debate and negotiations had failed to bring the world closer to this goal.

The President, therefore, decided that to make a proposal which would be wholly within the framework of the trying debates of the past would not be considered, by you or the peoples of the world, an act of hopeful sincerity promising early progress.

He wanted to make an offer removed from the aura of past dejection and failure; he wanted to make an offer whose outstanding and unmistakable characteristic was that it was feasible—that it was do-able—that men and nations of good will and peaceful purpose could accept easily, and without having to lose face by having to reverse previously stated positions.

And so, on December 8, 1953, standing in the great hall upstairs and before this great Assembly, President Eisenhower said:

"I therefore make the following proposals:

"The governments principally involved, to the extent permitted by elementary prudence, to begin now and continue to make joint contributions from their stockpiles of normal uranium and fissionable materials to an International Atomic Energy Agency. We would expect that such an agency would be set up under the aegis of the United Nations.

"The ratios of contributions, the procedures and other details would properly be within the scope of the 'private conversations' I have referred to earlier.

"The United States is prepared to undertake these explorations in good faith. Any partner of the United States acting in the same good faith will find the United States a not unreasonable or ungenerous associate.

"Undoubtedly initial and early contributions to this plan would be small in quantity. However, the proposal has the great virtue that it can be undertaken without the irritations and mutual suspicions incident to any attempt to set up a completely acceptable system of worldwide inspection and control."

The President described the main purpose of the new international agency in these words: "to devise methods whereby this fissionable material would be allocated to serve the peaceful pursuits of mankind." He mentioned specifically the fields of agriculture, medicine, and electric power. Then he added:

"The United States would be more than willing—it would be proud to take up with others 'principally involved' the development of plans whereby such peaceful use of atomic energy would be expedited.

"Of those 'principally involved' the Soviet Union must, of course, be one."

The President wished to take every precaution in order to insure that the Soviet Government would take this proposal at its serious, sincere, long-term, face value, and not interpret it as a short-term propaganda trick.

To insure this he did two things. First, our Ambassador in Moscow was instructed to advise Mr. Molotov, in advance of the delivery of the speech, that it would contain material of serious import, and that we wished the Soviet Government so to consider it. Besides, after the speech was made, and awaiting an initiative from the Soviet Union to hold private conversations, all individuals and agencies of the United States Government were instructed to remain silent as to the details of the proposal and to confine themselves, if the need for explanation arose, to a simple reiteration of the President's own text and the statement that we were awaiting word from the Soviet Union.

The President's second concern had to do with this very body—the United Nations. When he received Secretary General Hammarskjold's invitation to address you, he chose to make his proposal before this body and no other, because he wished the world to know that in this overwhelmingly important matter he turned to the United Nations as the international organism most appropriate both to hear the original enunciation of the proposal and to participate in the development of the plan.

You all know the positive and hopeful response which greeted the President's proposal from all parts of the world. This response has greatly heartened the United States in its work with other states in developing a plan of action.

You know, too, that there was one sorry sequel—a rejection by the U. S. S. R. of the President's proposal until the United States would agree to an unconditional and unsafeguarded ban on the use of atomic weapons. The story of that is contained in a United Nations document which is before you, Document A/2738 of September 27, 1954. Beginning on April 27 and continuing throughout this exchange of notes, the Soviet Union insisted that our new hope be shackled to the long debates of the past, where the difficulties of even the smallest progress had been so amply demonstrated.

True enough, the Soviet Union told us in a note delivered on September 22, 1954—the day before the Secretary of State made his opening address to the General Assembly—that it was keeping the door open on a tiny crack. Actually the door had been thrown wide open on December 8, 1953, by the United States, and has been kept wide open by the United States ever since. The door is still open.

On learning of the essentially negative Soviet attitude, the United States lost no time in proceeding with conversations with other states—conversations whose initiation had awaited only a clear expression of the Soviet position. The states with which we have been conferring are those which have

either developed raw material resources or advanced atomic energy programs and are engaged in developing this great force, namely, the United Kingdom, France, Canada, Australia, Belgium, Union of South Africa, and Portugal. It is significant that all of us agreed that, despite the refusal of the Soviet Union to participate, we should move ahead with formation of the agency. Our discussions have made some progress, as we shall later point out.

It was in these circumstances that Secretary of State Dulles spoke to this Assembly last September 23 and said:

"The United States is determined that President Eisenhower's proposal shall not languish until it dies. We are determined that it shall be nurtured and developed. And we shall press on in close partnership with those nations which, inspired by the ideals of the United Nations, can make this great new force a tool of humanitarianism and of statesmanship, and not merely a fearsome addition to the arsenal of war.

"The United States is here proposing an agenda item which will enable us to report further on our efforts to explore and to develop the vast possibilities for the peaceful uses of atomic energy. These efforts have been, and will be, directed primarily toward the following ends:

"1. The creation of an international agency whose initial membership will include nations from all regions of the world—and it is hoped that such an agency will start its work as early as next year.

"2. The calling of an international scientific conference to consider this whole vast subject, to meet in the spring of 1955, under the auspices of the United Nations.

"3. The opening early next year in the United States of a reactor training school where students from abroad may learn the working principles of atomic energy, with specific regard to its peacetime uses.

"4. An invitation to a substantial number of medical and surgical experts from abroad to participate in the work of our cancer hospitals, in which atomic-energy techniques are among the most hopeful approaches to controlling this menace to mankind.

"I want to make it perfectly clear that our planning excludes no nation from participation in this great venture."

Just this past Wednesday, November 3, President Eisenhower announced that the United States had delivered to the Soviet Ambassador in Washington a reply to the Soviet note of September 22, and that the President hoped that this would start a new phase in the United States-Soviet negotiations which might be more fruitful than the past efforts. The President reiterated, however, that the United States is determined to proceed with like-minded states in establishing an international agency to make this great power available to mankind generally as a boon which would benefit us all.

This is the history, briefly told, of the first year of efforts to create an international organization to insure world cooperation in the peaceful uses of the atom.

The thought that has governed all our suggestions is that what we propose to do is feasible—is do-able.

However, before we probe the future of international cooperation in this field, let us see where we stand today; let us review briefly the scientific developments that have brought us beyond the threshold of the atomic age.

II. THE THRESHOLD OF THE ATOMIC AGE

This moment of our discussion is a moment of excitement and challenge in the science and art of the atom. We in this hall are dealing with something more than the resolutions and amendments and forms of organization which are the tools of our diplomatic trade. We are dealing with the knowledge of a force—the mastery of a force—whose gigantic power of destruction is exceeded only by its power for human good.

Even we, as laymen, are aware of the thrilling sense of discovery in the minds of the scientists who have been able to put this gift in our hands. If we can share that sense of discovery, then we may hope that our diplomatic progress will be a worthy match for the physical progress that has been brought about by the most adventurous scientific minds of our century.

A few key facts of that atomic progress show clearly that we have already passed the threshold of the peaceful atomic age. The summary which follows herewith will not touch on the achievements in other countries, which are equally promising and of which we shall doubtless hear more in the course of this debate.

We are in the presence of a whole range of atomic discoveries. Of all these discoveries, the most advanced for human benefit today stem from the use of the radioactive isotope. Many elements long known to physics, such as gold, cobalt, and carbon, can be changed in atomic reactors into new versions of themselves—radiogold, radiocobalt, radiocarbon, and so forth. A change in their atomic structure makes them give off rays. These rays have two main uses: They can bring about changes in living things, and they can be used as tracers, giving off signals to detection machines, to control the intricate processes of industry or to reveal new facts about the growth and diseases of plants and human beings that had never before been known to man.

Here are a few examples of how these isotopes have already been applied in the United States. Many of these are already well known to technicians in other countries.

First, consider the changing of living things by radiation.

In treatment of cancer, radioactive cobalt and other elements have brought great progress in the killing of cancerous cells, far more effectively than the old X-ray machines.

Radiation has made it possible to preserve and store food without spoiling throughout the winter and spring.

In the development of new agricultural strains, radiation has been used to speed up many times over the genetic mutations from which new and better strains are derived—strains which resist disease and produce better foods and fibers in greater abundance.

Second, consider the use of isotopes as tracers; the applications in this realm of scientific discovery are already multitudinous and in theory are without limit. For instance:

In manufacturing flat sheets—metal, paper, plastic, or any material—their thickness is kept constant by measuring the strength of atomic radiation through the moving sheets.

In welding and riveting, radiation photography shows up flaws which were once extremely difficult to detect.

In oil pipelines, a radioactive pellet is dropped in the flowing pipe to signal the exact moment when a new kind or grade of oil arrives at its destination.

In agriculture, radioactive tracers mixed into fertilizers show exactly when and how efficiently the fertilizer is absorbed by growing plants—thus saving tremendous waste.

In the poultry industry, chicken feed is traced through the body of the hen until it is converted into an egg—showing what kind of feed should be given, and at what time, to produce eggs most efficiently.

In fish breeding, tracers have shown where simple chemical treatment could be used to convert sterile bogs into lakes swarming with food fish.

In medicine, tracer research has given us a new synthetic material for blood transfusion; tracers are used to detect faulty blood circulation before it is fatal, and to perform many other miracles of diagnosis; tracers have brought new discoveries about diabetes, thyroid disorders, blood diseases, and in fact, the entire process by which the living body is nourished and sustained.

In control of epidemics, tracers have been used to follow the migration of disease-bearing flies and mosquitoes, which is an essential step in stamping out these scourges.

These, at the beginning of the atomic age, are a few of the discoveries already made and put to work. Still other projects are well underway, among which perhaps the most extraordinary is the research into the mysterious process of plant growth called photosynthesis—the understanding of which may some day enable us to manufacture vast quantities of inexpensive food out of common chemicals.

Every one of these advances has at its center the use of radioactive atoms. Most of these can be produced in comparatively small atomic reactors. In the United States the chief factory for these isotopes is the Oak Ridge National Laboratory. From Oak Ridge in the past 8 years nearly 50,000 shipments of isotopes have been sent out to factories, laboratories, hospitals, and universities. Most of these have been sent within the United States, but over 2,800 have gone to 50 countries abroad.

It is fitting that the most imposing and most difficult application of atomic energy should be mentioned last: the production of electric power. This is a subject of intensive engineering research in the United States today. This year the Atomic Energy Commission launched a 5-year program for the building of five experimental power reactors in the United States, all radically different in design. None of these is expected to produce power at prices that compete with powerplants that burn coal and other conventional fuels. But they will tell us a great deal about the future of atomic power. For the knowledge we shall all gain from them, these plants will be worth the investment. They point the way to an age when all countries can be assured of abundant electric power, even where natural fuels are scarce. On the basis of this power, new industries can grow to enrich the lives of many millions of people.

One fact stands out about the atomic power reactor, even today in the minds of laymen, and that is its great complexity. This calls for expert knowledge, and is another reason smaller reactors should be built in as many parts of the world as possible. These small research reactors can be built in a year's time for well under $500,000 in many cases. They will produce most of the radioactive isotopes whose multitude of uses I have tried to describe. They will thus make possible a great increase both in research and in the practical application of the atom in medicine, farming, and industry. But beyond this, they will afford training grounds throughtout the world at which a new generation of atomic scientists, engineers, and technicians will learn the principles of reactor technology. Having mastered the research reactor, we will then have what the world scarcely yet possesses—a body of men trained in all the techniques which will be needed to bring us practical atom power.

Mr. Chairman, the brief report just given on atomic progress in the United States describes many startling advances—discoveries which have already made the world a richer place. Yet these are no more than the nuggets at the surface of a newly discovered mine. They are enough to give us some notion of the undiscovered wealth that lies below.

To tap that wealth in peace and cooperation should be a noble enterprise for the nations of the world. It is fitting that the discovery which brings us together in peace comes from the hands of one of the truly global fellowships of mankind—the fellowship of science, which knows no national boundaries and seeks only truth and human

betterment. There could be no more fitting salute to this world fellowship of science than our common determination to share some of the atomic knowledge and wealth we already possess—in order that all of us may possess more.

In this spirit, the United States is prepared to make contributions of several kinds to the next forward steps in the atomic field.

III. NEXT STEP FORWARD

Having thus crossed the threshold of the atomic age, we come to the question of the next steps by which we can explore this new world. Here we reach the specific activities which we contemplate for the international agency. We believe that the Agency should encourage worldwide research and development of the peaceful uses of atomic energy; it should arrange for nuclear materials to meet the needs of research, development, and practical application to all manner of peaceful activities, including the eventual production of power. We believe the agency should foster the interchange of information on peaceful uses. We expect that the international agency will conduct its activities in such a way as to prepare for the time when the use of atomic energy for peace becomes the predominant and perhaps the exclusive use of this great force.

The agency should be created by a treaty which in our opinion should define the standards and principles governing the organization in the discharge of its functions. All states which originally ratified the agreement should become members of the agency, and there should be a provision for accepting additional members. We believe that members should accept an obligation to supply materials and information for the work of the agency, financial support, facilities for open discussion, and contacts among scientists engaged in peaceful research activities.

There is so much to be done that it would be inconceivable for the international agency to carry on all the activities from the outset. As a practical matter the international agency can carry on only a few of the activities in the immediate future—those most suitable to it. Nevertheless, the other activities will and must proceed simultaneously since they are all part of the basic program of steady forward movement into the atomic age.

We are prepared to start discussion with other countries for the conclusion of bilateral agreements which will make it possible for us, under our laws, to furnish technical information, technical assistance, and necessary amounts of fissionable materials for the construction and operation of research reactors to be located abroad.

Now, let me tell you about the progress which the United States is prepared to carry out pending the creation of the agency, partly as a result of the recent amendments to our own Atomic Energy Act. All these activities will be coordinated with the international agency's own program. No one has to be a scientist to appreciate the fact that basic to success in the development and use of power producing reactors in any country is the existence of a body of trained technical men.

I shall now speak in terms of what the United States Government is prepared to do in 1955—next year—in this field of training.

First comes the field of nuclear reactors. We are prepared to establish a reactor training school early in 1955. The first course of this school would deal not only with atomic power theory, but the application of that theory.

Our present plans call for inviting between 30 and 50 scientists and engineers from overseas to study practical reactor engineering, in order to furnish sufficient basic science and engineering knowledge to permit the members of this group not only to understand the theory, but to become competent to operate reactors.

Initially the atomic information available to the members of this course will be nonsecret. But as the United States and other countries conclude the bilateral agreements required by the Atomic Energy Act of 1954, additional information will be made available. From the outset, however, the courses offered will give scientists and engineers a basic knowledge of the all-important experimental phases and principles of research reactors; and that these are the essential training ground for the far more complicated power reactor.

Second, comes the field of safety. Because we are dealing with a power which is both a danger and a boon, it is necessary also that special training courses in radiation safety and medicine should be instituted simultaneously with any training in atomic power development. We propose, therefore, to establish under the sponsorship of the United States Atomic Energy Commission the following courses which will be open to all other nations:

Industrial medicine—a 1- to 2-year course given by the American universities having a relationship to the Atomic Energy Commission in the medicinal treatment required in industries concerned with atomic energy activity.

Industrial hygiene—courses in the techniques of maintaining healthful conditions in industries dealing with hazardous atomic materials.

Radiological physics and the theory and use of radiation instruments—instruction to be given at the Brookhaven National Laboratory.

Third in our training program comes the vast field of atomic biology and medicine. The Argonne Cancer Hospital at the University of Chicago, the Brookhaven National Laboratory, and the Cancer Research Hospital at the Oak Ridge Institute of Nuclear Studies will be open for 1- to 2-year courses on the use of atomic energy in medicine and biology, for approximately five to ten foreign students per course.

The field of cancer is so important, and other countries have made such strides, that we do not wish to restrict our collaboration simply to the study of our techniques. We are therefore prepared to invite as many as 150 competent and distinguished visitors in the field of cancer research from overseas to visit our cancer research facilities during 1955. These guests will not only be free to study our facilities and techniques, but will also be encouraged to exchange views with our doctors and scientists.

Fourth and last in our training program comes the field of radioisotope tracer techniques, whose rapid development we have already discussed. In this field, until now, the Atomic Energy Commission has been able to conduct only a limited training program for foreign scientists. The Commission is now prepared to establish special courses for foreign technicians to begin early in 1955—these courses to cover a 4-week period and to be divided into laboratory work, lectures on laboratory experiments, and seminars on special topics. The laboratory experiments would cover the use of instruments, the purification and separation of radioactive from inert materials, and the application of various isotope techniques to all fields of research.

Stated in statistical terms, the training courses we propose in safety, medicine, and biology would bring basic knowledge and training to more than 250 technical men from other nations in the course of the next 12 to 15 months—the limitation on numbers being imposed not by our desire to restrict the sharing of this knowledge, but simply by our ability to absorb this number of observers, students and trainees effectively and efficiently within our present facilities.

So much for our early plans for training. Closely allied to this is the question of written information about the atom. We anticipate that from the outset the international agency will carry on a series of information and service activities, obtaining information from the operations of member states in connection with their own atomic energy programs and from the agency's own activities. Here is a brief outline of the type of information materials which the United States is prepared to make available in 1955 to the international agency when it is set up.

Contrary to popular belief, the United States has, ever since the beginning of its atomic development, made available through published documents of the Atomic Energy Commission and articles in scientific journals, a vast body of research material on the peaceful uses of atomic energy. Yet the aura of mysterious monopoly still persists in the popular imagination.

You may be surprised, as I was, to realize that up to now, the publication by the United States of documents available to all on the peaceful uses of atomic energy comes to more than 10,000 papers, totaling more than 700,000 pages of data.

Always mindful of the day when it might be beneficial to present this material in package form despite the fact that it has always been available in individual items, we have accumulated ten complete libraries of our own material, which we are prepared to give to the principal technical libraries of cooperating nations. And we will provide more than ten if there is a demand for more.

Besides these libraries of our own material, we are prepared to provide complete sets of index cards, and our journals of the past 7 years, abstracting 50,000 scientific and technical books and reports, published in all countries.

Stated in physical dimensions, what we are prepared to furnish to each one of these foreign libraries is the equivalent of more than 300 lineal feet of published reports, and over 200,000 index cards.

Furthermore, we will add to all of these libraries as the material is published, asking only in return that the cooperating nations provide their collections of official nonsecret papers, not available in the general scientific literature, to be placed in the appropriate libraries in the United States.

In addition to training and publication, there is a third step which we must take in the field of research and development. We must further develop the practical applications of the atom to medicine, agriculture, and other peaceful activities including the eventual production of power. The international agency will immediately encourage the development of such research activities and will seek to arrange for nuclear materials to meet the needs of research all over the world. It must be recognized, however, that the bulk of research on the atom will continue to be carried on by individual states.

These are the chief forward steps which we in the United States contemplate for 1955. As the President has assured you, atomic materials for projects sponsored by this agency will be set aside for that purpose. We are confident that corresponding contributions to the common enterprise will be made by others. Some steps will be taken by individual states, others by the international agency, and others partly by the states and partly by the agency. In every case we should be guided by the principle that the agency will concentrate on those things which cannot be done, or done not so well, by states and private groups acting alone.

All these steps together, during this coming year—1955—will bring us measurably farther along the road that leads into the peaceful atomic age.

The United States initiated its atoms-for-peace proposal through the United Nations. We hope that it will be possible to create

the kind of international organization which will be competent rapidly, effectively and fairly to bring this priceless boon to untold millions beyond our shores.

It is our belief that a relationship should be established between the Agency and the United Nations similar to that of the specialized agencies. The exact terms of the relationship must, of course, await creation of the agency itself. The agency will be created by negotiations among interested governments. These negotiations, already in progress, will lead to the conclusion of a treaty subject to the usual constitutional processes of ratification. The International Atomic Energy Agency would consult and cooperate as appropriate with other United Nations bodies whose work might be related to that of the agency, as well as with national atomic energy organizations and regional organizations such as the Organization for European Nuclear Research (OENR).

It would not be practicable to spell out the possible relationships any more precisely at this time until we know better just exactly what the agency will look like when it comes into being. While there has been a certain amount of general agreement among the states which are negotiating the creation of this agency on some of the administrative features, it does not seem possible to go into these negotiating matters in great detail now. You will recognize that the negotiations must take into consideration the views of the eight negotiating states in the light of their special position in the atomic energy field and also of other states which we hope will participate. In the main the negotiations have followed the line which we indicated in the March 19 outline which we submitted to the Soviet Union and which is before the committee. But there may be changes.

It may be appropriate at this point to mention one problem that has come up in the negotiations. Originally the United States visualized that the international agency would hold fissionable materials itself. But after the Soviet rejection of the United States proposals, all the negotiating states concluded that it might be preferable that the agency act as a clearinghouse for requests made to the agency by the various beneficiaries. The donor state would earmark fissionable materials for the agency's operations and would transfer those fissionable materials directly to the projects approved by the agency. Since the resources of the agency obviously will be limited, it seems more useful to us to use the resources available to the agency for additional programs rather than for expensive custodial arrangements.

As I said earlier in this statement, the desire and purpose of the United States is that what we do shall remain within the area of the feasible and the doable and not become hampered by being placed in the context of unending arguments or insuperable vetoes. We are proceeding as rapidly as possible, determined that this hopeful enterprise shall not be deterred nor delayed nor interminably frustrated by any who may not wish the blessing of atomic energy to be spread throughout the world.

The resolution which we are cosponsoring reflects this desire to go forward as rapidly as possible for the benefit of the entire world.

IV. INTERNATIONAL CONFERENCE

One further way in which the United Nations can contribute materially, in advance, toward the goal of extending to all peoples the benefits of atomic energy is by convening an international conference to discover the field in which progress would be technically feasible and to develop procedures whereby the nations of the world can make known their wants.

The United States intends to support such a conference fully and will send as our representatives qualified scientific and technical persons of the highest caliber. Our Atomic Energy Commission will remove restrictions from information and make it available, in the hope, thereby, of contributing to the value of the conference. Other states will undoubtedly do as much.

The United States has long believed that such a conference of scientists and of government officials concerned with their nation's atomic-energy development would materially contribute to the knowledge of the participants and correspondingly benefit their countries. The opportunity to exchange information and become better acquainted with each other's problems in the vast field now opening before our eyes as the beneficial uses of atomic energy become both more feasible and more numerous would be fruitful.

Most of the participants in the conference will undoubtedly be government representatives, many of whom will be experts in the field. The United States believes it appropriate also to invite representatives of various specialized agencies whose tasks are such that the discussions at the conference would be of direct interest. We include in this category such agencies as UNESCO, ILO, WHO, and FAO.

In order to organize the conference, issue invitations, prepare an agenda and rules of procedure, the Secretary General of the United Nations should act on the advice of a committee composed of representatives of certain states members of the United Nations. For this advisory committee of states, we have suggested a membership which would meet two essential qualifications—knowledge of atomic-energy development and appropriate geographic representation.

We recommend that the conference should discuss topics such as probable world power requirements, the possible contribution of atomic energy to meet deficits in conventional fuels, the economics of nuclear power, the health and safety aspects of atomic energy, among other matters. Discussions could be held on nuclear technology, on reactor application in research and power, on medical and biological applications of atomic energy, on industrial application of radioactive products.

We know that its reports and conclusions would be of great import, both to the international atomic-energy agency, when it is established, and to individual countries so far as their own atomic-energy programs are concerned.

CONCLUSION

We intend to cosponsor a draft resolution in this committee which will reflect the views just expressed. We believe it will indicate the best pattern for practical United Nations participation in this great work of international cooperation in developing the use of the atom for peace. In cosponsoring this resolution the United States gives expression to its wish to proceed with you on the fulfillment of this program—whose only purpose, in the words of President Eisenhower last December, is "to find the way by which the miraculous inventiveness of man shall not be dedicated to his death, but consecrated to his life."

THE MANILA PACT AND THE PACIFIC CHARTER

Mr. SMITH of New Jersey. Mr. President, shortly after Congress adjourned in August, it was my privilege, with the Senator from Montana [Mr. MANSFIELD], to accompany the Secretary of State, Mr. John Foster Dulles, and his staff to Manila to attend the so-called SEATO Conference. The Senator from Montana and I participated in the negotiations and in the ultimate signing of the pact as members of the Committee on Foreign Relations.

I have before me the text of Secretary Dulles' address to the Nation on his return to the United States from the Manila Conference. The address was delivered on September 15 over television and radio networks. In the address the Secretary of State described the proceedings which led to the signing of the Manila Pact and the so-called Pacific Charter.

At a later date and when we are considering the ratification of the Manila Pact and the Pacific Charter, I propose to address the Senate at greater length on the subject of our trip to the Far East.

I ask unanimous consent that the notable address of Secretary Dulles be printed in the RECORD at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE MANILA PACT AND THE PACIFIC CHARTER

(Address by the Honorable John Foster Dulles, Secretary of State)

Our quest for peace took us last week to Manila. There eight nations met to create unity for security and peace in southeast Asia and the southwestern Pacific.

This unity was something that the United States had long sought. Four years ago I negotiated security treaties with Australia and New Zealand and with the Philippines. But we all knew that that was not enough; so these treaties called for "the development of a more comprehensive system of regional security in the Pacific area." President Eisenhower, in his peace address of April 16, 1953, called for united action to meet the threat of aggression in southeast Asia. Last March, I repeated that appeal.

The President and I had hoped that unity could be forged in time to strengthen the negotiating position of the free nations during the Indochina phase of the Geneva Conference. However, this proved impracticable.

The Geneva outcome did, however, confirm the need for unity. So, last week, Australia, France, New Zealand, Pakistan, the Philippines, Thailand, the United Kingdom and the United States met together. We negotiated as full and equal partners; and in the end signed a treaty for defense against both open armed attack and against internal subversion.

The treaty provides that in the case of aggression by armed attack, each of the countries will act to meet the common danger. A council is established for consultation with regard to military and other planning.

The treaty recognizes also the danger of subversion and indirect aggression. It deals with this difficult problem more explicitly than any other security treaty that has been made. In this respect, the treaty represents an important forward step, because subversion and indirect aggression have been principal tools of international communism.

The treaty provides that if any party believes that the integrity of the treaty area is menaced by other than armed attack, the parties shall consult immediately to agree on measures which should be taken for the common defense. These measures will, of course, never involve intervention in the purely internal affairs of another state.

The United States was in a special position at Manila, because it was the only one of the signatories which did not have territorial interests in the treaty area. For the others, the pact was not only an anti-Communist pact, but also a regional pact. Therefore, it dealt with any and all acts of

aggression which might disturb the peace of the area. We stipulated on behalf of the United States, however, that the only armed attack in that area which we would regard as necessarily dangerous to our peace and security would be a Communist armed attack.

Any significant expansion of the Communist world would, indeed, be a danger to the United States, because international communism thinks in terms of ultimately using its power position against the United States. Therefore, we could honestly say, using the words that President Monroe used in proclaiming his doctrine, that Communist armed aggression in southeast Asia would, in fact, endanger our peace and security and call for counter action on our part.

The treaty recognizes the importance of economic welfare. But it does not commit the United States to any handout program. We agree to cooperate in the development of economic measures which will promote economic and social well-being. Congress this year had the vision to see that there might be special needs in southeast Asia. So, by the Mutual Security Act, Congress has already provided a fund to be available in this area. Part of it will no doubt be spent to assist the free governments of southeast Asia.

However, the treaty builds no economic walls. From an economic standpoint, such nations as Japan, Indonesia, Burma, Ceylon, and India remain important.

The treaty area is defined as the territory of the member states in southeast Asia and the southwestern Pacific. The protocol also extends the treaty benefits to Cambodia and Laos and the free territory of Vietnam. The Indochina armistice created obstacles to these three countries becoming actual parties to the treaty at the present time. The treaty, will, however, to the extent that it is practicable, throw a mantle of protection over these young nations.

This Manila Pact represents a considerable accomplishment. I would have been glad if it had come earlier. But it is definitely better now than never.

Of course, treaties are not self-operative. The signature of a treaty does not of itself have any miraculous effect. There have to be ratifications and then there has to be a genuine will to carry out the treaty purposes.

I believe that the Manila Pact will, in fact, make a substantial contribution to preserve free governments in southeast Asia and to prevent communism from rushing on into the Pacific area where it would seriously threaten the defense of the United States.

We considered at Manila how to implement the treaty. One possibility was to create a joint military force. However, I explained that the United States responsibilities were so vast and so farflung that we believed that we would serve best, not by earmarking forces for particular areas of the Far East, but by developing the deterrent of mobile striking power, plus strategically placed reserves.

This viewpoint was accepted. Thus, the treaty will not require us to make material changes in our military plans. These plans already call for our maintaining at all times powerful naval and air forces in the western Pacific capable of striking at any aggressor by means and at places of our choosing. The deterrent power we thus create can protect many, as effectively as it protects one.

In addition to agreeing to and signing the Manila pact, there was also drawn up and signed a declaration known as the "Pacific Charter." This proclaimed certain basic principles in relation to the right of peoples to self-determination, self-government and independence.

This Pacific Charter was the idea of President Magsaysay of the Philippine Republic. He is a distinguished fighter for freedom against communism, and he felt it very important that our Manila Conference should make clear that we were seeking the welfare of the Asian peoples and we were not promoting colonialism.

In my opening address to the Conference, I emphasized that one of the most effective weapons of communism was to pretend that the Western powers were seeking to impose colonialism on the Asian peoples. I said we must make it abundantly clear that we intend to invigorate independence. "Only thus can the West and the East work together in true fellowship."

This Manila Conference faced up to that issue. It was the first conference where representative nations of Asia and of the West sat down together to work out a program of mutual security. The result was the Pacific Charter which, in ringing terms, dedicates all the signatories to uphold the principles of self-determination, self-government, and independence for all countries whose peoples desire it and are able to undertake its responsibilities.

Whenever there arises in Asia a power that wants to conquer others, it adopts the motto: "Asia for the Asians." The Japanese, when they were dominated by the war lords, used that slogan. Today the Soviet and Chinese Communists have adopted it. They want to prevent the free countries of Asia from getting the help they need to preserve their independence.

The Pacific Charter, on which the East and the West did meet, may well prove to be the most momentous product of the Conference.

The Communists' attitude was shown, during the Conference, by vicious propaganda attacks and even more significantly by new military activity in a nearby area. Apparently they hoped to intimidate the members of our Conference and perhaps prevent some from signing the security pact.

Efforts to intimidate by violence are typical of the Communist technique.

When the Korean armistice negotiations were reaching their climax, the Chinese Communists opened their bloodiest assault against the United Nations position in Korea.

Once it had been agreed to discuss peace in Indochina, the Communist forces of Ho Chi Minh, backed by Communist China, opened their murderous assault on Dien Bien Phu.

And as the Manila Conference opened, the Chinese Communists opened their artillery fire on Quemoy, an island which has been part of Free China ever since the end of World War II and which was only about 400 miles distant from the Philippines.

This effort to intimidate the Manila Conference was a total failure. All of the participants signed the Manila Pact and the Pacific Charter with confidence that in so doing they were adding to their own security.

Now, the Soviet Foreign Office has just issued a lengthy statement denouncing the Manila Pact. It particularly complains of article 4, which provides for united resistance to armed attack and political subversion. The Soviet statement says that the Chinese Communists also do not like the pact.

The Manila Pact is directed against no government, against no nation, and against no people. It is directed only against aggression. The fact that the Communists find that objectionable is tragically revealing of their ambitions.

The United States at Manila impressively showed national unity. The three plenipotentiary delegates to the Conference were H. ALEXANDER SMITH, Republican, Senator from New Jersey; MICHAEL J. MANSFIELD, Democrat, Senator from Montana; and I. Both Senators are members of the Foreign Relations Committee and are thoroughly familiar with Far Eastern matters. Thus the executive and the Senate and both political parties took part in the negotiation and the consummation of the treaty. I am greatly indebted to the contribution which both Senators made to the successful outcome of the Conference.

The theme of our Conference was greater security through greater unity. We need that unity not only as among nations but also within our own Nation. It is healthy to have two political parties which compete for the right to represent the Nation. It is also important that that competition should stop at the water's edge so that, when we face others, we do so as a united nation. That has been our developing tradition and the Manila Conference added to that tradition a new and worthy chapter.

THE PARIS NEGOTIATIONS BY THE SECRETARY OF STATE

Mr. SMITH of New Jersey. Mr. President, as Senators know, immediately upon his return from Manila, the Secretary of State went to Europe—both to Paris and London—to confer on the establishment of EDC. While we were all very much discouraged by the failure of EDC, the lost ground was completely and brilliantly recovered by Secretary Dulles and British Foreign Secretary Sir Anthony Eden in the subsequent London and Paris negotiations. These negotiations ultimately led to the bringing together of France and Germany and the United Kingdom in the final treaty arrangements that were consummated in Paris in October.

I have before me the report of Mr. Dulles to the President and the Cabinet, which was televised over a nationwide network on October 25. For the information of the Senate, I ask unanimous consent that the report be printed at this point in the RECORD as a part of my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT TO THE PRESIDENT AND THE CABINET BY JOHN FOSTER DULLES, SECRETARY OF STATE, AT THE WHITE HOUSE IN OPEN SESSION FOR FULL PRESS, RADIO, AND TELEVISION COVERAGE, OCTOBER 25, 1954

THE PRESIDENT. Mrs. Hobby and gentlemen, as you know, I asked you to come here this evening so that we could immediately hear a firsthand report from the Secretary of State regarding the negotiations that have just been going on in Europe, and the outcome of those negotiations. I think it is extremely important that all of us have a clear understanding of what was accomplished, and the circumstances under which it was done, and what it will probably mean.

Having determined upon this, when request was made to me that we open this meeting to the television companies, the radio companies, and the newsreels, it suddenly occurred that there is one subject—a very special one—about which to talk, and one which the American people, all of them, without regard to race or party or creed or color or any other thing, will want to hear.

So, for this one time, we are having this meeting of the Cabinet on all of these media of publicity.

Secretary Dulles.

Secretary of State JOHN FOSTER DULLES. Mr. President, I certainly greatly appreciate this chance to make an early report to you and my Cabinet colleagues and the American people, about the events which culminated in Paris last Saturday—day before yesterday. I believe that the importance of these events justifies their immediate consideration by the American Nation. I realize how difficult it is, when you are right in the midst of

things, to make a sound judgment. But it is my honest opinion that history will not soon forget the results which came about—culminated—in Paris last Saturday.

At the beginning of September, things looked pretty dark. The plan for the European Defense Community had collapsed, and it looked as though the whole North Atlantic Treaty structure, its whole system, might be undermined and even swept away by political indecisions and uncertainties. And this shattering blow in Europe came just at a moment when we had not yet completed our long-conceived project for unity in southeast Asia.

We had a plan for a conference, as you will recall, to be held in Manila, early in September. But that conference had not yet been held. The first big decision we had to take, as you will recall, was whether or not to go ahead with this Manila project for the southeast Asia treaty, or whether to drop everything and rush over to Europe to try to deal with that situation. We felt that we ought to go ahead with this southeast Asia plan. I am sure that our Asian allies would have understandably felt very sensitive—very much hurt—if we had, as soon as trouble arose in Europe, dropped all our plans for consultation with them.

So we went ahead with the Manila Conference. As you will recall, it was held between the 2d and the 9th of September, and out of that came the southeast Asia treaty, and the Pacific Charter, whereby the members of that conference, the Asian and Western nations, joined in proclaiming their determination to have peace, security, independence, and freedom for the nations of southeast Asia.

When that phase of our policy had been completed, then I felt free to go to Europe to make a firsthand study there of the situation which had resulted through the untimely death of the European Defense Community treaty. And I was fortunately in a position to go there with considerable authority behind me, because not only did we have an executive position but also we had a position which had been approved by the United States Senate by a unanimous nonpartisan vote. It was a very extraordinary demonstration of cooperation and nonpartisan action on the part of the Senate. You will recall the Senate, before it recessed last August, unanimously passed this resolution which had called upon you to the extent of your executive powers, if the European Defense Community treaty failed, to proceed to try to restore sovereignty to Germany and to arrange for the contribution of Germany to the maintenance of international peace and security.

With this backing, and with your guidance, I then made a quick trip to Europe. I went first to Bonn, where I talked to Chancellor Adenauer, because I wanted to get his views, because he has all along been a stout, stalwart advocate of European unity. By the way, as you know, he will be here the day after tomorrow, and I know he will receive here the welcome which the American people ought to pay to a great statesman such as he is.

Then, after that day in Bonn, I went on to London, where I talked with Sir Winston Churchill and Mr. Eden. I should say Sir Anthony Eden now. It is so recent I sort of forget the "handle."

He had jumped in with great vigor and imagination to try to pick up the pieces that were left scattered by the untimely death of this European Defense Community Treaty. And at that point we had to take another important decision of a procedural character, which was whether to go right ahead with the European conferences or to delay so as to allow the United Nations General Assembly to get going. It was about to meet, and, while it had been suggested that we should go right ahead in Europe without regard to the United Nations Assembly, we felt and concluded that we ought not to have a meeting in Europe which would compete with and distract attention from this opening of the United Nations Assembly.

So we arranged with Mr. Eden that the European conference would not be called until after the General Assembly had been in session for about a week. That enabled me to get back here and to appear in the so-called opening debate of the General Assembly. I had the chance at that time to develop further, Mr. President, your plan for the dedication of atomic energy through an international agency to constructive purposes. That is going on——

HENRY CABOT LODGE, JR., United States representative to the United Nations (interposing). Perhaps I could interrupt to say that your plan for the peaceful uses of atomic energy is regarded by most people at the United Nations as the greatest single proposal to increase the well-being of humanity, and that I hope that steps will be taken at this session to promote it and give it effect.

The PRESIDENT. Thank you.

Mr. DULLES. I think it was well worth while to have gotten that project under way at this Assembly. And I think that the delay that occurred between the 1st of September and the 28th of September was by no means wasted as far as Europe was concerned, because it gave time for some much needed sobering and second thoughts, and it gave time for pondering about how to go about picking up the pieces that had been left after EDC collapsed.

Then on September 28 we did have this meeting in London of the nine Foreign Ministers. They were the representatives of the six countries which had been expected to form the EDC—that was France and Germany and Italy, Belgium, the Netherlands, and Luxembourg—and then, in addition, there were the United Kingdom and Canada and the United States.

When we met there, gathered around the table, much like this, we all, I think, had the feeling that our gathering was going to be momentous from the standpoint of history.

The critical day of the conference came on the second day—on Wednesday—when the United Kingdom, and I, for the United States, made statements of our positions. I was the first of the two to speak. And I pointed out to our colleagues there the history of the United States action in relation to Europe—both our positive action and our negative action. I said that whenever Europe was really working to get together in unity and strength, then American help was outgiving, and we were very generous in what we did.

But I said that when Europe goes in the other direction, tends to be divisive and quarrelsome and to recreate the recurrent cycle of war, then we pull away. And I said, at the moment there was a great wave of disillusionment that had swept all over the United States. But, I said, if it is possible to find a new pattern of unity and strength so that the hopes which we had all placed in EDC could honorably and honestly be transferred to a new organization, then, I said, I would recommend to you, Mr. President, that you would renew the same statement of policy which you had made last April in relation to EDC, namely, under those circumstances that we would continue to bear a fair share of the burden of the defense of Europe so long as the danger persisted.

I concluded by saying there, to my colleagues: "I believe that if you will do that and come together for strength, then you will continue to find that the American flag will fly beside yours in Europe."

Then Mr. Eden followed with a very generous tribute to the help that the United States had given. He went on to make an historic commitment. He said that the United Kingdom was prepared to join the continental countries, not only to create a Council of Western European Union, but also that it was prepared to commit to the Continent of Europe the four British divisions that are now there, plus a tactical air force, on the understanding that they could not be removed as against the opposition of the Brussels Council of European Union.

Now, of course, that declaration, as you know, marked a very momentous——

The PRESIDENT (interjecting). Yes.

Mr. DULLES (continuing). Change in British foreign policy. For a century or more, the British have always avoided any fixed continental commitments. They have given primacy to their Commonwealth policy.

The effect of these two statements by the United States and by the United Kingdom was very profound, and it led to a very immediate response. All around the table, people spoke up. Canada immediately followed with a declaration of its intention to back the European unity. And then the other countries in turn expressed their recognition of the profound significance of what had been said, and their determination to respond to it. From that moment on, all of us in London felt that we were bound to succeed. The difficulties ahead were still enormous, and by normal standards would have seemed insuperable. But all of a sudden these very difficult problems seemed to become of secondary importance, because the reward for success had mounted to unexpected heights, and the price of failure had become prohibitive.

Then we really went to work. By the next Sunday—between Wednesday and Sunday—we had reached agreement on four basic propositions.

The first was that sovereignty would be restored to the Federal German Republic.

The second was that Western European unity would be developed, this time through a Council of Western European Union, which would be established under the old Brussels Treaty of 1948, the members of that treaty, and the Council, to consist of the same six countries that would have been members of the EDC, with the addition of the United Kingdom.

Then, in the third place, it was agreed that this Council that I speak of would set up the machinery to control the military strength of its members so that there would not be any excessive rearmament. These controls were to be on a nondiscriminatory basis, and the pupose would be to assure that the agreed force goals—which are supervised very largely, as you know, by SACEUR and the North Atlantic Treaty supreme commander—that these agreed force goals would not be exceeded in any country in terms either of land, naval, or air forces, or in terms of the military equipment, armament, munitions, and the like, which were prepared for them.

Then the fourth proposition was that Germany would be admitted as a full and equal member of the North Atlantic Treaty—something that would not have happened under the EDC plan, by the way. And also that the powers of this supreme commander for Europe would be very largely increased so that he could effectively integrate the forces and the facilities of these European continental countries.

Well, having reached those decisions, then we recessed so as to give our experts and advisers, who were the real hard workers of all this show, the opportunity to draft the many documents—I have got them here to file—as exhibits—which were required to give effect to these agreements in principle that had been arrived at. We only allowed them a couple of weeks for the task. That couple of weeks should be compared, I think, with the fact that when the EDC treaty was being negotiated, they took 12 months to prepare the comparable documents. You see, we had picked up quite a bit of momentum.

So after 2 weeks we met again in Paris from the trip from which I have just re-

turned. During this interval of 2 weeks, the experts and the technicians had accomplished really an almost superhuman task in getting agreement—the agreement of the many countries involved—with different languages, everything of that sort—to all the necessary documents.

At Paris we had first a meeting of the Four Powers—the powers that were directly concerned with the question of German sovereignty; that is, the three occupying powers, Britain, France, and the United States, plus the Federal Republic of Germany itself. And there were approved the various agreements and documents which had to deal with this subject of restoring German sovereignty. Rather complicated because of the great many things that have been going on during this past 10-year period which have got to be wound up in an orderly way.

And we decided—which was a fresh decision, really—to make a new convention to deal with the stationing of forces in Germany. That is of interest to you, Secretary Wilson. And that convention will mean that the forces stationed there in Germany, instead of being there just as a result of reserved powers which we got under the Potsdam agreements, and the surrender terms, will be there as a result of a fresh agreement, made by Germany voluntarily, and to be approved by the responsible German parliamentary bodies. So Germany, in that respect, will be just like the other allied countries.

Then after the four had met, then we went on to a meeting of the Nine Powers, the same nine that had had this meeting in London that I have described. There we reached final agreement upon all the documents that would be required to amend the Brussels Treaty, to establish the Council for Western European Union; to set up the agency for the control of the armed forces, and the munitions and equipment, and the like—and to define the powers of the Council, which, in a considerable respect, is supranational, in the sense that they act by majority vote, or less than unanimous vote, with respect to many important matters.

Then after that came the meeting of the 14 members of the North Atlantic Treaty, acting through the Council of Ministers. There we unanimously approved of the form of protocol which would invite Germany in as a full and equal member of the North Atlantic Treaty, and make Germany a member of the North Atlantic Treaty Council. At the same time, we adopted the resolutions that I anticipated, dealing with the increased authority of the supreme commander for Europe—General Gruenther, as you know, of course, at the present time—which would give him greater facilities to integrate the forces and the facilities that are assigned to him. As a result of that, through these controls which will partly be exercised through the Brussels Council and its agency, partly through SACEUR, and his increased powers, there will be an integration of the military strength of these continental powers which will be quite comparable and I think equally effective to that which was to be achieved under the EDC treaty.

Now to return to another quite difficult problem, that was the problem of the Saar.

Secretary of Health, Education, and Welfare OVETA CULP HOBBY. Mr. President?

The PRESIDENT. Yes, Mrs. Hobby?

Mrs. HOBBY. May I ask the Secretary to tell us how the Saar agreement was reached? For all of you know that has been one of the most controversial areas in Europe for a long time—almost a hundred years.

Mr. DULLES. Well, Mrs. Hobby, it was a tough problem. That was the last problem to be solved, and you can see from the way it was solved, how hard it was to get it solved.

In the first place, it was really only a problem directly between France and Germany. It did not really concern the rest of us in these other arrangements. But the French had taken the position that they would not sign any of these other agreements unless the Saar problem was solved. And it dragged on and on. We got within about 24 hours of the date when all these things were supposed to be signed up and there wasn't any agreement.

Then on Friday night, Chancellor Adenauer and Mr. Mendès-France went into a session, and they started at 10 o'clock Friday evening, and they sat together until 3 o'clock in the morning. Then they broke up at 3 o'clock in the morning, still turning some of their work over to these famous and hard-working experts. They took a few hours of repose, and they went back again into session first thing Saturday morning, and they were still in session.

And when we gathered at the Quay d'Orsay for the first signing of these things, early in the afternoon, at 3 o'clock, we didn't know at that time whether they had come to an agreement or not—or whether this was all going to blow up. You can imagine, we were a bit nervous as we stood around there in the Quay d'Orsay with our pens in our hands, without knowing whether there was going to be anything to sign.

The agreement was reached, through this intensive effort by these two leaders. And it is another example of how they showed their statesmanship, to put first things first, and to do away with this age-old problem. So that now we have both the Saar and Trieste, two problems which are settled, I think, and are not going to be unsettling to this European situation.

Attorney General HERBERT BROWNELL, Jr. May I ask a question, Mr. Secretary? Doesn't this Paris agreement have to be ratified by the parliaments of the nations that are involved?

Mr. DULLES. Yes, it will have to be, and that gives a chance for the pessimists—I am not including you, Mr. Attorney General——

Mr. BROWNELL (interjecting). Not by any means.

Mr. DULLES (continuing). But it gives a chance for the pessimists to say, "Well, we are just going to be back where we were 2 or 3 years ago, and we are going to go through the same delays and frustrations."

I don't believe that is going to happen that way this time, because I think what has happened has educated everybody to the fact that there is no alternative, this time, to this present plan.

Furthermore, we have thrown into the scales for positive action some elements that weren't there before. I refer particularly to this pledge by the United Kingdom, which is of tremendous importance; and also, I say, the Saar and Trieste are no longer there to be unsettling of the whole situation.

Mr. Mendès-France—who, by the way, I hope, will be coming here a little later on—said repeatedly it is up to France to make good some of this time that has been lost, and as you probably recall, already, after the London Conference, and between the London and the Paris Conferences, the basic principles of the London agreement were submitted to the parliamentary bodies of both France and Germany. And they were approved by a decisive majority. I think that those facts, coupled with the good will and the fellowship which existed through those meetings, and the absence of tension that now is present, for the first time almost, between France and Germany, are a good augury, and indicate that there is probably going to be a positive result.

Now, of course, somebody may wonder how the Soviet Union is——

Secretary of Agriculture EZRA TAFT BENSON. Mr. President, I would like to ask how Secretary Dulles feels that the Soviet Union will react to the Paris agreement particularly.

The PRESIDENT. I agree with you, Ezra, that he ought to tell us his story on that.

Mr. DULLES. Well, I would say that I feel pretty confident that the Soviet Union doesn't like what is going on.

Perhaps that is the understatement of the day. What the Communists want is a Europe that is weak and divided, and they are going to try to get that. But I don't think that they are going to succeed. This program we worked out, in fact, is going to protect Russia as much as it protects anybody else against the possible resurgence of German militarism. And there is behind this program a sense of urgency and momentum, so that I don't believe the Soviet Union will be able to break it up. When we create, as I hope we will, a position of solidity and strength for Western Europe, then there may be a new basis for discussion, which doesn't exist at the present time. At least we can hope that then there can be talks more satisfactory than those that exist when the only object of the Soviet Union is, by trick or device, to try and break up the European unity.

Secretary of the Treasury GEORGE M. HUMPHREY. Mr. President, may I ask a question?

The PRESIDENT. Yes, sir, George. Secretary Humphrey.

Mr. HUMPHREY. Foster, there is one thing that I am very interested in, that you haven't touched on at all. That is, how much extra cost is there going to be for the United States for this plan?

Mr. DULLES. Mr. Secretary of the Treasury, it isn't going to cost us a nickel extra. I am sure that is a relief to you.

This agreement we arrived at here is not an agreement that we paid anybody, or promised to pay anybody to make. This is an agreement which the Europeans made for themselves. And that is the main feature of the whole arrangement. Because the important thing was to demonstrate whether the Europeans had the capacity and the will to arise to a great emergency like this, and had the power of decision and the power of action. That has been proved by the fact that this is an agreement which they made; and we are not, either by pressures or by inducements or bribes, getting anybody to make this. As a matter of fact, it is going to be cheaper for everybody if we can get this agreement through.

Now, Mr. President, you have said many times that we had to be—you wanted to see us play the part of—a good partner. And, of course, partnership is a two-sided affair. And I think that what has happened during these last few weeks has demonstrated that there is a basis for a good partnership on both sides of the Atlantic Ocean.

And I want to say one other thing, Mr. President. As we met there in these gatherings, there was a sense of your spirit being there. Everybody knows that you have understood, as few have, the need for Western European unity, that you have made an immense contribution to it. And if now Europe is going to be strong and united, and a protector of its ancient and precious liberties, it is very largely because of what you have done.

I bring that judgment back, not as mine, but as a message which many of these leaders in Europe asked me to bring back to you.

Well, that covers, I guess, the story as fully as it needs to be. There is going to be a lot of detail that has to be done; but that is the main outline of what happened.

The PRESIDENT. Yes. Well, Foster, I feel that we almost ought to give you a standing ovation. You know how intensely I believe that the safety and security of the Western World demanded unity and strength in Western Europe.

Now that that gives every promise of coming about, I can't tell you how gratified I am, not just for myself, but for the entire American people; and your colleagues thank you for this brilliant presentation. Really we do.

Mr. DULLES. Well, thank you very much, sir.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. CAPEHART, from the Committee on Banking and Currency:

Glen E. Edgerton, of the District of Columbia, to be President of the Export-Import Bank of Washington;

Lynn U. Stambaugh, of North Dakota, to be First Vice President of the Export-Import Bank of Washington; and

Hawthorne Arey, of Nebraska, and Vance Brand, of Ohio, to be members of the Board of Directors of the Export-Import Bank of Washington.

PRINTING OF REVIEW OF REPORTS ON LOWER MISSISSIPPI RIVER AND TRIBUTARIES, REELFOOT LAKE AREA, KENTUCKY AND TENNESSEE (S. DOC. NO. 160)

Mr. MARTIN. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated June 17, 1954, from the Chief of Engineers, United States Army, together with accompanying papers and illustrations, on a review of reports on the lower Mississippi River and tributaries in the Reelfoot Lake area of Kentucky and Tennessee, requested by a resolution of the Committee on Public Works of December 20, 1950. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The PRESIDENT pro tempore. Without objection, it is so ordered.

PRINTING OF REVIEW OF REPORTS ON PAINT ROCK RIVER, ALA. (S. DOC. NO. 161)

Mr. MARTIN. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated June 23, 1954, from the Chief of Engineers, United States Army, together with accompanying papers and illustrations, on a review of reports on the Paint Rock River, Ala., requested by a resolution of the Committee on Public Works of March 12, 1949. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR EULOGIES

Mr. KNOWLAND. Mr. President, I send to the desk an order, which I ask to have considered and agreed to.

There being no objection, the order was considered and agreed to, as follows:

Ordered, That opportunity now be given to Senators to deliver memorial addresses on the life, character, and public service of each of the following late Senators, namely: Hon. LESTER C. HUNT, of Wyoming; Hon. HUGH BUTLER, of Nebraska; and Hon. PAT MCCARRAN, of Nevada.

The PRESIDENT pro tempore. Under the unanimous-consent agreement the Senate will now proceed to memorial services for deceased Senators.

LESTER C. HUNT, OF WYOMING

Mr. BARRETT. Mr. President, we were deeply shocked at the news of the untimely death of the late distinguished senior Senator from Wyoming.

LESTER C. HUNT had an unbroken line of outstanding public service to the people of Wyoming since 1932. He first served in the State legislature as a member of the house of representatives from Fremont County, Wyo. He was first elected secretary of state, the second highest office in our State, in 1934, and was reelected in 1938. The people of my State accorded LESTER C. HUNT the high honor of electing him governor in 1942 and of reelecting him in 1946. During his second term as governor he was chosen chairman of the governors' conference by his fellow governors of the other 47 States. About the middle of his second term as governor the people elected him to the United States Senate in the fall of 1948.

He did his full part to promote the growth and development of our State and the welfare of our people. While secretary of state, Senator HUNT conceived the idea of placing a bucking horse on Wyoming's automobile tags. The idea attracted widespread attention and became extremely popular.

LESTER C. HUNT was by no means a strict partisan, and by the same token he was accorded support from many of different political faith. It can truthfully be said of Senator HUNT that he served his State and his country faithfully and well.

Mr. JOHNSON of Texas. Mr. President, I can think of few events which cast a greater pall of gloom over the Senate than the untimely and tragic passing of our beloved colleague, LESTER HUNT.

LESTER HUNT was one of God's kindly men. His life was dedicated to the principles of decency and humanity that find their noblest expression in the healing arts, of which he was a practitioner.

My own association with LESTER HUNT was very close. We entered the Senate at the same time. We served together on the Senate Committees on Armed Services and Interstate and Foreign Commerce. He was one of the most faithful members of the Senate Preparedness Subcommittee during the period when I was chairman.

During all that time, I never heard LESTER HUNT utter a mean word, an uncharitable word, an ungenerous word, about any of his fellow men. He was too big of soul and too kindly of heart to enter into sordid squabbles over personalities.

LESTER HUNT always approached issues on their merits. He had the capacity to judge a measure solely in the light of service to the Nation, and he exercised that capacity upon every occasion.

It can truly be said of him that he looked upon public office as an obligation to service for his fellow man. He thought of legislation in terms of people and how it would affect their daily lives, and from the depths of his generous soul, he strove mightily to make their daily lives better and finer.

I was in his native State just a few weeks ago. On every hand, I met people who had known and loved LESTER HUNT. I talked to his friends and his neighbors—to those who had known him all their lives. Their comments were all the same: "A fine man—a decent man. We are the richer because he lived among us and worked for us. We are the poorer for his passing."

LESTER HUNT had a deep understanding and an abiding love for the great West, in which he spent most of his life. He brought to the problems of that vast stretch of our Nation, leadership and ability that won for him an enduring place among his people.

In the long view, men are measured by their service to humanity. And by that standard, when the final reckoning is made, LESTER HUNT will stand head and shoulders above the lesser mortals.

Mr. BRIDGES. Mr. President, I wish to pay a tribute to the distinguished late Senator LESTER HUNT, of Wyoming. I first knew LESTER HUNT in 1948, when I had the privilege of meeting and really becoming acquainted with him. I do not recall an occasion when he was too busy to be courteous and affable.

Emerson wrote at one time that "Life is not so short but that there is always time for courtesy"; and that was a philosophy which LESTER HUNT followed.

It was just 6 years ago, or a little over, when our late colleague, the then Governor of Wyoming, presided over the governors' conference in my State of New Hampshire. He was a very welcome visitor to our State, and many of the people who had the privilege of meeting him on that occasion formed a very high opinion of him. A year later he was elected to the United States Senate. His background had prepared him for his great responsibilities as a Senator, as he thoroughly understood the problems which had been debated on the floor of the United States Senate.

During World War I he served his country in the Army Dental Corps. Following the war he was elected a member of the State legislature. Later he served as secretary of state, and then governor.

LESTER HUNT justifiably received many honors during his life. In 1951, he was honored by the members of his profession by being named "Dentist of the Year." I had the pleasure of serving with him on the Armed Services Committee for several years, and I have personal knowledge of the outstanding contributions which he made as a member of that committee. He also served with distinction as an ex officio member of the Appropriations Committee and as a member of the Interstate and Foreign Commerce Committee.

Today I join with my colleagues who have paid tribute to this man who had demonstrated the best qualities that should characterize an American. He was loyal and true, and he served his State and Nation well.

Mr. MARTIN. Mr. President, all of us in this Chamber were deeply bereaved by the tragic passing of our beloved colleague, LESTER HUNT.

We suffered the loss of a good friend and a great American whose whole ca-

reer was one of distinguished service to his country and his fellow man.

My own association with Senator HUNT goes back to the time when we both served as governors of our respective States.

During the meetings of the governors' conference and on other occasion I had many opportunities to observe and to admire his splendid qualities and his outstanding ability.

I learned to value his sound judgment and wise counsel because they were based on the finest American ideals and the highest standards of public service.

When he came to the United States Senate in 1948, I counted it one of my great privileges to continue my association with Senator HUNT.

The high honors that were conferred upon him by the people of Wyoming and by the members of his profession were earned by hard work and unselfish devotion to duty.

Senator HUNT was a sincere patriot. He served his country as a soldier in World War I and maintained his interest in military affairs as a major in the Army Reserve.

As a member of the Armed Services Committee of the Senate he applied to the problems of national defense the benefit of his experience and his deep interest in military affairs.

LESTER HUNT was a great and good man. To the members of his family I extend my deepest sympathy.

Mr. LEHMAN. Mr. President, on June 19 there passed from our midst, under tragic circumstances, a beloved and highly respected Member of this body. No man was better liked or more highly respected than LESTER HUNT. I had the privilege of sitting next to him in the Senate for several years, which gave me the opportunity to know him well. I formed a great affection and high regard for his ability, loyalty, and devotion.

No Member of this body was more devoted to the performance of his duties than was LESTER HUNT. He was firm when firmness was necessary. He was courageous when many others showed timidity. He was loyal to his friends and tolerant of their views, even when those views differed from his own. He avoided a narrow or regional approach to the problems which confront the Congress. He invariably considered the interests not only of his own State but of the Nation as a whole. I always had the feeling that he was just as much concerned with the problems and the welfare of New York State as he was with those of his own State of Wyoming.

LESTER HUNT was always friendly and always humane and always just. He was without bias of any kind. I never heard him say an unkind word about anyone. I never heard him express a feeling of superiority over those who were less fortunately situated than he was. He strove for equal rights and equal opportunity for all regardless of race, creed, color, or national origin.

I can sum up my estimate of LESTER HUNT best by saying that he was a thoroughly good man. His passing was a loss not only to his loving family and his many friends but to the Nation, and all of its people. We in the Senate have lost a great associate and a beloved friend.

Mr. SMITH of New Jersey. Mr. President, I desire to join in paying tribute to the late Senator LESTER C. HUNT, of Wyoming.

Senator HUNT was with us only a short time, but all of us were sorely distressed on the occasion of his passing. I did not have the privilege of knowing him well, because I did not serve on any committee with him, but in my contacts with him I felt a warmth of friendship and a deep sense of responsibility in the performance of his duties as a Member of this body.

Senator HUNT had a distinguished career. In referring to his biography I find that he was a graduate of St. Louis University, College of Dentistry, and that he had an LL. D. degree from the University of Wyoming. He joined the United States Army and served as a lieutenant until his discharge in 1919. He held the rank of major in the Reserve Corps.

In 1932 he was elected to the Wyoming House of Representatives. He was secretary of state of Wyoming from 1932 to 1942. He was Governor of Wyoming in 1942 and was reelected in 1946. As has previously been pointed out by other Members of the Senate, Senator HUNT was chairman of the governors' conference of June 1948 and was elected to the Senate that same year. He was for a long time a leader in various medical and dental societies. I appreciate particularly his service in that connection because I am the son of a physician and I know the dedication and consecration of the members of the medical profession to their life work of helping others.

Mrs. Smith joins me in expressing our deep sympathy to his wife and their two children.

Mr. SALTONSTALL. Mr. President, I should like to say a few words in tribute to my friend, the late Senator from Wyoming, LESTER HUNT. I first made his acquaintance when he was Governor of his State and I was Governor of Massachusetts and we met at the conferences of governors. LESTER HUNT never forgot that he owed his State and the people of his State an obligation to serve them, and he served them faithfully and well.

I recall very well, when we met at a chamber of commerce meeting at Cody, Wyo., his pride in the men who came from his State and his pride in what they had done.

When we flew over Wyoming he pointed out to me with enthusiasm the improvements which had been accomplished during his term as Governor and as a result of his efforts in the United States Senate.

I served with him on the Committee on Armed Services during the whole period he was assigned to that committee. He always stood for the soldier and always favored measures designed to better the conditions of the soldier.

LESTER HUNT was a distinguished member of the dental profession, and I believe he was the only Member of the Senate who had ever practiced that profession. He helped not only the dentists but the medical profession as a whole in solving the problems that faced them, particularly in the case of those who were drafted into the armed services.

I accompanied him on a trip to Alaska when he was chairman of a subcommittee. He was always courteous and always friendly—a characteristic which was strikingly evidenced in his contacts with the people of Alaska on that trip. He showed his desire to be helpful to them.

I liked him and I liked his wife. He and I took several trips together to the Naval Academy at Annapolis, and, as I have said, we both participated in governors' conferences. So I learned to know him well and to admire him.

We shall miss him in the Senate. I have never known any man who was more courteous and more friendly, or one who had a greater understanding of the problems that faced the people of his State and of his Nation than LESTER HUNT.

Mr. WELKER. Mr. President, indeed this is a dark day, a solemn day, in the history of our country, and especially in the history of the United States Senate, when this body stands in silence and pays tribute to Senators who have gone before us during the last session, men with whom we have worked side by side. Life has its sunshine, it has its happiness and pleasures, and it has its pains. Today every Senator—yes, all of America—is saddened by the loss of these fine public servants.

First, let me pay brief tribute to a Senator from my neighboring State of Wyoming, the first of the three Senators whom we are commemorating today, Senator LESTER C. HUNT. Senator HUNT was truly emblematic of all that was good in America. He was a man who worked his way from the bottom to the top. He started out as an athlete. Then he became a leader in the dental profession, not only in the State of Wyoming, but throughout the world.

Coming as I do from a neighboring State of the late Senator HUNT, I think I can say that the greatest work he did prior to coming to this great body was in the field of education in the State of Wyoming. I believe that the distinguished senior Senator from Wyoming [Mr. BARRETT] will agree with me that Senator LESTER HUNT, practically singlehandedly, was responsible for the development of the great institution of learning, known as the University of Wyoming. Every person connected with that fine university is familiar with the efforts which Senator HUNT devoted to building up that fine school of higher learning, which ranks with the very best.

It was my pleasure to have served with Senator HUNT on the District of Columbia Committee when that committee investigated the Washington, D. C., police force, an institution which certainly needed investigation at that time.

In closing, Mr. President, I should like to say, with respect to the late Senator HUNT, that had he lived, I venture to say he could have been the senior Senator from Wyoming as long as he lived, or as long as he desired. The State of Idaho sends its condolences and expresses its sorrow and heartfelt sympathy to the

widow and the family of the late Senator HUNT, and mourns the loss of this great public servant.

Mr. FREAR. Mr. President, the late Senator from Wyoming and I came to the Senate together in 1949. Our offices were across the hall from each other, and it was only natural that we should become good friends.

Senator HUNT and I served together on the District of Columbia Committee, and I hold many fond recollections of our association there.

The people of his great State who chose him both as their Governor and then as their Senator are, I know, proud of the long and diligent years of public service which he rendered in their behalf.

It is our common loss, Mr. President, that he was not able to carry on these fruitful endeavors for many additional years.

Mr. BRICKER. Mr. President, I had the privilege and pleasure of knowing Senator HUNT before he and I came to this body, for we had served in similar capacities as governors of our respective States.

Senator HUNT was a man of vast experience. He was a true patriot; he was a constructive Member of this body.

Mr. President, as I rise today to pay tribute to Senator HUNT and to the three other distinguished Members of this body, my close personal friends, who have passed on in the last few months, I wish to state that all of them will be sorely missed, not only by their friends here, but by the entire country, because of their fine, constructive contributions to the welfare of the Nation to which all of us are devoted. They were true to the oaths they took; they kept the faith. They served that others might have the good way of life they had enjoyed.

Mr. President, today we mourn their passing. We sympathize with those who are close and dear to them. May we be guided by the spirit in which they lived.

Mr. HOLLAND. Mr. President, I join in the words of affection and tribute which have been uttered here today relative to the untimely passing of the late Senator from Wyoming, LESTER HUNT. My own acquaintance and warm friendship with LESTER HUNT began when we were serving as governors of our respective States. I remember that at that time he was the only member of his political faith, and mine, who by election of the people of Wyoming was serving them in the statehouse. That fact clearly attests to the popularity of the good and kind man who was so greatly honored by his people throughout so many years. His service here was courageous; it was industrious; it was capable. He has left a great void in the Senate, and I am sure that all Senators join me in speaking words of sympathy and of affectionate regard to his wife and his children.

Mr. STENNIS. Mr. President, I served on a committee with our late friend Senator HUNT from the great State of Wyoming. It was my privilege to sit next to him on the Armed Services Committee for 4 years, and I had almost daily contact with his very fine mind and the great principles by which he lived and to which he was loyal regardless of what might happen. One of his characteristics was immediately to go to the merits of whatever problem confronted him or whatever question he had to decide. His mind went immediately to the basic elemental principles, and he considered them strictly on the merits in trying to find the correct answer. When he thought he had found that answer, he stood firmly by his convictions.

Although he was a devoted adherent of the political party of which he was a member, his vision embraced the great area of the country from which he came and also the Nation as a whole.

The first consideration and the ultimate decision, with LESTER HUNT, were based strictly upon the merits, because he considered public office and public trust not to be used for private benefit, but for the public welfare and for the soundness of rightful government. I do not think I ever saw a greater number of fine qualities combined in one man. He had honor, truth, and great understanding; he had a desire to serve his State and Nation which was controlling, even overwhelming his desire to serve his great profession, the very finest traditions and ideals which he represented. But his great desire to serve took him into the rough and tumble of the political arena, seeking not something for self, but avenues of service, which were his guides.

I had the pleasure of knowing Senator and Mrs. Hunt in a social way. If I may say so, I have never seen a better example of the utmost devotion and understanding as between husband and wife, she living up in every way to every fine quality of womanhood, and being a most wonderful wife and mother.

I had the pleasure of accompanying them on a short trip 2 short years ago. I believe they were as fine and as happy a couple as I have ever seen.

I attended the funeral of Senator HUNT. Of course, there were flowers and other tributes. But there was something which impressed me more. During the short time I was in Wyoming, I took advantage of the occasion to go into the country and visit briefly in the small towns and villages. I went to the home of the great university of that State. I talked with elevator operators, garage mechanics, and other people on the streets of the towns and cities which I visited. Some of them would bring up the subject themselves, detecting that I was a member of the senatorial party. They would invariably say, in substance, "We have lost a friend," or "I have lost a friend in the passing of Doc HUNT," using that title as a term of affection, because many of them first knew Senator HUNT by that title.

I think that, after all, in public service, the finest test is: What do the people think? When we have gone the route which is laid out for all of us to travel, the supreme test is whether or not the people feel a loss; whether or not they have a feeling that there was something basically constructive about us. By this standard, LESTER HUNT is deserving of the very finest tribute.

I have abiding faith that the God whom he served so faithfully over the years affords a lasting resting place for his great soul.

Mr. JOHNSON of Colorado. Mr. President, I desire to associate myself with the heartfelt tributes which have been paid to our departed colleagues, and especially with the warm address which has just been delivered by my colleague, the distinguished junior Senator from Mississippi [Mr. STENNIS].

LESTER HUNT was a warm-hearted friendly soul. In his beloved Wyoming he respected and loved everyone, and everyone loved and respected him. Politics to him, as was his religion, was based on warm friendship, courtesy, kindness, gentleness, and good will toward all men. He was ill prepared for the cruel, brutal, rough aspect of national partisan politics. He thought evil of no one, and his gentle nature was shocked into panic, that persons whom he liked and respected would destroy him in the cause of national partisan politics, when he was wholly without guilt.

Perhaps his devoted friends in the Senate took too much for granted—his capacity to accept barbaric treatment. Perhaps we should have done more to make him understand our complete confidence in respect for and devotion to him. In our busy life in the Senate, we little realize the burden some of our colleagues carry in their hearts. That is one of the penalties of a life filled with endless responsibilities and pressing duties.

LESTER HUNT in his quiet persistent way was a very effective worker in the Senate. When I was chairman of the Interstate and Foreign Commerce Committee, he was my good right hand. Every task assigned him was handled in the public interest with courage, devotion, and undivided attention. He never complained about too much work or the onerous nature of the task assigned him. He applied himself to it quietly and effectively and got the job done correctly and without delay. I mention these details because it best describes the type of senatorial services he rendered.

In Senate hearings he was always courteous and reassuring to witnesses but his discerning, penetrating, thought-provoking, and pointed questions disclosed his own clear understanding of the matter at issue. All of us were impressed with the cleanness of his thinking, his sympathy for those in trouble of any kind, his understanding and quick grasp of involved problems, and at the same moment his humility and sweetness.

LESTER HUNT was the kind of agreeable person with whom one would like to go fishing. His big smile, happy chuckle, and naturally pleasant and captivating personality made one feel very close to him.

LESTER HUNT was a topflight Senator, a really nice person, a good family and church man, and a true patriot. To have such a lovable person die of a broken heart in our midst is indeed a tragedy.

Mr. HENDRICKSON. Mr. President, on August 20, 1954, I made an effort to pay tribute to the late Senator HUNT, of

Wyoming. I now ask unanimous consent that my remarks of that day be incorporated in the RECORD at this point as if delivered on today.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

Mr. HENDRICKSON. Mr. President, since the day in January 1949, when LESTER HUNT and I were sworn in together as freshmen Senators, I have learned much about the qualities of the man—his quiet courtesy, his friendliness, his kindly sense of humor, his dedication to the cause of public service.

I knew him as a fellow member of the Armed Services Committee of the Senate where we worked together on several subcommittees. As a member of the committee, he was particularly diligent with regard to his membership and attendance. He was present at practically every meeting of the committee. His concern was with the whole job of being a Senator and he went to great pains to familiarize himself with the issues of any particular problem before it was brought up in the committee or discussed on the floor of the Senate so that he would be well informed.

The life of LESTER C. HUNT is to my mind a great story of the vital half century in which he lived. I am told that he first saw the State which was to send him to the Senate when, as a 19-year-old Illinois boy, he pitched a no-hit game which led to his engagement by the professional baseball team in Lander, Wyo. He decided then that this State would be his home.

He served his country in World War I in the Army Dental Corps, being stationed at about 12 camps and bases in this country between September 1917 and May 1919. Shortly after being discharged as a major, he entered Northwestern University for postgraduate study of dentistry and on completing his course in 1920, he returned to Lander to resume his dental practice there.

He began his public career in his hometown as a scoutmaster, as a member of the school board, and as the president of the Fremont County Medical and Dental Society.

He served his State as a member of the legislature, as its secretary of state, and then as its Governor from 1943 to 1948. With typical modesty, Senator HUNT claimed that his greatest accomplishment as governor was having originated the "bucking bronco" used on Wyoming license plates, but we are all aware of the fact that he made a great record as governor as well.

He was prominent in the governors' conference at Mackinac Island, Mich., in 1945, where he urged that small business "should have the first opportunity to reconvert and that it be assured of adequate materials." Three years later, he presided over the governors' conference in Portsmouth, N. H., and in 1949 he was elected to the Senate.

In the Senate he was active in District affairs, served on the Senate Crime Investigating Committee, and was a longtime advocate of measures looking toward world peace, but his special concern was with the health of the Nation.

During 1951, he was active in the enactment of legislation which gave more autonomy to the Dental Corps of the Army, Navy, and Air Force and which raised the rank of the dental chief of the Public Health Service to major general. He was chairman of the subcommittee which created the Army Nurse Corps.

Three years ago, in 1951, he was honored by the members of his profession by being named the dentist of the year. The citation accompanying the medal reads:

> For distinguished contributions to the welfare and progress of dentistry, particularly his service in protecting the best interests of the profession and public health through promoting beneficial legislation and discouraging harmful legislation while acting in the performance of his duties as Senator in the Congress of the United States.

I join in the tributes today to a man who has demonstrated all of the best qualities of citizenship in his home community, in his State, and in his Nation. He was an exemplary man, an able public servant, and a good friend.

I have lost a good and true friend. I mourn his loss. Mrs. Hendrickson joins me in offering sincerest condolences to his good wife and family.

Mr. BYRD. Mr. President, I desire to associate myself with the tributes that have been paid by my colleagues to one of the most beloved Senators in this body, LESTER HUNT. He was a dedicated public servant, if I ever knew one.

I had the privilege of serving with him on the Committee on Armed Services, and I recall that time and time again he rendered most valuable services, and made most important and worthwhile suggestions with respect to pending legislation.

I was greatly impressed by the remarks made by the present Presiding Officer, the Senator from Mississippi [Mr. STENNIS], who likewise served on the Committee on Armed Services with LESTER HUNT.

As one Member of the United States Senate, I wish to say that I admired Senator HUNT as a man and loved him as a friend, and I shall always revere his memory.

Mr. MONRONEY. Mr. President, one of the saddest experiences in the life of any Senator comes when dear friends and able public servants are lost to us through death.

The 83d session of the Congress has taken the extremely high toll of nine able and distinguished Senators, men whose services and whose deep dedication to public life can ill be spared from our councils. Nine such men—experienced, qualified, dedicated Senators—were lost through death in the session now closing. Their loss will be greatly felt as we begin our deliberations in the new session to open on January 3.

Among those whose services were lost through death were leaders of both parties, but whose services as great Americans we learned to respect throughout our daily service and friendly association with them during the years. Party divisions and political differences pale into insignificance, as compared to the great respect we learned to have for their individual positions and their viewpoints on what was best for all the people of our great Nation.

I speak of Senator Robert A. Taft, whose death cut short the able and dedicated leadership of his party in the Congress; of Senator Tobey, of New Hampshire; of Senator Griswold, of Nebraska; of Senator Hoey and Senator Smith, of North Carolina; of Senator Butler, of Nebraska; of Senator Hunt, of Wyoming; of Senator Pat McCarran, of Nevada; and of Senator Maybank, of South Carolina. Here were men who sought to the utmost of their ability to serve well their Nation and its people and to render the greatest possible help to the people who sent them here as their Senators.

At this time, Mr. President, I wish to address myself to the great service rendered by Senator HUNT, of Wyoming. It was my great pleasure to have been privileged to serve with him on the Senate Committee on Interstate and Foreign Commerce, to have come to know him personally, to have had the great pleasure of being in his home State of Wyoming, there observing at firsthand his dedication to all the people of that great Western State and to everything that was of interest or importance in the daily lives of its citizens.

Late in the night, after certain meetings we had, I would see him greet the night watchman of a small town and ask him about his children, or greet the new cashier in a small coffeeshop, who had just moved into his State from North Dakota.

Senator HUNT loved people, and he loved the privilege of serving people. Throughout his entire legislative experience and his experience as Governor, his life was dedicated to his interest in human beings and in their cause and in the things that would help in the greatest degree the greatest number. He loved his home State, and it loved him. He loved the plains and mountains of Wyoming. As we rode together across hundreds of miles of that country, it was a great delight to have him describe with pleasure and pride the glories of the State he had adopted while he was a young man.

Mr. President, we who serve on the Committee on Interstate and Foreign Commerce will miss sorely the dedicated experience of Senator HUNT, who always was able to weigh the national interest against the partisan or special privilege that is evidenced so often in legislative matters which come before the Senate for determination. His knowledge of all phases of that great committee's jurisdiction and his determination, regardless of which interests sought to prevail, to strive endlessly for the cause of truth and right marked Senator HUNT's devotion to his duty.

On the Committee on Armed Services we knew the great contributions he made toward keeping this country strong by endeavoring to give us the very best possible national defense, to meet whatever emergency this great country of ours might face at any time. Those of us who knew him and loved him, who knew his sensitive nature and the beautiful

home life he enjoyed, deeply regret his passing. We deeply regret that we did not know of his situation in time, perhaps, to give him a helping hand, which might have averted the tragedy which came into his life and into the life of the Nation with his passing.

I hope his death will cause us to dedicate ourselves, as Members of the Senate, no matter how busy we may be at the time with seemingly important tasks, to the alleviation of the great human conflicts which arise in the lives of men, and which destroy their ability to see clearly the path which lies ahead. By helping to raise the ethical standards of this great body we may prevent circumstances which might cause the loss of another such dedicated public servant as Senator HUNT.

Mr. CARLSON. Mr. President, it was my privilege to be rather closely associated with Senator LESTER HUNT, of Wyoming.

I first learned to know Lester when he was Governor of the great State of Wyoming. At that time I happened to be Governor of the State of Kansas. We attended four governors' conferences together, and we worked together on the committees. In 1948 he was selected as chairman of the National Governors' Conference.

In connection with legislative matters, he had an especial interest in those affecting education. He never lost an opportunity to advance the cause of the education of our youth.

He was also sincerely interested in the great reclamation projects which are so vital to the West.

Because of his keen intellect and brilliant mind he made valuable contributions to the work of the governors of the other States during the years when he was chairman of the National Conference of Governors, and also to the work of the various committees of the Senate on which he served. As I have said, it was my privilege to serve with him on some of them.

Senator HUNT was a close personal friend of mine. He was a great and patriotic American. He has left his mark not only on this body, but on our great Nation as a whole.

Mr. CASE. Mr. President, with respect to LESTER HUNT, I first met him when he was Governor of the State of Wyoming. I met him at a meeting in Sheridan, Wyo., when we were initiating the movement for the authorization of the Missouri River Basin program. At that time I found him intensely interested in water conservation, and, in fact, in every project which would make the resources of the great West available to the American people.

After I came to the Senate from the House of Representatives I met him in the Committee on Armed Services, and there I was impressed, as was the present occupant of the chair, the distinguished Senator from Mississippi [Mr. STENNIS], by his unfailing devotion to what he considered to be the best interests of the United States. I recall occasions when certain public questions arose with respect to which a person with a demagogic approach might have voted differently than he did. First of all, LESTER HUNT asked "What is good for the security of the United States?" Although he sat across the table from me, and across the aisle in this body, there was no partisanship in his approach to questions involving the national security of the United States.

He brought to the United States Senate the open-minded, fair-minded quality which we like to associate with great characters from the western area of the United States.

Mr. KNOWLAND. Mr. President, I should like to say a few words relative to our late colleague, Senator HUNT, of Wyoming. For some time I served with him on the Committee on Armed Services, before I transferred from that committee to the Committee on Foreign Relations. At that time I had occasions, both as a member of the full committee and as a member of subcommittees of that committee, to work very closely with LESTER HUNT. I always found him to be a man who was deeply interested in legislation. He was not only in the fullest sense of the word a representative of the State of Wyoming, but, in the broad sense he was, as we are all expected to be, a Senator of the United States. He recognized the problems and the need for the solution of those problems of the people in each one of the 48 States and in the Nation as a whole. He had a deep interest in the security of the American people and in the need for an adequate national defense.

Senator HUNT had had an excellent background of public service. As has been previously mentioned, he had served as governor of his State. He came to the Senate with a wealth of experience, not only from having attended the governors' conferences, where the governors learned of the problems of the other States of the Union, but also as an intelligent American citizen he had an understanding of problems beyond the confines of his own State.

It was with great shock that we learned of his passing. All of us had felt that LESTER HUNT, even though he was retiring from the Senate, would have before him many years of useful service to his country and to his State. It was with profound regret that we on this side of the aisle were apprised of the news of his death. I wish to join with the other Senators who have paid tribute to Senator HUNT's life and to his services to the people of the United States.

Mr. CLEMENTS. Mr. President, we know not what sadness—what heartbreak—may be around us.

The tragedy of that early Saturday morning of June 19 that took our friend and colleague, Senator LESTER CALLAWAY HUNT, from our midst struck without warning and thus came as a deeper and more terrible shock to all of us who knew and admired this man of broad mind, generous heart and, be it said, extreme sensitivity, leaving those of us who were closest to him not only deeply grieved over his tragic ending, but frustrated and stricken over realization of the torment he suffered and silently endured. On the previous Friday he and I had engaged in conversation here on the floor of this Chamber. Certainly I was regretful over his decision not to stand for reelection, but there was no sign of disturbance, no evidence of concern or worry of any kind on his part. We discussed many things, some bearing on the future when he no longer would be a Member of this body, but as the fateful event of the following morning revealed, he was talking in terms of the next day and I was thinking in terms of the next year.

Mr. President, I have since come across and found some solace in these lines:

If we could see beyond today, as God can see,
If all the clouds could roll away, the shadows flee;
If we could know beyond today, as God does know,
Why dearest ones must pass away and tears must flow;
If we could know why darkness leads to light,
Why dreary days invariably grow bright;
But still we know
Some day life's hurts and wrongs will be made right—
Faith tells us so.

My friendship with LESTER HUNT antedated our service together here in the Senate. We were contemporary governors of our respective States and it was with genuine gratification that I joined in the movement and rejoiced over his election as chairman of the governors' conference when the chief executives of the various States met in 1948 at Portsmouth, N. H. Likewise his splendid ability, diligence, and leadership were recognized here as the Senate committee memberships he held plainly attest.

The passing of a man of the sterling character and intellectual capacity of Senator HUNT is an immeasurable loss to his State, the United States Senate, and the entire Nation.

His tragic and untimely death surpasses our understanding, but sad, indeed, it is that only at the maximum toll could our beloved friend and colleague find surcease and release from the burdens, which certainly his sensitive soul had magnified beyond all reasonable proportions. Yet for the privilege of having known him and labored in the same sphere with him, we can be grateful and find solace, too, in the knowledge that his exceptionally fine and useful career of professional and public service in the State of Wyoming and for his State here in the United States Senate will stand as a perpetual memorial to Senator HUNT.

Mr. KEFAUVER. Mr. President, I wish to associate myself with the tributes paid by other Senators to the life and public service of three outstanding Members of the Senate, PAT MCCARRAN, HUGH BUTLER, and LESTER HUNT. Each one made a great contribution to the legislative enactments of this body.

I particularly had an opportunity of associating very closely with the distinguished Senator from Wyoming, LESTER HUNT. We came to the Senate at the same time. We served together on the Committee of Armed Services, the Committee on the District of Columbia, and on the Select Committee Investigating the Problem of Racketeering in Interstate Commerce.

LESTER HUNT, as has been said, was one of the hardest working Members of the Senate. He was always willing to under-

take any assignment given to him, and he always ably carried it out. He never tried to look for the easy road or the easy position. His only consideration was, What is best for the country?

He was a man of courage. He was always fair. He was thoughtful in his relationship with other Members of the Senate.

His family life was exemplary, and the companionship between him and Mrs. Hunt was ideal. This relationship was one of the sweet aspects of this fine man's nature. He lived for his family.

LESTER HUNT was an excellent example of what an all-around United States Senator should be. We miss him in the Senate. I am sure that his excellent efforts as a member of the committees on which he served and his endeavors to promote the welfare and progress of our country will long be remembered, and all of us will always appreciate his splendid public service.

HUGH BUTLER, OF NEBRASKA

Mr. HRUSKA. Mr. President, it is with deep regret that my first remarks as a newly elected Senator from the State of Nebraska must necessarily be in tribute to my distinguished predecessor and my close and valued personal friend and fellow townsman, the late Senator HUGH BUTLER.

His humble beginnings were those which are typical of many who find their way into public life. Not a native of Nebraska, but closely associated with it from the days when he accompanied his parents across the Iowa and Nebraska plains in a covered wagon, he began his long and illustrious career in a sod house on the family homestead near Cambridge; and for the remainder of his life he was closely and intimately identified with the State which later he so ably represented in the United States Senate. He entered Doane College on a scholarship earned by selling magazine subscriptions and completed his education by doing odd jobs and working in the harvest fields during the summer. After graduation he worked as a construction engineer for the Burlington Railroad. Shortly after World War I he entered the grain business, and at the time of his election to the Senate in 1940 he was one of the outstanding grain dealers of the Midwest. Upon his election he disposed of his business interests so that he could devote full time to Senate affairs.

Always active in civic, religious, and political affairs, Senator BUTLER served in various capacities with Rotary International, board of education, Salvation Army, chamber of commerce, and other civic associations.

Deeply religious, he sought spiritual guidance in his own quiet and humble way. As a young man he joined the Congregational Church and was Sunday school superintendent in his hometown of Cambridge. Later he became State moderator of Congregational Churches.

HUGH BUTLER lived a simple life. He permitted himself few luxuries, but he derived an immense satisfaction from helping others. He was particularly interested in his alma mater, Doane College. Although he left the greater bulk and residue of his estate to Doane College, he did not wait until he became a wealthy man to be of help.

As a matter of fact, when he was trying to gain a foothold as an engineer between the railroad ties of the railroad with which he started as an engineer, he sent $5 contributions to his college to help it in its efforts to continue as an educational institution. As his own personal wealth increased, so did his contributions to Doane College. In 1925, when that college's continuation hung in the balance, he made a lifesaving gift to it of some $25,000.

Upon taking his seat in the Senate he presented to Doane College a trust fund, in memory of his wife, in the amount of $250,000. That fund is known as the Fay Johnson Butler scholarship fund. It constitutes high evidence of his interest and faith in the youth of the country. Each year 30 young men and women receive the benefits of this fund.

It is not for me, as a newcomer to the Senate, to delineate the stature of Senator BUTLER as a Member of this body. That can be done more ably by those with whom he served. However, it can be said that his civic, business, and religious activities, as well as his generosities, were significant as a sort of prelude to service in this body.

In that service he displayed those qualities of leadership, understanding, and Christian character which were so innately his. His sense of fairness and his clear vision into the implications and the impact of the decisions at hand made him a good and scund representative of his State and his Nation. His wide experience with men and affairs gave him a broad understanding of the many situations and problems which confronted him from time to time.

We in Nebraska are proud of his contribution to the formal channels of government and to good citizenship in its highest and best meaning. He passed on universally respected and highly and widely honored. He will long be remembered, not only for the good things he did but for the good, useful, and meaningful life which he led.

Mrs. ABEL. Mr. President, I would be remiss and would not be representing Nebraska or Nebraskans well if I did not call to the attention of the Members of the Senate a phase of the life and character of the late Senator BUTLER. His colleagues knew him as a statesman, interested in the problems of agriculture, irrigation, conservation, and agricultural research, and in the development of our natural resources. I should like to speak of another phase of his fruitful life.

Recently I served with him on the Doane College board of trustees, of which he had been president for the past 40 years, from 1914 to midsummer of 1954.

Doane College, at Crete, Nebr., was his alma mater and the alma mater of his late wife. To us, Senator BUTLER was President BUTLER. He gave to this institution many fine buildings. He built its gymnasium. He added to the campus acreage. He helped build the stadium. He gave the leftover part of his income to this college, and upon his recent death his complete estate went for endowment and future needs of the college.

Senator and Mrs. Butler had 2 children, 2 boys. One passed away at the age of 2, the other at the age of 12. The Butlers did not legally adopt into their family other children, but they provided and guaranteed to many Nebraska boys and girls a college education and a happy college home through their maturing years, and the Butlers will continue to guarantee college educations and happy college homes to many more Nebraska boys and girls in the years to come.

If any of Senator BUTLER's colleagues should wish to pay homage to him, let him not go to the wooded slope in the Memorial Park in Omaha, his last resting place. Rather, let him go 80 miles farther, through Lincoln, and then 20 miles beyond, to Doane College campus. There he will see stately trees, 70 years old, and beautiful buildings. There he will see boys and girls going from classroom to library, and from classroom to fields of recreation.

On their faces he will see a happy look, for they are attaining a growing knowledge of constitutional government, and are enthusiastic about our American way of life, all of which is truly a living memorial to Senator HUGH BUTLER.

Senator BUTLER was truly a statesman. He was also an educator, a philanthropist, and a humanitarian.

Mr. BRIDGES. Mr. President, I wish to pay tribute to the late HUGH BUTLER, of Nebraska. It is with a feeling of deep regret and sadness that I rise in the Senate Chamber today to pay my humble respects to Senator BUTLER, a man I admired deeply. In my opinion, he was a great American, and a very real asset to this legislative body. The Senate of the United States has suffered a profound loss in his death.

My distinguished colleague was a self-made man, and his accomplishments were many. As chairman of the Interior and Insular Affairs Committee, and as ranking member of the Finance Committee, he created an outstanding record for himself and his country. One of his accomplishments was the part he played in the enactment of the monumental Government Corporation Control Act.

He realized at an early age the difficulties his father faced earning his livelihood from the soil, and was unusually sensitive to the disadvantageous position which the farmers and ranchers held in the national economy. He entered the Senate in 1941, and continued to represent the interests of the people of the farms and ranches with a vigor and vitality that will long be remembered by his fellow Nebraskans and by the country as a whole.

Senator BUTLER was a man of deep religious convictions, which he practiced daily, and out of his devotion to them came a humbleness that is seldom seen in men.

I wish to pay high tribute to Senator BUTLER, whom we shall all miss. His death is a loss to America.

Mr. JOHNSON of Texas. Mr. President, I desire to pay my sincere tribute to our beloved colleague, the late Senator HUGH BUTLER, of Nebraska.

Although we sat on opposite sides of the aisle, I always bore for him deep respect and affection.

HUGH BUTLER was a man of strong loyalties, with a deep sense of the obligations that accompany public office. He realized fully that the people were entitled to service and hard work from their chosen representatives, and he gave them both in full measure.

Although we frequently disagreed on the issues of the day, our disagreements were always conducted on the plane of principle. In our relationships, I learned early that HUGH BUTLER's word was his bond—a bond that would always be redeemed.

He was a quiet man, an unassuming man. But he bore on his shoulders a heavy burden of the legislative work of the Senate. He never shirked his duty, and never turned from what he considered the course laid down by conscience.

Mr. President, there is a special place in the hearts of all of us for men such as HUGH BUTLER. It is the place reserved for those who have met the struggles of life with courage and with rectitude.

The people of his State and all the other people of America can mark his passing with the highest tribute that can be paid to any man—the thought that his life was one of constructive service and real devotion to his country.

Mr. SMITH of New Jersey. Mr. President, I wish to pay my respects to the memory of our departed colleague, my dear friend, the late Senator HUGH BUTLER, of Nebraska, for whom we are holding a memorial service today.

I first knew HUGH BUTLER when he was a comparatively new Member of the Senate and I was a member of the Republican National Committee. Inasmuch as I had lived in Colorado for some years in the earlier part of my life, and he was from Nebraska, we had many common interests which grew out of those Middle West contacts.

HUGH BUTLER was of great value to this body because of his western conservatism and because he always was prepared to give us a warning signal if we attempted to wander in dangerous political directions toward which his background and his deep convictions made him hesitate to go. I was always profoundly impressed by his obvious and fundamental integrity and what I felt were his reliances upon the deeper spiritual values of life.

Hugh stands out as an eager helper of his colleagues in the Senate, and I shall always appreciate the things he did for me when I was a new Member here without experience. As chairman of the Committee on Committees, he has helped every one of us in the difficult job of straightening out our committee assignments at the beginning of each new Congress.

To his family and to his intimate friends, Mrs. Smith and I desire to extend our deepest sympathy in the great loss they have sustained.

Mr. BARRETT. Mr. President, I knew HUGH BUTLER for many years. He was a great and outstanding citizen of my native State of Nebraska. While a young man, he spent a couple of years working on the construction of the Burlington Railroad, in Wyoming. He made many acquaintances during that time, which ripened into lifetime friendships.

While I was serving in the House of Representatives, I came to know Senator BUTLER well during his first term in the Senate. I was, therefore, pleased to be assigned to the Committee on Interior and Insular Affairs when I first became a Member of this body, for there I came to love and respect Senator BUTLER for those great human qualities which endeared him to his fellow men.

He was a great citizen of Nebraska, an outstanding United States Senator, and a great American.

Mr. MARTIN. Mr. President, all of us recall the deep sorrow which filled this Chamber when it was announced at a late hour on July 1 that our beloved colleague, HUGH BUTLER, had been called by his Maker to eternal rest.

The tragic news came as a severe shock, for HUGH BUTLER had endeared himself to every Member of the Senate. He was respected and admired as a true Christian gentleman, a leader among men, a great, patriotic American, whose life and career exemplified the spirit of service to his country and his fellowmen.

HUGH BUTLER's boyhood in a sod house linked him with the pioneering past of which his parents were a part. Hardship and toil were the daily portion of his youth, but he climbed to success in many fields through the boundless energy and perseverance that continued throughout his life.

Senator BUTLER's greatness as a man can be measured by his unselfish service to his church, his generous contributions to the education of young people, his leadership in civic groups, the Salvation Army, the YMCA, the Community Chest, and many other enterprises that advance the general welfare.

His record in the United States Senate is outstanding. He exerted great influence for the public good as chairman of the Committee on Interior and Insular Affairs. It was my good fortune to be associated with Senator BUTLER on the Senate Finance Committee, and I cannot praise too highly his conscientious devotion to the public interest, his unfailing sincerity, and his sound judgment.

HUGH BUTLER was a modest man, a kindly and gentle man, whose one purpose in life was to build a better America. He will be sadly missed, and I am proud to honor his memory.

Mr. SALTONSTALL. Mr. President, although I never had the opportunity to serve in close association with Senator HUGH BUTLER, of Nebraska, I shall always remember his fine qualities of mind and heart, and I shall cherish the memory of his friendship.

Among his other responsibilities he served as chairman of the Committee on Committees, and no one could have been better qualified to fill that position. He worked out the problems of committee assignments with understanding of our individual cases and with the greatest desire to achieve the best results and, at the same time, to give satisfaction to the various Senators.

He was a student of farm problems, and at the same time he understood the business point of view. I recall with pleasure a day spent with him in Omaha, Nebr., his home town, at his place of business, and at other places, when he tried to teach me, and I tried to learn, the workings of the grain exchange and how it affected the farmer, the grain broker, and, ultimately, the consumers, a great number of whom are to be found in my State. As chairman of the committee on committees he will leave a memory with us all. We shall always, in the years to come, recall him as a Member of the Senate who possessed great human understanding and demonstrated great friendliness.

Mr. President, I had a warm feeling of regard for all three of the Senators whose memories we honor and revere today, and I join, from the bottom of my heart, in the tributes to them and in the sympathy which we all extend to their families.

Mr. FREAR. Mr. President, Senator BUTLER and I served together on the Finance Committee. In such a close association it is not difficult to appraise and to evaluate the efforts of individual committee members.

Senator BUTLER was a great credit both to his State and to the Nation. Although, of necessity, he devoted much of his time and effort to the committee of which he was chairman, yet he did not overlook or slight the other responsibilities which were his as a member of the Finance Committee and of the Senate itself.

It is a great tragedy when Members of the Senate who have, through long years of experience, reached a position where their wisdom and broad knowledge of the legislative branch of the Government can be most effectively applied, are taken from us.

The great State of Nebraska will, I am sure, always remember the services which HUGH BUTLER rendered to his State and the Nation so faithfully and well.

Mr. WELKER. Mr. President, HUGH BUTLER was an institution in himself. Coming from the near neighboring State of Nebraska, I learned to love him the first day I came into the Senate. Along with the immortal Ken Wherry, they became my good, close, and intimate friends.

As most of my colleagues know, HUGH BUTLER led a life of sorrow, having had tragedy strike in his home just a few days after his election to the great office he held for so many years. However, HUGH BUTLER never complained. Stalwart as we all knew him to be, he had a happy smile, and always a kind word. He never complained of the sorrow that made his heart so heavy through all the years of his service in the Senate His dedication to his country is best exemplified by the love and affection the people of Nebraska had for him.

Mr. HENDRICKSON. Mr. President, I rise to join in the richly deserved tributes to the late Senator HUGH BUTLER, of Nebraska.

In this country we have an organization known as the Rotary International. It is a wonderful organization. It has

a great motto, "service above self." HUGH BUTLER was dedicated to that motto. One of his first public services, aside from his civic activities, I suppose, was in the capacity of a great Rotarian. He came to this body in that same spirit "service above self"—and lived up to it.

As has been stated, he was a man of deep convictions. He never swerved from his course of duty, and he was always a gentleman. Mr. President, a great English monarch once said that men can make a king, but only God can make a gentleman. God made one in HUGH BUTLER.

We of the Senate mourn today as we think of his passing. But we are grateful for our association with him.

Mr. President, I never had the privilege of serving with HUGH BUTLER upon a Senate committee, but I have seen the products of his great work on his committees. He had a quiet, unassuming dignity of the sort which brings the confidence of the people to any organization with which such a person is associated. The Senate of the United States has benefited greatly by the quiet dignity HUGH BUTLER brought here. He was a great son of Nebraska, a wonderful Senator, and an American of whom we are all proud.

I join with my colleagues as they express their deepest sympathy to all of HUGH BUTLER's friends and to his family.

Mr. BRICKER. Mr. President, within the past few months I have lost 4 close, personal friends and associates in this body; the Members of the Senate have lost 4 distinguished and beloved colleagues; and our country has lost the services of 4 great patriots.

I had the personal privilege of sitting here by the side of Senator HUGH BUTLER, a wise counselor, a great patriot, and a keen student of our government, one who always was stanch in his convictions. That privilege I shall long cherish.

He rendered to his country great service. He had deep and abiding convictions. His services ranged into fields beyond his political activities, particularly in the field of education and in the field of service to his church.

He will long be remembered. Our sympathies go to his family.

Mr. CAPEHART. Mr. President, I never knew a man any more friendly, any more sincere, or any more conscientious than HUGH BUTLER. He was a great gentleman. He loved his country. He loved his party. We shall miss him in this body. There are too few men possessing the attributes and virtues which our esteemed friend, Senator BUTLER, exemplified.

Mr. AIKEN. Mr. President, I wish to pay my respects to one of the best friends I have ever had in the Senate, Senator HUGH BUTLER, of Nebraska. We became good friends from the time we first came to the Senate, in January 1941.

During recent years it had been our practice to spend brief vacations together in the Canadian woods. I learned to like Hugh immensely, and I always respected him very highly. When we were on our vacation trips I found him to be a good fisherman, a good camp mate, and a good sportsman in every way.

However, what impressed me most about HUGH BUTLER was the manner in which he mingled with people. He was very much at home with those whom we choose to call the ordinary people. Whether we were in Vermont or in his home State of Nebraska, he was always visiting with men working on the roads, people at chamber of commerce meetings, post office employees, and all kinds of people. He loved to give little talks to those people. One time when I was with him he spoke to 4 or 5 different groups. He felt perfectly at ease with them. On the other hand, I always felt that he never was entirely at ease in making a formal address before the Senate. He was a regular human being in that respect. I had sympathy for his feelings.

Perhaps one thing more than anything else that had to do with our getting together was the situation in which he found himself early in his life. His mother died when he was about 8 years old, and during the summers his father put him out to work and to live with a family which had migrated to Nebraska from Vermont. He told me that when he was living with that family he learned two things. He learned to like the taste of maple sirup, and he learned the value of a dollar. To the time of his death, he knew the value of a dollar.

He was a true Nebraskan, who was very ardently in love with his State, and he would delight in recounting the manner in which Nebraska had been settled and had grown up to become the great State it is.

As a Member of the Senate, he looked after the interests of his State very well indeed. He was always thinking of what was good for Nebraska. That fact, however, did not keep him from thinking in behalf of the whole United States.

He was very jealous of our American traditions, and he would rise to defend them at any time when he felt they were being threatened, either from within or without.

I wish we had more men like HUGH BUTLER in the United States today. Perhaps he was old-fashioned in some respects. Perhaps it was not up to date of him to think that all people ought to work for a living. He certainly believed it. I believe that his adherence to the traditions upon which our country was founded was of tremendous value, and for that I hold him in the highest respect.

We shall all miss him. He had a host of friends, particularly among the farm people, the working people, and many of the people whom we choose to call the ordinary people. I do not think anyone will miss him more than I do.

Mr. HOLLAND. Mr. President, I should like to join in the words of sympathy, respect, and appreciation which have been uttered by the two new Senators from Nebraska relative to that splendid Senator from Nebraska, HUGH BUTLER, who passed away a few months ago. He certainly was a great Senator and a great American, and we all mourn his passing.

Mr. STENNIS. Mr. President, I wish to join in the sentiments expressed by other Senators who have paid tribute to the memory of our late colleague, HUGH BUTLER. I recall that on the morning I took the oath as a Senator—and I was the only Member of the Senate sworn in at that time—HUGH BUTLER was the first one, after I had taken the oath, to seek me out and say a word of encouragement and to refer to some matters of common interest in connection with important legislation.

While I did not serve with him as a member of a committee, I learned to know him as a Senator on the floor who made up his mind with regard to the soundness of legislation and then stood firmly by his convictions. I learned to know him also, Mr. President, because of his interest in youth and in the small college, which is one of the great institutions which has helped to make America great, and which I hope will never pass. Senator BUTLER felt small colleges were being engulfed in part by the tumult and the rush of the times. He felt that the small colleges were very important in the scheme of education, in making contact with our youth and giving them personal training. I did not know that he had endowed so greatly such an institution in his home State, although I did know of his deep interest in the training of youth.

Mr. President, in that connection, I raise a question which was first asked by Cicero, many centuries ago, when he said:

> What greater or better gift can we offer to the republic than to teach and instruct our youth?

That was one of the great contributions of HUGH BUTLER. I salute his memory because of it, and, as an American, I am proud of his fine work in this important field of endeavor.

Mr. JOHNSON of Colorado. Mr. President, HUGH BUTLER, typical of the great State of Nebraska, with her endless prairies and her deep rich soil, was a solid citizen. He was industrious, honest, proud, devoted, persistent, conservative, frugal, gentle, kindly, simple, and above all absolutely dependable year in and year out. He was generous. When the young lady in my office was shot down by a prowler a year ago, Senator BUTLER started a subscription list with a generous gift to help with her heavy hospital expenses.

He was a strong man of fixed character and inflexible principles. He owned the grain elevator and flour mill in the village near by the Nebraska farm where I grew up. He was a trusted friend of my father.

He was devoted to Doane College at Crete, Nebr.; to the Congregational Church; to the Republican Party; and to his beloved State. No personal sacrifice was too great for any of them. On each of these great institutions he left the imprint of the nobility of his character.

He was successful in business and in all of his undertakings, and yet fate was cruel to him. Death took both of his sons, his devoted wife, and his beloved brother, and left him a very lonely man. Mr. and Mrs. Lloyd Smith and their children gave him a pleasant home life in the twilight of his stay on earth.

The duties and burdens of his high office became an integral part of him, and it was his burning desire to serve his State and his Nation to the very best of his ability. He had no other mission in life. He was true to his lofty ideals. HUGH BUTLER was a good man.

Mr. BYRD. Mr. President, to have known HUGH BUTLER has been one of the grand experiences for those of us who have worked with him in the Senate of the United States.

It has been my privilege to have worked with him, particularly on committees, and there is no better place to learn quickly the mold to which men's souls are set.

We were copatrons of the Corporation Control Act, which the President of the United States described as a "long delayed forward step," and the Comptroller General of the United States said it was "the most forward looking and outstanding measure in its field" in 25 years.

It was exceedingly complex legislation which required tedious and painstaking preparation, having to do with controlling the financial activities and the financial disbursements of more than 48 Government corporations. It was an undertaking that proved Senator BUTLER to be a man of splendid enterprise.

Surely it may be said of him that he was a man patient with delay, a man who moved with the confidence of reason, a man who dreamed of harvests, and was willing to toil to produce them.

He had the power and the light of a clear conscience, and the facility to control his fears and impulses. He deemed it his duty to be useful to the fullest extent of his powers. He had the spirit of work to make the country better for his service in the Senate.

In more recent years I marveled at his persistence and unfaltering courage. But he must have known the comfort of effort.

In the tumultuous days of the past 14 years, he played his part with modesty almost to the extreme; always with a gentle wisdom flowing from a fine mind which had clear conception of duty for its ballast.

His independence of intellect was combined with goodness of heart. He had neither the power nor the will to hurt, and in all of my association with him I never saw an indication of profane thought.

He found pleasure in the true and the just.

He was a friend of the kind we find once in a while, truly worthy of homage on earth.

Mr. CARLSON. Mr. President, I would not like to have this opportunity pass without publicly expressing my appreciation for having had the privilege and opportunity of serving with the departed colleagues to whom we pay tribute and honor today.

It so happens that Senator BUTLER, of Nebraska; Senator LESTER C. HUNT, of Wyoming; and Senator PAT MCCARRAN were from the great, wide-open spaces of the West. At this time I wish to pay tribute to my great friend, Senator BUTLER, of Nebraska.

Mr. President, it so happens that this is the centennial year of both Kansas and Nebraska. They were organized as Territories at the same time. During the 66 years of Senator BUTLER's life in Nebraska, he had the opportunity to watch the growth and development of that great State, of which he became a part. To me, as a Kansan and a neighbor, the growth and development of both of those States were typical of the men and women who made them. In the great Midwest we have been blessed because of men and women who have had vision. But it took more than vision to make those great States; it took faith and courage.

The Good Book says:

Where there is no vision, the people perish.

So we have been blessed because we had men of the type of HUGH BUTLER.

Today, in paying tribute to the memory of HUGH BUTLER, the thing I realize most clearly is that his deeds live after him. Those of us who had the privilege of knowing his interest in life and his very personal interest in young people, as has been stated by the distinguished and able Senators from Nebraska, are aware of his devotion to Doane College, which it was my privilege to visit with him on many occasions. We also know of the satisfaction he obtained from life, and especially from the fact that so many of the young men and young women of his State had made a mark in life. So he felt he had contributed by helping in that direction.

Therefore, Mr. President, as we serve in the legislative branch of our Government, I believe it is well for us to look back to the things that mean so much to the individual as he goes through life.

HUGH BUTLER was a great Christian leader, with devoted interest to the church and to young people.

In connection with his service in the Senate, it was my privilege to serve with him on the Senate Finance Committee. We were very close; and I, too, had an opportunity to observe his interest in the welfare of the Nation and in promoting its stability and progress.

So, today, as a native of Kansas, I wish to pay tribute to a great son of Nebraska, Senator HUGH BUTLER.

Mr. CASE. Mr. President, the three departed Members of this body to whom so many fitting and eloquent tributes have been paid today all came from the western section of the United States—HUGH BUTLER from Nebraska, LESTER HUNT from Wyoming, and PAT MCCARRAN from Nevada.

In American history a high place has properly been accorded to the traditions of the West in the development of American character. As one who has lived his life in the West, I think I can say that there could hardly be selected three men who have made greater contribution to American character than those three men—HUGH BUTLER, LESTER HUNT, and PAT MCCARRAN—by giving to America the spirit of the West.

On an earlier occasion, on the day following Senator BUTLER's passing, I spoke of my personal acquaintance with him, which went back farther than my acquaintance with any other Member of this body or of the House.

I shall not attempt to repeat what has been recounted here today in estimating the great influence which his life will have down through the years because of the gifts he has made to education and the encouragement he has given to young men and women to obtain an education and equip themselves for life.

Today I should like to express my appreciation of his contribution to the West because of his leadership in the Committee on Interior and Insular Affairs, his deep interest in the great program of development along the Missouri River Basin, his interest in irrigation, and his interest in the welfare of the stockmen in the great open spaces of the West.

Mr. President, I ask unanimous consent that the remarks I made on July 2, 1954, when the death of Senator BUTLER, of Nebraska, was announced on the floor of the Senate, be placed in the RECORD at this point, along with other tributes that have been paid to the memory of the Senator from Nebraska.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

Mr. CASE. Mr. President, while I appreciate the statement of the majority leader that at a later time a day will be designated for voicing tributes to the late Senator from Nebraska, our beloved colleague, HUGH BUTLER, I should not like this day to go by without taking a moment or two to say something about HUGH BUTLER, and what he has meant to my section of the country.

It was my privilege to meet HUGH BUTLER more than 20 years ago. I believe it was in the fall of 1932 that HUGH BUTLER, as district governor of Rotary International, came to my hometown of Custer, in the Black Hills of South Dakota, and presented to a local group at Sylvan Lake their charter in Rotary International. The friendship which began more than 20 years ago has been one of my treasured friendships throughout the years. I came to know HUGH BUTLER then not primarily as a Member of the United States Senate, but as a man who enjoyed the confidence and trust of a great host of people in Nebraska and throughout that portion of the United States.

HUGH BUTLER was the son of a man of very modest means, so his life story is another chapter in the characteristic pattern of America. He worked for a time on the railroad. I think he taught school for a while. Then he worked in a mill. Eventually he became the owner of a flour mill, and of other mills and elevators, and went into the grain business on a much larger scale. He made a very substantial fortune, but HUGH BUTLER was not a man to parade that fact, or to say much about it.

He had the misfortune to lose his two sons early in life. He and Mrs. Butler then decided that the money they had

made should be used for the education of young people. It is my understanding that during the course of his life he gave away more than half a million dollars to establish scholarships and to construct buildings at colleges which attracted his attention in one section of the country or another. A great many of his bequests were to Doane College, at Crete, of which he himself was a graduate. Later he moved to Omaha, and in Omaha, the principal city of Nebraska, HUGH BUTLER soon established himself as a man of outstanding reputation and character.

He was asked to serve in connection with various community enterprises, such as the Community Chest, the Red Cross, the YMCA, and other movements associated with doing something for people. Though he himself was the last person who would say much about it, he derived his greatest pleasure in doing those things which contributed to the improvement of the lot of his fellow beings, and particularly those movements which were associated with the development of young people.

I recall the message he sent to me when I was first elected to Congress. I recall my greeting to him when he was elected to the Senate. Through the years there has been a friendship which held a deep personal meaning for me. It was built upon my respect for a man whom any young man would have been pleased to call friend, uncle, or father. He was that to all of us, because of the personal interest he took in the advancement and development of other people.

Mr. KNOWLAND. Mr. President, on July 2, at the time of the announcement of the death of the late distinguished senior Senator from Nebraska [Mr. BUTLER] I made some remarks regarding the life and services of my good friend and distinguished colleague. I ask unanimous consent that the remarks I then made may be incorporated in the RECORD at this point.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

Mr. KNOWLAND. Mr. President, last night the Senate adjourned upon receipt of the news of the death of our late colleague, Senator HUGH BUTLER, of Nebraska.

I am sure that every Member of the Senate feels a deep sense of personal loss. I have now served in this body for only approximately 9 years, but during that period of time, and also prior to my coming to the Senate, I have had the opportunity of knowing Senator HUGH BUTLER. Not only was he an outstanding citizen of his State and of the Nation but he was a man who had a deep consciousness of his civic responsibilities, and in his home community he participated in many civic affairs which make for a better America.

HUGH BUTLER was first elected to the Senate of the United States in 1940, after serving his party as a county chairman and as a national committeeman. Following his election to the Senate in 1940, he was reelected by overwhelming majorities in 1946 and in 1952.

Senator BUTLER was the ranking Republican member of the Senate Finance Committee. He was the chairman of the Committee on Interior and Insular Affairs. In the Republican conference he served as chairman of the committee on committees. He was very helpful to every new Member who came to the Senate. I believe that when Senator HUGH BUTLER's legislative record is studied it will be found that, while he did not make many formal speeches on the floor of this body, he was in every sense an effective legislator. He was diligent in attendance on the committees of which he was a member; and he recognized the importance, under our legislative system, of committee work. He served as an able and conscientious Member of this body almost to the hour of his death.

Mr. President, when one of our Members passes on it is most difficult to realize that he is gone; but I know that so long as any of us shall live, we shall have pleasant recollections of our association with a great citizen and a great United States Senator—HUGH BUTLER, of Nebraska.

Mr. President, at this time I should like to make a brief announcement. I have been in touch with the colleague of the late Senator BUTLER and also with members of his staff, who were in touch with his family. Definite plans for the funeral arrangements will be announced a little later; but in order that Senators may be advised of at least the tentative arrangements, let me say that I understand there will be local services here in Washington tomorrow morning; that Senator BUTLER's body will then be sent home by train; and that funeral services in Nebraska are likely to be held on Monday next.

The Senators in the funeral party may go either by train or by plane. I understand that a plane will go to Nebraska, so that it will be possible for Senators to leave here on Monday morning and return on Monday night.

I do not wish this announcement to be taken as the announcement of the final arrangements; but inasmuch as a number of Senators have made inquiries, I thought that at least this tentative announcement might be made.

I also wish to say that after consultation with both the colleague of the late Senator and members of his staff, I have stated that at a time convenient to them and to the family, we shall set aside a day, with advance notice, for memorial services for the late Senator from Nebraska; and at that time appropriate addresses can be made.

Mr. CLEMENTS. Mr. President, I desire to join with my colleagues in expressing the profound loss which was suffered by myself, the people of Nebraska, and the Nation, in the passing of my friend, Senator HUGH BUTLER.

Many knew him longer and more intimately than I, but none had greater regard for his courage, his honesty, and his devotion to the principles which he conscientiously upheld. Senator BUTLER and I served together on the Senate Committee on Interior and Insular Affairs when he was the ranking member of his party on that committee and later when he was chairman. On many issues, we found ourselves in disagreement, yet he never allowed this diversity of opinion to become personal, and I always knew that his decisions were based on his honest and sincere interpretation of the best interests of the people he represented.

HUGH BUTLER was a successful businessman, an active participant in the civic and religious life of his State, and his ability was recognized by the people of Nebraska, who sent him to the Nation's Capital to serve them—and serve them well he did.

Many will follow in his footsteps, but few will be so venerated and beloved as will HUGH BUTLER.

PATRICK A. McCARRAN, OF NEVADA

Mr. MALONE. Mr. President, in the passing of PATRICK A. McCARRAN the Nation has lost a great American and the State of Nevada one of its finest citizens.

Senator McCARRAN was elected to the United States Senate in November of 1932.

He served his country in the United States Senate for 22 years. The people of our State reelected him to that high office three times. He was 56 years of age when he was first elected, and was 77 years of age when he died.

A GREAT AMERICAN

A product of the University of Nevada, he was grounded in the fundamentals of good citizenship, and had the character born of the struggle to succeed in his chosen profession of the law, after working his way through school.

He was a great American with the courage of his convictions, and with the background and experience to judge and to evaluate facts and evidence.

A RECORD OF PUBLIC SERVICE

Senator McCARRAN was born on August 8, 1876, served in our State legislature during 1903, was admitted to the Nevada bar in 1905, served as the chief justice of the Nevada Supreme Court through 1917 and 1918, and was president of the Nevada Bar Association in 1920 and 1921.

During his long service in the United States Senate he served as a member of the Senate Appropriations Committee and as chairman of the Judiciary Committee.

PATRICK A. McCARRAN was sworn into the United States Senate on March 3, 1933, and served continuously in this distinguished body until his death on September 28, 1954.

BISHOP DWYER'S GREAT SERMON

Mr. President, Bishop Robert J. Dwyer, of the Reno diocese of the Catholic Church, delivered a touching eulogy on the occasion of the funeral of Senator McCARRAN. I read the closing paragraph of his most appropriate sermon:

> There are those for whom the memory of his sweetness is transfigured by their love. To you of his family and his household, who knew him best and therefore loved him best, our sympathy in this hour of bitter pain. May yours be the comfort of all good Christians who trust in the everlasting mercy and through their tears look meekly up to Christ, the God of all consolation. PATRICK McCARRAN will be long remembered by us, but never forgotten by his mother the church. Until time shall be no more she will number him among those countless souls for whom she prays unceasingly: "Eternal rest grant unto them, O Lord, and let the light perpetual shine on them. May his soul and the souls of all the faithful departed rest in peace. Amen."

Mr. President, I ask unanimous consent to have included in the RECORD at this point, as a part of my remarks, the

sermon of Bishop Robert J. Dwyer from which I have just quoted a paragraph.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

SERMON OF BISHOP ROBERT J. DWYER, RENO DIOCESE

"And let Nehemias be a long time remembered, who raised up for us our walls that were cast down, and set up the gates and the bars, who rebuilt our houses." (Ecclesiasticus xlix: 15.)

In the solemnity of this hour, here before the altar of God, we have offered the eternal sacrifice of the Mass for a Christian soul. It is here that the whole divine democracy of the church is manifest. She performs this same identical office for all her children as they pass from time to eternity, from this world to the unending hereafter. For poor and rich alike, for the famous and the obscure, her prayer is the same, her essential offering is the same. For in death, which has been described as the great leveler, we are all one in our need.

Our need is salvation. Children of Adam as we are, heirs of his primal fault, we cannot find that salvation in ourselves or in the imperfect work of our hands. At life's end we are as helpless and as utterly impoverished as we were at our entrance into it. Nay more, as we face the judgment seat of Divine Justice Himself, we are acutely conscious of the crushing truth of that phrase of the liturgy: "In thy sight, O Lord, shall no man be justified, unless through Thee he find forgiveness for his sins."

Our hope of salvation is in Christ Jesus our Lord. He it is, the second Adam, who by his incarnation and his death on the cross has made it possible for us to fulfill the original purpose of our creation. For we were not fashioned by the hand of God to live our brief span and then to die; we were created that we might live forever with God. We were not placed here on earth to suffer fortune's outrageous slings and arrows as an end in itself, as though God were some omnipotent sadist rejoicing in our misery. We are here, instead, in order to avail ourselves of that salvation our divine Lord purchased for us at so great a cost.

Salvation is the joint work of God and the individual soul. Because He has made us free, God will not force his grace upon us. He shows us the way, He provides us with the map of life, He offers us his supernatural help, and then He leaves the decision up to us. The ordinary way of salvation for the Christian is the church our Lord established here on earth, with his divine guaranty that the gates of hell should not prevail against her. The map of life is his revelation taught us by that church, the things we are to believe in in order to know the truth, the things we are to do in order to live the truth. And his supernatural help is our sharing of his own divine life communicated to us by sanctifying grace.

The business of living the Christian life here below is what is required of us. "These things, O man, have I required of thee, that thou do justice and judgment, and that thou walk solicitously with thy God." But the problem of the Christian life is the temptations with which it is beset. They come from the world around us, which would have us forget God and think only of this life and its passing triumphs and pleasures; from our own wounded human nature, which would substitute passion and self-indulgence for God's law, and from those powers of evil which are forever warring to destroy the image of God in man.

So it is that the life of any individual Christian is of necessity a constant warfare. We are called by God to be saints; we are called by the world, the flesh, and the Devil to be the very opposite, to throw away our hope of salvation for the tinsel satisfaction of the moment, for love of gain or love of power or love of that which is forbidden by the eternal wisdom. Left to ourselves we should surely fail. But we are not left alone. Christ our Lord fights our battle with us and for us. His word of encouragement to the Apostle Paul is our glorious assurance: "My grace is enough for thee; my strength finds its full scope in thy weakness."

The Christian, moreover, as a member of that mystical body of Christ which is the church, shares, by means of divine grace, the communion of saints. As a soldier of the church militant here on earth he fights shoulder to shoulder with the Blessed Mother of God and with all those who have won the final victory. Even death itself brings no interruption to that communion, but rather its fulfillment. If the end of life's journey finds the soul not yet prepared for the fullness of the blessed vision of God, which is the essential joy of heaven, that communion is its solace and strength through its season of ultimate purgation. It is not in vain, then, that we pray for the dead, that we offer for the souls of the faithful departed the sacrifice of the Mass. It is, rather, as communicating to one another the ineffable mystery of God's loving kindness and infinite mercy.

This is our office here today. The finger of God has reached out and touched one of ours, a fellow Christian, a member of the church militant, a sharer of the communion of saints. In our sorrow we mourn not as those who have no hope, but immediately we set about doing for him, quite individually, what the church teaches us to do for all the faithful departed. We have brought Christ down upon our altar to renew His sacrifice of the cross in expiation of his sins, for the speedy remission of whatever punishment may remain for him, so that at God's own appointed hour he may enter into the bliss of Heaven, there to reign with Christ forever.

And this, my dear people, is all that really matters. It is of little moment now to the soul of PATRICK MCCARRAN that we should praise him or blame his life's achievement. The words of Francis Thompson on the dead cardinal of Westminster come to mind:

"I will not perturbate thy paradisal state with praise of thy dead days.

"To the new-heavened say, 'Spirit, thou were fine clay': This do thy praise who knew."

From the further shore now his hands are stretched to us his brethren in Christ, beseeching, not praise, but prayers. "Be mindful of me, at least you my friends, for the hand of the Lord hath touched me."

Yet it is worth noting, not for his sake but for ours, that our Commonwealth and Nation are the poorer for his passing. Through long years of public service he labored hard and zealously for the things he valued, and it is significant that time is demonstrating ever more emphatically how right he was on most of the issues of his political career. No man is omniscient, no man of himself infallible. But some men are given the opportunity of using their gifts wisely and well. He was of that number, and our country, at this grim crisis of her experience can ill afford to spare his counsel.

He was not unlike that Nehemias of ancient Israel, who sought to rebuild the shattered kingdom. In an era of economic chaos, followed by devastating war, and marked by emergence of strange threats and heresies which would destroy our Christian civilization, he sought to lift up the walls of the citadel and to put the city in state of defense. He was one of the first of our statesmen to sense the peril and to sound the tocsin. For this, surely, he will be long remembered, remembered as a great American.

Inevitably, I suppose, we recall Griffith's famous description of Wolsey:

"He was a scholar, and a ripe and good one; exceeding wise, fair-spoken, and persuading; lofty and sour to them that lov'd him not, but to those men that sought him sweet as summer."

There are those for whom the memory of his sweetness is transfigured by their love. To you of his family and his household, who knew him best, and therefore loved him best, our sympathy in this hour of bitter pain. May yours be the comfort of all good Christians who trust in the everlasting mercy, and through their tears look meekly up to Christ, the God of all consolation. PATRICK MCCARRAN will be long remembered by us, but never forgotten by his mother the church. Until time shall be no more we will number him among those countless souls for whom she prays unceasingly: Eternal rest grant unto them, O Lord, and let the light perpetual shine on them. May his soul and the souls of all the faithful departed rest in peace. Amen.

Mr. MALONE. Mr. President, I have before me messages from some great Americans who recognized Senator MCCARRAN for what he was. One is a telegram from Bernard Baruch, dated September 29, 1954, to Mrs. Pat McCarran, Reno, Nev., which reads as follows:

Please accept for yourself and family my deep sympathy in your great loss. The Senator was a fearless determined believer in and protector of our Constitution and the institutions established under it. We shall all miss him.

BERNARD BARUCH.

The next telegram is from Lloyd Wright, president of the American Bar Association, addressed to Mrs. Pat McCarran, which reads as follows:

I learned with shock and grief of the death of Senator MCCARRAN. He was one of the Nation's foremost citizens, and his constructive work in Congress has given him a lasting place as legislator and patriot. The American Bar Association has valued highly his friendship, cooperation, and advice, and will miss him sorely. The board of governors joins with me in mourning the passing of a friend and counselor. The American lawyer and the Nation have lost a great friend.

With sincerest sympathy,

LLOYD WRIGHT,
President, American Bar Association.

The next telegram is addressed to Mrs. McCarran, dated September 29, 1954, reading as follows:

In Senator MCCARRAN'S death we mourn the loss of a great legislator and a great jurist. His work as an associate justice of this court from 1913 through 1916, and as chief justice in 1917 and 1918 was marked by learned and scholarly opinions. His interest in the high standards of the bench and bar continued through his later career. We personally grieve for the loss of a good and loyal friend and extend to you and to your son and daughters our deep sympathy.

EDGAR EATHER,
Chief Justice,
CHARLES M. MERRILL,
Associate Justice,
MILTON B. BADT,
Associate Justice, Supreme Court of Nevada.

The next telegram is dated September 29, 1954, addressed to Mrs. Pat McCarran, from John Edgar Hoover. It reads as follows:

The news of the Senator's passing is a shock to all of us who have had the privilege

of his friendship. The Nation has lost one of its great leaders. I do want the family and you to know of my heartfelt sympathy and sorrow at the Senator's passing. His work will remain a living inspiration to those dedicated to preserving the American way of life.

Sincerely,

JOHN EDGAR HOOVER.

Mr. President, Senator MCCARRAN is survived by his wife, Harriet McCarran. She is loved and respected by all who know her.

In closing, Mr. President, I wish to repeat that Senator MCCARRAN was a man noted for his deep convictions and the courage to fight for them. He was a fighter, Mr. President. He had close friends and bitter enemies, who, regardless of their position, respected his integrity and his great devotion to his country.

Mr. KNOWLAND. Mr. President, it was with a great deal of sadness that all Members of the Senate learned of the passing of Senator PAT MCCARRAN. As has been previously pointed out, after a long and distinguished career in his native State, he came to the Senate of the United States in 1933 and served for a period of more than 21 years as a Member of this body. That is the same as the span of time from the birth of an American until he reaches his voting majority in most of the States of the Union.

PAT MCCARRAN was a strong man, and, as in the case of most strong men, he was a controversial figure in some quarters, but he commanded the respect of the men with whom he served in the Senate, as much on this side of the aisle as on the side on which he sat.

PAT MCCARRAN was a believer in our constitutional system. He was a believer in the two-party system of government, and yet, though a strong and fair partisan, he, nevertheless, on numerous occasions placed his country above his party, as I think the Nation expects any man to do when the issues are substantial.

PAT MCCARRAN's name is probably on as much legislation as is the name of any other person who has sat in the Senate of the United States.

When I first came to the Senate from the State of California, some 9 years ago, I had known of Senator MCCARRAN. To me, at least, he was one of the leading figures in the United States Senate. I early paid a call upon him as a matter of respect, as I did to most of the other Senators, if not all of them, who were serving in the Senate at that time. Senator MCCARRAN received me with unfailing courtesy and gave me a lot of what I then felt and now feel was good advice with respect to the Senate as an institution and on the responsibilities of a Senator. He spoke also in a friendly way about some of my new colleagues in the Senate, and told me what their backgrounds were. I have always considered that to have been valuable, helpful information.

After I had gained some seniority in the Senate, where seniority means a great deal, though, in contrast with that of Senator MCCARRAN, mine was very little, I was privileged to become a member of the Committee on Appropriations. That was the only committee service I had with PAT MCCARRAN, for he served also on the Committee on the Judiciary, and on several occasions was chairman of that powerful and important committee of the Senate. But on the Committee on Appropriations I had the opportunity to observe his work. I was privileged to sit across the table from him and to serve on several subcommittees with him. I found him to be well versed in the Government of the United States and in the problems of the Government. Likewise, I found him to be helpful in working out many of the great problems which come before that important committee of the Senate.

No person could have attended the services held in Reno for Senator MCCARRAN and have seen the great outpouring of the people of his native State—and, if I am not mistaken, he is the only native son of Nevada to have been United States Senator from that State—without realizing that those people, from all walks of life, were saddened as though by the death of a close relative. Not only did I observe them at the services which were held, but I also observed them along the streets as we passed by. They recognized, as I think the country recognized, that a giant had fallen, and they reacted as the circumstances indicated.

In the Senate of the United States, in our respect for men, we have never let the center aisle divide us. I hope the time will never come when we shall let the center aisle divide us from recognizing that although we may differ among ourselves and may vote on opposite sides of many great issues before the Senate, we hold in respect the views and opinions of all our colleagues. Although actually the public may not realize it, there are many times when we cross the aisle, often on controversial subjects, as Senator MCCARRAN did, when he felt his country's future was at stake. The outstanding example, I suppose, was the bill which would have enlarged the membership of the Supreme Court of the United States. I was not a Member of the Senate at that time, but I closely followed the debate and the discussion. The measure had the sponsorship of the then President of the United States, who was a member of Senator MCCARRAN's party. It had the sponsorship of a President who had an overwhelming majority in the Senate and the House of Representatives. It was sponsored by a President who was, perhaps, at the height of his power. Yet, after due deliberation—and I have spoken about this with some of the Senator's colleagues who were Members of the Senate at the time—Senator MCCARRAN became convinced that it would be a great danger to American institutions to disturb the Supreme Court of the United States in the fashion the President proposed, because it might establish a precedent which would rise to plague the Republic long years after those who were then serving had gone.

For that reason, he assumed the responsibility—and it was a serious responsibility, under the circumstances—of opposing the proposed legislation. He took a leading part in seeing to it that the bill was not passed. Many other Senators stood with him, and I think that by both Republicans and Democrats, Americans all, there is now a recognition that a deep debt of gratitude is owed Senator MCCARRAN.

The distinguished minority leader, in his very able presentation regarding the passing of our late colleague and friend, pointed out, I think quite truthfully, that it will be a long time, if ever, before this Chamber again sees the like of PAT MCCARRAN. He was a bold and courageous man, who won the respect of the Members of this body, both on this side of the aisle and on the other.

To his wife and sisters, and to other members of his family, our deepest sympathy goes forth. So long as the Senate shall continue as a body the name of PAT MCCARRAN will be remembered here; and so long as some of us shall live, be it for a short or a long time, the pleasure we derived from association with PAT MCCARRAN and having him as a friend will abide with us.

Mr. SMITH of New Jersey. Mr. President, I rise to express my deep respect and great affection for the late Senator PATRICK MCCARRAN.

Every present Member of the Senate knew PAT MCCARRAN and respected his wonderful ability and loved him for his personal qualities. During my first 2 years in the Senate I had the honor to be a member of the Judiciary Committee, of which Senator MCCARRAN was chairman. Through that experience I learned of his unfailing courtesy and consideration for his colleagues and of his great and outstanding ability to keep his eye on his objective and to drive hard to attain it.

It is accurate to say that he was a leader of his party in Nevada and in the United States for almost half a century. He has left behind him a great record as a distinguished jurist, because of his service on the Nevada Supreme Court, as both an associate justice and as chief justice, and later as a distinguished judicial authority because of his chairmanship of our Judiciary Committee.

In the field of foreign affairs, although he was not on the Foreign Relations Committee, I always felt a close union with him because of our common approach to the difficult problems in the Far East.

Senator MCCARRAN was an outstandingly valuable member of the Democratic Party, and yet he was a man of independent mind and of independent action when he felt that there were at stake issues which he should support, even though they might not be immediately in line with the prevailing position in his own party.

In my memory he stands out as a great defender of the Constitution of the United States and as an heroic figure dedicated to protecting his beloved country from enemies without or subversions within. His love of and dedication to the Constitution of the United States led him vigorously to oppose the unfortunate

court-packing bill which threatened the very continuance of the division of powers under the United States Constitution.

I desire to pay this tribute of respect to and appreciation of a great American. Mrs. Smith joins me in expressing our deepest sympathies to his wife, to his son, and to his daughters.

Mr. MARTIN. Mr. President, PAT MCCARRAN'S outstanding quality was his sturdy Americanism.

His unswerving devotion to the principles in which he believed rose above partisan politics. Once convinced he was right, he fought for his convictions with resolute courage and uncompromising determination, regardless of the odds against him.

PAT MCCARRAN rose to greatness as a statesman, jurist, and legislator, in a way that is typically American. He had a humble start in life as the son of poor immigrants from Ireland. It was no easy task for him to acquire an education, but his early struggles shaped his career and built the strength of character that was to serve his State and the Nation so ably in his long and brilliant career.

No one in the Senate battled more vigorously than he to make America strong, to drive out the poisonous influence of communism, and to defend our Republic against every other form of un-American doctrine.

I join in paying tribute to PAT MCCARRAN as a great American, a great statesman, and a great patriot, who was admired and loved by all who had the privilege of his friendship. To his loved ones I extend my deepest sympathy.

Mr. JOHNSON of Texas. Mr. President, PAT MCCARRAN was truly one of the strong men of our times.

He was a giant who plunged fearlessly into the controversies of our day—an elemental force who refused to drift with the currents and tides.

In a very real sense, PAT MCCARRAN has not passed from our midst. A man of such passionate convictions always leaves behind him monuments that endure.

His life was rich and full—a life of achievement. There was no one so capable of setting a clear goal and reaching that goal by the shortest and most direct route.

There were many people for PAT MCCARRAN and against him. But nobody was indifferent. He loomed too large on the national scene to be ignored. His influence on history was too great to be dismissed with a footnote or a column of figures in the appendix.

He coupled one of the keenest minds of our day with strong convictions and indomitable courage. The combination added up to one of the most effective forces I have seen during my years in Washington.

To PAT MCCARRAN, a principle was something to be grasped firmly and translated into action. He was unyielding in his defense of what he believed to be right; unrelenting in his attack against what he believed to be wrong.

And at all times, he kept the interests of his people in the forefront of his mind.

PAT MCCARRAN has passed into the history of our country and the legend and lore of the Senate. We shall not soon see his like again.

But of this I am confident. When PAT MCCARRAN went to his eternal reward, I know he went fearless and unafraid. He walked with the clear conscience of a man who met life with an undaunted spirit and who never hesitated to meet an issue.

He was devout and courageous. Those are qualities which he possessed in full measure.

In his passing, he left behind a heritage of strength and love of country which will comfort his grieving family beyond any material possessions. He was a man—a giant of a man—and such men are not soon forgotten.

Mr. MCCARTHY. Mr. President, the heart of our Nation is heavy today. Its head is bowed. A grateful people are saddened by the death of their faithful servant, PAT MCCARRAN. When I heard of the death of PAT MCCARRAN, I thought of a prayer which I once heard, which ran as follows:

> O God, when I die, don't let me die by inches. Let me go down as a giant oak felled by a woodsman's ax, and let there be a void against the sky.

In the words of Edwin Markham:

> And when he fell in whirlwind, he went down
> As when a kingly cedar—green with boughs
> Goes down with a great shout upon the hills
> And leaves a lonesome space against the sky.

I think that prayer was truly answered in the case of PAT MCCARRAN. In him were personified the noblest attributes of the Republic—reverence of God and love of liberty.

Humble in victory, without rancor in defeat he traveled far along life's road to great achievement. Service to others is the toll we pay as we travel life's highway. For every mile along his way, he paid in devoted service to his fellowman.

He was clear of thought and blunt in speech but sincere conviction rang in every word. As Lincoln said of Henry Clay:

> His eloquence did not consist, as many fine specimens of eloquence do, of types and figures, elegant arrangement of words and sentences, but rather of that deeply earnest and impassioned tone and manner which can proceed only from great sincerity and thorough conviction in the speaker of the justice of his cause. He never spoke merely to be heard.

Greed for power never goaded him. There was no scheming and no conniving in his makeup. PAT MCCARRAN would not compromise with wrong nor waver on a principle. He did not run with demagogs.

A great man of God in a Senate prayer said—as we well remember—"O Lord, give us men with a mandate higher than the ballot box." That prayer was answered in PAT MCCARRAN. He seemed touched with a quality which came from beyond the greed, the pettiness, the passing passions of the hour.

Like Thomas Jefferson he waged an unrelenting war on all forms of tyranny over the minds of men. He championed unpopular causes and espoused unorthodox views regardless of political consequences. He insisted on the same right for others. In exercising the right of every American to challenge the validity of all doctrines and of all beliefs, he was nevertheless aware of a profound political paradox—that some things are beyond challenge. One does not challenge the value of freedom; one does not question that mankind has inherent God-given rights; one does not doubt the value of the American Constitution to secure those rights; one does not doubt that those rights are divinely bestowed. All this is a matter of political and religious faith, without which no political leader, whatever his talents, can be called great in the American tradition. The American system, as he so well knew, is truly builded upon a spiritual foundation. Inspired by PAT MCCARRAN'S devotion to individual liberty, new leaders will arise to carry the torch of true liberalism toward the final goal.

PAT MCCARRAN'S whole life was one of deep convictions, of confidence in the ultimate victory of right and righteousness. When convinced of the rightness of a cause, he stood firm even though he stood alone.

I think perhaps the greatest tribute to PAT MCCARRAN was paid by the worst newspaper in the country, the Daily Worker. Upon Pat's death, before he was even buried, that newspaper launched one of the most scurrilous attacks upon him I have ever seen. I will not dignify it by reading any part of it into the RECORD. It is from the Daily Worker, of New York, issue of October 4. The article shows that the Daily Worker realized how badly the Communist conspiracy was injured by this great American.

PAT MCCARRAN was a man of great faith. He had faith in himself born of a great intellect, untiring industry, and manifold experiences. He had faith in his fellow man. That faith in others led them to put their trust in him.

He had a great faith in our kind of government. His life was dedicated to its preservation and its betterment. His compass was the Constitution of his country; his ultimate goal—a better life for his fellow man. To paraphrase Emerson—Governments have their development in the moral identity and character of men.

One of the imperishable yearnings of the soul of man is to live beyond the day of death. During life, PAT MCCARRAN created to himself an everlasting memorial. His services to his Government, and, through Government, to his fellow man, will go on and on. Many hereafter, because of his enobling example, will gain inspiration to serve in the cause to which he gave his full devotion. That will be our lasting memorial in his honor.

A grateful Nation bestows its sympathy to his loved ones in this hour of their bereavement.

No more fitting words can be found than those penned by the immortal Tennyson:

On God and Godlike men we build our trust.
He is gone who seemed so great.
Gone, but nothing can bereave him of the force he made his own
Being here, and we believe him
Something far advanced in State,
And that he wears a truer crown
Than any wreath that man can weave him.
Speak no more of his renown,
Lay your earthy fancies down,
And in the vast Cathedral leave him,
God accept him, Christ receive him!

Mr. SALTONSTALL. Mr. President, PAT MCCARRAN and I served together on a subcommittee of the Committee on Appropriations. For 4 years he was the chairman of the subcommittee, and I was the senior minority member. We came to know each other well during that period of time. I found him always to be courteous and patient with his colleagues. He always informed himself before attending committee meetings, so that he could ask pertinent questions and obtain responsive answers. I respected his ability, and knew him to be a man who was firm in his convictions. In fact, he might be called stubborn, if one wished to use that word. He believed sincerely in the causes which he espoused and for which he worked.

In committees of conference he was firm in supporting what he stood for. When he finally agreed to a compromise it was because he felt it was the best he could get under the circumstances.

He possessed a good sense of humor, and I never knew of his losing his temper, certainly not in any action of his while serving on a committee.

In connection with the tributes that have been spoken in memory of PAT MCCARRAN, let me add that he had great administrative ability, and picked good men to work for him. Those men gathered the facts for him to use. They helped him to make use of those facts. Yet, as one who sat on this side of the aisle, as opposed to Senator MCCARRAN'S side, I always found those men to be objective, and I always felt that I could rely upon them to give me the facts accurately and without bias, particularly if I was on the other side of a question.

I believe he was the only Senator with whom I have ever served on a committee who wrote me after the work was done to thank me for my efforts in committee and on the floor of the Senate.

I shall miss PAT MCCARRAN, and I shall miss his advice and his help, his work and his questioning, as a member of the Committee on Appropriations, and as a colleague on the floor.

My sympathy goes to his wife, whom I have met on several occasions, and between whom and PAT MCCARRAN there was such a strong family feeling.

Mr. BROWN. Mr. President, I should like to associate myself with the very fine tribute which my colleague [Mr. MALONE] has paid to the late Senator from Nevada, PAT MCCARRAN. It would be presumptuous on my part to relate his record in the Senate because the Members of this body who loved him and respected him and lived with him know what he stood for, but as his friend of over 30 years' standing I learned to love him as a citizen and as a man.

Mr. President, Senator PAT MCCARRAN has set a standard in the West—a standard of what it means to be an American. It will be remembered that PATRICK A. MCCARRAN came to the United States Senate in 1933. There were dark days in our Nation at that time—a time when constitutional government as we had known it in the past was being subjected to a great test. Popular clamor and temptation to do things under the guise of emergency seemed to indicate from time to time that the fundamental principles of our Constitution might be abandoned or deserted. In spite of partisan pressure, in spite of the clamor of current public opinion, PATRICK A. MCCARRAN had the courage and the faith in our form of government always to set his sights upon the ultimate objective and to do his utmost to preserve the American way of life and government. The greatest tribute which we in Nevada feel could be paid to our late departed friend is to emphasize that during the storm in our Nation he stood out as a beacon marking his faith not only in his fellow men, but in the kind of government which had permitted him to rise from the status of a humble citizen of a small Western State to one of the most distinguished Members of this august body.

Mr. President, it is from the bottom of my heart that I pay tribute to the late Senator because, in my judgment, he has set a standard. If it is lived up to, there will never be any question with respect to the survival of our Nation in spite of all its enemies from within and without.

Mr. President, I should like to ask unanimous consent to have placed in the Appendix of the daily RECORD a number of telegrams and editorials, some of them from great men in our Government, including the President of the United States, in tribute to the late PATRICK A. MCCARRAN.

Mr. MARTIN. Mr. President, if the distinguished Senator from Nevada will yield, I should like to suggest to him that those telegrams and letters be made a part of his remarks and be printed in the body of the RECORD because they are very important. The Senator has paid a wonderful tribute to a great American.

Mr. BROWN. Mr. President, may I amend my request to that effect?

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the letters and telegrams were ordered to be printed in the RECORD, as follows:

SEPTEMBER 29, 1954.

MRS. HARRIET MCCARRAN,
Reno, Nev.:

Mrs. Eisenhower joins me in extending deepest sympathy to you and your son and daughters in your bereavement. Senator MCCARRAN contributed the most fruitful years of his life to his State and Nation, a fact we devoutly trust will help you bear your burden of grief.

DWIGHT D. EISENHOWER.

[From the Nevada State News of September 30, 1954]

OUR FRIEND

With the passing of Senator PAT MCCARRAN America lost one of its most loyal citizens. Nevada lost a loyal and faithful son who served mankind and our democratic way of life because he loved the heritage which so many today take for granted, or, worse still, ignore altogether as they speculate on the outcome of a new order.

Nevada is a State with many heavy hearts as the full realization descends upon us that the anchor which kept many an American from drifting has slipped way. Those who have forgotten the traditions that made us a great people will welcome the passing of such a great patriot. They are to be forgiven.

In true tradition of the old West and the way the Senator lived he died selling America to Americans and his every waking effort was spent building confidence in the future for those who lived in doubt. There never was any doubt in the Senator's mind, his heart or his word. He loved his country, his State, his family, his friends, and he was proud of it. We who knew him take the Senator's passing as a personal loss. But those who knew him least suffer the greatest loss. We had the pleasure of knowing and understanding this great man. They did not. His loyal hand is no longer here to guide us.

[From the Southern Messenger of October 7, 1954]

TRIBUTE TO A GREAT MAN

(By Edith Myers, Houston)

The Senate has just lost its greatest statesman. Those Senators who are just, honorable, and without envy will recognize the truth of this statement and will not resent it.

This generation is blest with few great men. A materialistic age does not build those qualities that are necessary. But Senator PAT MCCARRAN was one of the truly great.

The State of Nevada sent him to the Senate of the United States for four consecutive terms. The loss to that State and to the Senate, and to America, is incalculable.

Senator MCCARRAN, at 78, had a sharpness of mind and an ability to sift things down to the fundamental issues that were unsurpassed by any of his colleagues; unequaled by most of them.

He was a Democrat; but first he was an American.

FOE OF REDS

He had won for himself the bitter enmity of the Communist Party and all its dupes and satellites for his devotion to the cause of eradicating atheistic communism. He was the father of a great part of our internal security legislation, as well as the cowriter of our most protective and efficient, while at the same time our most liberal and charitable, immigration law.

He did not permit partisan considerations to stand in the way of justice and the welfare of his country.

On July 6, he said in the Senate:

"I am persuaded that the fight against communism—if this Nation and the rest of the free world are to survive—must be above partisan considerations. * * * We have no time for petty partisan politics in this fight. I gladly pay tribute to my colleagues on both sides of the aisle whom I have seen heroically, unselfishly waging this fight against tremendous odds."

AGAINST GREAT ODDS

Senator MCCARRAN waged his own fight against tremendous odds. Like our crucified Lord, of whom he was a devout follower, he was attacked and villified for his efforts, even by some of his own faith. The efforts that have been made to defeat him, pay tribute to his zeal and effectiveness.

Early in the century, Senator MCCARRAN was successful in having legislation passed in Nevada to reduce the 12-hour working day for miners to an 8-hour day. He showed sympathy and interest toward the workers and toward the cause of labor, without seeking control of the worker for political ends.

His attitude toward his mission in the Senate is summed up in his statement, "I would rather serve one term in the Senate of the United States, have that honor and go back to private life * * * than to be here all the remainder of my days and say that I did not exercise my own judgment."

He said further: "I took an oath to uphold and defend the Constitution of the United States. * * * I did not take an oath to uphold or defend any man or group of men."

SPIRIT OF JUSTICE

And of the law, of which he had an extraordinary understanding, he said: "The law is the spirit of justice governing the people."

Senator McCARRAN understood the importance of preserving the honor and integrity of the Senate, of the Congress of the United States. He was contemptuous of those who were willing to injure the prestige of the Congress or to seek to discredit other Senators to attain their own personal or political ends.

He tried to make his colleagues understand the gravity of the campaign to undermine the authority of the Congress and the effectiveness of its investigating committees.

UNCOMPROMISING

He did not brook compromise with evil. He did not spare criticism where it was due; nor did he withhold praise where it was deserved.

Some one said, when told of his death, "Whom will God send us to take his place?" To many others, besides his own family, he is irreplaceable. But God, in his wisdom, thought that he had done enough. Certainly he had fought the good fight, and he had kept the faith.

May God's holy angels guard his rest; may his soul go quickly to its eternal reward.

[From the Nevada State Journal, Reno, Nev., of November 2, 1954]

SENATOR EULOGIZES A GREAT AMERICAN

EDITOR'S NOTE.—The Journal has received several requests for a copy of the eulogy delivered by Senator STYLES BRIDGES, Republican, of New Hampshire, at the memorial service here Saturday for Senator PATRICK A. McCARRAN. BRIDGES, President pro tempore of the Senate, was introduced by Senator GEORGE W. MALONE, of Nevada. His address follows:

"Last Tuesday, the 28th day of September, was a tragic day for this Nation. It was a day that marked the passing of a very great American—one of our greatest.

"It was the day on which United States Senator PAT McCARRAN put away the gloves he had used for so many years to fight for the America he loved so much. It was a sad day for a long trail of friends and admirers he left across the country and a day of relief for the enemies who opposed his fight for America.

"Any person with a personality can acquire friends, but only great men with the characteristics of PAT McCARRAN acquire enemies. I admired him for a great many things, not the least of which was the cluster of enemies he had.

"He was a kind and gentle person, but he was also a man of forceful convictions and great principles which made him so great.

"It was a privilege and an honor for me to travel almost 3,000 miles to pay homage to a man who had accomplished so many great things for his State and the Nation he loved.

"The State of Nevada and the people in every city, town, and hamlet in America have lost a devoted son. He had been a close friend of mine for many years, and I feel my personal loss deeply. I worked with him closely on legislation. He was a valued member of the Appropriations Committee, of which I served as chairman. He was too valuable a friend and public servant to lose.

"Senator McCARRAN not only knew his Government, but he had a great faith in our kind of government. His life was dedicated to its preservation and its betterment. His beacon was the Constitution of his country; his objective, a better life for his fellow man. To paraphrase Emerson, governments have their development in moral integrity and character of men.

"In his death there has been taken from the arena of public service a vigorous and vital mind, a stalwart character, a courageous soul. PAT McCARRAN was a stanch Democrat, but he was an even greater American patriot. When we left Washington on Friday afternoon, the American flag was flying at half staff atop the Capitol and atop all Federal buildings. It meant not only the passing of a United States Senator but also the loss of one of America's greatest leaders in our time. It meant, too, the loss of a patriot whose devotion to his country brought to mind the burning desire of our Founding Fathers for a land of the free. America will never forget PAT McCARRAN and all that he has done for her people. America will remember, too, that he was always foremost in the fight against communism. I could go on in detail and describe his many feats to make his country even greater and safer for you and me, for our children.

"There was something else about PAT McCARRAN that made him great. Those who knew him in Washington, in Nevada, and elsewhere knew Senator McCARRAN in his role as a husband completely devoted to his wife, as a proud and considerate father and grandfather, as a humble man deeply devoted to God and to his church, and as a man whose friendship all were proud to have, because with him friendship was something deep and personal.

"Perhaps, in a measure, I can express the philosophy of PAT McCARRAN in these words:

" 'Teach me, good Lord, to serve
Thee as Thou deservest;
To give and not to count the cost;
To fight and not to heed the wounds;
To toil and not to seek for rest;
To labor and not ask for any reward,
Save that of knowing that we will do
Thy will.' "

WINDER, GA., *September 29, 1954.*

Mrs. PAT McCARRAN,
Reno, Nev.:

The passing of your distinguished husband was a great loss to the Senate and to the Nation. I have lost one of my best friends. My deepest sympathy to you and yours in your great sorrow. The Senate will never be the same for me.

RICHARD B. RUSSELL.

UNITED STATES
CIVIL SERVICE COMMISSION,
Washington, D. C., October 1, 1954.

Mrs. PAT McCARRAN,
Washington, D. C.

DEAR Mrs. McCARRAN: Although you do not know me I am one of the many thousands of Americans who were saddened by the sudden death of your husband, Senator PAT McCARRAN.

It was my privilege to work for him many years ago when he was chairman of the Senate Judiciary Committee, and I shall never forget the inspiration and guidance which he has given me.

In these hours of sorrow I want you to know that you have many friends throughout our Nation who feel a deep sense of loss by reason of the death of Senator McCARRAN. I shall never forget him nor shall we forget those in his fine family who he has left behind.

I want you to know that if I can do anything to lessen your grief or to help you in the coming years I hope you will call upon me.

With every good wish, I am,
Sincerely,

GEORGE M. MOORE,
Commissioner.

SALT LAKE CITY, UTAH,
September 29, 1954.

Mrs. PAT McCARRAN,
Reno, Nev.:

I am terribly shocked and grieved to hear of the passing of Senator McCARRAN. He was my close personal friend. Not only Nevada and the West, but the entire Nation suffers a great loss in the passing of this sterling character and splendid statesman. Our deep and heartfelt sympathy goes out to you and the family in this sad hour. Our prayers are for him.

J. F. FITZPATRICK,
Publisher, the Salt Lake Tribune.

THE SECRETARY OF COMMERCE,
Washington, October 6, 1954.

Mrs. PATRICK A. McCARRAN,
Reno, Nev.

DEAR Mrs. McCARRAN: I want to take this first opportunity to tell you how sorry I am that your husband has passed on. He would, I am sure, have chosen to go as he did but this fact does not make it any easier for you.

Although we were of opposite political faiths, Senator McCARRAN was a rugged, fearless fighter for the things in which he believed and he made a real contribution to and left a marked imprint on that portion of this country's activities in which he participated.

He and I have often spoken of your and my bearing the same name and this, of course, has always made me feel a little closer to the McCARRAN family. I know this will be a sad time and send you my deepest and most understanding sympathy.

Most sincerely yours,

SINCLAIR WEEKS.

SEPTEMBER 30, 1954.

Mrs. PAT McCARRAN,
Reno, Nev.

DEAR Mrs. McCARRAN: Like the legion of other young men who owe a never-ending debt of gratitude to Senator PAT McCARRAN I feel a deep sense of loss at his passing. Allow me to extend to you in behalf of my own family and the other members of the Nevada State Society in Washington our deepest sympathies in your loss.

Sincerely,

WILLIAM F. McMENAMIN,
President, Nevada State Society.

THE UNITED STATES REPRESENTATIVE
TO THE UNITED NATIONS,
New York City, October 4, 1954.

Mrs. PAT McCARRAN,
Reno, Nev.

DEAR Mrs. McCARRAN: This sends to you the deepest sympathy of my wife and me.

I served with Senator McCARRAN for 13 years and came not only to have great personal liking for him but also great respect for his industry and determination and for the way in which he could take an effective part in a discussion of a wide multiplicity of subjects.

He was an intensely patriotic man who had the courage of his convictions. He did and said what he thought was right—"Let the chips fall where they may." He occupied an important place in the United States Senate, and he leaves a gap which will not be filled.

I hope that you and your family will derive comfort from the pride which I know you must feel in his life so full of service to his country.

With deepest sympathy,
Very sincerely yours,

H. C. LODGE, JR.

[From the Henderson Home News of September 30, 1954]

PAT A. MCCARRAN, 1876–1954

(By M. M. Zenoff)

PAT MCCARRAN, Nevada's great political leader for the past 51 years, is dead.

He died as he lived—while fighting for a cause he believed would help his native State—Nevada.

He died following a stirring political speech in Hawthorne Tuesday night.

Just a year ago in Reno the entire Nation paid tribute to this silver-haired, silver-tongued veteran of the national and international scene. Tribute for having given 50 years of continuous service in times of strife and need, in times of prosperity and greed.

It was a memorable night for the Senator as he sat with his wife out under the clear Nevada skies, listening to the messages being read to him while 10,000 of his friends sat in the grandstand behind him.

On that night, the Senator heard representatives of the State's 17 counties tell what this fighting Irishman had done for each county during the past 50 years. On that night, the Senator heard 4 hours of messages of praise read from Eisenhower, Baruch, Truman, MacArthur, Byrd, and so forth.

On that night, too, songs of old, famous songs like Take Me Out to the Ball Game and Stardust, were sung especially to the Senator and his wife by the very men who wrote the music.

Today, in tribute to a great man who has passed on, the McCarran feats of 51 years are again extolled by world leaders in every walk of life.

To Boulder people and Henderson people, MCCARRAN'S loss will be felt immeasurably.

He has fought hard and many years to keep the towns in business and out of trouble.

He has helped individuals, firms, city and county governments.

He has been outspoken on matters where others feared to tread.

In so doing, he has often been criticized, he has often gained enemies instead of friends, he has often had to tread on someone's toes when he could have avoided it by sugar-coated words.

But PAT MCCARRAN was not the type of man to tread lightly if he felt strongly.

He was a battle-worn fellow who grew up in the West the hard way—by fighting for his rights and the rights of his constituents.

He believed people should be loyal. He believed in forgiving those who admitted they had done wrong. His judicial mind always came forth with a yes or no answer after he finally arrived at a decision. Sometimes the decision would not fit right with the majority. Yet, he stuck by the decision.

In Congress, where he battled just as bravely, he refused to be compromised on issues where his country's honor was at stake. He ferreted out the behind-the-scenes thinking that would have weakened the Nation. He exposed the traitor.

His voice on the floors of Congress rang loud and true. His voice, now stilled, will be long remembered as he struck out at the enemies of America.

Many times down through the years, he has been singled out as one of the greatest Senators over a 20-year period of any that ever held office. The long list of accomplishments stands as proof of this.

But, to you and to me, the one thing we should never forget about PAT MCCARRAN—is that he always kept thinking and working for Nevada. If he had any phobias or fears, any tangents or zany points of concentration—it was on the one subject—Nevada. His 50 years of fighting won Nevada equal status with any of the other 48 States in respect, in power, in caliber.

As this State seeks leaders in the future, they will be measured against the accomplishments and the ability of PAT MCCARRAN. He has set up the scale—the yardstick—the pattern and tempo of our future * * * for generations to come.

What greater gift can a man leave to his people. Let us never forget PAT MCCARRAN.

[From the Las Vegas Review Journal of September 30, 1954]

IT SEEMS TO US

SENATOR M'CARRAN

The sudden death of Senator PATRICK ANTHONY MCCARRAN, of Nevada, deprives our country of a valuable public servant.

Senator MCCARRAN was a western gentleman of the old school, a man of outspoken sincerity and strong convictions.

He made many vociferous and bitter enemies and still more admirers and supporters, for his stalwart adherence to principles he believed with all his heart were the only safe guides to the welfare and peace of our country.

Whether as friend or opponent, he enjoyed the respect of his countrymen. Foreigners who questioned his viewpoints, nevertheless acknowledged them as representative of important segments of American opinion.

Had he foreseen the suddenness of his departure, he would no doubt have desired to choose as his valedictory the definition of his person we prefer:

"There goes PAT MCCARRAN, an honest man and a good American."—Los Angeles Examiner.

THE PASSING OF SENATOR MCCARRAN

Our neighbor State, the Senate, and the Nation have suffered a loss in the death of Senator PATRICK A. MCCARRAN, Democrat, of Nevada. The Senator never put party above patriotism, and consequently became one of the most useful and influential legislators in the Congress of the United States.

Elected in 1932, he was serving his fourth consecutive term, and, according to friends, intended to run again in 1956, when he would have been 80 years of age.

Senator MCCARRAN will be longest remembered for his unremitting struggle to eliminate the menace of communism from his native country. As one of the authors of the McCarran-Walter Act (vetoed by President Truman and enacted over his veto) he helped to provide strongest safeguards against the immigration of subversives. This act has been misrepresented greatly as discriminatory, but its critics must recognize that a bill which was in fact discriminatory could hardly have received the votes of two-thirds of the Members of both Senate and House.

What its foes really had in mind was removal of all immigration restrictions.

The Senator did not hesitate to take issue with both Presidents Roosevelt and Truman when he thought them wrong and he was a thorn in the side of the radical elements of the Democratic Party, whom he consistently opposed.—Los Angeles Times.

[From the Pioche Record of October 7, 1954]

FELLOW SENATORS PRAISE PAT MCCARRAN AT FINAL RITES SATURDAY

Four United States Senators told an overflow audience in the Civic Auditorium Saturday that PATRICK A. MCCARRAN would go down in history as one of the greatest patriots and statesmen of the 20th century.

The eulogies were part of a public memorial service which attracted an estimated 2,500 persons. There was standing room only in the auditorium and the audience overflowed into Rowning Park.

Senator MCCARRAN'S body was escorted from St. Thomas Aquinas Cathedral following the funeral mass Saturday morning and lay in state at the auditorium until the conclusion of the public tribute.

SENATOR MALONE PRESIDES

Senator GEORGE W. MALONE introduced the four Senators for brief addresses and they responded with glowing praise for the man who represented Nevada in the Senate for the last 22 years.

The speakers were Senators STYLES BRIDGES, New Hampshire, Republican; HERMAN WELKER, Idaho, Republican; JAMES EASTLAND, Democrat, from Mississippi; and EARLE CLEMENTS, Kentucky, Democrat.

Senator BRIDGES, President pro tempore of the Senate, termed Senator MCCARRAN "the greatest American I have ever known."

He said, "Only great men with the characteristics of PAT MCCARRAN could acquire enemies he had. I admire PAT MCCARRAN for many things, not the least of which was the enemies he made.

"He not only knew our Government well but he had great faith in our kind of government."

Senator WELKER mentioned that 11 Senators and 2 Congressmen comprised the official delegation from Washington, D. C., and he said many more would have liked to attend the services had they been able to do so.

Referring to the nonpartisan nature of the respect held for the deceased lawmaker, WELKER said, "Senators on both sides of the aisle are in mourning."

CONSTRUCTIVE LEGISLATION

The Idaho Senator said, "I know of no single man in American history who has offered more constructive legislation for the benefit of humanity and his country."

As examples of MCCARRAN-sponsored legislation, WELKER spoke of the Senate Internal Security Act and the Immigration and Naturalization Act.

"He was like a father to me," WELKER said. "He was always available for advice and I came to know him as a great jurist and a great statesman.

"Nevada has lost its foremost citizen and the Nation has lost its greatest patriot."

More high tribute was paid Senator MCCARRAN by Senator EASTLAND, of Mississippi, who said, "There is no man who can take his place. He wore the collar of no political party. I think when the history of the 20th century is written, historians will agree that PAT was one of the greatest statesmen of the century."

Senator EASTLAND said the Nevadan "put intelligence into the foreign policy of our country." In this connection, he said: "Today, largely because of the determination of Senator MCCARRAN, Spain is a loyal ally of the United States."

"MCCARRAN," said EARLE CLEMENTS, of Kentucky, "was a man of passionate conviction * * * he knew of no dictator to his conscience. He was one of the men who shaped the times in which he lived."

CLEMENTS mentioned that Senator MCCARRAN was noted for his peerless oratory. He said he lived in the whirlwind of controversy.

Senators BARRY GOLDWATER, Republican, of Arizona, and WILLIAM F. KNOWLAND, Republican, of California, Senate majority leader, were present on the stage, but did not speak.

The remainder of the congressional delegation was seated in the front of the auditorium next to the pallbearers and near Senator MCCARRAN'S family.

The invocation at the public service was given by Father Peter Moran, of Henderson. Bishop Robert J. Dwyer of the Catholic diocese of Reno, gave the benediction that closed the service.

A musical interlude was presented under the direction of Fred DeSalvo.

The vocal selections included a solo, Beautiful Isle of Somewhere, by Morton Downey, nationally known tenor and good friend of the late Senator.

There was a selection by a quartet which included Fred DeSalvo, Joseph Battaglia,

Hollis Manning, and James Santini, accompanied by Mary A. Atcheson.

[From the Las Vegas Review-Journal of September 30, 1954]

CITY SHOCKED BY DEATH OF SENATOR MCCARRAN

HENDERSON.—Democrats of Henderson as well as Republicans were shocked at the sudden death of Senator PAT MCCARRAN at Hawthorne Tuesday night.

William Choate and J. Norman Murdoch of the local Democrat club both expressed the feeling that Henderson had lost a friend in Congress, one that may never be replaced. Choate said that Henderson was particularly indebted to Senator MCCARRAN because it was mainly through his efforts that the city and the plant were not sold as scrap. No man has done more for the State of Nevada than Senator MCCARRAN. He brought in the Nellis Airbase and reactivated it, he saved the basic magnesium plants and the city of Henderson from destruction and did the same for Victory Village and Carver Park. His loss will be felt not only by Nevadans but by the Nation at large.

Hershel Trumbo, Henderson Chamber of Commerce president, stated that "We never approached Senator MCCARRAN for assistance or guidance that we did not get instant response. The entire city and plant owes its existence to the work done by MCCARRAN."

Lyal Burkholder, school superintendent, said: "He worked hard to aid us in getting Federal assistance for our school system here. His death is a great loss to us all."

Tom War, speaking for the Western Electrochemical Co., said that "We believe that Henderson and its industries would not be in existence today had it not been for the efforts of Senator MCCARRAN. His death is a great loss to all of us."

"In the death of Senator PAT MCCARRAN," Ed Snyder, president of Pioche Manganese Co., wired, "the Nation has lost a great statesman, the mining industry has lost one of its best warriors. Most of the older citizens of Nevada will long feel this loss of a true friend and those fighting for the preservation of a constitutional government will be hard pressed to fill the gap created by the passing of this great American."

Many of the men in the street felt that it would be years before Nevada would again be in the powerful position it has been in Congress and that Nevadans will find that its congressional influence has been badly damaged by his death.

A. T. Newell, works manager of the Stauffer Chemical Co., commented: "We feel that Senator MCCARRAN has done more for the State of Nevada than any one man within our memory. His death is a great loss to all of us."

"His death is a great shock to us all," F. A. McGonigle, general manager of the Manganese, Inc., plant, said. "It is a loss not only to Nevada and Henderson but to the Nation as well."

P. J. Maddex, general manager of the Titanium Metals Corp., commented: "Senator MCCARRAN contributed materially to the development of the industrial growth of southern Nevada, and assisted in bringing many of present companies into the area. We all feel shocked by his sudden death."

Mr. HENDRICKSON. Mr. President, I rise to join in the richly deserved tributes to three great Americans of our time: Senator MCCARRAN, Senator BUTLER, and Senator HUNT.

I first came to know the distinguished Senator from Nevada, PAT MCCARRAN, as we worked together on calendar days. He was then chairman of the Committee on the Judiciary, and was carrying an extremely heavy load of legislation. I was then but a freshman Senator, but from Senator MCCARRAN'S industry, wisdom, and vision I learned much. Also, I was inspired by his complete devotion to duty.

I learned from my association with him of his great legal talents and his complete integrity.

Later I was privileged to serve under his leadership, when I became a member of the Senate Committee on the Judiciary. I have never served under a greater leader in any capacity or in any field of endeavor, either in the military service or in the Government of the United States. Senator MCCARRAN inspired each and every one of us to carry our own share of the responsibilities of government.

Then later it became my privilege to serve under his leadership, and also later with him, on the Subcommittee on Internal Security. There I learned to know of his high sense of justice. Never would he permit an innocent person to be injured during inquiries which were conducted by that committee.

Reference has been made to the funeral service of the late PAT MCCARRAN in Nevada. It was a high privilege, though a sad one, which the junior Senator from New Jersey had to attend that funeral. I shall never see a greater tribute to a great American than the one I saw in the city of Reno on that sad and tragic day. All the people had heavy hearts, because they were recognizing and paying tribute to a man whom they dearly loved—their favorite son whose service to the Nation was outstanding.

I am certain that every Member of the Senate is a better American by reason of having had the privilege of associating with PAT MCCARRAN.

His church, of which he was a pillar and a bulwark, has lost a strong and vigorous voice in the physical things of the world, but his spirit will carry on for the cause of true Christianity, so long as there is a world or a universe.

His country has sustained a severe loss; but, again, the spirit of a great American will carry on for his country, and his life's work will be a monument and a beacon light to guide us all through the years ahead.

I join in these tributes with a heavy heart but with a sense of inspiration. I also extend to the lovely family of PAT MCCARRAN—his dear wife, his daughters, and his son—the deepest sympathy of the Hendricksons of New Jersey.

Mr. BRIDGES. Mr. President, I rise to pay tribute to a great American, our distinguished colleague, the late Senator from the State of Nevada, the Honorable PAT MCCARRAN.

First, may I say that on Monday, in looking over at the other side of the aisle it was difficult to realize that no longer would the Senate be honored with the presence of one of our old friends, one of the first I made in coming to the Senate. I am sure that many in this Chamber join with me in feeling this tragic loss.

It was my privilege for years to serve in the Senate with PAT MCCARRAN, and likewise it was my privilege to serve with him on the Committee on Appropriations.

It was also my privilege to have been a member of the delegation of United States Senators who made the trip to Reno, Nev., to pay the respects of the Senate at both church and State services. In connection with our visit to Nevada I may say that never before in my life have I witnessed the people of a State more deeply grieved or more reverent in their respect for a devoted son.

I was honored, as President pro tempore of the Senate, to be called upon to make a few remarks at the State services. I believe that my statement at that time will adequately express my own personal feeling toward the late Senator. I also believe it will reflect, too, the views of many of our colleagues who were unable personally to pay their tribute to PAT MCCARRAN during his funeral services.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks the brief address delivered by me at the State services for the late Senator MCCARRAN.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR STYLES BRIDGES, PRESIDENT PRO TEMPORE, UNITED STATES SENATE, DURING STATE TRIBUTE TO THE HONORABLE PAT MCCARRAN, LATE A SENATOR FROM THE STATE OF NEVADA

Last Tuesday, the 28th day of September, was a tragic day for this Nation. It was a day that marked the passing of a very great American—one of our greatest.

It was the day on which United States Senator PAT MCCARRAN put away the gloves he had used for so many years to fight for the America he loved so much. It was a sad day for a long trail of friends and admirers he left across the broad lands of our country and a day of relief for some of his enemies who opposed his fight for America.

Any person with a personality can acquire friends, but only great men with the characteristics of PAT MCCARRAN can acquire enemies. I admired him for a great many things, not the least of which was the cluster of enemies he had.

He was a kind and gentle person, but he was also a man of forceful conviction and fine principles which made him so great.

It was a privilege and an honor for me to travel these 3,000 miles to pay homage to a man who had accomplished so many great things for his State and his Nation.

The State of Nevada and the people in every city, town, and hamlet in America have lost a devoted and fine son. He had been a close friend of mine for many years, and I feel his loss deeply. I worked with him closely on legislation. He was a valued member of the Appropriations Committee, of which I have the honor to head as chairman. He was too valuable a friend and public servant to lose.

Senator MCCARRAN not only knew his Government but he had a great faith in our kind of government. His life was dedicated to its preservation and its betterment. His beacon was the Constitution of his country; his objective, a better life for his fellowman. To paraphrase Emerson, governments have their development in moral integrity and the character of men.

In his death there has been taken from the arena of public service a vigorous and a vital mind, a stalwart character, a courageous soul. PAT MCCARRAN was a stanch, strong Democrat, but he was an even greater American patriot. When we left Washington Friday afternoon the American flag was flying at half staff atop the Capitol and atop all Federal buildings. It meant not only the

passing of a United States Senator but also the loss of one of America's greatest leaders in our time. It meant, too, the loss of a patriot whose devotion to his country brought to mind the burning desire of our Founding Fathers for a land of the free. America will never forget PAT MCCARRAN and all that he has done for her people. America will remember, too, that he was always foremost in the fight against communism. I could go on in detail and describe his many feats to make his country even greater and safer for you and me, for our children.

There was something else about PAT MCCARRAN that made him great. Those who knew him in Washington, in Nevada, and elsewhere knew Senator MCCARRAN in his role as a husband completely devoted to his wife, as a proud and considerate father and grandfather, as a humble man deeply devoted to God and to his church, and as a man whose friendship all were proud to have because with him friendship was something deep and personal.

Perhaps, in a measure, I can express the philosophy of PAT MCCARRAN in these words:

Teach me, Good Lord, to serve Thee as Thou deservest.
To give and not to count the cost.
To fight and not to heed the wounds.
To toil and not to seek for rest.
To labor and not ask for any reward save that of knowing that we will do Thy will.

Mr. JOHNSTON of South Carolina. I rise to pay humble tribute to one of our most beloved colleagues, PAT MCCARRAN. He became a Member of the Senate in 1933, and has served his State and Nation with honor and distinction.

Many honors have been bestowed upon PAT MCCARRAN, both in private and public life, but I wish to say something about his work in the Senate.

He served as chairman of the Committee on the Judiciary from 1943 until 1946, and from 1949 until 1953. He was the author of the Internal Security Act of 1951, and served as chairman of the Internal Security Subcommittee until 1953.

He has made an outstanding record in his fight against communism.

His distinguished record of service on the Judiciary Committee proved that it can truly be said that he was a lawyer's lawyer. He was a student of the law and a stanch believer and defender of our great Constitution. He never waivered from his belief in that great instrument, even when the popular clamor was otherwise.

For the past 2 years I have served on the Judiciary and the Internal Security Subcommittee with PAT MCCARRAN. In this connection it has been my privilege to observe and admire the sincere patriotic principles always followed by him, whether in discussing complex legislation or exposing those who would substitute communism for our American way of life.

The death of PAT MCCARRAN, senior Senator from Nevada, has removed from public life a distinguished and beloved figure in Nevada and the Nation.

PAT MCCARRAN did not belong alone to Nevada; while his love for his native State was real and passionate, his death is a distinct loss to a Nation which so much needs his wisdom and leadership.

Senator MCCARRAN held many high offices during his lifetime. He was a member of the Nevada State Legislature, and an associate justice of the Supreme Court of Nevada; chief justice of the Supreme Court of Nevada; vice president of the American Bar Association, and as I have already stated, a Member of the United States Senate since 1933.

I have had the great opportunity of serving with PAT MCCARRAN on many committees in the Senate, the most recent being his favorite, the Judiciary Committee. It was during this committee service that I grew to respect his keen legal mind and his ability to grasp a situation and speak upon the subject under consideration. I sought the wisdom his words contained.

It is impossible to measure our loss. The Nation has lost a leader who has been weighed in the balance and found not wanting.

His influence will remain indeliby stamped upon the destinies of Nevada and the Nation. I have lost a friend, and the country has lost a great man.

The PRESIDING OFFICER (Mr. STENNIS in the chair). The present occupant of the chair asks unanimous consent to have printed in the RECORD a tribute to the late PAT MCCARRAN prepared by the senior Senator from Mississippi [Mr. EASTLAND].

There being no objection, the tribute prepared by Mr. EASTLAND was ordered to be printed in the RECORD, as follows:

Mr. EASTLAND. Mr. President, words are great forces in the realm of life, but upon an occasion such as this they are inadequate to express fully the sentiments which dwell deep in our hearts.

Although we who knew PAT MCCARRAN most intimately are grieved at his passing, he has left us and the Nation a rich legacy which will long endure. The shadow of PAT MCCARRAN will lengthen with the passing of time, and only in the generations to come will the full stature of the man be measured.

We shall do well in these ominous days to appraise, even in our limited perspective, the man and his monumental achievements because his life and his work may serve as valid guideposts for us and the Nation in the troubled days ahead.

From humble origin of immigrant parents he climbed the ladder of success step by step in both private and public life. Ranchman, lawyer, legislator, district attorney, judge, United States Senator—in each position he devoted all his energies and talents to the tasks at hand with a resoluteness which characterized his life. Early in his life there was firmly fixed a sensitivity to injustice, a piercing insight which could detect fraud and sham, and a love of the freedom which is the foundation of our Republic. These attributes are enough to bless any man. But PAT MCCARRAN was endowed with still another attribute which gave force to his life—a zeal and determination which could not yield or compromise that which he felt was right. He was a fighter who did not first consider the odds. As a result, he was himself a free man—free from any shackles of political restraint.

He did not hesitate to cross swords with anyone, regardless of station or power; and, impelled with the belief that he was serving a just cause, he usually obtained the objective.

Such a man attracts others to his banner even as he is sure to make enemies. PAT MCCARRAN was complimented, not only by his friends, but by his enemies as well. No man in this Nation was more roundly hated by those who would destroy our way of life than was this stalwart fighter who loved his country as his very life.

I shall always treasure my personal friendship with Senator MCCARRAN. Never was he too engaged to lend a hand to one who came to him for guidance. In other ways too personal and sacred to discuss he was to me a dear, devoted friend. I shall never forget the numerous little kindnesses, the words of encouragement, the steady handshake, the sound advice, and the inspiration which he gave to me as well as to countless others who moved within the orbit of his life.

PAT MCCARRAN was a family man who treasured his wife, children, and grandchildren with a devotion which is an example to us all. Could it not be that from the sweet waters of his happy family life came the springs of his noble deeds? And what of those deeds? Historians will record them fully. It is enough to mention his authorship of the Administrative Procedure Act, which clothes the humblest citizen with certain rights so that he can deal with the most powerful agency of Government in full parity; his establishment of the Internal Security Subcommittee; and chairmanship of the work of that subcommittee to expose subversives; his authorship of the Internal Security Act, which constitutes the framework of our laws against the Communist conspiracy; his authorship of the Immigration and Nationality Act, which codifies all of our immigration laws and plugs the loopholes through which subversives had been gaining entry to our shores; the Civil Aeronautics Act of 1936 and the Federal Airport Act, which blazed the legislative trail for the air facilities of our country.

Yes, Mr. President, a giant has fallen and he leaves a vacancy which cannot be filled. Let us, I humbly suggest, in reverence dedicate ourselves to the causes to which he committed his life, that we may assure ourselves and the generations to come that this organism which we call the American way of life will be strengthened, preserved, and passed on to our children and our children's children in full bloom.

Mr. FREAR. Mr. President, the loss to the United States Senate of those Members whom we commemorate today is difficult adequately to measure. As a colleague and friend, I shall always remember PAT MCCARRAN. His name and his personality were familiar to me long before I came to the Senate. For me it was a pleasant and highly rewarding experience to become personally acquainted with the Senator from Nevada in 1949.

One of the most forceful impressions which I gained from knowing him was a sturdy and vigorous attitude of independence. Some thought him overly conservative in his views, but none will doubt the high motives of patriotism and love of country which he displayed during the long years of service in this Chamber.

I shall not soon, if ever, forget his personal cooperation and helpfulness to me when it became necessary to consult with him on matters of his committee which affected my State.

Mr. BARRETT. Mr. President, the West has lost a great champion in the passing of Senator PAT MCCARRAN. He was keenly aware of the problems of the public land States. For many years he was chairman of the Western States Senators Committee. He was a fearless leader for those policies which he believed to be best for his State and his country.

Senator MCCARRAN had the courage of his convictions. He was truly a great American, and we shall miss him in the years which lie ahead.

Mr. WELKER. Mr. President, I speak now about a man whom I loved almost as much as I loved my father, the honorable and distinguished PAT MCCARRAN, of my neighboring State of Nevada. I have lost my mother and my father, and like other human beings, I know what it is to suffer the loss of a loved one.

I was one of the first persons to hear of the passing away of PAT MCCARRAN, when a close friend of his called me a few minutes after his demise.

I can say, Mr. President, that not only Nevada, not only the Nation, but the entire world lost a great servant when God called PAT MCCARRAN to his final resting place.

Mr. President, in my brief experience as a public servant, and through what little research I have been able to do, I know of no man who has served in this legislative body who has been responsible for more important legislation than has PAT MCCARRAN, who has left us to go to the arms of God—a man who was truly devoted first to his God and then to his country.

Petty politics never interfered with the duty which PAT MCCARRAN felt he owed and dispensed to the American people, and, indeed, to the world.

Probably no greater honor will ever be paid to me than was paid to me when Mother McCarran and her lovely family asked me to speak in Reno at the final rites of that great American, when people from all over the United States came to pay their respects and say farewell to him. There were present many fine colleagues of mine who outranked me in seniority. It was rather embarrassing for me to see them before me when I, a comparatively new Member of the Senate, attempted to bid a final farewell to that great man; but they were kind to me. The Senator from New Jersey [Mr. HENDRICKSON] was kind to me, as was the Senator from California [Mr. KNOWLAND], and all the others. They realized the close personal esteem, love, and affection which existed between the deceased Senator and myself, and they realized that PAT MCCARRAN had represented not only the great State of Nevada, but that he represented my State of Idaho nearly as much as he did his own State.

I wish I could portray to my colleagues in the Senate the beautiful funeral services which took place for PAT MCCARRAN, first in the church of his faith, which was profound, dignified, and inspiring, and thereafter the magnificent services dedicated to the memory of PAT MCCARRAN in the State Building, across the street from the Riverside Hotel, where the delegation from the Senate met and lived. Never have I seen so many flowers in all my life. It seemed that the room was actually filled with flowers from all over the Nation. In the brief moments I had an opportunity to read the inscriptions on the wreaths, I remember one from the Air Line Pilots Association, from the men who fly day and night. Why did they think of that great man? He was the author and the founder of the Civil Aeronautics Act.

I could continue to speak at great length, and tell of the great organizations and persons who poured out their hearts in trying to give comfort to Mother McCarran and her lovely family. Death cannot kill what never dies, and we are taught that what lives will never die, and that is the greatest work of God.

PAT MCCARRAN finished his work in the Senate as few Senators will ever finish their work. He died truly in the saddle, as we say in the West, working until the very end. There has been a serious loss to the Nation, not only in the death of Senator MCCARRAN, but in the deaths of the other three Senators about whom we are speaking. Senator MCCARRAN was truly a great statesmen, like the great Senator from North Carolina, the deceased Willis Smith. On another occasion I said former Senator Smith had told me, "Senator WELKER, you can always defend a position which is right, but you can never defend a compromise of right."

In the words of James Whitcomb Riley:

I cannot say, and I will not say
That he is dead. He is just away.
With a cheery smile, and a wave of the hand,
He has wandered into an unknown land
And left us dreaming how very fair—

It needs must be, since PAT MCCARRAN is there.

During my feeble closing remarks at Reno before the thousands and thousands of persons who came there to pay their respects to PAT MCCARRAN, at the services held at the State Building, there was present the present Presiding Officer [Mr. BROWN of Nevada], who has been appointed to succeed PAT MCCARRAN. The aisles of that massive hall were packed. As we followed the body of this great man to the beautiful cemetery in the beautiful State of Nevada, we saw thousands upon thousands of persons, with their hats off and their heads bowed—the humble, the strong, and the buoyant, of every race, color, and creed, who were there to say farewell to the man who will never be replaced by Nevada, and, in my own personal opinion, by any other Senator, no matter whence he may come.

As I have said, in saying farewell to him, I quoted a little poem that often is used in the West as the greatest tribute we can pay to one we love, when he has gone on before. So I close with these words:

Warm summer sun shine kindly here;
Warm southern wind blow softly here;
Green sod above lie light, lie light—
Good night, dear heart, good night, good night.

Mr. BRICKER. Mr. President, when I first came to the Senate, it was my happy privilege to meet the distinguished Senator from Nevada, the Honorable PAT MCCARRAN. I was amazed at the range of his activities. He was a prodigious worker. His name is imprinted upon much legislation which during the past quarter of a century has been enacted by the Congress.

In the field of constitutional law and the defense of his beloved country, his services were most intense and devoted. His leadership will be sorely missed. His sturdy patriotism that inspired his colleagues in the Senate will long, long be remembered.

Mr. RUSSELL. Mr. President, I entered this body as a Senator in 1933. The late lamented Senator PAT MCCARRAN took the oath of Senator about 6 weeks after I did. We were both assigned to the Committee on Appropriations. It so happened that we were placed on the same subcommittees. I worked with him intimately on that committee for some 22 years.

Out of that association grew a personal friendship which was one of the finest and sweetest I have ever enjoyed. No higher satisfaction ever came to me than the knowledge in my own heart that PAT MCCARRAN had confidence in me as a man and loved me as a friend.

Mr. President, I consider PAT MCCARRAN one of the great Americans of this era. He was a great judge before he became a Senator. He was recognized as an authority on the fundamental law of our land, the Constitution. He was a lawyer's lawyer; and eminent lawyers often sought his counsel and advice.

Needless to say, he was an able and effective legislator. I doubt whether any man who ever served in this body sponsored the passage of more legislation, in wider and more varied fields, than did this great Senator from the State of Nevada.

Above all, Mr. President, Senator PAT MCCARRAN was a fervent patriot. He loved his country, and his life was completely dedicated to his country's service. He was one of those rare souls who understood the place of the Senate of the United States in our scheme of government. He respected the Senate as an institution, and he defended each and every power and right which attaches to the Senate as a great institution in our Government. I doubt not that some day there will be many memorials in stone, and perhaps bronze, erected to the memory and services of this great American. Knowing Senator MCCARRAN as I did, I am confident that the memorial he would appreciate most would be found in the love and affection in the hearts of millions of American citizens of both low and high degree and station in life.

Some of the legislation which he sponsored was controversial. Therefore, he became a somewhat controversial figure on the American political scene. Whatever any man may have ever said about this distinguished American, no one who had any spark of honesty would ever question his courage and his devotion to the principles and convictions that were his. No power on earth could cause him to deviate from what he regarded as the

path of duty. He was not a man who could be pulled or swayed. It made no difference whether the pressure was applied by a group of great industrialists, labor leaders, bankers, or any of the many associations which seek to influence the course of legislation and the making of public policy. He was true to his own convictions. No greater tribute can be paid any Member of the Senate than to say that he stood for something. Senator McCARRAN stood for the things in which he believed, and he stood there fearlessly.

A great man has fallen. He will be missed in this body. He will be missed by the people of the United States when their rights under the Constitution are endangered, as they are today and as they will be in the days that lie ahead.

One of the greatest compensations we derive from our service in the Senate is the friendships we make, and I was fortunate to enjoy such a friendship with this great American, Senator PAT McCARRAN.

I mourn him as an individual, and I mourn him as a friend, and I mourn him as a great American citizen. I am grieved to note that the people of our beloved land will no longer receive the benefits of his dedicated and patriotic public service.

Mr. HOLLAND. Mr. President, other Senators have spoken of the high courage, the devoted Americanism, the brilliant legal attainments, and the unfailing courtesy of our late colleague, the great Senator from Nevada, PAT McCARRAN.

I wish to speak briefly of two of his qualities which impressed me most deeply. I mention, first, his unyielding devotion to the protection of the rights of the 48 States and of individual American citizens against the inroads and encroachments of centralized Federal power. He regretted and strongly opposed, as few Members of this body have opposed, the tendency of our Federal Government to grow too great, too unwieldy, and too powerful. Although his State is an inland State, with no coastline upon the sea or upon the Great Lakes, he was always a strong leader for the enactment of the so-called tidelands legislation. No one contributed more than did he to the ultimate enactment of that legislation.

I mention, secondly, a personal quality of PAT McCARRAN which I have rarely heard mentioned but which was always present, namely, his unfailing sense of good Irish humor. He was full of witty and homely stories which never carried a sting for anyone, but most frequently contained a gentle jibe or quip at himself or at the characteristics of the sons of his deeply beloved Ireland. This wonderful quality of PAT McCARRAN refused to yield to or be dimmed in the slightest by the unkind characterizations by editorial and by cartoon which were all too frequently aimed at him as he went sturdily and serenely about the business of serving and protecting his country according to the light of his strong convictions.

Mr. President, the death of PAT McCARRAN removes from the Senate and from our national scene one of our most colorful, most valuable, and most beloved public servants.

Mr. STENNIS. Mr. President, I should like to join in the sentiments expressed with reference to our late friend, Senator McCARRAN, one of the strong men of the Senate. His great legal mind attracted me when I first came to the Senate. I was impressed by his fine training as a practical lawyer, as a district attorney, and as a member of the Nevada Supreme Court. PAT McCARRAN was a lawyer who knew the law. He was well versed in all the fundamentals and basic principles of our great legal system. His opinion, especially after he had had a chance to think things through, was as sound as that of any lawyer in America. His courage and devotion to the principles in which he believed added to the strength and soundness of his opinions.

His fine patriotism, of course, is well known to us all and can well be emulated.

Mr. JOHNSON of Colorado. Mr. President, in the passing of Senator McCARRAN, the West has lost its greatest champion and the most active sponsor of its rights, its protection, and the promotion of its best interests. Whether it was the ores to be recovered from its mountains, or the livestock which grazed on its desert plains, PAT McCARRAN made it his business, in the Halls of Congress, to assist in all of his State's problems.

But he was equally alert, active, and responsive when national and international problems arose. He fought fiercely but with great wisdom and courage, for what he knew to be in the interests of his country.

He was an indefatigable worker. How he accomplished so much in the Senate will never be understood by me, except that his mind seemed to grasp quickly the intricacies and complexities of every problem. Among his many achievements was his sponsorship of aviation legislation. In fact, he was the father of our present aviation law.

We are grateful for his long service in the Senate, where he left the imprint of his character on countless legislative achievements on every conceivable subject. But before coming to the Senate, he had made his mark in life as a profound jurist. He was well equipped for such a service. Learned in the law, and devoted to the Constitution as he was, he never hesitated to take a strong position in the Senate when efforts were made to eat away the protection which the Constitution afforded the people.

There may never be another like him. To say he will be missed here is the maximum in understatements.

Mr. CARLSON. Mr. President, I rise to join in the tributes to the great stalwart from Nevada, the late Senator PAT McCARRAN. I was not so fortunate as to serve on a Senate committee with him, but I have never doubted that it would have been a great privilege and opportunity to have had that honor, because I greatly admired his service on the floor of the Senate, as he helped with the passage of important legislation.

He was a sincere Christian and an outstanding leader in his own church.

He never hesitated to take a stand that he believed to be right.

All of us and the entire Nation will miss him greatly. We are fortunate for his having traveled this way.

Mr. BYRD. Mr. President, I join the Senate in mourning the loss of PAT McCARRAN, with profound sorrow.

He died as he lived, in the public service. In his long career he always met the problems of life. He never shirked them.

Before coming to the Senate he served his State in the Nevada Legislature, and as chief justice of the State supreme court.

He and I came to the United States Senate at the same time, nearly 22 years ago. There are only three men now in the Senate who were here when we took our oaths as Senators on March 4, 1933. They are the two Senators from Georgia [Mr. GEORGE and Mr. RUSSELL] and the Senator from Arizona [Mr. HAYDEN].

In the busy years since then Senator McCARRAN and I have fought in many battles together, not the least of which was the successful fight to defeat the iniquitous effort to pack the Supreme Court of our land.

It did not take long association with PAT McCARRAN to become aware of his keen mind, and to realize the value of his rich experience.

One learns quickly that PAT McCARRAN was the master of his fate and the captain of his soul. He did the job he set out to do. There was no easy acquiescence in meeting difficult situations.

He feared God, and went relentlessly to his task. His accomplishments will withstand the critical interpretations of history.

He knew what it was to work for an education and learn the hard way. From this early experience he knew how to approach with sympathy the workingman, whether he be a herder, a farmer, a miner, or craftsman.

He was a lawyer who, by his bootstraps, reached distinguished heights in his profession. He served as associate justice and chief justice of the Nevada Supreme Court, with never a reversal. In the Senate he served as chairman of the Judiciary Committee.

The profession he has served so well in return has honored him. He was vice president of the American Bar Association, and the recipient of other high honors in the field of jurisprudence.

His career is no less distinguished by great work in the legislative field.

His record in the Nevada Legislature was characterized by durable and constructive State legislation.

His investigative work in the Senate of the United States is known around the world. Equally important was his association with legislation for promotion and control of civilian aeronautics, under which our commercial aviation has grown to unparalleled service.

The Administrative Procedures Act, for the protection of all citizens who have to do business with their Government, is another monument to his legislative industry.

PAT McCARRAN was a man who arrived at his convictions by careful deliberation,

and then fought for them against all odds.

His forthrightness frequently brought criticism upon him, but he never asked for quarter. He had the confidence, the respect, and the affection of his colleagues, regardless of party lines.

I join his host of friends to whom his passing is a great loss.

Mr. CASE. Mr. President, I recall PAT MCCARRAN for two reasons: One was his loyal leadership of the group of western Senators. Senators who were privileged to attend some of the dinners when he would call a conference of western Senators will always remember, not merely his generosity in arranging those meetings, not merely his expressions with respect to the interests of the West, whether mining, timber, cattle, parks, or whatnot, but also the friendliness which he exhibited toward every other Member of the Senate, regardless of party affiliations. We were all from the West when we attended one of Pat's western conference dinners, and we were able to approach our problems from the standpoint of what would best enable the West to unlock its great treasure for the benefit of the people of America.

Another thing which I like to associate with his memory is a speech which I heard him deliver in Denver in September 1952 at the annual convention of the American Mining Congress. Pat poured out his heart in a speech in which he dwelt upon the dangers from subversive activities in this country. He was speaking to a group of people who were perhaps primarily interested in the problems of mining. However, Senator MCCARRAN recognized that all of them were Americans first. In my opinion he delivered one of the greatest speeches I have ever heard in my life. When he concluded it he received a standing ovation, which was a fitting tribute to the effort he had made.

All three of the Senators whom we eulogize today, Senator HUNT, Senator BUTLER, and Senator MCCARRAN, gave their lives for their country. They lived their lives for their country. Of course, sometimes we do not realize that for one occupying a civil position to give his life for his country is as sacrificial as dying for one's country on the battlefield. These men lived for their country. They were great exponents of the West. The West will always be proud of them and treasure their memory.

Mr. CLEMENTS. Mr. President, seldom have I felt a deeper measure of regret than when the word was brought to me that He who directs our destiny had taken suddenly from this earth one whom I had been honored to call my friend, and to know and respect as a colleague in the service of the people—Senator PATRICK A. MCCARRAN, of Nevada.

My sympathy goes out to his lifelong companion and to the other members of his family.

It was not my honor to have served with him for as many years as others in Washington, but I knew and admired his greatness even before I entered the Halls of Congress, for his distinguished record was broadcast throughout the land.

The workers of my State knew that he had been an early champion of the 8-hour day, and when this goal was finally achieved as a landmark of our democratic system, they remembered him and blessed him for his efforts.

Those who understand and stand guard in protecting the natural resources which abound in our Nation, found in him a friend and ardent spokesman and advocate of the wise and prudent use of these gifts of nature. Many of his legal opinions on mining and water and conservation stand today on the statute books of our Nation.

Even before his election to the National Congress, he wrote a record of accomplishment and achievement in Nevada, as a lawyer, a distinguished judge of its supreme court, on its library commission, in its bar association, and in other public and civic pursuits.

His record in the Congress, beginning in 1933, showed from the start the qualities of leadership he was to exhibit as the years went by, and his ability and significant accomplishment became increasingly evident.

Laws of tremendous importance to our Nation's well-being and security bear his mark as author and sponsor. A separate Air Force, Civil Aeronautics, civilian pilot training, silver purchase, Federal airports, Government reorganization, internal security, immigration and naturalization—these are but a partial roll-call of the vital segments of our national fiber which have been influenced by his efforts.

Major committees of the Senate of the United States had the benefit of his knowledge and his ability. During his years in the Nation's Capital, he served on the Commerce Committee, the District of Columbia Committee, the Committee on Irrigation and Reclamation, the Committee on Public Lands and Surveys, the Committee on Appropriations, and with brilliance, for more than two decades, on the Judiciary Committee, over which he presided for 8 years.

Few men in our Nation's history have written such a record. Few will equal it in the decades to come, and none will build a greater monument to ability.

PAT MCCARRAN was a man of passionate convictions. His principles were held tenaciously and once he had established his goal, he would not swerve 1 inch from the path that led directly to it.

It can be truly said that he was one of the men who have shaped the times in which we live. He was not content to drift passively with the shifting currents of our day. He refused to be swept along with the tides of fortune.

PAT MCCARRAN felt a deep obligation to grasp the forces of modern life and harness them. He insisted that destiny could be commanded by men—bold men who were unafraid and uncowed.

He lived amidst the swirling winds of controversy and he never sought the harbors of safety to which lesser men flee. He was himself an elemental force, and, as such, was physically incapable of bowing to the other elemental forces of society.

A void has been created into which no one can now step. We have lost a peerless orator and a great patriot who knew no dictator but his conscience, no guide but his judgment, and no purpose but to serve his country and his God.

I will not soon forget that he was one of the first to take his time in giving me guidance when I entered the Halls of the Senate, and throughout our service together, I could meet with him and gain from him advice from the vast background and store of his knowledge of our Nation and of our Congress. This debt I will not now be able to adequately repay.

All men must finally submit to the judgment of a higher power. It is not given to those of us who are mortal to make that judgment.

But of this I am certain. When PAT MCCARRAN ascended the stairs to meet the final Judge of all earthly activity, he walked erect and unafraid—a man who had met the ultimate tests of courage and conscience.

His passing is a loss for those near and dear to him; it is a loss to those who called him friend; it is a loss to the Nation and the world. We can but say:

From the will to win, earth has one tale to tell;
All other sounds are dulled and drowned and lost,
In this one cry "Farewell."

Mr. MANSFIELD. Mr. President, on this sad occasion, I should like to join my colleagues by expressing my deep regret and sorrow at the passing of our former colleagues, Senator BUTLER, of Nebraska, Senator PAT MCCARRAN, of Nevada, Senator BURNET MAYBANK, of South Carolina, and Senator LESTER HUNT, of Wyoming.

I have also been deeply grieved by the passing of other Senators, who have gone to their reward during the two sessions of the 83d Congress.

It is extremely difficult to find words at a time like this to express one's feelings toward those of our friends who have passed away.

However, I wish to say that each one of them in his own way personified the highest aspects of American life and that all of them are to be honored for their integrity and fairness in their dealing with the problems that confronted them.

Those of us who have come after them will miss them down through the years. They were a great group of Americans, who brought honor to their respective States, and who, in the words of the distinguished majority leader, were real Senators of the United States.

It is my hope that these friends of ours will get the reward which is their due in the Kingdom to which they have gone. I can only say, in conclusion, that I wish their souls will rest in peace.

Mr. BRIDGES. Mr. President, it is my understanding that, even though tributes to our departed colleagues have been paid by various Senators without regard to sequence, when the RECORD is

compiled today all the tributes to an individual deceased Senator will appear together, so far as this memorial service is concerned. If there is any question about that, I should like to refer that question to the distinguished leaders of our two major political parties, and ask if that is agreeable to them.

Mr. KNOWLAND. Mr. President, I inform the Senator from New Hampshire that I have consulted with the minority leader, and we felt that the proper procedure would be that suggested by the distinguished Senator from New Hampshire. In the CONGRESSIONAL RECORD itself all the tributes to one of our late colleagues should appear under the name of that Senator. Of course, when the memorial books are published, all the eulogies of each Senator will appear together. It was felt that, as a courtesy to Senators who might have engagements, the procedure outlined should be followed.

Mr. President, after consultation with the distinguished Senator from Texas [Mr. JOHNSON], I ask unanimous consent that Senators who have not been able to make remarks in the memorial services today be granted an opportunity hereafter to do so. I understand it is customary to have their remarks included in the final RECORD, so that the remarks may be included in the memorial books which will be printed and made available.

The PRESIDING OFFICER (Mr. STENNIS in the chair). They would also be included in the body of the RECORD?

Mr. KNOWLAND. As well; yes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE RESOLUTION OF CENSURE

Mr. KNOWLAND. Mr. President, the Senator from Utah [Mr. WATKINS] has a resolution with proposed committee amendments which he wishes to present. When I was notified that the matter was coming up today I immediately contacted the Senator from Wisconsin [Mr. MCCARTHY] and advised him in advance. As a matter of fact, he came to the floor and had a brief discussion with the Senator from Utah and myself relative to the matter. As I understand, there will be no debate on this subject this afternoon, pursuant to our prior understanding, but the Senator from Utah will present the resolution which was before the committee, and will present the proposed committee amendments to the resolution, with the request that they both be printed, lie on the table, and go to the calendar. Immediately following that, it is my purpose to move that the Senate adjourn until 10 o'clock tomorrow morning.

Mr. WATKINS. Mr. President——

The PRESIDING OFFICER (Mr. CASE in the chair). The Senator from Utah.

Mr. WATKINS. Mr. President, in accordance with the statement which has just been made, and the statement made yesterday with regard to Senate Report 2508, I send to the desk Senate Resolution 301 with committee amendments.

The PRESIDING OFFICER. The resolution will be received, printed, and placed on the calendar, and, without objection, the proposed amendments will appear in the RECORD at this point.

The amendments to Senate Resolution 301, proposed by the Select Committee To Study Censure Charges, are as follows:

On page 1, line 1, after the word "That", to strike out "the conduct of the Senator from Wisconsin, Mr. MCCARTHY, is unbecoming a Member of the United States Senate, is contrary to senatorial traditions, and tends to bring the Senate into disrepute, and such conduct" and in lieu thereof to insert "the Senator from Wisconsin, Mr. MCCARTHY, failed to cooperate with the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up matters referred to that subcommittee which concerned his conduct as a Senator and affected the honor of the Senate and, instead, repeatedly abused the subcommittee and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin, Mr. MCCARTHY, in failing to cooperate with a Senate committee in clearing up matters affecting the honor of the Senate is contrary to senatorial traditions and".

And on page 1, after line 5, to insert:

"SEC. 2. The Senator from Wisconsin, Mr. MCCARTHY, in conducting a senatorial inquiry intemperately abused, and released executive hearings in which he denounced, a witness representing the executive branch of the Government, Gen. Ralph W. Zwicker, an officer of the United States Army, for refusing to criticize his superior officers and for respecting official orders and executive directives, thereby tending to destroy the good faith which must be maintained between the executive and legislative branches in our system of government; and the Senate disavows the denunciation of General Zwicker by Senator MCCARTHY as chairman of a Senate subcommittee and censures him for that action."

PROCEEDINGS BEFORE SENATE COMMITTEES

Mr. WATKINS. Mr. President, from the Select Committee To Study Censure Charges, pursuant to the order of the Senate of August 2, 1954, I report an original resolution relating to the proceedings before Senate committees. This resulted from our consideration of the Bush amendment offered to Senate Resolution 301.

The PRESIDING OFFICER. The resolution will be received, printed, and placed on the calendar.

The resolution (S. Res. 327), reported by Mr. WATKINS, from the Select Committee To Study Censure Charges, was received, and placed on the calendar, as follows:

Resolved, That, effective January 3, 1955, subsection 3 of rule XXV of the Standing Rules of the Senate is amended by adding at the end thereof the following:

"(c) No witness shall be required to testify before a committee or subcommittee with less than two members present, unless the committee or subcommittee by majority vote agrees that one member may hold the hearing, or the witness waives any objection to testifying before one member.

"(d) Committee or subcommittee interrogation of witnesses shall be conducted only by members and authorized staff personnel of the committee or subcommittee and no person shall be employed or assigned to investigative activities until approved by the committee or subcommittee.

"(e) No testimony taken or material presented in an executive session shall be made public, either in whole or in part by way of summary, unless authorized by majority vote of the committee or subcommittee.

"(f) Vouchers covering expenditures of any investigating committee or subcommittee shall be accompanied by a statement signed by the chairman that the investigation was duly authorized and conducted under the provisions of this rule."

NOMINATIONS FOR EXPORT-IMPORT BANK OF WASHINGTON

Mr. CAPEHART. Mr. President, with reference to nominations of the Export-Import Bank——

Mr. KNOWLAND. Mr. President, if the Senator will permit me, I have stated that we would not take that matter up today.

Mr. CAPEHART. Very well.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ADJOURNMENT

Mr. KNOWLAND. Mr. President, pursuant to the prior announcement to the Senate, I move that the Senate now adjourn until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 1 o'clock and 48 minutes p. m.) the Senate adjourned until tomorrow, Wednesday, November 10, 1954, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate November 9, 1954:

SUPREME COURT OF THE UNITED STATES

John Marshall Harlan, of the State of New York, to be Associate Justice of the Supreme Court of the United States, vice Robert H. Jackson, deceased.

COMPTROLLER GENERAL OF THE UNITED STATES

Joseph Campbell, of New York, to be Comptroller General of the United States for a term of 15 years, vice Lindsay C. Warren, retired.

UNITED STATES PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service:

I. FOR APPOINTMENT, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW AND REGULATIONS, TO BE EFFECTIVE DATE OF ACCEPTANCE

To be surgeon

Albert V. Myatt

To be senior assistant surgeons

George Roush, Jr. Albert Sjoerdsma
Stanley E. Gitlow Stephen Parks
David Horwitz Robert A. Marks, Jr.
Mahlon J. Shoff

To be senior assistant dental surgeons

Jacob D. Subtelny Donald A. Gillespie

To be senior assistant nurse officer

Agnes H. Des Marais

IN THE AIR FORCE

The following-named persons for reappointment to the active list of the Regular Air Force, in the grade of lieutenant colonel, from the temporary disability retired list, under the provisions of section 407, Public Law 351, 81st Congress (Career Compensation Act of 1949):

Ellis L. Gottlieb, 2244A.

The following-named persons for appointment in the Regular Air Force, in the grades indicated, with dates of rank to be determined by the Secretary of the Air Force, under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947); title II, Public Law 365, 80th Congress (Army-Navy-Public Health Service Medical Officer Procurement Act of 1947); and section 307 (b), Public Law 150, 82d Congress (Air Force Organization Act of 1951), with a view to designation for the performance of duties as indicated:

To be majors, USAF (Medical)

Eugene R. K. Leiter, AO511916.
Lawrence D. Stuart, AO2241414.
Fletcher H. White, AO369072.

To be captains, USAF (Medical)

Harry T. Cerha, O411960.
Fritz M. G. Holmstrom, AO1906782.

To be captains, USAF (Dental)

Dewey M. Metts, Jr., AO660782.
William T. Stillson, AO2240433.

To be first lieutenants, USAF (Medical)

Claude T. Anderson, AO703082.
Ned B. Chase, Jr.
James R. Clay.
George P. Collins.
Richard C. Dinmore, AO817639.
Dale E. Dominy.
Charles M. Earley, Jr., AO2261729.
George C. Hamill, AO2261357.
Paul H. Jacobs, O1324541.
Carlton E. Jones, AO2091535.
Bruce R. Little.
William C. McCormick, AO2261668.
Esteban Moreno-Salas, AO3000324.
Dwight E. Newton, AO703781.
Paul C. Peters, AO2261679.
Lawrence W. Pollard, Jr., AO2261681.
Jay H. Poppell.
Harold C. Sadin.
William I. Silvernail, Jr.
George G. Susat.
James P. Taylor.
Kermit Q. Vandenbos, AO4013838.
Julian E. Ward, AO1858964.

To be first lieutenant, USAF (Medical Service)

George F. Allen, AO2239083.

The following-named persons for appointment in the Regular Air Force, in the grade indicated, with dates of rank to be determined by the Secretary of the Air Force, under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947):

To be first lieutenants

Vincent O. Adams, Jr., AO2215252.
Dale A. Bittinger, AO2218078.
Stuart E. Burtt, AO712375.
William A. French, AO2217565.
Frank W. Harding III, AO1860108.
James B. Hughes, AO943116.
Eugene D. Levy, AO2232213.
George J. Morton, AO2228684.
Edwin E. Thompson, AO1859135.
Joseph B. Wratten, Jr., AO1857480.

SENATE

WEDNESDAY, NOVEMBER 10, 1954

The Senate met at 10 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal Spirit, whom we seek in vain without unless first we find Thee within: May the hush of Thy presence fall upon our spirits, quiet our minds of their fretfulness, allay the unhappy irritations and resentments which threaten the tranquillity of this new day, hallow our lives with the grace of contrition and humility. Breathe through the heats of our desire Thy coolness and Thy balm; take from our souls the strain and stress, and let our ordered lives confess the beauty of Thy peace.

Increase the sensitive area of our sympathies that we may reach out with understanding to those whose perplexities we may not share. Chasten our judgments of others with the realization that what we know is so little, and that what we comprehend is less.

And now, from the rising of the sun until the going down of the same, of Thy goodness give us, with Thy love inspire us, by Thy spirit guide us, by Thy power protect us, and in Thy mercy receive us, now and always, through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BUTLER, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, November 9, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

SOUTHEAST ASIA COLLECTIVE DEFENSE TREATY AND PROTOCOL THERETO—REMOVAL OF INJUNCTION OF SECRECY

The PRESIDENT pro tempore. As in executive session, the Chair lays before the Senate Executive K, 83d Congress, 2d session, the Southeast Asia Collective Defense Treaty and the protocol thereto, both signed at Manila on September 8, 1954.

The Chair understands there is no objection by the State Department to the removal of the injunction of secrecy from this treaty. If there is no objection, that action will be taken; and, without objection, the treaty and protocol, together with the President's message, will be referred to the Committee on Foreign Relations; and the President's message will be printed in the RECORD.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a copy of the Southeast Asia Collective Defense Treaty and the protocol thereto, both signed at Manila on September 8, 1954.

I transmit also for the information of the Senate a copy of a declaration known as the Pacific Charter which was drawn up at Manila and signed on that same date. The charter proclaims the dedication of the signatory governments to the ideals of self-determination, self-government, and independence. It is a declaration of principles and does not require the advice and consent of the Senate.

There is further transmitted for the information of the Senate the report made to me by the Secretary of State regarding the Southeast Asia Collective Defense Treaty and the protocol thereto. I concur in the recommendation of the Secretary that the unanimous agreement required by article IV, paragraph 1, for the designation of states or territories, by article VII for the invitation to states to accede to the treaty, and by article VIII for a change in the treaty area is to be understood in each instance as requiring the advice and consent of the Senate.

The treaty is designed to promote security and peace in southeast Asia and the southwestern Pacific by deterring Communist and other aggression in that area. It is a treaty for defense against both open armed attack and internal subversion. Included in the treaty is an understanding on behalf of the United States that the only armed attack in the treaty area which the United States would regard as necessarily dangerous to our peace and security would be a Communist armed attack. The treaty calls for economic cooperation to enable the free countries of this area to gain strength and vigor, not only militarily, but also socially and economically.

The Southeast Asia Collective Defense Treaty complements our other security treaties in the Pacific and constitutes an important link in the collective security of the free nations of southeast Asia and the Pacific.

I recommend that the Senate give early and favorable consideration to the

treaty and protocol submitted herewith, and advise and consent to the ratification thereof subject to the understanding of the United States contained in the treaty.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *November 10, 1954.*

(Enclosures: 1. Report of the Secretary of State. 2. Copy of the treaty. 3. Copy of the protocol. 4. Copy of the Pacific Charter.)

LEAVES OF ABSENCE

Mr. JOHNSON of Texas. Mr. President, the Senator from Florida [Mr. SMATHERS] has been appointed a member of the United States delegation to the fourth meeting of the Economic and Social Council of the Organization of American States, which is scheduled to meet in Rio de Janeiro, Brazil, during this month. In addition, the Senator from Florida has been appointed as a member of the Committee on Interstate and Foreign Commerce to make a study of aviation problems in the Caribbean area.

I ask unanimous consent that the Senator from Florida be excused from attendance upon sessions of the Senate for an indefinite period.

The Senator from Tennessee [Mr. GORE] has been appointed a member of the American delegation to the conference in Geneva, Switzerland, considering the renegotiation of the General Agreement on Tariffs and Trade.

I ask unanimous consent that he be excused from attending sessions of the Senate for an indefinite period.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SENATOR FROM KANSAS

Mr. CARLSON. Mr. President, I present the certificate of election of ANDREW F. SCHOEPPEL, to be a Senator from the State of Kansas.

The PRESIDENT pro tempore. The certificate will be read.

The certificate of election was read and ordered to be placed on file, as follows:

CERTIFICATE OF ELECTION—HON. ANDREW F. SCHOEPPEL, UNITED STATES SENATOR FROM KANSAS

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954, the Honorable ANDREW F. SCHOEPPEL was duly chosen by the qualified electors of the State of Kansas a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1955.

Witness: The Governor of Kansas, Edward F. Arn, and our seal hereto affixed at Topeka, Kans., this 3d day of November, in the year of our Lord, 1954.

EDWARD F. ARN,
Governor.

By the Governor and certified to by—
[SEAL] PAUL R. SHANAHAN,
Secretary of State.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. BUTLER. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, is is so ordered.

CALL OF THE ROLL

Mr. BUTLER. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Flanders	Martin
Aiken	Frear	McCarthy
Anderson	Fulbright	McClellan
Barrett	Gillette	Monroney
Beall	Goldwater	Morse
Bennett	Gore	Mundt
Bricker	Green	Murray
Bridges	Hayden	Neely
Brown	Hendrickson	Pastore
Bush	Hennings	Payne
Butler	Hickenlooper	Potter
Byrd	Hill	Purtell
Capehart	Holland	Robertson
Carlson	Hruska	Russell
Case	Humphrey	Saltonstall
Chavez	Jackson	Schoeppel
Clements	Johnson, Colo.	Smith, Maine
Cooper	Johnson, Tex.	Smith, N. J.
Cotton	Johnston, S. C.	Sparkman
Crippa	Kefauver	Stennis
Daniel, S. C.	Kilgore	Symington
Dirksen	Knowland	Thye
Douglas	Kuchel	Watkins
Duff	Langer	Welker
Dworshak	Lehman	Wiley
Eastland	Lennon	Williams
Ellender	Magnuson	Young
Ervin	Malone	
Ferguson	Mansfield	

Mr. SALTONSTALL. I announce that the Senator from Oregon [Mr. CORDON], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], and the Senator from Colorado [Mr. MILLIKIN] are nesessarily absent.

Mr. CLEMENTS. I announce that the Senator from Ohio [Mr. BURKE], the Senator from Texas [Mr. DANIEL], and the Senator from Louisiana [Mr. LONG] are absent on official business.

The Senator from Georgia [Mr. GEORGE] and the Senator from Oklahoma [Mr. KERR] are necessarily absent.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The Senator from Florida [Mr. SMATHERS] is absent by leave of the Senate on official business.

The PRESIDENT pro tempore. A quorum is present.

Routine business is now in order.

INTRODUCTION OF BILLS

Mr. LANGER. Mr. President, I send to the desk four bills for appropriate reference.

The PRESIDENT pro tempore. The Chair informs the distinguished Senator from North Dakota that when the House of Representatives is in sine die adjournment, introduction of proposed legislation is not in order in the Senate. The Congress is not in session for regular legislative business.

MEETING OF NATIONAL INVENTORS' COUNCIL IN NEW YORK

Mr. WILEY. Mr. President, I was pleased to hear from Mr. Lawrence Langner, its able secretary, that next Thursday, November 18, the National Inventors' Council, which is in charge of initially evaluating civilian inventions for the Army, Navy, and Air Force, will be meeting in New York.

On that evening the American Newcomen Society is tendering a dinner in honor of the chairman of the council, Dr. Charles F. Kettering, the renowned inventive genius of the General Motors Corp.

The National Inventors' Council is, as I have been glad to point out on several occasions on the Senate floor, a tremendously vital medium for tapping the inventive genius of the American people in developing new ideas, processes, devices, and machines for the strengthening of American defense.

In my capacity as chairman of the Senate Judiciary Subcommittee on Patents, Trade-Marks, and Copyright Law, it is my intention to continue efforts to stimulate the inventive process. Upon this process may well depend the very life of this Nation in this danger-strewn age.

I should like now to convey my warmest greetings on this latest, in a long series, of outstanding honors tendered to Dr. Kettering, and I should like to greet as well his distinguished associates on the council.

I hope that in the months and the years to come the council will play an ever larger role in the United States Department of Commerce in conjunction with the Department of National Defense.

FAIR PROCEDURES FOR INVESTIGATING COMMITTEES

Mr. BUSH. Mr. President, the select committee, under the chairmanship of the distinguished Senator from Utah [Mr. WATKINS], has recommended additions to the Senate rules which would constitute a first step toward establishing fair procedures for investigating committees.

In the days of controversy which lie ahead of us, I hope that the Senate will not lose sight of the importance of adopting the proposed rules in the present session.

It was for the purpose of obtaining prompt consideration of this problem that my proposed code of fair investigating procedures, embodied in Senate

Resolution 253, was introduced as an amendment to the resolution calling for the censure of the junior Senator from Wisconsin [Mr. McCARTHY].

It has long been my conviction that the Senate would not today be in the distasteful position of considering whether to censure one of its Members if a code of fair procedures had been a part of the rules in the past, and if such a code had been enforced.

The Senate itself must bear a share of the blame for failing to establish proper standards for committees. Any committee is but an agent of the Senate. Adoption of the rules recommended by the Watkins committee would be a welcome signal to the Nation that the Senate recognizes the need of setting its own house in order.

Mr. President, I ask unanimous consent that a statement I have prepared in regard to this matter be printed at this point in the body of the RECORD.

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The proposed rules are but a small part of what is required: a complete code of investigating procedures which will give essential protections to the rights of witnesses and others who may be adversely affected by Senate investigations, and which, at the same time, will permit firm and vigorous inquiries into all suspected wrongdoing.

The Subcommittee on Rules has given long and careful study to the many problems involved in drafting such a code. It is considering resolutions introduced by others in addition to that sponsored by me. It is my hope that the full Committee on Rules and Administration will soon be able to recommend to the Senate a carefully worked out code embodying the best among all the suggestions which have been made.

The question of how investigations should be conducted must now be removed from the area of controversy. It has caused unhealthy divisions among Americans who should be united in supporting the Congress in getting the facts about subversion, and all other kinds of wrongdoing.

When I first introduced Senate Resolution 253, I said this:

"We need a united nation to meet the Communist threat in the world; we need a united nation to make certain that our democracy is not destroyed by subversion from within.

"The Senate can make progress toward forging that essential unity by insisting that investigations into subversion, and all other investigations as well, be conducted with fairness and a sense of responsibility."

This is a matter in which political partisanship should play no part. It is my hope that Senators on both sides of the aisle will support the rules recommended by the Watkins committee, and adopt them in this session. Then, when the 84th Congress convenes, we should consider adoption of the more complete code of fair investigating procedures for which the need has been amply demonstrated.

FEDERAL HOUSING PROGRAMS

Mr. BYRD. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, on April 14, 1954, I advised the Senate of the committee's interest in Federal housing programs and promised to make factual reports.

From time to time these reports have been made for the record, mostly in the form of correspondence with Mr. Albert M. Cole, Administrator, Housing and Home Finance Agency.

In accordance with this practice I ask unanimous consent to have inserted in the body of the RECORD several statements by me as chairman of the joint committee, and further correspondence with Mr. Cole, during the recess of the Senate, as follows:

First. A letter from Mr. Cole, dated August 13, 1954, in response to committee letters of May 4 and May 12, 1954, relating to rentals on FHA-insured projects;

Second. A letter from Mr. Cole, dated September 16, 1954, in reply to a committee letter of August 3, relating to Public Housing Administration projects;

Third. A letter from Mr. Cole, dated September 24, 1954, responding to a committee letter of August 6, 1954, relative to insuring loans for builders who previously have exploited Federal housing programs for windfalls;

Fourth. A committee letter to Mr. Cole, dated November 1, 1954, inquiring as to the college housing program under the Housing and Home Finance Agency, to which there is no reply to date;

Fifth. A committee letter to Mr. Cole inquiring as to dismissals of personnel from constituent agencies of the Housing and Home Finance Agency resulting from current and recent investigations, to which there is no reply to date.

In addition to this correspondence with the Housing and Home Finance Administration, I also request unanimous consent for the insertion in the RECORD of a statement by the chairman of the committee relative to HHFA action to recover FHA windfalls.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

HOUSING AND HOME FINANCE AGENCY,
Washington, D. C., August 13, 1954.

Hon. HARRY F. BYRD,
United States Senate,
Washington, D. C.

DEAR SENATOR BYRD: This will supplement the information orally furnished to Mr. Haywood Bell, your administrative assistant, relating to that portion of my letter of May 4 concerning the fixing of rentals by FHA on FHA-insured projects. This was also the subject of your letter of May 12, in which you inquired specifically whether there is an instance where rentals are higher because the loan was insured on the basis of estimated replacement cost instead of actual cost.

I regret to advise you that in every instance of insured housing, except military housing under title VIII, where the loan was insured on the basis of an estimated replacement cost which was higher than the actual cost, the authorized rentals were higher than they would have been had the loan been insured on the basis of the lower cost.

A specific instance is the case of Shirley-Duke Apartments, Alexandria, Va. On June 28, William F. McKenna, Deputy Administrator, testified before the Senate Committee on Banking and Currency as follows:

"Of course, Senator, that shows the harm that is done by the whole mortgaging out process. The burden is placed on the tenant. The person who should have benefited by the act is paying for this. Every family in the Shirley-Duke Apartments pays a minimum of $70 to $85 a year because of this mortgaging out process, and will pay it for the 33-year life of the loan."

Sincerely yours,

ALBERT M. COLE,
Administrator.

STATEMENT BY SENATOR BYRD

As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I wrote to Mr. Albert M. Cole, Housing and Home Finance Administrator, on August 3 requesting information pertaining to the low-rent public housing program administered by the Public Housing Administration.

Mr. Cole replied under the date of September 16. Subsequent correspondence was required relative to nine cases of "irregularities or illegalities" still under investigation.

Mr. Cole's letter, with description of these nine cases deleted, follows:

HOUSING AND HOME FINANCE AGENCY,
Washington, D. C., September 16, 1954.

Hon. HARRY F. BYRD,
Chairman, Joint Committee on Reduction of Nonessential Federal Expenditures, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: In reply to your letter of August 3, I enclose two copies of a statement containing further information pertaining to the low-rent public housing administered by the Public Housing Administration pursuant to the Housing Act of 1937, as amended.

If, upon review of the enclosed statement, you desire any additional information or explanatory material, please feel free to communicate with me.

Sincerely yours,

ALBERT M. COLE,
Administrator.

SEPTEMBER 2, 1954.

STATEMENT IN RESPONSE TO SENATOR BYRD'S REQUEST OF AUGUST 3, 1954, PERTAINING TO THE LOW-RENT HOUSING PROGRAM ADMINISTERED BY THE PUBLIC HOUSING ADMINISTRATION PURSUANT TO THE UNITED STATES HOUSING ACT OF 1937, AS AMENDED

Question No. 1. "With the understanding, of course, that PHA loan funds are in the nature of a revolving fund, it would be appreciated if you would advise the aggregate gross total of loans made by PHA for low-rent housing programs since the inception of the Housing Act of 1937; and the gross amount lost to the fund through default or other failure to repay the loan."

Answer. The gross total of loans made to local authorities by PHA and its predecessor agencies for the low-rent housing program since its inception under the Housing Act of 1937 amounted to $3,882,137,477 as of June 30, 1954. This includes loans to local authorities evidenced by notes of all types and also loans by PHA under the original program evidenced by so-called series B bonds. This total includes the amount loaned in connection with both completed and uncompleted projects, but does not include amounts borrowed by PHA and invested in projects developed and still owned by PHA.

Because of the short-term character of most of the loans made by PHA, such loans are made and remade several times in connection with a given project. The above

figure therefore includes a very large duplication in relation to the cost of the projects actually financed.

The total losses of principal definitely established and written off the PHA books in connection with all loans to local authorities since the inception of the low-rent program amounted to $534,952 as of June 30, 1954. Interest losses written off in connection with these losses amounted to $139,239. In connection with these losses, it should be noted that $334,507 of the total principal amount was in connection with the termination of the low-rent farm program, the liquidation of which program was directed by the Congress in connection with the passage of the Housing Act of 1949.

In addition to the above losses which have been definitely established, the PHA has set up a reserve of the principal amount of $1,116,000 for losses in connection with loans on which there appears little, if any, chance of collection; the reserve for interest losses on these loans amounts to $50,000. In connection with this reserve, it should be noted that $493,133 of the principal amount is in connection with the termination of the low-rent farm housing program mentioned above.

Question No. 2. "It will be appreciated if you will advise the aggregate gross total of local public agency temporary notes which have been secured by PHA since the inception of the Housing Act of 1937, and the aggregate gross loss to PHA as a result of defaults or other failures to pay off the temporary loan notes."

Answer. The gross total of local authority temporary notes which have been issued and secured by PHA since the inception of the Housing Act of 1937 amounted to $8,213,836,500 as of June 30, 1954.

Because of their short-term character, temporary loan notes are generally issued and reissued a number of times in connection with a given project. The above figure therefore includes a great deal of duplication in relation to the cost of the projects actually financed.

There have been no losses, either of interest or principal, to PHA or to private investors as a result of defaults or other failures to pay off temporary loan notes.

Question No. 3. "It would be appreciated if you will advise whether the local agencies' long-term bonds are secured by PHA; if so, the aggregate gross total of these bonds which have been secured by PHA since the inception of the Housing Act of 1937, the average term of the bonds, and the aggregate gross loss sustained by PHA as a result of defaults or other failure to pay off the bonds."

Answer. The long-term bonds sold by local housing authorities to finance the capital cost of low-rent projects are secured by a pledge (on the part of the local authority to the bondholders) of the annual contributions which PHA has contracted to pay in relation to the respective projects.

The gross total of long-term bonds, secured by a pledge of the above nature, which have been sold to private investors since the inception of the program under the Housing Act of 1937, amounted to $1,454,517,000 as of June 30, 1954. The average term of these bonds was approximately 20½ years. The above total does not include amounts loaned to local authorities by PHA and evidenced by series B bonds, which amounts are included in the total of PHA loans given in answer to question No. 1.

In the early 1940's a number of the bond issues of local authorities were called and refinanced in order to secure larger coverage or more attractive interest rates. The above figure, therefore, involves some degree of duplication in relation to the actual cost of the projects financed.

In addition to these long-term bonds, notes running up to 8 years and secured by a pledge of annual contributions have been sold by local authorities to private investors, primarily in connection with the financing of smaller projects. The gross total of such notes which have been sold since the inception of the program under the Housing Act of 1937 amounted to $18,707,900 as of June 30, 1954.

There have been no losses, either of interest or principal, to PHA or to private investors, as a result of defaults or other failures to pay off long-term bonds or notes similarly secured.

Question No. 4. "In connection with the public housing program generally, it will be appreciated if you will advise as to the safeguards established by the Housing and Home Finance Agency to preclude collusion and other exploitation of the program; a list of cases considered to be irregular or illegal recorded to date, and the action taken in each case."

Answer. We are enclosing a copy of Form No. PHA–2172 (Rev. Sept. 1, 1951), which constitutes part 2 of the annual contributions contract employed by the Public Housing Administration in this program. This document vests adequate controls in the Public Housing Administration from the inception of a local program until Federal interest therein ceases.

Article I of this document governs the acquisition of sites and the construction of projects. Its provisions include: Section 103 (C) which requires PHA prior approval to the purchase of any portion of a site; sections 106 and 108, which require PHA approval of plans, specifications, drawings, and related documents; section 109, which requires open and competitive bidding in the selection of the building contractor; section 110 (B) which prohibits the award of the construction contract without the prior approval of the PHA; and section 121 relating to PHA inspection and review of the construction work.

Article II of this document governs the management of projects and contains provisions designed to insure that projects are used for the housing of eligible families and are operated to promote serviceability, efficiency, economy, and stability.

Article III relates both to development and operation. Provisions pertinent to your query in this article are section 306, which prescribes regulations governing procurement by the local housing authority substantially following the statute controlling Federal procurement; and section 311, which accords to the PHA full access to the projects and to the books and records of the local housing authority, including the right to audit such books and records.

You will note that in article IV (which deals with the fiscal aspects of the local program), provision is made in sections 404 and 407 for budgetary controls by PHA of local housing authority expenditures; also that under section 408, which governs advances of funds by PHA, the local housing authority, as a condition precedent to any such advance, must demonstrate the need for the funds involved.

Article V relates to defaults and remedies and, in addition to affording to the PHA all remedies normally available at law or equity in the event of breach or default by the local housing authority, provides in sections 501 and 502 that in case of substantial default or substantial breach (as defined in secs. 506 and 507), the local housing authority shall convey title to, or deliver possession of the projects to, the PHA. Another extraordinary remedy available to the PHA is contained in section 402 (F) which provides that in case of substantial default or breach or where fraud or misrepresentation is involved, the PHA may require the bank or depositary of the local housing authority to refuse to permit the local authority to make further withdrawals from the bank or depositary.

In the administration of the low-rent housing program, the Public Housing Administration maintains a continuous inspection and review of the entire local operation. The site is inspected and its proposed cost is reviewed by land technicians; a project engineer is stationed at each project during the construction period; fiscal audits are made periodically; occupancy audits to insure that only eligible families are housed in the project and property inspections to insure proper maintenance of projects also are made periodically; and the local housing authority is required to make regular reports reflecting its operations. In connection with the latter, your attention is directed to the provision of title 18, United States Code, section 1012, which provides in part that the making of false reports or statements to the PHA shall constitute a felony.

It should also be noted that all local and Federal employees who handle moneys in the program are under bond. Contractors constructing projects also must provide performance and payment bonds.

As a further safeguard against collusion or other exploitation in the low-rent program, a special staff from the Housing and Home Finance Agency is available to provide expert investigation into the facts. Should these facts warrant penal action, the case is referred promptly to the Department of Justice and the Federal Bureau of Investigation.

Complying with your request, we are attaching a list of irregularities or violations of law which have been encountered in the low-rent housing program. Since 1950, the Public Housing Administration has maintained separate files on these matters. Those listed as having occurred prior to 1950 were taken from PHA's general files.

For your convenience, the attached list describes each case only in its essential details; however, should you want complete detail on any particular case, we shall be happy to offer you or your representative our complete file on it.

The attached listing covers approximately 17 years of operation and the administration of a program housing over one million and a half persons.

You will note that a few of the cases on the attached list are the subject of continuing investigation or litigation. A disclosure of the facts in these cases could have an adverse effect on the interests of the Government. Hence, it will be appreciated if such cases be treated as confidential; at least, until you or your representatives have an opportunity to discuss their latest developments with the PHA legal staff.

NOTE.—Conforming with the paragraph above, 9 cases have been eliminated from the following "list of cases encountered in low-rent program involving irregularities or illegalities."

These cases have been deleted from the list on the certification by Mr. Cole that they are "still under investigation by either the FBI or the HHFA and are regarded as instances where a disclosure at this time might adversely affect the interests of the Government."

Eight of those deleted are said to be 1954 cases, and the ninth is said to be a 1953 case.

With these deletions, the paragraph in Mr. Cole's letter immediately preceding this note is no longer applicable to any item in the list which follows.

HARRY F. BYRD,
Chairman.

List of cases encountered in low-rent housing program involving irregularities or illegalities

Locality	Year	Nature of case and action taken
Alabama: Abbeville, Columbia, Cottonwood, Elba, Geneva, Florala, and Opp.	1952	Local authority official had interest in local authority contracts in violation of PHA contract and State law. PHA prohibited payments to contractor under such contracts. Same official and contractor involved in all communities, the official being a part-time employee of each local authority. Case reported by PHA to Department of Justice.
Fairfield	1948	Embezzlement by local authority employee of $363.50. Full restitution made by employee. Local authority instructed to report case to State law enforcement officers.
Mobile	1953	Contrary to its own regulations and its contractual obligation to PHA, local authority purchased materials and supplies without competitive bidding. Particular local firms were favored. An official of the local authority sold supplies to the local authority in violation of PHA contracts and State law. PHA ordered local authority to discontinue these practices. The official involved resigned.
California: Benicia	1947	Embezzlement of $6,391.56 by local authority employee. Convicted in Federal court. $5,000 (total amount of bond) recovered.
South San Francisco	1947	Embezzlement of $116.58 by local authority employee. Full restitution made. Employee discharged. Case reported to Justice.
Florida: Key West	1954	Construction failure experienced in project apparently occasioned by contractor deviating from specifications. Corrective work being undertaken; claims being processed against responsible parties.
Daytona Beach	1949	Shortage of $249.30 in accounts of local authority employee. Full restitution made. Employee discharged. Case reported to local law enforcement officers.
Miami	1945	Embezzlement of $1,959.94 by local authority employee. Case reported to Department of Justice. Full recovery made.
Do	1948	Embezzlement of $315.25 by local authority employee. Full restitution made. Employee discharged. Case reported to local law enforcement officers.
Georgia: Brunswick	1944	Alleged violation of Hatch Act and similar statutes by local official. Also charges that such official was using Government property for personal gain. Case reported to Civil Service and Justice Department.
Decatur	1945	Embezzlement of $210.99 by local authority employee. Case reported to Department of Justice. Loss recovered.
Marietta	1949	Shortage of $728.75 in cash. Local authority employee made full restitution. The employee was fired.
Illinois: East St. Louis	1949	Official of local authority convicted in Federal court on charges of making false reports relating to tenant rental accounts. Fined $300. Employee discharged. Full recovery of funds effected.
Peoria	1954	Local authority employee accepted gratuities from contractor. Employee discharged. Official in local authority also accepted minor gratuities from contractor. Local authority warned that even minor infractions will not be tolerated.
Springfield	1946	Embezzlement of approximately $10,000 by local authority employee. Funds repaid by bonding company and family of employee. Employee disappeared. Case reported to both Federal and local law enforcement officers. Record does not indicate whether embezzler was ever apprehended.
Indiana: Fort Wayne	1948	Shortage of $7,360.14 in accounts of local authority official. Entire amount reimbursed by bonding company and local bank. Official discharged. Case reported to Department of Justice.
Gary	1946	Embezzlement of $346.83 by employee of local authority. Full restitution made. Employee discharged. Case reported to both General Accounting Office and Department of Justice.
Indianapolis	1953	3 cases of submission of false affidavits by tenants as to income in violation of 18 U. S. C. 1012 reported to Department of Justice. Tenants evicted.
New Albany	1942	Alleged interest of local officials in project material supply contract. Case reported to Department of Justice. PHA required termination of contract.
Indianapolis	1952	The local authority breached its contract with PHA covering the development of a low-rent housing program upon action by the city rescinding the cooperation agreement between the city and the local authority and revoking other previous approvals which were required as conditions precedent to such program under applicable Federal or State law. The PHA has requested Department of Justice to enforce payment by the city and local authority of approximately $226,000, representing loans made prior to such breach of contract.
Kentucky: Madisonville	1941	Bribery or attempted bribery by city official in connection with local authority construction contract. Case reported to Department of Justice. Prosecution instituted in State court. No record as to results of this action. No monetary loss suffered by program.
Owensboro	1950	Local officials attempted fraud in connection with land acquisition. Principals indicted. Trials resulted in hung juries. All funds involved recovered.
Maryland: Baltimore	1949	Cash shortage of $397.77 in local authority accounts. Cashier discharged. Funds repaid partly by withholding salary due chashier and partly by insurance company. Local authority ordered to report case to local law enforcement officers.
Massachusetts: Boston	1952	Payroll padding. Expense so incurred disallowed as charge against program.
Michigan: Detroit	1940	Bribery of city officials by local authority contractor. Convictions sustained against officials and contractor. Head of contracting firm suicided. Contract canceled.
Mississippi: Biloxi	1940	Official of local authority had interest in local authority contract in violation of PHA contract and State law. Official required to resign.
New Jersey: Bayonne	1953	Local authority solicited and received donation from contractor for entertainment in connection with completion of project. Local authority ordered to stop such practices.
Camden	1950	Apparent embezzlement of $665.98 by local authority employee. Full reimbursement made by bonding company. Employee discharged. Case reported to Department of Justice.
Harrison	1949	4 officials in local authority convicted in Federal court of receiving kickbacks from contractors. Sentences: From $300 fine to 6 months' confinement. (Sentence of 1 official who aided prosecution suspended. Sentence of another defendant suspended because of his age.) Of the $28,000 involved, $18,000 has been recovered. Claims are being prosecuted to collect balance.
Jersey City	1953	Admissions and continuance in occupancy of ineligible tenants. Local authority required to evict all ineligibles. 1 case involving false statements by tenant now before local grand jury. Special surveillance being maintained by PHA on local authority operations.
Do	1954	Improper approvals by local authority of change orders to construction contract. This matter is now in the courts.
Lodi	1950	Local authority rejected construction bids apparently for purpose of obtaining contractor who would make kickbacks. PHA defaulted local authority and attached all funds theretofore advanced. Contractual relationship subsequently was resumed, upon assurance by local officials that strict observance of contract would be maintained.
Do	1951	Local authority withheld periodical payments to contractors apparently for purpose of obtaining kickbacks. PHA required local authority to make all payments when due.
Do	1952	Official of local authority received $200 kickback from subcontractor. Money subsequently repaid to subcontractor. Case reported to local prosecuting attorney.
Newark	1953	Noncompliance by general contractor. Ensuing investigation resulted in contractor undertaking corrective work. Work being currently performed.
New York: Buffalo	1950	Cash shortage of $2,626.08 in accounts local authority. Full reimbursement by bonding company and employee involved discharged. Case reported to local and Federal law enforcement officers.
Ohio: Zanesville	1940	Officials of local authority alleged to have attempted to obtain kickbacks from contractor. Report made to Department of Justice; 1 official of local authority forced to resign.
	1948	Conflict-of-interest case involving employment of official of local authority. Case reported to Department of Justice. Local authority required to terminate employment contract.
Pennsylvania: Chester	1953	Admissions and continuance of occupancy of ineligible tenants. Local authority required to evict all ineligibles. Project manager discharged. Close surveillance being maintained by PHA on local authority operations.
Rhode Island: Woonsocket	1952	Official of local authority made false statements in violation of 18 U. S. C. 1001. Case reported to Department of Justice.
Tennessee: Jackson	1950	An official of local authority alleged to have acquired certain real property (in the name of a third party) after local authority had selected such property for inclusion in a project site. This case was investigated by the FBI and submitted to a grand jury in 1951 which failed to take action.
Texas: Houston	1950	Shortage of $358.53 in accounts of local authority employee. Employee died before completion of audit. Reimbursement by deduction from terminal leave payments due employee.
	1950	Shortage of $1,310.69 in accounts of local authority employee. Full reimbursement by employee who was discharged.
	1952	Local authority executive director committed irregularities ranging from embezzlement and extortion to mismanagement. In 1953, on the basis of evidence furnished by the PHA, this official was indicted, convicted on 5 counts, and sentenced to 1 year on each count (to run concurrently) and fines totaling $3,000. Subsequently this punishment was remitted by the trial court. Other remedial action included the removal of 2 employees and a complete reorganization of the local authority. Claims for monetary damage against all responsible parties and their sureties are in course of prosecution.

List of cases encountered in low-rent housing program involving irregularities or illegalities—Continued

Locality	Year	Nature of case and action taken
Virginia: Alexandria	1952	Local authority attempted to award a construction contract to a local firm whose bid was approximately $62,000 in excess of the low bid. It was the contention of the local authority that the Virginia "right to work law" and the Taft-Hartley Act prohibited it from awarding the contract to the low bidder. This question was resolved in the negative by court decision. PHA required the local authority to award the contract to the low bidder.
Newport News	1952	An official of the local authority sold automatic equipment to the local authority in violation of the PHA contract and the State law. The PHA has requested the local authority to require the offending official to reimburse project fund to the extent of his gross profit on this transaction, and to desist from such practices in the future.
Norfolk	1947	Disappearance of local authority funds in amount of $976.76. Reported to Department of Justice. Full reimbursement by insurance company. Employee of local authority forced to resign.
	1953	Improper expenditures by the local authority in an amount approximating $1,100. The PHA required the local authority to reimburse project funds to the extent of these expenditures.
	1954	Fraudulent inspection in connection with the development of a project. This is a new case. Action is being taken to process appropriate criminal remedy. Full recovery of monetary losses is anticipated.
Portsmouth	1954	Local authority official entered into subcontracts in connection with development of project in violation of PHA contract and State law. PHA required termination of all such subcontracts. The official resigned. Cases reported to Department of Justice May 4, 1954.
Puerto Rico: Caguas	1950	Shortage of $1,481.65 in accounts of local authority. Full reimbursement by insurance company ($1,000) and employee involved ($481.65). Employee prosecuted under local law.

STATEMENT BY SENATOR BYRD

As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I wrote to Mr. Albert M. Cole, Housing and Home Finance Agency Administrator, on August 6, inquiring as to the FHA policy with respect to insuring new loans for builders who previously had exploited Federal housing programs for windfall profits.

Mr. Cole has replied under the date of September 24. Attached will be found:

(1) Mr. Cole's reply;

(2) The FHA statement of policy with respect to this subject; and

(3) My August 6, 1954, letter.

HOUSING AND HOME FINANCE AGENCY,
Washington, D. C., September 24, 1954.

Hon. HARRY F. BYRD,
Chairman, Joint Committee on Reduction of Nonessential Federal Expenditures,
United States Senate,
Washington, D. C.

DEAR SENATOR BYRD: This is in further reply to your letter of August 6, 1954, referring to a news story in the Washington Post and Times Herald of August 1, 1954, and requesting information with respect to current FHA policies and related matters.

With regard to your first inquiry concerning current FHA policy, I have been advised by Norman P. Mason, Commissioner, FHA, that the statement in the Washington Post and Times Herald was not an accurate presentation of current FHA policy in that it omitted the procedural safeguards which Commissioner Mason has established to assure proper utilization of insured mortgage programs. Commissioner Mason has directed all field directors to notify FHA Washington headquarters before processing applications for mortgage insurance from persons listed as principals in the press release of June 11, 1954, concerning 70 section 608 developments in which FHA-insured mortgage loans exceeded costs, resulting in windfalls. FHA Washington headquarters determines the eligibility of the applicants after reviewing HHFA investigated data and then notifies the field officer whether to continue processing the mortgage-insurance application.

The official FHA statements of policy in this matter are contained in a letter to the field directors dated June 22, 1954, and in a press release dated July 28, 1954. I am enclosing a copy of each herewith.

On July 28, 1954, it was announced that future applications of the Shelby Construction Co. would be processed by FHA field offices. However, in this press release Commissioner Mason also indicated that this action did not preclude reopening the case if further information was developed. Subsequently the above decision to permit the processing of Shelby Construction Co. applications was reconsidered and reversed on the basis of additional information obtained, and on August 5, 1954, FHA field offices discontinued processing applications of this company.

With regard to your second inquiry, concerning the definition of "sharp practices," I have been advised by Commissioner Mason that "the distinction between windfalls and 'sharp practices' could be expressed as the difference between windfalls obtained with the knowledge of FHA officials and under the lax administrative procedures of the time as opposed to windfalls obtained through unethical practices and without compliance with FHA procedures."

With regard to your third inquiry, concerning referral to the Department of Justice of certain Shelby Construction Co. developments, the several cases you mentioned have been and are under discussion with the Department of Justice for the purpose of determining the civil or criminal actions applicable to these cases. Foreclosure proceedings have already been instituted in the case of the Parkchester Apartment development. Also under consideration is a method whereby FHA, as preferred stockholder, takes control of the various projects on the theory that certain irregularities in connection with mortgaging out are defaults within the meaning of the provisions of the corporate charter. The several developments about which you inquired generally involved the same principals. Claiborne Towers, Inc., and Governor Claiborne Apartments, Inc., are in effect a single building, but were constructed by the Shelby Construction Co. as two separate projects. The Parkchester Apartment development consists of 11 projects constructed by the Shelby Construction Co. The Claiborne and Parkchester projects were subsidiary corporations of the Shelby Construction Co. Little Street Homes, Inc., and Emile Homes, Inc., are individual projects in the Roselawn development which consists of eight projects. This development was acquired by the Shelby Construction Co. in 1953. Paul Kapelow, Lewis Leader, and Emile Bluestein are officers of the Shelby Construction Co., and were also principals in other capacities in the various projects.

With regard to your fourth inquiry, concerning Department of Justice reports received on the above cases, no formal action has been completed by the Department of Justice on any of the above cases, and consequently there have been no Department of Justice reports.

With regard to your fifth inquiry, concerning various aspects of mortgaging out in the above cases, I submit the following:

(a) At the Claiborne, Parkchester, and Roselawn projects the building contractor, in each case an affiliate, was apparently paid the entire amount of the loan, which exceeded the actual cost of construction. The exact cost of construction is not clear, but the total amount paid to the builders in excess of costs is at least several million dollars.

(b) None of these projects declared dividends.

(c) At the Roselawn projects, stock was redeemed for $81,600. The cash paid in for these stocks was reportedly $28,100.

(d) The records indicate that there may have been excessive management fees at the Parkchester projects.

(e) Other than the excessive profit on construction made by the builder described in (a) above, the records do not indicate excessive payments for services.

(f) Loans were made to affiliated corporations by the Roselawn projects.

(g) Rentals in excess of $500,000 were collected at the Claiborne projects prior to payments of the loan.

(h) There were no long-term land leases at these projects.

(i) At all of these projects there were multiple affiliated corporations with the same owners.

(j) The records do not establish collusion, but at the Parkchester development an obviously unrealistic FHA estimate of replacement cost is not explained or accounted for.

With regard to your sixth inquiry, requesting a list of all projects which have made windfalls from any loan insured, guaranteed or made by any Federal agency, I am also enclosing herewith a list of additional section 608 FHA-insured mortgage-loan projects, compiled since June 4, 1954, in which there were windfalls. I am not in a position to advise you on windfalls made from loans insured by Federal agencies not affiliated with HHFA.

All section 608 projects in which windfalls were involved are being considered, in close collaboration with the Department of Justice, for the institution of appropriate civil and criminal proceedings.

The major civil action contemplated is along the lines started against Linwood Park, Inc., Fort Lee, N. J. In that case FHA, as preferred stockholder, has started actions to gain control of the 13 Linwood Park corporations, for the ultimate purpose of recovering the windfalls. Enclosed are copies of HHFA press releases No. 703, dated August 29, 1954, and No. 706, dated September 11, 1954, which describe further the steps already taken in the Linwood Park case.

The statute of limitations bars criminal actions in most section 608 cases, and in a number of instances former FHA personnel officially took the position that they were not misled by the false statements or other fraudulent acts of section 608 promoters. As a result, criminal prosecution is difficult and often impracticable. However, despite these difficulties, three section 608 cases have been referred to the Department of Justice for criminal proceedings.

With regard to your seventh inquiry, I am having compiled the list you requested of all companies for which FHA has approved applications for loan insurance since April

12, 1954. As soon as FHA has assembled the data, I will forward the list to you.

I am happy to be of assistance to you in this matter.

Sincerely yours,

ALBERT M. COLE,
Administrator.

FEDERAL HOUSING ADMINISTRATION, WASHINGTON, D. C.—PRESS RELEASE NO. 54-51, WEDNESDAY, JULY 28, 1954

"The objective of the Federal Housing Administration will continue to be to insure the greatest possible number of mortgage applications consistent with sound and ethical business practices," said FHA Commissioner Norman P. Mason today. Mason was replying to questions asked as a result of an FHA policy statement dated July 23, 1954, going to all FHA field offices.

This statement spelled out the policy by which applications for future loans may be granted to any of the corporations or individuals under investigation as making large windfall profits from "mortgaging out" under section 608 of the Housing Act. This consisted of obtaining a Government-insured mortgage in excess of the actual cost of the project and, upon completion of construction, pocketing the difference. In some instances it has been alleged that unethical, if not illegal, means were taken to bring about these windfall profits. "There is no doubt in our minds," said Mason, "that the great bulk of the American building industry operates with complete integrity. A few bad apples got into the barrel, and every effort has been, and will continue to be, made to stop their abuse of Federal facilities which are designed to stimulate the third largest industry in the United States in its efforts to house the American people. To this end, applications of individuals and corporations now under investigation will be examined both in the field offices and in Washington. Upon their individual merits those who are not involved in sharp practices will, within the discretion of the FHA, be encouraged to add the fruits of their professional efforts to the inventory of American housing. Those cases receiving negative decisions will be given a full opportunity to present any such further evidence which bears upon the case."

The policy statement to the FHA field offices follows:

"POLICY STATEMENT ON HANDLING OF APPLICATIONS TO THE FEDERAL HOUSING ADMINISTRATION BY SPONSORS APPEARING ON THE JUNE 11, 1954, LIST

"The Federal Housing Administration has a responsibility to make certain that the firms with which it does business faithfully observe the requirements of law and commonly accepted standards of business integrity. It has an equal responsibility to conduct its dealings with builders and lenders in a completely fair and equitable manner.

"At the present time a number of individuals and firms which sponsored 608 projects and whose activities in connection therewith are currently under investigation have pending applications to the Federal Housing Administration with respect to new housing projects. In order to make certain that the Federal Housing Administration is properly discharging its responsibilities, Acting Commissioner Norman P. Mason has issued instructions that on pending applications of the type thus described, the names of such firms and persons are to be referred to Washington before final decision is made on whether a commitment to insure should be issued. In connection with such cases the following procedure will be followed:

"1. The Federal Housing Commissioner will review the information so far developed in the course of the investigation and determine the acceptability of the proposed mortgage-insurance risk.

"2. Due consideration will be given to additional risks which are presented and which, by the exercise of sound discretion and prudence, the FHA should not assume.

"3. In cases where the FHA Commissioner determines that he cannot prudently and in the public interest approve such applications, the persons and firms affected will be given the opportunity to present evidence bearing on the questions involved."

AUGUST 6, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: The Washington Post and Times Herald of Sunday, August 1, 1954 (p. 3-R) quotes Mr. Norman B. Mason, Federal Housing Administrator, as saying:

1. The Government will not blackball all companies which made windfall profits on federally insured mortgages.

2. Some companies will be permitted to build new public housing projects if they were not involved in sharp practices.

3. The Shelby Construction Co., Inc., New Orleans, is the first company to benefit from the policy.

4. FHA field offices have been ordered to resume the processing of this company's applications to build projects in Louisville, Kansas City, Cincinnati, Columbus, Indianapolis, New Orleans, Shreveport, and Philadelphia.

5. The Shelby Co. was listed last month as having made a windfall profit of $1,273,500 on the Claiborne Towers project at New Orleans.

6. Three officers of the company—Emile Blustein, Lewis Leader, and Paul Kapalow—also were listed as having made a windfall of $3,477,000 on the construction of the Parkchester Apartment development at New Orleans.

Your attention is invited to the Housing and Home Finance Agency's statement of June 11, 1954 (HHFA-OA-No. 675) releasing an interim report on the investigation of section 608 FHA-insured mortgages on rental housing developments, from William F. McKenna, Deputy HHFA Administrator, in charge of the investigation into FHA.

This statement, in part, said:

1. The report contained names and amounts of over 200 corporations involving about seventy 608 developments in which FHA-insured mortgage loans exceeded costs, resulting in windfalls to sponsors of approximately $40 million.

2. All cases have been or are being referred to the Department of Justice for such civil or criminal proceeding as may be indicated by the circumstances in each case.

3. Many, if not most, of these cases involved other substantial windfalls not reflected in the $40 million total.

4. The HHFA investigation disclosed various methods whereby other monetary gains were obtained by owners over and above authorized earnings from actual project investments, including "padding of cost figures by using excessive prices for the cost of construction and for the purchase of land."

5. Various devices were also used for the distribution of windfalls, including "the declaration of 'dividends' out of mortgage proceeds," and redemption of stock at inflated prices, exorbitant management fees, excessive payments for services to corporations owned by the sponsors, and loans by the corporations to their principals which will be paid when and if the principals who dominate the corporation decide."

6. The $40 million windfall figure did not include rents collected before first payments on FHA-insured loans, long-term land leases between sponsors and principal stockholders as individuals, or use of multiple corporations with the same owners.

7. Certain promoters were aided and guided by former top FHA officials in windfall practices.

As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting at your earliest convenience the following information with respect to current FHA policies and related matters:

1. A statement as to whether the article in the Washington Post and Times Herald of August 1 (p. 3-R), accurately reported the current FHA policy, and if so a copy of any official promulgation of such policy would be appreciated.

2. A statement of FHA's distinction between any kind of a windfall made by a company under an FHA-insured construction loan and "sharp practices," if it makes such a distinction.

3. A statement as to whether, in accordance with the HHFA release of June 11 (HHFA-OA-No. 675), the cases of any or all of the following have been "referred to the Department of Justice for such civil or criminal action as may be indicated by the circumstances in each case"; Claiborne Towers, Inc., Governor Claiborne Apartments, Inc., Parkchester Apartment development, Little Street Homes, Inc., Emile Homes, Inc., Shelby Construction Co., Paul Kapelow, Lewis Leader, Emile Bluestein.

4. A statement summarizing Department of Justice reports received to date by FHA on any or all of the above cases.

5. A statement as to whether any or all of the above corporations, companies, developments, or their officers, have been connected with any project, for which loans have been insured by FHA, where:

(a) Cost figures were padded by using excessive prices for cost of construction and purchase of land;

(b) Dividends were declared out of mortgage proceeds;

(c) Stock was redeemed at inflated prices;

(d) There were exhorbitant management fees;

(e) There were excessive payments for services to corporations owned by the sponsors;

(f) Loans were made by the corporations to their principals to be paid when and if the principals who dominate the corporation decide;

(g) Rents were collected before first payments on FHA-insured loans were made;

(h) There were long-term land leases between sponsors and principal stockholders as individuals;

(i) Multiple corporations with the same owners were used; or

(j) Promoters were aided and guided by former top FHA officials in windfall practices.

6. A list of all corporations, companies, developments, and their officers found by HHFA, or any other official investigation reported to you, to have made windfalls from any loan insured, guaranteed or made by any Federal agency, along with:

(a) A statement in each case as to whether it has been referred to the Department of Justice for such civil or criminal proceedings as may be indicated; and

(b) A statement summarizing any Department of Justice report on each case.

7. A list of all corporations, companies, developments, and their officers, for which FHA, since April 12, 1954, has approved applications for loan insurance, indicating the amount of insurance involved and giving for each the information requested in question No. 5 and its subquestions 5 (a) through 5 (j).

Very truly yours,

HARRY F. BYRD,
Chairman.

NOVEMBER 1, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting at your earliest convenience the following information with respect to the so-called college housing program under the Housing and Home Finance Agency:

1. Total funds authorized to date, indicating amounts authorized for direct loans, insured loans, guaranteed loans, grants, etc., and appropriations for administrative expenses, etc., with citations to authority.

2. Limitations on loans, grants, etc., such as percentage of cost, value, etc., if any.

3. Complete list of institutions which have applied for funds showing:

(a) Name of institution.

(b) Its location.

(c) Whether it is State, city, private or other.

(d) Amount applied for in each application.

(e) Status of each application, with reasons for any rejected.

(f) Interest rate on each loan granted.

(g) Duration of each loan granted.

(h) Amount of interest paid on each loan, and amount of principal repaid.

4. State of HHFA prerequisites for granting loans, such as legal authorization and approval by State and city authorities for State and city institutions, etc.

5. Statement as to whether projects constructed with loans under this program may be in conjunction with assistance under one or more other programs under general jurisdiction of the HHFA. For example, can college housing projects be erected in a slum clearance area; in combination with any other housing program? If so, indicate possible combinations, and list all actual combination projects approved to date, and all other applications involving combination of programs.

6. A statement as to whether it is possible to "mortgage out" or borrow in excess of cost under this program; and if so what precautions HHFA has taken against these practices.

7. A statement as to whether HHFA controls to any degree the rentals or fees charged for occupancy or otherwise of these projects.

8. A list (identified) of any projects in this program which have defaulted.

9. A list of all irregularities, or illegalities, found to date in this program, if any, and actions taken in each case.

10. A statement as to whether this program is being emphasized at this time more than in the past, and if so the means of promotion.

Very truly yours,

HARRY F. BYRD,
Chairman.

NOVEMBER 1, 1954.

Hon. ALBERT M. COLE,
Administrator, Housing and Home Finance Agency, Washington, D. C.

MY DEAR MR. COLE: There have been numerous references in the press and elsewhere relative to dismissals of personnel from constituent agencies of the Housing and Home Finance Agency following recent investigations and other inquiries involving them.

For purposes of accuracy, authenticity, fairness, and completeness in the Joint Committee on Reduction of Nonessential Federal Expenditures report to the President and Congress, under authority of section 601 of the Revenue Act of 1941, it will be appreciated if you will supply the committee with:

1. A list of all persons in HHFA and its constituent agencies who have been dismissed, or subjected to other administrative action since April 1, 1954, as a result of investigations or related inquiries showing:

(a) Name.

(b) Title or position.

(c) Agency.

(d) Office location.

(e) Charge, cause, or reason.

(f) Action.

(g) Any further disposition taken or contemplated.

2. A documented list of all other administrative actions taken since April 1, 1954, by the HHFA Administrator, and heads of constituent agencies in connection with, or as a result of investigations or related inquiries.

Very truly yours,

HARRY F. BYRD,
Chairman.

STATEMENT BY SENATOR BYRD

I am pleased to see that Mr. Albert M. Cole, Administrator, Housing and Home Finance Agency, has found legal grounds for recovery on FHA windfalls which have constituted the most scandalous exploitation of Government credit for private profit in recent history.

I urged Mr. Cole nearly 6 months ago to take decisive action in this respect. I hope the action he has taken is decisive and I urge him to press for recovery to the fullest extent of the law.

His estimate of 2,000 windfall cases—nearly half of the 608 loans investigated to date—would indicate possible recovery running into hundreds of millions of dollars. The 608 program was only 1 of 14 FHA programs.

In my first conversation with Mr. Cole about these cases, he said he did not at that time know of legal grounds on which he could proceed. But in reply to a subsequent inquiry, he said in part:

"FHA does not appear to have been generally vigilant in exercising the right accorded it as a preferred stockholder under the (housing) act or regulations and the charter provisions of the mortgagor corporations. In addition FHA appears generally to have been indifferent to the disclosures of substance in financial reports received."

Mr. Cole now is quoted as saying that the first step toward recovering unearned profits in federally insured housing loans is to call meetings of preferred stockholders for the purpose of removing present directors of the corporations and electing new ones with the FHA exercising its rights as a preferred stockholder.

I trust Mr. Cole will continue his efforts to bring justice to the Government, the individuals who have been victimized through high rents and housing prices, and to those employed by FHA who were responsible for allowing the unconscionable windfall practices to grow up within a Federal program involving billions of dollars insured by the Federal Government. There should be no favor shown anyone in these cases, no matter how highly they may be placed or what the nature of their participation may be.

PROGRAM FOR THE SENATE

Mr. KNOWLAND. Mr. President, for the information of the Senate, let me state that, as previously announced, it is the hope of both the majority leader and the minority leader that we may have daily sessions of the Senate beginning at 10 a. m. and continuing to approximately 5:30 p. m.—although, of course, that will be subject to the discretion of the Senate, and will depend upon the circumstances which may develop as we move along with the debate.

The other day I suggested to the distinguished minority leader—and he has had an opportunity to discuss it, and to talk to me again this morning; and I understand that he concurs in the suggestion—that because of the importance of having as large an attendance of Senators as possible at all times on the floor of the Senate when we enter upon the debate, we might do what, for the Senate, would be somewhat unprecedented, namely, to hold sessions from 10 a. m. to 12:30 p. m., for instance, and then to take a recess for 45 minutes, in order that all Senators might have lunch at that time, so that while at lunch they would not be interrupted by having to answer quorum calls, and, also, so that perhaps half the membership of the Senate would not be absent from the Chamber during a presentation of importance to this body.

Of course, it is entirely for the Senate to determine, according to its discretion, what it desires to do. The procedure I have just suggested is not our normal one, and under normal circumstances I would not necessarily recommend it. But in view of the particular type of problem now before the Senate, and inasmuch as a Member of this body is involved, I believe that, as a matter of fairness and equity, it would be far better for us to arrange for a reasonable lunch period, and then to have Senators return to the Chamber. So I would suggest a period of 45 minutes, rather than 1 hour; I believe that in view of the facilities available here, within that period of time we could have lunch and return to the Chamber. The exact time for taking the recess could be subject to some flexibility. If a Senator had almost completed his remarks at 12:30, and could conclude within 5 minutes, the session might run past the appointed time. However, at approximately 12:30 a recess of 45 minutes could be taken. Senators would then return to the Chamber at 1:15 o'clock p. m. If that suggestion is agreeable, I shall submit it in the form of a unanimous-consent request. Of course, even at that point it is entirely within the control of the Senate as to whether or not it will follow the suggestion of the majority leader.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Texas.

Mr. JOHNSON of Texas. We realize that it is not so much a problem for individual Members generally as it is for members of the select committee, and the distinguished chairman of that committee [Mr. WATKINS], as well as the junior Senator from Wisconsin and other Senators who may desire to speak on the question. Therefore, I should like to say to the majority leader and to the Senate what I have already said in private conversation. We concur in the suggestion of the majority leader. We think it would be the better part of wisdom to follow the course he has outlined, so that members of the committee, the junior Senator from Wisconsin [Mr. MCCARTHY], and any other Senators who feel that they should be present all the time—and we hope they will have an opportunity to be present all the time—may be enabled to obtain their lunch

without having to eat sandwiches at their desks.

Mr. KNOWLAND. Secondly, in regard to Veterans' Day, which was formerly known as Armistice Day, which occurs on Thursday, the 11th of November, I have consulted with the minority leader, and we have concluded that it might be well for the Senate to meet at 12 o'clock noon tomorrow instead of at 10 o'clock a. m. Of course, on each day the debate will be preceded by the usual morning hour, under the 2-minute limitation, and a quorum call. If the Senate were to meet at 12 o'clock noon tomorrow, Senators who desired to do so might attend the Veterans' Day ceremonies. Again, that arrangement is subject to the approval of the Senate.

When the time arrives this evening for adjournment or recess, it is my intention to move that the Senate reconvene at 12 o'clock noon tomorrow. After tomorrow we can return to the 10 o'clock schedule.

The question of Saturday sessions has also arisen. I have consulted with the minority leader on that subject. Originally I had thought that perhaps we might forgo Saturday sessions in order to permit Senators sufficient time to dispose of some of the work in their own offices. However, the minority leader has conducted a survey on that question. At the present time I concur in his judgment that, at least until we can see what progress we are making, we should proceed with Saturday sessions of the Senate. As has been stated heretofore, most Members of the Senate have not had an opportunity to rest since the conclusion of a very busy session. There has been a campaign in which a third or more of the membership of the Senate have been principals, and in which most other Members of the Senate have participated to a greater or lesser degree. Most Members of this body have had no respite from the heavy responsibilities of Senators.

There are those on the outside who believe that when a Senator returns to his own State he is on vacation. Every person who has ever served in this body, or who has any knowledge of the situation, knows that such is not the case. Actually the problems presented and the responsibilities of a Senator are as great at home as they are in Washington. So, rather than unnecessarily to prolong the session, we thought we should at least begin with Saturday sessions. Of course, as in all these matters, the decision rests in the hands of the Senate. My responsibility will be to make recommendations, which the Senate may or may not follow.

With this general explanatory statement, I should like Members to be giving some thought to the question. At approximately 12:30 p. m. today, and on succeeding days, allowing for some flexibility, I propose to move a recess for 45 minutes for a lunch period.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. McCARTHY. I should like to ask the indulgence of the Senator. Relying on the Senator's previous statement that there would be no Saturday sessions, I proceeded to accept an invitation from the Republican Women's Clubs of Wisconsin, to attend a testimonial dinner on Saturday night, at which I shall speak. The Senator from Arizona [Mr. GOLDWATER] is to be present. It would be a great hardship upon me if there were to be a session of the Senate next Saturday.

Mr. KNOWLAND. I will say to the Senator that in view of the uncertainties of the situation, it is perfectly agreeable, so far as the coming Saturday is concerned, not to have a Saturday session, but I hope Senators will hold themselves in readiness to meet on subsequent Saturdays, if it is the determination of the Senate to hold Saturday sessions.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. WELKER. I wish to express my appreciation to both the majority and minority leaders, who are my distinguished friends, for allowing time for a lunch period; but I do not know of any court in the world which allows only 45 minutes for lunch. In Idaho our sheepherders are allowed more than 45 minutes for lunch. Furthermore, it would require 45 minutes to eat a sandwich if it were prepared at home.

It has been argued that this is a judicial proceeding, highly technical in its nature, and that the verdict may be very serious one way or the other. I know of no court functioning in this land which holds sessions on Saturdays and at night and allows only 45 minutes for lunch. Both the prosecution and the defense must have time to prepare.

I urge upon my friends, the leaders of the Senate, that we be fair in this matter, and that both sides be given an opportunity to present their cases. I do not wish to delay this proceeding. I traveled nearly 3,000 miles to be present at this session. I did not know that we were to encounter unfair labor practices.

Mr. KNOWLAND. Mr. President, I will say to the distinguished Senator from Idaho that I realize that 45 minutes is not a very long time. I shall be glad to discuss the question with other Senators, as I know the minority leader will. The suggested period of 45 minutes, however, is 45 minutes more than is available under the practice of the Senate for many generations, during which time some very important legislation has been before this body. I do not refer, necessarily, to anything relating to this particular subject. However, it was legislation of great importance to the Nation and to the 160 million people of our country.

Let us proceed and see what can be accomplished. I am sure that neither the majority leader nor the minority leader wishes any Senator to suffer from indigestion for the want of 15 more minutes. However, I hope the arrangement suggested may prove to be convenient. Let us see what can be done.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. The Senator from Texas is not informed with respect to labor standards in Idaho, but in my State we do not consider a 40-hour week particularly oppressive.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. WELKER. Both distinguished leaders are my close personal friends. It has been stated that we are being allowed something we have not had heretofore. I have been a Member of this body for only 4 years. During that time, only rarely, if ever, do I recall beginning work on the floor of the Senate in important debate at the hour of 10 o'clock and working through until 5:30, with Saturday sessions. I am willing to argue the precedents on that subject. I do not believe that the leaders are offering us very much.

Mr. KNOWLAND. Mr. President, let me say to the Senator again that that question is entirely in the hands of the Senate. We are all interested in proceeding in a manner which will be equitable to all concerned. Actually, of course, the Senate does not begin work at precisely 10 o'clock. There is a quorum call, and there is the usual morning hour, which I understand Senators would like to continue. We finally get under way about half past 10. Therefore, I would suggest that we try to follow the course I have indicated. As we go along we can adjust the situation.

Mr. CHAVEZ. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I would be willing to go along with the majority leader and with the minority leader, if the minority leader has agreed to the suggestion. My office is not run under NRA rules with respect to hours of business. However, we are confronted with a situation. I refer to the fact that it takes at least 45 minutes to obtain a table in the Senators' dining room. By the time we get through with our administrative assistants we are lucky to get into the restaurant in 45 minutes after we leave the Chamber.

Mr. KNOWLAND. I shall be glad to discuss that situation with the chairman of the Committee on Rules and Administration and with the ranking member of the committee, and also with the Sergeant at Arms, to determine what can be done to facilitate the service in the restaurant under the situation confronting us.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Colorado. I thank the Senator for yielding. I have heard rumors about Senators planning to leave for Australia and for Paris and for other parts of the world on various tours. I am just wondering what is to be done about such unnecessary missions during this session as they pertain to the attendance of Senators.

Mr. KNOWLAND. I merely wish to say to the Senator from Colorado—and perhaps the minority leader will speak for himself on that point—I have advised Senators on this side of the aisle, both publicly and privately, that they

adjust their plans so that they may be on the floor during this session of the Senate.

As the able and distinguished Senator from Colorado knows, the majority leader has no absolute power to compel any Senator to be present. There are circumstances, such as illness or death in the family, or a particular commitment of far-reaching importance, which a Senator would have to weigh as against being present on the floor of the Senate. However, again publicly, on the floor of the Senate, I make a plea to Senators on this side of the aisle, and as majority leader I will pass the plea across the aisle—and I am sure there will be no resentment for my doing so, and perhaps the minority leader will make the same plea—that all Senators try to adjust their schedules so that they may be present on the floor of the Senate during this session.

I had a long-standing commitment—it was one I had made 6 months ago—to speak last night in Miami. I kept the appointment in Miami by leaving Washington yesterday at the close of the session. I returned to Washington by plane at 4 o'clock this morning, so that I could be here for the opening of today's session.

I certainly hope that Senators will not make any commitments which will keep them from attending the sessions of the Senate. When it was brought to my attention that Senators were expected to go on missions abroad, I personally advised the executive departments, that, in my opinion, as majority leader, the first obligation of a Senator was to be in the Senate during a session of the Senate, particularly during a session of this kind. Therefore I said that if a Senator nevertheless attended such a conference abroad, which would make it impossible for him to be in the Chamber, it would be without the approval of the majority leader, and in fact, would be over the objection of the majority leader.

Mr. JOHNSON of Colorado. Mr. President, that is what I wanted to hear the majority leader say.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the able minority leader.

Mr. JOHNSON of Texas. I concur in what the majority leader has said. On my return to Washington last Friday I met with the distinguished Senator from California. We agreed that although several conferences had been scheduled at which Members of the Senate were expected to be in attendance, the majority leader, on behalf of himself and the minority leader, would suggest to the Secretary of State and to the heads of other executive agencies the hope that they would understand the situation if a representative of the Senate did not attend such conferences.

I understand that some of the executive agencies are still making inquiries along that line. I hope the majority leader will again communicate with them and express to them our very deep feeling concerning the importance of every Member of the Senate being in attendance at this session.

Mr. KNOWLAND. I will say to the Senator from Texas that I have conveyed that information to the executive departments on several occasions and I shall repeat the statement. As my attention is brought to the matter from time to time, I hope that I may be able to speak jointly on the question for both sides of the aisle.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. WELKER. Could the Senator from California inform the Senate how many Senators are expected to go on junkets or missions throughout the world? I do not know what the purpose of the junkets or missions is, or who ordered Senators to go on them. Would the majority leader advise the Senate on that point?

Mr. KNOWLAND. I have made a check on this side of the aisle, and perhaps the minority leader has also made a check on his side of the aisle. First, when I heard that a number of trips were contemplated, I contacted the departments concerned and strongly recommended that they make other arrangements, so that Senators would not be absent from the country. Secondly, where I had individually heard that Senators planned trips or had planned to be out of the city, I personally spoke to them about it. I know that as a result a number of Senators have canceled their trips.

I am having a re-check made of the entire membership on this side of the aisle, in order to determine how many Senators, if any, contemplate being away from the sessions of the Senate for any considerable period of time, barring, of course, illness or death, or being away when votes are taken.

Mr. WELKER. Mr. President, will the Senator yield further?

Mr. KNOWLAND. I yield.

Mr. WELKER. I ask the distinguished majority leader whether he knows who ordered these junkets.

Mr. KNOWLAND. So far as I know, no one has ordered them. I understand that some conferences of an international character will be held. They will be held in any event, regardless of whether Senators attend them. Pursuant to policies which have been historically followed, and in many instances depending on the subject matter to be discussed, either Members of the House or Members of the Senate, or Members of both Houses, have been invited to attend certain conferences. In many instances, such invitations were issued before the special session was called, and the agencies had discussed with the chairman of a committee or the ranking member of it the possibility of some Members of the Senate accompanying a delegation to the meetings. I have made strong recommendations to the White House and to the State Department and to other agencies involved, urging that they send substitutes for Senators, so that Members of this body will not have to leave the city.

Mr. WELKER. Rumors have been prevalent all over the country that certain executive agencies have asked that Members of this jury be sent to the hinterlands all over the world while this important case is being tried in the Senate. As one Senator, I strongly object to any such procedure. All of us have known for many months that this session would be held. If any agency orders any Senator to be anywhere but in the Senate, or if an agency undertakes to afford a Senator an opportunity to be out of the country during this time, it is something that should not be tolerated.

Mr. KNOWLAND. I will say, Mr. President, that I can give the Senator categorical assurance that no Senator has been ordered out of the country, and that no Senator would be subject to being ordered out of the country. If any Senator should subordinate himself to the executive department to that extent, I would be very much surprised, because if a Senator were to submit himself to such an order he would not be carrying out the constitutional concept that Congress is a coequal branch of the Government of the United States.

Therefore, I will say that no Senator is under any orders. Each Senator is requested officially and unofficially by the majority leader and the minority leader of the Senate that he not go on such missions and that he be present in the Senate. Of course, on the other hand, I cannot hogtie or chain to his desk any Senator of the United States.

Mr. WELKER. Mr. President, will the Senator yield for one more observation?

Mr. KNOWLAND. I yield.

Mr. WELKER. Perhaps I was wrong in saying that a Senator had been ordered by the executive department. However, I know the Senator from California will agree with me, and that he knows it to be a fact, that Senators have been invited to go on certain junkets. If the majority leader does not know it to be a fact, I shall be glad to produce the proof.

Mr. KNOWLAND. I will say to the Senator that the question of whether such assignments come under the term "junkets" I am not prepared to debate at this time.

Second, I know that it is not unusual, and I think there is merit under some circumstances, and particularly during congressional recesses, for the point of view of the Congress at least to be presented. But this is not that type of a situation. I want to emphasize as strongly as I can the fact that I have, both to the President of the United States, to the White House staff, to the State Department, and to other agencies of the Government, made a personal plea and have stated that if any Senators went out of the country it was over my objection, that I did not believe they should go, and that I thought they should be discouraged from going.

Mr. President, having had prior consultation with the minority leader, I had knowledge of the fact that his point of view in that regard was precisely the same as my own.

Mr. WELKER. I thank the distinguished majority leader for his statement.

RESOLUTION OF CENSURE

Mr. KNOWLAND. Mr. President, I should like to have the attention of both the Senator from Utah [Mr. WATKINS] and the Senator from Wisconsin [Mr.

McCARTHY]. In order to have the pending business properly before the Senate, I am about to move that the Senate now proceed to the consideration of Calendar No. 2540, Senate Resolution 301, to censure the Senator from Wisconsin [Mr. McCARTHY], which will merely place it before the Senate for consideration and for debate. Of course, the matter is entirely in the hands of the Senate as to whether the resolution be amended as the committee suggests, whether it be amended as other Senators may request, whether a motion be made to lay the resolution on the table, or whatever action may be taken.

Mr. McCARTHY. Mr. President, I have no objection to that procedure.

Mr. KNOWLAND. Is that procedure agreeable to the Senator from Utah?

Mr. WATKINS. It is agreeable.

Mr. KNOWLAND. Mr. President, I now move that the Senate proceed to the consideration of Calendar No. 2540, Senate Resolution 301, to censure the Senator from Wisconsin [Mr. McCARTHY].

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). The clerk will state the resolution.

The LEGISLATIVE CLERK. Calendar No. 2540, a resolution (S. Res. 301) to censure the Senator from Wisconsin [Mr. McCARTHY].

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California [Mr. KNOWLAND].

The motion was agreed to; and the Senate proceeded to consider the resolution (S. Res. 301) which had been reported by the Select Committee To Study Censure Charges, with amendments, so as to make the resolution read:

Resolved, That the Senator from Wisconsin [Mr. McCARTHY] failed to cooperate with the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up matters referred to that subcommittee which concerned his conduct as a Senator and affected the honor of the Senate and, instead, repeatedly abused the subcommittee and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin [Mr. McCARTHY] in failing to cooperate with a Senate committee in clearing up matters affecting the honor of the Senate is contrary to senatorial traditions and is hereby condemned.

SEC. 2. The Senator from Wisconsin [Mr. McCARTHY] in conducting a senatorial inquiry intemperately abused, and released executive hearings in which he denounced, a witness representing the executive branch of the Government, Gen. Ralph W. Zwicker, an officer of the United States Army, for refusing to criticize his superior officers and for respecting official orders and executive directives, thereby tending to destroy the good faith which must be maintained between the executive and legislative branches in our system of government; and the Senate disavows the denunciation of General Zwicker by Senator McCARTHY as chairman of a Senate subcommittee and censures him for that action.

Mr. WATKINS. Mr. President——

The PRESIDING OFFICER. The Senator from Utah.

Mr. WATKINS. Mr. President, in beginning my discussion I should like to request the indulgence of the Senate to the extent that I may not be interrupted during the course of the delivery of my main statement. I am under some physical limitations, and for that reason I should like to deliver what I have prepared without interruption.

The PRESIDING OFFICER. The Senator may proceed.

Mr. WATKINS. I shall attempt at the close of my statement to answer any questions which may be propounded as long as I can stand here.

Mr. President, on Monday the select committee, appointed pursuant to order on Senate Resolution 301, filed with the Secretary of the Senate its report, and yesterday the resolution with amendments was reported.

Incidental to the report, I, as chairman of the committee, now desire to comment on certain aspects of the matters committed to us by the Senate and to make certain comments about the problems involved. I shall try to do this as briefly and concisely as possible, having in mind that all Senators have now had an opportunity to familiarize themselves with the report, and, I sincerely hope, the hearings upon which it is based.

Before proceeding further I desire to take this opportunity to pay tribute to my associates on the committee and to members of the committee staff for their services in this important assignment. It has been said, and it deserves repeating, that none of them sought, nor did I, the appointment with which the Vice President honored us. However, I assure the Senate that everyone of us accepted the responsibility with the sincere determination to bring to it whatever wisdom, calmness, fairness, courage, and devotion they, or shall I say we, might muster for so challenging and important a task.

Now that the report is officially before the Senate, our colleagues will have the opportunity to judge with what degree of success the committee, so motivated, accomplished its mission.

The committee claims no infinite wisdom. All human individual judgments are, at best, fallible. We, therefore, make no pretense that our collective decision is infallible.

Of this, however, you may be assured: We brought to the problem no preconceived opinions as to how it should be attacked, nor to what conclusions our investigations would lead us.

Furthermore, the entire committee action was the product of cooperative effort, and for that my colleagues deserve the highest credit and respect.

The resolution, together with the proposed amendments which were referred to us, contain some 46 alleged incidents of misconduct on the part of Senator McCARTHY. These matters were involved and complex, both in respect to the matters of fact and law.

With reference to the time element, the incidents were alleged to have happened within a period covering several years. In addition, three Senate committees already had held hearings on one or more of the alleged incidents of misconduct.

With all this in mind, the committee had good reason for considering that it faced an unprecedented situation which would require adoption of procedures—all within the authority granted it in the Senate order—that would enable it to perform the duties assigned within the limited time allotted by the Senate.

Since the procedure mapped out and adopted by the committee was designed to meet the peculiar situation created by Senate Resolution 301 and amendments, it should be helpful to the Senate to have a brief outline of that procedure. Such an explanation will aid the Senate in better understanding the report which the committee has filed.

The committee proceeded, first of all, to analyze the charges set forth in the amendments. It proceeded to eliminate duplicating charges wherever possible. Then consideration was given to those charges which were of such a nature that, even if the allegations were found to be factually true, yet there would be strong reason for believing that they did not constitute grounds for censure. Such a test was applied and certain of the charges were eliminated.

In part VI of our report will be found a list of all the charges which were eliminated for one reason or another in accordance with the procedure adopted. Reasons for the elimination of each charge are given.

When the charges had been screened, a residue of 13 charges in 5 categories was left. These charges, the committee felt, deserved further investigation, followed by public hearings.

Investigators then were directed to search for all the relevant, material, and competent evidence which could be found bearing upon these charges. Again, let it be repeated that all evidence was sought, whether it would prove or disprove the charges. I mean, of course, relevant, material, and competent evidence.

The search for evidence included a hunt for witnesses who had first-hand information and also for documentary evidence of every kind and description which could meet the test on materiality, relevancy, and competency. The committee also felt that it was entitled to consider, so far as material and relevant, the official proceedings and pertinent action of the Senate and any of its committees and subcommittees, taking judicial or legislative notice thereof and using official reprints when convenient.

Following the search for evidence, the committee decided upon public hearings. The hearings were for the purpose of placing on record all relevant, material, and competent evidence for the use of the Senate in considering Senate Resolution 301. Hearings were also held for the purpose of permitting Senator McCARTHY to appear and offer for the record and the later use of the Senate all competent, relevant, and material evidence in his defense and also to present all matters of law which would substantiate his position.

In order to screen the evidence, which would be perpetuated and made available to the Senate, the committee adopted, so far as applicable to this kind of a pro-

ceeding, the rules of evidence used in courts of law in this country. The committee also adopted rules which would make possible a quasi-judicial hearing.

I say "quasi-judicial" because this particular type of hearing was not exactly a completely judicial hearing, as it is known in the courts, for the simple reason that the committee was under the responsibility of sending out its investigators to get the evidence first hand and to bring it before the committee. However, the committee adopted the rules of evidence used in the courts in order to screen the evidence which was brought in or which was presented by the junior Senator from Wisconsin [Mr. McCARTHY], so that the committee would have before it evidence which it felt could be justifiably presented to the Senate for its consideration.

With respect to the physical conditions surrounding the hearings, the committee ordered that the same conditions should prevail in the committee hearings as prevail in the Senate.

The reference of Resolution 301, and amendments, to the select committee was interpreted by the committee to mean that from the time of reference the resolution and the charges incorporated in its amendments became the sole responsibility of the Senate. This interpretation meant, then, that the Senator or Senators who offered Resolution 301, and proposed amendments thereto, had no legal responsibility from that point on for the conduct of the investigations and hearings authorized by the order of the Senate.

The hearings, then, were not to be adversary in character. There were to be no plaintiffs or defendant as found in the average lawsuit in a court of law. It seems necessary to repeat this interpretation because there appears to be a widespread misunderstanding that the Senator who introduced the resolution of censure into the Senate, and the Senators who offered amendments thereto, setting up specific charges against the junior Senator from Wisconsin, were the complaining witnesses or the parties plaintiff in this proceeding. That is not the case, as I have already explained.

However, because of the fact that the three sponsoring Senators had made some study of the charges, the committee decided that it would give them an opportunity to submit informational documentation of the charges they had preferred. Also, they were asked to submit the names of any witnesses, including themselves, who might have first-hand knowledge of the matters charged and who could give relevant, material, and competent testimony in the hearings.

But no evidence was received from any of them and considered by this committee which was not offered and received at the public hearings. Each of the Senators preferring charges stated that he did not have any evidence to which he could give first-hand testimony.

It also should be pointed out that Senator McCARTHY was given the right to examine and cross-examine witnesses either through an attorney or by himself, but not by both the Senator and his attorney for any given witness. Matters of law, objections to evidence, and matters of that nature were authorized under the same procedure.

Counsel for the committee were not permitted to make objections to the introduction of testimony or the asking of questions.

A preliminary examination of the area of inquiry, circumscribed for us only by the scope of the charges embraced in 46 proposed amendments, led us to agree that some 13 of these charges were of such a nature that they could not be ruled out of final consideration. We further agreed that these charges could be identified as falling generally into five categories of subject matter. To these categories and charges, then, we first directed the attention of our staff, giving heed to the fact that only 10 days separated us from the previously announced date of the opening of public hearings.

These 13 categories and charges were set forth for Senator McCARTHY and his attorney in a timely, written notice of hearing. In this notice, the committee prescribed as specifically as possible the method and spirit of the procedures which were to be followed, and were, by unanimous committee decision, to be enforced by the chairman.

Ten days were consumed in public hearings, terminating September 13.

We then directed our efforts to produce an adequate report, based upon the issues dealt with and evidence and arguments, oral and written, presented in the hearings.

We have tried, and we hope we have been successful, in transmitting to this body an adequate picture of the factual background of these proceedings. The facts, we believe, were developed publicly and under competent cross-examination, in an atmosphere reflecting the inherent dignity of the United States Senate, and under rules of evidence comporting as closely as possible under the peculiar circumstances I have already described, with the rules in effect in well-administered courts of law.

We hope this report will be found to speak sufficiently for itself. However, members of the committee feel a continuing responsibility, not so much to advocate or defend it, as to be prepared to answer any questions about it which they are capable of answering, that may occur to Senators. The committee will be present during these deliberations for that purpose.

The findings which are contained in this report are for the most part based upon uncontroverted evidence which led the committee to its unanimous conclusions.

The Senate as a body is now in a position to interpret that evidence and applicable law, and to decide to agree or disagree with the committee findings and conclusions or to make findings and conclusions of its own.

Our findings do not represent an adversary's brief; and the committee by no means assumes the position of a prosecutor. We are available to explain our report as best we can, or to answer questions concerning it, but we are not here to argue that our findings and conclusions must be followed.

Before concluding my introductory statement, I desire to outline generally the issues which are pointed up by the committee report and the issues which are excluded.

The committee report finds against Senator McCARTHY on the charges or incidents of contempt of the Senate or a senatorial committee listed and considered in category I which will be found in the front part of the report. These incidents are listed in four charges as follows:

1. That Senator McCARTHY refused repeated invitations to testify before the subcommittee.

2. That he declined to comply with a request by letter dated November 21, 1952, from the chairman of the subcommittee to appear to supply information concerning certain specific matters involving his activities as a Member of the Senate.

3. That he denounced the subcommittee and contemptuously refused to comply with its request.

4. That he has continued to show his contempt for the Senate by failing to explain in any manner the six charges contained in the Hennings-Hayden-Hendrickson report, which was filed in January 1953.

The committee also decided to consider and discuss in its report under this category the incident with reference to Senator HENDRICKSON since the conduct complained of is related directly to the fact that Senator HENDRICKSON was a member of the Subcommittee on Privileges and Elections. The specific charge is as follows:

5. That he ridiculed and defamed Senator HENDRICKSON, calling him: "A living miracle without brains or guts."

That is a part of category IV. There was another part which the committee ruled out. At least the committee made no recommendation for censure in the other part of that category.

On category I, which was a part of category IV, and the specification with reference to Senator HENDRICKSON, the committee after reviewing the evidence came to the following conclusions:

It is therefore the conclusion of the select committee that the conduct of the junior Senator from Wisconsin toward the Subcommittee on Privileges and Elections, toward its members, including the statement concerning Senator HENDRICKSON acting as a member of the subcommittee, and toward the Senate, was contemptuous, contumacious, and denunciatory, without reason or justification, and was obstructive to legislative processes. For this conduct, it is our recommendation that he be censured by the Senate.

The committee report finds against Senator McCARTHY on the charges contained in category V which are denominated "Incident relating to Ralph W. Zwicker, a general officer of the Army of the United States." The charges against the junior Senator from Wisconsin are those proposed by Senators FULBRIGHT, MORSE, and FLANDERS in the order named:

4. Without justification, the junior Senator from Wisconsin impugned the loyalty, patriotism, and character of Gen. Ralph W. Zwicker.

* * * * *

(c) As chairman of the committee, resorted to abusive conduct in his interrogation of Gen. Ralph Zwicker, including a

charge that General Zwicker was unfit to wear the uniform, during the appearance of General Zwicker as a witness before the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations on February 18, 1954;

* * * * *

10. He has attacked, defamed, and besmirched military heroes of the United States, either as witnesses before his committee or under the cloak of immunity of the Senate floor (General Zwicker, General Marshall).

These charges are somewhat duplicating, but we included all four of them in our category V.

On these charges the committee arrived at the following conclusion and recommendation:

The select committee concludes that the conduct of Senator McCarthy toward General Zwicker was reprehensible, and that for this conduct he should be censured by the Senate.

These are the three categories on which the committee has found against Senator McCarthy and on which recommendations for censure were made. All the others, as far as the committee was concerned, were excluded from consideration as charges on which censure might be based.

Hearings were held on all the charges contained in the five categories set forth in the report, and reasons were set forth why no censure recommendations were made with respect to categories II, III, and part of IV.

The part of category IV excluded was the one with reference to the Senator from Vermont [Mr. Flanders].

A reading of the report will reveal the reasons in detail for the action taken with respect to the remainder of the 46 charges.

In directing attention to the committee's action, the committee wants it understood that it is not by any means suggesting that the Senate may not consider any or all of the charges which are not listed, for which no recommendations for censure have been made; neither is it suggesting that the Senate is under any obligation to follow its recommendations of censure on categories I and V. What I am trying to emphasize is that the committee has made its investigation, held its hearings, and made its report. The members of the committee have come to conclusions on the issues presented, and they have made their recommendations in accordance with those conclusions. They believed that it would be only a matter of a very short time before they would be required to take a position on the various issues and the various charges. For that reason, and for whatever it may be worth to the Senate, they decided to make their position known now and to make recommendations, which, of course, the Senate is at liberty to follow or disregard, as it pleases.

Before I go to the concluding part of my statement, I should like to say now that a court, if one wants to call it that, or a jury, if one wants to designate it as such, is provided in the Constitution for the consideration of matters of the kind for which the Senate is now in session, and that is the Senate of the United States. The committee was only an arm, an agency, of the Senate, to gather together information, matters of fact, and matters of law, and bring them to the attention of the Senate. As we all know, it was impractical for the whole Senate to do that, or to have witnesses come and testify before the Senate itself.

The point was made during the debate on the original motion authorizing the selection of the committee that the entire proceeding, at least in the Senate, would be a judicial proceeding. The Senate is not actually a court of law, but with respect to its Members it is the only body in the world which can pass on certain matters defined in the Constitution with respect to conduct of its Members as Senators. It seems to me we should observe the spirit of the speeches made prior to the adoption of the motion referring the resolution to a committee, and that the Senate should proceed in a calm, deliberate manner. The Senate should consider the charges that have been passed on, or at least investigated, by the committee.

I wish to emphasize that the committee did not draw up any of these charges; it did not introduce them; the committee was merely carrying out the mandate of the United States Senate to make the investigation. The committee did make the investigation, and we made such investigation in accordance with the traditional work of similar committees in the past. As I pointed out, the recommendations of the committee are now before the Senate. The Senate may do as it pleases about them. We have no particular pride of authorship about them, but if there is any use to which any Member of the Senate may put our findings, we shall have been paid for bringing them before the Senate.

Mr. McCARTHY. Mr. President, will the Senator from Utah yield?

Mr. WATKINS. Mr. President, I announced at the beginning of my statement that I did not wish to yield before I completed my statement.

Mr. McCARTHY. May I ask if the Senator has completed his statement?

Mr. WATKINS. No; I have not completed my statement as yet.

In conclusion, I point out to the Members of the Senate that the report contains a general summary of the evidence, briefs on legal issues involved, detailed findings of fact, and specific conclusions and recommendations, which, in the opinion of those who have studied the report, make it easy to get a clear-cut statement of the issues together with the law applicable thereto.

We have tried to make the report as comprehensive as possible. We realize that, no matter how hard we might try, we would fail in certain respects; but we have gone at our task sincerely, with the purpose of bringing before the Senate matters that are competent, relevant, and material, so that the Senate may pass on a question of this kind. We have spread our conclusions and recommendations before Senators, the Members of this great body, who are the final judges, who are the jurors, who are the members of the court, so they can make an intelligent decision with respect to the charges and the defense which has been presented and which may be presented.

The evidence and findings have page references to the report of the hearings where the evidence can be reviewed in detail. The committee earnestly urges the Members of the Senate to read the report and review the evidence. Senators will then be in a position to make up their own minds on the issues involved.

I may say that no amount of oral discussion, in my opinion, will make up for the information that will be obtained from reading the report and the hearing record.

I expect the Members of the Senate will read matters of defense as well as matters presented by the committee, both the defense which was brought up before the committee and which will be brought up later, and all other matters relating to the subject which may come before the Senate.

The committee has tried to bring before the Senate all the evidence it could find, whether it hurt or helped the junior Senator from Wisconsin or those who made the charges. The members of the committee wanted to make the report as helpful as possible to the Senate. We considered that we were the kind of an agency that should do that. The matter is now in the hands of the Senate. As I have said, we are not prosecutors. We are willing to do the best we can to answer questions on a matter that covers a great number of pages in the hearings, on matters going back a number of years.

I hope Senators will take advantage of the presence of members of the committee and ask any questions they may have in mind.

Mr. McCARTHY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wisconsin?

Mr. WATKINS. I yield for a question.

Mr. McCARTHY. Before I start to ask my questions, and I have a great number to ask, I should like to say that I heard the statement the Senator from Utah made about his not feeling too well this morning. If the Senator from Utah does not feel well enough to answer questions, when the time comes that he must leave the floor, I shall desist from asking them until a later time. Is that agreeable?

Mr. WATKINS. I feel that arrangement will be satisfactory. I am willing to go as far as I can. However, I have talked with members of the committee. It was thought advisable not to interrupt to ask the Senator from Wisconsin questions, but let him complete his statement. It was also thought it would be desirable to complete our statement for the committee, and that later on we would be in a position to ask and answer questions.

Because of the fact that we have only recently returned to Washington, I have not had an opportunity to scan this record again and to refresh my recollection or to go over it again with the members of the committee staff. So I thought that if the junior Senator from Wisconsin wanted to make his speech this morning,

perhaps he could go ahead with it, and we would not interfere with him or ask him questions about it; and then, later on, when he was prepared, we could ask questions.

Mr. McCARTHY. Yes. But I must ask the Senator questions before I can make my speech, as I must cover the full details. I must call the Senator's attention to the report, and if he does not have the document, I will hand it to him. Starting with the quotation on page 29. Does the Senator have it? On page 29, if the Senator will look on that page a little more than halfway down, he will find a paragraph reading as follows:

If Senator McCARTHY had any justification for such denunciation of the subcommittee—

Meaning denunciation of the Gillette subcommittee—

he should have presented it at these hearings. His failure so to do leaves his denunciation of officers of the Senate without any foundation in this record.

I am sure the Senator will agree I read that correctly.

In other words, the select committee finds that the junior Senator from Wisconsin should be censured because he did not justify his criticism of the Gillette subcommittee.

Now, if he will turn to page 295 of part I of the——

Mr. WATKINS. What is the question?

Mr. McCARTHY. The question is not finished yet.

If the Senator will turn to page 295 of part I of the hearings, he will find that Mr. Williams, who is sitting here as my attorney, was attempting to offer proof that the first public witness to be called by the Gillette subcommittee was a man known to the committee to be mentally deranged; that his evidence was uncorroborated, and was contradicted; that they issued a subpena for him; that before the subpena could be served, he was committed to a home for the mentally insane. We offered to present that, to show justification for criticizing the subcommittee.

I ask the Senator whether he had in his possession at that time the staff report? I know he did because he subpenaed it, and I have a list of the reports received from the Gillette subcommittee—the report, page 43 refers to this witness. First, it points out that what Mr. Byers said was uncorroborated, and was contradicted. Then I quote from page 43—if the Senator wants to follow me:

Byers, Sr., is known to have a bitter hatred of Senator McCARTHY, and is mentally unstable as a result of a stroke he suffered in February 1950.

I should like to ask the Senator whether, when he ruled out that testimony, he ruled out my opportunity to show that the Gillette subcommittee was calling a man whom it knew was mentally incompetent, and whose testimony was contradicted; and I ask the Senator whether he now feels, as he looks back at this, that he should have ruled differently, and should have allowed us to present this testimony; and if it had been presented, would not we then have been justified in criticizing that subcommittee, as I did criticize it vigorously, for attempting to call an insane man to smear me?

Luckily, as I say, a judge committed him before he could be called.

And that report was in the Senator's hands. I wonder whether he now realizes that he made a mistake when he said that no justification was offered—that he ruled out justification.

Mr. WATKINS. Is the question finished now?

Mr. McCARTHY. That question is finished now.

Mr. WATKINS. In the first place, I did not have in my physical possession a copy of the staff report. The quotation the Senator makes from the report, as I interpret it and as I understand it—and I shall read it again:

If Senator McCARTHY had any justification for such denunciation of the subcommittee, he should have presented it at these hearings.

That refers to the hearings of the subcommittee—the Gillette-Hayden subcommittee—and it does not refer to our own specific select committee.

The mere statement with respect to the sanity of any one witness did not go, as I construed the charges before us, to the charges we had before us.

Mr. McCARTHY. If the Senator——

Mr. WATKINS. Just a minute; let me answer.

Mr. McCARTHY. I am sorry.

Mr. WATKINS. We did not go into whether those charges were true or false; I refer to the charges before the Hennings-Hayden-Hendrickson subcommittee. We were only considering the Senator's attitude and his conduct with respect to that subcommittee, and the evidence, on any theory at all, was received merely to show that there were serious charges in that respect. That report was brought in and made a part of the record largely through the efforts of the Senator's own attorney and our acquiescence, and was brought for the purpose of showing the serious nature of the charges, and not in any way for the purpose of having us determine whether those charges were true or false. The gist or gravamen of the charges before us was the Senator's conduct with respect to that subcommittee. That is my answer.

Mr. McCARTHY. Do I correctly understand—and I think this will enlighten the Senate—that it was the Senator's position then, and is now his position, that I could not have shown improper conduct on the part of the Gillette subcommittee, to justify my criticism of it? In that connection, I point out that one of the letters the Senator has cited, and which his attorney put into the record, was a letter in which I criticized the Gillette subcommittee for attempting to call a man whom they knew to be insane. They had the staff report, particularly page 43. I tried to show that the Gillette subcommittee knew he was insane, and that, therefore, I was justified in criticizing them.

Do I understand the Senator's position now to be——

Mr. WATKINS. Let me answer.

Mr. McCARTHY. Let me finish my question. Do I understand the Senator's position now to be, that regardless of how grossly incompetent—and for the time being, I am not arguing whether they were or were not—but regardless of how grossly incompetent or dishonest that subcommittee might have been, I should be censured for criticizing the subcommittee? Is that the Senator's position?

Mr. WATKINS. No, that is not my position. I am simply saying that there were certain things before our committee; and the charges the Senator is making, to the effect that some person, allegedly insane, was permitted to testify before that committee, had nothing to do with the charges we were considering at the time.

There were other reasons, also, why one could not find a man insane and have it concluded that he was insane, by means of some committee staff report. I have been a judge, and I know what is necessary in order to have a man determined to be legally insane. In my State, witnesses would have to come before the court. The court over which I presided met many times to hear a witness or many witnesses, and then to determine the sanity of the individual in question. No investigator could make an affirmative finding of insanity and make it stick.

So that evidence I felt was incompetent for several reasons, and I have given the Senator the principal ones.

But we were not trying those matters, as set forth in the investigation, and the charges which were before the Gillette subcommittee. I shall refer to it as the Gillette committee for short, because it would take too long and be too big a mouthfull to use all the names. We were not trying those charges. We were only trying the charges made against the Senator, for his conduct before that subcommittee.

If we made an error—and I do not think we did; I think that if the ruling on the evidence were reviewed by an appellate court, we would be upheld—but if the Senator thinks that was a bad ruling, he is now before the Senate—we were only the investigative arm—and he can talk about it as long as he wishes.

Mr. McCARTHY. I should like to understand the Senator's position on this matter. This is especially important, in view of the fact that one of the Senators has evidenced publicly that if the committee had found that I should not be censured he would vote with the committee; but that if the committee found I should be censured he would vote with the committee for censure. For the enlightenment of that particular Senator—and I assume there are other Senators who had that idea—I should like to have the Senator from Utah tell us frankly whether it is his position that I should be censured for criticizing the Gillette subcommittee, regardless of how incompetent or how dishonest that committee might have been.

Is that the Senator's position—in other words, that a Member of the Senate cannot criticize the members of a committee, regardless of what they do? If that is his position, that is a new rule, one we never had before, and which I think we should consider very seriously.

Mr. WATKINS. It is my position that when a committee has been given a job to do by the Senate, any Senator who is under charges should cooperate with that committee. If the Senator had objections to the way they were doing the job, he should have gone before the committee and presented his objections; but he did not do that. Then he should have come back to the Senate, if he did not think they were doing the right thing, and ask that the committee be discharged or instructed to follow a certain line of procedure.

Mr. McCARTHY. Is it the Senator's position——

Mr. WATKINS. Just a moment. The Senator refused to do that, and the committee itself, under the charges he had made, came forward and presented to the Senate a resolution which tested their jurisdiction and their conduct. That was approved by a unanimous vote of the Senate that day. The Senator was present at that time. I and many other Senators voted for that resolution.

Mr. McCARTHY. The Senator is not speaking the facts as they are now.

Mr. WATKINS. I am giving the best answer I can. The Senator may not agree with it.

Mr. McCARTHY. Let us correct it then.

Mr. WATKINS. I will do the correcting of my own answers.

Mr. McCARTHY. I will correct the Senator when he makes a misstatement.

Mr. WATKINS. I yielded——

Mr. McCARTHY. The day——

Mr. WATKINS. Just a moment.

Mr. McCARTHY. Go ahead.

The PRESIDING OFFICER. The Senator from Utah has the floor. He has yielded for the purpose of a question.

Mr. WATKINS. I yielded to the junior Senator from Wisconsin for the purpose of asking questions, not correcting my answers.

Mr. McCARTHY. Is the Senator aware, then, of the fact that the day he says the Senate approved the activities of the Gillette committee I took the position that the Gillette committee should not be discharged, that it had been examining my activities for some 15, 16, or 17 months, and that there was pending before that committee the Benton resolution? Is the Senator aware of the fact that I asked the Senator from Iowa [Mr. GILLETTE] on the floor whether or not, if that committee were not discharged, he would investigate the Benton resolution, and that I said that the committee should not be discharged, that we were not approving their activities, and that there was nothing in the record to show that we were approving their activities—not that that is a matter at issue at this point, but I think we should keep the record clear as the Senator proceeds. Is the Senator aware of that?

Mr. WATKINS. I am aware of it. My answer is that the resolution was properly drafted and properly presented. It did test the jurisdiction, and the Senator, by taking the position that he would not vote against it, could not confer jurisdiction if the committee did not have it. The Senator could not make it an honest committee by what he did if it were not in fact an honest committee.

Mr. McCARTHY. I refer to page 296, volume 1, of the hearings, about two-thirds of the way down the page, starting with the word "but." The Senator from Utah was setting the rules by which we had to abide. He said:

> But I do not think whether an investigator was incompetent—
>
> Referring to the Gillette committee—
>
> whether he was insane or not insane has anything particularly to do with this particular investigation we are now conducting.

That was the ruling of the Senator at that time. Do I correctly understand that this was his position——

Mr. WATKINS. It was my position——

Mr. McCARTHY. Let me finish my question.

Mr. WATKINS. I insist on having them one at a time.

Mr. McCARTHY. I want to finish my question. Is it the Senator's position that even if we could prove that the Gillette committee was hiring insane investigators to investigate me, I should be censured for criticizing what they were doing? If that was the Senator's ruling, I wonder if he abides by it.

Mr. WATKINS. That was not my ruling. I stand on what I said. My point of view is simply that there was a committee charged with the responsibility of making certain investigations. That was the place for the Senator to have made his objections and arguments. We were not going into the merits of that particular question, except for the purpose of finding out whether the charges were serious or not, and whether or not the Senator had some responsibility to cooperate with that committee. We thought that he should have cooperated with that committee, and that he could not fulfill his oath to defend the Constitution by damning the committee from the very first day. In one of the first letters the Senator wrote he said he would not even read, let alone answer, one of the charges made before that committee. I was amazed when I really got into it.

Mr. McCARTHY. The Senator was amazed——

Mr. WATKINS. The Senator's conduct indicated very clearly that he was ignoring that committee completely. He was blasting it with letters. He was making denunciatory statements about it at the very time when, as I understand his oath of office as a Senator to uphold the Constitution, he should have been helping them. He refused to do so. His refusal is marked through those letters, one after another. He was a member at that time of the parent committee of which that was a subcommittee.

Mr. McCARTHY. Then the Senator's position——

Mr. WATKINS. I think I have made it pretty clear.

Mr. McCARTHY. Let us make it clear.

Mr. WATKINS. The Senator can state his position and I will state mine.

Mr. McCARTHY. The Senator's position is that we could not have presented any justification before his committee for my criticism of the Gillette committee. His position is that the Gillette committee having been in operation, that was the only thing he was concerned about.

Mr. WATKINS. We did permit the Senator to present criticism of that committee. He presented it. The evidence went in. The Senator's letters were all in criticism of the subcommittee. He made that criticism again on the stand. He reaffirmed all that he had said. He made it abundantly clear that he had not made any mistake, that he was 100 percent right and that the subcommittee was apparently 100 percent dishonest.

Mr. McCARTHY. Is the Senator aware, and was he aware, at the time he was holding the hearings, of the fact that the evidence before the Gillette committee was to the effect that the charges had been prepared in the headquarters of the Democratic National Committee?

Mr. WATKINS. That is what the Senator said.

Mr. McCARTHY. Is the Senator aware that that is in the evidence?

Mr. WATKINS. I am aware that the Senator made that statement, but he did not claim to know personally about that.

Mr. McCARTHY. Is the Senator aware of the fact that he himself received in evidence all the testimony taken before the Gillette committee, and that his subcommittee read it, and that that testimony—not testimony by me, but testimony by other witnesses—was to the effect that the charges which he said I should have answered were prepared at the headquarters of the Democratic National Committee? I am not asking about my testimony. I am asking if the Senator is aware of the fact that the evidence which he himself received, which he said he had read—and that statement is in the record; he said, "I have read all the evidence"—is the Senator aware that that evidence showed that the only charges pending before the Gillette subcommittee were charges prepared in the Democratic national headquarters; that there is sworn testimony to that effect—not my testimony—and that Benton himself admitted that to some extent? Is the Senator aware of that?

Mr. WATKINS. I am aware that we made the ruling that we would receive the record only for the purpose of showing that there were serious charges which the Senantor should have attempted to answer, and that he should have cooperated with that committee in clearing up the charges. Whether the charges were prepared in Democratic headquarters or in Senator HAYDEN'S office, or in someone else's office, did not concern us at the moment. We did not have time, even if we had the inclination, as a matter of curiosity, to follow up all those things.

Mr. McCARTHY. Will the Senator agree with me——

Mr. WATKINS. I am sure the Senator does not want to be bound by all that is in that record. If he is to take the position that he will be bound by all

the evidence presented before that committee, he is in for serious trouble, as I see it.

Mr. McCARTHY. The Senator will agree with me——

The PRESIDING OFFICER. The Senator will suspend. The Chair will inform occupants of the galleries that under the rules of the Senate no demonstrations are permitted.

Mr. McCARTHY. I ask the Senator—and I am sure my Democrat friends will agree with me on this—that if the sole charges pending before the Gillette subcommittee were charges prepared in the headquarters of an opposing political party, and I was not subpenaed, not invited to appear, but told I could appear if I wanted to appear, is it his position that I should be censured for not having asked for the right to appear?

Mr. WATKINS. The Senator did not have to ask for the right to appear, no matter how he construed what the committee said to him. So far as I am concerned, they appeared to be invitations, no matter what language was used. The Senator knew that those charges were there. He knew all about them. He said so in his testimony. I have a strong feeling that, under the Constitution, the duty of a Senator of the United States is to respect committees and to cooperate to the limit, particularly when his own honor, the honor of his State, and the honor of the Senate are at stake.

Mr. McCARTHY. I thank the Senator.

Mr. WATKINS. They were as courteous as they possibly could be. We are not going to run it all down to find out who prepared it.

Mr. McCARTHY. I ask——

Mr. WATKINS. Just a moment. I have the floor. The important thing is these charges, not the sidelines and diversions the Senator wants to keep us on. When a Senator makes certain charges and brings them before a body, they become his charges, and they are his sole responsibility, no matter who prepares the charges.

Mr. McCARTHY. I think the Senator has made himself clear.

Mr. WATKINS. I hope so.

Mr. McCARTHY. Then the Senate is to understand that the Senator from Utah believes, regardless of whether the Gillette committee was performing its functions or not, and regardless of whether it may have called an insane witness, I——

Mr. WATKINS. The Senator is not asking me a question. I insist on his asking questions.

Mr. McCARTHY. I do not want to take the Senator's time indefinitely. I refer the Senator to pages 295 and 296 of the hearings. The Senator had in his hands by subpena records which show that the Gillette staff had reported that not only was this man mentally incompetent, but that his testimony was valueless. I tried to show that I had asked the right to present this evidence. I wanted to show the fact that he had been committed to a home for the criminal insane.

I desire now to go to another point. On page 24 of the report——

Mr. WATKINS. Well——

Mr. McCARTHY. Does the Senator wish to answer?

Mr. WATKINS. I do not know whether the Senator is asking a question or making a speech. I will say that it is repetitious. The Senator has been saying it for 20 minutes. I will not reply any further to it. I think I have stated my position. All the Senator need do to get the answer is to read the report again.

Mr. McCARTHY. On page 24 of the report the select committee stated—will the Senator refer to page 24 of the report? I refer to the last three lines. They read:

> It may be, although this select committee is not in a position to so decide, that some parts of the investigations and proceedings of the Subcommittee on Privileges and Elections was concerned with matters arising before January 1947.

The report states it may be the committee is not in a position to decide. Is it not true that at the time this report was made——

Mr. WATKINS. Is the Senator asking me a question about that?

Mr. McCARTHY. Yes; I will.

Mr. WATKINS. Let me answer it.

Mr. McCARTHY. Let me ask the question first. Is it not a fact that at the time the committee said, although it was not in a position to decide that some parts of the investigation concerned themselves with matters arising before January 1947, it had in its possession staff reports showing that I had borrowed $2,000 back in 1936, the year after I had graduated from college, long before I was old enough to run for the Senate? Is it not true—and I call attention to what the committee had before it, and this is the photostat of it—is it not true that the committee had subpenaed from the Gillette subcommittee the income-tax returns which the Gillette subcommittee had obtained, dealing with the income of my father, who had died before I was a candidate for election to the Senate, and of all my brothers and sisters and my brother-in-law, and that the Gillette subcommittee was examining all those reports, and that those reports concerned matters long before 1947? Does not that fact contradict the committee's conclusion that it had no way of knowing whether the Gillette committee was going beyond its jurisdiction?

Mr. WATKINS. The jurisdiction of the Gillette committee was specified in the resolution appointing it, and it had some jurisdiction also under the Reorganization Act itself. Although I cannot put my finger on the exact spot at this time, the committee said, in effect, that it went into those matters only for the purpose of determining the present status and records of the Senator's financial transaction. That was the reason.

I will say this, as well. They were given a certain job to do. They were working on that job. They were investigating the Senator's operations after he became a Senator. They say it was within their jurisdiction. They may have slopped over. For the most part, they were considering matters that had been delegated to them by the Senate of the United States. Whether their explanation was correct or incorrect, when they said they had to go back that far, I cannot say, but I do know from that record that they were investigating matters connected with operations of the junior Senator from Wisconsin after he became a Senator of the United States. They were acting at least in a large part within their jurisdiction authorized. It cannot be said that they were completely outside their jurisdiction merely because they got into other fields. They may or may not have had justification, but it was not our business to go back into that.

Mr. McCARTHY. The Senator has said to the Senate, and surely he believes what he has put into the report, that he had no way of knowing whether or not the Gillette commitee went beyond its jurisdiction; namely, beyond 1947.

I handed the Senator from Utah, the chairman of the select committee, the report, showing that the Gillette committee had subpenaed the income tax return of my father after he was dead and before I was a candidate.

I call the Senator's attention to page 27 of the Gillette report, which I understand the Senator to say he has read. I refer to page 27 of the report, entitled "McCARTHY's 1944 Primary Campaign for the Senate."

In it, the Gillette subcommittee questioned, not how McCARTHY made his money, but how he spent his money. In view of that fact, does the Senator wish to correct this statement and tell the Senate if he now knows, that the Gillette committee had gone back beyond 1947, and did go beyond its jurisdiction?

Mr. WATKINS. As a matter of law, I still am not in a position to determine whether the Gillette subcommittee was correct in its explanation that it was making the investigation with respect to matters prior to the Senator's election because it was necessary to do so in order to understand his present operations. I do not know. That is all we said. We said we did not know.

We did not believe it was our obligation to find out. The Gillette subcommittee was operating, at least in part with respect to matters that had been assigned to it.

Mr. McCARTHY. Does the Senator mean that some parts of the investigation of the Gillette subcommittee were concerned with matters arising before January 1947? I call the Senator's attention to his statement, that that may be so, although the select committee is not in a position to decide. Does the Senator stand by that statement?

Mr. WATKINS. Just a moment. I will read it, and I will answer the question.

> It may be, although this select committee is not in a position to so decide, that some parts of the investigation and proceedings of the Subcommittee on Privileges and Elections were concerned with matters arising before January 1947, but it is the judgment of this select committee that this extension of power and authority did not ipso facto nullify the power and jurisdiction of that

subcommittee to proceed with its lawful duties and powers.

Yes, I stand on it. It is sound law, and it is right.

Mr. McCARTHY. On page 5 of the Senator's speech this morning he cited the fact that——

Mr. WATKINS. I do not know to which resolution the Senator is referring.

Mr. McCARTHY. The resolution which the Senator submitted. On page 2 of the resolution, as the Senator will see if he drops down to line 11, he asks that the junior Senator from Wisconsin be censured because he denounced a witness, namely, Zwicker, for refusing to criticize his superior officers. Is the Senator aware of the fact that the only time General Zwicker was asked about his superior officer was when he was asked by Senator POTTER's representative, Mr. Jones, whether he agreed with the secrecy order of the President, and he said that he would not criticize his commanding officer; and that I did not enter into that discussion, and did not order him to answer? That was allowed to stand. That is the only time his superior officer was discussed. Is the Senator aware of that?

Mr. WATKINS. The situation, as I recall it, was this: In the beginning of the executive hearing in which General Zwicker was questioned, Mr. Cohn, the staffman, asked him certain questions. He asked whether, if he were in position to give all the answers, he would be placed in an unfavorable situation; and he stated, then and there, in substance, that he was not in position to testify with respect to many of those questions, but that if he were he would not be put into a bad position, if he could give the answers. He understood in the beginning, and made it very clear, that he was acting under orders with respect to certain parts of his testimony, and that he could not testify. Yet, the junior Senator from Wisconsin went ahead and pressed him on various points which he construed as meaning that if he had to testify, it would place him in a position of violating the order of his superior, the Commander in Chief of the United States Army, the President.

This is a conclusion of law in the resolution, but I think the evidence supports the amendment we have offered to the Flanders resolution. When we get to that particular point I shall be glad to argue it.

Mr. McCARTHY. We are at it right now.

Mr. WATKINS. I notice that the Senator from Wisconsin is. I did not cover it in my main speech, but I am submitting myself to cross-examination——

Mr. McCARTHY. Not cross-examination. The Senator is asking that I be censured, and I am entitled to have the Senator tell the Senate the grounds for such censure. The Senator says I criticized the witness for refusing to criticize his superior officer. Another reason assigned has reference to executive directives. The Senator said the witness was criticized for respecting official orders. When did I criticize him for that? That is something the Senate is entitled to hear if it is going to censure me.

Mr. WATKINS. The record shows it.

Mr. McCARTHY. Where?

Mr. WATKINS. I am not in position to point it out in the record, specifically, but I call attention to page 137 of the hearing, part 3, on Senate Resolution 189, in connection with the examination of General Zwicker in New York by the Senator.

Mr. McCARTHY. I do not happen to have that before me. Does the Senator mind if I look over his shoulder?

Mr. WATKINS. Not at all. I am willing to cooperate with the Senator.

Mr. McCARTHY. I thank the Senator. Go ahead.

Mr. WATKINS. I read:

> The CHAIRMAN. I may say, General, you will be in difficulty if you refuse to tell us what sensitive work a Communist was being considered for. There is no Executive order for the purpose of protecting Communists. I want to tell you right now, you will be asked that question this afternoon. You will be ordered to make available that information.

Mr. McCARTHY. Those are the grounds upon which the Senator says I should be censured for denouncing the witness for refusing to criticize his superior officer? I do not follow the Senator. There is no criticism of a superior officer there.

Mr. WATKINS. Whether the Senator follows me or not, that is one of the references in a long record, and I cannot pick out any one thing without going through the whole matter, and I do not care to answer a question of that length now.

Mr. McCARTHY. The Senator has his prosecuting attorneys here——

Mr. WATKINS. Just a moment. Mr. President, I yielded to the Senator for a question. I did not yield to him to criticize the committee staff who cannot reply.

Mr. McCARTHY. Let me ask the Senator another question. Talking about the committee staff, since he brought it up——

Mr. WATKINS. I did not bring it up; the Senator brought it up.

Mr. McCARTHY. Is the Senator aware of the fact that his staff mimeographed and gave to the press the phony wire which was in the file marked "Not sent," and, thanks to Senator CASE, who went through the file, we discovered it had not been sent? It was put on the table for all the newsmen as proof that I had refused to accede to an order to appear before the Gillette committee. Is the Senator aware of that?

Mr. WATKINS. I am aware of various exhibits which came from the Gillette hearings, the letters the Senator wrote and the answers, back and forth, which were mimeographed and placed upon the tables for the convenience of the members of the press so they would not have to take them out of the record itself when they were presented. They were to be presented, and were presented. Our own committee discovered that that particular telegram had a penciled notation on it, "Not sent," and we were fair enough to bring that out.

Mr. McCARTHY. Let us get to the question.

Mr. WATKINS. The Senator asked me if I was aware that it was placed on the table. Yes.

Mr. McCARTHY. The question is, "Are you aware of the fact"——

Mr. WATKINS. The Senator thanked our committee for our fairness at the time; and I do not know why he is raising a question about it now.

Mr. McCARTHY. I have since discovered, from reading the record, that the staff did not disclose it, but that Senator CASE demanded the file and found that the wire had not been sent.

Is the Senator aware of the fact—this is only in connection with whether the staff were prosecuting counsel or not—that they did in fact take the wire which was marked across the face of it, "Not sent," and delete the words "Not sent," mimeographed it, and gave it to the press as proof? Is the Senator aware of that? And, if he is, did he ever reprimand his staff for it?

Mr. WATKINS. I am not aware that it was done in the way the Senator has said it was done. It was a part of a long list of exhibits to which the Senator's own attorney called attention, and it was admitted at the request of his attorney. That was one of the exhibits. If we had left it out completely we would have been criticized for leaving out one of the exhibits and for trying to cover up something.

Mr. McCARTHY. I do not think the committee would be criticized for leaving out a wire that was not sent.

Mr. WATKINS. We do not know yet whether it was not sent. We had the Senator's word for it.

Mr. WELKER. Mr. President, just a moment——

The PRESIDING OFFICER (Mr. PAYNE in the chair). The Senator from Utah has the floor and has yielded for a question.

Mr. WATKINS. I have yielded to the Senator from Wisconsin for questions.

Mr. McCARTHY. I have a few more to ask.

Mr. WELKER. Mr. President, will the Senator from Utah yield?

Mr. WATKINS. I cannot yield now. I shall yield a little later.

Mr. McCARTHY. Is it correct that the Senator went on the air and made a statement to the effect that it made no difference whether the jurors on this six-man jury were unprejudiced or not?

Mr. WATKINS. In the first place, we were not jurors. I made some kind of a statement—I do not know that it had anything particularly to do with the issues involved. But I stated that the Members of the Senate, by and large, come here with various programs and ideas which they have been advancing, and that in matters generally Senators of the United States do not have to be impartial.

Mr. McCARTHY. In other words, the Senator feels——

Mr. WATKINS. I was misled. I did not know I was to be asked a question with respect to this particular matter before the committee. I have said, and I will say it again, to make it perfectly

clear—it was said in our opening statement, and I will say it now—that the requirement was made by this body, in its official order, that the committee was to be comprised of 3 Democrats and 3 Republicans. That is the only requirement which was made.

In my opening statement, when the committee began its hearings, I said, in addition to that, in a larger sense, that it was desired to have men who could make a fair and impartial investigation.

I submit that all of us, at least most of us, have been Members of the Senate for a number of years. Certainly we have heard about the junior Senator from Wisconsin, and we have heard about his activities. They have been bruited back and forth.

There have been matters like the Gillette investigation. A resolution was submitted by that committee; we took part in the debate, and we voted upon the resolution. These matters have been going on for a long time. It would be a rare person, indeed, who had not formed some impression or some judgment or some opinion of the events as they happened.

In the instance of jurors in courts, where the jurors have heard about the case under consideraiton, and may have formed some impressions or have said something about it, the final question which the court asks the jurors is, "Can you lay aside your impressions about what you may have heard, and can you hear the evidence fairly and impartially and render a fair and impartial verdict?"

If it is intended to have the Senate take care of this matter at all, it is necessary to have as members Senators who have been hearing these things discussed back and forth all the time. The only time it would be possible to get a completely neutral person would be to select one who was deaf, dumb, and blind, and was a moron to start with.

Mr. WELKER. Mr. President, will the Senator from Utah yield for a very short question? I thought I was a Member of the Senate.

Mr. McCARTHY. I shall be glad to defer to the Senator from Idaho.

The PRESIDING OFFICER. The Senator from Utah has been recognized and has the floor. Does the Senator from Utah yield to the Senator from Idaho?

Mr. WATKINS. I thought the junior Senator from Wisconsin desired to continue with his series of questions without interruption. For that reason I have yielded to him.

Mr. WELKER. I beg the Senator's pardon.

Mr. WATKINS. If the Senator from Idaho desires to break in briefly, then, as a courtesy to the junior Senator from Wisconsin, I shall be glad to yield to the Senator from Idaho for a question.

Mr. WELKER. I appreciate very much the courtesy of my distinguished friend from my neighboring State of Utah. In connection with the brief which I have prepared, I should like to interject this question:

A moment ago the Senator from Utah said that all Senators knew of the record of the junior Senator from Wisconsin.

Mr. WATKINS. I said they knew something about it.

Mr. WELKER. I ask the Senator from Utah if it is not a fact that the electorate, the people, of the sovereign State of Wisconsin also have known of and have read the record, and have sent the junior Senator from Wisconsin back to the Senate to represent their State. I desire to have that question answered.

Mr. WATKINS. Very well; I will answer it, though, perhaps, I am incompetent to answer the question, because I do not know how much the people of the State of Wisconsin knew about the record of the junior Senator from Wisconsin.

Mr. WELKER. Does not the Senator from Utah know that the junior Senator from Wisconsin was certified as having been elected by the sovereign State of Wisconsin?

Mr. WATKINS. The Senator from Idaho can place that statement in the RECORD. I do not have to agree with him simply because he makes a statement in the form of a question.

I may say that many of the matters considered by the Gillette committee were not known to me until I began to read the record. How the people of Wisconsin could have determined upon those matters, some of which had not happened before the election, how they could have considered them if the matters had not happened until afterward, is beyond me.

My answer is: "No." The people of Wisconsin apparently did not have before them the information about all the matters, because some of them had not happened yet.

Mr. WELKER. The last question I will ask is if it is not a fact that the Senator from Utah does not feel in his heart, with the junior Senator from Idaho, who once was a member of that committee, that the committee knew the facts?

Mr. WATKINS. The Senator from Idaho has the advantage of me. I was not a member of the committee. I was working day and night on several other committees.

Mr. WELKER. I thank the Senator from Utah.

Mr. McCARTHY. May I ask the Senator from Utah if he is aware of the fact that 2 of the staff members of the Gillette committee, as well as 1 of the members of the Gillette committee, resigned, stating that they felt the committee was being dishonestly handled? Is the Senator aware of that fact?

Mr. WATKINS. I am aware of the fact that they resigned. I am aware that they made some accusations. But that did not mean, in my mind or in my judgment, that the committee was dishonest. I assume—and I think it is assumed in the courts of the land everywhere, where matters of this kind are considered—that there is an assumption that a court is honest until charges are proved that it is dishonest.

I say that every committee is supposed to be an honest committee, and Senators ought to act on that assumption, until it is shown to the contrary in a competent manner, and not by a lot of wild charges made by staff members who have resigned.

Mr. McCARTHY. Did the Senator from Utah attempt to call either of the two staff members, to get from them, under oath, what actions on the part of the Gillette committee they considered to be dishonest? Did the Senator from Utah ever attempt to call the distinguished junior Senator from Idaho [Mr. WELKER]?

Mr. WATKINS. Wait a minute. That is a question. I will answer it.

Mr. McCARTHY. Let me finish my question. It is stated in the report, and I quote, "Following a search for evidence." Therefore, I wonder whether the committee discovered this evidence, and if they considered it of sufficient importance to call witnesses.

Mr. WATKINS. We did not think it was material. But if the junior Senator from Wisconsin thought it was, why did he not ask us about it? We gave him opportunity after opportunity to suggest witnesses, but he never suggested any. He never suggested the distinguished junior Senator from Idaho [Mr. WELKER], either.

Mr. McCARTHY. The Senator from Utah says that all he was interested in was the obtaining of competent evidence. If the Senator will turn to page 296, volume 1, of the hearings, I desire to quote from his ruling, as follows:

> The only matter this committee is interested in is whether a resolution had been introduced authorizing the investigation; and, second, was it being carried on, and did it have jurisdiction?

By that ruling, the Senator from Utah excluded testimony by any witnesses showing that the investigation was improperly conducted. Does the Senator agree with me that he ruled out any evidence showing justification for the criticism of the Gillette committee?

Mr. WATKINS. We had an additional factor, which the junior Senator from Wisconsin very carefully dodged, namely, that this body passed on the record of the Gillette committee when the resolution testing its jurisdiction and testing its honesty was submitted to the Senate and was adopted.

Mr. McCARTHY. The Senator from Utah misstates a fact.

Mr. WATKINS. That was established——

Mr. McCARTHY. Does the Senator agree——

Mr. WATKINS. Just a minute. That was established by a vote of this body in proper manner, and it became binding. We did not go back of that.

Mr. McCARTHY. Does the Senator from Utah agree that the only question before the Senate was whether or not the Gillette subcommittee should have been discharged from considering the Benton resolution, and that that was the only matter before the Senate; and that some Senators, myself in particular, asked that the subcommittee be continued to consider the matter and file a report, and that there was nothing whatsoever in the resolution approving the conduct of the committee?

Mr. WATKINS. The resolution itself will show what was contained in it, what it attempted to do, and the RECORD will show the debate in connection with it.

I do not consider the statement of the junior Senator from Wisconsin to be a fair résumé of the facts with respect to it or what it contained.

Mr. McCARTHY. The Senator from Utah has his staff members present, and he has made a statement. He has said that the activities of the Gillette committee were approved by a Senate vote. Does not the Senator think that perhaps he should ask when the Senate acted on that resolution?

Mr. WATKINS. That is in the record.

Mr. McCARTHY. The Senator will find that what I tell him is true; that it was merely a resolution submitted by the senior Senator from Arizona [Mr. HAYDEN], I believe, to discharge the Gillette subcommittee, which was a subcommittee of the Committee on Privileges and Elections. At that time I took the position that the subcommittee should not be discharged, because there was pending before it the Benton resolution.

The Senator will find in the record that the Senator from Iowa [Mr. GILLETTE] said that if the subcommittee were not discharged, they would proceed vigorously to investigate the Benton matter. I am not asking the Senator to remember that, but I wish he would check the record, and then tell me tomorrow whether or not I have stated the situation correctly.

Mr. WATKINS. The Senator will find in the hearing record the resolution submitted by the Senator from Arizona [Mr. HAYDEN], and joined in by other committee members. It is set forth in detail there. I will stand on what it shows.

Mr. McCARTHY. I have just one or two other questions.

Would the Senator from Utah say that if one of the members of his committee said he was disqualified, or felt he was disqualified, that he should still have been allowed to sit on the committee and to help decide whether or not the committee would recommend censure?

Mr. WATKINS. I do not understand the Senator's question.

Mr. McCARTHY. It was rather simple. Will the Senator listen carefully? Does the Senator think that if a member of his committee stated that he felt he could be disqualified because of letters he had written opposing my activities, he should, nevertheless, have been allowed to remain on the committee and render a verdict in the all-important case of whether or not a United States Senator should be censured?

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. WATKINS. I yield to the Senator from North Carolina.

Mr. ERVIN. Will the Senator ask Senator McCARTHY to read the entire statement so that Senator McCARTHY cannot be accused of taking something out of context and perverting its meaning?

Mr. McCARTHY. I was not there. I do not know what was said by the Senator from North Carolina. I know the New York Times reported that the Senator from North Carolina said he could be disqualified if he were appointed on the committee; that the Senator said he had written letters deploring my attitude toward witnesses. I know that——

Mr. WATKINS. Just a moment.

Mr. McCARTHY. Let me finish the quotation. He asked for the quotation.

The PRESIDING OFFICER. Does the Senator from Utah yield, and if so, to whom?

Mr. WATKINS. I yield to the Senator from North Carolina.

The PRESIDING OFFICER. Does the Senator from North Carolina wish to reply?

Mr. McCARTHY. Mr. President, the Senator asked for the quotation. Let me read it. May I read this, Senator?

Mr. ERVIN. The Senator may read my statement.

Mr. McCARTHY. I read:

Special to the New York Times——

Mr. ERVIN. I had never been interviewed by the New York Times.

Mr. McCARTHY. I continue the quotation:

Senator SAMUEL J. ERVIN, JR., said in an interview in the Winston-Salem Journal and Sentinel August 1 that he "has formed an unfavorable opinion of the junior Senator from Wisconsin since going to Washington."

Senator ERVIN was also quoted as saying that, if he were appointed to the committee on censuring Senator JOSEPH R. McCARTHY, the Wisconsin Senator "could have me disqualified."

The North Carolina Democrat, who is now a member of the select Senate committee considering the censure of Senator McCARTHY, was quoted as saying:

"I have written letters in which I deplore some of the tactics used by Senator McCARTHY. Before I came up here, I had the impression that he had been unduly rough on witnesses."

I now read from the Greensboro Daily News of August 4, 1954:

At the same time the North Carolina Senator——

Mr. WATKINS. Just a moment.

Mr. McCARTHY. Let me finish.

Mr. WATKINS. I have the floor. Is the Senator asking a question or making a speech?

Mr. McCARTHY. The Senator from North Carolina asked that I read the quotation. I think, in fairness, I should read it to him.

Mr. WATKINS. Was the Senator reading what the Senator from North Carolina said?

Mr. McCARTHY. I was reading the quotation. I was not there.

Mr. WATKINS. What the Senator from North Carolina said, or what the newspaper quoted him as saying?

Mr. McCARTHY. I was not there. I am taking the newspaper quotation.

Mr. WATKINS. The Senator is asking if that is the quotation?

Mr. McCARTHY. I am reading the news article:

At the same time, the North Carolina Senator declared, if he had been in the Chamber instead of at dinner when McCARTHY spoke, "it would have required all the judicial temperament I possess not to have been inclined to have voted to censure him on the spot."

There is an additional quotation referring to a situation which my Democratic friends were pleased to see come about.

ERVIN pointed out that the best way of getting rid of the problem presented by the Senator from Wisconsin would be to elect a Democratic Senate in the fall.

I ask the Senator——

Mr. WATKINS. I myself am going to read something. May I ask the Senator from North Carolina if he desires that I read this article?

Mr. ERVIN. Yes.

Mr. WATKINS. Winston-Salem Journal, August 5, 1954:

ERVIN WANTS TO STAY OFF COMMITTEE

(By Eleanor Nance)

WASHINGTON, August 4.—Senator SAM ERVIN suggested tonight that if he were named to the six-man Senate committee to investigate Senator JOSEPH R. McCARTHY the latter "could have me disqualified."

The Tarheel, who has stated emphatically that he does not care to serve, recalled a statement he made Monday before the Senate voted to have a special committee look into the activities of the junior Senator from Wisconsin.

"I said then that I would vote to have the committee appointed and that if any of the charges made against Senator McCARTHY were found to be factually true I would vote to censure him," Senator ERVIN said.

"I would not want a judge to try me if he said first he would put me in jail if I were guilty. I would hope for a suspended sentence."

Obviously searching for reasons why he should not serve on the committee, Senator ERVIN added, "I have written letters in which I deplored some of the tactics used by Senator McCARTHY. Before I came up here I had the impression that he had been unduly rough on witnesses."

While Senator ERVIN may hold that this constitutes "prior judgment" many of his colleagues felt otherwise. He was still being held a very likely prospect for membership on the committee.

"Men ought to be appointed who have been here a long time and acquired prestige," he said. "I'm just the lowest down Senator in seniority."

But did not the North Carolinian consider service on the committee an obligation of any Senator, since the Senators voted themselves to have the committee set up?

"I do consider service an obligation but it's an obligation of those who have been here a long time," said the man named to succeed the late Senator Clyde R. Hoey. "It's not the obligation of a poor little country fellow who just got here."

Asked what he thought was the most serious charge made against Senator McCARTHY, Senator ERVIN said, "I think the charge that he invited employees of the executive branch to surrender classified materials to him is the most serious thing."

Senator ERVIN also said he "wants to get out of here and get home so the people can see if they want to keep me. If they want to fire me, I want to know as quick as I can so I can practice law before I get too old."

That is the full article.

Mr. ERVIN. I hand the Senator from Utah another news article, which I ask the Senator to read.

Mr. WATKINS. I read now an article from the Winston-Salem Journal of August 3, 1954:

NORTH CAROLINA SENATORS FAVOR PROBE OF McCARTHY

(By Eleanor Nance)

WASHINGTON, August 2.—Both North Carolina Senators said tonight they approved having a committee investigate charges against Senator McCARTHY, Republican, of Wisconsin, and render a report to the Senate at this session.

Senator ALTON LENNON and Senator SAM J. ERVIN said that if such a report found the Wisconsin Republican guilty of any of the specific charges made against him in a resolution offered by Senator WILLIAM FULBRIGHT, Democrat, of Arkansas, they would then vote to censure him.

The two Tar Heels emphasized that they would not vote to censure Senator MCCARTHY without "a complete and full hearing, at which he would be allowed to testify and defend himself." Both agreed that a 6-man committee composed of 3 Democrats and 3 Republicans should conduct the investigation. Neither Tar Heel said he would care to serve on this group, but either would serve "if requested."

Senator LENNON and Senator ERVIN differed on the news coverage which the proposed investigation should be afforded. Senator LENNON favored a closed session, with transcripts periodically released to the press. Senator ERVIN favored an open hearing, but with television banned.

"I don't believe in television in open hearings," he declared. "It tends to make a show of the matter."

The two agreed that the committee investigation of Senator MCCARTHY should take place during this session of Congress. If necessary, they said, the Senate should stay in session until it is completed, or else adjourn under a rule whereby Members could be called back to vote on the committee's findings.

Those are the statements, and I am wondering, since the junior Senator from Wisconsin has raised the question, if he is objecting to any Senator's sitting on this court—and the Senate is the court—the committee was not the court——

Mr. MCCARTHY. I am asking a question——

Mr. WATKINS. Just a moment. I ask the junior Senator from Wisconsin if he objects to any Senator who has ever taken a position, either for or against him, sitting on this court on the censure charges?

Mr. MCCARTHY. Mr. President, I call for the regular order.

Mr. WATKINS. The regular order is that I surrender the floor.

Mr. MCCARTHY. The Senator is not going to run out on me, is he?

Mr. WATKINS. No; I am not going to run out, but the Senator called for the regular order. If it is up to me, the Senator is through.

Mr. MCCARTHY. I am not through. I am far from through. I may say, out of courtesy to the Senator, that he has stated he was not feeling too well today. The questions I have to propound will continue for a long time. I shall be glad to desist asking them until a future time if the Senator desires to rest.

Mr. WATKINS. When I do I shall indicate it.

Mr. MCCARTHY. Very well. I do not wish to unduly tire the Senator. The question is, Does the Senator think that if a man states he could be disqualified—a man who has been a judge, who knows what it means to be disqualified—he should sit on a court or a jury in such an important case as this?

Mr. WATKINS. I think the Constitution provided the jury. Senators are the only ones who can sit as judges. We cannot go outside the Senate to get persons to try Senators. We have to take them as they are. If what the junior Senator from Wisconsin says is true, we probably could not find anyone who could sit in judgment, because somewhere along the line he may have said something about the junior Senator from Wisconsin, or someone may have said something which someone else did not like.

Under those circumstances, the Senate never would have an opportunity or never would be in a position to consider the activities and charges that might have been filed as a result of them. Under those circumstances, we would be absolutely powerless and helpless.

The Senate itself laid down the rule; there had to be three Democrats and three Republicans. But I said myself that the Senate was under a larger obligation, in that it had to get for service on the committee Senators who would hear the charges impartially and fairly. But I have always said, after all the charges the junior Senator from Wisconsin made day after day at the hearings, that I never sat with men whom I felt to be more fair and more considerate and more willing to go into the matters of testimony and law than this group, all the time I was with them. There was never a time when politics entered into this matter in any way, shape, or form.

Mr. MCCARTHY. May I say——

Mr. WATKINS. I am talking.

There was always a feeling that it was a very distasteful thing to have to consider, in a critical way, the conduct of one of our own colleagues; and in my own case, sitting next to the junior Senator from Wisconsin in the Senate Chamber, and in view of the fact that both of us came to the Senate at the same time, and that we have always been on friendly terms, it was deeply distasteful to me to sit on the committee. I am sure that was true of all the other Members; we would have done almost anything to get out of it. But with the charges laid down and the votes of 74 Senators saying, "These are the charges, and we want you to come back with a report, so we can consider the resolution at a later date," under those circumstances, no matter what a Senator may have said, he should do his best, and should accept the assignment as a matter of duty; even though he had made some expression one way or the other, he should do his duty as a Senator, and should consider these matters impartially and fairly under the circumstances, because the Senators themselves are the only ones who can handle these matters; no one else can be called upon to handle them.

Even if we were to get into a situation where Senators would be evenly divided, with half of the Senators voting one way and half of them voting the other way, if the theory of the junior Senator from Wisconsin were correct, even so they would all have to be absolutely impartial in the matter.

I am saying—and I want it understood—that the members of the select committee did act fairly and impartially. We ruled on the evidence on the basis of the best light we could get. We checked, and we agreed at all times on the rulings that were made. I was carrying out the mandate of the committee with respect to the rulings on the evidence. That was the situation.

Mr. KNOWLAND. Mr. President, if the Senator from Utah will yield, so that I may make an inquiry of both Senators, let me point out that it is now approximately 12:15 p. m.; and the Senator from Utah has been on his feet for a considerable period of time, and the junior Senator from Wisconsin has been on his feet for a time. Apparently he has some additional questions to ask.

Mr. MCCARTHY. Yes; a great number.

Mr. KNOWLAND. I am perfectly willing either to have the session continue a while longer, or else at this time to request that the Senate take a recess. If we do take a recess at this time, for approximately 45 minutes, as I have previously indicated, that would bring us back into session at 1 p. m.

Mr. MCCARTHY. May I ask one question before the recess is taken?

Mr. KNOWLAND. Certainly.

Mr. MCCARTHY. I wish to ask just one question before the recess is taken.

Would the Senator from Utah say that if a man who was selected to be chairman of the committee had been seen shaking hands with me, and had told a news columnist—and I shall name him: it was Constantine Brown—that he hoped the cameras would not see him shaking hands with me——

Mr. STENNIS. May we have order, Mr. President, so we can hear the questions?

The PRESIDING OFFICER (Mr. BUSH in the chair). The Senate will be in order.

Mr. MCCARTHY. I shall speak louder.

I ask the Senator from Utah this final question, before we take a recess: I ask him whether a member of the committee, who was finally selected as the chairman, told a news columnist—and I will name him, so there is no question about it: Constantine Brown—that he hoped the news cameras or the television cameras did not catch him shaking hands with me—this was during the Army-McCarthy hearing—because he could never explain that to the newspapers in his State. Does the Senator from Utah think that might possibly disqualify him, in view of the fact that a finding in my favor, rather than a mere handshake, would be much more difficult to explain to his newspapers? That is question No. 1.

Question No. 2, if the Senator from Utah will answer both questions at once——

Mr. WATKINS. No; let us have one question at a time.

Mr. MCCARTHY. Will the Senator answer both of them at once?

Mr. WATKINS. No, I prefer to have one question at a time.

I do not recall any such instance with the newspaper correspondent the junior Senator from Wisconsin mentions. I may have had a conversation with him, but I do not recall any statement of that kind.

Mr. MCCARTHY. Does the Senator recall that one day, as he walked into

the Mundt hearings, I was coming out, and I had not seen him for some time, and I did the normal thing; I said, "Hello, Senator," or "Hello, Arthur," or something of the sort, and I shook hands with him; and he rushed out of the room, and went to Constantine Brown, and said, "I hope none of the news cameras or television cameras caught that, because if they did, I never will be able to explain that to the newspapers in my State."

Mr. WATKINS. I will say I never said any such thing.

RECESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate resumes its session at 1 p. m., the situation on the floor will be as it is at the present time, namely, as I understand, that the Senator from Utah [Mr. WATKINS] has the floor, and the junior Senator from Wisconsin [Mr. MCCARTHY] is interrogating him.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I now move that the Senate stand in recess until 1 o'clock p. m. today.

The motion was agreed to; and (at 12 o'clock and 17 minutes p. m.) the Senate took a recess until 1 p. m.

On the expiration of the recess, the Senate reassembled, and was called to order by the Presiding Officer (Mr. BUSH in the chair).

CALL OF THE ROLL

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Flanders	Martin
Aiken	Frear	McCarthy
Anderson	Fulbright	McClellan
Barrett	Gillette	Monroney
Beall	Goldwater	Morse
Bennett	Gore	Mundt
Bricker	Green	Murray
Bridges	Hayden	Neely
Brown	Hendrickson	Pastore
Bush	Hennings	Payne
Butler	Hickenlooper	Potter
Byrd	Hill	Purtell
Capehart	Holland	Robertson
Carlson	Hruska	Russell
Case	Humphrey	Saltonstall
Chavez	Jackson	Schoeppel
Clements	Johnson, Colo.	Smith, Maine
Cooper	Johnson, Tex.	Smith, N. J.
Cotton	Johnston, S. C.	Sparkman
Crippa	Kefauver	Stennis
Daniel, S. C.	Kilgore	Symington
Dirksen	Knowland	Thye
Douglas	Kuchel	Watkins
Duff	Langer	Welker
Dworshak	Lehman	Wiley
Eastland	Lennon	Williams
Ellender	Magnuson	Young
Ervin	Malone	
Ferguson	Mansfield	

The PRESIDING OFFICER. A quorum is present.

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. 301) to censure the junior Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Utah [Mr. WATKINS] has the floor.

Mr. WATKINS. Mr. President, I was occupying the floor when the Senate took a recess. I have been on my feet, with the exception of a brief interruption for the luncheon period, for a considerable period of time. I have extended courtesies to the junior Senator from Wisconsin in order to enable him to ask me questions. I do not intend to deny him the opportunity for further questioning, but at this moment I wish to yield the floor. Later I shall submit myself for questioning.

Mr. MCCARTHY. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. MCCARTHY. When will the Senator be available for further questioning?

Mr. WATKINS. I cannot tell the Senator now when I shall be available for further questioning. The Senate will have to proceed with its deliberations. When I take the floor again I shall extend courtesies to other Senators to enable them to ask questions for a limited period, but I do not intend to stand on my feet all day, or for long periods of time, merely for the purpose of assisting some other Senator to present what he would like to present, and which he could present just as well in his own time and in his own speeches.

Mr. President, I yield the floor.

Mr. MCCARTHY. Mr. President, I wish the Senator from Utah would tell me when he expects to be available to answer further questions, because it will be difficult, almost to the point of being impossible, to prepare our case without questioning him on his position, because there are so many contradictions in the record. He is chairman of the committee. I certainly agree that if the Senator does not wish to be questioned further today, he should be extended that consideration; but I do think that, as another act of courtesy, he should tell me when he will be available for further questioning. Can the Senator tell us?

Mr. WATKINS. Mr. President, I will say to the Senator that if the junior Senator from Wisconsin wishes to know about documents, or wishes to ask specific questions, if he will submit them to us we shall be prepared to answer such questions. However, it is an impossibility to dig into a voluminous set of records and a mass of papers on the spur of the moment. If there are certain questions in which the junior Senator from Wisconsin is really interested, well and good. But the questions should be material and relevant.

I have extended courtesies to the Senator. I am under no obligation to submit myself to questions, so as to enable him to make his case through me. I am willing to go the limit, under reasonable circumstances. I am saying that as of now I yield the floor. I do not know when I shall take the floor again, but I expect to do so during the course of this debate. In the meantime, if the junior Senator from Wisconsin will submit to us questions to which he wishes answers, questions relating to documents, and so forth, we shall find the documents and be prepared to answer the questions.

Mr. MCCARTHY. Mr. President, there is no way by which I can force the Senator from Utah to answer the very important questions which should be answered. I have no desire to try to compel him to answer those questions today. However, I think he should, as a courtesy, tell me when he feels he might be able to return and answer questions. Apparently he does not wish to answer questions——

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. MCCARTHY. I yield.

Mr. KNOWLAND. In view of the statement of the Senator from Utah, who has been on his feet for a considerable period of time, I was wondering whether it might not be possible for questions to be submitted by the distinguished junior Senator from Wisconsin, either publicly on the floor of the Senate or privately to the committee. I undestand that at all times there was a pretty full attendance on the part of other members of the committee. Other members of the committee might be able to throw light on the questions which the junior Senator from Wisconsin, is certainly entitled to ask if he is basing a part of his defense upon them. I am sure the Senator from Utah and the other members of the select committee would be glad to cooperate. Perhaps the questions could be asked in writing or orally. Rather than keep the Senator from Utah on his feet, perhaps my suggestion might furnish a satisfactory alternative to the junior Senator from Wisconsin.

Mr. MCCARTHY. I certainly do not wish to keep the Senator from Utah on his feet if he believes he is not able to answer these questions today. However, he is the chairman of the select committee. He made the rulings. I have made the statement that I thought the rulings were in error, and I felt the best way to prove they were in error was to get his reasoning, so that the Senate would know what his reasoning was for making his rulings.

I am not requesting that he be asked to answer the questions today. However, in view of the fact that he has made serious charges against me, and because he is chairman of the select committee and has taken the active and leading part in this matter—I could not question him during the course of the hearings of the select committee because he had a gavel then; he does not have a gavel today, and he will not have a gavel in the Senate—and because I believe I am entitled to have the answers, I thought he should be the one to give the answers to me.

The Senator from Utah says he will not tell me when he will answer my questions. I cannot make him tell me. However, it is interesting to get his position. As a courtesy to me, it seems, he should say that either tomorrow or the next day or the day after that he will be available for an hour or two hours to answer the questions. Again I say I cannot force him to do it.

However, now that I have the floor, I shall state some of the questions that I would have asked him. I will state only a few of them. For example, Mr. President, I would have asked the Sen-

ator from Utah whether in an ordinary cow-stealing case out in Utah, where it is the practice to have a six-man justice-court jury try such a case, whether a defendant is not entitled to know if jurors are prejudiced against him, and if they have been prejudiced against him, whether they have changed their minds. I would have called the Senator's attention to his ruling on page 30 of the report, I believe it is, when we were discussing Senator JOHNSON of Colorado, for whom I have always had the highest regard. I may say, I was surprised at the statement he was quoted as having made, to the effect that most of his colleagues on both sides of the aisle in the Senate were very pleased over recent developments with reference to McCARTHY. He referred specifically to Senator FLANDERS' charges.

I wanted to call attention to the fact that I asked the chairman to let me ask Senator JOHNSON of Colorado whether he still held the same feeling and whether he was still happy about Senator FLANDERS' charges, on which he was sitting in judgment.

I also wanted to ask about the question of loathing. Senator JOHNSON of Colorado was quoted as saying that all the Democratic leaders loathed McCARTHY.

He is entitled, certainly, to loathe McCARTHY. He wrote me a letter, and in it he gave his reasons for loathing me. He said it was because I had attacked the Democratic Party and that I had labeled the Democratic Party as the party of Communists. The Senator's letter failed to say that I had pointed out that many Democrats were just as anti-Communist as perhaps millions of Americans who have voted the Republican ticket, and just as anti-Communist and just as loyal as Republicans.

I felt at that time that I was entitled to question Senator JOHNSON of Colorado as to whether he still had that feeling of loathing. I was going to call Senator WATKINS' attention to page 38 of the hearing, where it is shown I asked the following question:

Senator McCARTHY. Mr. Chairman, I would like to ask one question. Are we entitled to know whether or not the quotations of March 12 are correct or incorrect?

Those are the quotations in which Senator JOHNSON said the Democratic leaders loathed me and they were happy about the Flanders attack. I was going to read Senator WATKINS the answers. Senator WATKINS said:

The CHAIRMAN. You may get it, Senator, and I am going to rule on this, and I have already ruled, you may get that some other place.

That was said when Senator JOHNSON of Colorado was present. That is a very important point.

The chairman went on to say:

But this committee has no jurisdiction over those matters, whatsoever. This committee was appointed by the Senate; the only condition laid down was that there would be 3 Democrats and 3 Republicans, and here we are, 3 Republicans and 3 Democrats, and this committee is not going to take on the job of the Senate and going to decide whether this committee is a proper committee or not.

I was going to call Senator WATKINS' attention to the fact that when the Senate suggested 3 Republicans and 3 Democrats, it was inherent in the resolution that 3 impartial Senators from both sides of the aisle be appointed.

Again I say I do not blame ED JOHNSON for not being impartial. I know he has good reasons in his mind for the loathing which he expressed. However, I was going to ask Senator WATKINS to let me merely ask Senator JOHNSON of Colorado whether he was correctly quoted. This is what I said:

Senator McCARTHY. Mr. Chairman——

The CHAIRMAN. Just a moment, Senator. You have filed no challenge; and, in the first place, I believe it is improper for you to do so, because we have not any jurisdiction.

Then I said:

Senator McCARTHY. Mr. Chairman, I should be entitled to know whether or not——

The chairman pounded his gavel and he said:

The CHAIRMAN. The Senator is out of order.

Again I said:

Senator McCARTHY. Can't I get Mr. JOHNSON to tell me——

Again he pounded the gavel. He said:

The CHAIRMAN. The Senator is out of order.

Then I completed my sentence:

Senator McCARTHY. Whether it is true or false?

The chairman again pounded his gavel and said:

The CHAIRMAN. The Senator is out of order. You can go to the Senator in question and find out.

I may say that Senator JOHNSON of Colorado was sitting right there in the hearing room.

The chairman continued:

That is not for this committee to consider. We are not going to be interrupted by these diversions and side lines. We are going straight down the line.

Then he pounded his gavel and said:

The committee will be in recess.

I was going to ask the Senator from Utah about the rulings he made at page 42 of the hearings, when my counsel, Mr. Williams, asked that we be entitled to put in the record our position on this point, so that the Senate could have it before it. We did not ask the chairman to rule in our favor; we merely asked to put our legal position in the record on the question of prejudice on the part of members of the committee. The chairman ruled against us. Later he said he would take it under consideration, but he never allowed us to put it in.

I was going to ask the Senator from Utah also about the record which he had before him. I hold a copy of it in my hand. It is item No. 78, which showed that Senator GILLETTE, who is in the Chamber—if I am wrong he can correct me—had ordered a mail cover on my mail.

I was going to ask the Senator from Utah whether he knew that it was illegal to put a mail cover on my mail, and whether he knew that a mail cover is provided for under Federal law only in the case of the apprehension of a fugitive from justice and in certain cases of subversion, which is allowed to be made only by the FBI, the Office of Naval Intelligence, the Office of Army Intelligence, and certain other executive agencies, but that it is illegal for any committee to put a mail cover on a Senator's mail.

I was going to ask the Senator whether he knew such a mail cover was put on after the investigation had been practically completed and after some 17 months, and that there was put on my mail and on the mail at the homes of my office staff such a cover during the campaign of 1952. I was going to ask the Senator from Utah whether he thought there might possibly be some justification for criticizing the Gillette committee because of this clearly illegal action on their part.

I was going to ask him about an item in the resolution which is clearly in error. He asks that I be censured for having released executive hearings. I was going to ask him if he did not have in the record presented to him a telegram sent to all Senators seeking permission to release the executive-session hearings.

I was going to read that telegram. The copy which I have here happens to have been sent to the Senator from Washington [Mr. JACKSON], but all Senators received a copy. It reads as follows:

In view of the fact that there has been raised a serious question as to what the testimony in the General Zwicker case shows, plus the fact that a number of Senators, the Secretary of the Army, and the general himself had indicated a desire to have this testimony made public, I am therefore authorizing the official recorder to make available to the public at 12 noon February 22, the testimony of General Zwicker taken at New York City February 10, unless objected to by the subcommittee members. If you have any objection and encounter difficulty in reaching me, please notify the recorder, Harold Alderson, 306 Ninth Street NW., Washington, D. C. Copies have been ordered delivered to the offices of all the subcommittee members at the earliest possible moment.

That telegram was signed "JOE McCARTHY, chairman of the Senate Permanent Subcommittee."

I was going to ask the Senator from Utah why, in view of the fact that the subcommittee made the decision to release the executive-session testimony, he himself requested that I be censured for having released the executive-session hearings.

I was going to ask him—and this is something which I should like to have the other members of the committee answer during the course of their presentation of this case—why on page 30 we find a new rule suggested. I invite the attention of all the members of the committee to this, because it is of the utmost importance. In my opinion, it is an unheard of rule we are asked to make. McCARTHY is completely unimportant, insofar as this is concerned. This is a question of a rule for the Senate. First,

it goes on to say that a Senator can criticize a committee, and now I quote:

But he has no right to impugn the motives of individual Senators responsible for official action, nor to reflect upon their personal character for what official action they took.

If the rules and procedures were otherwise, no Senator could have freedom of action to perform his assigned committee duties. If a Senator must first give consideration to whether an official action can be wantonly impugned by a colleague, as having been motivated by a lack of the very qualities and capacities every Senator is presumed to have, the processes of the Senate will be destroyed.

I was going to ask the Senator from Utah about the extent to which the members of the committee discussed this new and fantastic rule which says that not one of the Members of the Senate can criticize an individual member of a committee because, in effect, it might intimidate him.

I was going to ask the chairman of the committee whether he felt that if that rule applied to me, then when the Senator from Vermont [Mr. FLANDERS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Oregon [Mr. MORSE], and other Senators rose on the floor of the Senate and criticized my activities, not merely as a member of a committee, but as chairman of a committee, a different rule applied, and why they were applying one rule to the other 95 Senators and another rule to me. I freely agree that any Senator should have complete freedom to criticize me if, as, when, and where he pleases. So far as I am concerned, let me say that if the Senate adopts this fantastic rule—and I hope it will not—I shall think of my oath of office as towering over and far above this rule. Under our oath of office we are required to disclose any corruption, any graft, any treason, and there is no rule that the Watkins committee can recommend that would nullify the oath which we take.

Mr. President, I was going to ask the Senator from Utah by what tortured reasoning he says, on page 30 of the report, that no member of a committee except MCCARTHY can be criticized. It is unusual. I wonder if the other members of the committee signed it without reading it. I cannot conceive of six normal men saying, "We will shackle the Senate for all time to come. There will be an iron curtain drawn before the activities of members of a committee."

Let us assume, for example, that a member of a committee is even as bad as is MCCARTHY; let us assume he is as bad as I am. He could not be criticized if this rule were adopted.

I intended to ask the Senator from Utah about that, and about many other things. If and when he takes the floor again, as I hope he will, I shall have a great number of questions to ask him as chairman of the committee. When he assumed that duty he knew he had to present the case on the floor of the Senate. He knew he would be questioned about it. I certainly hope the able Senator from Utah will not now run out on that duty, because I am entitled, before we present our case, to know his position on some of the flagrant contradictions in the record.

Mr. BUTLER obtained the floor.

Mr. WELKER. Mr. President, will the Senator from Maryland yield?

Mr. BUTLER. I yield.

Mr. WELKER. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BUSH in the chair). Does the Senator from Maryland yield for that purpose?

Mr. BUTLER. Yes, Mr. President, provided I shall not lose the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Flanders	Martin
Aiken	Frear	McCarthy
Anderson	Fulbright	McClellan
Barrett	Gillette	Monroney
Beall	Goldwater	Morse
Bennett	Gore	Mundt
Bricker	Green	Murray
Bridges	Hayden	Neely
Brown	Hendrickson	Pastore
Bush	Hennings	Payne
Butler	Hickenlooper	Potter
Byrd	Hill	Purtell
Capehart	Holland	Robertson
Carlson	Hruska	Russell
Case	Humphrey	Saltonstall
Chavez	Jackson	Schoeppel
Clements	Johnson, Colo.	Smith, Maine
Cooper	Johnson, Tex.	Smith, N. J.
Cotton	Johnston, S. C.	Sparkman
Crippa	Kefauver	Stennis
Daniel, S. C.	Kilgore	Symington
Dirksen	Knowland	Thye
Douglas	Kuchel	Watkins
Duff	Langer	Welker
Dworshak	Lehman	Wiley
Eastland	Lennon	Williams
Ellender	Magnuson	Young
Ervin	Malone	
Ferguson	Mansfield	

The PRESIDING OFFICER. A quorum is present.

SUBPENA OF SECRETARY OF THE SENATE IN CASE OF UNITED STATES OF AMERICA v. ROBERT M. HARRISS ET AL.

The PRESIDING OFFICER. The Chair lays before the Senate a communication to the Senate, and will ask the clerk to read it.

The legislative clerk read as follows:

UNITED STATES SENATE,
Washington, November 10, 1954.

The PRESIDENT OF THE SENATE.

SIR: I have received a subpena duces tecum from the District Court of the United States for the District of Columbia directed to me as Secretary of the Senate to appear before the said court on the 6th day of December 1954, at 9 o'clock a. m., as a witness in the case of the *United States* v. *Robert M. Harriss et al.* (No. 1212-49 Cr.) to bring with me record of my "office showing registrations and filings under section 308 of the Regulation of Lobbying Act by the following-named persons and corporations:

"Robert M. Harriss.
"Ralph W. Moore.
"Tom Linder.
"James E. McDonald.
"National Farm Committee, in the years 1946, 1947, and 1948."

Your attention and that of the Senate is respectfully invited to rule XXX of the Standing Rules of the Senate, which reads in part as follows:

"No memorial or other paper presented to the Senate * * * shall be withdrawn from its files except by order of the Senate."

The subpena in question is herewith attached and the matter is presented for such action as the Senate in its wisdom may see fit to take.

Respectfully yours,
J. MARK TRICE,
Secretary of the Senate.

Mr. KNOWLAND. Mr. President, at this point in the RECORD, immediately following the letter which has just been read, and as to which I have previously conferred with the minority leader, I ask to have printed the text of the subpena duces tecum.

There being no objection, the text of the subpena duces tecum was ordered to be printed in the RECORD, as follows:

SUBPENA TO PRODUCE DOCUMENT OR OBJECT
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

(*United States of America* v. *Robert M. Harriss et al.* No. 1212-49 Cr.)

To J. MARK TRICE,
Secretary of the United States Senate, Capitol Building, Washington, D. C.:

You are hereby commanded to appear in the United States District Court for the District of Columbia in the city of Washington, D. C., on the 6th day of December 1954 at 9 o'clock a. m., to testify in the case of *United States* v. *Robert M. Harriss et al.* and bring with you record of your office showing registrations and filings under section 308 of the Regulation of Lobbying Act by the following-named persons and corporations:

Robert M. Harriss.
Ralph W. Moore.
Tom Linder.
James E. McDonald.
National Farm Committee, in the years 1946, 1947, and 1948.

This subpena is issued upon application of the attorney for the United States.

LEO A. ROVER,
United States Attorney.
EDWARD O. FENNELL,
Assistant United States Attorney.
FLOYD J. MATTICE,
Trial Staff, Justice.
HARRY M. HULL,
Clerk.
By JOHN R. HESS,
Deputy Clerk.

NOVEMBER 8, 1954.

Mr. KNOWLAND. Mr. President, I now submit a resolution for the information of the Senate, ask that it be read by the clerk, and I shall then ask for its immediate consideration. The resolution is being submitted on behalf of the majority leader and the minority leader, in conformity with the custom of the Senate.

The PRESIDING OFFICER. The clerk will read the resolution.

The Chief Clerk (Emery L. Frazier) read the resolution (S. Res. 328), as follows:

Whereas in the case of the *United States* v. *Robert M. Harriss et al.* (No. 1212-49 Cr.), pending in the District Court of the United States for the District of Columbia, subpena duces tecum was issued upon application of Leo A. Rover, United States attorney, et al., and addressed to J. Mark Trice, Secretary of the Senate, directing him to appear as a witness before the said court on the 6th day of December, 1954, at 9 o'clock a. m., and to bring with him certain papers in the possession and under the control of the Senate: Therefore be it

Resolved, That by the privileges of the Senate no evidence of a documentary character under the control and in the possession of the Senate can, by the mandate of process

of the ordinary courts of justice, be taken from such control or possession but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the Senate is needful for use in any court of justice or before any judge or such legal officer, for the promotion of justice, the Senate will take such order thereon as will promote the ends of justice consistently with the privileges and rights of the Senate; be it further

Resolved, That J. Mark Trice, Secretary of the Senate, be authorized to appear at the place and before the court named in the subpena duces tecum before mentioned, but shall not take with him any papers or documents on file in his office or under his control or in his possession as Secretary of the Senate; be it further

Resolved, That when said court determines upon the materiality and the relevancy of the papers and documents called for in the subpena duces tecum, then the said court, through any of its officers or agents, have full permission to attend with all proper parties to the proceeding, and then always at any place under the orders and control of the Senate, and take copies of any documents or papers in possession or control of said Secretary that the court has found to be material and relevant, except minutes and transcripts of executive sessions, and any evidence of witnesses in respect thereto which the court or other proper officer thereof shall desire, so as, however, the possession of said documents and papers by the said Secretary shall not be disturbed, or the same shall not be removed from their file or custody under said Secretary; and be it further

Resolved, That a copy of these resolutions be transmitted to the said court as a respectful answer to the subpena aforementioned.

Mr. KNOWLAND. Mr. President, I now ask unanimous consent for the present consideration of the resolution.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 328) was considered and agreed to.

VISIT TO THE SENATE BY MEMBERS, ADVISERS, AND CONSULTANTS OF THE PHILIPPINE ECONOMIC MISSION TO THE UNITED STATES

Mr. SMITH of New Jersey. Mr. President, we are greatly honored to have as visitors to the Senate today the members, advisers, and consultants of the Philippine Economic Mission to the United States. The mission is composed of members of the Philippine Senate and the Philippine House of Representatives.

The distinguished junior Senator from Montana [Mr. MANSFIELD] and I had the great privilege of being in Manila this year with a group headed by Secretary of State Dulles to negotiate the so-called SEATO treaty, and I now call attention to the fact that these distinguished visitors from the Philippines are in the Chamber. I shall ask them to rise, and my distinguished colleague, the Senator from Montana, will read their names to the Senate.

[Applause, Senators rising.]

Mr. MANSFIELD. Mr. President, we are honored to have with us today the members, advisers, and consultants of the Philippine Economic Mission to the United States, comprised of a number of outstanding members of the Philippine Senate and the Philippine House of Representatives. In this group are the following:

Senator Jose P. Laurel, chairman, Economic Mission, and chairman, Senate Committee on Judiciary.

Senator Gil Puyat, member, and chairman, Committee on Finance.

Senator Francisco A. Delgado, member, and chairman, Committee on Foreign Relations, and a former colleague in the House.

Senator Lorenzo Sumulong, member, and chairman, Committee on Codes and Constitutional Amendments.

Senator Quintin Paredes, member, minority floor leader, and also a former colleague in the House.

Senator Lorenzo Tanada, member; chairman, Committee on Banks, Corporations, and Franchises; chairman, Committee on Investigations.

Governor Miguel Cuaderno, Sr., member, and governor, Central Bank of the Philippines.

Congressman Godofredo P. Ramos, member; chairman, Committee on Ways and Means; vice chairman, Committee on Foreign Relations.

Congressman Diosdado Macapagal, member; member, Committtee on Appropriations; member, Committee on Commerce and Industry.

Congressman Jose Roy, member, and chairman, Committee on Economic Planning.

Minister Caesar Z. Lanuza, member, and executive secretary; minister-counselor, Department of Foreign Affairs.

Antonio de las Alas, Esq., member, and member, Monetary Board.

Hon. Raul Leuterio, Philippine Minister.

In behalf of the distinguished Senator from New Jersey [Mr. SMITH] and myself, who served as delegates to the Manila Conference, I may say that it was an honor and a privilege to attend the conference. We were very much impressed with the aptitude and maturity shown by the Philippine Government, and by the delegates representing that Government at the conference.

We are delighted that these gentlemen, representing a nation which is a partner of ours in the free world, are here with us this afternoon. We sincerely hope that this visit is only one of many which will be made in the future, because we desire to show our appreciation to them, just as they have shown their appreciation to us down through the years.

Mr. KNOWLAND. Mr. President, speaking as majority leader of the Senate, on behalf of the Members on this side of the aisle, and I am sure I speak on behalf of all the Members of the Senate, I wish to extend a welcome to our distinguished friends from the Republic of the Philippines, with which this Nation and the American people have had close ties over many years.

The people of the United States, the Members of the Congress, and the Government of the United States, look upon our great neighbor across the Pacific, the Republic of the Philippines, as one of the showcases of the free world in that great area of Asia. We have a common interest. We are tied together in mutual security pacts. However, even without any such agreements, I feel there is a close and a kindred spirit between the people of this country and the people of the Philippines. [Applause.]

Mr. WILEY. Mr. President, I join in the sentiments expressed in the remarks which have just been made, and I deem it a privilege to say a few words to this distinguished group from the Philippines.

As the Senator from California has said, it is true that through the years, the people of the Philippines and those of the United States have been very close in the common problem of seeking to preserve freedom in the Far East.

It was my privilege to break bread with these distinguished legislators from the Philippines, and at that time I expressed to them personally my feeling of gratification in welcoming them on the occasion of their visit to the United States.

Mr. WELKER. Mr. President, I should like to ask the distinguished majority leader if we cannot recess for 5 or 10 minutes, in order that Senators may have an opportunity to meet our distinguished guests.

Mr. KNOWLAND. Mr. President, I move that the Senate stand in recess, subject to the call of the Chair, in order to give Senators an opportunity to meet personally our distinguished visitors from the Philippines.

The motion was agreed to; and (at 2 o'clock and 5 minutes p. m.) the Senate took a recess, subject to the call of the Chair.

At 2 o'clock and 10 minutes p. m., the Senate reassembled, when called to order by the Presiding Officer (Mr. BUSH in the chair).

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

Mr. BUTLER. Mr. President, I have at least two reasons for seeking the floor at this early hour. First, if voting on the pending order of business were to take place today, I would want the RECORD to show why I voted as I did. Second, I believe that before we proceed much further with the matter at hand, we should ask ourselves certain fundamental or basic questions.

Perhaps I am not being fair in assuming that most of us have failed to consider certain aspects or facets of the motion to censure the junior Senator from Wisconsin [Mr. MCCARTHY]. For all I know, each Senator might well have asked and answered to his own satisfaction the various questions which have been disturbing me. If so, I ask indulgence. I assure Senators that to the best of my ability, I shall be brief in my remarks.

Probably as good a place to start as any is with the suggestion that it might be appropriate for each of us to inquire what it is that the Senate stands to lose if the pending matter is pursued to what some might call "its logical conclusion."

I have asked myself, "What are the costs, risks, disadvantages, and inequities which might accrue if we continue on our present course?"

First, I concluded that unless we took great pains to limit and qualify, and even to repudiate, certain things which the select committee has said in its report, we would find ourselves—and what is probably even more important, those who are elected to the Senate after us would find themselves—saddled with a binding code of "approved" senatorial conduct. Some have referred to it as a "code of conduct unbecoming United States Senators." Some have referred to it as a "code of senatorial etiquette."

However, I do not think it matters much what we call this code. The important point to realize is that, whether we like it or not, we are, in fact, busily engaged in setting it up. In a moment, I shall refer to certain things said by the select committee in its report which led me to this unhappy conclusion.

But before I do, let me state my assumption that if, prior to the inception of the matter now under consideration, any Senator had proposed that we agree upon and publish a conduct code, we would have thought his suggestion childish, at best, and, more likely, just plain ridiculous. I do not for a moment contend that any Member of this body has been foolish enough to make such a proposal. What I do say is that I assume all of us are agreed that unless the most dire circumstances demand it, it would be unnecessary, unwise, and, indeed, degrading for the Senate to attempt to set up any such code. I think it is also fair to assume that if none of us favor the establishment of such a code by direct or express means, we would oppose with equal vigor any attempt to set it up by indirect or inferential procedures.

In turning to the report of the select committee, let me say that I have read it very carefully, several times. I have given it a great deal of thought. I have not discussed it with the junior Senator from Wisconsin or any of the members of the select committee, nor have I discussed with them what I intend to say here today.

Before taking up specific points raised by the report, allow me also to express my opinion as to the competency and fairness of the men who served on the select committee. Frankly, I am convinced that the committee was very well and carefully chosen. All of its members are able, industrious, highly respected Senators. I find no fault whatsoever with the composition of the committee.

I say this, feeling that it is probable that one or more of its members, at one time or another, prior to being appointed to the committee, had formed favorable or unfavorable opinions or impressions of the junior Senator from Wisconsin [Mr. McCarthy]. Indeed, being the spectacular and well-known Senator that he is, I doubt that there are any of us who are completely impartial, unbiased, or objective about him. However, I am confident that the Senators who were selected—or perhaps "conscripted" is a better word—to serve on this committee, are men who recognized and properly discharged their obligations to think and act fairly in carrying out their difficult task.

Although the select committee appears to have been properly constituted, that is not to say it had no difficulties with which to contend. Indeed, two serious handicaps under which it labored become crystal clear within the first few pages of the report.

The first handicap—and I am sure the more serious one—to the committee was the admitted lack of precedent. On page 2, paragraph 8, the committee in setting forth its purposes, states:

> In beginning its duties, the committee found few precedents to serve as a guide.

The committee's second handicap was the strict limitation of time it had in which to perform its task. This is referred to in the next paragraph, where the committee says:

> Obviously, with all this in mind, the committee had good reason for concluding it faced an unprecedented situation which would require adoption of procedures, all within the authority granted it in the Senate order, that would enable it to perform the duties assigned within the limited time given by the Senate.

Lest there be any misunderstanding, let me explain why I emphasize the fact that there, at the threshold, the committee apparently recognized that it was seriously handicapped by the time limitation and the lack of precedent. I do not refer to this as a blanket indictment, or an all-out attack upon the report. I do it only as a preface or introduction to certain questions which I think the report raises, but fails to answer. I do it to emphasize my conviction that if the select committee had had more time and had had more precedents to follow, it would not have said some of the things it said. In fact, I am sure the members of the select committee would be the last ones to contend that their report is letter perfect and immune from constructive criticism.

On page 22 of the report, in the second paragraph, under the heading, "The Senate Has the Power To Censure a Senator for Conduct Occurring During His Prior Term as Senator," the committee states:

> It seems clear that if a Senator should be guilty of reprehensible conduct unconnected with his official duties and position, but which conduct brings the Senate into disrepute, the Senate has the power to censure. The power to censure must be independent, therefore, of the power to punish for contempt.

In my judgment, the select committee has thus laid down the principle that Senators may be censured even though their conduct is not in contempt of the Senate, if their conduct brings the Senate into disrepute. Does the Senate wish to establish such a principle?

Is it necessary for us now to decree that Senators must not only refrain from conduct which is in contempt of the Senate, but, even further, refrain from conduct which, while not contemptuous, might be so spectacular as to be advertised or propagandized to such an extent as to bring the Senate unduly into the Kleig lights of publicity and, therefore, into disrepute?

I, for one, do not desire to participate in the establishment of such a principle. In my opinion, the accomplishment of the Senate's present purpose is in no way dependent upon the establishment of that principle.

On page 27 of the report, the committee, in paragraph 6, says:

> It is the opinion of the select committee that when the personal honor and official conduct of a Senator of the United States are in question before a duly constituted committee of the Senate, the Senator involved owes a duty to himself, his State, and to the Senate, to appear promptly and cooperate fully when called by a Senate committee charged with the responsibility of inquiry.

Do we wish to establish a precedent that Senators, upon pain of censure, must voluntarily appear promptly before and cooperate fully with Senate committees conducting investigations of Senators themselves, especially when even the minimum right of cross examination is denied them? Further than that, I ask whether it is necessary for us to set up any such rule in order to accomplish that which we believe to be the will of the majority.

I am convinced that we do not wish to establish such a precedent. I am equally confident that it is not necessary for us to do so. Moreover, I believe it would be unwise in the extreme. For one thing, until a committee investigating a Senator subpenas him and he refuses to honor the subpena, censure certainly seems premature.

Nor is there any reason for us to fear that the Senate will function improperly if censure is not made available for use against Senators who refuse to appear without subpenas. Courts frequently resolve disputed issues against contestants who have control over or possession of decisive information but who refuse to produce it for the court's consideration. If necessary, the Senate can do likewise.

Please do not misunderstand me. I do not mean to say that the letters which Senator McCarthy wrote to the Subcommittee on Privileges and Elections are letters which I would have written. I do not mean to say that I applaud him for his refusal to appear promptly and cooperate fully with that subcommittee.

What I do say is that we should all give serious consideration to the possibility that in setting up this "appear promptly and cooperate fully" principle, the select committee's remedy or cure might be worse than the ailment itself.

I repeat I am convinced that it is neither wise nor necessary for us to establish such a principle in order to accomplish the Senate's purpose.

On page 30 of the report, in the first paragraph, the select committee lays down a principle both new and disturbing to me. In no uncertain terms the committee states that while a Senator has the right to question, criticize, differ from, or condemn an official action of the Senate or of its committee, he has no right to "impugn the motives of indi-

vidual Senators responsible for official action, nor to reflect upon their personal character for what official action they took."

If we permit this laudable principle of etiquette to become an inflexible mandate governing the utterances of United States Senators, we will change drastically the nature of this body. In addition to the fact that the right of the minority hereafter might thus be at the mercy of the majority, in my opinion an era of sterility could well set in. During this new era, it is probably true that what is said by Senators will hurt fewer feelings than ever before. However, I fear that Senators might well become more concerned with what they should not say than with what they ought to be doing and saying.

Accordingly, it could serve a useful purpose to inquire whether it is either necessary or wise to rule that Senators have "no right to impugn the motives of individual Senators responsible for official action, nor to reflect upon their personal characters for what official action they took." In my opinion, if that principle is put into effect, the Senate and the people will stand to lose much more than they gain.

I say this even though I realize that Senate standing rule XIX, governing debate on the floor, provides in part that—

> No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

I need not, and do not attack that debate-governing rule in any way. It is obviously one thing for us to govern or regulate our formal debate here on the Senate floor by employing express and rigid rules. It is quite another for us to set up similar formalistic mandates governing our speech and writings while off the floor of the Senate.

If Senators disagree, I ask them whether they are prepared now to establish and abide by the principle that Senators may not impugn the motives of fellow Senators, in the privacy of their own homes, in the company of a group of friends, in our cloakrooms, and in the heat of a political campaign. Unless they are, we must qualify or reject the select committee's sweeping conclusion that Senators, under pain of censure, may not impugn the motives of other Senators.

If a Senator, while engaged in debate on the floor, impugns the motives of a fellow Senator, the Presiding Officer or any Senator, under standing rule XIX, can call him to order, thereby requiring him to sit down. But, even there, armed with this express prohibitive rule, no Senator has ever been censured for its violation.

How then, in good conscience, can we censure a Senator who has violated no such rule? It seems to me that we cannot, unless we resort to some sort of an ex post facto proceeding by which we establish a new rule to cover activities off the floor, and then enforce it much more rigorously than we have ever enforced standing rule XIX.

These are a few of the new precedents or principles which the report seeks to make retroactive. Unless they serve essential purposes we most certainly should reject them.

However, if the majority feels that the Senate's purpose can be achieved only by sweeping statements, then I submit that they should be reexamined and appropriately limited or qualified so as to do no more than the situation at hand requires.

I recognize that it might be argued that establishing precedents by the censure procedure is nothing new, and therefore nothing from which we should shy away. It is true that twice before in our history, the Senate, in order to reprimand three Senators, has employed the censure procedure, and in so doing has laid down certain principles of conduct.

In the first case, involving Senators McLaurin and Tillman, the narrow or limited principle established was that Senators who engage in fisticuffs on the Senate floor become subject to censure. In the second, involving Senator Bingham, the rule enunciated was that Senators who bring uninvited, interested private parties, unannounced, into executive sessions of Senate committees are subject to censure.

Let us assume, for the sake of argument, that the censure procedure served some necessary and useful purpose in those previous instances. Indeed, it might be understandable for the Senate to proclaim or decree that Senators should be reprimanded for fighting on the floor of the Senate, or for bringing uninvited, interested private parties, unannounced, into executive sessions. But whoever thought that by this simple procedure we would set about to establish a detailed code of conduct unbecoming United States Senators?

It seems to me there are at least two other matters each of us should consider while contemplating the disadvantages, costs, risks, and inequities of that which we are doing.

In the first place, I doubt that there are any Senators who want to see Communists, or other subversives, benefit in any way from our present order of business. Therefore, I submit that when considering the so-called Zwicker incident we should exercise utmost care to see that nothing is said which will aid subversives, or deter, or devitalize the Senate committees charged with the responsibility of combatting, exposing, and ferreting them out.

Perhaps when dealing with the Zwicker incident the select committee means to recommend only that, limited to the precise facts of that situation, and no others, Senator McCarthy should be censured for saying that General Zwicker was not fit to wear the uniform. However, in order to avoid establishing any rule or principle which Communist lawyers can hurl back at committees, it seems to me that the report might have devoted some space to recognizing the fact that Senators assigned to antisubversive committees come in for more abuse, more attack, more avoidance, more recalcitrance, more arguments, more arrogance, more insults, and more downright perjury than Senators who serve on, shall we say, "less controversial committees." I would have thought that the report also might have devoted some space to recognizing the principle that under many sets of circumstances Senators should be excused if they lose some of their usual patience. Unless the report is appropriately modified, I fear that subversives will have real cause to celebrate. Certainly, the members of the select committee did not intend to create such a situation.

I now come to one of the most disturbing things about the pending order of business. I have been wondering how many of us have asked ourselves what effect our votes on censure will have upon our own political futures. I feel sure that most of us have given it some thought. Frankly, it is disturbing to think that some votes may be cast the way they go primarily because of political considerations.

I think Senators will agree that on this politically explosive matter before us, we, as a group of judges, fall far short of the objective, impartial, unbiased standard all judges should meet. I think Senators will also agree that judges who stand to gain or lose, depending on how they decide the case, do not make the best judges.

I do not imply that we cannot judge fairly because some of us have considered the political effect of our votes. If we carried that line of reasoning too far we would probably have to disqualify most Senators, and then we could never censure or expel when the matter under consideration was of political significance. Perhaps all I am trying to say on this self-searching point comes down to something like this: Because most of us have considered not only the rights of the accused and the good of the Senate, but also how our votes will affect our own political futures, let us recognize that we are not quite as impartial and objective about this matter as we wish we were. Accordingly, in good conscience, let us not volunteer or rush blindly in to sit in the judgment seat, unless it is absolutely necessary that we do so in order to accomplish the Senate's purpose.

If this point bothers Senators, as much as it did me, I do not think you will find much consolation in the fact that there have been other censure proceedings. Bear in mind that none of them had anywhere near the political significance attributed to the case at hand.

But—and this I want to repeat—I am not suggesting that any of us are ineligible to sit in judgment on the pending order of business. I am only reminding Senators that here is another good reason to reexamine that which we are doing.

I told Senators at the beginning of these remarks that one reason I wanted to speak was that if I were called on to vote on this matter tomorrow, I would want the record to show why I voted as I did. Ordinarily, if parliamentary procedures are well suited to the matter under consideration, it is not necessary to explain one's vote. But, when those

procedures are vague, ambiguous, subject to misconstruction, and inappropriate to the task at hand, it frequently becomes necessary to speak out, lest one's vote be misunderstood.

In my opinion, if any Senator votes against censure without explaining why, his vote will be interpreted by a great many people in this country as constituting approval of everything Senator McCarthy has ever said, written, or done. I know, and other Senators know, that many Senators who might wish to vote against censure—perhaps for some of the reasons I have raised in these remarks, perhaps for others—would not want their votes so construed.

On the other hand, if anyone votes for censure without explanation, many people will interpret it to be a vote against everything Senator McCarthy has ever said, written, or done. I am sure that certain Senators who might vote for censure feel as I do, that Senator McCarthy deserves much credit for alerting this country to the menace of communism. Indeed, many of his most severe critics concede this point. Accordingly, it seems to me that those who intend to vote for censure should speak out in fairness to all concerned, lest their votes be misconstrued.

Speaking for myself, I want the record to show that unless matters which might be developed hereafter, answer to my satisfaction the various questions I have said were bothering me, I intend to vote against censure. I intend to vote against censure even though I do not like Senator McCarthy's "living miracle" remark about Senator Hendrickson. According to my own personal standards, it was uncalled for and unkind. However, I am using my own personal standards as the judgment yardstick.

Nor do I approve of Senator McCarthy's statement to General Zwicker that the latter was not fit to wear his uniform. I doubt that I would have made any such statement to the General, even though the record indicates to me that he was far from cooperative.

And insofar as concerns the letters which Senator McCarthy wrote to the Subcommittee on Privileges and Elections, it seems to me that he erred in the use of certain language, even though he might have had grounds for considering that the majority of that subcommittee was engaged in a political smear.

Have I left out anything insofar as explaining my own personal disapproval of certain things Senator McCarthy said, and wrote, and did, and for which the select committee has recommended censure? Only one, perhaps; that is in the matter of whether I approve of his refusal to accept the invitation of the Elections Subcommittee to appear and fully cooperate. But, as Senators will recall, I previously said that, short of a subpena, I do not feel that Senators have a duty voluntarily to appear promptly and fully cooperate under such circumstances.

Of course, my disapproval of what Senator McCarthy said about Senator Hendrickson, or to General Zwicker, or in his letters to the Privileges and Elections Subcommittee has been a private and personal thing with me, until this censure matter came up. I have never told Senator McCarthy that I did not approve. The question might be, Was I obliged to? Did I owe the Senate, or the people a duty to try to persuade my fellow Senator to refrain from saying these things, from using this language?

To be frank, though, I never even asked myself whether I had such a duty. When I came here I believed, and I still do, that short of expelling a Member, it would be unwise and degrading for the Senate to require that its Members run about telling one another what they do not like about each other's manners, morals, social behavior, habits of speech, and the like.

In summation, let me reiterate my belief that when we sit in judgment of a fellow Senator, we must, if we can, put aside political considerations. Furthermore, if the Senate wishes to establish general rules governing the conduct of its Members, it certainly should not do so in an ex post facto fashion.

Permit me also to emphasize once again my deep conviction that a vote for censure will seriously jeopardize minority rights, now and in the future. In so doing, we most certainly will drastically alter the character of our Government.

In my opinion—and I want to close my remarks with this statement—"We are in danger of acting before we clearly know what we want, or comprehend the consequences of what we do—in danger of altering the character of the Government * * *." May I repeat these words of caution? "We are in danger of acting before we clearly know what we want, or comprehend the consequences of what we do—in danger of altering the character of the Government * * *."

I wish that I could take credit for this appropriate statement. However, I cannot. These are the words of a great President—Woodrow Wilson.

Mr. BENNETT. Mr. President, like many other Members of the Senate, I approach our present problem with a great feeling of inadequacy and the hope that when we are finished we will have dealt justly with the junior Senator from Wisconsin and, at the same time, preserved and enhanced the dignity of the Senate itself.

Speaking for myself, I hope that during these deliberations, I shall never forget why we are here, or lose sight of these objectives of justice and dignity. For me, it is important to remember that this session is basically different than any other in which I have participated. Our ordinary processes are legislative and, in the American pattern, are properly colored with considerations of partisanship, our individual political fortunes, and the advancement of the interests of the States we represent. By custom, under our great privilege of free speech, certain excesses and hyperboles are expected and accepted in the drama of debate.

But not so in the present situation. We are come now to sit almost as a court. Impartial judgment should replace partisanship. Impersonal issues should replace selfish, personal considerations and the search for truth and justice should replace any limited State or sectional interest. We are not here to pass judgment on a fellow Senator, but to try issues which involve a man whom we should impersonalize as Mr. X.

This is not going to be easy to do. We are so accustomed and habituated to the headier legislative atmosphere that it will be hard to maintain a judicial openmindedness until the whole case has been considered. For a long time so many facets of the issues have been the theme of headlines, broadcasts, and campaign speeches, in which all of us have been more or less involved, that it will require a great mental and moral effort to strip away the appeal of the personalities and get down to the issues. If we seek justice rather than revenge or vindication, we must remember that true justice is blind and is no respecter of persons. To the extent we fail to achieve this attitude, to that extent will we fail our duty to the Senate. And if we are tempted willfully to refuse to purge ourselves of every motive other than justice, first contemplate the Saviour's wisdom given in the Sermon on the Mount—

> For with what judgment ye judge, ye shall be judged, and with what measure ye mete, it shall be measured to you again. (Matthew 7: 2.)

If the present issue is resolved on a level of partisanship or personalities, we will have raised an evil that will rise again and again to plague the Senate in the years ahead.

Mr. President, I digress at this point to express my appreciation to my colleague, the senior Senator from Maryland [Mr. Butler], for his masterful exposition of these reasons.

Of course, I know that the transformation of the Senate from a legislative to a judicial body is not complete. The issues arise out of actions under the legislative process. They were brought before us in the same way. A resolution was submitted and given a number, and, after typical floor debate, it was referred to a committee; and what we are met to hear is not an indictment, but a committee report.

Mr. WELKER. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I shall be happy to yield.

Mr. WELKER. Mr. President, we sit as a jury of citizens to try a fellow Senator. I notice eight Senators on the Democratic side of the aisle, and I notice vacancies on our own side of the aisle. The Senator's remarks are of great importance. Will the Senator permit me to suggest the absence of a quorum?

Mr. BENNETT. I am flattered by the suggestion, and I shall be happy to yield to the Senator from Idaho for that purpose, provided I shall not lose the floor.

The PRESIDING OFFICER. With the understanding that the Senator from Utah will not lose the floor, the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Beall	Brown
Aiken	Bennett	Bush
Anderson	Bricker	Butler
Barrett	Bridges	Byrd

Capehart	Hendrickson	Morse
Carlson	Hennings	Mundt
Case	Hickenlooper	Murray
Chavez	Hill	Neely
Clements	Holland	Pastore
Cooper	Hruska	Payne
Cotton	Humphrey	Potter
Crippa	Jackson	Purtell
Daniel, S. C.	Johnson, Colo.	Robertson
Dirksen	Johnson, Tex.	Russell
Douglas	Johnston, S. C.	Saltonstall
Duff	Kefauver	Schoeppel
Dworshak	Kilgore	Smith, Maine
Eastland	Knowland	Smith, N. J.
Ellender	Kuchel	Sparkman
Ervin	Langer	Stennis
Ferguson	Lehman	Symington
Flanders	Lennon	Thye
Frear	Magnuson	Watkins
Fulbright	Malone	Welker
Gillette	Mansfield	Wiley
Goldwater	Martin	Williams
Gore	McCarthy	Young
Green	McClellan	
Hayden	Monroney	

The PRESIDING OFFICER (Mr. KUCHEL in the chair). A quorum is present.

The junior Senator from Utah [Mr. BENNETT] has the floor.

Mr. BENNETT. Mr. President, I appreciate the efforts of my friend, the junior Senator from Idaho [Mr. WELKER], to get me a larger jury; but as I survey the Chamber, I am afraid the quorum call had the opposite effect. On the other hand, I suppose it would be fairer to agree that the quorum call gave some of my colleagues an opportunity for escape from what may be a very dull presentation.

To me, there is a difference between an ordinary legislative committee and the committee whose report is before the Senate.

This committee was evenly divided—with no majority of the majority, and no Senator sought place on it. Seniority, that all-pervading measure, had no place in the selection of its members, and its decisions were not by majority, but by unanimity.

I hardly need to repeat that I am not a lawyer, but I think I see, in the relations of this committee to the Senate, much the same basic relation that exists between a grand jury and a trial court.

To this committee were referred all the issues raised in the earlier debate, and the committee assumed the task of winnowing out the chaff. It returned with a report that only 2 out of 40 or more charges were clear enough to warrant Senate action. And, as a court is limited to the issues certified by its grand jury, so I feel that we should voluntarily limit ourselves in this case. If we treat this as we treat other reports by a legislative committee, we will feel free to rake over all the rejected debris, and orderly judicial deliberation will disappear in a hurricane of heated controversy.

I agree with my colleague, the chairman of the select committee, the distinguished senior Senator from Utah [Mr. WATKINS], that this is not and must not become an adversary proceeding, but a search for truth. Nor must this search be made in an atmosphere supercharged with emotion, or colored by personal prejudices. That this is forbidden to a judge in a court of law has just been dramatically underscored by the Supreme Court in a case involving a judge in the District of Columbia.

There is another bit of wise counsel given in the Sermon on the Mount, which in the Senate is usually more honored in the breach than in the observance, but which has a profoundly important meaning for us in this situation.

> But let your communication be, Yea, yea; and Nay, nay; for whatsoever is more than these cometh of evil. (Matthew 5: 37.)

In other words, we should be meeting as a court and if we fail to act in the judicial atmosphere, but choose to follow our usual legislative pattern of partisanship and personal predilection, we are bound to fail. Even if we arrived at the right decision, the wrong methods would provide damaging precedents for future problems.

Indeed, I think we would be in danger of committing the very offenses with which the junior Senator from Wisconsin has been charged—showing contempt for a Senate committee and abusing our power as Senators.

How could we show contempt for our committee?

First. By trying to challenge its fitness and authority.

Second. By trying to go behind their report, to open up again on the floor of the Senate all the issues which the committee, in its capacity of grand jury, felt were not worthy to be tried.

Third. By trying to confuse the reported issues with extraneous and irrelevant matters, including the overall problem of communism.

To me, this danger is clear. We gave this committee the task and the authority to clear away the chaos created by unimportant and unworthy material, so that only the basic issues would remain. I cannot see how we can recreate the chaos without at the same time expressing our contempt for our committee.

In the other affirmative phase of the report, the junior Senator from Wisconsin is charged with having abused a witness. If we approach this problem, not in a judicial calm, but in the heated passion of legislative debate, it will be a miracle if Senators who participate can avoid abusing each other. This is made so by the very nature of a censure resolution. If a Senator can be censured for abusing a witness how can he escape it if he abuses a colleague? Do we have a lower standard for dealing with each other than with the public? All of us have heard speeches on this floor that have sailed very close to the wind. Must we listen to more of them now on this problem? If we do, the Members of future Senates may well say of us—paraphrasing Hosea—"They have sown the wind—and we must reap the whirlwind."

Far behind all this there is another, and vastly more important, thing at stake, namely, the respect the people will have for the Senate, with all the connotations we can wrap up in the word "dignity." To all of us who are honored with the privilege of service in these halls, the institution that we call the Senate has become an intangible entity apart from its individual Members. In this sense, at least, it is a continuing body, one to which have been ascribed, through the years, all of the fine attributes of human character we know as dignity. Now, far and wide, we are told that this dignity is in danger, and that these proceedings are necessary to restore, maintain, and enhance it. If this be true, then to do this should be our goal, equal in importance, and unquestionably involved with our other goal, to do justice.

Because we, in a physical sense, are the Senate, we are equally so in a moral and spiritual sense. By our actions and attitude, we weaken or strengthen it in the eyes of all men everywhere.

To me, dignity is an inward, not an outward, grace. Being a spiritual manifestation of human virtues, it cannot be created consciously by men. Like sincerity, which is its attribute, it must be spontaneous. Like charity, it "vaunteth not itself"—I Corinthians, chapter 13, verse 4.

Like beauty, it lies in the eyes of the beholder.

Therefore dignity cannot be created by words, however facile. It is not an outward cloak to be put on for strutting, and particularly it is not a mantle of self-righteousness.

Moreover, the dignity of the Senate is not a physical thing, like a coin or a pencil, which can be misplaced and found again. We lose it when we move unworthily to these ends. We can restore it only by indirection when we ourselves demonstrate that we can rise to new heights of understanding in any important action, such as the one we are about to take.

How can we move in the present circumstances so that renewed respect for us will lead to a restored dignity in the Senate? How can we profit from our present predicament?

The ancient Hebrews had a ceremony which brought them a sense of satisfaction. We read about it briefly in the 16th chapter of Leviticus. It was the old institution from which our modern word "scapegoat" comes. Under it, a goat was selected, and onto his head were poured all the iniquities of the Children of Israel. The goat was then led away into the wilderness, carrying with him, they believed, all the sins of the people, giving them a fresh and sinless start for another year.

Can we restore the Senate's dignity by finding that we, too, have a scapegoat on whose head we can pile all our sins, to be carried by him into a modern wilderness of public condemnation? There are many people in the country who look upon these proceedings in that light.

Can we restore the dignity of the Senate by writing new rules? We glory in the fact that ours is the freest legislative body in the world. Any new rules we write can only limit and restrict that freedom. The trouble is not with our rules but with ourselves. We must look inward for the answer, facing the great truth that the letter killeth, but the spirit giveth life.

That the dignity of the Senate has been called in question should send every one of us to his own conscience, in the hope that, in the words of John the Baptist, we can find ourselves "meet for repentance"—Matthew, chapter 3, verse 8.

The following are my concern, for myself and all of us, as we proceed with the problem before us:

First. That we realize that this is not an ordinary legislative session, but a quasi-judicial one, and that we govern our deliberations by that basic thought.

Second. If we fail, we shall probably find ourselves committing, in spirit if not in detail, the same offenses against the select committee, and against each other, which we are met to hear against one Senator.

Third. If we fail, we shall, in all probability, further lower the dignity of the Senate rather than enhance it.

In the end our responsibility is individual and spiritual—a responsibility to ourselves and to the Senate. We cannot say, "There but for the grace of God go I," in the face of the reminder in the Epistle of John, "If we say we have no sin, we deceive ourselves—and the truth is not in us"—First John, chapter 1, verse 8.

For my final words I turn away from the Scriptures to the poets.

Kipling wrote in the Recessional:

> For frantic boast and foolish word,
> Thy mercy on Thy people, Lord!

And Shakespeare, through Lady Macbeth, said:

> If it were done when 'tis done, then 'twere well
> It were done quickly.

FURTHER ANNOUNCEMENT OF PROGRAM

Mr. KNOWLAND. Mr. President, after further consultations with the minority leader regarding the sessions of the Senate, and in keeping with the suggestions which were made earlier in the day, we shall plan on having regular sessions from 10 a. m. to 12 noon, and then taking a recess for an hour and one-half, for lunch, and resuming at 1:30 p. m. and continuing until 5:30. That arrangement will give Senators more time for the luncheon period, so there will not be any rush in finishing lunch. I think that will help the general deliberations of the Senate.

As previously announced, on tomorrow, Veterans' Day, formerly Armistice Day, the Senate will begin its session at 12 o'clock noon. On each day, we shall have the usual morning hour, under the 2-minute limitation, for the introduction of material into the RECORD. This week we shall not have a Saturday session. Next week we shall proceed under the new schedule, and shall see what progress we can make and how the situation works out. As we gain a little more experience in connection with this rather unprecedented proceeding, both the majority leader and the minority leader will be glad to have suggestions from Members on either side of the aisle. However, I feel it is advisable to lengthen the luncheon period. I believe that most Senators found it desirable to have ample time for lunch, rather than to have the Senate sessions proceed while a part of the membership of the Senate was at lunch, and was off the floor.

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

Mr. CASE. Mr. President, I desire to submit a parliamentary inquiry. I do not request an immediate ruling on it, but the question is one which occurred to me just today. I have not discussed it with other members of the select committee, and I have not mentioned it to the junior Senator from Wisconsin [Mr. MCCARTHY] or to his counsel. However, I think it is a question which might be raised; and because it might be raised, it seems to me it should be studied a bit, perhaps by the Parliamentarian, and perhaps by the committee staff and the counsel for the junior Senator from Wisconsin. It might not be a real question, but there is a possibility of it.

In the brief which the counsel for the junior Senator from Wisconsin filed with the committee, he properly called attention to the fact that article I, section 5 of the Constitution of the United States states:

> Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member.

Then, after brief comments, we find the following in the brief:

> The expulsion power clearly has no relation to "qualifications" in the constitutional sense.

At a later point in the brief we find the following:

> It is recognized that the censure power is derived solely from the power to punish for disorderly behavior which is conferred by article I, section 5, of the Constitution.

Mr. President, one of the questions which bothered the committee a bit, and which was under consideration in the committee, was whether the Senate was a continuing body, and whether in dealing with matters which occurred prior to the organization of the 83d Congress, the committee had appropriate jurisdiction. It will be noted and, I think, recognized by all Members of the Senate that the first count on which censure is proposed deals largely with events which transpired prior to January 3, 1953; and I assume that point will receive some attention during this debate.

It is the contention of the committee that the Senate is a continuing body. The precedents and findings and other data on that point probably will be referred to during the debate.

In my own mind, however, I recall that at the time when the 83d Congress convened and when the Senate assembled, on the 3d of January 1953, there was some discussion between the late and very great and lamented majority leader, Senator Taft, of Ohio, and the Vice President on the question of whether Members who were sworn in were sworn in without prejudice to the consideration of matters relating to their conduct or to their election, prior to that date.

A little earlier today I asked for the RECORD for January 3, 1953. In reading it, I come upon a phrase used at the time by Senator Taft, and that phrase is the occasion for this inquiry. I think the answer to my question may not change what everyone has assumed, but I thought the question should be raised at this time. I shall read from the RECORD for January 3, 1953. At that time the Vice President had asked that the Secretary call the roll, alphabetically, of the Members, and so forth. Then, following the calling of the names of certain Senators, the following occurred:

> Mr. TAFT. Mr. President, with reference to the seating of the Senator from New Mexico [Mr. CHAVEZ], there has been filed with the Secretary of the Senate a contest, or a letter proposing a contest, which letter I have not seen. It relates to the election in New Mexico. Other protests may be filed. I understand that a protest has been filed with respect to the seating of the Senator from North Dakota [Mr. LANGER].
>
> My own view is that these Senators should be permitted to take the oath and be seated. It is my further view that the oath is taken without prejudice to the right of anyone contesting the seat to proceed with the contest, and without prejudice to the right of anyone protesting or asking for expulsion from the Senate to proceed. I believe that the various protests which have been filed should be referred to the appropriate committee and dealt with in due course.
>
> Therefore, I ask that these Senators be allowed to take the oath, as I have said, without prejudice. I understand that such would be the case anyway, regardless of any statement which I might make. I should object to any effort to prevent their taking the oath today.
>
> Mr. MORSE. Mr. President, a parliamentary inquiry.
>
> The VICE PRESIDENT. The Senator will state it.
>
> Mr. MORSE. Will it be understood that after they take the oath they will not be denied in any way whatsoever their prerogatives in the Senate, including the right to assignment to committees, and all other rights and prerogatives as Senators?
>
> Mr. TAFT. That is my understanding. They will have every right to vote, and every other right as Senators unless some action is taken by the Senate itself to change their status.
>
> The VICE PRESIDENT. No statement on the part of any Senator is necessary. If a Senator-elect takes the oath, he becomes a Senator and remains a Senator unless he is relieved of his duties by some action of the Senate.
>
> The Chair will take advantage of the situation to state that there is a great deal of confusion with respect to the question of seating Senators against whom some objection may be registered. When there is a contest over the election of a Senator, the Senate may determine that question by majority vote. If the Senate finds that he has not been duly elected, the Senate may, by majority vote, so declare. If the Senate finds that he is not qualified as a Senator, the Senate may, by majority vote, declare the seat vacant. All the rights of the Senate are preserved.
>
> Mr. TAFT. Will the Chair——
>
> The VICE PRESIDENT. When an effort is made to expel a Senator who has taken the oath, because of some misconduct on his part, some malfeasance or misfeasance in office, involving his conduct as a Senator, a two-thirds vote is required to expel him. That has nothing to do with the validity of his election. It has to do with his conduct as a Senator after he is sworn in.
>
> Mr. TAFT. Mr. President, with due respect to the distinguished President of the Senate, I wish to register an objection to his second statement as to the vote required to oust a Senator with respect to whom objection is made because of lack of qualifications—say,

with respect to character—and also as to the distinction between a majority vote and a two-thirds vote which the distinguished Presiding Officer suggests, depending upon whether the misconduct occurs before or after a person becomes a Senator. I think that question is open to debate. I do not wish to debate it at the present time. I merely wish to reserve the right to have that question raised later and determined by the Senate itself.

In the first Langer case, as I remember, it was decided by the Senate itself that a two-thirds vote was required. The Senate decided, by a majority vote, that a two-thirds vote was required in that case, which related to action taken largely before Mr. LANGER became a Senator. I think that question ought to be left open. I do not wish to argue with the Chair. I simply wish to reserve the right to present a different argument at a later time.

To my knowledge, Senator Taft did not resume the argument or present the matter later.

I recognize that the constitutional provision suggests a two-thirds vote in the case of expulsion, and it may have been that that was what Senator Taft had in mind at that time. But since the language of that provision makes a differentiation between the action in the case of conduct taking place before one was a Senator and the action taking place when one was a Senator, presumably that language might be carried over to the conduct of a Senator where a reelection was involved.

The first part of the amended resolution proposed by the committee deals with the attitude or conduct of Senator MCCARTHY with relation to the so-called Gillette committee, largely in 1952. Senator MCCARTHY was a Member of the Senate at that time. However, he was a candidate for reelection at that time, and was sworn in again on January 3, 1953.

I do not know whether or not the Parliamentarian wishes to give an answer immediately to the question which I submit. If he does, I have no objection. But lest the question arise later, I think it should be raised now. The question is whether or not affirmative action on that portion of the resolution which relates largely to conduct prior to the swearing in of Senator MCCARTHY as a Member of the 83d Congress would require a two-thirds vote because it deals with conduct prior to the term in which he is now serving, or whether the question would be settled by a majority vote.

Mr. WELKER. Mr. President, will the Senator yield for a question?

Mr. CASE. I yield.

Mr. WELKER. I am confused. I cannot find in the report the amendment with respect to the Senate being a continuing body. Does the Senator have the amendments before him? I am sure he is familiar with that question.

Mr. CASE. I think the committee's position is clear. It is that the Senate is a continuing body. But when the recommendation deals with conduct at a prior session, it raises the question as to whether, with respect to that portion of the resolution, as amended, a majority vote or a two-thirds vote would be required. With respect to that question we should have a clear understanding.

Mr. WELKER. Mr. President, will the Senator further yield?

Mr. CASE. I yield.

Mr. WELKER. I am delighted that the Senator has brought up the case of the distinguished senior Senator from New Mexico [Mr. CHAVEZ], and the question of the charges filed against the distinguished senior Senator from North Dakota [Mr. LANGER]. It was my honor and privilege to represent the Senator from North Dakota. I regret sincerely that, based upon the report of a committee just as honorable and just as fair as the select committee, and composed of my close personal friends, I cast my vote against the seating of the Senator from New Mexico. I think that was one of the greatest mistakes I ever made.

I should like to have the Senator direct his attention to page 15851 of the CONGRESSIONAL RECORD for November 8, 1954, which shows in what respect the report of the select committee was amended, on the day before it was filed, I believe.

Mr. CASE. I am familiar with the reference.

Mr. WELKER. I wonder if the Senator can enlighten me. I have tried to do some legal research upon that very subject, namely, the question whether or not the Senate is a continuing body. I wonder if the Senator can tell me the reason for the amendment, in the light of the fact that on September 27, 1954, the distinguished chairman of the select committee filed eight copies of the report in the office of the Secretary of the Senate, and stated in his letter, of which I have a photostatic copy:

> This report is deposited with you, and will be the same report which will be filed officially with the Senate when it reconvenes on November 8, 1954.

The letter went on to state that the committee had released the report to the press.

My question, which may have quite a serious bearing upon the legal argument upon this subject which I expect to make at a later date, is this: Can the Senator tell me why the amendment was made at such a late date?

Mr. CASE. I can answer a part of the question. I cannot answer it all. The change was made because some of us felt that a brief sentence which appeared in the original committee print, and which was later omitted, could be interpreted so as to give the wrong impression. The sentence as it appeared in the original committee print correctly stated, I think, that proposed legislation pending at the end of the first session of a Congress continued into the next session of the same Congress, that is, that at the conclusion of the first session of the 83d Congress, any bills which had been introduced continued, in whatever status they may have had, into the second session of the 83d Congress.

There was a brief sentence which followed that statement which might give the impression, however, that bills which had a status at the conclusion of the second session of the Congress remained in the same status at the swearing in of the new Members of the Senate in the succeeding Congress. That, of course, is not correct, and every Member of the Senate so understands.

So, in order that there might be no misinterpretation, that sentence was deleted, and the proper sentence was inserted, to support the sentence which was retained, to the effect that—

> Senate rule XXV (2) provides that each standing committee shall continue and have the power to act until their successors are appointed.

We followed that with new language:

> That rule was followed in the case of the committee in question. The testimony taken in the hearings of the select committee shows that Senator HAYDEN, chairman of the Committee on Rules and Administration in the 82d Congress, certified the payroll for that committee for the 1st month of the 83d Congress.

That, to the committee, was persuasive evidence, along with the precedents and other evidence submitted, that the Senate is a continuing body.

Mr. WELKER. As I understand, my distinguished friend from South Dakota and other members of the committee based their reasoning with respect to this amendment—and it came in at a late hour and caused me many hours of work because of the fact that I had read the letter from my friend, the distinguished chairman of the select committee, to the effect that the report which he filed with the Secretary of the Senate would be the same report to be made to the Senate—upon the argument that, since the Senator from Arizona [Mr. HAYDEN] certified the payroll, the committee was in fact a continuing committee.

Mr. CASE. That was one of the things upon which the conclusion was based.

Mr. WELKER. Is there any other evidence——

Mr. CASE. Let me say also that, so far as I am personally concerned—and I think the feeling is shared by other members of the committee—I sincerely regret that the Senator lost hours of time and effort on that particular point, because if he had said to me, "There is a sentence in the report which is misleading because it suggests that legislation continues from one Congress to another," I would readily have agreed that it does not.

Mr. WELKER. The reason why I did not communicate with the Senator is exactly the reason why many other Members have not read the testimony or the committee report. They were busy campaigning. I asked the Secretary of the Senate for advice as to what the report contained, and I received it.

I certainly am not critical of the distinguished chairman. He certainly had a right to amend his report. However, in any court of law before which I have ever practiced those who have worked as diligently as has the Senator whom it is proposed to censure have been afforded some opportunity to read the allegations or charges. I sincerely appreciate the comments of my distinguished friend.

Mr. CASE. The junior Senator from South Dakota would like to state that the question whether or not the Senate

is a continuing body has other implications in connection with the entire issue involved. Senator McCARTHY was sworn in on January 3, 1953, thereby entering upon a different term. The conduct referred to under the first category dealt largely with incidents which occurred during the prior term. The point I sought to make was whether or not that fact raised any problem with respect to the percentage of vote required for action in connection with that particular portion of the recommendations.

The PRESIDING OFFICER (Mr. KUCHEL in the chair). The Senator from South Dakota has raised a question which the Chair has referred to the Parliamentarian. The question is: What vote is required by the Senate to sustain charges against an individual Senator because of acts occurring prior to the time when he took the oath of office at the beginning of a new Congress?

The Parliamentarian will take that question under advisement, rather than advise the Chair of his judgment at this time.

Mr. CASE. That is entirely satisfactory. I merely felt the question ought to be raised at this time so that it could be explored and so that we would have a firm decision, instead of getting into complications.

The PRESIDING OFFICER. The Secretary will state the first amendment reported by the select committee.

The LEGISLATIVE CLERK. On page 1, line 1, after the word "That", it is proposed to strike out "the conduct of the Senator from Wisconsin, Mr. McCARTHY, is unbecoming a Member of the United States Senate, is contrary to senatorial traditions, and tends to bring the Senate into disrepute, and such conduct," and to insert in lieu thereof the following: "the Senator from Wisconsin [Mr. McCARTHY] failed to cooperate with the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up matters referred to that subcommittee which concerned his conduct as a Senator and affected the honor of the Senate and, instead, repeatedly abused the subcommittee and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin [Mr. McCARTHY] in failing to cooperate with a Senate committee in clearing up matters affecting the honor of the Senate is contrary to senatorial traditions and."

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Carlson	Ellender
Aiken	Case	Ervin
Anderson	Chavez	Ferguson
Barrett	Clements	Flanders
Beall	Cooper	Frear
Bennett	Cotton	Fulbright
Bricker	Crippa	Gillette
Bridges	Daniel, S. C.	Goldwater
Brown	Dirksen	Gore
Bush	Douglas	Green
Butler	Duff	Hayden
Byrd	Dworshak	Hendrickson
Capehart	Eastland	Hennings
Hickenlooper	Magnuson	Russell
Hill	Malone	Saltonstall
Holland	Mansfield	Schoeppel
Hruska	Martin	Smith, Maine
Humphrey	McCarthy	Smith, N. J.
Jackson	McClellan	Sparkman
Johnson, Colo.	Monroney	Stennis
Johnson, Tex.	Morse	Symington
Johnston, S. C.	Mundt	Thye
Kefauver	Murray	Watkins
Kilgore	Neely	Welker
Knowland	Pastore	Wiley
Kuchel	Payne	Williams
Langer	Potter	Young
Lehman	Purtell	
Lennon	Robertson	

The PRESIDING OFFICER. A quorum is present. The question is on agreeing to the first committee amendment.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. On the desk of each Senator is Senate Resolution 301. Certain amendments to that resolution were reported by the select committee, and they are shown in italic type.

The point I should like to raise is whether it would be agreeable to the Senator from Wisconsin [Mr. McCARTHY], the Senator from Utah [Mr. WATKINS], and the minority leader if the committee amendments to the resolution were adopted, with the understanding that the resolution in the amended form would be in the same status as though it were a de novo resolution reported by the committee, subject to amendment in the second degree.

Otherwise Senators might be foreclosed from proposing additional amendments to the resolution. The suggested procedure is customarily followed in connection with appropriation bills and tax bills. In that way no legislative rights would be foreclosed. If we were to follow that procedure we would then have, in effect, a clean resolution before the Senate, subject to normal legislative procedure.

The PRESIDING OFFICER. The Chair will advise the Senator from California that by unanimous consent what he has just suggested could be done.

Mr. KNOWLAND. I would ask unanimous consent, but I wish to give the minority leader a chance to consult with some of the committee members on his side of the aisle to see whether it would be agreeable to them, and then I should like to ask unanimous consent that it be done.

The PRESIDING OFFICER. Under the proposal of the Senator from California, italicized matter would be treated as being in roman type.

Mr. KNOWLAND. That is correct.

Mr. DIRKSEN. Mr. President, assuming that the unanimous-consent request is presently before the Senate, I reserve the right to object only for this reason: I wish to be sure that in approving or voting for the new language in the resolution, such approval is only perfunctory in character and does not carry with it approval of the language of Senate Resolution 301 as it is presently before the Senate, so that if a substitute should be offered it would present no difficulty and no Member would feel he was prejudiced with respect to the pending language.

Mr. KNOWLAND. Mr. President, I would say that purely from the technical aspects of legislation it would not be considered in any degree final Senate action or even preliminary Senate action in stating our position on these matters, but it would merely put the resolution in a clean form, and then, if the Senate so desired, amendments might be offered as though it were a brandnew resolution.

Mr. CASE. Mr. President, reserving the right to object——

Mr. DIRKSEN. Mr. President, I think I have the floor at the moment.

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. DIRKSEN. I think it is understood that perfunctory approval of the new language which is now before us carries with it nothing more than the action of the Senate to protect the resolution, so that it will be properly before the Senate and subject to any amendment, modification, or any substitute.

Mr. KNOWLAND. That would be my interpretation.

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, as I understand, the committee amendment is now before the Senate. The Senate has not adopted it, but it is now pending, I assume, although I am unaware of any amendment, there will be amendments to the committee amendment. Is that correct?

Mr. DIRKSEN. That is a fair assumption, I think.

Mr. JOHNSON of Texas. That being true, then, why are not the amendments proposed and properly considered without adopting the committee amendment and sending word out to the country that the Senate has already adopted the committee amendment even though there are other amendments to be considered? What do we gain by that procedure?

Mr. DIRKSEN. In the first place, Mr. President, it would appear to me that the affirmative case has not been concluded. Maybe I am laboring under a misapprehension, but I assume that every member of the select committee would want to be heard and would want to explain and interpret the report as he sees it, and then, of course, the other side of the case may be properly presented in due course. But it will take a little time. That has not been done, and that is the reason why I raised the question whether the action now proposed is wholly perfunctory in character and will in no way commit any Member of the Senate to the language before us. On that we must be precisely clear.

Mr. JOHNSON of Texas. The question which I raise is, if it is perfunctory, then why is it necessary?

Mr. DIRKSEN. Then, perhaps we would not get to the amendments at all.

Mr. KNOWLAND. Mr. President, under the circumstances, and because there seems to be a difference of opinion on procedure, and this can be done in any event only by unanimous consent, I withdraw my unanimous-consent request lest there might be a misunderstanding as to the action of the Senate and what was contemplated by my request. Then we

can proceed with the debate on the resolution matter.

Mr. JOHNSON of Texas. I think that is a very wise procedure.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. DIRKSEN. Mr. President, first, let me raise a parliamentary question. I am mindful of the fact that it is not exactly a parliamentary inquiry, but I assumed that the members of the select committee would present the case in behalf of the report and in behalf of Senate Resolution 301 as it appears before the Senate today. Frankly, I know of no way that one in court could make answer until the case had been entirely presented. So I have been waiting very patiently until that has happened, because I shall have something to say on the matter. If that is a fair parliamentary inquiry, then, of course, it would call for some comment, I think, from the chairman of the select committee and from the members of that committee, because if we have arrived at that stage of the procedure where there is going to be no further presentation of argument and substantive evidence, then, frankly, I suppose, in order not to be foreclosed in my right to be heard, it will be necessary at this hour of the afternoon to present my side of the case. But I sincerely hope that the select committee will not put the so-called antagonists in this case in that position. As an attorney, I would say that obviously we are entitled to hear the whole indictment, and all the affirmative evidence as if this were a court matter, before we respond and make answer. I believe there is a duty on the select committee, Mr. President, to make the case before any response is made, as in due course I, and, I fancy, other Senators, will want to make reply. But we have not yet heard all the argument. If there is anything else to be adduced, we ought to hear it now.

The PRESIDING OFFICER. The Chair will state to the Senator from Illinois that he is advised by the Parliamentarian that the question before the Senate is on the adoption of the amendment. If the amendment should be adopted, the Chair is further advised that no further amendment to the committee amendment would then be in order.

Mr. DIRKSEN. However, Mr. President, inasmuch as the so-called resolving clause is retained in the resolution, it certainly would be in order, under my estimate of the rule, that a substitute for all the language, including the language in italics, which now appears in the resolution, could be offered and would be in order.

The PRESIDING OFFICER. The Chair is advised that the Senator is correct. Under the Senator's hypothesis, it would be in order.

Mr. DIRKSEN. I am asking a hypothetical question. I want to be sure that if any Senator offers a substitute or any amendatory language for all that appears after the word *"Resolved"* in the resolution, it would be entirely in order.

The PRESIDING OFFICER. The Chair will state that the Senator from Illinois has merely repeated the question he asked a moment ago as to which the Chair obtained the advice of the Parliamentarian. Under the Senator's hypothetical situation, his proposal would be greater than the committee amendments and thus would be in order, even though the committee amendments had been agreed to.

Mr. McCARTHY. Mr. President, I am not certain that I understand the parliamentary situation. There is now before the Senate the question of the adoption of the first count, so to speak, in the censure resolution. If that is agreed to, it would mean censuring the junior Senator from Wisconsin on the first count. Is that correct?

The PRESIDING OFFICER (Mr. BUTLER in the chair). That is correct. That is the committee amendment included in section 1.

Mr. McCARTHY. While I cannot force the select committee to do so, I think the suggestion made by the junior Senator from Illinois [Mr. DIRKSEN] is correct. I think the committee ought to present its case. I should like to know what its case is before I answer it. I wonder if the Senator from Utah [Mr. WATKINS] can tell us which members of the committee will speak and present the committee's case.

Mr. WATKINS. Mr. President, does the junior Senator from Wisconsin have the floor?

Mr. McCARTHY. I yield for the purpose of having the question answered.

Mr. WATKINS. I simply wish to say that I stated very clearly this morning that the select committee does not consider that it has a case; that is——

Mr. McCARTHY. I think the Senator from Utah is right.

Mr. WATKINS. The junior Senator from Wisconsin can be facetious if he wishes to be, but the fact is that the members of the committee did not consider themselves to be prosecutors. I made that absolutely clear. We had a special job to do, and we made a report. Whether or not it shows a case is for the Senate to determine. It is now the job of the Senate to handle the matter.

As a matter of fact and as a matter of practice, the members of the committee are prepared to participate in some discussion of the committee report. I myself did so this morning for almost 2 hours. Other members of the committee are willing to speak on the report and to answer questions. We have made that absolutely clear.

Many Members of the Senate came into the Chamber rather late, and have not had time in which to prepare formal speeches. The matter has been crowded along. When Members make speeches, they want to be very clear in what they say, because the question involved is very important.

However, I think the junior Senator from South Dakota [Mr. CASE] is now ready, or will be ready soon, to enter into a discussion of the committee report.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield the floor to the Senator from Illinois.

Mr. DIRKSEN. The distinguished Senator from Utah [Mr. WATKINS] is correct; it is not my understanding that this is an adversary proceeding, or that the members of the select committee have come before the Senate as prosecutors. But the language of the report is very clear, because in these two very important paragraphs relating to censure, the language is as follows:

> For this conduct, is is our recommendation—

Meaning the recommendation of all the members of the committee—

> that he be censured by the Senate.

If that be "our recommendation," then it appears to me that the six Senators having concurred, they should present to the Senate the case as to why this is their recommendation. That is the point that requires clarification, and that could be done without making this an adversary proceeding.

When that much of the case, if it is desired to call it a case, has been presented, then I think the response can be made. In my judgment, that would be a very logical way in which to proceed. But if the Senator from South Dakota [Mr. CASE] is ready, I think that makes all this discussion moot, and we can proceed.

Mr. WELKER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Will the Senator from Utah yield to the Senator from Idaho?

Mr. WATKINS. I yield for a question.

Mr. WELKER. I merely wish to ask my friend, the distinguished Senator from Utah, the chairman of the select committee, a question. Three great jurists sat on the select committee. All of them have had experience in the field of criminal law. I believe I shall be able to establish beyond doubt that a proceeding of this type is, in fact, a criminal action. I hope I shall be able to sustain that contention.

Why cannot we, as honorable Senators, sit here and amend the complaint? In its nature the resolution is nothing more than a complaint. The distinguished Senator from Mississippi [Mr. STENNIS] and other Senators have many, many times done what I suggest.

At a late hour, an amendment comes before the Senate. If it were agreed to, the so-called or alleged defendant would be precluded from presenting his case. As reasonable persons, certainly we can arrive at a decision of a question so fundamental as that. Heavens above, no one intends to submit amendments by the thousands to delay the matter. All that is desired, in the words of the distinguished chairman of the select committee, when he began this debate, is to have as judicial a proceeding as possible. I am certain that the Senator from Utah will agree with me that what I suggest is a fair request.

Mr. WATKINS. The Senator from Idaho did not hear me object.

Mr. WELKER. I certainly did not. I wish to make that clear.

Mr. WATKINS. There will be ample opportunity for Senators to present amendments. I shall have no objection. I did not make the rules of the Senate, and I cannot change them at will. I certainly shall not object to any fair amendment which is offered, if it can be offered under the rules.

I did not make any objection to the unanimous-consent request of the majority leader. However, I was not in the Chamber when he presented the first part of his request, and I did not understand clearly what he was seeking. But I did not object.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. FERGUSON. The first paragraph of the resolution, on page 2, line 5, contains the following words: "And is hereby condemned."

In section 2, line 17, the following words appear: "and censures him for that action."

Does the Senator from Utah have any explanation as to why in section 1 the language used was "and is hereby condemned," while in section 2 the language used is "and censures him for that action"?

Does the Senator wish to make an explanation?

Mr. WATKINS. The only explanation I think of at the moment is that the Parliamentarian was asked for advice with respect to amending the language, and the words in the original text of the Flanders resolution, "is hereby condemned," were retained, and the other language was placed in between them and the first word in the resolution, so that the wording is as it appears on line 5. I understand, however, from checking the definitions, that there is very little difference between "condemned" and "censured."

Mr. FERGUSON. In section 2, the committee language is "and censures him," meaning the junior Senator from Wisconsin personally.

In the other language, did the committee mean simply to condemn what was done, and not the Senator's doing of it?

Mr. CASE. Mr. President, will the Senator from Utah yield to me?

Mr. WATKINS. I yield to the junior Senator from South Dakota.

Mr. CASE. I should like to invite the attention of the Senator from Michigan to line 2, page 2, where I think the Senator's question is partly answered. The language is, "and that this conduct of the Senator from Wisconsin * * * is hereby condemned." That is, as to the first section it should be clear there is no general personal condemnation.

The Senator from Michigan will note in line 2 that the language is:

> And that this conduct of the Senator from Wisconsin, Mr. McCARTHY, in failing to cooperate with a Senate committee in clearing up matters affecting the honor of the Senate is contrary to senatorial traditions and is hereby condemned.

The language "is hereby condemned" is a carry-over of the language in the original Flanders resolution, and so appears. Those very words, "is hereby condemned," are in roman letters. The text of the amendment is in italics. It should be perfectly clear that it is certain specific conduct of the junior Senator from Wisconsin which is condemned.

In the second instance, I think there was a feeling, I started to say on the part of the committee, there was certainly a feeling on my part, and I am not speaking for the other members of the committee, that there is some difference in degree between the offensiveness of the conduct covered in section 1 and in section 2. The words "and censures him for that action" are intended to make it impersonal. That is, it is not a personal censure, but it is a censure of the action. It is not a general condemnation of the junior Senator from Wisconsin, but relates particularly to his action in the denunciation of a witness representing the executive branch of the Government for having done certain things, which, of course, takes us to the merits of the whole matter, and probably it is not necessary to go into that phase at this time.

Mr. FERGUSON. Is that not exactly what is done in line 2, which reads, "and that this conduct * * * is hereby condemned"? It is not the Senator himself who is condemned.

Mr. CASE. That is correct.

Mr. FERGUSON. It is the conduct which is condemned. In line 17 the resolution reads "censures him for that action."

Mr. CASE. If that language bothers the Senator from Michigan, the words "him for" could be deleted, so as to make the phrase read "censures that action." Perhaps that would be more accurate as representing what the committee had in mind. The words "for that action" are intended to make it impersonal, not relating to the Senator as a person, but to express disapproval of a specific action.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. CASE. I yield to the Senator from Colorado.

Mr. JOHNSON of Colorado. I am disappointed that the unanimous-consent request of the Senator from California was not agreed to. The object of that request was simply to give the Senate complete freedom of action in dealing with sections 1 and 2 of the resolution. No doubt when the Senate reaches the point where it desires to take action which is other than perfunctory action, numerous amendments may be offered and perhaps voted upon. It seems to me that section 1 and section 2 ought to be divided when a vote is taken.

As I understood the request of the Senator from California, the able majority leader, the only purpose of his request was to give the Senate complete freedom of action to do what it might desire to do with regard to either one of those proposals.

Mr. CASE. The purpose was to avoid getting into a situation in which amendments would have to be offered in the third degree, which would be out of order.

Mr. JOHNSON of Colorado. Yes, whereas amendments might be offered in the second degree. Otherwise Senators might be completely shut off from offering amendments.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. CASE. I yield to the Senator from Wisconsin.

Mr. McCARTHY. I agree with the Senator from Colorado that if the unanimous-consent request of the majority leader were accepted, it would give the Senate much more freedom and liberty in amending and handling the resolution. I would have no objection to the suggestion made by the majority leader.

Mr. JOHNSON of Colorado. I wish to say that I would have no objection to the request made by the majority leader, if I properly understood it.

Mr. KNOWLAND. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I yield to the majority leader.

Mr. KNOWLAND. I do not wish to renew the unanimous-consent request at this time, because the minority leader is not present at the moment, and he apparently had some objections to the request. My only purpose in making the suggestion was that in a matter of this kind the Senate should not get into such a parliamentary tangle that it would be foreclosed from taking appropriate action. It seems to me that the situation which confronts the Senate is that the original resolution, S. 301, was offered by the Senator from Vermont [Mr. FLANDERS]. The amendment is shown substantially in the italics except for a word or two on the second page. If the amendment is adopted as a committee amendment, then the Senate would be foreclosed from making any amendments to the language.

Certain Senators might say, "It is all right, except we think three words should be stricken out," or other Senators might say, "We think it is all right except another sentence should be added." The Senate would be precluded from doing that.

The only alternative on the part of the Senators who did not agree with the precise recommendations of the select committee would be to offer a substitute. So, I think the freedom of action of the Senate would be considerably curtailed. I certainly do not desire to continue to urge adoption of the request, because, if it were agreed to, it would have to be done by unanimous consent, so there would be no impression created, either in the press or throughout the country, other than that the Senate merely was adopting it because of technical reasons, and was not prejudging or taking a stand on the question.

The only purpose of the unanimous consent request of the majority leader was to put the resolution in such form that it would be subject to whatever amendment or substitute might be offered.

Mr. CASE. Mr. President, if the majority leader or any other Senator renews the request, I hope it will be limited to the language of section 1, and that a similar request will later be made with regard to section 2. The reason for my statement is based on the fact that it is my conviction, and I think other members of the committee share it, that there should be separate votes on the two different matters.

Mr. KNOWLAND. Mr. President, will the Senator from South Dakota yield at that point?

Mr. CASE. I shall yield in a moment. The form of the resolution was worked out with the Parliamentarian and with

representatives from the staff of the legislative counsel of the Senate, and it was thought that by incorporating the body of the first recommendation between the first and last words or two of the Flanders resolution, it would separate the two propositions and automatically insure a separate vote on each amendment. Had the proposal been made for a complete substitute, we feared that would have required either a demand for a division or a motion to strike a portion of the single amendment unless both propositions were to stand or fall together.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. CASE. I yield to the Senator from California.

Mr. KNOWLAND. I think the problem which the Senator from South Dakota raises could be met, and I desire to address a parliamentary inquiry through the Presiding Officer to the Parliamentarian, as to whether or not by unanimous consent, or even under the rules of the Senate, upon request, the issue might be divided so that section 1 and section 2 of the resolution might be voted on separately.

The PRESIDING OFFICER. The Chair is advised that that will be the order, and that the two paragraphs will be voted on separately.

Mr. KNOWLAND. I make a further parliamentary inquiry as to whether, upon renewal of the unanimous-consent request to treat this matter de novo, and its being granted under those circumstances, the issue might then be divided.

The PRESIDING OFFICER. The Chair is advised that the only matters which could then be considered would be individual amendments.

Mr. KNOWLAND. Yes; but could not a motion be made either to strike section 1 or to amend section 1, without touching section 2, as an example?

The PRESIDING OFFICER. Yes; that is correct.

Mr. CASE. Mr. President, the Senator from South Dakota would object to a unanimous-consent request which combined the two proposals if a motion were required to strike out one of them in order to let them be voted upon separately.

I address a parliamentary inquiry to the Chair. Could not the suggested request be limited to the first amendment, and could not the language of the first amendment with the remainder of section 1 be considered as an original text?

The PRESIDING OFFICER. The Chair is advised that that could be done.

Mr. KNOWLAND. Mr. President, I should like again to address a parliamentary inquiry, through the Chair, to the Parliamentarian. Assume that the resolution had come out of the committee de novo, that the report on Senate Resolution 301 was made, but that normally, in the course of legislative procedure, the committee had added a committee amendment or a new section. If that had been done and the resolution had come out in two sections, would not the Senate have it within its own right to vote on each section separately—in other words, have the issue divided?

The PRESIDING OFFICER. Under rule XVIII, a proposal to strike out and insert new matter cannot be divided.

The resolution was reported in the form in which it appears so that Senators would have an opportunity to vote on each section separately.

Mr. KNOWLAND. Then, Mr. President, because of the parliamentary circumstances at the moment, I suggest that the debate continue, because I believe it would be a mistake to obtain a unanimous-consent agreement in regard to treating only one half of the committee's action as the action of the Senate, and having that part adopted, and leaving the other half suspended in midair, so to speak. To do so might cause more confusion, I think, not only in the Chamber but throughout the country, if it were to be understood that the Senate had acted on one section but apparently had completely ignored the other section.

Mr. CASE. Mr. President, it occurs to me that possibly a little consideration of this matter by the Parliamentarian would suggest a way to work it out so that all parties would be accommodated.

Mr. President, in addressing the Senate at this time I do so reluctantly for two reasons: In the first place, I did not expect to speak this afternoon on the report. In the second place, I speak at this time with considerable reluctance because I do not in any degree desire to appear as an adversary in this whole proceeding. I think it is known to the Members of the Senate that there is not a member of the select committee who sought the job. Certainly I did not seek it. If I had taken the good advice I received when I returned home the night after I consented to serve, I would have reconsidered my decision, and would not have consented to serve.

Be that as it may, the majority leader advised me that the field was somewhat limited, that Members of the Senate who were candidates this year ought not be asked to serve; that because of past expressions of opinion, many other Members were more or less eliminated. I do not know whether I was the last choice, or where I stood in that regard. In any event, when the distinguished majority leader finished talking to me he made me believe he had a job that someone had to do, and that he picked me as one of those who had to go through what I say honestly and sincerely has been the most unpleasant work assignment in my entire life.

I certainly am not "out to get" the junior Senator from Wisconsin [Mr. McCARTHY]. Personally, I like him. Personally, I would have liked to see the situation such that today the Senate could have taken a recess for a time and attend the dedication of the statue to the heroes of Iwo Jima. I happened to serve for a little time in the United States Marine Corps, as did the junior Senator from Wisconsin, and I have a kindred feeling with him and with other members of that illustrious corps. I regret exceedingly the circumstances which bring us to the consideration of this matter at all, and certainly under this situation today.

It hardly needs to be stated that I had nothing to do with initiating the 46 charges which were referred to the committee. I did not initiate the referral to a special committee, and I certainly did not seek a position on the committee.

At the outset, I wish to state that I feel that the junior Senator from Wisconsin [Mr. McCARTHY] has done a notable job of alerting the country to subversive, communistic activities. I would not detract in one degree from the credit due him for a great public service in that respect. On the contrary, I applaud him for his relentless efforts and for some dramatic results.

As a one-time member, too, of the House Committee on Un-American Activities, I know that anyone who exposes subversion is bound to be the victim of counterattacks. The junior Senator from Wisconsin has had his share of unfair smear attacks, and I do not blame him for being sensitive on that score.

At the same time, it must be recognized that honorable service in one field does not create immunity from responsibility for proper conduct in other fields.

The 2 issues out of the 46 on which the committee recommended censure are not that the junior Senator from Wisconsin [Mr. McCARTHY] found or got rough with Communists, fifth amendment or otherwise. The first count has to do with what the committee considered his failure to cooperate in the functioning of a committee of the Senate, in clearing up matters relating to him that affected the honor of the Senate, thereby effectively obstructing the efforts of the committee to deal with the matters referred to it.

The second has to do with what the committee felt was unwarranted abuse of a representative of the executive branch of the Government, namely, the denunciation by the junior Senator from Wisconsin of General Zwicker, in effect, for carrying out orders, for respecting executive directives, and, in effect, for refusing to say that one who took the position that his superior officer had taken in directing the discharge of a major, should be separated from the service for issuing the discharge order.

Of course, the answers to those charges should be on their merits.

The so-called Flanders resolution, as originally presented to the Senate, as I recall, was a resolution to strip the junior Senator from Wisconsin of certain positions he holds in the Senate, due to his chairmanship or to his seniority. It later was changed to Senate Resolution 301, or a resolution to censure for general conduct. The Members of the Senate will recall the threat of extended debate here on that resolution, as the Senate was trying to drive through its legislative program, in order that it might adjourn, if possible, by the end of July or early in August.

Persuasive arguments were presented to the Senate by various Members, including the Senator from Texas [Mr. DANIEL], and the Senator from Oregon [Mr. MORSE], to the effect that a resolution of censure should not be in general terms, but should carry a bill of particulars. Following that, the Senator from

Arkansas [Mr. FULBRIGHT], the Senator from Vermont [Mr. FLANDERS], and the Senator from Oregon [Mr. MORSE] presented what might be called a bill of particulars; that is to say, they offered amendments to Senate Resolution 301, varying in number and in phraseology, but adding up to some 46 different counts. The Senator from Connecticut [Mr. BUSH], proposed amendments to the Rules of the Senate dealing with some of the issues involved.

There was some debate upon these matters. The Senator from New Jersey [Mr. SMITH] suggested that the matter be referred to a special committee. His particular motion was not adopted, but that idea of reference gained adherents here on the floor of the Senate. Eventually the distinguished majority leader, after consultation with the distinguished minority leader and with other Members, I assume, on both sides of the aisle, presented the motion which prevailed, which was to create a committee of six members, to be named by the Vice President; but it was understood from all the statements which were made that the Members were to be recommended and mutually agreed upon by the floor leaders for both parties, with an equal number of representatives from both parties. The idea, I think, was to have a bipartisan committee as nonpolitical as possible.

That was the situation; and eventually certain Members of the Senate found themselves assigned to that task, under the conditions I have described.

Possibly a few words should be said regarding the procedure of the chairman, to supplement what he has stated this morning.

The original decision of the committee was concerned with how it should proceed. Naturally, the committee obtained some staff help, but we examined the 46 different counts. We found there were about 13 of them that could be classified under 5 different categories. The remaining 33 we decided were not of sufficient merit on their face to warrant consideration until we had taken testimony and had deliberated on the other 13.

A little later I shall refer to the disposition of those 33.

Under 1 category we included those incidents which suggested contempt of the Senate or of a senatorial committee. They largely dealt with Senator MCCARTHY's conduct with relation to the so-called Gillette-Hennings Subcommittee on Privileges and Elections of the Committee on Rules and Administration in the 82d Congress.

Under category 2 we included the incidents of encouragement of United States employees to violate the law and their oaths of office. I am repeating the language embodied in the citations referred to the committee—not that the committee accepted that phraseology. In large part those incidents referred to the conduct of Senator MCCARTHY at the so-called Army-McCarthy hearings.

Under category 3 we included incidents involving the use of classified documents. In the main that concerned the use of the so-called 2½-page document which appeared in the Army-McCarthy hearings.

Under category 4 we included the incidents which involved the abuse of colleagues. Subsequently in our deliberations we selected one phase of that category and incorporated it with category 1, insofar as it related to the conduct of Senator MCCARTHY with reference to Senator HENDRICKSON as a member of the Gillette-Hennings subcommittee.

Under category 5 we included the incidents relating to General Zwicker.

The committee then prepared and delivered notices of hearings and established rules for the orderly and judicial conduct of the hearings of the committee. The committee instructed the staff to brief the law and the precedents on the questions involved. Then we instructed them to gather and present all the facts and evidence bearing on the 13 charges, regardless of which aspect of the charges they seemed to support.

Following that, of course, the committee held hearings. During those hearings the staff of the committee presented the law and the facts. As the chairman of the committee has pointed out, the hearings were not regarded as adversary in character, and while we invited the individual Members of the Senate who had submitted the amendments which constituted the general charges to submit evidence, we did not specifically request their appearance before the committee.

I have before me a copy of a letter dated August 24, 1954, which went out over the signature of the chairman of the committee to the Senator from Oregon [Mr. MORSE], the Senator from Vermont [Mr. FLANDERS], and the Senator from Arkansas [Mr. FULBRIGHT]. I think possibly it would not be out of place to read that letter at this time, because I understand some Senators have wondered why those individual Members did not appear as witnesses before the committee.

Briefly, the reason was that, so far as we knew, they did not possess individual knowledge of the charges which they made. They were made in the nature of information, or leads for the committee to follow. The following is the text of the letter which was sent to each of the three Senators named:

For your information I have enclosed herewith a copy of a notice by the Select Committee to Study Charges Pursuant to Senate Order on Senate Resolution 301 which was issued by the committee today.

Since you are one of the Members of the Senate who proposed specific charges by way of an amendment to Senate Resolution 301, you are advised that it would be helpful to the committee if you should document the charges contained in the amendment or amendments offered by you and return the said documented charges to the committee at the earliest possible date.

You are further advised that if you have witnesses or know of witnesses who can offer oral or written evidence at said hearings set forth in detail in said notice of hearings and in conformity with the requirements of said notice with respect to testimony, you should submit to the committee the names of said witnesses together with a brief summary of the testimony which they may give if called upon to testify by said committee at said hearings.

You are further advised that any information which you may have which may be material, relevant, and competent on the subject matter of said hearing will be received by said committee informally for the purpose of aiding and assisting it in accomplishing its duties under said Senate Resolution 301.

Yours very sincerely,

ARTHUR V. WATKINS,
Chairman.

When the hearings opened the staff counsel read into the record the documentary material which was available to the committee. We established the rule that either counsel for Senator MCCARTHY or Senator MCCARTHY himself might object to testimony introduced; and that either Senator MCCARTHY or his counsel—but not both—might cross-examine witnesses. The committee counsel was restricted, in that we did not permit committee counsel to object. Objections could have been made, I presume, by members of the committee to the introduction of evidence. I do not recall that any member of the committee objected to the introduction of evidence, except as expressed through the rulings of the Chair.

So far as I know, all evidence, pro and con, was received. I recognize that there were some rulings of the Chair with respect to certain material which Senator MCCARTHY or his counsel sought to present, and which was not introduced. There has already been some reference to that matter in the discussion.

So far as I know, no formal challenge was made with respect to the competency or qualifications of any member of the committee to serve.

I think it should be said that at the outset of our meetings, before the hearings, Senator MCCARTHY and his counsel came to the committee and met with us in executive session to discuss the implications of the article in the Denver Post in which certain statements were alleged to have been made by the Senator from Colorado [Mr. JOHNSON]. We discussed that question informally. I think the committee counsel and Senator MCCARTHY did the proper thing in bringing the article to the atttention of the committee and to the attention of the Senator from Colorado, but no formal challenge was made of his qualifications, so far as I know.

I may say at this point that I wish it could have been possible for Members of the Senate to be present during all the executive meetings of the committee. I would not say that there was unanimity in every point of view which was expressed during the deliberations of the committee in executive session. Such a statement would be untrue. There was not unanimity on every point of view which was expressed. We discussed the issues as they arose. We discussed the evidence pro and con. I will say that I did not detect, in the comment or the attitude of the Senator from Colorado, any bias that could be attributed to anything he may have said or anything he may have felt before he came on the committee. If he expressed a conviction, I think it could fairly be said that it

was the outgrowth of material which came before the committee during our deliberations.

The evidence was taken and printed. Briefs and memoranda of law were printed. Then we made the decision to take no testimony on the remaining 33 charges. Later I shall devote a little time to that subject.

Following the hearings and deliberations there was the preparation of the report. As Senators have undoubtedly noted, the report is divided into eight sections. I think each one is fairly closely organized, so that it would be possible to find the substantial evidence and the findings on the law and the facts which led to each recommendation of the committee.

I wish to say a few words about the two categories of charges with respect to which the committee did not recommend censure. I say that because initially the committee felt that they were of sufficient weight that we should take testimony upon them.

I think it is fair also to say that some belief was expressed during a part of our deliberations by some members of the committee to the effect that possibly a censure recommendation was warranted with respect to those two matters. However, the final judgment of the committee was that there was no basis for a recommendation of censure. In that point of view, very frankly, I may say, I completely concurred.

I have reference to categories 2 and 3. No. 2 was the solicitation of allegedly classified information; No. 3 the alleged misuse of classified information.

In view of the fact that the committee did not recommend censure on either of these categories, and in view of the fact that both of these matters are reviewed in the report, I do not think it is necessary to go into any lengthy discussion of them. For myself, and speaking only for the junior Senator from South Dakota, however, I do wish to give my own position with respect to them.

First, with respect to the solicitation. Senators will recall that during the so-called Army-McCarthy hearings, the Senator from Wisconsin [Mr. McCARTHY] in various ways indicated his belief that employees of the Federal Government who had any knowledge of wrongdoing—and perhaps in one instance he indicated that he meant that regardless of whatever that information was—should communicate it to him. However, a careful reading of his invitation convinces me that even if in a single instance he omitted the use of the words "evidence of wrongdoing relating to treason or corruption," it was merely the infelicity of the repetition of a statement.

I was wholly convinced, both by a careful reading of his invitation at the Army-McCarthy hearings and by his very positive statements before the select committee on direct examination and cross examination, that he did not intend that employees of the executive branch of the Government should start on a wild ransacking of Government files in an effort to find some classified information which would make them heroes for a day, or anything of that sort.

A very careful reading of his statements at the Army-McCarthy hearings and his statements before the select committee would convince an objective person, I believe, that he did not intend any statement he made to be a loose, wild invitation for employees to submit to him classified information. However, he did want evidence of wrong doing.

I should like to make one other point in this connection. There was brought to our attention no statute which made it a crime or misdemeanor or felony, or wrong in any way, for an employee of the Government to give classified information to a person authorized to receive it.

If there came to the junior Senator from Wisconsin information of a classified nature which had to do with wrongdoing, or raised a question on that score, I personally feel that the junior Senator from Wisconsin, as chairman of the Committee on Government Operations, and as chairman of the Subcommittee on Investigations of the Committee on Government Operations, might well feel that he was a person entitled to receive such information.

I submit this question to Members of the Senate who have any doubt on that point. If the chairman of the Committee on Government Operations, formerly known as the Committee on Expenditures in the Executive Departments, and the chairman—the same person—of the Subcommittee on Investigations is not an authorized person to receive information on wrongdoing in the Government, even if it be of a classified nature, what Member of the Senate should claim that right?

It happens that in my capacity on the Committee on Armed Services—and I am chairman of the Subcommittee on Real Estate and Military Construction—I receive much material of a classified nature which has a great deal of red printing around it and on the envelope. I assume I am a person authorized to receive such information. I certainly try to respect the classification of it. However, I assume I am a person authorized to receive it.

Therefore no felony or misdemeanor or crime or any wrongdoing whatever is involved in my receiving it when it carries that classified label; nor is there anything wrong about any Government employee bringing that material to me. The error would be in a misuse of it, and I shall come to that point in a minute.

I feel that the junior Senator from Wisconsin was entitled to say with considerable feeling that he had a right to receive information of wrongdoing, even if it were of a classified nature. He was entitled to feel that way, and any Member of the Senate might feel that was if he were the same chairmanship.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. WELKER. Does the Senator base his statement on the law or on his personal opinion?

Mr. CASE. I base it on my opinion, but I think it is the law as well. I do not know of a single section of the law being called to our attention which indicated that it was wrong to give classified information to a person authorized to receive it. The law is not too clear as to who is an authorized person.

Mr. WELKER. Will the Senator yield further?

Mr. CASE. I yield.

Mr. WELKER. I believe the Senator is making a profound speech, and I should like to be of assistance to him. Is the Senator familiar with title 5, United States Code, section 652, paragraph (d)? I shall read it:

> The right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any Member thereof, or to furnish information to either House of Congress, or to any committee or member thereof, shall not be denied or interfered with.

As I understand, that law was not called to the attention of the committee by its counsel or anyone else. Is that correct?

Mr. CASE. I believe the Senator from Idaho is perhaps in error in that regard. It was brought to our attention, but it was stated that that section had to do with civil-service employees. There was some opinion to the effect that that section of the law had a particular meaning with reference to persons under the jurisdiction of the Civil Service Commission.

Mr. WELKER. Mr. President, will the Senator yield further?

Mr. CASE. I yield.

Mr. WELKER. I should like to call the attention of the Senator from South Dakota to title 18, United States Code, section 4, which provides as follows:

> Whoever, having knowledge of the actual commission of a felony, cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined not more than $500 or imprisoned not more than 3 years, or both.

Certainly that section does not refer to a civil-service employee. It says "any person." Was that law brought to the attention of the committee?

Mr. CASE. Yes; that was also brought to our attention. However, whatever the value of both of the statutes is—and I believe they have a great deal of value—the question is moot because we did not, in the final analysis, recommend censure on that score.

Mr. WELKER. I appreciate that fact. I wished the RECORD to show whether those statutes had been brought to the attention of the committee, and whether the Senator's statement was based on the law or on the kindness of his heart.

The Senator has been very kind to yield to me at this time. I may have misunderstood him in his opening remarks. I understood him to state that the select committee—and I have heretofore stated that the members of the select committee are my friends, whom I greatly admire—was critical of the junior Senator from Wisconsin for his cross-examination of one who was in the executive branch of the Government, namely, General Zwicker. I know my distinguished friend from South Dakota does not wish the RECORD to show that

an examiner should be rougher with a corporal than with a general.

Mr. CASE. No. Of course, that was not intimated.

Mr. WELKER. I got the impression that the committee pinpointed it toward a major general.

Mr. CASE. It would be the same if he had been a private acting in the capacity of representing the executive branch of the Government.

Mr. WELKER. If the Senator will permit me, I should like to ask one more question. The Senator has been very kind.

On page 30 of the report the second paragraph thereof contains, I believe, a very profound statement which we must consider, and which reads as follows:

> If the rules and procedures were otherwise, no Senator could have freedom of action to perform his assigned committee duties. If a Senator must first give consideration to whether an official action can be wantonly impugned by a colleague, as having been motivated by a lack of the very qualities and capacities every Senator is presumed to have, the processes of the Senate will be destroyed.

I wish to ask my distinguished friend from South Dakota this question: Would not that include our distinguished colleagues who made the charges upon the floor of the Senate with reference to the statement that the junior Senator from Wisconsin falsely accused Annie Lee Moss? Would it not also relate to other charges which were leveled at the junior Senator from Wisconsin by the Senator from Vermont and which were ruled out? What are the Senator's observations on that point?

Mr. CASE. There, again, the issue which is involved will be discussed in detail later. But I will say that that particular phraseology is not something which I contributed to the report. I think possibly it could be made a little more clear. Later I shall discuss the principle involved.

Mr. WELKER. If the Senator will be kind enough to permit me to ask one more question, then I shall desist.

Mr. CASE. I yield.

Mr. WELKER. The Senator, no doubt, well remembers the order given to the select committee by the Senate of the United States, which will be found on page 1 of volume 1 of the hearings. I call attention to the last three-quarters of the second paragraph of the order, which I read:

> *And ordered further,* That the committee, which shall be authorized to hold hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, and to take such testimony as it deems advisable, and that the committee be instructed to act and make a report to this body prior to the adjournment sine die of the Senate in the second session of the 83d Congress.

Will the Senator from South Dakota kindly tell me why he did not even invite me or request me or subpena me to appear to testify concerning what I knew about the activities of the Gillette-Hennings committee? I would have been glad to appear before the committee, and I am sure I would have been treated with courtesy, and I think that perhaps I could have given the committee some advice as to why it should not even consider what occurred before the Gillette committee.

Mr. CASE. Frankly, Mr. President, I do not know. The committee called anyone who was suggested by the Senator from Wisconsin or by his counsel. I regret that we did not call the Senator from Idaho. I hope that before we complete our deliberations here the Senator will make the contribution which I am sure he can make. I say that in all sincerity. I think he can make a contribution by telling the Senate what he might have told the committee with respect to the operations of the Gillette committee; and as one member of the select committee I shall be very glad to hear him when he does so.

Mr. WELKER. That is all very well, but the barn has pretty well burned with the horses in it. But let me make this observation. I do not think it was the duty of the Senator from Wisconsin to suggest witnesses. On August 2, 1954, I spoke at length and fully and completely with respect to my relations with the Gillette committee and the facts that caused my resignation from it. Certainly the select committee took judicial notice of many, many other things, but it completely pulled the stick back and flew over the junior Senator from Idaho.

Mr. CASE. We did not call other members of that committee, so far as that is concerned. We did not regard it as the responsibility of our committee to pass upon the evidence before the other committee. We did not try to evaluate the evidence before the Gillette committee. Our concern was with the charges referred to us relating to the conduct of the junior Senator from Wisconsin with reference to that committee as a whole.

Mr. WELKER. But the select committee was a fact-finding committee. I regret very much that I was not invited to appear.

Mr. CASE. We did not go back over the other committee's work. We did not try to determine the validity of their evidence or try to evaluate it. The other committee had made its report, and we were not retrying whatever was presented to the other committee.

Mr. WELKER. Does the Senator mean, then, that instead of having a judicial or a quasi-judicial body to accept testimony——

Mr. CASE. We did not accept it as testimony. We made no pronouncement or finding with respect to the junior Senator from Wisconsin on the charges presented to the Gillette committee. The report of the Gillette committee was brought into the hearings by counsel for the junior Senator from Wisconsin and incorporated as an appendix in our printed hearings. But we did not evaluate that evidence. We were not considering the charges before the Gillette committee. They were not referred to us.

Mr. WELKER. I take it the Senator is not advised that when subpenas were issued to those who might help the junior Senator from Wisconsin they were ordered canceled? Did the committee consider that?

Mr. CASE. I have no knowledge of what the Senator refers to.

Mr. WELKER. Perhaps I can enlighten the Senator. Later on in the debate I hope I can be of some benefit, because the Senator from South Dakota has been eminently fair.

Mr. CASE. I respect very much the Senator from Idaho.

Mr. McCARTHY. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I yield.

Mr. McCARTHY. Mr. President, I had a speech prepared for delivery today, which I gave the press. Obviously, at this late hour I shall be unable to deliver it, and I would ask unanimous consent to insert it in the body of the RECORD.

Mr. CASE. I have no objection to its being inserted. It can be inserted in the middle of my remarks, so far as that is concerned.

Mr. McCARTHY. At the end of the Senator's remarks.

Mr. CASE. I have no objection to its being inserted here.

Mr. McCARTHY. I request that it be inserted in the RECORD at the end of the Senator's remarks.

The PRESIDING OFFICER (Mr. FERGUSON in the chair). Is there objection?

Mr. CASE. Reserving the right to object, last night I was told by representatives of the press and radio that the junior Senator from Wisconsin had prepared a speech which he would deliver today, and that a certain portion of it referred to members of the select committee as the unwitting handmaidens of the Communist Party. Was that the language?

Mr. McCARTHY. "Unwitting handmaids," I think. I pointed out that I did not wish to be misquoted as saying that the committee knowingly did the work of the Communist Party. I emphasized it and said that the members of the select committee were the unwitting handmaids of the Communist Party.

Mr. CASE. Mr. President, I have no objection to the speech being inserted in the RECORD, but I was sorry the junior Senator from Wisconsin should have started his defense by that line of presentation. I say very frankly that I hope the Senate and the American people will be understanding, and that they will look beyond whatever personalities may unfortunately be indulged during the debate, and will recognize that some tensions may be developed here. It is necessary to look beyond the personalities involved, if the Senate is to take the right action both for today and for the future.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. CASE. I will yield in a moment.

The PRESIDING OFFICER. Does the Senator from South Dakota object?

Mr. CASE. I am reserving the right to object. I feel that we can contribute something to the strengthening of free institutions if we come to sound conclusions.

I said recently, in answer to a question asked of me during a television appearance, that I hoped Senators had not made up their minds in advance, and

that the Senate could consider this matter clearly and dispassionately.

I regret that the junior Senator from Wisconsin, at this stage of the proceedings, in advance of the debate on the floor, has felt it necessary to make a statement or to prepare a speech which, in some degree, is embarassing, or would be embarrassing, to the members of the committee, because I do not want the junior Senator from Wisconsin, unintentionally by statements in this debate, to prove to the American people the very charge that is in the first count.

I do not want him to offer proof to the American people that no man can serve on a committee of this nature in the Senate and escape personal abuse or attack. I do not want him to destroy the functioning of committees in the Senate by uttering derogatory words about Members who accept unpleasant assignments.

I do not want to see it happen again that it is necessary to draft Senators to serve on a committee of this nature. The basic issue in the first recommendation of the committee is that another committee was called upon to deal with some unfortunate, nasty charges and that its members were accused of acting dishonestly and otherwise abused.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. WELKER. Mr. President, will the Senator yield?

Mr. CASE. The charge here happens to be that the junior Senator from Wisconsin abused a committee for doing what the committee thought was their duty. I regret to see him prove the point.

Whether their verdicts are sound or not, whether their findings are correct or not, whether their recommendations are good or not, I hope there can be preserved for the Senate of the United States the right of Members to serve on special committees, distasteful as their duties may be; the right to serve on the Subcommittee on Privileges and Elections, and, if necessary, to go into the facts of unpleasant cases and report them to the Senate, without having their motives impugned.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. CASE. I yield to the junior Senator from Wisconsin.

Mr. McCARTHY. I have never felt, nor do I feel now, that the able junior Senator from South Dakota has any personal animus toward me.

Mr. CASE. I assure the junior Senator from Wisconsin that I do not.

Mr. McCARTHY. I have felt that way all along. I have felt that way because of the conduct of the junior Senator from South Dakota during the course of the hearings. I feel that way now because of the Senator's conduct on the floor today.

Unfortunately, the Senator from South Dakota did not have at his command the evidence which he would have had, had it not been for what I considered to be the improper rulings of the chairman of the committee. For example, if the Senator from South Dakota had allowed me—I should not say the Senator from South Dakota, because the chairman was the one who ruled out the evidence—if I had been allowed to produce the evidence, I would have shown that the Gillette committee was operating to investigate the charges of William Benton; that William Benton's Communist activities and his connections in the State Department had been exposed, not only by me, but by others, as early as 1947.

If I may have the attention of the Presiding Officer, the present Presiding Officer [Mr. FERGUSON] was a member of the Committee on Appropriations at that time, and that committee made a report, pointing out that there were espionage and Communist infiltration in the State Department, extending into William Benton's office. I exposed that. Benton had a vested interest in seeing me discredited.

If the chairman of the select committee had allowed me to do so, I would have shown that the charges had been prepared by Benton because of that, and that they had been prepared in the Democratic national headquarters. There is no question about that. Benton admitted that he got help from that source.

So there was a chain of events. There was, first, the exposure of Communist infiltration of the State Department. It extended deep into William Benton's office while he was Assistant Secretary of State. When I was exposing that situation, he successfully held up my work for some time by preparing these charges. The charges were motivated—and I could have proved this if I had been allowed to do so—by the fact that I was exposing the Communists he kept in his office. There were a number of them—one, for example, by the name of Miller, whose discharge had been recommended by the Civil Service Commission because of his Communist activities. But Benton kept on promoting him.

The Gillette committee was investigating those charges. But the select committee would not allow me to show how the Gillette committee was operating. So there was a chain of events.

Therefore, I say, in all frankness, that, unknowingly, the select committee acted as the handmaid of the Communist Party. The select committee has done the job of the Communist Party without knowing it has done so. I do not believe there is a drop of Communist sympathy in the blood of any of the members of the select committee. I know the junior Senator from South Dakota is anti-Communist; but he has been used for the purpose of aiding the Communist cause. I said that in my speech.

Now I should like to ask a question, if I may.

Mr. CASE. I desire that the junior Senator from Wisconsin shall have the most complete opportunity to present his case. I appreciate that this is a serious matter. I even forgive him for any statement he might make which might be misinterpreted by some of my friends with reference to my character or my position, or whatever this unpleasant assignment has led me into. At the same time, I trust that he will not pursue the matter too far at this time, because I wish to conclude my remarks today, if possible, now that I have started.

Mr. McCARTHY. Mr. President, will the Senator from South Dakota yield for 1 or 2 questions?

Mr. CASE. I yield to the junior Senator from Wisconsin.

Mr. McCARTHY. I think the very meat, the very soul of the matter, is to be found on page 30 of the report. As I said this morning, McCARTHY is completely unimportant, merely incidental, in this debate. It is a question whether the Senate is to adopt a new rule.

I am certain the Senator from South Dakota is aware of the rule which his committee has urged. The committee has proposed adoption of a rule to the effect that a Senator cannot criticize a member of a committee. The committee report reads:

> If the rules and procedures were otherwise, no Senator could have freedom of action to perform his assigned committee duties.

I am certain the Senator from South Dakota will agree with me that if such a rule were adopted, no Senator would have freedom of speech any longer.

Mr. CASE. I do not agree with the interpretation which the junior Senator from Wisconsin places upon that. I shall comment on his statement later. I simply did not want my failure to challenge his statement to be construed as meaning that I agreed with the Senator's interpretation.

Mr. McCARTHY. Let me read the statement in the report:

> His public statement with reference to Senator HENDRICKSON was vulgar and insulting. Any Senator has the right to question, criticize, differ from, or condemn an official action of the body of which he is a member.

In other words, the committee holds that a Senator can criticize the action of the Senate. I continue:

> Or the constituent committees which are working arms of the Senate in proper language.

So the select committee holds that a Senator should be entitled to criticize the end result of a committee as a whole. The report then goes on to say:

> But he has no right to impugn the motives of individual Senators responsible for official action, nor to reflect upon their personal character for what official action they took.

Mr. CASE. But I may say to the Senator——

Mr. McCARTHY. Let me read the remainder of the language, so that there will be no question raised about my taking it out of context:

> If the rules and procedures were otherwise, no Senator could have freedom of action to perform his assigned committee duties. If a Senator must first give consideration to whether an official action can be wantonly impugned by a colleague, as having been motivated by a lack of the very qualities and capacities every Senator is presumed to have, the processes of the Senate will be destroyed.

In view of that holding, I should like to ask this question: The junior Senator from Vermont [Mr. FLANDERS] rose on

the floor of the Senate, accused the committee of which I was chairman of sloppy actions, and said we had called the wrong man—Mr. Parrish. It was a case of mistaken identity. The junior Senator from Vermont wanted me to be censured for that. Parrish was subpenaed, appeared before the committee, and admitted that he was the right man, and spoke to the press about it.

The Senator from Vermont, on the floor of the Senate, accused me of being another Hitler. If this rule is to apply to me, if I cannot criticize members of the Gillette committee for what I considered to be improper activity—let us not decide at this point whether it was improper or not—and if I should be censured for that, is that a rule which applies only to McCARTHY? How about FLANDERS?

Mr. CASE. The principle applies to the Senator from Vermont [Mr. FLANDERS]. The committee tossed out the suggestion that the remarks which the junior Senator from Wisconsin made about the Senator from Vermont were any basis for censure, for we felt that terms used in the remarks of the Senator from Vermont about the Senator from Wisconsin were out of place. During the deliberations of the committee, the suggestion was even made that the remarks be made a subject of comment in the report. I do not hesitate to say, and I speak for myself, that I regarded the comments of the Senator from Vermont [Mr. FLANDERS], and his action in going into the Army-McCarthy hearings without invitation, interrupting them, making the statement he made, and then coming to the floor of the Senate and referring to the junior Senator from Wisconsin as a Hitler, or as pursuing the tactics of a Hitler, or referring to him as Dennis the Menace, where wholly out of place. The committee felt that because of those facts, the remarks of the junior Senator from Wisconsin with reference to the Senator from Vermont were provoked.

Mr. McCARTHY. Could we go a step further, then?

The PRESIDING OFFICER (Mr. FERGUSON in the chair). A unanimous-consent request has been made.

Mr. CASE. Mr. President, I waive my reservation of objection, resume the floor, and yield to the Senator from Wisconsin.

Mr. LANGER. Mr. President, reserving the right to object, and I shall object, I wish to say I have not made up my mind about this matter at all, but I do not propose to have a speech which the junior Senator from Wisconsin did not deliver published as having been delivered on the floor of the Senate. I ask unanimous consent that the distinguished Senator from South Dakota may yield to the distinguished junior Senator from Wisconsin so that he can make that speech, so that we Senators present, sitting as jurors and judges, may hear what the junior Senator from Wisconsin has to say. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CASE. Mr. President, I yield to the junior Senator from Wisconsin, but only for a question at this time. I see the hour is 5 o'clock, and I have tried to be generous——

Mr. McCARTHY. The Senator from South Dakota has been generous, but I should like to have one question answered. The Senator from South Dakota has stated that he believed the action of the Senator from Vermont to be improper, or something to that effect. Would the Senator consider that censurable? In other words, the Senator from Vermont was criticizing the chairman of a committee.

Mr. CASE. Mr. President, although obviously this is merely a report, and the comment is not a rule of the Senate, and we did not recommend it in the changes proposed for the rules of the Senate, it is implicit that the meaning is no Senator has the right to impugn the motives of individual Senators responsible for official duties, or to make reflections on their character for official actions taken, without being liable to answer for it.

Mr. McCARTHY. Without being liable to answer for it?

Mr. CASE. Yes.

Mr. McCARTHY. I am trying to get this information so I can prepare my case. Does the Senator say without the right to answer for it?

Mr. CASE. Without the liability of answering for it. He should be prepared to justify it if challenged.

Mr. McCARTHY. The Senator from Utah [Mr. WATKINS] ruled that I could not offer justification. For example, the Senator from South Dakota will recall that I was trying to prove the reason why I criticized members of the Gillette committee. The chairman of the select committee ruled that I could not give any justification; in other words, that, as a matter of form, I could not criticize any member of a committee. I wonder if that same rule also applies to a Senator who criticizes me.

Mr. CASE. I cannot speak for the rulings of the Chair. The chairman is the one by whom statements on the ruling should be made.

The PRESIDING OFFICER. The Chair has not ruled on any question.

Mr. CASE. I meant the chairman of the select committee. The junior Senator from South Dakota is not a lawyer. He has never been a judge. He would not presume to explain or point out the legal principles involved in the rulings of the chairman of the select committee during the hearings.

Mr. WELKER. Mr. President, will the Senator yield for half a second?

Mr. CASE. For half a second, I yield.

Mr. WELKER. I promise to speak very briefly. I heard the discussion between my two colleagues about one's not being a help to the Communist Party. I am wondering if members of the select committee at that time had seen copies of the Daily Worker, which nearly every day praised the committee, praised the Senator from Vermont [Mr. FLANDERS], and gave the Senator——

Mr. CASE. I had not seen the Daily Worker. I do not know whether any other member of the committee had.

Mr. WELKER. I wished to put that statement in the RECORD.

Mr. CASE. I had not seen the Daily Worker, and I do not know whether any other member of the committee had seen it. Having once served on the Committee on Un-American Activities in the House of Representatives, I am somewhat familiar with the tactics that are used by the Daily Worker and the whole Communist line. I would not be surprised to hear that they praise any statement or action which reflects on anyone they dislike; but I am not a reader of the Daily Worker and do not use it as a guide in any respect.

Senator McCARTHY has earned the hatred of the Daily Worker, and that is to his everlasting credit, but I shall have to repeat what I said earlier, that honorable service in one field does not create immunity from responsibility for proper conduct in others.

Mr. McCARTHY. Mr. President, will the Senator yield for a question?

Mr. CASE. The great tactic of infiltration, the great tactic of subversion, is to try to take a situation that exists and convert it to use for communistic purposes.

Mr. McCARTHY. Will the Senator yield?

Mr. CASE. The select committee did not create this situation; the Senate of the United States created the situation in which the committee found itself. If the Senate of the United States said to the select committee, "Here is a job you have to do," are we to welsh on it because we fear that the Daily Worker will say, "That is a little water on our wheel"?

When six Members of the Senate, chosen under the circumstances that existed, go into a matter referred to them, and come to the conclusion they feel is called for by the evidence and the testimony, and when they complete the unpleasant task handed them by the Senate, I hope that the Senate of the United States is not going to be impressed by the interpretation put upon the committee's action by the Daily Worker or any other smear organization or setup that they are following the party line, or are their handmaidens or servants, or anything of that kind.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. CASE. I yield to the Senator from Wisconsin.

Mr. McCARTHY. There is an extremely important point as to which I have not yet received an answer. I realize that the Senator from South Dakota is not a lawyer, but he signed the report, and he is an intelligent Senator. The Senator from South Dakota has held, over his signature, that a Senator has no right to criticize an individual member of a committee——

Mr. CASE. For his action on that committee. No Senator should impugn the motives of another Senator for his action on a committee unless he is prepared to prove them to be bad.

Mr. McCARTHY. All right. How about the impugning of my motives on the investigating committee? Is that proper? Let us assume that a Senator's motives are bad. Let us assume that the

Senator from South Dakota knows that my motives are extremely bad.

Mr. CASE. The Senator from South Dakota does not impugn the motives of the junior Senator from Wisconsin on the investigating committee. The Senator from South Dakota will pay a tribute to the motives of the junior Senator from Wisconsin on the investigating committee.

Mr. McCARTHY. The Senator has not understood my question. Let us assume that a Senator, one of the 96, who is serving on a committee has bad motives. Let us assume he is dishonest. Is it the position of the Senator from South Dakota that no other Senator could criticize him?

Mr. CASE. No, it is not; because then, in an answer, he could prove those motives; and if he proved them to be bad motives, the proper verdict or answer would follow.

Mr. McCARTHY. Then, we are going in a circle again.

Does not the Senator recall that when I tried to prove the motives behind the Gillette subcommittee, and tried to prove that they called a man they knew to be insane, for the purpose of smearing me, that was ruled out; and the Senator from South Dakota sat there and joined in that ruling? Now he says there should have been a different ruling; now he says I should have been able to show the motives; is that correct?

Mr. CASE. So far as I am concerned, I would indulge the junior Senator from Wisconsin with the widest latitude in presenting anything of that kind. I was not aware of the implications of the ruling at that particular time on that particular point. Until the Senator from Wisconsin spoke here today, I was not aware of the implications of it.

Be that as it may, as I say, I think questions on the rulings of the chairman of the committee on the materiality and competency of evidence should be dealt with by the chairman or by some lawyer member of the committee who is familiar with the rules of evidence.

Mr. McCARTHY. The chairman of the committee refuses to answer, and says I should ask other members of the committee.

I call the attention of the Senator from South Dakota to page 296 of the record, where the chairman said that even if the Gillette subcommittee were hiring insane investigators, I could not prove that as a ground for criticizing the subcommittee.

Does the Senator agree that even if the subcommittee was hiring insane investigators to investigate me, I could not have shown that as a justification for saying to the public that the subcommittee was doing something wrong?

Mr. CASE. I think the chairman of the committee made a statement of approximately two pages in discussion of that point, in connection with his ruling, when he reviewed it later in the hearings. I doubt that we should engage in a discussion of that matter at a time when the chairman of the committee is temporarily absent from the floor.

Mr. President, I have endeavored to be as generous as possible in yielding, and I should like to proceed.

Let me ask the distinguished majority leader whether he plans to have the Senate adjourn at 5 o'clock or at 5:30 p. m. today.

Mr. KNOWLAND. It had been my hope, particularly in view of the requests coming from many Senators, that we would be able to complete our work for today when the Senator from South Dakota had completed his remarks.

It is now 5:15. Of course, we could have the debate continue until much later in the evening. But any number of Senators have expressed the hope that that would not be done.

Again, subject to the approval of the Senate, I was prepared to suggest that when the Senator from South Dakota concluded, the Senate stand in recess until 12 o'clock noon, tomorrow. Then, on tomorrow, I shall have further consultations with the minority leader and with other Senators on both sides of the aisle. We shall not have a Saturday session this week; that has previously been announced. I am hopeful that we can work out a schedule that will be mutually satisfactory.

Mr. LANGER. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE. I yield.

Mr. LANGER. In simple fairness, does not the distinguished Senator from California believe that the junior Senator from Wisconsin [Mr. McCARTHY] should be given time tonight to read the speech he issued to the press?

Mr. KNOWLAND. Or the Senator from Wisconsin could have it inserted in the RECORD, without having it appear as a speech which was actually delivered in the Senate. I think it has not been unprecedented in the Senate to have such matters printed in the RECORD as statements, and that would cover any press release he had given out. Thus it would not appear in the RECORD as a speech actually delivered on the floor of the Senate, for we have been very strict on that score, namely, that we would not permit material placed in the RECORD in that way to appear as a speech actually delivered on the floor of the Senate. But it would appear as a statement, and it would be in the RECORD—if that is the desire of the Senator from Wisconsin.

But if at this hour of the day we begin a major discussion, I am a little afraid that we shall continue with it for a long time.

Frankly, I was trying to adjust to the suggestions of a number of Senators on both sides of the aisle, who had requested that we not continue the session beyond 5:30 p. m., today.

Mr. LANGER. Let me say to my distinguished friend that I have no objection to having the Senator from Wisconsin file as a statement anything he wishes to file; but I wish it understood that it is not to be shown as a speech actually delivered on the floor of the Senate, when as a matter of fact it was not so delivered.

Mr. KNOWLAND. On that point I fully concur with the Senator from North Dakota.

Mr. McCARTHY. I agree.

Mr. KNOWLAND. I would object to having printed in the RECORD, as a speech, material which was not actually delivered on the floor of the Senate as a speech.

Of course, one of the dangers in connection with issuing advance press releases is that conditions may change between the time the advance release is issued and the time when the Senator concerned obtains the floor. Furthermore, in the normal course of events, such a Senator might wish to make changes in his speech, as compared with what might be shown in the advance release.

But if the course suggested is agreeable to the Senator from Wisconsin, of course he can request unanimous consent that the material to which he has referred be included in the RECORD as a statement by him.

Mr. McCARTHY. I thought that was what I had requested. I think the Senator misunderstood me. I was not asking that it appear that I had delivered it on the floor of the Senate. I was merely asking that it be included in the RECORD.

Mr. LANGER. Then there is no objection on the part of the Senator from North Dakota.

Mr. CASE. Mr. President, I yield for such a unanimous-consent request.

The PRESIDING OFFICER. Is the Chair to understand that such a request has been made, and that the previous objection has been withdrawn?

Mr. LANGER. Yes; if it is filed as a statement.

The PRESIDING OFFICER. Without objection, it will be received and will be printed in the RECORD as a statement.

Mr. LANGER. Then I have no objection.

Mr. McCARTHY. I should like to have the RECORD show that I had intended to give it as a speech, but time was used up, and I could not do so. For that reason, I have asked to have it inserted in the RECORD.

(The statement prepared by Mr. McCARTHY appears in today's RECORD at the conclusion of the remarks of Mr. CASE.)

Mr. McCARTHY. Mr. President, will the Senator from South Dakota yield for a question?

Mr. CASE. Does the question have to do with either of the counts on which the recommendations are made?

Mr. McCARTHY. Yes, it has to do with something which I think the Senator's committee might wish to change overnight. I should like to ask a question, and when the Senator hears it, I think perhaps he may wish to recommend to his committee that the resolution be amended.

Mr. CASE. Very well, I yield for the question.

Mr. McCARTHY. If the Senator from South Dakota will refer to page 2 of the resolution, beginning in line 6, he will find set forth—

> The Senator from Wisconsin, Mr. McCARTHY, in conducting a senatorial inquiry intemperately abused, and released executive hearings—

And so forth. I call his attention to the fact that I presented to the committee a telegram—I shall not take the Senator's time to read it again—in which I requested the permission of the

members of the subcommittee to release the executive-session testimony. I do not think the Senator's committee wishes to censure all six members of my subcommittee for releasing that testimony. I cannot conceive why this statement was inserted in the resolution. I do not believe the Senator from South Dakota himself was aware of it; but it is so obviously and patently false that it should be stricken by the committee, rather than by action of the Senate.

Mr. CASE. Mr. President, I shall be glad to refer that question to the members of the committee.

Mr. McCARTHY. I wish the Senator would do so.

Mr. CASE. I may state that I think there was one draft of that paragraph containing the words "without permission of his subcommittee colleagues," and I insisted that that should be stricken. But possibly I should have gone even further, and should have had the remainder of it stricken. I do not know. It is a matter which should be referred to the committee.

Mr. McCARTHY. Unless the Senator from South Dakota feels that my subcommittee does not have the right every other subcommittee has, namely, to release executive testimony, then there is no ground for censure.

Mr. CASE. I think the Senator from Wisconsin has made a record there which can appropriately be referred to the committee, and it is for the committee to determine. I am not authorized to amend the resolution in behalf of the committee. I would favor the change in the light of the Senator's statement.

Mr. WATKINS. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE. I am glad to yield to the chairman of the committee.

Mr. WATKINS. I wish to call the Senator's attention to the fact that I think it was originally intended that that should have been "a release and résumé of an executive hearing in which he denounced," and so forth. It was not the printed record, but a résumé, which he gave to the press immediately after the hearing closed.

Mr. KNOWLAND rose.

Mr. CASE. Mr. President, I see the majority leader on his feet. Does he wish to move a recess?

Mr. KNOWLAND. If the Senator has concluded his remarks.

Mr. CASE. I had not concluded my remarks. I was reluctant to speak this afternoon because I was not under the impression that I was scheduled to speak. I was not fully prepared. I had no written speech, but I do have another point which I could cover if the session is to run on.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. McCARTHY. Let me make a suggestion to the majority leader. I shall have many questions to ask the very able Senator from South Dakota. They will require much more than the 10 minutes between now and 5:30. I suggest that the Senate take a recess so as to give the able Senator from South Dakota sufficient time to prepare tonight, so that my questions may be answered tomorrow. I shall be glad to give the Senator from South Dakota some indication as to what the questions will be.

Mr. CASE. Mr. President, I do not wish to yield the floor with any intimation that I am binding myself to answer certain questions which the junior Senator from Wisconsin may present tonight or tomorrow. That will have to be governed by the situation tomorrow. I wish to conclude then whatever remarks I have to make in general, since I was more or less reluctantly put in the position of carrying on the discussion this afternoon. I wish to conclude my remarks the next time I take the floor. I hope I shall not require very long.

Mr. McCARTHY. I sincerely hope that none of the members of the committee will refuse to answer questions which I ask with respect to the record and the rulings. That is a matter of vital concern to the Senate.

Mr. CASE. Mr. President, the conduct of the junior Senator from South Dakota in yielding to the junior Senator from Wisconsin this afternoon ought to speak for itself.

Mr. President, I yield the floor with the understanding that I may be recognized tomorrow when the Senate resumes consideration of Senate Resolution 301.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

STATEMENT BY SENATOR McCARTHY PREPARED FOR DELIVERY IN THE UNITED STATES SENATE ON NOVEMBER 10, 1954

This week the United States Senate convened in special session to debate Senator FLANDER'S resolution to censure me. I take it, judging from declarations of individual Senators—made in most cases without bothering to study the Watkins committee record—that the resolution will be approved. I will be censured.

Today I want to discuss with you the implications, as I see them, of the censure vote.

There are two things about censure that the American people should understand. There is one thing that censure unquestionably does mean. It does mean that those who are leading the fight against subversion have been slowed down, and that others who might otherwise have been enlisted in the fight will be discouraged from joining us by the now-established hazards of such a course. It thus does mean that the Communist Party has achieved a major victory.

But there is another thing that the censure votes does not mean. It does not mean that the Communists have achieved a permanent success; it does not mean that either the will or the ultimate ability of the American people to ferret out traitors and security risks has been destroyed—or that their present leaders in this fight have been intimidated.

Let me say, incidentally, that it is not easy for a man to assert that he is the symbol of resistance to Communist subversion—that the Nation's fate is in some respects tied to his own fate. It is much easier, I assure you, to be coy—to play down one's personal role in this struggle for freedom. Self-effacement is always a comfortable posture.

But I take it that you would rather I be frank than coy; that you would rather I acknowledge and accept the fact that McCarthyism is a household word for describing a way of dealing with treason and the threat of treason; and so I shall.

I am saying that the censure vote is to be understood primarily in terms of its bearing on the Communist issue. During the course of the Senate debate, I shall have occasion to discuss in some detail the specific charges considered by the Watkins group. I shall be comparing that committee's report with both the written and unwritten record of its hearings. I shall point out the discrepancies, the inaccuracies, the misrepresentations. Of course, in criticizing a Senate committee, I will run the risk of someone reactivating Senator FLANDERS and setting him agoing with a new censure resolution. So be it. I shall also call attention to the blatant prejudice of some of the Watkins committee members. I shall discuss these things just to keep the record straight.

But I would be missing the point entirely and I would be guilty of misleading you if I were to suggest that the Senate has made up its mind, or that the Watkins group made up its mind, on the basis of the petty charges contained in the Flanders resolution. Even my bitterest enemy will admit, if he is honest, that these matters would not have been given a second thought if someone other than McCARTHY were involved.

"Abuse" of General Zwicker? Why, within the last months several committee members have used much stronger language toward witnesses. No censure resolution has been offered in these instances, and none will be.

Denouncing a Senate committee and its members? Why, Senators have done this with varying degrees of gusto from time immemorial—sometimes (as I believe to be the case with the Gillette committee) with justification, sometimes without it—but always with impunity, inasmuch as this is a land of free speech.

My colleagues are perfectly well aware that they would not be in Washington this month were it not for the fact that I have been prominently involved in the fight against Communist subversion. That being the case, let us not pretend otherwise.

If I lose on the censure vote, it follows, of course, that someone else wins. Now, I ask the American people to consider carefully: Who is it that wins? And then, having answered that question, I ask them to contemplate the shocking truth revealed by the fact that the victors have been able to win.

There is one group that is pretty sure about who has won.

When the Watkins committee announced its recommendation of censure, the Communists made no attempt to conceal their joy. The Daily Worker's headline that day read, "Throw the Bum Out" (that's me). And the story beneath said, and I quote: "America is catching up with McCARTHY. • • • It is good news for America—for its free speech, its right to speak out for peace, coexistence, and the abolition of H-bomb war."

Now, the Daily Worker was not just applauding a committee of the United States Senate. Its cry was primarily one of self-congratulation, of smug jubilation over the success of the Communists' own efforts to rebuke me. The Communists could point with justifiable pride to the campaign they have waged vigorously and unceasingly long before Senator FLANDERS was taken out of mothballs and persuaded to advance his censure motion last July.

No sooner had the Flanders resolution been moved than the Daily Worker called to party members in flaming headlines, "Aid Senate Fight on McCARTHY." The Daily Worker's story that day read, and I quote it: "We urge all New Yorkers to write to IVES insisting he support the Flanders resolution. We urge New Yorkers to write to Senator HERBERT LEHMAN suggesting he put the heat on the Democrat Senate leadership to line up behind the resolution. We urge readers everywhere to line up behind the resolution. We urge readers everywhere to take

similar action in connection with their Senators." In this vein the campaign continued, gaining momentum day by day; and even as I speak to you now a new story denouncing me is rolling off the Daily Worker presses.

There is, of course, nothing remarkable in the fact that the Communists have mobilized their strength behind the Flanders resolution. This was to be expected. From the moment I entered the fight against subversion back in 1950 at Wheeling, W. Va., the Communists have said that the destruction of me and what I stand for is their No. 1 objective in this country.

Now it does not follow necessarily that an objective of the Communist Party is, ipso facto, contrary to the interests of the United States. But surely the strongest sort of presumption lies in this direction. And I beg the American people in every instance to have cogent, airtight reasons for disregarding this presumption before they embrace the objectives of those who have sworn to destroy this country.

Perhaps the Communists are mistaken in believing that McCarthyism is the greatest obstacle to their success. But I know of no better judge of what helps and what hurts communism than the Communist Party itself.

There is another group that regards my destruction as its chief political goal and that will claim a victory if censure is voted. This group has been well characterized as the anti-anti-Communists—persons who profess opposition to communism but who spend most of their time attempting to discredit those who hurt the Communists. For some years now this group has played the theme—in the press and on the radio, from public lecture platforms and in the classroom—that hard anticommunism somehow represents a greater threat to America than communism itself. They have chosen to call hard anticommunism, "McCarthyism." I accept their nomenclature and I am, of course, honored by it.

This group is as powerful as it is ruthless. It has at its beck and call the greater part of the opinion-molding machinery of the United States. It dominates the Nation's literature. It has enlisted a majority of the press. It manages the Luce empire which long ago abandoned any pretext of objective reporting in its newssheets.

After censure has been voted, the anti-anti-Communists will indeed deserve a large share of the credit. For they contributed mightily to the campaign to get McCarthy. But who benefits from such a victory? Is the Communist gain any the less because it has been brought about by the cooperation of non-Communists? Whenever the advocates of softness toward communism get their way, the only real victor is the Communist Party.

Now, my fellow Americans, is not all of this eloquent testimony to the great danger confronting our country? If I succeed in nothing else during the rest of my life, I would like to impress upon you the immense and awesome power of the Communist Party in this country.

Nothing is more frightening to me than that some Americans have apparently accepted the shabby dictum that the Communist Party is a small, ineffectual group whose strength is measured only by its several thousand members.

The real strength of the Communist Party is measured by the extent to which Communist objectives have been embraced by loyal Americans. It is measured by the Communists' ability to influence the American mind—to persuade large numbers of otherwise sound thinking Americans that our Government is wise to let up in its efforts to clean out the subversives and to attack, instead, those who have hurt the Communists. I would have the American people recognize, and contemplate in dread, the fact that the Communist Party—a relatively small group of deadly conspirators—has now extended its tentacles to that most respected of American bodies, the United States Senate; that it has made a committee of the Senate its unwitting handmaiden.

Let me be very clear about this. I am not saying, as I am confident the opposition press will have me saying tomorrow, that the Watkins committee knowingly did the work of the Communist Party. I am saying it was the victim of a Communist campaign; and having been victimized, it became the Communist Party's involuntary agent.

I am aware that many of you listening to me regard this as an unpalatable proposition. I have made similar statements before, in other contexts. Such statements never fail to exasperate a good number of loyal Americans. But said they must be if we are to survive, and said they will be.

I regard as the most disturbing phenomenon in America today the fact that so many Americans still refuse to acknowledge the ability of Communists to persuade loyal Americans to do their work for them. In the course of the Senate debate I shall demonstrate that the Watkins committee has done the work of the Communist Party, that it not only cooperated in the achievement of Communist goals, but that in writing its report it imitated Communist methods—that it distorted, misrepresented, and omitted in its effort to manufacture a plausible rationalization for advising the Senate to accede to the clamor for my scalp.

But perhaps more important than explaining how the Watkins committee did the work of the Communist Party is the job of alerting the American people to the fact that this vast conspiracy possesses the power to turn their most trusted servants into its attorneys-in-fact.

We must not underestimate our enemy.

Who, in the light of the small membership of the Communist Party, would have supposed that an American President could be persuaded to turn over the fruits of a victorious war to international communism and to condemn with one stroke of his pen literally millions of Europeans and Asians to Soviet domination? Yet at Yalta, through the efforts of Alger Hiss, and perhaps others we know not of, Franklin Roosevelt was persuaded to do this.

Who would have supposed that this small group of conspirators had the power and strategic location to persuade our Departments of State and Defense to sacrifice the only militant anti-Communist regime on the Asian mainland and pave the way for the ascendancy of the Chinese Communists? But the foul deed was done.

Who would have thought that an American Secretary of State could be brought to affirm his undying comradeship with a convicted traitor? Yet Dean Acheson did this when he said, "I will not turn my back on Alger Hiss."

Who would have thought that America's intellectual leadership could be mobilized almost to a man in a campaign to vilify and pillory the gallant congressional committee that during the late thirties and early forties sought to warn America against the Communist fifth column? Yet the Dies committee was so vilified and pilloried; and Martin Dies himself, who in my opinion will go down in history as a heroic voice crying in the wilderness, was damned and humiliated and driven from public life.

Whatever anyone may say of the motives of those involved, can there be any doubt that Franklin Roosevelt and Dean Acheson and those who ruined Martin Dies were doing the work of the Communist Party?

One of the obstacles to an adequate appreciation of Communist strength is the almost uniform habit of those who have been dupes of denying their error—of trying to rationalize their conduct by the press of the times and circumstances.

Now and then, however, a former dupe has the courage to admit his error. Such a man is John J. O'Connor, a former Congressman from the State of New York. In 1940, Representative O'Connor admitted that he had, in effect, unknowingly done the work of the Communist Party in helping to pillory Martin Dies. His confession contained an important lesson for us today.

But let me give you the background of this story. Back in 1934 Representative O'Connor was a member of the so-called Bulwinkle committee. That committee, some of you may recall, heard Dr. William A. Wirt disclose his personal knowledge of traitors high in Government circles. Dr. Wirt had no personal ax to grind. A selfless man, he was trying only to alert Congress and the Nation to the existence of treason in high places. But his story was greeted with contempt and derision. He was treated by the Bulwinkle committee as though he were the culprit. He was ridiculed and held up to public scorn. The committee refused even to hear the witnesses he promised would fully corroborate his story. His reputation smeared by the left-wing press, his spirit broken, Dr. Wirt shortly afterward died, a discredited man.

Listen now, as Representative O'Connor relates his own role in that unsavory performance by a committee of the United States Congress:

"On the sixth anniversary of the 'purging' of Dr. William A. Wirt before a congressional special committee, of which I was an active member, I desired to relieve my conscience of a matter which has long burdened it. The pack," he said, referring to the Bulwinkle committee, "got the smell of blood and tracked down the prey. A great job was done. Little did we know that most of the happenings which Dr. Wirt said the plotters had predicted would come to pass. Most of them came to pass even before Dr. Wirt's untimely and regrettable death.

"Or maybe, in our hearts, we knew the plot was not idle gossip and we lunged at the discloser to appease our consciences.

"Many times privately have I apologized for my part in turning the thumb-screws, and I take this occasion to do so publicly.

"May Dr. Wirt's honest, patriotic soul rest in peace."

This is not just a story of personal tragedy. It was a national tragedy. Because a congressional committee allowed itself to be used as a tool of Communist propaganda, Congress and the American people as early as 1934 were denied important knowledge of the Communist conspiracy—they might have had—knowledge that might possibly have prevented the disasters of later years.

Most Americans are well enough acquainted with Communist purposes. But far too few appreciate Communist power. Most of us are aware that Communists as a matter of course attempt to discredit those who hurt them. But too few of us realize how often such attempts are successful.

There is nothing remarkable in the fact that the Communists sought to discredit me in 1950 when I first charged that Communists had managed to infiltrate the State Department in force. It is remarkable, however, that they were successful in preventing even an investigation of those charges. The Tydings committee was given this job, but instead of investigating the State Department, it investigated me. Paying not the slightest attention to the evidence I presented, it labled my charges a "fraud and a hoax." This success of the Communists is indeed startling in the light of the fact that over a score of the cases I gave the Tydings committee were later discharged on loyalty grounds.

It is not surprising that after my Tydings charges were vindicated the Communists supported the efforts of Senator Benton to

have me expelled from the Senate. But it is very significant that the Gillette committee spent a year and a half trying to put some substance into Benton's trumped-up charges.

It is neither significant nor newsworthy that the Communist Party has attempted to discredit the Senate Permanent Subcommittee on Investigations ever since I became its chairman. It is significant, however, that they have to a large extent succeeded in discrediting it.

It is not significant that the Communists claimed my committee's investigation of the State Department's Information Service was a failure. But it is significant that large numbers of Americans really believe that nothing was accomplished—despite the fact that as a result of the committee's work the State Department in the person of Secretary Dulles reversed its policy of subsidizing Communist books with the money of American taxpayers.

It is not significant that the Communists claimed the committee's investigation at Fort Monmouth was a failure. But it is very significant that the majority of the press, many of our national leaders, and so many individual Americans have bought this lie—in the teeth of the uncontrovertible fact that 33 security risks at Fort Monmouth were suspended after the committee got on the job.

It is not significant that the Communists should want members of the military who are acquainted with the Fort Monmouth situation to be silenced. But it is frighteningly significant that they have succeeded in this—that General Lawton to this day is still forbidden by his superiors in the Pentagon to tell the story of his own long and unsuccessful attempts to get rid of security risks at Fort Monmouth, attempts that bore fruit only after the Investigations Subcommittee arrived on the scene.

It is surely not significant that the Communists desire that the names of the Pentagon officials who were responsible for the promotion and honorable discharge of Major Peress be kept secret. But it is most significant that as a matter of fact these names have never been disclosed.

It is hardly significant that the Communists should have wanted to divert an investigation of the friends of Major Peress to an investigation of those who have exposed Major Peress. But it absolutely beggars belief that they have managed to do so.

In view of this pattern of Communist success—in view of the Communists' uncanny ability to strike back just when it would appear that their strength has dissipated—can anyone doubt that the security of this country is still in great danger?

But while I would never have you underestimate the Communist threat, neither would I have you believe that this thing is unbeatable. I haven't the slightest doubt that one day, and perhaps soon, the American people will rise up in righteous fury and, once and for all, extinguish the Communist menace. As for me, I will be around for some time and I will continue to serve the cause to which I have dedicated my life.

The Communists have now managed to have me investigated five times. If they fail to silence me this time—and make no mistake about it, they will fail—I will be investigated a sixth time and a seventh. But, in a sense, a new investigation of me is good news. It means that the Communists have been hurt again.

Since the Democrat Party will, next January, organize the Senate, I will no longer be in a position to direct a formal committee investigation of communism. Therefore, I shall proceed as I proceeded before when the Democrats controlled the Senate. I shall take to the people what evidence I have of Communists and other security risks in positions where they can endanger this Nation. Unfortunately, a substantial volume of such evidence exists.

But in this effort I will, as before, need your cooperation. The shouts that America is in no real danger from Communist infiltration will become louder before they grow softer. It will be said with increased frequency that more important than making America strong is getting the approval of Europeans for our system of security enforcement. If the American people should succumb to these views I truly fear for civilization.

I have, in conclusion, a word for my Senate colleagues. Many of you have either already declared yourselves or have agreed to follow a party policy. It is probably too late to turn back. It is not easy to ignore the clamor of the mob. But as you vote "aye" on this resolution I urge you to weigh carefully the question: Who has really won by this vote of censure? Perhaps the answer will encourage you to wage purposeful, yes, vengeful battles against communism in the future. And perhaps the answer will constrain some of you, at not a too distant date, to say with Representative O'Connor: "The pack got the smell of blood and tracked down the prey * * * in our hearts we knew the plot was not idle gossip and we lunged at the discloser to appease our consciences."

Mr. KNOWLAND. Mr. President, I am about to move that the Senate stand in recess until 12 o'clock noon tomorrow, but before making such a motion, if I may have the attention of the junior Senator from South Dakota, let me say that I understand that because of the unanimous-consent agreement he will have the floor when the Senate reconvenes tomorrow. I wish to have it understood that there may be the regular morning hour, under the 2-minute limitation. Following that, when the Senate resumes general debate, the Senator from South Dakota will resume where he left off today.

Mr. CASE. I intended to say—and I thought I did—that I yielded the floor with the understanding that I might be recognized tomorrow when the Senate resumes the consideration of Senate Resolution 301.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. KNOWLAND. I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 23 minutes p. m.) the Senate took a recess until tomorrow, Thursday, November 11, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate November 10, 1954:

UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

The following-named persons to be representatives of the United States of America to the eighth session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization:

Albert F. Nufer, of New York.
Samuel M. Brownell, of Connecticut.
Mrs. Elizabeth E. Heffelfinger, of Minnesota.
Athelstan F. Spilhaus, of Minnesota.

UNITED STATES DISTRICT JUDGE

Joseph Charles McGarraghy, of the District of Columbia, to be United States district judge for the District of Columbia, vice Walter M. Bastian, elevated.

SENATE

THURSDAY, NOVEMBER 11, 1954

(Legislative day of Wednesday, November 10, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou God of the living and of the living dead, on this day when the Nation bows in reverence and gratitude at the graves of its heroic defenders and salutes in honor the veterans who marched in the armies of freedom, we would rededicate all that we have and are to the unfinished task of making all men free.

We pray today for our Nation, girding its strength, material and spiritual, as it faces the principalities of darkness; and we implore Thy benediction upon all whom we ourselves have set in authority. As the Republic hallows the past, save us from unwittingly desecrating the present by fostering disorder, discord, and suspicion in the ranks of those who in this grim day, in the name of our America, front the most deadly and determined foes of all we hold dear. Deliver us from the supreme folly of turning from the common enemy which seeks to destroy us, as with arrows of ridicule or slander we wound or hurt comrades by our side, whose patriotism is unsullied. In this day of destiny may we be carried up into Thy great purposes and find in Thee, above all our human contentions, the goal of all our striving and the end of all desire: Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, November 10, 1954, was dispensed with.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Flanders	Martin
Aiken	Frear	McCarthy
Anderson	Fulbright	McClellan
Barrett	Gillette	Monroney
Beall	Goldwater	Morse
Bennett	Gore	Mundt
Bricker	Green	Murray
Bridges	Hayden	Neely
Brown	Hendrickson	Pastore
Burke	Hennings	Payne
Bush	Hickenlooper	Potter
Butler	Hill	Purtell
Capehart	Holland	Russell
Carlson	Hruska	Saltonstall
Chavez	Humphrey	Schoeppel
Clements	Jackson	Smith, Maine
Cooper	Johnson, Colo.	Smith, N. J.
Cotton	Johnson, Tex.	Sparkman
Crippa	Kilgore	Stennis
Dirksen	Knowland	Symington
Douglas	Kuchel	Thye
Duff	Langer	Watkins
Dworshak	Lehman	Welker
Eastland	Lennon	Wiley
Ellender	Magnuson	Williams
Ervin	Malone	Young
Ferguson	Mansfield	

Mr. SALTONSTALL. I announce that the Senator from South Dakota [Mr. CASE], the Senator from Oregon [Mr. CORDON], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], and the Senator from Colorado [Mr. MILLIKIN] are necessarily absent.

Mr. CLEMENTS. I announce that the Senators from Virginia [Mr. BYRD and Mr. ROBERTSON], the Senators from South Carolina [Mr. DANIEL and Mr. JOHNSTON], the Senator from Texas [Mr. DANIEL], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Louisiana [Mr. LONG] are absent on official business.

The Senator from Georgia [Mr. GEORGE] and the Senator from Oklahoma [Mr. KERR] are necessarily absent.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The Senator from Florida [Mr. SMATHERS] is absent by leave of the Senate on official business.

The PRESIDENT pro tempore. A quorum is present.

Routine business is now in order.

PERMANENT COMMITTEE ON SMALL BUSINESS—RESOLUTION OF NATIONAL ASSOCIATION OF RETAIL DRUGGISTS, HOUSTON, TEX.

Mr. THYE. Mr. President, I present a resolution adopted by the National Association of Retail Druggists at their convention held in Houston, Tex., in October of this year, favoring the establishment of a permanent Senate Committee on Small Business. I ask unanimous consent that the resolution be printed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ADOPTED BY NATIONAL ASSOCIATION OF RETAIL DRUGGISTS HELD IN HOUSTON, TEX., IN OCTOBER 1954

SMALL BUSINESS COMMITTEE IN CONGRESS

Whereas there was appointed in the 83d Congress a Senate Select Committee on Small Business; and

Whereas the need for such a committee was evidenced by the effective work carried on by that committee; and

Whereas Senator EDWARD J. THYE, chairman of that committee, recognizing the need for its continuance on a permanent basis in order to keep abreast of the current problems affecting American small business enterprises in order that the Congress could be advised concerning appropriate legislation of a remedial nature; and

Whereas Senator THYE introduced into the 83d Congress a resolution which would require the present committee to be given the status of a regular standing committee of the Senate; and

Whereas the resolution had the unanimous support of all 13 members of the committee and two additional Senators with 50 Senators having indicated their approval and intent to support it; and

Whereas the resolution was not reported out by the Committee on Rules during the 83d Congress and, therefore, has no status in the new Congress; and

Whereas the present administration pledged in its party platform to "maintain special committees in the Congress whose chief purpose will be to study and review continuously the problems of small business and recommend legislation for their relief:" Therefore be it

Resolved in convention assembled in Houston, Tex., this 14th day of October 1954, That the National Association of Retail Druggists endorse the reintroduction into the 84th Congress of a resolution to give the Committee on Small Business the status of a regular standing committee of the Senate; be it further

Resolved, That the NARD urge its members to express to their Senators the vital need for such a standing committee and request their support for a resolution to establish it.

PATRICK A. McCARRAN, OF NEVADA

Mr. BUTLER. Mr. President, I was unavoidably absent on Tuesday when the Senate held memorial services for deceased Senators. In connection with our deceased friend, the late Pat McCarran, I have prepared some remarks which are truly from the heart. I ask unanimous consent to have my remarks printed in the body of the RECORD.

There being no objection, the remarks prepared by Mr. BUTLER were ordered to be printed in the RECORD, as follows:

REMARKS PREPARED BY SENATOR BUTLER IN TRIBUTE TO THE LATE SENATOR MCCARRAN

It is with a deep sense of my own inadequacy and the shortcomings of mere words that I pay tribute today to one of the greatest men in the history of this Nation, the late Senator Pat McCarran.

This estimate of that white-maned titan was not born of a mere desire to praise a former colleague, but of sincere conviction based on my brief association with him in the United States Senate and a study of his life, his records, and his pronouncements both before and after his election to the United States Senate, where he served with distinction for 21 years.

Born of poor Irish immigrant parents in Reno, Nev., the story of Pat's rise to fame is in the heroic cast of his beloved country's rise from the humblest beginning to a position of preeminence. He was part of that pioneer stock which has made America the great Nation it is—part of that rugged individualist tradition that fashioned a civilization from a wilderness—part of that intrepid band who fought through adversity and insurmountable obstacles to greatness and success.

From the McCarran sheep ranch, young Pat would undertake the daily 10-mile trek to school, and less often the 15-mile journey to Reno to obtain supplies and go to church. His home was a gathering spot for sheepmen of the area—men with whom he worked and grew into robust young manhood.

In high school and at the University of Nevada, he was noted for his athletic prowess, his skill as a debater, and his considerable intellectual ability. He later continued with his sheep farming and began studying law under the guidance of established lawyers in the area.

Politics first found Pat in 1902 when he was elected to the Nevada Legislature where he took a leading part in the enactment of the first 8-hour law for mine, mill, and smelter workers of his State. Defeated for State senator in 1904, Pat entered into private law practice in a booming mining camp. His first case was received from a district judge who appointed him to defend the penniless killer of the county sheriff. The jury rendered a verdict of not guilty, and Pat McCarran was launched on a brilliant career as a criminal lawyer which carried him to the positions of district attorney, chief justice of the supreme court of Nevada and finally in 1933 to the Senate of the United States.

His career in the United States Senate has been marked by more solid history-making achievements of lasting importance than almost any other Senator who has ever won membership in this body.

But in reviewing the record of Senator McCarran's life, the thing that impressed me most was his dedication to the traditions and principles on which this Nation was founded and through which it has become the greatest bastion of liberty and strength and freedom on the face of the earth. His vision was prophetical, his determination unflagging, his thirst for the welfare of his country unquenchable.

No member of the Democratic Party ever followed with more integrity or believed with greater sincerity the principles of Thomas Jefferson, the founder of that party. Jefferson would have applauded Pat McCarran's address before the American Bar Association in 1948 when he said:

"The very fact that in recent years it has become established that almost every serious activity of the people of this land may be the subject of Federal regulation, and that in the same time much has been brought into Federal control that previously had not been, requires two things: First, there is need for us to look back over legislation of this generation and make due provision that it shall not supersede State regulation where the latter does the job. Second, when new or expanded authority is proposed for any Federal agency, Members of Congress should ask themselves: 'If this is done, will and should all State and local jurisdiction to the same effect automatically cease to be valid?' Thus, moreover, have we blindly ignored Thomas Jefferson's admonition that State governments are the most competent administration for our domestic concerns, and the surest bulwarks against antidemocratic tendencies."

And Jefferson's heart would have been warmed by Pat McCarran's statement before a Senate committee in 1945:

"Enterprise which is truly free—and I mean enterprise which is free alike from Government control and direction, from artificial economic obstacles, and from the hampering influence of monopoly—is our best

bet to solve the problems which lie ahead of us."

Again speaking to the American Bar Association in 1946, he said:

"Where law ends, arbitrary power begins. If the laws may be bent to the preferences of any official agent or tribunal, they cease to be laws, and become merely advisory declarations of the legislature. But this Nation was founded upon the premise, enunciated in the Declaration of Independence, that all arbitrary executive power is to be avoided."

Before another Senate committee in 1944 he stated:

"It is my conviction that the function of democratic government is not to plan for business but to plan with business; that it is not the function of democratic government to supplant business in any of its vital functions, but to assist business in maintaining its full initiative and the fullest confidence both in itself and the Government."

In a commencement address at Georgetown University in 1943, he warned:

"Fully centralized control of all governmental functions, in a bureaucracy founded upon administrative law, is the very antithesis of that democracy in which all our rights are rooted; the democracy from which spring all our hopes, not only for a better future, but even for a maintenance of the unnumbered freedoms which we as a nation have enjoyed since the foundation of our Republic."

This country has never had, and doubtless will never see again, a greater or more constant foe of atheistic communism. In September 1941 Pat McCarran raised his voice against giving aid to Red Russia:

"There are those of us who, until God takes us out of this realm, will go down the line for the Constitution of the United States * * * But if we espouse the principles of the Constitution of the United States, we will not lend support to those who would destroy this Government and who are now here attempting to destroy it.

"I despise Hitler and all he stands for, and equally I despise Stalin and all he stands for. I want those two dogs to come together and destroy each other. It would be well for democracy. But I would not lend a word to either one of them, because neither of them is a friend of this country. If Stalin succeeds, then God help democracy and God help Christianity." The words of Pat McCarran, September 1941.

And in January 1949, when he introduced a bill to give aid to the forces of Chiang Kai-shek who were still battling the Chinese Communists he prophesied:

"With regard to China, the United States faces a decision which may determine its position in the world of the future. We cannot defer this decision for to accept delay is to decide against action. It is time to stop drifting on a sea of rhetoric and good intentions and examine the facts.

"We must decide anew whether our system of free institutions, free enterprise, and the dignity of the individual human being, is going to accept the challenge of communism in its announced determination to destroy all that we and our forebears have builded. If we reaffirm our decision to accept that challenge, we cannot stand still; we either go forward or we retreat. We must face the issues squarely. * * * We cannot afford to debate and delay this decision. While we bemoan the failures and shortcomings of our former ally across the Pacific, our enemies are taking over China and laughing at our efforts to straddle the fence. The time is here for us to take our position against communism in Asia, as we have in Europe."

The following month, in February 1949, he warned:

"Make no mistake, if the Communists are not stopped in China, the next step will be Korea and do not forget that in Korea we still maintain occupation troops and if trouble becomes serious in that country our boys must fight or get out and admit to the world that we are losing our battle for the survival of freedom."

One final quotation of the thousands that now belong to the ages is from a letter to a constituent in 1941:

"I took an oath, when I became a Member of the Senate of the United States, to uphold and defend the Constitution of the United States against all enemies, either foreign or domestic. I did not take an oath to uphold or defend any man or group of men. My obligation, imposed by the oath, was that I would uphold and defend the organic law of this country. That obligation I will carry out.

"The matter of my being reelected is so trivial and inconsequential in the great emergency that prevails here, that it is as nothing compared to the country's welfare. My name may be on, or may pass off, the roll of the Senate, but the Constitution of the United States and the welfare of my country must go on forever."

And now that great warrior has fallen before the dust that conquers all. Who now dares wear that battered armor? Who now will grasp his valiant sword?

That brilliance, that wisdom, that courage, that power, is now forever gone. We have lost a champion to God, to history, and to the memories of the people he served so nobly and so well.

Mr. WILEY. Mr. President, I, too, was caught unawares the other day, and was unable to participate at that time in the memorial services held by the Senate for deceased Senators. Inasmuch as for almost 16 years I was associated on the Judiciary Committee with the late Senator Pat McCarran, of Nevada, to whom I felt very close in many ways, I ask unanimous consent to have printed in the RECORD a brief statement I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REMARKS PREPARED BY SENATOR WILEY IN TRIBUTE TO THE LATE SENATOR MCCARRAN

I was deeply shocked by the unexpected and untimely death of the late distinguished senior Senator from Nevada, the Honorable Pat McCarran.

When I first came to the Senate in 1939, I was assigned to the Judiciary Committee. Senator McCarran at that time was already a member of the committee. For a little more than 15 years, he and I served together on that great committee. For a time, we alternated as chairman and as ranking minority member. In this relationship, I came to know Pat McCarran well. He was my friend, and I feel a real sense of personal loss.

Pat McCarran was truly one of the giants of the Senate. There have been few men who even approached him in influence in this body of influential men. When he spoke, he commanded the respectful attention of Senators on both sides of the aisle. His views carried very great weight—and they were decided views, Mr. President, views which he strongly held and ably advocated. He was a man of character, a man of integrity, a man of conviction and, above all, a man with the courage of his convictions.

It was once said of Pat McCarran that he took seriously the theory that Senators are ambassadors of sovereign states. This perhaps overstated it somewhat, but I doubt if any State has been so well represented in the Senate as was Nevada during Senator McCarran's tenure here.

The Senate will not be the same without him, Mr. President. Nevada has lost an outstanding servant; the Nation has lost an able statesman. We shall not soon see his likes again.

HUGH BUTLER, OF NEBRASKA

Mr. WILEY. Mr. President, as I said a moment ago, I regret very much that I was unable to participate in the memorial services held the other day in the Senate. Because for a decade I was closely associated with Senator Hugh Butler, of Nebraska, and felt very close to him in many ways, I ask unanimous consent to have printed in the RECORD a brief statement I have prepared in tribute to his memory.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REMARKS PREPARED BY SENATOR WILEY IN TRIBUTE TO THE LATE SENATOR BUTLER, OF NEBRASKA

I rise to express my deep and profound sorrow at the death of our beloved colleague, Senator Hugh Butler.

It was my privilege to know him well. We served together for more than a decade and I became well acquainted with his great ability and his equally great integrity.

I have said before that I do not view death as an end. It is only a moment in the Maker's eternal and continuing scheme of things. Hugh Butler leaves on one side an indelible, if unseen, influence with the people of Nebraska and of the Nation. On the other, he now passes into a future which we cannot fathom but which must contain a welcome place for this great man.

It is times like these that serve to focus our attention on the divine guidance under which we all live, whether we know it or not. While all of us, great or small, leave an imprint on history, those who are constantly aware of the moral and spiritual element in life make the greater contribution to their fellow men.

Hugh Butler was one of these. We shall miss him.

HOMAGE TO THE MARINES

Mr. MANSFIELD. Mr. President, on yesterday the Marine Corps celebrated its 179th anniversary. On yesterday, also, the Iwo Jima monument was dedicated in honor of the Marines who gave their lives not only on that battlefield but on all the battlefields in all the wars in which we have been engaged. At that time, 5,000 dead Marines passed in review, because that was the number who gave their lives at Iwo Jima.

Mr. President, I hope Congress will always remember that the Marine Corps is necessary to our welfare and survival. I also hope Congress will likewise remember that under the law, the Marine Corps is entitled to three combat-size divisions and three air wings. If anything is done to disrupt this particular type of organization, I hope Congress and the American people will rise up in their wrath and will see to it that the stability and security of the Marines is maintained.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Homage to the Marines," written by Hanson W.

Baldwin, and published in the New York Times of today.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOMAGE TO THE MARINES—BRONZE MEMORIAL PAYS TRIBUTE TO CORPS' COMMON VIRTUE, "UNCOMMON VALOR"

(By Hanson W. Baldwin)

The new breed stood in serried ranks yesterday in homage to the old.

In Washington, near the green graves and white crosses of Arlington National Cemetery, the young shoulders of generations new to war were squared in salute as a giant bronze statue, the new Marine War Memorial, was dedicated to the proposition that has always characterized the 179 years of the corps, that uncommon valor was a common virtue.

Embossed in gold in the Swedish black granite near the statue's base are the names and dates of every engagement in the Marine Corps' history—a long roll of uncommon valor, which includes the marine sharpshooters in the maintop of the Bonhomme Richard as well as the men who struggled in bullet-flecked, chest-deep water across the terrible reef of Tarawa.

The new breed, full blooded, young, still to win its accolade, stood at attention in homage to a ghostly assemblage. There were veterans there—the old breed of World War II and Korea, who had proved themselves worthy to stand beside the glories and traditions of the past. But for the most part the old breed was an invisible company, gone but in memory.

"A number of diverse people who ran curiously to type (as Col. John W. Thomason once described them), with drilled shoulders and a bone-deep sunburn, and a tolerant scorn of nearly everything on earth. They were the Leathernecks, the old breed of American regular, regarding the service as home and was an occupation and they transmitted their temper and character and viewpoint to the high-hearted volunteer mass."

A ROLL IS CALLED

It was a dedication—that Washington ceremony yesterday—to the dead, but to the dead who had transmitted to successive generations of the old breed a living tradition—"their temper and character and viewpoint," the tradition of semper fidelis and first to fight.

They lived, that ghostly company—Capt. Samuel Nicholas and his men who made the marines' first amphibious landing in the Bahamas in 1776; Lieut. Edward Stack and his musketmen who cleared the decks of the Serapis in John Paul Jones' epic sea battle; O'Bannon who landed on the shores of Tripoli in 1805; the veterans of the Marquesas (1813); the Falklands (1831); Sumatra (1838); Samoa (1841); the Fijis (1855); Hawaii (1870); the Boxer Rebellion (1900); Abyssinia (1903); Haiti; Nicaragua.

They were all there yesterday—the old breed, standing by the Potomac beneath the bronze statues of their comrades of Iwo. There was old Gen. John A. LeJeune, he who really shaped the modern corps; "Hiking Hiram" Bearss of the Philippines, the Dominican Campaign, and World War I; Smedley Butler, the tough fighting Quaker who held two Medals of Honor and universal respect; Dan Daly, sergeant major, and a host of comrades from the past.

And with them was the "old breed" of World War II, some of them in the flesh, some but in memory—the men of Guadalcanal and Tarawa, the Marianas and Pelelieu, Iwo and Okinawa. And besides them, the newest of the old breed, were the veterans of Korea—"Chesty" Fuller and "Big Foot" Brown and Smith of the First Division, who led his men hobbling on frozen feet out of the icy trap of the Changjin Reservoir and coined the battle cry:

"Retreat, hell! We're attacking in another direction."

These were the men, the memories, and traditions that were honored yesterday on the Marine Corps birthday. The old breed were tough and cocky men, spoiling for a fight or frolic, loyal to death, proud of their corps, and slightly condescending to all other things human:

"If the Army and the Navy
Ever look on heaven's scenes;
They will find the streets are guarded
By United States marines."

Their greatest accomplishment has been to transmit "their temper and character and viewpoint" and tradition to successive generations. This is the most difficult of all military training missions—to make the glories and durable disciplines of the past part of the living principles of a changing present.

STRUGGLE HAS BEEN HARD

The marines, like all the other armed services, have felt the pull of the times, the lure of security, the age of conformity, and there is no doubt that the struggle to maintain their standards has been hard, and at times and in places unsuccessful. The new breed of today has still to prove itself in battle as peer of the old.

Yet the very fact that the Marine Corps, the fighting services, still celebrates its day is indicative not only of the special place the corps has in the hearts of the Nation but also a hopeful augury that the new breed will prove itself fully capable of shouldering its heritage.

The reduction of all to the lowest common denominator, one of the bad byproducts of the times and of unification of the armed services, has been resisted, and rightly so, by the marines in particular. The corps has no reason for existence unless it can retain its past elite and specialized ability.

This does not mean that it can or should attempt to be an independent "second Army." It is unfortunate, too, from the viewpoint of the corps as well as the Nation that occasional friction has marred the relationships between the Office of the Marine Corps Commandant and the Office of the Chief of Naval Operations, and it is doubly unfortunate that some marines have seen the corps' future too much in terms of more autonomy and greater size.

There is no future for the Marine Corps apart from the Navy; there can be no effective maritime team without the closest compatibility and teamwork between sailors and marines, and there can be no Marine Corps unless it keeps its sight set—in discipline and toughness and combat spirit—on the stars.

But these problems of today are but transient ones; they will be resolved by the new breed if the marines of today adhere in basic principles to the temper and character and viewpoint of the old.

JOHN PATON DAVIES—BROADCAST BY ERIC SEVAREID

Mr. LEHMAN. Mr. President, on the evening of November 8, the distinguished commentator, Eric Sevareid, made a radio broadcast which constitutes an appreciation of the character, the strength, and the resourcefulness of Mr. John Paton Davies. Mr. Sevareid's broadcast was a sincere, moving, and very convincing statement. I ask unanimous consent to have his fine broadcast printed in the Appendix of the daily RECORD.

The PRESIDENT pro tempore. Without objection——

Mr. McCARTHY. Mr. President, reserving the right to object, do I correctly understand that the Senator from New York is placing in the RECORD a eulogy of John Paton Davies, who was discharged because he followed the Communist party line?

Mr. LEHMAN. I will say to the junior Senator from Wisconsin that I am placing in the Appendix of the daily RECORD a broadcast made by a very distinguished commentator, Mr. Eric Sevareid, being an appreciation, based upon personal knowledge, observation, and association, of John Paton Davies, pointing out his high character, his strength, and his resourcefulness. I am very glad indeed to have the opportunity of placing in the RECORD this fine broadcast.

Mr. McCARTHY. Mr. President, reserving the right to object, Mr. John Paton Davies was one of the cases which I cited before the Tydings committee as a man with such Communist leanings that he was a great danger to this Nation. I pointed out to the Tydings committee that he was responsible to some extent for the loss of China. That man was finally discharged, thousands of lives too late, and years too late. I will object to any eulogy of John Paton Davies being placed in the RECORD.

Mr. LEHMAN. Mr. President——

Mr. CHAVEZ. Mr. President——

Mr. McCARTHY. I will object to any eulogy about any pro-Communist being placed in the RECORD.

Mr. CHAVEZ. Mr. President, that is not so. I know John Paton Davies, and I know his family. They are just as patriotic—which is not saying much—as the Senator from Wisconsin.

Mr. President, I had not intended to participate in this debate. The trouble with the junior Senator from Wisconsin is that he thinks he is the only one who is honest; he is the only one who is patriotic; he is the only one who would die for his country. There are millions of Americans who are just as patriotic as the junior Senator from Wisconsin.

Mr. McCARTHY rose.

Mr. CHAVEZ. I have the floor for the moment.

I know Mr. Davies. Long before emigrants from Ireland came to this country, the ancestors of Mr. Davies and his wife were in California. He is patriotic.

Someone says he is not patriotic, but communistic. Yesterday the junior Senator from Wisconsin accused six good Americans of being procommunistic. I do not like it. I do not intend to have it occur on the floor of the Senate any more. The junior Senator from Wisconsin may object.

I wish the junior Senator from Wisconsin had been in the Chamber day before yesterday, when I placed in the Appendix of the daily RECORD an editorial from the Washington Star, which I am sure no one would accuse of being a Communist newspaper. That editorial condemned the action of the man who fired

Mr. Davies after 23 years of fine service to the country. Mr. Davies was fired by one man. The man who did the firing was fired by millions of the people of the State of New York. That is the difference.

What about the Washington Post and Times Herald? I do not know what anyone thinks about that newspaper. The opinion of a single individual does not mean anything.

The PRESIDENT pro tempore. The 2 minutes of the Senator from New Mexico have expired. Does the Senator wish to ask unanimous consent to continue?

Mr. CHAVEZ. I am still for Davies.

Mr. LEHMAN. Mr. President——

Mr. McCARTHY. Mr. President, reserving the right to object, in order that the RECORD may be clear, let me say that Mr. Davies was one of the men whom I named before the Tydings committee. His case was heard before a loyalty board and he was later found unfit to represent our country. They finally caught up with him. This administration should get credit for that.

This man was discharged many years and many lives too late, and I will object to any eulogy of him going into the RECORD. I will say to the Senator from New Mexico that he made what I am sure is an honest mistake when he said that John Paton Davies was fired by one man.

Mr. CHAVEZ. No, no——

Mr. McCARTHY. Do not interrupt me, please.

Mr. CHAVEZ. No, no.

Mr. McCARTHY. His case was heard by a loyalty board. The findings of that loyalty board were upheld. When a man has been found to be unfit to serve his country by a loyalty board, so far as I am concerned, I will not consent to having him eulogized in the CONGRESSIONAL RECORD.

Mr. CHAVEZ. Mr. President, the only difficulty is that the junior Senator from Wisconsin says, "I charge." Who are we in the Senate, as individuals, to charge that a person is un-American? "I charge." What does the law say? What does the Constitution say?

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. McCARTHY. Has the Senator ever, during all his long career in the Senate, given the Senate or the country any information about Communists, or has he always risen on the floor to defend them?

Mr. CHAVEZ. The junior Senator from Wisconsin takes it upon himself to decide who is a Communist and who is not a Communist. Every Democrat is supposed to be a Communist, including the Senator from Georgia [Mr. GEORGE], the Senator from Florida [Mr. HOLLAND], my good friend, the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. McCLELLAN], and my friend from Texas [Mr. JOHNSON].

The junior Senator from Wisconsin tries to get away with it by bringing in Eisenhower. There is no closer friend of the President of the United States, in my opinion, than the good Senator from Kansas [Mr. CARLSON]. What appeared in yesterday's press? We read that the Senator from Kansas, the Senator from South Dakota [Mr. CASE], and the Senator from Utah [Mr. WATKINS], the next-door neighbor in the Senate to my friend from Wisconsin——

The PRESIDENT pro tempore. The second 2 minutes of the Senator from New Mexico have expired.

Mr. LEHMAN. Mr. President, the junior Senator from Wisconsin [Mr. McCARTHY] is, of course, within his technical rights in refusing to give unanimous consent for insertion in the Appendix of the daily RECORD of this broadcast by Mr. Eric Sevareid.

I want to say that I intend to assert my rights, too. That statement will be read. It will be placed in the RECORD. I do not believe that even the very powerful junior Senator from Wisconsin has the authority to stop me.

The junior Senator from Wisconsin has accused this man, Mr. John Paton Davies, of disloyalty, of treason. He was cleared eight times by loyalty and security boards. He was removed by the Secretary of State last week and the Secretary of State went to great pains and great lengths to make it perfectly clear that there was no question of this man's loyalty and devotion to this country. Apparently he was removed because he had the courage a few years ago to make an honest report to the State Department, a report which now, in the light of history, may not have been correct. But here is a case of a man being punished—and fired—for showing honesty, courage, and decency in the performance of his duties and for making honest reports—as he saw them—to his superiors.

Mr. President, this and similar actions have done much to destroy the usefulness of our Foreign Service. I intend to read the article into the RECORD.

Mr. McCARTHY. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. I yield.

Mr. McCARTHY. Is the Senator from New York aware of the fact that the McCarran committee referred the John Paton Davies case to the Justice Department for criminal prosecution?

Mr. CHAVEZ. What did the Department do about it?

Mr. LEHMAN. Has the Justice Department taken any action against him?

Mr. McCARTHY. Under the Truman administration, no.

Mr. LEHMAN. Has it taken any action under this administration?

Mr. WELKER. Mr. President——

The PRESIDENT pro tempore. The Chair recognizes the Senator from Idaho.

Mr. WELKER. Mr. President, I hope we can keep our tempers and emotions within due bounds. I am sorry that the distinguished senior Senator from New Mexico was not in the Chamber yesterday when I made the statement that I greatly regretted the vote I once cast, based upon a report submitted to the Senate by good friends of mine, when I voted not to seat the distinguished Senator from New Mexico in the Senate.

However, I shall not allow to go unchallenged the statement made by my good friend from New Mexico. I do not care where he read it, whether it was in the Washington Post and Times Herald or in any other newspapers. While I sat here I heard the distinguished junior Senator from Wisconsin say that there was not a drop of Communist blood, or any kind other than American blood, in the veins of the six Senators—all friends of mine, and I am sure all friends of other Senators—who filed the report of the select committee. With respect to the allegation of who are we to say when a man is a Communist or a subversive or a loyalty risk, let me say to the Senator from New Mexico that so long as I may serve in the Senate, if I know a man to be dishonorable or a subversive, I shall not hesitate to say so, because if I did not say so I would be a conspirator in the crime of treason.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. WELKER. I am very glad to yield.

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. WELKER. I ask unanimous consent that I may have time to yield to the Senator from New Mexico for a question.

Mr. CHAVEZ. Mr. President, I ask unanimous consent that I may be permitted to ask a question of the Senator from Idaho.

The PRESIDENT pro tempore. Without objection, the Senator from New Mexico may proceed.

Mr. CHAVEZ. If Mr. Davies is a Communist or a subversive or is trying to overthrow the Government by force or otherwise, I say he should be punished. However, would the Senator from Idaho repeat his statement to that effect outside the Chamber?

Mr. WELKER. Is the Senator asking me that question?

Mr. CHAVEZ. I am.

Mr. WELKER. Did the Senator from New Mexico hear me say that Mr. Davies was a Communist? I was not a Member of the Senate when the Tydings committee was sitting.

Mr. CHAVEZ. I have heard so many innuendoes.

Mr. WELKER. What is that, sir?

Mr. CHAVEZ. I have heard so many innuendoes.

Mr. WELKER. What innuendo has the Senator from New Mexico heard which indicated that the junior Senator from Idaho even remotely knew that John Paton Davies—or whatever his name is—was a Communist?

Mr. CHAVEZ. That is what we were discussing, and that is what irritated the Senator from Idaho.

Mr. WELKER. I think perhaps the Senator from New Mexico is in error as to who made that remark.

Mr. CHAVEZ. I hope so.

Mr. WELKER. I was not in the Senate at the time. I was in Idaho practicing law when that investigation was under way.

NOMINATION OF GEORGE C. McCONNAUGHEY

Mr. BRICKER. Mr. President, I ask unanimous consent to report favorably from the Committee on Interstate and Foreign Commerce the nomination of Mr. George C. McConnaughey, of Ohio,

to be a member of the Federal Communications Commission for the unexpired term of 7 years from July 1, 1950, to which office he was appointed during the last recess of the Senate.

The nomination comes from the Committee on Interstate and Foreign Commerce, and it is reported favorably. The vote on it in committee was not divided, but the minority members of the committee refrained from voting, because, they said, the policy committee of the minority party in the Senate had set the policy of opposing the confirmation at this time. All the other members of the committee voted in favor of recommending favorable action on Mr. McConnaughey's nomination.

The PRESIDENT pro tempore. Is there objection to the reporting of the nomination?

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Texas will state it.

Mr. JOHNSON of Texas. May an executive nomination be reported to the Senate except in executive session?

The PRESIDENT pro tempore. Only by unanimous consent.

Mr. JOHNSON of Texas. I object.

Mr. BRICKER. Mr. President, I ask unanimous consent that the nomination be received as in executive session.

Mr. JOHNSON of Texas. I object.

The PRESIDENT pro tempore. Objection is heard.

RESOLUTION OF CENSURE

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which is Senate Resolution 301.

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment on page 1, line 1.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from California will state it.

Mr. KNOWLAND. Last evening when the Senate recessed, at about 5:30 o'clock, the Senator from South Dakota [Mr. CASE] had the floor. Under a unanimous consent agreement entered into he was to have the floor immediately after the conclusion of morning business today. The distinguished Senator from South Dakota apparently has been delayed. I merely wish to observe that, generally, as a matter of practice the Senate does not grant the floor to a Senator in advance. I believe this is an example of why it is not wise that it be done. The Senator from South Dakota has been unavoidably delayed, and I believe that it will be necessary now to clear the record, because otherwise we would have a hiatus, inasmuch as the Senator who was to have the floor this morning is not present to claim it. I make the parliamentary inquiry whether unanimous consent is necessary to waive the previous unanimous-consent order.

The PRESIDENT pro tempore. It is the opinion of the present occupant of the chair that if the Senator from South Dakota is not here to claim his right to the floor, he waives his right.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Flanders	Martin
Aiken	Frear	McCarthy
Anderson	Fulbright	McClellan
Barrett	Gillette	Monroney
Beall	Goldwater	Morse
Bennett	Gore	Mundt
Bricker	Green	Murray
Bridges	Hayden	Neely
Brown	Hendrickson	Pastore
Burke	Hennings	Payne
Bush	Hickenlooper	Potter
Butler	Hill	Purtell
Capehart	Holland	Russell
Carlson	Hruska	Saltonstall
Chavez	Humphrey	Schoeppel
Clements	Jackson	Smith, Maine
Cooper	Johnson, Colo.	Smith, N. J.
Cotton	Johnson, Tex.	Sparkman
Crippa	Kilgore	Stennis
Dirksen	Knowland	Symington
Douglas	Kuchel	Thye
Duff	Langer	Watkins
Dworshak	Lehman	Welker
Eastland	Lennon	Wiley
Ellender	Magnuson	Williams
Ervin	Malone	Young
Ferguson	Mansfield	

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). A quorum is present. Under the unanimous-consent agreement previously entered into, the Senator from South Dakota [Mr. CASE] was entitled to the floor this morning. The Chair will have to rule that since the Senator from South Dakota is not present he will lose his right to the floor.

Mr. KNOWLAND. Mr. President, I think, under the prior ruling of the Chair, that if the Senator to whom the floor has been assigned by unanimous consent is not present the order is vacated.

The PRESIDING OFFICER. That was the ruling of the Chair.

The question is on agreeing to section 1 of the amendment to Senate Resolution 301.

Mr. BUTLER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CASE. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the junior Senator from South Dakota.

Mr. CASE. Yesterday afternoon I spoke informally on some phases of the pending matter, but, acceding to every request to yield, I did not get to the main presentation which I desired to make. Today I shall summarize in a few sentences the matters covered in my remarks yesterday and then proceed to complete the statement of my position.

At the outset, I desire to say that I do not intend to yield during the presentation of my principal remarks, although afterward, or later in the debate, I will respond to questions as readily as courtesy, time, and my knowledge permit. Although a desire to proceed in direct sequence from one point to another is a sufficient reason for deferring questioning, there is another reason which will be apparent as I proceed. That reason is a hope that the junior Senator from Wisconsin [Mr. MCCARTHY] will give calm and reflective consideration to some suggestions I shall advance before he makes further statements or even asks questions that might complicate his position.

By way of summary of my informal remarks yesterday, I will simply say that, by way of introduction, I recited the progress and change of the original Flanders resolution from one to strip the junior Senator from Wisconsin of certain committee positions to one of general censure; the offering of 46 amendments by way of particulars; and the reference of the matter to a select committee.

I then summarized the steps of the committee in handling the matter, and had proceeded to a discussion of the first of the two categories of charges on the subject of classified information, on which the committee did not recommend action. That was the alleged invitation illegally to submit classified information. So, first, today I shall discuss the other one, alleged misuse of classified information.

Then I shall direct attention to the 33 charges on which the committee did not take public testimony and the reasons therefor.

I devote this much time to the discarded amendments because the reasons for our not recommending affirmative action may possibly be of some help in the future if, regrettably, any similar issues arise again. Furthermore, there may be some Senators who would wish that a record be made at this time regarding the amendments. My discussion, however, will be brief.

Following that, I shall proceed to discuss the two counts on which the select committee made affirmative recommendations, and I shall conclude by offering some observations and suggestions on my own account.

Yesterday I set forth the reasons why I, the junior Senator from South Dakota, could not vote to recommend censure on the charge that the junior Senator from Wisconsin had improperly solicited restricted information from Government employees. Simply to state them by way of review, the reasons were:

First. That a careful reading of the statements of the junior Senator from Wisconsin in the Army-McCarthy hearings and a careful review of his own unprompted declarations convinced me that he did not invite any wanton ransacking of official files, but that he asked only for evidence of wrongdoing in the fields of communism, corruption, and treason.

Second. That no statute makes it a crime to give information to an "authorized person," and that the statutes are very unclear as to who is an "authorized person."

Third. That the chairman of the Senate Committee on Government Operations and of its Permanent Subcommittee on Investigations, charged with the responsibilities of checking the executive branch of the Government for economy and efficiency under the rules of the Senate, might well believe himself to be "an authorized person" to receive evidence of wrongdoing, even though some of the evidence might be restricted in nature. Indeed, it might well happen that the more serious the wrongdoing, the more determined would be offenders in the executive branch to classify the information and keep it secret if it were within their power to do so.

Mr. President, whether it be sound law or not, I shall never vote to censure the junior Senator from Wisconsin [Mr. McCARTHY] or any other Senator for doing what the rules of the Senate gives him sound basis for believing it is his duty to do.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. CASE. I may say to the Senator from Idaho that I have previously said that I shall decline to yield during the presentation of my statement.

Mr. WELKER. I am very sorry. I shall interrogate the Senator at the end of his remarks.

Mr. CASE. I shall be glad to answer questions then.

Mr. WELKER. I was not in the Chamber when the Senator made that statement.

Mr. CASE. We come now to the second charge connected with classified information, which was category III: the alleged misuse of classified information once it came into the hands of the junior Senator from Wisconsin.

This charge revolves around the offer by the junior Senator from Wisconsin of a certain 2¼-page document as evidence in the Army-McCarthy hearings, presided over by my colleague, the distinguished senior Senator from South Dakota [Mr. MUNDT].

My reasons for not supporting censure on this count do not rest upon the ground offered by the junior Senator from Wisconsin or his counsel, namely their belief that the document was not classified or was improperly classified. Under the conditions set forth in the committee report, I examined the document. I have examined or read many classified documents in connection with my work on appropriations in the House of Representatives and in the Committee on Armed Services of the Senate. In my judgment the document was a reproduction of portions of a properly classified document, and the portions reproduced did contain information that would be valuable to an espionage agent.

My reason for not supporting censure, however, are twofold.

First. That the junior Senator from Wisconsin had possession of the document for over a year, and in all that time did not misuse it.

Second. That he did offer to use it or make it public only when it seemed that it was the one piece of evidence which could determine the point at issue in the hearings of a Senate committee which engrossed the time and attention of the country for many, many days.

On these two points, little need be said.

First, I point out that under the Constitution any Senator can come to the floor of the Senate and make remarks or make use of information for which he cannot be held to account in any other place. We might establish some rule to prevent use of classified information in debate here, or we might reprove a Senator for so doing; but unless or until we do so, it could be done.

Statutes may frown upon it now, under some interpretation, but the fact is that the junior Senator from Wisconsin in the more than a year during which he had the 2¼-page document in his possession did not make it public. He did not come to the floor of the Senate with it, where he might have claimed immunity.

Clearly, then, he cannot be charged with a wanton or reckless will to make the information public or to broadcast it to the world.

Second, I point out that the offer of the document by the junior Senator from Wisconsin in the Army-McCarthy hearings came only after many efforts to establish the central point at issue by other means; and finally, only after extended questioning of Army Secretary Stevens failed to bring clear evidence on the point at issue, did he offer it.

The central issue in those hearings from the McCarthy side was whether subversives or Communists were known by the Army to be working in a highly classified installation on secret projects and had been there for some time without adequate steps to get them out.

The 2¼-page document, as has been previously publicly disclosed, purported to be a letter from the Director of the Federal Bureau of Investigation to a general of the Army. It gave, among other things, the names of persons who were employed on a highly classified project. Following their names was an evaluation of information about them, presumably FBI information. The document was dated. The date of the document would indicate that the FBI information had been sent to the Army a considerable period of time before there was evidence that the Army was getting rid of the suspected subversives.

Certainly the document, if valid, was very much to the point at issue in the Army-McCarthy hearings. The countercharge of the Army in that matter was that the junior Senator from Wisconsin [Mr. MCCARTHY] was using undue pressure on the Army to get it to act. If the evidence had not been classified, he certainly would have been entitled to use it to show Communist infiltration in the Army, and the length of time the Army knew about it before taking evident corrective action.

It is true, of course, that when suspects are employed, there may be tactical value in letting them continue for a while under surveillance while FBI operatives or other security agents endeavor to obtain further knowledge of their activities and accomplices. That is why the document, in my judgment, was properly classified and could only be declassified by the author of the original document, the FBI, when the purposes of classification had been served. But that is not the controlling point before the Senate, in my judgment.

The fact is that the document was not made public. The chairman of the Army-McCarthy hearings, the senior Senator from South Dakota [Mr. MUNDT], did not permit the document to be made public, and the chairman of the select committee, the Senator from Utah [Mr. WATKINS], has not permitted it to be made public. Senator MCCARTHY did not insist that the document be made public. If he had had any wanton desire to make it public, he could have made copies of the document and could have issued it, or could yet bring it before the Senate. He has not done so. He submitted the document to the verdict of the chairmen of the committees in both hearings.

In the first instance, he did so when extended questioning, which occupies 20 pages in the printed hearings of the Army-McCarthy hearings, failed to elicit an admission by Secretary Stevens of the extended presence of suspected subversives in the Army Signal Corps laboratories. He did it only when that evidence seemed to be what would establish the principal point at issue so far as he was concerned, where his official conduct was on trial.

If any Members of the Senate have any doubt on that point, I trust they will look at the record of the Army-McCarthy hearings, and note that, as shown by 20 pages of printed testimony, the counsel for the committee, Mr. Jenkins, of Tennessee, endeavored to elicit some information from Secretary Stevens as to the presence of subversives in the Signal Corps laboratories, and the length of time the Army had known they were there; but he could not get satisfactory information. That was a crucial point in those hearings. So I say deliberately that Senator MCCARTHY offered it only when it seemed that it was the evidence necessary to establish the principal point at issue so far as he was concerned, where his official conduct was on trial.

In the second instance, Senator MCCARTHY offered the document to our committee, and it was received by the chairman for the purpose of examination, because the document itself was the basis of the charge under consideration. I do not see how he could have done otherwise. Had he not offered the document, the committee would have been compelled to ask for it if we were to make an evaluation of the charge referred to us; that is, unless we could have seen the document or made some evaluation of it, we could not properly cover the charge referred to us.

The committee report presents what is probably a more adequate basis for noncensure on this count from a legal point of view, but for myself, having in mind the place of prudent policy in the precedents of the Senate, I wished to present my layman's reasons for refusing to recommend censure on this count.

In short, Senator MCCARTHY clearly did not make or seek to make wanton misuse of the two-and-a-quarter page

classified document, but offered it only when it seemed to be essential to the determination of issues before a duly constituted committee of the Senate, and he let that committee be the judge as to whether or not any publication of it could be made. Believing that, of course I could not vote to recommend censure on that count.

That brings us to the 33 charges on which no public testimony was taken, but which were the object of some exploration by the staff, and the subject of some discussion within the select committee. I shall not enumerate them, for they are all set forth in the committee report on pages 63 to 66, inclusive, and have heretofore been printed in the RECORD. They range from the Lustron matter to the speech about General Marshall made on the floor of the Senate.

We disposed of these 33 counts under some one or more of a dozen reasons set forth on page 63 of the report.

Mr. President, I ask unanimous consent that the 12 grounds be printed at this point in my remarks.

There being no objection, the grounds were ordered to be printed in the RECORD, as follows:

1. Charges which, even if fully supported and established, would not in the judgment of the committee constitute censurable conduct.

2. Charges which, even if fully supported and established after investigation, would in the judgment of the committee be of doubtful validity as a basis for censure.

3. Charges which are too vague and uncertain, or which were too broad in apparent scope to justify formal hearings by the committee.

4. Charges reflecting largely personal opinion rather than delineating specific, concrete conduct upon which a judgment of censure could properly be based.

5. Charges which, in order to determine properly, would have required more time to investigate, document, and take testimony upon, than was practically available to this committee.

6. Charges which were substantially covered or duplicated by other charges upon which the committee actually held hearings and received evidence.

7. Charges concerning statements made on the floor of the Senate about public officials, with which statements we may disagree, but which, if held censurable, would tend to place unwarranted limitations on the freedom of speech in the Senate of the United States.

8. Charges involving such matters as the receipt by a member of a committee of payments not corresponding to the value of services rendered, from persons subject to the jurisdiction of such committee (which might be reprehensible if true, because of some implication of improper influence), but which the committee believed were not susceptible of satisfactory proof in this form.

9. Charges of improper treatment of a particular committee witness who is presently undergoing confidential security investigation by the executive department.

10. Charges involving misconduct of the staff of a standing committee of the Senate, over which that committee as a whole has jurisdiction and primary responsibility.

11. Charges concerning matters over which other committees have already acquired jurisdiction.

12. Charges on which no substantial evidence was submitted and none could be found by the committee.

Mr. CASE. Mr. President, in view of what has been said about the position of the Senator from Colorado [Mr. JOHNSON] as a member of the select committee, I think it is only fair to say that the idea of using this device for sifting the many charges was largely his. Some of us had proposed a few standards for sorting, but it was the Senator from Colorado who came up with the actual format and the basic wording of at least 10 of the 12 grounds set forth for discarding or eliminating various charges. I think each of the grounds was revised a bit in wording by suggestions of various members of the committee, but the major work on this score was that of the Senator from Colorado.

I shall say nothing more of the 33 charges. I think the grounds on which they were dismissed or eliminated are stated with sufficient clarity to appeal to the average Member of the Senate. Should any questions exist, of course some member of the committee will respond, I am sure.

This brings me to the first of the two counts on which the committee made an affirmative recommendation, that which comes before the Senate as an amendment to make section 1 of the pending resolution read:

Resolved, That the Senator from Wisconsin [Mr. MCCARTHY] failed to cooperate with the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up matters referred to that subcommittee which concerned his conduct as a Senator and affected the honor of the Senate and, instead, repeatedly abused the subcommittee and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin [Mr. MCCARTHY], in failing to cooperate with a Senate committee in clearing up matters affecting the honor of the Senate is contrary to senatorial traditions and is hereby condemned.

The failure to cooperate was the failure of Senator MCCARTHY to appear or to accept invitations to appear before the Gillette-Hennings subcommittee.

The abuse ranged from the several letters he wrote, in which he accused the subcommittee of "wasting or stealing the taxpayers' dollars," and stating that he "did not expect an honest report" from them, to the coarse remarks he made to the press, in comment upon the signing of the report by the Senator from New Jersey [Mr. HENDRICKSON], that he was "a living miracle, without brains or guts"—a slander in any State, and wholly without warrant, as every Member of the Senate knows, and utterly unworthy of a Senator, when speaking of the official action of a conscientious and respected Member of this body.

At the risk of finding myself in disagreement with some of the eminent lawyers in the Senate, and possibly even members of the select committee, I am going to say that I question whether, from a legal standpoint, the facts in the record would support a charge of contempt for nonappearance before the Gillette or Hennings subcommittees. I do not base this personal opinion upon the fact that the Gillette subcommittee denied the junior Senator from Wisconsin [Mr. MCCARTHY] the right of cross-examination, although I think they should have permitted him that right. They also denied it to his accuser in that instance, the then Senator from Connecticut, Mr. Benton. So it was even, both ways.

I do not base my opinion upon any lack of jurisdiction or competence by the committee. Its jurisdiction and its range of inquiry were approved by the Senate itself by a 60–to–0 vote when those matters were directly challenged.

I think a strict charge of contempt on the ground of nonappearance would fall because there was no clear request from the subcommittee for the junior Senator from Wisconsin to appear, with adequate notice for him physically to appear. Let me say very clearly that in my opinion a subpena should not be necessary to get a Senator to appear before a committee of the Senate when a question of privilege and honor is at stake; but there should be a clear request and an agreement upon time, or at least a reasonable offer of a possible time. That does not exist in the record of the relations between the junior Senator from Wisconsin and the Gillette and Hennings Subcommittees on Privileges and Elections. There were invitations—several of them—in the letters from the patient—perhaps overly patient—Senator from Iowa [Mr. GILLETTE]; but there was no formal request, and there was not a fixed time.

The first clear request that the junior Senator from Wisconsin appear before that subcommittee is found in the unsent telegram which appears as exhibit 42 in the Hennings subcommittee report. The telegram perhaps was intended to have been sent on November 14, 1952, but it was never sent, as I first discovered by examination of the contents and by correlation of its contents with other documents, and later substantiated by the finding of the original. I believe it came from the files of the chairman of the committee, the senior Senator from Arizona [Mr. HAYDEN], although I am not sure of that. At any rate, we finally found the original copy of the telegram, with the words "not sent" written across its face.

Thus, the only formal request actually sent by the subcommittee to the junior Senator from Wisconsin was contained in a letter of November 21st and a telegram of the same date, both of which, it appears, were not received by the junior Senator from Wisconsin until after the date suggested for meeting with the subcommittee. Senators will find a discussion of this matter at pages 300 and following in the printed hearings.

The letter and the telegram of November 21, 1952, requested the junior Senator from Wisconsin to appear on the 22d, the 24th, or the 25th. The 22d was Saturday; the skipped date was Sunday, the 23d; the 24th and 25th were Monday and Tuesday, respectively. The junior Senator from Wisconsin was in Wisconsin, hunting in the northern woods. The messages were not received by him until

about 7 days after they were sent, and that was after the dates suggested. The junior Senator from Wisconsin acknowledged receipt of both of them; on November 28, he acknowledged receipt of the telegram; and on December 1, he acknowledged receipt of the letter.

During the debate in the Senate on the citation of Corliss Lamont for contempt of a Senate committee—the debate taking place in the fore part of August of this year, I believe—I recall the concern of the Senator from Oregon [Mr. MORSE] over the question of whether Mr. Lamont or his attorney had been—and I use the phrase in quotations—"legally put to sleep" by a telegram suggesting a possible further meeting of the committee, at which he might have, had he so chosen, purged himself of the alleged contempt. The question of "adequate notice" was involved.

It seems clear to me that the junior Senator from Wisconsin [Mr. MCCARTHY] is well within his rights in assuming that his acknowledgments of the several communications from the Senator from Iowa [Mr. GILLETTE] and from the Senator from Missouri [Mr. HENNINGS] and the continuation of the invitations without formal request kept the matter alive and continued his rights to answer the charges, except for one thing: That was the abusive character of his replies.

In order that the nature of the request by the Senator from Missouri [Mr. HENNINGS] and the nature of the final reply by the junior Senator from Wisconsin [Mr. MCCARTHY] may be in the RECORD, for convenient reference, I now ask unanimous consent that the letter of November 21, 1952, by the Senator from Missouri [Mr. HENNINGS], which appears as exhibit No. 41 in the appendix of the printed hearings; and the reply letter of December 1, 1952, by the junior Senator from Wisconsin [Mr. MCCARTHY], which appears as exhibit No. 45, may be printed at this point in the RECORD, as part of my remarks.

Mr. MCCARTHY. Will the Senator please restate the pages on which those exhibits appear?

Mr. CASE. They are exhibits 41 and 45, and they appear in the appendix of the hearings. The appendix is found in part II of the printed hearings. I refer to the letter from the Senator from Missouri, as chairman of the subcommittee, to the junior Senator from Wisconsin, and his reply of December 1. I urge all Senators to read those letters, because I think they are very much in point. That letter and the reply constitute the formal request and the suggestion of a date; and they are supported, of course, by the telegram. The reply acknowledges the letter. There is a shorter letter which acknowledges receipt of the telegram, but it is merely a letter of acknowledgment.

The PRESIDING OFFICER. Is there objection?

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

EXHIBIT No. 41

NOVEMBER 21, 1952.

Hon. JOSEPH R. MCCARTHY,
Room 254, Senate Office Building,
Washington 25, D. C.

DEAR SENATOR MCCARTHY: As you will recall, on September 25, 1951, May 7, 1952, and May 10, 1952, this subcommittee invited you to appear before it to give testimony relating to the investigation pursuant to Senate Resolution 187.

Under date of November 7, 1952, the following communication was addressed to you:

"DEAR SENATOR MCCARTHY: In connection with the consideration by the Subcommittee on Privileges and Elections of Senate Resolution No. 187, introduced by Senator Benton on August 6, 1951, as well as the ensuing investigation, I have been instructed by the subcommittee to invite you to appear before said subcommittee in executive session. Insofar as possible, we would like to respect your wishes as to the date on which you will appear. However, the subcommittee plans to be available, for this purpose, during the week beginning November 17, 1952.

"It will be appreciated if you will advise me at as early a date as possible of the day you will appear, in order that the subcommittee may arrange its plans accordingly.

"Very truly yours,

"PAUL J. COTTER,
"Chief Counsel."

On November 14, 1952, the subcommittee received the following communication, dated November 10, 1952:

"DEAR MR. COTTER: Inasmuch as Senator MCCARTHY is not now in Washington, I am taking the liberty of acknowledging receipt of your letter of November 7.

"I have just talked to the Senator over the telephone and he does not know just when he will return to Washington. It presently appears that he will not be available to appear before your committee during the time you mention. However, he did state that if you will let him know just what information you desire, he will be glad to try to be of help to you.

"Sincerely yours,

"RAY KIERMAS,
"Administrative Assistant to Senator McCarthy."

The subcommittee is grateful for your offer of assistance, and we want to afford you with every opportunity to offer your explanations with reference to the issues involved. Therefore, although the subcommittee did make itself available during the past week in order to afford you an opportunity to be heard, we shall be at your disposal commencing Saturday, November 22 through, but not later than, Tuesday, November 25, 1952.

This subcommittee has but one object, and that is to reach an impartial and proper conclusion based upon the facts. Your appearance, in person, before the subcommittee will not only give you the opportunity to testify as to any issues of fact which may be in controversy, but will be of the greatest assistance to the subcommittee in its effort to arrive at a proper determination and to embody in its report an accurate representation of the facts.

Pursuant to your request, as transmitted to us through Mr. Kiermas, we are advising you that the subcommittee desires to make inquiry with respect to the following matters:

(1) Whether any funds collected or received by you and by others on your behalf to conduct certain of your activities, including those relating to "communism," were ever diverted and used for other purposes inuring to your personal advantage.

(2) Whether you, at any time, used your official position as a United States Senator and as a member of the Banking and Currency Committee, the Joint Housing Committee, and the Senate Investigations Committee to obtain a $10,000 fee from the Lustron Corp., which company was then almost entirely subsidized by agencies under the jurisdiction of the very committees of which you were a member.

(3) Whether your activities on behalf of certain special-interest groups, such as housing, sugar, and China, were motivated by self-interest.

(4) Whether your activities with respect to your senatorial campaigns, particularly with respect to the reporting of your financing and your activities relating to the financial transactions with, and subsequent employment of, Ray Kiermas involved violations of the Federal and State Corrupt Practices Acts.

(5) Whether loan or other transactions which you had with the Appleton State Bank, of Appleton, Wis., involved violations of tax and banking laws.

(6) Whether you used close associates and members of your family to secrete receipts, income, commodity and stock speculation, and other financial transactions for ulterior motives.

We again assure you of our desire to give you the opportunity to testify, in executive session of the subcommittee, as to the foregoing matters. The 82d Congress expires in the immediate future and the subcommittee must necessarily proceed with dispatch in making its report to this Congress. To that end, we respectfully urge you to arrange to come before us on or before November 25th, and thus enable us to do our conscientious best in the interests of the Senate and our obligation to complete our work. We would thank you to advise us immediately, so that we may plan accordingly.

This letter is being transmitted at the direction and with the full concurrence of the membership of this subcommittee.

Sincerely yours,

THOMAS C. HENNINGS, Jr.,
Chairman.

EXHIBIT No. 45

UNITED STATES SENATE,
COMMITTEE ON APPROPRIATIONS,
December 1, 1952.

Senator THOMAS C. HENNINGS, Jr.,
Chairman, Subcommittee on
Privileges and Elections,
Senate Office Building.

DEAR MR. HENNINGS: This is to acknowledge receipt of yours of November 21 in which you state that your object is to reach an "impartial and proper conclusion based upon the facts" in the Benton application which asks for my removal from the Senate.

I was interested in your declaration of honesty of the committee and would like to believe that it is true. As you know, your committee has the most unusual record of any committee in the history of the Senate. As you know, two members of your staff have resigned and made the public statement that their reason for resignation was that your committee was dishonestly used for political purposes. Two Senators have also resigned. One, Senator WELKER, in the strongest possible language indicted your committee for complete dishonesty in handling your investigation. Senator GILLETTE also resigned without giving any plausible reason for his resignation from the committee. Obviously he also couldn't stomach the dishonest use of public funds for political purposes. For that reason it is difficult for me to believe your protestations of the honesty of your committee.

I would, therefore, ordinarily not dignify your committee by answering your letter of November 21. However, I decided to give

you no excuse to claim in your report that I refused to give you any facts. For that reason you are being informed that the answer to the six insulting questions in your letter of November 21 is "No." You understand that in answering these questions I do not in any way approve of nor admit the false statements and innuendoes made in the questions.

I note with some interest your reference to my "activities on behalf of certain special interest groups, such as housing, sugar, and China." I assume you refer to my drafting of the comprehensive Housing Act of 1948 which was passed without a single dissenting vote in the Senate, either Democrat or Republican. Neither you nor any other Senator has attempted to repeal any part of that Housing Act, or perhaps you refer to the slum clearance bill which I drafted and introduced in 1948, which slum clearance bill was adopted in toto by the Democrat-controlled Senate in 1949.

When you refer to sugar I assume you refer to my efforts to do away with your party's rationing of sugar, as I promised the housewives that I would during my 1946 campaign. If that were wrong, I wonder why you have not introduced legislation in the Democrat-controlled Senate to restore sugar rationing. You have had 2 years to do so.

I thought perhaps the election might have taught you that your boss and mine—the American people—do not approve of treason and incompetence and feel that it must be exposed.

You refer to the above as "special interests." I personally feel very proud of having drafted the Housing Act in 1948, which passed the Congress without a single dissenting vote—a Housing Act which contributed so much toward making it possible for veterans and all Americans in the middle- and low-income groups to own their own homes. Likewise, I am proud of having been able to fulfill my promise to American housewives to obtain the derationing of sugar. I proved at the time that rationing was not for the benefit of the housewives but for the commercial users.

I likewise am doubly proud of the part I played in alerting the American people to your administration's traitorous betrayal of American interests throughout the world, especially in China and Poland.

You refer to such activities on my part as "activities for special interests." I am curious to know what special interests you mean other than the special interest of the American people.

This letter is not written with any hope of getting an honest report from your committee. It is being written merely to keep the record straight.

Sincerely yours,

JOE MCCARTHY.

Mr. CASE. The basis for the opinion that the abusive language in the several communications by the junior Senator from Wisconsin and in his publicly expressed comment upon the Senator from New Jersey [Mr. HENDRICKSON] for signing the report is a proper ground for censure is to be found in the law briefs submitted to the select committee by Mr. Williams, counsel for the junior Senator from Wisconsin [Mr. MCCARTHY]. I invite the attention of the Senate to the portion of them which appears at page 572 of part II of the printed hearings. It will be noted that part II ends with a reproduction of the report of the Gillette-Hennings subcommittee, which appears in the appendix to part II. I am now referring to page 572 of that part, which precedes the appendix. The pages are numbered consecutively from part I.

Senators will note that on page 554 there is a section headed "Addendum—B, Law Briefs Submitted by Counsel for Senator MCCARTHY"; and then there follow several pages relating to the early category of charges. The part to which I wish to direct attention appears in the memorandum on page 571, entitled: "V. Memorandum Relating to Propriety of Censure for Language Used Off the Floor of the Senate"; and at the top of page 572 it will be noted that counsel for the junior Senator from Wisconsin stated the following in his memorandum:

It is recognized that the censure power is derived solely from the power to punish for disorderly behavior which is conferred by article 1, section 5, of the Constitution. See remarks of Senator DANIEL, of Texas, CONGRESSIONAL RECORD, 83d Congress, 2d session, page 12919; remarks of Congressman Black, of Texas, CONGRESSIONAL RECORD, 67th Congress, 1st session, page 6891; report of Senators McComas, of Maryland, Beveridge, of Indiana, and Pritchard, of North Carolina, in the so-called Tillman-McLaurin case, CONGRESSIONAL RECORD, 57th Congress, 1st session, page 2205. This proposition has already been advanced by counsel for Senator MCCARTHY.

It is likewise settled that the power to punish for disorderly behavior is nothing more or less than a constitutional codification of the inherent power of all legislative bodies to punish for contempt. As has already been pointed out by counsel for Senator MCCARTHY, the Supreme Court of the United States has expressly so held. See *Marshall* v. *Gordon* (243 U. S. 521, 526); *Anderson* v. *Dunn* (6 Wheat. 204, 225).

The second paragraph reads:

It is likewise settled that the power to punish for disorderly behavior is nothing more or less than a constitutional codification of the inherent power of all legislative bodies to punish for contempt. As has already been pointed out by counsel for Senator MCCARTHY, the Supreme Court of the United States has expressly so held. See *Marshall* v. *Gordon* (243 U. S. 521, 526); *Anderson* v. *Dunn* (6 Wheat. 204, 225).

The third paragraph reads:

The Supreme Court has also held that no language can be punished as contumacious unless it has a real and immediate tendency to impede the legislative process. Squarely in point is the case of *Marshall* v. *Gordon, supra.* There a Member of the House of Representatives was indicted under the Sherman Act in the southern district of New York. He made certain charges against the district attorney for the southern district and requested the Judiciary Committee to investigate such charges insofar as they might constitute grounds for impeachment.

I think all Members of the Senate will wish to read the remainder of that memorandum, submitted by Senator MCCARTHY's counsel. I shall not take the time to read it. I think probably Senators will follow it more carefully and meaningfully if they read it for themselves. However, I invite attention to it.

I turn now to page 574, and come to the concluding paragraph in the argument of Senator MCCARTHY's counsel on this point:

The test is always the same:—

This is the test submitted by counsel for Senator MCCARTHY—

Did the conduct obstruct or endanger the legislative process? This test is applicable to any offense upon which a censure resolution is predicated, whether it be a physical assault upon the person of a Member or whether it be language derogatory of a Member.

Let me read that again. This is the test. I am taking the language of the Senator's counsel:

Did the conduct obstruct or endanger the legislative process? This test is applicable to any offense upon which a censure resolution is predicated, whether it be a physical assault upon the person of a Member or whether it be language derogatory of a Member.

Counsel goes on to say:

In the present case, it is crystal clear that the language allegedly employed by Senator MCCARTHY could not and did not endanger the legislative function. It is likewise crystal clear that this language could not and did not obstruct the legislative function. The precedents reveal that neither House of Congress has ever censured a Member for language employed off the floor of Congress, thus substantiating the conclusion that such action may be taken only in the rare and exceptional case where such language does in fact have an obstructive tendency.

Those are not the words of the select committee, but they express the thought upon which this member of the committee, at least, the junior Senator from South Dakota, thinks the first count in the resolution must stand or fall.

Counsel for Senator MCCARTHY goes on in that paragraph to argue that the words employed by Senator MCCARTHY "could not and did not obstruct the legislative function." That is the crux of the question, of course, and each Senator will have to form his own judgment.

For myself, it seems evident that the words employed in the reply letters to Senator GILLETTE and Senator HENNINGS were obstructive of the legislative process. The direct comment upon Senator HENDRICKSON was, to my mind, obstructive.

Upon receiving the letter of December 1, 1952, Senator HENNINGS and his committee accepted the verdict that Senator MCCARTHY was not going to furnish that committee with direct testimony upon the matters about which they sought to inquire. They concluded they could get only language abusive of their motives.

As for the statement about Senator HENDRICKSON for signing the report—that he was "a living miracle without brains or guts"—what Senator would ever willingly seek assignment to a Senate Subcommittee on Privileges and Elections if he knew that other Senators might utter with impunity such words about his official conduct? What Senators today would volunteer to take the place of members of the select committee in the light of the interpretation placed on their acts in the Senator's statement placed in the RECORD last night?

That is the issue, as I see it; but it need not be so dark as it might seem. There is one point which I wish to make at this time. I do so deliberately. I have not consulted with my fellow members on the select committee previous to making this point. I am making it on my own responsibility.

The point I wish to make is that the record is not yet closed. The select committee was not a trial court. During the hearings of the committee, new evidence developed relative to the part of Senator HENDRICKSON in the preparation of the so-called Hennings report. Senator HAYDEN testified that Senator HENDRICKSON wrote the addendum, the single paragraph on the loose-leaf page which said some of the questions had been made moot by the elections of 1952. Counsel for Senator MCCARTHY relied upon that to throw out some of the issues in the whole matter. I pointed that out to Senator MCCARTHY and asked him if be knew that Senator HENDRICKSON was the author of the addendum when he uttered his unfortunate words. He said that he had not, but he declined the opportunity I deliberately gave him to withdraw that statement—to purge the record, as it were.

So, I say again to my fellow Senator—and I do this deliberately—the record is still open. It is open also, I feel, with respect to the Hennings report. This is the first time the Senate has had it formally before it for consideration, even though it comes here collaterally. Personally, I should like to see the junior Senator from Wisconsin set forth his justification for the utterances he made with respect to the invitations to appear before that committee. I hope he will do so temperately.

For, Mr. President, as I said yesterday, I am concerned that we shall preserve the capacity of the Senate of the United States to function. I am concerned that from now on Senators can accept assignments to difficult tasks—and perhaps disagreeable ones—without having to feel that their motives will be misinterpreted and their political careers blasted.

I earnestly hope that the junior Senator from Wisconsin, whom I personally admire for so many great qualities and for so much valuable service to his country, will not utter "language derogatory of a Member" for his official conduct and thereby tend to obstruct the legislative processes of the Senate either here or, by the long shadow of precedent, in the future.

The United States Senate, Mr. President, is not a thing apart from us who are its Members. Today and for the long future which I believe is the destiny of America, the Senate of the United States will be in part what we make it by our deliberations and our conduct today.

Mr. MCCARTHY. Mr. President, will the Senator yield for a unanimous-consent request?

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the junior Senator from Wisconsin?

Mr. CASE. I yield.

Mr. MCCARTHY. I should like to suggest the absence of a quorum at this time. I do so for this reason: When I look across the aisle I see six Senators on the other side of the aisle——

The PRESIDING OFFICER. Does the Senator from South Dakota yield for that purpose?

Mr. CASE. Certainly. Does the Senator from Idaho wish me to yield to him first?

Mr. WELKER. I believe that the jury should be here.

Mr. CASE. I yield to the junior Senator from Wisconsin for that purpose, with the understanding that I shall resume the floor after the quorum call.

Mr. MCCARTHY. May I make my request now?

Mr. HOLLAND. Mr. President——

Mr. MCCARTHY. May I make my request first?

The PRESIDING OFFICER. The Senator from South Dakota has yielded to the Senator from Wisconsin for the purpose of suggesting the absence of a quorum.

Mr. HOLLAND. Mr. President, I wish to address the Chair on a point of personal privilege. I should like to make a short statement.

Mr. MCCARTHY. May I make my request first? Will the Senator yield so that I may make my unanimous-consent request? I intend to make my request. The Senator from Florida certainly can reserve his right to object and make any statement he cares to make. I should like to proceed with my unanimous-consent request.

Mr. CASE. Mr. President, because of the issues involved, I believe the junior Senator from Wisconsin should have every opportunity to get before the Senate anything he feels should be presented to it. This is a serious matter. I certainly yield to him for a unanimous-consent request.

Mr. HOLLAND. Mr. President——

Mr. MCCARTHY. Mr. President——

The PRESIDING OFFICER. Is there objection?

Mr. HOLLAND. I object.

Mr. MCCARTHY. Mr. President, I have not yet made my request.

Mr. HOLLAND. I object unless I be allowed an opportunity to state a question of privilege.

Mr. MCCARTHY. Will the Senator from Florida let me make my request first?

Mr. HOLLAND. I shall be glad to have the Senator do so.

Mr. MCCARTHY. I wish to point out that we have just now heard a scholarly discussion by the Senator from South Dakota. I disagreed with a considerable part of it. However, this is a very important issue. We have been called back into session. We have accepted our travel expenses. We returned for one purpose, to decide whether new rules of the Senate will be adopted and whether we will censure a fellow Member of the Senate.

As I have said repeatedly, I believe MCCARTHY is completely unimportant in this issue. However, I also believe that it is important that all Senators hear the discussion on the issue, so that all of us can vote intelligently. I believe it is a great mistake to have what to the gallery may appear to be—and some people in the gallery have mentioned this to me—an organized boycott of some of the speeches. For that reason, Mr. President, I should like to say in that connection that I sincerely hope the jury in this case, the United States Senate which intends to vote on the issue, has sufficient interest in it to sit and listen to the arguments. As I have said, I disagreed with much of the argument made by the Senator from South Dakota [Mr. CASE], but I believe that the Senators, who are the jurors in this case, should listen to all the arguments.

If I were a judge, as I once was, and three-fourths of the jurors in a case went downtown and did not listen to the evidence in a case, I would immediately declare a mistrial.

Therefore I should like to urge, after the quorum call is made, that Senators take their duties seriously and sit and listen to the arguments, such as we have just heard made by the Senator from South Dakota.

The PRESIDING OFFICER. Is there objection?

Mr. WELKER. Mr. President——

Mr. HOLLAND. Mr. President, reserving the right to object—and I shall not object—I wish to say that the comment made by the junior Senator from Wisconsin, while probably not so intended, was completely unfair to the minority members, for two reasons.

In the first place, he said that there were 6 members of the minority party on the floor of the Senate, when, in fact, there were 9. Three of them were sitting on the majority side of the aisle.

In the second place, the distinguished junior Senator from Wisconsin overlooked the fact that the distinguished majority leader announced it would be the practice during this debate to hold sessions until about 12:30 and then to recess for lunch. In that connection, I should like to quote from page 15919 of the CONGRESSIONAL RECORD of yesterday, November 10.

The majority leader stated that it was the intention of the majority leader and the minority leader "to hold sessions from 10 a. m. to 12:30 p. m., for instance, and then to take a recess for 45 minutes, in order that all Senators might have lunch at that time, so that while at lunch they would not be interrupted by having to answer quorum calls, and, also, so that perhaps half the membership of the Senate would not be absent from the Chamber during a presentation of importance to this body."

I am completely in accord with the statement made by the distinguished majority leader. I have attended almost every minute of the debate, and I intend to continue to do so until the debate has been completed. I believe that to be the attitude of most of the members of the minority, as well as of the majority.

I could direct attention to the fact that at the time the point was made 15 members of the majority were on the floor, but I shall not do so, because I believe the other members of the majority were following exactly the same objective that some members of the minority are following, namely, they were getting their lunch, in accordance with the statement made by the distinguished majority leader.

I close with the additional statement that I believe no Member of the Senate should be further maligned because he has drawn his travel pay to come to Washington. I drew my travel pay to come to Washington, although I would much rather have stayed in sunny Florida and not come to Washington; but I

expect to carry through my duty, as other members of the majority and minority intend to do.

In short, Mr. President, the point of my observation is that I believe every comment of that kind only adds to the difficulty of the situation.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. HOLLAND. The Senate is sitting in a judicial capacity. The Senator from Florida, as I believe every other member of the minority, is here in a judicial capacity, performing his duty, which is not a pleasant and not an agreeable task.

It seems to the Senator from Florida that too much emphasis cannot possibly be laid upon the statement so ably and so frequently made both yesterday and today by the distinguished Senator from South Dakota [Mr. CASE], to the effect that diversionary asides which cast aspersions upon Members of the Senate do not contribute to a judicial or orderly performance of a most disagreeable duty.

The Senator from Florida, in announcing that he will have no objection to the quorum call, merely wishes to call attention to the fact that any Senator who looks at the RECORD has every right to conclude that at this time—which, by the way, since we have gone this far, is now 1:36 p. m.—some Senators are having lunch. The Senator from Florida has not had any lunch, and most of the other Senators have not had any lunch. Senators cannot be blamed for slipping out to get some lunch. I hope, I, too, will have the chance to do so. I believe it would be far better, instead of asking for a quorum call at this time—to which I shall not object, of course—to take a brief recess for lunch. Most of us wish to be present every minute of this very interesting and important, although disagreeable, debate.

Mr. President, I have no objection.

Mr. McCARTHY. Mr. President, will the Senator yield to me?

Mr. HOLLAND. Mr. President, I do not have the floor.

The PRESIDING OFFICER. The Senator from South Dakota has the floor.

Mr. CASE. I yield to the junior Senator from Wisconsin.

Mr. McCARTHY. I should like to point out to the Senator from Florida that no one is being maligned. When I made the suggestion, I realized that I was somewhat in the position of the minister who was castigating the members of his congregation who were present for those who were absent.

I believe the Senator from Florida will agree with me, however, that we should work out a system whereby the jury can be present. I am not disturbed about what the jury will do to McCARTHY. I can take care of myself. However, I am disturbed about some dangerous rules being adopted while Senators who will vote on those rules are absent from the Senate.

I believe the Senator's suggestion that we take a recess for half an hour, or whatever time he would suggest, is an excellent one. In that way Senators could go to lunch. I have not had any lunch, either. I must sit here as long as possible and for as much time as it is possible to do so. I believe the Senator's suggestion is well taken, and I join in his suggestion.

I ask unanimous consent that the Senate take a recess for half an hour so that Senators may take lunch and return to the Chamber at 2:10 p. m.

The PRESIDING OFFICER. Is there objection?

Mr. BUTLER. Mr. President, reserving the right to object, I have sent for the majority leader. I do not feel, in the absence of the majority leader that I should consent to such a request. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CASE. Mr. President, I yield to the Senator from Idaho.

Mr. WELKER. Mr. President, on a point of personal privilege I should like to say that I believe that great lawyer, the distinguished senior Senator from Florida, is eminently correct.

Yesterday afternoon, not at the lunch hour but in the late hours of the afternoon, I raised the same point—that there were only eight Senators representing the Democratic Party present. For that I am sorry. This is not a partisan matter, Mr. President. I look before me and see a horde of Republican desks which are also empty. What is good for the goose is good for the gander; and I apologize for my reflection on the Democrats who, I am sure, all want to hear this debate as well as do the Republicans. I agree that there certainly should be some rule so that all Senators can be present and hear the debate.

I wish to commend the distinguished Senator from South Dakota [Mr. CASE]. Rarely, if ever, have I heard a more profound argument, even though I differ with him on certain aspects concerning certain questions which he brought up.

Mr. McCARTHY rose.

Mr. THYE. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I shall yield, first, to the Senator from Wisconsin.

Mr. McCARTHY. Mr. President, I wish to say that I think the point which the Senator from Florida made is well taken. I counted the Members on the Democratic side of the aisle, and there were only six. I believe the Senator from Florida is correct in saying that three of them were sitting on this side of the aisle. So, Mr. President, I should like to correct my count and say that, instead of six, there were nine of our Democratic colleagues present. I have heard the comment made over and over again that there is a boycott by some elements who refuse to listen to the debate. I am sure the Senator from Florida and I agree, because he is a lawyer also, that if the jury cannot hear arguments such as we have just heard—and, as I have said, I disagree with a considerable part of them—I should like to have unanimous consent——

Mr. KNOWLAND. Mr. President, if the Senator from South Dakota will yield——

Mr. CASE. I should like to yield to the distinguished majority leader, but I do not want to foreclose the Senator from Minnesota [Mr. THYE].

Mr. KNOWLAND. I do not want to foreclose any Senator, but I should like to make a brief statement.

Mr. CASE. I yield for that purpose, Mr. President.

Mr. KNOWLAND. Mr. President, the hours is now quarter to 2. A number of Senators have been present since noon and have not had an opportunity to go to lunch. That situation was left a little open because today we began the session at 12 o'clock rather than at 10 o'clock as on yesterday, when we were in session from 10 o'clock to 12:30 or 1 o'clock, and then took a recess. But what I had intended to suggest was that the Senate take a recess at this time, after the Senator from South Dakota has fulfilled his commitments to the Senator from Minnesota [Mr. THYE] and any other Senators who may have something to say at this moment, and return at 3 o'clock.

Mr. THYE. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I yield to the Senator from Minnesota.

Mr. THYE. The only purpose for which I sought recognition was to invite the attention of this body to the fact that every spoken word on the floor is recorded in the CONGRESSIONAL RECORD. While we cannot, as a jury, be present in the Chamber every moment while the debate is in progress, the rules of the Senate provide that every spoken word shall be printed in the RECORD. There are Members who will read the RECORD to acquaint themselves with what has taken place in their absence.

I just wish the RECORD to show definitely that as a jury we may not all be present at every moment, but every spoken word will be ours to read if we care to acquaint ourselves with the facts in the RECORD.

Mr. CASE. Mr. President, I yield to the Senator from California, the majority leader, for the purpose of making a unanimous-consent request, with the understanding that if it involves a recess I shall be recognized and have the floor on the resumption of the session.

Mr. HOLLAND. Mr. President, I have no objection to that. I think it is fair.

RECESS

Mr. KNOWLAND. Mr. President, with that understanding, I move that the Senate now stand in recess until 3 o'clock this afternoon.

The motion was agreed to; and (at 1 o'clock and 45 minutes p. m.) the Senate took a recess until 3 o'clock p. m.

On the expiration of the recess, the Senate reassembled and was called to order by the President pro tempore.

The PRESIDENT pro tempore. The Senator from South Dakota [Mr. CASE] has the floor.

PROGRAM FOR TODAY

Mr. KNOWLAND. Mr. President, if I may have a moment to make a statement relative to the program for the remainder of the day, I wish to inform the Senate that after continuing in session until about 5:30 o'clock today, it is contemplated that the Senate will recess.

Because of the difficulty we have had when a Senator who has had the floor has not been present when the Senate has reconvened, I should like to suggest and respectfully urge, and, of course, the suggestion would be subject to further consultation with the minority leader—that hereafter Senators not request to have the floor when the Senate shall reconvene. I think such an arrangement results in some difficulty which causes a loss of time and additional quorum calls, which make the proceedings difficult and prolong the discussions.

Mr. President, the Senator from South Dakota [Mr. CASE] is now present. Under the previous agreement, he was to have the floor when the Senate reconvened. However, barring some unusual circumstances, I should be inclined to object to the floor being granted to a Senator the night before for the following day.

NOMINATION OF JOSEPH CAMPBELL TO BE COMPTROLLER GENERAL OF THE UNITED STATES

Mr. McCARTHY. Mr. President, will the Senator from South Dakota yield, in order that I may ask a question of the majority leader?

Mr. CASE. I yield.

Mr. McCARTHY. There is before the Committee on Government Operations an important nomination, that of Mr. Campbell, to be Comptroller General of the United States. I should like to have the committee hold hearings on the nomination, and then to be able to report it either favorably or, if the committee so vote, unfavorably.

I wonder whether the majority leader would consider relaxing the rule for at least 1 day, so that our committee can hold hearings, say, beginning at 9 a. m. and running to noon; and in that way perhaps we could dispose of the nomination and could report it to the Senate.

Mr. KNOWLAND. Unless the committee meetings could be held at a time when the Senate is not in session, I hope that no attempt will be made to hold committee hearings while the Senate is in session.

Mr. McCARTHY. I did not have that in mind.

Mr. KNOWLAND. I understand. I also hope that before making the proposal, the distinguished junior Senator from Wisconsin, the chairman of the Committee on Government Operations, will discuss the matter with the ranking and other minority members of his committee.

Mr. McCARTHY. Very good.

Mr. KNOWLAND. Because over the relatively brief period of time I have been working with the minority leader, during the whole of last session, I have found that we probably cleared more nominations on the Executive Calendar, and cleared them sooner than they had ever before been cleared in the history of the Senate; and it was done primarily by having each of us advised in advance and, in the case of many of the nominations, by securing the cooperation of the minority members, as well as of the majority members.

So I shall have some further consultations with the minority leader; and I hope the distinguished chairman of the committee will consult the ranking minority member, and will see what can be worked out in the committee itself.

Mr. McCARTHY. I had no intention of asking permission to hold hearings while the Senate is in session. In the committee we have a problem, because several Senators have indicated that they wish to be heard on this particular nomination, which means that we shall have to hold hearings. I should like to dispose of the nomination, if possible, before this session is over.

However, I shall not now take any more of the time of the distinguished majority leader.

Mr. KNOWLAND. When a Senator desires to be heard, whether he is from the majority or from the minority side, it has been the custom, and I think it only reasonable, that such Senator have an opportunity to be heard on the nomination, when he wishes to clear up some additional facts.

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

Mr. CASE. Mr. President, prior to the recess for lunch, I had concluded the statement I desired to make. If the Senator from Idaho [Mr. WELKER] or the junior Senator from Wisconsin [Mr. McCARTHY] desires to ask any questions relative to what I said earlier, I shall be happy to yield at this time.

Mr. KNOWLAND. Mr. President, does the Senator from Idaho desire that there be a quorum call?

Mr. WELKER. Mr. President, would the gracious Senator from South Dakota kindly consent that I may suggest the absence of a quorum, with the understanding that he not lose the floor?

Mr. CASE. Mr. President, I have no objection.

Mr. WELKER. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Ferguson	Mansfield
Aiken	Flanders	Martin
Anderson	Frear	McCarthy
Barrett	Fulbright	McClellan
Beall	Gillette	Monroney
Bennett	Goldwater	Morse
Bricker	Gore	Mundt
Bridges	Green	Murray
Brown	Hayden	Neely
Burke	Hendrickson	Pastore
Bush	Hennings	Payne
Butler	Hickenlooper	Potter
Capehart	Hill	Purtell
Carlson	Holland	Russell
Case	Hruska	Saltonstall
Chavez	Humphrey	Schoeppel
Clements	Jackson	Smith, Maine
Cooper	Johnson, Colo.	Smith, N. J.
Cotton	Johnson, Tex.	Sparkman
Crippa	Kilgore	Stennis
Dirksen	Knowland	Symington
Douglas	Kuchel	Thye
Duff	Langer	Watkins
Dworshak	Lehman	Welker
Eastland	Lennon	Wiley
Ellender	Magnuson	Williams
Ervin	Malone	Young

The PRESIDING OFFICER (Mr. PAYNE in the chair). A quorum is present.

Mr. CASE. Mr. President——

The PRESIDING OFFICER. If the Senator from South Dakota will suspend for a moment, let the Chair request that there be order in the Chamber.

In view of the fact that there are in the galleries many persons who undoubtedly never before have been in attendance at a session of the Senate, let the Chair respectfully call their attention to the fact that they are here as guests of the Senate. The rules of the Senate do not permit manifestations of approval or disapproval of any statements made on the floor of the Senate; and the Chair respectfully requests that the occupants of the galleries abstain from any such showing.

In case of any abuse of the privilege of the Senate, of course, the Sergeant at Arms has been instructed to exercise his duties.

The Chair now recognizes the Senator from South Dakota.

Mr. CASE. Mr. President, prior to the taking of the recess, I had indicated to the Senator from Idaho [Mr. WELKER] that I would yield to him for such questions as he might wish to direct to me. I now do so.

Mr. WELKER. Mr. President, at the outset, and with the consent of the distinguished junior Senator from South Dakota, again I wish to pay tribute to him for the very profound and honorable presentation of the facts, as he views them, in his address of last evening and again today.

Mr. CASE. I appreciate the generous remarks of the Senator from Idaho.

Mr. WELKER. If the Senator from South Dakota would be kind enough to do so, I should like to have him yield now to me, in order that I may ask him a few questions.

On page 30 of the report of the Select Committee on the Resolution of Censure—

May we have order, Mr. President?

The PRESIDING OFFICER. Let there be order in the Chamber.

Mr. KNOWLAND. Mr. President, will the Senator from South Dakota yield at this point, to permit me to make a brief statement?

Mr. CASE. I yield.

Mr. KNOWLAND. Mr. President, I have also suggested to the Sergeant at Arms of the Senate that all the visitors in the Capitol Building are, of course, here as guests of the Congress and of the Senate, which is in session. We are trying to accommodate as many of the visitors as the galleries can hold; and the galleries are full, as all Senators can see. I have suggested to the Sergeant at Arms that the visitors who are in the corridors, and who have not been able to get into the galleries, also be advised that they are the guests of the Senate and that the same rules apply to them, so that there will not be demonstrations of either approval or disapproval on the part of the guests in the corridors, as well as those in the galleries.

Mr. WELKER. Mr. President——

Mr. CASE. Mr. President, I yield now to the distinguished Senator from Idaho, who wishes to ask me some questions.

Mr. WELKER. Before questioning the distinguished Senator from South Dakota about the report on the resolution proposing to censure the junior Senator from Wisconsin [Mr. McCARTHY], let me say at the outset, as I have stated heretofore, that every member of the select committee is classed by me as my close personal friend. They are great Americans, and in my opinion they would not do anything derogatory to the Senate or to the Government of the United States.

With that preface, let me ask the Senator from South Dakota a question: I wish to refer to the rule set forth at the top of page 30 of the report, reading in part as follows:

> Any Senator has the right to question, criticize, differ from, or condemn an official action of the body of which he is a Member, or of the constituent committees which are working arms of the Senate in proper language. But he has no right to impugn the motives of individual Senators responsible for official action, nor to reflect upon their personal character for what official action they took.

Did the Senator from South Dakota or did the select committee consider the criticism leveled at the chairman of the permanent investigating subcommittee, the junior Senator from Wisconsin [Mr. McCARTHY], when he had been called a Hitler, a smear artist, and had been referred to in other language of a highly abusive nature?

Mr. CASE. My recollection is that the language to which the Senator from Idaho alludes was not used by any member of the Gillette-Hennings subcommittee.

Mr. WELKER. No. I think the Senator misunderstands me. This rule does not apply to the Gillette-Hennings subcommittee alone.

Mr. CASE. That is correct.

Mr. WELKER. The rule applies to every committee.

Mr. CASE. I was alluding to the reference which the Senator made to the use of the word "Hitlerlike," or some such expression, as being applied to the Senator who was the chairman of the Senate Permanent Subcommittee on Investigations. The select committee did take that into consideration with reference to the charges in category 4. The Senator from Idaho will find that in the discussion of the charges in category 4 the committee stated that it felt the reciprocal remarks which Senator McCARTHY used were provoked. I invite the attention of the Senator to the report, on page 46:

> The remarks of Senator McCARTHY concerning Senator FLANDERS were highly improper. The committee finds, however, that they were induced by Senator FLANDERS' conduct in respect to Senator McCARTHY in the Senate caucus room, and in delivering provocative speeches concerning Senator McCARTHY on the Senate floor.

So the select committee did take the language into consideration in that way.

Mr. WELKER. If the Senator will be kind enough to yield further, as he knows, I became a member of the Senate on the same day the able Senator from South Dakota, whom I am interrogating, became a Senator. He had served many years in the House of Representatives. I had no legislative experience in the Nation's Capital prior to coming to the Senate. So naturally I look to the precedents which have been established. I wish to know what has preceded. If I am mistaken in certain of my acts, I am sorry. I am wondering whether or not the select committee considered the remarks made by the junior Senator from Idaho, the speaker, when he resigned from the Gillette committee, and the public statement which he released to the world as subjecting him to censure. I quote:

> I have just received a copy of the telegram of resignation of a staff member, Jack Poorbaugh, who was appointed by the subcommittee. As you have been notified several times by me, I have felt this committee was being used as a political vehicle of the Democratic Party.
>
> I will have no more of this, and I will not attend the hearings that you have called in Washington for September 26. I beg of you that you grant a fair hearing to the complaints arising out of the Missouri primary.

By way of description, I think the entire committee will agree with me that many complaints came to our committee at that time about the Missouri primary, in which the present junior Senator from Missouri [Mr. SYMINGTON] was involved.

I quote further:

> I have been ready to go to St. Louis for weeks, and all we are confronted with are delays.
>
> I say again that the taxpayers of this Nation do not want their money spent in an attempt to hush up complaints on one side and smear candidates and officeholders on the other. I hand you my resignation from this subcommittee forthwith.

Did the select committee consider that statement, and am I subject to censure by virtue of that statement?

Mr. CASE. The Senator from South Dakota does not recall that that particular letter was brought to the attention of the committee. In any event, it was not a matter referred to the committee. In the appendix, which appears as part II of the printed hearings, there is an exhibit, No. 36, on page 94, which I have personally understood was the letter of resignation of the Senator from Idaho from the subcommittee. It is very brief. It is dated September 9, 1952, and is addressed to the Senator from Arizona [Mr. HAYDEN], chairman of the Committee on Rules and Administration. It reads as follows:

> DEAR SENATOR HAYDEN: I herewith submit this my resignation to the Committee on Privileges and Elections.
>
> Will you please take the necessary procedure to fill the vacancy?
>
> Very truly yours.

That was the only letter of resignation to which my attention was directed; and that was not a part of the matter referred to our committee.

Mr. WELKER. If my friend from South Dakota will yield further, I believe he is familiar with the fact—I think he told me so late yesterday evening—that I had discussed my resignation on the floor of the Senate on August 2, 1954.

Mr. CASE. I understand the Senator did. I do not know that I had the privilege of hearing him at that time.

Mr. WELKER. It was printed in the CONGRESSIONAL RECORD; and as my dear friend from Minnesota [Mr. THYE], who sits on my right, stated a few minutes ago, it is the duty of all the jurors to read the RECORD.

Mr. CASE. If the Senator from Idaho had been in any sense on trial, I would undoubtedly have read the RECORD thoroughly at the time; but there was no issue about it, and I do not recall having read the statement in detail.

Mr. WELKER. Mr. President, will the Senator further yield?

Mr. CASE. I am glad to yield.

Mr. WELKER. I think the select committee was ordered, by virtue of the resolution of the Senate, to seek out testimony and to subpena witnesses. Notwithstanding the fact that the committee had either express or constructive notice of my resignation, and the words used therein, I was not subpenaed before the select committee. That is a fair statement, is it not?

Mr. CASE. I have no knowledge that the Senator from Idaho was subpenaed. In fact, I think without a subpena, had the Senator from Idaho received word that the committee would like to hear him, he would have been there.

Mr. WELKER. I certainly appreciate that statement. I would have been.

I should like further to interrogate my distinguished friend from South Dakota with respect to whether or not the select committee considered certain matters which certainly interfered with the conduct and the dignity of the United States Senate. I am about to refer to a press release. I take it to be authentic. I was not here at the time. If it is not authentic, certainly it will be disproved. The press release is dated April, 4, 1947, and is from the Washington Post. If this be a true record of what happened, it is publicly stated to the world that "Senator MORSE says he will defend himself." Following that there is a picture of the Senator from Oregon and the late immortal Kenneth Wherry, loved and respected by every Member of this body who knew him. I quote:

> WATCHING WHERRY—SENATOR MORSE SAYS HE'LL DEFEND SELF
>
> Senator WAYNE L. MORSE, Republican, of Oregon, yesterday announced he was ready to "defend myself when assaulted," especially in any renewal of his near fist fight Wednesday night with Senator Kenneth S. Wherry, Republican, of Nebraska.
>
> "I am afraid that since the Senator from Nebraska had his picture published in a national magazine a few weeks ago wearing boxing gloves he is laboring under the delusion that the way to win arguments in the Senate is to try to beat up his colleagues," MORSE said in a formal statement explaining his part in the encounter.
>
> When confronted with it, Wherry, a robust habitué of the Senate gymnasium, said simply: "I have no comment."
>
> "However," MORSE went on, "neither his pugnaciousness nor his fits of temper will fill me with fear and trembling or cause me not to defend myself when assaulted."
>
> The 46-year-old Oregonian, terming himself a westerner who can't be pushed around

very easily even by a plainsman from Nebraska, was irked last night because Wherry, then presiding, gaveled the Senate to a recess without giving him a chance to make a speech about the pending business—the highly controversial nomination of David E. Lilienthal as Chairman of the Atomic Energy Commission.

MORSE GIVES VERSION

MORSE, in what he called a statement of facts, gave this version:

"At the close of the night session on April 2, following a motion of the Senator from Nebraska to recess while I was still in the midst of trying to explain my objections to a recess, the Senator from Connecticut, Mr. McMahon, came over to me as we were walking out of the Senate and expressed his regrets in not being able to secure permission from Mr. Wherry for me to obtain the floor for 10 minutes to discuss certain facts of the Lilienthal issue.

I dislike to take my friend's time. However, there are many of us who are young in service in the Senate. We do not know all the rules and precedents. I am asking my distinguished friend whether, if this press release is an accurate statement, the Senator from Oregon [Mr. MORSE] would be subject to censorship?

Mr. CASE. Mr. President, so far as the issue immediately before the Senate is concerned, I believe the question is not related, except to the extent the same principle may be involved. I did not detect in the reading of the dispatch by the Senator from Idaho anything which suggested a physical encounter having taken place between the two Senators on the floor of the Senate.

I believe the answer would be found—and this is my opinion about it—in the language to which I invited attention this morning. That language appears in the next to the last paragraph of the brief filed with the select committee by counsel for the junior Senator from Wisconsin:

> The test is always the same: Did the conduct obstruct or endanger the legislative process? This test is applicable to any offense upon which a censure resolution is predicated, whether it be a physical assault upon the person of a Member or whether it be language derogatory of a Member.

From what the Senator from Idaho has read I do not understand that the incident to which he referred consisted of any obstruction of the legislative process.

I might say parenthetically, remembering Kenneth Wherry with a great deal of affection, and having some knowledge of the physical stamina of the Senator from Oregon [Mr. MORSE], that had such an encounter occurred off the floor of the Senate, I should have liked to have been there to see it.

Mr. WELKER. I always say, "Beware of the little man." That is my advice. Did the committee consider the conduct which is referred to as a "near fist fight" as conduct that would tend to bring this body into disrepute?

Mr. CASE. I presume it would have if it had occurred on the floor of the Senate. I believe there are precedents relating to fistic encounters which have taken place on the floor of the Senate and on the floor of the House on several occasions.

Mr. WELKER. I shall be glad to go into that later on. I believe the junior Senator from Wisconsin was recommended to be censured for conduct not taking place on the floor of the Senate, but for certain letters which he had written many miles away.

Mr. CASE. But relating to official conduct.

Mr. WELKER. I would assume that if anyone were to knock the head off the Presiding Officer he would be interfering with the official business of the United States Senate.

Mr. CASE. Presumably he would be, if that took place, and I suspect that if such action occurred on the floor of the Senate, the Senate would take notice of it. Obviously the incident to which the Senator from Idaho has referred was not referred to our committee; nor was it brought to our attention as a precedent by omission.

Mr. WELKER. I should like to say to my distinguished colleague, if he will yield further, that I am not trying to abuse anyone. However, as I have said, many of us have come to the Senate in very recent years. I have come, perhaps, very close to violating rules of the Senate, and it may be that the select committee may feel that I have violated some rules. I asked that question a moment ago. However, I want all this to be a part of the debate for the benefit of those who may come after us, so they may be governed by it.

Mr. CASE. I may say to the very able Senator from Idaho, as a bit of consolation, that when I first came to Congress, I was assigned to a room in the old House Office Building which had been formerly occupied by a Democratic Representative from the State of Pennsylvania. He came into the office to pick up a few remaining books as I was moving in. He sat down and said: "Well, you are a young man, and I am an older man. I have been around here for 10 years. You happen to be a Republican and I happen to be a Democrat. However, everyone who comes here wants to succeed. If you do not mind, I want to give you just one bit of advice."

I told him I would be very appreciative if he would do so, and that I would be very glad to have his advice.

He then said, "This is the one piece of advice I want to give you. Do not be afraid to break a rule. That is the way you learn what the rules are."

Mr. WELKER. Yet those who break the rules are censured.

Mr. CASE. That depends on the nature of the rule.

Mr. WELKER. I see. Let me now refer to another rule with respect to the same subject matter. I remember very well the incident I am about to relate, because at the time I believe I was the acting minority leader, in place of the distinguished Senator from New Hampshire [Mr. BRIDGES], the present President pro tempore. I quote from a statement made by one of my closest and dearest friends, and I dislike to quote from him under these circumstances. He is a man with whom I engaged in debate on many occasions, and sometimes it was bitter debate. However, when he retired from the Senate—and I believe he will testify to this—I was and still am a very close and dear friend of his, as I know he is of mine.

I wish to know whether the select committee took into consideration the debate which occurred on March 10, 1952, as reported in the CONGRESSIONAL RECORD, volume 98, part II, pages 2037 to 2046; daily CONGRESSIONAL RECORD of March 10, 1952, pages 2062 to 2071, at page 2062.

By way of preface I should say that this was a bitter debate, in which the former senior Senator from the great State of Texas participated. At that time he was chairman of the Foreign Relations Committee, and his voice was heard all over the world.

Did the select committee take this language into consideration? I quote from the CONGRESSIONAL RECORD a statement of the then senior Senator from Texas, who had served with distinction in the Senate for a very long time, and, I may say, had served ably and honorably. Did the select committee take into consideration these remarks?

> Mr. CONNALLY. Mr. President, there is a small lizard called a chameleon, which changes his color according to the necessities of the occasion. There are chameleon politicians. I know one chameleon Senator who changes his color according to his surroundings and his necessities.

Mr. President, he was referring to the Honorable Robert A. Taft, now deceased, who, I know every Senator on both sides of the aisle will say was one of the greatest men who ever served in this body.

I quote now from page 2063 of the daily CONGRESSIONAL RECORD. There the distinguished former senior Senator from Texas, Mr. Connally, said that Senator Taft was "cravenly going around begging a few dirty, filthy votes." At that time, as we recall, the then senior Senator from Ohio, Mr. Taft, was campaigning for the Republican primary nomination for the Presidency of the United States.

Mr. CASE. Of course, Mr. President, I think the answer would be that I do not think the committee took that into consideration. It was not called to our attention. But, Mr. President, I do not know that I would regard that as a precedent, as the issue was not raised.

Let me say, very frankly, Mr. President, that the failure to exercise a right or the failure to enforce a rule does not destroy the right and does not destroy the rule. There is a rule of the Senate—as I recall it is rule XIX—which provides that a Senator who speaks ill of another Senator or of another State may be taken off his feet and made to take his seat. The customary procedure is for some Senator to move that he take his seat and then be permitted to proceed in order. I was not a Member of the Senate in 1947——

Mr. WELKER. I am not talking about 1947, but of an incident occuring in 1952.

Mr. CASE. In any event, I would say, although I think it is perhaps unnecessary for me to say it, that if the very able former Senator from Texas, to whom allusion has been made, uttered those remarks at that time, it was not his finest hour during his long service in the

Senate. I have heard him many times speak brilliantly, and I have a great admiration for his ability. I doubt if he is today particularly proud of those remarks. In any event, if they were not challenged at the time, but were passed over, I do not think the failure to invoke a rule or the failure to exercise a right would destroy either the rule or the right.

Mr. WELKER. If my distinguished colleague will yield for a further question, let me say that I have noted what the Senator has said about rule XIX. I think I know that rule, because I have resorted to it during the course of vicious debate to make a couple of my colleagues take their seats, which is not a pleasant thing to do. Rule XIX, subsection 2, merely permits a Senator to ask that another Senator sit down, and, uniformly, since I have been a Member of the Senate, and, I think for many years, the procedure has been that then, upon motion, the Senator is permitted to proceed in order. Certainly that rule is not so violent and vicious a rule as is one calling for the censure of a Senator, which I intend to argue at a later date and which is like a criminal action on the floor of the United States Senate, as I expect to prove. The Senator does not have to agree with me on the criminal proposition. I shall argue that as a matter of law.

Mr. CASE. I admit that a censure motion is a far more severe action than is a motion requiring a Senator to take his seat.

Mr. WELKER. I am sure my distinguished colleague, whom I know to be a fair and honorable man, certainly does not want any segment of the American people or the Senate of the United States to think that the select committee is segregating only one Senator to penalize.

Mr. CASE. The Senator from Idaho is eminently correct in that statement. But, of course, the select committee was appointed for a particular purpose, and I may say that the task was onerous and distasteful enough so that the select committee did not seek to go beyond the matters entrusted to it.

Mr. WELKER. If my colleague will yield further, since I have been a Member of the Senate I have been led to believe that the Senate of the United States governs itself in a pattern of tradition and precedent. As a matter of fact, on a ledge in the Senate Chamber there are two snuffboxes which are filled daily, or, at least, when they need to be filled—I do not think anyone uses them any more—by a deputy Sergeant at Arms. The snuffboxes represent tradition and precedent.

Did the select committee pay any attention whatsoever to the vicious statements made by my friend, the great former Senator from Texas, who is now in peaceful and happy retirement, when it considered this proposal to censure the junior Senator from Wisconsin?

Mr. CASE. Mr. President, the select committee did not initiate the charges involved in the matters referred to it. Obviously, we did not initiate others.

Mr. FLANDERS. Mr. President, will the Senator from Idaho yield for a moment?

Mr. WELKER. I yield.

Mr. FLANDERS. The Senator spoke of the snuff boxes——

Mr. WELKER. Mr. President, I shall be through in a moment. The Senator from Vermont can discuss the snuffboxes at that time.

Mr. CASE. Mr. President, if the Senator from Vermont wishes to tell us about the snuffboxes a little later, I shall be glad to yield to him at that time.

Mr. WELKER. Mr. President, I should like to say for the record that in the debate in which reference was made to the immortal Senator from Ohio in the manner I have indicated, not from afar, but from a seat on the opposite side of the aisle, by the distinguished former chairman of the Foreign Relations Committee, one of the deans of the Senate, one of the greatest Senators ever to be a Member of this body, on either side of the aisle, I had this to say:

> I hope I may never again sit on this floor and hear anyone, whether he be a Democrat, a New Dealer, a Fair Dealer, or a Republican, assailed in language such as I have heard this afternoon.

Mr. CASE. I would join in those sentiments.

Mr. WELKER. I appreciate the Senator's statement. I wish to make it eminently clear to my friend from South Dakota that I know the tremendous task and the arduous work which the select committee had to do. I am wondering why the staff did not do a little research on these matters. It could have found bushels of them happening in the past 4 years since I have been a Member of the Senate. What were they doing? Were they trying to seek only one side of the controversy?

Mr. CASE. I can assure the Senator from Idaho and all Members of the Senate that the staff worked very diligently into the late hours of the night and again in the early mornings. The labors of the staff were reflected somewhat in the material available before the committee at the hearings. If the junior Senator from Wisconsin or his counsel had felt we were remiss in not finding all the occasions on which a resolution of censure might have been proposed and was not proposed, the counsel for the Senator might have suggested that. But, in any event, I return to what I said earlier, that the failure of any Member of the Senate to rise to an opportunity to propose a resolution of censure or a reprimand of some sort does not, of course, destroy the right to exercise it at a later date.

Mr. WELKER. Does the Senator mean that someone can present a resolution of censure against the great former Senator from Texas who is now in peaceful retirement, which we hope will be long and happy?

Mr. CASE. I suppose a Senator can submit any resolution he wishes to offer. I do not think such a resolution would receive any consideration, because there would be no point in considering it.

Mr. WELKER. Mr. President, if the Senator from South Dakota will yield further, I should like to ask whether or not the staff of the committee considered the remarks made by a distinguished and able Senator from Maryland, Mr. Tydings, a man whom I have never had the honor of meeting, but who I understand is a man of profound ability, when he referred to the Senator from Indiana [Mr. JENNER], who sits at my right, and who will be here this evening. Apparently some harsh words were spoken between the two of them. The incident did not happen in Milwaukee or the north woods or appear in a press release. It occurred on the floor of the Senate, and is reported on July 20, 1950, in the CONGRESSIONAL RECORD, volume 96, part 8, page 10714. Senator Tydings said:

> But the Senator from Indiana was worried about the company I was in. Well, I found that the junior Senator from Indiana is in company that I never associate with. I find that Joe Stalin and the Daily Worker and the Senator all vote the same way. I am really going to read the record, because I do not want this little side issue to go unnoticed, particularly when the Senator was so kind while I was working and carrying on two jobs at once, to take care of me during my absence.

I take it that the junior Senator from South Dakota or the staff of the committee did not have time to find that.

Mr. CASE. May I ask the Senator from Idaho, was any resolution of censure offered or predicated upon the incident to which the Senator from Idaho has referred?

Mr. WELKER. That is the exact point about which I desired the Senator from South Dakota to interrogate me. There are many persons who feel that one particular Senator has been brought into the limelight of censure. Since a resolution of censure has been submitted only four times in the history of our country, I wish to dispel any idea that perhaps one person was picked out, although perhaps others, including the junior Senator from Idaho, the present speaker, and other Senators whom I observe seated about me, are equally guilty.

I am certain that the select committee does not wish to have such an inference drawn; but when there is a record of resolutions of censure being submitted only four times in the history of the country, it is a rather logical conclusion, I believe, which people can talk about, that perhaps a controversial Senator was, in fact, cited on charges, when other Senators who have acted in the same way, have had no complaint made against them.

Mr. CASE. Will the Senator from Idaho advise me whether or not a resolution of censure was predicated upon the incident to which he has just referred?

Mr. WELKER. No. The Senator knows, as well as I do, that in the entire history of the Senate only three were introduced prior to this one. I expect to go into this subject at length in what I think will be a legal brief, to try to show to my distinguished colleagues that the select committee did not follow precedents and did not follow the law. But I shall not go into that part of the question now.

Mr. CASE. No precedent was created unless an issue was raised.

Mr. WELKER. What does the Senator mean?

Mr. CASE. No precedent was created, so far as a decision, ruling, or action of the Senate was concerned, unless the issue was raised or unless the point was challenged. That is how a precedent is established.

The staff investigated instances in which the Senate or a committee had taken cognizance of a situation. But certainly the junior Senator from Idaho, judicial-minded and fair as he is, does not wish to give the impression that the select committee had anything whatsoever to do with initiating this particular resolution.

Mr. WELKER. I certainly know that, and I do not desire such an inference to be drawn at all.

Would the Senator from South Dakota mind telling me who it is on his left with whom he is talking? I have not met the gentleman.

Mr. CASE. The gentleman to my left is Mr. Guy G. de Furia, assistant counsel to the select committee.

Mr. WELKER. Very well.

The Senator from South Dakota says that since the issue was not raised no precedent was set. I will ask him if it is not true that the first two precedents in the history of our country were based upon violent, vicious language, and a fist fight, and one, if I remember correctly, involved a gun fight. Certainly there was the issue of violent, vicious language, and that set a precedent.

Mr. CASE. I think the Senator from Idaho is correct.

Mr. WELKER. I think a person can be hurt just as much by violent, abusive language as he can by having pulled on him a 3-inch pocketknife, even though there be no intention of using the knife.

Mr. CASE. We are agreed on that.

Mr. WELKER. I recall another incident, which does not have to do with the precedents set by the legislative body. As I recall, on March 17, when some committee—perhaps it was the committee of which the distinguished senior Senator from Indiana [Mr. CAPEHART] is chairman—brought out the fact that Maj. Gen. Roderick Allen had used some Government lumber with which to have built for him a doghouse, the very able and distinguished President of the United States said that General Allen ought to live in the doghouse. That is not a precedent for the Senate. But, in my humble opinion, we should realize that we do not live in glass houses when we undertake to make rules only for 96 Senators. In these days, through the press, radio, and television, the American people whom we represent acquire knowledge of statements made by everyone in public office, including Senators and Representatives, and by many persons in private life.

The PRESIDING OFFICER. The Chair must rule that the Senator from South Dakota has yielded only for a question, as the Chair understands.

Mr. CASE. I have no desire to cut off the Senator from Idaho. I would not want to lose the floor by permitting him to make comments, if the rule on yielding only for a question is to be enforced. If that rule is to be enforced, I shall have to insist that the Senator from Idaho confine himself to asking questions.

Mr. WELKER. I am sorry to have digressed. I was trying to make my statement in the form of a question. I am sorry if I am subject to censure.

Did the distinguished Senator from North Dakota observe in the committee hearings——

Mr. CASE. Let us correct that—South Dakota, please.

Mr. WELKER. I am sorry. Can the Senator from South Dakota say whether the committee, when they were deliberating upon what brought disrepute to the Senate of the United States, consider filibusters, which require sitting during long and unusual hours of the night, and of which many persons disapprove? I do not suppose that subject was considered by the select committee. Certainly no resolution of censure was recommended on that matter; but any one who goes back into history will find that some lengthy debates have taken place, which certainly must have brought the Senate of the United States into disrepute.

Mr. CASE. That may be, but I think the question of filibuster involves precedents in quite another field. I do not know that a filibuster would be covered by any rule or precedent related to the immediate issue before the Senate.

Mr. WELKER. I believe that sometimes a filibuster has been called merely a lengthy debate; but I am certain that the Senator from South Dakota and I are agreed that filibusters in the Senate are not infrequent.

If I understand the argument of the distinguished Senator from South Dakota correctly, he dissented from the other members of the select committee with respect to the matter of the use of confidential or secret information.

Mr. CASE. Let me put it this way—with respect to the categories relating to classification or solicitation, or alleged solicitation of classified documents, and their alleged misuse, the Senator from South Dakota very firmly, so far as he was concerned, was opposed to a recommendation of censure. For the reasons which I set forth rather definitely in my remarks earlier during the day, the committee did not recommend censure on either of those points. I was not alone in that position—my reasons or grounds may not have been exactly those of others.

Mr. WELKER. For what I am about to say, I perhaps should apologize to the Senate, though I do not know why I should, because the Senator to whom I am about to refer is one of my dearest, closest friends, not only in the political field, even though we are of opposite political faiths, but also personally, on and off the floor of the Senate; and our wives are mutually fond of each other. I speak with respect to the publicity received by the distinguished senior Senator from Colorado [Mr. JOHNSON], who was a member of the select committee, when it was alleged that he had released for the first time some information with respect to the atomic bomb. He made the statement, which was published in the Washington Star, I believe, that he was tired of sitting on committees and having confidential information imparted to him in secret, and marked secret, only to read it in certain newspaper items and columns throughout the land. Did the Senator hear that statement discussed by the staff or the committee?

Mr. CASE. No; I did not hear it discussed by the staff or the committee. So far as that is concerned, I might say that I have shared that feeling, and I think most Members of Congress at one time or another have felt a certain sense of frustration when they have read in the newspapers information which had been imparted to them as classified or secret.

Mr. WELKER. Mr. President, I shall conclude after I ask a few more questions.

Did the Senator from South Dakota, the select committee, and the staff, in their deliberations with respect to the Zwicker incident, have brought to their attention anything having to do with the cross-examination of, not a brigadier general but a lieutenant general, of the United States Army in the Foreign Relations Committee when the St. Lawrence Seaway question was being discussed?

Mr. CASE. Not that I know of.

Mr. WELKER. Once again I should like to say, if the Senator from South Dakota will yield for an observation——

Mr. CASE. I yield, if I do not lose the floor.

Mr. WELKER. I have nothing derogatory to say about the former Senator to whom I am about to refer. I have been engaged in trial work for a long time. I know how difficult it is to cross examine effectively. It is the hardest part of any work connected with the practice of law. I desire to have the members of the select committee understand that, to my knowledge, the junior Senator from Wisconsin does not even know of any of the questions I have propounded to the Senator from South Dakota today. They have in no way been fed to me. I have drawn up these questions as a result of my own research.

With that preface, I now refer to pages 485 and 486 of the hearings of a Senate committee, found in the Senate library, volume 1006, 1952, part 4, pages 486, 487, and 489. The following colloquy took place:

The CHAIRMAN—

I am referring to the able and distinguished chairman of the Foreign Relations Committee at that time, the retired and great Senator from Texas, Senator Connally—

Do you think the United States is in danger of becoming a secondary Nation?

General PICK. Yes, sir.

The CHAIRMAN. You do?

General PICK. Yes, sir.

The CHAIRMAN. You are Chief of Engineers and a lieutenant general in the Army?

General PICK. Yes, sir.

The CHAIRMAN. You think we are on the skids and we will be a secondary Nation if we do not do what you say to do.

By way of digression, I should like to say that General Pick felt that we should build the St. Lawrence Seaway.

General PICK. I think that we will become a secondary Nation, sir, because I am convinced that we must go to the world markets for many of our basic commodities.

The CHAIRMAN. I am astounded that a man who has been honored as you have been, a lieutenant general in the United States Army, takes the position that unless we adopt the St. Lawrence Seaway we are going to become a secondary nation. I am amazed and astounded that any patriotic American would express any such sentiments as we hear in this committee.

General PICK. I didn't say that the United States would become a secondary nation if you didn't adopt the St. Lawrence Seaway.

The CHAIRMAN. What did you mean, then?

General PICK. I said that the United States was in the world market for basic materials—iron ore, tin, lead, zinc, copper, cobalt and many others including petroleum products, and we must go abroad to get those.

The CHAIRMAN. You said we were going to become a secondary nation. What do you base that on? You know, if you know anything, that this Nation now is the strongest, the richest, and the greatest nation on earth, and here you are letting it go out to the people of the United States that a lieutenant general says we are in danger of becoming a secondary nation. I am amazed and astounded that any man who wears the uniform of the United States should utter sentiments of that kind.

I should like to ask if my friend, the Senator from South Dakota, the select committee, or the staff, had that colloquy brought to their attention?

Mr. CASE. No, we did not, although I may say I recall a report of the incident at the time. I do not think the case is on all fours with the question presently before the Senate, but, even if it were, if that case had been brought to the attention of the Senate, with a proposal of censure action, the Senate, of course, would have passed on the question at the time. Had the Senate acted or refused to act when the issue had been raised, then a precedent might have been created. No one knows what the Senate would have done, although my own position is that for a Senator to say he is astounded by the position of a particular person is not on all fours with saying that a general is not fit to wear the uniform of a general.

Mr. WELKER. It is a fact, is it not, that the Senator from South Dakota has not quoted the entire testimony, and that he is taking merely a bit of it out of context?

Mr. CASE. I would not want to try to quote the testimony, since the language is not before me.

Mr. WELKER. Is it not a fact that the Senate is being asked to censure the junior Senator from Wisconsin because, in effect, he said that any general who would protect a fifth-amendment Communist does not deserve to wear the uniform of the United States Army? Perhaps my recollection is not entirely accurate.

Mr. CASE. I think the Senator from Idaho has been more accurate in his recollection of what was said than I have been. However, if we are going to take the complete statement, then we would have to go back and recite the hypothetical question which had been addressed to General Zwicker by the chairman of the committee, and that hypothetical question, based in turn upon the discharge order, involved, in my personal opinion, a demand, or what was the equivalent of a demand, that General Zwicker say that his superior officer, the general who had issued the order for discharge in the Peress case, an order which he, Zwicker, was to carry out, should be separated from the military service.

Mr. WELKER. If the Senator will yield to me, so that I may put the exact language in the RECORD, I should like to do so, because I have been relying on my memory——

Mr. CASE. I thought the Senator did very well.

Mr. WELKER. I now read from page 54 of the report of the select committee, wherein there is contained a portion of the transcript of the hearings, in which Senator MCCARTHY is quoted as having said to General Zwicker:

> Then, General, you should be removed from any command. Any man who has been given the honor of being promoted to general and who says "I will protect another general who protected Communists," is not fit to wear that uniform, General.

If the Presiding Officer and my distinguished colleague, the Senator from South Dakota, will permit me, I should like to observe, as the distinguished Senator from Maryland [Mr. BUTLER] stated yesterday, I do not believe, had I been the cross-examiner, I would have used the language which I have quoted. On the other hand, by the same token, the junior Senator from Wisconsin no doubt would not have used the same language I would have used in my own interrogation.

But the Senator from South Dakota will agree with me, will he not, that the criticism of the lieutenant general before the Foreign Relations Committee was based upon the fact that the cross-examiner became irked at a man who was in the service of his country, and the cross-examiner in the Zwicker case became irked and used the language which has been brought to the attention of the Senate because he thought the officer should tell the truth about one of his superiors who protected a man the cross-examiner felt to be a Communist? Is that a correct assumption?

Mr. CASE. The Senator's hypothesis is a little involved; and I would not wish to subscribe to so replete a hypothesis or résumé, in view of all the matters it involves. If it is intended to cover the second section of the resolution, which deals with the Zwicker matter, I wish to go into that matter later. I have not discussed it today.

Mr. WELKER. Mr. President, the Senator from South Dakota has been more than courteous and generous in yielding to me, and I have taken a great deal of his time.

In closing, I wish to have the record straight, insofar as my individual research is concerned.

Mr. CASE. Mr. President, I have appreciated the questions which have been asked by the Senator from Idaho, and I desire to compliment him upon the evident study of the subject he has made. I wish all other Senators might accomplish the study of the question which the distinguished Senator from Idaho has done.

Mr. WELKER. Mr. President, if the Senator from South Dakota will yield further, I shall close by making a brief observation.

Mr. CASE. I yield.

Mr. WELKER. I wish to say to the Senator from South Dakota and to the other Members of the Senate that whatever I do in this case is not based upon my personal friendship for the junior Senator from Wisconsin, that being purely coincidental. But all the research I have made, whether it be good or bad, is based upon my interest in the generations of Americans who are to follow us and the precedents we shall establish, inasmuch as they will affect the future of our country and will apply after we have gone.

Later on, I shall desire to go at length into other matters in connection with this case.

Again I desire to pay my profound respects to my distinguished friend, the able Senator from South Dakota.

Mr. CASE. I thank the Senator from Idaho.

Mr. CAPEHART. Mr. President, will the Senator from South Dakota yield to me for a question?

Mr. CASE. I yield to the Senator from Indiana.

Mr. CAPEHART. Without regard to whether the junior Senator from Wisconsin should or should not have made the remarks he did make about General Zwicker, did the committee consider whether, even to this day, the Army has told the investigative committee or any other committee who it was who ordered the promotion and honorable discharge of Major Peress? I refer to his promotion from captain to major. Did the committee make any effort to ascertain who ordered his promotion and who ordered his honorable discharge?

Mr. CASE. Collaterally, yes.

Mr. CAPEHART. What was the result?

Mr. CASE. I may say the committee has not completed some of its work in that category.

I may also say that during the Peress hearing there was presented to the junior Senator from Wisconsin a letter from Secretary Stevens, which indicated that the decision to discharge Major Peress was made on a finding by the Judge Advocate General. That was elaborated upon at some length, as I think the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL], the chairman of the Committee on Armed Services, will recall, when Secretary Wilson was before the Committee on Armed Services. The testimony of Secretary Wilson, the head of the Defense Department, at that time was that the Judge Advocate General felt there was no tenable ground under the regulations which were in effect at the time when the Peress case arose, for any other discharge than an honorable one, and that the Department of Defense, for that reason, was changing and had changed some of its procedures, so that such a case could not arise again. In fact, it recommended some legislation, which the committee

reported, and which the Congress passed, designed to correct and prevent such instances in the future.

Let me say here that that was one of the things I had in mind the other day when I said I applauded the junior Senator from Wisconsin for his efforts and for some dramatic results. I think one of the dramatic results growing out of his work was the improvement of some of the procedures of the Army in dealing with cases of that kind.

Mr. CAPEHART. Did the committee establish the fact that General Zwicker and the Army knew that Peress had hidden behind the fifth amendment, when he was asked by Senator McCARTHY's committee whether he, Peress, was or had been a Communist? Did the select committee establish the fact that they knew it?

Mr. CASE. We did not establish the fact that General Zwicker knew of his own knowledge that Peress was a so-called fifth-amendment Communist before the McCarthy committee. In that instance we relied upon the testimony which General Zwicker gave before the Subcommittee on Investigations. As nearly as I recall—and if I am not correct about this, I hope some other Member will correct me—General Zwicker indicated he had read certain things in the newspapers or had heard certain things on the radio, but that when it came to answering a question which involved the reflecting of information which was in the restricted files, he declined to answer.

Mr. CAPEHART. Did the Senator from South Dakota or the select committee establish the fact that Peress did appear before the so-called McCarthy committee and did refuse to answer?

Mr. CASE. Oh, we accepted that. I believe that in the hearings the Senator from Indiana will find a portion of the testimony before the McCarthy committee.

Mr. CAPEHART. Did the Senator from South Dakota or his committee establish it as a fact?

Mr. CASE. We accepted it as a fact, on the basis of the testimony before the McCarthy committee.

Mr. CAPEHART. Was the committee able to ascertain who in the Army ordered Major Peress promoted and who ordered him honorably discharged?

Mr. CASE. The question before our committee was not one of determining who ordered the discharge or who ordered the promotion or who prescribed the regulation under which the promotion occurred. The matter referred to us was the propriety of the remarks of the junior Senator from Wisconsin with reference to General Zwicker. Our job was not to redo the work of the Subcommittee on Investigations.

Mr. CAPEHART. Did the Senator from South Dakota make any effort to establish whether General Zwicker did or did not know who ordered him to give Peress an honorable discharge or to promote him; and did he know that of his own knowledge, when he appeared before the McCarthy committee in executive session?

Mr. CASE. Mr. President, I have in my hand an order signed by R. C. McDaniel, Adjutant General, by order of the Secretary of the Army, dated January 18, 1954, the subject of which is, Relief From Active Duty and Separation From the Service. It is directed to the commanding general, First Army; and it is the order of discharge for Major Peress. It appears in the printed record, at page 454 of part I.

Mr. CAPEHART. My question is, Did the Senator from South Dakota ascertain from General Zwicker who ordered him to promote or to discharge Major Peress?

Mr. CASE. I think General Zwicker submitted to the junior Senator from Wisconsin a copy of the order, at the time.

Mr. CAPEHART. It was a general order, was it not?

Mr. CASE. No; it was a specific order relating to Maj. Irving Peress.

Mr. CAPEHART. I am trying to find out—and I think the American people are vitally interested in it—who in the Army ordered the promotion of Major Peress and who ordered his honorable discharge.

Mr. CASE. It was someone——

Mr. CAPEHART. The Zwicker incident, as I understand, is what started the so-called Army-McCarthy hearings. Major Peress was, as I understand, an alleged Communist, and refused to testify before the McCarthy committee, and hid behind the fifth amendment. But after that date he was given an honorable discharge. Who was it who gave it to him, and was he compelled to give it to him under the law? Was there no choice? Was he compelled to do it under the law?

Mr. CASE. General Zwicker had no choice. He had the direct order to issue the discharge not later than 90 days from receipt of the order.

Mr. CAPEHART. Is it not a fact——

Mr. CASE. The order further provided:

2. Individual or extract orders will be issued by direction of the President citing section 4 (b), Public Law 84, 83d Congress, as amended. Relief from active duty and discharge will be effective upon expiration of authorized rail travel time from place of separation to home of record. Orders directing issuance of DD Form 214 and DD Form 256A will provide for payment of mileage and lump-sum payment for unused leave.

3. Separation forms will be completed and forwarded via registered mail to officer after his separation (SR 135–175–5).

4. All commissions held by him will be terminated on effective date of discharge and he will not be tendered a reappointment in the USAR except by authority of the Department of the Army. Two copies of separation orders will be furnished to the Adjutant General, Department of the Army, Attention: AGPO–SC in addition to distribution required by SR 310–110–1 and SR 135–175–5.

5. Officer will not be separated prior to determination that he is physically qualified for separation by your headquarters. A prompt report will be made to this office in the event action cannot be taken without undue delay.

By order of the Secretary of the Army:

R. C. McDANIEL,
Adjutant General.

In any event, it was a superior of General Zwicker's, and I think General Zwicker had no choice in the matter.

Mr. CAPEHART. He had no choice in the matter. Does the Senator know why he refused to tell the McCarthy committee on that day who it was who ordered him to discharge Peress, and who it was who gave him the promotion?

Mr. CASE. He had supplied a copy of the order in the hearings.

Mr. CAPEHART. Prior to that time?

Mr. CASE. Prior to the incident which occurred; yes.

Mr. McCARTHY. Mr. President, may I interrupt at this point?

Mr. CAPEHART. I do not have the floor, but I should like to have this question straightened out.

Mr. CASE. I yield to the junior Senator from Wisconsin.

Mr. McCARTHY. I ask the Senator to yield only for the purpose of answering that question.

General Zwicker appeared before the committee. He was asked if he knew who was responsible for the honorable discharge. It is all a matter of record. He said "No." He was asked whether he was interested. He said "No." He was asked whether he tried to find out who was responsible. He said "No." He was asked—if I may give further information on the subject in answer to the question, because I have been very close to this subject—whether or not, if Peress were guilty of some minor misdemeanor such as stealing a few dollars, he could have held up his discharge. He said yes, he not only could, but would. After cross examination, he first denied and finally admitted that he knew that this man was a fifth-amendment Communist. I intend to go into that subject later in questioning the Senator from South Dakota.

Mr. CASE. First of all, let me say that according to my understanding of the parliamentary situation, the second amendment to the resolution is not pending before the Senate at this time. The pending question is the amendment to section 1 of the resolution, and that has to do with the category of charges involving abuse of committees or members of committees. The whole Zwicker matter is involved in the second amendment. If we reach that subject at some stage in our deliberations, I think members of the committee will discuss it in some detail. However, lest there be some misunderstanding based upon the review which the junior Senator from Wisconsin has made, and which is implicit in the questions asked by the Senator from Indiana, let me simply say at this time that I think the full story will disclose several phases of the matter; and while I think what the junior Senator from Wisconsin has said is correct, so far as it goes, there are some other aspects which bear upon the question. For example—and I mention only one example—it is my recollection that in the testimony of General Zwicker it developed that he had been in communication with the First Army in New York and had indicated that he was not enthusiastic about having a suspected Communist in his command; and furthermore, that at the outset of the whole matter it was General Zwicker who supplied an investigator for Senator McCARTHY's committee with the name of

Peress, and who identified the major who was under suspicion. But again, I readily concede that what I have just stated represents only fragments of the whole story; and so far as I am concerned, I prefer not to go into the Zwicker matter in any detail at this time. It it not before the Senate, under the pending amendment.

Mr. CAPEHART. Is it one of the grounds for censure?

Mr. CASE. Let me invite the attention of the very able Senator from Indiana to the fact that the Flanders resolution as it is before the Senate embodies two amendments proposed by the committee. The first amendment, the one now pending, deals with the alleged derogatory remarks with reference to a committee or members of the committee. Until that amendment is disposed of, the second amendment, dealing with the Zwicker matter, is not pending.

Mr. CAPEHART. It is not pending, but I see no reason why we should not discuss it.

Mr. CASE. That may be, but I am not prepared to go into it in any detail at this time.

Mr. CAPEHART. We will go into it later.

I wish to say this——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Indiana?

Mr. CASE. I yield for a question.

Mr. CAPEHART. I will put it in the form of a question if I must.

Does not the Senator believe that the American people are very much concerned about who it was who ordered this officer honorably discharged, and who it was who gave him a promotion after it had been definitely established that he was an alleged Communist, and that he had refused before a committee of the United States Congress to answer the question as to whether he was or was not, or ever had been, connected with a communistic organization?

Mr. CASE. I will say to the Senator from Indiana that I am interested, and I think the American people are interested.

Mr. CAPEHART. I knew the able Senator was, and I think every other Senator is interested in it.

Mr. CASE. But I must remind the Senator that that particular inquiry was not referred to our committee. It is within the province of the committee of the junior Senator from Wisconsin; and if collaterally we can develop any helpful information by reason of any inquiries he may have set in motion, I assure the Senator from Indiana and the junior Senator from Wisconsin that such information as we may collaterally develop, either as a committee or as individual Senators, will be made available.

Mr. CAPEHART. Mr. President, will the Senator yield for a further question?

Mr. CASE. I yield.

Mr. CAPEHART. I wonder what the committee did with respect to certain testimony. I read now from General Zwicker's testimony, when he was asked about the matter we have been discussing, as to who ordered the promotion and who ordered the honorable discharge. He said:

> I respectfully decline to answer, Mr. Chairman, on the grounds of the directive, Presidential directive, which, in my interpretation, will not permit me to answer that question.

That directive was issued by President Truman many months ago. That was what prompted the junior Senator from Wisconsin to make the statement which he made later, if I correctly understand. He was unable to find out who ordered these things, which I shall not repeat. My question is, Is the committee or the Senate going to find out who ordered the honorable discharge, and are we entitled to know?

Mr. CASE. I think that is a question which might well be pursued. It is not a question which was within the responsibility of this committee. The Senator began his question by asking whether the committee did anything about the situation in which General Zwicker declined to answer something because of a Presidential directive. My answer to that part of the question is "Yes"; and I invite the attention of the Senator to page 39 of the report, wherein the committee made a recommendation under the heading of "Conclusions." While it appears under category 2, it has a broader application than category 2. The conclusion to which I invite the Senator's attention reads as follows:

> The committee recommends that the leadership of the Senate endeavor to arrange a meeting of the chairman and the ranking minority members of the standing committees of the Senate with responsible departmental heads in the executive branch of the Government in an effort to clarify the mechanisms for obtaining such restricted information as Senate committees would find helpful in carrying out their duly authorized functions and responsibilities.

Mr. CAPEHART. I have one other question, if the Senator will yield.

Mr. CASE. I have stated that some other members of the select committee had much to do with certain phases of the report. For the particular paragraph which has been read, I am willing to accept responsibility.

I wish to say to the Members of the Senate, as I stated to the members of the select committee, I believe that one of the constructive results that might well come out of this wholly unhappy affair is an improvement in the mechanisms by which the Senate may obtain information for Members of the Senate, or for its committees, or for the Senate as a whole, when we feel that such information might be useful in dealing with questions upon which we are called upon to legislate.

The House of Representatives has one special procedure under which I believe it has a distinct advantage over the Senate. There is a practice in the House of Representatives providing for a resolution of inquiry which has been long established in the history of the British House of Commons. It is a practice under which any Member of the House of Representatives may require consideration of a resolution asking for specific information from the executive branch of the Government.

Under the rules of the House, as I recall, any Member may introduce such a resolution of inquiry. No matter how humble a Member of the House he may be, the resolution must be reported back to the House within 7 days, or the Member, as a matter of right and privilege, may demand consideration of it.

The resolution of inquiry in the House of Representatives can call upon the executive branch of the Government to supply the House with such information as is consistent with the security of the United States, and can spell out in detail the information that is desired.

While it is true that a majority of the House, if it sees fit to do so, can move to table such a resolution, the fact remains that the humblest Member of the House of Representatives may introduce such a resolution of inquiry, and as a matter of right can get it considered by that body.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. CASE. In a moment I shall be happy to yield.

So I say that I believe one of the constructive results that may come out of this unhappy situation is what I have suggested, namely, that the majority leader and the minority leader might undertake to take some such step as is recommended in the paragraph which has been read, namely, arrange a meeting of the chairmen and the ranking minority members of the standing committees of the Senate with the responsible department heads in the executive branch of the Government, in an effort to clarify and improve the mechanisms for getting such restricted information as the Senate committees would find helpful in carrying out their duly authorized functions and responsibilities.

That suggestion was prompted partly by the fact that during our consideration of the matters before the committee, counsel for the committee, Mr. Chadwick, who perhaps has not been given as much recognition for his fine services to the committee as he is entitled to receive, called the attention of the committee to the fact that in all of the Presidential directives, whether they were directives issued by President Truman, or modifications or changes issued by President Eisenhower, there is provided an escape clause, a procedure, deficient though it might be, by which we might ask for information.

I am also aware of the fact that in some of the matters that were brought to our attention by Mr. Williams, the very able counsel for the junior Senator from Wisconsin, as well as a matter upon which the Vice President spoke when he was a Member of the House of Representatives, and in other instances of that character, there have been special resolutions or motions asking for information.

It is the feeling of the committee and it is my feeling that to the extent these directives in themselves provide a mechanism for obtaining restricted information, they ought to be utilized. However, it was also my feeling, and I believe the feeling of the committee, that existing mechanisms are deficient and inadequate. Therefore the committee included in its recommendations the

paragraph to which I have invited attention.

I thank the distinguished Senator from Indiana for raising that point, because heretofore that particular matter has not been referred to in our deliberations. I am glad he has given us this opportunity to discuss it.

Mr. CAPEHART. Mr. President, will the Senator yield for another question?

Mr. CASE. I am glad to yield for a question.

Mr. CAPEHART. Did the committee give consideration to the fact that this individual, Peress, did appear before the McCarthy committee, and that he had refused to answer the question as to whether he was or was not a Communist, and hid behind the fifth amendment; that later General Zwicker, who discharged Peress—at least General Zwicker was the immediate commander——

Mr. CASE. He was in command of the separation center. He was discharging thousands.

Mr. CAPEHART. Peress was then given an honorable discharge, and he was given a promotion. Did the committee take into consideration that possibly any human being, having had such a man before him, who refused to say whether he was or was not a Communist, and then at a later date, but not too late a date, had before him a brigadier general who, when asked who had ordered him to promote Peress and who had ordered him to give Peress an honorable discharge, refused to answer that question, might have been provoked, or lost his temper? Did the committee take that into consideration?

Mr. CASE. I see my colleague the Senator from Kansas [Mr. CARLSON] on his feet. Perhaps he has a contribution to make on this point.

Mr. CARLSON. If the Senator from South Dakota will yield, in view of the questions asked by the distinguished Senator from Indiana, I believe the RECORD ought to be made clear as to General Zwicker's position in the Peress case. I shall quote from page 507 of the hearings. General Zwicker had been on the stand before our committee, under very spirited and good questioning by the distinguished counsel, Mr. Williams. At the bottom of page 507 our chairman, the distinguished Senator from Utah [Mr. WATKINS], stated:

> The CHAIRMAN. In fairness to you, probably we ought to bring to the attention now of the committee this testimony appearing on page 146:
>
> "Mr. COHN. Now, General, would you like to be able to tell us exactly what happened in that case, and what steps you took and others took, down at Kilmer to take action against Peress a long time before action was finally forced by the committee?
>
> "General ZWICKER. That is a toughie."
>
> Do you find it?
>
> General ZWICKER. Yes, sir; I do.
>
> The CHAIRMAN. To continue:
>
> "Mr. COHN. All I am asking you now is if you could, if you were at liberty to do so, would you like to be in a position to tell us that story?
>
> "General ZWICKER. Well, may I say that if I were in a position to do so, I would be perfectly glad to give the committee any information that they desired.
>
> "Mr. COHN. You certainly feel that that information would not reflect unfavorably on you; is that correct?
>
> "General ZWICKER. Definitely not.
>
> "Mr. COHN. And would not reflect unfavorably on a number of other people at Kilmer and the First Army?
>
> "General ZWICKER. Definitely not.
>
> "The CHAIRMAN. It would reflect unfavorably on some of them, of course.
>
> "General ZWICKER. That I can't answer, sir. I don't know."

I thought that ought to be made a part of the RECORD, to show the general's attitude.

Mr. CAPEHART. I should like to read from page 154 of the hearings before the Permanent Subcommittee on Investigations on Senate Resolution 189:

> The CHAIRMAN—
>
> That refers to the junior Senator from Wisconsin [Mr. MCCARTHY]—
>
> The CHAIRMAN. Have you tried to find out who is responsible?

He meant who was responsible for ordering an honorable discharge for Peress.

> General ZWICKER. Who signed this order?
>
> The CHAIRMAN. Who was responsible for the order?
>
> General ZWICKER. No, sir; I have not.
>
> The CHAIRMAN. Are you curious?
>
> General ZWICKER. Frankly, no.

Would that not provoke the Senator from South Dakota or any other Senator, knowing that this man Peress was an alleged Communist and that he had refused to say whether he was or was not a Communist, and was hiding behind the fifth amendment?

Mr. CASE. Mr. President, again I think we have taken a single exchange out of a long story. I believe that when the time comes to give consideration to the Zwicker matter, Senators should read the entire exchange in the Peress hearings, starting with the time when the junior Senator from Wisconsin, as chairman of the subcommittee, addressed himself to John Adams, who was counsel for the Secretary of the Army, and following clear on through the testimony, in order to get the full story. The fact is, as the Senator from Indiana must be aware, there is such a thing as insubordination in the Army. If a man in the Army receives an order, it is not exactly up to him to determine who somewhere back up the line initiated the order, and for the person who receives the order to be put in a position of being required to say that the man who initiated the order ought to be separated from the military service, places him directly in such a situation that he would be liable to court-martial for insubordination.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. CASE. I want to yield fully, but I hope the Senator will permit me to make a reasonable amount of comment.

I have made my comment.

Mr. CAPEHART. The question is, Has the Senator's committee or any committee of this body made any effort to find out or has it been able to find out who it was who ordered this officer promoted and given an honorable discharge? I am not being critical of the Senator from South Dakota or of any other member of the committee.

Mr. CASE. I do not think that was the responsibility of the committee. That matter was not referred to. But within my knowledge the Secretary of the Defense Department indicated to the Committee on Armed Services that it was the decision of the Judge Advocate General that there was no basis on which they could court-martial Peress successfully, and that led to the discharge.

Mr. CAPEHART. In other words, they felt that under the law they had no choice?

Mr. CASE. Under the application of the regulations and law applicable at the time that Peress came in.

Mr. MCCARTHY. Mr. President, may I interrupt the Senator from Indiana?

Mr. CAPEHART. I do not have the floor.

Mr. MCCARTHY. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I yield.

Mr. MCCARTHY. Section 1001 of the Criminal Code provides that a person who gives false information to a Federal agency, such as Peress gave, is subject to criminal prosecution and penalty up to 5 years. Significantly, the regulations provide that unless the penalty is more than 5 years the Army loses jurisdiction when a man is discharged. That is one of the things that irritated me a great deal. Does the Senator follow me?

Mr. CASE. I do follow the Senator.

Mr. MCCARTHY. Let me repeat, if I may. Section 1001——

The PRESIDING OFFICER. If the Chair may interrupt at this point, does the Senator from South Dakota yield to the Senator from Wisconsin for the purpose of making a statement?

Mr. CASE. I do, Mr. President, with the reservation that I shall not lose the floor. I ask unanimous consent that I may yield to the Senator from Wisconsin for that purpose.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCARTHY. Mr. President, let me point out that section 1001 of the Criminal Code provides that where a man gives false information, such as Peress gave when he applied for his commission, signing a statement saying that he belonged to no subversive group——

Mr. CASE. Mr. President, may I ask——

Mr. MCCARTHY. The Senator from South Dakota has been very courteous all along.

Mr. CASE. Did Peress say he was not a member at the time when he applied for his commission, or did he simply fail to fill out all the answers?

Mr. MCCARTHY. We sent the general a photostatic copy of what he signed, which said that he belonged to no organization which advocated the overthrow of this Government by force or violence. We sent it by an agent of the New York police department. He was not a regular member of the party, but he was a member of the school and knew what they stood for.

So there was a situation where a man was liable to serve 5 years; and the significant thing about the situation was that in a matter of hours, under the Army regulations and under the law, they could not court-martial him for any offense unless it involved more than 5 years. This offense called for exactly 5 years. They could not court-martial him after discharge. They could have court-martialed him before discharge. So we had the very unusual situation of someone in the Army deliberately removing this man from the jurisdiction of court-martial proceedings because of that particular law. We were questioning General Zwicker about that. It is all a matter of record, and it has also been brought to the attention of the Watkins committee.

Mr. CASE. Mr. President, I may say that I share with the Senator from Wisconsin a feeling of remorse and a certain sense of shame if the procedures in the Peress case cannot be ferreted out so that all that happened in connection with it can be fully placed before the American people in due time. At the same time, the responsibility to ferret it out was not the responsibility of the select committee, and the conduct of the Senator from Wisconsin with respect to General Zwicker must stand or fall upon the things for which General Zwicker can be held accountable. There was nothing brought to our attention which would indicate that General Zwicker was responsible in the sense of initiating the discharge or the promotion.

Mr. McCARTHY. May I say to the Senator, as I commence my questions, that I hesitate in questioning the Senator from South Dakota. I know that if I ask him any questions, tomorrow morning I will read in the left-wing press that I made an attack upon the Senator from South Dakota. I hope all Senators will listen to what is said here today and compare it with the reports in the left-wing press, because I have no intention of making any attack upon the Senator. I think he has made a very scholarly presentation. I disagree with many of the things he said, but I think he is sincere.

Mr. CASE. Mr. President, before the Senator addresses himself to the questions, I wish to express my appreciation of the attitude which the Senator has just stated. I do appreciate it, and I can assure him that any questions he may ask I shall be glad to answer, if it is within my power to answer them.

Mr. McCARTHY. I have a series of questions which I think are extremely important to the Senate, not only as to 1954, but as to 1960, 1970, and 1980. They have nothing whatsoever to do with McCARTHY. I think McCARTHY is a completely insignificant figure in this controversy.

Mr. CASE. As I said earlier, I, too, feel that this matter concerns the Senate, not only today, but for the long future which I believe is the destiny of America. The United States Senate will be in part what we make it by our deliberations and our conduct today. In that spirit, which the Senator from Wisconsin has also indicated, I am glad to yield for questions.

Mr. McCARTHY. Mr. President, I tried to clear this up when the chairman of the committee was on the floor. We were unsuccessful in doing that.

I find on page 30 of the report the following language:

> Any Senator has the right to question, criticize, differ from, or condemn an official action of the body of which he is a member or of the constituent committees which are working arms of the Senate in proper language.

So, in other words, apparently the committee agrees with me that one can criticize the committee.

Mr. CASE. In proper language.

Mr. McCARTHY. In proper language. If a committee is unfair, it is proper language to say it is unfair. Is that correct?

Mr. CASE. Yes; I think that is correct. May I say that I think it is implicit, as I tried to suggest yesterday, that the right is subject to challenge.

Once upon a time in my newspaper experience I was the defendant in a libel suit. I am not a lawyer, as the Senator knows. If I learned anything about the law, it was when about $15,000 was at stake for a young, struggling newspaper man. That was a lot of money, in my vocabulary, at that time. But the one thing which was brought out, that I have remembered ever since, was that the truth is a proper defense to a charge of libel.

Mr. McCARTHY. The Senator is correct.

Mr. CASE. So if a charge or a statement should be against a committee or against a member of a committee, and the charge were true, certainly, I do not think that censure would stand.

Mr. McCARTHY. Let us not speak now of any present committee of the Senate. Let us assume that in 1965, there is a Senate committee which is completely corrupt and completely dishonest.

Mr. CASE. I hope there will then be men with the courage of the junior Senator from Wisconsin to stand up and say so.

Mr. McCARTHY. I thank the Senator. We are agreed that if a committee is performing improper acts, a Senator can say so.

I now call the Senator's attention to the fact that a resolution was referred to the select committee on the question of whether McCARTHY should be censured. The committee originally stated, through the mouth of the chairman, that no recommendations would be made; that only facts would be found. Later that decision was changed, and there were recommendations for censure.

I observe the chairman of the committee, the senior Senator from Utah, rising. Apparently he disagrees with my statement. I think he should be accorded the floor.

Mr. CASE. Mr. President, if I may do so without losing my right to the floor, I think I should yield to the distinguished Senator from Utah.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WATKINS. I never made such a remark. I did not say that the committee would not make recommendations.

Mr. McCARTHY. I am sorry; I missed what the Senator from Utah said.

Mr. WATKINS. I said I did not make any statement that the committee would not make any recommendations. I did not say what we would do as to making a report. I said the committee would go along and make recommendations as we determined at the time.

Mr. McCARTHY. I will call the attention of the Senator from Utah, if and when he takes the floor, to the date and the page in the hearings when he told my counsel, when my counsel was questioning the impartiality and prejudice of the members of the committee, that it was not important to be impartial—I am not quoting the Senator verbatim, but in effect—because the committee intended only to find facts.

We are now getting off onto a side issue. I hope the Senator from Utah will take the floor. He assumed the chairmanship of the committee. I think that, having done so, he has assumed the obligation to answer any questions which I might wish to ask about this important matter.

In view of the fact that the junior Senator from South Dakota and I agree—and apparently the Senator believes—that a committee can be criticized if it has actually engaged in improper conduct——

Mr. CASE. I think that can be done. I think one is responsible for what he says about it. We go back to the crucial question which was suggested in the memorandum brief of the Senator's counsel, namely, Is the language derogatory, and does it tend to obstruct the legislative processes of the Senate?

Mr. McCARTHY. Regardless of how derogatory it might be, if the statement is true, the Senator and I agree that it may be said and should be said.

Mr. CASE. I do agree.

Mr. McCARTHY. I call the Senator's attention to the fact that the committee was acting, in effect, as a jury, because it made recommendations. One Senator, the distinguished junior Senator from Florida [Mr. SMATHERS], has said that once the committee had made its recommendations, he would follow those recommendations; that if the committee recommended in my favor, he would follow that recommendation; that if the committee recommended against me, he would follow that recommendation.

I call attention to the ruling of the Chair, which appears on page 296 of the hearings. The Chair ruled that I could not produce any evidence to justify what I had said. In other words, I had made strong statements about——

(At this point a child cried out in the galleries.)

Mr. McCARTHY. Mr. President, I do not think that youngster can be gaveled into silence.

The PRESIDING OFFICER (Mr. BENNETT in the chair). The Chair might observe that the occupants of the galleries apparently are more interested in the human cry of a youngster than they are in some of the discussions which are taking place on the floor.

Mr. McCARTHY. I might say that youngster, so far as I am concerned, is perfectly welcome in the gallery, regardless of how loud he cries. [Manifestations of applause in the galleries.]

Mr. CASE. Mr. President, I might observe, since we are indulging in a few observations at the moment, that I think it is a healthy thing for America that we are interested in the cries of youngsters. [Manifestations of applause in the galleries.]

Mr. McCARTHY. I shall start my questioning again. The select committee has recommended that I be censured, stating that I produced no proof to justify my criticism of the Gillette committee. It will be noted that the language of the committee was rather strong. I refer to page 296, in which the Chair ruled out with his gavel, the gavel which he used so often, any evidence of justification. Let me quote the language of the chairman.

Mr. WATKINS. At what page is that?

Mr. McCARTHY. It is on page 296. On that page the Chair said in his ruling, which we had to abide by:

> The only matter this committee is interested in is whether a resolution had been introduced authorizing the investigation—

That is, the Benton investigation—

> and second, was it being carried on, and did it have jurisdiction?

The Chair then continued by saying, if Senators will notice the next paragraph, that even if the Gillette subcommittee had been using insane investigators, I could not prove that; I could not use that information as a ground for criticizing the subcommittee.

I merely wonder how the Senator from South Dakota, who is a fair-minded man, can reconcile the two positions: First, our agreement that it is our duty to inform the Senate if a committee is dishonest. I am not speaking about any present committee; let us suppose it is a committee which may exist 10 years from now. The Senator from South Dakota says it is our duty as Senators to say so. That is strong language.

But when a Senator has been called before a censure committee because he has said that a subcommittee was dishonest, and the censure committee says to the Senator, "We will not allow you to prove that the subcommittee was dishonest," would the Senator from South Dakota think that the Senator who had made such a statement had had his day in court?

Mr. CASE. First, let me again remind the junior Senator from Wisconsin that I have never studied law; I am not a lawyer. I have never served on the bench, and have never ruled on the admissibility of evidence. The membership of the select committee included three Senators who have served on the bench. The distinguished junior Senator from North Carolina [Mr. ERVIN] had served on the Supreme Court of his State; the distinguished junior Senator from Mississippi [Mr. STENNIS] had been a judge; and the distinguished chairman of the committee had been a judge in Utah; and my understanding is that his rulings on evidence in the courts of Utah had a remarkable record of being upheld by the Supreme Court.

Mr. McCARTHY. I know nothing about his record.

Mr. CASE. Under those circumstances, a lay member of the committee naturally deferred to the rulings of the lawyer members of the committee with respect to what was admissible and what was not admissible under the rules of evidence.

I do not think it is incumbent upon me to go into the technical questions involved in the admissibility of evidence, and to pass any judgment whatsoever upon the decision of the chairman in that instance. As far as my own position in the matter is concerned, I wish to repeat what I said earlier in the day. So I say again to my fellow Senators, and I say this deliberately: the record is still open. I said that with respect to the Hendrickson question. It is open also with respect to the Hennings report. This is the first time the Senate has had that matter formally before it for consideration, even though it is before it collaterally. Personally I should like to hear the junior Senator from Wisconsin set forth his justifications for the utterances he made with respect to the invitation to appear before the committee—but I hope he will do so temperately.

Mr. McCARTHY. As far as I am concerned, I shall be glad to have any other members of the committee rise and answer any of these questions, because I am not trying to cross-examine the very able and fine Senator from South Dakota. I am trying to bring before the Senate what happened. We now have the agreement that the committee has officially stated that it is proper to criticize a Senate committee if a Senator is justified in doing so. We also have the ruling of the chairman to the effect that I could not give the reasons why I criticized the committee. I wish to ask every Member of the Senate, every person in the gallery, and the American people—when I speak about the gallery I speak about the American people—what would they do if they found that a Senate committee was calling as a witness a man who the members knew was insane, and who had been reported to them to be insane? Here is the report, and it was in the hands of the chairman of the committee. This report stated that what this man had to say was untrue, so as far as the committee could ascertain, but that he hated a certain Senator, and would make a good witness against him. Luckily, that witness was committed to an institution for the criminally insane before the subpena was issued. If one knew they were calling that insane man, is there any individual who would not feel that he was justified in using the strongest language, much stronger than I used, in criticizing that committee for that? We have the facts before us. There is nothing secret about them. They are all here. When I tried to prove those facts, the chairman of the select committee banged his gavel and said, "You can't prove them."

Mr. CASE. Mr. President, I am perfectly willing to yield for a question. I do not think I should yield, under the rule of yielding for questions, for the junior Senator from Wisconsin to make comments with respect to the rulings of the chairman, or matters of that sort. I think that those comments should properly be addressed to the chairman of the select committee.

Mr. McCARTHY. The chairman is not answering questions.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. CASE. I yield to the Senator from Utah.

Mr. WATKINS. I read the RECORD of yesterday. I had answered this question. It was gone into at some length. I pointed out what was done. I also pointed out that we received numerous exhibits in which the junior Senator from Wisconsin criticized the committee. I think we received one in which the junior Senator from Wisconsin pointed out this very allegation about the witness referred to, who turned out to be insane, and who actually did not testify. The criticisms of the junior Senator from Wisconsin were put into the RECORD. What he said about the committee was one of his grounds for not appearing before the committee. He was permitted to do that. Then the junior Senator from Wisconsin was asked later on for evidence of any wrongdoing on the part of the committee, as I remember the examination by committee counsel. One can pick out one little statement——

Mr. McCARTHY. Mr. President, is this a question?

Mr. WATKINS. I have asked for permission to make the observation in reply to what was just stated by the junior Senator from Wisconsin. One can pick out one particular statement on one particular matter and find a ruling. Later, one will find that the objection disappeared, and the evidence was received. There are numerous exhibits in which the junior Senator from Wisconsin criticized the committee, and the gravamen of the charge that was made——

Mr. McCARTHY. When will the chairman of the committee be available so that I may ask him questions? I do not like to have a statement made by the chairman of the committee without my being able to ask him questions. This is the heart of the matter.

Mr. CASE. Mr. President, I decline to yield further except for questions.

Mr. McCARTHY. Let me put this question to the Senator from South Dakota: Does he not agree with me that the Senator who took the responsibility to preside over the committee should tell me, within the next day or two, before I must present my case, when he will stand up and answer questions? I wonder if the Senator from South Dakota will agree with me on that?

Mr. CASE. Mr. President, I fear I am being placed in the same position that General Zwicker was. I am asked to comment on and say what the duties of my superior are. I do not like to be put in that position. But my knowledge of the character of the eminent chairman of the committee, the distinguished Senator from Utah, is such that I am confident that at an appropriate time he

will make himself available for answering additional questions. However, I am not trying to direct his course or prescribe what he shall do. He himself is the judge of what he wants to answer.

Mr. WATKINS. Mr. President, I think the RECORD will show that I submitted to nearly an hour and a half of questions yesterday. I am going to submit to questions, and I shall make a statement on that matter, which I think will be enlightening, when I get around to making my case on this question, and I hope to do that tomorrow. There are other Senators on the committee besides the Senator from Utah. My rulings were upheld by the entire committee. I sometimes wonder if I am on trial here. I was assigned to the committee to perform a certain task, but it appears that I am on trial. It is one of those things that the Senate and the committee can take judicial notice of—that Senator MCCARTHY always tries somebody else and never quite gets around to himself being tried.

The PRESIDING OFFICER. The Chair dislikes to "gavel down" the chairman of the committee, but the Chair will have to rule hereafter that, without specific unanimous consent, the Senator from South Dakota may not yield for any statement without losing the floor.

Mr. McCARTHY. Mr. President, will the Senator from South Dakota yield for a question?

Mr. CASE. I yield for a question.

Mr. McCARTHY. In view of the fact that the committee has found that a Senator can criticize a committee, would the Senator from South Dakota agree with me—and I address this question to all the members of the committee and to all Senators—that the Chair's ruling, appearing on page 296 of the hearings, wherein the Chair ruled out any justification for the letters, precluded my presenting a case, and that, therefore, the recommendation is based solely upon the evidence brought in by Mr. De Furia and Mr. Chadwick, plus my personal testimony?

Mr. CASE. Mr. President, I think the record will speak for itself. There were numerous pieces of documentary evidence that were introduced and received, including several letters from the chairman of the Gillette-Hennings committee, and the replies of Senator MCCARTHY thereto. I trust that Members of the Senate will read them and review the evidence which was submitted. I do not wish to be in the position of second guessing or in any sense modifying the position which I as a member of the committee took in standing by the chairman as far as his rulings were concerned.

The practice of the committee was to let the chairman make the rulings, and we did; and I supported him in his rulings, and I do. But I did so in the knowledge—and I have previously expressed this here today—that the record is still open, and I trust that the junior Senator from Wisconsin will exercise the right of a Member of the United States Senate to present to the Senate any material or any evidence he thinks is important to the full presentation of his case.

The committee was not a trial court. The Senate of the United States itself must pass the final judgment here; and, as I have indicated by my statement earlier in the day, I hope that the Senator from Wisconsin will present here any matters he thinks should be presented. If they were not fully presented during the hearings, I knew then, and so did other members, that he would have the floor of the United States Senate.

So far as I am concerned—and I trust that is evident by the way in which I yielded to him yesterday and by the way in which I have been yielding this afternoon—I want him to have the most complete opportunity to present whatever he wishes to present here, under the protection of the free speech which is a heritage of the United States Senate.

Mr. McCARTHY. Mr. President, will the Senator from South Dakota agree with me that it is impossible for me to call witnesses on the floor of the Senate?

Mr. CASE. I realize that.

Mr. McCARTHY. For example, let me refer to Poorbaugh and Buckley, both of whom were investigators for the Gillette committee, and both of whom resigned, saying the committee was engaging in activities which were improper. So it is important. I gave that information to the committee, but the chairman gaveled it down.

Does the able Senator from South Dakota agree that I had no way on earth to present that testimony before the committee, although the Senate appointed the committee to do that work and to call the witnesses? Will the Senator from South Dakota agree with me on that?

Mr. CASE. I am not aware of any implication of the chairman's ruling which would have prevented the Senator from Wisconsin from calling Mr. Poorbaugh as a witness.

Mr. WATKINS. Mr. President, will the Senator from South Dakota yield to me for a question? I wish to ask a question.

Mr. McCARTHY. I wish to finish, if I may.

The PRESIDING OFFICER. Does the Senator from South Dakota yield; and if so, to whom?

Mr. McCARTHY. May I finish this line of questioning?

Mr. CASE. I should like to yield to the chairman of my committee for a question, and I think the Senator from Wisconsin will indulge me long enough to do that.

Mr. McCARTHY. Very well.

Mr. WATKINS. Is it not correct that the statement of Poorbaugh is in the record? I refer to a press release he issued, and it is in the record.

Mr. CASE. I believe it is in the record.

Mr. WATKINS. Yes, all of it is there.

Mr. CASE. It is true, of course, that if Mr. Poorbaugh had been called before the committee, he would have been subject to direct examination and cross examination, and something further might have been developed. However, I do not know of any ruling of the Chair which would have prevented the calling of Poorbaugh as a witness.

Mr. WATKINS. Does the Senator from South Dakota recall now that at different times the chairman said that if the junior Senator from Wisconsin would submit the names of witnesses he wished to call, we would give that matter consideration? I do not recall having the names of these two men submitted to us.

Mr. CASE. That is my recollection.

Mr. McCARTHY. Mr. President, I should like to ask several other questions.

Mr. CASE. I yield to the junior Senator from Wisconsin for a question.

Mr. McCARTHY. The Senator from South Dakota said he was not aware of a ruling which precluded the calling of certain witnesses. If he will refer to his report—and I have repeated this so often that I am afraid it is getting boresome, by repetition——

Mr. CASE. What page, please?

Mr. McCARTHY. Page 296, reading as follows:

> The only matter this committee is interested in is whether a resolution had been introduced authorizing the investigation, and second, was it being carried on, and did it have jurisdiction.

Do we agree that Mr. Buckley, who resigned, and Mr. Poorbaugh, who resigned, accusing the committee of improper activities, could not have testified under that ruling?

If one of the other members of the committee wishes to answer that question, I shall be glad to have him do so. I think it is very important that the Senate have the entire picture of my being precluded from presenting a case.

Mr. CASE. It was my understanding that the chairman at that time was ruling on a proposal to introduce something which in his judgment was regarded as hearsay evidence.

I have been under the impression that the chair consistently advised counsel for the junior Senator from Wisconsin that if he wished to call witnesses, they would be subpenaed if a subpena was needed to get their attendance.

Mr. McCARTHY. The committee has asked that I be censured for, among other things, writing a letter criticizing the Gillette subcommittee for its attempt to call a man who was committed to a home for the mentally incompetent.

Mr. CASE. I think that is putting in a conclusion that was not stated.

Mr. McCARTHY. That is in the committee's report.

Mr. CASE. I would not say that the recommendation or motion for censure makes any citation of that sort at all.

Mr. McCARTHY. Oh, yes; the committee gives the dates of the letters, and that is one of the letters. The committee identifies them.

Let me ask this question: Does the Senator from South Dakota think I should be censured——

Mr. CASE. Before the junior Senator from Wisconsin leaves the other matter, will he point out where, in the recommendation of the committee, the committee gives the dates of letters which include the specific information to which he alludes?

Mr. McCARTHY. It is in the report, and I will be happy to give it to the Senator from South Dakota.

Mr. CASE. I do not recall it.

Mr. McCARTHY. The committee lists various letters—7, 8, or 9, I believe.

Mr. CASE. Letters referring to an insane witness?

Mr. McCARTHY. Yes. Let me ask this question——

Mr. CASE. I shall be interested in receiving the information.

Mr. McCARTHY. Does the Senator from South Dakota think a Senator should be censured for criticizing a committee, if the committee had in its hand a report such as the one I give the Senator from South Dakota at this time, which the Senator from Utah [Mr. WATKINS] has had?

Mr. WATKINS. Mr. President, will the Senator from South Dakota yield to me for a question?

Mr. McCARTHY. Let me finish my question, please. The Senator from South Dakota yielded to me. The Senator from Utah is very anxious to get on his feet. He can do it after my questioning, whenever he wishes to.

Mr. CASE. Mr. President, I yield only for questions.

Mr. McCARTHY. The Senator yielded to me, and I should like to finish my questions.

Mr. CASE. I yielded only for a question, not for a comment or for indulging in personalities.

Mr. McCARTHY. Very well; let me ask my question: Does the Senator from South Dakota feel that a Senator should be censured for criticizing a committee which proposed to call a witness, after its staff had reported that the witness' testimony was contradictory and uncorroborated, that he had a great hatred for the one whom we shall call the defendant in the case; that thereafter the committee issued a subpena, and that the only reason why the man was not called as a witness was that he was committed? Does the Senator from South Dakota think a Senator would be justified in writing a letter of criticism in a case of that kind?

Mr. CASE. Of course, Mr. President, in the question of the junior Senator from Wisconsin, I think there are several assumptions which are not actually based on evidence before the Senate at this time, and which do not necessarily come within my knowledge.

The photostatic material the junior Senator from Wisconsin presented to me makes some references to a certain individual who was a manufacturer of housing and a competitor of Lustron. This document—whatever it may be and whatever its identification may be—indicates that this particular individual had a bitter hatred of the junior Senator from Wisconsin [Mr. McCARTHY], and was mentally unstable.

Of course, the Lustron matter was one of the items cited among the several charges which were referred to our committee, but it was also 1 of the 33 we excluded; we did not go into the Lustron matter. We eliminated it. We did not feel that any evidence which came before the committee indicated a basis for censure in connection with the Lustron matter.

Mr. McCARTHY. This has to do with an alleged crap game.

Mr. CASE. All I know is——

Mr. McCARTHY. Well, the Senator from South Dakota can see, from reading it, that it has to do with an alleged crap game.

Mr. CASE. It has something on it about the Lustron affair. I do not know any more than that about it. I did not read every word on the document handed me. In any event, I want to answer the question of the junior Senator from Wisconsin as directly as possible.

I certainly feel that the Senator has the right to present to the Senate any information or evidence he may have.

Mr. McCARTHY. That was not my question.

Mr. CASE. He has the right to present to the Senate anything which would deal with the character of the matter covered by the Hennings committee.

Mr. McCARTHY. That was not my question. The question was whether or not the Senator feels that a Senator would be justified in criticizing a committee which would call a witness of this character, knowing that he was mentally unstable. In other words, was I justified in criticizing the committee? In the report it is stated that one may criticize a committee.

Mr. CASE. Yes.

Mr. McCARTHY. I do not wish to pursue the question any further. If the Senator will answer it, well and good. If not, we will drop the matter.

Mr. CASE. I wish to make a direct answer. My answer is that I do not know whether the witness was received by the Hennings committee or the Gillette committee, or that any reliance whatsoever was placed upon any testimony he offered, if he did actually offer it. Whether or not he was called would be relatively immaterial. One of the charges referred to the committee was that the junior Senator from Wisconsin had issued verbal subpenas, or had suggested that he was going to subpena certain individuals, and the allegation was made that that was embarrassing to them because he did not follow up and call them. The committee regarded that charge as irrelevant and immaterial. We did not feel that because the chairman of a committee subpenaed certain witnesses, or announced that he was going to subpena certain witnesses, he had to follow through and receive those witnesses, or, even if he did receive them, pay any great attention to their evidence or testimony if upon examination it did not seem worthy of consideration. We saw no basis for censure in such a charge.

Mr. McCARTHY. If a committee were engaged in illegal activities, in violating the Federal law, would the Senator feel that a Senator would be justified in criticizing that committee?

Mr. CASE. I do; and I feel that if the Senator has evidence showing that the committee which he criticized was operating illegally, that is a proper thing for him to bring to the attention of the Senate.

Mr. McCARTHY. Cannot the Senator and I agree—and he has been very frank most of the day, and I am not trying to cross-examine him—that there is no way on God's earth that I can bring witnesses before the Senate? The place where the witnesses should have been heard was before the Watkins committee; and Senator WATKINS refuses to tell us now why he gaveled us down and refused to let those witnesses come before the committee. So I ask the Senator this question: If it should appear that a committee was engaged in illegal activity, does the Senator believe that a Senator would be justified in criticizing that committee?

Mr. CASE. I think he would be justified in raising the question; and if in the instance before us the junior Senator from Wisconsin has evidence that the committee which he criticized was engaging in illegal activities, I think it is proper for him to present the outline of the evidence to the Senate. I think that would undoubtedly develop some response from members of the committee, and the issue could be brought to the attention of the Senate.

Furthermore, even though I think the Senator did have the opportunity to ask for the subpenaing of witnesses, had he wanted them, if now he feels that there are certain individuals who have information or competent testimony or evidence which ought to be brought to the attention of the Senate, it would be possible for such evidence to be developed by affidavits which could be read before the Senate. Of course, they would be subject to whatever challenge or comment the contents might suggest to any Member of the Senate.

Furthermore, if by reason of his outline of evidence with respect to which he felt he had been deprived of the opportunity of introducing it in any way, certain facts were outlined to the Senate, and the Senate so desired, it could either accept such outline as a reason for deferring action upon the pending amendment to the resolution, or it could take whatever steps it thought necessary to obtain such evidence. Speaking for myself—and I think also for all other Members of the Senate—we do not want to do an injustice to anyone, and particularly to a Member of this body, under these circumstances.

Mr. McCARTHY. The Senator and I agree that if a committee were violating the Federal law it would not be improper to criticize that committee for violating the law.

Mr. CASE. It would not. If the charge of violation of law could be sustained, it would not be improper.

Mr. McCARTHY. For the Senator's own information, so that he may have the facts before him when he votes, I should like to show him——

Mr. CASE. Mr. President, I shall be glad to examine this document. However——

Mr. McCARTHY. I should like to show the Senator what his committee had before it. If this is what the committee had——

The PRESIDING OFFICER. The Senator from South Dakota declines to yield for anything but a question.

Mr. McCARTHY. Very well. I ask this question: Does the Senator know that item 78 of the items subpenaed by the Watkins committee showed that the Gillette committee, which I criticized—and the select committee asks that I be censured for criticizing it—was engaged, during the campaign of 1952—which was about 17 months after the investigation was started—in having a mail cover not only on my mail, but on the homes of three of the members of the staff? Item No. 78 was subpenaed by Senator WATKINS and was before him. I should like to know whether the Senator from South Dakota knew that or not, or whether it was kept secret from him?

Mr. CASE. The Senator from South Dakota did not have any knowledge of the thing to which the Senator refers, but I ask him whether he is referring to item 72 in the report, or in the hearings before our committee.

Mr. McCARTHY. It is item 78.

Mr. CASE. Is the Senator referring to item 78 in the report of the Hennings Committee?

Mr. McCARTHY. I am referring to a list of the materials subpenaed by Senator WATKINS from the Gillette committee. Item No. 78 consists of letters written by the Gillette committee, providing for a mail cover, which is strictly illegal under the Federal law. That item was before the select committee. That was kept secret from us, and I assume it was kept secret from many members of the committee. I do not think the Senator knew of that mail cover. I do not believe the Senator from Kansas [Mr. CARLSON] or other members of the committee knew of the mail cover. I believe that if the Senator knew of that illegal activity he would have felt that I was justified in criticizing that committee. I ask the Senator this question: If he knew of that illegal activity, would he have felt that I was justified in criticizing that committee, and not coming before it unless ordered to do so?

Mr. CASE. Mr. President, I have previously said that I did not feel that a recommendation of censure would stand upon legal grounds if it were poised upon the question of adequate notice and request to come before the Hennings committee. I said that I thought it would have to stand or fall upon whether or not derogatory language tending to obstruct legislative processes was used in connection with the official conduct of that committee. All I know about the matter to which the junior Senator from Wisconsin has alluded is what he has just said. Frankly, I do not even know what a "mail cover" is. The subject was not brought to my attention. I am unaware of it in any respect, except for what the Senator has said here this afternoon.

Mr. WATKINS. Mr. President, will the Senator yield for a question?

Mr. CASE. I yield to the Senator from Utah.

Mr. WATKINS. Does the Senator know whether that matter was ever called to the attention of the members of the committee?

Mr. CASE. Not that I recall, either by reason of any work of our staff, or any comment or request of Senator McCARTHY or his counsel.

Mr. WATKINS. Does the Senator know, as a matter of fact, that a subpena was issued for the entire record so that we could have it available if we needed it for reference?

Mr. CASE. That is my understanding. I understand that the committee asked for certain records so that if they were needed for reference they would be available.

Mr. WATKINS. Does the Senator from South Dakota know it to be a fact that, in effect, we said that there were certain things which the committee had done, with respect to the manner in which it operated, which were matters for the committee to give consideration to?

Mr. CASE. Yes.

Mr. WATKINS. And that it was the duty of the junior Senator from Wisconsin himself to come before the committee and cooperate with respect to those matters, rather than for us to try the entire case all over again?

Mr. CASE. Previously in my remarks on two or three occasions I have called attention to the fact that it was not our duty to evaluate the evidence considered by the Hennings committee or the Gillette committee.

The subject before that committee was not a subject before our committee. It was not our function to rehear or evaluate the issues before that committee.

Mr. WATKINS. Is it not a fact that the chief purpose for admitting the testimony at all was to learn whether there were serious matters which that committee was considering which should require the attention of the junior Senator from Wisconsin?

Mr. CASE. At least that was the general opinion of the committee.

Mr. WATKINS. In other words, we were not trying the entire case. Is that correct?

Mr. CASE. We were not trying the Benton resolution.

Mr. KNOWLAND. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I am happy to yield.

Mr. KNOWLAND. I will say to the Senator that when he has concluded his statement, it will be my intention to move to recess the Senate until tomorrow.

Mr. CASE. I have concluded the statement I wished to make at the present time. I am afraid the distinguished majority leader did not quite get the inflection in my voice when I said I was happy to yield to him. I meant that I yielded the floor.

ANNOUNCEMENT WITH RESPECT TO RECESS AND SATURDAY SESSION

Mr. KNOWLAND. Mr. President, before Senators leave the Chamber, I should like to state that it is my intention shortly to move that the Senate recess until 11 o'clock tomorrow morning. As previously announced, the Senate will not be in session on Saturday. I make the announcement so that Senators may be advised of that fact.

MASS NATURALIZATION CEREMONIES ON VETERANS' DAY

Mr. WATKINS. Mr. President, as chairman of the Immigration and Naturalization Subcommittee of the Senate Judiciary Committee, I desire to take official notice of the mass naturalization ceremonies that are being conducted throughout the land today as a feature of Veterans' Day.

These new citizens are to be commended for making the effort required to complete requirements for citizenship in this great country, and I hope that each of them will always value his new national allegiance as a privilege and an opportunity and that each will conduct himself as a loyal and deserving American, ever faithful to the duties and responsibilities of citizenship.

The mass naturalization ceremonies will remind people that this country still opens its doors to many people from other lands.

During the past fiscal year the United States admitted 208,177 immigrants, and administered the oath of citizenship to 88,393 persons.

Without extending these remarks, I also would like to point out that 12,797 visas have been issued under the refugee relief program and 32,940 applications are in process. This program will continue to be expedited until the full 214,000 admissions authorized under the refugee-relief program have been completed. These admissions are in excess of the regular immigration quotas under our immigration laws.

It is fitting that these patriotic ceremonies are conducted as a feature of Veterans' Day. Many of our veterans obtained wives while on military duty in foreign lands. Others adopted foreign-born children or encouraged foreign families to come to this country and establish residence here. And all of them participated in our great military efforts to keep this country free and to help maintain America's international reputation that makes so many people in the world desire to come here to live.

Hence in commending the new citizens, I also commend America's veterans who contributed so much to making that citizenship so valuable to us all.

THE CASE OF JOHN PATON DAVIES

Mr. LEHMAN. Mr. President, on the evening of November 8 the distinguished commentator Eric Sevareid broadcast over CBS radio an appreciation of the character, the strength, and the resourcefulness of Mr. John Paton Davies. Mr. Sevareid's broadcast was a sincere, moving, and very convincing statement, which I shall now read:

Good evening. Sometimes, to add to the meaning of the headlines, a reporter must be personal. Eleven years ago I was a war correspondent, flying toward China over the infamous "Hump." There came a terrifying moment when the passengers, mostly GI's, stood near the door, trying to summon the courage to bail out of the crippled plane. Precious moments passed. Then 1 of the 3 civilians aboard, the diplomat who clutched a dispatch case to his chest, gave us a wry smile and leaped out. His action broke the

paralysis; we all followed; and all of us, but one, survived.

In the weeks that followed, we were never entirely sure we would get out of those jungle mountains; in such circumstances men learn truly to know one another; who is weak; who is afraid; who is impetuous, and who is strong, and calm, and prudent. As the time passed, the GI's and I began to recognize the civilian with the carefully guarded dispatch case as one among us with a calm and natural courage, as one who would never panic, who never complained. He was the one we chose, for commonsense and discretion, to deal with the touchy and dangerous Naga headhunters, our undecided hosts. Mostly we feared Japanese patrols, and a day came when we heard that there was a Jap patrol not far away. The colonel in charge gave orders that we three civilians, in case of attack, were to take our guns and try to escape, while the soldiers remained to fight. It was the diplomat who said, "In the first place, this would be dishonorable. In the second place, we'd never get out." Fortunately, there was no attack.

There was, however, a long and painful hike in rain and heat for all of us. There were moments when another step seemed quite impossible. In such moments, it was generally the diplomat who would sing out with something like "Onward and upward with the arts," and we would laugh and gasp and keep on climbing. I began to faint with heat and thirst on one suffocating slope; the man who left his half pint of water with me—all he had—was, of course, the diplomat.

After we emerged into India and the military reports were in, there was a move in the Air Force to decorate our diplomat for his outstanding personal conduct. I do not know if he ever received the decoration. But none of us in that strange party, I think, would have disputed the choice. For I thought then, as I think now, that if ever again I were in deep trouble, the man I would want to be with would be this particular man. I have known a great number of men around the world, under all manner of circumstance. I have known none who seemed more the whole man; none more finished a civilized product, in all that a man should be—in modesty and thoughtfulness, in resourcefulness and steady strength of character.

The name of this man is John Paton Davies. He is the man Secretary of State Dulles, on the recommendation of a 5-man board, has just broken on the wheel of official disgrace. The Foreign Service officer dismissed, 3 years short of retirement and pension, after giving 23 years of his life—and almost life itself—in the arduous service of his government. Eight times he was investigated; eight times he was cleared. One by one the politically inspired charges of communism or disloyalty or perjury were dropped; the ninth board came up with something new, called defects of character. Mr. Davies is not, concluded the board and Mr. Dulles, of sufficient judgment, discretion, and reliability.

Sufficient, one may ask, unto what? Their test can only have been of supernatural design. I saw their victim measured against the most severe tests that mortal man can design. Those, he passed. At the head of the class.

RECESS TO 11 O'CLOCK A. M. TOMORROW

Mr. KNOWLAND. Mr. President, I move that the Senate stand in recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 39 minutes p. m.) the Senate took a recess until tomorrow, Friday, November 12, 1954, at 11 o'clock a. m.

SENATE

FRIDAY, NOVEMBER 12, 1954

(Legislative day of Wednesday, November 10, 1954)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God who, though all else fades, remainest the same, Thou who leavest us never, even when we leave Thee, and whose tender mercy is over all Thy works: We come at the beginning of yet another day praying for strength for our burdens, wisdom for our responsibilities, insight for our times, and faith enough to remove mountains that loom frowningly before us.

We thank Thee for America, which still stands before the oppressed anywhere and everywhere as the symbol of the morning radiance of a joyous hope. For all afar off who sigh for liberty, for all lovers of the common people who strive to break their shackles, for all who dare to believe in democracy and the kingdom of God's love, make Thou our great commonwealth once more a flaming beacon light and a guide on the path which leads to the perfect union of law and liberty. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, November 11, 1954, was dispensed with.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The VICE PRESIDENT. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Cotton	Green
Aiken	Crippa	Hayden
Anderson	Daniel, S. C.	Hendrickson
Barrett	Dirksen	Hennings
Beall	Douglas	Hickenlooper
Bennett	Duff	Hill
Bricker	Dworshak	Holland
Bridges	Eastland	Hruska
Brown	Ellender	Humphrey
Bush	Ervin	Ives
Byrd	Ferguson	Jackson
Capehart	Flanders	Jenner
Carlson	Frear	Johnson, Colo.
Case	Fulbright	Johnson, Tex.
Chavez	Gillette	Johnston, S. C.
Clements	Goldwater	Kefauver
Cooper	Gore	Kilgore
Knowland	Monroney	Smith, Maine
Kuchel	Mundt	Smith, N. J.
Langer	Murray	Sparkman
Lehman	Neely	Stennis
Lennon	Pastore	Symington
Magnuson	Payne	Thye
Malone	Potter	Watkins
Mansfield	Purtell	Welker
Martin	Russell	Wiley
McCarthy	Saltonstall	Williams
McClellan	Schoeppel	Young

Mr. SALTONSTALL. I announce that the Senator from Maryland [Mr. BUTLER], the Senator from Oregon [Mr. CORDON], and the Senator from Colorado [Mr. MILLIKIN] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Ohio [Mr. BURKE], the Senator from Texas [Mr. DANIEL], the Senator from Louisiana [Mr. LONG], and the Senator from Virginia [Mr. ROBERTSON] are absent on official business.

The Senator from Georgia [Mr. GEORGE] and the Senator from Oklahoma [Mr. KERR] are necessarily absent.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The Senator from Florida [Mr. SMATHERS] is absent by leave of the Senate on official business.

The Senator from Oregon [Mr. MORSE] is necessarily absent.

The VICE PRESIDENT. A quorum is present.

Routine business is now in order.

MEMORIALS

The VICE PRESIDENT laid before the Senate memorials from sundry citizens and organizations of the United States, remonstrating against the censure of Senator MCCARTHY, which were ordered to lie on the table.

CIVIL DEFENSE—RESOLUTION OF NATIONAL ASSOCIATION OF STATE CIVIL DEFENSE DIRECTORS, CHICAGO, ILL.

Mr. WILEY. Mr. President, yesterday, the Nation observed its first Veterans' Day, November 11. On this occasion, formerly known as Armistice Day, we honored the heroes of America's conflicts, and we rededicated ourselves to the defense of our beloved country for which they fought and for which so many of them died.

It is essential—on 365 days of the year—that we fulfill the age-old admonition of the founders of our country that "eternal vigilance" is the price of liberty.

We must be wary of worse Pearl Harbors than the tragedy which we experienced on December 7, 1941.

We must be wary of dangerous Soviet propaganda in which they attempt to lull the Western World to sleep.

In this connection, one of the most important needs of our land is for strengthened civil defense. In turn, one of the most critical phases of this problem is protection against radiological hazards.

I have been pleased to receive from Maj. Gen. Ralph J. Olson, adjutant general of the State of Wisconsin and director of civil defense, an important resolution which had been adopted at the most recent meeting of the National Associa-

tion of State Civil Defense Directors in Chicago urging important Federal steps in cooperation with the States against this radiological danger.

I present the resolution and ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Considering the grave implications to the entire Nation in the recent pronouncements of the Department of Defense relative to the danger of contamination caused by fall-out of radioactive materials resulting from the employment of the more modern atomic and thermonuclear weapons;

Considering, further, the unknown behavior pattern of fall-out of radioactive materials from thermonuclear weapons;

Considering, further, the grave possibility that in the event of an enemy attack, the entire country will have to be prepared to cope with fall-out of radioactive materials, and that every area within the Nation may have to be surveyed with detection and measuring instruments to determine the existence and extent of radiation contamination;

Considering, further, that exposure to radiation contamination is injurious to life—ranging from various degrees of disability to death—and that this hazard can be circumvented only by avoiding contaminated areas;

Considering, further, that although training and preparation will be invaluable, the actual carrying out of the training procedures and techniques, in the event of attack, will be rendered ineffective and impotent without the availability of instruments;

Considering, further, that the instrumentation needed by the civil defense radiological services is entirely a war measure and is properly the responsibility of the Federal Government;

Considering, further, that, under existing Federal law, responsibility for civil defense operations is vested primarily in the individual States, but that the States cannot effectively carry out their obligation of dealing with radiological hazards without the aid and support of the Federal Government for acquiring radiation detection and measurement instruments—a field in which the interest of the Federal Government is paramount: Be it, therefore,

Resolved, That the Federal Goverment be requested and urged—

(a) To expedite the necessary experimentation which would produce effective high scale instruments for the civil defense radiological services of the individual States; and

(b) to purchase and make available to each State, as soon as possible, an adequate number of such operational instruments of all types required properly to safeguard the health and welfare of the people from dangerous exposure to radiation should an enemy attack; be it further

Resolved, That copies of this resolution be forwarded to all Members of Congress and Federal Civil Defense Administration.

NOTICE OF HEARING ON NOMINATIONS BY COMMITTEE ON THE JUDICIARY

Mr. LANGER. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, November 19, 1954, at 9 a. m., in room 424, Senate Office Building, upon certain nominations. At the indicated time and place all persons interested in the nominations may make such representations as may be pertinent. The subcommittee consists of myself, chairman, the Senator from New Jersey [Mr. HENDRICKSON], and the Senator from Tennessee [Mr. KEFAUVER]. The nominations are as follows:

John Marshall Harlan, of the State of New York, to be Associate Justice of the Supreme Court of the United States, vice Robert H. Jackson, deceased.

Walter M. Bastian, of the District of Columbia, to be United States circuit judge for the District of Columbia circuit, to which office he was appointed during the last recess of the Senate.

Lamar Cecil, of Texas, to be United States district judge for the eastern district of Texas, to which office he was appointed during the last recess of the Senate.

Joseph Charles McGarraghy, of the District of Columbia, to be United States district judge for the District of Columbia, vice Walter M. Bastian, elevated.

Phil M. McNagny, Jr., of Indiana, to be United States attorney for the northern district of Indiana, to which office he was appointed during the last recess of the Senate.

Leon P. Miller, of West Virginia, to be United States attorney for the Virgin Islands, to which office he was appointed during the last recess of the Senate.

John R. Morris, of West Virginia, to be United States attorney for the northern district of West Virginia, to which office he was appointed during the last recess of the Senate.

Carlton G. Beall, of Maryland, to be United States marshal for the District of Columbia, to which office he was appointed during the last recess of the Senate.

Russell R. Bell, of West Virginia, to be United States marshal for the southern district of West Virginia, to which office he was appointed during the last recess of the Senate.

M. Frank Reid, of South Carolina, to be United States marshal for the western district of South Carolina, to which office he was appointed during the last recess of the Senate.

Irl E. Thomas, of West Virginia, to be United States marshal for the northern district of West Virginia, to which office he was appointed during the last recess of the Senate.

ANNOUNCEMENT AS TO PROGRAM

Mr. KNOWLAND. Mr. President, I should like to make a brief announcement for the information of Senators.

We shall take a recess for the luncheon period, probably at about 12:30 or shortly thereafter. At 2 o'clock the Premier of Japan will come to the Chamber to be introduced. I hope all Senators on both sides of the aisle will be able to adjust their programs in order to return to the Chamber from luncheon promptly at 2 o'clock, so we shall have a full attendance at that time.

REGULAR PROCEDURE OF THE SENATE

Mr. MALONE. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. MALONE. I understand that certain committees are holding hearings—for instance, the Appropriations Committee and other committees—although when the subject was submitted to the majority leader on the opening day, he was very discouraging in respect to having any committees hold hearings. As a matter of fact he indicated he would refuse the necessary unanimous consent.

It seems to me it is time we settled down and had a definite program for the Senate. It has been the custom of the Senate to meet at 12 o'clock and to sit continuously thereafter during the day until the business at hand is completed or a recess agreed upon.

The Senators had lunch either before 12 or later at their convenience and the business of the Senate indicated. Under those circumstances, all of the Members of this body knew how to allocate their time and to discharge their responsibilities. Under the present erratic procedure nothing can be planned.

On the opening day, our committee sent 23 telegrams announcing a postponement of hearings which had been scheduled for 3 months.

So we would like very much to have a definite program established for the Senate so we might plan our work.

Our committee—Minerals, Materials, and Fuels—Senate Resolution 271—has had a definite schedule of work laid down since Congress recessed for definite hearings and inspection in South America in connection with Senate Report No. 1627 completed under Senate Resolution 143 of the 1st session of the 83d Congress. However, there would appear to be an innovation, in that the Senate sessions begin at 10 or 11 o'clock or at any time that may be determined without prior notice; then the Senate may or may not be recessed for a lunch period lasting anywhere from 30 minutes to an hour and a half. The result is that no Member of the Senate knows in advance what the Senate's schedule will be; therefore no schedule of committee operation can possibly be set.

So let me inquire of the distinguished majority leader whether we can return to the regular order, so that we shall be able to handle our regular work and also give proper attention to the emergency which now confronts us.

Mr. KNOWLAND. Let me say to my distinguished colleague and friend, the Senator from Nevada, that I have been trying to adjust the program to meet varying and conflicting points of view in the Senate in regard to the length of time the Senate sessions should last and the conditions under which we should proceed. The committees to which the Senator from Nevada has referred have held their meetings at times when the Senate was not in session. The Foreign Relations Committee met yesterday, at a time when the Senate was not in session. This morning the Appropriations Committee met from 9:30 until 11 a. m., and then adjourned its meeting.

Sometime ago, after consultation with the minority leader, the majority leader announced to the Senate that there would be no session of the Senate on Saturday of this week. Presumably, any committee which desired to meet on that day would not be interrupted by quorum calls or votes.

A number of Senators on both sides of the aisle, and on both sides of the question, have expressed the hope that we might be able to proceed each day with at least 6 or 7 hours of debate, and also that some arrangement might be made so that Senators would not have to leave the Chamber for their luncheon period while debate was in progress. Even when we met at 12 o'clock yesterday—and 12 o'clock is the hour suggested by the Senator—along about 1 or 1:30 there were suggestions from Senators who had been in the Chamber during the entire period of time and had been participating in the discussion or listening to the discussion, that there be a recess period of a little more than an hour. On the first day we found that a 45-minute period was not sufficient.

The majority leader has only been trying to devise a program to meet the varying points of view. Today it is planned to continue in session until 12:30 or 12:45, and then recess, no later than 12:45, to the hour of 2 o'clock. At 2 o'clock the Premier of Japan will be present, and there will be a brief period when Senators will have an opportunity to meet him. Then we shall proceed with debate on the pending question.

Mr. MALONE. Mr. President, will the Senator further yield?

Mr. KNOWLAND. I yield to the Senator from Nevada.

Mr. MALONE. At what time does the distinguished majority leader believe a dependable program for next week can be laid down?

Mr. KNOWLAND. I have had some discussions with the minority leader with respect to the program for next week. It is planned to have the Senate meet at 11 o'clock each day, not at 10 o'clock, and to continue in session until approximately 12:30 or 12:45, at which time a recess for luncheon will be taken, following which the Senate will reconvene and remain in session until approximately 5:30 in the afternoon. All that is contingent upon the approval of Members of the Senate. That is merely our recommendation.

Mr. MALONE. Does the Senator suppose that, after discussion, we could arrive at an agreement upon a program on which we could depend?

Mr. KNOWLAND. I have given an explanation of the reasons——

Mr. MALONE. The witnesses to whom I have referred come from great distances, and at their own expense.

Mr. KNOWLAND. I understand that. I think the Senator would be entirely safe in assuming that from 9 o'clock until 11 o'clock each day next week he could schedule the testimony of those witnesses, if that is the desire of the committee.

Mr. MALONE. Mr. President, will the Senator further yield?

Mr. KNOWLAND. I yield.

Mr. MALONE. No doubt the luncheon period is a relief. However, the Senator from Nevada has been in the Chamber a considerable part of the time, and he has counted the attendance at various times. The average attendance actually on the floor for this week would add up to about 25 Senators—so it would seem that the membership could manage a luncheon period with the Senate in session as it has always done.

Mr. KNOWLAND. I think this is a little different situation from the normal proceedings of the Senate.

Mr. MALONE. I agree that it is important; therefore some regular procedure should be agreed upon.

Mr. KNOWLAND. We are considering a resolution of censure. Members of the committee are trying to follow the debate closely, as are members of the staff of the distinguished junior Senator from Wisconsin, staff members of the committee, clerks and attachés of the Senate, and many Senators.

Mr. MALONE. The complete Senate membership is following the proceedings. I myself read the entire RECORD this morning.

Mr. KNOWLAND. Those who wish to be present all the time know that they will not miss any major discussion or major points during a luncheon period. That is all the majority leader has been trying to accomplish. If the Senate wishes to change the arrangement, it is entirely within the power of the Senate to do so.

Mr. MALONE. Why does not the distinguished majority leader simply suggest the regular order, and see if there is any objection or a desire to change it?

Mr. KNOWLAND. I have suggested the present procedure after consultation. The Senate can reverse the arrangement if it so desires.

DESTRUCTION OF THE LEGISLATIVE POWER OF THE SENATE

Mr. MALONE. Why hold the Senate in extraordinary hours of debate; why pressure this body to rush its own destruction and to further impair the investigative power of the Senate?

We have already taken a big bite out of it when we established the precedent that at any time members of the executive branch can come before a Senate committee and, when a question is distasteful to him, hide behind the self-incriminatory provision of the Constitution or an order from his superior, and then cause charges to be filed against the chairman of the committee, resulting in a soap-opera trial, with the original question entirely forgotten.

Mr. KNOWLAND. Mr. President——

Mr. MALONE. Mr. President, will the Senator further yield?

Mr. KNOWLAND. If the Senator will allow me, I should like to answer his observation.

Mr. MALONE. I did not ask for an answer.

Mr. KNOWLAND. I will yield further, and then I shall make my response.

Mr. MALONE. If the proposal before the Senate shall be approved, any Senator can be censured because he is losing his hair, or does not part it to suit other Members.

The Senator from Nevada is following the debate very closely. I hope and I believe every other Senator is following it closely, so that the investigative power of the Senate may not be further impaired by the final vote on this resolution. Some of us feel very humble carrying on the traditions of this great body. For 175 years the Senate has at least maintained those traditions to the point where our successors can carry on.

I hope the distinguished majority leader will arrange the program so that we may follow the regular order, beginning at 12 o'clock noon and recessing at a convenient point in debate around 5:30 to 7 p. m. as has been the custom. The program should be such that Senators may have time and opportunity to digest the debates as members of the greatest deliberative body in the world—and not be pushed around in the manner established during the closing hours of the Senate last summer.

We should be enabled to digest the evidence and to finally vote in such a manner that at least our successors may carry on, as our predecessors have done for 175 years.

Mr. KNOWLAND. Mr. President, I will say to the Senator, in response to his statement, that, in the first place, the committee did not bring the charges. No member of the committee had to serve on the committee. The committee was created by resolution, and by a vote of the Senate of the United States.

We are here, I hope, with unprejudiced minds, to listen to the evidence and facts which are being presented to the Senate. I think we are functioning in one of our highest responsibilities when we deal with a Member of this body. I hope Senators will withhold final judgment, and will finally vote on the question presented to them in the form in which it is presented according to the dictates of each individual Senator's conscience in the light of what is best for the Senate and what is best for the country.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I will yield when I finish.

As to the investigative powers of the Senate, so long as I have a vote in this body I will never vote to do anything to impair the proper investigative functions of the United States Senate. I have always looked upon the Senate, and I now look upon the Senate, as a part of the legislative arm of the Government, which, under the Constitution, is established as a coequal branch of the Government. The legislative branch of the Government, the Congress, is not subordinate to the executive branch.

Mr. MALONE. Not completely as yet.

Mr. KNOWLAND. Nor is the executive branch subordinate to the legislative arm of the Government. That is the way our system is supposed to function.

There were times during the previous administration, and there have been times under this administration, when there was some reluctance about presenting to a committee upon which I served information which I felt should be presented to it. I have taken just as firm a stand under this administration as I did under the previous administration in insisting that a committee of the United States Senate has the right to certain information. So long as I serve

in this body neither my voice will be heard nor my vote cast, either in this proceeding or any other, in support of doing anything which would subtract one iota from the proper investigative powers of the United States Senate.

Mr. MALONE. I congratulate the distinguished majority leader upon his wonderful statement, and I hope it will have its effect on this great deliberative body.

I would say at this point, however, that Mr. Hitler never violated a rule or law or precedent of the Reichstag. He saw to it ahead of time that the Reichstag set the precedent or passed the law or made the rule under which he wanted to announce the necessary changes in procedure. The legislative body destroyed itself. I leave that thought with the majority leader.

Mr. KNOWLAND. I do not quite get the Senator's point in that regard. Unfortunately the people of Germany under their Republic did not have a constitution like ours. The Government was permitted to govern by decree. Under former Chancellor Bruening precedents were established for governing by decree. Those precedents were later used by Hitler to destroy the Republic. However, if we maintain our constitutional system and make certain that no Executive can govern by decree, but that he must follow the constitutional process of having legislation enacted by the legislative bodies elected by the people of the country, we will never be faced with that problem. I, for one, feel that a Member of the Senate or of the House of Representatives, who takes an oath to support and defend the Constitution of the United States, will never ignore his responsibility or waive his responsibility as a Member of the House or as a Senator of the United States.

Mr. MALONE. Mr. President, will the Senator from California further yield?

Mr. KNOWLAND. I yield.

Mr. MALONE. I would state at this point that we are following the procedure of legislative bodies wherever dictatorships have been established.

We are nibbling at the investigative power of the Senate by censuring any Senator who seeks to investigate any procedure or act, asking questions distasteful to a witness.

NO ALLEGATION OF VIOLATION OF A SENATE RULE

If the distinguished Senator from California will further yield, I will say that I have heard no accusation made on the floor of the Senate, or at the hearings, or at the time the allegations were filed, that the Senator on trial ever violated a rule of the Senate.

I understand that the Senate is the judge of its own Members, and can decide whom it will seat in the Senate. The Senate could expel the senior Senator from California or the senior Senator from Nevada, if it so desired, if it had the votes with which to do it, regardless of the nature of the charges.

NO CENSURE UNLESS A SENATE RULE VIOLATED

However, the Senate has yet—over a period of 175 years—to set a precedent of censuring a Senator unless he has violated a rule of the Senate.

Senators have been tried and censured—and they have faced expulsion, but no Senator has ever been censured except on an allegation and conviction that he violated an established rule of the Senate.

Therefore, if we proceed in the matter before the Senate on the theory that we will later adopt a rule which the Senator in question would have violated if it had been a rule of the Senate at the time of the commission of the alleged act, that is quite another matter.

There will be, I may say to the distinguished majority leader, some serious debate before any such proposed rule will be adopted in any case.

THE JUNIOR SENATOR FROM WISCONSIN A WHIPPING BOY

The senior Senator from Nevada feels that the junior Senator from Wisconsin is merely the whipping boy in this procedure. He feels that the real objective from the very beginning has been to destroy the investigative power of this body.

By pinning the spotlight on a personality the public can be divided. You could not so easily divide public opinion on the principle involved.

The present procedure or the next accusation, once the principle is established, could be the chairman of the Appropriations Committee [Mr. BRIDGES] or the chairman of the Committee on Rules and Administration [Mr. JENNER] or the distinguished majority leader.

Mr. KNOWLAND. It seems to me the senior Senator from Nevada is making an argument on the merits of the resolution that is worthy of attention. At this point I do not care to enter into that debate. I have my own views, which I shall make known at the proper time.

I believe that the problem before the Senate now, under the unanimous-consent agreement, is whether the Senate will have a morning hour and immediately thereafter take up the subject matter of the resolution and debate that issue.

The remarks of the distinguished senior Senator from Nevada are in entire keeping with his feelings in the matter, and are arguments which need to be made in the Senate on the question of precedent.

Mr. MALONE. Mr. President, will the Senator further yield?

Mr. KNOWLAND. However, I do not want to get into a debate on that point at this time because I may not disagree with the Senator from Nevada on all the points he is making.

I yield further to the Senator from Nevada.

PROCEDURE OF THE SENATE

Mr. MALONE. The question that brought about the debate between the Senator from California and the Senator from Nevada was the question of how the Senate should proceed, so that those of us who have other work to do can get it done. I suggest to the Senator from California that he consider having the Senate follow the regular order next week, by having the Senate convene at 12 o'clock and recess at a convenient time in the evening. If that is done, some of the committees may hold their hearings in the morning, and Senators may also be able to digest the proceedings of the Senate, as we always do in matters in which we are interested. If that course were followed, we could hold our hearings and the Senate could be in session for 6 or 7 hours, if that were the desire of the Senate, and we could perform our work in the regular order, provided it were understood and we did not keep this deliberative body always in a state of flux.

This morning is the first time the Senator from Nevada, after canceling all hearings of his committee set for 3 months, ever had any indication of what we might depend on in point of timing of the work of committees.

IMPORTANT PRECEDENT

The question before the Senate includes an important precedent, and we all understand it is a vital matter. We are watching it very closely. If we were to proceed in accordance with the regular order next week, all of us could digest the arguments made in the Senate and be ready to vote when we have reached that point in the debate. At the same time, we could keep up our regular work and continue with it even after the pending business has been voted upon.

Mr. KNOWLAND. I will say to my distinguished friend and colleague from my neighboring State of Nevada, that of course any suggestions which he makes or which any other Senator makes will be taken into consideration. I shall consult further with the minority leader and with other Senators, who have made other suggestions as well, and determine if it is possible to reach further determinations.

AWARD TO HON. WILLIAM S. B. LACY, MINISTER-COUNSELOR OF THE UNITED STATES TO THE PHILIPPINES

Mr. MANSFIELD. Mr. President, the Honorable William Lacy, Minister-Counselor of the United States of America to the Philippines, has returned to the United States for reassignment by the Department of State.

Bill Lacy did an outstanding job as Minister-Counselor of the United States in the Philippines and along with Ambassador Raymond Spruance formed a diplomatic team of outstanding ability. The Senator from New Jersey [Mr. SMITH] and I know of the outstanding talent displayed by Mr. Lacy at the time of the Manila Conference in September of this year. We were impressed with his ability and understanding. He has always typified the highest standards of our Foreign Service personnel. Bill Lacy is not alone appreciated by his own country but he is also the recipient of great honors from the people among whom he served so ably.

Mr. President, I ask unanimous content to insert with my remarks in the RECORD, the citation by His Excellency, Ramon Magsaysay, President of the Republic of the Philippines, in granting the Golden Heart Presidential Award; a citation from the Chief of Staff of the Philippine Armed Forces, Gen. Jesus Vargas, granting the award of Commander

in the Philippine Legion of Honor; and various communications from the Department of National Defense of the Republic of the Philippines; and newspaper editorials relative to Mr. Lacy's service.

Bill Lacy distinguished himself as a representative of the United States of America. His service in the Philippines is a continuing step in his devotion to the welfare, the security, and national interest of our country. He has earned the thanks of two grateful nations—his own and the one to which he was accredited. He has been a good and faithful servant.

There being no objection, the citations, communications, and editorials were ordered to be printed in the RECORD, as follows:

CONFERMENT OF THE GOLDEN HEART PRESIDENTIAL AWARD ON HON. WILLIAM S. B. LACY

Pursuant to Executive Order 40–a, dated June 21, 1954, I hereby confer upon Hon. William S. B. Lacy the Golden Heart Presidential Award.

This award is conferred upon him in his capacity as counselor and deputy chief of mission, Embassy of the United States of America in the Philippines, in recognition of his outstanding role in the prosecution of the joint undertaking of the two countries to place their relationship on a firm and enduring basis, particularly in the implementation of the policies of the United States Government designed to assist the Philippine Government toward insuring the national security and the economic and social well-being of the Filipino people, in which endeavor he has exercised exemplary tact, sincere friendship, and uncommon understanding. Imbued with the desire to strengthen the ties of amity and good will between the United States and the Philippines, Counselor Lacy has assisted the Filipino people in their continuing efforts to bolster the democratic institutions in this country and to foster their unity of purpose and effective cooperation essential to the perpetuation of the intimate relationship that bind the two countries and to the maintenance of lasting peace in this part of the world.

Done on this 23d of September, in the year of our Lord, 1954, and of the Independence of the Philippines, the 9th.

RAMON MAGSAYSAY.

SEPTEMBER 23, 1954.

GENERAL HEADQUARTERS,
ARMED FORCES OF THE PHILIPPINES,
Camp Murphy, Quezon City,
September 21, 1954.

GENERAL ORDERS NO. 444—AWARD OF THE PHILIPPINE LEGION OF HONOR (COMMANDER)

By direction of the President, pursuant to paragraph 2e, section I, AFPR G 131–051, this headquarters, dated January 21, 1954, the Philippine Legion of Honor (Commander) is hereby awarded to Hon. William S. B. Lacy for outstanding and distinguished service to the Republic of the Philippines, as counselor and deputy chief of mission, Embassy of the United States of America. He has amply demonstrated sincerity of purpose and sympathetic understanding of the Philippine point of view, notably in the consideration of the problems mutually affecting the two countries. His unremitting interest in political, economic, and military affairs has resulted in the implementation of the various United States aid programs and the promotion of Philippine defense, thereby enhancing the well-being and security of the Filipino people. An advocate of stronger ties of friendship and good will between the United States and the Philippines, Counselor Lacy, in both his official and private capacities, has largely been instrumental in securing harmonious and progressive relationships. By his inspired assistance, tact and high ideals, he has not only won the gratitude of the Filipinos but has also contributed significantly in making the Philippines a bastion of democracy in southeast Asia.

By order of the Secretary of National Defense:

JESUS VARGAS,
Lieutenant General, AFP, Chief of Staff.

Official:

PEDRO S. HERNANDO,
Colonel, AGS, The Adjutant General.

REPUBLIC OF THE PHILIPPINES,
DEPARTMENT OF NATIONAL DEFENSE,
CAMP MURPHY, QUEZON CITY,
September 22, 1954.

Hon. WILLIAM S. B. LACY,
Embassy of the United States, Manila.

DEAR MR. COUNESLOR: By direction of the President, the Philippine Legion of Honor (Commander) is awarded to you pursuant to the attached copy of General Orders No. 444, General Headquarters, Armed Forces of the Philippines, dated September 21, 1954, for distinguished service to the Republic of the Philippines, in your capacity as counselor and deputy chief of mission, Embassy of the United States of America.

The Secretary of National Defense will personally award the decoration to you at 9:30 o'clock in the morning, September 23, 1954, at his office, second floor, GHQ AFP Building, Camp Murphy, Quezon City.

May we request you, therefore, to come to the appointed place at the above-stated time and date.

Very truly yours,

ISAGANI V. CAMPO,
Colonel, GSC (Inf), Military Assistant.

A DIPLOMATIC TEAM

President Magsaysay and the Philippine Government have bestowed signal honors upon an American diplomat who is leaving the Philippines today on completion of a critical tour of duty as minister-counselor of the United States Embassy and deputy chief of mission, next in authority to Ambassador Spruance.

Minister William S. B. Lacy was presented with a Legion of Honor medal by the department of defense yesterday morning and with the Golden Heart medallion a few hours later by the President himself, both in token of his extraordinary services to this nation as representative of the United States here and to the cause of democracy in Asia. Because it is the function of a diplomat to work behind a screen of formality, only a small handful of people know how extensive and effective Mr. Lacy's work has been. The Presidential gesture was one of deep and sincere appreciation.

Mr. Lacy's departure today for eventual new assignment in the service means the separation of an extraordinary working team. Ambassador Spruance and Mr. Lacy are tempermental opposites who complement each other almost to perfection. The Ambassador's calm and deliberate mien hides a multitude of vigorous, forceful convictions and a monumental rectitude. Mr. Lacy's suave tact, unfailing resourcefulness in word and action, and his sympathetic understanding of people and their problems reveal more about him than they hide. Pride and honor are held high by both men. Both are men of courage. Although they may have differed as to methods on occasion they have always found agreement on fundamentals.

The relationship has been thoroughly tested through all sorts of vicissitudes. They have handled American policy in the Philippines in one of its most critical periods, when even the survival of democracy has been at stake, as in the last elections. The diplomatic mission they head is one of the largest in the world, charged with very heavy responsibility. And as a lasting tribute to the working team of Spruance and Lacy, it can be said that Philippine-American relations at this moment have never been better.

WILLIAM LACY

William S. B. Lacy, who leaves the Philippines today, arrived here to take up his duties as minister-counselor in the American Embassy 2 years and 1 month ago.

The period between has brought him rather more than one man's share of hard work, of some discouragement, of some misrepresentation.

But as he boards the plane that will take him away this morning, he will carry with him some rewarding thoughts, some compensations for the hard work.

The two decorations which he received yesterday in token of the high regard in which he is held by the nation whose bonds of friendship with his own country he strove so mightily—and on the whole, so successfully—to preserve and to strengthen, will be tangible and gratifying mementos of phases in his service to which he can look back with justifiable pride.

But above all these he will carry home the assurance that he has abundantly served his country; not in a narrow selfishness for his country's interests alone, but in the wider knowledge that dedicated service gives a man: the knowledge that nation is best served which is best brought into harmony with the interests of its friends and its neighbors—those of its neighbors which are nearest to it in ideals and in outlook.

To work in and for the Philippines in the past half-century America has sent some of her best men, at all levels. In William Lacy she loaned us one of her very best; and it is a pleasure, now that he is on his way to other fields of service, to acknowledge this, and to wish him Godspeed and those heavier burdens in his country's service for which he is so richly endowed.

CONTROL OF THE MARINE CORPS BY THE CHIEF OF NAVAL OPERATIONS

Mr. MANSFIELD. Mr. President, I have been hearing rumors and reading stories to the effect that at the present time an effort is being made by some admirals of the Navy to gain control of the Marine Corps and to place its Commandant under the command of the Chief of Naval Operations.

In view of this rumored proposal, I desire to say it is my understanding that Public Law 416—the Marine Corps Act—passed by the 82d Congress, clearly defined the status of the Commandant of the Marine Corps as a coequal participant with the Joint Chiefs of Staff in all matters of direct concern to the Marine Corps. The Commandant of the Marine Corps is a direct subordinate of the Secretary of the Navy, and is in no way subordinate to the Chief of Naval Operations.

It is my hope that the specific and detailed outline of the Commandant's duties, as established by Public Law 416, will in no way be diminished, but that the law itself will be lived up to in spirit, in word, and in fact. I am concerned by the rumors and press reports to the effect that certain high-ranking officials within the Navy are not willing to carry

out the specific intent of this law as it affects the Marine Corps. It is my hope that I will receive the proper assurances immediately from the Secretary of Defense to the effect that the statutes governing the Marine Corps and its Commandant will be adhered to.

Mr. President, I ask unanimous consent to have inserted in the RECORD a copy of a letter which I wrote to the Honorable Charles E. Wilson, Secretary of Defense, about this matter under date of November 9, 1954.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
November 9, 1954.

Hon. CHARLES E. WILSON,
Secretary of Defense,
Washington, D. C.

DEAR MR. SECRETARY: As you may be aware I have been, both as a Member of the House and presently as a Member of the Senate, deeply interested in defense matters. In particular, I have had a long interest in the organization and functioning of the Department of the Navy.

Because of my long-standing interest in such matters I was very pleased to note the report of the Committee on Organization of the Department of the Navy, dated April 16, 1954. I feel that this committee, which I understand was an extension of the reorganization initiated by Reorganization Plan No. 6, conducted a thoughful and thorough examination of the organizational functioning of the Department of the Navy. I was interested to note that the committee reported that the inconsistencies between the statutes and the regulations regarding the position of the Chief of Naval Operations in his relationship to the Marine Corps and its Commandant had been resolved. The resolution of such conflict between statute and administrative orders has long been overdue and I congratulate you and your subordinates on making such a vital improvement.

Because of my long-standing interest in this matter I would deeply appreciate receiving a copy of the document referred to on page ii of the report, by which the Secretary of the Navy corrected the situation by administrative action. If you can provide me with a copy of this document at an early date your courtesy would be deeply appreciated.

I note with deep concern the report in the November 12 issue of U. S. News & World Report to the effect that apprehension is being felt that the Chief of Naval Operations is attempting to gain control of the Marine Corps.

Needless to say I hope that this is an unfounded rumor. As you may know, I was one of the original sponsors of Public Law 416, 82d Congress, which assigned the Commandant of the Marine Corps coequal status in the Joint Chiefs of Staff on matters of direct concern to the Marine Corps. Any direct or indirect abridgement of the letter or intent (as clearly set forth in pertinent committee reports on the bill) of Public Law 416 would be a matter of grave concern to me, and I am sure, to the many others who joined in lending their names to the long list of those who sponsored that vitally necessary legislation. It would be reassuring to learn that the rumor is unfounded and that the law is not in danger of being thwarted by subordinating, in any matter, the Marine Corps or its Commandant to the Chief of Naval Operations.

With best personal wishes, I am,

Sincerely yours,

MIKE MANSFIELD.

LETTER OF SENATOR JOHNSON OF COLORADO CONCERNING SENATOR McCARTHY

Mr. WELKER. Mr. President, I have consulted with the Senator from Colorado [Mr. JOHNSON], who has been my dear friend since I came to the Senate and who will remain my friend regardless of the outcome of the resolution and the recommendations which are being considered by this body. I have talked to him about a matter which has been batted around in the press and on the floor of the Senate.

I have shown him a letter which he wrote on the 28th day of August 1954.

Before reading the letter I wish to invite the attention of the Senate to the fact that on page 58, paragraph 2, of the report on the resolution of censure, there is a conclusion of the select committee, as follows:

There is no evidence that General Zwicker was intentionally irritating, evasive, or arrogant.

Let me say, Mr. President, before I read the letter, that the Senator against whom a resolution of censure has been filed has no knowledge whatsoever of the existence of this letter. I am doing this in fairness to my distinguished friend from Colorado, to indicate that there will be no mousetrapping or embarrassment to him. I am certain that he will reply in due time. I now read:

SEPTEMBER 28, 1954.

DEAR DAVID: To the extent that Senator McCARTHY opposes our policy of trying to run the world, manage its economic and military and political affairs, and support lavishly European politicians with American dollars who are here today and gone tomorrow——

The PRESIDING OFFICER. The Chair would call the attention of the Senator from Idaho to the fact that we are operating under the 2-minute rule, and that his time has expired.

Mr. WELKER. Mr. President, I ask unanimous consent that I may have an additional 2 minutes to complete the reading of the letter, and then I must insist that I be given sufficient time within which to reply to the questions which may be asked me.

The PRESIDING OFFICER. If the request of the Senator from Idaho is granted, the Senator from Colorado [Mr. JOHNSON] will have a right to proceed under the 2-minute rule, and if further time is needed, he may ask further unanimous consent.

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent that both the Senator from Idaho and I be given time.

Mr. WELKER. I think it is only fair and honorable that the distinguished Senator from Colorado be granted that right.

Mr. KNOWLAND. Mr. President, I have long been told that under the traditions of the Senate, the Senate can do anything it wishes to do by unanimous consent. So there will be no problem raised, following the remarks of the Senator from Idaho, with reference to the Senator from Colorado being given time to respond. I think all Members of the Senate would want the Senator from Colorado to have adequate time, and if it should take 2 or 5 or more minutes, he should have sufficient time to respond. While I think we could have achieved the same result by the distinguished Senator from Idaho waiting until the morning hour had been concluded, I ask unanimous consent that the Senator from Colorado have the floor immediately following the remarks of the Senator from Idaho.

Mr. WELKER. Mr. President, the reason why I did not wait until the conclusion of the morning hour is that I knew the distinguished Senator from Mississippi [Mr. STENNIS] has a lengthy speech and he does not wish to be interrupted.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

Mr. WELKER. Mr. President, I resume reading the letter:

To the extent that Senator McCARTHY opposes our policy of trying to run the world, manage its economic and military and political affairs, and support lavishly European politicians with American dollars who are here today and gone tomorrow, I am back of him. I am a card-carrying American and make no apologies for it any place at any time. But Senator McCARTHY is not altogether clear on these issues.

True, he has carried on a continuous fight against communism in high places and low, but in all fairness I cannot class him as a rugged individualist, or an American first. However, I must agree that communism is a type of internationalism. In the old days it was spoken of as the Internationale. Moscow is only the third headquarters of this political system. Once it was Brussels, Belgium. I must agree also that our own form of fuzzy internationalism is a "kissing cousin" of the old Internationale. I agree with you also that General Zwicker and some of the other men in uniform were evasive and resentful of having a committee of Congress make inquiries into military matters. The military has the feeling that Congress has no right to question them. In that attitude they are completely wrong.

Sincerely,

ED. C. JOHNSON.

Mr. JOHNSON of Colorado. Mr. President, the letter is divided into two parts. It was in reply to a letter which I had received, but I do not have before me the letter which I received. There is no question, however, that I wrote this letter and that it has been correctly quoted at this time.

The letter must be divided, however, into two parts. It is true that on August 28, 1954, I had a very strong feeling that General Zwicker had been evasive, that he had been arrogant, that he had not been entirely frank when he was being interrogated by Senator McCARTHY.

However, General Zwicker appeared before the select committee and testified at length, and I received an altogether different impression of him. I had never seen him before he appeared before the select committee. I discovered then, for the first time, that when General Zwicker had appeared before Senator McCARTHY, he was completely under wraps. Instead of being arrogant and evasive, the man was only doing his military duty in his answers to Senator McCARTHY.

Yes, Mr. President, I completely changed my mind after I heard General Zwicker testify, and after I heard Senator McCarthy testify with regard to General Zwicker.

I wish now to quote from the hearings of the select committee. On page 505 of the hearings on Senate Resolution 301, part I, there will be found the following questions and answers. Mr. de Furia, who was assistant counsel to the select committee, asked this question:

General, did you promote Peress?

General Zwicker. I definitely did not.

Mr. de Furia. Did you discharge him with an honorable discharge?

General Zwicker. I did, sir.

Mr. de Furia. Was that on your own initiative or under orders, sir?

General Zwicker. It was under orders.

Mr. de Furia. What kind of work was Peress doing while you were commandant at Camp Kilmer?

General Zwicker. He was a dentist and his work was confined strictly to dentistry.

Mr. de Furia. Was he in what you would call a sensitive position so far as intelligence or information or classified material was concerned?

General Zwicker. He was not.

Mr. de Furia. Senator Ervin suggests that perhaps working with teeth and nerves, that made it a sensitive position.

When you learned about the Peress separation order, did you express to anyone your feelings about the merits or demerits about that separation order?

General Zwicker. I certainly did.

Mr. de Furia. When you learned that Peress was going from captain to be a major, did you express your personal feelings about that?

General Zwicker. I certainly did.

Mr. de Furia. And when you learned that Peress was about to be discharged with an honorable discharge, did you express your personal feelings about that?

General Zwicker. Most emphatically.

Of course, these replies are in cold black and white, but anyone who heard General Zwicker make these replies must have been convinced, as I was convinced, that he was opposed to the promotion of Peress, that he was opposed to his receiving an honorable discharge, and that he had made his position clear to his superior officers. Perhaps I have read something between the lines in that connection; nevertheless, I was completely convinced of those facts.

General Zwicker in his appearance before our committee was very much of a gentleman all the way through. He was most courteous; he knew what he was doing; he was not evasive, except to the extent that he had to protect his testimony. After I saw that demonstration, certainly I had a change of heart with respect to General Zwicker.

I am unable to locate it now, but I have the impression that somewhere in the testimony Senator McCarthy made the statement that he was asked some questions about the time when General Zwicker was being cross-examined, and in reply to those questions he made the statement that he was not too hard on General Zwicker; that he was not hard enough on him at the time the examination was made. Those are not the exact words, but they are to that effect.

I will admit that I have changed my mind, and the members of the select committee know that I have changed my mind, with respect to General Zwicker and his attitude. They can tell the Senate that I changed my mind and changed my position completely with respect to General Zwicker after I had heard this direct testimony.

On the other question, with reference to the Internationale, I have made the statement over and over again, in letters to my constituents and others, that to the extent that Senator McCarthy opposed communism, I was back of him. I know there is quite a controversy with respect to the extent of his opposition to communism. I have a great many very close friends who feel that Senator McCarthy has never accomplished anything with respect to his fight against communism. I have other friends who think that he alerted the country and rendered the country a great service in pointing out the menace of communism, especially the menace of communism in the departments of our Government. I am not entering into the controversy with respect to the extent of his opposition to communism. I simply say that to the extent that Senator McCarthy fought communism, I am in his corner. I say that again, and it is my position today. It has been my position right straight through.

This is the reply I desired to make to the letter referred to by the Senator from Idaho. I shall examine that letter further when I find the letter to which it was a reply.

Mr. WELKER. Mr. President, I appreciate the remarks made by my friend, the distinguished senior Senator from Colorado. When he makes his presentation to the Senate, I shall inquire of him about certain comments he made in his statement, recently completed. In order to save time and to allow my friend, the distinguished junior Senator from Mississippi [Mr. Stennis], to proceed, I shall not ask, or attempt to ask, any further questions at this time.

RESOLUTION OF CENSURE

The PRESIDING OFFICER. If there be no further morning business, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment.

The Chair wishes to state that it is recognized that in the galleries there are many persons who have never before attended a session of the Senate.

The Senate has definite rules with regard to demonstrations of approval or disapproval of any statement which may be made in the course of the debate. Such demonstrations are forbidden.

Therefore, those in the galleries who are here as guests of the Senate will please abide by the rules of the Senate, and will not indicate in any way approval or disapproval of anything which may be said on the floor of the Senate. The cooperation of the occupants of the galleries will be very much appreciated.

Mr. STENNIS. Mr. President——

The PRESIDING OFFICER. The junior Senator from Mississippi.

Mr. STENNIS. Mr. President, I do not have a long speech. I do not have one which is in manuscript form. I speak as a member of the select committee, but not for the committee. I feel that each member of that committee who was, so to speak, drafted for this assignment ought on the floor of the Senate state his reasons for his position and reply to any reasonable and pertinent questions, and in that way discharge his special obligation to the Senate. I appear in that capacity willingly. I shall not yield for questions during my remarks, but, within limitations, shall yield at the conclusion thereof. I do not expect to speak at great length.

Mr. President, I may say further that this morning I expressed to his counsel a wish and hope that Senator McCarthy would be present, just for the sake of my feeling a little better about talking about him when he was present rather than during his absence. I learned that he is not ill. It is entirely satisfactory if he chooses to attend to other matters because I appreciate that he cannot be present in the Senate all the time.

Mr. President, if I may, I should like to say a word about a Senator on the committee who in a way has been under attack. I refer to the chairman, the distinguished Senator from Utah [Mr. Watkins]. In all my public career I have never seen a better job done in holding the scales of justice evenly balanced than has been done by the chairman of the select committee. In my estimation, I do not believe that I have ever seen the equal of the job he has done under the circumstances. He had the moral fiber, the legal training, and the sense of devotion to duty that made such a performance possible. More than that, he had a great spiritual reservoir that came to his rescue and served as a solid, strong foundation for him all the way through. I commend him, not for his conclusions, not for any ruling he made, but for the way in which he approached this matter, for his consecrated devotion to duty, and for his attitude all the way through.

I note, too, that certain members of the committee have been under special attack. I say nothing in their defense because they do not need any. However, I should like to say that during the very careful deliberations of the committee, if any Senators who have come under special attack had any leanings at all, they were leanings of great generosity toward the Senator whose conduct was being considered.

I should like to say a word with reference to our recommendations regarding changes in the rules of the Senate. I notice that aspect of the recommendations has come under criticism as being a usurpation of power by the committee. The Senate will recall that it referred to this select committee the Bush resolution, which had to do with proposed changes in the rules. It was mandatory that the committee take some action with reference to the subject matter. We have merely reported our ideas about

some changes. This important matter should be, and we assume it will be, in line with the usual procedure, referred to the Committee on Rules and Administration for proper consideration, and later on be the subject of discussion in the Senate, unless the Senate should see fit to pursue a different manner. Certainly it was not the idea of the select committee to have any rules adopted by the Senate except through its ordinary processes.

I have noticed that the report has been subjected to severe criticism with respect to some of the phrases or clauses in it. There may be in the report loosely drawn sentences, clauses, or even paragraphs. However, when the paragraphs that represent the conclusions and recommendations of the committee and the real heart of the counts are considered, I am sure Senators will realize what I mean when I say I have never known of a matter in connection with which it was so difficult to arrive at the most appropriate language; but in the committee each word was carefully considered and weighed, with great leniency toward Senator McCARTHY. The members of the committee carefully thought out the meaning and possible implications of the language. The serious part, the concluding part, of the report was most carefully weighed and contains language which was deliberately arrived at after hours, days, and nights of the most careful and painstaking consideration.

Mr. President, I propose to outline in particular some of the facts and the high points of the facts on which charge No. 1 was based. I shall not go into detail as much as I otherwise would do, since the Senator from South Dakota [Mr. CASE] has made an excellent statement of those facts.

The charge originates because of what occurred before a subcommittee of the Committee on Rules and Administration, the Subcommittee on Privileges and Elections. I was once a member of that subcommittee. The matter originated as a result of events occurring in Maryland in connection with the election of Senator JOHN MARSHALL BUTLER. I was on that subcommittee when that election took place, and I was on it after the Senator from Maryland was elected. I was on it when persons seriously said the Senator from Maryland [Mr. BUTLER] should not be seated. I was the first one to announce that it would take a strong set of facts to lead me to vote, and that I would be very, very slow in voting, against seating a Senator whom a majority of the people of his State had chosen to represent them in this body, unless there was overwhelming proof of fraud that would have changed the result of that election. So I am familiar with the problems arising in the investigation of an election.

I think, however, in this case, that charge does not touch, topside or bottom, anything having to do with Senator BUTLER'S election. It does not touch, topside or bottom, the question of Communists in our Government. That matter has nothing to do with the issue now before the Senate.

I personally think that Senator McCARTHY has done some very good and very effective work on this perplexing problem; but, Mr. President, there have been others who have done good work on this very problem. I think of the man who is now the Vice President of the United States, who was once a member of the House Committee on Un-American Activities; I think of the senior Senator from South Dakota [Mr. MUNDT]; and I could name many others. I do not know of a single one of those persons who, when called upon before the public for an explanation concerning some of their affairs or some of the things they have done, has said, "Oh, I am fighting communism. You must not touch me or call on me for an explanation." The very opposite was done by the Vice President, and a frank, forthright, full explanation was made of what the facts were, so the people could judge for themselves. They fully accepted the explanation freely given. But I commend Senator McCARTHY for what I consider some good work in investigating Communists.

I remember that when the Tydings report was submitted, so far as I know, I was the first one to raise points in criticism of that report, in that it went more to a criticism of Senator McCARTHY, who was a witness, than it did to the question of the situation in the State Department. Now I find the Senate is faced with the same problem with reference to an explanation of a Senator's conduct. The question goes beyond the abuse of witnesses. It seems to me that there should yet be a clear-cut, forthright, upright, and full explanation of the facts by Senator McCARTHY as to matters before the Gillette subcommittee.

So I commend the junior Senator from Wisconsin for what good he has done. But the fact that he has done good work in that mission of the Senate does not give him license to destroy other processes of the Senate or destroy its Members.

The offense here, as I see it, is not merely the remarks about the subcomittee or its members; but the offense lies in the low standards of senatorial conduct which there would be a tendency to establish if those remarks and that conduct eventually were to find their way into the accepted channels of conduct for this great institution, the Senate of the United States, which is a time-tried, time-tested institution of free government. That is what concerns me about this matter.

I am not willing to submit to the standards, Mr. President, that we found in this evidence, as set forth in charge No. 1; I am not willing to do so as an individual, and I am not willing to do so as a Member of the Senate.

I wish to say that this whole charge is not a legal charge for contempt of the Senate subcommitee. If the standards are such that we must track down a Member and serve upon him a subpena—a subpena meaning that one must answer under penalty of the law—if we must serve upon him a subpena to appear at an exact place, on an exact date, and at an exact time, then there is no case here, based upon that concept, at all. This charge is really one relating to moral contempt on a set of facts that, in effect, obstructed the processes of the Senate. The Gillette-Hennings subcommittee was unable to get an answer, and was unable to get an explanation.

Something has been said about the statute of limitations. I mention it merely in passing. It has been suggested that all this transpired in the 82d Congress, and therefore it does not properly come within the jurisdiction of the 83d Congress. Mr. President, the Senate has continued; the junior Senator from Wisconsin [Mr. McCARTHY] has continued here as a Member; those charges have continued. In my view of them, they are not answered yet. The attitude continues down to this very day. If I have ever seen a continuing matter, extending from year to year and from session to session, the one before us is of that sort.

Let us remember that the person involved is not an ordinary nor just an average citizen; he is not a man unversed in the affairs of life or the affairs of government. He is a Member of the United States Senate, a man who has been a judge in his home State; and so far as I know, he made a good record there.

I wish to say that JOE McCARTHY to me has been a most genial Member of this body. I shall never forget the reception he gave me a few years ago when I came to the Senate and the kind friendliness which existed between us and, so far as I know, exists now. But I was not passing on an ordinary person, an average individual. On the contrary, I was passing on a Member of the Senate; and more than that, a member of the Committee on Rules and Administration itself; and more than that, a member of the Committee on Government Operations; and more than that, the chairman of the Committee on Government Operations and the chairman of its subcommittee dealing with special investigations. In other words, he is a Member of the Senate whom the Senate has clothed with authority to represent the Senate. The Senate had vouched for him before the people of the United States. He had the senatorial seal or stamp of approval upon him as he went about some of these matters, although not all of them.

But, as I say, it was a continuing matter and a continuing attitude. That is the weighty part of this case that bore down so hard on my mind, and made inescapable the conclusion that this was a course of conduct that must—the challenge having been made and the issue having been drawn—be considered by the Senate, for the Senate has no course other than to put either its approval or disapproval upon it; and a major part of the facts in the case are not disputed.

Mr. President, what is the question here? It is purely a question of political morality in Senatorial conduct. To be more precise, the question is whether I, as a Senator, approve or disapprove of these proven acts as proper standards of Senatorial conduct. Each Senator must make up his own mind about what are the proper standards; but, as Senators, let us remember that it is not as

individuals that we are to make up our minds in this case. We are to make them up as representatives of the 161 million people of the United States; we are setting standards of conduct for a time-proven and time-tested institution which belongs to the people—the United States Senate.

As I have said, these facts originate from the proceedings of a subcommittee. I shall be very brief in referring to them. The facts go back to August 6, 1951, when a resolution was submitted. It did seek the expulsion of the junior Senator from Wisconsin. As I have said, I would be slow to vote to expel any Member of the Senate. But we must consider these matters with a view to ascertaining the facts. I shall not read all of the resolution; but, after reciting certain items, it reads:

> And such investigation with respect to his other acts since his election to the Senate.

That is one of the basic foundation rocks upon which the subcommittee was acting, and it was acting only after the matter had been referred to it by the Senate. That, in turn, was questioned; and I think the junior Senator from Wisconsin had the right to question the jurisdiction and the authority of the subcommittee. That was the proper way to proceed. It was eventually questioned here on the floor of the Senate. But before that, what did the subcommittee meet with as it tried to go about its duties? It met with abuse on top of abuse, and insult on top of insult. However, I would forgive the junior Senator from Wisconsin for that because he did challenge the jurisdiction of the subcommittee; and that challenge came to the floor of the Senate, and did so rather rapidly. He questioned not only the jurisdiction but the integrity of its members, challenging them through his letters of abuse, and otherwise.

The resolution itself was finally submitted, as I recall, by the senior Senator from Arizona [Mr. HAYDEN], then chairman of the Committee on Rules and Administration, or it may have been submitted by the chairman of the subcommittee; and that issue was squarely presented on the floor of the Senate. At any rate, it came to the floor of the Senate as Senate Resolution 300.

Let me refer now, Mr. President, to page 31 of the hearings; and I think this is a most material point in connection with the consideration of this matter. I read now from Senate Resolution 300, of the 82d Congress, 2d session:

> IN THE SENATE OF THE UNITED STATES.
>
> *April 8 (legislative day, April 2), 1952.*
>
> Mr. HAYDEN (for himself, Mr. GILLETTE, Mr. MONRONEY, Mr. HENNINGS, and Mr. HENDRICKSON) submitted the following resolution, which was ordered to lie over under the rule:
>
> "RESOLUTION
>
> • • • • • •
>
> "Whereas by letter dated March 21, 1952, the Senator from Wisconsin [Mr. MCCARTHY] in effect declined to take the action called for by the above-stated motion, repeating his charge that the subcommittee has been guilty of 'a completely dishonest handling of taxpayers' money,' referring to a preliminary and confidential report of its staff as 'scurrilous' and consisting of 'cleverly twisted and distorted facts' ":
>
> Now, therefore, to determine the proper jurisdiction of the Committee on Rules and Administration and to express the confidence of the Senate in its committee—

I emphasize, Mr. President, the words "the confidence of the Senate in its committee"—

> in their consideration of Senate Resolution 187, it being understood that the following motion is made solely for this test and that the adoption of the resolution is opposed by the Members on whose behalf it is submitted, be it
>
> "*Resolved,* That the Committee on Rules and Administration be, and it hereby is, discharged from the further consideration of Senate Resolution 187."

That was the issue before the Senate. It is plain, simple, and clear. The question was whether or not the subcommittee was acting within its jurisdiction, and whether or not, based upon the facts, the Senate had confidence in the integrity of the Members and their methods.

What was the vote on that resolution? By a vote of 60 to 0 the resolution failed of adoption. There was a unanimous negative vote, affirming the jurisdiction of the committee—and many of these facts had already happened—and the integrity of its Members, both as to methods and as to procedure.

I was very much impressed by that fact. That brings us down to date. We certainly have a new start. I think, in fairness to Senator MCCARTHY, it ought to be pointed out that, by indirection, he voted against the resolution. He sided with the 60 others by announcing his position on the floor. At the same time, he knew what the issues were, because in a letter to Senator HAYDEN, which is in the record, he says, in effect, "You say that this resolution is being presented to test the integrity of the Members and the jurisdiction of the committee." So there is no dispute as to the facts. The issue is clear. The facts are clear, and the results are overwhelming.

What should we expect after this new start? Certainly there is a new beginning for the subcommittee. The new start wiped the slate clean, by a unanimous vote. What have we a right to expect? I think it is not unfair to the junior Senator from Wisconsin to say, "Everything has been cleared, and you must go along with this committee and its investigation."

What did the Senate get? Not cooperation; not a reasonable approach of any kind, as I see it. What came from the man now being investigated? Abuse, insults, more abuse, and more insults. I say that there is a pattern. It is unmistakable. There is no way to avoid that conclusion. There is a continuation of the abuse. Members of the committee are called pickpockets who are taking the taxpayers' money. They are called dishonest. The statement is made that there is no possibility of an honest report. Moreover, when the report was finally filed, in a press conference as well as by telephone—not here on the floor of the Senate—the junior Senator from Wisconsin referred to one of the members of that committee as "a living miracle, a man without brains or guts."

This is not merely a question of an attack upon a member of the committee. I would not pass it by if it were. But that is not all it was. As I recall, I am the member of the committee who said that the remarks of the junior Senator from Wisconsin with reference to Senator HENDRICKSON belong in the category relating to the treatment of the committee, because the Senator from New Jersey was a member of that committee, and the insult to him was not merely an insult to an individual. It was an insult to the constituted authority of the Senate, which was carrying out a constitutional mission. Moreover, there was an insult to a constitutional authority, the personnel of which had recently been expressly approved, including Senator HENDRICKSON, by a unanimous vote of the Senate.

Is it a sufficient answer to say, "Joe has done some good in hunting Communists"? Shall we destroy what have been considered the necessary processes in carrying out one mission because a man has done good in another field, on another mission? I cannot assent to such an argument.

In view of the facts which I have related, do Senators believe that the mission of the subcommittee was obstructed? Do Senators think there was an obstruction of justice? Of course, they do. There is no way to avoid such a conclusion. That is the final reason why I say there is no escape from an affirmative charge. Such conduct must be condemned. Otherwise, when challenge is made of these facts, and we fail to disapprove them, we adopt them as a standard. Let us be clear. Let us tell the youth of this country, "This is the way. This is the high road of which the Senate approves, and upon which it likes to travel in the consideration of public business." That is the conclusion of this member of the committee.

That is not all. After the report was filed and the subject set for special consideration by the Senate, and after the Senate had reassembled, the first words to be uttered on the floor by this same source of conduct were a continuation of the slush and the slime which have been poured on other committees which were charged with the duty of trying to look into the conduct. I have no personal resentment toward the junior Senator from Wisconsin for having made such statements. I feel sorry for him for having done so. I refer to Senator MCCARTHY'S speech which was not delivered on the floor, but released to the press and inserted in the CONGRESSIONAL RECORD on the first day of the debate. It represented a continuation of the same pattern, his same course of conduct. It is another spot on the escutcheon of the Senate, another splash and splatter.

Every Senator must decide this case for himself. As for the Senator from Mississippi, I cannot approve such slush and slime as a proper standard of senatorial conduct as we labor to carry on and transact the business of the people. For that reason, and that reason alone, I state my position here.

I repeat that the question before the Senate is not a question of fact. The facts are agreed upon. The question is not, "Do we approve or disapprove of everything that was done or everything that was said by every Member of the committee at every turn throughout these proceedings?" The question is one purely of political morality in senatorial conduct. To be precise, the question is, "As a Senator, and not merely as an individual, do I approve or do I disapprove of these proven facts as proper standards of senatorial conduct?"

If we approve, then something big and fine will have gone from this Chamber, and something wrong, something representing a wrong course, will have entered and gotten itself accepted as a proper standard of conduct.

As we consider that question, I hope that in some way each Senator will seek and finally find divine guidance in deciding what his duty is, and, from the same source, find help and encouragement in performing that duty.

Mr. President, I yield the floor.

Mr. KNOWLAND. Mr. President, as previously announced, at 2 o'clock this afternoon the Premier of Japan will visit the Senate Chamber. I have requested that all Senators return to the Chamber promptly at 2 o'clock, so that we may have the opportunity to meet the distinguished visitor. For that reason I am about to move that the Senate stand in recess until the hour of 2 o'clock p. m. today.

Mr. WELKER. Mr. President, for the sake of continuity, following the formal exercises this afternoon, would it be possible for me to interrogate my friend, the distinguished former jurist of Mississippi and great lawyer from the State of Mississippi? I wonder whether I could have that privilege.

Mr. STENNIS. So far as I am concerned, I shall be glad to submit to reasonable questioning from any source. I believe that to be my duty. However, I do not wish to submit myself to prolonged questioning or involved speeches. I shall make my answers brief. If I can not answer a question in that pattern, I shall be glad to answer it later.

Mr. WELKER. I assure my friend from Mississippi that my questions will be right to the point, and will not be speeches.

RECESS

Mr. KNOWLAND. Mr. President, I move that the Senate stand in recess until 2 o'clock p. m.

The motion was agreed to; and (at 12 o'clock and 31 minutes p. m.) the Senate took a recess until 2 o'clock p. m.

On the expiration of the recess, the Senate reassembled, and was called to order by the President pro tempore.

ATTENDANCE OF SENATORS AT MEETINGS OF THE JOINT COMMITTEE ON ATOMIC ENERGY

Mr. KNOWLAND. Mr. President, in a short while the Prime Minister of Japan will visit the Senate, but he has been slightly delayed. In the meantime I should like to state that a number of the members of the Joint Committee on Atomic Energy have been meeting rather continuously during the period of time the Senate has been in its present session, looking after joint committee responsibilities. The Senators include the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Ohio [Mr. BRICKER], the Senator from New Mexico [Mr. ANDERSON], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Tennessee [Mr. GORE]. On several occasions I have been present during the committee meetings. The Senators have been attending the committee sessions in conformity with their duties as members of the Joint Committee on Atomic Energy. I think, for the sake of the RECORD, that fact should be made clear.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the distinguished minority leader.

Mr. JOHNSON of Texas. I wish to join in what the distinguished majority leader has said. I was just reading the comments made by the junior Senator from Wisconsin [Mr. MCCARTHY] on yesterday with regard to a jury whose duty required it to hear a case, but which might be downtown somewhere. I share the view of the junior Senator from Wisconsin that every Member of the Senate ought to be in the Senate when the pending resolution is being discussed. I felt that the majority leader, if he did not share that opinion, was certainly sympathetic with it. I do not know how we are going to be able to defend ourselves from the very natural charge made to the public by individual Senators that we are absent from the Senate, if sessions of a committee are to be held while the Senate is in session, even if they are meetings of the Joint Committee on Atomic Energy. So I want to raise the question with the majority leader, and ascertain whether it is essential that the joint committee meet during the sessions of the Senate, or if it cannot be arranged that such joint committee meetings be held after the Senate has concluded its deliberations on the question at issue, or during someday in the week set aside for that purpose.

Mr. KNOWLAND. Mr. President, I wish to say to the minority leader that, even in the case of the Joint Committee on Atomic Energy, while it may not be subject to the same control of the Senate as would a Senate committee, I hope that the committee may find it possible to avoid meeting while the Senate is in session, by meeting on Saturday, when there is no session of the Senate. Now that it has been announced that the Senate will not convene next week until 11 o'clock in the morning, it might be possible for the joint committee to arrange to hold its hearings from 9 until 11 o'clock in the morning, so that they would not interfere with the sessions of the Senate. In fairness to the Senator from Iowa, the Senator from New Mexico, the Senator from Ohio, the Senator from Rhode Island, the Senator from Tennessee, and other Senators, who have felt they had a dual responsibility, I thought the statement I have made should be made, and I made it for that purpose.

Mr. JOHNSON of Texas. Mr. President, I deeply appreciate the majority leader's usual sense of fairness. I wish to appeal to him to urge the chairman of the Joint Committee on Atomic Energy to make some arrangement for meetings of the commitee which will not conflict with sessions of the Senate.

Mr. KNOWLAND. I have already expressed myself to that effect. In view of the fact that the Senate will not have a Saturday session tomorrow, and in view of the fact that the sessions will convene at 11 o'clock each morning next week, I ask the several members of the joint committee if they will arrange to have the committee meetings either before or after the Senate has its sessions.

Mr. JOHNSON of Texas. Mr. President, we know we have no more serious-minded Senators than those who make up the membership on the part of the Senate of the Joint Committee on Atomic Energy. They are diligent and conscientious, and they have met regarding an extremely important matter. Yet I know how their constituents must feel when they learn they are not present during the sessions of the Senate, when a statement is made such as was made yesterday on the floor of the Senate by the junior Senator from Wisconsin as appears on page 15964 of the RECORD:

> If I were a judge, as I once was, and three-fourths of the jurors in a case went downtown and did not listen to the evidence in a case, I would immediately declare a mistrial.
>
> Therefore I should like to urge, after the quorum call is made, that Senators take their duties seriously and sit and listen to the arguments, such as we have just heard made by the Senator from South Dakota.

I can appreciate the desire of the junior Senator from Wisconsin to have Senators present. On the other hand, I do not desire to have the impression left with American citizens that Senators have been downtown and are unwilling to listen to the debates, when they are present here in the Capitol on an important matter such as a meeting of the Joint Committee on Atomic Energy.

Mr. KNOWLAND. Knowing all the Senators, both Republicans and Democrats, on the joint committee, I am certain, even though they have been engaged in very important hearings, they have had made available to them the verbatim debates in the Senate, and the discussions concerning the question in issue, and the RECORD is such that I am sure Senators will go over it before making any final judgment in the case.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from New Mexico.

Mr. ANDERSON. I wish to assure both the majority and the minority leaders that the statements they have just made are very kind and thoughtful, and I appreciate them very much. This morning a matter came up in the joint committee dealing with the cancellation clause in the Dixon-Yates contract. We were in some doubt about it, and the

very able Senator from Ohio [Mr. BRICKER], because of his legal experience, was able to straighten me out, at least, and I think other Members. I think, therefore, his attendance in the committee this morning was not only required, but amply justified. I appreciate the statement that the failure of members of the joint committee to attend sessions of the Senate, is not by desire, but because of very pressing business pending before that committee.

VISIT TO THE SENATE BY HIS EXCELLENCY HON. SHIGERU YOSHIDA, PRIME MINISTER OF JAPAN

The VICE PRESIDENT. The Chair has learned that a distinguished visitor, the Honorable Shigeru Yoshida, Premier of Japan, has just arrived in the office of the Vice President.

If it is desired to move a recess, the Chair will then appoint a committee, consisting of the majority leader, the Senator from California [Mr. KNOWLAND]; the minority leader, the Senator from Texas [Mr. JOHNSON]; the Senator from Wisconsin [Mr. WILEY]; and the Senator from Rhode Island [Mr. GREEN] to escort the distinguished visitor into the Senate Chamber, so the Members of the Senate may have an opportunity to meet him.

Mr. KNOWLAND. Mr. President, I move that the Senate stand in recess, subject to the call of the Chair.

The motion was agreed to; and (at 2 o'clock and 8 minutes p. m.) the Senate took a recess, subject to the call of the Chair.

The Senate being in recess, at 2 o'clock and 10 minutes p. m., His Excellency Shigeru Yoshida, Prime Minister of Japan, escorted by the committee appointed by the Vice President, consisting of Mr. KNOWLAND, Mr. JOHNSON of Texas, Mr. WILEY, and Mr. GREEN, entered the Chamber and took the place assigned him on the rostrum in front the Vice President's desk.

The members of the party accompanying the Prime Minister of Japan, including Hon. Takakichi Aso, member of the House of Representatives of Japan, and Hon. Shigenobu Shima, Minister Plenipotentiary of Japan to the United States, entered the Chamber and were escorted to the seats assigned them to the left of the Vice President's desk.

The VICE PRESIDENT. It is a high honor and privilege to present to the Members of the United States Senate a man who has headed the Government of the Empire of Japan through a difficult period of years, from 1947 to 1954. He is one of the great leaders of the free world. He has been a great friend of the United States and the cause of freedom. It is our privilege to hear from him now.

I present the Prime Minister of Japan, Mr. Yoshida.

[Applause, Senators rising.]

Prime Minister YOSHIDA. Mr. Vice President and Members of the Senate, I thank you very much for your kind words of welcome and warm expressions of friendship.

I reciprocate heartily the good will you have shown me and your friendship for the people of my country.

May I assure you that I have had a most instructive and fruitful visit in your great country. Wherever I have gone I have been received with hospitality and kindness—true and sincere.

I shall carry back with me to Japan many happy recollections of a visit well spent. I shall return to my country encouraged and with greater confidence that America and Japan will continue to march forward together in friendship and cooperation in the cause of peace, security, and a better world. [Applause, Senators rising.]

The VICE PRESIDENT. The majority leader of the Senate, the Senator from California [Mr. KNOWLAND], would like to respond to the remarks of the Prime Minister; and thereafter there will also be a response by the minority leader of the Senate, the Senator from Texas [Mr. JOHNSON].

Mr. KNOWLAND and Mr. JOHNSON of Texas then advanced to the rostrum in front of the Vice President's desk.

Mr. KNOWLAND. Mr. President, Mr. Prime Minister, and Members of the Senate: As the majority leader of the Senate, I desire to join in extending to you a most hearty welcome to the Senate of the United States. Every Member of this body, regardless of whether be sits on the Republican side of the aisle or the Democratic side of the aisle, recognizes the great service you have rendered to your country and to the cause of free institutions in your vast area of the world. We have a deep desire, a desire which I know is entertained by you and all the other people of the Empire of Japan, to have friendly relations across the Pacific, a hands-across-the-Pacific policy, I might call it. We recognize that if we are to maintain a free world of free men, it will be necessary for the governments which believe in human freedom, and which recognize the dangers of aggression from nations which do not believe in freedom, to stand together in the hope that for ourselves and for our children we may have a more peaceful and a better way of life. [Applause.]

Mr. JOHNSON of Texas. Mr. President, Mr. Prime Minister, my colleagues in the Senate, it is a very high honor and privilege to welcome the head of a great Asiatic nation to the Senate of the United States. All Americans are deeply conscious, Mr. Prime Minister, of the very vital role your country is playing in the affairs of the world of today. Japan is one of the great bulwarks against the spread of Communist aggression. Not only are we proud and pleased that you should come among us, but we hope that as a result of your visit, the free world will be stronger. [Applause.]

The VICE PRESIDENT. At this time, the Chair is sure that the Members of the Senate would like to meet the Prime Minister; and the recess will continue for that purpose.

Prime Minister Yoshida then took his place on the floor of the Senate, in front of the rostrum, and was greeted by the Members of the Senate, after which the Prime Minister and the distinguished visitors and guests retired from the Chamber.

At 2 o'clock and 22 minutes p. m. the Senate assembled, when called to order by the Presiding Officer (Mr. BARRETT in the chair).

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. 301) to censure the junior Senator from Wisconsin.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Frear	Mansfield
Aiken	Fulbright	Martin
Anderson	Gillette	McCarthy
Barrett	Goldwater	McClellan
Beall	Gore	Monroney
Bennett	Green	Morse
Bricker	Hayden	Mundt
Bridges	Hendrickson	Murray
Brown	Hennings	Neely
Bush	Hickenlooper	Pastore
Byrd	Hill	Payne
Capehart	Holland	Potter
Carlson	Hruska	Purtell
Case	Humphrey	Russell
Chavez	Ives	Saltonstall
Clements	Jackson	Schoeppel
Cooper	Jenner	Smith, Maine
Cotton	Johnson, Colo.	Smith, N. J.
Crippa	Johnson, Tex.	Sparkman
Daniel, S. C.	Johnston, S. C.	Stennis
Dirksen	Kefauver	Symington
Douglas	Kilgore	Thye
Duff	Knowland	Watkins
Dworshak	Kuchel	Welker
Eastland	Langer	Wiley
Ellender	Lehman	Williams
Ervin	Lennon	Young
Ferguson	Magnuson	
Flanders	Malone	

The PRESIDING OFFICER. A quorum is present.

Mr. WELKER. Mr. President, I should like to pay my respects to the members of the select committee. In addressing my inquiries to the distinguished Senator from Mississippi, I should like to state that I class him as one of the great Senators. He was a distinguished jurist before he came to the Senate, and he is an able lawyer and a leading and outstanding Senator.

Mr. STENNIS. I thank the Senator from Idaho.

Mr. WELKER. I should like to ask the Senator from Mississippi this question: Did he consider the select committee to be a judicial or a quasi-judicial body when it entered upon its unpleasant and difficult task?

Mr. STENNIS. Mr. President, I think the committee report speaks for itself on that point. I do not believe it was a judicial process or a quasi-judicial process either, exactly. We did adopt, however, certain fundamental plans, which would tend to confine the hearings within the limits of what we understood was to be the scope of our inquiry. We interpreted judicial rules liberally. We took the rules of evidence and the rules of relevancy as to the admissibility of evidence as a general guide, with the understanding that we would not follow them technically or strictly, but as a general guide.

In my opinion, the chairman of the select committee did an excellent job in following out that principle. I approved

of his rulings then, and I approve of them now. I felt free at that time, and it was my duty at that time to object to any rulings with which I did not agree.

Mr. WELKER. I am certainly not unmindful of the fact that that would be the attitude of my distinguished friend from Mississippi. It is true, is it not, that the Senator from Mississippi has had many years of experience on the trial bench?

Mr. STENNIS. Yes; I was the trial judge of the circuit court for 11 years before I came to the Senate.

Mr. WELKER. If the Senator will further yield, I should like to ask him whether he was present when the distinguished junior Senator from Texas [Mr. DANIEL], the former great attorney general of that State, presented to the Senate his legal argument, on July 30, 1954, I believe, to the effect that a proceeding of this type was a judicial process and amounted, in fact, to a punishment for a crime?

Mr. STENNIS. I heard all or a major part of the argument made by the Senator from Texas. I also discussed the subject with him. He and I are in general agreement about the effect of the proceeding and the extent to which it is a punishment of a kind.

Mr. WELKER. Did the committee presume the junior Senator from Wisconsin to be innocent until proven guilty beyond a reasonable doubt to a moral certainty?

Mr. STENNIS. I certainly did presume him to be innocent of any wrongdoing until convinced otherwise beyond a reasonable doubt and to a moral certainty. I certainly would have to be convinced otherwise before I would vote to sustain any charge against him. More than that, if there had been any reasonable and decent way to avoid preferring these charges, I would have sought it and more or less did seek it, not because of any feeling of liberality toward the junior Senator from Wisconsin, necessarily, but because the Senate as a whole is involved and a Senator's conduct is involved. I do not relish the idea of a Senator being reprimanded. If there had been any way out, I would have gladly helped find it. I felt that way then, and I feel that way now.

Mr. WELKER. Did the distinguished Senator from Mississippi consider himself a quasi-juror in trying the facts in this case?

Mr. STENNIS. Quasi-juror is a rather vague term.

Mr. WELKER. I cannot very well call the Senator a juror.

Mr. STENNIS. I understand what the Senator means, I believe. I considered myself more as a special investigator for the Senate, under my oath of office as a Senator, to try to find the major pertinent facts and to weigh them as best I could and to make a report on my findings to the Senate concerning the charges which had been made.

That does not square exactly with my idea of a juror. However, impartiality, the presumption of innocence being in favor of the one who is charged with wrongdoing, and all the other safeguards applied, and I tried to apply them.

So far as being a juror is concerned, I can say that I went into the hearing with the definite impression that the so-called Zwicker case was not a matter upon which censure should be based. However, after going into the facts—and I will discuss them later—and understanding what the development was, and the disclosures which General Zwicker had made, and the limitations under which the General was testifying, the case had another meaning to me altogether, and I was led to a different conclusion.

Mr. WELKER. The Senator realizes it to be a fact, does he not, that in the course of an orderly procedure a man who is charged with any offense, punishable even in a justice court, is entitled to the right of trial by a fair and impartial jury?

Mr. STENNIS. That is true in the judicial branch of the Government, and that principle applies, yes, without any exception.

Mr. WELKER. I take it that that principle does not apply, in the Senator's opinion, in the Senate of the United States; that we are in a little glass cage here. Is that correct?

Mr. STENNIS. The same general principles of justice do apply. However, the Constitution has provided a special court, so to speak, for the hearing of matters concerning disorderly behavior or conduct by a Member of the Senate. That court is the Senate itself. A Member of the Senate, who is a rank partisan of an accused Senator and who believes him to be right, first, last, and always, is entitled to a vote in the Senate. Likewise, a Senator who may have a prejudgment the other way is, nevertheless, entitled to a vote, so far as the final vote is concerned. There is no unanimity required, of course; and in that respect the Senate is different from a jury.

Mr. WELKER. I ask if it is not a fact that it is a little bit rough upon a man who is before the bar of justice, whether it be in the Senate or in any other place, when he does not have a right to interrogate and use a challenge with respect to one he might suppose to be biased either for or against him.

Mr. STENNIS. With respect to the Senator's term, "a little bit rough," I prefer to get down to cases.

Mr. WELKER. Perhaps I should say "a little difficult." Let us put it that way.

Mr. STENNIS. I would rather discuss it based on cases. The point was made with reference to the Senator from Colorado [Mr. JOHNSON] being a member of the select committee in view of a statement made in the Denver Post. If I had not felt completely satisfied with his disclosures about it, and with his statement about it, and had not been completely satisfied of his character and standards, I would have asked him to resign or step aside; and if he had not, I would have considered stepping aside, myself. But after hearing him make a full disclosure, and knowing him, I felt duly satisfied.

During our deliberations, his great liberality toward the junior Senator from Wisconsin, his very grave approach to the subject, in the first place, his fine analysis of the facts, his efforts to seek a way to interpret facts favorably to the Senator from Wisconsin, and his overall deep concern that no charge be made except upon complete facts, fully convinced me of the correctness of my judgment.

Mr. WELKER. Based upon the Senator's experience as a trial lawyer, had he had the evidence of the press-release by the Denver Post before him, I will ask if he were proceeding in a court of ordinary justice, outside or inside the United States, he would have used at least a peremptory challenge?

Mr. STENNIS. No; I certainly would not say that.

Mr. WELKER. If the Senator were defending a man charged with murder or some other vicious offense, does the Senator mean he would permit to sit on the jury, without question, one who had written such a letter as that?

Mr. STENNIS. Let us have an understanding, first. When I undertake to answer the Senator's questions I ask that I be permitted to finish.

Mr. WELKER. Certainly.

Mr. STENNIS. The Senator was talking, in the first place, about the judicial system. I would not be called on to exercise a challenge in that way. I would advise with my client, and if I knew the character of the man involved, and he knew it, I would advise him to look more at the character of the man rather than at some side statement the man may have made when the question was not at issue. I know that in Mississippi the law provides that a man may be a competent juror, under our judicial system, even though he has formed or expressed an opinion, if he swears in open court that he can lay his opinion aside and that he will do so and will try the case according to the law and the evidence. If the court is convinced of these facts, then he is a competent juror. It is up to the defendant to decide whether or not he shall be retained on the jury. That question is based somewhat upon the man's character.

Mr. WELKER. What I am trying to get at, and it has taken a long time, is that the man before the bar of justice of the Senate was not given the right to challenge a juror.

Mr. STENNIS. I do not think that is a correct statement of fact. As I understand——

Mr. WELKER. By "challenge" I mean requesting that he be excused from the panel.

Mr. STENNIS. As I understand the facts, the junior Senator from Wisconsin or his attorney never did challenge the right of the Senator from Colorado to sit on the select committee nor ask him to step aside.

Mr. McCARTHY. Mr. President, will the Senator from Mississippi yield to me at that point?

Mr. WELKER. Just a moment.

Mr. McCARTHY. I should like to say something for the record.

Mr. STENNIS. Let the Senator from Idaho continue his questioning, and I shall yield to the junior Senator from Wisconsin in a moment.

Mr. WELKER. Is it not a fact that my friend from Utah [Mr. WATKINS] made the statement that although one of the Members could be biased that it had nothing to do, or words to that effect, with the issue involved?

Mr. STENNIS. I know the chairman made no such statement to me or in my hearing. I recall that some statement was made on television or to the press and that the Senator from Utah fully satisfied me that he did not have in mind or intend to say that a man who was biased or prejudiced or who had formed a fixed opinion should pass on the case. But the Senator from Idaho will have to ask the Senator from Utah just what he said. I did not hear him say it.

Mr. WELKER. At first the Senator was somewhat concerned with respect to the bias or prejudice——

Mr. STENNIS. No. Pardon me. Those are the words of the Senator from Idaho, not mine.

Mr. WELKER. If I misunderstood, please correct me. I thought I understood the Senator to say that after the chairman explained the matter the Senator was satisfied.

Mr. STENNIS. No. When the point was raised in an executive meeting I listened to what was being said and heard the reading of the Denver Post story, and at the same sitting I listened to what the Senator from Colorado had to say, and I was entirely satisfied with what he said.

Mr. WELKER. Did the Senator read the letter of the junior Senator from Wisconsin in explanation?

Mr. STENNIS. I read all or a part of that letter, which came some 2 weeks or more later, as I recall—10 days or 2 weeks. I read it hurriedly. I remember hearing the Senator from Colorado thanked by the junior Senator from Wisconsin for that letter.

Mr. WELKER. Is it not a fact that that letter merely emphasized to a trial attorney or to a man before a court of justice that, in fact, the trial juror or committee member, or whatever we may call him for the purpose of this discussion, was really and in fact biased?

Mr. STENNIS. The letter, of course, will speak for itself. I could not give the Senate any helpful information on that point.

Mr. WELKER. The Senator was defending the committee and is being interrogated with respect to his——

Mr. STENNIS. No; I am not defending the committee, but I emphasized this morning that I speak only for myself and as a Member of the United States Senate.

Mr. WELKER. I believe the Senator stated he was a member of an investigating staff or investigating body.

Mr. STENNIS. No; I did not say we were an investigating staff.

Mr. WELKER. I said you were an investigating body.

Mr. STENNIS. Yes; I considered it my duty, primarily, to find and try to weigh the facts and then to submit a report to the Senate. We were told to do two things: to act and to report. When the hearing was concluded, for my part it was inescapable that we should not report merely by filing a résumé of the evidence, but that we should give our conclusions and recommendations, and we did.

Mr. WELKER. As I understand the order, the committee was ordered to seek evidence. Is that correct?

Mr. STENNIS. The wording was that we were directed to act and to report; and we were then given power to subpena witnesses. That was the understanding. We were to get the evidence. That is correct.

Mr. WELKER. Were you not to seek the evidence?

Mr. STENNIS. Yes; we were to hear the testimony, pro and con.

Mr. WELKER. I am certain that my friend, the distinguished junior Senator from Mississippi, knows that I resigned from the Gillette subcommittee, and stated my reasons publicly in the press, to Senator GILLETTE, and to the United States Senate on August 2, 1954. Does the Senator from Mississippi feel that the committee sought the full evidence on the Gillette subcommittee matter, when I was not even invited to appear before the select committee and to explain to it why I resigned?

Mr. STENNIS. So far as the Senator from Idaho being invited is concerned, anyone who wanted to appear, could have appeared. I knew that the Senator from Idaho had resigned. I knew that the Senator had said, in substance, that the subcommittee had been unfair to Senator MCCARTHY, was not proceeding in the right way, and so forth. That made some impression upon me and carried some weight with me; but certainly it was not something which I considered to be controlling.

Mr. WELKER. I am convinced of that. It was not so weighty or controlling that the committee was expecting me. As the Senator remarked in his statement, had I wanted to appear, I could have appeared.

Does the Senator from Mississippi realize that I was almost 3,000 miles away, in the mountains, receiving a newspaper possibly once a week; and that I had no idea what the committee was investigating or whom it was interrogating? How could I have been expected voluntarily to have returned to Washington, at my own expense, without receiving an invitation?

Mr. STENNIS. I assume the Senator from Idaho was present when the resolution under which the committee was acting was agreed to. I do not remember how the Senator from Idaho voted on the resolution, or whether he voted; but I know the Senator from Idaho was very alert as to all matters that were going on. I could not help but believe that the Senator from Idaho would have wanted to appear, and to have said something about the incident to which he has alluded.

Mr. WELKER. There were some other persons who wanted to appear, whom the committee did not reluctantly hesitate to subpena or invite to testify.

Mr. STENNIS. Will the Senator restate his question?

Mr. WELKER. I will ask the Senator from Mississippi if it is not a fact that some other witnesses who appeared before the Senator's committee were sought out by the committee and its staff, and were invited or subpenaed to appear and testify before the committee.

Mr. STENNIS. The committee heard many witnesses. I know nothing about any controversy of any of them testifying or not testifying.

Mr. WELKER. Once again I will ask my question, so that I may have an answer for the record. If a fair judicial process were wanted in this matter, forgetting about MCCARTHY, because the future of the Senate is involved, why was I not permitted to appear, or why was I not advised as to when I should appear, so that I might give what little testimony I could for the benefit of the select committee?

Mr. STENNIS. Before I answer the Senator's question, did the Senator ever make a request to appear?

Mr. WELKER. I certainly did not. I have rarely, if ever, heard of a witness requesting to appear, when he had not heard of the time or place of the meeting, and he was 3,000 miles away. I am certain the Senator from Mississippi agrees with me on that.

Mr. STENNIS. Until the Senator had indicated in some way that he desired to appear or was willing to appear, or until someone did so for him, I do not see how the committee could have been called upon to act on such a request. I do not believe I am called upon to answer the Senator's question with all due deference to him.

Mr. WELKER. Did General Zwicker make a request to appear?

Mr. STENNIS. As I recall, he was requested to appear. I did not handle the bookkeeping part of the hearings, but I am reasonably certain that he was summoned.

Mr. WELKER. Did any other witnesses make a request to appear voluntarily?

Mr. STENNIS. Not to my knowledge, but I do not know positively.

Mr. WELKER. The Senator from Mississippi certainly does not want the record to show, does he, that I am to be criticized for having been ordered home by the physician of the United States Senate because of my health, and for not making a request to appear when I was so far away?

Mr. STENNIS. The Senator from Idaho is not being criticized, so far as I know. I certainly am not criticizing him. He is not charged with anything here, and I am certain he does not want to be. I am not charging him with anything.

Mr. WELKER. I do not know. Perhaps I will be charged with something if the pending resolution of censure is agreed to because my language with respect to the Gillette subcommittee, according to the report of the select committee, is censurable.

Mr. STENNIS. I am yielding now for questions that are pertinent; I am not yielding for argument.

Mr. President, I now desire to yield to the junior Senator from Wisconsin, if the junior Senator from Idaho will permit me to do so. I shall be glad to return

later to the questioning by the Senator from Idaho.

Mr. WELKER. Very well.

Mr. McCARTHY. I have very few questions. As I said yesterday, when I began to question the distinguished junior Senator from South Dakota [Mr. CASE], I hesitate to do so, because I can see the headlines tomorrow morning saying, "McCARTHY Attacks Senator STENNIS."

What I intend to say is not even remotely in the nature of an attack. I think the Senate has an extremely important issue to decide, one which, as I have said before, is entirely separate and apart from McCARTHY. Incidentally, I also happen to be in this proceeding. I am in it for one reason, namely, that for some years I have been exposing Communists; otherwise, these censure hearings would not have been started. I do not believe there is any question about that in the mind of anyone. But that is neither here nor there. We are now here to discuss the issues.

Does the Senator from Mississippi feel that once a person is elected to the Senate, he loses any of his right of free speech?

Mr. STENNIS. Oh, of course not.

Mr. McCARTHY. In other words, a Senator has a right to criticize wrongdoing and improper conduct, the same as though he were not a Senator. Is that correct?

Mr. STENNIS. Instead of losing the right of free speech, I believe that when I came here as a Senator, I gained even more rights to free speech, because I have been made immune, to a certain extent. But I think that carries with it a more serious obligation on my part, as a Senator, not to abuse those rights and privileges, especially as they pertain to senatorial conduct and standards.

Mr. McCARTHY. Let us speak of a Senator's conduct outside the Chamber. There is immunity within the Chamber. There are certain rules governing our conduct within the Chamber because of that immunity.

Let us now discuss the conduct of a Senator outside the Chamber. We both agree, do we not, that a Senator has no immunity outside the Chamber?

Mr. STENNIS. I think a Senator has an obligation wherever he is, whether inside or outside the Chamber. I do not mean that his immunity is any greater outside. Perhaps legally it is more liberal inside, but he still must remember that he is a Senator, as I see it.

Mr. McCARTHY. I am asking the question in an attempt to get down to the basic facts in the case. The Senator from Mississippi and I agree that a Senator outside the chamber is subject to suits for libel and slander the same as is any other individual; that no immunity attaches to a Senator outside the Chamber or outside committee rooms.

Mr. STENNIS. That is true; yes.

Mr. McCARTHY. So the Senator from Mississippi and I agree that a Senator outside the Chamber should have the same freedom of speech as the average citizen has. Does the Senator agree to that?

Mr. STENNIS. The Senator will have to get down to cases; I do not know what he has in mind.

I said this morning that I did not condemn the remarks of the junior Senator from Wisconsin with reference to the junior Senator from New Jersey [Mr. HENDRICKSON], in connection with these charges, merely because they were from one Senator to another, but as remarks coming from the Senator from Wisconsin with reference to a duly constituted, legal, constitutional authority. The Gillette subcommittee, to an extent, was the voice of the Senate; and the Senate, to an extent, is the voice of the American State. So the criticism on the part of the junior Senator from Wisconsin in that instance, to my mind, was very near the point of revolt against authority.

Mr. McCARTHY. In other words, so that I may understand the position of the Senator from Mississippi, if the Senate is to adopt a new rule, the position of the Senator is that if one is elected to public office, he attains some sort of immunity from criticism. Is that correct?

Mr. STENNIS. No, no.

Mr. McCARTHY. Then, the Senator from New Jersey [Mr. HENDRICKSON] would be subject to criticism, whether he were or were not a Senator. Is that correct?

Mr. STENNIS. I think all criticism, or whatever one may call it, depends upon the circumstances surrounding the facts. However, as a general proposition, I tell my constituents that I will take criticism from all and abuse from none, and I stand on that.

Mr. McCARTHY. If the Senator from Mississippi is abused, what does he do? Does he ask the Senate to censure someone?

Mr. STENNIS. When I am confronted with such a situation, I shall determine my course.

Mr. McCARTHY. The Senator says he takes abuse from no one. He does not expect the Senate to censure someone who abuses him; does he? I am trying to get down to the basic question, and the Senator and I should not engage in fencing with each other. The report of the committee indicates that the Senator from Mississippi feels that a Senator does not have the right, outside of the Chamber, to say what he honestly thinks about another elected official. If that is the rule to be adopted, we should adopt it with our eyes open. I am trying to ask the Senator some questions in order to get his thought on the matter. The Senator signed this report. I assume the subject was given a great deal of thought. So, then, the question is: Does a man who is a Senator gain some immunity from criticism? Or may he resort to the courts of the land, by way of libel or slander suits, or what have you, the same as an average citizen?

Mr. STENNIS. I think the Senator's question is somewhat of an argument. It is 2 or 3 questions in 1. However, I shall try to answer it, since I wish to make my view clear. The junior Senator from Wisconsin was not present this morning to hear my argument. I am sorry about that. I asked his attorney if he were detained because of illness, and I stated that I would rather speak in his presence than in his absence. However, without going into all that again, I merely say that the report does not, to my mind, set up the standards the Senator mentioned.

Getting down to the case in question, there was not any one particular thing the Senator said, did, or failed to do that caused me to reach the conclusion I did. Just as one spoke does not make a wheel, and the load cannot all rest on one spoke, so in the case of the junior Senator from Wisconsin, unhappily, the entire picture led me to the conclusion I reached.

Mr. McCARTHY. I am not asking the Senator what the conclusion was in this case. The Senate is asked to set up a rule which should apply not only to McCARTHY but to all the other 95 Senators for all time to come. A drastic change in the rules is sought to be made. I asked the Senator from Mississippi a simple question, and we should not fence over it. Does the Senator think, because he is elected to the Senate, that he has some immunity from criticism which he did not have as a private citizen? I am not speaking about the rules applying to conduct within the Chamber.

Mr. STENNIS. I have already tried to answer the question in the very best way I could. There are certain principles laid down in the law and certain principles resulting from customs which have become established. I do not think there is any question involved before the Senate about the Senator from New Jersey [Mr. HENDRICKSON] or any other Senator having immunity from criticism. It would be purely academic for me to try to discuss it from that angle. I have answered the question of the Senator as best I can.

Mr. McCARTHY. If that is the best way the Senator can answer it, that is that.

I am not speaking about any particular committee, but if a committee were guilty of illegal conduct, would the Senator from Mississippi say that a Senator would have the same right as a private citizen to criticize that committee?

Mr. STENNIS. I said this morning——

Mr. McCARTHY. I did not hear what the Senator said this morning. I should like to get the answer now.

Mr. STENNIS. I shall give the Senator an answer now. I stated this morning that when the Senator questioned the jurisdiction of the committee at first, that was entirely proper and right. The question of jurisdiction came to the floor of the Senate and had the attention of the membership of the Senate. In spite of all the junior Senator from Wisconsin had said about that matter, if the decision made on the floor of the Senate had been respected, I would have been in favor of forgetting what the junior Senator from Wisconsin had said. But, after the vote of 60 to 0 in the Senate, the pattern continued in the same way.

Mr. McCARTHY. Does the Senator remember the question I asked?

Mr. STENNIS. Yes, I remember the question. That is my answer.

Mr. McCARTHY. Could the Senator tell us what the question was?

Mr. STENNIS. I am confining my answer, as I told the Senator in the beginning, to the question I am trying to discuss with the Senator.

Mr. McCARTHY. I do not want to get into an argument with the Senator. I have much respect for him as a Senator.

Mr. STENNIS. I appreciate that.

Mr. McCARTHY. We have the jury sitting here now. We are asked to adopt a new rule. The Senator from Mississippi is 1 of the 6 members of the committee who are asking the Senate to adopt a new rule. I think I have a duty to question the reasons advanced for adopting the new rule. So I ask the Senator from Mississippi a question. Forget about McCARTHY now. Forget about the Gillette committee. Will the Senator do that?

Mr. STENNIS. If the Senator will ask his question, I shall try to answer it in the best way I can.

Mr. McCARTHY. Forget McCARTHY. Forget the Gillette committee. If a committee of the United States Senate were performing illegal acts, does the Senator feel that another Senator or a private citizen would have the right to criticize that committee, or should he be censured for criticizing the performance of those illegal acts?

Mr. STENNIS. The Senator used the word "criticize," which is a very broad term. I thought the Senator's criticism of that committee was out of place when he said they were picking the pockets of the American taxpayer, and that an honest report was impossible, and wrote letters to that effect. I think the Senator would have been acting properly if he had challenged the committee in a decent and in an honorable way, as a Senator should. If anything was wrong, it could have been shown. I would never approve of any such language as the junior Senator from Wisconsin used—although it would take more than one outburst of that kind to lead me to favor censuring a Senator.

Mr. McCARTHY. Let us assume for the time being that a committee was picking the pockets of the taxpayer. Does the Senator say one should be criticized for so stating? Let us forget about the Gillette committee. I am trying to keep the question within a general rule.

Mr. STENNIS. In considering this case, I cannot forget the Gillette committee, and I cannot forget anyone tied to it. I am trying to pass on this case. The term "picking the pockets" does not always have a definite meaning. It is somewhat like saying, "You are a bunch of thieves." That is what would be understood. I do not approve of such language.

Mr. McCARTHY. I am trying to get down to the question. The Senator can refuse to answer, of course.

Mr. STENNIS. No; I shall not refuse to answer.

Mr. McCARTHY. Does the Senator think that if a committee is engaged in an improper activity—let us say that it is picking the pockets of the taxpayer—a Senator would or would not be justified in so stating, or must he keep mum? In other words, I am trying to ask the Senator this question: Is there some immunity from criticism which a Senate committee has?

Mr. STENNIS. No; not by virtue of being a committee. No; there is no immunity that goes with it.

Mr. McCARTHY. Yesterday in a colloquy with the Senator from South Dakota [Mr. CASE], I called attention to the fact that the letter I wrote criticizing the subcommittee in the case of Mr. Byers was regarded by the select committee as a basis for censure. In that connection, the Senator from South Dakota [Mr. CASE] made a completely honest mistake. I read now from page 15977 of the CONGRESSIONAL RECORD for November 11, 1954:

> Mr. McCARTHY. The committee has asked that I be censured for, among other things, writing a letter criticizing the Gillette subcommittee for its attempt to call a man who was committed to a home for the mentally incompetent.
>
> Mr. CASE. I think that is putting in a conclusion that was not stated.

I now call the attention of the Senator from Mississippi to page 28 of the select committee's report in which it asks that I be censured for writing that letter. I call the Senator's attention to the ruling of the chairman of the committee, the Senator from Utah [Mr. WATKINS], who would not allow me to state the ground.

So today the Senator from Mississippi is asking the Senate to censure a Senator for criticizing a subcommittee for knowingly calling a witness who was mentally incompetent. Does the Senator from Mississippi think now, by hindsight, that the ruling that I could not show the reason why I criticized the subcommittee was an erroneous ruling; or does the Senator from Mississippi think I should have been censured, regardless of whether I had valid ground for the criticism?

Mr. STENNIS. The Senator's question has many different points. The part I think he intends to bring out is as to whether I think the ruling was a correct one.

On the basis of the facts which were before the chairman of the select committee, I think the ruling was a correct one. There is no proof, so far as I know, that the Hennings subcommittee ever took any testimony from anyone who was insane, or ever considered anything such a person said, or that there was any evidence of that sort at all in the record anywhere.

Mr. McCARTHY. Is the Senator from Mississippi aware of the fact that when I appeared before the Watkins select committee, I was asked to give the facts surrounding the letter of May 11, in which I criticized the subcommittee for attempting to call a witness known to them to be insane, and that the chairman refused to let me give the facts, and did so in these words:

> I think probably that is hearsay and that it is incompetent evidence, immaterial as well, and I strike that out.

Does the Senator from Mississippi follow me?

Mr. STENNIS. Yes; I am listening.

Mr. McCARTHY. In other words, the select committee says I should be censured for criticizing the subcommittee in that letter. Mr. Williams asked me to give the circumstances surrounding the writing of the letter, but the chairman ruled that out. Does the Senator from Mississippi agree that if I had justification, I should have been allowed to present it?

Mr. STENNIS. I shall respond to the Senator's question in this way: I do not remember that the junior Senator from Wisconsin ever offered in evidence anything about the subcommittee's attempting to use an insane witness against him or to have an insane witness testify in a case involving the Senator; I remember nothing about that.

Mr. McCARTHY. Let me read to the Senator from Mississippi from the testimony, to refresh his recollection.

Mr. STENNIS. Very well.

Mr. McCARTHY. I read now from page 295 of part I:

> Mr. WILLIAMS. Senator McCARTHY, exhibit No. 21 was introduced last week by Mr. Chadwick. It is a letter dated May 11, 1952, regarding the open hearings that were scheduled in the month of May 1952 in Senate Resolution 187.
>
> What were the circumstances surrounding the writing of that letter?
>
> Senator McCARTHY. Well, the committee had received a staff report that a Mr. Robert Byers—

Then came the gavel; and now I continue to read:

> The CHAIRMAN. Just a moment.
>
> I think probably that is hearsay and that it is incompetent evidence, immaterial as well, and I strike that out.

So, from that point on, unless I could violate the Chair's ruling, I could not present that evidence; and let me say that when the Chair said, "That is hearsay," he had before him the committee report, so he knew it was not hearsay; he knew such a report had been given.

We have to take this piece by piece, I know. So let us take that one letter.

I think we shall agree that I could not, under the Chair's ruling, show justification. I believe the Senator from Mississippi has agreed, and I believe the Senator from South Dakota [Mr. CASE] yesterday agreed, that if there were justification for criticizing the subcommittee, such justification could be shown.

I think that today the Senator from Mississippi should frankly tell the Senate whether I was precluded from showing justification for writing the letter.

Mr. STENNIS. In reading the report——

Mr. McCARTHY. While the Senator from Mississippi is studying that document, I wish to ask him whether he is aware of the fact that the letter read as follows—I refer to the letter for which the select committee asks that I be censured:

> EXHIBIT No. 21
>
> MAY 11, 1952.
>
> Senator GUY GILLETTE.
> Senator A. S. MONRONEY.
> Senator THOMAS HENNINGS.
>
> GENTLEMEN: I have learned with regret that your public hearings are to open tomorrow without the presence of your star witness. You have my deepest sympathy.

Some Doubting Thomases might question the importance of this witness, except that after nearly a year of investigating, you and your staff decided that the public hearings must open with his intelligently presented, clear-cut exposé of the dangers of McCarthyism. The Nation owes you a debt of gratitude for so carefully and honestly developing this witness who could have advised the Senate and the voters of Wisconsin to get rid of McCARTHY. If only you had set the hearings 10 days earlier before the judge committed your star witness to an institution for the criminally insane, you would not have been deprived of this important link in the chain of evidence against McCARTHY.

Some shallow thinkers may say that you gentlemen are dishonest to have planned to use your committee as a sounding board to headline the statements of a witness after your staff had reported he was mentally unbalanced. I beg you not to let this distract you from the honest, gentlemanly job you are doing. Those critics fail to realize that everything is ethical and honest if it is done to expose the awfulness of McCarthyism. After all, had not your staff reported that while this witness was mentally deranged, his mental condition would help to make him an excellent witness for you.

Certainly, you cannot be blamed for not knowing that some unthinking judge would do the country the great disservice of committing him to a home for the insane before the committee had a chance to publicize and place its stamp of approval on his statements about McCARTHY. Certainly, you cannot be blamed for being unable to distinguish between his testimony and the testimony of the other witness, Benton, who asked for and was given the right to appear before your committee and publicly expose McCARTHY.

The Communist Party, which is also doing an excellent job of exposing the evils of McCarthyism, has repeatedly proclaimed that no stone be left unturned in the effort to remove McCARTHY from public life. As Lenin said, "resort to lies, trickery, deceit, and dishonesty of any type necessary," in order to destroy those who stand in the way of the Communist movement.

I ask you gentlemen not to be disturbed by those who point out that your committee is trying to do what the Communist Party has officially proclaimed as its No. 1 task. You just keep right on in the same honest, painstaking way of developing the truth. The thinking people of this Nation will not be deceived by those who claim that what you are doing is dishonest. After all, you must serve the interests of the Democrat Party—there is always the chance that the country may be able to survive. What better way could you find to spend the taxpayers money? After all, isn't McCARTHY doing the terribly unpatriotic and unethical thing of proving the extent to which the Democrat administration is Communist ridden? Unless he can be discredited, the Democrat Party may be removed from power.

Again may I offer my condolences upon your failure to have your star witness present as planned to open the testimony. Do you not think the judge who committed him should be investigated?

Sincerely yours,

JOE McCARTHY.

The Senator and I will agree, I assume, that that is strong language. I believe we will also agree that any man who knew that a committee was calling an individual who had been discredited, who was insane, would be justified in using the strongest possible language in criticizing that committee. Does the Senator agree with me?

Mr. STENNIS. Mr. President, I am sorry I have to say this to the Senator. His letter, which he read, was in the evidence, was it not?

Mr. McCARTHY. It is one of the grounds for censure.

Mr. WATKINS. Mr. President, will the Senator yield for a question?

Mr. STENNIS. It was before us.

Mr. President, I am here to yield for questions whereby I might be able to help the Senate with reference to this matter. I emphasize the word "might." I feel under a sense of duty to do that, but I am under no obligation to yield for speeches or for the reading of matters which are in the record. I am very glad to try to answer the Senator's questions. I read that letter, and I considered it in evidence. There is no testimony before us about any effort on the part of the Gillette committee to use the testimony of a witness who was not mentally competent and responsible. If there had been, it would have been a different case.

Mr. WATKINS. Mr. President, will the Senator yield for a question?

Mr. McCARTHY. Does not the Senator know that the chairman ruled out that evidence, so that I could not put it in? Does not the Senator know that we offered to put that evidence in the record, so that the committee would have it before it? The chairman banged his gavel and said, "You cannot do it."

Mr. STENNIS. I have not yet seen any evidence along that line. I have not seen any affidavit from anyone. It is purely a hypothetical question. It is not before me and it is not before the Senate.

Mr. McCARTHY. Mr. President——

Mr. STENNIS. Mr. President, if I may do so, I yield to the Senator from Utah [Mr. WATKINS] temporarily on this point.

Mr. WATKINS. Is it not true that the very letter which the junior Senator from Wisconsin read was received in evidence by the select committee, with everything he said in it?

Mr. STENNIS. The Senator is correct.

Mr. WATKINS. It was before us in evidence. The full defense, the full criticism, and the full statement of the junior Senator from Wisconsin about this man were in the record.

Mr. STENNIS. The Senator is correct. The Senator from Mississippi has just stated that that letter was in the evidence and that we considered it as a a part of the picture. It is a part of the picture.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. McCARTHY. I think the Senator may not have in mind the question which was asked. As I understood it, the question asked by the Senator from Utah was whether the committee had all the facts before it. The Senator has just stated that he knew nothing about the fact that this man had been committed, and that there was a committee report stating that he was mentally incompetent.

Mr. STENNIS. No——

Mr. McCARTHY. The Senator knew nothing about that, did he?

Mr. STENNIS. Evidently I did not make myself clear.

Mr. McCARTHY. I do not think the Senator did.

Mr. STENNIS. I said that if there had been any kind of sworn proof about the committee trying to use the testimony of a witness who was insane or not competent, I certainly would have wanted to hear the testimony, but, so far, there is nothing along that line. Many witnesses could be summoned. I used to be a practicing attorney. I have often summoned a great number of witnesses and perhaps I would not use half of them.

Mr. McCARTHY. I know the Senator wants to be fair. He says there was no evidence before the committee. Let me read again the ruling of the chairman. I started to say, and I quote:

Well, the committee—

That is, the Gillette committee—

had received a staff report that a Mr. Robert Byers—

The chairman interrupted and said:

I think probably that is hearsay and is incompetent evidence, immaterial as well, and I strike that out.

So the reason the committee did not have the evidence before it about the insanity of this man was that the chair ruled it out.

I call attention also to the fact that the chairman had the report of the staff. I refer to page 43 of the staff report. Page 43 of the staff report points out that Byers would be willing to testify about a crap game, and that the alleged facts were uncorroborated and denied by all the other witnesses present, but we find the statement:

Byers is known to have a bitter hatred of Senator McCARTHY, and is mentally unstable as the result of a stroke he suffered in February 1950.

The Senator repeats over and over that there was no evidence before the committee. I ask the Senator how in heaven's name I could get that evidence before the committee. When I was asked a question about it I started to say:

Well, the committee had received a staff report that a Mr. Robert Byers—

Then the chairman interrupted. The chairman said, "I have examined all the evidence." He interrupted me and would not let me proceed. Is there any way on God's earth that I could have gotten the evidence before the committee?

Mr. STENNIS. Let me interrupt the Senator's repetition. In the first place, as to the witness being insane or mentally incompetent, this is my final answer: The Senator's letter states that that was the condition, and I accepted that statement as a fact.

A while ago I said that if there had been evidence about the man's being insane, if there had been any evidence that the Gillette committee was knowingly trying to use the testimony of an insane man after it had learned the facts as to his insanity, and if the Gillette committee had been following a course of conduct involving putting that witness on the stand to testify about the Senator's case, that evidence certainly would have been heard, so far as I was

concerned. I hope I have made that point clear. I respectfully suggest to the Senator that there is no use in his going back over this pattern again. Those are my answers. That is the best I can do.

Mr. McCARTHY. Let me ask one further question for the benefit of the Senate. Does the Senator still say today that I should be censured for criticizing the Gillette committee for attempting to call this witness, in view of the report which the committee had upon his mental condition?

Mr. STENNIS. I say that on all the evidence I am forced to recommend that the junior Senator from Wisconsin be censured, and I still think that that is the correct part of the picture.

Mr. McCARTHY. How about that one letter?

Mr. STENNIS. As to any particular part of the testimony, one part will have weight with one person, and another part with another person. I am not passing on the case piecemeal, except to say that I was willing to overlook not one, but many instances. However, I am not willing to overlook the entire picture.

Mr. McCARTHY. I must take these things piecemeal. We are now talking about a report which the Senator signed, asking that I be censured for writing a letter of May 11, 1952. I merely ask the Senator this simple question—and this will be the last time, I hope, I shall have to ask it: Does the Senator, as of today, ask the Senate to censure me for writing that letter of May 11, which was critical of this particular act of the committee?

Mr. STENNIS. In the first place, I am not asking the Senate to censure the junior Senator from Wisconsin for anything. I have my responsibility in that connection. Every other Senator has his responsibility, and he will meet it.

This particular item is a part of the picture. Whatever materiality or weight it is entitled to is a question for the Senate. I think it has a bearing, and is a part of the picture.

Mr. McCARTHY. Let me ask 1 or 2 further questions. Let me say that while some members of the committee have indicated that they thought they were extending a courtesy to me by yielding for questions, and while I think the Senator from Mississippi has been very courteous——

Mr. STENNIS. I think the privilege is the Senator's, as a matter of right.

Mr. McCARTHY. I think the Senator has been very courteous, but I do not think it is a courtesy to yield to me for questions. I think it is an absolute right which I have under the circumstances, and I think any member of the committee who signed the report should explain any part which appears to me to be contradictory. I appreciate the attitude of the able Senator from Mississippi.

Mr. STENNIS. I thank the Senator.

Mr. McCARTHY. I realize that many members of the committee may not have examined all the evidence that was subpenaed. I have a list of all the documents subpenaed by the Watkins committee. The Senator from Utah stated in the record that he had examined all the evidence. Mr. Chadwick said:

> That is my job. I have examined all of the evidence.

Item No. 78 interests me a great deal. It is entitled "Mail Cover. Twelve Items." As a member of the Committee on Rules and Administration I have seen some of the 12 items. I have seen the letters providing for this illegal mail cover.

I believe there is no question that all of us agree that a mail cover is illegal in such a case. The Senator from Mississippi signed the report which states that I should be censured for criticizing the Gillette committee. I wonder if the Senator was aware of the fact that during the election of 1952—and if I am wrong, the Senator from Iowa [Mr. GILLETTE] can correct me—after the investigation had been practically completed, the chairman provided for a mail cover. I ask whether the Senator from Mississippi does not agree with me that in that respect the committee was engaging in an illegal act, particularly when the law provides for a penalty for any postal employee who delays the mail. The mail must be delayed when a cover is made, and therefore the committee would be asking the postal employees to violate the law. So I wonder whether this fact was brought to the Senator's attention when he signed the report.

Mr. STENNIS. I knew nothing about an alleged mail cover. If that was discussed by our committee, I missed that point.

I was present all the time with the exception of about 30 or 40 minutes, as I recall, but I do not recall anything about a mail cover. I do not know exactly what it is. I do not know.

Mr. McCARTHY. I may say, in fairness to the Senator from Mississippi and the other Senators, that I doubt very much if any of the Senators were aware of this illegal act. The chief counsel of the committee, Mr. Chadwick, said he had examined all the evidence. Why this fact was not brought to the Senator's attention I do not know. Let me ask this question: If it had been brought to the Senator's attention that the Gillette committee was engaged in this violation of Federal law, would the Senator from Mississippi then have felt that I was justified in criticizing the committee, or would the Senator from Mississippi have felt that I should be censured for criticizing that committee?

Mr. STENNIS. I do not know what a mail cover is. The Senator from Wisconsin will have to explain it to me. What is a mail cover?

Mr. McCARTHY. A mail cover consists of stopping the mail of an individual and taking off the postmark and the return address on the mail. On mail going out from the individual it consists of taking off the address of the person to whom it is being sent. Such a procedure is provided for under the Federal law to be followed by the FBI and certain other Federal agencies, for the purpose of apprehending a fugitive. In other words, let us assume that John Jones is a fugitive from justice. The law provides that a mail cover can be placed on his mail in an effort to locate him. There is no provision for a Senate committee to use such a mail cover.

The law provides further that a postal employee who delays the mail, in the absence of a provision of law which gives him permission to do so, is guilty of a violation of the criminal law.

My simple question is this: If the Senator from Mississippi had known when he signed the report—what he did not know, obviously—that the Gillette committee was engaging in this illegal activity, would the Senator from Mississippi have felt that I was justified in criticizing the committee?

Mr. STENNIS. I do not know anything about what the Senator from Wisconsin said in criticism of the committee for that act. As a general proposition, I do not approve of what the Senator calls a mail cover. However, that was not involved in the case I considered. Of course, I would have to hear the proof as to just what was done, if anything, along that line, before I could pass on it.

Mr. McCARTHY. Just one comment on that. On page 296 the chairman ruled out any and all evidence of this nature. Therefore I had no way of bringing it before the committee. Frankly, I did not know that the chairman had in his possession this material. In fairness to the Senator from Utah [Mr. WATKINS], I must assume that he had not examined this material and that he may have not known about it. However, he did say he examined all the evidence, and his chief of staff said, "It is my job, and I have gone over everything."

Therefore, as I say, I did not know that the committee had all this information at the time I was trying to produce it. If I had known the committee had it, I would have merely asked that the committee produce it itself.

One further question. This is getting down to the meat of the case, I believe.

On page 30 of the report the committee states, in speaking of a Senator:

> But he—
>
> Any Senator—
>
> has no right to impugn the motives of individual Senators responsible for official action, nor to reflect upon their personal character for what official action they took.

Let us assume that the motives of a Senator are extremely bad. Let us not talk about any present Member of the Senate. Let us assume that we are now in 1965. Let us assume that the Senator from Mississippi knows of his personal knowledge that the motives of a Senator are extremely bad, and that he was motivated by improper considerations in his official acts.

Does the Senator from Mississippi believe that he, the Senator from Mississippi, should be censured for calling attention to that fact?

Mr. STENNIS. The Senator from Wisconsin states a hypothetical case.

Mr. McCARTHY. It involves legal principles.

Mr. STENNIS. I have fully explained repeatedly my judgment and have tried

to make it clear. I have tried to do so with respect to the case of the Senator from Wisconsin, and have tried to state my reasons. I refer to page 30 of the report, particularly to the sentence the Senator from Wisconsin has read:

> But he has no right to impugn the motives of individual Senators responsible for official action, or to reflect upon their personal character for what official action they take.

Of course, that means that the Senator has no right to do that except in order to discredit Senators or bring them into disrepute or abuse them, or hold them up to ridicule and scorn in connection with their official acts. That principle has to be applied always to particular cases. I say I applied the facts in the case of the Senator from Wisconsin and reached a conclusion.

Mr. McCARTHY. I know that there are some persons who believe there should be a special rule applied to my case. However, this rule must apply for all time to come, if we adopt it.

The report states that no Senator may do this. It does not say only Senator McCARTHY may not do it. Then the report points out that a Senator has no right to impugn the motives of a Senator, and so forth. Then the report states that if the rules and procedures were otherwise, no Senator could have freedom of action.

Let us assume that the Senator from Mississippi is a Member of this body in 1965. The Senator from Mississippi knows that a certain Senator has bad motives and is guided by those bad motives. Should the Senator from Mississippi be censured for calling the attention of the country to that fact, off the floor of the Senate?

Mr. STENNIS. As a general proposition, of course, we can bring out all facts that pertain or relate to bad motives, and we can give our conclusions on those facts. However, in the case of the Senator from Wisconsin, as I understand the facts, it does not fit into a pattern of that kind. I am sorry it does not.

Mr. McCARTHY. The Senator from Mississippi is now setting a rule of general application, not only for McCARTHY. On page 30 of the report I call attention to this language. I consider this to be above everything that has been said so far. This is all-important. The committee is not referring to McCARTHY. The committee is laying down a general rule. The committee states:

> Any Senator has the right to question, criticize, differ from, or condemn an official action of the body of which he is a member, or of the constituent committees which are working arms of the Senate, in proper language.

In other words, the committee starts out by saying a Senator can criticize committees. Then the committee differentiates, and it states:

> But—

The committee is not referring to McCARTHY now, but to all Senators, for all time to come—

> But he has no right to impugn the motives of individual Senators responsible for official action, nor to reflect upon their personal character for what official action they took.
>
> If the rules and procedures were otherwise, no Senator could have freedom of action to perform his assigned committee duties.

I gather that the committee means that if a Senator could be criticized he would be intimidated and he would not perform his work.

I am not asking what rule should be applied to McCARTHY, but what rule should be applied to every Senator. If the Senator from Mississippi, having this rule before him, knew that Senator X—or, let us say Senator McCARTHY—was guilty of improper motives, that I had been completely dishonest in my work on a committee, does not the Senator feel he would be in duty bound to violate this rule and call that dishonesty to the attention of the country?

Mr. STENNIS. I will answer the question in this way: If I said a Senator was completely dishonest and if I thought I had the facts to back up what I said, and could prove it, if the Senator called on me to prove it I would either prove that the Senator was dishonest or take back what I had said or admit that I had not told the truth.

Another thing: The Senator says to this six-man committee that we are all unwitting handmaidens of the Communist Party. I think the word "unwitting" does not apply, because all these men are intelligent men, and I think the Senator from Wisconsin should prove what he says, that we deliberately became handmaidens of the Communist Party.

Mr. McCARTHY. Let us not change the language.

Mr. STENNIS. The Senator should prove it, take it back, or admit that it is false. That is the way it looks to me.

Mr. McCARTHY. Let us not change the language. The Senator says I say the committee is deliberately doing the work of the Communist Party. I said, and I want to make it clear, that the committee was unknowingly acting as the handmaids of the Communist Party.

I went on in my speech to point out that a censure vote would be a great victory for the Communist Party. I pointed out in that speech—and I wish the Senator would read it—that the official organs of the Communist Party have been plotting their attack on McCARTHY. I pointed out that I had been investigated five times as a result of my exposure of Communists. I have pointed out that I will be investigated the sixth time unless I quit investigating Communists. That means that I shall be, because I do not intend to discontinue exposing Communists, regardless of any censure vote of the Senate.

The Senator is getting away from the point, now. He is trying to promulgate a rule by which I can be censured. Let us have it applied to all other Senators. I do not think an honest, forthright Senator such as is the Senator from Mississippi should take as much time answering these questions. The Senator has a great record in the Senate, and I think he is completely honest. I do not question his motives in the slightest.

The PRESIDING OFFICER (Mr. BARRETT in the chair). The Senator from Mississippi has the floor.

Mr. STENNIS. Mr. President, let the Senator from Wisconsin ask questions. I think he has a right to ask questions, but not to make speeches.

Mr. McCARTHY. Mr. President, let me say that so far as I am concerned——

Mr. STENNIS. Just a moment. Let me answer the Senator's question.

Any rule that would apply to the junior Senator from Wisconsin should apply to me and to all other Senators. My speech this morning concerned, as I saw it, a standard of conduct which, if we adopt it as being proper, becomes a standard of conduct, but if we disapprove it, it will not become a standard of conduct in the Senate. I think that is the issue; that is the only issue. I think we must answer "Yes" or "No" on the facts before us. I do not see any halfway ground.

The words on page 30 of the report are not rules of the Senate, of course. I think that goes to the heart of the Senator's question. They are not rules to apply to anyone. They are general principles to which we have to apply the facts.

The resolution which is before the Senate—without reading it all, but skipping down—states that the junior Senator from Wisconsin "repeatedly abused the subcommittee and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin [Mr. McCARTHY], in failing to cooperate with a Senate committee in clearing up matters affecting the honor of the Senate is contrary to senatorial traditions."

That is the question which is before the Senate. To that extent it will tend to establish a rule—to the extent of the facts in the Senator's case, and no further.

Mr. McCARTHY. In other words, the Senator's position is that the words at the top of page 30 do not become the guiding rule of the Senate, but the guiding rule in this case?

Mr. STENNIS. No; I certainly do not feel that way at all about it. The statements on page 30 are statements of general principles, general lines of criticism, or views, or whatever we may term them. But they are certainly not a rule of the Senate. I do not consider them such.

Mr. WELKER. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I shall be very glad to yield to the Senator from Idaho.

Mr. WELKER. The Senator has been very kind. I know he is weary, as anyone would be who has been on his feet for a long time. I shall be very brief. It is because of my great and profound respect for the Senator's legal ability that I wish to interrogate him.

Mr. STENNIS. I thank the Senator from Idaho.

Mr. WELKER. Mr. President, I do not see anything funny about it. In the utmost sincerity and upon my oath as a Senator I state that I respect the distinguished Senator from Mississippi.

Mr. STENNIS. I took it as a compliment. I did not smile.

Mr. WELKER. I know the Senator did not, but someone did.

Mr. WILEY. Many Senators did.

Mr. WELKER. Would any Senator who smiled differ from that statement? I hope not.

Mr. President, this morning I interrogated my friend—and I want no smiling about it—with respect to the Senator from Colorado [Mr. JOHNSON] regarding his changing his opinion after he had seen General Zwicker on the stand. The Senator from Mississippi has instructed many juries in his lifetime. Is it not a fact that it is the fundamental law in the State of Mississippi and in every Federal court he knows of and in which he has practiced law, that juries are instructed somewhat as follows:

> You are the sole judges of the facts in this case. You are to observe the manner and demeanor of the witnesses upon the stand, their conduct and their answers.

The Senator from Mississippi knows that instruction better than I do. May I ask him if he thinks it is fair for a member of the select committee to change his opinion entirely with respect to the testimony given by the general when he had no opportunity whatever to examine the facts as to the general's conduct?

Mr. STENNIS. Is the Senator referring to the distinguished senior Senator from Colorado [Mr. JOHNSON]?

Mr. WELKER. Yes; I simply wanted to have the fine legal opinion of the Senator from Mississippi.

Mr. STENNIS. The Senator may not have been present this morning when I said that my impression, in the beginning, about the so-called Zwicker case was that I would not make it a basis for censure. But after hearing the evidence and all the facts adduced before the committee, the case appeared in an altogether different light. That was my experience. Of course, I would not pass upon the experience of my friend, the Senator from Colorado. He can speak for himself.

Mr. WELKER. Let us discuss the experience of the Senator from Mississippi. He changed his opinion after he had seen and heard General Zwicker before the select committee. The Senator from Mississippi did not observe General Zwicker's demeanor and activity or did not hear his language on the witness stand when it is alleged that the junior Senator from Wisconsin abused the witness. Is that not correct?

Mr. STENNIS. That is correct. I am very glad to disclose to the Senate my reaction to the Zwicker case. When we come to a discussion of that case, I expect to speak fully on the facts and to give a review of the evidence which impressed me. I do not have it vividly in my mind now.

Mr. WELKER. Will not the Senator from Mississippi further agree with me that no 2 Senators, no 2 judges, no 2 lawyers, and certainly no 2 cross-examiners, are alike?

Mr. STENNIS. That is very true.

Mr. WELKER. Cross-examination, as we have been taught in law school, is the hardest and most difficult part of a lawyer's work. What might be simple for the distinguished Senator from Mississippi might well be difficult for the junior Senator from Idaho.

Mr. STENNIS. That is correct. Those matters are entitled to consideration and weight.

Mr. WELKER. I shall be finished with my interrogation of the Senator after one further question. Would the distinguished Senator from Mississippi agree with me that, as a natter of fundamental law, the jurisdiction of the select committee was based on the expulsion clause of the Constitution of the United States?

Mr. STENNIS. On what clause?

Mr. WELKER. The expulsion clause. It is all contained in one paragraph of the Constitution, as the Senator will remember.

Mr. STENNIS. I think that any legally constituted body has certain inherent rights to protect itself. It can prescribe its standards, rules, methods, and the like. As the Senator from Idaho has pointed out, there is in the Constitution a special clause with reference to expulsion and disorderly conduct.

Mr. WELKER. The Senator from Mississippi is not saying for a moment that the select committee went beyond the Constitution of the United States, is he?

Mr. STENNIS. No; I think not. Clearly not.

Mr. WELKER. Did the Senator from Misissippi or the committee counsel ever discuss, or did the committee discuss, the profound treatise on the Constitution of the United States entitled "The Vanishing Rights of the States," by James M. Beck, who was a former Solicitor General of the United States?

Mr. STENNIS. I am familiar with that book. I did not study it in connection with these hearings, particularly, but I know in a general way that there are some very fine chapters in it.

Mr. WELKER. I believe that Senators from the South have read it many times.

Mr. STENNIS. Perhaps so.

Mr. WELKER. Is the Senator from Mississippi familiar with a statement at the bottom of page 50 of Mr. Becks' book, after a discussion of expulsion, in which he puts expulsion, censure, and so forth, in the same category? I shall be glad to hand the book to the Senator from Mississippi at any time. I read as follows:

> It is, however, equally clear, that the act which would justify his expulsion, must have taken place since his election. What he did prior to his election and qualification has been passed upon by the people of his State. In a political sense, it is res adjudicata. A candidate for the Senate might have been guilty of embezzlement before his election, but the right of the people of that State to send an embezzler to the Senate, if it sees fit, is clear. Such decision is the sole right of the State.

Does the Senator from Mississippi agree with author Beck upon that subject matter?

Mr. STENNIS. There is a great deal of soundness in a part of that statement, of course. I do not think I could at this time help the Senator or the Senate in any way on this matter. It is very clear to me that it is a continuing matter.

This proceeding does not deal with expulsion, in the first place. But I should be glad if the Senator from Idaho would defer further questions on that point. I may present additional statements along that line, and we can then further discuss the question.

I wish to thank the Senator from Idaho for his very considerate interrogation, and also the junior Senator from Wisconsin [Mr. MCCARTHY], whose interrogation also, I thought, was very good.

Mr. WELKER. I thank the Senator.

Mr. STENNIS. Mr. President, I yield the floor.

Mr. BRICKER. Mr. President, I wish to speak very briefly this afternoon about the matter which is before the Senate.

I oppose the resolution to censure the junior Senator from Wisconsin.

If censure is voted in this case, it is highly probable that other Senators would be censured for comparable acts. The result of censure, therefore, would be one so close to legislative tyranny that I cannot view it with complacency.

Fortunately, we are not all of the same mold. Every Senator should be free to do his job in his own way, so long as he acts within the law and within the rules of the Senate.

The framers of the Constitution faced the problem of legislative tyranny. They limited the powers of Congress to those specifically delegated by the Constitution. Two forms of legislative tyranny were specifically prohibited—ex post facto legislation and bills of attainder. To the Founding Fathers, therefore, legislative tyranny seemed just as ugly as the tyranny of the despot or of a mob.

In this case, the Senate is sitting as judge, prosecutor, and jury. However, I do not suggest, nor do I intend to imply even remotely, that the Senate of the United States is imbued with the spirit of punitive action. I yield to no man in the respect I hold for the processes and traditions of this body. Nevertheless, if the consequence of Senate action is to single out one Senator for punishment and to excuse all others liable to punishment on the same basis, the result is an injustice.

Unjust punishment is that having no basis in any rule of law. The victim may receive an eminently fair trial. But if his punishment is based on ex post facto legislation, or on no law at all, he is truly the victim of injustice.

No punishment can be just if it is not based on any law that is known, knowable, or predictable. We are not concerned here with the problem of power. A mob has power, unlawful power to be sure. The Senate of the United States in this proceeding is armed with constitutional power. Article I, section 5 of the Constitution provides that "each House may punish its Members for disorderly behavior." But unless the exercise of that power is bottomed on a rule of law designed for impersonal and impartial application in all similar cases, history will surely record the result as unjust.

The rule of law is defined as follows in Prof. F. A. Hayek's Road to Serfdom:

> Nothing distinguishes more clearly conditions in a free country from those in a country under arbitrary government than the observance in the former of the great principles known as the rule of law. Stripped of all technicalities, this means that Government in all its actions is bound by rules fixed and announced beforehand—rules which make it possible to foresee with fair certainty how the authority will use its coercive powers in given circumstances and to plan one's individual affairs on the basis of this knowledge.

That rule was upheld in very strong language by the Supreme Court in a United Mineworkers case a few years after the First World War.

The case was argued by one who was afterward Chief Justice of the United States, the Honorable Charles E. Hughes. I remember that in his brief he traced the law from ancient times down to the present, and very clearly distinguished, as does this noted author, between freedom and arbitrary government power and both came to the same conclusion.

Injustice is not synonymous with miscarriage of justice. No system of justice is foolproof. Reasonable men may draw erroneous conclusions from a given set of facts. Fairminded men may make legal interpretations inimical to basic liberties. So long as such men—whether they be judges, prosecutors, jurors, or United States Senators—honestly endeavor to apply a definite rule of law, they may err, but they are not unjust.

At this point in my remarks, I wish to make it perfectly clear that I have the highest admiration and respect for the honesty and integrity of the six Senators who served on the Select Committee To Study Censure Charges. They are all able. They would not wittingly set in motion, or condone, any action that is inherently unjust. Nevertheless, in my judgment, that is the effect of their recommendations.

I cannot agree with the junior Senator from Wisconsin that one or more of the members of the select committee were so biased as to preclude their making a fair appraisal of his case. It was manifestly impossible to find six Senators who had not at one time or another expressed an opinion on the controversial junior Senator from Wisconsin.

In my judgment, the junior Senator from Wisconsin should have been allowed to make his full defense before the committee. The committee denied him that right. But since the entire subject is going to be ventilated here on the Senate floor, the junior Senator from Wisconsin will have his day in court. Whatever the conclusion of the Senate, the junior Senator from Wisconsin will have had a full and fair hearing.

We have, then, a resolution of censure which six able and honest Senators think must be adopted to preserve the good name of the Senate, but which strikes me as patently unjust. What is the reason for these radically different conclusions?

If a court tried and punished a man without citing any law to support its action, all lawyers would condemn the result as unjust, and this would be true no matter how skillfully the proceedings were decked out in the trappings of justice. It would be no defense for the court to cite its general authority to try and punish individuals. Judicial power to punish is limited by the necessity for an applicable law, common or statutory, which defines the crime with reasonable precision.

Legislative power to punish under article I, section 5, of the Constitution, should necessarily be exercised in accordance with the same limitations. It is even more important that in this proceeding we observe the basic tenets of Anglo-American criminal law because the exercise of our power to punish by way of censure is not judicially reviewable. The law we apply must be sought primarily in a body of legislative precedent. Occasionally, some new precedent must be formulated. But if we censure a colleague without reaffirming or establishing a precedent for all similar cases that now exist or which may exist in the future, the verdict of history will be that we were unjust.

There is no precedent for censuring a Senator on the two charges set forth in the report of the select committee. The committee concedes this point on page 61 of its report. The absence of precedent, I agree, does not conclusively settle the question. If the precedent created by censure of the junior Senator from Wisconsin is to be applied impartially to all present and future Senators, then censure, however unwise, would not smack of legislative tyranny. That is not the case, however. Censuring the junior Senator from Wisconsin would not establish any general precedent. It is not seriously intended to establish such a precedent. And because no such precedent would be established, we would be punishing Senator McCARTHY in total disregard of any rule of law.

This issue in the case towers above all others. Yet it is not even discussed in the report of the select committee. The committee's action seems to rest on the naive assumption that a resolution of censure is admonitory; that the object of censure is merely scolded. It is punishment. For a Senator, few forms of punishment are more severe. Of course, the committee had no idea of establishing a precedent under which more than half the Senate would be liable to punishment. That is why the committee regarded as irrelevant and inadmissible the derogatory statements of other Senators with reference to their colleagues. That is why the committee refused to consider what other Senators have said in the heat of cross-examination.

Most opponents of censure have said that it would create an undesirable precedent. Of course, if censure is voted, and if the precedent is applied impartially to present and future Senators, the result would be not merely undesirable but catastrophic. The Senate could not function as a deliberative, legislative body. The truth is that censure would not establish a precedent governing the conduct of all other Senators. And when we take punitive action against one Senator and refuse to apply it as a precedent to others, we depart from the restraining influence of the rule of law. We become unjust.

In my judgment, the case against the junior Senator from Wisconsin stands or falls on the answer to this question: Is the standard of conduct imposed by the resolution on the junior Senator from Wisconsin to be applied impartially to all present and future Senators?

Mr. JENNER. Mr. President, will the Senator from Ohio yield in order that the absence of a quorum may be suggested? I think he is making a very fine presentation of the matter. The prosecution has been heard. I think the defense should be heard. The Senate has met to consider this question, and there is no reason why all Senators should not be present.

Mr. BRICKER. I appreciate the offer of the Senator from Indiana, but I should like to continue so that I may complete my statement. It may be read in the RECORD. If the absence of a quorum were suggested, I doubt that more Senators would remain than the number now present. So I refuse to yield for that purpose, if it does not offend the distinguished Senator from Indiana.

I have searched the rules, Mr. President, and I find no rule in the established rules of the Senate which would provide any punishment for the acts that are here charged as offenses.

Every Senator must know in his heart that the answer to the following question is "No": Is the standard of conduct imposed by the resolution on the junior Senator from Wisconsin to be applied impartially to all present and future Senators?

In any event, the fact can be demonstrated beyond any shadow of doubt. It is simply a job of selecting several examples from the many thousands that are available, even if they are undesired by most of us.

Turning now to the committee report, I shall not unduly extend these remarks by pointing to its many inconsistencies, or to the quality of the argument submitted. It is enough to know that censure is recommended on 2 of the 46 charges presented to the committee, and that the recommendations on these two charges were influenced by 2 other charges discussed at length in the report. Briefly stated, the four major complaints against the junior Senator from Wisconsin are:

First. That he did not avail himself of the opportunity to appear before the Gillette subcommittee which was inquiring into matters antedating his election to the Senate, which issued no subpena to require his attendance, and which denied him the right to cross-examine witnesses which, incidentally, the Watkins select committee found inexcusable;

Second. That his public statement with reference to the junior Senator from New Jersey [Mr. HENDRICKSON] was vulgar and insulting;

Third. That his conduct in the cross-examination of General Zwicker was inexcusable; and

Fourth. That his invitation to Federal employees to supply him with information on governmental operations "without expressly excluding therefrom

classified documents, tends to create a disruption of the orderly and constitutional functioning of the executive and legislative branches." Though not made a ground for censure, the select committee added: "Such conduct cannot be condoned and is deemed improper."

I shall take up these complaints in order to show that adoption of a resolution of censure based on or influenced by them would not establish a precedent for all other Members of the United States Senate.

With reference to complaint No. 1, other Senators have not been, and never will be, censured for declining to accept a committee's invitation to appear, or for declining to appear voluntarily to explain conduct which took place in a prior Congress, or for refusing to cooperate with a committee not permitting them to cross-examine witnesses. Approval of this charge would not lead to censure of other Senators who have in the past, and will in the future, construe an invitation as something that they have the choice of accepting or declining. Therefore, I am constrained to say that censure on the basis of this flimsy charge would reflect a vindictive passion unworthy of the world's greatest deliberative body.

In regard to complaint No. 2, what happens if we censure the junior Senator from Wisconsin for using vulgar language with reference to the junior Senator from New Jersey?—and I do not condone it. More vulgar, in my judgment, was the speech made on the Senate floor several months ago against the Senator from Wisconsin. Will the Senate censure that Senator? Of course not. I do not think it should. The rules of the Senate provide that such a Senator may be required to take his seat at the time when he makes such a remark on the floor of the Senate, and that thereafter he may be allowed to proceed to speak only by an affirmative vote of his colleagues; but the rule makes no reference regarding censure for what was said. But if only the junior Senator from Wisconsin is to be censured for using intemperate language reflecting adversely on other Senators, how is the Senate to defend itself against charges of being unjust and discriminatory? If uncomplimentary references by one Senator concerning another will put the censure machinery in motion, there will be no time here for anything except mutual recrimination. Nothing of the sort will happen, as we know. That being true, how can censure of the junior Senator from Wisconsin be based on anything except an avidity to punish?

Censure on the basis of complaint No. 3 would establish no precedent applicable to the conduct of other Senators. Whatever the outcome of this proceeding, in examining uncooperative witnesses Senators will continue to follow the example and advice furnished by Mr. Justice Black on the value of vigorous cross-examination.

I believe that General Zwicker—and I may say I have read all the testimony—was an irritating, evasive, and arrogant witness. If I should say now, and without the excuse of provocation, that General Zwicker is not fit to wear the uniform of his country, would I be censured; or would any other Member of the Senate be censured for saying such a thing? Will a member of the so-called crime-investigating committee be censured for showing less respect for the rights of witnesses appearing before the special crime committee than the junior Senator from Wisconsin shows to witnesses appearing before his committee? Certainly not. And I would oppose any such move.

If the Senator's public criticism of General Zwicker is an adequate basis for censure, will the Senator who has charged General Zwicker's boss, the Secretary of Defense, with favoritism or corruption, or both, in awarding defense contracts and, therefore, necessarily unfit to be a Cabinet officer, be the next one to be subjected to a demand that he be censured? No, Mr. President, the Senate will not censure him, and all of us know it. Just think how many Senators could be censured for charging that the Secretary of the Interior, notwithstanding his constitutional oath, has been giving away property of the United States with the profligacy of a spendthrift internationalist. However, none of these possible censure actions will ever materialize, even if the junior Senator from Wisconsin is censured. Precisely because the censure of the junior Senator from Wisconsin will not create a precedent of general applicability, we would deny him the impersonal justice which from time immemorial has been symbolized by a blindfold on the figure of justice.

To whatever extent complaint No. 4 influenced the action of the Select Committee To Study Censure, the senior Senator from Utah [Mr. WATKINS] and his colleagues on the Senate Internal Security Subcommittee would be likely candidates for censure. They signed a report inviting Federal employees to furnish the committee information relative to subversion, and, in the words of the report of the select committee, "without expressly excluding therefrom classified documents." Of course, they will not be censured, whatever the fate of the junior Senator from Wisconsin, and they should not be. They were within their rights under the law. It must be a strong, holier-than-thou obsession which prevents a Senator from seeing the unparalleled absurdity of the situation in which the Senate now finds itself.

I wish now to qualify slightly my previous statements that a vote of censure will not constitute a precedent. It may establish a very narrow precedent, but nevertheless an exceedingly dangerous one. The precedent would operate as a club to beat down any Senator inclined to lead in Congress the never-ending fight—and I hope it is never ending—against the Communist conspiracy in America.

It is not mere coincidence that the main stream of vilification and abuse has been directed toward those Members of Congress who have been active on the committees which expose Communists and their retinue of dupes and fellow travelers. From the time of MARTIN DIES, in the thirties, the strategy of the Communist conspiracy has been to defame and destroy those men in Congress who symbolize the opposition of millions of patriotic Americans. The Communist strategy has been sound: Destroy the symbol first, and then the forces represented and made articulate by the symbol can be much more easily crushed. The Communist strategy has been exceedingly well executed.

Now a word about methods in this life-or-death struggle with the Communist conspiracy. All of us have seen the grisly face of communism. Not all of us have reacted in the same way. Though all of us have gazed on the same evil countenance, our interpretations of the vision have not been uniform.

To the junior Senator from Wisconsin and to me, the gory mien of communism appears as unmitigated evil. The reaction of the junior Senator from Wisconsin has been simple and direct. With patriotic exuberance, he grabbed his shillelagh and went to work. Some of his friendly critics suggest that he should use a rapier, and other friendly critics tell him that a strong spotlight is sufficient.

There is another class of Senators in whom the frightful face of communism arouses no strong emotion. They pretend that the evil vision is some optical illusion. These critics of McCarthyism urge that communism be discussed in broad and general terms; that the prime necessity of the hour is preservation of an expansive executive power; and that the only gentlemanly way to fight Communists is with both hands tied behind the back.

Most of the fanatical critics of McCarthyism are technically non-Communists. But the brutal face of communism holds them in the irresistible power of sensual attraction. Logically they know that to embrace communism is fatal. Yet they cannot tolerate any congressional attack on this perfected evil. And why not? Because the vision of communism is so strikingly similar to socialism and other collectivisms to which they have pledged their lives, their fortunes, and whatever small honor may exist in such a cause.

That, in a nutshell, is the meaning of the debate over MCCARTHY'S methods. The primary function of congressional investigation in this field is to inform and to alert the American people concerning all aspects of the Communist conspiracy, and to lay the foundation for legislation. In fulfilling that function the junior Senator from Wisconsin has been preeminently successful. He has dramatized the issue better than anyone else. Deservedly or not, his friends and enemies, both here and abroad, have made him the prime symbol of vigorous anticommunism. The question here and now is whether we shall destroy that symbol in a spirit of vengeance or whether we shall preserve it in the tradition of equal justice under the law.

Today the hue and cry is on throughout the land. The pack which hunts the hunters of Communists has caught the smell of blood. Without any implication of bad faith or lack of patriotism

on the part of any of my colleagues, whom I respect, I shall not run with that pack.

Mr. GOLDWATER. Mr. President, we find ourselves in a peculiar and unusual situation at this hour in the debate. We have the spectacle of cannibalism holding forth. We find the Republican Party, on this side of the aisle, busily chewing on itself. I do not believe Republicans are enjoying the Irish stew they are having. Also we have the spectacle of the Senate gnawing away on the very muscles which have made it great, namely, the muscles of its legislative investigative power.

In any discussion such as the one in which the Senate is now engaged, there is a tendency to drift away from the real issue, either by the introduction of diversionary subjects or by technicalities which cause us to lose sight of the original problem.

It is necessary, therefore, at some time in a discussion like this, to call attention to the real issue and urge that the minds of the participants return to that issue. That time has come now in the debate on this censure move.

As I have listened to the many speeches which have been made, pro and con, concerning this proposal, I have felt an increasing sense of the unreality in which this discussion has taken place. We have been splitting hairs over technicalities and legal trivia, and I do not recall in any of the speeches that have been made, either for or against censure, any serious facing of the key question which we are called upon to settle in this session—the question of what will happen to America's fight against communism if the efforts of a man who has been active in the fight against this evil are repudiated. Consequently, my remarks will be directed to that subject at this time.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. WELKER. Will the Senator be gracious enough to yield so that I may suggest the absence of a quorum, with the understanding that he shall not lose the floor?

Mr. GOLDWATER. Mr. President, I appreciate the generosity which prompts that request of my friend from Idaho, but I am sure that the experience of other Senators will bear me out in the statement that a quorum call would probably mean the loss of a few Senators.

Mr. WELKER. Mr. President, will the Senator further yield?

Mr. GOLDWATER. I yield.

Mr. WELKER. Mr. President, I am astounded and ashamed. A fellow Senator is on trial for his very political and moral life, and yet there are many empty seats on both sides of the aisle. I draw no distinction between Democrats and Republicans. I think this is a low day in the history of the land. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER (Mr. BUSH in the chair). The Chair must remind the occupants of the galleries that the rules of the Senate forbid applause or any other demonstrations of approval or disapproval of statements made on the floor of the Senate. Occupants of the galleries are guests of the Senate, and they are asked to observe its rules.

The Senator from Arizona may proceed.

Mr. GOLDWATER. Mr. President, let us place this debate—not merely the one we are engaged in at the moment, but the one that has been raging for the past 4 years—in perspective. We know that this censure move is not a disconnected happening either in the career of Senator MCCARTHY or in America's fight against communism. It is a part of a sequence of events. Actually, those unknown engineers of censure hope that this will be the culminating act in the merciless fight to destroy a United States Senator and the fight against communism which has been crackling on a score of left-wing fronts for over 4 years. Make no mistake about it, if this effort of theirs falls now, there will be another one.

What kind of fight has it been? It is a fight which has been laden with hypocrisy. The masterminds of this fight have said one thing and meant another. Their progaganda has dripped with idealism, high-mindedness, and lofty sentiments. Their deeds have come from the darkness. As this fight has progressed it has snowballed to include wider and wider groups who hate MCCARTHY without really knowing why that hate exists. All the discredited and embittered figures of the Hiss-Yalta period of American dishonor have crawled out from under their logs to join the efforts to get even. The news columns and the airwaves have been filled with their pious talk about "civil liberties," "ethical codes," and "protection of the innocent," while at the same time these people have dipped in the smut pot to discredit Senator MCCARTHY and his work against communism. Mind you—and remember this—their efforts have not been confined only to this one Senator, but have included all Members of both Houses and all Americans who have had the courage to stand up and fight their evil cause, communism.

The culmination of their efforts is now to be seen upon the Senate floor, where the Senate is being asked to censure a Member of this body for reasons that are alien to the original issue, but which will serve the purposes of the masterminds who have thus far waged the war against those who fight communism. It is because of this that I wish to develop what I feel to be the real and basic issue in this fight, so that those of us who sit in this exalted Chamber today will not have cause to look back upon our actions in future years with shame and sorrow.

I am told that once there was a State senator in New York named Grady who was ordered by his organization to put over an unethical deal in the legislature. The Senator complied, and when he came out of the senate chamber he was heard to say, "This has been the dirtiest day's work of my life." If the Senate, upon being reminded of the basic and real issue in this fight, still sees fit to approve the censure resolution, then I suggest that there are many here who will say to themselves in the undeceiving solitude of their private thoughts, "This has been the dirtiest day's work of my life."

Who gave birth to this frenzied child, "Get MCCARTHY"? The same parent that conceived the "Get DIES" and the "Get" any other American who would fight the Communist Party conspiracy. From the date of his Wheeling speech on February 9, 1950, scarcely an issue of the Communist Daily Worker has failed to shriek "McCarthyism" in all the voice registers of left-wing vituperation. Trust the Communists themselves to know which anti-Communist is really dangerous to their deep game. The cry of "Get MCCARTHY" and "Get anybody who fights communism" has been taken up by left-wing organizations all over this country, and, unfortunately, so much dust has been raised by these people that many solid, sound Americans have taken up the cry without exactly knowing why.

Admittedly, if the anti-McCarthy camp were composed only of these figures, the "Get MCCARTHY" drive would still be in the obscure precincts of American communism. The deadliness of the Communist way of operating is shown by the fact that they have skillfully shifted the leadership of the campaign into the hands of highly respectable American anti-Communists, who have come to hate MCCARTHY for other reasons. Such present fronts for the most part do not even realize that when they hound MCCARTHY they are actually helping the stealthy plotters in the Kremlin to kill off their major political obstacle in America.

Today, the labeled Communists have wisely moved aside and have allowed these naive recruits to handle all the heavy artillery against not only the Wisconsin Senator, but against other men in public life who fight for the same principles. The non-Communists do the firing, but it is Malenkov's men who expect to cash in the dividends. What never seems to dawn on most of the people who are shouting "We must get rid of MCCARTHY, we must get rid of MCCARTHY," is that the one thing which Moscow desperately wants, and to which a major portion of their efforts is devoted, is to break up the anti-Communist unity of the American people. Moscow has always confidently believed that its day would ultimately come in the United States when it could find an issue which would divide the non-Communist Americans against themselves. They have found that issue in so-called McCarthyism. For months they have had the supreme satisfaction of seeing anti-Communist Americans of both parties vilifying and smearing other anti-Communists of both parties over this McCarthy issue. The American anti-Communists have been engaging in an incredible orgy of political cannibalism. Even were Senator MCCARTHY everything which his opponents charge, nothing could be more suicidal than for anti-Communists to stop fighting Malenkov in order to fight MCCARTHY, or to fight any other individual engaged in bringing to the attention of the American people the dangers of this insidious philosophy. Yet that is what we are doing today, in this attempt to censure the junior Senator from Wisconsin.

Why is it that this particular Senator has been singled out for this particular ordeal? In the course of the years since America has become cognizant of the presence of communism in this country, there have been many men in public life whose names have been just as conspicuously identified with the fight against it, and yet it is only this Senator who has been put in the pillory and brought before this body for censure. What has he done that has made him such an unforgiveable figure to his strangely assorted baiters? I think that the answer to this question will bring us very close to the real issue which we are deciding in this special session.

Certainly, it is difficult to believe that the junior Senator from Wisconsin is really under attack because of the relatively trivial offenses which have been alleged against him by the select committee. We all know that he could have done many things even more serious, and we all know that in our memories we can recall more drastic words having been spoken against a witness or even having been spoken on the floor of the Senate, without the whole machinery of the Senate having been put into motion in a special session to ask for a particular Senator's censure.

The reason lies somewhere else. It is buried beneath deceptive surface appearances of this case. Our search for that reason leads us to some extremely important men, some of them working in anonymity, who have vowed to drive McCarthy from a position of influence in this country. Their motives are a crisscross of spite, of fear of his political possibilities, and of the ever-present and haunting dread that his ranging investigations might lead him into certain dark places in the Washington scene which they desperately want to keep covered up.

For more than 5 years, from 1941 to 1946, this country went through a paranoiac attack of trust Stalinism. Apparently sound-minded public men during that period went on some of the most incredible pro-Russian binges. The ghosts of those wartime lunacies are buried all over Washington. When sanity returned to the Nation those who had helped Russia to cheat us out of the peace did not want the story to be told in all its unbelievable sordidness. A little of it was brought to light in one memorable year of truth telling, 1948, but most of it remained untold. There are people in this country who want it to remain that way—untold.

Here is where the Senator from Wisconsin comes in. What is it that distinguishes his attacks on the Communist and pro-Communist problem? If I may put it simply and in a single phrase, it is the fact that the Senator has never drawn back from an investigation even though he found that it was leading him to the highest sacred cows of American politics. He has not flinched from risking a finish fight with men who were powerful enough to destroy him politically when he found that, through stupidity, or through an unexplained softness toward Russia, they were making decisions which were weakening America and strengthening Moscow. I concede that this is not good politics on the Senator's part, but it is inspiring and heart-stirring Americanism.

The junior Senator from Wisconsin learned early in his career as an investigator of communism that it was not enough merely to identify the card-carrying members of the party and to immobilize them. The FBI was and is doing a magnificent job along those lines with means far superior to anything which could be commanded by an individual Senator. What the junior Senator from Wisconsin believed was important for the Congress to focus upon was the identity of the men who consciously or unconsciously were behind the Communists. He found that in every important Communist situation there invariably was some high-placed Government official who, either through inefficiency or willful tolerance of communism, had helped the Moscow tyrants. He believes that these weak links in the chain of American security constitute a threat equal to and even greater than that posed by all the adherents and disciples of communism.

In keeping with this belief, he felt that one Army official who could protect and promote a Major Peress was a far greater risk to the United States than the major himself. He felt that one unknown in the Pentagon who could punish and drive from the Army a superb officer like Maj. Gen. Kirk B. Lawton because he cooperated too helpfully in an effort to purge security risks from a sensitive Army radar establishment, was a truly dangerous man to hold authority in this period in which we are living. He felt that one official in the State Department who could issue an order preventing the FBI from arresting Arthur Alexandrovich Adams, the mastermind of the first Soviet atomic spy ring in this country, when they had him cornered in February 1945, and who could connive in his escape from the United States with full information about the Manhattan engineering project, was a risk to America and as deadly as Adams himself. He felt that one official of Government who could sit in Washington and issue handcuffing orders to General MacArthur and General Clark and General Van Fleet, which required them to permit the Communists to win the Korean war in which 142,000 American boys had suffered death or injury, was doing more to help Russia and to weaken America than all the Communists in America. He felt that an American Secretary of State who could declare that he "would never turn his back on Alger Hiss," even after Hiss' conviction, was not the man for that job.

It is safe to go after the minnows, but it is not so safe to challenge the marlin or the whale. Had the Senator been a mere careerist, it would have been so easy for him to have won the plaudits of some of the men who are now reviling him. All he would have had to do would have been to create an imposing record of exposing and publicizing the little men of communism, the men who, by taking on the Communist label, can actually do little to influence American events. As a watchdog against the Fosters and Flynns and Dennises and Nelsons, he could have made a great name for himself as an anti-Communist fighter without acquiring any powerful enemies capable of Washington reprisal.

But the Senator has not been overawed by the usual "don'ts" and the taboos of the Washington game. He, along with others, cannot see any logical reason for hunting out some of the Communists if, at the same time, we are going to shield and whitewash incompetents in bureaucratic offices whose costly decisions have given international communism victories at the expense of America which it could never have won on its own.

This is the basic issue with which we are faced. This is the issue on which we are actually asked to act in the Senate today. I suggest that Senator McCarthy is facing a censure vote in this body because he has put his finger fearlessly upon the men in high places who, through stupidity or muddled ideology, have stood in the way of an all-out fight against communism both in America and abroad.

Let me remind the Senate what one great American has said about this man whom we are now asked to censure:

> McCarthy is a former Marine. He was an amateur boxer. He's Irish. Combine these and you're going to have a vigorous individual who is not going to be pushed around. Certainly he is a controversial figure. But he is earnest, he is honest, and he is sincere. He has enemies. Whenever you attack subversives of any kind you're going to be the victim of the most extremely vicious criticism that can be made. I know that, sometimes, a knock is a boost. When certain elements cease their attacks on me I know I am slipping.

The man who said that was J. Edgar Hoover, and he said it in San Diego, Calif., in 1953. I might suggest to the Senate at this time that if this censure movement against the junior Senator from Wisconsin is successful the next attack will undoubtedly be made upon this great American who has done so much for our Federal Bureau of Investigation.

When McCarthy's hand was first laid on the sacred cows in Washington, it was not long before he felt the shattering force of the counterattack. It came in the sensationalized motion for expulsion by ex-Senator Benton. It was added to by the noncommittal investigation by the committee which shrank from making any report to this body after they had listed all of the unproven charges in the Nation's newspapers for careless readers to mistake for a Senate committee verdict. It was continued in the 9-week ordeal of the Mundt committee hearings which ended with no condemnation of the Senator himself, but with recommendations whose effect wrecked the staff of the McCarthy committee. It reached its climax in this present committee probe, which nobody wanted, except these strange masterminds, but which has been allowed to consume the time of the United States Senate at a period when there are far more important things to be discussed than those contained in this motion for censure. It is hard, therefore, to escape the conclu-

sion that this determination to destroy the junior Senator from Wisconsin is tied up with the powerful enmities which he has won in his attempt to smoke out the Government softies on communism.

Of course, JOE MCCARTHY has made mistakes. What man in the fierce glare of publicity which surrounds a Senator has not? Let the Members of this body search their own consciences and say whether or not they themselves have not made mistakes equally regrettable. Certainly, in this case the mistakes have been mistakes of zeal and not of timidity. They have been mistakes of the head, but not of the heart.

Concerning the remarks of the junior Senator from Wisconsin about the Senator from New Jersey [Mr. HENDRICKSON], I am reminded of a saying we have in the West, "When you call me that, smile." The Senator from Wisconsin has made certain remarks about the Senator from New Jersey. If I were Joe, I would walk over to Bob and say "I am awfully sorry about what happened." I would stand up and get it off my chest. I do not believe it was said with any feeling of malice.

Let us take just one instance of the Senator's alleged mistakes, which has been highlighted by this committee report. Let us look at the Zwicker case. Let me say at the outset of this portion of my discussion that no Senator in this group holds greater admiration or respect for the uniform of the Armed Forces than I do. I have been in the reserves and on and off regular duty for a period covering 25 years, and in that time I have acquired the utmost respect for the men who wear the uniform of the United States from the rank of private to the highest general.

So my remarks at this point are to be construed not so much as a criticism of General Zwicker, but rather as a defense of the attitude the junior Senator from Wisconsin took when the general appeared on the stand before him. If one reads the transcript of the Zwicker examination, it should be clear that the Senator could not, in all honesty, have taken any other position in the matter. The information which Senator MCCARTHY was trying to extract from General Zwicker was the name of the man in the Pentagon who had recommended the promotion and honorable discharge of Major Peress, a fifth-amendment Communist. The question was important because MCCARTHY's own committee, suspecting that Peress would try to evade Army discipline for his fifth-amendment pleading before the committee, had sent a letter to the Pentagon on February 1, warning the Army to be prepared for such a move by Peress and asking that Peress be held in the Army pending preparation of court-martial papers. On the very next day, acting with unexplained haste, General Zwicker, at Camp Kilmer, signed honorable discharge papers for the suspect Communist dentist. The implication was that someone at the Pentagon had issued an order after the receipt of the Senator's communication instructing the general to do so.

I might suggest at this point that the name of the person who authorized the honorable discharge for Peress has still not been made known either to the United States Senate or the people of this country. This is but another part of the smokescreen that has been successfully thrown up by the Communists to evade the real issue in this whole matter. It would be supposed that if a mistake had been made the general would have been just as anxious as was the Senator to clear it up. After all, the general had an outstanding World War II record and his loyalty had never been questioned, nor has it been questioned to this moment, nor is it now questioned. He could have had no possible motive for covering up a blunder which aided a suspected Communist.

As the head of a Senate investigating committee questioning the general, with the full authority of this great body behind him, Senator MCCARTHY had a right to expect the general's cooperation, just as he had had the cooperation of many fine Government officials in other phases of his investigations. But the Senator did not receive such cooperation. In reading the testimony of that hearing, one gathers that the general took the stand determined to shut the door on all further investigations of the Peress case. When asked whether he knew that Peress was a fifth-amendment Communist, he gave three different and conflicting answers at different points of the questioning. His final answer was, "Yes; I know that he refused to answer questions about Communist activity."

The statement, however, which provoked the most widely criticized MCCARTHY remark, and the remark for which we are asked to censure him, was the general's reply to a hypothetical question. Since this is the hinge of the whole case against the Senator concerning the general, let me read the Senator's questions:

> Let us assume that John Jones is a major in the United States Army. Let us assume that there is a sworn testimony to the effect that he is a part of the Communist conspiracy and has attended Communist leadership schools. Let us assume that Maj. John Jones is under oath before a committee and says, "I cannot tell you the truth about these charges because, if I did, I fear that might lead to incriminate me."
>
> Then, let us say that General Smith was responsible for this man receiving an honorable discharge. Knowing these facts, do you think that General Smith should be removed from the military or do you think that he should be kept on in it?

Then, after a rather involved interchange between the Senator and the general, during which time the hypothetical question was reread to the general twice, the general finally replied: "I do not think he should be removed from the military."

That was a shocking answer to come from a general of the United States Army. I do not believe the general would have made it had he given it more thought, but the fact remains that he did say that he thought a person originating an order to give a suspected Communist an honorable discharge should remain in the military. It was an answer that I feel would have shocked any man who ever wore the uniform of any branch of our services and an answer which should have aroused deep national concern.

Is there wonder then that Senator MCCARTHY burst out in unpremeditated rebuke to say:

> Then, General, you should be removed from any command. Any man who has been given the honor of being promoted to general who says I will protect another general who protected Communists is not fit to wear that uniform, General.

Let us admit that the language was extreme, but let us at the same time admit that the provocation was as extreme as well. Admit, too, that it would have been more politic of Senator MCCARTHY to have talked guardedly to a general who, it was later revealed, had extremely powerful and vengeful friends at the Pentagon.

Could the Senator, in self-respect, have permitted the general to get away with such a revolting exhibition of moral obtuseness toward the Senator's fight to protect the Nation against communism? Was not the general, by his repeatedly uncooperative answers and evasions, showing a contempt, not alone for Senator MCCARTHY but for the whole United States Senate, which the Wisconsin Senator symbolized in this situation? And yet, by curious illogic, waving aside the plain evidence of the written transcript, the Watkins committee reached the conclusion that it was Senator MCCARTHY who had dishonored the Senate in this instance and not the general.

Could a Senate committee more completely miss the whole point of the investigation of subversion in the Armed Forces which the Senator was trying to conduct and which the general and his as-yet-unnamed backers were trying to divert? No one wants to get into a controversy with the Army or any other branch of the armed services, but this is not to say that the Army is a closed sanctuary hermetically sealed to inquiry into which the authority of the Senate cannot enter. We are not a totalitarian state; we are a constitutional republic. There are no closed areas in our Government which the people's representatives cannot enter. There are not officers so exalted that they can disdainfully refuse the inquiries of the United States Senate.

Over the whole Peress case there hovered a nauseating atmosphere of incompetence and unconcern in high Pentagon places which would have shocked to strong language an even less outspoken Senator than Senator MCCARTHY. Let us see what Secretary of Defense Charles Wilson said about the Peress case. In a letter released by the Senate Armed Services Committee on April 1, 1954, Mr. Wilson wrote as follows:

> Dr. Peress should not have been commissioned, and would not be commissioned under present regulations. Since he should never have been commissioned in the first place, he should not have been promoted while he was being investigated.
>
> As to the type of discharge given Dr. Peress, the Army reports that an honorable discharge was selected because it was the quickest way to get him out of the service and because, in the opinion of the Judge Advocate General, court-martial action was not clearly justified, and that board action,

even after protracted proceedings, might not result in a finding that would warrant a less-than-honorable discharge.

Then, after stating the Pentagon case as favorably as possible, Mr. Wilson closed with these highly significant words:

My review of all the available facts of this case makes it appear that this judgment was faulty.

Let us give General Zwicker all the benefit of the doubt that we can possibly allow. The fact remains that his stony silence before the committee was motivated by the desire to cover up high-level incompetence in the Army in this malodorous case. He knew, just as Secretary Wilson knew, that someone had horribly blundered. Yet, his conception of official ethics led him to protect the blunderer and keep him in high office, rather than to help a committee of the United States Senate to turn the clean light of publicity on the whole situation.

If these are the motives which are to actuate the men high in our Armed Services, then there is indeed reason to tremble for the future security of our Nation. Courageously, and at great personal cost to himself, the junior Senator from Wisconsin has brought this fundamental issue of the relations between the Armed Forces and the Congress of the United States into the searching arena of national consideration. I venture to say that whatever happens to the Senator personally, this issue will remain there until it is answered correctly.

Does any recognition appear in this report of the fact that here was a United States Senator, representing this august body, who was being refused information which he was trying to secure for the guidance of this body by an officer who was balancing himself on a tightrope of unconvincing technicality? It does not.

Here we have the unusual spectacle of a Senate committee which, in a question involving the prerogatives of this Senate, fails to back up the chairman of a Senate committee and prefers to give the benefit of the doubt to an evasive Army witness who was putting on an act to thwart the Senate in securing essential information. It says, in effect, that the General must be vindicated because he was protecting his superiors, but McCARTHY must be condemned because he was trying to protect the Senate. In the report, and I quote from conclusions on page 61, the select committee says that the "conduct of Senator McCARTHY toward General Zwicker was reprehensible and that for this conduct he should be censured by the Senate." This conduct was unpremeditated and was provoked by an admission by the general that I feel would have caused any wearer of the uniform, or, for that matter, any citizen of the United States, to take exception to it in a degree varying from, at the very least, surprise to outraged indignation.

Let us turn now to page 46 of the report under "Conclusions," I quote again:

The remarks of Senator McCARTHY concerning Senator FLANDERS were highly improper. The committee finds, however, that they were induced by Senator FLANDERS' conduct in respect to Senator McCARTHY in the Senate caucus room and in delivering provocative speeches concerning Senator McCARTHY on the Senate floor. For these reasons the committee concludes the remarks with reference to Senator FLANDERS do not constitute a basis for censure.

Here we find a very strange situation. The committee finds in one instance that remarks induced by a Senator's conduct in respect to Senator McCARTHY do not constitute a basis for censure against Senator McCARTHY, but, within a few pages in the report, we find that remarks of Senator McCARTHY induced by a highly questionable answer by a general do call for censure.

Before we accept such an extraordinary conclusion, let us consider for a moment what we are getting ourselves into. To establish the precedent that a Senator is to be publicly censured by this body because he is a vigorous prober for information of incompetence and wrongdoing in the Government cuts at the heart of every investigative committee. Since when have we become so soft as a Nation that we wallow in maudlin grief when a defiant witness cries "Foul"? Somehow it seems to me that we have been through all this before.

Before we vote for censure, let us remember another committee which made a glorious contribution to the security of this Nation in another critical American day. I refer to the Joint Congressional Committee on the Conduct of the War, which was appointed in the early, dangerous days of the War Between the States. Here is what the official biography of Abraham Lincoln, by Nicolay and Hay, has to say about it:

This committee, known as the Committee on the Conduct of the War, was for 4 years one of the most important agencies in this country. It assumed, and was sustained by Congress in assuming, a great range of prerogative. It became a stern and zealous censor of both the Army and the Government. It called soldiers and statesmen before it, and questioned them like refractory schoolboys. * * * It was often hasty and unjust in its judgments, but always earnest, patriotic, and honest. It was assailed with furious denunciation and defended with headlong and undiscriminating eulogy. And on the whole it must be said to have merited more praise than blame.

There is nothing new in American politics in a congressional committee which, like the Senator's committee, is vigorous, earthy, and unafraid. Such committees have been in the long and honored tradition of this body. What is new is the crybaby witness who runs to the Pentagon crying for help against the bad man McCARTHY, who had actually talked rough to him. What is new is a committee of the Senate which asks us to censure this Senator for his vigor and zeal, and not to praise him.

How flabby and how foolish have we become?

It is not easy to follow the rather involved logic of the special committee recommendations in the matter of the general. As we read them, we seem to find ourselves in a world of upside-down values. In that world, a general, and a man who tried to withhold information from the United States, appears as a hero. McCARTHY, a man who tried to turn the searchlight on the guilty parties, appears as a villain. In the Watkins report it is the men who covered up the higher ups, who were soft in their policies toward Communists, whom we are asked to vindicate. It is the challenger of communism whom we are asked to condemn. I cannot see it. I have no standard of values by which such a preposterous 2 and 2 add up to 4.

Whenever the Senate is asked to make a decision so solemn and so far reaching as this, it is important that we ask ourselves whether we have carefully thought out the steps which we are asked to take. The smear shouts and the billingsgate against McCARTHY, the man, have been so shrill that at times I am convinced we have forgotten the real inescapable issue in this whole matter, which is the fight against communism.

But certain truths stand out like an incandescent beacon in this matter. Let me briefly state them:

First. It would not be good Senate policy to condemn McCARTHY. There can be no blinking the fact that the precedent which we establish in repudiating the Senate committee chairman when he is seeking to dredge out the truth about incompetence in the executive branch is a precedent which will return to haunt us. Many Senators, for various motives, may be reluctant to go along with JOE McCARTHY in some of his anti-Communist takeoffs. None, I think, will want to take official action which will shrivel the authority of the Senate to investigate. Without that authority, this body would decline into a mere shadow of what it had once been. Without that authority vested in this body, the executive branch would achieve an immunity to checkup and legislative watchfulness which would disbalance our whole Constitution.

Woodrow Wilson recognized this truth when he wrote:

The informing function of Congress should be preferred over the legislative function.

A censure of the chairman of the Government Operations Committee will strike all of us. And when that censure is voted, not for corruption or malfeasance, not for the breaking of any existing rules, but for excessive zeal in carrying out his proper function as an investigator for the Senate, it is doubly senseless. With such an act blazoned on the record, no future Senate investigator would feel safe to pursue his probe relentlessly when he runs into the stormhead of executive branch displeasure and retaliation. Our committees will find it more expedient to play safe and go along with the Executive. With this censure as a spectacular sign that their Senate will not stand behind them when the smut guns begin to shoot, what investigator will risk his career? We will find ourselves in a twilight period of dead-end probes and whitewash investigations, and Senate prestige will decay.

I ask in all sincerity, Is a scoring off of grudges against Senator McCARTHY worth this unthinkable price?

Second. It would be bad Americanism to censure McCARTHY. Today, as never before, the American people need desperately to present a united front to

overseas nations on the Communist issue. Strange and ominous forces are at work trying to sell the poisonous doctrine of coexistence with communism to our supposed allies. The bitter fruit of 6 years of ECA and MSA, and $7,707,000,000 of the United States postwar handouts to France, has been Premier Mendes-France's apparent retreat from an American alliance to a neutralist and bargaining position in continental Europe. The visit of the man who may be Britain's next Premier, Clement Attlee, to Molotov in Moscow and Mao Tse-tung in Peiping, shows the weakening loyalties of large sections of the British people, in the face of Communist trade prospects. Everywhere, in Europe and even in Japan, the insidious trader is at work, trying to whittle away the determination of the free nations to stand with the United States in an unbroken front against further appeasement of aggressive communism.

The thing which would mean the final collapse of all that we have done abroad since 1947 to build unconquerable defenses against the Kremlin would be a domestic retreat of the American people from their present united stand against communism. It would be the return of the appeaser, or the coexistencist, as he is called today, to positions of power and authority in the United States Government. It would mean the reappearance of the prototypes of the Alger Hisses and the Harry D. Whites and the Lauchlin Curries to the policy posts of our Government.

Do not think that this is fantastic. America's present solidarity against communism conceals many weak and dangerous spots in our public-opinion map. Do not think that the "trust Stalin" people of the war and Yalta period all had a change of heart on Russia when we went into the cold war. They adopted a protective coloration. They went into storm cellars. They put on the anti-Communist label so that they could survive as a political or a journalistic force. They are all ready to leap into action and set up a clamor for a new coexistencist policy toward Russia and Red China when the psychological moment arrives.

How can we know them? They are now almost invariably anti-Communist. Under their mask of anti-Communists, they do an "around-the-clock" job blackguarding the dedicated men and women who do the real work of anticommunism in this country. They seek to discredit the effective "Red" fighters in America. They spend their time abusing Bishop Fulton Sheen, Walter Winchell, John T. Flynn, Clarence Manion, George Sokolsky, Russell McGuire, Frank Hannigan, Fulton Lewis, David Lawrence, Alfred Kohlberg, Dr. Fifield, and the other men who are doing a standout job against communism in America.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield to the Senator from Wisconsin.

Mr. McCARTHY. I wish to apologize to the Senator for interrupting, but I am racing against time. I am due to catch a plane in order that I may attend a testimonial dinner to be given tomorrow evening by the GOP Clubs, Inc., and members of the Young Republican Clubs of Milwaukee. I dislike very much having to leave before the Senator from Arizona has completed what appears to be an excellent speech. I want him to know I appreciate very much his making his views known. While I shall not be able to hear the remainder of his speech, since I must leave, he can be assured that it will be the first thing I shall read when I return to Washington.

Mr. GOLDWATER. I wish to thank the Senator for his kind remarks, and I also wish to congratulate him on having a State to go to that still has in it some Republicans. [Laughter.]

Mr. President, resuming my comments about those who pose as anti-Communists when really they are blackguarding the efforts of the real anti-Communists in the United States, they hurl vitriol at the American Legion, the DAR, the Veterans of Foreign Wars, and the other great national bodies which are holding the line against Communists and pro-Communist maneuvers in our American life.

And always and everywhere the anti-anti-Communists are against JOE McCARTHY. They are the shock troops of the present smear drive which has led to this special censure session. Their papers and magazines, their organizations, and their forums are the incubating points for the big lies about this Senator.

This is the national background against which we meet in this session to consider the censure of JOSEPH McCARTHY. This is the climate of opinion which is building up around us in wait for the day when America can be induced to relax its vigil against Communist aggression.

Is it necessary to point out what the immobilization of Senator McCARTHY at this moment of national decision may mean to the friends of Russia? Like him or not, McCARTHY is the strongest voice now speaking out in America against communism. Agree with his methods or not, he represents a power against the Kremlin in this country which nothing on the present national horizon can replace. To remove such a man from honor and influence in America at this juncture would be a strong victory for Moscow in the field of American public opinion. To bring about a situation in which the United States Senate could be induced to vote for a resolution of censure against his anti-Communist activities—and that is exactly how it would be represented over the Communist airwaves—would be a propaganda triumph for the Attlees, the Mendes-Frances, and the double-talking, coexistence-with-Russia crowd here at home, which could be incalculable in its consequences.

Can we afford to hand this propaganda triumph to Malenkov just to sooth the ruffled feelings of the Pentagon or to save the face of the defunct 1952 Gillette committee? I do not think that we can. I do not think that many of my colleagues in this body, after they have seriously weighed alternatives, will feel that they can do so.

There has been much talk throughout this entire episode about the encouraging effect upon our allies if word comes to them that the Senate has repudiated McCARTHY. May I suggest that this is the feeblest and most vicious argument that can be made for a McCARTHY censure. The allies who would be heartened by a Senate slap at McCARTHY are allies who are praying for the day when America will stop its nasty fight against communism and allow Europe to resume strategic goods trade, with its fabulous profits, with the Iron Curtain countries. The Europeans who would rejoice if we humiliated McCARTHY are the Europeans who are not with us in our anti-communism anyhow. It is true that my colleagues in this body can curry favor with the Red Dean of Canterbury if they vote anti-McCarthy. But can they, by so voting, bring new heart to the millions of little Americans who are watching what we are doing today, and who are hoping against hope that we will not make another tragic blunder?

I have sincere and deep respect for the six Senators who uncomplainingly executed their hard task on the Watkins committee. I know they weighed the evidence carefully, and that they voted according to their consciences, but I cannot bring myself to believe that they saw the action which they recommended against the Senator in the broader historic matrix which should have been uppermost in their thoughts. I cannot believe that they counted the staggering consequences which may flow from the ill-considered step which they have asked the Senate to take. Let us lift this decision out of the obscuring tangle of trivia into which, unfortunately, it has been placed, and let us weigh it in the broad terms of national good. Let us face the fact that a field day against Senator McCARTHY in the Senate may well turn out to be a field day against America's global anti-Communist policy.

Over the earth today, the strong winds of destiny are blowing. They are reaching the Senate Chamber today as we make our historic decision on the pending resolution.

SUSPENSION OF DAILY PRINTING OF LEGISLATIVE CALENDAR

Mr. CARLSON obtained the floor.

Mr. KNOWLAND. Mr. President, will the Senator yield for two unanimous-consent requests?

Mr. CARLSON. I yield to the distinguished majority leader for that purpose.

Mr. KNOWLAND. I have discussed the first request with the minority leader. We were informed that the daily Legislative Calendar, which is to be found on the desks of Senators, must be printed each day with merely a change in the date, since no proposed legislation is being reported. To do that costs $92.14 a day for the printing of this document.

Upon further investigation we found there is a rule, which was adopted by the Senate on February 5, 1880, that the Senate must have a daily Legislative Calendar, and that the only way we could do away with it would be by obtaining

unanimous consent for that purpose at this time.

With that explanation, I ask unanimous consent that for the duration of the present session or so-called recess session of the Senate, the printing of the Legislative Calendar of business each day be dispensed with.

The PRESIDING OFFICER (Mr. BUSH in the chair). Is there objection? Without objection, it is so ordered.

Mr. LANGER. Mr. President, will the Senator from California yield for a question?

Mr. KNOWLAND. I yield.

Mr. LANGER. Will we be notified in case any nominations are reported to the calendar?

Mr. KNOWLAND. Yes; there will be such notification.

RESOLUTION OF CENSURE

The Senate resumed consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

Mr. CARLSON. Mr. President, as a member of the select committee, I wish to make a few observations. I sincerely hope, I may say to my colleagues who are interested in having the Senate take a recess at about this time of the day that my remarks will not take more than 15 or 20 minutes, and I trust that I may proceed without interruption in presenting the statement I have prepared.

First, I wish to make it definitely clear that I did not seek a place on the select committee. As a matter of fact, I urged the leadership to select some other Senator. I can think of no senatorial duty that is more onerous, more undesirable, and more difficult than to be required to sit in judgment of one of our own colleagues.

Second, I have the highest regard and admiration, personally, for the junior Senator from Wisconsin; and on many occasions I have stated he was rendering the Nation the highest service in calling to its attention the Communist menace.

Furthermore, I can honestly state that I accepted the position on this committee without bias or prejudice toward the junior Senator from Wisconsin.

The decisions I arrived at were the result of the evidence presented at the hearings and the findings following the discussion of the charges, participated in by every member of the committee in the executive sessions.

Mr. President, it is not my purpose to launch into an elaborate speech; and I do not accept the suggestion that I or any of my colleagues on the committee have any duty either to defend the report or to "make a case," as the distinguished junior Senator from Illinois phrased it the other day.

As a matter of fact, I conceive that the report speaks for itself. The committee framed it with that end in view; and I gather that many thousands of persons off this floor have found it so.

It would appear that the gentlemen of the press, radio, and television have generally treated it with respect, and even approval.

This does not mean that I regard it as necessarily proof against all criticism; quite the contrary. But I believe it is an adequate report, honestly and conscientiously prepared, in the light of factual evidence, all of which is set forth in complete detail in the record of the hearings.

All the law which was called to our attention, either by our staff or by the junior Senator from Wisconsin or his able counsel, is set forth in the report in the same completeness that it was cited to us. The application of these legal precedents to the five particular categories of inquiry was discussed in place, and every finding of the committee and its conclusions therefrom will be found under each category of charges, just where one would expect to find them. It is all in the English language, and he who runs may read.

I am, therefore, a little impatient with any defense which makes its point by attacking either the intelligence or the sincere intentions of the committee, or seeks, by questions coupled with self-serving speeches in the guise of seeking information, to discredit the authors as a means of discrediting their product.

I expect to be courteous, and will try to answer any questions that I can from any Member of the Senate, provided I may do so on the basis of the evidence. I reserve the right to decline to answer any questions which may seem to me to be improper.

I question whether the members of this committee owe any obligation to answer such questions, except as any of them may desire to amplify his individual views beyond the unanimous joint views therein expressed.

After all, the Senate asked, not for our individual views, but for a bipartisan investigation and report. Insofar as that contemplates joint action and collective judgment, it was supplied in full measure in a unanimous report. Of course it would have been proper for any of us to have filed any statement of individual views, either concurring in or dissenting from the majority's judgment. But in the absence of any such variance of opinion, I might readily be persuaded that the situation does not call for individual interpretation. All the members did in fact concur, and I am sure they did so in good faith. It is, therefore, no disrespect to the junior Senator from Wisconsin or to any other Senator for me to be selective in any individual answers.

I have devoted a few minutes to this aspect of my personal views, to avoid any personal controversy later. But I have some other views which I regard as of more lasting importance. I shall state these briefly.

I wish to bear personal testimony to the fact that, having sat in on all meetings of the committee, executive and open, I think I heard every word spoken there by any person, either of the committee or of its staff; and I assert and affirm that in no act or conduct did any of us or any of them deviate in any way from a careful and conscientious effort to elicit all the facts fairly and completely in accordance with their best judgment as to what was material and relevant to the inquiry.

Also I can bear witness that the common judgments of my colleagues were arrived at in a completely tolerant and even sympathetic attitude toward the junior Senator from Wisconsin, as witness their significant decisions to refuse affirmative recommendation on the basis of the charges involving improper solicitation of classified information from public employees, or the charges of the illegal misuse of a classified document, or the charges of offensive remarks about the Senator from Vermont [Mr. FLANDERS].

What I do not assert—and only because it would be unbecoming for me to do so—is that their collective conclusions as to the ultimate merits of the case were sound, provident, reasonable, and reflective of senatorial traditions. My reticence grows out of the fact that they were also my own conclusions. But, after all, that is the question for the Senate, not for any of us, to decide.

If my colleagues of the Senate, through their examination of the report and the hearings, or from the course of the debate, conclude that the committee was justified in its conclusions, then the only remaining question will be whether the Senate will follow the committee recommendations as to appropriate action. That is the $64 question—not any of the legalistic inquiries with which the committee is now being confronted.

My second point would be to remark how hollow and strained these insinuations about our being "unwitting handmaidens of communism" must sound to our colleagues. They know whether we are stooges of communism; and they know we are not—not any of us. Then why must we submit to being called so without protest, because the phrase "unwitting handmaidens" is synonymous with a shorter and uglier word, and I think it was so intended.

The distinguished junior Senator from Wisconsin is so convinced of the theory that any criticism of him is somehow traceable to the Communist conspiracy that he cannot explain even a senatorial investigation, under a constitutionally imposed duty, in any other way. But all the other Senators are not bound to accept that theory, or to withhold their support from conclusions which in themselves are self-explanatory—not even though all of us know that there are Communists, that they constitute a present danger, and that they hate both the junior Senator from Wisconsin and this very Senate.

It seems to me that the junior Senator from Wisconsin should refrain from thus imputing to me and my committee associates any such conduct, clearly unworthy and unbecoming Senators, if for no better reason than because it constitutes a clear breach of our rule XIX (2) and is therefore out of order.

Let me recite some of the details which impressed me during our investigation. For example, I had heard something of the Zwicker incident when it happened. Our staff developed exactly what transpired at Senator MCCARTHY'S executive session in New York on February 18 last past. This information was supplied from the hearing records themselves. I

was obvious that Senator McCarthy was, or became, irate at General Zwicker, and that the latter was laboring under some difficulty in meeting the Senator's expectations of him as a witness.

We also noted that Mr. Roy Cohn, the Senator's chief counsel, could and did, at the same time, examine the general without any difficulty developing between them. But this might or might not be significant, just as the fact that the Senator was himself then worried by an accident his wife had suffered the day before, might have some significance.

But General Zwicker was himself called as a witness before us, and we had ample opportunity to observe him closely. I think it would have been difficult for any of us to have concluded that he was, or ever had been, "unworthy to wear that uniform." He displayed an intelligence considerably beyond that of a "5-year-old child," and he demeaned himself with a poise and dignity befitting his rank, and certainly without arrogance.

But right there before our very eyes we observed again the difficulty which observance of his orders and his proper regard for the orders of his higher command enforced upon him. And very shortly afterward we heard Senator McCarthy recite his story of the incident, and observed that neither time nor his wife's happy recovery from her accident had in any way modified his antagonism against this officer.

It was, in consequence, actually harder for me to understand the reason for Senator McCarthy's outburst against him at the earlier hearing, than to conclude that the tirade against him at the February meeting and the feeling again displayed by the Senator at our hearing, was other than reprehensible, as our committee found it to be.

Another detail. There was the matter of a telegram or two involved in the Hennings-Hayden-Hendrickson committee aspect of our inquiry. If I had not been present at the hearings, I might have been persuaded in the course of the debate last Monday that somehow our committee or our staff had sought to take some unfair advantage of Senator McCarthy. The truth was that there were two telegrams. One was prepared, addressed to Senator McCarthy, and printed in the Hennings-Hayden-Hendrickson report, but actually not sent. Another, also addressed to Senator McCarthy, dated November 21, 1952, was duly sent, and belatedly received by the addressee, but was not printed in the report of that committee.

This dilemma did not develop in our initial investigation, but before it came time for our counsel to offer the telegram quoted in the Hennings-Hayden-Hendrickson report, it was discovered not only unsent but so marked in pencil, among the original papers of that committee, and when further investigation disclosed the further fact that a later telegram had been sent, our staff called for it from Senator McCarthy, offered it in evidence, and stated that the other telegram, originally cited from the Hennings-Hayden-Hendrickson report, had not been sent.

Senator Case added the final touch. He noted that the index of the exhibits of the Hennings-Hayden-Hendrickson report referred to only one telegram, namely, the one dated November 21 and actually sent. He suggested that some error had occurred when the report was prepared, and Senator McCarthy himself at the hearings praised the fairness of the committee staff in these words:

> Mr. Williams, in connection with this, I would like to compliment counsel for the committee in that they honestly gave us information which we did not previously have, namely, that this [telegram] was marked "not sent." It was not sent.

I move on now quickly to my fourth point, which is the last I wish to develop just now.

Quietly, without any bombast, emotion, or self-righteousness, I appeal to the body of the Senate that we shall not permit ourselves to descend into a factional controversy at this stage of this particular proceeding.

We can certainly solve this problem without the sacrifice of the dignity of this Chamber. If the facts reported to the select committee warrant acceptance of its recommendations by the majority of the Senate, we should, as promptly as possible, settle upon this conclusion. Any prolonged rear-guard action will be misunderstood and misinterpreted by our constituents. If, on the other hand, the majority of the Senate becomes impressed with the arguments against that conclusion, they should equally promptly and equally firmly terminate this business. The people of the United States will welcome a conclusion; they assume this body is capable of such a disposition; and I believe they would accept either alternative more easily than they would any undue prolongation of this session, much less any failure to reach a decisive answer.

Mr. CASE. Mr. President, I wish to express my appreciation for the very thoughtful and sincere address by my colleague on the committee. I should like to ask him a question at this time. Will the Senator from Kansas yield for questions now, or does he prefer to wait until Monday?

Mr. CARLSON. I am, of course, willing to do whatever the Senate wishes to do. I shall be here Monday, and I am willing to leave myself open to questions. In view of the fact that the junior Senator from Wisconsin left the Chamber, which I regret, I think I should say that he should have an opportunity to interrogate me if he so desires. I shall be present on Monday, if that is agreeable to the leadership.

Mr. KNOWLAND. Mr. President, if the Senator from Kansas will yield to me at this point, I had previously discussed the subject with the distinguished Senator from Kansas, who said that he would like to be able to make his remarks this afternoon. I told him that I had planned to move to recess the Senate at approximately 5:30. He said he would be glad to be available on Monday when the Senate reconvenes. Unless there is serious objection——

Mr. WATKINS. Mr. President——

Mr. KNOWLAND. I shall not make my motion until the Senator from Utah has been heard. I wish to complete my statement.

Mr. WATKINS. I had been trying to get an opportunity, after other Senators on the schedule had made their speeches, to make a brief statement. I have an important statement to make in connection with this case.

Mr. KNOWLAND. I shall not move to recess the Senate until the Senator from Utah has had an opportunity to be heard. I should like to complete my statement.

Mr. WATKINS. My statement will require about 5 minutes.

Mr. KNOWLAND. Certainly as a courtesy to Senators who have anything to place in the Record, or who wish to make brief statements, I shall not move to recess the Senate until they have had an opportunity to be heard. However, when the Senate completes its work today, it will be my intention to move that it take a recess until 11 o'clock a. m. on Monday next, to proceed with the debate at that time.

Mr. WATKINS. Mr. President, I have two principal concerns with reference to the matter now before the Senate. One is that the Senate analyze the facts upon which the select committee based its recommendations for censure, and the other is that the Senate debate and pass judgment on this very important matter in a dignified and judicial manner.

Wednesday, for a long period of time, I submitted myself to interrogation by the junior Senator from Wisconsin, yielding to him repeatedly for the purpose. I did this as a matter of courtesy to the Senator, but I believe he abused that courtesy. I had hoped that he would submit to me questions which would enlighten him or the Senate. I did not then intend, nor do I now intend, to engage in a personal wrangle with the junior Senator from Wisconsin, nor do I intend to be placed in the position of a prosecutor when my sole responsibility is to carry out an assignment which was given me by the Senate of the United States and by the select committee.

I am willing, and I know every member of the select committee is willing, to be helpful in any way possible, and to explain matters which may require clarification. But we must be permitted to explain them in our own way, and at times of our own choosing. Under Senate rules we are entitled to do that. The unanimous and nonpartisan judgment of the committee, its precise and specific findings of fact, and all of its conclusions of law, are set forth fairly, clearly, and dispassionately in the committee's report. It is this which embodies the committee's views; it is a joint and collective production, and certainly not alone my individual views, or those of any other individual member. It was unanimous. If any argument is required to sustain the recommendations of the select committee, that argument is set forth in the report itself.

Under the rules of the Senate, each Senator is entitled to speak without interruption. He may yield only as a courtesy to answer genuine questions asked in good faith. I yielded for that purpose Wednesday. I am aware of the fact that the pending present matter is not an ordinary legislative proceeding.

It is certainly judicial in nature and, in my opinion, requires decorum and a dignity in keeping with that conception. This cannot be maintained, as I view it, when there are personal wrangles between the Senators participating in the debate, or when one Senator wrongfully accuses another, on the floor and in a nationwide telecast, of running out on questioning, after the Senator so criticized—myself—had patiently submitted to virtually a half day of repetitive questioning on Wednesday.

In fact, I even made this offer on the afternoon when I requested a brief respite from the questioning, which I quote from the CONGRESSIONAL RECORD of Wednesday, at page 15932:

> Mr. WATKINS. Mr. President, I was occupying the floor when the Senate took a recess. I have been on my feet with the exception of a brief interruption for the luncheon period, for a considerable period of time. I have extended courtesies to the junior Senator from Wisconsin in order to enable him to ask me questions. I do not intend to deny him the opportunity for further questioning, but at this moment I wish to yield the floor. Later I shall submit myself for questioning.

For this statement, made while the junior Senator from Wisconsin was on the floor, I was twice accused by him Wednesday of running out.

Therefore, I am stating now that I shall be ready and willing to answer questions that are germane, proper, and in good faith, which may be submitted to me in writing or which may be submitted during the course of speeches by participating Senators. I will give the answers on my own time and in my own way. I will try to take careful note of the questions which are propounded. By doing this I believe we can keep the debate on a higher plane and give better service in the way of information in reply to inquiries.

I yield the floor.

Mr. KNOWLAND. Mr. President, I wish to make a very brief statement at this time. When the Senate took its action in connection with the appointment of the select committee, the majority leader and the minority leader had the responsibility of making recommendations to the Vice President of the United States with respect to appointments to the select committee. The resolution appointing the committee provided that 3 members of the committee be appointed from the Republican side of the aisle and 3 members from the Democratic side of the aisle. I said at that time, during the course of the debate, that I felt every confidence in all the Senators who had been appointed, not only in the 3 for whose selection I had some direct responsibility, but equally in the 3 who were appointed from the other side of the aisle. I said I felt such confidence in them that I would personally be willing to go on trial for my life before the group as a whole, or before any one of them individually. My statement applied to the Senators who were selected from the Republican side of the aisle and to the Senators who were selected from the Democratic side of the aisle.

I do not retract one iota from the statement I made at that time. I have the fullest confidence in the patriotism, integrity, and devotion to duty of the Senators in carrying out their task, which none of them asked for.

Having said that, I also wish to say that the Senate of the United States has its responsibility as well. I am sure that each member of the select committee recognizes the fact that each Senator, in examining the testimony, in examining the evidence, and in listening to the arguments, must finally reach a decision on his own responsibility, in accordance with the dictates of his own conscience.

I have a very high respect for the Committee on Finance. I must add that when I mention the Committee on Finance I do not detract from any of the other committees of the Senate. The Committee on Finance, during the time that I have served in the Senate, has been headed either by the distinguished Senator from Colorado [Mr. MILLIKIN] or by the distinguished Senator from Georgia [Mr. GEORGE]. I know of no 2 Senators for whom the whole Senate has a higher regard than for those 2 distinguished senior Members of the Senate.

During the 9 years I have served in the Senate there have been a number of times when the Committee on Finance has made a report to the Senate which I have supported without a single change. There have been a number of times when I have supported amendments to the bills which that committee reported. There have been a number of times when I have voted against the proposed legislation which the committee had reported. There have also been times when I have voted for substitute legislation to that which the committee reported. In all the cases when I did not follow exactly the committee's recommendation I do not believe it was a reflection upon the committee or upon the distinguished chairman who presented the bill on the floor. I am sure neither chairman considered it was any lack of appreciation for their responsibilities or for their duties which prompted any Senator finally to come to a decision and cast his vote in that manner.

I wish to subscribe to the expression of hope, which has been expressed before, that this debate may be kept on a plane which is within the high dignity of the Senate of the United States.

Many grave constitutional questions confront us. Many questions on precedents confront us. I believe many of us recognize the fact that what we do during this session may bind the Senate for the next 100 years. Naturally, we are deeply troubled by some of those problems. I hope, as I said on the opening day of this session, that during the debate we may keep this issue undetermined, and that we may approach the solution of the problem without prejudice and with an open mind. We must recognize the fact that we may honestly differ with our colleagues on either side of the aisle and that we must not attribute to them motives which would be detrimental to their character or intelligence or patriotism.

So far as I am concerned, I know of no six Senators who are entitled to more respect than the distinguished Members who, through no choice of their own, have served on the select committee.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. I wish to associate myself with the statement just made by the distinguished Senator from California with respect to the six Members who have served on the select committee, and I would like particularly to pay tribute to the Members who were recommended for appointment by the majority leader. I have never known of any select committee or any other committee to function more fairly and more diligently and more honestly and more patriotically than this select committee. I wish to associate myself with what the majority leader has stated with respect to the services of the members of the select committee.

Mr. WELKER. Mr. President, I shall not allow the remarks of the junior Senator from Kansas to stand as an indictment of Senators, particularly of the junior Senator from Idaho, who in all good faith tried to ask sensible and legal questions so that he might better understand the issues and in that way impart what little he could learn to his fellow colleagues.

I do not wish to be called one of those who are asking self-seeking questions or are bombastic. I venture to say that there is no man who has any higher respect for the six members of the select committee than I have. If I had wanted to pettifog this morning, my dear friend, the Senator from Colorado [Mr. JOHNSON], would be the first to say that I certainly could have done so. But I am trying to respect my fellow colleagues. Without a doubt, Mr. President, since we do not know whether the members of the select committee were investigators, or jurors, or judges, those of us who are interested in the legal aspects of the matter may ask sane and sensible legal questions. I defy any member of the select committee to show me that he has studied the law any more diligently than I have in this case, the result of which may set a precedent for the United States Senate for untold years to come.

I do not like to have it said that those of us who interrupt to ask legal questions are self-seeking and bombastic. I want that written in capital letters in the RECORD, because I have not attempted to act in such a manner and never shall. But I certainly want brought out the truth as to the law, and I expect to cross-examine as long as my friends on the select committee will put up with it. My examination will be honorable, decent, and fair, I can assure the Senate.

Mr. THYE. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. THYE. I should like to associate myself with the remarks of the distinguished majority leader, concurred in by the distinguished minority leader. I stated at the time the Vice President

named the members of the select committee of six Senators to hold hearings and to submit a report on the censure resolution, when I was asked about it by members of the press in my own State, that I knew of no other six men in whom I had greater confidence or in whose judgment I would be more willing to place my trust.

I am happy that the majority leader and the minority leader have made it emphatically clear that those Senators have rendered a great service, a service against which there can be no attack. The resolution presents a controversial question, and both sides have their supporters and friends, but I know we all have great confidence in and respect for the members of the select committee.

Mr. LANGER. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. LANGER. By a strange coincidence, when I returned to North Dakota after the regular session I also was asked by the press in my State what I thought of the six Senators who had been appointed on the select committee. I said at that time, as I had said previously, that I would be perfectly willing to be tried for my life before any one of those six men. As I have listened to the debate, Mr. President, I wish to reiterate that I do not know of any six other men who in my opinion could have done a better job.

RECESS TO 11 A. M. ON MONDAY

Mr. KNOWLAND. Mr. President, I move that the Senate now stand in recess until 11 o'clock a. m. on Monday next.

The motion was agreed to; and (at 5 o'clock and 44 minutes p. m.) the Senate took a recess until Monday, November 15, 1954, at 11 o'clock a. m.

SENATE

MONDAY, NOVEMBER 15, 1954

(Legislative day of Wednesday, November 10, 1954)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, once more at the beginning of a new week's challenge—

"We come unto our fathers' God,
Their rock is our salvation,
The eternal arms their dear abode,
We make our habitation."

Thou hast set us in a world of wonder and beauty. We beseech Thee to give us wisdom to uncover the springs of radiant delight. May we find joy in the loveliness of nature, in the strength of friendship, in the conquest of difficulty, and in the compensations of service.

In all our dealings with those who walk by our side and who are tempted, even as we, may we say to them and of them the generous things which would be upon our lips if they were here no more. Preserve us from false judgment. Help us to judge others as we would be judged, to serve as we would be served, to understand as we would be understood. When the shadows fall and evening comes, give us the supreme satisfaction that we have given our best to every task and that we have faced every duty without bitterness, with charity for all and malice toward none. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Friday, November 12, 1954, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

PROTOCOLS RELATING TO THE FEDERAL REPUBLIC OF GERMANY—REMOVAL OF INJUNCTION OF SECRECY

As in executive session,

Mr. KNOWLAND. Mr. President, there are on the Vice President's desk two protocols with the Federal Republic of Germany. The State Department has advised that it knows of no reason why the protocols should not be made public.

One is a protocol with the Federal Republic of Germany on the termination of the occupation regime, signed at Paris on October 23, 1954, which is Executive L, 83d Congress, 2d session.

The second is a protocol providing for the accession of the Federal Republic of Germany to the North Atlantic Treaty, signed at Paris October 23, 1954, which is Executive M, 83d Congress, 2d session.

I ask unanimous consent that the injunction of secrecy be removed from the protocols, and that the protocols, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The VICE PRESIDENT. Without objection, the injunction of secrecy will be removed, and the protocols, together with the President's message, will be referred to the Committee on Foreign Relations, and the message from the President will be printed in the RECORD. The Chair hears no objection.

The message from the President is as follows:

To the Senate of the United States:

I transmit herewith for the consideration of the Senate a certified copy of the protocol on the termination of the occupation regime in the Federal Republic of Germany, signed at Paris on October 23, 1954, to which are annexed five schedules, and a certified copy of the protocol to the North Atlantic Treaty on the accession of the Federal Republic of Germany, also signed at Paris on October 23, 1954. I request the advice and consent of the Senate to the ratification of these two documents.

In addition, I transmit for the information of the Senate a number of related documents. These include a report made to me by the Secretary of State on the present agreements; the final act of the Nine Power Conference held at London, September 28–October 3, 1954, with annexes; three resolutions adopted by the North Atlantic Council on October 22, 1954; four protocols to the Brussels Treaty signed at Paris on October 23, 1954, together with the text of the Brussels Treaty signed on March 17, 1948; a declaration dated October 23, 1954, of the states signatory to the Brussels Treaty inviting Italy and the Federal Republic of Germany to accede to the treaty; a resolution on the production and standardization of armaments adopted by the Nine Power Conference at Paris on October 21, 1954; the Convention on the Presence of Foreign Forces in the Federal Republic of Germany signed at Paris on October 23, 1954; the Tripartite Agreement on the Exercise of Retained Rights in Germany signed at Paris on October 23, 1954; certain letters relating to the termination of the occupation regime in the Federal Republic of Germany, dated October 23, 1954, together with the texts of letters exchanged in 1952 referred to therein; and a statement on Berlin made by the Foreign Ministers of France, the United States, and the United Kingdom in Paris on October 23, 1954.

I know the Senate is aware of the very great importance of these agreements to the security of the United States and to the cause of peace and freedom in the world as a whole. The agreements represent the culmination of a joint effort, extending over several years, to promote closer cooperation in security matters among the nations of Western Europe and to find a way of associating the great potential strength of the Federal Republic of Germany with that of the free world in a manner which will insure freedom and equality for the people of Germany and at the same time will avoid the danger of a revival of German militarism. The Congress of the United States has recognized on several occasions that the effectiveness of the entire Atlantic relationship depends to a very great extent upon the attainment of these objectives, and last summer the Senate adopted a resolution—Senate Resolution 295, July 30, 1954—expressing the sense of the Senate that steps should be taken to restore sovereignty to Germany and to enable her to contribute to the maintenance of international peace and security.

It was hoped that these objectives would be accomplished through the treaty constituting the European Defense Community, together with the Bonn conventions of May 26, 1952, which were designed to terminate the occupation regime in the Federal Republic. But the treaty constituting the European Defense Community failed of ratification, and the conventions, being dependent on the treaty, could not be brought into effect. Accordingly, it became necessary

to devise a set of alternative arrangements by which the nations of the North Atlantic Community might pursue their common security objectives, and these new arrangements are embodied in the present agreements.

In accordance with these arrangements, the Federal Republic will be invited to accede to the North Atlantic Treaty and, along with Italy, to the Brussels Treaty. Furthermore, important changes will be made in the military arrangements under the North Atlantic Treaty Organization and in the basic nature of the Brussels Treaty to which Belgium, France, Luxembourg, the Netherlands, and the United Kingdom are already parties. These changes will have the effect, not only of placing certain agreed controls on European armaments, but also of strengthening and reinforcing both the North Atlantic Treaty Organization and the new Brussels Treaty Organization, the Western European Union.

In NATO, the powers of the Supreme Allied Commander, Europe, will be strengthened in the fields of assignment and deployment of forces, inspection, and logistical organization. In addition, the principle of integration of units may be carried to lower echelons than is now the case. These measures are desirable in their own right because they increase the general effectiveness of NATO forces. At the same time, they create a degree of mutual interdependence among national forces assigned to NATO that will effectively limit the ability of any one nation to take independent military action within SACEUR's area of command.

The Brussels Treaty is modified so as to establish a new Council for Western European Union, and promotion of European integration becomes a new purpose of the treaty. The Council is given important powers in the fields of controlling forces and armaments. The continental forces of the Brussels Treaty countries are set at specified limits, conforming, for those countries which would have been members of the European Defense Community, to the limits set by the EDC Treaty. These limits cannot be changed except by the unanimous consent of the Council. In addition, the United Kingdom has agreed that it will continue to maintain on the mainland of Europe forces of the level presently committed there. Further safeguards are provided in the armaments field. The Federal Republic has renounced the right to manufacture atomic and certain other weapons. Major types of conventional weapons will be subject to control. An agency for control of armaments is to be set up for the purpose of enforcing these arms limitations.

It has also been agreed that the occupation regime must be brought to an end and the Federal Republic will assume the full authority of a sovereign state in its external and internal affairs. This will be accomplished by the protocol on the termination of the occupation regime in the Federal Republic of Germany, which amends the conventions which were placed before the Senate in 1952 and brings them into effect as amended. The amendments are designed principally to bring the Bonn Conventions into harmony with the new arrangements for a German defense contribution and with German membership in the North Atlantic Treaty Organization. The greater part of the conventions has been left unchanged. They will provide, as before, for the revocation of the occupation statute, the abolition of the Allied High Commission, and the settlement of numerous problems arising out of the war and the occupation. The convention regulating the status of Allied forces in Germany will continue until it is replaced by new arrangements based on the NATO Status of Forces Agreement, supplemented by such provisions as are necessary in view of the special conditions with regard to forces stationed in the Federal Republic. New arrangements will also eventually have to be concluded on the support of foreign forces in the Federal Republic. Of the special rights retained by the United States, the United Kingdom, and France in the original conventions, those relating to Berlin and to Germany as a whole will be kept on the same terms as before, and the right to station forces in Germany will, after German admission to NATO, be exercised with the consent of the Federal Government insofar as the Federal territory is concerned.

Of the four conventions which are to be amended by the protocol and placed in effect as amended, only one—the Convention on Relations between the Three Powers and the Federal Republic of Germany—was submitted to the Senate for its advice and consent to ratification. The other conventions were in the nature of implementing administrative agreements, for which the Senate recognized that formal approval was unnecessary and, furthermore, was undesirable, inasmuch as they might require technical revision from time to time to meet changing conditions. Approval of the protocol on the termination of the occupation regime in the Federal Republic of Germany will not change the nature of those related conventions.

While the arrangements embodied in these agreements are complex, their purposes are simple. The Federal Republic is placed on a basis of full equality with other states. The military strength of the Federal Republic will be combined with that of the other countries in the Atlantic community in such a way that the development and use of the German military contribution will be in accordance with the common need. The Federal Republic will be fully associated with the Atlantic community through membership in the North Atlantic Treaty Organization, and with the European community through membership in the Western European Union established under the Brussels Treaty. Both of these organizations will be strengthened internally. The procedures and institutions which are the subject of these agreements make it inevitable that the states involved will act closely together in the matters most important to their security. This concert of action will, I am convinced, foster the spirit of cooperation and desire for continuing association which have been evident in the free nations and which are essential for their future safety and welfare.

One of the principal specific consequences of the new arrangements will be the addition of a substantial increment of German resources to the Atlantic defense system. At the same time, I want to emphasize the fact that these agreements are founded upon the profound yearning for peace which is shared by all the Atlantic peoples. The agreements endanger no nation. On the contrary, they represent one of history's first great practical experiments in the international control of armaments. Moreover, their fundamental significance goes far beyond the combining of strength to deter aggression. Ultimately, we hope that they will produce a new understanding among the free peoples of Europe and a new spirit of friendship which will inspire greater cooperation in many fields of human activity.

I urge the Senate to signify its approval of this great endeavor by giving its advice and consent to ratification of the protocols on the admission of the Federal Republic to the North Atlantic Treaty Organization and on the termination of the occupation regime. I hope these instruments may be studied with a view to enabling the Senate to act promptly on these matters when it meets for its new session in January.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *November 15, 1954.*

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The VICE PRESIDENT. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Flanders	Mansfield
Aiken	Frear	Martin
Anderson	Fulbright	McCarthy
Barrett	Gillette	McClellan
Beall	Goldwater	Monroney
Bennett	Green	Morse
Bricker	Hayden	Mundt
Bridges	Hendrickson	Murray
Brown	Hennings	Neely
Burke	Hickenlooper	Pastore
Bush	Hill	Payne
Byrd	Holland	Potter
Capehart	Hruska	Purtell
Carlson	Humphrey	Robertson
Case	Ives	Russell
Chavez	Jackson	Saltonstall
Clements	Jenner	Schoeppel
Cotton	Johnson, Colo.	Smith, Maine
Crippa	Johnson, Tex.	Smith, N. J.
Daniel, S. C.	Johnston, S. C.	Sparkman
Daniel, Tex.	Kefauver	Stennis
Dirksen	Kilgore	Symington
Douglas	Knowland	Thye
Duff	Kuchel	Watkins
Dworshak	Langer	Welker
Eastland	Lehman	Wiley
Ellender	Lennon	Williams
Ervin	Magnuson	Young
Ferguson	Malone	

Mr. SALTONSTALL. I announce that the Senator from Maryland [Mr. BUTLER], the Senator from Kentucky [Mr. COOPER], the Senator from Oregon [Mr. CORDON], and the Senator from Colorado [Mr. MILLIKIN] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Georgia [Mr. GEORGE] and the Senator from Oklahoma [Mr. KERR] are necessarily absent.

The Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave of the Senate on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The Senator from Louisiana [Mr. LONG] is absent on official business.

The PRESIDING OFFICER (Mr. COTTON in the chair). A quorum is present.

Routine business is now in order.

PETITIONS AND MEMORIALS

A petition, etc., were laid before the Senate, and referred as indicated:

A letter in the nature of a petition from the Illinois State and Chicago Council, American Veterans' Committee, Chicago, Ill., signed by John M. Kahlert, chairman, relating to the censure of Senator MCCARTHY; ordered to lie on the table.

Memorials of sundry citizens and organizations of the United States, remonstrating against the censure of Senator MCCARTHY; ordered to lie on the table.

COMPILATION OF DOCUMENTS ON ST. LAWRENCE SEAWAY

Mr. WILEY. Mr. President, since the 83d Congress enacted the St. Lawrence Seaway law, Public Law 358, a tremendous number of inquiries have come to the Foreign Relations Committee, and no doubt to other committees and individual Members of the Congress from all over the Nation, particularly from the Great Lakes area.

Chambers of commerce, newspapers, and a great many individuals have asked about the background of the seaway law and the future steps under it, particularly with respect to the legal, economic, engineering, and other phases of the seaway.

Unfortunately, the principal reference documents on the background of the seaway have long since been exhausted in supply. In order to answer these inquiries, I am now completing the compilation of all the principal current seaway documents. Together, they will tell almost all there is to know about this great bipartisan landmark of the 83d Congress. The documents include the basic guide materials on New York State-Ontario power project, seaway navigation, upper lake channels, United States-Canadian treaty rights, and other seaway phases.

I point out to my colleagues that the construction of the seaway itself has already begun. Lionel Chevrier, president of the St. Lawrence Seaway Authority, announced at Ottawa on Friday, November 12, that work on the Canadian approaches to the canal to be built at Iroquois is well under way.

It is important, therefore, that we in this country have available a ready compilation of basic seaway data. I ask unanimous consent that the compilation I am completing be printed as a Senate document.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

TRIBUTE TO WISCONSIN CANNING INDUSTRY

Mr. WILEY. Mr. President, I send to the desk a brief statement with regard to the Wisconsin canning industry, which has just celebrated its golden anniversary. I ask unanimous consent that this statement be printed at this point in the body of the CONGRESSIONAL RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

Fifty years ago there was founded the canning industry of Wisconsin.

Today that industry has grown to such tremendous proportions as to match in volume the total amount packed in all countries outside the United States. The volume has reached nearly three-quarters of a billion cans of vegetables packed each year in the Badger State alone.

Since the industry started back in 1887, 45 billion cans have been filled in Wisconsin.

Each year $100 million in income accrues to the people of Wisconsin from the canning industry.

As was pointed out at an anniversary dinner in Milwaukee by Dean R. K. Froker, of the University of Wisconsin College of Agriculture, canning has given farmers the opportunity to grow some excellent cash crops that spread their workload and diversify their farming operation.

Meanwhile the American canning industry as a whole has skyrocketed in importance.

I should like to point out that the canners of my own State are ably represented by the Wisconsin Canners' Association, of which Mr. Marvin Verhulst is executive secretary at Madison and Mr. Richard R. R. Hipke, of New Holstein, is president.

There follows the text of an article which appeared in the November 8 issue of the Janesville (Wis.) Gazette, containing a tribute paid by E. E. Willkie, of Bellingham, Wash., president of the National Canners' Association, to the canners of Wisconsin:

"STATE SALUTED AS CANNING LEADER

"MILWAUKEE.—Wisconsin was saluted here today as the leader of all States in acreage of vegetables for canning. This tribute to the record Wisconsin mark of 300,000 acres of canning crops, was voiced by E. E. Willkie, of Bellingham, Wash., president of the National Canners' Association of Washington, D. C., and was one of many distinctive achievements praised at a golden anniversary of the founding in 1905 of the Wisconsin Canners' Association.

"Mr. Willkie cited examples of Wisconsin leadership and growth, saying:

" 'Your State ranks first in canned peas (4 out of every 10 cans each year), in canned corn, canned beets, and canned carrots; second in sauerkraut and pickles; third in lima beans; fourth in green and wax beans.

" 'Today about $30 million flows each year from Wisconsin canners into the coffers of the farmer producer of your canning crops. This is more than eight times the amount Wisconsin canners were paying their farmers in 1905 when your association was established.

" 'Your purchase each year of nearly 700,000 tons of major vegetables for processing accounts for more than a tenth of the nationwide total, and is almost a thirteenfold increase since the year 1918, when the Government first began recording these tonnages.'

"Mr. Willkie said that not only in Wisconsin but in the Nation as a whole commercial canners make a great contribution to the farmers' welfare.

" 'Canning is an agricultural industry that provides thousands of farmers with an indispensable market for an appreciable part of their production of perishable fruits and vegetables. Since 1918 production of vegetables for canning has increased more than 2½ times—from 2,500,000 tons to more than 6,500,000 tons during this 35-year period,' he said.

" 'On the average, about four-fifths of all tomatoes harvested are canned, about three-fourths of the beets, two-thirds of the sweet corn and peas, and about one-half of the asparagus. The canning industry also provides a valuable market for perishable fruits; on an average, almost 60 percent of sour cherries are canned, and almost half of the peaches, pears, and apricots,' he continued."

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment.

Mr. JENNER. Mr. President, we are gathered here in this Chamber for a most solemn duty. Six Members of the United States Senate have brought in resolutions of censure against another Senator. The work of this body has been seriously interrupted during most of the year. One of our most important senatorial committees has been at a standstill since spring.

Now 96 Senators from all 48 States are obliged to take time they should spend in their constituencies, to come here and decide the issue raised by a few Members.

It is a serious thing even to consider censuring a Member of the United States Senate.

As the senior Senator from Georgia [Mr. GEORGE] said, in a memorable debate in 1949, the Federal Government did not create the States. The States created the Federal Government. The States put into the Constitution the requirement that the Senate is to be composed of an equal number of Senators—two—from each State, wholly without regard to the ratio of the population of the State to the total population of all the States.

The primary function of the Senate, said the senior Senator from Georgia, "is not legislation in the strict sense."

Its primary and main function, indeed, in certain important matters, partakes of the nature of conference and negotiation between sovereignties.

The States cannot be deprived of their right to equal representation with other States, in the Senate, even by a constitutional amendment. Our Constitution is designed to insure that the States are no whit less important than the Federal Government.

It is our proud boast that the National Government is primus inter pares, first among equals. No authority exists in our Constitution which can put limits on the opinions of a Senator from a sovereign State, unless the Senate is prepared to expel him.

We want no leadership government in the United States, in which opinions are decided at the center and allowed to trickle back to the States and the people.

We want no pyramidal government, in which those nearest to the seat of power in Washington, or those highest in the official hierarchy, lay down a party line for the rest to follow.

We want no monolithic government in the United States, in which opinions, once decided by a majority, or a favored few, are then imposed on the rest of the Nation, as is the way in totalitarian systems.

Under our form of government the people of each State speak on national affairs with their own voice, through their chosen spokesmen, the Senators and Representatives from their sovereign States. In our country, as in any true representative system, public opinion and political power are a composite of the whole people, with all their varieties of opinion and judgment. Agreement is not imposed by anyone. It is arrived at by full and free debate.

Representatives of any part of the Nation are and must be free to try to win over their colleagues by fair and open argument, at any time. That means that the Senate of the United States must, at all costs, preserve and protect the right to dissent.

We take our stand based on the rich historic experience of Western Europe, from classical times to our own, which teaches us that there is no monopoly of wisdom in those momentarily in the majority, or at the top of the pyramid. We know that life is subject to incessant change, and that the crystallized wisdom of today may be the error of tomorrow. The unpopular minority, or the lone dissenter, may be the source of our security in the next crisis approaching over the invisible ocean of time.

It is the great pride of this body that it is the last refuge of complete freedom of debate left in this world. No Member of this body is bound by any commitment to anyone or anything above his oath to support the Constitution, as his conscience dictates.

We have none of the party discipline which has wrecked representative government in Britain and the Continent.

We have no executive supremacy. We permit no power in the majority to bind the minority.

Even to our constituents our duty is, first of all, as Edmund Burke put it so beautifully in A Letter to the Sheriffs of Bristol, not obedience to their wishes, but our best judgment on the problems they face.

We live by the great principle, stated by John Stuart Mill, in On Liberty, that—

> If all mankind minus 1 were of one opinion and only 1 person were of the contrary opinion, mankind would be no more justified in silencing that 1 person, than he, if he had the power, would be justified in silencing mankind.

The Members of this body, speaking as ambassadors from sovereign States to the ambassadors from their sister States, cherish deeply their tradition of freedom of speech and of opinion.

We cannot censure a fellow Member unless we must. We cannot impose on any Member of this body standards which we would not impose on all present and future Members of the Senate. We cannot impose on the representative of the sovereign State of Wisconsin any limitations which we would not readily impose on the sovereign people of Massachusetts, Georgia, Texas, or Nevada.

We cannot permit the approval, by indirection, of any shadow of majority control over Senators from any State. We must approach the question of censure, fully aware that it is interwoven with all the problems of how to preserve truly representative government, under a Federal system of divided powers, as laid down in the Constitution we love so well.

The Senate, conscious of the heavy responsibilities imposed upon it by the Members who brought up the censure issue, voted last summer to refer the resolutions to a select committee of this body.

The report of the Senate select committee is now the matter before us. In thus referring the question for a preliminary inquiry to a special committee, the Senate was adhering to one of the most important principles of justice among English-speaking people, one we do not need to think much about, because we are so confident this right will always be granted.

This is the right to have a grand jury of freemen investigate the charge of wrongdoing, before one can be required to defend himself. It is the duty of the grand jury to inquire into the question whether the evidence is sufficient to subject the accused to a trial.

The grand jury preserves the right not to be accused, not to be forced to the cruel and costly task of defending oneself, unless the accuser can satisfy an impartial body—in this case the Senate—that reliable evidence of guilt can be produced.

We think of the grand jury as concerned principally with indicting criminals, so they can be tried before a petit jury.

It is easy to forget the protection the grand jury affords to those who are freed, because the accusers could not bring forward evidence to prove reasonable possibility of guilt.

The accused persons who are freed after a grand jury investigation are no measure of how many people escape persecution because of this noble instrument of a free people.

The knowledge that a grand jury will sift accusations to find out the facts and the law is protection against attempts at harassment.

Even the Government of the United States cannot accuse anyone of crime and compel him to stand trial, unless a grand jury of private citizens is convinced there is a proper charge.

We can imagine what might happen if the innocent could be subjected by their enemies to the humiliation of a trial for misdeeds without substantial evidence that a misdeed had occurred.

Under our concept of justice, no invidious neighbors, hateful relatives, angry opponents, or overbearing officials can subject a man to the cost and worry of defense in court, unless they can first convince an impartial grand jury that such a trial is in the public interest.

Without the principle of the grand jury, without the painstaking, devoted work of our citizens serving on grand juries, year after year, all over this country, we should have an open door to harassment and persecution by evil or embittered men who could accuse their opponents of crimes against the law and the public interest, to satisfy a personal quarrel, or punish a political enemy.

Without this safeguard, we would make the vendetta a legitimate weapon for private or political vengeance.

The Senate invoked this principle of the need for an impartial verdict on the weight of the accusations, when it appointed the select committee to investigate the resolutions for censure of the junior Senator from Wisconsin.

The problem before the select committee was to decide whether there was sufficient evidence of misbehavior to subject the Senator from Wisconsin to a "trial" by a jury of his peers.

The committee had to decide whether there were sufficient grounds for indictment.

We cannot proceed to vote on the recommendations of this committee, that is, on the counts in the indictment, until we satisfy ourselves that the "grand jury" has considered the entire case, and brought in a true bill.

The question whether the indictment is a proper one must precede any vote on the charges in the indictment.

I state, here and now, Mr. President, that the select committee, charged with investigating the censure resolutions, did not consider the question assigned, and did not bring in a true bill. We cannot vote for, or against, the charges in the indictment, because the indictment is in error.

I wish to state, Mr. President, that the most important evidence on the question was not considered by the select committee. The evidence which does not appear in the committee proceedings is the all-important evidence that the junior Senator from Wisconsin was fighting a conspiracy.

A misdeed by an individual against an individual is one thing. The struggle of an individual against a conspiracy is quite another matter, in law and in fact.

To bring in a censure resolution against a Senator, while ignoring a conspiracy against him, is like bringing in an indictment for murder against a private citizen, while ignoring the evidence that a goon squad had made nightly attempts to murder him and his wife and his children.

I have made some inquiries into the law of conspiracy, Mr. President.

Like so many legal problems of today, the doctrine of conspiracy requires deeper inquiry in our time than was needed in the era of political stability we enjoyed for nearly 200 years.

Conspiracy is not a serious problem, where law and order prevail and sovereignty is unchallenged. Conspiracy is a problem of deadly seriousness, where the rule of law is challenged, or sovereignty is threatened, by groups working to destroy the Nation.

We are face to face with the problem of conspiracy as it was understood in the long centuries in which political order was uncertain, and no one could take the rule of law for granted.

The principle of conspiracy is that when two or more persons agree to act in a way which is injurious to others they are guilty of a crime.

A conspiracy is defined as—

A combination of two or more persons, by concerted action, to accomplish some unlawful, oppressive, or immoral action, or to accomplish some purpose, not of itself unlawful, oppressive, or immoral, by unlawful, oppressive, or immoral means. (*Commonwealth* v. *Hunt*, 4 Metcalf (Mass.) 111, 1892.)

As Dr. Edmund E. Witte says, in Government in Labor Disputes, the doctrine of conspiracy—

Rests upon the proposition that the many acting in combination have a power for evil far greater than that of any one individual.

The American courts have held that—

A combination of men is a very serious matter. No man can stand up against a combination; he may successfully defend himself against a single adversary, but when his foes are combined, and numerous, he must fall. (*People* v. *Wilzig*, 4 N. Y. Crim. 403, 1883.)

Justice Harlan states, in *Arthur* v. *Oakes*, (63 Fed. 310, 1894):

Because of the great power of combinations, the law inquires into the purposes of those who combine.

If the purpose is one which the law condemns, the very combining is illegal.

The crime of conspiracy is complete when a group of men agree to do something unlawful, before they have done anything more to carry out their purpose. * * *

The unexecuted intent to do wrong is itself criminal.

Again, much that individuals may lawfully do becomes illegal when done by many in combination.

So great is the power of conspiracy deemed to be, that once a combination to effect some unlawful purpose has been formed, every act done in pursuance thereof is illegal, although such an act is of itself innocent.

All those who engage in combination to accomplish an illegal purpose, moreover, are responsible for the acts of any of their number which are done to carry out the common intent.

Conspiracy is a crime whose origins lie in the mists surrounding the rise of the common law.

The ordinance of conspirators of 1305, defined conspiracy as:

Confederation or alliance for the false and malicious promotion of indictments and pleas.

Modern critics challenge this doctrine of the common law origin of conspiracy, from analysis of written records alone, without carefully considering the nature of the society they are describing.

Absence of a body of higher court decisions on conspiracy in the earlier centuries is not proof of the absence of a doctrine of conspiracy. It is rather proof that the doctrine was so widely accepted that the problem was local enforcement, not establishment of legal principles.

Conspiracy is a threat so serious that conspiring to do something has been declared a crime, even if the act to be done is not a crime, or even if no overt act has been committed.

Let us stop for a moment to examine why conspiracy should be considered so great a threat to public order.

Here I must work without authorities. There is very little evidence.

The threat was real in early centuries, and so presumably no legal theory was needed.

The threat disappeared in the 19th century, and so no legislative action was needed.

The political earthquakes which shake the world today have brought the problem back to the center of the stage.

We shall hear much of this doctrine of conspiracy, before we can take public order and the rule of law for granted once more.

I must stop here for one apparent digression.

The doctrine of conspiracy does not, in itself, constitute any threat to labor unions.

The common law regards all restraints on freedom of trade as illegal.

Early court decisions against combinations in England and the United States denounced combinations of tradesmen and combinations of laborers with impartiality.

The British Parliament, in 1779, denounced combinations among manufacturers as "publick nuisances."

In the famous case of the Journeymen Tailors, in 1720, the court objected to combination because it "manifestly tends to the prejudice of trade, to the encouragement of idleness, and to the great necessity of the poor."

The Sherman Antitrust Act is a statutory development of the common-law doctrine opposing combinations in restraint of trade. American wage earners benefited greatly.

It is possible to show that the Sherman Act, by closing the door to cartels and pricefixing as a remedy for overproduction, forced employers in this country to compete by cutting costs.

It led our manufacturers to devise the assembly line, the policy of high wages and high volume of production, and falling prices for new inventions like automobiles and electric refrigerators, while millions of European workers, in a cartelized economy, were half starving on the dole.

The question of conspiracy was of importance to industrial wage earners, because they needed to use their numbers as a bargaining weapon.

The common-law doctrine was applied to bar combinations of working men in two periods, first after the Black Death, in the Ordinance of Laborers of 1349, and the Statute of Laborers of 1351, and again, during the early years of the industrial revolution, by court decisions based on the common law.

The British Parliament ended that injustice, by providing, by statute, that labor unions were no longer deemed to be a conspiracy, or held financially liable for illegal acts committed in connection with strikes or peaceful picketing—Combination Acts of 1824 and 1825 and others.

In the United States the doctrine of conspiracy was applied in early labor disputes, but was replaced by use of the injunction.

Then Congress passed legislation limiting the use of injunction in labor disputes.

It was, if I may speculate, accepted as evident that combinations of workers for peaceful purposes raise no threat to the sovereignty of a nation.

There has been no development of the legal principles of true conspiracy in the past century.

Historically, the doctrine of conspiracy is a first of all protection for every law-abiding citizen in a free country, because its purpose is to preserve the rule of law and the integrity of the sovereign power.

Briefly, the reasons why conspiracy is in itself a crime are, it seems to me, implicit in the concept of individual responsibility.

It is the historic belief of the English-speaking people that the end of society is the strengthening of the individual, and that individuals cannot be strong except where they are responsible for taking care of themselves.

This brings us to the point for our day.

If individuals are to direct and manage themselves, the law must protect them against conspiracy, because an individual can deal with other individuals, but he cannot meet, unaided, the opposition of a disciplined conspiracy.

Why? The answer is, I believe, that a conspiracy operates, in fact, like an army.

Obviously our definitions are inadequate here.

People constantly agree to act together, but that does not constitute a conspiracy.

The essential difference is clear enough, if the definitions are not.

Where individuals agree to act together, if the act itself is not illegal, there is no conspiracy, provided the individual members are free to act in conscience, and change their minds.

The group is held together by free choice and voluntary association.

The element of conspiracy which must be stressed in our day, is joint action by a hostile group, which is directed from a single center and which brings the power of several individuals to bear simultaneously, or in series, upon separate individuals, and punishes, or threatens to punish, participants who might like to withdraw.

Such a controlled group acts with the foresight, the discipline, and the strategy of an army. It is, in fact, an army.

Now citizens in a free country are not required to defend themselves against an army. The armies of his own country are forbidden to take military action against him, and the armies of other countries are met by the trained armies of his homeland.

The rule of law is possible only where governments are limited by law, armies are limited by law, and conspiracies are dealt with by law.

All forms of force must be under effective restraint.

There is a second reason why conspiracies are ipso facto illegal. They are not only an army, but they are, in fact, rebellion. They are an attempt to do something which free individuals cannot do alone, and cannot do by open political action, that is, by trying to change the laws. They are a resort to methods which weaken the whole society. The effect of even the smallest, compelling military group is the erosion of sovereignty.

Conspiracy is necessarily, then, a matter of public concern. The individual cannot protect himself.

He must not be required to protect himself.

The authority of the law and the stability of the sovereign nation are in jeopardy. The lawmaking bodies and the law-enforcing agencies must meet the threat.

We cannot leave the individual to meet rebellion alone.

I must leave to other Members of this body, more experienced than I am in constitutional law, the task of restating the doctrine of conspiracy to fit the present.

I wish to emphasize the political problem which gives rise to the need, in our day, for redefinition of the law.

The techniques of conspiracy are the techniques by which the Communist world strategists work to destroy our sovereignty, and to punish any individuals who dare to defy their edicts and serve their own country. The Senate of the United States cannot ignore this new use of conspiratorial methods supported by a worldwide apparatus. We cannot leave it to individuals to protect themselves. We cannot permit Americans to be punished for defying a conspiracy which threatens to break our sovereignty into fragments.

As the lawmakers for the Nation, we are responsible for protecting the individuals threatened by conspiratorial attack. I repeat: We are responsible concretely.

The select committee, by ignoring the activities of a conspiracy against the junior Senator from Wisconsin, comes close to recommending the punishment of a Member of this body for fighting an alien conspiracy to destroy our Nation.

[Manifestations of applause in the galleries.]

The PRESIDENT pro tempore. There must be no applause from the galleries. If the applause continues, it will be necessary to clear the galleries.

The Senator from Indiana may proceed.

Mr. JENNER. Mr. President, the select committee comes close to asking the Senate of the United States to help this conspiracy to punish a public official who has defied it.

I shall not take time to describe the larger attempt by the Communist conspiracy to destroy our sovereignty.

Suffice it to say that the objective of the Communist invasion is to establish bridgeheads on American soil, which are then operated as parts of the Soviet state, in secret, but in deadly rivalry, with American sovereignty.

The Communist conspiracy is working every minute to set up Soviet military government on American soil.

Until we understand this, we shall not understand the danger we are facing from the Soviet fifth column.

I wish we had a kind of political relief map, on which we could mark in red the solid blocks of power which the Communists control in our land today.

If we could map the areas of Soviet power in Government, in the Armed Forces, in the press and publications, radio and television, labor and industry, schools and private agencies, then all Americans could start from the same clear picture of our danger.

We must also remember that the Soviet conspiracy uses every bridgehead to add more territory to the Soviet sphere and reduce the area obeying American sovereignty.

I wish to call attention, briefly, to one phase of the conflict that concerns us first.

From the beginning, one of the objectives of Communist action has been to destroy the lawmaking body in countries under their attack. Sabotage of the legislative arm parallels efforts to sabotage executive action and judicial process, so well illustrated before Judge Medina.

We know the Communists have a battery of lawyers working all the time to sabotage court procedures, quash indictments, interfere with trials, influence the selection of judges and jurors, and even slant the teaching in the law schools.

Those of us, and there are many within the sound of my voice on the floor today, who serve on congressional committees investigating communism, know well the difference between orderly hearings held for peaceable American citizens, and hearings to extract information from witnesses who are making war on our Government with the help of experts in legal sabotage.

It is like the difference between opening the door to be met by the postman, and opening the door to be met by stormtroopers without their uniforms but with revolvers and machine guns.

We have never really studied the Communist attack on our legislative bodies, and I do not mean to limit this statement to the Congress in Washington.

State legislatures and city councils are as much the objects of this conspiracy of destruction as we are.

I shall quote a few excerpts to show how broad and persistent has been the attempt of the conspirators to undermine the legislative process in every free country.

The second congress of the Third Communist International, held in July and August of 1920, adopted the following theses:

In particular one of the groups or nuclei of the Communists deserves the exclusive attention and care of the party, namely the parliamentary faction, that is, the group of bourgeois representative institutions.

On the one hand, such a tribune has a special importance in the eyes of the wider circles of the backward or prejudiced working masses; therefore from this very tribune, the Communists must carry on their work of propaganda, agitation, and organization. * * *

The Communist Party must be very strict in their attitude toward their parliamentary factions, demanding their complete submission to the control and direction of the central committee of the party.

The international also recommends intensive analysis at party meetings of speeches by Communist members of legislative bodies, to make sure of their "Communist integrity."

Parties asking to join the Third International were required:

To inspect the personnel of their party factions, to remove all unreliable elements therefrom, to control such factions, not only verbally but in reality, to subordinate them to the central committee of the party, and to demand (from each Communist member of a legislative body) that he devote his entire activity to the interests of real revolutionary propaganda.

The Communist Party of America adopted a constitution and program in 1921. The Communist Party adopts a program every year. This year the main object of their program is to destroy McCarthyism. However, I am reading now from the program which was adopted in 1921:

The Soviet system of government * * * must do away with the parliament, and take its place * * * The Communist International * * * condemns the attitude of * * * keeping away from parliamentary * * * institutions.

The Communists * * * must make use of the mass organizations and institutions established by bourgeois society, with a view of overthrowing them the more surely and the more speedily.

Do my colleagues need to have the object of the Communists set forth any more plainly than that?

In the same year the Workers Party of America—one of the early names of the Communist Party of America—stated in its program and constitution:

The work of Communist representatives in parliament will consist chiefly in making revolutionary propaganda from the parliamentary platform. * * *

Our representatives in parliament shall further the ideological unification of the masses who, captivated by democratic illusions, still put their trust in parliaments.

What are we doing here today? I continue to read:

The Communist Party will utilize parliament as a means of winning especially backward elements of the working masses as tenant farmers, farmworkers, and the semiproletariat. * * *

Communist representatives shall make all their parliamentary activity dependent on the work of the party outside of parliament.

They should regularly propose demonstrative measures, not for the purpose of having them passed by the bourgeois majority, but for the purpose of propaganda, agitation, and organization.

All this activity must be carried on under the direction of the party and its central executive committee. * * *

It is the task of the proletariat to destroy the entire machinery of the bourgeois state, not excluding its parliamentary institutions.

Let us know where we are going; let us know what we are doing.

I. Komar, in a pamphlet, Ten Years of the Communist International, states:

The discussion of the question of revolutionary parliamentarism at the Second World Congress is of great importance to the entire subsequent revolutionary parliamentary work of the Comintern.

This revolutionary parliamentarism is essential for all Communists in countries where the Soviet power has not yet been established.

M. J. Olgin, in a pamphlet, Why Communism? published in May 1935, writes:

We go to the lawmaking institutions, not to tinker them up for the benefit of the capitalists but to be a monkey wrench in their machinery, preventing it from working smoothly on behalf of the masters.

Alex Bittleman, in another official pamphlet, says Communist parliamentary action "must on all issues wage war upon capitalism and the state."

Communism was fairly well eradicated from American life in the twenties, and when it was revived after 1929, it was changed in important ways. The Communists quickly won converts and dupes from every economic class, and their language changed from its proletarian coloration to the far more subtle propaganda of today. But in all essentials the aim of Communist strategy in dealing with Congress is still to confuse, divide, and destroy. The only difference is the ever-increasing skill of the Communists in distortion, propaganda, and brain washing.

With that brief summary of their stated aims, I wish to turn to the evidence of Communist action, specifically directed against the Congress of the United States.

In 1938 the so-called palace guard in the executive branch decided to purge those members of the Democratic Party in Congress who had refused to make their party into a monolithic party, directed from the White House.

The Senators whom they actively opposed or failed to support included Senator Guy Gillette, of Iowa; Senator Frederick Van Nuys, of my own State of Indiana; Senator Bennett Champ Clark, of Missouri; Senator Ellison Smith, of South Carolina; Senator Pat McCarran, of Nevada; Senator Millard Tydings, of Maryland; Senator Alva B. Adams, of Colorado; Senator Augustine Lonergan, of Connecticut; and Senator Walter F. George of Georgia. None of the Senators was defeated.

Two Senators who escaped in 1938 lost out in the next purge of 1944, when the conspiracy determined to end their political lives.

I ask my colleagues to notice the list of States in which Earl Browder and his apparatus campaigned against the local voters, to punish the Senators who had truly represented them.

The States were Iowa, Indiana, Missouri, South Carolina, Nevada, Maryland, Colorado, Connecticut, and Georgia.

In the House, in 1938, the "palace guard" "cold-shouldered" Representatives Hatton Sumners, of Texas; Fritz G. Lanham, of Texas; Howard W. Smith, of Virginia; William G. Driver, of Arkansas; Harold G. Moser, of Ohio; and John O'Connor, of New York.

Representatives Driver, Moser, and O'Connor were defeated.

Most pathetic of the victims, perhaps, was John O'Connor, of New York. Representative O'Connor, at the request of the White House, had used his position in the House to subject William Wirt, of Indiana, to merciless ridicule because Wirt found, in 1933, that the Communists had set up their cells within the executive branch and were using the New Deal emergency powers as a cover for a Communist revolution. Dr. Wirt innocently told the public what he thought concerned them. For that offense he was unmercifully smeared by Congress, and died of a broken heart. Representative O'Connor changed his mind about what was going on; and, as a result, he was driven from Congress in the purge, although he had served his prince more faithfully than he had served his conscience.

We know now—it took a long time for the information to reach us, but we know it now—who directed that attack on the Congress, Representative O'Connor told us before he left. Earl Browder was the head and front of the 1938 purge. He was constantly in and out of the White House, entering and leaving by a side door, so the press could not report to the people who was their real opponent.

Here I must digress again, for a moment. We are not dealing here with a party issue. No Senator can vote on this question as a Democrat or a Republican.

In 1933 the Communists penetrated deeply into our Government and into the councils of the Democratic Party.

But on January 25, 1954, I said to the Rock Creek Women's Republican Club:

The Communists were devoted to the Democratic Party—so long as it was the party in power.

They will be devoted to the Republican Party so long as it is the party in power. • • •

They will dig into the Republican Party, they will attempt to penetrate it, and guide it and confuse it, as they did the Democratic Party, if we are not on guard.

The administration in power from 1933 was the first target of the Communist conspiracy; but even in those years, much of the best work of uncovering the conspiracy was led by the Democrats in Congress.

As I said to the Rock Creek Women's Club:

We must pay full tribute to the work of Democrats like MARTIN DIES, in the House of Representatives, and PAT MCCARRAN and DICK RUSSELL, in the Senate.

We must, in fairness, pay tribute to the Democratic officials like Secretary Byrnes, Secretary Vinson, and others, who recognized the full danger of the FBI memorandums (on Harry D. White and his fellow conspirators) and apparently worked hard to get the servants of the Kremlin out of their important posts in our Government.

There is a host of other good Democrats, men who gave their strength, their health, like Forrestal even their lives, to fight the Communist traitors from within.

In January 1954 I said to the Young Republicans of Indiana:

We must never for a moment relax our vigilance in dealing with communism. • • •

The Hulls, the Garners, the Farleys, the Jesse Joneses, had to be put out of the (Democratic) party, before the Communists could win the victories they won.

Where do you think the Communists are working today? • • •

They are working day and night to worm their way into the highest councils of the Republican Party.

I shall not try to explain why leaders of either of our great political parties think they can use the Communists for political advantage, and then discard them. We know the folly is only too real; and we know that, once the Communists are invited in, they do not leave, except by force.

For reasons I cannot stop to explain, the Communists have never made as much headway in the legislative branch as in the executive. Perhaps I should say the anti-Communists in the legislative branch could not be silenced as they have been silenced in some of our executive agencies.

In the late thirties there was a Communist cell in Congress, but many of its members could be identified and defeated by the voters, because the House Committee on Un-American Propaganda had carefully collated the records of the fronts through which the Communists built their power in those years. Three of them have been identified, under oath, before the House Committee on Un-American Activities.

Former Representative Hugh De Lacy took the fifth amendment on September 15, 1954.

John T. Bernard did the same on September 3, 1952.

ROBERT L. CONDON was identified as being present at closed Communist meetings.

We remember Representative Vito Marcantonio, who for years faithfully voiced the Communist Party line in Congress. He maintained his power, in spite of strong opposition, by inducing thousands of pitiful Puerto Ricans to come and live on relief in New York's worst tenements, to keep up his voting majority. Representative Marcantonio was rising slowly to the top, when a combination of the two constitutional parties defeated his collectivist, political machine.

This is, by no means, the entire list.

Political, rather than legal, evidence is our justification for tying a number of others to the Communist apparatus.

We need full investigations of the record to determine whether or not Members of Congress like Lee Geyer, of California; Savage, of Washington; Adolph Sabath; John Tolan; Glenn Taylor; Samuel Dickstein; John M. Coffee; Ernest Lundeen; Jerry J. O'Connell; and Claude Pepper have given aid and comfort to the conspiracy initiated in Moscow.

The war changed the political balance of power to the great advantage of the Communists.

But in 1942, the voters elected to Congress an especially fine body of men who

were eager to clean up the mess of collectivist and pro-Communist thinking.

In 1943, Sidney Hillman organized a mass political action group to operate in every voting district. It fitted exactly Earl Browder's blueprints for a nonparty mass organization to take the place of the open Communist Party, and to shape postwar policy.

The labor unions were used as a front for the PAC, though they had nothing to do with its conception.

In 1944, MARTIN DIES dared to publish an exhaustive committee report on the PAC, pointing out that Sidney Hillman and Earl Browder were hard at work in the congressional districts, to make sure that the people would elect candidates for Congress and the Presidency who had the approval of the Hillman-Browder organization, and defeat those who opposed it.

Joseph Gaer, a member of Hillman's staff, has recorded for posterity the amazing success of this campaign. In his book, The First Round, he tells triumphantly of the Members of Congress who were defeated in 1944 because they opposed the Hillman committee for political action at the grassroots. Let me read the list he cites:

The Representatives defeated for either nomination or election were: Costello, of California; Starnes, of Alabama; Kennedy, of New York; Kleberg, of Texas; Lambertson, of Kansas; Newsome, of Alabama; and Patton, of Texas.

The Senators defeated for nomination or election were: D. Worth Clark, of Idaho; Bennett Champ Clark, of Missouri; Rufus Holman, of Oregon; and Ellison Smith, of South Carolina. Remember, Senator Champ Clark and Senator Ellison Smith had been on the purge list of 1938.

Again, I ask Senators to look at the list of States in which the Sidney Hillman-Earl Browder combination was strong enough in 1944, to defeat Members of Congress who dared oppose them. Let me read them: California, Oregon, Idaho, Texas, Alabama, Kansas, Missouri; South Carolina, and New York. What do Senators think we are up against?

The principal target was MARTIN DIES, of Texas, chairman of the hated Special House Committee on Un-American Activities. How could it happen that a Member of the House of Representatives from Texas was defeated in 1944 by Sidney Hillman? Mr. Gaer tells us the story—all but one item.

He tells us that Sidney Hillman found out Mr. DIES' winning margin in the 1942 primaries. It was 10,128 votes. The PAC checked and found there were about 40,000 industrial workers in his district in 1940. Somehow, the number of industrial workers in that same district had risen to 50,000 by 1944. Ten thousand war workers with their families represented a sufficiently substantial bloc of new voters to change the vote entirely.

Mr. Gaer does not say, but Senators can guess, that the so-called labor agencies in our Government, guided as they were by Nathan Witt and Lee Pressman, would have had no difficulty in maneuvering, so that a militant group of pro-Communist workers would be added to the voting population of DIES' district in Texas in time for the critical election of 1944.

DIES reports that he retired because he had a near breakdown from Communist harassment, but the leaders of the conspiracy were taking no chances. The Communist bloc also helped defeat Senator Bob La Follette of Wisconsin because, after a bitter experience, he saw through Communist doubletalk. They permitted the election of an unknown Wisconsin judge named JOE MCCARTHY who, they thought, would be easier to handle than Bob La Follette.

Willard Edwards has noted the strange story of how Sidney Hillman went promptly to the leadership in Congress and asked for choice committee assignments for the PAC Congressmen he had helped elect. Hillman was given places on the House Naval Affairs Committee and the Committee on Military Affairs. He was able to place two freshmen Congresswomen on the House Foreign Affairs Committee. That was 10 years ago.

For 10 years or more the pro-Communists have been expert and tireless in planting critical blocs of voters in key districts, or propagandizing resident voters already there, in order to insure the election of candidates for Congress who would consciously or unconsciously serve them, in place of men who would have truly represented the people of their area. There is far more to this story, but I can touch only the high points.

The 80th Congress, elected in 1946, was a militantly anticollectivist Congress, elected by an angry people because the administration insisted on maintaining price control and rationing, especially of meat and of housing materials. Both these programs were high among the demands of the Communists, just as now the demand to get MCCARTHY has high priority. However, the scarcity which resulted caused popular discontent, and American voters knew what to blame.

The 80th Congress ended price controls and rationing, and then went on to an intensive attack on the Communist apparatus which had grown so strong in the war years. That was the Congress which heard Whittaker Chambers and Elizabeth Bentley, Alger Hiss, and Harry Dexter White. It was the Congress which helped Forrestal in his efforts to reverse our foreign policy.

It was the Congress which did much of the pioneering work on the subversive activities control bill, passed several years later. It passed the Taft-Hartley Act, and refused to pass the poll-tax bill.

It reduced taxes and cut back the public housing program, with its pro-Communist masterminds. Cannot Senators guess why the Communists wanted that Congress atomized, as it had atomized the very able Congress elected in 1942?

The experts were almost unanimous in forecasting the defeat of the Fair Deal in 1948. President Truman adopted a wholly new strategy. He created a melodramatic character called the 80th Congress, labeled it a "do nothing Congress," and went up and down the country pummeling it to the crowd's delight.

The Republicans did not say anything. The Fair Deal administration was returned to office, and the complexion of Congress radically altered.

The result of the strange 1948 election was a Congress over which, as Congressman RALPH GWINN said, Sidney Hillman and Lee Pressman's PAC had a stranglehold.

The anti-Communist trend revived in the elections of 1950 and 1952, as a result of the Korean war.

Of the recent election, I shall say only this—in a disturbingly large number of key congressional or senatorial elections, across the country, the local pro-Communist machines operated at a higher efficiency and under more convincing cover, than ever before. We can take no comfort from the 1954 returns. I propose, instead, that we begin at once to establish the political machinery with which to counterattack against the Communist strategy for destroying Congress.

The Communist attack on the membership of the American Congress is a three-pronged attack.

They work unceasingly, in primaries and in the election, to destroy the patriotic and the strong, and to elect the weak, the venal, and the noncontroversial.

Then when Congress is in session, they also work to spread confusion, doubt, and factionalism among the moderates who wish there was no controversy. How many times have I heard that?

The Communist attack on Congress includes also penetration of congressional committees.

In 1935, Alger Hiss, an unknown young lawyer in the Agriculture Department, was named general counsel for the Nye munitions investigating committee, a part of whose work was to smear American industry.

Hiss was suggested for this job by Lee Pressman, chief counsel of the CIO and an admitted party member.

I am speaking about a committee of the Senate.

Charles Kramer, also a party member, was counsel for Senator Wagner's Senate Labor Committee, and practically wrote the Wagner Act, which changed American free trade unionism into a centralized collectivist, state-directed unionism, until the Taft-Hartley Act reversed the trend.

The House Committee on Interstate Migration employed Henry H. Collins, Frederick Palmer Weber, and Charles Flato, as staff members.

Flato has told us how he falsely took the oath to uphold the American Constitution 14 times.

This committee cleverly built up documentary evidence about the "okies" and other migrants whom the Communists had adopted as exhibits of the decay of American capitalism.

The Senate Subcommittee on Civil Liberties of the Education and Labor Committee, had as staff members, John Abt, Allan Rosenberg, Charles Kramer, and Charles Flato.

Senator La Follette publicly disclosed the infiltration of congressional committees, and the vast powers which hidden

Communists could exercise from such a vantage point.

Secret Communists on the staffs gave valuable publicity to friendly witnesses, smeared or smothered unfriendly witnesses, slanted research activities, leaked information to friendly members of the press, slanted the documentary material on proposed legislation, and provided propaganda materials and a forum, for or against legislation, depending on which served the Communist Party. That went on here.

They made changes in the fine print of a bill which might completely alter its character.

They helped to slant congressional policies to fit Communist desires on China policy, German military government, United Nations, demobilization, heavy spending.

They had a perfect spot for espionage through access to confidential documents on military policy, foreign policy, and atomic energy.

In 1950, the House Select Committee on Lobbying Activities set out, under Communist guidance, to search for the names of all contributors to the pro-American, proconstitutional revolt, and to intimidate by inference, those who might give contributions to the 1950 campaign against Communists in Government.

I shall not take the time of the Senate to describe the work of the Tydings Committee, the investigation of the Maryland election, the investigation of Senator McCARTHY'S finances, the Mundt committee, which undertook to investigate a United States Senator, on the basis of a complaint by a few civil servants and some left-wing newspapermen, without any formal protest by the responsible heads of the executive branch.

I ask Senators only to evaluate them in the light of the continuous Communist efforts to sabotage the legislative process in the past 16 years.

I know what the liberals will ask the minute I leave the floor. They will ask, "What proof do you have that this is all one Communist war?"

My answer is: "All the proof we can ever get in wartime." In wartime, the enemy does not draw up memoranda on its intentions or call in three witnesses to attest to the record of each secret step. In wartime, it is the nature of the problem that one has only fragments of the story.

The remedy is to develop so clear and full a sense of the enemy's habits of thought and action, that those few facts have meaning, as a doctor must develop so clear a knowledge of the body and its functions that he can make decisions from a few symptoms.

It is a Communist booby trap to say we must have legal proof of conspiracy before we can protect ourselves.

We can have legal proof only of what is past and done.

Of course we shall continue our efforts to get every possible iota of legal proof through sworn testimony before our congressional committees.

Let us not deceive ourselves, however. In politics, as in medicine, if we cannot get the truth from partial information, we get it from the autopsy.

I am not attempting to insinuate any charge of procommunism against any Members of this body when I say the strategy of censure was initiated by the Communist conspiracy.

There is a long and secret trail from decisions of the top Communist strategists, through many devious channels, before they appear well disguised in the words of loyal Americans.

There are a thousand degrees of relationship between the Communist high command and the many ranks which help it in its work.

I do not need to define exactly the many ways in which the Communist conspiracy has influenced, consciously or unconsciously, the Members of Congress who have done its secret bidding.

But let us not forget where we began. Communism is a conspiracy. Under the doctrine and the fact of conspiracy, every person who participates in a conspiracy, is morally and legally liable for the results of all conspiratorial actions and even of proposed action.

Those who take part in a planned strategy for demolition of our Government, or help carry out parts of the strategic plan for that purpose, are responsible for participation in the entire conspiracy.

No American adult can argue today that he does not know we are dealing with a conspiracy.

Certainly no man who has offered himself as a candidate for Senator, and been elected to guard the interests of the people of his State, can try to tell himself he does not understand.

I believe, Mr. President, a motion should be made to table the report of the select committee because it does not deal with the evidence of a long-time conspiracy against the Congress, without which it cannot decide on censure of an individual Senator, fighting against the conspiracy.

I think we also need a resolution instructing the Senate Internal Security Subcommittee to prepare a draft report giving the available documentary evidence of the Communist attack on Congress, including official documents of Communist Party organs, testimony and reports of the congressional committees, and any other pertinent source material.

I think we need a resolution authorizing the Senate Rules Committee to submit a report of the criteria to determine if and when any Senator-elect should be refused admission to this body because he had been elected as a result of a deal with the Communists.

We need, also, a resolution to establish a small Senate bureau of investigation to prepare for us the evidence we need of possible Communist influence over Senators, staffs of the Senate offices and committees, and nominees sent to us by the executive branch. We are not allowed to see FBI reports with reference to certain nominations.

The purpose of this unit will be not to make investigations but to evaluate the completeness or incompleteness of data sent us from other sources.

It should cooperate fully with the FBI and other agencies of the executive branch. Surely we must all work together.

I can sum up all I have said in one word. That word is "attack."

The Communists are attacking us here in this Chamber. Any man who steps into the shoes of the junior Senator from Wisconsin will receive this same treatment.

They are attacking ceaselessly from morning until night.

They are attacking with only one purpose—to destroy the legislative power and the power of the committees of Congress to investigate new and strange dangers to our security.

We are not counterattacking to save our civilization before it is destroyed.

Senators know the way we wait for the Soviet Union to shoot down our bombers and kill our unoffending citizens, and then defend our rights by writing notes. Each time we almost catch up with the Communists, but that will never deter them.

Too many Americans still think we are spectators at a debate on communism, or the audience at a movie watching the bad men of the frontier burn the settler's house and kill his children.

We know the sheriff will catch the evildoers in the last reel, and the hero and heroine will be safe.

I sometimes think this is the most dangerous of all the Communist booby traps, because it works so well to make us ineffectual.

You and I, Mr. President, are not spectators in this war on civilization the Communists have started. They are trying to burn our homes and kill our sons. There is no sheriff who will come in the last act to make right triumphant. There is no hope of rescue except as we rescue ourselves. There is no defeat for the outlaws except as we stand up and fight.

We in Congress have been exploring Communist power in the State Department, in the Treasury, in the Armed Forces, in Interior, and Agriculture.

By the way, Mr. President, I would ask the junior Senator from Wisconsin if he has ever found out who promoted Peress.

Mr. McCARTHY. I have not.

Mr. JENNER. We have followed the trail of Communists into our colleges, into the United Nations, into our cultural agencies, like IPR, into trade unions, and farming areas. We have looked toward Asia and Europe and South America. But we have done almost nothing to disclose the degree of influence over Congress and the legislative process.

We have no comprehensive studies of the Communist plot to elect their own members of Congress, to punish men who tried to protect our country, to get control of staffs, records, publicity, and confidential information.

There is not a Member of this body—unless he is a secret Communist—who is neutral in this contest. We have each taken an oath to defend our Constitution against all enemies, foreign and domestic. We have pledged our true faith and allegiance to the same. We have said we took this oath with no mental reservation or purpose of evasion. We have sworn we would well and faithfully discharge our pledge.

We cannot avoid for another hour our duty to clear away every vestige of conspiratorial influence over the Senate of the United States, and the Nation we have sworn to serve.

Let us abandon this petty, trivial conflict instigated by our enemies and start again on our proper business, the safeguarding of the United States.

RECESS

Mr. KNOWLAND. Mr. President, it is now my intention to recommend that the Senate stand in recess until the hour of 2 o'clock today. I so move.

The motion was agreed to; and (at 12 o'clock and 49 minutes p. m.) the Senate took a recess until 2 o'clock p. m.

On the expiration of the recess, the Senate reassembled, and was called to order by the Presiding Officer (Mr. COTTON in the chair).

CALL OF THE ROLL

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Flanders	Malone
Aiken	Frear	Mansfield
Anderson	Fulbright	Martin
Barrett	Gillette	McCarthy
Beall	Goldwater	McClellan
Bennett	Green	Monroney
Bricker	Hayden	Morse
Bridges	Hendrickson	Mundt
Brown	Hennings	Murray
Burke	Hickenlooper	Neely
Bush	Hill	Pastore
Byrd	Holland	Payne
Capehart	Hruska	Potter
Carlson	Humphrey	Purtell
Case	Ives	Robertson
Chavez	Jackson	Russell
Clements	Jenner	Saltonstall
Cotton	Johnson, Colo.	Schoeppel
Crippa	Johnson, Tex.	Smith, Maine
Daniel, S. C.	Johnston, S. C.	Smith, N. J.
Daniel, Tex.	Kefauver	Sparkman
Dirksen	Kilgore	Stennis
Douglas	Knowland	Symington
Duff	Kuchel	Thye
Dworshak	Langer	Watkins
Eastland	Lehman	Welker
Ellender	Lennon	Wiley
Ervin	Long	Williams
Ferguson	Magnuson	Young

The PRESIDING OFFICER. A quorum is present.

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

Mr. ERVIN. Mr. President, since I desire to make my statement to the Senate without interruption, I request that all Senators withhold any questions until my statement is completed.

Mr. President, this is indeed a tragic hour in the history of the Senate. For the fifth time in 4 years, Senators of the United States are compelled to put aside consideration of the tremendous international and domestic problems which confront the country, and expend their time, their thoughts, and their energies in studying the conduct of Senator McCARTHY in his senatorial office.

I came to the Senate on June 11. During the 6 years and 4 months preceding that date, I had served as an associate justice of the Supreme Court of North Carolina. The exacting nature of my duties in that capacity prevented me from keeping myself fully abreast of what was transpiring in the life of the Nation. I had a vague impression that a great storm was raging in the country around the activities of Senator McCARTHY. I came to the Senate, however, with the impression that, by and large, Senator McCARTHY was doing a good job in his self-proclaimed role as the symbol of resistance to Communist subversion.

Mr. President, since the 30th day of August, my principal occupation has been that of studying the conduct of Senator McCARTHY in respect to his attitude and conduct toward the Gillette or Hennings subcommittee and his attitude and conduct in respect to the Zwicker incident. The task in which I have been engaged has not been a pleasant one. In addition to my studies as a member of the select committee, I have observed the attitude and the conduct of Senator McCARTHY toward the six members of the select committee since they filed their report. I am constrained to say that my studies as a member of the select committee and my observation of the attitude and conduct of Senator McCARTHY toward the members of the select committee since the report of the committee was filed have entirely altered my opinion in respect to Senator McCARTHY and his activities.

Mr. President, although the work of the select committee was not pleasant, my association during the time of that service with the other members of the select committee and with the committee's counsel and staff proved the truth of Shakespeare's observation that "adversity, like the toad, wears yet a precious jewel in his head."

In the other members of the select committee I found a superb capacity to execute justice in mercy. I pay this additional tribute to the Senator from Utah [Mr. WATKINS], the chairman of the select committee: For one-third of a century I have been actively engaged, either as a lawyer or a judge, in the administration of justice. During that period of time I have had contact with many great jurists. Mr. President, I can say that I have never known a fairer or a more just man than the chairman of the select committee, Senator WATKINS. He presided with the utmost fairness. In my judgment, as a long-time student of the law, all of his rulings were legally correct except those made by him on the several occasions when his compassionate heart prompted him to set aside the strict rules of evidence in Senator McCARTHY's favor.

The arduous task of the committee would have been too burdensome had it not been for the great ability of the committee's counsel, E. Wallace Chadwick and Guy G. de Furia, and the tireless energy of the committee staff, Frank Ginsburg, Ray R. McGuire, John M. Jex, and John W. Wellman.

I deem it not amiss to add at this point that the defense of Senator McCARTHY before the committee by his attorney, Edward Bennett Williams, conformed to the highest traditions of the American bar.

The following story is told in North Carolina: A young lawyer went to an old lawyer for advice as to how to try a lawsuit. The old lawyer said, "If the evidence is against you, talk about the law. If the law is against you, talk about the evidence." The young lawyer said, "But what do you do when both the evidence and the law are against you?" "In that event," said the old lawyer, "give somebody hell. That will distract the attention of the judge and the jury from the weakness of your case."

That is precisely what Senator McCARTHY is doing in his response to the report of the select committee. He does not attempt to meet that report on the merits. He insists that the Senate shall try everybody and everything except the junior Senator from Wisconsin and the issues which the Senate was called into special session to try.

He asserts primarily that the Senate must try Senator WATKINS, Senator JOHNSON of Colorado, and myself, on the ground that we were disqualified to serve on the select committee because we entertained a bias against him.

He declares secondarily that the Senate must then try the select committee as a whole upon his charge that all of its members are unwitting handmaidens, involuntary agents, and attorneys in fact of the Communist Party.

Finally, he contends that in the event it ever gets around to trying him, the Senate must absolve him from all accountability for his disorderly conduct in his senatorial office upon this curious plea: "I am the symbol of resistance to Communist subversion. Since I am the symbol of resistance to Communist subversion, every Senator who disapproves of my disorderly behavior in my senatorial office is doing the work of the Communist Party."

The claim that Senator McCARTHY is being tried before the Senate because he has fought communism has no more substance than the shadow of a dream. Other Members of the Congress have fought communism with as much devotion and with far more wisdom than has the junior Senator from Wisconsin. I cite the names of only a few of them: Vice President Nixon, Senator Karl Mundt, Senator Pat McCarran, Senator Willis Smith, Representative John T. Wood, and Representative Francis E. Walter.

It has never been necessary for either the Senate or the House of Representatives to lay aside the consideration of legislative business to investigate the behavior of any one of those great Senators or Representatives, who have proved their love for America and their hatred for all things Communist.

I can tell the Senate in very plain language the charges which the select committee says the Senate ought to pass upon.

The first charge is that Senator McCARTHY has been guilty of disorderly conduct within the meaning of section 5 of article I of the United States Constitution by flyblowing and obstructing members of a Senate subcommittee in their efforts to perform an official task

imposed upon them by the Senate, namely, the task of determining whether there was any basis in transactions of Senator McCarthy which would justify a resolution for his expulsion. That is the first charge that is pending before the Senate.

The second charge is that Senator McCarthy has been guilty of disorderly behavior in his senatorial office, within the purview of section 5 of article I of the United States Constitution, by baiting, badgering, and browbeating a witness appearing before him in his official capacity as chairman of a Senate committee.

Neither one of those charges has anything whatsoever to do with any question of a Communist conspiracy.

I stated at the outset of my remarks that Senator McCarthy was not meeting this report on the merits. As a matter of fact, since the report was filed he has endeavored to divert the attention of both the Senate and the American people from the report. He asserted, first, that Senator Watkins, Senator Johnson of Colorado, and I were disqualified to serve on the select committee because we were prejudiced against him, and that we fraudulently concealed our prejudice against him from Vice President Nixon and the Senate, so that we might have the inestimable privilege of sacrificing our holidays and absenting ourselves from our homes, our families, and friends to investigate his conduct.

In spreading these accusations abroad, the junior Senator from Wisconsin [Mr. McCarthy] compared us to petit jurors, drawn by chance from the jury box or jury wheel, to try ordinary persons for crimes and misdemeanors.

I do not accept the validity of this comparison. Senators are elected by the sovereign voters of the sovereign States to perform constitutional functions. One of those functions is delimited in these words, in section 5, article I, of the Constitution of the United States:

> Each House * * * may punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member.

It will aid clarity of comprehension to bear in mind that the Senate itself is the only body on earth which has the power to discipline a Senator for contempt of the Senate, or for misconduct in his senatorial office.

It is nonsense to maintain that when the Senate exercises its constitutional power to discipline one of its Members, Senators are subject to the rules which regulate petit jurors, drawn by chance from the jury box or the jury wheel, to try ordinary persons for crimes and misdemeanors.

The absurdity of the position that a Senator of the United States is disqualified to participate in the disciplining of a fellow Senator if he entertains any opinion of any kind adverse to such fellow Senator is made manifest by a simple illustration. Let us take the supposititious case of a hypothetical Senator. Senator Sorghum is guilty of misconduct, which rightly subjects him to senatorial discipline under section 5 of Article I of the Constitution. As a result of Senator Sorghum's misconduct, the other 95 Senators form the opinion that Senator Sorghum ought to be censured or expelled. The opinion of these 95 Senators is certainly adverse to Senator Sorghum. However, under Senator McCarthy's notion, just as soon as these 95 Senators form this adverse opinion, they automatically disqualify themselves to participate in the censure or expulsion of Senator Sorghum. Hence, the constitutional power of the Senate to discipline Senator Sorghum is nullified and Senator Sorghum can go on his merry way unwhipped of senatorial justice. It thus appears that under this erroneous theory, any Senator can secure for himself total immunity to senatorial discipline by the simple expedient of engaging in senatorial misconduct which is obnoxious to a majority of the Members of the Senate.

However, Mr. President, if Members of the Senate who are called upon to participate in the disciplining of a fellow Senator are subject to the rules which govern petit jurors, drawn by chance from the jury box or jury wheel, then Senator McCarthy has no reason to complain in this case, because his cause was heard by Senators who were able to base their decision solely upon the evidence and their understanding of the relevant constitutional provisions. Under the law in all Anglo-American jurisdictions, a petit juror who has formed an opinion adverse to a litigant is a competent juror if he can say that he can try the cause solely upon the evidence and the law.

I shall not dwell on Senator McCarthy's assertion that Senator Watkins, Senator Johnson of Colorado, and I wanted to have the privilege of serving on the select committee. Every Senator, except Senator McCarthy, knows full well that there was not a single Member of the Senate who desired to have anything whatever to do with the unpleasant task assigned to this committee. Indeed, when the motion to send the resolution to censure Senator McCarthy to the select committee was adopted, all Members of the Senate emulated the example of the persons invited to the great supper mentioned in the 14th chapter of Luke: "They all with one consent began to make excuse."

There is only one explanation as to how it was possible to obtain any Senators to serve on the select committee. The explanation is simply this. When all is said and done, Senators do accept as true Gen. Robert E. Lee's assertion that duty is the sublimest word in our language.

It was not a prerequisite to membership on the select committee that a Senator should have possessed a vacant mind, totally devoid of any opinion whatever in respect to Senator McCarthy. Had such a requirement existed, no Member of the Senate would have been eligible to serve on the select committee. It is doubtful, indeed, that six mental adults could have been found anywhere in the United States who did not entertain some opinion concerning Senator McCarthy and his activities.

In his effort to show prejudice on my part, Senator McCarthy lifted out of context several statements which have a tendency to present my attitude in a false light. One of those statements, to wit, the one lifted from the Greensboro Daily News of August 4, 1954, had no relation whatsoever to the censure charges involved in the investigation now under review.

Senator McCarthy was careful to omit the portion of that dispatch which revealed that this particular statement had reference to a speech made by Senator McCarthy on the floor of the Senate on the night of August 2, 1954, which the reporter himself described as a vicious attack upon the character of other Senators.

I now know that the lifting of statements out of context is a typical McCarthy technique. The writer of Ecclesiastes assures us that "there is no new thing under the sun." The McCarthy technique of lifting statements out of context was practiced by a preacher in North Carolina about 75 years ago. At that time the women had a habit of wearing their hair in topknots. This preacher deplored that habit. As a consequence, he preached a rip-snorting sermon one Sunday on the text Top Not Come Down. At the conclusion of his sermon an irate woman, wearing a very pronounced topknot, told the preacher that no such text could be found in the Bible. The preacher thereupon opened the Scriptures to the 17th verse of the 24th chapter of Matthew and pointed to the words:

> Let him which is on the housetop not come down to take anything out of his house.

[Laughter.]

Any practitioner of the McCarthy technique of lifting things out of context can readily find the text "top not come down" in this verse.

Vice President Nixon formally appointed to membership on the select committee 3 Republicans chosen by the majority leader and 3 Democrats selected by the minority leader. The charge that I concealed anything from anyone is wholly baseless in fact. Before I was appointed to membership on the select committee I was interviewed by four of the most experienced and most highly respected Members of the minority in the Senate who were assisting the minority leader in choosing three Democrats for service on the select committee. These four able and honorable Senators informed me that I was under consideration for appointment to the select committee because of my long service on the courts of my State, and they wanted to know whether I would serve on the select committee if I should be named to it by the minority leader. I explained to those four great Senators my attitude toward the censure proceeding and stated, in substance, everything I had ever said about Senator McCarthy, and I advised them that I would serve on the select committee out of a sense of duty if I were deemed to be qualified and if the minority leader assigned me to the task. They assured me that they considered me to be qualified to act as a member of the select committee.

Upon my appointment to the select committee I prepared a statement which

discloses the state of mind accompanying my service on the select committee. This statement is as follows:

I have received a number of communications from my friends in North Carolina relating to the motion of Senator FLANDERS to censure Senator MCCARTHY. Some of these communications are favorable to Senator MCCARTHY and some of them are adverse to him. I feel that those who have communicated with me on this subject are entitled to know my position on it. For this reason, I have prepared this statement instead of trying to set forth my position in detail in personal letters.

On Monday, August 2, 1954, the Senate by a vote of 75 to 12, sent the Flanders motion and all amendments proposed to it, to a special committee. I voted to send the Flanders motion and the proposed amendments to the committee for these reasons:

1. There is no way in which you can give freedom of speech to wise men and deny it to fools. By the same token, there is no way in which you can give the cloak of senatorial immunity to a Senator whose views are in harmony with yours and deny it to a Senator with whose views you disagree. Since many of the charges against Senator MCCARTHY were based in substance on statements made by him in the Senate, and for that reason are covered by the cloak of senatorial immunity, I felt that all the charges should first be considered in a calm, judicial atmosphere with a view to determining which of them had support in constitutional law. I could not conscientiously vote to sustain charges en bloc when I knew that some of them ran afoul of the principles of constitutional law.

2. A motion to censure a Senator is judicial in nature. It implies a condemnation of the Senator's conduct. The conduct which you are asked to condemn should be specified, and evidence, either oral or documentary, should be taken in some appropriate manner as a basis for determining the truth or falsity of the specified charges. It was not feasible to take such evidence on the floor of the Senate. For this reason, I favored sending the matter to a committee to take evidence and make findings of fact with reference to the truth or falsity of such of the charges as might be adjudged tenable under the Constitution. It is contrary to basic American justice to condemn people on what you read in the newspaper or hear over the radio or hear in private conversations. I feel that the Senate would do a grave injury to our way of life if it should condemn any Senator without first according him due process of law—"a law which proceeds upon inquiry and renders judgment only after a hearing."

When I voted for the motion to send the Flanders resolution and all proposed amendments to a committee, I voted in good faith and in the belief that the committee would do everything within its power to conduct a fair hearing and make an honest report, and that the Senate would then act on the report in a forthright manner. At that time, I did not have the slightest idea that I would be drafted by the minority leader to serve on the committee in question. It now appears, however, that I have been selected as one of six Senators who is charged with initial responsibility in this matter and I can assure you that I expect to act in the premises according to what I believe the law and the evidence warrants.

I can now swear, with a clear conscience, on the altar of Almighty God, that my decision as a member of the select committee was based solely upon the evidence considered in the light of the relevant constitutional principles, and that any assertion from any source to the contrary is wholly without basis in fact.

Perhaps I ought not to have alluded so much to the attack which Senator MCCARTHY saw fit to make in respect to Senator WATKINS, Senator JOHNSON of Colorado, and myself on the question of alleged partiality. That question is an immaterial one.

I respectfully submit that if the report of the select committee is righteous, it is wholly immaterial whether it was made by righteous men. The question before the Senate is the validity of the report.

I submit, further, that if the report of the select committee is unsound, then it is immaterial whether the report was made by a committee whose members were as pure as the aspirations of the angels.

I say these things because I do not believe the Senate ought to be shadowboxing with unrealities.

It must have occurred to Senator MCCARTHY that he could not discredit the report of the select committee simply by charging partiality on the part of Senator WATKINS, Senator JOHNSON of Colorado, and myself. It evidently dawned on him that all six Senators had heard the same evidence and had arrived at the same conclusions on such evidence. It evidently dawned on him that he had no basis for attacking the impartiality of the other three Senators on the committee.

So it occurred to Senator MCCARTHY, apparently, that it was necessary for him to find some basis on which to discredit all six members of the select committee. At that time Senator MCCARTHY fled to his customary refuge, his claim that he "is the symbol of resistance to Communist subversion," and that any Senator who fails to make obeisance to him is doing "the work of the Communist Party."

Senator MCCARTHY did this by spreading throughout the United States an undelivered speech, which he subsequently inserted in the CONGRESSIONAL RECORD. In this undelivered speech he made fantastic and foul accusations against six Senators, whose loyalty to America and hatred of communism are at least the equal of his own. Let me quote from the undelivered speech in which Senator MCCARTHY attempted to assassinate the character of six Members of the Senate. I read as follows from that speech as it was ordered to be printed on page 15953 of the CONGRESSIONAL RECORD of November 10, 1954:

I would have the American people recognize, and contemplate in dread, the fact that the Communist Party—a relatively small group of deadly conspirators—has now extended its tentacles to that most respected of American bodies, the United States Senate; that it has made a committee of the Senate its unwitting handmaiden.

Let me be very clear about this. I am not saying, as I am confident the opposition press will have me saying tomorrow, that the Watkins committee knowingly did the work of the Communist Party. I am saying it was the victim of a Communist campaign; and having been victimized, it became the Communist Party's involuntary agent.

I am aware that many of you listening to me regard this as an unpalatable proposition. I have made similar statements before in other contexts. Such statements never fail to exasperate a good number of loyal Americans. But said they must be if we are to survive, and said they will be.

I regard as the most disturbing phenomenon in America today the fact that so many Americans still refuse to acknowledge the ability of Communists to persuade loyal Americans to do their work for them. In the course of the Senate debate I shall demonstrate that the Watkins committee has done the work of the Communist Party, that it not only cooperated in the achievement of Communist goals but that in writing its report it imitated Communist methods—that it distorted, misrepresented, and omitted in its effort to manufacture a plausible rationalization for advising the Senate to accede to the clamor for my scalp.

But perhaps more important than explaining how the Watkins committee did the work of the Communist Party is the job of alerting the American people to the fact that this vast conspiracy possesses the power to turn their most trusted servants into its attorneys-in-fact.

When the junior Senator from Mississippi [Mr. STENNIS] made reference on the floor of the Senate last week to the undelivered speech of Senator MCCARTHY the junior Senator from Wisconsin stated in substance that he had not called the six members of the select committee traitors; he had merely called them fools. I do not know how the junior Senator from Wisconsin interprets his words that the Watkins committee "in writing its report imitated Communist methods—that it distorted, misrepresented, and omitted in its effort to manufacture a plausible rationalization for advising the Senate to accede to the clamor for my scalp."

My interpretation is that by these words Senator MCCARTHY charged, in the presence of the Senate and in the presence of all America, that the six Senators who served on the select committee were knaves, who distorted and suppressed the truth to satisfy the clamor of the mob for Senator MCCARTHY's scalp.

Mind you, Mr. President, this is the kind of treatment which six Senators received at the hands of the junior Senator from Wisconsin as a punishment for making an honest report to the Senate.

As I stated at the outset of my remarks, when I came to the Senate I had a feeling somewhat favorable to Senator MCCARTHY. I said publicly, in response to inquiries, that I did not favor expelling him from the Senate, and that I did not favor depriving him of his committee chairmanships. I am constrained to say that at this hour I am willing to admit that I have changed both of those opinions. This is true because I am wiser today in respect to Senator MCCARTHY and his activities than I was at the time those opinions were originally given.

I do not propose at this time to urge Senator MCCARTHY's expulsion from the Senate, but I shall make these observations upon the fantastic and foul accusations made by him against the six Senators who served on the select committee:

First, if Senator MCCARTHY made these fantastic and foul accusations against the members of the select committee without believing them to be true, he

attempted to assassinate the character of these Senators and ought to be expelled from membership in the Senate for moral incapacity to perform the duties of a Senator.

Second, if Senator McCARTHY made these fantastic and foul accusations against the six Senators who served on the select committee in the honest belief that they were true, then Senator McCARTHY was suffering from mental delusions of gigantic proportions, and ought to be expelled from the Senate for mental incapacity to perform the duties of a Senator.

I do not propose to permit Senator McCARTHY to try Senator WATKINS, Senator JOHNSON of Colorado, or me on the charge of partiality. I do not propose to permit Senator McCARTHY to try the entire membership of the select committee upon his charge that they are the unwitting handmaidens or involuntary agents or attorneys-in-fact of the Communist Party.

I shall insist that the Senate try Senator McCARTHY on the real issues. If the report of the select committee is a righteous report, what boots it if some of the members of the committee rendering the righteous report were unrighteous men in the eyes of Senator McCARTHY?

If the report of the select committee is unsound, what boots it whether the members of the committee rendering the report were as pure as the aspirations of the angels?

The real issues now before the Senate are these: First, does the evidence taken before the select committee sustain the specific findings of fact made by the select committee?

Second, if so, do the specific findings of fact made by the select committee justify the conclusion of the select committee that Senator McCARTHY merits censure?

If both these issues are answered in the affirmative, then Senator McCARTHY should be censured by the Senate. If either issue is answered in the negative, then Senator McCARTHY should not be censured by the Senate.

We have had an argument presented on the legal aspects of this matter to the effect that Senator McCARTHY ought not to be censured, because there is no precedent whereby the Senate in times past had censured a Senator for similar conduct. We ought to thank God for the absence of any such precedent.

As I have said, the fifth section of article I of the United States Constitution provides in effect that the Senate may punish its Members for disorderly behavior.

In response to the argument that there is no precedent on this point, I wish to point out that if such an argument had been accepted as valid when the first murderer, arsonist, rapist, or burglar was brought to trial, there never would have been anybody punished for any of those offenses. We do not need a body of statutory laws to explain what the Constitution leaves to the determination of the Senate. The term disorderly behavior is very plain. The Constitution leaves that matter to the determination of the Senate. When the conduct of a Senator in his office becomes disorderly behavior, only the Senate can determine that matter, according to the Constitution.

Let us take up the first of the charges. If any charge would encompass disorderly conduct to a higher degree, I cannot imagine what it would be. What is the charge? The charge is that Senator McCARTHY was guilty of disorderly conduct by flyblowing—that is a strong Anglo-Saxon word, but a very expressive one—and obstructing a committee of the Senate performing a task which the Senate had imposed upon that committee.

Let us consider what the evidence showed took place. The Senate had adopted a resolution which required the committee to investigate all the activities of Senator McCARTHY after he became a Member, with a view to determining whether there was any basis for his expulsion from the Senate. Some very drastic accusations had been made. The committee went into the facts.

The evidence before the select committee showed beyond any question that Senator McCARTHY never intended to appear before the Subcommittee on Privileges and Elections and submit himself to an examination before it on oath. For 14 months the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration tried to get Senator McCARTHY to appear before it, and answer certain questions with reference to the disposition of money given to him to fight communism, with reference to his action under the Corrupt Practices Act of Wisconsin, and his action with reference to whether or not he had participated in violations of the banking laws of Wisconsin.

If Senator McCARTHY had appeared before the subcommittee, and made a complete revelation to that committee in respect to the matters in question, the whole matter would have been ended in a day or two. Instead of that, down to this good hour Senator McCARTHY has never made an explanation with reference to those matters.

Besides not appearing before the subcommittee, what else did Senator McCARTHY do? He first said the subcommittee had no jurisdiction to investigate the matters in question. Of course, that claim fell by the wayside when the Senate voted, 60 to 0, that the subcommittee did have jurisdiction to investigate such matters. After that happened, Senator McCARTHY said he would not appear before the subcommittee unless he was subpenaed. He said that the subcommittee did not have the power to subpena him during the session of the Senate. Of course, he knew that the subcommittee was not desirous of functioning after the Senate session adjourned.

In my time I have read many legal decisions stating how one should come to conclusions on facts. One rule, based on decision after decision, is that if a charge is made against a person which he would naturally answer or explain, and such person fails to answer that charge or offer an explanation, the finders of the facts may assume he has thereby impliedly admitted the truth of the charge.

Senator McCARTHY did not appear before the Subcommittee on Privileges and Elections. Instead of doing so, he began a systematic attack upon the character of the members of the subcommittee, similar to the attack he has made upon members of the select committee. Senator McCARTHY charged them with stealing the taxpayers' money for the partisan purpose of assisting the Democratic Party in smearing McCARTHY. Then he said, "You are aiding and abetting the Communist Party and the Communist conspiracy in their No. 1 objective, that is, getting rid of McCARTHY." Then he said, "You are dishonest, anyway. I will have nothing to do with you unless you drag me in before you by subpena."

Can any Senator, sitting as the finder of the facts, fail to arrive at the conclusion that Senator McCARTHY was guilty of contempt toward that subcommittee, and that he willfully obstructed the functioning of that subcommittee?

The second charge arose out of the General Zwicker incident. The evidence taken before the select committee indicates that General Zwicker cooperated with Senator McCARTHY and his staff prior to the hearing in giving the committee information about Maj. Irving Peress; that the McCarthy committee perhaps did not even know the name of that officer until it was given to the committee by General Zwicker; that immediately after General Zwicker got an order from the Adjutant General of the Army to discharge Major Peress, at his own request at any time within the next 90 days, he immediately furnished a member of Senator McCARTHY's staff with a copy of that order. When the hearing was held, according to the testimony, General Zwicker had a friendly conversation with Senator McCARTHY, in which he told Senator McCARTHY that he, too, was a native of Wisconsin, and he called Senator McCARTHY's attention to a Presidential order and an extract from the Army regulations which, in effect, prevented General Zwicker from testifying to any matters of a security nature. Senator McCARTHY made a statement that he was familiar with the order and regulation.

I wish to say that one thing I noticed about Senator McCARTHY is very puzzling to me. It is reflected in all his examinations. He seems to have an incapacity to distinguish between what he thinks in his head and external facts. I do not say this in unkindness. But this characteristic makes it very difficult for one to meet him on the same mental plane.

The evidence disclosed that Senator McCARTHY jumped on General Zwicker because of the interpretation General Zwicker placed on certain press releases Senator McCARTHY had made. When we read the record, we reach the conclusion that Senator McCARTHY became angry at General Zwicker because General Zwicker was not able or willing to assume the correctness of all the statements included in the press releases made by Senator McCARTHY or under

his direction. Then Senator McCarthy abandoned a proper type of examination and began to chastise the witness. He said to the witness, as we find set forth on page 75 of the hearings:

Anyone with the brains of a 5-year-old child can understand that question.

Mr. President, I think perhaps I understand it now; but I had to read it 4 or 5 times before I understood it.

Then Senator McCarthy put a number of words into the mouth of the witness. Some of the things General Zwicker said seemed to anger Senator McCarthy. Senator McCarthy wanted General Zwicker to express his opinion that his superiors in the Pentagon acted in an outrageous manner when they issued the order for the honorable discharge of Major Peress. Well, Mr. President, anyone who expects an officer of the Army to criticize his superiors ought not be turned loose to do any questioning. I served in the Army; and I would not dare question an order that even a corporal gave me, much less question an order coming from the Pentagon.

Senator McCarthy asked General Zwicker if he did not think that anyone who had anything to do with ordering Major Peress' honorable discharge ought to be removed from the military. General Zwicker made, in reply, about the only kind of answer any military man could have made; he said:

I do not think he should be removed from the military.

That is all he said about that. But Senator McCarthy put in General Zwicker's mouth some words General Zwicker never said. Here they are:

The Chairman. Then, General, you should be removed from any command. Any man who has been given the honor of being promoted to general and who says, "I will protect another general who protected Communists," is not fit to wear that uniform, General.

Mr. President, I have searched the record in vain to find where General Zwicker ever said "I will protect another general who protected Communists." I do not think anyone can find such a statement on the part of General Zwicker anywhere in the record.

Then Senator McCarthy said:

I think it is a tremendous disgrace to the Army to have this sort of thing given to the public.

I intend to give it to them. I have a duty to do that. I intend to repeat to the press exactly what you said. So you know that. You will be back here, General.

According to the undisputed testimony, Senator McCarthy told the general to return on Tuesday. According to Captain Woodward's testimony, Senator McCarthy said:

General, you will be back on Tuesday, and at that time I am going to put you on display and let the American public see what kind of officers we have.

Then Senator McCarthy said, using one of his most endearing terms, that "General Zwicker was the first fifth-amendment general we have had before us."

Mr. President, Senators can claim that was legitimate cross-examination if they wish to do so; but I call it baiting and badgering and brow-beating a witness. Senator McCarthy gave as his excuse for his conduct in that case that General Zwicker was evasive and arrogant.

General Zwicker came before the select committee. The other day Senator Johnson of Colorado told the Senate what his reaction was to General Zwicker and his testimony. I think virtually all the members of the select committee at first did not even want to consider this charge we accepted as prima facie correct the position taken by Senator McCarthy, and we considered this charge only because all the proposed amendments to the original resolution called attention to this particular matter. I have spent a large part of one-third of a century in court rooms; and I have never seen any witness more free from arrogance than General Zwicker was when he appeared before us, and was subjected to one of the most rigorous cross-examinations I have ever witnessed.

Mr. President, Senators must not stick their heads into the sand like ostriches and thus blind themselves to the realities surrounding them. One tragic truth stands out above all the sound and fury of this sad hour: It is that Senator McCarthy besmirches throughout the length and breadth of this land the reputations of all Senators who dare to oppose his will or to express disapproval of his disorderly behavior in his senatorial office. As a consequence of this practice on the part of Senator McCarthy, every Senator sits in this Chamber under this Damoclean sword: The threat that Senator McCarthy will besmirch his reputation throughout the country if he does anything to incur Senator McCarthy's easily provoked wrath.

Mr. President, many years ago there was a custom in a section of my country, known as the South Mountains, to hold religious meetings at which the oldest members of the congregation were called upon to stand up and publicly testify to their religious experiences. On one occasion they were holding such a meeting in one of the churches; and old Uncle Ephriam Swink, a South Mountaineer whose body was all bent and distorted with arthritis, was present. All the older members of the congregation except Uncle Ephriam arose and gave testimony to their religious experiences. Uncle Ephriam kept his seat. Thereupon, the moderator said, "Brother Ephriam, suppose you tell us what has the Lord done for you."

Uncle Ephriam arose, with his bent and distorted body, and said, "Brother, he has mighty nigh ruint me."

Mr. President, that is about what Senator McCarthy has done to the Senate. As a result of Senator McCarthy's activities and the failure of the Senate to do anything positive about them, the monstrous idea has found lodgment in the minds of millions of loyal and thoughtful Americans that Senators are intimidated by Senator McCarthy's threats of libel and slander, and for that reason the will of the Senate to visit upon Senator McCarthy the senatorial discipline he so justly merits is paralyzed.

The Senate is trying this issue: Was Senator McCarthy guilty of disorderly behavior in his senatorial office? The American people are trying another issue. The issue before the American people transcends in importance the issue before the Senate. The issue before the American people is simply this: Does the Senate of the United States have enough manhood to stand up to Senator McCarthy?

Mr. President, the honor of the Senate is in our keeping. I pray that Senators will not soil it by permitting Senator McCarthy to go unwhipped of senatorial justice.

Mr. WELKER. Mr. President, will the Senator yield for a question?

Mr. ERVIN. I am glad to yield.

Mr. WELKER. I wonder if my distinguished friend from North Carolina will agree with me that the entire basis for the action taken by the select committee arises out of article I, section 5, of the Constitution of the United States.

Mr. ERVIN. I do.

Mr. WELKER. That is about the only law which would govern us in an action of this kind. In fact, it is the only law. In the light of the Constitution, will the Senator, as one of the able members of the select committee, tell me how he classified himself in the difficult task to be performed by the committee? Did the Senator classify himself as a judge, a member of a grand jury, a member of an investigating body, or a prosecutor? How did the Senator determine what he was supposed to do?

Mr. ERVIN. I classified myself as a Senator of the United States passing on a preliminary question submitted to the select committee by the Senate.

Mr. WELKER. Did the Senator do so in a judicial capacity?

Mr. ERVIN. I did so in a judicial capacity in this sense: That I did not consider anything whatever in connection with this matter except the evidence which was produced before the select committee and my understanding of the meaning of the constitutional provision embodied in section 5 of article I of the Constitution.

Mr. WELKER. Did the Senator and the other members of the committee make it mandatory upon themselves to enter into the deliberations unbiased, and with a free and open mind, to hear all the evidence, and not merely a portion of it?

Mr. ERVIN. I can answer only for myself.

Mr. WELKER. That is true. Perhaps the question should have been directed to the Senator individually.

Mr. ERVIN. I can truly say that when I entered upon my service on this committee I entered upon it with the determination—and with the full consciousness that I could carry that determination into effect—that the only things I would consider would be the evidence before the committee and my understanding of the rules of constitutional law applicable to that evidence.

Mr. WELKER. Was the Senator in anywise biased before he undertook the task given to the committee by the Senate?

Mr. ERVIN. I will say that I had an unfavorable opinion of Senator McCARTHY in one respect, and I had a favorable opinion of him in others. But I will say that I put all my opinions out of my mind and tried this case just as I have tried hundreds of cases, sitting as a trial judge in the courts of North Carolina. That is, I tried it on the evidence, and the law as I saw it. Besides, as did the other members of the committee, I gave Senator McCARTHY the benefit of all doubts, both reasonable and unreasonable.

[Laughter in the galleries.]

Mr. WELKER. Mr. President, may we have order? This is no laughing matter.

The PRESIDING OFFICER. Occupants of the galleries are reminded that the rules of the Senate do not permit expressions of approval or disapproval.

The Senator may proceed.

Mr. WELKER. Will my friend, the distinguished Senator from North Carolina, inform me whether or not he thought his bias should be indicated to Senator McCARTHY or his counsel?

Mr. ERVIN. When I was trying to find some excuse to make to my own conscience for escaping service on the select committee I made the statement that I ought not to serve unless my serving was satisfactory to both pro-McCarthyites and anti-McCarthyites. But after I had considered the question and conferred with four of the most experienced and respected Members of the minority in the Senate I came to the conclusion that the members of the committee should be selected by the Senate, rather than by pro-McCarthyites or anti-McCarthyites.

Mr. WELKER. Mr. President, will the Senator further yield?

Mr. ERVIN. I yield.

Mr. WELKER. The Senator has indicated today—and I know it of my own knowledge—that he has had a vast experience in the field of law, especially in the judiciary. As I understand, he has handled many criminal cases. I ask my friend from North Carolina this question: In the case of a prospective juror or a prospective judge trying an issue involving a penalty, if the juror or judge showed bias, would it not be proper for the presiding judge to disqualify the juror, or for counsel to file an affidavit of prejudice against a judge who showed bias? Such affidavits are filed, and such requests are granted, in almost every court I have ever heard of in America.

Mr. ERVIN. If I were a judge I would ask the prospective juror a question which I have asked hundreds of jurors, namely, "Notwithstanding any opinion you may entertain about this matter, can you sit in the jury box, hear the evidence from the witnesses and the law as given you by the court in his charge, and return a verdict based solely on the evidence and the law?" If such a juror said "Yes" I would hold him to be a competent juror, as I have done hundreds of times.

Mr. WELKER. Knowing the able Senator as I do, and being familiar with his great success in the field of law, I ask him this question: If he were counsel in a case and the question to a prospective juror were answered in the manner indicated, after the judge had asked the prospective juror whether or not he could remove from his mind any bias he might have, would not the Senator use a peremptory challenge against that prospective juror?

Mr. ERVIN. No; not if I had confidence in his intellectual honesty. If a prospective juror happened to be a person whom I considered intellectually honest, I would rather have him on the jury if he had some adverse opinion of my client, because I know, as a matter of psychology, that he would lean backward and give my client much more lenient treatment than he would accord him if he thought my client were as pure as the driven snow.

Mr. WELKER. Will my friend inform me, then, why there are provisions in the law for filing affidavits of prejudice against a trial judge? A judge might well be as intellectually honest as I am sure my friend from North Carolina is, but a defendant is given a right under the law to file such an affidavit.

Mr. ERVIN. We do not have that practice in North Carolina. I know that many other States have it.

The distinguished Senator from Indiana [Mr. JENNER] compared this committee to a grand jury. In North Carolina—and, so far as I know, in other States—grand jurors cannot be disqualified on the ground of prejudice.

Mr. JENNER. Mr. President, will the Senator yield to me?

Mr. ERVIN. I yield.

Mr. JENNER. I made the comparison on the basis that it was the duty of the select committee to obtain all the evidence. I charged that the select commitee did not obtain all the evidence, because it did not get behind the facts to show a Communist conspiracy working to destroy this country.

Mr. ERVIN. We did not do that.

Mr. JENNER. Of course the committee did not. That is why I say we cannot act on this resolution.

Mr. ERVIN. We did not do that because it was not relevant to the charges we were considering, and because we did not propose to go "rabbit hunting" with Senator McCARTHY or anybody else.

Mr. JENNER. The committee should have obtained all the evidence, so that this body could act intelligently. It did not do so.

Mr. ERVIN. I believe the evidence to which the Senator from Indiana was referring was some committee report, which I would not consider evidence.

Mr. JENNER. If the Senator is trying to establish legal evidence of a Communist conspiracy, it cannot be done. If we do not diagnose this conspiracy, we are going to destroy this country.

Mr. ERVIN. I yielded to the Senator for a question. I will say that in my honest judgment—and this relates to the time when the committee was sitting, as well as to the present time, when the Senate is considering the charges—the allegations that Senator McCARTHY is being tried because he has fought Communists has no more substance than the shadow of a dream.

Mr. JENNER. Does not the Senator realize that any man in the position of Senator McCARTHY, any man who touches the field of communism, is subjected to the same treatment? The same treatment was accorded the Lusk committee, the Dies committee, the Velde committee, the Internal Security Committee, and the McCarthy committee. Any man who has touched this subject has received the same treatment. Therefore the Senator should look behind the conspiracy and find out what is going on.

Mr. ERVIN. I assume that the Senator from Indiana is telling me what his experience has been. However, I will say to him that I served in the House when there were men in that body like FRANCIS WALTER and John Wood and other Representatives who served on the Un-American Activities Committee, which was investigating the very subject under discussion here, and I never heard of their conduct being investigated by the House. I also know that one distinguished Senator from North Carolina, former Senator Willis Smith, did a very excellent job in investigating in the field of communism, but I never heard of his conduct being called into question even once, let alone 5 times in 4 years.

Mr. JENNER. Mr. President, will the Senator yield for a question?

Mr. ERVIN. I yield.

Mr. JENNER. Senator Willis Smith was a great American, and he did a great job on the Internal Security Committee. Senator Willis Smith did things in committee that perhaps he should not have done. I remember that one time when I was presiding over that committee Senator Willis Smith wanted to have an attorney who was representing a fifth-amendment Communist take an anti-Communist oath. It was wrong for him to suggest it, of course, and perhaps he could have been subjected to criticism for his suggestion.

I suggest to the Senator from North Carolina that some Senators who have never dealt with this subject do not realize what those who take part in such investigations are up against. The witnesses who appear before us are a part of the conspiracy; they move as an army; they come before our committees with Communist attorneys; they try to sabotage our courts; they work into the legislative and executive branches of our Government.

Mr. ERVIN. Just a moment, Mr. President; I did not yield for a speech. I yielded only for a question.

Mr. WELKER. Mr. President, will the distinguished Senator from North Carolina yield for a question?

Mr. ERVIN. I yield for a question.

Mr. WELKER. I do not believe I made a speech.

Mr. ERVIN. No; the Senator from Idaho was not making a speech. I did not refer to him. The Senator from Idaho is asking questions; he is not making speeches.

Mr. WELKER. As a preface to my remarks I shall make later, either this evening or tomorrow, with respect to the law as I view it, I should like to get the Senator's best judgment as to the capacity in which his committee sat. In other words, was the committee sitting as a

grand jury, as the Senator from Indiana [Mr. JENNER] has indicated?

Mr. ERVIN. I was sitting on the select committee as a United States Senator, with five other Senators, to perform a duty imposed upon us—I might add, against our will—by the United States Senate. I was determined, as I stated, to reach a decision based solely upon the evidence we heard and on the relevant constitutional provisions.

Mr. WELKER. After making a finding, does the Senator from North Carolina feel it was his duty to make an argument in behalf of censuring the junior Senator from Wisconsin, as the Senator did a few minutes ago?

Mr. ERVIN. In reply to that question, Mr. President, I should like to say that I made my speech because I thought it was high time for the Senate to consider the issue, which the American people are debating in their minds, namely, whether the Senate of the United States has enough manhood to stand up to Senator MCCARTHY, who has been investigated 5 times in 4 years. I will say, also, that when I came to the Senate I did not see Senator MCCARTHY, except twice, before I sat on the select committee. I do not have a television set and I saw him only 4 or 5 times on television in the home of one of my neighbors. I performed a task which had been thrust upon me by the Senate of the United States.

I claim that I am a loyal American. I claim that I hate communism just as much as does Senator MCCARTHY. I have been accused in the press throughout the United States and in the undelivered speech inserted by Senator MCCARTHY in the CONGRESSIONAL RECORD of being a handmaiden and an agent and an attorney-in-fact of the Communist Party.

I have also been charged with assisting the other five members of the select committee in distorting and suppressing the truth in order to bring in a false report against Senator MCCARTHY.

If under those circumstances I could take Senator MCCARTHY to my bosom, I would be a strange individual, indeed. I have a reputation to uphold.

Mr. WELKER. May I ask the Senator, if I interrogate him merely on the fundamental issues involved, whether he will answer such questions or whether he will launch into another speech?

Mr. ERVIN. I will say to my distinguished friend, the Senator from Idaho, that I shall be glad to answer any question I can answer that relates to my work on the committee and to the report. If I cannot answer it, I will confess that I cannot do so. However, I would not wish to promise to go quite anywhere to the ends of the earth in debate with the Senator from Idaho, because since the 30th of August I have not done much of anything except to study this subject, and I have become rather rusty with respect to other subjects.

Mr. WELKER. Perhaps I should put this in the form of a question, although it may be that I could question the amount of work the Senator has done on this matter in comparison with the amount of work done by the Senator from Idaho. However, I should like to ask the Senator this question: Does the Senator feel that it was a part of his duty to use language in a nationwide television hookup on the Meet the Press program which certainly did not help to enhance the dignity of the United States Senate in the eyes of the American people, when he referred to the Senator from Wisconsin in rather strong terms, using the word "vile" and similar words?

Mr. ERVIN. I do not believe I used the word "vile."

Mr. WELKER. Or "slush and slime."

Mr. ERVIN. I did not say that. Those words were used by my good friend the Senator from Mississippi [Mr. STENNIS].

Mr. WELKER. I understood the Senator to agree with another member of the select committee in the definition of the character of the Senator from Wisconsin. If I am wrong, I shall proceed to another question.

The Senator, in speaking of the work of his committee, said that he had no precedent to go by, or that no precedent existed on this subject. Does the Senator mean to say that he has not read the two cases which are exactly in point with the pending case?

Mr. ERVIN. Oh, yes; I read the two cases, but they are not similar to the pending case. I believe I have read every case that involved the disciplining of a Member of the Senate or any Member of the House, from the beginning of the establishment of Congress.

Mr. WELKER. Is it not a fair assumption that the Senator was in error when he stated in the forum of the United States Senate that in the absence of precedent, murder, rape, arson, and all the other infamous crimes would go unpunished? Does not the Senator know that those are statutory crimes?

Mr. ERVIN. No; I did not say that. What I said was that when the first man was tried for murder or burglary or arson or rape, if the plea had been accepted that there was no precedent to go by, the man would have been acquitted; no man could ever have been tried for any of those crimes, if in the first instance, the theory had been followed that there was no precedent on which to try him for such crimes.

Mr. WELKER. I assume the Senator has as much respect for a duly licensed attorney at law as he has for the rights and dignities of one who is a brigadier general in the United States Army?

Mr. ERVIN. I can answer that question if the Senator will relate his question to this particular case.

Mr. WELKER. Does the Senator believe that General Zwicker should have been entitled to any more courtesy or leniency in cross-examination or more respect than a member of the bar?

Mr. ERVIN. No; I do not believe so. It does not make any difference what a man's position is. I do not believe that General Zwicker is entitled to any more respect than any other human being. However, I believe that a man who has bared his breast to the bullets of the enemy and has been decorated for gallantry on the battlefield, as in the case of General Zwicker, deserved better treatment than he received at the hands of Senator MCCARTHY.

Mr. WELKER. Does the Senator believe that an attorney who comes before the McCarthy committee, the Jenner committee, or any other committee of the Congress should respect especially that portion of his oath which says:

> I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay any man's cause for lucre or malice. So help me God.

Does the Senator believe in that oath?

Mr. ERVIN. Yes; but I am at a little loss to understand its application to the matter under consideration.

Mr. WELKER. I should like to know whether the Senator was prejudiced in favor of one particular individual, namely, General Zwicker, or whether his scruples, which I am sure are the very highest, apply to every person, whether he be a lawyer, a general, or anyone else.

Mr. ERVIN. I was not prejudiced in favor of General Zwicker. As a matter of fact, I originally thought that the committee ought not consider the Zwicker incident as a basis for censure; and the only reason the committee considered it was because of the fact that all three Senators who had proposed amendments to the resolution had mentioned the Zwicker incident, and we thought that under those circumstances it ought to be investigated.

Mr. WELKER. After all, I think we are the jury in this matter. How would the Senator rule in the case of a fellow Senator who is given a job to investigate communism and who loses his temper in argument with a counselor representing a man, whether a Communist or not, and finally has him thrown out of the room? Does the Senator from North Carolina think in such a case his fellow Senator should be censured?

Mr. ERVIN. That is a case about which I know nothing. Not knowing all the circumstances, I would not want to express an opinion.

Mr. WELKER. The Senator would rather have a little testimony?

Mr. ERVIN. I have never tried a case in a vacuum. I must know what all the facts are.

Mr. WELKER. In the General Zwicker case did the Senator give any consideration to the testimony of one Harding, I believe his name is, who is alleged to have called a Senator an infamous name, such as "s. o. b."

Mr. ERVIN. I heard Mr. Harding's testimony which indicated something of that kind. I did not see why very much consideration should be accorded to it.

Mr. WELKER. Will my friend tell me whether he gave any consideration at all to the fact that General Lawton had testified before the committee with respect to some statement made indicating that General Zwicker had been antagonistic to the junior Senator from Wisconsin?

Mr. ERVIN. I remember General Lawton's testimony very well. General Lawton said he did not remember anything that was said by General Zwicker, but he got the impression in his mind from what General Zwicker had said that General Zwicker did not have a favorable attitude toward Senator MCCARTHY.

Mr. WELKER. In other words, the Senator disregarded that conclusion?

Mr. ERVIN. No; I did not.

Mr. WELKER. Did the Senator weigh it along with all the other evidence?

Mr. ERVIN. Yes.

Mr. WELKER. The Senator was not present to hear the original interrogation of General Zwicker, was he?

Mr. ERVIN. No; and I wish I had never heard anything about it.

Mr. WELKER. Will the Senator please answer the question? The Senator was not present there, was he?

Mr. ERVIN. No; I was not. I will strike out that remark. What I meant to say was that I was in the position of a man in North Carolina who qualified as administrator of his father's estate, which was involved in many lawsuits. He said he had so much trouble with them he was almost sorry the old man died. I am almost sorry I ever heard of General Zwicker or anything else about this matter.

Mr. WELKER. I will ask the Senator whether at any time heretofore he has heard of a court, a grand jury, or a quasi-judicial body being permitted to get a retake of the original testimony of a man months after he had given testimony before a committee, and then absolve him of arrogant and contemptuous conduct against the Senator from Wisconsin or any other Senator.

Mr. ERVIN. The only evidence before the committee that General Zwicker was arrogant in the testimony taken at Foley Square was Senator McCARTHY's testimony to that effect. I think, in fairness to General Zwicker, and in fairness to the committee, it had to pass on the question of whether Senator McCARTHY was provoked by General Zwicker's arrogance, and the committee felt it was necessary to bring the general before it to see whether he was an arrogant man.

Mr. WELKER. How did the committee know he was not arrogant many months before that time?

Mr. ERVIN. There is nothing in the evidence that indicates arrogance. He had a Presidential directive and an Army regulation which practically told him to keep his mouth shut, and he did not know when he should open his mouth and when he should not.

Mr. WELKER. If the Senator will be kind enough—I do not wish to tire him; I know he has been working hard. The Senator knows the stock instruction which he has given to juries thousands of times in actions wherein a human being is to be penalized, which I now read:

> You are the sole judges of the credibility of the witnesses and the weight that should be given to all the testimony. With that the court has nothing to do. You may judge the credibility of a witness by the manner in which he gives his testimony, his demeanor upon the stand, the reasonableness or the unreasonableness of his testimony, his means of knowledge, and any facts about which he testifies, his interest in the case, the feeling he may have for or against the defendant, or any circumstances tending to shed light upon the truth or falsity of such testimony. And it is for you at last to say what weight you will give to the testimony of any and all witnesses. If you believe that any witness has sworn falsely to any material facts in the case, you are at liberty to disbelieve the testimony of the witness and disregard it insofar as it is not corroborated by other testimony.

The Senator believes that to be a wise instruction, and has often given that instruction; is that correct?

Mr. ERVIN. Yes. I think that is a very excellent instruction.

Mr. WELKER. How could the Senator from North Carolina or any of the other members of the select committee arrive at a conclusion with reference to General Zwicker's testimony without being present? Certainly the cold black type would not give an idea of his demeanor and manner of testifying, would it?

Mr. ERVIN. I have had experience in several hundred lawsuits where the evidence given in some prior case was offered in evidence. I read many, many times General Zwicker's testimony taken at Foley Square. I found a man whose mouth was almost closed by two orders, one from his Commander in Chief, the President of the United States, and the other by Army regulations. I think most of the examination by Senator McCARTHY would not have been permitted in any court of law, because it consisted mostly of hypothetical questions through which he was trying to find out General Zwicker's attitude toward men in the Pentagon.

I am impressed with the fact that a large part of the trouble at that time was due to the insistence on the part of the junior Senator from Wisconsin that General Zwicker should remember everything which had been said by the Senator, as it had appeared in some newspaper releases, and that he should have accepted all of the Senator's assumptions. So I think, taken by and large, he did very well. General Zwicker, like me, had a rather sweet disposition.

Mr. WELKER. That is, when the Senator from North Carolina heard him testify. Is that a correct assumption?

Mr. ERVIN. Taking the whole matter into consideration, yes.

Mr. WELKER. That is, when the Senator heard General Zwicker on the retake, or the second time, General Zwicker had, in the Senator's opinion, a rather sweet disposition, did he?

Mr. ERVIN. Under the circumstances, I thought remarkably so.

Mr. WELKER. Very well. Does the Senator know what kind of disposition General Zwicker had when he originally testified?

Mr. ERVIN. I could only take the report of the evidence on that occasion. That was all I had to go by. I was not present on the first occasion. I had to take the evidence given on that occasion in order to perform the duty imposed on me by the Senate. That was all I had to go by.

Mr. WELKER. As the Senator knows, having been the able jurist and counselor he was prior to coming to the Senate, what is contained in a printed transcript can be interpreted in 2 or 3 different ways as compared with the interpretation of the oral testimony. Is that correct?

Mr. ERVIN. I will grant to my friend, the distinguished Senator from Idaho, that there is some disadvantage in considering testimony in writing, because when testimony has been reduced to writing, it is often difficult to tell the difference between the testimony of Ananias and George Washington.

Mr. WELKER. That is correct. That is the reason why an appellate court will not reverse a question of fact which has been determined in a lower court. Is not that a correct statement of the law?

Mr. ERVIN. That would depend on whether the question of fact was supported by evidence.

Mr. WELKER. I mean a question of fact which is supported by the evidence.

Mr. ERVIN. In my State, in equity cases, an appellate court can consider evidence again, reverse the findings of the lower court, and make its own findings of fact. That, however, is a matter of practice in my own State.

Mr. WELKER. I wish to ask the Senator a question with reference to his speech made a few moments ago. Did I understand the Senator to say that there was sufficient evidence against the junior Senator from Wisconsin to warrant his being expelled from the Senate of the United States upon the ground of moral incapacity or mental incapacity? I was making notes at the time, and my understanding of the Senator's statement may not be fair to him. I should like to have his observations.

Mr. ERVIN. I can give the Senator, I believe, almost exactly what I said; certainly I can give it to him in substance.

I was speaking in respect to the undelivered speech which the junior Senator from Wisconsin had inserted in the CONGRESSIONAL RECORD, in which he said that the six Members of the Senate who constituted the select committee were the unwitting handmaids, involuntary agents, and attorneys-in-fact of the Communist Party; and in which the junior Senator from Wisconsin said also that the select committee "distorted, misrepresented, and omitted in its effort to manufacture a plausible rationalization for advising the Senate to accede to the clamor for my scalp."

When the junior Senator from Wisconsin inserted in the RECORD that undelivered speech, which he had theretofore spread throughout the country by means of the press, either he knew that the statement was untrue, or he believed it to be true. This is my personal opinion. I said if Senator McCARTHY made that fantastic and foul accusation against the 6 members of the select committee without believing it to be true, then he attempted to assassinate the character of those 6 Senators, and he ought to be expelled from the Senate for moral incapacity to perform the duties of a Senator.

I said, further, that if the junior Senator from Wisconsin made that fantastic and foul accusation against the six members of the select committee in the honest belief that such accusation was true, then he was laboring under mental delusions of gigantic proportions and ought to be expelled from the Senate for mental incapacity to perform the duties of the office of Senator.

Mr. WELKER. I certainly agree that many of us, perhaps none of us, would have delivered that speech. No two Senators are alike. But suppose nothing was done to that speech to correct it to the satisfaction of the junior Senator from North Carolina. In that event, on the basis of that speech, would the Senator from North Carolina be willing to submit a resolution to expel the junior Senator from Wisconsin?

Mr. ERVIN. Mr. President, in response to the inquiry of the distinguished junior Senator from Idaho, I do not propose to submit a resolution to expel the junior Senator from Wisconsin, for three reasons:

In the first place, I am the lowest ranking Democrat in seniority in the Senate. Second, I do not think that that kind of resolution would receive a two-thirds vote of the Senate at present. In the third place, I should hope that a resolution of censure by the Senate would have some tendency to cause the junior Senator from Wisconsin to mend his ways and to stop flyblowing, throughout the United States, the character of Members of the Senate who do not approve of his disorderly conduct in his senatorial office.

Mr. WELKER. To hurry along, was the Senator from North Carolina present when two Members of this great body from the Senator's side of the aisle engaged in a debate, one accusing the other of giving aid and comfort to enemy, both of them being great Senators, and both being great friends of mine?

Mr. ERVIN. I have no recollection of any such debate. Being a sort of unwitting person, the debate might have occurred in my presence, and I not have known anything about it. But I have no recollection of it.

Mr. WELKER. The debate occurred in the presence of the other Senator from North Carolina, who is on the floor.

With respect to the first charge, the Senator from North Carolina handled it quite fully. The junior Senator from Wisconsin, in the opinion of the junior Senator from North Carolina and in the opinion of the other members of the committee, should be censured for failure to remember certain things and to answer certain questions. Does the Senator from North Carolina realize that at that time a heated political campaign was in progress, on the outcome of which the future of the junior Senator from Wisconsin in his State was dependent?

Mr. ERVIN. I am not aware that a heated political campaign was in progress in the fall of 1951, when the Gillette subcommittee first tried to get the junior Senator from Wisconsin to appear before it.

(At this point Mr. ERVIN yielded to Mr. MCCARTHY, who called the attention of the Senate to certain court subpenas and submitted a resolution, which, with the ensuing debate, appears in today's RECORD following Mr. ERVIN's remarks.)

Mr. WELKER. Mr. President, will the Senator from North Carolina yield further?

Mr. ERVIN. I yield to the Senator from Idaho.

Mr. WELKER. The Senator has been very gracious, and I dislike to take up so much of his time.

Mr. ERVIN. I am very glad to have yielded so that the exchange between the Senator from Idaho and myself could have taken place.

Mr. WELKER. Before the interruption, I think the Senator from North Carolina stated he did not know there was a political campaign going on in Wisconsin in the fall of 1951.

Mr. ERVIN. That is correct. I do not know whether or not there was a State election in Wisconsin.

Mr. WELKER. My people came from North Carolina. I do not know what persons who come from there call political campaigns. I venture to say that in my State of Idaho some have already started campaigning for the election which will take place 2 years from now. However, I should like to ask the Senator from North Carolina if he heard my discussion on the floor of the Senate, as reported in the August 2, 1954, issue of the CONGRESSIONAL RECORD, when I attempted to state why I resigned from the Subcommittee on Privileges and Elections. My resignation was couched in rather strong language.

Mr. ERVIN. I do not recall hearing the Senator from Idaho.

Mr. WELKER. Did anyone on the select committee or any member of its staff suggest that my remarks respecting my reasons for leaving the Subcommittee on Privileges and Elections be read to the select committee?

Mr. ERVIN. The only thing I saw in reference to the Senator was his letter of resignation, which is in the RECORD. It was very short. I also saw some reference to the resignation of the Senator from Idaho in one of the letters written by Senator MCCARTHY, with his embellishments. I do not recall the Senator's speech. I am sorry.

Mr. WELKER. Did the Senator from North Carolina or anyone else inquire as to why I left the committee?

Mr. ERVIN. I read in one of the letters which Senator MCCARTHY wrote that the Senator from Idaho did not approve the actions of the subcommittee, that he thought it was being devoted to political purposes, or something to that effect.

Mr. WELKER. In view of that statement, did the Senator from North Carolina think it necessary to invite or offer a fellow colleague an opportunity to explain before the select committee his reasons, whether they were valid or otherwise, for resigning from the subcommittee?

Mr. ERVIN. I assumed that Senator MCCARTHY was more familiar with those facts than I was, because I knew nothing about them except what I saw in the printed pages. I assumed that Senator MCCARTHY and his very brilliant counsel, Edward Bennett Williams, would subpena before the select committee the Senator from Idaho or any other witnesses they thought would help Senator MCCARTHY.

Mr. WELKER. In other words, the Senator from North Carolina wanted the man who stood before the bar of justice or the quasi-bar of justice, or whatever it might be called, to produce the witnesses who brought about the citation; is that correct?

Mr. ERVIN. If Senator MCCARTHY had wanted the Senator from Idaho to be there, I would have thought Senator MCCARTHY would have called that matter to the attention of the select committee, and would have requested the Senator from Idaho to come before it. As I have said, I read what Senator MCCARTHY said about the attitude of the Senator from Idaho toward the subcommittee.

Mr. WELKER. Does the Senator from North Carolina recall that by virtue of the action of the Senate, the select committee had been ordered to produce the evidence, to hear all the evidence, to determine the issue, and to decide what it would recommend to the Senate? That is correct; is it not?

Mr. ERVIN. No; the Senate did not instruct us to go into all the evidence in the world. It said for us to get evidence bearing on the issues we were trying; and I did not see anything to indicate that the Senator from Idaho had anything to do with writing the letters which were written by Senator MCCARTHY or the letters which were written by Senator GILLETTE, or Senator HENNINGS.

Mr. WELKER. Does not the Senator from North Carolina suppose there would have been some probative value in having the select committee listen to the testimony of such a colleague? The committee did not need believe it, but it could have listened to it. Will the Senator agree as to that?

Mr. ERVIN. Mr. President, if it had been our duty to wade through all the CONGRESSIONAL RECORD and to see what every Member of the Senate had ever said about any matter connected with any of the committees, this investigation would have been in progress until the last lingering echo of Gabriel's horn trembled into ultimate silence. [Laughter.]

Mr. WELKER. Gabriel could have blown his horn 100 times; but if the Senator from North Carolina were on trial and if he felt that a colleague had had some reason for resigning from a committee criticized by the Senator from North Carolina would not the Senator think it would be an act of fairness to ask that Senator to appear?

Mr. ERVIN. Knowing the distinguished Senator from Idaho as I do, I would say that I am satisfied that if he thought he had any information which would have enabled the select committee to arrive at a correct conclusion, the Senator from Idaho would have notified us of that fact and would have asked for the privilege of coming before us.

Mr. WELKER. I sincerely appreciate those kind remarks; but does the Senator from North Carolina, able counselor and jurist that he is, assume it was the obligation of the junior Senator from Idaho—who had been ordered home for his health, by the Capitol physician—to anticipate when the select committee would reach any portion of the testimony with reference to him or whether the select committee was even considering it? After all, 149 charges were filed, I believe, at the time when I left Washington, to return to my home. But I was not even

given the consideration of being allowed to tell the select committee why I resigned from the subcommittee. I do not believe that is the way things are done in the courts of justice in North Carolina or Idaho.

Mr. ERVIN. In reply to the observation of the Senator from Idaho, I may say I was not put on notice, by anything I saw or read or heard, that the Senator from Idaho was not aware of the fact that the investigation was going on.

Mr. WELKER. Did the Senator from North Carolina have to be put on notice? There was already in the RECORD the letter to the chairman of the full committee, asking him to fill my place on the Subcommittee on Privileges and Elections; but nowhere in the RECORD appears the telegram I sent to the distinguished Senator from Iowa [Mr. GILLETTE], stating my reasons for resigning.

Mr. ERVIN. Mr. President, I do not have that letter, and I never heard of it, except I saw the letter of the Senator from Idaho—let me see if I can find it.

Mr. WELKER. I know what is in it; I think I can state it at this time. It was addressed to the Senator from Arizona [Mr. HAYDEN], the chairman of the Committee on Rules and Administration, and it read as follows:

> This is to advise you that I resign forthwith from the Subcommittee on Privileges and Elections.

And I asked him to fill the vacancy thereon.

Mr. ERVIN. That is the only thing I noticed about any connection on the part of the Senator from Idaho with the subcommittee or in regard to resigning from the subcommittee, except there was a letter in which Senator MCCARTHY stated, I believe, in language just as picturesque as any human being could utter, why the Senator from Idaho had resigned; and I do not know whether the Senator from Idaho could have used any adjectives or adverbs which would have made it any stronger, if he had been there.

Mr. WELKER. In other words, the Senator from North Carolina accepted hearsay testimony, instead of actual testimony from the man who resigned.

Mr. ERVIN. No; it was not hearsay testimony. It was a letter from Senator MCCARTHY, the man whose conduct was being investigated. It was a letter he wrote to the Senator from Arizona [Mr. HAYDEN], I believe.

Mr. WELKER. Would the Senator from North Carolina think the Senate should return to Washington to hear the testimony of a colleague as to the reason why he resigned from the subcommittee?

Mr. ERVIN. I think it would be immaterial as to why the Senator from Idaho resigned.

Mr. WELKER. Even though it might result in censuring the Senator from Idaho?

Mr. ERVIN. I do not think anyone wishes to censure the Senator from Idaho.

Mr. WELKER. If the Senator from North Carolina will read the telegram I sent, he will find used therein rather strong language, and I am afraid it is very close to a violation of the rule adopted by the select committee. I am sorry I did not have an opportunity to appear before the select committee. I invite the attention of the Senator from North Carolina to the August 2 issue of the CONGRESSIONAL RECORD, shortly before I went home.

In conclusion, I should like to have the advice of the Senator from North Carolina, as a fine lawyer, jurist, and Senator, as to what he thinks is the most important thing for a Senator to do: When the Senator from Wisconsin was offered a chance to come before the Gillette subcommittee, should he have accepted it; or would it have been better for him to have received a subpena ordering him to appear before the subcommittee—a subpena he could not escape.

Mr. ERVIN. In replying to the question of the Senator from Idaho, I would say that if I had regarded myself in the way Senator MCCARTHY regards himself, namely, as the symbol of resistance to Communist subversion, and if the committee had asked me for information as to whether any funds collected or received by me and by others on my behalf to conduct certain of my activities, including those relating to communism, were ever diverted and used for other purposes inuring to my personal advantage, I would go immediately before the committee without any subpena or request. As a matter of fact, if I happened to be on the other side of the Potomac River and there were no bridge across it, and the Potomac River were fire instead of water, I would try to cross it to give my testimony before the committee on that subject.

Mr. WELKER. I ask my friend please to answer the questions. What the Senator would have done may not be exactly what the Senator from Idaho or any other person would have done. I ask if it is not a fact that the people of North Carolina sent the Senator to the United States Senate not to be 100 percent right, 80 percent right, or 70 percent right. They asked him to use his own best judgment, whether it be good or bad, until they can have another shot at him at the polls. Is that not a fact?

Mr. ERVIN. I should say "Yes." I will say further that if I were in the position of Senator MCCARTHY and the committee had requested me to come before the committee to give information on a certain point, and I had failed to do so, the people of North Carolina would kick me out of the Senate at the next opportunity, and would be justified in so doing.

Mr. WELKER. That leads me to the next question. Since at least a great portion of the report on count No. 1 of the allegations against the junior Senator from Wisconsin had to do with financial transactions, failure to appear, and so forth, I ask if it is not a fact that a large part of that report was dedicated to discussing Mr. Ray Kiermas, administrative assistant of the junior Senator from Wisconsin. Mr. Kiermas was not permitted to appear before the select committee—he was not subpenaed—nor was he invited to appear before the Gillette subcommittee. Is that correct?

Mr. ERVIN. I do not know about the Gillette committee. He was not subpenaed to come before the select committee. But if I were involved in the matter, and I figured that I would be the logical person——

Mr. WELKER. I am talking about MCCARTHY. The Senator from North Carolina does not have a secretary named Kiermas.

Mr. ERVIN. No; I do not. But I think if Mr. Kiermas could have given any testimony favorable to Senator MCCARTHY in respect to the financial transactions under investigation by the Gillette committee, Mr. Kiermas, as the administrative assistant of Senator MCCARTHY, ought to have gone before the committee and done so. I think my administrative assistant would do that much for me. I do not think he would wait for a subpena.

Mr. WELKER. In other words, it is the Senator's contention that the ball is in MCCARTHY's court to play, instead of that of the Gillette committee or the select committee?

Mr. ERVIN. My position is that when a committee is investigating a matter in which the honor of a Senator and the honor of the Senate itself are at stake, that Senator ought to cooperate with that committee and give it any information in his power which might show that he had not done any dishonorable thing.

Mr. WELKER. While this committee——

Mr. ERVIN. I think the Senator and I had better conclude pretty soon.

Mr. WELKER. I certainly will. I have only two further questions. I am sorry to have delayed the Senator this long.

If the Senator were facing a crucial election in the State of North Carolina would he, the fall before the election, voluntarily appear before a committee which one of his colleagues of opposite political faith had described as a political committee, engaged in an effort to smear him? If the Senator will obtain from the Senator from Iowa [Mr. GILLETTE] the full text of the telegram which I sent him, he will find some other descriptive words. Would the Senator have been happy to appear before such a committee, which might well destroy him politically?

Mr. ERVIN. I did not know Senator HENNINGS, Senator HENDRICKSON, or Senator HAYDEN before I came to the Senate; but having observed those gentlemen, I will say that if they were investigating my financial transactions and I had any evidence upon which they could base a favorable report, I would run to them as fast as I possibly could, because my observation of them leads me to believe that they are men with compassionate hearts, men who would rather acquit a fellow Senator than to convict him.

Mr. WELKER. Does the Senator mean to say that the statement he has just made would be competent evidence in any court in the United States, Mexico, or anywhere else?

Mr. ERVIN. No. The Senator was asking me what I would have done, and I was telling him exactly what I would have done.

If a committee composed of three such fine and fair men as those Senators were investigating my affairs, I would seek a haven of refuge with them, because I think they would acquit me if I had a just case.

Mr. WELKER. Here is a Senator who happens to differ with the Senator from North Carolina. However, he was not given the right or opportunity to appear before the Senator's committee, every one of whose members I respect as my friends.

Mr. ERVIN. Let me say to my friend from Idaho that I did not have any facts upon which to form the opinion that the Senator from Idaho was the only one of the 162 million people of the United States who did not know that an investigation was in progress.

Mr. WELKER. I cannot follow the Senator. I did not hear him distinctly. Does the Senator say that he did not know of any person who was not aware of what was going on?

Mr. ERVIN. No. I said I had no knowledge of any facts which would put me on notice that the Senator from Idaho did not know that an investigation was to be conducted. I thought everyone in the United States knew it.

Mr. WELKER. That is where the Senator happens to be wrong. I will say further to the Senator that I did not know what matters were being investigated. I suppose I should have left a sickbed nearly 3,000 miles away, paid my own expenses, and returned to Washington to find out that the committee was investigating the Zwicker matter, when I knew nothing about it.

Mr. ERVIN. If the Senator had notified any member of the committee that he had any evidence to give on the matter, the committee would have had him subpenaed and would have paid his expenses to come here to testify.

Mr. WELKER. One further question.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. WELKER. I have only two further questions, if the Senator will bear with me.

Mr. ERVIN. Let me yield first to the Senator from Utah, the chairman of the commitee.

Mr. WATKINS. In view of the fact that there seems to be some difficulty over the question of an opportunity being afforded the Senator from Idaho to testify, is it not a fact that Senator McCARTHY was notified that he could call witnesses, and that he did call witnesses? He was asked more than once—probably 3 or 4 times—whether he had any evidence or any witnesses he wished to present. The committee even went so far as to ask him if there were any investigations he wanted to suggest that the committee make in his behalf. We said we would send out investigators or call witnesses. Is that not true?

Mr. ERVIN. That is true. The chairman of the committee repeated the offer to call anyone Senator McCARTHY wished to call; and before the evidence was concluded, the chairman asked Senator McCARTHY and his counsel if they had any further evidence to offer, and they said they had not.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. WELKER. As I understood the order to the select committee, it was directed to obtain the evidence and present it. Does the Senator know whether or not Senator McCARTHY knew that my telegram to Senator GILLETTE resigning from the Privileges and Elections Subcommittee was not in the files? I never knew about it until yesterday.

Mr. ERVIN. I cannot tell the Senator what Senator McCARTHY knew.

Mr. WELKER. I am quite certain the Senator will agree with me—and I ask him if this is not a logical conclusion—that if the committee had had my full telegram, sent to my friend the Senator from Iowa, there would have been no occasion for me to appear, other than to answer any cross-examination which might have been desired.

My final question is this: Is the Senator familiar with James M. Beck, who is a doctor of laws and an outstanding author?

Mr. ERVIN. I am.

Mr. WELKER. He is the author of the book, The Vanishing Rights of the States.

Mr. ERVIN. He was a great legal scholar and a very fine American. I am familiar with some of his writings. At one time he was Solicitor General of the United States.

Mr. WELKER. That is correct.

Mr. ERVIN. He was a great lawyer and a profound legal scholar.

Mr. WELKER. He wrote the book, The Constitution of the United States, and also the book, The Vanishing Rights of the States.

Mr. ERVIN. I am familiar with his book on the Constitution of the United States. I do not believe I have read the other book.

Mr. WELKER. Certainly he is a great scholar, who is very much beloved and respected by men of the South. Of course, the Senator knows that southern blood flows in my veins, too. I quote from page 50 of that great book, The Vanishing Rights of the States. What is said there is relevant to the first charge, or allegation, in the censure resolution:

> It is, however, equally clear that the act which would justify his expulsion must have taken place since his election. What he did prior to his election and qualification has been passed upon by the people of his State. In a political sense, it is res adjudicata. A candidate for the Senate might have been guilty of embezzlement before his election, but the right of the people of that State to send an embezzler to the Senate, if it sees fit, is clear. Such decision is the sole right of the State.

Does the Senator agree or disagree with Mr. Beck in that conclusion?

Mr. ERVIN. I agree with that statement when it is confined to the precedents on which that statement is based. Those precedents involve cases in which Senators had violated a criminal statute, and after the violation of law, which was known to the public in their States, were elected or reelected to the Senate.

I agree with Mr. Beck on that point. However, I do not agree that that principle applies in the case of an offense against the Senate itself, as distinguished from an offense against a criminal law.

Mr. WELKER. I do not believe the Senator followed me, I am sure, because otherwise he would not have said what he did say. Mr. Beck wrote:

> It is, however, equally clear that the act which would justify his expulsion—

He is going back to article 1, section 5, of the Constitution, which would cover a fist fight on the floor of the Senate, for example.

Mr. ERVIN. Is that what Mr. Beck says?

Mr. WELKER. No; I am ad libbing that, but the Senator, I am sure, as a lawyer, will follow me. He understands that.

> It is, however, equally clear that the act which would justify his expulsion must have taken place since his election. What he did prior to his election and qualification has been passed upon by the people of his State. In a political sense, it is res adjudicata.

Mr. ERVIN. The point I am making is that that statement of Mr. Beck rests upon authorities which involved only a situation in which a Senator had violated a criminal law before his election, and that fact had been known to the people of his State, and he had nevertheless been elected after that fact was known.

There is no case or precedent that I could find on the question before us, namely, a situation in which an offense was committed against the Senate itself, as in this case, as distinguished from a violation of a criminal law.

Mr. WELKER. I shall turn the book over to my distinguished friend the Senator from North Carolina. If he will read the quotation I have read he will find that it does not relate entirely to criminal law. I wish to say to my distinguished colleague from North Carolina that I appreciate the fact that he has been very kind in permitting me to question him. I trust he will listen to the legal discourse I hope to make within the next few days and that he will feel free to interrogate me as fully as I have interrogated him.

Mr. ERVIN. I thank the Senator.

SUBPENA SERVED ON EMPLOYEES OF COMMITTEE ON GOVERNMENT OPERATIONS IN CASE OF UNITED ELECTRICAL, RADIO AND MACHINE WORKERS VERSUS GENERAL ELECTRIC CO.

During the delivery of Mr. ERVIN'S speech,

Mr. McCARTHY. Mr. President, I wonder if the Senator from North Carolina and the Senator from Idaho would yield to me, as a matter of privilege. The matter I wish to have considered must be attended to today. It will take not more than 2 or 3 minutes at the most.

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Wisconsin for that purpose?

Mr. ERVIN. I yield.

Mr. McCARTHY. There was served upon Mr. Walter L. Reynolds, chief clerk

of the Senate Committee on Government Operations, a subpena returnable today, which required the production of various files in the possession of the Special Subcommittee on Investigations.

There was also served upon Mr. C. George Anastos, a subpena requiring him to appear, obviously for the purpose of testifying as to what was contained in those files.

I understand that the subpena directed to Mr. Reynolds is being withdrawn, and that a subpena will be served upon me, as chairman of the Special Subcommittee on Investigations.

It is rather important that there be a consideration of this matter by the Senate. I call the attention of the Senate to Senate rule XXX, as follows:

No memorial or other paper presented to the Senate, except original treaties finally acted upon, shall be withdrawn from its files except by order of the Senate.

I call attention also to title 2, United States Code, section 72 (D), which reads in part as follows:

All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the member serving as chairman of the committee; and such records shall be the property of the Congress. * * * Each committee is authorized to have printed and bound such testimony and other data presented at hearings held by the committee. (Aug. 2, 1946, ch. 753, 60 Stat. 834–835.)

Mr. President, this case concerns an action between the United Electrical, Radio, and Machine Workers of America—which has been expelled from the CIO because of Communist-controlled activities—and the General Electric Co. It does not concern the investigating committee directly. It has to do with activities of the Butler task force. The Senator from Maryland [Mr. BUTLER] was chairman of a committee which had to do with investigating communism in industry. I feel that I must submit a resolution. I am not going to ask that it be passed upon tonight. I should like to have the resolution lie over, and let the minority Members scrutinize it.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. McCARTHY. I shall yield, if I may continue for just a moment. The Senate passed upon a matter within the last few days—I believe it was the 10th of November, Mr. President—when a subpena was served upon the Secretary of the Senate, Mr. Trice, and Mr. Trice was ordered not to supply the records of the Senate.

In the question now before the Senate we have the additional problem of what Mr. Anastos can testify to. I think that if there is any evidence which would be valuable to a decision of the case, the Senate should not preclude that evidence from being produced. However, I think I do not have authority, under the rules, to produce evidence, hit or miss, from everything we have in our files.

I may say to the very able majority and minority leaders that I do not submit the resolution as the final step.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield at that point?

Mr. McCARTHY. I yield to the Senator from Texas.

Mr. JOHNSON of Texas. Is the Senator speaking of the resolution which he reviewed with me earlier in the day?

Mr. McCARTHY. Yes.

Mr. JOHNSON of Texas. The Senator proposes to submit it so that it may be printed, as I understand.

Mr. McCARTHY. And to lie on the table.

Mr. JOHNSON of Texas. And the Senator from Wisconsin plans to call the committee together to consider it prior to having it taken up. Is that correct?

Mr. McCARTHY. Yes. I would like to announce that I am calling a meeting of the committee for 10 o'clock tomorrow morning to consider the resolution. I may say that I hope it will have the attention of the Senate, because we do have an important problem before the committee. I do not think we should preclude the courts from obtaining evidence which we may have in our files. At the same time I think we are bound by the rule which states that a chairman may not present files hit or miss. We are dealing with a union which has been named by the CIO as being Communist-controlled. Therefore, I think we must be doubly careful not to give them any files which will give names of informants and investigative techniques. For that reason I trust the majority and minority Members may give the resolution considerable thought until tomorrow, at which time I shall call it up for action.

Mr. JOHNSON of Texas. Mr. President, I think the Senator from Wisconsin is following the usual course, and I have no objection, so that the resolution may be available for all Members of the Senate.

Mr. McCARTHY. Mr. President, before I leave, I should like to say that I have much work to do. I ask unanimous consent to have the staff memorandum printed in the RECORD, for the benefit of Senators who may then study it.

The PRESIDING OFFICER (Mr. BUSH in the chair). Is there objection?

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

STAFF MEMORANDUM, NOVEMBER 13, 1954

On Friday, November 12, 1954, Walter L. Reynolds, chief clerk, Senate Committee on Government Operations, received a subpena duces tecum from the District Court of the United States for the District of Columbia commanding him to appear before the said court on the 15th day of November 1954, at 10 o'clock a. m., as a witness in the case of the *United Electrical, Radio and Machine Workers of America, et al.* v. *General Electric Co.* (Civil Action No. 1037–54) to bring with him the following documents:

"(1) All memoranda, or copies thereof, in the possession of the Special Subcommittee on Investigations of the Senate Committee on Government Operations, of any meetings, conferences, or discussions had from October 1, 1953, to September 1, 1954, inclusive, between Roy Cohn, C. George Anastos, Francis Carr, or any other representative or agent of said subcommittee, and any officer, representative, or agent of the General Electric Co., with respect to the investigation, disciplining or discharge of any employee or employees of the General Electric Co.

"(2) All written communications, or copies thereof, in the possession of said subcommittee, written from October 1, 1953, to September 1, 1954, inclusive, between Senator Joseph R. McCarthy, Roy Cohn, C. George Anastos, Francis Carr, or any other representative or agent of said subcommittee, and any officer, representative, or agent of the General Electric Co., with respect to the investigation, disciplining, or discharge of any employee or employees of the General Electric Co.

"(3) Stenographic transcript of hearings conducted by said subcommittee on November 12 and 13, 1953, in Albany, N. Y."

Mr. C. George Anastos, assistant counsel of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, received a subpena addressed to C. George Anastos, from the District Court of the United States for the District of Columbia, directing him to appear before the said court on the 15th day of November 1954, at 10 o'clock a. m., to give testimony in the case of the *United Electrical, Radio and Machine Workers of America, et al.* v. *General Electric Co.* (Civil action No. 1037–54).

Your attention and that of the Senate is respectfully invited to rule XXX of the Standing Rules of the Senate, which reads in part as follows:

"No memorial or other paper presented to the Senate * * * shall be withdrawn from its files except by order of the Senate."

Title 2, United States Code, section 72 (D), reads in part as follows:

"All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Member serving as chairman of the committee; and such records shall be the property of the Congress. * * * Each committee is authorized to have printed and bound such testimony and other data presented at hearings held by the committee. (Aug. 2, 1946, ch. 753, 60 Stat. 834–835.)"

This matter is presented for such action as the Senate in its discretion may see fit to take.

The PRESIDING OFFICER. Without objection, the resolution submitted by the Senator from Wisconsin will be received and printed, and will lie on the table.

The resolution (S. Res. 329) was ordered to be printed and to lie on the table, as follows:

Whereas, in the case of *United Electrical, Radio and Machine Workers of America, et al., plaintiffs,* v. *General Electric Company, defendants,* civil action No. 1037–54, pending in the District Court of the United States for the District of Columbia, a subpena ad testificandum was issued upon the application of Joseph Forer, attorney for the plaintiffs, and addressed to C. George Anastos, who is an assistant counsel of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, directing him to appear as a witness before the said court on the 15th day of November 1954 at 10 o'clock a. m., and to give testimony in the above-entitled cause regarding evidence in the possession and under the control of the Senate of the United States: Therefore be it

Resolved, That by the privileges of the Senate of the United States no evidence under the control and in the possession of the Senate of the United States can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession, but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that testimony of an employee of the Senate of the United States is needful for use in any court of justice or before any

judge or such legal officer for the promotion of justice and, further, such testimony may involve documents, communications, conversations, and matters related thereto under the control of or in the possession of the Senate of the United States, the Senate of the United States will take such order thereon as will promote the ends of justice consistent with the privileges and rights of the Senate; be it further

Resolved, That C. George Anastos, assistant counsel to the United States Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, in response to the aforementioned subpena, shall testify to any matter determined by the court to be material and relevant for the purposes of identification of any document or documents provided said document or documents have previously been made available to the general public; but said C. George Anastos shall respectfully decline to testify concerning any and all other matters that may be based on knowledge acquired by him in his official capacity, either by reason of documents and papers appearing in the files of said subcommittee or by virtue of conversations or communications with any person or persons, and specifically he shall respectfully decline to testify on any other matters including, but not limited to, the investigation of, the disciplining, retention, or discharge of, any employee or employees of the General Electric Corp. or the agents or representatives of said employee or employees, or any knowledge concerning same, all of which were acquired by said C. George Anastos in his official position, as such testimony is within the privileges of the Senate of the United States; and be it further

Resolved, That a copy of these resolutions be transmitted to the said court as a respectful answer to the subpena aforementioned.

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

Mr. McCARTHY. Mr. President, I wish to thank the Senator from North Carolina [Mr. ERVIN] for yielding to me so that I might submit the resolution I have just sent forward. I intend to leave the Senate floor at this time. I had planned on remaining while the Senator from Utah [Mr. WATKINS] spoke, so I could question him about some contradictions in the report of the select committee. However, he has made a public statement that he will answer no questions propounded by me. Therefore, I feel it would be a waste of my time to sit here and listen to his dissertation. For that reason I shall not remain, unless, Mr. President—though I do not think this request would be granted—I could get unanimous consent. However, since the Senator from Utah has already announced that if I submit questions in writing he will answer them, it would necessitate having stenographers stay here and type out my questions, and then submit them to the Senator from Utah. I do not think that request would be granted; therefore, I do not think I shall even make the request. It would be a departure from the rules of the Senate, as the chairman has previously announced.

ORDER OF BUSINESS

Mr. WATKINS. Mr. President, as I had announced, I intended to make a speech today. I have not given out any advance copies of my speech to the press.

It appears that the distinguished majority leader has prepared a speech which should be made today. It is now within 30 minutes of our usual recess time. For that reason I shall withhold making my speech today, and I ask unanimous consent to have the floor in the morning at the beginning of the session.

The PRESIDING OFFICER (Mr. BUSH in the chair). Is there objection to the request of the Senator from Utah?

Mr. WELKER. A point of order, Mr. President. I did not hear the request.

The PRESIDING OFFICER. The unanimous-consent request is that the Senator from Utah [Mr. WATKINS] who is recognized and has the floor, be allowed to yield to the distinguished majority leader, with the understanding that the Senator from Utah will have the floor at the opening of the session tomorrow, after the usual morning hour.

Mr. WELKER. I have no objection.

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, I would be the last Senator to ask the distinguished majority leader to forego making any remarks that he desires to make. Does he plan to recess at 5:30 this evening?

Mr. KNOWLAND. I do not believe that my remarks will take more than 20 minutes, at the most.

Mr. JOHNSON of Texas. It may be that at the conclusion of the majority leader's remarks the Senator from Utah may wish to make his address.

Mr. WATKINS. I shall not be able to finish my remarks in time. It is getting late. I have had a long day, and I had to work all day yesterday.

Mr. JOHNSON of Texas. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

COEXISTENCE AND ATOMIC STALEMATE

Mr. KNOWLAND. Mr. President, recent developments abroad and at home justify, in my mind, interrupting the debate on the pending resolution. At an early date I shall discuss the pending resolution and modifications of it.

Grave problems and dangers confront our Republic, and they are of far greater importance than the pending business before the Senate. We must keep matters in their proper perspective.

Are "coexistence" and "atomic stalemate" synonymous terms? If they are not, just what is the difference? Is the former merely an inevitable prelude to the latter? And what of our foreign policy and our defense policy when such an atomic stalemate takes place? Does not atomic stalemate mean inevitable Communist nibbling aggression, rather than peace in our time? How many years remain when we still have some initiative left? These are some of the basic questions before the Government and the people of the United States.

Certainly they are so important and the results of the decisions made are so far-reaching that the Congress and the American people must be taken into the confidence of the administration.

No matter what the decisions are in the elections of 1956, a Republican administration and a Democratic controlled Congress in the months immediately ahead share a heavy responsibility for the survival of this Republic, and the possibility of a free world of freemen hangs in the balance.

The civilizations that flourished and died in the past had opportunities for a limited period of time to change the course of history. Sooner or later, however, they passed "the point of no return," and the decisions were no longer theirs to make.

Coexistence and atomic stalemate will result in ultimate Communist victory. Unless one believes that the men in the Kremlin have completely changed their long-term strategy of ultimately having a Communist world, and no longer follow the doctrine that, in order to achieve their ends, anything is allowable, including deception and treachery, we must face the fact that the Communist concept of peaceful coexistence means that the United States or other free nations of the world will be allowed to exist only until communism is able to subvert them from within or destroy them by aggression from without.

It is my belief that the Soviet Union is advancing the Trojan horse of coexistence only for the purpose of gaining sufficient time to accomplish what we may term "atomic stalemate." When would they hope to accomplish this objective? The target date is probably between 1957 and 1960.

There is some fallacious thinking that when that point arrives the world will have gained a stalemate peace because neither side will then dare to use or threaten to use its atomic power against the other. At that point so the reasoning runs, the two great world powers, the United States and the Soviet Union, will checkmate and immobilize each other and a sort of troubled peace will settle down over the balance of the world.

Certainly we must face up to the fact that the superiority the United States has today in a stockpile of atomic weapons and the means of delivering them will be checkmated, and the nations which today are toying with neutralism will be actively proclaiming it.

Let us examine the possibility then of even a troubled peace. It is more likely that at that point, when the free world has become paralyzed and immobilized by the realization that the United States and the Soviet Union could act and react one upon the other with overwhelming devastation, that the men in the Kremlin will see their best opportunity to start with what for the want of a better term I will call "operation nibbling," wherein they will seek to take over the peripheral nations bite by bite.

At that point, through the capitals of what remain of our anxious allies and with loud voices from the neutralists, as well as from sources in our own country, will rise the anguished cry, "Should we risk all-out atomic war for Iran, Sweden, Afghanistan, Yugoslavia, India, Finland, Burma, and so forth?" "For after all," the argument will run, "we have no treaty

obligations to them." Then they will start down through our smaller allies first to soften us up. These will not all be nibbled at once, but will be spaced out so that as each country passes behind the Iron Curtain, it will increase the despair of the other victims and the paralysis of the nations which might be willing to resist.

Since stalemate would put the Soviet Union itself off limits, the intended victim of the aggression could only look forward to a localized war within their own frontiers with the destruction of life and property that would entail. Since there would be no hope of restraining this new type of Soviet aggression by placing the body of the octopus in danger, these nations individually, one by one, might prefer to accept Soviet terms rather than even call on the West for aid.

Before our eyes the people of the United States would see nation after nation nibbled away and when the realization finally dawned that this policy would inevitably result in our country becoming a continental Dien Bien Phu in a Communist totalitarian world, the chances of our winning such a struggle would be so lessened and the Soviet world so extended that they then would be prepared for an all-out challenge to us wherein we would be allowed the choice to surrender or die.

It seems to me that the responsible committees of the Congress should promptly summon the State and Defense officials and the Joint Chiefs of Staff to fully inquire into our foreign and defense policy to find out where in their judgment it will take us and whether this clear and present danger which appears to me to exist is such that a basic change in the direction of our policy is warranted.

Time is running out and I would remind the Senate that in this day and age of the airplane and the atomic weapon, time is not necessarily on the side of the free world.

Mr. DOUGLAS. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. DOUGLAS. In the first place, I wish to congratulate the Senator from California for his very able and penetrating speech. It is along many of the lines which I tried to present in late January 1951 in a speech before this body on this very question.

I hope the Senator from California will not regard the question which I am about to put as being politically motivated, but I should like to ask whether the contention made in the midst of the recent political campaign by many members of a great political party that we will never favor having our troops fight on foreign soil is not a declaration which, if adhered to, would tie the hands of America behind her back and reduce the maximum resistance of the free world to Communist aggression.

Mr. KNOWLAND. I will say to the Senator, without being partisan, because I think when a danger confronts our Nation we should view it as Americans and not as partisans, that there may have been statements made by individuals on both sides which, from a national policy point of view, were not helpful. I have never believed that we should take such a position, but that this Nation should take whatever action our national interests might require at a time when a challenge might be confronting us in the world.

Mr. DOUGLAS. I will say to the Senator that I completely agree with him. It is the standard which I certainly try to follow.

But is there not a real obligation that candidates and parties should not, for the sake of temporary political advantage, take positions which might endanger the security of the country, and, indeed, the security of the entire world?

Mr. KNOWLAND. The Senator is correct. That should apply to both parties, and all persons concerned.

Mr. DOUGLAS. Is there not a further lesson to be learned both from the experience of the past few months and something which I think is implicit in what the Senator has said, namely, that if we reach a state of atomic stalemate, in which each side has available terrible weapons but each side is also afraid to use them lest they precipitate an atomic war, the whole world is exposed to the danger of being involved by the piecemeal extension of communism to outlying areas of the world, but which rapidly eat into the very center.

Mr. KNOWLAND. That is what I was trying to outline on the floor, because that situation makes almost inevitable the Communist conquest of what remains of the free world.

Mr. DOUGLAS. I quite agree with the Senator. Is it not true, therefore, that we should not endanger the strength of our ground forces because it is the great merit of these forces that they can deal with local circumstances, restrain aggression, and yet minimize the danger of the expansion of a local struggle into a worldwide conflict?

Mr. KNOWLAND. In that regard it seems to me that would be a matter to which the Joint Chiefs of Staff and the responsible officers in the Government, including the Congress, should pay attention. I think, whether we speak of ground forces, air forces, or naval forces, we should take into consideration the totals available, consider our present allies, those who are apt to stand up when the chips are down, and what would be available in each category under a given set of circumstances. I do not think we necessarily have to limit it to what is available in the United States of America alone, assuming that we have allies who are prepared to stand with us. I think the further the Soviet Union moves along toward this condition of atomic stalemate the more apt they may be gradually to move some of our present allies—at least, there is danger of it—from a position of toying with neutrality to a position where they would jump over into the neutrality category.

Mr. DOUGLAS. I am not trying to force a confession from the Senator regarding the wisdom or lack of wisdom of recent military policy, but I think the Senator is in general correct, and, in the light of his own proposition, it seems to me it was a great mistake for us to have reduced the armed strength of our ground forces from 20 to 17 divisions. I think we needed all those 20 divisions, and that the reduction of 3 divisions distinctly decreased our striking power and, therefore, led, by the force of example, to a net reduction in the total fighting strength of the free world. I say that without any reflection upon the motives of those who urged this decrease, but since we shall shortly be passing upon a new military budget, and in view of that fact and in view of the general policy which the Senator from California has, I think, stated very well, I think we should build up our armed defense instead of reducing it. Otherwise we are likely to be lulled to sleep.

Mr. SYMINGTON and Mr. FULBRIGHT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from California yield; and if so, to whom?

Mr. KNOWLAND. I yield first to the Senator from Missouri; and then I shall yield to the Senator from Arkansas.

Mr. SYMINGTON. Mr. President, I congratulate the distinguished majority leader upon his talk this afternoon, which I look forward to studying. No one has been more interested in the national security of the United States since I have been in the Government than has the distinguished senior Senator from California.

Does not the Senator from California believe that as things are now going, this country is, or shortly will be, in the same relative strength as against the Communists as the British found themselves to be against the Nazis in the late 1930's?

Mr. KNOWLAND. I think there is that danger, which neither the Government nor the people of the United States dare ignore, except at their peril.

Mr. SYMINGTON. I thank the majority leader. Will he further yield?

Mr. KNOWLAND. I yield.

Mr. SYMINGTON. With reference to the question of new missiles, atomic mutations, we now are at the point where, so far as I know, all distinguished military leaders believe it would be possible to almost destroy a country within a matter of hours or days. If that be true, would not the distinguished majority leader agree that we must now prepare differently than we did before? Previously we prepared, supported by the two oceans, to win a long war, if such a war was forced upon us.

In that any future war will entail tremendous original destruction, would not the distinguished majority leader agree that we must be so strong in the future that we can prevent any war, instead of trying to be in the old position of being able only to win a long war?

Mr. KNOWLAND. I think the Senator from Missouri is correct because it is entirely possible that when we approach the position of a so-called atomic stalemate, and recognize the utter ruthlessness of the men in the Kremlin, it is possible that the decisive phase might end within 10 days.

Mr. SYMINGTON. In other words, the only chance we have, unless we believe in the good faith and sincerity of the Communist leaders, is to have them

know, if they attack us in this atomic age, regardless of the effect of their atomic attack, we will be so strong that we can get up and in turn destroy them.

Mr. KNOWLAND. That is essential; but I think also it is essential that they be not allowed to expand their present strength to the point where they will have such overwhelming numbers in manpower and resources that they can attack with calculated risk.

Mr. SYMINGTON. Recently I read an article signed by a reputable reporter in a reputable newspaper which said that with respect to the policies of this country vis-a-vis Communist China and Formosa, the Secretary of State and three members of the Joint Chiefs of Staff felt one way, while the fourth member of the Joint Chiefs felt another. The later decision made by the President was to go along with the fourth member.

I do not know if that article is entirely correct, but I do know it was from a reputable reporter—and it said the reason for the opinion of the fourth member of the Joint Chiefs, with respect to not going ahead with a more positive policy, was that the United States Army was too weak to adopt such a policy.

Would not the distinguished majority leader agree that if it be true our Army is too weak to go ahead with what the other three members of the Joint Chiefs of Staff thought proper policy, the situation is indeed very serious, and is one which Congress should face promptly during the next session?

Mr. KNOWLAND. If all the facts in the article were correct—and I am not at this point prepared to say that they were or were not correct—and if the weakness in the ground force was not made up by other strength available in ground troops, I would say the premise of the Senator from Missouri was correct. But I should want to have more facts than I presently have, based upon a newspaper article.

Mr. SYMINGTON. May I send the article to the Senator?

Mr. KNOWLAND. Yes.

Mr. SYMINGTON. Mr. President, will the Senator yield further?

Mr. KNOWLAND. I yield.

Mr. SYMINGTON. Many people have spoken about the reduction in the appropriation for the Air Force, in 1953, of more than $5 billion, this against the position of the Joint Chiefs of Staff at that time. But few people realize that in 1954 the appropriation for the Army was reduced from some $12.8 billion to some $7.6 billion, which also represents a cut of more than $5 billion.

Mr. KNOWLAND. Again, would not the Senator from Missouri agree, in that regard, that it would depend on where the cuts were made as to what the end result in firepower was; whether the cuts were primarily in service troops or PX troops, or whether they were in combat troops for frontline duty?

I am certain the distinguished Senator, who served as Secretary of the Air Force, rather than as Secretary of the Army, was thoroughly familiar with all branches of the service, and knows that for a good many years there have been many more troops supporting frontline troops than is customary in other countries, and certainly far more than the Soviet Union has in the same category.

Mr. SYMINGTON. I thank the Senator.

As a result of a talk made recently in Miami by the Chief of Staff of the Army about the strength of the Army—and I thought it a very fine talk—I am worried about the strength of the Army.

Just before Korea, in line with the recommendations of the Bureau of the Budget, the final military appropriation was under $15 billion. After Korea, within 2 years, we were appropriating more than $60 billion.

The last administration recommended some $40 billion. That amount was cut in the first year of the present administration to $33 billion plus; then, as a result of the 1954 action by this Congress, to $28 billion plus.

It seems to me that if we are to be effective in our diplomatic policies, which the distinguished majority leader has followed closely and with profound thought, we must negotiate from a base of military strength with that premise.

Mr. KNOWLAND. I may say at this point, if the Senator will permit me to do so, that I fully agree that the Soviet Union will only recognize strength; and to negotiate from any basis other than strength would be to invite diplomatic, if not military, disaster.

Mr. SYMINGTON. I thank the majority leader. Will he yield for a final question?

Mr. KNOWLAND. I yield.

Mr. SYMINGTON. With the premise which the Senator from California has so ably presented in his remarks, and with the premise of the figures stated, before we approve recommendations from the military this time, should we not give full consideration to what negotiating from relative weakness as against relative strength means to the future security of the country?

Mr. KNOWLAND. I think the responsible committees of the House and Senate as rapidly as possible should go into these matters, and certainly everything should be done, considering what I believe to be a present and imminent danger, to be certain that we are operating from a position of strength.

Mr. SYMINGTON. I thank the Senator.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. FULBRIGHT. I, of course, agree that adequate military preparation is essential. But I wonder why the Senator feels that under what he calls coexistence and atomic stalemate the Communists are bound to win. What leads the Senator to that conclusion?

Mr. KNOWLAND. Reviewing again the remarks made, I think the problem is that there has been no indication that the Communist leopard has changed his spots. If that be correct—and I happen to believe it is, although I realize that men may honestly differ on that point—then it seems to me that the evident policy of the Soviet world is to gain a sufficient amount of time so that with the stockpiling of atomic and hydrogen bombs they can achieve what I have called an atomic stalemate. Once having reached that point, then what I believe now to be a clear superiority on the part of this Government and the rest of the free world will have been lost.

At that point, instead of bringing about a condition of peace, I think, to the contrary, there will have been opened up a vast new opportunity for the men in the Kremlin to pursue what I have called a nibbling operation, because at that point, if the free world would not dare to attack the center of the power, which I have termed the body of the octopus, it would limit any action which they might take to the peripheral countries, which, one by one, would be under attack.

Let us take Sweden as an example. Let us assume that the Russian Ambassador went to Sweden and said, "We demand that you yield to our terms to put in a coalition government. Unless you do, we are going to move Soviet forces across the frontier."

So far as the Soviet Union is concerned, it would be able to proceed on the general theory that it would not be attacked on its own home base, and that any resistance offered by the free world would be offered by the sending of perhaps some Air Force elements and perhaps some ground forces to help Sweden. But from the Swedish point of view, Sweden would be limited to fighting on its own territory, perhaps with tactical atomic weapons, rather than strategic atomic weapons, perhaps with old-fashioned artillery, and the normal dislocations of war. So that Sweden would be faced with the prospect of suffering utter destruction, on a purely limited basis, without help in any effort to destroy the fountainhead of aggression. At that point the Government in Sweden might determine that it would rather risk a Communist government in Sweden than to have its land devastated without any hope of ever regaining its freedom.

That is the difficulty faced by such countries. I believe the men in the Kremlin would press their advantage in countries all around the periphery. I believe it would be found that in the neutralist capitals of the world, in the capitals of our allies, and, indeed, even in the United States, persons in the Government might say, "Why should we become involved in a war when atomic weapons might bring destruction to the United States?" I am assuming this would take place at the time of atomic stalemate, when Russia and the United States would be about in the same position so far as atomic weapons were concerned. People would say, "Why should we take that risk for a country which is 10,000 or 15,000 miles away from us?"

Each time the Soviet Union succeeded in one of those peripheral adventures, more and more it would break the morale of the countries on the periphery, so that the next time they would be less likely to resist. In fact, they might even become so paralyzed that they would not even ask for the West to come to their assistance.

Perhaps if the nibbling process were to be so spaced that it would not be too big a challenge to the United States and what was left of the free world, we might find that piece by piece the other na-

tions were being taken away from the free world, so that we would be left with what would be the continental Dien Bien Phu of the rest of the free world.

At that point, when Russia had expanded its manpower, resources, and industrial productivity, having reached the atomic stalemate position, Russia might then determine that it could risk an all-out Pearl-Harbor type of attack on this country, and if we responded in kind we would at least be thoroughly limited to the Soviet Union itself. In the meantime the Soviet Union would have gained the industrial potential, not only of the satellite nations which Russia now controls, but of other nations in Europe as well.

That is a possibility which I think should be given consideration by all persons having positions of responsibility in the legislative and executive arms of the Government, as well as by the American people as a whole.

Mr. FULBRIGHT. I agree with the majority leader that those persons should give consideration to the problem. I had assumed that the present administration had given consideration to it. I know the matter has been very much in the minds of all of us in the Committee on Foreign Relations. It would seem to me, in view of what the Senator from California has said about the atomic stalemate, that he assumes that this country now has superiority, and that he is suggesting that perhaps we should use that superiority by attacking Russia now.

Mr. KNOWLAND. No; I have not suggested that.

Mr. FULBRIGHT. What is the alternative? I cannot see any other.

Mr. KNOWLAND. I think the alternative is for this country to make it clear that we cannot and will not stand for any further Communist expansion, and if Russia makes the challenge of expansion, then I think we must face up to the full repercussions of deciding whether we should merely try to stop Russia on a purely local basis, or whether the body of the octopus should be brought under attack.

Mr. FULBRIGHT. If I may pursue for a moment the question of expansion—the Senator from California realizes that Russia can expand by ways other than overt military aggression. I think we have made it fairly clear in Korea that we would not stand for any overt aggression. The policy was made clear to the world that we would not stand for any Communist overt aggression.

Mr. KNOWLAND. If the Senator will permit me, I should like to interrupt at that point. I repeat that I do not wish to get into a partisan discussion of the question, because it is too big a problem for that. People may honestly differ on the question, about what should have been done, and I know many persons who held positions of responsibility under the last administration felt the same way, but I say most respectfully that I think one of the great mistakes in history may have been that we limited our action to Korea, did not make use of the effectiveness of our strategic air arm, and left the munitions centers, the arsenals, the troop concentration points, the rail networks, and the supply depots which were just across the Yalu in a sanctuary. We limited our activity to the area between the Yalu and wherever the point of combat happened to be, whether it was at the 38th parallel or at the Pusan perimeter.

I am sure none of us want to see our country engaged in war, but in my opinion we must determine our policy. This is something which the people of the United States, as well as the Congress and the Executive, must think out well in advance. We must not have a policy which will engage us in a series of peripheral wars, limited entirely to countries which are the victims of aggression, whereas the aggressor could maintain himself in privileged sanctuaries, whether they were in Communist China or Communist Russia.

Mr. FULBRIGHT. The point I was trying to make was not as to the policy or strategy we should adopt. We certainly gave a warning to the Soviets about the adoption on their part of a policy of overt aggression. The problem that concerns me so much is that there can be expansion by other means than by aggression, such as winning an election, or subversion in neutralist countries, if one likes that term, which is the term used by the majority leader, or anywhere else where people have not made up their minds. I guess "neutralist" is as good a word to use as any. Such a policy as has been proposed would not reach people in those countries at all, and I think many persons feel there is a greater danger of Soviet expansion in that manner than there is of overt military expansion by force.

Mr. KNOWLAND. I think the danger exists in both categories. For instance, Czechoslovakia is just as much behind the Iron Curtain, although she was taken over by the Communists by a coup d'etat, even though the Communists did not comprise as much as 20 percent of the population, if that much, as if Russian divisons had crossed the frontier and seized the country. I happened to be in Czechoslovakia just before that country lost its freedom. The pattern that was followed there was exactly the same pattern that had been followed earlier in Poland. In order to intimidate the people of the country, the Soviet Union had had maneuvers of their armored divisions along the Czechoslovakian-Polish frontier. Russia did not move a single tank across the frontier, but at precisely the time the local Communists were taking over Russia was holding maneuvers, and the clear intimidation and blackmailing effect of those maneuvers were that if the local Communists did not succeed in their coup d'etat the Communist forces would be prepared to move in and take over.

So I quite agree with the Senator from Arkansas that subversion from within may destroy freedom just as much as may aggression from without. I do not know that we have the final answer to that question, but I think we must face up to the problem. Otherwise we could lose all the countries on the periphery by the same method.

Mr. FULBRIGHT. It seems to me it would be unwise to leave the impression that we would favor engaging in a so-called preventive war, because that would be disastrous to our relations with the rest of the world.

Mr. KNOWLAND. No; I think there is a difference between a preventive war and an act whereby a nation, without justification, without an act of aggression having been committed against it, engages in a Pearl Harbor type of attack. I think there is a big difference between the latter and saying that the Communists cannot expect to have the hands of the free world tied with an assurance that if an aggression is committed by the Communists, our actions will be limited to the ground or territory of the victim of the aggression. We might or might not determine that it was in the interest of maintaining a free world of freemen to take certain other action. Certainly we would not tell them in advance what the action would be. But Russia should not be allowed to proceed with any other aggression, either direct or indirect, with any feeling of security that our counteraction would be limited to the victim of the aggressor.

Mr. FULBRIGHT. I was under the impression that that was the policy of the present administration. That is what I understood the Secretary of State to mean when he talked about massive retaliation. It was with regard to any further overt aggression.

Mr. KNOWLAND. Yes; but the Senator from Arkansas was not referring to overt aggression. I think the picture as regards overt aggression has been made fairly clear. The Senator had departed from the picture of overt aggression and had begun talking about subversion from within. I had said that a country could lose its freedom just as much by subversion from within as by overt aggression from without.

Mr. FULBRIGHT. I do not quite understand the Senator. Would he go any further than the present administration's policy, expressed by Secretary Dulles—I assume with the approval of the President—with regard to the matter of massive retaliation? Perhaps the Senator does not like that term. I understood the Senator to refer to a policy of warning potential aggressors that if any further aggression occurred we would hit them with our atomic bombs. Would the Senator go any further than that?

Mr. KNOWLAND. Not unless they read into the statements of Mr. Dulles the interpretation that we would translate "massive retaliation" into atomic warfare. I do not think that necessarily follows. I think we will take whatever steps are necessary in the national interest, and to make sure that this Nation does not lose its freedom and that we do not lose the free world. But we do not necessarily use an elephant gun in hunting rabbits. I think it all depends on what the situation is and what the determination of the Joint Chiefs and the responsible authorities is.

The only point I have been making is that among some people abroad—and it

may be true also of some in this country—there is the impression that a condition of peaceful coexistence will guarantee, in effect, a period of peace with the Soviet Union, or that a period when there is an atomic stalemate will assure that there will be no further Soviet aggressions. I merely wish to point out for the consideration of the Senate and the country that that will not necessarily mean that Soviet aggressions will stop at that point. On the contrary, I think it will open up to the Soviets an entirely new series of potential aggressions to which we must face up. We must not be living under the false impression that that period will bring about a number of years of peaceful coexistence.

Mr. FULBRIGHT. On the other hand, if we concentrate all our efforts on the military, to the exclusion of the other steps, and the Soviets should be smart enough not to engage in military expansion, but undertake expansion through peaceful means, such as a so-called point 4 program, we would be in a bad way. I understand they are now adopting our idea of the point 4 program, and offering to do the things we did under point 4 in many nations. If they do that, it seems to me that we shall be in a very bad way without any war at all.

Mr. KNOWLAND. It all depends. I think, as I stated earlier, that we have not necessarily yet found the solution. I do not think the previous administration found it. Perhaps this administration has not found out how to meet the problem of internal subversion.

Various suggestions have been made. I do not know that anyone has the complete solution. One policy we have followed is that, regardless of aggressions, for example, upon our planes or in certain other directions, we would still continue our normal diplomatic relations with the countries committing the aggressions. I think that policy ought to be reviewed.

The argument made is that if we withdraw our Ambassador and send the Communist Ambassador home, so far as our Ambassador is concerned, we would lose a window in the other country. I think that factor must be weighed against the fact that the Communist embassies in our country, and in other countries of the free world, as has been shown by the Guzenko case in Canada, and as has been shown by some of the espionage cases in our country, are used as centers of espionage. So I think the breaking off of relations would be of greater disadvantage to the Soviets than to us. However, that is an arguable point.

Secondly, I think there is a certain amount of restlessness within a number of the satellite nations. It would certainly be to the advantage of the free world if those satellite nations could break away, one by one, from the Communist orbit. It might well be that with the breaking of relations with some of the nations which have given us ample reason for breaking relations, we would instill hope in the hearts of the once free people of Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, and other countries, that someday they might again be free. Regardless of whether or not some people believe that recognition places the stamp of approval on a government, nevertheless, it does in fact give them a certain standing and prestige which the withdrawal of recognition would remove. It would have the reverse effect.

For that reason I think we must examine our entire policy and determine whether we are to sit back and do nothing in that regard, or find some new formula to help to resist the constant encroachment of the Communist world.

Mr. FULBRIGHT. I thank the Senator.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. LEHMAN. I cannot possibly conceive of this country engaging in a preventive war. But if the prediction made by the distinguished majority leader, to the effect that during the next few years we shall reach an atomic stalemate, is correct—and I have no doubt that it is—will he not agree with me that we cannot afford to wait, in regard to making adequate provision to strengthen ourselves and our allies, until the time of that atomic stalemate arrives?

Mr. KNOWLAND. I quite agree with the Senator that the entire subject must be reviewed in the light of the present danger, and the potential dangers which confront us.

Mr. LEHMAN. Mr. President, will the Senator yield for another question?

Mr. KNOWLAND. I yield.

Mr. LEHMAN. The Senator has stressed the pressure to which the peripheral nations may be subjected as a result of this atomic stalemate, or even before that stage is reached. Will he not agree with me that the very drastic reductions we have made in appropriations for the Air Force, for the Army, and possibly for the Navy, thus reducing our proposed air strength from 143 wings to substantially less than that, reducing our ground forces from 20 divisions to 17 divisions, and reducing our naval strength, must serve as a very great discouragement to the peripheral nations and the nations behind the Iron Curtain, as well as to our allies? Will he not agree that these actions on our part help inspire the belief abroad that we are not going to be strong enough to deal from strength, and that we are willing now to accept a position of weakness in dealing with the Soviets?

Mr. KNOWLAND. That would depend upon what the full facts were. For instance, I think we could have a lesser number of wings and still could have a stronger bombing potential, so that 1 or 2 planes could do what 150 or 500 planes might have done during World War II.

So far as the Army is concerned, I think it would depend upon what the situation was in regard to the firepower of the artillery, the infantry, and the armored divisions, in relation to the firepower previously existing, and whether some of the reductions had largely been in the supply forces and in the behind-the-line troops, and whether we could improve that situation, so we would not need as many men behind the lines, supporting the men in the front lines. I think we need to take all those factors into consideration.

I believe we have to consider what in the way of airpower we have, not only in the other services—the Navy and the Marines—but also among our allies, in terms of the common contribution, just as we have to consider what potentials there are in ground forces both in Europe, Asia, and the Americas.

Of course, all those things have to be taken into consideration before a categorical answer can be given to the Senator from New York. But I believe the overall strength needs to be maintained. We might have the desired strength; but if as a matter of national policy the American people were not prepared to support the use of that strength, even after having doubled its amount, that strength on our part would not necessarily constitute a restraining influence upon the Soviets.

Mr. LEHMAN. Mr. President, will the Senator from California yield for another question?

The PRESIDING OFFICER (Mr. HICKENLOOPER in the chair). Does the Senator from California yield further to the Senator from New York?

Mr. KNOWLAND. I yield.

Mr. LEHMAN. Will not the majority leader agree with me that there should be a careful reappraisal—on a bipartisan basis—of the results of the cuts in the appropriations for our military from $40 billion to, I believe, less than $28 billion in the past 2 years, involving a cut in our Air Force, from 143 wings to a lesser number, and a cut from 20 divisions to 17 divisions in our ground forces?

Mr. KNOWLAND. Of course the Senator from New York is making a statement that I would not wish to be understood as accepting. I believe it depends in both instances on whether we are taking about paper wings or wings actually in being. I think the Senator from New York will find that the proper congressional committees, including the Armed Services Committee, the Foreign Relations Committee and the Appropriations Committee, can delve into the question of whether there has been an actual reduction in firepower, or whether some of the reductions have been in types of planes which could very well be done without while we were concentrating upon building up the wings in being in both the tactical and the strategic air arms.

So the mere fact that there has been a change in the so-called paper wings does not necessarily mean—although I do not wish to argue the point now—that there has been a reduction in striking power.

Mr. LEHMAN. I suppose there is logic in what the majority leader has said. But from all the reports I have received in the past 2 or 3 years, I judge there has developed a very definite gap between the military strength of ourselves and that of Russia. I am not talking now about atomic strength; I am talking about the air forces and the ground forces.

I have also been told by excellent authority that this gap has actually widened instead of being narrowed, within

the last year or two. I wonder whether the Senator from California can give me any information on that subject.

Mr. KNOWLAND. No; I am not in a position to do so at this time.

Mr. LEHMAN. I thank the Senator from California.

Mr. SALTONSTALL. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. SALTONSTALL. In the interest of trying to be helpful in this connection, I should like to say that a reduction from 143 wings to 100 wings has not actually occurred; it is not correct to say there has been such a reduction. In my opinion the reduction is from 143 wings to an ultimate goal of 137 wings. Furthermore, there is a difference in the spread of those wings. For instance, some of them are training or transport wings that can be eliminated.

Actually, the number of wings in existence last July, when I last checked the figures, was greater than the number we had a year before, and at least as many as were contemplated by the previous administration at that time.

I may also say to the Senator from New York and the Senator from California, that when the Senator from New York says we have reduced our ground forces from 20 divisions to 17 divisions, that statement also is not strictly correct, because not included in those divisions are the so-called combat teams, which, as I understand, are composed of artillery, infantry, aircraft, and so forth, and are in addition to the 17 divisions. Of course, we are equipping the 20 divisions that are in Korea today, and are composed of Koreans. So, strictly speaking, we have not reduced the size of our Army to the extent that the statement of the Senator from New York would seem to indicate, when he referred to a reduction from 20 divisions to 17 divisions.

I should like to ask a question of the Senator from California, who formerly was a member of the Armed Services Committee: Is it not true that it will always be impossible for us to have as large a standing ground force as the Russians have? What we have to depend upon and what we need so badly today is an improved Reserve training program. Is it not equally true that the President of the United States has stated to the American Legion that in January he intends to submit to Congress, as one of the first measures he will suggest at the new session, a bill calling for a Reserve training program? I ask that question because at five different times last year I, as chairman of the Armed Services Committee, tried to get such a program submitted, but those in authority could not get together on a recommendation or plan.

Mr. KNOWLAND. Of course, an adequate Reserve program is essential because neither our economy nor our general history and tradition would support, nor would we wish to support, an army in being as large as the army the Soviet Union has. We would immediately have to curtail our production of planes, tanks, equipment, and so forth, to the extent required to keep any such force mobilized.

So I believe we need an adequate and efficient Reserve training program, and I think we need equally as much to consider the contributions of our several allies.

As the Senator from Massachusetts well knows, when the so-called ROK divisions—the divisions of the Republic of Korea—had proper training and proper equipment, they turned out to be among the finest divisions that fought in the Korean war. Certainly there is no reason why the troops of the Republic of Korea, in the defense of their own country, should not be equipped and trained to protect their own country, and certainly there is no reason why we necessarily should have to tie up 2, 5, or 10 United States divisions in Korea.

A similar situation exists in other areas of the world. I believe that the other nations, our allies, could themselves supply many divisions for the cost of equipping and maintaining one United States division. For instance, it has been estimated that anywhere from 10 to 15 Korean divisions can be equipped for the cost of equipping 1 United States division. A similar situation exists in the case of certain other countries, although perhaps not in so great a degree. Certainly our allies and associates should be prepared, in the common defense, to carry their fair share of the burden.

Mr. SALTONSTALL. Mr. President, I should like to ask one more question, and perhaps make a brief statement, also. What the Senator from California says about the Reserve training program is true; and I believe that the enactment of a measure bringing about such a Reserve training program is the most fundamental legislative improvement that lies within our power today.

Second, of course, we should reappraise, every year, the appropriations for our military equipment.

The other question I should like to ask the distinguished majority leader is this:

The former chairman of the Joint Chiefs of Staff, Gen. Omar Bradley, made a statement which has always appealed to me. He said that if we are to send ground troops into any situation, we should choose, to the best of our ability, where those ground troops are to go, and not be forced to send them somewhere as the result of action taken by some other country. I assume that is the same feeling which motivated General Ridgway in his testimony. I believe such a concept is fundamental to our future security. We should keep our ground forces mobile and send them to places of our own choosing.

Mr. KNOWLAND. I believe that statement is correct. However, we should understand that making that statement does not solve the problem, as I am sure the Senator did not mean to imply. For example, I believe it to be entirely sound policy to withdraw American divisions gradually from Korea and to replace them with Koreans in the defense of Korea. In that way the American divisions can be put into a mobile reserve.

I believe the same policy should be followed in Japan and in other areas of the world.

However, it is not possible precipitantly to withdraw those divisions unless at the same time we make sure that the withdrawal of the troops does not in and of itself encourage Soviet aggression. That is why I believe the policy of building up the ROK divisions in Korea is a necessary corollary to the withdrawal of American troops.

Mr. SALTONSTALL. I had in mind sending our troops into some places, such as the Senator from Arkansas and the Senator from Missouri mentioned.

Mr. KNOWLAND. I quite agree that neither in our military policy nor in our foreign policy should we be placed in the position of merely reacting to Soviet moves, and to make it possible for them by their moves to determine what we will do, because that in effect would make us a captive of their policy. I do not believe that we should do that.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Mr. President, I appreciate very much the distinguished majority leader's frank approach, as always, to these troublesome problems. I am not sure that I fully comprehend all the implications that may flow from the distinguished Senator's statements.

I have not had an opportunity to study his words. I shall certainly do so during the evening. I do wish to ask a question of the distinguished majority leader.

First, I wish to say that I share the Senator's very deep concern about the state of our Nation's defenses and about the necessity of our negotiating from a position of strength. As the Senator will recall, many years ago we were among 6, 7, or 8 Members of the Senate who insisted that adequate funds be appropriated to maintain what we considered to be our essential defenses.

With reference to the present time, what does the Senator believe we should add to the proclamations already made by the President and the Secretary of State insofar as warning Russia is concerned? Would he extend those proclamations? Would he go further?

At this time, does he believe that we have not studied the situation enough? Would he precede any announcement with a study, or would he make the announcement and then make the study? Would the Senator elaborate on that point?

Mr. KNOWLAND. I would say to the Senator from Texas that what I primarily had in mind in the remarks I made today was that throughout the world there has been an obvious development in the thinking of some of our allies and some of the neutral countries that the doctrine of peaceful coexistence, merely because it has been expressed by the Soviet Union, can be relied on. I believe it to be a wrong premise. I do not believe that we can trust the Soviet Union today any more than we could trust the Soviet Union under Stalin or under Lenin.

I believe the historic Soviet doctrine is still precisely what it was before, and

that is to destroy the free world whenever the Soviet Union has an opportunity to do so. It may take some considerable time. They may try to do it in a piecemeal fashion. They may await for an opportunity when it would be possible for them to do it more aggressively and in a whole-hog fashion. However, I do not believe that their basic policy has changed.

The mere fact that they say "We are now good" does not mean that we should accept that statement at face value. We should not do so, because the Soviet Union has violated every nonaggression pact it ever entered into, including the ones with Finland, with Poland, with Latvia, with Lithuania, and with Estonia, and the agreements with Nationalist China.

Mr. JOHNSON of Texas. What would the Senator from California recommend doing or not doing?

Mr. KNOWLAND. I would say to the Senator from Texas that, first, the administration should, as I hope it will and as I believe it will, call in the leaders of both parties during this session—and such a conference has already been called—and certainly during the next session, when the party of the Senator from Texas will be in control of the Senate and of the House of Representatives, in order to work together on some of the grave problems that face our Nation.

Mr. JOHNSON of Texas. With that recommendation the Senator from Texas is in hearty accord.

Mr. KNOWLAND. Secondly, I believe it is equally important that before some of our friends abroad get the false impression that peaceful coexistence, as the Soviets use the term, or atomic stalemate, when it comes, will mean that they will be free from worry, we should at least point out to them some pitfalls in that policy. I have mentioned some of them today. We should point out those pitfalls before they commit themselves to the policy of the Soviet Union without realizing the full implications of that policy.

Mr. JOHNSON of Texas. I want the Senator from California to understand that I agree with him wholeheartedly in the view that our foreign policy and our military policy need to be reviewed and strengthened.

I merely want to get a little more clearly what his ideas are and what he believes should or could be done. I believe the President has acted very wisely and considerately in arranging for a meeting on Wednesday of this week. I cannot anticipate what that meeting will produce. I am hopeful that some of the things the Senator has mentioned will be placed on the table as frankly as the Senator has placed them before the Senate today.

I am concerned, however, about the distinguished majority leader's statement, if I understood it correctly—I may not have understood it correctly—that he was recommending a study of the subject by committees of Congress at the present session. Is that correct?

Mr. KNOWLAND. No; not necessarily so. I purposely did not say that it should be done at the present session of Congress. However, I do think that time is of the essence. I believe that the year 1955 may be one of the most crucial years in the entire history of our Nation. Actually it may be a year such as faced the Roman Empire at one time, when it had the power to make decisions which might have saved it, but when they passed the "point of no return." From there they were no longer in control of the situation.

Therefore I merely say, on my own responsibility as a Senator, that the problem is of such magnitude and of such importance that there should be no center aisle dividing us in trying to find a solution which will preserve our Republic and make it possible for us to hand it to our children and grandchildren as strong as we received it from those before us. That is basically what I am trying to say.

Mr. JOHNSON of Texas. I commend the distinguished majority leader for that statement. I certainly share his viewpoint on the necessity for uniting all America in a common determination to preserve our country.

I assume, then, that the majority leader does not contemplate any unilateral study of the subject by Senate committees during this special session of the Senate?

Mr. KNOWLAND. No; I do not have that in mind. Of course I have no doubt that I am not the only one who has been worrying about this problem. At least I have expressed a point of view I wished to get before the Senate while the Senate was in session at this time and while we are preparing for the next session of Congress, as well as while distinguished representatives of foreign countries are visiting us.

In that way at least some thought will be given—as I know it is being given—in various countries, and by the public as a whole, to the question of what the full implications of the so-called policy of peaceful coexistence and atomic stalemate may mean.

Mr. JOHNSON of Texas. Mr. President, I wish to thank the distinguished majority leader for the frankness of his statement this evening. I now have a much clearer view about the plans for this Senate session than I had when he began to deliver his statement because I thought the implication of a recommendation for study meant that perhaps the committees would start on this problem while we are trying to pass on the pending resolution. I certainly hoped the majority leader did not feel that the matter was of sufficient urgency to displace the pending business.

Mr. KNOWLAND. No. I will say to the Senator from Texas that I had no such intention. But I wish to point out that while we have 96 Members from 48 States engaged in the consideration of a matter which is of some importance to the Senate, other vital questions which may affect the life of the Republic are still arising in the outer world, and I hope that we will not become so deeply engrossed in the pending resolution that we will lose sight of other important matters.

Mr. JOHNSON of Texas. I commend the Senator for bringing the matter to our attention, and I also congratulate him for not intending that the present business be set aside.

I think the most important job the 84th Congress will have is not only to examine and attempt to strengthen our foreign policy to give this Nation the initiative, but to be sure that the people of this country, as far as possible, are united behind our foreign policy. I think it is extremely urgent that we reexamine our defense policy and our military strength. It is my personal view that it will be absolutely necessary, in view of what the Senator has said, and in view of what we know to be the facts, to make this Nation as strong as is possible. I am afraid that today we are weaker than we should be.

I know, from my experience with the Senator in our respective leadership roles and on the Armed Services Committee and the Appropriations Committee, that this is not an issue that will be determined by partisan considerations. We all love this Nation, and we are going to march forward together and attempt to make this country so strong that no one will dare attack it.

Mr. KNOWLAND. I thank the Senator.

Mr. FERGUSON. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield to the Senator from Michigan.

Mr. FERGUSON. Mr. President, I appreciate what coexistence means. I have always thought that a cartoon I once saw showing a birdcage containing a fat cat and with no bird in the cage was an indication of what would happen under coexistence.

Mr. KNOWLAND. When I was in China in 1949 and was at Chungking the day before the Communists took that capital, one of the elder statesmen of the Republic of China said to me, "You know, Senator, we have an old expression in China that you cannot have coalition or coexistence with a tiger unless you are inside the tiger."

Mr. FERGUSON. That is the same idea which I expressed. But my question is this: I was under the impression that the Defense Department and the administration were studying our military situation from day to day and had made announcements. I think the settlement which was made in Korea was an indication of what we could expect if no determinations were reached.

Does the Senator wish to leave the impression that the administration today is not studying the questions which have been raised not only from the military angle but from the State Department angle?

Mr. KNOWLAND. Oh, no. I hope the Senator will read no such implication into my statement, because I am sure that almost daily the Joint Chiefs of Staff are sending papers to the Security Council, and the Security Council, under its responsibilities, is making determinations dependent on what happens in the world and what changes have taken place. But in the past several weeks there has seemed to be a growing feeling in the capitals of Europe that once they accept the Soviet theory of coexistence it will solve the problem; that that may make it unnecessary finally to rearm Western

Germany; that the Soviet Union then is going to change from a lion to a lamb, and is going to be easier to get along with. I do not happen to "buy" that theory. I think we are going to see an increasing opinion being built up in some of the capitals of Europe and in some of the neutral nations, such as India, that if we would only accept the Soviet commitments and words at face value we could live in security and without fear of the possibility of an overt aggression from without or subversion from within. It is for that reason that I felt it was important to make the statement which I have made.

Mr. FERGUSON. I am glad to have that answer, because I feel we are doing our job on a daily basis with reference to the problem. I share the view that some nations are not aware of what penetration by communism can mean.

I think that in the near future one of the jobs of America, of this Congress, and the administration, is to create in the minds of leaders of other nations, our allies, an awareness of what can be accomplished by the penetration and infiltration of communism, and what would follow under the so-called definition of coexistence. It would take them all over, and we might stand alone if they do not realize that Communist penetration and infiltration are a means of destruction. I understood that the treaty with reference to the South Pacific, which we are now studying is an indication that we recognize two forces, one, military, and the other, which is of great importance, that of penetration and infiltration.

Mr. KNOWLAND. I may be mistaken, but as a matter of fact, I think the Manila pact is the first pact in which the free nations of the world ever sought to meet specific problems dealing with internal subversion and realized the importance of consultation together in the event of subversive activities in any of these nations affected.

Mr. FERGUSON. I think the sixth section of the Rio pact is framed in almost the same language.

Mr. KNOWLAND. That is correct.

Mr. FERGUSON. I wanted to have the RECORD clear as to the Senator's thinking on that point.

Mr. SYMINGTON. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. SYMINGTON. With reference to the joining of the question of adequate armed strength and preventive war, does not the Senator from California agree that the way to prevent any war is to have adequate military strength?

Mr. KNOWLAND. I think the best chance we have of maintaining the peace of the world is to keep ourselves and our associates in the free world so strong that the very realistic men in the Kremlin will figure that their calculated chances of winning are so much less than their chances of losing that they will not precipitate a war or encourage any of their associates to precipitate a war. I think the greatest danger to peace is to operate from a position of weakness so that the contrary would be true, that they would figure their calculated chances of winning were much greater than their chances of losing. That would be our hour of greatest danger.

Mr. SYMINGTON. In other words, is not adequate military strength one of the greatest ways of preventing any war?

Mr. KNOWLAND. I am certain the Senator from Missouri agrees with me that it is not only necessary to maintain military strength, but also economic strength to support the military strength.

Mr. SYMINGTON. I do agree.

Mr. KNOWLAND. But keeping in mind national strength in all of its broad aspects, we must maintain a strong America and a strong free world.

Mr. SYMINGTON. In other words, in the search for peace, it is of the utmost importance to have adequate military strength; is it not?

Mr. KNOWLAND. That is correct. There is no question about it.

Mr. SYMINGTON. I do not know whether the majority leader is acquainted with the recent bipartisan report of the National Planning Association, which says America could spend more than $10 billion additional on military strength and, at the same time, increase our standard of living and reduce our taxes. It says we probably could spend $20 billion more and do the same thing; that we would only get into trouble if we got up to around $33 billion more.

Does not the majority leader agree that we must have whatever is necessary for adequate military security, as we face the great and growing dangers of Soviet communism?

Mr. KNOWLAND. When we live in a world in which if there is any relaxation on the part of the free nations we shall have our jugular vein cut, we must maintain alertness and strength.

Mr. SYMINGTON. I thank the distinguished majority leader. Achieving what might be called a policy of strength through weakness, which has resulted in——

The PRESIDING OFFICER. What is the parliamentary situation? Has the Senator from California yielded the floor?

Mr. KNOWLAND. I assumed that the Senator from South Dakota wanted the floor.

The PRESIDING OFFICER. Does the Chair understand that the Senator from Missouri is speaking in his own right, after the Senator from California had yielded the floor?

Mr. KNOWLAND. I thought I had yielded the floor.

Mr. CASE. Before the Senator from California yielded, I hoped he would yield to me, merely to permit me to ask unanimous consent for certain insertions in the RECORD.

Mr. SYMINGTON. May I address one more question to the majority leader?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Missouri?

Mr. KNOWLAND. I have no desire to hold the floor, but, as a courtesy, I yield to the Senator from Missouri. Then I shall be glad to yield for insertions, following which I shall be prepared to move that the Senate recess until 11 o'clock tomorrow morning.

Mr. SYMINGTON. I thank the majority leader for his typical gracious courtesy.

It seems to me that this policy of strength through weakness, which has resulted in reducing appropriations for our national defense somewhere between $11 billion and $12 billion, is one which seriously affects the future security of the United States. It also affects adversely any chance of handling what the majority leader, in his fine talk this afternoon, has presented as a problem for the United States.

I agree with our distinguished minority leader, when he said that the most important problem to come before the Senate at the next session will probably be what we must do to negotiate from a position of strength. We must negotiate our diplomatic problems from a position of military strength as against weakness if the former are to be taken seriously by any possible enemy.

Mr. HUMPHREY. Mr. President, I desire to ask 1 or 2 questions of the Senator from California. I did not have the opportunity to hear all of the Senator's comment, but I gathered the burden of his remarks, for which I commend him.

I ask the Senator, first, if it is not his belief that the present developments in Soviet foreign policy, in respect to what might be termed a softer attitude or a more conciliatory attitude, so far as Western Europe is concerned, and even the United States, as well, relate directly to the integration of the forces of West Germany into the whole Western Defense Community?

Mr. KNOWLAND. I think it is purely a tactical move in the long-term Soviet strategic objective.

Mr. HUMPHREY. Is it not to be borne in mind that while there seems to be, on the surface, a lessening of the tensions in certain areas of Europe, nevertheless, while that is going on there is gross violation of the truce agreements in Korea and in Indochina? For example, in Indochina, where there is supposed to be a free movement of people between the Red- or Communist-controlled area and the rest of Vietnam, the movement literally has been stymied, and despite the protests of the truce commission nothing has taken place in respect to the protests.

Mr. KNOWLAND. I have likewise been concerned with the violations of the armistice and truce agreements in both Korea and Vietnam. At the meeting of the Committee on Foreign Relations, when Mr. Dulles appeared before the committee to give some preliminary testimony on the Manila pact, I specifically asked that the Committee on Foreign Relations be furnished forthwith with information in the hands of the Government of the United States relative to such truce violations, so that it might be available to the Committee on Foreign Relations.

I again spoke today to the staff of the Committee on Foreign Relations, and asked them to expedite the delivery of that information to the Foreign Relations Committee, and then, if they have subsequent information which they desire to send us, to do that. However, I

am very much concerned about the violations that have been reported to have taken place.

Mr. HUMPHREY. We owe the Senator from California an expression of thanks for his initiative in the matter, because I think it is very important. If I may make one statement, I think what we have to point out for the information of all the people is that while there is an apparent facade of trying to approach understandings between the Soviets and the Western European countries, particularly, we must keep in mind that the policy of the Soviet Union for a considerable time has been one of pernicious attrition, of using truces, armistice agreements, and the philosophy of coexistence to penetrate certain areas without military aggression.

Mr. KNOWLAND. If I am not mistaken, it is a fact, and I think the Senator from Minnesota will recall it, that just prior to the aggression in Korea on the 25th of June 1950, there took place the big Communist-sponsored peace rally, known as the Stockholm peace conference, at which rally statements were made to the effect that everything was going to be peaceful between the Communists and the free world.

There are some people, who have had more and closer experience with the Communists than we have had, who really begin to worry when Communists start talking about peace, fearing that it may be a sign of an additional Soviet move.

Mr. HUMPHREY. Mr. President, I wish to thank the Senator from California.

Mr. KNOWLAND. Mr. President, I now yield to the Senator from South Dakota.

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

Mr. CASE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of a letter which I have written under date of November 15, 1954, to the Honorable ARTHUR V. WATKINS, chairman of the select committee to study censure charges.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE
SELECT COMMITTEE TO STUDY
CENSURE CHARGES PURSUANT
TO SENATE ORDER ON
SENATE RESOLUTION 301,
November 15, 1954.

The Honorable ARTHUR V. WATKINS,
Chairman, Select Committee To Study Censure Charges, United States Senate.

MY DEAR MR. CHAIRMAN: The letter which Secretary Stevens wrote late Saturday, and which you delivered to me yesterday (Sunday) afternoon responding to the questions which I asked him at the conference in your office earlier Saturday afternoon, considered with the material in the two letters which he brought to your office, together with the prior evidence in the matter, convinces me that it would be wrong to censure Senator MCCARTHY on the second count—the Zwicker affair.

Therefore, I shall not vote for it.

You recall that after reading the McCarthy letter which Secretary Stevens brought in Saturday, I asked: "When was the letter actually received?" and, "What consideration was given to it?"

After the conference, I reread not only the testimony before our committee on the Zwicker matter but also the original Peress testimony before Senator MCCARTHY in New York City. That hearing ended in New York City at noon on Saturday, January 30 on a quiet and sort of incidental question by Senator MCCARTHY, "You haven't been asked to resign, have you?"

A short exchange apparently alerted both parties and then a foot race began—by Peress on Monday, February 1, to get immediate action on his discharge, by MCCARTHY to get a court-martial instituted before Peress got out of the jurisdiction of the Army.

Secretary Stevens gives the first positive evidence as far as I know that Senator MCCARTHY's letter of February 1, was delivered to his office by messenger that same Monday, and made known "to the responsible Army staff."

Further, that it was reviewed—presumably against the information which General Zwicker relayed through his immediate superior, Chief of Staff, First Army, New York, the same Monday that Peress had asked for immediate discharge instead of the previously agreed upon date.

Mr. Stevens' reply to my second question is that the McCarthy letter was then reviewed and that "it was concluded that there was no additional evidence to require modification of the prior determination of the Peress case * * * and that the best interests of the United States would be served by his prompt separation."

So, the discharge was executed and Peress was released Tuesday afternoon, February 2. Mr. Stevens arrived in Washington on his trip back from Japan late on the afternoon of February 3.

This proof that an Army staff at the Pentagon did decide to let Peress slip out of their grasp after the issue was directly and timely raised throws into new focus a whole set of dates and events prior to the Zwicker hearing. It goes far toward explaining Senator MCCARTHY's conduct on February 18 when Brigadier General Zwicker, the representative supplied by the Army under wraps was unable to pinpoint the persons responsible for giving more consideration to a request from a false-swearing Communist seeking to flee from the Army's jurisdiction than to a suggestion from the chairman of a Senate investigating committee that "court-martial proceedings be immediately instituted."

Heretofore, the only evidence in our record, as far as I recall, that the issue might have been timely joined before the Pentagon board was Senator MCCARTHY's observation that he made his letter of February 1 public. (Senator MCCARTHY: "I do not recall the date the letter was dispatched. It was made public, as I recall, on February 1." P. 185, printing hearings.)

Why the text of his February 1 letter was not brought to the attention of the committee I do not know, especially since the Stevens reply of February 16 was entered in full. But the reading of Senator MCCARTHY's letter when Secretary Stevens brought it in Saturday afternoon makes clear that the choice was squarely presented to the Army. It is unfortunate that General Zwicker, who took pains to advise First Army Headquarters, next above him in chain of command, that Peress had asked for the speed-up of his discharge should have borne the brunt of Senator MCCARTHY's remarks at the February 18 hearing. We can all agree on that. This new evidence, however, from Secretary Stevens that the letter was actually received and reviewed and a decision reached before the discharge was issued convinces me that formal censure should not rest on the conduct of the chairman of a Senate committee in this instance.

I regret to have to write this letter or to in any way add to the heavy burden under which you are laboring at this time. I am sure, however, that none of us want to do an injustice to anyone.

The whole record, including this new evidence, may appeal differently to other members, but that they all may know how it appeals to me I am sending each of them a copy of this letter—and because of the implications for other Members of the Senate as the issues are being resolved in this affair, I am placing a copy on the desk of each Senator and making it public.

I think we are all indebted to Senator CARLSON for his suggestion last week that we call on Secretary Stevens for further clarification in the whole Zwicker-Peress matter.

With warmest personal regards, I am,
Sincerely yours,

FRANCIS CASE,
South Dakota.

Mr. CASE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD, for the convenience of the Senate, a portion of pages 117 and 118 of the hearings before the Permanent Subcommittee on Investigations of the Committee on Government Operations, part 3, on January 30, 1954.

There being no objection, the portion of the transcript was ordered to be printed in the RECORD, as follows:

The CHAIRMAN. * * *

In case any questions arise, have the record show that the major has the material in his hands and will turn it over to his lawyer and he will produce it.

You haven't been asked to resign, have you?

Major PERESS. Yes, I have.

The CHAIRMAN. Who asked you?

Major PERESS. Colonel Moore. I am not sure of that name. It might be some other name.

The CHAIRMAN. Did you refuse to resign?

Major PERESS. No, I accepted the request. I have a day of termination.

The CHAIRMAN. What date are you due to resign?

Major PERESS. It is no later than the 31st of March, but I can move it up if I so desire.

The CHAIRMAN. You are being given an honorable discharge?

Major PERESS. I haven't been given——

The CHAIRMAN. So far as you know, you are being allowed to resign with no reflection on your record?

Major PERESS. There was no discussion of that.

The CHAIRMAN. Why were you asked to resign?

Major PERESS. They wouldn't tell me the reason.

The CHAIRMAN. Did you ever refuse to resign?

Major PERESS. No, I was never requested to before.

The CHAIRMAN. When were you requested to resign?

Major PERESS. A week ago today.

The CHAIRMAN. In other words, you were asked to resign after you were ordered to appear before this committee?

Major PERESS. I was ordered to come before this committee yesterday morning.

Mr. COHN. That was the first time you had ever been asked to resign?

Major PERESS. The first time was a week ago this morning at 11 o'clock.

The CHAIRMAN. O. K., you may step down.

(Whereupon, the hearing adjourned at 11:30 a. m.)

Mr. CASE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD, for the convenience of the Senate, a portion of the printed hearings of the select committee, on pages 482 and 483, giving the testimony of General Zwicker in response to questions of the chairman regarding requests for discharge having been made by Major Peress.

There being no objection, the portion of the record was ordered to be printed in the RECORD, as follows:

The CHAIRMAN. Did he make the request?

General ZWICKER. Yes, sir; he did.

The CHAIRMAN. What did he say?

General ZWICKER. He made two requests for discharge, Mr. Chairman. The first request was to the effect that he be discharged 60 days after receipt of the order, which would have made it the last day of March 1954.

Immediately subsequent to his appearance before Senator MCCARTHY's meeting, and the morning of February 1, 1954, he came to me in my office and requested then that he be immediately discharged.

I had no alternative, in accordance with the order which is in your hands, but complying with his request for an immediate discharge.

The CHAIRMAN. And that is what you told him you would do?

General ZWICKER. That is right, sir.

The CHAIRMAN. And did you follow through and immediately discharge him?

General ZWICKER. I did. He was discharged on the afternoon of the 2d of February 1954.

Mr. CASE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a portion of page 485 of the printed hearings of the select committee.

There being no objection, the portion of the hearings was ordered to be printed in the RECORD, as follows:

Mr. WILLIAMS. But your testimony is you did talk to somebody on February 1; is that right, about this discharge?

General ZWICKER. Yes, sir; and I will be very happy to clear the whole matter for you——

Mr. WILLIAMS. All right.

General ZWICKER. In very short order.

Mr. WILLIAMS. That is what we want, sir.

General ZWICKER. I called the Chief of Staff, First Army, who is my immediate superior, and informed him that I was going to comply with this directive and discharge Peress because he had so requested as soon as possible.

That is the only conversation that I had with anybody.

Mr. CASE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of a letter dated February 1, 1954, from Senator MCCARTHY to Secretary of the Army Robert Stevens. I might state, as a matter of identification, that this is the letter to which Mr. Stevens replied on February 16. The reply of Mr. Stevens under date of February 16 appears in the printed hearings, but the letter to which it was a response was never presented to the committee and does not appear in the printed hearings. It should have been, in my judgment, and therefore I ask to have it printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON GOVERNMENT OPERATIONS,
February 1, 1954.

Hon. ROBERT STEVENS,
Secretary of the Army,
Washington, D. C.

DEAR BOB: Weeks of investigation by the Senate Investigating Committee uncovered what appears to be very conclusive proof of Communist activities on the part of a major now on active duty at Fort Gilmer. He had been assigned to duty near Yokohama, Japan. However, when he arrived at the port of debarkation, those orders were canceled upon his request and he was subsequently assigned to Camp Gilmer. The only reason given for this change of orders was that his wife and daughter were visiting a psychiatrist whose name he cannot even remember.

There are convincing indications that he has been recruiting soldiers into the Communist Party, that he has attended a Communist leadership school, and that he may have personally organized a Communist cell at Fort Gilmer. He was called before the committeee in executive session and given an opportunity to deny under oath the evidence that he was an active participant in the Communist conspiracy. He refused to answer all questions about his Communist Party activities, e. g., as to whether Communist meetings were held at his home, whether he organized a Communist cell at Fort Gilmer, whether he was successful in recruiting soldiers into the Communist Party, whether he attended a Communist leadership school, whether a Communist helped him obtain a desired change in his orders, and so forth.

The evidence shows that last August the Army submitted to him a questionnaire in regard to his alleged Communist activities and that he refused to answer the questions on the ground that his answers might tend to incriminate him. Nevertheless, a few months thereafter he was promoted to the rank of major. It was only after our committee became active in the case that he was asked to resign. He has indicated that he plans on resigning some time prior to March 31 of this year. Having discussed with you a number of times what I consider a most dangerous and successful penetration of our military by the Communist conspiracy over the past 20 years, I fully realize your great and intelligent interest in this matter and that you realize the danger and are as eager to remove Communists from the military as any one on my committee. It would seem therefore that this offers an excellent opportunity to set an example and to blaze an encouraging and healthy new road in this administration's attempt to fulfill our campaign promise of removing all Communists from Government. I therefore make the following suggestions:

(1) That court-martial proceedings be immediately instituted against the major. It would seem that the very least charge of which he would be found guilty as a matter of course would be "conduct unbecoming an officer."

(2) A thorough investigation by your Department would disclose the names of those responsible officers who had full knowledge of his Communist activities and either took no steps to have him removed or were responsible for his promotion thereafter. They also, of course, took an oath to protect this country against all enemies, foreign and domestic. Aiding in the promotion of or the failure to expose the Communist activities of a fellow officer is a violation of that oath and without question should subject them to a court-martial.

(3) As above stated, when this officer was assigned to a duty stationed at Yokohama, he succeeded in getting those orders changed and being assigned to a duty station in the United States merely on the grounds that his wife and daughter were visiting a psychiatrist. As you and I well know, a vast number of young men with much more aggravated hardship stories of sickness in the family, etc., who request deferment from foreign service are of necessity required to serve their usual time out of this country. In view of his refusal to state whether a Communist aided him in having his orders changed, I would strongly urge a complete investigation, preferably by the Inspector General's Office, to determine who was responsible for the change in his orders and why; again having a court-martial in mind if this were improperly done.

I very strongly feel that prompt and vigorous court-martial proceedings against all those involved in this case of failure to remove, promoting, and obtaining special favors for a man known to them to be part of the Communist conspiracy, can do more than any one thing to serve notice on every other officer in the Army that under your administration of the Army a new day has really dawned in which every officer will be held strictly accountable to his oath "to defend this Nation against all enemies, foreign and domestic," and that a failure to report and take action against Communists will result in court-martial.

I realize that this letter will be interpreted by the leftwing elements of press, radio, and television as "a fight with Secretary of the Army Stevens." Therefore, let me try again to make it clear that I have great respect for you both as an individual and as Secretary of the Army. I feel that you have served tremendously well in a most thankless job.

In closing, let me suggest that if you decide to follow the above suggestions, our committee will be available to help you in every way possible.

Sincerely yours,

JOE MCCARTHY.

Mr. CASE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of a letter dated November 13, 1954, addressed to the Honorable ARTHUR V. WATKINS, and signed by Robert T. Stevens, Secretary of the Army, which embraces the response of Mr. Stevens to certain questions which I put to him last Saturday afternoon.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NOVEMBER 13, 1954.

Hon. ARTHUR V. WATKINS,
United States Senate,
Washington, D. C.

DEAR SENATOR WATKINS: In response to the questions raised by Senator CASE in your office this morning [1] regarding the receipt and processing of the letter from Senator MCCARTHY dated February 1, 1954, I have investigated the records of my office and find that this letter was hand carried to my office sometime during the day on February 1. As you will recall, I had not yet returned from a trip to the Far East on this date. The letter, therefore, was transmitted to Mr. John G. Adams, department counselor, since Mr. Adams had been designated by me to make all contacts with the Permanent Subcommittee on Investigations.

[1] It was about 1:45 p. m. when I was called to Senator WATKINS' office, but I think the Secretary had been there for some period of time prior to that.—FRANCIS CASE.

Mr. Adams made known the receipt of the letter to the responsible Army staff. After review of the letter, it was concluded that there was no additional evidence to require modification of the prior determination in the Peress case which had been based on all the available information known at that time, and that the best interests of the United States would be served by his prompt separation, a matter which was about to be consummated. In view of my imminent return Mr. Adams then decided to delay the preparation of the reply until my actual arrival. I arrived back in Washington late on the afternoon of February 3. I spent February 4 being briefed on matters most urgent to the national defense. Mr. Adams reviewed Senator McCARTHY's letter with me on the following morning, February 5. At that time I directed that a full investigation of the Peress case be made by the Inspector General and initiation of a draft of my reply to Senator McCARTHY, which culminated in my letter of February 16, 1954.

Trusting this is the information desired, I am,

Sincerely yours,

ROBERT T. STEVENS,
Secretary of the Army.

Mr. CASE. Mr. President, I think that makes the record complete. I think all these matters will be of interest to the various Members of the Senate.

RECESS TO 11 A. M. TOMORROW

Mr. KNOWLAND. Mr. President, I move that the Senate stand in recess until 11 o'clock tomorrow.

The motion was agreed to; and (at 6 o'clock and 2 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, November 16, 1954, at 11 o'clock a. m.

SENATE

TUESDAY, NOVEMBER 16, 1954

(Legislative day of Wednesday, November 10, 1954)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Dr. Emory S. Bucke, Nashville, Tenn., offered the following prayer:

Our Heavenly Father, we pray for the spirit of hope in a day when men have lost hope. We pray for faith in each other that we may learn from that faith in ourselves and thus faith in Thee.

Bless this day and all its doings. May we begin it and end it in Thee. May our hearts be humble, but confident in Thee and in Thy way for us.

Guide our Nation, forgive us our sins, and unite us heart to heart in the doing of Thy will, for "Thine is the kingdom, the power, and the glory, forever." Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, November 15, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Capehart	Duff
Aiken	Carlson	Dworshak
Anderson	Case	Eastland
Barrett	Chavez	Ellender
Beall	Clements	Ervin
Bennett	Cooper	Ferguson
Bridges	Cotton	Flanders
Brown	Crippa	Frear
Burke	Daniel, S.C.	Fulbright
Bush	Daniel, Tex.	Gillette
Butler	Dirksen	Goldwater
Byrd	Douglas	Green
Hayden	Kuchel	Potter
Hendrickson	Langer	Purtell
Hennings	Lehman	Robertson
Hickenlooper	Lennon	Russell
Hill	Long	Saltonstall
Holland	Magnuson	Schoeppel
Hruska	Malone	Smith, Maine
Humphrey	Mansfield	Smith, N. J.
Ives	McCarthy	Sparkman
Jackson	McClellan	Stennis
Jenner	Monroney	Symington
Johnson, Colo.	Morse	Thye
Johnson, Tex.	Mundt	Watkins
Johnston, S. C.	Murray	Welker
Kefauver	Neely	Wiley
Kilgore	Pastore	Williams
Knowland	Payne	Young

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER] is absent by leave of the Senate.

The Senator from Oregon [Mr. CORDON] and the Senator from Colorado [Mr. MILLIKIN] are necessarily absent.

The Senator from Pennsylvania [Mr. MARTIN] is absent on official business.

Mr. CLEMENTS. I announce that the Senator from Georgia [Mr. GEORGE] and the Senator from Oklahoma [Mr. KERR] are necessarily absent.

The Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave of the Senate on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The PRESIDENT pro tempore. A quorum is present.

Routine business is now in order.

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—SUMMARY OF PERSONNEL AND PAY REPORTS ON CIVILIAN EMPLOYMENT

Mr. BYRD. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a summary of monthly personnel reports on civilian employment in the executive branch of the Federal Government issued since the recess of Congress in August. The reports were concerned with employment and payrolls during the period June–September 1954, inclusive.

In accordance with the practice of several years' standing, I request that the summary be printed in the body of the RECORD, as a part of my remarks.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Summary of personnel and pay reports, June through September 1954

Total and major categories	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In September numbered—	In June numbered—	Increase (+) or decrease (−)	In August was—	In May was—	Increase (+) or decrease (−)
Total[1]	2,317,565	2,333,894	−16,329	$774,464	$751,688	+$22,776
Agencies exclusive of Department of Defense	1,174,985	1,185,068	−10,083	401,749	392,336	+9,413
Department of Defense	1,142,580	1,148,826	−6,329	372,715	359,352	+13,363
Inside continental United States	2,128,115	2,149,954	−21,839			
Outside continental United States	189,450	183,940	+5,510			
Industrial employment	712,787	713,884	−1,097			
Foreign nationals	384,239	404,083	−19,844	25,452	26,061	−609

[1] Exclusive of foreign nationals shown in the last line of this summary.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during September 1954, and comparison with June 1954, and pay for August 1954, and comparison with May 1954*

Department or agency	Personnel				Pay (in thousands of dollars)			
	September	June	Increase	Decrease	August	May	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	73,293	76,371		3,078	$24,761	$22,005	$2,756	
Commerce [1]	43,657	41,894	1,763		16,734	16,573	161	
Health, Education, and Welfare	35,781	[2] 35,468	313		13,262	12,670	592	
Interior	53,390	56,908		3,518	21,065	19,145	1,920	
Justice	30,716	31,023		307	13,141	12,183	958	
Labor	5,064	5,129		65	2,176	2,102	74	
Post Office	505,621	507,135		1,514	161,845	161,393	452	
State [7]	20,927	[3] 20,427	500		6,829	6,641	188	
Treasury [8]	80,700	80,894		194	31,624	30,480	1,144	
Executive Office of the President:								
White House Office	270	267	3		135	128	7	
Bureau of the Budget	428	419	9		259	238	21	
Council of Economic Advisers	33	26	7		22	18	4	
Executive Mansion and Grounds	65	109		44	21	24		$3
National Security Council [4]	25	28		3	15	15		
Office of Defense Mobilization	283	335		52	179	182		3
President's Advisory Committee on Government Organization	6	4	2		3	2	1	
Independent agencies:								
Advisory Committee on Weather Control [5]	16		16		3		3	
American Battle Monuments Commission	873	878		5	101	102		1
Atomic Energy Commission	6,028	6,200		172	2,961	2,846	115	
Board of Governors of the Federal Reserve System	567	573		6	259	247	12	
Civil Aeronautics Board	535	540		5	279	268	11	
Civil Service Commission	4,178	4,384		206	1,732	1,733		1
Commission on Intergovernmental Relations	57	42	15		29	19	10	
Committee on Retirement Policy for Federal Personnel [6]		7		7		5		5
Defense Transport Administration	20	26		6	12	16		4
Export-Import Bank of Washington	133	133			72	70	2	
Farm Credit Administration	1,100	1,101		1	507	485	22	
Federal Civil Defense Administration	594	709		115	356	356		
Federal Coal Mine Safety Board of Review	8	8			3	4		1
Federal Communications Commission	1,105	1,146		41	547	535	12	
Federal Deposit Insurance Corporation	1,078	1,017	61		466	434	32	
Federal Mediation and Conciliation Service	358	363		5	233	214	19	
Federal Power Commission	644	661		17	324	310	14	
Federal Trade Commission	593	596		3	314	304	10	
Foreign Claims Settlement Commission [7]	228		228		105		105	
Foreign Operations Administration	5,784	5,858		74	2,502	2,270	232	
General Accounting Office	5,840	5,920		80	2,428	2,321	107	
General Services Administration [8]	25,972	26,769		797	8,141	8,304		163
Government Contract Committee	12	12			5	4	1	
Government Printing Office	6,823	6,848		25	2,846	2,686	160	
Housing and Home Finance Agency [8]	10,597	10,715		118	4,633	4,382	251	
Indian Claims Commission	14	14			9	9		
Interstate Commerce Commission	1,865	1,868		3	883	845	38	
National Advisory Committee for Aeronautics	7,096	7,161		65	3,148	2,996	152	
National Capital Housing Authority	285	313		28	96	101		5
National Capital Planning Commission	19	20		1	10	9	1	
National Gallery of Art	309	319		10	96	91	5	
National Labor Relations Board	1,182	1,224		42	607	580	27	
National Mediation Board	106	116		10	63	81		18
National Science Foundation	167	211		44	85	79	6	
National Security Training Commission	6	5	1		4	3	1	
Panama Canal	15,815	15,873		58	3,235	3,442		207
Railroad Retirement Board	2,480	2,255	225		842	750	92	
Reconstruction Finance Corporation [9]		1,024		1,024		495		495
Renegotiation Board	622	639		17	358	386		28
Rubber Producing Facilities Disposal Commission	23	25		2	12	13		1
Securities and Exchange Commission	703	699	4		384	368	16	
Selective Service System	7,277	7,447		170	1,679	1,613	66	
Small Business Administration [8]	719	601	118		373	294	79	
Smithsonian Institution	518	547		29	185	176	9	
Soldiers' Home	923	888	35		187	158	29	
Subversive Activities Control Board	33	32	1		20	18	2	
Tariff Commission	198	192	6		103	100	3	
Tax Court of the United States	142	141	1		74	71	3	
Tennessee Valley Authority	23,870	23,933		63	10,701	11,105		404
United States Information Agency	9,550	9,547	3		2,308	2,239	69	
Veterans' Administration	177,661	178,857		1,196	55,358	54,536	822	
War Claims Commission [7]		174		174		64		64
Total, excluding Department of Defense	1,174,985	1,185,068	3,311	13,394	401,749	392,336	10,816	1,403
Net change, excluding Department of Defense			10,083				9,413	
Department of Defense:								
Office of the Secretary of Defense	1,886	1,903		17	$1,023	$938	$85	
Department of the Army [9]	428,698	438,164		9,466	126,863	122,240	4,623	
Department of the Navy	410,049	413,136		3,087	146,555	142,504	4,051	
Department of the Air Force [9]	301,947	295,623	6,324		98,274	93,670	4,604	
Total, Department of Defense	1,142,580	1,148,826	6,324	12,570	372,715	359,352	13,363	
Net change, Department of Defense			6,246				13,363	
Grand total, including Department of Defense	2,317,565	2,333,894	9,635	25,964	774,464	751,688	24,179	$1,403
Net change, including Department of Defense			16,329				22,776	

[1] September figure includes 932 seamen on the rolls of the Maritime Administration and their pay.

[2] Revised to exclude 73 employees of Gallaudet College and 1,176 employees of Howard University.

[3] Revised on basis of later information.

[4] Exclusive of personnel and pay of the Central Intelligence Agency.

[5] New agency, created pursuant to Public Law 256, 83d Cong.

[6] Ceased to exist.

[7] New agency, created pursuant to Reorganization Plan No. 1 of 1954. The functions of the International Claims Commission of the State Department and the War Claims Commission were transferred to the Foreign Claims Settlement Commission July 1, 1954.

[8] The Reconstruction Finance Corporation was transferred to the Department of the Treasury pursuant to Public Law 163, 83d Cong.; pursuant to Executive Order 10539, dated June 22, 1954, 17 employees were transferred to the General Services Administration and pursuant to Reorganization Plan No. 2 of 1954, 20 employees were transferred to the Federal National Mortgage Association, and 33 employees were transferred to the Small Business Administration.

[9] On the basis of current information figures for September have been adjusted to—

(a) Exclude foreign nationals under contractual agreement in:

	Army	Air Force
Austria		190
England		6,224
France	10,743	5,292

Figures for June have not been adjusted. The services of these foreign nationals is provided by contractual agreement between the Government of the United States and the governments of the respective countries. Reporting of these foreign nationals is now shown in table 6 of this report. Payroll figures have also been adjusted. (Army figures subject to revision.)

(b) Include foreign nationals employed by the United States in:

	Army	Air Force
Korea		8,711
Ryukyus	10,634	4,610

Figures for June have not been adjusted. These foreign nationals have heretofore been shown in table 6 of this report. Payroll figures have also been adjusted. (Figures for Army are subject to revision.)

TABLE II.—*Federal personnel inside continental United States employed by executive agencies during September 1954, and comparison with June 1954*

Department or agency	September	June	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	72,143	75,122		2,979
Commerce [1]	40,650	38,826	1,824	
Health, Education, and Welfare	35,282	[2] 34,975	307	
Interior	47,020	49,589		2,569
Justice	30,207	30,506		299
Labor	4,921	5,009		88
Post Office	503,277	504,791		1,514
State [3]	5,833	[3] 5,787	46	
Treasury [3]	79,700	79,889		189
Executive Office of the President:				
White House Office	270	267	3	
Bureau of the Budget	428	419	9	
Council of Economic Advisers	33	26	7	
Executive Mansion and Grounds	65	109		44
National Security Council [4]	25	28		3
Office of Defense Mobilization	283	335		52
President's Advisory Committee on Government Organization	6	4	2	
Independent agencies:				
Advisory Committee on Weather Control [5]	16		16	
American Battle Monuments Commission	17	16	1	
Atomic Energy Commission	6,010	6,180		170
Board of Governors of the Federal Reserve System	567	573		6
Civil Aeronautics Board	529	532		3
Civil Service Commission	4,168	4,374		206
Commission on Intergovernmental Relations	57	42	15	
Committee on Retirement Policy for Federal Personnel [6]		7		7
Defense Transport Administration	20	26		6
Export-Import Bank of Washington	133	133		
Farm Credit Administration	1,088	1,089		1
Federal Civil Defense Administration	594	709		115
Federal Coal Mine Safety Board of Review	8	8		
Federal Communications Commission	1,079	1,121		42
Federal Deposit Insurance Corporation	1,077	1,016	61	
Federal Mediation and Conciliation Service	358	363		5
Federal Power Commission	644	661		17
Federal Trade Commission	593	596		3
Foreign Claims Settlement Commission [7]	223		223	
Foreign Operations Administration	1,603	1,561	42	
General Accounting Office	5,788	5,873		85
General Services Administration [8]	25,854	26,650		796
Government Contract Committee	12	12		
Government Printing Office	6,823	6,848		25
Housing and Home Finance Agency [8]	10,469	10,590		121
Indian Claims Commission	14	14		
Interstate Commerce Commission	1,865	1,868		3
National Advisory Committee for Aeronautics	7,096	7,161		65
National Capital Housing Authority	285	313		28
National Capital Planning Commission	19	20		1
National Gallery of Art	309	319		10
National Labor Relations Board	1,162	1,204		42
National Mediation Board	106	116		10
National Science Foundation	167	211		44
National Security Training Commission	6	5	1	
Panama Canal	551	541	10	
Railroad Retirement Board	2,480	2,255	225	
Renegotiation Board	622	639		17
Reconstruction Finance Corporation [8]		1,018		1,018
Rubber Producing Facilities Disposal Commission	23	25		2
Securities and Exchange Commission	703	699	4	
Selective Service System	7,077	7,246		169
Small Business Administration [8]	719	601	118	
Smithsonian Institution	516	545		29
Soldiers' Home	923	888	35	
Subversive Activities Control Board	33	32	1	
Tariff Commission	198	192	6	
Tax Court of the United States	142	141	1	
Tennessee Valley Authority	23,870	23,933		63
United States Information Agency	2,228	2,207	21	
Veterans' Administration	176,425	177,629		1,204
War Claims Commission [7]		174		174
Total, excluding Department of Defense	1,115,412	1,124,658	2,978	12,224
Net decrease, excluding Department of Defense			9,246	
Department of Defense:				
Office of the Secretary of Defense	1,827	1,842		15
Department of the Army	376,557	387,204		10,647
Department of the Navy	379,569	382,595		3,026
Department of the Air Force	254,750	253,655	1,095	
Total, Department of Defense	1,012,703	1,025,296	1,095	13,688
Net decrease, Department of Defense			12,593	
Grand total, including Department of Defense	2,128,115	2,149,954	4,073	25,912
Net decrease, including Department of Defense			21,839	

[1] September figure includes 932 seamen on the rolls of the Maritime Administration.
[2] Revised to exclude 73 employees of Gallaudet College and 1,176 employees of Howard University.
[3] Revised on basis of later information.
[4] Exclusive of personnel of the Central Intelligence Agency.
[5] New agency, created pursuant to Public Law 256, 83d Cong.
[6] Ceased to exist.
[7] New agency, created pursuant to Reorganization Plan No. 1 of 1954. The functions of the International Claims Commission of the State Department and the War Claims Commission were transferred to the Foreign Claims Settlement Commission July 1, 1954.
[8] The Reconstruction Finance Corporation was transferred to the Department of the Treasury pursuant to Public Law 163, 83d Cong.; pursuant to Executive Order 10539, dated June 22, 1954, 17 employees were transferred to the General Services Administration and pursuant to Reorganization Plan No. 2 of 1954, 20 employees were transferred to the Federal National Mortgage Association, and 33 employees were transferred to the Small Business Administration.

TABLE III.—*Federal personnel outside continental United States employed by the executive agencies during September 1954, and comparison with June 1954*

Department or agency	September	June	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	1,150	1,249		99
Commerce	3,007	3,068		61
Health, Education, and Welfare	499	493	6	
Interior	6,370	7,319		949
Justice	509	517		8
Labor	143	120	23	
Post Office	2,344	2,344		
State	15,094	[1] 14,640	454	
Treasury [2]	1,000	1,005		5
Independent agencies:				
American Battle Monuments Commission	856	862		6
Atomic Energy Commission	18	20		2
Civil Aeronautics Board	6	8		2
Civil Service Commission	10	10		
Farm Credit Administration	12	12		
Federal Communications Commission	26	25	1	
Federal Deposit Insurance Corporation	1	1		
Foreign Claims Settlement Commission	5		5	
Foreign Operations Administration	4,181	4,297		116
General Accounting Office	52	47	5	
General Services Administration	118	119		1
Housing and Home Finance Agency	128	125	3	
National Labor Relations Board	20	20		
Panama Canal	15,264	15,332		68
Reconstruction Finance Corporation [2]		6		6
Selective Service System	200	201		1
Smithsonian Institution	2	2		
United States Information Agency	7,322	7,340		18
Veterans' Administration	1,236	1,228	8	
Total, excluding Department of Defense	59,573	60,410	505	1,342
Net decrease, excluding Department of Defense			837	
Department of Defense:				
Office of the Secretary of Defense	59	61		2
Department of the Army [3]	52,141	50,960	1,181	
Department of the Navy	30,480	30,541		61
Department of the Air Force [3]	47,197	41,968	5,229	
Total, Department of Defense	129,877	123,530	6,410	63
Net increase, Department of Defense			6,347	
Grand total, including Department of Defense	189,450	183,940	6,915	1,405
Net increase, including Department of Defense			5,510	

[1] Revised on basis of later information.
[2] The Reconstruction Finance Corporation was transferred to the Department of the Treasury pursuant to Public Law 163, 83d Cong.; pursuant to Executive Order 10539, dated June 22, 1954, 17 employees were transferred to the General Services Administration and pursuant to Reorganization Plan No. 2 of 1954, 20 employees were transferred to the Federal National Mortgage Association, and 33 employees were transferred to the Small Business Administration.
[3] On the basis of current information figures for September have been adjusted to—

(*a*) Exclude foreign nationals under contractual agreement in:

	Army	Air Force
Austria		190
England		6,224
France	10,743	5,292

Figures for June have not been adjusted. The services of these foreign nationals is provided by contractual agreement between the Government of the United States and the governments of the respective countries. Reporting of these foreign nationals is now shown in table 6 of this report. (Figures for the Army are subject to revision.)

(*b*) Include foreign nationals employed by the United States in:

	Army	Air Force
Korea		8,711
Ryukyus	10,634	4,610

Figures for June have not been adjusted. These foreign nationals have heretofore been shown in table 6 of this report. (Figures for Army are subject to revision.)

TABLE IV.—*Industrial employees of the Federal Government inside and outside continental United States employed by executive agencies during September 1954 and comparison with July 1954*

Department or agency	September	July	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	2,695	2,499	196	
Commerce	2,063	2,136		73
Interior	8,615	7,389	1,226	
Treasury	6,558	6,621		63
Independent agencies:				
Atomic Energy Commission	124	141		17
Federal Communications Commission	14	13	1	
General Services Administration	815	839		24
Government Printing Office	6,823	6,792	31	
National Advisory Committee for Aeronautics	7,096	7,186		90
Panama Canal	7,811	7,843		32
Tennessee Valley Authority	20,598	19,903	695	
Total, excluding Department of Defense	63,212	61,362	2,149	299
Net increase, excluding Department of Defense			1,850	

Department or agency	September	July	Increase	Decrease
Department of Defense:				
Department of the Army:				
Inside continental United States	[1] 209,750	215,272		5,522
Outside continental United States	[1] 28,250	27,040	1,210	
Department of the Navy:				
Inside continental United States	238,673	239,291		618
Outside continental United States	6,836	6,832	4	
Department of the Air Force:				
Inside continental United States	151,972	151,627	345	
Outside continental United States	14,094	12,460	1,634	
Total, Department of Defense	649,575	652,522	3,193	6,140
Net decrease, Department of Defense			2,947	
Grand total, including Department of Defense	712,787	713,884	5,342	6,439
Net decrease, including Department of Defense			1,097	

[1] Subject to revision.

NOTE.—Beginning with the report for July 1954 industrial employment has been determined by the overall functional nature of the program or activity providing the employment, whereas before effort was made to base it on the characteristics of individual jobs. For this reason the figures for September are not comparable with figures for June but are compared with figures for the month of July.

TABLE V.—*Foreign nationals working under United States agencies overseas, excluded from usual Federal personnel reporting because of the nature of their work or the source of funds from which they are paid, as of September 1954, and comparison with June 1954 (not included in tables I, II, III, and IV of this report)*

Country	Total		Army [1]		Navy		Air Force [1]	
	September	June	September	June	September	June	September	June
Austria	190						190	
England	6,224						6,224	
France	16,035		10,743				5,292	
Germany	119,589	117,809	97,179	96,588	1,965	1,961	20,445	19,260
Japan	171,892	172,931	111,395	112,562	17,493	17,484	43,004	42,885
Korea	68,865	95,987	[2] 68,865	[2] 87,260				8,727
Libya	195	196					195	196
Ryukyus	203	16,147		11,467	203	205		4,475
Saudi Arabia	416	357					416	357
Trinidad	630	656			630	656		
Total	384,239	404,083	288,182	307,877	20,291	20,306	75,766	75,900

[1] On the basis of current information figures for September have been adjusted to—

(*a*) Include foreign nationals under contractual agreement in—

	Army	Air Force
Austria		190
England		6,224
France	10,743	5,292

Figures for June have not been adjusted. The services of these foreign nationals is provided by contractual agreement between the Government of the United States and the governments of the respective countries. Reporting of these foreign nationals has heretofore been shown in table I and III of this report. (Figures for the Army are subject to revision.)

(*b*) Exclude foreign nationals employed by the United States in:

	Army	Air Force
Korea		8,711
Ryukyus	10,634	4,610

Figures for June have not been adjusted. These foreign nationals are now shown in tables I and III of this report. (Figures for the Army are subject to revision.)

[2] Includes 30,862 members of the Korean Service Corps in September as compared with 31,100 in June.

NOTE.—The Germans are paid from funds provided by German Governments. English, French, and Austrians reported by the Army and Air Force are paid from funds appropriated for personal service. All others are paid from funds appropriated for other contractual services.

FEDERAL HOUSING PROGRAMS

Mr. BYRD. Mr. President, since the beginning of the recent and current investigations into the Federal housing programs, the Joint Committee on Reduction of Nonessential Federal Expenditures has worked as closely as possible with the Internal Revenue Service and the Department of Justice.

In accordance with its practice, the committee, through its chairman, has reported to the Senate on these activities. I ask unanimous consent at this time to have inserted in the body of the RECORD correspondence with the Department of Justice, and pertinent statements by the chairman of the committee, which have occurred during the recess of the Senate, as follows:

First. A statement by the chairman on August 13, 1954, relating to a letter from the Department of Justice, dated August 12, 1954. The Justice Department letter is omitted because it is repeated with more complete detail and later developments in a subsequent letter dated October 18, 1954.

Second. A statement by the chairman dated September 9, 1954, commenting on a Justice Department statement of September 1. The text of the Department of Justice letter is omitted because it is covered in more complete detail and with later developments in a subsequent letter dated October 18, 1954.

Third. A letter from the Department of Justice dated October 18, 1954, relative to legal action in Federal housing program cases.

Fourth. A letter from the Department of Justice dated October 21, 1954, advising of further action by the Department in Federal housing program cases.

There being no objection, the statements and letters were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HARRY F. BYRD, CHAIRMAN OF THE JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES, RELEASING A DEPARTMENT OF JUSTICE LETTER IDENTIFYING CONVICTIONS AND INDICTMENTS GROWING OUT OF FEDERAL HOUSING PROGRAMS, AUGUST 13, 1954

I am in receipt of a letter from the Department of Justice which identifies:

1. Twenty-three convictions and 34 pending indictments in Federal courts growing out of the Federal Housing Administration home-repair and improvement programs;

2. Two overlapping indictments growing out of the Housing and Home Finance Agency slum-clearance program; and

3. Four indictments referred to as "personnel and miscellaneous cases" related to FHA programs.

The letter, dated August 12, 1954, and signed by the Honorable Warren Olney III, Assistant Attorney General of the United States in charge of the Criminal Division, Department of Justice, is in response to an inquiry directed by me on August 3 to the Attorney General.

It is noted that the list does not include any indictments or convictions growing out of the Federal Housing Administration construction loan cases such as those under the 608 and other programs where housing windfalls have been so highly publicized. It is inconceivable to me that the tremendous windfalls already brought to light in these mortgage insurance loans could be unattended by collusion, graft, and fraud. Nearly 3½ million loans have been insured under these programs to a total of $26 billion.

Mr. Olney says many Federal Housing Administration matters currently are being considered in various Federal grand juries throughout the country. He points out that "the Federal Bureau of Investigation on April 12, 1954, (when the housing scandals publicly came to light) for the first time assumed primary jurisdiction of the investigation of all criminal matters arising from the operation of the Federal Housing Administration." He explained that, "Prior to that time, and since 1935, the Federal Housing Administration by an interagency agreement had primary jurisdiction of the investigation in Housing Administration criminal matters."

The malpractices which have been going on under these construction loan insurance programs are a national disgrace, as well as those under other Federal housing programs. I have called upon the Attorney General before to ferret out the crimes which have been committed and to prosecute the guilty to the limit of the law. I repeat this demand now.

The text of the letter I have received from Assistant Attorney General Warren Olney, with the exception of the introductory paragraph, in which he lists and identifies the convictions and indictments recorded to date in the Department of Justice under the FHA $8 billion home improvement and repair program, the lesser slum clearance program, and personnel and miscellaneous cases related to FHA program, follows:

"You request that we identify each of the cases by name, location, and charge; and in cases where convictions have resulted you ask that the penalty imposed be indicated. You will appreciate that the status of cases pending as well as the number of indictments and convictions is not static and that currently there are being considered in various Federal grand juries throughout the country many Federal Housing Administration matters. There is an understandable lag in obtaining the results of those presentations but I am, nevertheless, setting forth data which is as current and inclusive as is possible under the circumstances."

(The text of the Department of Justice letter is omitted because it is covered in more complete detail and with later developments in a subsequent letter dated October 18, 1954.)

STATEMENT BY SENATOR HARRY F. BYRD, CHAIRMAN, JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES, IN RE FEDERAL HOUSING, SEPTEMBER 9, 1954

I urge the Justice Department to find ways to bring more Federal housing profiteers and malfeasants to justice, and I urge FHA to abandon its policy of turning the other cheek to those who have already exploited it.

This demand is prompted by recent statements by Justice Department, FHA, and the Housing and Home Finance Agency which indicate a tendency toward a soft policy which could and should subject Federal administration to national criticism.

Acting Attorney General William P. Rogers, on September 1, said there had been 74 criminal indictments, involving 136 individuals, of whom 67 had been convicted. But most of them were in the home improvement program where there were nearly 17 million loans involving $7.6 billion.

Seventy-four indictments does not appear too impressive in a program of this magnitude which was described by Assistant Attorney General Warren Olney as exploited by organized groups of swindlers, thieves, and crooked salesmen, to cheat and defraud literally thousands of small home owners, and as ruinous to legitimate dealers.

The home improvement program was only one of 14 FHA programs. In the section 608 rental housing program, where there are 7,000 insured loans involving more than $4 billion, there are windfalls running into hundreds of millions of dollars; and much of it is freely admitted in testimony by builders before congressional committees.

With respect to the 608 program cases, Mr. Rogers said loose Federal regulations, which permitted and even encouraged some of the fraudulent practices, often foreclose criminal action, and the statute of limitations is a bar to many possible prosecutions.

The FHA on June 11 announced it had certified to the Justice Department more than 200 windfall corporations with FHA-insured loans in excess of project costs. While Mr. Rogers now indicates some of those guilty of 608 fraud will go free, the FHA on August 1 was reported as having adopted a policy of doing more business with some companies which had already taken it for windfalls.

In the same statement of June 11, the FHA said "certain promoters were aided and guided by former top FHA officials in windfall practices."

Mr. Albert M. Cole, Housing and Home Finance Agency Administrator, in a letter to me dated August 13, said the FHA Legal Division, as headed by Burton C. Bovard, now discharged, "failed to use its influence upon the Commissioner and other officials of FHA to halt abuses by builders." In the same letter Mr. Cole invited my attention to questions directed to Clyde L. Powell, discharged Rental Project Commissioner, as to whether he overrode FHA State office vetoes on loan insurance commitments. The questions were unanswered by Mr. Powell who took the fifth amendment.

A dozen top officials of FHA have been dismissed since the housing scandals were forced into the open last April, but none of those dismissed from the Washington headquarters was included on the Justice Department list of those indicted.

I communicated with Attorney General Herbert Brownell April 27 relative to prosecution of these housing cases, and on May 1 he replied that action was being taken. It is hoped that the next progress report by the Department of Justice will be more reassuring than the September report by Mr. Rogers, and it is to be hoped that a way will be found to reach the 608 cases.

I have asked Mr. Cole, in a letter of August 6, to confirm or deny the report that FHA is dealing again with windfall builders, but to date there has been no reply. In justice to all the conscientious builders, the buyers and renters of FHA housing, and the taxpayers, such a policy should not even be considered.

I have repeatedly called for the prosecution of Mr. Powell and all the others who allowed or participated in the scandalous housing practices, but to date no top official has been indicted.

Personally, I sponsored amendments to tighten up the new housing legislation. Some of the amendments were rejected, and others were watered down.

In all, there are nearly twoscore Federal housing programs—in FHA, PHA, slum clearance, veterans, military, Interior, Agriculture, etc. They represent fantastic sums of money. In the past 15 years they have involved some $60 billion in grants, direct loans, guaranteed loans, insured loans, direct appropriations, etc.

They constitute an awful temptation to those who would turn them into a den of thieves.

Halfway measures will not protect them.

DEPARTMENT OF JUSTICE,
Washington, October 18, 1954.

Hon. HARRY F. BYRD,
Chairman, Joint Committee on Reduction of Nonessential Federal Expenditures, United States Senate, Washington, D. C.

DEAR SENATOR BYRD: I refer to your letter of September 7, 1954, in which you expressed a desire to be kept advised of further progress in the Federal Housing Administration matters in the Department.

I am enclosing copies of press releases of the Department of Justice dated September 1, September 20, and October 6, 1954. I am also enclosing a copy of the press release from the Housing and Home Finance Agency dated September 13, 1954, in the event you have not received a copy of Deputy Administrator William F. McKenna's report.

I appreciate your interest and assure you that I will continue to keep you advised of the progress in the Federal Housing Administration program.

Sincerely,

WARREN OLNEY III,
Assistant Attorney General.

DEPARTMENT OF JUSTICE RELEASE OF SEPTEMBER 1, 1954

Acting Attorney General William P. Rogers announced today that 74 criminal indictments have been brought during 1953 and 1954 in Federal Housing Administration cases involving 136 individuals, of whom 67 have been convicted. Most of these criminal offenses occurred prior to 1953.

A Department of Justice summary showed the majority of cases involve falsified loan documents in FHA's title I home-improvement-loan program. Others include corruption of Government officials, mail fraud, and violation of banking laws.

"The statistical study shows a vigorous and continuing effort by the Department to protect both the interests of the Government and the homeowner," Mr. Rogers said.

The work of the Justice Department involves both the Criminal Division, under Assistant Attorney General Warren Olney III, and the Civil Division, under Assistant Attorney General Warren E. Burger.

The Department has under way 39 foreclosures on defaulted housing projects amounting to $32,089,476 in FHA-insured loans.

Mr. Rogers stressed that the Department and the Federal Bureau of Investigation, also are cooperating closely with the Housing and Home Finance Agency and the Internal Revenue Service.

"Early in 1953, we became aware of the many complaints from many localities involving vicious practices to victimize both homeowners and the Government," Mr. Rogers said.

"In July 1953, the Federal Bureau of Investigation was instructed to conduct a survey to determine the extent of the fraudulent practices. An analysis by Department lawyers of its report convinced us that thousands of homeowners had been taken in by confidence men principally during the peak years of this program from 1946 through 1952.

"In many cases no Federal law was violated. It became clear that neither local officials nor the FHA, which had investigative jurisdiction, could cope with the mount-

ing flood of complaints. Therefore, Attorney General Herbert Brownell, Jr., after consultation with Housing and Home Finance Agency Administrator Albert M. Cole, requested the FBI in April 1954 to assume primary investigation of all allegations of violations of the Federal criminal statutes arising in connection with FHA operations.

"Since then, several hundred such investigations have been initiated. In the rental housing field, the so-called 608 cases, it was found that criminal action often was foreclosed by the fact that loose regulations permitted and even encouraged some of the fraudulent practices. The statute of limitations of 3 years also is a bar to many possible prosecutions."

Most criminal prosecutions to date have been brought under section 1010 of title 18 (the Criminal Code) of the United States Code. That statute basically makes it a crime knowingly to make or pass false loan documents with the intent that the loan shall be offered to FHA for insurance.

Cases under section 1010 include "improvements" on nonexistent houses; loans for improvements never made; loans diverted to such uses as paying for new autos or alimony or repaying gambling debts, and cash rebates to the home owners.

Some activities violate local laws and local officials are informed of all complaints for this reason.

In title I cases, there are five basic documents in which falsification has been found:

1. Construction contract: The quantity and type as well as the contract amount.

2. Credit application: Name of borrower or address fictitious, or name inserted without knowledge of borrower; false statistics on borrower and his credit rating or debts; falsification concerning property or fact property was unfinished; falsification of use for loan money.

3. The note: Forgery of borrower's signature.

4. Completion certificate: Forgery of home owner's signature; or false statement by dealer that signatures are genuine, that work was entire consideration of loan, that borrower has not been promised rebate or bonus and that certificate made after work done.

5. Down payment certificate: A 10 percent down payment was required formerly and dealer often induced borrower by making down payment himself while certifying that borrower made it.

To fall within section 1010, the spurious document must be accepted by the bank as an inducement to making the loan. A common requirement in this category is a commercial credit report and in at least one series of cases under investigation, a credit agency was created by the salesmen for the sole purpose of manufacturing fictitious credit reports.

In cases when the homeowner has been victimized into making the false documents under inducements of the salesmen, the Department, wherever possible, has attempted to protect the owner and prosecute only the salesmen and dealers as the actual perpetrators of the fraud.

Common practices of unscrupulous salesmen include the model-home approach, where the victim is assured his home will serve as an advertising model and that he will receive special rates, bonuses from future sales; talking the victim into signing an extra set of loan papers which the salesman then uses to make a fraudulent loan for nonexistent improvements, or inducing the homeowner to make a loan in a fictitious amount in excess of the costs involved.

Some notorious criminals and confidence game men have operated in this field, including Stanley Clifford Weyman, a man with a long criminal record who is involved in title I cases in both New York City and Brooklyn.

Many cases under investigation or in prosecution include former public officials. The former executive director of the Jersey City Redevelopment Agency, Bernard F. Kenny, is charged with concealing his interest in a firm doing business with that local slum-clearance agency from the Housing and Home Finance Agency.

Frederick Carpenter, former FHA director in Puerto Rico, is now being tried on a charge that he conspired with Leonard D. Long, the contractor, to impede the Government's program there.

Joyce A. Schnackenburg, former director of the FHA office in Grand Rapids, Mich., pleaded guilty to conspiring with his deputy for that man to receive outside compensation for normal Government services. The chief underwriter and construction-cost examiner were convicted earlier. An FHA management agent, Leon J. Smith, agent for the Woolsey Properties, Buzzards Bay, Mass., was indicted July 26, 1954, for misapplication of funds.

The summary of cases does not include complaints filed before United States judges or commissioners where the evidence involved will be presented to a grand jury in the near future.

There are additional cases in which prosecution has been stalemated because the persons charged are fugitives, all indicted under section 1010:

Newark, N. J.: Leon Harrison.
San Francisco, Calif.: W. E. Dewitt.
Baltimore, Md., Nathan Sloan.
Brooklyn, N. Y., Leonard Larkin.
Brooklyn, N. Y.: Laurence McNamara.

There are other cases not listed in which indictments were returned prior to 1953 but on which there has been action during the 1953–54 period.

These include a case such as one involved in an indictment returned at Sacramento, Calif., September 19, 1952, against Ralph Kushner, Elmer Alterman, Carl Dunbar, and Joe Schlieder. The indictment involved eight counts under section 1010 (home improvement loans) and one count under section 371 (conspiracy). The case was tried in 1953 and, on November 23, 1953, Kushner was sentenced to a total of 3 years in prison and fined $9,000. He has appealed. Dunbar and Alterman pleaded guilty to all counts. Each was sentenced to 5 years' probation. Dunbar was fined $1,500 and Alterman $750. Schlieder was acquitted.

Another pending case includes a series of indictments brought in New York City October 31, 1952, against William E. Horn, Earl P. Cannon, Samuel Hurwitz, and J. H. McQuilkin under title 18, United States Code, section 1010. The indictments were attacked and recently upheld in court but trial on the issues has not begun.

Similarly, a May 22, 1951, indictment at Newark, N. J., against James D. Post as president of the Popular Home Improvement Co. and two salesmen, Otto Krueger and Burnett Yaseen, still is under attack by defendants on grounds of legal insufficiency of the indictment.

Sections of the Criminal Code, found applicable and noted in the following listing of cases, include these sections:

371. Conspiracy.
220. Receipt of commissions or gifts by bank officials for processing loans (and other banking statutes).
656. Misapplication of funds by bank officials.
657. Misapplication of funds by FHA agents.
709. False advertisement of FHA endorsement.
1001. False statement or failure to disclose.
1012. False statement.
201. Giving a bribe.
202. Accepting a bribe.
1006. False reports by FHA employee.
1341. Mail fraud.
493. Counterfeiting notes and bonds.

Date	Place of indictment	Defendants	Notes: Violation, disposition, etc.
Mar. 23, 1953	East St. Louis, Ill., home improvement	Max D. Klahr, Byron Nugent	18 U. S. C. 1010. 8 counts.
Apr. 7, 1953	Newark, N. J., home improvement	Nicholas John Perrelli, Joseph Louis George, Douglas Vincent Kirk.	18 U. S. C. 1010. 6 counts. George and Perelli each entered guilty pleas; sentenced to 2 months. Kirk not yet tried. Kirk received a 2-year suspended sentence and 5-year probation on 1951 indictment under sec. 656.
Apr. 22, 1953	Detroit, Mich., home improvement	Georgia Gianakis, was Georgia Pete	18 U. S. C. 1010. Defendant is in District of Columbia jail, charge of embezzlement.
Apr. 23, 1953	Tampa, Fla., home improvement	John E. Fulmer	18 U. S. C. 1010. Guilty, 1 count. Sentence, July 15, 1953, 1 year.
Apr. 28, 1953	Knoxville, Tenn., home improvement	Melvin Tobias Goldberger, Square Supply Co.	18 U. S. C. 1010. 2 counts.
Apr. 29, 1953	Trenton, N. J., home improvement	Sebastian J. Schiavone, doing business as B & M Furnace Co.	18 U. S. C. 1010. Guilty plea. Jan. 25, 1954, sentenced to 1 year and 1 day, suspended, 2 years probation.
May 6, 1953	San Antonio, Tex., home improvement	Willis E. Williams	18 U. S. C. 1001 and 1010. 6 counts. Guilty plea, 1 count. Jan. 4, 1954, sentenced 2 years suspended, 3 years probation.
May 15, 1953	Brooklyn, N. Y., home improvement	Stanley C. Weyman	18 U. S. C. 1010. Found guilty and sentenced May 28, 1954 to 18 months. Earlier sentence in New York City of probation under 3 indictments then revoked and sentenced to 6 years.
June 5, 1953	Puerto Rico, personnel and mortgage insurance.	Leonard D. Long, Frederick Carpenter (former FHA director for Puerto Rico).	18 U. S. C. 371. 1 count. Trial started Apr. 6, 1954, and is continuing.
June 11, 1953	Grand Rapids, Mich., personnel	Joyce A. Schnackenberg, assistant State director, FHA, time of offense and later district director.	18 U. S. C. 371. 1 count. Plea of guilty Oct 19, 1953. Fine $5,000. (Indicted after long investigation of irregularities in which chief underwriter and construction cost examiner were convicted earlier under 18 U. S. C. 281.)
July 17, 1953	Minneapolis, Minn., home improvement	Stuart Wilson	18 U. S. C. 1001. 2 counts. Guilty plea, July 31, 1953. 18 months on 1 count, 2 years probation follows on other.
Sept. 30, 1953	Miami, Fla. (transferred to District of Columbia), home improvement.	Donald W. Benjamin, Mary Jane Benjamin.	18 U. S. C. 1001. 3 counts. Guilty pleas, Feb. 19, 1954. She sentenced 4 to 12 months. He sentenced 4 to 12 months, and placed on 2 years probation.
Do	St. Joseph, Mo., home improvement	John Nicholas Feiden	18 U. S. C. 1010. Information. Plea of nolo contendere. 1 year probation.

Date	Place of indictment	Defendants	Notes: Violation, disposition, etc.
Oct. 2, 1953	Brooklyn, N. Y., home improvement	Frederick J. Dolan	18 U. S. C. 1010. — counts. Found guilty Mar. 10, 1954. 1 year and 1 day, suspended; 3 years probation, and $1,000 fine.
Oct. 6, 1953	Oklahoma City, Okla., home improvement	E. B. Uselton, Homer Lester, Helen Lester, Leon Geeslin, W. C. Wynne, Mary Francis Ford.	18 U. S. C. 1010, 6 counts. 18 U. S. C. 371, all plead nolo contendere in November 1953, found guilty, fined as follows: Lesters, each $1,000; Geeslin, $3,000, Wynne, $4,000, Uselton, $500; Ford, $300.
Oct. 7, 1953	Los Angeles, Calif., home improvement	Winston C. Bodden, Ethel Bodden	18 U. S. C. 1010. Bodden deported Sept. 13, 1953, dismissed. Charges against Mrs. Bodden transferred to eastern district of Michigan.
Oct. 27, 1953	Sioux City, Iowa, home improvement	Ross Conklin, E. J. McLaughlin, Harry Fuhrman.	18 U. S. C. 1010. 4 counts. Guilty plea, each 1 count; other counts dismissed. Conklin, 2 years suspended, 5 years probation, $2,500. Fuhrman, 1 year suspended, 3 years probation. McLaughlin, 1 year suspended, 4 years probation.
Mar. 22, 1953 Nov. 2, 1953	Washington, D. C., home improvement	John Middlebrooks	18 U. S. C. 1010 (3 indictments). Middlebrooks hospitalized.
Nov. 6, 1953	Fort Worth, Tex., home improvement	John Hughes Rennie, Geraldine Rennie, James Williams.	18 U. S. C. 1010 and 18 U. S. C. 371. 2 counts. Guilty plea Feb. 26, 1954, John Rennie and Williams (Geraldine Rennie dismissed). Rennie sentence 2 years probation; Williams, 15 months, suspended, 2 years probation.
Nov. 10, 1953	Augusta, Ga., prevailing wage certificate	Carter Electric Co., C. E. Carter	18 U. S. C. 1010. 1 count. False wage statement, Maxwell Apartments, Augusta.
Nov. 20, 1953	Portland, Oreg., home improvement	John Milton Owen	18 U. S. C. 1010. 9 counts. Guilty June 1, 1954, after trial. 4 years.
Nov. 24, 1953	Baltimore, Md., miscellaneous	Harry Bart	18 U. S. C. 1001. 2 counts. False statement to investigators.
Do	do	Albert Stark	Do.
Do	do	J. Hamilton (former FHA employee)	18 U. S. C. 1001. 1 count. False statement to investigator.
Do	do	Raymond Miskimmon (former FHA employee).	Do.
Dec. 23, 1953	Los Angeles, Calif., home improvement	Raymond Hart, Martin Sorriano	18 U. S. C. 1010. Sorriano acquitted on all 5 counts. Hart trial set Sept. 7, 1954, on 4 counts.
Jan. 11, 1954	Houston, Tex., home improvement	Floyd A. Johnson	18 U. S. C. 1010. 5 counts. Guilty plea to 1 count. After restitution, 6 months suspended, 3 years' probation with supervision imposed on Apr. 7, 1954.
Jan. 20, 1954	New York City, N. Y., home improvement.	C. & S. Home Builders, Inc., Marie Castorina, Leonardo Castorina.	18 U. S. C. 1010, 3 counts. 18 U. S. C. 371, 1 count.
Jan. 25, 1954	Miami, Fla., home improvement	Virginia Scott, Jacques Faden	18 U. S. C. 1010.
Feb. 3, 1954	San Francisco, Calif., home improvement	Arnold Wool, James N. Stefan, Nathaniel H. DeShong, Ben Zuckerman.	18 U. S. C. 1010, 18 U. S. C. 371, all guilty. Sentences June 4, 1954: Wool, 18 months; DeShong, 18 months; Stefan, 6 months; Zuckerman, 6 months.
Feb. 24, 1954	Little Rock, Ark., home improvement	Samuel L. Kay, was Kasnezer, Kaline	18 U. S. C. 1341, 18 U. S. C. 2314, 1 count each. Guilty, June 16, 1954. 3 years plus 5 years' probation to begin at end of imprisonment.
Feb. 25, 1954	Kansas City, Mo., home improvement	Peoples Bank of Kansas City, Mo	18 U. S. C. 1010. 10 counts. Guilty plea Mar. 12, 1954. $3,000 fine imposed on bank for false insurance report.
Feb. 26, 1954	Birmingham, Ala., home improvement	Beatrice Partee	18 U. S. C. 1010. 50 counts. Guilty plea, 16 counts, May 14, 1954. Probation for 3 years.
Do	Houston, Tex., home improvement	Harvey Cochran	18 U. S. C. 1010. 7 counts. Convicted May 19, 1954, on 6 counts. Sentence: 2 years, $1,000, both suspended for 5 years' probation with strict supervision.
Do	Birmingham, Ala., home improvement	James W. Huguley, Jr.	18 U. S. C. 1010. 9 counts. Guilty plea May 10, 1954. 18 months suspended, 3 years' probation.
Apr. 7, 1954	Los Angeles, Calif., home improvement	Hyman W. Langsam, David Brown, Morris J. Mirkin, Curtis S. King, David Habif.	18 U. S. C. 1010, 18 U. S. C. 371 (dismissed). Langsam guilty plea 2 counts; sentence July 26, 1954, 1 year suspended, 4 years' probation $600. Brown, Habif guilty plea 1 count, each 1 year suspended, 3 years' probation, $300. Mirkin dismissed as to all counts. King believed to be an alias of another defendant and is a fugitive.
Do	do	Morris J. Mirkin, Charles Harry, Charles Howard, Emanuel Levine, Mike Musich, Arthur Sparber, Lou Barash.	18 U. S. C. 1010, 18 U. S. C. 371 (dismissed). Mirkin, guilty plea, 2 counts of 1010, 6 months, 2 years suspended, $1,000. Barash, Harry, Levine, Sparber, guilty pleas 1 count; each 1 year suspended, 3 years probation, $300. Howard and Musich fugitives.
Apr. 15, 1954	do	Edward Goldstein, Ray Grant, Michael Nadler, Marvin Resnick, Sidney Winston.	18 U. S. C. 1010, 18 U. S. C. 371. Goldstein, Resnick, and Winston pleaded guilty to 2 counts of 1010 and Grant and Nadler 1 count; all sentenced to 5 years probation. Conspiracy count dismissed.
Apr. 21, 1954	Miami, Fla., home improvement	Roy Donald Johns, Jr., Ann Johns	18 U. S. C. 1010 and 18 U. S. C. 2. Trial May 14, 1954. He convicted 1 count; 3 months. She guilty plea 1 count; 3 months to begin at end of State sentence.
Apr. 27, 1954	Wilmington, Del., personnel	Benjamin Glazer	18 U. S. C. 201. 1 count. Offer of bribe. A plea of not guilty entered.
Apr. 28, 1954	Los Angeles, Calif., home improvement	Eugene F. Girard, Murray Kaye, M. Eddie Males, A. H. Portnoy, Arnold G. Katz.	18 U. S. C. 1010, 8 counts. 18 U. S. C. 371, 1 count. Kaye pleaded guilty June 14, 1954, to 2 counts, 5 years' probation. Others set for trial Oct. 26, 1954.
Do	San Francisco, Calif., home improvement	Atlas Enterprises, Gordon Brown, R. A. Brown, Howard Wardle (management), and 9 salesmen.	18 U. S. C. 1010. 23 counts. Browns each found guilty, 8 counts. G. Brown, 3 years' probation, $2,000. R. Brown, 3 years' probation, $1,000. Wardle acquitted. 9 salesmen pleaded guilty July 12, 1954: Angelo Nigro, $100, 3 years' probation; Pete Romero, $200, 3 years' probation; John F. Cross $200, 3 years' probation; Forrest Scott, $100, 4 months; Roy W. Frederickson, $500, 1 year; Joseph Bonin, $500, 10 months; Pat Johnson, $100, 2 years' probation; Angelo Champi, $100, 2 years' probation; Anthony Corce, $250, 3 years' probation.
Apr. 29, 1954	Bay City, Mich., home improvement	Nathan Berg, Max Ellis, David Pollick	18 U. S. C. 1010, 15 counts. 18 U. S. C. 371, 1 count.
Apr. 30, 1954	Puerto Rico, miscellaneous	Harry A. Denton	18 U. S. C. 1503. Charge of attempting to influence witness in Long-Carpenter trial.
May 6, 1954	Dubuque, Iowa, home improvement	E. L. McCormack	18 U. S. C. 1010. 2 counts. Guilty, June 6, 1954. 1 year suspended, 2 years' probation, reimburse homeowner $247.
May 11, 1954	Newark, N. J., home improvement	James O'Connor	18 U. S. C. 1010. 7 counts.
Do	do	Vincent C. Ruperto	18 U. S. C. 1010. 4 counts.
Do	do	Martin J. Ward	Do.
Do	do	Mortimer L. Schultz, doing business as Mortimer L. Schultz Co. and Robert L. Manion.	18 U. S. C. 371. 1 count.
Do	do	Mortimer L. Schultz	18 U. S. C. 1010. 26 counts.
Do	do	Robert L. Manion	18 U. S. C. 1010. 11 counts.
Do	do	Glenn C. MacPherson	18 U. S. C. 1010. 4 counts.
May 13, 1954	Omaha, Nebr., home improvement	Don F. Pollock, Joseph Titze	18 U. S. C. 1010. 2 information with 30 and 29 counts, respectively. Pollock nolo contendre to 11 counts; sentenced 1 year, 1 day, fined $1,100 on June 17, 1954. Titze nolo contendre to 8 counts; 3 years probation on June 17, 1954.
May 23, 1954	Washington, D. C., home improvement	Reva Peckelis, Charles Lawrenson	18 U. S. C. 1010, 1 count; 18 U. S. C. 371, 1 count.
June 2, 1954	Newark, N. J., home improvement	Alex Zuk	18 U. S. C. 1010. 1 count.
June 8, 1954	Houston, Tex., home improvement	James Lester Bennett	18 U. S. C. 1010. 16 counts.
June 18, 1954	South Bend, Ind., home improvement	Jerome E. Doelle	18 U. S. C. 1010. 4 counts. Doelle is fugitive.
June 22, 1954	Albany, N. Y., home improvement	David Morris, Ruby Korytowski	18 U. S. C. 1010. 3 counts. He pleaded guilty and sentenced July 12, 1954, to 18 months. She ill.
Do	Carson City, Nev., home improvement	C. H. Elstner, Willard C. Witt, Bessie E. Witt.	18 U. S. C. 371. Conspiracy to violate 18 U. S. C. 1010.
June 23, 1954	Newark, N. J.: Slum clearance	Bernard F. Kenny	18 U. S. C. 1001.
Do	do	Bernard F. Kenny, George J. Masumian, Anthony J. Mascola, Joseph Comparetto.	Do.
July 1, 1954	Buffalo, N. Y., banking violation and home improvement.	William Koetzle	18 U. S. C. 656, 26 counts; 18 U. S. C. 1010, 24 counts. Guilty plea to 1 count under each section, Aug. 2, 1954. Sentence deferred.

Date	Place of indictment	Defendants	Notes: Violation, disposition, etc.
July 2, 1954	Salt Lake City, Utah, home improvement	Harry Erick Grass, with numerous aliases	18 U. S. C. 1010. Information in 4 counts. Entered a plea of guilty.
July 7, 1954	Detroit, Mich., home improvement	John Fredericks doing business as R. M. Sales Co.	18 U. S. C. 1010. 8 counts. Fredericks fugitive.
July 26, 1954	Miami, Fla., home improvement	Charles Harris Markheim	18 U. S. C. 1010. 1 count information filed.
Do	Boston, Mass., personnel	Leon J. Smith, FHA management agent	18 U. S. C. 657. 1 count. Embezzlement of funds as agent for Woolsey Properties, Buzzards Bay, Mass.
July 28, 1954	Des Moines, Iowa, banking violation	William F. Haakinson	18 U. S. C. 220. 5 counts.
Do	Des Moines, Iowa, home improvement	First Federal State Bank, Raymond B. Mulder, William F. Haakinson, Glen H. Smith, Inc. (formerly Midtown Motors, Inc.), Fred F. Parkhurst, Eldon L. Neal, Thomas J. Watson.	18 U. S. C. 371, 2 counts; 18 U. S. C. 1010, 20 counts. Use of loans for auto downpayments.
July 30, 1954	Houston, Tex., home improvement	Jay Wayne McVeagh	18 U. S. C. 1010. Information.
Aug. 2, 1954	Sacramento, Calif., home improvement	Marcella Ellis, Guy Harold McHenry	18 U. S. C. 1010, 2 counts; 18 U. S. C. 371, 1 count.
Aug. 3, 1954	Houston, Tex., home improvement	Stanton B. Danilow	18 U. S. C. 1010. 21 counts.

DEPARTMENT OF JUSTICE RELEASE OF SEPTEMBER 20, 1954

Attorney General Brownell, Jr., announced today that he has directed United States Attorney Leo A. Rover, of the District of Columbia, to conduct a special grand-jury investigation into bribery and other criminal conduct in the Federal housing program.

The instructions to Mr. Rover provided specifically that he present evidence of the activities of Clyde L. Powell, former Assistant Commissioner of the Federal Housing Administration.

Powell, who entered FHA in 1938, rose to Assistant Commissioner despite knowledge of the former administration of an arrest record, including conviction for jewel theft.

While Assistant Commissioner, Powell had charge of the rental housing program which operated from 1946 to 1950. This program resulted in windfalls to speculators exceeding $51 million alone in the 285 cases reviewed by the Special Investigations Office set up by the present administration in FHA.

No date has been set for the opening of the special grand-jury investigation in the District of Columbia. However, empaneling of the special grand jury, authorized by Chief Judge Bolitha J. Laws, of the Federal court, is expected shortly.

The Attorney General also said that Assistant Attorney General Warren Olney III, head of the Department of Justice's Criminal Division, will this week call upon United States attorneys in all other districts of the Nation to present to grand juries as soon as material is available full testimony concerning criminal conduct uncovered by the Administration's investigation in their districts.

The Department reported previously that it began to receive widespread complaints in FHA matters early in 1953. The FBI was instructed to survey the situation and, after consultations between Mr. Brownell and Administrator Albert M. Cole, of the Housing and Home Finance Agency, the FBI was requested in April 1954, to assume primary investigative responsibility of all allegations of violations of Federal criminal statutes arising in connection with FHA operations.

Summaries of Department activities during 1953 and 1954 to mid-August showed foreclosure proceedings ordered on 39 housing projects involving $32,089,476 in FHA-insured mortgages and 74 criminal indictments involving 136 individuals, of whom 67 had been convicted. Most of the criminal cases involved falsified loan documents in the home-improvement program but others included corruption of Government officials, mail fraud, and violation of banking laws.

Referring to the last week's final report of Deputy Administrator William F. McKenna, of HHFA to Mr. Cole on the special investigation, Mr. Brownell said:

"It shows how the huge Federal agency upon which the Nation depended for stimulating home building and housing construction became riddled with corruption under the prior administration."

The Attorney General said also that the program directed by Powell had resulted in exploitation both of the Government and the tenants of the projects in the form of financial "windfalls without precedent" to the promoters.

In connection with the inquiry by the grand juries, Mr. Brownell said:

"The preliminary work done by congressional committees and by the HHFA has furnished a vast amount of material indicating maladministration of these laws. The Justice Department has and will give priority for such study and action as is called for and will vigorously prosecute all offenders.

"While the majority of the employees were loyal and faithful, there was disintegration of personal integrity among others in the housing program."

Mr. Brownell called attention to the HHFA report that the practice of receiving gratuities from contractors and others doing business with the agency was almost an accepted norm of operation in many FHA offices.

Mr. Brownell said that all investigative reports of the FBI and of the HHFA are being and will be forwarded as rapidly as possible to each United States attorney where jurisdiction lies.

Each United States attorney also will be instructed to present any evidence arising originally in his office.

Mr. Brownell emphasized that the grand-jury inquiries are not limited solely to possible bribery, but to violations of any appropriate laws in the Federal Criminal Code in administration of the Federal housing programs.

DEPARTMENT OF JUSTICE RELEASE OF OCTOBER 6, 1954

Attorney General Herbert Brownell, Jr., announced today the creation of a new unit in the Criminal Division of the Department of Justice in order to speed handling of the vast amount of investigative material recently referred to the Division in connection with FHA housing scandals.

Mr. Brownell simultaneously announced that Mr. Max H. Goldschein, a special assistant to the Attorney General, was being assigned to work with United States Attorney Leo A. Rover in the special grand-jury investigation opening today in the District of Columbia. Mr. Goldschein also will coordinate the inquiry here with grand-jury investigations in other Federal districts.

The Attorney General directed the initiation of the inquiry here September 20. The special grand jury will inquire into bribery and other criminal conduct in the Federal housing program and specifically into the conduct of Clyde L. Powell, who had charge of the rental housing program which operated from 1946 to 1950 and resulted in windfalls to speculators exceeding $51 million alone in 285 cases reviewed by the Housing and Home Finance Agency.

The investigative reports have been coming in from the Federal Bureau of Investigation, the HHFA, and congressional committees. In each instance where criminal action appears warranted on the basis of the investigative reports the material is being transmitted to the United States attorney in the district where jurisdiction lies.

The new unit will take over work now being handled in three other units, the Fraud, Government Operations, and Common Crimes units. The new unit will be headed by Mr. Nathaniel E. Kossack, who will be assisted by Messrs. Robert J. Rosthal, Walter E. MacDonald, Reigh F. Klann, and Robert Aders. In addition, two other Criminal Division attorneys, Messrs. James J. Sullivan and Oliver O. Dibble, will be assigned to assist the new unit to prevent the building up of any backlog of cases.

Mr. Goldschein recently returned to his headquarters here after conducting a long grand jury investigation into labor racketeering in St. Louis. His work there resulted in several indictments and in cases already tried convictions have been returned by the trial jury. His first major grand jury assignment was the inquiry in 1943 into the activities of former Federal Judge Albert W. Johnson, in Scranton, Pa. He also handled grand jury investigations of Communists on the Federal payroll in Colorado and California in 1948. In 1949, he handled a grand jury investigation into organized crime in Miami, Fla., which broke up the greatest opium smuggling ring in history. In 1949 and 1950 his special grand jury investigation of organized crime in Kansas City, Mo., resulted in eight tax indictments.

In discussing his division's new unit, Assistant Attorney General Warren Olney III said the volume of housing scandal matters had been growing steadily since the Department began looking into widespread complaints early in 1953. It was then, after consultations between the Attorney General and Administrator Albert M. Cole of the HHFA, that the FBI was given primary investigative responsibility.

In the past month, Mr. Olney said, the number of cases arising in the Frauds Unit alone reached 10 to 15 daily. In addition, the Federal Housing Administration has begun referring "packages" of gratuity allegations involving FHA personnel. There have been increases not only in title I (home improvement) matters, but also in cases involving false advertising, personnel matters and fraud in connection with mortgage insurance.

Each United States attorney has previously been instructed to present to grand juries, as soon as material is available, full testimony concerning criminal conduct uncovered in the Administration's investigations in their districts.

OCTOBER 21, 1954.

Hon. HARRY F. BYRD,
Chairman, Joint Committee on Reduction of Nonessential Federal Expenditures, United States Senate, Washington, D. C.

DEAR SENATOR BYRD: This will acknowledge receipt of your letter of October 6, 1954,

forwarding additional material concerned with the operations of the Federal Housing Administration.

In view of your expressed desire to keep informed concerning the Department's progress in these FHA matters, I am enclosing two additional Department press releases which are concerned with Federal Housing Administration matters.

I wish again to thank you for your interest and cooperation in furnishing the Department with the Federal Housing Administration information which comes to your attention. These matters are receiving continuous consideration in the Department.

Sincerely,

WARREN OLNEY III,
Assistant Attorney General.

DEPARTMENT OF JUSTICE RELEASE OF OCTOBER 13, 1954

Assistant Attorney General Warren Olney III said today that more than 600 alleged criminal matters stemming from prior management of the Federal Housing Administration currently are under active investigation by the Department of Justice.

Mr. Olney made the statement in discussing FHA matters with United States attorneys attending a 3-day working conference at the Department of Justice.

He reiterated his request that the United States attorneys take prompt and vigorous action on every housing matter within their districts, and reported:

"Ten to fifteen new cases are being referred to the Criminal Division every day. The majority of them are from the FBI. However, we still are receiving cases from the FHA and, in addition, we now are receiving referrals from the Senate Banking Committee. Naturally, as soon as possible, those cases are referred to you people who must complete the job in the field."

Mr. Olney reviewed the progress of the Department in the housing matters. He pointed out that a review of the situation, based on complaints, was ordered early in 1953; that the FBI made an overall study of the extent of the situation, and, after conferences between the Department and the Housing and Home Finance Agency, the FBI was given primary investigative responsibility in April 1954.

"Since last April, convictions of 49 individuals have been reported to the Department and, at the end of September, there were indictments reported pending against 125 individuals," Mr. Olney said.

He said the bulk of early cases involved falsification of documents under the title I home-improvement program but that the pattern is changing as more misconduct is uncovered in former management of FHA.

"The section 608 program involving multiple unit rental construction and which ended in 1950 has been found shot through with bribery and criminal corruption," Mr. Olney said. "The failure of prior management in FHA to discern and act against these practices may bar prosecution but it is essential that we go ahead as rapidly as possible with grand jury investigations to develop all the facts."

He said the complete documentation of all cases has a threefold purpose:

1. To uncover cases where criminal prosecution is warranted and can be undertaken.

2. To develop facts for appropriate administrative action and identify recipients of gratuities still in Government employment.

3. To provide full and accurate data upon which the present administration can act to make corruption impossible in the future.

ADDITIONAL DEPARTMENT OF JUSTICE RELEASE OF OCTOBER 13, 1954

Assistant Attorney General Warren E. Burger today announced formation of a special unit under his direction to coordinate all civil-legal matters arising from investigations of the Federal Housing Administration.

The unit is composed of representatives of the Civil Division, which Mr. Burger heads, and four other divisions of the Department of Justice. It parallels and is working closely with a similar unit established to coordinate criminal matters arising from the FHA studies.

Mr. Burger made his announcement in discussing Civil Division work at one of the early sessions of the 3-day conference of United States attorneys which opened at the Department today.

A discussion of housing investigations and prosecutions was a major item on the agenda. Individual conferences with Washington staff attorneys also were scheduled for those United States attorneys having special FHA problems in their districts.

The special civil unit is designed to effect speedy analysis of the vast amount of material being assembled as a result of Senate committee hearings, the Housing and Home Finance Agency's own study of former FHA management and investigations by the Federal Bureau of Investigation.

Mr. Burger said particular attention will be given to circumstances leading to default in the past 2 years of over $40 million in FHA-insured mortgage loans on title 608 housing projects. The title 608 program was directed by Clyde Powell, former Assistant Commissioner of FHA whose activities are now under study by a special grand jury in the District of Columbia.

Commenting on the title 608 projects, Attorney General Herbert Brownell, Jr., said:

"From a preliminary study of what appear to be typical cases, it is plain that the gross maladministration of this program resulted in having the tenants pay excess rents based not on the cost of construction but on the artificially inflated mortgage loan. In many cases the promoters obtained mortgages, insured at Government expense, for as much as 20 and 25 percent over the cost of the project. Thus the tenants, who were supposed to be the beneficiaries of this program, became its victims and collectively they paid out millions to make possible the vast windfall profits. The good intentions of Congress were thereby distorted by those entrusted with the administration of the program."

Mr. Burger reported that Mr. Brownell has instructed the special unit to make a particular study of rent levels fixed in relation to the mortgage debt where that debt exceeded the cost of construction.

The special unit under Mr. Burger includes: Charles E. Rice, Tax Division; William J. Lamont, Office of Legal Counsel, John J. Cain, Lands Division; Philip Marcus, Antitrust Division, and Carl Eardley, Marvin C. Taylor, George F. Foley, and Lino Graglia, all Civil Division.

Mr. Burger pointed out that the Civil Division has been studying various civil aspects of the housing investigations for some time; that a number of foreclosure actions have been filed, and that several civil suits will be filed in the near future.

He added that where FHA-insured mortgages on 608 projects are defaulted, the Government will incur a direct loss if the foreclosure sale brings a price less than the amount of the mortgage debt. Close examination is being made of such cases for this reason, he said.

The head of the Civil Division told the United States attorneys he hoped the increasing number of housing matters could be handled in such a way that they would not impede a successful program to reduce the inherited backlog of civil cases. He reported that the backlog totaled about 5 years early in 1953. He said it had been reduced to about one-third since then.

Mr. Burger also discussed plans to delegate additional authority to United States attorneys in litigation in order further to reduce paperwork and speed the handling of cases.

THE VARIOUS ELEMENTS OF THE FIGHT AGAINST COMMUNISM

Mr. FLANDERS. Mr. President, I wish to take advantage of the 2-minute rule to express my appreciation for the address delivered yesterday by the Republican leader, the Senator from California [Mr. KNOWLAND]. I had been in attendance all day, and left the Chamber before he began to speak. It seems to me, as I have read the address in the RECORD and in the press, that the distinguished majority leader has set in proper perspective the various elements of the fight against communism. I am not sure that he will follow this statement, and I do not ask him to express himself about it, but to my mind the serious present dangers are those which fall within the purview of the Committee on Foreign Relations and the Committee on Armed Services. I trust that no particular interest of other Senators in the possibility of subversion in the Government in the present or in the immediate future will misdirect our attention from the present dangers to which we must apply all the information we can get and all the judgment we can muster.

THE FOREIGN POLICY OF THE ADMINISTRATION

Mr. HENNINGS. Mr. President, yesterday afternoon the country and the Senate were witness to a rather extraordinary occurrence. In order to view this incident in perspective, we must recall that on November 8, just 1 week before, the distinguished majority leader rose on the Senate floor and, in a statesmanlike appeal to all Members of the Senate, asked that Senators refrain from interjecting matters extraneous to the current debate on the motion to censure the junior Senator from Wisconsin [Mr. MCCARTHY]. During that week, I think almost without exception, Senators complied with the request of the majority leader. The debate has been vigorous, and during the past week as I heard the members of the select committee abused in what one of its members referred to as fantastic and foul language, and its members subjected to what its chairman aptly called indecencies, I have waited with patience in anticipation of a stirring speech by the majority leader in defense of the select committee, and, of course, more particularly, in defense of the three members of the select committee who agreed to serve out of deference to his wishes.

So, when the majority leader yesterday rose to request the Senator from Utah [Mr. WATKINS] to yield to him, I thought the moment had come for which I had been waiting. The Senator from Utah had waited most patiently throughout the long day for a chance to defend his honor and integrity.

The majority leader, however, rose not to defend the Senator from Utah and his colleagues on the select committee from

abuse, but to talk on a matter extraneous to the debate. He rose, it appears, to take issue with the foreign policy of the present administration as clearly enunciated by President Eisenhower within the past month. He challenges the concept of peaceful coexistence, and asks if it is synonymous with what he calls atomic stalemate. He went on to say that the country is faced with a clear and present danger.

Mr. President, there is no question that the country is faced with a present danger in the aggression and treachery of the Russian Communists. I beg to suggest that this is known by every schoolboy in the land, and, therefore, I think it follows that the danger is not only a present one but is clear. The distinguished majority leader rose to ask that the Congress and the American people reexamine our foreign policy and our defense policy. I beg to suggest that these policies ought always to be under review, and so long as the Democratic Party remains a vigorous party, these policies will continue to be under review.

The process of reviewing foreign policy should not include spreading confusion and doubt as to what our foreign policy is, but this, I am constrained to say, is what I think has resulted from yesterday's remarks by the distinguished majority leader. If he does not want coexistence, what does he want? Does he want war? Let me suggest to him that in the end, war means the devastation which would result from the use of hydrogen bombs.

Actually, of course, our present condition is not peaceful coexistence, but a condition neither of peace nor of war. This state of tension is not of our own making. It is a product of Communist design and aggression. But in order to succeed in our struggle with the diabolical Russian tyranny, we must recognize the situation as it is. In our efforts to coexist we must not lose sight of the fact that within the next few years, the Russians will attain the means, by long-range bombers, by hydrogen bombs, and by guided missiles, to cause terrible devastation, and perhaps even destroy our capacity to wage war. The majority leader said as much in his statement yesterday. There is nothing new in this.

Our realization of this grim fact is crucial to a policy of coexistence. In other words, we possibly have a few years yet before us in which we can restrain the Russians by constantly developing our power to protect ourselves and by keeping ready the means of overwhelming retaliation. At the same time, we must find a way of persuading them to submit to control by the United Nations. Only in such manner can we secure the free world against aggression and work gradually toward the liberation of enslaved peoples. This seems an impossible task, but it is also our only choice. This, I think, is what President Eisenhower means by peaceful coexistence. In order to accomplish these goals of foreign policy, our Government should act in every way so as to strengthen the prestige of the United Nations, making it an ever more effective instrument for the settlement of international conflicts and for the maintenance of peace. This implies that we cannot think of withdrawing from the United Nations when decisions go against us.

We Americans must face these implacable problems of foreign policy. If we attempt to escape them by retreating into our own shell or through some other sham remedies, ruin will be our destiny. Only in courage and honesty lies greatness. We have a choice; let us not falter.

Mr. KNOWLAND. Mr. President, appropos of the remarks of the Senator from Missouri [Mr. HENNINGS], I do not intend to prolong the debate, but it is quite obvious that the Senator has not done what a good many other Members on the minority side have done, namely, read the CONGRESSIONAL RECORD. If the Senator from Missouri had done so he would have known that on last Friday, the 12th of November, the majority leader made a statement on the floor of the Senate relative to the appointment of the select committee and the confidence he had in it. He reiterated the statement he had made earlier. That statement was commented on favorably by the distinguished minority leader, the spokesman of the minority party.

At a later date I shall be prepared to discuss further, if I believe it is necessary to do so, the subject matter of the brief remarks I made on the floor of the Senate late yesterday afternoon. They were made when the Senator from Utah [Mr. WATKINS] had indicated that he did not care to make his remarks at that late hour and prior to adjourment. There was never any agreement that there should not be on the floor of the Senate discussion of subjects extraneous to the pending resolution, if conditions in the world or in the country should warrant such discussion. The only understanding was that we would not take up legislative matters during the time we had before the Senate the pending business.

Mr. HENNINGS. I was present in the Chamber when the Senator from California made his speech last evening, and I had that situation in mind when I made my remarks.

DR. FREDERICK BROWN HARRIS

Mr. JOHNSTON of South Carolina. Mr. President, 30 years ago today there came to the Nation's Capital a relatively young pastor. He accepted the great responsibility of becoming the minister at one of the oldest and most historic churches in Washington. At the old foundry in Georgetown, Henry Foxhall helped to forge the iron and the steel to withstand the attack of the British in the War of 1812. In honor and memory of the importance of that undertaking, Foundry Methodist Church of Washington, D. C., was established. To that end it has since been dedicated. The chief mechanic of those operations now for nearly a third of a century has been Dr. Frederick Brown Harris, the beloved Chaplain of the Senate.

Now is neither the time nor the place to recapitulate his services to God or his fellow man. I merely wish for a moment to felicitate him for the great services he has rendered this community at large and the Members of the United States Senate. At a later date, no doubt, appropriate exercises may be held to commemorate his many achievements in the chosen field of his life's glorious work. As a man of letters and as an exponent of the Christian faith, few are his peers. His long tenure of faithful service at one great church, a period equivalent to five full terms in this body, is convincing testimony of the worth, the admiration and esteem in which his flock hold their shepherd. That he has been called to serve the Senate under changing administrations is proof of our respect for and appreciation of him.

Whether in high or low place, whether collectively or individually, service to his fellow man through a daily application of the virtues of the Christian faith has been his shield and buckler. It is my fervent prayer, in which, I am sure, my colleagues heartily join, that Dr. Harris may live many, many years more to continue his great work, embodied in the lines of the old hymn:

A charge to keep I have,
A God to glorify.
A never dying soul to save
And fit it for the sky.

Dr. Harris, we congratulate you today on the 30th anniversary of a life so well spent in our midst.

NOTICE OF HEARING ON CERTAIN NOMINATIONS

Mr. HICKENLOOPER. Mr. President, I desire to give notice that a meeting of the Senate section of the Joint Committee on Atomic Energy has been called for next Thursday morning, the day after tomorrow, at 9 o'clock. It will meet first in the joint committee room, room F-83 in the Capitol, for the purpose of considering the nominations of Dr. Willard F. Libby and Dr. John Von Neumann to be members of the Atomic Energy Commission. I give notice at this time so that anyone who is interested in these nominations may appear and express himself, or appear merely because of his interest in the hearings.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. ANDERSON. Is it the expectation of the chairman to bring the nominations before the Senate and seek confirmation of those nominations at this session of the Senate?

Mr. HICKENLOOPER. My expectation is that the nominations will be considered by the Senate section of the Joint Committee on Atomic Energy, which is the proper committee to consider the nominations. Future action will then depend on what action the committee takes. If the committee should recommend Senate confirmation, it would be my hope that such confirmation could be had. If the committee should take other action, I presume we would be bound by that action.

Mr. ANDERSON. I understood that the nominations would not be brought before the Senate at this session. Can

the majority leader or the minority leader give us any help in that respect? I am curious to know whether any action will be taken on the nominations by the Senate at this session.

Mr. KNOWLAND. Of course, the minority leader can speak for himself, but I believe the general understanding, after consultation with the minority, is that such a matter can be taken up and hearings held during a time when the Senate is not in session. In other words, if the hearings could be held from 9 to 10 or to 11 o'clock in the morning, so that there would be no interference with the sessions of the Senate, and if nominations were reported from a committee with support from both sides of the aisle, we could dispose of the nominations after we had disposed of the pending business before the Senate. I hope that some of the noncontroversial nominations may be taken up in that way.

I think I made it clear in discussions that in the case of controversial nominations, or when there is substantial opposition to them on the other side of the aisle, it would not be feasible to consider such nominations at the present session of the Senate. Certainly, in the case of Army, Navy, and Air Force nominations, which are routine in character and which are usually considered by unanimous consent on the floor of the Senate, and certain diplomatic nominations, which it would be desirable to confirm from the point of view of having representation abroad, and certain other noncontroversial nominations, it seems to me they could be processed at the proper time.

Mr. JOHNSON of Texas. Mr. President, I am in complete agreement with the statement concerning nominations to be considered just made by the distinguished majority leader. Nominations of a routine nature, such as those in the Army, Navy, and Air Force, and certain important diplomatic nominations, and any other nominations that may be noncontroversial, should be acted on, assuming that such action does not take a great deal of the Senate's time. We have been in agreement on that subject since the day I arrived in Washington. I have brought that agreement to the attention of the members of my party in the Democratic policy committee. They felt that it was an excellent policy. We have so indicated to the majority leader. We do not want to delay any nominations, but we must reserve the right of each Senator to question any nomination he may choose to question, and to question the nominee to such extent as may be necessary to get all the information he needs before he votes on the nomination.

I would be less than frank if I did not say that after some 8 days of the session I feel that unless we take a new look at this session we are likely to find ourselves straying off into greener pastures. We came here for the purpose of considering the report of the select committee. We have had a number of visitors to the Senate, and we are always glad to have them, but meeting them consumes the time of Senators. Almost every morning a number of nominations have been reported. Normally, if we were not here to consider the report of the select committee, such nominations would come before the Senate in January. Each morning there come from the President messages designed to demand the attention of Senators and divert them from the purpose of this session.

In addition, Members have raised the question of the lunch period. We agreed we would meet at 10 o'clock in the morning and work until 5:30 in the afternoon. That seemed to be a reasonable schedule, but some Senators felt that, because of the responsibilities of the select committee and of the junior Senator from Wisconsin, we should make an allowance of time for lunch. The minority leader and the minority party have been willing to follow the rule of reason, but I wish to invite the attention of all Members of the Senate to the fact that if we expect to get home before Christmas we shall have to take some action with reference to persons paying us social calls and to various nominations. I hope the President will give consideration to the fact that the occupants of the offices to which nominations are being made can all continue to serve and can all be paid. A great many of them are already in their jobs.

The 80th Congress did not hesitate to hold back a number of nominations. We are willing to support and approve every nomination that satisfies every member of the committee which has jurisdiction. But I still remember the injunction laid down by the late Senator from Ohio, Bob Taft, who said to me, "I think so long as the humblest Senator from the smallest State has questions to ask a Presidential nominee, he should have that privilege."

There is not anything to be concerned, alarmed, or frightened about. The rule which the minority followed during the last Congress—and it will be followed in the next Congress—was to meet the President more than halfway. We did not have a jammed Executive Calendar. We did not hold up the President's nominations. We did not try to thwart the will of the Executive. We approached him with prudence and reason, obtained the information we desired, and in practically every instance we voted to confirm the nominations. I hope the nominations in the 84th Congress will be of such a character that we can follow the same course. But I wish to remind the Members of the Senate that we are now in the middle of November. Senators have been called from their homes across the Nation to come here for one purpose, namely, to consider the report of the select committee. We cannot make progress if we are going to have committee hearings before 10 o'clock or after 5:30 o'clock.

When we arrived at the schedule now in effect and determined upon it, we thought we had allowed the minimum amount of time Senators would require to take care of their mail and receive whatever constituents they had to see. After 5:30 in the afternoon, if a Senator wants to work into the evening, he can further catch up on his work. But if we are going to chase every rabbit that jumps up, we are not only going to be diverted from the purpose of the session, but are not going to make progress in other directions.

The men whose nominations have been mentioned are all drawing their pay. They can all serve. The public interest is not being jeopardized. No delay is being brought about. With reference to Army and Navy nominations, well and good. With reference to diplomatic nominations, when it is important that a person nominated to be an Ambassador should take his post of duty, his nomination can be cleared. The same is true of any other nominations which are not controversial, and which can be acted upon immediately. But where one single Member of the Senate wishes to ask questions and have hearings, I hope the majority will not insist that committees be asked to act on nominations. If they do, we shall have to insist that the Senate not consider them until action is taken on the report of the select committee, which is now the pending business.

I think, Mr. President, that with 1 or 2 additional speeches by members of the select committee, we ought to get to the point where the Senate can start voting on the matter for the consideration of which we were called into special session.

Mr. HICKENLOOPER. Mr. President, so that my position will be completely clear, I wish to state that because of the peculiar situations surrounding the operation of the Commission on Atomic Energy, I think it is imperative that the nominations of persons appointed to that Commission should have consideration. I also wish to state that if the committee votes to recommend these nominations for confirmation, I shall do everything I can to bring them before the Senate. I recognize the great power and strength of the leadership in opposition, but I shall do everything I can in my weak way to bring those nominations before the Senate at the earliest possible moment, if the committee so recommends. There are peculiar and quite important factors surrounding the operation of the Atomic Energy Commission. Therefore, I feel a responsibility to proceed with vigor to get the machinery going.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. JOHNSON of Texas. Will the Senator state those peculiar factors?

Mr. HICKENLOOPER. The Atomic Energy Commission has two vacancies. There is some question—I cannot say that I agree with it—about the legality of the appointments. I have seen no legal opinion on the question. There would be a difficult situation if we should find that in some of our most sensitive activities certain persons have been acting without authority and are expected to continue to act without authority.

I do not care to have any discussion with my friend the Senator from Texas. I only wish to make my position clear. We shall meet the issue at a later date if,

as, and when it arises. But if the committee recommends the confirmation of these two nominations I shall do whatever I personally can to bring that about. I realize that opposition to that action could be most formidable, and perhaps I could not overcome it, but I shall do whatever I can to get the Senate to act on the recommendations of the committee.

Mr. JOHNSON of Texas. Does the Senator know of any more peculiar situations which he can point out to the Senate?

Mr. HICKENLOOPER. Peculiar situations arise in the day-to-day program in connection with our international security. The Atomic Energy Commission is a unique body, conducting a unique operation.

Mr. JOHNSON of Texas. Is it the Senator's position that action cannot be taken by the Commission unless and until the nominations are approved?

Mr. HICKENLOOPER. Not necessarily, but the action of, let us say, 3 members out of 5 does not carry the authority of action of a full commission of 5 members. There are many reasons behind my request which I do not care to argue now with the Senator from Texas.

Mr. JOHNSON of Texas. I am not attempting to argue; I desire only to understand the viewpoint of the Senator from Iowa. He said there were certain peculiar situations which required action, in his judgment, and I wanted to know what they were.

Mr. HICKENLOOPER. My viewpoint is that if the Senate committee votes to recommend the confirmation of the nominations, I shall do everything I can to get the Senate to act on them. At the proper time, if the Senate elects to consider the matter, I shall go into the details, but I am not disposed to discuss details in the morning hour.

The PRESIDING OFFICER. The time of the Senator from Iowa has expired.

Mr. ANDERSON subsequently said: Mr. President, I desire to state why I asked for an explanation of the nominations which are to be considered by the Joint Committee on Atomic Energy.

The term of Eugene M. Zuckert as a member of the Atomic Energy Commission expired on June 30. It had been known for many weeks that Mr. Zuckert would not be reappointed. It had been expected by the Joint Committee on Atomic Energy that a nomination would be sent to the Senate. At any time during the month of July a name could have been submitted. For the first 20 days of August, while the Senate was still in session, a name could have been submitted. No name was submitted during that period. Therefore, I do not believe it is quite proper to suggest that there is urgency now, if there was no urgency during the months of July and August.

It was merely my desire to have an opportunity to hear the appointees and to question them which caused me to raise the question.

SUBPENA SERVED ON EMPLOYEES OF COMMITTEE ON GOVERNMENT OPERATIONS IN CASE OF UNITED ELECTRICAL, RADIO, AND MACHINE WORKERS v. GENERAL ELECTRIC CO.

Mr. DIRKSEN. Mr. President, I call up for immediate consideration Senate Resolution 329, which was submitted yesterday. There are two members of the staff of the Senate Permanent Subcommittee on Investigations who were served with subpenas, one to testify and the other to deliver records.

There are two Senate resolutions. One is Senate Resolution 329, and there is an additional resolution which affirms the position of the Senate with respect thereto.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. JOHNSON of Texas. Is Senate Resolution 329 the resolution which was submitted to the majority leader and the minority leader yesterday by the chairman of the Committee on Government Operations?

Mr. DIRKSEN. It is.

Mr. JOHNSON of Texas. Am I to understand that Senate Resolution 329 was considered by the committee this morning, with the ranking minority member present, and that it was reported unanimously?

Mr. DIRKSEN. That is correct. I may say, in addition, that the anterior resolution was further considered with the Parliamentarian.

Mr. JOHNSON of Texas. Were any changes made in the resolution by the committee?

Mr. DIRKSEN. No; because the additional resolution was not printed in the RECORD.

Mr. JOHNSON of Texas. It is my information that the language of the resolution follows, in general, the language set forth in similar instances by the House of Representatives.

Mr. DIRKSEN. That is correct. It preserves the privilege of the Senate.

Mr. JOHNSON of Texas. I understand from the ranking minority member of the committee, the distinguished senior Senator from Arkansas [Mr. McCLELLAN], that he approves of the action taken by the committee.

Mr. McCLELLAN. Mr. President, I approve it. I think it is the only way in which the integrity of the Senate can be preserved. I am opposed to purely fishing expeditions which seek to get before a court all the records of any Senate committee.

If there be any document in the possession of the committee which would aid in the administration of justice in any case pending in any court, and that document can be identified, I am perfectly willing to vote for the release of it, and to have it offered in court. But I am opposed to any type of dragnet expedition. I think the present procedure is the only way in which the integrity of committee records can be preserved.

The PRESIDING OFFICER. The clerk will state the resolution by title.

The CHIEF CLERK. A resolution (S. Res. 329) relative to subpena addressed to a staff member of a subcommittee of the Committee on Government Operations.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. CHAVEZ. Mr. President, may we have the resolution read?

The PRESIDING OFFICER. The clerk will read the resolution for the information of the Senate.

The Chief Clerk read the resolution, as follows:

Whereas, in the case of *United Electrical, Radio, and Machine Workers of America, and Others, plaintiffs,* v. *General Electric Co., defendants,* Civil Action No. 1037–54, pending in the District Court of the United States for the District of Columbia, a subpena ad testificandum was issued upon the application of Joseph Forer, attorney for the plaintiffs, and addressed to C. George Anastos, who is an assistant counsel of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, directing him to appear as a witness before the said court on the 15th day of November 1954 at 10 o'clock antemeridian and to give testimony in the above-entitled cause regarding evidence in the possession and under the control of the Senate of the United States: Therefore be it

Resolved, That by the privileges of the Senate of the United States no evidence under the control and in the possession of the Senate of the United States can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession, but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that testimony of an employee of the Senate of the United States is needful for use in any court of justice or before any judge or such legal officer for the promotion of justice and, further, such testimony may involve documents, communications, conversations, and matters related thereto under the control of or in the possession of the Senate of the United States, the Senate of the United States will take such order thereon as will promote the ends of justice consistently with the privileges and rights of the Senate; be it further

Resolved, That C. George Anastos, assistant counsel to the United States Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, in response to the aforementioned subpena, shall testify to any matter determined by the court to be material and relevant for the purposes of identification of any document or documents provided said document or documents have previously been made available to the general public; but said C. George Anastos shall respectfully decline to testify concerning any and all other matters that may be based on knowledge acquired by him in his official capacity, either by reason of documents and papers appearing in the files of said subcommittee or by virtue of conversations or communications with any person or persons, and specifically he shall respectfully decline to testify on any other matters including, but not limited to, the investigation of, the disciplining, retention or discharge of, any employee or employees of the General Electric Co. or the agents or representatives of said employee or employees, or any knowledge concerning same, all of which were acquired by said C. George Anastos in his official position, as such testimony is within the privileges of

the Senate of the United States; and be it further

Resolved, That a copy of these resolutions be transmitted to the said court as a respectful answer to the subpena aforementioned.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 329) was considered and agreed to.

The preamble was agreed to.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the subpena which was issued and to which Senate Resolution 329 is a response, be printed at this point in the RECORD.

There being no objection, the subpena was ordered to be printed in the RECORD, as follows:

CIVIL SUBPENA — UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED ELECTRICAL, RADIO, & MACHINE WORKERS OF AMERICA, ET AL., PLAINTIFFS, *v.* GENERAL ELECTRIC CO., DEFENDANT—CIVIL ACTION NO. 1037–54

To George C. Anastos:

You are hereby commanded to appear in this court—report to office of assignment commissioner—at Third and Constitution Avenue NW., Washington, D. C., to give testimony in the above-entitled cause on the 15th day of November 1954, at 10 o'clock a. m., and do not depart without leave.

HARRY M. HULL, *Clerk*.
By DORIS C. MEECE,
Deputy Clerk.

Date: November 15, 1954.

JOSEPH FORER,
Attorney for Plaintiffs.

Mr. DIRKSEN. From the Committee on Government Operations I report an original resolution and ask that it be read and immediately considered.

The PRESIDING OFFICER. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 330), as follows:

Whereas in the case of *United Electrical, Radio, and Machine Workers of America, et al., plaintiffs*, v. *General Electric Co., defendants*, Civil Action No. 1037–54, pending in the District Court of the United States for the District of Columbia, a subpena duces tecum was issued on November 15, 1954, upon the application of Joseph Forer, attorney for the plaintiffs, and addressed to James N. Juliana, acting staff director, Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, directing him to appear as a witness before the said court on the 17th day of November 1954 at 10 o'clock a. m. and to bring with him certain papers in the possession and under the control of the Senate of the United States: Therefore be it

Resolved, That by the privileges of the Senate no evidence of a documentary character under the control and in the possession of the Senate can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the Senate is needful for use in any court of justice or before any judge or such legal officer, for the promotion of justice, the Senate will take such order thereon as will promote the ends of justice consistently with the privileges and rights of the Senate; be it further

Resolved, That James N. Juliana, acting staff director, Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, be authorized to appear at the place and before the court named in the subpena duces tecum before mentioned, but shall not take with him any papers or documents on file in his office or under his control or in his possession as acting staff director of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations; be it further

Resolved, That when said court determines that any of the documents, papers, communications, and memoranda called for in the subpena duces tecum have become part of the official transcripts of public proceedings of the Senate by virtue of their inclusion in the official minutes and official transcripts of such proceedings for dissemination to the public upon order of the Senate or pursuant to the rules of the Senate, and, further, that such documents, papers, communications, and memoranda are material and relevant to the issues pending before said court; then the said court, through any of its officers or agents, have full permission to attend with all proper parties to the proceeding, and then always at any place under the orders and control of the Senate, and take copies of such documents, papers, communications, and memoranda in possession or control of said James N. Juliana which the court has found to be part of the official transcripts of public proceedings of the Senate by virtue of their inclusion in the official minutes and official transcripts of such proceedings for dissemination to the public upon order of the Senate or pursuant to the rules of the Senate, and, further, that such documents, papers, communications, and memoranda are material and relevant to the issues pending before said court excepting any other documents, papers, communications, and memoranda including, but not limited to, minutes and transcripts of executive sessions and any evidence of witnesses in respect thereto which the court or other proper officer thereof shall desire as such matters are within the privileges of the Senate; and be it further

Resolved, That a copy of these resolutions be transmitted to the said court as a respectful answer to the subpena aforementioned.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

The preamble was agreed to.

Mr. DIRKSEN. Mr. President, I ask unanimous consent, further, that the text of the subpena in this instance be printed in the RECORD at this point.

There being no objection, the subpena was ordered to be printed in the RECORD, as follows:

CIVIL SUBPENA—UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED ELECTRICAL, RADIO & MACHINE WORKERS OF AMERICA (UE), ET AL. PLAINTIFFS, *v.* GENERAL ELECTRIC CO., DEFENDANT—CIVIL ACTION NO. 1037–54

To James Juliana, acting staff director, Senate Subcommittee on Permanent Investigations of the Committee on Government Operations, Senate Office Building, Washington, D. C.:

You are hereby commanded to appear in courtroom of Judge McLaughlin, second floor, Third and Constitution Avenue NW., to give testimony in the above-entitled cause on the 17th day of November 1954, at 10 o'clock a. m. and bring with you the documents listed on the attached page, and do not depart without leave.

HARRY M. HULL, *Clerk*.
By DORIS C. MEECE,
Deputy Clerk.

Date: November 15, 1954.

JOSEPH FORER,
Attorney for Plaintiffs.

DOCUMENTS SUBPENAED

1. All memoranda, or copies thereof, in the possession of the Special Subcommittee on Investigations of the Senate Committee on Government Operations, of any meetings, conferences or discussions had from October 1, 1953 to September 1, 1954, inclusive, between Roy Cohn, George C. Anastos, Francis Carr, or any member, or other representative or agent of said subcommittee, with any officer, representative, or agent of the General Electric Co., with respect to the investigation, and discipline or discharge of any employee or employees of the General Electric Co. for asserting any rights, privileges, or immunities of the United States Constitution in declining to answer questions of a congressional investigating committee.

2. All written communications, or copies thereof, in the possession of said subcommittee, written from October 1, 1953 to September 1, 1954, inclusive, between Senator Joseph R. McCarthy, Roy Cohn, George C. Anastos, Francis Carr, or any other representative or agent of said subcommittee, and any officer, representative, or agent of the General Electric Co., with respect to the investigation, discipline, or discharge of any employee or employees of the General Electric Co. for asserting any rights, privileges, or immunities of the United States Constitution in declining to answer questions of a congressional investigating committee.

3. Stenographic transcript of hearings conducted by said subcommittee on November 12 and 13, 1953, in Albany, N. Y.

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

Mr. WATKINS. Mr. President, the Senate, in considering the pending business, is sitting as a court. At least, that is the legal effect of our present position. There has been a great deal of discussion about the nature of the matter now pending. There has been discussion about the nature of the committee's work. I have heard so much of what I consider to be loose talk about this subject that I should like to take a few minutes this morning to outline what I think is the real situation.

Under the Constitution, which has been referred to many times, the Senate is in full control of its own membership. It passes upon its Members' qualifications, and upon questions of discipline, if it decides to discipline any Senator. It is answerable to no one but the people themselves. No court can intervene or interfere with what this body does about its own membership.

I take issue with those who have said we are sitting as a jury. A jury is a trier only of the facts.

Mr. JOHNSON of Texas. Mr. President, we are going to have to do something about order in the Senate, or the Senator will have to speak louder. Conversations are going on on all sides of us. I ask the Senate be in order, and that request particularly applies to the

aides and attachés of the Senate and the occupants of the galleries.

The PRESIDING OFFICER. The point of order made by the Senator from Texas is well taken. The Senate will be in order. The Chair appeals to the Senator from Utah to raise his voice in order to enhance the ability of Senators to hear his remarks. The Chair would also inform those in the galleries that they are here as guests of the Senate. It is difficult to follow a debate if there is noise. The Chair commends the occupants of the galleries for the attention they are giving to the debate. If they will continue to pay the same attention, the debate will not be interrupted. The Chair may also say that, under the rules of the Senate, demonstrations either of approval or disapproval are not allowed.

The Senator from Utah may resume his remarks. The Chair will endeavor to keep order.

Mr. WATKINS. Mr. President, I regret that I do not have a voice as heavy and as loud as have some of the speakers who have preceded me in the debate. If I attempted to make it possible for everyone present to hear me, I would have to shout, and then it might be thought that I was angry. I should like to be dispassionate in this discussion, even though it involves my own honor. I wish to speak in tones of moderation.

Mr. President, I started to say something about the role of the Senate in the pending proceeding. I call attention to the fact that the Senate is not a jury. A jury hears and determines matters of fact only. As Members of the Senate we are called upon to determine not only matters of fact, but matters of law. We sit very much as a judge sits in court when he does not have a jury. He has to consider both matters of fact and of law. So all this talk about the Senate being the jury is, I think, a rather loose description of what it actually is. This is the body which makes the decision. No committee, no matter how much power has been given to it, has the authority to make a decision in a case of this kind. It must be done by the Senate itself. I think that should be kept clearly in mind in every discussion of the pending question.

As a Member of the Senate, I should like to discuss the case as one of the judges sitting here. Sometimes in courts litigants appear who stir the courts to their very depths and sometimes cause judges to say things they should not say. I remember that Judge Medina in New York, as he sat through months and months of a case, was sorely tempted time and time again to say something which might have caused a mistrial; but, in spite of all the vilifications and everything else he had to take, he kept his temper and poise. I think it was one of the finest exhibitions of judicial action I have read of in our judicial history. The temptations were there, but Judge Medina did not yield.

Let me come now to the work of the committee. The select committee was given a direct order under Resolution 301. When one examines closely the duty assigned to the committee, he finds that the committee was not to be a jury. Nor was it a grand jury, which term has been used in the debate.

If I correctly understand the operation of a grand jury, and I have had some experience with grand juries, a grand jury sits and listens to evidence submitted by a district attorney, under instructions from a court. The grand jury does not on its own responsibility investigate any matter. It does not secure the evidence to be presented before it, or undertake to make a record for somebody else. The fact of the matter is that a record of evidence submitted to a grand jury and of statements made before it is not ordinarily brought before the trial court when a person who has been indicted comes before a court for trial. The evidence has to be heard all over again.

What did the select committee have to do? In the first place it had to go over all of the charges, some 46 of them. The committee had to do its work within the limits of the time assigned to it, which ran almost to the first of next year. It was directed to report before the Senate adjourned sine die. It manifestly would have been impossible to consider every one of the charges, and make an investigation of them. As a matter of fact, some of the charges were so broad in scope that it might have taken a year to complete an investigation of them. Some charges were so vague and indefinite that had the committee investigated them, it would have resulted in our engaging in a fishing expedition.

It was the responsibility of the committee, in the first place, to get evidence. We hired staff personnel to investigate the various charges and to obtain documents and evidence of the actions of other committees, so that such evidence could be considered by the select committee. Such activity is not the function of a grand jury or a court. Let us keep that in mind. At the time the resolution was originally offered, it was said that the committee would be sitting as a court or a grand jury. The committee had its investigators gather the evidence. Such action was completely unlike what would be done by a grand jury, a court, or a master, or a hearing officer who might be assigned by a court to hear evidence. The function of the select committee was different from such functions. But the select committee did have a duty to perform, and the first task was to go over the charges and weed out those which the committee felt it should not take notice of, those which were not sufficiently important, or those it did not have enough time to investigate, and to select the more weighty charges, those which the committee felt were more important at the time. The committee had to decide which evidence it would hear. Then the committee had to schedule hearings, for the purpose of putting on record the evidence which the Senate, as a court, would finally consider.

In order to keep from building up a record which would contain material which had no relationship to the matter at hand, the committee adopted, so far as then would be applicable, the ordinary rules of evidence in effect in American courts, both Federal and State. That was done to screen out matters that should not be brought in, so the committee would have before it a record which would contain evidence bearing squarely on the matters in issue.

In addition to that, the committee decided it was only fair to permit the Senator who had been made the subject of the charges to appear before it and present evidence, to have investigations made in his behalf, by our investigators if he so requested, and to produce such witnesses as he desired, in order to put them on record, and also to give the select committee the benefit of the legal studies that had been made in the way of briefs, and even oral arguments, so they would be placed in the record for the benefit of the court, which is the Senate itself.

We proceeded to do just that. If Senators will read and consider the record as a whole, instead of taking out of context 1 or 2 little statements made at the time by the chairman of the committee, they will see that we accomplished that objective fairly well. Notwithstanding what has been said on the floor, the accused Senator was given an opportunity, within the confines of the rules of evidence and of the matters which were before us, to bring before the committee the witnesses he wished to present, and to bring before the committee whatever defenses he had.

At the outset we determined that we were not going to retry or reinvestigate all the matters which had been investigated by the Gillette-Hennings subcommittee. We also determined that we were not going into all the matters which had been brought before the Army-McCarthy hearings. Manifestly we simply could not do that. We did not have the time or the capacity to do it; and, besides, it was not our job to do it. The matters considered by the Gillette-Hennings subcommittee grew out of the conduct of the junior Senator from Wisconsin with respect to that subcommittee, after resolutions calling for his expulsion from the United States Senate had been referred to the subcommittee.

Of course we had to receive the report of the Gillette-Hennings subcommittee. We received it for the purpose of showing the subject of the controversy and the seriousness of it, and for other miscellaneous purposes; but we did not receive it for the purpose of proving the charges contained in the report made by the subcommittee following its investigation.

Mr. President, much has been said about the members of the select committee. I ask the Senate this question in all fairness, just as a matter of ordinary, commonsense and logic: If this body were to do a little preliminary studying, would it be necessary for the Members of this body to have better qualifications, to be more impartial, or to have any other qualities which might be mentioned with respect to a group of that sort, than the qualifications of the court itself to which the study group was to report?

After all, the test in this case is whether there can be any legal ground

for disqualifying the six members of the select committee from sitting on this court—the Senate itself. I have not heard a whisper from anyone to indicate that any one of us could be challenged successfully, or that any other Member of this body could be challenged successfully, because the Constitution of the United States prescribed this court, and created it, and no one else—not even the Supreme Court of the United States—can change it. So let that be the test. If we can sit in the Senate at the time when the Senate is reaching its decision on this matter, certainly we are qualified to do some of the chores in gathering together the evidence.

The question of whether the select committee has done a good job or a bad job is to be determined by the Senate. The record is before the Senate. We on the select committee went down the line; and when we got through, we reached certain conclusions in our own minds. We did not necessarily need to make recommendations to the Senate; but we felt that we should make them because we realized that within a very few days after the report would be filed with the Senate, we would have to take a position on this matter. So we could not see why we should not take it prior to the decision of the Senate. That is the way we felt about it; and if it would be of any benefit to the Members of the Senate, we wanted them to have that benefit.

I submit to the Senate that in the report itself the Senate will find an answer to nearly every one of the questions of fact and questions of law which have been raised. If the Senate will read the report seriously and carefully, I submit the Senate will find an answer to nearly every one of those questions. Some of them may have been overlooked. If so, attention should be called to them.

So that is the situation we have at the outset; and at this time, all Members of the Senate are here as members of what—although not described in the Constitution as such—actually, in a measure, is a court sitting to consider charges which have been made against one of the Members of this body. In this case the Senate is not the jury. In this case, Senators are the judges of the facts and the law. I do not think I am mistaken in the analysis I have made of the entire situation.

During the sessions of the select committee, from time to time various matters were called to the attention of its members. For instance, although the members of the select committee were not told that "Senator JOHNSON of Colorado was disqualified," yet there was a desire to go into a long series of questions about Senator JOHNSON of Colorado or about something he had said. However, the Senate itself had created the select committee, and each one of its members had identical authority. No one member of the committee had any more authority than any of the other members had. As a member of the committee, I could not say to Senator JOHNSON of Colorado, "You cannot sit on the select committee," nor could he say that to me. If it had been possible for the various members of the select committee to rule on whether any of its members were disqualified, we could have begun by removing one member of the committee, and then by removing a second; but we would have been unable to remove a third, because in voting on that question we would not have had a majority to vote, inasmuch as such a member could not vote on his own case. In such circumstances there would not have been a select committee. The place to make a challenge, if any challenge at all had been permitted, was in the Senate itself, the body creating the committee, because the members of the select committee were not given any authority to judge each other's qualifications. All matters raised, or attempted to be raised before the committee, were immaterial and improper and therefore should not be considered.

The members of the select committee read the instructions contained in the resolution and, in a larger sense, set forth in its preamble. We attempted to be as fair as human beings could be in a very difficult situation. So, Mr. President, as a matter of law, as a matter of justice, and as a matter of fairness, all this talk about whether the junior Senator from Wisconsin had a fair jury or whether, as was referred to the other day, he had a jury that would be as fair as the jury a man would be entitled to have if he were charged with stealing a pig—I remember that illustration was used—is entirely meaningless, because of course the committee had no duty which would compare with that of a jury sitting to determine whether a man was guilty of petit larceny or of grand larceny—depending on whether it is petit larceny or grand larceny to steal a pig; and of course that depends upon the jurisdiction involved. In such a case there would be a prosecuting attorney or attorneys and a defense attorney or attorneys, and a judge to preside over the trial. Neither the judge nor the jury would go forth and hunt any of the facts; that would be done by the prosecution and the defense. It seems to me that point should be so clear, that I cannot understand how Members of the Senate, qualified to sit here, could expect us to discuss it much further. In fact, I apologize for mentioning it now; but it has been mentioned so many times that I felt I should at least make some statement with respect to what we considered our duties to be.

Mr. President, today, in what I am going to say from now on, I shall be as dispassionate as I possibly can. I should like to be as dispassionate as Judge Medina was in the famous case in New York. Probably I have not the same qualifications. Permit me to say, as a matter of interest to myself, that Judge Medina was a classmate of mine at Columbia University. He is a man I hold in great and high respect.

I will do my best. But, as Judge ERVIN said yesterday, he is human; and I am human. So I may be forgiven, I am sure, if at times I evidence a little justifiable indignation; I would not say righteous indignation, but it may be justifiable, human indignation.

Mr. President, as a preliminary, I made a statement on last Friday. At this time I shall read it again, because it has to do with the situation which has come to the attention of the Senate in the past few days:

Mr. WATKINS. Mr. President, I have two principal concerns with reference to the matter now before the Senate. One is that the Senate analyze the facts upon which the select committee based its recommendations for censure, and the other is that the Senate debate and pass judgment on this very important matter in a dignified and judicial manner.

Wednesday, for a long period of time—

I interpolate to say that I think it was more than a hour and a half—

I submitted myself to interrogation by the junior Senator from Wisconsin, yielding to him repeatedly for the purpose. I did this as a matter of courtesy to the Senator, but I believe he abused that courtesy. I had hoped that he would submit to me questions which would enlighten him or the Senate. I did not then intend, nor do I now intend, to engage in a personal wrangle with the junior Senator from Wisconsin, nor do I intend to be placed in the position of a prosecutor when my sole responsibility is to carry out an assignment which was given me by the Senate of the United States and by the select committee.

I interpolate again to say that I was the representative, and am still the representative, of the Senate, selected to do that job. When I am attacked, the Senate is being attacked, because I am the agent of the Senate. The other members of the committee are in the same capacity.

I continue with the statement:

I am willing, and I know every member of the select committee is willing, to be helpful in anyway possible, and to explain matters which may require clarification. But we must be permitted to explain them in our own way, and at times of our own choosing.

The record is large. It consists of nearly a thousand pages, I think. We worked industriously on it. We did not get any vacation; I know I did not. I had to return to Washington early, and I had to remain here after other members of the committee went home, to adjust certain matters. Between the time the hearings were scheduled and the time the Senate reconvened, someone had to direct the investigations and gather the evidence. That fell to my lot. I am not complaining. I was proud to work with the men with whom I was associated.

Continuing the reading of my statement of Friday last:

Under Senate rules we are entitled to do that. The unanimous and nonpartisan judgment of the committee, its precise and specific findings of fact, and all of its conclusions of law, are set forth fairly, clearly, and dispassionately in the committee's report. It is this which embodies the committee's views; it is a joint and collective production, and certainly not alone my individual views, or those of any other individual member. It was unanimous. If any argument is required to sustain the recommendations of the select committee, that argument is set forth in the report itself.

Under the rules of the Senate, each Senator is entitled to speak without interruption. He may yield only as a courtesy to answer genuine questions asked in good faith. I yielded for that purpose Wednesday. I am aware of the fact that the pending present matter is not an ordinary legislative proceeding. It is certainly judicial in nature and

in my opinion, requires decorum and a dignity in keeping with that conception. This cannot be maintained, as I view it, when there are personal wrangles between the Senators participating in the debate, or when one Senator wrongfully accuses another, on the floor and in a nationwide telecast, of running out on questioning, after the Senator so criticized—myself—had patiently submitted to virtually a half day of repetitive questioning on Wednesday.

In fact, I even made this offer on the afternoon when I requested a brief respite from the questioning, which I quote from the CONGRESSIONAL RECORD of Wednesday, at page 15932:

"Mr. WATKINS. Mr. President, I was occupying the floor when the Senate took a recess. I have been on my feet with the exception of a brief interruption for the luncheon period, for a considerable period of time. I have extended courtesies to the junior Senator from Wisconsin in order to enable him to ask me questions. I do not intend to deny him the opportunity for further questioning, but at this moment I wish to yield the floor. Later I shall submit myself for questioning."

For this statement, made while the junior Senator from Wisconsin was on the floor, I was twice accused by him Wednesday of running out.

Therefore, I am stating now that I shall be ready and willing to answer questions that are germane, proper, and in good faith, which may be submitted to me in writing or which may be submitted during the course of speeches by participating Senators.

Incidentally, the junior Senator from Wisconsin did ask some questions in his brief remarks on Wednesday, and I intend to answer them in due time. I will give the answers on my own time and in my own way. In other words, if I am to extend courtesies which result in getting me into a wrangle which detracts from the dignity of the Senate in the present discussion, I ought to determine what the terms and conditions shall be for such questioning.

Continuing with my remarks of last Friday:

I will give the answers on my own time and in my own way. I will try to take careful note of the questions which are propounded. By doing this I believe we can keep the debate on a higher plane and give better service in the way of information in reply to inquiries.

On November 13 a dispatch was sent by the United Press from Milwaukee which reads, in part, as follows:

NOVEMBER 13.—Senator JOSEPH R. MCCARTHY today accused Senator ARTHUR WATKINS, Republican, of Utah, of the "most unusual, most cowardly thing I've heard of" in saying he would answer no future oral questions by MCCARTHY or any other Senator.

"If a man is chairman of a committee, he should be willing to answer for errors in his report," Mr. MCCARTHY said. "Otherwise he is miserably failing his duty as chairman."

"It is the most cowardly, most unheard of thing I've heard of so far," Mr. MCCARTHY said.

"I expected he would be afraid to answer the questions, but didn't think he'd be stupid enough to make a public statement," he asserted.

I suppose I should be very indignant over that statement, but in many respects I feel more sorrow than anger over it. It reveals an attitude which has characterized the junior Senator from Wisconsin for some time. To be called a coward, of course, involves a stigma which no real man relishes. I remember reading in the record some of the things he said about the Gillette-Hennings committee. I expect to review portions of the record. Apparently, if we are to judge from his remarks, the members of that committee were not only dishonest but they were working in the interest of the Communist cause.

The charges made against the Gillette committee, which I shall review, are even worse than the charge against me of being a coward and the charge that I am stupid. Of course, the record will speak for itself. Members of the Senate, and I believe the people of the country at large, know something about my activities. I am not going into any detailed defense of my courage. I hardly think that is necessary. But since the junior Senator from Wisconsin has opened up the subject of cowardice, I think it is only proper to consider, from the judicial standpoint, some of the activities in which he has been engaged, activities which are under discussion and investigation by this body.

Let us go back to the Gillette-Hennings committee hearings. Almost in the very beginning the junior Senator from Wisconsin said in a letter, after it was called to his attention that Senator Benton had appeared before the committee, "I am not going to even read, let alone answer, the charges."

Where did he say that? He wrote a letter from the safety of his office. Oh, no, he did not appear before the committee. He did not appear when Senator Benton was there, and he did not accept the invitation to come before the committee and testify, although such an invitation was duly extended to him.

Looking over this group, I do not think I can see any Senator present, and I do not believe there is another Member of this body, who would have refused the invitation to go before the committee when his honor and his integrity were under serious charges and serious investigation.

As a matter of law, I think this court has a right to take into consideration the conduct and attitude of the junior Senator from Wisconsin with respect to that committee, and the question of his willingness or unwillingness to appear.

Things went on for some time. There followed one letter after another, insulting the committee, branding it as dishonest, and all that sort of thing. Such letters were sent from the safety of the Senator's office. He did not appear before the subcommittee, where he could be cross-examined. He was not under oath. He could fire his questions and epistles at the subcommittee and give them to the press first and let the subcommittee get them afterward. Senators must take all that into consideration.

Why did he not appear before the subcommittee? He said the subcommittee was dishonest. He said it was going beyond its jurisdiction. He was a member of the parent committee. Why did he not wish to appear before the subcommitte? Let me read some of the charges which the subcommittee was considering. I believe the Senator's friends and supporters over the land ought to give careful attention to these charges, because they were what the subcommittee was considering, namely, his conduct in relation to the whole subject; and that is what the select committee was doing.

A letter was written by the Senator from Missouri [Mr. HENNINGS], the chairman of the subcommittee, to the junior Senator from Wisconsin. This is what the Senator from Missouri, said:

Pursuant to your request, as transmitted to us through Mr. Kiermas, we are advising you that the subcommittee desires to make inquiry with respect to the following matters:

1. Whether any funds collected or received by you and by others on your behalf to conduct certain of your activities, including those relating to communism, were ever diverted and used for other purposes inuring to your personal advantage.

Was that a serious charge? Was that a question involving something serious connected with the investigation? Let Senators read the record of the subcommittee. It is contained in volume 2 of the hearings of the select committee. Senators will find in it the report of the Gillette-Hennings subcommittee. In that report Senators will find the report on the evidence which the subcommittee received, and they will find photostats of checks and ledger accounts and testimony, indicating at least that there were some serious problems connected with the first charge.

According to the evidence, thousands of dollars had been received, and the money had apparently gone into the hands of the junior Senator from Wisconsin for the purpose of fighting communism. Whether or not that was true the select committee was not to determine, but the select committee was to determine whether the charges were serious. There is only one man who could clear that up, and that man was the junior Senator from Wisconsin.

I am not saying he was afraid to appear, or that he was a coward, or that he did not dare appear before the committee. However, there are some legal implications that grow out of it all.

This was not an ordinary proceeding. It was not a proceeding in court. His honor was involved. No one could send him to jail. Certainly the Senate, under its present rules and regulations, could not send him to jail for any violations.

Why did he not appear and meet with that subcommittee, and why was he not willing to help the subcommittee by answering the questions that had arisen?

Well, Mr. President, he charged that the subcommittee was without jurisdiction and that it was dishonest.

Then the subcommittee put the whole matter squarely up to him. It said to him: "If you think this committee is dishonest and does not have integrity, and that the committee has gone beyond its jurisdiction, there is provided a way by which you may test that situation. You can submit a resolution to discharge this committee, and set forth the reasons why it ought to be discharged. You can bring the resolution before the Senate, which gave us a job to do. Why do you not do that?"

I may say that that inquiry was a job which that committee did not seek, either.

The committee adopted a motion in that regard, and advised the junior Senator from Wisconsin that if he did not do what they suggested they would do it.

I point out that charges had been made against the committee, but in every instance there was no proof to sustain those charges, except the bare statement of the junior Senator from Wisconsin himself. His statements were mere conclusions of his own.

I shall read the resolution, skipping the preliminary parts:

Whereas, in a series of communications addressed to the chairman of said subcommittee during the period between December 6, 1951, and January 4, 1952, the Senator from Wisconsin [Mr. McCARTHY] charged that the subcommittee lacked jurisdiction to investigate such acts of the Senator from Wisconsin [Mr. McCARTHY] as were not connected with election campaigns and attacked the honesty of the members of the subcommittee, charging that, in their investigation of such other acts, the members were improperly motivated and were "guilty of stealing just as clearly as though the members engaged in picking the pockets of the taxpayers"; and

Whereas, on March 5, 1952, the Subcommittee on Privileges and Elections adopted the following motion as the most expeditious parliamentary method of obtaining an affirmation by the Senate of its jurisdiction in this matter and a vote on the honesty of its members:

"That the chairman of the Committee on Rules and Administration request Senator McCARTHY, of Wisconsin, to raise the question of the jurisdiction of the Subcommittee on Privileges and Elections and of the integrity of the members thereof in connection with its consideration of Senate Resolution 187—

I wish it to be kept clearly in mind that Senate Resolution 187 is the resolution which was submitted by Senator BENTON, seeking an investigation of Senator McCARTHY's activities and his expulsion. It is not to be confused with Senate Resolution 304, which was later submitted by Senator McCARTHY, seeking an investigation of the activities of Senator BENTON and his expulsion from the Senate. This has to do only with Senate Resolution 187. I continue to read—

by making a formal motion on the floor of the Senate to discharge the committee; and that Senator McCARTHY be advised by the chairman of the Committee on Rules and Administration that, if he does not take the requested action in a period of time to be fixed by stipulation between Senator McCARTHY and the chairman of the Committee on Rules and Administration, the committee (acting through the chairman of the standing committee or the chairman of the subcommittee) will itself present such motion to discharge for the purpose of affirming the jurisdiction of the subcommittee and the integrity of its members in its consideration of the aforesaid resolution;" and

Whereas, on March 6, 1952, the said motion was also adopted by the Committee on Rules and Administration and the chairman of said committee submitted to the Senator from Wisconsin [Mr. McCARTHY] a copy of the above-stated motion; and

Whereas, by letter dated March 21, 1952, the Senator from Wisconsin [Mr. McCARTHY] in effect declined to take the action called for by the above-stated motion, repeating his charge that the subcommittee has been guilty of "a completely dishonest handling of taxpayers' money", referring to a preliminary and confidential report of its staff as "scurrilous" and consisting of "cleverly twisted and distorted facts":

Now, therefore, to determine the proper jurisdiction of the Committee on Rules and Administration and to express the confidence of the Senate in its committee in their consideration of Senate Resolution 187, it being understood that the following motion is made solely for this test and that the adoption of the resolution is opposed by the members on whose behalf it is submitted, be it

Resolved, That the Committee on Rules and Administration be, and it hereby is, discharged from the further consideration of Senate Resolution 187.

The resolution was submitted to the Senate for the purpose of testing the charges. What did Senator McCARTHY do about it?

Remember, he wrote the letter from the safety of his own office. He did not appear before the committee and tell them face to face. When he came on the floor I was present, and I think the majority of the Senators who voted on the resolution that day are now in the Senate. He did not defend his position even before the Senate, as I remember the record, but he said, "Of course, vote for the resolution." And as I remember, he had in mind that we had to vote for it to keep it alive so the subcommittee could consider and take care of Resolution 304, which was the one providing for expelling Senator Benton. There was nothing in Resolution 300 about Resolution 304.

Looked at as a judicial matter, would not a judge or a jury in considering the facts be rather interested in finding out why, after making these charges against the subcommittee, he did not appear and defend his position in the Senate? He did not even remain to vote. He announced he would vote against the resolution. But there was the remedy. He would not do it after he was asked to, after all these charges.

I am not saying he was afraid; I am not saying he was a coward, but I am saying there are some very serious questions connected with his conduct in which any judge, and particularly a Senate committee sitting as we were, under our own rules and regulations, would be very much interested.

Mr. President, I have a note from the majority leader concerning the recess. I think it will take me a considerable time to complete my statement, and I probably should desist at this time, with the understanding that I shall have the floor when the Senate reassembles.

RECESS

Mr. KNOWLAND. Mr. President, I move that the Senate stand in recess until the hour of 1:45 o'clock today.

The motion was agreed to; and (at 12 o'clock and 41 minutes p. m.) the Senate took a recess until 1:45 o'clock p. m.

On the expiration of the recess, the Senate reassembled, and was called to order by the Presiding Officer (Mr. BUTLER in the chair).

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Ferguson	Magnuson
Aiken	Flanders	Malone
Anderson	Frear	Mansfield
Barrett	Fulbright	McCarthy
Beall	Gillette	McClellan
Bennett	Goldwater	Monroney
Bridges	Green	Morse
Brown	Hayden	Mundt
Burke	Hendrickson	Murray
Bush	Hennings	Neely
Butler	Hickenlooper	Pastore
Byrd	Hill	Payne
Capehart	Holland	Potter
Carlson	Hruska	Purtell
Case	Humphrey	Robertson
Chavez	Ives	Russell
Clements	Jackson	Saltonstall
Cooper	Jenner	Schoeppel
Cotton	Johnson, Colo.	Smith, Maine
Crippa	Johnson, Tex.	Smith, N. J.
Daniel, S. C.	Johnston, S. C.	Sparkman
Daniel, Tex.	Kefauver	Stennis
Dirksen	Kilgore	Symington
Douglas	Knowland	Thye
Duff	Kuchel	Watkins
Dworshak	Langer	Welker
Eastland	Lehman	Wiley
Ellender	Lennon	Williams
Ervin	Long	Young

The PRESIDING OFFICER. A quorum is present.

The Senator from Utah [Mr. WATKINS] has the floor.

VISIT TO THE SENATE BY HON. EDMOND MICHELET, A MEMBER OF THE SENATE OF FRANCE

Mr. WILEY. Mr. President, will the Senator from Utah yield, in order that I may present to the Senate a distinguished visiting Senator?

Mr. WATKINS. I yield.

Mr. WILEY. It is my distinct honor today to present to the Senate a great citizen of France, one who wears the Medal of the Legion of Honor, who has been three times Minister of War, and is now a Senator of France. He is a businessman, but above all, he is a great Christian leader.

I present the Honorable Edmond Michelet, of France.

[Applause, Senators rising.]

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

The PRESIDING OFFICER. The senior Senator from Utah.

Mr. WATKINS. Mr. President, when the Senate took a recess I was talking about Resolution 300, which had been brought before the Senate to test the jurisdiction, the honesty, the sincerity, and the integrity of the Gillette-Hennings subcommittee. Before I forget it in the extemporaneous speech I am now making, since I am speaking without a manuscript, I wish to point out that the resolution was voted upon by the members of the Senate. In doing that the

Senate took a position against the contentions which Senator McCarthy had been making over the months during which the matter had been before the Gillette-Hennings subcommittee. Whether such action disqualified any Senator from acting in the future with regard to Senator McCarthy is up to this body to decide, but even to suggest it seems absurd to me. The Senate had to take a position, and it took the position unanimously, that the subcommittee had jurisdiction of the matter about which Senator McCarthy had been complaining, and that the subcommittee was one of integrity and honesty. I was present and voted for the resolution, as I remember the record.

Let me proceed to discuss the matters which were before the Gillette-Hennings subcommittee. I have already called the attention of my colleagues to one of the matters which the subcommittee was investigating, and as to which the subcommittee had uncovered considerable evidence. In making this statement I do not say whether the charges were true or false, but the committee had uncovered detailed, documentary evidence that rather considerable funds had been contributed to Senator McCarthy for the purposes of fighting communism. Much to my amazement, because I was not acquainted with the evidence until the select committee went into the matter last August, after it had been appointed, there was record evidence that tended to prove, at least on the surface, large sums of money had been diverted from the so-called trust fund to Senator McCarthy, at least for investment purposes in his own name or in the names of others.

Senator McCarthy did not do anything about that charge until the subcommittee considered another charge. Questions had been submitted to Senator McCarthy by the subcommittee after it had invited him time and time again to appear before it. The second question was:

> Whether you, at any time, used your official position as a United States Senator and as a member of the Banking and Currency Committee, the Joint Housing Committee, and the Senate Investigations Committee to obtain a $10,000 fee from the Lustron Corp., which company was then almost entirely subsidized by agencies under the jurisdiction of the very committees of which you were a member.

That was a very significant inquiry, for the reason that Senator McCarthy was a member of the Committee on Banking and Currency of the Senate. The Lustron Corp. had obtained a rather large loan from the RFC. Senator McCarthy later sold, for about $10,000, a manuscript to that concern, the Lustron Corp., which later defaulted in its payments to the United States. Whether Senator McCarthy did that illegally, whether there is anything bad about that transaction or not, I am not here to say, but on the record as it stands in the report many questions were raised which any man who wanted to protect his name and honor, and the dignity and the honor of the Senate, certainly would have answered.

What did Senator McCarthy do about that? He finally came before the Senate and made a speech attempting to explain the transaction, if I remember the record correctly. It is rather significant that that was the only one of the six charges he attempted to explain. What would be the legal inference to lawyers arising from a situation in which a man faced with six different grave charges would appear only as to one of them and make an explanation in the Senate? The Senator had a right to speak in the Senate if he did not think the committee was doing the honest thing. However, he did not say anything about the other equally grave charges. I am not saying the Senator was a coward, or that he was afraid to go before the committee. I am leaving it up to my colleagues to make a judgment on that question.

Let us consider what the other inquiries by this subcommittee were. No. 3 reads:

> Whether your activities on behalf of certain special interest groups, such as housing, sugar, and China, were motivated by self-interest.

There are some ugly figures in the Gillette-Hennings subcommittee record on the financial situation in which Senator McCarthy was when he came to the Congress, and as the history of his transactions developed over the years. According to the evidence, there was some indication that Senator McCarthy was very heavily in debt when he became a Member of the Congress, and as time went on some rather rapid profits were realized. How he was connected with those, I do not know. I am pointing that situation out not to indicate that those charges were proven to be true, but merely that those were the charges. That was the nature of the investigation being made, and he ignored the charge.

The fourth question was:

> Whether your activities with respect to your senatorial campaigns, particularly with respect to the reporting of your financing and your activities relating to the financial transactions with, and subsequent employment of Ray Kiermas involved violations of the Federal and State Corrupt Practices Acts.

There was considerable testimony and evidence received by the committee respecting that inquiry. None of these matters were cleared up, but there was much evidence indicating that somebody ought to answer the charges or take notice of them.

When the allegation that the matter was outside the jurisdiction of the subcommittee is considered, my colleagues should remember that the Gillette-Hennings subcommittee was the Subcommittee on Privileges and Elections. Under authority of the Reorganization Act, and by custom, the subcommittee, if it so desired, had the right to investigate matters concerning elections, whether there were resolutions before it or not, just as Senator McCarthy's Committee on Government Operations has the right to make investigations without having resolutions before it.

The fifth question was:

> Whether loan or other transactions which you had with the Appleton State Bank, of Appleton, Wis., involved violations of tax and banking laws.

There was considerable evidence on that aspect, which certainly called for some kind of explanation, and Senator McCarthy did not do anything about that, and did not even come to the Senate floor to explain it.

The sixth question was:

> Whether you used close associates and members of your family to secrete receipts, income, commodity, and stock speculation, and other financial transactions for ulterior motives.

There was evidence, documentary and otherwise, on that charge, which demanded some kind of explanation.

Those were the charges and the matters the committee was investigating. After Senate Resolution 300 was agreed to, upholding the committee on every point, Senator McCarthy's conduct did not change in the slightest. Still, from the sanctity of his office, he blasted them with insulting letters and charges until December 6, when he attempted to answer—by letter, not by appearing for cross-examination—the letter which had been written to him, setting forth these charges. He said, in effect, "I do not think I am ignoring them completely. The answer is 'No.'" So in his insulting letters he described the members of the subcommittee. He was still belligerent, and he still failed to give any cooperation. That was in December 1952, shortly before the new session of Congress was about to begin. So Senators can realize how the subcommittee was handicapped; without his appearance and without receiving an explanation from him, it was almost impossible for the subcommittee to cover properly the charges which had been made and to report to the full committee and for the full committee to report to the Senate on the resolution which had been referred to the committee.

So the matter went into the new year. At the very last moment, the report was made by the subcommittee to the full committee, and was left with the full committee. It never reached the Senate.

Now let us consider the situation following the submission of Senate Resolution 301 and its reference to the select committee. Sometime after the select committee made its report, Senator McCarthy sent me a letter in which he charged that three Senators on the select committee were biased and were guilty of fraud. That story was released to the newspapers. Since I returned from Salt Lake City, I have not been able to locate the original letter. Senator McCarthy charged there was deliberate deception and fraud on the part of those three Senators, for failure to disqualify themselves from service on the select committee.

I have already gone into the matter of what kind of Senators were on the select committee, under the law and under the resolution. I shall not repeat that statement. But since my own fairness and

my own qualifications to sit on the select committee have been challenged, I should like to make a few remarks on that subject—not because it is absolutely necessary for me to do so, but because I think the select committee has been unjustifiably attacked and because I believe I have been unjustifiably attacked. Therefore, I should like to point out my activities with respect to the junior Senator from Wisconsin.

I have long been a member of the Internal Security Subcommittee, which is charged with investigating matters affecting the security of the United States. I have been a member of that subcommittee practically ever since it was organized under the McCarran Subversives Control Act. A little later I shall say more about that. However, as an investigator and as a close worker with the late Senator McCarran and with the other members of that subcommittee, I came to have a rather definite understanding of the Communist menace and the necessity for such investigations. I participated in most of those investigations. As I remember the activities of that subcommittee, every vote taken by it was unanimous; our reports were always adopted as unanimous reports. So I think I came to understand the Communist menace. We held many hearings. I was called to preside over many of them because at that time I was not of the majority party, and thus I did not have so many legislative chores, as I have had since the Republicans took over in 1953. So at that time I had more time to devote to that work. As a result, I went into that matter; and having become acquainted with it, I knew the problems with which Senator McCarthy and his committee were faced, and I knew the difficulties they were having. Consequently, when at various times some persons would make attacks upon the activities of Senate committees, particularly his committee, I felt it was proper to explain how they were working and why they were justified in doing what they were doing—although I did not always agree with the way it was done. In fact, the Internal Security Subcommittee proceeded quite differently in many respects.

A year ago I was in Europe, where I spent approximately 3 months. During that time I had opportunity to meet many of the officials of 16 countries. Invariably, one of the first questions asked was, "What about the work of Senator McCarthy?" Immediately I could see they were very hostile. That was true not only of leading foreign officials I met, but also of officials of our diplomatic corps and of our service groups and others. Again I attempted to explain how our committees operate and Senator McCarthy's role in that work; and I said I thought his objectives were good. In fact, if other Senators were to talk to the persons to whom I talked, I think they would find that those persons would say I was definitely pro-McCarthy. I had had the experience of working with the Internal Security Subcommittee, and I knew at first hand the problem facing that committee and other committees engaged in similar work. After all, for a long, long time I had participated in the investigations made by the Internal Security Subcommittee.

Let me now refer to a speech Senator McCarthy made when the American forces were at the Yalu and being driven back. As I remember, in the speech he attacked the Pentagon for leaking a very confidential dispatch from General MacArthur to the Joint Chiefs of Staff. I had forgotten about that incident until after I became a member of the select committee. I thought Senator McCarthy showed a great deal of courage in doing that. In a speech I made on the same subject, I praised him publicly. I mention this to show the Senate that as we go along in the work of the Senate, when our colleagues are concerned, on various occasions we can speak one way or another in commenting on the various events as they are happening. What I have stated is what occurred.

Furthermore, when inquiries had been made of me, I had written letters to various personal friends, explaining that I felt Senator McCarthy's objectives were good, although in many instances I could not agree with the methods used by him. That did not necessarily mean any hostility to him, but I did not agree with the way things were being done by him. That often happens; for instance, some persons like the way certain lawyers proceed in a court case, and other persons do not like the way those lawyers proceed. A similar situation arises in many other fields. But there was no reason for me to be hostile to Senator McCarthy. I had been working in the same field, and I was familiar with it.

So, Mr. President, the charge that I was biased against Senator McCarthy is absolutely false. Yet that charge was made again. So we see the pattern. The minute the select committee started its work, Senator McCarthy charged that Senator Johnson of Colorado was biased. Senator McCarthy could not question Senator Johnson of Colorado on that basis here in the Senate; but he apparently wished to fill the select committee's record with questions of that sort. Judging from the way Senator McCarthy operates, I am as certain as I am that I am now standing in the Senate Chamber that Senator McCarthy would have kept on with such charges and questions in the select committee—as he did—as long as he could, until he had absolutely stalled the entire investigation. After all, it was in that way that he stalled the Hennings subcommittee investigation, and now he says we cannot go into the matter that subcommittee was investigating because it occurred in a former Congress.

Under date of November 4, the following dispatch from Washington appeared in the New York Times:

> Senator Joseph R. McCarthy called on the Senate special censure committee today to explain what he called an imbecilic ruling before the Senate begins its "lynch bee next Monday."

So now our proceeding in this Chamber is referred to as a "lynch bee next Monday."

Mr. President, who is conducting the lynch bee? Apparently, as I now look at my colleagues in this Chamber, I am looking at a group of mobocrats here in the Senate. The phrase "lynch bee" has a meaning in the United States. What is that meaning? The members of the select committee have not as yet entered this Chamber and say to the other Members that it was an insult. But if ever an insult was hurled at the United States Senate, it happened when the Senator from Wisconsin made that statement. That statement was published some time ago. He has not denied it; he has not denied that he referred to this session of the Senate as a lynch bee, with all the implications of that phrase.

What does that do to the Senate of the United States before the people of the world? The Communists talk about lynching in the United States. It is one of their pet subjects. A man who is fighting the Commies now adds the United States Senate to those about whom the Commies have been talking, who are allegedly supposed to perform lynchings — lawbreakers without rule, without process. Such talk concerns a lynching bee, with all that implies.

Again, I call attention to the fact that he did not come into the Senate to do that. Of course, he is not a coward. Let Senators say what he is.

I come now to another matter. I am advised that on Tuesday, November 9, there was released to the press a copy of a speech which Senator McCarthy intended to deliver in the Senate on Wednesday, and which he announced would be delivered in the Senate on Wednesday. It was not delivered in the Senate on Wednesday. Senators will remember that the debate began with the introductory statement which I made. The morning hours were consumed with that statement and the questioning by Senator McCarthy. There was a shortage of speakers. At one stage it seemed that we were about ready for a vote on the first amendment, because there were no speakers; yet here was a man who told the press he was going to make a speech. He gave the text of the proposed speech to the press, and it was printed.

What happened? Only a few minutes before it was time to adjourn or recess that night, the junior Senator from Wisconsin asked unanimous consent to have that speech printed in the Record. He could not be questioned about it. There was no opportunity. I, for one, did not know what was in it. I had not read the release the night before. Otherwise I never would have consented to printing that speech in the Record by unanimous consent.

What did he do in that speech? Senators have heard about it. I cannot say that he was afraid to face us; but the facts are there, and we can take notice of them. These things were done in the presence of the United States Senate, sitting as a court, considering the conduct of one Joseph R. McCarthy, a Senator from the State of Wisconsin.

I wish to give two quotations from that speech. The first one is very interesting, as it shows the cavalier way in which he tosses off the question of denouncing the committee. This is what he said:

> Denouncing a Senate committee and its members? Why, Senators have done this with varying degrees of gusto from time im-

memorial—sometimes (as I believe to be the case with the Gillette committee) with justification, sometimes without it—but always with impunity, inasmuch as this is a land of free speech.

I ask any Senator—I ask the junior Senator from Wisconsin—to name a similar circumstance in which any Senator denounced a committee which had been directed by a resolution to investigate him with the end in view of expelling him. In the history of the Senate I have looked for precedents. We have had the staff look for them, and we never found one quite like that. At various times individual Senators have denounced committees and their actions. But did Senators ever hear of one calling an entire committee dishonest and keeping it up from the safe distance of an office, doing it by letter rather than appearing in person to meet the committee face to face with the charges? Even after the Senate said the committee was honest, he did not appear before it, but continued a running attack on the committee.

I should be very much interested to have some of Senator McCARTHY'S friends cite to us a case in point, in which a Senator who was under charges before a committee carried on as Senator McCARTHY did. I have never heard of such a case. It would be interesting to find such a precedent if it exists. I do not believe it does.

Another part of that famous speech, which some people have called a hit-and-run speech, is also very interesting. He placed the speech in the RECORD and then dashed off to Wisconsin to make another speech attacking me, or at least to give out an interview attacking me. This particular quotation has been discussed previously, but I wish to bring it to the attention of Senators again:

I would have the American people recognize, and contemplate in dread, the fact that the Communist Party—a relatively small group of deadly conspirators—has now—

Done what? That calls for affirmative action—

has now extended its tentacles to that most respected of American bodies, the United States Senate—

That required affirmative action from the outside. The Communist conspiracy outside extended its tentacles into the Senate—

that it has made a committee of the Senate its unwitting handmaiden.

I cannot give a better description of that statement than was given by the Senator from North Carolina [Mr. ERVIN] yesterday and by others who have described it. We are either traitors or we are fools. Calling me a coward is a small matter compared with that. Calling me stupid is only one part of this charge.

As I told the Senate a little while ago, I have had some experience in working with Communists, and I think Senator McCARTHY knows about that, because the two committees have cooperated to a certain extent, and they know of each other's activities. I do not need to make this statement for the sake of Senators, I do not need to present this point for their benefit; but I am convinced, by the tactics used by the junior Senator from Wisconsin, that he cares very little about the Senate. He is making his plea to the American people. As I remember, after the committee report was made, he was quoted as saying that that was what he intended to do. He was sure we were going to censure him. In other words, there was to be a "lynching bee." He has been making his appeal to the people of the United States.

It so happens that a man with whom I worked, and for whom I have great respect, although we frequently differed on some matters, wrote me a letter in this connection. We did not differ on the matter of hunting Communists. He wrote me a letter during his lifetime. I refer to a man whose sincerity in the fight against communism cannot be doubted for a single solitary moment. I refer to the late lamented Hon. Pat McCarran, of the neighboring State of Nevada. Ordinarily I would not read this communication, but for the information of Senators and others, it ought to be read. The letter is as follows:

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
June 23, 1952.

Hon. ARTHUR V. WATKINS,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: Your willingness to upset your own schedule, on a Sunday, and to disregard your own personal convenience, in order to make a hasty flight to New York to facilitate the business of the Internal Security Subcommittee seems to me worthy of special commendation, and I want to thank you on behalf of the subcommittee. You have been most assiduous throughout the session in aiding the work of the Internal Security Subcommittee, so that your action in accepting a special and unusual burden on Sunday was completely in character; yet I think it does deserve special mention.

Without such assistance as you have given, from yourself and from other members of the subcommittee, it would have been impossible to have carried on the work as it has been carried on.

I have been informed that after you had agreed to go to New York on Sunday on the subcommittee's business you became indisposed; notwithstanding which, you sought no change in the schedule and made no effort to get out from under the responsibility you had accepted. This also was in keeping with your character as I have come to know it.

Thanks, again, both for the Internal Security Subcommittee and for myself as chairman; and kindest personal regards.

Sincerely,

PAT MCCARRAN,
Chairman.

It so happens that the special mission on which I went to New York City involved a very delicate matter which was being investigated by the Internal Security Subcommittee. A witness was to arrive at the International Airport in New York City. I will not say from what part of the earth he was coming. He was wanted as a witness before the subcommittee, and I was delegated to hold a special session of the subcommittee for the purpose of getting that man's testimony. He was to appear before the subcommittee the minute he stepped off the plane at the International Airport. That was done, and that testimony has been preserved. It was highly confidential and highly classified in nature. It was very important testimony that the committee wanted me to get.

I come now to a part of the discussion which I would rather avoid. However, I see no way to avoid it. As we have followed the course of this entire matter, it has been possible for me to touch on only the high spots. However, there are a great many other actions the junior Senator from Wisconsin has taken in his attempt to keep the committee under constant attack. We were not in a position to debate the issues, because we had not yet filed our report with the Senate. We had prepared it and we were ready to file it. Continuous guerrilla warfare was waged against us by the junior Senator from Wisconsin and his journalistic friends and radio commentators and satellites throughout the United States in an effort to put us in bad with the people of the country.

It was abuse heaped upon abuse.

Lastly, in our own presence, here in the Senate, we have seen another example of the Senator's hit-and-run attack. Senators have seen what I have called to their attention, an attack on their representative, their agent. They have seen an attack made on that agent's courage and intelligence. They have heard the junior Senator from Wisconsin say that I am both stupid and a coward.

I am asking all my colleagues in the Senate—and it must be remembered that the members of the select committee were practically drafted for the job, and, so far as I am concerned, it was the most unpleasant task I have ever had to perform in all my public life—I am asking all my colleagues: What are you going to do about it?

Some people are inclined to say that what Senator McCARTHY did with respect to the Gillette-Hennings subcommittee took place in another session of Congress and that all of that is outlawed, and therefore nothing can be done about it by the Senate.

I ask my colleagues: What about the attack here, in their presence? What is their attitude about that? That is what I want to know, and what all the members of the select committee want to know from all the Senators. It was the Senate that called us to perform this duty. Therefore, I ask what is going to be done about it. Not only do we on the committee ask that question, but that question is asked by all Senators who may some day have to perform a duty under similar circumstances. They would like to know what will be done about it.

The Senator from North Carolina [Mr. ERVIN] asked the question:

Do we have the manhood in the Senate to stand up to a challenge of that kind?

I think we do. I may be a coward, but I will not compromise with that kind of attack, with the indecencies involved in it. I wish to make that point perfectly plain. There are, it seems, Senators who wish to arrive at a compromise. I say we should do what is in the best interests of the Nation and of the Senate. I will not compromise on matters of principle. How can the Senate hold

up its head among the other free deliberative bodies of the world unless it does something about this matter?

Some Senators say we must not set a precedent. I say if we do not dispose of this matter we will be setting a precedent which will approve conduct by any Senator similar to that charged in the present case. We have been asked the question whether we give up any of our rights to free speech when we come to the Senate. Any of our rights? I say that when we come to the United States Senate we come here as the representatives of our States, and we have a right to speak decently and in good taste, but we have no right unjustly to criticize, and we have no right to impugn the motives of our colleagues who are performing an official duty.

Let us consider what that charge means to the people of Utah, South Dakota, Mississippi, North Carolina, and Colorado. It is an insult to them, as well.

We are sent here as the representatives of the people of our States to do our duty in Congress. Many people thought the six Senators were unwise and very foolish to accept assignment to the select committee. What will they think when their representatives are insulted on the floor of the Senate? Except for the majority leader and the minority leader and 1 or 2 other Senators who spoke up, I have not heard one word of protest made publicly against that charge. I know there are many Senators who are waiting for an opportunity to speak. I know they want to make their statements. However, except for the speeches which have been made in behalf of Senator McCarthy—and, of course, anyone has a right to make such speeches—there was not one word of consideration expressed for the six Senators who had to endure that insult. Was there one word of protest heard from the Senate itself, except as I have already indicated? I shall give Senators an opportunity—and, so far as I am concerned, I hope such an amendment will be offered—to propose an amendment to the censure resolution by adding another section calling attention to the contempt which was committeed in the presence of all Senators and providing for censure.

We are a court here. There is another Court across the street, housed in a great marble palace. It is the Supreme Court of the United States. Could any officer of that Court—and attorneys are officers of the Court, although not officers quite in the same sense as we are in the Senate—could any officer of the Supreme Court make a similar charge against one of the Judges of that Court and not be immediately haled before it for contempt, whether the statement was made in the presence of the Court or outside? Would any other court in the land stand for it?

If we have any judicial function and if we have any judicial office, I do not know how we can escape our duty. It may be an unpleasant duty, but no more unpleasant than the one the Senate gave the select committee to perform. I hope Senators will have to vote on that question.

If no one moves such an amendment—and I shall give Senators plenty of opportunity to do so—the man from Utah who has been called a coward will do it.

Now I should like to call attention to some other portions of the report made by the Gillette-Hennings subcommittee. The subcommittee made some statements which I believe are entitled to careful consideration. The subcommittee states:

In Senate Resolution 187, this subcommittee had before it, at the outset, merely the issue of determining the merits of Senator Benton's charges relating to Senator McCarthy's fitness to sit in the Senate. As indicated, Senator McCarthy was invited to attend subcommittee hearings on six occasions to present his explanations of the issues raised in Senate Resolution 187 and the investigation made pursuant thereto. Three of the invitations were extended prior to the Senate vote on April 10, 1952, and three invitations were extended subsequently. Senator McCarthy should have known that the most expeditious way to resolve the issues would have been to appear before the subcommitee to make such statements and refutations of the charges as he saw fit. For reasons known only to Senator McCarthy, he chose not to accept this course, but to charge that the allegations were a smear and that the subcommittee was dishonest and doing the work of Communists. Between October 1951 and April 1952 he refused to honor the invitations of the Subcommittee on Privileges and Elections on the grounds that it lacked jurisdiction and that the members of said subcommittee were dishonest in their motives for insisting on any investigation, which, he contended, was solely because of his exposure of Communists in Government. Subsequent to April 10, 1952, and in the face of the Senate's 60–0 vote confirming the integrity of the members of the subcommittee and its jurisdiction to investigate the matters involved, Senator McCarthy continued to reject the invitations of the subcommittee to appear before it for the purpose of presenting testimony in explanation of the issues raised by the investigation, and continued his attack upon the members of the subcommittee.

Such action on the part of Senator McCarthy might appear to reflect a disdain and contempt for the rules and wishes of the entire Senate body, as well as the membership of the Subcommittee on Privileges and Elections.

"Reflect a disdain and contempt for the rules and wishes of the entire Senate body"—that is one of the mildest understatements I have read in a long time.

For much the same reason, the subcommittee did not subpena members of Senator McCarthy's office staff and family, or his close associates. Until very recently, there was a chance that Senator McCarthy would himself come in to give explanations with respect to the many transactions under question which he has had with such persons, and which will be mentioned later in this report. Senator McCarthy, by his failure to cooperate, placed those people in the position where, if they had been subpenaed, they would have had to give testimony and explanations which Senator McCarthy had refused to give or else be in contempt of the Senate. It would have been an unfair position to place them in.

Then, Mr. President, there is a statement from the same subcommittee on page 11 of the report. I am going to read only a portion of it, and then I shall ask unanimous consent that the entire statement be placed in the RECORD.

The record of what took place thereafter leaves the inescapable conclusion that Senator McCarthy deliberately set out to thwart any investigation of him by obscuring the real issue and the responsibility of the subcommittee by charges of lack of jurisdiction, smear, and Communist-inspired persecution. Senator McCarthy's methods, his contempt for the subcommittee's efforts, even after the unanimous vote of the entire Senate, and his refusal to cooperate in any way, were very effective up to a point, but did not resolve the issue. The subcommittee was continually faced with the alternative of having to throw up its hands and admit that the task of investigating Senator McCarthy was too difficult and unpleasant, or to keep proceeding with the inquiry, which raised additional questions with respect to his activities as a Senator.

By his attacks upon the subcommittee, which hampered its progress, Senator McCarthy nevertheless kept the inquiry open. His charges, as set forth in his letter of December 6, 1951 (exhibit 6), that the subcommittee was spending tens of thousands of dollars and had a horde of investigators going into his life back to a time before he was old enough to sit in the Senate, are, of course, without foundation. The record will reflect that the great percentage of the investigation of Senator McCarthy has been conducted by one staff member. This was particularly true until the subcommittee staff was reconstituted in September and October of this year.

That is what the Gillette subcommittee found. The junior Senator from Wisconsin never offered anything but his own opinion and conclusion, even before our committee.

Mr. President, I should like to read one further statement which appears on page 14 of the report, and I hope all Senators will look at it and at the exhibits. It will be an eye opener, and to read them in full would be very helpful:

This subcommittee is reluctant to become involved in matters concerning speeches and statements. It has already made a report on its investigation into the 1950 Maryland senatorial campaign, including Senator McCarthy's participation therein, and feels this report speaks for itself. It should not be necessary to state that the subcommittee in its effort to in no way give aid to communism or detract from anything which has been done to prevent Communist infiltration in Government or elsewhere, has scrupulously attempted to avoid any issues wherein its position might be misinterpreted. It does not intend to go into matters relating to Senator McCarthy's activities prior to the time he was a candidate for the United States Senate, except insofar as such information may be necessary to a better understanding of later financial matters treated with.

The PRESIDING OFFICER. Has the Senator requested unanimous consent that the remainder of the statement be incorporated in the RECORD?

Mr. WATKINS. I make that request, Mr. President.

There being no objection, the remainder of the statement was ordered to be printed in the RECORD, as follows:

WHY THE SUBCOMMITTEE DID NOT SUBPENA SENATOR MCCARTHY

There would appear to be no reason, under the law, why Senator McCarthy would not be subject to a subpena issued by this subcommittee summoning him to appear before it for questioning. Although recognizing its authority, the subcommittee did not choose to do so. Senator McCarthy is a Member of the same Senate from which such authority to subpena stems and, until this

year, was a fellow member of the Senate Committee on Rules and Administration, the parent of this subcommittee. He is quite familiar with the rules governing the operation of the Senate and the responsibility placed upon the individual Members by committee assignments. The issues of this case involve an internal procedure of the Senate itself, stemming from the Constitution, whereby that body has the authority and responsibility for keeping its own house in order.

In Senate Resolution 187, this subcommittee had before it, at the outset, merely the issue of determining the merits of Senator Benton's charges relating to Senator McCarthy's fitness to sit in the Senate. As indicated, Senator McCarthy was invited to attend subcommittee hearings on six occasions to present his explanations of the issues raised in Senate Resolution 187 and the investigation made pursuant thereto. Three of the invitations were extended prior to the Senate vote on April 10, 1952, and three invitations were extended subsequently. Senator McCarthy should have known that the most expeditious way to resolve the issues would have been to appear before the subcommittee to make such statements and refutations of the charges as he saw fit. For reasons known only to Senator McCarthy, he chose not to accept this course, but to charge that the allegations were a smear and that the subcommittee was dishonest and doing the work of Communists. Between October 1951 and April 1952 he refused to honor the invitations of the Subcommittee on Privileges and Elections on the grounds that it lacked jurisdiction and that the members of said subcommittee were dishonest in their motives for insisting on any investigation, which, he contended, was solely because of his exposure of Communists in Government. Subsequent to April 10, 1952, and in the face of the Senate's 60–0 vote confirming the integrity of the members of the subcommittee and its jurisdiction to investigate the matters involved, Senator McCarthy continued to reject the invitations of the subcommittee to appear before it for the purpose of presenting testimony in explanation of the issues raised by the investigation, and continued his attack upon the members of the subcommittee.

Such action on the part of Senator McCarthy might appear to reflect a disdain and contempt for the rules and wishes of the entire Senate body, as well as the membership of the Subcommittee on Privileges and Elections.

For much the same reason, the subcommittee did not subpena members of Senator McCarthy's office staff and family, or his close associates. Until very recently, there was a chance that Senator McCarthy would himself come in to give explanations with respect to the many transactions under question which he has had with such persons, and which will be mentioned later in this report. Senator McCarthy, by his failure to cooperate, placed those people in the position where, if they had been subpenaed, they would have had to give testimony and explanations which Senator McCarthy had refused to give or else be in contempt of the Senate. It would have been an unfair position to place them in.

THE REASON FOR THE LONG DELAY IN THE INVESTIGATION AND REPORT

The subcommittee desires to be the first to admit and, further, resent that Senate Resolution 187 pertaining to Senator McCarthy has taken up an excessive amount of its time and has deprived the members thereof of time and effort which they could have spent on other pressing matters for which, as Senators, they were responsible. The magnitude of the unpleasantness connected with the assigned responsibility of the present inquiry can only be demonstrated by setting forth, as above, the record of what transpired. It is quite apparent that too much of the time from September 1951 through June 1952, and again between November 7 and December 12 of this year, was spent in carrying on correspondence with Senator McCarthy and smarting from his diverse attacks upon the membership of the subcommittee. The subcommittee members did not ask for the assignment to investigate Senator McCarthy's activities. It was willing, as early as September 28, 1951, to hear him for the purpose of determining whether there was any merit to Senate Resolution 187. The record of what took place thereafter leaves the inescapable conclusion that Senator McCarthy deliberately set out to thwart any investigation of him by obscuring the real issue and the responsibility of the subcommittee by charges of lack of jurisdiction, smear, and Communist-inspired persecution. Senator McCarthy's methods, his contempt for the subcommittee's efforts, even after the unanimous vote of the entire Senate, and his refusal to cooperate in any way, were very effective up to a point, but did not resolve the issue. The subcommittee was continuously faced with the alternative of having to throw up its hands and admit that the task of investigating Senator McCarthy was too difficult and unpleasant, or to keep proceeding with the inquiry, which raised additional questions with respect to his activities as a Senator.

By his attacks upon the subcommittee, which hampered its progress, Senator McCarthy nevertheless kept the inquiry open. His charges, as set forth in his letter of December 6, 1951 (exhibit 6), that the subcommittee was spending tens of thousands of dollars and had a horde of investigators going into his life back to a time before he was old enough to sit in the Senate, are, of course, without foundation. The record will reflect that the great percentage of the investigation of Senator McCarthy has been conducted by one staff member. This was particularly true until the subcommittee staff was reconstituted in September and October of this year.

In the early fall of this year, the subcommittee was confronted with the burden of work which occurs incident to a national election (it also has the responsibility for matters pertaining to Presidential and Vice Presidential elections as well as senatorial contests, remedial legislation, etc.) and had reached a point where little progress was being made in the investigation of Senator McCarthy, because of the Senator's continued attitude, attendant charges and countercharges of partisanship on the subcommittee staff, leaks to the press, etc. As a solution, the subcommittee employed a new chief counsel, Paul J. Cotter, and a staff of experienced investigators. The only employee of the previous staff retained for work on the Senator McCarthy and Senator Benton inquiries was the one mentioned above, an accountant.

At this late date there was little time left to resolve the issues in view of Senator McCarthy's refusal to cooperate. It is true that much too much time and expense have been spent on the investigation of Senator McCarthy which, the record will reflect, was directly caused by the attitude and methods employed by said Senator.

In Senator Benton's charges against Senator McCarthy and also in Senator McCarthy's charges against Senator Benton, there were contained matters so controversial in nature that it would not be feasible for this subcommittee, or perhaps any other agency, regardless of its resources, to resolve.

This subcommittee is reluctant to become involved in matters concerning speeches and statements. It has already made a report on its investigation into the 1950 Maryland senatorial campaign, including Senator McCarthy's participation therein, and feels this report speaks for itself. It should not be necessary to state that the subcommittee in its effort to in no way give aid to communism or detract from anything which has been done to prevent Communist infiltration in Government or elsewhere, has scrupulously attempted to avoid any issues wherein its position might be misinterpreted. It does not intend to go into matters relating to Senator McCarthy's activities prior to the time he was a candidate for the United States Senate, except insofar as such information may be necessary to a better understanding of later financial matters treated with.

Mr. WATKINS. Mr. President, I wish to conclude with one statement from the report of the select committee concerning the responsibility of a Member of the Senate when he is under charges before any of its committees. Here is a statement which should go down in history. If it is not the rule now, it should be. It goes back to the days when God wrote with His own finger on the tablets of stone the Ten Commandments. It grows out of the basic concepts of Christianity. The principle has developed through the English common law, and it stems from the best traditions of our law and government and of the governments of the free world. It should be guide for men in high office. I read:

> It is the opinion of the select committee that when the personal honor and official conduct of a Senator of the United States are in question before a duly constituted committee of the Senate, the Senator involved owes a duty to himself, his State, and to the Senate to appear promptly and cooperate fully when called by a Senate committee charged with the responsibility of inquiry. This must be the rule if the dignity, honor, authority, and powers of the Senate are to be respected and maintained. This duty could not be and was not fulfilled by questioning the authority and jurisdiction of the subcommittee, by accusing its members of the dishonest expenditure of public funds, or even by charging that the subcommittee was permitting itself to be used to serve the cause of communism. When persons in high places fail to set and meet high standards, the people lose faith. If our people lose faith, our form of government cannot long endure.

Let me add, Mr. President, that when a Senator takes the oath of office to defend and to support the Constitution of the United States, that pledge is not merely with reference to a documen containing certain words. It goes to the living Constitution. That living Constitution consists not only of words but the Office of the President, the Supreme Court, the Senate, and the House of Representatives which those words create. When a Senator does or says things which injure those institutions, he is violating his oath to defend and uphold the living Constitution of the United States.

Mr. President, I yield the floor. [Applause.]

Mr. WELKER. Mr. President, before making use of my prepared remarks I wish to say to the Senate that it is not my desire to speak in rancor or bitterness. It is my purpose merely to discuss the facts as I view them, facts which I believe will confront the United States Senate for years to come. However, I cannot and shall not permit to go unchallenged certain remarks made

by my distinguished colleague from the State of Utah [Mr. WATKINS].

I do not know why people act as they do, whether it be the junior Senator from Wisconsin, the chairman of the select committee, or the junior Senator from Idaho. I have not tried to impress the Members of this body with the manner in which I have tried lawsuits and in so doing have attempted to protect the Constitution, the defenseless, and the oppressed. I do not know of any litigation in which I have ever been involved, whether it be direct litigation or quasi-litigation, in connection with which, at the conclusion of the proceedings, the parties participant went outside and kissed each other regardless of the decision.

I wish the RECORD to be completely clear at this time, Mr. President, that I am somewhat concerned with respect to the attitude which has been taken upon the floor of the Senate regarding a fundamental rule which has governed this body for many, many years, namely, the rule concerning the power of the Senate of the United States.

I have heard it said that the junior Senator from Wisconsin should be criticized for remarks which he has made upon the floor of the Senate. Nowhere have I heard it said that the author of Senate Resolution 301 should be criticized for the remarks he made upon the floor of the Senate when he called the junior Senator from Wisconsin a Hitler and stated that he was aiding and abetting the Communist cause.

I could go on and on and relate the unfortunate incidents which have happened before our very eyes, but I have no desire to do so. I shall be as honest and fair with you, Mr. President, and with other Members of this great body, as I can be. But I am sorry that some persons have seemed to take adverse attitudes and have discussed matters in the heat of passion—yes, in the heat of anger.

While the distinguished chairman of the select committee was discussing the attitude of and remarks made by the junior Senator from Wisconsin about and before the Subcommittee on Privileges and Elections and the select commitee, I recalled that only yesterday evening I read in the newspapers and heard broadcast all over the world a statement made by my friend, the distinguished Senator from Utah, in reply to a question asked by the junior Senator from Wisconsin, who at this time happens to head a duly constituted committee of the Senate. The senior Senator from Utah stated publicly, for all the world to hear, "I do not believe you would ever be satisfied unless you could find someone who could be shot or hanged." Mr. President, does such a remark tend to bring great repute to this august body?

Again, I wish to inquire who constitute the rule-making authority of the Senate? As I understand the rule, any motion to suspend the rules requires a two-thirds vote.

But, according to paragraph 2, of rule XIX, any Senator who makes remarks derogatory of the character of another Senator, or which tend to bring such Senator into disrepute, can be taken summarily off the floor by an objection.

If it is desired to change the rules of the Senate, let us get down to business. But in this very solemn and sad day in the Senate, regardless of whether the situation concerns the junior Senator from Wisconsin, or my friend, the distinguished senior Senator from Virginia [Mr. BYRD], I say let us play the game according to the rules.

I have heard statements made in the heat of passion that none of us like, and which we do not like to hear said about a fellow Senator, regardless of what he has done or whence he has come. But it is about time for us to stop and think whether or not it is contemptible and abusive to say that the members of the select committee adopted, at least in part, the charges of the junior Senator from Vermont [Mr. FLANDERS], who admitted on the floor of the Senate on July 31, 1954, that his charges were, at least, in part, prepared by the Committee for a More Effective Congress. The junior Senator from Wisconsin, as I understand, said that those Senators were the unwitting tools of the Communist Party.

Every Member of the Senate knows that the six members of the select committee are loyal, dedicated Americans, as are all other Members of the Senate.

Contrast that with the statement made—and I heard it made, as we all heard it made—yesterday, in which a great and fine Senator stated that the junior Senator from Wisconsin should apologize for certain of his remarks; that his failure to do so would show his lack of moral capacity to serve in the United States Senate. Or that, in the event the junior Senator from Wisconsin apologized, he should be expelled because of his mental incapacity. Those were pretty harsh words coming from one who serves in the United States Senate.

Mr. ERVIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from North Carolina?

Mr. WELKER. I am glad to yield.

Mr. ERVIN. I have never said, at any time or at any place, that the junior Senator from Wisconsin [Mr. MCCARTHY] should apologize.

Mr. WELKER. Then certainly I misunderstood the Senator in his statement on a national forum, a publicity program called Meet the Press; and I misunderstood the Senator yesterday. If I am wrong, I apologize to my friend from North Carolina. But I will challenge the record upon that score.

When I interrogated the junior Senator from North Carolina as to whether he would submit a resolution to expel the junior Senator from Wisconsin, why did not the Senator from North Carolina come forth and say that he would or he would not do it? Instead, he said that he was a junior Member of the United States Senate, that he was new here, and that he felt such a resolution should be offered by someone else.

I happen to be comparatively new in the Senate. The distinguished junior Senator from North Carolina, has just as much power in this august body as does the senior Member of the Senate. His vote counts just as much as does the vote of one of the elder statesmen who lead our great body.

As I have said, it seems to be all right for some Senators to impugn the motives of the distinguished junior Senator from Wisconsin; but apparently it is not all right for the motives of other Senators to be impugned. I have never encountered such debate as this in the almost 4 years I have been a Member of the Senate.

It may be remembered that in the first days of this debate I referred, in my interrogation of the distinguished junior Senator from South Dakota [Mr. CASE], to the intemperate remarks made at one time by my friend, a great statesman, the former senior Senator from Texas, Mr. Connally, with respect to the immortal Bob Taft—Robert A. Taft—when Senator Taft was campaigning for the nomination for the Presidency of the United States. It was a vicious statement, made when I was acting as minority leader, and was seated where the distinguished majority leader is now sitting, to the effect that Senator Taft was a political chameleon, who changed his colors to fit certain occasions, and that he had been in Texas, stooping and seeking slimy, filthy, dirty votes.

It was a vicious debate in which I engaged with that great debater, far abler than I shall ever be. But no resolution of censure was submitted. The incident was passed over, because it was realized that in the rough-and-tough of debate and in trying to do a job as the promptings of the heart suggest that it be done in the best interests of the country, it is difficult indeed to be temperate.

Again, I remember very well the occasion, on September 10, 1951, when 2 great Democrats became involved in a heated debate, in which 1 Senator, far the senior of the other, accused the other Senator of aiding and comforting the Communist enemy. My colleagues no doubt remember that that incident was publicized to all the world; the insult was made known, to the serious damage of the Senator who was accused.

Mr. President, one of the things I like to remember about my service in the Senate is that I was interrogated in the accused Senator's home State. So far as his political faith is concerned, I do not think I have ever voted with him once in the 4 years I have been a Member of the Senate, but the question was propounded to me as to whether that Senator would ever give aid and comfort to the enemy. I stated then, and I repeat now, that he was a great, loyal, courageous American, and I would stand by him to the end.

Mr. President, the distinguished Senator from Utah has defined at last the capacity in which we are sitting. I think he stated we are sitting as a court, with every last one of us a judge to try the facts and to apply the law. I wish to ask my colleagues who are learned in the law whether or not they ever heard used in a trial court operating under Anglo-Saxon law, or on a motion for a new trial presented such intemperate

and biased language as has been used in the Senate against the man who is before the bar of justice for a decision as to whether he is to be censured by the Senate of the United States, which is the fourth time in American history such a proceeding has been brought.

Mr. President, I hope we can leave personalities out of the debate. I beg and pray we can discuss the matter in honorable, reasonable debate. I could go on and on, and refer to extremely vitriolic debates that have been held in the Senate, brought to my attention by the distinguished Parliamentarian, Charley Watkins, and the former Vice President, Mr. Barkley, who will soon be back with us. I could relate, not one, but hundreds and hundreds of cases where the language used in debate was just as vicious—yes, I say nearly twice as vicious—as any language used by the junior Senator from Wisconsin, or even language used by Senators who have opposed the junior Senator from Wisconsin.

Mr. President, those of us who sit here as judges had nothing whatsoever to do with picking the select committee; its members were selected by our leaders, to which I had no objection. At the outset of the hearings of the Select Committee To Study Censure Charges—the Senator from Utah, as chairman, made this statement:

> By way of comment, let me say that the inquiry we are engaged in is of a special character which differentiates it from the usual legislative inquiry. It involves the internal affairs of the Senate itself in the exercise of a high constitutional function.

Mr. President, I wish to invite attention to the words "a high constitutional function," because that will be a major premise of the remarks I have to make this afternoon. I continue to read what the chairman of the select committee said at the outset of the hearing:

> It is by nature a judicial or semijudicial function, and we shall attempt to conduct it as such. The procedures outlined are not necessarily appropriate to congressional investigations and should not, therefor, be construed as in any sense intended as a model appropriate to such inquiries. We hope what we are doing will be found to conform to sound senatorial principles and traditions in the special field in which the committee is operating.

Then this select committee, composed of several members, all good Americans and friends of mine, three of whom would in a court of law be disqualified by previously indicating bias and prejudice against the Senator from Wisconsin—as will be later shown—proceeded to disregard totally the express wording of the United States Constitution, and to try the Senator from Wisconsin on charges that are nowhere in the Constitution specified as punishable when applied to a Member of Congress.

Article I, section 5, clause 2, of the United States Constitution provides:

> Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member.

Senate Resolution 301, together with the various amendments proposed, was referred to the Select Committee To Study Censure Charges. This committee was, by order of the Senate dated August 2, 1954, instructed to act and make a report to the Senate prior to the adjournment sine die of the Senate in the second session of the 83d Congress. The original resolution is as follows:

> *Resolved*, That the conduct of the junior Senator from Wisconsin is unbecoming a Member of the United States Senate, is contrary to senatorial traditions, and tends to bring the Senate into disrepute, and such conduct is hereby condemned.

All of the amendments insert specifications of acts of the Senator from Wisconsin as reasons for the condemnation. Nowhere in the original resolution, or in the amendments, is it alleged that such acts constitute disorderly behavior so as to bring the action under the constitutional provision stated above. The resolution states that Senator McCarthy's conduct is contrary to senatorial traditions and tends to bring the Senate into disrepute, and as such "is hereby condemned."

That resolution is contrary to precedents of the Senate in similar cases.

Let me cite first the case of Senators Benton and Foote, which occurred on April 17, 1850. On this occasion Senator Benton, of Missouri, during the course of a debate with Senator Foote, of Mississippi, advanced on him in a threatening manner. Foote drew a pistol. After the participants were quieted, the following resolution was introduced:

> *Resolved*, That a committee of seven be appointed to investigate the disorder of today in the Senate, and that they report to the Senate what befits the occasion, and have power to examine witnesses and take testimony in the case. (Congressional Globe, 31st Cong., 1st sess., pt. 1, p. 763.)

The committee appointed reported to the Senate July 30, 1850. No Senate action was recommended and the matter was dropped—Congressional Globe, 31st Congress, 1st session, part 2, page 148.

2. SENATORS TILLMAN AND M'LAURIN (FEBRUARY 22, 1902)

Now let me refer to the second case of that sort in our history, namely, the case of Senators Tillman and McLaurin. It occured on February 22, 1902.

Senator McLaurin, on the floor, stated that Senator Tillman made a statement about him that was "a willfull, malicious, and deliberate lie"—Congressional Record, volume 35, part 3, page 2087. Senator Tillman attacked McLaurin, and a scuffle followed. They were separated, and the Senate immediately went into executive session behind closed doors. After 2 hours and 40 minutes the doors were reopened, and an order of the Senate was unanimously passed which reads as follows:

> That the two Senators from the State of South Carolina be declared in contempt of the Senate on account of the altercation and personal encounter between them this day in open session and that the matter referred to the Committee on Privileges and Elections (then a standing committee) with instructions to report what action shall be taken by the Senate in regard thereto.

Then, on a motion agreed to, the two Senators were given permission to address the Senate for the purpose of making an apology in order to purge themselves of contempt. This was then done by each of them (Id., p. 2089). Six days later the Committee on Privileges and Elections reported a resolution of censure for disorderly behavior, and the resolution further canceled the contempt order. It should be noted that the effect of the contempt order was to suspend their functions as Senators for the 6 days intervening between the incident and the resolution of censure (Id., pp. 2205–2206). Sections 2 and 3 of Senate Rule XIX were adopted as a result of this fracas.

3. SENATOR BINGHAM CENSURE (NOVEMBER 4, 1929)

The third "censure" case in the history of the United States Senate was the so-called Senator Bingham censure case. It is a distinct and radical departure from precedent set by the two preceding actions I have described. The resolution upon which the Senate acted reads as follows: Senate Resolution 146, 71st Congress, 1st session.

> *Resolved*, That the actions of the Senator from Connecticut, Mr. Bingham, in placing Mr. Charles L. Eyanson upon the official rolls of the Senate at the time and in the manner set forth in the report of the subcommittee of the Committee on the Judiciary (Rept. No. 43, 71st Cong., 1st sess.) is contrary to good morals and senatorial ethics and tends to bring the Senate into dishonor and disrepute, and such conduct is hereby condemned. (Id. p. 5063.)

This resolution was amended by inserting before "is contrary," the words, "while not the result of corrupt motives on the part of the Senator from Connecticut." The resolution passed, 54 to 22 (id., p. 5131).

The departure from precedent is first noted in the wording of the resolution. The two previous cases, by resolution, referred the consideration of the incidents of misbehavior to committees for study and report on what action should be taken. The committees were then authorized to take any one of several courses. They could first decide whether the offending Senator was guilty of disorderly behavior; and, if so, what punishment should be recommended. In the first case, no disciplinary action was recommended. In the Tillman-McLaurin case it was found by the committee that the Senators were guilty of disorderly behavior—the constitutionally defined offense; and censure was recommended as punishment therefor. In sharp contrast to those two cases, the Bingham resolution states the alleged offense and specifies the punishment—"and such action is hereby condemned." It gives no leeway to decide whether the Senator was guilty of disorderly behavior—the constitutional ground; and it allows no choice of punishment, because the punishment is specified in the resolution.

Let me digress for a moment to refer to the nature of the punishment of official condemnation or censure. The serious, real, effective nature of such a punishment was accurately described by my respected colleague, a man of great learning in law and in the legislative

field, the highly respected junior Senator from Texas [Mr. DANIEL]. I quote from page 12919 of the CONGRESSIONAL RECORD of July 31, 1954:

> Some persons may say that is not so much of a punishment, but, Mr. President, I know of not many greater punishments which a Member of this body could suffer than to be condemned for his conduct by his fellow Senators.

The second departure from precedent noted in the Bingham case is that the incident of alleged misconduct was not referred to a Senate committee for consideration and report. The entire action was consummated on the floor of the Senate following a report of a subcomittee of the Judiciary on lobbying activities. While it is true that the committee had heard evidence on the Bingham case, including testimony of the Senator, it heard that evidence in relation to lobbying activities, and not in relation to disorderly behavior of the Senator. Even though the condemning facts were brought out in that hearing, it was still precedent for another committee to decide what should have been done about disciplinary action and so report to the Senate before the Senate was to take its formal action. Such had been done in the Benton-Foote case and in the Tillman-McLaurin case, even though the alleged disorderly behavior had transpired in full view of the Members of the Senate.

In the present case the established precedents and the wording of the Constitution are again ignored. This is evidently done in an attempt to follow the departures noted in the Bingham case. But in this action much more of a departure is contemplated. I refer to the attempt to punish for a series of unrelated incidents extendings to a time long prior to the election of the Senator from Wisconsin to his present term in the Senate.

TIME AS AN ELEMENT IN PAST CENSURE ACTIONS

In all the disciplinary proceedings heretofore instituted in the Senate and in the House, the actions were commenced promptly at the time of the incidents alleged to be punishable or shortly thereafter. All of such actions were based on single incidents, never on a chain of unrelated incidents.

In the Benton-Foote and the Tillman-McLaurin cases, disciplinary action was started immediately following the happening of the incidents on the floor. The Bingham case was commenced within 1 week after the Senate was notified of Senator Bingham's alleged censurable conduct.

Mr. President, at this point I digress long enough to say that I regret indeed to see that the distinguished chairman of the select committee, the senior Senator from Utah [Mr. WATKINS], is not in the Chamber at this time. I regret his absence, because I should like very much to have him question me or cross-examine me about my remarks. Regardless of whether my views are correct or incorrect, at least they are my views; and I have spent months in legal research on this matter. I want the Senate to know the facts, as I am sure the distinguished senior Senator from Utah wishes to have the Senate know them.

Furthermore, I do not see in the Chamber at this time either the distinguished counsel of the select committee or his assistant. I think those of us who sit as judges in the Senate should have these men here, because if they are not learned in the law involved in this matter, they should become learned in it; and if they are learned in it, they certainly will wish to have me answer interrogations regarding the law, as I view it.

Mr. President, now resuming the text of my remarks, let me say that Jefferson's Manual specifically provides that censure for words spoken on the floor must be taken notice of even before another Member has spoken or other business has intervened—section XVII, page 325 of 1953 edition, Senate Manual. The manual further states, "and this is for the common security of all."

The select committee cites instances of censure in the House "even after he"—a Member—"has resigned." A study of these citations, which will be found on page 22 of the committee report, shows that in each of the three incidents cited the resignation of the Member accused was submitted during the disciplinary action and was submitted to avoid expulsion. The House, then, could not expel a Member who had resigned but had to settle for a censure.

Our judicial system, whether it be in the Senate of the United States or in the justice court of Bay Horse, Idaho, takes cognizance of time as an element. Statutes of limitation have been enacted to prevent undue delay in bringing prosecutions. The necessity for such statutes is obvious, because, among other things, time destroys a man's proofs of innocence.

In the present case the acts for which censure is sought extend back to the 1944 Wisconsin primaries and include unrelated incidents from that time up until the Army-McCarthy hearings of June 1954. The select committee states that—

> There is no basis for declaring that the Senate may not censure one of its own Members for conduct antedating that session, and no controlling authority or precedent has been cited for such position.

On the other hand the committee can cite no precedent to support its contention that such action is proper. The precedent that it is improper to censure for acts preceding an election was set, as I shall soon make evident. In any event it is false logic to say, "We can do this because there is no precedent to show that we cannot do it." Furthermore, the Senate has the precedent of 165 years of existence without once attempting to punish a Member for acts prior to his election. This is a late date to assume that such a power exists.

The Supreme Court of the United States has handed down several decisions pertaining to this constitutional provision. In *Kilbourn* v. *Thompson* (103 U. S. 189) the Court said:

> The punishment of Members of Congress for disorderly behavior may be, in a proper case, by imprisonment, and it may be for refusal to obey some rule on that subject made by the House for the preservation of order (id., p. 189).

The Court further stated that the constitutional provisions of article I, section 5, clause 2, "are equally instructive in what they authorize and in what they do not authorize."

In this connection, it should be recognized that a resolution of censure as a predetermined method of punishment is not authorized by the Constitution. If censure is authorized, it is authorized only as one of the forms of punishment of a Member for disorderly behavior. That Member must first be found guilty of disorderly behavior, as contemplated by the Constitution. The Constitution is silent as to "conduct unbecoming a Member of the United States Senate, contrary to senatorial traditions, and [which] tends to bring the Senate into disrepute"—the charges filed against the junior Senator from Wisconsin. It could very well be decided that the Senator was guilty of those charges specified in the resolution, but still not guilty of disorderly behavior, and therefore not subject to punishment by censure or other means.

Let me make this point eminently clear. The major portion of my life, in the practice of my profession of law, has been spent, first, in prosecutions and later in defense. If my bitterest enemy on the opposite side of the aisle were facing the same situation the junior Senator from Wisconsin now faces, I say unhesitatingly that, if he would permit me to do so, I would do my best to make the legal argument I am now making. Moreover, neither Senator MCCARTHY nor his able counsel, nor anyone else associated with him, had anything whatsoever to do with the preparation of this memorandum setting forth what I consider to be the law.

The junior Senator from Texas [Mr. DANIEL] correctly expressed the judicial nature of this proceeding, as follows:

> Mr. President, since a resolution of this nature, if adopted, would call for a conviction and a punishment, we must recognize that judicial standards of American jurisprudence should apply. (CONGRESSIONAL RECORD, July 31, 1954, page 12920.)

One of the most important judicial standards of American jurisprudence is that a trial must be fair and impartial. In the case of *Adams* v. *U. S. ex rel. McCann* (317 U. S. 275), Justice Frankfurter, on page 275 of that opinion, said:

> Certain safeguards are essential to criminal justice. The court must be uncoerced. *Moore* v. *Dempsey* (261 U. S. 86), and it must have no interest other than the pursuit of justice, *Tumey* v. *Ohio* (273 U. S. 510). The accused must have ample opportunity to meet the case of the prosecution.

In *Patterson* v. *Colo.* (205 U. S. 454) Justice Holmes said:

> The theory of our system is that the conclusions to be reached in a case will be induced only by evidence and argument in open court, and not by any outside influence, whether of private talk or public print. What is true with reference to a jury is true also with reference to a court.

Certain segments of the press that I call left-wing and certain commentators whom I call left-wing have indulged in

more abuse and spread more smear all over the country and all over the world than has the junior Senator from Wisconsin. Whether that constitutes outside influence, I am not attempting to say, because I cannot and I will not attempt to read the minds of the six distinguished Members of the Senate who were given this hard task by the Senate itself.

The Supreme Court of Colorado in *Arridy* v. *People* (82 P. 2d 757) said:

> It remains the duty of courts only to safeguard the rights of a defendant and see that he has a fair and impartial trial under the law of the State as it now is, not under what we wish it might or should or may be at some time in the future.

With this admonition in mind, consider the fact that the Senate has no censure or condemnation proceeding set up by its own rules. Censure or condemnation is only one form of punishment which may be prescribed upon a finding of disorderly behavior. In the future if the Senate desires to adopt a code of procedure whereby a Member may be censured for acting contrary to the traditions of the Senate, or for actions unbecoming to a Member of the Senate, then the Senate can set up such a code and try its Members under it; but until then the Senate must try its Members under the law as it now is, extralegal or illegal precedents notwithstanding.

The Supreme Court of Mississippi in the case of *Fisher* v. *State* (110 So. 361), gave this definition:

> Perhaps no precise definition can be given it (a fair trial) but it certainly must be one where the accused's legal rights are safeguarded and respected. There must not only be a fair and impartial jury and a learned and upright judge to instruct the jury and pass upon the legal questions, but there ought to be an atmosphere of calm, in which the witnesses can deliver their testimony without fear and intimidation, and in which the attorneys can assert the defendants' rights freely and fully, and in which the truth may be received and given credence without fear of violence.

Who is that fair and impartial judge, sworn as a jurist, who can instruct us honorably and fairly and profoundly with respect to the law? As I view it, we are in a dilemma. Who is the judge to instruct us as to the law? We are not all lawyers. Those of us who are lawyers have forgotten most of the instructions we prepared when presenting a case to a jury. In other words, I say that every Member of the Senate is placed in a very difficult and embarrassing position, according to Anglo-Saxon law and tradition, which we have cherished all these years.

SIXTH AMENDMENT

Since it is agreed by all that in this proceeding against the junior Senator from Wisconsin judicial standards of American jurisprudence should apply so far as humanly possible, and since the select committee commenced the hearings with a firmly expressed determination to be guided by constitutional rights, it is appropriate to call to the attention of the Senate the fact that an important provision of the sixth amendment has been totally disregarded by the framers of the indicting resolution and by the select committee.

I specifically call attention to this provision contained in the sixth amendment to the Constitution:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial—

I underscore the next words I quote from the amendment—

> and to be informed of the nature and cause of the accusation.

Construing the meaning of this constitutional provision, I quote from *U. S.* v. *Potter* (56 F. 83):

> In order properly to inform the accused of the nature and cause of the accusation, within the meaning of this amendment and of the rules of common law, not only must all the elements of the offense be stated in the indictment, but they must also be stated with clearness and certainty.

In other words, if a Senator is to be punished for disorderly behavior as is permitted under the Constitution, he must be directly charged in the indicting resolution with disorderly behavior. It means nothing, under the Constitution, to be charged with conduct unbecoming a Senator or conduct contrary to senatorial traditions. Conduct unbecoming a Senator can be any unusual act or speech.

Mr. President, the distinguished senior Senator from Maryland [Mr. BUTLER] came into this great body at the same time the Senator from Idaho became a Member. We have witnessed conduct which certainly would be censurable under the censorship resolution prepared by the junior Senator from Vermont [Mr. FLANDERS]. I recall such incidents very well. They were not words or deeds. I recall the opening day of the baseball season when the New York Yankees played the Washington Senators in Washington. I was to be the next speaker on a radio program just before leaving for the ball park. The Senator from Maryland left for the ball park with me at a late hour.

Mr. President, what we are considering is of vast importance. It is not trivial. If we establish this precedent it might well happen that the Senator from South Dakota, the Senator from Indiana, or any other Senator might become similarly involved.

Mr. President, I was a rather young Senator in those days—as I still am—when a debate presided over by the late Senator Blair Moody, of Michigan, was on the air. It involved the junior Senator from New York [Mr. LEHMAN], the junior Senator from Minnesota [Mr. HUMPHREY], the senior Senator from Indiana [Mr. CAPEHART], whom I have affectionately nicknamed "Slugger" since that day, and the late Senator Robert A. Taft.

At the end of that vigorous radio program tempers were indeed strained and actual physical violence occurred at that time. The Senator from Indiana [Mr. CAPEHART] threw out of the broadcasting studio into my arms the Senator from Minnesota [Mr. HUMPHREY], a friend of mine. The Senator from New York [Mr. LEHMAN] then decided to get into the fray, on the back of the Senator from Indiana. He was, in turn, thrown back into the studio. The late Senator Taft—I never knew he came from the West—"bulldogged" the Senator from New York [Mr. LEHMAN], took him around the head and led him out; and soon thereafter peace and quiet prevailed.

News of the incident came out of that studio and went out all over the world. Was there a resolution of censure with relation to that incident of actual physical violence in the Senate radio facility?

I have often wondered, since this question arose, why we have picked out one Senator. Should we not have fundamental rules applying to the strong and the happy, as well as to those who are not so strong, who are unhappy and probably not so brilliant as many Senators think they are?

Whether or not such conduct is censurable is not to be discussed by me at this time, but if the select committee is right in its conclusions we may take up this reflection on senatorial tradition and many similar past incidents, whether or not the perpetrator of the incident is still in the Senate. Let me again say that there would be no Senator picked out from this side of the aisle or from the Democratic side of the aisle who would not get what little ability I could give him in his defense. We could take up such a case, according to the select committee, even though the offending Senator has long ago gone to be judged by the Great Justice by whom we must all sooner or later be judged.

I am surprised that the United States Senate, composed as it is of some of the best legal minds in the country, has attempted to indict a Member in the wording of Senate Resolution 301, in complete disregard of the specific ground for accusation contained in the Constitution, and in direct opposition to the safeguards provided by the sixth amendment to the Constitution. I am more surprised that the select committee has seen fit to act on a resolution so worded.

Permit me another quotation concerning the propriety of such an indictment:

> This is a reaffirmation of the essential principles of the common law, but puts it beyond the power of either Congress or the courts to abrogate them. It follows, as a matter of course, that the effect of this provision commences with the statutes fixing or declaring offenses, and, as to them, insures the general rule of the common law that they are not to be construed to embrace offenses which are not within their intention and terms. This does not mean that all the elements of a crime must be set out in the statute on which the prosecutor relies, nor that the statute may not create an offense by the use of inapt or imperfect phraseology, but they must be in some way declared by the legislative power, and cannot be construed by the courts from any supposed intention of the legislature which the statute fails to state. (*U. S.* v. *Potter* (C. C. Mass. 1892, 56 F. 83, 88), reversed on other grounds (15 S. Ct. 144, 155 U. S. 438, 39 L. Ed. 214).)

At this point, Mr. President, I desire to dispel any possible supposition that I am attempting to invoke legal technicalities on behalf of the junior Senator from

Wisconsin. On the contrary, I am insisting that basic, legal, constitutional procedure be followed by the Senate of the United States in its action. This great deliberative body, under the Constitution, participates in making laws which are binding on the entire country. Such laws are so worded that everyone has notice of the nature of any violations which may be contemplated. In criminal law the exact nature of a crime is expressed; the penalty, sometimes flexible, is provided, and upon conviction the court imposes the punishment it deems to be appropriate. I am insisting that in the pending case, which is in the nature of a criminal action, punishment of a Member being involved, we, the Senate of the United States, apply the same principles of constitutional law that apply to all our land.

I am insisting, Mr. President, that if we seek to punish a Member for an offense punishable under the Constitution we indict him for that offense as described by the Constitution—"disorderly behavior"—not for conduct contrary to senatorial traditions, or conduct unbecoming a Member of the Senate. Such conduct—unbecoming a Member of the Senate—we have witnessed many a time, and have invoked no disciplinary action. Would you not say, Mr. President, that it is unbecoming a Member of the Senate to appear on the floor of these hallowed premises in a state of intoxication, to be led off the floor of this great deliberative body, in full view of a crowded gallery, to be saved being made a further object of scorn, and to prevent obstruction of the legislative process of this body? Yet we have seen incidents of this nature, and crowded galleries have seen such incidents. I do not wish to convey the impression that such incidents are common; they are not, but they have happened at infrequent intervals. I am naming no offenders in this respect, but I am merely calling attention to one form of conduct unbecoming a Member of the Senate. There are many, many other incidents which fall within the category of conduct unbecoming a Member of the Senate.

My contention, Mr. President, is that we should heed the directions printed in the Senate Manual. I again refer to page 306 of the 1953 edition thereof, and quote as follows:

> And that we must therefore have a power to punish these disturbers of our peace and proceedings * * *; that Congress have no such natural or necessary power, nor any powers but such as are given them by the Constitution; that that has given them, directly, exemption from personal arrest, exemption from question elsewhere for what is said in their House, and power over their own Members and proceedings; for these no further law is necessary, the Constitution being the law; that, moreover, by that article of the Constitution which authorizes them "to make all laws necessary and proper for carrying into execution the powers vested by the Constitution in them" they may provide by law for an undisturbed exercise of their functions, e. g., for the punishment of contempts, of affrays or tumult in their presence, etc.; but, till the law be made, it does not exist, and does not exist from their neglect; * * *. But if one branch may assume its own privileges without control, if it may do it on the spur of the occasion, conceal the law in its own breast, and after the fact committed, make its sentence both the law and the judgment on that fact; if the offense is to be kept undefined and to be declared only ex re nata—

A Latin phrase meaning "out of the thing born"—

> and according to the passions of the moment, and there be no limitation either in the manner or measure of the punishment, the condition of the citizen will be perilous indeed.

And, I might add, the condition of a Senator, as well as of another citizen, will be perilous indeed.

The correct interpretation of these quotations from Jefferson's Manual—and it is obvious, Mr. President—is that if we desire to punish our Members for unbecoming conduct, we should set up a code for that procedure under our constitutional power to punish for disorderly behavior. If we wish to punish for refusal to answer an invitation to testify before a Senate committee or for abusive cross-examination in committee hearings, the elements of such offenses should be described in such a code; and the punishment—whether it be censure, fine, imprisonment, or expulsion—should be stated. Until the time when such a code shall be adopted, the power to punish does not exist, and it does not exist because of our own neglect.

To proceed further with this disciplinary action under our present lack of a code of ethics is to proceed, as Thomas Jefferson said, "ex re nata," which means "out of the thing born"; in other words this disciplinary action was born out of the incidents which are not covered by law; we are attempting to make the law and the punishment after the occurrence of the fact and according to the passions of the moment. That is exactly the procedure of dictator-controlled countries; and in those countries the condition of the citizen is perilous indeed, even as predicted it would be by Thomas Jefferson.

I now turn to the facts as alleged in the resolution of censure, and to the findings and recommendations of the select committee. I shall discuss, first, the nonacceptance of the invitation to appear before the committee.

The junior Senator from Wisconsin did not accept various offers to appear before the Committee on Privileges and Elections. These offers varied in form from a September 25, 1951, notification by Chairman Gillette to the effect that the junior Senator from Wisconsin could be present to hear Senator Benton in executive session, to a May 7, 1952, letter from the same chairman offering "the opportunity to appear at the hearings for the purpose of presenting testimony relating to the charges being considered against him." Then on November 21, 1952, the then chairman, Senator HENNINGS, sent a telegram to the junior Senator from Wisconsin as follows:

> Today you were advised by letter delivered by hand to your office of the principal matters which the subcommittee desires to interrogate you in furtherance of your express desire transmitted to the committee by your administrative assistant, Mr. Ray Kiermas, under date of November 10. The subcommittee appreciates your willingness to help in the completion of the work in connection with the investigation of Resolution 187 and the investigations predicated thereon. Your prompt appearance before the subcommittee can save the Government much effort and expense. We are sure that you want to be of help to us in arriving at a proper determination of the issues in controversy. We are therefore at your disposal in executive session and for your convenience suggest that the subcommittee is available to you commencing with tomorrow, Saturday, November 22, but not later than Tuesday, the 25th, to enable the committee to hear you and allow time thereafter to prepare the subcommittee report. Senator Benton has also been notified to appear by similar communication. This action is being taken at the direction and with the full concurrence of the committee members (p. 47 of the hearings).

I think the evidence is uncontradicted that the junior Senator from Wisconsin was unable to appear in answer to that telegram because he was at the time on a deer-hunting trip, and the telegram was not delivered until after the date set for his appearance.

Please bear in mind, Mr. President, that all of these offers or invitations to appear before the committee were made with the express understanding that the Senator from Wisconsin, if he chose to appear, would have no opportunity to cross-examine witnesses against him. The select committee commented on this phase as follows, on page 28 of the report:

> He also stated that he would not appear unless he were given the right to cross-examine witnesses. We feel that this right should have been accorded to him and that upon proper request, either to the Committee on Rules and Administration, of which Senator MCCARTHY was a member (p. 27 of the hearings), or to the Senate itself, he could have obtained this right, but that in any event, this cannot be a justification for contemptuous conduct.

Mr. President, I should now like to digress for a moment to ask the judges who are sitting in the Senate to try this very serious matter was there ever a case in which a man charged with a criminal offense, or an offense punishable in any way, had to go to the Committee on Rules and Administration, or to the Senate of the United States, in order that he might have that right which is given to the worst criminal—the right to cross-examine those who have appeared against him?

Let me pause to suggest how I would consider such an invitation to appear. I have already stated my opinion of the committee which was considering charges against the junior Senator from Wisconsin. That opinion was printed in the Los Angeles Herald Express in the form of a telegram to Senator GUY GILLETTE, the chairman, under date of September 9, 1952, as follows:

> I have just received a copy of the telegram of resignation of a staff member, Jack Poorbaugh, who was appointed by the subcommittee.

Mr. Poorbaugh was an investigator employed by the then majority, the Democratic majority. I resume reading from the telegram:

> As you have been notified several times by me, I have felt this committee was being

used as a political vehicle by the Democratic Party.

I will have no more of this and I will not attend the hearings that you have called in Washington for September 26. I beg of you that you grant a fair hearing to the complainants arising out of the Missouri primary.

That was another question before the Gillette subcommittee on Privileges and Elections.

I have been ready to go to St. Louis for weeks and all we are confronted with are delays.

I say again that the taxpayers of this Nation do not want their money spent in an attempt to hush up complaints on one side and smear candidates and officeholders on the other. I hand you my resignation from this subcommittee forthwith.

In view of the proposal made by the committee, I assume that because of that telegram, I probably will be the next Senator brought up—I will be batting second—in the censureship rally that I am so afraid may continue in the Senate for years to come.

Mr. President, I have probably unduly cross-examined distinguished members of the select committee with respect to why I was not permitted to appear before the committee and give it any evidence I had in hand or about which I knew. The fact that I was not permitted so to appear caused me to be a little unhappy—yes, quite unhappy—about the committee.

It will be recalled that on August 2, the distinguished chairman, the Senator from Iowa [Mr. GILLETTE], in response to a question propounded to him by me, when I asked if it was not a fact that in our secret, private sessions, he heard someone eavesdropping at the door, and that he opened the door, and found there someone more than casually interested in those proceedings, admitted that that was a fact.

Mr. President, I feel it is only fair that I unburden my heart, no matter what these judges may do to me, because I say to my distinguished judges who are present that it is my opinion that the testimony which was taken was leaked out to New Deal, leftwing columnists before the stenographers had time to transcribe the testimony.

I can continue to cite other examples, but I merely wish to add that I interrogated distinguished members of the select committee as to why I should not be permitted to testify, when, as I understand the order given to the committee by the Senate of the United States, it was the committee's duty to seek evidence, and to find the truth in this matter. I did not try to entrap anyone. I merely wished to ascertain why it was not desired that the junior Senator from Idaho should be heard. What answer did I get? I got the answer that had I desired to appear, I was probably only 1 of 162 million people who did not know what was going on in Washington, D. C. In other words, I should have left a sick bed, traveled at my own expense, without even an invitation—an interloper, if you please—and volunteer what, if any, testimony I could give the committee.

Why did the select committee not tell me why I was not to appear? I knew the answer all the time. I have read every bit of the report. I knew why the junior Senator from Idaho was not permitted to appear. Why was it? It was because of the ruling of the chairman of the select committee, which will be found on page 296 of the hearings, which reads as follows:

The only matter this committee is interested in is whether a resolution had been introduced authorizing the investigation, and, second, was it being carried on, and did it have jurisdiction.

Mr. CASE. Mr. President, will the Senator yield for a question?

Mr. WELKER. I am glad to yield to the Senator from South Dakota, because he was very kind to me the other day.

Mr. CASE. I was wondering if the Senator from Idaho would not change the word "permitted," which he just used in his statement. I personally do not know of any suggestion that the Senator should appear before the committee, and the use of the words that the junior Senator from Idaho was "not permitted" to appear would leave the impression that the issue was raised before the committee. I am not aware that the issue was ever raised.

Mr. WELKER. Does the Senator assume that the junior Senator from Wisconsin and his counsel, Mr. Williams, would be so naive as to ask me to come back to Washington, D. C., nearly 3,000 miles away, leaving a sickbed, when I had not had a subpena served upon me, or an offer had not been made that I testify, when a ruling had been made which would have made all my testimony absolutely immaterial and irrelevant, and which therefore would have made my trip a sightseeing trip, and nothing more? That is why I used the words "not permitted." If I am in error in using them, I certainly do not wish to abuse anyone on that score. So if my friend, the Senator from South Dakota, would prefer to have me ask why I was not invited to appear before the select committee, I shall use the word "invited"; it makes little difference.

Mr. CASE. I thank the Senator from Idaho.

Mr. WELKER. But in view of the ruling, I have said that I was not permitted to appear; because when the "court" rules, one is making a "dry run" from a long, long distance away, if he comes to Washington under those circumstances, knowing that his testimony would not be accepted.

Mr. CASE. Mr. President, I appreciate the willingness of the Senator from Idaho to change the phrase, because when he said "not permitted," I thought there was an implication that the question had specifically come up. I do not think the question was ever raised; at least, it was not according to my knowledge.

Mr. WELKER. In answer, I would say to my friends of the select committee that if I had been in a similar position, knowing that a fellow Senator was on trial and that another Senator had resigned from the subcommittee, for reasons I have heretofore related, and for other reasons, I believe I would have been courteous enough to him to have invited such a Senator to appear and tell his story. Whether the select committee took judicial notice of it or cognizance of it is immaterial. However, it was brought to the attention of the select committee in the brief filed by Mr. Williams. His brief appears at page 562 of the record of the select committee's hearings.

However, notwithstanding the fact that the members of the select committee heard my remarks in the Senate Chamber on August 2, or they should have—and I am sure they did; and notwithstanding the further fact that counsel for the junior Senator from Wisconsin brought out the point in his brief, as appears on page 562 of the record of the select committee hearings, never once was I invited to appear or did I have an opportunity to appear or, may I say, was I permitted to appear there.

Mr. CASE. Mr. President, will the Senator from Idaho indulge me for an observation at this point?

The PRESIDING OFFICER (Mr. COOPER in the chair). Does the Senator from Idaho yield to the Senator from South Dakota?

Mr. WELKER. Very well; I yield.

Mr. CASE. I may say that if the issue had come up, or if the matter had been specifically suggested by counsel for Senator MCCARTHY, I think the members of the select committee would have thought the Senator from Idaho might have had something to contribute.

In any event, let me say to the distinguished Senator from Idaho that I think he has something to contribute to the debate. I have been sitting here this afternoon, listening to everything he has said; and I intend to listen to his entire speech, for I believe he is making an interesting and worthwhile contribution to the subject.

Mr. WELKER. I thank the Senator from South Dakota. Let me repeat that, being a trial lawyer—I have never been a jurist, and I never wish to be one—I would not wish to butt my head against a stone wall, in the face of a direct ruling that all the select committee was interested in was, first, whether a resolution authorizing the investigation had been submitted; second, whether the investigation was being carried on; and third, whether the committee had jurisdiction. The taking of such a position put me "out of bounds," so to speak. Let us take a look at the record if my distinguished friend doubts me on that score, because much hinges on that one thing; much important testimony hinges upon it. It goes not only to my failure to appear before the select committee, but it also goes to the fact that the Gillette subcommittee had knowledge that a man who unfortunately had been adjudged incompetent had given some vicious testimony. I wish to make that clear.

Mr. President, I appreciate the remarks of my friend, the Senator from South Dakota.

At this point let me say that the telegram I quoted a moment ago sets forth my opinion of the Gillette subcommittee's objective. As I told my distinguished friend, the Senator from South Dakota, I would deem it foolhardy to accept an invitation to appear when I knew that my testimony would constitute nothing, in view of the fact that the

"court" had ruled. Regardless of what Senator was thus brought before the bar of justice, whether Senator McCARTHY, Senator CASE, Senator SCHOEPPEL, Senator POTTER, my friend friend—and all Senators are my good friends—or the great and distinguished junior Senator from Georgia, RICHARD RUSSELL, I would deem it foolhardy for any accused Senator to accept an invitation to appear if he had no right to cross-examine his accusers. Under such circumstances I would not feel it my duty to appear. Instead, I would think of the invitation offered by the spider to the fly, "Won't you step into my parlor?"

In any event, let us see what other Senators have done when confronted by similar circumstances.

At this point, Mr. President, let me say that I wish to have this presentation carefully followed. I shall not refer again to the large group of Senators who are absent from the Chamber at this time. I am delighted that my distinguished friends who serve on the select committee have seen fit to remain here and listen to my remarks. Let me repeat that I think it is a dark day in the history of the United States Senate, when we are trying a fellow Member, regardless of his political affiliation or from whence he comes, to be confronted with so many empty seats in this Chamber, in view of the fact, as heretofore related to the Senate, that each Senator is a judge of the facts and the law in the case. However, if the resolution is adopted by the Senate, I suppose we shall "just have to take it."

Mr. President, the present case relates to a very sound proposition of law, inasmuch as it has to do with a precedent of the Senate in yesteryear. First, I should like to tell the Senate about another Senator from Wisconsin who declined to appear before a subcommittee of the Committee on Privileges and Elections, under circumstances which in some respects bear a remarkable resemblance to those presented in the instant case. The similarity between the cases is so amazing that I should like to tell the Senate in some detail about the other Senator, whose name, as some Senators probably have guessed, was Robert M. La Follette, Sr. The subcommittee before which he refused to appear had been called to consider certain resolutions of the Minnesota Public Safety Commission looking toward his expulsion for disloyalty to the United States. That charge was predicated largely upon an allegedly pro-German speech he had delivered in 1917. Senator La Follette demanded that the subcommittee apprise him of the charges against him, namely, of the portions of his speech which allegedly were disloyal. The subcommittee chairman—and I suppose many of the senior Members of this body remember Senator Atlee Pomerene, of Ohio, by name, at least, even if they do not remember him in person—wrote Senator La Follette a letter, informing him that the subcommittee would not accord him that right. The chairman's letter went on to state:

> The subcommittee assumes that if the statements in the speech are well founded in fact you will be glad to so testify and to give your authority for them. If they are not, its members believe you will be eager to correct them and thereby aid the committee in arriving at the real facts. In any event they feel that the simplest and most direct way to conduct the inquiry is to invite you to appear before it as the one witness best qualified to verify the statements contained in your speech or to make such explanations as you may desire to make, and to give the committee the sources of your information.

That was from the chairman of the subcommittee to another Senator from Wisconsin, Senator Robert M. La Follette.

I continue to quote:

> The subcommittee renews its invitation of the 12th instant, for you to appear before it at the committee room of the Committee on Privileges and Elections at 10:30 a. m. on the 16th day of October, 1917, and hopes you will accept it.

On October 16th, the subcommittee met at 10:30 in the committee room. Senator La Follette was present. The following highly significant exchange took place:

> The CHAIRMAN. Senator La Follette, it was the desire of the committee to interrogate you concerning some of the statements of fact in this speech——
>
> Senator LA FOLLETTE (after apologizing for arriving late). I appear here, Mr. Chairman, to submit to you in the form of a letter, addressed to you as chairman of this subcommittee, all the statement that I deem it proper or necessary for me to make at this point, and I now present that statement.
>
> I will say good morning to the committee.
>
> (Senator La Follette thereupon withdrew.)

The Senator's letter pointed out that twice before he had requested the subcommittee to advise him which statements of fact in his speech were now challenged. He stated that "common courtesy" required the subcommittee to furnish him with this information, that he believed in the accuracy of every statement in the speech and that he would prove the accuracy of every statement if he was afforded a fair opportunity to confront and cross-examine any and all persons denying the accuracy of such statements. He said that then, and not before, he would produce witnesses and evidence in his own defense.

The record shows, Mr. President, that Senator La Follette never produced 1 witness or 1 piece of evidence in his own behalf. He never appeared before the subcommittee to answer any of the charges against him, despite the fact that these charges reflected upon his personal honor and official conduct in a way that none of the charges before the so-called Gillette subcommittee could possibly reflect upon the personal honor and official conduct of the present junior Senator from Wisconsin. The record further shows, Mr. President, that no voice was ever raised on this floor to demand the censure of that Senator from Wisconsin for his failure to appear.

The La Follette case did come to the floor of the Senate for action on a resolution of the Committee on Privileges and Elections dismissing the petition "for the reason that the speech in question does not justify any action by the Senate"—CONGRESSIONAL RECORD, volume 57, part 2, pages 1506 to 1527.

The committee resolution was passed 50 to 21, 25 not voting.

Here was a man who, in time of war, was accused of making a pro-German speech. He was invited to appear, and, like the brave man that he was, he went before the subcommittee and told it that he would not appear.

Are we going back to precedents, or are we playing a game, merely because someone does not like the junior Senator from Wisconsin? If it is a question of not liking the junior Senator from Wisconsin, next day it may be some other Senator. It may be I, or any other Member of this body.

PRECEDENTS CONCERNING FAILURE TO APPEAR BEFORE COMMITTEE ON PRIVILEGES AND ELECTIONS

The select committee has recommended that the Senator from Wisconsin be censured for conduct "contemptuous, contumacious, and denunciatory, without reason or justification, and obstructive to legislative processes"—page 31 of the report—in failing to appear before the Committee on Privileges and Elections at various times during 1952.

Let me make a personal observation. I believe that those descriptive adjectives, used against a fellow Senator, whether it be Senator McCARTHY, Senator AIKEN, or any other Senator, are just about as vicious and bad as anything the junior Senator from Wisconsin ever said about General Zwicker or anyone else.

I shall devote my next remarks to this subject, even though, as I have demonstrated, it is not a proper ground for disciplinary action under the Constitution and the existing laws, as well as the rules of the United States Senate.

The select committee, in effect, predicated its recommendation on the failure of the junior Senator from Wisconsin to appear and prove himself innocent of charges which the Committee on Privileges and Elections was investigating. That is another way of saying, "You are guilty, Senator, because you have not proved yourself innocent." In what respect, I ask, does that resemble any form of Anglo-Saxon jurisprudence? It is not necessary for me to comment upon what a weird interpretation of American jurisprudence is such a theory. However, if Senators doubt that the select committee arrived at such a conclusion of guilty because not proven innocent, I read from page 30 of the report, as follows:

> It is our opinion that the failure of Senator McCARTHY to explain to the Senate these matters: (1) Whether funds collected to fight communism were diverted to other purposes inuring to his personal advantage; (2) whether certain of his official activities were motivated by self-interest; and (3) whether certain of his activities in senatorial campaigns involved violations of the law; was conduct contumacious toward the Senate and injurious to its effectiveness, dignity, responsibilities, processes, and prestige.

Bear in mind that he had been denied the right of cross-examination. I wonder what the great Senator, Robert M. La Follette, now long gone, whose voice was heard all over the world, would have said had he been charged with those things. He would have said exactly what he said to the subcommittee of the Com-

mittee on Privileges and Elections, as I have heretofore related.

Nos. 1 and 3 of the above quoted charges are certainly of a criminal nature, and No. 2 is possibly of such a nature. The Senator from Wisconsin would certainly be answerable, in the proper jurisdiction, to the courts of our land if he were guilty of such charges. Let us see what is the established precedent of the Senate in such cases.

I should like to make this further observation. Had he been guilty of those charges, does any Senator suppose for a moment that the Truman administration, which certainly did not have high esteem for the junior Senator from Wisconsin, would not have prosecuted him, if possible?

THE CASE OF HUMPHREY MARSHALL, A SENATOR FROM KENTUCKY (FEBRUARY 26, 1796)

Within four years after the adoption of the first 10 amendments to the Constitution, the legislature of the State charged Humphrey Marshall with the crime of perjury and the governor transmitted the memorial to the United States Senate for its action. The committee to whom it was referred reported against the jurisdiction of the Senate.

The committee decided:

If in the present case, the party has been guilty in the manner suggested, no reason has been alleged by the memorialists why he has not long since been tried in the State and district where he committed the offense. Until he is legally convicted the principles of the Constitution and of the common law concur in presuming that he is innocent, and the committee are compelled, by a sense of justice, to declare that in their opinion the presumption in favor of Mr. Marshall is not diminished by the recriminating publications which manifest strong resentment against him.

And they are also of the opinion that as the Constitution does not give jurisdiction to the Senate the consent of the party cannot give it; and that therefore the said memorial ought to be dismissed. (Senate Election Cases 1789–1913, Senate Documents, vol. 9, p. 163; also Hinds Precedents, vol. 2, p. 858.)

This rule would certainly apply to the 4th, 5th, 6th, and possibly all of the charges against Senator McCARTHY made by the Hennings committee in the letter of November 10, 1952—page 45 of select committee hearings on Senate Resolution 301, 83d Congress, 2d session.

CASE OF KING AND SCHUMAKER, IN THE 44TH CONGRESS

The Judiciary Committee of the House was charged to inquire, "What action should be taken by the House in reference to the persons now Members of the House, King and Schumaker, charged with complicity in the alleged corrupt use of money to procure the passage of an act—and with giving false testimony in relation thereto before the Committee on Ways and Means of the 43d Congress.

The report of the committee stated in part:

Your committee are of opinion that the House of Representatives has no authority to take jurisdiction of violations of law or offenses committed against a previous Congress. This is purely a legislative body, and entirely unsuited for the trial of crimes. The fifth section of the first article of the Constitution authorizes "each House to determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member." This power is evidently given to enable each House to exercise its constitutional function of legislation unobstructed. It cannot vest in Congress a jurisdiction to try a Member for an offense committed before his election; for such offense a member, like any other citizen, is amenable to the courts alone. (44th Cong., 1st sess. H. Rept. 815, p. 2.)

Not only, Mr. President, does the select committee attempt to go against such old and established precedent, but it seeks to inaugurate a new precedent on the ground that since its contemplated action is not forbidden it has the power to do it.

The select committee stated on page 23 of its report, as follows:

From an examination and study of all available precedents, the select committee is of the opinion that the Senate has the power, under the circumstances of this case, to elect to censure Senator McCARTHY for conduct occurring during his prior term in the Senate, should it deem such conduct censurable.

Prior to the statement made above, the select committee on page 22 of its report said:

A Member may be censured even after he has resigned (2 Hinds' Precedents, 1239, 1273, 1275 (1907). Precedents in the House cannot be considered as controlling because the House is not a continuing body.

That statement, Mr. President, while true, so far as censure after resignation is concerned, is very misleading.

I will not charge that it is deliberately misleading, but I do say it conveys a false impression unless the citations of the committee are studied.

I am not trying to embarrass or ridicule the members of the select committee. Many times in the practice of my profession of law I have lost lawsuits. When I thought the courts of law had erred I took an appeal. That is the reason for the existence of courts of appeals. There would be no need for courts of appeal or for the Supreme Court, even, if all judicial decisions were proper and correct. I wish to make that point clear.

In each instance of censure after resignation—and they are all House incidents—the Member resigned while expulsion proceedings were in progress. The Member avoided expulsion because one cannot be expelled when he is no longer a Member. The House was obliged in those cases to settle for censure—otherwise no disapproval could be officially recorded.

Then, as to the citations of the select committee, concerning expulsion or censure for conduct occurring during a preceding Congress, I find—from a study of them—no instance wherein the conclusion of the select committee is supported. If I am wrong I should like to see the proof that I am wrong. I have studied this subject long and hard, and I should like to have pointed out any citation to the contrary of what I have said.

In fact, I find the opposite conclusion in King against Schumaker—cited by the select committee and heretofore cited by me. It is an instance wherein the House refused to go into acts prior to election to the sitting Congress. If I am in error in my study of the citations produced by the select committee I should like to be corrected. Please understand, however, I am not considering cases involving election frauds or incidents in such cases; by the very nature of the offense it is necessary to inquire into events that transpired before the election of a Member.

Mr. President, after making such references to a nonexistent precedent the select committee says that the junior Senator from Wisconsin can cite no authority to show that the Senate may not censure a Member for conduct antedating that session. I quote from page 22 of the report:

While it may be the law that one who is not a Member of the Senate may not be punished for contempt of the Senate at a preceding session, this is no basis for declaring that the Senate may not censure one of its own Members for conduct antedating that session, and no controlling authority or precedent has been cited for such position.

Mr. President, I have read at length, in interrogating members of the select committee, from several books which I greatly admire, including one the conclusions of which I think no Senator will deny. I refer to the Vanishing Rights of the States, written by a former Solicitor General of the United States, a doctor of laws, and the author of the Constitution of the United States, James M. Beck, a man who I think was generally recognized as one of the greatest authorities on constitutional law in this country. I wish to quote from his book, and I hope Senators will follow me closely. I quote from page 50 of the Vanishing Rights of the States:

In my judgment, the power of expulsion refers to some act of a Senator during his membership of the Senate, and the act must have some reference to the discipline of the Senate.

This is indicated by the words "punish its Members for disorderly behavior." If a Member persistently violated the rules of the Senate, and that body could no longer effectively function because of his deliberate interference with its labors, then the Senate, if it is to continue to exist, must have the power to preserve its discipline, and to do so must have the power to punish the Member "for disorderly behavior." The final sentence in the paragraph indicates that expulsion was contemplated as possible punishment, but such punishment was so extreme that it was wisely provided that, while ordinary punishment could be imposed by a majority of the Senate, the final punishment of expulsion must have the concurrence of two-thirds.

It may be—but I do not concede it—that if a Senator, during the period of his service, is proved to have been guilty of some crime, he can be expelled, even though the crime has no relation to the discipline of the Senate.

It is, however, equally clear that the act which would justify his expulsion must have taken place since his election. What he did prior to his election and qualification has been passed upon by the people of his State. In a political sense, it is res adjudicata.

Mr. President, I should like to have my southern friends listen to these words of wisdom. They represent good law. I have listened to their debate. Will they listen to me?

Mr. BARRETT. Mr. President, will the Senator from Idaho yield in order that I may suggest the absence of a quorum?

Mr. WELKER. I yield, with the understanding that I shall not thereby lose the floor.

Mr. BARRETT. Mr. President, with that understanding, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Ferguson	Magnuson
Aiken	Flanders	Malone
Anderson	Frear	Mansfield
Barrett	Fulbright	McCarthy
Beall	Gillette	McClellan
Bennett	Goldwater	Monroney
Bridges	Green	Morse
Brown	Hayden	Mundt
Burke	Hendrickson	Murray
Bush	Hennings	Neely
Butler	Hickenlooper	Pastore
Byrd	Hill	Payne
Capehart	Holland	Potter
Carlson	Hruska	Purtell
Case	Humphrey	Robertson
Chavez	Ives	Russell
Clements	Jackson	Saltonstall
Cooper	Jenner	Schoeppel
Cotton	Johnson, Colo.	Smith, Maine
Crippa	Johnson, Tex.	Smith, N. J.
Daniel, S. C.	Johnston, S. C.	Sparkman
Daniel, Tex.	Kefauver	Stennis
Dirksen	Kilgore	Symington
Douglas	Knowland	Thye
Duff	Kuchel	Watkins
Dworshak	Langer	Welker
Eastland	Lehman	Wiley
Ellender	Lennon	Williams
Ervin	Long	Young

The PRESIDING OFFICER. A quorum is present.

Mr. WELKER. Mr. President, just before the quorum call, I was reading from the book entitled "The Vanishing Rights of the States," written by the Honorable James M. Beck, a former professor of law, formerly Solicitor General of the United States, and also author of the book entitled "The Constitution of the United States." The RECORD will show that I quoted certain portions of his book, The Vanishing Rights of the States. At this time I wish to continue quoting from it, as follows:

It is, however, equally clear, that the act which would justify his expulsion, must have taken place since his election.

Let me digress to say that I believe all authorities agree that article I, section 5, of the Constitution, which confers the only power either House of Congress has to penalize its Members, deals with acts of expulsion and acts of censureship as one.

I read further:

What he did prior to his election and qualification has been passed upon by the people of his State. In a political sense, it is res adjudicata. A candidate for the Senate might have been guilty of embezzlement before his election, but the right of the people of that State to send an embezzler to the Senate, if it sees fit, is clear. Such decision is the sole right of the State.

It must not be supposed that the general grant of power to each branch of Congress to determine the "qualifications" of its Members gives them an unlimited discretion in determining the question of membership in the body. The general language which the Constitution uses must be read in connection with the entire instrument and, thus read, it is unreasonable that the power to judge of the "qualifications" of its own Members, was or is, intended to destroy the rights of the States to select their own Representatives in Congress.

The Supreme Court has said, in the case of *U. S.* v. *Ballin* (144 U. S. 1):

"The Constitution empowers each House to determine times and rules of proceedings. It may not by its rules ignore constitutional restraints, or violate fundamental rights, and there should be a reasonable relation between the mode or method of proceeding established by the rule and the result which is sought to be attained."

To permit the Senate to expel a Senator on the ground that, before his election, he had been either a fool or a knave, would revolutionize our theory of constitutional government. All this had been passed upon before the Constitution was framed in the great John Wilkes controversy.

Now, Mr. President, I invite the attention of the Senate to page 54 of the book by this learned author. I read from the second paragraph on that page:

The author has thus quoted every pertinent provision of the Constitution. Reading them together, it seems too clear for argument, that each State has the right to select from its people any representative in the Senate that it sees fit, irrespective of his intellectual or moral qualifications, and that the only limitations upon such choice are that he shall be 30 years of age, a citizen of the United States for at least 9 years, an inhabitant of the State, and that he shall not hold any office under the United States, and that he shall not have engaged in insurrection or rebellion against the United States, or given aid or comfort to the enemies thereof, unless in the latter contingency, the Congress, by a vote of two-thirds, shall remove such disability.

In all other respects the right of the State is absolute and impaired. A State may have selected a Member of the Senate or secured his nomination by unworthy means. He may have spent more to secure such nomination than many would think proper or legitimate. He may be intellectually unfitted for the high office, and his moral character may, in other respects, leave much to be desired.

The people of the United States may justifiably think that the State has sent to Congress an unfit man, who could add nothing to its deliberations, and whose influence may well be pernicious. Nonetheless, the State has the right to send him. It is its sole concern, and to nullify its choice is to destroy the basic right of a sovereign State, and amounts to a revolution.

In this matter we must not be pragmatists.

That means meddlers or busybodies or opinionated persons.

I read further:

If the Senate has the right to nullify the action of a sovereign State in this matter for good reasons, it has equally the right to nullify it for bad reasons. The State may send a representative to the Senate who has the intellectual ability of Webster and the unimpeachable morality of George Washington, but he may be a member of a political party which, at the time, is in a minority. If the Senate rejects such a man, it is possible that the plain usurpation of the power of the State cannot be questioned in any judicial proceeding. The sole remedy may be, as in the case of John Wilkes, in an appeal to the people, but while the victim might represent the majority of the people of his State, his party's representation in the Senate might well be only a minority, and thus the right of one State to select its own representative could be nullified as long as a majority of the Senate, composed of the representatives of other States, saw fit to refuse him his credentials, or as long as two-thirds of the Senate saw fit to expel him.

If such a power exists, then the greatest of all States' rights has become little more than a "scrap of paper."

I should like to have some member of the staff of the select committee, or any of the members thereof, successfully dispute the authorities cited by and the arguments of this great author.

Now, in a more or less facetious vein, I think I should refer to another man, who apparently professes to be an authority upon this very subject matter. In an article entitled "What Ails the United States Senate?" he had this to say:

Beyond all such efforts at internal reform to abolish abuses, there is, it should be pointed out, the problem of the electorate, the people themselves. After all, the real responsibility lies with the States for the kind of Senators they send to Washington. The electors of each State must realize that they are judged by the men they send. That judgment is automatic and inevitable.

The author of that profound statement, who seems to agree with the distinguished author I have heretofore quoted, was the author of Senate Resolution 301. I refer to the junior Senator from Vermont [Mr. FLANDERS], who was writing in the New York Times magazine of May 19, 1954. That quotation will be found on page 62 thereof.

Mr. President I wish to inform Senators that a new and able Member of the Senate, who was appointed by the Governor of the great State of Nevada to succeed the immortal Senator Pat McCarran, one of the greatest lawyers I have ever known, will discuss, for the benefit of the Senate, in a far more profound way than I have done, certain other constitutional questions upon this very subject matter. I have appeared against him in several cases in former years. I ask all the judges present to keep their minds open until the case is finally submitted to them. Senators are the sole judges of the law and the facts. I want them to hear the junior Senator from Nevada [Mr. BROWN] on the subject matter I have just discussed.

It is not the burden of the Senator from Wisconsin to prove that there is precedent to show that the power does not exist. It is the burden of the select committee and its staff, since they have asserted the power, to show that it does exist, and that they have failed to do. In any event, we are not considering conduct during a previous session of the Senate—as the select committee by its statement implies. We are now considering conduct prior to a Senator's term for which elected—conduct which has been passed upon by the electorate of his State—the great people, the sound people of the sovereign State of Wisconsin.

In that connection the Senate Committee on Privileges and Elections took the opposite view of that expressed by

the select committee. I quote from its report, page 52a thereof:

ADDENDUM TO SUBCOMMITTEE REPORT ON SENATE RESOLUTION 187 AND SENATE RESOLUTION 304

That is the report of the Gillette-Hennings Subcommittee on Privileges and Elections.

The foregoing report is based substantially upon testimony and exhibits which were presented before the Subcommittee on Privileges and Elections. However, because of a lack of continuity in the committee membership and delays beyond the control of the present membership of the committee, its preparation has given us great concern as a number of its aspects have become moot by reason of the 1952 election.

I digress to say that I think those words were written by my friend on that committee, the distinguished Senator from Missouri [Mr. HENNINGS], profound lawyer in his own right.

Quoting further:

Such facts therein as were known to the people of the States particularly affected have been passed upon by the people themselves in the election. Thus, as we pass our studies on to our colleagues of the incoming session, we want the Senate of the United States to understand that the committee's efforts have been harassed by a lack of adequate time and lack of continuity in the committee membership.

There will be forthcoming in the next few days a committee report embodying suggestions on remedial legislation affecting election laws and procedures.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. WELKER. I yield.

Mr. KNOWLAND. I wonder if the Senator would be willing to yield to me with the understanding that he shall not lose the floor when the Senate reconvenes at 11 o'clock tomorrow morning.

Mr. WELKER. I am most happy to do so.

Mr. KNOWLAND. Mr. President, I am about to move—except for insertions in the RECORD, or any brief statements Senators may wish to make at this time— that the Senate take a recess until 11 o'clock tomorrow morning.

I understand that the Senator from Utah [Mr. BENNETT] has a very brief statement to make.

Mr. BENNETT. Mr. President, will the Senator yield to me for a very brief statement?

Mr. KNOWLAND. I yield.

Mr. BENNETT. Mr. President, on November 10 I made a brief speech in the Senate expressing my concern about our ability to handle this problem without damage to the Senate. In that speech I did not indicate my position on the select committee's report. I remained silent deliberately, because I do not wish to make my decision until all the evidence is in. I did not wish then to be charged with having prejudged the issues, and I shall try to maintain that status. In that speech I said, in part:

We should be meeting as a court and if we fail to act in the judicial atmosphere, but choose to follow our usual legislative pattern of partisanship and personal predilection, we are bound to fail. Even if we arrived at the right decision, the wrong methods would provide damaging precedents for future problems.

Indeed, I think we would be in danger of committing the very offenses with which the junior Senator from Wisconsin has been charged—showing contempt for a Senate committee and abusing our power as Senators.

I continue to quote from my speech:

How could we show contempt for our committee?

First. By trying to challenge its fitness and authority.

I skip the second point.

Third. By trying to confuse the reported issues with extraneous and irrelevant matters, including the overall problem of communism.

Ever since the session began I have been disturbed by what the junior Senator from Wisconsin has said about the select committee, particularly about its chairman, my distinguished senior colleague [Mr. WATKINS].

Today, as my senior colleague cataloged for us the statements made about him and the select committee by the junior Senator from Wisconsin I realized that in my earlier remarks I may have come close to prophecy.

When the chairman of the select committee himself said today that he felt the statements of the junior Senator from Wisconsin did in fact constitute contempt of the select committee, and thus of the Senate itself, I realized that the Senate should have the right to pass on that question, and that I, the junior Senator from Utah, had the obligation, in defense of the honor of my colleague, and of the great State that both of us serve, to offer an amendment to the resolution, which will bring the problem before the Senate for its consideration. I therefore rise to announce that I shall be prepared at the appropriate time to offer such an amendment to the resolution.

At this time I wish again to express my faith in my colleague the senior Senator from Utah and in all members of the select committee. They had a difficult and disagreeable job to perform and they have done their work with great honor to themselves and to the Senate.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. BENNETT. I am very glad to yield.

Mr. WELKER. I am not sure that I follow the Senator in his remarks. As I understand, the Senator will present to the Senate another resolution containing another charge against the junior Senator from Wisconsin. Is that correct?

Mr. BENNETT. I expect to offer an amendment to the pending resolution, suggesting that the junior Senator from Wisconsin has shown contempt for the Senate by his personal attack on the chairman of the select committee and on the committee itself.

Mr. WELKER. If the Senator will further yield, I trust the Senator from Utah has not closed his mind to all the evidence and the arguments in the case.

Mr. BENNETT. I tried to make clear in my statement that I was not closing my mind to the arguments and evidence on the two existing charges merely because I choose to offer a third charge for the consideration of the Senate.

Mr. WELKER. The third charge, of course, naturally would be referred to another select committee for study. Is that correct?

Mr. BENNETT. It is my understanding that it could be offered as an amendment to the pending resolution, without referral. The junior Senator from Utah sees no reason for referral of an amendment to the resolution, because everything that will apply to it has happened since the Senate came into special session. Much of it has happened in our hearing on the floor of the Senate.

Mr. WELKER. One further question. Has the Senator considered any of the remarks made by other Senators about the junior Senator from Wisconsin?

Mr. BENNETT. The Senator from Utah has not done so. If the Senator from Idaho feels that he wishes to offer an amendment based on that particular point of view, I am sure it is within his right to do so.

Mr. WELKER. The Senator from Utah knows that I have tried to be as impersonal in this matter as I possibly could. I have no desire to censure anyone in this matter. I am trying to do what little I can to prevent censure.

Mr. BENNETT. The junior Senator from Utah feels that when the senior Senator from Utah, his colleague, raised the question of contempt on the floor of the Senate, the junior Senator from Utah had an obligation, in support and in defense of his colleague, to bring the matter before the Senate. The junior Senator from Utah has obviously not yet attempted to produce the language in which the amendment will be offered. However, he is now giving notice of his intention to offer such an amendment, in such language as may seem to him to be proper and at such time as may seem to him to be appropriate.

Mr. WELKER. Will the amendment be one calling for expulsion or for censure?

Mr. BENNETT. The junior Senator from Utah has not gotten down to that detail. I think I can assure my colleague that it will not be a motion for expulsion. Of course, I am not a lawyer.

Mr. WELKER. The Senator need not assure me of anything. I am merely inquiring for the purpose of gaining information. I am sorry I interrupted the Senator.

Mr. BENNETT. The junior Senator from Utah, without having checked the matter with the Parliamentarian, feels that there would be some doubt about the wisdom of offering an expulsion motion as an amendment to a motion to censure. As I have already stated, at this point I have not prepared any language. Therefore I cannot give the Senator from Idaho any foreknowledge of the form the amendment will take. However, I shall be prepared to offer such an amendment.

Mr. WELKER. I thank the Senator.

During the delivery of Mr. WELKER'S speech,

Mr. CASE. Mr. President——

The PRESIDING OFFICER. The Senator from Idaho has the floor.

Mr. CASE. Will the Senator from Idaho yield for a unanimous-consent request?

Mr. WELKER. I yield for that purpose.

Mr. CASE. Mr. President, I ask unanimous consent that a memorandum which I have prepared may be printed in the RECORD. I assume it will appear at the conclusion of the remarks of the Senator from Idaho.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM ON DATES AND DATA ON ZWICKER-PERESS MATTER IN TWO LIGHTS

FIRST SITUATION

Prior to receipt Sunday of Secretary Stevens' letter dated November 13, 1954, the information before the select committee was that Senator MCCARTHY's letter of February 1, had been made public that day when it was written but the natural assumption was that it would not reach the Pentagon before the next day, the day when, miles away Peress was discharged, and might not be sorted and considered until that afternoon or later.

In that light, the following was a natural impression of the situation:

January 22 or 23: General Zwicker gives McCarthy staff the name of Peress as the suspected Communist dental major for whom they are looking.

January 26: They notify Peress to appear for hearing.

January 30: First Peress hearing—he pleads 5th amendment.

January 31: No action by anybody.

February 1: Peress notifies Zwicker he wants discharge now instead of March 31. Zwicker notifies his superior next in line of Peress request. MCCARTHY makes public that he's writing the Pentagon about Peress.

February 2: With Stevens away, Army either "let's nature take its course" under original order to discharge Peress within 90 days or earlier if he requests; or, thinks "good idea to get rid of that guy MCCARTHY's fussing about."

February 3: Stevens returns from Japan.

February 16: Stevens writes regrets to Joe, promises "it won't happen again."

February 18—A. M.: Second Peress hearing.

P. M.: Zwicker fences between his "personal knowledge" and "the files."

Joe finally "pops off" and abuses Zwicker for declining to criticize his superior officers.

SECOND SITUATION

Secretary Stevens' letter of last Saturday night, November 13, tells us for the first time that Senator MCCARTHY's letter of February 1 was delivered by hand (messenger) and received the same day, referred by Counsel Adams to "a responsible staff board" who decided against "the suggestions" of the chairman of the Senate's Committee on Investigations and approved granting the Peress request, instead.

In this new light, things fall into a different focus, perhaps like this:

January 30 was Saturday: The first Peress hearing ends at 11:30 a. m., New York City. The final, almost chance question, as they were picking up papers revealed that Peress was resigning and would get an honorable discharge whenever he asked for it.

January 31 was Sunday.

February 1: Monday at camp, Peress sought Zwicker, requested immediate discharge.

In Washington, McCarthy's letter goes to Pentagon by messenger, says "file charges, hold Peress, probe his promotion, his escape from overseas duty, try to uncover infiltration network by searching associates and activities."

Army board huddles, Stevens to be back Wednesday, "nothing new to Joe's stuff," "Let's get rid of this red—we can't stick him anyway."

February 2: Tuesday, Army tells Zwicker to "follow your orders."

P. M.: Peress gets honorable discharge and escapes Army jurisdiction.

February 3: Late afternoon, Stevens gets back, next day gets briefing on urgent defense developments during absence, and on 5th starts investigators on the trail Senator MCCARTHY had suggested.

April 1: Chairman SALTONSTALL of Armed Services Committee releases letter from Defense Secretary Wilson which says, "My review of all the available facts of this case makes it appear that this (Army) judgment (on the Peress discharge) was faulty."

This may not create a justification for MCCARTHY's remarks to General Zwicker, but it does suggest mitigation. At least, it seems poor precedent to predicate censure on the foundation that "a responsible staff board" turned down an urgent plea by the chairman of the Senate's investigation committee to file charges against a known Communist, to hold him, to probe his activities and affiliations, in favor of the request by the red himself to let him get out of their grasp.

Any chairman of a Senate committee is entitled to expect that if a request by him is presented in time that any "responsible" departmental staff board will give him the courtesy of deferring terminal action on any matter until the reasons for proceeding have been given to him.

If the chairman of a Senate committee is ignored to give an immediate and favorable response to the "hurry-up" request of a known Communist to let him get away—that chairman, any chairman might be forgiven if he loses his patience when later, the man who happens to have been in charge of carrying out the action covers for his superiors.

I repeat, this Zwicker-Peress affair is a poor foundation on which to predicate a precedent of censure. Good faith between the legislative and executive branches of Government is a two-way street.

Respectfully submitted to the Senate.

FRANCIS CASE,
South Dakota.

AWARD TO PROF. ENRICO FERMI

During Mr. WELKER's speech.

Mr. HICKENLOOPER. Mr. President, without prejudicing the right of the Senator from Idaho to the floor, I ask unanimous consent that I may be permitted to speak for not to exceed 5 minutes, although I think I shall take only about 2 minutes, and that the Senator from Rhode Island [Mr. PASTORE], with whom I have discussed the matter, be permitted to speak for not to exceed 5 minutes, in connection with the announcement of an award granted to Professor Fermi, a scientist in the atomic field.

Mr. WELKER. Mr. President, I shall be very willing to yield to my distinguished friends, the Senator from Iowa and the Senator from Rhode Island, upon the condition that I do not lose the floor.

Mr. HICKENLOOPER. Mr. President, the Joint Committee on Atomic Energy has been informed that the first award for "especially meritorious contribution to the development, use, and control of atomic energy," authorized by the Atomic Energy Act of 1954, will be made to Nobel-laureate Prof. Enrico Fermi.

Authorization for such awards was placed in the Atomic Energy Act of 1954 by the Joint Committee on Atomic Energy as a token of our national indebtedness to the atomic scientists and engineers who have so mightily contributed to our national well-being. It is most gratifying to learn that the first such award, in keeping with our intent, will be made to one of such preeminence.

The award to Professor Fermi was recommended by the General Advisory Committee of the United States Atomic Energy Commission and approved by the President. Dr. Fermi will be presented with a scroll pointing out his outstanding contributions, and will receive a $25,000 award.

A quiet man, in the great tradition of scholars, Professor Fermi has in the past 20 years devoted his life to the tapping of this primordial source of energy. His contributions weighed heavily in our ability to develop the atomic bomb which did so much to end the war with Japan. Likewise, his contributions to the development of the use of the atom in peaceful pursuits have brought closer the day when mankind may enjoy the great blessings which atomic energy promises.

I know my colleagues on the Joint Committee on Atomic Energy join me in heartily endorsing this award to Prof. Enrico Fermi. On their behalf, I extend our gratitude for his great work and our heartfelt congratulations on this further recognition of his preeminent role as pioneer of the atomic age.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a release by the Atomic Energy Commission announcing the award.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

FERMI NAMED TO RECEIVE FIRST SPECIAL AEC AWARD

Lewis L. Strauss, Chairman of the Atomic Energy Commission, announced today that Enrico Fermi, professor of physics at the Institute for Nuclear Studies, University of Chicago, had been named as the recipient of the first special award by the United States Atomic Energy Commission.

The Atomic Energy Act of 1954 authorizes such awards for "especially meritorious contributions for the development, use, or control of atomic energy." The award to Dr. Fermi, which was recommended by the General advisory committee and approved by President Eisenhower, is $25,000. The award will be accompanied by a citation noting Dr. Fermi's contributions to basic neutron physics and the achievement of the controlled nuclear chain reaction.

Dr. Fermi's accomplishments in physics and in particular his contributions to the development of atomic energy have been of tremendous importance. The Fermi-Dirac particle statistics, the theory of beta-decay, the Fermi-Thomas model of the atom, neutron induced radioactivity, a theory of the origin of cosmic rays, are among his experimental and theoretical works. He has been awarded, among other honors, the Nobel prize, and has been president of the American Physical Society.

"In the earliest days of the atomic-energy project," said Mr. Strauss, "Dr. Fermi designed and directed the construction of the first nuclear reactor. He was in charge of the advanced physics division at Los Alamos. After the war he advised the Atomic Energy

Commission for several years as a member of its general advisory committee in addition to carrying on his own research into the theory of nuclear forces and the interpretation of meson experiments. As much as any individual, he is responsible for the achievement of the controlled release of nuclear energy."

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I am glad to yield, but I am trespassing on the time of the Senator from Idaho. We are proceeding on limited time. I meant to say that the Senator from New Mexico also desired to say a few words.

Mr. WELKER. Mr. President, I yield on the condition that I do not lose my right to the floor, and that these remarks appear at the end of my remarks.

Mr. ANDERSON. Mr. President, I merely wished to add my word of commendation for the granting of the award to Professor Fermi. We cannot too frequently remind ourselves of the great contribution which has been made by him. I appreciate that the Senator from Iowa has called that fact to our attention, and has put it in the RECORD, because it is an indication that the Joint Committee on Atomic Energy is unanimous in trying to point out that proper attention should be paid to an award to this distinguished man.

Mr. PASTORE. Mr. President, I wish to join my colleague, the distinguished Senator from Iowa [Mr. HICKENLOOPER], in warmly endorsing the award for especially meritorious contribution to the development, use, and control of atomic energy which will be made to Prof. Enrico Fermi.

As a member of the Joint Committee on Atomic Energy, I have come to appreciate the great significance of Dr. Fermi's contribution to the development of atomic energy.

More than 20 years ago, at the University of Rome, Dr. Fermi began his investigations into the nuclei of atoms, which led to world recognition in 1938, and to a Nobel prize in physics that year.

After going to Stockholm, Sweden, to receive the prize, Dr. Fermi chose not to return to his native Italy, because of his dislikes for the Facist government then in power, and instead, with his family, came to our shores. To me it is most significant, to me it is an indication of the greatness of our country, that this refugee scientist now receives the first President-approved award for work in atomic energy.

After coming to our land, Dr. Fermi immediately took up his work at Columbia University, beginning there the scientific investigations that were later to lead to the world's first atomic reactor, to the atomic bomb, and to the great benefits which atomic power will bring.

Dr. Fermi arrived in the United States on January 2, 1939. Interestingly, only 7 months later, on August 2, 1939, Professor Einstein began his famous letter to President Roosevelt with these words:

SIR: Some recent work by E. Fermi and L. Szilard, which has been communicated to me in manuscript, leads me to expect that the element uranium may be turned into a new and important source of energy in the immediate future.

From this letter sprang the wartime Manhattan District, the first atomic reactor, and the first atom bomb.

Dr. Fermi continued his persevering work on uranium fission, and in Chicago, on December 2, 1942, under his leadership, man's first successful release and control of atomic energy was accomplished.

Dr. Fermi, under the code name of Henry Farmer, continued his work on atomic energy throughout the war years, first at Oak Ridge, then at Hanford, and then at Los Alamos, where he assisted in the design of the first atomic bomb.

After the war he returned to the University of Chicago, where, in addition to his independent and searching studies into the secrets of atomic nuclei, he chose to teach physics to freshmen. He also served until last year as a member of the General Advisory Committee of the Atomic Energy Commission, the highest scientific policy body in our national atomic program.

Throughout his career, Dr. Fermi has been admired by his colleagues, not only for the understanding of nuclear forces, but for his characteristic humility. I am certain that throughout the scientific world this award to Dr. Fermi will be unanimously acclaimed.

Mr. President, as a member of the Senate, as a member of the Joint Committee on Atomic Energy, and as one of Italian ancestry, I am proud of this recognition of Professor Fermi and his work.

Mr. President, I now ask unanimous consent to have incorporated in the body of the RECORD at this point a narrative of the events leading to the first successful release and control of nuclear chain reaction achieved by Professor Fermi on December 2, 1942.

There being no objection, the narrative was ordered to be printed in the RECORD, as follows:

THE FIRST PILE

(By Corbin Allardice, executive director, Joint Committee on Atomic Energy, and Edward R. Trapnell, special assistant to the General Manager, United States Atomic Energy Commission)

On December 2, 1942, man first initiated a self-sustaining nuclear chain reaction, and controlled it.

Beneath the west stands of Stagg Field, Chicago, late in the afternoon of that day, a small group of scientists witnessed the advent of a new era in science. History was made in what had been a squash-rackets court.

Precisely at 3:25 p. m., Chicago time, Scientist George Weil withdrew the cadmium-plated control rod and by his action man unleashed and controlled the energy of the atom.

As those who witnessed the experiment became aware of what had happened, smiles spread over their faces and a quiet ripple of applause could be heard. It was a tribute to Enrico Fermi, Nobel prize winner, to whom, more than to any other person, the success of the experiment was due.

Fermi, born in Rome, Italy, on September 29, 1901, had been working with uranium for many years. In 1934 he bombarded uranium with neutrons and produced what appeared to be element 93 (uranium is element 92) and element 94. However, after closer examination it seemed as if nature had gone wild; several other elements were present, but none could be fitted into the periodic table near uranium—where Fermi knew they should have fitted if they had been the transuranic elements 93 and 94. It was not until 5 years later that anyone, Fermi included, realized he had actually caused fission of the uranium and that these unexplained elements belonged back in the middle part of the periodic table.

Fermi was awarded the Nobel prize in 1938 for his work on transuranic elements. He and his family went to Sweden to receive the prize. The Italian Fascist press severely criticized him for not wearing a Fascist uniform and failing to give the Fascist salute when he received the award. The Fermis never returned to Italy.

From Sweden, having taken most of his personal possessions with him, Fermi proceeded to London and thence to America where he has remained ever since.

The modern Italian explorer of the unknown was in Chicago that cold December day in 1942. An outsider, looking into the squash court where Fermi was working would have been greeted by a strange sight. In the center of the 30- by 60-foot room, shrouded on all but one side by a gray balloon cloth envelope, was a pile of black bricks and wooden timbers, square at the bottom and a flattened sphere on top. Up to half of its height, its sides were straight. The top half was domed, like a beehive. During the construction of this crude-appearing but complex pile (the name which has since been applied to all such devices) the standing joke among the scientists working on it was: "If people could see what we're doing with a million and a half of their dollars, they'd think we are crazy. If they knew why we are doing it, they'd be sure we are."

In relation to the fabulous atomic-bomb program, of which the Chicago pile experiment was a key part, the successful result reported on December 2 formed one more piece for the jigsaw puzzle which was atomic energy. Confirmation of the chain-reactor studies was an inspiration to the leaders of the bomb project, and reassuring at the same time, because the Army's Manhattan Engineer District had moved ahead on many fronts. Contract negotiations were under way to build production-scale nuclear chain reactors, land had been acquired at Oak Ridge, Tenn., and millions of dollars had been obligated.

Three years before the December 2 experiment, it had been discovered that when an atom of uranium was bombarded by neutrons, the uranium atom sometimes split, or fissioned. Later, it had been found that when an atom of uranium fissioned, additional neutrons were emitted and became available for further reaction with other uranium atoms. These facts implied the possibility of a chain reaction, similar in certain respects to the reaction which is the source of the sun's energy. The facts further indicated that if a sufficient quantity of uranium could be brought together under the proper conditions, a self-sustaining chain reaction would result. This quantity of uranium necessary for a chain reaction under given conditions is known as the critical mass, or more commonly, the "critical size" of the particular pile.

For 3 years the problem of a self-sustaining chain reaction had been assiduously studied. Nearly a year after Pearl Harbor, a pile of critical size was finally constructed. It worked. A self-sustaining nuclear chain reaction was a reality.

Years of scientific effort and study lay behind this demonstration of the first self-sustaining nuclear chain reaction. The story goes back at least to the fall of 1938, when two German scientists, Otto Hahn and Fritz Strassman, working at the Kaiser Wilhelm Institute in Berlin, found barium in the residue material from an experiment in which they had bombarded uranium with neutrons from a radium-beryllium source.

This discovery caused tremendous excitement in the laboratory because of the difference in atomic mass between the barium and the uranium. Previously, in residue material from similar experiments, elements other than uranium had been found, but they differed from the uranium by only 1 or 2 units of mass. The barium differed by approximately 98 units of mass. The question was, Where did this element come from? It appeared that the uranium atom when bombarded by a neutron had split into two different elements each of approximately half the mass of the uranium.

Before publishing their work in the German scientific journal Die Naturwissenschaften, Hahn and Strassman communicated with Lise Meitner, who, having fled the Nazi-controlled Reich, was working with Neils Bohr in Copenhagen, Denmark.

Meitner was very much interested in this phenomenon and immediately attempted to analyze mathematically the results of the experiment. She reasoned that the barium and the other residual elements were the result of a fission, or breaking, of the uranium atom. But when she added the atomic masses of the residual elements she found this total was less than the atomic mass of uranium.

There was but one explanation: The uranium fissioned or split, forming two elements each of approximately half of its original mass, but not exactly half. Some of the mass of the uranium had disappeared. Meitner and her nephew, O. R. Frisch, suggested that the mass which disappeared was converted into energy. According to the theories advanced in 1905 by Albert Einstein in which the relationship of mass to energy was stated by the equation $E=mc^2$ (energy is equal to mass times the square of the speed of light), this energy release would be of the order of 200 million electron volts for each atom fissioned.

Einstein, himself, nearly 35 years before, had said this theory might be proved by further study of radioactive elements. Bohr was planning a trip to America to discuss other problems with Einstein, who had found a haven at Princeton's Institute for Advanced Studies. Bohr came to America, but the principal item he discussed with Einstein was the report of Meitner and Frisch. Bohr arrived at Princeton on January 16, 1939. He talked to Einstein and J. A. Wheeler, who had once been his student. From Princeton the news spread by word of mouth to neighboring physicists, including Enrico Fermi at Columbia. Fermi and his associates immediately began work to find the heavy pulse of ionization which could be expected from the fission and consequent release of energy.

Before the experiments could be completed, however, Fermi left Columbia to attend a conference on theoretical physics at George Washington University in Washington, D. C. Here Fermi and Bohr exchanged information and discussed the problem of fission. Fermi mentioned the possibility that neutrons might be emitted in the process. In this conversation their ideas of the possibility of a chain reaction began to crystallize.

Before the meeting was over, experimental confirmation of Meitner and Frisch's deduction was obtained from four laboratories in the United States (Carnegie Institution of Washington, Columbia, Johns Hopkins, and the University of California). Later it was learned that similar confirmatory experiments had been made by Frisch and Meitner on January 15. Frederic Joliot-Curie in France, too, confirmed the results and published them in the January 30 issue of the French scientific journal, Comptes rendus.

On February 27, 1939, the Canadian born Walter H. Zinn and Leo Szilard, a Hungarian, both working at Columbia University, began their experiments to find the number of neutrons emitted by the fissioning uranium. At the same time, Fermi and his associates, Herbert L. Anderson and H. B. Hanstein, commenced their investigation of the same problem. The results of these experiments were published side by side in the April edition of the Physical Review and showed that a chain reaction might be possible since the uranium emitted additional neutrons when it fissioned.

These measurements of neutron emission by Fermi, Zinn, Szilard, Anderson, and Hanstein were highly significant steps toward a chain reaction.

Further impetus to the work on a uranium reactor was given by the discovery of plutonium at the Radiation Laboratory, Berkeley, Calif., in March 1940. This element, unknown in nature, was formed by uranium 238 capturing a neutron, and thence undergoing two successive changes in atomic structure with the emission of beta particles. Plutonium, it was believed, would undergo fission as did the rare isotope of uranium, U-235.

Meanwhile, at Columbia, Fermi and Zinn and their associates were working to determine operationally possible designs of a uranium chain reactor. Among other things, they had to find a suitable moderating material to slow down the neutrons traveling at relatively fast velocities. In July 1941, experiments with uranium were started to obtain measurements of the reproduction factor (called k), which was the key to the problem of a chain reaction. If this factor could be made sufficiently greater than 1, a chain reaction could be made to take place in a mass of material of practical dimensions. If it were less than 1, no chain reaction could occur.

Since impurities in the uranium and in the moderator would capture neutrons and make them unavailable for further reactions, and since neutrons would escape from the pile without encountering uranium 235 atoms, it was not known whether a value for k greater than unity could ever be obtained.

Fortunate it was, that the obtaining of a reproduction factor greater than 1 was a complex and difficult problem. If Hitler's scientists had discovered the secret of controlling the neutrons and had obtained a working value of k, they would have been well on the way toward producing an atomic bomb for the Nazis.

One of the first things that had to be determined was how best to place the uranium in the reactor. Fermi and Szilard suggested placing the uranium in a matrix of the moderating material, thus forming a cubical lattice of uranium. This placement appeared to offer the best opportunity for a neutron to encounter a uranium atom. Of all the materials which possessed the proper moderating qualities, graphite was the only one which could be obtained in sufficient quantity of the desired degree of purity.

The study of graphite-uranium lattice reactors was started at Columbia in July 1941, but after reorganization of the uranium project in December 1941, Arthur H. Compton was placed in charge of this phase of the work, under the Office of Scientific Research and Development, and it was decided that the chain-reactor program should be concentrated at the University of Chicago. Consequently, early in 1942 the Columbia and Princeton groups were transferred to Chicago where the Metallurgical Laboratory was established.

In a general way, the experimental nuclear physics group under Fermi was primarily concerned with getting a chain reaction going; the chemistry division organized by F. H. Spedding (later in turn under S. K. Allison, J. Franck, W. C. Johnson, and T. Hogness) with the chemistry of plutonium and with separation methods, and the theoretical group under E. P. Wigner with designing production piles. However, the problems were intertwined and the various scientific and technical aspects of the fission process were studied in whatever group seemed best equipped for the particular task.

At Chicago, the work on subcritical size piles was continued. By July 1942, the measurements obtained from these experimental piles had gone far enough to permit a choice of design for a test pile of critical size. At that time, the dies for the pressing of the uranium oxides were designed by Zinn and ordered made. It was a fateful step, since the entire construction of the pile depended upon the shape and size of the uranium pieces.

It was necessary to use uranium oxides because metallic uranium of the desired degree of purity did not exist. Although several manufacturers were attempting to produce the uranium metal, it was not until November that any appreciable amount was available. By mid-November, Westinghouse Electric & Manufacturing Co., Metal Hydrides Co., and F. H. Spedding, who was working at Iowa State College at Ames, Iowa, had delivered several tons of the highly purified metal which was placed in the pile, as close to the center as possible. The procurement program for moderating material and uranium oxides had been handled by Norman Hilberry. R. L. Doan headed the procurement program for pure uranium metal.

Although the dies for the pressing of the uranium oxides were designed in July, additional measurements were necessary to obtain information about controlling the reaction, to revise estimates as to the final critical size of the pile, and to develop other data. Thirty experimental subcritical piles were constructed before the final pile was completed.

Meantime, in Washington, Vannevar Bush, Director of the Office of Scientific Research and Development, had recommended to President Roosevelt that a special Army engineer organization be established to take full responsibility for the development of the atomic bomb. During the summer, the Manhattan Engineer District was created, and in September 1942, Maj. Gen. L. R. Groves assumed command.

Construction of the main pile at Chicago started in November. The project gained momentum, with machining of the graphite blocks, pressing of the uranium-oxide pellets, and the design of instruments. Fermi's 2 construction crews, 1 under Zinn and the other under Anderson, worked almost around the clock. V. C. Wilson headed up the instrument work.

Original estimates as to the critical size of the pile were pessimistic. As a further precaution, it was decided to enclose the pile in a balloon-cloth bag which could be evacuated to remove the neutron-capturing air.

This balloon cloth bag was constructed by Goodyear Tire & Rubber Co. Specialists in designing gas bags for lighter-than-air craft, the company's engineers were a bit puzzled about the aerodynamics of a square balloon. Security regulations forbade informing Goodyear of the purpose of the envelope and so the Army's new square balloon was the butt of much joking.

The bag was hung with one side left open; in the center of the floor a circular layer of graphite bricks was placed. This and each succeeding layer of the pile was braced by a wooden frame. Alternate layers contained the uranium. By this layer-on-layer construction a roughly spherical pile of uranium and graphite was formed.

Facilities for the machining of graphite bricks were installed in the west stands. Week after week this shop turned out graphite bricks. This work was done under the direction of Zinn's group, by skilled mechanics led by millwright August Knuth. In October, Anderson and his associates joined Zinn's men.

Describing this phase of the work, Albert Wattenberg, one of Zinn's group, said: "We found out how coal miners feel. After 8

hours of machining graphite, we looked as if we were made up for a minstrel. One shower would remove only the surface graphite dust. About a half hour after the first shower the dust in the pores of your skin would start oozing. Walking around the room where we cut the graphite was like walking on a dance floor. Graphite is a dry lubricant, you know, and the cement floor covered with graphite dust was slippery."

Before the structure was half complete measurements indicated that the critical size at which the pile would become self-sustaining was somewhat less than had been anticipated in the design.

Day after day the pile grew toward its final shape. And as the size of the pile increased, so did the nervous tension of the men working on it. Logically and scientifically they knew this pile would become self-sustaining. It had to. All the measurements indicated that it would. But still, the demonstration had to be made. As the eagerly awaited moment drew nearer, the scientists gave greater and greater attention to details, the accuracy of measurements, and exactness of their construction work.

Guiding the entire pile construction and design was the nimble-brained Fermi, whose associates described him as completely self-confident but wholly without conceit.

So exact were Fermi's calculations, based on the measurements taken from the partially finished pile, that days before its completion and demonstration on December 2, he was able to predict almost to the exact brick the point at which the reactor would become self-sustaining.

But with all their care and confidence, few in the group knew the extent of the heavy bets being placed on their success. In Washington, the Manhattan district had proceeded with negotiations with E. I. du Pont de Nemours & Co., to design, build, and operate a plant based on the principles of the then unproved Chicago pile. The $350 million Hanford Engineer Works at Pasco, Wash., was to be the result.

At Chicago during the early afternoon of December 1, tests indicated that critical size was rapidly being approached. At 4 p. m. Zinn's group was relieved by the men working under Anderson. Shortly afterward, the last layer of graphite and uranium bricks was placed on the pile. Zinn, who remained, and Anderson made several measurements of the activity within the pile. They were certain that when the control rods were withdrawn, the pile would become self-sustaining. Both had agreed, however, that should the measurements indicate the reaction would become self-sustaining when the rods were withdrawn, they would not start the pile operating until Fermi and the rest of the group could be present. Consequently, the control rods were locked and further work was postponed until the following day.

That night the word was passed to the men who had worked on the pile that the trial run was due the next morning.

About 8:30 on the morning of Wednesday, December 2, the group began to assemble in the squash court.

At the north end of the squash court was a balcony about 10 feet above the floor of the court. Fermi, Zinn, Anderson, and Compton were grouped around instruments at the east end of the balcony. The remainder of the observers crowded the little balcony. R. G. Nobles, one of the young scientists who worked on the pile put it this way: "The control cabinet was surrounded by the 'big wheels'; the 'little wheels' had to stand back."

On the floor of the squash court, just beneath the balcony, stood George Weil, whose duty it was to handle the final control rod. In the pile were three sets of control rods. One set was automatic and could be controlled from the balcony. Another was an emergency safety rod. Attached to one end of this rod was a rope running through the pile and weighted heavily on the opposite end. The rod was withdrawn from the pile and tied by another rope to the balcony. Hilberry was ready to cut this rope with an ax, should something unexpected happen, or in case the automatic safety rods failed. The third rod, operated by Weil, was the one which actually held the reaction in check until withdrawn the proper distance.

Since the demonstration was new and different from anything ever done before, complete reliance was not placed on mechanically operated control rods. Therefore, a liquid-control squad, composed of Harold Lichtenberger, W. Nyer, and A. C. Graves, stood on a platform above the pile. They were prepared to flood the pile with cadmium-salt solution in case the mechanical failure of the control rods.

Each group rehearsed its part of the experiment.

At 9:45 Fermi ordered the electrically operated control rods withdrawn. The man at the controls threw the switch to withdraw them. A small motor whined. All eyes watched the lights which indicated the rod's position.

But quickly the balcony group turned to watch the counters, whose clicking stepped up after the rods were out. The indicators of these counters resembled the face of a clock, with hands to indicate neutron count. Nearby was a recorder, whose quivering pen traced the neutron activity within the pile.

Shortly after 10 o'clock, Fermi ordered the emergency rod, called Zip, pulled out and tied.

"Zip out," said Fermi. Zinn withdrew Zip by hand and tied it to the balcony rail. Weil stood ready by the vernier control rod which was marked to show the number of feet and inches which remained within the pile.

At 10:37 Fermi, without taking his eyes off the instruments, said quietly:

"Pull it to 13 feet, George." The counters clicked faster. The graph pen moved up. All the instruments were studied, and computations were made.

"This is not it," said Fermi. "The trace will go to this point and level off." He indicated a spot on the graph. In a few minutes the pen came to the indicated point and did not go above that point. Seven minutes later Fermi ordered the rod out another foot.

Again the counters stepped up their clicking, the graph pen edged upward. But the clicking was irregular. Soon it leveled off, as did the thin line of the pen. The pile was not self-sustaining—yet.

At 11 o'clock, the rod came out another 6 inches; the result was the same: an increase in rate, followed by the leveling off.

Fifteen minutes later, the rod was further withdrawn and at 11:25 was moved again. Each time the counters speeded up, the pen climbed a few points. Fermi predicted correctly every movement of the indicators. He knew the time was near. He wanted to check everything again. The automatic control rod was reinserted without waiting for its automatic feature to operate. The graph line took a drop, the counters slowed abruptly.

At 11:35, the automatic safety rod was withdrawn and set. The control rod was adjusted and Zip was withdrawn. Up went the counters, clicking, clicking, faster and faster. It was the clickety-click of a fast train over the rails. The graph pen started to climb. Tensely, the little group watched, and waited, entranced by the climbing needle.

Whrrrump! As if by a thunderclap, the spell was broken. Every man froze—then breathed a sigh of relief when he realized the automatic rod had slammed home. The safety point at which the rod operated automatically had been set too low.

"I'm hungry," said Fermi. "Let's go to lunch."

Perhaps, like a great coach, Fermi knew when his men needed a break.

It was a strange "between halves" respite They got no pep talk. They talked about everything else but the "game." The redoubtable Fermi, who never says much, had even less to say. But he appeared supremely confident. His "team" was back on the squash court at 2 p. m. Twenty minutes later, the automatic rod was reset and Weil stood ready at the control rod.

"All right, George," called Fermi, and Weil moved the rod to a predetermined point. The spectators resumed their watching and waiting, watching the counters spin, watching the graph, waiting for the settling down and computing the rate of rise of reaction from the indicators.

At 2:50 the control rod came out another foot. The counters nearly jammed, the pen headed off the graph paper. But this was not it. Counting ratios and the graph scale had to be changed.

"Move it 6 inches," said Fermi at 3:20. Again the change—but again the leveling off. Five minutes later, Fermi called: "Pull it out another foot."

Weil withdrew the rod.

"This is going to do it," Fermi said to Compton, standing at his side. "Now it will become self-sustaining. The trace will climb and continue to climb. It will not level off."

Fermi computed the rate of rise of the neutron counts over a minute period. He silently, grim faced, ran through some calculations on his slide rule.

In about a minute he again computed the rate of rise. If the rate was constant and remained so, he would know the reaction was self-sustaining. His fingers operated the slide rule with lightning speed. Characteristically, he turned the rule over and jotted down some figures on its ivory back.

Three minutes later he again computed the rate of rise in neutron count. The group on the balcony had by now crowded in to get an eye on the instruments, those behind craning their necks to be sure they would know the very instant history was made. In the background could be heard William Overbeck calling out the neutron count over an annunciator system. Leona Marshall (the only girl present), Anderson, and William Strum were recording the readings from the instruments. By this time the click of the counters was too fast for the human ear. The clickety-click was now a steady brrrr. Fermi, unmoved, unruffled, continued his computations.

"I couldn't see the instruments," said Weil. "I had to watch Fermi every second, waiting for orders. His face was motionless. His eyes darted from one dial to another. His expression was so calm it was hard. But suddenly, his whole face broke into a broad smile."

Fermi closed his slide rule—

"The reaction is self-sustaining," he announced quietly, happily. "The curve is exponential."

The group tensely watched for 28 minutes while the world's first nuclear chain reactor operated.

The upward movement of the pen was leaving a straight line. There was no change to indicate a leveling off. This was it.

"O. K., 'Zip' in," called Fermi to Zinn, who controlled that rod. The time was 3:53 p. m. Abruptly, the counters slowed down, the pen slid down across the paper. It was all over.

Man had initiated a self-sustaining nuclear reaction—and then stopped it. He had released the energy of the atom's nucleus and controlled that energy.

Right after Fermi ordered the reaction stopped, the Hungarian-born theoretical physicist, Eugene Wigner, presented him with a bottle of Chianti wine. All through the experiment Wigner had kept this wine hidden behind his back.

Fermi uncorked the wine bottle and sent out for paper cups so all could drink. He poured a little wine in all the cups, and silently, solemnly, without toasts, the scientists raised the cups to their lips—the Canadian Zinn, the Hungarians Szilard and Wigner, the Italian Fermi, the Americans Compton, Anderson, Hilberry, and a score of others. They drank to success—and to the hope they were the first to succeed.

A small crew was left to straighten up, lock controls, and check all apparatus. As the group filed from the west stands, one of the guards asked Zinn:

"What's going on, Doctor, something happen in there?"

The guard did not hear the message which Arthur Compton was giving James B. Conant at Harvard, by long-distance telephone. Their code was not prearranged.

"The Italian navigator has landed in the New World," said Compton.

"How were the natives?" asked Conant.

"Very friendly."

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

Mr. KNOWLAND. Mr. President, I understand that the senior Senator from Nevada wishes to make a few brief remarks this afternoon. I explained to the Senator from Nevada that the Senator from Idaho had not completed his remarks, and would resume the floor tomorrow following the morning hour if a unanimous-consent agreement to that effect is entered into.

I ask unanimous consent that the Senator from Idaho [Mr. WELKER] may have the floor tomorrow morning after the usual morning hour for the transaction of routine business.

The PRESIDING OFFICER (Mr. COOPER in the chair). Is there objection? The Chair hears none, and the unanimous-consent agreement is entered.

Mr. MALONE. Mr. President, I have in my hand a copy of Senate Resolution 301, which reads as follows:

Resolved, That the Senator from Wisconsin [Mr. MCCARTHY] failed to cooperate with the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up matters referred to that subcommitteee which concerned his conduct as a Senator and affected the honor of the Senate and, instead, repeatedly abused the subcommittee and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin [Mr. MCCARTHY] in failing to cooperate with a Senate committee in clearing up matters affecting the honor of the Senate is contrary to senatorial traditions and is hereby condemned.

SEC. 2. The Senator from Wisconsin [Mr. MCCARTHY] in conducting a senatorial inquiry intemperately abused, and released executive hearings in which he denounced, a witness representing the executive branch of the Government, Gen. Ralph W. Zwicker, an officer of the United States Army, for refusing to criticize his superior officers and for respecting official orders and executive directives, thereby tending to destroy the good faith which must be maintained between the executive and legislative branches in our system of government; and the Senate disavows the denunciation of General Zwicker by Senator MCCARTHY as chairman of a Senate subcommittee and censures him for that action.

LETTER TO THE CHAIRMAN

Mr. President, on November 15, 1954, a member of the select committee to study censure charges against the junior Senator from Wisconsin addressed a letter to the chairman of the select committee, in which he said:

UNITED STATES SENATE,
SELECT COMMITTEE TO STUDY CENSURE CHARGES PURSUANT TO SENATE ORDER ON SENATE RESOLUTION 301,
November 15, 1954.

The Honorable ARTHUR V. WATKINS,
Chairman, Select Committee To Study Censure Charges, United States Senate.

MY DEAR MR. CHAIRMAN: The letter which Secretary Stevens wrote late Saturday, and which you delivered to me yesterday (Sunday) afternoon responding to the questions which I asked him at the conference in your office earlier Saturday afternoon, considered with the material in the two letters which he brought to your office, together with the prior evidence in the matter, convinces me that it would be wrong to censure Senator MCCARTHY on the second count—the Zwicker affair.

Therefore, I shall not vote for it.

Mr. President, I ask unanimous consent that the part of the letter to the chairman from the distinguished Senator from South Dakota which I have marked in the margin be printed in the RECORD at this point.

There being no objection, the portion of the letter was ordered to be printed in the RECORD, as follows:

You recall that after reading the McCarthy letter which Secretary Stevens brought in Saturday, I asked: "When was the letter actually received?" and "What consideration was given to it?"

After the conference, I reread not only the testimony before our committee on the Zwicker matter but also the original Peress testimony before Senator MCCARTHY in New York City. That hearing ended in New York City at noon on Saturday, January 30, on a quiet and sort of incidental question by Senator MCCARTHY, "You haven't been asked to resign, have you?"

A short exchange apparently alerted both parties and then a foot race began—by Peress on Monday, February 1, to get immediate action on his discharge, by MCCARTHY to get a court-martial instituted before Peress got out of the jurisdiction of the Army.

Secretary Stevens gives the first positive evidence as far as I know that Senator MCCARTHY's letter of February 1, was delivered to his office by messenger that same Monday, and made known "to the responsible Army staff."

Further, that it was reviewed—presumably against the information which General Zwicker relayed through his immediate superior, Chief of Staff, First Army, New York, the same Monday that Peress had asked for immediate discharge instead of the previously agreed upon date.

Mr. Stevens' reply to my second question is that the McCarthy letter was then reviewed and that "it was concluded that there was no additional evidence to require modification of the prior determination of the Peress case * * * and that the best interests of the United States would be served by his prompt separation."

So, the discharge was executed and Peress was released Tuesday afternoon, February 2. Mr. Stevens arrived in Washington on his trip back from Japan late on the afternoon of February 3.

This proof that an Army staff at the Pentagon did decide to let Peress slip out of their grasp after the issue was directly and timely raised throws into new focus a whole set of dates and events prior to the Zwicker hearing. It goes far toward explaining Senator MCCARTHY's conduct on February 18 when Brigadier General Zwicker, the representative supplied by the Army under wraps was unable to pinpoint the persons responsible for giving more consideration to a request from a false-swearing Communist seeking to flee from the Army's jurisdiction than to a suggestion from the chairman of a Senate investigating committee that court-martial proceedings be immediately instituted.

PROVISION FOR CENSURE OR EXPULSION

Mr. MALONE. Mr. President, the Constitution of the United States, in article I, section 5, provides that:

Each House may determine the rules of its procedure, punish its Members for disorderly behavior, and with the concurrence of two thirds, expel a Member.

Mr. President, that is the only reference the Senator from Nevada is able to find in the Constitution of the United States relative to the censure or expulsion of a Member.

Mr. President, other than the charge relating to the "Zwicker affair" designated by the distinguished Senator from South Dakota [Mr. CASE], there is left only the charge of abusing the subcommittee "and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin in failing to cooperate with a Senate committee in clearing up matters affecting the honor of the Senate, is contrary to senatorial traditions and is hereby condemned."

Mr. President, I find no provision in the Constitution of the United States or in the rules of the Senate for any such procedure, granting, however, that the Senate, no doubt, by the required number of votes, can do anything it decides to do to a Member.

On November 8, 1954, at the beginning of this debate, the Senator from Nevada said on page 15849 of the CONGRESSIONAL RECORD, in a debate with the majority leader of the Senate:

The Senator to whom the censure is directed is only a whipping boy. The objective is and has been to destroy the investigative power of the Senate.

A WHIPPING BOY

Mr. President, on November 12 the Senator from Nevada further stated in a debate with the distinguished majority leader, at page 15983 of the CONGRESSIONAL RECORD:

The senior Senator from Nevada feels that the junior Senator from Wisconsin is merely the whipping boy in this procedure. He feels that the real objective from the very beginning has been to destroy the investigative power of this body.

ESTABLISH THE PRINCIPLE—WHO IS NEXT

By pinning the spotlight on a personality the public can be divided. You could not so easily divide public opinion on the principle involved.

The present procedure or the next accusation, once the principle is established, could be the chairman of the Appropriations Committee (Mr. BRIDGES) or the chairman of

the Committee on Rules and Administration (Mr. JENNER) or the distinguished majority leader.

Mr. President, if we are stepping out and beyond the Constitution of the United States and the rules of the Senate to censure conduct that does not seem proper to some Member of the Senate, it will be a very wide field, I promise the President of the Senate.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD portions of the debate between the distinguished majority leader and the senior Senator from Nevada.

There being no objection, the portions of the debate were ordered to be printed in the RECORD, as follows:

Mr. KNOWLAND. I yield.

Mr. MALONE. I would state at this point that we are following the procedure of legislative bodies wherever dictatorships have been established.

We are nibbling at the investigative power of the Senate by censuring any Senator who seeks to investigate any procedure or act, asking questions distasteful to a witness.

NO ALLEGATION OF VIOLATION OF A SENATE RULE

If the distinguished Senator from California will further yield, I will say that I have heard no accusation made on the floor of the Senate, or at the hearings, or at the time the allegations were filed, that the Senator on trial ever violated a rule of the Senate.

I understand that the Senate is the judge of its own Members, and can decide whom it will seat in the Senate. The Senate could expel the senior Senator from California or the senior Senator from Nevada, if it so desired, if it had the votes with which to do it, regardless of the nature of the charges.

NO CENSURE UNLESS A SENATE RULE VIOLATED

However, the Senate has yet—over a period of 175 years—to set a precedent of censuring a Senator unless he has violated a rule of the Senate.

Senators have been tried and censured—and they have faced expulsion, but no Senator has ever been censured except on an allegation and conviction that he violated an established rule of the Senate.

Therefore, if we proceed in the matter before the Senate on the theory that we will later adopt a rule which the Senator in question would have violated if it had been a rule of the Senate at the time of the commission of the alleged act, that is quite another matter.

There will be, I may say to the distinguished majority leader, some serious debate before any such proposed rule will be adopted in any case.

OUTSIDE CONSTITUTIONAL JURISDICTION OF THE SENATE

Mr. MALONE. Mr. President, the select committee has recommended action by the Senate which, in the opinion of the senior Senator from Nevada, is clearly outside the constitutional jurisdiction of this body.

NO PUBLIC SENTIMENT IN WASHINGTON

Understand, Mr. President, that I have no feeling for or against the select committee. I believe it made a mistake, and I believe the Senate made a mistake in directing the committee by not specifying that the members of the committee should go home for a few weeks before holding hearings in Washington, because I believe, and have so stated on the Senate floor and elsewhere, that this is the most dangerous town in the United States of America to the United States of America, because there is no public opinion in Washington—there is no one here except the people who work for the Government or work for someone who works for the Government or the folks who sell something to someone who works for the Government.

So that if we are here more than three consecutive months without going home or associating with the producers of the Nation we think that what we are hearing is public sentiment.

There is no public sentiment in Washington. So that if the committee is to be censured for its action, the Senate must shoulder some of the blame for not specifying that they must go home for a few weeks and get their feet on the ground, thereby regaining their balance by association with the people who still revere and depend upon the Constitution of the United States and the Bill of Rights, and who still believe in the dignity and the integrity of the United States Senate.

Typical of the wires and mail that I am receiving from my constituents in my State of Nevada is the wire received today from Avery Stitser, publisher of the daily Humboldt Star at Winnemucca, Nev.:

Re your letter November 13. Continue your fight for the enforcement of the cloture rule of the United States Senate. In this present debate, in my opinion, the Senate is working toward its own destruction. Am behind you in your endeavors to halt such destruction.

Mrs. Avery D. Stitser is a typical independent American editor of a newspaper in a farming, livestock, and mining area—her job is to inform the residents of Humboldt County, Nev., on local, national, and international affairs, and that she does in a very independent and thorough manner.

Avery Stitser is a typical editor of my State—she prints the news of the day, taking orders from no one.

CENSURE REPREHENSIBLE CONDUCT

The committee's conclusion in its consideration of category V, the Zwicker allegation, is that "the conduct of Senator MCCARTHY toward General Zwicker was reprehensible."

It adds that "for this conduct he should be censured by the Senate."

What kind of conduct? Why, "reprehensible conduct," and reprehensible only.

Dictatorship may punish legislators for conduct which dictators consider reprehensible, but there is no provision in the Constitution of the United States that grants anyone that power.

The Constitution of the United States is specific on what ground either House may punish a Member. Article I, section 5, states that each House may punish its Members for disorderly behavior, and that is the only constitutional ground on which they can be punished by their colleagues.

NO FINDING OF DISORDERLY BEHAVIOR

The select committee made no allegation of disorderly behavior against Senator MCCARTHY. It made no finding of disorderly behavior. It said, on the other hand, that in its opinion, the conduct of the junior Senator from Wisconsin in the Zwicker affair was "reprehensible" and that it was "not proper."

That is the allegation from which the distinguished Senator from South Dakota has now withdrawn his support; and I would not be surprised, if he went home for a little while, with the good people of South Dakota that he might take a different view of stifling the investigative power of the United States Senate.

I said a few days ago on this floor that even if some of us fail to express ourselves properly sometimes or fail to arrive at a proper conclusion on a national or international basis, or if we do not care to exercise our power on a particular subject, we ought to preserve that power for our successors, just as it has been handed down to us over a period of 175 years. It has never been impaired. Let us not be the first to destroy it.

Mr. President, nowhere is there any charge that the junior Senator from Wisconsin was guilty of "disorderly behavior," the only constitutional ground on which this body can punish a fellow Member.

I think I should amend that statement by saying that if we have the necessary votes we can expel any Member of the Senate, even the distinguished majority leader or the distinguished minority leader.

CANNOT BE RETROACTIVE

Conceivably, if the precedent is once set, that might even be done, because I understand there is a committee working on the rules of the Senate that would make practically every Senator the judge of a breach of a personal-conduct rule by any other Senator. If we pass such a rule, and I greatly doubt we shall, because nearly everyone will go home before we come back in January and possibly rearrange his perspective—and even if we should use the poor judgment to pass such a rule, thus further destroying the investigative power of the Senate, there is nothing in the law or in the Constitution or in the rules of the Senate that would allow any such rule to be retroactive.

Mr. President, if we should set such a precedent, we shall have gone a long way toward a new concept, a Prussian concept, a Praetorian Guard concept, a totalitarian concept, in which Senators must speak softly, obsequiously, and servilely, must bootlick, if you please, any officer of high rank from whom information is sought in performance of our legislative functions.

We shall have abdicated our legislative independence to the military. I do not believe that even the great bulk of our fine military officers want that. They do not want to be coddled, either, unless the officers in the military have changed a great deal since World War I, when the senior Senator from Nevada enlisted as a private and finally was

made an officer and was given men to command. We did not ask for quarter, nor did we give much. At that time, if we violated a rule, if we violated a military concept, there was prompt retribution. There was no time to do anything about it. Those were the days when a sergeant came up from the ranks because he ought to be a sergeant, because men respected him for his power or understanding of personality, not because he had passed an examination somewhere.

The report of the select committee cites testimony that General Zwicker used the expression "You s. o. b." with reference to Senator McCARTHY—and I do not think, Mr. President, from the context, that he meant Senate Office Building.

There is other evidence in the report that General Zwicker was "antagonistic" to the junior Senator from Wisconsin long in advance of the hearings to which he was called. The select committee does not, however, find this "reprehensible." Its only criticism is against Senator McCARTHY.

On the basis of the select committee's own findings, there is no constitutional warrant whatsoever for censure of the junior Senator from Wisconsin, who has violated no law or rule of the Senate, and who certainly has not been guilty or charged with being guilty of disorderly behavior.

MOVE TO TABLE

Mr. President, if an agreement can be had with the majority leader that the Senate might meet on Saturday morning next, at that time, whenever the senior Senator from Nevada can obtain the floor, he will move to table Senate Resolution 301. If it is not possible to reach an agreement to have the Senate meet on Saturday morning, then at any time on Friday when the senior Senator from Nevada can obtain the floor, he will move to table Senate Resolution 301.

RECESS TO 11 A. M. TOMORROW

Mr. KNOWLAND. Mr. President, pursuant to the prior announcement, I now move that the Senate stand in recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 54 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, November 17, 1954, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate November 16 (legislative day of November 10), 1954:

UNITED STATES DISTRICT JUDGES

Edward J. Devitt, of Minnesota, to be United States district judge for the district of Minnesota, vice Matthew M. Joyce, retired.

William E. Miller, of Tennessee, to be United States district judge for the middle district of Tennessee, to fill a new position.

IN THE NAVY

Rear Adm. Frederic S. Withington, United States Navy, to be Chief of the Bureau of Ordnance in the Department of the Navy for a term of 4 years.

SENATE

WEDNESDAY, NOVEMBER 17, 1954

(Legislative day of Wednesday, November 10, 1954)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou Father of our spirits who hearest prayer, to whom all flesh shall come, breathe upon our agitated hearts, we beseech Thee, the benediction of Thy holy calm. Lift the burdens of drab duties and change stern statutes into glad songs. Soothe the anxieties of our baffled spirits, so that with the shield of Thy peace and the sword of Thy truth we may face whatever tests this day may bring, free and fearless. Kindle on the altar of our hearts a flame of devotion to freedom's cause in all the world that shall consume in its white heat every grosser passion. And may our democracy, confessing its failures and purged of its failings, be more and more an inspiring and emancipating power for world security and stability amid the crucial conflict now raging in its mad fury around the world. We ask it in the name of the Prince of Peace. Amen.

THE JOURNAL

On request of Mr. THYE, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, November 16, 1954, was dispensed with.

ALEXANDER HAMILTON BICENTENNIAL COMMISSION

The VICE PRESIDENT. The Chair appoints the Senator from New York [Mr. IVES], the Senator from South Dakota [Mr. MUNDT], the Senator from Virginia [Mr. BYRD], and the Senator from Missouri [Mr. HENNINGS] as members on the part of the Senate of the Alexander Hamilton Bicentennial Commission, created by Public Law 601 of the 83d Congress, approved August 20, 1954.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. THYE. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The VICE PRESIDENT. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. THYE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Fulbright	Malone
Anderson	George	Mansfield
Barrett	Gillette	Martin
Bennett	Goldwater	McClellan
Bridges	Green	Monroney
Brown	Hayden	Mundt
Burke	Hendrickson	Murray
Bush	Hennings	Neely
Byrd	Hickenlooper	Pastore
Capehart	Hill	Payne
Carlson	Holland	Potter
Case	Hruska	Purtell
Chavez	Humphrey	Robertson
Clements	Ives	Russell
Cooper	Jackson	Saltonstall
Cotton	Jenner	Schoeppel
Crippa	Johnson, Colo.	Smith, Maine
Daniel, S. C.	Johnson, Tex.	Smith, N. J.
Daniel, Tex.	Johnston, S. C.	Sparkman
Dirksen	Kefauver	Stennis
Douglas	Kilgore	Symington
Duff	Knowland	Thye
Dworshak	Kuchel	Watkins
Eastland	Langer	Welker
Ellender	Lehman	Wiley
Ervin	Lennon	Williams
Ferguson	Long	Young
Flanders	Magnuson	

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN] is absent on official business.

The Senator from Ohio [Mr. BRICKER] is absent by leave of the Senate.

The junior Senator from Maryland [Mr. BEALL], the senior Senator from Maryland [Mr. BUTLER], the Senator from Oregon [Mr. CORDON], the Senator from Colorado [Mr. MILLIKIN], and the junior Senator from Wisconsin [Mr. McCARTHY] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Delaware [Mr. FREAR] is absent on official business.

The Senator from Oklahoma [Mr. KERR] is necessarily absent.

The Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave of the Senate on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The Senator from Oregon [Mr. MORSE] is necessarily absent.

The PRESIDING OFFICER (Mr. COTTON in the chair). A quorum is present.

Routine business is now in order.

COMMUNIST DOCTRINE OF WORLD REVOLUTION

Mr. WILEY. Mr. President, for the past 8 years a major portion of our legislative endeavors have been focused upon meeting the single, all-embracing challenge of world communism and world revolution. In these august chambers and throughout the breadth and width of our free world, we have heard debates concerning the true nature and extent of the Communist global menace. We have heard arguments concerning the meaning of Leninism, of Stalinism, of Malenkov-Marxism—arguments concerning the meaning of such fundamental terms as "peace," "coexistence," "imperialism," "Marxian-socialism," and, finally, "world revolution."

The actual meaning of these fundamental concepts, as employed by the West and as employed by the forces of

world communism, are as different as the respective philosophies of a totalitarian and of a free society. Based on our understanding of these principles of world communism and world revolution, we have endeavored to formulate our policies. The preservation of our American heritage, no less than the very survival of our entire free world, depends upon the correctness of our understanding. We cannot afford to err in our analysis of world communism and world revolution.

Therefore, in my capacity as chairman of the Senate Foreign Relations Committee, I have been preparing, in cooperation with numerous experts to whom I shall refer, a detailed outline, based upon official Communist sources, of the Communist doctrine of world revolution. This outline presents, in a consistent and coherent step-by-step form, the total principles of revolution, as revealed most starkly in the policy statements of Communist leaders. In these quotations, they repeat their fundamental principles of revolution, without actual variation from the inception of communism to the present time.

This study has been made in consultation with Russian, Slavic, and Chinese experts in the Library of Congress; in consultation with various policy and research organizations in our executive branch; and in consultation with leading professional scholars in the field of world Communist studies. It is a definitive study which attempts to outline the total doctrine of world revolution, through an overall analysis of Communist policy statement, from Marx to the present.

It is my sincere hope and intent that this study will prove of service to those of us who bear the pressing legislative responsibility for countering the continuous global Communist menace. I hope it will aid our American citizens and the other people of the free world to a clearer understanding of the most destructive totalitarian doctrine known to man.

I therefore ask unanimous consent that this study, which I am completing, be printed as a Senate document.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. WILEY:

Summary describing United States cooperation with the forces of international science.

FREEDOM OF DEBATE AMONG CADETS AND MIDSHIPMEN

Mr. ROBERTSON. Mr. President, as a member of the Board of Visitors to the Military Academy and a former member of the Board of Visitors to the Naval Academy, I take great interest in the work being done by those splendid service schools and am proud of the type of training they give our future military leaders. Consequently, I regretted to hear Edward R. Murrow criticize those service schools in his broadcast last night because of their refusal to let the cadets and midshipmen argue in intercollegiate debate the admission of Red China to the United Nations.

Mr. Murrow knows, of course, that the hands of Red China, a deliberate aggressor in Korea, are dripping with the blood of American boys and for that reason Henry Cabot Lodge, the appointee and spokesman in the United Nations of the President, has consistently opposed the admission of Red China. He knows that this year the Senate by a unanimous vote endorsed that position of the President. He knows or in any event he certainly should know, that every boy who enters a service school immediately enlists in our military forces and becomes subject to all military regulations and discipline. They take an oath to defend our country and have no more right to publicly challenge the foreign policy of their Commander in Chief than the Joint Chiefs of Staff.

Mr. Murrow's word for today to the effect that it is better to debate a decision before it is reached than to debate the decision afterward is a good theory when properly applied.

DR. FREDERICK BROWN HARRIS

Mr. LEHMAN. Mr. President, last night I was privileged to attend the dinner given by the parishioners and friends of our Chaplain, Dr. Frederick Brown Harris, marking the completion of 30 years' service as spiritual leader of the Foundry Methodist Church. It was a beautiful and moving occasion, in which some of Dr. Harris' friends had the opportunity to give expression to their high regard and affection for him.

With unfailing devotion Dr. Harris has discharged his high duties as a great spiritual leader for nearly a third of a century. He has also for more than a decade served as the beloved Chaplain of this body. I congratulate him, and I hope he will have many more years of good health in which to serve his fellow men.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "Dr. Harris' 30 Years," which was published in last night's Washington Star.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DR. HARRIS' 30 YEARS

When the Reverend Dr. Frederick Brown Harris came to Washington to guide the destinies of Foundry Methodist Church in 1924 he was aware that the task would be hard and the burden heavy. To serve the principal Wesleyan congregation in the Capital of the United States in a period of national, cultural, and social expansion would require the best talents, the wisest judgment, the zeal, and the energy of any minister, however gifted and enthusiastic. But Dr. Harris' pastorate, it soon became clear, was not to be limited to any single house of prayer or any single denomination. Almost from the start, he was to be called upon to work for a still greater cause and a still more numerous community.

Year by year his opportunities grew and his capacity for meeting them increased. Especially when he was named Chaplain of the Senate in 1942, his activities assumed a universal importance. He moved into new fields also when he began to contribute his Spires of the Spirit column to the Sunday Star in 1947. His books of essays and poems coincidentally have added to the reach of his mind, his heart, and his hands.

What the future holds for Dr. Harris should be a reasonable facsimile of what the past has held. His friends, joining to thank him for the services already rendered, wish for him a long and fruitful continuance of the labors that he loves.

Mr. CASE. Mr. President, I wish to associate myself with the remarks of the able Senator from New York with reference to the outstanding service which Dr. Harris has rendered to the people of the city of Washington and, by reason of that fact, to the people of the country, as well as to the Senate.

I am sorry I was not able to attend the testimonial dinner, because of the press of other duties. However, I do appreciate the great record of Dr. Harris. I am glad the Senator from New York has seen fit to call the Senate's attention to it.

Mr. SMITH of New Jersey. Mr. President, I am very happy to associate myself with the remarks just made by the Senator from New York and the Senator from South Dakota with regard to Dr. Harris. I noted in the CONGRESSIONAL RECORD attention has been called to the fact that Dr. Harris is celebrating his 30th anniversary as a spiritual leader. I am one of those who value a very warm personal friendship with Dr. Harris, and I am glad to add my few words to what has been said in deep appreciation of his wonderful service. I express the hope that he may be with us for many years more.

THE MARINE CORPS AND THE CHIEF OF NAVAL OPERATIONS

Mr. MANSFIELD. Mr. President, in view of the continuing press reports that the Chief of Naval Operations is attempting to gain control of the Marine Corps, I addressed a letter to Secretary of Defense Wilson, on November 9, 1954, requesting certain information and a pertinent document. That letter appears in the course of my remarks in the November 12, 1954, CONGRESSIONAL RECORD.

I took that occasion to bring this subject to the attention of the Senate. It is my opinion that this issue is of major importance to the membership of the Senate, for if the Chief of Naval Operations gains an element of control, direct or indirect, over the Marine Corps and its Commandant, then Public Law 416—the Marine Corps bill—of the 82d Congress will have been violated.

It is of particular interest to the membership of the Senate, for approximately 40 Senators joined in sponsoring that legislation.

I am confident that the Senate shares my determination that the Marine Corps bill shall not be violated by administrative action in the Department of the Navy.

In my November 9 letter to Secretary Wilson I requested a copy of a document, referred to in the recent Report of the Committee on Organization of the Department of the Navy. By that document, the Secretary of the Navy reportedly corrected any misconceptions within the Department of the Navy as to the status of the Marine Corps and its Commandant.

By way of clarification, I might point out that this organization committee was established in October 1953 and completed its work in April 1954. On the basis of my examination of that committee report it is my belief that, in general, it correctly reflected existing law as to the status of the Marine Corps within the Department of the Navy, recognizing the Marine Commandant to be directly responsible to the Secretary of the Navy, and subordinate in no manner to the Chief of Naval Operations. The document I requested on November 9 is the directive which guided the committee in arriving at its conclusions.

Yesterday afternoon I received a reply to my letter of November 9, and as an enclosure to the reply I was furnished a copy of the requested document.

Because it is of such importance in connection with the reported Chief of Naval Operations' struggle for control of the Marine Corps, I ask unanimous consent that the letter and the directive provided me be incorporated in the RECORD at this point in my remarks for the information of the Senate.

There being no objection, the letter and the directive were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE NAVY,
Washington, November 16, 1954.

Hon. MIKE MANSFIELD,
United States Senate,
Washington, D. C.

DEAR SENATOR: The Secretary of Defense has referred to me your letter of November 9 in which you raise certain questions regarding the relationships between the Chief of Naval Operations and the Commandant of the Marine Corps.

Subsequent to the receipt of your letter, other letters from interested persons, both within and outside the Congress, on the same subject have been directed to both the Secretary of Defense and to this Department. Furthermore, an interest in the matter has been expressed by representatives of the press.

In view of this wide interest, we have decided the interest of the services would be best served if the administrative action of the Secretary of the Navy were released for the benefit of the other persons who have inquired on the same subject, and also be issued to representatives of the press.

Probably your interest stems from the fact that within the Department of the Navy we are in the process of rewriting General Order No. 5 to reflect the recommendations of the Committee on Organization of the Department of the Navy, which was dated April 16, 1954, and approved by the Secretary of the Navy and the Secretary of Defense. A final draft of this general order has not as yet been completed, and discussions concerning its format and language are still in process.

As you have noted in your letter, the report of the Committee on Organization of the Department of the Navy referred to an administrative action by the Secretary of the Navy, and you have requested a copy of this document. This letter, dated April 7, 1954, is attached hereto for your information.

I trust that if there are further questions, you will not hesitate to call upon me.

Sincerely yours,

THOMAS S. GATES, Jr.,
Acting Secretary of the Navy.

APRIL 7, 1954.

Memorandum from: Secretary of the Navy.
To: Chief of Naval Operations.
Commandant of the Marine Corps.
Subject: Relationships between the United States Navy and United States Marine Corps.

1. General Order No. 5 establishes the basic relationship between the Chief of Naval Operations and the Commandant of the Marine Corps.

2. In further amplification of this order, the following statements of policy are applicable:

(a) The Marine Corps, while not a separate service in the sense of the Army, Navy, and Air Force, is a unique service and forms an integral part of the Department of the Navy. Because of its specialized mission and objectives, it is distinct from a board, bureau, or office of the Department, and yet is an inseparable part of a composite whole comprising the Naval Establishment.

(b) The Chief of Naval Operations is the senior military officer in the Naval Establishment. He commands the operating forces of the Navy. He is the naval executive to the Secretary of the Navy for the conduct of appropriate activities of the Naval Establishment.

(c) The responsibilities of the Chief of Naval Operations in his capacity as naval executive to the Secretary of the Navy shall attach insofar as the Marine Corps is concerned only to those areas assigned by the Secretary of the Navy.

(d) The Commandant of the Marine Corps commands the Marine Corps and is directly responsible to the Secretary of the Navy for its administration, discipline, internal organization, unit training, requirements, efficiency and readiness, and for the total performance of the Marine Corps.

(e) The Commandant of the Marine Corps when performing the functions set out in paragraph (d) is not a part of the permanent command structure of the Chief of Naval Operations. However, there must be a close cooperative relationship between the Chief of Naval Operations as the senior military officer and the Commandant of the Marine Corps who has command responsibility over that organization.

(f) The Commandant of the Marine Corps has an additional direct responsibility to the Chief of Naval Operations for the readiness and performance of those elements of the operating forces of the Marine Corps assigned to the operating forces of the Navy. Such Marine Corps forces, when so assigned, are under the command of the Chief of Naval Operations.

(g) Any administrative instructions in conflict with the foregoing will be revised to conform to this policy.

THOMAS S. GATES, Jr.,
Acting.

Mr. MANSFIELD. Mr. President, the directive is reassuring. If it is obeyed—and I do not see why it should not be obeyed—the proper status and functions will be accorded the Marine Corps and its Commandant.

After reading this document I can better appreciate the reluctance of the admirals to have it made public, for this directive of April 7, 1954, is a pointed rebuke to any claims that might be advanced for giving the Chief of Naval Operations any direct or indirect command authority over the Marine Corps.

But despite the Andersen letter of April 7, 1954, the admirals did make such claims. They attempted to procure the promulgation of a general order in terms which would literally deprive the Commandant of the Marine Corps of command of all elements of the Marine Corps except a handful of marines on duty at Marine headquarters.

I know the Senate will join me in commending Deputy Secretary of Defense Andersen, who as Secretary of the Navy was primarily responsible for the document containing such a well considered and carefully balanced statement of the applicable law.

I am of the opinion that the Andersen letter, as it is called, will some day rank as one of the key documents in the history of the Department of the Navy.

While applauding the document itself, I regret and I am alarmed that the law was so vigorously challenged in the Department of the Navy as to require the Secretary to issue such an order, which in effect reaffirms existing law.

The directive of April 7 is noteworthy for the manner in which it reflects the law on the following important points:

First. It recognizes the Marine Corps as a military service within the Department of the Navy. It is of minor importance that this order calls the Marine Corps a unique rather than a separate service. The essential thing is that it is a military service which no one with good judgment would attempt to deny.

Second. The Chief of Naval Operations is not vested with any authority over the Marine Corps or its Commandant. In fact, this portion of the directive is a pointed rejection of the old claim that Public Law 432, 80th Congress, granted such authority to the Chief of Naval Operations. When the admirals opposed the Marine Corps bill, the then Chief of Naval Operations based much of his opposition on the assertion that Public Law 432 charged him, as naval executive to the Secretary of the Navy, with supervision over the Marine Corps. In passing the Marine Corps bill, and by the specific passages in the committee reports, Congress directly rejected these claims as to such authority of the Chief of Naval Operations under Public Law 432. Incidentally, it was clearly understood at the time that law was passed that it was of restricted application and pertained only to the Navy per se. Thus the only time the Chief of Naval Operations has any executive authority over any element of the Marine Corps is when he is specifically assigned such executive function for a specific matter by the Secretary of the Navy. Of course, under the law even this grant of executive authority could not abridge, even momentarily, the Marine Commandant's coequal status in the Joint Chiefs of Staff in matters of direct concern to the Marine Corps, nor could it be used as a device to interpose the Chief of Naval Operations between the Marine Commandant and the Secretary of the Navy. Thus, even on the rare occasions when this executive authority might be assigned the Chief of Naval Operations by the Secretary for a specific

and temporary purpose, such authority could even then be employed only in matters unrelated to the Commandant's Joint Chiefs of Staff function and status, and could not abridge the Commandant's direct relationship with the Secretary of the Navy.

Third. The position of the Commandant as a direct subordinate of the Secretary of the Navy is reaffirmed. The directive also recognizes the fact that the Commandant commands the Marine Corps and is responsible to the Secretary of the Navy—not the Chief of Naval Operations—for all the activities and total performance of the Marine Corps.

Fourth. The directive very properly emphasizes the close cooperation that must exist between the Chief of Naval Operations and the Marine Commandant, and the responsibility of the Marine Commandant for the readiness and performance of such marine units as may from time to time be temporarily assigned by the Secretary, or his superiors, to the operating forces of the Navy.

Fifth. Very significantly, this directive contains the order that "any administrative instructions in conflict with the foregoing will be revised to conform to this policy." This prescribes a commendable procedure, but apparently the order did not receive the proper attention after Mr. Andersen was relieved as Secretary of the Navy and moved up to Deputy Secretary of Defense. The question arises, of course, why this policy order issued April 7, 1954, has not been complied with in mid-November. Yet, such is the situation, for the letter from Acting Secretary of the Navy Gates states that General Order No. 5, which is apparently the first one to be considered, is still in the process of revision.

Any directive as clear as that of April 7, 1954, should, it seems, be complied with more expeditiously than is the case.

It is my hope that Mr. Andersen's clear and forceful directive will be quickly obeyed and as a result General Order No. 5 and other pertinent administrative instructions will be revised to reflect the legal position of the Marine Corps and its Commandant.

Had such a procedure been followed immediately after the issuance of that April 7 directive, I am certain the present unfortunate situation, in which the Chief of Naval Operations is apparently challenging the law by his reported effort to subordinate the Marine Corps to his control, rather than to the Secretary of the Navy, would never have developed. But since the situation has obviously been permitted to get out of hand, the entire matter can still be readily rectified by prompt obedience to the law and to the April 7 directive.

THE CASE OF JOHN PATON DAVIES, JR.

Mr. SMITH of New Jersey. Mr. President, on November 5, 1954, the Secretary of State, John Foster Dulles, announced that Mr. John Paton Davies, Jr., was being separated from the Foreign Service under the terms of Executive Order 10450, which order established the revised security program. I have been disturbed, as, I am sure, have many of my colleagues, by the torrent of editorials and syndicated columns criticizing the action of Secretary Dulles for reasons which are totally invalid.

Two errors seem particularly prevalent. The first is that Mr. Davies was somehow the victim of persecution by reason of his case being readjudicated under the terms of Executive Order 10450 despite a number of clearances under the earlier loyalty and security procedures. What was inadvertently or deliberately overlooked by the writers alleging persecution was that the terms of the Executive order itself required a review of all departmental and Foreign Service employees who had been investigated under the provisions of the old loyalty program.

The second, and even more insidious, error embraced by many writers was that Mr. Davies was being separated because his reports from China during the war were unpalatable to his chiefs in the Embassy and the Department in Washington. These writers thus twisted the Davies separation into a crude attempt at thought control.

It is true that Mr. Davies was separated from the Foreign Service for "lack of judgment, discretion, and reliability." However, as Secretary Dulles stated:

> The Board emphasized that it defended Mr. Davies' right to report as his conscience dictated, but found that he made known his dissents from established policy outside of privileged boundaries.

Thus, the deficiency of judgment forming the basis of this discharge was not principally that relating to the substance of his recommendations, but was, in fact, a lack of judgment and discretion in publicly espousing positions contrary to those already adopted by higher authority after due consideration of Mr. Davies' recommendations.

Secretary Dulles reviewed the Davies case after a security hearing board unanimously concluded that the continued employment of Mr. Davies was not clearly consistent with the interests of the national security. The Secretary's final determination was in accord with that unanimous decision.

In justice to the Secretary of State, I feel this explanation should be made.

I ask unanimous consent that the statement of Secretary Dulles of November 5 be printed in full in the body of the RECORD as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

IN THE MATTER OF JOHN PATON DAVIES, JR.

(Statement by the Honorable John Foster Dulles, Secretary of State)

Executive Order 10450, issued pursuant to the act of August 26, 1950, became effective May 27, 1953. It deals with security requirements for Government employment. It establishes new criteria for continuing employment by the United States. These criteria related not only to loyalty, but also to reliability and trustworthiness. The new security program which this order establishes provides for various procedures culminating in a final determination by the head of the Department as to whether continued employment is clearly consistent with the interests of the national security. If not, the head of the Department is required to terminate the employment.

The Executive order requires that the cases of all departmental and foreign service employees who had been investigated under the provisions of the old loyalty program should be readjudicated under the new security standards established by the new Executive order. Accordingly, the case of John Paton Davies, Jr., previously so investigated, came on for readjudication.

On December 29, 1953, the Department's Office of Security concluded that Mr. Davies should be suspended and processed under the new security program.

On January 20, 1954, I directed that a statement of charges be submitted to Mr. Davies with a view to obtaining his sworn answers prior to my determination with reference to his possible suspension. This was done and Mr. Davies made his sworn answers.

I thereupon made a careful examination of the charges, the answers, and the information upon which the charges were based. I concluded that the matter required further inquiry. In this connection it might be noted that Mr. Davies had previously told me that he would welcome whatever further examination I deemed appropriate. Accordingly, on March 23, 1954, I asked that a Security Hearing Board be designated to consider the case. Mr. Davies voluntarily accepted the jurisdiction of the Security Hearing Board, and was not then suspended as would have been the normal procedure. I agreed to nonsuspension because I concluded that under the circumstances then prevailing the interests of the United States would not be prejudiced thereby.

On May 14, 1954, a Security Hearing Board of five persons, drawn from other agencies, was duly designated and convened for the purpose of conducting a hearing according to the statute, the Executive order above referred to and departmental regulations. After the board had studied the complete record, it held hearings throughout the latter part of June and the first half of July.

Throughout these proceedings Mr. Davies had the benefit of able counsel. Mr. Davies testified and called six witnesses who testified on his behalf. Five witnesses who had furnished derogatory information appeared and testified under oath; all but one did so in Mr. Davies' presence and subject to cross-examination by his counsel.

On August 30, after consideration of all the available information and the entire record in the case, the Security Hearing Board reached a unanimous decision. It was that the continued employment of Mr. Davies is not clearly consistent with the interests of the national security. The Board accordingly concluded that his employment in the Foreign Service of the United States ought to be terminated.

Following receipt of the Security Board's decision, I have, as required by the statute and the regulations, reviewed the entire case, and I now make my determination as to its disposition.

My determination accords with that of the Security Hearing Board; and is that the continued employment of Mr. Davies is not clearly consistent with the interests of the national security and it is advisable in such interests that his employment in the Foreign Service of the United States be terminated.

The reasons given by the Security Hearing Board for its decision are that Mr. Davies demonstrated a lack of judgment, discretion, and reliability. The board emphasized that it defended Mr. Davies' right to report as his conscience dictated, but found that he made known his dissents from established policy outside of privileged boundaries. The board also emphasized that its decision

stemmed preponderantly not from derogatory information supplied by others but from its own thorough and exhaustive analysis of Mr. Davies' known and admitted works and acts and, in connection therewith, his direct admissions and deficiencies as a witness before the board.

The board found that Mr. Davies' observation and evaluation of the facts, his policy recommendations, his attitude with respect to existing policy, and his disregard of proper forbearance and caution in making known his dissents outside privileged boundaries were not in accordance with the standard required of Foreign Service officers and show a definite lack of judgment, discretion, and reliability.

The Security Hearing Board did not find, nor do I find, that Mr. Davies was disloyal in the sense of having any communistic affinity or consciously aiding or abetting any alien elements hostile to the United States, or performing his duties or otherwise acting so as intentionally to serve the interests of another government in preference to the interests of the United States.

Under the present Executive order on security, it is not enough that an employee be of complete and unswerving loyalty. He must be reliable, trustworthy, of good conduct and character.

The members of the Security Hearing Board unanimously found that Mr. Davies' lack of judgment, discretion, and reliability raises a reasonable doubt that his continued employment in the Foreign Service of the United States is clearly consistent with the interests of national security.

This is a conclusion which I am also compelled to reach as a result of my review of the case.

I have reached my determination, as the law requires, on the basis of my own independent examination of the record. One of the facts of that record is the unanimous conclusion of the members of the Security Hearing Board that the personal demeanor of Mr. Davies as a witness before them, when he testified on his own behalf and was subject to examination, did not inspire confidence in his reliability and that he was frequently less than forthright in his response to questions. Conclusions thus arrived at by an impartial Security Hearing Board are, I believe, entitled to much weight, particularly when those conclusions are consistent with the written record which I have examined.

CANCELLATION OF CERTAIN CONTRACTS WITH FOREIGN INDUSTRIALS BECAUSE OF SUBSEQUENT DOMINATION BY COMMUNIST UNIONS

Mr. SYMINGTON. Mr. President, last March the distinguished senior Senator from New Hampshire [Mr. BRIDGES] and I went to Europe representing the Appropriations Committee and the Armed Forces Committee. The Senator from New Hampshire is a member of both committees.

Much attention was being given, in various European countries, to those business concerns with labor unions which were Communist infiltrated. In countries where we found that to be true we urged that no American business be given under the mutual-aid program or any other aid program to companies which manifested no interest in reducing Communist infiltration to a minimum.

With that premise, Mr. President, I now read a report prepared for the distinguished senior Senator from New Hampshire and myself by one of the able staff directors of the Senate Committee on Appropriations, Mr. Slattery:

Late in June of this year a contract was entered into with Officine Meccaniche Vittoria of Milan, Italy, for the manufacture of 3,191,571 rounds of 40-millimeter ammunition. The contract price was $18,800,000.

Although the shells were for delivery to the Army and Air Force, they were being purchased by the Navy under single service procurement responsibility. Subsequent to the execution of the contract, an election was held at the plant and the workers voted for a Communist-dominated labor union. On July 30, 1954, Ambassador Luce sent a cable recommending cancellation of the contract because of the election results in the plant. The recommendation was followed and the contract was canceled in August—cancellation charges amounting to about a half million dollars.

On May 6, 1954, the Bureau of Ships entered into a contract with Finmeccanica, a Government-owned or controlled Italian syndicate, for the construction of a destroyer escort, the contract price being $7,528,000. The Finmeccanica subcontracted the actual work to Piaggio of Palermo, Sicily. An election was held at the plant on September 25, 1954, in which the shop stewards voted for a Communist-dominated union. Ambassador Luce advised the Secretary of State of the results of the election and recommended that the contract be canceled, or the actual work shifted from Piaggio to a firm which she would approve. As the result of Ambassador Luce's recommendation, work has been stopped on the ship, and if the work is not transferred to a company which the Ambassador approves, the contract will be canceled.

Both Officine and Piaggio were plants which had been approved by the Country Team in Italy.

The Senator from New Hampshire and I found that in some cases employers as well as employees were not willing to work with our representatives in eliminating, as much as was possible, communism in the industrial plants to which this country was assigning orders for goods and equipment.

The senior Senator from New Hampshire and I are glad to make this report to the Senate, and commend the actions of Ambassador Luce in the matter herewith presented.

LIMITATIONS OF ATOMIC CANNON

Mr. ANDERSON. Mr. President, the Washington Star last Sunday carried an article headed "Army Leaders Now Admit Atomic Cannon Has Serious Limitations—Was Oversold." The article points out that the atomic cannon, the advent of which was announced in such glowing terms, is now found to be somewhat valueless. I shall ask unanimous consent to place this article in the RECORD today. In doing so, I desire to point out that I have been opposed to this project steadily for a year and a half on the basis that it was mostly for the purpose of an Army parade. An interesting aspect of this matter is not the original cost of the cannon, which, with its units, is approximately a million dollars, but is the fact that the cost of the projectile is still classified, which is a very wise decision on the part of the Army, I think, because it further shows the absurdity of the construction of this type of weapon. There has been recently designed a similar weapon for another branch of the service, and the possibilities are that each branch of the service will have its own type of atomic weapons.

Mr. President, I ask unanimous consent that this article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARMY LEADERS NOW ADMIT ATOMIC CANNON HAS SERIOUS LIMITATIONS, WAS OVERSOLD

(By L. Edgar Prina)

Top Army leaders are apparently beginning to concede what critics of the highly publicized 280-millimeter atomic cannon have been saying for a long time: It has serious limitations and its value has been oversold.

Three weeks ago, answering a newspaperman's query, an Army spokesman disclosed that production of the huge 85-ton weapon had been halted because current requirements have been met. About 50 of the guns have been delivered at a unit cost of close to $1 million.

When the 280-millimeter was first displayed to the press 2 years ago, it was heralded in a shower of superlatives:

"Excellent cross-country (off-the-road) mobility," the then Chief of Staff, Gen. J. Lawton Collins, asserted.

"Able to give a kind of accurate and close support to ground troops never before available to them in the history of warfare," the Ordnance Corps stated proudly, adding that the gun had complete mobility.

Now, Maj. Gen. James M. Gavin, Army Operations Chief, puts the 280-millimeter into a more realistic perspective.

VULNERABLE, INEFFICIENT

General Gavin, interviewed at the Pentagon, conceded that the truck-towed, unarmored, atomic cannon was very vulnerable. What is more, it is inefficient in its use of nuclear material when compared with an A-bomb.

The general, who has a sound appreciation of the role of science in modern warfare, recalled the first years of the postwar period when the Army was outside looking in on the atomic business.

For a service which has always borne the great brunt of war casualties, this was not a happy situation. Then came the atomic-cannon proposal, and with it immediate opposition, chiefly from the Air Force. The Navy at first opposed development of the cannon, but it endorsed it and now is looking into the possibility of adapting atomic shells for use in big battleship guns.

General Gavin believes that the significant fact in the whole atomic-cannon matter is not the weapon itself.

"The most important thing about the 280-millimeter program, to my mind, is that it got the scientists interested in doing something for the Army in the atomic field," he said.

These views and those stated privately by other Army officers come in the wake of statements by critics who contend that the big gun may be knocked out easily and that its development was pushed because the Army wanted to get into the atomic act.

NO APOLOGIES

Defenders of the 280-millimeter program are not apologetic, despite the admitted drawbacks. They say that the United States Army, first to develop such a weapon, has been able to visualize, for the first time with some degree of confidence, an atomic battlefield. In addition, they point out that the gun has been important in the working out of new tactics and organization necessary for nuclear warfare.

The frank acknowledgment of the cannon's weaknesses comes when the Army apparently is on the threshold of getting delivery on a family of atomic artillery which will

be far less vulnerable than the 280's because they will be armored and self-propelled.

Under Secretary George Roderick said in a recent speech that the 280-millimeter was the first in a series of guns capable of delivering an atomic projectile. The Army now has armored and self-propelled artillery up to 210 millimeters (8 inches).

CRITICS' VIEW

Critics recognize that the gun can deliver a staggering explosive power once it is in firing position. But it takes at least 20 minutes to get it ready to fire, and 20 minutes to ready it for the road again. Secondly, they point out that the 280's lack of armor protection, its dependence on truck-tow, and its limited off-road mobility make it and its cache of atomic shells critically vulnerable to a variety of enemy attacks.

One expert insists that a 7-cent tommygun slug shot through the radiator of the tow truck could immobilize the monster. A gun that can't move is useless in a war of maneuver.

As to the complete mobility and excellent cross-country mobility claims for the cannon, critics recall that in the recent Battle Royal maneuvers in West Germany one of the slightly top-heavy 280's partially turned over in a ditch. It took 3 days to get it out. If this happened during a real battle, one general agreed, the gun would have to be written off.

That the cannon was conceived by road-minded designers is demonstrated by the fact that a battery of two 280's has a retinue of 9 vehicles in support. There is a mobile shop, 2 trucks for towing the generators which supply the power for the cannon's operations, 4 more for towing conventional trailers and 2 jeeps.

Because it takes so long to get into and out of firing position, some experts say the cannon will be unable to keep up with speedy armored thrusts against the enemy and will therefore be unable to maintain constant close support.

On the other hand, armored and self-propelled guns can do this because they can get up and go in the matter of seconds and are not nearly as vulnerable to scattered patches of resistance which the attack may have overrun.

The limbering-up time needed by the 280 cuts down its range, especially on the defense. The Army lists a 20-mile range for the cannon, but tacticians think that for practical purposes 10 miles beyond the front line would be its maximum battle range.

There are an estimated three dozen 280s now in the European theater. The Soviets have 20 or 22 armored divisions in East Germany alone.

In conclusion, the 280's critics recall that a special United States Army artillery board recommended after World War II that all artillery be caterpillar tracked, armored, and self-propelled.

The validity of this recommendation was borne out by the Korean war experience. Not one self-propelled gun was captured, but 400 truck-towed pieces were lost to the enemy in the first year.

RESOLUTION OF CENSURE

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

Mr. DIRKSEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BUSH in the chair). Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered.

THE CASE OF JOHN PATON DAVIES, JR.

Mr. WELKER. Mr. President, after paying my respects last evening to a great and distinguished gentleman Dr. Frederick Brown Harris, who will go down in history as one of the great religious leaders of America, I returned to my home at a late hour.

As one who is trying to present in a nonpartisan way a picture of the law as I view it, whether it be right or wrong, I have some observations to make.

Yesterday I told the judges, as Senators have been termed, that I did not know why human beings acted as they did, and I think it only fair to my distinguished friend, the distinguished Senator from New Mexico [Mr. CHAVEZ], to digress from my prepared remarks to say something about John Paton Davies, a man whom I never met and never knew.

Mr. President, I bring this matter up to show that remarks made by anyone can be misconstrued, and that many Americans object to this or that remark, whether the person concerned occupies a high or low position in the executive branch of the Government or elsewhere in public life.

John Paton Davies may have been a Communist; I do not know. He may have been disloyal. He may have been a security risk. But the American people, Mr. President, have very diverse opinions as to the reasons for which the Secretary of State suspended or discharged him. I do not have before me the verbatim remarks of the Secretary of State. I ask my colleagues, however, to keep in mind that I am not trying to praise a Communist or a disloyal person, because, as my colleagues know, since I have been a Senator, as a member of the Internal Security Subcommittee of the Committee on the Judiciary I have been one of those assigned the difficult job of trying to protect our country from subversive influences. However, I think it was unfortunate for the American people that they were not informed as to exactly why John Paton Davies was relieved of his position. As I remember the remarks made by the Secretary of State, they were to the effect that John Paton Davies had failed to exercise good judgment, and that he was not reliable.

Mr. President, what was done in this case is not the usual way we do things in America. Mr. Davies had served his country, whether honorably or disloyally, for about 23 consecutive years, and was approaching the time when he could retire. Why were not the American people told the real reason, if one existed, for suspending or discharging Mr. Davies? In the early hours of this morning I wondered, and I still wonder, if the reasons assigned for the discharge of Mr. Davies were the real reasons. I hope the question can be clarified. As I have said, I have no desire to protect anyone who might in any way be a participant in a plan for the destruction of this country. By like token, I hope I can impress my friends in the Senate that I am trying to be fair and honest to every person, regardless of his political affiliation.

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

Mr. WELKER. Mr. President, yesterday when I concluded my remarks on the censure resolution—and if my remarks were discursive or inadequate I apologize—I left the floor feeling, as I do now, since Senators are sitting as judges to try a fellow Member of the Senate in a censure proceeding, somewhat astounded that there were then present, as there are now, only a small number of the judges. I have never appeared before judges in a court of law when nearly two-thirds of the judges were absent because they had other things to do. I do not expect my remarks to go down in history as constituting a profound legal dissertation; I merely desire that they go into the RECORD as coming from one who is not representing Senator MCCARTHY or any other person. I am merely trying to give to the Senate of the United States, which is now sitting as the sole judge of the law and the facts, a statement which I believe to be honest and fair.

Mr. LANGER. Mr. President, will the Senator yield for the purpose of permitting me to suggest the absence of a quorum? I think the distinguished Senator from Idaho is correct. There ought to be more of the judges present, since the Senate is in session for the purpose of hearing the arguments on the pending resolution. I should like to suggest the absence of a quorum.

Mr. WELKER. I yield for that purpose, provided I do not thereby lose the floor.

Mr. LANGER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Fulbright	Malone
Anderson	George	Mansfield
Barrett	Gillette	Martin
Bennett	Goldwater	McClellan
Bridges	Green	Monroney
Brown	Hayden	Mundt
Burke	Hendrickson	Murray
Bush	Hennings	Neely
Byrd	Hickenlooper	Pastore
Capehart	Hill	Payne
Carlson	Holland	Potter
Case	Hruska	Purtell
Chavez	Humphrey	Robertson
Clements	Ives	Russell
Cooper	Jackson	Saltonstall
Cotton	Jenner	Schoeppel
Crippa	Johnson, Colo.	Smith, Maine
Daniel, S. C.	Johnson, Tex.	Smith, N. J.
Daniel, Tex.	Johnston, S. C.	Sparkman
Dirksen	Kefauver	Stennis
Douglas	Kilgore	Symington
Duff	Knowland	Thye
Dworshak	Kuchel	Watkins
Eastland	Langer	Welker
Ellender	Lehman	Wiley
Ervin	Lennon	Williams
Ferguson	Long	Young
Flanders	Magnuson	

The PRESIDING OFFICER. A quorum is present.

LEAVES OF ABSENCE

Mr. CAPEHART. Mr. President, will the Senator from Idaho yield to me?

Mr. WELKER. I am glad to yield.

Mr. CAPEHART. I ask unanimous consent to be absent from the Senate on official business, beginning next Friday morning, in order to attend, at the request of the President and the Secretary of State, the Latin American Economic Conference at Rio de Janeiro.

The PRESIDING OFFICER. Without objection, consent is granted.

Mr. WILEY. Mr. President, if the Senator from Idaho will yield to me at this time, I now make a similar request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LANGER. Mr. President, reserving the right to object, I am curious to know how many other requests of this sort will be made. Can the Senator from Wisconsin tell us?

Mr. WILEY. Yes. I may say that some time ago the President of the United States appointed three Senators to accompany Secretary Humphrey, who will attend the Rio de Janeiro conference, commencing next Monday. As chairman of the Foreign Relations Committee, I was appointed, together with the Senator from Florida [Mr. SMATHERS], who already has gone, and the Senator from Indiana [Mr. CAPEHART]. Request for leave has been made for him. We are the three who have been appointed. I make this announcement at this time, following the action of the Senate.

In short, Mr. President, let me state that on Monday, November 22, there will convene in Rio de Janeiro, Brazil, an important inter-American economic conference.

I have been asked by the President and by the Secretary of State to participate in the deliberations, as a member of the American delegation.

I have requested unanimous consent, therefore, to be excused from attending the sessions of the Senate for the duration of the adjourned session.

Mr. President, I send to the desk a statement which I ask unanimous consent to have printed at this point in the body of the CONGRESSIONAL RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

I should like to state very briefly the unique circumstances of my position in relation to the matter now pending before the Senate.

As I have indicated, I have been asked as chairman of the Senate Foreign Relations Committee, to participate in the Rio Conference, along with my associates, the senior Senator from Indiana [Mr. CAPEHART], and the junior Senator from Florida [Mr. SMATHERS], who have previously received the permission of the Senate similarly to participate.

I should like to make it very clear that the fact that I plan to attend this conference does not affect in the slightest my position regarding the matter now before the Senate.

I have come to the conclusion that even were I not at the conference, that is, even were I present in Washington in the Senate session, the circumstances of the present controversy make it necessary that I refrain from casting a yea or nay vote, and that I vote "present" at the time this issue comes up for final vote.

Under the rules of the Senate, whenever a Senator feels himself personally and directly involved in a matter on which the Senate is voting, it is his right—nay, it is his obligation—to request of the Senate permission to be excused from voting on the pending issue.

This is such a case that falls squarely within the rule.

Alone among my 94 other colleagues in the Senate, I represent the same State and the same people as does the junior Senator from Wisconsin.

I have been nominated and elected by the same party, by the same constituency, and to a great extent by the same voters.

I believe that were this issue taken up in a court of law, any judge who found himself in my position would immediately disqualify himself from sitting as judge, and that any juror would similarly disqualify himself.

It has long been a part of the Anglo-Saxon tradition of parliamentary bodies that a legislator who could not in his own conscience cast an impartial, objective vote should not attempt to vote at all on a particular issue.

For almost 50 years, I have been a member of the bar of the State of Wisconsin. In all that time, I have adhered to one of the cardinal principles of the bar of my own and of every other State in the Union—the imperative necessity of judge and jurors abstaining from participating in any case in which they are personally involved.

And for the reason set forth above, I would not vote were I present when the final vote comes; and the fact that I shall be absent does not actually alter the situation at all.

There is one final point that I should like to make.

A great many individuals who have written to me have asked about the Senate's and my own attitude toward the Communist problem as such.

I believe that the Communist menace must be combated with every means at our command at home and abroad. A look at my legislative record as ranking Republican of the Judiciary Committee, and of the Senate Foreign Relations Committee, will show that there has never been an issue before either of these two committees, or before the Senate involving the Communist problem, in which I personally have not sought to fulfill my role as a defender of the American heritage.

Mr. CAPEHART. Mr. President, I may say these appointments were discussed many, many months ago; and the Latin American conference was arranged for as long ago as 8 months, I believe. As the senior Senator from Wisconsin has stated, the senatorial delegates are himself, the Senator from Florida [Mr. SMATHERS], and myself; and we are going at the request of the President and the Secretary of State.

I may say that I have a pair with the able junior Senator from Florida [Mr. SMATHERS], in case a vote on the pending question occurs while we are at the Rio Conference.

Mr. LANGER. Can the Senator give us any indication as to how long the conference may last?

Mr. CAPEHART. I think the conference is scheduled for about 2 weeks, or perhaps longer. I do not think anyone knows exactly when it will end. It will begin on Monday. I do not think there is any specified time, but I expect the conference to last 2 weeks or longer.

The question arises as to whether or not we shall return in time to vote. I hope so—no; I do not hope so, either. I hope this matter will be settled sooner than that. If it is not, we shall be very happy to vote when we return. In the meantime, I have a pair with the able Senator from Florida [Mr. SMATHERS].

Mr. CASE. Mr. President, is there a request pending?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from South Dakota?

Mr. WELKER. I am happy to yield.

Mr. CASE. Mr. President, I am not objecting, but I think Members of the Senate are entitled to say that we are not very happy about this situation. Members of the select committtee are certainly entitled to say that they are not very happy about a situation which involves Senators leaving the city on trips of one sort or another, whether requested to do so by the President of the United States or not.

The junior Senator from South Dakota might have pleaded that duties on the Armed Services Committee would require his taking a trip in September following the adjournment of the Senate. Certain matters were referred to the Subcommittee on Real Estate and Military Construction. The junior Senator from South Dakota had considerable responsibility in that connection. I arranged for some special meetings of the subcommittee for September. That arrangement was made before the censure resolution was referred to the select committee. I was among those happy, or unfortunate, Senators to be assigned to the select committee. The Subcommittee on Real Estate and Military Construction of the Committee on Armed Services had planned to make certain trips in order to carry out some of the responsibilities of the Armed Services Committee.

I think we are entitled to say, when other Senators surrender the right and duty which conceivably could be said to be theirs, to make trips to various parts of the world in order to look after affairs of the Government within the jurisdiction of their committees, that it does not make us feel very happy about having responded to what was said to be a call of duty to serve on the committee and to be present at this time to present the case, when some of us might be attending to some other committee duties.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CASE. I do not have the floor.

The PRESIDING OFFICER. The Senator from Idaho [Mr. WELKER] has the floor.

Mr. WELKER. I am glad to yield to the Senator from South Dakota.

Mr. CASE. Mr. President, I conclude by expressing the hope that the departure of various Senators on various duty assignments throughout the world will not delay the operations of the Senate. Some of us have already devoted a great deal of time and effort to an unpleasant duty which has been assigned to us. I hope consideration of this case by the Senate will not result in the deliberations being extended beyond Thanksgiving, until Christmas, or God knows when.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. WELKER. I yield first to the distinguished senior Senator from Florida.

Mr. HOLLAND. Mr. President, I thank the distinguished Senator from Idaho.

I should like to say that, in the first place, I certainly would not want to see any meeting held, at which all the Latin-American nations were represented by duly constituted authority, on the important question of the economic affairs of this hemisphere, without there being adequate representation of the United States Senate.

I will say also to my distinguished friend from South Dakota that it seemed to me that the pairing of the distinguished Senator from Indiana [Mr. CAPEHART], who, being here today, can, of course, speak for himself—and my own distinguished colleague, the junior Senator from Florida [Mr. SMATHERS] was peculiarly appropriate, because each of them had announced in the public press what his position would be on the question now pending. Their positions happened to be opposite, which made it extremely easy to effectuate the pair which was announced.

So far as the Senator from Florida is concerned, he does not think there is any disposition on the part of any Senator to evade or escape his duty here. The fact that the announcements were made when they were made showed very clearly that there was no such attitude on the part of either of those Senators. Likewise, as to the distinguished senior Senator from Wisconsin, the chairman of the Senate Committee on Foreign Relations, there is every reason why his presence at the Rio conference should be regarded as not only appropriate, but even as highly necessary.

The Senator from Florida wishes to say in closing that he thinks there is a very important service to be rendered to this Nation and to the cause of solidarity in this hemisphere by having the Senate well represented at the Rio conference. I am glad that we are to be so well represented by these three distinguished Senators.

Mr. CAPEHART. Mr. President, will the Senator from Idaho yield?

Mr. WELKER. I yield to the Senator from Indiana.

Mr. CAPEHART. I regret that the able Senator from South Dakota did not mention this point when a request similar to the request I made a moment ago was made on behalf of our friends on the other side of the aisle. I refer to the Senator from Florida [Mr. SMATHERS] and the Senator from Tennessee [Mr. GORE]. The Senator from Florida is to attend the meeting in Rio, and the Senator from Tennessee is to attend a meeting in Europe.

I dislike being pointed out, particularly in view of the fact that I am a Republican, on the same side of the aisle as the able Senator from South Dakota, in view of the fact that similar requests have heretofore been made on behalf of other Senators, and the Senator from South Dakota made no objection. Had objection been made a week or 10 days ago, when this question first arose, we might have arranged to remain here. I do not like to be pointed out, particularly by one of my own colleagues, when he did not see fit to criticize similar requests made on behalf of Senators on the other side of the aisle. That is the first point.

The second point is that I doubt if there has ever been a time in the history of the Senate—at least since I have been a Member of it—when some Senator or Senators were not busy somewhere else attending conferences at the request of the Government—and rightfully so.

I do not see that the McCarthy matter is any more important than many other questions which arise from time to time.

Mr. CASE. Perhaps it is less important.

Mr. CAPEHART. Perhaps it is less important. In the Senate there is hardly ever a time when some Senators are not absent. The able Senator from Ohio [Mr. BRICKER] left on Tuesday, by unanimous consent, to represent the Joint Committee on Atomic Energy on a trip around the world. Does the able Senator from South Dakota object to that?

Mr. CASE. If I may respond, the Senator from South Dakota did not happen to hear the request on behalf of the Senator from Ohio or the request on behalf of the Senator from Tennessee [Mr. GORE] and other Senators.

Mr. President, will the Senator from Idaho yield to me for an additional observation?

Mr. WELKER. I am happy to yield, with the continuing understanding that I shall not lose my right to the floor.

Mr. CASE. The able Senator from Pennsylvania [Mr. MARTIN], who is now seated to my left, is chairman of the Committee on Public Works. I am chairman of the Subcommittee on Public Roads of that committee. Both of us were scheduled to appear in Seattle, at the annual convention of the American Association of State Highway Officials, on the 8th and 9th of November. We were on the program. We had been advertised to speak on behalf of the Senate.

The distinguished majority leader [Mr. KNOWLAND] was interviewed by the Senator from Pennsylvania, and the Senator from Pennsylvania called me by telephone. We conferred in advance on this subject. The Senator from Pennsylvania advised me that the distinguished Senator from California, the majority leader, suggested that we ought not to go to Seattle, so we canceled our reservations and did not go. We came here.

In September, in order to carry out the duties assigned to me by the Senate, I canceled a trip to San Francisco. I was scheduled to participate in a forum before the American Mining Congress in September, but it happened to come during the time when the select committee was in session. We did not conclude our task in time, and I canceled that appointment. I was scheduled to speak at the American Mining Congress at San Francisco.

As I have stated, the Senator from Pennsylvania and I canceled our plans to go to Seattle, although we were advertised to be there. I wish to reiterate what I said earlier, that it does not make us very happy now to see Senators asking permission to go on trips of various kinds. My remarks were not directed particularly at the request of the Senator from Indiana. They apply to all such requests. It so happened that I did not hear the earlier requests.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. WELKER. Mr. President, other Senators are on their feet, but inasmuch as the question was first raised with the Senator from Indiana, I yield to him.

Mr. CAPEHART. It is unfortunate that the Senate is in special session at this time. I do not know why the pending business could not have been or should not have been considered in a regular session of the Senate. Frankly, I have never quite understood why the Senate was called into special session to consider the pending business. The other day I made the suggestion that in my best judgment we should recess until the regular session of Congress next year and then handle the McCarthy matter. I do not know why the McCarthy matter is so important that it must be handled in a special session.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. CAPEHART. I do not have the floor.

Mr. ANDERSON. We have a general understanding about the floor. Certainly none of us wishes to take the Senator from Idaho off the floor.

Mr. CAPEHART. I understand.

Mr. ANDERSON. Did not the Senate adopt a resolution which provided that the Senate should return in special session for the consideration of the pending business?

Mr. CAPEHART. There is no question that the Senate left the matter in the good judgment of the leaders.

Mr. KNOWLAND. If I may join in the discussion, the resolution itself states—and it was known to the Senate at the time it adopted the resolution—that the matter would have to be disposed of prior to adjournment sine die of the 83d Congress, which means, under the concurrent resolution, that the Senate is required to adjourn sine die not later than December 24, 1954.

I may say that the Senate makes its own rules. It is true that the Senate adopted the resolution, but it could adopt another resolution at this time. The Senate could change or amend the resolution at any time it saw fit to do so. I have never believed that the matter before us is so serious that it was necessary to handle it in a special session of the Senate. I do not know why it could not be handled in the regular session at the beginning of next year.

Mr. STENNIS. Mr. President, will the Senator yield at that point?

Mr. WELKER. I am glad to yield to the Senator from Mississippi.

Mr. STENNIS. I agree that there is need for the attendance of the Senator from Indiana [Mr. CAPEHART] and the

Senator from Florida [Mr. SMATHERS] at the Rio conference. I know that the Senator from Tennessee [Mr. GORE] had plans to go to Europe which antedated the adoption of the resolution. I also agree that it is proper for the senior Senator from Wisconsin [Mr. WILEY] to be away on an assignment made and accepted prior to this session.

The question is not whether the select committee remained in session for a few weeks, or whether a Senator has waived a trip of importance somewhere, or whether the chairman of a committee desires to leave on a trip abroad on business of the Senate.

It is my belief that we have now reached such a point in the discussion of Senate Resolution 301 that I respectfully submit it is the duty of every Senator to be in the Chamber, giving the matter his very careful attention, and then, after reasonable debate, helping to bring it to a decision and a vote that will dispose of the subject.

Without any reference to any service any Senator may have rendered, I very respectfully call to the attention of the Senate the fact that I shall be compelled hereafter to object to any request for leave of absence, unless the request is based on compelling reasons. I emphasize again that I agree there is need for the Senator from Indiana [Mr. CAPEHART] and the Senator from Florida [Mr. SMATHERS] to attend the conference in Rio, and they have already reached a conclusion as to how they will vote.

Mr. CAPEHART. I have no particular desire to go to the conference. I was in Rio last year. It is no particular pleasure for me to fly 12,000 miles, with one stop. I shall go to the conference because the President and the Secretary of State asked me to go there, and because I believe I can make a contribution that will inure to the good of our Government. Unfortunately the conference was set long before there was any thought of a McCarthy censure proceeding or before anyone had any idea that there would be any. We cannot very well ask 16 or 18 countries to change the date of the conference.

I say again that I am not very important to the conference. I appreciate that fact. Furthermore, I have no objection at all to staying in Washington if Senators wish to call back the Senators who have already departed on other trips. I shall be very happy to remain here if the Senate wishes to recall the other Senators. Unfortunately, the Senator from Florida [Mr. SMATHERS] has already left for the Rio conference. I understand the Senator from Tennessee [Mr. GORE] has already left for Europe.

I assure the Senate that I am going to the conference at Rio only because of my responsibility in the matter and because I feel I can make a small contribution to the conference. I do not go for any other reason.

I may say that there has never been a time since I have been a Member of the Senate when Senators have not been asked to take part as official delegates in foreign conferences, regardless of what the Senate might be considering at the time. I cannot believe that the pending question is more important than anything the Senate has considered in the past 10 years during which I have been a Member of the Senate.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. WELKER. I am happy to yield.

Mr. CHAVEZ. I should like to say to the Senator from Indiana that I believe he should attend the Rio Conference. Of course the pending business is important. However, when are we going to reach a vote on it? No one knows. I believe the Senator from Indiana can make a great contribution to the conference. Conferences in Latin America are absolutely necessary. If we were ever at an all-time low ebb in our relations with Latin America, it is now.

After a representative of a European country comes to Washington, we read in the newspapers that his country has been granted $150 million or $200 million. After an official comes to Washington from Japan, we read in the newspapers and hear on the radio that he is going to say to his people that they have been granted $200 million or $250 million.

On the other hand, what do we do about Latin America, aside from holding conferences with those countries? I know of one country in Latin America which applied to the Export-Import Bank for a loan in order to buy American equipment. They could get the money in Europe and buy European equipment, but they wanted to buy from us. That application was submitted to the Export-Import Bank last February. To this day the bank has not had the decency even to turn down the application. I believe the Senator from Indiana could make a contribution by attending the conference at Rio, and at least could give them a little lipservice, if nothing else.

Mr. HOLLAND. Mr. President, will the Senator from Idaho yield for one additional observation?

Mr. WELKER. I am happy to yield to the Senator from Florida.

Mr. HOLLAND. I wish to join the distinguished Senator from New Mexico in stating that the distinguished chairman of the Committee on Banking and Currency will make a very real contribution to the Rio Conference. Recently by act of Congress we effected a very important reorganization of the Export-Import Bank. That organization has very important implications with reference to the situation in Latin America.

I do not know of anyone who can speak with greater authority on that subject than the distinguished Senator from Indiana. As to my own colleague [Mr. SMATHERS], I am equally happy that he is to attend the conference, not only because he is a member of the Committee on Interstate and Foreign Commerce of the Senate—and I am thinking now particularly of inter-American relations in aviation, but also because he represents in part the State which is closest geographically to Latin America, with which there are very frequent communications of every sort as between our Nation and our Latin American friends. I believe that my colleague will make a very worthwhile contribution to the Conference. I believe that both distinguished Senators can, by their presence, contribute greatly to the success of the Conference. Furthermore, I believe they could not do any more in the Senate if they were present and voting, because they have already indicated clearly, well in advance, what their votes would be, and those votes would be canceled one against the other through the process of pairing.

Mr. CARLSON. Mr. President, will the Senator from Idaho yield?

Mr. WELKER. I yield.

Mr. CARLSON. I had not intended to get into this discussion, but I think it should be stated that, with the junior Senator from Tennessee [Mr. GORE], I was selected by the State Department and the Finance Committee to represent the United States at an international trade agreement meeting at Geneva, Switzerland. I desired very much to go, because I think international trade is very important, affecting, as it does, this Nation and its economic growth and progress, but I felt it was my duty to remain here. I am delighted that the Senator from Tennessee is able to attend the Conference, but I did not feel that I should be absent from the Senate.

I agree with the distinguished Senator from South Dakota [Mr. CASE] that it is the duty of a Senator to be present to help resolve the issue to which some of us have very unwillingly given our attention during the past few months. I think it is in the interest of the Senate to reach an early decision so that some of us may be able to attend some of the meetings scheduled.

Mr. WELKER. Mr. President, reserving the right to object, I ask unanimous consent that——

The PRESIDING OFFICER. The Chair does not understand the Senator's reservation. There is nothing before the Senate at this moment.

Mr. WELKER. I thought a unanimous-consent request was pending.

The PRESIDING OFFICER. That request has been granted.

Mr. KNOWLAND. Mr. President, I should like to ask the Senator from Idaho if, prior to beginning his speech this afternoon, he would be willing to yield to me for the purpose of moving a recess until 2 o'clock this afternoon.

Mr. WELKER. Mr. President, will the Senator abide with me for a couple of minutes so that I may place certain impressions in the RECORD?

Mr. KNOWLAND. Certainly.

Mr. WELKER. Mr. President, at the beginning of the session I interrogated the distinguished majority leader as to whether he had knowledge of the Executive having invited Members of the Senate to what I think I called junkets throughout the world. I am sorry for the use of the word "junkets"; I now understand them to be conferences.

Yesterday, the distinguished chairman of the select committee stated to all the world that every Senator was a judge of the law and the facts. If that be true, what kind of justice would it possibly be for one or more Senators to go around the world showing disrespect, if you please, to the members of the select committee who have worked so hard and also to those who feel that the junior Senator from Wisconsin should have his day in court in the United States Senate?

I am sorry I did not hear the unanimous-consent request made, because I would have asked my friend to let me have a few minutes to think and to deliberate about the matter. How, in heaven's name, can we justify to the people of America, not only to the friends of the select committee but to the friends of the Senator who stands before the bar of the Senate, the fact that we have permitted Senators to go to foreign lands? It is true that they are to participate in important conferences; but what is more important to this Nation than preserving the dignity and the honor of the United States Senate?

Perhaps my mind might be changed since the distinguished Senator from Utah [Mr. WATKINS] stated yesterday that each and every one of us should be the sole judges of the law and of the facts.

I may say, Mr. President, that I agree wholeheartedly with the observations made by the distinguished junior Senator from South Dakota [Mr. CASE], the distinguished junior Senator from Kansas [Mr. CARLSON], and the distinguished junior Senator from Mississippi [Mr. STENNIS. Like all the other Senators, I have some legislative work to do. Since the date of adjournment I have been ordered, Mr. President, to take a task force of the Internal Security Subcommittee of the Judiciary Committee to the States of Texas, California, New Mexico, Arizona, Utah, Idaho, Washington, and Oregon—for what purpose? To investigate and report to the Senate and to the American people on the wide-open infiltration of the Mexican border by those who would destroy our country. I am here to see whether we can get through with this distasteful task, so that I may then return to legislative work. But certainly, from the bottom of my heart, I do not approve of Senators leaving this body when there is such an important issue before it. After all, we had due notice of this special Senate session. Every Member of this body received his mileage to come here for one specific purpose. No matter how important conferences with representatives of foreign governments may be, certainly they could be deferred. I am not unmindful, Mr. President, of the dangerous conditions which exist in the world today, but I cannot see why a Senator should be called upon to leave such an important session as is this session.

It was said by my distinguished friend from Indiana [Mr. CAPEHART]—I do not know whether this is his exact language, but it is my impression of it—that this session did not appear to him to be so important. But I believe firmly that had the resolution been directed at the great Senator from Indiana he might very well change his mind as to the importance of the issue—the judicial determination of a legislative question, which has nothing to do with a request, invitation, or direction of the Executive.

Mr. CAPEHART. Mr. President, will the Senator from Idaho yield?

Mr. WELKER. I yield.

Mr. CAPEHART. Mr. President, I say with a big smile on my face and with good nature that there has been no greater advocate of voting against censure than I am. I have given my reasons why I am opposed to it. I hope the able Senator from Idaho and other Senators will not cause the Senator from Indiana to come to the conclusion that he has made a mistake.

Mr. WELKER. I do not care what decision the senior Senator from Indiana may make. He must be guided by his own best judgment. This is, as has been stated, a judicial determination, one involving a censure resolution, the fourth time in American history that such a thing has occurred. If the Senator from Indiana desires to change his vote, I know him well enough to feel sure that he will base it upon fundamental grounds of Anglo-Saxon justice.

Mr. CAPEHART. The Senator seems to be criticizing me this morning because I am trying to follow my best judgment. The Senate ordered the Banking and Currency Committee to make a study of the Export-Import Bank and world trade. I accompanied the committee to Latin America last year. We were gone 55 days, we held 300 conferences, and I made a great number of speeches. We wrote an 800-page report, and we have accumulated considerable knowledge on the particular subject. The meeting at Rio de Janeiro was arranged months ago, and I was asked to accompany the Secretary of the Treasury and the Secretary of State many weeks before the McCarthy proceedings arose. I made it a point, before I decided to accept the invitation, to make certain that I had a pair with the able Senator from Florida [Mr. SMATHERS]. Should he be present, he would vote for censure. If I were present I would vote against censure. I desire to make that point. I should not leave here except on that basis. The Senator from Florida agreed to it; I agreed to it. Since it was felt that I had had some experience with matters to be considered at the Rio conference, I thought I should accept the assignment.

I tried to say earlier that there simply can never be a time in the Senate when there is not other business for Senators to attend to, besides being on the floor. At least, that has been the case in the 10 years I have been a Member of the Senate.

When I said that I did not think the censure resolution was important, I meant that it was not so important, in my mind, that if there were other official business elsewhere, and two Senators could attend to it and make a contribution, and could arrange a pair with each other, they could not leave the floor of the Senate. That was my point. That is my point today.

I do not mind telling the Senate that I have no desire to go. It will not be a junket, so far as I am concerned. I can assure Senators of that. I have been there before. I have been almost everywhere in the world. I have sufficient funds with which to pay my own expenses at any time I wish to go to any place in the world. So, whenever I shall go anywhere, representing the Government, I shall go prepared to work, and I shall always work.

Frankly, I simply do not appreciate being singled out in the Senate today, when the able Senator from Ohio [Mr. BRICKER], representing the Joint Committee on Atomic Energy, has left, and properly so; and when the able junior Senator from Florida [Mr. SMATHERS] and the able junior Senator from Tennessee [Mr. GORE] were given unanimous consent to be absent on official business.

I, therefore, have asked unanimous consent to be absent, and I have given my reasons for doing so.

I am for Senator MCCARTHY. I think the world knows it. I have so stated. Yet I am criticized.

Mr. President, that is all I have to say.

Mr. WELKER. Mr. President, will the distinguished Senator from Indiana remain in the Chamber for a moment?

Mr. CAPEHART. I shall be glad to do so.

Mr. WELKER. If I have criticized my friend the distinguished senior Senator from Indiana, I humbly apologize. I have no better friend in this body. I know him to be a great American.

As the Presiding Officer knows, I have been trying to discuss the legal aspects of the resolution of censure without rancor, bitterness, or unfairness toward the select committee, and in fairness to Senators who are not in favor of censuring Senator MCCARTHY.

Since this is a case, as the chairman of the select committee stated yesterday, in which Senators are the judges of the facts and the law, it might be that when all the testimony has been offered, and all the arguments have been concluded, the Senators who have gone to foreign lands might well have changed their minds and opinions.

But, Mr. President, I beg of my friend the distinguished senior Senator from Indiana not to think that I would have criticized him.

Mr. CAPEHART. I appreciate the Senator's statement. These remarks have been made in all good humor.

ANNOUNCEMENT OF VISIT TO THE SENATE BY THE VICE PRESIDENT OF INDIA

Mr. KNOWLAND. Mr. President, will the Senator from Idaho now yield?

Mr. WELKER. I yield.

Mr. KNOWLAND. Mr. President, before moving a recess, I desire to make an announcement.

At 2 o'clock the Vice President of India will be present in the Chamber. The President of the Senate has informed me that at that time the Vice President of India will present to the Senate a new gavel. I hope that all Senators, on both sides of the aisle, may be able to return to the Senate Chamber promptly at 2 o'clock.

After a brief period of time, in which to permit the Vice President of India to visit with the Senate, the debate on the censure resolution will be resumed, with the understanding that the Senator from Idaho will continue to hold the floor.

Mr. WELKER. I thank the Senator from California.

RECESS UNTIL 2 O'CLOCK

Mr. KNOWLAND. Mr. President, I move that the Senate stand in recess until 2 o'clock this afternoon.

The motion was agreed to; and (at 12 o'clock and 54 minutes p. m.) the Senate took a recess until 2 o'clock p. m.

On the expiration of the recess, the Senate reassembled, and was called to order by the Vice President.

CALL OF THE ROLL

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Fulbright	Malone
Anderson	George	Mansfield
Barrett	Gillette	Martin
Bennett	Goldwater	McClellan
Bridges	Green	Monroney
Brown	Hayden	Mundt
Burke	Hendrickson	Murray
Bush	Hennings	Neely
Byrd	Hickenlooper	Pastore
Capehart	Hill	Payne
Carlson	Holland	Potter
Case	Hruska	Purtell
Chavez	Humphrey	Robertson
Clements	Ives	Russell
Cooper	Jackson	Saltonstall
Cotton	Jenner	Schoeppel
Crippa	Johnson, Colo.	Smith, Maine
Daniel, S. C.	Johnson, Tex.	Smith, N. J.
Daniel, Tex.	Johnston, S. C.	Sparkman
Dirksen	Kefauver	Stennis
Douglas	Kilgore	Symington
Duff	Knowland	Thye
Dworshak	Kuchel	Watkins
Eastland	Langer	Welker
Ellender	Lehman	Wiley
Ervin	Lennon	Williams
Ferguson	Long	Young
Flanders	Magnuson	

The VICE PRESIDENT. A quorum is present.

VISIT TO THE SENATE BY THE HONORABLE SARVEPALLI RADHAKRISHNAN, VICE PRESIDENT OF INDIA

The VICE PRESIDENT. The Chair has learned that a distinguished visitor, the Vice President of India, is in the Capitol. If the majority leader would like to make a motion that the Senate take a recess, such a motion will be entertained at this point.

Mr. KNOWLAND. Mr. President, I move that the Senate now stand in recess, subject to the call of the Chair, so that it may receive a message from the Vice President of India.

The VICE PRESIDENT. Before that motion is put, the Chair will appoint the majority leader and the minority leader to escort the Vice President of India from the office of the Vice President to the rostrum of the Senate.

The question now is on agreeing to the motion of the Senator from California.

The motion was agreed to; and (at 2 o'clock and 14 minutes p. m.) the Senate took a recess, subject to the call of the Chair.

The Senate being in recess, the Honorable Sarvepalli Radhakrishnan, Vice President of India, escorted by the committee appointed by the Vice President, consisting of Mr. KNOWLAND and Mr. JOHNSON of Texas, entered the Chamber and took the place assigned him on the rostrum in front of the Vice President's desk.

The members of the party accompanying the Vice President of India included the Honorable G. L. Mehta, the Ambassador of India to the United States; and the Honorable J. K. Atal, Minister of India to the United States, who were seated in the diplomatic gallery.

The VICE PRESIDENT. It is my pleasure to present to the Members of the Senate and to our guests in the galleries one of the world's great scholars, the presiding officer of our sister parliamentary body, the Council of States of India, the Vice President of India.

(Applause, Senators rising.)

Vice President RADHAKRISHNAN. Mr. Vice President and Members of the Senate, it is a great honor to have an opportunity to speak to the Members of this world-famous assembly. I appreciate it very much, and I am grateful to you for giving me this privilege.

As your Vice President just remarked, we have taken quite a number of things from your Constitution; and one of these is the obligation of the Vice President of India to preside over the Rājya Sabhā, or the Council of States, corresponding to your Senate. In fact, not only this one thing was taken by us from your Constitution, but quite a number of other things were taken by us from it. Among them is our statement of objectives—justice, freedom, equality, and fraternity. This statement echoes the ringing words of Jefferson in the Declaration of Independence—

> That all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

These are not mere phrases of propaganda, but they are products of a deep-felt faith which have inspired millions, both inside and outside the United States of America.

We, in India, became free in August 1947. We remember with gratitude the sympathy and the support we had from your Government and people during the years of our struggle for independence.

When power was handed over to us, many persons felt, and so stated, that we would not be able to hold together; that our civil service would break down; that with disorganization of the country, there would be no law and order, and no security of life and property. But these doubts have now been dispelled. We have been able to hold the country together. The civil service is working as efficiently as it could. Law and order prevail. There is not a part of the country in which a writ of the Government does not run; and travelers from other countries come to our country and travel from one place to another without any insecurity of life and property.

But those doubts merely indicate the colossal character of the task which faces our country. We have 360 million people, and on our voters' list we have 170 million, and in the last general election nearly 106 million went to the polls. That will give you a measure of the immensity of the task which is facing our country. We know that those who are interested in this experiment of democracy will give us their utmost sympathy and good will in our attempts to develop a great democracy in India.

We realize that political freedom is not an end in itself. It is a means to social equality and economic justice. In the last letter which Jefferson ever wrote, he said:

> The mass of mankind was not born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately by the grace of God.

The end of all governments is to give a status of social equality and provide economic opportunity for the common people. We, in our country, are now engaged in the enterprise of effecting a social and economic revolution. The word "revolution" need not scare us. It does not mean barricades and bloodshed. It means only speedy and drastic changes. We are interested not only in our objectives, but in our methods; not only in what we achieve, but in how we achieve. Through peaceful, constitutional processes we won our independence and integrated our country; and now we are striving to raise the material standards of our people. Even if these methods are slow and cumbrous, we hope they will be speedy and effective. Even if we meet defeat in our attempt to replace force by persuasion, the politics of power by the politics of brotherhood, we are convinced that the defeat will be only temporary, for goodness is rooted in the nature of things; kindness and love are as contagious as unkindness and hate.

Our past traditions and our recent history demonstrate that lasting results are achieved by peaceful methods. We must not cut the knots with the sword, but we must have the patience to untie them. In this atomic age we feel that it is foolish, if not dangerous, to fall short of patience and a sense of proportion.

No society is static; no law is unchanging; and no constitution is permanent. Given time and patience, radical changes may happen both in human nature and in systems of society which reflect human nature.

When my Government asked me to present this gavel to you, Mr. Vice President, I looked up some reference on the subject. The Freemason's Monitor of 1812 contains the following passage:

> The common gavel is an instrument made use of by operative masons to break off the corners of rough stones, the better to fit them for the builder's use; but we, as Free and Accepted Masons, are taught to make use of it for the more noble and glorious purpose of divesting our minds and consciences of all the vices.

The gavel is used by masons to chisel off round corners. To build a statue out of rough stone was the work of the gavel. Human nature is the raw material. It is as yet unfinished and incomplete. To integrate human nature, this gavel is being used. It is for the purpose of breeding and training good, disciplined men. That is the purpose of the gavel.

On behalf of the young democracy of India and of the Rājya Sabhā, I have the honor and the pleasure to present to you,

Mr. Vice President, this gavel, in the earnest hope that the legislators of the Senate will discuss all problems, national and international, with calmness and composure, with freedom from passion and prejudice, with the one supreme object of serving your great people and the human race. May this gavel serve as a symbol to strengthen the bonds between our two countries and to promote cooperation, understanding, and friendship between our two peoples.

(Applause, Senators rising.)

The VICE PRESIDENT. Mr. Vice President of India, Members of the Senate, and guests of the Senate, the Chair believes that our guests in the galleries, as well as Members of the Senate, will be interested in a little history concerning the two gavels which the occupant of the Chair now holds in his hands. The one on the right is the gavel which, according to tradition, has been used in the Senate since 1789. It is 165 years old. It is made of ivory capped with silver. The Chair does not know whether it was because the gavel was used more frequently than usual during the previous session of the Senate, or because the previous session of the Senate was perhaps a somewhat longer one. However, it began to come apart toward the close of the session.

As a result, the Sergeant at Arms of the Senate set about to find a new gavel. The problem was to find a piece of ivory large enough from which to carve a gavel similar to the one which the Senate had traditionally used. He was unable to find the proper sized piece of ivory through the usual commercial sources, and consequently he contacted the commercial attaché of the Embassy of the Government of India. From there on, however, the matter was out of his hands. They not only furnished the piece of ivory, but they furnished the gavel, which the Vice President of India has presented to the Senate today.

For the benefit of those who have been in the galleries in the past, and those who will be there in the future, we shall place the old gavel, which no longer can be used because it is coming apart, in a box which will be kept on the Senate rostrum while the Senate is in session. We shall use in its place the gavel of solid ivory which has been presented to us, it seems to me quite significantly and appropriately, by the largest democracy in the world, through the Vice President, the presiding officer of our sister parliamentary body in India.

The Chair is sure that Senators would like to hear responses from the majority leader and the minority leader to the remarks of the Vice President of India. [Applause.]

Mr. KNOWLAND. Mr. President, Mr. Vice President, I know that I speak for Members of the United States Senate when we extend to you a warm greeting. You come to us from one of the newest free governments in the world, and also the largest free government in the world, to this Republic of the United States of America. I know that you will extend to your colleagues over whom you preside in your country our appreciation of their thoughtfulness in sending us this gavel, which our Presiding Officers will use in the sessions of the Senate of the United States.

The people and the Government of the United States have an earnest desire to live in cordial friendship with the great nation of India. We have different problems. Our history has been somewhat different from that of India; yet we, too, sprang from a colonial period. We knew what it was to win our freedom, and we are proud of that freedom as we know your own great country is proud of its freedom. We have recognized our responsibilities in helping to maintain a free world of freemen. We know that your great country is no less interested in furthering the effort to maintain a free world of freemen.

This is not your first visit to our country. You are no stranger here. When you go back to India you will carry with you the friendship and affection of the people of our country for yourself as well as for your country. This affection is expressed in the unanimous voice of the Senate of the United States. [Applause.]

The VICE PRESIDENT. The Senator from Texas [Mr. JOHNSON] will respond for the minority.

Mr. JOHNSON of Texas. Mr. President, Mr. Vice President, and my colleagues in the Senate, it is a great pleasure to have you, Mr. Radhakrishnan, with us today. Your nation is rich in history, and has made numerous contributions to the culture of the world which are real and enduring. As we go down the road in this critical hour, searching for the peace and prosperity so necessary to free civilization, we trust that we can march together in a spirit of friendship and mutual trust and confidence. It is good to have you come among us. [Applause.]

The VICE PRESIDENT. The Chair is sure that Members of the Senate would like to greet the Vice President of India personally. Therefore the recess will continue until Members of the Senate have had that opportunity.

Thereupon Vice President Radhakrishnan took his place on the floor of the Senate, in front of the rostrum, and was greeted by Members of the Senate, after which he and the distinguished visitors and guests retired from the Chamber.

At the expiration of the recess, at 2 o'clock and 35 minutes p. m., the Senate reassembled, when called to order by the Presiding Officer (Mr. PAYNE in the chair).

CALL OF THE ROLL

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Byrd	Daniel, S. C.
Anderson	Capehart	Daniel, Tex.
Barrett	Carlson	Dirksen
Bennett	Case	Douglas
Bridges	Chavez	Duff
Brown	Clements	Dworshak
Burke	Cooper	Eastland
Bush	Cotton	Ellender
Butler	Crippa	Ervin
Ferguson	Johnson, Tex.	Pastore
Flanders	Johnston, S. C.	Payne
Fulbright	Kefauver	Potter
George	Kilgore	Purtell
Gillette	Knowland	Robertson
Goldwater	Kuchel	Russell
Green	Langer	Saltonstall
Hayden	Lehman	Schoeppel
Hendrickson	Lennon	Smith, Maine
Hennings	Long	Smith, N. J.
Hickenlooper	Magnuson	Sparkman
Hill	Malone	Stennis
Holland	Mansfield	Symington
Hruska	Martin	Thye
Humphrey	McClellan	Watkins
Ives	Monroney	Welker
Jackson	Mundt	Wiley
Jenner	Murray	Williams
Johnson, Colo.	Neely	Young

The PRESIDING OFFICER. A quorum is present.

The Senator from Idaho has the floor.

CONFERENCE AT THE WHITE HOUSE BETWEEN THE PRESIDENT AND LEGISLATIVE LEADERS

Mr. KNOWLAND. Mr. President, before the Senator from Idaho proceeds, I ask unanimous consent to have printed in the body of the RECORD at this point a statement issued by the White House relative to the conference held at the White House between the President and the legislative leaders of both political parties.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

At the invitation of the President, legislative leaders of both parties and the chairmen and ranking members of three committees of both Houses of the Congress met this morning in the Cabinet Room at the White House.

The President opened the meeting by saying it was essential to have a continuing bipartisan approach to foreign affairs and national security matters that would represent the best interests of our Nation, regardless of which political party controlled the Congress.

The Secretary of State, as he has done many times in the past, presented a complete review of the international situation—this time bringing the legislative members up to date on foreign developments since the adjournment of the Congress last August. He discussed the participation by the United States in the Manila, London, and Paris conferences, the Trieste and Saar settlements, and the President's proposal to the United Nations for an "atoms for peace" pool. Against this background, the Secretary outlined the policies which would guide the future conduct of our international relations.

In this connection, the President and the Secretary urged the legislative leaders to give early consideration at the next regular session of the Congress to ratification of the Manila Pact and those sections of the Paris Agreements which would grant sovereignty to the Federal Republic of Germany and admit that nation to membership in the North Atlantic Treaty Organization. Such action by the Congress would greatly strengthen the defenses of the free world against Communist aggression.

Together with the Secretaries of State and Defense, the President discussed with the leaders the security and defense plans of our country, and the steps we have taken and propose to take to strengthen the armed forces of our friends and allies throughout the world.

A general discussion and exchange of views were held thereafter on these subjects.

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

Mr. WELKER. Mr. President, as I said yesterday, I was delighted to hear the chairman of the select committee say that the Members of the Senate were meeting as judges to try the issues of law and fact. I shall repeat, even though it almost breaks my heart to do so, that I am surprised, once again, to observe so many empty seats on both the Democratic and Republican sides of the aisle. I play no favorites in that respect.

In my opinion, we are here to perform a very important, solemn duty, one of an official nature. Yet I have never, during my experience in the practice of law, seen judges, whose solemn obligation, under oath, it is to try questions of law and fact, remove themselves from the presence of those who would attempt to enlighten the court and the defense, as well.

Mr. President, it means nothing to me if there are but a few Senators present to hear my remarks. Nevertheless, as I have said many times before, I think it is a sad day in the history of the Senate, yes, and of the country, when an issue of the magnitude of the one now before the Senate must be argued to an almost empty Chamber, even though my argument is without partisanship, rancor, or bitterness. I desired to say that for the RECORD. It will appear in the RECORD, and it will not be removed. The number of Senators who listen to my remarks means nothing to me. I am merely trying to help my colleagues in trying the issue which is theirs and mine to decide.

When I concluded my remarks yesterday, I was discussing the precedents which had been set heretofore. I stated that I did not know what led men to make some of the remarks they utter. Of course, all individuals are not the same, but in the almost 4 years in which I have served in this great body, which I love, I have heard many Members make statements for which I am certain they were sorry, statements which I feel sure were made in the heat of anger and passion.

At the risk of repetition, I wish to return to a subject to which I referred in my remarks yesterday, which strikes me as being fundamental in the argument being made before this judicial body, namely, the activity of another Senator from the State of Wisconsin. That Senator, very famous indeed, well known, and loved by a distinguished predecessor of mine for many years, the great and immortal William E. Borah, was Senator Robert M. La Follette, Sr. Robert M. La Follette, Sr., declined to appear before a subcommittee of the Committee on Privileges and Elections, under circumstances which, in some respects, bear a remarkable resemblance to the situation in the instant case. The similarity of the two cases is so amazing that I should like to speak in some detail about the former Senator from Wisconsin, Robert M. La Follette, Sr.

The subcommittee before which he refused to appear had been called to consider certain resolutions of the Minnesota Public Safety Commission looking toward his expulsion for disloyalty to the United States. That charge was predicated largely upon an allegedly pro-German speech he had delivered in 1917, a war year, a year which was indeed trying for our country.

Senator La Follette demanded that the subcommittee apprise him of the charges against him, namely, of the portions of his speech which allegedly were disloyal. The subcommittee chairman—and I suppose many of the senior Members of this body remember Senator Atlee Pomerene, of Ohio, by name, at least, even if they do not remember him in person—wrote Senator La Follette a letter, informing him that the subcommittee would not accord him that right. The chairman's letter went on to state:

> The subcommittee assumes that if the statements in the speech are well founded in fact you will be glad to so testify and to give your authority for them. If they are not, its members believe you will be eager to correct them and thereby aid the committee in arriving at the real facts. In any event they feel that the simplest and most direct way to conduct the inquiry is to invite you to appear before it as the one witness best qualified to verify the statements contained in your speech or to make such explanations as you may desire to make, and to give the committee the sources of your information.

That was from the chairman of the subcommittee to another Senator from Wisconsin, Senator Robert M. La Follette.

I continue to quote:

> The subcommittee renews its invitation of the 12th instant, for you to appear before it at the committee room of the Committee on Privileges and Elections at 10:30 a. m. on the 16th day of October 1917, and hopes you will accept it.

On October 16th, the subcommittee met at 10:30 in the committee room. Senator La Follette was present. The following highly significant exchange took place:

> The CHAIRMAN. Senator La Follette, it was the desire of the committee to interrogate you concerning some of the statements of fact in this speech——
>
> Senator LA FOLLETTE (after apologizing for arriving late). I appear here, Mr. Chairman, to submit to you in the form of a letter, addressed to you as chairman of this subcommittee, all the statement that I deem it proper or necessary for me to make at this point, and I now present that statement.
>
> I will say good morning to the committee.
>
> (Senator La Follette thereupon withdrew.)

The Senator's letter pointed out that twice before he had requested the subcommittee to advise him which statements of fact in his speech were now challenged. He stated that "common courtesy" required the subcommittee to furnish him with this information, that he believed in the accuracy of every statement in the speech and that he would prove the accuracy of every statement if he was afforded a fair opportunity to confront and cross-examine any and all persons denying the accuracy of such statements. He said that then, and not before, he would produce witnesses and evidence in his own defense.

The record shows, Mr. President, that Senator La Follette never produced 1 witness or 1 piece of evidence in his own behalf. He never appeared before the subcommittee to answer any of the charges against him, despite the fact that these charges reflected upon his personal honor and official conduct in a way that none of the charges before the so-called Gillette subcommittee could possibly reflect upon the personal honor and official conduct of the present junior Senator from Wisconsin. The record further shows, Mr. President, that no voice was ever raised on this floor to demand the censure of that Senator from Wisconsin for his failure to appear.

Mr. President, referring again to the same distinguished Senator from Wisconsin, the late Robert M. La Follette, Sr., he made a statement about a fellow Senator, Senator Frank B. Kellogg, of Minnesota. I now read what he said when he was directing his remarks against a fellow colleague:

> He [Senator Kellogg] is by nature a subservient, cringing creature, God almighty has given him a hump on his back—

By way of explanation, Kellogg did have a hump on his back—

> crouching, cringing, un-American, and unmanly.

I have never heard that a resolution of censorship was directed against Senator La Follette. How far are we going in this matter?

Do you not remember the vigorous debate of the last session, Mr. President? Those of us who advocated giving title to the submerged oil lands to the States and voted for such a bill, those of us who voted for the controversial Dixon-Yates contract to be entered into by the Atomic Energy Commission, were called what in the debate on the floor of the Senate? We were called everything in the book. We were told that we were stealing from the American people. We were "giveaway" Senators.

Mr. President, I have not seen any resolutions of censorship submitted against any one of the debaters who accused Senators of being thieves and of giving away the property of the people of the United States. Perhaps it was a sincere allegation, but yet it was a serious indictment against those of us who voted according to our consciences and as best we could, with what ability we had.

Since we have now, Mr. President, a splendid opportunity to set a precedent for the guidance of future sessions of the Senate, I strongly advocate that the United States Senate pay due respect to the good judgment of the electorates of the several States by establishing the rule that a Senator may not be punished for conduct concerning which the electorate had knowledge at the time such electorate sent him as their Senator to represent them in the United States Senate. That would be in accordance with the law I cited to the Senate yesterday; and I hope and pray that law will be read by every one of the judges in the Senate. If it is in error, I am sorry, but, if so, I should like to be corrected. For us to rule otherwise—as the select committee would have us do—would be an insult to the intelligence

and good judgment of the electorates of the various States, especially the good people of the sovereign State of Wisconsin who elected the Senator against whom the censure resolution has been directed, and against whom the report has been filed.

It would be more than that—it would be an invasion of the constitutional right of the States to choose their own Senators. For if a Senator can be censured for acts prior to his election, he can be expelled for the same causes.

If we desire to go along with the recommendation of the select committee, we can do so; but in that direction lie grave danger and uncertainty. "The condition of a citizen will be perilous indeed," to quote Thomas Jefferson.

The House Committee on the Judiciary submitted a report on this issue on April 24, 1914. I quote from volume 6 of Cannon's Precedents, a continuation of Hinds' Precedents, section 398, as follows:

That it is within the power of the House to punish its Members for disorderly behavior and by two-thirds vote expel a Member.

I ask my colleagues to remember my argument yesterday about disorderly behavior. I want Senators, if they are sincere and honest, and I am sure every Senator is sincere and honest, to read what I said about the power to censure or expel, under the wording of article I, section 5, of the Constitution, which sets forth that it must be for disorderly behavior.

I read further from the Precedents:

The two methods of punishment of a Member under the practices of the House are by expulsion and censure. • • •

As a matter of sound policy, this extraordinary prerogative of the House, in our judgment, should be exercised only in extreme cases and always with great caution and after due circumspection, and should be invoked with greater caution where the acts complained of had become public previous to and were generally known at the time of the Member's election. To exercise such power in that instance the House might abuse its high prerogative, and in our opinion might exceed the just limitations of its constitutional authority, by seeking to substitute its own standards and ideals for the standards and ideals of the constituency of the Member who had deliberately chosen him to be their Representative. The effect of such a policy would tend not to preserve but to undermine and destroy representative government.

In conjunction with the above opinion, it is well to observe that the Senate itself accepted the junior Senator from Wisconsin at the time he was sworn in following his reelection in 1952. No objection was raised to his being sworn in as a Member. Since that time he was elected chairman of the Committee on Government Operations, and twice appropriations were made by the Senate for expenses of the subcommittee of which he is also chairman.

To consider charges of misconduct made before the election, before his second oath of office as a Senator, and before the voting of appropriations for his committees, is a poor and dangerous policy, to say the least. In fact, it is incredible that it should be done.

The select committee, on page 30 of its report, stated as follows:

Any Senator has the right to question, criticize, differ from, or condemn an official action of the body of which he is a member, or of the constituent committees which are working arms of the Senate in proper language. But he has no right to impugn the motives of individual Senators responsible for official action, nor to reflect upon their personal character for what official action they took.

With the first sentence, Mr. President, I agree. However, I do not agree with the second sentence. I believe that a Senator does have the right to impugn the motives of individual Senators responsible for official action. I assert that it is not only the right, it is the duty of a Senator, when he is sincerely of that opinion, to call the attention of his electorate and of the country at large to any wrongful motives of Senators or other officials. If the select committee is right, then Senator Walsh was wrong in exposing the Teapot Dome scandal, and President Lincoln was wrong when he, as a Representative from Illinois, impugned the motives of President James K. Polk in starting the Mexican War. Please listen to these remarks of the then Representative from Illinois, A. Lincoln. I quote from the CONGRESSIONAL GLOBE, Appendix, 30th Congress, 1st session, pages 93 to 95:

I am now through the whole of the President's evidence; and it is a singular fact, that if anyone should declare the President sent the Army into the midst of a settlement of Mexican people, who had never submitted by consent or by force to the authority of Texas or of the United States, and that there, and thereby, the first blood of the war was shed, there is not one word in all the President has said which would either admit or deny the declaration. In this strange omission chiefly consists the deception of the President's evidence—an omission which, it does seem to me, could scarcely have occurred but by design. My way of living leads me to be about the courts of justice; and there I have sometimes seen a good lawyer, struggling for his client's neck, in a desperate case, employing every artifice to work around, befog, and cover up with many words some position pressed upon him by the prosecution, which he dared not admit, and yet could not deny. Party bias may help to make it appear so; but, with all the allowance I can make for such bias, it still does appear to me that just such, and from just such necessity, is the President's struggles in this case.

Mr. President, again let me admonish my friends, the Members of the Senate, who are the judges in this case, that at that time the American Republic was engaged in war, and those remarks were made by a then Member of the House of Representatives, the great and immortal emancipator, Abraham Lincoln. They are harsh words about the highest official in the United States. Remember, Mr. President, as I have said before, that they were uttered at the time when the war with Mexico was in progress.

But, without reading the entire long speech of Representative A. Lincoln, let me read his two concluding paragraphs:

As to the mode of terminating the war and securing peace, the President is equally wandering and indefinite. First, it is to be done by a more vigorous prosecution of the war in the vital parts of the enemy's country; and, after apparently talking himself tired on this point, the President drops down into a half-despairing tone, and tells us that "with a people distracted and divided by contending factions, and a government subject to constant changes, by successive revolutions, the continued success of our arms may fail to obtain a satisfactory peace." Then he suggests the propriety of wheedling the Mexican people to desert the councils of their own leaders, and, trusting in our protection, to set up a government from which we can secure a satisfactory peace, telling us, that "this may become the only mode of obtaining such a peace." But soon he falls into doubt of this too, and then drops back on to the already half-abandoned ground of "more vigorous prosecution." All this shows that the President is in nowise satisfied with his own positions. First, he takes up one, and, in attempting to argue us into it, he argues himself out of it; then seizes another, and goes through the same process; and then, confused at being able to think of nothing new, he snatches up the old one again, which he has some time before cast off. His mind, tasked beyond its power, is running hither and thither, like some tortured creature on a burning surface, finding no position on which it can settle down and be at ease.

Again it is a singular omission in this message, that it nowhere intimates when the President expects the war to terminate. At its beginning, General Scott was, by this same President, driven into disfavor, if not disgrace, for intimating that peace could not be conquered in less than 3 or 4 months. But now, at the end of about 20 months, during which time our arms have given us the most splendid successes—every department, and every part, land and water, officers and privates, Regulars and volunteers, doing all that men could do, and hundreds of things which it had ever before been thought men could not do; after all this, this same President gives us a long message without showing us that, as to the end, he has himself even an imaginary conception. As I have before said, he knows not where he is. He is a bewildered, confounded, and miserably perplexed man. God grant he may be able to show there is not something about his conscience more painful than all his mental perplexity.

Was Representative A. Lincoln censured or otherwise punished for impugning the motives of the President? The records of the House fail to show that he was.

Mr. CASE. Mr. President, will the Senator from Idaho yield for a question?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from South Dakota?

Mr. WELKER. I prefer not to yield now; if the Senator from South Dakota will permit me to do so, I wish to conclude my statement this afternoon.

Mr. CASE. My question will be a very brief one.

Mr. WELKER. Very well; I yield.

Mr. CASE. Was that speech delivered in the House of Representatives?

Mr. WELKER. It was.

Mr. CASE. Has the Senator from Idaho taken note of the fact that one of the categories under which the select committee eliminated some of the charges against Senator MCCARTHY was that if we were to propose any recommendations on those counts, that would unduly limit the free speech which is guaranteed Members of Congress for what they say on the floor?

Mr. WELKER. I would answer my distinguished friend and colleague from South Dakota by saying that I believe I have taken note of every one of the select committee's orders and moves. I believe the Senator from South Dakota will admit that, as a matter of law, I differ with the conclusions reached by the select committee.

Mr. CASE. The Senator may disagree in certain respects; but he is not in disagreement with the select committee so far as concerns basing censure upon any statement by any Member of the Senate, including the junior Senator from Wisconsin, in which his personal opinion is voiced on the floor of the Senate.

Mr. WELKER. Very well. I believe that without a doubt the select committee and the judges seated here would conclude that it all runs together. As a matter of fact—and I hope I will not be interrupted further—it was suggested yesterday on the floor of the Senate that a new allegation be made against the junior Senator from Wisconsin, affecting freedom of speech upon the floor of the United States Senate. How can the Senator justify that?

Mr. CASE. Does the Senator wish me to answer that question?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from South Dakota?

Mr. WELKER. I yield.

Mr. CASE. It is the feeling of the junior Senator from South Dakota that the remarks made upon the floor of the Senate, with respect to which there was some discussion yesterday, do not meet the two elements of the censure recommendation in count No. 1. Count No. 1 suggests that the two things, the failure to help the Subcommittee on Privileges and Elections in carrying out the duty imposed upon it, and, instead, the use of abusive language, tended to obstruct the constitutional processes of the Senate, that is, tended to prevent that committee from doing the job assigned to it.

Mr. WELKER. Mr. President, I am not talking about count No. 1. I am talking about count 3.

The PRESIDING OFFICER. The Senator from Idaho has the floor. He has yielded for a question.

Mr. CASE. I am saying, in response to a question, that the suggestion of the Senator from Utah [Mr. BENNETT] does not embrace the first element, and I do not think it is on all fours with count No. 1.

So far as I am concerned—and I speak only for myself—while I regret and deplore the language, I do not think that in order to be consistent, one must justify the proposal to introduce a new count. Personally I think it lacks one of the two elements involved in count No. 1, that is, the failure to cooperate. The junior Senator from Wisconsin cooperated with our committee.

Mr. WELKER. I certainly appreciate the remarks of my distinguished colleague from South Dakota. I do not wish to go further with respect to the proposed third count. I brought up that point merely to answer the allegations with respect to freedom of speech on the floor of the Senate.

As the Senator well knows, when a Senator gets out of bounds in the course of debate, he is supposed to be taken off the floor under Senate rule XIX, subsection 2.

Let me proceed. As I previously stated, the records of the House fail to show that Representative A. Lincoln was censured.

I am just informed that that speech was made in a committee hearing. I did not do the research on that point. I found the language, and I think, in accordance with sound reasoning, that the same penalty should apply with respect to language uttered in a committee hearing as with respect to language uttered on the floor of the House of Representatives. However, I wish to be factual. I shall conduct further research. Regardless of whether or not the language was used on the floor of the House of Representative or in a committee hearing, the same logic and reasoning should apply. Yet although Representative A. Lincoln was not subjected to a resolution of censure, we are asked to punish a Senator for questioning the motives of a committee which floundered for 2 years through resignations of staff lawyers and resignations of committee members who resigned so as not to be involved in questionable, political motives. I am exhibit A in that connection. It is absurd, Mr. President, and contrary to our whole theory of government, to claim that a Senator of the United States may not question the motives of a committee of the Senate or of its individual members.

The public at large and the press throughout the country question the motives of the various committees of Congress and the individual members thereof. Has a Senator of the United States, who is answerable to his electorate, a lesser right? Must he remain silent when in his honest opinion a committee is doing wrong? That is what the select committee would have us believe. If that committee is right the condition of a citizen is perilous indeed.

Mr. President, I come now to the Republican platform, adopted in 1952 at Chicago. The preamble—and this is true of the preamble which precedes every platform of every political party—contains sweet-sounding words. The closing portion thereof contains equally sweet-sounding words and promises.

I invite the attention of Senators to page 7 of that platform, where the following language is found:

> By the administration's appeasement of communism at home and abroad, it has permitted Communists and their fellow travelers to serve in many key agencies and to infiltrate our American life. When such infiltration became notorious through the revelations of Republicans in Congress, the executive department stubbornly refused to deal with it openly and vigorously.

To whom is reference made? The Republican Party, to which the junior Senator from Wisconsin belongs, stated that the executive department stubbornly refused to deal with it openly and vigorously.

Quoting further from the platform:

> It raised the false cry of "red herring" and took other measures to block and discredit investigations.

That is the statement of the Republican Party, to which I and the junior Senator from Wisconsin belong, and to which every Senator on this side of the aisle belongs. I ask Senators, who are the judges in this case, to follow me very carefully.

> It denied files and information to Congress.

Let me repeat that statement, Mr. President.

> It denied files and information to Congress. It set up boards of its own to keep information secret and to deal lightly with security risks and persons of doubtful loyalty. It only undertook prosecution of the most notorious Communists after public opinion forced action.

Digressing again, let me say that I do not believe there is a group of men anywhere in the world who are more patriotic and finer Americans than the men who sit in this body, of which I am honored to be a Member.

I have read the excerpt from the Republican Party's platform of 1952 because the Republican Party, the party of the man against whom the censure resolution is directed, made some very strong accusations against the opposite political party. Whom did the Republican Party accuse? It accused the Executive.

If I am correct in my understanding, I believe the military establishment comes under the executive department. Certainly it is not in the judicial or legislative branches of the Government.

The platform continues:

> The result of these policies is needless sacrifice of American lives, a crushing cost in dollars for defense.

And so on. I shall not read all of it.

Did the junior Senator from Wisconsin have a reason for investigating the executive branch of the Government?

I assume it can be argued that it was perfectly all right for the Democrats to cover up what was in the files, to speak of a red herring, and so forth, but when the investigation got under way in a Republican Congress that was a horse of another color.

I appeal to the judges here to try this case upon the law and upon the facts.

I come now to the so-called very controversial—but in my opinion not so controversial as many believe—interrogation of Brigadier General Zwicker.

At the outset let me say that I respect all men in the uniform, who have dedicated their lives to their country, whether they be five-star generals or buck privates in the rear ranks. I believe they are to be commended. I do not see why there should be any difference in the cross-examination of a brigadier general and the cross-examination of a humble private in the Army.

CROSS-EXAMINATION OF GENERAL ZWICKER

The second cause for which the select committee would have us punish the Senator from Wisconsin is based upon what the committee calls reprehensible

conduct toward General Zwicker. That word "reprehensible" has an ominous sound. It carries implications of great evil—but it is defined simply as "culpable," "censurable," and "blamable." I am of the opinion that the select committee searched long and hard for a word of such impressive implication that merely meant censurable. I am constrained to believe that, consciously or unconsciously, the language used by the select committee throughout its report is far more defamatory than was necessary.

The cross-examination of General Zwicker provides the basis for this charge of reprehensible conduct. I have before me the entire cross-examination of General Zwicker. It was originally printed as part of the committee hearing, February 18, 1954, by the Investigations Subcommittee of the Committee on Government Operations on the subject of Communist Infiltration in the Army, pages 145–157. It is reprinted on pages 70–79 in the hearings on Senate Resolution 301.

Mr. President, I interrogated my friends on the select committee at rather great length. Many of them served as judges or as lawyers before they became Senators. No doubt Senators followed my interrogation of them. I asked them if they had ever seen 2 cross-examiners who cross-examined in exactly the same fashion, or any 2 lawyers who conducted themselves in exactly the same way, or any 2 witnesses who were alike in their deportment, or any 2 Senators who were exactly alike. What a wonderful world it would be if we could all be alike, emblems of innocence, and the finest people in the world, respected by everyone in all walks of life.

The select committee reported that it found General Zwicker was not intentionally irritating, evasive, or arrogant. The intent of the general is not an issue, the fact remains that if he was irritating, evasive, and arrogant, such an attitude would naturally cause a cross-examiner to become more persistent, more vigorous, and even short of temper. Any trial lawyer who has ever been in court knows that to be so. Any judge knows it. With respect to my distinguished friend, the senior Senator from Colorado [Mr. JOHNSON], I wish to say it is my opinion, and it always will be, that in a court of law he would be disqualified from service in a case like the one before the Senate. I have all the respect and admiration in the world for him, but in a court of justice, the least a defendant could do would be to file an affidavit of prejudice against him, and he would be asked to step down. In the quarter of a century in which I have practiced law I have never had occasion to file an affidavit of prejudice. All I had to do was to go to the court, present the issue, whether of law or of fact, discuss it, and say, "I believe you could not give us a fair and impartial trial."

Mr. President, the letter which I read into the RECORD a few days ago shows that prior to the hearings the senior Senator from Colorado was, in fact, prejudiced against General Zwicker and the Army. I invite the learned judges seated here before me to read that letter.

Then the Denver Post, allegedly quoting the distinguished Senator from Colorado, indicated a complete shift of the wind, and, in my opinion, it would have legally disqualified the Senator from Colorado from hearing either side of the controversy. In other words, it is my opinion that the proponents of Senate Resolution 301, and the junior Senator from Wisconsin, could well have disqualified the Senator from Colorado.

Let us be realistic. It is said that a person once having formed an opinion, once having expressed an opinion, especially in a large newspaper in a State in which he resides and to which he has brought honor and glory—a State in which he is campaigning for the highest office in the gift of the State—once having made such a public statement, may, in honesty and justice, remove from his mind the opinion he once had, set it aside, and clothe the defendant with the spotless white robes of innocence which the lowest kind of a criminal possesses in the eyes of the criminal law. Mr. President, that is simply impossible to do. I think, in all fairness, whether it be the junior Senator from Wisconsin, the Senator from Indiana [Mr. JENNER], the Senator from California [Mr. KNOWLAND], the Senator from Virginia [Mr. BYRD], or myself, the committee selected to make findings and recommendations should be composed of those who have never formed or expressed an opinion.

The Senator from Colorado, after having formed and given to the public press that opinion, released to the press a letter showing reasons why the defendant, as I may call the junior Senator from Wisconsin in this case, was hated and detested by everyone high in the councils on the opposite side of the aisle. He went on to say that the leaders had been distressed by certain speeches made by the junior Senator from Wisconsin.

That, to me, Mr. President, did not show an absence of the bias in the mind of the Senator from Colorado. It showed to me, at least, as one of the judges, that he had a bias.

I shall not discuss bias or prejudice any further. It has been discussed. It is a question of fact as well as of law for the jurors seated before me today.

I read into the RECORD the other day, Mr. President, the oath of an attorney and the oath of a judge, containing the principles which we so highly prize.

We all know that a cooperative witness is always handled graciously and politely, whereas one who is uncooperative, hostile, and evasive brings upon himself cross-examination of a severe and persistent nature. The hostile witness always knows what to expect, and even invites harsh cross-examination. Sometimes he even tantalizes the cross-examiner in order to cause him to lose his temper.

As I have said, Mr. President, no two cross-examiners are alike. In the practice of law there is nothing so difficult as that which is called the art of cross-examination. In fact, the counselors and advocates here present know that there are very few good cross-examiners. They are rare, indeed. If any Senators wish a little test of what it means to cross-examine hostile witnesses, let them ask the distinguished Senator who is seated at my right, the able Senator from Indiana [Mr. JENNER], who is chairman of the Subcommittee on Internal Security of the Committee on the Judiciary, or other Senators whose obligation it is to the American people, not to ourselves, to try to save this country from that ideology which would destroy our freedom and, first of all, destroy this august body. They have "taken it between the eyes" far more than they have ever "dished it out." Sometimes I am called a pretty rough individual, but I have at times had to put down the flaps when it came to certain cross-examination which it was my duty to pursue.

Mr. President, I now wish to invite attention to the record of the hearings, and I will at this time comment on the cross-examination of General Zwicker. I shall use the original hearing because the print is larger. Even though the paging differs, the testimony should not be hard to follow.

Last night or early this morning, when I could not sleep and was thinking of my duty to my country and to the Senate, I questioned how many Senators—these judges who are to try the law and the facts—had ever read the full report which was submitted to the select committee.

I now read from the testimony of Brig. Gen. Ralph W. Zwicker, United States Army, who was accompanied by Capt. W. J. Woodward, Medical Corps, United States Army.

The oath was administered, and General Zwicker said, "I do."

Reading further:

Before we start there is no need for a medical officer to be in here.

The CHAIRMAN. That is O. K.

Mr. COHN. A man who is his own lawyer has a fool for a client, and it is the same thing with a man who tries to be his own doctor.

General, could we have your full name?

General ZWICKER. Ralph W. Zwicker.

Mr. COHN. General, to see if we can save a little time here, isn't the situation this—by the way, you have been commanding officer at Kilmer since when?

General ZWICKER. Since the middle of July last year.

Mr. COHN. Has the Peress case come to your attention since that time? I am not asking questions about it.

General ZWICKER. Yes.

Mr. COHN. It has come to your attention and you have a familiarity with that case?

General ZWICKER. Yes.

Mr. COHN. Now, General, would you like to be able to tell us exactly what happened in that case, and what steps you took and others took down at Kilmer to take action against Peress a long time before action was finally forced by the committee?

General ZWICKER. That is a toughie.

It is my sincere opinion that at that point a cross-examiner would have wondered why such an answer was made—"that is a toughie." I believe a good cross-examiner would then have been alerted to something. I continue to read:

Mr. COHN. All I am asking you now is if you could, if you were at liberty to do so,

would you like to be in a position to tell us that story?

General ZWICKER. Well, may I say that if I were in a position to do so, I would be perfectly glad to give the committee any information that they desired.

Mr. COHN. You certainly feel that that information would not reflect unfavorably on you; is that correct?

General ZWICKER. Definitely not.

Mr. COHN. And would not reflect unfavorably on a number of other people at Kilmer and the First Army?

General ZWICKER. Definitely not.

Mr. President, would it not be logical for a cross-examiner to ask upon whom it would reflect unfavorably?

Continuing, I read:

The CHAIRMAN. It would reflect unfavorably upon some of them, of course?

General ZWICKER. That I can't answer, sir. I don't know.

The CHAIRMAN. Well, you know that somebody has kept this man on, knowing he was a Communist, do you not?

General ZWICKER. No, sir.

The CHAIRMAN. You know that somebody has kept him on knowing that he has refused to tell whether he was a Communist, do you not?

General ZWICKER. I am afraid that would come under the category of the Executive order, Mr. Chairman.

I digress to ask my Democratic friends, How does that size up with the platform of the Republican convention, which I have heretofore read? I continue to quote from the record:

The CHAIRMAN. What?

General ZWICKER. I am afraid an answer to that question would come under the category of the Presidential Executive order.

The CHAIRMAN. You will be ordered to answer the question.

General ZWICKER. Would you repeat the question, please?

Mr. COHN. Read it to the general.

(The question referred to was read by the reporter.)

General ZWICKER. I respectfully decline to answer, Mr. Chairman, on the grounds of the directive, Presidential directive, which, in my interpretation, will not permit me to answer that question.

The CHAIRMAN. You know that somebody signed or authorized an honorable discharge for this man, knowing that he was a fifth-amendment Communist, do you not?

General ZWICKER. I know that an honorable discharge was signed for the man.

Mr. President, how many counselors present in the Chamber, sitting as judges of law and fact, would say that that answer was responsive? It was certainly not responsive. General Zwicker completely omitted the fact that Major Peress had been given an honorable discharge, knowing that he was a fifth-amendment Communist. I continue:

The CHAIRMAN. The day the honorable discharge was signed, were you aware of the fact that he had appeared before our committee?

General ZWICKER. I was.

The CHAIRMAN. And had refused to answer certain questions?

General ZWICKER. No, sir, not specifically on answering any questions. I knew that he had appeared before your committee.

I invite the attention of the judges before me—their excellencies—to page 152 of the hearings. I ask them to read the testimony on that page and see whether it is not contrary to the testimony given before the select committee. I resume reading:

The CHAIRMAN. Didn't you read the news?

General ZWICKER. I read the news releases.

The CHAIRMAN. And the news releases were to the effect that he had refused to tell whether he was a Communist, and that there was evidence that he had attended Communist leadership schools. It was on all the wire-service stories, was it not? You knew generally what he was here for, did you not?

General ZWICKER. Yes; indeed.

The CHAIRMAN. And you knew generally that he had refused to tell whether he was a Communist, did you not?

General ZWICKER. I don't recall whether he refused to tell whether he was a Communist.

Mr. President, I do not believe a lawyer or a judge within the sound of my voice, who has ever cross-examined one witness, could help but conclude that that answer was evasive and was contrary to the testimony given on page 152 of the hearings, regardless of the findings of the select committee.

I return to the testimony in the hearings:

The CHAIRMAN. Are you the commanding officer there?

General ZWICKER. I am the commanding general.

The CHAIRMAN. When an officer appears before a committee and refuses to answer, would you not read that story rather carefully?

General ZWICKER. I read the press releases.

I challenge Senators to find a press release which did not show that Major Peress had refused to tell the committee whether he had ever been a Communist.

I resume reading from the testimony:

The CHAIRMAN. Then, General, you knew, did you not, that he appeared before the committee and refused, on the grounds of the fifth amendment, to tell about all of his Communist activities? You knew that, did you not?

General ZWICKER. I knew everything that was in the press.

In my opinion, as a cross-examiner, that answer was evasive and not responsive. I continue to read:

The CHAIRMAN. Don't be coy with me, General.

General ZWICKER. I am not being coy, sir.

The CHAIRMAN. Did you have that general picture?

General ZWICKER. I believe I remember reading in the paper that he had taken refuge in the fifth amendment to avoid answering questions before the committee.

How does that jibe with the testimony heretofore read to Senators, who are sitting as judges? Now the witness seems to be refreshing his memory. He is getting on the track again. I resume reading:

The CHAIRMAN. About communism?

General ZWICKER. I am not too certain about that.

Certainly that was rather evasive. From a reading of the cold black type, never having seen General Zwicker in my life, I should say, as a cross-examiner, that the general was evading, hiding, and hedging, with all due respect to the findings of the select committee that he was not an evasive witness.

Before I return to the text of the testimony, let us not forget the sworn testimony of Mr. Harding, who testified, under oath, that seated within 12 or 14 inches of General Zwicker, he heard the General call the chairman, the Senator who is on trial before the Senate, an s. o. b. Let us not forget the testimony General Lawton gave as to his conclusion that General Zwicker was antagonistic toward the McCarthy committee.

I now resume reading from the testimony:

The CHAIRMAN. Do you mean that you did not have enough interest in the case, General, the case of this major who was in your command, to get some idea of what questions he had refused to answer? Is that correct?

General ZWICKER. I think that is not putting it quite right, Mr. Chairman.

The CHAIRMAN. You put it right, then.

General ZWICKER. I have great interest in all of the officers of my command, with whatever they do.

The CHAIRMAN. Let's stick to fifth-amendment Communists, now. Let's stick to him. You told us you read the press releases.

General ZWICKER. I did.

The CHAIRMAN. But now you indicate that you did not know that he refused to tell about his Communist activities. Is that correct?

General ZWICKER. I know that he refused to answer questions for the committee.

Once again, Mr. President, I wish to say it is my conclusion in the argument before this body that that is hedging and evasive. I do not care how presentable General Zwicker was as a witness when he appeared before the select committee. I am talking about the interrogation which resulted in bringing the junior Senator from Wisconsin before the bar of justice in the Senate because of his cross-examination of General Zwicker.

The CHAIRMAN. Did you know that he refused to answer questions about his Communist activities?

General ZWICKER. Specifically, I don't believe so.

In my opinion, Mr. President, that is contrary to the testimony appearing on page 152 of the hearings.

I resume reading from the transcript:

The CHAIRMAN. Did you have any idea?

General ZWICKER. Of course I had an idea.

The CHAIRMAN. What do you think he was called down here for?

I ask my colleagues to listen to this:

General ZWICKER. For that specific purpose.

The CHAIRMAN. Then you knew that those were the questions he was asked, did you not? General, let's try and be truthful. I am going to keep you here as long as you keep hedging and hemming.

General ZWICKER. I am not hedging.

The CHAIRMAN. Or hawing.

General ZWICKER. I am not hawing, and I don't like to have anyone impugn my honesty, which you just about did.

The CHAIRMAN. Either your honesty or your intelligence; I can't help impugning one or the other, when you tell us that a major in your command who was known to you to have been before a Senate committee, and of whom you read the press releases very carefully—to now have you sit here and tell us that you did not know whether he refused to answer questions about Communist activities. I had seen all the press releases, and they all dealt with that. So when you do that, General, if you will pardon me, I cannot help but question

either your honesty or your intelligence, one or the other. I want to be frank with you on that.

Now, is it your testimony now that at the time you read the stories about Major Peress, that you did not know that he had refused to answer questions before this committee about his Communist activities?

General ZWICKER. I am sure I had that impression.

That, Mr. President, in my opinion, is contrary to the testimony which appears on page 152.

I continue to read from the transcript:

The CHAIRMAN. Did you also read the stories about my letter to Secretary of the Army Stevens in which I requested or, rather, suggested that this man be court-martialed, and that anyone that protected him or covered up for him be court-martialed?

General ZWICKER. Yes, sir.

The CHAIRMAN. At least, it appeared before he got his honorable discharge?

General ZWICKER. I don't know that this was true, either, sir.

The CHAIRMAN. In any event, you saw it in a current paper, did you?

General ZWICKER. I did.

The CHAIRMAN. You did not see the story later. So that at the time he was discharged, were you then aware of the fact that I had suggested a court-martial for him and for whoever got him special consideration?

General ZWICKER. If the time jibes, I was.

The CHAIRMAN. Were you aware that he was being given a discharge on February 2? In other words, the day he was discharged, were you aware of it?

General ZWICKER. Yes; yes, sir.

The CHAIRMAN. Who ordered his discharge?

General ZWICKER. The Department of the Army.

The CHAIRMAN. Who in the Department?

General ZWICKER. That I can't answer.

Mr. COHN. That isn't a security matter?

General ZWICKER. No. I don't know. Excuse me.

Mr. COHN. Who did you talk to? You talked to somebody?

General ZWICKER. No; I did not.

Mr. COHN. How did you know he should be discharged?

General ZWICKER. You also have a copy of this. I don't know why you asked me for it. This is the order under which he was discharged, a copy of that order.

The CHAIRMAN. Just a minute. You are referring to an order of January 19.

General ZWICKER. I am not sure, sir. Just a moment.

The CHAIRMAN. January 18. Will you tell me whether or not you were at all concerned about the fact that this man was getting an honorable discharge after the chairman of the Senate Investigating Committee had suggested to the Department of the Army that he be court-martialed? Did that give you any concern?

General ZWICKER. It may have concerned me, but it could not have changed anything that was done in carrying out this order.

The CHAIRMAN. Did you take any steps to have him retained until the Secretary of the Army could decide whether he should be court-martialed?

General ZWICKER. No, sir.

Let me leave the transcript for a moment to give my observations with respect to the cross-examination and the questions which were asked.

Why, I ask, did not the general come clean? In my opinion—and I saw only the cold record, as did our honorable select committee—in my opinion as a lawyer, and trying not to be prejudiced, it seems to me that General Zwicker could have ended the entire controversy at that time, without trying to prolong it.

Now I shall resume reading from the transcript, although I wish more of the judges, the Members of the Senate, were present at this time. A number of them seem to be out of the Chamber, for the purpose of attending meetings.

At that point in the hearing, the chairman was asking whether General Zwicker had taken any steps to have Major Peress retained in the Army until the Secretary decided whether Major Peress should be court-martialed. General Zwicker's answer was, "No, sir."

I now read further from the transcript:

The CHAIRMAN. Did it occur to you that you should?

General ZWICKER. No, sir.

The CHAIRMAN. Could you have taken such steps?

General ZWICKER. No, sir.

The CHAIRMAN. In other words, there is nothing you could have done; is that your statement?

General ZWICKER. That is my opinion.

Of course, Mr. President, any lawyer knows that answer should have been stricken from the record because it was a conclusion of the witness, and should not have been put in evidence.

At that point, Mr. Rainville, who was associated with the Senator from Illinois [Mr. DIRKSEN], I believe, entered the interrogation, and said:

Mr. RAINVILLE. May I interrupt a minute? Doesn't that order specifically state that this is subject to your check as to whether he is in good health and can be discharged?

General ZWICKER. May I read it?

Mr. RAINVILLE. I read the order. It is in there.

General ZWICKER. Paragraph 5 of this order states: Officer will not be separated prior to determination that he is physically qualified for separation by your headquarters.

Mr. RAINVILLE. That is a decision that you must make?

General ZWICKER. Not me personally. My medical officers.

Mr. RAINVILLE. But he would report to you. He would not make the decision without giving you, the commanding general, the order for final verification?

General ZWICKER. It would not be necessary. If something were found wrong physically with the man, he would be retained.

Mr. RAINVILLE. He would report to you?

General ZWICKER. No. He would be retained.

Mr. RAINVILLE. It would be automatic, and you would not have to sign anything?

General ZWICKER. I would not personally; no. The medical officer would make such a report.

Mr. RAINVILLE. But there was somebody in your outfit who could say, "This man can go out or can't go out," and that was the doctor?

General ZWICKER. He could not keep him in if he were physically qualified for separation.

Mr. RAINVILLE. But he could say he could not go out, so that there was discretion within that 90-day period.

The CHAIRMAN. Let me ask this question: If this man, after the order came up, after the order of the 18th came up, prior to his getting an honorable discharge, were guilty of some crime—let us say that he held up a bank or stole an automobile—and you heard of that the day before—let us say you heard of it the same day that you heard of my letter—could you then have taken steps to prevent his discharge, or would he have automatically been discharged?

General ZWICKER. I would have definitely taken steps to prevent discharge.

The CHAIRMAN. In other words, if you found that he was guilty of improper conduct, conduct unbecoming an officer, we will say, then you would not have allowed the honorable discharge to go through; would you?

General ZWICKER. If it were outside the directive of this order?

The CHAIRMAN. Well, yes; let us say it was outside the directive.

General ZWICKER. Then I certainly would never have discharged him until that part of the case——

The CHAIRMAN. Let us say he went out and stole $50 the night before.

General ZWICKER. He wouldn't have been discharged.

The CHAIRMAN. Do you think stealing $50 is more serious than being a traitor to the country as part of the Communist conspiracy?

General ZWICKER. That, sir, was not my decision.

The CHAIRMAN. You said if you learned that he stole $50, you would have prevented his discharge. You did learn something much more serious than that. You learned that he had refused to tell whether he was a Communist. You learned that the chairman of a Senate committee suggested he be court-martialed. And you say if he had stolen $50 he would not have gotten the honorable discharge. But merely being a part of the Communist conspiracy, and the chairman of the committee asking that he be court-martialed, would not give you grounds for holding up his discharge. Is that correct?

General ZWICKER. Under the terms of this letter, that is correct, Mr. Chairman.

The CHAIRMAN. That letter says nothing about stealing $50, and it does not say anything about being a Communist. It does not say anything about his appearance before our committee. He appeared before our committee after that order was made out.

Do you think you sound a bit ridiculous, General, when you say that for $50 you would prevent his being discharged, but for being a part of the conspiracy to destroy this country you could not prevent his discharge?

General ZWICKER. I did not say that, sir.

The CHAIRMAN. Let us go over that. You did say if you found out he stole $50 the night before, he would not have gotten an honorable discharge the next morning?

General ZWICKER. That is correct.

The CHAIRMAN. You did learn, did you not, from the newspaper reports, that this man was part of the Communist conspiracy, or at least that there was strong evidence that he was. Did you not think that was more serious than the theft of $50?

General ZWICKER. He has never been tried for that, sir, and there was evidence, Mr. Chairman——

Mr. President, I say that was rather evasive. In my opinion, with all due respect to the general, he was hedging.

Now I resume reading from the transcript of testimony:

The CHAIRMAN. Don't you give me doubletalk. The $50 case, that he had stolen the night before, he has not been tried for that.

General ZWICKER. That is correct. He didn't steal it yet.

The CHAIRMAN. Would you wait until he was tried for stealing the $50 before you prevented his honorable discharge?

General ZWICKER. Either tried or exonerated.

The CHAIRMAN. You would hold up the discharge until he was tried or exonerated?

General ZWICKER. For stealing the $50; yes.

The CHAIRMAN. But if you heard that this man was a traitor—in other words, instead of hearing that he had stolen $50 from the corner store, let us say you heard that he was a traitor, he belonged to the Communist conspiracy; that a Senate committee had the sworn testimony to that effect. Then would you hold up his discharge until he was either exonerated or tried?

General ZWICKER. I am not going to answer that question, I don't believe, the way you want it, sir.

Digressing for a moment, and speaking as a man who has cross-examined witnesses, and as one of the judges here, I say that that answer was "ducking." Was he not, in fact, anticipating future cross-examination?

Continuing with the testimony:

The CHAIRMAN. I just want you to tell me the truth.

General ZWICKER. On all of the evidence or anything that had been presented to me as commanding general of Camp Kilmer, I had no authority to retain him in the service.

The CHAIRMAN. You say that if you had heard that he had stolen $50, then you could order him retained. But when you heard that he was part of the Communist conspiracy, that subsequent to the time the orders were issued a Senate committee took the evidence under oath that he was part of the conspiracy, you say that would not allow you to hold up his discharge?

General ZWICKER. I was never officially informed by anyone that he was part of the Communist conspiracy, Mr. Senator.

I suppose the chairman should have had a picture taken of the gentleman presiding over a secret cell. How can anyone officially inform someone that a man is a member of the Communist conspiracy? Such a case is rare, indeed. The hundreds who have appeared before the committee of the Senator from Indiana [Mr. JENNER] have been controlled by party discipline. If they know that their membership cannot be proved, they will deny it. But if they think we have one iota of evidence against them, they take refuge behind the fifth amendment to the Constitution, a revered document which the Communists seek to destroy. So the general had not been notified officially.

Continuing with the testimony:

The CHAIRMAN. Well, let's see now. You say you were never officially informed?

General ZWICKER. No.

The CHAIRMAN. If you heard that he had stolen $50 from someone down the street, if you did not hear it officially, then could you hold up his discharge? Or is there some peculiar way you must hear it?

General ZWICKER. I believe so, yes, sir; until I was satisfied that he had or hadn't, one way or the other.

The CHAIRMAN. You would not need any official notification so far as the 50 bucks is concerned?

General ZWICKER. Yes.

The CHAIRMAN. But you say insofar as the Communist conspiracy is concerned, you need an official notification?

General ZWICKER. Yes, sir; because I was acting on an official order, having precedence over that.

The CHAIRMAN. How about the $50? If one of your men came in a half hour before he got his honorable discharge and said, "General, I just heard downtown from a police officer that this man broke into a store last night and stole $50," you would not give him an honorable discharge until you had checked the case and found out whether that was true or not; would you?

General ZWICKER. I would expect the authorities from downtown to inform me of that or, let's say, someone in a position to suspect that he did it.

The CHAIRMAN. Let's say one of the trusted privates in your command came in to you and said, "General, I was just downtown and I have evidence that Major Peress broke into a store and stole $50." You would not discharge him until you had checked the facts, seen whether or not the private was telling the truth and seen whether or not he had stolen the $50?

General ZWICKER. No; I don't believe I would. I would make a check, certainly, to check the story.

The CHAIRMAN. Would you tell us, General, why $50 is so much more important to you than being part of the conspiracy to destroy a nation which you are sworn to defend?

General ZWICKER. Mr. Chairman, it is not, and you know that as well as I do.

The CHAIRMAN. I certainly do. That is why I cannot understand you sitting there, General, a general in the Army, and telling me that you could not, would not, hold up his discharge having received information——

General ZWICKER. I could not hold up his discharge.

The CHAIRMAN. Why could you not do it in the case of an allegation of membership in a Communist conspiracy, where you could if you merely heard some private's word that he had stolen $50?

The next few answers are contrary to the testimony on pages 146, 147, and 148 of the hearings.

General ZWICKER. Because, Mr. Senator, any information that appeared in the press or any releases was well known to me and well known to plenty of other people long prior to the time that you ever called this man for investigation, and there were no facts or no allegations, nothing presented from the time that he appeared before your first investigation that was not apparent prior to that time.

The CHAIRMAN. In other words, as you sat here this morning and listened to the testimony you heard nothing new?

Mr. COHN. Nothing substantially new?

General ZWICKER. I don't believe so.

The CHAIRMAN. So that all of these facts were known at the time he was ordered to receive an honorable discharge?

General ZWICKER. I believe they are all on record; yes, sir.

Digressing for a moment, how does that compare with the evasive sparring of the witness in the first part of his interrogation? Why could he not have said at the outset, "Yes; I know all about this man, but I cannot tell you about him"? What is a cross-examiner expected to do? Is he expected to labor for hours and, finally, at the end of a lengthy interrogation, find that the facts were already on record?

Mr. President, I point out that the present attendance of Members of the distinguished body of judges who must weigh the law and the facts with respect to one of our fellow Members consists of 10 Members of the United States Senate—11 counting the Senator who is addressing the Senate, and 12 counting the Presiding Officer, the distinguished Senator from Connecticut [Mr. PURTELL]. Let me say again to the learned judges who honor me by their presence that I appreciate their attendance. I know of no reason, other than the pending case, why they were called back to Washington. The lack of attendance may or may not be a mark of disrespect for me or for the remarks I may make, lengthy or otherwise. However, it indicates a total disrespect for the man charged in the censure resolution, whether he be a Democrat or a Republican.

I think it is an unfortunate situation. Senators may censure me for what I have said if they wish to do so. Let them present their resolutions as fast as they can send them to the desk. All I am trying to do is to state the law as I view it, even though I may not be able to impress the learned judges who must pass upon the future of fellow Senators. It is just too bad that such large groups of jurors leave for other parts of the Capitol, for the Senate Office Building, or wherever else they may go.

I hope I shall not have to be constantly harping on this topic, but I do hope and pray that the gentlemen of the press will relate these facts to the American people, and will tell the American people that they are witnessing the administration of a kind of justice that I, at least, have not seen anywhere in the United States, in Mexico, or in any other part of the world.

Mr. CASE. Mr. President, will the Senator yield?

Mr. WELKER. I am happy to yield. Such a slim attendance is unfair to the members of the select committee, as well as to the defendant in the case.

Mr. CASE. I desire to have the Senator yield so that I may propound a unanimous-consent request that I may suggest the absence of a quorum without the Senator from Idaho losing his right to the floor. That was my purpose in asking the Senator to yield.

Mr. WELKER. In the words of the distinguished junior Senator from Arizona [Mr. GOLDWATER], when he addressed the Senate the other day, when I made the same courteous suggestion to him, perhaps the Senator should not waste his time, because I will lose more Senators than I have now.

However, on second thought, I am becoming a bit tired, and I shall be happy to yield to the Senator from South Dakota for that purpose, provided I do not thereby lose the floor.

Mr. CASE. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the Senator from Idaho losing his right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Douglas	Humphrey
Anderson	Duff	Ives
Barrett	Dworshak	Jackson
Bennett	Eastland	Jenner
Bridges	Ellender	Johnson, Colo.
Brown	Ervin	Johnson, Tex.
Bush	Ferguson	Johnston, S. C.
Butler	Flanders	Kefauver
Byrd	Fulbright	Kilgore
Capehart	George	Knowland
Carlson	Gillette	Kuchel
Case	Goldwater	Langer
Chavez	Green	Lehman
Clements	Hayden	Lennon
Cooper	Hendrickson	Long
Cotton	Hennings	Magnuson
Crippa	Hickenlooper	Malone
Daniel, S. C.	Hill	Mansfield
Daniel, Tex.	Holland	Martin
Dirksen	Hruska	McClellan

Monroney	Robertson	Symington
Mundt	Russell	Thye
Murray	Saltonstall	Watkins
Neely	Schoeppel	Welker
Pastore	Smith, Maine	Wiley
Payne	Smith, N. J.	Williams
Potter	Sparkman	Young
Purtell	Stennis	

The PRESIDING OFFICER (Mr. PURTELL in the chair). A quorum is present. The Senator from Idaho has the floor.

Mr. WELKER. Mr. President, the next question asked by the chairman was:

The CHAIRMAN. Do you think, General, that anyone who is responsible for giving an honorable discharge to a man who has been named under oath as a member of the Communist conspiracy should himself be removed from the military?

General ZWICKER. You are speaking of generalities now, and not on specifics—is that right, sir, not mentioning about any one particular person?

The CHAIRMAN. That is right.

General ZWICKER. I have no brief for that kind of person, and if there exists or has existed something in the system that permits that, I say that that is wrong.

The CHAIRMAN. I am not talking about the system. I am asking you this question, General, a very simple question: Let us assume that John Jones, who is a major in the United States Army——

General ZWICKER. A what, sir?

The CHAIRMAN. Let us assume that John Jones is a major in the United States Army. Let us assume that there is sworn testimony to the effect that he is part of the Communist conspiracy, has attended Communist leadership schools. Let us assume that Maj. John Jones is under oath before a committee and says, "I cannot tell you the truth about these charges because, if I did, I fear that might tend to incriminate me." Then let us say that General Smith was responsible for this man receiving an honorable discharge, knowing these facts. Do you think that General Smith should be removed from the military, or do you think he should be kept on in it?

Mr. President, in my opinion, this is the crucial question, particularly when amended by the next statement of the chairman, the junior Senator from Wisconsin [Mr. MCCARTHY]. I continue to read:

General ZWICKER. He should be by all means kept if he were acting under competent orders to separate that man.

The CHAIRMAN. Let us say he is the man who signed the orders. Let us say General Smith is the man who originated the order.

General ZWICKER. Originated the order directing his separation?

The CHAIRMAN. Directing his honorable discharge.

General ZWICKER. Well, that is pretty hypothetical.

The CHAIRMAN. It is pretty real, General.

General ZWICKER. Sir, on one point, yes. I mean, on an individual, yes. But you know that there are thousands and thousands of people being separated daily from our Army.

The CHAIRMAN. General, you understand my question——

General ZWICKER. Maybe not.

The CHAIRMAN. And you are going to answer it.

General ZWICKER. Repeat it.

The CHAIRMAN. The reporter will repeat it.

(The question referred to was read by the reporter.)

General ZWICKER. That is not a question for me to decide, Senator.

The CHAIRMAN. You are ordered to answer it, General. You are an employee of the people.

General ZWICKER. Yes, sir.

The CHAIRMAN. You have a rather important job. I want to know how you feel about getting rid of Communists.

General ZWICKER. I am all for it.

The CHAIRMAN. All right. You will answer that question, unless you take the fifth amendment. I do not care how long we stay here, you are going to answer it.

General ZWICKER. Do you mean how I feel toward Communists?

The CHAIRMAN. I mean exactly what I asked you, General; nothing else. Anyone with the brains of a 5-year-old child can understand that question.

The reporter will read it to you as often as you need to hear it so that you can answer it, and then you will answer it.

General ZWICKER. Start it over, please.

(The question was reread by the reporter.)

General ZWICKER. I do not think he should be removed from the military.

The CHAIRMAN. Then, General, you should be removed from any command. Any man who has been given the honor of being promoted to general and who says, "I will protect another general who protected Communists" is not fit to wear that uniform, General. I think it is a tremendous disgrace to the Army to have this sort of thing given to the public. I intend to give it to them. I have a duty to do that. I intend to repeat to the press exactly what you said. So you know that. You will be back here, General.

Do you know who initiated the order for the honorable discharge of this major?

General ZWICKER. As a person, sir?

The CHAIRMAN. Yes.

General ZWICKER. No; I do not.

The CHAIRMAN. Have you tried to find out?

General ZWICKER. No; I have not.

The CHAIRMAN. Have you discussed that matter with Mr. Adams?

General ZWICKER. As a person, no, sir.

The CHAIRMAN. How did you discuss it with him other than as a person?

Mr. President, in connection with the above remark made by Senator MCCARTHY in connection with the fitness of the general to wear the uniform, I desire to call the attention of this learned body to the incorrect reporting of the statement as it appeared in many newspapers. Even at the late date of November 10, 1954, the Washington Post and Times Herald, a newspaper which should have the exact facts right at hand, printed in its complete Capital edition of that day this statement ascribed to Senator MCCARTHY:

You are unfit to wear that uniform, General.

This is the exact statement as quoted by the Washington Post and Times Herald. I have the original newspaper in my hand. Beginning in the right-hand column, the headline is: "Resolution Raps McCarthy." At the bottom of the column is the word "McCarthy," and then the sentence is continued on page 2; "told Zwicker he was 'not fit to wear that uniform.'"

Mr. President, you know such a statement is not true. The correct statement is:

Any man who has been given the honor of being promoted to general and who says, "I will protect another general who protected Communists" is not fit to wear that uniform, General.

That is far different from saying, "You are unfit to wear that uniform, General." In fact, the statement made by Senator MCCARTHY merely implies, "if the shoe fits, wear it." It is a statement with which all good Americans agree. We do not want any of our generals to protect a general who protects Communists.

In my opinion, such reporting is either grossly careless and inaccurate or it is deliberately distorted for propaganda purposes. Were I operating a newspaper, I would not like to be reminded of either charge.

It is my opinion that the misinterpretation of the statement which was made by the Senator to General Zwicker has prejudiced the cause of the junior Senator from Wisconsin in the public mind more than any other factor involved in this action.

While I am discussing the Washington Post and Times Herald—and I say to them, print it any way you want to, because the RECORD will be complete—I wish to tell of a little experience I had on Veterans' Day in Constitution Hall, in the shadow of the Washington Monument. I was honored to be the principal speaker, and to pay my respects to a colleague and a friend of mine, who is now here on trial. I tried to make my contribution in an honorable and in an ethical way.

The Washington Post and Times Herald had its photographer present, who took some pictures of those present at the gathering. I have them before me. The Washington Post and Times Herald did not hurt me or hurt Senator MCCARTHY, and I shall presently go into that. The event occurred on Friday, November 12, 1954. That newspaper should be the greatest in the land, because it is located here in the Nation's Capital. It saw fit to take some pictures of those present at the gathering. I say to the members of the press, and especially to the reporters who did this for the Washington Post and Times Herald, that in Senator MCCARTHY's own State, in the fine city of Milwaukee, I have paid my respects to him as a hard-punching American who wants to run Communists out of Government. Never did I think I would see such a thing in a newspaper which prides itself on being one of the Nation's greatest newspapers. The story in the paper does not hurt Senator MCCARTHY; it does not hurt Rabbi Schultz, of New York, under whose auspices the meeting was held, indeed, he arranged it; it does not hurt HERMAN WELKER, but it does do the cruelest injustice to John Maragon, who I understand was convicted of a crime. This is the wonderful reporting of the Washington Post and Times Herald—a picture of Rabbi Schultz, Senator Welker, and Maragon, and under it the words, "They rallied behind the junior Senator from Wisconsin."

The more I see of certain persons, the more I see of certain reporters, the more I respect ex-convicts who have paid their penalty for violating laws. I am not saying that the picture hurt me. Think of the man Maragon. He had erred, and I have no reason to defend whatever he may have done, but at least he paid the penalty. He was convicted by a court of law, as I understand, for the crime of

perjury. He was sentenced to the Federal penitentiary. He heard the gate lock behind him, and, as I understand, for 24 months he did not exactly have a White Christmas or a wonderful Thanksgiving. He answered to the law as he should have done. But why would the Washington Post and Times Herald portray him to the American people as sitting there on the platform with a Senator and with Rabbi Schultz? Not that I would consider it a disgrace to sit beside Maragon, because, as I have said, he had paid the penalty for his violation of criminal law. I wonder how he feels, I wonder how the American people feel, about the splendid reporting the reporters did on that occasion. I wonder if John Maragon has reflected upon the months, the long, trying months, he spent out of society. I wonder if after seeing the picture he thought it was quite the honorable and ethical thing to publish it. I wonder what the Washington Post and Times Herald would have done had the junior Senator from Wisconsin absolutely faked a picture with the design to mislead the American people, and to discredit those who were present at a rally dedicated to saving our country.

I never thought that in my lifetime I would see anything so unjustified, not to Senator WELKER, not to Rabbi Schultz, but to a man who had digressed from the law, who had been a criminal, and who had answered for his crime by going to the penitentiary, and then was portrayed as one of the three who rallied at the McCarthy meeting. I do not care whether John Maragon was an ex-convict or not. He paid the penalty. I do not know anything about publishing newspapers, and whether the person responsible for this reporting was the picture editor, the news editor, or someone else, but in the heart of whoever was responsible certainly there is a moral penalty which he has not paid—not for a wrong done to Senator WELKER or to Rabbi Schultz, but to this man who had paid his debt to society, and then had to suffer such vicious, lowdown, publicity as that.

Sometimes I wonder, with respect to freedom of the press, whether or not it is exactly right, when such instances as I have just related occur. Is it freedom of the press, or freedom to abuse a man who is defenseless and oppressed?

I care not what the newspapers say or what they write about me, so long as they try to stick to the truth. Let the columnists smear me, as they love to do; but the television and radio commentators and the writers had best stick to the truth. I want them to channel their comments and writing to the State of Idaho, which gave me the highest office it could give, because I will be willing, ready, and happy to meet them at any time for debate on the question of honorable, decent freedom of the press, when they do such a thing to a man who paid the penalty that always is paid by one who is convicted of committing a crime.

Mr. President, I feel these things at the bottom of my heart. Now that I have paid my respects to that newspaper, in connection with that matter, I will say, further, that some time I hope to meet that great newspaper in a court where there are some rules and where the players are governed by them.

Let me repeat that the more I see and hear of certain of those who would injure such a person—and even though he be an ex-convict, he paid his penalty—the more I respect the man who paid that penalty.

As I was saying before disgressing, the statement which was contained in the press gave an erroneous description and prejudiced the cause of the defendant, so to speak, under Senate Resolution 301. Certainly that statement was far different from saying, "You are unfit to wear that uniform, General." In fact, the statement made by Senator MCCARTHY merely implied, as I stated before, "If the shoe fits, wear it."

Perhaps, Mr. President, if I, or some other Member of this body had been cross-examining the general, we would not have used that language. However, members of the select committee, when interrogated by me, have admitted that, as all persons know, no two cross-examiners proceed in the same way.

Now I wish to continue reading from the testimony. I hope to conclude my remarks tonight.

At the point in the hearing I had reached, we find that the following occurred:

General ZWICKER. I mean as an individual. This is a Department of the Army order.

The CHAIRMAN. Have you tried to find out who is responsible?

General ZWICKER. Who signed this order?

The CHAIRMAN. Who was responsible for the order?

General ZWICKER. No, sir; I have not.

The CHAIRMAN. Are you curious?

In referring to the "retake" that General Zwicker had before the select committee, I have heard members of the select committee say they had never seen a finer or more cooperative witness, or words to that effect. But, Mr. President, was he so cooperative when he stated, "Frankly, no"—that he was not even curious about who was responsible for the order?

I read further from the hearing:

General ZWICKER. Frankly, no.

The CHAIRMAN. You were fully satisfied, then, when you got the order to give an honorable discharge to this Communist major?

General ZWICKER. I am sorry, sir.

The CHAIRMAN. Read the question.

(The question was read by the reporter.)

General ZWICKER. Yes, sir; I was.

Mr. COHN. General, I have just 1 or 2 questions.

The CHAIRMAN. Let me ask one question. In other words, you think it is proper to give an honorable discharge to a man known to be a Communist?

General ZWICKER. No; I do not.

He is entitled to praise for that statement.

I read further:

The CHAIRMAN. Why do you think it is proper in this case?

General ZWICKER. Because I was ordered to do so.

The CHAIRMAN. In other words, anything that you are ordered to do, you think is proper?

General ZWICKER. That is correct. Anything that I am ordered to do by higher authority, I must accept.

Mr. President, let me say that I do not profess to be an expert on military matters; but in the days when we had a certain traitor in our country, I wonder what would have happened if someone under the command of Gen. Benedict Arnold had not tried to alert the American people to what Benedict Arnold was doing. As a lawyer, it appears to me, regardless of whether the man concerned was in the military service or in any other branch of the executive arm of the Government, or whether he was in the judicial branch, or the legislative branch, and I say this based upon what law I know—that any man who would, in fact, try to conceal or cover up a man of that nature would be guilty of the crime of conspiracy, as was so ably discussed by the Senator from Indiana in his first speech on this subject matter.

I read further from the hearing:

The CHAIRMAN. Do you think that the higher authority would be guilty of improper conduct?

General ZWICKER. It is conceivable.

The CHAIRMAN. Do you think they are guilty of improper conduct here?

General ZWICKER. I am not their judge, sir.

Mr. President, at this point I should like to ask, on behalf of the American people and on behalf of the sovereign State I in part represent, who happens to be the judge? Who pays the general's salary? Who asks the general to live up to his oath?

I know something about military orders; but if at any time in the history of the United States we have needed men who would stand up and be counted, it is now.

I read further from the testimony:

The CHAIRMAN. Do you think to order the honorable discharge for a Communist major was improper conduct?

General ZWICKER. I think it was improper procedure, sir.

The CHAIRMAN. Do you think it is improper?

Mr. COHN. General, I just want to ask you this: Peress was discharged on February 2, which was a Tuesday.

General ZWICKER. That is right.

Mr. COHN. He appeared before the committee on Saturday. On Monday or Tuesday, did you speak to anybody in the Department of the Army in Washington, telephonically, about the Peress case? On Monday or Tuesday?

General ZWICKER. Let me think a minute. It is possible that I called First Army to inform them that Peress had changed his mind and desired a discharge as soon as possible.

Mr. President, let me repeat that part of the testimony:

General ZWICKER. Let me think a minute. It is possible that I called First Army to inform them that Peress had changed his mind and desired a discharge as soon as possible.

I should like to ask the judges before me to note carefully the timing, as to when Major Peress wanted his discharge. Continuing with the testimony:

Mr. COHN. Who would you have told in the First Army? Who would you call? G–2, or General Burress?

General ZWICKER. I don't think in that case I would call General Burress.

Mr. COHN. General Seabree?

General ZWICKER. No, it would have been G–1, or Deputy Chief of Staff.

Mr. COHN. Who is that?

General ZWICKER. General Gurney.

Mr. COHN. You don't remember which one it was?

General ZWICKER. I don't recall that I called.

Mr. COHN. Did you talk to Mr. Adams in those days?

General ZWICKER. No, sir.

Mr. COHN. Did you ever talk to Mr. Adams before yesterday? You recall whether or not you spoke to him.

General ZWICKER. I know Mr. Adams, yes. There was one call, but I think that came from a member of your committee, from Washington, requesting that this man appear before your committee first.

The CHAIRMAN. You understand the question. Did you talk to Mr. Adams before yesterday?

General ZWICKER. I don't recall. I don't believe so, sir.

I think had I been cross-examining, I would have gone into that subject a little deeper. I would have gone further into the failure to recall, in connection with an incident so important as this.

Continuing with the testimony:

The CHAIRMAN. Did you talk to anyone in Washington?

General ZWICKER. No, sir, about this case.

The CHAIRMAN. Within the week preceding his discharge?

General ZWICKER. No, sir.

The CHAIRMAN. Did you at any time ever object to this man being honorably discharged?

General ZWICKER. I respectfully decline to answer that, sir.

The CHAIRMAN. You will be ordered to answer it.

General ZWICKER. That is on the grounds of this Executive order.

The CHAIRMAN. You are ordered to answer. That is a personnel matter.

General ZWICKER. I shall still respectfully decline to answer it.

The CHAIRMAN. Did you ever take any steps which would have aided him in continuing in the military after you knew that he was a Communist?

General ZWICKER. That would have aided him in continuing, sir?

The CHAIRMAN. Yes.

General ZWICKER. No.

The CHAIRMAN. Did you ever do anything instrumental in his obtaining his promotion after knowing that he was a fifth-amendment case?

General ZWICKER. No, sir.

The CHAIRMAN. Did you ever object to his being promoted?

General ZWICKER. I had no opportunity to, sir.

The CHAIRMAN. Did you ever enter any objection to the promotion of this man under your command?

General ZWICKER. I had no opportunity to do that.

The CHAIRMAN. You say you did not; is that correct?

General ZWICKER. That is correct.

The CHAIRMAN. And you refuse to tell us whether you objected to his obtaining an honorable discharge?

General ZWICKER. I don't believe that is quite the way the question was phrased before.

The CHAIRMAN. Well, answer it again, then.

General ZWICKER. I respectfully request that I not answer that question.

The CHAIRMAN. You will be ordered to answer.

General ZWICKER. Under the same authority as cited before, I cannot answer it.

I digress for a moment to refer again to the very pious platform of my party, adopted at the national convention in 1952.

Continuing with the testimony:

Mr. COHN. Did anybody on your staff, General—Colonel Brown or anyone in G–2—communicate with the Department of the Army on February 1 or February 2? In other words, in connection with the discharge?

General ZWICKER. I don't know, but I don't believe so.

Mr. COHN. To the best of your knowledge, no?

General ZWICKER. No.

Mr. COHN. In other words, on January 18, 1954, you received a direction from the Secretary, signed by the Adjutant General—I assume that is General Bergin—telling you to give this man an honorable discharge from the Army at any practicable date, depending on his desire, but in no event later than 90 days; that that was the order, and you had nothing from the order to change that order in view of his testimony before the committee; and, therefore, when the man came in and wanted an honorable discharge, you felt under this order compelled to give it to him as a decision that had been made by the Adjutant General. Is that correct?

General ZWICKER. That is correct.

Mr. COHN. And you received no additional words from the Adjutant General on February 1 or February 2, and before you gave the discharge you did not call and say, "In view of all of this, and his testimony on Saturday, and Senator MCCARTHY's request for a court-martial, this man is in here now and is that all right?" You never made any such call?

General ZWICKER. No; I did not.

I digress for a moment to say once again that the American people, through the Congress of the United States, must and will finally find out why this sort of conduct took place.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. WELKER. I am glad to yield.

Mr. LONG. Does the Senator feel that Major Peress actually committed some crime while he was in the military service, or is it his feeling that Major Peress should have been court-martialed for something he may have done prior to the time he joined the military?

Mr. WELKER. I will say to my distinguished friend from Louisiana that the least that could have been expected of the Department of the Army would have been not to expedite the discharge after knowledge had been given to them that Peress was a man who had taken refuge behind the fifth amendment to the Constitution.

Mr. LONG. One thing that concerns the junior Senator from Louisiana in considering this case is whether or not the military actually had the authority or the power to dishonorably discharge Major Peress or to court-martial him. If they did not have that power, if they could not make a court-martial stand up, then, of course, it would seem that they are not subject to censure or criticism for failure to court-martial him. But if Major Peress had committed any offense in the nature of subversive activities while a member of the military, he would have been subject to court-martial or dishonorable discharge. Does the Senator contend that Major Peress could have been prosecuted for having been a Communist prior to the time he joined the Army?

Mr. WELKER. As I understand, he made a false affidavit.

Mr. LONG. It is my understanding that the way the fact came to the attention of those in the service that he was a Communist was that he declined to sign the loyalty oath. Obviously, someone should have caught that. That was an error, as I understand.

Mr. WELKER. Yes; a very important error.

I do not wish to be bothered with further questions because I know that the judges present are tired, and I certainly am tired. Let me answer by saying that, in the hypothetical case suggested, a private brought back the word that John Jones, a major, had stolen $50 from a store. Certainly he had not been convicted of anything. He had not been convicted of a crime. But, as General Zwicker testified under oath before his God, with that trivial amount of information, he would have withheld the discharge of Maj. John Jones.

Mr. LONG. The Senator from Idaho understands, of course, that I am seeking the facts.

Mr. WELKER. I know the Senator is doing that.

Mr. LONG. I do not wish to argue the case with the Senator. I am merely trying to get the facts. With regard to the $50——

Mr. WELKER. If the Senator will permit me to interrupt him, we have passed the usual hour of adjournment. I am not trying to hedge in any way. I shall be in the Chamber tomorrow, and the Senator may address his questions to me at that time, and I shall be glad to answer his questions and give him any information I have. However, I still have a few pages of my prepared remarks to read, and I wish to continue, if I may do so without offending my devoted friend from Louisiana. Is that agreeable to him?

Mr. LONG. That is agreeable, of course.

Mr. WELKER. I thank the Senator.

Then Mr. Rainville takes over the examination:

Mr. RAINVILLE. General, I think at one place there you said he changed his request to an immediate discharge?

General ZWICKER. That is correct.

Mr. RAINVILLE. Then he had previously objected to the discharge or at least he wanted the full 90 days?

General ZWICKER. No, sir. He requested to be discharged on March 31, I think, which would make it 60 days from receipt, rather than the full 90. He did not ask for the full 90, but he asked for what amounted to 60 days, 2 months.

Mr. RAINVILLE. Then he came in as soon as he testified, and asked for an immediate discharge and it was processed routinely?

General ZWICKER. That is correct.

Mr. RAINVILLE. But you never thought it necessary after he appeared before the committee or when he made that request to discuss his appearance before the committee with him?

General ZWICKER. I am sorry.

Mr. RAINVILLE. My question is this: After he appeared before the committee and he was still a member of your command, even though he was on separation, you didn't ask him to come in and report what he testified to?

General ZWICKER. No, sir.

Mr. RAINVILLE. And you didn't think it was necessary when he came in and asked for an

immediate discharge instead of 60 days to ask him what transpired so as to get some kind of an idea as to why he wanted it immediately, or why he is in a rush to get out now instead of taking the 60 days that he wanted before that?

General ZWICKER. That was beyond my prerogative. I did not.

Mr. RAINVILLE. As an officer of your command, certainly what we usually call the old man's privilege there, prerogative, they may ask that sort of question, and so forth, so long as he is one of your command. But you didn't do it?

General ZWICKER. No. He told me he wanted to be released and I said, "All right."

Mr. JONES. General, did the counsel of the Army advise you not to discuss the Peress case?

I understand that Mr. Robert Jones was formerly the administrative assistant to the Senator from Michigan [Mr. POTTER]. He no longer occupies that position.

General ZWICKER. He did not.

Mr. JONES. He did not advise you?

General ZWICKER. No, sir.

The CHAIRMAN. Who did advise you?

General ZWICKER. No one.

The CHAIRMAN. What did you and Mr. Adams talk about yesterday?

General ZWICKER. Mr. Adams and I talked about the various procedures of prior meetings such as this. He tried to indicate what I might expect.

I digress to say to the judges present that that statement might or might not give some indication about the kind of cooperation extended by General Zwicker at the original Hearing.

Mr. JONES. Did Mr. Adams advise anyone not to discuss the Peress case to this committee?

General ZWICKER. I am sorry. He did not advise me.

Mr. JONES. I mean to your knowledge, did he advise any other person?

General ZWICKER. To my knowledge, he did not.

Mr. JONES. General, what is your considered opinion of this order here forbidding you to assist this committee in exposing the Communist conspiracy in the Army?

General ZWICKER. Sir, I cannot answer that, because it is signed by the President. The President says don't do it and therefore I don't.

Mr. JONES. What is your considered opinion of that order? You see now, here is a perfectly good example of a Communist being promoted right in the ranks, all because of this Executive order here, in many respects, where we could not get at these things earlier. What is your considered opinion of an order of that nature?

General ZWICKER. I won't answer that, because I will not criticize my Commander in Chief.

The CHAIRMAN. General, you will return for a public session at 10:30 Tuesday morning.

General ZWICKER. This coming Tuesday?

The CHAIRMAN. Yes.

General ZWICKER. Here?

The CHAIRMAN. Yes.

General ZWICKER. At what time?

The CHAIRMAN. 10:30. In the meantime, in accordance with the order which you claim forbids you the right to discuss this case, you will contact the proper authority who can give you permission to tell the committee the truth about the case before you appear Tuesday, and request permission to be allowed to tell us the truth about the——

General ZWICKER. Sir, that is not my prerogative, either.

The CHAIRMAN. You are ordered to do it.

General ZWICKER. I am sorry, sir. I will not do that.

The CHAIRMAN. All right.

General ZWICKER. If you care to have me, I will cite certain other portions of this.

The CHAIRMAN. You need cite nothing. You may step down.

(Whereupon, at 5:15 p. m., the committee was recessed, subject to the call of the Chair.)

I may add at this point that the chairman accepted the situation, when he was informed by General Zwicker that he would not do what was requested of him, and the chairman made no attempt to threaten the general with a contempt citation.

Perhaps many Senators, who sit here as judges, wonder why I have taken their time to read this testimony into the RECORD. I am being brutally frank when I say that if my political future must stand on what I have said today, that is certainly agreeable with me. I have read the testimony into the RECORD so that millions of people throughout the land, as they read the CONGRESSIONAL RECORD, may have before them the original testimony as it is found in the proceedings before the subcommittee.

I turn now to another cross-examination. It was cross-examination conducted by the select committee. I again wish to make it clear that I am not trying to abuse or vilify the Senators who served on the select committee, all of whom are friends of mine.

The Senate is sitting as a court of law, and I am giving the Senate such information as I have. What I am about to read occurred in the cross-examination of another witness before the select committee. Bear in mind that the censure hearings were the result of the charge that the junior Senator from Wisconsin was unduly rough with General Zwicker on cross-examination. I shall read from page 347 of the select committee hearings. Mr. de Furia is interrogating the junior Senator from Wisconsin. I read:

Mr. DE FURIA. And yet you say he was the most evasive and arrogant, one of the most evasive and most arrogant, witnesses who ever appeared before you?

Mr. MCCARTHY. That is correct.

Mr. DE FURIA. Now, in all fairness, Senator, aren't you sometimes addicted to hyperbole?

I am saying this in all kindness, sir.

Senator MCCARTHY. Am I addicted——

Mr. DE FURIA. I have personal qualities of language that other people don't.

Mr. WILLIAMS. I don't think that is a proper question, Mr. Chairman. I don't think we are here trying anybody for hyperbole.

The CHAIRMAN. He will not be required to answer it.

Mr. DE FURIA. I am sorry I asked the question; I shouldn't, sir.

The CHAIRMAN. That is all right.

Mr. DE FURIA. I meant it in all kindness, I assure you.

The CHAIRMAN. I recognize that.

Senator MCCARTHY. I am sure you did.

Mr. President, I now digress for a moment to say that the reason why I bring this particular portion of the testimony before the Senate is to show what the distinguished chairman of the select committee feels might happen in cross-examination.

The junior Senator from Wisconsin said, "I am sure you did."

The CHAIRMAN. Being a lawyer myself, I realize sometimes when we get into the warmth of a cross-examination, we will use some language that might sound like it was exaggerated. We don't recognize it at the time because we're feeling intense, and all that sort of thing. So we will let the incident pass.

Mr. DE FURIA. Very well, sir.

The importance of this mild reproach addressed by Senator WATKINS to the committee lawyer, Mr. de Furia, is not realized unless one analyzed the word "hyperbole." It is defined as extravagant exaggeration. Macauley calls it the boldest figure in rhetoric, the hyperbole, it lies without deceiving. Now it appears, Mr. President, that this dictionary-minded counsel for the committee has come up with a polite way of calling the Senator from Wisconsin a liar. And for that he is mildly reproached and instantly forgiven by the chairman conducting the hearing.

I am not critical of the chairman upon that point, because I have made mistakes in cross-examination. I have made many statements for which I am sorry. I know of no man who has ever cross-examined who has not made mistakes. But I am trying to show that the chairman of the select committee indicated how easy it is for a man to go overboard in cross-examination.

Mr. President, I do not wish to offend any member of the select committee or any Member of the United States Senate. I desire to try to suggest to the Senate that human beings are not all the same, and sometimes on cross-examination, we lose our tempers, our patience, and say things we should not say.

Let us see how the same chairman conducted other hearings, and how he treated one other lawyer who was not serving his committee. I call attention to the hearings of the Internal Security Committee on the subject of Subversive Influence in the United Electrical, Radio, and Machine Workers of America, April 17, 1952. The Senator from Utah [Mr. WATKINS] was conducting the hearing as a one-man committee. Please follow the testimony on page 54 of that hearing. I beg the judges, so many of whom are present, that they will favor me by reading that testimony. I do not bring it up to try to embarrass the Senator from Utah, because in a like situation, certainly, I would probably have done the same, or even worse. I bring it up to invite the attention of the judges to the fact that Senators can be badgered and become angry and can lose their patience. That is the sole and only reason why I cite this testimony to the Senate.

I now read from the hearings at page 54:

Mr. ARENS. In July of 1950, you wrote a letter, did you not, to Representative Walter B. Huber, in which you stated that you are not a Communist and that you have never been a Communist; isn't that true?

Mr. Arens was one of the staff counsel for the Jenner committee. I read further:

Mr. SIENS. In view of the line of questioning, I assert the privilege.

Mr. ARENS. On March 11, 1949, you wrote a letter to Elgin Day, president of local 544 of the UPWA, Lorain, Ohio, in which you stated that you were not a Communist; isn't that true?

Mr. SIENS. I assert the privilege.

That means the fifth amendment. Generally we allow witnesses to plead the first time, but the second time we do not have them go through the procedure.

Mr. ARENS. In these instances in which you have asserted in letters and articles, that you were not a Communist, your assertions were not under oath; were they?

Mr. SCRIBNER. That's the trickiest thing I ever heard of, and I will advise you on that.

(Witness confers with counsel.)

Mr. Scribner was the New York attorny for Mr. Siens.

Senator WATKINS. Just a moment. I call counsel's attention to the fact that he was only to give counsel to the witness when the witness asked for it. He is not supposed to coach him on his answers.

Mr. SCRIBNER. Does the Senator mean that if the witness does not ask for it, I cannot represent him?

Senator WATKINS. He means that exactly.

Mr. SCRIBNER. At the same time I will say that I will leave, because I serve no function. He has been denied counsel by the Senate committee. I will not sit by the witness under those circumstances.

Senator WATKINS. You are excused. We do not permit anyone to sit here and coach a witness. Just a moment.

Mr. SCRIBNER. Will you state for the record that I coached the witness?

Again I shall digress for a moment to assure the judges who are present that I am not trying to embarrass the senior Senator from Utah [Mr. WATKINS]. Nothing could be further from my desire. Probably I would have done the same thing—I do not know—although, in the vast experience I have had on the committee headed by the distinguished junior Senator from Indiana [Mr. JENNER], I have yet to throw anyone out of a hearing room.

Mr. Scribner was admitted to the practice of law in the State of New York, and was attempting to represent his client. I do not know anything about Mr. Scribner or his client, but Mr. Scribner was present. I shall go back for a moment and repeat:

Mr. WATKINS. You are excused. We do not permit anyone to sit here and coach a witness. Just a moment.

Mr. SCRIBNER. Will you state for the record that I coached the witness?

Senator WATKINS. Put him out.

(At this point Mr. Scribner was escorted from the hearing room.)

I do not know of any more sacred right than that of a person to be represented by counsel. I have never in my life seen a man ejected from a hearing room in a judicial or a quasi-judicial proceeding. When the senior Senator from Utah [Mr. WATKINS] apparently, like most cross-examiners, lost his patience, the attorney for the witness—not the witness himself—stated:

Will you state for the record that I coached the witness?

It was then that the senior Senator from Utah said:

Put him out.

The record then reads:

(At this point Mr. Scribner was escorted from the hearing room.)

I call attention to the fact, Mr. President, that the lawyer who was so vigorously rebuked and put out of the hearing room by the senior Senator from Utah is a member of the bar of the State of New York and of the Supreme Court of the United States. I believe he was admitted to the Supreme Court of the United States some 2 years ago.

I saw fit to question Mr. Scribner about this matter because I desired to bring out, for the benefit of the judges in this case, whether it helps or not, that any cross-examiner, whether it be the able chairman of the Committee on the Judiciary, the able chairman of the Subcommittee on Internal Security, or any other Senator who sits in the position of a presiding officer, might lose his patience.

Let me reemphasize the fact that I am not attempting to bring ridicule upon the senior Senator from Utah. I would never do that because, heaven knows, if one looks at my own record, perhaps he will find that I have done things in cross-examination for which I am sorry now, although I cannot recall them.

When I questioned Mr. Scribner on this incident, he stated as follows:

Mr. SCRIBNER. Well, frankly, to this day I am perplexed about that incident. I have been before many courts in the last 25 years and before other committee hearings but never have I had anything comparable to what happened that day. You know how angry it makes any lawyer to be accused of coaching a witness and that is why I asked the Senator if he was accusing me, on the record, of coaching my client and that is when he threw me out. I also recall one place where there was some statement or advice given by the committee counsel—

Referring to Mr. Arens—

that was completely erroneous in law and I tried to make some comment about that.

That is it, and I was very much upset at that time. However, not any more so than I have been on a number of occasions when trying a case in court but never before have I had any followup to an argument such as the followup to this one. I really felt that it was a very unfortunate incident. Lawyers, as you know, argue sometimes bitterly in court but it is always done with a basic sense of courtesy and as soon as you are out of the courtroom you carry on as though nothing had happened. I have been before committees many times and never had anything like that happen to me before, nor to a client of mine.

What action shall we take against the senior Senator from Utah? Surely his display of temper and his conduct toward the witness' lawyer was reprehensible. We cannot have one standard of conduct toward generals, another standard of conduct toward lawyers, nor yet another standard of conduct toward privates in the Army. In that connection, I am bound to speculate on whether or not the United States Senate would bring disciplinary action for the cross-examination of Private Dickerson, of Crackers Neck, Va., if he had been subjected to such a cross-examination as General Zwicker's. I am inclined to doubt it, Mr. President.

Please let me give another example of conduct in a committee of the Senate. I quote from a hearing which I shall not identify, unless pressed to do so.

I shall not reveal the name of the Senator involved, because he did not serve upon the select committee. He has done work for investigating committees of the Senate. If any Senator demands his name, I shall feel it my duty to the eight judges still remaining in the Chamber to hear this very important case to reveal the name of the Senator. But I wish, if possible, to bring these cases before the Senate so that we may better understand the trying times which a cross-examiner has, not only in private practice but also in the investigation of subversives or alleged subversives in the Government.

I may say that the Senator involved in this cross-examination is not a member of my party, so I do not wish to be accused of trying to protect someone on this side of the aisle. I quote as follows:

WITNESS. I'd like to ask my lawyer for some legal advice. Since these were seized out of the office over our protest, they are not voluntarily presented here.

SENATOR. They were seized at your office by committee investigators and deputy United States marshals under subpena. Is that what you meant?

WITNESS. I was subpenaed to appear with them here at 2 o'clock, but they were seized prior to 2 o'clock.

SENATOR. I know; you had been subpenaed to bring them before that.

LAWYER FOR WITNESS. He was not subpenaed to bring them before that. No subpena duces tecum was ever served upon them.

I need not inform the handful, less than a corporal's guard, of the judges trying this case who still remain in the Chamber that a subpena duces tecum calls for a witness to bring to the courtroom or the hearing room the papers and other personal effects concerned. Let me repeat the answer, and then continue.

LAWYER FOR WITNESS. He was not subpenaed to bring them before that. No subpena duces tecum was ever served upon them.

SENATOR. The president of the union was.

LAWYER FOR WITNESS. I might say this was a thoroughly outrageous interference——

SENATOR. Throw that damn scum out of here. Get rid of him.

(At this point, the lawyer for the witness was ushered out of the hearing room.)

My colleagues may perhaps wonder why I interrogated the members of the select committee who are lawyers with respect to the oath of office they took when they became members of the bar. Among other things, the record shows that an attorney is bound to defend his client, without any personal consideration to himself, and it is a tremendously important oath, which every lawyer respects. Why did I bring out that fact? It was to show my colleagues that human beings can, not only in congressional hearings, but in courtrooms, have their patience exhausted and do things I am sure they would not otherwise do, and would never do again.

I can cite my colleagues many instances, including some which occurred in my private practice of law, but I shall refer now only to Senators who have lost their patience and their tempers.

As I have said, in the instance I was citing, the lawyer for the witness was ushered out of the hearing room at that point. I am sure my colleagues would not imagine that the lawyer felt very happy about being thrown out, no matter how obnoxious he might have been, when he had taken an oath to defend his client.

The same Senator, whose name I am withholding, unless compelled to disclose it, ejected a witness in another hearing to which I can refer. He ejected him with these words:

Yes, and you are a disgrace to the United States. Take him out, Marshal.

I dislike bringing this incident before the Senate, because the interrogator was a man of high principles, one who was dedicated and devoted to his job. He was doing his level best to stop crime and corruption in the United States. I call the attention of the Senate to the incident merely for one reason, namely, once again to show my colleagues that no matter how able or competent a lawyer may be, he can lose his patience during the cross-examination of a witness before him.

The Senator I am now about to quote is gone. As I have said, I regret that I have to bring this incident, which is a matter of public record, to the attention of my colleagues, but I feel very deeply about what is happening or what may happen to the Senate of the United States, and I desire the judges to review the testimony. It has to do with a cross-examination by the late Senator Tobey, of New Hampshire, in the crime investigation hearings.

The Senator was questioning John A. Gaffney, superintendent of New York State police—part 7 of the crime hearings, page 425, February 13, 1951. Gambling in Saratoga was the subject, and in particular the failure of Superintendent Gaffney to act on a report of such gambling. Prior to the following exchange, Gaffney had disclaimed responsibility for Saratoga gambling as being beyond his jurisdiction as a State officer.

Senator TOBEY. Just let us talk about Saratoga. Your own deputies brought the information to you.

Mr. GAFFNEY. That is right.

Senator TOBEY. You certainly would look like a plugged nickel to me as superintendent of State police.

Mr. GAFFNEY. Thank you very much.

I shall proceed with that in just a moment, but I should like to digress. The superintendent of the State police of the largest State in the Union was being interrogated with respect to what one of our fellow members thought was a dereliction of his duty. I do not think that a brigadier general, with regard to his relations with a major, is entitled to any more consideration than is the head of the State police of the largest State in the Union with respect to some of the activities of certain of his underling officers. After Mr. Gaffney thanked Senator Tobey, Senator Tobey then continued:

Senator TOBEY. What do you suppose the public at large would think of a man who did not report illegal doing to the Governor, after he had sworn to uphold the law? What hope is there to keep crime down in this country if the law-enforcement officers do not function properly?

Mr. GAFFNEY. Well, sir, I do not like to be abused. I am an honest man, and I resent that.

Senator TOBEY. I am not abusing you. I am just telling you the facts.

Mr. GAFFNEY. Well, I resent it.

Senator TOBEY. Well, you can resent it until that well-known place freezes over. The country will want to know what kind of a plugged nickel you are.

Mr. GAFFNEY. I am not a plugged nickel.

Senator TOBEY. You are no good in my judgment, you are below par, and you are a counterfeit of what a good law-enforcement officer should be. Just look at a picture of yourself, just look at yourself, and search your own conscience.

Mr. GAFFNEY. I am an honest man. I will have you understand that.

Senator TOBEY. You are a passive man.

Mr. GAFFNEY. I am not.

Senator TOBEY. As a law-enforcement officer, you are no good (pt. 7, p. 425).

The following quotation from the hearings of Friday, March 16, 1951, which will be found on page 1246, also had to do with the situation in Saratoga:

Mr. GAFFNEY. They have a police department there.

Senator TOBEY. You say there is a police department there. You know that this man Rox isn't worth a continental.

Mr. GAFFNEY. I pass no opinion on any policeman at all.

Senator TOBEY. Of course, you know that. We know them. Why didn't you——

Mr. GAFFNEY. I know them.

Senator TOBEY. You say it wasn't your duty. If I were the Governor of this State, I would give you just 5 minutes to get out of the place or I would kick you out.

That shows my colleague how a great and able public servant can lose his patience and temper when engaged in examining or cross-examining a witness, which is the most difficult branch of the practice of law that I know of, the art of cross-examination, I may say to the Senator from North Dakota [Mr. LANGER].

I now proceed to another subject.

Senator Burton K. Wheeler, who exposed the alien property frauds, and conducted many other investigations, is quoted in a column by John O'Donnell, printed in the New York Daily News of October 1, 1954, and I can say to the Senate that Senator Wheeler himself has told me of this; and I have interrogated members of his family, to see whether, in fact, this statement is a correct one, because I wish to try to be fair with everyone. Senators who have served here for many years certainly know that Senator Burton K. Wheeler is one of the greatest lawyers ever to serve in this body, and today he enjoys a splendid practice in the Nation's Capital. I now quote from a statement made by him:

If they think that Senator MCCARTHY has been abusive and harsh to evasive and dodging witnesses, let them go back and read the transcripts of my examinations. I went far beyond MCCARTHY. So did the late Senator Jim Reed, of Missouri, in his cross-examinations. And bear this in mind. We were only trying to uncover graft and corruption. Treason and betrayal of the country is far more serious than grand larceny and fraud.

He was referring, I think, to his questioning of the then Attorney General of the United States, Harry Daugherty, and the head of the Alien Property Division, a man by the name of Miller, I believe, at that time a highly respected man from the State of Delaware, as I understand. It seems that Mr. Miller was convicted. Mr. Daugherty, I believe, had two mistrials, and finally the case was dismissed.

CONCLUSIONS OF LAW

Before concluding my remarks concerning the law and the facts of this action, Mr. President and respected colleagues, I want to briefly review the main points of law concerning which I have spoken at some length. These points are of extreme importance, and must be seriously considered. They have no bearing on personalities involved in this issue. They are for the guidance of the Senate in this case and in any similar case which may arise in the future.

First. The Constitution does not authorize a censure action, as such. Established precedents of the Senate provide for punishment for disorderly behavior, after committee consideration of what action should be taken, and subsequent discussion and vote on the floor of the Senate. The Bingham case was a departure from the established Senate procedure, and, in my opinion, should not be followed in this case.

Second. The wording of Senate Resolution 301, 83d Congress, states no cause for disciplinary action by the Senate as contemplated by the Constitution. It fails to comply with the sixth amendment to the Constitution, in that it does not inform the accused Senator of the nature and cause of the accusation. The essential element of the alleged offense of the Senator from Wisconsin is not stated in the indicting resolution—to wit: disorderly behavior. In the case of *United States* v. *Potter* (56 F. 83), the court said:

In order properly to inform the accused of the nature and cause of the accusation, within the meaning of this amendment and of the rules of common law, not only must all the elements of the offense be stated in the indictment, but they must also be stated with clearness and certainty.

In other words, if a Senator is to be punished for disorderly behavior, as is permitted under the Constitution, he must be charged with disorderly behavior, not with conduct unbecoming a Senator or conduct contrary to senatorial traditions.

Third. Congress has the constitutional power to make all laws necessary and proper for carrying into execution the powers vested by the Constitution in them. They may provide by law for punishment of contempts, of affrays or tumult in their presence, but until the law be made, it does not exist, and does not exist from their own neglect.—See reference Jefferson's Manual on page 5 of this brief.

Mr. HICKENLOOPER. Mr. President, will the Senator from Idaho yield for a question?

The PRESIDING OFFICER (Mr. FERGUSON in the chair). Does the Senator from Idaho yield to the Senator from Iowa?

Mr. WELKER. I am happy to yield, although I know that the 11 judges now present are very anxious to have me suspend. However, I am glad to yield.

Mr. HICKENLOOPER. I thank the Senator from Idaho.

In the first place, I wish to say I think the Senator from Idaho has made a most exhaustive study of the situation involved in this matter, and I commend him for the thoroughness of his examination of it.

For my own information, because I have not looked up this point, and in view of the fact that the Senator from Idaho has spoken of the traditions of the Senate, I should like to ask him whether, in the history of the Senate, the Senate has ever voted official censure or official condemnation for words spoken by a Senator either on the floor of the Senate or, in his official capacity, in committee activities, or spoken otherwise?

Mr. WELKER. That never has happened, insofar as I have been able to ascertain from the research I have conducted.

Mr. HICKENLOOPER. I wish to say to the Senator from Idaho that I certainly agree with him that words of violence and intemperance have been spoken from time to time by Members of the Senate either in committee or on the floor of the Senate; and over the years, during my service here, I personally have heard some of them spoken. Let me say there is a remedy which will reach spoken words that are considered to be offensive.

Mr. WELKER. Without a doubt.

Mr. HICKENLOOPER. The remedy is to call the Senator to order, if the words are spoken on the floor of the Senate. The rule forbids such a Senator to proceed, after being called thus to order, except upon motion authorizing him to proceed in order. I have seen that sanction imposed on certain occasions during my service in the Senate.

However, so far as I know, there is no precedent in the history of the United States Senate wherein official notice has been taken, by way of condemnation or official criticism or censure, of words spoken by a Senator either on the floor of the Senate or in committee or at any other place. I am trying to get some of these matters clear in my own mind, and I should like to ask the Senator from Idaho about that point.

Mr. WELKER. The distinguished senior Senator from Iowa, outstanding lawyer that he is, is eminently correct, judging from the research that I have made. I should like to be apprised of any case in which any Senator has ever been censured or been the subject of disciplinary action of any kind for words spoken either on or off the floor of the United States Senate, other than to receive a minor slap on the back of the hand, so to speak. I refer to the procedure under rule XIX, paragraphs 2 and 4, which requires a Senator who is called to order to take his seat, whereupon he is not allowed to proceed until a motion to permit him to proceed in order is made and agreed to. All Senators agree that such an act is merely perfunctory; but that is the customary procedure in such a case.

Mr. HICKENLOOPER. Then is the Senator from Idaho arguing somewhat along this line: that the ball game has always been played under the rule that one has to hit the ball within the base lines, or else it is a foul; but suddenly, after the play has commenced and after the game has gone on for a long time, we are told, "Well, we have changed the rules, and now we will apply a new rule"—one which never in the history of the Senate has been applied or attempted to be applied. Is that a brief summation of a part of the argument the Senator from Idaho has been making?

Mr. WELKER. The Senator is absolutely correct. If he had been present yesterday he would have heard me argue at length that Senator MCCARTHY is not the issue in this case. Day after tomorrow it might be the Senator from Iowa, the Senator from North Dakota [Mr. LANGER], the Senator from Florida [Mr. HOLLAND], or any other Senator. There is involved the precedent of picking out one man and making him the whipping boy. Such a precedent has never been heard of before in the United States Senate.

Senators will recall that I brought to the attention of the judges yesterday the fact that actual physical violence was involved in the case of four United States Senators. Those cases were publicized all over the United States—yes, all over the world—and no man had the temerity even to suggest a censure resolution based upon their conduct, even though the facts were admitted by all. Had a censure resolution been brought forth, it would have been within the limitations of the Constitution of the United States, and would have been limited to a charge of disorderly behavior.

Mr. HICKENLOOPER. I thank the Senator. I was not trying to put words in his mouth. I was asking questions because, as I understood a part of his argument yesterday, it was based on the theory that there is an entirely unbroken line of precedents in the experience of the past 170 years; and that no Senator has ever been subjected to official censure because of words spoken. That is not the principle which is sought to be invoked in this case. What is sought is contrary to the unbroken line of precedents of the past. I understood that the Senator touched on that point yesterday in a part of his argument, and I wished in a part whether or not he was attempting to develop that field.

Mr. WELKER. That is correct. I refer to it in my statement of conclusions.

Let me say to my distinguished and able friend, the senior Senator from Iowa, that I am not so much concerned about what happens to the junior Senator from Wisconsin. This is not a fight among individual Senators. I do not know how many people dislike me—I hope not many. I have attempted to help my colleagues in the interest of the preservation of the great precedents of this body.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. WELKER. I am happy to yield to my friend, the senior Senator from North Dakota.

Mr. LANGER. I, too, wish to compliment the Senator on the very masterly address he is delivering. I wish to carry the argument of the distinguished Senator from Idaho one step further. In all the research made by the distinguished Senator from Idaho, has he discovered any case in the entire history of the Senate in which any Senator has ever been censured for refusing to accept an invitation to appear before a committee?

Mr. WELKER. There is no such case, let me say to my distinguished friend, the great lawyer who is the chairman of our Judiciary Committee.

On the other hand, I have related to this body of judges, which now consists of about 10, including 1 member of the select committee, that the great Robert M. La Follette, Sr., loved by me, and by the immortal William E. Borah, of my own State, defied the Committee on Privileges and Elections, slammed the papers down on the table, and said, "I will say good morning to the committee." No on dared to attempt to censure him.

Mr. LANGER. Let me say to my distinguished friend further that, as I remember, the senior Senator La Follette even said he would defy a subpena in case he was subpenaed to appear before a committee, on the ground that it had no authority to compel a Senator to appear before any group of Senators.

Mr. WELKER. The Senator is correct.

Mr. CASE. Mr. President, will the Senator yield?

Mr. WELKER. I am glad to yield to my friend from South Dakota. Again, let me say that I am becoming very weary. I hope I can answer his question.

Mr. CASE. I merely wish to ask the question if, in the instance referred to—and I am asking purely for information—Senator La Follette combined derogatory language with his refusal to cooperate with the committee?

Mr. WELKER. I do not suppose that would have had any possible bearing on the case. As in the case before the Senator's committee, the accused Senator had been denied the right of cross-examining his accusers. The La Follette case was a far more vicious case. That great man had been accused of being pro-German and of giving aid and comfort to the enemy. When Atlee Pomerene, the great Senator from Ohio, asked him to appear, Senator La Follette certainly "laid it on the line."

The Senator from South Dakota refers to derogatory language. The select committee had better start preparing a resolution of censure against me because when I resigned from the Gillette Subcommittee on Privileges and Elections my language certainly could not have been interpreted to mean that I was the most temperate Member of the United States Senate.

Mr. CASE. Mr. President, will the Senator further yield?

Mr. WELKER. I yield.

Mr. CASE. The point I sought to bring out was that in the first count in this case there are two elements, namely, the failure to help the committee to function and the use of abusive language, which the committee felt combined to obstruct the legislative processes of the Senate. I have previously pointed out during the day that in some cases one element is absent and in other cases the other element is absent. Very appropriately, the Senator from Idaho has cited a number of cases for the consideration of Senators. In the La Follette case there was apparently a definite rejection of cooperation with the committee, but perhaps not the combination with abusive language. In some of the other cases the Senator has cited there was abusive language, but not the failure to cooperate. It must always be a case for judgment as to whether the denunciation of the committee and the failure to cooperate are of such degree that, in the terms of the words used by Mr. Williams, counsel for Senator McCARTHY, in the memorandum brief filed with us, it amounts to an obstruction of the legislative processes of the Senate.

Mr. WELKER. Let me reply to my distinguished friend, whom I respect highly, that there has never been a precedent in the 165 years of this Republic wherein a resolution of censure was directed against a Senator for language used, intemperate or otherwise. If such were not the case, I wonder what position we would be in, in the case of the man we are trying today before this great body of judges, now consisting of about 8 or 9, when all 96 should be present, if every Senator who had used abusive or intemperate language against the junior Senator from Wisconsin should have a censure resolution brought against him. Heaven knows. We would work around the clock, 24 hours a day, because, as Senators know—and I am the first to admit it—the junior Senator from Wisconsin is a controversial figure. Certainly intemperate, vile, and vicious language has been used against the junior Senator from Wisconsin, directly and by implication.

I further say to the Senate that from the bottom of my heart I am wondering, if this precedent is established, where in heaven's name we will go and what will happen to those who accused the Senator from Wisconsin in the amendments to the resolution of being a liar, and who used other intemperate language, when he accused Annie Lee Moss of being a Communist. That was the No. 1 charge on which they expected to "get" the junior Senator from Wisconsin.

Mr. CASE. Of course, they did not get anywhere with the select committee on that count.

Mr. WELKER. Yes; and does the Senator know why they did not get anywhere? It was because the Senator from Idaho documented that case on August 2, before the select committee even looked at the case. Two days thereafter the Army discharged her. I refer the Senator to the U. S. News & World Report.

Mr. CASE. The Senator from Idaho performed a very valuable service to the country and to the Senate in that respect.

Mr. WELKER. I wish to say to my distinguished friend from South Dakota—and this is not an attempt to gain votes—that I would as readily do what little I have done, as I said yesterday, for a man whom I detested, as I would for the junior Senator from Wisconsin.

I am a great believer in justice. I see before me a Senator—and I shall not name him, but all Senators know him—who has not once but twice come into the Senate with the shadow of nearly every sort of dishonest political charge made against him that could possibly be made against any Senator. Yes, committees even reported that he not be seated and that he be thrown out of the Senate of the United States. He is getting along in years now. He knows that I will stand up for him any day of the year.

What happened when the sovereign State he represents sent him back here with the overwhelming majority he always enjoys? I do not know how many hundreds of vicious and vile charges were filed against my friend.

As I have said repeatedly, the greatest honor that ever came to me in the practice of law was when that distinguished man came to me, a young man in the practice of law, and said, "Herman, here are some charges that are unfounded. Will you represent me before the Senate?"

I told him it would be the greatest honor that had ever come to me to do what little I could to defend the good name of a man I loved and always will love.

That is the kind of Senate I always want to see preserved. I hope when the wolves go after me, as surely they will if the pending resolution is adopted, that I shall have someone who will stand up and say a good word for me. Perhaps I have not done much, but I have done my best.

In concluding my remarks, I should like to say that this group of judges certainly is patient. There are now 8 judges in the Chamber. That is not many, out of the 96 who may establish here a precedent that will haunt us the rest of our lives. I am not afraid of what might happen to me. I am afraid of what might happen to the great Senate of the United States. As I have said, if a censure action be deemed advisable as a disciplinary process of the Senate, the Senate should set up such a process by its own rules or laws, but until then, censure, as a procedure in itself, does not exist. Remember that the Benton-Foote and Tillman-McLaurin cases were not censure proceedings, censure being only considered in those cases as a means of punishment for disorderly behavior.

Fourth. Judicial standards of American jurisprudence should apply in an action of this nature.

I like to refer again to the great discourse made on this subject matter by the distinguished Senator and great lawyer, the junior Senator from Texas [Mr. DANIEL].

Such standards contemplate a written accusation in compliance with the sixth amendment. They include a fair and impartial trial under the law as it now is. The entire proceeding carries a supposition of innocence of the accused until he is proven guilty beyond a reasonable doubt. The burden is on the accusers to establish the guilt of the accused beyond a reasonable doubt. He, the accused, is entitled to be confronted with the witnesses against him, and to have counsel for his defense.

Fifth. Charges against the Senator of a criminal nature, such as income-tax violations, Federal and State Corrupt Practices Acts violations, and other charges made by the Hennings committee should not and could not be considered by the Senate in this action. Precedent against considering such charges was long ago set in the Humphrey case and in the King-Schumaker case heretofore cited. The Senate was held to have no jurisdiction and for such offenses a Member, like any other citizen, is amenable to the courts of proper jurisdiction.

Sixth. The law is not established concerning punishment of a Member for disorderly behavior prior to his election. The House Judiciary Committee considered such a procedure and stated its opinion to be that such action would be an abuse of power and an excess of constitutional authority.

Mr. President, in order to expedite matters, I ask unanimous consent to have printed at this point in my remarks the learned discourse on the problem before us by Mr. James M. Beck, doctor of laws, and a former Solicitor General of the United States. I should like to read it again, but because I have only a private-first-class guard to listen to me at this time, I think it would be useless. The book to which I refer is The Vanishing Rights of the States from which I quoted yesterday afternoon. To my mind it is a profound bit of authority, and I like it very much.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

It is, however, equally clear, that the act which would justify his expulsion, must have taken place since his election. What he did prior to his election and qualification has been passed upon by the people of his State. In a political sense, it is res adjudicata. A candidate for the Senate might have been guilty of embezzlement before his election, but the right of the people of that State to send an embezzler to the Senate, if it sees fit, is clear. Such decision is the sole right of the State.

It must not be supposed that the general grant of power to each branch of Congress to determine the qualifications of its Members gives them an unlimited discretion in determining the question of membership in the body. The general language which the Constitution uses must be read in connection with the entire instrument and, thus read, it is unreasonable that the power to judge of the qualifications of its own Members was, or is, intended to destroy the rights of the States to select their own representatives in Congress.

The Supreme Court has said, in the case of *U. S.* v. *Ballin* (144 U. S. 1):

"The Constitution empowers each house to determine times and rules of proceedings. It may not by its rules ignore constitutional restraints, or violate fundamental rights, and there should be a reasonable relation between the mode or method of proceeding established by the rule and the result which is sought to be attained."

To permit the Senate to expel a Senator on the ground that, before his election, he had been either a fool or a knave, would revolutionize our theory of constitutional government. All this had been passed upon before the Constitution was framed in the great John Wilkes controversy.

The next pertinent provision is the last paragraph of section 6, which reads as follows:

* * * * *

The author has thus quoted every pertinent provision of the Constitution. Reading them together, it seems too clear for argument that each State has the right to select from its people any representative in the Senate that it sees fit, irrespective of his intellectual or moral qualifications, and that the only limitations upon such choice are, that he shall be 30 years of age, a citizen of the United States for at least 9 years, an inhabitant of the State, and that he shall not hold any office under the United States, and that he shall not have engaged in insurrection or rebellion against the United States, or given aid or comfort to the enemies thereof, unless in the latter contingency, the Congress, by a vote of two-thirds, shall remove such disability.

In all other respects the right of the State is absolute and unimpaired. A State may have selected a Member of the Senate or secured his nomination by unworthy means. He may have spent more to secure such nomination than many would think proper or legitimate. He may be intellectually unfitted for the high office, and his moral character may, in other respects, leave much to be desired.

The people of the United States may justifiably think that the State has sent to Congress an unfit man, who could add nothing to its deliberations, and whose influence may well be pernicious. Nonetheless, the State has the right to send him. It is its sole concern, and to nullify its choice is to destroy the basic right of a sovereign State, and amounts to a revolution.

In this matter we must not be pragmatists. If the Senate has the right to nullify the action of a sovereign State in this matter for good reasons, it has equally the right to nullify it for bad reasons. The State may send a representative to the Senate, who has the intellectual ability of Webster, and the unimpeachable morality of George Washington, but he may be a member of a political party which, at the time, is in a minority. If the Senate rejects such a man it is possible that the plain usurpation of the power of the State cannot be questioned in any judicial proceeding. The sole remedy may be, as in the case of John Wilkes, in an appeal to the people, but while the victim might represent the majority of the people of his State, his party's representation in the Senate might well be only a minority, and thus, the right of one State to select its own representative could be nullified as long as a majority of the Senate, composed of the representatives of other States, saw fit to refuse him his credentials, or as long as two-thirds of the Senate saw fit to expel him.

If such a power exists, then the greatest of all States' rights has become little more than a scrap of paper.

Mr. WELKER. Mr. President, there is no precedent whereby a Member can be punished for acts prior to his election. The select committee stated "from an examination and study of all available precedents * * *" it was their opinion that the Senate has such power. A study of the citations made to support such a conclusion fails to disclose a single precedent concerning punishment of a Member for acts prior to his election. The Senate Subcommittee on Privileges and Elections which considered the charges against the junior Senator from Wisconsin for a period of almost 2 years prior to his election held the opposite view to that of this select committee. See page 52a of the report of the investigation under Senate Resolution 187, 82d Congress.

I refer to the Gillette-Hennings committee, which made its final report to the Senate. I read:

A number of its aspects have become moot by reason of the 1952 election. Such facts therein as were known to the people of the States particularly affected have been passed upon by the people themselves in the election.

This, to me, seems to be fundamental, good, common horsesense.

Should the opinion of the select committee prevail in this action, and it is only an opinion with no backing of established precedent, countless disciplinary actions could be instituted, including expulsion of Members for acts committed at any time in the past. Elections could be nullified and State electorates could be thwarted in their choice of Senators. To say the establishment of such a precedent would be dangerous would be only mildly expressing the possible disastrous effects of such a policy.

The General Zwicker incident is a question of fact more than of law. The true facts cannot be adjudged by the printed testimony. More important than the printed words is the demeanor of the witness on the stand, his inflections of voice, his manner of testifying, whether he manifests any bias or prejudice for or against the one accused. Yet the select committee arrived at a conclusion without consideration of these factors and the Members of the Senate will have to do likewise, if they vote to censure.

Mr. President, in interrogating the members of the select committee with respect to what, if any, consideration they gave to the man who raised his hand to God and swore that within 12 to 14 inches of his ear he heard General Zwicker call the man on trial, the junior Senator from Wisconsin, an s. o. b., I brought that out to show the attitude, the demeanor, and so forth, of the witness. I cannot believe we can do a retake of the testimony of a witness on the stand. If so, I can assure the members of the select committee that I should like to go back to the practice of law and do a retake on a few of my mistakes, because I could dress them up very nicely and I would not make the mistakes I made at the trial.

I asked my distinguished friend from North Carolina [Mr. ERVIN] if he had given any consideration to what General Lawton stated with respect to whether there was any animosity between General Zwicker and the junior Senator from Wisconsin. It was a conclusion of law, but the select committee has used conclusions, hearsay, and about everything I know of in the books that would be excluded in a court of justice.

I think my friend from North Carolina said in response to my question that he had heard it discussed that General Lawton had the impression that Zwicker did not like the junior Senator from Wisconsin or the committee.

Now, Mr. President, I am nearing the end of this extensive presentation of my views on the law and the facts concerning the proposed censure of Senator McCARTHY. I have tried conscientiously to present the law as it is and as it has been construed in past similar incidents.

If I am denied the right to be heard by all the judges I am proud of the fact that Joe and Jean McCarthy are friends of mine. If I am denied such right to be heard, then justice has indeed gone a long way down the drain.

I have tried to keep personalities out of this matter. I knew the allegation would be made that the "Charlie McCarthy" of JOE MCCARTHY was here trying to defend him. Under similar circumstances I would defend, with any ability I may have, any fellow Senator upon the floor of the Senate, regardless of political faith or of the State whence he comes.

I have tried to show the inherent danger in upsetting the old precedents, in disregarding the admonitions contained in Jefferson's Manual, in the sound view presented by the House Judiciary Committee. I sincerely hope that a code of ethics may be adopted by this body so that Members of the Senate may know their rights. So that they may not be threatened by censure for acts which are not specified to be censurable. So that a Member will not be tried according to the passions of the moment, and on charges originally prepared by a committee whose headquarters are across the street in the Carroll Arms Hotel.

That was established by the fine cross-examination by our distinguished and able majority leader in either the last part of July or the early part of August.

Until such a code is adopted by the Senate, let us abide by the established precedents, under the Constitution, and dismiss this attempted radical departure from precedent as a nullity from its inception.

After all, the American people have spoken. The junior Senator from Wisconsin always will be a controversial figure, as will be many others among us. We shall have our friends, and we shall have our enemies.

The people of the Nation, by their vote last November 2, took away from the junior Senator from Wisconsin his chairmanship of the Senate Permanent Subcommittee on Investigations. But, as a personal observation, I hope that no Member of the Senate—and, in my opinion, they are all great Americans—ever will lessen his attacks upon and

his efforts to defeat the tyranny which would destroy the freedom of our country. The first freedom which such tyranny would seek to destroy is the greatest deliberative body in the world, the United States Senate.

Please remember, Mr. President and my respected colleagues, that any one of us today sitting as a judge in this action may tomorrow, if the theory of the select committee shall be upheld, be sitting as a judge by virtue of an offense undefined, not proscribed, by rule or law, and regardless of the time of its occurrence.

Assuming there might be a landslide victory for Democrats or Republicans—let us assume, for the purpose of argument, that there might be in the Senate only 20 Republicans, and 76 Democrats, or vice versa—if such a precedent should be set as the adoption of the pending resolution would establish, God help any future Senator who might raise his voice in a manner objectionable to the militant opposite party. I pray that that will never happen. I feel that it never will happen, because I am confident that the people of the sovereign States, whose rights must be respected, will send to the United States Congress only great Americans, both Democrats and Republicans, who would not stoop to such a low level.

I heard it said by my friend, the distinguished junior Senator from North Carolina [Mr. ERVIN], when he closed his remarks—and it sounded to me like the argument I have made so many times when I have attempted to defend the defenseless and the oppressed—Will the Senate of the United States be men and women? In effect, he said, "Will you have the nerve and the integrity to go through with what millions of Americans want you to do?"

Let Senators take a look at their mail from throughout this land. The mothers and fathers of 3 million American boys—yes, truly, I can say at least 30 million people—are watching the deliberations of the Senate today. They want nothing done which might give aid and comfort to the enemy.

Let there be no misunderstanding. I would never accuse any select committee of doing that. I am accusing the Kremlin of it. If they could divide this great body of ours, nothing would give them more happiness, nothing would give them more power.

Let us not indulge in sheer folly. Let us, I pray, quit name calling. Let us bind up our wounds, if that is possible. I have seen them bound up before by statesmen much more able than is the man who is on trial today. I have heard the immortal Bob Taft abused and maligned upon the floor of the Senate by statesmen of great repute. But after the heat and passion of debate those men realized that they were all Members of the greatest deliberative body in the world.

We cannot allow petty folly to divide us. God help us, so that it never will divide us.

There may be those among us who might in the heat of passion think it is wise and political to censure or that it is wise and political to invite censure. But God give them strength to come to their senses, because they know not what they think.

Let us, I pray, leave this body as we found it. Let us not destroy it. In my concluding remarks I wish to say something that reflects my feeling from the bottom of my heart. It is a great honor to be a Member of this body. I have had my little differences, but I know that I have many friends in the Senate.

Mr. President, I wish to read what was said by a Senator who was leaving this body in 1917. I cannot improve upon his language. The gentleman was Senator Clapp. His remarks are reported on page 4913 of volume 54, part 5, of the CONGRESSIONAL RECORD for the 64th Congress, 2d session. Oh, how true this is, Mr. President:

> I believe the American Senate is the grandest body of men assembled upon this earth. We have our differences, our struggles, our rivalries, and our ambitions. But back of all that there is a genuineness of friendship which I doubt can be found elsewhere in the association of men with men. That association, in its closer and daily relations, I am about to terminate. I shall look back with pleasure to these associations and the kindnesses that have been shown me by one and all. I wish for one and all the full measure of happiness and success and with no regrets save the regret of separation I shall ever remember with affection and kind regard my association and the kindness with which I have been treated by my fellow Senators.

I wish to say to the judges, especially the few who have honored me by listening to this long discourse on what I consider to be the law, I appreciate their attention from the bottom of my heart.

I hope that I am correct in the stand I have taken.

I have about ended my first, and I hope my last, speech upon the subject before the Senate although probably I could make further research into the subject matter. The case is in the hands of the judges, who are sworn to hear the evidence and try the facts. Let not bitterness be in your hearts. Let the spirit of the blind goddess, who holds the scales of justice in equal balance, govern your deliberations, for this time, and for all time to come.

I thank my colleagues. I respect them one and all.

THE CASE OF JOHN PATON DAVIES

Mr. JENNER. Mr. President, I issued a statement yesterday because I was unable to obtain the floor. At this time I ask unanimous consent to have the statement prepared by me printed in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE CASE OF JOHN PATON DAVIES

(Statement by Senator WILLIAM E. JENNER, chairman, Senate Internal Security Subcommittee)

I have been asked to comment on the dismissal of John P. Davies, Jr., by Secretary of State John Foster Dulles. Of course the evidence available to the State Department Review Board may have differed in scope from that surveyed 2 years ago by the Internal Security Subcommittee under the chairmanship of the late Senator Pat McCarran, but I do know that the particular episode involving Mr. Davies which moved the subcommittee to investigate was considered at great length by the Board. Knowing what that episode entailed, I am greatly surprised by the nature of the attack by columnists on the final decision by Secretary Dulles to dismiss Mr. Davies. These columnists would have us believe that Mr. Davies was dismissed because of an expression of his views that proved to be erroneous. The matter is much more serious than that and involves Mr. Davies' acts.

In November 1949, John Paton Davies, Jr., who was then a member of the Policy Planning Board of the State Department, summoned two officers of the Central Intelligence Agency and recommended to that Agency that six named persons be established as a unit to give guidance to a proposed CIA operation that was classified as top secret. The six persons were: Agnes Smedley, Anna Louise Strong, Mr. and Mrs. John K. Fairbank, Edgar Snow, and Benjamin Schwartz.

Agnes Smedley, Anna Louise Strong, John K. Fairbank and Edgar Snow have since been shown by the record of the Internal Security Subcommittee to have been involved in varying degrees with Communist activity. At the time it will be recalled that Miss Smedley had just been cleared by the Pentagon after General Willoughby, General MacArthur's intelligence officer in Tokyo, had linked her with Soviet espionage activity. This should be stated because since that time, the Internal Security Subcommittee has adduced proof of Miss Smedley's Communist activities, and she has died and revealed that the executor of her estate was the Chinese Communist General Chu Teh, to whom she willed all her property. Now it is generally conceded that General Willoughby's charge was completely justified, but in 1949 a general in the United States Army was publicly reproved by the Pentagon for saying what has since been accepted by all as the truth. Such was the official attitude toward Miss Smedley at that time.

Mr. Davies further proposed that John K. Fairbank be the head of this unit that was to give guidance to the CIA. After the CIA officers heard his proposal, Mr. Davies assured them that two of these people, at least, John K. Fairbank and his wife, were not Communists but were only very politically sophisticated people. Other contemporaneous memoranda, moreover, revealed to the subcommittee that Mr. Davies likened all of these people to a certain sophisticated political officer then with the CIA who was in fact vigorously anti-Communist. He did this by way of assuring the CIA officers of the merit of his proposal. This whole proposition thus belied the relationship of double agents.

When Admiral Hillenkoetter, then head of the CIA, heard about the project, he got in touch with the FBI to check the security standing of the personnel involved. After he had talked with J. Edgar Hoover, he summarily rejected the project. Shortly thereafter, Admiral Hillenkoetter left the CIA. Subsequently at least four other officers in the CIA who opposed the Davies recommendation were eased out of that organization, no one of whom has been defended by anyone so far as I can learn.

When the Internal Security Subcommittee, under Senator McCarran, looked into these facts, the Senators were shocked by what they learned. The Senators on the subcommittee were clearly convinced that what Mr. Davies was recommending was not a double-agent operation, for the facts did not allow

such a conclusion. When Davies himself was questioned about the episode, his testimony was found to be so unsatisfactory that the 7 senators on the subcommittee unanimously concluded that he told at least 7 untruths, and referred the record of the case to the Department of Justice with a recommendation that it be laid before a grand jury.

In dismissing Mr. Davies, Secretary Dulles stated:

"I have reached my determination as the law requires on the basis of my own independent examination of the record. One of the facts of that record is the unanimous conclusion of the members of the security board that the personal demeanor of Mr. Davies as a witness before them when he testified in his own behalf and was subject to examination did not impose confidence in his reliability and that he was frequently less than forthright in his response to questions. Conclusions thus arrived at by an impartial security hearing board are, I believe, entitled to much weight, particularly when those conclusions are consistent with the written record which I have examined."

When Gen. Bedell Smith testified under oath before the Internal Security Subcommittee, he stated that he regarded Mr. Davies as a security risk but acknowledged that he had defended Mr. Davies' loyalty—a distinction made by the head of the CIA that some Senators had difficulty reconciling with the high standard that should be set under such circumstances. General Smith explained his position by saying he did not consider any person to be disloyal unless he was provably guilty of treason.

These facts and others all belie the present criticism of Mr. Davies' dismissal, which seems to be growing daily. If the investigative processes of the Senate are allowed to function, I should like to see the whole case openly reviewed by the Internal Security Subcommittee; perhaps then we would more clearly understand what forces are trying to stifle investigation of security risks and the elimination of such risks from our Government.

RECESS TO 11 A. M. TOMORROW

Mr. KNOWLAND. Mr. President, I now move that the Senate stand in recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 7 o'clock and 2 minutes p. m.) the Senate took a recess until tomorrow, Thursday, November 18, 1954, at 11 o'clock a. m.

EXTENSIONS OF REMARKS

International Scientific Cooperation

EXTENSION OF REMARKS
OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Wednesday, November 17, 1954

Mr. WILEY. Mr. President, science has shattered the barriers of space and time in this atomic age. Here in this country, the overwhelming proportion of our scientific effort is devoted to creating a better, more prosperous, more fruitful life for our people and the peoples of the world. Some of our scientific effort is necessarily devoted to the needs of our own national defense. But much effort is also expended, in cooperation with the scientists of other nations, in exploring the phenomena of this planet—the physical aspects of the sky, of the waters, and of the ground.

I send to the desk a summary statement describing United States cooperation with the forces of international science. It points out, incidentally, that—

Each of the fields in the * * * international program (for example, meteorology, oceanography, ionospheric, physics and cosmic rays) is characterized by its global nature—

I emphasize "its global nature"—

and its relation to solar energy and disturbances.

I point out incidentally that our forthcoming expedition to the Antarctic is a part of our program of national scientific exploration, as well as of international cooperation.

I ask unanimous consent that this scientific summary be printed in the Appendix of the CONGRESSIONAL RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY ON INTERNATIONAL SCIENTIFIC COOPERATION

The international geophysical year designates a major research effort to be conducted cooperatively by many nations: 29 are now participants and others are expected to join.

This program encompasses a many-faceted investigation of our planet: the surface and core of the earth, the oceans and their depths, the atmosphere.

These features of our environment, particularly the atmosphere and the oceans, affect the daily lives of all individuals, the transactions of commerce and industry, the safe conduct of land, sea, and air travel and transportation, and the range and reliability of all radio communication and navigation systems. This environment controls, in these and many other ways, both the civilian and defense welfare of the Nation.

Our knowledge of most of these fields is presently inadequate. In large measure this stems from the worldwide nature of geophysical events.

Storms forming off the east coast of Asia may cause a cold wave to surge over the United States a week later, which may in turn create a new storm in the mid-Atlantic and subsequent floods and snow avalanches in Europe. Solar flares create magnetic disturbances and may cause failure of all radio communications over an appreciable region of the earth. Each of the fields in the proposed international program (for example, meteorology, oceanography, ionospheric physics, and cosmic rays) is characterized by its global nature and its relation to solar energy and disturbances. To advance in these fields accordingly requires measurements and observations all over the world. These measurements, for maximum results with minimum effort, must be made simultaneously by all nations so that the worldwide pattern in each field can be established and so that the relationships between fields can be determined. These technical considerations led to the proposal of the International Geophysical Year, and the period of time chosen for this intensive research program, 1957–58, was chosen largely because it coincides with a period of maximum sun-spot activity.

The program of the United States was formulated by the United States National Committee for the International Geophysical Year. This committee was established by the National Academy of Sciences—National Research Council as the adhereing body of the United States to the International Council of Scientific Unions. The committee was assisted in its plans by leading scientists of the Nation in private laboratories, universities, and such Federal agencies as the Departments of Defense and Commerce. The United States program is a national program, based on our Nation's needs. It encompasses work under eight major categories: astro-geophysical measurements, meteorology, oceanography, and glaciology, ionospheric physics, aurora and airglow, geomagnetism, cosmic rays, and rocket exploration of the upper atmosphere. The researches will be conducted in four major geographical regions of importance to our national interests: (1) Arctic and sub-Arctic; (2) middle latitudes of the Northern and Southern Hemispheres (including the United States, Central America, South America, and adjacent parts of the Atlantic and Pacific Oceans); (3) the equatorial Pacific (largely the Micronesia group of island possessions and trust territories of the United States); and (4) the Antarctic and sub-Antarctic.

This program of basic research in the earth sciences will add appreciably to our knowledge and understanding of the several fields. It will also, because geophysical data have immediate value in such fields as weather and radio-frequency forecasting, provide technical information of immediate practical value. The interest of the Nation in both these areas has been carefully considered by many scientists, by the United States national committee, and by the National Academy of Sciences. It has been reviewed and approved by the National Science Board.

The interests of the Government in the program are exceedingly great. The several agencies having responsibilities in various areas involving or depending upon geophysical phenomena are acquainted with the program. Members of several of their staffs have assisted in the formulation of the program. The Bureau of the Budget requested reviews by the Departments of State, Defense and Commerce, the Office of Defense Mobilization, and the Atomic Energy Commission. The National Science Foundation and the National Academy of Sciences have also consulted these agencies. Their letters of endorsement have been received.

The budget for the scientific program to be undertaken by the various nations is estimated to total approximately $100 million. Each nation provides for its own funds; no pooling of funds or subsidies are involved. The United States scientific program calls for total expenditures of $13 million. Of this, $2.5 million are required during fiscal year 1955 for the procurement of scientific equipment and instrumentation—e. g., upper atmosphere rockets and automatic ionospheric recorders—having a 2-year lead time; the remaining funds will be needed in fiscal year 1956. The program will largely be conducted by grants to private research institutions and universities; existing Federal facilities, where unique experience exists, will be utilized for the economic procurement of major items of specialized equipment.

SENATE

THURSDAY, NOVEMBER 18, 1954

(Legislative day of Wednesday, November 10, 1954)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou great Father of us all, we thank Thee for the glorious revelation that the heart of the eternal is most wondrously kind and that we can come as little children, trustful and happy, to the God of love. All the tender beauty of our human love and the care for others which reaches out to their want and woe is the reflected radiance of Thy loving kindness, even as moonlight but testifies to the blazing sun, which fashions it and throws its silvery mantle over the earth. Since Thou art our Father, may we not attempt to hide our sins from Thee, but to overcome them by the stern comfort of Thy healing presence. Knowing that we live in a universe where, while all is love, all is also law, reveal to us the larger goodness that speaks through the unbending order of the world.

And now, as we face the pressing concerns of this day, may no passing irritations rob us of our joy in one another. Forgive us for our keenness in seeing human failings and our slowness in being aware of the virtues of those who toil by our side. May there be no sharp words that wound and scar. And may no rift of opinion widen into estrangement. May there be nothing in this day's work of which we shall be ashamed when the sun has set, nor in the eventide of our own brief day when our task is done and we have finished the work Thou gavest us to do. We ask it all in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of Wednesday, November 17, 1954, was dispensed with.

SENATOR FROM DELAWARE

Mr. WILLIAMS. Mr. President, I present the certificate of election of my colleague, the junior Senator from Delaware [Mr. FREAR], to be a Senator from that State for a term of 6 years beginning on the 3d day of January 1955.

The PRESIDENT pro tempore. The certificate will be read.

The certificate of election was read, and ordered to be placed on file, as follows:

STATE OF DELAWARE,
EXECUTIVE DEPARTMENT,
Dover.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954, J. ALLEN FREAR was duly chosen by the qualified electors of the State of Delaware a Senator from said State to represent said State in the Senate of the United States for a term of 6 years, beginning on the 3d day of January 1955.

Witness: His Excellency, our Governor, J. Caleb Boggs, and our seal hereto affixed at Dover, this 12th day of November, in the year of our Lord, 1954.

J. CALEB BOGGS,
Governor.

By the Governor:
[SEAL] JOHN N. McDOWELL,
Secretary of State.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Fulbright	Mansfield
Aiken	George	Martin
Anderson	Gillette	McClellan
Barrett	Goldwater	Monroney
Beall	Green	Morse
Bennett	Hayden	Mundt
Bridges	Hendrickson	Murray
Brown	Hennings	Neely
Bush	Hickenlooper	Pastore
Butler	Hill	Payne
Byrd	Holland	Potter
Capehart	Hruska	Purtell
Carlson	Humphrey	Robertson
Case	Ives	Russell
Chavez	Jackson	Saltonstall
Clements	Jenner	Schoeppel
Cotton	Johnson, Colo.	Smith, Maine
Crippa	Johnson, Tex.	Smith, N. J.
Daniel, S. C.	Johnston, S. C.	Sparkman
Daniel, Tex.	Kefauver	Stennis
Dirksen	Kilgore	Symington
Douglas	Knowland	Thye
Duff	Kuchel	Watkins
Dworshak	Langer	Welker
Eastland	Lehman	Wiley
Ervin	Lennon	Williams
Ferguson	Long	Young
Flanders	Magnuson	
Frear	Malone	

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER] is absent by leave of the Senate on official business.

The Senator from Kentucky [Mr. COOPER], the Senator from Oregon [Mr. CORDON], the Senator from Wisconsin [Mr. MCCARTHY], and the Senator from Colorado [Mr. MILLIKIN] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Ohio [Mr. BURKE] and the Senator from Louisiana [Mr. ELLENDER] are absent on official business.

The Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave of the Senate on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The Senator from Oklahoma [Mr. KERR] is necessarily absent.

The PRESIDING OFFICER (Mr. CARLSON in the chair). A quorum is present.

Routine business is now in order.

THE DIXON-YATES CONTRACT

Mr. MONRONEY. Mr. President, in my opinion, one of the most deplorable aspects incident to the Dixon-Yates contract has been the lowering of the standards of the Atomic Energy Commission, which heretofore has been an organization completely removed from all political ties and implications so far as the representation of the two political parties is concerned. The interjection of political lines into the Atomic Energy Commission, which is of vital importance to American industry and to the development of our country, must be greatly deplored, when we consider the damage such interjection has done to the Commission's vast and important duties.

A very splendid article was written on the subject by the first Chairman of the Atomic Energy Commission, Mr. David E. Lilienthal, and published in the St. Louis Post-Dispatch of November 15, 1954.

I ask unanimous consent that the article may be incorporated in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE POLITICALIZING OF AEC

President Truman had nothing to do with agency's power contracts or anything else, always conferred with all members of Commission, former Chairman says; these measures were essential to keep it out of politics, into which it is now plunged.

A LETTER TO THE EDITOR OF THE NEW YORK TIMES

The author of the following letter was Chairman of the Atomic Energy Commission from 1946 to 1950. He had been a member of the Board of Directors of the Tennessee Valley Authority from its inception, in 1933, to 1946, the last 5 years as chairman.

"The writer has been distressed to note that increasingly, during the past year or so, in the press, in public discussions, and in the public mind generally the Atomic Energy Commission has come to be thought of, for the first time in its history, in terms of political affiliations or obligations of its members.

"On important matters, such as the verdict in the Oppenheimer case or the current issue over the Dixon-Yates power contract, the conflicting views of the Commissioners have been reported as if the AEC were a bipartisan body, organized on political lines, or even as an arm of the administration in power.

"For example, Chairman Strauss (although he had served on the AEC for 3½ years by appointment of President Truman) is now commonly identified in the press as a Republican member or an Eisenhower appointee in contrast with Dr. Smyth, Mr. Zuckert, and Mr. Murray, who were described as the Democratic members, as the Truman holdovers, or in similar political terms.

"AN UNDELIBERATE CHANGE

"This has now come to be more than merely a matter of the terminology of public discussion and journalism.

"A fundamental transformation is in process in the very character of the body entrusted with the future of atomic science, the vast atomic industry and nuclear weapoineering.

"That the change does not appear to have been a deliberate one does not make the result any less disturbing, nor the potential consequences, in the writer's opinion, less injurious to the national interest.

"It therefore seems relevant to recall that Congress, in 1946, established the AEC as a nonpartisan, not as a bipartisan, body. It was to be nonpolitical, not bipolitical.

"The members of the first Commission were not appointed as Democrats or Republicans.

"The Democratic National Committee, Democratic Members of Congress, and President Truman, either as head of his party or as Chief Executive, had nothing whatever to do with AEC's contracts for power supply, for equipment, the location of plants, or the employment of personnel.

"All the Commissioners joined in the AEC's communications to the President; major policy discussions with the Chief Executive were almost invariably between the President and the entire Commission.

"Such practices were deemed essential to promote and preserve the integral and a political character of the Commission and of the enterprise itself.

"The establishment of a strictly nonpolitical atmosphere in the AEC goes back to the very beginning: the nomination of the first Commissioners.

"At his press conference in October 1946, in which President Truman announced the membership of the first AEC, a reporter inquired about the politics of the five men he had nominated.

"FIVE ABOVE POLITICS

"Mr. Truman announced that he hadn't asked about their politics, that he wasn't interested in knowing what party they belonged to. This was literally true.

"When President Truman asked me to become a member and Chairman of the first AEC (in September 1946) he told me he had already designated two members, in addition to myself. He asked me to suggest the names of two other men to fill out the membership. This I did.

"Mr. Truman did not ask me about the political affiliations of the men I proposed (Robert F. Bacher and William W. Waymack). Nor did I ask them any questions about their politics.

"In point of fact, on this first Commission there were three men who in private life had been active and influential Republicans: the present AEC Chairman, Adm. Lewis L. Strauss, a close associate of former President Hoover; W. W. Waymack, editor of stanch Republican newspapers, the Des Moines Register and Tribune; Sumner T. Pike, then and now active in the Republican Party of Maine.

"BY LAW, NOT BY DRIFT

"It certainly did not occur to anyone at the time the AEC came into being, in 1946, that a public body with such vast powers over the security, the science, and the industry of the whole Nation, operating largely in secret, should take into account the fact that its members had been appointed by a Democratic President nor that it should function as a bipartisan group of Democrats and Republicans.

"If the country and the Congress intend that the affairs entrusted to the AEC be administered on a political basis—i. e., be part of the Eisenhower and succeeding administrations, or conduct its affairs as a bipartisan body—the issue should be faced frankly and the law changed to give effect to this conclusion.

"We should not, however, continue to drift into so momentous a change.

"DAVID E. LILIENTHAL.

"NEW YORK."

McCARTHY'S RECORD

Mr. JENNER. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "McCARTHY's Record," written by Willard Edwards, which was published in Human Events, of Washington, D. C., on November 10, 1954.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

McCARTHY'S RECORD

(By Willard Edwards)

During the next 4 or more weeks, the faults and virtues of Senator McCARTHY, Republican, of Wisconsin, will be violently debated. Then a vote will be taken on whether he should be officially reprimanded for rough and contemptuous language and conduct in his role as chairman of the Senate Permanent Investigations Subcommittee. Five "lame-duck" Senators, repudiated by the voters at the polls, will participate in that vote. Two others, who are ending their terms by resignation, will cast their last votes as Senators. Five of the seven are opponents of McCARTHY.

The record of McCARTHY's accomplishments or lack of them will be a weighty factor in the debate. This article will attempt a factual review of his achievements as chief of the Senate's principal investigating unit.

McCARTHY has been labeled by his enemies as a headline hunter, insatiable for personal publicity, whose sensational probes have never exposed a Communist or spy. His defenders have claimed in his behalf that he has performed valuable services for his country, alerting public opinion to the menace of communism, laying bare the subversive infiltration of civilian and military government.

The following table compares the work of the McCarthy investigating subcommittee, in terms of witnesses and hearings, with its operations under Democratic control in 1952:

	Democratic control, 1952	Republican control	
		1953	1954
Days of hearings	26	169	30
Number of witnesses	44	541	112

The subcommittee was immobilized for 7 months of 1954 by investigations of charges against Chairman McCARTHY and his staff.

Has McCARTHY failed to uncover a single Communist or subversive as charged by his opponents?

The answer is provided from official reports of action taken by Government departments and defense industries after the McCARTHY subcommittee's investigations have disclosed evidence indicating employees are potential sources of information to the enemy.

The official decisions reveal the following:

Army, Government and defense-industry employees discharged, or suspended as security risks, or who resigned, after McCARTHY investigative hearings, 65.

Army employees suspended but restored to duty after clearance of charges involving loyalty and security, 15.

Net total, 50.

The record supplies another figure.

Witnesses not now in Government employ or defense plants (and therefore not subject to discharge or suspension) who invoked the 5th amendment, pleading possible self-incrimination, when asked about Communist activities or espionage, 64.

By legal standards, demanding proof of guilt beyond a reasonable doubt, none of the 114 individuals listed in these 2 tables can be branded a Communist, traitor, or spy. The verdict of public opinion will classify them as subversives whose activities are a menace to national security and whose exposure has resulted in protection to that security.

The above figures cover the 1953–1954 period when McCARTHY was Chairman of the Senate investigating group. He was active for only 14 months, having been immobilized since March 1954, by two investigations of his activities, the latter resulting in recommendations for censure on the grounds of senatorial misconduct.

From 1950 to 1952, McCARTHY was a one-man investigator. He produced a list of 81 security risks in the State Department, naming among others Owen Lattimore, Philip C. Jessup, John Carter Vincent, Haldore Hanson, John Stewart Service, Oliver E. Clubb, and Edward G. Posniak. All of the 81 persons on McCARTHY's list have since left the Government's employ by dismissal or resignation. The last State Department employee, John P. Davies, Jr., was fired by State Secretary Dulles Friday. The cleaning out of a nest of homosexuals in the State Department was mainly due to the investigative efforts of McCARTHY in this earlier period.

But Senate debate properly will be concentrated on McCARTHY's operations as an investigating subcommittee chairman since January 1953. This record reveals McCARTHY as one of the most active chairmen in Senate history. In 1953, he held 169 executive and open hearings and questioned 541 witnesses. This compared with 26 days of hearings and 44 witnesses during 1952 when the subcommittee was under Democratic control.

CONSTRUCTIVE RESULTS

Several McCARTHY investigations, which attracted little publicity because they did not involve communism angles, exposed waste and inefficiency in Government and resulted in savings of millions of dollars to the taxpayers. McCARTHY investigated inefficiency and waste in the Voice of America as well as subversion in that propaganda arm of the United States.

He probed communism in defense plants, resulting in the suspension or discharge of 22 employees. Investigators have accumulated evidence involving an additional 155 workers but the stop order on the McCarthy subcommittee, sponsored by the Democratic minority, has prevented questioning of these individuals under oath.

The least publicized phase of McCARTHY's accomplishments may constitute his most lasting achievement. It is unquestioned that his investigations have forced changes in military policy which have tightened up security, made Communist infiltration of the Army more difficult, and put additional obstacles in the path of potential spies and traitors.

President Eisenhower, Defense Secretary Wilson, and Army Secretary Stevens admitted as much. Last March 3, the President confessed that the Army had made "serious errors" in handling the case of Maj. Irving Peress, who was promoted, given special immunity from duty outside the United States, and finally given an honorable discharge with the full knowledge of the Army that he had been identified as a Communist organizer and had pleaded possible self-incrimination in refusing to answer the charge.

Secretary Stevens also announced he had ordered procedures corrected to avoid another Peress case in the future. The Defense Department, as a result of McCARTHY's investigations, has adopted changes in policy governing the military personnel security program.

It has ordered that loyalty oaths be administered to servicemen before, not after, enlistment or induction. It has revised regulations and procedures to make certain that no Army officer, as in the Peress case, may be commissioned or advanced in grade, while he is under investigation as a security risk. An absolute bar has been set up to prevent favorable action, including promotion, being

taken in the case of an officer who refuses to disclose his past record in connection with subversive organizations.

It took four investigations by McCarthy to bring about this improvement in procedures. In addition to his exposure of the Peress case, McCarthy questioned Dr. Marvin Belsky, Pvt. David Linfield, and Sidney Rubenstein. Belsky served as a private in the Army after being denied a commission. He invoked the fifth amendment on communism when questioned. Linfield was retained in the Army after pleading the same privilege against possible self-incrimination on Communist activities.

The case of Rubenstein provoked the indignation of the McCarthy subcommittee members. He admitted he had been drawn into Communist activities as a teen-ager but had severed connections at the age of 17. Drafted 4 years later, he freely told of his youthful record and pleaded to be allowed to sign the loyalty affidavit. The Army refused him the honorable discharge which it had given to Major Peress, who refused to sign the same affidavit. Rubenstein got a general discharge—a grade lower than an honorable discharge.

These glaring inconsistencies, which would never have come to light except for the McCarthy inquiries, led to a general revamping of Army policy and procedures in regard to security and loyalty. The McCarthy investigations of defense plants led to the adoption of a new policy by several companies which speeded the departure of a large number of security risks from their establishments.

These corporations hitherto had been helpless to fire employees suspected of subversive connections, even though these workers had access to restricted areas where American defense weapons were being secretly manufactured. Military intelligence and FBI reports on the activities of such men could not legally be presented to justify their dismissals.

But hearings held by the McCarthy subcommittee resulted in the summoning of potential spies and saboteurs to answer under oath the charge that they were Communist agents. When the witness refused to deny the truth of such a charge, pleading that he might thereby involve himself in prosecution for a crime, a prima facie case was established of his subversive tendencies.

The Westinghouse Electric Corp., Buffalo, N. Y., on August 20, 1954, announced a policy of suspending employees who invoked the fifth amendment at these congressional hearings. Ten days later, local 1581, CIO International Union of Electrical Workers, at Westinghouse adopted a policy of requiring stewards to sign non-Communist affidavits after the McCarthy subcommittee had presented evidence concerning workers in the plant.

The General Electric Co., with headquarters at Schenectady, N. Y., had earlier adopted the same policy of suspending workers who invoked the fifth amendment before the McCarthy subcommittee. The International Telephone & Telegraph Corp. adopted the same policy as a result of hearings by McCarthy into subversion at the Federal Telecommunications Laboratories in New Jersey which performs secret work for the Army Signal Corps.

Among those suspended and subsequently discharged, under this policy, in the General Electric Co., at Lynn, Mass., were the following: Robert Goodwin, Nathaniel Mills, Henry C. Archdeacon, Donald H. Morrill, and Witulad Piekarski. Suspended, with action on discharge pending were Victor Bolys, Alexander Gregory, and Theodore Pappas.

Suspended at the Schenectady plant of the General Electric Co. were Sidney Friedlander, Robert P. Northrop, Arthur L. Owens, Joseph A. Gebhardt, Emanuel Fernandez, Gordon Belgrave, Dewey F. Brashear, and Louis Passikoff.

In the General Electric plant at Fitchburg, Mass., the following were suspended: Joseph O. Mattson, Waino E. Suoko, and Waino S. Nisula. Diantha Hoag was suspended at Westinghouse, Buffalo.

FORT MONMOUTH

The most important investigation conducted by McCarthy during his chairmanship was that involving potential espionage at Fort Monmouth, N. J. This is the headquarters of the secret radar laboratories of the Army Signal Corps.

This inquiry led McCarthy into conflict with Stevens and the Pentagon and precipitated hearings before a special committee headed by Senator Mundt, Republican, of South Dakota. The committee eventually found that Stevens had improperly sought to terminate the Fort Monmouth investigation. It also found that McCarthy's staff had improperly sought favors for Pvt. G. David Schine, a former McCarthy staff consultant, although it exonerated the chairman of personal blame.

The Fort Monmouth inquiry has been called a hoax and fraud in the anti-McCarthy press and statements made that the investigation never disclosed a spy or a Communist in the Army post. A review of the evidence gathered during many months of the probing will be presented here.

Fort Monmouth is one of the Nation's most vital security centers. It houses three research centers, dealing with electronic warfare countermeasures, radar, nucleonics, thermionics, and related subjects. In these laboratories are developed the defense devices designed to anticipate the effect of an enemy atomic attack upon the United States.

From the viewpoint of the average American citizen, security at this Army Signal Corps installation is more vital than security at the Los Alamos atomic testing grounds. In the latter weapons are developed to attack the enemy. In the former are developed those instruments of defense calculated to protect us from the enemy's weapons.

A high security officer told the subcommittee that if just one Communist, willing to sell out the United States to Russia, was employed at Fort Monmouth, the Soviet Union had access to every electronic countermeasure emanating from American genius.

Fort Monmouth was an early target of Russian espionage. For 14 years, the Army has been seeking to check leaks of information from this center to enemy agents. A total of 500 persons has been investigated in the post since 1940. Many months before the United States was brought into World War II, Military Intelligence was disturbed by reports from overseas which indicated Russia was obtaining data on American experiments with electronic devices.

In 1940, a technician named Julius Rosenberg became a Signal Corps employee. He kept his job 5 years. Not until years later was he to achieve world notoriety as the first American spy ever to receive a peacetime death sentence and die in the electric chair with his wife. He was a Signal Corps inspector and had access to Fort Monmouth and its affiliated installations.

A description of Rosenberg's activities in and about Fort Monmouth was given to the subcommittee in sworn testimony by David Greenglass, now serving a 15-year sentence in the Federal penitentiary at Lewisburg, Pa., for conspiracy to commit espionage. Greenglass was a member of the Rosenberg atomic spy ring who confessed his guilt. His testimony aided in the conviction of the Rosenbergs. He was a brother of Ethel Rosenberg.

Greenglass testified that Rosenberg told him he stole the proximity fuse, a device attached to bombs, shells, and war-rocket heads which detonates explosives without coming into actual contact with the target. This theft took place at the Emerson Radio Co., one of the plants affiliated with the Signal Corps headquarters at Fort Monmouth. Greenglass testified that Rosenberg handed the proximity fuse, then a guarded American secret, to a Russian agent.

Rosenberg, according to Greenglass, also stole top-secret documents dealing with electronics data and as late as 1947 obtained data concerning an electronic computer from an agent in the Signal Corps. This device is essential to the manipulation of interceptor guided missiles which knock out an enemy's guided missiles detected by radar and its course predicted by the computer.

When Rosenberg left the Signal Corps in 1945, Greenglass testified, he retained his Signal Corps contacts. Greenglass and Rosenberg formed an engineering company as a "cover" and Rosenberg made trips to Signal Corps installations which he told his partner were for espionage purposes. Greenglass named members of the Rosenberg spy ring who remained with the Signal Corps after the master spy left. Among them were Joel Barr, who fled the country in 1950, and Mrs. Vivian Glassman. Joseph Levitsky, another Signal Corps employee, secured a transfer to the Federal Telecommunications Laboratory, Nutley, N. J., with Rosenberg as a reference. The laboratory is engaged solely in electronics work for the Government, operates under the same secret conditions that prevail at Fort Monmouth and is, in effect, a branch of the supersecret radar laboratories. Mrs. Glassman and Levitsky were questioned by the subcommittee. Both refused to testify when asked whether they were spies.

The picture of potential espionage was brought up to February 1953, with the questioning of Levitsky. He had resigned in that month and when he was asked whether he had sought to enlist spies at Fort Monmouth since that date, he refused to answer, asserting an answer might involve him in prosecution for a crime.

Four witnesses then identified Harry Hyman, an FTL worker, as a man who attempted to recruit them as Communists in the plant. He was asked whether he had been, and still was, a Soviet spy. His only anwer was a snarl that Senator McCarthy was a "Fascist." Additional evidence revealed that Hyman had been in constant touch with employees at Fort Monmouth, the Navy air rocket test station, the Air Force transportation control depot, and the secret Army testing ground at Aberdeen, Md.

FIFTH-AMENDMENT WITNESS

McCarthy then brought the evidence of potential espionage to the very date (November 1953) of the hearing. He questioned Mrs. Ruth Weiner Levine, a divorcee, American born. Until the day she received a subpena to testify, Mrs. Levine had been a trusted employee for 10 years of the Federal Telecommunications Laboratories, with duties so confidential that security warrant officers barred their description. She had top-secret clearance, a privilege reserved to a small and exclusive group of employees which gave her access to information in the highest category of secrecy in electronics for the Army Signal Corps and other Government agencies.

Material rated as top secret by the military is defined as information which, if improperly disclosed, could lead to war against the United States by a foreign government; defeat planned operations of war by the United States; or cause a loss of scientific or technical advantage of such importance as to affect materially the outcome of a war of major importance.

Mrs. Levine was asked whether she was a Communist Party member and engaged in a conspiracy to commit espionage. She refused to answer, asserting the privilege against self-incrimination.

This woman had been subjected to rigid screening in 1950 by Military Intelligence but nothing was found to connect her with

subversive activities. Only the power of the congressional subpena, which required her to testify under oath, had found her out. Before she appeared before the McCarthy subcommittee, she resigned. Except for the McCarthy investigation, she presumably would today be working in one of the Nation's most secret electronics laboratories, with free access to the Nation's radar secrets.

Additional witnesses who had worked with the Army Signal Corps at Fort Monmouth or its affiliated laboratores refused to testify when asked about Communist activities. They included Sidney Glassman, Ezekiel Heyman, Eleanor Hutner, Leo Kantrowicz, Louis Kaplan, Frank M. McGree, Ernest Pataki, and Joseph Percoff.

Under legal standards, none of these witnesses could be convicted as a Communist conspirator. The crime of espionage is not only one of the most difficult to detect but one almost impossible to prosecute in court. The Rosenbergs were not sentenced to death for espionage, but for conspiracy to commit it and the testimony of a fellow conspirator was essential to obtain a guilty verdict.

Critics of the Fort Monmouth investigation have assailed MCCARTHY for not uncovering legally provable espionage. MCCARTHY has replied that he will let the American public decide whether the refusal of an employee to deny spying should justify a verdict of not guilty.

In addition to the presence of potential spies, the investigation disclosed the wholesale disappearance of secret documents. A security investigation at the Army post in 1952 revealed hundreds of missing plans, unaccounted for to this day.

The Pentagon-McCarthy hearings revealed that the FBI, from 1949 onward, had been warning of security risks at Fort Monmouth. Not until the McCarthy investigation started in 1953 did the Army suddenly take interest in reports of subversion. From August 19, 1953 to October 27, 1954, the Army has suspended a number of security risks at Fort Monmouth, ranging in rank from technicians to top rank scientists.

Fifteen have been cleared and restored to duty with full security privileges. Each time such action was taken, the Pentagon issued a press release, identifying the individual, and the anti-McCarthy press gave full publicity to the fact that another "MCCARTHY victim" had been exonerated.

No publicity was ever given to the fact that six of those suspended were discharged as loyalty-security risks after full and exhaustive hearings before regional loyalty boards and the top screening board of the Pentagon. These men, unidentified were quietly dropped from the Army Signal Corps rolls. In addition, three of those suspended resigned rather than face investigation. This made nine workers, who presumably would still be laboring in the radar laboratories, if the McCarthy investigators had not initiated their investigation. Another 13 of those suspended have been put back to work but removed from areas where they would have access to secret material. Their cases still are under investigation.

During the Pentagon-McCarthy hearings, Secretary Stevens and other military witnesses admitted that if MCCARTHY exposed one potential spy at Fort Monmouth, he would have performed a public service.

The Fort Monmouth clean-up (August 19, 1953 to October 27, 1954).

Discharged as security risks	6
Resigned under investigation	3
Suspended and still under investigation	6
Suspended but cleared and restored to duty	15
Suspended but restored to duty in non-secret areas pending further investigation	13

All discharges and suspensions were ordered by the Army after the McCarthy investigation started.

EXPOSURE OF WASTE

Other accomplishments of MCCARTHY may be summarized as follows:

Voice of America

Evidence revealed waste and mismanagement of such magnitude as to suggest deliberate sabotage or hopeless incompetence. The chief engineer of the Voice of America, George Herrick, was discharged after the hearings established that two huge radio transmitter towers, designed to broadcast United States propaganda to the far corners of the earth, were located in areas obviously unsuitable for such projects. Both projects were canceled as a result of the investigation and an estimated saving of $18 million effected for the taxpayers.

An inquiry into Communist influence in the United States Information Service libraries overseas revealed more than 30,000 books either written by known Communists or Communist sympathizers or containing obvious pro-Soviet or Communist propaganda. State Secretary Dulles subsequently ordered the removal of books by Communist authors as conflicting with the purpose of libraries to "promote better understanding of America abroad" and "to combat and expose Soviet communistic propaganda."

State Department files

An investigation revealed that State Department files, dealing with Foreign Service personnel, under the system set up under the Truman administration, had been stripped of derogatory information concerning employees. They were so scattered through the Department that it was impossible to locate a complete file on any one employee or former employee.

When an employee was up for promotion, the promotion panel was unaware of information indicating he was a security risk. Employees testified that certain information was burned or otherwise destroyed in defiance of security regulations. Investigations of the FBI were hampered by these practices. The investigation resulted in a new system of file security with the State Department's administrator of security acknowledging that the McCarthy hearings had been very helpful in bringing about corrective steps.

The subcommittee's investigation revealed that more than $2 billion worth of goods passed between Communist China and our western allies since June 1952. This trade had increased after Chinese Communist troops entered the Korean war. Chairman MCCARTHY secured an agreement with Greek owners of 327 vessels, totaling more than 3.5 million tons of ocean shipping, to remove voluntarily their vessels from actual or potential trade with China. President Eisenhower and Dulles characterized this deal as in the public interest.

Government Printing Office

The subcommittee inquiry resulted in findings that security risks, including persons with impressive records of Communist activity, were employed in the Government Printing Office which handles 250,000 pieces of secret and classified printing matter annually. The Army, Navy, Air Force, and State Department use the GPO for reproduction of restricted and confidential material. Although precautions were taken to maintain security by printing this matter piecemeal in separate areas of the printing plant, testimony revealed that a whole document became available to potential spies in the assembling section.

Edward Rothschild, employed in this assembly room, admitted he had access to this highly classified material up to the moment he was called before the subcommittee. Asked whether he was currently a spy and a member of the Communist conspiracy, he refused to answer, pleading possible self-incrimination under the fifth amendment.

The investigation developed that the FBI had forwarded reports on Rothschild, collected from more than 40 informants, but a loyalty board had ignored him. Members of the board based their attitude on a Truman administration rule holding that mere membership in the Communist Party was not a bar to employment. The exposure of Rothschild, who had retained his job 14 years despite the numerous FBI reports on him, was followed by his removal from his post in the assembly room.

The McCarthy investigation resulted in a complete revamping of the security system in the GPO. The loyalty board panel was removed and replaced by new personnel. Security regulations were overhauled and strengthened. Fifteen employees were removed from sensitive posts because of charges of Communist activity. Seventeen employees were suspended and the cases of 45 others were referred to the FBI for investigation.

OTHER ACCOMPLISHMENTS

The subcommittee's investigation exposed the operations of Government officials in 1944 in securing the delivery to the Soviet Union of currency plates, ink, paper, and other paraphernalia for the printing of occupation currency. This unprecedented action was taken over the objection of the Bureau of Engraving and Printing.

The transfer of these plates, together with the failure to establish any system of accountability, resulted in a financial drain upon public funds to the estimated amount of $255 million. The United States was forced to redeem hundreds of millions of dollars of occupation currency, in excess of the amount printed by this Government for use in Germany, but was never able to establish how much of this currency was printed by the Soviet Union with our plates.

Testimony revealed that the Soviet spy ring in Washington headed by Nathan G. Silvermaster, engineered this deal with the assistance of Harry Dexter White, then assistant to Treasury Secretary Morgenthau. Other Treasury officials, including Harold Glasser, William L. Ullmann, and Frank Coe, aided in the operation. Silvermaster, Glasser, Ullmann, and Coe invoked the fifth amendment on grounds of self-incrimination when questioned by the subcommittee concerning their participation in this Communist plot.

The subcommittee was the first investigative agency to expose the murder, torture, starvation, and inhuman treatment given captured American personnel by North Korean and Chinese Communist troops during the Korean war. Twenty-nine witnesses, including 23 survivors or eyewitnesses of Communist atrocities, added their evidence to affidavits, statements, photographs, and official war records. A definite record was established of crimes against the Geneva Convention. Approximately two-thirds of American servicemen, taken prisoner, died from acts of barbarism, the subcommittee found. The massacre of large groups was revealed.

The subcommittee conducted an almost unnoticed investigation of inefficiency and waste in the administration of the Department of Health, Education, and Welfare, which annually distributes more than $1.2 billion in aid to the blind, aged, permanently disabled, and dependent children.

The inquiry revealed that an estimated $50 million annually were being lost to the Government because of failure to audit the eligibility of aid recipients. Social workers were found to be making practically no check on the legitimacy of claims and thousands of illegal claimants were collecting sums at the expense of the taxpayer. The subcommittee recommended the hiring of about 50 qualified accountants to review claims which would make possible savings of millions of dollars and bring about better administration of the Federal assistance program.

WILLIAM BRADLEY UMSTEAD

Mr. LENNON. Mr. President, God in his infinite wisdom has called a truly great American to his reward.

I refer to the late Gov. William Bradley Umstead, of North Carolina, a former Member of the United States Senate and the House of Representatives.

Many present here today knew him. North Carolina loved him. My distinguished colleague and I were both named to this body by Governor Umstead. We shall miss him until the last hour that we live.

William Bradley Umstead was not an ordinary man. He practiced the firm belief that public service is a duty. He was a tireless worker for all things right; he was a soldier, patriot, lawyer, statesman. He possessed the highest character and ability.

Governor Umstead was born on a tobacco farm in Durham County. He grew in the certain knowledge that the soil offered the fundamentals for the making of character, integrity, and freedom. Last week the farm boy was laid to rest beside his parents in a small country churchyard in his native community.

Stricken with a heart attack shortly after his inauguration as Governor of North Carolina in January of 1952, William B. Umstead was forced to retire to a hospital bed for a time. Many felt that was the end. They did not know Bill Umstead. In short order, his fighting spirit overcame for the time his serious affliction and he returned to his office to carry on the fight for a bigger and better North Carolina. Under the constant threat of death, he labored as few men have done to carry out his program.

But his condition became weakened and it was necessary for him to take a rest early this fall.

On Sunday morning, November 7, William Bradley Umstead quietly met his Maker, leaving a sorrowing North Carolina to mourn his passing along with his lovely widow and beautiful daughter. He had given his all, as a distinguished Christian gentleman and statesman, for those who gave him North Carolina's highest trust.

Mr. President, I ask unanimous consent that an editorial from the Greensboro Daily News of November 8, 1954, on the life of William Bradley Umstead be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WILLIAM B. UMSTEAD

With the death of Gov. William Bradley Umstead, the State of North Carolina loses a man of the finest character and ability. He was an excellent lawyer, a politician in the best sense of the word, a patriot, an indefatigable worker and a statesman. But all his accomplishments were solidly based on that strength of character out of which came his goodness, justice and wisdom.

He was a man whom conservatives looked on as a liberal and whom liberals looked on as a conservative; in truth those who knew him at all knew that he would invariably give careful consideration to any problem and then do exactly what he believed was right.

He was unusually reticent, and even shy for a man of his experience in public life, but those who knew him intimately found in him a warmth of friendship and a keenness of humor that always lay beneath the surface. His family and most of his friends called him "William"; a few intimates called him "Bill."

Former Gov. Gregg Cherry, one of those who knew him best, wrote of him in State magazine shortly after his election:

"In my mind the things that characterize William Umstead are the following descriptive words: Honest, sincere, capable, earnest, conscientious, modest, hard working, fair, clean, serious, energetic—and above all other things a man of impeccable character.

"To merit such adjectives a man would have to be a man among men. Our next Governor is just that. Throughout the recent campaign he demonstrated to his closest advisers that he was a great deal more interested in fighting fair than in winning. Suggestions from some quarters that he 'rough it up' were met with the firm answer that he had rather not be Governor of North Carolina than to gain votes in any manner that might be described as ungentlemanly."

Born on his father's farm in Durham County in 1895, William Umstead went to the University of North Carolina, where he became an outstanding debater, speaker, and student leader. His career has no blemish on it. On graduating he taught school in Kinston for a year, and then entered the United States Army in 1917 from an officers' training camp, serving as first lieutenant in a machinegun company on the western front. Returning home after the war he studied law at Duke University, and then entered on a political career which took him from the post of solicitor in superior court to that of Representative in Congress, where he earned an enviable reputation for ability and fairness. Resigning, he practiced law in Durham for 5 years and then reentered politics, on his appointment by Governor Cherry to the United States Senate to succeed the late Senator J. William Bailey. Running for reelection he sustained his first and only defeat for public office, at the hands of former Gov. J. Melville Broughton. In 1952 he was elected Governor of North Carolina and served with great ability, courage, discretion, and devotion to his high office beyond the call of duty until his untimely death. His conscientiousness and high conception of patriotism would not allow him to spare himself. He died in the service of his State to which he had given so much of his life, thought, and work.

Our sympathy goes out to his family and to those who knew him intimately. The State and people of North Carolina have suffered a heavy loss; nevertheless his example will not be lost but will elevate the life of his State for many years to come.

Mr. LENNON. The certain hand of death has hit North Carolina all too frequently in recent years to strike down good and useful men in high political office. I need not list them all, but we shall never forget such men as Senators Josiah William Bailey, J. Melville Broughton, Willis Smith, Clyde R. Hoey, and William B. Umstead. God rest their souls. God give us the courage to live noble lives and follow the high standards of Christian and political conduct of men such as these. Let us all remember that public service is a duty and follow William Bradley Umstead's dedication to the high calling it offers.

RESOLUTION OF CENSURE

The PRESIDING OFFICER (Mr. CARLSON in the chair). The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the resolution (S. J. Res. 301) to censure the junior Senator from Wisconsin.

Mr. JOHNSON of Colorado. Mr. President, as one of the members of the select committee, I had intended to make a statement today with respect to the pending matter.

However, I have been informed by my good friend the able Senator from New Hampshire [Mr. BRIDGES] that the junior Senator from Wisconsin [Mr. MCCARTHY] is quite ill. Therefore, I do not believe that a speech or statement contrary to his interests would be proper in the circumstances. If possible, I would want him to be present.

However, I ask permission now, if permission is necessary, to submit an amendment, on behalf of myself, the Senator from Virginia [Mr. BYRD], and the Senator from Texas [Mr. DANIEL], to Senate Resolution 301. I shall send it forward after I have read it to the Senate.

The amendment reads as follows:

At the end of the resolution, add the following new section:

"SEC. —. It is the sense of the Senate that the Communist Party of the United States is not a domestic political party in the usual tradition, but is a part of the international Communist conspiracy, a deadly menace to the United States, and the enemy of all democratic forms of government. Accordingly the Senate's appropriate committees should continue diligently and vigorously to investigate, expose, and combat this conspiracy and all subversive elements and persons connected therewith."

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. JOHNSON of Texas. As I understand, the Senator from Colorado wishes to submit the amendment and ask that it be printed and lie on the table.

Mr. JOHNSON of Colorado. That is correct. I wish to send it forward at this time and ask that it be printed and lie on the table.

Mr. JOHNSON of Texas. No consent is necessary to do that.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. WATKINS. Mr. President, on November 13, 1954, I received a telegram, which reads as follows:

MILWAUKEE, WIS., *November 13, 1954.*

Senator ARTHUR WATKINS,
Senate Office Building:

This is to confirm our request that you appear Monday at 9 o'clock a. m., in room 357 to give evidence in the case of Major Peress.

JOE MCCARTHY,
Chairman, Subcommittee on Investigations.

Mr. President, on November 15, 1954, at the hour of 9 a. m., I appeared in room 357, and later, at 10 o'clock, a hearing was held before the Subcommittee on Investigations.

Various excerpts from statements made at the hearing have been published in the press, many of them lifted out of context. So that the public may know exactly what happened, I ask unanimous consent that the entire transcript be printed in the body of the RECORD at this point in my remarks.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
SENATE PERMANENT SUBCOMMITTEE
ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C., November 15, 1954.

The subcommittee met, pursuant to notice, 10 a. m., in room 357, Senate Office Building, Senator JOSEPH R. MCCARTHY, chairman, presiding.

Present: Senator JOSEPH R. MCCARTHY, Republican, Wisconsin; Senator EVERETT MCKINLEY DIRKSEN, Republican, Illinois; Senator JOHN L. MCCLELLAN, Democrat, Arkansas; Senator HENRY M. JACKSON, Democrat, Washington; Senator STUART SYMINGTON, Democrat, Missouri.

Present also: James Juliana, acting director; Bob Kennedy, chief counsel to the minority; Ruth Young Watt, chief clerk.

The CHAIRMAN. The committee will come to order.

May I say we have a rule that the flash photographers will not take pictures during the hearings. So if you men will desist taking pictures of the witness and the members of the committee during the hearing, it will be appreciated.

Senator WATKINS, you are called here this morning not to in any way answer for your activities as chairman of the Watkins committee. To ask you to answer about your activities on that committee would be, in my opinion, improper and beyond the jurisdiction of this committee.

However, in your report, you indicate that you have information in regard to a fifth-amendment Communist, Major Peress. I have been trying to find out for months who was responsible for the special treatment that this man got by those who knew that he was a fifth-amendment Communist.

If I may recite the facts of the case for the record briefly, Peress was identified as a Communist by an undercover agent—will you desist in taking flash pictures of the witness—Peress was identified under oath by a member of the New York Police Department as a Communist. He was identified as having attended a Communist leadership school.

We had before us, and you had before you, the affidavit which he signed first saying he was not a Communist when he joined the military, which would make him, of course, subject to court martial, up to 5 years, and then later the statement which he signed refusing to answer whether he was a Communist or not.

The reason you are here, Senator, as I say, has nothing whatsoever to do with your activities as chairman of the Watkins committee. But in view of the fact that you have indicated that you have information about who promoted him, I felt that I would be derelict in my duty if I did not call you here to give you an opportunity to tell us what information you have. I will be very much surprised if you have that information, but we will get down to that shortly.

You say, for example, that Peress was in no way responsible for the Zwicker matter—strike that—that Zwicker was in no way responsible.

STATEMENT OF THE HONORABLE ARTHUR V. WATKINS, A UNITED STATES SENATOR FROM THE STATE OF UTAH

Senator WATKINS. Will you call my attention to the place in the report where that appears?

The CHAIRMAN. I will be glad to. Page 60 of the report.

If you will refer to the bottom of the page, the last paragraph, I will quote: "He" (meaning MCCARTHY) "did much to destroy the effectiveness and reputation of a witness who was not in any way responsible for the Peress situation, a situation which we do not in any way condone. The blame should have been placed on the shoulders of those culpable and not attributed publicly to one who had no share in the responsibility."

We will not get into an argument, Senator, as to whether or not I blamed Zwicker for the situation, but you say here that he was in no way responsible. You say I should have put the blame on the shoulders of those who were culpable. I find that you and I do agree that someone was culpable, that someone was at fault for keeping a Communist in the military while we are spending billions of dollars trying to fight communism.

Therefore, I will ask you, question No. 1: Do you know who was, as you say, culpable?

Senator WATKINS. No, I do not.

The CHAIRMAN. You do not?

Senator WATKINS. But I think I can help you find the information that will show who had the responsibility for the promotion of Peress and who also had the responsibility for directing his honorable discharge.

The CHAIRMAN. If you do that, you will be of great value to this committee, Senator.

We have asked Secretary Stevens for that information time after time. He has refused to give it to us. We do know who signed the order. We know the Adjutant General signs the order, but we are looking for the man, the secret master, if you could call him that, who is being protected.

If you can give us the name of the person who has been responsible, No. 1, for the promotion, knowing he was a Communist; No. 2, the change in duty orders to accomplish duty orders; and No. 3, the honorable discharge—if you can, as you say, help us get that information, then you would be of great value to this committee.

Senator WATKINS. With all the qualifications you put in, descriptions you put in, I, of course, may not be able to qualify the answer to comply strictly with that. But I can give you the source of information where you can get the names of the people who were responsible for his promotion and for his discharge, honorable discharge.

So I will proceed, if you will let me.

The CHAIRMAN. I will be delighted to.

Senator WATKINS. The statement you read from the report, of course, does not indicate that we knew who the culpable people were. We said that Zwicker was not the person. I can call your attention to the testimony in the hearing record, if you wish, to substantiate just what I am saying about that. Zwicker himself was not the responsible person.

The CHAIRMAN. Would you call my attention to that point?

Senator WATKINS. I will read it, if you don't mind. On page 505——

The CHAIRMAN. Just 1 minute until I get it—you may proceed.

Senator WATKINS. It is the first volume of the hearing record. Mr. Williams had been examining General ZWICKER.

The CHAIRMAN. Just so the record is straight. Senator WATKINS is now referring not to testimony taken before the investigating committee, but testimony taken before the Watkins committee.

Is that correct?

Senator WATKINS. That is right. Otherwise known as the select committee.

The CHAIRMAN. So when you say I knew what he was testifying to, you refer to what I knew after he appeared before your committee; is that right?

Senator WATKINS. That is right; yes.

I will read the testimony. Mr. Williams had been cross examining General Zwicker, and then he said, "I have no further questions."

"The CHAIRMAN. Mr. de Furia, do you have further questions?

"Mr. DE FURIA. Yes, sir.

"General, did you promote Peress?

"General ZWICKER. I definitely did not.

"Mr. DE FURIA. Did you discharge him with an honorable discharge?

"General ZWICKER. I did, sir.

"Mr. DE FURIA. Was that on your own initiative or under orders, sir?

"General ZWICKER. It was under orders."

Now we can go on and get some additional testimony.

The CHAIRMAN. Senator, I wonder if you would do this for me. In your report——

Senator WATKINS. May I say that was not contradicted before us.

The CHAIRMAN. I don't want to use the gavel on you.

Senator WATKINS. You don't need to. I am willing to cooperate with you a hundred percent.

The CHAIRMAN. May I ask you to do this. Obviously, if there is anything in your record which shows who was responsible for covering up for this Communist, I will want you to point that out. However, at the present time, I am referring to your report which says that, in effect, I knew that Zwicker was not responsible. So this had to be some thing antedating the testimony taken before your committee.

Could you show us any information which you have to show that Zwicker was not responsible, prior to what he said before your committee?

Senator WATKINS. I was not acquainted with the matter prior to that time. My information, of course, is based on what he said in the committee, on the uncontradicted evidence. No one contradicted him. That was his statement, and I assume it is true, and I think other information I have discovered since, which I think will answer the question that we were talking about, that is to help you find the information as to who handled the Peress matter—I can give that to you, because I have——

The CHAIRMAN. I wish you would, Senator. I wish you would have all the facts in mind. I refer you to the testimony taken before the investigating committee:

"Question. You know that somebody has kept him on knowing that he has refused to tell whether he was a Communist, do you not?

"ZWICKER. I am afraid that would come under the category of the Executive order, Mr. Chairman.

"The CHAIRMAN. What?

"ZWICKER. I am afraid an answer to that question would come under the category of the Presidential order."

So you know that prior to his appearance before our committee he did not deny that he personally as commanding officer was responsible. Do you know that?

Senator WATKINS. I am not sure about that, because all I would have is the record, and I have read so many records that I couldn't be sure as to that positive statement. But I do have some additional information in this record which indicates very clearly that he was not the person responsible.

May I read it?

The CHAIRMAN. You certainly may, but I want to get this in chronological order, if I may. You know, do you not—you knew when you signed the report, did you not—that Zwicker had refused to tell us who had ordered the promotion of Peress? Did you know that?

Senator WATKINS. I think I had the evidence. I had the full record of the hearing you held in New York City, at which General Zwicker appeared. As I recall, in that he wasn't in a position, and he so told you, to give all the information that he would probably like to have given, because of orders.

The CHAIRMAN. Do you think today—and time is running out, and we have a session starting at 11 o'clock—do you think today you can give us information which will help us to nail down the man responsible for the protection of this Communist in the military, do you?

Senator WATKINS. I can give you information as to the men who had something to do with it, and probably all to do with it. If you will let me, I will proceed.

The CHAIRMAN. Would you do that, please.

Senator WATKINS. Yes; I did want to read that other, but since you say time is running out——

The CHAIRMAN. Read whatever you care to.

Senator WATKINS. All right.

After I got your telegram in Salt Lake City, or letter, and after I got back here, as soon as I could get to it, I called on Secretary Stevens to see what information I could get, and he did furnish me some information.

I will read now a letter which I think will tell where the material is:

"DEPARTMENT OF THE ARMY,
"Washington, June 23, 1954.

"DEAR SENATOR MUNDT:"—

This was addressed, so he advised me, to Senator MUNDT, the acting chairman of the committee which is now in session here—

"I refer to the case of Maj. Irving Peress, with which I am sure you are familiar. I have recently studied the thorough investigation made by the Inspector General of the Army of all the circumstances pertaining to this advancement in grade and separation from the service.

"This investigation disclosed no evidence of any subversive conduct with respect to personnel actions involving Peress. Furthermore, there is no evidence of disloyalty, pro-Communist influence, or any other type of misconduct reflecting on the loyalty, integrity, or patriotism of the officers or civilians who processed the case.

"The investigation, however, did reveal that in several instances improper administrative handling of papers resulted in unwarranted delays in processing actions concerning Major Peress.

"On the basis of the facts now known and limitations imposed by outmoded regulations, and legislation pertaining to doctors and dentists, my original conclusion that the Peress case was not handled as it should have been has been substantiated. As will be remembered, when I returned from the Far East, February 3, 1954, and in my letter to Senator MCCARTHY dated February 16, 1954, I readily admitted that this case could have been handled better.

"The Inspector General's findings disclosed inordinate time was consumed in the processing of this case. Major commanders have been directed to take the appropriate steps against the individuals involved and at all levels of command administrative reforms consistent with existing law have been made, which I fervently hope will make it impossible for such errors to be made in the future.

"Further reference is made to the sealed envelope marked 'Confidential,' containing the names of Army personnel who in the course of their duties took some type of administrative action with respect to the disposition of Major Peress.

"As you will recall, on February 24, 1954, I agreed to submit to your subcommittee the names of these individuals as soon as they had been determined. In the course of the hearings, pages 1420 and 2253, I reiterated this promise, and by covering letter of May 13, 1954, I submitted to Mr. Jenkins in an envelope marked 'Confidential' the names of the individuals who had something to do with the Peress personnel actions. The covering letter, copy inclosed, was read into the transcript of the hearings at page 3761.

"Subsequently, on June 18, 1954, Lieutenant Murray, of my office, delivered to you an additional envelope marked 'confidential' to replace the first one. This was necessary because a name had been erroneously included in the first compilation. On this occasion you inquired about the confidential character of this list. In answer to your question, I can only reemphasize my original request—that the names of these individuals not be made public under any circumstances.

"As you know, these names were obtained after a thorough investigation by the Inspector General of the Army. I wish to emphasize that the mere fact that the individuals are named as having some administrative responsibility or knowledge of the subject should in no way be construed to indicate culpability on their part. Should these names be made public, it would unnecessarily subject them and their families to unwarranted publicity completely out of proportion to the facts.

"I, therefore, request again that you do not publicize this list. To publicize these names without a full explanation of the circumstances surrounding their participation in the case could well cast public discredit upon the individuals concerned.

"In addition, such publication would go far to diminish the future effectiveness of the Inspector General Corps because, historically, investigations of this character have been successful information-gathering devices for commanders because of a strict adherence to the maintenance of a confidential relationship between the interrogator and the person interrogated. This is another reason for my definite desire not to have their names publicized.

"Also in the transcript, on page 2266, Mr. Jenkins stated: 'And then the names, as I understand it, the chairman ruled are to be submitted to this committee or to me as its counsel, privately and without exposing these names.' On page 2268 you stated: 'The other names requested should be submitted confidentially and to counsel for our committee.' See enclosure for full quote.

"Accordingly, it is my opinion that the confidential character of the list of names should be maintained and revealed only on a need-to-know basis to those who have a confidential clearance."

The Secretary advised me as a result of my inquiry that a list of 30 names, beginning with a general, had been given to Senator MUNDT, the acting chairman of this committee. Those were the names that were to be kept confidential. As I understood it from him, they contained all the names of those who had anything to do—any of the responsibility for the promotion and the honorable discharge of Major Peress. That information, I understand, came into the hands of Senator MUNDT, was delivered by a messenger—I mean the envelope that was marked confidential containing the names—and is now in the files of this committee and has been since June 23, 1954.

Now, I was further advised by Secretary Stevens that I could have a copy of that list, he exhibited an envelope which was marked confidential and sealed, that I could have a copy of those names. But he would expect me to keep them confidential. I said if your committee, if the McCarthy committee, has those names now, it is not necessary for me to have them, because that is their job. They can immediately go into executive session and call in these various persons to determine their share of the responsibility, whatever they did about it. I said, "Would you be willing to furnish these officers to see that they get here, or this personnel?" And he said, "We would do our level best to get them there upon the demand of this Permanent Committee on Investigations," the committee over which you preside, Senator.

The CHAIRMAN. I do not want to waste my time and the time of the Senators here, unless you have some information as to who is culpable. You say in your report "Zwicker was in no way responsible." I do not know what you know about the military. You should know, you made the statement, that a man is not promoted, he is not honorably discharged, unless his commanding officer makes the recommendation. If you read the record, you know that Secretary Stevens promised to have an investigation made, that he would tell us who was, as you say, culpable—he did not use that word; he said at fault; you used the word culpable—in this case. That has never been done.

Now, if you merely intend to read from the transcript of the Mundt hearings, which you have been doing so far——

Senator WATKINS. I have been reading a copy of the letter from the Secretary to Senator MUNDT.

The CHAIRMAN. That is in the Mundt hearings, and has been in there for months.

Senator WATKINS. He told me this had not been made public before.

The CHAIRMAN. That is part of the Mundt hearings. Do you have any information today? Do you have any information today as to who was, as you say, culpable in this case?

Senator WATKINS. I have exactly what I have told you. I had no personal knowledge. I came to the conclusion, based on the uncontradicted testimony in our hearings, before the Watkins committee, that General Zwicker was not responsible. Then, in order to help this committee, because I am a member of the Internal Security Committee, which is charged with the responsibility of ferreting out these matters just as much as your committee—as a member of it I was personally very much interested in finding out, and I would like to find out.

But I do say now, in view of what has been said to me by the Secretary, as I have related it, that you do now have in your files the names of all the people who were responsible for the promotion and the discharge, the honorable discharge, of Peress. All you need to do is to call those men in in executive session, if you want to abide by the confidential request of the Secretary, and you can find out from them the part that each one had in that affair. That has been in your files since June 23.

The CHAIRMAN. I am afraid we are wasting the time of the Senate, if that is all the information you have.

Senator WATKINS. You invited me here. I did not——

The CHAIRMAN. Just a minute. Please, Senator. I will give you a gavel. General Zwicker when called said he could not tell who was responsible. We have a list of 30 names, an unusual list. It lists the people in headquarters of the First Army, the Office of the Surgeon General, all the doctors in the Surgeon General's office who might have given this man a physical examination when he was promoted, the officers in the Adjutant General's office, again when he was appointed to the grade of major all of the doctors who were in the Surgeon General's office, and on down the line. You and I know that—you and I know that nothing will be gained by calling four or eight doctors from the Surgeon General's office and finding out whether or not they examined this man. I thought when you made this statement, Senator, this very serious statement made in your report—you state that I should blame the person who is culpable—I thought maybe you had some information. Let us see if I have your testimony clear today. It is that you have nothing except what was presented to the Mundt committee, including this list of 30 people. You know now as you knew at the time you signed this report, that when we had one of the individuals before us, he said, "I can't answer because of the Presidential order." You are aware of the Presidential order when you invoked before your committee in which you said that General Lawton could not even tell about the conversation he had with General Zwicker. Is it your testimony now that that is all you have? You have nothing in addition except this conversation you had with Stevens in which he said "Here is a list of 30 names. If you want to take a look at them, if you think there is some way

that I can find out who was the secret master by looking at these names, I will give it to you."

Keep in mind the ruling that you made—hand this down to the Senator, will you?

(Document handed.)

Keep in mind the ruling you made that one Army officer would not have to testify as to conversations he had with another.

Senator WATKINS. I take it you are asking for my advice. That is what it sounded like. I would advise you——

The CHAIRMAN. Not your advice, Senator. You have signed a formal report saying that I should blame the person who is culpable. That means that you should know.

Senator WATKINS. Do you disagree with that?

The CHAIRMAN. That means you should know. I have been trying to find out. I wired you and told you that unless you had some information I did not want you to waste my time and your time. You did not answer that wire. I gather today that you have nothing except what was before the Mundt committee and that the Secretary of the Army did not give you the result of the Inspector General's report. You knew, of course, Senator, you know now, that the Secretary of the Army promised that he would have the Inspector General make an investigation and that he would try and tell us then who was a fault or, using your word, culpable. You know that he has refused to do that. I thought maybe when you were——

Senator WATKINS. Just a moment. I do not know any of those things you are saying. Those are your statements, not mine. I am not agreeing with them just because I sit here. I am not agreeing with what you are saying because I have to sit silently.

The CHAIRMAN. You do not have to sit silently. You can talk all you like. I am not going to use a gavel.

Senator WATKINS. You ask me, in effect, as I get the purport of your question, how I would go about it to get this information. I would tell you exactly how I would go about it. I would serve on the Secretary of the Army a request for each one of those officers and I would have them brought before the committee in executive session so that I could protect the families of these people in the event there was nothing against them any more than administrative work. I am advised that this contains the list of the people who had all to do with this promotion and with this discharge.

I would go right down through that list. And then I would say to you, in answer to what you said about not being able to get the information out of them because of the orders—I would do exactly what I did in the select committee case. I called on the Secretary of Defense, Mr. Wilson, and I got him to give me a letter which permitted General Lawton to testify, which permitted General Zwicker to testify on the things that he could not say before.

The CHAIRMAN. Let's keep the record straight. You did not get permission for Lawton to testify. Lawton refused to testify. So let's keep the record straight.

Senator WATKINS. Lawton came on the second time and testified when he was given the opportunity to recount and to give the statements that General Zwicker had made to him at a conversation with respect to Senator MCCARTHY and how he felt about it. When we gave him the opportunity——

The CHAIRMAN. Senator WATKINS, let's keep the record straight.

Senator WATKINS. I am testifying. If you find it is wrong—you said I could talk all I wanted. Now let me go.

The CHAIRMAN. You can talk all you like.

Senator WATKINS. Let me go, then, and I can finish my statement. With your permission, I am doing this.

The CHAIRMAN. Okay. Proceed.

Senator WATKINS. All right.

I have forgotten where I was. Will you give me the last statement?

(The record was read by the reporter.)

Senator WATKINS. When we gave him the opportunity to testify he could not recount or recall a single statement made by Zwicker. Then we stretched the rule on giving evidence of that sort and said, "Ordinarily, we would like to form our own conclusions from what was said, but you can go ahead and give your impressions." Then he did; that General Zwicker was antagonistic to you. Then when we go to Zwicker, he was permitted to say that he had been opposed to the promotion of Peress, he had been opposed to his honorable discharge, he had been against generals or any officials in the Army claiming the protection of the fifth amendment.

But he was not permitted to say to whom he objected. He had to stop there. But we got that through the letter Mr. Wilson and the counsel sent over from the War Department.

Senator, as a part of my advice from an older man, just a little older in years, I would say to you I think if you will follow on that procedure, if you will cooperate with the Secretary of the Army and the Defense Department, they will be able to help you a lot in actually pinpointing who, if anybody, is culpable; that is, any evil culpability, for the promotion of Peress and for his discharge honorably.

Now, I do not know whether this is going to be of any help to you or not. You have to decide that matter. But since you asked for it, that is the story. You have it in your files, and I think there is a reasonable procedure to follow. I recommend it strongly to your committee. And if you do not want to do it, give us the names in the Internal Security Committee and I will ask our chairman to proceed on that.

The CHAIRMAN. Then I understand that the only help you can give us is that we call additional Army witnesses and hope that they will not invoke any secrecy rule and try and get them not to invoke the secrecy rule. Beyond, that, you can give no information, is that it?

Senator WATKINS. I would like to say that the report that you called my attention to does not profess to know the name of the person culpable. It merely says whoever they are, in effect, they ought to be held responsible. It does say positively that Zwicker was not culpable. That is all I have to say, Senator.

The CHAIRMAN. Where does it say positively that Zwicker was not culpable?

Senator WATKINS. Well, I think, in what we read.

The CHAIRMAN. Where does it say that? I would like to read that into the record. You said the report that you got from the Army. I handed it to you. I am not asking about your report, Senator WATKINS.

Senator WATKINS. That is what I thought you said. I am only responsible for my own report, nobody else's.

The CHAIRMAN. In other words, you were not referring to the Army report? I handed you a report. I thought you were referring to that.

Senator WATKINS. I have the list, yes, the confidential list that you just handed me.

The CHAIRMAN. There is nothing on that?

Senator WATKINS. That is to be taken in connection with the letter which he gave you. That is to be taken in connection with what he told me. I could have had this identical list, and if the select committee had any job in connection with it, I would be only too glad to proceed and follow it. But that is within the jurisdiction of your committee and the Internal Security Committee as I see it. I cannot do anything about it. I said, "There is no use in giving that to me, Mr. Secretary, and have me hold it in a confidential capacity, even though it might satisfy some of my curiosity." But he said, "Positively that contains the list from the top down in grade, the people who were responsible for the handling of the Peress matter." That has been in your files since June 23, 1954.

The CHAIRMAN. You are aware, of course, of the fact that Zwicker said that he could have held up an honorable discharge if a man had stolen $50.

Senator WATKINS. I understand all of that, but you said you were not going into that. You were going to ask me what I knew about Peress.

The CHAIRMAN. I think you should have told me that you knew nothing about this before we wasted this time this morning. You came here this morning and read a letter which is in the Mundt testimony. You refer to a list of 30 people. The man who signed the honorable discharge—his name is not here. The commanding officer's name is not here. There are many names missing, although the letter says that all those administratively responsible. Your advice is, all you know is that we should call these men and hope they would not do—would the young man desist while I am talking to the witness?

Senator WATKINS. Is it out of line for my administrative assistant to hand me some papers?

The CHAIRMAN. Let me finish my question. The only thing you have to give us, then, is the advice that we call all of the thirty-odd officers from the Surgeon General on down and hope that they will not invoke the privilege which Zwicker invoked. We asked Zwicker, you understand, who was responsible, and he said he could not answer. The only thing you can tell us now is, when you say I should have blamed the person culpable, is that we should call those 30 people?

Senator WATKINS. I called your attention——

The CHAIRMAN. Is that roughly it?

Senator WATKINS. Not exactly it, no. I call your attention to a letter of November 3, 1954, addressed to you by Mr. Stevens, in which he expressly, as I recall, leaves out two officers here. I think McManus and General Bergin, and it already appeared—"No action was taken against Maj. Gen. William E. Bergin, the Adjutant General, Brig. Gen. Ralph Zwicker or Maj. John J. McManus, because in the opinion of the Army no acts performed by them manifested the slightest indication of Communist sympathy nor any other dereliction of duty. These officers hold the same rank," et cetera. That was in the letter to you. The letter you wrote me had a paragraph in it like this:

"This indicates that you must have some information as to who was culpable and some information to the effect that Zwicker was not." I have given the information that Zwicker was not, the sworn testimony, uncontradicted testimony of Zwicker himself.

"This is information for which our investigating committee has been searching. You are therefore invited to appear before the investigating committee to give the information upon which you base the above statement."

I have now given it. That is the best I can do and I stand on my statement.

The CHAIRMAN. In other words, you and I will agree that somebody was culpable?

Senator WATKINS. Somebody actually promoted Peress, yes. In the same letter that Mr. Stevens sent you under date of November 3, it quotes the law with respect to the promotion of these people. It seems to me, as a reasonable human being, knowing how these things operate, that that probably was largely responsible for almost the automatic advancement of this man Peress. I would like to offer that for your record.

The CHAIRMAN. Seeing you bring that up, Senator, we will call your attention to the

fact that a Dr. Belsky was before the committee also. He had the qualifications, apparently as great as Peress. He was not given a commission; he was not promoted; he was not honorably discharged. I merely call that to your attention so that you will know that when you cite a law there was no law that forced the promotion. I will ask you one final question.

You and I agree that somebody who covered up for this Major Peress is at fault?

Senator WATKINS. I do not think anybody covered up, as far as I can get it from the statements made by Mr. Stevens. I am relying largely on what he said. He has given you the names of the people who—all the people—had anything to do with that. You already knew about Zwicker and you already knew about Bergin and McManus. So you have had all of that list. I cannot go beyond that. And when you say "culpable" I do not know whether you mean criminally culpable or whether they actually did the work.

The CHAIRMAN. I am using your word.

Senator WATKINS. Culpable as far as we were concerned meant the people who did whatever was done. We do not prejudge people and say they are guilty of something simply because they may have recommended promotion of a man or his honorable discharge. That would be determined by a proper trial, whether they were criminally culpable or not.

The CHAIRMAN. You said the blame should have been placed on the shoulders of those culpable. By the term "culpable" you meant nothing wrong?

Senator WATKINS. I did not necessarily mean criminally culpable. They were responsible. Responsible would probably have been a better word. But you cannot hang a man for writing a report with as many words in it as that if you get one word slightly off key. There was no intention to say that anybody had committed a crime, because we did not know that, and we do not step out and judge them in advance.

The CHAIRMAN. I am not asking you about a claim. You say there was a wrong done, is that right?

Senator WATKINS. It stands for what it says, and I do not care to explain it further.

The CHAIRMAN. Senator, I am trying to find out. You say I should have put the blame on the shoulders of those culpable. I am trying to find out whether you think there was somebody to blame.

Senator WATKINS. Somebody was responsible for his promotion and discharge, that is what I meant.

The CHAIRMAN. There was nothing wrong with that?

Senator WATKINS. I do not know whether it was wrong or not. That would depend on the facts.

The CHAIRMAN. Senator, I perhaps should be censured for what I am about to say if I am to be censured for what I said to Zwicker. I might say that a Senator who represents the great State of Utah, who comes here and says he does not know whether someone should be blamed for promoting, honorably discharging, a man who has graduated from a Communist leadership school, a Communist leader, a man who owes his duty to a foreign country, a man that was a traitor to this country; a Senator who says, "I don't know whether he is at fault, I don't know whether those who protected him are at fault or not—I wouldn't say," but who says and argues on the Senate floor that the man who tries to find out who has been the secret master covering up for this man, that such a Senator certainly is derelict in his duty. And that is putting it very, very mildly.

Senator, you should be just as concerned as I am about finding out who is protecting the traitors in this man's Army. We know that somebody protected Peress. You know as well as I do that while I have been begging and coaxing the Secretary of the Army to give us the name of the man responsible, you know as well as I do that the Secretary promised that he would have an investigation, that he would give us that information. You have indicated in your report that you know who was at fault.

You say that the commanding officer was not at fault, although the commanding officer refused to answer whether he was at fault or not. I may say I wish you had not wasted our time this morning. I wish you had told me you knew nothing about this situation before I took this hour's time this morning.

If the other Senators have any questions to ask, they may proceed.

Senator MCCLELLAN. Are you willing to make a motion in the Internal Security Committee to call these officers named in that letter and make inquiry of them with regard to their responsibility?

Senator WATKINS. I certainly am, if Senator MCCARTHY does not move rather promptly in that field.

Senator MCCLELLAN. If this committee does not proceed to do so, I will be glad to second your motion in the Internal Security Committee.

Senator WATKINS. That is right. You are a member of that committee with me.

Senator MCCLELLAN. Yes, sir; I am.

The CHAIRMAN. If they refuse to testify as Zwicker refused, will you find them in contempt or what will you do?

Senator WATKINS. I think I will get the answers with a little cooperation of the Army and Secretary Stevens. I think I will get the answers if I am permitted to proceed with it.

The CHAIRMAN. In other words, you think you can find out who has been covering up for Peress?

Senator WATKINS. I never could find out that which would satisfy you. I will say that very frankly. I do not believe you could ever be satisfied unless you can find somebody that ought to be shot or hung.

The CHAIRMAN. Do you think you could—I may say that I think a man who covers up for a traitor under our law should be shot or hung.

Senator WATKINS. Right; I will agree with you.

The CHAIRMAN. Many American young men have died, many American young men will die, Senator, because traitors have been covered up.

Senator WATKINS. Have you——

The CHAIRMAN. Those traitors, under the law, should be shot or hung even as our young boys were shot and mutilated out in Korea.

Senator WATKINS. Let me ask you this——

The CHAIRMAN. This is no laughing matter, Senator. If you think you have a secret way of finding out who the secret master is who covered up for Peress, we will be glad to—very happy to—have you try and force the testimony from the witnesses. We will be glad to have you do that.

Senator WATKINS. I would say this: that I would like to ask you this question: Do you think Peress ought to be shot or hung on the situation as it stands at present without a trial?

The CHAIRMAN. I did not say Peress should be shot or hung; I said any man in our military who covers up for traitors, who covers up men guilty of treason, under the law there is a death penalty. You try to make a joke of that. You say that I would not be satisfied until I can find someone who should be shot or hung.

Senator, when we have secret masters in the military covering up, covering up, covering up for Communists, then they should be subjected to the full responsibility of the law. It is no laughing matter, Senator.

Senator WATKINS. I was not laughing, and the record will so show, the pictures will so show. I was not laughing. But I say this: That any man in the military, any man in this country, is entitled to a fair and impartial trial before a jury of his peers when it comes to a criminal case.

Now, if a full investigation reveals that no one was criminally culpable in this matter, that may be a disappointment to you. But if that is the truth, that is the way it will have to be. That is what ought to be thoroughly explored. That ought to be done before we go on saying that somebody has committed a crime all the time. It could have been negligence, it could have been failure to keep the records together as they should have been. It could have happened in a large army with millions of records. It could have happened purely as a matter of a mistake. There is always that possibility.

Now, as far as I am concerned, in the committee of which I am a member, where we are searching for these matters, we try to do it in an orderly way. We do not make a lot of charges, ordinarily, unless we are pretty sure of our ground and we have gone into the matter carefully. Even then we are very modest in the charges we make. Up to date we have been a 100 percent united, I think, in all the reports of the Internal Security Committee in this country.

The CHAIRMAN. Senator, a boy in Korea who goes to sleep on his post of duty is court martialed and a death penalty is provided for him. Don't you agree with me that where someone deliberately covers up month after month after month for Communists in the military, that he is, using your language, much more culpable than a young kid who has been awake for 18 or 20 hours and who goes to sleep on his post of duty?

Senator WATKINS. Yes, I will agree with that; a man who has been doing that. But first of all, I want to be dead sure he has been doing that.

The CHAIRMAN. Unless the Senators have some questions, I think we have wasted one morning. I had hoped that you would tell us ahead of time you knew nothing about this situation, Senator.

Senator WATKINS. It was my purpose to come before your committee and make such answers as I could make in response to your invitation.

The CHAIRMAN. You are asking that I be censured for not placing the blame on the shoulders of those culpable. You say now that you think by some mysterious process your committee might be able to get the witnesses to disregard the Presidential directives. If you have such a way of getting that information, you are welcome to proceed. I would like to see you try and get it.

The committee will be adjourned unless there are any questions to be asked.

(Whereupon, at 10:45 a. m., the committee recessed, subject to call.)

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the first committee amendment.

Mr. CASE. Mr. President, I think that many Members of the Senate are aware of the report which has come to our attention with reference to the present physical condition of the junior Senator from Wisconsin. I think the Senate will give further consideration to that situation during the day.

I wish to say at the outset that the remarks I desire to make now are not

adverse to the junior Senator from Wisconsin, but are in his interest and will relate entirely to the new evidence which came to the attention of the members of the select committee over the past weekend, and which was the basis of my letter to the chairman of the committee, which was placed in the RECORD on Monday, with reference to the second amendment proposed to the resolution, and in which I stated that I could not support that amendment.

I desire to make this statement because, although I have placed the basic evidence in the RECORD by way of insertion, I am aware of the fact that some Members of the Senate have not had it called to their attention; and, further, that the statements I have made with respect to the origin of that evidence have not had widespread circulation or are not fully or generally understood.

The Members of the Senate who heard my remarks during last week or at any other time during the deliberations on the resolution of censure will recall that when any questions were directed toward me with respect to the so-called Zwicker matter last week I stated that I was not prepared to discuss that question at that time. I indicated that at a later date, if some information came to the committee on that subject, it would be made available to the Senate. I made that statement deliberately.

The fact is that when the committee reconvened on November 8, pursuant to the call for the special session of the Senate, the distinguished junior Senator from Kansas [Mr. CARLSON] stated to the members of the select committee that he was not entirely satisfied with the information which had been developed with respect to the Zwicker-Peress matter. He felt there was additional information which might be obtained by contacting the appropriate authorities in the Army.

Thereupon, on Tuesday, November 9, 1954, the second day the Senate was in session, the junior Senator from Kansas brought up the matter during a formal executive meeting of the committee. A suggestion or perhaps a motion was made by the Senator from Kansas. In any event, action was taken which appears in the minutes of the executive meeting, and on Tuesday of last week, November 9, the select committee authorized the chairman, the distinguished senior Senator from Utah [Mr. WATKINS], to contact the Department of the Army, and to endeavor to arrange a meeting with Secretary Stevens. That action was not made public at the time, but those are the facts as all the members of the committee know. This occurred on Tuesday of last week.

Secretary Stevens was out of town. I understand the chairman of the select committee endeavored to contact him at another time during the week, but the Secretary was still out of town.

On Saturday afternoon, at about 20 minutes of 2, I received a call from the chairman of the committee, the senior Senator from Utah, who said he would like to have me come to his office. He did not state the reason. I was temporarily otherwise engaged, and I said I would be present in 10 minutes. I went to the office of the senior Senator from Utah at approximately 10 minutes of 2 last Saturday afternoon, November 13.

In the office of the senior Senator from Utah at the time I arrived, or within a moment or two thereafter, were two other members of the select committee, the distinguished senior Senator from Colorado [Mr. JOHNSON] and the distinguished junior Senator from Mississippi [Mr. STENNIS]. With the chairman of the select committee was Secretary Stevens.

During the meeting which ensued, Mr. Milton, assistant to Secretary Stevens, appeared briefly for a conference with the Secretary.

The clerk or assistant to Senator WATKINS reported that he was unable at that time to locate the distinguished junior Senator from Kansas [Mr. CARLSON] and the distinguished junior Senator from North Carolina [Mr. ERVIN], so they were not present. It was somewhat ironical that the junior Senator from Kansas [Mr. CARLSON], who had suggested a further contact with Secretary Stevens, could not be present at that time.

Secretary Stevens, apparently, had been requested to bring with him such information as he thought might be pertinent to the consideration of the Zwicker-Peress angle of this whole matter, and he brought with him two letters. He may have had others, but he brought to the attention of the committee two letters of importance.

One letter was a copy, in full text, of the letter which the junior Senator from Wisconsin [Mr. MCCARTHY] had written to Secretary Stevens under date of February 1, 1954. The other letter of particular significance which he brought to our attention—he may have had other letters—was a letter addressed to my colleague, the distinguished senior Senator from South Dakota [Mr. MUNDT], who presided at the so-called Army-McCarthy hearings. It was, I believe, dated in June. In any event, that letter dealt with a request for the names of the persons who had been involved in the Peress matter. I shall deal with that letter first.

That letter stated that the names would be made available to the committee. They were available on a separate sheet of paper, but it was suggested in the letter—and, of course, this is a summary, so to speak, of the purport of the letter—that the Department of the Army hoped that the names would not be made public, because there was a considerable list; that many of the names were of persons who had dealt in a clerical capacity with some phase of the Peress matter; that publication or release of their names would cause embarrassment to them or to members of their families unnecessarily, because they were not persons who had anything to do with the policy determinations or decisions involved.

Another reason given by the Department of the Army in expressing the hope that the names would not be made public was that the names had been obtained by the action of the Inspector General, and that to release the names would, in some way, involve the activities of the Inspector General, and would make it difficult for the representatives of the Inspector General to operate thereafter.

Consequently, and apparently for the same reasons that these names were not made public by the committee headed by my colleague, the distinguished senior Senator from South Dakota [Mr. MUNDT], whom I see before me, the select committee decided that they did not care to see the names on Saturday afternoon. If my colleague wishes to correct me as to my assumption, I hope he will do so.

Secretary Stevens had a folded sheet on which, presumably, those names were listed. He referred to it and offered it to us, but no member of the select committee expressed any desire actually to look at the list, in view of the statement set forth in the letter.

At some time during proceedings on Saturday afternoon, I asked to see the copy of the letter which the junior Senator from Wisconsin had written to Secretary Stevens. I was impressed by the contents of the letter, and I shall call attention to them later. But with respect to the letter and the names which were involved, someone asked the number of names contained in the list.

Secretary Stevens said, "Approximately 30, but they are grouped. There are 4 or 5 or 6 that had to do with the induction of Peress. There are 4 or 5 or 6 that had to do with his promotion. There are some that had to do with the medical phases of his service," he having come in under the doctors' and dentists' provision of the draft law. "There are some names in another group that had to do with the change of orders. There is another group of names of those that had to do with his discharge."

Someone asked, "Is the name of General Zwicker on the list?"

Secretary Stevens said, "It is not."

Then I asked, "With respect to the group of names that had to do with the discharge of Peress, is the top name on that list a brigadier general or a major general?"

I asked that question because one of the facets or aspects of the whole matter was whether General Zwicker was the top officer who was responsible, or whether a superior was involved.

Mr. Stevens replied, "Neither; higher than that."

In other words, the man at the top of the group of officers who made the final determination for the Peress discharge was not a brigadier general, which was the rank that General Zwicker had, was not a major general, but was someone higher than that.

Thereupon, I suggested to the chairman, "If this can be regarded as a formal meeting, I move, and if it is not a formal meeting, I suggest, that we have a meeting of the committee at 9 o'clock Monday morning, a public meeting, at which time we shall ask the top man in the discharge group of names to be present."

The point was then made by someone that at 9 o'clock Monday morning, the chairman of the committee, the Senator from Utah [Mr. WATKINS], had been asked to appear before Senator MCCARTHY, and that that would cause a conflict. The further point was made that the Senate was due to begin its

session on Monday at 11 o'clock in the morning, and that it would be difficult to have a hearing or accomplish anything under those circumstances.

I stated at that point that I would be satisfied if we could have certain information from Secretary Stevens. I asked two questions as to which I thought Secretary Stevens should give information.

The first was, "When did you receive, or when did the Army receive, the letter dated February 1, 1954, by Senator McCarthy addressed to you?" Secretary Stevens said he did not know the facts involved in that question, and he would have to look the matter up.

The second question I asked was, "What did you do with it when you received it?"

Secretary Stevens again indicated that he would look up that information and make it available to us. That happened at midafternoon. I do not know how long we were there. I did not look at the clock when the meeting broke up, but I would assume it was sometime after 3 o'clock that Saturday afternoon.

Because of the implications or the meat of the letter addressed by Senator McCarthy to Secretary Stevens, the full text of which letter I read on Saturday afternoon, I spent some time Sunday rereading the hearings in the Zwicker matter.

I might state this at this time, although I do not make a particular point of it: I was not present on Monday, September 13, when General Zwicker testified before the select committee. I had left the previous Saturday evening for my home. The printed hearings recorded me as being present, but the clerk of the committee has stated that my name had been included by the copy reader who assumed I was present. A reading of the record shows that I was not present, and that I did not participate in any of the hearings on September 13. I make no point of it, but simply wish to keep the record straight, because when I returned for the deliberations of the committee, before I took any action I was asked to read the hearings of September 13. I did.

It was on the basis of what took place at the hearing that I concurred in count 2 of the resolution at the outset. However, I wish to point out that in the hearing of September 13, the reply of Secretary Stevens to Senator McCarthy was inserted in full, but the letter of February 1 to Secretary Stevens, to which his letter was a reply, was not inserted.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. CASE. I yield to the Senator from Utah.

Mr. WATKINS. Does the Senator from South Dakota know that we did not have a copy of the letter by Senator McCarthy which was written on February 1?

Mr. CASE. I assume that is true; that it was not produced, and that no one asked for it.

Mr. WATKINS. I should also like to call attention to the fact that the letter of Senator McCarthy to Secretary Stevens had been put in the Army-McCarthy hearing record, which is a large record, as everyone knows. We assumed it had been placed in that record, because I recalled that it had been published. There was not anything secret about it at all.

Mr. CASE. I am not saying there was any adverse intent in the fact that it was not put in the record of the select committee, but I merely state, as a simple matter of record, that it was not there. So it was not in the record which I read at the time I returned for the executive meeting of the committee following the time General Zwicker testified.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. CASE. I yield to the Senator from North Carolina.

Mr. ERVIN. I should like to ask the Senator from South Dakota whether there is any evidence, either new or old, to the effect that Senator McCarthy knew about the reconsideration of the original order in the Pentagon at the time he examined General Zwicker on February 18?

Mr. CASE. I do not know that there is. I think probably the fact is to the contrary, but I shall deal with that point in due course.

Mr. ERVIN. Mr. President, will the Senator yield further?

Mr. CASE. Yes. I yield.

Mr. ERVIN. As I understand, the committee recommended censure of Senator McCarthy in what I would call the second count, which was based on the General Zwicker incident, because of his attitude and conduct toward General Zwicker in the examination of February 18. If Senator McCarthy was ignorant of the action which took place in the Pentagon after the receipt of the letter of February 1, how could Senator McCarthy's attitude and conduct toward General Zwicker be influenced in any way by a fact of which Senator McCarthy was ignorant?

Mr. CASE. The Senator from South Dakota does not contend that it was.

Mr. President, the question which the distinguished and very able Senator from North Carolina has raised is very much in point, but I invite the attention of the Senators to the fact that the proposed amendment contained in section 2 of the resolution reads:

> Sec. 2. The Senator from Wisconsin, Mr. McCarthy, in conducting a senatorial inquiry intemperately abused, and released executive hearings in which he denounced, a witness representing the executive branch of the Government, Gen. Ralph W. Zwicker, an officer of the United States Army, for refusing to criticize his superior officers and for respecting official orders and executive directives, thereby tending to destroy the good faith which must be maintained between the executive and legislative branches in our system of government.

It is on that ground, namely, the destruction of good faith between the executive and the legislative branches of the Government, that the motion for censure is predicated.

As I shall attempt to develop, the receipt of Senator McCarthy's letter of February 1 by the Army, in advance of a confirming decision to give Major Peress his discharge, itself shows a breach of good faith between the executive and legislative branches of the Government, because the Army gave priority to the request of Major Peress for an immediate discharge, over and above the request by the chairman of a Senate investigating committee that the Army defer action, that it file charges, that it hold the man, and that it probe his activities and see whether it thereby would uncover some of the network of infiltration into the Army.

The good faith and cooperation between the executive and legislative branches of the Government are a two-way street; and the whole point upon which the amendment embodied in section 2 is predicated falls when we find that the good faith was destroyed, first, on the other side of the street or at the other end of the street, however one may wish to phrase it.

I submit to the Senate, as I set forth in the memorandum the other day, that it is a poor foundation upon which to predicate censure for the breaking of good faith between the operations of the executive and the legislative branches of the Government when a responsible Army staff receives, in time, and considers a request from the chairman of a Senate committee—any Senate committee—not to take terminal action with respect to some employee in that department or agency until it investigates, or to file some charges, and hold him, and not release him from its jurisdiction.

If the Senate understands the issue that is set forth in section 2 by the words—

> Thereby tending to destroy the good faith which must be maintained between the executive and legislative branches in our system of government.

I think the Senate will not say that an adequate basis for censure of Senator McCarthy exists, when the chairman of the committee wrote, in time, and his letter was received in time by the head of that executive agency, asking that it file charges and look into the matter, whereas, instead of acceding to that request, the next morning that agency took adverse action, and, instead, respected the request of Major Peress, an admitted Communist, that he obtain an immediate discharge, and thus escape from the jurisdiction of the Army.

That is the issue involved here, and I think the Senate should know it.

I desire to support and document that situation. So far as I know, the only reference in the hearings to what was contained in Senator McCarthy's letter to the Army appears at pages 184 and 185. I desire to read that portion of the hearings, because it is quite important:

> Mr. Williams. Now, at the time that Major Peress appeared before you on January 30 of 1954, he was still on active duty at Camp Kilmer; is that correct?
>
> Senator McCarthy. He was.
>
> Mr. Williams. As a result of the testimony developed in executive session on that occasion, was a request made for his appearance in open session?
>
> Senator McCarthy. Yes; that is right.
>
> Mr. Williams. Do you recall when he was asked to present himself for interrogation and examination in open session?
>
> Senator McCarthy. I do not recall the date he was asked to appear. He appeared on the 18th day of February.

Then Senator McCARTHY made the following statement; and this is the only part of the entire record to inform us what was contained in Senator McCARTHY's letter:

I might say that in the meantime, Mr. Williams, a rather important occurrence having a direct bearing upon this Zwicker matter, after Peress appeared and refused to tell whether he was recruiting soldiers into the Communist Party, whether he was holding Communist meetings at his home, whether he was a graduate of a Communist leadership school, whether a Communist helped him to get his change in duty orders, I wrote to Secretary Stevens and suggested that this man be court-martialed.

There were two grounds for the court-martial:

No. 1. When he entered, he signed a statement to the effect that he belonged to no subversive organization, specifically I believe that included the Communist Party.

Under the code, that is the criminal code, that is a felony calling for a prison sentence up to 5 years.

I felt also that his refusal to answer the questions about Communist activities, while this refusal could not be accepted in a criminal court, contrary to the popular conception the use of the fifth amendment in regard to criminal activities can be used in a civil action.

I suggested to Bob Stevens, and I cannot quote the exact language—

Here Senator McCARTHY himself states what was in his letter, although he did not have the text before him—

that here was a chance to serve notice on all officers in the Army that there would be no more coddling of Communists, that if they had any information about Communist infiltration, that they would be expected to give that information to the proper authorities that could be acted upon. That was done.

Mr. WILLIAMS. On what date?

Senator McCARTHY. I do not recall the date the letter was dispatched. It was made public, as I recall, on February 1.

Mr. WILLIAMS. Was that letter written, to the best of your recollection, on the date on which Peress had testified before your committee?

Senator McCARTHY. It was written that evening, as I recall, or the next morning.

That record was before the committee, to show that the letter was made public on February 1. That was Senator McCARTHY's impression, and it would support the angle of the matter which Senator ERVIN has mentioned, namely, that there is no evidence that Senator McCARTHY was aware of the actual receipt of the letter and its consideration by the Army at the time when the Army took the terminal action in the case of Major Peress. That may be, and it is another facet of the question. But it does not alter the fact that it can be established that the letter was received and considered by the Army staff before they took the final terminal action, and that the responsible Army staff turned down the request from the chairman of the Senate committee which asked them to avoid taking terminal action and to retain jurisdiction. Instead, the staff turned down that request, in order to speed up the discharge of Major Peress.

I hope all Members of the Senate will read the full text of Senator McCARTHY's letter, which appears in the CONGRESSIONAL RECORD for November 15; I inserted it there. It is on page 16039. Senators do not need to read it at once, if they do not wish to; but if they wish to get the full impact of what Senator McCARTHY, as chairman of a Senate committee, said to the Secretary of the Army, they should read that letter. It is more than 2 pages long.

After I read the letter, I wished to know when the Army received the letter, and what the Army did about it, because the only suggestion which had been made was that it was made public on February 1. I am familiar with the way mail is handled, in the case of a letter written by any person to an executive agency. So the suggestion that the letter was made public on February 1, never brought to my mind any intimation that the letter was received and considered by the executive agency. On the contrary, knowing that the testimony showed that Major Peress was discharged on February 2, I assumed that the making of the letter public to the press on February 1 did not give the Army staff any actual notice, or even constructive notice, that the chairman of a Senate committee was making the suggestion that he did make.

If I write a letter to a department today and make it public today, I do not assume that the department takes cognizance of that letter by reason of reading it in the newspapers. I assume that the department does not take cognizance of it for official consideration, at least, until it is received by the department. In the normal course of events, if the letter went through ordinary mail channels, if the letter were made public on the first of February, that would mean, perhaps, receipt at the sorting desk sometime on February 2, and consideration sometime thereafter.

There are further reasons for that impression. I may have had the wrong impression. Others may have had the idea that in some way the Army received the letter that day. But in the reply letter from Secretary Stevens, which will be found at pages 462 to 464 of the record, there appeared the statement which I shall read. The reply letter of February 16 from Secretary Stevens to Senator McCARTHY begins near the bottom of page 462 of the record. I read from page 464:

The suggestion which you made in your letter that the officer's discharge should be reversed and that he should be recalled for the purposes of court-martial on charges of conduct unbecoming an officer have been examined and appear to be impracticable. In the first place, the separation of an officer under circumstances such as this is a final action, and there is no means of which I am aware by which the action could be successfully reversed.

I submit that would suggest to any person reading it that the Stevens interpretation was that the discharge had been made. He says:

The suggestion which you made in your letter that the officer's discharge should be reversed—

It is a fair interpretation of Secretary Stevens' letter that the McCarthy letter was received too late. The impression I received was the Stevens interpretation related to the suggestion that the discharge already issued be recalled. Upon that basis it did not appear that the Army had received in time the request from the chairman of the Senate committee that it not take terminal action.

Mr. DIRKSEN. Mr. President, will the Senator from South Dakota yield for a series of short questions on this subject, which might conceivably throw some light on the whole Peress case?

Mr. CASE. Will the Senator wait until I read a certain letter?

Mr. DIRKSEN. I will abide by the wishes of my friend from South Dakota.

Mr. CASE. I should like to read the letter of Secretary Stevens dated last Saturday on the point as to when the letter from Senator McCARTHY was received. This letter was written on November 13, last Saturday, after the conference in the office of the Senator from Utah [Mr. WATKINS]. It appears at pages 16039–16040 of the CONGRESSIONAL RECORD for November 15., It was in response to the two specific questions which I had raised as an alternative to having a meeting of the committee on Monday morning of this week. I read:

NOVEMBER 13, 1954.

Hon. ARTHUR V. WATKINS,
United States Senate,
Washington, D. C.

DEAR SENATOR WATKINS: In response to the questions raised by Senator CASE in your office this morning regarding the receipt and processing of the letter from Senator McCARTHY dated February 1, 1954—

It was about 1:45 p. m. when I reached the office of the Senator from Utah. Secretary Stevens was already there when I arrived. I assume he had been there for some time. Whether it was technically in the forenoon or early afternoon is immaterial. Frequently we say "this morning" even when the Senate meets at 12 o'clock.

Continuing with the reading:

I have investigated the records of my office and find that this letter was hand carried to my office sometime during the day of February 1—

It was taken to his office by messenger. It was taken to his office by hand sometime during the day on February 1—

As you will recall, I had not yet returned from a trip to the Far East on this date. The letter, therefore, was transmitted to Mr. John G. Adams, department counselor, since Mr. Adams had been designated by me to make all contacts with the Permanent Subcommittee on Investigations.

Mr. Adams made known the receipt of the letter to the responsible Army staff.

It was not a matter of chance. It went to the "responsible Army staff."

Continuing with the reading:

After review of the letter, it was concluded that there was no additional evidence to require modification of the prior determination in the Peress case, which had been based on all the available information known at that time—

The Peress discharge was ordered earlier in January. The order was dated earlier in January. I think it was delivered to General Zwicker about the 23d of January 1954. It will be remembered that that order, in the first paragraph, directed that Peress be discharged at the earliest practicable date, according to the desires of Peress, but in no case later than 90 days after the

receipt of the order. He was to be discharged at the earliest practicable date, according to the desires of Peress.

I proceed with the reading of the letter:

> After review of the letter, it was concluded that there was no additional evidence to require modification of the prior determination in the Peress case, which had been based on all the available information known at that time, and that the best interests of the United States would be served by his prompt separation, a matter which was about to be consummated.

It had not been consummated. It "was about to be consummated." The letter of February 16, which was in the record of our hearing of Monday, September 13, stated:

> The suggestion which you made in your letter that the officer's discharge should be reversed and that he should be recalled for the purposes of court-martial on charges of conduct unbecoming an officer have been examined and appear to be impracticable.

The intimation in the letter before us in the record was that Senator McCARTHY's suggestion was that the discharge should be reversed. Those words are in the letter. However, in the letter of November 13 the Secretary uses the language:

> A matter which was about to be consummated.

Do I make myself clear, that the suggestion contained in the letter of the junior Senator from Wisconsin, as chairman of the Senate Committee on Government Operations, or as chairman of the Permanent Subcommittee on Investigations, reached the Department in time, on the 1st of February?

It was referred to the responsible Army staff. They gave it consideration, but decided to proceed with a matter which was about to be consummated.

The letter was there in time. The Department turned down the request, made in a formal letter from the chairman of a Senate committee. I do not care whether it was the Army, the Department of the Interior, the Department of Commerce, or the Department of State. If the Senate is to preserve its self-respect, it must recognize that it is a poor foundation to predicate censure on the breaking of good faith as between the executive and legislative branches of the Government.

The chairman of a committee of the Senate wrote a letter and had it delivered in time to a responsible Army staff dealing with the subject. In the letter he suggested that charges be filed against a certain officer in the service, and that his activities be investigated, because of the possibility of discovering the infiltration of Communists, or the possibility of discovering certain of his activities, perhaps, in soliciting membership in the Communist organization.

I care not whether the request came from the chairman of one of the most important committees of the Senate, or from the chairman of a minor committee. I hope the Senate will not say that it will censure one of its Members because he lost patience when, on such a foundation, his formal request was rejected and preference was given to the request of the person who wanted to escape from the jurisdiction of the Department.

The officer said, in effect, "Let me out today." How do I know that? Let us examine the full record. When was the Peress hearing in New York City? It was on January 30. That appears in the record. Perhaps at that time no significance was attached to the fact that January 30 happened to be Saturday; but after I went into the subject the other day I went back and read the record of the Peress hearing in New York City.

At the very conclusion of the record, just before the subcommittee adjourned its hearing—I believe it had met at 10:30, and it adjourned at 11:30, practically at noon—a discussion ensued. Apparently everyone was folding up his papers, and at that point there was a little exchange between Mr. Cohn, counsel for the subcommittee, and Major Peress with regard to the possession of certain documents. Finally Chairman McCARTHY entered the discussion with this statement:

> The CHAIRMAN. • • •
>
> In case any questions arise, have the record show that the major has the material in his hands and will turn it over to his lawyer and he will produce it.
>
> You haven't been asked to resign, have you?
>
> Major PERESS. Yes, I have.
>
> The CHAIRMAN. Who asked you?
>
> Major PERESS. Colonel Moore. I am not sure of that name. It might be some other name.
>
> The CHAIRMAN. Did you refuse to resign?
>
> Major PERESS. No, I accepted the request. I have a day of termination.
>
> The CHAIRMAN. What date are you due to resign?
>
> Major PERESS. It is no later than the 31st of March, but I can move it up if I so desire.
>
> The CHAIRMAN. You are being given an honorable discharge?
>
> Major PERESS. I haven't been given——
>
> The CHAIRMAN. So far as you know, you are being allowed to resign with no reflection on your record?
>
> Major PERESS. There was no discussion of that.
>
> The CHAIRMAN. Why were you asked to resign?
>
> Major PERESS. They wouldn't tell me the reason.
>
> The CHAIRMAN. Did you ever refuse to resign?
>
> Major PERESS. No, I was never requested to before.
>
> The CHAIRMAN. When were you requested to resign?
>
> Major PERESS. A week ago today.
>
> The CHAIRMAN. In other words, you were asked to resign after you were ordered to appear before this committee?
>
> Major PERESS. I was ordered to come before this committee yesterday morning.
>
> Mr. COHN. That was the first time you had ever been asked to resign?
>
> Major PERESS. The first time was a week ago this morning at 11 o'clock.
>
> The CHAIRMAN. O. K., you may step down.
>
> (Whereupon, the hearing adjourned at 11:30 a. m.)

The record shows that the hearing adjourned at 11:30 a. m. That was 11:30 a. m. on Saturday.

What happened then? I suppose Major Peress went back to Camp Kilmer, and I suppose Senator McCARTHY came to Washington. The next day was Sunday. Nothing happened on Saturday afternoon or on Sunday. I suppose it was not possible to get any action that afternoon or on Sunday, and Peress could not get discharged even if he returned to Kilmer immediately.

However, on Monday morning the race began. Peress met with General Zwicker and he said, "I want my discharge now."

Why? It was because he had been alerted that if he did not get it then, he might not get an honorable discharge. What did Senator McCARTHY do? He wrote his letter. Perhaps he wrote it that evening. However, on Monday the letter went by hand to the responsible Army officer in the Pentagon. The staff in the Pentagon gave consideration to the matter, which was about to be consummated, and decided to grant the request of Peress, who had said, "Let me out now." The staff did not show any respect to the letter from the chairman of a Senate committee stating, in effect: "File some charges, investigate the situation, and keep your fingers on this man. Look into it a little bit."

Such a course of events is a poor foundation on which to set a precedent for censure in the Senate. I now yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, first let me ask the Senator from South Dakota whether he is aware or whether the select committee was aware that there was a staff memorandum which embodied consultations of the staff of the Committee on Government Operations with General Zwicker and General Lawton and General Partridge, as early as October or November. It can be reasonably inferred from the staff memorandum that General Zwicker would have bristled if he had come before the subcommittee; in fact, he is alleged to have said to General Lawton and General Partridge, "Why do you let McCARTHY push you around? If he gets me before that committee, I will not let him push me around." The question is, was that information brought to the attention of the select committee?

Mr. CASE. No; it was not. I have heard and, in fact, have seen what appeared to be a staff memorandum, which would suggest what the Senator from Illinois has stated. However, let me say that there was a little testimony by Mr. Anastos, an assistant counsel of the subcommittee on investigations. But I qualify my statement by adding that I have not looked up the matter.

I believe Mr. Anastos testified that he had talked with General Zwicker in advance of the appearance of General Zwicker before the McCarthy subcommittee, which would indicate, perhaps, some prejudice on the part of the general. On the other hand, I thought it was a little inconclusive so far as anything coming before us in an official way was concerned. Although General Zwicker, in the first interrogation before the McCarthy committee, indicated that he took no steps to force the discharge, in testimony before the select committee did state, when he was permitted to testify about what he knew or did of his own knowledge, that after Peress came to him to ask him for an immediate discharge, instead of giving it to him that day or immediately, he telephoned his

next superior officer in the chain of command, the Chief of Staff of the First Army.

I have also heard—and this was not before our committee, but is based on a staff memorandum—that General Zwicker was in contact with the Pentagon, either directly or through the chain of command through the Chief of Staff of the First Army, 2 or 3 or 4 times on February 1 and February 2.

However, the fact remains—and I say this in defense of General Zwicker—in the hypothetical case which Senator McCARTHY presented to him about someone who had stolen $50 being up for discharge, and whether General Zwicker would suspend action on the discharge of such a person, General Zwicker did say that he would hold up the discharge because if something which had occurred was within his knowledge there were orders covering such a situation.

However, General Zwicker did not give Peress a discharge immediately when Peress asked for it. General Zwicker alerted the Pentagon through the Chief of Staff of the First Army. There was a little colloquy at the hearing about whom he had talked to at the Pentagon. He used the name of General Gurney, but later it turned out to be General Murphy. However, in talking over the telephone he had asked for the Office of the Chief of Staff, and he did not know with whom he had talked, until that person called up and said that he was the one to whom the general had spoken.

The record is clear that General Zwicker had alerted the Pentagon through the Chief of Staff of the First Army, in the line of command, that Peress had come in and asked for the exercise of the option under the order and wanted an immediate discharge.

Thereupon the Army had two requests before it. One was from Peress for his immediate discharge. The other was from the chairman of a Senate committee, who had requested that charges be filed against Peress and that the matter should be looked into and that the Pentagon should keep its finger on Peress.

Mr. DIRKSEN. Mr. President, will the Senator from South Dakota yield further?

Mr. CASE. I am happy to yield.

Mr. DIRKSEN. I have about a dozen questions I should like to ask. By way of a preface to my second question, let me say that the staff memorandum was before the committee at the time that General Zwicker appeared, and all the information was in the memorandum and was within the knowledge of the committee. Therefore it does have some bearing on the question of provocation.

Mr. CASE. That was not brought to the attention of the committee.

Mr. DIRKSEN. However, did the committee know or does the Senator from South Dakota know that the staff memorandum indicated that there was a board in the Army consisting of 3 general officers, which had the Peress case before it no less than 4 times, and that one of the general officers was in favor of disposing of the matter forthwith, and that the other two general officers demurred? Did that come to the attention of the committee?

Mr. CASE. It did not come to my attention until within the past 2 or 3 days, when someone advised me that that information was contained in a staff memorandum of the investigating subcommittee.

I do not know that that particular point was ever brought to the attention of the select committee so that it would receive the individual attention of its members.

Mr. DIRKSEN. Does the Senator from South Dakota know whether the request of Dr. Peress was in the custody of General Zwicker?

Mr. CASE. I shall have to speak from memory. I believe that somewhere along the line it was indicated that General Zwicker had access to the file and that he was perpetually plagued in his own mind during the hearing before Senator McCARTHY as to what he should testify to from knowledge on his own part without giving an answer which reflected information which came to him from the files.

Mr. DIRKSEN. Does the Senator know whether General Zwicker's command did recommend or endorse or concur in the promotion of Dr. Peress?

Mr. CASE. My recollection is that General Zwicker was asked the direct and specific question as to whether he approved it or whether he filed a protest against it, and he said he had had no opportunity to do that. From that I took it that he personally did not make the promotion, and that he had no opportunity to protest it, once it was made. That is my recollection.

My further recollection is that he knew it went to the matter of the discharge, and that the first time that question was raised with General Zwicker he indicated that he would like to be excused from answering the question as to whether he had protested the discharge. Whether that indicated that if he were permitted to testify he would have said he did or he did not, I do not know.

I took it, however, from his subsequent testimony, made when counsel was with him as he appeared before the select committee, that he did call up the Chief of Staff, First Army, his immediate superior in the chain of command, that either it was in the nature of a protest against the discharge being made at that time, in the light of Peress' conduct at the hearing on the Saturday preceding, or he did it as a precaution so that the decision for proceeding under the alternative in the first paragraph of the separation order would rest at the highest possible level, or, at least, not at the separation center itself.

Mr. DIRKSEN. Having in mind that General Zwicker appeared before the committee on February 18, and having in mind that Peress was actually discharged on the 2d of February, 16 days before, does the Senator from South Dakota know whether on the first of February, the day before Peress was discharged, General Zwicker did communicate with the Chief of Staff of the First Army concerning Dr. Peress?

Mr. CASE. Between what dates?

Mr. DIRKSEN. On the 1st of February.

Mr. CASE. Yes. There is direct testimony that he did, after Peress came in and after the discharge, communicate to his immediate superior, the Chief of Staff of the First Army, and advise him.

Mr. JENNER. Mr. President, will the Senator from Illinois yield at that point?

Mr. DIRKSEN. I do not want to spoil the continuity of the colloquy.

Mr. JENNER. I think I can explain that the question was not before the select committee.

Mr. DIRKSEN. I understand that.

Does the Senator from South Dakota know that there was a staff memorandum in the possession of the committee at the time General Zwicker appeared before the committee which indicated that on the 1st day of February, the day before the Peress discharge, General Zwicker interviewed Dr. Peress and impressed upon him the necessity of getting out of the Army as quickly as possible?

Mr. CASE. I do not know that such a staff memorandum of the investigating committee was in the possession of the select committee or its staff. I do not know.

Mr. DIRKSEN. If the Senator will permit me, and if it is not in violation of the rules, since it is not in the form of a question, with all this information in the possession of the committee in the form of staff memorandums, and the belief that General Zwicker would appear as a friendly witness—but when he actually appeared, he was not quite so friendly—is it the opinion of the Senator from South Dakota that that could have given rise to provocation and probably have intensified the feeling manifest at the time, knowing what was in the staff files and comparing that, of course, with the answers General Zwicker made in pursuance of all the inquiries of Dr. Peress?

Mr. CASE. There are many factors that entered into it. I think probably one could go back and, if he wanted to open up the way for the Army-McCarthy hearings and the Peress hearings, and went back to the fall of 1953, he might find some things that would be cumulative as to the mental attitude of General Zwicker and the mental attitude of the junior Senator from Wisconsin when they got together. When we have so many small things, each of which makes some contribution, it is not helpful to a judgment to try to bring in this little thing or that little thing.

What I have tried to confine myself to has been the central issues involved; and it seems to me that the central issue involved in section 2 of the amendment was the breach of good faith between the branches of the Government. I think this record will maintain it. And I recognize it is a two-way street.

I want to confine myself to the legal arguments presented in the defense counsel's memorandum on that point. I think we have to look at things that would in some way obstruct the processes of the legislative branch of the Government or the processes of the executive branch of the Government, or the relationship between them. I wish to come back to that. But I shall yield for a further question.

Mr. DIRKSEN. I have only one more question.

The language of the resolution indicates that intemperate language was used. Intemperate language is language which comes from an individual when he loses his temper. The easiest way to lose one's temper—and, incidentally, that is one of the vices even of the virtuous in this rather cynical age—is to be provoked. With all this information in the staff files and before the committee, before General Zwicker ever appeared before the committee on the 18th of February, is it not, then, fully understandable that when his testimony was evasive, in my considered judgment, when his testimony went off in this direction and that direction and was not responsive to the questions of the chairman, the chairman could have been easily provoked? Although I have never known him to admit that he lost his temper, yet provocation does lead to intemperate language. So, if we are going to use a rule in one case, we should use it in another case, because in the committee report itself the committee says it could not very well undertake censure of the distinguished Senator from Vermont [Mr. FLANDERS] because there was provocation. Then, how do we use another rule when all the background, all the facts, all the information in the staff memorandums before the committee indicated how easy there could have been provocation which led to some intemperate language?

Mr. JENNER. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. In a moment.

I do not happen to agree with the Senator from Illinois that General Zwicker was evasive. I thought he followed a pretty clear line when he was trying to testify as between what he knew specifically and firmly within his own knowledge and what he had read in the newspapers, and separating either of those as to what he could testify to as against that which was reflected knowledge, which came only from the official files which he was forbidden to use.

I do not contend that the whole situation which I have described was justification for the use of intemperate language, but I say that it suggests mitigation. In the memorandum which I placed in the RECORD on Monday, I said to the chairman of the Senate select committee that if this official letter was ignored, and an immediate and favorable response was given to the hurry-up request of a known Communist to be discharged from the Army and get away, then the chairman of the investigating committee, or any other chairman, might be forgiven if he lost his patience, when later the man who happened to be in charge of carrying out the action covered up for his superiors.

I do not say it justifies the use of such language as was used toward a general who had the distinguished record which General Zwicker had. I would not have used such language. I do not think many other Senators would have used such language, namely, that General Zwicker was not fit to wear the uniform of an officer of the United States Army.

I do not say that the use of such language was justified, but I say that the Senator who used such language might be forgiven, if its use came as the culmination of a situation in which he had to send a letter to the Secretary of the Army, after he had learned that the man under investigation was about to get an honorable discharge; and after he had sent his letter he had then learned that first consideration had been given to the officer involved in the matter, and that the action "was about to be consummated" and given preference over the request of the chairman of a committee of the United States Senate.

Mr. JENNER. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. JENNER. I think a reading of the hearings of the select committee, on pages 166 and 167, might explain why it was that the select committee of the Senate was not able to get all the facts and evidence upon which the Senate is expected to act. Let me read:

Mr. WILLIAMS. Now, on that occasion, did you have a conversation with him regarding Senator MCCARTHY and the work of the Senate Permanent Investigating Committee at Fort Monmouth?

General LAWTON. I will have to respectfully decline to answer that question on the basis of the Presidential directive of May 17, 1954, regulations based upon that which prohibits members of the executive department from revealing conversations between employees thereof.

Mr. WILLIAMS. Do I understand, sir, that you refuse to answer the question which is directed to the substance of your conversation with General Zwicker?

General LAWTON. That is correct.

Mr. WILLIAMS. And I understand you base your refusal on the order of May 17?

General LAWTON. Yes.

Mr. WILLIAMS. Do you have a copy of that order with you, General?

General LAWTON. I haven't; no.

Mr. WILLIAMS. Don't you know, General, that order of May 17, 1954, referred only to the Government Operations Committee and the hearing then in session which was commonly known as the Army-McCarthy hearing?

General LAWTON. I recall exactly what you say, but I have taken advice from counsel and other sources and after that counsel, it is my belief that that directive not only applied to the so-called Mundt committee but it applies to this or any other; and, therefore, I still would have to respectfully decline.

Mr. WILLIAMS. General, will you tell this committee, counsel, and myself, with whom you talked about this since Monday night?

General LAWTON. I will have to respectfully decline to answer that one on the basis that the same directive—conversations between two employees of the executive—

I shall not take the time of the Senate to read all the colloquy, but at the top of page 168 of the hearings the following appears:

Mr. WILLIAMS. You talked to Mr. Brucker, the General Counsel of the Department of Defense; did you not?

General LAWTON. I will have to respectfully decline to answer that one, on the same basis.

How can Senators vote for censure when they do not have the facts?

Mr. CASE. Let me answer the Senator's question, in fairness to the select committee and in fairness to the Senate. I should say that the select committee was disturbed by that situation.

Mr. JENNER. I should think it was.

Mr. CASE. The select committee designated the chairman of the committee, the distinguished senior Senator from Utah [Mr. WATKINS], and me to contact Secretary Wilson and tell him that we were not satisfied with the evidence which we had been able to develop from General Lawton under that restriction. We called Secretary Wilson one noontime from, I believe, the office of the senior Senator from Utah. It was on the day when Secretary Wilson was about to depart for the special conference of the National Security Council, which President Eisenhower had called in Colorado. Secretary Wilson came up with Mr. Brucker, who was formerly Governor of Michigan.

We discussed the matter. I think the Senate is entitled to know about our conference, although I do not know whether it has ever been discussed or made public before.

Secretary Wilson and his counsel came before us and talked with us about the restrictive order. I may say, to give all due credit to the chairman of the select committee, that the chairman very vigorously said to Secretary Wilson, "We think you ought to take the wraps off General Lawton and General Zwicker, so that they can testify, and that we can get direct answers to some of the questions asked."

They first told that they were about to go to Denver for the conference with the President; that a time limit was involved, and they could not do anything at that moment. But the chairman of the select committee, the Senator from Utah [Mr. WATKINS], insisted that we should have some sort of answer that day. We suggested that the Secretary of Defense confer with the Attorney General, Mr. Brownell, with respect to the statutes involved, to see if it were not possible to get a relaxation of the order.

That was done, and the chairman received a letter, which appears on page 434 of the hearings. The background of the letter is contained in the record, but I can give it.

The letter, dated September 10, 1954, signed by C. E. Wilson, Secretary of Defense, is addressed to Hon. ARTHUR V. WATKINS, United States Senate, and was the result of the conference. The letter came before the select committee. In part, the letter reads:

Testimony regarding facts, and action documents in regard to orders, actions, and similar matters not directly affecting national security and not dealing with conversations, communications, and letters affecting policy and reasoning back of the actions in many cases are not prohibited by the forementioned Presidential order.

Generals Lawton and Zwicker are being so advised. This was the intent of the advice previously given by General Counsel Brucker to General Lawton when he was advised that his retirement status did not change his responsibility under the Presidential order.

The full text of this letter will be furnished personally to Generals Lawton and Zwicker for their guidance.

It was on that basis that General Lawton, who was recalled before the committee, testified further in answer to questions, perhaps in not too great detail, but somewhat more freely than he had testified before. I think he left with the committee the feeling that he had the impression that General Zwicker was not friendly to Senator McCARTHY.

On the basis of Secretary Wilson's letter, also, General Zwicker testified in greater detail. That is why I think General Zwicker felt he could testify that he had personally notified the Chief of Staff of the First Army about the Peress request, whereas in the earlier hearing he had not felt free to discuss it.

Mr. JENNER. I thank the distinguished junior Senator from South Dakota for his explanation. I think he has contributed greatly to the debate.

Mr. BARRETT. Mr. President, at the outset I should like to pay my respects to the select committee. The task assigned to that committee was not only extremely unpleasant but exceedingly difficult as well. One is constrained to agree with the committee that it "faced an unprecedented situation," if not an impossible task, when it was called upon to bring in its report within a matter of weeks and, worse yet, to do so with "few precedents to serve as a guide."

I want to join with the statements made by many of my colleagues here on the floor of the Senate that the select committee are fair, upright, and honorable men and that each member of that committee enjoys the respect and the complete confidence of the entire Senate.

I want to congratulate the junior Senator from South Dakota [Mr. CASE] for the splendid manner in which he has presented his views on this entire matter and in particular the excellent dissertation here today.

Mr. President, I have been greatly disturbed about two matters in connection with the testimony of General Zwicker. In the first instance, as the distinguished junior Senator from South Dakota [Mr. CASE] has just indicated, General Lawton has testified at great length that he had called on General Zwicker in December 1953, and had discussed with him security problems at Fort Monmouth and the work of Senator McCARTHY's committee with relation thereto. General Lawton testified that he left the conference with the distinct impression that General Zwicker was antagonistic toward Senator McCARTHY.

Now, Mr. President, I was astounded when General Zwicker appeared before the select committee and testified that he could not recall discussing Senator McCARTHY in his conversation with General Lawton and I should like very much if the Senator from South Dakota can in any way account for the failure of General Zwicker to remember having any conversation with reference to the junior Senator from Wisconsin, particularly in view of the fact that General Lawton testified that he tried to explain to General Zwicker the work of the McCarthy committee in the Fort Monmouth investigation and endeavored to convince him that he did not think his attitude toward Senator McCARTHY was proper.

Mr. CASE. I do not know that I can account for it. I think we had to take both statements as they were submitted. It is entirely possible that General Zwicker may have had a conference with General Lawton which he did not recall at the time he was asked about it.

Mr. BARRETT. Can the Senator from South Dakota tell me if it is reasonable to believe that a general officer of the United States Army would not remember a conversation with another general officer with reference to a United States Senator?

Mr. CASE. The junior Senator from South Dakota is not going to speculate upon the ability to remember of any general officer of the United States Army. I think the record will have to speak for itself, and everybody will have to make his own judgment or appraisal of that. I personally do not feel that I know either officer well enough to speculate about his memory ability.

Mr. BARRETT. There is one other matter I should like to inquire about in connection with General Zwicker. There was a statement made, under oath, by a businessman from New York, by the name of Hamilton——

Mr. WELKER. Harding.

Mr. BARRETT. Hamilton or Harding, to the effect that he was sitting next to General Zwicker at one of the McCarthy hearings when General Zwicker was asked a question by Senator McCARTHY, and that, after answering the question and when he was sitting down, he heard General Zwicker mutter under his breath, "You s. o. b." When the select committee interrogated General Zwicker with reference to that incident, did he deny it?

Let me ask the distinguished Senator from South Dakota if he thinks it reasonable to believe that a general in the United States Army should have been able to remember whether he had used such offensive language and if he considers his answer entirely full and frank when he testified: "I do not recall making any remarks," and "I have searched my memory very carefully; and to this moment I have no recollection of having made any such remark"?

Is it reasonable to expect that a general officer of the United States Army would not remember, and could not say categorically that he either called Senator McCARTHY an s. o. b. or he did not call Senator McCARTHY an s. o. b.?

Mr. CASE. There is one aspect of that incident which has not been brought out. The question about which General Zwicker was asked at that time related to whether or not Peress had ever been officer of the day. If the Senator will read the questioning of General Zwicker at that time, I think he will see, and my recollection is, that that questioning occurred in the morning, when General Zwicker was sitting in the audience during the interrogation of Peress. It was not in the afternoon, when General Zwicker was called formally to testify.

At one time during the morning hearing Senator McCARTHY, noting General Zwicker's presence in the audience, apparently directed an inquiry to him and asked him whether he knew if Peress had ever been OD, which means officer of the day. There followed questions which related to whether or not Peress had served as OD.

I am not impugning the honesty before the committee of the witness who came from New York—and he was the only witness to the incident—who testified to the s. o. b. utterance. I think it is entirely possible that he thought he heard such a remark. I do not question that, but I suggest that all interrogation at that point was as to whether or not Peress had been an OD. Then when Zwicker sat down, whether he said s. o. b. or OD, or something like it, I do not know.

But the whole incident is relatively immaterial. At best it would merely be a little sidelight indicating whether or not Zwicker at the moment felt a little disgust over the affair. I have never assumed that General Zwicker proceeded on the basis of fundamental antipathy toward Senator McCARTHY.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. BARRETT. Mr. President, will the Senator yield further to me?

Mr. CASE. I am glad to yield to the Senator from Wyoming.

Mr. BARRETT. The sole purpose of asking these questions with reference to General Zwicker is to ascertain if the Senator from South Dakota came to the same conclusion that I did after reading the hearings; namely, that General Zwicker was very definitely of the feeling that the United States Senate, a committee of the United States Senate, and the chairman of a committee of the United States Senate were interlopers, so to speak, when it came to interrogating a general officer of the United States Army.

Mr. CASE. No, I did not come to that conclusion.

Mr. BARRETT. I desire to ask the Senator if he believes that General Zwicker knew, which I am sure he must have known, of the provision in the Constitution that gives the Congress the power "to make rules for the government and regulation of the land and naval forces."

Mr. CASE. The Senator from South Dakota is aware of that fact.

Mr. BARRETT. I am not questioning whether the Senator from South Dakota is aware of it; I am talking about General Zwicker and whether it was the impression of the Senator from South Dakota that the general was aware that the United States Senate, as a part of the legislative arm of this Government, had a duty in connection with the hearings of the McCarthy committee.

Mr. CASE. I am sure he did. He came before a committee.

Mr. BARRETT. If the Senator from Nevada [Mr. MALONE] will bear with me for a moment, there is one other point about which I should like to inquire. I should like to ask the Senator from South Dakota if, by chance, the committee was able to get any explanation whatsoever of the third point in Senator McCARTHY's letter, and I read:

(3) As above stated, when this officer was assigned to a duty station at Yokohama, he

succeeded in getting those orders changed and being assigned to a duty station in the United States merely on the grounds that his wife and daughter were visiting a psychiatrist. As you and I well know, a vast number of young men with much more aggravated hardship stories of sickness in the family, etc., who request deferment from foreign service are of necessity required to serve their usual time outside this country.

Did anybody in the United States Army enlighten the committee and explain how Major Peress was able to get recalled from Yokohama before he even landed at the port and to be ordered back to duty at Fort Kilmer, N. J., especially when he did not even know the name of the psychiatrist whom his wife and daughter were consulting, and that was the basis upon which he was returned home?

Mr. CASE. That is one of the matters which I feel could have been appropriately investigated by the Army before it let Peress go. It is my feeling that, the Army having been alerted, and that question having been raised by the chairman of the committee, the responsible Army staff should have looked into the question before it let Peress get out of its jurisdiction.

Mr. BARRETT. Mr. President, will the Senator from South Dakota yield to me so that I may make an observation rather than ask a question, provided he does not lose the floor?

Mr. CASE. I yield for that purpose, provided I do not lose the floor.

The PRESIDING OFFICER (Mr. HRUSKA in the chair). Without objection, the Senator from South Dakota may yield for that purpose.

Mr. BARRETT. Mr. President, when I first read the testimony given by General Zwicker last February before the McCarthy committee I came to the very definite conclusion that he was not only uncooperative and evasive but hostile and provocative as well. I read the testimony of General Zwicker before the select committee last September. I grant that General Zwicker was a very fine and cooperative witness before the select committee, but I do not for the life of me understand how any Senator can conclude that since such was the fact that it follows that General Zwicker exhibited the same demeanor when he was testifying before Senator MCCARTHY.

Mr. CASE. Mr. President, the Senator from Wyoming is entitled to make his own evaluation of that, and so is every other Member of the Senate, on the basis of the record.

Personally, because of what I saw of General Zwicker when he was in attendance at some of the committee hearings in the week prior to the Monday at which he testified, I did not get an unfavorable impression of him, nor did I even get one from the testimony before Senator MCCARTHY.

I thought General Zwicker was very alert, mentally, because he drew a very careful line between things he could testify to from his own knowledge, as against something he had heard on the radio or something he had read in the press or something which would reflect information in official files. But, of course, every Senator is entitled to form his own opinion on this point.

Personally, my opinion of General Zwicker is not the one which has been expressed by the Senator from Wyoming; but I accord to the Senator from Wyoming the fullest right to place his own interpretation upon the record.

Mr. WELKER. Mr. President, will the Senator from South Dakota yield to me for a brief question?

Mr. CASE. The Senator from Nevada [Mr. MALONE] has been on his feet for a long time, waiting to question me. So I should like to yield first to him for questions.

Let me state that I believe I should yield for questions only. I have been referring to a specific part of the matter, and now I yield only for questions.

Mr. BARRETT. Mr. President, at this time I should like to ask one more question of the Senator from South Dakota.

Mr. MALONE. Mr. President, I shall be glad to defer my questions, if that is agreeable to the junior Senator from South Dakota.

Mr. CASE. Very well, Mr. President; I yield further to the Senator from Wyoming.

Mr. BARRETT. In the light of the last statement made by the Senator from South Dakota, I should like to ask him whether he remembers a question asked by counsel for the committee, Mr. de Furia, and the answer, as they appear on page 465 of the hearings, as follows:

Do you recall discussing Senator MCCARTHY, in your conversation with General Lawton?

General ZWICKER. No, sir.

I cannot, for the life of me——

Mr. CASE. Is this a question, Mr. President?

Mr. BARRETT. I shall come to the question in a moment. I cannot, for the life of me, understand how a general officer in the United States Army could forget a conversation of that character; and I should like to ask the Senator from South Dakota whether he agrees or disagrees on that point.

Mr. CASE. I think the first question the Senator from Wyoming asked, in the course of his last general interrogation, was whether I recalled that matter. Let me say that that took place the one day of the hearings before the select committee at which I was not present, as I have previously stated.

Before agreeing with the Senator from Wyoming whether that is a proper expression of the memory of a general officer of the United States Army, I would have to know more about the circumstances of the meeting between the two generals, and I have previously indicated that I do not know enough about either officer to speculate about their memory ability. So I let the Senator from Wyoming express his own opinion of it. I refrain from expressing an opinion, for the reasons I have set forth.

Mr. MALONE. Mr. President, will the Senator from South Dakota yield to me at this time?

Mr. CASE. Now I yield to the Senator from Nevada, for a question.

Mr. MALONE. I believe the junior Senator from South Dakota made a valuable contribution to this debate on November 15, when he said, in words of one syllable in regard to the second count of the resolution:

Therefore, I shall not vote for it.

I ask the distinguished Senator to confirm that it was because he had found new evidence——

Mr. CASE. Very definitely so.

Mr. MALONE. That the proper Army officers had been alerted of the position of Major Peress prior to his honorable discharge from that body.

Mr. CASE. In time.

Mr. MALONE. They were officially notified prior to the discharge of Major Peress.

Mr. CASE. And that instead of the matter before the Army staff being that a discharge, which presumably had been issued, "should be reversed," as was suggested by Secretary Stevens' letter of February 16, it actually was consideration of a discharge "about to be consummated", as he states in his letter of last Saturday.

Mr. MALONE. And about which he had full knowledge before the discharge was issued?

Mr. CASE. The letter of the junior Senator from Wisconsin, now set forth in full text before the Senate, is certainly evidence that if it was before the responsible Army staff and was given consideration in connection with a discharge "about to be consummated", they had official knowledge of it.

Mr. MALONE. If the Senator will yield further, let me say that those of us who are trying to keep close account of the happenings on the floor of the Senate are now aware that the distinguished Senator from South Dakota has changed his mind on count No. 2—leaving only one count on which, presumably, he would vote censure.

Mr. CASE. Permit me to say that I did not change my mind; instead, the new evidence changed my mind for me.

Mr. MALONE. I assume that the Senator from South Dakota had adequate reasons for changing his mind, but he did change it. I merely wish to have my own understanding confirmed.

Mr. CASE. Let me also point out that I did not initiate the conference with Secretary Stevens. The conference was the result of a question raised by the Senator from Kansas [Mr. CARLSON], as to whether we could obtain further information on the Peress matter.

When I went to Senator WATKINS' office that afternoon, I did not even know that Secretary Stevens was there. I had nothing to do with the matter he brought up. But apparently Secretary Stevens thought it was germane to the question involved to submit in full text, the letter Senator MCCARTHY had written.

Mr. MALONE. I thank the Senator from South Dakota for that explanation. But I still wish to determine the status of the charges at this time.

Now the Senator from South Dakota has changed his mind on the second count.

Mr. CASE. The evidence changed my mind.

Mr. MALONE. Very well; I accept the correction. But regardless of whatever caused him to change his mind—he has changed it.

CHAIRMAN SEEKS TO AMEND RESOLUTION

Apparently the reason was a lack of competent evidence at the time—the Senator from South Dakota is aware, is he not, that the chairman of the select committee, Senator WATKINS, has said he has a further censure charge he asserts he will offer.

Mr. CASE. He said that. He said that he, the Senator from Utah, had been charged with being a coward, and that he would submit the motion to which reference has been made, if no other Senator submitted it. I respect him for that statement; the Senator from Utah is no coward.

Mr. MALONE. The Senator from Nevada has never said anything derogatory about any Member of the Senate, and does not intend to do so. But he is trying to determine the status of this matter at the present time.

Then the chairman of the select committee has said he has a further censure amendment to submit; is that correct?

Mr. CASE. Yes; if no other Senator submits it. I think the junior Senator from Utah [Mr. BENNETT] has indicated that he would submit a motion along that line.

Mr. MALONE. So a new censure resolution or amendment is in the offing?

Mr. CASE. The record speaks for itself on that point.

Mr. MALONE. Then is the Senator from South Dakota cognizant of the present status of the resolution when one Senator member of the committee has repudiated one-half of Resolution 301, and two other Senators—one the chairman of the censure committee—have warned the Senate of pending amendments?

Mr. CASE. Mr. President, I think Senators will remember that last week when I first spoke upon this subject, during the first afternoon I addressed the Senate—informally and unexpectedly—I was interrogated at one or two points — perhaps more — about the Zwicker matter. I indicated that I preferred not to discuss that subject at that time.

Either that day or the succeeding day the distinguished Senator from Indiana [Mr. CAPEHART] asked me some very pointed questions about the Zwicker-Peress matter. I pointed out, first of all, that the second count was not pending, that the first amendment is within the text of the original Flanders resolution, and that until the first amendment is disposed of the second amendment will not be pending, so I indicated that I preferred not to discuss this subject until later.

Thereafter the Senator from Indiana said, in effect, "It is a part of the whole picture, and there is no reason why we should not discuss it." I agreed that there was no reason why it should not be discussed, except that I preferred not to discuss it for the reason given.

As he proceeded with his interrogation he asked whether or not the committee had endeavored to obtain any additional information. I sidestepped that question a bit, I think. I did say that if collaterally we developed any information with regard to the Peress matter it would be made available to the Senate. That was not an accidental statement. It was made because of the fact that I knew that on Tuesday the select committee had adopted a formal motion requesting the chairman to get in contact with the Secretary of the Army, Mr. Stevens, and ask him to meet with the committee in order that we might determine whether he had further information.

That was why I said last week to the Senator from Indiana that I preferred not to discuss the subject further, but added that if we developed some information collaterally on the subject we would bring it to the attention of the Senate or make it available. That was why, on Monday, at the first opportunity following the disclosures over Saturday and Sunday, I brought the information to the attention of the Senate.

At this point let me say also that I did not broadcast the information first. As I was coming downtown in a cab Monday morning I asked myself, "What is the logical, honest, and proper thing for me to do in this situation?" I said to myself, "I think the thing for me to do is to write a letter to the chairman of the committee telling him how I feel about the matter." He had sent a letter to my office, following a telephone conversation. I took it home, and there I reviewed the testimony. Monday morning when I returned to the Capitol, I said to myself, "I will write a letter to the chairman of the committee."

When I reached my office I dictated a letter and asked my secretary to make some extra copies of it. When the letter was brought back to me I was not satisfied with the phraseology in a few places, so I followed an old editorial habit. I did a little blue penciling. I said to my secretary, "I think this letter had better be recopied. There are too many interlineations and changes." So I asked her to recopy it. I said, "Address an envelope to each member of the select committee," which she did.

I came to the Senate Chamber some time between 11 and 12 o'clock Monday morning with the sealed envelopes in my hand, one of them addressed to the chairman and one addressed to each other member of the select committee. I had an extra copy, which I expected to insert in the RECORD.

I had intended that the copy for the chairman of the committee would be delivered first, but the page did not quite understand. However, within a matter of a few seconds, or certainly less than a minute, a sealed envelope containing a copy of that letter was in the hands of every member of the select committee.

At the conclusion of the letter which was addressed to the chairman, I stated that I was making copies available to the other members of the committee and to the Senate, for the purpose of making it public, because I thought, to be consistent with the record before the Senate, and to be consistent with my statement to the Senator from Indiana [Mr. CAPEHART], the information should be made available. So from the file copy which was left at the office a stencil was made and copies were run off and made available to the press within an hour or so after the letter went to the chairman and the other members of the committee.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. MALONE. Does the Senator understand that Senate Resolution 301 will be voted upon by sections, or as a whole?

Mr. CASE. As I have previously indicated, I understand that if nothing else intervenes, the first vote will be a vote on the first committee amendment, the amendment to section 1. It is within the first and last words of the original Flanders resolution. There will be a vote on that amendment before there is a vote on the amendment proposed as section 2.

Mr. MALONE. Does the resolution now read as it is proposed to be voted upon?

Mr. CASE. It does. On page 2 the Senator will note that in line 5 the last three words are in roman letters. The words ahead of that appear in italics. That is the form in which the Senate indicates amendments and original text.

Mr. MALONE. That was a correction made by the chairman originally; was it not?

Mr. CASE. Oh, no. That was the form in which the amendment was agreed upon and presented to the Senate.

Mr. MALONE. Meaning that it was amended before being presented to the Senate—but passing that question, Mr. President, whether we vote once or twice, in the opinion of the Senator from Nevada, the distinguished Senator from South Dakota, has contributed greatly to this debate by his honesty and straightforwardness in coming forward when evidence was available to show that the higher officers who arranged for the discharge of Peress were aware of the accusations, and were officially informed, contrary to the implications of this testimony, or contrary to the understanding which the Senator from South Dakota had in the committee hearings. Is that true? The Senator did not obtain that idea in the hearings. It was never made clear in the hearings. The question was evidently not asked.

Mr. CASE. That is correct.

Mr. MALONE. If not denied, it had at least been covered up or made indeterminable for the testimony.

Mr. CASE. No; it was not covered up. I certainly would not intimate that any person on either side covered up that matter. It simply was not brought forward.

Mr. MALONE. It perhaps so happened that no one asked the question?

Mr. CASE. The only suggestion with respect to the contents of the letter of February 1 was Senator MCCARTHY'S own summary of it, which did not do justice to the letter, in my opinion.

Mr. MALONE. It so happened, did it not, that no member of the committee asked the direct questions?

Mr. CASE. It so happened that no member asked direct questions about it. If the Senator will read the transcript

of the hearing on September 13, when General Zwicker was before the committee, at which time the first reply letter from Secretary Stevens, the letter of February 16, was introduced, he will find that some questions were asked by the Senator from Colorado [Mr. JOHNSON], the Senator from Mississippi [Mr. STENNIS], or the Senator from Kansas [Mr. CARLSON] which almost skirted the subject. The Senator may wonder why the question did not arise at that time, but it so happened that it did not occur to anyone.

Mr. MALONE. At least three Senators, including the Senator from South Dakota, have suggested either that they do not agree with the resolution in its present form, or that they will offer amendments to it. That is true; is it not?

Mr. CASE. That is true.

Mr. MALONE. Those of us who had no opportunity to attend the hearings and listen to the evidence, because we were in an area west of the Potomac engaged in other activities before the election in November, are left no alternative but to question the members of the censure committee; then, when they do not agree, confusion only can result.

It has been customary, over the period of 8 years during which the Senator from Nevada has been a Member of this distinguished deliberative body, that when the committee reporting a bill or resolution became divided or confused, a motion to recommit to the committee is in order, so that the committee itself may have a meeting of the minds and then come before the Senate and explain exactly what they want the Senate to do.

Would the Senator from South Dakota support such a motion?

Mr. CASE. The Senator from South Dakota is not interested in having any additional duties assigned to the select committee of which he is a member.

Mr. MALONE. That could be considered facetious. It is not a question of acquiring or dodging work; it is a matter of properly completing the job.

Furthermore, let me say to the Senator from South Dakota, we should conform to the Constitution of the United States, which provides that "each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member."

There is nothing in the constitutional provision which indicates that there must be a reason for expelling a Member of the Senate. All that is necessary is to have the requisite number of votes. Some of us are interested to know exactly what the position of the committee is at this time.

Mr. CASE. I have tried to clarify the situation so far as I am concerned.

Mr. MALONE. Yes; and the chairman of the select committee clarified his position. I would again refer to the situation as it now stands, namely, that three Senators, two of them members of the committee, and one of those two the chairman of the select committee, expect to offer amendments, or do not agree with the resolution as it is now before the Senate.

Mr. CASE. Of course, so far as——

Mr. MALONE. The debate being rather heated, I would ask the Senator from South Dakota if he does not believe that some of us have a right to ask for clarification.

Mr. CASE. I shall not say that it is a simple matter; it is quite a complex matter. I have tried to yield generously to any Senator who wished to ask me questions. I have tried to clarify any questions with respect to the subject. I think, however, that the motion which one or the other of the two Senators from Utah indicated they might offer ought not to be regarded as confusing with respect to the matter it reaches, namely, something that occurred during the debate in the present session of the Senate.

Mr. MALONE. The Senators propose an addition to the resolution, is that correct?

Mr. CASE. That is correct.

Mr. MALONE. That would be very important, would it not?

Mr. CASE. Yes, it would be, but I think that Senators all know how they feel about it.

Mr. MALONE. All of them, of course, do not know and will not know until the committee can agree on their recommendations.

Mr. CASE. Perhaps so.

Mr. MALONE. I am speaking for the Senator from Nevada.

Mr. CASE. The Senator from Nevada is entitled to his opinion.

Mr. MALONE. It is not an opinion.

Mr. CASE. Or the lack of an opinion.

Mr. MALONE. Listening to the evidence—or lack of it, so far.

Mr. CASE. The Senator is entitled to a lack of opinion.

Mr. MALONE. The Senator is entitled to know what the committee recommends.

THE FIRST RECOMMENDATION FOR CENSURE

I would like to ask the Senator from South Dakota another question, with regard to the first charge in the resolution, namely—

That the Senator from Wisconsin, Mr. MCCARTHY, failed to cooperate with the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up matters referred to that subcommittee which concerned his conduct as a Senator and affected the honor of the Senate and, instead, repeatedly abused the subcommittee and its members who were trying to carry out assigned duties.

If it were determined and established that the committee itself had no authority to subpena a Senator—that it had been determined as a precedent over a number of years and had been demonstrated several times that it is the privilege of a Senator invited to come before a committee to exercise his judgment as to whether he testifies and that there is no authority to subpena a Senator—would that fact make any difference in the conclusion of the distinguished members of the select committee relative to the first accusation as a ground for the censure of the junior Senator from Wisconsin?

Mr. CASE. The Senator from South Dakota, in his formal statement made last Friday, stated that so far as he was concerned he did not believe the junior Senator from Wisconsin received a request from the Subcommittee on Privileges and Elections at a time when he might have appeared within the terms of the request and that if we were considering it purely on a legal contempt basis of due notice and order to appear, a legal basis did not exist. However, I did state that I did not feel that that covered the whole ground in that particular aspect of the situation.

I may say to the very able Senator from Nevada that he is proceeding to a point in connection with this whole subject on which I had wished to conclude my remarks. If the Senator will permit me to do so, I should like to conclude my remarks on that point.

Mr. MALONE. If the Senator will further yield, I shall not interrupt him again. I am trying to get information. I know the Senator has been very generous with his time in that regard.

However, the Senator from Nevada is not clear as to the position of members of the committee. He was not confused when he first read the resolution. It was only a question of listening to the debate and deciding whether to vote for the resolution or against it.

However, the Senator from Nevada has become confused by the lack of unity of the members of the censure committee, particularly with respect to what constitutes a ground for censure.

No one, least of all the distinguished junior Senator from South Dakota, has ever said in my hearing at least that the junior Senator from Wisconsin had violated any rule of the Senate. I have heard it said in heated argument that he should not talk the way he does and that he should not use the kind of language he uses.

Mr. CASE. Of course, with reference to the remarks of the junior Senator from Wisconsin which he inserted in the RECORD the other day, wherein he referred to the activities of the select committee, even though he qualified them by using the word "unwitting," if those remarks had been uttered on the floor of the Senate, instead of being inserted as a statement in the RECORD, the Senator from Wisconsin would have violated a rule of the Senate with regard to certain implications about other Members. Had he made the remarks on the floor of the Senate, I believe he could properly have been seated.

Mr. MALONE. Does the Senator mean "unseated"?

Mr. CASE. No; seated—that is, he would be asked to take his seat. He would be taken off the floor for speaking in such terms. Then another Senator could make a motion that the junior Senator from Wisconsin be allowed to proceed in order.

Mr. MALONE. That has happened several times during the membership of the Nevada Senator in this great body. I have listened for nearly 2 weeks, and have read the CONGRESSIONAL RECORD diligently every day. I must say to the Senator from South Dakota I have been trying to determine from the debate what the grounds for censure are.

Since the Senator from South Dakota has been a Member of the Senate, and many times since the Senator from Nevada has been a Member of the Senate, there have been occasions when a Senator has objected to a remark made by another Senator, and the Senator making the remark has been required to take his seat. Then, after tempers had been permitted to cool, a motion was made that the Senator be permitted to proceed in order, and the Senator then was permitted to proceed in order. However, no one has ever suggested that a censure resolution be adopted in such a situation.

Therefore, I should like to close by saying, if I may, that the Senator from Nevada still can find no ground for censure, and he is supported in that belief by the debate with the Senator from South Dakota. He now apparently does not agree with either of the two parts of Senate Resolution 301.

I agree wholeheartedly with the distinguished Senator from South Dakota in his retraction of his support of the No. 2 censure—that he would not vote for it. Also that he can find no reason to support the first part of the resolution since there is no authority to require a Senator's appearance before a committee—long procedure established the definite precedent that it is left to the judgment of the Senator himself as to whether or not he appears.

There is no substance left to Resolution 301.

Mr. DIRKSEN. Mr. President, will the Senator yield for a question?

Mr. CASE. I yield.

Mr. DIRKSEN. I understand it is the present conviction of the Senator from South Dakota, based upon conferences with the Secretary of the Army, based on new evidence that has been disclosed, and based on the Senator's analysis of certain letters which came to his attention, that section 2 of the pending resolution should be stricken. Is that correct?

Mr. CASE. It ought not to be offered; if offered, it ought to be voted down.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. CASE. I yield.

Mr. WELKER. Will the Senator allow me to make an observation?

Mr. CASE. If I do not lose the floor, I shall be glad to have the Senator do so.

Mr. WELKER. I have taken much time of this great body. I cannot too highly praise the distinguished Senator from South Dakota for his kindness and honesty and fairness in attempting to bring out before this court of justice the facts that all of us ought to know.

Now I should like to ask a question. Knowing, as the Senator from South Dakota does, that the junior Senator from Idaho has not seen—and he defies anyone to produce it—any law or any precedent for censuring a Senator for words spoken, either on or off the floor of the United States Senate, and realizing that I disagree with the select committee in that respect, does the Senator from South Dakota think it would follow that such an additional resolution of censure should be filed against the junior Senator from Wisconsin, when he is defending himself in a criminal action for calling some Senator—I believe in this case it was alleged he called the senior Senator from Utah a coward——

Mr. CASE. Off the floor.

Mr. WELKER. Off the floor, or on the floor, or wherever it happened. Does the Senator think it would follow that an additional resolution should be offered or an amendment proposed, or something of that parliamentary nature, censuring other Senators who had uttered such words against the junior Senator from Wisconsin to the effect that he was a Hitler, or a follower of the Communist line, and statements which certainly implied to all the world—and I am being charitable in saying that—that he was a sexual pervert and——

Mr. CASE. Mr. President, I do not recall any such statement.

Mr. WELKER. I am willing to argue that upon the question of the implication. I used the word "implied."

Mr. CASE. Whatever the Senator's question may be, my answer is not going to be predicated upon the assumption that any such statement was made.

Mr. WELKER. Very well. I certainly would not propose a resolution unless I felt that the implications impugned the character of a fellow Senator with respect to that allegation.

I would ask also with respect to statements made before the Senate that the junior Senator from Wisconsin was a liar, that he made false accusations, and things of that nature. Would my distinguished and able friend tell me whether, in his opinion, such additional resolutions could and should properly follow?

Mr. CASE. Mr. President, the junior Senator from South Dakota last week, at one point during the debate, stated that the committee gave some consideration to the statements which were uttered by the Senator from Vermont [Mr. FLANDERS] in connection with one of the amendments referred to the committee relating to the remarks of the junior Senator from Wisconsin about the Senator from Vermont, and it was our conclusion, as stated in the report, that the remarks by the Senator from Wisconsin were provoked.

I will state further, as I think I said at that time, that the remarks he made, whether seriously or not, were such that possibly the select committee should make some recommendation with reference to the conduct of the Senator from Vermont, but we felt that was not a matter referred to the select committee, so we made no recommendation with respect to it.

The principle involved in the suggestion now offered by the Senator from Idaho is consistent with the many cases he cited to us during his exhaustive and lengthy discourse of yesterday and the day before. I think his suggestion and the La Follette case, which is on the other side, fall into the category of logic known as the fallacy of false parallels; the error in this instance deriving from the fact that in the recommendation of the committee there are two elements involved, one, the failure to assist a committee of the Senate in clearing up a matter wherein the honor of the Senate and the honor of a Senator himself were involved, and, instead, repeatedly abusing the subcommittee and its members for trying to carry out their duties, thereby tending to obstruct the legislative processes of the Senate.

That leads me again to the point which is the crux of the matter. The real test, so far as I am concerned, whether the Senate ought to adopt any resolution of censure with reference to the action complained of, is a twofold action, namely, a failure to help the committee carry out the duties imposed upon it, and at the same time using derogatory language which also would tend to discourage or prevent the committee from acting. That is the basic issue.

In a case where either element is lacking there is a different situation. I am not saying that a flagrant case may not arise in which derogatory language is of such character and of such degree as to warrant censure. I am not saying that such a case may not arise. I am not saying that at some time there might not be a case where a Member of the Senate by some action prevented a committee from carrying out its functions by locking the door, or whatever it might be, thereby giving a basis for censure.

But in section 1 we have presented two phases of the action, not so serious as locking the door or destroying the files, or something of that kind. I think the the Senator will agree with me that if a Member of the Senate were charged with certain actions which were very serious, such as obtaining certain files and destroying them, that would be a case in which the Senate would want to take some action. That would be preventing the Senate from functioning; it would be obstructing the legislative process.

Similarly, there might be a situation where some Senator might repeatedly and insistently, day after day, indulge in derogatory language, preventing the Senate from carrying out its functions.

Mr. WELKER. What would the Senator do with rule XIX, subsection 2? Would he disregard that or would he have it enforced?

Mr. CASE. I would exercise it first.

Mr. WELKER. If a Senator continued to use violent language which disrupted the legislative process of this great body, certainly there would be action to prevent him from continuing.

Mr. CASE. If he repeatedly did that.

That brings me to the point on which I wish to conclude the matter.

Mr. WELKER. I want the Senator to conclude, but the Senator brought up a matter as to which I do not agree with him. This is the first time in the history of the Republic that a censure resolution has been presented with reference to words spoken on the floor, off the floor, or in any other place, involving a Senator or any other person.

Mr. CASE. I would not, under the circumstances prevailing today, with the junior Senator from Wisconsin necessarily absent by reason of illness, present any argument on the first count with a view to influencing the action of the Senate.

Mr. WELKER. I have only one other question, Mr. President, and it involves the junior Senator from Idaho. With respect to the first count, setting forth that the junior Senator from Wisconsin did not cooperate with the Gillette-Hennings committee, I ask the Senator from South Dakota whether he has read my full telegram of resignation and whether he does not feel that I should be the next man censured because I failed to cooperate with the committee; I interrupted the legislative process in that instance; I refused to remain a member of the committee, and explained why, in very strong language.

Mr. CASE. But the action of the Senator from Idaho did not prevent that committee from functioning.

Mr. WELKER. In the findings of the committee it is stated by the committee itself that the committee's work had been hampered by several changes of Senators because of resignations.

In conclusion, I wish to thank my distinguished friend for permitting me to interrupt him.

Mr. FERGUSON. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I yield.

Mr. FERGUSON. I wish to ask unanimous consent, with the understanding that the Senator from South Dakota shall not lose the floor, that the Senate may take a recess for 1 hour.

Mr. CASE. I appreciate the courtesy and the suggestion of the Senator from Michigan, but if a recess is to be taken with the understanding that I am to resume the floor following the recess, I am afraid I shall get into a discussion all over again. I really feel that I can conclude what I have to say in less than 2 minutes.

However, I yield for a single question to the distinguished senior Senator from North Carolina [Mr. LENNON], who has been on his feet for several minutes. Then I should like to continue for 2 minutes so that I may conclude my remarks. I shall then be glad to yield for a motion to recess.

Mr. LENNON. Mr. President, I have a series of questions which I had intended to ask with respect to the announcement by the Senator from South Dakota that he did not intend to support the second count of the censure resolution. I wondered if he would be willing to remain on the floor for at least 10 minutes longer, although I know he has been on his feet for quite a while.

Mr. CASE. At a later time I shall be glad to yield to the Senator from North Carolina for whatever questions he may wish to ask me.

I now yield to the Senator from Michigan.

Mr. FERGUSON. Mr. President, I yield to the Senator from California [Mr. KNOWLAND].

Mr. CASE. I shall be glad to yield to the Senator from California, but I hope he will not move to recess until I have had an opportunity to proceed for about 2 minutes. Then I shall be glad to yield.

Mr. KNOWLAND. Very well.

Mr. CASE. Article I, section 6, of the Constitution provides, with respect to Senators and Representatives, as follows:

> And for any speech or debate in either House, they shall not be questioned in any other place.

That is the constitutional backdrop for free speech, which we seek to maintain in the Congress of the United States, particularly in the Senate. I have the very definite feeling that the speech of Senators ought not to be the basis for censure, unless it tends to obstruct the processes of the Government.

Mr. President, I ask unanimous consent to have printed at this point in my remarks the very able memorandum relating to propriety of censure for language used off the floor of the Senate, prepared by counsel for the junior Senator from Wisconsin, which appears at pages 571 to 574, inclusive, of the hearings before the select committee.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

V. MEMORANDUM RELATING TO PROPRIETY OF CENSURE FOR LANGUAGE USED OFF THE FLOOR OF THE SENATE

Category IV of the charges now under study by this committee relates to certain remarks allegedly made by Senator MCCARTHY off the floor of the Senate. It is his position that the censure power is nothing more or less than the power to punish for contempt. It is his further position that Congress can only punish language as contemptuous if such language has a real and immediate tendency to obstruct the legislative process. Clearly the testimony which has been introduced under category IV does not show that Senator MCCARTHY has employed language of this nature.

It is recognized that the censure power is derived solely from the power to punish for disorderly behavior which is conferred by article 1, section 5, of the Constitution. See remarks of Senator Daniel, of Texas, CONGRESSIONAL RECORD, 83d Congress, 2d session, page 12919; remarks of Congressman Black, of Texas, CONGRESSIONAL RECORD, 67th Congress, 1st session, page 6891; report of Senators McComas, of Maryland, Beveridge, of Indiana, and Pritchard, of North Carolina, in the so-called Tillman-McLaurin case, CONGRESSIONAL RECORD, 57th Congress, 1st session, page 2205. This proposition has already been advanced by counsel for Senator MCCARTHY.

It is likewise settled that the power to punish for disorderly behavior is nothing more or less than a constitutional codification of the inherent power of all legislative bodies to punish for contempt. As has already been pointed out by counsel for Senator MCCARTHY, the Supreme Court of the United States has expressly so held. See *Marshall* v. *Gordon* (243 U. S. 521, 526); *Anderson* v. *Dunn* (6 Wheat. 204, 225).

The Supreme Court has also held that no language can be punished as contumacious unless it has a real and immediate tendency to impede the legislative process. Squarely in point is the case of *Marshall* v. *Gordon, supra.* There a Member of the House of Representatives was indicted under the Sherman Act in the southern district of New York. He made certain charges against the district attorney for the southern district and requested the Judiciary Committee to investigate such charges insofar as they might constitute grounds for impeachment. While this investigation was going on, an article appeared in a daily newspaper charging that the writer was informed that the committee was endeavoring rather to investigate and frustrate the action of the grand jury than to investigate the conduct of the district attorney. When the writer declined to name his informant, the district attorney addressed a letter to the committee chairman, avowing that he was the informant referred to in the article and repeating the charges there made in amplified form. The language of these charges was manifestly ill tempered and well calculated to arouse the indignation of the House generally. The letter was given to the press and published contemporaneously with its receipt by the chairman.

After a select committee concluded that the letter was defamatory and insulting and that it tended to bring the House into public contempt and ridicule, the district attorney was arrested for contempt. He brought habeas corpus to test the legality of his detention, and the Supreme Court held that he must be discharged because his language was not contumacious in that it did not tend to obstruct the legislative process. At 243 United States 545–546 the Supreme Court gave the rationale of this decision:

"There is room only for the conclusion that the contempt was deemed to result from the writing of the letter, not because of any obstruction to the performance of legislative duty resulting from the letter, or because the preservation of the power of the House to carry out its legislative authority was endangered by its writing, but because of the effect and operation which the irritating and ill-tempered statements made in the letter would produce upon the public mind, or because of the sense of indignation which it may be assumed was produced by the letter upon the members of the committee and of the House generally. But to state this situation is to demonstrate that the contempt relied upon was not intrinsic to the right of the House to preserve the means of discharging its legislative duties, but was extrinsic to the discharge of such duties, and related only to the presumed operation which the letter might have upon the public mind and the indignation naturally felt by members of the committee on the subject."

Thus the Supreme Court held that remarks made in the press cannot be punished as contemptuous merely because they tend to bring Congress into ridicule or disrepute. There must, in addition, be a finding that such remarks inherently obstruct or prevent the discharge of legislative duty.

This rule is not peculiar to the congressional power to punish for contempt. It is also a limitation upon the power of a court to punish for contempt. The most recent Supreme Court case in this field is *Craig* v. *Harney* (331 U. S. 367, 373, 376). There petitioners published certain articles in a Texas newspaper regarding the action of a State judge in directing a verdict in a certain lawsuit. His ruling was characterized as arbitrary action and a travesty on justice. It was deplored that a layman, rather than a lawyer, was acting as the judge in this case. The ruling was labeled a "gross miscarriage of justice," which brought down the wrath of public opinion upon his head and repudiated the first rule of justice.

Petitioners were imprisoned for contempt on account of these articles. They brought habeas corpus to test the legality of their detention, and the Supreme Court held that they must be released because their languaage did not constitute a clear and present danger to the administration of justice, stating:

"The history of the power to punish for contempt * * * and the unequivocal command of the first amendment serve as constant reminders that freedom of speech and of the press should not be impaired through the exercise of that power, unless there is no doubt that the utterances in question are a serious and imminent threat to the administration of justice.

* * * * *

"The vehemence of the language used is not alone the measure of the power to punish for contempt. The fires which it kindles must constitute an imminent, not merely a likely, threat to the administration of justice. The danger must not be remote or even probable; it must immediately imperil."

Thus the Supreme Court has held that language employed outside of a courtroom cannot constitute contempt of court unless it constitutes an imminent obstruction to the judicial process. The rule here is the same rule which obtains in congressional contempt cases and is predicated upon the same principle, namely, that the power to punish for contempt is a power of self-preservation alone, and exists only to the extent required by this objective.

Both Houses of Congress have repeatedly recognized that they can punish language spoken off the floor of the Senate or the House only in the most exceptional circumstances. The Senate of the United States has never censured a Member for language employed off the floor. So far as careful research reveals, the House of Representatives has never censured a Member for language employed off the floor. Certainly Senator McCARTHY is not the first Member of this body who has allegedly used "insulting" language concerning his colleagues off the floor of Congress. The conclusion is irresistible that there was no censure in these prior cases because Congress felt it had no power to pass a censure resolution.

This conclusion is substantiated by the remarks of Speaker Gillette of the House of Representatives on March 24, 1924, set forth at VI Cannon's Precedents, section 584. In response to a parliamentary inquiry from John E. Rankin, of Mississippi, the Speaker said:

"Well, the Chair thinks, no matter what a person says outside, a Member attacked has a right outside to say what he pleases and has a right also on the floor of the House to answer any argument or attack, provided he does not violate the rule as to personalities. As to them the Chair thinks the rules apply, no matter what the provocation may be."

In other words, Congress has no jurisdiction over remarks made off the floor of Congress in the usual case.

This distinction between the power to punish for language used in debate and the power to punish for language used outside of debate finds support in the fact that a Member is immune from civil liability only for language of the former type. A Member is not answerable in the courts for language employed on the floor of Congress, but he is answerable to the Congress itself for such language. On the other hand, a Member is answerable in the courts for language employed off the floor of Congress, and hence it seems logical that he should not generally be answerable to Congress itself for such language.

Counsel for Senator McCARTHY does not, of course, contend that a censure resolution may never be predicated upon conduct committed off the floor of Congress. For example, it is settled beyond dispute that a Member may be censured for complicity in the offense of bribery, although no part of the offense was committed within the walls of Congress. The obvious reason for this result is that bribery, wherever consummated, constitutes a real and imminent obstruction to the legislative process. A Member may likewise be censured for a physical attack upon the person of another Member outside of the walls of Congress. Such attacks obviously obstruct the legislative process because they hinder the Members in the performance of their legislative duties.

Nor does counsel for Senator McCARTHY contend that language spoken off the floor of Congress can never form a predicate for a censure resolution. As indicated by the Supreme Court, there may be instances where such language has a real and immediate tendency to obstruct the legislative function. In such a case, of course, language of this nature would support a resolution of censure.

The test is always the same: Did the conduct obstruct or endanger the legislative process? This test is applicable to any offense upon which a censure resolution is predicated, whether it be a physical assault upon the person of a Member or whether it be language derogatory of a Member. In the present case, it is crystal clear that the language allegedly employed by Senator McCARTHY could not and did not endanger the legislative function. It is likewise crystal clear that this language could not and did not obstruct the legislative function. The precedents reveal that neither House of Congress has ever censured a Member for language employed off the floor of Congress, thus substantiating the conclusion that such action may be taken only in the rare and exceptional case where such language does in fact have an obstructive tendency.

For the foregoing reasons, it is respectfully urged that Senator McCARTHY cannot be censured for any of the alleged offenses set forth in category IV of the present charges.

Mr. BROWN. Mr. President, will the Senator from South Dakota yield for the suggestion of a possible correction in his statement?

Mr. CASE. I am happy to yield to the new Senator from Nevada. I invite his question at this time.

Mr. BROWN. Did the Senator from South Dakota mean to say "processes of the Government," or did he desire to confine his statement to the legislative processes?

Mr. CASE. I am glad the distinguished Senator from Nevada has raised that question, because it brings out a point involved here.

The first part of the memorandum prepared by Mr. Williams, counsel for the junior Senator from Wisconsin, relates to some Supreme Court cases involving the question of the obstruction of legislative processes. The memorandum cites the most recent Supreme Court case on the question of contempt, the case of *Craig* v. *Harney* (331 U. S. 367), a Texas case, which involved the interruption of judicial processes because of words spoken outside the court.

In those approaches to the question, one finds the suggestion that utterances outside the body might be considered a basis for censure only if they obstruct or endanger the processes of the Government, in the one case the legislative process, in the other the judicial process.

Finally, on page 574, counsel suggests:

The test is always the same: Did the conduct obstruct or endanger the legislative process? This test is applicable to any offense upon which a censure resolution is predicated, whether it be a physical assault upon the person of a Member or whether it be language derogatory of a Member.

Or, as in the case suggested, it might be applicable where a Member might get possession of the files of a committee, or something like that, and otherwise make it impossible for the legislative processes to operate.

Applying that to the principle involved in the proposed section 3 of the resolution, the reason why I felt that that section should not stand was that it rests upon the conclusion that, thereby, there was a tendency to destroy the good faith which must be maintained between the executive and legislative branches of our Government.

It is my contention that on the basis of the letter of Secretary Stevens of last Saturday, the breach of good faith occurred at the other end of the street; that the breach of good faith was the failure to respect a letter from the chairman of the Senate committee when it was received in time to forestall action which was about to be consummated, in contradistinction to the situation which appeared to exist before that time, namely, that a request had been made for the reversal of action which had been taken, when it could not be recalled.

On that basis, I felt that section 2 should not stand, and I felt the Senate was entitled to know how the evidence was developed; that it was new evidence; that the change in my position was not capricious or arbitrary, responding to any so-called pressure, or anything of that sort, but was the direct result of a sequence of developments of new evidence along the lines I have tried to outline to the Senate today.

I thank the Senate for its indulgence.

Mr. KNOWLAND obtained the floor.

Mr. HENDRICKSON. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. HENDRICKSON. I understand that the Senator from California is about to move that the Senate take a luncheon recess. Before the Senator so moves, I wish to state that I desire to address myself to a point of personal privilege. Therefore, I ask unanimous consent that I may have the floor when the Senate reconvenes following the recess, although I do not believe it is necessary for me to have unanimous consent to do so.

Mr. KNOWLAND. I think a question of personal privilege is of the highest order. I suggest to the junior Senator from New Jersey that he raise the question of personal privilege when the Senate convenes following the recess.

Mr. HENDRICKSON. I shall be happy to do so.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. Who has the floor?

The PRESIDING OFFICER. The Senator from California has the floor.

RECESS

Mr. KNOWLAND. Mr. President, I move that the Senate stand in recess until 3 o'clock this afternoon.

The motion was agreed to; and (at 1 o'clock and 56 minutes p. m.) the Senate took a recess until 3 o'clock p. m.

On the expiration of the recess, the Senate reassembled, and was called to order by the Presiding Officer (Mr. GOLDWATER in the chair).

ORDER OF BUSINESS

Mr. BUTLER. Mr. President, immediately prior to the recess for luncheon, the distinguished junior Senator from New Jersey [Mr. HENDRICKSON] asked for

the floor in order that he might discuss a point of personal privilege, and I think that the Senate should have a quorum for that occasion. Therefore, I suggest the absence——

Mr. JOHNSON of Texas and Mr. HENDRICKSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Maryland yield?

Mr. BUTLER. I yield to the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, whether for the purpose stated or for another purpose, I also desire that a quorum be present. The Senator from New Jersey has not been recognized as yet. I assume that, if there is to be a call of the roll, it will then still be within the discretion of the Chair to recognize either the Senator from New Jersey or the majority leader. It may be that the majority leader will want to make a brief statement following the quorum call, so I would not want it to be understood that the Senator from New Jersey has the floor.

Mr. HENDRICKSON. Is the Senator from Texas saying in effect that the majority leader is to be recognized before the junior Senator from New Jersey is recognized?

Mr. JOHNSON of Texas. No. The Senator from Texas is not saying that directly or in effect. The Senator from Texas is saying he does not want any understanding that following a quorum call the junior Senator from New Jersey will be recognized, and that was the implication of the statement of the acting majority leader.

Mr. HENDRICKSON. That was my understanding.

Mr. JOHNSON of Texas. It may very well be that the majority leader may desire to make a brief statement prior to the time the Senator from New Jersey speaks.

Mr. HENDRICKSON. Of course, the junior Senator from New Jersey will always be glad to yield for that purpose.

CALL OF THE ROLL

Mr. BUTLER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Ervin	Knowland
Aiken	Ferguson	Kuchel
Anderson	Flanders	Langer
Barrett	Frear	Lehman
Beall	Fulbright	Lennon
Bennett	George	Long
Bridges	Gillette	Magnuson
Brown	Goldwater	Malone
Bush	Green	Mansfield
Butler	Hayden	Martin
Byrd	Hendrickson	McClellan
Capehart	Hennings	Monroney
Carlson	Hickenlooper	Morse
Case	Hill	Mundt
Chavez	Holland	Murray
Clements	Hruska	Neely
Cotton	Humphrey	Pastore
Crippa	Ives	Payne
Daniel, S. C.	Jackson	Potter
Daniel, Tex.	Jenner	Purtell
Dirksen	Johnson, Colo.	Robertson
Douglas	Johnson, Tex.	Russell
Duff	Johnston, S. C.	Saltonstall
Dworshak	Kefauver	Schoeppel
Eastland	Kilgore	Smith, Maine
Smith, N. J.	Thye	Williams
Sparkman	Watkins	Young
Stennis	Welker	
Symington	Wiley	

The PRESIDING OFFICER. A quorum is present. The Senator from New Jersey is recognized.

QUESTION OF PERSONAL PRIVILEGE

Mr. HENDRICKSON. Mr. President, since the junior Senator from New Jersey addresses himself this afternoon to a matter of personal privilege, I shall refuse to yield.

Mr. President, much has been said in the course of these extraordinary sessions of the Senate about the abusive language impugning the capacity and the courage of the junior Senator from New Jersey.

At the time the words were uttered, the junior Senator from New Jersey was obliged to consider the source of the remarks and the circumstances.

He then emphatically refused to dignify either the author or the words. He still refuses, insofar as they could affect any decision of his upon the real issues before the Senate in these important proceedings, to permit those words to become a part of the RECORD—the RECORD as he will read it and interpret it.

As an individual, the junior Senator from New Jersey is of little consequence in this affair.

If he was unfairly criticized, the real victim was a duly constituted subcommittee of the Senate.

If he was maligned, the Senate was maligned far worse. If he was slandered, the Senate was truly slandered. These are the inescapable facts, Mr. President.

Thus, Mr. President, it must be clear that the junior Senator from New Jersey is not personally troubled by the reference made about him, nor has he ever been. I may add that it was unpleasant to have a Senator use those words; but, beyond that, the reference has never troubled the junior Senator from New Jersey.

As a consequence, it should be pointed out that no apology need be made to him—the individual.

The apology, if any apology is forthcoming, is owed the Privileges and Elections Subcommittee which, in its moment of trial, was supported by a 60-to-0 vote of the Senate, for it was on that subcommittee I was serving when the remarks were made.

There is no personal malice involved here, therefore. Indeed, Mr. President, the junior Senator from New Jersey deplores the acrimony emanating from various sections or from various sides of this Chamber.

There are greater things at stake for this body than the reputation of one of its Members, whether it be the reputation of the junior Senator from Wisconsin, or that of the junior Senator from New Jersey, or that of any other Member of this body.

The Senate, in my opinion, should completely disregard remarks made about me.

The Senate should, indeed, consider remarks about me only as they reflect on the credibility and the decency of the Privileges and Elections Subcommittee which had been trying to do a job which the Senate as a whole had asked it to do.

Mr. President, at a later date in these sessions I shall ask to be heard further on the other real and fundamental issues involved. Until then, I refuse to yield. As I have already said today, I address myself only to a question of personal privilege.

COEXISTENCE OR WAR?

Mr. JENNER. Mr. President, yesterday was the 21st anniversary of recognition by the Government of the United States of the Government of the Soviet Union.

There is something symbolic in a 21st anniversary. It signifies the coming of age, the achievement of full growth and development.

It is proper that we should pause a moment, to look back at what has grown out of that new-born policy of November 17, 1933. What have we won by 21 years of peaceful coexistence with the Soviet Union?

From 1917 to 1933, both parties in this country had agreed to refuse recognition to the Communist government, on the ground that it was a barbarous tyranny, maintained only by continuous violence against its own people.

In 1933, the Soviet Union was exhausted from a cruel famine brought on by the stupidity of its own leaders, in killing or jailing its farmers if they were successful. The people were angry and rebellious. The Japanese, aware of its weakness, were threatening attacks on Siberia at any moment.

We do not know who directed the campaign, in American press and political circles, for recognition of the Soviet Government in 1933, when the new administration came in. But we can easily understand why the tottering Bolshevik leaders needed the psychological and economic lift of diplomatic recognition and trade with the United States.

Let us recapitulate briefly the gains of the Soviet Union from our generosity, or shall I say our credulity, over these 21 years.

The Soviet Union obtained at once greatly improved resources for maintaining its tyranny over its rebellious people.

It obtained far better facilities for espionage in American industrial establishments and business offices, and for propagandizing industrial and business leaders.

It made its first effective step in penetrating the Government of the United States, and we know where the trail of interlocking subversion has led us to date.

It intensified its campaign to penetrate American schools and colleges.

It used its new respectability to penetrate the American press and publishing industry.

It began its influence on United States legislation, and on the congressional committees, whose task it was to formulate legislation.

It began to smear American business and to humiliate American military leaders.

Of course, Litvinov had solemnly agreed that the Soviet Union would disband its fifth column on American soil. We know how faithfully the Communists have kept that pledge.

In foreign relations, the Soviet leaders began their long, devious, and brilliantly successful campaign to turn the Japanese militarists away from attempts to capture eastern Siberia, and to turn them toward attacking the United States. Richard Sorge and his associates, hidden high in the Nazi Party apparatus, were secretly working to bring about the Japanese attack on Pearl Harbor, during the years in which we were giving the Soviet leaders all the help we could give.

In 1940 the Soviet Union was deeply split by near civil war, in which many of its ablest army and political leaders had been killed by Stalin. The people were cold, hungry, and embittered. The Soviet rulers needed time to rebuild their tyranny, and resources to extend it.

Again the American Government came to their rescue. We knew the Communists had suddenly made an agreement with Hitler, in order to incite war between the nations opposed to them. When Hitler turned on them, we never doubted the honor and trustworthiness of the Communists. While the Red leaders were planning the Japanese attack on our fleet, we poured billions of lend-lease into the Soviet Union, not for war only but for every kind of postwar industrial development. We even permitted Soviet airmen to have precedence over American airmen when our fliers needed equipment or protection for Arctic flights.

We fought on, after the enemy was defeated, in the useless exhausting fight for unconditional surrender, while fifth columnists in our own Government were writing the directives by which we were to destroy, for the Communists, the great military barriers in Germany and Japan, which had protected the west. We left the lands and the nerves of the western nations open to direct Communist attack.

Protected by their fifth column and our exhausted credulity, the Soviet power rumbled westward over Poland, Czechoslovakia, East Germany, Hungary, and the Balkans. Eastward it rumbled over the heartland of Asia, the China mainland. Then it came up against our fighting men and our brave Korean allies, and it broke. The power of communism could have been broken forever if our own Government had not tied the hands of our fighting commanders behind their backs.

Today we see the forked tongue of Communist attack darting out toward free Korea, darting out toward free China on Formosa, darting out toward the pitiful remains of Indochina.

In the West we see the vials of poison gas being spilled over the people of West Germany, France, Britain, and Italy—the poison gas we call peaceful coexistence. The fumes are spreading over the United States. We hear about it daily. We read about it in the news and editorial columns and on the front pages of our newspapers.

The minds of our leaders are falling asleep. From their drug-poisoned minds we hear the words "peace, peace," when there is no peace.

For 21 years we have been slipping and sliding into the pit of lies, confusion, and hidden treachery the Communists have dug for us.

World conquest by the Communists comes nearer every day.

Today, as in 1933, the Communists are divided at home. Their people are embittered and rebellious over the privations they have suffered as a result of Communist tyranny. The people of the satellite nations are so desperate that they have even attacked tanks with their bare hands, while courageous Russian soldiers refused to fire on them.

The Soviet system is internally as weak today as it was in 1933. It is fighting the desperate battle for peaceful coexistence because it cannot take the slightest shock from without. It must give its people more food and clothes, and it must get them from the foolish anti-Communist countries. It must get more machine tools to make guns and find shipyards to make ships, and it expects to get them from the blind and foolish anti-Communist countries. It must have time, and it expects to get more time from the foolish anti-Communist nations.

When will America awake? When will we realize our danger? When will we close the doors to all diplomatic and trade relations with the Soviet Government? When will we withdraw from our foolish effort to save the Communist rulers from the consequences of their own stupidity?

Secretary of Defense Wilson is quoted as saying that we must think about peaceful coexistence and trade with the Soviet or look forward to the possibility of war. Of course, no one wants war.

I admire Secretary Wilson's industrial genius and his patriotic devotion to our security. But this is a political boobytrap, a clever use of the Communist dialectic.

The choice is not coexistence or war. Coexistence is war.

The distinguished majority leader [Mr. KNOWLAND] made a statement on the floor of the Senate the other day. Certain writers have picked it up and have said that the Senator from California wants war. The choice is not coexistence or war; coexistence is war. The other choice, our choice, is to stop propping up the Soviet Union and the Red government of China so that they can tyrannize over their own people and keep their neighbors in mortal fear. The Soviet system cannot stand without our help. It will fall to pieces if it cannot collect tribute from new conquests. Coexistence is war. We have had coexistence for 21 years—peaceful coexistence, if you please. During many of those years they were our great so-called democratic allies. I ask Senators whether they like peaceful coexistence.

The American policy of nonrecognition of tyranny is the road to peace. It is the only way to give hope to the captive people behind the Iron Curtain. Let us assure them we will never desert them. We will not do business with gangsters, bandits, and murderers.

Let us celebrate this landmark of our folly and credulity by breaking all diplomatic and trade relations with the Soviet Union and giving to the helpless people of Russia, China, and the satellites a chance to destroy the tyranny which without our help must crumble into dust.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "Peace—But Not at Any Price," written by David Lawrence, and published in the Washington Evening Star of November 17, 1954.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PEACE—BUT NOT AT ANY PRICE

(By David Lawrence)

Everybody in the Government here, including the Congress, seems to be in favor of coexistence with Soviet Russia but nobody is quite sure it's going to be peaceful.

That's the crux of the debate precipitated Tuesday by Senator KNOWLAND, of California, majority leader, who wants to discuss frankly and in the open just what the present Communist activities in the world really mean.

This doesn't mean that Senator KNOWLAND is necessarily at variance with the White House. Nor is there any real evidence that either the President or the Secretary of State are averse to having the Senate debate the issues. For it is apparent that, as Secretary Dulles himself told a press conference after the Knowland speech, there is some difference of opinion between Moscow and Washington as to just what peaceful coexistence means.

So far as this Government and perhaps also most all of the western countries known as a part of the free world are concerned, "peaceful coexistence" means honorable intercourse, a willingness to keep out of each other's affairs, and particularly it means the absence of any aggression.

But the suspicion here, which is shared by the executive branch of the Government, is that, just as the Soviet Union claims it is a democracy, so will also distort the meaning of peaceful coexistence.

To the United States, peaceful coexistence does not mean the repeated shooting down of planes on peaceful errands or a threat to invade weaker countries such as is now being witnessed in the Far East and southeast Asia.

Since it is apparent that Moscow isn't sincere and refuses to be peaceful, the debate on what coexistence means has been opened up in timely fashion by Senator KNOWLAND. There are indications that Senator LYNDON JOHNSON, who speaks as Democratic Party leader, and other Democrats in Congress, are aware of the importance of full discussion, especially as it relates to the meaning of peaceful coexistence. It is of the utmost importance, too, that Soviet Russia should not misconstrue the meaning of the last election. In Britain, Clement Attlee, of the Labor Party, was quoted not long ago as saying that a Democratic victory in the congressional elections would mean a change in America's stand against admission of Red China into the United Nations.

There are some Democrats, like Senator HENNINGS, of Missouri, who by their speeches at any rate give the impression that they believe there is no alternative to peaceful coexistence except an atomic war. There are, moreover, some impressions conveyed occassionally by the President's remarks at his press conferences which have led to a belief that he is against war no matter how much American rights may be violated.

The truth is the President is not a peace-at-any-price man and has never deliberately

given that impression. On the contrary, he is the kind of President who, like Woodrow Wilson, is known for his pacific desires and tendencies but, when the big overt act comes and there is no alternative but to fight it out, he courageously makes that decision.

The big wars in history have come because the enemy has misconstrued the patience of the democracies and miscalculated what they might do if their allies were attacked.

The purpose of the debate started by Senator KNOWLAND is to let Soviet Russia know that America isn't going to sit passively by while the Communists gobble up nation after nation in Asia or while they carry on their subversive propaganda inside peaceful nations. The idea of severing diplomatic relations with the Soviet Union is often mentioned by Senator KNOWLAND as one of the alternatives to war. It is a step considered as one means of impressing the Soviet that she cannot count on a coexistence policy that envisages a continuance of the cold war by the Soviets.

Something more than mere talk about peace is being sought. Senator KNOWLAND'S remarks, which have already been misinterpreted as belligerent and probably will be twisted by critics who want a peace-at-any-price policy, are designed solely to apply moral force to prevent a third world war from breaking out. That's why the debate that has started is a healthy sign. It may be that Moscow will be convinced by the discussion that there is more for the Soviet Government to do on the peaceful end of coexistence than has been apparent thus far from Moscow.

ORDER OF PROCEDURE

Mr. KNOWLAND obtained the floor.

Mr. JOHNSON of Texas. Mr. President, I wish to suggest the absence of a quorum, if the Senator from California will yield for that purpose.

Mr. KNOWLAND. I yield for that purpose.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Fulbright	Mansfield
Aiken	George	Martin
Anderson	Gillette	McClellan
Barrett	Goldwater	Monroney
Beall	Green	Morse
Bennett	Hayden	Mundt
Bridges	Hendrickson	Murray
Brown	Hennings	Neely
Bush	Hickenlooper	Pastore
Butler	Hill	Payne
Byrd	Holland	Potter
Capehart	Hruska	Purtell
Carlson	Humphrey	Robertson
Case	Ives	Russell
Chavez	Jackson	Saltonstall
Clements	Jenner	Schoeppel
Cotton	Johnson, Colo.	Smith, Maine
Crippa	Johnson, Tex.	Smith, N. J.
Daniel, S. C.	Johnston, S. C.	Sparkman
Daniel, Tex.	Kefauver	Stennis
Dirksen	Kilgore	Symington
Douglas	Knowland	Thye
Duff	Kuchel	Watkins
Dworshak	Langer	Welker
Eastland	Lehman	Wiley
Ervin	Lennon	Williams
Ferguson	Long	Young
Flanders	Magnuson	
Frear	Malone	

The PRESIDING OFFICER. A quorum is present.

Mr. KNOWLAND. Mr. President, I ask the indulgence of the Senate to complete the statement and to read the letter I have before me. Then I shall be glad to yield for any questions which may be asked.

When the Senate received the news that the junior Senator from Wisconsin [Mr. MCCARTHY] had entered the hospital, and in view of his absence, I consulted with the minority leader relative to the situation confronting the Senate in proceeding with the consideration of the pending resolution, under which the junior Senator from Wisconsin is a party at issue.

After consulting together we agreed that as a matter of proper procedure we should call in the official physician of Congress, Dr. George W. Calver, and to present to him the information we had, and to ask him, on behalf of the Senate, to see Senator MCCARTHY in the hospital, to consult with his doctors, and to seek such other advice as he might feel warranted in seeking under the circumstances, and then to address a communication to me on the basis of which I might make a statement to the Senate.

That has been done, and I have in my hand a letter which was delivered to me during the luncheon recess of the Senate. The letter reads as follows:

NOVEMBER 18, 1954.

Hon. WILLIAM F. KNOWLAND,
Senate Office Building,
Washington, D. C.

DEAR SENATOR KNOWLAND: Pursuant to the request of the majority and minority leaders of the Senate I have the following report on the condition of Senator MCCARTHY. I visited him in his room in the hospital and talked with him about his injury. He has a laceration of the skin and soft tissue about the right elbow, with considerable swelling and some pain about the joint and running down into the fingers. The wound is dressed with the usual surgical dressing. He has received some antibiotics and the arm has been X-rayed and shows no fracture but some roughness of the periosteum which could possibly be due to an infection.

In telephone consultation with the assistant chief of surgery at the naval hospital it has been discovered that the Senator has developed a traumatic bursitis which will require the arm being placed in a splint for a period estimated by him to be 5 days, following which he will require physiotherapy for another 5 days and should not be discharged from the hospital before November 29, 1954. If this schedule is not followed permanent injury could result.

Respectfully yours,

GEORGE W. CALVER.

Following the receipt of the letter by me I immediately sent a copy of it to the minority leader. He will be prepared to discuss the subject in his own time. I also took the matter up with the members of the select committee and presented the letter to them. I am at liberty to say, so far as they are concerned, they believe that under the circumstances outlined by me, and in view of the letter which I received from the attending physician of Congress, there is no alternative but for the Senate to take a recess until the junior Senator from Wisconsin is available to help conduct his own defense.

I do not intend to cut off any debate, and it is not my intention to make any motion until discussion has been had. I merely wish to advise the Senate that under the circumstances, in my responsibility as majority leader of the Senate, I personally can see no alternative but to move at the proper time that the Senate stand in adjournment until Monday, the 29th day of November. I desired to have the Senate advised of that fact, and I wished to lay all the facts I have in my possession before the Senate. I also wished the Senate to know what I expected to do at the proper time.

Mr. MORSE and Mr. JOHNSON of Texas addressed the Chair.

Mr. KNOWLAND. I shall yield first to the minority leader; then I shall be glad to yield to the Senator from Oregon.

Mr. JOHNSON of Texas. I shall be glad to yield to the Senator from Oregon. I have a brief statement that I should like to make in my own time.

Mr. MORSE. I wonder whether the distinguished majority leader would be interested in offering a unanimous-consent agreement that during the first 10 days following the 29th of November the time for debate be equally divided, and that at the end of the 10-day period the Senate vote as of a day certain.

Mr. KNOWLAND. I am sorry; I did not hear the Senator from Oregon.

Mr. MORSE. I wonder whether the majority leader would be interested in offering a unanimous-consent agreement that for a 10-day period following the reconvening of the Senate on November 29th, the time for debate be equally divided, and that at the end of the 10-day period, at an hour certain, the Senate start to vote on the Watkins resolution and all amendments thereto.

Mr. KNOWLAND. I may say to the Senator from Oregon that I shall, of course, be glad to abide by the determination of the Senate. This is the first time I have heard the suggestion made. I have no personal objection to it, but personally, I should like to consider it a little further. It is my own desire, at least, that this matter be brought to a determination as soon as decency will permit, in view of the facts presented by the attending physician to the Congress.

Mr. JENNER. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. JENNER. I wonder if this body is in position to take up such a motion at this time, in the absence of the junior Senator from Wisconsin.

Mr. KNOWLAND. I will say to the Senator that there will be ample time to discuss it. But in view of the fact that the minority leader also sat in consultation with the attending physician, I should like to have him be given an opportunity to speak.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Texas yield before he begins his remarks?

Mr. JOHNSON of Texas. I shall be glad to yield to the Senator after I have made a very brief statement.

Mr. JOHNSTON of South Carolina. Are we acting under the Senate rules with reference to adjournment as between the two Houses?

Mr. KNOWLAND. I think I can answer that question, if the Senator from Texas will permit.

Mr. JOHNSTON of South Carolina. That is the only question I have in mind.

Mr. KNOWLAND. I will say to the Senator from South Carolina that the question occurred, of course, to both the minority leader and myself. I have consulted with the Parliamentarian of the Senate and he has invited my attention to the resolution which was adopted by the Senate on August 20, the legislative day of August 5, 1954, which reads as follows:

IN THE SENATE OF THE UNITED STATES,
August 20 (legislative day, August 5), 1954.

Resolved, That the concurrent resolution from the House of Representatives (H. Con. Res. 266) entitled "Concurrent resolution providing for adjournment sine die of the 83d Congress, 2d session," do pass with the following amendment: Strike out all after the resolving clause and insert: "That the House of Representatives shall adjourn on August 20, 1954, and that when it adjourns on said day, it stand adjourned sine die.

"*Resolved further*, That the consent of the House of Representatives is hereby given to an adjournment sine die of the Senate at any time prior to December 25, 1954, when the Senate shall so determine; and that the Senate, in the meantime, may adjourn or recess for such periods in excess of 3 days as it may determine."

The Parliamentarian tells me, and I fully concur, that we have complete control over the situation as to how long we shall adjourn or recess up to the 24th of December 1954. We cannot go beyond that period.

Mr. JOHNSTON of South Carolina. That clarifies the matter, so far as I am concerned, but I wanted it in the RECORD so that there would be no question about it.

Mr. JOHNSON of Texas. Mr. President, I desire to make a very brief statement pertaining to the motion. The Senator from California has given us the information concerning the hospitalization of the junior Senator from Wisconsin. Everything which has occurred since then has been related to the Senate by the majority leader.

I am not going to try to persuade any Member of the Senate to reach any conclusion. Each Senator must reach his conclusion in his own heart and mind.

When this situation was brought to my attention I consulted an able jurist, who is a Member of this body. He told me that, under the circumstances, since I am not a physician and since the normal court procedure would be for the court to ask a competent physician to make a report, he thought the attending physician to the Congress should be asked to go into the matter and give an opinion. I made that suggestion to the majority leader. The Congress of the United States has an attending physician. We asked him to go to the hospital to explore the situation and then report the facts to us, together with his recommendations. That was done, Mr. President, and we have the report in the form of a letter.

I must admit that this is a very unusual situation. To me it is a very regrettable situation. But I do not know what we can do about it. So far as I am concerned, I am not going to pit my medical judgment against the medical opinions of the Naval Hospital physicians and the attending physician to the Congress. For that reason I propose to support—when it is made—a motion to adjourn until November 29. In my opinion, it would be horrible, under the circumstances, for the Senate to proceed with the consideration of the pending business with the junior Senator from Wisconsin hospitalized and with reputable physicians saying to the Members of the Senate that, in their judgment, he should not be discharged before November 29, and that if this schedule is not followed, permanent injury may result.

I am not speaking for any Democrat on this side of the aisle except the senior Senator from Texas. This has never been a partisan matter. So long as we sit in judgment and so long as I have any voice in the matter, it will not become a partisan issue.

I am deeply grateful to the select committee for their performance of duty and for the dignity and the honor with which they have operated. They have conducted themselves in the highest traditions of the United States Senate.

I think I should further say that when we return on November 29, so far as one voice may be able to influence a decision, I shall insist that the Senate meet as early as is possible and remain in session as late as may be necessary in order that the Senate may pass judgment with reference to the pending business.

Mr. President, we shall have to redouble our efforts when we come back on November 29, unless we want to say to the people of the United States—yes, Mr. President, to the people of the world—that the greatest deliberative body ever known is unable to come to a conclusion involving a matter of morality and conduct. I am not trying to dictate to the Senate what that conclusion should be. The select committee has made its recommendations. The proponents and opponents of the report have had 10 days in which to discuss their respective positions.

I would hesitate to offer a motion which would carry us over to November 29, except on the statement of the attending physician to the Congress that our colleague should not be discharged from the hospital prior to that time.

Mr. President, I try to follow the Golden Rule. I want to treat my friends and my enemies in the same way in which I should like to be treated. I certainly wish to treat every Member of this body in the same way I should like to be treated. The medical evidence brought to me at the instance of the majority and minority leaders from our own physician shows that our colleague is in the hospital and should remain there until November 29. If the junior Senator from Wisconsin felt he could come here earlier, and it was so indicated, I would urge the majority leader to modify his motion. But that is not the case, and we must act on the only competent evidence before us. The opinion of the treating physicians is confirmed by our own physician.

But I wish to emphasize that I think we are going to indicate to the world that the Senate cannot function properly if we come back on November 29 and then fail to meet early in the morning and remain until late at night until action one way or the other is had on the pending resolution.

Mr. President, in view of the facts before me, I called the three Democratic Members of the select committee and asked them this question:

"In your opinion, is there any alternative to following the competent medical advice presented to the minority leader?"

The three members of that committee concurred in the tentative decision which the majority leader and the minority leader had reached.

I thought then that I should seek counsel of the Democratic members of the Committee on the Judiciary. Most of them are lawyers of great experience; all of them are men of great competence. So I put the same question to all the Democratic members of the Committee on the Judiciary whom I could reach—some 4 or 5; I believe 2 or 3 members were available at the time. All of them feel that the situation is very unusual; that it is very regrettable; that they are ready to stay here, debate the issue, face up to it, and vote when the roll is called.

None of the Democratic Senators wants to be placed in the position of trying to postpone a vote. I have tried to make it clear that we have no desire to postpone a vote or to avoid a vote. But certainly we do not want to be placed in a position of discussing this issue and the matters relating to it when the junior Senator from Wisconsin is flat on his back and is not in a position to be present and defend himself, if he should choose to do so.

For that reason, whatever any other Member may do, I propose to support the motion made by the majority leader. I asked him if, in his judgment, this was the wise and proper thing to do; and in his forthright manner he has told me he believed it was. For that reason, I concur in the judgment which he has reached.

Mr. LEHMAN. Mr. President, I wish to preface my remarks by expressing my very deep appreciation of the accomplishments and contributions of the distinguished members of the select committee, who have given so much of their time, strength, and effort to this most important matter which affects every Member of the Senate. I believe the speeches we have heard on the floor of the Senate, delivered by some of the members of the select committee, were among the greatest utterances I have heard in the more than 5 years I have been in this Chamber. I can only say to the members of the select committee that I am most appreciative of their sacrifice and their achievements.

I wish to say, also, that I have very great respect and regard for our physician, Dr. Calver. I know that he is thoroughly qualified, and is a man of great sincerity and honesty.

But it does not make sense to me that, at this stage, we should decide to recess or adjourn the Senate until the 29th of this month. When the matter was first broached to me this morning, and a suggestion was made that the Senate recess because of the unavoidable absence of the junior Senator from

Wisconsin, I said that, of course, Senator McCARTHY's regrettable illness would have to be taken into consideration. My original advice was, however, that the Senate recess from day to day, in order to be able to review the situation and the likelihood of Senator McCARTHY's return to the Senate. It was suggested to me, at the time the matter was taken up with me this morning that it was proposed to recess until next Monday, November 22, so that Members who wished to seek rest or recreation could do so over the weekend. I raised no objection to that proposal.

But now we are faced with a new proposal, to recess until November 29. I see no reason for that. I see no reason for recessing beyond November 22, which is next Monday, so that the Senate can meet again to consider the situation and review the prospect for resuming our deliberations.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. LEHMAN. If I may complete my thought, then I shall be glad to yield.

I do not know what the exact medical factors are in Senator McCARTHY's case, but I have lived a long time and have seen some strange things happen in medicine. I have seen men who by medical prognosis were condemned to early death, walking on the streets within a week or two thereafter.

In 1938, when I was nominated for the office of Governor of New York against a very strong candidate, Mr. Dewey, I had a broken leg, which was in a cast. I was warned against attempting to make a campaign under those circumstances. I made the campaign in spite of that, and I won.

In 1944, I broke a leg again when I was in Algiers, as Director General of UNRRA. I had on my leg a cast which weighed, as it felt to me, a ton. I was warned that I had better discontinue my mission. But I did not. I went ahead, and I visited many countries of the Middle East and Europe, with that cast on my leg. I completed my mission abroad.

I mention these personal experiences only to show how uncertain a medical prognosis can be.

We are engaged in a proceeding for censure. I do not think there has ever been a more important question before the Senate. I feel that it affects every Member of the Senate. Our good faith, honesty, loyalty, and patriotism have been impugned in terms which are unmistakable in their implications. I do not think we can or should temporize further in the matter.

I have not said a word about this subject on the floor of the Senate in the 2 weeks during which the debate has been in progress. My colleagues and I have waited, and have waited patiently, for the Senate to get to a vote. I believe the Senate has been ready for a long time to express its opinion.

If Senators will examine the RECORD, they will find that on August 2 I predicted that there would be endless delays, recesses, and adjournments, and that it would be a long, long time, if ever, before the Senate would reach the point of making a decision in the matter. That is just what has happened, and is just what is happening.

I hope and pray that the Senate will recess now to meet next Monday, November 22, and will then re-examine the situation. I want to be compassionate. I do not wish to do an injustice to any Senator. I do not desire to force any Senator who is sick to come here in his own defense nor to conduct these proceedings in his enforced absence. But neither do I wish to give any Senator the chance of postponing the day of judgment, which I think, must and should come promptly.

I hope the date for reconvening will be changed from November 29, to November 22.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. LEHMAN. I yield.

Mr. KNOWLAND. In the first place, I have confidence in Dr. Calver, whom I know. The other physicians who are mentioned are naval doctors, the one a specialist in his field, the other the attending physician at the hospital. I shall not pit my judgment against their judgment. The letter is very clear in stating that, in their judgment, it would be unwise, and might result in permanent injury, if the junior Senator from Wisconsin were to return before November 29.

So far as my own responsibility is concerned, with this information before the Senate, I do not wish to appear to be putting pressure upon or casting reflections, either upon the doctors who have been consulted or upon the Senator who is indisposed, and I desire it to be understood that the motion is being made for no other purpose than that stated in the medical report. I can assure the Senator from New York—I say this in the best of feeling—that certainly the majority leader, and while I do not pretend to speak for him, I am confident the minority leader, would not be parties to any maneuver for postponement on any grounds other than those based upon the best medical advice the Senate has been able to obtain. Rather than take advice from either the friends or the counsel of the Senator, or even from the doctor at the hospital alone, I did what I felt should be done in this position of responsibility. I called upon a man who was not my appointee, but who has been the attending physician at the Capitol under both Democratic and Republican control of Congress, who is competent medically, and, on behalf of and in the presence of the minority leader, asked him personally to make an investigation and to report in precisely the same way he would if he had been asked by a judge to make a report in a court case which was pending, in which the defendant or a witness had been asked to be excused because of illness, or in which counsel had reported to the court that a witness or the defendant could not be present because of illness. I asked the Capitol physician to give us the best medical advice he could give us, on precisely the same basis, and that report I have read to the Senate.

Of course, the matter is in control of the 96 Members of this body. So far as my responsibility is concerned, after sufficient time and without any attempt to foreclose any Senator, based on the facts I have presented to the Senate, and which form their very inception I discussed with the distinguished minority leader, considering the fact that the matter was called to the attention of the three Democrats and three Republicans on the select committee, and considering the fact that the minority leader had had additional consultations, as had I, I am prepared to move, and I am willing to take the responsibility for so moving, in the light of the facts I have presented, that the Senate adjourn until the 29th day of November. If the Senate, or if any Member of the Senate in their wisdom and their conscience, desire to take other steps, they are, of course, at liberty to move to amend.

I think I have made my position clear that I have been no party, and that I would not permit myself to be a party, to any maneuver which had as its objective the postponement of the question before the Senate. I am sure the Senator from New York did not want that impression to be conveyed.

I have felt a deep sense of responsibility regarding the question before the Senate. I have tried to look at the matter entirely without regard to partisan considerations. I recognize the high dignity and the importance of the Senate of the United States, and I have never been so proud in my life as I have been to be a Member of this great body. I wish the RECORD to be clear in that respect, and, with the background I have stated, at the proper time I shall move to comply with the recommendations of the attending physician.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from New York has the floor.

Mr. LEHMAN. Mr. President, I should like to reply to the statement of the majority leader. With great respect, I should like to say that I share the high regard that he has for Dr. Calver. I said he was a man who was thoroughly qualified as a doctor and a man of great integrity and character. I am not saying that the Senate should not recess today. I know Senator McCARTHY cannot be here, but I say there is nothing to be lost if the Senate recesses only until next Monday, November 22, instead of until a week later. I do not know what may happen between now and November 29. I do not have the exact words of the doctor's letter in my mind, but he wrote about the necessity of treatment for 4 or 5 days. Perhaps by next Wednesday or Thursday——

Mr. THYE. Mr. President, will the Senator yield for a question?

Mr. LEHMAN. I should like to conclude my statement.

Mr. THYE. The Senator made mention of next Thursday, which happens to be Thanksgiving Day.

Mr. LEHMAN. Perhaps by either Wednesday or by Friday the junior Senator from Wisconsin will have recovered sufficiently to be present. My suggestion is that the Senate recess until next Monday, November 22, at which time it can take another look at the situation, and have another examination made by Dr. Calver, or any other doctor whom the

leadership of the Senate may designate, and then have the Senate come to a decision as to whether it is desired to recess until a later date. To close the door now and provide that the Senate shall not sit until November 29 would be an utterly unwise course, and might entail an avoidable delay in these all-important proceedings—a delay which will not be justified by the actual condition, next week, of Senator McCARTHY's health.

Mr. THYE. Mr. President, does the Senator yield, or does the Senator still retain the floor?

Mr. LEHMAN. I shall be glad to yield, unless the Senator desires to ask a question.

Mr. THYE. If the Senator yields the floor, then I should like to ask him——

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon has been seeking the floor.

Mr. WATKINS. Mr. President——

Mr. LEHMAN. Did the Senator from Utah wish me to yield?

Mr. WATKINS. For a brief statement.

Mr. THYE. Mr. President, all I wished to do was to make a brief comment on what the Senate has before it.

The PRESIDING OFFICER. The Senator from New York has the floor.

Mr. WATKINS. Mr. President——

Mr. LEHMAN. I agreed to yield to the Senator from Utah.

Mr. MORSE. Mr. President, do I have the floor?

The PRESIDING OFFICER. The Senator from New York has relinquished the floor. The Chair recognizes the Senator from Oregon.

Mr. MORSE. Mr. President, I wish to say that I support the objective of the Senator from California and the Senator from Texas with regard to the proposed motion to adjourn until November 29, based upon the medical report of the Senate doctor. I do so because I am a stickler for fair procedure. We must not forget, that in considering the issue now before it, the Senate is sitting as a quasi-judicial body—in fact, more than as a quasi-judicial body. Our obligation is to carry out the fair procedures of the American judicial process. In any court of the land a person put on his defense would be entitled to a postponement of the case for such a reasonable period of time as the court might find justified in the light of a medical report such as has been submitted to the Senate of the United States this afternoon.

Mr. President, in view of that medical report, we have no alternative. Any court that proceeded in an analogous situation to consider the case of a defendant who was absent because of illness would be reversed by an appellate court. But I wish to point out—and I think I have a right to do so on the basis of my own past conduct—that a tremendous responsibility and obligation rest upon the junior Senator from Wisconsin to see to it that he is back in this Chamber at the earliest hour possible, commensurate with the protection of his health. I say half jocularly that I have a right to speak in that regard because I have sat on the floor of the Senate in a wheelchair. I have sat on the floor of the Senate when my jaws were wired shut, and I still made nine speeches. [Laughter.] I was present against the advice of my physician on such occasions. I remember that on one day I came to the floor of the Senate from the hospital to defend myself against misrepresentations which had been made in debate on a position I had taken previously on a certain issue.

Certainly, if the junior Senator from Wisconsin wants to appear, and is able to appear, in the Senate before November 29, commensurate with the best interests of his health, then I think he owes it to himself and to the United States Senate to be here.

When the Senate comes to adopt the motion suggested by the majority leader as I believe it will, there should be attached to it a condition that the junior Senator from Wisconsin shall be free and privileged to request the majority and the minority leaders to call the Senate back in session prior to November 29 if, upon the advice of doctors, it would be consistent with the best interests of his health to be here.

Mr. President, I wish to stress the point of fair procedure and fair play in this matter, because I suppose the basic objection I have to McCarthyism is what I honestly believe to be its violation of the fair procedural rights of persons who have been called before his investigations. I think he is entitled to the same fair procedure that I am seeking to guarantee to others.

While I am on my feet, Mr. President, I wish to say—because I have not heretofore expressed myself during the debate—that I feel the Senate of the United States is a better place in which to serve, and I feel that I am a better human being, for having heard the great defenses of political morality and personal freedom which have been uttered here on the floor by the Senator from Mississippi [Mr. STENNIS], the Senator from Utah [Mr. WATKINS], the Senator from North Carolina [Mr. ERVIN], and the Senator from Kansas [Mr. CARLSON]. Those historic speeches will be emblazoned and read by students for generations to come on the pages of the records of the Senate of the United States. Those Senators so very clearly have called attention to the basic issue in this censure hearing. The issue before the Senate has never been the issue of communism, because there are 95 other Senators who hate communism and are as opposed to communism as much as the junior Senator from Wisconsin hates it and is opposed to it. In spite of his attempt to try to divert attention from the basic issue of violation of fair procedure by himself, the Senators I have just named have, by means of speech after speech, brought us back to the underlying issue before us. We are indebted to them. The Nation owes them much. American history will pay tribute to them.

I think the Senate must proceed with this censure case as soon as possible, after the Senator from Wisconsin is in sufficiently good health to return to this Chamber, and then must vote on this issue.

Mr. President, I, too, know something about delaying tactics. [Laughter.] It is well understood, I hope, by the Members of the Senate that at this hour there is in the Nation a growing segment of the public that is becoming suspicious that perhaps there is on foot a movement to prevent a vote prior to the required adjournment hour on December 24, 1954, on the issue of McCarthyism. That is why a few minutes ago I suggested that at least consideration be given to the possibility of our reaching a unanimous-consent agreement to vote on the censure resolution by the end of 10 days following November 29, 1954. I believe such an agreement would be a test as to whether every Member of the Senate is willing to measure up to the issue of McCarthyism and to vote on it. Such an agreement should call for having the final vote taken at the end of a 10-day period of debate following November 29. Certainly in that 10-day period, in view of the long hours we can and should remain in session, we can exhaust the pros and the cons of the McCarthyism issue, now pending before the Senate.

But be that as it may, Mr. President, I think the Senate should recognize that the country has its eyes focused on us, to see what will be our answer to the simple question, "Does the Senate dare come to a vote on this issue before the required adjournment hour on December 24?"

I am confident that a majority of the Senate dare do so, and I want to believe that all Members of the Senate will do so. But I think we need be on guard against any attempt so to delay the final decision that the required adjournment hour of December 24 will roll around and the issue still will not be decided.

Mr. President, in fairness to the junior Senator from Wisconsin, and in keeping with fair judicial processes, I think we have no alternative but accept the competent medical authority, as set forth this afternoon by the majority leader, and take a recess or adjourn until November 29, at the same time making it clear to our colleagues and to the entire country that we expect the junior Senator from Wisconsin to return here before November 29, if he can do so in good health, so we can go on with the business of the Senate and can come to a final vote on this issue long before December 24.

Mr. DIRKSEN. Mr. President, this is a rather amazing discussion. There is before the Senate a statement by a reputable physician, who has been known for years to everyone who has served in either the House or the Senate. I have known Dr. Calver for more than 22 years, and I recognize his capacity and also his record in the Navy.

When it first came to the attention of the majority leader that our colleague, the junior Senator from Wisconsin [Mr. McCARTHY], was in the Naval Hospital at Bethesda, Md., I think the majority leader did the eminently correct thing by conferring with the minority leader, and by checking to see precisely what was the situation, and by obtaining from the physicians a formal statement in regard to how soon the junior Senator from Wisconsin might be released from the hospital. That statement is here, Mr.

President; and those doctors, after consultation, have stated to the majority leader that, in their considered judgment, the junior Senator from Wisconsin should not be released from the Bethesda Naval Hospital until November 29.

Now, Mr. President, comes an amazing proposal from the distinguished junior Senator from New York [Mr. LEHMAN], who says, in effect, "Let the Senate take a recess from day to day." Mr. President, there will be great healing in that sentiment, will there not, when it is conveyed to the one who lies in pain in the Naval Hospital at Bethesda? Will he not find great comfort in that statement? In line and in consonance with the spirit of that statement, we could send to JOE MCCARTHY a note, this afternoon, in which we could say to him, "Joe, we are going to have the Senate take a recess from day to day; we are going to be here to catch you the minute the revolving door of that hospital lets you out into the world." That would be a healing sentiment, would it not, Mr. President?

Oh, I trust that the distinguished junior Senator from New York will expunge all his remarks from the RECORD; he is too big to let such a statement stand. He has a great compassion. He has been schooled and educated in the ancient faith. He knows about the spirit that animated the Good Samaritan, long ago. So I trust that the junior Senator from New York, will not permit to remain in the CONGRESSIONAL RECORD a statement of a sentiment that would be so unworthy of this body, no matter how one may feel about the pending issue. It would be rather distressing this evening, when the newspapers are delivered at the Bethesda Naval Hospital, for the Senator who is ill at that institution to read in the headlines that in this great deliberative body it was suggested that the Senate will be waiting to catch the junior Senator from Wisconsin as soon as he has been discharged from the hospital and after physiotherapy has been administered. Mr. President, I shall not put myself in that position. I would not do it to my worst enemy, if I had one.

I think this is a time for compassion; I think it is a time for a little nobility on our part, in behalf of a colleague who has been under harassment from the day in February 1949, when he made his speech in Wheeling, W. Va. Yes, it has been a long and difficult course for JOE MCCARTHY; and he deserves eminently better from us than that. How amazing it is, Mr. President, when a man lies in pain in a hospital, to send to him a message at once so cynical and so brutal. Where are the common charities, after all, Mr. President? How bad must be the evil acids eating at the soul if finally they stir in such a way our passions and our tempers? Where are the little charities—particularly, Mr. President, as we think of the time, scarcely a week ago, when we were commemorating the service and the fellowship of great and good men who served on both sides of the aisle in this body. I refer to Dwight Griswold, who used to sit on this side of the aisle; to Hugh Butler, who used to sit close to my desk; to Pat McCarran, who used to sit on the other side of the aisle; to Burnie Maybank, who used to sit across the aisle, and on whose committee I had the privilege of serving, and to Lester Hunt. As I think of them, now gone, and as I become a little older and a little more mellow in my judgment, I shall wish to have inscribed in the eternal ledger that I am not so much concerned about my sins of commission as I am about sins of omission—the things I failed to do as a part of the common charity of life. That is a better message to send.

I am sorry that my friend from Oregon [Mr. MORSE] spoke as he did. If we are to try to weigh this issue in the balance and divide up the time, how are we to divide the time when a man's political life is in jeopardy? How can we say that 5 hours on a side or 5 days on a side will be enough for a man who is presently in pain to defend himself? That is not a happy sentiment for the world's greatest deliberate body to send to a man who is in the hospital this afternoon.

I hope, therefore, Mr. President, that before angry humors are uttered on the floor of the Senate this afternoon, Senators will realize that the resolution will come to our attention in all good time. When the forces of healing have restored Senator MCCARTHY to health, he will be back.

No one ever charged or suspected that JOE MCCARTHY was lacking in courage. No one ever suspected or charged that he was lacking in that necessary commonplace heroism which is required to meet every neurotic challenge which has come day after day.

It is a terrible thing to suspect that subterfuge may be involved, or that this is a "run around." God save the mark. Those sentiments might best be expunged from the CONGRESSIONAL RECORD this afternoon, so that when the fevers have subsided we may consider the issue dispassionately. Let me say parenthetically that the condition of the junior Senator from Wisconsin is probably worse than the cold print of Dr. Calver's statement would indicate. I reach that conclusion as a result of talking with the distinguished Senator who now occupies the chair [Mr. GOLDWATER], who went to Naval Hospital last night to see him. If we can rely upon a very reliable person, Edward Williams, counsel for Senator MCCARTHY, who has been out to see him, his condition is probably worse than this cold and feeble language would indicate.

Mr. President, there is fever, and there is pain. The least we could do in an effort to be charitable would be to recess the Senate, in consonance with the suggestions made by eminent medical authority. When Senator MCCARTHY is ready he will be back here to defend himself, with his chin up.

Mr. BENNETT. Mr. President, in common, I think, with all the other Members of the Senate, I regret the difficulty in which Senator MCCARTHY finds himself, and hope that, regardless of its effect upon our problem, he will regain his good health quickly, for his own sake and his own benefit. Certainly in this hour I do not wish to add to his burdens.

I took the floor Tuesday afternoon to announce that I intended to offer an amendment to the censure resolution. I stated that I would offer it at what I considered to be an appropriate time. I am sure every Senator will agree that under the present circumstances this is not the appropriate time. So I shall reserve decision as to the appropriateness of the time until after the Senate reconvenes on November 29.

Mr. WATKINS. Mr. President, I regret very much that this debate has had to take place. With the exception of the junior Senator from Wisconsin, no one in this Chamber has put in more time on this question than have members of the select committee. Members of the select committee have met with the leaders on both sides of the aisle, and they are in full agreement with the majority leader and the minority leader in the statements which have been made.

I have personally presided over a court, and time and time again I have granted continuances to people who were ill. In stating my personal feeling, I do not pretend to speak for other members of the committee, but my personal feeling is that the Senate should not even have held a session today. It should have recessed immediately upon learning of the condition of Senator MCCARTHY. In responding to the charges which are pending, under our procedure he is entitled to be present in person and to direct his defense. That is my personal feeling.

I hope this body will have the confidence in Dr. Calver that it should have. We all know him. I personally have been under his charge. I have been in the hospital. I know something about his ability and integrity. I hope we shall accept what he says at face value. I am willing to accept it. Members of the select committee are relying upon it, and are willing to agree, and have agreed with the majority leader and the minority leader in their stand.

I hope this body will not attempt to amend or modify the motion which I think the majority leader intends to make. I join my colleague from Utah [Mr. BENNETT] in hoping for the speedy recovery of the junior Senator from Wisconsin, for his own good and for the good of all his friends and of the people of the country. I wish him no harm. I hope a spirit of justice and mercy will direct us in whatever we do, even in connection with the matter of postponement.

TABLE OR RECOMMIT THE RESOLUTION

Mr. MALONE. Mr. President, the least we can do is to recess or adjourn until Senator MCCARTHY is able to attend sessions of the Senate.

Mr. President, on Tuesday of this week I stated, at the conclusion of a brief statement, that on Friday, or on Saturday, if the distinguished majority and minority leaders agreed to hold a session on that day, I would move to table Senate Resolution 301. I fully intended to do so, and I think it should be done.

In view of the evidence developed before this body, with 3 Senators disagreeing, 2 of them being members of the censure committee and 1 being chairman, as to the accuracy and com-

pleteness of the resolution, the least the Senate should do is to recommit the resolution for further committee study. The opinion of the Senator from Nevada is that it should be tabled. Since there will be a 2 weeks' recess a motion to recommit the resolution to the select committee would enable members of the committee to meet and decide what they themselves believe should be done.

In any event, they refuse to hear the junior Senator from Wisconsin. Since he is in the hospital they have plenty of time to agree among themselves. We have the word of the Senator from South Dakota in debate this afternoon that he will not vote for the second part of Resolution 301, and does not believe that the first part of it should be approved.

I shall not object to the proposed adjournment or recess. There are committees which have work to do. However the Senator from Nevada believes that it is an unusual procedure to prevent all Senate committees from working until the first of the year.

If we are not to recommit the resolution or lay it on the table, the best thing we could do would be to postpone consideration of it until the 5th of January, so that Members may return to their homes and get the Washington atmosphere out of their hair. Then they could return and actually represent the citizens of this Nation.

Mr. LENNON. Mr. President, I am sure the position stated by the majority leader and the minority with respect to the motion for adjournment until Monday, November 29, is supported by the great majority of the Members of the Senate. Certainly no court has ever gone behind a certificate from a reputable and honorable doctor. I am sure this court will not do so either.

Today I had intended to speak to the subject resolution, Senate Resolution 301. Inasmuch as the junior Senator from Wisconsin was hospitalized yesterday, I realized a motion probably would be made to recess or adjourn until at least next Monday. On reaching the Senate Chamber this afternoon at 3 o'clock, I learned for the first time that the Senate would likely—and I think properly so—adjourn until the 29th of this month.

I shall not have an opportunity to record my vote as a Member of the Senate, with respect to my feeling on the motion of censure. It so happens that on Monday, the 29th of November, my successor will present his credentials and will be sworn in and take my place as a Member of the Senate representing in part the State of North Carolina.

I did not desire to make a statement or address myself to this subject during the absence of the junior Senator from Wisconsin. However, I should like the RECORD to show that I favor the censure motion in the two separate counts, and if I were present and able to vote I would vote for it.

I ask unanimous consent to have printed in the RECORD at this point an outline of the speech I had prepared on Senate Resolution 301.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR LENNON ON SENATE RESOLUTION 301, THE MCCARTHY CENSURE ISSUE

Having learned from the experience of public life as judge of New Hanover County court, and as a member of the State Senate of North Carolina, I came to the United States Senate in July 1953, with the full realization that there would be times when my views and my votes, as a Member of the United States Senate, would not be approved by some North Carolinians and probably not acceptable even to some of my friends and neighbors.

I favor censure of Mr. MCCARTHY. I have the feeling that Mr. MCCARTHY should be censured if the honor, integrity, and dignity of the Senate are to be preserved.

At the outset I call the Senate's attention to my statement to the press of North Carolina at the time the motion of censure, Senate Resolution 301 (and all of the charges incidental thereto) against Mr. MCCARTHY were filed with the United States Senate last summer. This statement was made before any debate on the floor and it was to the effect that I would not vote for censure on the basis of the then alleged charges unless and until they were considered by an impartial committee of the Senate, appointed to study the charges, document and assemble the charges, hearing any and all witnesses available, under oath, as to the truth of such charges, and, most important of all, provide Mr. MCCARTHY with an opportunity, not only to testify in his own behalf before the committee, but to offer any and all witnesses that he might desire in support of any defense that he might have.

It developed before the debate was over that that was the feeling of the majority of the Members of the Senate, and as a result of this feeling and the determination on the part of the Members of the Senate to proceed in a fair, impartial, and judicial atmosphere, Senate Resolution 301 was passed by a vote of 75 to 12, referring the motion of censure and all the charges pertaining thereto to a select committee of 6 Senators, 3 Republicans and 3 Democrats. They were appointed to this select committee upon the recommendation of the majority and minority leaders of the Senate and these appointments were made by the President of the Senate, RICHARD M. NIXON.

This select committee of three Republicans and three Democrats were men of the highest character and integrity and men of exceptional ability and judicial temperament. Senator SAM J. ERVIN, JR., of North Carolina, my colleague, has spent nearly a third of a century as an inferior judge, superior court judge, and justice of the Supreme Court of North Carolina and is an example of the type of men that were selected for this arduous and unpleasant task.

This committee, after more than a month of public hearings, study, and deliberations, sifted and heard evidence on the many charges filed in the Senate against the junior Senator from Wisconsin [Mr. MCCARTHY]. In their obvious desire to be fair, the committee resolved every reasonable doubt and, in a number of instances, every possibility of a doubt in favor of Mr. MCCARTHY. In doing so they threw out many of the charges against Mr. MCCARTHY, and while holding and finding that they were serious charges, finally agreed to recommend to the Senate of the United States censure of Mr. MCCARTHY on only two of the charges.

In the first instance, they made findings of fact, and upon such findings reached the conclusion that the conduct of Mr. MCCARTHY toward the Subcommittee on Privileges and Elections, its members, including the statement concerning Senator HENDRICKSON, acting as a member of the subcommittee, and toward the Senate itself, was contemptuous, contumacious, and denunciatory, without reason and justification, and was obstructive to the legislative function and process. For this conduct the select committee recommended that Mr. MCCARTHY be censured by the Senate.

I want to state emphatically and in utmost good faith that I am in accord with and subscribe to the recommendations of the select committee on this particular matter and shall attempt to tell you why.

The above-referred-to and legally conducted Subcommittee on Privileges and Elections, acting under the direct orders of the United States Senate, was inquiring into matters affecting the honesty, sincerity, character, and conduct of Senator MCCARTHY. These charges against Mr. MCCARTHY were of such nature that the integrity, honor, and dignity of the United States Senate was directly involved. Time and time again the Subcommittee on Privileges and Elections, through its chairman and through the medium of letters, called upon Mr. MCCARTHY to come before the committee and to offer at least some explanation of the serious and grave charges made against him. Senator MCCARTHY not only failed to make any appearance and any explanation whatever to this duly constituted committee, but continuously, through the medium of the press, in public addresses, and in other ways, referred repeatedly to the Senate Subcommittee on Privileges and Elections as a dishonest committee. Time and time again, in his public utterances, press releases, in letters addressed to members of this subcommittee, he stated that the committee was using funds appropriated by the Senate for other purposes and were stealing from the taxpayers' money. He issued a public press release stating that a member of the subcommittee, Senator ROBERT HENDRICKSON, Republican, of New Jersey, was "a living miracle—without brains or guts." History does not record that the official acts of a Senator of the United States have ever been the subject of such continuous vile, vulgar, and insulting language by a fellow Senator.

These were the findings of fact of the select committee, and it should be interesting to you to know that Mr. MCCARTHY has not denied these public statements and has likewise admitted that he wrote and signed the letters to the committee which contained this insulting language.

The select committee in recommending censure of Mr. MCCARTHY on this count took the position that Mr. MCCARTHY had the right to question, to be critical of, and to condemn the official acts of, any Member of the Senate of the United States, as well as the findings, conclusions, and recommendations, of any Senate committee. However—and the writer shares this belief and feeling of the select committee—no Member of the Senate has a right to impugn the motives of individual Senators responsible for official action, nor to reflect upon their personal character for what official action they took. It is my opinion, and I think it is shared by a majority of the Members of the Senate, that to permit such continual disorderly behavior and such statements would bring about the complete destruction of the Senate processes and procedures.

Even before the select committee had filed its report with the Senate, Mr. MCCARTHY in public utterances, and in press releases, referred to the Senate's consideration of the motion of censure as a lynching party, with all of its vile and ugly implications. Since the report was filed with the Senate last week, Mr. MCCARTHY has continued his constant pattern of heaping abuse and insults upon the members of the select

committee as well as on the Members of the Senate who do not subscribe to his defense. He publicly stated that the select committee was "the unwitting handmaiden of the Communist Party, that the committee in its report was guilty of discrepancies, inaccuracies, and misrepresentations; that the Communist Party had reached its tentacles into the Senate itself and that the members of the select committee were attorneys in fact of the Communist Party." He has likewise stated publicly that the distinguished chairman of the select committee, Senator WATKINS, Republican of Utah, was stupid and cowardly.

Some feel indebted to Mr. MCCARTHY for fighting communism. In that connection I would like to respectfully call your attention to the fact that at no time in the history of Mr. MCCARTHY's experience as a Member of the Senate or as chairman of the Permanent Senate Investigating Committee has he been able to obtain evidence against any person, sufficient to convict that person for subversion or traitorous acts.

I could give the names of many great Americans, Members of both the Senate and the House of Representatives, who have valiantly and effectively lead the fight against communism and subversion in Government. None of these men has ever been investigated or called to task by either the Senate or the House of Representatives. Why? The answer is simple. They have gone about their job without fanfare and without trying to make it appear that they alone were the symbol of the fight against communism. Mr. MCCARTHY's counsel, in his law brief, filed in the report, admits that there may be instances, where language spoken by a Senator about a colleague, and not on the floor of the Senate, could have a real and immediate tendency to obstruct the legislative function or process and could therefore be censurable. Certainly no fair-minded person under their oath as a Member of the Senate of the United States can say that the language and conduct of Mr. MCCARTHY has not obstructed or endangered the legislative function of the Senate. The time is here when the Members of the Senate of the United States must face the issue of having its legislative processes and functions endangered, obstructed or destroyed by Mr. MCCARTHY, or anyone else. Unfortunately in the eyes of a number of Americans, Mr. MCCARTHY makes it appear that a vote of censure for his insulting, abusive, vile, and disorderly behavior is a vote in favor of communism.

In addition to this recommendation of censure the select committee has likewise recommended that Mr. MCCARTHY be censured because of the language and the method and tactics used in the examination of a witness who appeared before the Senate Permanent Committee on Investigations. The select committee found as a fact that his treatment, abusive language and conduct of Gen. Ralph W. Zwicker was insulting and calculated to humiliate and was in no sense or manner justifiable.

The evidence now discloses that at the time General Zwicker testified, at which hearing he was referred to publicly by Mr. MCCARTHY as a fifth amendment general, a disgrace to the Army uniform and a man unfit for any service of the United States, that Mr. MCCARTHY knew all of the facts and circumstances about which General Zwicker was called upon to testify. Mr. MCCARTHY likewise knew that General Zwicker did not believe in coddling or protecting communism or those who followed the Communist line, and further knew that at the time General Zwicker testified that he, General Zwicker was under a Presidential directive or order forbidding him to give any information pertaining to the promotion and honorable discharge of Major Peress, the subject under investigation.

I have read and reread the testimony of Gen. Ralph Zwicker and the cross-examination of General Zwicker by Mr. MCCARTHY and by the counsel of Mr. MCCARTHY's committee, Mr. Roy Cohn. I have likewise read the testimony of Mr. MCCARTHY given before the select committee and it was at that time that Mr. MCCARTHY stated that he knew and had known, prior to his examination of General Zwicker, that General Zwicker had no sympathy for the Communist Party or for anyone who followed the Communist line. He, Senator MCCARTHY, likewise testified under oath before the select committee that he was familiar with and had in his possession a copy of the Presidential directive which prohibited General Zwicker from testifying in detail on the matters and things involving Major Peress.

I am in full agreement with the select committee that Mr. MCCARTHY should be censured for this disorderly behavior. Had Mr. MCCARTHY honestly believed that General Zwicker was sympathetic to anyone who had Communist inclinations, and if he had not known of the Presidential Executive directive, I could then have readily understood how he could have been provoked to the extent that he might have used the language that he did about General Zwicker. It has now been publicly announced from the floor of the Senate that a new charge of censure will be lodged against Mr. MCCARTHY for disorderly behavior, including the vile language and insults of several members of the select committee and the Senate itself, since it began the consideration of Senate Resolution 301. There will be no necessity for referring these admitted and known acts of disorderly behavior of the junior Senator from Wisconsin as they were committed in the presence of the Senate, including his speeches on the Senate floor. I shall vote to sustain this additional censure motion.

I am sure Senators are familiar with article 1, section 5, of the United States Constitution which provides as follows:

"Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member."

It is a duty of the Members of the Senate to determine whether or not Mr. MCCARTHY has been guilty of disorderly behavior and if this determination is made it is the inescapable duty of the Members of the Senate to publicly reprimand him for such disorderly behavior, however personally distasteful. I regret that Mr. MCCARTHY has conducted himself in such a way that the Senate is called upon to determine if he has been guilty of disorderly behavior. But since he has been so charged and since, in my opinion, the evidence is so clear, cogent, and convincing, I cannot escape my responsibility by taking refuge with those who may believe that a motion of censure for Mr. MCCARTHY will be construed as being soft on communism.

Mr. FULBRIGHT. Mr. President, I wish to say that I sincerely regret the illness of the junior Senator from Wisconsin. I have only recently left the hospital myself, after I had a cartilage removed from my right knee. I went home on the fifth day after the operation, which is considered a rather difficult one. I merely wish to remind the majority leader that in the debate on August 2 I opposed the referral of the resolution to a committee and the postponement of consideration of this matter. It was not because I did not have the greatest respect for the Senators who were to compose the committee, although I did not know at that time who they would be

In any case, I wish to congratulate the members of the committee. I believe they have done a magnificent job. I believe the presentation on the part of all of them has been extremely fine, and I have no complaint about that at all. In fact, I must confess that perhaps I was in error in my view back in August that the committee would find itself unable to fortify the evidence already in the record with respect to the junior Senator from Wisconsin. I did not at that time realize that many Senators were not as well acquainted with the junior Senator's activities as I was. Apparently not all Senators had made as thorough a study as I had made of what he had done in the various committees. Therefore, I believe the select committee rendered a great service.

I merely remind the majority leader that in the discussion and debate which took place during the latter part of July and early part of August he morally committed himself and his party and everything he has at his command in the Senate to bring the matter to a vote.

This is an unfortunate development which has now come before the Senate. However, in all fairness, I do believe that the suggestion of the Senator from Oregon [Mr. MORSE] is a sound and equitable one. It is true we feel very sorry for an individual who is indisposed. We always do. However, there are a great many others of us who are greatly indisposed by this special session. I had to go to New York as a delegate to the United Nations. It caused a great deal of trouble, as well as considerable expense, as everyone knows, who has been there. I had to return to attend the special session. I suppose now I shall be faced with the necessity of returning to New York for a week and then coming back to Washington.

In any case, the indisposition is not all on one side. Therefore, all the generous sympathy the Senator from Illinois expressed should not be reserved for the junior Senator from Wisconsin. All of us have been put out considerably on account of the activities of the Senator from Wisconsin. As a matter of fact, he has occupied a very large proportion of the time and thought of the Senate and of the executive department during the past 3 years.

I certainly believe that it is time for a vote to be taken. I do not know what the outcome of the vote will be. However, in all fairness, coupled with the motion to adjourn we should have a unanimous-consent agreement for a vote. I do not care what the date is, but a date should be fixed on which the Senate is to vote before the Senate adjourns sine die. I certainly understood the Senator from California, the majority leader, to assure the Senate we would have a chance to vote at some time before the Senate adjourns sine die.

The majority leader knows very well, if the Senate adjourns to the 29th, it will be a relatively simple matter to prevent a vote before the 24th of December, if the opposition to the resolution so desires. I certainly do not want to appear in the position of heartlessness, or

anything of that sort. All of us have had similar indispositions and illnesses. On the authority of the letter from Dr. Calver it would appear that the illness of the junior Senator from Wisconsin is not of major proportions, and that he does not seem to suffer from a serious disease, and I do not doubt that he will recover.

In the meantime, we will have a delay to a point where it would be a simple matter, as the Senator from California knows, to prevent any vote. Those of us who have been interested in this matter believe that it is desirable to have a vote at some time before the Senate adjourns sine die.

Therefore, I respectfully submit that it is the majority leader's obligation to request such unanimous consent. If such unanimous consent is not granted, I cannot in good faith vote for the resolution to be offered by the majority leader.

Mr. KNOWLAND. Mr. President, I will say to the Senator from Arkansas that the majority leader has been endeavoring during what has been a trying period for all of us—and today is no less trying—to keep in good humor, and I wish to address myself to this subject in that attitude and frame of mind.

I believe the Senator from California, who happens to be charged with the responsibility of occupying the majority leader's chair at the present time, thoroughly understands his obligations to the Senate.

Like most of the other Members of the Senate, if not indeed all of them, I am familiar with the fact that when we adjourned last August, whether we were candidates for election or whether we were not candidates, all of us knew we would engage in an important campaign, which took place as a part of the American constitutional process.

The day after that campaign was over I left California to return to Washington for this session and for some preliminary matters, including a meeting of a joint committee on which I have the responsibility of serving.

Neither my wife nor I have had an opportunity to enjoy a holiday, and I am very desirous of doing that for reasons which are entirely personal. However, I wish to say to the Senator from Arkansas that, so far as the majority leader is concerned, there is no interest in, and there will be no support for, any effort to prevent a vote on the pending resolution in the 83d Congress. I believe the Senate has a responsibility to settle this matter and to bring the resolution to a vote before it adjourns sine die. To the best of my ability, and with all the advice I might give to my colleagues on this side of the aisle—and I have no right to advise any Senator on the other side of the aisle——

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. I merely wish to say that the minority leader does not need any advice. However, he does wish to associate himself with the endeavors of the majority leader to bring this matter to a vote at the earliest possible date. So far as the minority leader and, I am sure, the minority as a whole are concerned, we are willing to begin the sessions of the Senate as early in the morning as possible and stay in session as late at night as we were required to do in the regular session of the 83d Congress before we adjourned. The majority leader can speak for both of us insofar as setting the schedule is concerned, and to sit as long as Senators are able to sit and listen to the debate.

Mr. KNOWLAND. Mr. President, I wish to thank the Senator from Texas.

I have stated the background and the facts, fully realizing that perhaps in some quarters criticism will be made—I think not in the Senate; I hope not, but if here, I am prepared to accept the responsibility; perhaps in the public press; I hope not, but if under our system of the free press such criticism is leveled, I am prepared to accept it. Inasmuch as I have served in the position of majority leader in a body divided so closely as this body has been during the 83d Congress, and since in the 84th Congress it will be divided equally closely, I can say in entire good humor that not only does the new majority leader who sits across from me have my congratulations with reference to the position which he will soon occupy, but he also has my deepest sympathy, because these problems are not easy of solution. Someone has to take some responsibility and I am prepared to take mine.

I have before me the resolution—as I have indicated it will be offered by me—which reads as follows:

Resolved, That the Senate, at the conclusion of its business today, adjourn until Monday, November 29, 1954, at 12 o'clock meridian.

It is entirely within the hands of this body to amend it if it is so desired, but that is my recommendation to the Senate, based on the facts before me, amply spelled out here today, and on my responsibility as majority leader of the Senate; since I hold this position of responsibility, I am going to offer that motion, and any Senator may amend it if he so desires. I send it to the desk for the information of the Senate.

Mr. MALONE. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I shall be glad to yield.

Mr. FULBRIGHT. Mr. President, I thought the Senator from California was responding to my inquiry.

Mr. KNOWLAND. I think the Senator is correct. I do not have the floor. I felt I should make that statement and I have made it. The Senator has all his rights, under the rules, as a Senator of the United States.

Mr. FULBRIGHT. I appreciate that. If I correctly understand the Senator's response, it is that he is not willing to ask unanimous consent that some time prior to the adjournment of this session of the 83d Congress we come to a vote on Senate Resolution 301.

Mr. President, if no other Senator is willing to ask it—and I take it from the attitude of several Senators who have spoken that it will not be granted—I make the unanimous-consent request that in view of adjournment to the 29th of November, when we return, the matter be brought to a vote not later than the 20th of December. I couple with it the usual request that nongermane matters be excluded, if that is a permissible request to make at this time.

Mr. JENNER. Mr. President, reserving the right to object—and I shall object—I want to cite my authority, which is none other than the very, very distinguished Senator from Oregon [Mr. MORSE], who said:

Furthermore, Mr. President, I have already said on the floor of the Senate that, as a matter of policy, I believe unanimous-consent agreements to have the Senate vote at a certain hour represent a very bad policy, as a general habit, insofar as the Senate is concerned. It leads to steamroller tactics—

I am sure no one wants to do that.

I read further:

and it results in the situation that Members of the Senate will not be on the floor of the Senate with open minds, subject to change, in accordance with the evidence and the arguments offered on the floor.

I remind my colleagues that when the debate closed yesterday there was a great crowd of seven judges present. I do not know where the others were.

Mr. President, the very, very distinguished Senator from Oregon said, further:

Once before I submitted a detailed analysis of the history of unanimous-consent agreements in the Senate, going back a great many years. The fact is, Mr. President, that as we examine the statistics, we find that the unanimous-consent agreements are clustered around recent dates. They are a new development, and I think that development is an unsound one.

Therefore, on the ground of that general policy, I shall object to any such request for a unanimous-consent agreement, although, as I have always said, I shall reserve the right, in specific cases—

I presume this is a specific case—

when I am satisfied that debate upon the merits of an issue has been fulfilled—

Has the debate been fulfilled? Here is a member of the select committee who gave this body new facts which had never been considered by the select committee. I wonder if the very, very distinguished Senator from Oregon was present today to hear the facts presented.

I could go on and on, but I take as my authority the distinguished Senator from Oregon, and I object.

Mr. MORSE. Mr. President, will the Senator from Indiana yield?

Mr. JENNER. I yield.

Mr. MORSE. Has the Senator any further objections?

Mr. JENNER. No. That is all.

Mr. MORSE. Mr. President, I wish to thank my friend from Indiana for reading with such "friendly emphasis" the policy position of the Senator from Oregon on unanimous-consent agreements. I do not change that policy position, Mr. President. Time and time again, as the majority leader and the minority leader can testify as my witnesses, I have cooperated in obtaining unanimous-consent agreements whenever, in my opinion, the

exception clause read by the Senator from Indiana had been met on the floor of the Senate, and when I was satisfied that the minority interests were being protected by being given full opportunity to present their arguments on the merits of the issue. In the specific case now before the Senate there may be more things to be said on the issue, but I respectfully suggest, Mr. President, that many of them will be redundant and repetitive. Certainly, if we reconvene on November 29, a unanimous-consent agreement to vote 10 days thereafter will give every Senator ample opportunity to bring out all the pros and cons on this issue. It is only when I am satisfied in a specific case that there is an attempt to throttle the minority and prevent full debate that I object to unanimous-consent agreements as a matter of policy. The Senator from Indiana [Mr. JENNER] certainly can be charged with knowledge of my policy on this matter and his attempt to becloud it is not going to fool the Senate or the country.

I repeat, Mr. President, that my record on this matter will continue to be my policy. Here we have an instance of a unanimous-consent agreement offered which calls for days and days of debate, and it certainly gives everyone an opportunity to present the merits of the pros and cons of the arguments on the pending censure resolution. In my judgment, any refusal to go along with an agreement calling for a final vote by December 20 is a confession that Senators do not want to vote at all on this issue before the required hour of adjournment on December 24.

Mr. STENNIS. Mr. President, may I ask the majority leader a question?

Mr. KNOWLAND. I shall be glad to have the Senator from Mississippi ask a question.

Mr. STENNIS. Mr. President, I have already expressed my sentiments to the minority leader with reference to the question of carrying over this matter because of the condition of the health of the junior Senator from Wisconsin. I have conferred with the chairman of the select committee, this afternoon, and he has expressed sentiments which I shall not repeat, but in which I join.

But there is a serious question in my mind, and it is this: Has the junior Senator from Wisconsin requested that the matter be carried over, or has his attorney or anyone who speaks for him on the floor made such a request? I think we should know about that. I have heard quoted a radio broadcast which, if it was correct, indicated that the junior Senator from Wisconsin desired to have the Senate continue in session and to vote on the matter.

I do not believe that such a request would be controlling upon the Senate, because if the junior Senator from Wisconsin were not able to be present, the Senate could continue the debate even if he objected.

The point I make is that the Senate is entitled to know whether the junior Senator from Wisconsin has requested a postponement, either himself or through his attorney or anyone else who speaks for him.

Mr. KNOWLAND. So far as I know, the junior Senator from Wisconsin himself has not requested any postponement. When the letter was finally delivered by the attending physician of Congress during the recess, I supplied, as I have heretofore stated, a copy of the letter to the distinguished minority leader, and I then consulted with the persons with whom I indicated I had consulted.

I then sent for Mr. Edward Williams, who is counsel for Senator MCCARTHY, and who has been sitting on the floor next to him. I read him the text of the letter, which I thought was proper procedure and should be done, and told him what I intended to do.

Mr. Williams expressed to me his personal opinion—and I did not base my recommendation on his opinion, but rather on the medical advice contained in the letter I received; but since the Senator from Mississippi has raised the question, I desired him to have the advantage of all the information I have received in the matter—Mr. Williams expressed it as his personal opinion, he having seen Senator MCCARTHY briefly last night, and having informed me that the doctor in attendance was really disturbed that the Senator had had a visitor even last night, that Senator MCCARTHY was not in a position to conduct his own defense.

That is the only information I have to offer to the Senator from Mississippi or to the entire Senate.

Mr. STENNIS. If I understand correctly, Mr. Williams, the attorney for the junior Senator from Wisconsin, reported to the Senator from California that the attending physician said——

Mr. KNOWLAND. No, no. Mr. Williams told me that, in his personal opinion, he thought Senator MCCARTHY'S condition, as he observed the Senator last night, was such that he did not believe Senator MCCARTHY was in a position to conduct his own defense, and he doubted whether the Senator would be in a position to do so in so short a time as the Senator had indicated. But that was not a medical opinion; that was the opinion of counsel, to whom I read the letter.

Mr. STENNIS. I think the opinion of counsel in the case would be very serious and entitled to great weight. But I did not want to be confronted with the fact that after the Senate had taken this action and had recessed, the contention of the junior Senator from Wisconsin would be that he did not desire it to be done.

Mr. KNOWLAND. It was for that reason, among others, that I felt I had an obligation—and I discussed the matter with the minority leader—to call in the attorney who is representing Senator MCCARTHY, and to lay before him the letter which I had received from the attending physician.

With the information Mr. Williams supplied, not as medical information, because I assume he is not a medical man, I did not feel warranted, under the circumstances, in asking for a personal interview with Senator MCCARTHY, because it had been indicated to me by his counsel that the doctors had been disturbed that even Mr. Williams had visited Senator MCCARTHY last evening.

Mr. STENNIS. I can appreciate those facts.

I observe on the floor Mr. Williams, the attorney for Mr. MCCARTHY. During the hearings I learned to know and respect him very highly, both personally and as a lawyer. Of course, he may not speak on the floor, but I am certain he would correct this impression if it were not correct. As I understand, he, as attorney for Senator MCCARTHY, made the representation to the majority leader that, in his opinion, Senator MCCARTHY is unable properly, from his standpoint, to conduct his case before the Senate.

Mr. THYE. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. THYE. Would it not be improper for the Senate to continue discussing that which is of a personal nature and is against the character of a Member of the Senate, if that Member were confined to a hospital upon the orders of his doctor? As one Member, I would not wish to deliberate any further concerning that Member until such time as he was able to come to the floor.

Mr. STENNIS. I said that even though there were a request on the part of the junior Senator from Wisconsin for the Senate to continue, it might still be the duty of the Senate to recess. I made that clear in the beginning. At the same time, if the junior Senator from Wisconsin is objecting to the proposed recess, I think the Senate ought to know about it now.

Mr. KNOWLAND. Mr. President, I desire to make one change in my statement. Following the suggestion of the Senator from Mississippi, I spoke to Mr. Williams. He said that the statement I had made was substantially correct, as he recalled it, with one addition.

I now recall that Mr. Williams stated that when he saw Senator MCCARTHY, Senator MCCARTHY himself had expressed the hope that the matter would not be postponed merely because the junior Senator from Wisconsin was in the hospital.

Mr. STENNIS. I think the information which we have now received has entirely cleared up the matter. I thank the majority leader.

I wish to make it clear that I am not in favor of proceeding until the junior Senator from Wisconsin is able to be present, even if it should be his opinion that the Senate should proceed.

SEVERAL SENATORS. Vote! Vote! Vote!

SUBCOMMITTEE MEETING DURING SENATE SESSIONS — MINERALS, MATERIALS, AND FUELS ECONOMIC SUBCOMMITTEE OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. MALONE. Mr. President, I ask unanimous consent that the Minerals, Materials, and Fuels Economic Subcommittee of the Committee on Interior and Insular Affairs may proceed to conduct their business in accordance with the modified schedule already established.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LANGER. Mr. President, reserving the right to object, I should like to ask a question of the distinguished junior Senator from Illinois, provided I may have unanimous consent to do so without his losing the floor.

I have been very much impressed by the very eloquent speech of the junior Senator from Illinois; in fact, it brought tears to my eyes. I wondered if we should not include in the resolution a provision for the sending of flowers to Senator McCARTHY; and whether we should not debate the kind of flowers which should be sent, whether they be forget-me-nots, chrysanthemums, or roses.

I should like to have the opinion of the distinguished junior Senator from Illinois as to whether this should not be done as an act of sympathy on our part. It would be a very fine gesture to send flowers, in view of the fact that the junior Senator from Wisconsin is disabled and is in a hospital.

Mr. DIRKSEN. Mr. President, am I at liberty to answer?

The PRESIDING OFFICER. The Senator from Nevada [Mr. MALONE] has the floor.

Mr. MALONE. Mr. President, the request for unanimous permission for my subcommittee to proceed with our work in accordance with the modified schedule already adopted has already been granted.

Mr. KUCHEL. Mr. President, what was the unanimous-consent request? Senators in the rear of the Chamber cannot hear what is being said.

The PRESIDING OFFICER. The unanimous-consent request was that the Economic Subcommittee on Minerals, Materials, and Fuels of the Committee on Interior and Insular Affairs be permitted to conduct their business in accordance with the modified schedule already established. The Senator from North Dakota [Mr. LANGER] reserved the right to object. The Chair has not yet heard objection.

Mr. ANDERSON. Mr. President, the request is not a request of the Committee on Interior and Insular Affairs; it is a request of the Economic Subcommittee on Minerals, Materials, and Fuels.

The PRESIDING OFFICER. It is a request of the Economic Subcommittee on Minerals, Materials, and Fuels of the Committee on Interior and Insular Affairs.

Mr. KNOWLAND. Mr. President, has unanimous consent been granted for the request made by the distinguished senior Senator from Nevada?

The PRESIDING OFFICER. Without objection, the request is granted.

The Senator from Nevada has relinquished the floor; the Senator from Illinois has the floor.

ORDER OF PROCEDURE

Mr. KNOWLAND. Mr. President, will the Senator from Illinois yield, so that I may make an additional statement?

Mr. DIRKSEN. I yield.

Mr. KNOWLAND. This statement will not foreclose any further discussion, but, in view of the general discussion which has taken place, I might say that, from a parliamentary point of view, the adoption of the resolution itself will not adjourn the Senate until November 29; it will merely become an order of the Senate, which will be subject to a later motion to adjourn.

On the resolution, I ask for the yeas and nays. I am not asking for a vote at this time; I am merely requesting the yeas and nays on the resolution.

The yeas and nays were ordered.

COMMITTEE MEETINGS DURING ADJOURNMENT PERIOD

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KNOWLAND. I really do not have the floor in my own right; I have it by courtesy of the Senator from Illinois [Mr. DIRKSEN].

Mr. MANSFIELD. In line with the request of the Senator from Nevada [Mr. MALONE], may we assume that all committees will have a right to meet during the recess?

Mr. DIRKSEN. Mr. President, I have the floor.

The PRESIDING OFFICER. The Chair wishes to answer the question propounded by the Senator from Montana.

Mr. DIRKSEN. Mr. President, I make the point of order that I have the floor. If the Senator from Montana will now address me, I shall be delighted to yield for a question or two without losing my right to the floor.

Mr. MANSFIELD. I have no questions to ask at this time. I thank the Senator.

Mr. DIRKSEN. Mr. President, I now yield to the distinguished Senator from North Dakota.

Mr. LANGER. Mr. President, I should like to know whether or not, under the ruling made or agreement entered into, during the recess the subcommittees of the Judiciary Committee must ask for unanimous consent in order to be permitted to sit.

Mr. KNOWLAND. Mr. President, I would rather address a parliamentary inquiry to the Chair than attempt to answer that question, but when the Senate is not in session I believe that the Senate committees have whatever power and authority they have to function during recesses or adjournments of the Senate without getting permission of the Senate specifically to do so. Subsequent to my brief statement, I shall make a parliamentary inquiry. I think the requirement for getting unanimous consent stems from the fact that the duty of Senators is to be in the Senate Chamber while the Senate is in session. In order to be excused, so that they will not be brought in perhaps by the Sergeant at Arms if there is a quorum call, or in order that Senators may be permitted to leave while the Senate is debating, it is customary to ask unanimous consent that such committees may meet while the Senate is in session.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. Is there any rule requiring that a standing committee of the Senate or its properly authorized subcommittees must gain the permission of the Senate to meet during the period of time the Senate may be either in recess or in adjournment?

The PRESIDING OFFICER. The Chair is informed that there is no such requirement. On the other hand, there is a rule, which the Chair will read:

> No standing committee of the Senate or the House, except the Committee on Rules of the House, shall sit, without special leave, while the Senate or the House, as the case may be, is in session.

Mr. LANGER. Mr. President, I therefore ask unanimous consent that the Committee of the Judiciary——

Mr. KNOWLAND. If I may interrupt the Senator, I wish to tell him that it is not necessary that he ask unanimous consent for the committee or subcommittees to sit during the period of a recess or adjournment.

Mr. HENNINGS. Mr. President——

The PRESIDING OFFICER. The Senator from Illinois has the floor.

ORDER OF PROCEDURE

Mr. DIRKSEN. I know that my very distinguished colleague from the great open spaces in North Dakota is never facetious, and his question to me was in the utmost of good faith, as to whether or not the Senate should send flowers to our colleague.

That is an individual matter, Mr. President. The only thing I know in the rule book about flowers is that there is in the general rules appertaining to the Senate a provision that flowers must not be brought into the Senate Chamber.

I think the matter of sending flowers to an ill colleague is a matter to be decided by individual Senators. With all modesty, I may recall the fact that during the last session one of the very diligent and devoted reporters of debates of the United States Senate collapsed in the course of his work. To me it was rather strange that no Senator bothered to send him any flowers in his distress. One Senator may have; I would not wish to comment on that. But any Senator is at liberty to send flowers to the Naval Hospital if the sweet and gentle spirit moves him.

One other thing I must allude to, because I cannot let it go unchallenged. My very distinguished friend from Oregon—and I wish he would listen for a moment——

Mr. MORSE. I always listen to the distinguished Senator from Illinois.

Mr. DIRKSEN. I am grateful indeed for this attention.

Mr. President, the Senator said it was a kind of confession to make, if we have failed to adopt some kind of a rule that would actually assure a vote on the pending measure. I know of no juridical body in the world, I know of no court in the world, wherein the complaining witness, or one of the complaining witnesses, must first present his complaint to the grand jury and then go before the judge and state that the judge ought to limit the time of the defense.

The distinguished Senator from Arkansas [Mr. FULBRIGHT] is in the same position. He is one of the complaining

witnesses, and it appears in the testimony and in the hearings as to who filed the charges. He suggests now to the Senate that it limit the debate, that the Senate limit the defense.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I did not originate the suggestion. It was only in response to the request by the Senator from Illinois, or at least he and his friends, for this very unusual delay, that the proposal was made. I did not initiate the move for limitation. It was only in response to the move that has been made on the other side of the aisle that the Senate suspend this discussion.

Mr. DIRKSEN. The junior Senator from Illinois is astounded at that observation. I know of nothing, by direction, indirection, word, deed, sign, or gesture, on the part of the junior Senator from Illinois that might have conveyed to any Member of this great deliberative jury that there should be a limitation on the defense. Who knows how long the defense needs? The chief defendant, if one may call him that—he is not a defendant in my book—is not present. He is the only one who can speak for himself. The proposal simply violates every juridical rule of which I have any knowledge, that when a man's political future is in jeopardy, there shall be afforded him unrestrained opportunity to defend himself. That is why there is provision that a series of appeals can be taken. That is why in any court of the land an attorney can note every exception in the record and take the case to the highest court before ultimate judgment is pronounced. There will be no appeal from the judgment of this body. There is no statute of limitations to be imposed.

I do not go along with the suggestion that the Senate is sitting as a court. There is not a single judicial attribute about the Senate of which I know. First of all—and I may just as well complete this observation before I yield to my friend from Oregon—Federal judges hold terms for life, conditioned on good behavior. If the Senate is a court, if we are judges, this is a peculiar court, indeed, elected by the people, and sitting in a political atmosphere, where letters and telegrams by the ton, as well as persons, can pressure the court. That would be an amazing court, would it not?

There is no attribute of a judicial body in this so-called court. This is a legislative trial, Mr. President, and I trust when the time comes for me to make some amplifying remarks, I shall be able to dig deeply into the works of the very distinguished jurist, former dean of the Harvard Law School, Roscoe Pound, who made researches in this field, and wrote about legislative trials.

I am not disposed to detain the Senate further, but I did not believe the observation of my esteemed friend from Oregon should go unchallenged. I yield the floor to him.

Mr. MORSE. Mr. President, my reply will be very brief. I think my good friend from Illinois is using an argument by analogy to court procedure up to the point he thinks will serve his purpose. Then he shifts his ground and pleads for unlimited debate on this censure resolution forgetting that under his own court procedure analogy defendants are subject to fair procedures aimed at bringing the trial to an end within a reasonable time. I shall not even attempt to carry the argument by analogy I now make into complete and analogous detail, but in no small sense can it be said that the lower court or the lower tribunal has already acted on this censure charge. The trial of the charge was held before the select committee. We are not conducting a de novo trial. The Senate is sitting in review to press this argument by analogy a bit further. We are sitting in the capacity of an appellate tribunal.

It is a common practice for appellate tribunals to put reasonable time limitations upon argument. All they have to make certain of is that it is a reasonable exercise of judicial discretion, and the decision of the appellate court will stand, no matter how high upstairs one takes it, even to the great judicial cathedral across the way, the Supreme Court of the United States.

Mr. HENNINGS. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. Mr. President, I do not yield at this point.

I wish to say that all the elements of justice will be protected by the imposition of a reasonable period of time for argument on the part of the McCarthy defenders and on the part of those who are opposed to the position taken by the McCarthy defenders. I am certain that even the Senator from Illinois [Mr. DIRKSEN] would find ample time, in the period of time between November 29 and December 20, to present even the most exhausting arguments—which certainly he is very capable of making—to the Senate.

Mr. President, I wish to say that when I spoke a few moments ago about a dilatory tactic which would seek to prevent a vote by the Senate by the time of final adjournment, and when I referred to it as a confession of delay tactics on the part of those who may entertain such an intention I meant it. I repeat it. I do not know whom they think they are kidding, but certainly they are not kidding the Senator from Oregon. Neither will they fool the American people.

This afternoon, Mr. President, the very simple question before the Senate and before the American people is this: After we convene on November 29, will part of the strategy be so to delay the debate that the Senate will have to adjourn on December 24, without reaching a vote on the censure resolution?

Mr. President, during the debate there has been an attempt to paint the Senator from Oregon as being one without human sympathy. However, Mr. President, not a word of my remarks this afternoon would justify such a conclusion. In fact, quite the contrary is true. I began my remarks by making a plea for procedural fairness to the junior Senator from Wisconsin, as I did some weeks ago when, on the floor of the Senate, I urged that a bill of particulars be filed against the junior Senator from Wisconsin, and I filed one. Before this debate is over I will file my documentation in support of that bill of particulars. I am very happy over the fact that apparently the select committee found that some basis existed for that documentation, because the select committee appears to have made considerable use of it in the preparation of its report.

At this time let me say that the junior Senator from Wisconsin and I disagree fundamentally on many, many issues, including the issue of the procedure he has adopted too frequently in conducting his investigations. But if he were here this afternoon, I think he would say—as I wish to say about him—that there has always been a kindly and friendly personal relationship existing between us. We have had deep professional differences of opinion, but there has been good-natured banter between us almost every time we met, including the other day, when, on the floor of the Senate, I said, "Hello. How are you, Joe? I am glad to see you." And he replied, "Well, I am not sure I am glad to see you but how are you anyway?" We laughed about it, and then proceeded to discuss what had transpired since last we met here on the floor of the Senate. We know that we differ fundamentally on the great issue which is before the Senate, namely, the kind of procedure which should have been followed by the junior Senator from Wisconsin in conducting his investigations.

But, Mr. President, let me tell you, as a Christian I wish nothing but good to the junior Senator from Wisconsin, from the standpoint of his health. I pray a speedy recovery for him; and I hope he can get back here before November 29, so that we can proceed to reach a final disposition of this issue at the earliest possible hour.

Mr. KNOWLAND. Mr. President, I desire to move the adoption of the resolution as soon as I may.

Mr. LEHMAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. GOLDWATER in the chair). The Senator from New York will state it.

Mr. LEHMAN. Is it in order for me to propose an amendment to the resolution which has been submitted by the majority leader?

The PRESIDING OFFICER. It will be in order for the Senator from New York to submit an amendment to the resolution, after the clerk has stated the resolution.

The clerk will state the resolution.

The legislative clerk read the resolution (S. Res. 331) as follows:

Resolved, That the Senate, at the conclusion of its business today, adjourn until Monday, November 29, 1954, at 12 o'clock meridian.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. Have the yeas and nays already been ordered on the question of agreeing to the resolution?

The PRESIDING OFFICER. They have been ordered.

Mr. KNOWLAND. As I understand, Mr. President, the Senator from New York will be in order if at this point he submits an amendment to the resolution I have offered; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. LEHMAN. Mr. President, I have not suggested that the junior Senator from Wisconsin——

The PRESIDING OFFICER. The Chair is informed that the matter is not debatable. If the Senator from New York has an amendment to submit to the resolution, he should do so.

Mr. LEHMAN. Then, Mr. President, I propose—because I think the Senate has a right to know what the condition of the junior Senator from Wisconsin is before the 29th of November, and also because I think——

Mr. CASE. Mr. President, I call for the regular order.

The PRESIDING OFFICER. The regular order is called for.

The Senator from New York has been recognized for the purpose of sending forward an amendment. He will do so, or will relinquish the floor.

Mr. LEHMAN. Then, Mr. President, I propose the following amendment: that the date set forth in the resolution of the Senator from California, namely, November 29, be changed to November 22.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York.

Mr. KNOWLAND. Mr. President, on this question I ask for the yeas and nays.

Mr. JENNER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The yeas and nays having been ordered, the clerk will call the roll.

Mr. CASE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from South Dakota will state it.

Mr. CASE. Do I correctly understand that the pending question is on agreeing to the amendment submitted by the junior Senator from New York?

The PRESIDING OFFICER. That is correct.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CAPEHART (after having voted in the negative). I have a general pair with the Senator from Florida [Mr. SMATHERS]. I have voted "nay" on this question. I understand that if he were present and voting he would likewise vote "nay."

The PRESIDING OFFICER. The vote will stand.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER] is absent by leave of the Senate on official business.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The Senator from Oregon [Mr. CORDON], the Senator from Wisconsin [Mr. MCCARTHY], and the Senator from Colorado [Mr. MILLIKIN] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Ohio [Mr. BURKE], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Louisiana [Mr. ELLENDER], the Senators from Georgia [Mr. GEORGE and Mr. RUSSELL], and the Senator from Tennessee [Mr. KEFAUVER] are absent on official business.

The Senator from Iowa [Mr. GILLETTE] is unavoidably detained, and if present would vote "nay."

The Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave of the Senate on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The Senator from Oklahoma [Mr. KERR] is necessarily absent, and if present would vote "nay."

I announce further that if present and voting, the Senator from New Mexico [Mr. CHAVEZ] would vote "nay."

The result was announced—yeas 2, nays 76, as follows:

YEAS—2

Fulbright	Lehman

NAYS—76

Abel	Frear	Martin
Aiken	Goldwater	McClellan
Anderson	Green	Monroney
Barrett	Hayden	Morse
Beall	Hendrickson	Mundt
Bennett	Hennings	Murray
Brown	Hickenlooper	Neely
Bush	Hill	Pastore
Butler	Holland	Payne
Byrd	Hruska	Potter
Capehart	Humphrey	Purtell
Carlson	Ives	Robertson
Case	Jackson	Saltonstall
Clements	Jenner	Schoeppel
Cooper	Johnson, Colo.	Smith, Maine
Cotton	Johnson, Tex.	Smith, N. J.
Crippa	Johnston, S. C.	Sparkman
Daniel, S. C.	Kilgore	Stennis
Daniel, Tex.	Knowland	Symington
Dirksen	Kuchel	Thye
Douglas	Langer	Watkins
Dworshak	Lennon	Wiley
Eastland	Long	Williams
Ervin	Magnuson	Young
Ferguson	Malone	
Flanders	Mansfield	

NOT VOTING—18

Bricker	Ellender	Kerr
Bridges	George	McCarthy
Burke	Gillette	Millikin
Chavez	Gore	Russell
Cordon	Kefauver	Smathers
Duff	Kennedy	Welker

So Mr. LEHMAN's amendment was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the resolution (S. Res. 331) submitted by the Senator from California [Mr. KNOWLAND], that the Senate adjourn until November 29, 1954. On this question the yeas and nays have been ordered, and the clerk will call the roll.

Mr. KNOWLAND. Mr. President, in order that Senators may not leave the Chamber immediately following the vote, I desire to announce—and I take pleasure in making the announcement—that the President of the Council of Ministers of France, Mr. Mendes-France, will visit the Chamber immediately following the yea-and-nay vote, so I hope Senators will remain to greet him.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. As I understand, the Senate is about to vote on the Knowland resolution providing that at the conclusion of business today, the Senate shall adjourn until November 29.

The PRESIDING OFFICER. The Senator is correct.

Mr. JOHNSON of Texas. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CAPEHART (after having voted in the affirmative). I have a general pair on this subject with the Senator from Florida [Mr. SMATHERS]. If he were present and voting, I understand he would vote "yea." I have voted yea, and I ask that my vote stand.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER] is absent by leave of the Senate on official business.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from Idaho [Mr. WELKER] are absent on official business.

The Senator from Oregon [Mr. CORDON], the Senator from Wisconsin [Mr. MCCARTHY], and the Senator from Colorado [Mr. MILLIKIN] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Ohio [Mr. BURKE], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Louisiana [Mr. ELLENDER], the Senators from Georgia [Mr. GEORGE and Mr. RUSSELL], and the Senator from Tennessee [Mr. KEFAUVER] are absent on official business.

The Senator from Iowa [Mr. GILLETTE] is unavoidably detained, and if present would vote "yea."

The Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave of the Senate on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The Senator from Oklahoma [Mr. KERR] is necessarily absent, and if present would vote "yea."

I announce further that if present and voting, the Senator from New Mexico [Mr. CHAVEZ] would vote "yea."

The result was announced—yeas 76, nays 2, as follows:

YEAS—76

Abel	Eastland	Knowland
Aiken	Ervin	Kuchel
Anderson	Ferguson	Langer
Barrett	Flanders	Lennon
Beall	Frear	Long
Bennett	Goldwater	Magnuson
Brown	Green	Malone
Bush	Hayden	Mansfield
Butler	Hendrickson	Martin
Byrd	Hennings	McClellan
Capehart	Hickenlooper	Monroney
Carlson	Hill	Morse
Case	Holland	Mundt
Clements	Hruska	Murray
Cooper	Humphrey	Neely
Cotton	Ives	Pastore
Crippa	Jackson	Payne
Daniel, S. C.	Jenner	Potter
Daniel, Tex.	Johnson, Colo.	Purtell
Dirksen	Johnson, Tex.	Robertson
Douglas	Johnston, S. C.	Saltonstall
Dworshak	Kilgore	Schoeppel

Smith, Maine	Symington	Williams
Smith, N. J.	Thye	Young
Sparkman	Watkins	
Stennis	Wiley	

NAYS—2

Fulbright Lehman

NOT VOTING—18

Bricker	Ellender	Kerr
Bridges	George	McCarthy
Burke	Gillette	Millikin
Chavez	Gore	Russell
Cordon	Kefauver	Smathers
Duff	Kennedy	Welker

So the resolution (S. Res. 331) was agreed to.

VISIT TO THE SENATE BY THE HONORABLE PIERRE MENDES-FRANCE, PRESIDENT OF THE COUNCIL OF MINISTERS OF THE FRENCH REPUBLIC AND FOREIGN MINISTER

Mr. KNOWLAND. Mr. President, pursuant to earlier announcement, the President of the Council of Ministers of France is in the Capitol. Immediately following the appointment by the Chair of the committee to escort the French Premier into the Chamber, I shall move that the Senate stand in recess, subject to the call of the Chair.

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). The Chair appoints the majority leader, the Senator from California [Mr. KNOWLAND]; the minority leader, the Senator from Texas [Mr. JOHNSON]; the chairman of the Committee on Foreign Relations, the Senator from Wisconsin [Mr. WILEY]; and the ranking minority member of the Committee on Foreign Relations, the Senator from Rhode Island [Mr. GREEN], a committee to escort the Premier of France into the Chamber.

Mr. KNOWLAND. Mr. President, I move that the Senate now stand in recess, subject to the call of the Chair.

The motion was agreed to; and (at 5 o'clock and 34 minutes p. m.) the Senate took a recess, subject to the call of the Chair.

The Senate being in recess, the Honorable Pierre Mendes-France, President of the Council of Ministers of the French Republic and Foreign Minister, accompanied by Mr. Henri Bonnet, Ambassador Extraordinary and Plenipotentiary of the Republic of France to the United States of America, and escorted by the committee appointed by the Presiding Officer, consisting of Mr. KNOWLAND, Mr. JOHNSON of Texas, Mr. WILEY, and Mr. GREEN, entered the Chamber and took the place assigned him on the rostrum in front of the Vice President's desk. Mr. Bonnet was escorted to the seat assigned to him.

The VICE PRESIDENT. Members of the Senate and guests in the galleries, it is my great honor and privilege to present to you on this occasion a very distinguished visitor to the United States and to this legislative body, the Premier of France.

[Applause, Senators rising.]

Premier PIERRE MENDES-FRANCE. Mr. Vice President and Members of the Senate, it is a great and unexpected honor for me to have the privilege of being invited to come on the floor of this great assembly. I only want, in my very bad English, to thank you for your reception and to tell you how I am moved by the honor which is accorded me of speaking before an assembly which in our country enjoys such high prestige and admiration.

All of us in France know of the great decisions which have been made in this Senate, from which my country has profited. We know that you took a large part in all the decisions and measures which were designed to help my country during the war when we were suffering invasion and occupation, and later which resulted in your sons driving through Europe to achieve our liberation.

So it is a message of gratitude which I wish to convey to you, and I desire likewise that you make known to your constituents the high gratitude my country has for the great Republic which you represent.

I am very sorry not to be able to speak better English than I do, and not be able to express all the feelings which are in the hearts of the people of my country for your country and your great assembly.

[Applause, Senators rising.]

The VICE PRESIDENT. Mr. Premier, I assure you that all the Members of the Senate will agree with me when I say that if anyone of us had the opportunity to appear before the legislative body of France, I doubt if any of us could show such a command of your language as you have exhibited in addressing the Senate in English today. [Applause.]

In keeping with our custom, I believe the Members of the Senate and our guests in the galleries would like to hear responses from the majority leader and the minority leader.

Mr. KNOWLAND. Mr. Premier, on behalf of the Members of the Senate, without regard to partisanship, we welcome you to our country. We recognize that France is our oldest ally, having participated in our own war of independence. We have been allied with France in two great struggles which have taken place when the freedom of mankind was in danger. We, in this country, recognize that should other difficulties face us in the future, France, our great ally in three wars, including our own war of independence, will be stoutly on our side as she has been in the past. You will find in Washington and throughout the Nation a deep love, reverence, and respect for the Republic of France and an appreciation of the heavy responsibilities you have been carrying. [Applause.]

Mr. JOHNSON of Texas. Mr. President, Mr. Premier, and my colleagues, I know that all Senators join with me in the feeling that this is a great occasion and a great day for the Members of the United States Senate. In many past struggles for liberty and human freedom, Mr. Premier, your nation has been allied with ours. As we go down the road searching for the difficult answers that can preserve peace and prosperity for the free world, we are glad that you have come here to attempt to work out with our leaders some of the solutions to the perplexing problems of our times. Your nation has been one of the great leaders of Western civilization. I trust that as we approach the critical hours ahead, we shall do so in a spirit of confidence, admiration, and mutual trust, guided by only one criterion—what is best for free peoples everywhere. [Applause.]

The VICE PRESIDENT. I know all Members of the Senate will want an opportunity to meet personally the Premier of France. He will now be escorted to the well of the Senate, and the Members of the Senate will have an opportunity to meet him.

The Premier of France was thereupon escorted to the well of the Senate, where he was greeted by Members of the Senate, after which he and the Ambassador retired from the Chamber.

At 5 o'clock and 45 minutes p. m., the Senate reassembled when called to order by the Presiding Officer (Mr. PAYNE in the chair).

SENATOR LENNON, OF NORTH CAROLINA

Mr. STENNIS. Mr. President, I shall not detain the Senate at great length, but I remind the Senate that when the 84th Congress convenes, the term of our friend and colleague from North Carolina [Mr. LENNON] will have come to an end. I did not want this opportunity to pass without saying a word of appreciation for his very fine services in the Senate, which have been outstanding in many respects.

As I recall, Senator LENNON came here only a little over a year ago, on July 10, 1953, in the heaviest days of the session. He had behind him a fine background, as he had been a practicing attorney, a member of the State senate, and a judge in his State. He has a very finely trained judicial mind. On coming to the Senate he took part immediately in the strenuous work of the session, and made valuable contributions to the solution of difficult questions before this body.

I have been most favorably impressed with his conscientious devotion to the public service, his complete impartiality, and the sound conclusions he has reached after thorough consideration of matters which have been submitted to him. I do not know of anyone who in such a short time has made a finer contribution to the work of the Senate. I am certain there are not many who have made as fine a record as he has made in the Senate of the United States

I congratulate him and express my appreciation, and I am sure that of his other colleagues, for the very high type of service he has rendered. At the same time I extend sincere good wishes as he plans his future, which we know will be helpful to his State and to the Nation.

I trust that his fine family will share with him the rich satisfactions of life which he and they so well deserve.

I desire to recite one incident showing Senator LENNON'S passion for duty and willingness to work. He came here during the hectic last days of July 1953. In trying to familiarize himself with all the bills and other measures of a serious nature, I understand he lost more than 15 pounds in about 18 days. That, I think,

is a tribute to him and is somewhat of an indication of the work of the Senate.

Mr. JOHNSON of Texas. Mr. President, the sentiments expressed by the very able and distinguished junior Senator from Mississippi represent, I am certain, the sentiments of every member on the minority side. I have never served with a man more courteous, more considerate, more diligent, more fair than ALTON LENNON. We are all going to miss him. Many times it has been necessary, in my capacity as minority leader, to call on him to assume heavy burdens. Not only has he always been ready and willing to perform any task assigned to him, but he has approached it with a cheerfulness which has always excited my admiration.

He has a penetrating mind. He has a high sense of honor. He is typical of the kind of men whom North Carolina has been in the habit of sending to Congress in the 17 or 18 years I have been a Member.

I suppose I may be pardoned for saying this, but, as a Member of the House, I always thought that Texas had about the best delegation in Congress. It is not unusual for a Texan to feel that way. But if there was a delegation which was equal to that of Texas during the time I was a Member of the House of Representatives, it was the North Carolina delegation.

In every respect, ALTON LENNON has measured up to the high standards set by men like Lindsay Warren and Max Gardner, and by the great men who presently serve in the House of Representatives and who serve in the Senate with us.

Governor Hoey, the late Senator Clyde Hoey, was one of the ablest men I have ever known. He was one of my closest counselors. Willis Smith was a symbol of all that is good, fearless, courageous, and American. I do not know of any representatives of any State who have made me prouder to be in the Senate than have the Senators from the State of North Carolina, including Senator ALTON LENNON.

Mr. KNOWLAND. Mr. President, on behalf of the Members on this side of the aisle, and speaking also for myself individually and in my capacity as majority leader, I would not want this moment to pass without joining in the comments which have been made by the distinguished Senator from Mississippi [Mr. STENNIS] and by my colleague, the minority leader, the distinguished Senator from Texas [Mr. JOHNSON].

We on this side of the aisle who have been privileged to serve with Senator AL LENNON have come to have a very high regard for him—for his integrity, his devotion to duty, his capacity for work, and for his interest in the legislative problems which have confronted the Senate in the period of time which he has served with us.

I have felt that he is, and I know him to be, a man of great ability. I hope that government in general, whether it be that of his own State of North Carolina or the Government of the United States, may in the future find use for his outstanding ability and outstanding devotion to public duty. The Nation can little afford to lose from the Government men of the high standing and sterling character which he has demonstrated in the Senate of the United States.

Though I sit on the opposite side of the aisle, I would not want this opportunity to pass without expressing to Senator LENNON my high personal regard, and the hope that he may find it possible, from time to time, to return and visit with us who have served as his colleagues in the Senate. I can assure him that, as during the period of his service here, he will find as warm a reception on this side of the aisle as he will among his brethren on the other side of the aisle.

Mr. LEHMAN. Mr. President, I wish to avail myself of the privilege of associating myself with the previous speakers, and to express my very high regard for the senior Senator from North Carolina [Mr. LENNON]. It has been a great pleasure and privilege to have served with him for the past several months. I have learned to feel that he was a friend and to admire his many sterling qualities. I share the hope expressed by the majority leader that he will continue to be of useful service to the Nation.

Mr. WATKINS. Mr. President, I have had the great pleasure of serving on committees with three Senators from North Carolina. Senator Willis Smith was a member of the Committee on the Judiciary a part of the time while I was a member of that committee. I learned to love him for his fine ability. He was a great patriot, and it was a severe loss to the Nation and to his own State when he was called to "the other side."

I have also recently served with Judge ERVIN on the select committee, and have found him to be a wise counselor and a great American. He is a very fair and efficient worker in any problem which is presented to him. It has been a great honor to have served with those two men.

I have also had an opportunity, in the very brief time that Senator LENNON has been a Member of the Senate, to serve with him on the Committee on Interior and Insular Affairs. The work of that committee ordinarily would not lie within the experience of men like Senator LENNON, coming from North Carolina, because the problems of that committee, as we all know, are connected largely with the great West, the Territories, and the island and insular possessions.

But Senator LENNON, who served with me on the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs, showed a grasp of the Indian problem and a sympathy toward the Indians which helped greatly to further legislation which was pending before the committee, and which was finally passed by the Senate. I wish to join and to be associated with those who have spoken of him today, and to say that he has rendered valuable service in the Senate. I wish for him a future of great and fruitful service to his State and to the Nation.

Mr. LONG. Mr. President, I regret that this body will be without the services of the senior Senator from North Carolina [Mr. LENNON] when the Senate meets after the recess. Certainly the standards which have been set by AL LENNON have been the very highest that could be expected of anyone.

He has been courteous to and considerate of his colleagues. He has been a diligent student of legislation. He has spoken seldom, but when he has addressed the Senate, his remarks have been deserving of study by all Members of this body.

I have had occasion to work with the Senator from North Carolina from time to time with respect to pending legislation. I have been very fortunate in that association, because not only did he demonstrate the highest learning, but he also demonstrated integrity, earnestness, and conscientiousness in performing his duties.

We all wish him every success in whatever future endeavor he may engage. I join with others in hoping that he will continue his efforts in the field of public service, because he has served his country extremely well while he has been a Senator.

Mr. HICKENLOOPER. Mr. President, it would be useless for me to attempt to add anything to the expressions of affection, admiration, and respect for Senator LENNON, of North Carolina, other than to endorse, as I sincerely do, what has been said by his friends and associates in the Senate.

I wish to say that my association with Senator LENNON has brought only the highest respect for him on my part, and the greatest admiration for his penetrating understanding of the problems which have come before him, for the high integrity he has shown, for the fine manner in which he has approached his duties, and for the zeal with which he has attempted to carry out, and with which he has carried out, his responsibilities.

I have not enjoyed Senator LENNON'S acquaintance as long as I have that of certain other Members of the Senate, but when I have had the pleasure and the honor of serving with him, I can only say that I have been stimulated by the association, and that I now have a twinge of regret at his departure from the Senate.

I trust the departure of Senator LENNON will not end the acquaintance and the association we have all had with him, and I am sure that all his colleagues join me in wishing him well, and in hoping that his talents will continue in the future to be used for the benefit of the public as they have been used so well in the past. We shall welcome Senator LENNON back as often as he shall find time to come.

Mr. MANSFIELD. Mr. President, I wish to join my colleagues on both sides of the aisle in expressing my high esteem and fond affection for the senior Senator from North Carolina, the Honorable ALTON LENNON. We are indeed sorry to see him go, because he has been a prodigious worker during his service in the Senate. We hope that he will come back to visit us very often. We certainly anticipate that his great talents—and they are great as well as many—will be used in behalf of the development of his State and the Nation.

We are indeed sorry that the services of this great Senator will no longer be available to the Senate, but we are happy

in the fact that we have had the honor and the privilege of having become acquainted with him, having seen him at work, and having witnessed the many contributions which he has made to the welfare of his State and his country.

Mr. LENNON. Mr. President, I shall not detain the Senate long. I rise only to express my sincere appreciation for the gracious and kind remarks of my colleagues. I should like to have all the Members of the Senate know that I am grateful for the many kindnesses and courtesies which they have extended to me both on committees and on the Senate floor. I also want all Senators to know that I consider my experience in the Senate to be, and I shall always so consider it, the greatest experience in my life, because of the wonderful relationships I have had with the Members of this body, the United States Senate.

POSTPONEMENT OF HEARINGS ON CONFIRMATION OF NOMINATIONS TO THE ATOMIC ENERGY COMMISSION

Mr. HICKENLOOPER. Mr. President, I should like to announce, so that it may be in the RECORD for all interested to read, that the hearings on the matter of confirmation of nominations to the Atomic Energy Commission will be postponed, because of the adjournment of the Senate, until a later date, either prior to or during the Senate sessions. Since many Senators are leaving Washington, there will not be a quorum available, so the meeting will be postponed until a future time.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. My understanding is that no nominations can be reported by a committee during a recess or an adjournment of the Senate. Is my understanding correct?

The PRESIDING OFFICER. Not without the permission of the Senate.

Mr. JOHNSON of Texas. I thank the Presiding Officer.

ADJOURNMENT UNTIL NOVEMBER 29, 1954

Mr. KNOWLAND. Mr. President, pursuant to the resolution just agreed to, I now move that the Senate stand adjourned.

The motion was agreed to; and (at 6 o'clock and 5 minutes p. m.) the Senate adjourned, the adjournment being, under the terms of Senate Resolution 331, to November 29, 1954, at 12 o'clock meridian.

SENATE

MONDAY, NOVEMBER 29, 1954

Rev. F. Norman Van Brunt, associate pastor, Foundry Methodist Church, Washington, D. C., offered the following prayer:

Almighty and Eternal God, in whom there is no variableness neither shadow of turning, we, the sons of time and place, are buffeted about in the stress and strain of life. Help us to know Thee as the polar star by which we may direct our aims and attitudes, that our highest hope may be to do justly, to love mercy and to walk humbly with Thee. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, November 18, 1954, was dispensed with.

LEAVE OF ABSENCE

On request of Mr. CLEMENTS, and by unanimous consent, because of illness in his family, Mr. ANDERSON was excused from attendance on the sessions of the Senate for the next few days.

ORDER FOR ADMINISTRATION OF OATH TO NEW SENATORS AND TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call the oath of office may be administered to new Senators and then that there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Fulbright	Martin
Barrett	George	McCarthy
Beall	Gillette	McClellan
Bennett	Goldwater	Millikin
Bridges	Green	Monroney
Brown	Hayden	Mundt
Butler	Hendrickson	Murray
Byrd	Hennings	Neely
Carlson	Hickenlooper	Payne
Case	Holland	Purtell
Chavez	Hruska	Robertson
Clements	Ives	Russell
Cooper	Jenner	Saltonstall
Cordon	Johnson, Colo.	Smith, Maine
Cotton	Johnson, Tex.	Smith, N. J.
Crippa	Johnston, S. C.	Sparkman
Daniel, S. C.	Kerr	Stennis
Dirksen	Kilgore	Symington
Duff	Knowland	Thye
Ellender	Kuchel	Watkins
Ervin	Lehman	Welker
Ferguson	Long	Williams
Flanders	Magnuson	Young
Frear	Mansfield	

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the senior Senator from Indiana [Mr. CAPEHART], and the senior Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

The Senator from Vermont [Mr. AIKEN], the Senator from North Dakota [Mr. LANGER], and the Senator from Nevada [Mr. MALONE] are absent on official business.

The Senator from Connecticut [Mr. BUSH], the Senator from Idaho [Mr. DWORSHAK], the Senator from Michigan [Mr. POTTER], and the Senator from Kansas [Mr. SCHOEPPEL] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. ANDERSON] is absent by leave of the Senate because of illness in his family.

The Senator from Ohio [Mr. BURKE], the Senator from Texas [Mr. DANIEL], the Senator from Mississippi [Mr. EASTLAND], the Senator from Alabama [Mr. HILL], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Washington [Mr. JACKSON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

The Senator from Illinois [Mr. DOUGLAS] is necessarily absent.

The Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave of the Senate on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The Senator from Oregon [Mr. MORSE] is necessarily absent.

The PRESIDENT pro tempore. A quorum is present.

CREDENTIALS OF SENATORS FROM NORTH CAROLINA

The PRESIDENT pro tempore laid before the Senate the credentials of SAM J. ERVIN, JR., duly chosen by the qualified electors of the State of North Carolina a Senator for that State for the term ending January 3, 1957, which were read and ordered to be filed, as follows:

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE.

I, Thad Eure, secretary of state of the State of North Carolina, do hereby certify that the State board of elections met on Tuesday the 23d day of November A. D. 1954, in accordance with chapter 163 of the General Statutes of North Carolina, at which time the board did open, canvass, and judicially determine the returns of the votes cast in the election held on Tuesday, November 2, 1954, and certified to me that SAM J. ERVIN, JR., was duly elected United States Senator from North Carolina. (Term ending January 3, 1957.)

In witness whereof, I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh, this the 23d day of November 1954.

[SEAL] THAD EURE,
Secretary of State.

The PRESIDENT pro tempore laid before the Senate the credentials of W. KERR SCOTT, duly chosen by the qualified electors of the State of North Carolina a Senator for that State for the short term ending January 3, 1955, which were read and ordered to be filed, as follows:

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE.

I, Thad Eure, secretary of state of the State of North Carolina, do hereby certify that the State board of elections met on Tuesday, the 23d day of November, A. D. 1954, in accordance with chapter 163 of the General Statutes of North Carolina, at which time the board did open, canvass, and judicially determine the returns of the votes cast

in the election held on Tuesday, November 2, 1954, and certified to me that W. KERR SCOTT was duly elected United States Senator from North Carolina. (Short term ending January 3, 1955.)

In witness whereof, I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh, this the 23d day of November 1954.

[SEAL] THAD EURE,
Secretary of State.

ADMINISTRATION OF OATH

Mr. JOHNSON of Texas. Mr. President, the Senators-elect are present and desire to take the oath of office.

The PRESIDENT pro tempore. If the Senators-elect will present themselves at the desk, the oath of office will be administered.

Mr. ERVIN and Mr. SCOTT, escorted by Mr. JOHNSON of Texas, advanced to the desk; and the oath of office prescribed by law was administered to them by the President pro tempore.

[Applause on the floor and in the galleries.]

The PRESIDENT pro tempore. The Senators-elect will subscribe to the oath in the official oath book of the Senate.

The Senators-elect thereupon subscribed to the oath in the official oath book.

THE LATE SENATOR McCARRAN—RESOLUTION OF BOARD OF TRUSTEES, NATIONAL SOCIETY OF SONS OF THE AMERICAN REVOLUTION, WASHINGTON, D. C.

Mr. JENNER. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the board of trustees of the National Society of the Sons of the American Revolution, October 16, 1954, in tribute to the late Senator Patrick A. McCarran.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ADOPTED BY THE BOARD OF TRUSTEES OF THE NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION, OCTOBER 16, 1954

Whereas it has pleased Almighty God, the Supreme Commander, to summon to His immortal army the beloved Senator Patrick A. McCarran who served his country in the Halls of Congress, 1933 to 1954; and

Whereas we bow to the will of divine providence, while ever cherishing in our hearts the memory of his distinguished contributions to our Nation as: Established the Civil Aeronautics Authority, 1938; author Internal Security Act, 1950; cosponsor of the McCarran-Walter immigration bill, 1952; member and chairman of the Subcommittee To Investigate the Administration of the Internal Security Act of the Committee on Judiciary of United States Senate; and contributor to other Federal legislation and congressional committees: Now, therefore, be it

Resolved, That the board of trustees of the National Society of the Sons of the American Revolution in regular meeting assembled on this 16th day of October and in the year of our Lord 1954 mourns the passing, September 28, 1954, of the Honorable Patrick A. McCarran and in token of our common grief and our country's great loss prayerfully stand with bowed heads in his honor; and be it further

Resolved, That copies of this resolution expressing our affections and deep sympathy be presented to his family, and to the chairman of the Subcommittee of Internal Security of the Committee on Judiciary of the United States Senate and respectfully request the recording of the resolution in the CONGRESSIONAL RECORD.

MISTREATMENT OF AMERICAN MILITARY AND CIVILIAN PERSONNEL BY CHINESE COMMUNISTS

Mr. KNOWLAND. Mr. President, at least 11 men wearing the uniform of our country's armed services have been sentenced to prison in Communist China for periods of from 4 to 10 years. Two civilians were sentenced on November 23, 1 for life and the other for 20 years.

This is not all. Twenty-six American civilians have been in Communist jails for periods going back to 1950 and 1951. Many of them have never even had any semblance of a trial.

That is not all. How many of the men who are listed as missing in action are, in fact, either in Communist jails or in slave-labor camps we do not know.

What are we going to do about it? What is the free world going to do about it? I do not believe that the Communists will be impressed with merely another note.

Mr. President, I ask unanimous consent to have printed in the RECORD the names of the 26 American civilians who are in Communist prisons, together with the list of our military personnel who have just been sentenced to terms of from 4 to 10 years, as well as the names of the 2 civilians sentenced on November 23.

There being no objection, the lists were ordered to be printed in the RECORD, as follows:

CIVILIAN UNITED STATES CITIZENS IN PRISON IN COMMUNIST CHINA

1. Malcolm Bersohn, July 1951.
2. Homer B. Bradshaw, 1951.
3. Mrs. Homer B. Bradshaw, 1951.
4. Lawrence R. Buol, January 1950.
5. John W. Clifford.
6. Justin Garvey.
7. Fulgence Gross, January 1951.
8. John A. Houle.
9. Dilmas T. Kanady, April 1951.
10. Levi A. Lovegren, January 1951.
11. Paul Mackinsen.
12. Robert McCann, June 1951.
13. Charles J. McCarthy.
14. Joseph P. McCormick.
15. Dorothy Middleton, April 1951.
16. Harriet Mills, July 1951.
17. Sarah Perkins, March 1951.
18. Thomas L. Phillips.
19. Ambrose Pinger, August 1951.
20. Armand Proulx.
21. Hugh Francis Redmond, April 1951.
22. Walter A. Rickett, July 1951.
23. Mrs. Walter Rickett.
24. Harold M. Rigner.
25. John P. Wagner.
26. Marcellus White.

AIR FORCE AMERICANS IN COMMUNIST PRISONS

SENTENCES
Col. John K. Arnold, 10 years.
Maj. William H. Baumer, 8 years.
Capt. Elmer F. Llewellyn, 5 years.
Capt. Eugene J. Vaadl, 6 years.
First Lt. Wallace L. Brown, 5 years.
First Lt. John W. Buck, 4 years.
T. Sgt. Howard W. Brown, 4 years.
A1c. Steve E. Kiba, 4 years.
A2c. Daniel C. Schmidt, 4 years.
A2c. John W. Thompson III, 4 years.
A2c. Harry M. Benjamin, 4 years.

CIVILIANS SENTENCED NOVEMBER 23

John T. Downey, life.
Richard G. Fecteau, 20 years.

THE MARINE CORPS AND THE CHIEF OF NAVAL OPERATIONS

Mr. MANSFIELD. Mr. President, on November 19, 1954, I received a letter from Mr. Thomas F. Gates, Jr., Under Secretary of the Navy, relative to the status of the Marine Corps, which I ask unanimous consent to have incorporated in the RECORD at this point, in accordance with the wishes of the Under Secretary of the Navy. I make that request, and also ask unanimous consent that my reply to Mr. Gates, dated November 23, 1954, be printed in the RECORD at this point.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

THE UNDER SECRETARY OF THE NAVY,
Washington, D. C., November 19, 1954.

Hon. MIKE MANSFIELD,
United States Senate,
Washington, D. C.,

DEAR SENATOR: On reading the remarks which you made for the information of the Senate in connection with matters pertaining to the relationship between the Chief of Naval Operations and the Commandant of the Marine Corps, I am prompted to add to my letter of November 16. And also, for this reason, I would appreciate it if you would include this additional information in the CONGRESSIONAL RECORD.

I feel that you should be advised that there has been no attempt made on the part of the Chief of Naval Operations to in any way affect or change the statutory responsibilities of the Chief of Naval Operations and the Commandant of the Marine Corps with respect to the Joint Chiefs of Staff. Nor has there been any attempt on the part of anyone to change the direct relationship which exists between the Commandant of the Marine Corps and the Secretary of the Navy.

The Chief of Naval Operations has never questioned the legality or the propriety of these arrangements, and the inference that there is an attempt to challenge the law or to in some way subordinate the Marine Corps is unfounded. For this reason I would appreciate this being understood and clarified.

As you know, the development of a detailed general order in which the respective tasks and relationships within the Department of the Navy are outlined is a complicated matter. It can best be resolved by taking the time to properly review and consider how these duties and relationships are to be stated and how they will best work for the good of the whole. Work on this did not actively commence until this fall. It is for these reasons that General Order No. 5 has been delayed, although a draft is now in what I trust will be its final form.

I am sure that you will be satisfied that the general order, when issued, will properly reflect the policy directive of April 7, and will in no way violate the principles that have been heretofore clearly established. Furthermore, the situation is far from out of hand and is under the proper control of the Secretary.

Secretary Thomas will return to Washington this weekend, at which time I will show him this correspondence.

Promptly after his return, I expect he will approve a final draft of General Order No. 5 on which we have been working, and will be in a position to advise you of its contents.

Sincerely,

THOMAS S. GATES, Jr.

NOVEMBER 23, 1954.

Hon. THOMAS S. GATES, JR.,
Under Secretary of the Navy,
Navy Department.

DEAR MR. SECRETARY: Your letter, containing your observations on my remarks in the CONGRESSIONAL RECORD of November 17, 1954, has been received. I was glad to note your assurances to the effect that press reports as to efforts on the part of the Chief of Naval Operations to gain an element of control over the Marine Corps or subordinate its Commandant are inaccurate and that the apprehensions expressed in the matter by certain Members of Congress are unfounded.

Specifically, I was very pleased to be advised by you that "there has been no attempt made on the part of the Chief of Naval Operations to in any way affect or change the statutory responsibilities of the Chief of Naval Operations and the Commandant of the Marine Corps with respect to the Joint Chiefs of Staff. Nor has there been any attempt on the part of anyone to change the direct relationship which exists between the Commandant of the Marine Corps and the Secretary of the Navy." Also, it was reassuring to be informed that the Chief of Naval Operations has never questioned the legality or propriety of the Marine Commandant's relationship to the Joint Chiefs of Staff and to the Secretary of the Navy and that the inference is unfounded that there is an attempt to challenge the provisions or the intent of the law or in some way subordinate the Marine Corps.

I am in thorough accord with your expressed desire that the matter be understood and clarified, and I would be most happy to include your letter of November 19, 1954, in the CONGRESSIONAL RECORD. I note with considerable interest your reference in the last paragraph of your letter to the fact that a final draft of General Order No. 5 has been prepared. I hope that Secretary Thomas will, upon his return to Washington, approve in accordance with your expectations, the final draft of General Order No. 5. I would also appreciate receiving a copy of that document so it may be included, with your letter of November 19, in the CONGRESSIONAL RECORD.

I wish to thank you again for your reassuring letter, and I am confident that you will agree with me that this requested general order will be of considerable interest to Members of Congress and will be effective in clarifying this matter which has been a source of such widespread concern.

With best personal wishes, I am,

Sincerely yours,

MIKE MANSFIELD.

FREEDOM, INDEPENDENCE, AND SELF-DETERMINATION: THE KEY TO PEACE IN ASIA

Mr. SMITH of New Jersey. Mr. President, I have been serving as one of the official delegates of the United States to the United Nations during the sessions of the Assembly this year. I mention that fact because I may feel constrained to ask leave of the Senate to attend the sessions of the United Nations tomorrow and on Wednesday, particularly because I have been assigned within the United States delegation the responsibility of handling the Korean resolution, which is a matter of first importance.

I mention that fact also to indicate the scope of the problems which I have been considering in the light of the tragic world events which are constantly occurring.

I am concerned, as all of us are, with the imprisonment in Red China of some of our American citizens. Both as a member of the United States delegation to the United Nations and as a member of the Committee on Foreign Relations, I am conferring with the administration and specifically with the Department of State with regard to the most effective way of dealing with that tragic situation.

I shall not go into this problem in more detail at this time, except to express my profound concern over it. However, I wish to ask unanimous consent to have published in the RECORD at the conclusion of my remarks an article which I recently prepared at the request of the International News Service entitled "Freedom, Independence, and Self-Determination: The Key to Peace in Asia."

I may say also that we are being attacked from all sides because of our insistence that the Red Chinese government be not recognized in the United Nations. I emphasize in my article that what we are doing today is entirely consistent with our policy of over 50 years with regard to a free and independent China.

I quote a few paragraphs from the article:

The overriding policy of the United States for over half a century has been that the key to peace in Asia is the attainment of freedom and independence from external controls for the people of that vast continent, including the people of China. The key to a free and independent Asia is a free and independent China. In a sense this was the true meaning of John Hay's open-door policy. On July 3, 1900, Secretary of State Hay, greatly disturbed by the implications of the Boxer Rebellion, sent a circular note to the interested powers, declaring that the "policy of the Government of the United States is to seek a solution" which may "preserve Chinese territorial and administrative entity."

Several years later this same attitude was expressed in the Root-Takahira agreement with Japan, which provided that both powers uphold the open door in China and support by pacific means the "independence and integrity of China * * *."

Again the United States emphasized this traditional policy toward China after Japan presented to the Chinese Government in 1915 the famous 21 demands. The Secretary of State, William Jennings Bryan, sent a note to Japan, in which he declared that the United States "* * * cannot recognize any agreement or undertaking * * * imperiling * * * the political or territorial integrity of the Republic of China."

I then cite other historical incidents along the same line. Then I add:

This is the real background to our present policy toward Red China. History shows that we have been consistent in our concern for a free and independent China. Today it is Soviet Russia, instead of Japan, which has moved in to control China. There is very little difference in our present attitude toward Red China and the policy expressed by Stimson toward Japan. As we refused to recognize Japanese claims to Chinese soil, so we now refuse to recognize the Communist infiltration in that same country.

Today Red China is a satellite of Moscow, taken over by Red conquest and insidious infiltration, in a fashion similar to the Soviet absorption of Poland, Czechoslovakia, Hungary, and Rumania.

Recognition of the Communist conquest of China and admission of Red China to the United Nations would be a reversal of all that we have worked for in the Far East since the days of John Hay.

I make the further observation that the crisis we face in trying to work out a solution of the Korean situation is closely related to the situation of our boys being imprisoned in Red China.

I reiterate my announcement that I shall do everything within my power to back up the administration in finding the right kind of solution to the problem looking toward having our boys released promptly.

I recall that a great President once said: "Perdicaris alive, or Raisuli dead." Perdicaris came back alive. I leave that thought with my colleagues, because in these critical days we must give serious consideration to this problem and we must back up the administration in the firmest position it can take with regard to it.

The PRESIDING OFFICER (Mr. DIRKSEN in the chair). Is there objection to the request of the Senator from New Jersey?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FREEDOM, INDEPENDENCE, AND SELF-DETERMINATION: THE KEY TO PEACE IN ASIA

The people of Asia, and especially those in Southeast Asia, are going through a period of great transformation. For a relatively long time they have dreamed of achieving freedom, independence, and self-determination. But only within the last 10 years has there been real progress toward transforming that dream into a reality in Southeast Asia. For the first time the populace of these ancient eastern lands sees the attainment of these goals within sight. Since the end of World War II, we have seen in Burma, Indonesia, India, Korea, Indochina, and elsewhere a shift from colonial rule to self-rule. But the long history of colonialism and of "white rule" is still very fresh in the minds of all Asians. We in the West must still deal with this lingering suspicion and must get across to the people of Asia that throughout our history we have led the opposition to imperialism and colonialism and that our policy remains unchanged.

The overriding policy of the United States for over half a century has been that the key to peace in Asia is the attainment of freedom and independence from external controls for the people of that vast continent, including the people of China. The key to a free and independent Asia is a free and independent China. In a sense this was the true meaning of John Hay's open-door policy. On July 3, 1900, Secretary of State Hay, greatly disturbed by the implications of the Boxer Rebellion, sent a circular note to the interested powers, declaring that the policy of the Government of the United States is to seek a solution which may preserve Chinese territorial and administrative entity.

Several years later this same attitude was expressed in the Root-Takahira agreement with Japan, which provided that both powers uphold the open door in China and support by pacific means the independence and integrity of China.

Again, the United States emphasized this traditional policy toward China after Japan presented to the Chinese Government in 1915 the famous 21 demands. Secretary of State, William Jennings Bryan sent a note to Japan in which he declared that the United States "* * * cannot recognize any agreement or undertaking * * * impairing * * * the political or territorial integrity of the Republic of China. * * *" American opposition to Japanese expansion on the Asian Continent continued to grow until the Washington Conference of 1921, which resulted in further agreement to respect China's sovereignty and

independence, and in temporary retreat by Japan all along the line.

And finally, in 1932, as a result of the overrunning of Manchuria by Japan, Secretary of State Stimson sent notes to China and Japan, expressing what became known as the policy of nonrecognition directed specifically at Japanese expansion in China.

This is the real background to our present policy toward Red China. History shows that we have been consistent in our concern for a free and independent China. Today it is Soviet Russia, instead of Japan, which has moved in to control China. There is very little difference in our present attitude toward Red China and the policy expressed by Stimson toward Japan. As we refused to recognize Japanese claims to Chinese soil, so we now refuse to recognize the Communist infiltration of that same country.

Today Red China is a satellite of Moscow, taken over by Red conquest and insidious infiltration, in a fashion similar to the Soviet absorption of Poland, Czechoslovakia, Hungary, and Rumania.

Recognition of the Communist conquest of China and admission of Red China to the United Nations would be a reversal of all that we have worked for in the Far East since the days of John Hay.

But nonrecognition of Communist China coupled with an attack in depth on the misunderstanding among Asian peoples concerning the position of the United States on colonialism wherever it may be found are not enough. A vigorous effort must be made to snatch away the false face of liberation which has been assumed by communism in Asia. The passionate desire of the people of Asia for freedom and self-rule has so blinded them as to permit considerable success in the Soviet practice of this deception. We must tear away the papier mache facade of Communist protection and reveal to the great masses of people in all these countries the brutal and tyrannical colonialism which it covers up.

The Manila Pact and accompanying Pacific Charter are major strides in the right direction toward improving the prospects for negotiating from strength. However, words must be backed with action. We must show conclusively not only that we offer freedom as an alternative to communism, but that the freedom we offer will be accompanied by a better life of real prosperity and progress which respects the dignity of each individual. Promising avenues along which we can pursue this goal are a stepped-up program of bilateral and multilateral (United Nations) technical assistance, accompanied by a hard-hitting information program, and a greatly expanded plan for student exchange to the end that institutions of freedom may be studied firsthand. One has only to talk with the leaders of the free nations in the Far East to realize how highly effective an idea can be when translated and applied with boldness and imagination.

For many centuries the greatest cultural and political influence in the east stemmed from China. China has always been the key to the history of that whole area. Today, as in the past, the key to a free and independent Asia is a free and independent China. American policy has recognized this political fact for over half a century. We must continue to recognize it. This country of ours has come a long way on the ideals which are the foundation of our very existence. The American dream which caught the imagination of men everywhere 180 years ago is still only a dream for millions of people.

We have the opportunity out of our own experiences to inspire and fire the imaginations of those who strive to make this great dream a reality.

C——1016

SHOPPING ON THE SABBATH

Mr. MONRONEY. Mr. President, I wish to call to the attention of the Members of the Senate four full-page advertisements which appeared in a Washington newspaper on Sunday. The first one reads:

Sunday sale. Today. Save! Save! 9 a. m. to 5 p. m.

Another advertisement reads:

Today—Sunday—11 a. m. to 7 p. m. at our warehouse.

Another reads:

Starts today Sunday! Six hours. 11 a. m. to 5 p. m.

Another advertisement reads:

Today Sunday! 8 a. m. to 6 p. m.

Mr. President, I am becoming very apprehensive about the growing tendency illustrated by these full-page ads to turn the Sabbath into a bargain shopping day in the Nation's Capital.

Since the founding of this Nation, the Sabbath has been a day of rest, of worship, of family association, and of outdoor recreation. I am not asking for "blue laws" or the stern austerity with which observance of the Sabbath has in times been enforced by laws. But the violation of the Sabbath in the Nation's Capital as a purely bargain shopping day has been growing and now threatens to turn Washington into a "Bagdad on the Potomac."

There is no urgency or need for these "bargain days" which are here advertised. There is no compelling reason, except to get the jump on other business houses who choose to observe the Nation's religious habits of honoring Sunday as a day of religious observance, of rest, and recreation.

If this practice by a few prevails it can establish a very distinctive merchandising pattern which, because it is accepted in the Nation's Capital, could spread to make Sunday a bargain shopping day throughout the 48 States.

Employees in Washington are given ample time to pursue their merchandising needs throughout the week. With a 40-hour week prevailing in almost every department of Government, and with practically no industrial or other requirements making it necessary for unusual openings on Sunday, I feel that the Senate and the Board of Trade of Washington should concern itself with this growing habit. There is no law at the present time which can prevent it. However, if the habit, which is growing, cannot be prevented, I believe it is high time for the Committee on the District of Columbia to put the problem on its agenda for consideration in the new Congress.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to commend the Senator from Oklahoma for calling to our attention the advertisements to which he has just referred concerning sales held on the Sabbath Day, which is commonly known as Sunday. I wish further to invite the attention of the Senate to the fact that it has always been true in the past that when a nation forgot God—and these business concerns are forgetting God when they fail to recognize the Sabbath Day—it has been only a short time until that nation has been destroyed. We in America must look to God for guidance and help instead of looking to material things. Our defenses will be of no use unless we are a God-fearing people.

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. J. Res. 301) to censure the junior Senator from Wisconsin.

Mr. KNOWLAND. Mr. President, I have had this morning some discussions with the minority leader relative to our general program for this week. Of course, whatever recommendations are made are subject to the approval and decision of the Senate itself, but at least, tentatively, it has been my view that for today, for example, we will remain in session until approximately 6 or 6:30 o'clock this evening; that tomorrow morning we would resume at 10 o'clock and continue until 6 or 6:30 in the afternoon, taking off, at approximately 1 o'clock, a 1-hour lunch period.

I have not had the opportunity to check with all the Senators on this side of the aisle who may be interested in the pending matter, including the members of the select committee and some of those who are carrying on the debate on both sides, in favor of or opposed to the resolution and such amendments as may be presented. During the course of the afternoon I shall do that, but I desired to acquaint the Senate with the tentative plan which I had in mind.

Mr. BENNETT. Mr. President, on November 16 I announced to the Senate my intention of offering an amendment to Senate Resolution 301, adding a new section condemning certain actions taken by the junior Senator from Wisconsin [Mr. McCARTHY] and certain language used by him in referring to the Senate, to the select committee, and to its chairman, my colleague the senior Senator from Utah [Mr. WATKINS]. This language includes some remarks made off the floor, and, since no one has challenged their accuracy, I am assuming that they have been truthfully reported.

I think our present deliberations would not be either conclusive or complete if these additional possible bases for censure were not carefully considered, since they seem to be logical extensions of, or parallels to, the two sections in the committee's recommendations, and therefore point to continuing actions which also might tend to bring the Senate into dishonor and disrepute.

Since under Senate rules action on my proposed amendment must follow that taken on the committee report, I shall not try to develop the case for it today. But I have prepared a preliminary statement and ask that it be printed in the body of the RECORD at the end of these remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BENNETT

On November 10, as this special session began, the junior Senator from Utah made a short speech expressing his hopes that

our deliberations would be conducted in an impersonal, judicial atmosphere which would maintain and enhance the honor and dignity of the Senate. He certainly had no idea then that he would become involved in the subsequent developments as the author of an amendment extending the scope and area of potential censure. At the same time, he still stands on several positions taken in that opening statement:

First. The junior Senator from Utah still hopes that we can resolve the issues on the facts and not on personalities. He repeats what he said on June 10, "We are not here to pass judgment on a fellow Senator, but to try issues which involve a man whom we should impersonalize as 'Mr. X.'" On this point the Senator from Wisconsin seems to agree, because during the debate he has said many times, as he did on November 11 (CONGRESSIONAL RECORD, p. 15964), "As I have repeatedly said, I believe MCCARTHY is completely unimportant in this issue." Therefore, the junior Senator from Utah hopes that we will consider the actions and language complained of apart from the man. Certainly he has no personal animosity.

Second. The junior Senator from Utah hoped then, and still hopes, that we can finally make our decision without having "to confuse the reported issues with extraneous and irrelevant matters, including the overall problem of communism." On this it is apparent that the two junior Senators from Utah and Wisconsin do not agree, since Senator MCCARTHY has since accused the members of the select committee of being "unwitting handmaidens," "involuntary agents," and "attorneys in fact" of the Communist Party, and says that in writing its report the committee "imitated Communist methods." In considering the proposed amendment the Senate must decide whether the interjection of the Communist issue in such a form is censurable.

Third. The junior Senator from Utah expressed the fear that during these deliberations the same offenses with which the junior Senator from Wisconsin was charged would be repeated. The junior Senator from Utah is now persuaded that this may have actually happened, and that our work would be neither conclusive nor complete unless we considered the apparent extensions of and parallels to the committee report as they have developed since that report was issued.

The parallel between the attitude of Senator MCCARTHY toward the Subcommittee on Privileges and Elections in the 82d Congress and his attitude toward the select committee of the 83d Congress is not complete, but it is strikingly similar. In the first instance he is charged with having refused to cooperate with the subcommittee and having attacked its authority and honor in the strongest language. In the second instance, he cooperated with the select committee until a committee print of its report had been released, and then attacked its authority and honor in similar language. His characterization of Senator WATKINS, chairman of the select committee, as "stupid" and "cowardly" has a ring strangely reminiscent of his earlier reference to Senator HENDRICKSON as being a man "with neither brains nor guts."

The question has been raised as to whether or not the 83d Congress can censure a Senator for actions and language occurring in the 82d Congress. But when the pattern is substantially repeated in the 83d, doesn't the problem of a "continuing Senate" largely disappear? And if it is worthy of censure in one case, isn't it worthy in the other?

Fourth. The junior Senator expressed the fear that we might conduct these deliberations in such a way that someone would show contempt for the committee.

Much has been made of the extent to which and the manner in which our present deliberations parallel the proceedings of a court of law. The junior Senator from Utah needs hardly repeat again that he is not a lawyer, but he thinks he can see, in the actions and language covered by his amendment and occurring since the select committee issued its report, conditions which, if a court of law were involved, might well form the basis for charges of contempt. He is inclined to believe that this forms another parallel that may well stand up in this case. Since the facts are apparently undisputed, the Senate may properly act on his amendment without referring it to a committee, just as a court initiates, hears, and punishes its own contempt charges. When the debate on this amendment occurs, the junior Senator from Utah hopes to cite many authorities on this point.

Fifth. Briefly, in his earlier speech, the junior Senator from Utah touched on the question of possible effects on our freedom of speech here in the Senate. Since then, much has been made of this issue. It has been suggested that any action we take to censure a Senator for the use of what seems to be improper language is a telling blow to our liberty. The junior Senator from Utah is not impressed, because his concept of freedom is that it is basically a spiritual, rather than a literal, force. Only men who are capable of self-control can enjoy the blessings of freedom, and thus it can exist only in a high moral atmosphere. Being spiritual, any attempt to materialize it into specific rules weakens and may eventually destroy it. At the same time, at the other end of the scale, unbridled, immoral exploitation of freedom becomes anarchy. "The keys of liberty are not in the hands of license."

We are a selected handful of Americans, 96 out of 162 million, entrusted with a great responsibility. On the principle that where much is given much is expected, the American people are entitled to expect our standards of language and conduct always to be in good taste and far above any arbitrary minima.

Certainly, we need no Hays office or other form of censorship to set forth the words we may not use or the extent to which we may bare our rhetorical bosoms. Certainly, when necessary, we should feel that we have the power to discipline ourselves, or one of us, according to the then-existing conditions without thus fixing a precedent for all time.

Sixth. We have a responsibility to preserve the Senate from dishonor and disrepute and to enhance its dignity in the eyes of the American people and the world. In his speech on November 10, the junior Senator from Utah made a few observations on the general subject of dignity, which he will not repeat here. Instead, may he repeat the words of our beloved colleague, the dean of this body, spoken during the debate on the Bingham censure case. On page 5126 of the CONGRESSIONAL RECORD, volume 71, part 5, Senator WALTER F. GEORGE, of Georgia, said then, "The view I take of the question, Mr. President, is simply this: That the official act of each one of us has a public quality and that act is either in the interest of the public good or it is contrary to the interest of the public. It either promotes confidence in the processes of Government or it tends to weaken public confidence in the processes of Government." I think this applies with equal force to our present problem. Our obligation today is just as great.

It is for these six reasons, among many, that the junior Senator from Utah believes that we cannot conclude this unpleasant task without having considered the statements made over the past 6 weeks by the junior Senator from Wisconsin, about the select committee, some of its individual members, and about the Senate itself.

Certainly, we owe that to the members of the select committee. They did not seek their difficult job, but were literally drafted for it and performed their onerous task as an unrewarding duty. While some of the Senators may not agree with the recommendations they made, we should respect them for their service to the Senate. Certainly, their only reward should not be public ridicule and personal castigation. Nor should the Senate itself be similarly treated because it has met to consider the committee report.

It is the feeling of the junior Senator from Utah that any actions taken or language used which might create this unhappy effect should be considered as a part of these deliberations, in order that our final action may be conclusive and complete. It is for this purpose that the proposed amendment is being introduced.

Mr. BENNETT. Mr. President, I send to the desk a proposed amendment to Senate Resolution 301, and ask that it be printed and lie on the table.

The PRESIDENT pro tempore. The amendment will be printed and will lie on the table.

Mr. MCCARTHY. Mr. President, I wish to make it clear, first of all, that what I am about to do is not to be taken as any compromise on my part, with the principles I have held and which I still hold. It does not constitute, directly or indirectly, any lessening of my determination in the fight against communism, in or out of government.

I have had disagreements of fact and opinion with Members of the Senate and I have disapproved of, and criticized the conduct of certain senatorial committees, which is the right, and the responsibility of every Senator if his conscience so dictates. For this I have no apologies.

The efforts to expose communism have engendered deep bitterness and heat on both sides. I know—perhaps better than any other Member of the Senate—what it is to suffer abuse, heaped upon me to the point of exhaustion. I would be the last, therefore, to deliberately administer abuse to anyone else.

During the past 10 days of confinement—painful days, I may say—there has been time for contemplation, and careful analysis of the charges that have been made against me.

They boil down simply to the accusation that I have used discourteous and offensive words—words that have injured the sensibilities of some of my colleagues. I admit that at times I have been extremely blunt in expressing my opinions. I do not claim to be a master of words.

This being true, I say to those who feel they have been offended, that I had no intention in the words that were used of hurting the feelings of anyone; but in the facts and opinions that I held, I am unchanged. Like my colleagues, I am not without weaknesses. Like them, I make mistakes; and however I may strive otherwise, I suppose I shall make others in the future.

I yield to none of my colleagues, however, in my ideals, my principles, my integrity, or my prayerful devotion to this great Nation I am privileged to try to serve. I am distressed that for 10 months, the attention of the Senate has been too greatly monopolized by the clamor and controversy over one Senator—JOE MCCARTHY.

It has been stated that the dignity of the Senate is involved. My greatest wish

is to help increase the dignity of the Senate, for the dignity of the Senate is of great importance.

Of even greater importance, however, is the honor, the safety, and the welfare of the Nation, and the security of its citizens, wherever they may be. And while the attention of the Senate has been largely concentrated on McCARTHY, the world Communist conspiracy has made dangerous and costly gains. Thirteen American airmen are in Communist Chinese prisons, for terms up to life imprisonment. Our planes are shot down by Communist violators. As of the moment, hundreds of GI's are being "brainwashed" in bloodstained Communist dungeons. American citizens are held in the Iron Curtain prisons of Europe and Asia on trumped-up charges. In comparison to these, the merits or demerits of language of the junior Senator from Wisconsin are inconsequential in the extreme. In that view, I am certain my distinguished colleagues on both sides of the aisle will join me without reserve.

These times call for solidarity of purpose and of effort against common problems.

I came prepared for whatever action the Senate may take on this resolution of censure. My colleagues, I hope, realize the tremendous implications and recognize their responsibility to the future. For my part, my efforts to expose Communist infiltration in government will continue regardless of the outcome of the censure vote.

Therefore, Mr. President, in the interest of the overall national welfare, I suggest that no good can be achieved by continuing this debate.

I ask unanimous consent that the debate be terminated at 3 p. m., on Wednesday, and that votes on the resolution of censure and the amendments thereto or substitutes therefor be commenced at that time.

Mr. JENNER. Mr. President, reserving the right to object, what the junior Senator from Wisconsin has just stated is exactly and 100-percent correct. Events are taking place which are far more important than what has been going on in the Senate and in the Halls of Congress for the past several weeks and months.

I may say to the junior Senator from Wisconsin that I objected to a unanimous-consent agreement which was proposed by the junior Senator from Oregon [Mr. MORSE] on November 18, the last day when the Senate was in session. I used the junior Senator from Oregon as my authority for objecting, but the basis for my objection to the proposed unanimous-consent agreement to dispose of this matter was that the distinguished Senator from Oregon, who has always been so much opposed to unanimous-consent agreements, had proposed the unanimous-consent agreement when the junior Senator from Wisconsin was not on the floor, but was in the hospital, unable to protect and defend himself.

However, at this time, since the junior Senator from Wisconsin is present to speak for himself, I have no objection.

Mr. KNOWLAND. Mr. President, reserving the right to object, and I shall not object, because I desire to see the pending question brought to a head and the matter resolved, I wonder if the distinguished junior Senator from Wisconsin would be willing to amplify his proposal that starting at 3 o'clock on Wednesday all the various amendments and the resolution itself shall come to a vote.

I think perhaps it will be necessary to provide for an allocation of time, and that matter could be worked out between the minority leader and the majority leader, so as to provide, for instance, one-half hour or 1 hour to a side on each amendment, the time to be equally divided, so that on new amendments which may be offered adequate time would be afforded for discussion.

Mr. McCARTHY. I think the Senator from California has made a good point. I wish to amend my proposed unanimous-consent request so as to provide that 1 hour be allocated to each side on any substitute or any amendment to the resolution.

The question then arises as to who shall be in control of the time. I would rather not control it myself. I am inclined to think that——

Mr. KNOWLAND. I suggest, at this point, that perhaps the junior Senator from Wisconsin might designate a Senator to control the time on his side of the question; or, perhaps, a Senator might be designated on this side of the aisle, and a Senator might be designated by the minority leader on the other side. I think it would be necessary to have the time controlled by individual Senators, who could then allocate the time.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Wisconsin yield?

Mr. McCARTHY. I will yield in a moment.

I suggest that perhaps the distinguished senior Senator from Utah [Mr. WATKINS] might control the time on one side, and that the distinguished junior Senator from Idaho [Mr. WELKER], the distinguished Senator from Illinois [Mr. DIRKSEN], or some other Senator might control the time on the other side.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. KNOWLAND. I think the customary practice has been to have at least half of the time controlled on each side of the aisle. The minority leader normally has had control of half of the time, whenever there has been a situation of this kind, and has then allocated that time to Senators on his side of the aisle.

It may be that we shall need to discuss the matter a little further, but I feel certain that it will be possible to reach a satisfactory understanding.

Mr. McCARTHY. I suggest that the majority leader and the minority leader control the time. I am certain that they will do so fairly, so as to enable Senators on both sides of the question to be heard.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. JOHNSON of Texas. Is it the intention of the junior Senator from Wisconsin to have divided equally between the two sides all the time between now and Wednesday at 3 o'clock?

Mr. McCARTHY. My thought is that commencing at, say, 2 o'clock this afternoon we start dividing the time.

I frankly feel that we have discussed this question to the limit. I think there is no further light which can be shed upon it.

I may say to the able Senator from Texas that one of the reasons why I should like to see an end to this debate over words is, first, the seriousness of the world situation, as I have previously pointed out.

A second reason is that our investigating committee has a tremendous backlog of work. There are approximately—and I hate to use figures—42 fifth-amendment Communists who are working in defense plants as of this very moment. We are and have been receiving full cooperation from the security officers of these defense plants. But once they have been called before our subcommittee, and if they plead the fifth amendment, I feel confident that they will be immediately removed from any classified work on defense contracts.

I am extremely eager to get back to the work of my committee. We have been kept from that work for about 10 months. I dislike seeing this important work delayed unnecessarily during a repetitious debate extending over the next 2, 3, or 4 weeks.

I hope I have answered the question of the Senator from Texas.

Mr. JOHNSON of Texas. I have no desire to delay the junior Senator from Wisconsin and his committee in their very important work. Neither have I any objection to the proposed unanimous-consent agreement. As a matter of fact, I think it would be very desirable to have such an agreement, provided we understand what we are agreeing to, and provided also that each Senator be on notice with respect to the agreement which it is proposed to enter into.

First, I think it might be well for the majority leader to give consideration to an announcement in advance of entering into the proposed agreement, that he would not be disposed to recess the Senate even at 6:30 or 7 o'clock, as we had previously agreed upon, if Senators were present who desired to speak this evening and tomorrow evening.

It has been my purpose to see to it that the junior Senator from Wisconsin and Senators who supported his position were afforded every opportunity for the fullest expression of their views, and that the same opportunity be afforded to those who opposed the junior Senator from Wisconsin. I think the procedures which have been agreed upon heretofore have done that.

Therefore, I welcome the proposed unanimous-consent agreement, and I suggest that if the majority leader is to control half of the time and the minority leader is to control half of the time, the majority leader state, for the benefit of Members who desire to be heard, that the Senate will hold evening sessions on both Monday and Tuesday.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. BENNETT. I am delighted to hear the junior Senator from Wisconsin suggest a proposed unanimous-consent agreement, but I am a little puzzled as to its effect.

Is it the purpose of the Senator's request, under the limitation he proposes, that the total time between now and Wednesday at 3 p. m., be equally divided, without an actual limitation on the time of any one speaker, so that when we shall have reached the hour of 3 o'clock on Wednesday afternoon, we shall begin to vote? Or is it his intention that beginning at 2 o'clock this afternoon the control of the time with respect to amendments, substitutes, and resolutions shall begin, which might bring us to a vote at 5 o'clock this afternoon?

It seems to me there is a little area of possible misunderstanding in this situation, and I am anxious to have it straightened out.

Mr. JOHNSON of Texas. As the Senator from Texas understands the situation, the junior Senator from Wisconsin proposes that we proceed to vote on all amendments and on the resolution itself at 3 o'clock on Wednesday afternoon. That is a normal procedure.

Mr. BENNETT. That is correct.

Mr. JOHNSON of Texas. If Senators do not care to consume the time—and it is a little difficult for me to believe that they will not [laughter]—if they do not care to consume all the time between now and 3 o'clock on Wednesday afternoon, then I believe the majority leader will always be prepared to accommodate Senators and move a recess.

Mr. BENNETT. One thing which puzzled me was the reference to a specific period of an hour to a side. If we begin at 2 o'clock today to limit debate on the proposed amendments and substitutes—and thus far there is only one which has been offered; I understand that there will probably be two—we might conclude the matter by 6 o'clock tonight, which would be perfectly satisfactory to the junior Senator from Utah.

Mr. DIRKSEN. Mr. President, reserving the right to object, first let me say that since the select committee is really the proponent of the resolution, I believe it would be only fair that the chairman of the select committee be consulted in the matter, and that he have an opportunity to confer with the other members of the select committee.

Secondly, I may say to my good friend from Wisconsin that I believe the request——

Mr. McCARTHY. I am sorry, I missed the first part of the Senator's statement. I was talking to the able Senator from South Dakota.

Mr. DIRKSEN. My statement was that since officially the select committee is the proponent of the resolution now pending before the Senate, it ought to be consulted with respect to the continuity of the sessions, and as to how late the Senate shall sit. I do not believe there can be any objection to the request as made, except that it should be refined.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. DIRKSEN. I should like to continue for a moment so that I may complete my statement.

Unfortunately, the junior Senator from Illinois will have to be out of the city late tomorrow afternoon and Wednesday morning. Frankly, I have prepared some data and information which, in my feeble way, I shall want to impress upon the Senate in due time. I believe there should be some refinement of the unanimous-consent request, in order that provision may be made for a limitation of debate and a division of time with respect to any amendments or substitutes which may be offered. I would not want to undertake to address the Senate in my own time until I had offered my substitute, and that probably will be done after the limitation hour set for Wednesday at 3 o'clock.

Mr. President, still reserving the right to object, I believe we can afford to be liberal with respect to limitation of time on amendments and substitutes. I believe that on substitutes the Senate might agree to an hour and a half for each side. I shall strive for compression when I address the Senate. I sometimes have difficulty in achieving that goal. However, I think I shall want to have an hour and a half. I would not want to be limited otherwise.

My information is that, other than perfecting amendments which may be offered by the select committee, there is one amendment to be offered by the distinguished Senator from Utah [Mr. BENNETT], and a noncontroversial amendment, as I read it, to be offered conjointly by the Senator from Colorado [Mr. JOHNSON] and the Senator from Virginia [Mr. BYRD].

With that information as a basis, I suppose the Senate can be reasonably liberal in allowing time to Senators to speak on amendments and substitutes, and still bring the present session to a close by the end of the week.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. McCARTHY. I may say to the Senator from Illinois that there is no objection to amending the unanimous-consent request to provide for an hour and a half for each side on any amendment or substitute. There is no objection whatsoever to such a provision.

Mr. KNOWLAND. Mr. President, I should like to have an opportunity to confer with the chairman of the select committee [Mr. WATKINS] respecting the time limitation. Acting jointly with the minority leader, I asked the Parliamentarian to try to draft the proposal into language, so that there might be read to the Senate precisely what the Senate is being asked to agree to. I am hopeful that the area of agreement may be embodied in that draft, so that a unanimous-consent agreement may be entered into early this afternoon.

I should like to confer with the distinguished Senator from Utah, the chairman of the select committee, in regard to the proposed time limitation. I may state that, as the minority leader has pointed out, if it is desired that certain Senators make speeches today rather than tomorrow or Wednesday, I would be prepared to ask that the Senate sit a little later than the hour of 6 o'clock which had been contemplated. The same understanding would apply to tomorrow and the following day. We shall certainly try to accommodate Senators on both sides of the aisle who may desire to make remarks, and who would find it inconvenient to do so Tuesday or Wednesday.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield to the Senator from Utah.

Mr. WATKINS. Mr. President, reserving the right to object, the unanimous-consent request has come as somewhat of a surprise. I have not had an opportunity to consult with the members of the select committee. They are not all present on the floor at the moment. Personally I am very much in favor of having a unanimous-consent agreement, but I think the agreement ought to be worked out very carefully, so that in proceeding under such an arrangement all Senators will have adequate opportunity to say what they desire to say, and yet the Senate be enabled to come to a conclusion at the time which will be set in the unanimous-consent agreement. I think the request ought to be examined and worked on a little more today. I should like to consult with the members of the select committee. I do not know just how they feel about the request. I assume they would feel very much as I do, but I think, out of courtesy to them, the members of the committee ought to be given an opportunity, between now and 2 o'clock this afternoon, to consult with each other about the proposal.

Mr. KNOWLAND. Mr. President, will the Senator from Wisconsin yield?

Mr. McCARTHY. Before I yield I should like to ask the Senator from Utah [Mr. WATKINS] a question so we shall know what the understanding is. Does the Senator from Utah agree in principle with the idea of limitation of debate so that we can get back to other work? If so, I am sure we can work out the technicalities, the time limitation, and points of that kind.

Mr. WATKINS. I have already indicated I am agreeable to a unanimous-consent agreement. I think agreeing on a time limit is the right thing to do. However, I should like to have an opportunity to consult with the other members of the select committee so that we can know what the wishes of the members of the committee are respecting the request.

Mr. McCARTHY. When the Senator meets with the other members of the committee, there is one point I should like to have him take up with them. The suggestion has just been made to me by 2 able Senators that the time limit for speaking on substitutes be 2 hours for each side, and that the time limit on amendments be a half hour for each side. I wish the Senator would check with the other members of the select committee. I am not asking the Senator from Utah to commit himself here and now, but when he discusses the matter with the committee, I ask that he mention that suggestion to them, that there be allowed half an hour to each side on amendments, and 2 hours to each side on substitutes.

Mr. WATKINS. I shall be glad to discuss the suggestion with the members of the select committee.

Mr. JOHNSON of Texas. Mr. President, I should like clarification of what the junior Senator from Wisconsin is proposing. As I understand it, he proposes that beginning at 3 o'clock on Wednesday the time for debate shall be limited, under the control of the majority and the minority leaders, to 30 minutes for each side on amendments, and 2 hours for each side on substitutes. Is my understanding correct?

Mr. McCARTHY. The understanding of the Senator is correct.

Mr. KNOWLAND. Mr. President, we would have to include in the understanding, in the customary form, a provision regarding any motions which might be made. Such a provision would have to be included so that there might not be included language which would result in a change in the rules.

Mr. JOHNSON of Texas. Is what I have stated an accurate summary of the suggestion of the Senator from Wisconsin?

Mr. McCARTHY. Yes. I may say to the Senator that I am willing to agree to almost anything, so long as there is a cut-off time, and that the understanding is then followed. I think almost everything has been said that can be said, therefore, I think a half an hour is sufficient on any motion, except a motion to table.

Mr. WELKER. Mr. President, reserving the right to object——

Mr. KNOWLAND. Mr. President——

Mr. McCARTHY. Mr. President, I promised to yield to the Senator from Idaho. I should like to yield to him first.

Mr. WELKER. The question that enters my mind is as to the division of time. Who shall control the time? We have been told by the chairman of the select committee that Senators sit here as sole judges of the law and the facts. I am wondering if we shall not be putting the minority and the majority leaders in a tremendously embarrassing position if we enter into such an agreement as is proposed. It might be that the distinguished chairman of the select committee would want some time to speak, and that other Senators on this side of the aisle might desire some time. Since this is a supposedly bipartisan tribunal, I think we had better study the question of who is to control the time. I would not have any objection at all to having my distinguished friend, the senior Senator from Utah [Mr. WATKINS], or the proponents of the censure resolution, control the time on behalf of those who support the resolution, and another Senator, but not the junior Senator from Idaho, control the time on behalf of Senators in opposition to the censure reslution. If the Senate should enter into an agreement, I would want to be sure about its provisions, because I can foresee that the distinguished minority leader and the distinguished majority leader could be embarrassed when time to speak on the matter was requested.

Mr. WATKINS. Mr. President, reserving the right to object, it seems to me it would be well to have these matters discussed by the select committee. The committee would like to meet and go over the suggestions made by the Senator from Wisconsin, as well as those made by other Senators. I have no desire to control the time at all, but I think if action on the request could be withheld until at least some time this afternoon, the committee could meet and consider the subject. However, I can say now I am certainly in agreement with the proposal that the Senate ought to impose a limitation on debate, and that a time for voting should be set.

Mr. HOLLAND, Mr. MUNDT, and other Senators addressed the Chair.

Mr. KNOWLAND. Mr. President——

Mr. McCARTHY. Mr. President, I am glad to yield. First, let me yield to the Senator from California.

Mr. KNOWLAND. Mr. President, I should like to say that, in view of the discussion, the majority leader and minority leader have requested the Parliamentarian to prepare a rough draft of the proposed unanimous-consent agreement, so we can have it in typewritten form. I shall then see that the chairman of the select mommittee, the distinguished senior Senator from Utah [Mr. WATKINS], the distinguished junior Senator from Wisconsin [Mr. McCARTHY], and all other Senators will have an opportunity to examine the draft of the proposed agreement and to consider the time elements involved, and the proposal in regard to what Senators would control the time. Furthermore, I would suggest that the Senate take a recess for luncheon, so as to permit all Senators to consider the proposed agreement; and it would be my suggestion to have the Senate return to the Chamber, following the recess, and at that time have a quorum call, before the unanimous-consent agreement is again proposed, so that all Senators would be on notice of it.

Let me say that it is not my intention to move that the Senate take a recess until all Senators have had a chance to discuss the matter further at this time.

Mr. MUNDT, Mr. HOLLAND, and other Senators addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield; and, if so, to whom?

Mr. McCARTHY. Mr. President, a number of Senators are on their feet, seeking to have me yield. I should like to yield to all of them before the motion for a recess is made.

First, I yield to the Senator from South Dakota.

Mr. MUNDT. I should like to ask a question regarding the plans for holding hearings on security risks in defense plants. Assuming that it will be possible to have the proposed unanimous-consent agreement entered into—and I certainly hope that will be possible—and that it will then be possible to complete by Wednesday night or Thursday the work of the Senate, insofar as the special session is concerned, is it the plan of the chairman of the committee then to remain in Washington and to stay on the job of investigating Communists in defense plants, and to do so on Friday and Saturday, and perhaps the following Monday and Tuesday, so that then we can return to our homes, rather than return to our homes following the end of the special session, and then have to come once more to Washington for another session of the committee?

Mr. McCARTHY. Mr. President, the question asked by the Senator from South Dakota is most apropos, and I am sorry I did not cover that point before.

As chairman of the permanent Subcommittee on Investigation, my plan would be to immediately begin calling witnesses to clean up the accumulation of the committee's work as soon as the special session has ended. It might be that we could not start the committee hearings the day following the end of the special session, in view of the time required to serve subpenas on witnesses and to give them a chance to employ counsel, and so forth. But if such a unanimous-consent agreement is entered into, my plan would be to ask the staff of the committee to start immediately to serve subpenas on witnesses and have the subpenas returnable on this Friday—I do not think we could risk having them returnable on Thursday—and then proceed with committee sessions on Friday, Saturday, Monday, and Tuesday, and so forth, so as to clean up the committee's work. I think that is very important, because until now the security officers in the various defense plants have been cooperating fully; and they indicate they will get rid of fifth-amendment Communists or at least will get rid of them so far as top-secret work is concerned. So I think it is vitally important that the committee proceed in the way I have suggested. If it is possible to have the proposed unanimous-consent agreement entered into this afternoon, I shall have the subpenas prepared, so they can be served on the witnesses and so the witnesses can come before the committee on Friday.

Mr. MUNDT. I certainly hope that will be done; and such procedure meets with my approval, because I desire to have the work of the committee proceeded with as soon as possible, in the interest of the security of the Nation. Every passing day security risks are employed at defense plants jeopardizes the safety and preservation of freedom everywhere.

Let me say I was impressed with the first part of the statement the junior Senator from Wisconsin read, in which he said that nothing regarding the future sessions of the committee had been definitely agreed to because of the uncertainty of the length of the special session of the Senate. That indicates the urgency of having a unanimous-consent agreement entered into. There are other more important problems before our Nation than determining the Senate's position regarding the activities of the junior Senator from Wisconsin.

As the junior Senator from Wisconsin proceeded with his statement, I construed it to be in the nature of an apology to the Members of this body because of his alleged use of offensive language concerning individuals—although not necessarily a retraction of his statements about certain committee reports or committee activities. However, I judge it was in the nature of an apology

insofar as his remarks about other Senators personally were concerned. I wonder whether my interpretation of his statement is correct.

Mr. McCARTHY. I thought I had made myself as clear as I possibly could. Let me say that I am not wedded to any particular words; for example, when I referred to the Watkins committee as the "handmaidens of the Communist Party," I should say now that "handmaidens" is not a proper word to use in that connection, because a handmaiden is a female servant, and certainly the members of the committee are not female servants. The thought I tried to express was that the Watkins committee unwittingly, and I stress the word "unwittingly", was doing exactly what the Communist Party was clamoring for. My choice of language was in that case unfortunate. Insofar as my use of the word "handmaidens" is concerned—and let me say that I am no master of words, I speak rather bluntly most of the time—certainly that word could be stricken; I am not wedded to that word.

When I referred to the junior Senator from New Jersey [Mr. HENDRICKSON] as "a living miracle, a man without brains and without guts," again that involved a choice of words which the Senator from South Dakota might not use. I felt very strongly that the Senator from New Jersey was completely wrong in signing a report which he knew was based upon innuendo and falsehood, and that only about four pages of it were based upon any evidence. I had talked to the junior Senator from New Jersey that night, and I had asked him if he was going to sign that report, knowing that parts of it were false. He said he would sign it, but he disagreed with the parts that were false. I still feel as strongly as I did then that what he did was wrong, that he should not have signed it, but that he should have made his position clear. However, I concede that the language "without brains and without guts" was an unfortunate choice of words.

I think I often use language much more blunt than the language the Senator from South Dakota would use. Let me say that I am not wedded to any of the particular words I have used. But insofar as the ideas are concerned, I still feel as strongly now as I did then about the Hennings subcommittee; I still feel as strongly as I did about having the junior Senator from New Jersey [Mr. HENDRICKSON] sign the report; I still feel as strongly as I did about the refusal of the Senator from Utah [Mr. WATKINS] to allow me to introduce evidence in justification of my criticism of the Gillette subcommittee, and then saying in his report, "But he has submitted no evidence of justification."

However, insofar as the words used are concerned, I am willing to strike out all the words that are considered objectionable. On the other hand, I still have the same strong feeling about the actions that were taken.

Mr. MUNDT. Mr. President, I ask this question primarily because my colleague the junior Senator from South Dakota [Mr. CASE], who is a member of the select committee, and who is unavoidably absent today, stressed that point to a considerable extent during the course of his participation in the debate, believing—to use his words—that a retraction or a striking out of the objectionable words used by the Senator from Wisconsin was important, insofar as the attitude of my colleague the junior Senator from South Dakota [Mr. CASE] is concerned. I am, therefore, gratified that the Senator from Wisconsin has now agreed to strike them out.

Mr. McCARTHY. I have no objection to striking out any words whatsoever; but I would not strike out a presentation of any of the ideas I have had on that subject.

Mr. HOLLAND, Mr. LEHMAN, and other Senators addressed the Chair.

The PRESIDENT pro tempore. Does the junior Senator from Wisconsin yield; and if so, to whom?

Mr. McCARTHY. I yield first to the Senator from Florida [Mr. HOLLAND], to whom I previously promised to yield.

Mr. HOLLAND. I thank the Senator from Wisconsin for yielding to me.

Mr. President, reserving the right to object—and let me say I certainly shall not object, because I welcome any opportunity to bring this matter to a determination at an early date—the attention of the junior Senator from Wisconsin was directed elsewhere when the able majority leader brought out one point applicable to the proposed unanimous-consent agreement, which, in the opinion of the Senator from Florida, it would be extremely necessary to cover in the agreement. That was the requirement of germaneness with respect to all amendments, because very easily the resolution could be made to include matters which would make it almost impossible for the resolution to be considered on its merits. I wished to assure myself of what I felt was the case, namely, that the junior Senator from Wisconsin was agreeable to the attachment to the proposed unanimous-consent agreement of the usual requirement of germaneness with respect to amendments or substitutes.

Mr. McCARTHY. I certainly had that in mind. I was of the opinion that nothing that was not germane should be offered as an amendment. That was the thought I had in mind while the proposed unanimous-consent agreement was being discussed during the recess. I believe that language which would satisfy the Senator from Florida should be included.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. JOHNSON of Texas. Let me say to the junior Senator from Wisconsin and the Senator from Florida that, so far as the minority leader is aware, no unanimous-consent agreement has been proposed or entered into in the Senate since the Senator from California has been majority leader and I have been minority leader which did not provide that all amendments be germane. That is customary in connection with every such agreement. Otherwise, there would never be a unanimous-consent agreement.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. McCARTHY. I am sorry, but I did not hear what the Senator from Texas said.

Mr. JOHNSON of Texas. The suggestion made by the Senator from Florida has been incorporated in all unanimous-consent agreements of which I am aware since the Senator from California has been majority leader and I have been minority leader. Of course, we expect such a requirement in connection with the proposed agreement. Otherwise we could not agree to it.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. HOLLAND. Mr. President——

Mr. McCARTHY. Let me ask the Senator from New York to wait a moment, in order that I may yield further to the Senator from Florida.

Mr. HOLLAND. Mr. President, while the position taken by the distinguished minority leader is correct as regards new amendments, it is not correct, at least in my judgment, as it relates to the question of germaneness of pending amendments, as will appear from at least one unanimous-consent agreement which was entered into in recent months. The Senator from Florida wishes to have it very clearly understood that all amendments must be germane before they can be considered under any unanimous-consent agreement relating to the pending resolution.

Mr. KNOWLAND. Mr. President, reserving the right to object, during the luncheon hour, if the Senate is to take a recess, we can discuss with the Senator from Florida and with the minority leader exactly what is meant by germaneness. Normally, what we have done is to adopt a standard procedure which would prevent consideration of amendments which are not germane. To be specific, if a tax bill is before the Senate for consideration, and a unanimous-consent agreement is sought, we do not want an amendment offered which, for example, might change the rule with respect to the vote required in connection with cloture. So it has been customary to provide that all amendments must be related to the subject matter dealt with in the particular resolution or bill which is pending. If amendments relate to the general subject matter, I do not think we have ever tried to draw too fine a line, or to try to weigh too minutely the effect of particular wording or language in an amendment or a substitute. I feel that it will be necessary to have a meeting of minds as to the exact meaning which the Senator from Florida has in contemplation in connection with the word "germaneness."

Mr. LEHMAN. Mr. President, reserving the right to object, I wish to make it very clear that no Member of this body is more eager to bring this debate to a conclusion than I am, provided that every Senator has the opportunity and the time to express himself adequately. I am glad to know that we are on the path possibly leading to a limitation of debate. However, I think we should make very certain, in limiting debate, that every Senator has an opportunity to be heard.

The junior Senator from Wisconsin has talked about indiscreet words which he may have uttered, during the course of the debate or otherwise. He has offered an expression of regret that he has, by his words, insulted certain Members of the Senate.

In my opinion the question now before the Senate goes far beyond the use of words or of language or a belated apology for their use. The issues which have been the subject of debate, and the issues on the basis of which censure of the junior Senator from Wisconsin is recommended by the select committee go far beyond the indiscreet use of words. They go to the issue of the integrity, the good faith, the character, and the loyalty of the entire Senate.

I know that preservation of the dignity of the Senate is a highly important part of the responsibilities which we of the Senate have assumed. However, I pay much less attention to those things which attack only the dignity of the Senate than I do to those which attack the honesty, the good faith, the courage, the patriotism, and the loyalty of the Senate. That, I believe, is the great issue before us and a rigid test of the Senate.

Not only have the good faith, the integrity, and the loyalty of the select committee and other committees been attacked, but the loyalty, the good faith, the patriotism, and the integrity of every Member of this body have been impugned in a speech given to the newspapers for publication and placed in the CONGRESSIONAL RECORD later in the day of—I believe November 10. That speech impugns and reflects upon the integrity, the good faith, and the loyalty of every Member of the Senate. The attack is not limited to the select committee. It is directed against the loyalty and patriotism of every Member of this body.

Another issue is the attacks by implication which have been made by the junior Senator from Wisconsin on the loyalty of hundreds of good American citizens.

I do not know, and no one else knows at this time, what amendments may be offered, or what substitutes may be submitted. The junior Senator from Illinois [Mr. DIRKSEN] has already announced that he intends to offer an amendment in the nature of a substitute. No one knows what is in that proposed substitute. No one knows what may be in many other amendments which may be offered.

I wish to bring this issue to a decision. However, I desire to be certain that there will be at least a reasonable time for discussion and debate on the various amendments and substitutes which may be offered.

I know that there has been a long debate on the original resolution itself, Senate Resolution 301. The Senate adjourned for 10 days, during which we could not debate any of the issues which are before the Senate. I shall enter no objection to a reasonable limitation of debate, but I do not think we should be rushed into acceptance of a proposed agreement until we have the opportunity, after substantial and sufficient consideration, to reach our own conclusions as to whether or not the proposed agreement would insure adequate, fair, and reasonable time for debate, not only on the resolution, but on all amendments and substitutes.

I shall not object to any limitation of debate which is fair. I shall not agree to a limitation of debate which would place at a disadvantage those of us who feel that, time and time again, the junior Senator from Wisconsin has attacked the integrity, the loyalty, and the good faith of the entire Senate. I wish to see those issues discussed at sufficient length. I do not think it is important to decide here and now, or at 2 o'clock on Monday afternoon whether the Senate shall adjourn on Wednesday afternoon, Thursday afternoon, or Friday afternoon.

I wish to make certain that Senators will have sufficient time for debate, because I cannot emphasize too strongly that the issue before the Senate is not merely the use of words or the use of insulting language by the junior Senator from Wisconsin——

Mr. DIRKSEN. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator from Illinois will state it.

Mr. LEHMAN. But it goes also to the loyalty and to the integrity of the Senate as a whole.

Mr. DIRKSEN. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator from Illinois will state the point of order.

Mr. DIRKSEN. In my opinion, Mr. President, the language used by the distinguished Senator from New York contravenes rule XIX. I feel I must protest.

The PRESIDENT pro tempore. The Senator from New York will take his seat, under the rule.

Mr. JOHNSON of Texas. Mr. President, I move that the Senator from New York be permitted to proceed in order.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Texas that the Senator from New York be permitted to proceed in order.

The motion was agreed to.

Mr. LEHMAN. Mr. President, I have completed the statement that I desired to make, as was my right. I have nothing further to say at this moment. I will not at this time object to the unanimous-agreement request.

Mr. JOHNSON of Texas. Mr. President, it seems to me that every Senator wants to be fair. That is a good sign. We will have plenty of time to determine what is fair. However, before the Senator from Wisconsin takes his seat it might be well to review the proposal that has been made, so that every Member of the Senate may consider it. In that way any Senator who may wish to do so may make suggestions after the luncheon hour. We can then reach a conclusion when the Senate reconvenes after a recess.

Mr. McCARTHY. I believe that is an excellent suggestion.

Mr. JOHNSON of Texas. In line with previous unanimous-consent agreements which the majority leader has offered, and in which the minority leader has almost always joined, the Parliamentarian has prepared a brief outline of the proposal, and I should like to inquire whether it meets the suggestion offered by the junior Senator from Wisconsin. The proposal reads:

Ordered, That on Wednesday, December 1, 1954, at not later than the hour of 3 o'clock p. m., the Senate proceed to vote, under the limitations of debate hereinafter provided, upon any amendment or motion, including appeals that may be pending or that may thereafter be proposed to Senate Resolution 301, and upon the final passage of the resolution: *Provided*, That after the said hour of 3 o'clock p. m. debate upon any amendment, motion, or appeal shall be limited to 60 minutes, to be equally divided and controlled, respectively——

Mr. McCARTHY. Mr. President, may I interrupt the Senator at that point? I believe the suggestion was made—and I believe it was wisely made—that on motions 30 minutes be allowed to each side, but that on substitutes——

Mr. JOHNSON of Texas. We shall get to that point in a minute. This provision covers—

Any amendment, motion, or appeal providing 60 minutes of debate, to be equally divided and controlled, respectively, by the mover of any such amendment, motion, or appeal, and the Senator from Utah [Mr. WATKINS].

The proposal provides further:

That on any substitute the debate shall not exceed 4 hours——

Mr. McCARTHY. Mr. President, may I interrupt the Senator again? I do not like to do so as he reads the agreement. However, if there is an amendment offered which the Senator from Utah——

Mr. JOHNSON of Texas. We will get to that in a minute, if the junior Senator from Wisconsin will follow me. I believe we have covered the situation which the junior Senator from Wisconsin has in mind.

On any substitute the debate shall not exceed 4 hours, under similar control, provided that if the Senator from Utah [Mr. WATKINS] is in favor of any such amendment, substitute, or motion, the time shall be controlled by the minority leader.

That has been the custom in the Senate. It has been the custom for the chairman of the committee to control the debate in opposition to an amendment, but such control goes to the minority leader if the chairman is in favor of an amendment.

Provided further, That the time between 3 o'clock p. m. today and 3 o'clock p. m. on Wednesday, December 1, shall be equally divided and controlled by the majority leader and the minority leader: *Provided further*, That no amendment or motion which is not germane to the resolution shall be received.

There may be Senators who feel that 4 hours of debate is not sufficient, while other Senators may feel it is too much with respect to a substitute.

Some Senators may feel that an hour of debate on an amendment is not sufficient time, whereas other Senators may feel it is too much. I believe Senators can consider these suggestions during the luncheon hour. So far as I know, the

language in the proposed unanimous-consent agreement is similar to and consistent with the language in other unanimous-consent agreements.

Mr. JENNER. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. JENNER. With reference to the matter of germaneness, since the pending resolution is a resolution of censure, certainly any censure resolution concerning any other Member of the Senate would be germane. Is that correct?

The PRESIDENT pro tempore. The Chair is of the opinion that an amendment of censure affecting any Senator other than the junior Senator from Wisconsin would not be germane.

Mr. JENNER. I thank the Chair.

Mr. McCARTHY. I suggest that during the luncheon hour the resolution be amended so as to provide that any other censure resolution may be offered. I understand some Senators have in mind submitting such a censure resolution. I assume they would object to a unanimous-consent agreement unless such a provision were included. In fact, I shall amend the unanimous-consent request after the luncheon recess so as to provide that any other censure resolution may be considered as germane.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. McCARTHY. I am glad to yield.

Mr. JOHNSON of Texas. Is the other language in the resolution generally satisfactory to the Senator from Wisconsin?

Mr. McCARTHY. I think it is completely satisfactory.

Mr. JOHNSON of Colorado. Mr. President, 2 weeks ago, before the Senate recessed, I had prepared an address on the censure proposal. I did not have an opportunity to deliver it at that time, and I shall now say what I have in mind.

Mr. WELKER. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. WELKER. Is the morning hour over?

The PRESIDENT pro tempore. The morning hour is over. The Senate is now considering the unfinished business.

Mr. WELKER. May we expect to eat at any time today?

The PRESIDENT pro tempore. The Chair has not been informed on that point.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. KNOWLAND. I will say to the Senator from Idaho and to the Senate that I had in mind, subject to the desires of the Senate, to move a recess, so that the proposed unanimous-consent agreement could be typed and perhaps mimeographed, so that copies would be available to all Members of the Senate and on their desks before we returned to the Senate after the luncheon recess.

I understood that the distinguished Senator from Colorado had his name at the desk for some time and had been seeking recognition. I would not wish to take him off the floor by moving a recess. If it would be agreeable to him, I may say that I am prepared to move a recess at this time, until 3 o'clock this afternoon.

Mr. JOHNSON of Colorado. That is perfectly satisfactory to me.

Mr. WELKER. With the understanding that the Senator from Colorado will have the floor when the Senate reconvenes?

Mr. KNOWLAND. That is correct. However, I would hope that at that time he will be willing to let the unanimous-consent agreement be propounded.

Mr. JOHNSON of Colorado. Certainly.

Mr. JOHNSON of Texas. It is my understanding that the majority leader is willing to have the Senate stay in session until 12 o'clock tonight and until 12 o'clock tomorrow night, so that Senators who may desire to do so, may speak on the pending question. Is that correct?

Mr. KNOWLAND. I had hoped that the Senate would not be in session until 12 o'clock tonight or tomorrow night. I indicated that we would not be bound to the 6 o'clock or 7 o'clock hour of recess. I should like to have a reasonable program or schedule determined upon; but certainly I will not foreclose any Senator if it is the desire of the Senate to stay in session later.

Mr. JOHNSON of Texas. I do not know that any Senator would wish to speak until 12 o'clock, but I am sure the majority leader and the minority leader would remain here until that time if that should be necessary.

Mr. KNOWLAND. Mr. President, in order to reach an agreement, I would commit myself to stay until midnight, if that be necessary; but I hope it will not be necessary.

Mr. JOHNSON of Texas. I understand the position of the Senator from California.

RECESS TO 3 O'CLOCK P. M.

Mr. KNOWLAND. Mr. President, I now move that the Senate stand in recess until the hour of 3 o'clock this afternoon.

The motion was agreed to; and (at 1 o'clock and 40 minutes p. m.) the Senate took a recess until 3 o'clock, p. m.

On the expiration of the recess, the Senate reassembled, and was called to order by the Presiding Officer (Mr. PAYNE in the chair).

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Clements	Flanders
Barrett	Cooper	Frear
Beall	Cordon	Fulbright
Bennett	Cotton	George
Bridges	Crippa	Gillette
Brown	Daniel, S. C.	Goldwater
Butler	Dirksen	Green
Byrd	Duff	Hayden
Carlson	Ellender	Hendrickson
Case	Ervin	Hennings
Chavez	Ferguson	Hickenlooper
Holland	Magnuson	Russell
Hruska	Mansfield	Saltonstall
Ives	Martin	Scott
Jenner	McCarthy	Smith, Maine
Johnson, Colo.	McClellan	Smith, N. J.
Johnson, Tex.	Millikin	Sparkman
Johnston, S. C.	Monroney	Stennis
Kerr	Mundt	Symington
Kilgore	Murray	Thye
Knowland	Neely	Watkins
Kuchel	Payne	Welker
Lehman	Purtell	Williams
Long	Robertson	Young

The PRESIDING OFFICER. A quorum is present.

Mr. JOHNSON of Colorado. Mr. President, on New Year's day I shall be 71 years of age. Nearly half of my long life has been spent in public service. I served in both houses of the legislature of my State; I have been Governor; and for nearly 18 years I have been a Member of this esteemed body.

In those years I have dealt on the closest personal basis with literally thousands of people. I have had my differences with them, and they with me. I have engaged, as most of my colleagues have, in sharp and bitter political campaigns. I have been castigated and criticized and denounced, and I have castigated, criticized, and denounced others. But I have not hated, and I do not today hate any man.

I freely admit that I have despised methods and ideas that others have embraced; and God willing, I hope I always shall. I have hated, and I hate now, tyranny in all of its various forms. I hate the international Communist conspiracy because it represents triple tyranny—economic tyranny, political tyranny, and tyranny of the mind.

When this special session of the Senate of the United States adjourns sine die, I shall have ended my career in this body. The past 18 years have been the most exciting, the most challenging, and the most precious of my life. I treasure every moment of my service here, and I am humbly grateful for the opportunity that has been given me to know intimately the great men and women who have served in this body during the past two decades.

In all probability, this is my last speech in the Senate. During my service here, this Chamber has echoed many great speeches. Here, where Borah and Hiram Johnson thundered; here, where George Norris in simple language carried us back to the grassroots; here, where Pat Harrison thrust his sharp barbs; here, where young Bob La Follette pleaded so earnestly; yes, here, where my own beloved colleague, GENE MILLIKIN, exchanges witticisms so delightfully with the "Young Turks"; here, where WALTER GEORGE moves us with his sage and reasoned oratory; here I now stand, Mr. President, delivering my swan song. I fear its only distinction will be that it is my last speech. In it I shall speak, not for today, but for tomorrow and all the tomorrows during the life of the Republic that the United States Senate will face.

Most Americans rightfully deem it a singular honor to be a Senator of the United States of America, for in all the world or in all human history, no political institution surpasses it, or ought to surpass it, in democratic procedures and nationwide prestige. The financial re-

wards are near zero; but the reward of knowing intimately, as close friends, the political leaders of the world is a rich experience, indeed. Traditionally, service in this political body carries with it a very demanding challenge upon all its Members to be considerate, and it gives them a golden opportunity to cultivate warm and lasting friendships. Long experience has demonstrated that democratic, parliamentary achievements require a dignified atmosphere, where mutual respect among its membership is forever present. The Senate must ever remain the citadel of courtesy and dignity. This is the way I found it when I came here, and this is the way I want to leave it when I return to Colorado.

On Tuesday, November 9, Members of the Senate paid their last respects to three of our departed colleagues. No one could have listened to the tributes which were enunciated and observed the grief and sorrow so earnestly and sincerely expressed here without realizing the close ties of deep respect and affection Members of the Senate have for one another. Often the Senate has been described by the penetrating observers of the press as the "world's most exclusive club" because the ties of friendship and mutual regard are so strong here.

Nevertheless, regrettable actions have followed regrettable acts in this Chamber of "brotherly love." In the closing days of the last session of the 83d Congress, 3 amendments to Senate Resolution 301 recited 46 specific charges of misbehavior against the junior Senator from Wisconsin [Mr. McCARTHY]. Obviously, the Senate as a whole could not hold hearings and sift these charges; so Senate Resolution 301, together with all amendments, was referred to a special committee of six members, created for that purpose. The committee was called the Senate Select Committee, and was directed to report to the Senate. The only qualification stipulated by the Senate for the committee's membership was that it be composed of 3 Republicans and 3 Democrats. It was my misfortune to be selected as one of the 3 Democrats. When it was pointed out to me that the honor of the Senate was involved, I felt compelled to set aside my many selfish reasons for not serving, and to accept the difficult assignment.

In fact, no member of the select committee sought assignment to it. It is no secret that some of us were importuned again and again to take up a responsibility which all of us regarded as onerous, and which many of us feared would be a miserable business. I, for one, had to weigh my duty to my leader and to the Senate as an institution, against my personal problem of an especially difficult political campaign and the commensense realization that whatever decision on the charges I might reach would hurt me politically, and might very well lose me the high office I sought.

The members of the select committee as a whole assumed their unprecedented task, not with exultation, but in the serious vein of patriotism and sacrific. To me, its one redeeming feature has been the consecrated approach of the other five members of the select committee to the task at hand. Their fixed determination to be impartial and just to Senator McCARTHY, and at the same time to meet their responsibilities without fear or favor, bias or prejudice, has been in the highest traditions of the United States Senate.

Especially do I want to commend the chairman of the committee, the senior Senator from Utah [Mr. WATKINS], for his inexhaustible patience and his spiritual dedication to the job to be done. He was not well, but he gave it every ounce of strength and devotion he possessed, and thereby imparted much tone and dignity to the proceedings.

Each of the six members of the select committee took up the assignment with a completely open mind. To this I can testify freely without mental reservation, both as to myself and my committee colleagues. This is not to say that none of us had knowledge of the activities of the junior Senator from Wisconsin as a Member of this body through the years, about which some of us may have expressed opinions.

Because of a newspaper story published in the Denver Post 5 months previous to the creation of the select committee and based on an interview with me by telephone, some question was raised about whether or not I was biased or prejudiced against Senator McCARTHY.

Robert Lucas, editor of the Denver Post, a newspaper violently opposed to Senator McCARTHY, had asked me questions over long-distance telephone about the position of the Senate Democrats toward Senator McCARTHY, which questions I answered the best I could.

At the time the question of my fitness was raised I was positive I could and would weigh the evidence in the case objectively and without any bias or prejudice whatsoever. In the deliberations of the committee which followed the hearings I insisted upon giving the junior Senator from Wisconsin the benefit of the doubt whenever there was any doubt.

In my opinion, no Senator among the 96 would have sifted and weighed the evidence with more painstaking care and less bias and prejudice than did I.

With a clear conscience I can now swear on the Holy Bible and before the everliving God that my decisions as a member of the select committee with respect to the 46 charges before us were based solely upon the evidence considered by the committee without bias or prejudice or influence of any kind.

I regret that in good conscience the select committee could not have brought in a less severe recommendation. However, I realize that the select committee is merely the agent of the Senate, and that the final decision to censure or not to censure rests not with it but with the Senate itself. I have no desire to try to influence a single vote here either for or against the junior Senator from Wisconsin. I will do my duty as I see it; and beyond that point I will not go. It is not my duty to try to obtain votes either for or against anyone. I am speaking here today not to gain votes for one side or the other, but in a humble effort to try to clarify the issues before the Senate, which I feel is my obligation as a member of the select committee.

The select committee did not have before it, and the Senate does not now have before it, the question of whether the junior Senator from Wisconsin is a good, bad, or indifferent Communist investigator. There was no charge against the junior Senator from Wisconsin that he failed to find Communists in Government or in defense plants, or in schools, or in churches. There was no charge that the junior Senator from Wisconsin found too many Communists in Government, or in defense plants, or in schools, or in churches. There was no charge that the junior Senator from Wisconsin was either too soft or too harsh on Communists, or fifth amendment Communists, or suspected Communists. I can understand why those who do not favor the committee report would like to make communism and Communist ferreting the issue here. It is an ideal cloak to throw over this entire issue. It is the kind of cloak that registers quickly with a public which does not know all the facts.

If the accused can make it appear that the select committee is in league with communism, it will aid his cause greatly. But are Senators familiar with these facts to fall for that line of subterfuge? Are lawyers, former jurists, and experienced Senators who know fact from fancy, morality from immorality, honesty from dishonesty, to allow themselves to be pushed back to a defense line from which there is no defense? The American people have no patience with the international Communist conspiracy and they will have no part of it. No segment of the American people could be more opposed to communism than the members of the select committee.

Every Senator realizes that Senator McCARTHY has been a very controversial figure for many years. I have received many hundreds of letters about him, and I am still receiving them. Some have praised him in various degrees, and some have criticized him in various degrees. Some have asked me for information about him. I have tried to reply to each letter honestly and frankly.

In these letters I have said over and over, "To the extent that Senator McCARTHY has exposed Communists in or out of the employ of the Government I pay tribute to him." I am aware that there is considerable difference of opinion as to exactly how much Senator McCARTHY has contributed to the fight against communism. The Senator from Arizona [Mr. GOLDWATER] and many others in good faith and perhaps with good reason have contended that Senator McCARTHY has made a superlative contribution in this field, while the New York Times in an editorial on November 11 argues that he has made no contribution at all.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial which was published in the New York Times of Thursday, November 11, 1954.

The PRESIDING OFFICER. Is there objection?

Mr. McCARTHY. Mr. President, reserving the right to object, may I see the editorial first? I should like to see the editorial before I consent to its being printed in the RECORD.

Mr. JOHNSON of Colorado. Mr. President, I shall continue.

I have been concerned by the statement that Senate Resolution 301 as amended might give comfort to Communists. I wish to eliminate any such possibility, and therefore I submit here and now another amendment to Senate Resolution 301. I ask that it be printed and lie on the desk.

The PRESIDING OFFICER. The amendment will be printed and will lie on the table.

Mr. JOHNSON of Colorado. My amendment reads as follows:

SEC. 4. It is the sense of the Senate that the Communist Party of the United States is not a domestic political party in the usual tradition, but is a part of the international Communist conspiracy, a death menace to the United States and the enemy of all democratic forms of government. Accordingly, the Senate's appropriate committees should continue diligently and vigorously to investigate, expose, and combat this conspiracy and all subversive elements and persons connected therewith.

Personally, I feel that the junior Senator from Wisconsin has alerted the Nation to the menace of communism in Federal employment and in the Army. Because I have said so in numerous letters, I have been charged with being pro-McCarthy by some Colorado newspapers. Middle-of-the-road moderates who see both good and evil in controversial issues must expect to be criticized by the extremists of both camps.

Originally the select committee had before it 46 charges upon which it was alleged that censure of the junior Senator from Wisconsin was merited. The committee rejected 33 of these charges, and consolidated the balance into 2 charges upon which it recommended censure to the Senate. There is no question in my mind but that the evidence and the record fully support the select committee's findings of fact and recommendations. As one member of the select committee, I am content to let the report which we unanimously agreed upon and filed with the Senate, stand as our final record.

But, in my personal capacity as a Member of the Senate of the United States, I deem it incumbent upon me to add some footnotes to that record and that report. I do this solely with the purpose of illuminating some darker corners, and to make plain where I stand and why.

The footnote I want to add relates to the charge in the category dealing with Ralph W. Zwicker, a general officer of the Army of the United States.

From reading the McCarthy-Zwicker testimony I got the impression that General Zwicker was evasive, arrogant, and unnecessarily difficult in the McCarthy cross-examination, and at the beginning of the select committee's considerations I felt that Senator MCCARTHY was more or less justified for his irritations at this witness.

However, when General Zwicker appeared before the Watkins committee, and after I had seen him in action and heard him testify, I was compelled by the evidence to change my position.

Before the select committee he submitted to a lengthy and gruelling cross-examination by counsel for the junior Senator from Wisconsin and by the committee's counsel. Through it all he was intelligent, patient, deliberate, cooperative, dignified, and courteous. In my opinion, he made a perfect witness, never losing his temper and never resorting to cute answers. I was tremendously impressed by him.

Mr. MCCARTHY. Mr. President, will the Senator from Colorado yield at that point?

Mr. JOHNSON of Colorado. I yield.

Mr. MCCARTHY. The Senator from Colorado requested that he be permitted to insert in the CONGRESSIONAL RECORD an editorial published in the New York Times. I have read the editorial. I should like to say that if any Senator made some of the statements contained in the editorial on the floor of the Senate he could be forced to take his seat at least a dozen times. It is filled with falsehoods and innuendoes. However, I shall not object to its being inserted in the RECORD, but I ask that the Senator from Colorado read the editorial before he again requests that it be made a part of his comments.

Mr. JOHNSON of Colorado. Very well, I shall do so.

Mr. MCCARTHY. Even if the Senator from Colorado does not care to do so, I have no objection to its being printed in the RECORD.

Mr. JOHNSON of Colorado. I shall do so. I shall go on with what I have to say.

The PRESIDING OFFICER. Does the Senator from Colorado insist upon his previous request that the editorial be printed in the RECORD, or does he withdraw the request?

Mr. JOHNSON of Colorado. I shall deal with it as I go along.

Mr. MCCARTHY. Mr. President, will the Senator from Colorado yield once more?

Mr. JOHNSON of Colorado. I yield.

Mr. MCCARTHY. I ask the Senator from Colorado to yield for the purpose of correcting the RECORD. I am sure he wishes to keep the RECORD straight. He has twice mentioned an investigation of communism in churches. I wish he would make clear in the RECORD that the Senator from Wisconsin and his committee have never investigated communism in churches. I am sure the Senator from Colorado does not wish to create that impression. I am not saying that it would be wrong to conduct such an investigation. However, we have never undertaken such an investigation. I believe the Senator from Colorado should clarify the RECORD on that point.

Mr. JOHNSON of Colorado. I have no specific evidence on that point. I had something in the back of my mind to the effect that a certain minister in one of the churches had made certain remarks, which appeared in print, and that is what I was referring to. If the Senator says he has never investigated communism in churches, I am willing to take his word for it, and have the RECORD so show.

Mr. MCCARTHY. I thank the Senator from Colorado.

Mr. JOHNSON of Colorado. I believe it is true also that no Senate committee's jurisdiction would cover such an investigation.

However, to continue with my remarks, I should like to say that I argued long and earnestly in the select committee that we drop the charges filed with us that "without justification the junior Senator from Wisconsin impugned the loyalty, patriotism, and character of Gen. Ralph Zwicker."

It was my contention that the junior Senator was proceeding with the Zwicker hearings on February 18 under great difficulty. His wife had met with a serious accident and had to be taken to the hospital, and the Senator had been up all night looking after her comfort and had had no sleep. At the beginning of the hearings he was handed a letter from the Secretary of War Stevens, dated February 16, which infuriated him. All in all, it was just a bad day for the junior Senator from Wisconsin and all who appeared before him. However, my views did not prevail and the select committee went into the McCarthy-Zwicker hearings in all of their ugly detail, which I will highlight.

Since General Zwicker was testifying under Presidential orders which restricted his testimony severely he appeared to be a reluctant witness, when in truth he was a very frightened witness, who went on the defensive very naturally when the junior Senator from Wisconsin resorted to rough tactics in his cross-examination. General Zwicker appeared before Senator MCCARTHY without the benefit of counsel, and explained to the select committee that at that time he was inexperienced in testifying before committees of Congress.

In the course of his examination, Senator MCCARTHY, in an aside to his colleagues on the committee, said:

This is the first fifth-amendment general we've had before us.

Later, but directly to General Zwicker, Senator MCCARTHY said:

Then, General, you should be removed from any command. Any man who has been given the honor of being promoted to general and who says, "I will protect another general who protected Communists," is not fit to wear that uniform, General. I think it is a tremendous disgrace to the Army to have this sort of thing given to the public. I intend to give it to them. I have a duty to do that. I intend to repeat to the press exactly what you said. So you know that. You will be back here, General.

Afterward the junior Senator from Wisconsin made the following remark:

General, I'm going to have you back here Tuesday and put you on display before the public in order that they may see just what kind of incompetent officers we have in the Army.

During our hearings it developed that General Zwicker not only had opposed the promotion of Major Peress and had opposed giving him an honorable discharge but also was very much opposed to any officer in the United States Army invoking the fifth amendment. In fact, on January 21, 1954, General Zwicker, in a spirit of friendly cooperation, had actually revealed the name of Major Peress to the McCarthy committee staff.

As a member of the select committee, it was my duty to set aside any prejudice

for or against Senator McCARTHY I might have, and be guided entirely by the evidence.

Previous to the select committee hearings I made excuses for the bad temper displayed on February 18, 1954, by the junior Senator from Wisconsin in his examination of General Zwicker, but on September 8, 1954, more than 6 months afterward, even though the Army had given the Senator and his committee a list containing the names of every Army officer and everyone else who had anything to do with the induction, transfer, assignment, promotion, and discharge of Major Peress, the junior Senator from Wisconsin had not mellowed toward General Zwicker in the slightest degree. General Zwicker's name did not appear on that list, the Army taking the position that General Zwicker was merely the separation officer carrying out the orders of his superiors, and had at no time determined any policy with respect to the handling of Major Peress. It is significantly strange that neither the junior Senator from Wisconsin, nor any other Senator, nor any other Senate committee, had called any of the officers on the Army list to ascertain who promoted Major Peress, and why, and who ordered his honorable discharge, and why.

The people have a right to this information and I think they will be surprised when they learn that General Zwicker is completely innocent of determining any policy with respect to this whole mixed-up affair. There is not the slightest doubt in my mind that a completely innocent and able and distinguished general was shamefully treated by the chairman of a committee of Congress as a result of that Senator's carelessness and stubbornness.

Mr. McCARTHY. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. JOHNSON of Colorado. I yield.

Mr. McCARTHY. I wonder if the Senator is aware of the fact that we did get the promise of the Secretary of the Army that he would have the Inspector General make a search and try to find out who promoted and honorably discharged Major Peress, and that up to that date, even though I had written the Secretary of the Army repeatedly, we had not received that information. I wonder if the Senator is aware of the fact that the indications are that General Zwicker was the man responsible for the promotion of Peress. Is the Senator aware of that fact?

Mr. JOHNSON of Colorado. No; I am not aware of it. In fact, I have just the opposite information. I will say to the junior Senator from Wisconsin that it is my understanding that the names of 30 men had been submitted to the committee, either the committee headed by the junior Senator from Wisconsin, or the other committee, indicating those who had anything to do with the matter.

Mr. McCARTHY. I hesitate to interrupt the Senator during his speech, because, as I have said before, I will read in the headlines tomorrow that we had a fight or an argument, and I have had no fight or argument with the Senator from Colorado. But is he not aware of the fact that his own committee, the select committee, saw Secretary of the Army Stevens, that the Senator from Utah [Mr. WATKINS] made the appointment; that Stevens told him that after I had written my letter suggesting a court-martial of those responsible, there was a meeting in the Pentagon, and the letter was turned over to Mr. John Adams, the legal counsel. They had a meeting, and at that meeting it was decided to give Peress an immediate honorable discharge.

So, Mr. Stevens knew who was responsible for giving the honorable discharge. The Senator's committee was told about the meeting. In other words, it is not a case of giving 30 names. The names included persons in the Surgeon General's Office who examined men receiving honorable discharges. The select committee knew there was a meeting held and they knew who was there and that it was decided to give Peress an honorable discharge.

I wonder if the Senator and I cannot wholeheartedly agree that where there was a meeting at the Pentagon and a decision to give an honorable discharge to a man who was known to be a Communist, known to be guilty of a violation of a Federal law, for which there was a penalty of 5 years imprisonment, in all decency Mr. Stevens or someone should tell the committee and tell the Senate who was responsible. I am sure the Senator will agree that we cannot get that information by questioning persons in the Surgeon General's Office.

Mr. CASE. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I shall be glad to yield in a moment.

I was going on to say some of the things which the junior Senator from Wisconsin has already said. But the point I am making and the point which I shall continue to make is that General Zwicker was not present in the conference about which the junior Senator from Wisconsin speaks. He was merely the separation officer and he at no time exercised any judgment with respect to the discharge of Major Peress. He simply carried out the orders which were given to him. I am familiar with the fact that the junior Senator from Wisconsin wrote to the Secretary of the Army a letter which, in his absence, was handled by the Acting Secretary, Mr. Adams, and that a very important decision was made, namely, not to pay any attention to the letter which was received from the junior Senator from Wisconsin. I think that is an intolerable thing, and I am going to discuss that in a few moments.

I now yield to the Senator from South Dakota.

Mr. CASE. Mr. President, I appreciate the yielding by the distinguished Senator from Colorado.

There are 2 or 3 points I wish to bring out, because I think this is a very important matter and that the record should be clear regarding it.

The Senator from Colorado has just stated that he would clarify some of the points involved, but I should like to correct one thing which the junior Senator from Wisconsin has said when he was paraphrasing the letter from Secretary Stevens which was written on the 13th of November, a week ago Saturday. In paraphrasing, I believe that he inadvertently had the Secretary saying "we" did certain things. I am sure he meant to say "they," meaning the staff at the Pentagon which handled the matter, rather than Secretary Stevens. Secretary Stevens was not at the Pentagon on the 1st of February when the letter from the chairman of the investigating subcommittee arrived. Had he been there, as has been said, the whole Peress matter might have been handled differently. But he was on his way back from Japan and did not return until the 3d of February, the day after the McCarthy suggestion was finally rejected and the request of Peress granted with the immediate discharge.

A point to keep clear is that in his letter of February 16, 2 days before the Zwicker hearing, Secretary Stevens was signing a letter prepared by a staff at the Pentagon.

The February 16 letter which stirred Senator McCARTHY was not a letter prepared by the Secretary himself, as is evidenced by several references in Secretary Stevens' statements to the committee and in his later letter of November 13. The staff letter of February 16, signed by Secretary Stevens, indicated that the letter of the junior Senator from Wisconsin got there too late. It referred to the McCarthy letter as asking for a reversal of an action previously taken, which, it said, was impossible, because the discharge was final.

Personally, Mr. President, I do not feel that General Zwicker was responsible for the discharge of Peress. At a meeting in the office of Chairman WATKINS on Saturday, November 13, Secretary Stevens did bring with him a paper which he said contained a list of the persons who were associated in the Peress affair; and General Zwicker's name did not appear on that list. General Zwicker was in command of the separation center, where 15,000 or 16,000 persons were being separated every month. When Peress came in on Monday, the 1st of February, following the hearing before Senator McCARTHY on Saturday, January 30, in New York, and asked for an immediate discharge, General Zwicker notified the next officer in line, his superior, the Chief of Staff, First Army, that Peress said he wanted the discharge immediately. That was the day on which the McCarthy letter went to the Pentagon, when Secretary Stevens was not there. It went to the responsible Army staff. The Secretary's letter of November 13 says the McCarthy letter was referred by Mr. Adams to the responsible Army staff, that they reviewed it, and then decided there was nothing in it to require—and I emphasize the word "require"—a modification of the determination previously made, which was to give Peress an immediate discharge. The Secretary's letter uses the phrase "which was about to be consummated."

So the facts are that the letter of the chairman of the Senate Investigating

Subcommittee was delivered at the Pentagon on the 1st of February, was referred to a responsible staff, by them reviewed, and the matter was finally determined, without Mr. Stevens being present. General Zwicker had notified the Army through his immediate superior that Peress had come in that same Monday, February 1, and asked for his immediate discharge instead of the previously agreed upon March 31. So both appeals were before them. The discharge was consummated on the following day, February 2.

Late on February 3 Mr. Stevens returned to the Pentagon, and on February 5 responded to one of the suggestions by Senator McCarthy and directed the Inspector General to make an investigation. That investigation resulted in the compiling of a list of 30 names which, as Mr. Stevens told us, had to do with the Peress affair. But, as I understood him—and my recollection may be subject to correction on any point, although on this particular point I think my recollection is correct—Stevens said to us in the office of the senior Senator from Utah on the Saturday afternoon in question that the list of 30 names was in groups. There was a group of 4 or 5 which had to do with draft induction; a group of 4 or 5 names which had to do with medical aspects of induction or commissioning under the Doctors and Dentists Draft Act; a group of 4 or 5 which had to do with promotion; and a group which had to do with the discharge.

It was at that point in this meeting on November 13 that I asked whether or not the name at the head of the group having to do with the discharge was that of a brigadier general or a major general. My reason was that Zwicker was a brigadier general, and I wanted to know if it was the name of an officer of higher rank than that who was at the head of the group which ordered the Peress discharge consummated. Secretary Stevens said that it was neither a brigadier general nor a major general, but a person of higher rank.

It was then that I suggested that we have another meeting of the committee and invite the man who was at the head of the discharge group to come before us and answer questions. Then someone objected and pointed out that the chairman of the committee, the distinguished senior Senator from Utah [Mr. Watkins], had already been asked to appear before the subcommittee headed by the junior Senator from Wisconsin on the following Monday morning, and since the Senate was to meet early, it would be impracticable to have the meeting.

Then it was that I said there were two questions I wanted to ask after having read the full text of McCarthy's February 1 letter which the Secretary had brought with him. The questions were: First, when was the letter from Senator McCarthy received by the Pentagon; second, how was it handled, that is, what was done with it?

The next day, Sunday, Senator Watkins sent me a copy of the reply to those questions, a letter from Secretary Stevens, dated November 13, which he says he wrote after consulting the records in his office. This November 13 letter says the Secretary found that the McCarthy letter had been delivered by hand—that is, by messenger—on the 1st day of February; that it had been given to Army Counsel John Adams; that Adams referred it to the responsible Army staff; and that they reviewed it and decided it did not require or compel them to modify the earlier discharge order which directed the Peress discharge in not less than 90 days or earlier if he so requested. So they proceeded with the discharge which later the staff-prepared letter said could not be reversed.

I wish to express my appreciation to the distinguished Senator from Colorado for his indulgence in permitting me to review these items.

Mr. JOHNSON of Colorado. I am glad to have the clarifying statement of the distinguished junior Senator from South Dakota with reference to these matters. I am glad the Senator from South Dakota has stated, without any hesitation, that General Zwicker had nothing to do with these matters—policy matters—which is the only point I am making.

If Senators will give me an opportunity to read my next paragraph, they will hear a statement of the way I feel about how the junior Senator from Wisconsin and a responsible committee of the Senate were treated, not by General Zwicker, because General Zwicker had nothing to do with it, but by the staff of the Acting Secretary of the Army in the Pentagon.

Mr. McCARTHY. Mr. President, will the Senator yield at this point?

Mr. JOHNSON of Colorado. I yield.

Mr. McCARTHY. The Senator from Colorado has said that General Zwicker had nothing to do with this. I wonder if he is aware of the fact that our investigators visited Camp Kilmer, and so testified, and here interviewed General Zwicker; that Zwicker told them he had been in touch with the Pentagon before he gave Peress the sudden honorable discharge.

The testimony of Peress was that he did not request the discharge.

In other words, one day the investigators visited Zwicker, who said, "Yes; I was in touch with the Pentagon." The next day Zwicker appeared before our committee and, under oath, said, "I was in touch with no one."

I simply wonder if it would not tax the patience of the Senator from Colorado if he found that a general had given one story to an investigator on one day about a man known to be a fifth-amendment Communist, and on the next day, under oath, had changed his story and had made a complete about face.

Mr. CARLSON. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CARLSON. I think it is important that at this point in the Record we have the exact testimony of General Zwicker on this very issue. I refer now to page 505 of part I of the hearings of the select committee. Since it will not take more than a moment. I wish to read it. Mr. de Furia, counsel for the committee, was questioning General Zwicker, who was the witness on the stand. I read as follows:

Mr. de Furia. General, did you promote Peress?

General Zwicker. I definitely did not.

Mr. de Furia. Did you discharge him with an honorable discharge?

General Zwicker. I did, sir.

Mr. de Furia. Was that on your own initiative or under orders, sir?

General Zwicker. It was under orders.

Mr. de Furia. What kind of work was Peress doing while you were commandant at Camp Kilmer?

General Zwicker. He was a dentist and his work was confined strictly to dentistry.

Mr. de Furia. Was he in what you would call a sensitive position so far as intelligence or information or classified material was concerned?

General Zwicker. He was not.

Mr. de Furia. Senator Ervin suggests that perhaps working with teeth and nerves, that made it a sensitive position.

When you learned about the Peress separation order did you express to anyone your feelings about the merits or demerits about that separation order?

General Zwicker. I certainly did.

Mr. de Furia. When you learned that Peress was going from captain to be a major, did you express your personal feelings about that?

General Zwicker. I certainly did.

Mr. de Furia. And when you learned that Peress was about to be discharged with an honorable discharge, did you express your personal feelings about that?

General Zwicker. Most emphatically.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I shall yield to the junior Senator from Wisconsin at this time, although I desire to finish what I have to say. Later I shall be glad to yield.

Mr. McCARTHY. I know the Senator from Colorado desires to proceed with his statement, but I wish to have the Zwicker record complete for the benefit of the Senate.

When Zwicker appeared before our committee, he was asked whether he knew who had ordered the discharge of Peress. He said, "No."

We asked him if he cared. He said, "No," that frankly he was not interested. He then said that he had expressed no opinion to anyone about it.

So the testimony which the junior Senator from Kansas has just read is directly contradictory of what Zwicker testified before our committee. I may also say to the Senator from Colorado that later—I do not have the testimony before me, so I cannot give the page number, although I can almost quote the testimony varbatim—Zwicker was asked, first, whether he knew that Peress had appeared and refused to answer questions.

His answer was, "No, sir; not specifically to answer questions."

Then, after cross-examination, which covered, I think, a page and a half, Zwicker admitted that he knew Peress had refused to answer questions, but not about Communist activities.

Does the Senator from Colorado follow me?

First. Zwicker said he did not know that Peress had refused to answer questions. Then, after cross-examination, he said, "Yes; I know he refused to answer

questions, but not about Communist activities."

Then, about a page or two later, Zwicker finally said, "Yes; I had the impression he refused to answer questions about Communist activities."

I merely point this out to the Senator from Colorado, as I assume he did not have it brought to his attention before this; I want merely to show that we had before us a general who was not relying upon a Presidential directive; a general who was not saying, "I cannot answer questions"; but a general under oath who changed his story three times. I am certain the Senator from Colorado will agree that it required vigorous cross-examination to try to get the truth from General Zwicker; and we still do not have the truth from him.

Mr. JOHNSON of Colorado. The facts are that when General Zwicker appeared before the junior Senator from Wisconsin, he did not have counsel with him. He was acting under higher orders from the military. He was acting under instructions which had been given to him, and also on Presidential orders, and it was necessary for him to interpret to what extent those orders pertained to him. Naturally, he went on the defensive; and to read the evidence, it would sound like he was reluctant to testify.

But when he appeared before our committee, he had an attorney with him; he had counsel by his side; and when questions were asked of him, he referred the questions to the counsel and asked if he might reply. This gave the witness a great deal more confidence. I have read all the testimony in the Zwicker-McCarthy hearings, not once, but many times. I listened to the testimony before the committee. I could find nothing wrong with the testimony of General Zwicker, either his previous testimony or the testimony before the select committee.

Mr. McCARTHY subsequently said: Mr. President, will the Senator from Colorado yield to me at this point?

Mr. JOHNSON of Colorado. Yes; I yield.

Mr. McCARTHY. I wonder whether the Senator from Colorado will permit me to correct the quotations I previously gave from memory from General Zwicker's testimony. At this time I have the exact quotations before me, and I should like to have them appear in the RECORD at the point where I previously referred to the quotations.

Mr. JOHNSON of Colorado. Yes; I shall be glad to have that done.

Mr. McCARTHY. First, I read from page 70 of the hearings:

The CHAIRMAN. The day the honorable discharge was signed, were you aware of the fact that he had appeared before our committee?

General ZWICKER. I was.

The CHAIRMAN. And had refused to answer certain questions?

General ZWICKER. No, sir; not specifically on answering any questions. I knew that he had appeared before your committee.

Then I read from page 71, after further cross examination:

The CHAIRMAN. But now you indicate that you did not know that he refused to tell about his Communist activities. Is that correct?

General ZWICKER. I know that he refused to answer questions for the committee.

You see, at that point, a page later in the printed hearings, General Zwicker said:

I know that he refused to answer questions.

I read further:

The CHAIRMAN. Did you know that he refused to answer questions about his Communist activities?

General ZWICKER. Specifically, I don't believe so.

Then, after further cross examination:

Now, is it your testimony now that at the time you read the stories about Major Peress, that you did not know that he had refused to answer questions before this committee about this Communist activities?

General ZWICKER. I am sure I had that impression.

Mr. President, I should like to ask the Senator from Colorado a question, if I may do so: In view of the three conflicting answers by General Zwicker—and let me say that in those instances he was not hiding behind a Presidential order; if he had been, he could have refused to answer—but in view of those three conflicting answers, how does the Senator from Colorado reconcile them with the statement in the select committee's report that General Zwicker was truthful and not evasive? Can the Senator from Colorado reconcile the three conflicting answers with that statement in the report? Let me say I am not submitting the question in the form of cross examination.

Mr. JOHNSON of Colorado. I thank the junior Senator from Wisconsin for not cross-examining me.

Let me say that I read all the testimony which now has been inserted in the RECORD. I was going to say that I read the testimony dozens of times, although that would be an exaggeration. However, I have read it very carefully at least a dozen times. I do not think one can pick out only one quotation and from it reach a firm determination.

I wish to say once more that when General Zwicker appeared before the committee in New York at the time of the cross-examination he was there without counsel. I think he was very foolish to appear without counsel, but he did; he walked in there without counsel. He had Presidential instructions. I do not have the instructions under which he was working, but he did have Presidential instructions, and also instructions from his superior, in regard to the matters with respect to which he could testify and the matters with respect to which he could not testify. Like all other Army officers—and let me say that my experience with Army officers has been that—to use a slang expression—they never stick their necks out; they are very careful about that. From the beginning of their Army service they have learned not to do that. So, without having counsel to rely on and to make the interpretations for him, the witness appeared reluctant. But when he appeared before our committee——

Mr. McCARTHY. Mr. President, may I interrupt?

Mr. JOHNSON of Colorado. The junior Senator from Wisconsin was present when General Zwicker testified before the select committee. He had counsel at his side, and when a question was propounded to him he let the counsel determine whether he should be permitted to answer the question, and when the counsel would give him a green light he woud proceed. He was extremely frank.

I had to read into the questions of the junior Senator from Wisconsin his feeling in the matter. As I have stated already in my remarks, the junior Senator from Wisconsin was laboring under great difficulty on the day this cross-examination was held. Naturally he was perhaps a bit irritable. If nothing else made him irritable, it was the belated letter which he received from Secretary of the Army Stevens in reply to his letter of February 1. I think the reply was dated February 16, and was handed to him on the 18th. I can understand why the junior Senator from Wisconsin had reason to be infuriated by that kind of treatment, and by the kind of treatment accorded his request which, as I have already said, was a valid and reasonable request, and one which it was the Senator's duty to make of the Secretary of the Army. In view of the shabby treatment which the junior Senator from Wisconsin received, I can understand why he had a great deal of justification for being irritable and for being angry at the time he examined General Zwicker.

But I can also see General Zwicker's position. Here was a man who had had no part whatsoever, so far as judgment was concerned, or so far as policymaking was concerned. He was simply carrying out the order which was handed down to him; and, acting under all his limitations, I can see why he testified as he did.

I think we must take into considerations those sideline points when we try to judge the cold type testimony before us.

Mr. President, I now desire to continue with my prepared statement.

Nevertheless, it should be said that on January 30, 1954, in New York City, the junior Senator from Wisconsin learned for the first time that Major Peress would be given an honorable discharge whenever he asked for it. On Monday, February 1, 1954, by messenger, Senator McCARTHY handed the Acting Secretary of the Army a committee request to hold up the proposed separation of Major Peress. The Acting Secretary passed this matter on to his staff, and it decided to ignore Senator McCARTHY's demand that the honorable discharge be withheld, and the very next day Major Peress was officially separated from the service with an honorable discharge.

Mr. President, I wish to emphasize that General Zwicker was not on the staff which made the decision at the Pentagon for Acting Secretary Adams. The general was attending to his work, looking after the separation of men from the Military Establishment, and he had nothing whatever to do with the decision.

The action of the staff of the Acting Secretary of the Army amounted to a

flagrant disregard by the Army of a valid request by a committee of Congress, and one having great merit, and the junior Senator from Wisconsin had every right to resent it. I resent this haughty high-handedness on the part of the Army, and now declare it to have been both reprehensible and without excuse. However, General Zwicker, the separation officer, was in no degree responsible for this contemptible treatment of a congressional committee, and should not have been castigated and held up to scorn for carrying out the orders of his superiors. Accordingly, I was compelled by the evidence brought before the select committee to hold that the junior Senator from Wisconsin "without justification had impugned the loyalty, patriotism, and character of Gen. Ralph Zwicker."

Under the laws enacted by Congress, special registrants, consisting of physicians and dentists, made liable for service under the physicians and dentists draft law, are processed by the local boards in exactly the same manner as are regular registrants, under the Universal Military Training and Service Act, as amended, with the exception that each such registrant who has been found by the Armed Forces to be qualified physically, professionally, and in other respects, is offered an opportunity to be commissioned in the Reserve component of the designated service prior to such induction. Acceptance of such commission prior to induction results in the physician or dentist entering service as a commissioned officer rather than as an enlisted man, and also insures him of the additional $100 a month pay provided for such persons who enter service prior to induction.

The law enacted by Congress provides for the drafting and induction of Communists as privates, noncommissioned officers, and commissioned officers into the military on precisely the same basis as for non-Communists. Also the law that requires dentists and doctors to be commissioned and promoted makes no reference to whether they are or are not Communists. In my opinion, no Communist should be drafted or inducted into any military establishment of the United States, and especially he should not be commissioned. However, until we ourselves, the Congress of the United States, change the law, we ought not to be too critical of the military who use the Communists, officers and men, we provide them.

In amplifying the facts dealing with the interrogation of General Zwicker it is important that we emphasize and reiterate the necessity for the investigating committees of the Senate to retain their full power and authority to act effectively.

It is in the public interest that the investigative arms of the Senate not be hampered by rules, which, however well intentioned and carefully drawn to meet a particular circumstance, will in their enforcement in other circumstances and on other occasions, permit wrongdoing to continue unknown and unpunished.

I hold strongly to the opinion that the Senate should never take any action which might in any way be interpreted either by committees, individual Senators, or the public generally as meaning that an effort is being made to curb the power, authority, or responsibility of legislative or investigative committees of the Senate. The scope of the authority of the Senate's committees is by right, and ought to be, of the broadest and most sweeping nature.

There is ample precedent that a vigorous and searching inquiry by various Senate committees in the past has resulted in great public good. Many important legislative landmarks are the direct result of investigations which at the time were criticized as unduly harsh and strident. The lobby investigation by the late Senator Thaddeus Caraway, the shipping and mail subsidy investigation under the direction of former Senator Hugo Black, the Teapot Dome investigation by the late Senator Thomas J. Walsh, the Justice Department investigation by former Senator Burton K. Wheeler, the munitions investigation by former Senator Gerald Nye, the utility-lobby investigation by the late Senator Robert La Follette, Jr., and the stock-market investigation under the direction of the late Senator Robert Wagner, are examples of Senate committee probes in which strong words and vigorous actions were displayed. There can be no doubt of the ultimate good to the citizenry of the Nation resulting from these investigations.

In asserting this position, I do not condone bad manners, or the display of passion and temper, or abuse of witnesses by members of Senate investigating committees. There is neither need nor purpose in attacking the personal life of a witness, in holding him up to contumely and derision because his responses may appear to the interrogator to be evasive, or in denouncing him because he refuses to answer at all when within his legal right to refuse to answer.

The taunt, the name calling, the guilt by association, the pompous derision, are the stock in trade of the totalitarian countries, the governmental systems which free men despise. How ironic it would be if in exposing them, we would engage in the self-same practices and acts. In the United States, every person is presumed innocent until found guilty by a jury of his peers. A Senate committee investigation is not a trial by jury, and ought never to condemn out of hand.

I turn now to another facet of the charges against the junior Senator from Wisconsin and the recommendation for censure made by the select committee. It deals generally with those charges in the category of Incidents of Contempt of the Senate or a Senatorial Committee.

It seems to me that it would be useful if we better understand this charge. The select committee limited itself in this instance to specific findings that the junior Senator from Wisconsin personally maligned a Senator of the United States for carrying out specific duties assigned him by the Senate, and was contemptuous and irresponsible toward a duly constituted committee of the Senate which was carrying out specific duties assigned to it by the Senate.

There can be no question that the weight of the evidence preponderantly supported the findings and recommendations of the select committee in this instance. But the Senate of the United States, as a body, need not limit itself merely to these specific findings and recommendations. Just as a judge in a trial may take judicial notice of the fact that a particular day of the month fell on a Monday, so, too, may the Senate take judicial notice of plain, inescapable, accepted, and uncontrovertible facts.

It has been testified, substantiated, and not denied by the junior Senator from Wisconsin, that in referring to the official actions of one of his colleagues, he questioned both his moral courage and his mental ability. In partial exculpation of that statement, the junior Senator from Wisconsin and some students of parliamentary practice have pointed out that the offensive action did not take place on the floor of the Senate of the United States, and therefore is not within the rules.

It is true that, in general, a member of a legislative body has wide discretion with respect to what he says or does off the floor, even when such remarks or actions deal directly with one of his colleagues. Except in the most unusual cases, such references, conduct, or action should not be questioned by the Senate.

But the gravamen of the remarks made by the junior Senator from Wisconsin with respect to one of his colleagues lies, not in the fact that it was made off the floor, but, rather, that it questioned an official action of his colleague, carried out in the line of that colleague's duties and responsibilities as a Member of this body. Any Senator has the right, even the duty in particular cases, to question, criticize, differ from, or condemn an official action of the body of which he is a member or of the constituent committees which are the working arms of the body. But no Senator has the right to impugn the motives of those who are in part or jointly responsible for the official action, nor to question or upbraid their personal characters.

If the rules, procedures, precedents, and customs of legislative bodies in general, and of this Senate in particular, permitted otherwise, no Senator could have freedom of action to perform his assigned committee duties. If a Senator must first give consideration to whether an official action of his can be questioned or traduced by a colleague in another place as having been motivated by a lack of the very personal capacities a Senator is presumed to have, the entire mechanism of the Senate's procedures is in jeopardy.

The facts are, however, that the junior Senator from Wisconsin on divers occasions has violated both Senate custom and decorum by personal first-person references to colleagues, by making a coarse play on the name of a colleague, and generally offending against good order and decent respect for the rights and feelings of his colleagues.

Let me make clear quickly that the junior Senator from Wisconsin is not alone in breaches of good order and de-

corum. But to exculpate the junior Senator from Wisconsin simply because some of his colleagues are equally guilty is the same as arguing that because one culprit is not prosecuted, a second culprit is ipso facto entitled to the same treatment. The Senate is considering and is concerned with the charges, the findings, and the recommendations made against the junior Senator from Wisconsin, and not against any other Member of this body. There is no validity in either law or good morals to excuse an offensive action by one because others have done it. The very fact that others indulge in such violations makes it doubly essential that this offensive and vile practice be stopped forthwith.

It is my judgment, based on long study of the history and procedures of parliamentary bodies, that the code of conduct of a member of a legislative body toward his peers is of the greatest importance to efficient, deliberate, and orderly processes of democratic government.

From the very beginning of representative government, from the days of the Greek city states to the mother of parliaments in Britain, and from the time of George Mason in the Virginia Assembly and Thomas Jefferson in the National Legislature, to the present moment, it has been recognized that members of a deliberative or legislative assembly must have exactly equal status. Every member must attribute to his colleagues the same virtues he attributes to himself, and accord to him the same honest and conscientious motivation that he imputes to himself. Without this comity of mutual respect and consideration, every member's actions become suspect, intelligent deliberation is turned into angry personal abuse and suspicion, and anarchy replaces order.

These are the reasons why rules of order and procedure were established in the earliest parliaments. These are the reasons why Thomas Jefferson regarded his manual as one of his most important contributions to democratic government. It is material, he asserted, that order, decency, and regularity be preserved in a dignified public body.

How wise and farseeing he was. Look about us in the world and consider what has been taking place. One of the most subtle and effective weapons of the worldwide Communist conspiracy against free governments is the move to break down orderly and decent procedures in the parliamentary bodies of the nations it seeks to envelop.

Personal attacks, public outcries, threats of violence, and actual acts of violence upon one member by another, impugning character, charging illegal or dishonest motives, assailing the conduct of members, insinuations of lack of fealty to the existing government or to the nation—all these have become commonplace in the parliaments of a number of European nations. It is no secret that the Communist members of the legislative assemblies or those sympathetic with their aims are the perpetrators of these outrages.

Does the junior Senator from Wisconsin desire me to yield to him?

Mr. McCARTHY. Mr. President, I wonder if I may ask the Senator to bear with me for a moment longer, for a few more questions.

I refer the Senator to page 2, line 8, of the censure resolution. I wonder if there is not something here which the committee might wish to delete. I assume the censure resolution will pass. I assume the committee does not want anything in it which looks ridiculous.

In section 2 of the resolution I am accused of releasing executive hearings. I ask the distinguished Senator from Colorado if he is not aware of the fact that I had telegraphed to all members of the committee and asked for permission to release the executive hearings? I told them that all parties desired to release them. Prior to that time General Zwicker's affidavit had been released. I telegraphed members of the committee and told them to let me know if they objected, and stated that if I did not hear from them I would assume that I had their permission.

In view of that situation, does the Senator from Colorado believe that a Senator should be censured for doing what all the members of his committee agreed to?

Mr. JOHNSON of Colorado. With respect to making public the testimony, does the Senator now say that he is being censured for making public the testimony taken at the Zwicker-McCarthy hearings?

Mr. McCARTHY. I am reading from section 2 of the censure resolution. I am accused of having released executive hearings. The Senator knows—I say the Senator knows; he may not know, because he may not have been present at the time the telegrams were introduced in evidence, but there were introduced in evidence telegrams showing that I had received permission from the committee to release the testimony. It has long been the practice of the committee to release executive testimony on the vote of the committee. I wonder if the Senator wishes to take up with the committee the deletion of this particular line?

Mr. JOHNSON of Colorado. I did not attach vital importance to that particular line, taken out of context. I shall be glad to look at it. In the light of what the Senator says, I shall be glad to take another look at it.

I now wish to proceed——

Mr. McCARTHY. For the benefit of the Senator, I overheard the Senator from Utah [Mr. WATKINS] saying that it is not a question of the release of the executive hearings, but rather the release of a résumé of the hearings. I think the Senator from Colorado should have the benefit of this advice. Even though he cannot hear it I can hear it.

In that connection, I assume the Senator from Colorado is aware of the fact that I took up with my committee—Democratic members and Republican members—the question of how we should handle executive sessions. I told the other members how they were being handled, and stated that if there were any objections, we would change the practice. Any one of the three Democratic members, I am sure, will verify this statement, as will the Republican members. I wonder if it is desired to censure a Senator for following the practice of his committee. I do not think this is a vital matter, but it is of some importance.

Mr. JOHNSON of Colorado. I thank the Senator. As I understand, at the time of the McCarthy-Zwicker hearings, the junior Senator from Wisconson told General Zwicker that he was going to make public the hearings. I did not understand that he had received in advance the permission of his committee to do so. He virtually told the general that he was going to hold him up to scorn, that he was going to give all the information to the public, which was entitled to it, and so forth. I have already placed that language in the RECORD.

Mr. McCARTHY. I ask the Senator to check the record and see if there is not in the record, first, testimony that I sent a telegram to all the members of the committee asking for permission to release the testimony; and second, that I told the committee what the practice was with respect to releasing a résumé, in order to prevent leaks. If the Senator finds such testimony in the record, I wish he would return to the floor and move that this line be deleted.

While the very able Senator from Colorado is on his feet, I should like——

Mr. WATKINS. Mr. President, before he proceeds to another matter will the Senator from Colorado yield to me in order that I may clear up the question which has just been discussed?

The PRESIDING OFFICER. The Senator from Colorado has the floor. To whom does he yield?

Mr. McCARTHY. I have no objection to the Senator from Colorado yielding to the Senator from Utah.

Mr. JOHNSON of Colorado. I yield to the Senator from Utah.

Mr. WATKINS. I invite attention to the fact that the following line of questions and answers occurred during the examination of the junior Senator from Wisconsin. The language to which I have referred is found on page 56 of the report. It is a quotation from the record of the hearing. I read from page 56 of the report:

> On his right to reveal to the press what had been testified to at the Zwicker executive hearing, Senator McCARTHY testified:
>
> "Mr. DE FURIA. Senator, were you authorized by either the major committee or your Subcommittee on Permanent Investigations to reveal what transpired at the Zwicker executive hearing?
>
> "Senator McCARTHY. I discussed the matter with the representatives of the two Senators who were present and we agreed, in view of the Stevens' statement, it should be released."
>
> Mr. DE FURIA. You say you discussed it with the representatives of two Senators?
>
> Senator McCARTHY. That is correct.
>
> Mr. DE FURIA. In spite of the rules of your own committee that all testimony taken in executive session shall be kept secret and will not be released or used in public session without the approval of the majority of the subcommittee?
>
> Senator McCARTHY. I felt that the two men who were present were representing the Senators, and they constituted a majority. There were only four Senators on the committee at that time.
>
> Mr. DE FURIA. In a matter involving a general of the United States, then, you permitted an administrative assistant to exercise the prerogatives of the United States Senate?

Senator McCARTHY. I think I have recited the facts to you.

That appears at page 349 and page 350 of the hearings. I continue to read from the hearings:

Senator McCARTHY. May I say further, Mr. de Furia, in answer to your question, that General Zwicker had already released a distorted version of the testimony, through Bob Stevens, in affidavit form. I felt under the circumstances that the correct version should be released.

Mr. DE FURIA. Why, Senator, you released this first 2 or 3 minutes after your hearing concluded; did you not?

Senator McCARTHY. No; I did not. It was the transcript.

Mr. DE FURIA. You called in the press, did you not, right away?

Senator McCARTHY. I did not.

Mr. DE FURIA. To tell them what had happened in the executive session?

Senator McCARTHY. Mr. de Furia, if you want to know what the practice was here, and what the practice is——

Mr. DE FURIA. I do not want the practice.

Senator McCARTHY. I did not release the transcript.

Mr. DE FURIA. I am not talking about the transcript. But you did tell the press what happened in the closed executive session within a few minutes after that session ended?

Senator McCARTHY. I gave them a résumé of the testimony; yes.

Mr. DE FURIA. Sir, I am asking you, Upon what authority, or by what right, you did that?

Senator McCARTHY. Because that has been our practice.

Mr. DE FURIA. In spite of the rule of your own committee?

Senator McCARTHY. That has been the practice of the committee.

Mr. DE FURIA. General Zwicker's affidavit was not made until 2 days later; isn't that right, Senator? It is dated February 20.

Senator McCARTHY. I don't know what date it is dated, but the transcript was not released until after the distorted version of the testimony given by Zwicker.

Mr. McCARTHY. May I say——

Mr. WATKINS. I should like to finish, if I may, by saying that the statement in the amendment which the committee has ready to offer and which will be called up when we get to that point is not quite accurate. Apparently it is open to two interpretations. My personal feeling is that it ought to be amended as I had originally drafted that part of the amendment, so that it would be clear that what was released was a résumé, not the actual transcript prepared by the reporter after the reporter had had time to transcribe his notes.

I believe that point should be eliminated. Certain matters in that particular amendment can be deleted. Personally I feel that the language ought to be deleted. That matter will be taken up by the committee before we get to the final consideration of the perfecting amendments. I am glad the Senator from Wisconsin brought the matter up. I have given the record of what took place.

Mr. McCARTHY. Mr. President, will the Senator yield? I should like to correct the record which the Senator from Utah made. It is an incorrect record.

Mr. JOHNSON of Colorado. I have yielded to the Senator from Utah. I now yield to the junior Senator from Wisconsin.

Mr. McCARTHY. I should like to correct the record which the Senator from Utah has made. It is an incorrect record. I am sure the Senator from Utah did not make it on his own responsibility, but that the record was handed to him as the complete record. The record shows that what he read is accurate; but it should be shown that after that testimony we checked the committee files, and we brought back the telegrams that had been sent to the Senators. Those telegrams showed that we received permission from the Senators to release the executive session testimony. Therefore, when the Senator from Utah reads from the record to the effect that the testimony was released upon the advice of the administrative assistants, he is giving only half the story. That was the accurate story at the time. However, we came back and we gave him the telegrams, and he knew what the telegrams said, and he knew we had permission to release the testimony of the Zwicker executive session. So much for that.

I should like to refer now, if I may, to something which I consider to be of the utmost importance. McCARTHY is completely unimportant in this matter. What I have in mind is something we will have to live with for the next 30 or 50 or 60 years. I refer to page 30 of the committee report, to which the Senator from Colorado has referred in his speech.

In its report, the Watkins committee finds that a Senator does not have a right to criticize an individual Senator. I should like to state to the Senator from Colorado that, although I have criticized him for not having told us about the statements he had made before he became vice chairman of the Watkins committee, I still have a high respect for the Senator from Colorado.

I should like to ask him this question: Does he not believe that we would be setting a very dangerous precedent if we were to say—and this is regardless of JOE McCARTHY or John Jones or any other Senator—that no Senator may criticize a member of a committee? In other words, do we lose freedom of speech when we become Senators?

Mr. JOHNSON of Colorado. As I see it, the rule is what I have stated in my remarks, namely, that while a Senator has a right to criticize actions of a Senator or a committee, no Senator has a right to impugn the character or the motives of the official members of the Senate in reaching a decision.

Mr. McCARTHY. Mr. President, I should like to ask the Senator one further question. It is very important.

Mr. JOHNSON of Colorado. I yield.

Mr. McCARTHY. Let us assume that in 1970—let us forget about 1954—let us state that the motives of a Senator are bad. Let us assume that the Senator is completely dishonest. That is entirely possible, in a membership of 96 Senators. Let us assume that the Senator's motives are bad. If we now adopt this rule, no Senator would ever be permitted to disclose the dishonesty and the bad motives of another Senator. I wonder if that would not be setting a very dangerous rule.

Mr. JOHNSON of Colorado. There is a vast difference, as the Senator from Colorado understands, between criticizing the official acts of committees or Members of the Senate, on the one hand, and impugning the character and the motives of Senators and members of committees, on the other hand. However, I wish to go ahead with my remarks.

Mr. McCARTHY. May I ask one more question of the Senator?

Mr. JOHNSON of Colorado. I should like to finish my remarks.

The PRESIDING OFFICER. Does the Senator from Colorado yield further to the Senator from Wisconsin?

Mr. JOHNSON of Colorado. I yield.

Mr. McCARTHY. My question refers to the part of the report of the committee which bothers me most. I do not care whether the Senate censures McCARTHY. I believe there are enough votes in the Senate to vote censure. I am very much disturbed, however, about adopting the rule set forth at page 30 of the report. I should like to have all members of the select committee express their views on this point. I do not believe the part of the report to which I refer was written by the Senator from Colorado, or by any other member of the select committee. I believe it was written by a counsel, who did not know what he was doing. I wonder if it is the position of the Senator from Colorado that a Senator is subject to censure if he criticizes the motives or the character of a Senator, assuming that his motives are bad beyond words, and assuming that his character is bad beyond words. Are we precluded from talking about the matter?

Mr. JOHNSON of Colorado. Perhaps the Senator from Wisconsin did not hear me, but I said I hold strongly to the opinion that the Senate should never take any action which might in any way be interpreted, either by committees, individual Senators, or the public generally, as being an effort to curb the power, authority, or responsibility of legislative or investigative committees of the Senate. The scope of the authority of the Senate committees is by right, and ought to be, of the broadest and most sweeping nature.

The Senator from Wisconsin asked me what I thought about these things. I am sure the other members of the select committee will testify that all through the hearings I was a stickler for these very principles.

I should like to proceed with the remainder of my statement, Mr. President.

Mr. WELKER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WELKER. May the distinguished Senator from Colorado be permitted to continue without interruption?

The PRESIDING OFFICER. The Senator from Colorado has the power to decline to yield.

Mr. JOHNSON of Colorado. I thank the Senator from Idaho.

I now resume reading my statement.

The motive is clear. The objective is a breakdown in the parliamentary system. The provocateurs know that even the most decent and lawabiding of hu-

man beings can stand only so much provocation. The aim is to tantalize and provoke to the breaking point, to the end where the most orderly of parliamentarians in sheer self-defense are literally forced into the same tactics. The result is a breakup in the legislative assembly, the end of sane deliberations and mutual respect, and chaos. The next step is an insistent outcry from an outraged citizenry for strong leadership, and totalitarianism takes over.

I had wished that I might end my Senate career on a happier note. I bear no man malice or ill-will. This has not been a pleasant duty for me. I value, above anything I have done in my lifetime, my tenure in this great body. I treasure the friendships and associations I have been privileged to make here. I am jealous of the good name of this great institution, of its prerogatives, its responsibilities, its symbolism to an unhappy and worried world as the last citadel of free men, freely expressing their minds and their hearts.

I believe with all my soul that this body must preserve its dignity, its august reputation, its tradition. I am, as those who know me well must realize, momentarily troubled by the wounds it has received. But I leave it strong in the belief and fervent in the hope that my grandchildren, and their children will, in their adulthood, point to the Senate of the United States with pride as the great bastion of honor, decency, responsibility, and nobility among the parliaments of free men.

Mr. President, I ask unanimous consent to insert in the RECORD some excerpts from the hearings before the select committee. They are all in the testimony in the hearings.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Mr. DE FURIA. Will you please tell us, sir, what happened after General Zwicker was asked to step down from the witness stand?

Captain WOODWARD. General Zwicker, when he was asked to step down from the witness stand, was told by Senator MCCARTHY—I think he shook his finger at him—"General, you will be back on Tuesday, and at that time I am going to put you on display and let the American public see what kind of officers we have." (Select committee hearing, p. 451.)

Mr. DE FURIA. Will you tell us, please, Captain, what was the remark about fifth amendment and General Zwicker, who made it, and the exact words, if you can give them to us?

Captain WOODWARD. Sir, I remember that very, very correctly. The statement——

Mr. DE FURIA. Who made the statement?

Captain WOODWARD. The statement was made by Senator MCCARTHY. It was made rather early in the hearing while he was questioning General Zwicker. At the time General Zwicker was pausing to get an answer for a question Senator MCCARTHY looked at his colleagues and, laughingly, said, "This is the first fifth-amendment general we've had before us." (Select committee hearing, p. 451.)

The CHAIRMAN. Who notified you that you would receive an honorable discharge?

Mr. PERESS. I don't believe I was officially notified. It was just tendered to me when I left.

The CHAIRMAN. It was handed to you?

Mr. PERESS. Yes; as part of my records.

The CHAIRMAN. Let's have the record show that this is signed February 2, 1954. This was handed to you on what date?

Mr. PERESS. February 2, 1954.

The CHAIRMAN. Let us have the record show that this was signed and handed to this fifth amendment Communist, Major Peress, after I had written the Secretary of the Army suggesting that he be court-martialed, suggesting that everyone having anything to do with his promotion, with his change of orders, be court-martialed. I did that feeling that this would be one way to notify all the officers in the Army and all the enlisted men, that there has been a new day in the Army, that the 20 years of treason have ended, and that no officer in the Army can protect traitors, can protect Communists. I want the record to show this was given to you after that letter had been made public, before the Secretary of the Army, Robert Stevens, returned to the United States. I ask, Mr. Adams, where is John J. McManus now?

Mr. JOHN ADAMS (legal counsel to Department of the Army, Washington, D. C.). I don't know, Mr. Chairman. I presume he is an officer in headquarters, First Army.

The CHAIRMAN. Will we have to subpena him, or will he be produced?

Mr. ADAMS. He will be produced. (Select committee hearings, p. 219.)

Mr. DE FURIA. I repeated my question three times, and I think I remember what I said, sir, and that was:

"Did he express his personal feelings about the claim of the refuge of the fifth amendment and about the separation order and about the honorable discharge?"

I did not ask him about whether he objected to those things because of the Presidential orders.

Mr. WILLIAMS. What was the purpose of the inquiry if we weren't going to get that information?

Was it to leave an inference?

Mr. DE FURIA. I don't think I have to answer that, Mr. Williams.

Mr. WILLIAMS. When you expressed your opinion, General, were you for it or against it?

That is the next question: Were you for these things or against them; to clear the record up on it?

(At this point General Zwicker conferred with Colonel Johnson.)

Mr. WILLIAMS. Don't you have the record, Mr. Reporter, where Mr. de Furia asked the witness——

General ZWICKER. Mr. Williams, I have been informed by my counsel that he indicates that I may answer your question in the manner which I hope will be satisfactory to you.

I am informed by my counsel I may answer your question in this manner: That my personal opinion was that I was very much opposed to any change in grade of Peress, regardless of how it was accomplished; that I was very much opposed to his receiving an honorable discharge.

And what was the third factor?

Mr. DE FURIA. About his claim of refuge in the fifth amendment.

General ZWICKER. Yes, sir; and was very much opposed to any officer in the United States Army invoking the fifth amendment.

Mr. WILLIAMS. Did you express this opinion to anyone, sir?

General ZWICKER. I did.

Mr. WILLIAMS. Did you express this opinion to persons in the service?

(At this point General Zwicker conferred with Colonel Johnson.)

Did you express it to——

The CHAIRMAN. Just a moment. He hasn't answered yet. Let's get the answer before you ask him another question.

General ZWICKER. My counsel says I am now at the end of the rope.

Mr. WILLIAMS. Why couldn't you give those answers, General, to the questions that were propounded to you on February 18?

General ZWICKER. For the same reason I am not able, apparently, to give a satisfactory answer to those questions today.

Mr. WILLIAMS. The answers you have just given, sir, that you expressed your opinion personally to these actions—why couldn't you have given those answers on February 18?

General ZWICKER. I don't know, Mr. Williams. My opinion is, Had they been presented in that way, I may have been able to do it.

However, I would like to make this statement:

That I am much, much more familiar with proceedings and hearings and what I could say and what I couldn't say now than I was on February 18.

Mr. WILLIAMS. Thank you, sir. (Select committee hearings, pp. 560–507.)

The CHAIRMAN. And may I ask this question:

Did you have counsel with you at that time?

General ZWICKER. No, sir; I did not.

The CHAIRMAN. Had you consulted counsel before you went into that hearing?

General ZWICKER. No, sir; except, again, in order that it not be brought up, I did talk to Mr. Adams, of course, and Mr. Haskins, but having no bearing, sir, on my testimony on the day of the 18th.

The CHAIRMAN. In fairness to you, probably we ought to bring to the attention now of the committee this testimony appearing on page 146:

"Mr. COHN. Now, General, would you like to be able to tell us exactly what happened in that case, and what steps you took and others took, down at Kilmer, to take action against Peress a long time before action was finally forced by the committee?

"General ZWICKER. That is a toughie."

Do you find it?

General ZWICKER. Yes, sir; I do.

The CHAIRMAN. To continue:

"Mr. COHN. All I am asking you now is if you could, if you were at liberty to do so, would you like to be in a position to tell us that story?

"General ZWICKER. Well, may I say that if I were in a position to do so, I would be perfectly glad to give the committee any information that they desired.

"Mr. COHN. You certainly feel that that information would not reflect unfavorably on you; is that correct?

"General ZWICKER. Definitely not.

"Mr. COHN. And would not reflect unfavorably on a number of other people at Kilmer and the First Army?

"General ZWICKER. Definitely not.

"The CHAIRMAN. It would reflect unfavorably on some of them, of course.

"General ZWICKER. That I can't answer, sir. I don't know." (Select committee hearings, pp. 507–508.)

"The CHAIRMAN. You have a rather important job. I want to know how you feel about getting rid of Communists.

"General ZWICKER. I am all for it.

"The CHAIRMAN. All right. You will answer that question, unless you take the fifth amendment. I do not care how long we stay here, you are going to answer it.

"General ZWICKER. Do you mean how I feel toward Communists?

"The CHAIRMAN. I mean exactly what I asked you, General; nothing else. And anyone with the brains of a 5-year-old child can understand that question.

"The reporter will read it to you as often as you need to hear it so that you can answer it, and then you will answer it.

"General ZWICKER. Start it over, please.

"(The question was reread by the reporter.)

"General ZWICKER. I do not think he should be removed from the military.

"The CHAIRMAN. Then, General, you should be removed from any command. Any man who has been given the honor of being promoted to general and who says, 'I will protect another general who protected Communists,' is not fit to wear that uniform, General. I think it is a tremendous disgrace to the Army to have this sort of thing given to the public. I intend to give it to them. I have a duty to do that. I intend to repeat to the press exactly what you said. So you know that. You will be back here, General.

"Do you know who initiated the order for the honorable discharge of this major?

"General ZWICKER. As a person, sir?

"The CHAIRMAN. Yes.

"General ZWICKER. No; I do not.

"The CHAIRMAN. Have you tried to find out?

"General ZWICKER. No; I have not.

"The CHAIRMAN. Have you discussed that matter with Mr. Adams?

"General ZWICKER. As a person; no, sir.

"The CHAIRMAN. How did you discuss it with him other than as a person?

"General ZWICKER. I mean as an individual. This is a Department of the Army order.

"The CHAIRMAN. Have you tried to find out who is responsible?

"General ZWICKER. Who signed this order?

"The CHAIRMAN. Who was responsible for the order?

"General ZWICKER. No, sir; I have not.

"The CHAIRMAN. Are you curious?

"General ZWICKER. Frankly, no.

"The CHAIRMAN. You were fully satisfied then, when you got the order to give an honorable discharge to this Communist major?

"General ZWICKER. I am sorry, sir?

"The CHAIRMAN. Read the question.

"(The question was read by the reporter.)

"General ZWICKER. Yes, sir; I was." (Select committee hearings, pp. 75–76.)

Mr. DE FURIA. February 16, 1954, to Hon. JOSEPH R. MCCARTHY, from Robert T. Stevens, Secretary of the Army. I have a copy here that I should be very happy to pass down to you, Senator.

Senator STENNIS. Thank you, Mr. Chairman.

The CHAIRMAN. Do you wish to ask any further questions, Senator STENNIS?

Senator STENNIS. No; thank you.

The CHAIRMAN. I understood generally that the committee would ask questions after the counsel had finished.

The committee members, of course, may ask questions at any time they desire.

Are there any members of the committee who wish to ask the witness any questions at this stage?

Senator JOHNSON. I have some questions.

The CHAIRMAN. Senator JOHNSON.

Senator JOHNSON. General Zwicker, are you a graduate of West Point?

General ZWICKER. Yes, sir.

Senator JOHNSON. You have been in the Army all your life, then, since graduation?

General ZWICKER. Yes, sir.

Senator JOHNSON. Have you ever resented, or have you ever expressed resentment with respect to, letters to you from Members of Congress, or inquiries by Members of Congress concerning military personnel serving under your command?

General ZWICKER. No; and quite the contrary, sir.

Senator JOHNSON. Would you and do you and have you classed congressional letters or inquiries as PI, meaning political influence?

General ZWICKER. No.

Senator JOHNSON. Have you ever marked such letters "PI" and attached them to the files of military personnel serving under you?

General ZWICKER. Never.

Senator JOHNSON. You have never been provoked or expressed provocation over inquiries made to you by Members of Congress with respect to personnel serving under you?

General ZWICKER. No, sir; not provoked.

Senator JOHNSON. What would you call it then, if not provoked?

General ZWICKER. Well, it adds a great burden to the work that has to be done at any headquarters at some time or other, Mr. Senator, and it is just another time-consuming function which we, as post commanders, or anyone associated must perform. Of course, we must reply to those letters and it is a time-consuming function.

Senator JOHNSON. And an onerous function?

General ZWICKER. Yes, sir. If you wish me, I could give you my opinion of such letters.

Senator JOHNSON. Well, I would like to have your opinion of such letters, sir.

General ZWICKER. For a long period of time, from the time I arrived at Camp Kilmer until almost the first of 1954, I was averaging six congressional letters a day. It required that those letters be answered within 48 hours after their receipt. Each of such letters had something to do with personnel who were either at or being processed through Camp Kilmer.

I, myself, and I was very careful to instruct my staff that these letters be given the fullest consideration because it was my experience that they were, a portion of such letters were, in fact, correct and, in fact, had brought to my attention or someone else's attention an injustice of some kind that should be corrected.

Therefore, it has always been my opinion that regardless of how many we get, how many which may not have any substance in fact, that there are always bound to be some which call to our attention correctable deficiencies. Therefore, each must be investigated thoroughly and each must be answered frankly, and if there is corrective action necessary, it should be taken immediately.

Senator JOHNSON. You have taken these inquiries seriously then?

General ZWICKER. Yes, sir; very seriously.

Senator JOHNSON. And courteously?

General ZWICKER. Yes, sir.

Senator JOHNSON. You, of course, understand that Members of Congress must pass on inquiries to the military and that the right of petition is a constitutional right, and that soldiers are entitled to that right the same as other civilians?

General ZWICKER. Yes, sir.

Senator JOHNSON. Is that your belief?

General ZWICKER. Yes, sir.

Senator JOHNSON. And your attitude?

General ZWICKER. Yes, sir.

Senator JOHNSON. General, do you have a right to be more frank in your testimony today than you had in the hearing before Senator MCCARTHY?

Are the wraps off today and were they not off when you testified before Senator MCCARTHY?

General ZWICKER. I do not believe there is much difference, sir. I think that the rules have been relaxed to permit me to testify here to certain things that I felt I could not testify to at the time that Senator MCCARTHY had his hearing.

Senator JOHNSON. Then there were no more restrictions when you testified before Senator MCCARTHY than are imposed upon you at this time?

General ZWICKER. I do not believe so; no, sir.

Senator JOHNSON. That is all, Mr. Chairman.

The CHAIRMAN. Does any other Senator wish to question the witness? If not, Mr. Williams, you may proceed.

Mr. WILLIAMS. Thank you, Mr. Chairman.

General, as I understand you, sir, you took command at Camp Kilmer in July 1953; is that right?

General ZWICKER. Yes, sir.

Mr. WILLIAMS. Where had you been assigned prior to coming to Camp Kilmer?

General ZWICKER. Immediately prior to that, I was assistant division commander of the Fifth Infantry Division at Indiantown Gap, Pa.

Mr. WILLIAMS. It was in August, as I understood it from your testimony, that you became aware of the Irving Peress case; is that right?

General ZWICKER. That is right. (Select committee hearings, pp. 467–468.)

SPEECH ON FEBRUARY 22, 1954, IN PHILADELPHIA AT THE SONS OF THE AMERICAN REVOLUTION CHAPTER

Senator MCCARTHY. I don't know. I don't remember what I said at that speech.

Mr. WILLIAMS. Do you have anything there to refresh his recollection on that, Mr. de Furia?

Mr. DE FURIA. Only a newspaper article, sir; that is all; but we will check into it.

Mr. WILLIAMS. May we see that?

Mr. DE FURIA. Yes; I will be glad to show you the article.

(Mr. de Furia shows Mr. Williams a paper.)

Senator MCCARTHY. Can I answer you, Mr. de Furia?

Was this after the transcript was made public?

Mr. DE FURIA. Apparently so. The article says you read portions of the transcript at the luncheon.

Senator MCCARTHY. I am curious. I am not trying to cross-examine you, but the transcript was made public after Zwicker's affidavit and I wondered if you would know whether this was after that or not.

Mr. DE FURIA. Apparently it was, Senator; I can only fix the date from the news story which is the 22d and apparently your speech was either the 21st or that same day, sir.

Senator MCCARTHY. I may well have read portions.

Mr. de Furia?

Mr. DE FURIA. Yes, Senator.

Senator MCCARTHY. I made an off-the-cuff speech at that time, and I very honestly cannot tell you what I said, or what transcripts or what documents I read from. I just wouldn't know and I wouldn't attempt to swear to it under oath.

The CHAIRMAN. Did you discuss the appearance of General Zwicker before the committee at this executive session in New York, the one in question?

Senator MCCARTHY. Senator Watkins, I make a great number of speeches and I make them off the cuff. This was off the cuff. I do not know what I discussed.

The CHAIRMAN. I wanted to be sure about that. If you do remember, and I realize that you do make a lot of speeches and it is difficult to remember those things, all I can ask you to do is to do the best you can to give us the information.

Senator MCCARTHY. I might well have discussed the Zwicker case at that time.

The CHAIRMAN. What was the date of that article in the newspapers?

Mr. WILLIAMS. Dateline February 22.

Mr. DE FURIA. February 22, 1954; yes, sir.

Mr. WILLIAMS. It sounds like a Washington Birthday speech.

Mr. DE FURIA. Senator, can you affirm or deny that at that speech, in discussing the General Zwicker case, you said:

"As I look over it today, I was too temperate. If I were doing it today I would be much stronger in my language."

Senator MCCARTHY. As I say, I just cannot recall what was said in this off-the-cuff speech. There was no prepared transcript. I made notes during the luncheon, as I recall, and I gave a speech. That is all I can tell you. (Select committee hearings, p. 356.)

General ZWICKER. Mr. Anastos said to me, "We understand that you have a dental major in the Dental Corps, stationed at Kilmer, who is alleged to have a Communist background and has failed to sign the necessary form," and other words of that general nature.

I replied, after having gotten the question, and after the first part of the call, having called Mr. Anastos back to be sure I was talking to Mr. Anastos, and that he was definitely a representative of Senator McCARTHY's committee. I said—and Mr. Anastos should recall it—"Mr. Anastos, I believe that the person to whom you were referring is Maj. Irving Peress." (Select committee hearings, p. 466.)

SEPTEMBER 8, 1954

Mr. WILLIAMS. Senator, I want to ask you to describe if you will in the most accurate manner, but in a very brief time, the demeanor, the attitude, of this witness as he testified before the committee.

Senator McCARTHY. I would say he was one of the most arrogant, one of the most evasive witnesses, that I have ever had before my committee, one of the most irritating.

The CHAIRMAN. Just what did he do, other than answer the questions? Was there something with respect to his manner? We have the record before us as to what he said. It is somewhat in the nature of a conclusion, but if you can get us some of the facts that helped you to arrive at that conclusion, we would appreciate it, because we did not see it. We were not there.

Senator McCARTHY. Mr. Chairman, you have been a judge for quite some time. It is impossible to describe in detail the arrogance of a witness. He shows it when he appears before a committee. He displayed it that morning when he sat in the audience calling me a S. O. B. because——

The CHAIRMAN. You did not know about that.

Senator CASE. Mr. Chairman.

The CHAIRMAN. You did not know about that at the time you were examining him.

Senator McCARTHY. I did not, but the attitude was in complete keeping with it, Mr. Chairman. All you do is to look for demeanor of a witness, his attitude, his evasiveness, and you know as a judge and as a lawyer that you cannot put your finger on specific items. You have got to sum the whole attitude up in one parcel, and I merely mentioned the morning because I knew about that, to show that his attitude in the afternoon was in keeping with his attitude in the morning. His attitude on the stand was about the same as in the morning; in other words, that the chairman was an S. O. B. and he wouldn't answer unless he had to.

The CHAIRMAN. Of course, we heard the other witness. You are assuming, of course, that what he said was the truth. We do not know all of the meaning that he had in connection with it. At any rate, that is before us, to be considered. In all good faith, I asked if there were anything in his mannerism that you could give us as a fact, what he did—his tone, and a lot of things, I mean, which might tend to make a man conclude that he was arrogant.

I mean, aside from the answers that he gave, the factual matters with the statements and the answers, themselves—I wonder if there was anything in his physical appearance or his physical action at the time, that you used as a basis for concluding that he was arrogant.

Senator McCARTHY. Mr. Chairman, all I can say is that his whole attitude when you talk with him, in connection with his refusal to answer questions and his evasiveness, you would get the picture, but you cannot get it from the printed record; and all I can say is, the full attitude was one of complete arrogance, complete contempt of the committee. (Select committee hearings, pp. 203–204.)

The CHAIRMAN. Mr. de Furia, do you have any further questions?

Mr. DE FURIA. Yes, sir.

General, did you promote Peress?

General ZWICKER. I definitely did not.

Mr. DE FURIA. Did you discharge him with an honorable discharge?

General ZWICKER. I did, sir.

Mr. DE FURIA. Was that on your own initiative or under orders, sir?

General ZWICKER. It was under orders. (Select committee hearings, p. 505.)

Mr. DE FURIA. What happened after you stepped down from the witness stand?

General ZWICKER. Senator McCARTHY addressed me and said——

Mr. DE FURIA. I want the number of persons present. Did anybody else come in the room or did anybody leave the room?

General ZWICKER. No one entered or left the room immediately, sir.

Mr. DE FURIA. Very well. Go ahead.

General ZWICKER. Senator McCARTHY looked at me, and he said, "General, I'm going to have you back here Tuesday and put you on display before the public in order that they may see just what kind of incompetent officers we have in our Army." (Select committee hearings, p. 460.)

Mr. CASE. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CASE. Mr. President, I merely wished to observe that the splendid presentation made by the Senator from Colorado is evidence characteristic of the impartiality and the dispassionate way in which he met the several matters which came before the select committee. Whether the Senator from Colorado and I saw exactly the same or now see exactly the same with reference to all of those matters is immaterial. I believe that the wish he has expressed that his grandchildren and their children will point to the Senate of the United States with pride as the great bastion of honor, decency, responsibility, and nobility among the parliaments of freemen will be one of the classic remarks credited to the Senator for all time.

I desire to express my personal appreciation of the statement he has made. I personally regret that he is leaving this body. I think, however, we all understood the considerations which impelled him to make the decision to leave the Senate, and we wish him Godspeed in connection with his duties as Governor of Colorado after the first of January.

Mr. JOHNSON of Colorado. Mr. President, I am grateful to my colleague, the Senator from South Dakota, for the very generous statement he has made and for the good wishes he has extended to me.

Mr. WELKER. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield to my friend from Idaho.

Mr. WELKER. Mr. President, I join with the distinguished Senator from South Dakota in saying that we are sorry we have heard the final speech of the distinguished Senator from Colorado in the Senate of the United States. I have no better friend on the floor of the Senate than is the able Senator from Colorado, and Mrs. Welker has no better friend than is Mrs. Johnson. We wish them nothing but complete happiness in one of the great States of the Union.

What I have now to propound to my distinguished friend is based upon a matter of precedent and law which I should like to have clarified; and I certainly want no one to think that I am trying to impugn the high honor and integrity of my distinguished friend from Colorado in making the inquiry.

With that preface, the Senator will recall that at the outset of the debate I introduced into the RECORD a letter written by the Senator from Colorado prior to his service on the select committee. Among other things, he stated:

> I agree with you, also, that General Zwicker and some of the other men in uniform were evasive and resentful of having a committee of Congress make inquiry into military matters. The military has the feeling that Congress has no right to question them. In that attitude they are completely wrong.
>
> Sincerely,
>
> EDWIN C. JOHNSON.

This letter was written in long hand by the senior Senator from Colorado to a friend.

From the Senator's discussion this afternoon I take it that he has completely changed his mind after seeing and observing General Zwicker upon the stand. Is that correct?

Mr. JOHNSON of Colorado. That is correct. I changed my mind completely upon seeing and hearing the witness testify before our committee. I changed my mind somewhat on another point, not exactly covered in that letter, which I think is of importance. I made excuses for the junior Senator from Wisconsin for being irritable on that particular occasion. I realize that things happen to us that make us all irritable at times. But the point which bothered me more than did anything else in this whole Zwicker episode was the fact that 6 months after the Zwicker hearing, when the junior Senator from Wisconsin, or, at least, his committee, had evidence from the Secretary of Defense, giving him the names of 30 officers who had anything to do with the induction, service, or promotion, or the discharge of Major Peress, and when General Zwicker's name did not appear in that list of 30 names, the junior Senator from Wisconsin was not in the least softened in his attitude toward General Zwicker. He felt just the same toward him, so far as I could see, as he felt on the 18th of February.

I felt aggrieved that that was the case, because I considered he had had additional information. I do not wish to digress too much and make my answers too long, but it seems to me that some committee ought to call in those 30 officers who had anything to do with the induction or promotion or honorable discharge of Major Peress, a procedure which General Zwicker condemned.

It seems to me that they should be called in and be questioned by a committee of Congress, to ascertain what their thinking was and what their attitude was or might have been toward the Communist international conspiracy. I hope that one of these days a sufficient number of these officers will be called before committees of Congress, so that the people may know absolutely and completely who was responsible for the promotion of Major Peress, who was responsible for his honorable discharge, and the names of the officers who were responsible for ignoring the request—the reasonable and valid request—which the

junior Senator from Wisconsin propounded to the Secretary of War that Major Peress be not discharged until the committee had an opportunity to examine further into the whole situation with respect to him. I hope that some committee of Congress will explore the whole matter from top to bottom.

I am concerned about this because General Zwicker was, in my opinion—and I have read the evidence backward and forward and have studied it carefully—entirely innocent of any wrongdoing, either at the time of his testimony before the able junior Senator from Wisconsin or in his testimony before the select committee. I believe that he was not at any time, in any of his actions, deserving of the language used by the junior Senator from Wisconsin toward him—language so very brutal and very harsh.

Mr. WELKER. May I ask the Senator from Colorado one question on that point? Then I will yield to the Senator from Wisconsin.

Mr. JOHNSON of Colorado. I have changed my mind.

Mr. WELKER. I have no doubt about that.

Mr. JOHNSON of Colorado. I felt compelled, when I became a member of the select committee, to go by the evidence, and not by any personal ideas which I might have had with respect to the reluctance, the mannerisms, or the attitude of General Zwicker before the McCarthy committee.

Mr. WELKER. I shall go into that later, after I have yielded to the Senator from Wisconsin.

The Senator from Colorado has stated that he is anxious to have congressional committees call before them the 30 or so witnesses, in order to ascertain who promoted and honorably discharged Major Peress. I wonder if my distinguished friend from Colorado will not agree with me that perhaps it is the obligation of the Army of the United States and those in the executive branch of the Government to do a little investigating of their own to learn who promoted and honorably discharged Peress. Would not the Senator from Colorado agree with me on that?

Mr. JOHNSON of Colorado. I think they might very well do so. Since the Senator from Idaho has asked me that question, I may say that I asked Secretary of War Stevens, in a private conversation, why that was not done or why it had not been done.

Secretary Stevens said that the committees of the Senate knew the names of all those officers and that if the committees desired to call them and examine them the officers were available for examination. He said the committees could call the officers any time it was desired to do so to obtain the answers to these questions.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. McCARTHY. The Senator has made that statement several times today. I have the list of 30 officers, which was given to us by the Department of the Army.

Mr. JOHNSON of Colorado. I have been told about that list, but I have never seen it.

Mr. McCARTHY. It would not be surprising to the Senator if he saw it. It contains the names of persons in the Office of the Surgeon General, the Office of the Adjutant General, the Office of the Assistant Chief of Staff, and the headquarters of the Department of the Army.

My staff has been calling some of these individuals. We have been given the names of persons in the Office of the Surgeon General who know nothing about Major Peress. Because Major Peress had to submit for a final physical examination, we were given the names of persons in the Surgeon General's Office. We have made a test run on those names, and have found that those persons know nothing about Major Peress.

We know, and the Senator from Colorado knows now, that Bob Stevens knows the names of those who ordered the honorable discharge for Peress, because Secretary Stevens told the Senator's committee that my letter went to John Adams, and from there, he said, to responsible officials, who decided that an honorable discharge would be granted forthwith.

So that information is known to the Secretary of the Army.

This is a completely phony list. To give us the names of 5 or 6 junior officers in the Office of the Surgeon General, and to suggest that we ask them about the promotion, simply because Peress had to be physically examined, is about the phoniest thing which could be imagined.

However, I instructed my staff to make a dry run, to see if they could get any information. The answer is, "No." As of today all the information I have is that General Zwicker was the man who recommended the promotion of Peress. General Zwicker was in touch with the Pentagon on the morning Peress got his honorable discharge. General Zwicker and others in the Pentagon knew that Peress was subject to court-martial. They knew that the offense carried a penalty of up to 5 years. They knew that if they discharged him with the penalty not being in excess of 5 years, he would be removed from the jurisdiction of the Army. They took immediate steps to remove him from the jurisdiction of the Army.

The sworn testimony of Peress was that he went to Zwicker, and that he did not ask for an honorable discharge. This is all a matter of record.

I simply wish to keep the record clear by stating that the list of 30 persons is a completely phony list. The Army knows who promoted and honorably discharged this fifth-amendment Communist. There is no question about it. Why do they not tell us? I ask the senior Senator from Colorado to try to answer that question, if he can. Why do they not tell us now, before the debate ends?

I ask the senior Senator from North Carolina [Mr. ERVIN] if I may have the attention of the senior Senator from Colorado [Mr. JOHNSON], please.

When I said to General Zwicker that any general who would cover up and protect a fifth-amendment Communist—in other words, a traitor—does not deserve to wear the uniform of a general, I meant it, I mean it today, and I shall mean it forever.

Mr. JOHNSON of Colorado. All I can say is that if General Zwicker was responsible for the promotion of Major Peress, or if he was the man who determined the policy with respect to the honorable discharge of Major Peress, then General Zwicker should be tried for perjury, because we have his sworn statement to the contrary. We have the sworn statement of General Zwicker that he was opposed to the promotion of Major Peress, that he was opposed to an honorable discharge being given to him, and that he resented any Army officer hiding behind the fifth amendment. General Zwicker, in his sworn testimony, testified to those facts.

Mr. KNOWLAND. Mr. President, I wonder if the Senator from Colorado will yield for an inquiry at this point?

Mr. JOHNSON of Colorado. I yield.

Mr. KNOWLAND. I was hopeful, without the Senator losing the floor and without changing the parliamentary situation, that we might have an agreement for a quorum call, after which I desired to propound a proposed unanimous-consent agreement relative to time. I had given notice previously that before propounding the proposed unanimous-consent agreement, there would be a quorum call. I was hopeful that before the hour got too late this afternoon, we might have an opportunity to see if an area of agreement could be reached upon the proposed unanimous-consent request which had earlier been propounded by the junior Senator from Wisconsin. It may be that some features of the proposal, or the time element involved in it, will require discussion in order to iron out any uncertainties.

In addition, it had previously been brought to my attention that at 5 o'clock the Senate would take up a matter of the highest privilege, the administration of the oath of office to Senator-elect O'MAHONEY. As pointed out earlier, it is agreeable that the administration of the oath take place at 5 o'clock.

Mr. JOHNSON of Colorado. Mr. President, I shall be glad to yield with the understanding that I do not lose the floor.

Mr. KNOWLAND. It was with that understanding that I made my request.

SENATOR FROM WYOMING

The PRESIDENT pro tempore. The Chair understands there is an agreement regarding the presentation of the credentials of a new United States Senator, which is to take place at 5 o'clock.

If there is no objection, it being a privileged matter, the Senate will proceed with that matter at this time, and will resume debate on the censure proposal immediately thereafter.

Mr. BARRETT. Mr. President, I present the certificate of election of JOSEPH C. O'MAHONEY, to be a Senator from the State of Wyoming, for the unexpired term ending the 3d day of January 1955.

The PRESIDENT pro tempore. The certificate will be read.

The certification of election was read and ordered to be placed on file, as follows:

CERTIFICATE OF ELECTION

STATE OF WYOMING,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954 JOSEPH C. O'MAHONEY was duly chosen by the qualified electors of the State of Wyoming a Senator from said State to represent said State in the Senate of the United States for the unexpired term ending the 3d day of January 1955.

Witness: His Excellency, our Governor, C. J. "Doc" Rogers, and our seal hereto affixed at Cheyenne, the State Capital, this 27th day of November in the year of our Lord 1954.

C. J. "DOC" ROGERS,
Governor.

By the Governor:
[SEAL] C. J. "DOC" ROGERS,
Secretary of State.

The PRESIDENT pro tempore. If the Senator-elect will present himself at the desk, the oath of office will be administered to him.

Mr. O'MAHONEY, escorted by Mr. BARRETT, advanced to the Vice President's desk, and the oath of office prescribed by law was administered to him by the President pro tempore, and was subscribed by the new Senator.

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

The PRESIDENT pro tempore. The Senator from Colorado has the floor.

Mr. KNOWLAND. Mr. President, with the understanding that the Senator from Colorado does not lose his right to the floor, I wonder if he will yield so that I may suggest the absence of a quorum, in order that the majority leader may be able to propound a unanimous-consent request, which is now reduced to writing and which will be sent to the desk?

Mr. WELKER. Mr. President, if the Senator from California will yield, I should like to ask him a question. Will the distinguished majority leader advise me, in the event the Senate adopts the unanimous-consent request, what effect such adoption will have on the brief interrogation I intend to make with respect to the remarks of the distinguished Senator from Colorado?

Mr. KNOWLAND. I would say that the proceedings would not be interrupted. After completion of the quorum call the Senator from Colorado will have the floor and will then be able to yield, in the normal course of debate.

Mr. WELKER. Is it my understanding that the time for such interrogation will not be taken from any Senator's time?

Mr. KNOWLAND. It is not intended that the unanimous-consent agreement would start operating until 6 o'clock.

Mr. President, with the understanding I have mentioned, I now suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Gillette	McClellan
Barrett	Goldwater	Millikin
Beall	Green	Monroney
Bennett	Hayden	Mundt
Bridges	Hendrickson	Murray
Brown	Hennings	Neely
Butler	Hickenlooper	O'Mahoney
Byrd	Holland	Payne
Carlson	Hruska	Purtell
Case	Ives	Robertson
Chavez	Jenner	Russell
Clements	Johnson, Colo.	Saltonstall
Cooper	Johnson, Tex.	Scott
Cordon	Johnston, S. C.	Smith, Maine
Cotton	Kerr	Smith, N. J.
Daniel, S. C.	Kilgore	Sparkman
Dirksen	Knowland	Stennis
Duff	Kuchel	Symington
Ellender	Langer	Thye
Ervin	Lehman	Watkins
Ferguson	Long	Welker
Flanders	Magnuson	Williams
Frear	Mansfield	Young
Fulbright	Martin	
George	McCarthy	

The PRESIDENT pro tempore. A quorum is present.

Mr. KNOWLAND. Mr. President, at this time does the junior Senator from Wisconsin wish to submit the proposed unanimous-consent agreement and have it read at the desk?

Mr. McCARTHY. Yes. Mr. President, I now send forward the proposed unanimous-consent agreement, and ask that it be read.

The PRESIDENT pro tempore. The proposed agreement will be read.

The legislative clerk read as follows:

Ordered, by unanimous consent, that on Wednesday, December 1, 1954, at not later than the hour of 3 o'clock p. m., the Senate proceed to vote, under the limitation of debate hereinafter provided, upon any amendment or motion (including appeals) that may be pending or that may thereafter be proposed to Senate Resolution 301, and upon the final passage of the resolution: *Provided*, That after the said hour of 3 o'clock p. m., debate upon any amendment, motion, or appeal shall be limited to 60 minutes, to be equally divided and controlled, respectively, by the mover of any such amendment, motion, or appeal and Mr. WATKINS, of Utah; (2) that on any substitute the debate shall be not exceeding 4 hours, under similar control: *Provided*, That if the Senator from Utah is in favor of any such amendment, substitute, or motion, the time in opposition thereto shall be controlled by the minority leader: *Provided further*, That the time between 6 p. m. today and 3 p. m. Wednesday shall be equally divided and controlled by the majority and minority leaders: *Provided*, That no amendment or motion that is not germane to the resolution shall be received, with the exception that any amendment relating to censure of another Senator shall be in order.

The PRESIDENT pro tempore. Is there objection to the proposed unanimous-consent agreement?

Mr. McCLELLAN. Mr. President, reserving the right to object, I should like to propound a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Arkansas will state it.

Mr. McCLELLAN. I wish to ask the Chair this question: If an amendment or motion to censure some other Senator were to be offered at this time, before the proposed unanimous-consent agreement has been entered into, would such an amendment or motion be germane?

The PRESIDENT pro tempore. The Chair is of the opinion that if such an amendment or motion were offered prior to the entering of the proposed unanimous-consent agreement, the amendment or motion would not be germane——

Mr. McCLELLAN. Then, Mr. President, I desire to propound another parliamentary inquiry.

The PRESIDENT pro tempore. Let the Chair state——

Mr. KNOWLAND. Mr. President, I should like to propound a parliamentary inquiry at this time, if the Senator from Arkansas will permit me to interrupt, for I think we wish to have the matter made perfectly clear.

Mr. McCLELLAN. I am trying to clear it up, if the Senator from California will permit me to proceed.

Mr. KNOWLAND. I should like to suggest that perhaps the President pro tempore may have misstated the case, for I believe the Senate does not have a rule of germaneness; and germaneness would enter into the situation only in the event of the adoption of the proposed unanimous-consent agreement.

The PRESIDENT pro tempore. That is what the Chair meant to state.

Mr. McCLELLAN. Mr. President, I wish to understand the Chair's ruling.

The PRESIDENT pro tempore. Very well. Will the Senator from Arkansas restate his parliamentary inquiry?

Mr. McCLELLAN. Yes.

If an amendment or motion proposing that another Senator be censured were to be offered prior to adoption of the pending unanimous-consent agreement, would such amendment or motion be in order or be germane?

The PRESIDENT pro tempore. It would be in order.

Mr. McCLELLAN. And would it be germane?

The PRESIDENT pro tempore. It would not be germane, because the Senate does not have a rule of germaneness.

Mr. McCLELLAN. Do I correctly understand that such an amendment or motion would be in order, but would not be germane? If so, I desire to propound another parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Arkansas will state it.

Mr. McCLELLAN. If the proposed unanimous-consent agreement should be entered into, and if an amendment or motion proposing that another Senator be censured were then to be submitted, in that case, regardless of the seriousness or the number of such charges against the other Senator, such Senator would then be limited to 30 minutes in which to defend himself against such accusations; is that correct?

The PRESIDENT pro tempore. The Chair will state that there will be a limitation of 30 minutes on either side on any amendment. So the answer to the parliamentary inquiry is "Yes."

Mr. McCLELLAN. Then, Mr. President, I desire to ask my distinguished colleague, the junior Senator from Wisconsin [Mr. McCARTHY], whether, as a matter of fairness, he will agree to eliminate from the proposed unanimous-consent agreement the words in the last

two lines, according to my copy of the proposed agreement. I refer to all the words following the last comma appearing at the end of line 14, in the copy I have; and I shall read those words:

With the exception that any amendment relating to censure of another Senator shall be in order.

Mr. JENNER. Mr. President, will the Senator yield to me?

Mr. McCLELLAN. I shall be glad to yield to the Senator from Indiana; but first I should like to know whether the junior Senator from Wisconsin will consider striking the words I have just read.

Mr. McCARTHY. First, may I yield to the Senator from Indiana?

Mr. McCLELLAN. Mr. President, I have the floor. If the junior Senator from Wisconsin does not wish to answer my question——

Mr. McCARTHY. I shall be glad to answer the question, but first I should like to hear from the Senator from Indiana.

Mr. McCLELLAN. Very well; I yield to the Senator from Indiana.

Mr. JENNER. In other words, if there were a proposal, by means of an amendment submitted to the pending resolution, to censure another Senator, under the proposed unanimous-consent agreement the debate on such charges against another Senator would be limited to 30 minutes; is not that correct?

Mr. McCLELLAN. That is correct.

Mr. JENNER. Mr. President, let me say that I can see the undesirability of such an arrangement.

Let me point out that, earlier today, another cenusure resolution, or perhaps it was in the form of an amendment to the pending censure resolution, was submitted against the junior Senator from Wisconsin [Mr. McCARTHY]. So, under my interpretation of the proposed unanimous-consent agreement, if the agreement were entered into, there would be no hearing on the charges contained in that amendment to the pending resolution, and the junior Senator from Wisconsin would not have an opportunity to defend himself against those additional charges.

Would not that situation fall in the same category with the situation the Senator from Arkansas has mentioned?

Mr. McCLELLAN. Mr. President, I am inquiring about the present situation; and I earnestly ask the distinguished junior Senator from Wisconsin to withdraw that part of the proposed unanimous-consent agreement to which I have referred.

Mr. McCARTHY. Mr. President, let me say that I would do almost anything to bring the present proceeding—I do not know how to describe it properly without becoming subject to further censure charges—to an end.

I may say that I am in exactly the same position in which any other Senator would be if he were subjected to a censure motion. The junior Senator from Utah [Mr. BENNETT] filed a new charge against me today. The senior Senator from Utah [Mr. WATKINS]—and the committee agreed with him—found that I had no justification for criticizing the Gillette committee. He ruled time and again that I could not present any justification. So I have had no day in court on this question.

My thought, frankly, is that if a special rule is sought to be applied to McCARTHY, perhaps we should apply the same rule to all other Senators.

Mr. McCLELLAN. Let me say to the Senator—

Mr. McCARTHY. I should like to ask the Senator a question——

Mr. McCLELLAN. Let me say this before the Senator asks his question——

Mr. McCARTHY. Let me finish.

Mr. McCLELLAN. I have the floor.

Mr. McCARTHY. Let me finish.

Mr. McCLELLAN. That is exactly what I am trying to do. I have stood on this floor and, along with the majority leader and the minority leader, fought for the Senator's right to have a hearing before a committee.

Mr. McCARTHY. I know the Senator did.

Mr. McCLELLAN. I still maintain that position. I believe it is manifestly unfair, and a flagrant violation of every rule of proper procedure, to bring censure charges on this floor against any Senator and give him only 30 minutes to answer, before the Senate must pass judgment. I think it is unfair to make the request that such a rule be applied to the junior Senator from Wisconsin. I think it is unfair to make a request that such a rule be applied against any other Member of this body.

I trust the Senator will amend his request by striking the clause to which I have referred. I am just as eager as is any other Member of this body to bring this proceeding to a conclusion and to dispose of the pending resolution one way or another.

I cannot in good conscience readily consent to establish in this body a precedent such as is here proposed. If I do so, I shall have to do so most reluctantly. That is why I am appealing to the Senator from Wisconsin to keep the consideration of this resolution on the fair plane which it has thus far occupied, and give everyone who may be accused an opportunity for a hearing. I cannot in good conscience, except with great reluctance, consent to the pending request. If the Senator will modify it, I hope we may then proceed to the conclusion of this matter.

The junior Senator from Wisconsin has referred to an amendment submitted today. I may say that the Senator was aware of that when he made this request. He may be willing, in connection with that particular amendment, to be limited to 30 minutes in which to defend himself. I do not know.

Mr. McCARTHY. Mr. President, I should like to ask the Senator a question. As I say, I will do almost anything to bring this case to a conclusion, so that the Senate can proceed with its business. But let me ask the Senator a question.

The Watkins committee has asked that I be censured. They say I offered no justification for criticizing the Gillette committee. When I tried to offer justification, it was ruled out. So I have had no day in court. Let me ask the Senator——

Mr. McCLELLAN. The committee says the Senator has had his day in court.

Mr. McCARTHY. Let me finish my question.

Mr. McCLELLAN. I have the floor.

Mr. McCARTHY. As an act of courtesy, let me finish my question.

Mr. McCLELLAN. The Senator has made a statement with which I do not agree. So long as I have the floor, I am entitled to correct it.

Mr. McCARTHY. As a courtesy, may I be permitted to finish the question?

Mr. McCLELLAN. I will extend the courtesy.

Mr. McCARTHY. In fairness, let me ask the Senator this question: How am I to bring before the committee testimony to show justification?

For example—may I have the attention of the Senator?

Mr. McCLELLAN. I think the Senator has more of my attention than he realizes.

Mr. McCARTHY. I thank the Senator. This is no laughing matter to me, let me say to the Senator from Arkansas.

Mr. McCLELLAN. I did not laugh.

Mr. McCARTHY. The Watkins committee had before it 12 items, which I now have before me, allegedly signed by the able Senator from Iowa [Mr. GILLETTE]. I have every reason now to believe that he did not sign the papers asking for an illegal mail cover. He has not told me so, but I do not believe he would do it. I have every reason to believe that his signature was placed there by someone else. That was an illegal action. It is justification for criticizing the committee. How am I to get the witnesses before the committee when the Senator from Utah [Mr. WATKINS] would not allow me to bring them before his committee? The Senator asks that we proceed in a spirit of fairness. If the junior Senator from Wisconsin is to be censured for allegedly criticizing a committee, when he had no justification for doing so, then should he not be entitled to bring witnesses either before the Senate or before a committee to show justification? If I am precluded from doing that, why should the Senator from Vermont [Mr. FLANDERS] be allowed to hide behind this screen and not come up for censure also?

I am inclined to strike the language to which reference has been made, but I should like to ask the Senator from Arkansas how I can bring before this body evidence to justify the criticism of the Gillette committee.

Mr. McCLELLAN. The Senator has had his opportunity.

Mr. McCARTHY. No; he has not.

Mr. McCLELLAN. He had it before the committee.

Mr. McCARTHY. He did not.

Mr. McCLELLAN. The committee made its rulings. The committee is an agency of this body. If the committee has made a mistake, the Senator has a right to argue it on the floor of the Senate. The argument goes to the point of justification for the Senator's desire that no censure be voted because he has

not had a fair hearing. However, I do not subscribe to the Senator's statement that he has not had a fair hearing. He may not have had, but I do not know that to be a fact. The Senator has made a speech unrelated to the request with respect to allowing only 30 minutes' time for a Senator to defend himself when censure proceedings are brought against him by an amendment which may take him completely by surprise.

I do not know whom any Senator may have in mind in connection with an amendment to censure some other Senator. It may be the Senator from Arkansas. I do not know.

Mr. McCARTHY. I do not think so.

Mr. McCLELLAN. I have no reason to know one way or the other. We are all subject to such procedure if our conduct has warranted it. I do not think mine has, yet I could be charged, within the next few hours, without any notice whatsoever, in a resolution as long as one's arm, setting forth many spurious charges. I would have 30 minutes in which to defend myself. I would have no opportunity to obtain witnesses. I would have opportunity only to make such statement as I might be able to make in my defense in 30 minutes.

Mr. WATKINS and Mr. WELKER addressed the Chair.

Mr. McCLELLAN. Let me make this statement, and then I shall have concluded:

I do not intend to object, because I do not wish to delay these proceedings. I fought for the rights of the junior Senator from Wisconsin to have a hearing before a committee, and endured criticism for it, because I believed in fair play for the junior Senator from Wisconsin. Today I urge that the junior Senator from Wisconsin and the majority leadership and the minority leadership reach some agreement so that any other Senator who may have charges of censure filed against him in this body may have an equal opportunity to that accorded the Senator from Wisconsin. Whether he receives a fair hearing or not, let us give him the opportunity. Then we can criticize the committee if it does not give him a fair hearing. Then we can weigh the actions of the committee on the floor of the Senate, as we are weighing the action of the select committee here today.

I urge the Senate not to set an unfortunate precedent by agreeing to a proposal to grant the right to file censure charges, either by means of an amendment or a motion in connection with this pending resolution. Under the unanimous-consent proposal now before us, another Senator might be censured without being given adequate opportunity for defense.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. McCLELLAN. Let me say this in conclusion, and then I shall be glad to answer any questions.

Mr. McCARTHY. Mr. President, will the Senator yield to me?

Mr. McCLELLAN. I yield.

Mr. McCARTHY. It is an established fact—there is no question about it—that I was precluded from showing justification for criticizing the Gillette committee. It is an established fact that the Watkins committee had before it items of evidence which were not placed in the record, but which were kept from the Senate.

The Senator from Arkansas is speaking of fairness. Does he not feel, if we are to apply that rule, I, also, should be entitled to call witnesses and to subpena documents which the Senator from Utah [Mr. WATKINS] had, but which were never used? For example, I refer to the minutes of the meetings of the Gillette subcommittee. Decisions were made to the effect that I would not be entitled to subpena those documents or to subpena witnesses and to present a defense. I am not asking that for McCARTHY. I know there are sufficient votes in the Senate to vote censure when we get around to having a vote. However, are we not establishing a dangerous precedent?

Mr. McCLELLAN. I am not passing judgment at the moment on the select committee. The Senator has stated circumstances of which I have no knowledge. I understand that the select committee states an entirely different viewpoint. That is a question to be settled when we come to discuss the matter. We can weigh the statements that are made at the time. The question is, Are we now to establish a precedent under which we can censure a Senator on a motion, or a resolution in the nature of an amendment, and give him only 30 minutes in which to defend himself on the floor of the Senate? That is the real issue. I do not believe the junior Senator from Wisconsin wishes to establish any such precedent.

Mr. WELKER, Mr. DIRKSEN, and Mr. WATKINS addressed the Chair.

Mr. McCLELLAN. Does the Senator from Utah seek recognition?

Mr. WATKINS. I wish to have the Senator yield so that I may make a statement.

Mr. McCLELLAN. I wish to conclude my statement, unless Senators desire to ask me questions. If any Senator wishes to ask me a question, I shall be glad to yield for that purpose. Then I shall yield the floor.

Mr. WATKINS. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield for a question.

Mr. WATKINS. Has the Senator read the record in this case?

Mr. McCLELLAN. I beg the Senator's pardon.

Mr. WATKINS. Has the Senator read the record of the select committee in this case?

Mr. McCLELLAN. I have read substantially all of it.

Mr. WATKINS. Did the Senator find in the record that time after time the select committee gave the Senator from Wisconsin the opportunity to produce his witnesses and that he was asked whether we could do any investigating for him?

Mr. McCLELLAN. That is correct.

Mr. WATKINS. I believe the Senator will find, if he will look at the record, that we gave the Senator from Wisconsin full opportunity to present his case. I have heard it repeatedly stated that we did not do so. The fact is that we did give him a full opportunity. I expect to speak on that subject matter later.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. McCLELLAN. That is a controversy between the Senator from Wisconsin and the select committee. I merely wish to settle this issue. I again ask the junior Senator from Wisconsin if he will withdraw that part of his unanimous-consent request?

Mr. DIRKSEN, Mr. WELKER, and Mr. McCARTHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas still has the floor.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield gladly.

Mr. McCARTHY. I will put my statement in the nature of a question, in order to keep the record straight. The Senator from Utah [Mr. WATKINS] has stated that the select committee offered to let me call witnesses. That is true. They said that I could call witnesses. However, the select committee stated that such witnesses could not testify to anything which would show justification. For example, one ground on which the Watkins committee asks that I be censured is a letter which I wrote criticizing the Gillette committee for attempting to call a man whom all of us knew was insane. The Senator from Utah was presiding at the time, and I tried to show that he himself had the document in his hand. The record will show that he ruled out that testimony on the ground that it was incompetent. Apparently he misunderstood the situation, because he said it would not make any difference even if the investigators were insane. The only thing we were interested in, according to the chairman—and if I misquote the chairman I hope he will correct me—was the question: Had the Gillette committee been formed, did it have jurisdiction, and was it acting?

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Do I lose the floor if I permit the Senator from Wisconsin to interrogate the Senator from Utah?

The PRESIDING OFFICER. The Senator from Arkansas can yield only for a question. The Senator has the floor under a reservation, as he knows.

Mr. McCLELLAN. I yield only for a question.

Mr. McCARTHY. My question is this: Is the Senator aware of the fact that the Senator from Utah [Mr. WATKINS] ruled—and he was upheld in his rulings by the committee—that I could present nothing in regard to the activities of the Gillette subcommittee except whether it had been formed and had jurisdiction and was acting; that he ruled out any testimony as to illegal activity; that he had in his possession 12 documents showing a violation of Federal law; that he had in his possession the minutes of the November 21 meeting, at which it was decided, not that McCARTHY be called, but that they would place a deadline beyond which he could not appear; and

that all this information was kept from the Senate? Is the Senator aware——

Mr. McCLELLAN. I will answer the Senator's question by saying that I am not familiar with all the circumstances he has related. However, I say that if the Senator felt aggrieved by the actions of the select committee, upon its filing its report and upon the resolution being presented, he could have moved to recommit the resolution to the committee, with instructions that there be taken the testimony he now complains he was denied the opportunity to submit. I assume that with his able counsel he knew how to protect his own rights. That was the purpose of sending the matter to the committee, namely, to give him every opportunity to protect his rights.

Mr. NEELY. Mr. President, I demand the regular order.

The PRESIDING OFFICER (Mr. FERGUSON in the chair). The regular order has been demanded.

Mr. DIRKSEN. Mr. President, reserving the right to object——

Mr. NEELY. Mr. President, I demand the regular order.

Mr. McCLELLAN. Does that mean that I must yield the floor?

The PRESIDING OFFICER. Under the regular order, the Senator will either object or state his reservation in as few words as possible.

Mr. McCLELLAN. I have stated my reservation. I trust the Senator from Wisconsin will withdraw the phrase or clause in his unanimous-consent request to which I have referred. I shall not object. I withhold objection with great reluctance. In fairness to my colleagues I must state the only reason I can consent not to object is because I have faith and confidence in the Senate that if such a procedure is attempted a motion to table will immediately be voted favorably. If I were not confident that the Senate would not censure a Senator after giving him only 30 minutes' time to defend himself, I would be compelled to object. May I make another parliamentary inquiry?

The PRESIDING OFFICER. The Senator from Arkansas will state it.

Mr. McCLELLAN. A motion to table would be in order if such an amendment or proposal were offered; is that correct?

The PRESIDING OFFICER. The Chair will answer that question in the affirmative.

Mr. McCLELLAN. I inquire whether the regular rules of the Senate would still prevail, and that such a motion to table would be voted on immediately without debate.

The PRESIDING OFFICER. That is the opinion of the Chair.

Mr. WELKER. Mr. President, reserving the right to object, I appreciate the remarks of the distinguished Senator from Arkansas. He was not alone in fighting to preserve the rights of the junior Senator from Wisconsin. I believe I voted with him on that point. I should like to call the attention of the Senate to the fact that it is my information the junior Senator from Wisconsin was denied the right to cross-examination of his accusers, namely, the witnesses who were produced against him before the Gillette-Hennings subcommittee.

Second, with respect to the statement of the distinguished Senator from Arkansas regarding the 30 minutes which the junior Senator from Wisconsin had, if he were willing to proceed, having had that notice, I am wondering whether the other Senators who certainly had notice of the resolutions contemplated—and I served notice upon the entire body in the debate with the Senator from South Dakota that they would be presented—would agree. What is good for the goose is good for the gander. If the junior Senator from Wisconsin should be willing to waive and let his defense take 30 minutes, I am wondering whether other Senators—even though they were not in the Chamber they had constructive notice—would be willing to rest their case in 30 minutes.

Mr. DIRKSEN. Mr. President, reserving the right to object, let me say to the distinguished Senator from Arkansas that I think he is on sound ground. It would come in the nature of a surprise and would put a Member of this body in jeopardy if he could defend himself for only 30 minutes, notwithstanding the fact that at the end of any such defense a motion to table a censure proposal could be made and the proposal could be laid on the table. Speaking for myself, I think it would be an unhappy record, indeed.

But I should like to take the logic of the Senator from Arkansas and carry it a little further.

I am concerned about the record. A new charge is an additional count. It is in the nature of an indictment; and if we should open the door, there would be nothing to prevent any number of Senators from taking the remaining 42 charges, offering them as amendments, and keeping us here until midnight on December 24.

I agree with the Senator from Arkansas, and I urge upon the junior Senator from Wisconsin that the last clause in this unanimous-consent request be stricken, but that there be added additional language to the effect that any allegations or charges made for the purpose of censure or condemnation which are proposed subsequent to the time the select committee's report was filed, shall be referred to the Committee on Rules and Administration, because there is no way of closing the door in the course of the debate to any kind of a charge, any kind of an allegation, and submitting it in the form of an amendment and having it discussed.

I believe the unanimous-consent request can be amended accordingly, so that there will be no surprises, and we may follow what I deem to be good procedure; and then I think we can go forward hopefully and ring down the curtain on this matter before the present week closes.

I say freely and publicly that I would agree to deleting the last clause. On the other hand, I do not believe amendments which propose additional grounds for censure and condemnation should be considered without reference to a proper committee. If it be in order, I would certainly offer to strike the last clause in the pending unanimous-consent request and substitute appropriate language to effectuate the sentiments I have just expressed to the Senate.

Mr. HOLLAND. Mr. President, reserving the right to object, and I shall not object, I wish to propound three parliamentary inquiries.

The PRESIDENT pro tempore. The Senator will state them.

Mr. HOLLAND. Assuming the adoption by the Senate of the pending unanimous-consent request, would any amendment involving a proposed change of any of the standing rules of the Senate be in order, as germane?

The PRESIDENT pro tempore. The opinion of the Chair is that they would not be germane.

Mr. HOLLAND. Another parliamentary inquiry, Mr. President.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HOLLAND. Ignoring the question of any possible amendment to the standing rules, would any proposed new rule, which itself would be an addition to the standing rules, be in order, as germane, under the pending unanimous-consent request?

The PRESIDENT pro tempore. It is the opinion of the present occupant of the chair that such an amendment to the rules would not be in order.

Mr. HOLLAND. A third parliamentary inquiry, Mr. President.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HOLLAND. Having in mind the proposed change of the rules on the same general subject matter which was referred to the select committee, along with the pending resolution, is the Chair, by his ruling, precluding the bringing in and consideration by the Senate, as germane, under the proposed agreement, if it be adopted, of either that specific amendment to the rules or any one covering the same ground?

The PRESIDENT pro tempore. If the agreement is adopted, it is the opinion of the Chair that it would not be proper.

Mr. HOLLAND. I thank the Chair.

Mr. McCARTHY. Mr. President, while I feel that the same rule should be applied to other Senators that is applied to McCARTHY, I do not wish to take the time of the Senate debating whether we should censure the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Vermont [Mr. FLANDERS], the Senator from Oregon [Mr. MORSE], or some other Senator for anything they have said. I have long felt that Senators should have complete freedom to say what they think and feel, regardless of how much we may differ with them.

The only reason why I added this provision was to ascertain whether or not the Senate would apply the same rule to other Senators who have used language much stronger than that which I have used; whether, for example, the Senator from Arkansas [Mr. FULBRIGHT], who proposed that I be censured for having called Annie Lee Moss a Communist or said she was engaged in Communist activities, and then overlooked the fact that the Army has gotten rid of her because of her Communist activities. I think that is not censurable. I think,

whether he made the charge in good faith or in bad faith, he is entitled to say what he wishes to say so long as he does not violate the rules of the Senate.

I was curious to know whether the Senator from Vermont [Mr. FLANDERS] should be censured, when he stood on the floor of the Senate and made the foulest charges conceivable against me, and one of his counts of censure was to accuse me of calling the wrong witness, when the newspapers showed that the right witness came before the committee and invoked the fifth amendment.

I was curious to know whether the Senator from Vermont should apologize to the Senate for doing that. Frankly, I think that he should not be required to apologize to the Senate. I think if he feels that I have done something improper, he is entitled to stand on the floor of the Senate and discuss it, or discuss it outside the Senate.

The same is true of the Senator from Oregon [Mr. MORSE].

I merely added this provision, Mr. President, to find out whether Senators wanted to go on record as applying a different rule to the junior Senator from Wisconsin.

I shall now submit the unanimous-consent request, deleting the words "with the exception that any amendment relating to censure of any other Senator shall be in order."

Mr. KNOWLAND. Mr. President, reserving the right to object—and I wish to say to the Senator from Wisconsin that I shall not object—I think it a wise move to make the change. The Senator has shown that he desires to reach an agreement, if that is possible.

I think the Senator, if I am not mistaken, changed 3:30 p. m. to 6 p. m.

Mr. McCARTHY. That is correct.

Mr. KNOWLAND. Since it is about 10 minutes to 6, and in view of the fact that the Senator from Colorado [Mr. JOHNSON] had the floor and there were certain questions to be asked by the Senator from Idaho [Mr. WELKER] and other Senators, I suggest that it read 7 p. m. rather than 6 p. m., if that is agreeable to the Senator from Wisconsin.

Mr. McCARTHY. I shall make that modification.

The PRESIDENT pro tempore. A Senator has the right to change his own unanimous-consent request. Is there objection to the proposed unanimous-consent request as modified?

Mr. WELKER. Mr. President, reserving the right to object, am I to understand that we are now going down the road toward permitting a complete new censure resolution to be offered against the junior Senator from Wisconsin, without his having the right to prepare his defense, without his having the right to explain his side of the case? Is that the question on which we are now being asked to vote?

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. WELKER. I yield.

Mr. McCARTHY. So far as I am concerned, I have no concern whatsoever about additional amendments to the censure resolution. Senators can offer as many as they wish. The junior Senator from Utah [Mr. BENNETT] offered a new one this morning. So far as I am concerned, Senators can offer new ones tomorrow morning and the morning after that.

I simply hope there will be an end to the debate as soon as possible, so that we can get back to the work of the committee.

Mr. WELKER. I know the junior Senator from Utah eminently well, and I know him to be a high-minded man and gentleman. In view of the debate, I am confident in my heart that he will withdraw his proposed amendment, since the question has been ably discussed.

The distinguished Senator from Arkansas [Mr. FULBRIGHT] has not had his day in court upon his proposal.

If we are to consider amendments pertaining to everything spoken in the Chamber, then I shall have to refer again to the notice which I served the other day that many other resolutions of censure will be introduced.

Mr. BENNETT. Mr. President, on November 16 I gave notice in the Senate of my intention to offer an amendment to the resolution, based on the statements made on that day by me. There is nothing in the proposed language offered by me as an amendment which was not available through a study of the statements of my colleague.

I should like to make these observations: First, the proposed unanimous-consent agreement was submitted by the junior Senator from Wisconsin, and the proposed time limitation on the amendment was a proposal of the junior Senator from Wisconsin.

Second, I observed that when the junior Senator from Illinois [Mr. DIRKSEN] indicated that he also had an amendment, and wanted more time than 30 minutes, it was agreed that 4 hours would be allowed for debate on that particular amendment, and I have remained silent with respect to the time limitation placed on my proposed amendment.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. McCARTHY. I may say that I have absolutely no concern whether the Senator from Utah withdraws his amendment or leaves it to be voted upon. I have absolutely no concern about it. Let us have all of these resolutions of censure as soon as possible.

Mr. BENNETT. On that basis, since the junior Senator from Wisconsin is the party most concerned, I see no reason for withdrawing my amendment.

Mr. WELKER. Reserving the right to object, I disagree with my able friend, the distinguished Senator from Utah. The junior Senator from Wisconsin is not the only person here concerned. The future of this great deliberative body is at stake. That is the reason why I have raised these questions.

The position of the distinguished junior Senator from Utah on November 16 certainly was no different from that of the junior Senator from Idaho, when I served notice upon the Senate—and upon the world, if you please—that other censure resolutions would be introduced, and I stated the words and allegations used in the presence of all of us, or at least those of us who were here, as they should have been, since we are supposedly the sole judges of the law and fact in this proceeding.

Mr. KUCHEL. Mr. President, reserving the right to object, I wish to ask the junior Senator from Wisconsin if the time limit on an amendment such as that which is now intended to be offered by the junior Senator from Utah would remain at 60 minutes.

Mr. McCARTHY. It would remain at 60 minutes, unless the Senator from Utah felt he needed more time in which to present his case against me. In that event, I certainly would have no objection to amending the proposed request in order to give him more time.

Mr. KUCHEL. Would the junior Senator from Wisconsin consider changing the 60 minutes proposed to be allowed for discussion of the amendment intended to be offered by the Senator from Utah to 4 hours? I think the amendment which the Senator from Utah intends to offer, and which he now states he will offer, is probably just as important from the standpoint of the decision which the Senate may make as is any so-called substitute which might be offered by another Member of the Senate. For that reason, I should prefer to have the proposed unanimous-consent request allow time for debate of the proposed amendment equal to that of a so-called substitute, because to some of us it might appear to be a mere play upon words to call one proposal an amendment and another a substitute. I should like to have the matter discussed for more than merely 60 minutes.

Mr. McCARTHY. I should be glad to amend the proposed unanimous-consent request to conform with the wishes of Senators, but I very much dislike to string out the time too long. I wonder if the Senator from California would be willing to consider something less than 4 hours.

May I ask the junior Senator from Utah how much time he would need to present his case against me?

Mr. BENNETT. So far as I am concerned, 1 hour, divided equally between the two sides, as originally proposed, would be perfectly satisfactory.

Mr. McCARTHY. Would the Senator then consider making that 2 hours, an hour to each side? I do not like to place a limitation of 4 hours on each of the various amendments.

Mr. KNOWLAND. I wonder if Senators could not agree upon 2 hours, and whether the 2 hours might not be applied to amendments, but not to motions or appeals. Could we not have the 2 hours apply to the Bennett amendment?

Mr. McCARTHY. This is what bothers me: I expect that there will be called up 10, 15, 20, or 25 amendments, proposing additional counts of censure of the junior Senator from Wisconsin. I dislike to agree to 4 hours of debate on each one.

Mr. KNOWLAND. Could we not limit the debate on the Bennett amendment to 2 hours, as in the case of the substitute previously mentioned, or to whatever time the Senate finally agrees to, while still leaving the 60 minutes to apply to other amendments?

Mr. McCARTHY. I think that is an excellent suggestion.

Mr. JENNER. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. JENNER. As I understand, by changing the words of the proposed unanimous-consent request, we are now discussing how much time we shall give to what is in effect a new censure resolution introduced this morning.

Mr. McCARTHY. That is correct.

Mr. JENNER. It is an amendment which has not been referred to a standing committee of the Senate or even to a select committee.

Mr. McCARTHY. That is correct.

Mr. JENNER. Reserving the right to object, I wonder if we are not again setting a very bad precedent. We are making rules which apply only to the junior Senator from Wisconsin, when it has been objected that 30 minutes is too short a time for a Senator to defend himself.

I wonder if we could not, by changing the original wording, say "with the exception of any amendment relating to the censure of another Senator for words spoken on the floor of the Senate," and then let the 30 minutes apply to any Senator, because certainly if a Senator utters words on the floor of the Senate, where constructively speaking all his colleagues are present or are supposed to be present, and those words are printed in a public record, the Senator concerned should be entitled to defend himself.

If it is intended to limit debate on the amendment offered by the junior Senator from Utah to 60 minutes or to 4 hours, why not have the limitation apply equally to amendments offered by any Senator?

If we are out to get JOE McCARTHY'S head, that is simply a situation of the pot calling the kettle black. The rules ought to be made the same for everyone. Otherwise let us not stand up and talk about the United States Senate being a great deliberative body. That makes me a little bit sick.

Mr. LANGER. Mr. President, I wish to say that I intend to object. Already five amendments have been offered to the proposed unanimous-consent request. I think a good purpose would be served to let this matter go over tonight, and to be taken up again tomorrow morning. I object.

The PRESIDENT pro tempore. Objection is heard.

Mr. McCARTHY. Mr. President, I am sorry that I did not hear what the Senator from North Dakota said.

The PRESIDENT pro tempore. The Senator from North Dakota objected.

Mr. McCARTHY. The Senator objected to the unanimous-consent request.

The PRESIDENT pro tempore. The Senator from Colorado has the floor.

Mr. McCARTHY. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield.

Mr. McCARTHY. Mr. President, I should like to make a very brief announcement, which I had intended to make this morning, but forgot to do so. Mr. Williams, who has been my counsel all along, is necessarily absent because he is attending a session of the Federal court in St. Louis, Mo. He could not get a continuance. He had to be there on a motion. He will be back some time tomorrow.

The PRESIDENT pro tempore. The Senator from Colorado.

Mr. JOHNSON of Colorado. Mr. President, I yield to the Senator from Idaho.

Mr. WELKER. Mr. President, may we have order?

The PRESIDENT pro tempore. The Senate will be in order. The conversation in the Chamber will cease.

Mr. WELKER. Mr. President, I should like to ask my distinguished and able friend, the Senator from Colorado, if he can tell the Senate what caused him to change his mind with respect to the arrogance and evasiveness which had been shown in the testimony of General Zwicker.

The PRESIDENT pro tempore. The Senate will be in order, and if we cannot have order the rear of the Chamber will be cleared. The Senator from Idaho will desist until there is order.

The Senator may now proceed.

Mr. WELKER. Mr. President, did the Senator from Colorado hear my question?

Mr. JOHNSON of Colorado. I heard the question propounded by the junior Senator from Idaho. My reasons for changing my position with regard to General Zwicker were based on the evidence that was brought out before the select committee with respect to the whole matter. When I discovered, through the evidence that was adduced before the select committee, that General Zwicker pleaded that he was not accustomed to hearings before a Senate committee at the time of the previous hearing, that he had learned a great deal about such matters, that he did not have the benefit of counsel at the time he appeared before the junior Senator from Wisconsin [Mr. McCARTHY]; when I saw General Zwicker in person and observed the ability and the intelligence displayed by him, and his cooperative attitude before the select committee when he was subjected to grueling cross-examination by counsel for the junior Senator from Wisconsin, by the committee's own counsel, and by members of the committee; when I saw that he handled himself so splendidly during all of those interrogations; when I discovered that General Zwicker had been opposed to the promotion of Major Peress, that he had been opposed to his honorable discharge, that he was out of patience with Army officers or military men generally who plead the fifth amendment, I adopted a completely different attitude toward General Zwicker.

That is the reason why I changed my mind—because the evidence compelled me to.

Mr. WELKER. Did General Zwicker tell the Senator from Colorado where he learned a great deal more about appearing before congressional committees?

Mr. JOHNSON of Colorado. He said to the select committee that he had learned a great deal about testifying before Senate committees.

Mr. WELKER. Did General Zwicker tell the Senator from Colorado where he learned a great deal more about appearing before committees?

Mr. JOHNSON of Colorado. No; he did not tell us where he got his experience. I took it for granted that his experience before the McCarthy committee taught him a great deal, and I imagine that he learned a great deal from testifying before the select committee. I think he learned that a person who appears before a Senate committee, when he is handling very delicate situations, when his testimony has to be given with great delicacy and exactness, and when he must interpret orders that have come from the President of the United States and from superior officers in the Army, had better have counsel to determine such interpretations for him. No one asked General Zwicker where he got the new information about how to testify before committees, but it was apparent when he testified before the select committee that he was an extremely able witness.

Mr. WELKER. Would the Senator attribute that to the fact General Zwicker had counsel?

Mr. JOHNSON of Colorado. Yes. I think having counsel gave General Zwicker a great deal of self-confidence, because counsel could tell the General just how far he could go under the instructions the general had from the President and his superior officers. I think that fact gave General Zwicker a great deal of confidence.

I remember that at one point in the examination before the select committee General Zwicker declined to answer a question. Then he talked with his counsel about it, his counsel gave him the green light, and the general answered the question straightforwardly, and answered the question very well. Pretty soon the general was asked another question, and the general asked counsel whether he could reply to that. Counsel told him he could not, and General Zwicker said, "Counsel has told me that I have gone as far as I can go." The fact that General Zwicker had counsel present to interpret the orders the general had from his superiors seemed to give him a great deal of self-reliance and confidence.

Mr. WELKER. The Senator is certainly aware of the fact that General Zwicker is a brigadier general in the United States Army. As such, I assume—or at least we can take some notice of the fact—the general has served on trial boards or courts martial in which the life or the liberty of a fellow officer or enlisted man was at stake. I wonder if the select committee gave any consideration to the fact that one who attends West Point at the expense of the American taxpayers studies law, military law, and trial procedures. Was that fact considered when the Senator arrived at the conclusion that General Zwicker was a much better witness by virtue of his having counsel present?

Mr. JOHNSON of Colorado. I cannot say any more than I have said. In his personal appearance before the committee, relying, as he frequently did when he testified before the select committee, on his counsel, he seemed to have great confidence in his counsel, and he seemed

to be free to answer questions. I do not know anything about General Zwicker's experience in court-martial proceedings or his knowledge of the law or anything of that kind, but, as the general appeared before the committee, I was impressed by his intelligence, his poise, his cooperation, and his seeming desire to give the committee all the information he was justified in giving it legally. I was impressed by those things.

Mr. WELKER. But the Senator from Colorado was not impressed, was he, by the testimony of General Zwicker when he first appeared before Senator McCARTHY's investigating committee?

Mr. JOHNSON of Colorado. That is correct. I first read that testimony when it was published in the press, and afterward I read it in the hearings when they were published. It seemed to me that he was evasive and contemptuous of the committee—in short, that he was all the things that Senator McCARTHY said about him; that is the impression I gained at first. But in reading that testimony I think I made an erroneous appraisal of General Zwicker. I did not know all the circumstances which surrounded the hearings, so I think I made a grave mistake in appraising General Zwicker's testimony and his attitude.

Mr. WELKER. Mr. President, this is the $64 question: Did the Senator from Colorado and the other members of the select committee appraise General Zwicker as a witness and arrive at a conclusion as to the type of witness he was when he appeared before the select committee, or the type of witness he was when he appeared before Senator McCARTHY's investigating committee?

Mr. JOHNSON of Colorado. I do not know that I understand the reference to the $64 question; it may have too high a price tag on it for my comprehension.

Mr. WELKER. Perhaps I should say it is an important question.

Mr. JOHNSON of Colorado. I realize that the Senator from Idaho would not ask a question which was not important.

In reply let me say that I made allowance both for the junior Senator from Wisconsin [Mr. McCARTHY] and for General Zwicker.

Mr. NEELY. Mr. President, will the Senator from Colorado yield to me at this time for a moment?

The PRESIDING OFFICER (Mr. FERGUSON in the chair). Does the Senator from Colorado yield to the Senator from West Virginia?

Mr. WELKER. Mr. President, would the distinguished Senator from West Virginia mind waiting a minute? I have only a few more questions to ask.

Mr. NEELY. Mr. President, I object to having the distinguished Senator from Colorado yield for anything except questions; and from now on I shall object to having the Senator from Colorado yield for any other purpose.

The PRESIDING OFFICER. A Senator who has the floor may yield only for a question.

Mr. WELKER. Mr. President, I am sorry if I have made a speech; I thought I was asking questions. So I am very sorry if I have transgressed.

Mr. JOHNSON of Colorado. Mr. President, I thought the Senator from Idaho was asking me questions.

Mr. WELKER. Thank you, Senator JOHNSON. Let me ask this question of the distinguished Senator from Colorado if he will yield—and I hope the distinguished Senator from West Virginia will pay attention now so as to see whether this is a question: Is it a fact that the question before the select committee—composed of good, loyal Americans, who, I know, are friends of mine—was the conduct of General Zwicker before the McCarthy investigating committee, not the conduct of General Zwicker before the select committee?

Mr. JOHNSON of Colorado. Not exclusively. If we were able to gain some further information about General Zwicker, and thus were better able to appraise the interrogations by the junior Senator from Wisconsin and the answers made by General Zwicker, I think we had to make allowances, judging from our own examination and from General Zwicker's examination by the counsel representing the junior Senator from Wisconsin. I think we had to take all that testimony into consideration.

I wish to say to the able Senator from Idaho that, as the members of the select committee will recall, in the conferences the select committee had previous to the examination of General Zwicker before the committee, I argued against taking up that matter, and I did so on the ground that I thought there was no justification for the charge of abuse of General Zwicker. So I argued against holding hearings on that subject. But I did not have my way, and the hearings were held. In those hearings matters which changed my views were disclosed. I think I was still interpreting the testimony given by General Zwicker before the McCarthy committee when I listened to General Zwicker testify before the select committee, in answering the questions of the counsel representing the junior Senator from Wisconsin, the questions asked by the counsel of our committee, and the questions which were propounded to General Zwicker by the members of the select committee.

Mr. WELKER. Let me ask this question of the distinguished Senator from Colorado: Did he and the other members of the select committee judge the Zwicker matter on the testimony and conduct of General Zwicker before the McCarthy committee or on the general's testimony and conduct before the select committee?

Mr. JOHNSON of Colorado. Of course, I can speak only for myself; but I interpreted General Zwicker's testimony and attitude before the McCarthy committee by what I learned in the hearing before the select committee.

Mr. WELKER. If General Zwicker had had with him at the McCarthy investigating committee hearing a very poor lawyer who could not help him, and therefore made upon the Senator from Colorado the impression he made upon me, by means of the printed hearings of the original testimony before the McCarthy committee, did the Senator from Colorado give any consideration to the new counsel General Zwicker had before the select committee?

Mr. JOHNSON of Colorado. I was surprised when I learned that General Zwicker did not have the benefit of counsel when he appeared before Senator McCARTHY's committee. If ever a man needed counsel, it was General Zwicker at that time—to interpret the involved and complicated orders he had from his superior officers and from the President of the United States. He needed badly someone to make those interpretations for him. His entire testimony and appearance before the McCarthy committee disclosed that he was in great difficulty in discussing the orders and in walking the tightrope, so to speak, and in being very careful that, on the one hand, he was being faithful and true to the orders of his superior officers, and, on the other hand, in giving information to the committee.

The select committee—or at least I should say that I, as one of its members—was greatly impressed with General Zwicker's replies to Mr. Cohn, the counsel for the McCarthy committee. General Zwicker's replies to that interrogation were entirely different from his replies to the interrogation by the junior Senator from Wisconsin. I attributed the difference to the fact that the questions asked by Mr. Cohn were more clear-cut and more definite, so that General Zwicker could make clearer replies to Mr. Cohn; and when I reread the testimony, I thought that General Zwicker's replies to Mr. Cohn's questions showed a spirit of cooperation.

Mr. WELKER. In view of the statement the Senator from Colorado has just made, did he give any consideration to the fact that General Zwicker cooperated with Counsel Cohn better than he did with Senator McCARTHY, possibly because of animosity and hatred for the junior Senator from Wisconsin?

Mr. JOHNSON of Colorado. No; I did not discover anything of that kind. But in reading the questions asked by the counsel, Mr. Cohn, I thought his questions were better adapted to the kind of answers General Zwicker was permitted to make in view of the wraps under which he was testifying. I decided that the difference was in the nature of the questions rather than in the attitude toward the person who was propounding the questions.

Mr. WELKER. The Senator does not mean to intimate, does he, that all cross-examinations are the same, that all Senators are the same, or that all people are the same? I think the Senator can follow me. One man might be smooth, and get more out of witness than another. Is that correct?

Mr. JOHNSON of Colorado. I presume it is. I know nothing about cross-examination. I am not experienced in that art at all. I know that the very able Senator from Idaho is experienced in cross-examination, because I know that he is a very able and distinguished attorney, and that he has done much of that kind of work. The Senator from Colorado has not been in court at all, and has never studied law. He knows nothing whatever about legal matters and cross-examination.

Mr. WELKER. The Senator is a very smart man if he does not know anything about law.

Like other Senators, the Senator from Colorado reached his original conclusions with respect to General Zwicker from the official transcript of the McCarthy-Zwicker interchanges; and in those interchanges was the constantly recurring theme in Zwicker's testimony that he would have to plead inability to answer question after question because of an executive order forbidding him to do so. That is correct; is it not?

Mr. JOHNSON of Colorado. Yes; I think that is a correct statement. I think the Senator has made a correct analysis of how I reached my original conclusion. I obtained it from reading newspaper accounts of the hearings, and afterward reading the printed hearings. I very definitely obtained the idea, as the Senator knows, that the General was evasive in his replies to questions.

Mr. WELKER. Will the Senator answer this question: Is it not a fact that the transcript of the Zwicker testimony before the McCarthy committee, and of what Senator McCARTHY said to Zwicker, did not change between the time the transcript convinced the Senator from Colorado that Zwicker was evasive and resentful, and the time it was read to the Watkins committee and convinced the Senator that the opposite was true? That transcript was the only pertinent evidence with respect to Zwicker's words, and his attitude toward Senator McCARTHY, as indicated by his words.

Furthermore, is it not a fact that General Zwicker's amiable attitude when before the Watkins committee had nothing to do with his attitude when he was being questioned by Senator McCARTHY?

Mr. JOHNSON of Colorado. It is true that the printed page did not change. Of course, the hearings before the junior Senator from Wisconsin in the Zwicker case did not change. They were printed. But it is true that the testimony by the general before our committee gave me new light on the testimony General Zwicker gave before the McCarthy committee. I received a different impression. It was the same man, even though the questions and answers were not the same. It was the same man, and he was discussing the same subject. In some way or other I obtained the idea at first that General Zwicker was defending, if he did not have a hand in, the promotion and honorable discharge given to Major Peress. I had that idea at first. When I learned that was not true, of course, that made some difference in my understanding of the testimony of General Zwicker before Senator McCARTHY.

Mr. WELKER. If the Senator will allow me to preface the next question with a brief observation, I am convinced in my own heart that there is not a fairer or more honorable man in the United States than the man I am now interrogating.

With that preface, I ask this question: Did the Senator from Colorado, in the vast amount of work he had to do, give any consideration to the fact that there was sworn testimony before the select committee to the effect that General Zwicker had called Senator McCARTHY an s. o. b.?

Mr. JOHNSON of Colorado. I heard the witness Harding testify. Frankly, I was not impressed by his testimony at all.

Mr. WELKER. Why?

Mr. JOHNSON of Colorado. I do not wish to intimate in any way that the man Harding—and I never saw him before he testified—was anything other than completely honest. He may have been completely honest in thinking that he heard General Zwicker say what he says General Zwicker said. But there was no testimony before our committee that General Zwicker had had anything but pleasant relations with Senator McCARTHY up to that moment. This was before the hearing started. General Zwicker was called up from the audience, and gave some answers to questions. He had no difficulty with Senator McCARTHY, and apparently he had no reason to call him any vulgar names of any kind.

I think the witness Harding was mistaken in what he thought he heard. He heard something about "O. D." and he became confused, thinking that he correctly heard something that General Zwicker may have said under his breath. He did not testify that he heard him say it in audible tones. He was seated in front of General Zwicker. General Zwicker rose to answer the questions, and Harding thought he heard him say under his breath, "You s. o. b." Harding was under oath when he testified before us, and I have no reason to think that he is not an honest man. He thought he heard General Zwicker say that, but I think there is quite an element of probability of error in what he thought he heard. I think Mr. Harding was mistaken. That is my conclusion.

Mr. WELKER. I knew the Senator would be kind and make such an observation.

The Senator stated a moment ago——

Mr. NEELY. Mr. President, I demand the regular order, and I object to any speeches being made which are not in the form of questions.

Mr. WELKER. To satisfy my distinguished friend from West Virginia I will put it in the form of a question. I am trying to do a job. If I were abusing my friend it would be different. I am sure my distinguished friend from West Virginia wants me to do what little I can——

Mr. NEELY. Mr. President, I again demand the regular order.

Mr. WELKER. The Senator will get it. Let him worry no more about it.

Mr. NEELY. I demand it now, and I object to the remarks which are being made.

The PRESIDING OFFICER. The Senator from Colorado has the floor. Does he yield, and if so, to whom?

Mr. JOHNSON of Colorado. I yield to the Senator from Idaho for a question.

Mr. WELKER. I thank the Senator. He is very kind.

I ask the Senator if it is not a fact that he stated a moment ago that he had no evidence before him of any animosity between General Zwicker and Senator McCARTHY?

Mr. NEELY. Mr. President, I demand the regular order. That is not a question. It is not a question to tell what a Senator said.

Mr. WELKER. I submit the question to the Presiding Officer. I asked the Senator from Colorado if it was not a fact that he made a certain statement a moment ago. I ask for a ruling.

Mr. JOHNSON of Colorado. Mr. President, I deem that to be a question.

The PRESIDING OFFICER. Phrased in that form, the Senator from Colorado may answer it as a question.

Mr. WELKER. I thank the Chair.

Mr. JOHNSON of Colorado. Another officer appeared before our committee and stated he had had a conversation with General Zwicker and that he, the witness, gained the impression that General Zwicker was not friendly toward Senator McCARTHY. This second officer was asked questions about how he reached that conclusion and as to what words had been spoken in that regard. He could not testify to the details, and he could not give us any words related to such incidents. That evidence was before our committee.

Mr. WELKER. Is it not a fact that the committee had sworn testimony to the effect that another witness heard General Zwicker remark to other people, "Now I told you what I would get when I came before this committee"? Did the committee have that testimony before it?

Mr. JOHNSON of Colorado. Was that some more of Mr. Harding's testimony?

Mr. WELKER. I believe it was, if I am permitted to answer the Senator's question.

Mr. JOHNSON of Colorado. It seems to me that something along that line was asked and that something along that line was said. As I said before, I really was not much impressed by the witness Harding.

Mr. WELKER. But the Senator from Colorado was impressed by the witness Zwicker when he made a wind-shift and a retake, after he came before the committee with counsel?

Mr. JOHNSON of Colorado. I was very much impressed by General Zwicker when he appeared before the select committee. That is correct. I was very much impressed by him.

Mr. WELKER. I will ask my distinguished friend whether it is not a fact that he has served as Governor of a sovereign State for many years and that he will soon again assume the office of chief executive of the great State of Colorado?

Mr. JOHNSON of Colorado. That is correct, and Colorado is a great State.

Mr. WELKER. It certainly is. The distinguished Senator, as Governor, had occasion to hear pleas for clemency in connection with the imposition of the death penalty, or in connection with other convictions in serious cases in a court of law, when appeals were taken to him as Governor for executive clemency or leniency. Is that correct?

Mr. JOHNSON of Colorado. Yes; as Governor I have had cases before me in which the death penalty had been imposed. Witnesses came before me in-

formally and discussed the matter with me, but not on any formal basis, such as in the manner of a court examining the whole question. Everything was handled informally. I have discussed matters with lawyers a great deal. However, I am not an expert on cross-examination.

Mr. WELKER. When such matters came before the Senator from Colorado, as Governor, did he take the printed testimony as it was given under oath before God in court, or did he take the testimony given to him after the defendant had been convicted and was about to face the extreme penalty?

Mr. JOHNSON of Colorado. I recall two cases. One was the case in which there was no question about the sworn testimony. The defendants, who had committed the murder, were very young teen-age boys. I commuted their death penalty to life imprisonment. Another case came before me in which there was involved a murder which had occurred in a freight car. I did not commute the sentence in that case, and the defendant was electrocuted. I believe that in the case in which I commuted the sentence of the three very young teen-age boys I took into consideration something more than the sworn testimony on which the verdict was based. I read the testimony very carefully, and I went over it very carefully. I talked to the boys, and I discussed the case with them. I reached the conclusion that society would be better served by my commuting their sentence to life imprisonment than by having them executed.

Mr. WELKER. It is a fact, is it not, that the commutation of the death sentence was based upon the youth of the defendants, rather than upon the sworn testimony? In other words, the defendants did not change their testimony when they came before the Senator from Colorado, as Governor of the great State of Colorado?

Mr. JOHNSON of Colorado. The Senator from Idaho is correct in his analysis, but the facts are that the sworn testimony in the trial was not questioned by me. However, other matters that were not in the testimony appeared to me, and I exercised my duty as I saw it, and commuted the death penalty to life imprisonment. When the defendants appeared before me as Governor and I talked with them, I did not base my action altogether on the testimony given in court. If I had, I certainly would not have commuted their sentence, because they had been tried by a jury, they had been represented by counsel, they had had a fair trial, so far as trials are concerned, and the penalty had been legally imposed upon them.

I believe there is a close relationship between the action I took in that case, in which I commuted the death penalty to life imprisonment, and my action in the Zwicker case, in which I changed my position because of the appearance of General Zwicker and the additional information the committee received on the whole matter that had taken place before Senator McCARTHY when General Zwicker testified before him.

Mr. WELKER. Does the Senator from Colorado agree with the Senator from Idaho that it should not be necessary for a congressional committee to find out who promoted and honorably discharged Major Peress, and that the executive branch of the Government, namely, the Army, should give that information to the American people?

Mr. JOHNSON of Colorado. I believe the Secretary of the Army should give it to the American people, or that a committee of Congress should ascertain who it was that promoted Major Peress and who it was that approved his honorable discharge. I believe those facts should be made known to the American people. I am very much in hope that a committee of Congress will go into that matter and make the facts known. I am firm in my conviction that when the whole truth is known, General Zwicker will be held blameless, both in the promotion and in the honorable discharge of Major Peress.

Mr. WELKER. The Senator knows, does he not, that I hope and pray for the same conclusion?

Mr. JOHNSON of Colorado. I am glad the Senator feels that way. After all, a committee of Congress is not a jury and cannot find General Zwicker guilty of something in a hearing. I hope, for General Zwicker's sake, this matter will be fully explored and the truth ascertained. I believe it can be ascertained.

Mr. WELKER. Does the Senator agree with me that primarily and fundamentally the Army could have prevented all this investigation by coming out forthrightly, as the great Senator from Colorado would have done, and saying, "We are the tort feasor, and we are responsible?"

Mr. JOHNSON of Colorado. Yes; I agree with that. I agree firmly that the junior Senator from Wisconsin was treated shabbily, and that the Senate of the United States and his committee were treated shamefully, by the military, in not granting him the request he made, which was a valid and reasonable request, that Major Peress not be given an honorable discharge. If I thought for one second that General Zwicker was a party to that treatment of the junior Senator from Wisconsin and the Senate of the United States, certainly I would feel altogether different about the whole matter. But I am satisfied in my own mind that General Zwicker had nothing whatever to do with the decision which was made to ignore the valid request of the junior Senator from Wisconsin.

I do not blame the Senator from Wisconsin one iota for being indignant and resentful over this shabby treatment. The only thing I blame him for is that he picked on an innocent man. I believe—well, I will not go further. That is my position.

Mr. WELKER. It is a fact, is it not, that since the Senator from Colorado has admitted that the junior Senator from Wisconsin was treated shabbily and rather disgracefully by the Army, he had a right to be most exacting and firm in his interrogation not only of General Zwicker, but of any other witness connected with the Army in the matter which was before him?

Mr. JOHNSON of Colorado. He had every right and every duty to be firm, and he had every right and every duty to cross-examine and to try to find out the facts and the truth; but he had no right to abuse General Zwicker. He had every right to cross-examine him and to try to find out the truth and the facts. I share the Senator's feeling of resentment over the way in which he was treated in the matter.

Mr. WELKER. The Senator from Colorado has stated that the junior Senator from Wisconsin had no right to abuse General Zwicker; but if the junior Senator from Wisconsin actually felt that a soldier was covering up another soldier in order to protect a fifth-amendment Communist, would he not have had the right to be vigorous and firm in his interrogation of that witness or of any other military witness?

Mr. JOHNSON of Colorado. He had every right to be vigorous and firm in making his inquiries; but the junior Senator from Wisconsin knows military customs and military traditions, and he should not have expected a brigadier general to disclose matters and orders passed down to him by his superior officers. The junior Senator from Wisconsin knows that a junior officer cannot and does not disclose things about his senior officers. The committees of Congress have every right to interrogate the senior officers, and they now have the names of the senior officers, but they have never been interrogated. Perhaps the committee has not gotten around to it yet, but it has every right to interrogate the senior officers themselves. The committee does not have to go to a junior officer and compel him to tattle on a senior officer. Anyone who has had anything to do with the military knows that is not done, should not be done, and cannot be done.

Mr. WELKER. Does the Senator agree with me that the military is no sacred cow, and that if a junior officer knows of treasonable acts committed by generals, I care not whether they are 5-star, 4-star, or 3-star generals, he would be guilty of a conspiracy to commit the crime of treason if he did not come forth and tell the whole truth?

Mr. JOHNSON of Colorado. I suppose in a treason case any witness would be compelled to testify to the truth. I do not think any witness can refuse to testify in a court of law if he knows something about a crime. But I do not believe General Zwicker knew this crime was being committed. I do not think we have a right to assume he knew that a crime had been committed. I do not know that a crime had been committed. I do not know whether Major Peress was promoted under laws enacted by the Congress, whether he received an honorable discharge under laws enacted by the Congress, or whether there was any violation of any law. But I do know that when the Acting Secretary of the Army had a valid and reasonable request from the junior Senator from Wisconsin not to issue an honorable discharge to Major Peress, that request should not have been ignored. I am very positive about that.

Mr. WELKER. Disregarding the question of treason, I ask the Senator if it is

not a fact that a junior officer or an enlisted man, knowing his superior officer, whether he be a general, a major, or a corporal, was in fact suppressing evidence, would be guilty of the crime of conspiracy if he did not make disclosure?

Mr. JOHNSON of Colorado. I do not know about that point of law; but this was a situation in which General Zwicker had orders from his superior officer, as well as Presidential orders, and he gave more weight to them than he did to a committee of the Congress. If that is a crime, if that is suppressing evidence, if that is wrong, the Senator from Colorado does not know it to be wrong. I cannot say whether he was guilty of a crime or that he suppressed evidence. I think committees of Congress have every right to call in the superior officers. As a matter of fact, Secretary Stevens stated that any time a committee of the Congress wished to examine the officers who had anything to do with the induction, assignment, promotion, or honorable discharge of Major Peress, it could call them and interrogate them without going to any junior officer. This is my own language; it is not the language of the Secretary of the Army.

Mr. KNOWLAND. Mr. President, I wonder if the Senator from Colorado will yield, without losing his right to the floor?

The PRESIDING OFFICER (Mr. FERGUSON in the chair). Does the Senator from Colorado yield to the Senator from California?

Mr. JOHNSON of Colorado. I yield.

Mr. KNOWLAND. I desire to propound a proposed unanimous-consent request which has been prepared with some modifications, and after considerable consultation among Members on both sides of the aisle. But first I desire to suggest the absence of a quorum, because I feel that, in accordance with the prior discussion, there should be a quorum call in advance of the propounding of the proposed unanimous-consent request.

I should appreciate it if the distinguished Senator from Colorado and the distinguished Senator from Idaho would yield for this purpose, with the understanding that the Senator from Colorado will not lose the floor and can resume his remarks following the action on the proposed unanimous-consent agreement.

Mr. WELKER. The distinguished Senator from Colorado has been a gentleman in this matter. He has been very kind to me.

Mr. JOHNSON of Colorado. I would be glad to lose the floor.

Mr. WELKER. I have only two more questions to ask.

Mr. KNOWLAND. Mr. President, with the understanding that the Senator from Colorado will not lose the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I send to the desk a proposed unanimous-consent agreement, which is the same as the one previously requested or suggested by the junior Senator from Wisconsin [Mr. MCCARTHY], with the following exceptions: The division of time would start at 10 o'clock tomorrow morning, instead of, as was originally provided, at 3:30 p. m. this afternoon, which was subsequently changed to 7 o'clock this evening. The last sentence, or at least the last part of that sentence, is eliminated, the elimination having been previously agreed to.

I send the proposal to the desk, and ask that the clerk read it in its present form for the information of the Senate. I offer the unanimous-consent request on behalf of the majority and the minority leaders, and after consultation with the distinguished junior Senator from Wisconsin [Mr. MCCARTHY]; the chairman of the select committee, the Senator from Utah [Mr. WATKINS], and with other Senators who have been interested in the problem. On that basis I offer it for the consideration of the Senate.

Mr. MCCARTHY. Mr. President, will the Senator yield for a question?

Mr. KNOWLAND. I yield.

Mr. MCCARTHY. The Senator from California has merely deleted that part of the sentence which it had already been agreed should be stricken out?

Mr. KNOWLAND. That is correct, and the proposal changes the start of the division of time to 10 o'clock tomorrow morning, instead of 7 o'clock tonight.

The PRESIDING OFFICER. The clerk will read the proposed unanimous-consent agreement, for the information of the Senate.

The legislative clerk read as follows:

Ordered, by unanimous consent, that on Wednesday, December 1, 1954, at not later than the hour of 3 o'clock p. m., the Senate proceed to vote, under the limitation of debate hereinafter provided, upon any amendment or motion (including appeals) that may be pending or that may thereafter be proposed to Senate Resolution 301, and upon the final passage of the resolution: *Provided*, That after the said hour of 3 o'clock p. m., debate upon any amendment, motion, or appeal shall be limited to 60 minutes, to be equally divided and controlled, respectively, by the mover of any such amendment, motion, or appeal and Mr. WATKINS of Utah; (2) that on any substitute the debate shall be not exceeding 4 hours, under similar control: *Provided*, That if the Senator from Utah is in favor of any such amendment, substitute, or motion, the time in opposition thereto shall be controlled by the minority leader: *Provided further*, That the time between 10 a. m. Tuesday, November 30, and 3 p. m. Wednesday shall be equally divided and controlled by the majority and minority leaders: *Provided*, That no amendment or motion that is not germane to the resolution shall be received.

The PRESIDING OFFICER. Is there objection?

Mr. HOLLAND. Mr. President, reserving the right to object, I inquire if the provision with reference to the requirement of germaneness is exactly the same as that contained in the formerly offered unanimous-consent request?

Mr. KNOWLAND. The provisions are precisely the same.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

Mr. KNOWLAND. Mr. President, for the information of the Senate, I should like to state that the parliamentary situation is that the Senator from Colorado [Mr. JOHNSON] has the floor. I do not know how many additional questions the Senator from Idaho may wish to ask this evening. I understand he has a few more to propound. If it is agreeable to to Senators, the Senate may continue in session until the Senator from Idaho has concluded asking his questions. I shall then propose a recess until 10 o'clock tomorrow morning.

Mr. NEELY. Mr. President, if any man——

Mr. KNOWLAND. Mr. President, I think the Senator from Colorado has the floor, under the previous unanimous-consent agreement.

Mr. NEELY. Mr. President, I want the floor for 2 minutes in my own right.

Mr. JOHNSON of Colorado. Mr. President, I am willing to yield to the Senator from West Virginia for a question.

Mr. NEELY. I do not wish to ask a question; I desire to have the floor in my own right.

Mr. JOHNSON of Colorado. I yield to the Senator from Idaho.

Mr. WELKER. In view of his years of public service in the Halls of Congress, I should like to ask my distinguished colleague from Colorado whether or not it is his opinion that the rules of the Senate are based upon precedents and the Constitution of the United States?

Mr. JOHNSON of Colorado. I think they are based upon the Constitution of the United States. The Constitution gives the Senate the duty and the responsibility of prescribing its own rules. The Constitution is the basic law governing all procedures in the Senate.

Mr. WELKER. Is the Senator from Colorado familiar with the statement made in my remarks of a few days ago, wherein I brought out the fact that another Senator from Wisconsin was invited to appear before the Privileges and Elections Subcommittee and explain why he made a pro-German speech while we were engaged in war with Germany, in about the year 1917, and that he adamantly refused to appear before that committee?

Mr. JOHNSON of Colorado. I heard the Senator's statement with respect to that matter. With reference to the two cases, the one involving the present junior Senator from Wisconsin [Mr. MCCARTHY], who did not appear before the Gillette committee, and the one in which the senior Senator from Wisconsin many years ago, Robert M. La Follette, Sr., did not appear before a certain committee, I understand that the basic setup was entirely different. I do not know. I cannot make a legal argument as to the difference between the two cases.

Mr. WELKER. Is the Senator familiar with the fact that the distinguished senior Senator of yesteryear, Robert M. La Follette, Sr., gave as one

of the basic reasons for refusing to appear before the committee, the fact that he was denied the right of cross examination of his accuser?

Mr. JOHNSON of Colorado. I heard the junior Senator from Idaho make that statement when he addressed the Senate some days ago.

Mr. WELKER. Since many of us have become Members of the Senate long years after those who preceded us and set the precedents and made the rules, and since the rules and precedents were actually thought to be binding, is it not rather unfair for us to pick out of the clear blue sky a proposal which is contrary to a precedent set by such a great and able Senator as Robert M. La Follette, Sr.?

Mr. JOHNSON of Colorado. Robert Marion La Follette, Sr., was a very great Senator, a very great statesman, and a great man. Like all other human beings, he no doubt made his share of mistakes. But the alleged violation by Senator La Follette was not before the select committee. The select committee did not originate any of the charges involving former Senator La Follette. The Senator from Colorado had nothing whatever to do with those charges. He did not make them. The select committee could study and consider only the charges which were before it, and Robert M. La Follette's case was not before it. The mere fact that Robert M. La Follette, the senior Senator from Wisconsin, escaped censure, or escaped any punishment for his behavior, if he did misbehave—and I do not know that he did; I am not alleging that he did; I am not hinting that he did; I do not believe that he violated any law or that he violated the Constitution—and the mere fact that his case was not brought before the Senate, is no responsibility of the select committee. We had nothing whatever to do with that. Two wrongs do not make a right—if in his case there was a wrong.

But the attitude of the junior Senator from Wisconsin toward the Gillette subcommittee and the names he called its members and the things he said about them, were what was before our committee—and not the merits of the Gillette subcommittee hearings. The merits of that matter were not before us. But the matters on which we had to pass were the things the junior Senator from Wisconsin said about the Gillette subcommittee and about its members, in impugning their integrity and calling them various names. Those were the matters which were before us.

Mr. WELKER. The Senator from Colorado did know, did he not, that the junior Senator from Wisconsin [Mr. McCARTHY] was denied the right of cross-examination before the Gillette-Hennings subcommittee?

Mr. JOHNSON of Colorado. Yes; I know he was not granted the right of cross-examination before the Gillette subcommittee. Although I am not versed in the law, I think he should have been given the right of cross-examination in that subcommittee. So I do not uphold the subcommittee's decision regarding that matter. But I do say that the junior Senator from Wisconsin had no right to start calling them names.

Mr. WELKER. It is the opinion of the Senator from Colorado, is it not, that since in earlier days there was no censureship resolution against Senators who indulged in violent and contemptuous language, we should ignore those matters, but should let the younger Senators, who have come to the Senate since that time, step into a bear trap? Is that a correct assumption?

Mr. JOHNSON of Colorado. I think each Senate has to meet its own responsibilities. The junior Senator from Idaho [Mr. WELKER] knows the genesis of this entire matter. He knows that three Senators of the United States filed 46 charges, and that the 46 charges were referred to the select committee, with instructions to sift them and hold hearings on them and explore the matter and report to the Senate. That we did, and that was the only thing we had before us. We did not have any other matter before us. I do not believe it was incumbent upon us to search through the records and ascertain whether some other Senator in bygone days had violated the dignity of the Senate and had done something or other which perhaps was censurable. In this case we simply had the 46 charges.

Mr. WELKER. But the select committee was aware, was it not, of the precedents regarding censure, only three of which exist in the Senate, and many in the House of Representatives?

Mr. JOHNSON of Colorado. Yes; in the cases in which there was censure; and in the report we state that our task was not made easier by any clear-cut precedents. As a matter of fact, we did not have any precedents strictly on that point. So that was a handicap to us. We were not complaining, except we mentioned it as a difficulty.

Mr. WELKER. As one of my last questions, let me ask this of the Senator from Colorado: He knows, does he not, that Senator Robert M. La Follette, Sr., was called before a standing committee of the United States Senate, to hear charges, in much the same way that the charges against the junior Senator from Wisconsin [Mr. McCARTHY] were referred to the select committee?

Mr. JOHNSON of Colorado. I heard the Senator from Idaho say so; and whatever he says is a fact, I believe to be a fact. The Senator from Idaho has told us that he looked up that matter, and he has given the information to the Senate; and I took it on full faith, as being a fact.

However, I simply wish to say that, as I recall, Senator Robert M. La Follette, Sr., said something very uncomplimentary of Senator Kellogg of Minnesota. The Senate did not do anything about that at the time. The Senate certainly could have done something about it, but the Senate did not do so. So that matter was not before our select committee.

Now, the Senator from Idaho brings up the question of a speech Senator La Follette made; I think the Senator from Idaho said it was a pro-German speech.

Mr. WELKER. An alleged pro-German speech.

Mr. JOHNSON of Colorado. I am glad the Senator from Idaho uses the word "alleged," and says it was an alleged pro-German speech. I think the speech was made before the United States declared war on Germany.

Our select committee had before it a charge based on something uncomplimentary which had been said about General Marshall. I know it was my position, as a member of the select committee, that the committee must not do anything which would place a curb upon free speech in the United States Senate. It was my position that the charge that uncomplimentary things had been said about General Marshall should not be regarded by us as a basis for censure of any Senator.

If Senator La Follette made a speech about Germany, and if it appeared to some that it might be a speech friendly to Germany, my position is that he had every right in the world to make the speech; in fact, he had a duty to make the speech, if that was what he believed; and he should not be censured for making a speech of that sort. Otherwise, where does free speech in the United States Senate go? It goes right out the window, and then there is no such thing as free speech in the Senate.

So, I think there may be a great deal of difference between the La Follette case and the McCarthy case, as regards the Gillette subcommittee.

Mr. WELKER. Let me ask my friend, the Senator from Colorado, whether it is a fact that he knows that many people throughout the Nation, and, in fact, many Members of the United States Senate feel that the junior Senator from Wisconsin had a right to interrogate General Zwicker as he did, and had a right to complain about the Gillette-Hennings subcommittee? In that case, then, in view of the premise the Senator from Colorado previously has laid down, what are we going to do about free speech?

Mr. JOHNSON of Colorado. In reply, let me say that, as I believe Oliver Wendell Holmes once said, no one has a right to enter a theater and yell "Fire" when there is no fire. I do not believe free speech can be exercised to that extent.

The Senate has rules by which all Senators must abide. Those rules give to the Senate a certain dignity which it is necessary for the Senate to have. So all Senators must abide by and observe those rules.

I think the junior Senator from Wisconsin had every right to interrogate vigorously and firmly General Zwicker, but I do not think the Senator had a right to abuse him. However, I think the evidence shows very clearly that the junior Senator from Wisconsin did abuse General Zwicker.

Mr. WELKER. Does the Senator from Colorado agree with many of the Senators who have spoken in the course of this debate, when they have said that two wrongs do not make a right?

Mr. JOHNSON of Colorado. I believe that is so.

Mr. WELKER. Has not the Senator from Colorado heard rule XIX of the Senate violated many times on the floor of the Senate? Of course, when a Senator violates that rule, he is merely required to take his seat; and thereupon it

is customary for another Senator to move that the Senator who was required to take his seat may be allowed to proceed in order. That merely means, does it not, that on the floor of the Senate, where Senators have immunity, we are trying to preserve the right of free speech? Is that a correct assumption?

Mr. JOHNSON of Colorado. That is a correct analysis, as I understand the rules of the Senate and the duties of Senators. A Senator can be called to order if he uses certain language toward his colleagues or toward Members of the other House.

Mr. WELKER. Inasmuch as we have immunity on the floor of the Senate, I ask the Senator if it is not a fact that we are protected here in the sacred confines of this great body? When a man makes statements off the floor of the Senate, statements which are derogatory to a Senator or to any other person, he is then subject to civil liability in the form of damages, and in many cases to prosecution for criminal libel or slander. That is correct; is it not?

Mr. JOHNSON of Colorado. I think that is correct, but that is not the situation we are facing at the present time. The words which were spoken about the Senator from New Jersey [Mr. HENDRICKSON] were with reference to his conduct as a member of a Senate committee, an assignment which the Senate gave him, and which he fulfilled. I presume he fulfilled it with great competence, because we know that is the way he proceeds with everything. At any rate, he fulfilled it.

Mr. WELKER. I agree with the Senator.

Mr. JOHNSON of Colorado. However, when his character is impugned, and when unworthy things are said about him, it becomes the business of the Senate to defend him. He is an official of the Senate. He was laboring under the directions of the Senate, and we have every right to protect him.

Mr. WELKER. Does the Senator agree with me that, whether or not we like the junior Senator from Wisconsin, many Senators have said things about the junior Senator from Wisconsin and the conduct of his committee—whether that conduct be right or wrong—that are three times as derogatory as any of the things which we have heard the junior Senator from Wisconsin say in my 4 years in the Senate?

Mr. JOHNSON of Colorado. I think many unkind things have been said about the junior Senator from Wisconsin, both on the floor of the Senate and elsewhere. However, the select committee did not have those charges before it. The select committee had 46 specific charges, and we were instructed by the Senate itself to explore those charges and to submit a report. We followed those instructions to the best of our ability. We did not go beyond those 46 charges. We did not expand our assignment in any way. We reported nothing which did not relate to something which had been referred to us in a Senate resolution.

Mr. WELKER. Will the Senator agree with me that perhaps we should establish a committee to educate and lecture all young Senators who are so naive as was the junior Senator from Idaho, who came here basing his conduct and his activity—and he hopes justly so—upon the great precedents of this august body from yesteryear?

Mr. JOHNSON of Colorado. I think it is unfortunate that Senators are showing less respect for their fellow Senators than they did a few years ago. Referring to Senators in the second person is not dignified, in my judgment. I think they should refer to one another as, for example, "the junior Senator from Idaho" or "the senior Senator from Colorado." They should not be addressed in the second person. Formal language should be used, and that is in accordance with the rules of the Senate. I regret that Senators are falling into the bad habit of not living up to the rules of the Senate with respect to matters involving the dignity of the Senate. I regret that that is happening. I can see a great change occurring in the Senate, in the matter of dignity. Senators who have been Members of this body for any great length of time must notice the great change which has come over the United States Senate.

Mr. WELKER. Mr. President, I ask unanimous consent to make an observation lasting not to exceed half a minute, in order that I may pay my profound respects to my distinguished friend, the senior Senator from Colorado.

The PRESIDING OFFICER (Mr. CASE in the chair). Does the Senator from Colorado yield for that purpose?

Mr. JOHNSON of Colorado. I am glad to yield, and I hope I may lose the floor by yielding, because I wish to yield the floor.

The PRESIDING OFFICER. If the Senator from Colorado wishes to yield the floor he may do so, and the Chair will recognize the Senator from Idaho.

Mr. WELKER. Mr. President, I wish to say to my distinguished friend from the neighboring State of Colorado that I profundly appreciate his honesty and fairness in answering my interrogations. I shall always hold him in the highest esteem, regardless of the outcome of the case before us, which is unfortunate not only for my friend from Colorado, but for the Senate as a whole.

I wish for my friend the senior Senator from Colorado and his lovely wife, whom we know so well, everything that is good in life. ED JOHNSON's heart is as big as the heart of a bull elephant. He would never intentionally do anything to harm a human being.

Mr. JOHNSON of Colorado. Mr. President, I thank the Senator for his very generous statement. I appreciate it more than I can express. I am sure the Senator from Idaho knows in what high regard and esteem I hold him. I thank him for what he has said.

Mr. NEELY. Mr. President, if any man should ever become curious to know what Oliver Goldsmith meant when he wrote, in the Deserted Village—

> Where village statesmen talked with looks profound,
> And news much older than their ale went round.

Let him read the proceedings of the United States Senate in the CONGRESSIONAL RECORD for today.

Mr. President, I improve this opportunity to join in the complimentary remarks just made about the distinguished Senator from Colorado. The recollection of my service with him in this body will be to me—

> The rainbow to the storms of life,
> The evening beam that smiles the clouds away
> And tints tomorrow with prophetic ray.

RECESS

Mr. KNOWLAND. Mr. President, pursuant to the unanimous-consent agreement heretofore entered into, I move that the Senate stand in recess until 10 o'clock a. m., tomorrow.

The motion was agreed to; and (at 7 o'clock and 28 minutes p. m.) the Senate took a recess, the recess being, in accordance with the order previously entered, until tomorrow Tuesday, November 30, 1954, at 10 o'clock a. m.

SENATE

TUESDAY, NOVEMBER 30, 1954

(Legislative day of Monday, November 29, 1954)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God, in whose strong hands are the threads of every life, again we turn unfilled to Thee. Back of all our thinking and striving we are conscious of something divine and eternal that haunts us and will not let us go—something at work behind our fallible minds; sometimes in the stillness we hear it like soft bells at evening pealing; sometimes in hours of mystic insight we feel it and, rising above the trifles which clutter our days, our hungry hearts cry out, "Nearer, my God, to Thee, nearer to Thee." If that petition is but answered in our wayward lives and really, in spirit, we draw near to Thee, we know that always brings us nearer to our fellows.

In these stern, strange times in which our lot is cast, take us as we are, we pray Thee, with doubtings and longings, so often frustrated and thwarted; and even with what is imperfect and broken, through us make Thy purposes prevail for all mankind. We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, November 29, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting

nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

CREDENTIALS

The PRESIDENT pro tempore. There are on the desk credentials of certain Senators-elect for the term beginning January 3, 1955, which, without objection, will be received and placed on file, and printed in the RECORD.

There being no objection, the credentials were ordered to be placed on file and to be printed in the RECORD, as follows:

STATE OF ILLINOIS.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954, PAUL H. DOUGLAS was duly chosen by the qualified electors of the State of Illinois a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1955.

Witness: His Excellency, our Governor, William G. Stratton, and our seal hereto affixed at Springfield this 19th day of November, in the year of our Lord, 1954.

WILLIAM G. STRATTON,
Governor.

By the Governor:
[SEAL] CHARLES F. CARPENTIER,
Secretary of State.

MISSISSIPPI,
EXECUTIVE DEPARTMENT,
Jackson.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954, JAMES O. EASTLAND was duly chosen by the qualified electors of the State of Mississippi a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1955.

Witness: His Excellency, our Governor, Hugh White, and our seal hereto affixed at Jackson this the 22d day of November, in the year of our Lord, 1954.

HUGH WHITE,
Governor.

By the Governor:
[SEAL] HEBER LADNER,
Secretary of State.

STATE OF LOUISIANA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954, ALLEN J. ELLENDER, SR., was duly chosen by the qualified electors of the State of Louisiana a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1955.

Witness: His Excellency, our Governor, Robert F. Kennon, and our seal hereto affixed at Baton Rouge this 23d day of November, in the year of our Lord, 1954.

ROBERT F. KENNON,
Governor.

By the Governor:
[SEAL] WADE O. MARTIN, Jr.,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954, LYNDON B. JOHNSON was duly chosen by the qualified electors of the State of Texas a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1955.

Witness: His Excellency, our Governor of Texas, and our seal hereto affixed at Austin, Tex., this 19th day of November, in the year of our Lord, 1954.

ALLAN SHIVERS,
Governor of Texas.

By the Governor:
[SEAL] C. E. FULGHAM,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954, ESTES KEFAUVER was duly chosen by the qualified electors of the State of Tennessee a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1955.

Witness: His Excellency, our Governor, Frank G. Clement, and our seal hereto affixed at Nashville, Tenn., this 26th day of November, in the year of our Lord, 1954.

FRANK G. CLEMENT,
Governor.

By the Governor:
[SEAL] G. EDWARD FRIAR,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954, MATTHEW M. NEELY was duly chosen by the qualified voters of the State of West Virginia a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1955.

Witness: His Excellency, Gov. William C. Marland, and our seal hereto affixed at Charleston, W. Va., this 18th day of November, in the year of our Lord, 1954.

WILLIAM C. MARLAND,
Governor.

By the Governor:
[SEAL] D. PITT O'BRIEN,
Secretary of State.

CERTIFICATE OF ELECTION

THE STATE OF WYOMING,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954, JOSEPH C. O'MAHONEY was duly chosen by the qualified electors of the State of Wyoming a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1955.

Witness: His Excellency, our Governor, C. J. "Doc" Rogers, and our seal hereto affixed at Cheyenne, the State capital, this 27th day of November, in the year of our Lord, 1954.

C. J. "DOC" ROGERS,
Governor.

By the Governor:
[SEAL] C. J. "DOC" ROGERS,
Secretary of State.

NOTICE OF ELECTION OF UNITED STATES SENATOR

STATE OF GEORGIA,
EXECUTIVE DEPARTMENT,
Atlanta.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954, RICHARD B. RUSSELL was duly chosen by the qualified electors of the State of Georgia a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1955.

Witness: His Excellency, our Governor, Herman E. Talmadge, and our seal hereto affixed at Atlanta this 15th day of November, in the year of our Lord, 1954.

HERMAN E. TALMADGE,
Governor.

By the Governor:
[SEAL] BEN W. FORTSON,
Secretary of State.

STATE OF NORTH CAROLINA,
DEPARTMENT OF STATE.

I, Thad Eure, secretary of state of the State of North Carolina, do hereby certify that the State board of elections met on Tuesday the 23d day of November A. D. 1954, in accordance with chapter 163 of the General Statutes of North Carolina, at which time the board did open, canvass, and judicially determine the returns of the votes cast in the election held on Tuesday, November 2, 1954, and certified to me that W. KERR SCOTT was duly elected United States Senator from North Carolina. (Regular term ending January 3, 1961.)

In witness whereof, I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh, this the 23d day of November 1954.

[SEAL] THAD EURE,
Secretary of State.

STATE OF ALABAMA,
EXECUTIVE OFFICE,
Montgomery.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954, JOHN SPARKMAN was duly chosen by the qualified electors of the State of Alabama a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1955.

Witness: His Excellency, our Governor, Gordon Persons, and our seal hereto affixed at the capitol, this 16th day of November, in the year of our Lord, 1954.

GORDON PERSONS,
Governor.

By the Governor:
[SEAL] Mrs. AGNES BAGGETT,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954, STROM THURMOND was duly chosen by the qualified electors of the State of South Carolina a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1955.

Witness: His Excellency, our Governor, James F. Byrnes, and our seal hereto affixed at Columbia, this 23d day of November, in the year of our Lord, 1954.

JAMES F. BYRNES,
Governor.

By the Governor:
[SEAL] O. FRANK THORNTON,
Secretary of State.

COMMITTEE SERVICE

On motion of Mr. KNOWLAND, and by unanimous consent, it was

Ordered, That the Senator from Nevada [Mr. BROWN] be, and he is hereby, assigned to service on the Committee on the District of Columbia, the Committee on Interior and Insular Affairs, and the Committee on Public Works.

That the Senator from Nebraska [Mrs. ABEL] be, and she is hereby, assigned to service on the Committee on Finance and the Committee on Interstate and Foreign Commerce.

That the Senator from New Hampshire [Mr. COTTON] be, and he is hereby, assigned to service on the Committee on Labor and Public Welfare and the Committee on Post Office and Civil Service.

That the Senator from Nebraska [Mr. HRUSKA] be, and he is hereby, assigned to service on the Committee on Labor and Public Welfare and the Committee on Post Office and Civil Service.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches, without the time being charged to either side.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Flanders	Lehman
Barrett	Frear	Martin
Bridges	George	McClellan
Brown	Gillette	Murray
Butler	Hayden	Payne
Carlson	Hendrickson	Purtell
Case	Holland	Robertson
Clements	Hruska	Russell
Cooper	Johnson, Colo.	Scott
Cotton	Johnson, Tex.	Thye
Daniel, S. C.	Johnston, S. C.	Welker
Dirksen	Kefauver	Young
Dworshak	Knowland	
Ervin	Kuchel	

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

The Senator from Vermont [Mr. AIKEN] and the Senator from Nevada [Mr. MALONE] are absent on official business.

The Senator from Maryland [Mr. BEALL] is necessarily absent.

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. ANDERSON] is absent by leave of the Senate because of illness in his family.

The Senator from Ohio [Mr. BURKE], the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the Senator from Minesota [Mr. HUMPHREY], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

The Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave of the Senate on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The Senator from Oregon [Mr. MORSE] is necessarily absent.

The PRESIDENT pro tempore. A quorum is not present.

Mr. KNOWLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. BENNETT, Mr. BUSH, Mr. BYRD, Mr. CHAVEZ, Mr. CORDON, Mr. DUFF, Mr. EASTLAND, Mr. ELLENDER, Mr. FERGUSON, Mr. FULBRIGHT, Mr. GOLDWATER, Mr. GREEN, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HILL, Mr. IVES, Mr. JACKSON, Mr. JENNER, Mr. KERR, Mr. KILGORE, Mr. LANGER, Mr. LONG, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCCARTHY, Mr. MILLIKIN, Mr. MONRONEY, Mr. MUNDT, Mr. NEELY, Mr. O'MAHONEY, Mr. POTTER, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mrs. SMITH of Maine, Mr. SMITH of New Jersey, Mr. SPARKMAN, Mr. STENNIS, Mr. SYMINGTON, Mr. WATKINS, and Mr. WILLIAMS entered the Chamber and answered to their names.

The PRESIDENT pro tempore. A quorum is present.

MEMORIALS

The PRESIDENT pro tempore laid before the Senate memorials from sundry citizens and organizations of the United States, remonstrating against the censure of Senator MCCARTHY, which were ordered to lie on the table.

ADDRESS DELIVERED BY SECRETARY OF STATE DULLES ON THE BASIC AIMS OF UNITED STATES FOREIGN POLICY

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point the text of the address delivered last evening at Chicago, Ill., by the Secretary of State, Mr. John Foster Dulles.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE GOAL OF OUR FOREIGN POLICY

(Address by the Honorable John Foster Dulles, Secretary of State)

Ten days ago at the White House I discussed our foreign policy with the congressional leaders of both parties, Republicans and Democrats. Afterward the President told me he thought it would be a good idea for me to report also to the American people.

It is not easy to compress the whole story into a short talk. But I shall do my best.

Let me begin by emphasizing the goal of our foreign policy—it is to enable you and me and our children to enjoy in peace the blessings of liberty. That purpose is back of everything we do.

The task is not an easy one, for international communism threatens both peace and liberty, by many means, at many places.

COEXISTENCE

One ever-present danger is the danger of being fooled into dropping our guard before the peril is really past.

The international Communists are masters at the trick of using words which mean one thing to them and another thing to us.

It took us time to learn that the word "democracy" means, to Comunists, a dictatorship—what they call "dictatorship of the proletariat."

It took us time to learn that the word "peace" means, to international Communists, a world of conformity—conformity with a pattern of conduct prescribed by Moscow.

Now the tricky word is "coexistence." To us it means tolerance of differences. It remains to be seen what it means to international Communists. It is true that the Russian Communists have recently talked more softly. But it is equally true that the Chinese Communists have talked and acted with increasing violence. They break their armistice agreements and they outrage the elemental decencies of international conduct.

Perhaps international communism is trying by a new way to divide the free nations. They seek to be soothing in Europe. They are provocative in Asia.

Our Nation will react, and react vigorously, but without allowing ourselves to be provoked into action which would be a violation of our international obligations and which would impair the alliance of the free nations. What has happened is a challenge to us, and indeed to all who want peace, to find ways, consistent with peace, to sustain international rights.

We have agreed, by the United Nations Charter, to try to settle international disputes by peaceful means in such a manner that international peace is not endangered. Therefore, our first duty is to exhaust peaceful means of sustaining our international rights and those of our citizens, rather than now resorting to war action such as a naval and air blockade of Red China.

Of course, we look anxiously for signs of real change in the attitude of international Communists. We hope that the day will come when they will renounce the effort to rule the world by methods of force, intimidation, and fraud. When that new day dawns we shall greet it eagerly. But we want to be sure that we do not mistake a false dawn for the real dawn.

There is still a vast Russian military establishment, far in excess of any defensive needs. The Chinese Communists are still aggressive. There is still, in every free country, a Communist apparatus seeking to overthrow the established order.

Therefore, we must remain vigilant. We must have, and we do have, policies to meet both the military risk and the subversive risk.

DEFENSE OF THE UNITED STATES AGAINST ARMED ATTACK

There are some people in the United States, and there are more in other lands, who contend that it is wrong to be ready and able to fight. They say that the true peace-lovers should be unarmed and neutral.

We have tried that and it did not work.

We were unarmed and neutral in 1914 when the First World War came. The aggressors felt that they could count us out.

We were unarmed and neutral in 1939 when the Second World War came. Again the aggressors thought they could count us out.

The Korean war came after we had largely disarmed, and withdrawn our troops from Korea, and the aggressors thought that they would be unopposed.

Today we take a different view. We believe that the greatest contribution we can make to peace is to be ready to fight, if need be, and to have the resources and the allies to assure that an aggressor would surely be defeated. That does not mean being truculent or provocative or militaristic. It does mean seeking peace not only with the heart, but also with the mind.

In that mood, we make military preparations which, we believe, will deter war. That requires, basically, that a potential aggressor shall not think that aggression is a paying proposition. He must know that he cannot destroy the United States by sudden attack

and that we have the capacity to counterattack.

So, we are developing continental defense in a major way. It will consist of an elaborate series of early warning systems and interceptors which apply the latest scientific knowledge. These should enable us to knock down a very high percentage of any Red bombers engaged in hostile missions against the United States.

Then, we have our Strategic Air Command which is capable of delivering retaliatory blows against vital parts of the Soviet Union. These blows, we calculate, would do damage far in excess of that which Red planes could inflict upon the United States.

You may ask what foreign policy has to do with this. My answer is: everything. Our continental defense system depends on Canada. And the free nations cannot have effective retaliatory power to deter aggression without airfields in widely scattered places.

Therefore, a vital part of our foreign policy is to have friendly relations with many other countries so that we can work together for our common defense.

I can report that we do have such friendly relations, and that, as a result, we can make it unprofitable for any nation to attack the United States.

DEFENSE OF OTHERS AGAINST ARMED ATTACK

Of course, we could not have that relationship if we thought only of ourselves. The relationship must be for the common good. So, the common defense includes many areas outside the United States.

It is particularly important that the great oceans should be dominated by free and friendly nations. We have made this clear by a series of security treaties. The Atlantic area is covered by the North Atlantic Security Treaty. The Pacific area is covered by a series of treaties, some still in process of consummation, which cover Japan, the Republic of Korea, the Ryukyus (Okinawa), Formosa, the Philippines, Australia and New Zealand, and parts of southeast Asia.

To back up these treaty words there are local forces. In some cases the local forces which seem necessary are larger than the local governments can support. If so, we help out. That, however, is not a handout. It is something called foreign aid, although I dislike that phrase. The correct and better phrase is mutual security.

Western Europe, with its vast industrial power, is a prize of first order to any who seek world domination. So it requires special protection. It gets it by NATO. But NATO needs, at its core on the Continent, a greater measure of unity, with German participation. That was the purpose of the historic agreements made last month at London and Paris. These agreements should end the constant warring of European nations against themselves, and at the same time provide Western Europe with effective defense. The prospect of European unity is reinforced by the recent Trieste settlement between Italy and Yugoslavia and the prospective Saar settlement between France and Germany.

In addition to local defense within treaty areas, there is striking power by air or sea. Such mobile forces are needed to deter attack because an aggressor would have a great advantage if he could attack a single locality with assurance of safety against retaliation. We must have the capacity to respond at places and by means of our choosing.

This, however, does not mean that any local war would automatically be turned into a general war with atomic bombs being dropped all over the map. The essential thing is that we and our allies should have the means and the will to assure that a potential aggressor would lose from his aggression more than he could win. This does not mean that the aggressor had to be totally destroyed. It does mean a capacity to inflict punishing damage. We believe that we and our allies have the power to do that. We also believe that so long as we do have that power, it is unlikely that there will be armed attack upon the areas covered by our security arrangements.

There are some areas in the world which are not covered by special collective security arrangements. That is notably the case with reference to portions of Asia.

However, there are trends toward collective security in this area. For example, Turkey and Pakistan have started to create a northern tier of defense, which would block off the rich oil fields of the Middle East from easy seizure by the Soviet Union. The recent liberation of Iran from the grip of the Communist Tudeh Party, the subsequent oil settlement and the settlement of the Suez base controversy, all open up new possibilities of strength in this part of the world.

In all cases, the United Nations provides an overriding shield against open aggression. This is not negligible—as Korea showed. And it is our policy to support vigorously the United Nations.

In the various ways I have outlined, the free nations are largely protected against the danger of armed attack.

The peoples of the world seem to sense this fact. That is why it is now generally felt that there is less danger of world war than seemed to be the case a few years ago.

MEETING SUBVERSION

Let me turn now to the danger which comes from subversion. This danger is great. International communism has had great experience in fomenting political disorder. These successes are not merely measured by governments actually taken over—nearly a score—but by divisions and obstructions which Communists promote within the free world.

A first concern to us in this connection is the situation in the American Republics. The Latin American countries are in no great danger from open armed attack, but they are vulnerable to Communist subversion. We dealt with this matter at the Conference of American Nations which was held at Caracas last March. They there adopted a declaration to the effect that it would be dangerous to the peace and security of all of the American nations if international communism should gain control of the political institutions of any one of them.

That was a momentous declaration. It may serve the needs of our time as effectively as the Monroe Doctrine served the needs of our Nation during the last century. It made clear that collective action to eradicate international communism is not an act of intervention, but an act to uproot intervention.

The principle of this Caracas declaration had a special bearing on the situation in Guatemala. There international communism had in fact got control of the Government. The American States were about to meet with reference to this danger when the Guatemalan people themselves backed loyal elements who cut out the cancer of communism. The Communist-directed President of Guatemala ignominiously fled, and the leader of the liberation movement is now the President of Guatemala.

This Caracas Declaration and the demonstration that the American States take it seriously, greatly protect this hemisphere against Communist subversion. The Communists know that if they should get control of the political institutions of an American State, they can expect the other American States to be against them. Therefore, there is less incentive to seek control than has been the case heretofore.

The American nations are also trying to achieve sounder economies. There is now taking place at Rio an economic conference. We hope and believe that this conference will stimulate sound measures to develop the economies and lift up living conditions. It will give practical meaning to President Eisenhower's "good partner" policy.

In Asia and Africa, the dangers of subversion are great. In these continents, there are countries without self-government, many of their political institutions are not yet firmly rooted, the economies are weak and the governments often are insecure. The situation in Vietnam is particularly precarious today, and in North Africa the situation is troubled.

Some of the Asian nations which have recently won independence need help. But they are afraid to take it from the West because they fear that means a rebirth of western colonialism. So they remain exposed to a brand of communism which breeds the most ruthless colonialists in history.

It must be made clear that the Asian and Western nations can work together as equals. We took a big step in that direction at the Manila Conference of last September. There, both Western and Asian participants joined in a Pacific Charter, which proclaimed their dedication to the independence and self-government of all peoples everywhere, able to discharge those responsibilties.

That was an important step toward laying the ghost of Western colonialism which still so frightens some free Asian countries that they hesitate to accept helpful association with the West.

ECONOMIC POLICIES

There is also need for economic policies which will help to develop all underdeveloped countries. In the Communist countries, developments are achieved through a system of forced labor, akin to slavery. Living standards are kept very low and the people are forced to work very hard. In this way, heavy industry is developed. It is a cruel system and is primarily for war purposes. It does, however, have a certain fascination for the peoples of undeveloped countries who feel that their own economies are standing still.

In a free society it is normal that the developed countries lend money to the underdeveloped countries. Our United States, in its early days, was partially developed by European capital. Today, it is the United States which has the most capital available to help develop other countries. We must find a way to put it to work. This is good business, for provident loans are usually repaid, and experience shows that we all profit from an environment of prosperity.

I should mention in this connection President Eisenhower's plan for putting atomic energy to peacetime purposes. This plan, when announced at the United Nations last December, stirred a tremendous response. For nearly a year we tried to get the Russians to contribute to the plan. I personally discussed it several times with Mr. Molotov. However, they refused. Then this fall we said we would go ahead with others, leaving the Russians out. Now it seems that, after all, they want to come along.

By this Eisenhower plan our Nation reappears in its historic role. We have discovered new possibilities for human welfare and are putting our knowledge at the peaceful service of all mankind.

THE CAPTIVE PEOPLES

There is one final aspect of our policies to which I would allude. We believe, as Abraham Lincoln said, that our Declaration of Independence, promises "liberty, not alone to the people of this country, but hope for the world for all future time."

Today, a third of the human race is in fearful bondage to Communist dictatorships. But we do not regard that as immutable.

There is, we know, vast human discontent among the 800 million people whom international communism rules. That comes from the enslavement of labor, the suppression of religion and of individual initiative, and the national humiliation of the satellite countries.

Liberation normally comes from within. But it is more apt to come from within if hope is constantly sustained from without. That we are doing in many ways.

A significant recent development has been the Soviet change of policy toward Yugoslavia. In 1948 Yugoslavia broke free from the grip of international communism and reasserted its own nationalism.

Until recently the Yugoslav Government and Nation were threatened and reviled by the international Communists of neighboring Hungary, Rumania, and Bulgaria. Now, however, the Soviet Union treats Yugoslavia with deference, while it continues to treat with contempt the puppet governments of Hungary, Rumania, and Bulgaria. That may embolden the satellites to demand a measure of independence.

Developments clearly portend the change, at some time, of the absolute rule which international communism asserts over the once free nations of Europe and Asia.

CONFERENCES

Our policies do not exclude international conferences even with those who are hostile to us. In that way we ended the Korean war. The scope of conferences with the Soviet Government is necessarily limited by our attitude toward the captive peoples, for the Soviets know that we will not make any deal which would condone and perpetuate the captivity of men and nations.

Also, we do not want to talk with the Soviet representatives when their only purpose is to divide the free nations and prevent their taking necessary measures for their own security.

We had one such meeting at Berlin last January and February. The ostensible purpose was to unify Germany and to liberate Austria. In fact, the Soviet Foreign Minister only sought to block the plans for Western European security.

We do want to find out whether the Soviet Union will sign the Austrian Treaty and whether, after the London and Paris accords are ratified, it will talk seriously about uniting Germany. That is the purpose of a note we delivered to the Soviet Government today.

We are also, of course, deeply interested in the limitation of armaments. A principal purpose of the London-Paris accords is not merely to create defensive strength in Western Europe but to limit and control that strength so that it can never be an aggressive force. There opened today at Moscow a so-called security conference where the Soviet leaders will talk to their puppets and they in turn will respond as ordered. We shall see whether the Soviet Union takes this occasion to match the West by imposing reasonable limits on military establishments in that part of Europe which it controls.

CONCLUSION

There is often a tendency on the part of free peoples to see their own faults and weaknesses and to exaggerate the strength and successes of others. Of course, we should subject ourselves to constant self-criticism. That is the way to betterment.

We need not, however, feel that we are now failing in the great struggle which has been forced upon us. We are entitled to be confident because we are strong in ourselves and strong in the good partnership we have with our allies.

The reality of the matter is that the United States, by every standard of measurement, is the world's greatest power not only materially but spiritually. We have national policies which are clear and sound. They fit a civilization based on religious faith. They are strongly implemented and at a cost we can afford to live with. They have evolved on a non-partisan basis and, in broad outline, they are overwhelmingly backed by our people. Such policies, I am supremely confident, will peacefully prevail.

THE INCENTIVE AWARDS PROGRAM FOR FEDERAL EMPLOYEES

Mr. CARLSON. Mr. President, the 83d Congress approved a new incentive awards program for Federal employees, which goes into effect today.

This new incentive awards program provides for both honorary awards and cash awards, and should prove to be a real incentive to the Federal employees of this Nation in making suggestions and recommendations to the various departments and agencies for the improvement of our Government operations.

It was my privilege to introduce the measure which was consummated in this legislation. Through the cooperation of the members of the Committee on Post Office and Civil Service, the committee reported it to the Senate and the Senate passed the measure.

This legislation was a part of the President's program for an improved Federal civil service. The legislation provides for substantial cash awards, in addition to honorary awards, which may be given upon recommendation of the President and the various agencies.

The contribution of an employee may be in the form of an idea. It may be a new invention or it may be some special performance of duty.

The Civil Service Commission will administer the program, and this should eliminate some of the confusion and overlapping of the actions on the part of the various agencies during the past years.

In the past many of our Federal employees have made suggestions and recommendations that have saved the Government literally thousands and millions of dollars. Under the old legislation, no agency or individual was in a position to give them proper recognition or a substantial award for this outstanding service.

The incentive awards program, which becomes effective today, should be a great encouragement to all Federal workers for the improvement of our Federal programs.

AN OPEN LETTER TO THE RUSSIAN PEOPLE—BROADCAST BY SENATOR FLANDERS

Mr. FLANDERS. Mr. President, it has long been clear to me that we ought to make a distinction between the Soviet Government and the Russian people, and that friendship for the Russian people should be continuously and warmly expressed.

I had the very great opportunity of broadcasting a message to the Russian people on Thanksgiving Day. It was a Thanksgiving Day message, which, I am told, was translated into Russian and was broadcast many times during the course of Thanksgiving Day.

I am also told that at times such messages get through in spots, in spite of the jamming that is done to prevent their going through. I am also told that my message was repeated in broadcasts to all the satellites in the languages of the satellites, and in English to all the transmitting stations of the Voice of America in Europe and Asia.

Believing as I do in the importance of this project of talking with and to the Russian people, I ask unanimous consent that my message may be printed in the body of the RECORD following my remarks.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

AN OPEN LETTER TO THE RUSSIAN PEOPLE

Today is our Thanksgiving Day. The day on which the American people give thanks in their homes and in their churches for the harvests of a year of work on their farms and in their factories.

I am talking to you, the Soviet people today, our Thanksgiving Day, to bring greetings and warm affection from the American people, and the hope of an abundant harvest for you as well as for us. And it is in the reverent spirit of Thanksgiving, of friendship, and of the true brotherhood which we feel for you, the Soviet people, that I give you this message:

The American people want earnestly to live in peace and free contact with you, the Soviet people.

Day by day, incidents occur which stretch tensions to the breaking point. These disturbing incidents of current history take place against a background of the mounting armed strength of the Soviet Government and its satellites on the one hand, and the world of free nations on the other. We make anxious comparisons month by month and year by year as to the strength of armies, armament, airplanes, and air forces. These anxieties are heightened by rivalry in the stockpiling of terrible atomic weapons.

We Americans have no ambitions to conquer any people. We covet no one's territory. And yet, we are spending huge sums of money in arms, armament, and armies.

Why?

We are doing so because since the end of the war, your Government has conquered people after people, and we do not think it is right. We therefore feel it necessary to arm ourselves to protect the areas of the earth that your Government has not conquered.

These arms and armies we support are not good for the American people. Given the resources we pour into them, we could have more roads, more dams, more schools, more houses than we have now. We could have more clothing and more food, more of the kind of education the American people want for their children.

As for you, the Soviet people, arms and armaments and armies are also a burden. Too much of your time, too much of your resources go into supporting them. You could have more and better food, more clothing and better houses and schools, if you could rid yourself of the burden of supporting huge armies.

The cost of continuing the arms race cries out for an alternative. Even more so does the danger of continuing the arms race cry out for an alternative.

My friends—my Soviet brothers—there is an alternative, and that is why I am talking to you now with such a sense of urgency.

The free nations of the world have offered your Government a means of removing this load from your backs and this anxiety from your spirit.

We have offered to end the arms race.

We have offered to make no more tanks and warplanes and missiles.

We have offered to eliminate our great armies.

To this offer we have set only one condition: that the disarming of our Government and of your Government shall be done under the eyes of representatives of the nations of the world—so that all the world will be sure it is carried out. We shall be glad to

have representatives of your Government among the international officials who watch our disarming. We ask the similar privilege of inspecting the disarmament of your Government.

The free nations of the world have made this offer to your Government. Your Government's acceptance is all that is required to lift the cost of armies and the fear of war from you, from us, and from all the people of the earth. So that we may all on future Thanksgiving Days have more and more of what our toil has earned for us.

It is with this thought that I leave you. It has been good to talk this way with you, and to bring you the warmest wishes of the American people.

Mr. JENNER subsequently said, during the delivery of Mr. BROWN's speech: Mr. President, I ask unanimous consent that the distinguished junior Senator from Nevada may yield to me for a minute or two, without losing his right to the floor.

The PRESIDING OFFICER (Mr. CORTON in the chair). Does the Senator from Nevada yield to the Senator from Indiana?

Mr. BROWN. I yield.

Mr. JENNER. Mr. President, every day I grow more bewildered at what is going on.

The airwaves are full of talk of coexistence while the Communists imprison our soldiers who are entitled to the honors of war. Our Ambassador to Moscow attends a banquet and drinks a toast to the Soviet Union, while the radio carries the story of their shooting down an American plane in Japanese waters.

Now I find that on Thanksgiving Day, the Senator from Vermont [Mr. FLANDERS], who may censure me for making this statement, but that is his privilege, and who is at present deeply engaged in a controversy which has suspended all other Senate business, took time out to broadcast over the Voice of America greetings to what he calls the Soviet people.

I wonder if the Senator from Vermont was asked to make this broadcast, or if he himself suggested the idea. I wonder if he was assisted by the Committee for an Effective Congress in preparing this greeting, which has so many of the earmarks of the "peaceful coexistence" propaganda.

I care not which is the truth. I note only that the broadcast was made just after we had learned of the shooting down of the American bomber in Japanese waters. It was made the day before publication of the news that 11 of our soldiers in China were being kept in jail by Communists contrary to the rules of war, and to the cease-fire agreement in Korea. But the Senator from Vermont must know, if he is so familiar with communism, that the Soviet leaders take a special delight in dishonoring our religious holidays by perpetrating or announcing their worst atrocities timed to deride our holidays and our protestations of peace and friendship.

I do not know what the Senator from Vermont means by "the Soviet people." Obviously he does not include the great majority of the people of Russia, China, or the satellite countries, who are so cruelly oppressed by the Soviet system.

I ask the Senator from Vermont just one question, Mr. President. What did he mean when he appealed to these Communist tyrants, who were jailing and shooting American fighting men, "as my friends, my Soviet brothers"?

Mr. FLANDERS. Mr. President, I rise to a point of personal privilege.

Mr. KNOWLAND. Mr. President, with the consent of the junior Senator from Nevada, and out of the time allocated to me, because I think we are operating under controlled time, I will yield to the Senator from Vermont for a point of personal privilege.

Mr. FLANDERS. The Senator from Indiana is perhaps not aware that during the morning hour I placed that speech in the RECORD.

Mr. JENNER. Oh, yes; I am aware of that.

Mr. FLANDERS. It would appear to me——

Mr. JENNER. I have the speech before me.

Mr. FLANDERS. It would appear to me, however, that the Senator from Indiana had not read it.

Mr. JENNER. I have read it. I want to know what justification the Senator from Vermont had for making that speech. By what reasoning, by what process of mind, by what course of twisted thinking did the Senator refer to these tyrants, these murderers, as "my friends, my Soviet brothers"?

Mr. FLANDERS. The Senator from Indiana is beside himself.

Mr. JENNER. I am not beside myself, but I want to know what goes on in the United States Senate.

Mr. FLANDERS. The Senator has taken leave of his intelligence. If he had read the message, if he had understood it——

Mr. JENNER. I have read it. Will the Senator answer my question?

Mr. FLANDERS. Just a minute.

Mr. JENNER. Answer my question. Why did the Senator refer to the Communist tyrants as "my friends, my Soviet brothers"? Will the Senator from Vermont answer that simple question?

Mr. FLANDERS. Let me finish my answer to the Senator's question.

Mr. JENNER. The Senator has not answered my question.

Mr. FLANDERS. The Senator gives me no time to do so. He constantly interrupts.

Let me say that that message, as anyone who has not taken leave of his intelligence would see, was an appeal to the people of Russia over the government which rules them.

Mr. JENNER. Mr. President, I rise to a point of personal privilege. The Senator says, "anyone who has not taken leave of his intelligence."

The PRESIDING OFFICER. The Senator from Vermont has the floor.

Mr. JENNER. My intelligence is my own; it does not come from an organization called the Committee for an Effective Congress.

The PRESIDING OFFICER. The Senator from Vermont has the floor.

Mr. FLANDERS. Mr. President, let me say first that the message is one which I had prepared at least 2 years ago, and which I have been endeavoring, by one means or another, to get across to the people of Russia. The single point on which there may be misapprehension is the fact that in condensing this 2-year-old message, which I have suggested and repeated many times in the past 2 years before audiences, and which I think, although I am not sure—I shall investigate and verify whether it is a fact—is already spread on the records of the United States Senate, and in editing it in shortened form, probably for the purposes of diplomatic procedure of some sort of which I am not aware, the message was changed. Instead of being for the Russian people, the message was changed to refer to the Soviet people. That was not my script, but I accepted it for the chance of getting the message over.

Mr. JENNER. Whose script was it if it was not that of the Senator from Vermont? Who wrote it?

Mr. FLANDERS. I wrote it 2 years ago.

Mr. JENNER. At a time when our boys were dying and freezing in Korea, the Senator from Vermont still referred to "My friends, my Soviet friends." Why? Will the Senator tell this body why?

The PRESIDING OFFICER. Does the Senator from Vermont yield?

Mr. FLANDERS. I do not yield.

The PRESIDING OFFICER. The Senator from Vermont may proceed.

Mr. FLANDERS. I shall say 1 or 2 simple things more, and then I shall yield the floor. I ask every Senator, whether present on the floor or elsewhere, to read that message and pass his own judgment on it.

Mr. JENNER. I have passed my judgment on it.

Mr. FLANDERS subsequently said: Mr. President, earlier in the day I introduced into the RECORD an open letter to the Russian people, as it was entitled. It was delivered as a Thanksgiving Day address.

Later the junior Senator from Indiana [Mr. JENNER] criticized that message. In replying to him I stated that it was my recollection that I had already given the substance of that message on this floor sometime ago. Since the time of that discussion I have looked up the RECORD, and I find that on July 8, 1953, as shown on page 8199, volume 99, part 6, of the CONGRESSIONAL RECORD for that day, beginning at the bottom of the right-hand column, I spoke as follows, as a part of my speech of that day. In order that I may not have to read the context, I will say that where I refer to "national policy" I am referring to the policy of our Government for supporting universal guaranteed disarmament in the United Nations. I now proceed to read the passage:

With this as our publicly affirmed national policy, even on the basis of past pronouncements, we can and must go to the Russian people through the air and by other means with this message of peace. We must tell them in simple language, repeated over and over, that they can have better housing, better food, and better clothing if their government turns its expenditures into the support of the well-being of its people instead

of into the amassing of armaments and the support of armies. We are ready to end all that. Why is not their government ready to join us in ending all that? Why does their government prefer that their people should toil for that which they cannot eat or wear and which will not shelter them instead of devoting the natural wealth of Russia and the work of its people to their own good?

That is the end of the passage. There is one point of difference between the talk which was broadcast on Thanksgiving Day and the earlier statement in the RECORD of the same message. The point of difference is that that message was addressed to the Russian people, while the Voice of America made an editorial change, which referred to them as the Soviet people. I assume that that change had a very practical purpose, because of the fact that the Soviet Government rules over many peoples, and if the message were addressed only to that portion of the people ruled over by the Soviets who are the Russians, it would have a smaller audience than it was desired to give it.

I assume that was the reason for the editorial change.

Let me say in conclusion that when I read those words on this floor on July 8, 1953, no objection was made to the content or purpose of that message.

RESOLUTION OF CENSURE

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the resolution (S. J. Res. 301) to censure the junior Senator from Wisconsin.

The PRESIDENT pro tempore. The Chair wishes to invite the attention of the Senate to the fact that the time is now controlled jointly by the majority leader and the minority leader.

Mr. KNOWLAND. Mr. President, I have consulted with the minority leader, and it is agreeable to him that I make the first assignment of time. I yield 1 hour to the Senator from Nevada [Mr. BROWN].

Taking the statement I am about to make out of my own time, and not out of the time of the Senator from Utah, I should like to say that if there are any Senators who desire to speak on the resolution or on any amendment or substitute, I should appreciate it very much if they would indicate to me the amount of time they desire to have assigned, regardless of which side of the question or what particular amendment or substitute may be involved, so that I may have a list for the allocation of time.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. I join with the distinguished majority leader in expressing the hope that any Senators who may desire to speak will notify the majority leader and the minority leader as to how much time is desired.

The PRESIDENT pro tempore. The Senator from Nevada [Mr. BROWN] is yielded 1 hour.

Mr. BROWN. Mr. President, at the present time there is missing from this Chamber a judge who, without the intervention of Almighty God, would be here, on the other side of the aisle, with his flowing white hair, and would undoubtedly take a part in this great debate. I know that if he were here, seated in the front row, he would not only take a part in this debate, but he would have an opportunity to look through the purported issues concerning individuals and would seek out the great constitutional problem which confronts the Senate of the United States.

I had the privilege of talking to the senior Senator from Nevada, the late Patrick A. McCarran, 2 days before his death. Pat had previously made an announcement in the press of his State that if he were permitted to do so he would cast his ballot against censure. Being a lawyer, Mr. President, I was curious to know how the late Senator from Nevada could have made up his mind without having heard the arguments of counsel or, perhaps, all the evidence which might have been presented in this great debate.

In my conferences with him as a lawyer it was very evident to me that he had read the record, that he had ascertained the important constitutional issue involved in this debate. He stated to me, in effect, that his research and study of the record had indicated to him that if the Senate of the United States were to vote censure in this matter it would accomplish two great constitutional results.

First, it would relegate to the Senate of the United States judicial powers not given to it under the Federal Constitution; and, second, it would limit the unlimited power of the Senate, under the Constitution, to make required inquiry to ascertain necessary facts relating to the fulfillment of the Senate's constitutional legislative function.

I know that if that silverhaired constitutional lawyer were here today he would discern the issue before the Senate as one which bore no relationship to partisan politics, and that, under his oath as a Senator to defend the Constitution of the United States, he would say to his colleagues, in effect, that if censure were to be voted by the Senate it would constitute a violation of what he understood his oath as a Senator of the United States to mean.

I have examined his notes. I have made research to fill them in. While the late great Senator from Nevada may not have expressed himself in the same language in which I now address the Senate, I know that the fundamental issues as he would have seen them, the fundamental conclusions as he would have indicated them, would be essentially the same as mine so far as doing justice is concerned.

Mr. President, Senate Resolution No. 301 and the proposed amendments present to the Senate an issue of both law and fact. We are the judges of the facts. We are, in a sense a court of final judgment, though of course not the Supreme Court of the United States. I say that because the ultimate conclusion at which the Senate shall arrive is subject to no further appeal or review by the judicial branch of the Government. To that extent each of us must constitute himself a Supreme Court Justice in the sense that our obligation is to preserve the balance of power as indicated by the separation of powers under the Federal Constitution.

What are the issues of fact which we as jurors must determine? They can be stated very briefly as follows: What did the junior Senator from Wisconsin do? Resolution 301 states the ultimate conclusions of fact very briefly, as follows:

Resolved, That the Senator from Wisconsin, Mr. MCCARTHY, failed to cooperate with the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up matters referred to that subcommittee which concerned his conduct as a Senator and affected the honor of the Senate and, instead, repeatedly abused the subcommittee and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin, Mr. MCCARTHY, in failing to cooperate with a Senate committee in clearing up matters affecting the honor of the Senate is contrary to senatorial traditions and is hereby condemned.

That, Mr. President, is the first ultimate fact upon which censure is sought.

The second allegation in the resolution relating to the ultimate conduct of the junior Senator from Wisconsin is stated as follows:

The Senator from Wisconsin, Mr. MCCARTHY, in conducting a senatorial inquiry intemperately abused, and released executive hearings in which he denounced, a witness representing the executive branch of the Government, Gen. Ralph W. Zwicker, an officer of the United States Army, for refusing to criticize his superior officers and for respecting official orders and executive directives.

The issues of law of which we are, in a sense, Supreme Court Justices may be stated as follows: First. What rule of the Senate of the United States did the junior Senator from Wisconsin violate? Second. Did he exceed the privileges of a citizen or of a Senator in exercising free speech in his criticism of the Gillette subcommittee? Third. Did he violate any rule of the Senate in his remarks concerning General Zwicker?

It would be presumptuous for me to take the time of the Senate to reiterate the facts upon which the resolution is predicated, for they have been detailed at length in the RECORD and in the debates in this special session of the Senate. It would, therefore, be well to determine what rules of the Senate, if any, were violated by the failure of the junior Senator from Wisconsin to appear before the Subcommittee on Privileges and Elections. In this respect, the select committee assumed the following rule:

It is the opinion of the select committee that when the personal honor and official conduct of a Senator of the United States are in question before a duly constituted committee of the Senate, the Senator involved owes a duty to himself, his State, and to the Senate to appear promptly and cooperate fully when called by a Senate committee charged with the responsibility of the inquiry. This must be the rule if the dignity, honor, authority, and powers of the Senate are to be respected and maintained.

(At this point Mr. BROWN yielded to Mr. JENNER, whose remarks appear in

today's RECORD following the printing of Mr. FLANDERS' "Open Letter to the Russian People.")

Mr. BROWN. Mr. President, in asking ourselves what rule of the Senate, if any, was violated by the junior Senator from Wisconsin in failing to appear before the Subcommittee on Privileges and Elections, as I suggested before, the rule assumed by the select commitee was that any time charges are filed before a committee which go to the question of the honor or the integrity of the Senate, a Senator, without process of any kind being served on him, is immediately assumed to be charged with the duty of volunteering to appear and prove the negative of those charges.

The select committee also indicated, on the same page, the following assumption of a rule of the Senate:

> The appearance which we believe was necessary was before a subcommittee of the Senate itself, to which subcommitee the Senate, through its normal processes, had confided a matter affecting its own honor and integrity. In such a case legal process was not and should not be required.

Mr. President, it is therefore apparent that without either constitutional basis or precedent of the Senate or of Congress the select committee has assumed a duty upon every Senator to volunteer and appear before a committee of the Senate and to disprove any charges which may be made against him when the nature of the charges involves his personal honor and official conduct. This assumed rule, according to the select committee, imposes such a duty upon a Senator regardless of who made the charges, how responsible they may be, and for what purposes they were made. It would still be his obligation to appear voluntarily. This is even assumed to be true without any legal process being invoked to require the appearance before the commitee of a Senator of the United States to answer or explain such charges.

The suggested rule further assumes that such duty rests upon the Senator regardless of the fact that he may have failed or refused to appear before a committee in a previous session of the Senate, and whether or not he has been subsequently reelected to the Senate of the United States by the people of his own sovereign State.

The implications of that assumed rule, I respectfully submit to the Members of The Senate, have no basis either in the Constitution of the United States or in the precedents of this august body.

This position of the select committee was further assumed to be the law, as was expressed by the select committee on page 26 of the report in the following language:

> The provisions of the Legislative Reorganization Act, above referred to, make it clear that the subcommittee had the power and right to require the attendance of Senator MCCARTHY for purposes of investigation and examination by subpena or otherwise. It can be stated, therefore, categorically, that it was not necessary for the subcommittee to issue its subpena for him. Section 134–A of the Legislative Reorganization Act does refer to "requiring" the attendance of witnesses, and the select committee is of the opinion that an invitation to appear, is not such action indicating a requirement to appear as is contemplated by the act.

Then the select committee made this astounding statement:

> It is the opinion of the select committee that a request to appear, such as the letter and telegram from the subcommittee to Senator MCCARTHY dated November 21, 1952, was sufficient (aside from any question whether Senator MCCARTHY received them in time) to meet the requirements of the law.

Then the select committee further found, as appears on page 28, the following:

> Senator MCCARTHY testified that he was in Wisconsin, on a hunting trip, and that he did not see the letter or telegram until November 28, 1952 (p. 298 hearings). The select committee accepts this testimony as true.
>
> Considering this request as a formal request, and Senator MCCARTHY being unable to appear in the dates fixed because he did not know of the request in time, we believe that this request, considered independently, would not be contempt in the ordinary legal sense.

It will be observed that this language of the select committee is to the effect that any request to appear is sufficient to meet the requirements of the law. This assumes the precedent before stated, namely, that a Senator of the United States, when charges against him are pending before a committee of the Senate, must voluntarily seek out the committee and appear and disprove the charges; and further, that such precedent is the law. If this assumption fails, then the entire case suggested in section 1 of Senate Resolution 301 fails. Furthermore, it must be emphasized that the subcommittee conceded that it did not subpena or require the attendance of Senator MCCARTHY to the extent that failure to appear on his part would amount to a contempt. The wrongdoing on the part of the junior Senator from Wisconsin really alleged is set forth on page 29 of the report, wherein it is alleged that he denounced the Senate subcommittee without justification, and stated, in effect, that they were guilty of stealing the taxpayers' money and turning the loot over to the Democratic National Committee. Mr. President, this requires a further analysis of the assumed precedent or rule purported to have been violated, by examining the right of the junior Senator from Wisconsin to exercise the right of free speech. It immediately raises the question under the Constitution, "Does a Senator have a greater or lesser right to criticize the Government, its officials, and committees than does a private citizen."

It will be noted that Senate Resolution 301 does not ask for expulsion of a Senator, nor does it ask for the initiation of proceedings as for contempt.

Mr. President, without further imposing upon the time of this body, I believe it will be conceded that there is no precedent that has been found to date where a Senator has ever been censured for remarks, written or oral, not made on the floor of the Senate. The reason for the nonexistence of such a precedent is obvious. The power to discipline or expel a Senator is given by parliamentary common law, as codified in the Constitution of the United States, to the Senate in the power to punish as for contempt. Mr. President, it is an incident to legislative authority to prevent the obstruction of the performance of the legislative duty and to prevent the defeating of, impeding, or embarrassing the exercise of legislative power. This power is essential to enable the Senate to perform its high functions and is necessary to the safety of the state. As pointed out by Judge Cooley in his work on constitutional limitations, such power is a power of protection, and it is necessary to the safety of the state. But, Mr. President, no precedent can be found where the power of censure or expulsion was ever exercised by one session of Congress or the Senate after the adjournment of a prior session in which the alleged conduct occurred, and after the reelection of the Member to the Senate of the United States. Where punishment has been undertaken, it has been in only three types of cases: First, in cases involving physical violence; second, in cases involving improper language used in debate; and, third, in cases involving corruption of the legislative process. No Congress has the power to punish a contempt committed against a prior Congress, and this power to punish dies with the expiration of the session during which the contempt is committed. This is logical and sound constitutional law, for the reason that the right to punish or the right to censure is directly related to the power of the legislative body to protect itself in exercising the legislative function. What function of a subsequent session could be impeded by either contempts or the conduct as set forth in Senate Resolution 301, and alleged to have been committed in a prior session of the Senate? It is obvious, therefore, Mr. President, that the entire assumption of the select committee was based upon a purported violation of a rule which does not exist and cannot be pointed out by any proponent of censure.

We then come to the serious matter presented to the Senate of the United States; and that is that if we, by censure, as proposed by Senate Resolution 301, adopt the assumed precedents and rules upon which the select committee based its recommendations, is the Senate of the United States abrogating its power and authority, as now existing, to obtain information essential to the exercise of its legislative process? This is true, for by a mere assumption of a rule which does not exist in fact, the entire machinery of a Senate investigating committee may be stopped, and its chairman muted, and its staff languish in a state of enforced inactivity. This is true whether the censure move is instigated by another coordinate branch of the Federal Government or by those who may desire to destroy the legislative branch of our Government.

Mr. President, this entire question, as presented by the report of the select committee, has been settled by the Supreme Court of the United States in the case of *Marshall* v. *Gordon* (37 Supreme Court Reporter), commencing at page 448. It will be remembered that in that

case a Member of the House of Representatives on the floor charged a Federal district attorney with many acts of misfeasance and nonfeasance. At the time when this was done, the grand jury in the southern district of New York was engaged in investigating alleged illegal conduct of the Member in relation to the Sherman antitrust law and asserted illegal activities of an organization known as Labor's National Peace Council, to which the Member belonged. The investigation as for the latter subject not yet having been reported upon by the grand jury, that body found an indictment against the Member for a violation of the Sherman law. Thereafter calling attention to his previous charges and stating others, the Member requested that the Judiciary Committee be directed to inquire and report concerning the charges against the district attorney insofar as they constituted impeachable offenses. After the adoption of the resolution in the House of Representatives, a subcommittee was appointed, and it proceeded to New York, to take the testimony. Friction arose there between the subcommittee and the office of the district attorney, based upon the assertion that the subcommittee was seeking to unlawfully penetrate the proceedings of the grand jury relating to the indictment and the investigations in question. In a daily newspaper in New York an article appeared charging that the writer was informed that the subcommittee was endeavoring rather to investigate and frustrate the action of the grand jury than to investigate the conduct of the district attorney. When called upon by the subcommittee to disclose the name of his informant, the writer declined to do so, and proceedings for contempt of the House were threatened. The district attorney thereupon addressed a letter to the chairman of the subcommittee, avowing that he was the informant referred to in the newspaper article, averring that the charges were true, and repeating them in amplified form in language which was certainly unparliamentary and manifestly ill-tempered, and which was well calculated to arouse the indignation not only of the members of the subcommittee, but of Members of the House generally. This letter was given to the press so that it might be published contemporaneously wtih its receipt by the chairman of the subcommittee. The Judiciary Committee reported the matter to the House, and a select committee was appointed to consider the subject. The district attorney was called before that committee and reasserted the charges made in the letter, averring that they were justified by the circumstances, and stating that they would, under the same conditions, be made again. Thereupon the select committee made a report and stated its conclusions and recommendations to the House as follows:

> We conclude and find that the aforesaid letter written and published by said H. Snowden Marshall to Hon. C. C. Carlin, chairman of the Subcommittee of the Judiciary Committee of the House of Representatives, on March 4, 1916, * * * is as a whole and in several of the separate sentences defamatory and insulting and tends to bring the House into public contempt and ridicule, and that the said H. Snowden Marshall, by writing and publishing the same, is guilty of contempt of the House of Representatives of the United States because of the violation of its privileges, its honor, and its dignity.

Upon the adoption of this report, under the authority of the House a formal warrant for arrest was issued and its execution by the sergeant at arms in New York was followed by an application for discharge on writ of habeas corpus; and the correctness of the judgment of the court below, refusing the same, was the matter before the Supreme Court of the United States on appeal. The Supreme Court pointed out the issue in that case. Mr. President, as a matter of constitutional law it is identical with the issue which is presented to the Senate by Senate Resolution 301.

The question before the court was whether the House had power under the Constitution to deal with the conduct of the district attorney in writing the letter as a contempt of its authority, and to inflict punishment upon the writer for such contempt as a matter of legislative power, that is, without subjecting him to the statutory modes of trial provided for criminal offenses, protected by the limitations and safeguards which the Constitution imposes as to such subject.

Mr. President, I realize that the position of the select committee of the Senate is that this particular holding of the Supreme Court of the United States is different in two respects. The first respect in which it is said to differ is that Senate Resolution 301 seeks to discipline or punish a Member of the Senate, and not a third party.

Secondly, the select committee endeavors to differentiate this decision of the Supreme Court upon the proposition, generally, that the Senate of the United States is a continuing body. But the Supreme Court of the United States, in the Marshall opinion, delivered by Mr. Justice White—and I may say that it was delivered at a time in the history of our country when we did not have read into the Constitution of the United States either principles of interpretation or language which cannot be found therein—reviewed the English cases and the precedent of Congress and pointed out that no power was expressly conferred by the Constitution of the United States on the subject except that given to the House to deal with contempt committed by its own Members, as the rule concerning the Constitution of the United States is that powers not delegated were reserved to the people or the States. It follows that no other expressed authority to deal with contempt can be conceived of, either under precedent or under the Constitution.

After reviewing the English parliamentary power to punish for contempt the court pointed out that parliament was exercising judicial and legislative functions which did not exist in the Senate or the House under the Constitution of the United States. Then the provisions of the State constitutions as they existed at the time of the formation of the Federal Government were reviewed, and the court held that Congress had the implied power whereby, by reason of article 1, section 5, to punish as for contempt irrespective of its right to legislate. But, Mr. President, the Supreme Court of the United States then pointed out that the implied power was to be construed strictly and limited to those instances in which the alleged contempt should be punished at once and upon the right of self-preservation to enable the public powers of legislation given to Congress to be asserted. The power to punish for contempt must be exercised only if the particular acts involved result in the immediate prevention of the exercise of legislative authority. The court further pointed out that if this were not so it would be an unconstitutional comingling of judicial and legislative powers which were not granted by the Constitution to Congress, or either House thereof, and would interfere with the guaranties and limitations concerning the assertion of the power to punish criminally.

The Court further pointed out that the contempt was deemed to result from the writing of the letter, and not because of any obstruction to the performance of legislative duty resulting from the letter, or because the constitutional provision relating to the power of the House to carry out its legislative authority was endangered by its writing, but because of the effect and operation which the irritating and ill-tempered statements made in the letter would produce upon the public mind, or because of the sense of indignation which it may be assumed was produced by the letter upon the members of the committee and of the House generally. The decision pointed out that the contempt relied upon was not intrinsic to the right of the House to preserve the means of discharging its legislative duties, but were extrinsic to the discharge of such duties, and related only to the presumed effect which the letter might have upon the public mind and the indignation naturally felt by the members of the committee on the subject. The Court then said:

> But these considerations plainly serve to mark the broad boundary line which separates the limited implied power to deal with classes of acts as contempts for self-preservation and the comprehensive legislative power to provide by law for punishment for wrongful acts.

The conclusions which were stated bring about a concordant operation of all the powers of the legislative and judicial departments of the Government, express or implied, as contemplated by the Constitution.

The select committee of the Senate, however, found on page 28 of the report that the conduct of the junior Senator from Wisconsin toward the Subcommittee on Privileges and Elections was contemptuous, independently of his failure to appear, and that he did denounce the subcommittee without justification. Nowhere has the argument been made that this session of the Senate may punish by censure an act occurring in a previous session and which in no manner impedes the legislative function. To do so would be beyond the constitutional power of the Senate or the House, as it would be exercising judicial powers not conferred upon this body by the Founding Fathers.

Much is said in the report concerning the jurisdiction of the subcommittee, but

the power to censure is found in the argument presented on page 20 of the report of the select committee, to the effect that the Senate is a continuing body, but by no stretch of the imagination can the select committee's interpretation of Senate rule XXXII constitute the Senate a continuing body justifing the exercise of judicial functions not delegated by the Constitution, for, obviously, in respect to the 83d Congress, the alleged acts of the junior Senator from Wisconsin could not possibly prevent or impede the exercise of the legislative function by the Senate in the latter session.

Assuming the argument contained in the report of the select committee to be true, would not the only proper way that punishment could be inflicted upon the junior Senator from Wisconsin be upon application of the Subcommittee on Privileges and Elections? The record discloses that no such application for punishment of any kind was ever requested or desired by the subcommittee or its chairman or any of its members. It is clearly, therefore, a moot question and beyond the constitutional jurisdiction of the Senate.

It has been stated in debate by the junior Senator from Oregon [Mr. MORSE] that the matter before the Senate now constitutes a proceeding in the nature of an appeal. That reasoning cannot stand up, for the reason that if it were such a proceeding, the Senate would then be exercising a judicial function not delegated to it by the Constitution of the United States, and every Member of the Senate would then violate his oath to uphold and defend the Constitution of the United States.

The junior Senator from Oregon further pointed out that it was his desire to inaugurate new rules for fair judicial procedures before Senate investigating committees. The entire concept is contrary to the legislative function given to the legislature by the Constitution and would substitute therefor judicial powers. But, more than this, it would establish a limitation upon the power of the Senate to proceed in its own way in the collection of such information as may seem important or desirable to a proper discharge of its functions.

The issue then in this case, Mr. President, is very clear. Are we by censure at this late date to usurp the function of the judicial branch of the Federal Government and punish a Senator for conduct which might irk certain Members past or present of this body, when that conduct bears no relationship to the impeding of the legislative function of the Senate?

Are we to impede in our own way the collection of such information as may seem important to a proper discharge of the functions of the Senate? If we are, we have violated our oath to defend the Constitution and to uphold it by asserting and relegating to ourselves the power to punish criminally, without the constitutional safeguards applicable to the judicial branch of the Government becoming available to a Senator or citizen sought to be punished. We are further limiting the right of the Senate to collect required information in any matter which we seek to do so. But, above all, we are further violating our oath to uphold the Constitution by impairing the right of the citizen and a Senator to exercise legitimate free speech in expressions of condemnation of public bodies, officials, and committees. It is realized that there are limitations upon the rights of free speech.

Judge Cooley, in his Constitutional Limitations, in volume II, page 908, has the following observation to make in respect to a citizen's right of free speech:

> There are certain cases where criticism upon public officers, their actions, character, and motives, is not only recognized as legitimate, but large latitude and great freedom of expression are permitted, so long as good faith inspires the communication. There are cases where it is clearly the duty of everyone to speak freely what he may have to say concerning public officers, or those who may present themselves for public positions. Through the ballot box the electors approve or condemn those who ask their suffrages; and if they condemn, though upon grounds the most unjust or frivolous, the law affords no redress. Some officers, however, are not chosen by the people directly, but designated through some other mode of appointment. But the public have a right to be heard on the question of their selection; and they have the right, for such reasons as seem to their minds sufficient, to ask for their dismissal afterward. They have also the right to complain of official conduct affecting themselves, and to petition for a redress of grievances. A principal purpose in perpetuating and guarding the right of petition is to insure the public the privilege of being heard in these and the like cases.

Mr. President, can it be said that under the Constitution, a Senator of the United States has less right than a private individual, to express his condemnation of a committee of the Senate or of any branch of our Government, assuming it is done in good faith? Does a Senator have a lesser right than a citizen? It is obvious, Mr. President, that all the privileges given to a Senator, such as freedom from arrest in certain circumstances, the right to be free from harassment during debate, the right to be free from questions concerning a statement made during debate, are not the privileges of Senators, but, Mr. President, they are the privileges of the people of the United States, given simply to permit their chosen representatives to exercise, fully and unimpeded, the legislative function of the legislative branch of the Federal Government.

Judge Cooley further pointed out:

> When it is among the fundamental principles of the Government that the people frame their own constitution, and that in doing so they reserve to themselves the power to amend it from time to time, as the public sentiment may change, it is difficult to conceive of any sound principle on which prosecutions for libels on the system of government can be based, except when they are made in furtherance of conspiracy with the evident intent and purpose to excite rebellion and civil war. It is very easy to lay down a rule for the discussion of constitutional questions; that they are privileged, if conducted with calmness and temperance, and that they are not indictable unless they go beyond the bounds of fair discussion. But what is calmness and temperance, and what is fair in the discussion of supposed evils in the government? And if something is to be allowed "for a little feeling in men's minds," how great shall be the allowance? The heat of the discussion will generally be in proportion to the magnitude of the evil as it appears to the party discussing it; must the question whether he has exceeded due bounds or not be tried by judge and jury, who may sit under different circumstances from those under which he has spoken, or at least after the heat of the occasion has passed away, and who, feeling none of the excitement themselves, may think it unreasonable that anyone else should ever have felt it? The dangerous character of such prosecutions would be the more glaring if aimed at those classes who, not being admitted to a share in the government, attacked the constitution in the point which excluded them. Sharp criticism, ridicule, and the exhibition of such feeling as a sense of injustice engenders, are to be expected from any discussion in these cases; but when the very classes who have established the exclusion as proper and reasonable are to try as judges and jurors the assaults made upon it, they will be very likely to enter upon the examination with a preconceived notion that such assaults upon their reasonable regulations must necessarily be unreasonable. If any such principle of repression should ever be recognized in the common law of America, it might reasonably be anticipated that in times of high party excitement it would lead to prosecutions by the party in power, to bolster up wrongs and sustain abuses and oppressions by crushing adverse criticism and discussion. The evil, indeed, could not be of long continuance; for, judging from experience, the reaction would be speedy, thorough, and effectual; but it would be no less a serious evil while it lasted. The direct tendency of which would be to excite discontent and to breed a rebellious spirit. Repression of full and free discussion is dangerous in any government resting upon the will of the people. The people cannot fail to believe that they are deprived of rights, and will be certain to become discontented, when their discussion of public measures is sought to be circumscribed by the judgment of others upon their temperance or fairness. They must be left at liberty to speak with the freedom which the magnitude of the supposed wrongs appears in their minds to demand; and if they exceed all the proper bounds of moderation, the consolation must be, that the evil likely to spring from the violent discussion will probably be less, and its correction by public sentiment more speedy, than if the terrors of the law were brought to bear to prevent the discussion. (Cooley, Constitutional Limitations, vol. II, 8th ed., pp. 900–901.)

Are we, therefore, by censure, to limit the right of the Senate to a greater degree than it can be constitutionally limited in respect to a private citizen, in those instances where the conduct of a Senator does not impede the legislative functions of this body? We therefore should not extend the rule beyond that which is now provided by Senate Rule XIX.

It might be said that the right to punish or expel Members is a right given to the Senate without limitation. Judge Cooley said:

> Each House has also the power to punish Members for disorderly behavior, and other contempts of its authority, as well as to expel a Member for any cause which seems to the body to render it unfit that he continue to occupy one of its seats. This power is generally enumerated in the Constitution among those which the two Houses may exercise, but it need not be specified in that instrument, since it would exist whether expressly conferred or not. It is "a necessary

and incidental power, to enable the House to perform its high functions, and is necessary to the safety of the State. It is a power of protection. A Member may be physically, mentally, or morally wholly unfit; he may be affected with a contagious disease, or insane, or noisy, violent, and disorderly, or in the habit of using profane, obscene, and abusive language." And, "independently of parliamentary customs and usages, our legislative Houses have the power to protect themselves by the punishment and expulsion of a Member"; and the courts cannot inquire into the justice of the decision, or even so much as examine the proceedings to see whether or not the proper opportunity for defense was furnished. (Constitutional Limitations, 8th Ed., p. 271.)

It therefore devolves upon us, who are acting in effect, as Supreme Court judges under the Constitution in determining these issues, to make certain that we apply not legislative tyranny, but the rule of constitutional law, as implied from the very taking of our oaths as Members of this body. The distinguished senior Senator from Ohio [Mr. BRICKER] pointed this out in his address to the Senate a few days ago. Are we to substitute legislative tyranny for the rule of law?

We must, under our oaths of office, govern our conduct in this legislative trial by the rule of law; otherwise we can defeat the will of the people and exceed our powers under the Constitution. Our power is legislative. Any power to punish must be by limitation, a power limited to preserving the Senate's right to legislate, and no other.

The PRESIDING OFFICER. The Chair is compelled to call the Senator's attention to the fact that his time has expired.

Mr. KNOWLAND. Mr. President, I yield to the junior Senator from Nevada such additional time as he may desire.

The PRESIDING OFFICER. The Senator from Nevada may proceed.

Mr. BROWN. Mr. President, unless we exercised our judicial discretion in the light of our oaths, it could be contended that we could defeat the right of the people to elect Senators, as provided for by the 17th amendment to the Constitution, by refusing to seat or by expelling new Members simply because they did not represent the then majority party in this body.

A mere reading of article 1, section 5, of the Constitution, without considering the other provisions of the Constitution, might lead to the conclusions as before indicated. But were we to do so, we would have violated our oath to uphold and defend the Constitution of the United States. We thus, in every aspect of our delegated power, apply the rule of law in our exercise of our power under the Federal Constitution.

But since the right to censure, to punish for contempt, must relate, as does the power to expel, to the preservation of the legislative function, hence article 1, section 5, of the Constitution provides:

Each House may determine the rules of its proceedings, punish its Members for disorderly behavior and, with the concurrence of two-thirds, expel a Member.

This merely codified the common-law rule of parliamentary bodies, that of self-protection in exercising the legislative function. The difference, however, is that the English legislative body had both legislative and judicial power.

The relegation to the Senate of power to censure or punish for contempt not related to the preservation of the current session of the Senate in the exercise of its legislative function or power is unconstitutional.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. BROWN. I yield.

Mr. SALTONSTALL. I have been listening to the Senator's address, particularly with relation to the Senate carrying over from one session to another. Does the Senator from Nevada interpret the Constitution to mean that while the Senate is a continuing body, its rights over the conduct of its Members in one Congress do not carry over into another Congress?

Mr. BROWN. In answering that point, we come back to the case of Marshall against Gordon. It occurs to me that that decision of the Supreme Court of the United States, as written by Justice White, indicates specifically that, regardless of the argument, or I should say assumption, of the select committee, that the Senate, in contradistinction to the House of Representatives, is a continuing body, nowhere in the Constitution of the United States is there given expressly the power to punish its Members for contempt or to censure them, save and except as it is specifically enumerated in article I, section 5, of the Constitution, or where it is implied as an essential part of the parliamentary common law, to enable the Senate to preserve its legislative function.

In other words, regardless of whether the Senate be a continuing body or not, under Marshall against Gordon the implied power of a legislative body can extend only to those instances of punishment, except in the case of expulsion.

Mr. SALTONSTALL. Mr. President, will the Senator from Nevada yield, to permit me to ask one more question?

Mr. BROWN. I yield.

Mr. SALTONSTALL. Does the Senator from Nevada dispute the fact that the Senate is a continuing body? Does he agree that the Senate is a continuing body, but that its acts cannot carry over from one Congress to another? Or does the Senator contend that the Senate is not a continuing body?

Mr. BROWN. Mr. President, the Senate is a continuing body in certain senses; for other purposes, it is not. But, if I may so suggest in answer to the Senator's question, it is totally immaterial to this argument whether the Senate of the United States be a continuing body, or otherwise, for this reason: There is no proof of any conduct enumerated in Senate Resolution 301 which, if permitted to be censured at this late date, could in any wise relate to the preservation of the legislative function in the 83d or any subsequent Congress.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. WELKER. I assume the Senator from Nevada is familiar with the book which I used in my remarks in the Senate a few days ago, written by James M. Beck, a doctor of laws, a former Solicitor General of the United States, and also the author of a book, entitled "The Constitution of the United States." Does the Senator agree with Dr. Beck when he writes, on page 50 of the book entitled "The Vanishing Rights of the States," to this effect:

In my judgment, the power of expulsion refers to some act of a Senator during his membership of the Senate, and the act must have some reference to the discipline of the Senate.

Does the Senator from Nevada agree with that?

Mr. BROWN. I certainly do.

Mr. WELKER. Mr. President, will the Senator further yield?

Mr. BROWN. I yield.

Mr. WELKER. At the bottom of page 50 of the book, The Vanishing Rights of the States—and I might digress to say that the great State of Nevada is one of the great States which believes in State's rights—Dr. Beck further states:

It is, however, equally clear, that the act which would justify his expulsion, must have taken place since his election. What he did prior to his election and qualification has been passed upon by the people of his State. In a political sense, it is res adjudicata. A candidate for the Senate might have been guilty of embezzlement before his election, but the right of the people of that State to send an embezzler to the Senate, if it sees fit, is clear. Such decision is the sole right of the State.

Does the distinguished Senator from Nevada agree with that statement?

Mr. BROWN. I certainly do agree with that statement.

Mr. WELKER. Mr. President, will the Senator further yield?

Mr. BROWN. I yield.

Mr. WELKER. At the middle of page 51 of the book, The Vanishing Rights of the States, Dr. Beck has this to say:

To permit the Senate to expel a Senator on the ground that, before his election, he had either been a fool or a knave, would revolutionize our theory of constitutional government. All this had been passed upon before the Constitution was framed in the great John Wilkes controversy.

Does the Senator agree with that conclusion?

Mr. BROWN. Mr. President, I agree with that conclusion.

Mr. WELKER. Now inviting my distinguished colleague's attention to page 54 of the book, I ask him if he is familiar with and agrees with, the quotation contained therein, as follows:

The author has thus quoted every pertinent provision of the Constitution. Reading them together, it seems too clear for argument, that each State has the right to select from its people any representative in the Senate that it sees fit, irrespective of his intellectual or moral qualifications, and that the only limitations upon such choice are, that he shall be 30 years of age, a citizen of the United States for at least 9 years, an inhabitant of the State, and that he shall not hold any office under the United States, and that he shall not have engaged in insurrection or rebellion against the United States, or given aid or comfort to the enemies thereof, unless in the latter contingency,

the Congress, by a vote of two-thirds, shall remove such disability.

Does the Senator agree with that statement?

Mr. BROWN. Mr. President, I agree with that statement as a definite statement of what the law is. However, we know that there may be instances of a person elected by the people being so morally unfit, or so ill, or so insane, as to jeopardize the legislative function of the Senate, which might possibly, after his being seated, but not before, indicate the necessity for expulsion.

Mr. WELKER. I should not think that a censure resolution would be adopted as to an insane man or as to one suffering from a similar disability. Such a situation would come under article I, section 5, of the Constitution, which permits expulsion from the Senate by a two-thirds vote.

If the Senator will yield further, I should like to invite his attention to page 54 of the learned discourse on constitutional law, as it relates to the problem before this quasi-judicial body today. I ask the Senator if he agrees with the following quotation from Dr. Beck:

> The people of the United States may justifiably think that the State has sent to Congress an unfit man, who could add nothing to its deliberations, and whose influence may well be pernicious. Nonetheless, the State has the right to send him. It is its sole concern, and to nullify its choice is to destroy the basic right of a sovereign State, and amounts to a revolution.

Does the Senator from Nevada agree with Dr. Beck upon that fundamental constitutional question?

Mr. BROWN. Mr. President, my answer is "Yes."

Mr. WELKER. If the Senator will yield further, Mr. President, I should like to ask him one more question. At the top of page 55 appears the following:

> The State may send a representative to the Senate who has the intellectual ability of Webster and the unimpeachable morality of George Washington, but he may be a member of a political party which, at the time, is in a minority. If the Senate rejects such a man it is possible that the plain usurpation of the power of the State cannot be questioned in any judicial proceeding. The sole remedy may be, as in the case of John Wilkes, in an appeal to the people, but while the victim might represent the majority of the people of his State, his party's representation in the Senate might well be only a minority, and thus, the right of one State to select its own representative could be nullified as long as a majority of the Senate, composed of the representatives of other States, saw fit to refuse his credentials, or as long as two-thirds of the Senate saw fit to expel him.
>
> If such a power exists, then the greatest of all States' rights has become little more than a "scrap of paper."

Does the Senator from Nevada agree with that conclusion?

Mr. BROWN. Mr. President, I subscribe to that conclusion.

Mr. WELKER. I thank the Senator for having yielded to me.

Mr. CASE. Mr. President, will the Senator from Nevada yield to me?

Mr. BROWN. I yield to the Senator from South Dakota.

Mr. CASE. If the Senator from Nevada and the Senate will indulge me, before I address a question or two to the Senator from Nevada, I should like to say that I think the debate has been immeasurably enriched by the scholarly approach to the question made by the Senator from Nevada. I may further say that the speech which the Senator from Nevada is making must impress all who have heard it with the feeling that we can only regret that the services of the Senator from Nevada will be available to the Senate for such a short time. He is making a scholarly and able contribution to the question now before the Senate.

I should like to point out a few facts by way of questions in order that we may have the Senator's comments thereon. First, with respect to the interrogations of the Senator from Idaho, the Senator from Nevada, of course, realizes that the quotations recently cited related to expulsions, and that the issue before the Senate relates to censure and not expulsion. I should like to ask the Senator from Nevada if he has given consideration to the paragraphs which appear at page 30 of the committee report, in which it is stated:

> The reelection of Senator McCARTHY in 1952 did not settle these matters.

For the sake of brevity, I skip the first paragraph which follows and read the next one:

> Some of the questions, notably the use for private purposes of funds contributed for fighting communism, were not raised until after the election. The people of Wisconsin could pass only upon what was known to them.

That is the first statement in the report to which I desired to invite attention. The second one is in the following paragraph:

> Nor do we believe that the reelection of Senator McCARTHY by the people of Wisconsin in the fall of 1952 pardons his conduct toward the Subcommittee on Privileges and Elections. The charge is that Senator McCARTHY was guilty of contempt of the Senate or a senatorial committee. Necessarily, this is a matter for the Senate, and the Senate alone. The people of Wisconsin can only pass upon issues before them; they cannot forgive an attack by a Senator upon the integrity of the Senate's processes and its committees. That is the business of the Senate.

Did the Senator from Nevada note that paragraph; and if so, what would be his comment?

Mr. BROWN. Mr. President, the Senator from Nevada did note the paragraph, but I might point out in that connection that the implied power given to this body to censure, which is found in article I, section 5, of the Constitution, can be used only to punish in instances where it would be necessary to preserve the legislative function, as set forth in Marshall against Gordon.

It would appear that the matter brought to our attention by the Senator from South Dakota, as contained in the report of the select committee, on page 30, misconceives the purpose of censure or punishment in its relation to the preservation of the legislative function by substituting therefor a criterion which must be expressed by the language itself in the last sentence of paragraph 13 on that page:

> The people of Wisconsin can only pass upon issues before them; they cannot forgive an attack by a Senator upon the integrity of the Senate's processes and its committees. That is the business of the Senate.

Mr. President, in answer, let me suggest one other concept: Throughout the report of the select committee, I believe that the committee, being absolutely fair, and its integrity being beyond question, carefully considered the brief of Mr. Williams, as well as the advice and memorandum of the select committee's own staff. But I believe it was assumed that an attack in the form of a vigorous denunciation of a Member of the Senate or a Senate committee is synonymous with an attack upon the legislative process, and therefore must be censured or denounced in the interest of preservation of the legislative process.

Inasmuch as the junior Senator from Wisconsin may have made a written or oral attack upon the subcommittee or upon a Member of the Senate, it would seem from the debate, as it has developed thus far, that the burden of the select committee or of the proponents of censure is to demonstrate that what the junior Senator from Wisconsin is alleged to have done did impede—and in that respect I agree with the Senator from South Dakota—the processes of the Senate as a whole, acting by and through its committee machinery.

Mr. CASE. Mr. President, let me say to the Senator from Nevada that I appreciate very much that throughout his argument he has recognized that the conduct complained of, whether it be physical conduct or derogatory language, must impede the legislative processes of the Senate in order to constitute a sound basis for censure. All through the debate I have tried to make clear that it seemed to me that the critical question for us to consider was the one propounded by counsel for Senator McCARTHY, namely—and this is the test—"Did the conduct obstruct or impede the legislative process?"

We are, as the Senator from Nevada has so well pointed out, dealing with a problem where we have no fixed, written rule or standard by which to measure senatorial conduct. We must rely upon the inherent right of self-preservation carried in the constitutional power of either House of Congress to make its rules and to punish Members for disorderly conduct.

What is disorderly conduct? Personally, I believe a reliable guide can be found by asking three questions:

Did the conduct or the derogatory language obstruct or tend to obstruct the legislative process?

Did it corrupt or tend to corrupt the legislative process?

Did it destroy or tend to destroy the legislative process?

And, if we carry the question through to other phases, we could ask, Does the conduct of the Senator in question, representing the Senate, tend to destroy the

proper relationships between the executive and legislative branches or between the legislative and judicial branches of the Federal Government?

But in this case we are dealing with conduct with respect to a senatorial committee. So the question here is, Did the failure of Senator McCarthy to appear before the Gillette-Hennings subcommittee and did his derogatory language impede the subcommittee's performance of its function?

I have before me part II of the hearings, and I now invite attention to page 45 of the appendix, which reproduces the report of the Gillette-Hennings subcommittee. Without taking time to read all the several questions to be found at that point, I invite the attention of the Senator from Nevada to the last sentence in the center of page 45, just before the heading "Conclusions and Recommendations." There we find the following sentence:

> Only Senator McCarthy or Mr. Kiermas can supply the answers.

Then we find that the next section is headed "Conclusions and Recommendations," and begins with the following paragraph:

> The subcommittee itself is not making any recommendations in this matter. The record should speak for itself. The issue raised is one for the entire Senate.

That report was submitted to the Senate with the opening of the 83d Congress. The subcommittee had no opportunity to present the report to the 82d Congress, and it was submitted on the eve of the opening of the 83d Congress. The subcommittee said it could not obtain the answers, and said that only Senator McCarthy or his assistant could supply the answers.

I may say there are several other instances along that line.

So I wish to repeat and emphasize the first sentence of the subcommittee's "Conclusions and Recommendations," as follows:

> The subcommittee itself is not making any recommendations in this matter. The record should speak for itself. The issue raised is one for the entire Senate.

In other words, the Hennings subcommittee found itself unable to make recommendations, because it could not obtain the answers. That is the position which I felt the subcommittee expressed, and I think that is what impressed the select committee, namely, that the net effect of the repeated failure of Senator McCarthy to appear before the subcommittee—and I have readily accepted the idea that there was not a legal contempt in that instance; there was no due notice to him, or time for him to appear, and so forth; and I so stated some time ago—the net effect of Senator McCarthy's repeated failure to appear before the subcommittee by a given date, coupled with his denunciation of the Gillette-Hennings subcommittee, constituted, finally, a situation in which the subcommittee found itself powerless to resolve the question which had been referred to it, and to which its jurisdiction had been affirmed by the Senate as a whole by the vote of 60 to 0.

So the Gillette-Hennings subcommittee found itself unable to obtain the answers; and thus the subcommittee stated in the Conclusions and Recommendations:

> The subcommittee itself is not making any recommendations in this matter. The record should speak for itself. The issue raised is one for the entire Senate.

So the subcommittee presented its report on the eve of the opening of the 83d Congress. Thus, as a practical matter, the only opportunity the Senate has had to consider the report or to consider the failure of the subcommittee to resolve the issues before was in the 83d Congress, with the Senate being a continuing body.

What would the Senator from Nevada say with respect to the Hennings subcommittee: Was the subcommittee able to function; or did the conduct of the Senator from Wisconsin impede or obstruct the functioning of the subcommittee, under the responsibilities assigned to it in 1952?

Mr. BROWN. First, Mr. President, let me ask a question of the distinguished Senator from South Dakota, before I endeavor to answer his question: Is the Gillette subcommittee still in being?

Mr. CASE. The Subcommittee on Privileges and Elections is still in being; and the personnel which constituted the Gillette subcommittee, or perhaps I should say the Hennings subcommittee, because Senator Hennings was chairman of it at the time when the report was submitted, continued over to the 83d Congress. Rule XXV of the Senate provides that each standing committee shall continue and have the power to act until their successors are appointed. Even so, the issue involved in the question the Senator raises bothered me somewhat during our hearings. So I tried to find whether the subcommittee actually functioned after the 83d Congress opened. We were told it did function in various ways after the election of 1952. Its parent committee proceeded to function after the opening of the 83d Congress until successor members were named. Pursuing this point one very salient fact was developed under questioning by the Senator from Utah [Mr. Watkins]. It was that the Senator from Arizona [Mr. Hayden], the chairman of the Committee on Rules and Administration in the 82d Congress, continued to serve as chairman of that committee during the early days and preliminary organization of the 83d Congress; and at the end of January 1953—during the first month of the 83d Congress—he signed the payroll for the employees of that committee. So the committee had continued in being, and was recognized by the disbursing of funds for services in January on vouchers approved by the old committee at the end of January 1953.

Mr. BROWN. Mr. President, let me answer in the following manner the question propounded by the distinguished Senator from South Dakota: Those matters were considered in connection with the preparation of my argument in this debate. However, there are two outstanding considerations which impress me tremendously in respect to the matters to which the distinguished Senator from South Dakota has referred. The first is that the Hennings-Gillette subcommittee itself at no time sought any further assistance, either by way of discipline or by way of cooperation, from the Senate as a whole.

A further outstanding fact, which would appear to be most relevant to the ultimate issue, is that the junior Senator from Wisconsin was permitted to be seated in the 83d Congress without objection.

Mr. CASE. Let me say to the Senator from Nevada that I think both those points are points which are entitled to consideration. However, it should be pointed out that at the time the junior Senator from Wisconsin was seated at the opening of the 83d Congress, the question was raised as to whether or not the seating should be without prejudice with respect to two other Members, the Senator from North Dakota [Mr. Langer] and the Senator from New Mexico [Mr. Chavez], as I recall. At least, the question was raised.

The late very much beloved and respected Senator Taft, who was then majority leader, took the position that the Senators referred to could be seated; but whether or not it was stipulated to be without prejudice, the seating would not constitute a bar against any proceeding which might subsequently be instituted. Whether or not the decision with respect to the two Senators whose names were brought up at the time had any bearing upon the attitude of the members of the Hennings subcommitee, I do not know; but I assumed at the time that the principle was applicable to Senators generally, and that if there was anything pending the door would not be closed by their having been seated.

Mr. BROWN. Certainly we must agree that apparently the precedent has been that the seating of a Senator after election does not close the door to further inquiry, which might result in expulsion or other punishment. But let me suggest that there is no connection between the censure resolution and the impeding of the legislative functions of this body. The implementation in this case has come from other sources. I am thinking of the initiation of the Benton resolution, and the initiation of the bill of particulars by the distinguished Senator from Oregon [Mr. Morse] and the distinguished Senator from Arkansas [Mr. Fulbright]. Unless the conduct complained of can properly be tied up with an immediate, definite, provocative type of conduct which, if not censured or punished, would interfere with or impede our legislative function, it would seem that we have established a new rule, under which we assume something which never existed—a rule which, at any time charges might be pending against a Senator before any committee, would require him to seek out evidence and volunteer to disprove the charges, regardless of how irresponsible they might be, or whether or not they were made for the purpose of defeating his particular function of acting in the Senate as an effective representative of the people of his State.

Mr. CASE. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. CASE. Let me say to the distinguished Senator from Nevada that I think he has again placed his finger upon a very important point. If charges could be capriciously raised against a Senator in order to impede him in his conduct as a Senator, or as chairman of a Senate committee, it would be an unfortunate day for the Senate.

I recognize also that there is some force in the suggestion that the Senate slept on its rights, so to speak, in not acting earlier in this matter. I do not attempt to justify that lack of action. I had nothing to do with bringing up the question or initiating the charges. Senators who sponsored the resolution or amendments to it did so on their own responsibility. So far as the Senator from South Dakota was concerned, he was busy with other matters, and he did not feel any responsibility on his part.

However, it must be remembered that when the Hennings subcommittee made its report, it specifically stated "The issue raised is one for the entire Senate."

The Senate did not take up the issue immediately. It was taken up only as a result of the initiative of the Senators to whom the Senator from Nevada has referred. Nevertheless, the issue did come before us. Some of us, who were perfectly willing, apparently, to be indifferent to the situation, and who were busy with other things and were not identified with the matter, were, for that reason, assigned the task of serving on the select committee. The next time anything like this arises, perhaps Members of the Senate will take notice and see that they make some expression which would disqualify them from service on a select committee.

Be that as it may, the issue was raised for the Senate as a whole, according to the statement in the Hennings subcommittee report which I have cited. So, although there was delay, although there was not a clear case of legal contempt because of the lack of adequate notice, time to appear, and so forth, it did appear to the members of the select committee that there was an impeding of the legislative process, and that the Hennings subcommittee was not able to function, which fact it reported to the Senate. Finally the issue was presented in Senate Resolution 301.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. KUCHEL. First of all, if the Senator will permit it, I should very much like, as the neighbor of the distinguished Senator from Nevada, to pay my respects to him and to tell him that he has made a fine contribution to the discussions which are taking place on the floor of the Senate today.

In line with the question asked earlier by the Senator from Massachusetts [Mr. SALTONSTALL], I should like to understand, if I may, exactly what the conclusion of the Senator is with respect to the power of the Senate to sit in judgment on a fellow Senator for any acts which occurred prior to the time of the session in which the Senate is asked to take positive action.

I simplify the question by asking it in this form: In the judgment of the Senator, does the Senate have the right to expel a Member for any acts which the Member is alleged to have committed prior to the convening of that particular session of the Congress?

Mr. BROWN. The precedents from the earliest times are clear and easily understood in respect to the House of Representatives, for the simple reason that the sessions definitely begin and definitely end. There are precedents—and I believe the ruling of the Parliamentarian of this body is to the same effect—which hold that the Senate is a continuing body. However, I respectfully suggest to the Senator from California that the real facet of that question is this: Does the Senate have jurisdiction to punish at this late date the acts complained of in Senate Resolution 301, irrespective of the fact that the Senate may be a continuing body, in that we may consider that it has continued from the 82d through the 83d Congress?

Mr. KUCHEL. I appreciate that point, but I am now speaking in the abstract. I ask the Senator whether, in his judgment, the constitutional authority to expel is proscribed in any fashion, so that the time of commission of the alleged acts, upon which an expulsion could be based, would be relevant to the power of the Senate to take action to expel a Member?

Mr. BROWN. My answer would be, based on Marshall against Gordon, that if we assume that the power to expel or to otherwise punish is limited to the preservation of the legislative function, then certainly it would be definitely immaterial, in respect to that preservation, to expel or to endeavor to punish a Senator during the 83d Congress for something that may have occurred in the 82d Congress, irrespective of whether the Senate be a continuing legislative body.

Mr. CASE. Mr. President, will the Senator permit me to make a suggestion at this point?

Mr. BROWN. I am glad to do so.

Mr. CASE. If I may, I should like to recall for the immediate purpose the further point which was made by the late Senator Taft at the opening of the 83d Congress. It was to the effect that in the Langer case the conduct in question was conduct which had occurred prior to the then most recent election of the Senator from North Dakota [Mr. LANGER], and that if the issue had been whether the Senator from North Dakota should be seated, when the Senator from North Dakota presented himself to be sworn in, a simple majority vote sufficed. The Senate, by a majority vote, however, decided that a two-thirds vote should be required, the same as in the case of an expulsion on the grounds that the conduct occurred prior to the election of the Senator from North Dakota.

Therefore it was explicit that the Senate could expel a Senator by a two-thirds vote on the basis of conduct which had taken place prior to the election.

Mr. KUCHEL. Mr. President, will the Senator from Nevada yield to permit me to ask a question of the Senator from South Dakota?

Mr. BROWN. I yield for that purpose.

Mr. KUCHEL. With respect to expulsion, therefore, if the conclusion of the Senate in the instance cited is a precedent, there was absent at that time any indication that the legislative process had been abused or impeded. Is that correct?

Mr. CASE. I would assume that there was. Of course, there are two different clauses in the constitutional provision on this matter. One provides for punishment for disorderly behavior. As has been pointed out previously, the power to censure is derived from the right to punish for disorderly behavior. The power of expulsion is covered in a subsequent clause in the Constitution which provides that a two-thirds vote is required to expel a Member.

However, I raised the question as to whether a two-thirds vote should be required in this instance on count No. 1, in view of the fact that the conduct complained of did antedate the swearing in of Senator MCCARTHY on January 3, 1953. I believe that question is still pending. The Parliamentarian took the question under advisement, and a ruling has not been called for. However, I believe it is a legitimate question for the Senate to consider. I am glad the Senator from California has raised the question.

If the Senate at one time, in the Langer case, by majority vote, held that it wished to set the precedent that in dealing with conduct occurring prior to a current term a two-thirds vote should be required in the case of expulsion, the Senate may wish to say now that a two-thirds vote should be required in this instance for censure of conduct complained of, which conduct antedates the current term of the junior Senator from Wisconsin [Mr. MCCARTHY]. I do not know the wishes of the Senate in this regard but it is a fair question.

There is one point that ought to be kept in mind, if we are to be absolutely fair. Although the Senate is a continuing body, the junior Senator from Wisconsin in this instance was not a continuing Senator. That is, his conduct in 1952 was not conduct which occurred in the term in which he is now serving as a Senator. He was sworn in as a Senator on January 3, 1953. Therefore he was not a continuing Senator from the 82d to the 83d Congress. If that point has a bearing on the question before the Senate, I believe we should consider it very carefully.

Mr. KUCHEL. Mr. President, I should like first of all to say to my friend from South Dakota that I was presiding at the time he raised the parliamentary question. It was I who referred the question to the Parliamentarian.

Mr. CASE. I recall that and appreciate the action of the Senator as Presiding Officer at that time.

Mr. KUCHEL. In the Constitution the language which is relevant to the question before the Senate reads:

> Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member.

I have been considerably bothered by the question whether the Senate can go into what occurred during a prior session with respect to any attempt to punish a Member for disorderly behavior. Probably in this instance, since the right to punish for disorderly behavior is quite separate and apart from the right to punish by way of expulsion, it cannot be said that the right to expel includes the right to punish, since it is specifically dealt with.

However, I do not quite understand the Senator's suggestion, if I state it correctly, that the power to expel or the power to punish can reach back into a prior session, in order to find the necessary basis for action, only if the legislative process was impeded. If he would develop that point a little further, it would be helpful to me.

Mr. BROWN. Mr. President, in the early part of my remarks I pointed out that if the late Senator Patrick A. McCarran were present today, he would indicate what the issues before the Senate amount to.

In answer to the question propounded by the junior Senator from California, let it be remembered that the language of article I, section 5 of the Constitution reads as follows:

> Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member.

There is nothing contained in the article which permits the Senate to censure a Senator. There is nothing contained in the article which indicates that the Senate can find any Senator to be subject to a warrant of arrest for contempt.

However, as pointed out by Mr. Justice White in Marshall against Gordon, the power is implied from the language used in article I, section 5, that the Senate does have a right to preserve order in its legislative proceedings.

Returning to the specific question, the endeavor is not to expel the junior Senator from Wisconsin. It is to punish him for certain alleged disorderly behavior.

Mr. CHAVEZ. Mr. President, I wonder whether the Senator will yield to me briefly.

Mr. BROWN. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I wish to congratulate the Senator from Nevada, who has been a Member of the Senate for only a short time, for what, in my opinion, is a wonderful contribution to the debate.

There is more involved in the debate than personalities. Under the Constitution, the Senate itself is involved in this particular matter. I do not see any reason whatever for discussing the right of expulsion. We are not trying to expel the junior Senator from Wisconsin because he did something contrary to the rules of the Senate or the dignity of the Senate. We are approaching it from another angle completely. It is whether we have the authority and the right to scold him or to censure him because he may have expressed an opinion that does not appeal to some of us. I would be one of those. Nevertheless, I believe the Senator from Nevada is making a wonderful contribution in his dissertation on the rights and the dignity of the Senate. There is only one State in the Union that can expel the junior Senator from Wisconsin, and that is the State of Wisconsin. Pennsylvania cannot do it; Nevada cannot do it; California cannot do it. Only the State of Wisconsin can do it. I hope the Senator from Nevada will continue with that thought in mind.

I thank the Senator from Nevada for yielding.

Mr. BROWN. Mr. President, I know the hour is getting late, and I shall close as rapidly as may be possible.

The real issue before the Senate is whether we shall determine that we must be so self-disciplined that, under the rule of law, we shall apply punishment only as it may be required to preserve the order of the Senate and the legislative processes of this body.

We have rule XIX, which is sufficient immediately to preserve order in this body. If it be necessary to go further than that, we certainly can punish for contempt, provided we do not relegate to ourselves the judicial function of conducting a criminal trial. That is exactly what it would seem to amount to if we let prior acts, in no way concerned with or related to the job we are supposed to do, govern us in our action.

Mr. President, the scope and limitations of the investigating power of Congress have been the subject of debate and investigation by the American Bar Association and the public at large. The 1954 Ross essay contest conducted by the American Bar Association was directed to this very subject. The winning essay published in the September issue, 1954, of the American Bar Journal, page 763, collected all of the Supreme Court cases on the subject matter, and it is apparent that the Federal courts from the time of the first House congressional investigation in 1792 have upheld the power of Congress to investigate any facts which Congress may require in the discharge of its legislative function, granted to it by the Federal Constitution. And where objections have been made by individuals compelled to testify before committees of Congress, the overall presumption has always been indulged in by the courts that the committees in carrying out the investigations were obtaining facts directly or indirectly related to the legislative function of Congress.

The very issues we are debating on the floor of the Senate was the subject of a debate in August of this year before the house of delegates of the American Bar Association. The committee proposed a resolution and code to be adopted by Congress pertaining to investigation procedure. In that debate Hatton W. Sumners, of Texas, a distinguished former Member of Congress, and one of the most able constitutional lawyers in America today, had this to say concerning the proposed code and resolution, pointing out that he did not see how a congressional committee could properly conduct its business with the handicaps the code would throw in the way:

> When you handicap the House and the Senate in trying to get the knowledge they must have in order to properly legislate, you are doing a tremendously important and dangerous thing. It is necessary to have the facts, and you had better leave them—they may abuse their powers sometimes—but you had better leave your agents so that they will be free and able to get the facts which they in their judgment need in order to properly legislate.

It should be clear that section 2 of Senate Resolution 301, recommending censure for the alleged abuse of General Zwicker, is no longer an issue in the Senate in view of the additional facts disclosed by the distinguished Senator from South Dakota.

However, let us briefly consider the danger of such a count in a censure resolution.

Mr. KNOWLAND. Mr. President, will the Senator from Nevada yield?

Mr. BROWN. I yield.

Mr. KNOWLAND. Before the Senator from Nevada proceeds to count 2, let me say that I have been tremendously interested in his speech; it is one of the ablest addresses I have heard on this general subject matter delivered in the Senate since the discussion began. The Senator is to be complimented upon the research which has been done and upon presenting the facts to the Senate. I am only sorry that all Members of the Senate on both sides of the aisle have not been present at all times to hear his remarks, and I hope they will have the opportunity of reading them tomorrow before the debate is resumed, and if they have any questions, they may propound them.

I should like to ask the Senator if I understand him correctly in regard to count 1, relative to the charges growing out of the Subcommittee on Privileges and Elections, whether it is his viewpoint that, first of all, though the Senate is a continuing body for certain purposes at least, and has been generally so considered by the Senate itself, all the Members of it are not continuing Members. In other words, one-third of the Senate comes up for reelection each 2 years, and, therefore, they are not continuing in the sense that the other two-thirds continue. Second, whether it is the Senator's viewpoint that where misconduct has taken place in a prior Congress it is up to the Senate of that Congress to inflict such discipline as in its judgment might be warranted, rather than to pass on the responsibility to a subsequent Senate.

Mr. BROWN. Mr. President, in the light of the implications of Marshall against Gordon, if there be conduct impeding either the Senate or its committees in the discharge of their functions, the remedy must be sought now, not subsequently, regardless of whether, for some purposes, the Senate be a continuing body.

Does that answer the Senator's question?

Mr. KNOWLAND. It in part answers it. In addition to that the point might be raised that when a Senator is elected for a term of years and his candidacy is normally resubmitted to the voters of his State each 6 years, unless he happens to have received a short term which may have run for 2 years or 4 years, as the case might be, but having submitted his candidacy to the voters of the State and

they having passed upon it, and the Senator having presented himself at the bar of the Senate to seek admission under his new credentials, if the question has not been raised by that time a certain statute of limitations runs, speaking as a newspaperman and not as a lawyer. Let us consider the Langer case in 1941 when the Senate had the question before it of whether a Member should be permitted to sit or should be expelled. They determined by their vote that he would not be expelled.

But it is inconceivable, unless there were some application of the statute of limitations, that Senators could go back to 1941, dig out material, and determine that they wanted to introduce a resolution of censure. There must be some termination date; otherwise, depending upon the whims of a temporary majority, they might continue to fish out of the past whatever might please a transient majority. Is that the point of view of the Senator from Nevada?

Mr. BROWN. That is exactly my point of view.

Mr. KNOWLAND. I thank the Senator.

Mr. BROWN. Mr. President, the statute of limitations has definitely been established in the House of Representatives, because it has been held, time and time again, that where the conduct consists of actions committed at a prior session, subsequent discipline is normally considered to be beyond the jurisdiction of the House of Representatives. The effort is, if the rule of law is applied in the manner suggested, to do exactly that, because by what token can we, under the Constitution, punish the junior Senator from Wisconsin for something which he allegedly did in a prior session, and which is in no way connected with the functions of any committee, or the functions, actions, or legitimate powers to be exercised by the 83d Congress?

But the most important result of censure would be the instilling of the fear on the part of any committee member or any committee chairman that if he in the heat of debate were to exceed the bounds of reason and prudence, it would be possible through censure to emasculate the powers of the committee in obtaining the necessary information which we, the Members of the Senate, may deem necessary for the fulfillment of our legislative functions.

In conclusion, Mr. President, the adoption of Senate Resolution 301 would establish the following specific results:

(a) It would foreclose the Senate's power to get the facts from a hostile executive or other branch of the Government.

(b) It would, by recognizing ex post facto rules, relegate judicial functions to the Senate, and enable the enemies of America to preclude investigation. No chairman or no member of a committee would ever take a chance on offending anyone, as it might result in censure.

(c) There is no need for a new code or censure, as witnesses are well protected now by the Constitution.

(d) It would defeat the will of the people by curtailing their duly elected representative from getting the facts for the people and the Senate, which is so essential to the fulfillment of the legislative function, given by the Constitution.

Let us ask ourselves, would the defeat of the resolution mean that the Senate was without power to retain its dignity and the integrity of its committees? By no means; for example the Subcommittee on Privileges and Elections could have invoked its process compelling appearance, then could have pursued the course prescribed by law as for contempt if the witness failed to appear.

I am assuming that that is a conclusion which the select committee reached when they said that under the Reorganization Act they had the power to compel the attendance of the junior Senator from Wisconsin.

As a further example, when the junior Senator from Wisconsin spoke from the floor of the Senate, rule XIX could have been invoked, rather than subsequent censure, as suggested by the junior Senator from Utah [Mr. BENNETT].

Mr. President, for the reasons I have given—and I feel confident that if the late senior Senator from Nevada, Mr. McCarran, were present in the front row across the aisle, he would say what I am about to say—I shall be compelled, if permitted to do so, to vote against censure, as to do otherwise would constitute a violation of my oath of office.

RECESS TO 2 O'CLOCK P. M.

Mr. KNOWLAND. Mr. President, I move that the Senate now stand in recess until the hour of 2 o'clock this afternoon.

The motion was agreed to; and (at 12 o'clock and 56 minutes p. m.) the Senate took a recess until 2 o'clock p. m.

On the expiration of the recess, the Senate reassembled, and was called to order by the Presiding Officer (Mr. BUTLER in the chair).

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. J. Res. 301) to censure the junior Senator from Wisconsin.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time consumed in calling the quorum not be taken from either side.

The PRESIDING OFFICER. Without objection, it is so ordered, and the Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Ellender	Johnson, Colo.
Barrett	Ervin	Johnson, Tex.
Bennett	Ferguson	Johnston, S. C.
Bridges	Flanders	Kefauver
Brown	Frear	Kerr
Bush	Fulbright	Kilgore
Butler	George	Knowland
Byrd	Gillette	Kuchel
Carlson	Goldwater	Langer
Case	Green	Lehman
Chavez	Hayden	Long
Clements	Hendrickson	Magnuson
Cooper	Hennings	Mansfield
Cordon	Hickenlooper	Martin
Cotton	Hill	McCarthy
Daniel, S. C.	Holland	McClellan
Dirksen	Hruska	Millikin
Duff	Ives	Monroney
Dworshak	Jackson	Mundt
Eastland	Jenner	Murray
Neely	Saltonstall	Symington
O'Mahoney	Schoeppel	Thye
Payne	Scott	Watkins
Potter	Smith, Maine	Welker
Purtell	Smith, N. J.	Williams
Robertson	Sparkman	Young
Russell	Stennis	

The PRESIDING OFFICER. A quorum is present.

Mr. FLANDERS. Mr. President——

Mr. KNOWLAND. Mr. President, I yield 10 minutes to the Senator from Vermont.

Mr. FLANDERS. That will be ample.

(Mr. FLANDERS addressed the Senate in further reference to his Open Letter to the Russian People. His remarks appear in today's RECORD following the earlier debate on that subject.)

Mr. FULBRIGHT. Mr. President——

Mr. MONRONEY. Mr. President, I yield 30 minutes to the distinguished junior Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I have already, on several occasions, spoken on the subject under consideration. I do not intend to speak very long today. However, I should like to make a few observations before the vote is taken.

At the outset I wish to pay tribute to the select committee as a whole, and especially to the chairman, who did such an outstanding piece of work in presenting this case to the Senate.

The committee had a distasteful duty to perform. All the members of the committee performed that duty in a statesmanlike manner, and the entire Nation owes them a debt of gratitude. My faith in our system of government, and especially in the Senate, was revived and strengthened by the manner in which the members of the committee conducted themselves in this difficult undertaking. Those Senators demonstrated how a committee should be conducted. So out of these hearings the Senate will have learned both how a committee should be conducted and how a committee should not be conducted. Therefore I think these proceedings may be of value in the future.

I wish to pay a very special tribute to the Senator from Utah [Mr. WATKINS], the Senator from Kansas [Mr. CARLSON], the Senator from South Dakota [Mr. CASE], the Senator from Colorado [Mr. JOHNSON], the Senator from Mississippi [Mr. STENNIS], and the Senator from North Carolina [Mr. ERVIN].

We owe a special debt to the distinguished chairman of the committee. We are indebted to him for the manner in which he retained control over the hearings. I confess that last August, when this question arose, I was very dubious about the ability of anyone to cope with the junior Senator from Wisconsin in a committee hearing. I do not think anyone had done so successfully prior to the hearings before the select committee.

We are also indebted to the senior Senator from Utah for the magnificent way in which he presented this complex and difficult subject to the Senate. In all my experience in the Senate I have never heard a more moving speech, or one delivered with greater dignity and conviction.

Lastly, we are indebted to the chairman because, as the agent of this body, designated by the Senate to perform this onerous task he was personally subjected to the vilest kind of abuse. He took that abuse on our behalf, so he deserves not only our sympathy, but also vindication by the vote of the Senate, if the Senate has any honor and self-respect left.

If there were no other reason to vote for the resolution of censure, the attempted intimidation of the chairman—and, through him, of the Senate—by the junior Senator from Wisconsin would be ample reason for the censure.

Mr. President, I wish to insert in the RECORD at this point an excerpt from an article published in the Arkansas Gazette of November 24, 1954. It is a reprint of an article written by Bob Fisher, editor of the Crossett News-Observer, and published in a recent issue of that newspaper. It relates to an incident which the Senate should know about. Perhaps it knows about it already. I shall read only a part of it, but I ask unanimous consent that the entire article be inserted in the RECORD as a part of my remarks. I quote only a part of it, as follows:

Historians in future generations will surely accord a large place to the tolerance and patience of the American taxpayer—because as we were again shown this week—it is a marvel to behold.

This is Bob Fisher, the editor of the Crossett News-Observer writing:

What brought this fact to light was the receipt of a 20-page booklet from Senator JOE MCCARTHY, entitled "Throw the Bum Out," which is composed entirely of excerpts from the Daily Worker, Communist Party propaganda organ published in New York. We are not sure who paid the huge cost of publishing this piece, but we sort of think it was the same fellow who paid the mailing charges on it—namely, you, you, and you, Mr. Average Taxpayer.

Now we don't have any particular quarrel with Senator MCCARTHY and what he sends through the mails, if it is information for his own people of Wisconsin, but we think he is carrying his Government free-mailing privilege a bit too far when he mails pieces like this to literally thousands of newspapers all over the United States to try and influence them in his behalf.

The remainder of the article discusses the pamphlet. Apparently it did not make a very favorable impression on the editor of the Crossett News-Observer. I may say that Crossett is a relatively small but progressive town in the southern part of my State. The article, naturally, was well received by the junior Senator from Arkansas.

I ask unanimous consent that the entire article be printed at this point in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MCCARTHY: ALL IS NOT RED THAT BRISTLES

The myth that anti-McCarthyism must be considered as synonymous with procommunism was examined last week by an Arkansas editor, Bob Fisher of the Crossett News-Observer:

"Historians in future generations will surely accord a large place to the tolerance and patience of the American taxpayer—because as we were again shown this week—it is a marvel to behold.

"What brought this fact to light was the receipt of a 20-page booklet from Senator JOE MCCARTHY, entitled 'Throw the Bum Out,' which is composed entirely of excerpts from the Daily Worker, Communist Party propaganda organ published in New York. We are not sure who paid the huge cost of publishing this piece, but we sort of think it was the same fellow who paid the mailing charges on it—namely you, you, and you, Mr. Average Taxpayer.

"Now we don't have any particular quarrel with Senator MCCARTHY and what he sends through the mails, if it is information for his own people of Wisconsin, but we think he is carrying his Government free-mailing privilege a bit too far when he mails pieces like this to literally thousands of newspapers all over the United States to try and influence them in his behalf.

"Getting back to the booklet in question. It is composed of stories and pictures taken from the Daily Worker to show how much they hate Joe. The inference is that if you hate Joe, too, then you must also be a Communist. If this line of reasoning is true then the ranks of the Communist Party will be swollen overnight. The tactic is one that Joe has used often—that of guilty by association. In short he says, you are either for me or against me. If you are against me then you are anti-American. Nothing could be further from the truth, and if Joe was as well schooled in the fundamental ideals of his native land as he is in its investigative powers, he would know it.

"The mailing of the booklet referred to was timed to coincide with the opening of the Senate censure hearings about Joe's very fitness to sit in the world's highest governing body and no doubt many persons were swayed by it to believe that it would be criminal for us to publicly spank a Senator whom the Communists have so little taste for.

"Perhaps this is true but we still believe that the treasures of our American ideals and liberties must be zealously guarded from all corners and from the manner Senator MCCARTHY has conducted himself in the past there is little choice between his methods and these of the Communists. In short if your pocket is robbed it makes little difference who does it, the person is still a thief."

The cost to taxpayers of the McCarthy censure spectacle also was taken up by Bradford Govan of the Melbourne Times:

"Along with a lot of other 'junk' I get in my mail, I received one of those 'Ten Millions Americans' petitions in support of MCCARTHY, that so-called Senator from Wisconsin.

"If there has ever been a waste of taxpayers' money, this McCarthy censure thing tops them all. Russia could take over the country while the Senate tosses this thing around.

"It is time that the Senators stand up and be counted and then drop the whole darn thing—then maybe the voters in Wisconsin will drop their junior Senator in the election."

Mr. FULBRIGHT. Mr. President, I now wish to pass to another aspect of the subject.

Criticism, vigorous and personal, is a characteristic of public life in our democratic system. All of us are accustomed to it. I do not believe that I am any more thin skinned than any of my colleagues. However, formerly criticism was based on legitimate differences of opinion about issues before the Senate. Of late, especially since the censure resolution came before the Senate, the character of the criticism has changed. It is no longer criticism. It is unadulterated hate, vituperation, and abuse. It is highly emotional, irrational, and designed to intimidate and overawe Members of the Senate.

I shall read into the RECORD a few communications which I have before me as examples of the character of what has come to be known as McCarthyism. The junior Senator from Wisconsin, by his reckless charges, has so preyed upon the fears and hatred of uninformed and credulous people that he has started a prairie fire, which neither he nor anyone else may be able to control.

If there are 10 million people in this country similar to the authors of these letters, I believe it is something about which all of us ought to be deeply concerned.

I may say that I have received thousands of similar communications. Some of them are so vile that I cannot use them. I shall leave it to Senators to judge the significance of these letters.

The first letter is from San Antonio, Tex., and is signed by G. G. Gurley, president, Chemical Attraction Oil Corp. In a postscript it is stated that a copy of the letter has been sent to Senator MCCARTHY. The letter is dated November 19, 1954, and reads as follows:

SAN ANTONIO, TEX., *November 19, 1954.*
Senator J. W. FULBRIGHT, or Notbright,
Care of Senate Office Building,
Washington, D. C.

DEAR SIR: We have asked Senator MCCARTHY to help us get your name changed to "Notbright" instead of FULBRIGHT. Also, we have asked Mr. MCCARTHY to help get you in insane asylum for your safety as a New Deal associated with 20 years of treason. You are judged by the company you keep. You have been a party to the Roosevelt-Truman-Acheson-Hiss gang of traitors for 20 years or more, as per the records I get. We shall ask Senator MCCARTHY to investigate you and your leftwing gang of traitors. As per the records, your passed life has not been perfect. When you joined the only Jew to vote against 76 Senators, that proved you were the henchmen for the Jew Deal. H. H. LEHMAN should be deported out of this Nation to Russia, or let Germany take that "bird" in and give him the gas like Hitler did, as per my opinion of his record. We know there is always some crackpot fronting for the Jew, in this case it sounds like its you, as per Mr. Fulton Lewis, Jr. I'm for MCCARTHY 100 percent like 80 percent of the American people are. When you are up for reelection we want MCCARTHY to campaign in Arkansas against you. There will be many Senators defeated in 1956 on that very thing, McCarthyism. MCCARTHY is the biggest man in the United States Senate today and you can't defeat him. We are working to get 10 million names, or more, who will work against you leftwingers and the fake New Dealers and traitors. We mean to save America if we have to jail the workers against our Government. All this graft in income tax, housing, mink coats, 5-percenters, Hissism, et al. of some un-Americanism, etc. are fronting for the Jew as per their records. You and your gang of 20 years of treason, put us in three wars. Your Truman-Acheson-Hiss war was promoted to get Truman-Acheson off the hook to prevent a panic. They never intended to permit MacArthur to win that war as you well know. You and your gang put us in debt up to near $275 billion. As you know, Truman was a Pendergast gangster. That's the record of that faker and traitor as you know. When MCCARTHY gets out of the hospital he should get you told. We will

back him 100 percent if he will take you out to the woodshed and give you the paddle.

Yours very truly,

G. G. GURLEY,
President, Chemical Attraction Oil Corp.

P. S.—A copy to Senator MCCARTHY.

Mr. Gurley encloses for my information an article by Mr. David Lawrence, and another article by Mr. Pegler, which I shall not burden the RECORD by reading, unless some Senator would like that done.

That letter is one example. I think it is very revealing.

I have another letter before me. It comes from Laverne, Okla. It is dated November 24, 1954, and is signed by Mrs. George T. Whitaker. It reads, in part, as follows:

Every person that fights those that are trying to rid our (?) Government and Nation of the Reds, all shades are branded with Russia's red stick.

In other words, Mr. President, I take it that everyone who does not agree with the junior Senator from Wisconsin is a Red.

I shall not read all of the letter. I ask unanimous consent, however, that the entire text of the letter may be printed in the RECORD at this point in my remarks, so that there will be no mistake about the contents of the letter.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LAVERNE, OKLA., *November 24, 1954.*

Senator FULBRIGHT:

Every person that fights those that are trying to rid our (?) Government and Nation of the Reds, all shades are branded with Russia's red stick. They need a good dose of salvation, so they will act like upright men instead of spoiled children.

Next year 8 Senators will be chosen to study the changing of our Constitution so as to change it in 1956. (Reds again.) We will be worse than slaves. The Devil through the Reds are putting the people asleep.

This Nation is going down. The people have turned their backs on God. Worse now since the Reds have put out the demon possessed New Bible (?). Antichrist is working extra hard these last days. All such will end up in the lake of fire.

It takes backbone to stand up for the right. Few there be that has it. The President is hoodwinked.

As ever,

Mrs. GEO. T. WHITAKER.

Mr. FULBRIGHT. I will not take the time to read all of the letter, but I shall read another part of it, as follows:

This Nation is going down. The people have turned their backs on God. Worse now since the Reds have put out the demon possessed New Bible (?). Antichrist is working extra hard these last days. All such will end up in the lake of fire.

It takes backbone to stand up for the right. Few there be that has it. The President is hoodwinked.

As ever,

Mrs. GEO. T. WHITAKER.

I have read that kind of letter to show how sad it is for people of that type to be incited by the kind of charges the country has been subjected to for the past 2 or 3 years.

Here is another one, from Philadelphia, Pa., signed "Tupti." It reads as follows:

PHILADELPHIA, PA., *November 26, 1954.*

SIR: You ask for public support in this phony censure showdown. I am an ex-marine who fought in the South Pacific, to open the gates of this Nation for the commy Jews that Hitler did not kill?

You are one of the phony pinko punks connected with LEHMAN, MORSE, FLANDERS, and BENNETT.

FULBRIGHT, the writing is on the wall, if that great Senator from Wisconsin is censured.

The people of this Nation will take over, and I don't mean ADA or the commy liberals that you and your stooges meet in the capital every evening. Senator Long (Huey) had the Indian sign on a great son from Arkansas, Joe Robinson. The American people are watching you with the halo around you accusing a great American, Hon. JOSEPH MCCARTHY, of Wisconsin; why did not the United States Senate censure those corrupt, rotten, racket men like Heflin, Alabama; Robinson, Arkansas; Truman, Missouri, ———; Chavez, New Mexico; Wagner, New York (Whisky Bob); Fulbright, Arkansas.

Stand up in the United States Senate and put this in the RECORD. I will be there watching you.

TUPTI.

[Laughter.]

Here is a rather mild one from Elmhurst, Ill., from Mrs. Barbara B. Crone, which reads as follows:

ELMHURST, ILL., *November 18, 1954.*

DEAR SENATOR FULBRIGHT: The resolution to censure Senator MCCARTHY should be overwhelmingly defeated. This smear campaign to "get MCCARTHY" was devised by the Communist Party, furthered by fellow travelers, aided by people too stupid to think for themselves, and abetted by spineless individuals who will not face the truth. MCCARTHY is based on fact and proof, which cannot be said for his accusers. Thinking Americans thank God for MCCARTHY, WELKER, JENNER, VELDE. We need many more with their "intestinal fortitude."

Defeat the resolution to censure MCCARTHY.

Very truly yours,

Mrs. BARBARA B. CRONE.

P. S.—Have heard on the news this evening that you, along with Senator LEHMAN, voted against adjourning until Senator MCCARTHY is out of the hospital and able to be present for the debate on the censure resolution. You certainly have a peculiar sense of fair play, to say the least. But then, the American people have come to expect very little from your breed, so it really is not very surprising.

Here is one from Levittown, Pa., from Mr. John Lavezzoli:

NOVEMBER 21, 1954.

Senator WILLIAM FULBRIGHT:

The name assigned to you, Senator Halfbright, is without question proper, especially so, after listening to your comments today.

You stated that you thought this country was not a gone-goose, or words to that effect.

Senator, if people of your type live very much longer, you will see the great Communist conspiracy take over this country, lock, stock, and barrel.

You take the opposite side of Senator KNOWLAND on the question of whether or not we should break off relations with Russia. This, of course, is your proper right, but you evidently have sold out to the Communist thinking. Yes, you should go along with HERBERT LEHMAN, an old hand at subtley pushing for expansion of Communist influences. Keep up the good work, as you certainly will be justly rewarded for all of your misdeeds in your constant neglect to fight to keep this country strong.

At least Senator MCCARTHY has always been consistent. He is a great American. He has done more to uncover, expose, and get rid of Communists in Government departments than any other one man in America.

Some unthinking people, including you, Senator Halfbright, say, "Oh, I approve of Senator MCCARTHY's objectives, but I do not approve of his methods." Certainly even a Senator Halfbright is not opposed to removing the scum of the earth, the Communist, from our Government. This last statement is just pure assumption, as you may be for the Communist conspiracy. Who knows what is in your heart and mind?

You may even worry more about the communistic press in other countries, with their constant line against MCCARTHY. After all, you are only a Senator of the United States of America, so why should you worry about conditions at home?

Under Roosevelt we let the Commies in, under Truman we kept them in, and with the weakling Eisenhower in office we shall continue to keep them in office; yes, with your help, we will destroy all effective steps that possibly could be taken against the Communists in this country, as well as throughout the world.

God help this country, as we surely cannot depend on the likes of you to help clean up this country, keep it for the future generations, so that our children's children will know democracy as we knew it prior to the time that old boy Roosevelt recognized Russia. You, a Democrat, appear to be quite pleased with the election of Senator CASE, of New Jersey. This is what can be expected of a free thinker; always welcome assistance from anyone, even if he is of the opposite party, just so long as he can be counted to work with you and LEHMAN to help keep the Commies in office. We are already well on the road to the loss of all of our democratic principles. Keep up your work for the International Bank, which is part of the Federal Reserve conspiracy. Just keep working with LEHMAN and you surely will become a great Senator, working toward the loss of all of our franchised rights.

May the good Lord, remove you and your type from office in the very near future. Surely the loss to the country will not be great; in fact it might be helpful.

JOHN LAVEZZOLI.

LEVITTOWN, PA.

It is strange, Mr. President, that the supporters of the junior Senator from Wisconsin all seem to think that we are going to be taken over by our enemies. They seem to be pessimists.

Another characteristic is the injection of a rather unrelated idea now and then in these letters. The writer of this one does not explain what the Federal Reserve System has to do with communism.

Here is a letter from Buffalo, N. Y., from Peter Murphy, which reads as follows:

BUFFALO, *November 20, 1954.*

Senator FULBRIGHT:

If you knew the contempt the people hold you and HERBERT LEHMAN (Alger Hiss' pal) you wouldn't strut around so cocky. What did you ever do to combat communism? Nothing. You refused to vote one dollar to the McCarthy committee. A fine dirty red rat are you.

It's an old saying, and a true one: "Birds of a feather flock together." Who were the birds that voted not to allow Senator MCCARTHY time off to recover from his illness? I'll tell you: It was Red loving FULBRIGHT

and the rotten Jew, HERBERT LEHMAN, the pal of Hiss.

Yours truly,

PETER MURPHY,
An Admirer of Senator McCarthy.

[Laughter in the galleries.]

The PRESIDING OFFICER. The Chair must state to those who are occupying space in the galleries that they must comply with the rules of the Senate. Expressions of approval or disapproval of anything that may be said are not permissible. The Chair kindly requests them to cooperate with us in abiding by the rules.

The Senator from Arkansas may proceed.

Mr. FULBRIGHT. Some of the writers, Mr. President, do not have as much imagination as others. The next one is very short. It reads:

FULBRIGHT: Tie Hyena MORSE and Jackal LEHMAN around your foul coyote neck and jump into the Potomac.

The next letter I shall omit, because it is a little bit strong in its language.

The next one is from Springfield, Tenn. It begins:

Pseudo Senator SAM ERVIN, Washington, D. C.

I did not notice that. It is a copy of a letter to the Senator from North Carolina [Mr. ERVIN]. It reads as follows:

SPRINGFIELD, TENN.,
November 17, 1954.

Pseudo Senator SAM ERWIN,
Washington, D. C.:

I have read your tirade against McCARTHY in which you did not utter one word of truth. Your tirade was down the alley of the Daily Worker and 100 percent the voice of that paper. We wonder if the Daily Worker has you in its service. McCarthy haters are Communist lovers. There is no other reason for being a McCarthy defamer. Smoke this in your pipe.

McCARTHY is as much your superior as George Washington was the superior of Benedict Arnold. Same is true of all McCarthy haters.

You impress me as being one of Truman's red herrings. Give you a gentle shove and you would land in the tents of Earl Browder.

Harry Truman sent our boys to start a war in Korea to ward off a Truman depression. In so doing he violated his oath to support the Constitution. He is as guilty of the death of every boy killed in Korea as if he had stabbed them in the back.

He called Drew Pearson's mother a ——. He made it easy for his confederates to steal from Uncle Sam. He threatened to smash the faces of his constituents. He is the star member of the vilest machine on earth—the Pendergast. He is the most discredited political degenerate in this country. You have played ball with him from the start. You never chirped when Truman violated his oath, nor did you chirp when he called Mrs. Pearson a vile name. That being true you have concurred in all the malefactions of the star of the Pendergast machine. You are in the same class with all members of that machine, many of whom have served terms in penitentiaries until Truman pardoned them.

The Communists had enough influence to get a bill through the Senate to make it unlawful to call a Communist what he is. This affords protection to McCarthy haters.

One does not have to identify you. You are known by your own words and the stand you take.

ANTI-COMMUNIST.

Here is a rather interesting letter of a little different character. It was forwarded to me by the Secretary of the Senate on November 24. The covering letter says:

UNITED STATES SENATE,
November 24, 1954.

Hon. J. W. FULBRIGHT,
United States Senator,
Washington, D. C.:

DEAR SENATOR FULBRIGHT: The attached letter speaks for itself and is referred to you due to the fact that on page 2, thereof, your name has been mentioned.

Sincerely yours,

J. MARK TRICE.

This letter is from Berkeley, Calif., addressed to the Secretary, United States Senate, Washington, D. C., and reads as follows:

DEAR SIR: The talk going the rounds out here in California is that when traitor Hiss is released from prison next week he is going to look for a sponsor to bring censure proceedings against our beloved Vice President, DICK NIXON, for sending the scoundrel to jail.

In view of this talk I thought I should send the information on to you and ask you to relay it to the following Members of the Senate:

Senator LEHMAN, of New York.
Senator MORSE, of Oregon.
Senator FLANDERS, of Vermont.
Senator WATKINS, of Utah.
Senator FULBRIGHT, of Arkansas.
Senator JOHNSON of Colorado.
Senator ERVIN, of South Carolina.
Senator BENNETT, of Utah.
Senator HENDRICKSON, of New Jersey.
Senator LANGER, of North Dakota.

I feel sure, sir, that one or more of the above-mentioned Senators will be approached on behalf of traitor Hiss and asked to introduce the censure resolution.

Before circulating this to the Senators named above, would you kindly bring it to the attention of that good old-fashioned American and patriot, DICK NIXON, in order that he may be apprized of the expected action on the part of the Commie-loving traitor.

With the assurance of my high regard, I am,

Sincerely,

FRANK J. REYNOLDS.

"America First."

Mr. President, here is one from Teaneck, N. J., having a little different approach:

NOVEMBER 22, 1954.

COMRADE FULBRIGHT: Incloced find two-bits toward your public schools in Arkansas.

If enough people mail money maybe Arkansas can buy books so the people of Arkansas can learn to read and write. If they could they would know Jeff Davis was not President today, and they would elect a real Democrat to be their Senator. And be sure and wear the red flag of your comrades when you vote censure against the most Honorable JOE MCCARTHY.

Who promoted Peress?

BERT B. COX.

Mr. President, the next one is not so original. It reads:

DEAR SENATOR HALF-BRIGHT: Now that Senator MCCARTHY has gone under the knife will you still say he is faking? You, sir, are not worthy of being a human being. I would spit on you if I could, but you would not be worthy of my saliva.

Will you apologize, or do you think you should be censured? I honestly wonder how it is possible to look at yourself in the mirror (if you do). You are plain disgusting.

Sincerely,

GEORGE J. NICK,
Middle Village, Long Island, New York, N. Y.

Mr. President, one of the strangest letters comes from Kansas, and the writer apparently thinks I am a Republican. He says:

CLAY CENTER, KANS., *November 22, 1954.*

Hon. WILLIAM FULBRIGHT,
Senate Office Building,
Washington, D. C.

MY DEAR MR. FULBRIGHT: First, I will introduce myself.

I am 77 years old, I have lived in Kansas all my life, and have voted the Republican ticket ever since I was old enough to vote.

Last night I heard you on the radio, if I understood you right you blamed MCCARTHY to be largely responsible for the Democrats winning the majority in the Senate and the House.

Don't kid yourself. We living out here in the sticks and the grassroots can tell you a few things.

First the Republican Party is the cause of loosing the election. You cannot agree among yourselves. KNOWLAND says, break with Russia. Ike says "No." Ike comes up with something and the rest say "No," because you might lose some votes.

You say you are for 90-percent parity. The country is full of grain bins now full of corn and wheat. What are you going to do with it?

We cannot continue to subsidize the farmers forever, and some other plan will have to be worked out.

What are you doing now at the expense of the taxpayers? Quarreling among yourselves how you are going to censure MCCARTHY for exposing the Communists. What good did the trial, if we may call it so, between the Army and MCCARTHY do? Evidently the Army was sore because MCCARTHY investigated Fort Monmouth. What was the result of his investigation? Six discharged; resigned under investigation, 3; suspended and still under investigation, 6. Was that worth investigating?

If you do not do something in the next 2 years to vindicate the Republican Party you will help elect a Democrat President.

First you will have to quit bickering and quarreling among yourselves, at the expense of the taxpayers.

We are getting disgusted with all this and if you cannot do something that will benefit the Nation adjourn and go home, and save the expense.

What do we care who calls who names; what we want is lower taxes.

Respectfully,

PERRY PETERSON.

Mr. President, the next letter comes from Michigan—Cadillac, Mich. It reads as follows:

CADILLAC, MICH., *November 22, 1954.*

The Honorable Senator FULBRIGHT,
United States Senate,
Washington, D. C.

DEAR SIR: You should be ashamed of yourself for the way you have insulted Senator MCCARTHY during his illness and you should be made to apologize publicly to him. You and that other Red bird FLANDERS haven't the sense God gave a goose and it's no wonder the people of Arkansas have no use for you. All you, FLANDERS, and MORSE have done is to belittle Senator MCCARTHY; you haven't done one bit of constructive work this summer or fall—he is so right when he said you Senators were the unwitting tools of the Communists—I don't know if it was

unwitting or not. The rest of you Senators can say anything and not a word of criticism handed to you, but let Senator McCarthy open his mouth and there's a howl from the red and pink element at once. If you aren't Reds then what Red are you covering for? Who promoted Peress? Who put the Reds in service at Fort Monmouth and who is using Senator McCarthy as a carry on blind while some more are hid or given honorable discharges so as not to hurt their feelings and to try and cover up what Roosevelt, Truman, and Ike have done? I hope Senator McCarthy sues every one of you for the way you have mislabeled him, misconstrued his quotes, and maligned his every effort to do as we the people wish him to do. Why didn't Truman honor his subpena in the H. D. White case; also Tom Clark? Why was Truman not censured and sent to jail when he lied in the H. D. White case? J. Edgar Hoover said that he never told Truman to promote White. Why was the poor brainwashed Batchelor boy given a life sentence and later 20 years because of public sentiment and the slimy, rotten, Roosevelt-lover Hiss, given but 5 years. Why was old chessy cat Ike allowed to issue a directive to obstruct justice and hide some dirty, underhanded, crooked work? Had I or some poor brainwashed soldier done such a thing we would go to prison. Who was the Red that ordered Acheson to order Truman to recall General Mac?

One thing we can thank the Honorable Joe McCarthy for is that he has given us a chance to see who favor the Reds in Washington. They have exposed themselves in full view without the help of the FBI.

You know the people aren't fools like they were in 1933—we read books of enlightenment and are not going down the Red road so easily as Mandell House and the other Reds had planned. Who in America is financing the Reds in Russia? Couldn't be the rich Jews or the Rockefellers, could it?

Why is Youngdahl allowed to preside over the Lattimore case? Why isn't Acheson sent to prison? That goofy Flanders should be censured instead of Senator McCarthy. No one but a goof or a Red would be so ill mannered or ignorant as to walk into a hearing room as he did, but a Red will do most anything to divert attention when he's almost cornered. I shall insist that he be censured and a full investigation made into his activities in behalf of his friend Hiss and to his flight to Europe and his hideaway at the hotel before he left.

Very respectfully yours,

Mrs. Chas. Berquist.

The PRESIDING OFFICER. The Chair wishes to advise the Senator from Arkansas that his time has expired.

Mr. MONRONEY. Mr. President, I yield the Senator from Arkansas an additional 15 minutes.

Mr. FULBRIGHT. That will be more than ample. I am about finished, I may say to the Senator from Oklahoma.

As a matter of fact, if it be agreeable to the Chair, I shall ask unanimous consent to have printed at this point in the Record the remainder of these letters, which are of a similar nature.

The PRESIDING OFFICER. Is there objection?

There being no objection, the letters were ordered to be printed in the Record, as follows:

Brooklyn, N. Y., *November 22, 1954.*

Senator Fulbright:

You certainly are out to get Senator McCarthy's blood. It makes one wonder what kind of beast you are. For one thing, you are a perfect handmaiden of the Communist conspiracy in this country. I wish the Devil would take you along with Vishinsky. One thing is sure, you would be in your element.

Alice M. Dinamarca.

Senator Fulbright:

You dirty, low-down, evil-minded traitor, and the rest of your fellow traitors who are persecuting the great American Senator McCarthy, saying his illness is a hoax just shows to what length a filthy-minded rat will stoop to. I hope you will have to eat your words, and it will backfire on you, and hope it is not far away. It would do well for you to brush up on some of the past performances of the Senate (as I read David Lawrence), and maybe, just maybe, you can be enlightened on some past censures. Such men as Borah, La Follette, and Wheeler could send you to the river (and your kind), where you belong.

A Roman Catholic.

New York, N. Y., *November 25, 1954.*

Fullbright:

When will you stop fighting McCarthy and become an American? How have you got the gall to insult us Americans? Do you think we are blind and can't see? Maybe you think that we Americans can't read? How dare you and your Red pals of ADA and Committee for a "Defective" Congress, and the gang at the Waldorf (Goldsmith traitors) insult our intelligence. With the conservative pro-American exceptions your party is the party of treason and corruption of 20 years.

Long live McCarthy and those who think and love the United States of America as he does and to hell as Vishinsky's companions with those America haters who pretend to hate the McCarthy methods as an excuse because you really sold out our America. We are ex-Democrats and now conservative protestant American Republicans.

Stringham Family.

P. S.—Who promoted Peress? How is "Stew"?

Mount Vernon, N. Y., *November 24, 1954.*

Senator William Fulbright,

United States Senator, Arkansas,

Washington, D. C.:

You English louse. Go back to England with your British wife and stay there. McCarthy was the cause of the English retreat at Dunkirk, where England left poor Belgium stranded. McCarthy has showed up you and your type of pinko Senators. Ship supplies to England, and England sells it to the Reds to kill our boys. Drop dead, you skunk.

American Veteran.

November 23, 1954.

Senator Fulbright (but not very bright), of Arkansas,

Washington, D. C.:

My dream may never reach fruition but it will always be foremost in my mind. That is to plant a healthy punch on your nose. What have you ever done about Communists? There may come a day.

San Francisco, Calif., *November 22, 1954.*

Senator J. W. Fulbright,

Democrat, Arkansas,

Washington, D. C.

(The hate monger): To a blind, greedy materialistic pig: Where have you been for the past 8 years, you durnd stupid fool. Pearson, the greatest Communist-line smear artist, has been smearing McCarthy every week all year around, he has mentioned McCarthy's name up to 20 times in a 15-minute program, plus advertising (and all bad). This rat, Pearson, has, and is doing, more harm to America than 20 McCarthy's. May you suffer the tortures of hell before you croak, and be damned for all eternity. "Feigning sick." The doctor is a liar. You should be censured.

An American.

Senator Fulbright,

Democrat of Arkansas,

Washington, D. C.:

A boot for Joe is a boost for the Reds.

Five million dollars in Washington to censure McCarthy.

Truman says a snollygoster is a person born out of wedlock.

Will you help take the stars out of Old Glory and put the hammer and sickle there?

Who were the drunken Senators who had to be led off the Senate?

Chicago, Ill., *November 20, 1954.*

Senator Fulbright of Arkansas,

United States Senate,

Washington, D. C.:

Re McCarthy.

Aren't you one of the simonized stumble bums that voted out another great patriot, General MacArthur?

Looks as if another 20 years of treason is in the making.

N. Hale.

Los Angeles, Calif., *November 20, 1954.*

Senator J. William Fulbright,

Senate Office Building,

Washington, D. C.:

Senator Fulbright: I would think that you and your colleague Senators, Wayne (Mugwump) Morse and Flanders or Slanders are very proud of the fuss you have caused regarding a few silly charges against the patriotic Senator Joseph R. McCarthy. You, et al., are the real parties who should be censured and then given a hard kick in the seats of your pants. It is a shame that we have to have such little freaks as your group in the United States Senate. Senator Francis Case is a real man who is strong enough to admit the fallacy of the unjust charges recommended by the Watkins committee.

Yours truly,

Harry R. Palmer.

San Mateo, Calif., *November 22, 1954.*

Senator Fulbright,

Senate Office Building,

Washington, D. C.:

I see you're one of the cowards who is attempting to stab Senator McCarthy in the back. How low can you get?

Chas. Thomas.

San Carlos, Calif.

Pullman, Mich., *November 22, 1954.*

Senator Fulbright,

Senate Office Building,

Washington, D. C.

Dear Senator: Would you please do our country a big favor and drop dead?

McCarthy is an American. What are you?

A. Rawson.

New York, N. Y., *November 23, 1954.*

Senator Fulbright,

Senate, Washington, D. C.:

Red skunk. I will not dignify you with the title Senator. You are a disgrace to the United States Senate. A dirty Red rat like you should be kicked out. You are not fit to clean Senator McCarthy's shoes. Hope you are struck by God.

Sacramento, Calif., *November 20, 1954.*

Senator J. William Fulbright,

Senate Office Building,

Washington, D. C.

Sir: At one time I was almost convinced that you were a loyal aspirant for the Presidency. Now you have dropped to the lowest

rung of the ladder, fighting a real American, Senator McCARTHY.

I should have seen through that farcial coonskin-cap act at the time. Now you are showing your true colors, along with Alger Hiss and other traitors of the United States.

You are finished politically. You might as well fold up your coonskin cap and sneak into political oblivion.

History will record you as a fourflusher.

PROTESTANT REPUBLICAN.

ASBURY PARK, N. J., *November 23, 1954.*
Senator FULBRIGHT,
Senate Office Building,
Washington, D. C.

Senator FULBRIGHT: How a jackass like you got into the Senate is beyond human understanding.

LUTHER B. SCHMITT.

TRENTON, N. J., *November 22, 1954.*
Comrade Senator J. WILLIAM FULBRIGHT,
Senate Office Building,
Washington, D. C.

DEAR SENATOR FULBRIGHT: Are you a Communist? You act like one; you also act like a typical fatuous Senator; that is common these days in the party of 20 years of treason.

Tell me, Senator, is it unlawful for a citizen to come to Washington and use a Senator like yourself as a punching bag and maybe knock him out? Hoping that such a knockout might knock some good Americanism in the likes of you—if that is possible? Understand, I'm not threatening you, I'm only asking you.

I'll be in Washington one day next week, and when you feel as though you were hit by a mule you'll know it was me, coming to pay a debt that you owe to every American for your pro-Commie acts against McCARTHY. Oh, how I hate you, you ———.

A KOREAN VETERAN.

Who had a brother who was a prisoner in Korea and was executed with a Communist sword. Yes, they decapitated his head, you ———.

Mr. FULBRIGHT. Mr. President, I wish to read the text of one of three posters which came to my desk this morning. I do not know whether all Members have received them or not. They are issued by an organization with which Mr. Gerald L. K. Smith is identified, and are distributed by the Christian Nationalist Crusade. The one I shall read for the information of the Senate is entitled "Suicide," and is as follows:

SUICIDE

Few, if any Members of the present United States Senate can be reelected without the McCarthy vote. It is now an established fact that anti-Catholic bigots have used Senator McCARTHY's religion as a weapon with which to whip up hate in Protestant communities. Catholic leaders have shown great restraint in issuing no statements, but shrewd politicians who know how to interpret and understand inarticulate sentiment are now aware that 98 percent of the Catholic leadership is pro-McCarthy.

Add to this his great Protestant following among conservative Republicans and right-wing Democrats and you have an intense irreconcilable bloc of votes which cannot be ignored.

If you, Mr. United States Senator, think that the sentiment is not tense, we challenge you to have your picture taken in a cordial, smiling mood, shaking hands with LEHMAN, FLANDERS, FULBRIGHT, or WATKINS. After such a picture has been duly publicized, read your mail and prepare yourself for "Salt Creek."

Distributed by the Christian Nationalist Crusade.

Prepared especially for and only for Members of the United States Senate on the occasion of the special Senate session relating to the Communist-fighting activities of Senator JOSEPH McCARTHY beginning November 8, 1954.

Mr. President, I ask unanimous consent to have printed at this point in my remarks two similar posters distributed by the Christian Nationalist Crusade, one entitled "The Man in the Glass House. Attention: Senator ERVIN, of North Carolina"; the other entitled "A Word to the Wise."

There being no objection, the text of the posters was ordered to be printed in the RECORD, as follows:

THE MAN IN THE GLASS HOUSE

Attention Senator ERVIN, of North Carolina:

Were we correct in understanding that you made a statement which, in effect, said: "Senator McCARTHY should be thrown out of the Senate either for lack of character or for lack of brains"?

Now do you propose to censure Senator McCARTHY because he spoke lightly of Senator HENDRICKSON's supply of brains and guts? The Wisconsin Senator made no reference to HENDRICKSON's character. It might even be implied by generous souls that a man could have character and even sanity without brains or guts. Senator McCARTHY did not even propose that HENDRICKSON be thrown out.

You now ask the Nation to believe that McCARTHY is either a liar and a hypocrite on one hand, or mentally unstable on the other. Do you seriously expect the Nation to believe that you have a judicious mind? Surely you learned in your childhood that people in glass houses should not throw stones, or do you live in a house of nonshatterable glass, made solid and safe by the fact that you have served 5 long months in the Senate and are now wise enough to determine who should be in the Senate, and in violation of constitutional tradition, put yourself above the electorate of Wisconsin?

Please tell the world the difference between your attack on McCARTHY and McCARTHY's attack on HENDRICKSON.

Distributed by the Christian Nationalist Crusade.

Prepared especially for and only for Members of the United States Senate on the occasion of the special Senate session relating to the Communist-fighting activities of Senator JOSEPH McCARTHY beginning November 8, 1954.

A WORD TO THE WISE

Unscrupulous politicians in large protestant communities are deliberately introducing the issue of anti-Catholic bigotry in their campaign against Senator JOE McCARTHY. Certain cunning Democrats are saying "sic 'em" to the Republicans, hoping that by this technique they can take from the Republicans the complete Catholic vote.

Representatives of our committee have returned from a 14,000-mile tour of the United States. They find that McCarthy organizations and McCarthy committees are at least two-thirds Protestant.

We are keeping careful tab on all Senators and their political organizations who are exploiting, undercover or above cover, the anti-Catholic trick against Senator McCARTHY. Senators will be defeated 2 and 4 and 6 years from now, not on the basis of party, but on the basis of how they handled the McCarthy matter.

In case of war or the intensification of the cold war, any Senator who made it difficult for McCARTHY will be automatically retired as an appeaser of communism.

You know, Mr. United States Senator, that the pro-McCarthy mail is outnumbering the anti-McCarthy mail as much as 100-to-1. Do not be deceived by the sweet, seductive, perfumed flattery of the anti-McCarthy Washington newspapers. They merely represent the sterile opinion of the voteless jobholders, answerable to McCARTHY's enemies. In addition, these newspapers are more concerned about the persecution (?) of Peress, Hiss, Oppenheimer, and Davies than they are about the unnamed traitors and appeasers who have thus far escaped open and publicized detection; thanks to the dirty job that has been done on JOE McCARTHY by the internationalists, the Marxists, and their thickheaded "handmaidens" in the Congress of the United States.

Distributed by the Christian Nationalist Crusade.

Prepared especially for and only for Members of the United States Senate on the occasion of the special Senate session relating to the Communist-fighting activities of Senator JOSEPH McCARTHY beginning November 8, 1954.

Mr. FULBRIGHT. Mr. President, I conclude with only this further comment: As I said in the beginning of my remarks, these are typical of the communications I have been receiving for almost a year. I think they evidence a great sickness among our people, and that sickness has been greatly enhanced and increased during the course of the past year.

I sincerely hope that in voting for censure, which I believe the Senate will do, we may put a stop to the reckless incitement of the hatreds and fears of people who are suffering from a lack of information or a lack of understanding.

Mr. WELKER. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I am glad to yield for a question.

Mr. WELKER. If the Senator from Idaho heard correctly, the first portion of the distinguished Senator's remarks were dedicated to the use of the franking privilege in connection with a certain document. Would the Senator mind telling me what that document was?

Mr. FULBRIGHT. I gave it to the official reporter, but what I was reading was an excerpt from an article which was published in a newspaper published at Crossett, Ark.

Mr. WELKER. Crossett?

Mr. FULBRIGHT. Crossett. The editor had been sent one of the documents which were distributed in the Senate, entitled, "Throw the Bum Out." I assumed it was prepared by the junior Senator from Wisconsin or at his request. Crossett is a small, but very progressive, lumber town in southern Arkansas. The editor was complaining about the waste of the taxpayers' money in sending such elaborate documents all over the United States. Apparently if such a document was sent to the newspaper at Crossett, Ark., similar documents must have been sent to every other newspaper in the United States, of which there are several thousand. That was the complaint the editor was making.

Mr. WELKER. Does the Senator from Arkansas know such documents were mailed all over the United States or how many of them were sent?

Mr. FULBRIGHT. What I meant was—and I shall read from the article if

the reporter will have them returned to me—that I think it is a logical assumption that if the document was sent to a newspaper in a small town in Arkansas, similar documents must have been sent to newspapers all over the country, although I did not check every newspaper in the United States.

Mr. WELKER. I take it that the Senator from Arkansas disapproves of the use of the franking privilege for the mailing of such a document?

Mr. FULBRIGHT. Yes, just as the writer of the article did. If the Senator would like me to read it, I shall do so. This is what he said——

Mr. WELKER. I am not interested in what he said. I heard what the Senator said, and I understood the Senator to say that he, along with the editor, disapproved of such use of the franking privilege.

Mr. FULBRIGHT. That is true; I agree with the editor.

Mr. WELKER. Has the Senator disapproved of such use of the franking privilege during all his time in the Senate?

Mr. FULBRIGHT. I do not recall an incident quite like this one. I have never done such a thing, and, to my knowledge, no other Senator except the junior Senator from Wisconsin has. That is a remarkable thing about the junior Senator from Wisconsin—he has great originality. He has done so many things for which I know of no precedent in the practice of the Senate.

Mr. WELKER. Mr. President, will the Senator yield further?

Mr. FULBRIGHT. I yield.

Mr. WELKER. I ask the Senator if it is not a fact that on October 3, 1950, and on November 3, 1950, the then distinguished majority leader on the Democratic side of the aisle, and one of the members of the so-called censure committee, was involved in sending over 100 mail bags full of campaign literature, which appeared to be an insertion in the CONGRESSIONAL RECORD, made into booklet form, and which cost the taxpayers of the Nation about $15,533, in an attempt to help the then distinguished majority leader, Senator Scott Lucas, of the State of Illinois. Did the Senator from Arkansas rise in the Senate and express his disgust at such an occurrence?

Mr. FULBRIGHT. I did not know anything about it, and I do not know now whether that is an accurate statement or not.

Mr. WELKER. The Senator did not know anything about it?

Mr. FULBRIGHT. No. I think there has usually been some recognition in this body of a distinction between the incident under discussion and what is done in an election. That is, I think it would have been legitimate, as the article indicates, for the junior Senator from Wisconsin to have sent such an article to his constituents in Wisconsin. I know I have sent mail to my constituents relating to my activities in the Senate. I am sure that I had it in the back of my mind that the sending of such mail might have some influence in the attitude of my constituents toward me in the next election; but I did not send any such mail to Wisconsin, I assure the Senator, and I do not think that is customary.

Mr. WELKER. That leads me to a further question, if the Senator will yield further.

Mr. FULBRIGHT. I yield.

Mr. WELKER. I should like to ask the Senator from Arkansas, intelligent Senator that he is, if he does not know it to be a violation of law for the congressional franking privilege to be used by a private organization, namely, "The Republicans for Lucas," and to send out under frank about 100 mail bags full, or 470,000 booklets? I will ask the Senator if he is familiar with the title 39, United States Code, section 325, which explicitly bars any organization, such as the one mentioned, from using the free mailing privilege of a Member of the Congress? The sections reads:

LENDING OR PERMITTING USE OF FRANK UNLAWFUL

It shall be unlawful for any person entitled under the law to the use of a frank to lend said frank or permit its use by any committee, organization, or association, or permit its use by any person for the benefit or use of any committee, organization, or association.

Is the Senator from Arkansas familiar with that section of the law?

Mr. FULBRIGHT. I shall accept the Senator's statement as to the law. If that be true, why did not the Senator have a prosecution instituted under the law?

Mr. WELKER. Does the Senator mean the Senator from Idaho?

Mr. FULBRIGHT. Any Senator who knew about it. I did not know about it, and I am not willing, in such a situation as this, to accept from the Senator that statement as a matter of fact. It is a matter to be proved. Assuming what the Senator says to be true, I doubt that it is a proper excuse or answer to the complaint registered by the editorial which I read to the Senate. I never agree with the approach of the defenders of the junior Senator from Wisconsin who undertake to say that because some other persons may have acted in a certain way or may have violated a law, that is an excuse for anything the junior Senator from Wisconsin may wish to do. In the first place, I do not have any knowledge of those facts, but if a violation of the law were involved, as the Senator says, he or somebody else should have prosecuted the Senator or the persons responsible. I think the facts should be gone into a little further. I do not wish to have the RECORD appear that because I say that is a violation of the law, I agree that those alleged facts are true, because I do not know.

Mr. WELKER. The Senator would not say the alleged facts were not true, would he?

Mr. FULBRIGHT. I would not say either way. The Senator has asserted them.

Mr. WELKER. Will the Senator yield for a further question?

Mr. FULBRIGHT. I yield.

Mr. WELKER. The Senator has asked me why I did not prosecute the Senator. I wish I had been a Senator at that time. It happens that I was at that time engaged in a campaign, without using the frank to help me get elected. I was not in the Senate at the time, but I read about it in the newspapers some 2,500 miles away. I am sure that if the distinguished Senator from Arkansas desires to interrogate a certain member of the censure committee he will find the facts to be as I have related them in connection with that incident.

Will the Senator yield for a further question?

Mr. FULBRIGHT. Yes. I yield for a question.

Mr. WELKER. Does the Senator from Arkansas assume that the letters of the type he has read, some of which were trivial, some harsh, and some abusive in nature, have been directed only to him?

Mr. FULBRIGHT. No. I assume that practically every Member of the Senate who has expressed himself in this matter has received similar letters. As I said before, these letters are by no means all I have received. These are typical letters. I have some which are much worse and much more abusive, but I thought it might offend the sense of propriety of this body to read them. I think there are some limits to which we should go even in this kind of proceeding. I read the letters which I did because I think they indicate one of the most evil effects of the activities of the junior Senator from Wisconsin during the past 2 or 3 years.

I think he has inspired and aroused fears for which there is no real justification. As I said before, many of these letters evidence a great pessimism about the future of the United States. In his charges of infiltration of this Government by disloyal people, he has gone so far that he has made many persons in this country lose confidence in their own Government; and in a self-governing democracy, I think that is one of the worst things a man can do. He has directly done that himself. He has had on his staff a man who has made similar charges about the Protestant churches. The Senator himself has made charges about our educational institutions. When a man causes a large number of persons in a free, self-governing democracy to lose confidence in their Government and in their churches and in their schools, he has done a great disservice to that democracy.

The PRESIDING OFFICER. The additional 15 minutes yielded to the Senator from Arkansas have expired.

Mr. WELKER. May I have a little further time?

Mr. MONRONEY. Will the Senator from Idaho give me some idea of the length of time he needs in order to complete his interrogation?

Mr. WELKER. I shall need only a short time. I shall be glad to have the Senator from Oklahoma yield time to me, or we can take it from the time available to our side.

Mr. FULBRIGHT. Perhaps the additional time the Senator from Idaho wishes to have can be taken from the time available to his side.

Mr. BUTLER. Very well, Mr. President; I yield to the Senator from Idaho

15 additional minutes, if that will suffice.

Mr. WELKER. Yes, it will.

The PRESIDING OFFICER. The Senator from Idaho is recognized for 15 minutes.

Mr. WELKER. Yes, 15 minutes, Mr. President.

With respect to the statement the Senator from Arkansas made about a member of the staff who attacked the Protestant clergy——

Mr. FULBRIGHT. The Senator from Idaho knows about whom I was talking; I was referring to Mr. Matthews, who was on the staff.

Mr. WELKER. That is correct. Is it a fact that as soon as the junior Senator from Wisconsin, who now is on trial, was informed of that situation, he was responsible for the dismissal of that man?

Mr. FULBRIGHT. I am informed by members of the committee that that is not a correct statement of the facts; and I have every confidence that members of the committee who now are on the floor will verify that.

Mr. WELKER. Is that man still on the staff?

Mr FULBRIGHT. No, he is not; but I am informed that he left under pressure from other members of the committee, and that the junior Senator from Wisconsin did not take the initiative in that respect, but, in fact, that he resisted the attempt to dismiss Mr. Matthews.

Mr. WELKER. The fact of the matter is that that gentleman is no longer there; is that not correct?

Mr. FULBRIGHT. That is true.

Mr. WELKER. Will the Senator from Arkansas point out to me one iota of testimony or publicity wherein the junior Senator from Wisconsin demanded that that man be retained as a staff counselor, or, whatever his position may have been?

Mr. FULBRIGHT. I do not have that information available; but certainly I have a very clear memory with regard to conversations about the matter, because it so happens that the senior Senator from my State was a member of that committee. I do not wish to put him on the spot; but I am quite sure that he and other Members would verify what I am saying, because I remember very definitely the discussion of that very matter, for I was deeply shocked by the charge that "the Protestant clergy harbors the largest group of disloyal or Communist-inclined persons in the country"—or something of that sort.

Mr. McCLELLAN. Mr. President, will my colleague yield to me?

Mr. FULBRIGHT. I shall yield to my colleague from Arkansas, if I may have the permission of the Senator from Idaho, who yielded to me 15 additional minutes, I understand.

The PRESIDING OFFICER. The Chair understands that the Senator from Maryland [Mr. BUTLER] yielded 15 minutes to the Senator from Idaho [Mr. WELKER], in order that his questions might be answered.

Mr. WELKER. That is correct.

The PRESIDING OFFICER. Does the Senator from Idaho yield to the senior Senator from Arkansas [Mr. McCLELLAN]?

Mr. WELKER. First, let me ask whether the junior Senator from Arkansas heard the statement which was made on the floor of the Senate, the other day, by the alleged defendant in the present action, namely, that his committee had never taken action against a church group, and that that field was outside the sphere of the committee's investigatory power?

Mr. FULBRIGHT. I did; and I did not say they took any such action. But I said they had on their staff a man who made serious charges about such a group, and I said that his activities have tended to arouse religious prejudices in our country—prejudices which I deplore. I thought we had long since gotten away from the problem of religion in politics, and I dislike to see it revived in any respect whatever.

On the other hand, I know of my own knowledge that ministers in my State have been greatly disturbed about that matter, because they have told me of their deep concern about it.

Mr. WELKER. Mr. President, if the Senator from Arkansas will yield further, I should like to ask another question. Since it has been stated that the committee had on its staff a gentleman who offended the Protestants, does not the junior Senator from Arkansas know it to be a fact that Alger Hiss at one time occupied a quite prominent position as a member of the staff of a Senate committee? Is that not correct? Is it not also correct that his activities, both before that time and since then, have alienated the affections of millions of the American people?

Mr. FULBRIGHT. That is correct. However, I do not quite see the relevancy of the Senator's question.

Mr. WELKER. Of course. Let me ask this final question: Does the Senator from Arkansas think it is within the code of ethics of a Senator of the United States to come before this body and publicly disclose letters written to him and disclose the names of those who signed the letters, and also disclose their addresses, without first obtaining the consent of the ones who sent the letters?

Mr. FULBRIGHT. Normally I do not make a practice of doing that; that is quite true. However, as I said a moment ago, this action is a very unusual one.

Mr. WELKER. It is, indeed; I agree about that with the Senator from Arkansas.

Mr. FULBRIGHT. As the Senator has said, we are dealing with a most unusual situation, and naturally the procedure is also unusual. This is the fourth time, I believe—the fourth time in this century, at least—when there has been a censure action in the Senate. Most of the actions coming before the Senate, having to do with recalcitrant Members, have been expulsion actions; there have been more expulsion actions in the history of the Senate than censure actions. But, as the Senator from Idaho knows, today we say things, in connection with an action of this kind, which normally we do not say about our colleagues; it would violate the rules of the Senate if we did say such things. But there would be no possible way of even discussing this matter if we were to follow rigidly the normal rules of the Senate with regard to a discussion of one of our Members.

In this particular instance, I think these letters show—at least, they do in my opinion—a characteristic result, as I said a moment ago, the actions of the junior Senator from Wisconsin; the letters are characteristic of many of his supporters. I think that is something the Senate should know about.

Mr. WELKER. Let me ask another question. The Senator from Arkansas has related that a situation of this sort brings about a waiver of rule XIX, subsection 2, inasmuch as a Senator could not discuss a matter of this sort without violating that rule. Is it not a fact that the junior Senator from Wisconsin, by virtue of his attempt to defend himself, was not required to take his seat, under the rules of the United States Senate—rules which have been in force in the Senate for many years, indeed—but that by virtue of his attempt to defend himself another resolution of censure was offered against him? Is not that a fact?

Mr. FULBRIGHT. I take it that the Senator from Idaho is referring to the added count filed by the junior Senator from Utah [Mr. BENNETT].

Mr. WELKER. That is correct.

Mr. FULBRIGHT. Certainly, even in a censure debate, I think there are limits of good taste and proper conduct, and the lid is not completely off; and I do not think it ever should be. Of course, that is a matter for the Senate to determine. But it is the same with many of the other things the junior Senator from Wisconsin has done. Many of his activities are unprecedented. These matters are not all black and white, with everything about them either good or bad. In this type of situation, there is always a question of degree and a question of the circumstances and the pattern of conduct. All that is to be considered. These are very difficult problems, and we have very few guideposts to help us in our handling of a question of this type. But the disruption of the orderly processes of our Government, both executive and legislative, is quite clear; and to many of us such conduct is intolerable, and it means a breakdown of orderly government.

Mr. WELKER. Does not the Senator feel, then, that if the defendant on trial herein should be put under wraps, the junior Senator from Arkansas should also be quite temperate in his remarks? He is one of the Senators named, with respect to whom I said I would propose a censure resolution because of the remarks made against the defendant in this action, the junior Senator from Wisconsin. Does not the junior Senator from Arkansas feel that we should all be temperate, rather than require the defendant alone to be temperate?

Mr. FULBRIGHT. I agree. I think I have been temperate. In fact, I have had great difficulty in restraining my temper. I have been as temperate as I know how to be. I know of no insulting language that I have used. On the other

hand, the Senator from Idaho will remember an incident in the debate of last August, when the junior Senator from Wisconsin challenged 5 or 6 Senators on the floor. He stated that he was going to prove us to be perjurers or liars, I believe, if we would come before his committee. He made a very violent attack upon us. I do not recall that any of us responded in like manner on that occasion. I do not know of anything that I have said today which could be described as intemperate.

Mr. WELKER. Without going further into the matter of intemperance, because no two Senators are alike, does the Senator think he was fair and honest toward the junior Senator from Wisconsin when he accused him of uttering a lie when the Senator from Wisconsin accused Annie Lee Moss of being a card-carrying Communist?

Mr. FULBRIGHT. I do not recall that I said he was a liar. I said that the manner in which he conducted that hearing was certainly unbecoming a Senator, and unworthy of a chairman of a Senate committee. The same principle is involved as was involved in the Zwicker case. Annie Lee Moss was a rather helpless Negro woman who was brought before a committee. It seems to me that that sort of person deserves decent and gentlemanly conduct and treatment, even more so than does a general, because such a person is relatively helpless. Yet the junior Senator from Wisconsin browbeat that woman in a shameful way. I do not know whether she is a Communist or not. I was not present, but I did read the record. I should say that the way he treated her was unjustified.

Mr. WELKER. Was it any more unjustified that the cross-examination before any other committee the Senator has heard of?

Mr. FULBRIGHT. I have attended a great many committee hearings. On the whole, I think the chairmen treat witnesses with respect. They have respect for them as people. In all frankness, I must say that the junior Senator from Wisconsin strikes me as having the greatest contempt for the human personality of anyone I have ever seen. I have had several personal experiences with the junior Senator from Wisconsin in which he treated me that way; and if he would treat a Senator that way, he would probably treat others, such as Annie Lee Moss, with even greater contempt.

Mr. WELKER. The Senator does not think he is better than any other human being, does he?

Mr. FULBRIGHT. I do not. I often think the opposite.

Mr. WELKER. Does the Senator remember presiding at the investigation into the FHA housing scandals several years ago?

Mr. FULBRIGHT. It was not the FHA.

Mr. WELKER. The RFC. I beg the Senator's pardon.

Mr. FULBRIGHT. Yes.

Mr. WELKER. Did the Senator feel that at all times he conducted himself as a kind cross-examiner, who never pressed hard in trying to get the truth?

Mr. FULBRIGHT. I do not quite see the connection between those two statements. I personally happen to think that treating a witness with respect and decorum is more likely to result in getting the truth than the opposite kind of treatment. I may say that, in all frankness, I feel that the browbeating tactics of the junior Senator from Wisconsin have caused some witnesses to refuse to answer simply because they resented his methods. I cannot prove that, but I think the proper way is to treat them with respect, and that such treatment is more likely to result in getting at the truth. I do not know whether my own conduct was good or not. I do not recall anyone making any charges about it at the time.

Mr. WELKER. The Senator does not recall anyone making any charges against any Senator such as the charges which are made here; does he? Such charges have been made only three other times since the Republic was founded; is not that true?

Mr. FULBRIGHT. What is that?

Mr. WELKER. This is only the fourth time a censure resolution has ever been offered since the Republic was founded; is it not?

Mr. FULBRIGHT. I believe that is correct.

Mr. WELKER. Has the Senator from Arkansas ever done any cross-examination of Communists or alleged Communists?

Mr. FULBRIGHT. Not to my knowledge.

Mr. WELKER. Does the Senator know where Annie Lee Moss is today?

Mr. FULBRIGHT. No; I am not a particular friend of hers. All I know is what I have read in the newspapers and in the report of the committee. I have no idea where she is.

Mr. WELKER. I ask the Senator from Arkansas if it is not a fact that the junior Senator from Wisconsin warned the lady that if she did not tell the truth she would be committing the crime of perjury. I think my distinguished friend from Arkansas is an attorney. If not, he certainly acts like one. Would it be unfair cross-examination to advise this poor lady of difficult procedures ahead?

Mr. FULBRIGHT. I can only say that I read about the case, including the printed hearings of the committee. I was not present. However, I also heard from some members of the committee. The Senator from Missouri [Mr. SYMINGTON] and the senior Senator from Arkansas [Mr. MCCLELLAN] did not seem to think that was an entirely proper kind of cross-examination. That, together with what I read in the record led me to believe that this poor woman had been maltreated.

I must say to the Senator that we do not reach a final judgment on a question of this kind based upon a single incident. If that had been the only thing ever alleged against the junior Senator from Wisconsin, I doubt if I would be here mentioning it. However, it is one incident which is typical of the course of conduct which has been going on now for 2 or 3 years. It only fortifies and reinforces the belief of some of us, at least, about the way the junior Senator from Wisconsin treats witnesses. Many Senators now in the Chamber were present at a hearing when I appeared before the Appropriations Committee to present the case regarding the exchange-of-students program. The junior Senator from Wisconsin undertook to discredit my testimony. At that time many Senators evidenced dislike or disapproval of the kind of tactics he used. The succession of events——

The PRESIDING OFFICER. The additional time of the Senator from Idaho has expired.

Mr. WELKER. Mr. President, may I have 2 or 3 more minutes?

Mr. SALTONSTALL. Mr. President, I yield 5 more minutes to the Senator from Idaho.

Mr. WELKER. Let me say to my distinguished friend from Arkansas—and I hope he will believe me—that I will not condone the conduct of any cross-examiner or anyone else who would try to embarrass or intimidate a fellow Senator or a fellow human being. If the junior Senator from Wisconsin behaved in any such manner toward the junior Senator from Arkansas, I am sorry for it. I certainly do not wish to be placed in the position of condoning such conduct.

In conclusion, let me ask the Senator this question: Has the Senator, since he filed his charges or amendments to Senate Resolution 301, investigated to determine what happened to Annie Lee Moss, and has he examined the FBI report on her, which is a public record at the Civil Service Commission?

Mr. FULBRIGHT. No; I have not.

Mr. WELKER. Since the Senator filed this additional charge against the defendant in this action, and since it was publicized all over the world, does not the Senator think it would be fair—and I know he is a fair man—to check the record as it exists, a record which caused the Army to fire Annie Lee Moss shortly after certain disclosures were made here on the floor of the Senate?

Mr. FULBRIGHT. All I can say is that, in the first place, the committee did not feel that it was worthwhile to go into that subject. My feeling is—although I do not know this—that the committee felt the Zwicker case was perhaps a better case to illustrate this particular characteristic of the junior Senator from Wisconsin.

As often happens, the committee did not take the time to go into a great many of the charges. But I do not know. The charge having been dropped, there seems to have been no particular reason for pursuing it.

Let me mention one further point. The fact that a person has been dropped from the rolls or suspended is by no means final proof that he was guilty of disloyalty. The influence of the junior Senator from Wisconsin has been very great. We know of many discharges in various branches of government which, in my opinion, were without any foundation whatever so far as the loyalty of the persons involved was concerned. In other words, I have never accepted as a fact that 2,000 or 6,000 employees have been discharged for being disloyal.

Mr. WELKER. Let us not get off the subject matter. I am not talking about any 6,000 employees.

Mr. FULBRIGHT. I believe it was the Vice President who used that number. He said that that number of employees had been discharged for security reasons. I do not know anything about Annie Lee Moss. I do not know whether she is a Communist. The point is that the way the junior Senator from Wisconsin interrogated her in committee was absolutely unjustified and unworthy of a Senator. That is the real point I make.

Mr. WELKER. My final question is this: The Senator admits that the charge dealing with Annie Lee Moss was not of sufficient weight for the select committee to pay any attention to it. I assume the Senator knows that 2 days after I made the disclosure, namely, on August 2, Annie Lee Moss was relieved from Government service by the Army. The Senator from Arkansas knows that to be a fact, does he not?

Mr. FULBRIGHT. Does the Senator from Idaho allege that Mrs. Annie Lee Moss was found to be a Communist, or disloyal to the Government?

Mr. WELKER. The Senator will not get me to call anyone a Communist.

Mr. FULBRIGHT. Well——

Mr. WELKER. I have had a hundred or a thousand times more experience in investigating these people than has the Senator from Arkansas. Never once did I call any of them a Communist. I let the record speak for itself.

Mr. FULBRIGHT. May I ask whether the record shows it?

The PRESIDING OFFICER. The time of the Senator from Idaho has expired.

Mr. WELKER. I did not hear what the Senator said.

Mr. FULBRIGHT. Does the record show that?

Mr. WELKER. The record was sufficient.

The PRESIDING OFFICER. The time of the Senator from Idaho has expired.

Mr. WELKER. Mr. President, will the Senator from California yield me half a minute?

Mr. KNOWLAND. I yield 1 minute to the Senator from Idaho.

Mr. WELKER. The record was sufficient to show that 2 days after I made my remarks on the floor of the Senate the Army released Annie Lee Moss, unfortunate person though she may be.

Mr. FULBRIGHT. That may only show the great power of the Senator from Idaho.

Mr. WELKER. I thank the Senator very much. I did not think I would receive such a gracious tribute from the Senator from Arkansas.

Mr. JOHNSON of Texas. Mr. President, I yield to the senior Senator from Arkansas [Mr. McCLELLAN] such time as he may desire to use.

Mr. McCLELLAN. Mr. President, what I am about to say is now rather moot, in view of the extended colloquy which has taken place between my distinguished colleague from Arkansas [Mr. FULBRIGHT] and the distinguished Senator from Idaho [Mr. WELKER]. During the course of the colloquy my junior colleague said he did not want to put me on a spot regarding the so-called J. P. Matthews case.

I did not want to leave the RECORD in exactly that light. Therefore I wish to announce, Mr. President, that I am present in the Senate, that I am not on a spot, and that I am prepared to answer any questions either of the two Senators who engaged in the colloquy or any other Senator may wish to ask of me, if they deem such questions pertinent to the issue now before the Senate. I am not on a spot, and I am glad to answer any questions about the case. If any Senator wishes to do so, he may ask the question in his time, and I shall be glad to answer the question.

Mr. WELKER. Mr. President, may I have another minute yielded to me so that I may ask a question of my distinguished friend, the able senior Senator from Arkansas?

Mr. McCLELLAN. Inasmuch as I used about a minute in making my statement, I shall be glad to allow a similar amount of time to the Senator from Idaho in which to ask his question.

Mr. WELKER. Has the Senator's committee ever gone into the field of investigating communism in churches or schools?

Mr. McCLELLAN. That was not the question, but I will say no.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. FULBRIGHT. The real question, as I understood, was whether the junior Senator from Wisconsin had voluntarily asked Mr. Matthews to leave his staff position. In other words, did he dismiss Mr. Matthews voluntarily, or did the other members of the committee request his dismissal?

Mr. McCLELLAN. I will answer that that I do not know how Mr. Matthews got off the committee. I assume that the resignation was submitted on the day the Democratic members of the committee announced that they wanted to be given some consideration in his appointment, after the article published in the American Mercury magazine, I believe, came to the attention of the three Democratic members of the committee.

It was some 5 or 6 days thereafter, at a meeting of the committee, after a conference or after a discussion with Mr. Matthews regarding the article he had written, that he admitted in the presence of the members of the committee then present—I believe all members were present, but at any rate, in the presence of the members then present—that the tone of the article was such and the content of it was such, irrespective of how sincere he may have been in his belief, that its publication had evidently impaired his usefulness as a member of the committee staff.

When he admitted that to me, I asked him the question, "Why don't you submit your resignation?"

His answer was that he had already submitted it.

I asked him when he had submitted it. He said, "On last Thursday."

It was then that I asked the chairman to accept the resignation. At that time he declined. I then asked the chairman to permit the members of the committee to vote to accept the resignation. The chairman ruled that the members of the committee had no jurisdiction and no authority in the selection of members of the staff.

Thereafter when the majority members of the committee voted to adopt a motion denying to the members of the committee any voice in the selection of staff members, and investing all the power in the chairman of the committee, the Democrats promptly resigned from the committee.

Mr. WELKER. Mr. President, may I ask one question on that point?

Mr. McCLELLAN. I shall be glad to yield, if I have the time to yield.

Mr. WELKER. After the Democratic members of the committee left the committee, it is a fact, is it not, that the resignation of the staff member was accepted?

Mr. McCLELLAN. I do not know.

Mr. WELKER. He is not there now. Is that correct?

Mr. McCLELLAN. I do not know how he got off the staff of the committee.

Mr. WELKER. The Senator from Arkansas knows that Mr. Matthews did not work there when the Senator from Arkansas returned to the committee. Is that correct?

Mr. McCLELLAN. He was not there when we came back about some 7 months later. I do not know how he got off the staff.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. POTTER. I am sure the Senator from Arkansas did not wish to leave the impression that it was only the Democratic members of the committee who were concerned about the J. B. Matthews statement regarding Communist infiltration in churches.

Mr. McCLELLAN. I may say that the Senator from Michigan is a member of the committee. He can speak for himself.

Mr. POTTER. The Senator from Arkansas, I am sure, agrees that the Senator now speaking opposed the continuation of J. B. Matthews as a member of the committee staff because a religious controversy had developed as the result of an article he had written, which was injurious to the effective operation of the committee.

Mr. McCLELLAN. The Senator from Michigan is correct. I am happy to have him speak for himself. I did not want to speak for him.

Mr. FULBRIGHT. Mr. President, will the Senator from Texas yield me 10 seconds on that point?

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from Arkansas.

Mr. FULBRIGHT. A member of the press sends me a note, which I am sure is accurate. It is to the effect that Mrs. Annie Lee Moss was suspended by the Army 6 weeks ago, that she has been given a hearing on charges, and that the decision is still pending.

Mr. KNOWLAND. Mr. President, I yield 1 hour to the senior Senator from South Dakota.

Mr. MUNDT. Mr. President, I am not sure that I shall use a full hour if there

are no interruptions, but I appreciate the majority leader's yielding me that much time.

Mr. President, a careful study of the hearings conducted by the select committee, its report to the Senate, and the presentations made on the floor of the Senate by the members of the select committee, indicate that basically the issues raised by the committee in its deliberations and in its consideration of Senate Resolution 301 fall into four categories, as follows:

First. Should the Senate vote to censure the junior Senator from Wisconsin [Mr. McCARTHY] because his failure to cooperate with the Subcommittee on Privileges and Elections of the Committee on Rules and Administration in clearing up matters referred to that subcommittee, which concerned his conduct as a Senator, may have affected the honor of the Senate?

Second. Should the Senate vote to censure the junior Senator from Wisconsin because of statements he made about the Subcommittee on Privileges and Elections while they were trying to carry out their assigned duties, thereby obstructing the constitutional processes of the Senate?

Third. Should the Senate vote to censure the junior Senator from Wisconsin because in failing to cooperate with a Senate committee in clearing up matters affecting the honor of the Senate, he was in fact acting contrary to senatorial tradition and should therefore be condemned?

Fourth. Should the Senate vote to censure the junior Senator from Wisconsin because of his conduct as chairman of a Senate subcommittee in examining a witness representing the executive branch of the Government by the name of Gen. Ralph W. Zwicker, and because the junior Senator from Wisconsin subsequently released the executive hearings of this testimony, and that, by so doing, he tended to destroy the good faith which must be maintained between the executive and the legislative branches in our system of government?

Mr. President, the foregoing appear to be a full listing of the reasons suggested by the select committee of the Senate for favoring a censure of Senator McCARTHY at the time the committee reported the resolution of censure on November 9. Imbedded in the second of these reasons, of course, is the derogatory statement the junior Senator from Wisconsin [Mr. McCARTHY] made about the Senator from New Jersey [Mr. HENDRICKSON].

I should like to discuss these four factors today as logically and dispassionately as may be possible in view of the complete array of data and evidence now available.

Since my colleague from South Dakota [Mr. CASE] has presented to the Senate new evidence concerning the second count in the censure resolution, that relating to the Zwicker incident and activities; since he reports that for some reason or other it was not brought to the attention of the select committee at the time of its hearings; and since this new evidence clearly indicates that if there was any action tending to destroy the good faith which we all recognize to be essential between the executive and legislative branches of our system of government, any breach of faith in this instance was initiated by the Department of the Army rather than by the junior Senator from Wisconsin, it would appear that Senators would not be inclined to vote a censure for Senator McCARTHY on that count.

To say this does not imply that the senior Senator from South Dakota places his stamp of approval on the language used by Senator McCARTHY in trying to induce General Zwicker to be a more forthright and helpful witness during the course of the hearings in question. It should be recognized, of course, that General Zwicker was far from a helpful, forthright, and cooperative witness, but, even so, a more restrained reprimand on the part of Senator McCARTHY would, in my opinion, have been more appropriate and would have served the purpose fully as well. I regret that Senator McCARTHY used the language which he used. I, myself, would not have used it.

Be that as it may, since Senator McCARTHY was aware of the fact that the Department of the Army, which at that hearing was represented in the person of General Zwicker, had permitted the honorable discharge of Dr. Peress despite the letter which Senator McCARTHY as chairman of the investigating subcommittee of the Senate Committee on Government Operations had written on February 1 requesting that the whole Peress matter be reviewed and reconsidered before an honorable discharge was consummated, it is understandable that Senator McCARTHY had reached a stage of exasperated frustration at the time he made his statements in the presence of General Zwicker.

The subsequent release of the executive-session transcript was an understandable sequel to the events which followed and which included the partial release to the press by both sides to the controversy of its recollection of the pertinent portions of the testimony. Of course, the record also shows that the release of the transcript to the press was made after the members of the committee had been asked by telegram to approve such release.

Taking the Peress-Zwicker incident as a whole, therefore, it does not seem to this Senator that it is possible to support the recommendations of what now appears to be only a majority of the select committee to the effect that Senator McCARTHY should be censured for his part in trying to bring about the disclosure of the identity of those in the Pentagon who promoted this fifth amendment Communist and who brought about the special consideration of his requests for state-side service as well as his frantic—and successful—request for an honorable discharge to be issued with such speed that it was granted before the investigation headed by Senator McCARTHY was able to bring about its postponement or denial or to give the Army additional information.

I believe, Mr. President, that many Americans would feel that a great injustice had been perpetrated if the man who diligently tried to stop the honorable discharge of Dr. Peress and to disclose the identity of those in the Department of the Army who were granting him unusual favors were to be censured for his efforts—even though some might agree that Senator McCARTHY's efforts were overzealous and unduly vigorous—while Dr. Peress himself continues to enjoy all the benefits accruing to one holding an honorable discharge from the United States Army, and while every single officer of the Army having to do with his promotion or his discharge remain in the safety of obscurity, entirely unreprimanded and unpunished.

For myself, at least, I cannot participate in precipitating such a miscarriage of justice, insofar as count 2 of the censure resolution is concerned, nor can I, by voting censure on the basis of such a sequence of events, place my personal stamp of approval of the Army's manifestation of a cavalier contempt for an official letter from the chairman of a Senate committee, and for an official letter coming from the properly designated chairman of an established committee of the Senate on the 1st day of February, which was completely and contemptuously ignored.

Mr. President, for a long time in Washington, in the House or in the Senate, sometimes as a member of the minority party and sometimes as a member of the majority party, I have been consistent in believing that the Congress of the United States has been somewhat derelict in maintaining its own position vis-a-vis the executive departments of Government. For many years, under the New Deal, I saw the prominence, the prestige, the importance, and the significance of Congress shrivel and shrink month by month because Members of Congress did not dare to stand up against officials in the executive department of Government. I deplored that in many a public speech at that time, Mr. President; I deplore it just as completely at this time.

As for me, whether we have a Republican President or a Republican Congress, a Democratic President or a Democratic Congress, or some other combination, so long as I am here I shall do what I can to maintain the coordinate importance and position of the Senate and of the House of Representatives. I shall knowingly do nothing to encourage executive departments and agencies to ignore legitimate and official requests from congressional committees.

If there be those among us who feel differently, I shall not criticize them. If there be those among us who are willing to place their stamp of approval on a procedure which would then become a precedent, saying it is perfectly all right for the Department of the Army or any other department of government to ignore completely an official letter from an official committee of the Senate, I, at least, want to have no part in this new surrender of congressional authority to executive importance. I think Senators and Members of the House have a duty, so long as they hold these offices, to

maintain the importance of the branch of government which they represent, and that they serve freedom badly if by their actions they try to reduce or minimize the importance of the legislative branch of government and start where the New Deal left off, surrendering legislative rights, authority, and power to executive authority and executive position.

In passing, Mr. President, I should like to congratulate my colleague from South Dakota [Mr. CASE] for what I think has been an extremely constructive service in ferreting out this bit of evidence which for some reason the select committee did not have before it, and in bringing it before the Senate and placing his finger upon one of the most vital phases of the decision we are about to make. The basic issue in the proposition before us is crystal clear.

On count 2, are we going to vote to maintain the power, prestige, and dignity of the Senate, or are we going to vote to reduce its power and dignity and importance, and, in the melancholy fashion of the long years of the New Deal, once again discontinue holding our legislative heads erect, and start again to bow low before the shadow of the power coming from the White House and executive agencies?

Let us now return to the three remaining issues raised by the select committee, and consider them in the order in which they appear in the committee's resolution proposing the censure of Senator MCCARTHY, all of which can be bundled together and bracketed under one heading, although I shall discuss them separately, because there are separate aspects of each facet. I might add that all of these three issues deal with matters occurring in a previous Congress, and before the election of Senator MCCARTHY to his present term in the United States Senate. This, in itself, gives them an unprecedented and a curious aspect.

The first issue is: Should the Senate vote to censure Senator MCCARTHY because he failed to cooperate with the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up the matters referred to that subcommittee which concerned his conduct as a Senator?

On that particular facet, my answer to the suggestion for censure is in the negative, for what I consider to be a very good and valid reason, namely, that the Subcommittee on Privileges and Elections itself failed to exercise full diligence and failed to use its complete authority in an effort to bring Senator MCCARTHY before the group in order to receive any information which it desired to have him provide under oath.

If the evidence before the Senate indicated that the Subcommittee on Privileges and Elections had been more precise, specific, and compelling in its request to have Senator MCCARTHY appear before it on a mutually convenient date, or had the subcommittee manifested the earnestness of its zeal by issuing a subpena for the appearance of Senator MCCARTHY, and had the junior Senator from Wisconsin then failed to appear, I should be quite prepared to vote to censure a fellow Senator under those circumstances, because there would then be a clear-cut case of a defiant refusal of the Senator to present himself before a committee of his colleagues.

However, we must deal with realities, and not with the ifs, ands, and buts. In the instant case, the Subcommittee on Privileges and Elections, as indicated by the uncontested record, and for reasons best known to itself, completely failed and failed completely both in the precision and the compelling nature of its so-called invitations to Senator MCCARTHY; and it markedly and conspicuously failed to exercise its power of subpena to induce the appearance of Senator MCCARTHY before the subcommittee on a specific day and date.

In failing to exercise these committee prerogatives—and I think they were committee duties—the Subcommittee on Privileges and Elections made it impossible for the senior Senator from South Dakota to vote to censure a colleague for failure to answer the type and nature of indefinite and ineffective invitations which were extended to him.

To be guilty to the extent of justifying censure, it appears to me that any Senator must exercise a degree of defiance toward a committee which could be measured only by his willingness or unwillingness to answer a direct and specific summons to appear before it at a time when he was able to be present, and when the committee had exercised its full authority in requiring his presence. Such obviously is not the history found in the hearings of the present case.

Let us now consider the second issue raised by the select committee: Should the Senate vote to censure Senator MCCARTHY because of statements he made about the subcommittee and its members while they were trying to carry out their assigned duties, thereby obstructing the constitutional processes of the Senate? Let me make my position crystal clear on this specific issue. I do not approve what Senator MCCARTHY said about Senator HENDRICKSON. I wish he had not said it. I am glad that he retracted it yesterday, and that he agreed it was an unfortunate choice of words. An apology to that extent seems more than justified.

I realize that Senator MCCARTHY was hurt and angered by what he conceived to be important elements of political persecution in the actions of the Gillette subcommittee in giving such sustained attention to the unsupported charges which former Senator Benton placed before the committee by an address on the floor of the Senate. Even so, I believe Senator MCCARTHY was unjustified in assailing Senator HENDRICKSON personally for his part in serving on the committee as a minority member under most trying and exasperating circumstances. I do not approve of that or any other excessively offensive language or adjectives which Senator MCCARTHY may have used.

If it were in keeping with the rules and traditions of the Senate to censure every Senator who makes an unjustifiable personal attack against a colleague, whether on or off the floor of the Senate, I would unhesitatingly vote to censure Senator MCCARTHY for some of the statements he has made. The most cursory examination of the records of the Senate, however, completely and definitely refutes the theory that it is in the tradition of the Senate to adopt a resolution of censure against any one of our more vigorous and vociferous colleagues who engages in unwarranted, unjustified, and undignified attacks upon a fellow Senator. As a matter of fact, while several Members have used much more offensive and destructive language than has the junior Senator from Wisconsin, none has ever been censured in the history of the Senate for such an offense.

So far I have refrained from taking any part in this debate, hoping for more clarification on the point I am about to make, namely, that up to this late hour—and it is growing late—no member of the select committee and no Senator not a member of the select committee has placed before the Senate any reasonable justification as to why we should adopt one rule of good forensic behavior for Senator MCCARTHY, and apply another rule for all the rest of us, or for all the other Senators who have preceded us as Members of this, the most important legislative body of the world. Perhaps there should be a rule which would call for censure of any one of us who intemperately and without justification indulges in personal, derogatory, and damaging criticism of a colleague, whether on the Senate floor, in the heat of a political campaign, or in a careless statement to the press or on the radio.

The fact remains, however, that there is no such rule. If there were one it should, of course, be made effective for future offenses, rather than to be used to penalize a Senator for something occurring before the adoption of the rule.

I fail to see how any Senator in good conscience can justify a vote of censure against Senator MCCARTHY for having violated a rule which does not exist, or for having engaged in excesses similar to those which have been practiced by other Senators and which, without exception, have failed to provoke a vote of censure. Justice and discrimination seldom team up to result in equity.

What is there about Senator MCCARTHY, this man from Wisconsin, it would seem both fair and appropriate to ask, that sets him off as a man apart, against whom the Senate should legislate, vote censure, or suggest reprimand for offenses which when committted by others of our present membership, or by those who preceded us, go unpunished, unnoticed, and virtually unpublicized?

Is it because Senator MCCARTHY, perhaps against his will and wish, and certainly more because of an adverse press and radio than because of anything which he has done, has become a symbol of the fight against communism? Is it because every Communist in America and overseas is determined, at any cost, to discredit anything which Senator MCCARTHY may have done?

Is it because every Communist in America and overseas is determined at any cost to discredit everything that Senator MCCARTHY may have done to help disclose and punish Communists both in and out of Government? Is it because every left-wing columnist, commentator,

cartoonist, and editorial writer in America has for many months been engaged in a well coordinated plan to "get McCARTHY"? Is it because Senator McCARTHY has attacked some Democrats more harshly than they felt the facts might justify; or is it because Senator McCARTHY has not been willing to call off investigations or hearings which proved embarrassing to some Republicans? Is it because his persistence finally brought Owen Lattimore before the bar of justice, and twice resulted in his indictment by grand juries selected from the people?

Frankly, my fellow Senators, I do not know what the explanation is, and I am not trying to impute motives, but it certainly is more than passing strange that there seems to prevail in this body, and in the country generally, a feeling that we should adopt some sort of double standard of morality in the United States Senate; one for JOE McCARTHY and one for the rest of us. As for me, sirs, I cannot go along with such a hypocritical hypothesis.

I know full well that every member of the select committee is an enemy of communism. I am completely confident that their recommendations stem from the noblest of purposes. I know them all. I admire them greatly. I am afraid, however, that the limitations of time and the pressures created by having to make a report before adjournment, and before a full and careful survey could be made of the annals of the Senate, as well as the far-flung ramifications flowing from their recommendations, prevented our distinguished and able colleagues on the select committee from considering all the facets and all the factors involved in their precedent-establishing proposals for censure.

I respect the members of the select committee for the careful work which they did in the altogether too brief span of time which they had to devote to their duties. However, I am sure that they would be the first to admit, Mr. President, that they have not written the final word on the issues which are involved, or on the historic precedents which we shall establish if, on the basis of the evidence before the Senate, we vote to censure Senator McCARTHY for the reasons set forth in the resolution reported by the Senator from Utah [Mr. WATKINS] on November 9.

As evidence of the fact that the select committee itself recognizes that it has not written the final word, we find them now, at this late date, considering changes, modifications, alterations, and refinements in the product which they brought before the Senate on November 9.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. MUNDT. I yield to the Senator from Utah.

Mr. WATKINS. The Senator does not find us changing the report which was filed, does he?

Mr. MUNDT. I did not say I found the committee changing the report.

Mr. WATKINS. The committee reported a resolution, with some amendments. It is customary in the Senate, as the Senator knows, to have clarifying and perfecting amendments to whatever may be proposed by committees. That is almost universally done. With regard to almost any bill, whether it be an appropriation or any other bill that comes before the Senate, the committee usually has some clarifying amendments.

Mr. MUNDT. I think that is correct.

Mr. WATKINS. As I take it, the Senator is saying in effect that the committee has to be absolutely bound by the proposed amendments to the Flanders resolution.

Mr. MUNDT. No, I did not say that at all.

Mr. WATKINS. We are following the customary procedure adopted in the case of any proposed legislation, or other matters before the Senate, which is to offer perfecting amendments.

Mr. MUNDT. I had pointed out that perfecting amendments were being offered. I was not criticizing the committee for that, but that action bore eloquent testimony to the fact that the committee had not written the final word in the resolution presented on November 9.

Mr. WATKINS. I said so. I said we did not pretend to be perfect.

Mr. MUNDT. To that extent we are in agreement.

Mr. WATKINS. I thought the Senator was "laying it on heavy."

Mr. MUNDT. I am afraid the Senator is assuming something. I would hesitate to "lay it on heavy," the Senator from Utah being a judge, and I not being a lawyer, and the Senator having said this is a court procedure rather than a legislative procedure. As far as my layman's knowledge goes, however, when charges are presented in a court, they are not changed as the witness answers certain of those charges.

Mr. WATKINS. Will the Senator yield further?

Mr. MUNDT. I yield.

Mr. WATKINS. The committee did not present charges. The committee was appointed to perform a mission. The Senator from South Dakota was one of the Senators who voted that mission to the committee.

Mr. MUNDT. That is correct.

Mr. WATKINS. The Senator took enough stock in the charges to vote in favor of having the committee hold an investigation, hearings, and to make a report.

Mr. MUNDT. That is correct. I wanted to find a way to get the facts.

Mr. WATKINS. I think we carried out the spirit of that mission. Nobody told the committee whether it had to find for or against Senator McCARTHY, and that was properly so. We carried out our mission. We think we have rendered a report which will stand up. When it comes to the actual judgment that is going to be finally entered, that will be done by this body. This is the court. After the actual trial of the charges is held, as it is now being held, this body, not the committee itself, will render the final judgment.

Mr. MUNDT. As one of the jurors, I have had some difficulty in reaching a verdict when the charges are continually being changed, and we do not have a fixed picture we can look at. I was hoping that at the end of the deliberations of the committee the committee would bring forth on November 9 a specific set of circumstances.

As I say, I do not criticize the committee for changing the charges; I commend it if it feels changes are now necessary; but I think that fact dramatizes what I said earlier, that under the pressures of time, the members of the committee did not have an opportunity to exhaust all the human wisdom of which they are capable.

Mr. WATKINS. The so-called amendments to the Flanders resolution will be the judgment, not the charges. The charges were given to the committee in some other proposed amendments which were referred to it. The final resolution will be the judgment. The Senator is helping to contribute to that judgment, which will be drawn up in an ironclad expression of the will of the Senate.

Mr. MUNDT. I do not wish to become involved in any legislative legerdemain with a Senator who has been a judge, when I have never been a lawyer, so I shall not comment on that particular observation. All I ask is that the Senate be given a clear and fixed proposal to examine.

Mr. President, at all events I do not see how the Senate can justify a determination to censure Senator McCARTHY on the basis included in the second section of the resolution, which indicts him for statements and personal criticisms, which I admit were evidences of excessive and unjustifiable language, but which when stated by others in this body have been completely ignored or forgotten.

I return to that point because I, for one, do not see how we can apply two standards of senatorial morality, one, to one Wisconsin Senator, and one to all the other Senators sitting in this Chamber and to all who have sat here in the past. Perhaps it is too complicated or too simple for a layman to comprehend, but it seems to me there should be some element of consistency in anything that is just and proper. I think a rule should have universal application. Unless some Senator can point out why we should have a special rule for Senator McCARTHY which does not apply to all the rest of us, and which did not prevail for all our predecessors, I do not see how we can logically or fairly indict or censure Senator McCARTHY for his indulgence in a practice which has unhappily been employed in this body by other Members of the present Senate in this very session without any effort to censure being made.

This brings us to the third of the reasons listed by the select committee for censuring Senator McCARTHY. The committee suggests that in failing to cooperate with a Senate committee in clearing up matters affecting the honor of the Senate, he was acting contrary to senatorial tradition, and therefore should be condemned.

I have already covered one point in connection with this issue, namely, that in my opinion the failure of the Subcommittee on Privileges and Elections to exercise due care, full diligence, and its maximum authority in requesting the

appearance of Senator McCarthy on a mutually agreeable day and date destroys the argument that Senator McCarthy acted arrogantly or was in defiance of the Senate in failing to cooperate with a Senate committee which he felt was being used for purposes of political persecution. No Senator has ever made it clear in the course of this debate just why the Subcommittee on Privileges and Elections failed to subpena Senator McCarthy to appear before it, as it had a right to do, and as I believe it had a duty to do if it desired to obtain the facts. Had it done so, that would have brought this issue to a head; it would have demonstrated the serious determination, beyond all peradventure of doubt, of the Subcommittee on Privileges and Elections to bring Senator McCarthy before it; second, it would have demonstrated that the subcommittee itself felt that the evidence was sufficiently important to justify requiring his appearance; and, in the third place, it would have provided us with crystal-clear, indisputable evidence as to whether Senator McCarthy would have acted defiantly or in contempt of the subcommittee. That would have been the situation if Senator McCarthy had received such a serious and specific summons. However, as the matter now stands, we are not in possession of valid evidence on these points.

Mr. HENDRICKSON. Mr. President, will the Senator from South Dakota yield to me?

The PRESIDING OFFICER (Mr. Purtell in the chair). Does the Senator from South Dakota yield to the Senator from New Jersey?

Mr. MUNDT. I am glad to yield.

Mr. HENDRICKSON. Will the Senator from South Dakota tell the Senate how he would have enforced a subpena of the subcommittee, with all the other members of the parent committee of the Senate at home, and with the Senate in a period of adjournment?

Mr. MUNDT. Yes. I would assume that, as a subcommittee, those Senators had the right to issue subpenas. Probably they had that standing right as members of the parent Senate committee.

Mr. HENDRICKSON. Suppose the subpena had been ignored; then where would the subcommittee have been?

Mr. MUNDT. If the subpena had been ignored, then we would now have before us a clear issue of open defiance on the part of Senator McCarthy and a good clear cause to censure him.

Mr. HENDRICKSON. Has the Senator from South Dakota ever before heard of subpenaing a Senator?

Mr. MUNDT. Yes. As a matter of fact, that question came before a committee of which I served as chairman, somewhat reluctantly, a short time ago. Actually, we did not have to subpena the Senator. But if we had had to do it we would have done so; we would not have ducked our responsibility.

Mr. HENDRICKSON. I thank the Senator from South Dakota.

Mr. MUNDT. But, Mr. President, in the present situation we find ourselves up in the air, uncertain; we do not know whether Senator McCarthy would have come or would not have come in response to such a subpena, for he was not subpenaed. No one has told us why he was not subpenaed. The question is asked, "What if he had not come in response to a subpena?"

Mr. President, if a subpena had been issued by the subcommittee, and if Senator McCarthy had not appeared in response to such a subpena, the Senate would have voted censure. But if a subcommittee fails to exercise its authority in connection with obtaining witnesses, I do not see how it can be determined that a Senator is acting in defiance of the subcommittee, when it has not subpenaed him. Certainly, he could not defy or demonstrate contempt for a subcommittee that failed specifically to summon him.

Mr. HENDRICKSON. Mr. President, will the Senator from South Dakota yield further to me?

Mr. MUNDT. First, Mr. President, let me inquire of the distinguished majority leader whether I have available to me further time which I can use for the purpose of yielding? I contracted for 1 hour, and I did not anticipate these interruptions.

Mr. KNOWLAND. Mr. President, let me inquire of the Chair how much time remains to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota has 25 minutes remaining.

Mr. MUNDT. Very well, Mr. President; if the Senator from New Jersey wishes me to yield for a brief interruption, I think I have time to do so.

Mr. HENDRICKSON. I thank the Senator from South Dakota. Does he feel that the Senate of the United States has reached a point—I would term it a lowly point—where the Members of this body have to subpena each other, in order to get one another before a duly constituted subcommittee of this body? If we have reached such a point, the junior Senator from New Jersey must say it will be a happy moment when he departs this body.

Mr. MUNDT. I have never held that Senators should be entitled to any consideration, privileges, or advantages not accorded the average citizen—none other than those incorporated in the Constitution of the United States. A Senator should have all the rights and all the obligations which accrue to any other citizen. I may point out that in the instant case we have not only the absence of a subpena, but the absence of specific, serious, direct, and detailed invitations to appear. Instead, there are too many hazy letters and too many instances of failure to make clear whether the subcommittee ever really wanted Senator McCarthy to appear.

Mr. HENDRICKSON. I should like to understand what the Senator from South Dakota means by "hazy."

Mr. MUNDT. I mean hazy invitations, such as "If you so desire to appear" you may, and "come if you like" and fuzzy, hazy phrases like that.

Mr. HENDRICKSON. Does the Senator from South Dakota remember the response of the junior Senator from Wisconsin to the invitation of the subcommittee?

Mr. MUNDT. Yes.

Mr. HENDRICKSON. Has the Senator from South Dakota found in those responses anything hazy?

Mr. MUNDT. No; and I have said that to the extent it was abusive I regretted the language the junior Senator from Wisconsin used in those replies.

Mr. HENDRICKSON. I thank the Senator from South Dakota.

Mr. MUNDT. Mr. President, to hold, as some of the select committee members have, that because Senator Benton, of Connecticut, delivered on the floor of the Senate a speech attacking Senator McCarthy, and that because the Democratic majority of the subcommittee to which the Benton resolution was referred decided to devote serious attention to it, Senator McCarthy was automatically obligated to volunteer to appear before the subcommittee to defend himself against the long list of Benton charges, is to assume a theory directly opposite to our American concept of jurisprudence that one is innocent until he is proven guilty.

During the past few years we have heard much about an approach called guilt by association. It has a disagreeable connotation. It implies a concept of reckless generalization which I deplore. In our American codes of justice or concepts of fair play I can find nothing which justifies a verdict of guilt by association. However, I must confess I am greatly disturbed and disillusioned when I now find the chief critics of guilt by association applying to Senator McCarthy, of Wisconsin, an even more fatuous and fictitious criterion of justice, which I presume should be called guilt by accusation.

We now find these opponents of guilt by association—and I join them in their opposition to such an un-American and unwarranted criterion—telling us that Senator Joseph R. McCarthy, of Wisconsin, should be censured by the Senate of the United States because he did not voluntarily and on his volition present himself before a subcommittee of the United States Senate to answer a long series of unsupported charges made against him on the floor of the United States Senate by another Member of this body, a member of the opposite political faith. If we were to accept as a prevailing concept the idea that any Senator is to be considered guilty of any charge made against him, at any time, by any of his colleagues or by any of his critics, I am afraid that most of us would become candidates for censure by the Senate of the United States, after every political campaign.

In my opinion, Senator Benton had every right to voice his criticisms of Senator McCarthy if Senator Benton felt they were justified. And if the Subcommittee on Privileges and Elections was motivated and felt itself justified either by the practical reason of partisan politics or by completely pure and pious reason of detached adherence to principle to the point that it felt it should dignify the charges by holding hearings upon them, it had a right to hold hearings. However, it should be equally clear that

Senator McCARTHY, likewise, had a right to ignore such unsupported charges made on the floor of the Senate if the subcommittee failed to subpena him or if he felt such charges were of a partisan nature. In all events, I scarcely feel that the sedate and significant Senate of the United States would want to say by its vote that it believes that a colleague of the Senate should be censured because he failed to seek an opportunity to answer charges which were made about him on the unsupported presentations of a colleague in this body who was a member of an opposite political party. Truly, Mr. President, if we start on such a trail, we are indeed headed down a mighty long road which may have many curious twists and strange detours. As for me, I want it clearly understood that I deny the theory that "guilt by accusation" is so effective a criterion that any of us may be assumed to be guilty of any charge or criticism or accusation launched against us by any writer or speaker whose words we elect to ignore. Moreover, Mr. President, all the reasons listed for censure, and involved in the activities of the Subcommittee on Privileges and Elections, come to us under something of a shadow of doubt, since each and all of them were passed upon by the electorate of Wisconsin, in an election which occurred in 1952. The issues were again passed upon later by the United States Senate, itself, when this body, including the members of the Subcommittee on Privileges and Elections, failed to find a single Member rising to oppose the seating of the junior Senator from Wisconsin when he was sworn in in 1953 after being reelected, and after the charges, hearings, and reports of the Subcommittee on Privileges and Elections had been concluded.

My good friend from New Jersey [Mr. HENDRICKSON] has indicated that a Senator should have certain special rights. I do not believe a Senator should have any special rights. I think a Senator should, however, be subject to the same kind of statute of limitations as applies to ordinary people. It seems to me that there must come a time when the Senate of the United States can no longer go behind the votes of the people of a State and, for reasons other than fraud, deprive them of their representation, or cripple the representatives they send here.

If we establish the precedent that we can go back beyond one election, can we go back beyond two? If someone digs up some unkind thing said 30 years ago by the great and good senior Senator from Georgia [Mr. GEORGE], who has been here for a third of a century, are we to issue a resolution of censure against him, come some happy hour when there are so many Republicans in the Senate that we swagger and become arrogant because of the size of our majority?

I think most persons would agree that 30 years is too long a time. How about 15 years? How should the statute of limitations operate? How about two elections? Where is the line to be drawn? What is to happen to the concept of the rights of States? What has happened to the idea that people have the right to select their own representatives, good men or bad men, so far as abilities are concerned, and so far as concerns manners and mores, provided their election is not brought about fraudulently, but is done honestly?

If the Subcommittee on Privileges and Elections was so eager and zealous that it wished to pick up the fumble it made when it failed to subpena the junior Senator from Wisconsin, what a golden opportunity to rise, when he was being sworn in, after being reelected, and say, "We ask that he step aside." That was their responsibility and duty, if they had the evidence to support such a course of action. That was the time to bring the question before us, and not after an emotional binge such as the Senate went through during a large part of the late summer and early fall.

This brings me to perhaps the most significant and overriding consideration, which in my opinion we should all take into consideration before casting our vote for or against the censure of the junior Senator from Wisconsin, JOSEPH R. McCARTHY, on the basis of the evidence supporting the resolution reported from the select committee by the Senator from Utah [Mr. WATKINS] on November 9, which I construe to be the case before the court today. I know not what new amendments may be brought forward at this late date, when, instead of having time for a new hearing, and time for further debate, we have—and I think wisely so—limited ourselves to 30 minutes on a side. If we are going into the business of censure by quick dispatch and 30-minute speeches, on all kinds of bases, the censure club in the United States Senate may grow rather alarmingly large in years to come.

Therefore the consideration which in my opinion is the difficult determination which we must make in this situation today is the question of which vote, which action, which position, will best serve the longtime general welfare of our Nation and the cause of human freedom. For me that is the important, overriding question. I am not interested in personalities. I do not happen to be a Senator who engages in them; and those who engage in them against me do so at their own peril, because I am prepared to defend myself.

So I am not very deeply involved. I have neither any particular friendship nor any particular antipathy for the junior Senator from Wisconsin. He has caused me more than my fair share of trouble in the past 6 months. I see no particular reason to have any unusual personal concern for him over what I would extend to any Senator. But there is an overriding question, and it should be our major consideration. We ought to begin now to think as Senators, not as Republicans or Democrats, not as friends of McCARTHY or enemies of McCARTHY, not as people who are tough on Communists or soft on Communists, not as left-wingers or right-wingers. Let us take a look at the question as Senators trying to produce something constructive from the existing situation.

During the past few months we have spent a great deal of time, in one way or another, before one committee or another, discussing and debating the activities associated with the junior Senator from Wisconsin. Out of it all, if we act prudently, some good may come. But it cannot come from any purely negative action.

The chief consideration should therefore be which decision by the Senate in this difficult situation would best serve the longtime general welfare of our Nation and the cause of human freedom? To me, that is the important, overriding question. That should be our major consideration.

The question now arises in my mind: How can we conclude this chapter of our congressional annals so as best to serve the people of our great country and the traditions of freedom which we all embrace, and at the same time try to restore good will and brotherly feeling among the Members of the Senate? We must all live with each other for some time to come. Will voting for the censure resolution now before the Senate accomplish an important constructive result? Will defeating the censure resolution do it? Or is there some third course of action which can provide the greatest constructive good?

Personally I am one—and I am confident most of my colleagues are motivated similarly—who would freely and firmly vote for any one of these three possibilities or any combination of them in order best to serve the greatest good for the largest number for the longest time. The difficulty is to decide which course of action best serves these constructive purposes. It is easy enough to act, but it is a little difficult to know how to act most wisely.

Let us consider these choices, therefore, not in the light of strained human emotions or of seeking some temporary release from a distasteful situation, but rather from the standpoint of the impact of our actions on the future of the Senate and on our great American traditions of freedom.

Let us also keep in mind the nature of the world in which we live today, as we consider these alternatives.

Admittedly, if we select the first choice and vote to censure Senator McCARTHY, we may feel that we are achieving something of at least a temporary value.

In the first place, we shall have disposed of the resolution and have ended the debate on the issues involved, at least for the immediate future.

Moreover, we may have convinced some people that we are determined to protect and promote the dignity of the Senate by striking back at one of our Members who has used language of which we disapprove in referring to some of our colleagues, as well as to certain other individuals, who may or may not have been witnesses before Senate committees. Furthermore, by doing so we shall perhaps have served warning on other Senators that they too may be subject to censure by the Senate if they deal too vigorously with reluctant witnesses who appear before senatorial committees, or if they indulge in personal criticism of each other during the heat or debate on the floor of the Senate, or in the course of a political campaign.

Perhaps we shall also gain for ourselves some feeling of self-satisfaction or a sense of smug superiority, in that we will have publicly castigated a fellow Senator for making statements of a nature which each of us is convinced he would never make under similar circumstances.

We shall also, of course, have pleased the chronic critics of Senator McCarthy. While some of these throw their punches only from the left, there are admittedly many good and patriotic Americans who are seriously disturbed by their understanding and analysis of some of Senator McCarthy's activities.

In the main, Mr. President, I believe the foregoing pretty well summarizes the dividends and advantages which might flow from a vote of censure of Senator McCarthy. Nothing else will have been changed. After that, we will go on just as we have in the past. Our actions will have been completely negative.

To gain these actual or alleged advantages, Mr. President, by voting censure, we would have to pay a substantial price. In the first place, there is the danger that the precedent we would establish in voting to censure Senator McCarthy for his statements might come back to plague us again and again when at times a determined majority of the Senate might elect to pillory and censure other Senators with whom they disagree for statements made on or off the floor of the Senate, which might be different in only slight gradations up or down from those uttered by Senator McCarthy, which comprise the basis of the charges now before the Senate.

Thus, without intending to do so, we might be establishing machinery which could be used excessively in future times to circumscribe the rights of free speech by Members of the Senate and to weaken or destroy the rights of criticism when indignant Senators feel they have cause to attack or criticize a public policy, or some public figure who has proclaimed a public policy, which they consider unwise, unjust, or unacceptable.

At least some kind of precedent would be established which would protect the dignity of generals and of Senators, although apparently the precedent would not apply to anyone else in the entire country.

That is all the more true by virtue of the fact that it is now proposed that we censure the junior Senator from Wisconsin for violation of a rule which did not exist at the time of his alleged offenses and, except for the precedent established might not exist for others guilty of the same offenses.

In addition, there can be no denying the fact that by singling out Senator McCarthy for present punishment, whether for just cause or not, and by voting for the pending resolution of censure, we shall be giving great aid and comfort to the Communists around the world, whom all of us abhor and whom most of us recognize as the sole and sordid source of virtually all our present dangers.

I am completely sure that none of us would wittingly or willfully give aid to our global enemy by any act or action on our part. Unfortunately, however, none of us can control the repercussions which would flow from the propaganda mills of the leftwingers in America and the Communists abroad as a consequence of an affirmative vote on the censure resolution.

Through no particular fault of his own, and in my opinion far beyond the merits involved in the true facts of the case, the junior Senator from Wisconsin [Mr. McCarthy] has become a symbol in America's fight against communism. Admittedly, he has fought hard and persistently against this godless menace, but to no greater degree and with no greater success than many others in and out of Congress. It is one of the paradoxes of our day that Senator McCarthy has become a symbol of anticommunism largely as a result of the editorials and columns carried in a hostile press, of caricatures by antagonistic cartoonists, and of radio commentaries by people who dislike him personally, or who deplore his activities against the Communists.

Be that as it may, if the Senate votes to censure what has rightfully or wrongfully become a symbol of the congressional fight against communism to many good Americans, who share with us our common antipathy to this warlike, godless, global menace, it is as certain as night follows the day that every Communist agency at home and abroad will pull out all the stops in misrepresenting our actions as being a retreat in the fight against communism. I hope and I believe that the number of Americans who could be so deceived would be comparatively small, but I fear that there are a great many people in other areas of the world who would accept this Communist line and believe in their hearts that there was a weakening here in the degree and the determination of our opposition to world communism.

What then are the possible gains or losses if we select the second choice and vote against this censure resolution?

Among the advantages of such a vote, insofar as the long-term viewpoint is concerned, in my opinion, is the fact we would run no danger of having our determination propagandized by the Communists abroad as a softening of our attitude toward communism. It would also be a vote reiterating our conviction that unless fraud is involved at election time the citizens of a sovereign State have the right and duty to select the type and manner of individual who they desire to represent them here in Congress. Thus it would be a vote reiterating and reemphasizing our belief in the rights of States and our conviction that States rights are something which we should be slow and reluctant to abrogate by capricious use of the power of Congress or of any other Federal authority.

In addition, voting against the censure resolution would emphasize our belief that nobody in America should be punished retroactively for violating rules, regulations, or statutes which were not in being at the time his alleged offenses were committed. Finally, voting against the censure resolution would save us from erecting any vague new screens or standards which might some day return to plague us as a circumscription of complete freedom of speech in the Senate of the United States.

The PRESIDING OFFICER. The Chair would advise the Senator from South Dakota that his time has expired.

Mr. MUNDT. Mr. President, may I have an additional 3 or 4 minutes?

Mr. KNOWLAND. Mr. President, I yield the Senator from South Dakota an additional 5 minutes' time.

Mr. MUNDT. I thank the Senator from California.

Mr. President, admittedly, voting against this resolution of censure also exacts its price and toll. By voting against censure, we run the risk that many righteously indignant Americans will feel that we have let them down and have failed to uphold the dignity and decorum which they have a right to expect from the world's most important parliamentary body. If we vote against censure, some will make it appear by so doing the Senate has placed its stamp of approval on every word, on every excessive adjective and on every action by the junior Senator from Wisconsin. Others will attempt to make this vote appear as a criticism or indictment of the judgment of the six colleagues of ours who went through the disagreeable task of serving on the select committee. Propagandists, to be sure, will clamor caustically and with reckless disregard for the facts from the camp of those using a vote against censure as their bullwhip just as propagandists will use a vote for censure with equal abandon as a device for trying to make it appear that a vote for censure is in reality a vote for communism. Unhappily, there is no escape from the spiteful spleen of professional propagandists as we approach this vote. There is this to be said, however: insofar as our friends in foreign countries are concerned, a vote against this censure resolution simply cannot be interpreted, or distorted to mean a vote sympathetic to communism or soft toward Communists, either at home or abroad.

Here at home, Mr. President, many good Americans as well as many warm personal friends of each of us find themselves on both sides of this controversial issue. It has divided families, divided husbands from wives, brother from brother. Good people are confused and in conflict with each other; there is no question about that. Unfortunately, too, Mr. President, there are no blacks or whites before us. There is not any clear-cut, easy answer which anyone seriously seeking the facts can easily discern. Most of the evidence and most of the facts are shrouded in the obscurity of dull and misty gray.

But, Mr. President, there is one fact, it seems to me, of which I can be fairly sure. I know, as every other Senator knows, that we cannot satisfy all our friends on this vote. We cannot make them all happy; we cannot please them all. We have good friends on both sides of the issue.

Mr. President, I think I know one thing I can do. I know how I can displease 99.9 percent of my enemies, because I think I know where my enemies stand on this issue. I think I know where the enemies of other Senators stand, also, because their enemies are my enemies and on this our friends are

divided but our enemies are united. The Communists are the enemies of all of us. So are the crypto-Communists; so are the fellow travelers; so are the dull-witted people who are utilized and confused by Communists; so are the left-wingers and divisive forces in our midst. I think I know where they stand. It has been a part of my official business for many years to read, off and on, the Daily Worker, the official organ of the Communist Party. I know where it stands. It is seeking the adoption of the censure resolution as its "baby." I know it had nothing to do with bringing about the verdict of the select committee. I do not think it will directly influence a single vote in the Senate. Indirectly, perhaps, a few, but none directly. I am pretty sure I know how I can displease every Communist enemy in this country. I think I know how I can displease the front runners of the divisive forces which are trying to attack and to destroy private enterprise, individual initiative, States' rights, and our great constitutional institutions.

Wrapped up in this argument, Mr. President, is a hidden bomb——

The PRESIDING OFFICER. The time of the Senator from South Dakota has again expired.

Mr. KNOWLAND. Mr. President, I yield 5 additional minutes.

Mr. MUNDT. Mr. President, I thank the Senator from California.

Wrapped up in all this is a secret, hidden bomb which some day, I am afraid, will explode all over Dixie. Wrapped up in this is an element of States' rights more important than are any of the arguments about filibustering or cloture ever made on the floor of the Senate. We may establish a precedent which some day in the sunny Southland will cause great distress if we here establish a precedent that Congress can override the elective selections by the voters of a sovereign State.

Mr. President, there are many enemies of freedom, many enemies of our great way of life. I know where the enemies of the Republican Party are going to be. I do not think there are very many enemies of the Republican Party who have successfully and successively induced us, by their divisive tactics, to split up on other issues and who will bring up still other diverse issues who now would have us vote against this censure resolution. I know that most enemies of the Republican Party are going to be displeased by a vote against censure.

More important are the enemies of freedom overseas. And this brings us now to a third possible choice as we exercise our judgment in the present controversy. In other words, is there some better, constructive alternative confronting us which might accomplish whatever benefits are involved in a vote of censure, avoid any pitfalls and disadvantages involved in a vote against censure, and yet serve to maintain the dignity and decorum of this body and safeguard us against situations like the current controversy coming to confront us at some future time?

Mr. President, I believe there is such a constructive third course of action. I believe that by refusing to vote for this resolution of censure, we can take steps which will make it clear that we disapprove of some of the expressions and activities which gave rise to the report of the select committee, and that we can do it without trying to punish retroactively a Member of this body or to make an ex post facto application against the junior Senator from Wisconsin of rules and regulations and codes of conduct which the Senate has not yet decided to adopt for itself and all of its Members.

It would be my suggestion that we reject this censure resolution, but that in so doing we establish or substitute or affirm or declare our intention of giving prompt and painstaking attention to two possible types of changes in our book of rules which can prevent recurrences of the type of situation which we now confront.

The first of these proposals would be that early in the 84th Congress we adopt whatever changes in rules may be desired or desirable for use by senatorial committees hearing witnesses. We already have had extensive hearings by the Committee on Rules and Administration on this point. I, myself, appeared before that committee on the 12th of August of this year.

Almost 10 years ago, while serving as a member of the House Committee on Un-American Activities, I made the first move in Congress to bring into focus and into being rules for properly conducting investigations. I asked the Brookings Institution to prepare a study, which was done. I had the study incorporated as a part of the hearings, and today it provides a base for most of the rules now used by investigating committees. I think that after 10 years we have learned something, and that we now can improve upon our rules. Many other Senators made similar suggestions. Therefore, from those suggestions it seems evident to me that some new rules might be adopted for universal application; rules which would express the determination of the Senate concerning the type of investigations and hearings it considers appropriate in establishing standards of conduct which would be enforceable by the Senate.

This would provide a constructive result growing from the current controversy and the events preceding it. Once such rules were adopted by a Senate vote, they would be enforceable by Senate action. They would apply to all Senators, not merely to those with whom we may find ourselves in disagreement. I pledge myself to do everything possible to help perfect and enforce such rules.

To this Senator it would seem that a much more constructive purpose could be served by adopting, deliberately and carefully, whatever new rules we desired to write to govern committee procedures and then to enforce them against each of us impartially and honestly, rather than now to apply retroactively the terms of rules and regulations which have never been adopted by the Senate as a whole.

In considering such new rules, however, I wish to caution my fellow Senators, out of an abundance of experience as a member of congressional investigating committees, that we must not so circumscribe ourselves as to make a seat in the witness chair before a congressional committee a cyclone cellar of safety for every crook and Communist in all America.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks the text of a statement made by me before the Senate Committee on Rules and Administration on Thursday, August 12, 1954.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. MUNDT. Mr. President, may I ask the distinguished majority leader for sufficient time in which to conclude my statement briefly?

Mr. KNOWLAND. How much time does the Senator desire?

Mr. MUNDT. About 3 minutes.

Mr. KNOWLAND. I yield 3 minutes to the senior Senator from South Dakota.

Mr. MUNDT. Mr. President, the second of these constructive proposals which I would place before the Senate as a third and better choice than voting a resolution of censure either up or down and then hurrying home is that we reject the present resolution of censure and instead instruct either a special committee of the Senate or some standing committee to submit, early in the first session of the 84th Congress, a list of proposals, after adequate hearings, and careful consideration, recommending proper rules of conduct for Senators either on or off the floor of the Senate, or both, including committee room conduct.

I think Senators would wish to consider such proposals very carefully; but certainly if reforms or restrictions or restraints are needed, this would be a more constructive method for achieving them than by the awkward, ill-defined, and unprecedented manner of voting upon a resolution of censure of a fellow Senator, and thereby trying to establish a precedent for future conduct by applying retroactively the punishment which might be prescribed for the violation of a rule not yet adopted.

In considering these rules of conduct, the appropriate committee could decide upon and present to the Senate recommendations as to whether, for example, the failure to accept a mere invitation on the part of a Senate committee to appear before it, should he so desire, is to be considered an act of contempt on the part of the Senator. Personally, I doubt the wisdom of such a rule, unless a Senate committee were serious enough about its business or its charges to issue a subpena for the Senator's appearance. But whatever the verdict of the Senate might be upon such a proposed rule, all Senators could be expected to live by it thereafter.

Such a committee could also recommend whether hereafter it should be considered censurable for any Senator to criticize another Senator personally, regardless of his degree of provocation, on the floor or off, justifiably or not.

Whatever the ultimate decision of the Senate might be, I am certain we would all be prepared to live by the rules adopted and announced.

During the 10 happy years which I served in the House of Representatives, we were always able to meet a problem like the one presently confronting the Senate by the application of a simple rule providing that when a Member of the House used inappropriate language he could be ordered to take his seat; and in extreme cases the House could vote to strike the words from the RECORD and silence the offending Member for the remainder of the day. What a penalty for any Senator, Mr. President! [Laughter.] If it were made a week, that would be worse than a life sentence in the penitentiary for some Senators whom I know.

Such a committee as I have suggested could give consideration to the adoption of some modification or expansion of this rule for use in the Senate. I am not certain what those rules and regulations should be, nor what restraints should be imposed. Personally, I shall be prepared to vote for any reasonable rules of conduct which appeal to the majority of my associates.

However, I should like to add—and with this statement I shall close—that I think the Senate of the United States has a great record of constructive service to the country, which up to now has necessitated neither special rules of conduct for its Members nor motions of censure for excessive statements by Senators. I hope the Senate will do nothing to weaken or nullify the ability of the Senate to serve in the future with at least the same success and significance with which it has so ably and consistently met the problems of the past. Despite all its shortcomings and the mistakes of its individual Members, both in the present and in the past, I think the Senate of the United States has done and is doing more to hold aloft the torch of human freedom than any other legislative body in the world.

Mr. President, let us do nothing here to dim or darken this great light of legislative authority and of constitutional liberty.

EXHIBIT A

EXCERPTS OF STATEMENT BY SENATOR KARL E. MUNDT, REPUBLICAN OF SOUTH DAKOTA, BEFORE THE SENATE COMMITTEE ON RULES AND ADMINISTRATION, THURSDAY, AUGUST 12, 1954

Mr. Chairman, your committee paid me an honor in inviting me to come before you to make any suggestions that I might have in connection with the establishment of a universal set of rules and procedures to be used by all congressional committees engaging in investigations of one kind or another.

You are engaging in an important and constructive study in trying to develop an optimum set of rules and procedures for the very important function of Congress which is represented by its duty to investigate charges and to investigate conditions in which corruption, communism, malfeasance, and maladministration, waste, inefficiency, or the outright failure to comply with the legislative mandates of Congress might be a factor. Despite the fact that I am in the unique position of probably having spent more years as a member of such investigating committees of one type or another than any other Member of the Senate, I would not have the temerity to come before you on my own volition to intrude my judgment voluntarily into your deliberations. However, in response to your request, I am pleased to come here to answer any questions which you might have to ask and to make a few modest recommendations and observations of my own.

It is my conviction that the investigative function of Congress ranks high among its most important functions and responsibilities. It is not enough that Congress enact legislation and pass appropriation bills approving the expenditure of public funds. Equally, we have the responsibility to see to it that the laws which we pass are properly administered and that the money which we appropriate is efficiently, economically, honestly, and properly expended.

We have a direct responsibility to expose and eliminate corruption whenever and wherever it occurs in any of the agencies of Government since we would indeed be derelict in our duties if we appropriated billions of dollars with no concern as to whether the money is stolen, misspent, funneled into perverted channels because of favoritism or squandered through reckless inattention to the concepts of sound economy.

We would likewise be derelict in our responsibilities if we knowingly permitted foreign agents, Communist sympathizers, saboteurs, and spies to exercise authority and spend public funds within our structure of Government without doing everything within our power to expose and eliminate such disciples of disaster.

I am sure that American citizens who are alert enough to the problems of our times to be Members of Congress are today aware of the fact that human nature is such that on occasion, cheats, chiselers, and crooks will work their way into the executive agencies of any administration and that we are realistic enough to know that the global conspiracy of communism is tough enough and aggressive enough to try to place its agents and sympathizers in positions of public responsibility whether we are living under a Republican or a Democratic President. I believe and hope that present day Members of Congress are also candid and realistic enough to recognize that it is neither sound judgment nor good governmental practice to expect executive agencies to be as zealous in investigating themselves as would be an alert and properly conducted congressional investigating committee carrying out one of the direct responsibilities of its branch of Government.

My own experience on investigating committees began while I was a Member of the House of Representatives serving on the House Committee on Un-American Activities while it was under Chairman MARTIN DIES, of Texas. In those days, the emphasis was on trying sufficiently to protect the-powers-of-Congress-to-investigate so as to enable us to at least control a committee room situation against the disruptive antics of the Communists and their associates. Members of that Dies committee were intimidated, and pressures of all types were used to induce them to stop all investigations and to avoid all efforts to dig out and expose Communist agents. Chairman MARTIN DIES was harassed and attacked not only by Communists and left-wingers but by people in high positions of responsibility from within his own administration. The drum fire of attack on MARTIN DIES finally impaired his health and necessitated his retirement from Congress. He has now happily returned from retirement.

However, the committee carried on its unpleasant, unpopular, and unrewarded duties. Under a series of chairmen—both Democrat and Republican—the committee devoted itself to developing techniques of investigations and hearings designed to protect God-fearing and freedom-loving Americans against the brow-beating tactics and the dire threats of physical and political violence directed by the Communists. Several other chairmen were successively retired to private life, and it was not until the evidence produced by the House Committee on Un-American Activities during the Republican 80th Congress resulted in the conviction and imprisonment of Alger Hiss that service on the House Committee on Un-American Activities was really considered something different from receiving an assignment on the kamikaze squad.

On the Senate side, I watched a succession of chairmen of investigating committees both Democrats and Republicans come under attack at times from the Communists and those they can control or confuse and at times from partisan sources eager to destroy the effectiveness of a given investigation in order to protect a political rampart which would be placed in jeopardy if the truth about malfeasance or maladministration became generally known.

Primarily, however, it is when an investigating committee of Congress attempts to expose a mare's nest of subversion that its members come under direct attack and that its rules of procedure are tested in the crucible of fire. It is in investigations of this type, too, that all of us are called upon to exert our best judgment in evolving and enforcing rules of procedure which will be fair to all witnesses while, at the same time, not sacrificing the best security interests of the free people of the United States who find their cherished Republic coming under the concerted attack of the global Communist conspiracy.

While serving as a member of the House Committee on Un-American Activities nearly 10 years ago, I asked our committee to have the Brookings Institution make a careful, analytical study for determining un-American activities and suggesting standards for use by our investigating committee. The Brookings Institution responded magnificently and I ask leave at this point in my remarks to insert a copy of the Brookings Institution report in the body of these hearings since only a very limited number of copies of the report are still extant.

I believe that the rules our House Committee on Un-American Activities adopted subsequent to the report we received from the Brookings Institution were one of the first set of rules—if not actually the first—formally evolved and accepted by a committee of Congress in governing its procedures of investigation. You will note that many of the suggested rules of procedure included in the report of the Brookings Institution are presently incorporated in the rules of our investigating committees which now establish for themselves specified rules of procedure.

In the past 10 years, of course, we have learned much about how to conduct a congressional investigation and also how to conduct executive and open hearings which, on occasion, bring recalcitrant or rebellious witnesses before a panel of Congressmen or Senators. Unhappily, the Communists and others determined to disrupt congressional committee procedures have also learned much during the past 10 years.

One of the collateral results, for example, of the conviction of Alger Hiss for perjuring himself before the House Committee on Un-American Activities and before the grand jury was the development on the part of uncooperative and guilty witnesses of the habit of hiding behind the fifth amendment in an attempt to conceal facts from those charged with the responsibility of ascertaining them. Increasingly, those who would give aid or comfort to Communist causes, utilize the fifth amendment as a tactic for deceiving the public, for concealing their duplicity and for pyramiding the difficulties with which a congressional in-

vestigating committee or a grand jury is confronted.

Another favorite tactic of those who would destroy America from within by utilizing the protection of our Constitution to help them make a shambles of this great charter of freedom, is to insist upon committee rules of procedure which would be entirely unworkable and which would give those with facts to conceal additional advantages over those charged with the responsibility of revealing the truth. In your deliberations, I urge that you keep these facts in mind as you move forward in an effort to strike a proper balance between the necessity of safeguarding the interests of innocent witnesses and of safeguarding the security of millions of innocent Americans who must depend upon the machinery of Congress—including investigating committees of Congress—to protect against the type of human slavery which the Communists have already imposed on nearly half the people of this globe.

In my opinion, it is entirely possible to devise a universal set of rules of procedure for congressional investigating committees which will strike this happy balance. During the past decade, we have moved definitely in that direction. The successive prosecution of many cases involving citations for contempt of Congress has helped to strengthen the hand of investigating committees while at the same time we have been steadily losing ground against those adroitly employing the mechanism of the fifth amendment. While attacks upon investigating committees are no longer as violent and vicious as they were in the days when MARTIN DIES served as the chairman of our House Committee on Un-American Activities, these attacks do and will continue, but it is good to know that an increasingly large number of Americans are recognizing the inherent devices of the Communist conspirators and are rallying behind those whose duty it is to protect us all from an imperialist, dictatorial Communist threat which, if successful, would make slaves of everybody.

The following specific suggestions occur to me in addition to the rules and regulations normally employed by the Government Operations Committee's Subcommittee on Investigations, of which I am a member, and by most of the investigative committees with which I am familiar.

1. The first of my suggestions I have incorporated in proposed legislation which is presently before this Rules Committee. I feel that the FBI should be authorized by law to make a complete field check of all personnel employed on any investigative committee.

2. I feel that we should continue our present policy of having one man comprise a quorum on an investigation committee but that every reasonable effort should be made to have at least two committee members present when hearings are actually being held.

3. I feel that before out-of-town hearings are held by any committee they should be authorized by a majority vote of the committee or subcommittee, and that at least two members of the committee should be assigned to attend such out-of-town hearings as are scheduled.

4. I think it would be helpful if the chairman of each investigating committee would have his staff director make a weekly summary report to each of the committee members, epitomizing the staff activities of the preceding week.

5. I feel that the present policy of permitting all witnesses to be accompanied by counsel is sound, and that we should continue to limit the participation of such counsel to consulting with his client and to submitting any written questions which he might care to ask to the chairman of the committee, with the understanding that the committee shall control the decision of whether or not those questions will be asked.

6. I feel that testimony taken in executive hearings should not be released in whole or in part except upon the vote of a majority of the committee or subcommittee.

I suggest the foregoing six rules of procedure to your committee, in addition to calling to your attention and recommending the use of the entire body of procedures now being employed by our investigating subcommittee and which are already a part of your record.

Your committee may desire to ask me questions concerning other recommendations which have come before you and with which I may or may not have had some experience or familiarity. In the main, I think it is the attitude and the personalities of the individual committee members and their chairmen which will determine whether or not investigations are conducted successfully and with proper decorum. I know of no rule that a bad chairman could not break, and perhaps there are none that a good chairman should require. However, I definitely am among those who believe that every committee should have a code of procedure; I believe it should be published and available to the public; and I believe it would be wise to try to have uniform rules of procedure for every committee operating with funds of the United States Senate. However, I repeat, recalcitrant or rebellious witnesses can sometimes make a shambles of any hearing, regardless of the rules of procedure, and impetuous or quick-tempered chairmen can sometimes destroy the dignity and decorum of any hearing quite regardless of any code of committee conduct. Men cannot be made over by the printing of a set of rules of procedure.

Before closing I would like to say a final word about the legislation before us proposing to establish statutory prohibition against the televising and broadcasting of congressional hearings. This is a decision which I believe should be left to the individual committee, and that it should be made on the basis of the nature of the hearing and the purpose which the committee seeks to achieve by conducting it. Undoubtedly, many hearings might better not be televised or broadcast, but to establish a statutory prohibition against them, it seems to me, would be exceedingly unwise.

In my opinion, both television and radio are here to stay. They are legitimate media of communication. They are administered, operated, and staffed by men of the same general respectability and capacity as those employed in the field of journalism. They provide information and service to millions of people. For the great Congress of the United States to pass a law to prevent itself from allowing any of its committees to hold hearings in the presence of television cameras or radio microphones would, in my opinion, be a backward step.

There is much to be said on the positive side in behalf of televising and broadcasting certain congressional hearings. I believe that the time we permitted television cameras to report certain phases of the now-famous Hiss-Chambers hearings during the 80th Congress, at which time I was acting chairman of the group of members on the House Un-American Activities Committee who conducted that investigation and the present Vice President was a member of my committee, that this was the first televised congressional hearing in history. I recently had the additional experience of presiding over the most widely televised series of congressional hearings in history. Out of these experiences, I want to pay a salute to some of the positive results flowing from the use of television and radio in controversial hearings of this nature.

In the first place, these new media which report by sound and picture to John Q. American are a great and mighty conscience for the press. There is seldom any cause to complain about biased or prejudiced reporting when a congressional hearing is conducted before the television and over the radio. Even the most prejudiced of reporters or of newspapers hesitate long before trying to slant a news story on a hearing which the readers have seen before their eyes and have listened to as it unfolded word by word. Television and radio, indeed, make better reporters of the best that we have and good reporters of the rest of those covering Capitol Hill.

In addition, television and radio provide for Americans, generally, the same opportunities to watch and hear a segment of their Government in action as is consistently provided for citizens of the District of Columbia and adjacent Maryland and Virginia who can commute to Capitol Hill and attend any open committee hearings that they choose. Television simply removes the walls from the committee room to let the people living in South Dakota, Colorado, or California have the same access to the deliberations of a committee as would otherwise be exclusively the right of those living within a few miles' driving distance of the National Capital. I submit that the people of my State have the same right to see and to hear what takes place in a committee hearing as the people of Virginia or Maryland. Certain committee sessions should, of course, be closed and held as executive meetings. Once you hold a public hearing meeting, however, I would deplore any statutory provision which would put the great Congress of the United States on record as saying, "It is good that the people living near the Capital should see and hear these hearings. It is well that they be reported by the press. It is proper that photographers should take pictures of the witnesses and that perhaps a newsreel be made of the participating Senators for abbreviated use on some theater screen. But it is not only bad and improper but illegal to permit radio microphones and television cameras to carry the whole story and the true story of these open congressional hearings directly to the people of America whoever they are and wherever they live." Personally, I shall always vote against any legislative measure based on such a discriminatory premise and which endeavors to select from among the media of communication some with which to cooperate and others to condemn.

If there are questions, gentlemen, I shall do my best to answer them.

During the delivery of Mr. MUNDT'S speech,

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. McCARTHY. Will the Senator from South Dakota yield to me in order that I may submit a unanimous-consent request that the absence of a quorum may be suggested without affecting the right of the Senator to the floor?

I think the most disgraceful spectacle I have ever seen is the one before my eyes when I look at the Democrat side of the aisle and see one Senator seated there. There are two good Democrats now seated on this side of the aisle. I refer to the Senator from Louisiana [Mr. LONG] and the Senator from Virginia [Mr. BYRD] who are seated on our side of the aisle. Only three Democrats are present while we are debating what rules of the Senate we shall apply. I think the absence of a quorum should be suggested.

The PRESIDING OFFICER. Does the Senator from South Dakota yield for that purpose?

Mr. CASE. Mr. President, will my colleague yield to me?

The PRESIDING OFFICER. The senior Senator from South Dakota has the floor. Does he yield, and if so, to whom?

Mr. McCARTHY. Mr. President, may I complete my statement?

Mr. MUNDT. I thought the Senator from Wisconsin had finished.

Mr. McCARTHY. I should like to suggest to my Democratic friends, who so mysteriously appear when the prosecution commences, and then disappear when any defense is offered, that I think when we are talking about preserving the dignity of the Senate, this is the most disgraceful spectacle I have ever seen. Perhaps we should consider preserving the dignity of the Senate by having Senators present, because Senators are the jury in this case, which involves the rules.

I mentioned the fact that one Democrat Senator was seated on the other side of the aisle. The Senator from Louisiana [Mr. LONG] is present, and has been present during most of the debate. The Senator from Virginia [Mr. BYRD] is also present, and is seated on the side of the aisle where I like to see him sitting.

Mr. KNOWLAND. Mr. President——

The PRESIDING OFFICER. The Chair wishes to announce that the senior Senator from South Dakota yielded for a question. The Chair will have to hold that if the Senator from South Dakota yields in the future he must yield for a question or yield the floor, unless otherwise provided by unanimous consent.

Mr. CASE. Mr. President, I should like to ask my distinguished colleague a question.

The PRESIDING OFFICER. Does the senior Senator from South Dakota yield to his colleague?

Mr. MUNDT. I yield.

Mr. CASE. Will the senior Senator from South Dakota permit me to submit a unanimous-consent request that I be allowed to suggest the absence of a quorum without affecting my colleague's right to the floor?

Mr. KNOWLAND. Mr. President, I should have to object to that, for this reason: While I would like to have all Senators present constantly, if possible, we are now operating under controlled time. Every Senator has had notice of that fact. A number of speakers have requested the opportunity to be heard. By the time a quorum could be obtained, and the call of the roll completed, we have no assurance that any more Senators would be present after the quorum call than are now present. For that reason I must respectfully request that the Senator not yield for that purpose.

The PRESIDING OFFICER. The Chair wishes to announce that if a quorum call had been in order, the time would have come out of the time of the Senator from California.

Mr. LONG. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. LONG. I merely wish to state for the benefit of other Senators that Senators who have been present during the entire day will notice that during most of the day more than 50 percent of the Democratic Senators have been present. I am sure that if the junior Senator from Wisconsin had been present during the entire day he would have noticed that.

Also, it is now about 4:30 in the afternoon, which is a good time for Senators who have been in the Chamber all day to sign their mail. That accounts for the scarcity of Senators during long speeches.

Mr. MUNDT. Mr. President, I should like to submit a unanimous-consent request of my own. I ask unanimous consent that the colloquy for which I have just yielded, beginning with the remarks of the junior Senator from Wisconsin and ending with those of the Senator from Louisiana appear, if at all, following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I yield one-half hour to the distinguished senior Senator from Pennsylvania.

Mr. MARTIN. Mr. President, I wish to comment briefly on the matter now before us, Senate Resolution 301.

At the outset, I desire to compliment the members of the select committee. I am proud of my association with these able and distinguished Senators. I have the highest respect for their patriotism and their integrity.

The distinguished chairman of the select committee, the senior Senator from Utah [Mr. WATKINS], and I came to the Senate in the same class. I have been his guest in his home State. I have long admired his outstanding Americanism and his conscientious devotion to duty.

The junior Senator from South Dakota [Mr. CASE] and the junior Senator from Mississippi [Mr. STENNIS] have served with me on the Public Works Committee. Both are devoted Americans and are so appreciative of our ideals.

The senior Senator from Colorado [Mr. JOHNSON] and the junior Senator from Kansas [Mr. CARLSON] have served with me on the Finance Committee. Both are sincerely devoted to American principles and dedicated to the public service.

The senior Senator from North Carolina [Mr. ERVIN] has been my friend for many years because of our military association. He is an outstanding American.

I cannot praise too highly the completely fair and extremely creditable manner in which these members of the select committee met the great responsibilities imposed upon them by this body. Theirs was not an easy task. It is not pleasant to sit in judgment upon a colleague who has been widely acclaimed as one of the most vigorous and courageous fighters against the Communist conspiracy in our Nation.

I was very much impressed by the introductory remarks of my good friend and distinguished colleague, the Senator from Utah, in submitting the report of the select committee. He stated as follows:

> The Senate as a body is now in a position to interpret that evidence and applicable law and decide to agree or disagree with the committee findings and conclusions or make findings or conclusions of its own. Our findings do not represent an adversary's brief, and the committee by no means assumes the position of a prosecutor. We are available to explain our report or answer questions concerning it, but we are not here to argue that our findings and conclusions must be followed.

I submit, Mr. President, that this statement, reflecting the views of the individual members of the committee and its chairman, was completely fair and proper and in keeping with the quasi-judicial character of the proceedings in which the Senate is now engaged.

The charges against Senator McCARTHY which, in the judgment of the select committee, justify a resolution of censure have been ably and eloquently discussed, pro and con, at length. I shall not, therefore, take the time of the Senate to elaborate further on the merit or lack of merit with respect to those charges.

I do feel called upon, however, to make mention of the recommendation by the select committee that Senator McCARTHY is deserving of censure because of his remarks concerning my great and good friend, the junior Senator from New Jersey [Mr. HENDRICKSON].

I have had a very close and pleasant association with Senator HENDRICKSON over the years. I have the highest regard for him. I honor his brilliant record as a gallant and heroic soldier in both World Wars, his honorable career as a public servant, and the high character of his statesmanship. I shall miss him in the years ahead. In my opinion, Senator McCARTHY's reference to Senator HENDRICKSON had no basis in truth or fact. I feel that every other Member of the Senate shares that opinion. If Senator McCARTHY has not already apologized to Senator HENDRICKSON for his unjust and improper remark, then I hope that he will soon do so.

While I do not condone the remark regarding our distinguished colleague, I submit that we must keep in mind the great principle involved. Even though we do not approve the language or the opinions expressed by Senator McCARTHY, we must regard freedom of speech on the same high plane mentioned by the late Justice Oliver Wendell Holmes: "Freedom for the thought we hate." Or as Voltaire said: "I disapprove of what you say, but I will defend to the death your right to say it."

I am sure that everything that has been said on the Senate floor, or that I shall say in these remarks, is not intended in any way to be a reflection upon the select committee or upon any other Member of the Senate. I look upon the present case as a quasi-judicial proceeding; one of great importance, not only to the Members of the Senate, but to the Nation as a whole. I have considered the status of the select committee, and have compared its function, in my own mind, with that of a grand jury which is empowered, in our crimi-

nal courts, to sift out the allegations; to consider all the evidence presented before it, and then to determine which, if any, of the charges, shall be returned to the court for further action. When a grand jury returns a true bill, it carries no presumption of guilt. An indictment has the effect of saying that a prima facie case has been made out, or that the grand jury recommends further consideration by the court and the jury.

As we sit here today, we are not only acting as a jury but we are also acting as a chancellor in equity, because we not only have the responsibility of determining the facts but also of deciding what are the proper conclusions of law.

Censuring a Senator is a very serious matter, and in this proceeding serious charges have been made. I believe that we can agree that the burden of proof rests upon those who have made the charges. Any person who is accused of wrongdoing is presumed to be innocent. That presumption stays with him until the evidence satisfies the jury of the defendant's guilt beyond a reasonable doubt. And where a reasonable doubt exists, that doubt should and must be resolved in favor of the person against whom the charges have been preferred.

Forty-six specifications of wrongdoing were brought against Senator McCARTHY. The select committee broke the charges down into five categories. After carefully reviewing and giving every consideration to the charges, the select committee decided to proceed with hearings on 13 specifications, which were set forth in the 5 categories contained in the notice of hearings. After holding hearings, the select committee has recommended censure on but two of the charges. The select committee recommended dismissal of all the other charges, reporting that these charges, under all the evidence, did not justify a resolution of censure.

The first recommendation that Senator McCARTHY should be censured deals with the Senator's conduct toward the Subcommittee on Privileges and Elections. The second recommendation for censure deals with the incidents and conduct of Senator McCARTHY in connection with the taking of the testimony of Gen. Ralph W. Zwicker, a general officer of the Army of the United States.

On the first count the committee report states:

> It is therefore the conclusion of the select committee that the conduct of the junior Senator from Wisconsin toward the Subcommittee on Privileges and Elections, toward its members, including the statement concerning Senator HENDRICKSON, acting as a member of the subcommittee, and toward the Senate, was contemptuous, contumacious, and denunciatory without reason or justification, and was obstructive to legislative process. For this conduct, it is our recommendation that he be censured by the Senate.

To sustain this conclusion, the select committee cites five incidents. First:

> That Senator McCARTHY refused repeated invitations to testify before the subcommittee.

I have examined the record, and I find that in each of the incidents relating to this matter the committee's letters were merely invitations to appear. When a Senator, or anyone else, receives an invitation to appear, it carries with it the suggestion that he may accept or reject the invitation. In these particular invitations referred to under this category, the invitations even go further than I have suggested, because they state: "Come if you wish." The gist of these letters was to the effect that Senator McCARTHY could appear before the committee if he so desired.

Certainly under such circumstances there was no misconduct on the part of Senator McCARTHY. In my opinion, he had a perfect right to accept or reject the invitations to appear.

The second incident of misconduct given by the select committee to sustain the first count was that Senator McCARTHY had declined to comply with a request by letter dated November 21, 1952, from the chairman of the Subcommittee on Privileges and Elections, to appear and supply information concerning certain specific matters involving his activities as a Member of the Senate. This letter was entirely different from those to which I have referred, because this letter was not a mere invitation to appear, but was a specific request that Senator McCARTHY appear before the subcommittee on Saturday, November 22, or on Monday, November 24, but in no case later than November 25. The record shows, and the select committee makes reference to the fact, that Senator McCARTHY did not receive this letter or its contents until after November 25. Senator McCARTHY so advised the subcommittee, and at no time was there another request, nor was he at any time subpenaed to appear before the subcommittee. His failure to comply with a request to appear before the subcommittee on or before November 25 certainly should not be considered a subject for censure when it is admitted, at the same time, that he had no knowledge of such a request until after November 25.

The third incident cited by the committee to sustain the first count of censure was that he denounced the subcommittee and contemptuously refused to comply with its request. The language Senator McCARTHY used toward the Subcommittee on Privileges and Elections was indeed most unfortunate. In considering this incident, however, we must keep in mind the conditions under which his statements were made back in 1952. We must remember that that was an election year. It was a year in which Senator McCARTHY was a candidate for relection. It was a year in which he felt that an attempt was being made to reflect upon him so as to affect his reelection. We must keep in mind that there had come to the attention of the junior Senator from Wisconsin that the investigation which was being conducted did not confine itself to his conduct as a United States Senator, but went back many years into his private life, and into matters concerning members of the Senator's family. It must be remembered also that he had been denied the privilege of appearing before the committee for the purpose of cross-examining the witnesses who testified against him.

The select committee, in its report, has stated that Senator McCARTHY should have been granted the privilege of cross-examining such witnesses.

We must keep also in mind that Senator McCARTHY stated that he would appear before the Subcommittee on Privileges and Elections upon oral request by the chairman of the subcommittee if he were given the opportunity to cross-examine the witnesses who had appeared against him. He also stated that he would gladly appear before the subcommittee if he were subpenaed. In view of these circumstances, can we say that Senator McCARTHY was without some provocation for the attitude he took at the time?

The fourth incident cited to sustain the first count of censure was that Senator McCARTHY continued to show his contempt for the Senate by failing to explain in any manner the six charges contained in the Hennings-Hayden-Hendrickson report. That report was filed during the 82d Congress; I believe it was filed January 2, 1953. The 83d Congress convened on January 3, 1953.

Before Senator McCARTHY was sworn in for his second term in office, on January 3, 1953, he denied the charges made in the report. He made a public statement that the members of the Subcommittee on Privileges and Elections, or any other Member of the Senate who felt that he had been guilty of misconduct, should appear on January 3 and request that he, Senator McCARTHY, stand aside until these matters had been thoroughly investigated and until the evidence against him had been presented. In spite of his public statement, no Member of the Senate raised his voice in opposition to the swearing in of Senator McCARTHY on that day as a Member of this distinguished body.

The fifth incident to sustain the first count of censure deals with Senator McCARTHY's remarks with reference to my good friend, Senator Hendrickson, which I have already discussed.

I cannot agree that the various incidents above referred to resulted in obstructing the legislative process of the Senate. If the Subcommittee on Privileges and Elections desired to do so, it could have subpenaed Senator McCARTHY at any time. The subcommittee had over 15 months in which to take testimony and to prepare its report. If the legislative process was obstructed, it was due to the fact that the subcommittee had failed to compel the attendance of witnesses by using the tools with which it had been provided.

All the incidents enumerated to sustain the first count in the resolution of censure occurred during Senator McCARTHY's first term in office. I do not believe there is any authority for the Senate to punish or censure a Member for conduct which took place during another term of office. If there were objections to his conduct or if he were disqualified in the opinion of any Member of the Senate, such Senator had a perfect right to take appropriate action by asking that Senator McCARTHY stand aside until these matters had been determined.

I, therefore, feel, based upon the record as it now stands before us, that the first

count is not sustained and should be dismissed.

The second count for censure is as follows:

> The select committee concludes that the conduct of Senator McCarthy toward General Zwicker was reprehensible, and that for this conduct he should be censured by the Senate.

To sustain this count the committee claims that, without justification, the junior Senator from Wisconsin impugned the loyalty, patriotism, and character, of Gen. Ralph W. Zwicker, and in his interrogation of General Zwicker resorted to abusive conduct, including a charge that he was unfit to wear the uniform. The select committee states that this was done without provocation.

In the select committee's report, the committee states:

> There is no evidence that General Zwicker was intentionally irritating, evasive, or arrogant.

It would seem to me that General Zwicker's intentions are not really material to the issue. I think that whether he intended to be irritating, evasive, or arrogant has no bearing on the question involved. The question we have to decide is whether under all the circumstances that existed on February 18, 1954, when General Zwicker testified before the McCarthy committee, his conduct, his answers, or his demeanor gave rise to a feeling that he was being evasive and that he was withholding proper information from a committee of the Senate. General Zwicker's demeanor and the manner in which he testified before the select committee are not really at issue in the case before us. Here again, the question is what was his demeanor, what was his attitude, what were his answers on February 18, 1954, when it is alleged that Senator McCarthy was, without provocation, abusive and used improper language toward the general.

We must keep in mind the fact that when General Zwicker was testifying, Major Peress had been promoted from the rank of captain to the rank of major, and that on February 3, 1954, he had received an honorable discharge from the United States Army. We must also keep in mind that General Zwicker was present during the morning session of February 18, the date on which he testified; that he had heard all the testimony offered to establish Major Peress' activities in connection with the Communist Party; and that he knew that Major Peress had invoked the fifth amendment to the Constitution and had refused to answer questions regarding his Communist activities, on the ground that such answers would tend to incriminate him. We must also keep in mind the fact that on the same afternoon General Zwicker testified that all facts which had been developed during the morning session were matters of record with the Army prior to the date of Major Peress' promotion from captain to major. It is hard for me to understand how, with this information of record with the Army, it was possible to promote such an individual from the rank of captain to major, and finally to separate him from the service on February 3, by handing him an honorable discharge. Regardless of who was to blame for the situation, it certainly would have been irritating and provoking to me to know that the United States Army, in which I so proudly served over such a long period of time, had promoted such a man from captain to major, and then made matters worse by giving him an honorable discharge. Keeping this in mind, I cannot read the testimony of February 18 without coming to the conclusion that General Zwicker was irritating and evasive. I do not want to believe he was intentionally evasive in order to protect his superiors. I would rather assume that he did not know how far he could go under the Executive order under which he was testifying. In any event, his testimony when he appeared before the select committee was a great deal different. Then his answers were not evasive; on the contrary they were direct and to the point. I am sure every Member of the Senate has read that testimony, as it was given on February 18. I am confident that in the mind of each Senator there is some question as to whether the general was somewhat irritating and evasive when he was examined at that hearing. I feel that there was some provocation, perhaps not intentionally on the part of General Zwicker, which gave rise to the unfortunate language used by Senator McCarthy when he stated that the general was not fit to wear the uniform.

Mr. CASE. Madam President, will the Senator from Pennsylvania yield to me?

The PRESIDING OFFICER (Mrs. Abel in the chair). Does the Senator from Pennsylvania yield to the Senator from South Dakota?

Mr. MARTIN. Madam President, I am glad to yield.

Mr. CASE. I think the Senator from Pennsylvania will wish to qualify the statement he just made, by using the words "the uniform of a general." Such a distinction was made by Senator McCarthy; he did not say General Zwicker was not fit to wear the uniform of the United States Army, but he said General Zwicker was not fit to wear the uniform of a general.

Mr. MARTIN. I am glad to make that distinction, although I wish to say there is no distinction between officers and men, insofar as the uniform of the United States Army is concerned. The uniform of an American officer or of an American soldier is like the flag; we want to keep it unsullied; it must be above reproach. However, I thank the Senator from South Dakota for the correction.

Mr. CASE. Yes; because Senator McCarthy himself made a point about that.

Mr. MARTIN. Yes. I appreciate the correction.

Madam President, the second count for censure is based on occurrences during Senator McCarthy's second term in office, and during this, the 83d Congress. It is, therefore, a subject of proper consideration by the Senate. I feel, however, that since none of the incidents under either count 1 for censure or count 2 for censure was in violation of the Rules of the Senate, we should not take affirmative action on the resolutivon. Otherwise, we would be establishing a very dangerous precedent. How can we lay down a code of ethics to guide the Members of the Senate? We have, by rules, set up the procedure by which we can control the conduct and the language of Senators on the floor of the Senate. This is proper because a Member of Congress is immune from the civil and criminal processes of the law for remarks made upon the Senate floor. But for remarks made off the Senate floor, a Senator should have no greater privileges than those had by any other citizen of the United States.

As it appears to me, Madam President, that the question before the Senate is whether the counts on which the select committee recommended that the junior Senator from Wisconsin be censured by the Senate are of sufficient gravity to warrant the taking of such drastic action.

Censuring a Member of this body is punishment of such severity that it should be invoked only after it is established beyond all reasonable doubt that the Member is guilty of deliberate, flagrant, and aggravated disorderly conduct, in violation of the rules of the Senate.

Madam President, I feel that the drastic action called for by Senate Resolution 301 is not justified; and I shall vote against the resolution.

Mr. BENNETT obtained the floor.

The PRESIDING OFFICER (Mr. Payne in the chair). How much time does the Senator from California yield?

Mr. KNOWLAND. I yield 30 minutes to the Senator from Utah.

Mr. BENNETT. Mr. President, I have been on my feet a number of times during this debate, and a number of times I have expressed the hope that we could approach this problem objectively, without any emotional excitement. The Senator from Utah will attempt to do so now.

Yesterday the Senator from Utah submitted a proposed amendment which would, in effect, broaden the base of possible censure of the junior Senator from Wisconsin. It is my purpose tonight to discuss the language from the point of view of suggesting to the junior Senator from Wisconsin and his friends what the Senator from Utah would consider to be an adequate defense against his own amendment. Before I reach that point however, there are 1 or 2 observations which I should like to make.

During the discussion of the proposed unanimous-consent agreement last night it was suggested that it was unfair to consider any amendment which would broaden the base for the censure proposal. The Senator from Utah respectfully suggests that if that should be the decision, it would be equally unfair to consider any amendment or substitute which would narrow the base or soften it. I am happy that the Senate decided not to place that limitation upon the resolution.

During the same discussion the question was raised that by the submission of the proposed amendment yesterday the junior Senator from Utah was prob-

ably unfair to the junior Senator from Wisconsin, because he and his friends would have no time to prepare a defense, on the assumption that perhaps the Senator from Utah would not discuss his amendment until within 1 hour of the time for voting.

The Senator from Utah has been trying to obtain the floor during the afternoon. His purpose is to suggest the type of defense which might be used, and to give the junior Senator from Wisconsin and his supporters and advocates all the possible time there is left in which to prepare this or any other defense.

Another question was raised—and I think properly so—namely, that this amendment, if it should be voted upon by the Senate, on Wednesday or Thursday, as it will be, will not have been referred to a committee. The Senator from Utah suggests that every act involved in every allegation contained in the amendment of the Senator from Utah has been committed in the presence of the Senate. The earliest date which is attached to any of the language to which the Senator from Utah refers is October 25, 1954. The latest date is November 13, 1954, involving the latest statement by the junior Senator from Wisconsin. So it seems to me that there is no necessity for referring this amendment to any committee to attempt to find the facts in the case.

That leads the junior Senator from Utah to his first suggestion. It seems to me that the allegations in the amendment of the junior Senator from Utah can be divided into three groups. To use the old phrase which the junior Senator from Utah heard when he sat as a juror in an ordinary courtroom, these three hang as a chain. If the junior Senator from Wisconsin and his advocates can completely destroy one group, I think they will have effectively destroyed the amendment of the junior Senator from Utah.

It seems to me that the first question which should be considered, and the first group which could be destroyed, involve a question of fact. Did the junior Senator from Wisconsin actually make certain statements? So far as the junior Senator from Utah knows, he has not denied making them. The junior Senator from Utah is prepared to introduce into the record documentary evidence that they were in fact made, but he will not clutter up the RECORD with such evidence today. He merely gives notice that if there is a claim that the junior Senator from Wisconsin did not in fact make such statements, the junior Senator from Utah will be prepared to offer such evidence as he has during his half of the limited time available, whenever the opportunity may arise.

It seems to me that the second chain of issues, or the second set of facts which must either stand or fall if the amendment of the junior Senator from Utah is to stand, grows out of this kind of problem: If certain statements were made by any Senator, would they, in fact, merit censure? Or, to phrase it in another way, would they—and I now quote from the language of my proposed amendment—be "contrary to good morals and senatorial ethics and tend to bring the Senate into dishonor and disrepute, to obstruct the constitutional processes of the Senate, and to impair its dignity."

The junior Senator from Utah feels that if it can be shown that none of the statements attributed to the junior Senator from Wisconsin and referred to in these allegations would have the effect mentioned, then the amendment of the junior Senator from Utah must fall. The junior Senator from Utah would like to take a minute or two in discussing each one of them briefly.

The first statement was the one contained in the letter written to the senior Senator from Utah [Mr. WATKINS] under date of October 25, 1954.

For example, it is now unquestioned—

Said Senator MCCARTHY—

that three members of the committee, including yourself—

Meaning the senior Senator from Utah—

indicated prejudice toward me before you were selected to act on that committee, and failed to tell the Vice President of your statements in that regard before he appointed you to this committee.

This would appear to be a deliberate deception—

That is where the junior Senator from Utah gets the words which he put into his proposed amendment—

deliberate deception of the Vice President and—

These are the other words—

a fraud upon the Senate which obviously intended that an unprejudiced committee be appointed.

Is it true that any Senator who imputes to members and to the chairman of a committee deliberate deception and fraud would tend to bring the Senate into dishonor and disrepute?

Mr. LONG. Mr. President, will the Senator yield?

Mr. BENNETT. I have only a limited time available. I do not wish to get off my subject.

Mr. LONG. I merely wished to ask the Senator whether that statement was made on the floor of the Senate.

Mr. BENNETT. That statement was contained in a letter addressed by Senator MCCARTHY to Senator ARTHUR V. WATKINS on October 25, 1954.

The junior Senator from Utah went to the most obvious source, namely, Webster's International Dictionary. Webster defines a fraud as—

One who perpetrates a fraud; a cheat; an imposter.

I underline this definition:

An intentional perversion of truth for the purpose of inducing another in reliance upon it to part with some valuable thing belonging to him.

It seems to the junior Senator from Utah that the Senate must be persuaded that the three members of the committee did intentionally perpetrate a fraud, and that even the imputation of that intention tends to bring the Senate into dishonor and disrepute.

The second statement to which I refer is the statement made to the press by the junior Senator from Wisconsin on November 4, and repeated by the junior Senator from Wisconsin on a television show on November 7, 1954, the day before the Senate came into special session. I have the text of the statement made on the television program, but I shall not read it.

The key word is the word "lynch." In one case the junior Senator from Wisconsin referred to a "lynch party." In another case he referred to a "lynching bee."

It seems to the junior Senator from Utah that to impute to the Senate itself all the implications that go with the word "lynch" is to bring the Senate into dishonor and disrepute.

Going back to Webster's International Dictionary, Webster defines "lynch" as:

To inflict punishment, especially death, upon a person without the forms of law.

I refer now to volume 25 of Words and Phrases, which defines "lynch" as follows:

It is a term descriptive of action of unofficial persons, organized bands, or mobs, who seize persons charged with or suspected of crimes, or take them out of the custody of law, and inflict summary punishment on them without legal trial and without warrant or authority of law.

An Ohio act defines "lynching" as:

A collection of individuals assembled for any unlawful purpose intending to do damage or injury to anyone, or pretending to exercise correctional power over persons by violence, and without authority of law. A lynching involves situations where a group of persons usurps ordinary government powers and exercises correctional authority over them.

In other words, Mr. President, it seems to me that this part of my amendment raises the question of whether charging the Senate with being that kind of unorganized and unlawful group, proceeding without due process to punish a man even to a degree comparable to death, is bringing the Senate into dishonor and disrepute.

I pass next to the statements made by the junior Senator from Wisconsin and reported as having been made in a speech in Milwaukee on Saturday evening, November 14, after the Senate met in special session. In that speech, in referring to the chairman of the select committee, he used the words:

The most unusual, the most cowardly thing I ever heard of.

He said, further:

I expected he would be afraid to answer the questions, but didn't think he'd be stupid enough to make a public statement.

So far as the junior Senator from Utah is concerned, with all due respect to his senior colleague, these statements present him with the greatest difficulty in this situation, because it might be assumed that these were statements made by one Senator with respect to another, as an individual, rather than with respect to a Senator as an officer of the Senate, namely, as chairman of a committee.

If those statements had been made on the floor of the Senate, undoubtedly they would have been subject to rule XIX.

It is interesting to note in passing that only once in the history of the Senate

has rule XIX been used with reference to a committee or a committee official. It has always been used on a personal basis.

I should like to move on to the next series of statements. These were uttered, shall we say, on the floor of the Senate. The junior Senator from Wisconsin announced on the morning of November 10 that he would make a speech on that day, and he released a copy of his speech to the press. As so often happens in the Senate, he was not able to get time until the session reached the point where he felt he would not have sufficient time to make the speech. Therefore he asked and received permission to have the text of the speech printed in the RECORD. What I am about to quote from is the material which was put into the RECORD. The junior Senator from Utah assumes that the junior Senator from Wisconsin accepts as much responsibility for those statements as if he had actually made them vocally on the floor of the Senate. Those statements, as reported in my amendment, are:

> Characterizing the said committee as the "unwitting handmaiden," "involuntary agent," and "attorneys in fact" of the Communist Party, and in charging that the said committee in writing its report "imitated Communist methods."

Can the junior Senator from Wisconsin or his advocates say that that did not bring the select committee, and thus the Senate, into dishonor and disrepute?

Unfortunately, there is a body of legal decisions on this subject. It is pretty definitely determined, at least in some States of this Nation, that to characterize an association as a Communist association in the United States is libelous per se. The courts of New York have held that it is libelous per se to characterize a person as a Communist or as a Communist sympathizer. In Illinois it has been decided that published words reflecting on one's patriotism are libelous per se. One of the most interesting decisions, however, was made in my own State of Utah in a case in which one farm organization sued another farm organization because of statements by the second organization that the first organization was either Communist or Communist-dominated or contained Communist sympathizers. I quote from the decision:

> It is the accepted view that to write or speak of a person or an organization as being Communist or a Communist sympathizer is to subject such a person to public hatred and contempt, and is libelous per se.

The court said:

> The label of Communist today in these times in which we live, in the minds of average and reputable persons, places the plaintiffs beyond the pale of respectability, makes them a symbol of public hatred, ridicule, and contempt, or to designate the plaintiffs as Communist-dominated is to cripple the functioning, the dignity, and reputation of those organizations in the communities in which they do business.
>
> To call someone or to refer to him as Communist-dominated is a statement of a bald and unambiguous fact. It is not a criticism or a comment on an acknowledged or accepted fact.

It is interesting to me to note that that language contains the idea that to call an organization Communist-dominated is to cripple the function of such organization. I suggest that perhaps here we have a statement which might also include the effect of obstructing the constitutional processes of the Senate.

I have one more legal decision before me in the case of Grant against Reader's Digest. The second circuit court held that it is libelous even to write of a lawyer that he acted as a legislative representative of the Communist Party.

Here we have in the statement submitted for the RECORD by the junior Senator from Wisconsin three interesting phrases. The first is the phrase "unwitting handmaidens." Some facetious references have been made to that phrase, and the junior Senator from Wisconsin yesterday suggested that maybe the gender of the words should be changed. But as I look at it, it is probably the most contemptuous phrase used among these 3 or 4; in many ways it might be the most contemptuous phrase that one Senator could address to another or to a committee. The word "handmaiden" imputes the character of a servant, a servant of low degree, or an agent—in this case an agent of what the Senator from Indiana [Mr. JENNER] has to eloquently described as the Communist conspiracy.

It seems to me that in order to escape the possibility of censure for the use of such a term the junior Senator from Wisconsin has the responsibility of persuading the Senate that such is not the case. The word "handmaidens" would be enough, but the word "unwitting" is added. This implies that his colleagues in the Senate lacked the mental ability to recognize that they were being used as dupes or stooges, and that they were incapable of protecting themselves and the Senate against the machinations of the Communist conspiracy.

I shall not dwell on the phrase "involuntary agent," because I think that whatever criticism might be made of that could also be made, with some force, of the phrase "attorney in fact." Webster's International Dictionary says that such an attorney is a person appointed by another. It is not an office which someone acquires of his own volition or his own choice. He is appointed by another, by letter or by power of attorney, to transact any business for him out of court.

In another legal decision attorneys in fact are defined as persons who are acting under a special power. Attorneys in fact are agents.

By this language it seems to me the junior Senator from Wisconsin has undertaken to show there was a conscious relationship between the members of the committee and the Communist conspiracy, a kind of relationship so close that it involved an appointment on the one side and an acceptance of the appointment. So it involved some kind of contact perhaps with some kind of negotiations. It contains the express delegation of authority from one person or group to another person or group.

If the junior Senator from Wisconsin can persuade the Senate that in calling the members of the committee "unwitting handmaidens" and "involuntary agents, and attorneys in fact" of the Communist Party, and can somehow take those statements out from under the double implication, first, that anyone who is called a Communist or a Communist sympathizer is brought into disrepute simply by the implication of the words, and, second, that to impute a conscious contractual relationship is somehow not calculated to bring the committee and the Senate into disrepute, I think the suggested amendment of the junior Senator from Utah can be defeated.

The third area in which I think the amendment can be defeated is that the junior Senator from Wisconsin might undertake to prove that even though these charges may seem to bring the Senate into disrepute, they are in fact true, and, therefore, should be allowed to stand, regardless of the disrepute, and that he should not be censured for making statements about the Senate and its committees which are in fact true.

The first one was the statement about deliberate deception and fraud. I have been on the floor many hours during which the junior Senator from Wisconsin and those who have worked with him have questioned members of the select committee, particularly the three referred to in his letter, to attempt to establish the truth of this particular allegation. It is for the Senate itself to decide whether that allegation has in fact been established as true.

We heard the senior Senator from Colorado [Mr. JOHNSON] yesterday, in his last speech, make a statement with respect to his own attitude, and other Members of the Senate have been equally frank.

If the junior Senator from Wisconsin could establish that the proceedings of this special session since November 8 have been conducted in an atmosphere outside the Senate rules, have been conducted without any semblance of a judicial nature, then he might be able to establish that this is, in fact, a lynching bee, and that perhaps such a statement does not improperly impute dishonor and disrepute to the Senate.

Parenthetically, I can observe only one fundamental change which has taken place in the proceedings of the Senate during this special session, namely, that the Senate has recessed each day for lunch; and we have to thank our friend, the distinguished junior Senator from Idaho [Mr. WELKER] for his eloquent speech about the rights of the sheepherders in his State to help us achieve that very worthwhile objective.

But beyond that, so far as I am concerned, there havo been no variations either from the rules of the Senate or from its established pattern of procedure.

I will agree that the question of whether the distinguished senior Senator from Utah [Mr. WATKINS], my colleague, is cowardly and stupid is something which will and must remain a matter of opinion, and is not susceptible of proof.

I also feel that the statements made with respect to the relationship of the

select committee to the Communist Party are likewise not susceptible of proof.

I now desire to quote briefly from the material which the junior Senator from Wisconsin placed in the RECORD on November 10.

The PRESIDING OFFICER. The Chair wishes to inform the junior Senator from Utah that his time has expired.

Mr. BENNETT. Mr. President, may I have sufficient time in which to finish this particular quotation?

Mr. KUCHEL. Mr. President, I yield to the Senator from Utah 3 additional minutes.

Mr. BENNETT. While my assistant is locating the quotation, I shall attempt to round up my remarks in summary.

I am trying to be completely objective with respect to my amendment, and to suggest the methods by which the charges can be defended, and the type of defense which I feel would be necessary to persuade me that my amendment is improper and out of order.

Included in the text of the material placed in the RECORD by the junior Senator from Wisconsin is the following statement:

> In the course of the Senate debate I shall demonstrate that the Watkins committee has done the work of the Communist Party.

I have been waiting patiently for that demonstration. I have no right to suggest any course of action to my colleague from Wisconsin, but I hope that before the debate is ended the junior Senator from Wisconsin will take the floor and, in an affirmative statement, will make his own defense, rather than to depend very largely, as it seems to me he has done, upon the questioning of other Senators. Certainly if the junior Senator from Wisconsin can make that statement good, if he can demonstrate on the floor of the Senate that the Watkins committee has done the work of the Communist Party, then I should say that the last of these problems and charges would fall, and that my amendment would have been successfully defended and therefore defeated.

I yield the floor.

Mr. LEHMAN and Mr. WELKER addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the junior Senator from New York.

Mr. WELKER. Mr. President, may I have time in which to interrogate the junior Senator from Utah?

The PRESIDING OFFICER. How much time does the acting minority leader yield to the Senator from New York?

Mr. MANSFIELD. I yield 30 minutes to the Senator from New York.

Mr. WELKER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York has the floor. Does he yield to the Senator from Idaho for a parliamentary inquiry?

Mr. LEHMAN. I will yield to the Senator from Idaho for a parliamentary inquiry, provided that the time for such an inquiry shall not be taken out of my limited allotment of time.

The PRESIDING OFFICER. Without objection, it is so understood, if the acting majority leader will take the time necessary for a parliamentary inquiry out of his own time.

Mr. WELKER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Idaho will state it.

Mr. WELKER. I had asked the majority leader, who yielded time to the distinguished junior Senator from Utah, whether or not I would be granted sufficient time in which to interrogate my friend and colleague from Utah [Mr. BENNETT]. The majority leader assured me that I would be given time. In such a situation, is the defendant in this matter to be deprived of the right of interrogation of one who has filed a charge of censure against him?

The PRESIDING OFFICER. The Senator from Idaho will have the right to interrogate the Senator from Utah if time can be assigned to him, and if the Senator from New York will yield for that purpose.

Mr. KUCHEL. Mr. President, will the Senator from New York yield?

Mr. LEHMAN. For what purpose?

Mr. KUCHEL. For the purpose of inquiring whether the Senator from New York would be agreeable to having the acting majority leader yield a few minutes of his own time, so that the questions which the Senator from Idaho desires to ask of the Senator from Utah might be propounded now, following the speech of the Senator from Utah.

Mr. LEHMAN. I have no objection to yielding. I should think the Senator from Idaho would ask his questions on his own time and in such manner as might seem proper; but I have no objection.

The PRESIDING OFFICER. The Chair was not informed of the request made of the majority leader by the Senator from Idaho.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the junior Senator from New York, without losing his right to the floor, may yield temporarily to me, so that I may yield time to the Senator from Idaho.

The PRESIDING OFFICER. Without objection, it is so ordered, and the junior Senator from California has the floor.

Mr. KUCHEL. I yield 15 minutes to the junior Senator from Idaho, so that he may ask questions of the junior Senator from Utah.

Mr. BENNETT. Mr. President, will the Senator from California yield to me for a question?

Mr. KUCHEL. I yield.

Mr. BENNETT. Did the Senator from California hear me say that I hoped the Senator from Wisconsin and his advocates would develop their case affirmatively? I feel that having presented the material in the manner in which it has been presented, I should prefer to be questioned about it during the period of limitation on debate, when my amendment is before the Senate. My purpose in making the statement today was to give the case to the junior Senator from Wisconsin and his friends for study. Under those circumstances, I shall not ask to have the floor again in order that I might be questioned.

Mr. KUCHEL. Mr. President, I withdraw my request.

Mr. WELKER. Mr. President, will the Senator from New York yield so that I may make an observation, provided the Senator from New York does not lose the floor?

Mr. LEHMAN. I yield for a parliamentary inquiry, provided I do not lose the floor; I do not yield for a speech.

Mr. WELKER. Will the Senator from New York yield for a very brief observation, not a speech?

Mr. LEHMAN. I yield for a parliamentary inquiry.

Mr. WELKER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Idaho will state it.

Mr. WELKER. When did it become the rule of this august body that a Senator who has spoken for more than 30 minutes on the fundamental issues involved in this trial can then shut off the right to questioning, when all the other members of the select committee have submitted to interrogation? I should like to know if that is the rule. If so, I desire to have the RECORD so show at this time.

The PRESIDING OFFICER. The Senator from Utah relinquished the floor; the junior Senator from New York asked for the floor; the acting minority leader stated the amount of time he would allocate to the Senator from New York; and the junior Senator from New York has the floor at present.

Mr. WELKER. Mr. President, will the Senator from New York yield for a further parliamentary inquiry?

Mr. LEHMAN. I yield for a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Idaho will state his parliamentary inquiry.

Mr. WELKER. Does the RECORD show that the distinguished majority leader, the senior Senator from California [Mr. KNOWLAND], promised me that I would have ample time in which to interrogate the junior Senator from Utah?

The PRESIDING OFFICER. The Chair wishes to state that the Chair has no such information in his possession, nor has the Chair been informed of the agreement between the majority leader and the Senator from Idaho. The Chair regrets that the information was not available.

Mr. BENNETT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from New York yield for a parliamentary inquiry?

Mr. LEHMAN. I yield for a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Utah will state his parliamentary inquiry.

Mr. LEHMAN. Mr. President, I understand this will not be taken out of my time.

The PRESIDING OFFICER. The understanding that the Chair has is that the time will be charged to the majority leader.

The Senator from Utah will state his parlimentary inquiry.

Mr. BENNETT. Mr. President, is it not in fact the Senate rule that the matter of yielding for the purpose of questioning is entirely within the power of the Senator who has the floor, and that the asking of questions is a privilege given by the Senator who has the floor, and not a right which any other Senator can demand?

The PRESIDING OFFICER. It is so understood by the Chair.

Mr. KNOWLAND. Mr. President, will the Senator from New York permit me to make a brief statement without his losing the floor?

Mr. LEHMAN. Mr. President, I yield to the majority leader, with the usual understanding.

Mr. KNOWLAND. I shall be glad, out of the time allotted to me, if it is agreeable to the Senator from Utah, to yield 10 or 15 minutes, or whatever reasonable time is desired.

Mr. BENNETT. Mr. President, the Senator from California came into the Chamber after the Senator from Utah made a statement in which he hoped he made it plain that he did not wish to yield at this time.

The PRESIDING OFFICER. The Senator from Utah does not wish to occupy the floor to answer questions. The Senator from New York has the floor.

Mr. WELKER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from New York yield for a parliamentary inquiry?

Mr. LEHMAN. The Senator from New York will not yield further.

Mr. WELKER. I thank the Senator. I wish to thank him very much.

The PRESIDING OFFICER. The regular order has been called for. The regular order will be observed.

The Chair wishes to inquire from the acting minority leader how much time has been allocated to the Senator from New York.

Mr. MANSFIELD. Thirty minutes.

Mr. LEHMAN. Mr. President, before I proceed with my remarks in connection with the pending resolution, I wish to express my very deep appreciation and my deep gratitude to the members of the select committee who have been engaged in considering, for so many weeks, the highly important and historic issue now before the Senate. I believe that the members of the select committee, the chairman, Senator WATKINS, Senator JOHNSON of Colorado, Senator CARLSON, Senator STENNIS, Senator ERVIN, and Senator CASE have earned and deserve the very real and sincere gratitude of their fellow Members of this body. They have served with devotion, with the utmost fairness, with great skill, and with great consideration. I think very few committees which have served the Senate have performed their missions with greater distinction and with greater fairness, and I may say with greater mercy, than has the select committee.

I wish to commend particularly the distinguished chairman of the committee, the Senator from Utah [Mr. WATKINS], both for the skill with which he conducted the hearings held by the committee, and for the way he handled the debate on the floor of the Senate. I said a few days ago that in my nearly 6 years of service in the Senate I do not believe that I have ever listened to greater speeches than have been delivered on the floor of the Senate by the members of the select committee. I cannot emphasize too strongly my sense of gratitude and appreciation for the service those Senators have so unselfishly rendered.

Mr. President, this historic debate is nearing its climax and its end. We shall vote on amendments until the last one has been offered and voted upon, and then finally, before too many hours are gone, upon the censure resolution itself.

I trust and hope that every debilitating amendment will be defeated. It seems unbelievable that the United States Senate, which has been so set upon, so harassed, so long diverted from its vital business by the irresponsible conduct of the junior Senator from Wisconsin, should now weaken in its resolve to approve, as a minimum, the report of the Watkins committee, and the simple resolution recommended by that committee, and recommended, save for one defection, unanimously.

This august body, often called the greatest deliberative body in the world, must not, and will not, I trust, shirk its high responsibility to the American people and to the entire free world. It should not take a single step backward from the minimum terms of censure recommended by the Watkins committee. To do so would arouse a cry of shame throughout our country, and throughout much of the free world.

It is not the junior Senator from Wisconsin who is on trial here before us. It is we who are on trial; we, the Senate of the United States, are on trial at the bar of public opinion in our own country, and at the bar of world opinion, too.

Will we discharge our sworn duty under the Constitution, or will we temporize and compromise, and weigh down the words of justice with phrases of expediency?

There is no personal issue here. It is not Senator MCCARTHY, the individual, who is at issue. There is no individual Member of the Senate who would merit, or who could justify, the expenditure of the time and energy we have devoted to this question. No, the junior Senator from Wisconsin is only the symbol of the real issue. The real issue is the nature of the Senate, and its ability to insure that the powers conferred upon each Senator under the rules and under the Constitution—powers provided for the protection of the people—shall not be used to abuse people, to distort the legislative process, and to besmirch the name and dignity, not only of the Senate, but of our country.

To emasculate the Watkins resolution would serve notice upon the Nation that the Senate is unable to control the fair administration of its own processes; and that the Senate can be successfully paralyzed and frustrated by one of its Members—all without discipline by the Senate itself.

The report of the Watkins committee gives in detail the reasons which prompted its recommendations. It has given the Senate the benefit of calm and restrained conclusions, supported by incontrovertible facts, ascertained by scrupulous inquiry. The explanations made in support of its recommendations indicate with what great reluctance the Watkins committee condemned the conduct of a fellow Senator.

The committee has done its duty as it saw it. Its recommendations, if they are adopted, will do much to restore the prestige and dignity of the Senate, and to repair the injury done it and the Nation by a long succession of improprieties by Senator MCCARTHY.

I intend to vote for the Watkins resolution to censure Senator MCCARTHY, without crippling amendments. I believe sincerely that he should be censured, not only for the reasons stated by the select committee, but also for many other reasons—reasons which satisfy me as justifying not only censure, but more stringent action.

The committee, as was to be expected from such a group of able and judicially minded Senators, has been more than fair to the junior Senator from Wisconsin.

I would be less than frank if I did not say that I believe that censure could properly be voted, for instance, on the other grounds chosen by the Watkins committee for consideration.

I accept the committee's statement of its inability, because of time and other limitations, to pass judgment upon many of the charges it has eliminated. But the fact is—and I mention it here for the record—that the charges selected by the committee to support censure, and the others upon which criticism without censure is made, do not even begin to present the true picture of what the Senate, another branch of the Government, and the entire Nation, have suffered from Senator MCCARTHY. The detrimental effects of his activities upon our country and upon the Senate are reflected only in part in the original charges filed with the Watkins committee. Available evidence, practically all of which is readily accessible in public documents and in public testimony and statements, gives an authentic picture of MCCARTHY and McCarthyism—that dangerous phenomenon which has damaged the morale of the Government service, spread fear and distrust throughout the land, and impaired the prestige of the United States among free people everywhere.

The record of the hearings held by the select committee, together with the summaries contained in its report, is a testimonial to the meticulous care with which the committee performed its important task. The record is in large measure, and except for some oral testimony, a compilation of excerpts from hearings conducted by various committees of the Senate itself, and from reports of Senate committees and from proceedings and statements made on the floor of the Senate. It presents a wealth of evidence on the charges on which censure of the junior Senator from Wisconsin has been recommended.

However, I disagree with several statements made by the committee in its report; and I desire to make clear for the record that my vote in favor of the Watkins resolution is not to be construed as

approval by me of those particular statements, although of course I am strongly supporting the committee's recommendations.

One of the defenses made by Senator McCARTHY to the charge that he treated with contempt the Gillette subcommittee, which in 1950 sought to inquire into his financial dealings, is that the present Senate lacks the power to censure a Senator for acts committed during a session of a previous Congress. In the course of its rejection of this defense, the Watkins committee states, as its opinion, that the Senate is a continuing body. I disagree with this statement. I always have. Personally, I do not believe that the Senate is a continuing body. In speaking on the floor of the Senate in January 1953, during the debate on our rules, I expressed this opinion. I am still of that opinion. But, Mr. President, under any circumstances, that question, in my opinion, is entirely irrelevant here. It has nothing to do with the merits of the case. The resolution of censure now under consideration calls for an expression of the Senate's opinion that one of its Members in several separate and specific matters is guilty of improper conduct. The Senate adopts such resolutions only in cases where it finds that the improper conduct is of such gravity as to bring it into disrepute and to impair public confidence in its integrity. The particular acts the Senate may decide to condemn, and the relevancy of time, place, and circumstance, are all matters confided to the discretion of the Senators, to be exercised by them according to the dictates of their own consciences. For such a purpose, we are not limited by any fixed procedures or rules. If, in the final judgment of the Senate, Senator McCARTHY has at any time so overstepped bounds of propriety as to merit censure, it is within the Senate's power to take the proposed action at any time it chooses.

The illusion has developed—I think it is an illusion—that this is a court of law, and that we are judges, bound by rules of evidence and of procedures applicable in a court of law. In our desire to do justice and to assure fair play, the effect of this illusion may be to make each of us fearful lest we violate rules and procedures to which many of us are strangers.

Mr. President, this is not a court of law. It is the Senate of the United States. We are Senators, elected by the people to serve, not as judges in a court of law, but as Members of the United States Senate, with all the plenary and sovereign powers conferred upon us by the Constitution.

We are bound only by the rules we ourselves adopt, under the Constitution. We are empowered to follow precedent or to make precedents, as we choose. No Congress can bind a succeeding Congress in legislative matters or in any other matters which come within our constitutional jurisdiction. No previous Senate can bind us to any course of action, if we choose to select a new course of action. We can expel a Member or discipline a Member. We are the judges of the qualifications of our colleagues. We can discipline a Member for recent acts or for past acts, if our sense of justice indicates the desirability of such a procedure.

In the present case we deal, not really with single acts—although single acts have been selected by the Watkins committee for purposes of convenience in considering the resolution of censure. No, Mr. President; in the present case we are concerned with a whole pattern of conduct, unchanging in its nature down to this very day. This is the real object of our censure. Let us not lose sight of this fact in the forest of legalisms with which we have surrounded ourselves. Let us neither lose perspective nor forget our own powers and functions and responsibilities as Senators, as Members of the Senate of the United States.

The findings of fact made by the Watkins committee on the charges relating to Senator McCARTHY's attitude in 1950 toward the Gillette subcommittee amply support the Watkins committee's conclusion that censure is now warranted.

The other ground for censure recommended by the select committee relates to Senator McCARTHY's abuse of Gen. Ralph W. Zwicker. The Watkins committee found that—

> The conduct of Senator McCARTHY toward General Zwicker in reprimanding and ridiculing him, in holding him to public scorn and contumely, and in disclosing the proceedings of the executive session in violation of the rules of his own committee, was inexcusable.

The committee recommended censure for such conduct. I heartily concur in that recommendation and in the statement of the conclusions appearing in the resolution of censure, as reported by the Watkins committee. To vote on that ground for censure is the very least we can do to make amends for the abuse General Zwicker received from a Member of the Senate.

As I said before, I would have voted for censure on the categories of charges on which the Watkins committee confined itself to criticism, without recommending formal censure.

One such category is based upon the charge that Senator McCARTHY issued to Federal employees a public invitation to supply him with classified information, in violation of the law and of their oaths of office. The Watkins committee concluded that the conduct of Senator McCARTHY in this regard "tends to create a disruption of the orderly and constitutional functioning of the executive and legislative branches of the Government, which tends to bring both into disrepute. Such conduct cannot be condoned, and is deemed improper."

Mr. President, I think that conduct was far more than improper. Every Senator is aware of the necessity of obtaining information from executive files, through requests made to the proper authorities. The facts prove conclusively that Senator McCARTHY was seeking confidential information from irregular sources. The gross effect of such improper solicitation, if it were a general practice, would be to destroy all discipline in the executive branch of the Government. Chaos would result. There would be bedlam and confusion; the Armed Forces could not function successfully, and neither could the Congress.

I am of the same opinion with regard to Senator McCARTHY's receipt and use of the famous phony letter purported to have been sent by J. Edgar Hoover, Director of the FBI, to Major General Bolling. Mr. Hoover denied that any such letter was ever sent by him. It appeared that the letter did contain information copied from a 15-page confidential memorandum from the FBI to the Army. The Watkins committee concluded that—

> In offering to make public the contents of this classified document Senator McCARTHY committed grave error. He manifested a high degree of irresponsibility toward the purposes of the statutes and executive directives prohibiting the disclosure to unauthorized persons of classified information or information relating to the national defense.

The Watkins committee, however, decided not to base censure on this action. I think censure, and more, was merited on this ground, too.

There are several other observations I am impelled to make. The Watkins committee expressed reluctance to recommend censure of a Senator for statements made by him on the floor of the Senate on the ground that such censure would place unwarranted limitations on the freedom of debate. One of the statements was Senator McCARTHY's incredible attack on the patriotism of Gen. George C. Marshall. I respectfully submit that the specifications relating to the shameful abuse of General Marshall on the floor of the Senate should not have been eliminated. Senatorial immunity from criminal prosecution, and from claims for damages for unfounded and false and slanderous statements made on the floor of the Senate, is protection enough of the right of free debate, and should in no way provide a Senator with the right to destroy reputations of others at will.

The Constitution contemplates that the Senate itself should take appropriate action to restrain its Members from using their immunity for reprehensible purposes. The Constitution provides for Members of Congress that "for any speech or debate in either House, they shall not be questioned in any other place." It seems clear that when Members of the House or the Senate exceed, in their speeches or debates, the bounds of propriety or of honesty, the Senate or the House, as the case may be, is not only authorized but has a duty to reprimand or to take whatever action may be necessary to discourage abuse of the right of congressional immunity. I believe that this is the proper interpretation of the congressional immunity provision of the Constitution. I regret that the Watkins committee gave an interpretation which seems to open the doors wide to those whose tongues know no limitations. If such persons are not to be restrained on the floor of the Senate, they are subject to no restraint whatsoever.

Since 1950 Senator McCARTHY has posed as the self-anointed champion of the anti-Communists. His self-asserted

preoccupation has been to find Communists and other subversives in Government and in private industry under contract with the Government. No right-thinking person can quarrel with his alleged objectives. But, Mr. President, the fact is that the tactics he has used are destructive of the very institutions of free government. His unfounded accusations and charges, his invasion of the operations of the executive branch of government, and his many other irresponsible and reckless actions have contributed to bring him and his committee and the entire Senate into disrepute. The fears and suspicions he has engendered have spread throughout the Government departments. Agencies of the State Department and of other branches of the Government have suffered directly from his heavy hand. Others are threatened or are indirectly affected. The Communists themselves could not have accomplished in many years the devastation in public office and public service caused by Senator McCARTHY. So far as I know not a single Government official has been convicted in a court of law on evidence obtained as a result of his labors in the field of internal security. But despite this he has convinced many people that he is the only leader of those who would protect our Government from Communist infiltration. Anyone who criticizes him or his methods is immediately the object of his attack. Any effort to curb or restrain his excesses is labeled the work of Communists or subversives. In his opinion anyone who opposes him is either a Communist, a subversive, a pink, or a dupe. He has attacked committee officials and many other persons who disagree with him or his methods. He has used his authority as a Member of the Senate of the United States to spread confusion and fear, and many have suffered from unjustified and unfounded accusations for which there is no redress.

I resent his attack on the distinguished Senator from Utah, who is the chairman of the select committee, and on other members of that committee appointed by the Senate to inquire into the charges made against him. Indirectly, these charges fall on the shoulders of every Member of this body, whose agent the select committee has been. All of us who love our country and who are alarmed over Senator McCARTHY'S attempts to place himself above law and order, using the anti-Communist crusade as a shield, have felt the weight of his irresponsible assaults. But we are not afraid of him or anything he can do. We are just as much opposed to communism and its works as he says he is. We are alive to the danger communism holds for our way of life. But we want to make the fight against it through the duly constituted agencies of our Government and according to the principles imbedded in our Constitution, our Bill of Rights, and the duly enacted laws of our land. Any other way invites the destruction of our freedoms and our liberties and opens wide the path for the dictator and totalitarianism. We shall not take that path. We shall remain true to our oaths of office and to the democratic principles with which we have retained our right to life, liberty, and the pursuit of happiness.

Mr. KNOWLAND. Mr. President, I believe there are no additional speakers for this evening. Certain Senators who had been listed decided to speak tomorrow.

However, we have a very crowded schedule for tomorrow. We are working under a limitation of time. I appeal to Senators on both sides of the aisle to be present promptly, if possible, particularly if a quorum call is to be made, because otherwise a considerable amount of time will be lost. Such loss of time will become far more important tomorrow than it would be today, if taken out of the debate, inasmuch as we shall be operating against the 3 o'clock time limitation, at which time the other part of the unanimous-consent agreement will go into effect.

I have just been discussing with the distinguished minority leader the suggestion that the Senate take a recess until 9:30 a. m. tomorrow, with the understanding that the period between 9:30 and 10 would be used for the purpose of the usual morning hour, under the 2-minute limitation, to allow Senators to place material in the RECORD. Following the morning hour there would be a quorum call. I respectfully urge that all Senators be present promptly, so that we may proceed with the debate.

Mr. JOHNSON of Texas. Mr. President, I should like to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. Under the unanimous-consent agreement do I correctly understand that 60 minutes are allowed on each amendment?

The PRESIDING OFFICER. The Chair so understands.

Mr. JOHNSON of Texas. How many amendments have been filed?

The PRESIDING OFFICER. The Parliamentarian informs the Chair that 1 amendment had been submitted previous to today, and 1 was received today, namely, the amendment of the junior Senator from Utah [Mr. BENNETT]. Those are the only two amendments, aside from the committee amendments.

Mr. JOHNSON of Texas. They consist of the amendment of the Senator from Colorado [Mr. JOHNSON] and the amendment of the Senator from Utah [Mr. BENNETT].

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. As I understand, those are the only two amendments at the desk.

The PRESIDING OFFICER. The Chair is so informed.

Mr. JOHNSON of Texas. And 60 minutes are allowed on each amendment.

The PRESIDING OFFICER. Those amendments have been ordered to be printed and to lie on the table.

Mr. JOHNSON of Texas. And 60 minutes are allowed on each of those amendments.

The PRESIDING OFFICER. The Senator is correct.

Mr. JOHNSON of Texas. As I understand, under the unanimous-consent agreement the debate on substitutes shall be not to exceed 4 hours. Has any substitute been offered?

The PRESIDING OFFICER. To the best of the Chair's knowledge, no substitute has been submitted.

Mr. JOHNSON of Texas. It is the minority leader's understanding that in no event will the Senate start voting prior to 3 o'clock tomorrow afternoon.

The PRESIDING OFFICER. The Chair wishes to call the attention of the minority leader and the majority leader to the fact that the unanimous-consent agreement states "not later than the hour of 3 o'clock."

Mr. JOHNSON of Texas. I should like to say that the minority leader and majority leader agreed yesterday between themselves that in the event all time were not consumed we would move to have the Senate take a recess, so that Senators on both sides of the aisle would know that no vote could possibly be had before 3 o'clock.

Mr. KNOWLAND. That is my understanding, that we would not have a vote prior to 3 o'clock.

Mr. JOHNSON of Texas. And it could be had as late as 4 o'clock, if the time were used.

Mr. KNOWLAND. That is correct.

Mr. JOHNSON of Texas. I wanted to have that point clear in the RECORD.

The PRESIDING OFFICER. The Chair wishes to state that the understanding of the Senator from California and of the Senator from Texas is also the understanding of the Chair. The time up to 3 o'clock, the Chair wishes to inform the Senators, is controlled by the majority leader and the minority leader.

Mr. JOHNSON of Texas. When the Senate has completed the debate and has voted on the various motions and appeals and amendments and substitutes, and so forth, pertaining to the McCARTHY matter, is it the plan of the majority leader to have the Senate adjourn sine die on the same day?

Mr. KNOWLAND. I would say to the Senator from Texas that that would somewhat depend on the time involved. I certainly would not wish to have the Senate go into an all-night session. I do not believe it would be wise to hold an extensively prolonged session. However, even assuming that additional amendments are presented over and above the two amendments which are now lying on the table, I can see no reason why we cannot conclude the business of the Senate by Thursday. I hope we will be able to do so early in the evening of Thursday.

Mr. JOHNSON of Texas. And the distinguished majority leader would then expect the Senate to adjourn sine die?

Mr. KNOWLAND. Yes; I would expect to move then that the Senate adjourn sine die.

Mr. JOHNSON of Texas. I thank the Senator.

Mr. KNOWLAND. I wish to make it perfectly clear that while only two amendments are at the desk, other

amendments are in order in accordance with the unanimous-consent agreement.

The PRESIDING OFFICER. So the Chair understands.

Mr. LANGER. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I am glad to yield to the distinguished Senator from North Dakota.

Mr. LANGER. May I inquire of the distinguished majority leader with respect to one matter in which I am directly concerned? Does he propose to take up any other business at all except the McCarthy matter?

Mr. KNOWLAND. We plan to take up no other legislation of any kind. We would not expect to take up any controversial nominations, or anything else of a controversial nature.

With respect to anything that might be done by mutual agreement on both sides of the aisle, the majority leader and the minority leader are in consultation, as the Senator knows.

Mr. LANGER. The Committee on the Judiciary is very eager to have certain nominations which are pending before the Senate passed upon. One involves a judgeship in Texas.

Mr. JOHNSON of Texas. The distinguished majority leader earlier in the day brought to my attention a number of nominations which the distinguished chairman of the Committee on the Judiciary had reported to the Senate. I have no doubt that those nominations will be cleared for action. We have contacted all but one interested Member of the Senate. All other Senators interested have approved the nominations. I believe they come within the agreement which was entered into between the majority leader and the minority leader.

I hope that by the time the Senate convenes at 9:30 tomorrow morning to be able to inform the majority leader that the nominations are not controversial so far as this side of the aisle is concerned, and that they come within our agreement. It is my understanding that prior to adjournment sine die the majority leader will ask that they be considered by the Senate in executive session.

Mr. LANGER. Could they not be taken up tomorrow morning at 9:30?

Mr. KNOWLAND. We shall first have to find out whether they have been cleared for consideration.

Mr. LANGER. The Committee on the Judiciary unanimously reported the nominations.

Mr. KNOWLAND. I have conveyed that information to the minority leader. I am certain we can work the matter out if the Senator will give us a little time.

Mr. LANGER. I thank the Senator.

ORDER FOR THE TRANSACTION OF ROUTINE BUSINESS TOMORROW

Mr. KNOWLAND. I ask unanimous consent that when the Senate convenes tomorrow morning at 9:30, after action is taken on the Journal, the Senate may have the customary morning hour for the transaction of routine business, under the usual 2-minute limitation.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

RECESS TO 9:30 A. M. TOMORROW

Mr. KNOWLAND. Mr. President, if there are no further remarks to be made at this time, and again calling the attention of the Members of the Senate to my hope that Senators will be present to respond to a quorum call, I now move that the Senate stand in recess until 9:30 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 36 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, December 1, 1954, at 9:30 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate November 30 (legislative day of November 29), 1954:

DEPARTMENT OF STATE

George V. Allen, of North Carolina, a Foreign Service officer of the class of career minister, to be an Assistant Secretary of State.

DIPLOMATIC AND FOREIGN SERVICE

Henry A. Byroade, of Indiana, now an Assistant Secretary of State, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Egypt.

The following-named Foreign Service officers for promotion from class 1 to the class of career minister of the United States of America:

Elbridge Durbrow, of California.
Livingston T. Merchant, of New Jersey.
Edward J. Sparks, of New York.
Llewellyn E. Thompson, Jr., of Colorado.
Robert F. Woodward, of Minnesota.

Thomas J. Maleady, of Massachusetts, now a Foreign Service officer of class 1 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

William M. Rountree, of Maryland, for appointment as a Foreign Service officer of class 1, a consul, and a secretary in the diplomatic service of the United States of America.

The following-named Foreign Service officers for promotion from class 3 to class 2:

Olcott H. Deming, of Connecticut.
Carlos J. Warner, of Maine.

The following-named persons for appointment as Foreign Service officers of class 2, consuls, and secretaries in the diplomatic service of the United States of America:

Edgar P. Allen, of Pennsylvania.
Fred L. Hadsel, of Virginia.
Joseph S. Henderson, of Virginia.
Edward A. Jamison, of Illinois.
Allen B. Moreland, of Florida.
B. Winfred Ruffner, of Tennessee.
Francis T. Williamson, of Virginia.

The following-named persons for appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America:

Clement E. Conger, of Virginia.
Frederick B. Cook, of Virginia.
William B. Coolidge, of Virginia.
Henry Dearborn, of New Hampshire.
William B. Dunham, of Virginia.
Walter H. Dustmann, Jr., of Virginia.
James H. Ennis, of Maryland.
L. James Falck, of Maryland.
George M. Fennemore, of New York.
John C. Guthrie, of Virginia.
Jack A. Herfurt, of California.
John L. Hill, of Wisconsin.
Frederick Irving, of Virginia.
Clinton E. Knox, of Maryland.
Thomas H. Linthicum, of California.
David E. Longanecker, of Virginia.
John W. McBride, of Virginia.
William K. Miller, of Illinois.
William F. Niccloy, of New York.
Horace J. Nickels, of Maryland.
Dana Orwick, of Maryland.
Miss Constance Roach, of the District of Columbia.
Eddie W. Schodt, of Virginia.
Thomas K. Shields, of California.
Thomas W. Simons, of the District of Columbia.
Erwin Strauss, of the District of Columbia.
Jules H. Wayne, of Maryland.
William L. S. Williams, of Wisconsin.

Roland K. Beyer, of Wisconsin, now a Foreign Service officer of class 4 and a secretary in the diplomatic service, to be also a consul of the United States of America.

Philip C. Habib, of California, for promotion from Foreign Service officer of class 5 to class 4 and to be also a consul of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

Seburn E. Baker, of Florida.
Mrs. Mildred L. Brockdorff, of Maryland.
Miss Roene G. Brooks, of Iowa.
Thompson R. Buchanan, of Maryland.
Robert A. Clark, Jr., of Oregon.
Wendell B. Coote, of Virginia.
Miss Frances M. Dailor, of the District of Columbia.
Edmund A. da Silveira, of Virginia.
Huston Dixon, of the District of Columbia.
Mrs. Alice L. Dunning, of New York.
James F. Gorman, of Delaware.
John K. Hagemann, of Maryland.
Harold E. Hall, of Utah.
Miss Betty R. Hanes, of Ohio.
Joseph A. Harary, of New York.
Miss Margaret P. Hays, of Texas.
Adolf B. Horn, Jr., of the District of Columbia.
Morris Kaufman, of New York.
John W. Keogh, of Illinois.
John L. Kuhn, of Virginia.
Frank R. LaMacchia, of Maryland.
Jerome R. Lavallee, of Massachusetts.
Neil C. McManus, of New Jersey.
John E. Mellor, of Virginia.
Robert C. Mudd, of Virginia.
George F. Muller, of Maryland.
John F. O'Grady, of Massachusetts.
John L. Ohmans, of Maryland.
William J. Reardon, of New York.
George C. Spiegel, of Indiana.
Isaac A. Stone, of Massachusetts.
Frank J. Wathen, of Texas.
Harry J. Wetzork, of Pennsylvania.
Miss Mildred M. Yenchius, of Ohio.

The following-named persons for appointment as Foreign Service officers of class 5, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Miss Norma M. Arthur, of New York.
Kyle D. Barnes, of Alabama.
Mario Calvani, of Maryland.
William L. Carr, of Massachusetts.
William M. Childs, of Massachusetts.
Miss Mary W. Cutler, of the District of Columbia.
Edward L. Eberhardt, of Virginia.
Guy Ferri, of Pennsylvania.
Miss Alice M. Griffith, of Maryland.
John O. Hemard, of Louisiana.
Deion L. Hixon, of Maryland.
Edward J. Holway, Jr., of Ohio.
Miss Frances D. Howell, of North Carolina.
John Krizay, of Maryland.
James F. Moriarty, of Massachusetts.
Albert D. Moscotti, of New Jersey.

Miss Jeanne C. Nelson II, of Arizona.
J. Stanley Phillips, of Virginia.
Robert E. Rosselot, of Virginia.
Charles B. Selak, Jr., of Pennsylvania.
Andrew Stalder, of New York.
Miss Marilyn D. Sworzyn, of the District of Columbia.
William D. Toomey, of North Dakota.
Rene A. Tron, of New York.
August Velletri, of Maryland.
Norman M. Werner, of Texas.
Miss Eugenia Wolliak, of Connecticut.
Amos Yoder, of Virginia.
Miss Olga M. Zhivkovitch, of Illinois.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Dwight R. Ambach, of Rhode Island.
George R. Andrews, of Maryland.
Robert B. Borin, of Nebraska.
Ward Lee Christensen, of Oregon.
Douglas McCord Cochran, or Pennsylvania.
John J. Crowley, Jr., of West Virginia.
Thomas W. Davis, Jr., of California.
Thomas De Scisciolo, of New York.
Dirk Gleysteen, of Pennsylvania.
Miss Bernice A. Goldstein, of Pennsylvania.
John J. Harter, of California.
John D. Hemenway, of Washington.
Robert C. Herber, of Pennsylvania.
Miss Irma Lang, of Connecticut.
Dudley C. Lunt, Jr., of Delaware.
William F. McRory, of the District of Columbia.
Charles R. Moomey, of Nebraska.
Miss M. Jane Neubauer, of Oklahoma.
A. Gregory Nowakoski, Jr., of New Jersey.
Don W. Rogers, Jr., of Ohio.
Edward B. Rosenthal, of New York.
Thomas J. Scotes, of Pennsylvania.
Harry W. Shlaudeman, of California.
Miss Nancy L. Snider, of Ohio.
Miss Mary Ann Spreckelmeyer, of the District of Columbia.
Arthur M. Stillman, of Illinois.
Edward H. Thomas, of New Jersey.
Richard N. Tillson, of Massachusetts.
Ross P. Titus, of Illinois.
John E. Williams, of North Carolina.
Eric V. Youngquist, of Illinois.

Earle J. Richey, of Kansas, a Foreign Service staff officer, to be a consul of the United States of America.

The following-named Foreign Service Reserve officers to be consuls of the United States of America:

J. Deering Danielson, of Virginia.
Walter K. Schwinn, of Connecticut.

John A. Brogan III, of New York, a Foreign Service Reserve officer, to be a vice consul of the United States of America.

Foreign Operations Administration

Christian A. Herter, Jr., of Massachusetts, to be General Counsel, Foreign Operations Administration.

Treasury Department

David W. Kendall, of Michigan, to be General Counsel for the Department of the Treasury, to fill an existing vacancy.

Export-Import Bank of Washington

George A. Blowers, of Florida, to be a member of the Board of Directors of the Export-Import Bank of Washington.

In the Coast Guard

The following-named licensed officers of the United States merchant marine to the grades indicated in the United States Coast Guard:

To be lieutenants

Alexander D. Holman, Jr.
Jay A. Small, Jr.
Charles B. Williams

To be a lieutenant (junior grade)

Walter F. Condon

In the Navy

Adm. John E. Gingrich, United States Navy, retired, to be placed on the retired list with the rank of vice admiral.

Vice Adm. Murrey L. Royar, Supply Corps, United States Navy, to have the grade, rank, pay, and allowances of a vice admiral while serving as Chief of Naval Material.

Rear Adm. Ralph J. Arnold, Supply Corps, United States Navy, to be Paymaster General and Chief of the Bureau of Supplies and Accounts in the Department of the Navy for a term of 4 years.

The following-named officers of the Navy and Naval Reserve on active duty for temporary promotion to the grade of captain in the line and staff corps indicated, subject to qualification therefor as provided by law:

For temporary promotion in the Navy

LINE

Alford, John M.
Amme, Carl H., Jr.
Armstrong, Warren W.
Arnold, Henry A.
Atkins, Nevett B.
Austin, Marshall H.
Avery, Howard M.
Badger, Rodney J.
Baird, Leonard J.
Barham, Eugene A.
Barnard, James H., 2d
Bartlett, Wilson R.
Bassett, Robert V., Jr.
Baurer, Louis H.
Baum, Ralph J.
Bell, David B.
Bellinger, William C. P., Jr.
Bennett, Fred G.
Bennett, Warfield C., Jr.
Besson, John H., Jr.
Bjarnason, Paul H.
Blenman, William
Blitch, John D.
Borries, Fred, Jr.
Bowker, Albert H.
Boyd, Alfred I., Jr.
Boyle, Peter F.
Bradley, Richard R., Jr.
Bringle, William F.
Brock, James W.
Brown, James H.
Brown, James A.
Burns, Richard H.
Butler, Ovid M.
Cairnes, George H.
Caldwell, Robert H., Jr.
Caldwell, Turner F., Jr.
Callahan, Edward C.
Campbell, Grafton B.
Carlson, Edward B.
Carmichael, John H.
Carson, Matthew V., Jr.
Casey, Vincent F.
Chenault, Frederic A.
Cherry, Parker E.
Chipman, Briscoe
Christie, Gerald L.
Claggett, Bladen D.
Cole, Otis R., Jr.
Combs, Walter V., Jr.
Connor, Terrell H. W.
Cook, Harry E., Jr.
Coppola, Joseph A.
Cotten, John H.
Crawford, Earl R.
Currier, Prescott H.
Cutter, Slade D.
Dabbieri, Peter V.
Dabney, Thomas B.
Davies, Thomas D.
Dawley, Jack B.
Decker, Arthur T.
Dockum, Donald G.
Dougherty, Joseph E.
Doukas, Nicholas G.
Drake, Francis R.
Dunn, William C.
East, Walter J.
Eastman, Charles J.
Edrington, Thomas C., 3d
Eisenbach, Charles R.
Eldridge, Robert L.
Ellis, William A.
Eppes, Marion H.
Farrell, Richard M.
Faust, Allen R.
Ferguson, Herbert C.
Finnigan, Oliver D., Jr.
Flachsenhar, John J.
Fleming, Allan F.
Folsom, Parker L.
Fowler, Gordon
Fowler, Richard L.
Friede, Richard L.
Furer, Albert B.
Fyfe, John K.
Gabbert, John S. C.
Gage, Joseph A., Jr.
Gambacorta, Francis M.
Gardner, Earle G., Jr.
Geist, John W.
Germershausen, William J., Jr.
Gillette, Norman C., Jr.
Gimber, Stephen H.
Good, George D.
Gray, James S., Jr.
Greenup, Francis A.
Griggs, Paul C.
Groner, William T.
Guest, William S.
Gumz, Donald G.
Gurney, Alfred L.
Hanger, Willard M.
Hansen, James R.
Harmer, Richard E.
Hartmann, Paul B.
Hatcher, Martin T.
Hathaway, Amos T.
Hayler, Frank E.
Hazzard, William H.
Headland, Edwin H., Jr.
Henry, Walter F.
Herold, Frank B.
Hess, John B.
Hilands, William H.
Hinckley, Robert M., Jr.
Hoffman, Edmund J.
Holman, William G.
Holmes, Robert H.
Holmshaw, Harry F.
Holt, Pliny G.
Houston, Charles E.
Howe, Wallace H.
Humes, Ralph R.
Hunter, Gould
Icenhower, Joseph B.
Irving, Ronald K.
Jack, Richard G.
Jackson, Robert W.
Jennings, Carter B.
Johnson, Erik A.
Kefauver, Russell
Keithly, Roger M.
Kelly, Robert B.
Kimmel, Thomas K.
King, Ed R.
King, Thomas S., Jr.
Kircher, John J.
Kirkpatrick, Harlan G.
Klopp, James W.
Knight, Page
Laizure, Dallas M.
Langston, Charles B.
Lanham, Harvey P.
Larsen, Harold H.
Law, Frank G.
Lederer, William J., Jr.
Lee, George R.
Lewis, Joseph S.
Link, Everett M., Jr.
Logsdon, Earl W.
Loomis, Sam C., Jr.
Lynch, John J.
Lyndon, Dennis C.
Mack, William P.
Mackie, Thomas R.
Mann, Hoyt D.
Marcus, Groome E., Jr.
McCauley, James W.
McDonald, Harold W.
McDonald, Jasper N.
McElrath, Robert W.
McIntire, Harrison P.
McKellar, Clinton, Jr.
McLaren, William F.
McLaughlin, Robert B.
Mecklenburg, Herman J.
Meneke, Kenneth E.
Michael, Fred D.
Michel, Edward A., Jr.
Mini, James H.
Moody, Dwight L.
Moore, Ben, Jr.
Morrison, William F.
Morton, Robert C.
Moynahan, Brendan J.
Munster, Joe H., Jr.
Newcomb, Arnold H.
Neyman, Robert L.
Nibbs, Alan M.
Nimitz, Chester W., Jr.
Nixdorff, Samuel
Noel, John V., Jr.
Obermeyer, Jack A.
O'Connell, George A., Jr.
Odening, Robert E.
Oelheim, Bennett C.
O'Grady, James W.
Okerson, Glenn W.
Orr, Ellis B.
Oseth, John M.
Outlaw, Edward C.
Packard, Wyman H.
Palmer, Fitzhugh L., Jr.
Parham, William B.
Parker, Edwin B., Jr.
Parunak, Aram Y.
Penland, Joe R.
Pennoyer, John H.
Phillips, Jewett O., Jr.
Phillips, Robert A.
Porter, William B.
Pratt, Richard R.
Preston, John P.
Price, William N.
Radford, James C.
Ramey, Ralph L.
Rawlings, John B.
Reifenrath, Wilson G.
Rice, Joseph E.
Richardson, David C.
Roby, Forrest A., Jr.
Romberg, Henry A.
Russell, Hawley
Rutter, James B., Jr.
Ryan, Thomas F.
Ryder, John F.
Sager, John P.
Sampson, William S.
Samuel, Thomas W.
Schacht, Kenneth G.
Schlech, Walter F., Jr.
Schwab, Herbert S.
Schwaner, Henry C., Jr.
Searcy, Seth S., Jr.
Semmes, James L.
Settle, Walker A., Jr.
Shaw, James C.
Shea, William H., Jr.
Sherby, Sydney S.
Sherman, Philip K.
Shetenhelm, Philip E.
Simpson, Ernest L., Jr.
Sleight, Robert C.
Sliney, James G.
Slonim, Gilven M.
Smith, Kerfoot B.
Springer, Frank G.
Staggs, William R.
Stark, Harry B.
Stebbins, Edgar E.
Steffanides, Edward F., Jr.
Steinmetz, Everett H.
Stevens, John D.
Stevenson, William A.
Stewart, Jack S.
Stimson, Paul C.
Street, George L., 3d
Sullivan, William A.
Summers, Paul E.
Talman, Benjamin L. E.
Taylor, James O.
Taylor, Leroy T.
Teel, Richard A.
Terry, James H., Jr.
Thacher, Robert A.
Thomas, William B.
Thompson, Floyd T.
Thompson, Marshall F.
Toner, Raymond J.
Torian, Melvin C.
Touart, Richard G.
Turner, Charles H.
Turner, John H.
Turner, Renfro, Jr.
Tyree, Alexander K.
Von Bracht, William G.
Wampler, French, Jr.
Wanless, Robert H.
Ware, Bruce R.
West, Elliott M.
White, Clarence M., Jr.
White, Richard D.
Whiting, George H.
Williams, Robert J.
Willman, Donald E.
Wilson, Donald W.
Winters, Theodore H., Jr.
Wood, Burris D., Jr.
Woodville, Jonathan L. W., Jr.

MEDICAL CORPS

Allen, Wallace E.
Amberson, Julius M.
Barber, Leonard H.
Barr, Norman L.
Baumgarten, Otto C.
Beals, Lynn S., Jr.
Berley, Ferdinand V.
Boone, Daniel W.
Burroughs, Clement D.
Byrne, Edward T.
Canada, Robert O., Jr.
Cohen, Marshall
Cooperman, Martin
Cox, John H.
Crawford, James
Crowder, Roy E.
Curtis, Mark S.
Deranian, Paul
DuVigneaud, DeSale G.
Fruin, Richard L.
Fry, Wesley
Fuhring, Shirley A.
Giddings, Harold D.
Gilbert, Walter W.
Gillen, James H., Jr.
Grindell, James A.
Gruggel, John S.
Hanten, John S.
Hascall, Charles S., Jr.
Haynes, Lewis L.
Hebble, Jacob G., 3d
Henderson, Robert E.
Hill, Harold H.
Hynes, Edward A.
Irons, Edward P.
James, William J.
Junnila, Bruno O.
Kenney, Leroy L.
Kirch, Everett P.
Krepela, Miles C.
Lynch, George M.
MacGregor, John B.
Martens, Vernon E.
Mershon, Robert H.
Miller, Donald W.
Musso, Nicholas M.
Nardini, John E.
Norwood, Emmett F.
O'Connell, Hugh V.
Pope, Lester J.
Rambo, Reginald R.
Richardson, Jesse F.
Shaver, John S.
Shepardson, Robert B.
Sims, Lewis S., Jr.
Slosek, Edward F.
Stradford, Harry T.
Timmes, Joseph J.
Walters, John D.
Warden, Horace D.

SUPPLY CORPS

Bacon, Walter G.
Brady, Norbert C.
Brewton, Glenn F.
Clegg, Glenn W.
Drescher, Carl G.
Evans, William A.
Huey, William M., Jr.
Johnson, Billy
Johnston, William J.
Meade, Randolph, Jr.
Moore, Irwin S.
Myers, Richard L.
Peel, Marcus A., Jr.
Phillips, Charles K.
Sharrocks, Charles S.
Sherwood, Stephen
Sutherling, Elton W.
Vestel, Edgar D., Jr.

CHAPLAIN CORPS

Bennett, Samuel B.
Hohenstein, Raymond C.
Mannion, Joseph P.
Meehan, Daniel F.
Wood, Harry C.

CIVIL ENGINEER CORPS

Barker, Joseph, Jr.
Bennett, Earl R.
Coddington, James A.
Cunniff, James F.
Curtis, Ira N.
Davidson, Roscoe A.
Dodd, Jack G.
Gans, George M.
Gordanier, John W.
Harris, Richard E.
Johnson, Weston M.
Krum, Raymond B.
Lovell, Kenneth C.
McManus, William A.
Morris, Robert B.
Neel, Charles H.
Roulett, John P., Jr.
Sease, John C.
Spellman, Clemens E.
Thorson, Robert D.
Tyrrell, Frank C.
Wilson, Samuel K.

DENTAL CORPS

Bowers, Aaron N., Jr.
Brandt, Conrad H.
Charm, William J.
Colby, Robert A.
Eaton, Stanley W.
Goodell, Fred E.
Jeansonne, Edmund E.
Johnson, William B., Jr.
Lesney, Theodore A.
Lett, Walter B.
Liedman, Sidney C.
McInnis, Harry B.
McKinney, Howard B.
Mudler, James T.
Niiranen, John V.
Owen, William D.
Rendtorff, Herman K.
Shaw, Richard C.
Stanmeyer, William R.
Turner, Myron G.
Wyckoff, Robert D.

MEDICAL SERVICE CORPS

Huntsinger, Fay O.

For temporary promotion in the Naval Reserve

LINE

Consolvo, Charles W.
Kirkpatrick, Claude S.

SUPPLY CORPS

Milling, Clarence H.

CIVIL ENGINEER CORPS

Bertelsen, Viggi C.

DENTAL CORPS

Dove, Ronald C.

The following-named officers of the Navy and Naval Reserve on active duty for temporary promotion to the grade of commander in the line and staff corps indicated; subject to qualification therefor as provided by law:

For temporary promotion in the Navy

LINE

Abbott, Cecil, Jr.
Abernathy, Buford D.
Abrams, Earle B.
Adair, Lallance A.
Adams, Corliss W.
Adams, Robert S.
Adkins, Aubyn L.
Adler, William C., Jr.
Adrian, Robert N.
Albrecht, Edward M.
Aldous, Theodore F.
Allbright, Willard F.
Alleman, James K.
Allen, Edgar L.
Allen, William B.
Aller, James C.
Alley, Justus N.
Allmon, Clyde E.
Ambrosio, William
Amme, Robert G.
Anastasion, Steven N.
Anderson, Clyde B.
Anderson, Gene C.
Anderson, Roy
Anderson, William R.
Anderson, William H., Jr.
Angelo, Raymond L.
Appelquist, Theodore L.
Armogida, Dante
Armstrong, John G.
Armstrong, William H.
Ashcraft, Robert L.
Asmus, Dwight F.
Aubrey, Norbert E., Jr.
Augenblick, Richard G.
Ault, Frank W.
Austin, William R.
Bailey, Daniel G.
Baird, Harold J.
Baker, Albert H.
Baker, John G., Jr.
Baker, Quentin F.
Baldridge, Jewett A.
Baney, Sidney N.
Banks, William R.
Barker, Jonathan A.
Barker, Laughlin
Barnitz, James W.
Barrett, Alcus E.
Barrett, John M.
Barrington, Francis W.
Barry, Charles B.
Bartko, John J.
Bartlett, Lewis C.
Basler, Henry L., Jr.
Bass, Stirling W., Jr.
Bates, George B., Jr.
Bayes, Howard S.
Beadles, Joe W., Jr.
Beaver, Robert H.
Beavers, Oscar J.
Becker, Jack L.
Becker, Roger W.
Behl, John H.
Bennett, Milton D.
Bennett, Vane M.
Benz, Robert P.
Berck, Henry F.
Berg, Kenneth L.
Bergeron, Robert F.
Bergey, Gale L.
Berns, Elbert O.
Berquist, Carl R.
Berry, Benjamin H.
Betts, Frederick M.
Beyer, Clarence R.
Bigham, Frank, Jr.
Binnebose, Gustave W.
Birdsall, Douglas M.
Bitting, Frederick E.
Bixby, Norman W.
Black, Rogers L.
Blackwell, William P.
Blattmann, Walter C.
Boe, Robert O.
Boehlert, William R.
Boone, Daniel A.
Bordihn, Irvin H.
Bostenero, Guacomo A.
Boulton, Thomas A.
Boyd, William W., Jr.
Boydstun, Howard J.
Bradley, Richard H., Jr.
Bradshaw, Harold G.
Brady, Francis X. V.
Brambilla, Marius G., Jr.
Branchi, Titus
Brand, Ferdinand L.
Braun, John E.
Brega, Richard E.
Bremer, James R.
Brewer, Cleon A.
Briggs, Chester E., Jr.
Briggs, Chester A.
Brooks, Clarence M., Jr.
Brown, Alfred E.
Brown, Carl A., Jr.
Brown, Clifford L.
Brown, Galen C.
Brown, Harry J., Jr.
Brown, James S.
Brown, Leo R.
Brown, Melvin W.
Brown, Richard K.
Brown, William P.
Browning, Benjamin, Jr.
Brownsberger, James A.
Bryan, David, Jr.
Bryan, Garland B.
Buchanan, Edward S.
Buckwalter, Earl E.
Budding, William A., Jr.
Buehlman, Joseph
Bunce, Lawrence W.
Burdette, Fred M.
Bureau, Arthur L.
Burge, John L.
Burkey, Gale C.
Burley, Albert C.
Burris, Hugh B.
Busik, William S.
Bustard, Melvin E., Jr.
Butlak, John J.
Butler, Francis A.
Butterfield, Harry E., Jr.
Byrd, James R., Jr.
Cafferata, William F.
Cain, William T.
Calhoun, Aubra
Calhoun, John E.
Callis, John L.
Calvert, James F.
Campbell, James M.
Campbell, Thomas M.
Caney, Lawrence D.
Caparrelli, Moreno J.
Carlson, Allan R.
Carlson, Walton L.
Carmichael, William P.
Carroum, Jefferson H.
Carter, Arthur M., Jr.
Case, Gerald F.
Casler, James B.
Cassell, George L.
Cates, Clifton B., Jr.
Cawthorne, Robert M.
Cevoli, Richard L.
Chamberlain, Richard D.
Champlin, Norman D.
Charles, Nelson R.
Cherbak, Alfred A.
Cheverton, Robert E.
Christian, Oren R.
Christians, Robert W.
Clark, Harry L., Jr.
Clark, Henry E.
Clarke, Robert A.
Clayton, Raymond I.
Cleaver, Thomas L., Jr.
Cobb, William W.
Coker, William K.
Colenda, Frank
Colleran, Gerard F.
Collins, Cecil B., Jr.
Conder, Thomas L., Jr.
Condon, Lawrence D.
Cone, Wade H.
Coningham, Seward B.
Connell, Thomas P.
Conner, Andrew B., Jr.
Connolly, Barth J., 3d
Connolly, Robert J.
Cooke, Henry J. H.
Cooley, Benjamin C., Jr.
Coonan, John J.
Cooper, Charles T., 3d
Cooper, Thomas V.
Cork, John A., Jr.
Cormier, Richard L.
Cosby, Adolphus B.
Coste, John E.
Cousins, Romolo
Cox, Albert W.
Cox, Dale W., Jr.
Craig, Russell F.
Crance, Elmer L.
Creed, Donald L.
Creekmore, Edmund W.
Crook, Flatus W.
Crossley, Woodrow D.
Cummings, Edward J., Jr.
Curtis, Clifford B., Jr.
Cyr, Richard F.
Dahlen, Vincent R.
Dailey, Elmer W., Jr.
Dailey, Franklyn E., Jr.
Daniel, John J. S.
Dankworth, Edwin G., Jr.
Danner, Howard E., Jr.
Danowski, Frank L.
Davern, William T.
Davidson, John R.
Davidson, Willard H.
Davis, Darold W.
Davis, George S., Jr.
Davis, Thomas H., Jr.
Dawkins, M. Vance
Dean, William E.
Deans, Thomas C.
Deitchman, Vincent
Delaney, Henry
DeLuca, Joseph D.
Dennis, Milton K.
Derlin, Howard W.
Detrick, Donald M.
Detweiler, Austin L.
Devito, Raymond J.
Dice, Paul H.
Dickson, Paul E.
Dickson, William B.
Dignan, Paul E.
Dinger, Elmer W.
Dixon, Eugene C.
Dixon, Thomas F.
Dobbs, Harry J.
Dochnahl, Joseph W.
Doherty, James F., Jr.
Doherty, John P.
Dombroff, Seymour
Donahoe, Omer J.
Donahue, Richard V.
Donaldson, James C., Jr.
Donnally, Edward W.
Doran, Homer M., Jr.
Dosskey, Gordon B.
Douglas, Ivan H.
Dowd, Robert A.
Downin, John E.
Downs, Fordyce R., Jr.
Downs, James A.
Downes, Melvin R.
Doyel, Wilbur T.
Doyle, Patrick
Drachnik, Joseph B.
Drewelow, Robert W.
Dryer, Orville W. J.
Duborg, Robert W.
Dubyk, William
Dudley, John A.
Duell, Lowell F. W.
Dunham, William S.
Dunn, George L.
Durborow, James W.
Durham, Hugh M.
Dusch, Robert A.
Duval, Harold F.
Duvall, Charles T.
Dye, Howard W.
Eaton, Charles H.
Eddy, Howard B.
Edgerton, Edwin H.
Edmonson, Edgar T.
Edwards, John Q., 3d
Eichelberger, Robert W.
Ellerbe, Gail J.
Ellis, James W., Jr.
Ellis, Neil L., Jr.
Ellis, William S.
Emanski, John J., Jr.
Emerson, Arthur T., Jr.
Empey, Robert E.
Emrick, Merwin G.
Engler, Clifford W.
English, William J.
Ensley, Edwin C.
Epley, Robert H.
Erdner, Lewis E.
Erickson, Harold E.
Erkenbrack, Philip F.
Etheridge, Melvin R.
Eubanks, Jack L.
Evans, Herman, Jr.
Evans, Marion S.
Evans, Roy A.
Facer, Gordon C.
Fearnow, Frederick R.
Fehr, Harrison R., 3d
Feightner, Edward L.
Fenley, Albert G.
Fennig, Otto A.
Fernandez, Caesar, Jr.
Fichman, Herbert T.
Field, Leonard E.
Finley, Miles R., Jr.
Fite, Wallace A.
Flanagan, George
Flath, Robert N.
Flessner, Conrad J.
Fluitt, William S.
Flynn, Robert D.

Fogarty, William E.
Fold, Bernard G.
Foley, William J., Jr.
Ford, Arlo
Ford, George E.
Forman, Richard E.
Forrest, Harold M.
Fowden, Wilbur M., Jr.
Fox, Elmer L.
Frady, Raymond A.
Francis, Arthur E.
Franger, Marvin J.
Frank, Fred W., Jr.
Franklin, Jesse W., Jr.
Frazier, Edmond F.
Freeman, Daniel H.
French, Donald R.
Fretwell, Uncas L.
Frey, Saleem D.
Froscher, Clarence T.
Frossard, Clarence F.
Fuller, Charles R.
Fuller, George H.
Fuller, William E.
Gage, Rex A.
Gaines, Robert Y.
Gallemore, Roy H.
Gallon, Roy F.
Galvani, Amedeo H.
Gano, John H.
Gardner, Ned A.
Garretty, Ned A.
Garriott, Richard R.
Gastrock, Martin D.
Gates, Chester W., Jr.
Gates, Marshall J.
Gates, Robert L.
Gaw, Benjamin D.
Geise, Emory C.
George, John E.
Giblin, Robert B.
Gibson, Freal J.
Gibson, James C.
Gierisch, Jack K.
Giffin, Ray K.
Gill, Ronald E.
Gillissie, John G.
Gillock, Robert H.
Gilpin, Harold J.
Girault, Norton R.
Glenn, Stuart V.
Gockel, Bernard N.
Goetter, Ralph F.
Golden, William A., Jr.
Gonzalez, Rene E.
Goode, William M.
Gordon, Donald
Gould, Joseph E.
Gover, Walter R.
Grant, Merle A.
Graves, Harry S.
Gray, Hugh M.
Gray, Theodore R.
Greeley, George R.
Greene, Vincent M.
Greer, Richard D., Jr.
Gribble, William W.
Griffin, Edwin C.
Griffith, John T.
Griggs, John B., 3d
Griswold, James A.
Grkovic, George
Grossetta, Warren A., Jr.
Guhl, Eldon L.
Gullett, John H.
Gulmon, Robert H.
Guy, James W.
Haas, Paul, Jr.
Haase, Richard A.
Hackett, Bernard E.
Hadley, Stephen V.
Hagan, Joseph F.
Haggerton, Robert J.
Haines, Joseph E.
Haisten, Homer H., Jr.
Haley, Richard I.
Hall, Alvin W., Jr.
Hall, George A.
Hall, Perry
Hall, William S.
Hallett, Burton C.
Hancock, Alex F.
Hanley, Robert T.
Hann, Edward N.
Hannon, Edward J., Jr.
Hannon, Paul G.
Hansen, Robert L.
Hanson, Ralph M.
Hardcastle, William H., Jr.
Harlan, George M.
Harnish, William M.
Harper, George, Jr.
Harper, Marvin B.
Harriman, Russell G.
Harris, Ernest C., Jr.
Harris, Floyd L.
Hart, Ralph W., Jr.
Hart, Richard H.
Hartin, Frank R.
Hatchell, Edward G.
Havu, Arne W.
Hawkins, Gordon S.
Hawthorne, Robert E.
Haynie, John C., Jr.
Hayward, Albert W.
Heady, Richard S.
Hearrell, Frank C., Jr.
Heidel, Carl C.
Heishman, Jack C.
Helm, Donald F.
Helme, Charles F., Jr.
Helms, Daniel G.
Helsel, Kenneth D.
Henderson, William T.
Herider, George L.
Hershey, Merle M.
Heselton, Leslie R., Jr.
Hess, Ernest B.
Heyworth, Lawrence, Jr.
Hibben, Carl B.
Hilbert, Ray A.
Hill, Fred C.
Hill, James F.
Hill, William O.
Hills, Hollis H.
Hine, Thomas L.
Hitchcock, Edwin N., Jr.
Hobbs, William I.
Hoffman, Robert C.
Hoffman, Robert G.
Holcomb, Fred W., Jr.
Holcomb, John K.
Holl, Trygve A.
Hollandsworth, Herbert C.
Holley, Edward B., Jr.
Hollinshead, Charles W., Jr.
Holloway, James L. 3d
Hollowell, Frank W., Jr.
Holmes, David C.
Holmquist, Carl O.
Hoof, Wayne
Hoot, Willard D.
Hoover, George W.
Horrall, Eugene F.
Horton, William R., Jr.
Hoskins, Floyd E.
Hoskins, Ralph E.
House, James O., Jr.
Howe, George B.
Howe, Richard P.
Howerton, Wilfred M.
Huber, Harvard C.
Hudson, Jack G.
Hudson, William O., 2d
Huey, Robert N.
Huff, William H.
Huggard, John J.
Hughes, John D.
Humphrey, William S., Jr.
Hunt, Daniel, Jr.
Hunt, John E.
Hurst, Thomas C., 3d
Hussong, William J., Jr.
Hutto, John F.
Hydinger, Marlin C.
Imus, Travis L.
Ischinger, Eric, Jr.
Israel, Robert M.
Iverson, Willard M.
Jackman, Lawrence S.
Jackson, Erwin S.
Jackson, Maurice B.
Jackson, Robert W.
Jaep, Charles H., 3d
Jarnagin, Roy B.
Jeffords, Joseph D.
Jenkins, William E.
Jennings, Douglas H.
Jennings, Pender L., Jr.
Jensen, Christian T.
Jernigan, William A., Jr.
Johnson, Berendt E., Jr.
Johnson, Charles W.
Johnson, Clarence E.
Johnson, Dwight F.
Johnson, Earl B.
Johnson, James M.
Johnston, Juel D.
Johnston, Robert B.
Jonassen, Anthony O.
Jones, David M.
Jones, Donald R.
Jones, Francis R.
Jones, Jack B.
Jones, James A.
Jones, Marvin D.
Jones, Thomas C., Jr.
Jones, Walter W., Jr.
Jullien, Louis H.
Justiss, "C" "Y"
Justus, Fowler H.
Karcher, Daniel M.
Karl, Robert D.
Kassell, Bernard M.
Kauffman, Hal A.
Kay, Buryl C.
Keedy, "C" "L", Jr.
Keller, Harry B.
Keller, William K.
Kelley, George A., Jr.
Kelly, Dean E.
Kelly, Marion C.
Kelly, Thomas J.
Kemp, Robert R.
Kemper, George E.
Kenney, Edward F.
Kent, George L.
Kern, Donald H.
Kerr, Edward E.
Kessler, Horton C.
Kidd, Frederick C.
Killingsworth, Samuel B.
King, Chauncey B., Jr.
Kinsella, James J.
Kirkland, William B., Jr.
Kisner, Homer L.
Kistler, John M.
Klein, Walter C.
Knight, Denman W.
Knight, Louis F.
Knight, Olyce T.
Knowles, Lloyd C.
Koch, George P.
Kolakowski, Roman
Kona, Steve G.
Kotsch, William J.
Kreitzer, William R.
Kubel, Howard L.
Kunhardt, Robert M.
Kuntze, Archie C.
Kurtz, Lawrence A.
Labyak, Robert W.
Lackey, Dalton E.
Lacy, Paul L., Jr.
Ladley, Herbert V.
Laliberte, Joseph H.
Laliberte, William
Lamar, William, W., Jr.
LaMarre, Allen W.
Lammi, Weikko S.
Land, Jay W.
Lang, Harold F.
Lanier, Samuel L.
LaPlant, Lloyd P.
Laplante, William J.
Larsen, Frank
Larson, Wesley L.
Lasater, Allen N.
Lassell, Donald L.
Laurie, Robert G.
Lavrakas, Lefteris
Law, Francis E.
Law, John T.
Law, Richard R.
Lawson, Dunbar
Lazenby, Richard D.
Leavitt, Guy C.
Lee, Cyrus S.
Lee, Jesse E.
Leehey, Patrick
Lees, James S.
Lemaster, Caleb M.
Lennon, Bernard C.
Lewandowski, Stanley J.
Lindstrom, Kenith V.
Littmann, George C.
Livingston, Fred J.
Lloyd, Frederic M., 3d
Lobdell, John H.
Logan, Robert C.
Lorch, Jacque W.
Lovington, Joseph A.
Lowry, Allen W.
Luberda, William S.
Luke, Raymond W.
Lumpkin, Pickett
Lyberg, Robert N.
MacDonald, Philip N.
MacGovern Robert N.
Mackey, Wendell C.
Madson, Richard O.
Magie, Albert H., Jr.
Maher, David B.
Malley, Francis E.
Manby, William J., Jr.
Manning, James H.
Mansard, Robert E.
Margetts, Richard K.
Marquart, Phillip G.
Marsden, Roy E.
Marshall, Walter L.
Martin, James N.
Martin, Neal, Jr.
Marvel, Robert
Marx, Theodore F.
Mathis, Kenneth J.
Maxwell, George T.
May, Allan E.
Mayer, Nicolas J.
Mazurkiewicz, Clarence F.
McBrier, James W.
McCain, Audley H.
McCants, Thomas R.
McCauley, Brian
McCauley, Charles N.
McCauley, John C., Jr.
McClaugherty, Harry C.
McClellan, Thomas R.
McClendon, William R.
McClure, Huston B.
McCollum, John C., Jr.
McConnell, Robert M., Jr.
McCord, Walter D., Jr.
McCormick, James B.
McCrerey, Homer A.
McCuddin, Leo B.
McCulley, William M., Jr.
McDougal, Clifford A.
McEwan, Archibald J.
McGann, Patrick H.
McGinnis, George P.
McGinnis, Paul H.
McGregor, Ronald K.
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McKenzie, James R., Jr.
McKinney, Grange B.
McLeod, Don E.
McLeod, Norman W.
McLinn, Frank M.
McMahon, John L., Jr.
McManus, Philip S.
McNally, Irvin L.
McNamara, Paul E.
McQuilkin, William R.
McTighe, John A.
McWhorter, Hamilton, 3d
Meacher, Leo
Medbury, Arnold H.
Medick, Glenn A.
Meehan, James W.
Meehan, John B.
Megrew, Harold R.
Meigs, Joseph V., Jr.
Menard, Louis A., Jr.
Merritt, Clinton J.
Metzger, John K.
Metzger, Lewis W., 3d
Metzger, Robert M.
Meyer, Edgar R.
Meyer, Francis A.
Meyer, George R.
Michel, Glenn C.
Mikich, Emil
Miller, Anthony J.
Miller, Charles A.
Miller, Clarence K.
Miller, Donald A.
Miller, Edward C.
Miller, Frank E.
Miller, John F.
Miller, Luther R.
Miller, Stewart C.
Miller, Stuart R.
Miller, William T.
Miller, William J.
Mills, Alvah V., Jr.
Mills, Lee G.
Mink, Robert O.
Minor, Warner M.
Mitchell, Forrest R.
Mitchell, John C.
Mittenmaier, Ernest P.
Mix, Arthur E.
Mize, Wilton S.
Moeller, Alonzo R.
Mongogna, Joseph B.
Moore, Howard S.
Moore, Larry D.
Moore, Michael U.
Moore, Sam H.
Moore, Willard H.
Moran, George R.
Morelock, Jerry P. B.
Morin, George F.
Moring, Joe R.
Morris, Kyle H.
Morton, Samuel L.
Mott, Albert W.
Moulton, Bernard W.
Moyer, Robert L.
Moyers, Frederick C.
Mueller, Gregg
Mundy, Kenneth A.
Murphy, John W.
Murphy, Robert J.
Murray, Arthur H., Jr.
Myers, Harold E.
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Naumann, Carlton F.
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Neff, John L.
Nelson, Hugh M.
Nelson, Nels J.
Nemeth, Stephen J.
Nesbitt, John W.
Nester, Robert G.
Newland, John W., Jr.
Newlon, Arthur W.
Newman, Hubert F.
Newton, Arthur G.
Ney, Robert J.
Nichols, John L.
Nicholson, Arthur D.
Niebuhr, Elmer E.
Nifong, James M.
Nolan, John J.
Nordquist, Arthur W.
Nuttall, John L., Jr.
Obert, Orlon J.
O'Brien, James M.
O'Brien, John J.
O'Connell, Daniel J.
O'Connor, Remi C.
O'Flaherty, Roderic L.
Ogden, Myron L.
Oleksy, John T.
Oliver, James D., Jr.
Omohundro, Frank P.
O'Neill, Martin G.
Onofrio, Michael J.
Osborne, Bascome K.
Osheim, Oscar
Ottomeyer, Wallace J.
Pace, Joseph J.
Padget, Paul E.
Page, Horace C.
Paradiso, John
Pardee, William M.
Pariseau, Joseph A.
Paskoski, Joseph J.
Peck, John R.
Peet, Raymond E.
Pelley, Everett H.
Pendergraft, Vernon L.
Pendleton, Charles A., Jr.
Perce, Earle B.
Perrin, George W.
Peterson, Robert F.
Peterson, Robert M.
Phelps, Richardson, Jr.
Phillips, Glenn E.
Phipps, Richard W.
Pickering, Herbert W.
Pickles, Ralph N.
Pilkington, Marinus
Piller, Marcel N.
Pine, Robert E.
Pittman, Milan L., Jr.
Polk, Jack O.
Pollow, Charles H.
Pomatti, Arthur P.
Popko, Sigmund
Porter, John E., Jr.
Potter, Edward H., Jr.
Prager, Morton A.
Prather, Hubert P.
Prescott, Elmer L.
Pridonoff, Eugene
Pruski, Leonard
Pump, Fred W.
Purcell, Jones W.
Puryear, Wilson G.
Pyne, George C.
Quillin, James C., Jr.
Radcliffe, Jessie H.
Rains, Encil E.
Ramsey, John W.
Ramsey, Marvin L.
Randall, John H.
Rapp, Lawrence B.
Rapp, William T.
Rash, Looie W.
Rasmussen, Albert L.
Rathbun, Leon H., Jr.
Rawls, Hollis C., Jr.
Rawls, Julian E.

Ray, Prentis R.
Raynor, Leon T.
Reck, Floyd F.
Reding, Willis B.
Redmond, Richard G.
Redwine, W. J.
Reed, Rollin M.
Reed, Roy E.
Rees, Joseph R.
Reeves, Roy S.
Regan, Robert F.
Reh, Frank J.
Rehnberg, Kay P., Jr.
Reigher, Joseph M.
Reinhardt, William C.
Rhodes, Raleigh E.
Rhodes, Thomas W.
Riblett, William R.
Rice, Dixon B.
Rice, Eugene J.
Rich, Charles W.
Richards, John M.
Riddle, Meredith C.
Ries, Herbert H.
Ringenberg, George W.
Rivers, William J.
Roach, Walter, Jr.
Roberts, Perry
Robie, Edgar A.
Robinson, Leonard
Robinson, Oscar E.
Robinson, Samuel J., Jr.
Robinson, Wayne D.
Robison, Charles D., Jr.
Rodenburg, Eugene E.
Ross, Donald K.
Rossell, Robert H.
Rourke, Robert A.
Rowell, Ira M., Jr.
Ruffin, Chester E.
Ruiz, Charles K.
Runion, Dallas B.
Russell, Kenneth M.
Russell, Thomas E.
Rustin, John I.
Rutledge, John R.
Ryan, John W., Jr.
Sahaj, Joseph
Salkowski, William F.
Sammons, Robert J.
Sampson, Courtney H.
Sanders, Charles
Sanders, Charles C.
Sanders, Kenneth T.
Sanders, Lewis B.
Sands, James F.
Sands, Pierre N.
Santti, Carl
Sapp, Clyde C.
Sappington, Merrill H.
Savio, Frank H.
Sawula, John
Saxton, Charles E.
Sayler, Richardson W.
Scales, Harrell H.
Scheibeler, Otis L.
Scherer, Lee R., Jr.
Schick, Joseph M.
Schimmelpfennig, Walter
Schmalfeldt, Victor A.
Schmidt, Harry E.
Schroeder, William
Schubert, William
Schweitzer, Vance A.
Scott, David A.
Scott, Ivan J.
Sedwick, John W.
Selby, Robert S.
Sell, Leslie H.
Selmer, Robert J.
Semanski, Stanley A.
Sencenbaugh, Donald W.
Sestak, Joseph A.
Sharp, Harry G., Jr.
Shaw, Frank J.
Shepard, Tazewell T., Jr.
Shepherd, John T.
Sheppard, Charles P.
Shepple, Byron G.
Shiffer, Kenneth F.
Shirley, James A.
Shively, Howard B.
Shoemaker, James M.
Shor, Samuel W. W.
Short, James W.
Shortall, James E.
Shouldice, Darcy V.
Shriber, Roy C.
Shultz, John W., Jr.
Shuttleworth, W. G., Jr.
Sibold, Arthur P., Jr.
Simdars, Paul H.
Simmons, Andrew K.
Simmons, Glenn E.
Simpson, William A.
Sinclair, Andrew M.
Siran, John M.
Skahill, John J.
Skjei, Sidney M.
Slocum, Winfield S., 3d
Slone, William J.
Smith, Fenton F., Jr.
Smith, Frederick W.
Smith, Kenneth D.
Smith, Lawrence M.
Smith, Leonard G., Jr.
Smith, Norman A.
Smith, Robert G.
Smith, Russel D.
Smith, Walter F.
Smith, William C.
Smithey, Talmadge A.
Smithson, Garnet M.
Snyder, Gordon A.
Sollenberger, Harold D.
Sorenson, Norman L.
Souza, Philip E.
Spencer, Howard J.
Spielman, James S.
Spreen, Roger E.
Stack, Martin J.
Stafford, James S.
Staley, David L., Jr.
Staley, Donald C.
Stanczyk, Stanley L.
Stanley, David S.
Stark, Robert E.
Stastny, Charles E.
Stecher, Robert W.
Steffen, Ernest W., Jr.
Stephens, Jerrel D.
Stephens, Walter
Sterrett, David S.
Stevens, Jean B.
Stewart, Charles M.
Stewart, Jamie "B"
Stewart, William G.
Stiling, David F.
Stimac, Naden F. J.
Storey, Stanford E.
Stough, Ben H., Jr.
Stowers, William C.
Strawhorn, Harold
Strayer, Louis M.
Strelow, Reuben E.
Strickland, Guy R.
Strohl, Mitchell P.
Strong, Hope, Jr.
Struble, Arthur D., Jr.
Stuart, Robert M.
Suggs, Charles L.
Suggs, Emmett C.
Sullivan, Arthur D.
Sullivan, Clifford W.
Sullivan, John P.
Sullivan, Joseph B.
Sullivan, Kenneth M.
Sumrall, Elton L.
Sutton, James C., Jr.
Swain, Ted N.
Sweeney, John M.
Swope, James S.
Symons, Floyd M.
Tabeling, Roy H., Jr.
Talbert, Cornelius H.
Taliaferro, Philip B.
Tate, Albert O.
Taylor, Clarence M.
Taylor, Donald C.
Taylor, Robert E.
Tazewell, John P.
Tefft, John E.
Templeton, Orion A.
Tervo, Aarne J.
Therrien, Leo E.
Thielges, Bernard A.
Thom, John L.
Thomas, John M.
Thomas, Milfred W.
Thomas, Sylvester A.
Thompson, Bert A.
Thompson, John G.
Thompson, Lewis E.
Thompson, Norman
Thorne, Cecil R.
Thorne, Fred H.
Thueson, Theodore S.
Thurmon, Norman E.
Tickle, Paul A.
Tidwell, Charles C., Jr.
Todd, James H.
Tolerton, Raymond C., Jr.
Tolleson, Robert T.
Toof, Robert B.
Toohey, William P.
Toon, Buster E.
Torrey, Julian A.
Torry, John A. H., Jr.
Trapani, Peter G.
Traylor, James T., Jr.
Trexler, Burton R.
Trittipo, Ivan L.
Trohanov, Orville W.
Tuggle, Charles M., Jr.
Turner, Henry C.
Turner, Humphrey L.
Turner, Russell
Turner, Thomas A.
Turnipseed, Truman E.
Tuttle, Louis K., Jr.
Umbarger, Bernard S.
Valencia, Eugene A.
Vallandigham, William W.
Vanaman, Herbert H.
VanNess, Harper E., Jr.
Vescovi, Americo J.
Viegelmann, Adolph
Vitucci, Vito L.
Volonte, Joseph E.
Vroom, Jacques E.
Waggener, Arthur R.
Wagner, Dennis A.
Wagner, Erwin J.
Waldman, Albert C., Jr.
Walkley, Charles U.
Walker, Delmar, Jr.
Walker, Lewis W., Jr.
Wall, Charles B., Jr.
Wall, Maurice E.
Wallace, Kenneth C.
Wallace, Wilfred G.
Walton, Donald F.
Waltrip, Furman D.
Ward, James R.
Warner, Robert E.
Wasco, Michael F.
Waters, Nathan F.
Watkins, Nelson J.
Watkins, Robert J.
Watkins, Walter R.
Watson, Richard
Watson, Samuel E.
Webb, Boyce S.
Webb, Charles D.
Webster, William S., Jr.
Weed, Sydney R.
Weeks, John M.
Weldon, Harry V.
Welling, Conrad G.
Wentz, Charles A.
Wesolowski, John M.
Wessinger, Hall B.
West, Horace B.
Westrup, Warren E.
Wharton, Claude A., Jr.
Wheatley, Bacil C.
Wheatley, John P.
Wheeler, Robert E.
Whisler, George H., Jr.
White, Gerald T.
White, Richard S., 3d
White, Roy C.
Whiteaker, James G.
Whitlow, Thomas J.
Wilburn, William C., Jr.
Wildfong, Daniel W.
Williams, Richard
Willis, Richard W.
Wills, James K.
Wilson, Archer W.
Wilson, Frederick C., Jr.
Wilson, Walter K.
Winter, Edward J.
Wissman, Robert G.
Witmer, Robert M.
Witting, Maurice E.
Woodall, Reuben F.
Woodside, Robert C.
Woodson, Halford
Woodward, Horace J.
Woodward, Lynn F.
Woodward, Nelson C.
Woolling, Robert F.
Wright, Robert C., Jr.
Wright, Wayne G.
Wunderlich, John F.
Wyatt, Micajah R.
Wynkoop, David P.
Yarnell, Lawrence R.
Yerger, Maury F., Jr.
York, Thomas H.
Young, Felix G., Jr.
Young, Howard S., Jr.
Yutkus, Julius J.
Yuzakewich, Alfred J.
Zeigler, Joseph S.
Zimermann, Richard G.
Zoeller, Robert J.
Zumwalt, Elmo R., Jr.
Achuff, John N.
Ahman, John C.
Aident, Charles C.
Alderman, Loren E.
Aldrich, Virgil F.
Alexander, Clyde E.
Algeo, John K.
Allbritton, Alton S.
Allen, Harold G.
Anderson, Robert K.
Annis, Elliott F.
Avery, Ellsworth C.
Ayres, Bickings T.
Baczenski, Frank J.
Baird, Chester S.
Baird, Ernest
Baldwin, Lucian E.
Barnard, William J.
Barnes, Arthur W.
Barrett, Thomas E.
Bartsch, Lauren H.
Bass, Ralph C.
Baxter, Ernest W., Jr.
Beadle, Robert H.
Beers, John
Bemis, William D.
Bendinelli, Donald A.
Bengel, William G.
Benham, Wallace E.
Berdalle, Louis J.
Bergmann, John P.
Bergstad, Ralph H.
Bertrand, Raymond A.
Biggers, Charlie C.
Bilderback, Arthur H.
Billig, August B.
Birchmire, Thomas H.
Bird, Leroy A.
Blackmore, William P.
Bloom, Eugene J.
Bonsack, William H.
Bosselet, Alfred J.
Boucher, Ausborn L.
Bowers, Allen G.
Bowman, Clingmon E.
Bramlett, Otho L.
Braun, John O.
Brewer, Charles E.
Bridwell, Paul W.
Briscoe, Carlton P.
Brown, Albert W.
Brown, Harold C.
Brown, John L.
Brown, Reginald O.
Brubaker, Claude C.
Buday, John
Buell, Clement A.
Buffington, Jack H.
Bunting, Arthur W., Jr.
Burr, James K.
Burton, James B.
Busby, Henry R.
Bush, William E.
Bushong, Clyde J.
Butler, Henry L.
Buttler, John F.
Byers, Elmer G., Jr.
Byron, Walter
Cadaret, Albert J.
Carlson, Carl F.
Carlson, Carl A., Jr.
Carmody, Edward A.
Carter, Delmar W.
Carter, Harold G.
Cartwright, Morgan R., Jr.
Chastain, Reagen T.
Chern, John R.
Clark, Cullen C.
Clark, Samuel E.
Coates, Ernest R.
Collier, Charles L.
Collier, Leland H.
Collins, Phillip E.
Collins, Wilson L.
Conley, Loy A.
Conser, Charles S.
Cooley, Wayne D.
Corbett, William C.
Cork, Richard "M"
Corkins, Charles W.
Cox, George E.
Crain, Leonard H.
Crain, Robert F.
Cravens, Eugene D.
Crews, Ellis P.
Cudney, Ellis J.
Custance, Elmer L.
Dallendorfer, Andrew J.
Darcy, John J.
Darrah, Frank
Davidson, Donald K.
Davidson, Thurman
Davis, Eugene R.
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DeBlanc, Ernest C.
DeForest, Don C.
DeJarnatt, Dallas K.
Dickinson, Russell C.
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Dowdy, Thomas L.
Dower, Victor H.
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Drott, William L.
Dukelow, Clarence W.
Dukes, Jesse M.
Dunn, Harvey G.
Eaton, Charles R.
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Edgeworth, Richard L.
Edsall, Edgar R.
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Elder, Roy T.
Engel, Joseph C.
Epperly, Virgil L.
Ernst, Clyde L.
Eschmann, Walter H.
Esders, Wilhelm G.
Evans, Samuel L.
Farrar, "J" "C"
Fauber, Robert S.
Fields, William L.
Fisher, Willie C.
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Forman, Conrad M.
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Fournier, Joseph O., Jr.
Fowlston, John J.
Frazier, Erwin B.
Fuller, Joseph D.
Gabriel, Harold C.
Gaines, John B.
Galassi, Francis B.
Garrett, Dennis
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Giacomelli, Frank J.
Gilmore, Joseph C.
Gindling, Howard F.
Glidden, Harold R.
Golian, Andrew, Jr.
Good, Clarence W.
Gould, James R.
Graves, Rowlett L.
Gray, Kenneth E.
Green, Keith A.
Gregg, James H.
Gregg, Robert A.
Griffin, Bruce M.
Griffin, Raymond H.
Grimes, Joe W.
Groebler, George A.
Gustafson, Karl W.
Gysi, John G.
Hagler, Frank V.
Haglund, Russell M.
Hahn, Vernon M.
Hall, Marlin L.
Hall, Vaness F.
Halpin, John B.
Ham, Jesse W.
Hammock, William R.
Hansen, Lilo G.
Hanson, Reinold H.
Harman, Julius W.
Harmond, Dolan A.
Harrison, John M.
Hart, Bernice C.
Hart, Marvin
Hartsell, Harry V., Jr.
Haskamp, Alvin J.
Hastings, Harold E.
Hawkins, Joseph K.
Hayford, Lyle D.
Healy, Joe M.
Hearst, Ray
Heck, Chester W.
Heft, Norman E.
Heggie, James B.
Heidenreich, George
Hein, John A.
Henderson, James W.
Henderson, Paul E.
Henderson, Frank J.

Herb, Alfred B.
Hesson, James F.
Hickey, Chester O.
Hill, Ulmont C.
Hima, Dennis
Hock, Herman E.
Horsman, Donald G.
Housh, Thomas J.
Howard, Marcus N.
Howie, James M.
Hoyt, Leroy L.
Huettel, Roy E.
Humphreys, Maynard E.
Hunter, Murray J.
Hurley, Jack E.
Hutts, James D.
Jackson, Herman V.
John, Herman F.
Johns, Daniel E.
Johnson, Albert M.
Johnson, Leroy T.
Johnson, Melverne E.
Johnson, Russell C.
Jones, Granvil H.
Jordan, Paul C.
Jowdy, Albert M.
Julian, Ned N.
June, Russell Q.
Kane, Harry F.
Keefe, Joseph F.
Keesey, Edward R.
Keizur, Ernest T.
Kelso, Stanley J.
Kemmerer, Carl E.
Kennon, Randall F.
Keys, Stuart D.
Kilborn, Jessie
King, Charles W.
Kinney, Van M.
Kirinich, Andrew
Kisela, Joseph
Kivell, Lloyd M.
Knight, John J.
Kruetzfeldt, Herman B.
Kunz, Melvin M.
Labo, Howard G.
Lacy, Leamond F.
Lahmann, Stephen F.
Langworthy, Richard W.
Lawrence, Oscar O.
Layne, Charles W.
LeCompte, James W.
Lecompte, Melville.
Leewe, Milton W.
Lewis, Aerlyn M.
Liechty, Dave A.
Lindhjem, Neil H.
Lindstrom, Julien E.
Linn, Ray S.
Lisenby, Harry C.
Lock, Earl W.
Lockwood, David S.
Logan, William C., Jr.
Lubbock, Clyde G.
Lyles, Glenn E.
Lynch, Claude L.
Lynch, George M.
Lynch, John I.
Lyons, Arthur T.
MacGill, Harry L.
Machalinski, Alois R.
MacNeil, John W.
Mahaffey, Clarke R.
Malone, Odie
March, Warren T.
Martin, John C.
Mathys, Harry E.
Matthews, Isthmael W.
Matthews, Roy J.
Mayabb, Virgil M.
McAnn, James L.
McCabe, James E.
McCarthy, Walter L.
McCormick, Marvin P.
McCown, Walter
McDonald, Francis O.
McGrady, Waldo J.
McIntyre, Francis H.
McKinney, Millard G.
McLaren, David G.
McMillan, Donald J.
McRae, Robert D.
McWatty, Ernest C.
Melvin, Fred H.
Messick, Harry J.
Metz, Frank
Miller, Donald L.
Miller, Roy
Minneman, Fred L.
Minyard, William C.
Mitchell, John D., Jr.
Mitchell, Lloyd R.
Morgan, Daniel H.
Morgan, Frederick L.
Moritz, Jack T.
Morris, Arthur S.
Morse, Arthur I.
Moser, Kenneth L.
Mounger, Temple B.
Mountain, Wilbur E.
Mueller, Richard K.
Murphey, Ernest B.
Myers, Arthur R.
Neal, Frank E.
Near, Jesse L.
Nelson, Harry T.
Nelson, Ivan G.
Nichols, Robert L.
Noel, James J.
Norwood, Carroll H.
Nowack, Harry F.
Nuss, Leo T.
O'Donnell, Joseph P.
Oliver, Allen
Olliver, George R.
Olson, Harold P.
Orand, Elden D.
O'Reilly, Henry F.
Ozenberger, Elmer W., Jr.
Palmer, William G.
Pandzik, George R.
Parker, Alvin D.
Parra, Edward J.
Parsons, James C.
Partis, George
Pawela, Frank J.
Peak, Doyle
Perdok, Michael
Perecko, Julius J., Jr.
Peterson, Clarence J.
Peterson, James C.
Pettit, Hubert H. S.
Philip, Charles
Phillips, Boyce, D.
Phillips, Joseph J.
Pieper, Walter F.
Pilson, Louis J.
Pinch, Jack O.
Pittam, George E.
Pitts, Clyde
Poole, James S.
Porter, Henry L.
Post, Robert W.
Pound, Robert C.
Powell, Henry O.
Pratt, Damon J.
Price, Morris C.
Provin, Lee R.
Prue, Grant W.
Purcell, Jack R.
Quesenberry, Mawyer V.
Raab, Paul J.
Ragsdale, Charles C.
Ramsey, Ira B.
Rath, Robert L.
Raymond, Henry H., Jr.
Reed, Kenneth L.
Reese, David H.
Reid, James E.
Reid, Jewell H.
Rennert, Paul Z.
Richardson, Curtis M.
Riddle, George E.
Riggan, Samuel H.
Riggs, Hiram A.
Rightmeyer, Harry H.
Ripley, Ormel F.
Ritter, Preston R.
Roberts, Nelson E.
Robertson, Thurmond E.
Robinson, James W.
Robinson, Stanley J.
Rocher, Chester R.
Rodgers, Walter U.
Roper, Jasper H.
Rose, Angus W.
Ross, Clarence B.
Rostien, Jack C.
Runyan, Lester E.
Runyon, Donald E.
Sanders, Clinton F.
Satterwhite, George B.
Schafer, Carl J.
Scheffler, Hubert W.
Schmedes, Joseph T.
Schmidt, Augustine E., Jr.
Scholer, Frederick W.
Schwahn, Joseph L.
Scott, Leonard P.
Scott, Walter E.
Seene, Jacob, Jr.
Shannon, Robert C.
Shaver, William R.
Sheller, Lawrence E.
Shenton, Thomas L.
Sherfey, Samuel W.
Shields, Charles W.
Shoemaker, Kenneth
Sills, Joseph R.
Simerville, Louis R.
Simpson, Harold M., Jr.
Sinclair, Pierre M.
Skadowski, Karl E.
Skinner, Walter P.
Skjaret, Jalmer H.
Sledge, Milton C.
Smathers, Hilliard C.
Smith, Boudinot L.
Smith, Julius S.
Smith, Walter C.
Smith, William H.
Smithson, Albert E.
Smithwick, Robert W.
Snay, Charles A.
Sokulski, Stanley A.
Sosnowsky, Edward L.
Sotak, John W.
Southland, Johannes
Spangler, Clarence M.
Spangler, Kenneth E.
Spike, Torrance G.
Spilker, Harold F.
Spitzer, Cecil E.
Sproule, Alexander A.
Stanger, John R.
Starck, Louis C.
Stark, Stanley D.
Steenman, Oliver F.
Steffa, Edward D.
Steier, Elmer B.
Stephens, James M.
Stephenson, Joseph E.
Stewart, Erwin R.
Stimpert, Harvey A.
St. Pierre, Francis W.
Strawhecker, Lester O.
Stuffler, Frank N.
Sumrall, Howell
Sutherlin, Donald E.
Swinson, Walter H.
Talbot, Maurice P.
Tarkowski, Lawrence
Tate, Thomas R.
Teaford, Howard C.
Tellin, Raymond C.
Thompson, Lloyd J.
Thompson, Lowell E.
Thompson, Ralph M.
Thornton, Robert L.
Thorp, David S.
Thorpe, Thaddeus
Timmerman, John T.
Treadwell, James L.
Trimble, Howard S.
Triplett, Franlin A.
True, John R.
Turner, Arcia O.
Turnquist, George
Tutt, Alvin H.
Tyndall, Luther L.
Uht, Christian E.
Underwood, Albert B., Jr.
VanBibber, Charles E.
VanOver, Roswell
Vaught, Claudie R.
Vautrot, Joseph N.
Vermeersch, Rennie
Vollman, Leonard W.
Waddell, Harry
Wagner, Richard O. E.
Wagoner, Leonard H.
Walker, Charles H.
Wallace, Johnny L.
Wallace, Martin H
Walls, "J" Herbert
Ward, Raymond E.
Weaver, Hubert A.
Webber, George W.
Weber, Edgar H.
Weddle, William H.
Weir, George T.
Wells, George B.
Wells, William
Werner, Leonard H.
West, Walter G.
Westergaard, Clarence W.
White, Almon E.
White, Artie F.
Wiegand, Rudolf P.
Wilfong, Thomas L.
Willhoite, Robert B.
Williams, Andy W.
Williams, Charles A.
Williams, Frederick E.
Williams, Loris D.
Williams, Pinckney M.
Willis, Harold R.
Wilson, Edgar L.
Wilson, James C.
Winchell, Albert W.
Wingo, Leonard A.
Wood, Jesse V.
Wood, Malcolm L.
Wood, Ollin L.
Woodliff, Roy A.
Woody, Myrrl M.
Wundram, Horace J.
Young, James D., Jr.
Young, William E.
Zuehlke, Arthur R.

MEDICAL CORPS

Adams, Jesse F.
Atkinson, Thomas E., Jr.
Bachman, Kenneth P.
Banks, Lawrence E.
Beckman, Edward L.
Brooks, Ralph K.
Capron, Manley J., Jr.
Clare, Frank B.
Cooper, Henry R.
Courtney, Marvin D.
Cronemiller, Philip D.
deWilton, Edward L.
Faaland, Halvdan G. K.
Hill, Howard W.
Holloway, Charles K., Jr.
Jones, Edward A.
Kibler, Robert S.
May, Albert L., Jr.
McCabe, John F.
Neikirk, William I.
Newton, Charles B.
Palmer, John R., Jr.
Pruett, Carl E.
Robinson, William C.
Root, Charles P., Jr.
Smith, Bruce H., Jr.
Stalter, Robert A.
Stoecklein, Herbert G.
Stover, John H., Jr.
Tarr, George H., Jr.
Watkins, Dale B.
Wetzel, Frederick E.
Wineinger, Gerald E.

SUPPLY CORPS

Adams, Henry T., Jr.
Allen, Stuart R.
Anderson, Eugene F., Jr.
Armstrong, Earl F.
Baldwin, Frank A.
Barbero, Francesco M.
Barlie, Emmett O.
Barnhard, Clyde C.
Barton, John J.
Beasten, Robert C.
Bellew, Michael F. X.
Brittain, Joe T.
Brown, Daniel W.
Burnett, Howard W., Jr.
Caporaso, John J.
Carroll, Claude I., Jr.
Colquhoun, James D.
Cooper, John W.
Corcoran, James E.
Culver, Fred C.
Daniels, Royce L.
Dinsmore, Dale D.
Dreyfous, Lewis E.
Emrick, Charles E.
Farrell, Thomas C.
Findlay, George J.
Flowers, Woodford L.
Foster, Thomas E., Jr.
Furtwangler, Leo E.
Garrett, John H., Jr.
Gerhardt, Robert J.
Gilbert, William O.
Giuli, Vincent P.
Greene, Daniel W.
Gregg, Frank V.
Grey, James E.
Griffin, Gerald L., 2d
Grimsley, Geleter
Guelff, Pierre H.
Halla, George F.
Hanson, Frank O.
Hardacre, Francis W.
Hart, Robert F.
Haskell, John W.
Hauge, George E.
Herrick, Eugene G.
Higgins, Simeon G.
Hoft, John W.
Holtslander, Herman S.
Hooper, John C.
Hubona, Michael
Hughes, Augustus P., Jr.
Jack, Ralph H.
Johnson, Henry R.
Jones, Joseph C.
Jones, William B.
Kasprzak, Stephen L.
Kauffman, Sewell T.
Keefer, John A.
Kerr, Algernon H., Jr.
Klofkorn, Kenneth R.
Knapp, Michael J.
Kosky, Walter H.
Kriz, Joseph A.
Krueger, Henry C.
Lampshire, Harvey R.
Landers, Elmer S.
Lanes, Earl V.
Leedy, Ralph G.
Leidel, Oscar W., Jr.
Lewis, John M., Jr.
Lewis, Wellington H.
Linden, Clarence W.
Lindsey, Richard A.
Link, Milton A.
MacDonald, Albert M.
Mago, Bernard A.
Martin, Daniel L.
McKenna, William J.
McWilliams, William G., Jr.
Mogle, Howard N.
Moore, John C.
Morton, Emery L.
Morton, Frank M., Jr.
Newsome, Robert F., Jr.
Nicks, Paul B.
Normile, Walter G.
Parrish, Melvin O.
Peach, William T, 3d
Prince, Carl A
Rapp, Harry L.
Raynes, James E.
Rhoades, Benjamin A., Jr.
Rye, William A.
Sanders, Joseph E.
Sanford, Edward A., Jr.
Schweizer, Earl G.
Sharon, Horace D.
Shawkey, Arthur A.
Sherer, Ramon A.
Shirley, Joseph R.
Sieck, John F.
Sikes, Thomas J.
Simmons, Robert C., Jr.
Sirginson, Arthur W.
Smith, Frank W.
Smith, William A.
Stevens, Lester L.
Swint, Elwin O.
Tolleson, Carlos L.
Tolson, Walter W.
Wade, John W.
Walker, John K.
Warden, John L.
Waters, George C., Jr.
Weatherson, Frederick W.
Wheeler, Lawrence A.
Whelan, Robert E.
Whitaker, Frank A.
Whitcher, Lamar D.
White, Ernest C.
Whitener, John H.
Williams, Douglas O.
Wilson, Robert H.
Wolfe, George M., Jr.
Wood, Russell K., Jr.
Wright, Jack L.
Yadon, James D.
Zivnuska, Robert W.

CHAPLAIN CORPS

Beukema, Henry J.
Ford, Edmund J.
Gendron, Anthony L.
Helmich, Edward C.
Hollingsworth, John E., 3d
Lindquist, Loren M.
MacNeill, Harold A.
Markley, John H.
McManus, Hugh T.
Noce, William S.
Sassaman, Robert S.
Tubbs, Joseph J.
Wiese, Oliver F. L.

CIVIL ENGINEER CORPS

Avera, Ewing L.
Brown, Woodrow M.
Callahan, John F.
Cline, Warren F.
Corn, Harold D.
Davis, Wendell G.
Denman, Justin D.
Epps, Robert W.
Foster, Edmund R., Jr.
Gassett, Charles M.
Gorman, Joseph W.
Grubb, Clarence A.
Hansche, Frank C., Jr.
Hobson, Harold E.
Jones, Jack J.
Jones, Joseph V.
Lakos, Eugene A.
Larson, Lief R.
Laughlin, Richard A.
Lewis, Chester A.
Martinson, Norman L.
Martiny, Eugene F.
Masters, Claude D.
McPhillips, James E.
Meeks, Arthur F.
Miller, William A.
Nuckel, John, Jr.
Pickett, Bryan S.
Pollock, Jack P.
Trzyna, Zbyszko C.
Underhill, Edward G.
Young, Oran W. V.

DENTAL CORPS

Blackwood, Robert M.
Curreri, Rosolino J.
Hedman, Warren J., Jr.
Hurka, Joseph S.
Joseph, Robert L.
Kaires, Anthony K.
McGonnell, Joseph P.
Moore, Edward W.
Oesterle, Albert R.
Peterson, Richard V.
Phillips, Robert D.
Reilly, John V.
Rudolph, Charles E., Jr.
Schneider, John J.
Scott, Ralph H. S.
Stoopack, Jerome C.
Trick, Wilbur A.
Walter, George W., Jr.
Williams, Robert M.

MEDICAL SERVICE CORPS

Anderson, Chalmers L.
Austin, Paul L.
Barboo, Samuel H.
Barunas, George A.
Bond, Leslie E.
Boston, Lester E.
Brenner, Sidney G.
Brooks, Roy T.
Buckner, James F.
Burton, Herman H.
Chartier, Armand P.
Chevrefils, Francis A.
Collins, Joseph W.
Combs, Harry W., Jr.
Cox, Paul R.
Daul, Arthur P.
Dreitlein, William M.
Duwel, Bernard F.
Eisman, Leon P.
Elsasser, Leo J.
Floyd, Thomas M., Jr.
Fowkes, Conard C.
Francisco, Joseph E.
Frontis, Irving
Gadberry, Dwight L.
Haase, Edward F.
Hall, Heyward E.
Henry, Robert L.
Hibdon, Lawrence E.
Hill, Stanley E.
Huber, Melvin P.
Isert, Lawrence L.
Johnson, George A. L.
Keizur, Marques E., Jr.
Kelley, John E.
Kent, Paul R.
Lawson, Clifford R.
Lee, Arve
Lewis, Frederick J., Jr.
Lewis, Ramon C.
Lewis, Roy D.
Lewis, William C.
Linder, Harry H.
Luckie, Robert G.
Maddox, Edgar J.
Mann, Charles F.
Millard, Matthew J.
Miller, Denny S.
Mitchell, Frank J.
Moss, Vernon T.
Oley, John A.
Pittser, Clay E.
Price, Kenneth L.
Pryor, Lawrence E.
Quigley, Charles V.
Roepke, Fred C.
Rutter, John M.
Sant, John
Schweinfurth, Karl E.
Shea, Thomas E., Jr.
Skow, Royce K.
Smith, James P.
Stains, George S.
Stevens, Eugene
Stovall, Earnest R.
Taylor, Andrew A.
Taylor, Hugh M.
Tidwell, Herman B.
Vasa, Ralph L.
Westbrook, Francis L.
White, Erwin W.
Wilford, Walter H.
Willgrube, Wayne W.
Wilson, Percy C.
Witcofski, Louie K.

NURSE CORPS

Burk, Alberta S.
Danyo, Anna
Dolloff, Ellen N.
Dvorak, Gladys E.
Erickson, Ruth A.
Haley, Margaret L.
Lampp, Clara L.
Lange, Estelle K.
Moesser, Maxine M.
Monahan, Dorothy P.
Nelson, Gertrude H.
Quebbeman, Francis E.
Shavia, Rosemary
Warner, Myrtle M.
Wilson, Judy N.

For temporary promotion in the Naval Reserve

LINE

Adams, George M., Jr.
Allen, Clifton C.
Allen, Harold G.
Allen, Louis W.
Anderson, Marvel L.
Arthurs, Richard
Avila, Frank W.
Bagbey, William B.
Bair, James K., Jr.
Bannon, Marvin L.
Bartell, Frederick J.
Baumann, Henry R.
Beebe, Henry P.
Belanger, Henry O.
Belmore, Brainard J.
Bomberger, George K.
Boyd, Herschel B.
Britt, Gilbert A.
Bunch, Walter P.
Burwell, George A.
Bush, George B., Jr.
Bushner, Francis X.
Campbell, Truman F.
Chapman, Cedric L.
Clark, Thomas F.
Clarke, Leo C.
Coletti, Vincent J., Jr.
Collins, Frank T.
Craddock, Felix B.
Crawford, Robert V.
Crispell, Albert E., Jr.
Cross, James J., Jr.
Crowder, William T.
Dallas, Allen K.
Davis, Arthur C., Jr.
DeFay, Theodore G., Jr.
Downes, Robert S.
Drake, Thomas R.
Dyer, William W.
Erwin, James C.
Fagerland, Robert H.
Featherstone, Charles M., Jr.
Fellows, Fred J.
Ferus, Stanley W.
Fey, George W.
Fielden, Robert W.
Foster, John P.
Galvin, Daniel T.
Germain, H. H.
Gore, Charles M.
Graham, Allen J.
Haggard, William H., II
Hammet, Benjamin F.
Hancock, Stoddard P.
Hardenburg, Henry T.
Hardey, James W.
Harrison, William E.
Henson, John G.
Hirschfeld, Henry G.
Hoffman, Deuane M.
Holk, Elmer M.
Horn, Revella W.
Hunnicutt, William V.
Jones, Clayton D.
Kastantin, Julius
Knechtel, Alton S.
Knight, Charles M.
Kruse, William C.
Kugler, Edwin B.
Kuhn, Martin, Jr.
Lacy, John C.
Lassiter, James E.
Lawler, Joseph J.
Lee, Charles L.
Leonard, John I.
Lichliter, Leroy L.
Lingar, Allon B.
Lovejoy, Gordon B.
Lynn, Kane W.
MacCormack, Ewan A.
Madine, Robert W.
Magee, Fred I.
Manson, Armand G.
Marten, William H.
Martin, Edward B.
Masterson, Christopher R.
McAvoy, William J.
McCoy, George W.
McCullough, Harry R., Jr.
McIntosh, Ellsworth L., Jr.
McIntyre, John A.
McLean, Coll H.
Meade, Edward G.
Meehan, Joseph P., Jr.
Menard, Bronley M.
Meyer, Anton A.
Mickle, Francis L.
Mielke, Reyo C.
Milius, Gay E., Jr.
Morray, Joseph P.
Mortensen, Ralph H.
Mueller, Gerald J.
Mueller, Henry V.
Mullenix, Marvin B.
Mullins, Kennedy F.
Mullon, Franklin G.
Munkasey, Paul F.
Nutt, Francis N.
O'Connor, James F.
Orr, Paul P.
Palmer, Glenn I.
Partridge, Benjamin W., Jr.
Patterson, Edward R.
Potter, Robert R.
Powell, John W.
Prade, Nathaniel H.
Prentiss, Paul T. K.
Quinn, Thomas E.
Raish, Leonard R.
Ray, Thomas W.
Riggs, Joe R.
Riveland, Harold R.
Roebuck, Mac J.
Rogers, Colletus A.
Ross, William C.
Rowe, John R.
Rucker, Louis D.
Sanborn, Vincent G.
Saunders, David G.
Schultze, Donald P.
Sellers, Daniel N.
Shaw, Clyde A., Jr.
Sherrard, Andrew C., Jr.
Shoemaker, Robert F.
Simpson, Edward W.
Slane, James F.
Smith, Charles W.
Smith, Harold E.
Smith, Harvey F., Jr.
Smith, Jay B.
Snight, Eldridge A.
Solomon, Bernard S.
Spooner, Gordon F.
Stames, William A.
Taylor, John A.
True, Elroy G., Jr.
VanBuren, Robert L.
Vencill, Charles A.
Vollberg, Ernest M.
Wagner, William R., Jr.
Weland, John E.
Wells, Robert W.
Wendell, John H.
Wheelahan, Edmund J.
Williams, Joshua F.
Williamson, Beverly P.
Zimmerman, Edwin J., Jr.
Zoecklein, Walter O.

SUPPLY CORPS

Brobston, Walter M.
Dellman, William F.
Fox, Karl G.
Fullam, Ralph E. S. E.
Moffett, Virgil V.
Wallis, Fred M.

CHAPLAIN CORPS

Andrews, Edwin W.
Boyle, Laurence E.
Burke, Thomas J.
Crain, Loren O.
Geary, Joseph M.
Handran, Ralph E.
Lane, William P.
McMillen, Gervase C.
Naughten, Gabriel J.
O'Connor, Leslie L.
Palubicki, Gregory J.
Tillman, Thaddeus J.

CIVIL ENGINEER CORPS

Baer, Harold H.
Bittenbring, Charles, III
Capwell, Carl W.
Fales, Willard C.
Jaquess, Ronald C.
Jung, Joseph W.
Nordbye, Lee O.

DENTAL CORPS

Blancheri, Raymond L.
Bostian, Paul
Foss, Calvin L.
Gilson, Thomas D.
Hughes, Francis W.
Kostelecky, William L.
Kuhrtz, Kenneth L.
MacDonald, Dexter R.
Marquis, Donald T.
Susewind, Simon W.
Solomon, Robert D.
Stowell, Ralph H.

NURSE CORPS

Grimes, Mary C.

MEDICAL SERVICE CORPS

Molish, Herman

The following-named officers of the Nurse Corps of the Navy and the Nurse Corps of the Naval Reserve on active duty for temporary promotion to the grade of lieutenant commander, subject to qualification therefor as provided by law:

For temporary promotion in the Navy

Adrian, Lois E.
Allgeier, Althea E.
Alvord, Bertha I.
Arnold, June E.
Aycock, Martha O.
Baer, Annette
Ballantyne, Alma C.
Barclay, Kathryn
Bare, Thelma R.
Bartos, Josephine T.
Bates, Virginia M.
Battin, Ethel L.
Becker, Dorothy C.
Bednarski, Pauline M.
Belden, Virginia C.
Benjamin, Lucy R.
Benson, Anna J.
Benson, Wilma M.
Berry, Margaret R.
Beumer, Lucille M.
Blaska, Burdette M.
Boyle, Helen L.
Brandenburg, Martha O.
Brochtrup, Rita M.
Brown, Iva H.
Brown, Lois E.
Brown, Mary J.
Browne, Ruth A.
Bussey, Gladys V.
Carlson, Eloise M.
Cheek, Marie M.
Chipman, Virginia R.
Clark, Hazel E.
Clarke, Rita D.
Coderre, Evelyn I.
Cohen, Ruth M.
Cole, Deon
Collins, Jeannette
Company, Eleanor M.
Coughlan, Joan M.
Coxsey, Essie E.
Crenshaw, Mary E.
Daughtry, Edna M.
Davis, Celia M.
Delfs, Rosa J.
Dunning, Carol L.
Duwe, Elizabeth M.
Egan, Anne M.
Ellingson, Norma A.
Entriken, Helen S.
Erickson, Evelyn I.
Fannan, Helen R.
Feezor, Thelma L.
Flanagan, Rose A.
Flickinger, Ruth L.
Frazier, Florence M.
Gale, Dorothy M.
Gavelek, Tekla S.
Givens, Iris E.
Glancy, Evelyn D.
Goldthwaite, Marie B.
Gresko, Mary
Grzelka, Mary A.
Hankey, Lorraine M.
Hanwell, Muriel
Harrington, Eleanor M.
Harrington, Mary A.
Hase, Thelma B.
Holte, Edna P. H.
Houp, Geraldine A.
Houska, Pearl K.
Jacobs, Grace E.
Janc, Cecilia R.
Johnson, Edna I.
Jones, Dorothy E.
Jones, Virginia E.
Kaes, Anna A.
Kieler, Lydia F.
Kirk, Bertha M.
Klein, Ruth O.
Knowles, Marie A.
Knox, Nathalia A.
Kroush, Nina M.
Lahr, Arleen E.
Langton, Mary M.
Lavigne, Rose H.
Lee, Barbara D.
Lepine, Martha M.
Liebman, Leara B.
Linnenbruegge, Hedwig M. E.
Linnett, Catherine
Linville, Delma U.
Little, Frances L.
Lowe, Nancy C.
Martin, Mary A.
Mauldin, Norma E.
McCarthy, Helen G.
McDaniel, Mona L.
McKinney, Dorothea J.
Messer, Elna C.
Miller, Elizabeth L.
Minkel, Eva M.
Mitchell, Rachel L.
Moeller, Ruth I.
Nelson, Harriet A.
Noteware, Margaret A.
O'Brien, Elizabeth
O'Bryant, Blanche M.
Olson, Louise B.
Otero, Lucille M.
Penkunas, Nellie M.
Phillipps, Dolores C.
Pintnar, Anna M.
Pongratz, Marie A.
Poulter, Marion
Poytress, Anne J.
Pressley, Patricia S.
Price, Frances F.
Reilly, Alice R.

Rhoades, Helen M.
Sagawe, Julia M.
Samonski, Helen
Sanderson, Laura M.
Scheips, Edna M.
Schmidt, Esther L.
Scott, Margaret E.
Seidl, Elizabeth B.
Shedyak, Alice M.
Shurr, Agnes G.
Smith, Catherine I.
Smith, Ellen E.
Smith, Hattie B.
Smoker, Sue E.
Soto, Margaret M.
Springer, Virginia F.
Stearns, Lina
Stickles, Norma V.
Stutler, Edna M.
Styron, Ruth H.
Thomas, Rachel E.
Thompson, Vera E. K.
Thurber, Mabel G.
Townsend, Edna L.
Tulin, Flora
Tyson, Emma E.
Vaubel, Valera C.
Vaughn, Mary A.
Vitillo, Angelica
Von Stein, Marjorie E.
Wallace, Nancy I.
Walton, Maude S.
Warner, Edla C.
Williams, Kathryn E.
Wilson, Doris A.
Wolfgang, Mary I.
Woodall, Gwenevere
Zinkus, Katherine A.

For temporary promotion in the Naval Reserve

Baer, Ardath J.
Baskin, Lois M.
Dominique, Alice H.
Harrell, Esther C.
Jenkins, Margaret B.
Milsted, Lucille H.
Nixon, Frances B.
Retzlaff, Viola B.
Stewart, Lillian
Vecchione, Claire M.
Wilkinson, Olive M. P.

The following-named women officers of the Navy for permanent promotion to the grade of commander, subject to qualification therefor as provided by law:

Council, Dorothy I.
Rich, Elinor D.
Shilling, Katherine E.

The following-named line officers of the Navy for permanent promotion to the grade of lieutenant (junior grade), subject to qualification therefor as provided by law:

Backman, Fred M.
Ball, Millard C.
Davis, Cecil C.
Messina, Sylvester C.
Sherman, Lee H.
Skyrud, Jerome P.

The following-named lieutenant commander of the line of the Navy for transfer to and permanent appointment in the Supply Corps of the Navy with the grade of lieutenant commander:

French, Ferris L., Jr.

The following-named line officers of the Navy for transfer to and permanent appointment in the Civil Engineer Corps of the Navy with the grade of ensign:

Aquadro, Lincoln
Coates, Edward E.
Chouree, Jack M.
Eline, Gervase F., Jr.
Fitzgerald, Nathan M., Jr.
Gaskin, Herbert L., Jr.
Haycraft, William R.
Hervey, Frank, Jr.
Huston, Robert J.
Myers, Clayman C., Jr.
O'Haren, Patrick J.
Reedy, Roger F.
Shaw, Robert W.
Stump, Edward J.
Wagner, Ralph L.
Wiederecht, Donald A.

The following-named chief warrant officers W–3 of the Navy for permanent promotion to chief warrant officer W–4, subject to qualification therefor as provided by law:

Dougan, George M.
Forkner, Charles A.
Hatch, Ellsworth K.
Kerrell, Joseph H.
Mason, Clyde S., Jr.
Moran, Franklin D.
Myers, John W.
Nolan, Michael A.
Poston, Charles G.
Secl, Joseph
Spear, Russell G.
Sullivan, John E.

The following-named (Naval Reserve Officers' Training Corps) to be ensigns in the Navy, subject to qualification therefor as provided by law:

Barr, Ronald L.
Bean, Alan LaV.
Blackmar, Frederik S., III
Burt, Charles N., Jr.
Craven, William D.
Doyle, William J.
Ferguson, William H.
Fulcher, Clay W. G.
Hays, John T.
Lima, John M.
Livingston, Daniel S.
Pruett, James H., IV
Schott, Charles E.
Shearer, Warren D.
Starke, Clinton J.
Stoner, Charles L.
Swenson, Thomas F.
Wilking, Richard P.
Woolaway, Thomas P.
York, Howard L.

The following-named (Naval Reserve Officers' Training Corps) to be ensigns in the Navy as previously nominated and confirmed, to correct name, subject to qualification therefor as provided by law:

Herren, Philip C.
Wetzel, Weslie W.

The following-named Reserve officers to the grades indicated in the Medical Corps in the Navy, subject to qualification therefor as provided by law:

LIEUTENANT

Bennett, Wayland
O'Connell, Patrick F.

LIEUTENANT (JUNIOR GRADE)

Foster, Donald J.
Francis, Cercy D.
Hemness, Edwin M.
Staggers, Frank E.

Gioconda R. Saraniero (lieutenant commander, Medical Corps, United States Navy) to be commander in the Medical Corps in the Navy, subject to qualification therefor as provided by law.

Mary T. Lynch (civilian college graduate) to be lieutenant in the Medical Corps in the Navy, subject to qualification therefor as provided by law.

The following-named Reserve officers to be lieutenants (junior grade) in the Chaplain Corps in the Navy, subject to qualification therefor as provided by law:

Clayton, Walter "B," Jr.
Davis, Joe A.
Holland, Harry W., Jr.
Huffman, William W.
Stewart, Dell F., Jr.
Youngerman, Theodore R.
Zeller, Dwight F.

The following-named civilian college graduates to be lieutenants (junor grade) in the Chaplain Corps in the Navy, subject to qualification therefor as provided by law:

Belda, Albert G.
Bevan, Leroy A.
Firth, Harry B.
Jensen, Andrew F., Jr.
Morgan, Ralph O., Jr.
Williams, LeGrant E.

The following-named Reserve officers to the grades indicated in the Dental Corps in the Navy, subject to qualification therefor as provided by law:

LIEUTENANT COMMANDER

Gabrels, Wilton R.
Stanford, Walter O.

LIEUTENANT

Carmen, Marvin
Englander, Harold R.
Hancock, Joseph G.
James, Thomas L.
Meeks, Stanley
Pryles, George V.

LIEUTENANT (JUNIOR GRADE)

Janus, John T.
Lyons, James J.
Messina, Richard J.
Phillips, James W.
Shreve, William B., Jr.
Slagle, Lowell E.
Swan, Walter D.

The following-named civilian college graduates to be ensigns in the Medical Service Corps in the Navy, subject to qualification therefor as provided by law:

Barrett, Neil K.
Beyer, Charles E.
Brandon, Daniel A.
Brannon, Joe F.
Carpenter, Arden R.
Curto, James C.
Dietch, Michael M., Jr.
Gallaher, Robert E.
Goon, Melvin H.
Hartley, Robert L., Jr.
Holston, Charles A.
Janson, Harold J.
Keesee, Robert C.
Long, William L.
McComb, Gordon S.
Miller, Harry P.
Oleson, Russell H.
Oswald, Charles A., III
Reed, John R.
Richardson, James W.
Riser, Ellis W.
Schaffner, Leslie J.
Sloan, Marshall
Smout, Jay C.
Talley, Russel L.
Tatum, Raymond B.
VanBuskirk, Floyd W.
Woodham, James T.
Morris, Carlton R.

James P. Anderson to be a temporary chief electrician in the Navy, subject to qualification therefor as provided by law.

The following-named (Naval Reserve aviators) to be ensigns in the Navy, subject to qualifications therefor as provided by law:

Anderson, Charles A.
Archer, Burton E., Jr.
Bassett, Jerry S.
Benton, Jerry S.
Boehmer, Arthur W.
Bozeman, Henry G.
Bruning, Richard A.
Caines, Robert H.
Cann, Tedford J.
Clare, James S.
Clark, William B., Jr.
Curry, Thomas E.
DaRodda, Aldo J.
Day, Arthur R.
Edwards, Forrest L.
Finney, Jack L.
Harris, James W.
Helms, Harlie B., Jr.
Higgs, Jay D.
Jaburg, Conrad J.
Kling, William T.
Knight, Charles H.
Kugler, Kenneth D.
LeBlanc, George E., Jr.
Lefler, Grady D.
Lewis, Robert
McCardell, James E., Jr.
Mann, Robert L.
Merkler, George J.
Nichols, John F.
O'Neil, Louis C., Jr.
Painter, George V.
Pankratz, Carl J.
Pattridge, Roger H.
Pearl, Leo J.
Perrault, Mark E.
Person, Ross H.
Reynolds, Robert F., Jr.
Robertson, Coll E.
Robillard, Malcolm R.
Rosson, James W.
Schaub, John R., Jr.
Sheets, Roger E.
Shepherd, David C.
Shuler, Ashley C., Jr.
Smith, Jason J.
Spear, Willard W., Jr.
Thomas, Donald P.
Thompson, Clifford E.
Thoreston, Glyn T.
Tobias, Robert E.
Watts, John E.
Williams, Frank C.
Williams, Randall L.
Wyatt, Charles M.
Zirkle, Forrest E.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for temporary appointment to the grade of major general:

Ridgely, Reginald H., Jr.
Litzenberg, Homer L.
Hogaboom, Robert E.
Burger, Joseph C.
McCaul, Verne J.

The following-named officers of the Marine Corps for temporary appointment to the grade of major general, subject to qualification therefor as provided by law:

Snedeker, Edward W.
Wornham, Thomas A.

The following-named officers of the Marine Corps for temporary appointment to brigadier general:

Jordahl, Russell N.
Juhan, Jack P.
Munn, John C.
Wirsig, Frank H.
Luckey, Robert B.
Binney, Arthur F.
Ennis, Thomas G.

The following-named officers of the Marine Corps for temporary appointment to the grade of brigadier general, subject to qualification therefor as provided by law:

Hansen, Harold D.
Croft, Frank C.
Dyer, Edward C.
Victory, Randall M.
Roberts, Carson A.
Berkeley, James P.

The following-named officers of the Marine Corps for temporary appointment to the grade of colonel, subject to qualification therefor as provided by law:

Burkhardt, John W.
Day, Merrill M.
Dean, Raymond L.
English, Lowell E.
Fletcher, Maurice W.
Frash, William M.
Handley, Rodney M.
Hiatt, Robert C.
Leary, Byron V.
Leonard, John P., Jr.
Lucas, Albert F., III
Magee, John C., Jr.
McCoy, Charles W.
McMillan, John H.
Ridge, Thomas L.
Roose, Albert J.
Sanders, Alvin S.
Schmuck, Donald M.
Smith, Andrew G., Jr.
Steidtmann, Robert F.
Wrenn, Elmer A.

The following-named officers of the Marine Corps for temporary appointment to the grade of lieutenant colonel, subject to qualification therefor as provided by law:

Abel, Joseph L.
Abel, Raymond L.
Acker, George K.
Adams, William O.
Akstin, Anthony A.
Allen, Gordon L.
Anderson, Cecil E.
Anderson, Donald V.

Anderson, Robert S.
Antink, James
Apffel, James A., Jr.
Armstrong, William D.
Atkins, Joseph L.
Avant, Percy F., Jr.
Ayres, Robert R., Jr.
Babashanian, John G.
Bacon, Franklin C.
Baird, William E.
Baldwin, Robert E.
Bale, Edward L., Jr.
Barker, Frank P., Jr.
Barnes, Frederick W.
Bartley, Whitman S.
Bartosh, Walter R.
Batdorff, Richard W.
Bates, William L., Jr.
Belyea, Richard
Bennett, William R.
Berueffy, Max, Jr.
Bibb, Orville L.
Blackburn, George P., Jr.
Blackmun, Arvid W.
Blumenstein, John H.
Boag, Arthur R.
Boggs, Charles W., Jr.
Bolish, Robert J.
Bollmann, Howard W.
Bolt, John F.
Booth, Philip E.
Bourgeois, Henry M.
Bowman, John W.
Boyd, Kenneth B.
Bratten, Paul H., Jr.
Braun, Richard L.
Bridges, David W.
Bright, Cruger L.
Bristow, John B.
Brookes, George J., Jr.
Brooks, Louis V.
Brown, Harold F.
Brown, Robert E.
Bruder, Joseph A.
Buck, Lyle E.
Burgess, Richard
Butler, John J., IV
Caldwell, Frank C.
Calland, Robert M.
Card, Horace W., Jr.
Carney, Robert B., Jr.
Carpenter, James B., Jr.
Carrington, George W., Jr.
Carroll, John H.
Case, William N.
Casey, Dennis P.
Chambers, John S., Jr.
Chase, Norman S.
Chip, William C.
Christie, Wesley R.
Cibik, Steve J.
Clark, Albert L.
Clarke, Maurice H.
Claude, Eugene P.
Cloern, Lawrence R.
Cole, Carlton G.
Cole, Roscoe E.
Conley, Robert F.
Conrad, Robert L.
Conway, John A.
Cook, Howard E.
Cook, Milton M., Jr.
Cook, Richard M.
Costello, William H.
Creamer, John A.
Cronin, Angus J.
Crotinger, James A.
Crowe, William E.
Crown, John A.
Cuenin, Walter H.
Cushman, Thomas J., Jr.
Daigh, Robert E.
Dalton, Carol D.
Davis, Clyde H., Jr.
Dawes, George M.
Dayton, Francis P.
Dees, Harry C.
DeLamar, Richard F., III
Dick, William L.
Dickey, Robert L.
Dickinson, Harry E.
Donahoe, Joseph F., Jr.
Douglass, Graham T.
Downs, John V.
Doyle, Griffith B.
Draper, Frederic F.
Dudley, Remmel H.
Dukes, William P.
Dunlap, Howard I.
Dunn, Elswin P.
Dyer, James R.
Edwards, Grammer G.
Edwards, Jack R.
Edwards, Robert J.
Elliott, Richard M.
Elliott, Richard B.
Ellis, George W.
Elrod, Roy H.
Estes, J. E.
Etheridge, James A.
Eubank, William L.
Evans, Wilbur F., Jr.
Fairbairn, Clifford A.
Fairbanks, Willis L.
Fairfield, Robert J.
Farrell, George E.
Ferguson, Cecil D.
Fetters, James C.
Fields, Thomas M.
Finn, Howard J.
Flynn, Richard J., Jr.
Fogg, Joseph E.
Folsom, Samuel B., Jr.
Foos, David, Jr.
Forsyth, Thomas M., Jr.
Frazier, Kenneth D.
Freeman, Ernest P., Jr.
French, Richard E.
Fristoe, Ashby J.
Fritch, Robert G.
Gall, Walter
Gardner, Joseph S.
Garner, James E.
Geftman, William
Gierhart, George B.
Gilhuly, Fred J.
Gilson, Leslie A., Jr.
Glenn, Norman D.
Gomes, Herbert
Gray, Gordon E.
Green, Bert A.
Greenough, Kenneth C.
Gregory, Marshall C.
Grove, John R.
Grow, Lowell D.
Haberlie, Douglas E.
Hadd, Harry A.
Haigler, Wilson D.
Hale, Arthur M.
Hall, Robert
Hammond, Robert H.
Hannah, Samuel A.
Harbin, Fred F.
Hargrave, Harry D.
Harrington, Frank W.
Hartley, Dean S., Jr.
Hartman, Albert
Hartsock, Edmond P.
Haxton, Floyd C.
Hayes, Irving B.
Haynes, Fred E., Jr.
Hays, John E.
Hazel, George H.
Hearn, Alexander M.
Hendley, Allen C.
Henry, Wallace
Herzog, Lawrence L.
Hewitt, Roy R.
Hey, Richard, Jr.
Hill, Homer S.
Hill, Jake B.
Hill, Milton D.
Hise, Henry W.
Hobbs, Ralph H.
Hoffman, Carl W.
Hogan, John K.
Hollowell, George L.
Hood, Harlen E.
Hood, John A.
Hoover, Ben L.
Horn, Charles H.
Howard, Harold C.
Howie, Robert G.
Hudson, Robert S.
Huff, Henry P.
Hughes, Stanley S.
Hughes, Thomas H., Jr.
Hunt, Sanford B., Jr.
Janson, Russell L.
Jarvis, John J., Jr.
Jeschke, Richard H., Jr.
Johnson, Dan H.
Johnson, Floyd M., Jr.
Johnson, Frank
Johnson, James E.
Johnson, Richard W.
Johnson, Robert E.
Johnson, William G.
Jones, James L.
Joslin, Henry V.
Keck, Warren H.
Keen, Charles J.
Keith, Bruce E.
Kellogg, Paul H.
Kelly, Irving N.
Kelly, Philip W.
Kelly, Robert E.
Kelso, Lynn N.
Kirkpatrick, Floyd C.
Kohler, William J.
Kollmann, Charles E.
Korf, Charles W.
Kozak, Bolish J.
Kujovsky, Philip T.
Kusiak, John M.
Laing, Robert B.
Landrum, John C.
Langstaff, Harold A., Jr.
Lanigan, John P.
Larson, Bertil E.
Lawrence, James F., Jr.
Leasure, Harry V.
LeClaire, Charles H.
Lee, Howard M.
Lemke, Willard C.
Lengyel, Nicholas P.
Lesko, Stephen
Leu, Reinhardt
Lewis, Earl N.
Lines, John D., Jr.
Lloyd, Warren F.
London, Lyle K.
Lorigan, Robert E.
Lowman, John, Jr.
Loy, John I.
Ludvigson, James D.
Lundrigan, John C.
Lunn, William E.
Lyford, Truman K.
Lynch, John K.
Mahon, John L.
Marston, Coburn
Marston, John, Jr.
Masters, Irvin V.
Matthews, Thomas J.
McArdle, Philip H.
McCabe, Robert A.
McCartney, Henry A.
McClanahan, James F.
McClelland, John C., Jr.
McCombs, Grant W.
McCullah, Carroll E.
McCully, Alton W.
McDonald, Jay E.
McFarland, David W.
McHenry, George W., Jr.
McIntyre, Eugene G.
McKean, Vance F.
McLaughlin, Earl R.
McLean, Carl T.
McMaster, Robert G.
McNeil, John P.
McShane, Bernard
Merritt, Thomas R.
Metzelaars, Charles R.
Mickle, Richard H.
Midkiff, Lynn E.
Mitchell, William P.
Moore, Clarence H.
Moore, Robert T., Jr.
Moriarty, James A., Jr.
Morrisey, Richard J.
Mosteller, Michael
Munday, Jack R.
Nahrgang, Donald V.
Nehf, Arthur N., Jr.
Nelson, Harold E.
Nickerson, Richard L.
Nielsen, Carl A.
Noble, John D.
Noonan, Arthur J.
Nori, Eero
Norris, Glenn E.
Ober, Matt S., Jr.
O'Bryan, Norman
O'Keefe, Arthur F.
Olson, Donald T.
Ourand, William R., Jr.
Pankhurst, Paul L.
Parker, Paul D.
Parker, Ralph J., Jr.
Parnell, Leslie J.
Patrow, Lelon L.
Patterson, William D., Jr.
Paul, John F.
Pawloski, Stephen K.
Pedersen, Edward K.
Pepper, David H.
Percy, Gilbert
Perkins, Robert V.
Persinger, Delmar M.
Petras, Theodore A.
Phillips, James H.
Pierce, Herbert E.
Pierce, Philip N.
Pierce, Richard H.
Piper, John B.
Poggemeyer, Herman, Jr.
Prescott, Robert B.
Price, Caryll A.
Ramlo, Orvin H.
Randall, Thomas L.
Rankin, William H.
Rathbun, Robert L.
Raynor, Dewey D.
Read, Robert R.
Reamy, John S.
Reese, Paul F.
Regan, Daniel J.
Regan, William D.
Reid, Winfred O.
Reusser, Kenneth L.
Reynolds, Augustine B., Jr.
Richards, Samuel, Jr.
Richardson, Judson C., Jr.
Ridlon, Walter J., Jr.
Risher, Clarence T., Jr.
Roane, Eugene S., Jr.
Roberts, Edward L.
Roberts, Lee E.
Robertson, Charles S.
Robichaud, Clifford J., Jr.
Robinson, Eugene J.
Rogers, Thomas H., Jr.
Rohrabacher, Donald T.
Rosacaker, Ralph C.
Rouse, Jules M.
Roush, Martin B.
Rumbold, Charles S.
Saunders, Donald G.
Saussy, George S., Jr.
Sawyer, Alex H.
Scantling, Frederick H.
Scarborough, Hartwell V., Jr.
Scherr, Robert A.
Schmidt, Maynard W.
Schutt, Richard W.
Schwebke, William V.
Schwethelm, Harry F.
Severance, Dave E.
Sexton, Martin J.
Shepherd, John E., Jr.
Shifflett, Edwin E.
Short, James C.
Shuchter, Gerard M.
Silverthorn, Merwin H., Jr.
Simmons, David H.
Simmons, Edwin H.
Simonds, Frank H.
Simpson, Archie D.
Simpson, Frederick
Simpson, Warren H.
Sims, William J.
Sims, William L.
Skinner, John, Jr.
Slappey, Wallace J., Jr.
Smith, Jefferson D., Jr.
Smith, Joseph T., Jr.
Smith, Lawrence W., Jr.
Smith, Paul M.
Snead, Morris R.
Snoddy, Lawrence F., Jr.
Sohn, Benjamin F.
Spanjer, Ralph H.
Stadler, Clement J.
Stampfli, Fritz
Steinhauser, Frederick M.
Steinkraus, Robert F.
Stevens, John R.
Stockman, James R.
Stockwell, Thomas D., Jr.
Stone, John R.
Sullivan, Frank E.
Sullivan, Richard E.
Sullivan, Richard L.
Sullivan, William J.
Swartley, John N.
Taft, Howland G.
Tatro, Leo F., Jr.
Thobe, Bernard G.
Thoemmes, Edward C.
Thomas, Frank C.
Thomas, Franklin C., Jr.
Thomas, Robert L.
Thompson, Elmer P., Jr.
Thompson, Roy H.
Thomson, David W.
Tillmann, Alfred A.
Titterud, Stanley V.
Tobin, John L.
Tosdal, Orlando S.
Trapnell, Alton P.
Treadwell, James P.
Turner, Henry M.
Turner, Walter W.
Tutton, Marshall R.
Twisdale, Robert H.
Valentin, Alaric W.
Venn, Robert H.
Voorhees, Edward H.
Voyles, Andrew J.
Wagner, Joseph F., Jr.
Walker, Alexander S., Jr.
Walker, Carl E.
Wall, Robert E.
Wallace, Harold
Walter, Howard L.
Wander, William W., Jr.
Warnke, George M.
Wasson, George E.
Watson, William F.
Webber, John W.
Weir, Robert R.
Weir, William A.
Wethe, Wallace G.
Whipple, Warren E.
Whiteside, Madison C.
Whitlock, Claude L.
Wiggins, Austin, Jr.
Wiley, David E.
Wilkinson, Frank R., Jr.
Williams, Grover C., Jr.
Williams, James S.
Wills, Virgil T.
Wilson, James P.
Wilson, Robert S.
Wilson, Robert W.
Windsor, John J.
Winters, Jack B.
Witherspoon, Thomas S.
Witt, Francis X., Jr.
Wolverton, George D.
Word, William E.
Worlund, John E.
Wright, Dorian J.
Wyckoff, Don P.
Young, Russell L.
Zastrow, Herbert E. L.
Zeiger, Clarence L., Jr.
Zimmer, Andrew M.
Zuber, John W.

The following-named officers of the Marine Corps Reserve for temporary appointment to the grade of lieutenant colonel, subject to qualification therefor as provided by law:

Anderson, Harry J.
Augustine, Francis W.
Blackwelder, Harry J.
Breneman, John W.
Bryant, Arthur L.
Cameron, Alan D.
Clark, Donald L.
Croyle, William R.
Haehl, Robert J.
Havens, Paul T.
Jones, Clinton E.
Kemper, Franklin L.
Kidney, John A.
McGuckin, John
Merritt, James W.
Ochoa, Edward
Peterson, Roger D.
Presley, Frank H.
Smedley, Kenneth C.
Taylor, Mervin L.
Thorson, Roy A.
Witherspoon, John C.

The following-named officers of the Marine Corps for temporary appointment to the grade of major, subject to qualification therefor, as provided by law:

Abadie, George G.
Abbott, Harry F.
Abrahams, Charles W.
Adam, Jack H.

Adams, Harold W.
Adams, Stanley E.
Affleck, William R., Jr.
Agnew, Edward R., Jr.
Airheart, William C.
Albers, George H.
Alberts, Howard K.
Aldworth, James
Alexander, John S.
Allen, Norris D.
Allen, Robert L.
Allen, Victor E.
Alsip, Edward O.
Amann, Emanuel R.
Amundson, Elmer
Anderson, Elmer A., Jr.
Anderson, James B.
Anderson, Robert V.
Anderson, Roy L.
Anderson, William H.
Andres, Russell A.
Andrews, Richard C.
Angle, Charles C.
Anstock, Kenneth L.
Antos, Stanislaus A.
Archer, Thomas E.
Armstrong, Charles B., Jr.
Armstrong, Gerald C.
Armstrong, Victor A.
Arnaud, Joseph R.
Arndt, Russell G.
Arneson, Charles A.
Artnak, Edward J.
Ashman, James S.
Ashton, Clark
Atherton, Walter M.
Atkins, Wade W.
Atwater, William L., Jr.
Austen, Philip N.
Austin, Marshall S.
Aynes, James P.
Bachstein, Roy S.
Baden, John P.
Bagnall, Earle E.
Bailey, Albert N.
Bailey, Almarion S.
Baird, Robert
Baker, Arnold S., Jr.
Baker, Haskell C.
Baker, James W.
Baker, Robert W.
Ball, Vernon E.
Barber, Billy H.
Barber, Neil E.
Barber, Stewart C.
Barber, William E.
Barbour, Robert J.
Barden, Arnold W.
Bardon, Thomas J.
Barnett, John E.
Barney, Irvin J.
Barnhill, Claude O., Jr.
Barrett, Gilbert A.
Barrineau, William E.
Barrow, Robert H.
Barry, Cleveland C.
Barton, Leroy C.
Bass, Julian G., Jr.
Bateman, James W.
Bateman, William E.
Bauer, Richard A.
Bauman, George F.
Bayless, Robert W.
Bays, Leslie W.
Beach, William L.
Beamon, Mont L.
Beau, Jerome J. C.
Beck, Noble L.
Beckett, John W., Jr.
Beckington, Herbert L.
Beer, William J.
Belknap, Earle W., Jr.
Bell, Robert T.
Bell, William C.
Benjamin, Louis W., Jr.
Bennett, Eugene N.
Bent, Paul F.
Benton, Richard W.
Benton, William C.
Berard, James L.
Berge, James H., Jr.
Berger, Ernest J.
Bethards, Leonard S.
Bianchi, Rocco D.
Bibee, Albert J.
Bidwell, David McC.
Biehl, William, Jr.
Billings, Thomas C.
Bittman, Rudolph L.
Bjorson, Richard A.
Black, Albert A.
Blake, Francis E.
Blake, Wesley C.
Blakely, James A., Jr.
Blanchard, Don H.
Blancheri, Howard A.
Bland, Richard L.
Blankenship, Clifford P.
Blatt, Wallace D.
Bledsoe, Willmar M.
Bloomer, Donald M.
Blue, Miller M.
Bohannon, Thomas J.
Bohl, Leighton T., Jr.
Bohn, Robert D.
Boldman, James D.
Boll, Joseph L.
Bolts, Lewis E.
Booker, Jesse V.
Bortz, William H., Jr.
Boswell, Charles E., Jr.
Bowen, Ermel D.
Bowen, Ralph E.
Boyle, Patrick D.
Brandenburg, Paul F.
Brandon, Lawrence H.
Brandon, William E.
Brewer, George W.
Briganti, Emidio
Brigham, George A.
Bristow, Ralph E.
Brock, Willie W.
Bronleewe, Loren K.
Brooks, Donald H.
Broudy, Charles A.
Brown, Charles S.
Brown, James E.
Brown, Nelson E.
Brown, William E.
Brown, Williams P.
Browne, John
Browne, John A., Jr.
Browning, Richard C.
Bruce, Henry K.
Bruce, James P.
Bruce, Ronald L.
Brumfield, Max F.
Bryant, George M.
Bryant, William W.
Buckingham, Clifford W.
Buettner, Robert H.
Buford, Ernest A., Jr.
Burleson, Good
Burnam, Thomas J.
Burt, Edward E.
Bush, Elwood D.
Bushnell, Richard H.
Butcher, Warren A.
Butler, Floyd H., Jr.
Butters, Raymond J.
Cail, Ralph D.
Caldwell, Charles T.
Calhoun, Loren W.
Callen, George W.
Camp, James C., Jr.
Campbell, Charles I., Jr.
Campbell, Donald H.
Campbell, Marshall S.
Canan, Christopher M.
Canton, John S.
Capps, Arnold B.
Card, Eugene T.
Carlock, Robert O.
Carlson, William C.
Carlton, Edwin T.
Carmichael, Edward W.
Carr, Walter E.
Carraway, Cecil T.
Carter, Bobby
Carter, David V.
Carter, William G.
Carver, Nathaniel H.
Case, John D.
Casey, Daniel A., Jr.
Casey, Thomas P.
Cass, Bevan G.
Cassidy, Earl W.
Caswell, Dean
Caudle, Forrest E.
Causer, Arthur R.
Cavalero, John H.
Challacombe, Arthur D., Jr.
Chamberlin, George E., Jr.
Chambers, Charles B.
Champion, Cecil L., Jr.
Checklou, Henry A.
Childers, Lloyd F.
Church, Charles H., Jr.
Ciampa, Emilius R., Jr.
Clapp, Archie J.
Clark, Amil K.
Clark, Truman
Clarke, Thomas W.
Clary, Matthew A., Jr.
Claterbos, Henry L.
Clay, Robert B.
Cleeland, David
Clements, Edwin M.
Cline, Richard W.
Cloud, Guy M.
Cobb, Thomas L.
Cochrane, Kevin
Coleman, Thomas A.
Collen, Frank R.
Collier, John W., Jr.
Collins, George J.
Collins, Ted H.
Coltrane, James R.
Compton, Joseph O., Jr.
Conklin, Kenneth J.
Conley, Wilbur C.
Connell, Herschel G.
Connelly, Frederick G.
Connelly, Ray
Conroy, Donald
Cook, Dudley
Cook, Robert H.
Cooper, Milton B.
Coplan, Ralph D.
Coppedge, Charles H.
Corbett, Leroy V.
Corboy, Leo J., Jr.
Corcoran, Clement T.
Cordes, Alfred M.
Corley, Clarence E., Jr.
Corley, Ruel H., Jr.
Corman, Otis W. S.
Cosgrove, William P.
Costello, Byron J.
Costello, Keith W.
Cotton, James T.
Cotton, John D.
Cowles, Raymond C.
Cowper, William H.
Cox, John F.
Cox, Lewis J.
Craig, John
Craig, Robert J.
Crapo, William M., Jr.
Crawford, Frank S.
Creel, William B.
Cresap, Charles C.
Crew, Charles E.
Crew, Erskine B.
Crompton, Wallace W.
Cronin, James T.
Crooks, William M.
Crossman, Ralph B.
Crownover, Joe B.
Crum, Calvin C.
Cullins, George H.
Culp, William E.
Curtis, Oliver W.
Curtis, Paul F.
Cushing, Joseph P.
Cutler, Thomas H.
Daigle, Adlin P.
Dair, William G., Jr.
Dake, Merlin L.
Dalton, John J.
Danckaert, William A.
Daniel, Walter E.
Daniels, Elmer R., Jr.
Danner, John J.
Danowitz, Edward F.
Davenport, Leslie L.
David, Maurice A.
Davidson, Eldon E.
Davidson, Russell A.
Davies, Joseph E.
Davis, Dellwyn L.
Davis, George L., Jr.
Davis, Jefferson A., Jr.
Davis, Oliver R.
Davis, Philip A.
Davis, Raymond N.
Davis, Raymond R.
Davis, Stanley
Davis, William A.
Dawkins, Charles D., Jr.
Dawson, Robert E.
Dayson, Patrick J.
Daze, Louis R.
Dean, Walter P.
Deasy, Rex A.
Deckard, Marion H.
Deeds, William E.
Deering, Harold V.
Dekeyser, Charles F.
Dellamano, Albert F.
Dempster, Donald R.
Dennis, Nicholas J.
Denny, Rex C., Jr.
Derby, William McK., Jr.
Derrickson, Eugene W.
Derryberry, Don G.
DeVol, Austin O., Jr.
DeWees, Raymond, Jr.
Dial, Oliver E.
DiFrank, Joseph, Jr.
Diliberto, Charles O.
Dillow, Rex O.
Dimond, Neil
Dionisopoulos, James G.
Dixon, Gerald T.
Dizney, Charles F.
Dochterman, Lloyd B., Jr.
Dodenhoff, George H.
Doehler, William F.
Doherty, John J.
Dole, Charles E.
Doll, Carl A.
Dominick, Robert L.
Donnell, James W.
Dormady, William K.
Dorsey, James A.
Doswell, James T., II
Doty, William C., Jr.
Dove, Charles E.
Doxey, Donald T.
Doyle, Ernest R., Jr.
Dressin, Sam A.
Drewitz, William H.
Driftmier, John F.
Dumas, James L.
Duncan, William R.
Dunlap, Jack
Dunwiddie, Stanley G., Jr.
Dupre, Paul J.
Durnford, Dewey F., Jr.
Dyer, Phillip G.
Dykeman, Arthur R.
Dykes, Kenneth T.
Earnest, Floyd W.
Earney, William R.
Ebel, Ardell
Ecklund, Arthur W.
Eddy, Samuel L., Jr.
Edelmann, George J., Jr.
Edwards, Anthony
Edwards, Delmar L.
Edwards, Donald H.
Egan, Charles W.
Egan, John J.
Egan, Thomas R.
Elder, Thomas G.
Eldracher, Frank A., Jr.
Eldridge, William W., Jr.
Elias, George H.
Elzey, William P., Jr.
Emils, Arnold L.
Emswiler, Robert H.
Engelhardt, Lloyd J.
Engelkes, Ernest L.
Estey, Ralph F.
Eubanks, Fred F., Jr.
Evans, Daniel R.
Ewers, Norman G.
Ezell, Doc E.
Ezell, Don D.
Fairchild, Richard H.
Falk, Earl H.
Fallon, Eugene B.
Farish, George B.
Farmer, Chester V.
Farrell, William
Faureck, Frank J.
Fedor, John J.
Feid, Gordon I.
Feliton, James A.
Fellingham, Richard J.
Fenton, Donald L.
Ferazzi, Alfio B.
Ferguson, Glenn L., Jr.
Ferris, James W.
Fiegener, Kenneth G.
Filippo, John J.
Finch, Francis E.
Fine, Dail D.
Finlayson, Edwin H.
Finn, John, Jr.
Finnigan, John E.
Fischer, John J.
Fitzgerald, Austin C.
Fitzmaurice, Charles W.
Flannagan, Melvin J.
Flinn, Norman W., Jr.
Flory, Lester D.
Flynn, John P., Jr.
Foltz, Harold R.
Fornonzini, Benjamin A., Jr.
Foss, Donald H.
Foster, Ted J.
Fowler, Albert
Fox, James G.
Francke, Donald E.
Frankovic, Boris J.
Fraser, Robert M., Jr.
Fredrick, Charles D.
Freitas, Joseph L., Jr.
Frew, James C.
Fribourg, Leonard E.
Frier, Donald G.
Fris, Edward S.
Frisbie, Varge G.
Furimsky, Steve, Jr.
Fuson, Harold C.
Gagyi, Alexander
Galbraith, Donald L.
Galford, Troy L.
Gallagher, Burnette R.
Gallentine, Owen V.
Gallo, James A., Jr.
Garrotto, Alfred F.
Gasser, James C.
Gaug, Leland S.
Geishecker, Edward J.
Geissinger, Robert S.
Gentry, Tolbert T.
Gerlach, Leo
Gibson, Baylor P., Jr.
Gibson, George A.
Gibson, John A., Jr.
Giddens, Richard M.
Giles, Walter R.
Gill, John R.
Gillis, Alexander J., Jr.
Gilmore, Richard G.
Githens, Daniel P., Jr.
Gleason, Eugene W.
Gleason, Thomas E.
Glenn, Jack
Glenn, John H., Jr.
Gocke, Charles E.
Goebel, Jerome L.
Goewey, Bruce A.
Goldston, Eugene V.
Golleher, George M.
Goode, Charles L.
Gould, Charles H.
Gould, William R.
Gourley, Norman W.
Graaff, James E.
Graf, David P.
Graham, Paul G.
Graham, Robert J.
Grasselli, Albert A.
Graves, James B.
Gray, Roy C., Jr.
Graybeal, David W.
Green, George H., Jr.
Green, Robert D.
Greene, Daniel
Greene, Joe R.
Greene, John L.
Greene, Richard P.
Greenfield, Gaylord C.
Grey, Jack R.
Gribbin, Thomas A., II
Griffin, Samuel J.
Griffitts, Lynn W.
Griswold, Edmund K.
Groff, Goodwin C.
Guss, William F.
Gutshall, Dale
Guy, Clyde P.
Hadcock, Kenneth G.
Haggerty, George L.
Haines, Frederick B.
Haines, Richard B.
Hale, Frederic A., Jr.
Haley, Harold L.
Hall, Harold K.
Hall, Reverdy M.
Hall, W. C.
Hall, William L.
Hallameyer, Donald J.
Halligan, William J.
Halliwill, John E.
Hamilton, John L., Jr.
Hamilton, Robert W.
Hamlin, Curtis F., Jr.
Hamm, Norman L.
Hanes, John V.
Haney, C. L.
Hansen, Dale W.
Hansen, John E.
Hanson, Harry B.
Hanson, Reuben H.
Harlan, Murray V., Jr.
Harmon, Lester G.
Harney, John B.
Harp, Dene T.
Harper, James A.
Harrell, William F.
Harrington, James C.
Harris, Charles W.
Harris, Chester R.
Harris, Donald R., Jr.
Harris, William S.
Harrison, Joseph B.
Hart, Henry
Harvath, Michael D.
Harwood, Edward A.
Hasley, Merlin L.
Hastings, Jesse T., Jr.
Hawkins, Harold W.
Hayton, Robert G.
Healy, Robert M.

Hean, Howard L.
Heidrick, John G.
Heilman, Roland B.
Heitzler, Joseph S.
Helling, Frederick J., Jr.
Helm, Samuel E., Jr.
Helstrom, Roland S.
Hemstad, Robert S.
Hendley, Vernon L.
Henley, Paul B.
Henneberger, Harry G. C.
Henry, Robert A.
Henshaw, George C.
Henson, Joe B.
Hepler, Frank M.
Herndon, John L.
Hess, Theodore D.
Heywood, Ralph A.
Hickey, Thomas R., Jr.
Higgins, William B.
Hilburn, John J., Jr.
Hill, Arthur T.
Hill, Carl L.
Hill, Walter L.
Hinckel, Harvy C.
Hines, Cloyd V.
Hinshaw, Don M.
Hinson, William J., Jr.
Hirt, Paul L.
Hitchcock, Paul L.
Hixson, Wilmer W.
Hodde, Gordon V.
Hoereth, Wayne H.
Hoey, James A., Jr.
Hoffman, Robert W.
Hohl, Robert W.
Holcombe, James V.
Holland, Dan C.
Hollenbeck, Marvin K.
Holloway, Harding H.
Holmes, Henry G., Jr.
Holt, Edgar P.
Holtzclawe, Sylvestus W.
Holzbauer, Joseph F.
Hooper, Ward L.
Hoover, Gene M.
Hopkins, Donald S.
Hopkins, Warren G.
Horgan, Thomas J., Jr.
Horner, Bill E.
House, Charles A.
Houser, Fred C.
Hovatter, Eugenous M.
Howe, Charles R.
Howe, John J.
Howe, Odia E., Jr.
Howerton, Bryce
Hubka, Frank J.
Huffstutter, Hardy V., Jr.
Hughes, John A.
Hughes, Orlin A. P.
Hughes, Thomas H.
Humphreys, Zaphney O.
Hunter, Harry, Jr.
Hunter, Walter G.
Huntington, Kenneth E.
Hurst, Clarence M.
Hyatt, Floyd E.
Hyneman, John R.
Idler, Basil T.
Irick, Joseph N.
Itzin, Martin J.
Jackson, Boyd J.
Jackson, Dewey H.
Jackson, Gordon K.
Jackson, Owen G., Jr.
Jagoda, John M.
James, Thomas A.
James, William C., Jr.
Jannell, Manning T.
Jarrett, Clyde R.
Jedenoff, Alexis A.
Jefferson, James M., Jr.
Jennings, Francis C.
Jensen, Harvey L.
Jernigan, Curtis D.
Jewell, James C.
Jillisky, Leo R.
Jobe, Harrel K.
Joens, Ray N.
Johnson, Danny W.
Johnson, Earl W.
Johnson, Irving R.
Johnson, James K.
Johnson, James D., Jr.
Johnson, James R.
Johnson, Thirl D.
Johnson, Victor E., Jr.
Johnson, Wayne
Johnston, Glennon A.
Johnston, John C.
Johnston, Thomas J., Jr.
Jones, Alfred M., Jr.
Jones, Charles D.
Jones, Coleman C.
Jones, Elwin M.
Jones, Harold O.
Jones, James R.
Jones, States R., Jr.
Jones, Thomas J.
Joslyn, William G.
Judd, Amo F.
Judge, Donald R.
Judy, James W.
Kane, Eugene S., Jr.
Kapsch, Joseph R.
Kaufer, Edward E.
Keeling, Harvey A., Jr.
Keim, Robert M.
Keleher, Philip J.
Keller, Gordon H., Jr.
Keller, Harold F.
Keller, Joseph
Keller, Karl T.
Kelley, John P.
Kellogg, William H.
Kellogg, Wilbur C., Jr.
Kelly, George E.
Kelly, Jack G.
Kelly, William D.
Kennedy, David H.
Keown, Lyman E.
Kern, Richard H.
Kerr, Melvyn H.
Kerr, William A.
Kew, George D.
Keys, George T.
King, Carl W.
King, George J.
King, Paul D.
King, Robert, Jr.
Kingsley, Daniel R.
Kirkland, John W.
Kirsch, Oscar H.
Kleber, Victor A., Jr.
Klein, Robert G.
Klimek, Walter J.
Klingman, Robert R.
Knapp, George C.
Knauf, Robert C.
Knocke, Jack K.
Koehler, Elmer F.
Koehnlein, William F.
Koester, Oliver J.
Kopas, William J.
Kositch, Alexander
Koster, Edward A.
Kraince, Francis R.
Krewer, Joseph W.
Kross, George
Krumm, George A.
Kuprash, George
LaFayette, Cecil B.
LaFond, Paul D.
Lamar, Robert L.
Lambert, Edward S.
Lanagan, William H., Jr.
Landrum, James, Jr.
Landry, Fernand A.
Lang, Frank C.
Lansford, Breen G.
LaRoche, Arthur L., Jr.
Larsen, Robert J.
LaSpada, John F.
Latta, Arthur W., Jr.
Lauer, Stewart R.
Lavoy, John H.
Lawrence, George E.
Lawson, Roger C.
Lees, Urban A.
LeFaivre, Edward N.
Lehnert, Robert C.
Leis, Sylvester F.
Leite, Roy J., Jr.
Leland, Harry E., Jr.
Lembeck, Leonard A.
Leogue, John J.
Leon, James
Lesak, Robert J.
Leutz, Charles R., Jr.
Lewis, Claude H., Jr.
Lewis, Edward L. Jr.
Lewis, George F.
Lewis, Leo G., Jr.
Lewis, Woodrow B.
Lillie, James L., Jr.
Limberg, Robert D.
Lindell, Carl W.
Lindley, Dean W.
Lindley, Johnny D.
Livingston, William H.
Lobell, William R.
Lodge, Orlan R.
Lomac, John
Long, Edwin B.
Long, William J.
Longfellow, William J.
Loos, Billie E.
Losse, Robert N.
Lovette, Lenhrew E.
Lucas, Burton L., Jr.
Lucas, William R.
Ludden, Charles H.
Luker, Joseph W.
Lupton, Edward I.
Lupushansky, Chester M.
Luther, James W.
Luther, Robert E.
Lutnick, William A.
Lynch, Duane G.
Lynch, Joseph O.
Lynch, Robert J., Jr.
MacAskill, Ross M., Sr.
Mack, William E.
Maskel, Edward H.
MacQuarrie, Warren L.
Magill, James H.
Magon, Walter E.
Maire, Gerald J.
Malcolm, Joseph W., Jr.
Malone, Crawford B.
Maloney, Emmons S.
Maloney, John H.
Mample, Richard H.
Mangum, Mildridge E.
Manley, Norbert C., Jr.
Manning, Herbert G., Jr.
Mansfield, George S.
Mariades, James P.
Marker, Rolland E.
Marr, Robert F.
Mars, William G., Jr.
Marshall, John B., Jr.
Martin, Benjamin G.
Martin, James R.
Martin, Samuel F.
Marzelo, Vincent J.
Mason, John B.
Matthews, Lyle B., Jr.
Matthews, Merlin T.
Maust, Kenneth W.
Mawyer, Ralph P.
Mayer, Henry
Mayfield, Harold L.
Mayo, Dwight E.
McAlister, James S.
McArdle, Gilbert J.
McArthur, Raymond
McBarron, Alden
McBee, Lance T.
McCabe, John
McCain, Warren E.
McCaleb, Alfred F., Jr.
McCarthy, Thomas E.
McCarville, Robert E.
McCaslin, William S., Jr.
McClane, George E.
McCormick, Herbert F.
McCoy, Kenneth R.
McCulloch, William L.
McDaniel, James
McGee, Charlie H., Jr.
McGee, James M.
McGlade, Lawrence
McGough, James D.
McGraw, Thomas F., Jr.
McGraw, William C., Jr.
McGuire, Donald
McKiever, Charles F.
McKitrick, Rodney D.
McLaurin, John M., Jr.
McMahon, John F., Jr.
McMakin, William M., Jr.
McManus, John
McMillan, Donald A.
McMullen, Robert A.
McNeill, Edward B., Jr.
McNew, Robert E.
McNiel, Monroe E.
McNulty, John W., Jr.
McPartlin, Charles E., Jr.
McRay, Harold G.
McRobert, Perry P.
McShane, John J.
McVey, John E.
McVicars, Andrew L.
Meehan, James E.
Melancon, Byron J.
Melby, William E.
Melin, Ernest I.
Mendenhall, Herbert E.
Menzies, Henry D.
Merchant, Clark E.
Meyer, Eugene W.
Meyer, Kenneth G.
Meyer, Robert A.
Michael, Richard L., Jr.
Mickelson, Laurel M.
Mika, Edwin J.
Mildner, Theodore J.
Mileson, Donald F.
Millenbine, Otis E.
Miller, Clifford D.
Miller, Edward J.
Miller, Francis L.
Miller, Jack A.
Miller, Lee R.
Miller, Leonard A.
Miller, Lewis L.
Miller, Roland R.
Miller, Thomas H., Jr.
Millette, Eugene
Miner, Ross R.
Minick, Robert W.
Misura, Emil M.
Mitch, Ernest A.
Mitchell, Donald C.
Mitchell, Joseph A.
Mitchell, Randall L.
Mixson, Herman L.
Mixson, Willie J.
Mize, Charles D.
Moise, Frank V., Jr.
Moland, John T.
Moncrief, Malcolm G., Jr.
Moody, Richard E.
Moore, Harry R.
Moore, John T.
Moore, Richard M.
Moos, Kenneth L.
Moran, Frank P.
Morel, Oscar J.
Morris, Delmer O.
Morris, Roger A.
Morrison, Gene W.
Morrison, Robert J.
Morrison, William R.
Morton, Douglas K.
Mosca, Herbert P., Jr.
Mottl, George
Mouzakis, George E.
Mucciaccio, Patrick H.
Mullane, Raymond W.
Muller, Godfrey
Mulvey, William H.
Mulvihill, Thomas E.
Munro, Roderick J.
Murchall, Frederick A.
Murphy, John J.
Murphy, Joseph T.
Murray, Daniel G.
Murray, Edward D.
Myers, Victor E.
Nasif, George
Nelson, Eugene W.
Nelson, Herbert A.
Nelson, Joseph A.
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Nelson, Robert E.
Nelson, Wilbur O.
Neuman, Joel L.
Nevill, Harry E.
Newendorp, Arthur W.
Newport, Richard B.
Nichols, Thomas H., Jr.
Nichols, William J., Jr.
Nolan, Keith D.
Norton, Lawrence C.
Nowadnick, William R.
O'Callaghan, Thomas P.
Odenthal, Joseph T.
Oderwald, Richard E.
Oglesby, Edward D.
O'Hara, Frank J., Jr.
Oliver, Roy E.
Olsen, Willard C.
Olson, Ernest R.
Oltmer, Lavern J.
O'Malley, Charles J.
Opeka, Francis C.
Ord, James B., Jr.
Orem, Edward J.
Orr, John N.
Osborn, Frederick V.
Ostby, John L.
Oster, Eugene M.
Ottmer, Walter E.
Padach, John, Jr.
Page, Leslie L.
Painter, Harry F.
Panchision, Walter
Panska, Donald A.
Parker, George W.
Parker, William C., Jr.
Parks, Frank G.
Parks, Fred L.
Parnell, Robert L., Jr.
Patee, Will S., Jr.
Patrias, Eraine M.
Patterson, Russell G., Jr.
Patton, Harvey M.
Patton, Walter B.
Paulson, Robert E.
Payette, James
Payne, Ernest W.
Peacock, Richard H.
Pearce, James T.
Pearsall, James E.
Pearson, John A.
Pedersen, Poul F.
Peebles, Vernon J.
Peel, Edd F.
Peevey, Nathan B., Jr.
Pendrey, Edwin
Perkins, Don M.
Perrin, John S.
Perry, Jack E.
Persac, Walter L.
Persinger, Harry B., Jr.
Peter, William J., Jr.
Peterson, Richard F.
Petro, George E.
Pett, Raymond H. W.
Pettigrew, Parker O.
Petty, Douglas D., Jr.
Phelps, Boyd M.
Phillips, Arthur E.
Phillips, Allen L.
Phillips, George A.
Philpot, Fred R.
Pietz, Reuel H.
Piland, George W., Jr.
Pillon, George R.
Pippin, Franklin N.
Pitman, Edgar D.
Poage, Jay V.
Pointer, Eugene V.
Pomeroy, William D.
Pond, Darwin B., Jr.
Poor, Ernest E.
Pope, Eugene J.
Poppa, Chester J.
Poppe, Elery G.
Porter, Mervin B.
Potter, Elwood H.
Poulson, George W.
Prestridge, John G.
Price, Elbert F.
Pritchett, Clarence H.
Pultorak, Joseph
Quay, John E., Jr.
Quick, William H., III
Quillian, Stone W.
Quinn, William R.
Quint, Frederick A.
Rainer, Mark A., Jr.
Rainforth, Richard H.
Ramseur, Franklin F., Jr.
Rash, Richard S.
Rausch, John J.
Ray, Grady W.
Read, Benjamin S.
Redalen, Dwain L.
Redmond, Walter L.
Reece, Josef I.
Reed, Harold R., Jr.
Reed, Herbert C.
Reed, Roy L.
Reichwald, Norman R.
Reid, William G.
Reier, Gordon R.
Remington, Edgar F.
Reno, William A.
Richard, Merle G.
Richards, John J.
Rieder, Glenn L.
Riffle, James C.
Riley, David
Rinehart, James H.
Risner, Albert H.
Ritter, Darrell L.
Ritter, Leland C.
Rixey, Palmer H.
Roark, Walter N., Jr.
Robertson, Robert S.
Robinson, Gus
Robinson, Harry G., Jr.
Robinson, James W.
Robinson, Paul L.
Robinson, Robert B.
Robinson, Vincent J.
Roden, John P.
Roe, Murray O.
Roeder, Horton E.
Roley, William H.

Rollins, John J.
Ronald, Robert C.
Rooney, John J.
Ross, George W.
Ross, John D.
Ross, Thomas J.
Roueche, Brett E.
Rowe, Carroll D.
Ruffner, Paul M.
Rupp, George R.
Rushlow, Bruce A.
Rushlow, Ray D.
Russell, Marvin R.
Rutledge, Rockwell M.
Sabot, Robert
Salser, Charles A.
Sammartino, Angelo J.
Sanders, Roger M.
Sartor, Louis J.
Schanamann, Raymond H.
Scheffer, Cornelius
Schick, Edwin S., Jr.
Schmagel, Arthur O.
Schmidt, Carl E.
Schmuck, Paul A., Jr.
Schneider, Robert M.
Schoneberger, Albert G.
Schoner, Albert C.
Schriver, Richard J.
Schroeder, Charles L.
Schultz, Leonard L.
Schuster, Stephen L., Jr.
Schwartz, Leo R.
Schwendimann, Henry N.
Schwenk, Adolph G.
Scurrah, Robert G.
Seabaugh, Paul W.
Seabeck, Frank E.
Seaman, Milford V.
Seibert, Kenneth D.
Seipp, Leroy A.
Sellers, Victor E.
Semb, Allen R.
Seminoff, Nicholas M.
Sevier, Charles B.
Shank, James W.
Shanks, William, Jr.
Sharkey, Harold L.
Sharp, James, II
Shearer, John L.
Shepherd, William A.
Shervais, Stephen
Sherwood, James M.
Shields, John E.
Shields, Robert F.
Shoden, John C.
Shook, Frank A., Jr.
Shropshire, Clyde B.
Shupe, Arthur F.
Sienko, Walter
Sigler, William M., Jr.
Silverthorn, Russell L.
Simlik, Wilbur F.
Simmons, Albert W.
Simmons, Robert L.
Simons, Robert C.
Sims, Charles N., Jr.
Sinderholm, John K., Jr.
Skeath, Marvin A., Jr.
Skow, Duane W.
Slack, Arthur B., Jr.
Slaton, Clyde H., Jr.
Slay, Robert D.
Smart, William D.
Smith, Ardath C.
Smith, Arthur R.
Smith, Burneal E.
Smith, Edward D.
Smith, George E.
Smith, Harold E.
Smith, Jack A.
Smith, James W.
Smith, Jerry B.
Smith, Leland R.
Smith, Loren R.
Smith, Mercer R.
Smith, Nathan A.
Smith, Raymond M.
Smith, Richard B.
Smith, Robert L.
Smock, Kenneth J.
Snapper, John N.
Snell, Albert W.
Soderberg, Ralph A.
Sollom, Almond H.
Somerville, Daniel A.
Sparkman, Thomas B.
Sparling, Walter E.
Spieker, Ira E.
Spielman, Harvey E.
Squires, Gordon R.
Stahlstrom, Harry A.
Stamford, Edward P.
Stanfield, James C.
Stanford, Norman R.
Stanton, Eldon C.
Stawicki, Theodore A.
Steele, Hugh M.
Stender, Bernard J.
Stephenson, Lyle S.
Stewart, Grover S., Jr.
Stewart, Walter C., Jr.
Stien, Laurence J.
Stingley, Elmo J.
Stirling, Harold H., Jr.
Stivers, Frank P., Jr.
St. John, Roscoe R.
Stockdale, Allen F.
Stone, Wilford L.
Stoneman, Russel H.
Stout, Marvin R.
Stoyanow, Victor
Straner, Frank L.
Street, Charles E., Jr.
Street, Lewis C., III
Streeter, William M.
Stribling, Joe B.
Stubbs, Robert S., II
Stuckey, Harry B.
Sturdevan, Garth K.
Sudnick, Ralph M.
Sullivan, John B.
Sullivan, John W.
Sullivan, Richard J.
Sullivan, Walter E., Jr.
Sumerlin, Earl B., Jr.
Sutkus, John F.
Swenson, Lester V.
Swetnam, William E.
Swindall, Lee B.
Swinford, David G.
Swinson, James D.
Takala, David O.
Taub, Samuel, Jr.
Taylor, Harry O.
Taylor, Max C.
Taylor, Paul N.
Taylor, Richard M.
Taylor, Robert W.
Temple, Jack W.
Temple, Richard D.
Terry, Wilson C.
Theros, John G.
Thomas, John H.
Thompson, Earl W.
Thornbury, Donald S.
Thorne, Nicholas G. W.
Togerson, Richard S.
Tomlinson, Francis K., Jr.
Tonnema, Peter A., Jr.
Tope, Lyle V.
Torbert, George W.
Torbett, Eddie C.
Torbett, Harry G.
Townsend, Johnnie V.
Trager, Earl A., Jr.
Trammell, Thomas B.
Trantham, Walter E., Jr.
Traynor, William L.
Troy, Harland E.
Truesdale, Marion G.
Tucker, Lud R.
Tucker, Nolan E.
Tulipane, Thomas T.
Tuma, James W.
Turcotte, Edward W.
Turcotte, Theodore W.
Turner, Byron C.
Tweed, McDonald D.
Urell, John
Vale, Sumner A.
VanCampen, Hiel L.
Vance, Johnnie C., Jr.
Vanderhoof, Judson.
Vatcher, Walter W.
Veach, Howard C.
Veigel, Lester E.
Vergote, Alton F.
Vernon, Frederick A.
Veuleman, Elbert F.
Via, Burks A.
Vickers, Earl K., Jr.
Victor, James E., Jr.
Vining, Norman
Volkert, Marvin D.
Vonderheyde, Henry A. F., Jr.
Voth, Stanley B.
Wachsler, William J.
Wade, Robert
Wagner, John H.
Wagner, Taylor H.
Wagner, William J.
Walles, Eugene A.
Waldrop, Otis R.
Walker, Edward H.
Walker, John W.
Walker, William L.
Wall, Calvin
Wallace, Samuel A.
Waller, Clyde T.
Waller, Wilbourn
Walls, Edward L., Jr.
Walsh, Kenneth A.
Waltz, Herbert R.
Ward, Charles C.
Ward, Dale L.
Ward, Ralph P., Jr.
Ward, Richard A.
Warren, Robert F.
Warren, Stephen G.
Washburn, Guy M.
Waskom, Wendell M.
Watkins, Charles H., Jr.
Watson, Paul B., Jr.
Watson, William D.
Watterson, Donald E.
Watts, Frederic T., Jr.
Wears, Leo G.
Weaver, James R.
Weaver, Robert J.
Webster, William J.
Weghorst, Thomas O.
Wegley, Don E.
Weidner, James M.
Weitzel, Charles W., Jr.
Welch, Robert N.
Wellwood, Robert E.
Wendt, Harvey E.
Wesley, Rupert C., Jr.
Wetzel, Robert M.
Whitaker, James L.
White, Edwin B., Jr.
White, Erving F.
White, Rex A.
White, Russell C.
White, Thomas A.
Whitehill, William
Whitescarver, Kenneth T., Jr.
Whitlock, Roy B.
Wickham, Lawrence V. M.
Wieczorek, Myron P.
Wiedenkeller, Paul T.
Wilcox, Myron E., Jr.
Wilder, Charles S.
Wiley, Norman C.
Wilker, Dean
Wilkinson, John H.
Willett, William A.
Williams, George L.
Williams, James F.
Williams, Lynn F.
Williams, Royce M.
Williams, Robert G.
Williams, Walter L.
Willis, Robert L.
Wilson, Alexander
Wilson, Frank E.
Wilson, James E., Jr.
Wilson, John B., Jr.
Wilson, Norris W.
Wilson, Rex
Wilson, Robert R.
Winneberger, George L., Jr.
Winters, Donald M.
Winters, Richard A., Jr.
Wise, Dwain
Witt, William T., Jr.
Witte, Karl B.
Woerner, Robert E.
Wolf, Howard
Wood, Drury W., Jr.
Woodard, Richard M.
Woodbury, George B.
Woods, Laurence H.
Woods, Ray
Wosser, Joseph L., Jr.
Wray, Robert P.
Wright, Robert J.
Wydner, Charles E., Jr.
Yachik, Theodore R.
Yerkes, Robert W.
Young, Frank R.
Young, Warren R.
Zagrodzky, Howard H.
Zane, William E.
Zeugner, Robert
Zimmer, William E.
Zitnik, Robert J.
Zorn, Elmer J.

The following-named officers of the Marine Corps Reserve for temporary appointment to the grade of major, subject to qualification therefor as provided by law:

Abner, Edward L.
Ahern, Joseph M., Jr.
Allensworth, Raymond M.
Anderson, Alva
Anderson, Gerald L.
Anderson, Philip B.
Andre, Edward L.
Angell, Victor L.
Anton, Anthony D.
Armagost, William I.
Aune, Arthur J.
Baade, Russel D.
Babb, James M.
Babbitt, Robert E.
Babcock, Ira V.
Bailey, Kelvin W. A.
Baker, Ralph A.
Ballant, Dennis W.
Banks, John S., Jr.
Barian, Dicran B.
Barnes, Arch D.
Barron, Thomas W.
Beauparlant, John C.
Beeson, Arley E.
Bendeich, Charles F.
Benson, John M.
Benton, Robert E.
Berger, Thomas S.
Beyes, Warren J.
Bixler, James L.
Borchering, Clarence L.
Bordigon, Romeo
Bowen, Vaughn E.
Boyd, Joe T.
Brandon, Henry F.
Branham, Alfred F.
Bray, Edward A.
Breymaier, Robert S.
Broker, Darrel E.
Bruce, Vernon W.
Buchser, Edmund, Jr.
Bunker, Joseph L.
Burgans, Charles H., Jr.
Buschena, Carl J.
Bushong, Herman L., Jr.
Cameron, Eugene D.
Carpenter, Burson D.
Carruthers, Joseph N.
Cartoski, Edwin J.
Cate, Clarence C.
Catlow, Walter S.
Cauthon, Gilbert R.
Chacto, Alex S.
Child, Warren C.
Clark, Elton H.
Clark, Richard H.
Clarke, Donald G.
Clune, Joseph W.
Cole, Robert W., Jr.
Collins, Richard J.
Collins, Thomas W.
Conlon, Thomas W.
Cook, Robert E.
Cooke, Weldon C.
Costos, George
Cox, George W.
Cox, George R.
Cox, Raymon R., Jr.
Crabb, Craig C.
Critchley, Jack B.
Cronin, John E., Jr.
Cullison, Robert D.
Currier, Burton D.
Curzon, James R.
Daigle, Bernadin J.
Daly, Claude W.
Darfler, Donald
Davis, David, Jr.
Davis, Donald F.
Davis, James K.
Davis, William B.
Decker, Gerald
Detmering, Carl S.
Detrio, Joseph M.
Dickey, William E., Jr.
Dimick, Dexter A., Jr.
Dixon, John E.
Dobbins, Robert, Jr.
Donovan, William J.
Donovan, William P.
Dufford, John M.
Eddens, Frank L., Jr.
Elliott, Robert B.
Evans, Malcom D.
Everett, Ernest E.
Ewan, Randolph J.
Fagnan, Gerald Q.
Feenan, James F.
Fink, Gerald
Fiske, Russell F.
Fletcher, Raleigh E.
Folk, Richard W.
Forrest, Shelby M.
Foster, Francis A.
Foust, Harry L.
Franano, Vincenzo
Friend, Charles, III
Gangnath, Charles R.
Gemmell, Ronald H.
Gibson, Robert L.
Gilmour, Robert E.
Gipple, Guy M.
Givens, Joseph E.
Glaese, Darwin P.
Glasgow, Keith W.
Graham, Byron, Jr.
Gravning, Vernon J.
Griffin, Clair E.
Griffin, William W., Jr.
Hanan, John H., II
Hansbrough, Thomas
Hardy, Irving B.
Harrington, Jack G.
Harrison, Joseph L., Jr.
Hart, Gordon C.
Hawkins, James J.
Heaton, Joseph E.
Heinley, Phillip E.
Hembree, J. D.
Henderson, Robert P.
Hertzler, Charles A.
Hewlett, Robert M., Jr.
Holden, William H.
Holiday, Robert C.
Homeyer, Robert F.
Hopkins, Harold H.
Hopkins, Thomas D., Jr.
Horn, Thomas H.
Horne, Clinton D.
Hornsby, Richard G.
Horton, Howard K.
Hosking, Elmer E.
Howard, Robert B.
Hoyle, Homer D.
Hunt, Ernest L.
Ireland, James D.
Jackson, Grover C.
James, Eugene N.
Jensen, Lehi D.
Jerominski, Paul E.
Johnson, Ector R., Jr.
Johnson, William H.
Johnston, James M.
Johnstone, Forrest L.
Jones, Earl E., Jr.
Jones, Griffith
Jungi, Harry L.
Kamp, Arthur M.
Kane, William J., Jr.
Kennedy, Anthony J., Jr.
Kern, Peter W.
Kidd, Donald S.
Kiester, Kenneth R.
Kime, Merle A.
Kinsey, Robert T.
Kipp, Gordon E.
Kiselicka, Stephen F.
Klockzien, Vincent H.
Knowles, Harold R.
Knox, Alvin A.
Knutson, Donald S.
Koyiades, John
Lamoreaux, Harold G.
Lancaster, Wilson G.
Langston, Earl W.
Lathrop, Edwin H.
Lawlor, John L.
Lentz, Paul W.
Leonard, Clarence E.
Levy, Charles F.
Lewis, George W.
Lewis, Jesse M.
Lewis, Robert, Jr.
Linen, Charles J.
Locke, Melvin E.
MacDonald, Richard A.
Maginnis, Patrick M.
Major, James E., Jr.
Manley, Charles L.
Marcusson, Peter A., Jr.
Mark, Dewey M., Jr.
Maxson, Embree W.
McCabe, Maurice
McCall, Durwood P.
McCann, Robert E.
McCleery, James H.
McComber, Franklin J.
McDermott, John E.
McDevitt, Hugh A.
McDonald, Roy H., Jr.
McDonald, Thomas, Jr.
McFadden, Leslie T.
McGuire, Robert C.
McInnis, Robert J.
McLaughlin, James A.
McMahon, Richard
McNab, Robert C., Jr.
Meadows, Carl S.
Meeker, Robert J.

Melcher, Thomas J.
Menard, James L.
Miller, Robert L.
Mitchell, John D., Jr.
Molick, Roy J.
Monroe, Douglas E.
Morgan, Stacy M.
Mueller, Gilbert N.
Munnell, Hugh E.
Murnane, John P.
Murray, Frank J.
Nelson, Emery E.
Nichols, Worrell P.
Offerle, Laurel E.
Oldefendt, Glendon E.
O'Neil, James
Onyett, Jack E.
Oreilly, Andrew E., Jr.
Orr, Burt M., Jr.
Orr, Leonard L.
Osgood, Clarence W.
Owens, Dick
Ownbey, Harold C.
Palmer, Harold L.
Parker, George B.
Parsons, Lloyd J.
Peak, Wilbur L.
Perina, Lambert J.
Petersen, Robert W.
Peterson, Philip A.
Pickering, Wilbur W.
Pierce, Leon W., Jr.
Pinkston, Mose T.
Pitsinger, Rupert C.
Pittman, Teddy L.
Pont, Albert
Poppke, William R.
Price, Joseph R.
Price, Olen H.
Price, Sterling F.
Radin, Morris
Ratliff, Bert E.
Rause, Robert
Rector, James R.
Reed, Jack K.
Reed, Robert J., Jr.
Regas, William
Rich, Richard V.
Rickles, Robert E.
Rike, Joe A.
Riley, Glenn G.
Riley, John C.
Ritchie, John A.
Robbins, Cecil E.
Rose, Albert A.
Rose, Julius R.
Ross, Kenneth S.
Ruhsam, John W.
Rushfeldt, Collin H.
Ryan, John T.
Salmon, Robert L.
Samuelson, Richard K.
Santamaria, Thomas
Savage, Thomas F., Jr.
Scarborough, Walter T., Jr.
Schroeder, Warren F.
Schuerman, Mervyn T.
Schumacher, Paul E.
Sekardi, Max M.
Sessi, Victor A.
Shamis, Edward
Shellito, John L.
Sherman, Richard J.
Sherwood, Harry L., Jr.
Shevlin, Eugene P.
Shotwell, Harold W.
Simmon, Hal K.
Sims, Albert C.
Smith, Donald W.
Smith, Henry G., III
Smith, Hicks A., Jr.
Smith, John C.
Smith, William L.
Snell, Harold D.
Snyder, Alan J.
Soncrant, Edward L.
Spence, Robert M.
Spjeldet, Roland E.
Stansbury, Charles F.
Stegman, James J.
Stetler, Patrick F.
Stevens, Merrill E.
Stewart, Roger A.
Stith, John D.
Stone, Gregory S.
Suter, Merrill F.
Swafford, Johnny L.
Swanson, Russell
Swedberg, John E., Jr.
Swenson, Merrill E.
Tabler, Robert R.
Tait, Leonard R.
Taylor, Raymond B.
Tebow, William J.
Tesko, Stanley
Thomas, John P.
Thomason, Hugh M.
Thompson, Foster L., Jr.
Thomson, Ernest W.
Tuttle, John W.
Wagner, Arthur
Wagner, Robert E.
Walden, Ennis E.
Wallace, George M.
Warrender, Charles A.
Washburn, Hugh D., Jr.
Watson, Alexander
Weathersbee, William P.
Webb, John R.
Whipple, Charles C.
Whitefield, Donald E.
Wicker, Roy W., Jr.
Willis, Charles A.
Wilson, Harry S.
Wilson, Sidney J., Jr.
Wolfe, James E.
Woodbridge, Charles L.
Woodruff, William B.
Writer, Carl P.
Young, Neil F.
Young, Robert J.
Zagone, Nicasio J.

The following-named officers of the Marine Corps and Marine Corps Reserve for temporary appointment to the grade of first lieutenant subject to qualification therefor as provided by law:

Abbey, Robert B.
Abbott, Millard S.
Abbott, Robert G.
Abbott, William V. C.
Abercrombie, Harold E.
Abernathy, Thomas R.
Ables, Murray F.
Ackerson, Garrett G., III
Adair, James T., Jr.
Adams, George H.
Adams, John M., Jr.
Adams, Sammy T.
Adamson, Clarence E.
Adamson, Walter K.
Adler, Seymour J.
Aeschbacher, Herbert L.
Affeld, Francis O., IV
Agnello, Angelo
Agos, Robert R.
Ahearn, Joseph M.
Ahlberg, Richard C.
Aichroth, Donald T.
Alba, John R.
Alber, Charles L.
Alber, John W.
Albers, Vincent A., Jr.
Albert, Duane H.
Albrecht, Robert C.
Alexander, Dan C.
Alexander, Tommy D.
Allaband, Winfield A.
Allbrooks, Eugene
Allen, Albert D., Jr.
Allen, Albert N.
Allen, Chester W.
Allen, Clyde E.
Allen, George M.
Allen, Norgren B.
Allen, Richard J.
Allen, Rives C.
Allen, Robert E.
Allen, Thomas B.
Allen, Thomas H., Jr.
Allen, William B.
Allen, William V.
Allgood, Frankie E.
Allison Lee, J.
Allweiler, Joseph O.
Alm, Richard A.
Alpert, Leonard
Alsmeyer, Charles R.
Altenbern, Stanley E.
Alter, Francis M.
Altman, George F.
Alvaro, Michael A.
Alves, Edward R., Jr.
Amaya, Julian
Amberg, John M.
Ambrosi, Americo L., Jr.
Ames, Carl S.
Ames, George S.
Ames, Sheppard K., Jr.
Ammentorp, Warren L.
Ammons, James F.
Amo, Jerry L.
Amos, Paul F.
Analla, Robert N.
Andersen, Andrew E., Jr.
Andersen, Earl R.
Andersen, Ernest J.
Andersen, Eugene W.
Andersen, James V.
Andersen, Wayne C.
Anderson, Andrew J., Jr.
Anderson, Carl E.
Anderson, Donald L.
Anderson, Henry D.
Anderson, Joseph C.
Anderson, Leonard W.
Anderson, Milton A.
Anderson, Paul L.
Anderson, Robert L., Jr.
Anderson, Willam L.
Anderson, William B., Jr.
Anderson, William D.
Anderson, Wilburn C., Jr.
Anderton, George T., Jr.
Andreos, John A.
Andresevic, William R.
Andrew, Joe H.
Andrew, Paul B.
Andrews, Algie F.
Andrews, Clyde P.
Andrews, Clifton B.
Andrews, John W.
Andriliunas, Francis
Andrus, Kermit W.
Angelo, Leon N.
Angros, Leo, Jr.
Angus, Carl J.
Antczak, Arthur J.
Anthony, Frederick P.
Anthony, Garner
Anthony, Richard A.
Antoniacci, Gene E.
Apker, Joseph E.
Applegate, James L.
Applegate, Frank A.
Applequist, Edward R. Jr.
Archer, Harry J., Jr.
Archer, Wayland L.
Armbruster, Robert F.
Armentrout, James R.
Armstrong, William H., Jr.
Armstrong, Max L.
Armstrong, Frederick R., Jr.
Arneson, Richard B.
Arnold, Edwin L.
Arnold, John L.
Arnold, Kenneth G.
Arp, Dudley M.
Arquiette, John B.
Arrington, Raymond O.
Arthur, Charles L.
Arthur, Ernest W.
Arthur, Robert J., Jr.
Arzaniewicz, Joseph B.
Aschenbeck, Theo F.
Ash, Allen H.
Ash, Peter S.
Ashby, William C., Jr.
Ashenhurst, Frank L., II
Ashley, William C.
Ashton, Franklin E.
Askinosie, Lawrence
Asmus, Vernon C.
Asmuth, Richard J.
Aspinwall, Glen S.
Atha, Donald J.
Atkinson, James P.
Atkinson, Neil, Jr.
Ator, Donald W.
Atwater, Gerald K., Jr.
Ausband, Robert W.
Austgen, Donald R.
Austin, Harold M., Jr.
Austin, James P.
Austin, James L.
Austin, John H.
Austin, Marion G.
Avery, Willard C., Jr.
Axton, Robert H.
Aycock, James F.
Ayers, Thomas J.
Ayres, Horace C., Jr.
Azevedo, Lloyd H.
Babikian, Charles A., Jr.
Babski, Bruce S.
Babyak, Joseph E.
Backus, Edward E.
Bacon, Dwight G.
Badamo, Frank J.
Bade, Charles R. R.
Badger, Eugene C.
Baer, James W.
Bahner, Robert H.
Baier, Donald I.
Bailey, Donald W.
Bailey, Earl W.
Bailey, Garnett R.
Bailey, Gerald D.
Bailey, Leo P., Jr.
Bailey, Paul E.
Bainbridge, Beryl E.
Baird, Jesse F.
Baker, Bernard B.
Baker, Charles E.
Baker, Clarence M.
Baker, Gerald F.
Baker, John M.
Baker, Stephen E.
Baker, William H.
Balakas, Joseph, Jr.
Baldinger, James D.
Baldwin, Covert F.
Baldwin, Harry J., Jr.
Bales, Frank N.
Bales, George W.
Balester, Joseph
Balius, David H.
Ball, William L.
Ballard, Donald S.
Ballek, Fred J.
Ballew, Thomas J.
Ballog, Ronald M.
Ballou, Frank W.
Bancroft, John V.
Bancroft, Richard A.
Baney, Lowell E.
Banks, Charles D.
Bany, John B., Jr.
Barbee, Harrison I.
Barber, George D.
Barber, James E.
Barberi, John M.
Bardell, Donald J.
Barham, Bobby L.
Barham, Thomas W.
Barker, Lionel A.
Barker, Paul R.
Barker, Warren H.
Barlow, Glen H.
Barlowe, Donald E.
Barnes, Barry P.
Barnes, Lloyd J.
Barnett, Gordon P.
Barnett, James B.
Barnett, Thomas P.
Barr, Robert G.
Barrer, William S., Jr.
Barrett, Richard C.
Barron, Thurston B., Jr.
Barth, Olav
Bartl, Charles P.
Bartlett, Edward A.
Bartlett, Kenneth T.
Bartlett, Robert M.
Bartlett, Stephen W.
Bartley, John T.
Bartley, William J.
Barton, Willis W., Jr.
Bartosik, Frank J.
Bartunek, Richard M.
Batchelder, Sydney H., Jr.
Bates, John B.
Bates, John W.
Bates, Maurice J.
Bates, William H.
Battani, Kenneth J.
Battistone, Carl L.
Battle, Benjamin G., Jr.
Batts, Robert E. L., Jr.
Bauer, Peter A.
Bauer, Richard J.
Baughman, Prentiss H.
Baum, Julian F., Jr.
Baumwart, Eldon L.
Baxmann, Robert O.
Baxter, Robert M.
Beach, Andrew D.
Beach, Edward E.
Beal, Don D.
Beam, George H.
Bearchell, William L.
Beardslee, William C.
Beasley, Robert D.
Beatty, Robert M.
Beauchamp, Glen T.
Beaumont, Charles D., III
Beaver, Jimmy C.
Beck, James T.
Beck, Kenneth R.
Beck, William R.
Becker, Leslie R.
Becker, Teddy J.
Beckham, William G., Jr.
Beckner, Boyd H.
Beckwith, Bruce W.
Beers, Richard W.
Beersman, James H.
Begines, Joseph
Begley, Kevin M.
Beis, John T.
Belcovski, Frederick
Belden, Edward B.
Bell, Douglas L.
Bell, George N.
Bell, James B.
Bell, Ray H.
Bell, Richard L.
Bellamy, Richard E.
Belling, James M.
Belt, James L.
Belt, Robert E.
Bench, James D.
Bender, Allen L.
Bender, Joseph M.
Benero, Joseph L.
Bengele, Charles M., Jr.
Bennack, Cantley P.
Benner, Theodore F., Jr.
Bennett, Dale T.
Bennett, Homer L.
Bennett, James L.
Beno, Joseph P.
Bensco, Allan J.
Benson, Carl H.
Benson, Robert A.
Bent, Russell F.
Benton, William D.
Bentsen, William B.
Berckmans, Bruce, Jr.
Berg, August L.
Berg, Donald R.
Berger, Michael A.
Berglund, Warren T.
Bergmann, Henry C.
Bergstrom, James C.
Bergstrom, John W.
Berkley, Stanley G.
Bermas, Edward M.
Berndt, Harland W.
Bernhardt, John J.
Berolatti, Louis J.
Berrey, Charles H.
Berry, Jesse S.
Berry, Wesley E.
Bertea, Richard
Bertheau, Franklin R.
Berthoud, Kenneth H., Jr.
Bertke, Thomas J.
Berube, Raymond L.
Besse, James D., Jr.
Best, Edgar N.
Bethel, William F.,
Bickert, Robert G.
Bickley, Roy W.
Bicknell, Ralph L.
Bierhaalder, Dirk C.
Bigelow, William C.
Bigley, Richard R.
Billera, Joseph P.
Bingham, Ellis D.
Binney, Douglas C.
Binnion, William E.
Bir, James E.
Bird, James H., Jr.
Bird, Neale E.
Bird, Philip S.
Birdwell, Tom R.
Birou, Francis L., Jr.
Bischoff, Joseph J.
Bishop, Charles H.
Bishop, John W.
Bisland, Edward C.
Bissell, Glenn A.
Bissonette, Charles G.
Bitner, Daniel S.
Bivins, George E.
Bivins, Harold A.
Bjerke, Duwain E.
Bjorklund, Kay D.
Bjornaas, Forrest R.
Bjorvik, Roger A.
Black, James O.
Black, John G.
Black, Theodore H.
Black, William C.
Blackburn, Jason A.
Blackstone, George E., Jr.
Blackwell, James L.
Bladergroen, Charles H.

Blair, Anthony L.
Blair, John H.
Blair, Richard R.
Blais, Robert A.
Blaisdell, Nesbitt C.
Blalack, Victor E., Jr.
Blanchard, Lee E.
Blandy, John F.
Blankenship, Leroy I.
Blanton, Harold L., Jr.
Blasko, William A.
Blaydes, Aquilla M.
Blaylock, Hulen A., Jr.
Blayton, Walter E.
Block, Robert E.
Blomquist, Robert F.
Bloom, Allan H.
Bloom, John C.
Bloom, Ronald J.
Bloomfield, William P.
Blyler, Donald N.
Boccieri, Ronald J., Jr.
Bodnar, Nicholas K.
Bogan, Harold J.
Bogg, Charles F.
Boggs, William G., Jr.
Bohler, Ludwig C.
Bohn, William G.
Boles, Robert D.
Bolin, Harold R.
Bolton, James H.
Bolves, Rudolph W.
Bomgardner, George I.
Bonadio, Robert A.
Bond, David T.
Bond, Leighton McG.
Bond, Royce L.
Bonne, Neil S.
Bonsall, William O.
Boone, Owen B.
Booth, Charles L.
Booth, Frank R., Jr.
Booth, Lewis H.
Borcherdt, Edward R., Jr.
Borda, Richard J.
Boring, Harry R.
Borjesson, Stanley G.
Bornell, Donald G.
Borom, Perry L.
Bossert, George J.
Boswell, Benjamin L.
Boswell, George S.
Boswell, John D.
Bott, William J.
Bottoms, Lemuel M.
Bottorff, Harry J.
Bourne, Arthur H.
Bourne, Richard E.
Bousman, James S.
Boutiette, Richard C.
Bowen, David W.
Bowen, Gregory L.
Bowen, James T.
Bowen, Virgil G.
Bowen, William T.
Bower, Edward L.
Bowers, James M.
Bowman, Richard D.
Bowron, Walter F.
Bowser, James R., Jr.
Boyages, Zack
Boyan, Clarence C.
Boyd, Clarence A., Jr.
Boyd, Daniel Z.
Boyd, Frank M.
Boyd, Mose W.
Boylan, Thomas B.
Boyle, Francis G. X.
Boyle, John K.
Boyles, Cullen S.
Boynton, Robert H.
Brace, Ernest C.
Bracken, John C.
Bracken, Wallace D.
Brackett, Joseph E.
Brackett, Richard C.
Brackett, William D.
Bradberry, Joe E.
Braddon, John R.
Braden, Russell J.
Bradley, Bobbie B.
Bradley, Joseph V.
Bradley, Thomas E.
Bradley, William C.
Brady, Arthur F., Jr.
Brady, John A.
Brady, Robert C.
Brake, James W.
Brand, Vance D.
Brandon, Francis X.
Branson, William B.
Brassette, Maurice, Jr.
Brassfield, John T.
Bratt, Eugene J.
Brause, Bernard B., Jr.
Bray, Richard P.
Brazelton, Robert S.
Breckenridge, Floyd S., Jr.
Breeden, Robert F.
Breen, Joseph
Breeze, John R.
Brenden, Gene W.
Brennan, Gregory L.
Brennan, James J.
Brenneman, Wilmer E.
Breslauer, Charles K.
Breth, James R.
Bretscher, Arthur J.
Brett, Richard A.
Breuer, Harry, Jr.
Brewer, Arnold J.
Brewer, Clyde W., Jr.
Brewer, Glenn D.
Brewster, Albert E., Jr.
Bridges, Henry M.
Brigden, John K., Jr.
Brigham, John M.
Bright, Ray E., Jr.
Brindell, Charles R.
Brinkley, Harvy D.
Briody, James J.
Britton, Thomas N.
Broad, Alfred T.
Broadwell, Franklin C.
Brockman, William A.
Broderick, Richard S.
Brog, Robert L.
Bromm, Harold J.
Brooks, Gene E.
Brooks, Stephen J.
Brooks, Thomas D.
Brooks, William E.
Brosco, Anthony J.
Brosnahan, Thomas R.
Brosnan, James S.
Brothers, William B.
Broughton, Phillip C.
Brower, Joseph P.
Brown, Bernard M.
Brown, Carl D.
Brown, Carroll E.
Brown, Guy L.
Brown, H. P.
Brown, Harry W., Jr.
Brown, Irvin C.
Brown, John H.
Brown, John S. L., Jr.
Brown, Joseph B., Jr.
Brown, Lewis A.
Brown, Philip J., Jr.
Brown, Phillip W. T., Jr.
Brown, Richard A.
Brown, Richard E.
Brown, Robert L., Jr.
Brown, Ronald A.
Brown, Thomas J.
Brown, Thomas S.
Brown, Wadsworth S.
Brown, William R.
Browne, James F., Jr.
Browne, Joseph E.
Browne, Richard C.
Brownell, Richard L.
Brownson, John C., Jr.
Bruce, Edgar W.
Bruce, Frank H., Jr.
Bruce, Lowell L.
Bruce, Richard O.
Bruce, Walter K.
Bruce, William K.
Bruggemeyer, Roger A.
Brunson, Aubie W.
Bryant, Ernest A., III.
Bryant, Thomas M.
Bryson, Walter J., III.
Buchanan, Robert B.
Bucher, William E.
Buckholtz, Edgar E.
Buckley, David
Buckman, John G.
Buckridge, Richard D.
Budd, Talman C., II.
Budny, Stanley J.
Budow, Lawrence S.
Buechl, William K.
Buechner, Robert, Jr.
Bugg, John S., Jr.
Bujan, Charles D.
Bump, Judson C.
Bunce, Truman G.
Bunnell, Ruskin C.
Buonocore, Gregory P.
Buran, Philip F.
Burchard, Harold W., Jr.
Burcher, Eugene S.
Buren, John W.
Burgess, Horace W.
Burgh, Donald A.
Burgin, Henry N.
Burgon, Edwin L.
Burin, Michael
Burk, Thomas K., Jr.
Burke, Edward J.
Burke, Richard R.
Burkley, Francis E.
Burlage, Gerald J.
Burnette, Thomas D.
Burnham, Daniel A.
Burns, John J.
Burritt, Richard R.
Burrows, Thomas E.
Burton, Jerry B.
Buschman, Theodore W.
Buskirk, Charles D.
Buss, Herbert F.
Butler, John H.
Butler, John K.
Butler, Larry R.
Butler, Owen J.
Button, William H., III
Buzbee, Richard L.
Byers, Bradley C.
Bymaster, Cortlandt O.
Byrd, Charles R.
Byrnes, Peter J.
Byron, Robert J.
Cable, Wiley R.
Cabral, Louis A.
Cadenasso, Eldon J.
Cadmus, Lewis H., Jr.
Cadrin, Leo A.
Cadwell, Robert A.
Cahill, Edward D., Jr.
Cahill, John J.
Cain, Pat
Cain, Thomas L.
Calandrella, Carmine A.
Calder, James D.
Caldwell, John T.
Califf, Irvin D.
Callery, William J., Jr.
Callison, Harold R.
Calvert, Jonathan C.
Camp, Gene F.
Campagnone, John E.
Campbell, Albert J., Jr.
Campbell, Harold R., Jr.
Campbell, James R.
Campbell, John W.
Campbell, James N.
Campbell, John P.
Campbell, James A., Jr.
Campbell, Joe A.
Campbell, Laurence A., III
Campbell, Paul F.
Campbell, Paul T.
Campbell, Ronald W.
Campbell, Thomas R.
Campbell, William H.
Campbell, Walton M.
Campbell, William S.
Campe, John N.
Candy, Thomas R.
Cannon, George W.
Cannon, Robert O.
Cannon, Samuel P.
Cantieny, John B.
Capinas, Donald J.
Capriano, Michael P.
Caputo, Ernest, Jr.
Carbone, Martin R.
Carchietta, Anthony J.
Cardinale, Peter T.
Cardinale, Anthony
Carey, James E.
Carey, Raymond A.
Carey, William E.
Carleton, Welby A., Jr.
Carlisle, Ralph C., Jr.
Carlo, Jerry M.
Carlson, Francis J.
Carlson, Richard T.
Carlson, Wilbur M.
Carlton, Claudius L., Jr.
Carney, Leo G.
Carney, Stephen P.
Carothers, James H., Jr.
Carpenter, Donald R.
Carpenter, Earl E.
Carpenter, John W., Jr.
Carr, George, Jr.
Carr, Howard E., Jr.
Carr, Roger A.
Carr, William L.
Carroll, Arthur A., Jr.
Carroll, Charles W.
Carroll, John F., Jr.
Carruthers, Robert E.
Carson, Alan T.
Carson, Richard H.
Carter, Denton
Carter, Shelby H., Jr.
Caruso, Salvatore C.
Carver, Thomas R.
Casey, Patrick J.
Cash, Richard A.
Cassedy, Logan
Cassell, Richard T.
Cassidy, James F., Jr.
Cassidy, John M.
Castagna, Edward J. A.
Castellana, Alphonse J.
Catallo, Merico L.
Catt, Jack R.
Caudill, Curtis E.
Cavallo, Louis J.
Cavendish, John C.
Cavness, Joseph R.
Cavros, Steve N.
Cawfield, Francis R.
Cawthon, Walter C., Jr.
Caynak, John P.
Cecil, Earl D.
Centola, David D.
Cerminara, Umberto V.
Cervenak, Michael W.
Cesare, Donald J.
Chace, Frank C., Jr.
Chaligren, Stanley A.
Chambers, James W.
Chambless, William S.
Champion, William M.
Chandler, Charles R.
Chaney, Earl D., Jr.
Chaney, Guy R.
Chaney, John B., Jr.
Chapell, Donald R.
Chapin, Robert W.
Chapman, Edward J., Jr.
Chapman, Edward J.
Chapman, John L.
Chapman, Leland L.
Chardon, Alain J.
Charon, Larry P.
Chase, Frederick, Jr.
Chase, Marshall C.
Cheatham, Willard E.
Chellis, Thomas W.
Chernack, Boris J.
Chesla, Edward J., Jr.
Chester, John W., Jr.
Chez, Joseph M.
Chiles, Charles H.
Chisholm, William H.
Chisnell, Thomas C., Jr.
Chittick, John M.
Chockley, Robert S.
Chrisman, Robert A.
Christ, George M.
Christensen, Don R.
Christensen, John D.
Christian, Eual R.
Christiansen, Hyrum E.
Christlieb, Beryl T.
Christopherson, James W.
Christy, Robert A.
Cianci, Francis X.
Ciardi, Dominick R.
Cicala, George
Cignotti, Louis J.
Cinciarelli, Roland F.
Cincotta, Donald J.
Clapp, Frederick H.
Clark, Arthur D., Jr.
Clark, Bernard E.
Clark, Bobby E.
Clark, Frank A.
Clark, Fred E., Jr.
Clark, Gerald E.
Clark, James E.
Clark, Merideth M.
Clark, William M.
Clark, William H., III
Clary, Robert E.
Clatworthy, John
Claunch, J. M.
Clayton, Charles B.
Clayton, Philip C., Jr.
Clayton, Walter E., III
Clemens, Glenwood A.
Clement, Ralph F.
Clements, Frederick D.
Clemons, Girard L., Jr.
Clendening, Carl C.
Cleveland, William L., Jr.
Click, James C.
Clifford, Henry C., Jr.
Clifford, Martin L.
Clifton, James A.
Cline, Austin R.
Cline, Frank E.
Coates, Franklin W.
Cobb, John L.
Coble, James H.
Cochran, John E.
Cochran, William A.
Cockey, John M.
Cockrum, James E.
Cody, James B.
Cody, Thomas G.
Coffey, William F.
Coffin, Charles T.
Coffin, George J., Jr.
Coffin, James H.
Coggan, Leland L., Jr.
Cohn, William A.
Coit, William H., II
Coladonato, Falco J.
Colbert, Arthur B.
Colby, Dwain A.
Cole, Doyle H.
Cole, Frank H.
Cole, Joe M.
Cole, Robert C.
Cole, Robert E.
Cole, Ronald D.
Coleman, Daniel C.
Coleman, Donn G.
Coleman, Edward C., Jr.
Coleman, James F.
Coleman, Joseph E., Jr.
Coles, Laurie B.
Colleton, Francis X.
Collier, William R.
Collins, Charles E.
Collins, Donald L.
Collins, Jessie R.
Colo, Marshall A.
Colquitt, Roy S., Jr.
Colson, Charles W.
Colven, Richard A.
Colyer, Charles C., Jr.
Comer, Andrew G.
Comer, Robert E.
Comfort, Clayton L.
Como, Joseph A.
Conaway, Charles R.
Conlin, John C.
Conlon, Arthur B.
Conlon, Bernard P.
Conlon, James F.
Connell, Richard F.
Connelly, Francis J.
Conners, William L.
Connolly, James J.
Connolly, Walter J., Jr.
Connor, Fred W., Jr.
Conrad, Billy D.
Conrado, James S., Jr.
Conroy, Eugene L.
Conroy, Richard J.
Conroy, Thomas M., Jr.
Consodine, Thomas J., Jr.
Convissor, Samuel M.
Conway, Alfred G.
Conway, William H.
Conyers, John F.
Cook, Edward C.
Cook, Gorton C.
Cook, Howard L.
Cook, John D.
Cook, John F.
Cook, Marcus H.
Cook, Robert E.
Cook, Thomas B.
Cook, Walter T.
Cooke, Richard M.
Cooley, Gordon R.
Coombe, Philip W.
Cooper, Francis W.
Cooper, Gary D.
Cooper, Jesse G.
Cooper, Joseph M.
Cooper, Kenneth L.
Cooper, Robert M.
Cooper, Virgil G.
Cope, John F.
Copeland, Edwin
Copland, John S.
Corbet, Jimmy A.
Corbin, Joseph G.
Cordiel, James B.
Corliss, Gregory A.

Corn, Donn E.
Cornelius, Franklin L.
Cornell, Marion H.
Corning, Nathan E.
Cornish, Chester L.
Cornwall, Gerald B.
Cornwallis-Stevenson, Cyril H., Jr.
Corr, James R.
Corregan, Bradley W.
Cosby, Leslie C.
Cosgrove, George P.
Costeira, James H.
Costello, Frank P., Jr.
Costello, Thomas L.
Cotreau, Gerald S.
Cottingham, Robert P., Jr.
Cottom, John W.
Cotton, Joab, Jr.
Cottrell, James E., Jr.
Cottrell, Johnnie C.
Couch, Wallace M.
Coughlin, Richard L.
Coulter, George F., Jr.
Coulter, Richard W.
Courtney, Richard G.
Courtney, Thomas H., Jr.
Courts, Carl E.
Covalt, Theodore L.
Cowper, Thomas J.
Cox, Donald L., Jr.
Cox, Jay M.
Cox, John V.
Cox, Lemoin.
Cox, Robert B., Jr.
Cox, Stanley D.
Coyle, Thomas J.
Craemer, George H., Jr.
Craig, Winchell M., Jr.
Craine, James E.
Crawford, Charles W.
Crawford, Harden L., Jr.
Crawford, John M.
Crawford, Raymond M.
Crawford, William J.
Creamer, John F., Jr.
Creekmore, Gregory, Jr.
Cresswell, Charles W.
Cretney, Warren G.
Crews, Duane D., Jr.
Crews, Eugene E.
Cribb, George F.
Cribben, John P.
Cripe, Frederick J.
Cripps, Willie S.
Criss, Edward M.
Criss, Jackie L.
Crist, George B.
Crist, Raymond F., III
Criswell, Dale W.
Crittendon, Robert R.
Critz, Richard L.
Crncic, Daniel M.
Crocker, Robert W.
Croll, Robert M.
Cronk, Robert A.
Cronk, Robert R.
Crosby, Allan R.
Crosby, Donald A.
Crouse, Richard T.
Crow, Arthur E.
Crowe, Patrick J., Jr.
Crowley, Jerome F., Jr.
Crowley, Maurice D.
Crutchfield, James R.
Cucka, John
Cull, Albert L.
Cullen, Thomas P.
Culligan, James M.
Culligan, Thomas M.
Cullom, James H.
Culpepper, Richard H.
Cummings, Dale D.
Cummings, John M.
Cunningham, Robert F., Jr.
Cunningham, Roy T.
Cuppy, Will C., Jr.
Curley, Herbert J.
Curley, James M.
Curran, Maurice F.
Curran, Thomas L.
Currie, Thomas R.
Curry, Edward H., Jr.
Curtis, Conrad M.
Curtis, James A.
Cusack, George G.
Cushman, James R.
Cusick, George C.
Cutler, Jesse T.
Cysewski, Sigmund J., Jr.

Daake, Duane L.
Dabney, Donald J.
Daglis, Arthur J.
D'Agostino, Thomas S.
Daigle, Chester J.
Daily, Roger M.
Dalbey, Rolland M.
Dalena, Albert F.
D'Alesandro, Louis W.
D'Alessandro, Joseph J.
Daley, John J., Jr.
Daley, Richard F.
Dalkiewicz, Thaddeus E.
Daly, Daniel C.
Daly, Joseph P., III
Damone, William F.
Dandrea, Louis A.
D'Angelo, John J.
Daniell, Paul L.
Daniels, Otis D.
Danielson, Donald C.
Danielson, Darrell C.
Danner, Richard L.
Darby, Donald W., Jr.
Darco, Anthony J.
Darling, Eugene R.
Darron, Robert R.
Daut, John D.
Davenport, Richard K.
Daves, Joel T., III
David, Edward L.
David, Joseph B., III
Davidson, Bobby E.
Davidson, Darrell U.
Davidson, Thomas L.
Davies, Ed R.
Davis, Bennie E.
Davis, George R.
Davis, Jack Wolfe
Davis, Jack William
Davis, Jesse D.
Davis, Joseph W. S., Jr.
Davis, Leland L.
Davis, William H., Jr.
Dawes, Lyell C., Jr.
Dawson, Bobby G.
Dawson, Carl F.
Dawson, Forest G.
Dawson, William A.
Day, James L.
Day, Marvin E.
Day, Richard L.
Deadwyler, Joe D.
Deal, Nelson F.
Dean, John M.
Dean, Roland H.
Dean, Stanley W.
Dearmon, James D.
Decker, John H.
Decoursey, John E.
Decrane, Alfred C.
Deem, Richard G.
Deen, Charles H.
DeFazio, Ernest L.
Deffebach, William T.
DeGanahl, Carl B.
DeGiacomo, James R.
DeHaven, Leslie B.
Deimer, Theodore J.
DeLahr, Marvin L.
Delahunty, William R., Jr.
DeLaine, Louis, Jr.
Delaney, Gerald R.
Delaney, James J.
Delaney, John P.
DeLaTorre, George F.
Delcuze, Godfrey S.
Dell, Melvin E.
DeLong, Clyde S., Jr.
DeLong, George J.
DelSanto, Pasquale
Delucia, Ralph, Jr.
Demarest, John B.
Demaris, John C.
Demers, Charles O.
Demmerly, Harry W.
Demos, John
Demott, Harry J., Jr.
Dempster, James F.
Deneen, Bruce T.
Denehy, Harry A.
Dennerlein, Cyril J., Jr.
Dennis, Utah G. L.
Denora, John
Dent, Robert H.
Dentler, Paul J.
Deprima, Joseph
DeSario, Louis
DeSchuytner, Victor R.
DeShazo, Thomas D.
DesJardines, Lawrence J.
DesJardins, Fabian E.
DesMarais, Robert N.
Desmet, George W.
Desmond, Robert C.
Detroy, John W.
Dettman, James A.
Deuser, James F.
Devanney, William T.
Dewell, Jack L.
Dewey, Robert R.
Dhonau, Donald D.
Diamond, Donald L.
Dianetti, Albert R.
Dickerson, Lawrence E., Jr.
Dickey, David K.
Dickey, Donald R.
Dickson, Robert E.
Diehl, John J.
Dietrich, George R.
Dignan, George J., Jr.
Dillard, James L.
Dillard, Julian M.
Diller, Jack K.
Dillie, Donald K.
Dillon, James L.
Dininger, Charles F., Jr.
Dion, James W.
Dion, Robert F.
Disher, William H.
Ditch, Winfield S., III
Dittmann, Wayne R.
Divoky, Robert J.
Dix, Kenneth M.
Dixon, John C.
Dobbratz, Joseph R., Jr.
Dockstader, Richard W.
Dodd, John F.
Dodson, Grayson E.
Dodson, Warren McL., Jr.
Doescher, Wilmer F.
Doherty, James M.
Dolan, Eugene T.
Dolan, Francis A.
Dolan, John E.
Dolan, Russell E.
Dolan, Samuel J.
Dollard, Charles W.
Dolmetsch, Robert E., Jr.
Dolphin, Robert E.
Dolsen, Norman M.
Donahue, Arthur J.
Donahue, John T.
Donald, William A.
Dondey, Leon
Donnellan, Richard P.
Donnelly, Donald E.
Donnelly, Peter E., Jr.
Donnelly, Thomas E.
Donnelly, Vincent C.
Donnelly, William R.
Donoghue, Joseph C.
Donovan, Orval E.
Doolan, Leonard W., III
Dooley, Francis M.
Dopler, John R.
Doran, James J., Jr.
Dore, Cornelius M., Jr.
Dore, Robert P.
Dorffeld, Charles E.
Dorman, John F.
Dorn, Alvin K.
Dorr, George C.
Dorsett, Thomas M.
Dotson, Courtney J., Jr.
Dotter, James E., Jr.
Dotterer, Robert A.
Doty, David S.
Doub, Jay A.
Doublet, Alvin J.
Doudna, Thornton E.
Dougherty, John E.
Douglas, James B.
Douglas, Thomas J.
Douglass, Dwight F.
Douglass, William E.
Douville, Charles G.
Dove, David R.
Dowd, Anthony J., Jr.
Dowd, John A.
Downey, Kenneth W.
Downing, James B., Jr.
Downs, Roy
Dowsett, John E.
Doyle, Donald A.
Doyle, John M.
Doyle, Joseph E., Jr.
Doyle, Peter E.
Doyle, Teddy J.
Doyle, Thomas A.
Draper, William W.
Drazich, George
Drennan, Lawrence T., Jr.
Drescher, Herbert W.
Dresely, John W.
Drew, William B.
Driscoll, Bernard E.
Drovedahl, Robert
Duane, Daniel J., Jr.
Dubeau, Leo F.
Duchesne, John W.
Duck, John E.
Duckworth, Donald J.
Dufendach, Paul E.
Duff, John C.
Duffield, Daniel M., Jr.
Dugan, John E.
Dugan, John W.
Duhnkrack, Alan R.
Dumont, Thomas J.
Dunbar, Robert D.
Dunbaugh, Charles R.
Duncan, Billy R.
Duncan, William B.
Dunham, William J.
Dunn, Hollis T.
Dunn, John H.
Dunn, Walter F.
Dunphy, John J.
Dunwell, Ronald P.
Duphiney, Randall W.
Dupont, James A.
Dura, Andrew
Durbin, Hugh C.
Dure, Leon S., III
Durham, Edwin A.
Durham, John A., Jr.
Durkin, Robert J.
Dutton, Frank W.
Dutton, Harold K.
Dutton, Thomas A.
Duvall, Raymond L., Jr.
Dyer, Robert J.
Eagan, Arthur J.
Eaheart, John F.
Eames, Stewart V.
Earle, George H., Jr.
Eastman, Robert J.
Eastwood, Gerald W.
Eaton, Carl G.
Eckenfels, Gerald T.
Ecker, Donald D.
Eckert, John F., Jr.
Eckert, Shirlan L.
Eckmann, Ronald P.
Eddy, James R.
Edebohls, Hans G.
Eden, David J.
Edgerton, Edward J.
Edinburgh, Lester E.
Edson, Richard D.
Edwards, Charles
Edwards, Donald A.
Edwards, Thomas E., Jr.
Egger, Charles H. F.
Eggleston, Joseph N.
Ehlers, Clifford C.
Ehm, Charles H.
Ehrlich, Maxwell
Eichor, James R.
Eilers, Albert D.
Eitel, Robert J.
Elam, David L.
Elder, Wilbur M.
Eldridge, Francis H., Jr.
Eleazer, William R.
Eliason, Arthur F., Jr.
Elkins, Jim T.
Ellery, Thomas G.
Elliott, George F.
Elliott, Joseph A.
Elliott, John M.
Elliott, Lyle B., Jr.
Elliott, Nathaniel R., Jr.
Ellis, Theodore, Jr.
Elmendorf, Carlin T.
Elmer, Neil B.
Elmiger, Robert P.
Elmlund, Herbert W.
Elmwood, Robert E.
Elrod, Terrell L.
Elstner, Earl T.
Elting, John D.
Elwood, William R.
Elzea, William D.
Emery, John M., II
Emmons, Charles D.
Emmons, Robert W., Jr.
Emrich, William R.
Enderle, Rodolfo R.
Enders, John F., Jr.
Engel, Edward A.
Engels, Frank J.
Engler, Robert H.
Enley, William M.
Enoch, John T.
Enright, John R.
Eppley, Arthur
Erickson, Charles B.
Erickson, Eldon L.
Erickson, Kenneth D.
Erickson, William F.
Ericsson, Robert D.
Erkenbeck, James B.
Erman, Robert J.
Ermatinger, Paul J.
Ernst, Alfred R.
Erspamer, William F.
Erwin, Louis O.
Esther, John R.
Etchart, William M.
Etnyre, William R.
Evanko, Leonard
Evans, Donald C.
Evans, Gary N.
Evans, James R.
Evans, John L., Jr.
Evans, John R.
Evans, Richard D.
Evans, Richard L.
Evans, Robert D.
Everett, Wilbur D.
Everhart, John D.
Eversole, Carl J.
Ewald, William F.
Eyster, Charles R.
Faber, William A.
Fagot, Robert J.
Fahlstrom, Paul G.
Fairchild, Charles T.
Fairey, William F., III
Fairhurst, William A.
Fairley, Willis
Faist, Richard M.
Falce, Louis R.
Faley, Thomas J.
Fancher, Clifton C.
Farnsworth, Ward, Jr.
Farnsworth, Francis W., Jr.
Farrell, Frederick L., Jr.
Farrell, John J.
Farrington, Norman C., Jr.
Farris, Harry W.
Farris, William E.
Fatherree, Bobby D.
Faulk, Samuel G.
Faulkner, Howard E.
Fauver, Ronald E.
Fay, John E.
Fazzano, Henry W.
Fear, Norman B., Jr.
Feaster, Richard C.
Fechtig, Charles W.
Fein, Louis I.
Feldmann, Jerry J.
Feldon, Richard A.
Felton, James J.
Fenenga, Gerit L.
Fenn, Delbert S.
Fennell, Patrick J., Jr.
Fenton, Philip S.
Ferguson, James E.
Ferguson, Richard J.
Ferrell, Doyle M.
Ferrington, George B., Jr.
Ferry, Richard T.
Fibich, Michael J., Jr.
Ficke, Howard W.
Field, Harold J., Jr.
Field, Wells L., III
Fiertz, Alden L.
Fikrle, George E.
Filler, William C.
Fine, David S.
Fink, Arden L.
Fink, Jack D.
Finnegan, John E.
Finnessey, James F.
Finney, Howard, III
Finney, Lawrence A.
Finney, Robert E.
Fipps, Roger E.
First, Ralph D.
Fischer, Robert W.
Fischetti, Patrick R.
Fish, Thomas E.
Fisher, Albert T.
Fisher, Arthur R.
Fisher, Farris C.
Fisher, George D.
Fisher, Gerald

Fisher, Lawrence W.
Fisher, Ronald F.
Fisk, Billy E.
Fitch, William E. H., III
Fites, Malcolm V.
Fitzburgh, Alexander R.
Fitzgerald, Norman P., Jr.
Fitzgerald, Paul N.
Fitzgerald, Edward F.
Fitzpatrick, Richard E.
Fitzpatrick, Michael F.
Flaherty, Ambrose E., Jr.
Flanagan, Bruce
Flanagan, James W.
Flanagan, John H.
Flanagan, Lawrence J.
Fleck, William E.
Fleming, James S.
Fleming, William M.
Flemons, John L.
Fletcher, Edward S.
Flint, George, Jr.
Flora, Talbert T.
Floren, Duane W.
Florence, David W., Jr.
Florence, John O.
Florence, John W.
Floyd, Donald S.
Floyd, James E.
Floyd, Joseph C.
Flynn, Alexander J., Jr.
Flynn, James G.
Flynn, John J.
Foerst, Henry
Fogarty, Richard A.
Fogle, Rupert L.
Fojtlin, Louis
Folck, Chester A.
Foley, Charles D., Jr.
Foley, John P.
Foli, Victor
Folmar, Jesse G.
Folsom, Arthur E.
Folsom, Charles A.
Fonburg, John D., Jr.
Fontenot, Karl J., Jr.
Forbes, Arthur L., III
Ford, Aubry P.
Ford, Charles T.
Ford, Daniel J.
Ford, Robert R.
Fordham, Palmer B.
Forrey, Wilmer H.
Fortie, Ralph
Fortine, Dale O.
Fortmeyer, Raymond D.
Foster, Bennett P.
Foster, Carl C.
Foster, David L.
Foster, Don M.
Foster, Richard H.
Foster, Richard M.
Foster, Roger D.
Fournier, Norman D.
Fow, Ben F., Jr.
Fowler, Charles C.
Fowler, Frank R.
Fowler, James V., Jr.
Fowler, Richard M.
Fowler, William H., Jr.
Fox, David W.
Fox, John R.
Francis, Paul
Francisco, Dwight R.
Frank, Philip T.
Frank, Roger R.
Franklin, Quentin I.
Franks, Robert B., Jr.
Franz, Edgar R.
Frappollo, Paul S.
Fraser, Paul H.
Fraser, Robert H.
Fray, Frank S.
Freburger, Hamilton P., Jr.
Freda, James A.
Frederick, Joseph F.
Freeman, Don L.
Freeman, George C., Jr.
Freeman, Richard A.
Freeze, Wayne E.
French, Kenneth G.
Freudenberger, Victor D.
Friberg, James W.
Fridell, John R.
Friedman, Arthur D.
Friend, Victor S., Jr.
Frisbie, Clark W.
Frisbie, H. R., Jr.
Fritsch, Billy D.
Fritschi, George W.
Fritz, Martin F.
Fritzlen, James W.
Frizzell, Glenn K.
Froemsdorf, Douglas M.
Froncek, Richard A.
Frosch, Kenneth M.
Frudeger, Earl L.
Fry, Charles H.
Fry, Henry C.
Fry, John H.
Fry, Raymond S.
Fry, Robert L.
Fuellgraf, Charles L., Jr.
Fulks, Jack D., Jr.
Fulcher, Lester M.
Fulham, Donald J.
Fuller, Bruce C.
Fuller, George E.
Fuller, Thomas C.
Fullerton, John, Jr.
Fulton, Samuel J.
Fuqua, Calvin L.
Gabriel, Douglas J.
Gaffen, Malcolm C.
Gaffney, Joseph I.
Gaffney, Paul L.
Gage, Carl, Jr.
Gagliardo, Joseph P., Jr.
Gajewski, Francis J.
Gale, John R.
Galisdorfer, John C.
Gallagher, Eugene P.
Gallagher, James A.
Gallagher, John H.
Gallagher, Edward W.
Gallagher, John O.
Gallagher, Edward P.
Galloway, Janice
Galloway, Jack J.
Galloway, William M.
Gambill, Malcolm W.
Gamble, Ross M.
Gambrel, James E.
Gamon, Albert T.
Gandy, Robert R.
Ganey, Thomas P.
Gannon, Robert E.
Ganshow, Robert A.
Gantt, Robert B.
Gardiner, Edward E.
Gardiner, Joseph C., Jr.
Gardner, Jack S.
Garity, Thomas H.
Garlick, Ewing D.
Garman, William E.
Garretson, William B.
Garrett, Donald J.
Garrett, Elmer T., Jr.
Garrett, Jonathan R.
Garrison, Gerald W.
Garrison, Raymond W.
Garrison, William W.
Gartin, Luther E.
Gartrell, Craig B.
Garvey, William F., Jr.
Garvin, James F.
Gaskill, Howard H., Jr.
Gates, Hardy D.
Gaughan, Peter J.
Gaut, Donald L.
Gauvreau, David L.
Gear, Joseph P., Jr.
Gearns, William J.
Geddes, David G.
Gehring, Lavaughn W.
Gehrsitz, Richard N.
Geiger, William J.
Gelhardt, Herbert G., III
Genco, Henry L.
Gende, James J.
Gentile, Vincent J.
Gentry, Billy J.
Gentry, George H.
Georgalas, Anastasius J., Jr.
George, Charles W.
George, Gus J.
Geraghty, Ronald E.
Gerding, Edward E.
Gerichten, William S.
Germaglan, Barker P.
German, Paul K., Jr.
Gervais, Alfred A.
Getz, Richard E.
Geyer, George W., Jr.
Gibbons, James J.
Gibson, Charles R.
Gibson, James R.
Gibson, John P., Jr.
Giesel, Joseph R.
Giglio, William P.
Gilberg, Richard L.
Gilbert, Clifford R.
Gilbert, Eugene W.
Gile, Robert N.
Giles, Kenneth M.
Gill, Bronislaus A.
Gillen, John P.
Gilliam, Ronald R.
Gillick, Richard O.
Gillies, Warren D.
Gillis, James E.
Gillis, Paul A.
Gillis, Robert D.
Gillotti, Robert W.
Gilium, Donald E.
Gilman, George L., Jr.
Gilmore, Willis H., Jr.
Gilstrap, Roderic W.
Gimple, Walter L.
Giordani, Paul R.
Gipson, Sam M., Jr.
Gish, Raymon A.
Gjertsen, Harold G.
Glaeser, Robert G.
Glahn, John P., Jr.
Glancy, Robert F.
Glasgow, Harold G.
Glass, James M.
Glattly, Charles D.
Glaves, Virgil M.
Gleason, Louis E., Jr.
Glendrange, Theodor M.
Glenka, John M.
Glidden, Thomas T.
Glidewell, Clarence, Jr.
Glist, Arnold R.
Glynn, Thomas W.
Goar, John W.
Goddard, Carl D.
Goelzer, Robert A., Jr.
Goeringer, Louis F.
Goeser, Alvin H., Jr.
Goff, Richard C.
Goggin, Thomas P.
Goldberg, Robert L.
Golden, Laurence E.
Goldman, Donald
Gooch, Robert S.
Goodale, Richard W.
Goodall, Robert L.
Goodin, James C.
Goodman, Norman D.
Goodness, Paul J.
Goodsell, William J.
Goodson, George O., Jr.
Goodwin, Robert E.
Gordon, Alexander J., III
Gordon, Bascom F. J.
Gordon, Robert F.
Gordon, Samuel F., Jr.
Gore, John W., Jr.
Gorman, William B., Jr.
Gormley, John D.
Gott, Michael J.
Goudelock, William F.
Gould, Edward P.
Gould, Gerald A.
Gould, John F., Jr.
Gould, Stanley J.
Gouty, Wayne G.
Gower, Joseph W.
Gozigian, George
Grabinski, Bernard F., Jr.
Gracie, George S., Jr.
Gradl, Herbert M.
Gragan, David E.
Graham, Bruce E.
Graham, Edward T., Jr.
Graham, Raymond H.
Graham, Robert E.
Graham, Robert B.
Graham, Wallace H.
Graney, Thomas E.
Gravel, Marcus J.
Gray, Alfred M., Jr.
Gray, Dwayne
Gray, James C., III
Gray, John S.
Gray, John G.
Gray, Thomas W.
Gray, Thomas F.
Green, Albert D.
Green, Allen J.
Green, Austin H.
Green, Billy R.
Green, Claude F.
Green, Gordon G., Jr.
Green, Jack C.
Green, Leonard F.
Green, Marion R.
Greene, Frank B.
Greene, John W.
Greene, Robert H.
Greene, Thomas H.
Greene, Vincent L.
Greenwell, Paul J.
Greenwood, John
Greer, MacDonald
Greer, Roger W.
Greer, Thomas N., Jr.
Gregerson, Johnny O.
Gregory, Malcome G.
Gregory, Rawley M.
Gregory, Richard K.
Gregory, Robert O.
Grekin, Norman
Grenier, John E.
Gresham, John F.
Griffin, John J.
Griffin, Thomas L., Jr.
Griffith, Jack K.
Grigsby, Edwin B.
Grimes, Ronald W.
Grimes, Sammy L.
Grimm, Paul E.
Grocott, John
Groeniger, William C., III
Groome, Edwin W.
Grooms, Bernard D.
Grove, Bobby R.
Grunwald, Harry H., Jr.
Guarino, Frank, Jr.
Guay, Gerald F.
Guay, Robert P.
Gubany, Michael W.
Guempel, Donald R.
Guidone, Frank J.
Guimond, Leon A.
Gulas, Edward J.
Gulling, Louis A.
Gunn, John A.
Gunther, Donald E.
Gurtner, Louis R.
Gustafson, Warren H.
Gustafson, Walter C.
Gustitis, Bernard V.
Guter, Joseph G.
Haaker, William E.
Habash, Lewis C.
Haberman, James D.
Hackett, Eugene D.
Hackler, Kent C.
Hackman, Alfred J.
Haddock, Thomas R.
Hafeman, William C.
Hafey, Robert J., Jr.
Hafley, David L.
Hagaman, Harry T.
Hagan, Frank E., Jr.
Hagel, Norman B.
Hagen, Jerome T.
Haggard, Robert G.
Haggerty, John G.
Hahn, Billy N.
Hahn, John S.
Hale, Nathan S.
Hales, Noel J.
Haley, John A., Jr.
Haley, Lawrence A. G.
Haley, Wendell E.
Hall, Bobby R.
Hall, Douglas W.
Hall, Edward E.
Hall, Howard H.
Hall, James D., Jr.
Hall, Paul W.
Hall, Walter G., Jr.
Hall, Wilmer R.
Hallisey, Michael J., III
Hallisey, William J., Jr.
Halloran, Thomas L.
Hamby, Ronald L.
Hamer, Myron C.
Hamilton, Alexander S., III
Hamilton, Carl D.
Hamilton, John A.
Hammel, Charles F.
Hammond, Orrin B.
Hampton, Richard R.
Hanafin, Roger A.
Hane, John D.
Haniford, Norbert N.
Hanlon, Edward E., Jr.
Hanlon, Joseph H.
Hanmore, Robert C.
Hannan, Richard D.
Hannegan, Richard T.
Hanniff, George E.
Hannon, Robert E.
Hannum, James A.
Hansberry, John J.
Hanscom, Richard J.
Hansen, David A.
Hansen, Gunnar O.
Hanson, James W.
Hanson, Robert B.
Hanson, Robert H.
Hardacker, Nelson S., Jr.
Hardey, Gordon W.
Hardin, Harley S.
Hardin, Robert L.
Hardt, Lloyd E.
Hardy, Tom K., Jr.
Hare, Othello O., Jr.
Hargadine, Walter W.
Hargrove, Alton J.
Hargrove, Arthur W.
Harkey, Herbert J., Jr.
Harkey, John N. C.
Harkins, Daniel D.
Harlan, Gale
Harlow, Charles V., Jr.
Harman, Donnie N.
Harney, James P.
Harnick, Keith D.
Harp, James J.
Harper, Francis R., Jr.
Harper, Jack W.
Harper, James C.
Harrah, William F.
Harrell, Charles S.
Harrington, James A.
Harris, Charles J.
Harris, Charles F.
Harris, Clifford P., Jr.
Harris, Frederick L.
Harris, George C., Jr.
Harris, James S.
Harris, James R.
Harris, James B.
Harris, John C.
Harris, John B.
Harris, Ramsey V.
Harris, Rex E.
Harris, Richard M.
Harris, William C., Jr.
Harris, Winfred F.
Harrison, Charles L.
Harrison, Freddy D.
Harrison, Richard F.
Harry, Lawrence E.
Hart, Albert E., Jr.
Hart, Henry J.
Hart, James M.
Hart, Joseph E.
Hart, Leo T.
Hart, Rudy J.
Hartley, William H.
Hartwick, John A.
Harvey, Charles R.
Harvey, Donald L.
Harvey, James W., Jr.
Harwood, Russell M.
Hasemeyer, Clyde R.
Haskell, James W.
Haskins, Francis W.
Haskins, Harold J.
Haskins, Sidney S.
Haslam, Charles B.
Hassam, Eugene N.
Hasse, Otto K.
Hasse, Robert F.
Hasselfeldt, Ronald G.
Hastings, Albert W.
Hastings, John T.
Hastings, Paul F.
Hastings, Paul G.
Hatch, Richard L.
Hatch, Robert D.
Hatfield, David M.
Hathaway, George B.
Hatzilambrou, Lambros
Hauck, Walter R.
Haviland, Harold D.
Hawkey, William S., Jr.
Hawkins, David H.
Hawkins, Harold E.
Hawkins, Lawrence R.
Hawkins, Robert G.
Hawley, Richard L.
Haws, Virgil B.
Hawthorne, Walter E., Jr.
Hawthorne, Thomas P.
Hayden, Dale L.
Hayden, William K., III
Haydock, Robert A.
Hayes, Philip S.
Hayes, Raymond J., Jr.
Hayes, Thomas J., Jr.
Hayes, William M.
Haygood, Thomas A., Jr.
Haynes, Aaron E.
Hays, Curtis E.
Hays, James R.
Hazen, Charles E.
Hazen, Clifford H.

Heacox, William J.
Head, Joe M.
Healy, Donald J.
Healy, Martin J.
Heap, Virgil I.
Hearn, James R.
Hearn, Thomas M.
Heath, Francis J., Jr.
Heath, Webster C.
Hebson, Kenneth L.
Hecht, Leon, Jr.
Heckenhauer, John F.
Hedden, Robert W.
Hedges, Richard C.
Hedin, John A.
Hedloff, Richard J.
Heering, David P.
Heesch, Robert W.
Heffernan, Michael A.
Heffley, Henry S., Jr.
Hefty, Milton T.
Hegyi, Stephen J.
Heidkamp, George L.
Heidt, George L., Jr.
Heintz, William H.
Heintzelman, John E.
Heist, Lewis C.
Heitner, John A.
Helm, Wallace H.
Helsel, James F.
Helsher, Paul M.
Helton, Herbert J.
Hemenway, Porter A.
Hemmingway, Richard E.
Hemphill, Meredith, Jr.
Henderson, Walter J.
Hendricks, James W.
Hendricks, Robert G., Jr.
Hendricksen, Milan B.
Henley, Robert J.
Henn, Howard R.
Hennegan, Joseph E.
Hennelly, John A.
Henner, Dale E.
Hennessy, George M.
Hennessy, John A.
Henney, Howard E.
Henriksen, Paul H.
Henry, Charles W., Jr.
Henry, Clark G.
Henry, Eugene J.
Henry, Gaylord L.
Henry, John O., Jr.
Henry, John P.
Henry, Wilson W.
Henson, Ronald A.
Henson, William E.
Hentz, Albert G.
Herber, John C.
Herbert, Clayton G., Jr.
Herbruck, Walter H.
Herbst, Richard W.
Herman, George C.
Herndon, Gerald G.
Herriotts, Charles I.
Herron, David G.
Herron, Robert S.
Hershey, Rodger E.
Hertz, James O.
Herzog, William F.
Hessel, Allan J.
Hetterich, Joseph A., Jr.
Hettich, David J.
Heyn, George R., Jr.
Hichborn, Hal D.
Hieber, George A.
Hielscher, Dalton W.
Higbie, Donald M.
Higginbotham, Charles W.
Higgins, Grove L.
Higgins, James G.
Higgins, James H.
Hight, Peter G.
Higlin, William J.
Hilbish, Joseph M., Jr.
Hill, Arthur S.
Hill, Billy J.
Hillyard, Gordon L.
Hils, Donald W.
Himmer, Donald R.
Himmerich, Robert T.
Hinchman, John S.
Hine, Richard B.
Hines, Jack D.
Hines, Julian R.
Hines, Robert G.
Hippler, Rollin E.
Hirlinger, Charles L.
Hirsch, Henry, II
Hirschfeld, Thomas J.
Hise, Howard L.
Hissong, John D.
Hite, Harry W.
Hittle, Kenneth E.
Hiza, Michael J., Jr.
Hoag, Harry L.
Hoag, John N.
Hoagland, George T.
Hobbs, Billy H.
Hoblit, Robert E.
Hoch, Louis A., Jr.
Hochuli, Robert H.
Hocking, Floyd D.
Hodge, Roy B.
Hodges, Ervin E.
Hoefling, Eugene A.
Hoefling, Thomas J.
Hoesly, James R.
Hoeven, John H., Jr.
Hoffert, Duwayne W.
Hoffman, Robert C.
Hoffmann, John G.
Hoffmeister, Jack A.
Hoffner, Charles W.
Hofstetter, Robert E.
Hogan, John J.
Hogue, Trueman C., Jr.
Hojnacki, David M.
Holden, John F.
Holdridge, Forrest B.
Holen, Marvin L.
Holeves, Robert L.
Holland, Jack
Hollingshead, John S.
Hollis, John S.
Holly, Eamon P.
Holman, John E.
Holmes, Joel H.
Holmes, Lee M.
Holmes, Page H.
Holmsen, Theodore W.
Holst, Donald L.
Holt, Gilbert S.
Holt, Ralph P.
Holt, Richard H.
Holzinger, Bernard E.
Homewood, Frederick H.
Homire, James L., Jr.
Hood, David W.
Hook, Robert A.
Hookey, Robert J.
Hooper, Bruce H.
Hoornbeek, Frank K.
Hoover, Francis H.
Hope, James A.
Hopkins, Johns, Jr.
Hopkins, Joseph M.
Hopper, Richard F.
Horais, Walter G.
Horan, Leonard F.
Horlacher, David E.
Horn, Robert D.
Horne, Ivan F.
Horner, Edward S., Jr.
Horton, Robert G., Jr.
Hossli, Carl C.
Hosty, John R.
Hotchkiss, Gerald G., Jr.
House, William E., Jr.
Houston, Stanley S.
Hout, Robert G.
Hovde, Leroy L.
Hovey, Louis M., Jr.
Howard, Benson F.
Howard, Jack H.
Howard, John G.
Howard, John S.
Howarth, Darrell L.
Howe, Bradley W.
Howe, James F.
Howell, David W.
Howell, William K.
Hower, Raymond R.
Howle, William O.
Howren, Donald R.
Howson, Robert E.
Hoxie, Robert F.
Hoxsey, James J.
Hubbs, Howard L.
Huber, Leonard E.
Huckle, Richard A.
Huddleston, Charles P. W.
Hudson, Jack J.
Hudson, Russell I.
Huerlimann, Ernest A., Jr.
Huerta, Genaro
Huffman, John A.
Hughes, Arlie P.
Hughes, Drewry T., Jr.
Hughes, Louis S., Jr.
Hughes, Nathaniel C., Jr.
Huguenin, Sidney A., Jr.
Huizenga, Elmer F.
Hukle, Edward J.
Hultman, Earl C.
Humphrey, Donald L.
Humphrey, Jack W.
Humphreys, Richard H.
Hunkele, Theophile J.
Hunkins, Thomas L.
Hunt, John D.
Hunter, Antone P.
Hunter, Bobby G.
Hunter, Charles W.
Hunter, Earl R.
Hunter, Harold J.
Hunter, Jack E.
Hunter, Maurice
Huntley, Charles N., Jr.
Huntzinger, Ralph A.
Hurd, Archer D.
Hurst, James J.
Huston, Wayne B.
Hutchins, Walter P.
Hutchinson, Myles H.
Hutchinson, Robert N.
Hutchison, Kenneth P.
Hutchison, Gerald J.
Hutchison, Donald D.
Hutson, Albert F.
Hutter, Harold H., Jr.
Hyatt, John K., Jr.
Hyland, Richard L.
Hyland, Robert C., Jr.
Hyndman, Gerald H.
Hyslop, Kenneth D.
Iannuzzelli, Vincent F.
Ihli, Leo J.
Ilig, Harvey G.
Incontro, Sam J.
Ingman, Kenneth R.
Ingram, Keith S., Jr.
Ippedico, Joseph V.
Irion, John W., Jr.
Irish, James F.
Irons, Milton E.
Irvine, Eugene C.
Irving, Walter H.
Ison, Lee F.
Istel, Jacques A.
Iverson, Alfred J.
Iverson, Rhonald D.
Iverson, Ronald L.
Ivey, Aaron C.
Jachimczyk, George M.
Jackson, Barry W.
Jackson, Claude S.
Jackson, Edwin F.
Jackson, Harold L., Jr.
Jackson, James W.
Jackson, Jared J.
Jackson, Lawrence B.
Jackson, Robert D.
Jackson, Thomas
Jacobs, James P.
Jacobs, Merrill M.
Jacobs, Walter D.
Jacobsen, Hans W., Jr.
Jacobsen, Richard C.
Jacobson, Douglas T.
Jacobson, Lawrence L.
Jacobson, Raymond
Jaksina, Stanley C.
Jameison, Timothy C.
James, Charles A.
James, Erich W.
James, John H.
Jameson, Robert D.
Janecek, Lionell J.
Jarboe, John M., Jr.
Jarman, Lewis W.
Jarnot, Fidelas W.
Jeffery, Richard D.
Jeffreys, Gilbert V.
Jelley, Thomas J.
Jellison, Harold M., Jr.
Jenkins, Robert E.
Jenkins, Robert M.
Jenkins, Samuel L.
Jenks, Harry E., II
Jenks, Thomas E.
Jennings, Charles H.
Jennings, Richard
Jenny, Thomas G.
Jensen, Clayne R.
Jensen, James C.
Jensen, John D.
Jerabek, Milton H.
Jerome, William J., Jr.
Jerrell, James D.
Johansen, Gerald C.
John, Carl F.
John, Edward S.
Johnson, Addison J.
Johnson, Albert D.
Johnson, Albert J.
Johnson, Andrew H., Jr.
Johnson, Brooks, Jr.
Johnson, Charlie P.
Johnson, Clifford H.
Johnson, David H.
Johnson, Donald H.
Johnson, Edward C.
Johnson, Floyd J., Jr.
Johnson, Frederick S.
Johnson, George A.
Johnson, George D.
Johnson, George E.
Johnson, Harvey B.
Johnson, Herbert L.
Johnson, Herschel L., Jr.
Johnson, Howell J.
Johnson, James P.
Johnson, James T.
Johnson, John F.
Johnson, Lee R.
Johnson, Lyle R.
Johnson, Mannon A., Jr.
Johnson, Oliver K., Jr.
Johnson, Paul K.
Johnson, Peter G.
Johnson, Reid L.
Johnson, Robert A.
Johnson, Robert S.
Johnson, Roy L.
Johnson, Thomas R.
Johnson, Wilbur E.
Johnston, Charles A., Jr.
Johnston, David M.
Johnston, Homer R.
Johnston, John A.
Johnston, Paul M.
Jones, Edwin R.
Jones, Franklin H., Jr.
Jones, Gordon R.
Jones, Gordon E.
Jones, Jack D.
Jones, James J.
Jones, Joseph F.
Jones, Robert C.
Jones, Robert Dawayne
Jones, Robert Duane
Jones, Robert Earl
Jones, Robert Edward
Jones, Robert F.
Jones, Robert I.
Jones, Robert K.
Jones, Robert T.
Jones, Robert W. G.
Jones, Therin H.
Jones, Thomas H.
Jones, Vernon E.
Jones, Wendell W.
Jones, Whitley A.
Joos, Robert J.
Jordahl, Joseph S.
Jordan, Floyd N.
Jordan, James T.
Jordan, John C.
Jordan, Joseph P.
Jordan, Robert D.
Jordan, Thomas E.
Jordan, William L.
Jorgensen, Harry S., Jr.
Jorgensen, George N.
Joy, Lester H.
Joyce, Danna
Joyce, George E.
Joyner, William K.
Judy, Paul R.
Julian, Martin D.
Jurinski, John N.
Jurkovich, Mark T., Jr.
Justice, Harold E.
Kaasmann, Bernard A.
Kachergis, Alfred P.
Kachulis, Louis C.
Kahler, Richard W.
Kain, Edward W.
Kalita, Walter J.
Kalus, Thomas
Kammeyer, Willard R.
Kane, Edward L., Jr.
Kane, Thomas A.
Kansier, Raymond H.
Kantorowski, Henry P.
Karker, Floyd A., Jr.
Karpfinger, Barnabas F.
Karski, John J.
Kasanof, Anton N.
Kash, Steven N.
Kaufman, James D.
Kazlauskas, William J.
Keagle, Byron W.
Keane, John E.
Keast, Donald G.
Keast, James D.
Keeling, Arlen D.
Keeling, Harold J.
Keenan, William M.
Keene, Gerald A.
Keffer, Karl, III
Kehoe, James P.
Kehoe, Lawrence O.
Keightley, Charles C.
Keimling, Herbert S., Jr.
Keister, Charles F.
Keith, William H.
Keller, Albert W.
Keller, Dale H.
Kelley, Bobby L.
Kelley, Donald F.
Kelley, Floyd P.
Kelley, Jennings D.
Kelley, Samuel G., Jr.
Kelly, Bradley H.
Kelly, David A.
Kelly, Donald G.
Kelly, Edward L., Jr.
Kelly, Edwin F.
Kelly, John F. J.
Kelly, Joseph T., Jr.
Kelly, Mortimer J., Jr.
Kelly, Robert T.
Kelly, Thomas E., Jr.
Kelly, Thomas J.
Kelm, Robert G.
Kemp, Ralph C.
Kemper, Richard J.
Kendrick, Harold L.
Kendrick, William M.
Kennedy, Paul T.
Kennedy, Raymond G.
Kennedy, Thomas D.
Kennedy, Thomas L.
Kennedy, William B., Jr.
Kennon, John W.
Kenny, William F., III
Kent, Brian B.
Kent, Donald R.
Kent, James A., Jr.
Keogh, Paul E.
Keoughan, Sidney F., Jr.
Kepcke, Paul L., Jr.
Kern, Richard J.
Kester, John K.
Keyes, Gerald W.
Kiely, Jack K.
Kiernan, Francis R.
Kiernan, James J.
Kiggen, John A., III
Kilcarr, Andrew J.
Kilduff, Charles E.
Kiley, Eugene F.
Kiley, Paul C.
Killam, George R.
Kilmer, Erich V. N.
Kimball, Alan B.
King, Charles A., Jr.
King, Jackson T.
King, John W.
King, Milton S.
King, Robert V.
King, William T., Jr.
King, William R.
Kinniburgh, John A.
Kiraly, George, Jr.
Kirby, Jerome R., Jr.
Kirch, Jacob, Jr.
Kirincic, Joseph J., Jr.
Kirk, Bruce P.
Kirk, James W.
Kirkman, Donald I.
Kirkpatrick, Richard H.
Kison, Daniel J.
Kisten, Stuart D.
Kistler, Frederick C.
Kittler, Simon J.
Kitzinger, Joseph A.
Klaybor, Stanley J., Jr.
Klefeker, Joseph A.
Klein, Herbert H.
Klein, James E.
Klein, Robert D.
Klepek, Benjamin
Klinedinst, James C.
Klisiewicz, Edward R.
Knapp, Charles W.
Kneale, Charles R.
Kneussl, James K., Jr.
Knight, Charles W.
Knobel, William H.
Knox, Bruce E.
Knudson, Charles C., Jr.
Kobel, Robert P.
Koch, Edward T., Jr.
Koch, William C., Jr.
Koelper, Donald E.
Koethe, Frank R.
Kohanowich, Albert J.
Kohler, Alfred G.
Kohler, William L.

Kohlhoff, Henry W.
Koleber, Leroy E.
Kolling, Donald E.
Kolva, George Y.
Kominus, Nicholas A., Jr.
Konopka, Stanley J., Jr.
Koppenhaver, Howard M.
Kosanke, James E.
Koscs, Nicholas
Koss, Robert J.
Kotchick, Joseph R.
Kothman, Francis A., Jr.
Kotomski, Joseph T.
Kovach, John, Jr.
Kramer, Anthony W.
Kramer, Milton C.
Kramer, Raymond H.
Kramer, William K.
Krass, Edward S.
Krause, Albert C.
Krauss, Richard L., Jr.
Kravet, Robert D.
Kraynak, John P.
Kresge, Raymond M.
Kritzler, Charles A.
Kroeger, Henry R.
Kroloff, Kirk
Kronholm, Conrad J., Jr.
Kroonen, Jack W.
Krueger, Robert B.
Krugh, Robert C.
Krygowski, Eugene E.
Kucharski, Charles R., Jr.
Kuci, Richard A.
Kudart, Ronald A.
Kuehl, William B.
Kuhn, Harold F.
Kuhn, Rolf O.
Kull, Frederick J.
Kummerow, Ray G.
Kutchmarek, Jene R.
Kwiatkowski, Joseph D.
Kyle, John S.
Labarbera, John V.
Ladd, Clayton E.
Lafever, Harry L.
Laffin, Albert A.
Laird, Robert B.
Lake, Fred L., III
Lamarre, Ronald
Lamekovski, Nick R.
Lamm, Mack A.
Lamont, Delbert E.
Lamotte, Homer A.
Lanahan, William J.
Land, Henry L., Jr.
Landers, James H., Jr.
Landrigan, Robert
Landy, Richard P.
Lang, Robert H.
Laning, Edward A.
Lannan, Ronald J.
Laporte, Alphonse A., Jr.
Lappetito, Paul W.
LaPreese, Eugene R.
LaPresto, Ralph F.
Largay, Henry C., Jr.
Larghey, Peter J.
Larkin, James T.
Larkin, Michael M.
Larsen, Robert R.
Larson, Roger R.
Lasauskas, William P
Lasota, Franklin E.
Lassoe, Peter B.
Latempa, Henry J., Jr.
Latimer, Richard L.
Laubach, Ellis K.
Lavigne, Arthur W. D.
Lawendowski, John J.
Lawes, Robert B.
Lawler, George P.
Lawler, Lawrence E.
Lawlor, Joseph T.
Lawrence, Charles W., III
Lawrence, George M., Jr.
Lawrence, Richard T.
Lawrence, Rodney O.
Lawrence, Samuel F.
Lawson, Herbert B.
Lay, Francis A.
Layne, Donald Q.
Lazzo, James W.
Lea, William P., Jr.
Leahy, Raymond H.
Leathers, Robert L.
Leavitt, Edward J.
Leavitt, James N.
Leavy, Horace J.
Lebas, Maurice A.
Lebherz, James E.
LeBlanc, Leo J., Jr.
LeCrone, George S.
Ledbetter, Archibald C.
Lee, Edwin A.
Lee, George
Lee, Richard J., Jr.
Lee, Robert W.
Lee, Robert E.
Lee, Thomas I.
Lee, Tony G.
Leer, John D.
Leeves, Edward J.
Leftwich, William G., Jr.
LeGrand, Maurice G. J.
Leh, Marcus K.
Leibovitz, Herbert A.
Leisy, Robert R.
LeLouis, Edward C., Jr.
Lemley, William A.
Lenihan, John D.
Lennen, Harry T.
Lennon, Frank J.
Lenz, Robert R.
Leonard, Roger D.
Leone, Kenneth L.
Lepp, Joseph R.
Lepper, Francis D.
Lesser, Paul A., Jr.
Lester, Jimmie D.
Leve, Harvey A.
Levin, Harold W.
Levine, Thomas C.
Lewis, Edwin B.
Lewis, Harold E.
Lewis, James L.
Lewis, John C.
Lewis, Richard J.
Lewis, Robert H.
Lewis, Richard T.
Lewis, Robert W.
Lewis, Robert E.
Lewis, Robert Hilton
Lewis, Walter A.
Libby, Robert G.
Libby, Robert M. G.
Lichtenwalter, Eugene
Liddle, Chester A., Jr.
Lien, Ronald L.
Lifset, Edward W.
Light, William H., Jr.
Likens, Eugene E.
Lilley, James W.
Lilley, Neil H.
Lilly, Roy A.
Limbach, Walter R.
Lincoln, Thomas G., Jr.
Lindell, Clifford A.
Lindell, Glenn R.
Lindley, Ronald E.
Lindsay, Prentice A.
Lindsay, Robert O.
Lindsey, Joe A.
Lindsley, Charles H.
Linsteadt, Donald F.
Lippold, Orville V., Jr.
Litchfield, Kenneth J.
Little, Eugene E., Jr.
Little, Jack L.
Litty, Robert D.
Litzenberger, Earle D.
Litzenberg, Homer L., III
Ljungberg, David E.
Lloyd, Charles E.
Lloyd, Elroy E.
Lobo, Walter R.
Lockard, Edwin W.
Lockett, David M.
Lockhart, William C., Jr.
Lodwick, David D.
Loeb, Louis S.
Lofgreen, Ted L.
Lofton, James F.
Loftus, James A.
Logan, Thomas G.
Logie, Donald Q.
Lokker, Robert W.
Lonergan, Harold S.
Long, Larry S.
Long, Russell P., Jr.
Lono, Luther A.
Looney, George M.
Looney, Lamar K., Jr.
Looney, Thomas A., Jr.
Loper, Robert E.
Lorenz, Henry J.
Losee, Ronald M.
Losten, John
Louder, Joseph J.
Loughlin, Donald J.
Loughran, Anthony H.
Loui, Herbert H. K.
Love, Edgar J.
Love, Edwin L.
Love, Ernold G.
Love, John C.
Loving, Robert L.
Lovullo, Joseph A.
Lowe, Clyde T.
Lown, Robert G.
Lowndes, John F.
Lowrey, Horace S., Jr.
Lowry, William M.
Loy, Loran D.
Lubin, Irvin
Luccarini, Louis J.
Luce, Donald L.
Luckett, Jackson R.
Lufkin, Dan W.
Lugger, Marvin H.
Luley, Ronald E.
Lumpkin, Aubrey L.
Lund, Lloyd L.
Lundbeck, Lawrence W.
Lundberg, Donald R.
Lunsford, William T.
Lurkins, John F.
Lutes, George W., Jr.
Lutz, Theodore J., Jr.
Lyles, George R.
Lyles, James H.
Lynch, Barry E.
Lynch, Daniel F.
Lynch, Francis J., Jr.
Lynch, Kevin P.
Lynch, Richard A.
Lynch, Ronald J.
Lynch, Walker R.
Lyon, C. Bentley
Lyon, James A.
Lyons, Robert J.
Lyons, Robert D.
Lytle, William V.
Maas, Bertram A.
MacAlpine, Donald B.
Maccini, Leonard G.
MacDonald, Robert E.
MacDonald, Herman A., Jr.
MacDonald, Glenn A.
MacDonell, Angus G.
MacDougall, Robert H., Jr.
Mace, Robert I.
MacEwan, Eldridge J.
MacInnis, Joseph A.
Macko, Jack
MacLean, Angus L., Jr.
MacLeod, Joseph L., Jr.
MacMichael, David C.
Macy, Arthur A.
Macy, William T.
Madden, Byron E.
Madden, John
Maddox, George F.
Madera, Leroy A.
Madigan, William J.
Madison, Benned S.
Madory, Richard E.
Madsen, Roy E.
Magee, Charles F., Jr.
Magee, James R.
Magee, Robert J.
Maggio, Salvatore A.
Maginnis, Paul F.
Maglione, Ben S., Jr.
Magnusson, Carl A., Jr.
Maher, Brian E.
Mahler, Frederic C.
Mahlin, Edward A.
Mahoney, Thomas H.
Mainland, Keith F.
Mainzer, Francis K.
Mais, Raymond S.
Malmgren, Everett L.
Malone, Gordon E.
Malone, Richard J.
Maloney, John H.
Malovich, Arthur D.
Manchester, Leslie D.
Mandery, John C.
Mandula, John C.
Manfre, Salvatore F.
Manhard, Albert H., Jr.
Manhart, Doyle B.
Manion, John W.
Manion, Joseph E., Jr.
Manley, William E.
Mann, Bennie H., Jr.
Mann, John W.
Mann, Mitchell M.
Mann, Ralph G.
Manning, James P.
Manning, Kenneth C.
Manning, Martin F., Jr.
Manning, William J.
Mannix, Edward V., Jr.
Mannix, Gerald J.
Manoogian, Norman V.
Mansell, Richard L.
Marable, James L.
Marcus, John C.
Mardis, Wayne F.
Marhoefer, John G.
Markle, John, Jr.
Marohn, Marvin A.
Marques, Preston P., Jr.
Marren, Martin J., Jr.
Marsh, John C.
Marshall, Echol S., Jr.
Marshall, Henry R., III
Martin, Charles A.
Martin, Humphrey J.
Martin, James A.
Martin, James R.
Martin, Lawson E.
Martin, Manuel J.
Martin, Richard L.
Martin, Robert W., Jr.
Martin, Robert L., Jr.
Martin, Theodore L., Jr.
Martin, Thomas M.
Martin, William F.
Martin, William Q.
Martinelli, Joseph W.
Marting, Henry A.
Marts, Austin M.
Martson, Richard L.
Maryanski, Bernard J.
Mash, Virgil L.
Maska, Edwin C.
Mason, Floyd S., Jr.
Mason, John C.
Mason, Lawrence M.
Mason, William P., III
Massanopoli, Paul
Massen, Donald G.
Massey, Lonnie M.
Massidda, William R.
Masters, William A.
Masterson, Frank C., Jr.
Masucci, Louis P.
Matchefts, John P.
Maten, Robert J.
Matheson, John R.
Mathews, William H.
Mathias, Robert B.
Mathysengerst, Koenraad E.
Matlack, Walter L., Jr.
Matthews, Jeter R., Jr.
Mattson, Gilbert B., Jr.
Maurer, Donn W.
Maurer, Robert T.
Maxwell, Glenn K.
Maxwell, Hurdle L.
May, Bernard F. R.
May, David H.
May, Francis T.
Mayer, Donald F.
Mayer, Gerald S.
Mayer, Jonas H., Jr.
Mayhew, Donald K.
Mayock, Robert S., II
Mazerov, Paul H.
Mazmanian, Edward M.
Mazzurca, Val S.
McAdams, Donald J.
McAlinn, John H. P.
McAllister, C. C., Jr.
McAneny, Alan M.
McAuliffe, Lawrence C.
McAuliffe, Andrew M., Jr.
McAuslan, Barnaby W.
McBrayer, William L.
McBride, Frederick J. H.
McBride, Glenn E.
McCabe, Michael N.
McCabe, Morley E.
McCafferty, John J.
McCaffrey, Joseph J.
McCamant, Wallace
McCamey, Robert E., II
McCan, Claude K., Jr.
McCandless, John R.
McCann, Henry J.
McCarthy, Eugene C.
McCarthy, Joseph J.
McCarthy, Joseph R.
McCarthy, Robert L.
McCarthy, Theodore C., Jr.
McCarty, Howard J.
McCaslin, Donald G.
McCauley, Bertram W.
McCauley, Eugene H., Jr.
McClarin, William H., Jr.
McClatchey, John F.
McClearen, John M.
McClellan, William O., Jr.
McClelland, Oliver H.
McCleskey, Francis R.
McClintock, Charles H., Jr.
McCloskey, Gerald L.
McCloy, Frank T.
McClure, Lewis F.
McCluskey, John C.
McCluskey, William T.
McConnell, Richard R.
McConnell, Warren M.
McCormac, Charles E.
McCormick, Robert W.
McCormick, Thomas P., Jr.
McCormick, Cecil N.
McCormick, James G.
McCormick, James T.
McCoy, Donald R.
McCracken, William J.
McCreery, Lew E.
McCreight, Jack D.
McCurdy, Kenneth F.
McDaniel, Gary A.
McDermott, Arthur T.
McDonald, Daniel V.
McDonald, Donald T.
McDonald, Everett R.
McDonald, John J., Jr.
McDonald, Richard C.
McDonald, Robert J.
McDonough, John J.
McDonough, John F.
McDougal, Jack P.
McDougall, Robert W.
McDowell, Thomas D.
McElheny, Ralph A.
McElroy, Gerald J.
McEwan, Frederick J.
McFadden, Orville A.
McFarland, Robert L.
McGahan, James F.
McGarry, James P.
McGee, John F.
McGee, William R.
McGihon, Glenn E.
McGillicuddy, Paul W.
McGinnis, Rolland S.
McGlasson, James C.
McGlone, Vincent P.
McGovern, Raymond D.
McGowin, Norman F., Jr.
McGrane, Lawrence M.
McGrath, Cletus P.
McGreen, Michael J.
McGrew, Wayne D., Jr.
McGuane, William N.
McGuire, James F.
McHenry, Byron K.
McHugh, Patrick J.
McInerney, John J.
McInnis, Robert W.
McIntyre, Philip G.
McIver, Donald J.
McKay, Charles I.
McKay, Conrad L.
McKay, David N.
McKee, Richard C.
McKee, Roland D.
McKellar, Robert E.
McKenney, Tom C.
McKenzie, Robert W.
McKibben, Mason E., Jr.
McKillop, William D.
McLane, Donald C., Jr.
McLaughlin, Charles E.
McLaughlin, Richard B.
McLaughlin, Leighton B., II
McLean, Austin J.
McLean, Robert D.
McLellan, Howard S., Jr.
McLendon, Charles R.
McLendon, Luther A., Jr.
McLoughlin, Martin P.
McLoughlin, Hubert P.
McLoughlin, John J.
McMahon, Robert A.
McManus, Walter J.
McMillan, David R., Jr.

McMillan, William W., Jr.
McMonagle, James J.
McMullen, Harold J.
McNair, William G.
McNally, Charles B.
McNamara, John T.
McNamee, John F.
McNary, John H.
McNeill, Charles S.
McNeill, George S.
McNussen, Ned E.
McPartlin, James W.
McPeak, Jack D.
McPhail, Clark B.
McPhail, Larry K.
McSherry, Joseph M., Jr.
McSorley, Arthur, Jr.
McWhirt, Jimmie L., Sr.
McWhorter, Fonville, Jr.
Meaney, Thomas P., Jr.
Mears, William G., Jr.
Medina, Antonio
Medis, James W.
Meehan, Charles M.
Meehan, Joseph F., Jr.
Meek, Earl C.
Meier, Orval
Meier, Robert H.
Meindl, Allen P.
Meisenheimer, Robert E.
Melfi, Robert
Mellis, Frank J.
Melly, Lee T., Jr.
Meloche, Donald L.
Mennig, George H., Jr.
Mercer, Frank W., Jr.
Mercer, Willis J.
Meredith, Robert C.
Mergens, Edward H.
Merola, Armando J.
Merrick, Richard J.
Merrill, John R.
Merrill, Richard R.
Merrill, Will A.
Mertes, David H., Jr.
Mertz, Edward P.
Merwin, Miles P.
Metas, John G.
Metcalfe, Richard T.
Metskas, Thomas S.
Metzko, John J.
Meyer, Frederick W.
Meyer, George W.
Meyer, Kenneth H.
Meyer, Richard L.
Meyer, Robert G.
Meyer, William A.
Meyers, George E.
Meyers, John F.
Meyers, Robert E., Jr.
Meza, Raymond C.
Michael, John E.
Michaels, William R.
Michel, Thomas F.
Michelet, Allen H.
Michot, William H.
Mickle, Don A.
Middleton, Willis D.
Mies, Peter M.
Mies, Richard C.
Mignardot, George C.
Miguel, Jarvis G.
Mihailides, Emmanuel
Mikelson, Charles L.
Mikulics, Michael C.
Milbrad, Robert L.
Miles, Hubert D.
Millard, John R.
Miller, Earl F.
Miller, Edison W.
Miller, Edmund H.
Miller, Edward A.
Miller, Gerald J.
Miller, Hubert E.
Miller, James W.
Miller, Jesse A.
Miller, John H.
Miller, Murray J.
Miller, Raymond O.
Miller, Richard M.
Miller, Robert A.
Miller, Robert Baker
Miller, Robert Borris
Miller, Robert D.
Miller, Robert H.
Miller, Robert K.
Miller, Rodney W.
Miller, Roger D.
Miller, Rufus B.
Miller, Thomas F.
Miller, Thomas L.
Miller, Willard E.
Miller, William, Jr.
Miller, William S., Jr.
Miller, William E.
Milless, Elmer W.
Millett, Chester J., Jr.
Milligan, James F.
Millikin, Dudley L., Jr.
Mills, Lewis L.
Milner, Emil A.
Minica, Jack L.
Minor, Lewis D.
Misenhimer, Joy B., Jr.
Mitchell, Frank H., Jr.
Mitchell, Farrell J.
Mitchell, Joseph P., Jr.
Mitchell, John F.
Mitchell, Louis L., Jr.
Mitchell, Mack E.
Mitchell, Wilfred G.
Mitchell, William J., Jr.
Modzelewski, Edward R.
Moeder, Joseph A.
Moehle, Albert B.
Moehlenkamp, Donald E.
Moeller, Alwin L., Jr.
Moeller, Gordon G.
Moeller, Richard L.
Moen, Charles H.
Moffett, Bobby G.
Moise, Michael F.
Molineux, Walter L., Jr.
Moller, Frederick A., Jr.
Monahan, Paul A.
Monath, Lewis R.
Mondo, Louis V.
Mondy, David A.
Monfort, Robert A.
Monroe, Clyde C., Jr.
Montagne, Robert J.
Montague, James H.
Montague, Paul G.
Montgomery, William H.
Moody, Gilbert D.
Moody, Jasper A.
Moody, Robert R.
Moog, David C.
Mooney, James H.
Mooney, Thomas G.
Moore, Donald L.
Moore, Edward B., Jr.
Moore, Elmer L.
Moore, Jacques J.
Moore, Johnes K.
Moore, Paul F.
Moore, Richard D.
Moore, Robert B.
Moore, Robert J.
Moran, John F.
Mordine, Glenn I.
Moreau, Paul L.
Morgan, Donald C.
Morgan, Graham W.
Morgan, James W.
Morgan, John
Morgan, Thomas R.
Morgan, William H.
Morgenthaler, Wendell P. C., Jr.
Morrill, David W.
Morrin, Wardell C.
Morris, Clark S.
Morris, Irving L., Jr.
Morris, John N.
Morris, Loyd E., Jr.
Morris, Robert W.
Morris, Wilbur J.
Morrisey, Robert B.
Morrison, Alexander J.
Morrissey, Michael F.
Morrow, Gene S.
Morrow, Thomas E.
Morse, Arthur H., II
Morse, Clayton E.
Moser, Charles F.
Moser, Edgar S.
Moses, Richard L.
Mosher, Edwin T.
Mosier, Travis E.
Mostardi, Stephen
Moughon, John L.
Mounce, Michael J.
Mounie, John R., Jr.
Mouvery, George J.
Mowbray, George B.
Moyer, Ross H.
Moynihan, James E.
Moynihan, Robert J.
Mueller, Charles E.
Mueller, J. Robert
Mueller, Karl N.
Mueller, Norman D.
Mujlig, John R., Jr.
Muldoon, Donald
Mulhall, Harry G.
Mullen, Arthur L., Jr.
Mullen, Francis A.
Mullen, Thomas W., Jr.
Mullin, Edward A.
Mulrennan, Timothy C.
Munger, William H., Jr.
Munsell, Vernon S.
Munson, James D.
Munter, Weldon R.
Murdock, Burt A.
Murdock, Robert S.
Murnane, Jeremiah T., Jr.
Murphy, Albert G.
Murphy, Bernard F.
Murphy, Charles L.
Murphy, Clarence M., Jr.
Murphy, Desmond H.
Murphy, Donald L.
Murphy, Gerald E.
Murphy, James L.
Murphy, John E.
Murphy, John F.
Murphy, Leo P.
Murphy, Leo R., Jr.
Murphy, Martin C.
Murphy, Maurice M.
Murphy, Maurice L.
Murphy, Paul V.
Murphy, Richard E.
Murphy, William D.
Murray, Donald C.
Murray, Francis R.
Murray, John D.
Murray, Richard P.
Murray, Thomas C.
Murtha, John P., Jr.
Mushett, Howard F.
Musselman, Dale T., Jr.
Muth, Harold F.
Myers, Donald A.
Myers, Robert D.
Nagler, Oscar F., Jr.
Nail, James R.
Nash, James W.
Nast, Christian A., Jr.
Natarelli, Daniel S.
Natiello, Robert A.
Naylor, John W., Jr.
Naze, Allen F.
Neary, Bernard J.
Neblett, Sidney S.
Nee, Thomas H.
Needham, Michael J.
Neel, George E., Jr.
Neilan, James J., Jr.
Neilson, Roger B.
Nelson, Charles D.
Nelson, Delbert L.
Nelson, Lawrence F.
Nelson, Robert C.
Nelson, Ronald E.
Nelson, William A.
Nemetz, Roger J.
Nesbit, Charles L.
Neth, Dale L.
Neuenschwander, William J.
Neveux, Richard E.
Neville, Patrick G.
Newbill, Merrill S.
Newburn, William H., Jr.
Newcomer, John E.
Newell, Donald L.
Newman, Bruce W.
Newman, Buel B., Jr.
Newman, Franklin S.
Newmark, Charles C.
Newsom, Robert B.
Newton, Bernard J.
Nichols, Ernest D.
Nichols, Louis R., Jr.
Nichols, William S.
Nicholson, Robert E.
Nickel, James B.
Nickerson, Glendon B.
Nicoll, Francis R.
Nicoll, John
Nicolls, William L.
Niehoff, Ralph J.
Nielsen, Berturm H.
Nielsen, John M.
Nielsen, Paul K.
Nielsen, William J.
Niles, Eugene R.
Nilsen, Donald A.
Ninichuck, Paul
Noia, John C.
Nolan, William A.
Noland, Kenneth E.
Noonan, Joseph F.
Norcross, Charles C., Jr.
Normandeau, Joseph P.
North, William J., Jr.
Northfield, Charles H.
Norton, Robert R.
Norwood, James T.
Nosun, Robert D.
Novak, Lawrence A.
Nugent, Edgar H., Jr.
Nugent, Edward O. B.
Nugent, Raymond J.
Nugent, Thomas F. E.
Nyland, William T.
Oakes, Bernard F., Jr.
Oatley, Rollie, Jr.
O'Brien, Charles H.
O'Brien, Daniel F., Jr.
O'Brien, Eugene J.
O'Brien, Eugene K.
O'Brien, George E., Jr.
O'Brien, John D.
O'Brien, John A.
O'Brien, Joseph W., Jr.
O'Brien, William J.
O'Connell, John J. F.
O'Connell, John T.
O'Connell, Patrick J.
O'Connell, William J.
O'Connor, John J.
O'Connor, Karl W.
Oden, Thomas S.
Odermat, Victor D.
O'Donnell, Harold F.
Oerly, Samuel H.
Ogden, Bruce F.
Ogden, Robert F.
Ogelsby, John C. M.
Oglesby, Howard S.
O'Grady, Lawrence R., Jr.
O'Hara, William H.
O'Hare, Robert F.
O'Harra, Robert P.
O'Kane, John T.
Olander, James M.
Olds, James H.
O'Leary, Donald R.
Oleinik, George
Olexa, John J.
Oliver, Joseph H., Jr.
Oliver, Robert B.
Oliver, Robert W.
Olney, Herbert F.
Olsen, Herbert F.
Olsen, Robert J.
Olsen, Robert A.
Olson, George A., Jr.
Olson, Milton J.
Olson, Paul I.
Olson, Reynold M.
Olsovsky, Richard J.
Ondek, Joseph P.
O'Neal, Jerry
O'Neil, Edward V., Jr.
O'Neill, James E., Jr.
O'Neill, John E.
O'Neill, John F.
O'Neill, Patrick J.
O'Neill, William H.
Ordeman, John T.
O'Rourke, Francis J.
O'Rourke, James K.
O'Rourke, William T., Jr.
Orr, Arnold J.
Orth, Donald G.
Osenbaugh, Roger T.
O'Shea, John T.
Oshirak, Paul L.
Osterhoudt, Peter C.
Osterman, Leo V.
Ostlund, Donald P.
Ostrowski, Edwin F.
Oswald, Frank G., Jr.
O'Toole, John L.
Otott, George E.
Ott, Arthur L.
Ottenville, William N.
Otteraaen, Robert M.
Owen, Billy M.
Owens, Charles R.
Owens, Hosea
Owens, William D.
Owens, William L.
Pack, Kenneth L.
Padilla, Salvatore F.
Pagano, Vincent B.
Page, David P., Jr.
Page, James D.
Paige, Fred E., Jr.
Palaoro, Edward C.
Palic, Eugene
Palmer, Charles B.
Palmer, Charles W.
Palmer, James N., Jr.
Palmer, Kenneth P.
Palmer, Richard L.
Palmer, Robert P.
Palmer, Thomas P.
Paltz, John C.
Palumbo, Nicholas E.
Pangburn, Charles E.
Pape, William L.
Papetti, Robert A.
Pappas, Charles W.
Parand, Carl A.
Paratore, Joseph F.
Parish, Lowell W.
Parish, William M.
Parker, Evan L., Jr.
Parker, Hubert D., Jr.
Parker, Hubert L.
Parker, James S.
Parker, John K.
Paro, Eugene E., Jr.
Parrish, Darold D.
Parrish, James P.
Parsons, Francis M.
Parsons, Rex D.
Partridge, Richard C.
Passano, William M., Jr.
Pastore, Robert C.
Pastorino, Edward T.
Patberg, Norman B., Jr.
Pate, Gerald S.
Pate, Robert A.
Patrick, Charles E.
Patrick, George L., Jr.
Patsko, Andrew M.
Patterson, Francis H., Jr.
Patterson, Paul F., Jr.
Patterson, Paul W.
Patterson, Richard E.
Patterson, William D.
Patton, Robert T.
Paull, Murray S.
Paulson, George N.
Pausch, Henry M., II
Payne, Elmer S.
Payne, Thomas J.
Paynter, Richard A.
Pearlman, Stanley L.
Pearman, William R.
Pearson, Lyndon L.
Pearson, Russell C., Jr.
Peck, Kenneth D.
Pedersen, Verner C.
Pegues, Dock H.
Peirson, Frank H.
Pelletier, Phillip L.
Pellicane, Richard
Pels, John M.
Pence, Clarence J.
Pence, Ronald C.
Pennell, Guss H., Jr.
Penny, James R.
Percival, Donald E.
Percy, Stephen
Perdue, John D.
Perea, Horacio E.
Perez, Richard
Perkins, Frank A.
Perkins, John T., Jr.
Perkins, William R.
Perrette, Cecil L., Jr.
Perrin, Jack W.
Perrott, Charles M.
Perry, Aydlette H., Jr.
Perry, James M.
Perry, Victor A.
Perry, Warren R.
Perry, William H., Jr.
Peschke, Edward D.
Peters, Edward W., Jr.
Peters, Elbert L., Jr.
Peters, Jack A.
Peters, Richard A.
Peters, Robert J.
Petersen, Frank E.
Peterson, Bob K.
Peterson, Burdette H.
Peterson, Carl D.
Peterson, Gerald L.
Peterson, Herbert N.
Peterson, James O., Jr.
Petitbon, John E.
Petrarca, John A.
Petrunic, John M.
Petty, Howson W.
Pevoto, Ovie R., Jr.
Peyla, Louis R., Jr.
Pfeffer, Karl J.
Pfeiffer, Jack M.
Pfeifle, Richard C.
Phelps, Barry C.
Phelps, Charles H., Jr.
Phenix, Ronald C.
Philbrick, Charles A.
Phillips, Bernard P.
Phillips, James S.
Phillips, Jerry K.
Phillips, Jimmie R.

Phillips, John
Phillips, Norman G., Jr.
Phillips, Rhys J., Jr.
Phillips, Russell G.
Phillips, William R.
Phinney, George E.
Pickett, Bayard S.
Pickett, Rex L.
Pickford, Thomas M.
Pidgeon, Arthur J., Jr.
Pieper, Karl B.
Pierce, Robert H., Jr.
Piercy, Samuel E.
Pierre, Everett G.
Pierson, Earl F., Jr.
Pierson, Robert A.
Pile, Thomas N.
Pillars, James E.
Pina, Wallace M.
Pinfield, George W., Jr.
Piontek Edward
Pirhalla, Paul P.
Pirman, Frank E.
Pishock, Stephen J.
Pitcher, Bert R., Jr.
Pitchford, Charles F.
Pitsenbarger, James W.
Pittman, Gary E.
Pizarro, Richard A.
Plamondon, Robert A.
Pland, Richard H.
Platea, Anthony P., Jr.
Platt, Charles L.
Plimpton, Hollis W., Jr.
Plume, Walter J.
Plummer, James R.
Plummer, Rex L.
Plunkett, Joseph A.
Pohlman, Jack R.
Poindexter, John E.
Poitevent, Walter O.
Polakoff, Gerald H.
Polites, William C.
Polk, Ronald S.
Pollard, Jack G.
Pollard, Merel E.
Poorman, Donald W.
Pope, James F.
Pope, Richard D., Jr.
Porter, Arnold J.
Porter, George A.
Porter, Walter T.
Potter, Charles W.
Potter, Harold D.
Potter, Richard J.
Pound, Jere M.
Powell, Donald R.
Powell, Rollin R., Jr.
Powers, Alexander D., III
Powers, Olney H.
Powers, William T.
Prater, William T.
Pratt, David C.
Prawel, Sherwood P.
Prebihalo, Robert G.
Pretzel, Paul W.
Pribble, Harry A.
Price, Joseph V.
Price, Kenneth R.
Priest, Donald E.
Prince, Charlie J.
Pritchett, Donald E., Jr.
Proctor, Louis G.
Prosser, Robert J.
Provine, Carl R.
Provow, Joe F.
Pryatel, Robert L.
Pryor, Taylor A.
Pucher, George E.
Puckett, Charles R.
Pullar, Walter S., Jr.
Pulliam William R., Jr.
Pullin, Millard E.
Pupkar, Ralph E.
Purcell, Robert D.
Purcilly, Joseph C., Jr.
Purdy, David M.
Purdy, Douglas R.
Puryear, Herbert B.
Pyle, Charles B., Jr.
Quargnenti, James J.
Quick, Daniel J.
Quinlan, Owen M.
Quinn, Francis X.
Quinn, James W.
Quinn, John D., Jr.
Quinn, Joseph T.
Raad, Emil J.
Rabe, Leroy D.
Radabaugh, Harold V.
Rademacher, Robert C.
Radhuber, Stanley G.
Radich, George J.
Radjeski, Theodore G.
Radtke, Paul G.
Radwell, Francis J.
Rago, Vincent J., Jr.
Rahill, James W.
Raia, Richard M.
Rainbolt, Richard E.
Raines, Thomas E.
Ralph, Kenneth E.
Ralson, Lesley L.
Ramer, Ralph J.
Ramhap, Richard E.
Ramsey, James E.
Ranck, Robert B.
Randall, Heaton H., Jr.
Raney, William E.
Rankin, William A., Jr.
Rapaich, Eli
Raper, Clarence H.
Rapp, George W., Jr.
Rapp, John M.
Rappe, J. C.
Rasco, Sammie J.
Rasdal, Robert W.
Ratcliff, Percy D.
Ratliff, Dale
Ratzlaff, John S.
Rauch, Karl A.
Rawlings, Richard J.
Ray, Billy W.
Ray, Edwin A.
Raymond, Phillip C.
Rayner, Charles F.
Read, Charles G.
Read, William A.
Reagan, Kenneth H.
Realsen, Arvid W.
Reames, Louis G.
Reardon, Harry T., Jr.
Reddick, Cleveland N. F., Jr.
Reddick, Dorris A., Jr.
Reddick, William H.
Reed, Charles E.
Reed, Donald C.
Reed, Kenneth S.
Reed, Robert W.
Reedy, Thomas M.
Reese, Donald R.
Reesman, Clifford J.
Rehbock, Alan R.
Rehfus, James R. A.
Reich, Daniel O.
Reich, Nathaniel N.
Reich, Stephen G.
Reid, Benjamin H., Jr.
Reid, Charles E.
Reilly, Donald J.
Reilly, Joseph H.
Reilly, Laurence J.
Reimer, Donald D.
Reiners, Robert P.
Reinholm, Arthur W., Jr.
Reiss, Philip S.
Reiter, Herbert C.
Remmert, Theodore C.
Repetski, Jerry J.
Reppert, James G.
Resnik, Edward D.
Resnisky, Andrew F., Jr.
Retzke, Harold I.
Rexroad, Donald N.
Reynolds, Frank E.
Reynolds, Thomas A., Jr.
Reynolds, Thomas H., Jr.
Reynolds, Waldo R.
Rhine, Wesley E.
Rhodes, James V.
Ribar, George W.
Ricchi, Francis L.
Rice, Frank T.
Rice, Keith M.
Rice, Wesley H.
Richard, Roy
Richards, Daniel W.
Richards, Harry R.
Richardson, Edwin J., Jr.
Richardson, Harrison L., Jr.
Richardson, John A.
Rickard, Norman G.
Ricker, Richard L.
Ricketson, John H.
Ridenour, Allen R.
Ridge, Joseph S.
Ridgway, Alvin P., Jr.
Riedy, Richard V.
Riehl, John H., III
Rierdon, James C.
Rifino, William R.
Rigsbee, John W.
Riley, William E., Jr.
Rill, John C., Jr.
Rilling, Fred C., Jr.
Rilo, Joseph J.
Rinaldi, Joseph A.
Ringer, Gerald J.
Ringler, Jack K.
Ringwood, Stewart H.
Ripley, George H.
Riseley, James P., Jr.
Rishel, Austin C.
Ritter, Otto W.
Rivard, Ronald I.
Rives, Robert A.
Rizzo, Barry H.
Roach, Colin D.
Roark, Hugh W.
Robb, Allan H.
Robb, John M.
Robbins, Kenneth G.
Robbins, Laurence B., Jr.
Robbins, Morris G.
Robbins, Raymond B.
Robbins, Sanford H.
Robbins, William L.
Roberts, Richard T.
Roberts, Stanley G., Jr.
Roberts, Thomas L.
Roberts, William C., Jr.
Robertson, Duncan J.
Robertson, John W. P.
Robinett, Henry M.
Robinson, Alan K.
Robinson, Allan C., Jr.
Robinson, Frank C., Jr.
Robinson, Gene P.
Robinson, James C.
Robinson, Ralph K.
Robinson, Robert J.
Robinson, Thomas M., Jr.
Robinson, Wilbur R.
Rocha, Thomas, Jr.
Roche, John F., III
Roche, Thomas G.
Rochford, Edward J., Jr.
Rochford, Thomas F.
Roder, John R.
Roderick, Benjamin A., Jr.
Rodgers, Kenneth A.
Roe, James D.
Roe, John M., Jr.
Rogers, Charles J., Jr.
Rogers, Francis P., Jr.
Rogers, Franklin B.
Rogers, George F., Jr.
Rogers, James G.
Rogers, Lane
Rogers, William M.
Rogers, William W.
Rohde, Alfred W., Jr.
Rohlman, Walter C.
Rojo, Manuel, Jr.
Roles, Wayne L.
Roman, John D.
Romano, Carlo
Romans, Donald B.
Romine, Richard E.
Rood, Paul M.
Roop, Robert L.
Root, Edward R.
Root, Thatcher W., III
Ropkey, Fred N.
Roque, Ilow M.
Roschlau, John K.
Rosen, Joel M.
Rosengrant, John A.
Rosenthal, James D.
Ross, John T.
Ross, Thomas E.
Rossi, Gene A.
Rostad, John D.
Rothblatt, Melvin
Rothermel, Raymond V.
Rourke, Anthony J.
Rouse, Frank E.
Rovegno, Donald C.
Rowe, Lawrence B.
Rowe, Richard J.
Rowell, Robert W.
Rowett, John C.
Rowland, Harold W.
Rowlands, Cledwyn P.
Roxbugh, Richard E.
Roy, John B., Jr.
Rubenoff, Richard P.
Rubin, Leonard H.
Ruby, Jimmy G.
Rudicus, Walter J.
Rudolph, Philip M.
Rudolph, William E.
Rueckel, Frederick A.
Ruete, Alfred W., Jr.
Rumble, Wilson B.
Rumbough, Roy A.
Rumps, Bernard R., Jr.
Runkle, Harry M.
Rupp, Robert R.
Rush, Andrew W., II
Rush, Wesley M.
Russell, Frederick H.
Russell, George F., Jr.
Russell, Raymond H.
Russell, Richard S., II
Russell, Robert A.
Russin, Stanley J.
Russo, Anthony S. F.
Ruth, Clarence M., Jr.
Ruthazer, Warren C.
Rutherford, Robert J.
Ryan, Henry L., Jr.
Ryan, James K., Jr.
Ryan, James, Jr.
Ryan, John P.
Ryan, Philip J.
Ryan, Robert L., Jr.
Ryan, Thaddeus J., Jr.
Ryan, Timothy
Ryan, Warren J., Jr.
Ryhanych, George W.
Sader, Raymond H.
Sadler, Stephen L.
Saffelle, Robert L., Jr.
Salisbury, Ralph W.
Sallade, Paul H.
Salls, Carroll E.
Salter, Martin E., Jr.
Salvagno, Ralph G.
Salzman, Frederick P., Jr.
Sammons, W. Baird, Jr.
Samora, William J.
Sample, Edward J.
Sampson, George
Samuels, Frank D.
Sanborn, Earle L., Jr.
Sanderson, Dudley B.
Sanderson, John M., Jr.
Sands, Terence J.
Sandy, Allen D.
Sanford, Herbert C.
Sanks, William E.
Sanseverino, Patrick J.
Sansom, Howard D.
Sarafiny, James C.
Sarago, Thomas J.
Sartor, Victor H.
Saucier, Frederick W.
Saul, Jacque L.
Sautter, Melvin H.
Savage, John M.
Savoy, Ernest R.
Sawyer, Harold L.
Sawyer, Robert H.
Sayce, Donald H.
Scaife, William M., Jr.
Schaaf, Alfred N.
Schackne, Stewart, Jr.
Schaefer, Thomas L.
Schaeffer, Thomas A.
Schantz, Melvin R.
Scharback, Ronald
Schatzle, Joseph N.
Schaub, Edward J.
Schauf, Robert W.
Scheirman, Charles C.
Schenck, Paul E.
Scherer, Robert D.
Scherner, Roger A.
Scherr, Emil A., Jr.
Schlarp, Jack E.
Schlichte, Miles J.
Schlotzhauer, William P.
Schlueter, Stanley R.
Schmid, James A.
Schmid, Robert, Jr.
Schmidli, Donald L.
Schmidt, Kenneth R.
Schmidt, Laveen D.
Schmidt, Louis F.
Schmidt, Michael E.
Schmitz, John G.
Schmulbach, James C.
Schmults, Edward C.
Schneider, Arthur C.
Schneider, Charles A.
Schneider, Donald E.
Schnell, Emil R.
Schnitzler, Harold V., Jr.
Schoen, Thomas L.
Schoenberger, Leonard
Schomp, Donald D.
Schramm, Charles F.
Schremp, George R., Jr.
Schrepferman, John F.
Schoreder, John W.
Schroering, Charles J., Jr.
Schryver, Gilbert D.
Schuberg, Richard E.
Schubert, Charles J.
Schuette, Henry G.
Schul, Allan D.
Schuler, Raymond T.
Schulte, Lawrence A., Jr.
Schulthesz, Henry J.
Schultz, Robert H.
Schuman, George F., Jr.
Schureman, Charles E.
Schuyler, Terry E.
Schwab, John J., Jr.
Schwanderla, Edward A.
Schwartz, Carl
Schweigerdt, Richard F.
Schweiss, Elmer J.
Schwendt, Edwin O.
Schwob, Charles E.
Scobell, George A., Jr.
Scoppa, Joseph, Jr.
Scott, Donald E.
Scott, James K.
Scott, John A.
Scott, Joseph W., Jr.
Scott, Louis G.
Scott, Robert P.
Scott, Robert E.
Scoville, Charles D.
Scribner, Raymond E.
Scruggs, James W.
Scyphers, Ruel T.
Seaman, Donn E.
Seaman, George W.
Searle, Richard H.
Sears, Walter E., Jr.
Seaver, George F., Jr.
Seay, James L.
Seay, William L.
Secrest, Richard T.
See, Russell W., Jr.
Seeds, Ian S., Jr.
Seely, Gerard H.
Segel, Sheldon
Seiden, Stanley
Seiler, David F.
Seitz, John E.
Selby, Donald F.
Self, Joseph M.
Selke, Albert C., Jr.
Sequella, Louis A.
Serup, Donald K.
Severson, Donald E.
Sewell, Leonard G.
Sexton, William G.
Seymour, Kenneth F.
Shackelford, James L.
Shackelford, John K.
Shaffer, John C.
Shaffer, Raymond A.
Shafter, Robert L.
Shaklee, Harold G.
Shananhan, James L.
Shanberg, Robert
Shannon, Eugene F.
Sharpe, James R.
Shauer, Walter H., Jr.
Shaver, Donald B.
Shaw, John F., Jr.
Shawver, John W.
Shea, John R.
Sheahan, Robert R.
Shedden, Harry B.
Sheely, Harold E.
Sheetz, Thomas L.
Shelburne, Robert M.
Shelton, Allen C., Jr.
Shelton, Thomas R.
Shepherd, David L.
Shepherd, John A.
Shepherd, Peter
Shepherd, Robert A., Jr.
Sheppard, Charles R.
Sherlock, John, Jr.
Sherman, Robert P.
Sherrill, Benjamin C.
Sherwin, John M.
Sherwood, Donald K.
Shields, Edward A., Jr.
Shifter, Ernest
Shilan, Arthur B.
Shildneck, Donald P.
Shimanoff, Morris S.
Shinbaum, Marvin S.
Shine, John F.
Shinkle, Raymond C.
Shirar, Donald J.
Shiver, Clements W.
Shoefstall, Adrian A.
Shoemake, Loyd R.
Shore, Bruce J.

Shore, Sumner A.
Shorter, Walter W.
Shortsleeves, Vernon C.
Shoults, Eugene E.
Shovar, John F.
Shryock, Meredith G.
Shultz, Edward C.
Shumsky, Frank J., Jr.
Shure, Alan H.
Shuttleworth, James E.
Siedler, Wilbert A., Jr.
Siegfried, William G., Sr.
Sievers, Harry J.
Sigler, Andrew C.
Sildar, William P.
Silies, Donald E.
Silk, John B.
Silvestri, Leonard A.
Simas, Frank J.
Simich, John
Simkowski, George R.
Simmons, Jack A.
Simmons, John E.
Simmons, Peter F.
Simmons, Vernon H., Jr.
Simms, Thomas S.
Simon, Francis
Simons, Benton R.
Simonson, James T.
Simpkins, Billie D.
Simpson, Donald R.
Simpson, Marvin E.
Simpson, Thomas H.
Simpson, William A.
Sims, Frank E.
Sims, George R.
Sims, Tony L.
Sinclair, John E.
Sirois, Byron K.
Skagerberg, Alan E.
Skipper, Kenneth J.
Skyrm, James M.
Slack, Gerald J.
Slack, Robert K.
Slack, Thomas W.
Slavens, Daniel L.
Slee, Don J.
Slepin, Ronald B.
Sloan, Richard E.
Slocum, Clyde W.
Small, Robert S.
Smalley, William G.
Smigay, Daniel B.
Smilanich, William E., Jr.
Smith, Bernard B., Jr.
Smith, Blakeslee A.
Smith, Bobby N.
Smith, Boyce D.
Smith, Buck D.
Smith, Charles D.
Smith, Clarence L.
Smith, Clifford E.
Smith, Conway J.
Smith, Craig S.
Smith, Donald J.
Smith, Edwin D.
Smith, Elbert G.
Smith, Erik T., Jr.
Smith, Frank R.
Smith, Frederick A.
Smith, George D.
Smith, Graham W.
Smith, Harold W.
Smith, Harvey D.
Smith, Haywood R.
Smith, Howard M.
Smith, James H.
Smith, James M.
Smith, James R.
Smith, James Robert
Smith, Jean V.
Smith, John H.
Smith, Joseph N.
Smith, Keith A.
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Smith, Norman J.
Smith, Ray L.
Smith, Richard D.
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Smith, Robert R.
Smith, Robert H.
Smith, Robert S.
Smith, Stanley W.
Smith, Thomas S.
Smith, William D.
Smith, William R.
Smola, John K.
Snare, Joseph C., Jr.
Snead, Douglas L.
Snell, Bradley S.
Snell, Thomas C.
Sniffen, Robert L.
Snodgrass, Clyde R.
Snodgrass, Thomas F.
Snow, Avery C.
Snyder, Arthur K., Jr.
Snyder, Franklin A.
Snyder, Fred, Jr.
Snyder, Harold B., Jr.
Snyder, Louis G.
Snyder, Theodore O.
Sobol, Harold
Solbach, Harry G., Jr.
Solliday, Robert E.
Sollitto, Francis V.
Solomon, Charles
Somers, Allen H.
Somes, Donald H.
Sommerville, Herbert C.
Soper, Melvin A., Jr.
Sorenson, Ralph J.
Sorenson, Richard K.
Sorenson, Sigurd A.
Sorgenfrei, Carl J.
Sottile, Louis T.
Soudan, Thomas A.
Southworth, Thomas J., Jr.
Sparks, John A.
Spaulding, Robert E.
Speeler, Hardin L.
Spellacy, John F.
Spence, Allan J.
Spence, Morgan L.
Spencer, Ralph B.
Spencer, Ray
Spencer, Richard O.
Spencer, Thomas H., Jr.
Sperisen, Richard L.
Sphon, Charles E.
Spiers, Homer F.
Spinella, Vincent S.
Spiotta, Robert A.
Spivey, Harold G.
Sprague, Bernard
Spranger, Gary S.
Spring, Carlton J.
Sproul, Robert J.
Spry, William R.
Spurling, George N., Jr.
Spurlock, David A.
Spurr, Thomas L.
Stackhouse, Norman R.
Stallings, Henry G., Jr.
Stamour, Paul A. A.
Stamp, Lloyd V.
Standish, Cameron
Stanford, William L.
Stanley, David G.
Stanley, John R.
Stansel, Edward H.
Stanton, David R.
Stanton, Thomas P.
Staples, Ernest L., Jr.
Staples, Joseph S.
Starbuck, William E.
Stargel, Louis R.
Stark, Clifford M.
Stark, Richard T.
Stark, Robert W.
Starnes, Cullen G., Jr.
Starr, Donald I.
Staton, Thomas H.
Statzer, Merlin V.
Stayton, John P.
St. Clair, Fred W.
Steadman, Henry W.
Steck, Louis J.
Steeber, Robert A.
Steele, John G., Jr.
Steffens, Charles T.
Stein, Alfred F.
Stein, Francis E.
Stein, William E.
Steinberg, Melvin J.
Steinmann, David E.
Stenback, Norman E.
Stenzel, Joseph A.
Stephens, Paul R.
Stephens, Ray A.
Stephens, Walter E.
Stern, Laurence
Stevens, Joseph W., Jr.
Stevens, Marvin B.
Stevens, Nicholas L.
Stevens, Richard L.
Stevenson, Charles C.
Stevenson, William H.
Stewart, Billy F.
Stewart, Douglas C., Jr.
Stewart, Harvey C.
Stewart, Hugh M.
Stewart, James H.
Stewart, Kenneth R.
Stewart, Lawrence E.
Stewart, Robert A.
Stewart, Robert D.
Stewart, Robert J.
Stice, Ray B.
Stidger, Howe A.
Stiffler, Charles R.
Stiglitz, Robert A.
Stillman, Charles W., Jr.
Stillwagon, James E.
Stitt, Charles L.
St. Jeor, Leroy A.
Stockton, Robert L.
Stockton, Walter S., Jr.
Stoffa, Joseph J., Jr.
Stoffelen, Peter L.
Stokes, Robert L.
Stokes, William A.
Stoll, Charles E.
Stone, James E.
Stone, Richard J.
Stone, Robert R.
Stouch, Raymond E.
Stover, Frank B., Jr.
Stow, Donald W., Jr.
Strain, Donald H.
Strambi, Rudolph C.
Strandquist, John H.
Strange, James E., Jr.
Stratton, Robert A.
Strickland, Donovan C.
Strickland, George E.
Stringfield, Thomas R.
Stucker, Gayle G.
Stuckey, John S.
Stuckey, William K.
Studt, John C.
Stuhldreher, Michael W.
Stultz, Raymond D., Jr.
Sturm, August J.
Styles, Michael J., Sr.
Subowsty, Edward B.
Sudinski, Norbert L.
Sugarman, Alan C.
Sulik, Richard A.
Sullivan, Cornelius J., Jr.
Sullivan, Francis J.
Sullivan, George E., Jr.
Sullivan, Joseph R.
Sullivan, Lawrence F.
Sullivan, Michael L., Jr.
Sullivan, Thomas L.
Sullivan, William J.
Sullivan, William M.
Sultzer, Barnet M.
Summers, Harry E.
Sumner, Alton W.
Sumner, Donald W.
Sumner, Philip D., Jr.
Surles, Jerry T.
Sussen, Daniel C.
Sutphin, Ronald J.
Sutter, Rudolf S.
Swaim, Johnny R.
Swallow, Richard P.
Swank, James E.
Swanson, Allan R.
Swanson, Anton R.
Swanson, Donald L.
Swanson, James L.
Swanson, Roger D.
Swarts, Herbert I.
Swearingen, Robert B.
Sweeney, Lawrence P.
Sweeney, Walter E.
Sweeney, William B.
Swenson, Louis S.
Swift, George W.
Swinburne, Bruce R.
Swinney, James T.
Swope, Charles E., Jr.
Syers, James D.
Szydloski, Wayne T.
Tabar, William J.
Taber, Richard D.
Talbert, Robert L.
Talbot, Lee M.
Tallentire, Gilson A. D.
Tallon, John E., Jr.
Tammen, John W.
Tarkington, Friench S., Jr.
Tarr, James G.
Tashjian, Arthur F.
Tassini, John T.
Taylor, Brooke P.
Taylor, Charles F.
Taylor, Charles H., Jr.
Taylor, Clyde E.
Taylor, Harry E.
Taylor, Irving G.
Taylor, Joseph F., Jr.
Taylor, Laurence A.
Taylor, Najah C., Jr.
Taylor, Robert D.
Taylor, Robert M.
Taylor, Samuel B., Jr.
Taylor, Wayne D.
Tayntor, Charles E.
Teague, Charles E.
Teare, George W., Jr.
Tellkamp, John W.
Tenley, Walter B.
Terrell, Daniel E., Jr.
Terrill, Herbert L.
Tharp, Ross G.
Thatcher, John L.
Thayer, Richard E.
Thoman, Richard B.
Thomas, Charles L.
Thomas, Charles P.
Thomas, David E.
Thomas, Donald N.
Thomas, Hasil S.
Thomas, James C., Jr.
Thomas, John E.
Thomas, Keith N.
Thomas, Lance D.
Thomas, Louis C.
Thomas, Milford J.
Thomas, Richard W.
Thomas, Spencer F.
Thomas, William J.
Thompson, Alva F., Jr.
Thompson, David F.
Thompson, Gerald E.
Thompson, James P.
Thompson, James S.
Thompson, John T.
Thompson, Joseph A.
Thompson, Joseph H.
Thompson, Lawrence L., Jr.
Thompson, Lester H., Jr.
Thompson, Robert B.
Thompson, Robert H.
Thompson, Roland E.
Thompson, Richard K.
Thomson, Richard S.
Thompson, William D., Jr.
Thompson, William E.
Thornbury, Billy D.
Thornton, Bozzie F., Jr.
Thorsen, Timothy J.
Threlfall, William L.
Throckmorton, Roger R.
Thurber, William M.
Thurman, Winfred M., Jr.
Thurston, Lyle E.
Tiaga, Silverio V.
Tiago, Joseph L., Jr.
Tidemann, Andrew H.
Tiede, Herbert R.
Tieman, Robert E.
Tiemann, Richard K.
Tiernan, Richard E.
Tighe, Paul J.
Till, Joseph P.
Till, Martin
Tillis, James G.
Tilly, Robert C.
Tilton, Robert E.
Tilton, Robert C.
Timmerman, Kenneth M.
Timmons, Glenn W.
Tinney, William H., Jr.
Tipton, Dale L., Jr.
Tipton, Walker T.
Tobin, Edward P.
Tobin, Thomas L.
Tockstein, Robert E.
Todd, William S.
Toller, William M.
Tolnay, John J.
Tomlin, James E.
Tomlinson, Robert H., III
Tomlinson, Richard W.
Tomlinson, Herbert W.
Toms, Edward H.
Tonetti, John S.
Toney, Buford L.
Toolajian, Vahan
Toole, Lee H.
Toomey, Charles J.
Topalian, Theodore S.
Tormey, John L.
Torok, Robert J.
Totten, Frederick R.
Totten, Gerald H.
Touchton, Elbert R.
Toulmin, Hugh H.
Townsend, Charles L.
Townsend, Donald B.
Townsend, Edward J.
Townsend, Gerald E.
Townsend, Joseph B., Jr.
Townsend, Kyle W.
Townsend, Ronald L.
Tracey, Joseph E.
Trahan, Francis J.
Traub, Ellis, Jr.
Travers, Thomas R.
Treble, Charles
Trebon, Iver W.
Trefny, Rudolph A.
Tremblay, Laurier J.
Trepagnier, Wade H., Jr.
Trescott, Eugene H.
Tress, David M.
Trexler, Richard T.
Tribe, Stanley G., Jr.
Troupe, Ralph J.
Trout, Robert G.
Trowbridge, Clyde A.
Troxel, J. B.
Troxler, George W.
Truesdale, Bruce A.
Tryon, Raymond L.
Tryon, William A.
Tuchek, John B.
Tucker, George A.
Tucker, John O.
Tucker, Leland W.
Tucker, Robert W., Jr.
Tull, James R.
Tuller, Charles H.
Tulley, William E.
Turley, Gerald H.
Turner, Bobby C.
Turner, Charles F.
Turner, Frank P.
Turner, James A.
Turner, Robert M.
Tuszynski, Ervin J.
Tuteral, Marion E.
Tuttle, David L., Jr.
Twaddle, William M.
Tweedy, James E.
Twining, David S.
Twyman, Gayle F.
Tyksinski, William A.
Tyler, William H., Jr.
Tyner, Neal E.
Tyson, Charles J., III
Uhlemeyer, Ted, Jr.
Underwood, Malcolm S., Jr.
Unger, Robert G.
Upschulte, Phillip P.
Urban, Joseph A.
Urbanske, Thomas B.
Ustach, Vincent A.
Uster, William H.
Valencia, Edwin J., Jr.
Valentine, Ira S., Jr.
Valentine, Herbert J.
Valento, Donald J.
Vallee, Robert A.
Vallette, Charles W.
Vamosi, Joseph S.
VanCamp, James W.
VandeBossche, Robert Y.
Vandeburg, Clyde M., Jr.
Vandemark, Charles E.
VanDenElzen, James R.
VanderLans, John A.
Vandersluis, Jan P.
VanDeusen, Larry R.
VanDyke, Richard P.
Vanek, Kenneth D.
VanFleet, Thomas R.
VanFossen, Harry E.
VanGaasbeek, Leonard S.
VanGeffen, Carroll D.
VanGorder, Lawrence A.
VanHook, Edward H.
VanInwegen, William C.
Vann, Joseph W., Jr.
VanNatter, James H.
VanSant, Frederick N.
VanSant, Thomas R.
VanStone, Edward L.
VanTine, Kenneth G.
VanWinkle, Roy L.
VanWinkle, Archie
Varian, Homer A., Jr.
Vaughn, Thomas A.
Vaught, Richard H.

Vaum, Richard C.
Veal, Beverly P.
Veasey, John E.
Veda, Edward P.
Veno, Frederick E.
Verdon, Donald J.
Verrier, Alfred J., Jr.
Vey, Willis D.
Vezzani, Daniel L.
Vibberts, John L.
Vidano, Albert J.
Vidmar, Paul R. R.
Viera, Daniel J.
Viers, Willard G., Jr.
Vieten, Vincent G.
Vigneron, Raymond H.
Vilches, Samuel N., Jr.
Villar, James W.
Visage, Billy F.
Vitali, Henry R.
Vitalis, William N.
Vittitoe, James A.
Vlachos, Theodore J.
Vochatzer, Charles D.
Vogt, Timothy S.
Voight, Delbert G.
Voll, Richard W.
Volz, Fritz
Vorhauer, George F.
Vosburgh, Peter B.
Voss, Henry R.
Votava, Robert J.
Vreeland, Norman H.
Vugteveen, Harold L.
Vukelich, John J., Jr.
Waddell, Lamar P.
Wade, Ray B.
Wager, Charles P.
Wagner, Daniel C.
Wagner, David H.
Wagner, Douglas A.
Wagner, Peter K.
Wagner, Richard D.
Wagoner, Earl L.
Waguespack, William J., III
Wahlfeld, Howard W.
Wahlstrom, Donald H.
Wakefield, Henry S.
Waldera, Gerald J.
Waldow, Richard E.
Walker, Allen R.
Walker, Dallas R.
Walker, Ernest R.
Walker, George, Jr.
Walker, James H.
Walker, James W.
Walker, Joe G., Jr.
Walker, John B., Jr.
Walker, Phillip C.
Walker, Royal H.
Walker, Thomas C.
Wallace, Bruce T.
Wallace, Charles F.
Wallace, John J., III
Waller, Marben G.
Wallig, Raymond J., II
Walling, Robert P.
Walls, Robert T.
Wallwork, Donald T.
Walser, Grover B.
Walsh, Gerard J.
Walsh, James A.
Walsh, James T.
Walsh, John E.
Walsh, Michael J.
Walsh, Patrick P.
Walters, Raymond D.
Walton, James A.
Walton, Theodore C.
Wamel, William W., Jr.
Wampler, Elton R.
Wander, Robert E.
Ward, Donald E.
Ward, Fred D.
Ward, George W.
Ward, Guy W.
Ward, John J.
Wardman, John M.
Warfield, Clifford D.
Warholak, Michael E., Jr.
Warner, John D.
Warren, Frank R.
Warren, Harold R., Jr.
Warrender, John W.
Washington, Harold M.
Waterman, Philip C.
Waters, George J.
Waters, Herbert R., Jr.
Waters, Joseph E.
Watkins, Joel S., Jr.
Watkins, William A., Jr.
Watson, Howell E., Jr.
Watson, Jack B.
Watson, Laurence W.
Watson, Lee J., Jr.
Watson, Leroy E.
Watson, Robert W.
Watson, Robert C.
Watson, Thomas W.
Watts, Dale E.
Watts, Elwood J.
Watts, Ivan L.
Wawrzyniak, Stanley
Weatherly, James G.
Weatherspoon, James A.
Webb, Lonnie L.
Webber, Charles L.
Weber, Albert C.
Weber, Charles F., Jr.
Weber, Daniel B.
Weber, Gerald V.
Weber, John E., Jr.
Weber, Paul L.
Wedel, Paul A., Jr.
Weems, Benjamin F., III
Wehr, William W.
Weigle, Robert F.
Weiland, Gerald A.
Weiland, Joseph K.
Weiland, Robert E.
Weill, Paul D.
Weinert, Frederick R.
Weir, Kenneth W.
Weir, Richard M.
Weise, William
Weisser, Lawrence M.
Weitekamp, Lawrence E.
Weithman, James C.
Welch, Homer L.
Welch, Robert C.
Welker, George J.
Wells, Burt A.
Wells, Glenn T.
Wells, Laverne M.
Wells, Ullie C.
Wendt, James W.
Wenner, Howard T., Jr.
Wenrich, Jay H.
Wensing, Donald R.
Went, Joseph J.
Wenzel, Gerald A.
Werner, Joseph C.
Wersel, William J.
Werz, Francis J.
Wescott, William J.
West, Donald K.
West, Frank K., Jr.
West, Hugh S.
West, Jack W.
Westbay, Harry H., III
Westbrooke, Lewis E.
Westendorf, Robert J.
Wester, Joseph M.
Westerman, Ronald M.
Wetherill, Ira D.
Wetzel, Fred J., Jr.
Weybright, Walter E.
Whalen, David F.
Whalen, Robert P.
Whaling, Robert W.
Wheatley, Paul R.
Wheeler, Charles K.
Wheeler, James R.
Wheeler, John D.
Wheelock, Richard J.
Whelan, William L.
Whelen, James W., Jr.
Whidden, Gilbert L.
Whipple, Chester L.
Whitaker, Donald J.
White, Charles H.
White, David R.
White, Edward D.
White, Jean P.
White, John N.
White, Joseph H., Jr.
White, Leonard N., Jr.
White, Michael E.
White, Neil V.
White, Robert E.
White, Robert D.
White, Terry H.
White, Thomas H., Jr.
White, Walter P., Jr.
White, Warner L.
White, William A.
Whitley, Hubert S.
Whitmer, James A.
Whitmore, William H., III
Wiborn, Richard J.
Wickersham, William S., Jr.
Wickham, Howard E.
Wickman, George A.
Wiederecht, George P.
Wiedhahn, Warren H., Jr.
Wieland, Philip J.
Wiese, James J.
Wiet, John P.
Wigginton, William B.
Wightman, Gene F.
Wiita, Clifford B.
Wilcher, Charles E.
Wilcher, David W.
Wilder, Mack E.
Wiley, Teddy R.
Wilhelm, Baker
Wilhelm, Melvin J.
Wilkins, James R.
Wilkins, John W.
Wilkinson, Bobby R.
Will, David H.
Willcox, Clair E.
Willford, Milton D.
Williams, Bruce C.
Williams, Carl D.
Williams, Estas L.
Williams, Earl L.
Williams, Frank P., Jr.
Williams, George J.
Williams, Gary C.
Williams, Hugh M.
Williams, James W., Jr.
Williams, Jack C.
Williams, Jack L.
Williams, Justin, Jr.
Williams, Kenneth L.
Williams, Marshall E.
Williams, Perry H.
Williams, Robert G.
Williams, Robert T.
Williams, Ralph
Williams, Thurman L., Jr.
Williamson, James E.
Willis, Joe E.
Willis, Lawrence J.
Willis, Maxey A.
Wills, Daniel
Wills, William P.
Willwerth, James A.
Wilson, Billy E.
Wilson, Donald W.
Wilson, Douglas H.
Wilson, Edwin P.
Wilson, Francois S.
Wilson, James R.
Wilson, James R., Jr.
Wilson, Joe D.
Wilson, Raymond B.
Wilson, Richard O.
Wilson, Robert G.
Wilson, Robert L.
Wilson, Robert L., Jr.
Wilson, Warren L.
Wilson, William C.
Wiltsie, Russell E.
Wimber, Melvin L.
Wimpey, Garrette J.
Winans, James W.
Wincentsen, Bruce M.
Winder, Charles R.
Windsor, Billie W.
Winfield, Charles R.
Winrock, Frederick H.
Winslow, John D.
Winter, Wallace E.
Winter, Wilbert C.
Winters, James E.
Wintersteen, John, Jr.
Winton, John N., Jr.
Wiper, Harold A., Jr.
Wiseman, Thomas R.
Wissel, Conrad, III
Withers, Merlyn H.
Witt, Lewis C.
Witty, Loren G.
Woehle, Fritz
Wolber, James E.
Wolcott, Frank B., III
Wolf, Andreas W., Jr.
Wolf, Jerry H., Jr.
Wolf, John B.
Wonhof, Alan E.
Wood, Charles D.
Wood, Donald E.
Wood, Erman E., Jr.
Wood, Josiah A.
Wood, Paul A.
Wood, Robert H.
Wood, Stanley B.
Wood, William F.
Wood, William G., Jr.
Woodard, Floyd P.
Woodring, Willard J., Jr.
Woodroof, Robert H.
Woods, Otray J., Jr.
Woods, Preston D.
Woods, Roderick D.
Woodward, Richard W.
Woodyard, Harvey J.
Woolery, Dean
Wooten, Perry R.
Worley, Daniel E.
Worley, David E.
Wray, Desmond C., Jr.
Wright, Charles C.
Wright, Dennis W.
Wright, Francis E.
Wright, Harvey
Wright, Herbert L.
Wright, James H.
Wright, James R.
Wright, Jerry H.
Wright, Willis M.
Wulf, Jerry C.
Wyatt, Willard J.
Wyman, Todd L.
Wynn, Neal B.
Yale, Robert S.
Yant, John T.
Yardley, Thomas J.
Yeager, Richard A.
Yeager, William E.
Yeargan, William C.
Yeck, Kenneth R.
Yelek, Don L.
Yelenick, Joseph T.
Yohe, Francis L.
Yoshioka, Arthur H.
Young, Carl L.
Young, Dale E.
Young, Earnest G.
Young, George D.
Young, Harold G.
Young, Norman L.
Young, Rex J.
Young, Robert G.
Young, Timothy R.
Young, William H., III
Yourishin, George P.
Zaloski, Alfred R.
Zang, Gerald L.
Zedekar, Stanley L.
Zehmer, Edward E.
Zeigler, Lewis I.
Zern, Joseph C.
Zero, Walter E.
Zience, Walter J.
Zimmerman, Eugene H.
Zimolzak, Frank
Zingone, Frank C.
Zisi, William Z.
Zook, John E.
Zuccarello, John W.
Zuck, Walter S.
Zuelsdorf, Gerald R.
Zuern, Robert L.
Zuersher, Ronald W.
Zurlini, Jack G.

The following-named officers of the Marine Corps for permanent promotion to first lieutenant, subject to qualification therefor as provided by law:

Herbert M. Baker
William R. Beeler
Louis A. Bonin
Ernest C. Brace
William Q. Brothers
William E. Caslin
Robert L. Closson
Robert W. Cooney
Franklin G. Cowie, Jr.
Paul L. Davis
Jimmie L. Dillon
Raymond L. Duvall, Jr.
John Havlik
Lawrence R. Hawkins
Richard L. Hawley
James E. Hendry
Hershel H. Henson
Laverne D. Highhouse
Willis L. Kay
Charles E. Kiser
Leo J. LeBlanc, Jr.
Charles H. May
Russell W. McNutt
Arthur S. Ohlgren
George M. Olszewski
John W. P. Robertson
Edward J. Sample
Baxter W. Seaton
Ronald I. Severson
Charles A. Sewell
George H. Shutt, Jr.
Luther S. Smith, Jr.
Lawrence A. Taylor
James S. Thompson
Ronald Trepas
Ted Uhlemeyer, Jr.
David Y. Westling
Bobby R. Wilkinson

The following-named women officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel, subject to qualification therefor as provided by law:

Barbara J. Bishop
Emma H. Clowers

The following-named woman officer of the Marine Corps for permanent appointment to the grade of major, subject to qualification therefor as provided by law:

Shirley J. Fuetsch

The following-named woman officer of the Marine Corps for permanent appointment to the grade of captain:

Doris V. Kleberger

The following-named women officers of the Marine Corps for permanent appointment to the grade of captain, subject to qualification therefor as provided by law:

Elaine T. Carville
Essie M. Lucas

Francis N. Berdanier (Naval Reserve Officers' Training Corps) to be second lieutenant in the Marine Corps, subject to qualification therefor as provided by law.

The following-named (Reserve Officers' Training Corps) to be second lieutenants in the Marine Corps, subject to qualification therefor as provided by law:

William R. VanHarten
Henry G. White, Jr.

The following-named (civilian college graduates) to be second lieutenants in the Marine Corps, subject to qualification therefor as provided by law:

Harold E. Arney, Jr.
Eugene M. Bass
Joseph W. Blocker
John G. Celli
David M. Clauretie
Barry S. Colassard
Charles J. Guida
Hunter B. Hadley, Jr.
Hussain R. Hellett
Charles J. Kirkhoff
William A. Rasmussen
Thomas C. Ricci
James C. Roddey
Thomas P. Rosandich
Joseph F. Schappa
William S. Shea
Gordon E. Shockley

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant:

Jack R. Christensen
Lucion N. Sowell, Jr.

The following-named officers of the Marine Corps for temporary appointment to the grade of second lieutenant:

Donald R. Baum	James R. Johnson
Max Bearden	Harry P. Jones
Kinsman G. Boso	William R. Kueker
James D. Chandler	Raymond Labas
Roger U. Chaput	Marion E. Lewis
George W. Colburn	Jacques B. Loraine, Jr.
George D. Cox	Joseph M. Magaldi, Jr.
Wallace E. Fogo	Horace L. Mann
Harold J. Ford, Jr.	Charles A. Miller
Ralph B. Fuentes	Van A. Norman
Joseph G. Gardiner	Richard L. Prather
Ralph G. Getman	Herbert J. L. Reid
Arthur L. Graves	Charley Robinson
Ralph N. Hardin	Anthony V. Rocha
Donald L. Harris	William J. Shetzer
William J. Hartmeier	Jerome E. Shephens
Frederick R. Hasler	Jack R. Taylor
Thomas W. Hendrickson	Donald J. Thomas
Gerald J. Hepp	David C. Turner
Vernon J. Hicks	Robert G. Unger
John E. Holland	Bethel A. Vass
Ralph E. Holler	John H. Webb, Jr.
Don C. Hunter, Jr.	

The following-named Reserve officers to be second lieutenants in the Marine Corps, subject to qualification therefor as provided by law:

Roger J. Bartels	John E. Mead
Edward H. Berger	Richard M. Myers
Richard E. Bourne	David J. Naugle
Joseph P. Brower	Bert W. Peterka
Thomas K. Burk, Jr.	James S. Phillips
Thomas D. Burnette	Raymond R. Powell
Ellsworth P. Coleman	Daniel Prudhomme
Karl F. Christman	Harold P. Reiland
Jack L. Dewell	Francis N. Riney
Arthur A. Dittmeier	George M. Shiffler
William Drebushenko	Allan J. Spence
Ronald M. Giannotti	Henry G. Stalling, Jr.
Herbert M. Gradd	Robert W. Topping
Paul R. Jones, Jr.	John J. Tolnay
Robert E. Jones	Edward R. Wagner, Jr.
Willard T. Layton	Allen R. Walker
Charles P. Lindsley	Billy E. Wilson
Eugene C. McCarthy	Paul A. Wilson, Jr.

The following-named Women Reserve officers to be second lieutenants in the Marine Corps, subject to qualification therefor as provided by law:

Ann C. Anderton	Natalie H. Lowell
Claudette Y. Berube	Marilyn A. Maines
Doris J. Burke	Mary T. Malloy
Mary J. Callahan	Audra D. Marshall
Beverly A. Cearley	Patricia A. McDonough
Martha A. Cox	
Katharine M. Donohoe	Aurora M. Mondo
Elizabeth M. Faas	Margaret R. Pruett
Jane P. Grundy	Elisabeth M. Strand
Ada J. Harris	Jane L. Wallis
Patricia Kuehn	Antoinette S. Willard
Florence E. Land	Catherine Yoyos

IN THE ARMY

The following-named officers for appointment to the position indicated and for appointment as lieutenant general in the Army of the United States under the provisions of sections 504 and 515 of the Officer Personnel Act of 1947:

Maj. Gen. Thomas Wade Herren, O7430, United States Army, to be commanding general, First Army, and senior United States Army member, Military Staff Committee, United Nations, with the rank of lieutenant general.

Maj. Gen. Claude Birkett Ferenbaugh, O12479, United States Army, to be deputy commanding general, Army Forces, Far East, with the rank of lieutenant general.

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of subsection 515 (c) of the Officer Personnel Act of 1947:

To be major generals

Brig. Gen. Frank Otto Bowman, O12090, United States Army.

Brig. Gen. Louis Watkins Prentiss, O14672, United States Army.

Brig. Gen. Kenner Fischer Hertford, O15120, United States Army.

To be brigadier generals

Col. Richard Joseph Werner, O29107, United States Army.

Col. Norman Hayden Vissering, O41603, United States Army.

Col. Edgar Thomas Conley, Jr., O17665, United States Army.

Col. William Richard Frederick, Jr., O29388, United States Army.

Col. Briard Poland Johnson, O29393, United States Army.

Col. Andrew Thomas McAnsh, O38667, United States Army.

Col. Philip Campbell Wehle, O18067, United States Army.

Col. Isaac Sewell Morris, O18806, United States Army.

IN THE AIR FORCE

Brig. Gen. Karl Truesdell, Jr., 1023A (colonel, Regular Air Force), United States Air Force, for temporary appointment as major general in the United States Air Force, under the provisions of section 515, Officer Personnel Act of 1947.

SENATE

WEDNESDAY, DECEMBER 1, 1954

(Legislative day of Monday, November 29, 1954)

The Senate met at 9:30 a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou source of our strength and hope, humbly we come, trusting not in our feeble hold of Thee, but rather in Thy mighty grasp of us. Our minds are puzzled and confused—full of doubt and questioning; wickedness seems so rampant and triumphant, goodness so rare and spoiled by lurking evil.

Give us, we beseech Thee, the faith which in the darkness still believes in the dawn. Out of dense darkness has leaped the light of this new day, touching into loveliness the fields, the hills, and the sea, filtering into the deepest woods—into the darkest homes. Come to us, Thou Light of the World. May we become sure of Thee as men who watch through a long night are confident of the dawning. Scatter our doubtings. Fill us with life anew. Send us forth as sons of the morning to bring Thy light to every shadowed area of human relationships. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, November 30, 1954, was dispensed with.

CREDENTIALS

The VICE PRESIDENT. There are on the desk the credentials of the Senator-elect from Arkansas [Mr. MCCLELLAN] for the term beginning January 3, 1955, which, without objection, will be received, placed on file, and printed in the RECORD.

There being no objection, the credentials were ordered to be placed on file and to be printed in the RECORD, as follows:

PROCLAMATION

STATE OF ARKANSAS,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954, JOHN L. MCCLELLAN was duly chosen by the qualified electors of the State of Arkansas a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January, 1955.

Witness: His Excellency our Governor, Francis Cherry, and our seal hereto affixed at Little Rock, this 15th day of November, in the year of our Lord 1954.

FRANCIS CHERRY.

By the Governor:

C. G. HALL,
Secretary of State.

TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, under the order previously entered, the Senate is about to have its customary morning hour for the transaction of routine business, under the usual 2-minute limitation. Following the transaction of routine business I shall suggest the absence of a quorum.

The VICE PRESIDENT. Routine business is now in order.

RETURN OF CERTAIN PAPERS BY COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. CASE. Mr. President, I ask unanimous consent that an order may be issued relative to certain papers which were obtained by the Subcommittee on Crime and Law Enforcement of the Committee on the District of Columbia in 1952. These papers and documents were produced by Mr. William L. Taylor, and he has written me as chairman of the District of Columbia Committee, asking that they be released from the custody of the committee. I am informed that they may be released only by an order of the Senate.

I have consulted with the ranking minority member of the committee and he informs me that he has no objection to this procedure.

I submit the order, and ask for its present consideration.

There being no objection, the order was considered and agreed to, as follows:

Ordered, That the Senate Committee on the District of Columbia be, and is hereby, authorized to return to Mr. William L. Taylor, 3301 North George Mason Drive, Arlington, Va., the following documents which were produced by the said William L. Taylor in 1952 to the subcommittee of the Committee

on the District of Columbia, investigating crime and law enforcement:

(1) Three hundred and fifty canceled checks of William L. Taylor, the Citizens Bank of Takoma Park, covering the period November 15, 1950, to January 25, 1952, inclusive.

(2) Fifteen bank statements, the Citizens Bank of Takoma Park, showing the account of William L. and Eleanor V. Taylor, from October 14, 1950, through January 30, 1952, inclusive.

(3) Six United States individual income-tax returns as follows:

(a) Return of William Leonard Taylor for the year 1946.

(b) Return of William L. and Mary E. Taylor for the year 1947.

(c) Return of William L. Taylor for the year 1948.

(d) Return of William L. Taylor for the year 1949.

(e) Return of William L. and Eleanor V. Taylor for the year 1950.

(f) Return of William L. and Eleanor V. Taylor for the year 1951.

(4) Thirty-four mail-deposit receipts of William L. and Eleanor V. Taylor, the Citizens Bank of Takoma Park.

(5) Three deposit slips, the Citizens Bank of Takoma Park, of William L. or Eleanor V. Taylor.

(6) One receipt for collection, the Citizens Bank of Takoma Park, of William L. Taylor.

(7) Two correction deposit slips, the Citizens Bank of Takoma Park, one to William L. or Eleanor V. Taylor, and one to William L. Taylor.

(8) One 27-page financial questionnaire of William Leonard Taylor.

THE IMPRISONMENT OF OUR CITIZENS IN RED CHINA

Mr. KNOWLAND. Mr. President, I desire to read into the RECORD a telegram which I have received from the Air Force Association. It reads as follows:

WASHINGTON, D. C., *November 26, 1954.*

Hon. WILLIAM F. KNOWLAND,
United States Senate,
Washington, D. C.:

In behalf of the Air Force Association, I have sent today the following telegram to President Eisenhower, with copies to the press, all Members of Congress, the governors of each State, and the Secretaries of State, Defense, and Air Force. Text follows:

"The Air Force Association has been deeply concerned about United States Air Force personnel and other Americans still held as prisoners by Red China. As evidence of this concern the association printed in the November issue of Air Force Magazine, its official journal, a special report including pictures on the 11 airmen who have in the last few days been given long and severe prison sentences by Red China. We have been informed through sources which we believe to be correct that these men were shot down over Korea, not Red China. The motto of a famous Air Force fighter group is 'We take care of our own.' The Air Force Association believes that this is an appropriate motto for our Nation at this time. We know you share our feeling that these men must be released. This message is to assure you that the Air Force Association stands behind whatever action, no matter how strong, you may take to obtain the release of every American held in the prisons of Red China. We believe time is of the essence."

We respectfully enlist your support in efforts to obtain the release of these Americans.

JOHN R. ALISON,
President, Air Force Association.

I ask unanimous consent that my reply to Mr. Alison be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NOVEMBER 29, 1954.

Mr. JOHN R. ALISON,
President, Air Force Association,
Washington, D. C.

DEAR MR. ALISON: Your telegram of November 26 has been received, and I appreciate having your constructive comments.

I fully agree with you that something must be done to protect the men wearing the American uniform who find themselves in Communist prisons contrary to the armistice agreement and the decent conduct of nations under international law.

It has been my belief for a long time that merely sending another note will not produce results. If these Americans who have just been sent to prison and others who are being illegally held are not immediately released I believe that the note should be followed up by a complete blockade of the Chinese Communist coast to see to it that not a single vessel of any nationality enters or leaves a Chinese port until all of the Americans have been freed.

With best regards, I remain,

Sincerely yours,

WILLIAM F. KNOWLAND.

SENATOR ROBERT C. HENDRICKSON, OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. President, last August, because of my trip to the Far East with Secretary of State Dulles, I left the Senate 1 day before the recess was taken. Due to this fact, I was unable to be in the Senate on the afternoon when many of my colleagues, led by the Senator from Maine [Mrs. SMITH], paid well-deserved tributes to my colleague the junior Senator from New Jersey [Mr. HENDRICKSON], who, to the regret of all of us, will not be a Member of the Senate next year.

Before the final adjournment of the Senate I desire to say a few words with regard to the junior Senator from my State.

Prior to coming to the Senate in 1948 Senator HENDRICKSON had been very active in New Jersey politics, as State senator and later as Republican majority leader and president of the State senate. In 1940 he was the Republican nominee for Governor. In 1942, and again in 1946, he was elected State treasurer.

The whole field of Federal-State operations in fiscal matters has long been dear to his heart, and in connection with this interest Senator HENDRICKSON served as member, and later as chairman, of the board of managers of the Council of State Governments. As a Member of the Senate he was greatly instrumental, along with the late Senator Taft and the distinguished senior Senator from Michigan [Mr. FERGUSON], in setting up the Commission on Intergovernmental Relations, of which he is now a member.

Senator HENDRICKSON served his country in both World Wars. In 1918 he enlisted as a private and saw action in France. He was awarded the Medal of Verdun and other citations for his service.

In 1943 he again volunteered his services and was assigned to the American Military Government in North Africa, upper Austria, and Italy. As senior legal officer AMG with the Fifth Army, he was with one of the first combat units to enter Rome. In 1944 he was promoted to the rank of lieutenant colonel. He returned to civilian life in 1946. He received the World War II medal, European-African Middle Eastern Theater Service Medal with four bronze stars, and several other awards for his efforts.

Senator HENDRICKSON has long been an active member of the American Legion, and as a lawyer has been a member of the bar of the State of New Jersey and active in the Gloucester County, N. J., Bar Association.

Senator HENDRICKSON has a distinguished ancestry, as is illustrated by the fact that he is a member of the Society of Cincinnati, one of the oldest, if not the oldest, of our patriotic societies.

In his 6 years in the Senate, Senator HENDRICKSON has served with distinction on many important committees. For a time he was a member of the Rules and Administration Committee and of its Subcommittee on Privileges and Elections. As a member of the Armed Services Committee he played an important role in the ammunition-shortage investigation. He is a member of the Republican policy committee, the Select Committee on Small Business, and has served tirelessly and conscientiously as chairman of the Republican calendar committee.

As a member of the Judiciary Committee Senator HENDRICKSON was the author of Senate Resolution 89, 83d Congress, 1st session, authorizing an investigation of juvenile delinquency in the United States. On August 4, 1953, he was appointed chairman of a subcommittee to carry out the terms of the resolution.

Rarely, in my opinion, has a Senator conducted such a complete and valuable investigation. The subcommittee set out on a factfinding tour to determine the extent, causes, and implications of juvenile delinquency. For Senator HENDRICKSON, this has been a labor of love. The importance of the children of America, the need for better public understanding of the great problem of juvenile delinquency, and the deep desire to make this Nation a better place in which to live, have been the motivating convictions behind the fine work which has been done under Senator HENDRICKSON's initiative.

Obviously the role of the Congress in dealing with the problem of eliminating juvenile delinquency has just begun. It is a matter of deep regret to all of us that the man responsible for undertaking this work will not be here in future years to continue this fight. His leadership and example will be a great inspiration to those who follow him.

In closing these few remarks I wish to emphasize the personal side of the very happy relationship of Mrs. Smith and myself with Senator and Mrs. Hendrickson. We have been close friends for many years during our joint endeavors to

improve political conditions in our home State of New Jersey. I watched Senator HENDRICKSON grow from a member of the State legislature through the important State offices I have mentioned, until at last in 1948 he became my colleague here in the United States Senate. Our mutual relations have been those of respect and deep affection, and it was a great personal regret to me that he felt it necessary to make the personal sacrifice of not running for reelection to continue his career in the United States Senate.

He is going to a new work of critical importance and responsibility in our troubled world.

I am confident that all of his colleagues in the United States Senate, without exception, join me as we close the 83d Congress, in wishing him and his charming wife Godspeed and deserved success in their new dedication to the service of their country.

ADDRESS BY FIELD MARSHAL THE VISCOUNT MONTGOMERY

Mr. GOLDWATER. Mr. President, on November 29, 1954, Field Marshal the Viscount Montgomery of Alamein addressed the California Institute of Technology. He made one of the most provocative speeches it has been my pleasure to read in some time. Because of the importance of the subject discussed, I ask unanimous consent that this speech be incorporated in the body of the RECORD following my remarks. Field Marshal Montgomery was a great proponent of ground forces who now recognizes that future wars will be fought in the air. He discusses his reasons for going over to that thesis, and he further outlines his theories of naval warfare. I think the address should be read by every Member of the Senate because of the possibility of this subject being discussed more fully in the coming session of the Congress.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE POSSIBILITY OF WAR

(Address of Field Marshal Montgomery to California Institute of Technology, Los Angeles, November 29, 1954)

The world is split in two and the aims of the two parts, East and West, are in direct conflict. In some areas the conflict is violent and has led to fighting. These local wars are part of what is called the cold war. A better name would be the cold peace.

History records that from time to time evil men arise, seize power, and attempt to exert their will by force. Hitler was such a man. Therefore the possibility of the cold war turning to a hot war is always with us, and we must be prepared accordingly.

Both are global, the cold war and the hot war.

In trying to win the cold war one side or the other may miscalculate and bring on a hot war, though neither side wanted it.

So once again, war is always a possibility.

But as we advance further along the road of development of atomic and thermonuclear weapons, guided missiles, and ballistic rockets, it will become increasingly clear that a hot war will be mutual suicide for the contestants. Therefore the great problem regarding the cold war now in progress is how to win it without precipitating a hot war.

Local wars call for the use of conventional weapons, and for a readiness to use new weapons if the circumstances demand it.

It is obvious that the use of atomic and thermonuclear weapons is going to have a profound effect on the conduct of war, on weapon systems, on strategical and tactical conceptions, and therefore on the organization of forces.

I want to make it absolutely clear that we at Supreme Headquarters Allied Powers, Europe, are basing all our operational planning on using atomic and thermonuclear weapons in our defense. With us it is no longer "They may possibly be used." It is very definitely "They will be used, if we are attacked."

The reason for this action is that we cannot match the strength that could be brought against us unless we use nuclear weapons; and our political chiefs have never shown any great enthusiasm in giving us the number to be able to do this without using such weapons.

It all calls for a certain reorganization of our forces, and in our strategy. In fact, we have reached the point of no return as regards the use of nuclear weapons in a hot war.

Now let us consider a future global hot war.

THE FUTURE GLOBAL WAR

In our thinking ahead we need some realistic foundation.

Let us therefore consider a war between two powerful groups of nations, and let us call them East and West. You can make any grouping within this broad statement that you think suitable. I would suggest we include the NATO nations in the West.

We will assume that the West has at present a superiority in atomic and thermonuclear weapons together with the means of delivery, but that as the years pass that margin superiority is likely to decline.

GENERAL APPROACH

So far as we can see today we are not justified in depending on air bombardment alone, even with nuclear weapons, to bring a world war to a successful conclusion; still less a local war or disturbance. Wars today can be won only by fighting, and, in a hot war, fighting will continue in the air, at sea, and on land until one side loses the will to fight on.

On the other hand, the skillful employment and accurate application of superior nuclear firepower in combination with the operations of streamlined land forces, can be a decisive factor in the battle on land. The problem will be how to force the enemy to concentrate his armed forces sufficiently to offer a worthwhile nuclear target, without exposing our own forces to destruction by the enemy's nuclear attack.

THE DELIBERATELY PLANNED WORLD HOT WAR

I suggest that such a war will have three phases.

First phase: A worldwide struggle for mastery in the air and of the oceans. It will be vital during this phase to prevent enemy land forces overrunning and neutralizing western bases and territories.

Second phase: The destruction of the remaining enemy land forces.

Third phase: The bargaining phase, when the enemy's homeland and all it contains is at the mercy of the Western airpower. We will then carry the air attack to the point where the enemy accepts our terms.

The second and third phases may be concurrent.

Against the background of this overall strategy, let us consider the war under three headings:

The War in the Air.

The War at Sea.

The War on Land.

THE WAR IN THE AIR

It is clear from the strategy I have outlined that the dominant factor in future war will be airpower. And that is my very firm belief. But like so many things we do we too often pay only lip service to this great truth.

The greatest asset of airpower is its flexibility. The main factors in determining the degree of flexibility are the methods of command and control, the range of aircraft, and the mobility of supporting equipment.

Flexibility and centralized control of all the air forces in a theater of war are vital to success.

But the West has sacrificed much of its flexibility by basing the air command organization on the requirements of direct support of the land forces, whereas it should be based on the organization necessary to gain the greatest measure of control in the air.

Airpower is indivisible. If you split it up into compartments you merely pull it to pieces and destroy its greatest asset, its flexibility. If we lose the war in the air, we lose the whole war and lose it quickly.

We will never win the war in the air with the organization for air command and control that we have at present. The present organization is unworthy of a group of nations who claim to have some knowledge of war.

Now let us have a look at the war in the air.

If we can maintain the ability to start a tremendous nuclear bombardment of the East the moment we are attacked, they cannot afford to do nothing about it.

It must affect the employment of their air forces.

It must force them to devote a considerable effort of their long-range air forces and nuclear weapons to attempt to hit our strat[illegible]al air forces and the installations on [illegible]h they depend. It must force them to expend effort on air defense, no easy problem for them.

Against this background, I suggest there are three successive stages to consider in the war in the air.

THE FIRST STAGE

This stage would be if war comes in the near future.

In this period, as I see it, both sides will rely principally on piloted aircraft in both the strategical and tactical fields. I see no sign, within this period, of either side being able to create an air defense system which could greatly affect the present balance in favor of the offensive in the air.

The results of this great battle for mastery in the air will have a tremendous effect on the whole war, and we must win it. But we cannot afford to rely on air resources which depend on mobilization. The air forces we need, together with all the means necessary to keep them operational, must exist in peacetime. And by centralizing Air Command on the highest possible level we must restore to the air forces the flexibility they have largely lost.

THE SECOND STAGE

In the not-too-far-distant future, the East may create a sufficient stock of atomic weapons, and the long-range means of delivering them, effective enough for them to strike at the outbreak of war a devastating blow at our means of delivering offensive airpower. At this stage, as far as I can see, both sides will still be relying principally on piloted aircraft, both for offense and defense.

Before this period arrives, it will be of tremendous importance that we should have developed, and have in being, a highly effective global early warning system, together with the best air defense that the scientists can give us, in order to prevent our

offensive airpower being crippled from the start by a surprise attack, and to minimize the effect of such an attack.

THE THIRD STAGE

Later on still the East may have developed means of delivering their weapons with accuracy, both short-range and long-range, which do not rely on piloted aircraft, e. g., the ballistic missile.

Our ability to counter that threat by both offensive and defensive measures will be much reduced, because the targets will be far less vulnerable—whether they are launching sites, or the weapons themselves actually in the air.

We must ask ourselves seriously what, at that stage, are to be the targets of our offensive airpower.

Will it then be true that offensive operations by our aircraft or missiles will directly affect the enemy's ability to deliver his weapons against us.

I do not see the airplane disappearing altogether.

In the tactical field I am sure that there will always be tasks for piloted aircraft in support of land and naval forces. The enemy's aircraft used for these purposes, and their bases, will remain an important target for our aircraft and missiles.

CONCLUSIONS: THE WAR IN THE AIR

What are the conclusions?

Now that we have solved the problem of endurance in the air, and an aircraft can remain in the skies for prolonged periods and in all weathers, airpower is becoming the decisive factor in warfare. We must therefore get organized accordingly. What we must do now is to organize the command and control of our air forces so as to retain the greatest degree of flexibility; centralizing command in the highest commander who can effectively exercise that command, so that he can wield the available air forces in a theater of war as one mighty weapon.

If we are attacked, we must set in motion an immediate air offensive on the largest possible scale, directed at the enemy's air forces and at his homeland. The means of delivering an immediate air offensive must exist in peace.

We must develop an effective, and global, early warning system in order to have some chance of being able to take the offensive in the air should we be attacked. And we must study air defense urgently; I will say something on this subject later on. It is vital that our air forces should be able to absorb nuclear attack, and survive to strike back. The principle of dispersion must be explored from every angle. We must get away from the enormous concrete runways of today, and develop aircraft which can land and take off from small PSP airstrips dispersed over the countryside. In this respect vertical lift aircraft have very great possibilities.

THE WAR AT SEA

Now let us discuss the war at sea.

As things stand today, it is my view that the West could not win if it lost control of the Atlantic.

If we cannot deploy in Europe the power of the American Continent, Europe could fall.

In the open seas the great threats are the submarine and air attack. In the narrow waters, the threat of the mine must be added and attack by aircraft will be more effective. Naval forces of today require air support in the same way as do land forces. It is essential in the conditions of today that navies called on to operate in the great oceans should have their own air forces.

The navies of those nations whose work lies entirely in narrrow seas, such as the Mediterranean, or in European waters, are in a different situation; in my view, such navies do not need their own air forces. What I have said about the war at sea is applicable only for today and for the next few years. But the more one considers the future, the more the problem of control of the seas becomes difficult to foresee. The question to be faced and decided is:

"In the future, will the seas be controlled from the sea or from the air?"

When one considers the range and power of aircraft of the future, and the progress that is likely in radar and electronics, I am personally forced to the conclusion that the time will come when the major factor in the control of the seas will be air power.

I consider that the day of the large warship on the surface of the sea is over. The emphasis in the future is likely to be on the smaller type of vessel and on underwater craft.

If it is true that the seas will in the future be controlled mainly from the air, then it is for consideration whether this control would not be best exercised by national air forces and not by naval forces. If this is the case, then navies will not in the future require their own air forces. That time has not yet come. But in my view it will come eventually. If this is true, then we should at once stop building any more aircraft carriers, because they are very expensive and will not produce a dividend. What it amounts to is that new weapons have not yet rendered the aircraft-carrier obsolete, but they will do so in the future. And I see control of the seas eventually passing to air forces.

THE WAR ON LAND

To fight successfully on land we need the following four essentials, as a minimum—

First. We must have first-class forces "in being" in peace time, up to strength and ready at all times to act as our shield without any mobilization procedure. These forces must be trained and equipped to the highest pitch: mobile, hard-hitting, offensive troops of magnificent morale, very highly disciplined, under young and active commanders. These are the troops and the commanders who have got to stand firm in the face of the horrors and terrors of the opening clashes of an atomic war, and they will stand firm only if they are highly trained and highly disciplined.

Second. We need reserve forces, well organized, capable of being mobilized in echelons, and each echelon receiving sufficient training in peace to ensure it is fit to fight at the time it is needed.

Third. Our forces, active and reserve, must be backed by a sound logistic and movement organization, which should exist in peace to the degree necessary to ensure success in the opening weeks of war.

Fourth. We must have a sound civil defense organization in each national territory.

The whole philosophy underlying these needs in land forces is, that the active forces "in being" in peace will make it impossible for the East to launch an attack successfully without a preparatory buildup of their forces, which we would know about; it would be difficult for the enemy to surprise us.

Our active forces will prevent the Eastern forces from reaching our vital areas, while we are assembling and moving forward our reserve forces.

Let us have a last look at the war in the air, at sea, and on land.

THE WAR IN THE AIR

We have got to win the war in the air.

We will not win it unless the air forces are allowed to regain their flexibility and unity, and unless air command is organized accordingly. It is vital that this matter be tackled at once on the highest political level.

We must maintain in peace the ability to launch an immediate offensive in the air against anyone who attacks us.

The West is vulnerable to nuclear attack. Great offensive power is wasted unless it is married to defensive power and can be launched from a secure base. As time passes and the offensive capability between East and West levels out, the advantage will go to that side which has the greater defensive strength, which can protect itself against attack, and can survive to strike back.

There is at the present time no sure defense against the airplane or ballistic rocket. Indeed, so far as we can see today, trying to get a secure defense against air attack is rather like trying to keep the tide back on the seashore with a picket fence. This situation must not be allowed to continue.

The best scientific brains we possess should be gathered in to help in the task, working in close cooperation with air forces. I say "air forces" because I hold the view that air defense should be organized and handled by air forces, and that antiaircraft commands should be handed over to that service.

THE WAR AT SEA

Today the navies must handle this war. They must be given the minimum means to insure control of the seas and of the approaches to essential ports and no more. It is essential that they should not dissipate those means on tasks which do not affect the war at sea. But we must not be hidebound by past traditions. I give it as my opinion that the time will come when the seas will be controlled from the air. If this is true, the future must be planned and organized accordingly.

THE WAR ON LAND

In the organization of land forces the emphasis must be on strategical and tactical mobility and on simplicity of weapons systems. We need divisions that can be moved rapidly by air; this will necessitate suitable aircraft for the purpose.

To gain full advantage of the immense firepower that nuclear weapons have provided, and to avoid destruction by enemy nuclear attack, armies must develop a more lively and opportunist type of battle leader than exists at present in both junior and senior ranks. Such a leader must have the imagination, the daring, and the resource to seize fleeting local opportunities; he must be trained to act independently and immediately within the framework of a general plan rather than on precise and detailed orders or only after reference to a superior.

I should add that these qualities in a leader apply equally to navies and air forces.

Land forces must become less dependent on roads and more capable of cross-country movement.

The supply system of land armies must be streamlined. They must become much less dependent on fixed lines of supply, such as roads and railways, which involve frequent transfers of load.

Armies need a simple line of supply based on an airlift. Today, when supply lines are cut by enemy action, armies cease to operate efficiently. The system of the future should provide air supply to forward maintenance areas from base depots many miles to the rear and well dispersed.

The airlift from base depots to forward maintenance areas must be by some type of "vertical lift" aircraft, which can take off and land vertically, and which fly at a fast speed like an ordinary aircraft in level flight. The air supply must be capable of being maintained in all weathers and by day and night.

I see base depots being replenished by large freight-carrying aircraft which can land and take off from PSP airstrips. There is clearly a tremendous future for "vertical lift" aircraft. It is my opinion that this vast air organization for the land armies will be best handled by the air forces, since you cannot separate an air-transport system from air operations.

Such a supply organization would do away with the vast array of units and headquarters which today constitute the enormous tail of a modern army. It would be the first step in restoring to armies the "freedom of

the countryside" and the tactical mobility that have so largely disappeared. By simplifying the tail we shall get more bite in the teeth.

The armies of today have to a large extent lost their mobility; they are becoming road-bound and are weighed down by a gigantic administrative setup in and around them. Staffs are far too big; the amount of paper that is required to produce even quite small action is terrific. We seem to have lost the art of command, other than by paper. No ordinary man can read half the paper that is in circulation; I doubt if the other half is worth reading.

THE GIST OF THE WHOLE MATTER

We stand today at the crossroads, not knowing which turning to make.

Absolute defense against air attack will be impossible in the future. A deterrent, the means with which to hit back instantly and to give more than you receive, is the surest way to make an aggressor think twice before he attacks. The West must build up such a deterrent, capable of being delivered immediately by air forces which must be in being in peacetime.

It is then vitally necessary to guard against a surprise attack, and against treachery, and to be able to hold such an attack long enough to enable nations to spring to arms behind the shield and mobilize their collective strength.

The Western nations must also retain the ability to absorb atomic and thermonuclear attack, and must ensure that their means of instant retaliation are not compromised by surprise or treachery.

Political, financial, and economic considerations will make it impossible for armed forces to have all they want, or do all they would like. It will become more important than ever to concentrate on essentials and to have our priorities right.

In the scientific age into which we are moving, which is also an age of ever-increasing costs, governments have got to insure that their armed forces and security measures are built up within a framework of economic realities and against a background of sound interservice responsibilities.

BALANCE OF FORCES

If what I say has validity, then the priorities will call for the following:

(a) Bigger air forces.

(b) Smaller and more immediately ready regular armies with great strategical and tactical mobility. Better organized and more efficient reserve armies.

(c) Smaller navies.

(d) The organization of the three fighting services based on more atomic and thermonuclear power, and less manpower.

(e) A civil-defense organization which exists in peace to the degree necessary to insure it can operate in top gear in an emergency. It must be understood in this respect that while great destruction may be caused at the point of burst of a nuclear weapon, tremendous saving of life and property will be possible on the fringes.

CONCLUSION

I would like to put some points to you in conclusion.

First. We are living today in an age of great scientific progress. The possibilities that lie ahead are almost limitless. If ever war should come again to this distracted world, which God forbid, the key to our success will lie in your hands. I would put forward the following points for your consideration.

The scientific advances of today in civilian life, and in the realm of defense, are creating a demand for highly trained technicians and engineers in ever-increasing numbers. Most nations are falling behind more and more in the attempt to meet this need.

I have been told that Russia is producing more of these technicians than the United States. It is not important whether you produce more technicians than Russia. It is important that you have enough to meet your needs for defense and to keep ahead in new developments. And your needs are also the needs of the free world.

I believe there is a further problem in the field of science that needs to be watched. Your Nation has earned a great reputation as a mass producer and for your ability to take an idea and improve on it. I suggest that you want to have the same reputation in basic research. Basic research has given us some near miracles in the past, and we want more in the future. I suggest you concentrate on this and lend your assistance, so that you gain for the United States a reputation in basic research that matches your reputation for production and applied techniques. The survival of the free world may well depend on your success in this vital matter.

Second. What is needed today in every nation is a clarion call and a roll of drums. That call must be one to discard out-of-date doctrines and methods of past wars, and to organize our affairs to take full advantage of the progress of science.

We see today the rise of airpower and the emergence of the air forces as the decisive arm in warfare. We see the big warship disappearing from the seas.

We see the day of the aircraft carrier approaching its end.

It is no good trying to fight against the inevitable, as some people do. Do not let us be mesmerized by what worked in past wars; it will not work again.

We must take off our hat to the past and roll up our sleeves for the future.

Service chiefs must cooperate closely with the scientist, put their problems clearly and simply to them, and give them all possible help in solving those problems.

We require a fighting machine which is backed by a sound logistic organization. Both of these, the fighting machine and the logistic organization, must be planned in full accord with scientific progress.

There will be much opposition.

The citadels of vested interests must be swept away; out-of-date procedures and techniques must be discarded. All this will require courage and decision.

And the first courageous decision will be to acknowledge the dominance of airpower and to place air forces in the position of being able to play their part as the decisive weapon in future war. This decision must be taken at once; delay will be dangerous.

Third. In the past the defense program of a nation has often been decided as a result of compromise decisions by chiefs of staff. If this practice is followed in the future we shall fail.

The vital thing today is to produce a military weapon which is in all respects adequate for the national needs and for the collective security system of the free world.

In the navy, the army, and the air force each nation has a team. By themselves the individual members can achieve little. The team can achieve victory if it is properly constituted. The progress of science is likely to change the former responsibilities of the three members in certain directions. Parts of the load are shifting from the shoulders of one service to the shoulders of another.

In particular, the air is coming to the front as the dominant factor in war and the decisive arm, as I have already said. This is going to introduce difficult problems, and in solving them do not let us bother unduly about the color of our uniform: dark blue, light blue, khaki.

What is vital is to find the right answer and the one which is best for the nation, and to reach that answer without ill-feeling and interservice quarrels.

Finally, the key to the future lies in the hands of the scientists and in institutes of technology such as yours. I am confident you will not fail us.

PROSPECTS FOR WESTERN UNITY AND THE SITUATION IN INDOCHINA—REPORTS BY SENATOR MANSFIELD

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD the text of two reports which I made this fall, one being a report on Indochina, and the other a report on prospects for Western unity.

There being no objection, the two reports, together with the letters of transmittal, were ordered to be printed in the RECORD, as follows:

LETTER OF TRANSMITTAL

OCTOBER 15, 1954.

Hon. ALEXANDER WILEY,
Committee on Foreign Relations,
Washington, D. C.

DEAR MR. CHAIRMAN: Transmitted herewith is my report on a study mission to Vietnam and the kingdoms of Laos and Cambodia. I visited these countries during August and September en route and returning from the Republic of Philippines. In the latter country, as you know, I served as a delegate of the United States to the international conference on the Southeast Asia Treaty Organization, at the request of the President and the Secretary of State.

I should like to take this occasion to call to your attention the contribution being made by officers of the Department of State and other United States officials in the Philippines and Indochina. These men and women are working faithfully to carry out the policies of the Nation, sometimes under conditions of considerable personal hardship, with a high sense of the responsibilities of public service. They were uniformly helpful to me during the course of my mission.

I also want to commend Mr. Francis R. Valeo whom you assigned from the staff to accompany me on the mission. His assistance and cooperation were of inestimable value and they mark a continuation of his outstanding service from last year on the same project.

Sincerely yours,

MIKE MANSFIELD.

REPORT ON INDOCHINA

1. INTRODUCTION

The foreign policy of the United States has suffered a serious reversal in Indochina. More than a year ago, we embarked on a major effort to assist in the preservation of the three nations in the Indochinese area. These nations, Vietnam, Laos, and Cambodia, lay in the path of the southward sweep of totalitarian communism in Asia, and were threatened with engulfment in a new type of colonialism even before they had achieved full independence from the old.

The objective of our policy—to assist in the preservation of these states—was a worthy one. It accorded with our fundamental belief in the right of peoples to freedom. If achieved, it promised to enhance the security of the United States by setting up along the southern borders of an expansive and aggressive China a bloc of three independent and durable nations.

On my previous visit to Indochina, a year ago, it appeared to me that there was a reasonable expectation of accomplishing our objective. Experienced observers there expressed an almost unanimous view that the united efforts of the three Indochinese countries, France, and the United States could serve to check the Communist drive and might even eventually dissipate it.

Involved in this effort was the political and military mobilization of the indigenous peoples (particularly of Vietnam) against the Communists, a continuance of the military operations of the French Union forces in Indochina until the Viet Minh Communists were brought under control, and military aid from the United States. The extent of the American contribution to the effort is suggested by the allocation of assistance for Indochina. For the 3 fiscal years 1950–52 aid programs amounted to about $800 million. For 1953 and 1954, however, they were almost $1.8 billion.

On my recent visit to Indochina, I found that the optimism concerning the prospects of success for the united effort had all but disappeared and with good reason. Instead of being checked or overwhelmed the Viet Minh have now obtained firm control of the northern half of Vietnam. While Laos still remains outside the Communist engulfment, internal conditions in that country are such as to make its future highly speculative. Only in Cambodia is there some tangible expectation of the achievement of the objectives of a year ago.

The gravest situation exists in Vietnam. In this, the most populous and strategically the most important of the three states, events have now reached a stage of acute crisis. The Viet Minh are consolidating their hold on Vietnam north of the 17th parallel, the area allotted to them by the Geneva accord. The non-Communist Vietnamese leaders have spent much time and energy which should have gone into a similar consolidation in the south in what amounts to quasi-suicidal political maneuvering and strife.

This divisiveness in all probability has served to facilitate a growth in Viet Minh strength throughout Vietnam. Although the Geneva accord is being ostensibly observed in the entire country and the fighting has come to an end, the cease fire does not preclude a subsurface continuation of the Communist advance in south Vietnam. Viet Minh sympathizers are to be found throughout that region and it is likely that their number is growing. It must also be presumed that Viet Minh activists are being left behind as the Viet Minh withdraw their regular forces from south Vietnam in accordance with the terms of the cease fire. One observer described the situation to me in these terms: "Bring a brush down on the map of south Vietnam. Wherever the bristles touch you will find Viet Minh."

Beyond this subsurface infiltration, the possibilities of a sudden revival of an overt advance of the Viet Minh cannot be discounted. There is reason to believe that they accepted the Geneva agreement with some misgiving and only because it was necessary to some larger purpose of communism. By the same token, they could conceivably be led to abandon the agreement should the requirements of international communism change.

Regardless of this possibility, the state of affairs throughout Vietnam offers scant hope for an outcome in accord with the objectives of our policy. Unless there is a reversal of present trends, all of Vietnam is open in one way or another to absorption by the Viet Minh. Even now there is little to stand in their way.

The morale of the French Union forces was shaken by the defeat at Dien Bien Phu and, in any event, massive French military detachments in Indochina may well have outlived their usefulness. Internal political dissension among non-Communist Vietnamese factions and even blatant chicanery on the part of some tends to weaken the Nationalist Government and discourage popular acceptance of it. The national army of Vietnam is disorganized in the aftermath of the loss of the north. Recent developments, moreover, suggest that it is on the way to being converted into the private army of its commander and his advisers to be used, not for the legitimate purposes of the government but as a tool in the maneuvering for political power in Saigon.

In these circumstances, American material aid, regardless of amount, is hardly a panacea, and it may not even be a major factor in the achievement of the objectives of our policy in Indochina. In some instances it has even served inadvertently to work at cross-purposes with our objectives. According to best available estimates, for example, some 25 percent of American economic aid went into areas which are now held by the Communists, an unwitting gift of the United States to the Communists. To cite another case, our assistance made possible major improvement in the airport in the northern city of Hanoi. The airport has now passed intact to the Communists. Its new American-aid-built runway can handle heavy bombers capable of striking at our bases in the Philippines.

The situation in Vietnam, and in a larger sense in Indochina, is grim and discouraging. It would be misleading and futile to report it to the Senate and to the people of the Nation in any other fashion. The need, it seems to me, is not to bury the realities of this situation, but to face them, however grim and discouraging they may be. If we do so, it is possible that aspects of our policy in Indochina may be salvageable. It is also possible that the reversal which has been sustained in Indochina may yield experience which has application elsewhere in Asia. This experience could be useful in avoiding still other setbacks and the damaging waste of untold millions of dollars of the resources of the citizens of the United States.

2. BACKGROUND TO THE SITUATION IN INDOCHINA

A year ago, at the time of my previous visit to Indochina, the French authorities had recently put into effect a new plan of campaign against the Viet Minh. The plan was essentially military in concept. It envisioned a three-pronged effort which would combine the striking power of the French Union forces in Indochina, vastly expanded nationalist armies of the three states and large amounts of American material aid. The latter was all that was asked of us. There was no suggestion from any responsible source that American forces should become engaged in the fighting in Indochina. On the contrary, there was general agreement that their engagement would simply complicate the problem. In my report last year I emphasized that—

"American aid does not and should not involve the commitment of combat forces. Sacrifices for the defense of freedom must be equitably shared and we have borne our full burden in blood in Korea."

The objective of this three-prong plan was to break the stalemate in the war against the forces under the Communist government of Ho Chi Minh, a war which had gone on for 7 years. At that time, the combined military strength of the French Union forces and the Nationalist governments of the three states already outweighed their opponents in manpower in a ratio of 5 to 3. As a result largely of American assistance, moreover, the non-Communist forces possessed great superiority—estimated as high as 10 to 1—in armaments, and the flow of American aid was constant and increasingly heavy. As one French military observer expressed it: "Never before in our history have we had a force that was so well equipped and supplied."

In a military sense, therefore, the plan seemed to offer reasonable prospects of success and I so reported to the committee and to the Senate last year. It appeared to me then, however, that the fulfillment of two political conditions was essential to the accomplishment of the plan. There was, first, the need for a rapid and clear-cut transfer of full sovereignty from France to the three states; and second, an equally urgent need for the development of a capacity among the non-Communist Indochinese (particularly of Vietnam) to put aside factional strife and excessive self-seeking and to unite under a nationalist leadership firmly based in the populace.

The two conditions were of the greatest importance for these reasons. In the first place, the transfer of full sovereignty was essential in order to mobilize the latent power of nationalist sentiment against the Viet Minh. In this respect, I reported last year that—

"The current of nationalism runs strong throughout Indochina. It is not, perhaps, of equal fervor in each of the three states but in all of them it is the basic political reality. It gives rise to a desire for independence from foreign control that is deep seated and widespread."

For 7 years, the Communist leader, Ho Chi Minh, had capitalized on this force, especially in Vietnam. He had done so with effectiveness by concealing his Communist purposes in a cloak of nationalism. To have won the initiative from the Viet Minh in this matter would have required, on the part of the non-Communists, a major political offensive built on genuine nationalist concepts, an offensive that was at once sincere, bold, imaginative, and immediate.

The second political condition was equally important to the success of the plan. It involved, in effect, the development of a capacity among the non-Communists to submerge personal, factional, and sectarian interests in the larger interests of their country. The need to fulfill this latter condition was urgent because in 7 years the Viet Minh had acquired numerous fanatic adherents and had obtained the support, willing and unwilling, of additional millions. A year ago, however, a large part of the Vietnamese population, probably a substantial majority, still remained uncommitted to either side in the struggle. To rally this uncommitted segment and to win away supporters of the Viet Minh, it was essential that the non-Communists establish national governments of an integrity and character that would command the respect of the people and enlist their active support. In my report last year, I stated:

"The basic problem which confronts all three governments and particularly that of Vietnam is to put down firm roots in their respective populations. They will be able to do so only if they evolve in accord with popular sentiment and if they deal competently with such basic problems as illiteracy, public health, excessive population in the deltas, inequities in labor and in land tenure, and village and agricultural improvement. Finally, it is essential that there be a constant raising of the ethical standards of government and a determination to use the armies now in the process of formation strictly for national rather than private purposes."

A year ago the non-Communists appeared to be making progress under the three-prong plan. American military aid in quantity was reaching the ports of Saigon and Haiphong and was being used to enlarge the offensive capacity of the French forces as well as to equip the developing nationalist armies. The conscription and training of men for these armies was well advanced, particularly in Vietnam. Tryouts of a new "offensive strategy" in some minor engagements seemed to promise an end to the stalemated war in the near future.

Progress in fulfilling the two political conditions for success, however, did not match that in the military field. With respect to the transfer of sovereignty, an excellent beginning had been made with the French pledge of full sovereignty in the declaration of July 3, 1953. When it came to giving effect to the pledge, however, numerous delays were encountered, sometimes of a most petty

and exasperating nature. Norodom Palace in Saigon, for example, symbol of French rule in Indochina was not turned over to the Vietnamese until September 1954.

In Cambodia these delays led to serious tensions between the Nationalists and the French. Only in the case of Laos, whose government was most intimately associated with France and at that time least affected by the nationalist wave running through southeast Asia, did the negotiations go smoothly from the outset.

With respect to Vietnam, the key state in Indochina, the delays were the most conspicuous and damaging. Actual negotiations between France and Vietnam did not even begin until some 8 months after the July 3 declaration. It was not until June 4, 1954, almost a year later that the basic treaties were finally initialed by the representatives of the two countries. By that time, the event seemed of little moment and almost passed unnoticed. What might have been an occasion 6 months earlier for a rallying of nationalist sentiment in Vietnam was all but submerged in the loss of Dien Bien Phu and the negotiations which were then in progress at Geneva.

Failure to make an effective transfer of full sovereignty was matched by the inability of the Vienamese to develop a convincing nationalist leadership. The months following the July 3 declaration, months which should have been used for this purpose, were spent instead in an internal jockeying for power. The Chief of State, former Emperor Bao Dai, passed most of this critical period in Paris and at Cannes, rather than with the people of Vietnam. His Prime Minister, Prince Buu Loc, and the leading members of his cabinet likewise were out of the country for long periods.

It was during this interlude that the military situation moved toward its catastrophic climax at Dien Bien Phu. In December 1953, the Viet Minh had launched an attack on central and southern Laos, the weakest and least defensible of the three states. They unleashed a second offensive against the northeastern part of the country early in February. These offensives apparently were not taken seriously at first, some in Saigon and Washington even labeling them mere real-estate advances.

By the end of February, however, it was evident that they were serious. The reaction of the French Union command was to build a strong defensive point at Dien Bien Phu and, in effect, to invite attack on it in the hope of inflicting crippling losses on the enemy.

On March 12, the Viet Minh launched an assault on the fortress, as anticipated. Their tactics and firepower showed clearly from the outset the influence of increased aid from Communist China. They also displayed far greater offensive strength than the inadequate intelligence services of the non-Communist command had estimated when they began simultaneous attacks in north and central Vietnam. The effect of these diversionary drives was to prevent a concentration of defense at Dien Bien Phu. On May 7, the fortress surrendered. The Geneva agreement, signed some weeks later was almost an anticlimax.

It would do little good at this late date to indulge in recriminations over the tragic chain of events that led to Dien Bien Phu. In a sense each of the participants shares the responsibility; the French for miscalculating the magnitude of the military and political task they had set for themselves and then abandoning it at Geneva; the non-Communist Vietnamese for failing to provide responsible nationalist leadership to their people; and the administration here at home for overpromoting to itself and to the American people the capacity of material military aid alone to influence the situation in Vietnam as well as for the wave of irresponsible statements concerning direct American participation in the conflict at the time of Dien Bien Phu which served only to demoralize and to confuse the anti-Communist resistance in Indochina. Throughout these developments, moreover, there was a general tendency to make the wish father to the thought and consistently and seriously underestimate the strength of the Viet Minh.

If there was one overriding cause of the failure, however, it is to be found in the distorted emphasis given to the capacity of military measures alone to bring about an end to the Communist advance in Indochina. It was not because of an inadequacy of allied military manpower or of military equipment and supplies in Indochina that American policy suffered a reversal. It is difficult to see what more could have been added, short of some foolhardy commitment of American troops on the Asian mainland against an outpost of international communism—literally its third line of defense in Asia. What was lacking in the situation was not military power but a sound political substructure for this power which could only have been built by fulfilling the two conditions previously discussed.

3. THE GENEVA AGREEMENT

The Geneva agreement brought 8 years of war in Indochina at least to a temporary halt. It provided for a cease-fire which came into effect at various dates during July and August 1954 in Vietnam, Laos, and Cambodia. The operation of the agreement has now become a major factor in the present situation in Indochina.

Under the terms of the agreement, the conferees promise to respect the sovereignty, independence, unity, and territorial integrity of the three Indochinese States and to refrain from interference in their internal affairs. France, in a unilateral declaration, expresses a willingness to withdraw its forces from Indochina, except that special arrangements for their temporary retention may be made, at the request of the Indochinese Governments.

All sides agree to what amounts to a general amnesty, with provision for an exchange of prisoners and free movement of refugees. Laos and Cambodia and both sides in Vietnam pledge nondiscriminatory treatment to former dissidents remaining under their jurisdiction.

In connection with the international relations of the Indochinese States, the intent of the agreement appears to be to maintain the status quo. Thus, except if threatened, neither Laos nor Cambodia are expected to join in military alliances or to permit their territories to be used for foreign military bases and both sides in Vietnam are flatly prohibited from doing so. Restrictions of various kinds are applied to the introduction of additional foreign military personnel and materiel, the object being to permit limited rotation of men and piece-for-piece replacement of equipment but no increases.

The cease-fire provided for by the Geneva agreement is preliminary to an anticipated political settlement in Indochina. With respect to Cambodia this arrangement presents no special difficulties since only the National Government is recognized. The situation in Laos is more obscure and uncertain. Under the terms of the agreement, Viet Minh invaders are to be withdrawn but Laotian dissidents are to concentrate in two northern provinces of Laos, contiguous to Communist China and north Vietnam. Although the authority of the Laotian Government presumably extends over the area of dissident-occupation, the agreement is sufficiently unclear on this point to lay the groundwork for future difficulties.

The most serious problem created by the Geneva agreement is the splitting of the state of Vietnam, roughly at the 17th parallel into a Communist-controlled north and a non-Communist-controlled south. This arrangement is intended to be temporary and provision is made for a permanent political solution through the instrumentality of free general elections in Vietnam to be held in 1956. An international commission, composed of representatives of Canada, Poland, and India, is to supervise these elections.

The international commissions, one for each state, are also charged with general supervision of the observance of the cease-fire, although initial responsibility in this respect rests with joint commissions of the opposing forces. The international commissions make their recommendations on the basis of a majority vote, except in certain key decisions such as those pertaining to violations or threats of violations of the cease-fire, where unanimity is required. In the event of disagreement on the latter issues, the questions are referred to the signatory governments.

4. THE CURRENT SITUATION IN VIETNAM

Effect of the division at the 17th parallel

All of Vietnam north of the 17th parallel, with the exception of a small area around the city of Haiduong and the neighboring port of Haiphong has already been turned over to the Viet Minh. By May 19, 1955, the non-Communist forces will have withdrawn in progressive stages from these two places as well. In a similar fashion the Viet Minh are committed to pull back their forces from south of the 17th parallel, with the completion of their withdrawal also scheduled for May 19, 1955.

At the time of my visit to Hanoi in early September, the withdrawal of the French Union and Vietnamese nationalist forces from the north was proceeding without incident. Equipment was being evacuated by rail and truck from Hanoi to Haiphong. Military authorities in the area gave assurances that all movable equipment would be removed before the Viet Minh take over.

Only small forces remained in Hanoi to guard civilian and military installations. Government bureaus likewise were being maintained by skeleton forces. The Viet Minh encircled the outskirts of the city, awaiting the arrival of October 10, the official occupation date for Hanoi. In early September, however, Hanoi had already taken on the aspects of a ghost town. A few French civilians, mostly businessmen and technicians, were remaining in the north for an attempt "to ride out the storm." So, too, were most of the Indian and Pakistani merchants and a number of Chinese. Thousands of persons, however, had already left the city for the south or for Haiphong and countless others had faded into the surrounding villages.

The British consulate was remaining open. A decision has also been made to leave Americans at our consulate in Hanoi. When the French military withdrawal is completed, a French liaison mission under Jean Sainteny will remain. Sainteny, who conducted negotiations with the Viet Minh in 1946 on behalf of the French Government, is well acquainted with the Communist leaders.

With respect to the Viet Minh withdrawal from the south, it was generally reported to me in Saigon that the operation is proceeding, on the surface, in accord with the cease-fire agreement. Much of the Viet Minh military strength in the south, however, has lain under the surface. It is composed of irregulars; that is, peaceful civilians by day and marauders by night. It is impossible to determine how much of this strength is being left behind in the withdrawal.

The irregulars could blend with relative ease into the regular life of their communities where they would constitute a reservoir of Viet Minh leadership in the area under nominal non-Communist control. When this reservoir of activists is combined with Viet Minh sympathizers in the south,

the total strength of the anti-Government elements is probably very considerable.

According to reports reaching me in Saigon, the Viet Minh nuclei in the south are already making their weight felt. They do not generally interfere with the installation of nationalist officials in towns and villages, but by a subtle noncooperation and intimidation render them relatively powerless and in some cases virtual prisoners in their offices. Power in many localities, according to these reports, continues to reside in "shadow governments" responsive to the Vietminh.

Exchange of prisoners

This aspect of the agreement as it affects the return of French Union nationals appeared to be progressing fairly satisfactorily at the time of my visit to Vietnam. Several Americans held by the Viet Minh had also been released. The fate of many Vietnamese Nationalists and French Union soldiers, however, who disappeared in the north is still unknown.

The total number of prisoners returned to the Viet Minh far outnumbers those received from them. It is difficult to determine what part of this disparity is due to a deliberate Viet Minh policy of withholding and what part to desertions, conversions, and defections. It is a question which should be expected to command the attention of the International Commission.

Among the prisoners released while I was in Saigon was Gen. Christian de Castries, French commander at Dien Bien Phu. Because of the statements he made at the time of his release and other factors there has been a noticeable cooling off of attitude toward the general on the part of many French and American officials who just a few months ago were lavish in their praise of him. I cite the incident only because it illustrates the dangers of policymaking by personalities, a tendency which appears to afflict many of our officials charged with responsibilities in foreign relations both here and abroad. It is also noteworthy because it suggests the desirability of avoiding impetuous judgments of situations based upon reports filtering through press censorship from a distance of some 10,000 miles.

The refugee problem

Viet Minh propaganda promising amnesty and nondiscriminatory treatment to persons who formerly opposed them has failed to convince a substantial segment of the population in the north. Many thousands have chosen the difficult life of the refugee rather than to put faith in Communist promises. Reports in Hanoi indicated that while ostensibly abiding by the provisions of the cease-fire dealing with the free flow of refugees, the Viet Minh were placing obstacles in the way of some who desired to go south.

Nevertheless, as shown in the following table, by the middle of September, France and the United States had evacuated almost 300,000 persons by sea and air. Most of these evacuees are Vietnamese civilians and some 80 percent are Catholics.

Evacuations from North Vietnam

	French		United States, sea	Total
	Air	Sea		
French Union troops	12,937	11,845	.....	24,382
Vietnam troops and dependents	3,703	19,644	5,702	29,079
French civilians	9,071	3,323	.....	12,394
Vietnam civilians	90,681	49,424	80,176	220,281
Other civilians (includes Chinese and Nungs)	196	4,048	2,372	6,616
Total	116,418	88,284	88,250	292,952

It is entirely possible that the total number of evacuees may reach 400,000 to 450,000 before the northern area is completely abandoned to the Viet Minh. The movement of the refugees represents a humanitarian undertaking in which south Vietnam, France, and the United States are participating. Their efforts, moreover, have been supplemented by such organizations as the Red Cross, the United Nations International Children's Fund, CARE, religious welfare units, and the American Women's Club of Saigon, Gen. John W. O'Daniel, Chief of the United States Military Advisory Group in Indochina, and Mr. P. E. Everett, Acting Chief of the Foreign Operations Administration mission in Indochina are handling the operation for the United States. It includes the use of our naval vessels under the command of Rear Adm. Lorenzo S. Sabin, Jr. At Saigon, I went aboard the U. S. S. *Montrail* under the command of Capt. Scott K. Gibson, which had just arrived from Haiphong with several thousand refugees. I also inspected Camp Phutho, a transient establishment for refugees several miles outside Saigon. Both visits indicated to me that Americans are making an outstanding contribution in this humanitarian endeavor.

The problem of permanently resettling upward of 300,000 persons, mostly utterly destitute, is a major one, particularly in view of present conditions in south Vietnam. Reports reaching me after I had left Indochina, however, indicate that the Vietnamese Government, which has primary responsibility for this aspect of the refugee problem, is making a determined and effective effort to cope with it.

The political situation in south Vietnam

The most explosive single problem in Vietnam revolves about the current political crisis in south Vietnam. On its outcome may well hinge the fate of present American policy in Vietnam.

As previously pointed out, the Geneva agreement provides for general elections throughout Vietnam in 1956. Unless the political difficulties of south Vietnam are overcome quickly the area now remaining outside Communist hands may pass to the Vietminh at that time. Even before 1956, south Vietnam could give way to complete internal chaos.

The political crisis in south Vietnam stems from the same causes that were evident at the time of my previous visit, except that these causes have now become more acute. There is still the same shortsighted struggle for immediate gain among the various political groups, sects, and factions. Each of these elements possesses some aspects of power in its organization, armaments, or heritage of authority. None, however, is broadly based in the people. The urgent need to develop such a base through the formation of a national government by popular participation continues to be ignored. In their anxiety to preserve and enhance their individual positions the petty-power groups in south Vietnam appear completely oblivious to the overhanging shadow of the Viet Minh which before long may envelop them all unless they put aside their factionalism.

Saigon is the hub of the political crisis. Since the Geneva agreement that capital city has seethed with intrigue and counterintrigue, with rumors and counter rumors. The political plotting goes on in army circles, government circles, foreign circles, in party headquarters, in police heaquarters, and even in the demimonde of ill-disguised gangsters, pirates, and extortionists.

The pattern of conflicting interest and political rivalry in Saigon is complex and devious, so much so that it is virtually impossible to fix clear-cut responsibility for the crisis of inertia that grips the political life of the country.

Certain factors in the situation, however, are evident and tangible. In office at the present time is a government headed by Ngo Dinh Diem, President of the Council of Ministers. He has a theoretical mandate of full powers from the Chief of State, Bao Dai, who in turn derives his authority from a combination of a French grant and the persistence of the symbolic power of his former rule as Emperor.

In reality, however, Diem does not control the Vietnamese Nationalist Army; nor does he have power over the sureté or the police in the Saigon-Cholon area. By special arrangements with Bao Dai, the latter two are operated by Binh Xuyen, a demimonde organization which also controls gambling, and other questionable concessions in Saigon-Cholon. Diem's strength rests on the recently arrived refugees and on a tenuous alinement with two quasi-religious sects, the Cao Dai and Hoa Hao, each of which has a military force of some thousands of men responsive to its command.

Diem has a reputation throughout Vietnam for intense nationalism and equally intense incorruptibility, traits which have been sorely needed in the government of Vietnam. Those who criticize him point to his inexperience (he spent many years in exile during the period 1933–54), the fact that he is not a native of south Vietnam and his political rigidity which makes it difficult for him to compromise.

Whatever his shortcomings, the fact remains that Diem assumed the presidency on July 7, under the most difficult of circumstances, after half of the country had been lost to the Communists, while it was being governed by some of his most vehement critics. At that time, the Viet Minh were riding a crest of popularity in the aftermath of their victory at Dien Bien Phu. The national government was seriously disorganized. Thousands of refugees were moving into the south without adequate preparations having been made for their reception.

It might have been expected that in such a situation, those who professed to be anxious to see an independent, non-Communist government survive in Vietnam—French officials, the Vietnamese factions and the United States—would support the Diem government fully. The policy of the United States has been to give strong backing to that government. Our State Department officials have assisted it in every practicable way. Beyond this, however, the Diem government has had little else in the way of tangible support. On the contrary an incredible campaign of subversion by intrigue has gone on in the city of Saigon. Occasionally echoes of this campaign have reached the surface, as in the recent instance of the insubordination of the Vietnamese Army command.

While this campaign has gone on, Diem has been a virtual prisoner in his residence. His constructive program which consists of the elimination of some of the most brazen aspects of corruption and social inequity, remains largely a paper program. It is kept that way by a kind of conspiracy of noncooperation and sabotage by those who oppose him.

The political issue in South Vietnam is not Diem as an individual but rather the program for which he stands. It is unlikely that any independent non-Communist government can survive in Vietnam, let alone recover the Viet Minh-held areas unless it represents genuine nationalism, unless it is prepared to deal effectively with corruption, and unless it demonstrates a concern in advancing the welfare of the Vietnamese people.

If the effort to found a government based on those principles is now abandoned just a few months after its inception in an overthrow of Diem, it would raise, in my opinion, serious doubts about the salvageability of any of our present policy with respect to Vietnam. The visible alternatives to the Diem government are not promising. They are a Viet Minh absorption of the south or a government or succession of governments at Saigon in the pre-Diem pattern. Such

governments made little effort to root themselves in the people in the past and it is unlikely that they will do so in the future. It is probable, instead that they will continue to lean heavily and indefinitely on the prop of foreign support. Barring some drastic change in the total situation in Vietnam, such a government will stand only so long as the prop remains and Viet Minh acquiescence can be obtained in its survival.

5. THE SITUATION IN LAOS

The Kingdom of Laos has been invaded on several occasions by the Viet Minh, operating under the euphemism of "the Vietnamese People's Volunteers." In addition, there has long been active inside the country a native dissident movement known as the Pathet Lao.

Under the terms of the armistice, the Viet Minh invaders are to be withdrawn gradually from Laos to Vietnam and the Laotian dissidents are to concentrate in the northern provinces of Phong Saly and Sam Neua. The French Government is permitted to retain in Laos for the present some 5,000 men as a training mission and to maintain 2 military bases.

The Government of Laos, in a separate declaration at Geneva committed itself to integrate all citizens without discrimination into the national community and to guarantee to them constitutional rights and freedoms. Pending the holding of general elections, the Government agreed to provide special representation for the Laotian dissidents of the two northern provinces.

In a second separate declaration, the Government of Laos pledged that unless threatened, it will isolate the country in a military sense from other foreign nations except for the continuing ties with the French.

Considerable difficulty has been encountered in Laos in carrying out the terms reached at Geneva insofar as they involve the withdrawal and concentration, respectively, of the Viet Minh and the Laotian dissidents. The impression given me in Vientiane, the capital of Laos, was that the withdrawal of the Viet Minh was not proceeding either smoothly or rapidly. There is, moreover, every likelihood that in the process of withdrawal many Communist agents are being left behind. Such agents can readily be absorbed into the permanent community of Vietnamese nationals in Laos whose sympathies, I was advised, are heavily with Ho Chi Minh.

The Laotian dissidents in the northern provinces give rise to additional problems. They are interpreting the Geneva accord to mean that they may exercise full powers in Phong Saly and Sam Neua, at least pending the holding of a general election. Compulsory political indoctrination is being enforced in the villages which they control. Young men from all over Laos are being brought to the provinces for training and some are being sent to north Vietnam for the same purpose.

The basic propaganda theme of the dissident Laotians is that the true king of the country is Prince Souphamouvong, rather than the incumbent, King Sisavong Vong. Souphamouvong is a half brother of the present prime minister of the regular Laotian Government, Prince Souvana Phouma.

That severe tensions have developed in Laos over the last year is evident from the arrest of several hundred plotters some months ago and the assassination of the Laotion Defense Minister Kou Voravong on September 19. There is a possibility that these tensions may be dissipated by a sudden realinement of loyalties among the various leaders, Government and dissident alike, many of whom are personally acquainted.

A development of this kind, if it occurred, might express itself in a sudden nationalist surge against the French, who still retain considerable influence in Laos, and who have heretofore had less difficulty in dealing with the Laotian Government than with any other in Indochina. In present circumstances in southeast Asia, however, it is unlikely that Laos can stand without strong foreign ties. As it is now, the Laotians are heavily dependent on French technical and military assistance and American aid. If the French go, it would appear inevitable that Laos would move or be moved into the orbit of one or more of its stronger neighbors.

6. THE SITUATION IN CAMBODIA

At the time of my previous visit the fever of militant nationalism was at its height in Cambodia. Thousands of young men were engaged in military training in the streets of the capital, Pnom Penh. The Cambodian Government, under the young and energetic King Norodom Sihanouk Varman was both leading and being led by the powerful nationalist surge. That this Government was influenced by the ideas and experiences of Indian nationalism and policy was evident then and even clearer on the occasion of my recent visit.

Last year the Cambodians obtained full control over their armed forces from the French and subsequently full independence. There are details still to be worked out to give final form to the transfer of sovereignty. For all practical purposes, however, Cambodia is independent. Perhaps even more significant, the people of the country know and believe that they are independent.

This development appears to have produced a salutary situation in Cambodia. Relations with the French, now on the basis of equality, have improved, and French technicians are being retained to assist in the training of the army. Dissident nationalist elements among the Cambodians, according to reports which I received, have been weakened, and the shadowy Communist-sponsored "Khmer government" apparently has lost what little support it formerly enjoyed.

The Geneva agreement served to strengthen the stability of the country by providing for the rapid removal of all foreign forces from Cambodia and the demobilization on the spot of the Khmer resistance forces.

Assuming that aggression is not resumed, the principal problems confronting Cambodia are essentially those of modernization. In this respect the country is fortunate for it is rich in resources and relatively underpopulated. There is an eagerness for progress on the part of the King and his immediate advisers. It is an eagerness, however, that is tempered by an appreciation of the value of their rich and vital traditional culture.

To fuse those technical elements of western civilization which are needed and desired in Cambodia with the existing culture without destroying the latter will not prove easy. To the extent that United States assistance plays a part in this process, it should be extended with a full awareness of this difficulty. The presence of the recently appointed American Ambassador at Pnom Penh should help to insure caution in this matter.

7. CONCLUDING COMMENTS

A year ago, the principal requirements for the success of our policy with respect to Indochina were political. These requirements, full independence and effective internal government, notably in Vietnam, have not been effectively fulfilled. The failure in this respect appears also to have been accompanied by a consistent underestimating of both the political and military strength of the Viet Minh, on the part of practically all concerned. In consequence, the situation has seriously deteriorated.

The United States shares responsibility for the reversal in Indochina. We should not make the mistake, however, of assuming all the blame. We gave material aid unstintingly, but its value was dissipated by inadequacies elsewhere. I report this, not so much in criticism—I am fully aware of the great contributions to the common cause made by sincere French officials and sincere Vietnamese nationalists—but rather to make clear that this country has discharged the commitments which it was asked to make last year and which it agreed to make. At that time it was not asked to commit and was even discouraged from committing manpower in Indochina. Not until the crisis of Dien Bien Phu did the question even arise. Then the pressures of American opinion operating largely through Congress discouraged a hasty, ill-conceived involvement. Our share in the defense of Indochina was clearly understood at the outset to be the supply of material aid only and we quite properly insisted that this understanding be maintained. The situation in Indochina is only one of the many crises that confront us and the burden of sustaining freedom in the world must be equitably borne.

At present there appears to be, at best, scant hope of achieving the objectives of our policy in Indochina in the near future, with Cambodia the only exception to this conclusion. The present Government of Vietnam which is based on the sound principles of national independence, an end to corruption and internal amelioration, is immobilized largely by a squabbling, plotting opposition. Its critics complain of the personality of the leader of that Government. In view of the numerous and varied personalities who have occupied the Presidency in Saigon during the past 2 or 3 years without tangible results, it seems more likely that the real question is one of dissatisfaction with the principles of the Diem government rather than the inadequacies of his personality.

Should the Diem government be forced out of office, it is doubtful that under the pressure of time a more satisfactory substitute, subscribing to the same principles to which he does, will be found. Yet these principles must prevail in south Vietnam if an alternative to the Communist Viet Minh that is likely to be acceptable to the people of Vietnam is to exist. Any replacement of Diem at this time, if it occurs, will probably take the form of a military dictatorship based upon a coalition of the special interests, parties, and groups which now oppose the present Government. It is improbable that the substitute will be the kind of government which will be generally supported by the Vietnamese people any more than the pre-Diem governments were. Nor is it likely to be a government capable of sustaining a free and independent Vietnam eventually without foreign support. It was to develop that kind of Vietnam that the United States made available hundreds of millions of dollars of aid. In my view, only that kind of Vietnam can achieve the purpose of our policy in Indochina, which, in the final analysis, is its freedom and the consequent enhancement of our own security.

In the event that the Diem government falls, therefore, I believe that the United States should consider an immediate suspension of all aid to Vietnam and the French Union forces there, except that of a humanitarian nature, preliminary to a complete reappraisal of our present policies in Free Vietnam. Unless there is reasonable expectation of fulfilling our objectives the continued expenditure of the resources of the citizens of the United States is unwarranted and inexcusable.

I further recommend that the appropriate committees of the Senate study the extent of the losses of United States military and other aid in Indochina through defeat, defections, and the operation of the Geneva accord. The purposes of such a study might well be not merely to establish the monetary value of the losses already sustained but to determine their adverse effect on our own security by their inadvertent contribution to international communism in Asia. Such an

investigation might also yield more satisfactory criteria than apparently exist at present for determining to what countries, in what amounts, and under what conditions military and other aid can be effectively extended.

In suggesting such a study, I do not intend to imply that such aid has no place in our policies with respect to Asia. It seems to me essential, however, that the limitations and dangers as well as the potentialities of assistance programs must be clearly understood. We must guard against extending aid by force of habit.

In the light of my recent observations in southeast Asia, it seems to me that these commonsense precautions have not always prevailed in the conduct of our policy in that region. Unless they do, we are likely to find the door shut against our legitimate security, and our cultural and commercial interests in Asia. We will have arrived at this point despite the expenditure of billions of dollars, in good faith, for what we believed were decent, worthy, and mutually beneficial purposes.

APPENDIX I

AGREEMENTS OF THE GENEVA CONFERENCE ON INDOCHINA

AGREEMENT ON THE CESSATION OF HOSTILITIES IN VIETNAM

(IC/42/Rev. 2, July 20, 1954)

Chapter I—Provisional military demarcation line and demilitarized zone

Article 1

A provisional military demarcation line shall be fixed, on either side of which the forces of the two parties shall be regrouped after their withdrawal, the forces of the People's Army of Vietnam to the north of the line and the forces of the French Union to the south.

The provisional military demarcation line is fixed as shown on the map attached. (See map No. 1 (not printed).)

It is also agreed that a demilitarized zone shall be established on either side of the demarcation line, to a width of not more than 5 kilometers from it, to act as a buffer zone and avoid any incidents which might result in the resumption of hostilities.

Article 2

The period within which the movement of all the forces of either party into its regrouping zone on either side of the provisional military demarcation line shall be completed shall not exceed 300 days from the date of the present agreement's entry into force.

Article 3

When the provisional military demarcation line coincides with a waterway, the waters of such waterway shall be open to civil navigation by both parties wherever one bank is controlled by one party and the other bank by the other party. The joint commission shall establish rules of navigation for the stretch of waterway in question. The merchant shipping and other civilian craft of each party shall have unrestricted access to the land under its military control.

Article 4

The provisional military demarcation line between the two final regrouping zones is extended into the territorial waters by a line perpendicular to the general line of the coast.

All coastal islands north of this boundary shall be evacuated by the armed forces of the French Union, and all islands south of it shall be evacuated by the forces of the People's Army of Vietnam.

Article 5

To avoid any incidents which might result in the resumption of hostilities, all military forces, supplies, and equipment shall be withdrawn from the demilitarized zone within 25 days of the present agreement's entry into force.

Article 6

No person, military or civilian, shall be permitted to cross the provisional military demarcation line unless specifically authorized to do so by the Joint Commission.

Article 7

No person, military or civilian, shall be permitted to enter the demilitarized zone except persons concerned with the conduct of civil administration and relief and persons specifically authorized to enter by the Joint Commission.

Article 8

Civil administration and relief in the demilitarized zone on either side of the provisional military demarcation line shall be the responsibility of the commanders in chief of the two parties in their respective zones. The number of persons, military or civilian, from each side who are permitted to enter the demilitarized zone for the conduct of civil administration and relief shall be determined by the respective commanders, but in no case shall the total number authorized by either side exceed at any one time a figure to be determined by the Trung Gia Military Commission or by the Joint Commission. The number of civil police and the arms to be carried by them shall be determined by the Joint Commission. No one else shall carry arms unless specifically authorized to do so by the Joint Commission.

Article 9

Nothing contained in this chapter shall be construed as limiting the complete freedom of movement into, out of, or within the demilitarized zone of the Joint Commission, its joint groups, the international commission to be set up as indicated below, its inspection teams and any other persons, supplies, or equipment specifically authorized to enter the demilitarized zone by the joint commission. Freedom of movement shall be permitted across the territory under the military control of either side over any road or waterway which has to be taken between points within the demilitarized zone when such points are not connected by roads or waterways lying completely within the demilitarized zone.

Chapter II—Principles and procedure governing implementation of the present agreement

Article 10

The commanders of the forces on each side, on the one side the commander in chief of the French Union forces in Indochina and on the other side the commander in chief of the People's Army of Vietnam, shall order and enforce the complete cessation of all hostilities in Vietnam by all armed forces under their control, including all units and personnel of the ground, naval, and air forces.

Article 11

In accordance with the principle of a simultaneous cease-fire throughout Indochina, the cessation of hostilities shall be simultaneous throughout all parts of Vietnam, in all areas of hostilities and for all the forces of the two parties.

Taking into account the time effectively required to transmit the cease-fire order down to the lowest échelons of the combatant forces on both sides, the two parties are agreed that the cease-fire shall take effect completely and simultaneously for the different sectors of the country as follows:

Northern Vietnam at 8 a. m. (local time) on July 27, 1954.

Central Vietnam at 8 a. m. (local time) on August 1, 1954.

Southern Vietnam at 8 a. m. (local time) on August 11, 1954.

It is agreed that Pekin mean time shall be taken as local time.

From such time as the cease-fire becomes effective in northern Vietnam, both parties undertake not to engage in any large-scale offensive action in any part of the Indochinese theater of operations and not to commit the air forces based on northern Vietnam outside that sector. The two parties also undertake to inform each other of their plans for movement from one regrouping zone to another within 25 days of the present agreement's entry into force.

Article 12

All the operations and movements entailed in the cessation of hostilities and regrouping must proceed in a safe and orderly fashion:

(a) Within a certain number of days after the cease-fire agreement shall have become effective, the number to be determined on the spot by the Trung Gia Military Commission, each party shall be responsible for removing and neutralizing mines (including river- and sea-mines), booby traps, explosives and any other dangerous substances placed by it. In the event of its being impossible to complete the work of removal and neutralization in time, the party concerned shall mark the spot by placing visible signs there. All demolitions, mine fields, wire entanglements, and other hazards to the free movement of the personnel of the Joint Commission and its joint groups, known to be present after the withdrawal of the military forces, shall be reported to the Joint Commission by the commanders of the opposing forces;

(b) From the time of the cease-fire until regrouping is completed on either side of the demarcation line:

(1) The forces of either party shall be provisionally withdrawn from the provisional assembly areas assigned to the other party.

(2) When one party's forces withdraw by a route (road, rail, waterway, sea route) which passes through the territory of the other party (see art. 24), the latter party's forces must provisionally withdraw 3 kilometers on each side of such route, but in such a manner as to avoid interfering with the movements of the civil population.

Article 13

From the time of the cease-fire until the completion of the movements from one regrouping zone into the other, civil and military transport aircraft shall follow air-corridors between the provisional assembly areas assigned to the French Union forces north of the demarcation line on the one hand and the Laotian frontier and the regrouping zone assigned to the French Union forces on the other hand.

The position of the air-corridors, their width, the safety route for single-engined military aircraft transferred to the south and the search and rescue procedure for aircraft in distress shall be determined on the spot by the Trung Gia Military Commission.

Article 14

Political and administrative measures in the two regrouping zones, on either side of the provisional military demarcation line:

(a) Pending the general elections which will bring about the unification of Vietnam, the conduct of civil administration in each regrouping zone shall be in the hands of the party whose forces are to be regrouped there in virtue of the present agreement;

(b) Any territory controlled by one party which is transferred to the other party by the regrouping plan shall continue to be administered by the former party until such date as all the troops who are to be transferred have completely left that territory so as to free the zone assigned to the party in question. From then on, such territory shall be regarded as transferred to the other party, who shall assume responsibility for it.

Steps shall be taken to ensure that there is no break in the transfer of responsibilities. For this purpose, adequate notice shall be given by the withdrawing party to the other party, which shall make the necessary

arrangements, in particular by sending administrative and police detachments to prepare for the assumption of administrative responsibility. The length of such notice shall be determined by the Trung Gia Military Commission. The transfer shall be effected in successive stages for the various territorial sectors.

The transfer of the civil administration of Hanoi and Haiphong to the authorities of the Democratic Republic of Vietnam shall be completed within the respective time-limits laid down in article 15 for military movements.

(c) Each party undertakes to refrain from any reprisals or discrimination against persons or organizations on account of their activities during the hostilities and to guarantee their democratic liberties.

(d) From the date of entry into force of the present agreement until the movement of troops is completed, any civilians residing in a district controlled by one party who wish to go and live in the zone assigned to the other party shall be permitted and helped to do so by the authorities in that district.

Article 15

The disengagement of the combatants, and the withdrawals and transfers of military forces, equipment and supplies shall take place in accordance with the following principles:

(a) The withdrawals and transfers of the military forces, equipment and supplies of the two parties shall be completed within 300 days, as laid down in article 2 of the present agreement;

(b) Within either territory successive withdrawals shall be made by sectors, portions of sectors, or provinces. Transfers from one regrouping zone to another shall be made in successive monthly installments proportionate to the number of troops to be transferred;

(c) The two parties shall undertake to carry out all troop withdrawals and transfers in accordance with the aims of the present agreement, shall permit no hostile act and shall take no step whatsoever which might hamper such withdrawals and transfers. They shall assist one another as far as this is possible;

(d) The two parties shall permit no destruction or sabotage of any public property and no injury to the life and property of the civil population. They shall permit no interference in local civil administration;

(e) The Joint Commission and the International Commission shall ensure that steps are taken to safeguard the forces in the course of withdrawal and transfer;

(f) The Trung Gia Military Commission, and later the Joint Commission, shall determine by common agreement the exact procedure for the disengagement of the combatants and for troop withdrawals and transfers, on the basis of the principles mentioned above and within the framework laid down below:

1. The disengagement of the combatants, including the concentration of the armed forces of all kinds and also each party's movements into the provisional assembly areas assigned to it and the other party's provisional withdrawal from it, shall be completed within a period of not exceeding 15 days after the date when the cease-fire becomes effective.

The general delineation of the provisional assembly areas is set out in the maps annexed to the present agreement.

In order to avoid any incidents, no troops shall be stationed less than 1,500 meters from the lines delimiting the provisional assembly areas.

During the period until the transfers are concluded, all the coastal islands west of the following lines shall be included in the Haiphong perimeter: Meridian of the southern point of Kebao Island; northern coast of Ile Rousse (excluding the island), extended as far as the meridian of Campha-Mines; meridian of Campha-Mines.

2. The withdrawals and transfers shall be effected in the following order and within the following periods (from the date of the entry into force of the present agreement):

Forces of the French Union

Hanoi perimeter	80 days
Haiduong perimeter	100 days
Haiphong perimeter	300 days

Forces of the People's Army of Vietnam

Ham Tan and Xuyenmoc provisional assembly area	80 days
Central Vietnam provisional assembly area—first installment	80 days
Plaine des Joncs provisional assembly area	100 days
Central Vietnam provisional assembly area—second installment	100 days
Point Camau provisional assembly area	200 days
Central Vietnam provisional assembly area—last installment	300 days

Chapter III—Ban on introduction of fresh troops, military personnel, arms and munitions. Military bases

Article 16

With effect from the date of entry into force of the present agreement, the introduction into Vietnam of any troop reinforcements and additional military personnel is prohibited.

It is understood, however, that the rotation of units and groups of personnel, the arrival in Vietnam of individual personnel on a temporary-duty basis, and the return to Vietnam of individual personnel after short periods of leave or temporary duty outside Vietnam shall be permitted under the conditions laid down below:

(a) Rotation of units (defined in paragraph (c) of this article) and groups of personnel shall not be permitted for French Union troops stationed north of the provisional military demarcation line laid down in article 1 of the present agreement, during the withdrawal period provided for in article 2.

However, under the heading of individual personnel not more than 50 men, including officers, shall during any one month be permitted to enter that part of the country north of the provisional military demarcation line on a temporary-duty basis or to return there after short periods of leave or temporary duty outside Vietnam.

(b) "Rotation" is defined as the replacement of units or groups of personnel by other units of the same echelon or by personnel who are arriving in Vietnam territory to do their overseas service there;

(c) The units rotated shall never be larger than a battalion—or the corresponding echelon for air and naval forces;

(d) Rotation shall be conducted on a man-for-man basis, provided, however, that in any one quarter neither party shall introduce more than 15,500 members of its armed forces into Vietnam under the rotation policy;

(e) Rotation units (defined in paragraph (c) of this article) and groups of personnel, and the individual personnel mentioned in this article, shall enter and leave Vietnam only through the entry points enumerated in article 20, below;

(f) Each party shall notify the Joint Commission and the International Commission at least 2 days in advance of any arrivals or departures of units, groups of personnel and individual personnel in or from Vietnam. Reports on the arrivals or departures of units groups of personnel and individual personnel in or from Vietnam shall be submitted daily to the Joint Commission and the International Commission.

All the above-mentioned notifications and reports shall indicate the places and dates of arrival or departure and the number of persons arriving or departing.

(g) The International Commission, through its inspection teams, shall supervise and inspect the rotation of units and groups of personnel and the arrival and departure of individual personnel as authorized above, at the points of entry enumerated in article 20 below.

Article 17

(a) With effect from the date of entry into force of the present agreement, the introduction into Vietnam of any reinforcements in the form of all types of arms, munitions, and other war material, such as combat aircraft, naval craft, pieces of ordnance, jet engines and jet weapons and armored vehicles, is prohibited.

(b) It is understood, however, that war material, arms, and munitions which have been destroyed, damaged, worn out or used up after the cessation of hostilities may be replaced on the basis of piece-for-piece of the same type and with similar characteristics. Such replacements of war material, arms, and munitions shall not be permitted for French Union troops stationed north of the provisional military demarcation line laid down in article 1 of the present agreement, during the withdrawal period provided for in article 2.

Naval craft may perform transport operations between the regrouping zones.

(c) The war material, arms, and munitions for replacement purposes provided for in paragraph (b) of this article, shall be introduced into Vietnam only through the points of entry enumerated in article 20 below. War material, arms, and munitions to be replaced shall be shipped from Vietnam only through the points of entry enumerated in article 20 below;

(d) Apart from the replacements permitted within the limits laid down in paragraph (b) of this article, the introduction of war material, arms, and munitions of all types in the form of unassembled parts for subsequent assembly is prohibited;

(e) Each party shall notify the Joint Commission and the International Commission at least 2 days in advance of any arrivals or departures which may take place of war material, arms, and munitions of all types.

In order to justify the requests for the introduction into Vietnam of arms, munitions, and other war material (as defined in par. (a) of this article) for replacement purposes, a report concerning each incoming shipment shall be submitted to the Joint Commission and the International Commission. Such reports shall indicate the use made of the items so replaced.

(f) The International Commission, through its inspection teams, shall supervise and inspect the replacements permitted in the circumstances laid down in this article at the points of entry enumerated in article 20 below.

Article 18

With effect from the date of entry into force of the present agreement, the establishment of new military bases is prohibited throughout Vietnam territory.

Article 19

With effect from the date of entry into force of the present agreement, no military base under the control of a foreign state may be established in the regrouping zone of either party; the two parties shall insure that the zones assigned to them do not adhere to any military alliance and are not used for the resumption of hostilities or to further an aggressive policy.

Article 20

The points of entry into Vietnam for rotation personnel and replacements of material are fixed as follows: Zones to the north of the provisional military demarcation line: Laokay, Langson, Tien-Yen, Haiphong, Vinh,

Dong-Hoi, Muong-Sen; zones to the south of the provisional military demarcation line: Tourane, Quinhon, Nhatrang, Bangoi, Saigon, Cap St. Jacques, Tanchau.

Chapter IV—Prisoners of war and civilian internees

Article 21

The liberation and repatriation of all prisoners of war and civilian internees detained by each of the two parties at the coming into force of the present agreement shall be carried out under the following conditions:

(a) All prisoners of war and civilian internees of Vietnam, the French and other nationalities captured since the beginning of hostilities in Vietnam during military operations or in any other circumstances of war and in any part of the territory of Vietnam shall be liberated within a period of 30 days after the date when the cease-fire becomes effective in each theater.

(b) The term "civilian internees" is understood to mean all persons who, having in any way contributed to the political and armed struggle between the two parties, have been arrested for that reason and have been kept in detention by either party during the period of hostilities.

(c) All prisoners of war and civilian internees held by either party shall be surrendered to the appropriate authorities of the other party, who shall give them all possible assistance in proceeding to their country of origin, place of habitual residence, or the zone of their choice.

Chapter V—Miscellaneous

Article 22

The commanders of the forces of the two parties shall ensure that persons under their respective commands who violate any of the provisions of the present agreement are suitably punished.

Article 23

In cases in which the place of burial is known and the existence of graves has been established, the commander of the forces of either party shall, within a specific period after the entry into force of the armistice agreement, permit the graves service personnel of the other party to enter the part of Vietnam territory under their military control for the purpose of finding and removing the bodies of deceased military personnel of that party, including the bodies of deceased prisoners of war. The joint commission shall determine the procedures and the time limit for the performance of this task. The commanders of the forces of the two parties shall communicate to each other all information in their possession as to the place of burial of military personnel of the other party.

Article 24

The present agreement shall apply to all the armed forces of either party. The armed forces of each party shall respect the demilitarized zone and the territory under the military control of the other party, and shall commit no act and undertake no operation against the other party and shall not engage in blockade of any kind in Vietnam.

For the purposes of the present article, the word "territory" includes teritorial waters and air space.

Article 25

The commanders of the forces of the two parties shall afford full protection and all possible assistance and cooperation to the Joint Commission and its joint groups and to the International Commission and its inspection teams in the performance of the functions and tasks assigned to them by the present agreement.

Article 26

The costs involved in the operations of the Joint Commission and joint groups and of the International Commission and its inspection teams shall be shared equally between the two parties.

Article 27

The signatories of the present agreement and their successors in their functions shall be responsible for insuring the observance and enforcement of the terms and provisions thereof. The commanders of the forces of the two parties shall, within their respective commands, take all steps and make all arrangements necessary to insure full compliance with all the provisions of the present agreement by all elements and military personnel under their command.

The procedures laid down in the present agreement shall, whenever necessary, be studied by the commanders of the two parties and, if necessary, defined more specifically by the Joint Commission.

Chapter VI—Joint Commission and International Commission for Supervision and Control in Vietnam

28. Responsibility for the execution of the agreement on the cessation of hostilities shall rest with the parties.

29. An International Commission shall insure the control and supervision of this execution.

30. In order to facilitate, under the conditions shown below, the execution of provisions concerning joint actions by the two parties a Joint Commission shall be set up in Vietnam.

31. The Joint Commission shall be composed of an equal number of representatives of the commanders of the two parties.

32. The presidents of the delegations to the Joint Commission shall hold the rank of general.

The Joint Commission shall set up joint groups the number of which shall be determined by mutual agreement between the parties. The joint groups shall be composed of an equal number of officers from both parties. Their location on the demarcation line between the regrouping zones shall be determined by the parties whilst taking into account the powers of the Joint Commission.

33. The Joint Commission shall insure the execution of the following provisions of the agreement on the cessation of hostilities:

(a) A simultaneous and general cease-fire in Vietnam for all regular and irregular armed forces of the two parties.

(b) A regroupment of the armed forces of the two parties.

(c) Observance of the demarcation lines between the regrouping zones and of the demilitarized sectors.

Within the limits of its competence it shall help the parties to execute the said provisions, shall insure liaison between them for the purpose of preparing and carrying out plans for the application of these provisions, and shall endeavor to solve such disputed questions as may arise between the parties in the course of executing these provisions.

34. An International Commission shall be set up for the control and supervision over the application of the provisions of the agreement on the cessation of hostilities in Vietnam. It shall be composed of representatives of the following states: Canada, India, and Poland.

It shall be presided over by the representative of India.

35. The International Commission shall set up fixed and mobile inspection teams, composed of an equal number of officers appointed by each of the above-mentioned states. The fixed teams shall be located at the following points: Laokay, Langson, Tien-Yen, Haiphong, Vinh, Dong-Hoi, Muong-Sen, Tourane, Quinhon, Nhatrang, Bangoi, Saigon, Cap St. Jacques, Tranchau. These points of location may, at a later date, be altered at the request of the Joint Commission, or of one of the parties, or of the International Commission itself, by agreement between the International Commission and the command of the party concerned. The zones of action of the mobile teams shall be the regions bordering the land and sea frontiers of Vietnam, the demarcation lines between the regrouping zones and the demilitarized zones. Within the limits of these zones they shall have the right to move freely and shall receive from the local civil and military authorities all facilities they may require for the fulfillment of their tasks (provision of personnel, placing at their disposal documents needed for supervision, summoning witnesses necessary for holding inquiries, insuring the security and freedom of movement of the inspection teams, etc. * * *). They shall have at their disposal such modern means of transport, observation, and communication as they may require. Beyond the zones of action as defined above, the mobile teams may, by agreement with the command of the party concerned, carry out other movements within the limits of the tasks given them by the present agreement.

36. The International Commission shall be responsible for supervising the proper execution by the parties of the provisions of the agreement. For this purpose it shall fulfill the tasks of control, observation, inspection, and investigation connected with the application of the provisions of the agreement on the cessation of hostilities, and it shall in particular:

(a) Control the movement of the armed forces of the two parties, effected within the framework of the regroupment plan.

(b) Supervise the demarcation lines between the regrouping areas, and also the demilitarized zones.

(c) Control the operations of releasing prisoners of war and civilian internees.

(d) Supervise at ports and airfields as well as along all frontiers of Vietnam the execution of the provisions of the agreement on the cessation of hostilities, regulating the introduction into the country of armed forces, military personnel, and of all kinds of arms, munitions, and war materiel.

37. The International Commission shall, through the medium of the inspection teams mentioned above, and as soon as possible either on its own initiative, or at the request of the Joint Commission, or of one of the parties, undertake the necessary investigations both documentary and on the ground.

38. The inspection teams shall submit to the International Commission the results of their supervision, their investigation and their observations, furthermore they shall draw up such special reports as they may consider necessary or as may be requested from them by the Commission. In the case of a disagreement within the teams, the conclusions of each member shall be submitted to the Commission.

39. If any one inspection team is unable to settle an incident or considers that there is a violation or a threat of a serious violation the International Commission shall be informed; the latter shall study the reports and the conclusions of the inspection teams, and shall inform the parties of the measures which should be taken for the settlement of the incident, ending of the violation or removal of the threat of violation.

40. When the Joint Commission is unable to reach an agreement on the interpretation to be given to some provision or on the appraisal of a fact, the International Commission shall be informed of the disputed question. Its recommendations shall be sent directly to the parties and shall be notified to the Joint Commission.

41. The recommendations of the International Commission shall be adopted by majority vote, subject to the provisions contained in article 42. If the votes are divided the chairman's vote shall be decisive.

The International Commission may formulate recommendations concerning amendments and additions which should be made to the provisions of the agreement on the cessation of hostilities in Vietnam, in order to insure a more effective execution of that agreement. These recommendations shall be adopted unanimously.

42. When dealing with questions concerning violations, or threats of violations, which might lead to a resumption of hostilities, namely:

(a) Refusal by the armed forces of one party to effect the movements provided for in the regroupment plan;

(b) Violation by the armed forces of one of the parties of the regrouping zones, territorial waters, or air space of the other party; the decisions of the International Commission must be unanimous.

43. If one of the parties refuses to put into effect a recommendation of the International Commission, the parties concerned or the Commission itself shall inform the members of the Geneva Conference.

If the International Commission does not reach unanimity in the cases provided for in article 42, it shall submit a majority report and one or more minority reports to the members of the Conference.

The International Commission shall inform the members of the Conference in all cases where its activity is being hindered.

44. The International Commission shall be set up at the time of the cessation of hostilities in Indochina in order that it should be able to fulfill the tasks provided for in article 36.

45. The International Commission for Supervision and Control in Vietnam shall act in close cooperation with the International Commissions for Supervision and Control in Cambodia and Laos.

The Secretaries-General of these three Commissions shall be responsible for coordinating their work and for relations between them.

46. The International Commission for Supervision and Control in Vietnam may, after consultation with the International Commissions for Supervision and Control in Cambodia and Laos, and having regard to the development of the situation in Cambodia and Laos, progressively reduce its activities. Such a decision must be adopted unanimously.

47. All the provisions of the present agreement, save the second subparagraph of article 11, shall enter into force at 2400 hours (Geneva time) on July 22, 1954.

Done in Geneva at 2400 hours on the 20th day of July 1954 in French and in Vietnamese, both texts being equally authentic.

TA-QUANG-BUU,
Vice Minister of National Defense of the Democratic Republic of Vietnam (For the Commander in Chief of the People's Army of Vietnam).

Brigadier General DELTEIL,
(For the Commander in Chief of the French Union Forces in Indochina).

ANNEX TO THE AGREEMENT ON THE CESSATION OF HOSTILITIES IN VIETNAM

I. DELINEATION OF THE PROVISIONAL MILITARY DEMARCATION LINE AND THE DEMILITARIZED ZONE

(Art. 1 of the Agreement; reference map Indochina 1/100,000)

(a) The provisional military demarcation line is fixed as follows, reading from east to west: The mouth of the Song Ben Hat (Cua Tung River) and the course of that river (known as the Rao Thanh in the mountains) to the village of Bo Ho Su, then the parallel of Bo Ho Su to the Laos-Vietnam frontier.

(b) The demilitarized zone shall be delimited by Trung Gia Military Commission in accordance with the provisions of article 1 of the agreement on the cessation of hostilities in Vietnam.

II. GENERAL DELINEATION OF THE PROVISIONAL ASSEMBLY AREAS

(Art. 15 of the agreement; reference maps, Indochina 1/400,000)

(*a*) *North Vietnam*

Delineation of the Boundary of the Provisional Assembly Area of the French Union Forces

1. The perimeter of Hanoi is delimited by the arc of a circle with a radius of 15 kilometers, having as its center the right bank abutment of Doumer Bridge and running westward from the Red River to the Rapids Canal in the northeast.

In this particular case, no forces of the French Union shall be stationed less than 2 kilometers from this perimeter, on the inside thereof.

2. The perimeter of Haiphong shall be delimited by the Song-Van-Uc as far as Kim Thanh and a line running from the Song-Van-Uc 3 kilometers northeast of Kim Thanh to cut Road No. 18, 2 kilometers east of Mao-Khé. Thence a line running 3 kilometers north of Road 18 to Cho-Troi and a straight line from Cho-Troi to the Mong-Duong ferry.

3. A corridor contained between:

In the south, the Red River from Thanh-Tri to Bang-Nho, thence a line joining the latter point to Do-My (southwest of Kesat), Gia-Loc, and Tien Kieu;

In the north, a line running along the Rapids Canal at a distance of 1,500 meters to the north of the canal, passing 3 kilometers north of Pha-Lai and Seven Pagodas, and thence parallel to Road No. 18 to its point of intersection with the perimeter of Haiphong.

NOTE.—Throughout the period of evacuation of the perimeter of Hanoi the river forces of the French Union shall enjoy complete freedom of movement on the Song-Van-Uc. And the forces of the People's Army of Vietnam shall withdraw 3 kilometers south of the south bank of the Song-Van-Uc.

Boundary Between the Perimeter of Hanoi and the Perimeter of Haiduong

A straight line running from the Rapids Canal 3 kilometers west of Chi-ne and ending at Do-My (8 kilometers southwest of Kesat).

(*b*) *Central Vietnam*

Delineation of the Boundary of the Provisional Assembly Area of the Forces of the Vietnam People's Army South of the Col des Nuages Parallel

The perimeter of the central Vietnam area shall consist of the administrative boundaries of the provinces of Quang-Ngai and Binh-Dinh as they were defined before the hostilities.

(*c*) *South Vietnam*

Three provisional assembly areas shall be provided for the forces of the People's Army of Vietnam.

The boundaries of these areas are as follows:

1. Xuyen-Moc, Ham-Tan Area:

Western boundary: The course of the Song-Ray extended northwards as far as Road No. 1 to a point thereon 8 kilometers east of the intersection of Road No. 1 and Road No. 3.

Northern boundary: Road No. 1 from the above-mentioned intersection to the intersection with Route Communale No. 9 situated 27 kilometers west-south-west of Phanthiet and from that intersection a straight line to Kim Thanh on the coast.

2. Plaine des Joncs Area:

Northern boundary: The Vietnam-Cambodia frontier.

Western boundary: A straight line from Tong-Binh to Binh-Thanh.

Southern boundary: Course of the Fleuve Antérieur (Mekong) to 10 kilometers southeast of Cao Lanh. From that point, a straight line as far as Ap-My-Dien, and from Ap-My-Dien a line parallel to the 3 kilometers east and then south of the Tong Doc-Loc Canal, this line reaches My-Hanh-Dong and thence Hung-Thanh-My.

Eastern boundary: A straight line from Hung-Thanh-My running northwards to the Cambodian frontier south of Doi-Bao-Voi.

3. Point Camau Area:

Northern boundary: The Song-Cai-lon from its mouth to its junction with the Rach-Nuoc-Trong, thence the Rach-Nuoc-Trong to the bend 5 kilometers northeast of Ap-Xeo-La. Thereafter a line to the Ngan-Dua Canal and following that Canal as far as Vinh-Hung. Finally, from Vinh-Hung a north-south line to the sea.

GENEVA CONFERENCE—INDOCHINA

Final declaration, dated July 21, 1954, of the Geneva Conference on the problem of restoring peace in Indochina, in which the representatives of Cambodia, the Democratic Republic of Vietnam, France, Laos, the People's Republic of China, the State of Vietnam, the Union of Soviet Socialist Republics, the United Kingdom, and the United States of America took part.

[IC/43/Rev. 2, 21 July 1954, Original: French]

1. The Conference takes note of the agreements ending hostilities in Cambodia, Laos, and Vietnam and organizing international control and the supervision of the execution of the provisions of these agreements.

2. The Conference expresses satisfaction at the ending of hostilities in Cambodia, Laos, and Vietnam; the Conference expresses its conviction that the execution of the provisions set out in the present declaration and in the agreements on the cessation of hostilities will permit Cambodia, Laos, and Vietnam henceforth to play their part, in full independence and sovereignty, in the peaceful community of nations.

3. The Conference takes note of the declarations made by the Governments of Cambodia and of Laos of their intention to adopt measures permitting all citizens to take their place in the national community, in particular by participating in the next general elections, which, in conformity with the constitution of each of these countries, shall take place in the course of the year 1955, by secret ballot and in conditions of respect for fundamental freedoms.

4. The Conference takes note of the clauses in the agreement on the cessation of hostilities in Vietnam prohibiting the introduction into Vietnam of foreign troops and military personnel, as well as all kinds of arms and munitions. The Conference also takes note of the declarations made by the Governments of Cambodia and Laos of their resolution not to request foreign aid, whether in war material, in personnel, or in instructors, except for the purpose of the effective defense of their territory and, in the case of Laos, to the extent defined by the agreements on the cessation of hostilities in Laos.

5. The Conference takes note of the clauses in the agreement on the cessation of hostilities in Vietnam to the effect that no military base under the control of a foreign state may be established in the regrouping zones of the two parties, the latter having the obligation to see that the zones allotted to them shall not constitute part of any military alliance and shall not be utilized for the resumption of hostilities or in the service of an aggressive policy. The Conference also takes note of the declarations of the Governments of Cambodia and Laos to the effect that they will not join in any agreement with other states if this agreement includes the obligation to participate in a military alliance not in conformity with the principles of the Charter of the United Nations

or, in the case of Laos, with the principles of the agreement on the cessation of hostilities in Laos or, so long as their security is not threatened, the obligation to establish bases on Cambodian or Laotian territory for the military forces of foreign powers.

6. The Conference recognizes that the essential purpose of the agreement relating to Vietnam is to settle military questions with a view of ending hostilities and that the military demarcation line is provisional and should not in any way be interpreted as constituting a political or territorial boundary. The Conference expressed its conviction that the execution of the provisions set out in the present declaration and in the agreement on the cessation of hostilities creates the necessary basis for the achievement in the near future of a political settlement in Vietnam.

7. The Conference declares that, so far as Vietnam is concerned, the settlement of political problems, effected on the basis of respect for the principles of independence, unity and territorial integrity, shall permit the Vietnamese people to enjoy the fundamental freedoms, guaranteed by democratic institutions established as a result of free general elections by secret ballot. In order to insure that sufficient progress in the restoration of peace has been made, and that all the necessary conditions obtain for free expression of the national will, general elections shall be held in July 1956, under the supervision of an international commission composed of representatives of the member states of the International Supervisory Commission, referred to in the agreement on the cessation of hostilities. Consultations will be held on this subject between the competent representative authorities of the two zones from 20 July 1955 onward.

8. The provisions of the agreements on the cessation of hostilities intended to insure the protection of individuals and of property must be most strictly applied and must, in particular, allow everyone in Vietnam to decide freely in which zone he wishes to live.

9. The competent representative authorities of the northern and southern zones of Vietnam, as well as the authorities of Laos and Cambodia, must not permit any individual or collective reprisals against persons who have collaborated in any way with one of the parties during the war, or against members of such persons' families.

10. The Conference takes note of the declaration of the Government of the French Republic to the effect that it is ready to withdraw its troops from the territories of Cambodia, Laos, and Vietnam, at the request of the governments concerned and within periods which shall be fixed by agreement between the parties except in the cases where, by agreement between the two parties, a certain number of French troops shall remain at specified points and for a specified time.

11. The Conference takes note of the declaration of the French Government to the effect that for the settlement of all the problems connected with the reestablishment and consolidation of peace in Cambodia, Laos, and Vietnam, the French Government will proceed from the principle of respect for the independence and sovereignty, unity and territorial integrity of Cambodia, Laos, and Vietnam.

12. In their relations with Cambodia, Laos, and Vietnam, each member of the Geneva Conference undertakes to respect the sovereignty, the independence, the unity and the territorial integrity of the above-mentioned states, and to refrain from any interference in their internal affairs.

13. The members of the Conference agree to consult one another on any question which may be referred to them by the International Supervisory Commission, in order to study such measures as may prove necessary to insure that the agreements on the cessation of hostilities in Cambodia, Laos, and Vietnam are respected.

GENEVA CONFERENCE—INDOCHINA

DECLARATION BY THE ROYAL GOVERNMENT OF CAMBODIA

(Reference: Art. 3 of the final declaration)

[IC/44 Rev. 1, 21 July 1954, Original: French]

The Royal Government of Cambodia,

In the desire to insure harmony and agreement among the peoples of the kingdom,

Declares itself resolved to take the necessary measures to integrate all citizens, without discrimination, into the national community and to guarantee them the enjoyment of the rights and freedoms for which the constitution of the kingdom provides;

Affirms that all Cambodian citizens may freely participate as electors or candidates in general elections by secret ballot.

GENEVA CONFERENCE—INDOCHINA

DECLARATION BY THE ROYAL GOVERNMENT OF LAOS

(Reference: Art. 3 of the final declaration)

[IC/45 Rev. 1, 21 July 1954, Original: French]

The Royal Government of Laos,

In the desire to insure harmony and agreement among the peoples of the kingdom,

Declares itself resolved to take the necessary measures to integrate all citizens, without discrimination, into the national community and to guarantee them the enjoyment of the rights and freedoms for which the constitution of the kingdom provides;

Affirms that all Laotian citizens may freely participate as electors or candidates in general elections by secret ballot;

Announces, furthermore, that it will promulgate measures to provide for special representation in the royal administration of the Provinces of Phang Saly and Sam Neua during the interval between the cessation of hostilities and the general elections of the interests of Laotian nationals who did not support the royal forces during hostilities.

GENEVA CONFERENCE—INDOCHINA

DECLARATION BY THE ROYAL GOVERNMENT OF CAMBODIA

(Reference: Arts. 4 and 5 of the final declaration)

[IC/46/Rev. 2, July 21, 1954, Cambodia, Original: French]

The Royal Government of Cambodia is resolved never to take part in an aggressive policy and never to permit the territory of Cambodia to be utilized in the service of such a policy.

The Royal Government of Cambodia will not join in any agreement with other states, if this agreement carries for Cambodia the obligation to enter into a military alliance not in conformity with the principles of the Charter of the United Nations, or, as long as its security is not threatened, the obligation to establish bases on Cambodian territory for the military forces of foreign powers.

The Royal Government of Cambodia is resolved to settle its international disputes by peaceful means, in such a manner as not to endanger peace, international security, and justice.

During the period which will elapse between the date of the cessation of hostilities in Vietnam and that of the final settlement of political problems in this country, the Royal Government of Cambodia will not solicit foreign aid in war material, personnel, or instructors except for the purpose of the effective defense of the territory.

GENEVA CONFERENCE—INDOCHINA

DECLARATION OF THE ROYAL GOVERNMENT OF LAOS

(Arts. 4 and 5 of the final declaration)

[IC/47/Rev. 1, July 21, 1954, Original: French]

The Royal Government of Laos is resolved never to pursue a policy of aggression and will never permit the territory of Laos to be used in furtherance of such a policy.

The Royal Government of Laos will never join in any agreement with other states if this agreement includes the obligation for the Royal Government of Laos to participate in a military alliance not in conformity with the principles of the Charter of the United Nations or with the principles of the agreement on the cessation of hostilities or, unless its security is threatened, the obligation to establish bases on Laotian territory for military forces of foreign powers.

The Royal Government of Laos is resolved to settle its international disputes by peaceful means so that international peace and security and justice are not endangered.

During the period between the cessation of hostilities in Vietnam and the final settlement of that country's political problems, the Royal Government of Laos will not request foreign aid, whether in war material, in personnel, or in instructors, except for the purpose of its effective territorial defense and to the extent defined by the agreement on the cessation of hostilities.

GENEVA CONFERENCE—INDOCHINA

DECLARATION BY THE GOVERNMENT OF THE FRENCH REPUBLIC

(Reference: Art. 10 of the final declaration)

[IC/48 Rev. 1, July 21, 1954, original: French]

The Government of the French Republic declares that it is ready to withdraw its troops from the territory of Cambodia, Laos, and Vietnam, at the request of the governments concerned and within a period which shall be fixed by agreement between the parties, except in the cases where, by agreement between the two parties, a certain number of French troops shall remain at specified points and for a specified time.

GENEVA CONFERENCE—INDOCHINA

DECLARATION BY THE GOVERNMENT OF THE FRENCH REPUBLIC

(Reference: Art. 11 of the final declaration)

[IC/49 Rev. 1, July 21, 1954, original; French]

For the settlement of all the problems connected with the reestablishment and consolidation of peace in Cambodia, Laos, and Vietnam, the French Government will proceed from the principle of respect for the independence and sovereignty, the unity and territorial integrity of Cambodia, Laos, and Vietnam.

GENEVA CONFERENCE—INDOCHINA

DRAFT SUBMITTED BY THE DELEGATION OF THE STATE OF VIETNAM

(Amendment for insertion between Art. 11 and present Art. 12 of the declaration)

[IC/50, July 20, 1954, original: French]

The conference takes note of the declaration of the Government of the State of Vietnam undertaking: to make and support every effort to reestablish a real and lasting peace in Vietnam; not to use force to resist the procedures for carrying the cease-fire into effect, although it deems them to be inconsistent with the will of the nation; to pursue the achievement of the aspirations of the Vietnam people with all the means conferred upon it by the national independence and sovereignty solemnly recognized by France.

GENEVA CONFERENCE—INDOCHINA

AGREEMENT ON THE CESSATION OF HOSTILITIES IN LAOS

[IC/51, Rev. 1, July 20, 1954, Original: French]

Chapter I—Cease-fire and evacuation of foreign armed forces and foreign military personnel

Article 1

The commanders of the armed forces of the parties in Laos shall order and enforce the complete cessation of all hostilities in Laos by all armed forces under their control, including all units and personnel of the ground, naval, and air forces.

Article 2

In accordance with the principle of a simultaneous cease-fire throughout Indochina the cessation of hostilities shall be simultaneous throughout the territory of Laos in all combat areas and for all forces of the two parties.

In order to prevent any mistake or misunderstanding and to ensure that both the cessation of hostilities and the disengagement and movements of the opposing forces are in fact simultaneous.

(a) Taking into account the time effectively required to transmit the cease-fire order down to the lowest echelons of the combatant forces on both sides, the two parties are agreed that the complete and simultaneous cease-fire throughout the territory of Laos shall become effective at 8 hours (local time) on August 6, 1954. It is agreed that Pekin meantime shall be taken as local time.

(b) The Joint Commission for Laos shall draw up a schedule for the other operations resulting from the cessation of hostilities.

NOTE.—The cease-fire shall become effective 15 days after the entry into force of the present agreement.

Article 3

All operations and movements entailed by the cessation of hostilities and regrouping must proceed in a safe and orderly fashion:

(a) Within a number of days to be determined on the spot by the Joint Commission in Laos each party shall be responsible for removing and neutralizing mines, booby traps, explosives, and any other dangerous substance placed by it. In the event of its being impossible to complete the work of removal and neutralization in time, the party concerned shall mark the spot by placing visible signs there.

(b) As regards the security of troops on the move following the lines of communication in accordance with the schedule previously drawn up by the Joint Armistice Commission in Laos, and the safety of the assembly areas, detailed measures shall be adopted in each case by the Joint Armistice Commission in Laos. In particular, while the forces of one party are withdrawing by a line of communication passing through the territory of the other party (road or waterways) the forces of the latter party shall provisionally withdraw 2 kilometers on either side of such line of communication, but in such a manner as to avoid interfering with the movement of the civil population.

Article 4

The withdrawals and transfers of military forces, supplies, and equipment shall be effected in accordance with the following principles:

(a) The withdrawals and transfers of the military forces, supplies, and equipment of the two parties shall be completed within a period of 120 days from the day on which the armistice agreement enters into force.

The two parties undertake to communicate their transfer plans to each other, for information, within 25 days of the entry into force of the present agreement.

(b) The withdrawals of the Vietnamese People's Volunteers from Laos to Vietnam shall be effected by provinces. The position of those volunteers who were settled in Laos before the hostilities shall form the subject of a special convention.

(c) The routes for the withdrawal of the forces of the French Union and Vietnamese People's Volunteers in Laos from Laotian territory shall be fixed on the spot by the Joint Commission.

(d) The two parties shall guarantee that the withdrawals and transfers of all forces will be effected in accordance with the purposes of this agreement, and that they will not permit any hostile action or take action of any kind whatever which might hinder such withdrawals or transfers. The parties shall assist each other as far as possible.

(e) While the withdrawals and transfers of the forces are proceeding, the two parties shall not permit any destruction or sabotage of any public property or any attack on the life or property of the local civilian population. They shall not permit any interference with the local civil administration.

(f) The Joint Commission and the International Commission shall supervise the implementation of measures to insure the safety of the forces during withdrawal and transfer.

(g) The Joint Commission in Laos shall determine the detailed procedures for the withdrawals and transfers of the forces in accordance with the above-mentioned principles.

Article 5

During the days immediately preceding the cease-fire each party undertakes not to engage in any large-scale operation between the time when the agreement on the cessation of hostilities is signed at Geneva and the time when the cease-fire comes into effect.

Chapter II—Prohibition of the introduction of fresh troops, military personnel, armaments, and munitions

Article 6

With effect from the proclamation of the cease-fire the introduction into Laos of any reinforcements of troops or military personnel from outside Laotian territory is prohibited.

Nevertheless, the French high command may leave a specified number of French military personnel required for the training of the Laotian National Army in the territory of Laos; the strength of such personnel shall not exceed 1,500 officers and noncommissioned officers.

Article 7

Upon the entry into force of the present agreement, the establishment of new military bases is prohibited throughout the territory of Laos.

Article 8

The High Command of the French forces shall maintain in the territory of Laos the personnel required for the maintenance of two French military establishments, the first at Seno and the second in the Mekong Valley, either in the province of Vientiane or downstream from Vientiane.

The effectives maintained in these military establishments shall not exceed a total of 3,500 men.

Article 9

Upon the entry into force of the present agreement and in accordance with the declaration made at the Geneva Conference by the Royal Government of Laos on July 20, 1954, the introduction into Laos of armaments, munitions, and military equipment of all kinds is prohibited, with the exception of a specified quantity of armaments in categories specified as necessary for the defense of Laos.

Article 10

The new armaments and military personnel permitted to enter Laos in accordance with the terms of article 9 above shall enter Laos at the following points only: Luang-Prabang, Xieng-Khouang, Vientiane, Seno, Paksé, Savannakhet, and Tchépone.

Chapter III—Disengagement of the forces—Assembly areas—Concentration areas

Article 11

The disengagement of the armed forces of both sides, including concentration of the armed forces, movements to rejoin the provisional assembly areas allotted to one party and provisional withdrawal movements by the other party, shall be completed within a period not exceeding 15 days after the cease fire.

Article 12

The Joint Commission in Laos shall fix the site and boundaries: Of the five provisional assembly areas for the reception of the Vietnamese People's Volunteer Forces; of the five provisional assembly areas for the reception of the French forces in Laos; of the 12 provisional assembly areas, 1 to each province, for the reception of the fighting units of "Pathet Lao." The forces of the Laotian National Army shall remain in situ during the entire duration of the operations of disengagement and transfer of foreign forces and fighting units of "Pathet Lao."

Article 13

The foreign forces shall be transferred outside Laotian territory as follows:

(1) French forces: The French forces will be moved out of Laos by road (along routes laid down by the Joint Commission in Laos) and also by air and inland waterway;

(2) Vietnamese People's Volunteer forces: These forces will be moved out of Laos by land, along routes and in accordance with a schedule to be determined by the Joint Commission in Laos in accordance with principle of simultaneous withdrawal of foreign forces.

Article 14

Pending a political settlement, the fighting units of "Pathet Lao," concentrated in the provisional assembly areas, shall move into the Provinces of Phongsaly and Sam-Neua, except for any military personnel who wish to be demobilized where they are. They will be free to move between these two Provinces in a corridor along the frontier between Laos and Vietnam bounded on the south by the line Sop Kin, Na Mi-Sop Sang, Muong Son.

Concentration shall be completed within 120 days from the date of entry into force of the present agreement.

Article 15

Each party undertakes to refrain from any reprisals or discrimination against persons or organizations for their activities during the hostilities and also undertakes to guarantee their democratic freedoms.

Chapter IV—Prisoners of war and civilian internees

Article 16

The liberation and repatriation of all prisoners of war and civilian internees detained by each of the two parties at the coming into force of the present agreement shall be carried out under the following conditions:

(a) All prisoners of war and civilian internees of Laotian and other nationalities captured since the beginning of hostilities in Laos, during military operations or in any other circumstances of war and in any part of the territory of Laos, shall be liberated within a period of 30 days after the date when the cease-fire comes into effect.

(b) The term "civilian internees" is understood to mean all persons who, having in any way contributed to the political and armed strife between the two parties, have

been arrested for that reason or kept in detention by either party during the period of hostilities.

(c) All foreign prisoners of war captured by either party shall be surrendered to the appropriate authorities of the other party, who shall give them all possible assistance in proceeding to the destination of their choice.

Chapter V—Miscellaneous

Article 17

The commanders of the forces of the two parties shall ensure that persons under their respective commands who violate any of the provisions of the present agreement are suitably punished.

Article 18

In cases in which the place of burial is known and the existence of graves has been established, the commander of the forces of either party shall, within a specified period after the entry into force of the present agreement, permit the graves service of the other party to enter that part of Laotian territory under his military control for the purpose of finding and removing the bodies of deceased military personnel of that party, including the bodies of deceased prisoners of war.

The Joint Commission shall fix the procedures by which this task is carried out and the time limits within which it must be completed. The commanders of the forces of each party shall communicate to the other all information in his possession as to the place of burial of military personnel of the other party.

Article 19

The present agreement shall apply to all the armed forces of either party. The armed forces of each party shall respect the territory under the military control of the other party, and engage in no hostile act against the other party.

For the purpose of the present article the word "territory" includes territorial waters and air space.

Article 20

The commander of the forces of the two parties shall afford full protection and all possible assistance and cooperation to the Joint Commission and its joint organs and to the International Commission and its inspection teams in the performance of the functions and tasks assigned to them by the present agreement.

Article 21

The costs involved in the operation of the Joint Commission and its joint groups and of the International Commission and its inspection teams shall be shared equally between the two parties.

Article 22

The signatories of the present agreement and their successors in their functions shall be responsible for the observance and enforcement of the terms and provisions thereof. The commanders of the forces of the two parties shall, within their respective commands, take all steps and make all arrangements necessary to insure full compliance with all the provisions of the present agreement by all military personnel under their command.

Article 23

The procedures laid down in the present agreement shall, whenever necessary, be examined by the commanders of the two parties and, if necessary, defined more specifically by the Joint Commission.

Chapter VI—Joint Commission and International Commission for Supervision and Control in Laos

Article 24

Responsibility for the execution of the agreement on the cessation of hostilities shall rest with the parties.

Article 25

An International Commission shall be entrusted with control and supervision over the application of the provisions of the agreement on the cessation of hostilities in Laos. It shall be composed of representatives of the following states: Canada, India, and Poland. It shall be presided over by the representative of India. Its headquarters shall be at Vientiane.

Article 26

The International Commission shall set up fixed and mobile inspection teams, composed of an equal number of officers appointed by each of the above-mentioned states.

The fixed teams shall be located at the following points: Paksé, Seno, Tchépone, Vientiane, Xieng-Khonang, Phongsaly, Sophao (Province of Samneua). These points of location may, at a later date, be altered by agreement between the Government of Laos and the International Commission.

The zones of action of the mobile teams shall be regions bordering the land frontiers of Laos. Within the limits of their zones of action they shall have the right to move freely and shall receive from the local civil and military authorities all facilities they may require for the fulfillment of their tasks (provisons of personnel, access to documents needed for supervision, summoning of witnesses needed for holding inquiries, the security and freedom of movement of the inspection teams, etc. * * *). They shall have at their disposal such modern means of transport, observation, and communication as they may require.

Outside the zones of action defined above, the mobile teams may, with the agreement of the command of the party concerned, move about as required by the tasks assigned to them by the present agreement.

Article 27

The International Commission shall be responsible for supervising the execution by the parties of the provisions of the present agreement. For this purpose it shall fulfill the functions of control, observation, inspection, and investigation connected with the implementation of the provisions of the agreement on the cessation of hostilities, and shall in particular—

(a) Control the withdrawal of foreign forces in accordance with the provisions of the agreement on the cessation of hostilities and see that frontiers are respected;

(b) Control the release of prisoners of war and civilian internees;

(c) Supervise, at ports and airfields and along all the frontiers of Laos, the implementation of the provisions regulating the introduction into Laos of military personnel and war materials;

(d) Supervise the implementation of the clauses of the agreement on the cessation of hostilities relating to rotation of personnel and to supplies for French Union security forces maintained in Laos.

Article 28

A Joint Commission shall be set up to facilitate the implementation of the clauses relating to the withdrawal of foreign forces.

The Joint Commission shall form joint groups, the number of which shall be decided by mutual agreement between the parties.

The Joint Commission shall facilitate the implementation of the clauses of the agreement on the cessation of hostilities relating to the simultaneous and general cease fire in Laos for all regular and irregular armed forces of the two parties.

It shall assist the parties in the implementation of the said clauses; it shall insure liaison between them for the purpose of preparing and carrying out plans for the implementation of the said clauses; it shall endeavor to settle any disputes between the parties arising out of the implementation of these clauses. The joint groups shall follow the forces in their movements and shall be disbanded once the withdrawal plans have been carried out.

Article 29

The Joint Commission and the joint groups shall be composed of an equal number of representatives of the commands of the parties concerned.

Article 30

The International Commission shall, through the medium of the inspection teams mentioned above, and as soon as possible, either on its own initiative or at the request of the Joint Commission, or of one of the parties, undertake the necessary investigations, both documentary and on the ground.

Article 31

The inspection teams shall submit to the International Commission the results of their supervision, investigation, and observations; furthermore, they shall draw up such special reports as they may consider necessary or as may be requested from them by the Commission. In the case of a disagreement within the teams, the findings of each member shall be transmitted to the Commission.

Article 32

If an inspection team is unable to settle an incident or considers that there is a violation or a threat of a serious violation, the International Commission shall be informed; the latter shall examine the reports and findings of the inspection teams and shall inform the parties of the measures which should be taken for the settlement of the incident, ending of the violation or removal of the threat of violation.

Article 33

When the Joint Commission is unable to reach an agreement on the interpretation of a provision or on the appraisal of a fact, the International Commission shall be informed of the disputed question. Its recommendations shall be sent directly to the parties and shall be notified to the Joint Commission.

Article 34

The recommendations of the International Commission shall be adopted by majority vote, subject to the provisions contained in article 35. If the votes are equally divided, the chairman's vote shall be decisive.

The International Commission may make recommendations concerning amendments and additions which should be made to the provisions of the agreement on the cessation of hostilities in Laos, in order to ensure more effective execution of the said agreement. These recommendations shall be adopted unanimously.

Article 35

On questions concerning violations, or threats of violations, which might lead to a resumption of hostilities, and in particular, (a) refusal by foreign armed forces to effect the movements provided for in the withdrawal plan; (b) violation or threat of violation of the country's integrity by foreign armed forces; the decisions of the International Commission must be unanimous.

Article 36

If one of the parties refuses to put a recommendation of the International Commission into effect, the parties concerned or the Commission itself shall inform the members of the Geneva Conference.

If the International Commission does not reach unanimity in the cases provided for in article 35, it shall transmit a majority report and one or more minority reports to the members of the conference.

The International Commission shall inform the members of the conference of all cases in which its work is being hindered.

Article 37

The International Commission shall be set up at the time of the cessation of hostilities in Indochina in order that it may be able to fulfill the tasks prescribed in article 27.

Article 38

The International Commission for Supervision and Control in Laos shall act in close cooperation with the International Commissions in Vietnam and Cambodia.

The secretaries-general of these three commissions shall be responsible for coordinating their work and for relations between them.

Article 39

The International Commission for Supervision and Control in Laos may, after consultation with the International Commissions in Cambodia and Vietnam, having regard to the development of the situation in Cambodia and Vietnam, progressively reduce its activities. Such a decision must be reduced unanimously. These recommendations shall be adopted unanimously.

Chapter VII

Article 40

All the provisions of the present Agreement, save paragraph (a) of article 2, shall enter into force at 24 hours (Geneva time) on 22 July 1954.

Article 41

Done in Geneva (Switzerland) on 20 July 1954, at 24 hours, in the French language.

GENEVA CONFERENCE—INDOCHINA

AGREEMENT ON THE CESSATION OF HOSTILITIES IN CAMBODIA

[IC/52, 21 July, 1954 Original: French]

Chapter I—Principles and conditions governing execution of the Cease-Fire

Article 1

As from July 23, 1954 at 0800 hours (Pekin mean time) complete cessation of all hostilities throughout Cambodia shall be ordered and enforced by the commanders of the armed forces of the two parties for all troops and personnel of the land, naval and air forces under their control.

Article 2

In conformity with the principle of a simultaneous cease-fire throughout Indochina, there shall be a simultaneous cessation of hostilities throughout Cambodia, in all the combat areas and for all the forces of the two parties.

To obviate any mistake or misunderstanding and to ensure that both the ending of hostilities and all other operations arising from cessation of hostilities are in fact simultaneous,

(a) due allowance being made for the time actually required for transmission of the cease-fire order down to the lowest echelons of the combatant forces of both sides, the two parties are agreed that the complete and simultaneous cease-fire throughout the territory of Cambodia shall become effective at 8 hours (local time) on 7 August 1954. It is agreed that Pekin mean time shall be taken as local time.

(b) Each side shall comply strictly with the timetable jointly agreed upon between the parties for the execution of all operations connected with the cessation of hostilities.

Article 3

All operations and movements connected with the execution of the cessation of hostilities must be carried out in a safe and orderly fashion.

(a) Within a number of days to be determined by the commanders of both sides, after the cease-fire has been achieved, each party shall be responsible for removing and neutralizing mines, booby traps, explosives, and any other dangerous devices placed by it. Should it be impossible to complete removal and neutralization before departure, the party concerned will mark the spot by placing visible signs. Sites thus cleared of mines and any other obstacles to the free movement of the personnel of the International Commission and the Joint Commission shall be notified to the latter by the local military commanders.

(b) Any incidents that may arise between the forces of the two sides and may result from mistakes or misunderstandings shall be settled on the spot so as to restrict their scope.

(c) During the days immediately preceding the cease-fire each party undertakes not to engage in any large-scale operation between the time when the agreement on the cessation of hostilities is signed at Geneva and the time when the cease-fire comes into effect.

Chapter II—Procedure for the withdrawal of the foreign armed forces and foreign military personnel from the territory of Cambodia

Article 4

1. The withdrawal outside the territory of Cambodia shall apply to:

(a) the armed forces and military combatant personnel of the French Union:

(b) the combatant formations of all types which have entered the territory of Cambodia from other countries or regions of the peninsula:

(c) all the foreign elements (or Cambodians not natives of Cambodia) in the military formations of any kind or holding supervisory functions in all political or military, administrative, economic, financial or social bodies, having worked in liaison with the Vietnam military units.

2. The withdrawals of the forces and elements referred to in the foregoing paragraphs and their military supplies and materials must be completed within 90 days reckoning from the entry into force of the present agreement.

3. The two parties shall guarantee that the withdrawals of all the forces will be effected in accordance with the purposes of the agreement, and that they will not permit any hostile action or take any action likely to create difficulties for such withdrawals. They shall assist one another as far as possible.

4. While the withdrawals are proceeding, the two parties shall not permit any destruction or sabotage of public property or any attack on the life or property of the civilian population. They shall not permit any interference with the local civil administration.

5. The Joint Commission and the International Supervisory Commission shall supervise the execution of measures to insure the safety of the forces during withdrawal.

6. The Joint Commission in Cambodia shall determine the detailed procedures for the withdrawals of the forces on the basis of the above-mentioned principles.

Chapter III—Other questions

A. The Khmer Armed Forces, Natives of Cambodia

Article 5

The two parties shall undertake that within 30 days after the cease-fire order has been proclaimed, the Khmer resistance forces shall be demobilized on the spot; simultaneously, the troops of the Royal Khmer Army shall abstain from taking any hostile action against the Khmer resistance forces.

Article 6

The situation of these nationals shall be decided in the light of the declaration made by the delegation of Cambodia at the Geneva Conference, reading as follows:

"The Royal Government of Cambodia, in the desire to ensure harmony and agreement among the peoples of the kingdom, declares itself resolved to take the necessary measures to integrate all citizens, without discrimination, into the national community and to guarantee them the enjoyment of the rights and freedoms for which the constitution of the kingdom provides; affirms that all Cambodian citizens may freely participate as electors or candidates in general elections by secret ballot."

No reprisals shall be taken against the said nationals or their families, each national being entitled to the enjoyment, without any discrimination as compared with other nationals, of all constitutional guaranties concerning the protection of persons and property and democratic freedoms.

Applicants therefor may be accepted for service in the regular army or local police formations if they satisfy the conditions required for current recruitment of the army and police corps.

The same procedure shall apply to those persons who have returned to civilian life and who may apply for civilian employment on the same terms as other nationals.

B. Ban on the Introduction of Fresh Troops, Military Personnel, Armaments and Munitions, Military Bases

Article 7

In accordance with the declaration made by the delegation of Cambodia at 2400 hours on July 20, 1954, at the Geneva Conference of Foreign Ministers:

"The Royal Government of Cambodia will not join in any agreement with other states, if this agreement carries for Cambodia the obligation to enter into a military alliance not in conformity with the principles of the Charter of the United Nations, or, as long as its security is not threatened, the obligation to establish bases on Cambodian territory for the military forces of foreign powers.

"During the period which will elapse between the date of the cessation of hostilities in Vietnam and that of the final settlement of political problems in this country, the Royal Government of Cambodia will not solicit foreign aid in war material, personnel, or instructors except for the purpose of the effective defense of the territory."

C. Civilian Internees and Prisoners of War—Burial

Article 8

The liberation and repatriation of all civilian internees and prisoners of war detained by each of the two parties at the coming into force of the present agreement shall be carried out under the following conditions:

(a) All prisoners of war and civilian internees of whatever nationality, captured since the beginning of hostilities in Cambodia during military operations or in any other circumstances of war and in any part of the territory of Cambodia shall be liberated after the entry into force of the present armistice agreement.

(b) The term "civilian internees" is understood to mean all persons who, having in any way contributed to the political and armed struggle between the two parties, have been arrested for that reason or kept in detention by either party during the period of hostilities.

(c) All foreign prisoners of war captured by either party shall be surrendered to the appropriate authorities of the other party, who shall give them all possible assistance in proceeding to the destination of their choice.

Article 9

After the entry into force of the present agreement, if the place of burial is known and the existence of graves has been established, the Cambodian commander shall, within a specified period, authorize the exhumation and removal of the bodies of deceased military personnel of the other party, including the bodies of prisoners of war or

personnel deceased and buried on Cambodian territory.

The Joint Commission shall fix the procedures by which this task is to be carried out and the time limit within which it must be completed.

Chapter IV—Joint Commission and International Commission for Supervision and Control in Cambodia

Article 10

Responsibility for the execution of the agreement on the cessation of hostilities shall rest with the parties.

Article 11

An International Commission shall be responsible for control and supervision of the application of the provisions of the agreement on the cessation of hostilities in Cambodia. It shall be composed of representatives of the following States: Canada, India, and Poland. It shall be presided over by the representative of India. Its headquarters shall be at Phnom-Penh.

Article 12

The International Commission shall set up fixed and mobile inspection teams, composed of an equal number of officers appointed by each of the above-mentioned States.

The fixed teams shall be located at the following points: Phnom-Penh, Kompong-Cham, Kratié, Svay-Rieng, Kampot. These points of location may be altered at a later date by agreement between the Government of Cambodia and the International Commission.

The zones of action of the mobile teams shall be the regions bordering on the land and sea frontiers of Cambodia. The mobile teams shall have the right to move freely within the limits of their zones of action, and they shall receive from the local civil and military authorities all facilities they may require for the fulfillment of their tasks (provision of personnel, access to documents needed for supervision, summoning of witnesses needed for inquiries, security and freedom of movement of the inspection teams, etc.). They shall have at their disposal such modern means of transport, observation and communication as they may require.

Outside the zones of action defined above, the mobile teams may, with the agreement of the Cambodian command, move about as required by the tasks assigned to them under the present agreement.

Article 13

The International Commission shall be responsible for supervising the execution by the parties of the provisions of the present agreement. For this purpose it shall fulfill the functions of control, observation, inspection, and investigation connected with the implementation of the provisions of the agreement on the cessation of hostilities, and shall in particular: (a) control the withdrawal of foreign forces in accordance with the provisions of the agreement on the cessation of hostilities and see that frontiers are respected; (b) control the release of prisoners of war and civilian internees; (c) supervise, at ports and airfields and along all the frontiers of Cambodia, the application of the Cambodian declaration concerning the introduction into Cambodia of military personnel and war materials on grounds of foreign assistance.

Article 14

A joint commission shall be set up to facilitate the implementation of the clauses relating to the withdrawal of foreign forces.

The joint commission may form joint groups the number of which shall be decided by mutual agreement between the parties.

The joint commission shall facilitate the implementation of the clauses of the agreement on the cessation of hostilities relating to the simultaneous and general cease-fire in Cambodia for all regular and irregular armed forces of the two parties.

It shall assist the parties in the implementation of the said clauses; it shall insure liaison between them for the purpose of preparing and carrying out plans for the implementation of the said clauses; it shall endeavor to settle any disputes between the parties arising out of the implementation of these clauses. The joint commission may send joint groups to follow the forces in their movements; such groups shall be disbanded once the withdrawal plans have been carried out.

Article 15

The joint commission shall be composed of an equal number of representatives of the commands of the parties concerned.

Article 16

The International Commission shall, through the medium of the inspection teams mentioned above and as soon as possible, either on its own initiative or at the request of the Joint Commission or of one of the parties, undertake the necessary investigations both documentary and on the ground.

Article 17

The inspection teams shall transmit to the International Commission the results of their supervision, investigations, and observations; furthermore, they shall draw up such special reports as they may consider necessary or as may be requested from them by the Commission. In the case of a disagreement within the teams, the findings of each member shall be transmitted to the Commission.

Article 18

If an inspection team is unable to settle an incident or considers that there is a violation or threat of a serious violation, the International Commission shall be informed; the Commission shall examine the reports and findings of the inspection teams and shall inform the parties of the measures to be taken for the settlement of the incident, ending of the violation or removal of the threat of violation.

Article 19

When the Joint Commission is unable to reach agreement on the interpretation of a provision or on the appraisal of a fact, the International Commission shall be informed of the disputed question. Its recommendations shall be sent directly to the parties and shall be notified to the Joint Commission.

Article 20

The recommendations of the International Commission shall be adopted by a majority vote, subject to the provisions of article 21. If the votes are equally divided, the Chairman's vote shall be decisive.

The International Commission may make recommendations concerning amendments and additions which should be made to the provisions of the agreement on the cessation of hostilities in Cambodia, in order to insure more effective execution of the said agreement. These recommendations shall be adopted unanimously.

Article 21

On questions concerning violations, or threats of violations, which might lead to a resumption of hostilities, and in particular, (a) refusal by foreign armed forces to effect the movements provided for in the withdrawal plan, (b) violation or threat of violation of the country's integrity by foreign armed forces, the decisions of the International Commission must be unanimous.

Article 22

If one of the parties refuses to put a recommendation of the International Commission into effect, the parties concerned or the Commission itself shall inform the members of the Geneva Conference.

If the International Commission does not reach unanimity in the cases provided for in article 21, it shall transmit a majority report and one or more minority reports to members of the Conference.

The International Commission shall inform the members of the Conference of all cases in which its work is being hindered.

Article 23

The International Commission shall be set up at the time of the cessation of hostilities in Indochina in order that it may be able to perform the tasks prescribed in article 13.

Article 24

The International Commission for Supervision and Control in Cambodia shall act in close cooperation with the International Commissions in Vietnam and Laos.

The Secretaries-General of those three Commissions shall be responsible for coordinating their work and for relations between them.

Article 25

The International Commission for Supervision and Control in Cambodia may, after consultation with the International Commissions in Vietnam and in Laos, and having regard to the development of the situation in Vietnam and in Laos, progressively reduce its activities. Such a decision must be adopted unanimously.

Chapter V—Implementation

Article 26

The commanders of the forces of the two parties shall insure that persons under their respective commands who violate any of the provisions of the present agreement are suitably punished.

Article 27

The present agreement on the cessation of hostilities shall apply to all the armed forces of either party.

Article 28

The commanders of the forces of the two parties shall afford full protection and all possible assistance and cooperation to the Joint Commission and to the International Commission and its inspection teams in the performance of their functions.

Article 29

The Joint Commission, composed of an equal number of representatives of the commands of the two parties, shall assist the parties in the implementation of all the clauses of the agreement on the cessation of hostilities, insure liaison between the two parties, draw up plans for the implementation of the agreement, and endeavor to settle any dispute arising out of the implementation of the said clauses and plans.

Article 30

The costs involved in the operation of the Joint Commission shall be shared equally between the two parties.

Article 31

The signatories of the present agreement on the cessation of hostilities and their successors in their functions shall be responsible for the observance and enforcement of the terms and provisions thereof. The commanders of the forces of the two parties shall, within their respective commands, take all steps and make all arrangements necessary to insure full compliance with all the provisions of the present agreement by all personnel under their command.

Article 32

The procedures laid down in the present agreement shall, whenever necessary, be examined by the commands of the two parties and, if necessary, defined more specifically by the Joint Commission.

Article 33

All the provisions of the present agreement shall enter into force at 00 hours (Geneva time) on 23 July 1954.

Done at Geneva on 20 July 1954.

TA-QUANG-BUU,
Vice Minister of National Defense of the Democratic Republic of Vietnam

(For the commander in chief of the units of the Khmer resistance forces and for the commander in chief of the Vietnamese military units).

GEN. NHIEK TIOULONG

(For the commander in chief of the Khmer national armed forces).

APPENDIX II

BIOGRAPHIES OF VARIOUS PERSONAGES IN INDOCHINA

VIETNAMESE

Bao Dai, Chief of State of Vietnam

Prior to the end of World War II, Bao Dai was Emperor of Annam, then a protectorate of France. He ascended the imperial throne of Annam in 1926 at the age of 12. In 1945 Bao Dai abdicated the throne, and the empire of Annam became extinct as a political entity. For a few months in 1945 and 1946 Bao Dai served as "supreme adviser" for the government of Ho Chi Minh, then established in Hanoi, but in the spring of 1946 he went to Hong Kong, where he remained for several years in exile. In 1949 he concluded an agreement with France to establish the State of Vietnam, of which he is sovereign, ruling with the title of Chief of State. His wife, the Empress Nam Phuong, has been living in France for some time with their children. Bao Dai has also been living in France since April 1954.

Ngo Dinh Diem, President of the Council of Ministers of the State of Vietnam

Born in Hue in 1901, Diem belongs to an old and distinguished Mandarin family of central Vietnam. After graduating from the Hanoi School of Administration, he entered the mandarinate and rose rapidly to become Province Chief in 1930. In this capacity he is said to have used very drastic measures to repress revolutionary activities in his province. In 1932 he headed a commission to investigate charges of corruption in the Annamese administration, and in 1933 he became Minister of the Interior under the new Emperor of Annam, Bao Dai.

When the reform program he believed in was shelved, Diem promptly resigned and went into political retirement, part of which he spent in Japan.

After the March 9, 1945, Japanese coup in Indochina, Diem turned down an offer to form a new government under Bao Dai (sponsored by the Japanese) and a later offer to serve as Ho Chi Minh's Minister of Interior.

The Vietminh arrested Diem in September 1945 and released him in March 1946, at which time he went into hiding in Hanoi. From 1947 to 1949 he played an active role in negotiations for Bao Dai's return to power. Recognized throughout Vietnam as the most important true nationalist, Diem was able to rally much support to what seemed then to be the answer to Vietnamese nationalist aspirations.

However, Diem favored a bilateral alliance with France (rather than membership in the French Union as then conceived), and opposed the continued presence of French Army, police, and security systems as incompatible with Vietnamese sovereignty.

In disagreement with the policies of Bao Dai and the French authorities, Diem consequently refused Bao Dai's offer to lead or support a Vietnamese government set up in accordance with the Franco-Vietnamese agreements of March 8, 1949.

Diem went into self-imposed exile in France, Belgium, the United States (2 years). However, in June 1954, after the fall of Dien Bien Phu, and while the Geneva Conference was still in process, Diem was given full powers by Chief of State Bao Dai (then residing in France), and returned to form a new government which took office July 6, 1954, and was soon faced with implementation of the Geneva agreement of July 22, 1954, which partitioned Vietnam at the 17th parallel, and started the flow of refugees from the Vietminh area in the north, to free Vietnam in the south.

Family: His father, Ngo Dinh Khai, was Minister of Rites at the Imperial Court of Annam and Lord Chamberlain to the Emperor Thanh Thai. His eldest brother, Ngo Dinh Khoi, Province Chief of Quang Nam Province, was killed by the Viet Minh in August 1945, together with the latter's son Ngo Dinh Huan. Another brother is Ngo Dinh Thuc, Bishop of Vinh Long, South Vietnam, one of the best-known members of the Vietnamese Catholic hierarchy. The three remaining brothers are Ngo Dinh Nhu, an archivist and paleographer by profession and a prominent Catholic nationalist, Ngo Dinh Diem's alter ego at the Presidential Palace Ngo Dinh Luyen, who has served Bao Dai at various times and now acts as a roving ambassador and his brother's eyes and ears in Paris, Geneva, Cannes, and elsewhere; and Ngo Dinh Can, who, with the mother, still lives in Hue.

Diem is a bachelor, an intellectual and Catholic.

Tran Van Do, Minister of Foreign Affairs

Brother of the Vietnamese Ambassador to the United States, Tran Van Chuong, Dr. Do belongs to a distinguished family of Cochinchinese origin, long resident in north Vietnam.

He studied medicine in France, practiced in Saigon, and was mobilized as first chief of the Vietnamese Army Medical Corps with the rank of colonel.

Dr. Do's present position is his first government post.

Nguyen Van Hinh, major general, chief of staff, Vietnamese National Army

Born in 1916, Hinh is the son of former President Tam. During World War II, General Hinh served as a lieutenant colonel in the French Air Force. After 1949 he held a number of positions in the Vietnamese Government. He was appointed brigadier general in the Vietnamese National Army and named to his present position as chief of staff in 1952. His wife, a Frenchwoman, is active in the social-welfare work of the Vietnamese National Army.

Prince Buu Loc, High Commissioner of Vietnam in France

Born August 22, 1914, at Hue, central Vietnam. Member of the former imperial family of Annam, descendant of the Emperor Gialong and cousin of His Majesty Bao Dai. Doctor of political and economic science. Chairman of Vietnamese delegation of 1948–49 conference preceding signature of the Franco-Vietnamese accords of March 8, 1949. Director of the Imperial Cabinet at Dalat, 1949–50. Director of the Imperial Cabinet at Paris, 1950–52. First High Commissioner of Vietnam to France, 1952–53: Elevated to personal rank of Ambassador of Vietnam July 27, 1952, and presented credentials to President of French Union on September 16, 1952. Special imperial envoy charged with the organization of the Vietnamese National Congress, October 1953. Designated by Bao Dai to form government December 1953, he assumed office January 1954. His government was replaced by the Diem government in July 1954. Buu Loc is currently High Commissioner of Vietnam in France.

Nguyen Van Tam, former President of the Government of Vietnam and Minister of the Interior

Former President Tam rose to that position through a life of Government service, having worked for many years in the French colonial administration of prewar Cochinchina (now South Vietnam). Following the reestablishment of French control in Cochinchina in 1945, he became active in the now defunct Cochinchina separatist movement, which advocated the establishment of an independent Republic of Cochinchina.

In 1950 Tam became Director of the National Security Service (Sureté) of Vietnam. Rising through a series of appointments, he was named in June 1952 to the post of President of the Government (equivalent to Prime Minister), which position he held along with the post of Minister of the Interior until his government was replaced by that of Buu Loc in January 1954.

Former President Tam was born in Cochinchina in 1895. He is a widower. Of his children, one daughter remains unmarried, and his son, Gen. Nguyen Van Hinh, is chief of staff of the Vietnamese National Army.

Tran Van Huu, former President of the Council of Ministers

Born in 1896 at Vinh Long, South Vietnam, Tran Van Huu studied in Saigon and then went to North Africa, where he received the diploma of agricultural engineer. Returning to Indochina, he obtained posts first in the agricultural service and then in the Credit Foncier, a land-mortgage bank. He was elected to various consultative councils in the prewar period, and also served in the provisional government of the Republic of Cochinchina. In July 1949, he became Governor of South Vietnam in Bao Dai's government, continuing to serve under Nguyen Phan Long, and then was appointed President of the Council of Ministers, Foreign Minister, and Minister of National Defense on May 8, 1950. As Prime Minister, he led the Vietnamese delegation to the San Francisco Conference of 1951. In June of 1952 he was replaced as Prime Minister by Nguyen Van Tam.

Nguyen Van Xuan, general in the French Army

Xuan is the only Vietnamese officer to have attained the rank of general in the French Army.

Born in 1892, in Cochinchina, he was the first Vietnamese admitted to the Paris Ecole Polytechnique. He became a French citizen, fought in World War I, and distinguished himself at Verdun.

In World War II, he was chief of the 3e bureau, and served in the military section of the Ministry of Colonies. He was imprisoned briefly during the French retreat in 1940, was released, and returned to Indochina in 1941. In 1942, he was subdirector of artillery of Cochinchina-Cambodia (as an officer in the French Army).

He refused the Japanese offer of head of the Ministry of War in a puppet government. After the March 1945 coup, he was imprisoned in Hanoi until the Japanese surrender.

He refused to take part in the Viet Minh Government of August 1945.

General Xuan organized native armies in Cambodia and Laos. He headed the Cochinchina delegations to the Dalat conferences, in 1946.

In 1946, he became Minister of National Defense, and Vice President of the first provisional government under Nguyen Van Tinh, then Vice President under Le Van Hoach in 1947, and finally President and Minister of Interior and of National Defense of the Provisional Central Government in 1948. He participated in the Baie d'Along meeting and worked untiringly for the return of Bao Dai.

In 1949, he retired as President of the provisional government and became Vice President and Minister of National Defense in the Bao Dai government of 1949, and was promoted to major general in the French Army.

He has been out of office since January 1950, but is still active in politics.

General Xuan has a French wife. He speaks and understands almost no Vietnamese as he has spent most of his life in France.

Nguyen Phan Long, former President of the Council of Ministers

Long, journalist and President of the Council of Ministers in 1950, is a veteran politician who has become one of Vietnam's elder statesmen. Born in Hanoi in 1889 of Cochinchinese parents, Long has spent most of his life in the south. After attending college in Hanoi, he was employed in the French Customs Administration and then founded the conservative Constitutionalist Party. He subsequently became the owner of a boys' school, which he sold in 1930 to enter the newspaper field, gaining the reputation of being one of the country's best journalists. He served on various consultative councils in the prewar period, and presumably continued his newspaper work during World War II and afterward. After 6 months as Foreign Minister under Bao Dai, Long assumed the premiership in January 1950, but friction with the conservative nationalist Dai Viet party contributed to the cabinet's downfall a few months later. Since then he has not actively participated in journalism or in politics, although he was a delegate to the national congress held in mid-October 1953.

Long is a conservative nationalist who at first favored Ho Chi Minh, but who changed his attitude completely, backing Bao Dai when Ho's Communist allegiance became clear. He now has little following among Vietnamese, and his age is a deterring factor on his future role. He speaks excellent French. He belongs to a sect of the Cao Dai religion considered heretical by the Cao Dai pope.

Phan Huy Quat, former Minister of National Defense in Long, Tam, and Buu Loc governments

Born July 1, 1909, in the Province of Ha-Tinh, Central Vietnam. Son of a landowner who was also a doctor of letters. Admitted to the Faculté de Médecine of the University of Hanoi in 1930 and received his doctoral degree in 1936 with a gold medal for the excellence of his thesis. He was one of the founders and the first elected president of the Association Générale des Etudiants of the University of Hanoi in 1936; in this capacity he devoted himself to bringing together students from north and south Vietnam. From 1936 to 1945 he engaged in the general practice of medicine in Hanoi as well as in teaching at the Faculté de Médicine of the university, where he remained a counselor of the Association Générale des Etudiants, which he had helped found. He acquired a distinguished reputation as a parasitologist. Secretary of State for National Education in the Bao Dai government of National Union, 1949. Minister of National Defense in the Nguyen van Long government, 1950. Minister of National Defense in the former Nguyen van Tam and Buu Loc governments, he holds no government post at present. He is one of the leaders of the Dai Viet Party, a conservative nationalist group with greatest strength in north Vietnam.

Le Huu Tu, Roman Catholic bishop of Phat Diem

Tu was the senior bishop and dominating personality in the rice-rich area of Phat Diem-Bui Chu in the Tonkin Delta now located in the Viet Minh zone. A native of central Vietnam, Tu was born in 1897 and presumably was educated in Indochina. Named bishop in 1945, he functioned from 1945 to 1951 virtually as an independent ruler of an autonomous state populated by some 1,800,000 people, less than 25 percent of whom are Catholic, exercising civil and religious control and commanding his own armed forces. In 1951 Phat Diem again became an administrative part of north Vietnam.

Although rabidly anti-Communist, Tu supported the anti-French, anticolonial stand of Ho Chi Minh, but succeeded in maintaining a position of autonomy during the period from 1945 to 1949 when Phat Diem was part of Viet Minh-occupied territory. Tu then strongly backed Bao Dai as the only counter to the Communist Ho Chi Minh, and was a member of the organizing committee of the National Congress called by the Chief of State to define Vietnamese independence and future relationship with France. Since the Viet Minh occupation of his bishopric, Tu has been active in encouraging Catholics to flee south to the free zone.

Pham Cong Tac, Cao Dai Pope

Pham Cong Tac is father superior, or pope, of the principal sect of the Cao Dai religion, the largest and most significant indigenous Vietnamese cult. Formally established in 1926, Cao Dai combines elements of Buddhism, Confucianism, Christianity, Taoism, and Animism, that is, the principal religions practiced in Indochina. Tac is temporal ruler of most of Tay Ninh Province and parts of others adjacent to it, and is nominally the commander in chief of the sizable Cao Dai paramilitary forces.

Tac was born in 1893, in Tan An Province in south Vietnam. There is no information concerning his education or family background. Before the founding of the Cao Dai religion Tac was a clerk in the customs service in Saigon, but since 1925 he has devoted himself to various posts within the Cao Dai hierarchy, becoming pope in 1936. Because of secret relations with the Japanese during World War II, Tac was exiled to Madagascar by the French. When he returned in 1946 he found the Holy See at Tay Ninh and the surrounding area ruled by the Viet Minh. Since that time Tac has been strongly opposed to the Communists, and long supported Bao Dai. He refused to allow the Cao Dai to be represented officially in the Vietnamese Government until recently, but he was a member of the organizing committee of the Bao Dai-sponsored national congress, any many Cao Daists participated in the local elections of 1953. In May 1954 the pope sent a personal, friendly message to Ho Chi Minh advocating peace and collaboration.

Tran Van Tuyen, Cao Dai leader

Tuyen was born in 1913 in Hanoi, where he also attended university, receiving a law degree in 1942. During the early forties he was engaged in educational activities and as province chief of Hai Duong, east of Hanoi. In 1946 he fled to China, following several months of association with the Ho Chi Minh regime. In 1947 he joined Bao Dai, then in exile in Hong Kong, working closely with the latter. Following the establishment of the present state of Vietnam in 1949, he accepted various cabinet posts, but has remained outside the Government since the summer of 1951.

In 1950 he was converted to Cao Daism, a religious sect active in south Vietnam. At present he is political adviser to the Cao Daist armed forces, in which he himself holds the rank of lieutenant colonel. Tran Van Tuyen was an assistant secretary general of the October 1953 national congress called by Bao Dai.

General Le Van Vien (known as Bay Vien)

Commander of the Binh-Xuyen military forces which at one time supported the Viet Minh, but in 1948 switched to support Bao Dai.

The Binh Xuyen has a large interest in the Cholon gambling concession, and currently has control of the police force and Vietnamese Sûreté in the Saigon-Cholon area.

Le Van Vien is president of the Vietnam Front for National Salvation and honorary president of the Committee for Aid to Evacuees.

Tran Van Soai, commander of Hoa Hao forces

Tran Van Soai is titular commander of the paramilitary forces organized in July 1947 by the Hoa Hao, a south Vietnamese political-religious sect, to rid their areas of Viet Minh troops. Soai holds the military rank of general, given by the French partly as a reward and partly for his continued cooperation. Hoa Hao opposition to the Viet Minh arises from the Viet Minh's assassination of the founder of the sect in 1947. Soai has largely rid the region under his control of Viet Minh elements, and collects his own taxes, administers his own justice, and, with the help of the French military, trains his own troops.

Soai is a native of Lon Xugen Province, south Vietnam, and is about 60 years old. He has a long police record of thefts and assaults, dating from his days as river-boat skipper or pirate and head of a gang of local ruffians.

The Hoa Hao was represented on the organizing committee of the Bao Dai-sponsored national congress in October 1953.

Dr. Pham Van Ngoi, secretary general of the south Vietnam Socialist Party

In 1947, he was a councilor of the Cochinchinese Government of Le Van Hoach. He, his wife, and 16-year-old son were kidnapped by the Viet Minh and returned unharmed in exchange for certain prisoners held by the Vietnamese.

In 1953, Ngoi favored a constitution, universal suffrage, and a provisional national assembly in the controlled zone.

At present, Ngoi advocates a government uniting all elements and with democratic and socialist orientation. Such a government's first job would be to set up a provisional national assembly, as widely representative as possible, and to organize general elections with a minimum of delay. Ngoi also favors calling a national congress of leading personalities from north and south to form a government of true patriots who would work to reunite Vietnam.

Buu Hoi, scientist, research scholar at the National Center of Scientific Research, Paris

Born in Hue in 1915. Member of the imperial family (cousin of Bao Dai) and descendant of a long line of poets, writers, high court officials.

Following secondary schooling in Hanoi (with Buu Loc, Nguyen Duong Dinh, General Giap), Buu Hoi followed courses for a while at the University of Hanoi, then left for Paris at the age of 20 to devote himself to scientific research, specializing in organic chemistry. He is credited with noteworthy achievements in research on leprosy and tuberculosis.

After attending the Ecole Polytechnique, he joined the staff as instructor and in 1943 entered the Institute of Radium in Paris where he is currently chief of the Laboratory of Organic Chemistry.

FRENCH

Paul Ely, Commissioner General of France and Commander in Chief of French Union forces in Indochina

Born in 1897 at Salonika, Macedonia. General Ely graduated from St. Cyr, fought in World War I, attended the French war college, and was appointed, in 1939, to the army general staff.

He was assigned to Oran in November 1942. After the liberation, he was made assistant director of the FFI, and then brigadier general in charge of infantry.

From 1945 to 1948 he was successively assistant director, then director of the military cabinet in the Ministry of War, commander of the 7th military region at Dijon, and chief of staff to the inspector general of land forces.

General Ely headed the French mission to the Standing Group of the Atlantic Pact Group, and subsequently replaced General Bradley as head of the group. In 1953 he was appointed chief of staff for land forces.

General Ely was chief of the French mission which visited Washington in 1954 to discuss Indochina affairs. After the fall of Dien Bien Phu, General Ely, accompanied by Generals Salan and Pelissier, undertook a 2 weeks' survey of the situation in Indochina and reported back to Paris.

General Ely returned to Indochina in June 1954, to assume his present dual role of Commissoner General of France and Commander in Chief of French Union forces in Indochina.

Raoul Salan, Deputy Commander in Chief of French Union forces in Indochina

Born in 1899, General Salan is a graduate of St. Cyr. He fought in World War I and later commanded an infantry company in Indochina. He became a specialist on Indochina in the Ministry of Foreign Affairs in Paris, where he remained until World War II, when he fought under General de Lattre, spearheading the thrust into Germany.

In 1945 General Salan served under General Leclerc as Commander in Chief of French forces in China and North Indochina. After negotiating the withdrawal of the Chinese occupation troops in Indochina, he took part in preparing the March 6, 1946, agreement with Ho Chi Minh. In 1947 he was put in command of French troops in northern Indochina, and launched an offensive in the Tonkin region after Ho Chi Minh violated the modus vivendi agreements signed at Fontainebleau.

Salan's assignment to Paris as director of colonial troops, in 1949, lasted for only a brief period, for General de Lattre recalled him to Indochina, in 1950, to serve as his operational assistant.

After General de Lattre's death, General Salan was made commander in chief of ground, air, and naval forces in Indochina until May 1953 when, replaced by General Navarre, he returned to France as inspector general of territorial defense, and member of the high council of the armed forces.

He came back to Indochina in May 1954 after the fall of Dien Bien Phu, as a member of General Ely's survey mission. Shortly thereafter he assumed his present post.

General Salan was awarded the American Distinguished Service Cross, as well as several high French and foreign decorations.

Jean Daridan, Deputy Commissioner General of France in Indochina, with rank of Ambassador

Born in 1906, M. Daridan specialized in paleography before entering the diplomatic service. From 1932 to 1943 he served in Athens, Rome, Prague, at the League of Nations, and in Belgrade. In 1943, he became chief of cabinet to the delegate general of the French Committee for National Liberation.

After serving in the FFI, he became counselor of embassy in Chungking in 1945, then counselor at Nanking, chargé d'affaires in Bangkok, and finally counselor in Washington from 1947 until July 1954, when he was appointed to his present post in Indochina.

Jean Sainteny, Delegate General of France in North Vietnam

Born in 1907 at Vesinet. Mobilized in 1939 in the land forces, then in air reconnaissance, he later joined the resistance. After escaping from the gestapo, he participated in planning for the Normandy landings, and on several occasions crossed enemy lines to bring vital information to General Patton.

In 1945, he headed French mission No. 5, with headquarters in Kunming, whose purpose it was to combat the Japanese and plan the return of the French to Indochina.

Sainteny entered Hanoi in August 1945, following the Japanese surrender. He was named Commissioner of the Republic of France for Tonkin and North Annam, and negotiated the March 6, 1946, agreement with Ho Chi Minh which enabled General Leclerc's forces to enter Hanoi.

Sainteny returned to Paris in 1947 after being seriously wounded in Hanoi at the outbreak of hostilities between the Viet Minh and the French in December 1946.

He returned to Indochina in his present capacity on August 27, 1954.

M. Sainteny is the son-in-law of M. Albert Sarraut, former Governor General in Indochina and now President of the French Union Assembly.

LAOTIAN

Sisavang Vong, King of Laos

King Sisavang Vong probably has had a longer reign than any other living sovereign, having ascended the throne of the now defunct Kingdom of Luang Prabang in 1904. In 1945, under pressure from the dissident Lao Issara (Free Laos) independence movement, he renounced his throne, but assumed it again in 1945, when the French reestablished control in Indochina. In more recent years, the poor health of the King has thrown increasing responsibilities upon the crown prince, Savang Vatthana.

Savang Vatthana, Crown Prince

Crown Prince Savang Vatthana, born in 1907, is the eldest of King Sisavang Vong. He was educated in law in France. He is married and is the father of five children. The poor health of the King throws a considerable burden upon the crown prince, although he has no formal political status whatever, except as heir to the throne. Prince Savang has visited the United States several times. He has headed the Laotian delegation at the San Francisco Conference of 1951.

Prince Souvanna Phouma, President of the Council of Ministers, Minister of Information

Prince Souvanna Phouma, born in northern Laos in 1901, was educated in engineering in France. He was active in the postwar Lao Issara (Free Laos) movement, but was one of the most prominent of the advocates of a return to the constituted government. He has held cabinet posts since February 1950 and was appointed President of the Council of Ministers (that is, Prime Minister) in the fall of 1951. He attended the San Francisco Conference of September 1951 as a member of the Laotian delegation.

Prince Souvanna Phouma is a half brother of the Laotian dissident leader, Prince Souphanouvong. His wife, a Franco-Laotian, is very active in governmental and educational affairs.

Phouy Sananikone, Vice President of the Council of Ministers, Minister of Foreign Affairs, of the Interior

In the troubled postwar years Phouy remained consistently loyal to the royal family of Laos. Educated entirely in Laos, he rose through the ranks of the civil service. In February 1950 he became President of the Council of Ministers (that is, Prime Minister), but resigned from this position in the fall of 1951. It was in this capacity that he attended the 1951 San Francisco Conference. A younger brother, Ngon Sananikone, is Laotian Minister to the Court of St. James. He recently headed the Lao delegation to the Geneva Conference.

Prince Souphanouvong, Laotian dissident

When the Viet Minh invaded Laos in the spring of 1953, it masked its aggression as a "Laotian independence movement," purportedly under the leadership of Prince Souphanouvong.

Souphanouvong was born in 1912, and is the half-brother of Prince Souvanna Phouma, present Prime Minister of Laos. He was educated in engineering at Hanoi and in France, and served for many years in Annam (now Central Vietnam) in the Administration of Public Works in Indochina. Following World War II, he was prominent in the Lao Issari (Free Laos) movement, but tended to diverge from that movement in that he advocated close collaboration with the Viet Minh. When other leaders of the Free Laos movement rallied to the present government in 1949, Souphanouvong remained apart, and became increasingly close to the Viet Minh. He is perhaps influenced in this orientation by his Vietnamese wife.

CAMBODIAN

Norodom Sihanouk Varman, King of Cambodia

King Norodom was born in Cambodia in 1922 and educated in French schools in Indochina and Paris. He ascended the throne in 1941. During World War II he was kept a virtual prisoner in his palace by the Japanese forces of occupation in Pnom Penh. After the war he went to France where he enrolled in cavalry school and achieved a brilliant record. The King returned to Cambodia in 1947 and instituted reforms which changed the government from an absolute to a constitutional monarchy under French protection. In 1953, the King won additional prerogatives from France, assuring the nation of full sovereignty. In the same year he led the newly reorganized Cambodian Army against the Viet Minh raiders along the borders.

Penn-Nouth, Prime Minister

The Prime Minister was born in Pnom Penh in 1906 and was educated in Cambodia. He was an official with an outstanding record in the old Cambodian mandarinate. Since the end of World War II he has served in numerous governmental posts, including that of Minister of Finance, Governor of the city of Pnom Penh, Minister Without Portfolio, President of the Council of Ministers, and Acting Minister of Defense. In January 1953 he was appointed Prime Minister in the Royal Cabinet, a post which he has held ever since except for a period of several months' temporary retirement due to illness. After the King, Penn Nouth is regarded as the first citizen of Cambodia.

LETTER OF TRANSMITTAL

Hon. ALEXANDER WILEY,
Chairman, Committee on Foreign Relations, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: Transmitted herewith is my report on a study mission to France, Germany, and Italy during August and September of this year. Since my return, events have moved very rapidly in Europe. I refer particularly to the developments at the recent London-Paris conferences. In my report, I have placed my observations in Europe largely in the context of these conferences since the results which they have produced are of great significance to this country.

The United States, I know, is fully aware of the fine contribution which you personally made in connection with your conferences with the leading statesmen of Western Europe during the crucial days when the search was on for alternatives to the European Defense Community. I should like, again, to take this occasion to call attention to the work of officers of the Department of State and other United States employees in the countries of Europe which I visited. Too often the excellent service on behalf of our country which is being rendered by these men and women goes unappreciated.

I also want to commend Mr. Francis R. Valeo, whom you assigned from the staff of the Committee on Foreign Relations to accompany me. His assistance, cooperation, and knowledge were of great value in carrying out the purposes of the mission.

Sincerely yours,

MIKE MANSFIELD.

NOVEMBER 4, 1954.

PROSPECTS FOR WESTERN UNITY

1. INTRODUCTORY

American foreign policy has sought to encourage the integration of Western Europe so that the region might cooperate more effectively within the larger association of the North Atlantic Community. To this end, we have provided billions of dollars in aid programs and committed American Armed Forces to the Continent of Europe.

This policy has been based on the belief that in international groupings of this kind the United States and the European nations can best provide for the common security essential to the prospering in freedom of each participating country. To a great extent, the immediate need for the groupings grew out of the towering threat to free nations posed by the postwar policies of Soviet communism.

Recently, our policy with respect to Europe has passed through a major crisis, precipitated by the rejection of the European Defense Community. The action of the French Parliament in this connection brought us face to face with a fundamental question. Were the forces of cohesion among the free nations, particularly in Western Europe, strong enough to prevent a return to age-old and now probably suicidal rivalries?

For us, the significance of the question was clear. If the impulse toward unity was not sufficiently strong, then the premise of our policy was in error. To put it another way, if we could not count on regional groupings to provide a means for our security and progress in common with other free nations, the "agonizing reappraisal," the search for alternatives, would have been inevitable.

To some extent, the question has been answered by the recent London-Paris conferences. No sooner had EDC fallen than the Western nations and particularly those in the core of Europe—Great Britain, France, Western Germany, Italy, and the Benelux countries—set about erecting a substitute. A new formula has now been found.

These conferences have restored the promise of continuing Western unity. That in itself is an accomplishment of great importance. Perhaps even more significant, however, is the speed with which this has happened. It is a demonstration of the vitality of the idea of Western cooperation. It is also an indication of the basic soundness of the bipartisan policies of this country which have supported this idea for almost a decade.

It seems to me important, however, to reiterate that the results of the London-Paris conferences constitute a promise, not a fulfillment. These conferences have made available a new plan for giving effect to Western unity. The plan may prove more acceptable and, in the long run, more effective than the one it replaced—that is, EDC.

For the present, however, all that we have is a blueprint. The building must go forward. If a sound structure is to be produced and if it is to be lived in, so to speak, by the Western nations, the same mutual understanding and national forbearance which made possible the success of the London-Paris conferences must continue. In this way the partnership idea in foreign policy, advanced by President Eisenhower some months ago, can become the foundation of our relations with our allies.

2. THE RESULTS OF THE LONDON-PARIS CONFERENCES

The accords reached at London and Paris are primarily concerned with the manner in which Western Germany is to be brought into and retained in the community of free nations. They provide for the return of sovereignty to that country, German and Italian adherence to the Brussels Treaty of 1948, and German admission into the North Atlantic Organization.

The Germans will raise a national army of 12 divisions and establish air and naval defense forces as their contribution to the common defense of the West. This is a principal difference between the present accords and the EDC concept. Under the latter, the Germans would also have rearmed. The national identity of their forces, however, as in the case of other continental nations, would have been submerged in an integrated European army in order to minimize the possibilities of a resurgence of nationalistic militarism.

The London-Paris accords seek the same end by different means. Armies of each of the continental countries retain their national identity but the powers of the NATO commander to control them are extended. Moreover, maximum levels of forces are established and these levels are to be maintained by a system of international inspection. There is also provision for the control of arms production. In the latter connection, the Germans forswear the manufacture of biological and atomic weapons, guided missiles, large naval vessels, submarines, and bombers. They also undertake not to resort to arms to change the existing frontiers or to achieve unification with Eastern Germany.

As a further safeguard, Great Britain commits four divisions and a tactical air force to the Continent. These forces are to be withdrawn only with the consent of a majority of the Brussels Treaty nations. For our part, the Secretary of State promised to recommend to the President that we retain armed forces in Europe.

3. SIGNIFICANCE OF THE LONDON-PARIS CONFERENCES

The need for the restoration of German sovereignty has long been recognized not only in this country but throughout Europe. It is almost 10 years since the end of World War II. Japan, which was defeated after Germany, has long since regained control of her affairs. A continuance of foreign control over Germany could only serve to encourage nationalistic resentments in a new generation of Germans which is now coming of age. It would mean, moreover, an indefinite prolongation of the occupation regime which is costly not only to Germany but to ourselves.

On the question of rearmament of Germany, there has been less unanimity of view, particularly in Europe. Doubts of the wisdom of this course persist in minority parties throughout Europe, including Germany. These are not solely "Communist doubts," the purposes of which are clear—to keep a defenseless Western Germany soft for eventual conquest by Communist legions from East Germany and elsewhere. They are for the most part the doubts of sincere people who twice in a generation have seen European civilization brought to the edge of destruction by war. The grim reminders of this recent past are still to be seen in many cities of Europe. A decade of rebuilding has not obliterated the scars of war.

One can appreciate these fears. The fact is, however, that the present leaders of free Europe along with our own recognize that the continued dependence of Germans primarily on the defense forces of the occupying powers, rather than on their own, constitutes a greater invitation to a third world war than the plan of defensive rearmament that is now proposed.

The policy of the United States in this respect has long been established. During the last session of the Congress it was reiterated and reinforced when the Senate passed a resolution by a unanimous vote calling on the President to take steps "to restore sovereignty to Germany and to enable her to contribute to the maintenance of international peace and security."

The accords reached at London and Paris reflect an awareness of the risks that are inherent in rearmament as well as the need for common defense of the West. It is a credit to the participating continental nations that they agreed to accept maximum limitations on armaments, production controls, and the vesting of greater authority over their forces in the NATO commander. Faithfully carried out, these arrangements should minimize the danger of unilateral action by any Western European country. They should also permit the effective use of the various national forces in integrated defense operations. The pledge of Western Germany not to seek a rectification of existing frontiers by force offers further assurance that the intent of these accords is solely defensive.

Perhaps no single factor was more important to the success of the conferences than the British pledge to retain armed forces in Europe. This pledge represents a historic decision by which the British people have relinked their destiny with the Continent. Its immediate significance lies in the reassurance it gives to France against a dominant Germany. It may prove, in this respect, decisive in French ratification of the accords. At the time of my visit to Europe, the absence of such a pledge was regarded by many observers as a basic cause of the rejection of EDC.

By bringing the question of EDC to a decision in the Assembly, the French Government has also contributed to the cause of Western unity. There are many in Europe who will argue that EDC was a better approach to the problem of integration than what has emerged from the London-Paris conferences. Few, however, would contend that the long delay in facing a decision on that plan led to anything but a spreading paralysis in the Western community. If continued it ultimately might have resulted in a return to chaotic nationalistic rivalries. By forcing a decision on what could not be obtained, France's Premier, M. Mendes-France, made it possible to explore the possibilities of what might be obtained.

In citing the role of Germany, the United Kingdom, and France, at the London-Paris conferences, I do not mean to ignore that of other European countries, nor of our own. The conferences, however, dealt with matters which were preponderantly European. Even more specifically they dealt with the problem growing out of the interaction of the policies of three powers—Germany, the United Kingdom, and France. In such circumstances, the best solutions, and perhaps the only possible solutions, were those that could be found by the Europeans themselves. The most effective contribution which the United States could have made was auxiliary, and the Secretary of State made it, with helpful suggestions and pledges of continuing American support.

4. THE PROSPECTS FOR WESTERN UNITY

Before the accords reached at London and Paris can take effect, various agreements and protocols must be ratified. In the case of those extending the Brussels Treaty of 1948 to include Germany and Italy, 5 other nations are involved.[1] With respect to the

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[1] United Kingdom, France, Belgium, the Netherlands, and Luxembourg.

admission of Germany to NATO, 14 nations must approve.[2] At first glance, this may appear to be a formidable gauntlet for the accords to run. The problem of ratification, however, is likely to boil down to the situation and the attitudes that prevail inside Germany, France, and to some extent Italy. The leaders of the governments of these three countries have all cast their lot for the plan of Western unity that has emerged from the London-Paris conferences. The question is largely whether or not this concept and its promise will outweigh conflicting attitudes based on traditional national fears, real or imagined nationalistic interests and the attraction of more extreme plans of European unity, as well as the divisive efforts of international communism. A factor less clearly related to ratification, but in my opinion of the greatest importance, is the economic situation that may exist in all Europe in the months ahead. A slackening in the economic progress of the various countries could result in one or more of them pursuing policies designed to protect their immediate well-being regardless of the ultimate cost of such policies to themselves or the West.

The prospects in Germany

Chancellor Konrad Adenauer brought back from the London-Paris conferences three results of particular importance to his country. He obtained assurance of a prompt restoration of German sovereignty, admission to the Brussels Treaty Organization and NATO, and the right to build a German army. In the immediate situation in Germany, the first two accomplishments are probably the most significant. Restoration of sovereignty should serve to reduce the restlessness under continued foreign control which was causing some Germans to look eastward. Admission to the Brussels Treaty Organization and NATO has the same effect in another way; it is an acknowledgement of Germany's international equality and its right to full membership in the Western community. As for the reestablishment of a national army, there is little surface enthusiasm for this project in Germany at the present time. This attitude may change rapidly, however, as the military forces take form.

What Germany has obtained at London and Paris is similar in substance to what would have been provided through the EDC approach. The problems of securing ratification of the present accords are also similar to those previously encountered. Principal opposition is likely to center on the theme of "unification first." A considerable body of opinion supports the view that unification with Eastern Germany should be the primary aim of German foreign policy. It has not been discouraged by the obstacles which the Soviet Union has repeatedly placed in the way of unification. On the contrary, this opinion has probably been stimulated by recent Communist tactics which give the appearance of being conciliatory in nature.

Support for the "unification first" idea in Germany is compounded of many elements. There are, for example, strongly nationalistic sentiments, particularly in Berlin, which veer in this direction. There are commercial groups which look to the East for markets and raw materials. There are those who visualize Germany as an independent neutralist or activist third force in central Europe. There are, finally, the Communists, presently few in number in Western Germany, who seek to link Germany with the international totalitarian movement. These opposition forces can find issues in the London-Paris accords, and in some cases are already doing so. They could object, for example, to the prohibitions placed on certain arms manufacturing in Germany, the powers given to the NATO commander over the German army, and particularly the Saar settlement. The latter may be an especially effective issue for the opposition. Under the terms of the settlement, the Saar is "Europeanized," and the special economic prerogatives of France are maintained. This status, however, is made subject to a plebiscite of the inhabitants of the Saar, who are preponderantly German.

Chancellor Adenauer prevailed against his opposition in the past in securing ratification of EDC. The question is whether or not he can succeed again. There are indications that the Chancellor has lost some political support since his great victory in the national elections of 1953. The defections of Otto John and Karl Franz Schmidt-Wittmark are not without significance in terms of the appeal of the "unification first" idea, nor can the endorsement of this concept by four former German Premiers be ignored.

A principal asset on the side of ratification will be the favorable economic situation in Germany, provided that it is maintained. Recovery under Adenauer has been remarkable. Agricultural and industrial activity is at a high level, the currency is stable, and, in general, living conditions are moderately good. This "prosperity" has been due primarily to the hard work, ability, and perseverance of the German people. It has depended heavily, however, first on American economic aid and more recently on an enormous expansion in foreign trade. At the time of my visit to Germany there was some evidence of impending economic difficulties, some reports of dissatisfaction in the ranks of labor.

The most decisive factor in the outcome of the ratification issue may be the leadership of Chancellor Adenauer himself. He has been in recent years the personification of the ideal of Western unity. He has labored indefatigably, courageously, and understandingly to bring it to realization. His influence with the German people in this respect has been enormous. He led them once to the acceptance of the concept as expressed in EDC. It will not be easy, however, for him to repeat this accomplishment.

The prospects in France

EDC was voted on in the French Parliament 27 months after it had been signed. During that period three French governments, preceding the present Government headed by Mendes-France, held office. All were pledged to support EDC. Yet, all had hesitated to bring the issue to a vote in Parliament.

At the Brussels Conference last August, Mendes-France sought amendments to EDC which would have enabled his government to support the measure. He was unable to obtain the consent of the other signatories to his proposed changes. Subsequently, he brought the question of ratification to a vote in Parliament without approval or disapproval. EDC was defeated on August 30, 1954, by a vote of 319 to 264.

Whatever the merits of the EDC concept, and there were many, the vote on ratification had the effect of ending the vacillation in French foreign policy and the paralysis in the international relations of Western Europe. It spurred action leading to the London-Paris conferences and a fresh approach to the problem of European integration.

The agreements which have resulted from these conferences have a better chance of gaining French acceptance than EDC. Most important, perhaps, the British pledge to keep forces on the Continent helps to neutralize fears in France of a possible resurgence of German militarism. Further assurances are contained in the arms-manufacture controls, the provision for inspected maximum levels of forces, the extension of the NATO commander's powers, and the promise by Germany not to resort to a military rectification of the frontiers. Finally, substitution of national armies for a European army as had been proposed in EDC, and the Saar settlement, if it is accepted by Germany, should increase the receptivity to the accords among more nationalistic French groups. That the prospects for ratification are good is indicated by the 350-to-113 vote of confidence given to Mendes-France on his return from the London Conference. Furthermore, the French Premier has assured prompt consideration of the new accords. They are scheduled for debate in the Assembly during the month of December.

If the agreements are finally approved, it will be due in no small measure to the change in political climate in France in recent months. Without presuming to discuss the merits of any particular measure, the fact is that the Mendes-France government has replaced the drift and dodge which formerly existed with a program of action in both foreign and domestic matters. The issue of the war in Indochina has been faced. So too has the issue of the archaic economic structure. These are basic problems that have long been recognized throughout France as associated with the country's indecisiveness in European affairs. Few have had the courage, however, to face them in the past. That these questions—and particularly the latter—are now being dealt with by the Mendes-France government suggests a renewed vigor in French political life. It may promise further important contributions from France to the common progress of Western Europe.

The prospects in Italy

Italy did not ratify EDC. The measure was kept from a vote in Parliament, at first, apparently, pending a settlement of the Trieste question. When it later became evident that ratification in France was highly doubtful, EDC was held back as successive Italian Governments sought to deal with more pressing domestic issues.

The settlement of the Trieste dispute in an agreement signed by Yugoslavia and Italy on October 5, 1954, should remove a possible obstacle to ratification of the present accords. However, full and effective participation of Italy in the Western community is inseparable from the political and economic situation that prevails inside the country. The great strength enjoyed by the Christian-Democratic Party under Premier Alcide De Gasperi from 1948 to 1953 no longer exists. At present the Government headed by Premier Mario Scelba is based on a coalition of Christian-Democrats, Liberals, Republicans, and Socialists. It has commanded only a scant majority in the Chamber of Deputies. Communist and allied groups whose opposition to any form of Western integration has been automatic, polled over 35 percent of the vote in the national elections of 1953. There are also extreme nationalist elements who may combine with the Communists in an effort to forestall acceptance of the London-Paris accords.

Apart from the political question of ratification, the capacity of Italy to participate effectively in the progress of Western unity is conditioned by the economic problems which have long plagued the peninsula. These include chronic unemployment and underemployment, an antiquated and inequitable economic structure, and the backwardness of the southern Provinces.

Since the end of the war efforts have been made to deal with these problems. Standing out as positive achievements are the slow but tangible progress of the land reform in

[2] Belgium, Canada, Denmark, France, Greece, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal, Turkey, United Kingdom, and the United States.

the south which is coupled with a 12-year development plan for that region, and the rising level of industrial activity which has already reached 50 percent above that of 1938. Much of this progress is related to the stimulation of $1.5 billion in economic assistance extended by this country since 1948. This aid program, however, has now come practically to a close.

5. CONCLUDING COMMENTS

The signing of the London-Paris accords has restored the promise of the continued cooperation of the free nations both within Western Europe and in the North Atlantic region. Ratification of these accords is the next step; it is not, however, the last.

Whether this step is taken and, if taken, whether it will lead to genuine security and progress will depend on the policies that are pursued from now on by this country and other free nations. The need for certain policy measures is clearly evident. Together with other nations we must support the principle of German unification and explore any reasonable possibility of achieving it. We must, as the President has tried to do, champion the cause of peace in a war-weary Europe and continue to search for practical means to reduce the burden of armaments. The United States and the Western nations must perfect and build their individual and common strength. This strength is measurable not only in terms of armaments but in the vigor of their beliefs and the stability of their economies.

In the latter connection, it is essential that we not only perfect the structure of integrated Western defense but that we reenforce the economic base on which it rests. Failure in this respect would invite Communist penetration on a massive scale. The maintenance of strong economies is partly a national problem and each nation must discharge those responsibilities which are uniquely its own. In some respects, however, it is also a common European problem and, in a larger sense, a problem of the Western community.

The level of economic activity and growth in recent years has been high in most Western nations. We must act now to see that it continues that way. If we do not, the totalitarian forces which have been blunted once again by the promise of the London-Paris accords will find new means of penetration.

A primary need, it would appear to me, is to push forward the further economic integration of Western Europe. In the apparently successful Coal and Steel Community there exists a workable pattern for progress of this kind. Other basic European industries—transport, power, and communications, for example—may be susceptible to similar treatment. Of a more general nature are the problems posed by the tariff and currency barriers which separate the European countries. Progress toward economic integration in Western Europe will of course be difficult. This does not make it any less essential.

The reponsibility for action along these lines rests preponderantly with the free European nations themselves acting in concert. Europe has come a long way from the days when it depended on the United States for economic survival. Free Europeans no less than ourselves would resent a continuance of this dependence. To say this, however, is not to ignore the continuing interest of this country in European integration. There are undoubtedly other ways, more appropriate to present conditions, by which the United States might directly encourage this process. There are also less-direct methods related to the trade, foreign exchange, and investment relationships among the nations of the North Atlantic Treaty Organization.

The immediate need, therefore, would seem to me to be for the Western nations to give serious consideration to convening one or more special economic conferences. Such conferences might serve to define the problems which must be overcome if the nations of Western Europe and the North Atlantic Community are to maintain sound economies. They could also point the way to common action in meeting these problems in the same "partnership" spirit of mutual understanding that characterized the London-Paris conferences. The groundwork for such economic conferences has in large part been laid by continuing organizations like the European Payments Union and the Organization for European Economic Cooperation.

What is at stake here is not only the economic well-being of Europe and ourselves. In the last analysis, it is the security and progress of civilization in a world at peace.

CALL OF THE ROLL

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

RESOLUTION OF CENSURE

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

Mr. WELKER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Idaho will state it.

Mr. WELKER. May I inquire of the distinguished Vice President what the arrangements are for the allocation of time? Who is allocating the time, how much time remains, and will there be sufficient time in which to interrogate Senators, if they will yield?

The VICE PRESIDENT. Five hours and thirty-five minutes have been used by the majority; 1 hour and 19 minutes have been used by the minority. The time between yesterday, when the division of time began to run, and 3 o'clock this afternoon is supposed to be equally divided.

Mr. KNOWLAND. Mr. President, I yield one-half hour, or so much time as may be needed, to the distinguished senior Senator from Connecticut [Mr. BUSH].

Mr. BUSH. Mr. President, all my life I have looked upon membership in the United States Senate as the greatest office to which one could aspire. Even as a schoolboy, I acquired a respect for the Senate that has stayed with me through the years.

So, despite the fact that many others have longer service behind them, I venture to think that few, if any, hold the Senate higher in esteem than do I. Nor would I concede that any Senator feels more keenly his responsibility of the moment than do I. That is why I feel obliged to speak out today.

Mr. President, I came to this special session with no commitment of any kind. Like other Senators, I had necessarily observed the junior Senator from Wisconsin, and had more than once expressed reservations concerning his methods, while endorsing always his stated objectives of combating communism at home and abroad.

His efforts were for a long time effective in alerting our people to the dangers of Communist subversion. But in so alerting them, the junior Senator from Wisconsin did harm as well as good. The methods he saw fit to employ alienated many loyal Americans who are as determined as himself to fight communism.

He has caused dangerous divisions among the American people because of his attitude, and the attitude he has encouraged among his followers, that there can be no honest differences of opinion with him. Either you must follow Senator McCARTHY blindly, not daring to express any doubts or disagreements about any of his actions, or in his eyes you must be a Communist, a Communist sympathizer, or a fool who has been duped by the Communist line.

That attitude, I believe, has been amply demonstrated during this debate.

Mr. President, before returning for this special session, I read carefully the report of the select committee, and the record of the hearings. It seemed to me that a conscientious job had been done. The six brave and worthy Senators who composed the select committee, none wanting the assignment, gave generously of their time and effort as agents for other Senators.

Debate over the select committee's report has now been in progress for many days. When it began, I had an open mind, I have now been convinced by the arguments I have heard and read that I must support the recommendations of the distinguished senior Senator from Utah [Mr. WATKINS] and other members of the select committee.

Mr. President, because of the time limitations upon this debate, and because of the great length of time devoted to a discussion of all the questions involved, I intend at this time to make only a few general observations in support of the select committee's recommendations.

However, I have prepared a more detailed analysis of the charges against the junior Senator from Wisconsin and my reasons for reaching my conclusions. I now ask unanimous consent that my statement may be printed in the RECORD at the conclusion of these remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit A.)

Mr. BUSH. Mr. President, I wish at this time to pay a personal tribute to the select committee which had the unpleasant duty of initially acting for the Senate in this matter. Since we returned for the special session, these six courageous, patriotic Senators have been severely abused by the junior Senator from Wisconsin. They have been called the unwitting handmaidens of communism. The distinguished chairman, the senior Senator from Utah [Mr. WATKINS], has been labeled a coward.

Mr. President, if I have ever met a brave and noble Senator, ARTHUR WATKINS is that man. And, Mr. President, I for one will not walk off and leave him standing in this Chamber with a coward tag on him—not without protest.

And, in pledging my support to the chairman of the select committee, I also pay tribute to each member, and express my personal appreciation of their selfless performance of an unwanted duty as my agent, and the agent of all Senators.

I wish they had been able to find different facts and draw different conclusions. But, try as I have, I am unable honestly to reject their findings.

So, Mr. President, believing with them that the honor of the Senate is at stake, I must support the findings of the select committee.

Mr. President, the constitutional security of the Senate appears to be involved here.

If Senators are to be reviled and roughly abused and insulted by colleagues for whom they act in committee as agents; if Senators acting for the Senate cannot rely upon fellow Senators for the protection of their honor and reputations; then, Mr. President, we will have chaos. If that were the situation, each Senator could make his own rules. And that is to suggest, Mr. President, that the Senate would thus approve of a government of men, not of laws, with every Senator a dictator—a dictator, Mr. President.

I wonder what the world would think of the Senate if each Senator reserved to himself the special privileges seemingly reserved to himself by the junior Senator from Wisconsin.

Mr. President, the General Zwicker incident suggests that if the Senate now concludes that such violent abuse of an honorable witness be approved—and at this stage of the affair, failure to censure would suggest approval by the Senate—then the Senate will indeed appear to be aiding the Communist conspiracy.

For, if a witness—particularly one of undoubted loyalty and honor—cannot feel secure in cooperating with his Government by testifying before congressional committees—and it is the duty of all citizens to so cooperate when required—then such committees may find themselves hamstrung, indeed, because Mr. President, even honorable patriots may be driven to shield themselves behind the fifth amendment when they may not, in fact, need it. They might well be frightened into taking its shelter.

The abuse of the witness Zwicker appears so severe that less brave witnesses might be so frightened at the prospect of testifying that they would simply refuse on the basis of fear, and take shelter in the Constitution.

Thus might the methods used by the junior Senator from Wisconsin in the Zwicker case appear to obstruct, rather than aid, his stated objectives of destroying Communist subversion.

There must be confidence and respect for our Government, or it will not work. Respect and confidence can only be inspired by fairness.

"Equal justice under law." Those words, emblazoned on the front of the Supreme Court Building, are the symbols of our form of government.

If we want witnesses to cooperate with investigating committees, they must be assured of fair treatment—not soft treatment, but firm and dignified treatment, with observance of rules of fairness. Firmness goes well enough with fairness. It goes very well.

Mr. President, last spring, and again last summer, I proposed that the Senate take affirmative, rather than negative action, by adopting in this 83d Congress a code of fair procedures for investigating committees.

To that end, I submitted Senate Resolution 253. The Committee on Rules and Administration proceeded to hold hearings on this whole matter. However, the distinguished chairman, the Senator from Indiana [Mr. JENNER], objected to my proposal for prompt action on Senate Resolution 253 because the committee had not finished its labors and was not prepared to report the resolution, or any resolution on that subject. He promised action early in the 84th Congress.

I was disappointed, and so were some other Senators who wished to support my substitute proposal. I felt that the Zwicker incident never would have happened if the Senate rules had provided a code of fair procedures such as were provided in Senate Resolution 253, and if such a code were enforced. I note that the select committee made a similar observation in chapter 7 of its report.

Thus the Senate had some responsibility in the matter. The committees are but the agents of the Senate. I felt that adoption of the code would carry its own message to the Senator from Wisconsin, and to all Senators; that it would assist him and those conducting investigations, and eliminate the danger of frightening innocent witnesses from cooperation with committees.

But since my efforts failed at that time, and in view of the select committee's labors and its report, and its brave exposition and defense thereof on the floor, I find it impossible to turn my back upon them.

Mr. President, I am forced to the conclusion that our failure to support their recommendations would be a victory for the Communist conspiracy.

This affair has been so blown up that I believe our allies in Europe, those allies who are absolutely essential to our own defenses, would be shaken in their faith in us, and conclude that perhaps, after all, we ourselves did not care too deeply for our constitutional processes and for equal justice under law.

I believe that our failure to act would frighten millions of our citizens, and that they would lose faith in our Government.

Mr. President, I understand that millions of persons are addressing a petition to the Senate. They certainly have a constitutional right to do that. I applaud the energy and vigor being consumed in this unusual movement. But, as one Senator on the receiving end of this petition, I venture to suggest respectfully to this large, enthusiastic group of loyal, patriotic citizens that a petition be directed to the junior Senator from Wisconsin, begging his consideration of other Senators who also have duties to perform.

Let them ask him not to accuse those of us who may feel that his methods have at times failed to meet basic American standards of fairness as aiding the Communist conspiracy—those of us who have been ready to lay down our lives for our country in the past, and who even now would do so, and whose children now are in the Armed Forces. Let them ask this able and vigorous Senator from Wisconsin if he will not be more tolerant of us so that we can heartily support his energetic efforts in the fight against Communist subversion.

We also were elected in our respective States. We, too, have our responsibilities. We, too, feel the urge to fight Communist subversion at home and abroad. And we also feel the urge to protect the honor of the Senate, the constitutional rights of American citizens, and the constitutional processes of our Government.

Mr. President, I have concluded my remarks.

EXHIBIT A

STATEMENT BY SENATOR BUSH

The select committee appointed to consider the resolution recommending censure of Senator MCCARTHY called his conduct into question on two grounds:

1. That, acting as an agent of the Senate, in his role as chairman of a Senate subcommittee, he violated the trust the Senate placed in him by intemperately abusing a witness and by ignoring the rules of his own subcommittee.

2. That, in his relations with the Senate and fellow Senators designated by the Senate to carry out duties assigned to them, he has been guilty of conduct unbecoming a Senator, and has obstructed the constitutional processes of the Senate.

Those are the charges in substance, if not in the language of the resolution as reported by the select committee.

Let us examine the count charging that the junior Senator from Wisconsin violated the trust placed in him by the Senate.

After hearing the new facts brought to our attention by the distinguished junior Senator from South Dakota [Mr. CASE], on the Zwicker-Peress matter, it became necessary to reexamine that whole phase of the case.

I have great respect for Senator CASE, and high regard for his conscientious, fairmindedness, and ability. So, when he expressed very grave doubts about the wisdom of censuring Senator MCCARTHY on this ground, and announced his own opposition to it, I was shaken in the views I had held until that time.

After again reviewing the record, I am forced to the conclusion that Senator MCCARTHY's treatment of the witness before him cannot be condoned by the Senate, which bears the ultimate responsibility for the way in which the committees are conducted.

The witness subjected to abuse in this case happened to be a general of the United States Army, but the principles apply in the case of any witness, however humble. All are entitled to fair treatment, and protection against humiliation because of matters over which they have no control.

To quote from the report of the select committee:

"In the opinion of this select committee, the conduct of Senator MCCARTHY toward General Zwicker was not proper. We do not think that this conduct would have been proper in the case of any witness, whether a general or a private citizen, testifying in a similar situation.

"Senator MCCARTHY knew before he called General Zwicker to the stand that the Judge

Advocate General of the Army, who was the responsible person under the statutes, had given the opinion that a court-martial of Major Peress would not stand under the applicable regulations and that General Zwicker had been directed by higher authority to issue an honorable discharge to Peress upon his application.

"Senator McCarthy knew that General Zwicker was a loyal and outstanding officer who had devoted his life to the service of his country, that General Zwicker was strongly opposed to Communists and their activities, that General Zwicker was cooperative and helpful to the staff of the subcommittee in giving information with reference to Major Peress, that General Zwicker opposed the Peress promotion and opposed the giving to him of an honorable discharge, and that he was testifying under the restrictions of lawful Executive orders."

The chief ground of defense has been that Senator McCarthy was justifiably irritated by the Army's handling of the Peress case, and should therefore be excused for venting his anger on General Zwicker.

In regard to the Peress case, I share the irritation and anger of the junior Senator from Wisconsin over the Army's admitted bungling and apparent evasiveness.

The situation now disclosed by the junior Senator from South Dakota, namely, that the Army received timely notice of Senator McCarthy's request that Peress be held for further investigation, and ignored that request, was inexcusable.

I agree with Senator Case's position that "Any chairman of a Senate committee is entitled to expect that if a request by him is presented in time that any responsible departmental staff board will give him the courtesy of deferring terminal action on any matter until the reasons for proceeding have been given to him."

And I agree with him in believing that "Good faith between the legislative and executive branches of Government is a two-way street."

However, I cannot accept his view that because the Army also was at fault Senator McCarthy's conduct can be excused. In the light of his knowledge that General Zwicker personally was blameless, was acting under orders which as a military man he was bound to obey, his treatment of that witness was an exhibition which disgraced the Senate, for whom he was acting as an agent.

In the words of the select committee:

"The conduct of Senator McCarthy toward General Zwicker in reprimanding and ridiculing him, in holding him up to public scorn and contumely, and in disclosing the proceedings of the executive session in violation of the rules of his own committee, was inexcusable. Senator McCarthy acted as a critic and judge, upon preconceived and prejudicial notions. He did much to destroy the effectiveness and reputation of a witness who was not in any way responsible for the Peress situation, a situation which we do not in any way condone."

I do not believe the Senate should let the Zwicker incident rest with censure of Senator McCarthy. The names of all the Army personnel involved in the Peress case have been turned over to the appropriate Senate committees. An investigation should be made to get to the bottom of this matter.

One more action is required, in my judgment. And that is the adoption as promptly as possible of additions to the Senate rules establishing uniform and fair procedures for investigating committees.

The second ground for censure of Senator McCarthy is that, in his relations with the Senate and fellow Senators designated by the Senate to carry out duties assigned to them, he has been guilty of conduct unbecoming a Senator, and has obstructed the constitutional processes of the Senate.

The select committee's discussion of this phase of the case is as follows:

"11. The junior Senator from Wisconsin did 'denounce' the Senate Subcommittee on Privileges and Elections without justification.

"We feel that the fact that Senator McCarthy denounced the Subcommittee on Privileges and Elections is established by reference to a few of the letters in the exchange of correspondence. In his letter of December 6, 1951 (p. 24 of the hearings), to Chairman Gillette, Senator McCarthy states that when the subcommittee, without Senate authorization, is 'spending tens of thousands of taxpayers' dollars for the sole purpose of digging up campaign material against McCarthy, then the committee is guilty of stealing just as clearly as though the members engaged in picking the pockets of the taxpayers and turning the loot over to the Democrat National Committee.' Such language directed by a Senator toward a committee of the Senate pursuing its authorized functions is clearly intemperate, in bad taste, and unworthy of a Member of this body.

"These accusations by Senator McCarthy are continued and repeated in his letter to Chairman Gillette dated December 19, 1951 (p. 27 of the hearings). Under date of March 21, 1952 (p. 30 of the hearings), Senator McCarthy wrote to Senator Hayden, chairman of the parent Committee on Rules and Administration that: 'As you know, I wrote Senator Gillette, chairman of the subcommittee, that I consider this a completely dishonest handling of taxpayers' money.' Similar language is used in Senator McCarthy's letters down to the last dated December 1, 1952 (p. 51 of the hearing).

"If Senator McCarthy had any justification for such denunciation of the subcommittee, he should have presented it at these hearings. His failure so to do leaves his denunciation of officers of the Senate without any foundation in this record.

"The members of the subcommittee were Senators representing the people of sovereign States. They were performing official duties of the Senate. Every Senator is understandably jealous of his honor and integrity, but this does not bar inquiry into his conduct, since the Constitution expressly makes the Senate the guardian of its own honor.

"It is the opinion of the select committee that these charges of political waste and dishonesty for improper motives were denunciatory and unjustified.

"In this connection, attention is directed to the charges referred to this committee relating to words uttered by the junior Senator from Wisconsin about individual Senators.

"It has been established, without denial and in fact with confirmation and reiteration, that Senator McCarthy, in reference to the official actions of the junior Senator from New Jersey, Mr. Hendrickson, as a member of the Subcommittee on Privileges and Elections, questioned both his moral courage and his mental ability.

"His public statement with reference to Senator Hendrickson was vulgar and insulting. Any Senator has the right to question, criticize, differ from, or condemn an official action of the body of which he is a Member, or of the constituent committees which are working arms of the Senate, in proper language. But he has no right to impugn the motives of individual Senators responsible for official action, nor to reflect upon their personal character for what official action they took.

"If the rules and procedures were otherwise, no Senator could have freedom of action to perform his assigned committee duties. If a Senator must first give consideration to whether an official action can be wantonly impugned by a colleague as having been motivated by a lack of the very qualities and capacities every Senator is presumed to have, the processes of the Senate will be destroyed."

I believe the select committee drew a sound and wise distinction between what a Senator may say about a fellow Senator as an individual and what he may say about a fellow Senator fulfilling official duties assigned to him by the Senate.

No question of free speech is involved. Free speech does not mean unrestrained license. In certain circumstances, words may be tantamount to acts, as when a man incites a mob to riot; or when they may lead to disastrous consequences. As Mr. Justice Holmes said, "The most stringent protection of free speech would not protect a man in falsely shouting 'fire' in a theater and causing a panic."

In my judgment, the words used by Senator McCarthy in regard to the Subcommittee on Privileges and Elections were the equivalent of bludgeons with which he attempted to beat into submission Senators who had been assigned the unpleasant and unsought duty of investigating the very serious charges which had been made against him and which could not be ignored.

I must vote for censure on this ground. If conduct like his in this respect—conduct which clearly is within the disorderly behavior which the Senate may constitutionally punish—is tolerated, we shall become paralyzed as a legislative body.

In the course of this debate we have seen the tactics used against the Subcommittee on Privileges and Elections employed against the members of the select committee.

When this session began I attempted to purge my mind of all preconceived ideas about this case. I had read, of course, the select committee's report and the hearings, and it seemed to me that a fair-minded and careful job had been done. But before reaching any conclusions I wanted to hear Senator McCarthy's defense.

What has happened during this debate? I have sat in this Chamber sick at heart as I have heard and witnessed the tactics of Senator McCarthy's defense.

That defense has been based primarily on an attempt to discredit the select committee, composed of six men as fine and honorable as can be found in the Senate. I will not repeat the statements which Senator McCarthy has made about the committee, its chairman, and other members. The pages of the Congressional Record already have been indelibly stained with the indecencies of his attack upon the committee.

I agree completely with the distinguished senior Senator from Utah, Mr. Watkins, in his view of that conduct of the junior Senator from Wisconsin as contempt committed in the very presence of the Senate itself. Senator Watkins' colleague from Utah, the distinguished junior Senator, Mr. Bennett, has brought this matter to issue by offering an amendment to the censure resolution. I must vote for his amendment.

It is distasteful to be compelled to vote to censure a fellow Senator. If such action could be honorably avoided, I think we all would do so.

But the junior Senator from Wisconsin himself has forced the issue by a long-continuing course of conduct that has stained the honor of the Senate.

To wipe out that stain we must support the recommendations of the select committee.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. BUSH. I shall be glad to yield to my friend.

Mr. KNOWLAND. Mr. President, may I ask how much time remains to the Senator from Connecticut?

The VICE PRESIDENT. The Senator from Connecticut has 17 minutes remaining to him. If the Senator from Connecticut wishes to yield for the purpose of inquiry, he may.

Mr. BUSH. I shall be glad to yield to the Senator from Idaho.

Mr. WELKER. Mr. President, I thank my distinguished colleague from Connecticut. I take it to be a fact that at this time, before the case has gone to the court and the jury, my friend has made up his mind, before the case has finally been submitted. Is that a fair statement?

Mr. BUSH. Mr. President, the Senator may draw whatever conclusions suit him from what I have just said. I said that I had studied this matter very closely and for a long time, just as long as the select committee has been in existence, and I have come to the conclusions I have stated at this moment, or as of yesterday evening, and I thought I made pretty clear just how I felt about the matter. I do not know what the purpose of the Senator's question is. If the Senator heard my remarks, he certainly can draw the conclusion that I shall support the select committee's report.

Mr. WELKER. Then it is a fair statement, is it not, that the Senator has closed his mind, regardless of what the defense might show?

Mr. BUSH. Mr. President, I am not going to answer questions like that. The Senator can use his own judgment as to whether it is a fair statement.

Mr. WELKER. Very well. If the Senator does not want to answer that question, perhaps he will answer my next question.

Mr. BUSH. I would observe that the Senator from Idaho seems to have made up his mind very quickly on this matter.

Mr. WELKER. Oh, my mind is very open, just as open as is the mind of the Senator from Connecticut.

Mr. BUSH. It appears that the Senator from Idaho seems to have made up his mind much more quickly than I have made up mine.

Mr. WELKER. Just a moment, Mr. President.

Mr. KNOWLAND. Mr. President, I desire to call for the regular order. As was pointed out in the discussion yesterday, yielding is a matter which comes within the judgment of the Senator who has the floor; and no Senator is required to yield.

Furthermore, our program for today is a very full one. When a Senator has a question which bears on the pending debate, I think it is helpful to have yielding occur. However, I hope we may proceed with the debate.

The VICE PRESIDENT. The Senator from Connecticut has the floor.

Mr. BUSH. Mr. President, I should like to say to my distinguished friend, the Senator from Idaho, that I certainly wish to show him every courtesy. He is a personal friend of mine, one whose friendship I have enjoyed here, and I hope I shall continue to enjoy it. But I do not wish to take up the time of the Senate by answering questions as to whether I think what I have said constitutes a fair statement. On the other hand, I shall be glad to answer any questions the Senator from Idaho may wish to ask me, if the questions really bear on the pending issue.

Accordingly, I yield once more to the Senator from Idaho, in order that he may ask a question, if he desires to do so.

Mr. WELKER. Does the Senator from Connecticut agree with me that the words used by the defendant in the pending action—as I shall call him—when he called the select committee the unwitting handmaidens, agents, or something of the sort, of the Communist Party, constituted, in fact, a very ill-conceived and bad statement?

Mr. BUSH. I certainly agree with the Senator from Idaho that it was that; yes.

Mr. WELKER. Knowing my distinguished friend, the Senator from Connecticut, as an intimate and personal friend, who will always be my friend, regardless of the outcome of this debate——

Mr. BUSH. I certainly thank the Senator from Idaho for that assurance.

Mr. WELKER. Does the Senator from Connecticut have at hand the dictionary definition of the word "unwitting"?

Mr. BUSH. I must confess I have not looked up the definition, Mr. President; but it seems to me that the meaning of that word is fairly obvious. I shall be glad to hear the Senator from Idaho define it if he wishes to give the definition to me; but I think I understand what the word means.

Mr. WELKER. I shall obtain the definition in a moment.

Does my distinguished colleague realize that the word "handmaiden" comes from a very, very profound verse in the Bible?

Mr. BUSH. I thank the Senator from Idaho for that reminder. I recall having seen that word in the Good Book, and the junior Senator from Wisconsin may have extracted it therefrom. But I do not think that point is particularly significant in connection with the pending question.

I think the sense of what the junior Senator from Wisconsin said when he accused the select committee as he did was that the members of the committee were—perhaps ignorantly so—tools of the Communist Party or helpers of the Communist Party. That remark offended me very much as a Senator of the United States, and it still does.

Mr. WELKER. Will the Senator from Connecticut agree with me that Senators of the United States occupy no different position with respect to interrogation on the witness stand than that occupied by the humblest citizen, regardless of where he might be; and will the Senator from Connecticut also agree that generals do not occupy a different position, and neither does anyone else?

Mr. BUSH. Mr. President, I think all should be treated with fairness.

Mr. WELKER. Does the Senator from Connecticut agree with me that it did not enhance the dignity of the United States Senate to have my able and distinguished friend, the chairman of the select committee, evict from the hearing room presided over by himself—it was then a one-man committee—an attorney at law who is licensed to practice in the State of New York and before the Supreme Court of the United States, and to evict him for one alleged breach of good procedure, one action on the part of that lawyer which the Senator from Utah apparently thought violated good decorum in the hearing room, namely, the question, "Mr. Chairman, will you say for the record that I have coached the witness?"

In response, the distinguished chairman of the select committee said, "Put him out."

Does the Senator from Connecticut think that enhanced the dignity of the United States Senate?

Mr. BUSH. Mr. President, I am not passing judgment as to whether it enhanced the dignity of the Senate. Frankly, I do not recall the incident. But I respectfully suggest to my good friend, if I may, that if he wishes me to yield for questions—which I am delighted to do—he question me about what I said or about my position on this matter, rather than about something with which I am not familiar.

Frankly, I do not recall that incident, and I do not know who was "kicked out." I would rely on the fairness of the distinguished senior Senator from Utah [Mr. WATKINS], and I have no reason to doubt at any time his fairness. In fact, I am more impressed with it than ever.

Mr. WELKER. Then, in fact, the Senator from Connecticut did not read the remarks made by his friend, the present interrogator, the junior Senator from Idaho, who spoke at great length upon this matter and disclosed to this jury, the sole judges of the law and the facts in this case, some of the details of the incident about which he has just interrogated the Senator from Connecticut?

Mr. BUSH. I would simply say to the Senator that I doubt that any other Member of the Senate has listened more carefully to the remarks of the junior Senator from Idaho or has heard more of his remarks in connection with this entire debate than has the senior Senator from Connecticut. I may have missed something the Senator from Idaho has said; but I can assure him that I have paid the utmost attention to his remarks, which have been very extended in this entire matter.

Mr. WELKER. In conclusion—because I know the time is short, and I desire to cooperate with the Senate—can the Senator from Connecticut name one man who has been driven to resort to the protection of the fifth amendment to the Constitution of the United States by a vigorous cross-examination, whether it was cross-examination by the junior Senator from Wisconsin or cross-examination by any other Member of the Senate of the United States?

Mr. BUSH. Mr. President, even if I chose to name one or more such persons, I do not think I would do so at the present time, because I would not wish to bring into the debate the name of anyone who might have said—perhaps confidentially—that was his attitude. I do not think that is relevant to the pending issue.

I simply assert that I have talked sufficiently with persons generally who are interested in this matter—with lawyers, as well as with laymen—who share my

fear that unless we establish some fair procedures as minimum standards for these investigations, and unless we get away from abusive treatment of witnesses, we actually will run the danger of having persons who are innocent and loyal citizens, out of sheer fright claim that constitutional privilege; and I do not like that prospect.

Mr. WELKER. So the Senator from Connecticut does not care to reveal to me the name of anyone who, from sheer fright, resorted to the protection of the fifth amendment, by virtue of interrogation by the chairman of the Committee on Government Operations or interrogation by any other member of that committee?

Mr. BUSH. The Senator from Idaho is correct; I do not care to do that, and I do not do it. But I say to the Senator from Idaho that there are some such persons.

Mr. WELKER. If the Senator from Connecticut knows some persons who resorted to the protection of the fifth amendment to the Constitution because of fright, and if the Senator will have those persons appear before the Jenner Internal Security Committee, we shall see that they receive proper protection. We would like to obtain the facts.

Mr. BUSH. I agree with the Senator from Idaho, and I have pointed out that very thing perhaps more than any other Member of the Senate has done. I am very glad to have the Senator from Idaho make that point, and I emphasize that it is perfectly possible to conduct these investigations with fairness. In fact, the distinguished Senator's committee has been complimented by highly intelligent persons for the fairness with which it has conducted its investigations; and I am glad to pay tribute to it at the present time.

Mr. WELKER. Notwithstanding the fact—if the distinguished Senator from Connecticut knows—that the committee, or members of the committee—not the present speaker—have seen fit to eject 2 attorneys and 1 other citizen from the hearing room, for minor matters which caused the chairman of the committee or the interrogator to lose his temper?

Mr. BUSH. Mr. President, I am not prepared to debate that question. I do not know about that ejection. I can conceive of circumstances in which it might be necessary to have someone ejected from the hearing room.

Mr. WELKER. I thank my distinguished friend.

Mr. BUSH. The proposal I have made, Senate Resolution 253, which I again commend to the Senator's attention, provides for such a contingency.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the junior Senator from North Dakota [Mr. YOUNG].

Mr. YOUNG. Mr. President, my newsletter to the people of North Dakota last week pretty well explains my position on the pending question. I ask unanimous consent to have it printed in the RECORD at this point as a part of my remarks, following which I wish to make a few additional observations.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ON CAPITOL HILL WITH SENATOR YOUNG—A PERSONAL REPORT TO THE PEOPLE OF NORTH DAKOTA

The pending resolution in the United States Senate to censure Senator JOSEPH R. MCCARTHY deals with one of the most cherished and important provisions of our Federal Constitution—that of freedom of speech, including the right to criticize.

I am not greatly disturbed about his criticism of Gen. Ralph Zwicker. General Zwicker was an arrogant, evasive witness. If provocation in any degree justifies harsh words, the Army, through General Zwicker, certainly deserved it. The record clearly indicates that Senator MCCARTHY had requested that the Army not give Maj. Irving Peress, a fifth-amendment Communist, an honorable discharge. Despite the written request delivered by special messenger to the Secretary of the Army, Peress was granted an honorable discharge.

World War II, the Korean war, and the present critical world situation have necessitated the building up of great military strength in the United States. In line with the experience of other nations of the world, some ambitious officers high in the ranks of the military have come to despise the Congress which directly represents the people. They will countenance no higher authority than their own. Some of them have been spoiling for a fight with Congress for a long while. When it seemed that Senator MCCARTHY was losing favor with the people, he became a good target for their purpose.

Senator MCCARTHY's criticism of the special committee appointed by the Senate itself in August, headed by Senator ARTHUR WATKINS, of Utah, was unwarranted and unreasonable. This select committee is composed of six of the most highly respected Members of the Senate. All have a reputation of being fair-minded, independent thinking individuals. In no sense has the chairman, Senator Watkins, ever been cowardly in his actions; nor could the committee be rightly termed "handmaidens of the Communist Party."

Senator MCCARTHY, in his criticism of committee members and others, however, broke no standing rule of the Senate. By law and precedent, North Dakota and other States permit almost unlimited criticism of public officials, particularly during an election campaign. I have oftentimes felt that many of the accusations leveled at me were more vicious, unreasonable, and untruthful than those embodied in the pending censure resolution. It is not a pleasant thing to be the target of such accusations. Any rule of the Senate, or a State or a Federal law, to curb such criticism of necessity must limit in one form or another the people's right of free speech or their right to criticize as they see fit.

The citizens of the United States enjoy greater freedom in that respect than any nation in the world. It is one of our most deep-rooted freedoms. It is better, in my judgment, for an occasional individual who is so perverted in his judgment or so misguided in his civic responsibility to go free than that all of the citizens should be put in jeopardy if they venture to criticize an inefficient or corrupt government official.

Senator MCCARTHY has rendered a highly important service to this Nation in fighting and exposing the Communist influence in the Federal Government and other institutions. He is entitled to great credit for the effective work he has done. I shall not vote for the pending Watkins resolution in the Senate.

Mr. YOUNG. Mr. President, during my nearly 10 years' service in the Senate there has been one attempt after another, in one form or another, to curtail or limit the right of free speech in the United States Senate. I have opposed all of them, and I shall oppose the pending resolution largely upon the same ground.

I do not believe that merely because I disagree with the select committee headed by the Senator from Utah [Mr. WATKINS], I am in any way criticizing the committee. The committee is comprised of six of the finest Members of the Senate. I honestly and sincerely and in a friendly way disagree with them, and I think I have the right to do so.

The junior Senator from Wisconsin [Mr. MCCARTHY] has been intemperate in many of his comments regarding other Members of the Senate and other citizens of the United States. I do not approve of much of his criticism of many Members of the Senate and others. But he has not been the only one indulging in intemperate criticism. During my service in the Senate there have been others who have made just as caustic remarks as he has made. Some of my real favorites of years gone by have been even more vitriolic and caustic in their criticism than the junior Senator from Wisconsin has been, and some of them are among the most greatly admired and most respected Senate Members in history. I refer particularly to the former senior Senator from Wisconsin, Robert M. La Follette, Sr., Senator William E. Borah, of Idaho, and Senator James Reed, of Missouri.

In conclusion, I may say that I am not surprised at comments in foreign countries with respect to the exercise of the right of free speech in the United States. In no other country in the world do the people possess the right of free speech to the degree in which we enjoy that right. In one way or another almost every other country in the world curtails the right of the average citizen to criticize a government official, whether he be a member of the legislative body, a king, or a president. The same limitation applies, to a considerable degree, to the right of members of the legislature to criticize. Here in the United States we have attained the highest degree of freedom, including the right of free speech and the right to criticize any nation in the world. I intend to vote to support the continuance of that freedom forever.

Mr. KNOWLAND. Mr. President, I yield 10 minutes to the senior Senator from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. President, it has seemed to me that we have been somewhat confused in this debate as to what the real issues are. Let me first put aside as irrelevant to this discussion the suggestion that has been made that we are aiding the cause of Communist infiltration if we participate in any form of criticism of the past or present actions of the junior Senator from Wisconsin. Everybody is agreed that all true Americans must fight Communist infiltration wherever they find it, in the Government, or anywhere else.

We all commend the eagerness of the junior Senator from Wisconsin as exhibited in his crusade to fight Communist infiltration. That question has nothing whatever to do with the present consideration of the motion to censure.

Let me express my regret also that those who defend the junior Senator from Wisconsin for his actions, which have been under discussion, would attack the integrity and ability of a select committee which was appointed from both sides of the aisle to consider the various charges made. No finer or more able men could have been selected by this body to handle this difficult problem with judicial calm and with magnificent statesmanship. As one of the 96 Members of this body I must express my firm dissent from the suggestion that any one of the 6 Senators on the select committee could have been biased, or would be in any way disqualified from performing the high duties of the job to which they were appointed. I must come to the conclusion, therefore, that Communist infiltration is not in any way involved in these proceedings, and that the integrity and ability of the select committee can in no way be questioned.

Another matter which has disturbed me in connection with this whole proceeding is the public clamor which has been engendered with regard to it. I have been deluged with letters on both sides of the controversy, and I regret to say that, generally speaking, they have not been helpful, because they seem to me to be an attempt on both sides of the controversy to line up the so-called pro-McCarthyites and anti-McCarthyites. This is a great disservice to the junior Senator from Wisconsin himself, and is even a greater disservice to the United States Senate. To my mind, the demonstrations have been undignified and most unfortunate, and the attempt to collect signatures pro or con indicates a wide misunderstanding among some of the people of the United States as to the way this distinguished body functions. It does not function by popular vote.

The issue before us is far more serious than a popularity contest, or a contest between those for and those against the junior Senator from Wisconsin. As the Senator from Mississippi [Mr. STENNIS] said in his remarks, it has profound moral implications, and we are all troubled by the attitude of mind of one of our Members, which, unfortunately, leads him to resent and oppose either the kindly advice or the hostile criticism of his colleagues.

When I proposed my resolution last summer as a substitute for the Flanders resolution I had in mind an operation which would be different from a trial, and I did not even contemplate a resolution of censure. It seemed to me then that there might be a possibility—and I still believe there is—of bringing the fundamental good that we recognize in the junior Senator of Wisconsin as a friend of ours into line with the best interests of the country. It seemed to me that we could deal with his objectionable activities as matters for criticism by this body and as a basis for warning as to his future conduct. It was my hope, and it is still my hope, that the capacities and energies of the junior Senator from Wisconsin might be allied with the objectives and purposes of our great President in eliminating from our country subversive Communist influences and bringing the country back to a true conception of fundamental loyalties and a united front of true Americanism.

After considering carefully the report of the select committee and being convinced of its judicial and statesmanlike approach, it is my own personal conviction that the action of the Senate should be an endorsement and commendation of the committee's work. We must stamp that work with approval to the end that there may be no further suggestions of bias or any unfair approach by these outstanding colleagues of ours.

I had thought there might be some different form of resolution than that proposed by the select committee, and that possibly we could avoid a direct vote of censure, because that seemed to me to be more in the nature of a penalty for past acts than a warning for the future. The way the case is presented we are faced with a specific resolution of censure. Whatever we do on the censure vote I hope that in some form we can urge the junior Senator from Wisconsin with all the eloquence at our command to join now with his colleagues in the common endeavor to meet the danger of communism which is threatening us all. I am sincerely hopeful that the junior Senator from Wisconsin in his future activities will throw himself wholeheartedly into working with the administration in this common endeavor for the best interests of our country and not work in competition with the administration. I have felt, as so many do, that the junior Senator from Wisconsin has been led astray from the paths of our Senate tradition and Senate dignity in the inept way in which he has handled some of these difficult problems, and it has occurred to me that more may be gained by our strong dissent from some of his activities and by firm admonition for the future, than by any attempt at direct punishment for past action. With such an admonition I suggest that we should all lend a helping hand in establishing a new association among us all, including the junior Senator from Wisconsin, so that once again we can have mutual respect and mutual admiration and work together rather than separately.

As I have said, we shall probably be called on to vote yes or no on the pending resolution, because it is difficult in the time at our disposal to offer alternatives. For the record, however, I wish to suggest the kind of statement which, it has occurred to me, would be dignified for the Senate to adopt and which by its very terms would be an invitation for a new approach by us all to the handling of the critical situation which faces our country. It may be appropriate for me at a later date to offer this proposal as a substitute for the pending resolution, but I will not do so at this time.

The following is a draft of a suggested statement to be adopted by the Senate in lieu of the pending censure resolution:

The Senate of the United States has noted with concern the illness of the junior Senator from Wisconsin and extends to him its best wishes for his early and complete recovery.

The Senate of the United States views with real concern the growing divisiveness and disunity within the Senate and throughout the country because of the problems created by the infiltration of Communists and other security risks into sensitive positions, both in Government and otherwise, and the methods and procedures employed in exposing and eliminating such security risks. The Senate of the United States realizes that it is its immediate responsibility to deal with this critical situation.

The Senate of the United States takes note of the objectives of the junior Senator from Wisconsin [Mr. MCCARTHY] in pursuing his investigations of internal Communist subversion and commends those objectives.

The Senate of the United States, in acting on the report of the select committee, emphasizes that its actions in this connection are in no way to be interpreted as condemning the junior Senator from Wisconsin [Mr. MCCARTHY] for the work he has done in investigating the Communist menace.

The Senate of the United States points out that this question of investigating Communist subversion is not an issue now before the Senate. The question before the Senate is one of individual senatorial conduct involving the traditions and integrity and public manners of this great body.

The Senate of the United States expresses its deep appreciation of the patriotic and honorable service rendered by the select committee composed of Senators WATKINS, CARLSON, CASE, STENNIS, JOHNSON, and ERVIN, and heartily commends its judicial, statesmanlike, and objective handling of this difficult matter.

It is the conclusion of the Members of the Senate that the analysis and conclusions of the select committee should be accepted and adopted by the Senate.

The Senate of the United States feels constrained to rebuke its fellow Member, the junior Senator from Wisconsin [Mr. MCCARTHY], for the reasons clearly set forth in the report of the select committee, and urges that he once again establish the mutual confidence between the Members of this body and himself to which they are all entitled. The Senate of the United States appeals to the junior Senator from Wisconsin [Mr. MCCARTHY] to recognize and frankly admit the harm that has been done by his thoughtless and indefensible words and by his contempt of his colleagues. His fellow Senators urge that he recognize and admit these mistakes, and express his willingness to work with his colleagues in the Senate in endeavoring to establish the proper relationships between the executive department of our Government and the Congress.

The Senate of the United States further recommends that the Committee on Rules and Administration immediately take under its consideration the various proposals that have been made to amend the Senate rules adequately to protect witnesses appearing before committees of the Congress and make prompt recommendations to amend those rules.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PAYNE in the chair). The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I yield 20 minutes to the distinguished Senator from Iowa [Mr. GILLETTE].

Mr. GILLETTE. Mr. President, several times in the course of the debate on the pending measure reference has been made to something that is called "mail cover." On two or three of these occasions the junior Senator from Wisconsin has referred to mail covers and has stated that the junior Senator from Iowa is familiar with the facts and could correct the Senator from Wisconsin if he was making an incorrect statement. Several of my colleagues have asked me with reference to the discussion of the mail covers, and I feel that I should discuss the charge very briefly.

Mr. President, I never heard of a mail cover until about 4 weeks ago. I did not know what a mail cover was and I am not fully informed at the present time. The first time I ever heard of a mail cover was on the 30th day of October last. It seems that the junior Senator from Wisconsin had addressed a telegram to me on this subject and, in line with the quaint custom the Senator from Wisconsin follows, he had given copies of the telegram to the news services serving Iowa papers. I did not receive the telegram until Monday, the 1st of November preceding the recent election. But the telegram was released to the publicity media from the office of Senator MCCARTHY Sunday morning preceding the Tuesday election. The telegram was as follows:

OCTOBER 30, 1954.

Hon. GUY M. GILLETTE,
Cherokee, Iowa:

As you know the Watkins committee has voted that I be censured for what I considered improper conduct on the part of the Gillette committee. There has now come to my attention four different letters which you wrote to the Postmaster during the 1952 campaign ordering that arrangements for a mail cover be provided for on my mail and on members of my staff. According to your letter the mail cover was to extend to November 16, 1952. As you know and knew at the time this was a clear-cut violation of the law as mail covers are only allowed by the FBI and certain executive agencies and then only for the limited purpose of obtaining information to apprehend fugitives from justice and in cases of subversives. As you are aware this flagrant violation was only one of the improper actions on the part of your committee. Nevertheless the Watkins committee says that I should be censured for vigorously criticizing your committee. It would seem therefore that the voters should have a clear-cut statement from you before election as to whether you will vote censure because of my criticism of your committee, which committee as you well know was used to make an example of anyone who dared to expose subversives in Government. I hope that you will not stall until after election but will give a yes or no answer. There is not available to you the excuse used by some Senators that they cannot answer this question because they do not know the facts. All the facts are known to you so there should be no reason for you to duck answering this question.

JOE MCCARTHY.

Mr. President, as I previously stated, this telegram was given circulation in Iowa 2 days before the election and 2 days before I received it. I repeat, Mr. President, that until I read this telegram I had never heard of a mail cover. I have been at some pains to make inquiry of members of the staff of the Privileges and Elections Subcommittee relative to this matter, and there is not one scintilla of evidence that I had any knowledge of the use of mail covers in connection with the mail of the Senator from Wisconsin or any of his staff. Neither have I been able to learn of the unauthorized use of my name in connection with any letter or letters on the subject.

I had resigned as chairman of the Subcommittee on Privileges and Elections on the 26th of September 1952.

The purpose of the junior Senator from Wisconsin in sending this telegram and making it public prior to its receipt by me just 2 days before the Iowa senatorial election can only be conjectured. I simply state the facts.

Mr. President, it might be of interest to the Senate to hear the reply which I made to the telegram when it was finally delivered to me on the day before election:

I regret that the Senate was not called into session for consideration of the Watkins committee report before election.

However, since the Senate will not be reconvened until after election, I have made and shall make no statement relative to my vote on the resolution prior to consideration of the resolution by the Senate and the full hearing of the facts as developed by all concerned in the debate.

Mr. President, in the normal course of congressional postelection events the 83d Congress, without an intervening session, would come to the end of its legislative life January 2 next, and those like the junior Senator from Iowa who will not be Members of the 84th Congress could, in the meantime, "fold their tents like the Arabs and silently steal away." But the Senate of the 83d Congress has been called back in extraordinary session to consider a special committee report on a resolution introduced in the Senate and calling for the censure of a sitting Senator for acts which it is alleged have impaired the prestige and dignity of the United States Senate and its membership.

I have been very reluctant, Mr. President, to participate in the discussion of the pending measure for two important reasons: First, as a "lame duck" Senator, there was a hesitancy on my part to speak, which I am certain all Senators will understand, whether they have ever experienced this status or not. Second, I was, for an extended period, the chairman of the Senate Subcommittee on Privileges and Elections, which has been repeatedly referred to in the course of the debate as the Gillette committee, and the contacts of the junior Senator from Wisconsin with this subcommittee are the basis for one of the recommendations for censure in the special committee report.

I am not going to discuss the report directly now. But the fact that the Senate has been called back to Washington for a special session and for a special purpose has brought to my mind a flood of thoughts and an opportunity to express these thoughts.

Perhaps I may be excused in what may well be my valedictory talk in this Senate if I exercise an old-timer's privilege to talk of the past.

Mr. President, 18 years ago this very month I first became a Member of the United States Senate. At the end of my present term I will have served here a little over 14 years. I presume, then, that it is inevitable that one who has served that many years in this body would recall a host of outstanding statesmen with whom he has been permitted to serve here and to ask what has happened or what shall be permitted to happen that would lower the standards of integrity, quality, and dignity that have through all these years characterized the Senate of the United States.

Without mentioning or referring in any way to present Members or detracting in the slightest from the great service of former colleagues whom I may not specifically mention, I want to express the pride and pleasure I have had, Mr. President, in the great privilege of serving here with men like Senator Charles McNary, the great minority leader over many years, an ardent worker for legislation to aid the agricultural industry, with his ability, calm and alert leadership, and unvarying consideration for others.

Senator Joe Robinson, of Arkansas, who, as majority leader, unselfishly fought for his party's legislative program, subordinating all personal ambitions and prospects to this task.

Senator William Borah, of Idaho, undoubtedly one of the great Senate orators and a man whose judgments were sought nationally and internationally, yet who was invariably ready to give the benefit of his advice and guidance to a new Member.

Senator George Norris, of Nebraska, whose constructive liberalism developed legislative enactments that stand as monuments to his service.

Senator Arthur Vandenberg, of Michigan, intelligent, able, constructive, and the symbol of bipartisanship in our international relations.

Senator Robert Taft, a man strongly partisan but a man of great ability and courage, with tireless energy, and a temperate, courteous, and reasonable opponent in debate.

Senator Carter Glass, of Virginia, a great and kindly gentleman, fiery and fearless in debate, but never deviating in the slightest from the chivalrous attitude toward an opponent.

Senator Robert La Follette—young Bob—able and tireless worker, always deeply concerned with the welfare of the little man, a student of Senate procedure, and an unswerving advocate of fair play.

Senator Alva Adams, of Colorado, one of the ablest and most hard-working of all my associates over these years. He shunned publicity and any outward dis-

play of his rightful credit for public acclaim.

Senator Hiram Johnson, of California, of strong and unyielding convictions, intelligent mind, and a tremendous antagonist in debate, but never failing in urbanity and politeness.

Senator Tom Connally, of Texas, the incisive and cutting debater.

Senator Warren Austin, of Vermont, the urbane intellectual.

Senator Pat Harrison, of Mississippi, the fighting Democratic partisan who was never unfair and never unjust.

The temperate and judicial Josiah Bailey, of North Carolina; the placid but keen Wallace White, of Maine; the formidable but jovial and kindly Senator Alben Barkley, of Kentucky; the resourceful and hard-fighting, but always just, Burton K. Wheeler, of Montana; and the courtly Henry Ashurst, of Arizona.

Because I have named several of these great former colleagues, it is not intended to exclude a host of others who have graced the Senate during my years of service here. Is it surprising, then, Mr. President, that having had the rare privilege of serving with these great Senators, who cherished and protected the Senate from anything that would impair its tradition of more than a century and a half of dignity, honesty, integrity, and prestige, I am greatly concerned in the present situation that finds the United States Senate repeatedly traduced in various publicity mediums and engaged in a mighty effort to sustain and perpetuate its unsullied tradition of probity and honor?

Now let me turn, Mr. President, to some other facts which come to my memory that more closely pertain to some phase of the present controversy. In the year 1940, a presidential election year, there was appointed, as was customary, a Senate Special Committee on Privileges and Elections; not a subcommittee of the Committee on Rules and Administration, but a committee specifically selected for the purpose of inquiring into complaints relative to senatorial elections in the 1940 campaign. I was named to head this special committee. Of its membership, the two Republican members, Senator Clyde Reed, of Kansas, and Senator Charles Tobey, of New Hampshire, and one of the Democratic members, Senator Alva Adams, have passed on. One of the members, the distinguished senior Senator from Alabama [Mr. HILL], is still with us and is an outstanding Member of this body.

This special committee had a host of complaints laid before it in connection with the 1940 election. It was necessary to hold hearings in several places out of Washington, as well as in this city. To hold these hearings outside of Washington, we invariably selected one Republican and one Democrat to go to the various jurisdictions.

Some of the hearings were tense and vitriolic, and questions were raised not only of intense general interest but of strong partisan importance. The special committee completed its arduous task and filed its report with the Senate. With very minor exceptions as to legal questions, the report was unanimously approved and signed by all the members of the special committee. No attack, so far as I know, was made on the members of this special committee or the committee itself for its work and its report and while the members assiduously performed their task there was unfailing and continuing courtesy to each other and a desire to serve sincerely the interests of the Senate and the Nation.

Before I returned to this body in 1948, the Reorganization Act had come into force. The functions of the special Committee on Privileges and Elections had become part of the area of responsibility of the Senate standing Committee on Rules and Administration.

Under Senate rule No. XXV, setting up the Committee on Rules and Administration, a part of that committee's jurisdiction was defined under subsection (D) of section (o) as "Matters relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; Federal elections generally; presidential succession."

In conformity with this responsibility, the Committee on Rules and Administration set up a subordinate body to have specific responsibility in carrying out its work in this area of elections and election contests. The Committee on Rules and Administration, for the 1950 election, appointed as members of the Subcommittee on Privileges and Elections the junior Senator from Iowa as chairman, with the Senator from Mississippi [Mr. STENNIS] and the Senator from Kansas [Mr. SCHOEPPEL] as members.

This subcommittee had the usual quota of complaints, protests, and charges relative to alleged violations of law in connection with senatorial elections. We considered each and every complaint that seemed to have any reasonable foundation. Never at any time was the question of partisanship or party advantage raised by a member of our subcommittee relative to any complaint laid before us. No one could be more impartial than these men with whom I served in considering these alleged violations either by investigations or hearings. No men could have been more fair than were the Senator from Kansas and the Senator from Mississippi in considering all of these complaints; and the same judicial approach was evinced whether a Republican or a Democratic senatorial seat was in jeopardy.

After the 1950 election and with the reshuffling of committee memberships, Senators STENNIS and SCHOEPPEL were both shifted from the Committee on Rules and Administration to other standing committees. The chairman, Senator HAYDEN, appointed the Senator from New Jersey [Mr. HENDRICKSON], the Senator from Missouri [Mr. HENNINGS], the Senator from Maine [Mrs. SMITH], and the Senator from Oklahoma [Mr. MONRONEY] to serve with me as chairman, as members of the Subcommittee on Privileges and Elections of the standing Committee on Rules and Administration. The increased membership from 3 to 5 seemed advisable because of the large amount of work that faced the subcommittee and our policy of insisting that both a Democratic and a Republican Senator should be assigned to conduct each and every designated hearing.

Again, Mr. President, I pay high tribute of praise to each and every one of these Senators. Some of the hearings on complaints laid before us were protracted and extremely arduous, particularly the hearing involving the seat now held by the senior Senator from Maryland [Mr. BUTLER].

Because of the seriousness of charges in connection with this contest, I, as chairman of the subcommittee, assigned two Republican Senators and two Democratic Senators to conduct the hearing in the Maryland contest, and I took the further precaution of not personally attending the hearings, in order that there be not the slightest party numerical advantage.

The responsibilities laid on the subcommittee in the area of alleged election irregularities were so heavy and also so recent that I am sure they are well remembered by a majority of the Senators now sitting as Members of this body. I shall only repeat what I said with reference to the 1940 Committee on Privileges and Elections. Each and every one of my four associates on the subcommittee brought to the membership task a clarity of unbiased thinking and an integrity of purpose and effort that could not be surpassed.

The PRESIDING OFFICER (Mr. PAYNE in the chair). The Chair must advise the Senator from Iowa that his time has expired.

Mr. JOHNSON of Texas. Mr. President, I yield to the distinguished Senator from Iowa 5 additional minutes.

Mr. GILLETTE. Then, Mr. President, there was filed in the Senate a resolution sponsored by the then Senator from Connecticut, William Benton, charging the junior Senator from Wisconsin with certain alleged derelictions of conduct, and authorizing and directing the Committee on Rules and Administration to consider these specified charges, and "to make such further investigation with respect to other acts since his election to the Senate as may be appropriate to enable such committee to determine whether or not it should initiate action with a view toward expulsion from the Senate of Senator JOSEPH R. MCCARTHY."

It will be noted, Mr. President, that the Benton resolution did not, as has often been stated on this floor, call for the expulsion of Senator MCCARTHY. But it authorized and directed that investigation be made with reference to certain specified and other acts on which might be predicated an expulsion action on recommendation of the Committee on Rules and Administration.

The junior Senator from Iowa was then, and still is, of the opinion that the Benton resolution should better have been referred to the Committee on the Judiciary, since it did not come within any area regularly assigned to the Committee on Rules and Administration, but the Benton resolution was referred by the Senate to the Committee on Rules and Administration, and rereferred by

it to its Subcommittee on Privileges and Elections.

It is essential to keep the facts in mind, Mr. President. The jurisdiction of the Subcommittee on Privileges and Elections re the Benton resolution did not derive from the area of responsibility delineated by the Reorganization Act, but it was a specific reference of a specific matter by the Senate itself.

The Watkins committee, in its report to the Senate, stated that because Senator McCARTHY had questioned the jurisdiction of the Subcommittee on Privileges and Elections, and because of the allegations of Senator McCARTHY that the subcommittee was proceeding without jurisdiction and dishonestly, and, in effect, stealing public money, Senator HAYDEN, chairman of the Committee on Rules and Administration, submitted Senate Resolution 300, April 8, 1952, in the 82d Congress, and 2 days later, April 10, 1952, the Senate voted, 60 to 0, to confirm both the area of jurisdiction and the honesty and conduct of the subcommittee.

These matters have been recited repeatedly in the reports and discussions now before the Senate. My only purpose in citing them once more is to present more vividly the facts of the long years of unquestioned probity, honesty, and integrity, in the performance of their onerous duties, on the part of all the members of the special and Subcommittee on Privileges and Elections—how they each and everyone minimized party advantages, and in all their deliberations evinced the most assiduous support at all times of the dignity, standing, and reputation of the United States Senate.

The distinguished Senator from Mississippi [Mr. STENNIS] stated a few days ago that in certain acts and statements of recent months it seemed that something fine had gone out of this Chamber. It might be pertinent if each Senator should ask whether something of deterioration, something corrosive, or even something sinister has come into this Chamber and been allowed to lessen its dignity, its prestige, its influence, its effectiveness, and its honor.

The Senate is what we make it. The responsibility is ours for the conduct of the Senate as a whole, and for the conduct of its individual Members, so far as such conduct reflects on the position, importance, and influence of the Senate of the United States. If the Senate is to continue its investigating functions—and I am sure it should and will—if it is to sit in judgment on our citizens in extra-juridical activities, we must look to our own standards in the Senate itself, and we cannot avoid our responsibilities.

Some months ago I stood on the eminence in Galilee where tradition says the Master of Men delivered that superlative message which we call the Sermon on the Mount. If we are to act as judges of the conduct and performance of duty of other governmental agencies or of individuals, we should do well to remember these words from the Sermon on the Mount:

> Why beholdest thou the mote that is in thy brother's eye * * * and, behold, a beam is in thine own eye?
>
> Thou hypocrite, first cast out the beam out of thine own eye; and then shalt thou see clearly to cast out the mote out of thy brother's eye.

Mr. HAYDEN. Mr. President, will the Senator from Texas yield 5 minutes to me?

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes to the distinguished Senator from Arizona.

Mr. HAYDEN. I have asked for this time because I wish to say to the Senator from Iowa that I have caused diligent research to be made of both the United States Code and the postal regulations, and I can find nowhere that there is any violation of law in the use of what is known as a mail cover or mail check.

Mr. JENNER. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. JENNER. Is not a mail check ordinarily used to catch murderers or other criminals?

Mr. HAYDEN. No.

Mr. JENNER. Has it ever before been used to catch a United States Senator?

Mr. HAYDEN. I do not know about that. The point I make is that a mail cover is a common means or device frequently used by the post-office inspectors——

Mr. JENNER. To catch criminals.

Mr. HAYDEN. To catch criminals.

Mr. JENNER. That is right. Has it ever been used to catch a Senator?

Mr. HAYDEN. Perhaps the Senator ought to have been caught.

Mr. JENNER. Very well.

Mr. HAYDEN. The point I wish to make is that post-office inspectors, when mail fraud is involved, very frequently—almost invariably—use a mail cover. What is a mail cover? It is a recording in the post office of the return address on envelopes. It does delay the delivery of a letter for a brief time, until a postal employee can note down the return address on the outside of the envelope. The letter is otherwise untouched, remains unopened, and is then delivered. In the case of a mail fraud, the postal inspector obtains the names of the persons writing to the person or persons who are suspected of a mail fraud, in order to ascertain whether money is being transmitted through the mails. In that way the postal service is able to expose the fraud and obtain evidence to convict the swindlers.

In the instance referred to by the Senator from Iowa very serious charges had been made against a United States Senator, one of which was that he had taken money contributed to him to fight communism, and had diverted it to his own personal use. It was alleged that the diversion of the money was for the purpose of speculation on the commodity and the stock markets. In order to enable the investigator to ascertain who were the commodity and stock brokers with whom the Senator was dealing, in view of the very serious charges, which might or might not be true, a mail cover was instituted, and I am informed that the mail cover did disclose who were the brokers with whom the Senator was then doing business.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. HAYDEN. I yield to the majority leader.

Mr. KNOWLAND. If there had been such a diversion of the funds, however, would that not in fact have been a violation of the income-tax laws, and would that not approach, if not indeed be in fact, a criminal violation of the laws and of the statutes, and be a matter for the Department of Justice to investigate and, if the facts substantiated the charges, to prosecute the perpetrator of the fraud in violation of the law? If a person used such funds for his own purposes, would not the receipt of such funds be in the nature of income, and have to be reported in his income-tax return?

Mr. HAYDEN. That income-tax phase was fully examined into by the staff of the subcommittee. All of the facts developed were subsequently forwarded to the Commissioner of Internal Revenue, and to date there has been no report from Commissioner Andrews as to whether or not there was a violation of the income-tax laws. I am trying to point out that this was the logical and well-established way for a trained investigator to obtain facts which would determine whether there had been a violation of the law.

I do not know the date of any of the alleged letters relative to a mail cover which the Senator from Iowa [Mr. GILLETTE] is supposed to have signed. But the telegram read by the Senator from Iowa addressed to him by the junior Senator from Wisconsin was widely published in the Iowa newspapers on the day before the election. It was stated that the Senator from Iowa wrote four such letters, but I am satisfied that he did not, because it is quite certain that the question of the use of a mail cover did not arise until after he had resigned from the subcommittee and was no longer its chairman.

I did not know anything about the mail cover at the time; and I doubt that either the Senator from Missouri [Mr. HENNINGS] or the Senator from New Jersey [Mr. HENDRICKSON] did.

Mr. HENDRICKSON. Mr. President, will the Senator from Arizona yield to me for a moment?

The PRESIDING OFFICER (Mr. BUSH in the chair). Does the Senator from Arizona yield to the Senator from New Jersey?

Mr. HAYDEN. I yield.

Mr. HENDRICKSON. I may say I never heard of the thing, and I did not know what a mail cover was until the matter came up on the floor of the Senate.

Mr. JENNER. Mr. President, will the Senator from Arizona yield to me, so that I may ask a question of the Senator from New Jersey?

Mr. HAYDEN. I yield.

Mr. HENDRICKSON. I shall be glad to answer the Senator's question.

Mr. JENNER. The Senator from New Jersey was a member of the subcommittee investigating this matter; was he not?

Mr. HENDRICKSON. I was.

Mr. JENNER. And yet the Senator from New Jersey had no knowledge, and no one informed him, that a mail check—which is used to apprehend criminals—was going to be placed on the mail of a United States Senator, when the very information the subcommittee was seeking could have been obtained from the Internal Revenue Service, which undoubtedly already had the information?

Mr. HENDRICKSON. I repeat that I never heard of such a thing as a mail check or mail cover.

Mr. JENNER. I thank the Senator from New Jersey.

Mr. HAYDEN. Mr. President, my point is that the investigators employed by the Subcommittee on Privileges and Elections were experienced in their line of work; they were former members of the Federal Bureau of Investigation. That method of checking up on the mail received by persons under investigation is a familiar practice among experienced investigators, just as it is a familiar practice among post-office inspectors; and it has been used time and time again by good investigators.

Mr. JENNER. Mr. President, if the Senator from Arizona will yield to me, let me point out that the practice is a familiar one only for the purpose of catching criminals.

Mr. HAYDEN. Well, Mr. President, I do not know whether the junior Senator from Wisconsin was committing a crime, and neither does anyone else. He had been charged with very serious misconduct which the Senate had directed the Subcommittee on Privileges and Elections to investigate.

The PRESIDING OFFICER. The time yielded to the Senator from Arizona has expired.

Mr. JENNER. In other words, Mr. President, if it is a familiar practice, would the Senator from Arizona object to having any other Senator's mail covered?

Mr. HAYDEN. I would not object to having my own mail covered.

Mr. JENNER. But when the Senator from Arizona says it is a familiar practice, I wish to point out that it is a practice which is used only to apprehend criminals, such as murderers.

Mr. HAYDEN. I do not know about its use in connection with murderers, but it is widely used in connection with mail frauds.

However, the statement has been made that a mail cover was used on Senator McCARTHY's mail. Undoubtedly the check was made and the names of the persons from whom he received mail were noted and listed. That is all I say. I wish to emphasize that the practice is not unlawful and is a regular one on the part of the Federal Bureau of Investigation, and a regular one on the part of the Post Office Department, and is a practice well known to experienced investigators all over the Nation.

Mr. WATKINS. Mr. President, will the Senator from Arizona yield to me?

Mr. JOHNSON of Texas. Mr. President, I yield 2 additional minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 2 additional minutes.

Mr. WATKINS. I desire to ask this question: If the junior Senator from Wisconsin had come before the subcommittee when he was invited to do so, he could have furnished the information about his brokers, could he not?

Mr. HAYDEN. Certainly.

Mr. WATKINS. It would not have been necessary for the investigators to have made a mail check if the junior Senator from Wisconsin had come to the subcommittee and had furnished the information about who his brokers were and about his stock transactions; is that not correct?

Mr. HAYDEN. That is correct. The charges were well known; they had been made by Senator Benton and by others.

The Subcommittee on Privileges and Elections were directed by a vote of 60 to 0 on the part of the Senate to proceed with its work, and had authority to make a thorough investigation and to determine the facts as to all charges. The way to accomplish that result was to get the basic information as best the subcommittee could.

If it were true that a stock speculation had been undertaken by the junior Senator from Wisconsin, and that he had taken money contributed to him for the purpose of fighting communism, and had applied it to the purchase of commodities or stocks, it was appropriate for the subcommittee to determine who were the stockbrokers with whom he had conducted business; and that information could be developed by a mail cover.

COMMITTEE SERVICE

Mr. KNOWLAND. Mr. President, I yield one-half minute to myself. I now send to the desk a proposed order for which I request immediate consideration.

The PRESIDING OFFICER. The Senator from California is recognized for one-half minute, and the proposed order will be read.

The Chief Clerk read as follows:

Ordered, That the Senator from Nevada [Mr. BROWN] be, and he is hereby, excused from service on the Committee on Public Works and is assigned to service on the Committee on Labor and Public Welfare.

That the Senator from New Hampshire [Mr. COTTON] be, and he is hereby, excused from service on the Committee on Labor and Public Welfare and is assigned to service on the Committee on Public Works.

The PRESIDING OFFICER. The question is on agreeing to the order. Without objection, the order is entered.

IMPRISONMENT BY CHINESE COMMUNISTS OF UNITED STATES MILITARY AND CIVILIAN PERSONNEL

Mr. JENNER. Mr. President, will the Senator from California yield 15 minutes to me?

Mr. KNOWLAND. Yes, Mr. President, I yield 15 minutes to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 15 minutes.

Mr. JENNER. Mr. President, the young men who leave their homes and families, put on the American uniform, and go to strange places to risk their lives for our country are the highest responsibility on our Government.

The Chinese Communists boast that 11 members of our Armed Forces and 2 civilian employees of the Defense Department are being held in jail by them as spies, in violation of the rules of war and the specific terms of the Korean cease-fire agreement. We have been told there are 526 missing GI's and several hundred civilians who cannot get out of China.

This latest defiance of the rights of the United States is perilously close to an act of war. It must be met by all necessary measures, whatever they may be, to compel the Red bandits to free all Americans now held in restraint by them.

I wish to offer my full support to the proposal of the majority leader that the United States Government order an immediate blockade of the China coast by the American Navy, to continue until all our citizens held captive by the Reds are free. I wish to offer my support also to his demand for full information on all Americans, military or civilian, now detained by the Communists, Chinese or Russian or any other, and full information on all outrages against our personnel, such as the recent shooting down of an American plane on a peaceful mission over Japanese waters, in which one member of the crew lost his life.

It is the first obligation of a sovereign power to protect the men who fight for the nation's security. These young men ask nothing for themselves. They are content to serve their country. In return, our country can never forget its obligation to them.

It is part of the cruel injustice of war that the many who stay home owe so much to the few who go forth to fight. But if those few are ill-treated, contrary to the rules of war, then every citizen of the Nation must rise up and defend them with every resource we possess. A nation which will not give every last ounce of its strength and courage to free its unjustly imprisoned fighting men, is not worthy of respect as a sovereign power.

I am concerned about proposals that we should ask the United Nations to compel the Red Chinese to desist from violence. I do not want the United Nations ever again to tell us how much support we may, or may not, give to our own fighting men. This is, as the senior Senator from California [Mr. KNOWLAND] said, a matter for the United States Government to settle for itself. We shall be glad to have friends with us, but no one above us.

We shall be glad to work with the United Nations, but never under it. If we turn over to the United Nations the question of protecting our fighting men, we shall be transferring our sovereignty. We shall be admitting that we are a

province in a world government, no longer free to defend our national honor.

In the past 4 years, Americans have watched in angry impotence while the war which Red China waged against us in Korea was transformed into a military stalemate and a political defeat.

I have listened to statement after statement, under oath, by our military commanders in Korea—Generals MacArthur, Clark, Van Fleet, Stratemeyer, and Almond. All said we had military victory within our grasp, and that it was taken from us and turned into defeat. Our admirals told us how the Red Chinese war could have been shortened, and Communist barbarism ended, by a blockade of the China coast in 1950 and 1951 and by other military action, which was refused by our Government.

Our fighting men won the Red Chinese war in Korea, but our political leaders saved the Reds from the consequences of defeat. We were told that the United Nations was responsible for this transformation of bloody victory into humiliating compromise, and that the American Government had no choice but to acquiesce. Personally, I am skeptical of these plausible explanations that the United Nations was responsible for our humiliation.

Philip Jessup told the Senate Committee on Foreign Relations that, of course, American representatives to the United Nations could not present a purely American point of view.

The junior Senator from Iowa [Mr. GILLETTE], who has just spoken, very properly asked why they could not, and voted in committee against confirming Jessup as our representative to the United Nations.

Ambassador Lodge has spoken out in the United Nations in truly American fashion against this newest atrocity, but I am still fearful that pro-Communist sympathizers in our Government, and pro-Communists in other governments, have their own channels into United Nations, through which they can block American efforts to lead the anti-Communist world to victory.

I have stated elsewhere that today we have a "fourth house" of Government, independent of the President, the Congress, and the courts, which makes many of the basic decisions of our Government in foreign policy, and makes them favorable to a collectivist one-world.

I do not think we can submit any question of American sovereignty, of American military policy, or of American leadership in the anti-Communist struggle, to the United Nations, until we find out who in our Government, and in the United Nations, are pulling the invisible strings.

The Soviet Union and its Red Chinese satellites have planned each of these episodes of humiliation as part of the cold war, to make the United States look big, overgrown, worn out, basking in past glory, but too rich and decadent to defend itself against the brave, new, vital Communist empire in Asia. The United States, not the United Nations, must answer this question.

A naval blockade of the China coast would speak the only political language the Communists understand. It would stop the flow of war materials, which the Communists plan to use to destroy our country. It would be a signal to every starving peasant and slave laborer, that hope is not lost.

Let us make an American policy now, for the American Government to carry out, in defense of American fighting men. If our friends in the United Nations wish to join us, we shall welcome them. If appeasers here at home try to bind us with the cords of United Nations, let us say, "No. A sovereign America defends its own." Let us make it clear for all time that we know how to deal with bullies, bandits, murderers, and cowardly showoffs.

Secretary Dulles, who spoke in Chicago day before yesterday, is opposed to our making any warlike moves. I, too, am opposed to making any warlike moves. The problem is to make the Chinese Communists desist from their warlike moves.

The Communists do not want war. They had a taste of war in their attack on us.

They want victories without cost. If we make their victories expensive, they will retreat.

The Soviet Empire is weaker today than it has been since the Nazi invasion, or the time of the purges. Its people are starving, disillusioned and rebellious. Red China is seething with hate and oppression. Only the fifth column can help the Communists today. We are hearing the siren song of coexistence on every side.

If anything shows the true nature of coexistence, it is this new outburst of lawless violence.

"Coexistence or war," say the fifth columnists and their unwitting victims. But coexistence is war. Coexistence is designed to prop up the Soviet Union and its Chinese colonial satellite, so they can put down the threat of internal disorder, and then safely turn against us.

The Communist empire cannot stand without help from us or our allies. We made it what it is today.

It will fall to pieces unless we give it food, machinery, prestige and footholds for propaganda.

The Communists want us to dream of peace, until their armies can strike at Europe from Poland or the Balkans, or come over in airplanes to Chicago or Detroit.

The American policy of defiance of tyranny is the only road to peace. It is the only way to give hope to the captive people behind the Iron Curtain.

Let us break all diplomatic and trade relations with the Soviet Union, give to the helpless people of Russia, China, and the satellites the reassurance of an American Government, ready to defend its own fighting men to the uttermost, and refuse the hand of fellowship to governments red with the blood of their own people and ours.

Mr. WELKER. Mr. President, will the Senator from Indiana yield for one question?

Mr. JENNER. I am glad to yield.

Mr. WELKER. Could it be properly said that those of us who think as the Senator does—and there are too few of us on the floor of the United States Senate—might well adopt the slogan, "The country you save may be your own"?

Mr. JENNER. The Senator is correct.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial entitled "'Peaceless' Coexistence," written by David Lawrence and published in the U. S. News & World Report for November 26, 1954.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

"PEACELESS" COEXISTENCE

(By David Lawrence)

It is characteristic of the moral weakness of our times that even a proposal to debate the facts of international life is regarded as dangerous—as fostering perhaps a climate of war.

Senator KNOWLAND of California, last week called upon the Senate of the United States to study the implications of peaceful coexistence—the phrase which seems to have anesthetized so many of the statesmen of the free world.

Mr. KNOWLAND spoke—as Senator Taft often did—not necessarily as the Republican leader of the Senate, but with the deep-seated sense of duty of a representative of a large State. The California Senator's comments were met with an outburst of criticism in the press, though he was, to be sure, joined sympathetically by the Democratic Party leader, Senator LYNDON JOHNSON.

Is it a phenomenon of our day that Congress must abdicate its position as a coordinate branch of the Government and furnish only rubberstamp Senators who blindly follow the executive?

All that Mr. KNOWLAND really proposed was that the entire field of diplomatic and military policy be surveyed to determine whether America is being duped into accepting the theory of a stalemate while Soviet Russia continues her conquest of weaker countries. Are we, in effect, the victims, he asks, of a self-imposed, one-sided truce? Should not our policies be reexamined constantly in the light of Soviet behavior?

Mr. KNOWLAND is a realist who doesn't believe that peaceful coexistence is attained by wishful thinking or by issuing agonized pronouncements abouts the horrors of an atomic war.

But, exclaim some of the other Senators, doesn't Mr. KNOWLAND understand that there is no alternative to peaceful coexistence except a terrible war?

The very asking of that question emphasizes the moral bankruptcy of the hour—the inability to perceive that there is and always has been an alternative to war, namely, the concerted use of moral force.

For there are even stronger weapons than atom bombs with which to attain peace in the world. They are the weapons which mean moral ostracism of the aggressor and nonintercourse with the potential enemy. They are weapons which do not destroy peoples but organize their desires for peace in a positive and constructive program of action.

To apply moral force requires courage. Unfortunately, it takes far more courage nowadays merely to sever diplomatic relations with the Soviet Union and to cut off all trade intercourse than it used to take to declare war when an overt act came. The protest which arises from the victims of the terror propaganda of today whenever a nonintercourse policy is suggested is symptomatic of the craven attitude which is fast becoming characteristic of many a government.

Yet why should we furnish materials to build up the enemy's war machine?

Why should we, by our passive acquiescence, lead the rulers in the Kremlin to believe that they may take a chance and commit acts of aggression because we ourselves talk always as if we are frightened? Such moods of frustrated despair could force war upon us some day as an inevitable alternative. And war then would be the product of our own fallacious pacifism.

The hope of the world lies in the emancipation of the people of Soviet Russia and in the liberation of the people of the satellite countries. They can be convinced that the peace of mankind is in their hands. The mere mention, however, of the word "liberation" is greeted by our allies with the specious argument that only military force can achieve such an objective.

The Red army is an influential segment of the Soviet people. There is today no more affinity inside the Red army for the despotism of the Kremlin than there was for the Czar who was overthrown in 1917.

We can and must give hope to the peoples behind the Iron Curtain. They regard peaceful coexistence as a willingness on our part to condone evil—to forsake the oppressed. Knowing that the Soviets always distort the word "democracy" in describing their own form of government, the enslaved peoples may well wonder why the Western World grasps the phrase "peaceful coexistence" with such enthusiasm.

How shall we convince these peoples that we are not being deceived? Certainly not by accepting the insidious policy of peaceful coexistence which is only a means of lulling us into a state of fancied security.

Episode after episode reveals the belligerent purposes of the Communist regime—its words are at times soft spoken, but its acts are still those of the aggressor, as recent incidents in Indochina, and particularly the repeated shooting down of our planes, will testify.

Let the debate go on. What discussions do we fear?

The basic desire of everybody is for coexistence. The real question is whether it is to be peaceful or peaceless. We must not adopt a do-nothing attitude. There must be a constant survey and resurvey of the acts as well as the words of the Soviet Union.

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. JOHNSON of Texas. Mr. President, I yield to the majority leader 1 hour of the time allotted to the minority leader.

Mr. KNOWLAND. Mr. President, with the understanding that the time is to be divided equally, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I yield a half hour to the senior Senator from Utah.

Mr. WATKINS. Mr. President, I rise at this time to clear up some misconceptions with respect to the activities of the select committee in the matter of the reception of evidence at its hearings.

It has been charged repeatedly that the junior Senator from Wisconsin was not allowed to present evidence in his defense before the select committee.

In order to understand the subject, we must examine the situation which existed at the time the select committee began its hearings on the charges which had been prepared, not by the committee but by someone else, and which had been submitted to the select committee by the Senate, as the basis for the investigation and hearings conducted by the select committee.

One of those charges had to do with the activities of the Gillette-Hennings Subcommittee on Privileges and Elections. Charges had been made that the junior Senator from Wisconsin [Mr. McCARTHY] had abused the committee. The charges were that he had written abusive letters to the committee and had refused to cooperate with it.

The Senator from Iowa [Mr. GILLETTE] this morning called attention to the fact that Senate Resolution No. 300 was brought before the Senate to test the very matter that had been charged by Senator McCARTHY. I wish Senators who are lawyers would take particular note of this point. Senator McCARTHY had made a written appearance before the subcommittee when he sent his letters to the subcommittee. He had had full notice of the investigation and its seriousness, and he had sent these letters. Those letters made certain charges, and he said those letters contained his defense.

The subcommittee decided that it would have a definite test made before the Senate. In other words, it would seek a ruling by the only body which could rule on the questions raised, namely, the Senate of the United States.

It invited the junior Senator from Wisconsin to come before the Senate with such a resolution, to wit a resolution proposing that the Senate discharge the subcommittee because of its alleged dishonesty, and because it exceeded its jurisdiction. Its integrity had been attacked, and the members of the subcommittee urged Senator McCARTHY to make that test before the Senate, the only place where such a test could be made. He did not do so.

The subcommittee brought the resolution before the Senate. The resolution was discussed and voted on in the Senate. The junior Senator from Wisconsin was present in the Chamber when the vote was taken. At least, he was present when the debate was had on the resolution. As I recall, he announced that he would vote against the resolution if he remained in the Chamber. He had to leave, as I remember.

Every Senator present at the time, as I recall, voted on the resolution, except Senator McCARTHY, who left immediately after the vote was taken. The vote was 60 to 0 against this resolution.

The Senate at that time was passing on the very defense which Senator McCARTHY had urged as his defense, namely, that the committee was dishonest, that it was conducting itself dishonestly, and that it did not have jurisdiction. That was, I believe, in April 1952.

When the subject was submitted to the select committee, what position were the members of the committee to take with respect to a matter which apparently had been decided by the Senate? Senator McCARTHY still claimed that that was his defense, namely, that the subcommittee was dishonest, that it did not have jurisdiction, and that it was conducting itself dishonestly.

Were we of the committee to say to the Senate that the Senate did not know what it was doing, and that the select committee would reexamine the whole matter?

It was discussed by the select committee, and it was decided that the question was res judicata because a decision had been made by the Senate. The select committee decided that it had been settled that the subcommittee had jurisdiction to do what it was doing, and that the subcommittee was an honest subcommittee. The select committee decided that since the integrity of the subcommittee and its jurisdiction had been sustained by the vote of the Senate, and Senator McCARTHY, the one who had raised the matter as his defense, had abandoned his defense.

He joined with other Senators in saying that he would vote against the resolution. In order to sustain his position, it would have been necessary to adopt the resolution. That would have been a vote to sustain his contention. He had a full opportunity before the subcommittee to present his defense, for he had been invited to appear before it, but he also had an opportunity when before the Senate of the United States, the real court, the final authority, but he abandoned the defense.

That was the legal position in which we found ourselves, and that was the justification for the decision which the select committee made, in a general way, in respect to what we should do with reference to the attack on the honesty, integrity, and jurisdiction of the subcommittee. The Senate can see what it would have meant if the select committee had undertaken to try the Gillette-Hennings committee to see whether it was honest or dishonest. It would have taken many months to have gone into the record again and to examine everything it had done. It was up to the junior Senator from Wisconsin to offer whatever defense he wished to offer before the select committee. In spite of the fact that that question had been settled, and we determined we could not retry the whole question, we, in effect, said, "We are going to do what the Senator from North Carolina [Mr. ERVIN] said the committee had done previously"; and if we erred at all, we erred in favor of the junior Senator from Wisconsin.

So we did actually receive the evidence. The junior Senator from Wisconsin said he had submitted it to the Gillette committee, and we received the same evidence, but gave him a further opportunity to present evidence as to the dishonesty of the committee if he desired to do so, notwithstanding we thought the matter had been settled.

By the way, Mr. President, in connection with this matter, I think this comment should be made; namely, that the

junior Senator from Wisconsin had submitted a resolution asking for the expulsion of Senator Benton, and the resolution was referred to the selfsame committee. The junior Senator from Wisconsin was invited to appear before the subcommittee to testify with respect to that resolution. It is worthy of note that he did appear. He did not object then that the subcommittee was dishonest and that it did not have jurisdiction; he did not object in any way to the subcommittee; he did not object to the fact that Senator Benton was not going to be permitted to cross-examine the junior Senator from Wisconsin when he appeared.

Mr. MONRONEY. Mr. President, will the Senator from Utah yield?

Mr. WATKINS. I do not have very much time, and I dislike very much to yield when I am making my presentation.

Mr. MONRONEY. The only thing I should like to say is that Senator Benton came before the committee to answer those charges when he was invited to do so, in pursuance to the resolution of the junior Senator from Wisconsin on the day of the 60-to-0 vote sustaining the Subcommittee on Privileges and Elections.

Mr. WATKINS. I thank the Senator from Oklahoma.

Mr. President, I shall now go into the record to show what actually happened before the select committee. I shall read excerpts from the record with respect to the presentation of evidence.

At page 354 of the hearing record, volume I, I wish to read excerpts which will show the general trend and the general attitude of the committee:

The CHAIRMAN. I will say, Senator, if you have some testimony from Mr. Carr, we would like to call him to testify about the matter you had reference to.

If you indicate he is to be a witness, let us know, and we will call him.

Senator MCCARTHY. I merely wanted to qualify—I made an answer, Mr. Chairman. I don't argue this other point. I made the answer saying that I relied upon the administrative assistants, and I was going to tell you that Mr. Carr was checking with the telegraph company to find if we did not send wires to all seven Senators to get permission.

He wouldn't know that for some time.

The CHAIRMAN. All right, we can take it up when he gets the information.

The record will show that he never did bring in Mr. Carr with any information showing whether he had sent telegrams to all the members of the committee with respect to the release of the Zwicker testimony.

Another excerpt, from page 359, where Senator HAYDEN was testifying. This is Senator HAYDEN speaking:

Senator HAYDEN. I was advised of the resignation of Senator GILLETTE and Senator WELKER by mail, which I received in Phoenix, Ariz., and at that place accepted both resignations.

I realized, by reason of a suggestion made in Senator GILLETTE's letter, that the subcommittee might continue as 3 rather than to make it 5, that there was a question there. So, I directed the clerk of the committee, Mrs. Grace E. Johnson, to inquire of the Parliamentarian of the Senate as to what the situation would be, and I received from her this memorandum, which I am prepared to read. It it addressed to me and says——

The CHAIRMAN. Mr. Williams.

Mr. WILLIAMS. I would like to see it, if I may, before it goes in.

The CHAIRMAN. Will you please submit it to Mr. Williams?

Mr. WILLIAMS. Thank you, Senator.

Mr. Chairman, this is a memorandum by Grace E. Johnson, as Senator HAYDEN has just indicated, recounting a conversation which she says she had with the Parliamentarian, in which she undertakes to set out the law on this subject as she understands it from her conversation with the Parliamentarian.

I just don't see how this could go in if we are still adhering to the hearsay rule.

The CHAIRMAN. I think your exception or your questioning of the document is well taken.

Another instance, Mr. President, at page 376 of volume I of the record, Mr. de Furia, assistant counsel to the committee, was examining the junior Senator from Wisconsin, who was testifying in his own behalf:

Mr. DE FURIA. I will repeat.

Did you not state in that same letter:

"While the actions of Benton and some of the committee members do not surprise me, I cannot understand your being willing to label GUY GILLETTE as a man who will head a committee which is stealing from the pockets of the American taxpayers tens of thousands of dollars and then using this money to protect the Democratic Party from the political effect of the exposure of Communists in Government."

Senator MCCARTHY. That is a correct quote.

Mr. DE FURIA. Did you have any evidence, Senator MCCARTHY, to support the statements of fact that you made in this letter?

Senator MCCARTHY. Yes.

Mr. DE FURIA. Did you ever produce that evidence?

That was, in effect, an invitation to produce it then if he had it.

Senator MCCARTHY. It was produced in letters to the committee.

He is speaking of the Gillette-Hennings subcommittee. We had every one of those letters in evidence. They were put in by the select committee itself. Here was his own characterization. The evidence he had in support of his statements were in his letters to the select committee, and they were all put in evidence. So I cannot understand why there should be any complaint that he did not have full opportunity to present his case to the select committee, even though, as matter of law, he was not entitled to do so, because the place to have presented his defense was before the Gillette subcommittee before which the Senate Resolution 300 was under consideration. I do not see how any lawyer can get away from that fact.

Continuing with his statement:

Senator MCCARTHY. It was produced in letters to the committee. I pointed out to them exactly what I had in mind, that they were going far beyond the Benton resolution, that they were going back to 1935, that they were making photostats, and I think that photostats cost, I think, in the neighborhood of $1,000 and the correspondence they had with the bank, having nothing to do with wrongdoing, requests for extension of time and payment of interest.

He said he had pointed it out to the committee. He had made his written appearance before the committee. He said, "I put it in my letters to the committee." All those letters were received by the select committee, so we had all his so-called defense.

I shall continue with the reading. In order to present this matter clearly in the RECORD, I must repeat some of it. I read from page 376 of the hearings:

Senator MCCARTHY. * * * I pointed out to them exactly what I had in mind, that they were going far beyond the Benton resolution, that they were going back to 1935, that they were making photostats, and I think that photostats cost, I think, in the neighborhood of $1,000, and the correspondence they had with the bank, having nothing to do with wrongdoing, requests for extension of time and payment of interests.

The bank has answered, granting extension of time, evidence of the payment.

They did me one favor. They proved that no one ever lost one penny by loaning money to MCCARTHY.

Then, I read from page 378 of the hearings:

The CHAIRMAN. That is the question: "Did you ever produce the evidence?" and the answer could be yes or no.

Senator MCCARTHY. The answer is the evidence has been produced.

Those letters were the evidence. I continue:

Mr. DE FURIA. Where was it produced, Senator?

Senator MCCARTHY. Produced by the committee at their own invitation.

Mr. DE FURIA. You did have available to you, did you not, Senator MCCARTHY, an exact financial record of every penny spent by that subcommittee?

Senator MCCARTHY. No.

Mr. DE FURIA. You could have gotten it, I mean, Senator; isn't that correct?

Senator MCCARTHY. I doubt that very much.

Mr. DE FURIA. You did obtain from the committee, however, a record of their employees and salaries, did you not, sir?

Senator MCCARTHY. A record of some of the employees. I believe the letter I got from GILLETTE indicated that there were 2 or 3 other employees not named.

Mr. DE FURIA. Yes, sir; but they did give you full information, did they not, in reply to your inquiry about the employees?

In order to show that the subcommittee was spending tens of thousands of dollars dishonestly in making these searches, direct evidence, competent evidence, would have had to be brought in—the committee books, committee records, and the persons who had charge of those records. That would have been competent testimony as to exactly how much was spent. The junior Senator from Wisconsin never brought in any of the witnesses, nor did he ask to have them subpenaed by the committee, even after the information had been supplied.

On the last day of the hearing, Mr. Williams was asked if he had any further testimony. He said:

Yes, sir. I wanted to call this to the Chair's attention, if all the evidence is in, and I assume it is.

We have nothing further to offer and I understand counsel on the other side has nothing further to offer. Is that correct?

Mr. CHADWICK. That is correct, Mr. Williams.

I also invite attention to the fact that in the very beginning, at the opening of

the hearings, an announcement was made, through the chairman, that the select committee was interested in getting all the material, competent, relative evidence which could be received by the committee for the use of the Senate. That invitation was extended several times throughout the hearing. So when it was stated time and time again by the distinguished senior Senator from Ohio [Mr. BRICKER] that the junior Senator from Wisconsin was not given an opportunity to present his case, his defense, to the select committee, the record is to the contrary to all such assertions which have been made. An opportunity was offered, going far and beyond the ruling or the decision which had been made by the select committee that the entire matter with respect to dishonesty and jurisdiction of the Gillette-Hennings subcommittee had been settled, as a matter of law, by the Senate itself. In spite of that ruling, the select committee allowed and practically invited the junior Senator from Wisconsin to bring in such evidence.

A quotation has been made out of context with reference to a statement I made having reference to the legal situation which existed, namely, that the place to present the case about the dishonesty of the Gillette committee was in the United States Senate. The junior Senator from Wisconsin could have brought such evidence to the Senate, but he did not bring it to the Senate. The committee asked him to do so, but he refused. When the committee did it, to make a test of the situation, the junior Senator from Wisconsin backed down. He had already made what might be termed a written appearance before the committee. He had filed what, in effect, he said was his evidence. He told us the evidence was in the letters he had written.

How on earth can the junior Senator from Wisconsin sustain the charge he has made that he did not have an opportunity to present his defense? He was invited to bring in witnesses and to name the lines of investigation he desired the committee to follow for him. We were willing to do it, because we had taken the position that we wanted to get all the evidence we could obtain in order to help us arrive at our decision. I cannot understand how any person in the situation in which the junior Senator from Wisconsin was at the time, if he knew he had some witnesses, such as the junior Senator from Idaho [Mr. WELKER], and others, who had some firsthand information about the matter, why he did not have these witnesses present.

The junior Senator from Wisconsin had a full opportunity to present evidence. The select committee did not try to anticipate his case or try to prove it for him. The junior Senator from Wisconsin had a full opportunity to bring before the select committee all the witnesses he wished to have called, and at the expense of the United States, because subpenas were signed by the chairman of the select committee, and some witnesses received their pay from the United States.

Mr. HENNINGS. Mr. President, will the Senator from Utah yield?

Mr. WATKINS. I have hesitated to yield, because I have only a very limited amount of time. There are other matters which I wish to take up this afternoon, and I want to conserve my strength.

Mr. HENNINGS. I shall not intrude upon the time of my distinguished friend; I simply rose to compliment, pay tribute to, and make one or two other observations about the Senator's work and the work of the other members of the select committee. But I shall do so later.

Mr. SALTONSTALL. Mr. President, will the Senator yield for one question on the point which he has just discussed?

Mr. WATKINS. I yield. I wish to be courteous.

Mr. SALTONSTALL. I appreciate that. The Senator from Utah is essentially a fair man.

Does the Senator from Utah draw a distinction—and if so, what—between having the Senate act on the Bennett amendment, which is now lying on our desks, and having the Senate act on the charges in that amendment, without reference of the amendment to a committee, and the vote of the Senate in referring the charges made last August to a committee, rather than acting on them without any committee recommendations? That is the first part of the question.

I should also like to have the answer of the Senator on this matter, in the same connection: What is the distinction between having the Senate act on the Bennett amendment with relation to the junior Senator from Wisconsin and the attitude expressed so clearly by the senior Senator from Arkansas [Mr. MCCLELLAN] relative to a censure charge being brought against any other Senator, when such other Senator would have, under the unanimous-consent agreement, only one-half hour to respond to a censure charge? There are really two questions.

Mr. WATKINS. There is a difference between the situations. Forty-six charges were in the original material which were given to the select committee to work on. They involved a long period of time and some rather voluminous records. That was a situation in which the Senate was justified in saying that it could not consider all those matters very well as a body, because it would have involved too which detail and required too much time of the entire Senate.

Those charges did not allege the commission of offenses—at least all of them did not—in the presence of the Senate itself. The charges in the Bennett resolution all relate to matters of conduct by the junior Senator from Wisconsin while a proceeding in the nature of a judicial hearing was pending before the Senate of the United States. This entire proceeding had been set for consideration by a special session, involving a return of the Senate to Washington, to hear the matter. All the circumstances and allegations of misconduct in the Bennett amendment have to do with the conduct of the junior Senator from Wisconsin while a proceeding in the Senate was pending against him. They are all of a nature which he must have known and understood at the time he made them; and he either had a defense or did not have a defense.

For example, let us consider the oblique attack on the Senate of the United States. I say it is oblique, because it is a characteristic of the McCarthy way of doing things. The junior Senator from Wisconsin referred to this proceeding as a "lynching bee," with all the ugly implications which grow out of such a term. The junior Senator from Utah [Mr. BENNETT] discussed it last night. Every Senator who has been considering charges against the junior Senator from Wisconsin has been charged by him, in an effort to prevent the adoption of the censure resolution, with an attempt to lynch him, to proceed without any semblance of law and order, and as a mob. That is in effect of what he was saying, and that is an attack upon the Senate of the United States. No one can tell me that when a Senator, a Member of this body, goes so far as to say that the tribunal which is hearing the matter is made up of mobocrats, and that they were going to lynch him, such an attack does not have a tendency to bring into disrepute the entire Senate of the United States. That statement was made before millions of people via television. There cannot be any question whether the junior Senator from Wisconsin said it or did not say it. That statement was contemptuous in the extreme and was made almost in the very presence of the court, while the very matter of the charges made against the junior Senator from Wisconsin was pending, and in which he was the subject of proposed censure.

The same statement applies to the rest of the Senator's conduct. He attacked an agency, an arm, of the United States Senate, when he stated that three Members of the committee which had been appointed by the Senate were guilty of fraud in that they did not tell the Vice President that they were biased, and that they were guilty of deception. The junior Senator from Wisconsin stated that in a letter to me as chairman of the committee. He would not have been writing me letters if I had not been chairman of the committee. That charge was an attack on the very body considering his case while the case was pending.

There was also filed in the Senate itself the so called "handmaiden" or hit-and-run speech. The junior Senator from Wisconsin stated he did not have time during the day to deliver it, although we were hunting for persons to fill in the program that day. The junior Senator from Wisconsin put the speech in the RECORD by unanimous consent, and in it he made the most dastardly charges against the select committee, and against the whole Senate, because we were the agents of the Senate. I defy anyone to show that the select committee was acting outside the scope of the authority which the Senate gave it. We were charged with being attorneys-in-fact to the Communist conspiracy, and

with following the Communist line. Those statements were made.

As the junior Senator from Utah [Mr. BENNETT] stated last night, those statements were libelous per se. There is no question about it. The statements libeled and slandered an arm of the United States Senate. It is in line with the pattern of stating, "You are lynchers. You act as a mob, without law or semblance of law."

The junior Senator from Wisconsin has known about these matters. I called them to his attention Tuesday, in a speech on the floor of the Senate. The junior Senator from Wisconsin has known an amendment would be prepared and presented to add to the proposed censure resolution. Shortly thereafter the junior Senator from Utah [Mr. BENNETT] notified the Senate he would propose an amendment such as he did offer. The Senate does not have to have committees to do the work of the Senate, unless it wants to. The only requirement is that the Senator accused must have an opportunity to present his defense. When the junior Senator from Wisconsin made his charges, they were false—just as false as they were vicious. He should have known he was going to have to back them up if he intended to use them as an affirmative defense.

That is the answer to the first part of the question of the Senator from Massachusetts. What was the second part?

Mr. SALTONSTALL. The second part of the question is, How does the Senator from Utah draw a distinction between the action of the Senate last summer in referring the matter to a committee, and the attitude expressed so clearly by the senior Senator from Arkansas [Mr. MCCLELLAN] the other day relative to a charge being brought against another Senator when he would have only a half hour to answer, as would have been the case under the proposed unanimous-consent agreement?

Mr. WATKINS. I think if Senator MCCARTHY had had only a half hour to present his defense, and he had not known about the charge until a Senator presented it in the half hour preceding, the statement made would absolutely apply; but this is not new matter. This was matter which the committee was already investigating and on which the committee was holding hearings. Remember that the Senate is the body which holds the trial, not the committee. What would happen? I can read it just as if it was written in letters 10 feet high.

The PRESIDING OFFICER [Mr. BENNETT in the chair]. The time of the senior Senator from Utah has expired.

Mr. WATKINS. Mr. President, may I have a few additional minutes?

Mr. KNOWLAND. Mr. President, I yield 5 additional minutes to the Senator from Utah.

Mr. WATKINS. If that matter were to be referred to a committee at this time, the Senate would be right where it was in 1952. There will soon be a new Congress. The report of the Hennings-Gillette subcommittee was not presented until January 1953, there was not time to act on it, and the Republicans did not push it when it was referred to them. If the charge is to be referred to a committee, the Senate will not possibly be able to do anything about the matter, because the Senate will not stay in session while the committee considers it, and then there will be a new Congress. No one has to be a prophet to read what will be written: "It was in the 83d Congress. We are now in the 84th Congress, and you can't go back. The statute of limitations has run."

Do my colleagues see the position the Senate is in? To me the conduct of the junior Senator from Wisconsin, much to my sorrow—and I mean that sincerely—has been of this nature: He was charged with abusing the Gillette-Hennings subcommittee. His answer to that charge is to abuse the Watkins committee, only he goes at it with more vehemence. Senator HENDRICKSON was cowardly and he was kind of stupid, but at that time the junior Senator from Wisconsin used the words, "He was a living miracle, without brains or guts." When the junior Senator from Wisconsin described the chairman of the select committee, he said that the chairman was stupid and was a coward. There is very little difference except in the words used. They mean the same thing, except that the Senator has sort of improved a little since he made the original charges.

Mr. WELKER. Mr. President, will the Senator yield for a question?

Mr. WATKINS. I shall yield for a few brief questions, because my time has about expired.

Mr. WELKER. I invite the attention of the Senator to page 296 of the hearings. I will ask the Senator if it is not a fact that the chairman announced that any evidence of justification would be subject to the rule of the distinguished chairman, the Senator from the State of Utah, as follows:

> I do not see that this is material. The letter, of course, speaks for itself, but I should say in addition to that the matter is immaterial. The matter that is material here is whether the committee, in view of the ruling, whether the committee had jurisdiction and whether an investigation was actually going on.

Being the able judge and lawyer that the distinguished Senator from Utah is, is it true that at the close of the testimony the Senator asked the junior Senator from Wisconsin, "Do you have any more evidence to offer?" In other words——

Mr. WATKINS. Wait a minute. The Senator asked a question. Let me answer it. I am not going to have a dozen questions asked me at one time. The statement that was made was taken out of context, as I have suggested. Prior to that time a letter regarding the so-called insane man had been put in the record by the committee, and the Senator himself had said that the letter contained his testimony or evidence. The committee already had that letter before it, and he made that statement. Later on the committee allowed the junior Senator from Wisconsin to go on, as is shown, in examination by Mr. de Furia, and the Senator was asked for the evidence. He was asked, "What evidence do you have?" We did not feel as a matter of law that the Senator was entitled to do that——

Mr. WELKER. And the Senator so ruled, did he not?

Mr. WATKINS. No. We let the Senator go ahead and put in all that evidence, all he wanted to.

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. WATKINS. He had already put in the evidence about the insane man; and the insane man, by the way, never did appear before the Gillette subcommittee.

Mr. President, that is the gravamen of the situation. I now yield the floor.

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. KNOWLAND. Mr. President, let me inquire how much time remains to our side.

The PRESIDING OFFICER. The Senator from California has 23 minutes remaining under his control.

Mr. KNOWLAND. Then I yield 23 minutes to the Senator from Illinois [Mr. DIRKSEN].

Before the Senator from Illinois proceeds, Mr. President, I ask unanimous consent that at this time there may be a quorum call, with half of the time required for it to be charged to the time available to each side.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. KNOWLAND. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. First, let the Chair remind the Senator from California that if the roll is called at this time, it will reduce the remaining available time.

Mr. KNOWLAND. I understand.

The PRESIDING OFFICER. Very well.

The absence of a quorum being suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that further proceedings under the order for the call of the roll be dispensed with, and that the order for the call of the roll be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I yield 30 minutes of my time to the distinguished majority leader.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. KNOWLAND. Mr. President, let me inquire how much time originally remained to me, under my control?

The PRESIDING OFFICER. Twenty-three minutes, but it has been diminished by one-half of the time required for the proceedings under the call of the roll; therefore, only 19 minutes of the former 23 now remain under the control of the Senator from California, plus the additional 30 minutes yielded to him by the Senator from Texas [Mr. JOHNSON]. So a total of 49 minutes is now available to the Senator from California.

Mr. KNOWLAND. Mr. President, I yield 49 minutes to the Senator from Illinois [Mr. DIRKSEN].

The PRESIDING OFFICER. The Senator from Illinois is recognized for 49 minutes.

Mr. DIRKSEN. Mr. President, I am afraid I am the victim of a bit of a parliamentary snarl, and probably it ensues as a result of my own feeble familiarity with the rules. At the time when I was contemplating proposing a substitute for the pending resolution, I had in mind that it would be possible to secure a vote on the substitute before a vote was taken on section 1 of the pending resolution. However, I am informed by the Parliamentarian that, under the rules, the substitute would have to be considered as a motion to strike out and insert, and that there would have to be a vote on the language as it now stands in the committee resolution. Consequently, if what I have in mind is offered as a substitute, no vote can be taken on it until the perfecting amendments have first been disposed of by the Senate.

I consider it appropriate at this time to advise the Senate as to what I had in mind by way of a substitute. Let me make it as clear as possible that this is no compromise. When we compromise we find some half-way mark. If we are dealing with appropriations, if the sum of $1 million is involved, and someone suggests $500,000, perhaps a compromise is three-quarters of a million. If we are dealing with the authority which is extended to a Federal agency, sometimes we can compromise with respect to the limitations on such authority. But frankly, when we are dealing with what I esteem to be a principle, I know of no way to compromise. If the question is as between a good sound spanking and a little spank, that involves a matter of principle, and I say that I can draw no line.

So I say to the Senate that this is no compromise proposal. This is, in truth and in fact, a substitute. Probably it is not in the best legal form, because I put my argument in the pleadings. However, I should like to read it to the Senate at this time, before we reach the limitation of debate at 3 o'clock.

If I were at liberty under the rules so to do, I would strike out all the language of section 1 after the word "resolved" and insert the following:

That with respect to the report and recommendations of the select committee, a reasonable doubt exists as to the authority of the Senate to censure or condemn a Senator for language or conduct in a prior session of the Congress; that no rule presently exists under which censure or condemnation for the alleged language or conduct might be justifiably imposed; that a Senator is under no legal duty to appear before a committee on invitation and that censure was not heretofore proposed where a Senator refused to appear before a committee; that censure or condemnation while not depriving a Senator of any privilege or prerogative is punitive in nature and might, therefore, be considered ex post facto in character, if imposed for language or conduct in a prior Congress; that there has been no violation of Senatorial tradition as evidenced by countless instances of robust and salty phraseology in Senate debate dating back to the first Congress in 1789; that there is no evidence to establish that the constitutional processes of the Senate were in fact obstructed; that the failure of the complainant Senators to raise questions of conduct on January 3, 1953, when the oath was administered to the Senator from Wisconsin [Mr. McCARTHY], precludes a valid consideration of the charges and allegations in section 1 of the resolution reported by the select committee——

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HENDRICKSON. Will the Senator read the last statement again?

Mr. DIRKSEN. It is as follows:

That the failure of the complainant Senators to raise questions of conduct on January 3, 1953, when the oath was administered to the Senator from Wisconsin [Mr. McCARTHY], precludes a valid consideration of the charges and allegations in section 1 of the resolution reported by the select committee.

Continuing:

That censure for the use of allegedly intemperate language in interrogating a witness does not in the light of all the circumstances involve the good faith which must be maintained between the executive and legislative branches of government; that the Congress does have the right to examine into the applicability of an Executive order or directive especially where the internal security of the Nation may be involved; that while abusive or intemperate language is to be deplored, it does not in the light of precedent warrant formal censure or condemnation as proposed in sections 1 and 2 of the resolution reported by the select committee.

I had added two other provisions or clauses, but when the unanimous-consent request was finally agreed to, I discovered that under the rule of germaneness those clauses would be out of order. However, I think I ought to read them to the Senate for information. One of them reads as follows:

That the Rules Committee give immediate attention to the formulation of rules and procedures respecting the conduct of investigations, the decorum of Members, and the disposition of motions to censure.

The final provision was:

That the Senate reaffirm its duty and responsibility, through its appropriate committees and procedures, to investigate and expose the international Communist conspiracy, which is a menace to free American institutions.

The entire purpose of the substitute was to preclude a vote on section 1 of the pending resolution, because the proposed substitute is diametrically opposed to it. I take a position against censure and condemnation for a great many reasons, including many which have already been advanced in the course of general discussion on this floor.

If I may, I should like to address myself without interruption for a little while to the question before the Senate. It seems rather fantastic that 21 years after the recognition of the Soviet Union the man who is regarded in this country and in the rest of the world as the principal Red hunter should be on trial. It is rather fantastic that after the exchange and consummation of correspondence between the then President of the United States and Michael Kalinin, of the Presidium in Moscow, and 21 years after recognition, we should have on trial a fellow Member of this body, because of some salty language and because of some alleged misconduct.

I recall that in November of 1933 the national commander of the American Legion, who came from my State, delivered a dedicatory address at the Tomb of the Unknown Soldier. Recently I obtained a copy of that address. He admonished the country and took a position, as the national commander of a great patriotic body, against recognition, with all the implications and perils which would follow in its trail.

So here we are, 21 years later, considering censure and condemnation proposals with respect to a fellow Member of this body. We have been beset with letters and petitions. I noticed in the press the other morning quotations from a number of Members of this body on the subject of whether or not the sentiment for or against Senator McCARTHY had shifted, whether or not the people who were vocal and who were expressing themselves in all sections of the country had now shifted their opinion.

That is rather strange, Mr. President, when a Senator is on trial, because if, as has been contended on occasions, this is a judicial proceeding, it is strange that the judges should be subject to all the pressures and influences of names, letters, telegrams, and petitions.

As for me, I will resolve the question on principle, as best I can. I can assure the Senate, feeble as the assurance may sound, that there will be no politics in that judgment. Frankly, I do not know what is the popular course. I receive as many letters and telegrams as does any other Member of the Senate on this subject. When the McCarthy-Army hearings were in progress more than 150,000 letters and telegrams came to my office, showing how volatile and explosive is the public mind on the issue of Senator McCARTHY. But for me the decision will be on a question of principle. I do not care how many petitions and resolutions reach my office. Whatever my conscience dictates, that I must do. That I will do; and I will do it without any regard for my political future, because that is of no consequence when a great principle is involved.

It seems to me that, by way of approach to our duties and responsibilities when the hour of judgment arrives, we could be a little kinder. We could be a little softer in our language. We could be a little more dispassionate. The judgment is coming in the month of December. There in a great tradition connected with that month. Only a week or more hence we shall observe the anniversary of the outraging of our moral and physical frontiers in the Pacific, when the bombs fell at Pearl Harbor, precipitating us into the greatest conflict mankind ever saw. It was a conflict which started with a black Hitler and wound up with a Red one. That Red one is the cause of all trouble and all concern, not only for the Senate and our coordinate body, the House of Representatives, but for the people of this country, who are so interested in the preservation of freedom.

The judgment will also come in the month of Christmas. I had a moment to spend downtown the other day. I could hear all the gramaphones and radios pealing out the lovely words and phrases

which somehow give animation to people in this one season and that somehow soften the spirit.

Hark! The Herald Angels Sing.

O Little Town of Bethlehem.

For once the spirit, in a cynical and material age, is lifted for a little while, and the great pulsing throb of sentiment is:

Peace on earth; good will to men.

I wonder, as I see how sharp is the language that is used, where is the fortifying sentiment of good will that comes coursing down and softens the spirit? Where is the good will? I merely wish to say to Senators: Let us think about it a little.

Finally, this judgment will come in the month in which we observe the 10th Christmas in the atomic age. Oh, what progress we have made in the field of physical fission. How little progress we have made in the field of spiritual fission. There is still very much of the jungle in us.

I allude to these things today because I think of the softer approach we should use in discharging our responsibilities.

Long ago Marcus Aurelius said:

Forbearance is a part of justice.

Let us ponder that when we think of the dignity and the traditions of the Senate. This is a great deliberative body. Mr. President, I would rather have the people of this country say the greatness of the Senate in an hour like this lies in its forbearance.

Is there anything absolute in our judgment in standards of conduct? How does one judge?

I see on the floor the distinguished senior Senator from Georgia [Mr. GEORGE]. I see other Senators on the floor who have served in the Senate much longer than I have. I am sorry that when I saw the reference in the press to the long service of the senior Senator from Georgia I did not take the time to send him a telegram of felicitation for the service he has rendered to the people of our country and to those of his great sovereign State. I believe the senior Senator from Georgia was a Member of the Senate when Senator Walsh, of Montana, was also a Member. He was a great crusader. Yet the New York Times called him the "Montana mudgunner." He was the one who found something that the Republicans should not have been doing and exposed it. What was the judgment of the New York Times, one of the great newspapers of our country? They referred to him as the "Montana mudgunner."

Even in the days of ancient Greece judgments were not absolute. Plato, in felicitating the Athenians, congratulated them as possessing "pure heartfelt hatred" for their enemies. That was many centuries ago.

As I see sometimes evil, cold, and malevolent hate display itself, it distresses me no end.

I wish JOE MCCARTHY were present, so that I could say this to his face. Perhaps he would not like what I am about to say, and I might even be censured, if he were to take exception to what I am about to say. However, JOE MCCARTHY, in the language that I understood in my neighborhood when I was a boy, is something of an alley fighter. That is a pretty good description.

He is no master of the English language. He does not know all the fine and tripping phrases. There is a bluntness about his spirit. When he came full tilt against the great insidious and malevolent force that would threaten this country, he responded to every instinct, to all the feelings that were aroused in the spirit of JOE MCCARTHY, himself.

We ought to be rather forbearing when we come to make an absolute judgment.

Who of us timid people would have done that job? Who would have taken upon himself the harrassment that began with the speech in Wheeling 5 years ago? Oh, the harrassment and vilification and abuse. Who would have taken that? I doubt whether I would have done so. But he stood up.

It has been said that he never sent one person to jail. The answer is, of course not. The Senate is not a court. We are not district attorneys. His job was to alert the American people, to lift them out of lethargy, so that they could see in precise focus this frightful force that menaces our country, even at this good hour.

So here comes a great crusader, not too polished in his approach, not too felicitous in his selection of words and phrases, to do battle with this insidious force.

If he has strayed a little from decorous language, I can still find it in my heart to be entirely forbearing about it, because of the great work he has done.

I have a quotation before me. It is of a remark made by former Senator Wheeler, published in the newspapers a day or two ago. He said:

How thin-skinned has the Senate become?

We do not pay so much attention to what is said by outside agencies. Let me read a few quotations. I trust I can do it within the rule, and not invite censure for myself in doing so. I shall read the quotation and then give the source:

A more weak, bigoted, persecuting and intolerant set of instruments of malice and every hateful passion were never assembled in a legislative capacity in any age or any land.

That was written about the United States Senate. When? On the 20th day of March 1837, in the Baltimore Republican and Commercial Advertiser.

I read another quotation:

The Senate is the pitiable state of body that abdicates its legislative function through sheer weakness and cowardice.

That is not the language of the junior Senator from Illinois. That language was contained in an editorial printed in the New York Evening Post, quoting the Portland Oregonian, of October 10, 1893.

I read again:

Does the Senate understand that at the present writing it is the most thoroughly despised body of public men in the world?

That is not the language of the junior Senator from Illinois. That is taken from the Indianapolis News of September 27, 1893.

I read again:

If God had made Congress, he would not boast of it.

That quotation comes from the Albuquerque Morning Journal of January 28, 1908.

I read again, Mr. President:

How can we expect integrity and uprightness in our legislatures or in Congress when the barrooms and bullies furnish most of the candidates?

That is from the United States Gazette of September 15, 1857.

I add 1 or 2 more. There is not a lawyer in this body who is not familiar with the author of what I am about to read; and I read it now:

The senatorial debauch of investigations * * * poking into political garbage cans and dragging the sewers of political intrigue * * * filled the winter * * * with a stench which has not yet passed away. Instead of employing the constitutional, manly, fair procedure of impeachment, the Senate flung self-respect and fairness to the winds. As a prosecutor, the Senate presented a spectacle [and] fell * * * in popular estimate to the level of professional searchers of the municipal dunghills.

Who was the author of that statement? The greatest authority on evidence I ever encountered was Dean Wigmore, of my own State. He wrote that in the Illinois Law Review in 1925.

Others are not very thin-skinned about what they say about this body. It seems to me, Mr. President, there is a little more robustness, there is a little more vital fiber, there is a little more resiliency in this body than all that.

I add one more quotation to make the record complete:

The constitutional guaranty against unwarranted search and seizure breaks down, the prohibition against what amounts to a government charge of criminal action without the formal presentment of a grand jury is evaded, the rules of evidence which have been adopted for the protection of the innocent are ignored, the department becomes the victim of vague, unformulated, and indefinite charges, and instead of a government of law, we have a government of lawlessness. Against the continuation of such a condition, I enter my solemn protest.

Does the Senate know who said that? Calvin Coolidge said that about the investigatory powers of the United States Senate.

So, Mr. President, at the very outset, I say to my fellow Members that I think we must be forbearing. I think we can be a little dispassionate; I think we can be a little softer, and that this is the season of the year when men from pole to pole exemplify that great throbbing sentiment "On earth peace, good will to men."

I pay tribute to the select committee. I say to those distinguished men that it does not make me feel good to see these rather casual, severe, and testy remarks made.

I served in the House of Representatives with the Senator from South Dakota [Mr. CASE]. I served in the House of Representatives with the Senator from Kansas [Mr. CARLSON]. I served in the House of Representatives with the Sen-

ator from North Carolina [Mr. ERVIN]. For all of them I have a great affection. I have an equal affection for the Senator from Utah [Mr. WATKINS], who is one of the most pious and devout Members of this body. I salute him for the great and chastening force he has brought to the Senate. The members of this committee are men of probity and character. I say to the distinguished Senator from Mississippi [Mr. STENNIS] that one of the things that gave me great delight was to go to Kentucky to deliver a commencement address at a small college in the hills, and the man who delivered the invocation on that occasion was the pastor of the church where the Senator from Mississippi worships. The fine testimony he gave to the Senator's character made me feel good, and I hope some of it rubbed off on me on that occasion.

So, Mr. President, I have nothing but the highest praise for the members of the select committee. But I say, Mr. President, that even six men can be fallible, even when unanimous in their opinion.

Mr. President, the first vote I cast in 1933 found me as one of a very small minority, and my soul quaked and my spirit drooped. I was a freshman Member of the House, and I saw a premature end to my political career as the telegrams and letters rolled in. But I lived to see the day when truly every jot and tittle, every phrase, clause, and comma, of that so-called Economy Act, which was not even in legislative form when it was adopted by the House in 1933, has been washed from the statute books of our country.

Yes, Mr. President; six men, notwithstanding their character, their probity, their judgment, could be fallible in this particular instance.

So I want to come to the resolution and to the proposals which have been made, but before doing so I reassert what I said to the Senate briefly a few days ago, that this is not a judicial proceeding. This is a legislative trial. There is no presiding judge to note exceptions which might be made by counsel. This is a legislative procedure, pure and simple—a legislative trial. The astonishing thing is that on occasions I have noticed that 85 percent of the membership of the Senate was not on the floor when the political life of one of our colleagues was in jeopardy. I do not scold. I admit my own sin in the matter. I boarded a plane at 2:30 o'clock yesterday to go to Chicago to receive an award and to make a speech. I got on a plane at 1 o'clock this morning, in the snow and the rain, to return to the Capital. But if a single member of a jury walked out when a trial was in progress in a court it would result in the declaration of a mistrial right then and there.

We know the whole story, the whole argument. This procedure is being conducted in a political atmosphere. I do not say that invidiously. I am proud of it. This is a political body. No one apologizes for it.

I see my good friend from Montana [Mr. MURRAY] seated here. I did my best to accomplish the defeat of the Senator. We live by political victories. We are thinking now about the transfer of control and who is going to run the legislative show come January 1955. Why, Mr. President, when the day comes that this is not a political body, when there is not a line between two virile, vital institutions, that is the day when I shall be filled with despair, because I shall begin to see the end of America as we once knew it.

This is a legislative trial, in a political atmosphere. If it were judicial, Mr. President, what can be said about the pressures, about the people who write to the judges and send them telegrams and say "Do this" or "Do that." What shall we say about the millions of names which will probably be delivered to the Nation's Capital. A strange way to conduct a trial; is it not? Is it judicial? Far from it, Mr. President, as a matter of fact. How strange it is, when the political future of one of our colleagues is in jeopardy, as compared with the impeachment rules. How carefully they have been drawn, so that in every stage of the proceedings the right of the person accused is fully protected. There is nothing like that here today. There is no judge who sits to rule on the competence of what is said. It is not a judicial proceeding. There is no statute of limitations, as the distinguished majority leader pointed out yesterday. There is no appeal to a less political body than this.

So I simply say, Mr. President, it is small wonder that that great student of jurisprudence, Dean Roscoe Pound, looked down his nose a little when it came to a legislative trial. I quote him, in part. He said:

> Legislative justice is unequal, uncertain, and capricious.

He goes away back to ancient times.

> In the second place, legislative justice in its relatively short history in this country and in the relatively small number of cases in which it was exercised showed the influence of personal solicitation, lobbying, and even corruption far beyond anything which even the most bitter opponent of our judicial system has charged against the courts in the course of a long history and after disposition of a huge volume of litigation.

Dean Pound goes on to say:

> Thirdly, legislative justice has always proved highly susceptible to the influence of passion and prejudice.

Then he says:

> The preponderance of purely partisan or political motives as grounds of decision is another characteristic.

Then he says:

> Finally, legislative justice has been disfigured very generally by the practice of participation in argument and decision by many who had not heard all the evidence, and participation in the decision by many who had not heard all the arguments.

This is the language of probably the foremost student of jurisprudence in our land, who speaks thus of legislative justice and legislative trial.

I now come to the resolution.

Mr. President, may I respectfully inquire how much time I have remaining?

The PRESIDING OFFICER (Mr. WELKER in the chair). The junior Senator from Illinois has 14 minutes remaining.

Mr. DIRKSEN. Is there some opportunity to get a little more time, so that I may be able to fill in a large part of what I have to say?

Mr. KNOWLAND. The majority leader has no additional time remaining; but the minority leader has been very generous in making time available.

Mr. JOHNSON of Texas. How much time does the Senator desire?

Mr. KNOWLAND. I hope the Senator from Texas will bear in mind that there are additional speakers on my side to whom I have made some commitments.

Mr. JOHNSON of Texas. In line with the traditional Democratic policy of not interfering with internal policy on the other side of the aisle, I yield 15 additional minutes at this point to the Senator from California.

Mr. KNOWLAND. I yield 5 additional minutes to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, will the Senator make that 10 minutes?

Mr. KNOWLAND. I will make it 10 minutes.

Mr. DIRKSEN. I might inform the Senate, then, that I shall change stance somewhat. I shall get around to a discussion of the resolution later this afternoon, and to the provisions of the substitute and of the resolution itself. But now, in line pretty well with what I have said, there is a statement in the resolution to the effect that what has been done has been contrary to tradition. I want to take the remaining time—and I hope it will be sufficient—to discuss tradition a little. It is a good word.

When a person makes a speech and cannot think of some other word to use, he can fall back on the word "tradition." It is always a splendid word and covers a multitude of sins. But it has a definite and precise meaning. It means the whole bundle of hopes, of aspirations, of achievements, and of accomplishments of the country. It means Lexington and Concord, and Valley Forge; it means Bunker Hill, the Declaration of Independence, and the Constitution; it means the utterances of the great men who have sat in this body.

It is the whole bundle of what we are, what we have been, and what we hope to be.

So I was very much interested in going back to find the utterances of those who have walked across the pages of tradition. I go back, for instance, to 1890, at the time of the 51st Congress. The time was June 25, 1890. One of the great, fluent Members of the Senate was John J. Ingalls, of Kansas. He was in an altercation with Senator Call, of Florida. What did Senator Ingalls say? He said:

> The Senator from Florida has not only, in my judgment, grossly violated and abused the privileges of the Senate, but he has deliberately falsified the record of what appeared on the day when the transaction took place. * * * The Senator from Florida has falsified the record by omitting the words, "in an appendix to these remarks."

They spoke their business very freely, those great predecessors of ours, who were from long ago.

I come down to 1917, to the 64th Congress. I think of that man from Mississippi who had such an able, sharp, and tripping tongue. His name was John Sharp Williams. His name was a household word for eloquence in many

sections of the country. What did he say on the 24th of February 1917? He said:

I learned from the newspapers this morning that the Republican Party has made up its mind to filibuster in order to have an extra session. I understand that the reason is given that they do not want to leave the President * * * just as the Copperheads did not want to leave Lincoln, with power to act, but I do not think that is the real reason. I think your real reason is that you have received orders from the munitions factories * * * that have hitherto been generous contributors and that you ought to remember them.

That statement was uttered on the Senate floor in 1917.

I go to the 66th Congress. This is Senator James A. Reed, of Missouri, speaking:

Members of the Senate do not know about it. They retire to the cloakroom, they play the part of the snapping turtle, who, when disturbed, pulls in his head, pulls in his tail, shuts down his shell, and closes up. They are determined to vote for this League whether it is right or wrong. * * * Their massive minds are in a static condition and cannot be moved. * * * A number of gentlemen * * * [will vote] for reservations. * * * A reservation is the last resort of cowardice. It is the hole through which the little soul of a fellow who is not willing to stand up and front the people seeks to escape from responsibility. It is the crack in the fence through which a hound dog always seeks to escape. The mastiff turns at bay and fights, or else he takes the fence at a jump. He does no cringing and crawling and whining, and some of them have their heads stuck in the crack now and do not know whether to back up or go ahead.

That was language on the floor of the United States Senate.

I go to the 67th Congress, Senator Tom Heflin, of Alabama, speaking. What did he have to say to this body? I read his remarks on June 22, 1922; but, first, I read the statement of Mr. Glass, the eminent Senator from Virginia:

Mr. GLASS. I deny absolutely that there is a single inaccuracy in the speech to which the Senator refers. I am getting very tired of these utterly false accusations by the Senator from Alabama.

What was the rejoinder?

Mr. HEFLIN. If the Senator charges me with making a false statement, he is a liar.

Oh, yes, Mr. President, there were Senators years ago who were accomplished in the art of salty phraseology.

I go now to the 68th Congress. This is Senator Ernst speaking. I read his language on the 14th of March 1925, in the special session. He said:

I wish to know if there be any way under the rules of the Senate whereby I can, without breaking those rules, and without offending the Senators about me, call a fellow Member a willful, malicious, wicked liar. Is there any way of doing that?

Well, there was no way of doing it. [Laughter.]

I go to the 69th Congress. This is Senator Couzens, of Michigan, speaking, and the date was February 8, 1926:

I want to register a complaint against unanimous-consent agreements.

That sounds familiar, does it not, Mr. President. [Laughter.]

I consider that I was tricked by the Senator from Utah [Mr. Smoot] * * * it was perfectly obvious that within the hour and a half the argument that I proposed to put in behalf of this amendment was blocked by the sharp practice of the Senator from Utah.

That statement was uttered on this very floor, where we are conducting the legislative trial of one of our colleagues today.

I go to the 71st Congress, Senator Heflin, of Alabama, speaking again.

In the second session, January 6, 1930, he said of Senator Phipps, of Colorado:

If the Senator, who is a man of tremendous wealth, wishes to——

There there is an interruption. When Mr. Bingham made the point of order that the Senator from Alabama was infringing the rule prohibiting a Member from imputing to another Senator a motive unbecoming a Senator, the Vice President directed Mr. Heflin to take his seat.

The amazing thing is that there have been imputations of one kind or another over a long period of time. How careless we have become as a body. Maybe all this would not have happened if we had performed our duty fully.

I come now to the 73d Congress, April 5, 1934, and to what was said by the Honorable Huey Pierce Long, of Louisiana. His very able, noted, and redoubtable son graces this body, and is a fine public servant. I salute him; but this was what the Honorable Huey P. Long said on April 5, 1934:

We all have our way of working. One is just as honest as the other. One is, catch your friend in trouble, stab him in the back, and drink his blood. The other is, stand by your friend and try to heal his wounds.

Pretty robust language, is it not, for the Senate floor, Mr. President?

In the 75th Congress, 2d session, then Senator Bennett Champ Clark, of Missouri, stated on November 19, 1937:

I can readily understand how it may be irksome to the Senator from Texas to have these exhibits presented. It may cause some faint flurry of that conscience for which the Senator from Texas used to be renowned, but which his conduct this week has led most of us to believe has become callcused.

Robust language for this body. They were not quite so sensitive, Mr. President. They did invoke the rule, but they did not propose to censure a Member.

I go to August 6, 1940. Senator Rush D. Holt was speaking in the 3d session of the 76th Congress. Before I read that, I wish to read the words of a man who today graces the Supreme Court, and who was once a Member of this body, the Honorable Sherman Minton, of Indiana. I have counted him as a long-time friend. On that day he said:

When I was over in France in 1917 and 1918, the father of the Senator from West Virginia was preaching that people should not raise any food to send to me and my comrades. * * * The father of the Senator from West Virginia sent his son * * * to hide away in South America to avoid the draft. * * * That is the kind of patriotism that is represented by the Senator from West Virginia.

Mr. HOLT. * * * I will answer his malicious lie. * * * If ever the administration wants filth to be thrown they get the Senator from Indiana to throw it.

Mr. MINTON. And when Hitler wants it thrown you throw it.

Pretty salty language, is it not, Mr. President, for the floor of the United States Senate?

I refer now to the 78th Congress and to the language of one who happened to be my predecessor in Congress, the Honorable Scott Lucas, who was at one time majority leader of this body. This occurred on December 15, 1943. He was taking Senator Moore, of Oklahoma, to task. He stated:

When he [Mr. Moore] gave out that statement he charged every Democrat and Republican who voted for the bill with a conspiracy to steal the election in 1944 * * * and he says he does not charge [that] by implication * * * any fair and prudent mind, any reasonable mind, any decent mind cannot read any other interpretation into it but that. * * * But the Members of the Senate refused to dignify the Senator from Oklahoma by making any reply, until he comes along with his contemptible speech today.

It was my predecessor in the United States Senate who said that.

I come now to the 79th Congress. On May 23, 1946, the Senator from Idaho, the Honorable Glen H. Taylor, said:

I am beginning to agree with the oldtimers [that the Senate does not have the caliber of men in it nowadays that it used to have]. * * * Already the very ones whom the Lea bill was supposed to benefit are saying that Senators made fools of themselves by passing the Lea bill.* * * I am simply trying to persuade Senators not again—at least so quickly—to make a jackass out of themselves as they did in passing the bill.

They were not so very sensitive in those days, and I suppose, in the vulgar parlance of the day, they "could take it."

Now we come to the 80th Congress. I refer to the very capable and distinguished former Senator from Texas. We had a visit with him yesterday. He is a fine, gracious, upright citizen, who did such yeoman service for his country over a long period of time. I am speaking of Tom Connally. This happened in the 80th Congress, 1st session, on July 26, 1947:

Even now I can see the junior Senator from Michigan—

He was referring to the present Senator from Michigan [Mr. FERGUSON]—

with his insinuations and with his political bile and with his political rancor and with his political prejudice undertaking to cross-examine, annoy, and harass the Attorney General. * * *

He [Mr. FERGUSON] may be junior in some respects, of course, but he is senior in vilification and abuse and insinuation.

Our distinguished colleague from Michigan remembers it so well. I continue to read:

I hope he always remains junior.

If a judge on the bench * * * in my State should in a law case show the venom and the spleen and the political hatred exhibited by the junior Senator from Michigan, he would be disqualified.

The idea of a little two-bit committee summoning or inviting the President * * * to come down and appear before a committee composed of gentlemen like the junior Senator from Michigan.

That was in the 80th Congress. Our colleague is still here. Note the abuse of a committee. I know of no worse thing to say about a committee than to say it is a "two-bit" committee.

Mr. President, there are many other instances I could select, but let me go now to the 81st Congress, and I refer to colloquy between the distinguished Senator from Indiana [Mr. JENNER] and the distinguished former Senator Tydings. The statement was made in the 81st Congress, 2d session, on July 21, 1950. Senator Tydings was speaking. My distinguished friend from Indiana will remember it well:

I found the junior Senator from Indiana [Mr. JENNER] is in company that I never associate with. I find that Joe Stalin and the Daily Worker and the Senator all vote the same way.

A point of order was made.

On July 21, 1950, the distinguished Senator from Indiana [Mr. JENNER] arose, and I read his remarks:

All trained seals have to stoop to pick up the ball when they drop it, and the attack of the Senator from Maryland, Mr. Tydings, on me is only an indication of how low he is willing to stoop to pick up the administration's ball, no matter how rotten the filth it has rolled through.

The Senator from Maryland has now presented a spectacle which has transformed the majority of the United States Senate into an instrument of mob rule * * *

So, Mr. President, we do not have to go back to ancient days to find robust language; it gets rather current, as we may see.

Then I come to the 82d Congress, and I shall refer to a colloquy involving the Senator from Michigan [Mr. FERGUSON]. Obviously, Mr. President, I try to be as impartial about this matter as I can. I refer now to a colloquy which occurred between the Senator from Michigan and the Senator from Oklahoma [Mr. KERR] on May 3, 1951. At that time the Senator from Michigan said:

The Senator from Oklahoma [Mr. KERR] knows that what he says is absolutely false * * * He accuses the Senator from Michigan of wanting to give aid and comfort to an enemy * * * I now consider the source from which that remark came, and I have no further reply to it.

I do not know, Mr. President, but that some day I may land in this list. I never know. [Laughter.] Who shall say? But the list must be complete, and the whole story must be told.

Then we come to remarks made by Senator Connally, of Texas, in the 2d session of the 82d Congress—on March 10, 1952—as follows:

Any statement by the Senator from Ohio [Mr. Taft] * * * to the effect that the Senator from Texas [Mr. Connally] was willing to invite or invited any Communists to go into Korea is absolutely untrue and absolutely false. * * *

Now we have the Senator from Ohio defiling his own seat in this body by making a statement that we invited Communists into Korea.

In his [Mr. Taft's] efforts as a candidate for the Presidency he is willing to subordinate his integrity and his truthfulness, in order to grasp a few slimy, filthy votes, which is what they are when they are purchased by untruths and misrepresentation. Here is what he [Mr. Taft] said in * * * his speech on the floor of the Senate, not on the hustings, not cravenly going around and begging a few dirty, filthy votes.

That is what Senator Connally, of Texas, said in the speech he made on that date on the floor of the Senate, not in the hustings. I repeat that the speech was made in the Senate Chamber on March 10, 1952.

So, Mr. President, we see that the sin is on both sides. I wonder, then, how sensitive we can become.

Mr. President, how much time remains to me?

The PRESIDING OFFICER. The Senator from Illinois has approximately 3½ minutes remaining.

Mr. DIRKSEN. I wonder whether it will be possible to have as much as 2 additional minutes yielded to me.

Mr. JOHNSON of Texas. Mr. President, I yield 2 additional minutes to the acting majority leader.

Mr. FERGUSON. Then, Mr. President, I yield the 2 additional minutes to the Senator from Illinois.

Mr. DIRKSEN. I thank both Senators.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 2 more minutes, and thus he has a total of 5½ minutes remaining to him.

Mr. DIRKSEN. Mr. President, I do not have the exact page reference to some of the quotations I shall give, but they are fairly well documented.

On March 30, 1826, John Randolph, of Virginia, said:

I was defeated * * * and clean broke down * * * by a coalition of Black Bill and Black George, by the combination * * * of the puritan [John Quincy Adams] and the blackleg [Henry Clay].

I understand that on another occasion John Randolph, while serving in the Senate during the interval 1825–27, is reported to have called Henry Clay's progenitors into account for bringing into this world "this being, so brilliant yet so corrupt, which, like a rotten mackerel by moonlight, shined and stunk."

Mr. Randolph also is reported to have denounced Daniel Webster, of Massachusetts, as "a vile slanderer," and John Holmes, of Maine, as "a dangerous fool," and Edward Livingston, of Louisiana, as "the most contemptible and degraded of beings, whom no man ought to touch, unless with a pair of tongs."

Those were statements by some of the Members who graced this body—robust, and not too sensitive.

Mr. President, when we speak of the tradition of the Senate, we speak of the whole tradition, which, like some magnificent piece of pageantry, unfolds, and is studded with all the characters and all the utterances, salty and otherwise, which go to make up the tradition of the Senate.

Now I say to my colleagues, Bend your ear while I give another quotation. This one is from Senator Voorhees, of Indiana, when he was speaking in the Senate Chamber on June 18, 1879. At that time he was referring to Senator James G. Blaine. Senator Voorhees said, on that occasion:

If he [Senator James G. Blaine] adopts the part of the scavenger bird, hunts for offal, the castoff and putrefying matter of past years, I may deplore but I cannot prevent such a course. If he prefers to abandon the pursuits of the lion, and follow the habits of the hyena, to dig into the graves of the past for loathsome and offensive things, I deeply regret it. * * *

On May 1, 1888, Senator Ingalls, of Kansas, referred to Senator Voorhees and to other Senators, as follows:

Mr. President, the affected indignation of the Senator from Indiana [Mr. Daniel A. Voorhees], and others at my alleged assault upon these Union generals is discreditable either to their intelligence or their candor. If they did not know that in speaking of them * * *, I was speaking of them not as soldiers, but as politicians * * *, they are dull, stupid, and ignorant indeed. If they do know it and persist in their misrepresentation they are disingenuous, and I suspect, if such a thing were possible, they are both.

That statement also was made on the floor of the United States Senate.

On the same date, Senator Voorhees replied:

I say he [Ingalls] * * * is a great liar when he intimates such a thing—a great liar and a dirty dog.

Mr. President, I am a little distressed that time will not permit completion of these remarks. Thus far, I have just laid a foundation, by going back into the past, and by showing that in those days, Members of the Senate were not so sensitive; that they were pummeled from both outside and within, and somehow it did not fracture the dignity or the traditions of the Senate, and it did not obstruct the constitutional, parliamentary process.

Mr. President, I am afraid I have detained Senators far too long from their lunch. For that, I apologize. I shall resume my remarks later this afternoon. I am grateful to the Senate for its indulgence.

Mr. PURTELL. Mr. President——

Mr. FERGUSON. Mr. President, I yield 5 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 5 minutes.

Mr. PURTELL. Mr. President, I wonder whether the acting majority leader will, through the kindness of the minority leader, request that I be granted 20 minutes. I have a prepared speech to deliver.

Mr. JOHNSON of Texas. Mr. President, this is the first notice I have had of such a desire on the part of the Senator from Connecticut. I must confer with the majority leader. I shall be glad to consider the request of the Senator from Connecticut, as he proceeds with his remarks; and certainly we shall be as generous as possible.

Mr. PURTELL. That will be very kind. I hope the Senator from Texas now will yield to me 15 minutes.

Mr. JOHNSON of Texas. Mr. President, I have no time to yield. However, I shall confer about the matter.

The PRESIDING OFFICER. Let the Chair inquire whether it is planned to have the Senate take a recess for lunch, today.

Mr. JOHNSON of Texas. Mr. President, I cannot speak for the majority leader; but today he told me that he did not plan to have the Senate take such a recess period.

The PRESIDING OFFICER. Very well.

The Senator from Connecticut is recognized.

Mr. PURTELL. Mr. President, it has been my privilege—and a great privilege, for which I shall be everlastingly thankful to the people of my State—to sit in this great body for the past 2 years. To me these hallowed walls, the seats we occupy, the customs we follow, the traditions we observe in this greatest of all temples of freedom, are sacred—not sacrosanct, but sacred. Here have sat, deliberated, and legislated, the greatest of our great Americans. Here has been steadily built, molded, and shaped, the greatness that is ours today as a nation; and here, too, have been preserved by those who preceded us in this Chamber, the rights and the privileges which today we exercise.

Here, and in the legislative hall but a few short strides down that historic corridor were planted and nurtured the principles of our democracy. I, like many other Members of this body, today, have spent sleepless nights and tortured hours, tormented and perplexed as to what action to take in the matter now pending before the Senate. I found myself emotionally urged to take punitive action—quick and sure and certain—for what were, in my judgment, abuses of the tongue and of the pen, visited upon colleagues whom I hold in high esteem and great respect—yes, in deep affection. I found it easy to let passion sway judgment, to center my thoughts and my actions on things of the moment. I felt that the dignity of this great body needed defense, and I found it easy to be carried away on the sea of indignation. I felt it my obligation to take action to preserve the dignity of this great body, and I thought the one way to do it was by positive action on the matter pending before the Senate today.

The PRESIDING OFFICER (Mr. WELKER in the chair). The Senator will suspend, without the time being taken from either side.

There will be order in the Chamber and in the galleries, or the galleries will be cleared. Occupants of the galleries are here as guests of the United States Senate. They are requested not to distract the speaker.

The Senator from Connecticut may proceed.

Mr. PURTELL. But I pondered—and I ask Senators to ponder with me—on the word "preserve." Webster defines preserve as meaning "to keep alive, or in existence, to make lasting, to keep safe from harm or injury." I asked myself, "Does that mean to preserve something which I created, something which the 83d Congress brought into existence, a child of this sitting body?" No. It refers to something that was created and protected and handed down to me and my colleagues by those who preceded us. My mind went back to the early days of this body, and to all the days that followed, up to the present time.

Cool reason brought the realization that what I, as a Senator, as a Member of this body, enjoy, the freedoms which I am exercising today, and the privileges that are mine, were created and preserved by others long before my entrance into this august body. I felt meek and humble, and a litle bit ashamed, perhaps, to have for so long a time harbored the thought that what faces me now, and the decision we all must make, was something new. Calm deliberation brought to my mind that many of my predecessors over the long, long past, doubtless spent many sleepless nights and hours, facing problems created by situations similar in magnitude to that which faces us today. Causes just or unjust have from time to time whipped up popular emotion throughout our country and throughout our whole history.

Many times actions were advocated and advanced, actions which had momentary popular appeal; and Members of this Chamber then—because they were human and because at times they felt the blood rise, were sorely tried, as we in this body today are sorely tried. They were tempted, as we are tempted, to sail with the wind, but oh, what would have been our fate, and now, as the world depends upon us, what would have been the fate of the world if those who occupied these seats in the Senate then had shifted with every change of the wind, had responded to the passions of the day or the moment, had decided that our "ship of state" should be a ship consisting of all sails and no anchor. I asked myself then, and I ask my colleagues now, "Are we the only body, we sitting Senators, to whom the dignity of the Senate was precious? Did they who preceded us think less of the dignity of the Senate, and their own dignity, than we do? Are we the only Members of all of those who occupied this Chamber whose patience at times was tried, whose tempers were aroused because there were those among them who castigated, who criticized, and who denounced?" We talk now of preserving the dignity of this body. What dignity? The dignity that we inherited from those who preceded us, who preserved it and handed it on to us. And was that dignity tarnished? I think not. Dignity cannot be bestowed, it must be earned. Neither the junior Senator from Wisconsin nor any other Senator can lessen my dignity. Only I can do that.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

Mr. KNOWLAND. Mr. President, 5 minutes have been allotted to me by the distinguished minority leader. I yield that time to the Senator from Connecticut.

Mr. PURTELL. I thank the Senator from Texas and the Senator from California.

There was much else that we inherited in the basic freedoms which we, as ambassadors from our respective States, enjoy in this, the Senate of the United States.

Situations similar to that which faces us now are not new in the Senate, but the means proposed to meet them are new. Neither is the provocation which exists today, new. Like provocations existed from the very inception of the Senate and have continued to exist at times throughout the history of this body, and yet never has action like that proposed been taken. I can find neither rule nor precedent on which to base censure on the charges made, and therefore I will not vote for censure. Throughout our history, our basic principles, our guiding light, the keystone of our liberties—my liberties as a Senator and my liberties as a citizen—the one foundation which if it crumbles brings everything down with it, is the principle that this is a government of laws and not of men.

History records that there have been other republics whose destruction was rapid and complete when they departed from that guiding principle; and, to the extent we depart from that principle, freedom—whether it be in the Senate or in the street—becomes a mockery, and man becomes a slave of his fellow men.

There is another thing that has been preserved for us, and that is freedom of speech and freedom of action. As Senators, such action is restricted only to the extent that rules, few in number, and limited in scope, have been self-imposed. Ours is the power to make such rules, such laws, to govern our actions. If it is the will of this body, let us then make such rules. I find no such rule today.

We are here debating, deliberating, and shortly we shall be deciding, whether or not a man by the name of MCCARTHY, a duly elected Senator from the State of Wisconsin, shall be censured by his peers. Much has been said of the charges lodged against the junior Senator from Wisconsin. The CONGRESSIONAL RECORD is filled with the speeches of men more able than I in discussing the legal aspects of the matter, but I ask, "What rule has been violated?"

I should like at this time to pay tribute to the select committee which I, with others of this body in the closing days of the last session of the 83d Congress, asked to assume the disagreeable and unwanted duty of holding hearings and sifting the charges presented in Senate Resolution 301 and all amendments thereto. Let me say now that they are men of integrity and men of character, men who have my regard, my respect, and my affection.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. PURTELL. I yield.

Mr. JOHNSON of Texas. I am obliged to leave the Chamber for a few moments. I wish to yield to the majority leader an additional 10 minutes, so that the distinguished Senator from Connecticut may have time in which to conclude his address.

The PRESIDING OFFICER. The Senator from Texas has yielded to the majority leader an additional 10 minutes, leaving the Senator from Connecticut 12 minutes in which to complete his address.

Mr. KNOWLAND. Or so much of the time as the Senator may need.

Mr. PURTELL. I shall hurry as fast as I can.

I resent the things said about my worthy colleagues who are members of the select committee, and I, too, resent what has been said about my esteemed and respected friend and colleague from New Jersey [Mr. HENDRICKSON]. I wish the conduct of the junior Senator from Wisconsin had been other than it was. But, in truth, I wish I, too, were different and better in many ways. Yes; the junior Senator from Wisconsin has used expressions deplorable by my standards, but I ask, "What Senate rule has he violated?" Cruel as were the words used by the junior Senator from Wisconsin in regard to my esteemed and distinguished friend, the Senator from New Jersey—and they were cruel—in my opinion they did less harm coming from a Senator with a reputation for exaggerated verbal expressions than would some cleverly worded but sharply barbed and equally cruel expressions used by more careful, and perhaps more erudite men. When my esteemed colleague from New Jersey was referred to as a man without brains or guts, the unfairness of the statement was obvious to everyone. Yes, harm was done, not harm to the man who was the recipient of that remark, but harm to the maker of the statement. But how about a Senator who may cleverly and skillfully convey the idea that he is above reproach, and by his carefully selected barbs and skillfully worded castigations of a fellow Senator not only leave an everlasting wound in the soul and heart of him toward whom it is directed, but can well undermine public confidence in him, and, to that extent, lessen his usefulness in this body.

I hold no brief for the junior Senator from Wisconsin. I deplore many of his expressions. I am not a lawyer, though I sit in the midst of lawyers. My knowledge of law is elementary. I am grateful that one of the requirements for senatorship is not membership at the bar. But if I am not mistaken, one of the first principles of jurisprudence, and one of the very fundamentals, is embodied in the well-known phrase "Better 10 guilty men go free, than 1 innocent man be condemned." Let us have rules plainly stated and easily understood.

It is proposed that we censure here a Senator from the State of Wisconsin; that we take action here on a matter for which there is no existing rule. We are asked to set a different precedent in this Senate, this body of 96 men, each the equal of the other, chosen by the sovereign States who sent them here as representatives of the people of their State.

Oh, the dignity of the Senate is precious to me, but I have no reason to believe, no right to assume, that its preciousness is, or was, limited to me, or to the other 95 seated Senators in this body.

Dignity in the Senate certainly was no less precious to those who preceded us in this Chamber, and yet for 165 years the men who occupied these places were at times castigated and criticized, denounced, and condemned by colleagues on and off the floor, without once by any recorded action, indicating that for which the Senator from Wisconsin today stands charged, was of a nature that lowered the dignity of the Senate.

Oh, make no mistake about it. The dignity of the Senate was precious to them, but so was freedom of speech, and so was the principle of government of laws, and not of men; of rules and not of emotions.

This respect for, trust in, and devotion to this body is not new with the 83d Congress. I deplore much of the language of the junior Senator from Wisconsin. Were I able, I would change in some respects the junior Senator from Wisconsin. But there is something I would not change, if I could, and that is the fact that for 165 years my predecessors in this beloved Chamber refused to restrain, or restrict, or circumscribe the freedom of expression, or the freedom of speech, except as set out by rules, and they are few.

If they were able to endure the temporary stings and invectives—and they so endured—and if they were willing to do it so that I might today in this Chamber enjoy the freedom which I now enjoy as a representative of my people in this body—then I ask, what right have I, after 165 years of such precedent set by men whose greatness is recorded in the pages of history—what right have I to determine and what right have I to decide that not only for today, but forever, I shall place restrictions upon Senators in this body except by rules clearly stated?

We have a precedent in the Senate in the matter before us, a precedent 165 years in the making, a precedent, as I pointed out before, of preserving, in the face of many provocations, the freedom of speech that was handed down to me by those who preceded me here.

I shall not vote for censure of Senator MCCARTHY, or any other Senator on like charges, in the absence of an adopted rule. My decision was not an easy one to make. My ire has been aroused by the junior Senator from Wisconsin on more than one occasion. But such action as we take affects not only the junior Senator from Wisconsin, but all Senators now and forever.

I know that critical comment will result from the position I am taking today. Far better that than the remorse that would forever be with me in the knowledge that in leaving this Chamber I was leaving behind less freedom for my successor than I had found when I entered.

I have a duty, as I see it, to this body; a duty to my constituents; a duty to myself; a duty to those who have preceded me over the past 165 years; and a duty to those who will follow me. I believe I am performing that duty in voting against censure. There can be little satisfaction for anyone in this action in which we are engaged.

Such solace as may be derived lies in the knowledge that I am doing what I can and what I believe to be my duty, to preserve those rights and those privileges which I inherited, and which I strive to pass on to all future Senators, unhampered and unrestricted, except as by such rules as are adopted by this body.

Mr. KNOWLAND. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. BEALL in the chair). Three minutes.

Mr. KNOWLAND. I yield 3 minutes to the senior Senator from Kansas.

Mr. SCHOEPPEL. Mr. President, within a few minutes the Senate of the United States will vote on a most important subject. I have listened with much interest to the debate, and I have tried to be conscientious in meeting my responsibility in connection with the subject.

As I heard presented to the Senate during this session and during the last few hours the arguments on the pending resolution, there came flitting before me from the pages of tradition and from the actions of the Senate of yesterdays statements and decisions taken which lead me to reflect that these matters which relate to the junior Senator from Wisconsin today too shall pass.

Shall we legislate or maneuver, in a sense, to shackle the Senate of the United States and prevent it from being the great body I envision it to be and which our forebears thought it should be, or that I want it to be in the future? Those are questions which seriously engross my thinking today.

I am fearful of the precedents we are establishing in an atmosphere of high emotions, instead of calm deliberation and reasoning, as to the future of the Senate. I do not want to depart from time-honored procedures of the Senate that have been so effective in the past. I do not want to sacrifice principle even for a passing rebuke for the junior Senator from Wisconsin. There are other ways to meet the present situation, but this is not the way.

I shall not vote to censure the junior Senator from Wisconsin, not because I agree with all his acts and utterances, which I do not. I have due respect for the select committee. It has performed very well the arduous responsibilities which were cast upon it. The members of the committee did a creditable job in the time allotted to them; but its findings go far beyond what I think should be done if we are to consider the future of this body and the effectiveness of the Senate in the years to come. Therefore I cannot bring myself in good conscience to sustain that committee's determination in this matter.

I shall not shackle and I shall not render impotent by my vote what I believe the Senate should hold inviolate, namely, the right of free speech of its membership, the right to investigate, the right to search boldly and thoroughly into matters that affect the people of this Nation.

In closing, I should like to say that I had prepared some formal remarks on this subject. However, since then I have read a statement which appeared in the Washington Star of Monday, November 29. In an article entitled "A Lawyer Looks at Censure," David Lawrence so clearly embodies what I wish to say and so ably states my position that I ask

that the article be printed in the RECORD at this point, as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A LAWYER LOOKS AT CENSURE—NOTED ATTORNEY, WITH APPARENT DISLIKE FOR MCCARTHY, SEES SENATE HEADING FOR DANGEROUS PRECEDENTS

(By David Lawrence)

Emotion—which means feeling instead of thinking—seems to have become dominant on both sides, not only outside but inside the Senate, in dealing with the dispute over the censure of Senator MCCARTHY.

This correspondent has just obtained a copy of a letter written by one of the ablest lawyers in the country, who had been asked by a perplexed friend—a prominent American businessman recently returned from a long trip abroad—to give him privately a detached opinion on the merits of the case. Indicating clearly the difficulty of rendering an objective judgment on one of the biggest controversies of the day, the attorney's reply is a worthwhile exposition of the cross-currents of the affair. It reads as follows:

"My answer depends upon whether I approach the question purely emotionally or critically as a lawyer. In my opinion, the tragic difficulty with the whole McCarthy problem is that it is being judged and debated purely emotionally and opinionatedly and, consequently, the basic issues are completely ignored. MCCARTHY has made himself personally the issue. His opponents have joined issue on MCCARTHY, the individual. Both have lost sight of the principles involved and hence the mess. Once you forsake principles for persons you find yourself involved in an emotional chaos.

"Personally, I hold no brief for MCCARTHY as a person. I think he has been built up as a Frankenstein by his adversaries. They have given him a public significance that he personally does not warrant and never could have acquired by his own efforts.

"As a lawyer, I am fearful that the present proceedings will result in fundamental innovations in Senate procedure by establishing new precedents, departing from time-honored procedures, which will affect adversely the dignity and effectiveness of the Senate. I don't believe MCCARTHY, as an individual, is worth this sacrifice of principle and precedent.

"Let me explain: Examining the Watkins report—and that report is the only issue now before the Senate—MCCARTHY as a person and as a Senator has not been put in issue by the Watkins report, and could not be, as that is a question solely for the electorate of the sovereign State of Wisconsin.

"First: If MCCARTHY refused to accept the 'invitation' of a Senate committee to appear 'if he chose,' as the Watkins report concedes, that cannot be contempt. Contempt is a technical offense—the refusal to comply with the valid orders or subpena of a committee or the refusal to answer legally competent questions. There is nothing mandatory about an invitation, and a refusal to accept an invitation cannot be a contempt.

"Many, many Senators have and are constantly not 'accepting such invitations.' If that is contempt, why not try all offenders for the same offense? Do we want to set the precedent that any Senator must testify before a committee if invited to do so? If so, why not change the Senate rules? Even if now changed, you could not condemn MCCARTHY ex post facto, as that certainly is not the rule or practice of the Senate up to now.

"Furthermore, the subject matter about which MCCARTHY was invited to testify was in his own income-tax returns and his use of his political contributions. Both have been investigated by the Bureau of Internal Revenue and the Department of Justice under Democratic and Republican administrations with the finding that no evidence of legal violations were found. MCCARTHY made full disclosure to both agencies. Furthermore, failure to properly report and pay income taxes is a crime over which the Department of Justice has exclusive jurisdiction.

"Second: MCCARTHY has used language unbecoming, in my opinion, of what a United States Senator should use, but is he alone in this impropriety? I can cite too many examples of even more unrestrained language being used by many Senators. If such language be made a punishable offense, then all offending Senators should be similarly cited for censure. They have not been. Why? Because up to now such undesired language has not been an offense against any law or rule. Even in the present debate on the Watkins report, censurable language is being used by several Senators seemingly without any disapproval.

"Big business has been insulted and smeared, in more violent language than MCCARTHY has used, by many congressional committees and on the floors of both Houses, and no one has uttered a word of protest. We have apparently become very sensitive to the sensitivities of some groups only. Why not equal protection to all?

"Even Senator CASE has now reversed himself on this question in the light of Secretary Stevens' recent letter.

"Third: The remaining charge that Senator MCCARTHY has encouraged Government employees to violate their department and superior orders in revealing restricted information is controversial, but it would be interesting to have the courts settle the question if an employee can be ordered to refuse to reveal his knowledge of a crime. Does his immunity of acting under superior's orders exonerate him from giving evidence of a crime? Suppose the information in his possession, no matter how acquired, is evidence of treason or of giving aid and assistance to the enemy, can the possessor of such evidence refuse to disclose it? If so, our criminal laws will have to be amended.

"And how about our position at the Nuremberg trials? Did we not take the position that acting under superior orders was no excuse for committing or condoning an immoral act—an act against the conscience of mankind?

"The fact that all these principles of our law and traditional procedures will be rejected just to censure—slap the wrist—of a personally disliked person is a careless rejection of practice and an ex post facto judgment—to be applied against one person, not against all similar offenders. This would be a government of men, no matter what men or why, not laws.

"Remember, the Watkins report charges no crime against MCCARTHY. If a crime has been committed, it is the duty of the Senate to report the same to the Department of Justice, not just spank the offender. Furthermore, censure is a futile and innocuous remedy because it accomplishes nothing. Senator MCCARTHY will continue just the same—probably even denouncing the Senate more violently.

"Being a lawyer, I must view this whole procedure in this manner. I do not want to join a lynching party against a person in whom I have no interest. I am more interested in the prestige of the Senate than I am in the man, or any man."

The PRESIDING OFFICER. The time of the Senator from Kansas has expired. All time of the Senator from California has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 6 minutes to the Senator from Louisiana.

Mr. LONG. Mr. President, so much do I dislike the idea of censuring one's colleagues that I cannot conceive of myself ever bringing before the Senate a censure resolution. Nevertheless this unpleasant task has been brought before us, and I have been compelled to reach an unhappy decision. I have been especially troubled because of the possible dangers of the precedent which would be established by voting censure, which is and should always be a most extraordinary action by the Senate. Censure of a colleague in the Senate is a grave matter, and it should not be invoked without clear and unequivocal justification.

It is not enough, in my opinion, to disapprove generally of the personal conduct of a Senator or the manner in which he carries out his duties as a Senator. Specific misconduct is essential as a basis for censure.

I disagree with the statement in the select committee's report to the effect that a Senator does not have the right to impugn the motives of a fellow Senator or a senatorial committee. I believe that all of us have that right, and I would certainly regret to see it otherwise.

Suppose that a committee might in fact be proceeding from wrongful motives and seeking to destroy a Member of the Senate who was engaged in an undertaking essential to our security. It is unquestionably in the national interest that there be freedom to bring forward such charges—and, of course, to be given a chance to prove them. However, any Senator who chooses to exercise that right must clearly do so at his peril, because either an individual Senator or a committee can bring the case before the Senate in the event of such an attack.

The conduct of the junior Senator from Wisconsin toward and his abusive language concerning the Gillette-Hennings committee certainly constituted a challenge which, in my opinion, should have been taken up by that committee. Had it been brought before the Senate at the time it was occurring, I feel certain that I would have voted to sustain the committee and to condemn the attack by the Senator. I am not prepared to censure him now, solely for an action which went unchallenged at the time.

Unfortunately, this is not the only instance in which the junior Senator from Wisconsin has challenged duly constituted committees of the Senate. In most violent form we have witnessed his attitude and attack on the chairman, and indeed all the members, of a select committee of the Senate appointed with the greatest care. The members of this committee are without exception considered by the entire membership of the Senate, except by the Senator from Wisconsin, to be men whose honor and integrity are without question. All of us know also that not one member of this committee served by his own wish or nomination. They served as a matter of duty, and an attack on them cannot be treated in any way except as an attack on the Senate as a whole.

Each of us must now decide whether or not we find that the Senator's abusive conduct toward the select committee, and the other committees and individ-

uals which are involved here, has been justified by the evidence which he has produced before the select committee and on the floor of the Senate. I do not believe that he has produced the evidence to support these charges.

He has said that this committee as a whole was serving the cause of communism, but he has produced no evidence supporting this charge, and I emphatically state that I do not believe that any member of this committee knowingly or unknowingly is serving the cause of communism. He has labeled the chairman of this committee as a coward on grounds which I cannot remotely accept. I believe that Senator WATKINS has discharged a disagreeable and onerous responsibility in a manner which has won for him new esteem among us all, and I cannot by my vote do otherwise than express my confidence in him and appreciation for his conscientious effort to serve the Senate in a most unpleasant post.

Therefore, Mr. President, I shall vote in favor of censure. In view of all the circumstances I do not see how I could do otherwise. I wish to make it a matter of record, however, that in doing so I do not consider that I am establishing a precedent which can be used in the future to enforce uniformity in our conduct as individual Senators and representatives of our respective States.

Except for repeated assaults by the junior Senator from Wisconsin on individual Senators and duly constituted committees, which have not been mitigated by any generous expression on his part and which have not been supported by evidence to prove his charges of wrongful motives and harmful actions, I should never have decided to vote for censure in this case. Instead, I should like to again make it clear that I support him fully in his right to impugn the motives of any and all of us; but the fact cannot be escaped that his imputations, as those of any other Senator, must be subjected to scrutiny if they are challenged and brought before the Senate.

In the present case he is clearly found wanting when called upon to support his allegations. This is the test which should be applied in all such cases; and I believe that by the judicious application of this test we can avoid in future instances the very harmful results which have been pointed out most clearly by the junior Senator from Wisconsin [Mr. MCCARTHY], the Senator from Idaho [Mr. WELKER], and others in the debate which is now being concluded. The right to challenge must be undisputed and, equally so, the burden of proof must rest with the challenger when his challenge is accepted.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

The PRESIDING OFFICER (Mr. COTTON in the chair). Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I yield 15 minutes to the distinguished majority leader.

Mr. KNOWLAND. Mr. President, I yield myself 10 minutes.

I said at the session of the Senate last August that the select committee which was appointed commanded my confidence. I have not changed my viewpoint of the integrity, the ability, the loyalty, or the courage of that committee in the slightest degree since that time.

These men I know well. I have served with some of them for a considerable period of time. I have known others in their capacity as public servants or as private citizens. I stated on the floor of the Senate in August, and I repeated my statement during this session, that I would be willing to be tried for my life before this select committee as a group, or before any of them individually. I did not draw the center line when I said that, because my statement applied to the Senator from Mississippi [Mr. STENNIS], the Senator from North Carolina [Mr. ERVIN], and to the Senator from Colorado [Mr. JOHNSON], as well as it applied to the Senator from Utah [Mr. WATKINS], the Senator from Kansas [Mr. CARLSON], and the Senator from South Dakota [Mr. CASE]. Any abuse or unfair statements which have been made in relation to this committee or to any of its members I consider to be abuse and unfair statements against the majority leader, and I might add, perhaps, against the minority leader and the Senate of the United States itself.

The investigation was not an easy task for the committee to undertake. I have said privately to some of my colleagues in the Senate that I did not believe I ever had a more difficult or distasteful job than I had on my side of the aisle in asking three Members of this body to undertake what all of us knew would be a difficult task to perform. I express on my own behalf and on behalf of the Senate my deep sense of appreciation that the members of the select committee have been willing to undertake this very difficult work.

I have known and served with the distinguished junior Senator from New Jersey [Mr. HENDRICKSON] for a considerable period of time. I have served with him during the entire 6 years he has been a Member of the Senate. I am sorry he will not be back with us at the next session, because I admire his intelligence and his courage as a man, as a soldier of his country, and as a Senator. I would have no hesitation about giving my unqualified approval of him for any position for which he might be suggested, because I know he has the ability, courage, and intelligence to undertake and fulfill with great distinction any position which he might be called upon to fill.

When any of my colleagues are treated unfairly, I feel very badly. I do not think it helps the person who makes references to them in an unfair way.

But having said that, Mr. President, I also must say that I have had to search my conscience very deeply before coming to a final conclusion in regard to the matter pending before the Senate. I have finally, and only last night, after some prayerful consideration, arrived at what, at least to me, is a decision in the matter. I shall not vote for the censure resolution.

Mr. President, we are dealing with a body which has existed since the birth of this Republic. I hope we are dealing with a body which will exist long after all of us have gone. As was stated by the Senator from Connecticut [Mr. PURTELL] today, I hope that we shall not hand down to those who succeed us a body which will have any less power than had the body as we found it when we came to the Senate.

Mr. President, it is a very difficult decision that Members on both sides of the aisle must make. Certainly we must, and we shall, in my judgment, continue the power of the Senate to conduct investigations into the executive branch of the Government, or into any field involving legislative responsibility. We have a constitutional obligation to do that, and we must resist with all the power at our command, and it is a substantial power, an effort to curtail in the slightest degree that power of investigation.

But, Mr. President, we must be very certain in this body to make sure that if at any time in the future a Senator speaks up, he will not be cut down. Sometimes it is very difficult to draw the line. I have told the junior Senator from Wisconsin, and I am sorry he stepped from the Chamber momentarily, because I have told him privately, and I would not say publicly what I had not said privately, that I do not approve of the language which the junior Senator from Wisconsin used concerning my good friend, and he is my good friend, the Senator from New Jersey [Mr. HENDRICKSON], or remarks of the junior Senator from Wisconsin regarding the select committee. I stated that any charges made against the committee to the effect that it was the "unwitting handmaiden" of anything in fact implied that the majority leader was also the unwitting handmaiden, and I personally resented it.

However, under the circumstances, and considering the long history of the Senate, I do not believe the Senate should now, in an ex post facto sort of way, adopt a resolution of censure, which has not been done in the entire history of the Senate under the circumstances presently before the Senate.

Mr. President, are we to have no statute of limitations at all? I believe the Senate has to give some consideration to that question. During the address of the junior Senator from Nevada [Mr. BROWN], on yesterday, during the time he yielded for questions, I briefly referred to the fact that we might go back to the 1941 Langer case, to be specific. At that time the question arose with regard to the seating of a Member of this body. The question arose as to whether a Senator might be expelled. Certain charges were made. The Senate, in its judgment, determined that it would not expel a Senator, and would not deny him his seat. However, the charges might still remain.

The period from 1941 to 1954 is 13 years. Are we to establish a precedent

that the Senate might go back and draw up charges, after such a long period of time has elapsed, and consider a censure resolution? In some distant day, such a proposal might be politically inspired.

Those who are familiar with history know that during the period of the French Revolution, a member of the French Assembly could rise on one side of the aisle and denounce a colleague on the other side of the aisle, and if standing at his back was a majority, the man who was denounced went to the guillotine. That is an extreme case, to be sure, but we are dealing with this question now for all history, and not alone for the 83d Congress, or merely for the junior Senator from Wisconsin, or for any individual Senator, important as he may be.

I think there is a very real basis for believing that if a censurable act is committed, the action should be taken by the Congress in which that act took place, because otherwise there would be no statute of limitations. I think it is particularly true that when a Senator has committed an alleged act during the term of office for which he has been elected, and he submits his candidacy to the people of his State, and the people of his own State reelect him, and he comes to the bar of the Senate and presents his credentials, and takes his oath of office, the Senate is derelict in its duty if at that particular time it does not raise a question as to his right to be seated. If he is seated, and the point is not made, then I think the statute of limitations runs. If we do not follow some rule of reason in that regard, a transitory, highly political group which might come to power some day in the distant future, after all of us have passed from the scene, might determine, for political purposes, to use the power of the majority to censure a member of the minority, and that member might be a member of the Democratic minority, the Republican minority, the conservative minority, or the liberal minority, because governments of countries have changed over the years. The only protection we have is to go by the landmarks of the Constitution and the precedents of the Senate, which have kept the Senate the greatest, freest deliberative body the world has ever seen.

Mr. President, after a careful search of my conscience, and considering the responsibility which weighs heavily upon me because of the seat I occupy, I have come to this conclusion. I wish it to be understood that if the Senate should vote against the censure resolution, it would be in no sense an approval of the use of the words used by the junior Senator from Wisconsin, for I would not approve of such words. I would not want it so interpreted, and I have told the junior Senator from Wisconsin that he has not in the least been courteous to some of his colleagues in this Chamber.

However, under the conditions I have cited, in fairness to this body, to myself, and to those by whom I have been asked to serve, I feel that I should not vote for censure.

Mr. JOHNSON of Texas. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. JOHNSON of Texas. At the outset of the debate it was my intention not to address the Senate on the subject now before the Senate.

I had thought that the question could best be handled through a calm discussion by the participants—the members of our select committee and the declared opponents of the resolution. The senior Senator from Texas believed it would be best to listen to the arguments advanced by the opposing sides, and then express his position by his vote alone.

After all, Mr. President, on an issue of this kind no person's word can be as eloquent as his vote.

Since the debate began, however, there have been developments which have changed my decision as to the course I should pursue. The most important is the attack made upon the select committee chosen by the majority and minority leaders, and I regard it as an attack upon the Senate itself.

The change in my course does not mean I have changed my mind as to how I should vote. A number of days ago I came to the conclusion that sufficient facts were available to permit a reasonably intelligent man to make a reasonably conscientious decision.

On the basis of the evidence, it is my intention to vote for the censure resolution. That is a personal decision on my part. I am not seeking to influence, and I have not sought to influence, the decision of any other Senator.

Mr. President, it is not my purpose to go into a lengthy explanation of the reasons for the vote I shall cast. The report of the select committee and the addresses made by its distinguished members are ample, in the judgment of the senior Senator from Texas. They need no elaboration insofar as I am concerned.

Mr. President, I am rising to speak for one reason only—to make it unmistakably clear, today and tomorrow, and in the years to come, where I stand with respect to the unwarranted attack upon the members of the select committee.

Mr. President, I had a hand in the selection of the members of that great committee. They were not my selection alone, because I sought advice and counsel. I doubt whether there was any Member on this side of the aisle who, during that period of selection, was not approached by me, seeking advice, counsel, and recommendations.

In a very real sense this was truly a committee which represented the whole Senate. In making the selection, Mr. President, we sought men of prudence, men with judicial temperaments, men of unquestionable patriotism, men who could and would succeed in putting their country ahead of any political or partisan consideration.

Mr. President, it is my belief that we succeeded beyond the fondest expectations of the most optimistic.

Mr. President, I wish to have it noted here that I am not confining my personal tribute to the Democratic members of the select committee alone. I think particular praise is due to the very able and the very courageous senior Senator from Utah [Mr. WATKINS], a man who will forever deserve the gratitude of the American people for his courageous and his statesmanlike conduct. Although I do not always agree with the political views of the senior Senator from Utah, he will always have my respect and my admiration as a courageous, gallant gentleman, a public servant in the highest sense of the word.

Neither he nor any other member of the select committee sought the post. They accepted it, knowing it to be a very disagreeable task. They accepted it solely because it had to be done—because duty was calling; and these six men are the kind of men who always answer the call of duty. From an examination of the record, it is obvious that they approached this unpleasant duty in a judicial frame of mind. They leaned over backwards to give the junior Senator from Wisconsin the benefit of any doubt. They exercised what I consider great restraint and prudence.

Mr. President, it concerned me to find inserted in the CONGRESSIONAL RECORD a statement describing these agents of the Senate—these men who, pursuant to an order of the Senate, were selected upon recommendation of the majority and the minority leaders, as "unwitting handmaidens of communism." I imagine it even came as something of a shock to the most vigorous opponents of the censure resolution.

The use of the word "unwitting" does not change the situation, for, Mr. President, if these are "unwitting" men, then our country is lost, because I do not think any Member will dispute the statement that these six men represent as good as we have in the United States Senate.

Mr. President, I do not intend to have my comments construed as a "defense" of the select committee. It needs no defense. Its members are eminently qualified, as they have so amply demonstrated, to take care of themselves. I am speaking, Mr. President, because I am proud to associate myself with statesmen of their high caliber. I am speaking out of a deep, personal belief that I, as an individual, must reject these imputations against the honor of great Americans with a long, proven record of service to their country.

The words which were used in attacking these men do not belong in the pages of the CONGRESSONAL RECORD or of the Senate Journal. Such words would be much more fittingly inscribed on the wall of a men's room. But, Mr. President, the issue before us is not just the use of harsh language. Men like "Big" ED JOHNSON, the governor-to-be of Colorado, Judge JOHN STENNIS, Judge SAM ERVIN, and the other members of the select committee, can handle any personal abuse which may come in their direction.

The real issue, as I see it, Mr. President, is whether the Senate of the United States, the greatest deliberative body in the history of the world, will permit abuse of a duly appointed committee seeking to carry out the will of the Senate.

The issue before us is just that simple.

If we sanction such abuse—whether of this committee, that committee, or an-

other committee—we might just as well turn over our jobs to a small group of men and go back home to plow the south 40 acres.

For myself, I can conceive of no compromise on this question. Like any reasonable man, I am willing to consider language which will improve the resolution, any language which will express better the sense of this body. But on the basic issue of censure or noncensure of the conduct of the junior Senator from Wisconsin, I, as a man devoted to the traditions of this body, feel that there is no choice.

If there were truly an issue involving communism, my attitude would be different. But I can search the record with a fine-tooth comb and, on that question, I can find nothing even remotely connected with the battle against subversion.

Mr. President, many people are strongly in favor of the junior Senator from Wisconsin. Many are strongly opposed to him. I doubt whether any action we take here today or tomorrow will meet with the approval of either group. But the overwhelming majority of the American people, most of them silent as we speak, are concerned with the practices, the policies, and the conduct of the United States Senate.

Our integrity can best be preserved by a straight-out vote. As for myself—and I am speaking for no other Senator—I have made my decision.

Mr. STENNIS. Mr. President, will the Senator from Texas yield to me 7 minutes?

Mr. JOHNSON of Texas. I yield 7 minutes to the distinguished Senator from Mississippi.

Mr. STENNIS. Mr. President, I had not intended to say anything further with reference to the committee's recommendation No. 1, but I wish to answer the remarks made by our esteemed majority leader [Mr. KNOWLAND], in which, in effect, he approved the statement of facts in the report, the conclusion in the report, and the law in the report, condemned the acts alleged to have been committed by the junior Senator from Wisconsin, and then entered a plea of the statute of limitations.

I feel compelled, in my feeble way, to make some remarks on that point. I wish especially to emphasize my very high regard for the very fine leadership and patriotism of the Senator from California. I was personally incensed and highly resentful this morning because of a news broadcast containing the suggestion that perhaps the position of the Senator from California on this question would be influenced by the fact that the junior Senator from Wisconsin had announced, in effect, that he would support the Senator from California in his stand on certain questions of foreign policy. I resented that suggestion, as a Member of the Senate and as a colleague of the Senator from California. What I am about to say in reference to his argument is said in the very highest terms of compliment to him as a Senator. However, I think his logic is utterly fallacious.

As I say, he did not contradict the committee report. He did not contradict the statement of facts in the report. He did not challenge any of the conclusions in the report. He did not say that there was anything wrong with the statement of the law connected with the case, as contained in the report.

Moreover, he said that he disapproved of the conduct of the junior Senator from Wisconsin, that he did not wish to be associated with it, that he thought it had no place in the Senate. Nevertheless, he said that he intended to vote against censure because of the statute of limitations. I presume he confined his remarks to count No. 1 with reference to the statute of limitations, because the other acts referred to were committed since the 83d Congress began.

The report filed by the Gillette subcommittee came to the Senate about 5 or 6 p. m., on January 2, 1953, about 18 short hours before that Congress, as such, expired by terms of law. As a practical matter, what opportunity was there for that Congress to have passed upon the facts set out in that report, even though some of those facts may have been generally known before that time. The report did not take crystallized form until 18 hours before the end of the session.

The remarks with respect to the Senator from New Jersey [Mr. HENDRICKSON], which constituted a part of the attack on the committee, were not made until after the report was filed. Now it is said that because those 18 hours elapsed and nothing was done, the conduct of which the Senator from California disapproved is to be passed by on a plea of the statute of limitations. Can we accept that argument?

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I have only a limited time.

Mr. KNOWLAND. If the Senator would yield for half a minute, I would take it out of my time if I had any time.

Mr. JOHNSON of Texas. I am glad to yield time to the Senator.

Mr. STENNIS. I am glad to yield if I have the time.

Mr. KNOWLAND. My point was—and I thought I expressed it clearly—that I thought the Senate during the period of time when the alleged action took place should be the Senate to act upon the matter. The fact is that it was not the fault of the so-called defendant, if I may use that term. I am not a lawyer, as is the able Senator from Mississippi, so my terms may be incorrect. However, it was not the fault of the defendant that the committee waited until less than 24 hours before the beginning of the new Congress. The committee was derelict in not submitting the report earlier.

Mr. STENNIS. That is my next point.

What were the acts of the junior Senator from Wisconsin bearing upon the ability of the committee to act as an arm of the Senate? Did he cooperate with the committee? Did he give the committee the advantage of any information he possessed? Did he make any move whatsoever except moves of obstruction, moves of defiance, moves of delay? He did not. For that reason, Mr. President, the committee did not have a reasonable opportunity to file anything like a complete report until the dying days of that Congress.

The correct rule as to the statute of limitation is that if a person is beyond the reach of the processes of the court, or beyond the reach of the law, the statute of limitations is tolled. If I ever saw a case in which the conduct of the party in question delayed, halted, and tolled the operations of any statute of limitations, it is this case. The whole idea of a statute of limitations, which bars action after a certain time, is to avoid placing any person at a disadvantage in making his proof.

There is no scintilla of a suggestion here from any source that the junior Senator from Wisconsin was hampered or hindered in any way in making his defense before the Gillette subcommittee, before the so-called select committee, or before the Senate, on the ground of the time element.

We hear a great deal about precedents. If we establish the firm precedent that every subject must be taken up and disposed of during the current session of Congress in which it happens, the Senate will lose control over vital matters of this kind.

I respectfully submit that in a case of conduct of a Senator involving the honor and integrity of a Senator or his colleagues, or in connection with the operation of the Senate in its legal functions, there should be no statute of limitations. I submit that it comes with poor grace, in the dying moments of the consideration of this case, to make the argument in a serious way that, regardless of what the facts may be, the power of the Senate to act has been tolled by the expiration of time. If that is the rule in a case like this, God help the United States Senate.

Mr. WATKINS. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I am very glad to yield.

The PRESIDING OFFICER. The time of the Senator from Mississippi has expired.

Mr. JOHNSON of Texas. Mr. President, I yield 3 additional minutes to the Senator from Mississippi.

Mr. STENNIS. I now yield to the Senator from Utah.

Mr. WATKINS. I invite the attention of the Senator to the fact that at the beginning of the 83d Congress, as Members of the Senate were being sworn in, the late lamented Senator Robert Taft, of Ohio, called attention to the fact—and I think it was generally agreed to—that when Senators were sworn in they were sworn in without prejudice, and that contests or other proceedings affecting them could be instituted later. Does the Senator remember that?

Mr. STENNIS. I think the Senator is correct, although I am not absolutely certain as to the exact language used. I may add this thought to what the Senator from Utah has said: When the junior Senator from Wisconsin took the oath of office here, following his reelection, whatever could have been said in his behalf with respect to the statute of limitations was waived by him, and he is now estopped to plead the statute of

limitations regarding acts of this kind. They are never out of date when they constitute a crime of this kind against the Senate by one of its Members. They can be brought up and passed upon by the Senate at any time.

Mr. WATKINS. I thank the Senator.

Mr. JOHNSON of Texas. Mr. President, I yield 15 minutes to the distinguished majority leader.

Mr. KNOWLAND. Mr. President, I yield 15 minutes to the senior Senator from Oregon.

Mr. CORDON. Mr. President, the Senator from Oregon will not take 15 minutes, or 10 minutes, or even 5 minutes. I appreciate the opportunity to occupy the few minutes that I shall take.

Mr. President, this is the last vote I shall cast as a Member of this body. This is my final participation in debate. I shall be brief.

I doubt that my contribution will be of any material effect in the pending matter. I hope, coupled with submitted material, that it may serve a useful purpose in the years to come.

The position I take would have been more difficult were it not for the admission of error made on the floor of the Senate.

In all frankness, I recognize that the admission could have been more specific, phrased in words of greater certainty. But the admission was made, and it was made after the statements critical of the select committee.

However we try, we cannot limit, we cannot control, the effect of what we do here on actions to be had in future years. This record will be examined for weal or woe long after all here today are gone.

We are more sinners than saints in this body, Mr. President. Our individual frailties and derelictions may vary, but they exist. And they ill fit us, I submit, to don judicial robes and adopt today standards upon which to censure yesterday's actions.

Individual liberty, freedom of speech—the freedom to speak words which we hate, if you please—grow daily less in this harried, confused, and chaotic world. In this matter I shall act to further the cause of liberty, not to restrict it. I shall be generous rather than chance being unjust. I shall vote against censure.

Mr. President, during the pendency of this matter a series of pertinent discussions have appeared in the pages of the U. S. News & World Report. They show conclusive evidence of careful and comprehensive research and consideration. Because I believe they will be invaluable in future years when this question shall again arise—and it will arise again—I ask unanimous consent to have printed in the RECORD, as a part of my remarks, the following articles and editorials:

First. An article entitled "Committee Findings on McCARTHY," beginning on page 60 of U. S. News & World Report for October 8, 1954, and an article entitled "We've Been Asked: The Meaning of Censure" appearing on page 54 of that issue;

Second. An editorial by David Lawrence entitled "Forget It's McCARTHY—Remember the Constitution" appearing on page 144 of the same issue;

Third. An editorial by David Lawrence entitled "Censure for the Senate," appearing on page 128 of U. S. News & World Report for October 22, 1954; and

Fourth. An editorial by David Lawrence entitled "Shall the Senate Destroy Itself?" appearing on page 138 of U. S. News & World Report for October 29, 1954.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the U. S. News & World Report of October 8, 1954]

COMMITTEE FINDINGS ON McCARTHY

(Here, in complete official text, is the report of the Senate committee that recommended censure of Senator JOSEPH R. McCARTHY. The special committee, headed by Senator ARTHUR V. WATKINS, Republican, of Utah, held that Senator McCARTHY should be censured on 2 of 5 categories of charges. Given here, also, is the full text of the bill of exceptions to the Watkins committee report, as submitted to the committee by Edward Bennett Williams, counsel for Senator McCARTHY. This document outlines the position that Senator McCARTHY will take when the full Senate debates his case in a special session which has been scheduled to begin on November 8.)

Following, in full text, is the report of the Select Committee To Study Censure Charges, as released on September 27, 1954:

The Select Committee To Study Censure Charges, consisting of ARTHUR V. WATKINS (chairman), EDWIN C. JOHNSON (vice chairman), JOHN C. STENNIS, FRANK CARLSON, FRANCIS CASE, SAM J. ERVIN, JR., to which was referred the resolution (S. Res. 301) and amendments, having considered the same, reports thereon and recommends that the resolution be adopted with certain amendments.

Introduction

On August 2 (legislative day, July 2), 1954, Senate Resolution 301, to censure the Senator from Wisconsin, Mr. McCARTHY, submitted by Senator FLANDERS on July 30, and amendments proposed thereto, was referred to a select committee to be composed of 3 Republicans and 3 Democrats and named by the Vice President. By said order the select committee was authorized—

(1) To hold hearings;

(2) To sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate;

(3) To require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, and to take such testimony as is deemed advisable.

The select committee was instructed to act and to make a report to the Senate prior to the adjournment sine die of the Senate in the 2d session of the 83d Congress.

The order of the Senate is set forth in the hearing record, page 1 et seq.

The Vice President, on August 5, 1954, acting on the recommendations of the majority leader and the minority leader, made the following appointments of members of the select committee: From the majority, the Senator from Utah [Mr. WATKINS], the Senator from Kansas [Mr. CARLSON], and the Senator from South Dakota [Mr. CASE]. From the minority, the Senator from Colorado [Mr. JOHNSON], the Senator from Mississippi [Mr. STENNIS], and the Senator from North Carolina [Mr. ERVIN]. The select committee chose the Senator from Utah [Mr. WATKINS] as chairman, and the Senator from Colorado [Mr. JOHNSON] as vice chairman.

The select committee, on August 24, 1954, served upon the junior Senator from Wisconsin, and other interested persons, a notice of hearings, setting forth 5 categories containing 13 specifications of charges from certain of the proposed amendments, establishing the general procedural rules for the hearings before the select committee, and formally requesting the appearance of Senator McCARTHY. The notice of hearings will be found in the hearing record, page 8.

All testimony and evidence taken and received by the select committee was at public hearings attended by Senator McCARTHY and his counsel. No testimony or evidence was taken or received in executive session, except the testimony of the Parliamentarian, which was taken with the knowledge and consent of the attorney for Senator McCARTHY. The public hearings were held in accordance with said notice of hearings, on August 31, September 1, 2, 7, 8, 9, 10, 11, and 13, 1954. The entire testimony, evidence, and proceedings at said public hearings is in the printed record of the hearings and made part of this report by reference.

At the commencement of the hearings on August 31, 1954 (p. 11 of the hearings), the chairman stated:

Statement of purposes of committee made at commencement of hearing

"Now, at the outset of this hearing, the committee desires to state in general terms what is involved in Senate Resolution 301 and the Senate order on it, which authorized the appointment of the select committee to consider in behalf of the Senate the so-called Flanders resolution of censure, together with all amendments proposed in the resolution.

"The committee, in the words of the Senate order was 'authorized to hold hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, to require by subpena, or otherwise, the attendance of such witnesses and the production of such correspondence, books, papers, and documents, and to take such testimony as it deems advisable, and that the committee be instructed to act and make a report to this body prior to the adjournment sine die of the Senate in the 2d session of the 83d Congress.'

"That is a broad grant of power, carrying with it a heavy responsibility—a responsibility which the committee takes seriously. In beginning its duties, the committee found few precedents to serve as a guide. It is true that there had been other censure resolutions before the Senate in the past, but the acts complained of were, for the most part, single occurrences which happened in the presence of the Senate or one of its committees. Under such circumstances, prolonged investigations and hearings were not necessary.

"It should be pointed out that some forty-and-odd alleged instances of misconduct on the part of Senator McCARTHY referred to this committee are involved and complex, both with respect to matters of fact and law. With reference to the time element, the incidents are alleged to have happened within a period covering several years. In addition, three Senate committees already have held hearings on one or more phases of the alleged incidents of misconduct. Obviously, with all this in mind, the committee had good reason for concluding it faced an unprecedented situation which would require adoption of procedures, all within the authority granted it in the Senate order, that would enable it to perform the duties assigned within the limited time given by the Senate.

"The committee interprets its duties, functions, and responsibilities under the Senate order to be as follows:

"1. To analyze the charges set forth in the amendments and to determine—

"(a) If there were duplications which could be eliminated.

"(b) If any of the charges were of such a nature that even if the allegations were established as factually true, yet there would be strong reasons for believing that they did not constitute a ground for censure.

"2. To thoroughly investigate all charges not eliminated under No. 1 in order to secure relevant and material facts concerning them and the names of witnesses or records which can establish the facts at the hearings to be held.

"In this connection the committee believes it should function as an impartial investigating agency to develop by direct contacts in the field and by direct examination of Senate records all relevant and material facts possible to secure.

"When Senate Resolution 301 and amendments offered were referred to the committee, the committee interprets this action to mean that from that time on the resolution and charges became the sole responsibility of the Senate. To state it another way, the Senator, or Senators, who offered Resolution 301, and proposed amendments thereto, have no legal responsibility from that point on for the conduct of the investigations and hearings authorized by the order of the Senate. The hearings are not to be adversary in character. Under this interpretation, it became the committee's duty then to get all the facts and material relevant to the charges irrespective of whether the facts sustained the charges or showed them to be without foundation.

"The foregoing statement seems to be necessary in view of a widespread misunderstanding that the Senator who introduced the resolution of censure into the Senate and the Senators who offered amendments thereto, setting up specific charges against the Senator from Wisconsin, are the complaining witnesses, or the parties plaintiff, in this proceeding. That is not true, as has been explained. However, because of the fact that they had made some study of the situation, the committee did give them an opportunity to submit informational documentation of the charges they had offered. Also they were asked to submit the names of any witnesses who might have firsthand knowledge of the matters charged and who could give relevant and material testimony in the hearings.

"Since matters of law also will be involved in reaching evaluation of the facts developed, pertinent rules of the Senate and sections of law, together with precedents and decisions by competent tribunals, should be briefed and made a part of the hearing record, the committee believes.

"3. To hold hearings where the committee can present witnesses and documentary evidence for the purpose of placing on record, for later use by the Senate, the evidence and other information gathered during the preliminary investigation period, and for the development of additional evidence and information as the hearings proceed.

"The resolution of censure presents to the Senate an issue with respect to the conduct and possible punishment of one of its Members. The debate in the Senate preceding the vote to refer the matter to a select committee made it abundantly clear that the proceedings necessary to a proper disposal of the resolution and the amendments proposed, both in the Senate and in the select committee, would be judicial or quasi-judicial in nature, and for that reason should be conducted in a judicial manner and atmosphere, so far as compatible with the investigative functions of the committee in its preliminary and continuing search for evidence and information bearing on all phases of the issues presented.

"Inherent in the situation created by the resolution of censure and the charges made, is the right of the Senator against whom the charges were made to be present at the hearings held by the select committee. He should also be permitted to be represented by counsel and should have the right of cross-examination. This is somewhat contrary to the practice by Senate committees in the past, in hearings of this nature, but the present committee believes that the accused Senator should have these rights. He or his counsel, but not both, shall be permitted to make objections to the introduction of testimony, but the argument on the objections may be had or withheld at the discretion of the chairman. The Senator under charges should be permitted to present witnesses and documentary evidence in his behalf, but, of course, this should be done in compliance with the policy laid down by the committee in its notice of hearing, which is a part of this record.

"In general, the committee wishes it understood that the regulations adopted are for the purpose of insuring a judicial hearing and a judicial atmosphere as befits the importance of the issues raised. For that reason and in accordance with the order the committee believes to be the sentiment of the Senate, all activities which are not permitted in the Senate itself will not be permitted in this hearing.

"4. When the hearings have closed, to prepare a report and submit it to the Senate. Under the order creating this committee, this must be done before the present Senate adjourns sine die.

"By way of comment, let me say that the inquiry we are engaged in is of a special character which differentiates it from the usual legislative inquiry. It involves the internal affairs of the Senate itself in the exercise of a high constitutional function. It is by nature a judicial or semi-judicial function, and we shall attempt to conduct it as such. The procedures outlined are not necessarily appropriate to congressional investigations and should not, therefore, be construed as in any sense intended as a model appropriate to such inquiries. We hope what we are doing will be found to conform to sound senatorial principles and traditions in the special field in which the committee is operating.

"It has been said before, but it will do no harm to repeat, that the members of this committee did not seek this appointment. The qualifications laid down by the Senate order creating the commission, said the committee should be made up of 3 Democrat Senators and 3 Republican Senators. This was the only condition named in the order. However, in a larger sense the proper authorities of the Senate were charged with the responsibility of attempting to choose Members of the Senate for this committee who could and would conduct a fair and impartial investigation and hearing. Members of the committee deemed their selection by the Senate authorities as a trust.

"We realize we are human. We know, and the American people know, that there has been a controversy raging over the country through a number of years in connection with the activities of the Senator against whom the resolution is directed. Members of this committee have been conscious of that controversy; they have seen, heard, and read of the activities, charges, and countercharges, and being human, they may have at times expressed their impressions with respect to events that were happening while they were happening.

"However, each of the Senators who make up this special select committee are mature men with a wide background of experience which should enable them to disregard any impressions or preconceived notions they may have had in the past respecting the controversies which have been going on in public for many years.

"We approach this matter as a duty imposed upon us and which we feel that we should do our very best to discharge in a proper manner. We realize the United States Senate, in a sense, is on trial, and we hope our conduct will be such as to maintain the American sense of fair play and the high traditions and dignity of the United States Senate under the authority given it by the Constitution."

As the investigations and the hearings progressed, the committee found that the period of time allotted to perform the task assigned would not be sufficient if all the charges were given thorough investigation and hearings were held thereon. The committee also was aware of the practical situation that required that its task be completed sufficiently early to permit the Senate to consider its report before that body must adjourn sine die.

Procedure for committee hearings established in notice of hearings

"All testimony and evidence received in the hearings shall be such as is found by the select committee to be competent, relevant, and material to the subject matters so under inquiry, with the right of examination and cross-examination in general conformity to judicial proceedings and in accordance with said order of the Senate.

"The select committee will admit, subject to said order, as competent testimony for the record, so far as material and relevant, the official proceedings and pertinent actions of the Senate and of any of its committees or subcommittees, taking judicial notice thereof, and using official reprints when convenient. Following Senate tradition, witnesses may be examined by any member of the committee, and they may be examined or cross-examined for the committee by its counsel. Witnesses may be examined or cross-examined either by Senator McCARTHY or his counsel, but not by both as to the same witness."

Senator McCARTHY was permitted to and made an opening statement in his own behalf at the commencement of the first hearing, on condition that it be relevant and material, and not to be received as testimony (hearing record, p. 14).

By unanimous vote of the members of the select committee taken after the issuance of the notice of hearings, it was decided to proceed with hearings only upon the 13 specifications set forth in the 5 categories contained in the notice of hearings, to which reference is hereby made (hearing record, p. 8).

I. CATEGORY 1: INCIDENTS OF CONTEMPT OF THE SENATE OR A SENATORIAL COMMITTEE

A. General discussion and summary of evidence

The evidence on the question whether Senator McCARTHY was guilty of contempt of the Senate or a senatorial committee involves his conduct with relation to the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration. An analysis of the three amendments referring to this general matter (being amendment (3) proposed by Senator FULBRIGHT, amendment (a) proposed by Senator MORSE, and amendment (7) proposed by Senator FLANDERS) reveals these specific charges:

"(1) That Senator McCARTHY refused repeated invitations to testify before the subcommittee.

"(2) That he declined to comply with a request by letter dated November 21, 1952, from the chairman of the subcommittee to appear to supply information concerning certain specific matters involving his activities as a Member of the Senate.

"(3) That he denounced the subcommittee and contemptuously refused to comply with its request.

"(4) That he has continued to show his contempt for the Senate by failing to explain in any manner the six charges contained in the Hennings-Hayden-Hendrickson report, which was filed in January 1953."

We have decided to consider and discuss in our report under this category the incident with reference to Senator HENDRICK-

SON, since the conduct complained of is related directly to the fact that Senator HENDRICKSON was a member of the Subcommittee on Privileges and Elections. This incident is referred to in the amendment proposed by Senator FLANDERS (30), the specific charge being:

"(5) That he ridiculed and defamed Senator HENDRICKSON in vulgar and base language, calling him 'a living miracle without brains or guts.'"

The report referred to as the Hennings-Hayden-Hendrickson report is the report of the Subcommittee on Privileges and Elections to the Committee on Rules and Administration, pursuant to Senate Resolution 187, 82d Congress, 1st session, and Senate Resolution 304, 82d Congress, 2d session, filed January 2, 1953, made part of this report and printed in the appendix. The select committee admitted in evidence the Hennings-Hayden-Hendrickson report for the limited purposes of showing the nature of the charges before that subcommittee, as bearing upon the question of jurisdiction of that subcommittee, and what was the subject matter of the investigation (pp. 55, 121, and 524 of the hearings).

As stated by the chairman (p. 17 of the hearings), the select committee did not construe this category as involving in any way the truth or falsity of any of the charges against Senator MCCARTHY considered by that subcommittee. These charges, as shown by its report and as stated briefly by the chairman, Senator HENNINGS, in a letter to Senator MCCARTHY under date of November 21, 1952 (Hennings-Hayden-Hendrickson report, p. 98), were:

"Pursuant to your request, as transmitted to us through Mr. Kiermas, we are advising you that the subcommittee desires to make inquiry with respect to the following matters:

"(1) Whether any funds collected or received by you and by others on your behalf to conduct certain of your activities, including those relating to communism, were ever diverted and used for other purposes inuring to your personal advantage.

"(2) Whether you, at any time, used your official position as a United States Senator and as a member of the Banking and Currency Committee, the Joint Housing Committee, and the Senate Investigations Committee to obtain a $10,000 fee from the Lustron Corp., which company was then almost entirely subsidized by agencies under the jurisdiction of the very committees of which you were a member.

"(3) Whether your activities on behalf of certain special interest groups, such as housing, sugar, and China, were motivated by self-interest.

"(4) Whether your activities with respect to your senatorial campaigns, particularly with respect to the reporting of your financing and your activities relating to the financial transactions with, and subsequent employment of, Ray Kiermas involved violations of the Federal and State Corrupt Practices Act.

"(5) Whether loan or other transactions which you had with the Appleton State Bank, of Appleton, Wis., involved violations of tax and banking laws.

"(6) Whether you used close associates and members of your family to secrete receipts, income, commodity, and stock speculation, and other financial transactions for ulterior motives."

The evidence taken by the select committee under this category consisted of letters and documents, oral testimony by Senator MCCARTHY and oral testimony by Senator HAYDEN, and by the Parliamentarian. As to the statement regarding Senator HENDRICKSON, there is the testimony of a reporter. There is no material contradiction in any of the testimony relating to this category. The sending and receipt of the correspondence is admitted. There is no contradiction of the verbal testimony of Senator MCCARTHY with reference to his conversations with Chairman GILLETTE, or of that of Chairman HAYDEN with reference to the constitution of the Subcommittee on Privileges and Elections and the filing of its report, or of that of Parliamentarian Watkins, discussed fully hereinafter.

The evidence shows that the Subcommittee on Privileges and Elections was proceeding to investigate and report on Senate Resolution 187; that Senator MCCARTHY was invited to appear to testify before the subcommittee on five separate occasions extending from September 25, 1951, to November 7, 1952, and formally requested to appear by letter and telegram of November 21, 1952; that Senator MCCARTHY could not appear at the times specified in the request because of his absence in Wisconsin; that Senator MCCARTHY did not appear before the subcommittee in answer to the matters under investigation regarding his own conduct, but did appear on one occasion in support of his Senate Resolution 304 directed against Senator Benton; that Senator MCCARTHY accused the subcommittee of acting without power and beyond its jurisdiction, of wasting vast amounts of public money for improper partisan purposes, of proceeding dishonestly, of aiding the cause of communism, and that these accusations were directed toward an official subcommittee of the Senate. The uncontradicted testimony further shows that Senator MCCARTHY directed and gave to the press an abusive and insulting statement concerning Senator HENDRICKSON, calculated to wound a colleague, solely because Senator HENDRICKSON was a member of the subcommittee and performing services required by the Senate.

Senate Resolution 187, introduced by Senator Benton, was not voted upon by the Senate, but when the jurisdiction of the Subcomittee on Privileges and Elections and the integrity of its members was attacked, the Senate by its vote of 60 to 0 in Senate Resolution 300, affirmed and ratified both.

Counsel for Senator MCCARTHY advanced the contention that these specifications relating to "Incidents of contempt of the Senate or a senatorial committee" were legally insufficient on their face as a predicate for the censure of Senator MCCARTHY because (1) there has never been a case of censure upon a Member of Congress for conduct antedating the inception of the Congress which is hearing the censure charges (p. 18 of the hearings), and (2) because the subcommittee acted unlawfully and beyond its jurisdiction (pp. 53 to 58 of the hearings).

B. Findings of fact

From the evidence and testimony taken with reference to the first category, the select committee finds the following facts:

1. On August 6, 1951, Senate Resolution 187, 82d Congress, 1st session, was introduced by Senator Benton and referred to the Committee on Rules and Administration (p. 20 of the hearings).

2. In turn, this resolution was referred by the Committee on Rules and Administration to its Subcommittee on Privileges and Elections (p. 280 of the hearings).

3. This resolution provided, inter alia, that whereas "any sitting Senator, regardless of whether he is a candidate in the election himself, should be subject to expulsion by action of the Senate, if it finds such Senator engaged in practices and behavior that make him, in the opinion of the Senate, unfit to hold the position of United States Senator,"; Therefore be it

"*Resolved*, That the Committee on Rules and Administration of the Senate is authorized and directed to proceed with such consideration of the report of its Subcommittee on Privileges and Elections with respect to the 1950 Maryland senatorial general election, which was made pursuant to Senate Resolution 250, 81st Congress, April 13, 1950, and to make such further investigation with respect to the participation of Senator JOSEPH R. MCCARTHY in the 1950 senatorial campaign of Senator JOHN MARSHALL BUTLER, and such investigation with respect to his other acts since his election to the Senate, as may be appropriate to enable such committee to determine whether or not it should initiate action with a view toward the expulsion from the United States Senate of the said Senator JOSEPH R. MCCARTHY."

It will be noted that this proposed resolution authorized and directed such investigation as may be appropriate "with reference to his other acts since his election to the Senate."

4. Senator MCCARTHY was elected to the Senate in the fall of 1946, and took his seat in January 1947.

5. Among the charges pending before and investigated by that Subcommittee on Privileges and Elections, charges (1), (2), (3), and (4) related to matters since Senator MCCARTHY's election to the Senate in 1946, and charges (5) and (6) may or may not have referred to matters since his election to the Senate, or to matters both before and after his election.

6. Senator GUY M. GILLETTE was chairman of that Subcommittee on Privileges and Elections until his resignation on September 26, 1952 (p. 22 of the hearings).

7. By letter of Senator MCCARTHY to Chairman GILLETTE, dated September 17, 1951, Senator MCCARTHY stated that he intended to appear to question witnesses and that the subcommittee, without authorization from the Senate, was undertaking to conduct hearings in the matter (p. 280 of the hearings).

8. By letter of September 25, 1951, Chairman GILLETTE notified Senator MCCARTHY that the Benton resolution (S. Res. 187) would be taken up by the subcommittee on September 28, 1951, and that Senator MCCARTHY could be present to hear Senator Benton in executive session and make his own statement also, if time permitted (p. 23 of the hearings).

9. Senator MCCARTHY did not reply to this letter.

10. By letter of October 1, 1951, Chairman GILLETTE advised Senator MCCARTHY that Senator Benton had appeared and presented a statement in support of his resolution looking to action pertaining to the expulsion of Senator MCCARTHY from the Senate, that the subcommittee had taken action to accord to Senator MCCARTHY the opportunity to appear and make any statement he wished to make concerning the matter, and that the subcommittee "will be glad to hear you at an hour mutually convenient," before the 10th of October, if Senator MCCARTHY desired to appear (p. 23 of the hearings).

11. Under the date of October 4, 1951, Senator MCCARTHY wrote to Chairman GILLETTE, in reply to the latter's letter of October 1, 1951, that "I have not and do not even intend to read, much less answer, Benton's smear attack" (p. 23 of the hearings).

12. By letter of December 6, 1951, Senator MCCARTHY advised Chairman GILLETTE (p. 24 of the hearings)—

(a) That the Elections Subcommittee, unless given further power by the Senate, is restricted to matters having to do with elections.

(b) That "a horde of investigators hired by your committee at a cost of tens of thousands of dollars of taxpayers' money, has been engaged exclusively in trying to dig up on MCCARTHY material covering periods of time long before he was even old enough to be a candidate for the Senate—material which can have no conceivable connection with his election or any other election."

(c) That the "obvious purpose is to dig up campaign material for the Democrat Party for use in the coming campaign against MCCARTHY."

(d) That "when your Elections Subcommittee, without Senate authorization, spends tens of thousands of taxpayers' dollars for the sole purpose of digging up campaign material against McCARTHY, then the committee is guilty of stealing just as clearly as though the Members engaged in picking the pockets of the taxpayers and turning the loot over to the Democrat National Committee."

(e) That "if one of the administration lackies were chairman of this committee, I would not waste the time or energy to write and point out the committee's complete dishonesty."

(f) That instead of obtaining the necessary power from the Senate, "your committee decided to spend tens of thousands of dollars of taxpayers' money to aid Benton in his smear attack upon McCARTHY."

(g) That "I cannot understand your being willing to label GUY GILLETTE as a man who will head a committee which is stealing from the pockets of the American taxpayer tens of thousands of dollars and then using this money to protect the Democrat Party from the political effect of the exposure of Communists in Government."

(h) That "to take it upon yourself to hire a horde of investigators and spend tens of thousands of dollars without any authorization from the Senate is labeling your Elections Subcommittee even more dishonest than was the Tydings committee."

13. Chairman GILLETTE replied to Senator McCARTHY by letter of December 6, 1951 (p. 26 of the hearings), stating that the subcommittee did not seek its unpleasant task, but that since Senate Resolution 187 was referred by the Senate to the Committee on Rules and Administration, and by it to its Subcommittee on Privileges and Elections, its duty was clear and would be discharged "in a spirit of utmost fairness to all concerned and to the Senate."

14. In the same letter, Chairman GILLETTE informed Senator McCARTHY, "your information as to the use of a large staff and the expenditure of a large sum of money in investigations relative to the resolution is, of course, erroneous."

15. By letter from Senator McCARTHY to Chairman GILLETTE dated December 7, 1951, information was requested of the number and salaries of employees of the subcommittee (p. 26 of the hearings).

16. Chairman GILLETTE gave this information to Senator McCARTHY under date of December 11, 1951 (p. 27 of the hearings).

17. Under date of December 19, 1951, Senator McCARTHY wrote to Chairman GILLETTE stating that: "the full committee appointed you chairman of an Elections Subcommittee, but gave you no power whatsoever to hire investigators and spend vast amounts of money to make investigations having nothing to do with elections. Again, may have an answer to my questions as to why you feel you are entitled to spend the taxpayers' money to do the work of the Democratic National Committee" (p. 27 of the hearings).

18. In the same letter, Senator McCARTHY stated, "You and every member of your subcommittee who is responsible for spending vast amounts of money to hire investigators, pay their traveling expenses, etc., on matters not concerned with elections, is just as dishonest as though he or she picked the pockets of the taxpayers and turned the loot over to the Democratic National Committee."

19. In the same letter, Senator McCARTHY stated: "I wonder if I might have a frank, honest answer to all the questions covered in my letter of December 7. Certainly as a member of the Rules Committee and as a Member of the Senate, I am entitled to this information. Your failure to give this information highlights the fact that your subcommittee is not concerned with dishonestly spending the taxpayers' money and using your subcommittee as an arm of the Democratic National Committee" (p. 28 of the hearings).

20. On December 21, 1951, Chairman GILLETTE wrote Senator McCARTHY, advising him as follows:

(a) "I shall be very glad to give you such information as I have or go with you, if you so desire, to the rooms occupied by the subcommittee and aid you in securing any facts that are there available, relative to the employees of the subcommittee or their work," and stating further that—

(b) Previous correspondence had been printed in the public press, even before receipt by Chairman GILLETTE.

(c) That it was improper to discuss matters pertaining to pending litigation in the public press.

(d) That a meeting of the subcommittee was being called for January 7, 1952, to consider the Benton resolution.

(e) That if Senator McCARTHY cared to appear before the subcommittee, he would be glad to make the necessary arrangements as to time and place.

(f) That he would be glad to confer with Senator McCARTHY personally as to matters concerning the staff and the work of the subcommittee.

(g) That neither the Democratic National Committee nor any person or group other than an agency of the United States Senate has had or will have any influence on his duties and actions as a member of the subcommittee, and that no other member of the subcommittee has been or will be so influenced (p. 28 of the hearings).

21. Senator McCARTHY wrote to Chairman GILLETTE on January 4, 1952, asking: "The simple question of whether or not you have ordered the investigators to restrict their investigation to matters having to do with elections, or whether their investigations extend into fields having nothing whatsoever to do with either my election or the election of any other Senator" (p. 29 of the hearings).

22. Chairman GILLETTE replied to Senator McCARTHY by letter dated January 10, 1952, informing him that the staff of the subcommittee had just submitted a report on the legal question raised by Senator McCARTHY, that this was being studied, and the subcommittee would then determine what action, if any, they would take (p. 29 of the hearings).

23. Because Senator McCARTHY questioned the jurisdiction of the subcommittee, the subcommittee adopted a resolution, approved by a majority of the Committee on Rules and Administration, that Senator McCARTHY be requested to bring to the floor of the Senate a motion to discharge the Subcommittee on Privileges and Elections (p. 30 of the hearings).

24. Senator HAYDEN, chairman of the Committee on Rules and Administration, informed Senator McCARTHY that the purpose would be to test the jurisdiction and integrity of the members of the subcommittee (p. 30 of the hearings).

25. Under date of March 21, 1952, Senator McCARTHY wrote to Senator HAYDEN, chairman of the parent Committee on Rules and Administration, that he thought it improper to discharge the subcommittee for the following reasons:

"The Elections Subcommittee unquestionably has the power and, when complaint is made, the duty to investigate any improper conduct on the part of McCARTHY or any other Senator in a senatorial election.

"The subcommitee has spent tens of thousands of dollars and nearly a year making the most painstaking investigation of my part in the Maryland election, as well as my campaigns in Wisconsin. The subcommittee's task is not finished until it reports to the Senate the result of that investigation, namely, whether they found such misconduct on the part of McCARTHY in either his own campaigns or in the Tydings campaign to warrant his expulsion from the Senate.

"I note the subcommittee's request that the integrity of the subcommittee be passed upon. As you know, the sole question of the integrity of the subcommittee concerned its right to spend vast sums of money investigating the life of McCARTHY from birth to date without any authority to do so from the Senate. However, the vote on that question cannot affect the McCARTHY investigation, in that the committee for a year has been looking into every possible phase of McCARTHY's life, including an investigation of those who contributed to my unsuccessful 1944 campaign.

"As you know, I wrote Senator GILLETTE, chairman of the subcommittee, that I considered this a completely dishonest handling of taxpayers' money. I felt that the Elections Subcommittee had no authority to go into matters other than elections unless the Senate instructed it to do so. However, it is obvious that insofar as McCARTHY is concerned this is now a moot question, because the staff has already painstakingly and diligently investigated every nook and cranny of my life from birth to date. Every possible lead on McCARTHY was investigated. Nothing that could be investigated was left uninvestigated. The staff's scurrilous report, which consisted of cleverly twisted and distorted facts, was then "leaked" to the left-wing elements of the press and blazoned across the Nation in an attempt to further smear McCARTHY.

"A vote of confidence in the subcommittee would be a vote on whether or not it had the right, without authority from the Senate, but merely on the request of one Senator (in this case Senator Benton) to make a thorough and complete investigation of the entire life of another Senator. A vote to uphold the subcommittee would mean that the Senate accepts and approves this precedent and makes it binding on the Elections Subcommittee in the future.

"A vote against the subcommittee could not undo what the subcommittee has done in regard to McCARTHY. It would not force the subcommittee members to repay into the Treasury the funds spent on this investigation of McCARTHY. A vote against the subcommittee would merely mean that the Senate disapproves what has already been done insofar as McCARTHY is concerned, and, therefore, disapproves an investigation of other Senators like the one which was made of McCARTHY. While I felt the subcommittee exceeded its authority, now that it has established a precedent in McCARTHY's case, the same rule should apply to every other Senator. If the subcommittee brought up this question before the investigation had been made, I would have voted to discharge it. Now that the deed is done, however, the same rule should apply to the other 95 Senators.

"For that reason, I would be forced to vigorously oppose a motion to discharge the Elections Subcommittee at this time.

"I hope the Senate agrees with me that it would be highly improper to discharge the Gillette-Monroney subcommittee at this time, thereby, in effect, setting a different rule for the subcommittee to follow in case an investigation is asked of any of the other 95 Senators" (p. 30 of the hearings).

26. In view of Senator McCARTHY's refusal to make the requested motion in the Senate, Chairman HAYDEN, of himself and for the other four members of the Subcommittee on Privileges and Elections (Senators GILLETTE, MONRONEY, HENNINGS, and HENDRICKSON), submitted Senate Resolution 300, 82d Congress, 2d session, on April 8, 1952 (p. 31 of the hearings).

27. Senate Resolution 300 provided that whereas Senator McCARTHY in a series of communications addressed to Chairman GILLETTE between December 6, 1951, and January 4, 1952, had charged that the subcommittee lacked jurisdiction to investigate such

acts of Senator McCarthy as were not connected with election campaigns, and attacked the honesty of the members of the subcommittee, charging that in their investigation of such other acts the members were improperly motivated and were guilty of stealing just as clearly as though the members engaged in picking the pockets of the taxpayers; and whereas the subcommittee adopted a motion, as the most expeditious parliamentary method of obtaining an affirmation by the Senate of its jurisdiction of this matter and a vote on the honesty of its Members, that Senator McCarthy be requested to raise the question of jurisdiction and of the integrity of the members of the Subcommittee on Privileges and Elections by making a formal motion on the floor of the Senate to discharge the committee, and that unless Senator McCarthy did so the chairman of the Committee on Rules and Administration or the chairman of the subcommittee would present such a motion, and since Senator McCarthy in effect had declined so to do, therefore, to determine the proper jurisdiction of the Committee on Rules and Administration and to express the confidence of the Senate in its committee in their consideration of Senate Resolution 187, be it resolved that the Committee on Rules and Administration be, and it hereby is, discharged from the further consideration of Senate Resolution 187 (p. 31 of the hearings).

28. The Senate voted upon this resolution on April 10, 1952, and the resolution was rejected by a vote of 0 to 60, with 36 Members not voting (p. 32 of the hearings).

29. Senator McCarthy is recorded as not voting, but he stated in the Senate that he could not wait for the vote and if present would have voted against the discharge of the subcommittee (p. 378 of the hearings).

30. Chairman Gillette wrote to Senator McCarthy on May 7, 1952, fixing May 12, 1952, as the time for public hearing on Senate Resolution 187, informing him that the first charge to be heard would be the matter concerning the Lustron Corp. booklet, and extending to Senator McCarthy "the opportunity to appear at the hearings for the purpose of presenting testimony relating to this charge. The hearings in this case will probably continue for several days, and we shall make whatever arrangements for your appearance as are most convenient for you" (p. 32 of the hearings).

31. Under date of May 8, 1952, Senator McCarthy wrote to Chairman Gillette, acknowledging receipt of the letter of May 7, 1952, asking on what point the subcommittee desired information, and giving a statement of facts with reference to the Lustron Corp. booklet, in argumentative fashion, and charging the subcommittee with knowingly allowing itself to serve the Communist cause, and stating:

"The Communists will have scored a great victory if they can convince every other Senator or Congressman that if he attempts to expose undercover Communists, he will be subjected to the same type of intense smear, even to the extent of using a Senate committee for the purpose. They will have frightened away from this fight a vast number of legislators who fear the political effect of being inundated by the Communist Party line sewage.

"If you have evidence of wrongdoing on McCarthy's part, which would justify removal from the Senate or a vote of censure by the Senate, certainly you have the obligation to produce it. However, as you well know, every member of your committee and staff privately admits that no such evidence is in existence. It is an evil and dishonest thing for the subcommittee to allow itself to be used for an evil purpose. Certainly the fact that the Democrat Party may temporarily benefit thereby is insufficient justification. Remember the Communist Party will benefit infinitely more" (p. 32 of the hearings).

32. Senator McCarthy again wrote to Chairman Gillette on the same day, May 8, 1952, demanding expeditious action in the Benton case (p. 35 of the hearings).

33. Chairman Gillette wrote to Senator McCarthy under date of May 10, 1952, informing him that the subcommittee had concluded to take testimony on May 12, 1952, and that it was the courteous thing to do to invite him to attend, to present evidence in refutation or explanation, and that the opportunity would continue to be that of Senator McCarthy to present such matter as he might wish in connection with the hearing and to attend if he so desired (p. 43 of the hearings).

34. On May 11, 1952, Senator McCarthy wrote to Chairman Gillette, Senator Monroney, and Senator Hennings jointly, a sarcastic letter, the meaning and intention of which can be understood only by reading it in its entirety (p. 43 of the hearings).

35. The chief counsel for the subcommittee wrote to Senator McCarthy on November 7, 1952, inviting Senator McCarthy to appear before a subcommittee in executive session, in connection with Senate Resolution 187, during the week of November 17, 1952, and asking to be advised of the date of Senator McCarthy's appearance (p. 44 of the hearings).

36. The administrative assistant to Senator McCarthy replied for Senator McCarthy by letter of November 10, 1952, stating that Senator McCarthy was away and that he did not know when he would return to Washington, stating, however, that if the subcommittee would let him know what information was desired, he would be glad to try to be of help (p. 45 of the hearings).

37. Chairman Hennings of the subcommittee, then wrote a letter to Senator McCarthy under date of November 21, 1952, which because of its importance is set forth in full:

"Dear Senator McCarthy: As you will recall on September 25, 1951, May 7, 1952, and May 10, 1952, this subcommittee invited you to appear before it to give testimony relating to the investigation pursuant to Senate Resolution 187.

"Under date of November 7, 1952, the following communication was addressed to you:

" 'Dear Senator McCarthy: In connection with the consideration by the Subcommittee on Privileges and Elections of Senate Resolution No. 187, introduced by Senator Benton on August 6, 1951, as well as the ensuing investigation, I have been instructed by the subcommittee to invite you to appear before said subcommittee in executive session. Insofar as possible, we would like to respect your wishes as to the date on which you will appear. However, the subcommittee plans to be available for this purpose during the week beginning November 17, 1952.

" 'It will be appreciated if you will advise me at as early a date as possible of the day you will appear, in order that the subcommittee may arrange its plans accordingly.

" 'Very truly yours,

" 'Paul J. Cotter, *Chief Counsel.*'

"On November 14, 1952, the subcommittee received the following communication, dated November 10, 1952:

" 'Dear Mr. Cotter: Inasmuch as Senator McCarthy is not now in Washington, I am taking the liberty of acknowledging receipt of your letter of November 7.

" 'I have just talked to the Senator over the telephone and he does not know just when he will return to Washington. It presently appears that he will not be available to appear before your committee during the time you mention. However, he did state that if you will let him know just what information you desire, he will be glad to try to be of help to you.

" 'Sincerely yours,

" 'Ray Kiermas,

" '*Administrative Assistant to Senator McCarthy.*'

"The subcommittee is grateful for your offer of assistance, and we want to afford you with every opportunity to offer your explanations with reference to the issues involved. Therefore, although the subcommittee did make itself available during the past week in order to afford you an opportunity to be heard, we shall be at your disposal commencing Saturday, November 22, through but not later than Tuesday, November 25, 1952.

"This subcommittee has but one object, and that is to reach an impartial and proper conclusion based upon the facts. Your appearance, in person, before the subcommittee will not only give you the opportunity to testify as to any issues of fact which may be in controversy, but will be of the greatest assistance to the subcommittee in its effort to arrive at a proper determination and to embody in its report an accurate representation of the facts.

"Pursuant to your request, as transmitted to us through Mr. Kiermas, we are advising you that the subcommittee desires to make inquiry with respect to the following matters:

"(1) Whether any funds collected or received by you and by others on your behalf to conduct certain of your activities, including those relating to communism, were ever diverted and used for other purposes inuring to your personal advantage.

"(2) Whether you, at any time, used your official position as a United States Senator and as a member of the Banking and Currency Committee, the Joint Housing Committee, and the Senate Investigations Committee, to obtain a $10,000 fee from the Lustron Corp., which company was then almost entirely subsidized by agencies under the jurisdiction of the very committees of which you were a member.

"(3) Whether your activities on behalf of certain interest groups, such as housing, sugar, and China, were motivated by self-interest.

"(4) Whether your activities with respect to your senatorial campaigns, particularly with respect to the reporting of your financing and your activities relating to the financial transactions with the subsequent employment of Ray Kiernas, involved violations of the Federal and State Corrupt Practices Acts.

"(5) Whether loan or other transactions which you had with the Appleton State Bank of Appleton, Wis., involved violations of tax and banking laws.

"(6) Whether you used close associates and members of your family to secrete receipts, income, commodity and stock speculation, and other financial transactions for ulterior motives.

"We again assure you of our desire to give you the opportunity to testify, in executive session of the subcommittee, as to the foregoing matters. The 82d Congress expires in the immediate future and the subcommittee must necessarily proceed with dispatch in making its report to this Congress. To that end, we respectfully urge you to arrange to come before us on or before November 25, and thus enable us to do our conscientious best in the interests of the Senate and our obligation to complete our work. We would thank you to advise us immediately, so that we may plan accordingly.

"This letter is being transmitted at the direction and with the full concurrence of the membership of this subcommittee.

"Sincerely yours,

"THOMAS C. HENNINGS, Jr.,
"Chairman."

(P. 45 of the hearings.)

38. This letter was delivered by hand to the office of Senator MCCARTHY in Washington on November 21, 1952 (p. 47 of the hearings).

39. On the same day, November 21, 1952, Chairman HENNINGS sent the following telegram addressed to Senator MCCARTHY at Appleton, Wis.:

"Today you were advised by letter delivered by hand to your office of the principal matters which the subcommittee desires to interrogate you in furtherance of your express desire transmitted to the committee by your administrative assistant, Mr. Ray Kiermas, under date of November 10. The subcommittee appreciates your willingness to help in the completion of the work in connection with the investigation of resolution 187 and the investigations predicated thereon. Your prompt appearance before the subcommittee can save the Government much effort and expense. We are sure that you want to be of help to us in arriving at a proper determination of the issues in controversy. We are therefore at your disposal in executive session and for your convenience suggest that the subcommittee is available to you commencing with tomorrow, Saturday, November 22, but not later than Tuesday the 25th, to enable the committee to hear you and allow time thereafter to prepare the subcommittee report.

"Senator Benton has also been notified to appear by similar communication. This action is being taken at the direction and with the full concurrence of the committee members" (p. 47 of the hearings).

40. The copy of the telegram in the H-H-H Report, designated "Exhibit No. 42" at page 99 thereof, was not sent to Senator MCCARTHY and was inserted as an exhibit by error in place of the foregoing telegram of November 21, 1952, as shown by the fact it is not dated and as appears in the index of appendix, page 55, wherein exhibit No. 42 is described as "Telegram dated November 21, 1952, from Senator HENNINGS to Senator MCCARTHY * * *. Page 99" (p. 51 of the hearings).

41. On November 21, 1952, Senator MCCARTHY was deer hunting in northern Wisconsin (p. 298 of the hearings).

42. Senator MCCARTHY wrote to Chairman HENNINGS on November 28, 1952, stating that he had just received the wire of November 22, and that, as Senator HENNINGS had been previously advised, Senator MCCARTHY was not expected to return to Washington until November 27, on which date he did return (p. 49 of the hearings).

43. Senator MCCARTHY did not see the letter or telegram dated November 21, 1952, until November 28, 1952 (p. 299 of the hearings).

44. Senator MCCARTHY wrote to Chairman HENNINGS under date of December 1, 1952, stating as follows:

"Senator THOMAS C. HENNINGS, Jr.,
"Chairman, Subcommittee on Privileges and Elections,
"Senate Office Building.

"DEAR MR. HENNINGS: This is to acknowledge receipt of yours of November 21 in which you state that your object is to reach an 'impartial and proper conclusion based upon the facts' in the Benton application which asks for my removal from the Senate.

"I was interested in your declaration of honesty of the committee and would like to believe that it is true. As you know, your committee has the most unusual record of any committee in the history of the Senate. As you know, two members of your staff have resigned and made the public statement that their reason for resignation was that your committee was dishonestly used for political purposes. Two Senators have also resigned. One, Senator WELKER, in the strongest possible language, indicted your committee for complete dishonesty in handling your investigation. Senator GILLETTE also resigned without giving any plausible reason for his resignation from the committee. Obviously, he also couldn't stomach the dishonest use of public funds for political purposes. For that reason it is difficult for me to believe your protestations of the honesty of your committee.

"I would, therefore, ordinarily not dignify your committee by answering your letter of November 21. However, I decided to give you no excuse to claim in your report that I refused to give you any facts. For that reason you are being informed that the answer to the six insulting questions in your letter of November 2' is 'No.' You understand that in answering these questions I do not in any way approve of nor admit the false statements and innuendoes made in the questions.

"I note with some interest your reference to my 'activities on behalf of certain special-interest groups, such as housing, sugar, and China.' I assume you refer to my drafting of the comprehensive Housing Act of 1946, which was passed without a single dissenting vote in the Senate, either Democrat or Republican. Neither you nor any other Senator has attempted to repeal any part of that Housing Act. Or perhaps you refer to the slum-clearance bill which I drafted and introduced in 1948, which slum-clearance bill was adopted in toto by the Democrat-controlled Senate in 1949.

"When you refer to sugar, I assume you refer to my efforts to do away with your party's rationing of sugar, as I promised the housewives I would during my 1946 campaign. If that were wrong, I wonder why you have not introduced legislation in the Democrat-controlled Senate to restore sugar rationing. You have had 2 years to do so.

"I thought perhaps the election might have taught you that your boss and mine—the American people—do not approve of treason and incompetence and feel that it must be exposed.

"You refer to the above as 'special interests.' I personally feel very proud of having drafted the Housing Act in 1948 which passed the Congress without a single dissenting vote—a housing act which contributed so much toward making it possible for veterans and all Americans in the middle- and low-income groups to own their own home. Likewise, I am proud of having been able to fulfill my promise to American housewives to obtain the derationing of sugar. I proved at the time that rationing was not for the benefit of the housewives but for the commercial users.

"I likewise am double proud of the part I played in alerting the American people to your administration's traitorous betrayal of American interests throughout the world, especially in China and Poland.

"You refer to such activities on my part as 'activities for special interests.' I am curious to know what 'special interests' you mean other than the special interest of the American people.

"This letter is not written with any hope of getting an honest report from your committee. It is being written merely to keep the record straight.

"Sincerely yours,

"JOE MCCARTHY."

(P. 51 of hearings.)

45. Senator MCCARTHY appeared before the Subcommittee on Privileges and Elections once only, on July 3, 1952, in connection with his charges against Senator Benton under Senate Resolution 304, without requiring a subpena (pp. 52, 290, and 375 of hearings).

46. Senator MCCARTHY did not appear before that subcommittee at any other time, nor make any explanation in defense, except as shown in the foregoing correspondence, in connection with the charges pending against him, either before or after the Senate action in Senate Resolution 300 (pp. 52 and 375 of hearings).

47. Senator MCCARTHY did make an explanation of the Lustron matter on the floor of the Senate, on August 2, 1954 (p. 53 of hearings).

48. Senate Resolution 187, introduced by Senator Benton, was not voted upon by the Senate, although it was considered by the Senate in its vote on April 10, 1952, upon Senate Resolution 300 to test the jurisdiction of the subcommittee and the integrity of its members.

49. The vote of the Senate upon Senate Resolution 300, notwithstanding any previous question of the jurisdiction of the Hennings subcommittee, was a grant of authority to that subcommittee to proceed with its investigation of the charges pending against Senator MCCARTHY since his election to the Senate.

50. Senate Resolution 187, introduced by Senator Benton, confined the subcommittee to activities of Senator MCCARTHY subsequent to his election in 1946.

51. Senator MCCARTHY's position was that he would not appear before the Hennings subcommittee upon the charges pending against him unless he was ordered to appear (p. 288 of hearings).

52. Senator MCCARTHY did not say, in any o the correspondence relating to the hearings and his appearance, that he would not appear before the subcommittee unless he was ordered to do so, but testified that he so notified Chairman GILLETTE orally (p. 288 of hearings).

53. Senator MCCARTHY advised Chairman GILLETTE that unless he was given the right to cross-examine, that he had no desire to appear before the subcommittee but that he would appear if ordered to do so (p. 288 of hearings).

54. At the hearings before the select committee, Senator MCCARTHY testified that the subcommittee knew that a witness was mentally incompetent "and they were going to call him solely for the purpose of doing a smear job" (p. 296 of hearings).

55. At the hearings before the select committee, Senator MCCARTHY testified that the insertion of the undated telegram, exhibit No. 42 in the Hennings report (found by this select committee to be a clerical error), "was completely dishonest," insisting upon this conclusion when the chairman asked whether it could not have been a mistake (pp. 299, 384, and 385 of hearing record).

56. Senator MCCARTHY told Chairman GILLETTE "that I would not appear unless I was ordered to appear or subpenaed. I forget which word I used. I told him I had no desire to appear before that committee and that his extending an opportunity meant nothing to me" (p. 305 of the hearings).

57. The report of the Subcommittee on Privileges and Elections was filed January 2, 1953 (p. 306 of the hearings).

58. On that day, Senator MCCARTHY, according to his own testimony, called Senator HENDRICKSON, a member of that subcommittee, by telephone and told him that it was completely dishonest to sign a report that was factually wrong (p. 306 of the hearings).

59. That evening Senator MCCARTHY gave a statement to the press regarding Senator HENDRICKSON, a member of that subcommittee, stating:

"This report accuses me either directly or by innuendo and intimation of the most dishonest and improper conduct.

"If it is true, I am unfit to serve in the Senate. If it is false, then the three men who joined in it—namely, HENDRICKSON, HENNINGS, and HAYDEN—are dishonest beyond words.

"If those three men honestly think that all of the four things of which they have accused me, are true, they have a deep, moral obligation tomorrow to move that the Senate does not seat me as a Senator.

"If they think the report is true, they will do that. If they know the report is completely false and that it has been issued only for its smear value, then they will not dare to present this case to the Senate.

"This committee has been squandering taxpayers' money on this smear campaign for nearly 18 months. If they feel that they are honest and right, why do they fear presenting their case to the Senate?

"I challenge them to do that. If they do not, they will have proved their complete dishonesty.

"I can understand the actions of the left-wingers in the administration, like HENNINGS and HAYDEN. As far as HENDRICKSON is concerned, I frankly can bear him no ill will.

"Suffice it to say that he is a living miracle in that he is without question the only man in the world who has lived so long with neither brains nor guts" (pp. 67 and 68 of hearing record).

60. By letter of September 10, 1952, Chairman GILLETTE of the subcommittee wrote to Chairman HAYDEN, of the Committee on Rules and Administration, suggesting that the membership of the subcommittee be reduced from 5 members to 3, as it was originally, to facilitate the work of the subcommittee (p. 294 of the hearings).

61. Senator WELKER resigned as a member of the subcommittee on September 9, 1952 (p. 291 of the hearings).

62. Chairman GILLETTE resigned as a member of the subcommittee on September 26, 1952 (p. 294 of the hearings).

63. After consultation with the Parliamentarian, Senator HAYDEN, chairman of the parent Committee on Rules and Administration, decided it was unnecessary to appoint 2 Members of the Senate to take the places of those who had resigned, because it was a committee of 5 with a majority of 3, and because the Senate not being in session, it was very difficult to obtain Senators who were members of the Committee on Rules and Administration (p. 361 of the hearings).

64. Senator MONRONEY, who was in Europe, resigned as a member of the subcommittee on November 20, 1953 (p. 361 of the hearings).

65. On November 20, 1952, Senator HAYDEN made it a matter of record by writing to the clerk of the Committee on Rules and Administration that he was appointing himself a member of the Subcommittee on Privileges and Elections in place of Senator MONRONEY (p. 362 of the hearings).

66. The subcommittee, with Senator HENNINGS as chairman, and Senators HENDRICKSON and HAYDEN as members, continued to function until January 16, 1953 (pp. 362 and 367 of the hearings).

67. Since January 1953 the Subcommittee on Privileges and Elections has had but three members (p. 362 of the hearings).

68. The suggestion of Senator GILLETTE that the membership of the subcommittee be reduced to three members was given consideration by both the Committee on Rules and Administration and the subcommittee (p. 362 of the hearings).

69. Senators HENNINGS, HAYDEN, and HENDRICKSON signed the subcommittee report pursuant to Senate Resolution 187 and Senate Resolution 304 (p. 363 of the hearings).

70. It was the opinion of Chairman HAYDEN, of the Committee on Rules and Administration, that without reducing the subcommittee to 3 members, the subcommittee could continue to function as a committee of 5 with but 3 members (p. 365 of the hearings).

71. It was the opinion of Chairman HAYDEN, that the Senate not being in session, it was not necessary for him as chairman of the parent committee to obtain confirmation by the parent committee of appointments to the subcommittee (p. 365 of the hearings).

72. Chairman HAYDEN testified that there was immediate important work for the subcommittee to do and that there was no other than himself on the Committee on Rules and Administration who could be appointed to the subcommittee (p. 365 of the hearings).

73. This manner of conducting the Subcommittee on Privileges and Elections was consistent with its practice since before the 81st Congress and did not violate any rule of the parent committee (p. 366 of the hearings).

74. Chairman HAYDEN continued as chairman of the Committee on Rules and Administration, and Chairman HENNINGS of the Subcommittee on Privileges and Elections continued in office until about January 16, 1953 (pp. 367 and 369 of the hearings).

75. At the hearings before the select committee, Senator MCCARTHY testified, when asked whether he had any evidence to support his written statements that the subcommittee was spending tens of thousands of dollars and as guilty as though engaged in picking the pockets of the taxpayers to turn the loot over to the Democratic National Committee, that he had produced this evidence in letters to the subcommittee (p. 377 of the hearings).

76. No such evidence appears in the letters.

77. When asked whether he had any evidence that the subcommittee had spent tens of thousands of dollars illegally, Senator MCCARTHY testified that "they were spending a vast amount of money illegally, I don't know the exact figure" (p. 378 of the hearings).

78. When asked whether he knew that the matters pending before the subcommittee reflected seriously upon his character and activities and were of sufficient moment ordinarily to justify making some reply, Senator MCCARTHY testified that: "They were six insulting questions asked by the committee—by a Senator, not by a legal committee. I answered his questions. I told him the answer was 'No'" (p. 383 of the hearings). (But note that the above answer was contained in a letter from Senator MCCARTHY to Senator HENNINGS dated December 1, 1952, addressed to the latter as chairman of the Subcommittee on Privileges and Elections) (pp. 51–52 of the hearings).

79. At page 384 of the hearings Senator MCCARTHY was asked whether it was his position that when matters of that serious nature are pending against a Member of the United States Senate, instead of appearing and making an answer, he can call them "insulting" and need not appear, and Senator MCCARTHY testified in reply that: "They are no more 'matters' than the 46 statements made by Senator FLANDERS."

80. On January 2, 1953, Senator MCCARTHY bitterly criticized Senator HENDRICKSON with reference to the latter's work with the Subcommittee on Privileges and Elections, and then gave to the press a statement that Senator HENDRICKSON was "a living miracle in that he is without question the only man who has lived so long with neither brains nor guts" (pp. 66 and 425 of the hearings). (See also finding of fact No. 59.)

81. At the hearings before the select committee, when given the opportunity by Senator CASE to withdraw or modify his remarks about Senator HENDRICKSON, a member of the subcommittee, Senator MCCARTHY indicated he had no desire to change his position (p. 425 of the hearings).

C. Legal questions involved in this category

Several legal questions are involved and were considered in this part of the inquiry. They may be stated briefly as follows:

1. Is the Senate a continuing body?

2. Does the Senate have the power to censure a Senator for conduct occurring during his prior term as Senator?

3. Was it necessary for Senate Resolution 187 to be adopted by the Senate?

4. Was the Gillette-Hennings subcommittee acting beyond its power and jurisdiction?

5. Was it a lawfully constituted subcommittee?

6. Was it necessary for that subcommittee to subpena Senator MCCARTHY?

7. Was Senator MCCARTHY repeatedly invited to appear?

8. Was it the duty of Senator MCCARTHY to appear without an order or subpena to appear and was his failure to appear obstructive?

9. Was the request to Senator MCCARTHY to appear a legal basis for contempt, and was his reply contumacious?

10. Was Senator MCCARTHY's conduct toward that subcommittee contemptuous, independently of his failure to appear?

11. Did Senator MCCARTHY denounce the subcommittee?

12. Has the conduct of Senator MCCARTHY been continmacious toward the Senate by failing to explain the six charges contained in the subcommittee's report?

13. Did the reelection of Senator MCCARTHY in 1952 make these matters moot?

Discussion of Legal Questions

1. The Senate is a continuing body: The fact that the Senate is a continuing body should require little discussion. This had been uniformly recognized by history, precedent, and authority. While the rule with reference to the House, whose Members are elected all for the period of a single Congress may be different, the Senate is a continuing body, whose Members are elected for a term of 6 years, and so divided into classes that the seats of one-third only became vacant at the end of each Congress. Senate Document No. 99, 83d Congress, 2d session, Congressional Power of Investigation, page 7.

The continuity of the Senate was questioned at the beginning of the 83d Congress, and the issue was decided in favor of the precedents. CONGRESSIONAL RECORD, Senate—January 6, 1953, pages 92–114. Senate rule XV (2) provides that each standing committee shall continue and have power to act until their successors are appointed. Senate rule XXXII provides that the legislative business of the Senate shall be continued from session to session, and that the legislative business which remains undetermined at the close of the next preceding session of that Congress shall be resumed as if no adjournment had taken place. This rule makes it clear that all legislative business continues from session to session. See Senate Document No. 4, 1953, 83d Congress. The rule that the Senate is a continuing body has been recognized by the Supreme Court, in *McGrain v. Daugherty* (273 U. S. 135, 182 (1927)), where the Court said:

"This being so, and the Senate being a continuing body, the case cannot be said to have become moot in the ordinary sense."

2. The Senate has the power to censure a Senator for conduct occurring during his prior term as Senator:

The contention has been made by Senator MCCARTHY that since he was reelected in 1952 and took his seat for a new term on January 3, 1953, the select committee lacks power to consider any conduct on his part, occurring prior to January 3, 1953, as the basis for censure. His counsel based this contention on several cases cited as authority for this proposition (p. 19 of the hearings), being *Anderson v. Dunn* (6 Wheat. 204); *Jurney v. MacCracken* (294 U. S. 125); and *U. S. v. Bryan* (339 U. S. 323). The argumentative basis for this contention is that the power to censure is part of the power of the Senate to punish for contempt, and that any limitations on the latter power must necessarily

limit the power to censure. This contention is without foundation for at least two reasons: (1) The power to censure is an independent power and may be exercised by the Senate for conduct totally unrelated to any act or acts which may be contemptuous; and (2) even assuming that the power to censure is limited to the extent of the power to punish for contempt, the authorities cited do not sustain the proposition advanced.

The case of *Anderson* v. *Dunn* (6 Wheat. 204 (1821)) was an action in trespass for an assault and battery and false imprisonment against the Sergeant at Arms of the House of Representatives. The Supreme Court held that the defendant Sergeant at Arms had a proper and lawful defense by showing that he acted under the orders of the Speaker and had taken the plaintiff into custody for a high contempt of the dignity of the House. The only possible relevancy of the opinion to the matters now pending before the select committee appears in the opinion by Mr. Justice Johnson, at page 231, that the duration of the imprisonment for contempt of the House is limited when the legislative body ceases to exist on the moment of its adjournment, and the imprisonment must terminate with that adjournment. It is clear that this was dictum, applies to the House and not to the Senate, does not involve a case of censure of a Member of the Senate, and was the law only until Congress by statute made contempt of either House a criminal offense.

In the case of *Jurney* v. *MacCracken* (294 U. S. 125 (1935)) the defendant, a lawyer, was arrested by the Sergeant at Arms of the Senate, pursuant to a resolution of the Senate, for contempt in failing to produce and permitting the removal and destruction of certain papers, after they had been subpenaed by the special Senate committee investigating ocean and airmail contracts. The Supreme Court affirmed the dismissal of the defendant's writ of habeas corpus holding that where the offending act was of a nature to obstruct the legislative process, the fact that the obstruction has since been removed or that its removal has become impossible is without significance; that the enactment of Revised Statute 102 did not impair the right of Congress to punish for contempt; and that whether a recalcitrant witness has purged himself of contempt is for Congress to decide and cannot be inquired into by a court by a writ of habeas corpus. It is evident that this case does not deal with any question of censure or punishment of a Member of the Senate. MacCracken did contend that the Senate was absolutely without power itself to impose punishment for a past act, and that such punishment must be inflicted by the courts, as for other crimes, and under the safeguard of all constitutional provisions, but this contention was dismissed by the opinion of the Supreme Court, delivered by Mr. Justice Brandeis, at page 149.

The case of *United States* v. *Bryan* (339 U. S. (1950)) involved a criminal trial for contempt of the House Committee on Un-American Activities, and the refusal of the defendant to produce certain records under subpena from that committee. In the opinion of the Supreme Court, by Mr. Chief Justice Vinson, mention is made of Revised Statutes, section 102 (2 U. S. C., sec. 192), enacted in 1857. It is clear that one of the purposes of the act was to permit the imprisonment of a contemnor beyond the expiration of the current session of Congress. The Supreme Court states unequivocally that the judicial proceedings under the statute are intended as an alternative method of vindicating the authority of Congress to compel the disclosure of facts which are needed in the fulfillment of the legislative function. The select committee was advised by its counsel that this case has no apparent bearing upon the contention of Senator McCARTHY in these proceedings with reference to his failure to appear before the Gillette-Hennings subcommittee. Counsel further advised that it is inappropriate to cite cases of criminal contempt as the basis for the law of censure by the Senate of one of its Members.

It seems clear that if a Senator should be guilty of reprehensible conduct unconnected with his official duties and position, but which conduct brings the Senate into disrepute, the Senate has the power to censure. The power to censure must be independent, therefore, of the power to punish for contempt. A Member may be censured even after he has resigned (2 Hinds' Precedents 1239, 1273, 1275 (1907)). Precedents in both the Senate and House for expulsion or censure for conduct occurring during a preceding Congress may be found in Hinds (op. cit., 1275 to 1289). Precedents in the House cannot be considered as controlling because the House is not a continuing body.

In this connection, it must be remembered that the report of the Subcommittee on Privileges and Elections was filed on January 2, 1953, and since the new Congress convened the next day, there was not time for action in the prior session.

While it may be the law that one who is not a Member of the Senate may not be punished for contempt of the Senate at a preceding session, this is no basis for declaring that the Senate may not censure one of its own Members for conduct antedating that session, and no controlling authority or precedent has been cited for such position.

The particular charges against Senator McCARTHY, which are the basis of this category, involve his conduct toward an official committee and official committee members of the Senate. These committees continue from session to session and there is no lapse in their legislative business.

The reelection of Senator McCARTHY in 1952 was considered by the select committee as a fact bearing on this proposition. This reelection is not deemed controlling because only the Senate itself can pass judgment upon conduct which is injurious to its processes, dignity, and official committees.

In the Senate on April 8, 1952 (CONGRESSIONAL RECORD, vol. 98, pt. 3, pp. 3701–08), at the request of Senator HAYDEN, there were ordered printed Senate Expulsion, Exclusion, and Censure Cases Unconnected with Elections, 1871–1951.

A résumé of precedents on expulsion, exclusion, and censure cases since the organization of the Committee on Privileges and Elections is printed at page 73 of the Hennings-Hayden-Hendrickson report. Another collection of Senate precedents appears in the CONGRESSIONAL RECORD, Senate, August 2, 1954, pafie 12989, being a study prepared by William R. Tamsill, of the Government Division of the Legislative Reference Service of the Library of Congress, printed on motion of Senator MORSE. In election cases, the Senate, of course, considers conduct occurring before the commencement of the term of the Senator involved. Senator MORSE, in the same day, had printed in the same CONGRESSIONAL RECORD at page 12999 certain pertinent material from Hinds' Precedents, and at pages 13000–01 certain pertinent material from Cannon's Precedents.

From an examination and study of all available precedents, the select committee is of the opinion that the Senate has the power, under the circumstances of this case, to elect to censure Senator McCARTHY for conduct occurring during his prior term in the Senate, should it deem such conduct censurable.

3. It was not necessary for the Senate Resolution 187 to be adopted by the Senate:

Senate Resolution 187, introduced by Senator Benton on August 6, 1951, was not actually a resolution for the expulsion of Senator McCARTHY. In the resolution paragraph the Committee on Rules and Administration is authorized to make an investigation "as may be appropriate to enable such committee to determine whether or not it should initiate action with a view toward the expulsion from the United States Senate of the said Senator, JOSEPH R. McCARTHY."

In the regular order of Senate business, after this resolution was introduced, it was referred by the President of the Senate, without a vote by the Senate, to the Committee on Rules and Administration.

The Legislative Reorganization Act of 1946, in section 102, which incorporates rule XXV of the Standing Rules of the Senate, provides that among the standing committees to be appointed at the commencement of each Congress, with leave to report by bill or otherwise, there shall be a Committee on Rules and Administration, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to * * * credentials and qualifications. By section 134–A of the same act each standing committee of the Senate, including any subcommittee of such committee, is authorized to hold such hearings, to sit and act at such times and places during the sessions and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses * * * as it deems advisable. It is further provided in the same section that each such committee may make investigations into any matter within its jurisdiction and report such hearings as may be had by it.

As stated by Senator CASE (at p. 61 of the hearings) reference is made on page 71 of the Hennings report, being the report of the Subcommittee on Privileges and Elections to the Committee on Rules and Administration pursuant to Senate Resolutions 187 and 304, that investigations with reference to alleged misconduct by a Senator may be undertaken by the Subcommittee on Privileges and Elections with or without specific Senate authorization or direction. That report states at the page indicated:

"The old Committee on Privileges and Elections was presented with five cases of expulsion or exclusion unconnected with an election. In three of these cases, those of Smoot, Burton, and Gould, the Senate adopted resolutions directing an investigation of the charges against the respective Senators. In the other two cases, those of La Follette and LANGER, the petitions and protests of private citizens were referred by the Presiding Officer to the Committee on Privileges and Elections, which then conducted investigations without obtaining resolutions of authorization from the Senate.

"These precedents indicate that the legal power of the subcommittee to conduct investigations of its own motion is not subject to question; and, also, that the subcommittee may act under a resolution formally adopted by the Senate."

It is the opinion of the select committee, in addition to the conclusion made evident by the foregoing precedents, that the vote of the Senate on April 10, 1952, upon Senate Resolution 300, 82d Congress, 2d session, introduced by Senator HAYDEN for himself and Senators GILLETTE, MONRONEY, HENNINGS, and HENDRICKSON, to obtain the sense of the Senate upon the right and power of the Committee on Rules and Administration and its Subcommittee on Privileges and Elections to proceed with the investigation of Senator McCARTHY under Senate Resolution 187, and to obtain a vote of confidence from the Senate in the integrity of the committee members, carried all the implications, and was to the same effect, as if the Senate by vote had directed that committee and subcommittee, on August 6, 1951, to proceed with the investigation sought by Senate Resolution 187.

It is, therefore, the opinion of the select committee that it was not necessary for Senate Resolution 187 to have been adopted by the Senate.

4. The Gillette-Hennings Subcommittee on Privileges and Elections was not acting beyond its power or jurisdiction:

The action of the Senate upon Senate Resolution 300 must be considered as an affirmance that as of April 10, 1952, when the actions of the Subcommittee on Privileges and Elections and the integrity of its members were ratified and approved by a vote of 60 to 0, the committee and subcommittee were acting within its power and jurisdiction.

The jurisdiction of the Subcommittee on Privileges and Elections was not limited to the conduct of Senator McCarthy connected with elections only but extended to acts totally unconnected with election matters, but which were relevant to inquiries relating to expulsion, exclusion, and censure. The debate in the Senate and the vote of the Senate makes this abundantly clear. (See Congressional Record, vol. 98, pt. 3, pp. 3701–08. One of the principal purposes of the introduction of Senate Resolution 300 was to affirm or deny the contention of Senator McCarthy that the Subcommittee on Privileges and Elections lacked jurisdiction to investigate such acts as were not connected with elections and campaigns. Senate Resolution 187, introduced by Senator Benton, provided for an investigation with reference to the other acts of Senator McCarthy since his election to the Senate (in the fall of 1946), as might be appropriate to carry out the purposes of the resolution. It is clear, therefore, that the subcommittee had the right and the power to investigate the acts of Senator McCarthy at least since January 1947. While Senate Resolution 187 did not itself specify any charges against Senator McCarthy, the charges pending upon the Subcommittee on Privileges and Elections were known to Senator McCarthy and were disclosed to him in detail in the correspondence between him and the chairman of the subcommittee. Most of the six charges referred clearly to activities of Senator McCarthy after January 1947. It may be, although this select committee is not in a position to so decide, that some parts of the investigations and proceedings of the Subcommittee on Privileges and Elections were concerned with matters arising before January 1947, but it is the judgment of this select committee that this extension of power and authority did not ipso facto nullify the power and jurisdiction of that subcommittee to proceed with its lawful duties and powers.

It is, therefore, the judgment of the select committee that for the purposes of the present inquiry, it can be stated that the Gillette-Hennings Subcommittee on Privileges and Elections was not acting beyond its power and jurisdiction so far as forming a basis for the possible censure of Senator McCarthy by reason of his conduct in relation with and toward that subcommittee.

5. The Gillette-Hennings Subcommittee on Privileges and Elections was a lawfully constituted committee:

As shown by the testimony taken in this proceeding, the subcommittee originally had five members. After the resignations of Senators Welker and Gillette, and the reduction of the number of acting members to 3, Senator Hayden, chairman of the Committee on Rules and Administration, the parent committee, decided that it was not necessary to fill the 2 vacancies, and that the work of the subcommittee would be better performed by the smaller number. After that time, Senator Monroney resigned, and Senator Hayden then appointed himself to that vacancy, so that the subcommittee continued with three members.

Senator Hayden testified that there was no rule of the parent committee or subcommittee which was contrary to the procedure adopted in this case, and that the procedure was consonant with the practice both before and after 1952. As a matter of fact, the subcommittee since 1952 has consisted of three members.

With the approval of Senator McCarthy and his counsel, testimony was taken from Charles L. Watkins, the Senate Parliamentarian, upon the status and legality of the Gillette-Hennings subcommittee. This testimony appears on page 535 of the hearings, and may be epitomized as follows:

"1. The three-member subcommittee, as constituted by Senator Hayden, after the resignation of Senator Monroney, by appointing himself as the third member, was a legal committee for the discharge of regular business under the rules and precedents of the Senate.

"2. There was no mandatory requirement for a chairman to fill a vacancy on a subcommittee.

"3. Chairman Hayden of the parent Committee on Rules and Administration, had the right to appoint himself a member of the Subcommittee on Privileges and Elections, without submitting the appointment to the Committee on Rules and Administration, for prior approval or subsequent ratification.

"4. This was particularly true when the Senate was not in session.

"5. Chairman Hayden had the right to recognize Senator Hennings as chairman of the Subcommittee on Privileges and Elections, and had the right to appoint the chairman of the subcommittee.

"6. The subcommittee of 3 members had the right to designate 1 member as a legal quorum for the purpose of taking testimony.

"7. The subcommittee of 3 members was authorized and had the duty to make a report to the full committee, signed by its 3 members, Senators Hennings, Hayden, and Hendrickson, and file the report with the full Committee on Rules and Administration, with Senator Hayden as chairman.

"8. In a quasi-judicial proceeding such as an expulsion matter, although 3 of the original 5 members of the Subcommittee on Privileges and Elections have resigned, although 2 of the vacancies have not been filled, and the chairman of the Committee on Rules and Administration has appointed himself to the third vacancy on the subcommittee, that subcommittee of 3 members had the right to file a valid legal report with the parent committee, when less than half of its original 5 members have heard the evidence."

6. It was not necessary for the subcommittee to subpena Senator McCarthy:

A question has been raised in these proceedings whether it was necessary for the Subcommittee on Privileges and Elections to subpena Senator McCarthy to appear before it.

According to his testimony, he had no desire to appear before the subcommittee and advised the chairman that he would not appear before it to answer the charges made against him and pending before that subcommittee, unless he was ordered so to do. The provisions of the Legislative Reorganization Act, above referred to, make it clear that the subcommittee had the power and right to require the attendance of Senator McCarthy for purposes of investigation and examination "by subpena or otherwise." It can be stated, therefore, categorically, that it was not necessary for the subcommittee to issue its subpena for him. Section 134–A of the Legislative Reorganization Act does refer to requiring the attendance of witnesses, and the select committee is of the opinion that an invitation to appear, is not such action indicating a requirement to appear as is contemplated by the act. It is the opinion of the select committee that a request to appear, such as the letter and telegram from the subcommittee to Senator McCarthy dated November 21, 1952, was sufficient (aside from any question whether Senator McCarthy received them in time) to meet the requirements of the law. The related questions whether Senator McCarthy was repeatedly invited to appear, and whether he should have appeared even without invitation and without request or subpena, are considered hereinafter.

7. Senator McCarthy was repeatedly invited to appear: The select committee has carefully considered all the letters in evidence between Senator McCarthy and the Subcommittee on Privileges and Elections, and all the testimony relating to his appearance before the subcommittee. The facts relating to whether or not Senator McCarthy was repeatedly invited to appear before that subcommittee in order to make answer to the very serious charges against his character and his activities in the Senate have already been found by the select committee and incorporated hereinabove as finding of fact. This evidence and this testimony, upon analysis, has convinced the select committee that Senator McCarthy was invited by that subcommittee to appear before it in order to aid its investigation and to give answer to the charges made against him and pending before that subcommittee. It must be remembered that Senator McCarthy wrote to Chairman Gillette under date of September 17, 1951, stating that he intended to appear to question witnesses (see finding of fact No. 7). Senator McCarthy was invited to appear before the subcommittee by letter of September 25, 1951 (finding of fact No. 8), by letter of October 1, 1951 (finding of fact No. 10), by letter of December 21, 1951 (finding of fact No. 20), by letter of May 7, 1952 (finding of fact No. 30), by letter of May 10, 1952 (finding of fact No. 33), and by letter of November 7, 1952 (finding of fact No. 35).

8. It was the duty of Senator McCarthy to accept the repeated invitations by the subcommittee and his failure to appear was obstructive of the processes of the Senate, for no formal order or subpena should be necessary to bring Senators before Senate committees when their own honor and the honor of the Senate are at issue:

The matters against Senator McCarthy under investigation by the Gillette-Hennings subcommittee were of a serious nature. Apparently, Senator McCarthy knew the nature of these matters since he testified:

"I know all about this matter: I have been living with it. It had been under way. They had been going far beyond the resolution, investigating things they had no right to investigate; going back beyond the time that I was even old enough to run for Senator, investigating the income-tax returns of my father, who died before I was elected. So I knew those facts" (p. 385 of the hearings).

Furthermore Chairman Gillette specified one of the matters against Senator McCarthy (that of the Lustron payment), in his letter of May 7, 1952, to Senator McCarthy (p. 32 of the hearings), and Chairman Hennings specified all six of the matter in his letter to Senator McCarthy of November 21, 1952 (p. 45 of the hearings).

The mere reading of these matters (p. 46 of the hearings) without deciding or attempting to decide whether they are true or not, makes it clear that the honesty, sincerity, character, and conduct of Senator McCarthy were under inquiry. It is the opinion of the select committee that when the personal honor and official conduct of a Senator of the United States are in question before a duly constituted committee of the Senate, the Senator involved owes a duty to himself, his State, and to the Senate, to appear promptly and cooperate fully when called by a Senate committee charged with the responsibility of inquiry. This must be the rule if the dignity, honor, authority, and powers of the Senate are to be respected and maintained. This duty could not and was not fulfilled by questioning the authority

and jurisdiction of the subcommittee, by accusing its members of the dishonest expenditure of public funds, or even by charging that the subcommittee was permitting itself to be used to serve the cause of communism. When persons in high places fail to set and meet high standards, the people lose faith. If our people lose faith, our form of government cannot long endure.

The appearance which we believe was necessary was before a subcommittee of the Senate itself, to which subcommittee the Senate, through its normal processes, had confided a mater affecting its own honor and integrity. In such a case legal process was not and should not be required.

9. The request of November 21, 1952, to Senator McCarthy to appear did not form a legal basis for contempt, but his reply of December 1, 1952, was, in itself, contumacious in character:

As appears from the findings of fact, Senator McCarthy was formally requested to appear by letter and by telegram from Subcommittee Chairman Hennings, dated November 21, 1952. The request was that he appear before the subcommittee between November 22 and November 25, 1952 (p. 46 of the hearings).

Senator McCarthy testified that he was in Wisconsin, on a hunting trip, and that he did not see the letter or telegram until November 28, 1952 (p. 298 of the hearings). The select committee accepts this testimony as true.

Considering this request as a formal request, and Senator McCarthy being unable to appear in the dates fixed because he did not know of the request in time, we believe that this request, considered independently, would not be contempt in the ordinary legal sense, but we think the letter which he wrote in reply to the request was contumacious in its entire form and manner of expression when directed at a committee of the Senate seeking to act upon a matter referred to it (p. 51 of the hearings).

10. The conduct of the junior Senator from Wisconsin toward the Subcommittee on Privileges and Elections was contemptuous, independently of his failure to appear:

We have considered carefully all of the correspondence and all the conduct, relation, and attitude of Senator McCarthy toward the Subcommittee on Privileges and Elections. We believe it fair to say on the evidence in this record that the junior Senator from Wisconsin did not intend to appear before that subcommittee for examination.

He first questioned the jurisdiction of the subcommittee to inquire into any but election charges. Later he contended that the subcommittee was investigating conduct preceding his election to the Senate, and that, therefore, its activities were illegal.

He also stated that he would not appear unless he were given the right to cross-examine witnesses. We feel that this right should have been accorded to him and that upon proper request, either to the Committee on Rules and Administration, of which Senator McCarthy was a member (p. 27 of the hearings), or to the Senate itself, he could have obtained this right, but that in any event, this cannot be a justification for contemptuous conduct.

The letters of Senator McCarthy to the respective chairmen of the subcommittee dated December 6, 1951 (p. 24 of the hearings), December 19, 1951 (p. 27 of the hearings), March 21, 1952 (p. 30 of the hearings), May 8, 1952 (p. 32 of the hearings), May 8, 1952 (p. 35 of the hearings), May 11, 1952 (p. 44 of the hearings), and December 1, 1952 (p. 51 of the hearings), are clearly contemptuous, disregarding entirely his duty to cooperate, ridiculing the subcommittee, accusing these committee officers of the Senate with dishonesty and impugning their motives, and making it impossible for them to proceed in orderly fashion, or to complete their duties.

The same attitude was expressed in the statement given to the press by Senator McCarthy on January 2, 1953 (p. 68 of the hearings).

The letters to Senator McCarthy from Chairman Gillette, later from Chairman Hennings, and the letter from Chairman Hayden, were uniformly courteous and cooperative, as one Senator should have the right to expect from colleagues. There is no justification in this record for the harsh criticisms directed by Senator McCarthy to the subcommittee, in letters apparently sometimes given to the press before receipt by the person to whom directed (p. 27 of the hearings).

It is the opinion of the select committee that this conduct of Senator McCarthy was contemptuous, independently of his failure to appear before the subcommittee.

11. The junior Senator from Wisconsin did "denounce" the Senate Subcommittee on Privileges and Elections without justification:

We feel that the fact that Senator McCarthy denounced the Subcommittee on Privileges and Elections is established by reference to a few of the letters in the exchange of correspondence. In his letter of December 6, 1951 (p. 24 of the hearings), to Chairman Gillette, Senator McCarthy states that when the subcommittee, without Senate authorization, is "spending tens of thousands of taxpayers' dollars for the sole purpose of digging up campaign material against McCarthy, then the committee is guilty of stealing just as clearly as though the members engaged in picking the pockets of the taxpayers and turning the loot over to the Democrat National Committee." Such language directed by a Senator toward a committee of the Senate pursuing its authorized functions is clearly intemperate, in bad taste, and unworthy of a Member of this body.

These accusations by Senator McCarthy are continued and repeated in his letter to Chairman Gillette dated December 19, 1951 (p. 27 of the hearings). Under date of March 21, 1952 (p. 30 of the hearings), Senator McCarthy wrote to Senator Hayden, chairman of the parent Committee on Rules and Administration that: "As you know, I wrote Senator Gillette, chairman of the subcommittee, that I consider this a completely dishonest handling of taxpayers' money." Similar language is used in Senator McCarthy's letters down to the last dated December 1, 1952 (p. 51 of the hearings).

If Senator McCarthy had any justification for such denunciation of the subcommittee, he should have presented it at these hearings. His failure so to do leaves his denunciation of officers of the Senate without any foundation in this record.

The members of the subcommittee were Senators representing the people of sovereign States. They were performing official duties of the Senate. Every Senator is understandably jealous of his honor and integrity, but this does not bar inquiry into his conduct, since the Constitution expressly makes the Senator the guardian of his own honor.

It is the opinion of the select committee that these charges of political waste and dishonesty for improper motives were denunciatory and unjustified.

In this connection, attention is directed to the charges referred to this committee relating to words uttered by the junior Senator from Wisconsin about individual Senators.

It has been established, without denial and in fact with confirmation and reiteration, that Senator McCarthy, in reference to the official actions of the junior Senator from New Jersey [Mr. Hendrickson], as a member of the Subcommittee on Privileges and Elections, questioned both his moral courage and his mental ability.

His public statement with reference to Senator Hendrickson was vulgar and insulting. Any Senator has the right to question, criticize, differ from, or condemn an official action of the body of which he is a Member, or of the constituent committees which are working arms of the Senate in proper language. But he has no right to impugn the motives of individual Senators responsible for official action, nor to reflect upon their personal character for what official action they took.

If the rules and procedures were otherwise, no Senator could have freedom of action to perform his assigned committee duties. If a Senator must first give consideration to whether an official action can be wantonly impugned by a colleague, as having been motivated by a lack of the very qualities and capacities every Senator is presumed to have, the processes of the Senate will be destroyed.

12. The conduct of Senator McCarthy has been contumacious toward the Senate by failing to explain three of the questions raised in the subcommittee's report:

The report of the subcommittee was filed on January 2, 1953. Since that time Senator McCarthy has given to the Senate, on the Senate floor, an explanation of the Lustron matter only. Of the other 5 matters mentioned in the November 21, 1952, letter by Chairman Hennings, 3 are of serious nature, reflecting upon Senator McCarthy's character and integrity, and have not been answered either before the Senate or before any of its committees.

It is our opinion that the failure of Senator McCarthy to explain to the Senate these matters: (1) Whether funds collected to fight communism were diverted to other purposes inuring to his personal advantage; (2) whether certain of his official activities were motivated by self-interest; and (3) whether certain of his activities in senatorial campaigns involved violations of the law; was conduct contumacious toward the Senate and injurious to its effectiveness, dignity, responsibilities, processes, and prestige.

13. The reelection of Senator McCarthy in 1952 did not settle these matters:

This question is answered in part by our conclusions that the Senate is a continuing body and has power to censure a Senator for conduct occurring during his prior term as Senator, and in part by the fact that some of the contumacious conduct occurred after his reelection, notably the letter of December 1, 1952. The Senate might have proceeded with this matter in 1953 or earlier in 1954 had the necessary resolution been proposed.

Some of the questions, notably the use for private purposes of funds contributed for fighting communism, were not raised until after the election. The people of Wisconsin could pass only upon what was known to them.

Nor do we believe that the reelection of Senator McCarthy by the people of Wisconsin in the fall of 1952 pardons his conduct toward the Subcommittee on Privileges and Elections. The charge is that Senator McCarthy was guilty of contempt of the Senate or a senatorial committee. Necessarily, this is a matter for the Senate and the Senate alone. The people of Wisconsin can only pass upon issues before them; they cannot forgive an attack by a Senator upon the integrity of the Senate's processes and its committees. That is the business of the Senate.

D. Conclusions

It is, therefore, the conclusion of the select committee that the conduct of the junior Senator from Wisconsin toward the Subcommittee on Privileges and Elections, toward its members, including the statement concerning Senator Hendrickson acting as a member of the subcommittee, and toward the Senate, was contemptuous, contumacious, and denunciatory, without reason or justification, and was obstructive to legislative

processes. For this conduct, it is our recommendation that he be censured by the Senate.

II. CATEGORY 2: INCIDENTS OF ENCOURAGEMENT OF UNITED STATES EMPLOYEES TO VIOLATE THE LAW AND THEIR OATHS OF OFFICE OR EXECUTIVE ORDERS

A. Summary of evidence

The committee, pursuant to the category 2, "Incidents of encouragement of United States employees to violate the law and their oaths of office or Executive orders," received evidence and took testimony regarding:

1. Amendment proposed by Mr. FULBRIGHT to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. MCCARTHY, viz:

"(5) The junior Senator from Wisconsin openly, in a public manner before nationwide television, invited and urged employees of the Government of the United States to violate the law and their oath of office."

2. Amendment proposed by Mr. MORSE to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. MCCARTHY, viz:

"(e) Openly invited and incited employees of the Government to violate the law and their oaths of office by urging them to make available information, including classified information, which in the opinion of the employees could be of assistance to the junior Senator from Wisconsin in conducting his investigations, even though the supplying of such information by the employee would be illegal and in violation of Presidential order and contrary to the constitutional rights of the Chief Executive under the separation-of-powers doctrine."

This category involves alleged statements by Senator MCCARTHY made at and during the hearings before the Special Subcommittee on Investigations for the Committee on Government Operations of the United States Senate pursuant to Senate Resolution 189, and reveals the following specific charges:

1. "That Senator MCCARTHY openly, in a public manner before nationwide television, invited, urged, and incited employees of the Government to violate the law and their oaths of office.

2. "That he invited, urged, and incited such employees to give him classified information.

3. That the supplying of such classified information by such employees would be illegal, in violation of Presidential orders and contrary to the constitutional rights of the Chief Executive."

The committee received documentary evidence in the form of excerpts from the printed record of the testimony taken and published by the Special Subcommittee on Investigations for the Committee on Government Operations, oral testimony by Senator MCCARTHY in his own behalf, and received documentary evidence offered by him from the reports of the Internal Security Subcommittee and the Committee on the Judiciary of the Senate wherein Government workers were invited to supply certain information to congressional committees.

From the aforementioned relevant and competent evidence and testimony so adduced, the select committee regards the following as having been established:

That at the hearings of the Permanent Subcommittee on Investigations for the Committee on Government Operations, following an attempt by Senator MCCARTHY to question Secretary Stevens about the "2½-page document," and following questioning by certain members of that subcommittee, relative to the legality of his receiving and using the document, the Senator made the replies or statements which are the subject of this category of charges.

At those hearings Senator MCCARTHY took the position that—

"* * * I would like to notify those 2 million Federal employees that I feel it is their duty to give us any information which they have about graft, corruption, communism, treason, and that there is no loyalty to a superior officer which can tower above and beyond their loyalty to their country * * *" (hearing record, p. 87).

"Again, I want to compliment the individuals who have placed their oaths to defend the country against enemies—and certainly Communists are enemies—above and beyond any Presidential directive * * *" (hearing record, p. 87).

"* * * I think that the oath which every person in this Government takes, to protect and defend this country against all enemies, foreign and domestic, that oath towers far above any Presidential secrecy directive. And I will continue to receive information such as I received the other day * * *" (hearing record, p. 87).

"* * * that I have instructed a vast number of these employees that they are dutybound to give me information even though some little bureaucrat has stamped it 'secret' to protect himself" (hearing record, p. 87).

"I don't think any Government employee can deny the people the right to know what the facts are by using a rubber stamp in stamping something 'secret'" (hearing record, p. 89).

"* * * while I am chairman of the committee I will receive all the information I can get about wrongdoing in the executive branch" (p. 89 of the hearings).

"I think that oath to defend our country against all enemies foreign and domestic, towers above and beyond any loyalty you might have to the head of a bureau or to the head of a department" (p. 90 of the hearings).

"I am an authorized person to receive information in regard to any wrongdoing in the executive branch. When you say 'classified documents,' Mr. SYMINGTON, certainly I am not authorized to receive anything which would divulge the names of, we will say, informants, of Army Intelligence, anything which would in any way compromise their investigative technique, and that sort of thing. * * *" (p. 91 of the hearings).

"* * * no one can deny us information by stamping something 'classified'" (p. 92 of the hearings).

"Any committee which has jurisdiction over a subject has the right to receive the information. The stamp on the document, I would say, is not controlling * * *" (p. 92 of the hearings).

"* * * anyone who has evidence of wrongdoing, has not only the right but the duty to bring that evidence to a congressional committee" (p. 92 of the hearings).

That the Senator, at the hearings of the select committee, admitted making some of the foregoing statements charged against him (pp. 261–263 of the hearings), and did not deny having made the others. At these hearings, Senator MCCARTHY took an affirmative position relative to the following question of Senator ERVIN:

"Senator, when you made the statement which Mr. de Furia characterized as an invitation to the employees of the executive departments, did you mean to invite those employees to bring to you, as chairman of the investigating subcommittee, information relating to corruption, wrongdoing, communism, or treason in Government, even though such employees could find such information only in documents marked 'classified' by the department in which such employees were working?"

By Senator MCCARTHY, "Yes" (hearings, record, p. 417).

In addition to the foregoing which the committee believes to have been established, the select committee received the following additional evidence and testimony:

Senator MCCARTHY testified in his own behalf that—

"* * * I was not asking for general classified information. I was only asking for evidence of wrongdoing. I was asking these people to conform with the criminal code which requires they give that evidence" (p. 262 of the hearings).

"* * * When I invited them to give the chairman of that committee evidence of wrongdoing, I am inviting them not to violate their oath of office but to conform to their oath of office * * *" (pp. 263 and 264 of the hearings).

"I confined this information with regard to illegal activities on the part of Federal employees. It did not include general classified material * * * that as chairman of the Government Operations Committee and the investigation committee, if I did not try to get that information, then I should be subject to censure" (p. 265 of the hearings).

"* * * I feel very strongly that if someone in the executive knows of wrongdoing, of a crime being committed, and they do not bring it to someone who will act on it they are almost equally guilty * * * and let me emphasize again I am not asking for general classified information; I am merely asking for evidence of wrongdoing. I maintain that you cannot hide wrongdoing by using a rubber stamp, stamping 'Confidential,' 'Secret,' or 'Top Secret'—I don't care what classification they stamp upon it—as long as it is evidence of wrongdoing" (p. 266 of the hearings).

"I am referring here, obviously, to valid information" (p. 394 of the hearings).

The Senator contended that the following statutes permitted, even imposed a duty upon, Federal employees to give to him the information so requested:

Title V, United States Code, section 652 (d) (p. 264 of the hearings).

Title XVIII, United States Code, section 4 (p. 265 of the hearings).

Title XVIII, United States Code, section 798 (p. 395 of the hearings).

Senator MCCARTHY further stated that the position which he took was not new or unprecedented, but that the Vice President (then Congressman) NIXON, took a position much stronger, and the then Senator Hugo Black in 1934 took a similar position to the one presently taken by him (p. 267 of the hearings). He introduced into the record excerpts from a report of the Committee on the Judiciary, 1951, Subversive and Illegal Aliens in the United States, wherein the subcommittee invited the employees of the Immigration and Naturalization Service to report to the subcommittee laxity in enforcement of immigration laws or other matters affecting national security; and also parts of a report of the Internal Security Subcommittee, Interlocking Subversion in Government Departments, wherein Government workers were invited to supply information of subversion to the Federal Bureau of Investigation or the congressional committees (pp. 418 and 419 of the hearings).

B. Legal issues involved

The select committee believes that the charges in this category, and the evidence and testimony thereunder adduced, give rise to the following legal or quasi-legal question:

1. Whether Senator MCCARTHY openly invited, incited, and urged employees of the Government of the United States to report to him information coming to their attention without distinction to whether or not contained in a classified document; and thereby to violate (a) their oath of office, (b) the law of the United States, (c) Executive orders and directives.

Senator MCCARTHY contended at the hearings of the select committee, and by a brief submitted to the committee by his counsel, that he had not requested classified information, but only information relating to "graft, corruption, Communist infiltration, and espionage" and that such information "could not be insulated from exposure by a rubber stamp." He asserts that by statute (U. S. C., title V, sec. 652 (9)) Federal employees are not precluded from furnishing

such information to a Member of Congress; indeed, by virtue of United States Code, title XVIII, section 4, such employees have a duty to give such information. He further contends that, as chairman of the Committee on Government Operations, a duty is imposed upon him by the Senate itself to get such information, and that in seeking this information he was doing no more than had been done in the past by other Senators and senatorial committees.

The committee believes that from a reading of the entire section 652 of title V, it will appear that this portion of the Civil Service Act of 1912 does no more than affirm that Federal employees do not lose or forfeit any of their rights merely by virtue of their Federal employment. A study of title XVIII, section 4, by the committee leads it to the conclusion that it applies only to persons possessing actual personal knowledge of the actual commission of a felony, as distinguished from information obtained by reviewing files.

As to the alleged precedents of other Senators and senatorial committees, the committee has taken note of the statements contained in the reports of certain senatorial committees cited by Senator McCarthy, as expressing the official opinion of the members of such committees. The committee was of the opinion that any similar statements of other Senators are expressions of individuals and do not establish senatorial precedent unless confirmed by official action.

The charges contained in this category involve the right of the legislative branch of the Government to investigate the executive branch and to be informed of the operations of that branch. This committee believes that the principles, frequently enunciated by the Senate and its committees, sustaining the right of the Congress to be informed of all pertinent facts with respect to the operations of the executive branch should not be relaxed; and any contrary view is hereby disavowed. These principles certainly embrace information of wrongdoing in the executive branch of a general nonclassified nature, and the right of employees to inform the Congress of the same.

The precedents do show with certitude, however, that the Congress has the constitutional power to investigate activities in the executive branch to determine the advisability of enacting new laws directed to such activities, or to determine whether existing laws directed to such activities are being executed in accordance with the congressional intent. To these ends, the Congress may make investigations into allegedly corrupt or subversive activities in executive agencies or departments. The power to investigate such activities necessarily carries with it the power to receive information relating to such activities.

By the Reorganization Act of 1946, the Congress conferred upon the Senate Committee on Government Operations express authority to study "the operation of Government activities at all levels with a view to determining its economy and efficiency," and also that "Each such [standing] committee may make investigations into any matter within its jurisdiction."

In so doing, Congress delegated, in part, to the Senate Committee on Government Operations its constitutional power to make investigations into alleged corruption or subversion in executive agencies or departments. The Senate Committee on Government Operations elected to exercise this delegated power through its Permanent Subcommittee on Investigations, whose chairman was Senator McCarthy.

The committee is immediately concerned with the conduct of Senator McCarthy rather than with the conduct of employees of the executive branch. The President no doubt has power to safeguard from public dissemination by Executive order or otherwise, information affecting, for example, the national defense, notwithstanding that the regulations might indirectly interfere with any secret transmission line between the executive employees and any individual Member of the Congress. But the President, we think, cannot (nor do we believe he has sought by any order or directive called to our attention) deny to the Congress, or any duly organized committee or subcommittee thereof, and particularly the Committee on Government Operations of the Senate, any information, even though classified, if it discloses corruption or subversion in the executive branch.

This, we think, is true on the simple basis that the Congress is entitled to receive such information in the exercise of its investigatory power under the Constitution. The Congress, too, is charged with the responsibility for the welfare of the Nation.

What the executive branch may rightfully expect is that the coequal legislative branch, or its authorized committees, will inform the President, or his specially designated subordinate (ultimately the Attorney General) of the request, and that the desired information will be supplied subject to the protectives customarily thrown around classified documents by such committees.

In receiving such information, however, the Congress should refrain from thwarting or impeding the proper efforts of executive agencies, charged with duties incident to discovering, prosecuting, or punishing corruption or subversion in Government, or charged with safeguarding secrets involving the national defense.

However, the committee is equally of the view that the manner of approaching this important aspect of investigation in the light of the peculiar dangers of this hour, must be taken into account. The executive branch is initially peculiarly charged with inquiry into and suppression of insidious infiltrations of subversives into its own departments and agencies; this responsibility is a delicate and necessarily confidential one, because it involves the clearing of loyal personnel as well as the identification and elimination of disloyal employees. It also involves techniques of investigation which must be kept secret to be effective.

For this reason, there has been developed, under pressure of necessity, a system by which certain information, involving the national security, is protected in the executive branch by a machinery of classification, to insure that such information will remain confidential, as against unauthorized revelation or publication by employees, officers, or other agents of the executive branch.

If this system, which has expanded during recent years to keep step with the danger, were to be presented to the Congress as an iron curtain, denying to properly authorized agencies or persons (in which class the Congress and its committees are to be placed first) any right of access, a situation would be presented against which this committee would protest with all its power, as other committees have protested in the past. This we would regard as a challenge to the coequal powers of the legislative branch.

If, on the other hand, the Executive has recognized the prerogatives of the Congress, and incidentally other agencies of Government, even in the executive department itself, to be informed of classified material or information, by orderly and formal application to responsible heads of departments or to the Presidential office itself, then the committee believes another problem of orderly constitutional government may be presented, and that the Senate itself would be the first to respect the necessary right of the executive to protect its special functions, so long as the equally important powers of the legislative branch are not unduly impeded thereby.

We would be of the view that for the executive department, even the President himself, to deny to a properly constituted committee or subcommittee of the Senate, or any Senator operating with authority in the matter, facts involving wrongdoing in any executive department, might well offer a proper ground for challenging such decision, on the broadest and soundest constitutional grounds. But, by the same token, a failure of the Congress or any Member to adapt itself or himself to reasonable regulations by the President or his authorized department heads (for example, the Department of Defense or the Federal Bureau of Investigation), with respect to matters involving national security, might readily expose the Congress to an equally sound criticism.

In this connection, it is apparent that Congress itself, by specific legislation, has expressed an intent to protect documents relating to national security, and to prevent unauthorized disclosures of such information contained therein. At the same time, the executive branch, by departmental orders and Presidential directives ("not inconsistent with law") has expressed a cooperative attitude, by providing an orderly method of disclosing such information to proper authorities, including, of course, the Congress, in a reasonable prescribed manner, not harmful to the Nation's interest.

(For a further consideration and discussion of these authorities by this committee, reference is made to the legal discussion contained in pt. IV, category 3B of this report.)

If the invitation of Senator McCarthy to the Federal employees is more a solicitation of general information of wrongdoing, this committee would believe that he was within his senatorial prerogative, as there appears to be no law or Presidential order prohibiting employees of the Federal Government from giving such information to the Congress or members thereof. Indeed, there is law which affirmatively imposes a duty upon such employees to disclose to proper authorities any actual knowledge of the commission of a felony.

A more difficult legal question is presented if the invitation of the Senator goes beyond general information of wrongdoing, and includes within its scope classified information and documents, such as the 2½-page document and the information contained therein. The law hereinbefore mentioned and Presidential orders would seem to prevent the receipt or disclosure of such information or documents except through established orderly procedures.

The task of considering the allegations embodied in category I is a perplexing one because of the ambiguity of the statements made by Senator McCarthy as well as because of the difficulty of distinguishing between the constitutional power of the Congress to investigate the executive branch and the constitutional power of the President to withhold information from the Congress.

The statements of Senator McCarthy are susceptible of alternative constructions.

The first construction is that Senator McCarthy merely invited employees of the executive branch to bring to him as chairman of the Senate Committee on Government Operations and as chairman of its Permanent Subcommittee on Investigations, information acquired by them in the ordinary course of their employment having a logical tendency to disclose corrupt or subversive activities in governmental areas.

The second construction is that Senator McCarthy in effect urged employees of the executive branch to ransack confidential files of executive agencies or departments regardless of whether they had lawful access to those files, and bring to him classified documents the confidential retention of which in those files was necessary to enable the executive agencies charged with such duties

to discover, prevent, or bring to justice persons guilty of corrupt or subversive activities in governmental areas.

If his statements were susceptible of the second construction alone, Senator McCarthy might well merit the censure of the Senate upon the allegations embodied in category I for the conduct reflected by the second construction would evince an irresponsibility unworthy of any Senator and particularly of a Senator occupying the chairmanship of the Senate Committee on Government Operations and its Permanent Subcommittee on Investigations.

Since his statements admit of the alternative construction set out above, however, the select committee feels justified in giving Senator McCarthy the benefit of the first or more charitable construction.

In receiving information relating to corruption or subversion in the executive branch under the circumstances delineated in the first construction, that is, without irregular and possibly illegal use of classified documents, the chairman of the Senate Committee on Government Operations and of its Permanent Subcommittee on Investigations would be exercising the investigatory power vested in the Congress by the Constitution. This would be true even though employees of the executive branch should communicate such information to him in disobedience to Presidential orders.

The committee does not overlook the allegation that the statements of Senator McCarthy were tantamount to incitement to employees of the executive branch to violate the provisions of the Espionage Act embraced in 18 United States Code 793 (d) (e), which are couched in this language:

"(d) Whoever having lawful possession of * * * any * * * information relating to the national defense which information the possessor has reason to believe could be used to the injury of the United States * * *, willfully communicates * * * the same to any person not entitled to receive it * * * shall be fined not more than $10,000 or imprisoned not more than 10 years, or both.

"(e) Whoever having unauthorized possession of * * * any * * * information relating to the national defense which information the possessor has reason to believe could be used to the injury of the United States * * *, willfully communicates * * * the same to any person not entitled to receive it * * * shall be fined not more than $10,000 or imprisoned not more than 10 years, or both."

These statutory provisions do not define who is entitled to receive information relating to the national defense. Moreover, the code leaves to conjecture the question whether the definition embodied in 18 United States Code 798 (b) applies to 18 United States Code 793 (d) (e). Since it is a cardinal rule of statutory construction that statutes defining crimes are to be construed strictly against the Government and it does not appear that the chairman of the Senate Committee on Government Operations and its Permanent Subcommittee on Investigations is a "person not entitled to receive" information relating to the national defense, within the purview of 18 United States Code 793 (d) (e), the select committee is of the opinion that the statements of Senator McCarthy cannot assuredly be deemed, under all the facts before us, to constitute an incitement to employees of the executive branch to violate the provisions of the Espionage Act embraced in 18 United States Code 793 (d) (e).

C. Findings of the committee

After carefully considering, evaluating, and weighing the evidence and testimony presented at the hearings, and construing the applicable legal principles involved, the select committee is of the opinion—

1. That insofar as Senator McCarthy invited Federal employees to supply him with general information of wrongdoing, not of a classified nature, he was acting within his prerogative as a United States Senator and as head of an investigative arm of the United States Senate, and was not inviting such employees to violate their oath of office, Presidential orders, or any law.

2. That the invitation of Senator McCarthy, made during the hearings before the Special Subcommittee on Investigations of the Committee on Government Operations, and affirmed and reasserted at the hearings before the select committee, is susceptible to the interpretation that it was sufficiently broad by specific language and necessary implication to include information and documents properly classified by executive department heads as containing information affecting the national security.

3. However, the select committee is convinced that the invitation so made, affirmed, and reasserted by Senator McCarthy was motivated by a sense of official duty and not uttered as the fruit of evil design or wrongful intent.

4. That were the invitations as made, affirmed, and reasserted to be acted upon by the Federal employees, as to classified material affecting the national security, the orderly and constitutional functioning of the executive and legislative branches of the Government would be unduly disrupted and impeded, and this select committee warns such employees that such conduct involves the risk of effective penalties.

D. Conclusions

The select committee feels compelled to conclude that the conduct of Senator McCarthy in inviting Federal employees to supply him with information, without expressly excluding therefrom classified documents, tends to create a disruption of the orderly and constitutional functioning of the executive and legislative branches of the Government, which tends to bring both into disrepute. Such conduct cannot be condoned and is deemed improper.

However, the committee, preferring to give Senator McCarthy the benefit of whatever doubts and uncertainties may have confused the issue in the past, and in recognition of the Senator's responsibilities as chairman of the Committee on Government Operations and its Permanent Subcommittee on Investigations, does not feel justified in proposing his acts in this particular to the Senate as ground for censure.

The committee recommends that the leadership of the Senate endeavor to arrange a meeting of the chairman and the ranking minority members of the standing committees of the Senate with responsible departmental heads in the executive branch of the Government in an effort to clarify the mechanisms for obtaining such restricted information as Senate committees would find helpful in carrying out their duly authorized functions and responsibilities.

III. CATEGORY 3: INCIDENTS INVOLVING RECEIPT OR USE OF CONFIDENTIAL OR CLASSIFIED DOCUMENT OR OTHER CONFIDENTIAL INFORMATION FROM EXECUTIVE FILES

A. Summary of evidence

The evidence adduced before this committee relating to this charge was evolved from the testimony before the Special Subcommittee on Investigations for the Committee on Government Operations (Mundt committee), together with some testimony taken at hearings of this select committee.

The charge is based upon the specifications contained in amendment (d) proposed by Senator Morse (hearing record, p. 3) and amendment (13) proposed by Senator Flanders (hearing record, p. 6).

The charge or charges inherent in these specifications are—

1. That Senator McCarthy received and used confidential information unlawfully obtained from an executive department classified document, and failed to restore the document.

2. That in so doing he was in possible violation of the Espionage Act.

3. That he offered such information to a Senate subcommittee in the form of a spurious document.

The evidence supporting these charges was in part derived in documentary form from the record of the Mundt subcommittee hearings held in April, May, and June 1954, and in part oral testimony presented before the select committee.

It is the opinion of the select committee that competent, relevant, and material testimony has been submitted before the committee to support the charge that Senator McCarthy, before the Mundt subcommittee, produced what purported to be a copy of a letter from J. Edgar Hoover, Director of the Federal Bureau of Investigation, to Major General Bolling, Assistant Chief of Staff, G–2, Army, bearing the typed words "Personal and Confidential via Liaison," asserting it had been in the Army files (hearing records, pp. 95 and 96) and suggesting this was one of a series of letters from the FBI to the Army complaining "about the bad security setup at" the Fort Monmouth Signal Corps Laboratory, and giving information on certain individuals (hearing record, p. 96); that Mr. Hoover, after examining the "letter," which was dated January 26, 1951, declared that the "letter" was not a carbon copy or a copy of any communication prepared or sent by the FBI to General Bolling (hearing record, p. 99), but that "the letter" contained information identical in some respects with that contained in a 15-page interdepartmental memorandum from the FBI to General Bolling, of the Army, dated January 26, 1951, marked "Confidential via Liaison"; also that Mr. Hoover had stated that "confidential" was the highest classification that could be put on a document by the FBI (hearing record, p. 110). "It is also established that Senator McCarthy urged that the document, 2¼ pages in length, which he had received from an Army Intelligence officer be made available to the public" (hearing record, p. 111).

It is further established that Attorney General Brownell on May 13, 1954, advised Chairman Mundt by letter that the 2¼-page document was not authentic; that portions of the 2¼-page document which were taken verbatim from the 15-page interdepartmental memorandum are classified "confidential" by law; this means they must not be disclosed "in the best interests of the national security * * *. It would not be in the public interest to declassify the document or any part of it at the present time" (hearing record, p. 116). The Attorney General further stated that "if the 'confidential' classification of the FBI reports and memorandums is not respected, serious and irreparable harm will be done to the FBI" (hearing record, p. 116).

Despite the fact that the Attorney General had ruled that the document was a classified document, Senator McCarthy insisted that all security information had been deleted from it, and a request was made by his attorney as follows:

"Mr. Williams. I want to read it, sir, because there is no security information in it.

"The Chairman. Are you offering it in evidence?

"Mr. Williams. Yes" (p. 314 of the hearings).

But Senator McCarthy suggested that the names contained in the document be deleted (p. 326 of the hearings). This committee received the document into the possession of the chairman, without making public the contents (p. 327 of the hearings) upon the advice of the Attorney General that the document was a security document and could not be declassified (p. 327 of the hearings). This committee thereupon ruled that the 2¼-page document is a security document

and that the information contained in it should be kept classified (p. 328 of the hearings).

Clifford J. Nelson, of the Internal Security Division of the Department of Justice, testified that in January 1951 the word "confidential" was the only classification officially recognized by the FBI (p. 510 of the hearings); and that there was no regulation requiring any particular way of imprinting the classification designation on the document or paper (p. 511 of the hearings); and that it was not necessary for Government agencies "to go through their files and * * * declassify restricted information" when a new classification order was promulgated (p. 513 of the hearings).

Senator McCARTHY's position was that the names contained in the document were not security information (p. 389 of the hearings); he requested that, in accordance with the rule of his committee, the names be deleted if the document be made public, "unless * * * the individual named can appear * * * and answer the charges against him" (p. 389 of the hearings). His position also was that he had presented the document to the Mundt committee in good faith believing it was a copy of a letter in the Army files, it being self-evident that certain information had been deleted (pp. 397 and 417 of the hearings). Finally he insisted that the document and the information contained therein were not classified until Attorney General Brownell "classified it during the McCARTHY hearings"; and "that it was not classified from the time I received it until the time that Brownell either classified it or attempted to classify it" (p. 432 of the hearing); "It did not disclose any secrets of our national defense of any kind" (p. 433 of the hearings).

B. Legal issues involved

1. What were the statutes, Executive orders, and directives applicable to the 2¼-page letter or document?

2. Was the 2¼-page letter or document or the information therein classified?

3. Was it proper for Senator McCARTHY to attempt to make the 2¼-page letter or document public?

Congress has long recognized the need for providing legislation authorizing the heads of executive departments to make regulations relative to records and papers within their departments. As early as the act of June 22, 1874 (R. S., sec. 161, U. S. C., title 18, sec. 22), the Congress authorized the heads of executive departments to prescribe regulations not inconsistent with law controlling the conduct of its officers and clerks and the custody, use, and preservation of its records and papers.

This early act is cited by the Department of Justice Order No. 3229, filed May 2, 1946 (11 Fed. Reg. 4920, 18 Fed. Reg. 1368) protecting official files, documents, records, and information in the offices of the Department, including the Federal Bureau of Investigation, as "confidential," by providing that "no officer or employee may permit the disclosure or use of the same for any purpose except in the discretion of the Attorney General."

To the same effect, Presidential directive of March 13, 1948, 13 Federal Register 1359, which was apparently in effect in May and June 1953; and the subsequent Executive Order No. 10290 of September 24, 1951, setting up a system of classification "to the extent not inconsistent with law." The regulations promulgated by such order expressly apply only to classified security information, which term is restricted to official information which requires safeguarding in the interest of national security. It restricts the dissemination of classified information outside the executive branch, but authorizes the Attorney General on request to interpret such regulations in connection with any problem arising thereunder.

Of particular import is the Department of Justice order April 23, 1948, directed to the "Heads of All Government Departments, Agencies, and Commissions" (see testimony of Clifford J. Nelson, of the Department of Justice, hearing record, p. 512) providing as follows:

"As you are aware, the Federal Bureau of Investigation from time to time makes available to Government departments, agencies, and commissions information gathered by the Federal Bureau of Investigation which is of interest to such departments, agencies, or commissions. These reports and communications are confidential. All such reports and communications are the property of the Federal Bureau of Investigation and are subject at all times to its control and to all privileges which the Attorney General has as to the use or disclosure of documents of the Department of Justice. Any department, agency, or commission receiving such reports or communications is merely a custodian thereof for the Federal Bureau of Investigation, and the documents or communications are subject to recall at any time.

"Neither the reports and communications nor their contents may be disclosed to any outside person or source without specific prior approval of the Attorney General or of the Assistant to the Attorney General or an Assistant Attorney General acting for the Attorney General.

"Should any attempt be made, whether by request or subpena or motion for subpena or court order, or otherwise, to obtain access to or disclosure of any such report or communication, either separately or as a part of the files and records of a Government department, agency, or commission, and reports and communications involved should be immediately returned to the Federal Bureau of Investigation in order that a decision can be reached by me or by my designated representative in each individual instance as to the action which should be taken."

This order, providing that all reports and communications are confidential and shall remain the property of and in the control of the FBI, was effective in January of 1951.

Executive Order 10501, dated November 5, 1953, also undertakes to safeguard official information in the interest of national defense, and also commits to the Attorney General the interpreting of the regulations in connection with the problems arising out of their administration.

We mention in this connection the Espionage Act of June 25, 1948 (ch. 645, 62 Stat. 736; 18 U. S. C., secs. 793 (d) and (e); also ch. 645, 62 Stat. 736, 18 U. S. C. 792; also 18 U. S. C. sec. 4, ch. 645, 62 Stat. 684; also ch. 645, 62 Stat. 811, amended May 24, 1949, ch. 139, sec. 46, 69 Stat. 96, 18 U. S. C. 2387). (a) (1) (2) and (b) (cited in the brief of committee counsel, supplement to the record, p. 545 of hearing record) as showing a legislative intent to protect documents relating to national security, to prevent concealment of felonies; to forbid publications or disclosures not authorized by law by any officer or employee of the United States of information coming to him in the course of his employment or official duty.

These statutes are referred to here as affirmative evidence of congressional cooperation with the Executive, in a common effort to discourage unauthorized disclosures of confidential documents or information relating to the national defense, or obtained in the course of official duties; and to prevent interference with or impairment of the loyalty or discipline of the Armed Forces. All the cited statutes, Executive orders and directives are applicable to the 2¼-page letter or document.

In determining whether the letter or document was classified or contained classified information, reference must be made to the facts which have been established that the contents of this letter or document were taken from the 15-page interdepartmental memorandum dated January 15, 1951, from the FBI to the Army marked and classified confidential; that the letter or document in some respects contained identical language with that of the 15-page memorandum; and that Senator McCARTHY knew in May of 1953 when he acquired the 2¼-page letter or document that it had been in part extracted from a document containing security information and, therefore, a classified document. It must be admitted, and in fact was so admitted by Senator McCARTHY's counsel, that the material copied from a classified document retains the same classification as the document from which it is copied (hearing record, p. 753). It follows that the 2¼-page document retains the character of a classified document. While Senator McCARTHY contends that the deletion of certain information from the 2¼-page document renders it an unclassified document, this position overlooks the legal necessity that declassification can only be effected by a legally constituted authority. Furthermore, the Attorney General has formally ruled that the document still contains security information. The committee, after examining the document, likewise has agreed that the 2¼-page document contains security information.

Apart from these considerations, the established facts show that Senator McCARTHY attempted to make public over nationwide television the contents of a document which he believed emanated from the Federal Bureau of Investigation to the Intelligence Department of the Army regarding possible espionage in a defense installation and which bore a classified or confidential marking. This conduct on his part shows a disregard of the evident purpose to be served by such a document and overlooks the serious import which attaches to a document affecting the national defense, and the dangers flowing from causing such information to become public knowledge. This transgression is nonetheless grave even though the Senator personally may have been, as he contends, of the opinion that the document did not contain security information. This disposition on the part of Senator McCARTHY to determine for himself what is or is not security information regardless of the evident classified marking on a document, confirmed by the opinion of a duly constituted agency authorized to make such a ruling, evidences a lack of regard for responsibility to the laws and regulations providing for orderly determination of such matters. This conduct on the part of Senator McCARTHY is all the more serious when considered in the light of the act of June 25, 1948 (ch. 645, 62 Stat. 736, title 18, sec. 793 (d) and (e)) which provides that whoever having lawful or unauthorized possession of any document relating to national defense or information relating to the national defense which information the possessor has reason to believe could be used to the injury of the United States, attempts to communicate the same to persons not entitled to receive it, is an offender against the criminal laws of the country.

We believe under the facts and our conception of the law that the 2¼-page document was a legally classified document entitled to the protection and respect legally surrounding such a document, and binding on all civil and military officers of the Government, as well as on all employees of the Government.

Such a conclusion is not inconsistent with the further view that representatives of the legislative branch have a complete legal right to obtain access to such documents by using the methods available to them to get such information by formal request to the classifying agency or to the Attorney General or to the President himself. It is only when such orderly methods are rebuffed that an issue between two coequal branches of the Government can or should develop.

It follows that any attempt to make public the contents or any portion of this 2¼-page document, affecting national security, would be a transgression upon authority. When Senator McCarthy offered to make public this document, which he knew involved information irregularly obtained and which on its face carried a classification of "confidential" by the FBI, it was an assumption of authority which itself is disruptive of orderly governmental processes, violative of accepted comity between the two great branches of our Government, the executive and legislative, and incompatible with the basic tenets of effective democracy.

C. Findings of the committee

1. During the hearings before the Permanent Subcommittee on Investigations of the Committee on Government Operations, Senator McCarthy, in the course of the development of his defense, offered to make public the contents of a document bearing the markings of the Federal Bureau of Investigation, "Personal and Confidential via Liaison," which contained classified information relating to the national defense. This offer was not accepted by the committee.

2. In offering to make the contents of the document public, Senator McCarthy acted in the bona fide belief that the document was a valid rather than a spurious instrument and offered it in evidence as such.

D. Conclusions

The committee concludes that in offering to make public the contents of this classified document Senator McCarthy committed grave error. He manifested a high degree of irresponsibility toward the purposes of the statutes and Executive directives prohibiting the disclosure to unauthorized persons of classified information or information relating to the national defense. He should have applied in advance to the Attorney General for express permission to use the document in his defense under adequate safeguards, or to the committee to receive its contents in evidence in an executive rather than an open session. The committee recognizes, however, that at the time in question Senator McCarthy was under the stress and strain of being tried or investigated by the subcommittee. He offered the document in this investigation, which was then being contested at every step by both sides. The contents of the document were relevant to the subject matter under inquiry, in our opinion.

These mitigating circumstances are such that we do not recommend censure on the specifications included in category III.

It is the opinion of this committee that it will not serve the necessary purposes of this inquiry to make public the 2¼-page document or any part of the contents thereof. If the committee had been of different opinion, the chairman would have been authorized, in light of the opinions of the Attorney General, still adhered to by the latter officer (p. 116 of the hearings), to direct a request to the President for authority to declassify the same. Pending the final action of the Senate in this matter, the committee has directed its chairman to retain physical possession of this document, in confidence. Unless the Senate otherwise directs, it will be surrendered to the Federal Bureau of Investigation for such disposition as shall be proper after the Senate has concluded its consideration of Senate Resolution 301.

IV. CATEGORY 4: INCIDENTS INVOLVING ABUSES OF COLLEAGUES IN THE SENATE

A. General discussion and summary of evidence

Pursuant to the category designated by the select committee, Incidents Involving Abuses of Colleagues in the Senate, it received evidence and took testimony relating to—

Amendment proposed by Mr. Flanders to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. McCarthy, viz:

"(30) He has ridiculed his colleagues in the Senate, defaming them publicly in vulgar and base language (regarding Senator Hendrickson—'a living miracle without brains or guts'; on Flanders—'Senile—I think they should get a man with a net and take him to a good quiet place')."

Amendment proposed by Mr. Morse to the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. McCarthy, viz:

"(b) Unfairly accused his fellow Senators Gillette, Monroney, Hendrickson, Hayden, and Hennings of improper conduct in carrying out their duties as Senators."

The alleged abuses of senatorial colleagues, considered in this category, result from certain oral and written statements of Senator McCarthy directed by him to and about certain fellow Members of the Senate, and center around the following specific charges:

1. That Senator McCarthy publicly ridiculed and defamed Senator Hendrickson in vulgar and base language by calling him "• • • a living miracle without brains or guts."

2. That Senator McCarthy publicly ridiculed and defamed Senator Flanders in vulgar and base language by saying of him, "Senile—I think they should get a man with a net and take him to a good quiet place."

3. That Senator McCarthy unfairly accused Senators Gillette, Monroney, Hendrickson, Hayden, and Hennings of improper conduct in carrying out their senatorial duties.

As relating to this category, the select committee received documentary evidence in the form of correspondence between Senator McCarthy and the Subcommittee on Privileges and Elections, testimony taken before and published by the Permanent Subcommittee on Investigations of the Committee on Government Operations, being part of the Army-McCarthy hearings, the testimony of two reporters, certain other record evidence, and the testimony of Senator McCarthy in his own behalf.

We point out that for convenience, and by reason of related subject matter, the select committee has already considered and disposed of two of the charges contained in this category, being the charge that Senator McCarthy publicly ridiculed and defamed Senator Hendrickson in vulgar and base language, being No. 1 above-mentioned, and the charge that Senator McCarthy unfairly accused Senators Gillette, Monroney, Hendrickson, Hayden, and Hennings of improper conduct in carrying out their senatorial duties, being No. 3 above-mentioned. These two charges have already been considered and reported upon in this report under I—"Incidents of Contempt of the Senate or a Senatorial Committee." The discussion under this category IV, therefore, will be restricted to the one charge contained in the amendment proposed by Senator Flanders (30), that Senator McCarthy publicly ridiculed and defamed Senator Flanders, in vulgar and base language, by calling him "senile."

The evidence shows that on June 11, 1954, Senator Flanders walked into the Senate caucus room where Senator McCarthy was testifying before a vast television audience in the Army-McCarthy hearings, and unexpectedly gave Senator McCarthy notice of an intended speech attacking Senator McCarthy which he proposed forthwith to deliver on the Senate floor; that shortly thereafter Senator McCarthy was asked by the press to comment on Senator Flanders' intended speech; that Senator McCarthy thereupon made this remark concerning Senator Flanders:

"I think they should get a man with a net and take him to a good quiet place";

and that on occasions prior to that time Senator Flanders made provocative speeches in respect to Senator McCarthy on the Senate floor.

B. Conclusions

The remarks of Senator McCarthy concerning Senator Flanders were highly improper. The committee finds, however, that they were induced by Senator Flanders' conduct in respect to Senator McCarthy in the Senate caucus room, and in delivering provocative speeches concerning Senator McCarthy on the Senate floor. For these reasons, the committee concludes the remarks with reference to Senator Flanders do not constitute a basis for censure.

V. CATEGORY 5: INCIDENT RELATING TO RALPH W. ZWICKER, A GENERAL OFFICER OF THE ARMY OF THE UNITED STATES

A. General discussion and summary of evidence

This category refers to the question whether Senator McCarthy should be censured for his treatment of Gen. Ralph W. Zwicker, in connection with General Zwicker's appearance before the Senator as a witness.

The pertinent proposed amendments are that of Senator Fulbright:

"(4) Without justification, the junior Senator from Wisconsin impugned the loyalty, patriotism, and character of Gen. Ralph Zwicker."

And that of Senator Morse:

"(c) As chairman of a committee, resorted to abusive conduct in his interrogation of Gen. Ralph Zwicker, including a charge that General Zwicker was unfit to wear the uniform, during the appearance of General Zwicker as a witness before the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations on February 18, 1954."

And that of Senator Flanders:

"(10) He has attacked, defamed, and besmirched military heroes of the United States, either as witnesses before his committee or under the cloak of immunity of the Senate floor" (General Zwicker, General Marshall).

The select committee restricted its hearings to the case of General Zwicker. Its reasons for not inquiring into the case of remarks made against General Marshall appear in part VI of this report.

In his capacity as chairman of the Permanent Subcommittee on Investigations, Senator McCarthy held hearings to determine whether there were espionage activities in the radar laboratory at Fort Monmouth. General Zwicker was summoned as a witness and appeared on February 18, 1954, at a hearing held in New York, N. Y.

The evidence on this phase consisted of the records of both a public and executive hearing, the testimony of William J. Harding, Jr., who was a spectator at the public hearing, the testimony of Senator McCarthy, and of General Zwicker, the testimony of Gen. Kirke B. Lawton, and of Capt. William J. Woodward, a medical officer who accompanied General Zwicker to the hearings, and of James M. Juliana and C. George Anastos, of the staff of the Permanent Subcommittee on Investigations.

There is no dispute concerning the reported testimony of General Zwicker and the questions, statements, and comments of Senator McCarthy during the hearings. General Zwicker attended a public hearing, as a spectator, in the morning of February 18, 1954, and testified as a witness at an executive session late that afternoon. There is dispute as to the attitude and truthfulness of General Zwicker, the statements made to and about him by Senator McCarthy at the conclusion of the executive session, and concerning alleged utterances of General Zwicker prior to his testimony.

Gen. Kirke B. Lawton testified to a conversation which he had with General Zwicker at Camp Kilmer sometime before General Zwicker was called as a witness. It was charged that General Lawton was "gagged" by his military superiors, but after General Lawton testified, it became clear that his inability to give details of his conversation with General Zwicker was not the result of any military secrecy order but was the result of his inability to remember any of the details of the conversation. General Lawton testified that General Zwicker gave him the impression of being generally opposed to Senator McCARTHY or the Senator's method in investigation. He could not remember any words used by General Zwicker but was permitted to testify to his general impression and conclusion as to the effect of General Zwicker's remarks.

William J. Harding, Jr., who was a spectator at the morning public session of the hearing held by Senator McCARTHY in New York on February 18, 1954, testified that he was seated near General Zwicker. In the morning session General Zwicker also was a spectator. Mr. Harding stated that Senator McCARTHY addressed a question to General Zwicker, who was then seated in the audience, and that General Zwicker replied to the question. As General Zwicker seated himself, after replying to the Senator's question, Mr. Harding testified that the general muttered under his breath the letters "s. o. b." with reference to Senator McCARTHY.

James M. Juliana and C. George Anastos, members of the staff of the Permanent Subcommittee on Investigations, were called as witnesses by the select committee. Mr. Juliana testified that he saw General Zwicker at Camp Kilmer on February 13, 1954, 5 days before the appearance of General Zwicker as a witness before Senator McCARTHY in New York. On February 13, 1954, Mr. Juliana received from General Zwicker a copy of the Army order directing the honorable discharge of Maj. Irving Peress. In the New York hearing Senator McCARTHY tried to establish who was responsible for the advancement of Peress from captain to major and who was responsible for his separation and discharge from the military service, the latter having occurred after he had claimed the protection of the fifth amendment as to his Communist connections and activities at a hearing before Senator McCARTHY. (The separation order was read into the record at these hearings before the select committee.) Mr. Juliana also testified that his copy of the Peress separation order was produced at the hearing of February 18, 1954, and handed by him either to Senator McCARTHY or to Roy M. Cohn, counsel for the subcommittee.

Under examination by counsel for Senator McCARTHY, Mr. Juliana stated that when he talked to General Zwicker, General Zwicker said that he had been in contact with Washington prior to discharging Major Peress on February 2, 1954, relative to the Peress matter, and that he, Mr. Juliana, had so informed Senator McCARTHY prior to February 18, 1954.

C. George Anastos testified that he talked with General Zwicker about the Peress case by telephone on January 22, 1954. General Zwicker gave him the name of Peress, and stated that the file showed there was information that Peress and his wife was or had been a Communist, and that in August 1953 Peress had refused to answer a loyalty questionnaire. There was reference made also, according to Mr. Anastos, to an Army effort to get Peress out of the service. This testimony is in contrast with that of General Zwicker that he did not give to Mr. Anastos any information contained in the Peress classified personnel file. The next day, according to Mr. Anastos, General Zwicker called him voluntarily and told him of the Peress separation order.

Major Peress was examined by Chairman McCARTHY on January 30, 1954. He had been promoted on November 2, 1953. He received an honorable discharge on February 2, 1954.

It was the contention of Senator McCARTHY that General Zwicker was most arrogant, very irritating, and evasive, that he was untruthful in his testimony, and that he was "covering up" for his superiors. General Zwicker stood upon his testimony and contended that he had been truthful in all respects and as frank as he could be in view of the military restrictions upon his testimony. General Zwicker also contended that Senator McCARTHY had full knowledge of General Zwicker's attitude and conduct with reference to the Peress case, and that this made Senator McCARTHY's treatment of him unjustified and unwarranted. General Zwicker appeared as a witness at the invitation of the select committee.

B. Findings of fact

From the evidence and testimony taken with reference to this fifth category, the select committee finds the following facts:

1. In connection with this incident, Senator McCARTHY was acting as chairman of the Senate Committee on Government Operations and chairman of its Permanent Subcommittee on Investigation (pp. 69 and 182 of the hearings).

2. Ralph W. Zwicker is a brigadier general of the Army of the United States, a graduate of West Point Military Academy, and an Army officer since 1927 (p. 80 of the hearings).

3. From July 1953 to August 1954, General Zwicker was the commanding officer at Camp Kilmer, an Army separation center (pp. 70 and 81 of the hearings).

4. Senator McCARTHY began looking into the Peress matter in November 1953 (p. 182 of the hearings).

5. In late November or December 1953, General Zwicker had a conversation with Gen. Kirke B. Lawton, and gave General Lawton the impression that he was antagonistic toward Senator McCARTHY (p. 438 of the hearings).

6. On January 22, 1954, C. George Anastos, a member of the staff of the Permanent Subcommittee on Investigations, talked to General Zwicker by telephone; the general gave him the name of Peress and made some reference to the latter's Communist connections (p. 519 of the hearings).

7. This information was reported to Roy Cohn and Frank Carr of the subcommittee staff (p. 519 of the hearings).

8. On February 13, 1954, General Zwicker talked to James C. Juliana, another member of the subcommittee's staff, and gave to Mr. Juliana a copy of the Peress separation order (p. 515 of the hearings).

9. This copy was available to Senator McCARTHY at the New York hearing of February 18, 1954 (pp. 79, 515, and 516 of the hearings).

10. On the same date, General Zwicker also told Mr. Juliana that he was opposed to giving Peress an honorable discharge and had been in touch with Washington about the matter (p. 517 of the hearings).

11. This was reported by Mr. Juliana to Senator McCARTHY some days before February 18, 1954 (pp. 188, 189, 333, and 517 of the hearings).

12. Major Peress was summoned to appear before the permanent subcommittee by request made on January 26, 1954, and appeared on January 30, 1954 (p. 183 of the hearings).

13. Senator McCARTHY and General Zwicker met for the first time on February 18, 1954 (p. 330 of the hearings).

14. They had a pleasant social conversation during the lunch intermission (p. 456 of the hearings).

15. There was a public hearing during the morning of February 18, 1954, attended by General Zwicker as a spectator (p. 455 of the hearings).

16. During this morning session, William J. Harding, Jr., testified, after General Zwicker had answered a question of Senator McCARTHY, that he heard General Zwicker mutter under his breath, "You s. o. b.," and (turning to his companions) said, "You see, I told you what we'd get" (p. 179 of the hearings).

17. General Zwicker testified he had no recollection of and knew of no reason for making such an utterance (p. 456 of the hearings).

18. Senator McCARTHY did not know of the Harding incident when he examined General Zwicker (p. 204 of the hearings).

19. General Zwicker was called as a witness at an executive session before Senator McCARTHY, sitting as a subcommittee of one, about 4:30 p. m. on February 18, 1954 (pp. 69 and 190 of the hearings).

20. At the beginning of the hearing, under examination by Mr. Cohn, General Zwicker testified that if he were in a position to do so, that he would be glad to tell what steps he took "and others took at Kilmer to take action against Peress a long time before action was finally forced by the committee," and that the information would not reflect unfavorably on General Zwicker or "on a number of other people at Kilmer and the First Army" (p. 70 of the hearings).

21. Senator McCARTHY then took over the examination of General Zwicker in an effort to bring out that the general's information, if given in evidence, "would reflect unfavorably on some of them, of course" (p. 70 of the hearings).

22. Senator McCARTHY then ordered the witness to reply to the question whether somebody kept Peress on, knowing he was a Communist, and General Zwicker responded that he respectfully declined to answer since he was not permitted to do so under the Presidential directive (p. 70 of the hearings).

23. General Zwicker tried unsuccessfully to have this Presidential directive read at the hearing before Senator McCARTHY (p. 354 of the hearings).

24. Senator McCARTHY stated that he was familiar with the provisions of the Presidential directive (p. 354 of the hearings).

25. The Presidential directive of March 13, 1948, provided "in order to insure the fair and just disposition of loyalty cases * * * reports rendered by the Federal Bureau of Investigation and other investigative agencies of the executive branch are to be regarded as confidential * * * and files relative to the loyalty of employees * * * shall be maintained in confidence * * *.—Harry S. Truman" (p. 457 of the hearings).

26. Senator McCARTHY then asked General Zwicker whether he knew on the day an honorable discharge was signed for Peress that Peress had refused to answer certain questions before the subcommittee, and General Zwicker replied: "No, sir; not specifically on answering any questions. I knew he had appeared before your committee" (p. 70 of the hearings).

27. When asked whether he "knew generally that he (Peress) had refused to tell whether he was a Communist," General Zwicker replied: "I don't recall whether he refused to tell whether he was a Communist" (p. 71 of the hearings).

28. General Zwicker testified that he had read the press releases about Peress, and knew that Peress had taken refuge in the fifth amendment, but that he did not know specifically that Peress had refused to answer questions about his Communist activities (p. 71 of the hearings).

29. Senator McCARTHY then told the witness: "General, let's try and be truthful. I am going to keep you here as long as you keep

hedging and hemming" (p. 71 of the hearings).

30. The following then occurred:

"General ZWICKER. I am not hedging.

"The CHAIRMAN. Or hawing.

"General ZWICKER. I am not hawing, and I don't like to have anyone impugn my honesty, which you just about did.

"The CHAIRMAN. Either your honesty or your intelligence; I can't help impugning one or the other, when you tell us that a major in your command who was known to you to have been before a Senate committee, and of whom you read the press releases very carefully—to now have you sit here and tell us that you did not know whether he refused to answer questions about Communist activities. I had seen all the press releases, and they all dealt with that. So when you do that, General, if you will pardon me, I cannot help but question either your honesty or your intelligence, one or the other. I want to be frank with you on that.

"Now is it your testimony now that at the time you read the stories about Major Peress, that you did not know that he had refused to answer questions before this committee about his Communist activities?

"General ZWICKER. I am sure I had that impression.

"The CHAIRMAN. Were you aware that the major was being given an honorable discharge * * *.

"The CHAIRMAN. Did you also read the stories about my letter to Secretary of the Army Stevens in which I requested or, rather, suggested that this man be court-martialed, and that anyone that protected him or covered up for him be court-martialed?

"General ZWICKER. Yes, sir" (pp. 71 and 72 of the hearings).

31. As to the Peress discharge, General Zwicker testified:

"The CHAIRMAN. Who ordered his discharge?

"General ZWICKER. The Department of the Army.

"The CHAIRMAN. Who in the Department?

"General ZWICKER. That I can't answer.

"Mr. COHN. That isn't a security matter?

"General ZWICKER. No. I don't know. Excuse me.

"Mr. COHN. Who did you talk to? You talked to somebody?

"General ZWICKER. No; I did not.

"Mr. COHN. How did you know he should be discharged?

"General ZWICKER. You also have a copy of this. I don't know why you asked me for it. This is the order under which he was discharged, a copy of that order."

And also:

"The CHAIRMAN. Did you take any steps to have him retained until the Secretary of the Army could decide whether he should be court-martialed?

"General ZWICKER. No, sir.

"The CHAIRMAN. Did it occur to you that you should?

"General ZWICKER. No, sir.

"The CHAIRMAN. Could you have taken such steps?

"General ZWICKER. No, sir.

"The CHAIRMAN. In other words, there is nothing you could have done, is that your statement?

"General ZWICKER. That is my opinion" (p. 72 of the hearings).

32. The Peress discharge order was dated January 18, 1954, was received by General Zwicker on January 23, 1954, and provided:

(a) That Peress be relieved from active duty and honorably discharged.

(b) That this be at the desire of Peress "but in any event not later than 90 days from date of receipt of this letter" (p. 454 of the hearings).

33. Major Peress asked for his discharge on February 1, 1954, and he was discharged the next day (p. 483 of the hearings).

34. Senator MCCARTHY had read the Peress discharge order, and knew about it on February 2, 1954 (pp. 199 and 333 of the hearings).

35. Senator MCCARTHY then examined General Zwicker as follows:

"The CHAIRMAN. Let me ask this question. If this man, after the order came up, after the order of the 18th came up, prior to his getting an honorable discharge, were guilty of some crime—let us say that he held up a bank or stole an automobile—and you heard of that the day before—let's say you heard of it the same day that you heard of my letter—could you then have taken steps to prevent his discharge, or would he have automatically been discharged?

"General ZWICKER. I would have definitely taken steps to prevent discharge.

"The CHAIRMAN. In other words, if you found that he was guilty of improper conduct, conduct unbecoming an officer, we will say, then you would not have allowed the honorable discharge to go through, would you?

"General ZWICKER. If it were outside the directive of this order?

"The CHAIRMAN. Well, yes; let's say it were outside the directive.

"General ZWICKER. Then I certainly would never have discharged him until that part of the case——

"The CHAIRMAN. Let us say he went out and stole $50 the night before.

"General ZWICKER. He wouldn't have been discharged.

"The CHAIRMAN. Do you think stealing $50 is more serious than being a traitor to the country as part of the Communist conspiracy?

"General ZWICKER. That, sir, was not my decision.

"The CHAIRMAN. You said if you learned that he stole $50, you would have prevented his discharge. You did learn something much more serious than that. You learned that he had refused to tell whether he was a Communist. You learned that the chairman of a Senate committee suggested that he be court-martialed. And you say if he had stolen $50 he would not have gotten the honorable discharge. But merely being a part of the Communist conspiracy, and the chairman of the committee asking that he be court-martialed, would not give you grounds for holding up his discharge. Is that correct?

"General ZWICKER. Under the terms of this letter, that is correct, Mr. Chairman.

"The CHAIRMAN. That letter says nothing about stealing $50, and it does not say anything about being a Communist. It does not say anything about his appearance before our committee. He appeared before our committee after that order was made out.

"Do you think you sound a bit ridiculous, General, when you say that for $50, you would prevent his being discharged, but for being a part of the conspiracy to destroy this country you could not prevent his discharge?

"General ZWICKER. I did not say that, sir.

"The CHAIRMAN. Let's go over that. You did say if you found out he stole $50 the night before, he would not have gotten an honorable discharge the next morning?

"General ZWICKER. That is correct.

"The CHAIRMAN. You did learn, did you not, from the newspaper reports, that this man was part of the Communist conspiracy, or at least that there was strong evidence that he was. Didn't you think that was more serious than the theft of $50?

"General ZWICKER. He has never been tried for that, sir, and there was evidence, Mr. Chairman——

"The CHAIRMAN. Don't you give me that doubletalk. The $50 case, that he had stolen the night before, he has not been tried for that.

"General ZWICKER. That is correct. He didn't steal it yet.

"The CHAIRMAN. Would you wait until he was tried for stealing the $50 before you prevented the honorable discharge?

"General ZWICKER. Either tried or exonerated.

"The CHAIRMAN. You would hold up the discharge until he was tried or exonerated?

"General ZWICKER. For stealing the $50; yes.

"The CHAIRMAN. But if you heard that this man was a traitor—in other words, instead of hearing that he had stolen $50 from the corner store, let's say you heard that he was a traitor, he belonged to the Communist conspiracy; that a Senate committee had the sworn testimony to that effect. Then would you hold up his discharge until he was either exonerated or tried?

"General ZWICKER. I am not going to answer that question, I don't believe, the way you want it, sir.

"The CHAIRMAN. I just want you to tell me the truth.

"General ZWICKER. On all of the evidence or anything that had been presented to me as commanding general of Camp Kilmer, I had no authority to retain him in the service."

And also:

"The CHAIRMAN. You say that if you had heard that he had stolen $50, then you could order him retained. But when you heard that he was part of the Communist conspiracy, that subsequent to the time the orders were issued a Senate committee took the evidence under oath that he was part of the conspiracy, you say that would not allow you to hold up his discharge?

"General ZWICKER. I was never officially informed by anyone that he was part of the Communist conspiracy, Mr. Senator.

"The CHAIRMAN. Well, let's see now. You say that you were never officially informed?

"General ZWICKER. No.

"The CHAIRMAN. If you heard that he had stolen $50 from someone down the street, if you did not hear it officially, then could you hold up his discharge? Or is there some peculiar way you must hear it?

"General ZWICKER. I believe so, yes, sir, until I was satisfied that he had or hadn't, one way or the other.

"The CHAIRMAN. You would not need any official notification so far as the 50 bucks is concerned?

"General ZWICKER. Yes.

"The CHAIRMAN. But you say insofar as the Communist conspiracy is concerned, you need an official notification?

"General ZWICKER. Yes, sir; because I was acting on an official order, having precedence over that?

"The CHAIRMAN. How about the $50? If one of your men came in a half hour before he got his honorable discharge and said, 'General, I just heard downtown from a police officer that this man broke into a store last night and stole $50,' you would not give him an honorable discharge until you had checked the case and found out whether that was true or not; would you?

"General ZWICKER. I would expect the authorities from downtown to inform me of that or, let's say, someone in a position to suspect that he did it.

"The CHAIRMAN. Let's say one of the trusted privates in your command came in to you and said, 'General, I was just downtown and I have evidence that Major Peress broke into a store and stole $50.' You wouldn't discharge him until you had checked the facts, seen whether or not the private was telling the truth, and seen whether or not he had stolen the $50?

"General ZWICKER. No; I don't believe I would. I would make a check, certainly, to check the story" (pp. 73–74 of the hearings).

36. The examination then proceeded on a further hypothetical basis as follows:

"The CHAIRMAN. Do you think, General, that anyone who is responsible for giving an honorable discharge to a man who has been

named under oath as a member of the Communist conspiracy should himself be removed from the military?

"General ZWICKER. You are speaking of generalities now, and not on specifics; is that right, sir, not mentioning about any one particular person?

"The CHAIRMAN. That is right.

"General ZWICKER. I have no brief for that kind of person, and if there exists or has existed something in the system that permits that, I say that that is wrong.

"The CHAIRMAN. I am not talking about the system. I am asking you this question, General, a very simple question: Let's assume that John Jones, who is a major in the United States Army——

"General ZWICKER. A what, sir?

"The CHAIRMAN. Let's assume that John Jones is a major in the United States Army. Let's assume that there is sworn testimony to the effect that he is part of the Communist conspiracy, has attended Communist leadership schools. Let's assume that Maj. John Jones is under oath before a committee and says, 'I cannot tell you the truth about these charges because, if I did, I fear that might tend to incriminate me.' Then let's say that General Smith was responsible for this man receiving an honorable discharge, knowing these facts. Do you think that General Smith should be removed from the military, or do you think he should be kept on in it?

"General ZWICKER. He should be by all means kept if he were acting under competent orders to separate that man.

"The CHAIRMAN. Let us say he is the man who signed the orders. Let us say General Smith is the man who originated the order.

"General ZWICKER. Originated the order directing his separation?

"The CHAIRMAN. Directing his honorable discharge.

"General ZWICKER. Well, that is pretty hypothetical.

"The CHAIRMAN. It is pretty real, General.

"General ZWICKER. Sir, on one point; yes. I mean on an individual; yes. But you know that there are thousands and thousands of people being separated daily from our Army.

"The CHAIRMAN. General, you understand my question——

"General ZWICKER. Maybe not.

"The CHAIRMAN. And you are going to answer it.

"General ZWICKER. Repeat it.

"The CHAIRMAN. The reporter will repeat it.

"(The question referred to was read by the reporter.)

"General ZWICKER. That is not a question for me to decide, Senator.

"The CHAIRMAN. You are ordered to answer it, General. You are an employee of the people.

"General ZWICKER. Yes, sir.

"The CHAIRMAN. You have a rather important job. I want to know how you feel about getting rid of Communists.

"General ZWICKER. I am all for it.

"The CHAIRMAN. All right. You will answer that question, unless you take the fifth amendment. I do not care how long we stay here, you are going to answer it.

"General ZWICKER. Do you mean how I feel toward Communists?

"The CHAIRMAN. I mean exactly what I asked you, General; nothing else. And anyone with the brains of a 5-year-old child can understand that question.

"The reporter will read it to you as often as you need to hear it so that you can answer it, and then you will answer it.

"General ZWICKER. Start it over, please.

"(The question was reread by the reporter.)

"General ZWICKER. I do not think he should be removed from the military.

"The CHAIRMAN. Then, General, you should be removed from any command. Any man who has been given the honor of being promoted to general and who says 'I will protect another general who protected Communists,' is not fit to wear that uniform, General. I think it is a tremendous disgrace to the Army to have this sort of thing given to the public. I intend to give it to them. I have a duty to do that. I intend to repeat to the press exactly what you said. So you know that. You will be back here, General" (pp. 75 and 76 of the hearings).

"37. At page 77 of the hearings, the following occurred:

"The CHAIRMAN. Did you at any time ever object to this man being honorably discharged?

"General ZWICKER. I respectfully decline to answer that, sir.

"The CHAIRMAN. You will be ordered to answer it.

"General ZWICKER. That is on the grounds of this Executive order.

"The CHAIRMAN. You are ordered to answer. That is a personnel matter.

"General ZWICKER. I shall still respectfully decline to answer it.

"The CHAIRMAN. Did you ever take any steps which would have aided him in continuing in the military after you knew that he was a Communist?

"General ZWICKER. That would have aided him in continuing, sir?

"The CHAIRMAN. Yes.

"General ZWICKER. No.

"The CHAIRMAN. Did you ever do anything instrumental in his obtaining his promotion after knowing that he was a fifth-amendment case?

"General ZWICKER. No, sir.

"The CHAIRMAN. Did you ever object to his being promoted?

"General ZWICKER. I had no opportunity to, sir.

"The CHAIRMAN. Did you ever enter any objection to promotion of this man under your command?

"General ZWICKER. I have no opportunity to do that.

"The CHAIRMAN. You say you did not; is that correct?

"General ZWICKER. That is correct.

"The CHAIRMAN. And you refuse to tell us whether you objected to his obtaining an honorable discharge?

"General ZWICKER. I don't believe that is quite the way the question was phrased before.

"The CHAIRMAN. Well, answer it again, then.

"General ZWICKER. I respectfully request that I not answer that question.

"The CHAIRMAN. You will be ordered to answer.

"General ZWICKER. Under the same authority as cited before, I cannot answer it."

38. At the hearings before the select committee, Senator MCCARTHY testified that General Zwicker was evasive (p. 193 of the hearings), that he changed his story (p. 192 of the hearings), that he was difficult to examine (p. 192 of the hearings), that it was "a long, laborious, truth-pulling job," and that he was "most arrogant" (pp. 193 and 204 of the hearings).

39. As stated by the chairman and other members of the select committee, these were matters of argument (p. 195 of the hearings).

40. The transcript of the New York hearing shows that Senator MCCARTHY said to General Zwicker: "Then, General, you should be removed from any command. Any man who has been given the honor of being promoted to general and who says, 'I will protect another general who protected Communists,' is not fit to wear that uniform, General," and Senator MCCARTHY testified he was referring to the uniform of a general (pp. 202 and 332 of the hearings).

41. General Zwicker did not make any such statement.

42. Senator MCCARTHY testified that General Zwicker had said, in effect, "It is all right to give Communists honorable discharges" (p. 202 of the hearings).

43. There is no testimony in this record which justifies such a conclusion.

44. When asked to give the facts on which he based his testimony that General Zwicker was an unwilling witness, arrogant and evasive, Senator MCCARTHY reiterated his conclusion that: "All I can say is, the full attitude was one of complete arrogance, complete contempt of the committee" (p. 204 of the hearings).

45. Senator MCCARTHY testified that he was justified in his treatment of General Zwicker solely by the latter's conduct at the hearing in New York (p. 330 of the hearings).

46. He testified further that he had not criticized General Zwicker and it was: "just a method of cross-examination, trying to get the truth" (p. 331 of the hearings).

47. Senator MCCARTHY refused to draw any inference but that General Zwicker was not telling the truth (specifically excluding perjury, p. 337 of the hearings), as follows:

"Mr. DE FURIA. Now, assuming, Senator, that for the sake of this question, anyhow, that General Zwicker did testify in what we might call a stilted fashion, don't you think that the fair inference, rather than to say that the general was deliberately telling an untruth, or stalling, or distorting facts, that the fair, judicious inference was that he couldn't do very much else in the face of the Presidential orders and the other orders of his superiors, isn't that the fair way to look at it, Senator?

"Senator MCCARTHY. No, Mr. de Furia. When a general comes before me first says, 'I didn't know this man refused to answer any questions,' then after he is pressed under cross-examination, he says, 'Yes, I knew he refused to answer questions, but I didn't know he refused to answer questions about Communist activities'—then, after further cross-examination, he says, 'Yes, I know that he refused to answer questions about Communist activities'—I can't assume that is the result of any Presidential directive. We cannot blame the President for that."

48. Before examining General Zwicker, Senator MCCARTHY knew that General Zwicker was opposed to giving Peress an honorable discharge (p. 342 of the hearings) and Senator MCCARTHY had received a long letter from the Secretary of the Army giving a full explanation of the Peress case (pp. 459 and 462 of the hearings).

49. Senator MCCARTHY contended at the hearings before the select committee that matters in the Peress personnel file could be revealed by General Zwicker (p. 344 of the hearings) and that General Zwicker was not relying on any Presidential order (p. 344 of the hearings).

50. Later, Senator MCCARTHY testified that General Zwicker was relying on Presidential and Executive orders, and that he, Senator MCCARTHY, had copies of them (pp. 347 and 354 of the hearings).

51. Immediately after General Zwicker had testified in New York, Senator MCCARTHY gave to the press his version of what had occurred at the executive hearing (p. 348 of the hearings).

52. Senator MCCARTHY could not recall whether he told the press that the Zwicker hearing had been held principally for the benefit of the Secretary of the Army Stevens, did not think so, was reasonably certain he had not said so (p. 348 of the hearings).

53. On his right to reveal to the press what had been testified to at the Zwicker executive hearing, Senator MCCARTHY testified:

"Mr. DE FURIA. Senator, were you authorized by either the major committee or your Subcommittee on Permanent Investigations to reveal what transpired at the Zwicker executive hearing?

"Senator MCCARTHY. I discussed the matter with the representatives of the two Senators who were present and we agreed, in view of

the Stevens' statement, it should be released.

"Mr. DE FURIA. You say you discussed it with the representatives of the two Senators?

"Senator MCCARTHY. That is correct.

"Mr. DE FURIA. In spite of the rules of your own committee that all testimony taken in executive session shall be kept secret and will not be released or used in public session without the approval of the majority of the subcommittee?

"Senator MCCARTHY. I felt that the two men who were present were representing the Senators and they constituted a majority. There were only four Senators on the committee at that time.

"Mr. DE FURIA. In a matter involving a general of the United States, then, you permitted an administrative assistant to exercise the prerogatives of the United States Senate?

"Senator MCCARTHY. I think I have recited the facts to you" (pp. 349 and 350 of the hearings).

And also:

"Senator MCCARTHY. May I say further, Mr. de Furia, in answer to your question, that General Zwicker had already released a distorted version of the testimony, through Bob Stevens, in affidavit form. I felt under the circumstances that the correct version should be released.

"Mr. DE FURIA. Why, Senator, you released this first 2 or 3 minutes after your hearing concluded, did you not?

"Senator MCCARTHY. No; I did not. It was the transcript.

"Mr. DE FURIA. You called in the press, did you not, right away?

"Senator MCCARTHY. I did not.

"Mr. DE FURIA. To tell them what had happened in the executive session?

"Senator MCCARTHY. Mr. de Furia, if you want to know what the practice was here, and what the practice is——

"Mr. DE FURIA. I do not want the practice.

"Senator MCCARTHY. I did not release the transcript.

"Mr. DE FURIA. I am not talking about the transcript. But you did tell the press what happened in the closed executive session, within a few minutes after that session ended?

"Senator MCCARTHY. I gave them a résumé of the testimony; yes.

"Mr. DE FURIA. Sir, I am asking you, upon what authority, or by what right, you did that?

"Senator MCCARTHY. Because that has been our practice.

"Mr. DE FURIA. In spite of the rule of your own committee?

"Senator MCCARTHY. That has been the practice of the committee.

"Mr. DE FURIA. General Zwicker's affidavit was not made until 2 days later; isn't that right, Senator? It is dated February 20.

"Senator MCCARTHY. I don't know what date it is dated, but the transcript was not released until after the distorted version of the testimony given by Zwicker.

"Mr. WILLIAMS. Do you have the rule, there, Mr. de Furia?

"Mr. DE FURIA. Yes, I have the rule, and I would like to have it in evidence, if the chairman please.

"The CHAIRMAN. It will be received" (p. 350 of the hearings).

54. The rules of the Senate Committee on Government Operations, adopted January 14, 1953, provided:

"6. All testimony taken in executive session shall be kept secret and will not be released or used in public session without the approval of a majority of the subcommittee" (p. 352 of the hearings).

55. At that time the subcommittee consisted of seven members (p. 353 of the hearings).

56. During the executive session, Senator MCCARTHY said with reference to General Zwicker: "This is the first fifth-amendment general we've had before us" (p. 451 of the hearings).

57. After the executive session, Senator MCCARTHY said to General Zwicker:

"General, you will be back on Tuesday, and at that time I am going to put you on display and let the American public see what kind of officers we have" (p. 451 of the hearings).

58. The facts concerning Peress' Communist connections were known to General Zwicker's superior officers when he was directed to discharge Peress (p. 492 of the hearings).

59. General Zwicker was not responsible in any way for promoting or discharging Peress and was very much opposed to both (pp. 505 and 506 of the hearings).

60. Major Peress was not in a sensitive position so far as intelligence, or classified information or material was concerned (p. 505 of the hearings).

C. Legal questions involved in this category

The legal questions arising with reference to the incident relating to General Zwicker may be stated briefly as follows:

1. Is there any evidence that General Zwicker was not telling the truth in testifying before Chairman MCCARTHY?

2. Is there any evidence that General Zwicker was intentionally irritating or evasive or arrogant?

3. What is the law governing the treatment of witnesses before congressional committees?

4. Was the conduct of Senator MCCARTHY toward General Zwicker proper under the circumstances?

1. There is no evidence that General Zwicker was not telling the truth in testifying before Chairman MCCARTHY.

We have analyzed carefully the testimony of General Zwicker, of Senator MCCARTHY, and of the other witnesses relating to this question. We have concluded that General Zwicker, when he appeared as a witness before Senator MCCARTHY on February 18, 1954, was a truthful witness. We feel that it was evident that his examination was unfair, and that General Zwicker testified as fully and frankly as he could do, in view of the Presidential and Army directives which restricted his freedom of expression. These directives were known to his examiners, and however much they may have been out of sympathy with the directives, the fact remains that this was no excuse for berating General Zwicker and holding him up to public ridicule.

General Zwicker testified before the select committee. He underwent a vigorous and taxing cross-examination from Senator MCCARTHY'S counsel. A reading of his testimony and examination makes it clear that in no material respect was it necessary for General Zwicker to modify or change his testimony from that given on February 18, 1954, and that the double exposure of his evidence under searching examination revealed no distortion of fact or untruth.

2. There is no evidence that General Zwicker was intentionally irritating, evasive, or arrogant:

General Zwicker was initially examined at the New York hearing by Mr. Cohn, counsel for the subcommittee. It is evident that this examination was mutually courteous and satisfactory. Mr. Juliana and Mr. Anastos, of the staff of the subcommittee, both found General Zwicker to be cooperative and helpful. Even in his examination by Senator MCCARTHY, the record shows that the general was courteous and respectful throughout the hearing. We find in the record no single instance which supports the conclusion that he was intentionally irritating. Some questions General Zwicker refused to answer and in his answers to some of the questions, apparently, he meticulously sought to avoid the disclosure of material or information in the classified personnel file of Peress, or involving intra-Army discussions and policies, which he was under orders not to reveal. It should not have been difficult to meet this situation in a fair and reasonable way. Senator MCCARTHY said he was familiar with the Presidential order and the Army directives. A few moments could have been taken to analyze them, and so frame the questions propounded to the witness as to avoid any difficulty. The insistence that the witness answer long hypothetical questions and questions that are not clear even upon careful inspection and reflection, was much more the source of any resulting irritation on the part of the examiner than any conduct on the part of the witness.

Moreover, when he was before this committee, General Zwicker was subjected to a long and vigorous cross-examination and manifested great patience and candor and a complete lack of any tendency toward arrogance or irritability.

3. The law governing the treatment of witnesses before congressional committees:

The law and precedent on this subject has been stated many times. Senate Document No. 99, 83d Congress, 2d session, 1954, on Congressional Power of Investigation, gives an excellent summary of the law and procedure. Pertinent articles in current legal literature on the subject may be found in American Bar Association Journal, September 1954, at page 763, The Investigating Power of Congress: Its Scope and Limitations; Ohio Bar, August 9, 1954, at page 607, A Comparison of Congressional Investigative Procedures and Judicial Procedures With Reference to the Examination of Witnesses; and Federal Bar Journal, April–June 1954, page 113, Executive Privilege and the Release of Military Records. These articles are mentioned only as a source material and do not necessarily express or contain the views of the select committee.

There are no statutes and few court decisions bearing on the subject (Dimock, Congressional Investigations Committees, p. 153 (1929)). There are few safeguards for the protection of the witness. His treatment usually depends, and must depend, upon the skill and attitude of the chairman and the members. Since an investigation by a committee is not a trial, the committee is under no compulsion to make the hearing public.

We call attention to three cases in the Federal courts discussing this subject. *Barksy* v. *United States* (167 F. (2d) 241 (1948)) was a prosecution for failure to produce records before a congressional committee pursuant to subpena. The court stated at page 250:

"(14–17) Appellants press upon us representations as to the conduct of the congressional committee, critical of its behavior in various respects. Eminent persons have stated similar views. But such matters are not for the courts. We so held in *Townsend* v. *United States*, citing *Hearst* v. *Black*. The remedy for unseemly conduct, if any, by the committees of Congress is for Congress, or for the people; it is political and not judicial. 'It must be remembered that legislatures are ultimate guardians of the liberties and welfare of the people in quite as great a degree as the courts.' The courts have no authority to speak or act upon the conduct by the legislative branch of its own business, so long as the bounds of power and pertinency are not exceeded, and the mere possibility that the power of inquiry may be abused 'affords no ground for denying the power.' The question presented by these contentions must be viewed in the light of the established rule of absolute immunity of governmental officials, congressional and administrative, from liability for damage done by their acts or speech, even though knowingly false or wrong. The basis of so drastic and rigid a rule is the overbalancing

of the individual hurt by the public necessity for untrammeled freedom of legislative and administrative activity, within the respective powers of the legislature and the executive."

In *Townsend* v. *U. S.* (95 F. (2d) 352 (1938)), the defendant was convicted of failure to appear before a congressional committee.

In affirming the conviction, the court said at page 361:

"(14–17) A legislative inquiry may be as broad, as searching, and as exhaustive as is necessary to make effective the constitutional powers of Congress. *McGrain* v. *Daugherty* (273 U. S. 135, 47 S. Ct. 319, 71 L. Ed. 580, 50 A. L. R. 1). A judicial inquiry relates to a case, and the evidence to be admissible must be measured by the narrow limits of the pleadings. A legislative inquiry anticipates all possible cases which may arise thereunder and the evidence admissible must be responsive to the scope of the inquiry, which generally is very broad. Many a witness in a judicial inquiry has, no doubt, been embarrassed and irritated by questions which to him seemed incompetent, irrelevant, immaterial, and impertinent. But that is not a matter for a witness finally to decide. Because a witness could not understand the purpose of cross-examination, he would not be justified in leaving a courtroom. The orderly processes of judicial determination do not permit the exercise of such discretion by a witness. The orderly processes of legislative inquiry require that the committee shall determine such questions for itself. Within the realm of legislative discretion, the exercise of good taste and good judgment in the examination of witnesses must be entrusted to those who have been vested with authority to conduct such investigation. (*Hearst* v. *Black* (66 App. D. C. 313, 87 F. 2d 68).)"

Under these authorities, the Senate alone can review this record and determine, in justice to itself and to General Zwicker, whether the bounds of propriety, consonant with the lawful purpose of the subcommittee's investigation and fair and reasonable standards of senatorial conduct, were transgressed by Senator McCarthy in his examination of the general at New York on February 18, 1954, and later in his testimony before this committee.

The select committee is of the opinion that the very fact that "the exercise of good taste and good judgment" must be entrusted to those who conduct such investigations places upon them the responsibility of upholding the honor of the Senate. If they do not maintain high standards of fair and respectful treatment the dishonor is shared by the entire Senate.

4. The conduct of Senator McCarthy toward General Zwicker was not proper under the circumstances:

In the opinion of this select committee, the conduct of Senator McCarthy toward General Zwicker was not proper. We do not think that this conduct would have been proper in the case of any witness, whether a general or a private citizen, testifying in a similar situation.

Senator McCarthy knew before he called General Zwicker to the stand that the Judge Advocate General of the Army, who was the responsible person under the statutes, had given the opinion that a court-martial of Major Peress would not stand under the applicable regulations and that General Zwicker had been directed by higher authority to issue an honorable discharge to Peress upon his application.

Senator McCarthy knew that General Zwicker was a loyal and outstanding officer who had devoted his life to the service of his country, that General Zwicker was strongly opposed to Communists and their activities, that General Zwicker was cooperative and helpful to the staff of the subcommittee in giving information with reference to Major Peress, that General Zwicker opposed the Peress promotion and opposed the giving to him of an honorable discharge, and that he was testifying under the restrictions of lawful Executive orders.

Under these circumstances, the conduct of Senator McCarthy toward General Zwicker in reprimanding and ridiculing him, in holding him up to public scorn and contumely, and in disclosing the proceedings of the executive session in violation of the rules of his own committee, was inexcusable. Senator McCarthy acted as a critic and judge, upon preconceived and prejudicial notions. He did much to destroy the effectiveness and reputation of a witness who was not in any way responsible for the Peress situation, a situation which we do not in any way condone. The blame should have been placed on the shoulders of those culpable and not attributed publicly to one who had no share in the responsibility.

D. Conclusions

The select committee concludes that the conduct of Senator McCarthy toward General Zwicker was reprehensible, and that for his conduct he should be censured by the Senate.

VI. CHARGES NOT INCLUDED IN THE PUBLIC HEARINGS

Senate Resolution 301 provides that the committee: "shall be authorized to hold hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, and to take such testimony as it deems advisable, and that the committee be instructed to act and make a report."

At the outset of our deliberations, the committee decided, preliminarily, that it was advisable to proceed with hearings upon 13 of the charges in the various proposed amendments, classified into the five major categories outlined in the notice of hearing. The other charges, however, remained pending before the committee and its staff. We have studied them in the light of the law and testimony developed in the hearings and have also investigated the evidence suggested in the charges. The committee thereafter confirmed its tentative decision not to conduct hearings on these other items. The committee believes it desirable under the resolution from which its powers and duties stem, to express its reasons for determining that formal hearings need not be conducted on these remaining charges.

The committee eliminated some of the charges for reasons of legal insufficiency, having concluded that the particular conduct charged was not in its judgment a proper basis for Senate censure. The determination of what constituted "legal insufficiency" in the context of a charge intended to support a proposed motion to censure a Member of the United States Senate was the most difficult task imposed upon this committee. No precedents found by the committee were particularly helpful in connection with this task. The path is narrow and the guideposts few.

Only three Senators have previously been censured by the Senate. Two, Senators McLaurin and Tillman, in 1902, for abusive and provocative language and engaging in a physical altercation on the floor of the Senate. The third, Senator Hiram Bingham, was censured in 1929 for having brought into an executive session of the Finance Committee's meeting on the tariff bill, as his aide, the assistant to the president of the Connecticut Manufacturers Association. The Senate found this action by Senator Bingham, "while not the result of corrupt motives" to be "contrary to good morals and senatorial ethics * * * (tending) * * * to bring the Senate into dishonor and disrepute * * *. The very paucity of precedents tends to establish the importance placed by the Senate on its machinery of censure.

Obviously, with such limited precedents the task of this committee in undertaking to determine what is and what is not censurable conduct by a United States Senator was indeed formidable. Individuals differ in their view and sensitivities respecting the propriety or impropriety of many types of conduct. Especially is this true when the conduct and its background present so many complexities and shadings of interpretations. Moreover, it is fairly obvious that conduct may be distasteful and less than proper, and yet not constitute censurable behavior.

We begin with the premise that the Senate of the United States is a responsible political body, important in the maintenance of our free institutions. Its Members are expected to conduct themselves with a proper respect for the principles of ethics and morality, for senatorial customs based on tradition, and with due regard for the importance of maintaining the good reputation of the Senate as the highest legislative body in the Nation, sharing constitutional responsibilities with the President in the appointment of officials and judges through advice and confirmation and participating in the conduct of foreign affairs through the ratification of treaties.

At the same time we are cognizant that the Senate as a political body imposes a multitude of responsibilities and duties on its Members which create great strains and stresses. We are further aware that individual Senators may, within the bounds of political propriety, adopt different methods of discharging their responsibilities to the people.

We did not, and clearly could not, undertake here to establish any fixed, comprehensive code of noncensurable conduct for Members of the United States Senate. We did apply our collective judgment to the specific conduct charged, and in some instances to the way a charge was made and the nature of the evidence preferred in support of it. And on the basis of the precedents and our understanding of what might be deemed censurable conduct in these circumstances, we determined whether, if a particular charge were established, we would consider it conduct warranting the censure of the Senate.

In concluding that certain of the charges dropped were legally insufficient for Senate censure, we do not want to be understood as saying that this committee approves of the conduct alleged. Yet disapproval of conduct does not necessarily call for official Senate censure.

The decision to eliminate any of the charges was arrived at only following extremely careful and thorough consideration. Unquestionably, one consideration underlying the elimination of these charges was the overall time factor. Under Senate Resolution 301 the select committee was directed by the Senate to hold its hearings and file its report prior to the sine die adjournment of the Senate in the 2d session of the then 83d Congress. And it was expressly contemplated that the Senate should be able to meet and consider such report at an appropriate time prior to such adjournment.

In order to abide by this direction and conform to such purpose it was necessary to narrow and confine the scope of its deliberations, and particularly of its formal hearings. The committee's study developed 12 major reasons which, singly or cumulatively, led to the elimination of these other charges from the committee's formal hearings. Only a few of these reasons, in addition to the ground of legal insufficiency, involved the passing of judgment upon the merits of any particular charge. The other reasons deal with the feasibility of the committee's attempting to investigate, document, and receive suitable testimonial evidence upon such specifications.

We set forth here the 12 general grounds upon which the other charges were dropped. Following that will be set forth, and appropriately identified, each charge eliminated, with the reasons for the omission of that particular charge indicated by a number or numbers in the right margin of the page. The numbers in the right margin correspond to the numbers of the 12 reasons for eliminating charges.

The 12 reasons applied as appropriate for eliminating particular charges are—

1. Charges which, even if fully supported and established, would not in the judgment of the committee constitute censurable conduct.

2. Charges which, even if fully supported and established after investigation, would in the judgment of the committee be of doubtful validity as a basis for censure.

3. Charges which are too vague and uncertain, or which were too broad in apparent scope to justify formal hearings by the committee.

4. Charges reflecting largely personal opinion rather than delineating specific, concrete conduct upon which a judgment of censure could properly be based.

5. Charges which, in order to determine properly, would have required more time to investigate, document, and take testimony upon, than was practically available to this committee.

6. Charges which were substantially covered or duplicated by other charges upon which the committee actually held hearings and received evidence.

7. Charges concerning statements made on the floor of the Senate about public officials, with which statements we may disagree, but which, if held censurable, would tend to place unwarranted limitations on the freedom of speech in the Senate of the United States.

8. Charges involving such matters as the receipt by a member of a committee of payments not corresponding to the value of services rendered, from persons subject to the jurisdiction of such committee (which might be reprehensible if true, because of some implication of improper influence), but which the committee believed were not susceptible of satisfactory proof in this forum.

9. Charges of improper treatment of a particular committee witness who is presently undergoing confidential security investigation by the executive department.

10. Charges involving misconduct of the staff of a standing committee of the Senate, over which that committee as a whole has jurisdiction and primary responsibility.

11. Charges concerning matters over which other committees have already acquired jurisdiction.

12. Charges on which no substantial evidence was submitted and none could be found by the committee.

	Reason why eliminated
The charges eliminated, and the reasons therefore, are:	
Amendments proposed by the Senator from Arkansas, Mr. FULBRIGHT:	
"(1) The junior Senator from Wisconsin, while a member of the committee having jurisdiction over the affairs of the Lustron Co., a corporation financed by Government money, received $10,000 without rendering services of comparable value.	8
"(2) In public hearings, before the Senate Permanent Investigations Subcommittee, of which he was chairman, the junior Senator from Wisconsin strongly implied that Annie Lee Moss was known to be a member of the Communist Party and that if she testified she would perjure herself, before he had given her an opportunity to testify in her own behalf.	9
"(6) The junior Senator from Wisconsin in a speech on June 14, 1951, without proof or other justification made an unwarranted attack upon Gen. George C. Marshall."	7
Amendments proposed by the Senator from Oregon, Mr. MORSE:	
"(f) Attempted to invade the constitutional power of the President of the United States to conduct the foreign relations of the United States by carrying on negotiations with certain Greek shipowners in respect to foreign trade policies, even though the executive branch of our Government had a few weeks previously entered into an understanding with the Greek Government in respect to banning the flow of strategic materials to Communist countries; and	2, 3
"(g) Permitted and ratified over a period of several months in 1953 and 1954 the abuse of senatorial privilege by Mr. Roy Cohn, chief counsel to the Permanent Investigations Subcommittee of the Senate Committee on Government Operations of which committee and subcommittee the junior Senator from Wisconsin is chairman, Mr. Cohn's abuse having been directed toward attempting to secure preferential treatment for Pvt. David Schine by the Department of the Army, at a time when the Army was under investigation by the committee.	10
Amendments proposed by the Senator from Vermont, Mr. FLANDERS:	
"(1) He has retained and/or accredited staff personnel whose reputations are in question and whose backgrounds would tend to indicate untrustworthiness (Surine, Lavenia, J. B. Matthews).	4, 5
"(2) He has permitted his staff to conduct itself in a presumptuous manner. His counsel and his consultant (Messrs. Cohn and Schine) have been insolent to other Senators, discourteous to the public, and discreditable to the Senate. His counsel and consultant traveled abroad making a spectacle of themselves and brought discredit upon the Senate of the United States, whose employees they were.	4, 5, 10
"(3) He has conducted his committee in such a slovenly and unprofessional way that cases of mistaken identities have resulted in grievous hardship or have made his committee, and thereby the Senate, appear ridiculous. (Annie Lee Moss, Lawrence W. Parrish, subpenaed and brought to Washington instead of Lawrence T. Parish).	3, 4, 10
"(4) He has proclaimed publicly his intention to subpena citizens of good reputation, and then never called them. (Gen. Telford Taylor, William P. Bundy, former President Truman, Reporters Marder, Joseph Alsop, Friendly, Bigart, Philip Potter.)	1
"(5) He has repeatedly used verbal subpenas of questionable legality. (Tried to prevent State Department granting visa to William P. Bundy on ground that he was under 'oral subpena.')	2, 5
"(6) He has attempted to intimidate the press and single out individual journalists who have been critical of him or whose reports he has regarded with disfavor, and either threatened them with subpena or forced them to testify in such a manner as to raise the possibility of a breach of the first amendment of the Constitution. (Murrey Marder of Washington Post, the Alsops, James Wechsler.)	4, 5
"(7) He has attempted 'economic coercion' against the press and radio, particularly the case of Time magazine, the Milwaukee Journal, and the Madison Capital Times. (On June 16, 1952, MCCARTHY sent letters to advertisers in Time magazine, urging them to withdraw their advertisements.)	2, 3, 5
"(8) He has permitted the staff to investigate at least one of his fellow Senators (JACKSON) and possibly numerous Senators. Such material has been reserved with the obvious intention of coercing the other Senator or Senators to submit to his will, or for the purpose of inhibiting them from expressing themselves critically. (Cohn said he would "get" Senator JACKSON)— Washington News, June 14, 1954.	4, 10
"(9) He has posed as savior of his country from communism, yet the Department of Justice reported that MCCARTHY never turned over for prosecution a single case against any of his alleged Communists. (The Justice Department report of December 18, 1951.) Since that date not a single person has been tried for Communist activities as a result of information supplied by MCCARTHY.	1
"(11) He has used distortion and innuendo to attack the reputations of the following citizens: Former President Truman, Gen. George Marshall, Attorney General Brownell, John J. McCloy, Ambassador Charles E. Bohlen, Senator Raymond Baldwin, former Assistant Secretary of Defense Anna Rosenberg, Philip Jessup, Marquis Childs, Richard L. Strout of the Christian Science Monitor, Gen. Telford Taylor, and the three national press associations.	3, 4, 5
"(12) He has disclosed restricted security information in possible violation of the espionage law. (MCCARTHY has made public portions of an Army Intelligence study, Soviet Siberia, which compelled the Army to declassify and release the entire document.)	4, 6, 12
"(15) He has used his official position to fix the Communist label upon all individuals and newspapers as might legitimately disagree with him or refuse to acknowledge him as the unique leader in the fight against subversion. (Deliberate slips such as calling Adlai Stevenson "Alger"; saying that the American Civil Liberties Union had been "listed" as doing the work of the Communist Party; calling the Milwaukee Journal and Washington Post local "editions of the Daily Worker.")	3, 4, 5
"(16) He has attempted to usurp the functions of the executive department by having his staff negotiate agreements with a group of ship owners in London; and has infringed upon functions of the State Department, claiming that he was acting in the "national interest."	2, 3, 5
"(18) He has made false claims about alleged wounds which in fact he did not suffer. (Claims he was a tailgunner when, in fact, he was a Marine Air Force Ground Intelligence officer * * * claims he entered as buck private, when he entered as commissioned officer.)	1
"(19) His rude and ruthless disregard of the rights of other Senators	2

	Reason why eliminated
has gone to the point where the entire minority membership of the Permanent Investigating Subcommittee resigned from the committee in protest against his highhandedness (July 10, 1953).	
"(20) He has intruded upon the prerogative of the executive branch, violating the constitutional principles of separation of powers. (Within a single week (February 14–20, 1953) McCARTHY's activities against the Voice of America forced the State Department three times to reverse administrative decisions on matters normally considered internal operating procedures.	3
"((1) The Department had authorized the use of certain writings by pro-Communist authors as part of their program to expose Communist lies and false promises. McCARTHY compelled the State Department to discontinue this practice; (2) the Department authorized its employees to refuse to talk with McCARTHY's staff in the absence of McCARTHY himself. It was compelled to cancel this directive; and (3) John Matson, a departmental security agent who had 'cooperated' with McCARTHY, was transferred so as to be put out of reach of the Department's confidential files. McCARTHY compelled the Department to return Matson to his original position.)	
"(21) He has infringed upon the jurisdiction of other Senate committees, invading the area of the Internal Security Subcommittee and other committees of the Congress.	1, 3
"(22) He has failed to perform the solid and useful duties of the Government Operations Committee, abandoning the legitimate and vital functions of this committee.	3
"(23) He has held executive sessions in an apparent attempt to prevent the press from getting an accurate account of the testimony of witnesses, and then released his own versions of that testimony, often at variance with the subsequently revealed transcripts, and under circumstances in which the witness had little opportunity to correct or object to his version.	3, 4, 5
"(24) He has questioned adverse witnesses in public session in such a manner as to defame loyal and valuable public servants, whose own testimony he failed to get beforehand, and whom he never provided a comparable opportunity for answering the charges.	3, 5
"(25) He has barred the press and general public from executive sessions and then permitted unauthorized persons whom his whim favored to attend, in one case, a class of schoolgirls, thus holding the very principle of executive sessions up to ridicule.	3
"(26) His conduct has caused and permitted his subcommittee to be incomplete or incapacitated in its normal work for approximately 40 percent of the time that he has been its chairman. (During his 19 months as chairman of the subcommittee, his refusal to recognize their rights—later acknowledged by him—caused the minority members to leave the subcommittee on July 10, 1953, and they did not return until January 25, 1954. His personally motivated quarrel with the United States Army necessitated the interruption of the subcommittee's work and its exclusive preoccupation with the Army-McCarthy hearings from April 22, 1954, to June 17, 1954.)	2, 4, 10
"(27) He has publicly threatened publications with the withdrawal of their second-class mailing privilege because he disagreed with their editorial policy (Washington Post, Wall Street Journal, Time magazine). Letter to Postmaster General Summerfield made public August 22, 1953. See Washington Post, August 23, 1953.	12
"(28) He has exploited his committee chairmanship to disseminate fantastic and unverified claims for the obvious purpose of publicity. (McCARTHY's hint that he was in secret communication with Lavrenti P. Beria and would produce him as a witness when Beria was on the verge of execution in Moscow.) Washington News, September 21, 1953 (announcement of plan to subpena Beria).	2
"(29) He has denied Members of Congress access to the files of the committee, to which every Member of Congress is entitled under the Reorganization Act (title II, sec. 202, par. d).	3, 11
"(31) He has announced investigations prematurely, subsequently dropping these investigations so that the question whether there was ever any serious intent to pursue them may be justifiably raised, along with the inevitable conclusion that publicity was the only purpose (Central Intelligence Agency, Beria, etc.).	3
"(32) Checking through hearings, one will note that favorable material submitted by witnesses will usually have the notation 'May be found in the files of the subcommittee,' whereas unfavorable material is printed in the record.	3, 4, 5
"(33) He has permitted changing of committee reports and records in such a way as to substantially change or delete vital meanings. (Senator MARGARET CHASE SMITH felt compelled to object to the filing of his 1952 subcommittee reports without their first being sent through the full committee.)"	3

VII. BUSH AMENDMENT

Senate Resolution 301 submitted to the select committee for consideration contains not only the charges for censure, but also contains the amendment proposed by the Senator from Connecticut, Mr. BUSH, in regard to proposed changes in rules and procedure for Senate committees.

The select committee is aware of the fact that the Subcommittee on Rules of the Senate Committee on Rules and Administration has held extensive hearings on this subject.

Many witnesses appeared before that subcommittee, including Senator BUSH, and we are advised that this committee expects to have a report ready for the opening of the next session of Congress.

It is the firm conviction of the select committee that this is a subject which requires much study before affirmative action is taken on a general change in the rules and procedure of committees and subcommittees of the Senate. However, after hearing the evidance and the testimony presented at the hearing before our committee, we are of the opinion that had certain rules of committee procedure been in effect, much of the criticism against investigative committee hearings would have been avoided. For this reason, we report a separate resolution on the subject of the Bush amendment, to read as follows:

"*Resolved*, That subsection 3 of rule XXV of the Standing Rules of the Senate is amended by adding at the end thereof the following:

"'(c) No witness shall be required to testify before a committee or subcommittee with less than 2 members present, unless the committee or subcommittee by majority vote agrees that 1 member may hold the hearing, or the witness waives any objection to testifying before 1 member.

"'(d) Committee interrogation of witnesses shall be conducted only by members and authorized staff personnel of the committee and no person shall be employed or assigned to investigate activities until approved by the committee.

"'(e) No testimony taken or material presented in an executive session shall be made public, either in whole or in part or by way of summary, unless authorized by majority vote of the committee.

"'(f) Vouchers covering expenditures of any investigating committee shall be accompanied by a statement signed by the chairman that the investigation was duly authorized and conducted under the provisions of this rule'."

And we recommend that this amendment to the rules be approved by the Senate to be effective January 3, 1955.

VIII. RECOMMENDATIONS OF SELECT COMMITTEE UNDER SENATE ORDER PURSUANT TO SENATE RESOLUTION 301

For the reasons and on the facts found in this report, the select committee recommends:

1. That on the charges in the category of "Incidents of Contempt of the Senate or a Senatorial Committee," the Senator from Wisconsin, Mr. McCARTHY, should be censured.

2. That the charges in the category of "Incidents of Encouragement of United States Employees To Violate the Law and Their Oaths of Office or Executive Orders," do not, under all the evidence, justify a resolution of censure.

3. That the charges in the category of "Incidents Involving Receipt or Use of Confidential or Classified or Other Confidential Information From Executive Files," do not, under all evidence, justify a resolution of censure.

4. That the charges in the category of "Incidents Involving Abuse of Colleagues in the Senate," except as to those dealt with in the first category, do not, under all the evidence, justify a resolution of censure.

5. That on the charges in the category of "Incident Relating to Ralph W. Zwicker, a General Officer of the Army of the United States," the Senator from Wisconsin, Mr. McCARTHY, should be censured.

6. That with reference to the amendment to Senate Resolution 301 offered by the Senator from New Jersey, Mr. SMITH, this report and the recommendations herein be regarded as having met the purposes of said amendment.

7. That with reference to the amendment to Senate Resolution 301 offered by the Senator from Connecticut, Mr. BUSH, that an amendment to the Senate Rules be adopted in accord with the language proposed in part VII of this report.

The chairman of the select committee is authorized in behalf of the committee to present to the Senate appropriate resolutions to give effect to the foregoing recommendations.

[From the U. S. News & World Report of October 8, 1954]

WE'VE BEEN ASKED: THE MEANING OF CENSURE

(The proposal to censure Senator McCARTHY raises questions of what a vote of censure means. Does a censured Congressman lose his seat? Are other privileges taken from him? History shows that few Senators have been rebuked by censure; more have been expelled outright.)

What does the censure of a Senator mean? It means that he is criticized and reprimanded for some act of his. It takes a majority vote of the Senate to censure.

Must a Senator get out of the Senate if he is censured? In the past, censured Senators have been allowed to keep their seats, sometimes after apologies. It would be possible, however, for the Senate to expel a Member along with a vote of censure. (This is not proposed in the case concerning Senator JOSEPH R. MCCARTHY.)

Does censure bring any loss of privileges at all? It has not in the past. Under the Constitution, however, the Senate has almost unlimited power to punish a Member. It could, for example, remove a censured Member from chairmanship of a committee. But such penalties have not followed Senate votes of censure.

Under what clause of the Constitution is censure voted? Article I, section 5, says: "Each House may * * * punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member." (The word "censure" is not used.)

Can a Senator get a court review of a vote to censure? No. Neither the Supreme Court nor other courts have a right to review a vote of censure by Congress.

When a Senator is censured, is he given a public rebuke? No, that is not the procedure. The vote itself, carrying a censure, is the end of the matter insofar as punishment of the Senator is concerned. That is the procedure followed in past cases, but there are few precedents for handling the censuring of Senators.

How many Senators have been censured? Only three. But the censure has been used more frequently as a reprimand in the House of Representatives.

Who has been censured by the Senate? Two Democrats from South Carolina were the first to be censured by the Senate, in 1902. This followed a fist fight on the floor between Senator Benjamin R. Tillman and Senator John L. McLaurin, after Mr. McLaurin accused Mr. Tillman of "a willful, malicious, and deliberate lie." Both Senators were censured and, after apologies, allowed to remain in the Senate.

The other Senator rebuked by censure was Hiram Bingham, Republican, of Connecticut, in 1929. He was censured for hiring a paid lobbyist to join the staff of a subcommittee and allowing him to sit in on closed meetings of the subcommittee which was considering tariff legislation.

Have some Senators been expelled, too? Yes, 16 Senators have been expelled from the Senate, beginning with Senator William Blount, of Tennessee, who was dismissed in 1797 for high misdemeanor approaching treason. Most of the others were dropped for their Southern sympathy or support during the early days of the Civil War. No Senator has been expelled since 1862, though efforts have been made to remove some since then.

What about the censure proposal for Senator MCCARTHY? Does that differ from earlier cases? Yes. For the first time, in the McCarthy case, a move is being made to censure a Senator for the way he conducted an investigation and for refusal to testify before a subcommittee. These points involve charges of abuse in the questioning of a witness before the McCarthy committee and of contempt in not appearing before a Senate subcommittee to answer accusations filed against him. The McCarthy case thus expands the grounds for censure proceedings.

[From the U. S. News & World Report of October 8, 1954]

FORGET IT'S MCCARTHY—REMEMBER THE CONSTITUTION

(By David Lawrence)

Certainly a Senator is guilty of bad manners when he denounces a witness who is evasive in testifying before a congressional committee.

Certainly a Senator is intemperate when he denounces a fellow Senator who has provoked him.

Certainly a Senator uses poor judgment when he sends bitterly worded replies to letters from a Senate committee which has invited him to testify, even if he regards its hearings as a political smear.

But—and here's the crux of the entire case—not a single statement or charge made in the report issued last week by the committee headed by Senator WATKINS, of Utah, affords constitutional justification for punishing any United States Senator now or hereafter.

The Constitution makes no reference at all to "censure," but specifically says that each House of Congress "may punish its members for disorderly behavior."

Crimes of the mind, however, are not crimes of the hand. Censure cases in the past have primarily concerned physical acts—fist fights in the heat of Senate debate. Neither contemptuous language nor a contemptuous "manner of expression" by a Senator is legal contempt of the Senate.

Drastic treatment in cross-examination of a recalcitrant witness was vigorously defended in 1936 by Senator Hugo Black, of Alabama, Democrat, then chairman of a Senate investigating committee and now a Justice of the Supreme Court of the United States. The right to excoriate fellow Members off the floor of Congress has always been held to be a prerogative of Members of Congress in political campaigning.

If the censure motion is approved by the Senate, the cause of freedom of speech will suffer a setback in the legislatures of the world. It will change the nature of the United States Senate. It will make of it a body in which minority rights hereafter will always be at the mercy of an intolerant majority.

The Watkins report points to an alleged act of impropriety in 1952—a refusal by the Senator in question to accept an invitation extended to him by a previous committee to testify on his personal finances. There's nothing in the records to justify the failure of that committee to issue a subpena, which the same Senator repeatedly had said he would honor.

Also, the Department of Justice and the Internal Revenue Service, under the present and preceding administrations, have not found any violations of law by the Senator in connection with his personal finances or his use of funds to fight communism. Has it not been argued often that to ferret out violations of law is primarily an executive and not a legislative function?

The Watkins committee says, however, that an invitation by the previous committee requesting the Senator to testify should have been enough. But is that law, or is it a new code of senatorial etiquette never before proclaimed in the Senate's own rules or precedents?

Back in 1929 and 1930 a demagogue from Alabama, the late Senator Heflin, vilified the Catholic Church, the Pope and the Vatican, and Americans of Catholic faith, in tirade after tirade, on the floor of the Senate. No Senator moved a vote of censure.

Likewise, in 1918 in the midst of war, the late Senator La Follette, Sr., made a speech denouncing the war and virtually inciting the populace not to allow their sons to be drafted. A Senate committee considered censure but refused to recommend it.

Both these instances of contemptuous speech are examples of what the late Justice Oliver Wendell Holmes of the Supreme Court of the United States, a great liberal, meant when he defined the freedom of speech guaranteed in our Constitution as "freedom for the thought we hate."

That's the acid test today, too. Are we true liberals, or are we totalitarians? If we are believers in "a government of laws and not of men," the Watkins report should be rejected by the Senate.

As a substitute motion, the Senate Committee on Rules—which for many months has been taking testimony on the subject of the procedure and methods of congressional investigating committees—should be directed to bring in a report defining what is or is not permissible in examining witnesses and what is or is not the proper procedure in obtaining testimony from Senators or Representatives themselves.

Congressional history is replete with instances of a refusal by Members to accept invitations to testify before investigating committees. It is regrettable that the Watkins committee declined to allow the evidence on this point to be introduced into the record.

Let's not legislate retroactively on any Senator. The Constitution says no ex post facto law shall be adopted. This means that no statute or rule shall punish any citizen or any Member of Congress for any past action which at the time was not a prohibited offense.

Let's forget it's MCCARTHY, and remember the Constitution.

[From U. S. News & World Report of October 22, 1954]

CENSURE FOR THE SENATE

(By David Lawrence)

A sensational revelation—disclosing a grave lack of security inside the executive branch of the Government of the United States—has just been made.

Joseph S. Petersen, Jr., a scientist specializing in physics and mathematics, has been arrested and formally charged with having in his possession—outside his office in the Government—secret documents of the highest importance. Our Government knows they were transmitted to a friendly government in Europe. The papers were then passed on to Moscow presumably by an agent planted in one of the offices abroad of that friendly government, which itself is now astounded and embarrassed by what has happened.

For nearly 5 years—from March 1948 to December 1952—documents of a top-secret nature were taken out of the National Security Agency by Professor Petersen, an employee, and used, as the Department of Justice now charges, with the intent to injure the United States.

The damage done by this leakage is incalculable. An attorney from the Department of Justice told the court that the far-reaching extent of the injury to the United States may not be known for several years.

The National Security Agency—which is not to be confused with the National Security Council—is a hush-hush operation wholly inside the Department of Defense. It is under Army jurisdiction. It is engaged in studying ciphers and developing codes. It is vested with the duty of protecting the secret communications of the United States Government.

As a consequence of this laxity, it may be asked, how much has Moscow been reading of our secret messages as they passed in code from Washington to telegraph and radio offices in other countries—messages to and from our embassies and messages containing vital facts about our Army, Navy and Air Force, and about the location of our atom-bomb piles abroad?

The truth is that, despite all the recent debate about running subversives out of the Government, there still are weaknesses in our security system.

Each governmental department or agency is, for example, the final judge of its own security setup.

There is no overall check and supervision from the standpoint of efficiency and followup.

No Governmentwide system to evaluate on a professional basis the derogatory information gathered about Government personnel has yet been established.

Too much attention has been given to the smokescreen raised by the leftwingers about protecting individual rights and too little time has been spent investigating the security techniques of each department.

The Army seems particularly vulnerable. To this day the public doesn't know the truth about the breakdowns of security at Fort Monmouth, N. J., where new radar devices were being developed for use in intercepting enemy bombers.

To this day we don't know who in the Army promoted Dr. Peress to be a major and who sat on the boards which failed to dismiss him as a security risk.

To this day we don't know why the recommendations made months ago by officers in the Army urging a cleanup at Fort Monmouth were so long disregarded.

It is the duty and responsibility of Congress, and particularly of the Senate, of the United States to check up on governmental operations of this kind.

Why, therefore, did a Senate committee spend nearly 3 months on trivialities such as the Cohn-Schine case, when there were serious deficiencies in our whole security system that need to be investigated by that same Permanent Subcommittee on Investigations of the Senate Committee on Government Operations?

The record shows that the Senate itself has been preoccupied with petty controversies over the intemperate remarks and bad manners of a Senator but has allowed a system to remain which lets our topmost secrets fall into the hands of our enemies.

The Senate is to convene in special session on November 8. It has no more important job to do than to insist that its committees be given full information by every Government agency as to the procedures in use and the reasons why Government personnel who must handle secret documents are not checked and double-checked periodically by a competent board.

The Petersen case is a shocking affair. It brings into disrepute the honor of the Government itself. It is a shameful neglect of the public interest. It is contemptuous of the American people.

Censure in the court of public opinion must be visited upon that large number of Senators who, by their diversionary acts, have actually "obstructed the legislative process." For they have unwittingly blocked the work of the very committee charged with the all-important duty of investigating governmental operations—particularly our security system itself.

The issue is more important than the individual behavior of any Senator. It involves a means of protecting the safety of the United States from the espionage of the Communists—a matter of the highest priority for the American people.

[From the U. S. News & World Report of October 29, 1954]

SHALL THE SENATE DESTROY ITSELF?

(By David Lawrence)

The United States Senate is about to convene in special session to consider a report made by a select committee of six members, headed by Senator WATKINS, of Utah, Republican. The report recommends that on three points Senator JOSEPH R. MCCARTHY, of Wisconsin, be censured.

The proposed action is unprecedented in the entire history of the Senate.

There have been three cases in the past in which censure has been voted. Two of them involved physical behavior—fist fights on the floor of the Senate—and the third was concerned with the ineligibility of a member of a Senator's own staff to attend executive sessions of the committee over which the Senator in question presided as chairman.

While the Constitution specifically grants to the Senate the power to punish its Members for disorderly behavior, there has been no censure ever voted for disorderly speeches or statements of individual Senators. Before the Watkins committee report was submitted, there had never been offered in the Senate such a proposal to curtail freedom of speech.

The Senate, of course, can adopt any new rules that it pleases. But never in the past has the Senate sought by ex post facto action to apply retroactively any new rule or code of behavior. To do so violates the spirit as well as the letter of the Constitution. It is not dislike of a man which is the issue, but a procedure that will affect our system of government for generations to come. It is of transcendent importance to the preservation of the freedom of the Senate itself to examine the basis for the most unusual action now recommended.

One of the startling conclusions of the Watkins committee reads as follows:

"From an examination and study of all available precedents, the select committee is of the opinion that the Senate has the power, under the circumstances of this case, to elect to censure Senator MCCARTHY for conduct occurring during his prior term in the Senate, should it deem such conduct censurable."

USURPING CENSURE POWER

But no Senator has ever been censured—or punished in any other way—for conduct as a Senator occurring in a prior term. The committee acknowledges this point, yet proceeds nevertheless to usurp the power to censure as it says:

"While it may be the law that one who is not a Member of the Senate may not be punished for contempt of the Senate at a preceding session, this is no basis for declaring that the Senate may not censure one of its own Members for conduct antedating that session, and no controlling authority or precedent has been cited for such position."

Nor is any "controlling authority or precedent" cited in the report to sustain the committee's position. For it may be stated with equal positiveness that, since a Senator may not be punished for legal contempt committed at a previous session, he cannot be legally censured either for what he did in a prior term.

The Watkins committee naively comments that, since the Hennings committee report containing various charges against Senator MCCARTHY "was filed on January 2, 1953, and since the new Congress convened the next day, there was not time for action in the prior session." Yet the Hennings committee had the matter under consideration more than 16 months. Would the Supreme Court of the United States uphold a prosecutor who claimed he "just didn't have time" to bring a case prior to the expiration of the "statute of limitations"?

There are several Senators whose conduct prior to their terms of office has been questioned in their respective States. If the Watkins committee report is adopted, the Senate will be in duty bound now to follow the new precedent, or else admit the charge that so many people are making—namely, that this is a case of persecution of one Senator who happens to be fighting communism. For why has the power of "censure" never been invoked in comparable cases against anybody else? Also, why did the Watkins committee refuse at its hearings to receive evidence on similar conduct by other Senators?

ELECTION MAKES CHARGES MOOT

Even more arbitrary is the bold effort of the Watkins committee to deprive the people of the States of the Union of the right to pass judgment themselves at the polls on political charges made against their Senators.

The Watkins committee indeed has ruled, in effect, that, when a Senator is elected by the people of a State, the Senate of the United States—entirely apart from an examination of possible fraud or taint in an election—may inquire into the previous behavior of a Senator and "censure" him for any reason which political feeling or prejudice may have inspired.

This is an intolerant position which no fairminded person in the Senate can justly defend. To accept such a rule is to amend the Constitution itself, and to do so without permitting the people of the States to have a voice in the making of such a change. This recommendation by the Watkins committee is itself contemptuous of the rights of the American people.

The argument is made by the committee that the Senate "can pass judgment upon conduct which is injurious to its processes, dignity, and official committees." But it is not explained how any injury to the "processes, dignity, and official committees" of the Senate can be committed by someone prior to the time he was elected for his current term.

Obviously, the occasion for raising such an issue is during the term of the Senator in question, and not when the people of his own State, after hearing the nature of the charges in a political campaign, have ..evertheless elected him.

The Watkins committee is, in fact, contradicted on this point by the very words of the document which played so large a part in bringing about the "censure" proceedings—namely, the report by the Senate Subcommittee on Privileges and Elections, headed by Senator HENNINGS of Missouri, Democrat. At the end of its final report—the one it filed on January 2, 1953—was this "addendum":

"However, because of a lack of continuity in the committee membership and delays beyond the control of the present membership of the committee, its preparation has given us great concern as a number of its aspects have become moot by reason of the 1952 election. Such facts therein as were known to the people of the States particularly affected have been passed upon by the people themselves in the election."

All the important issues in the Hennings committee report were published in the press before or during the campaign and were passed upon by the people of Wisconsin when they reelected Senator MCCARTHY in November 1952. Since also the facts themselves relate to incidents which occurred prior to the election, the charges therefore have become moot.

There were two minor incidents which did occur after the November 1952 election and which were properly the subject of examination by the Watkins committee. One was a refusal by Senator MCCARTHY of a written invitation to testify sent him on November 21, 1952. Incidentally, this was the first formal invitation to testify ever sent to Mr. MCCARTHY by instruction of the Hennings committee during its 16 months of life. The Watkins committee says in its report that it accepts as a fact that this particular invitation was not personally received by the Wisconsin Senator in time for the meeting date specified. But the Hennings committee has never explained why it did not then set another date for a hearing. The other point concerned a "denunciatory" letter written by Senator MCCARTHY and dated December 1, 1952, in which he charged that the Hennings committee had impugned his honesty and integrity without evidence to support its charge. He declared, moreover, that the committee was politically motivated.

But the Watkins committee concedes that "similar language" was used in Senator MCCARTHY's letters denouncing the committee

which were published long before the 1952 election in Wisconsin.

M'CARTHY CREDENTIALS ACCEPTED

The Watkins committee argues repeatedly the right of the Senate to disregard the votes of the people of a sovereign State. It says:

"The reelection of Senator McCarthy in 1952 did not settle these matters. This question is answered in part by our conclusions that the Senate is a continuing body and has power to censure a Senator for conduct occurring during his prior term as a Senator, and in part by the fact that some of the contumacious conduct occurred after his reelection, notably the letter of December 1, 1952. The Senate might have proceeded with this matter in 1953 or earlier in 1954 had the necessary resolution been proposed.

"Some of the questions, notably the use for private purposes of funds contributed for fighting communism, were not raised until after the election. The people of Wisconsin could pass only upon what was known to them."

The time to have challenged Senator McCarthy on all these issues, however, was on the afternoon of January 3, 1953, as he was about to take the oath of office for his second term in the Senate. He had declared at the time in a public statement that if anybody wished to question his right to take a seat, the time to do it was then. The very Members of the Senate who 18 months later proposed "censure" charges were present at the session at which the credentials of Senator McCarthy were offered and accepted by the Senate.

The Senate really knew through the press before January 3, 1953, all the charges, insinuations, and allegations in the case. The enemies of Senator McCarthy had leveled all kinds of accusations at him in that campaign.

Certainly if the Wisconsin Senator were not qualified for admission to a new term, or if there was anything about his conduct that required further examination, it was the duty of the Senate, when it convened at noon on January 3, 1953, to ask him to step aside while it adopted the necessary procedure then and there to settle the question of whether or not he had acted with propriety.

SENATOR-ELECT NOT "CONTINUING" MEMBER

The Watkins committee pointedly characterizes the Senate as a "continuing body." This, however, can refer, when the Senate reconvenes, only to those Senators whose terms have not expired. The Constitution declares spescifically that the 6-year term of a Senator shall "end" at noon on January 3 of the year set for the assembling of each new Congress. By no stretch of legal reasoning can anybody be considered a "continuing" Member of the United States Senate whose term has ended or whose credentials as a Senator-elect have not yet been duly accepted by the Senate.

The Watkins committee holds as a basis of censure in 1954 that the Wisconsin Senator declined to appear in person in 1951 and 1952 before the Hennings committee to testify on charges made against him. But he did testify on other matters before the same committee on July 3, 1952, and could have been questioned that day on anything the committee chose to ask him.

The Wisconsin Senator, of course, did answer the committee again and again in writing, and categorically denied the truth of the specific charges concerning his personal affairs.

The Watkins committee, moreover, admits that at no time did the Hennings committee issue a subpena, but says that a mere written request to testify should have been enough. Is that, however, in accord with precedent? How many cases have there been in which United States Senators who were merely "invited" to testify have declined to do so?

In all fairness, the Senate should make public now the names of those Senators who even in recent months have for various reasons declined to testify before a Senate committee in response to its invitations.

It is argued, of course, that in the case of Senator McCarthy the issue was related to his personal conduct and personal finances. But so far as the Senate is concerned—if these are to be the new rules—it does not matter what the basis for the request happens to be. For the Watkins committee plainly implies that a United States Senator must respond to an invitation to testify, irrespective of the subject matter under consideration.

IS AN INVITATION VALID?

If it be conceded that the Senate, on the other hand, does have the right to inquire into the behavior of a Senator in a prior term, an examination of the legal circumstances under which the so-called invitations to testify were issued by the Hennings committee to the Senator from Wisconsin becomes pertinent. The Watkins committee says:

"It is the opinion of the select committee that a request to appear, such as the letter and telegram from the subcommittee to Senator McCarthy dated November 21, 1952, was sufficient (aside from any question whether Senator McCarthy received them in time) to meet the requirements of the law."

What law is the committee talking about? There is no law on the subject. The Rules of the Senate do not specify anything about response to committee invitations. In fact, there are no rules at all in the Senate covering this subject.

How can it be persuasively argued that the Wisconsin Senator "obstructed the legislative process" when the Senate Subcommittee on Elections and Privileges itself did not exercise its right under the "legislative process" to issue a subpena?

It is true that, prior to November 1952, the Wisconsin Senator did receive informal invitations, giving him "the opportunity to appear," as a matter of courtesy, before the Senate subcommittee. He made it clear in his replies that he would not appear voluntarily but would obey a subpena. He did stipulate also that he would appear if he were given by the subcommittee the right to cross-examine witnesses.

The Watkins committee says on this point:

"He [Senator McCarthy] also stated that he would not appear unless he were given the right to cross-examine witnesses. We feel that this right should have been accorded to him and that upon proper request, either to the Committee on Rules and Administration, of which Senator McCarthy was a member, or to the Senate itself, he could have obtained this right, but that in any event, this cannot be a justification for contemptuous conduct."

Using the same reasoning that the Watkins committee has employed, why was it necessary for the Senator from Wisconsin to go beyond a simple request to the chairman of a Senate subcommittee when asking for the right to cross-examine? Why was it obligatory for him to adopt any legal process involving the passage of a motion by the Senate itself in order to get the simple right to cross-examine?

INFORMAL REQUEST WORKS BOTH WAYS

The Watkins committee cannot have it both ways. It cannot argue the sufficiency of informal requests by the Hennings committee in one case, inviting Senator McCarthy to testify, and justify in another instance the failure of that same subcommittee to honor an informal request by the Senator from Wisconsin seeking the right to cross-examine.

Since, moreover, the Wisconsin Senator is now held by the Watkins committee to have been right in his contention that he should have been accorded the opportunity for cross-examining witnesses, was this not a sufficient justification for his declination of the invitation of the Hennings committee before which he was asked to testify? His request went to the core of the issue—the conditions under which he would be testifying as to his personal affairs if he voluntarily accepted the invitation.

Is it contemptuous to ask that your personal rights be safeguarded by a tribunal that has sought to indict you?

The Watkins committee holds nevertheless that failure to testify was indeed contemptuous, contumacious, and denunciatory. It carefully refrains from charging the Senator with legal contempt, but plays on words in an attempt to convey an equivalent meaning.

In this connection, the Watkins committee speaks of Senator McCarthy's letter denouncing in "harsh terms" the Hennings committee as "contumacious in its entire form and manner of expression."

Since when are Members of the Senate to be deprived of their right off the floor of the Senate to denounce other Members of the Senate?

Are we to have political campaigns in which only those persons who are not Members of the Senate may denounce the candidates who happen to be Senators?

Are we to have campaigns in which Senators go into other States and speak in criticism of incumbent Senators and then become subject to "censure" under this alleged rule of the Senate? This goes to the heart of the free speech question. For the right to denounce is the right of free speech.

ACCUSATION WITHOUT PROOF

Evidently the Hennings committee itself felt no restraint about asking what Senator McCarthy regards as insulting questions. They were indeed full of innuendos, impugning the integrity of a fellow Senator. Yet the Watkins committee upholds that form of accusation without proof. Its report says on that point:

"It is our opinion that the failure of Senator McCarthy to explain to the Senate these matters: (1) Whether funds collected to fight communism were diverted to other purposes inuring to his personal advantage; (2) whether certain of his official activities were motivated by self-interest; and (3) whether certain of his activities in senatorial campaigns involved violations of the law; was conduct contumacious toward the Senate and injurious to its effectiveness, dignity, responsibilities, processes, and prestige."

Do not the members of the Watkins committee know that dozens of Members of Congress every year collect funds for public purposes, and not one of them has yet been required to divulge the names of his contributors except in regular election campaigns?

Since when must a Senator answer all the smear accusations filed against him by his critics, especially those charges which vaguely claim, as the Senate committee phrases it, that "certain of his official activities were motivated by self-interest"?

Where is the rule of the Senate which defines what is or is not self-interest?

How many Members of the Senate are doing business today with the Government of the United States through their private business connections?

How many Members of the Senate vote from time to time on issues in which they have a direct personal interest?

As for the charges that funds collected for a public cause were used for personal purposes, is it not the function and duty of the Department of Justice and the Internal Revenue Service to determine whether there are violations of Federal law involved? Subsequent to the time when the Hennings Committee made its report on January 2, 1953, the Department of Justice examined the document, made its own investigation, and then

stated publicly that it found no violation of Federal law by the Wisconsin Senator.

The Internal Revenue Service, moreover, has thoroughly investigated Senator McCARTHY's income-tax returns. It did so when the Truman administration was in power, and likewise examined them again under the Eisenhower administration. But, according to an article published in the Washington Evening Star, last August, before the Watkins committee made its report, no evidence of any violation of law has been found.

Why didn't the Watkins committee, with its deference to and professed respect for the jurisdiction of executive agencies, take cognizance of the action of the Internal Revenue Service and the Department of Justice, both of which were concerned with the truth or falsity of these very charges?

The committee rightly decided that what Senator McCARTHY may have said in inviting Federal employees to supply him, as the chairman of a congressional committee, with information concerning corruption, communism, or treason in Government, does not furnish ground for censure.

NO CENSURE WHEN PROVOKED

The committee rejected also as a basis for censure the comment made by the Wisconsin Senator that the Vermont Senator was senile. The committee says:

"The remarks of Senator McCARTHY concerning Senator FLANDERS were highly improper. The committee finds, however, that they were induced by Senator FLANDERS' conduct in respect to Senator McCARTHY in the Senate caucus room, and in delivering provocative speeches concerning Senator McCARTHY on the Senate floor. For these reasons, the committee concludes the remarks with reference to Senator FLANDERS do not constitute a basis for censure."

This is the most amazing paragraph in the entire Watkins committee report. Here it is flatly stated that Senator McCARTHY should not be censured for his denunciation of Senator FLANDERS because the latter had delivered provocative speeches concerning the Wisconsin Senator on the Senate floor. But what about the Vermont Senator who furnished the provocation? Logically, is he not subject to a censure resolution now?

The Watkins committee plainly says in this instance that Senator McCARTHY is to be absolved from censure because he was provoked. Yet, later on it recommends a censure count against the Wisconsin Senator because of his statement of January 2, 1953, saying that, in joining with the two Democrats and signing the Hennings committee report, his fellow Republican—Senator HENDRICKSON, of New Jersey—was without brains or guts.

What a petty business to introduce this as a basis for a censure resolution, and with what mock dignity, coming as it does from Senators accustomed to the epithets of the stump. Alongside President Truman's letters to the music critic and about the marines and, in a public speech, his use of s. o. b.—and he didn't use just the initials either—to characterize a political critic, the language of the Senator from Wisconsin seems to have been rather restrained.

"UNINTENTIONAL" PROVOCATION

The last censure count concerns the treatment of General Zwicker, who was a witness before Senator McCARTHY's committee early in 1954. This was an incident that did occur in the current term of the Senate and hence it is within the proper time limitation. The Watkins committee declares:

"There is no evidence that General Zwicker was intentionally irritating, evasive, or arrogant."

The testimony of General Zwicker has been printed in full for everybody to read. There are honest differences of opinion as to whether the general was provocative. But the Watkins committee poses a new problem in mental gymnastics when it says he was not intentionally irritating, evasive, or arrogant.

Is this to be taken to mean that he actually may have been irritating, evasive, or arrogant, but did not intend his remarks to have such an impact? If so, is not what actually happened the best proof? It was obvious to anyone present at the hearing that the Wisconsin Senator was irritated and was provoked into an outburst of temper.

Is the United States Senate to be censorious of all such conduct? If so, it must go back into its own records and begin to appoint committees to investigate the conduct of other Senators who have from time to time either ejected witnesses bodily or else said things even worse than Senator McCARTHY ever said.

One Member of the present Senate told a recalcitrant witness—a general, too—at a congressional hearing a few years ago that anybody who took the attitude he did about the security procedures under discussion should be taken out and shot.

Several Senators have used profanity in arguing with witnesses.

One Senator last summer made a speech implying in so many words that another Senator was morally delinquent in his personal life.

One Senator only last week in a written statement issued during the heat of the campaign said, with reference to a fellow-Senator who had left his own party, that "when a renegade leaves the camp, he becomes a worse traitor than an enemy spy."

Must not all these Senators now be hauled before the bar of the Senate and censured for contemptuous language? Or is freedom of speech to be regarded as the late Justice Oliver Wendell Holmes defined it—as "freedom for the thought we hate"?

Whatever motivates the human mind and provokes it to anger is speculatively interesting but hardly constitutes a fit subject for the adoption of a censure resolution by the United States Senate. It is beneath the dignity of that body and tends to bring its prestige as a legislative institution into nationwide disrepute.

Whether or not General Zwicker was intentionally irritating, evasive, or arrogant, it is a fact that he did provoke Senator McCARTHY. The Senate committee itself has said in the Flanders case that, where there is provocation, there is no justification for censure, irrespective of what the remarks happen to be. Why doesn't provocation therefore constitute grounds for eliminating the censure charge growing out of the remarks made by the Wisconsin Senator to General Zwicker?

CONTRADICTIONS IN FINDINGS

The Watkins committee contradicts itself further on another point in its findings. Under the heading, "The Law Governing the Treatment of Witnesses before Congressional Committees," the committee says:

"The law and precedent on this subject has been stated many times."

But in the next paragraph the committee declares:

"There are no statutes and few court decisions bearing on the subject."

Which statement are we to accept?

There are, of course, no statutes discussing the treatment of witnesses before a Senate committee except in cases of legal contempt. Nor has the Senate ever adopted any law or rule on the subject of the treatment of its Members as witnesses, other than the legal process which takes effect if there is a refusal to obey a subpena.

The facts are that General Zwicker himself, in his testimony, admitted he had read in the press that Major Peress had invoked the fifth amendment, but told Senator McCARTHY at the hearing that he didn't know it was in connection with Communist activities. Yet he previously had informed a Senate committee staff member he knew about the charges of Communist activities by Peress. This was an astounishing contradiction. Small wonder this doubletalk produced the impression that the general was evasive. That's why it drew the fire of the Wisconsin Senator.

The real point, however, is that the general failed in all candor to tell the subcommittee of the Senate Committee on Government Operations the procedures in the case in which he himself was a factor. His main excuse was that he was obeying an order.

The Senate of the United States, on the other hand, is not required to conform to any Executive order limiting the testimony of subordinates in the Government with respect to governmental operations. The Congress holds the purse strings, and it has the right to command testimony on Government procedures.

A MORE DRASTIC ATTACK NECESSARY

No Senator should be censured for his persistent effort to get information from an evasive witness during the course of a committee investigation. In the last issue of this magazine an article was reprinted from Harper's magazine in which Hugo Black, then Senator from Alabama—now a Supreme Court Justice—wrote in 1936 of his difficulties in getting information from witnesses. He said that sometimes it is necessary "in the presence of a witness who is deliberately concealing the facts to attempt to shake it out of him with a more drastic attack."

Provocations of Senators and Representatives to anger when they try to cross-examine witnesses are frequent. While these instances are numerous, no case of censure of a Senator who has been the victim of such provocation has been recorded. The Watkins committee makes this pertinent comment:

"The very paucity of precedents tends to establish the importance placed by the Senate on its machinery of censure.

"Obviously, with such limited precedents the task of this committee in undertaking to determine what is and what is not censurable conduct by a United States Senator was indeed formidable. Individuals differ in their view and sensitivities respecting the propriety or impropriety of many types of conduct. Especially is this true when the conduct and its background present so many complexities and shading of interpretations. Moreover, it is fairly obvious that conduct may be distasteful and less than proper, and yet not constitute censurable behavior."

If the Watkins committee had stopped there, it would have been stating the facts as they have been historically established. The Watkins committee might well have added then that it would propose certain new rules to be adopted and that it would ask the Senate to pass concretely on the phraseology of such rules. This would be orderly procedure.

It is disruptive of orderly procedure, however, to introduce as a basis for censure a vaguely worded critique on a manner of expression by a Senator or to interject a dogmatic treatise on psychology in order to rule on what is intentional or unintentional "provocation" by a witness. This creates for the future all sorts of doubts and misgivings concerning the true rights of Members of the United States Senate.

The Watkins committee itself recognizes the dilemma in this observation:

"We are cognizant that the Senate as a political body imposes a multitude of responsibilities and duties on its Members which create great strains and stresses. We are further aware that individual Senators may, within the bounds of political propriety, adopt different methods of discharging their responsibilities to the people.

"We did not, and clearly could not, undertake here to establish any fixed, comprehensive code of noncensurable conduct for Members of the United States Senate."

Had the committee been content with that broad statement and proposed that a set of explicit rules be adopted to govern future conduct, it would have been well within its rights. It would have been following the precept of the Supreme Court of the United States, which has again and again ruled that vaguely written laws are invalid unless legislative standards are prescribed for the guidance of those who are to administer the statutes. Had the Watkins committee prescribed the standards for the future, its report would have been welcomed by everybody as a constructive contribution to the whole subject.

WHAT CONDUCT IS LEGAL?

Today the country is confused, and so may well be the future members of the Senate as to what is or is not proper conduct from a legal standpoint.

If the Watkins committee report is adopted, an intolerant majority in the United States Senate will feel it has the right at any time hereafter to wipe out minority dissent by the simple device of censure. Will a southerner, for example, who has made speeches denouncing members of the Supreme Court of the United States for their decision on segregation now be eligible for admission to the United States Senate if a majority chooses to decide that disorderly words constitute conduct prior to his term sufficient to deny him admission under the inherent power doctrine asserted in the Watkins report?

A rule of fear has been proposed by the Watkins committee. That rule must be summarily rejected by the Senate unless it wishes to apply throught control or conformity of thought to a free institution which has existed since 1789.

Shall the Senate destroy itself by curtailing the right of free speech?

What did Abraham Lincoln say under somewhat analogous circumstances? During the War Between the States, Postmaster General Blair, whose own home had been burned by Confederate troops, exclaimed that "nothing better could be expected while politicians and cowards have the conduct of military affairs." Secretary of War Stanton wrote President Lincoln backing up the demand of General Halleck that Blair be dismissed from the Cabinet. Mr. Lincoln said in reply:

"Your note * * * enclosing General Halleck's letter * * * relative to offensive remarks supposed to have been made by the Postmaster General concerning the military officers on duty about Washington is received. The general's letter in substance demands that if I approve the remarks I shall strike the names of those officers from the rolls; and that if I do not approve them the Postmaster General shall be dismissed from the Cabinet.

"Whether the remarks were really made I do not know, nor do I suppose such knowledge is necessary to a correct response. If they were made, I do not approve them; and yet, under the circumstances, I would not dismiss a member of the Cabinet therefor. I do not consider what may have been hastily said in a moment of vexation at so severe a loss is sufficient ground for so grave a step. Besides this, truth is generally the best vindication against slander. I propose continuing to be myself the judge as to when a member of the Cabinet shall be dismissed."

FUNDAMENTAL ISSUE OF FREE SPEECH

A courageous Senate, free from passion and the prodding of pressure groups, true to the historic principles of liberalism which have governed the American people from the foundation of the Republic, will seek to uphold the highest principles of American jurisprudence.

The Senate, therefore, should table the censure resolution and promulgate a rule in an orderly manner prescribing the standards for future conduct of its Members. But such rules must be written so as not to prejudice the right of free speech guaranteed by the Constitution of the United States to everybody—including Members of the United States Senate itself.

Where are the true liberals in America? Let them stand up and be counted on this fundamental issue of free speech.

Mr. JOHNSON of Texas. I yield 1 minute to the distinguished Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, all of us are aware of the right to petition to Congress, and I am sure all of us approve of it. Certainly I would not for a moment wish to restrict that right. However, I believe that all of us agree that such a right should be exercised in a reasonable and lawful manner.

I have been informed that at about 1 o'clock this afternoon a U. S. Trucking Co. armored car drove up in front of the Senate Office Building and that two armed guards got out of the truck and unloaded some cartons from it. The guards then stood guard around the truck with drawn pistols.

Later one of the guards entered the Senate Office Building with a pistol in his holster at his side. However, Police Capt. Michael Dowd disarmed the guard and took his pistol from him and had it put either in a desk or in some other place.

I was told all this by members of the press.

I ask unanimous consent that the Sergeant at Arms be instructed to look into this subject and submit a report to the Senate at the earliest possible moment as to exactly what did happen during this incident.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Senator from Texas has 23 minutes remaining.

Mr. CASE. Mr. President, will the majority leader yield me 1 minute?

Mr. KNOWLAND. I have no time to yield. I wonder whether the acting minority leader would yield 1 minute to the Senator from South Dakota.

Mr. KEFAUVER. I yield 1 minute to the Senator from South Dakota.

Mr. CASE. Mr. President, allusion has been made several times to the statement of the late Senator Taft at the opening of the 83d Congress. I have that statement before me. I believe for the purposes of the record it ought to be read at this time.

The late Senator Taft made reference to the fact that some contests had been filed in connection with the election of Senator LANGER and Senator CHAVEZ. Then he said:

My own view is that these Senators should be permitted to take the oath and be seated. It is my further view that the oath is taken without prejudice to the right of anyone contesting the seat to proceed with the contest, and without prejudice to the right of anyone protesting or asking for expulsion from the Senate to proceed. I believe that the various protests which have been filed should be referred to the appropriate committee and dealt with in due course.

There followed some additional statements by the late Senator Taft, the Senator from Oregon [Mr. MORSE], and the Vice President. However, the gist of the suggestion was that all Senators presenting themselves at that time could take the oath of office without derogation of any rights any protestant might have with regard to the seating or expulsion, or anything else.

Obviously, Mr. President, if the Senate retained the right to consider expulsion or not to seat a Senator, it retained the right to invoke a lesser penalty. It was on that basis, in the consideration of this subject in committee, that I felt the statute of limitations had not run.

Mr. KNOWLAND. Mr. President, while awaiting the arrival of the minority leader, I suggest the absence of a quorum if that is agreeable to the acting minority leader.

Mr. KEFAUVER. It is agreeable to me.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Frear	Mansfield
Aiken	Fulbright	Martin
Anderson	George	McCarthy
Barrett	Gillette	McClellan
Beall	Goldwater	Millikin
Bennett	Green	Monroney
Bridges	Hayden	Morse
Brown	Hendrickson	Mundt
Burke	Hennings	Murray
Bush	Hickenlooper	Neely
Butler	Hill	O'Mahoney
Byrd	Holland	Pastore
Carlson	Hruska	Payne
Case	Humphrey	Potter
Chavez	Ives	Purtell
Clements	Jackson	Robertson
Cooper	Jenner	Russell
Cordon	Johnson, Colo.	Saltonstall
Cotton	Johnson, Tex.	Schoeppel
Daniel, S. C.	Johnston, S. C.	Scott
Daniel, Tex.	Kefauver	Smith, Maine
Dirksen	Kerr	Smith, N. J.
Douglas	Kilgore	Sparkman
Duff	Knowland	Stennis
Dworshak	Kuchel	Symington
Eastland	Langer	Thye
Ellender	Lehman	Watkins
Ervin	Long	Welker
Ferguson	Magnuson	Williams
Flanders	Malone	Young

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

Mr. CLEMENTS. I announce that the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave of the Senate on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The VICE PRESIDENT. A quorum is present.

The Senator from Texas [Mr. JOHNSON] has 13 minutes remaining. Does the Senator desire to yield additional time?

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. JOHNSON of Texas. How much time remains?

The VICE PRESIDENT. The Senator from Texas has 13 minutes.

Mr. JOHNSON of Texas. And the Senator from California has how much time?

The VICE PRESIDENT. None.

Mr. JOHNSON of Texas. As I understand, there is 13 minutes' time left. Is it all in the control of the senior Senator from Texas?

The VICE PRESIDENT. The Senator from Texas yielded earlier 15 minutes to the Senator from California [Mr. KNOWLAND]. So at this time 12 minutes remain, or 6 minutes to each side.

Mr. JOHNSON of Texas. Mr. President, I yield 3 minutes to the distinguished Senator from Oklahoma [Mr. MONRONEY].

The VICE PRESIDENT. The Senator from Oklahoma is recognized for 3 minutes.

Mr. MONRONEY. Mr. President, a great deal of importance seems to be attached to the alleged running of the statute of limitations. With reference to count No. 1, I should like to invite the attention of the Members of the Senate to the fact that much of the time that elapsed was time which was given in behalf of the committee in order to be eminently fair to the junior Senator from Wisconsin. More than 6 weeks elapsed during the early part of the year in which the junior Senator from Wisconsin was repeatedly invited to test the jurisdiction and the vote of confidence of the Senate itself in the Gillette subcommittee. Repeated delays were granted in the hope that the junior Senator from Wisconsin would accept the repeated invitations sent to him by the chairman of the subcommittee to come before the subcommittee and to answer the charges which had been made, on which the Gillette subcommittee was acting as the agent of the Senate itself.

But the most important thing was that after the campaign began in the State of Wisconsin, the distinguished and able chairman of the subcommittee, the Senator from Iowa [Mr. GILLETTE], said it was not fair to the junior Senator from Wisconsin, who was at that time running for reelection, for the committee to be sitting and taking evidence which might be used politically against the junior Senator from Wisconsin. That statement came from the Democratic chairman of the subcommittee.

After the beginning of the campaign, which was near the middle of July, and until after the election in November, not one wheel turned in public hearings, or, I believe, in executive hearings. No witnesses were called before the Gillette subcommittee.

In other words, in order to lean over backward in fairness to the junior Senator from Wisconsin, the subcommittee suspended its action, and it was not until after the November election that, under the leadership of the distinguished Senator from Missouri [Mr. HENNINGS], the hearings were resumed. It was, of course, an impossibility to rush them to a conclusion, because the subcommittee again invited and repeatedly sent invitations to the junior Senator from Wisconsin to appear before the subcommittee and to give the answers which only he knew.

To hear it pleaded now by the proponents of the cause of the junior Senator from Wisconsin that count 1 of the resolution is dead because the statute of limitations has run is certainly not in accordance with the facts as they exist in the Gillette subcommittee.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Frear	Mansfield
Aiken	Fulbright	Martin
Anderson	George	McCarthy
Barrett	Gillette	McClellan
Beall	Goldwater	Millikin
Bennett	Green	Monroney
Bridges	Hayden	Morse
Brown	Hendrickson	Mundt
Burke	Hennings	Murray
Bush	Hickenlooper	Neely
Butler	Hill	O'Mahoney
Byrd	Holland	Pastore
Carlson	Hruska	Payne
Case	Humphrey	Potter
Chavez	Ives	Purtell
Clements	Jackson	Robertson
Cooper	Jenner	Russell
Cordon	Johnson, Colo.	Saltonstall
Cotton	Johnson, Tex.	Schoeppel
Daniel, S. C.	Johnston, S. C.	Scott
Daniel, Tex.	Kefauver	Smith, Maine
Dirksen	Kerr	Smith, N. J.
Douglas	Kilgore	Sparkman
Duff	Knowland	Stennis
Dworshak	Kuchel	Symington
Eastland	Langer	Thye
Ellender	Lehman	Watkins
Ervin	Long	Welker
Ferguson	Magnuson	Williams
Flanders	Malone	Young

The VICE PRESIDENT. A quorum is present.

The hour of 3 o'clock having arrived, the clerk will state the first committee amendment.

The CHIEF CLERK. On page 1, line 1, after the word "That," it is proposed to strike out "the conduct of the Senator from Wisconsin Mr. MCCARTHY, is unbecoming a Member of the United States Senate, is contrary to senatorial traditions, and tends to bring the Senate into disrepute, and such conduct," and to insert in lieu thereof "the Senator from Wisconsin, Mr. MCCARTHY, failed to cooperate with the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up matters referred to that subcommittee which concerned his conduct as a Senator and affected the honor of the Senate and, instead, repeatedly abused the subcommittee and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin, Mr. MCCARTHY, in failing to cooperate with a Senate committee in clearing up matters affecting the honor of the Senate is contrary to senatorial traditions and"——

Mr. WATKINS. Mr. President, on behalf of the select committee, it is desired to modify the proposed committee amendment which has just been read. The modification is to strike out, on page 2, line 3, the following words:

> In failing to cooperate with a Senate committee in clearing up matters affecting the honor of the Senate.

Those words are to be deleted under direction of the committee. The committee amendment will then read:

> *Resolved*, That the Senator from Wisconsin, Mr. MCCARTHY, failed to cooperate with the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up matters referred to that subcommittee which concerned his conduct as a Senator and affected the honor of the Senate, and, instead, repeatedly abused the subcommittee and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin, Mr. MCCARTHY, is contrary to senatorial traditions and is hereby condemned.

The words stricken out seem to place a limitation, which was not intended, upon the subject matter which was condemned. It was intended to condemn not only the failure to cooperate, but the denunciation of the committee and the abuse of the committee. So the words I have indicated should be deleted, and the committee directs that I modify the committee amendment accordingly.

The VICE PRESIDENT. By direction of the committee, the Senator may modify the amendment, and it is so modified.

The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, this morning I read the text of a proposal to Members of the Senate, and I now submit it, if the Senate will bear with me a moment——

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. DIRKSEN. If the Senator will let me conclude my thought, I shall yield.

I submit my amendment as an amendment for the language in italics in section 1, and I should confess to the Senate that I am in a slightly awkward position, because, under the rule, a Senator cannot make a motion to strike and insert while another motion to strike and insert is pending. So the language I submit as an amendment will still contain the original language of Senate Resolution 301, "is hereby condemned." But if the Senate, in its good judgment, adopts the language I now submit, I shall subsequently offer an amendment to strike out the last three words in the original resolution.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. JOHNSON of Texas. Do I understand correctly that the proposed amendment which the Senator is now submitting is identical with the language of the proposed substitute the Senator presented to the Senate earlier today?

Mr. DIRKSEN. That is correct.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. JOHNSON of Texas. Since the language is not a substitute, but a proposed amendment to the committee amendment, each side will have 30 minutes. Is that correct?

The VICE PRESIDENT. That is correct.

Mr. WATKINS. Mr. President, under the unanimous-consent agreement, will the Chair advise the Senate who has control of the time?

The VICE PRESIDENT. The Senator from Illinois will have control of the 30 minutes on the amendment in the nature of a substitute offered by himself, and

the Senator from Utah [Mr. WATKINS] will have control of the 30 minutes in opposition to the amendment.

The Senator from Illinois is recognized for 30 minutes, but before he speaks, the clerk will state the amendment.

Mr. DIRKSEN. Mr. President, I understand my time will start to run after the amendment has been stated.

The VICE PRESIDENT. Will the Senator send his amendment to the desk?

Mr. DIRKSEN. I think it is on the desk, Mr. President.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. On page 1, line 5, in lieu of the matter proposed to be inserted by the committee, it is proposed to insert the following:

With respect to the report and recommendations of the select committee, a reasonable doubt exists as to the authority of the Senate to censure or condemn a Senator for language or conduct in a prior session of the Congress; that no rule presently exists under which censure or condemnation for the alleged language or conduct might be justifiably imposed; that a Senator is under no legal duty to appear before a committee on invitation and that censure was not heretofore proposed where a Senator refused to appear before a committee; that censure or condemnation, while not depriving a Senator of any privilege or prerogative, is punitive in nature and might, therefore, be considered ex post facto in character, if imposed for language or conduct in a prior Congress; that there has been no violation of senatorial tradition as evidenced by countless instances of robust and salty phraseology in Senate debate dating back to the First Congress in 1789; that there is no evidence to establish that the constitutional processes of the Senate were in fact obstructed; that the failure of the complainant Senators to raise questions of conduct on January 3, 1953, when the oath was administered to the Senator from Wisconsin [Mr. MCCARTHY], precludes a valid consideration of the charges and allegations in section 1 of the resolution reported by the select committee; that censure for the use of allegedly intemperate language in interrogating a witness does not in the light of all the circumstances involve the good faith which must be maintained between the executive and legislative branches of government; that the Congress does have the right to examine into the applicability of an Executive order or directive, especially where the internal security of the Nation may be involved; that while abusive or intemperate language is to be deplored, it does not in the light of precedent warrant formal censure or condemnation as proposed in sections 1 and 2 of the resolution reported by the select committee.

Mr. DIRKSEN. Mr. President, what the substitute really contemplates is a general denial of the allegations and charges that have been made, and is in direct contravention of that which has been reported by the select committee.

As I indicated to the Senate this morning, this is no compromise. I use the expression "compromise" as being the difference between a sound spanking and a little spanking. If any principle were involved, I would not think of trying to compromise, nor would I do so. I believe we are dealing with a principle, and for that reason I present the language in the nature of a substitute for the language that appears in section 1 of the resolution.

Let me take a moment or two to consider the language which is before the Senate as submitted by the select committee. If one breaks down all the charges and allegations, he will find that the first one is that there was a failure on the part of the junior Senator from Wisconsin to cooperate.

I simply ask this question, Mr. President: Is there a duty to cooperate? Is there a rule under which a Senator must cooperate? I remind the Senate that if it approves language of that kind, it will be a weapon which could be a weapon of tyranny, indeed, at some time in the future, for if a Senator were to submit a resolution of censure against the junior Senator from Illinois, on the ground that he had failed to cooperate, think what could be done with such a weapon. Certainly, Mr. President, I would be the last to approve such language in a resolution.

The second charge is that matters affecting the conduct of the junior Senator from Wisconsin remain uncleared. We should think a little of the background in that connection. What was involved? An expulsion resolution was submitted by one Member of the Senate. Suppose a Member of this body were to offer a resolution calling for expulsion of the junior Senator from Illinois. Must I respond? Must I go before the committee? Does it depend upon how grave the charges are or how extreme the allegations may be? Because 1 of 96 Members of the Senate submits such a resolution—which of course is his right—is it the duty of the Senator who is the subject of the resolution to appear before the committee, open his books, and let the committee examine his income tax or anything else which might be involved? I doubt it very much, Mr. President; that would take the rule rather far.

There was another case, that of Senator Robert M. La Follette, Sr., when he failed to appear before the same committee, the Committee on Privileges and Elections. That was at a time when Senator La Follette had used, in addressing Senator Kellogg, of Minnesota, language as extreme as any I have ever heard either in or out of the Senate insofar as dialog in the course of debate is concerned. Is there, then, a duty, when a Senator submits such a resolution, for the Senator who is the subject of the resolution to go before a committee of this body and there give testimony?

The third charge is that it has obstructed the constitutional, legislative processes. Could not the committee function, Mr. President? Was there something physically involved that interdicted or arrested the committee's actions? Did not the committee have the power to proceed? If we approve such an allegation, I ask the Members of the Senate this question: What, then, will Senators say about a filibuster? It is a designed and deliberated effort to place a barricade in the way of the legislative process. If and when, at a subsequent time, a filibuster occurs in the Senate, may we not, notwithstanding the transparent reasons which are given for it, submit a resolution of censure because the filibuster obstructs the constitutional, legislative process? What do Senators say about a Member who deliberately absents himself from a committee, so there cannot be a quorum with which to conduct the business of the committee? That would be deliberate. If that could be only partially established, would it be an invitation for the submission of a resolution of censure, on the ground that such action obstructed the constitutional, legislative process?

Finally, Mr. President, in the first section there is a recital that the subcommittee and its members have been abused. Senator Kellogg, of Minnesota, once submitted in this body a resolution to expel Senator Robert Marion La Follette, Sr., from this body, on the ground of sedition and disloyalty. The resolution was referred to the Committee on Privileges and Elections; I believe that under the Senate's rules at that time, that committee was then a standing committee, rather than a subcommittee of the Committee on Rules and Administration, as is the case today. Was there any proposal to censure Senator La Follette because he failed to appear before the committee? Not only did he not appear before the committee, but he abused the committee. I say in all conscience that if Senators are to make a rule, then let them make it carefully and deliberately, and let it be a rule that will define and delimit the decorum and prescribed duties under which Senators rest.

So much, then, for the first section of the resolution.

With respect to section 2 of the resolution, let me say it is alleged or charged that the junior Senator from Wisconsin intemperately abused a witness. On what date did the abuse occur? It occurred on February 18, 1954. What were the circumstances? There is some background to all this, Mr. President. In the first place, at that time the entire Peress record was before the Committee on Government Operations. In the second place, there was the frustration which went along with the Fort Monmouth investigation, particularly inasmuch as the operations at Fort Monmouth constituted one of the most sensitive operations of any Government agency.

The first "look-see" at that operation occurred in October 1953. Directly on the heels of it came what? There came an effort on the part of the junior Senator from Wisconsin to bring before the Committee on Government Operations the members of the Army loyalty board panels, put them under oath, and make them testify. That is when the general counsel of the Army appeared in my office with a friend of mine. Strange that he never came there before. But he came then, when the subpenas were being prepared for the Army loyalty board. Why? First, to attempt to persuade me that I should intrude and should seek to stop it; second, to interject a threat—because, Mr. President, it was that afternoon in January 1954, at 6 o'clock in the evening, when I first heard about the Cohn-Schine controversy.

The next morning I appeared in the office of the junior Senator from Wisconsin, and I said to him, "What is all this about?" Then I discovered that already there was in the formative stage,

at least, a case which was going to be submitted, in which undue influence would be charged on the part of the junior Senator from Wisconsin and his staff, in behalf of Private Schine. Those were some of the details which occurred at the time. It was the period when brain-washing was under way. We were quite familiar with it.

To this next statement I must come with some caution; and I do. If the staff memorandum of the committee is correct, then on the 1st of April, the day before Peress was discharged, we find that the staff memorandum shows that General Zwicker called in Peress and urged him to get out of the Army without delay. I can only take the words I find in the staff memorandum, right or wrong. In any event, all those things were a part of the circumstances.

So, Mr. President, what would you do under the circumstances, as you learn them when you go back and read the record? I listened with interest to my esteemed friend, the Senator from Colorado [Mr. JOHNSON], who said General Zwicker was such a gracious witness and such a tractable witness; and that is entirely possible. Frankly, I do not know General Zwicker. But no doubt there was an electric atmosphere in the courtroom in New York on the afternoon of February 18. I do not believe that words can capture it, finally. There was something in the atmosphere which developed some provocation; and perhaps restraints and inhibitions fell by the wayside, and perhaps the interrogation was slightly on the rough side. But let us consider all the circumstances which developed provocation. It may be said that provocation is no justification. That may be.

But what does the select committee say about provocation? I read now from page 46 of the report of the committee, and at this point the reference is to the Senator from Vermont [Mr. FLANDERS]:

> The evidence shows that on June 11, 1954, Senator FLANDERS walked into the Senate caucus room where Senator MCCARTHY was testifying before a vast television audience in the Army-McCarthy hearings, and unexpectedly gave Senator MCCARTHY notice of an intended speech attacking Senator MCCARTHY which he proposed forthwith to deliver on the Senate floor; that shortly thereafter Senator MCCARTHY was asked by the press to comment on Senator FLANDERS' intended speech; that Senator MCCARTHY thereupon made this remark concerning Senator FLANDERS, "I think they should get a man with a net and take him to a good quiet place"; and that on occasions prior to that time Senator FLANDERS made provocative speeches in respect to Senator MCCARTHY on the Senate floor.

What does the committee say by way of conclusion?

> The remarks of Senator MCCARTHY concerning Senator FLANDERS were highly improper. The committee finds, however, that they were induced by Senator FLANDERS' conduct in respect to Senator MCCARTHY in the Senate caucus room, and in delivering provocative speeches concerning Senator MCCARTHY on the Senate floor. For these reasons, the committee concludes the remarks with reference to Senator FLANDERS do not constitute a basis for censure.

Are we to have one rule for the distinguished Senator from Vermont and another rule for the distinguished junior Senator from Wisconsin? I have read the words of the committee. They recite provocation as a justification or excuse. Are we to make fish of one and fowl of the other at the present time?

Those are the circumstances involved in section 2 of the resolution. So I go back to the substitute. I say, fairly, that in my mind there is a reasonable doubt concerning our authority to censure for conduct and words in a prior session of the Senate. If there is a rule under which censure and condemnation are to be imposed, it has not come to my attention. In fact, we are in the process of making a rule by the action this body may take. I know of no law which would require or impose a duty to go before a Senate committee when a single Senator introduces a resolution to expel another Senator from the Senate. I am not so sure that I would have gone before that committee under those circumstances.

While such action would not deprive the Senator of his seat in the Senate, or of his prerogatives and privileges, and while it would not remove him from his committees, certainly it must be the judgment of this body that when a man who is a Member is publicly censured, that is a punishment which may have a tremendous impact upon his political future. It must have an impact upon the being of the man himself, for when he goes about in the land it will be said, "There goes Senator MCCARTHY. His peers, his colleagues, before the whole wide world, censured him formally for words and conduct." If that is not punishment, then I never saw any punishment.

So, the resolution relating, as it does, to actions which antedated this Congress, is there not a reasonable doubt whether we have authority to censure, and secondly, whether such punishment would not be ex post facto in nature.

Earlier in the day I recited at some length some of the very robust phraseology which has been used on the floor of the Senate since 1789. So when we speak of tradition, let us look at the entire curtain of tradition, and everything that is in it. I did not recite nearly all the examples I have before me. I might have read a great many which were far more rugged than the ones I recited earlier. But when we talk about tradition and precedent, there is the record. It cannot be sponged out. So shall we say, in the light of all that, that the rather rugged language of the junior Senator from Wisconsin was a departure from tradition? I think not. I see nothing to establish that there was an obstruction of the constitutional process.

Had there been a subpena, had there been a real demand, had there been any insistence upon his appearance, the case might have been different. As a matter of fact, there was only an invitation. It is one thing to invite a person, and another to demand his presence. I am not sure whether there was a personal invitation, man to man, whether it was over the telephone, or whether it was in the cold print of a formal letter on Senate stationery. But it seems to me that in that respect sometimes we are pretty derelict in our duty.

I ask every Senator who is in this Chamber today, How many times has any Member of the Senate sat down with JOE MCCARTHY and said, "Look, sonny boy, your language is a little rugged. We think you ought to get back on the track"?

It is so easy to say, "Joe is my friend." The test of friendship is not to call him on the telephone or send him a letter. The test of friendship in this club, in my judgment, is to sit with him. How many have sat with him? Have we been a little derelict in our human duty? Had the milk of human kindness been a little sweeter, perhaps all this would not have happened.

Oh, I know what the answer is. It is so simple. "He is of lawful age. He was elected by the people to the United States Senate. He is a man of responsibility. Must we take him by the hand?"

I do not know how others estimate the situation, but when we say, "He is not my charge," there comes ringing down the eternal corridor the language of a man who cowered before the vengeance of the Voice from above, which asked "Where is Abel, thy brother?" He answered "I know not. Am I my brother's keeper?"

To what extent have we failed? To what extent has our failure made possible the procedure in which we are engaged at the present time? If there is a doubt I wish to resolve it on the side of the junior Senator from Wisconsin. I do not wish, by my vote, to inscribe upon the records of this body that, under all the circumstances, I lent my voice and my vote to support public censure.

In the notebook of Leonardo da Vinci there is a wonderful and redeeming line. He said:

> Reprove thy friend in secret, and praise him in public.

That sentiment was so worthy that it has endured throughout the centuries. Some would reverse it this afternoon. They would say, contrary to da Vinci, "Reprove thy friend where all can see and hear, and praise him in private."

I remember what the distinguished Senator from Utah [Mr. BENNETT] said in a very fine speech several weeks ago. He said, "But for the grace of God, there go I." So I shall be pretty circumspect before I place the public brand upon a Member of this club; for when the door is opened and a precedent is established, then what? Then, in all conscience, we may well ask, Who will be next?

We shall not all be here too long. As John Maynard Keynes said as the foundation for his amazing economic philosophy, "In the long run we shall all be dead." He would like to take back that line, but that is the foundation of Keynes' economic philosophy. However, it is correct. By the fortuities of time and political accident many of these seats will be rendered vacant. We shall be gone. Someone else will be here. But the precedent will also be here.

Then what? How restrained will Senators be in the future, in the light of such a precedent? Will the resolution of

censure then become a weapon of despotism, of tyranny, of assault upon Members of this body, a weapon really to obstruct the constitutional processes and to impair the functions of the greatest free system of government on God's footstool?

One thing further, if time permits. I listened with a great deal of interest to the distinguished Senator from Mississippi [Mr. STENNIS]. I do not see him in the Chamber at the moment. Perhaps he is in the cloakroom. The other day he placed the issue on the moral ground. He said that a moral issue was involved. It could be. However, let us look at the record. Since 1949 a Member of the Senate has been under harassment. For 5 years he has been under abuse. For 5 years he has been vilified. I do not know how many reproaches there are in this little portfolio. They come to the office every day.

As I pointed out once before, the abuse and vilification come not only from organizations, but also from editorial columns.

How long can a man stand up against that sort of thing before finally some restraint breaks? Then, when it takes the form of what seems to us like abusive and intemperate language, that is the other side.

I do not for a moment defend language that is intemperate and abusive. However, I do say that under all the circumstances the benefit of the doubt is on the side of the junior Senator from Wisconsin, and that forbearance rather than passion and hate should be the rule as we march up to the judgment hour.

I could go back and recite the whole record for the past 5 years. There would be no point in it. But when all is said and done, who can deny that the junior Senator from Wisconsin has alerted our country to the existence of an evil in a manner in which it could not have been alerted in any other way?

I should like to say this, too: What will be gained by all this? Is it the desire to humiliate the Senator? Is it the desire to humble him? If it were only possible to sit in the cloisters of silence and commune with one's thoughts on the day after sentence is pronounced, if such it be, I wonder what each Senator's estimate and evaluation of that judgment would be.

Throughout this far-flung country—even though this be collateral to the issue before the Senate—there will be literally millions of people who will think that all we have done has been in the interest of taking a little bloody spot off the Senate rule book, and that we have humiliated the man who has stood up as a crusader for a free America.

Where will we find another? Who will venture his neck on the block?

MARTIN DIES went the way. I served with him in the House for a long time. I remember how he used to sit in the cloakroom and tell me all the threats that had come to him and his family. They finally ran him out of public life.

When a man stands up with his chin in the air, even as God told Ezekiel to keep his chin up, what happens to him?

Because there may have been a little license, or because there may have been a little departure from good taste, his own colleagues would now reprove him before the world and before his country.

I have no stomach for it, believe me, Mr. President.

After a while I shall discuss the matter a little further, not that I think my feeble words will change a vote in this great body. I will do it because I want to make the record, so that in the days that lie ahead others, too, shall see. We will pass from this scene, as others have passed, but the record will remain after us.

I commend to all Senators the language of the substitute for section 1. I think it is reasonable. I think there is a reasonable doubt. I know of the existence of no law or rule that would have required the Senator to appear before the committee. I believe the whole doubt is on his side. Therefore, I commend to Senators favorable consideration for the substitute language before the Senate.

The VICE PRESIDENT. The Senator from Illinois has 4 minutes remaining. The Senator from Utah has 28 minutes remaining.

Mr. WATKINS. Mr. President, I yield 10 minutes to the Senator from North Carolina [Mr. ERVIN].

Mr. ERVIN. Mr. President, the Senate has been repeatedly told that there is no rule by which the Senate can censure Senator MCCARTHY. We have had called to our attention certain precedents of the House and of the Senate in exclusion cases, which are governed by the provision of section 5, article I, of the Constitution, to the effect that each House shall be the judge of the qualifications of its own Members.

Manifestly, none of the precedents of the Senate or of the House relating to exclusion cases have any application to the matter before us, because the matter we are considering falls under a different constitutional provision.

We have also had called to our attention certain decisions of the courts in cases in which the House undertook to deal with outsiders who were not Members of the House.

Manifestly, the House has no judicial power over non-Members of the House, and precedents dealing with the conduct of persons who are not Members of Congress have nothing whatever to do with the subject before the Senate.

We have also had precedents of the House and of the Senate in expulsion cases called to our attention. Such cases are governed by the following provision in section 5, article I, of the Constitution:

> Each House may, with the concurrence of two-thirds, expel a Member.

Manifestly, those precedents which deal with expulsion cases have nothing to do with the subject pending before the Senate. That subject is based on a rule which was put into plain language 2 years before the Constitution of the United States took effect. We have a rule which is expressed in the Constitution in the plainest of language that could be devised to express it and its purpose.

The rule goes back to the beginning of our Government. The Constitution of the United States, in many of its provisions, is self-executing. It requires no act of Congress to give them validity. The Constitution of the United States was penned by the Constitutional Convention of 1787. When the requisite number of States ratified that instrument, there was breathed into those dead words the breath of life, and the Constitution of the United States became the greatest living instrument of government on the face of the earth.

This is the rule which applies in the pending case:

> Each House may punish its Members for disorderly behavior.

The suggestion is made that the Senate is impotent to act, because no precedent has been established for such action.

As I said in my argument the other day, we ought to thank God that there is no precedent for the matter now pending before the Senate.

We have here a provision of the Constitution which is not to be interpreted by the courts of this land, but is to be interpreted by the Senate.

When the Constitution of the United States says in express words that each House—and that is the Senate in this case—may punish its Members for disorderly behavior, the Constitution impliedly says that there is a rule which applies to every Member of the Senate, and that rule is that each Member of the Senate shall refrain from disorderly behavior.

That is the rule which the select committee says, by its report, the junior Senator from Wisconsin has violated.

Let us see, Mr. President. Has he been guilty of disorderly behavior? When a committee of the Senate, acting under the orders of the Senate itself, which orders were manifested by a vote of 60 to 0 establishing its jurisdiction, makes the inquiry which it is directed by the Senate to make, we have this kind of situation.

It is not a thing that happened on the spur of the moment. The evidence is not contradicted by any living soul, and it is in the words of the junior Senator from Wisconsin himself.

In the fall of 1951, when the committee undertook to investigate a matter which the subcommittee had the power to investigate, the junior Senator from Wisconsin started to slander the committee, and he persisted in that conduct from the fall of 1951 up until December 1952. We have before us a Senator whose conduct is being investigated, saying that the members of that committee were stealing the taxpayers' money for partisan political purposes. We have a Member of the Senate saying that the committee which is acting for the Senate is dishonest, and that he will not have "truck" with a dishonest Senate committee. He also made the same charge in respect to the subcommittee he has made throughout the length and breadth of the country concerning the select

committee, namely, that any committee which asks him to give an account of his conduct in any respect is an aider and abettor of the Communist Party. Can anyone imagine anything that is more disorderly than for a Senator of the United States to try to discredit a Senate committee in the eyes of the American people for the purpose of keeping himself from making some revelations which he was asked to make? It was not something done on the spur of the moment.

Mr. President, when the Founders of this Republic wrote the Constitution and gave to the Senate of the United States the power in express words to punish its Members for disorderly behavior, they impliedly said that every Senator must refrain from disorderly behavior. No one contradicts the findings of fact in this case, and if they do not show disorderly behavior, I venture the assertion that there is no mind with a sufficiently vivid imagination to imagine what disorderly behavior might be.

It has been said that his behavior did not obstruct the constitutional processes of the Senate. Yet, Mr. President, it is the uncontradicted evidence, most of it the words of the junior Senator from Wisconsin himself, in his letters to the Subcommittee on Privileges and Elections, that for 14 months or more the committee was unable to function; that it never did do what the Senate by a vote of 60 to 0 said it should do. If that is not obstructing the processes of the Senate, I do not know what we may call obstructing the processes of the Senate.

We are told that the junior Senator from Wisconsin is a great champion of the American people against communism, and yet he says to us that he expects to be censured. He does not add whether it is because he has a feeling of guilt or whether he considers that all the Members of the Senate are handmaidens of the Communist Party. But instead of making a defense on the merits, he spends his time and his energy, and many of his friends join him, none of whom are Members of the Senate, in trying to destroy whatever faith the American people still have in the Senate of the United States.

If that is not disorderly conduct, then God help this country when a Senator does become guilty of disorderly conduct.

Mr. WATKINS. Mr. President, I yield myself 15 minutes.

The VICE PRESIDENT. The Senator from Utah is recognized for 15 minutes.

Mr. WATKINS. Mr. President, I have listened with a great deal of admiration to the address of my very able friend the Senator from Illinois [Mr. DIRKSEN]. He is always appealing, and his speeches are always moving. I wish I could agree 100 percent with all his sentiments and his deductions from the evidence in this matter. But I cannot, because I think the facts and the law are against him. It is all well and good, as we approach the Christmas time, to talk about friendly feelings. We recognized that during the summer when we were holding hearings. We tried to extend the olive branch to our young friend from Wisconsin. It was indicated to him that he might possibly have done wrong, that he might have said some things he should not have said, and the opportunity was given to him to say whether he was willing to retract some of the words he had said and some of the things he had done. But there was no indication that he wanted sympathy or a helping hand extended to him. As time went on we know he rejected every effort to help him.

The Senator from South Dakota [Mr. CASE], a member of the select committee, on the floor of the Senate, during the debate, also extended his hand and indicated that the door was still open for the prodigal to come in and make some amends, but the junior Senator from Wisconsin made no effort at all to do that.

I am personally willing to forgive. That is a commandment which has been given to us. But forgiveness is based on some sort of repentance, some works meet for repentance, and I have failed to see such works up to this hour. In case of sickness, we extend our hand to any Member of the Senate. We have been accused of being club members, that we have more regard for Members of the Senate than we have for anyone else. That is not an idle tradition. There is a great bond of friendship between Members of this body, on both sides of the aisle. It is not political; it is merely human.

The committee did not go forth seeking to nail the hide of the junior Senator from Wisconsin on the barn door, as has been said in the press. We tried to carry out the directions of this body as best we could, in the light that God gave us in connection with the matters brought before us, and under the Constitution of the United States, which was our guide.

The report has been made. I cannot take the time to review the evidence. As the Senator from North Carolina [Mr. ERVIN] has just said, the record is here. The findings of fact and the testimony are completely uncontradicted. No one has sought to change the record of the facts. They are there, and they are admitted.

There has been reference made to "salty" remarks. I never regarded a salty remark as downright abuse. Someone may have been a little bit vigorous. But the committee was extending a helping hand and extending courtesy to the limit. The members were doing all they could to help the junior Senator from Wisconsin. They were not hardhearted monsters seeking his political scalp. They tried to be helpful and courteous. The Senator from Iowa [Mr. GILLETTE] talked to the junior Senator from Wisconsin on the floor of the Senate. He was in position to have daily intimate contact. But from the safety of his office the junior Senator from Wisconsin made his written appearance before the committee and utterly failed to come in for an examination, although the most serious things were being charged against him.

I have thought much about that. What would have been the legal position if he had gone before the committee? There were some 400 or 500 photostat copies of exhibits, bank records, statements, and numerous other documents. If he had gone before the committee he would have been sworn and would have been confronted with these documents. If he had denied them, and if his denial were not true, he would have faced a possible perjury charge.

If he had looked at them, examined them, and had admitted that they were true, probably he would have been in difficulty again.

So there was only one or two things left, under a circumstance of that kind. If he had gone before the committee, that would have been one thing. If he did not want to deny the documents or admit them, he would have had to do one of the most humiliating things which the junior Senator from Wisconsin could have been required to do, and that was to have claimed the protection of the fifth amendment. [Laughter.]

But he could see that. So he elected not to go. He ignored the committee, and abused them. Then, when he was charged with the abuse, his defense was to abuse every committee that was trying the matter. That was his answer to a charge of abuse. He handed out more abuse.

We tried to be kind. I should like to extend a helping hand to him now, upon a sign of repentance and willingness to get along with his colleagues.

He charged us with being "handmaidens" of communism and of being attorneys-in-fact for the Communists. He has charged us with all these things.

Let us think about it for a moment. He knows the Members of the Senate. He knows whether such statements are true or not. He knows whether or not I have been working on a subcommittee which has been investigating Communists, ever since the subcommittee was created 4 years ago. That subcommittee is the Subcommittee on Internal Security. I have held numerous hearings, and I have some acquaintance with the Communist line. I think the junior Senator from Wisconsin knows that to be so.

In spite of that, he has hurled this charge at me—not at me personally, but at me as chairman of the committee which the Senate selected as its representatives.

I wish to spend a minute or two on the Zwicker matter. Let us get a picture of what happened in that case. Was the junior Senator from Wisconsin present in his personal capacity? Oh, no. He was there as the long arm and agent of the United States Senate, to make some investigations. He had back of him the full power of this great deliberative body. Anyone who came before that committee knew that the junior Senator from Wisconsin represented the power and authority of the greatest deliberative body on earth, the United States Senate. But immediately witnesses were placed in a position of terrific disadvantage, so far as any personal debate with the junior Senator from Wisconsin was concerned.

Under these circumstances, a record was made of an executive hearing in New York City on February 18 of this year. General Zwicker, a wartime hero, a man who had risked his life for his country,

was brought before this committee. He told the committee in almost the very first words opening the examination, that he was under orders and could not say what he would like to say. He was the very person who had given the name of Peress to the investigators for Senator McCarthy's committee. General Zwicker explained all of that when he was examined. He did not object to the examination.

Senators who are acting as examiners, representing the United States Senate, can be vigorous in the questions they ask. But when one holding the authority, not as an individual, but as a Senator or as a chairman, representing a great committee, goes to the point not only of conducting an investigation and of asking questions, but then finally of passing judgment upon the witnesses who appear before him at a great disadvantage, he attempts to exercise a right which was never given to the Senate by the Constitution of this country. The Senate was given the power to investigate and to get the facts for the purpose of enacting legislation. It was not given the power to try men, damn them, and blast them before the whole world.

That is precisely what the junior Senator from Wisconsin did. He was not satisfied with the questions he asked and the remarks he made; he also called in the representatives of the press within a few minutes afterward and gave them a résumé of what had occurred in the executive hearing. This, as well as I can ascertain, was in violation of the rules of the subcommittee, which required that that could not be done without the consent of a majority of the members of the committee. The junior Senator from Wisconsin did not release a transcript of the hearings, because it had not yet been made, but he issued a résumé.

Mr. President, we are very jealous of our own honor and our own reputations. But what are we to say of those persons who are called before the committees, particularly a man by the name of Zwicker. The fact is uncontradicted that he was not responsible for either the promotion or the honorable dismissal of Dr. Peress. He was not responsible for those actions.

It was brought to the attention of the junior Senator from Wisconsin that the general was acting under orders. In spite of that, because the junior Senator from Wisconsin was having some kind of feud with the Army, with some of the higher-ups, he let loose on General Zwicker and blasted him. He inferred that General Zwicker was not fit to wear the uniform of a general. I cannot give the exact words. The final shot of the junior Senator from Wisconsin was that he was going to call General Zwicker back, to give the people of the United States an idea of what kind of Army officers we have.

If Senators feel like voting to protect the honor and dignity of the Senate when it comes to a consideration of its own Members, let us remember that the ordinary citizen of the United States does not wear the uniform of a general. Any citizen of the United States has a right to claim the protection of the fifth amendment, and we do not have any right to damn him simply because he claims a right which the Constitution gives him. That is the position of the committee; at least, it is my position.

In bringing this matter before the Senate, we tried to discharge a duty to defend and protect the Senate, which was created by the Constitution. The Constitution is designed to protect all our institutions—the Presidency, the Supreme Court, and the Senate and House of Representatives. The Constitution as a written document, as mere words, was not a living force; but when, under the authority of the Constitution, there were created a Senate and a House of Representatives, the Presidency, and the Supreme Court, the Constitution was made a living document. When we raise our right hands to Almighty God and say that we will support and defend the Constitution, we mean all our institutions, as well.

As has been pointed out very well during the debate, attacks on the Senate, such as the attack in which it was said that the Senate was engaged in a "lynching bee," are as false as they are vicious. We know that. We are the witnesses. We know what kind of lynching bee has been held. Long-drawn-out procedures have been followed. Everything has been done in accordance with patterns set in the past to protect the rights of the person accused. Yet, nevertheless, an attack was made upon the Senate which was calculated to bring it into disrepute before the people of the country and of the entire world.

Mr. President, we are living in perilous times, when our institutions are under attack from every source. We cannot afford by condoning what is referred to as "salty" language, if we wish to describe it mildly as salty language, or by adjectives of that kind, to establish a line of precedents that will plague us forever, if adopted.

What precedent will we set? We shall be saying, if we fail to censure, that the conduct of the junior Senator from Wisconsin with reference to the Gillette-Hennings subcommittee was all right, because that matter has definitely been brought now to our attention and as it relates to the conduct of the junior Senator from Wisconsin. We shall be saying that it is perfectly all right for any chairman or Senator, or Member of the House of Representatives, to run a committee the way the McCarthy committee has been run; that it is all right to damn people; that it is all right to ask all the questions one wishes to ask in a very vigorous way, and to pass judgment as well. We shall be saying that such conduct is all right.

What is there to restrain anyone in the future, if the Senate now sets a precedent by saying that this was done under the peculiar facts in this case up and down the line, and that the actions are not censurable. Can Senators imagine anything that will be censurable in the future?

I say to my Republican colleagues that this is not a partisan matter. I think it is a matter of defending what the Constitution has established. In my opinion, the Constitution was ordained of God and framed by inspired men. It is our solemn duty, under our oath of office, to maintain it. We can devise all the excuses we want to. But we face a situation now, and we shall have to make a decision. It is said precedents are bad, if we establish them. Have Senators considered what the committee said? Have they measured them and studied the statements? Is there a single thing which the committee has recommended that Senators would not be willing to obey in the future?

In my opinion, any gentleman, any person, with a high standard of ethics, whether he be in the United States Senate or not, will follow a proper course; the other kind need rules. As Elbert Hubbard once said, "Fences are made for those who cannot fly."

I say to my colleagues that I am not asking for any personal vindication in this matter. I am unimportant. I have reached such an age that perhaps I may never again be a candidate for office. Nobody knows what may happen in the future, but I am fighting for what I have believed in all my life with respect to this Government, that its standards cannot be too high, and that when a man walks within the walls of this Chamber and becomes a Member of the United States Senate, he takes on himself certain obligations. One of them is to conduct himself as a Senator should conduct himself. He should not be guilty of disorderly behavior. He should do none of the things which would bring this body into disrepute, and make it of lesser esteem before our citizens and the peoples of the world.

A vote for censure now is not going to take away any of the rights of Senator McCarthy, but it is going to say to him and to the whole world, "We do not approve of your conduct in the peculiar circumstances of this case." It does not go beyond that. If one wishes to, he may treat as dictum everything in the report, but the fundamental facts will still be before him. We can vote for censure and say to the world, and I hope my Republican colleagues will join in saying to the world, "This Senate's dignity and honor must be upheld, and each Senator must do his part."

The VICE PRESIDENT. The Senator from Illinois has 4 minutes remaining, and the Senator from Utah has 3 minutes remaining.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the distinguished Senator from South Dakota [Mr. Mundt].

Mr. MUNDT. Mr. President, I take this time only to make an announcement, because of the parliamentary situation in which we find ourselves. I announced yesterday in the course of my speech that I thought there was available to the Senate a third avenue of approach whereby we could do something constructive rather than do something by way of a negative approach in connection with our existing problem.

I wish to announce at this time that if the substitute offered by the Senator from Illinois shall be adopted, I shall then move to substitute for the three remaining words in the first paragraph the following language, after reciting the

fact that the Senate disapproves of intemperate statements made by the junior Senator from Wisconsin, or similar statements by other Senators:

And it is further declared to be the sense of the Senate that the Senate Committee on Rules and Administration should conduct hearings and report to the Senate, early in the first session of the 84th Congress, recommendations for any desirable changes in the rules governing committee hearing witnesses and recommendations for a code of proper and becoming conduct to apply to all Members of the Senate insofar as their contacts with fellow Senators are concerned and that such recommendations should include provisions for appropriate punishment by the Senate of any infractions of such code of conduct which may occur after its adoption.

Mr. President, I make that announcement at this time because if the amendment in the nature of a substitute offered by the Senator from Illinois is adopted, in lieu of censureship I shall move to substitute for the final three words the language I have read. If the amendment of the Senator from Illinois is not adopted, as soon as I can obtain the floor I shall offer as an independent provision language I have read.

Mr. DIRKSEN. Mr. President, first let me say to my distinguished friend from North Carolina that nobody ever questioned the jurisdiction of the so-called Gillette subcommittee. I have never understood that any question has been raised about the right of the junior Senator from Wisconsin to appear or not appear, but it seems to me that it is sought to condemn or censure him because he elected not to appear, which was his right.

When it comes to dealing with the subcommittee, I go back to the La Follette case, in which a resolution was introduced to expel the senior La Follette on the ground of disloyalty and sedition. Senator La Follette would not appear. He would not cooperate. No one ever thought to censure him.

When it comes to words and conduct, after all, our evaluation of such matters is not in the field of absolutes. If there be any doubt about it, Senators, listen to me for a moment. I shall read 25 or 30 words, from a speech which was delivered on the 28th of September, 1948, in Oklahoma City. I read one paragraph:

The fact of the matter is that the Republican Party is the unwitting ally of the Communists in this country. That is clearly shown in the election record of the Communist Party.

Who do my colleagues think said that? The Honorable Harry Truman, then President of the United States, at Oklahoma City. When we deal with words, when we deal with conduct, remember that there are no absolutes in that field.

If time permits, I should like to refer to certain language used toward witnesses. I now quote from the record of hearings of the Committee on Armed Services in December 1950, on a nomination. A Senator said:

I think this witness is entirely irresponsible. I don't think that her testimony is of any value to this committee because I question the mental stability of this witness, and I don't know why members of the committee should have to sit here and listen to a witness whose irresponsibility I think can be so clearly psychiatrically established as this witness.

Who said it? The distinguished Senator from Oregon, WAYNE MORSE. The time was when? December 11, 1950.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I should now like to read from a letter addressed to the Committee on Armed Services.

The VICE PRESIDENT. The time of the Senator from Illinois has expired.

Mr. DIRKSEN. Mr. President, will the Senator from Utah yield me 30 seconds?

Mr. WATKINS. I yield the Senator 30 seconds.

Mr. DIRKSEN. I come to the last paragraph:

To sum up, it is my considered opinion based on close observation, that Mrs. Shearon is an hysterical, psychopathic, and completely untrustworthy individual whose testimony is deserving of absolutely no credence whatsoever.

Who said that? The honorable JAMES E. MURRAY, a Member of the Senate, in December 1950. There are no absolutes in this field.

Mr. MORSE. Mr. President, a point of inquiry. Was the Senator from Utah yielding 30 seconds to me or to the Senator from Illinois?

Mr. WATKINS. Mr. President, I now yield 30 seconds to the Senator from Oregon.

Mr. MORSE. Mr. President, if the Senator from Illinois will go into the record of the Committee on Armed Services, he will find that an overwhelming majority of the committee agreed with my observation, and the testimony of that witness before the Committee on Armed Services was highly discounted by the committee because of the obvious instability which the witness demonstrated at the hearing.

I am perfectly willing to abide by the language I used on that occasion, because it was highly circumspect and proper under the circumstances.

Mr. DIRKSEN. Does that change the situation? Not one bit.

Mr. MORSE. Under the circumstances based upon the record of the hearing, it makes my language highly proper and highly temperate.

The VICE PRESIDENT. The Senator from Utah has 1 minute remaining to him.

Mr. WATKINS. Mr. President, I yield back my time. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. WELKER. Mr. President——

The VICE PRESIDENT. For what purpose does the Senator rise?

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

Mr. WELKER. Mr. President, I move to strike out section 1 of the first resolution of censure.

Mr. WATKINS. Mr. President, a point of order. The motion is out of order.

The VICE PRESIDENT. A motion to strike is not in order at this point.

Mr. WELKER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Idaho will state it.

Mr. WELKER. Will the Parliamentarian now advise me, as he did a moment ago, when, if ever, a motion to strike will be in order?

The VICE PRESIDENT. Such a motion will be in order when the question before the Senate is on agreeing to the committee amendment.

At this time the question before the Senate is on agreeing to the amendment of the Senator from Illinois [Mr. DIRKSEN] to the first committee amendment; and the vote on that question will come first.

Mr. WELKER. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator from Idaho will state it.

Mr. WELKER. In other words, was I dilatory in making my motion?

The VICE PRESIDENT. No. The Senator from Idaho will have an opportunity to make his motion in the event the pending amendment to the first committee amendment is rejected. In the event the pending amendment to the committee amendment does not prevail, the Senator from Idaho will have an opportunity to make his motion.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Illinois will state it.

Mr. DOUGLAS. May the pending amendment to the committee amendment be read at this time?

The VICE PRESIDENT. Without objection, the pending amendment, submitted by the Senator from Illinois [Mr. DIRKSEN], to the committee amendment will be stated.

The LEGISLATIVE CLERK. On page 1, line 1, in lieu of the language proposed to be inserted by the committee, it is proposed to insert the following:

With respect to the report and recommendations of the select committee, a reasonable doubt exists as to the authority of the Senate to censure or condemn a Senator for language or conduct in a prior session of the Congress; that no rule presently exists under which censure or condemnation for the alleged language or conduct might be justifiably imposed; that a Senator is under no legal duty to appear before a committee on invitation and that censure was not heretofore proposed where a Senator refused to appear before a committee; that censure or condemnation while not depriving a Senator of any privilege or prerogative is punitive in nature and might, therefore, be considered ex post facto in character, if imposed for language or conduct in a prior Congress; that there has been no violation of senatorial tradition as evidenced by countless instances of robust and salty phraseology in Senate debate dating back to the First Congress in 1789; that there is no evidence to establish that the constitutional process of the Senate were in fact obstructed; that the failure of the complainant Senators to raise questions of conduct on January 3, 1953, when the oath was administered to the Senator from Wisconsin [Mr. MCCARTHY] precludes a valid consideration of the charges and allegations in section 1 of the resolution reported by the select committee; that censure for the use of allegedly intemperate language in interrogating a witness does not in the light of all the circumstances involve the good faith which must be maintained between the executive and legislative branches of Government; that the Congress

does have the right to examine into the applicability of an Executive order or directive especially where the internal security of the Nation may be involved; that while abusive or intemperate language is to be deplored, it does not in the light of precedent warrant formal censure or condemnation as proposed in sections 1 and 2 of the resolution reported by the select committee.

Mr. DANIEL of Texas. Mr. President, I ask unanimous consent to have printed at this point in the RECORD remarks prepared by me on the pending question.

The VICE PRESIDENT. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DANIEL OF TEXAS

THE CENSURE RESOLUTION

On July 31, when the original resolution of censure (S. Res. 301) by the Senator from Vermont [Mr. FLANDERS] was pending, I discussed the judicial nature of this proceeding and urged that the general standards of fairness and justice to the accused should be applied. I objected to consideration of the resolution without specifying the charges and without giving both the accusers and the accused an opportunity to develop the evidence.

Recognizing that it sits in such matters in a quasi-judicial capacity, the Senate referred the original resolution and a total of 46 charges to its select committee, in order that the committee might hear the evidence, report its findings, and make its recommendations. In this work the committee has acted in a capacity resembling that of special masters appointed by a court to hear the evidence and the law and to report back with recommendations, in order that the court might then consider the evidence, the law, and the recommendations in arriving at a final judgment.

The committee has performed its labors and reported its findings and recommendations. The Senate, in considering its final judgment, is not limited to the evidence adduced, the findings, or the recommendations of its committee. It has heard additional evidence in these debates and additional arguments. At this point no one can truthfully say that the standards of American justice have not been applied to this proceeding. The committee has performed its arduous and unsought task with order, dispatch, and ability, and the Senate has patiently heard all evidence and arguments which any Senator has sought to offer either for or against the junior Senator from Wisconsin [Mr. MCCARTHY].

The committee, after considering the 46 specific charges leveled against Senator MCCARTHY, rejected 33 of these charges and consolidated the balance into 2 counts upon which it has recommended censure. It would seem that this action alone, reducing the total charges from 46 to 2, answers the allegations of partiality and prejudice which have been leveled at the committee composed of 3 distinguished Members of the Senate from each side of the aisle.

Unless the Senate itself adds additional counts to the censure resolution, the only questions are (1) whether the Senator from Wisconsin [Mr. MCCARTHY] should be censured for abuse of, and failure to cooperate with, a committee assigned by the Senate to investigate certain of his actions wholly unconnected with his fight against communism, and (2) whether Senator MCCARTHY should be censured for alleged abusive treatment of a witness, General Zwicker, on cross-examination.

True significance of the resolution

Neither of these questions concerns an approval or disapproval of the aims and objectives of Senator MCCARTHY's fight against communism. Neither calls for termination or continuation of our committees' investigation of communism and subversives. The questions should be decided in a judicial manner in accordance with the evidence and the law and not because of any other considerations. My decision and this discussion shall be based solely upon the evidence and the law relating to these two questions now presented in the censure resolution, except that I must urge that the Senate take affirmative action to let it be known that the real meaning of this resolution is limited to the specified charges and that it has no other significance.

Rightly or wrongly, these two isolated allegations relating to the official conduct of Senator MCCARTHY have been represented to the American people as being decisive of the attitude of the Senate with reference to communism and the continued investigation of subversion. Some very sincere people have been misled to believe that censure of any act or conduct of Senator MCCARTHY would amount to a vote to end the investigative powers of Congress. Others have been led to believe that it would be a victory for communism or an indication that the Senate has become "soft" on subversives. Unfortunate as these impressions may be, their existence cannot be ignored.

Proposed amendment

Hence the Senate is faced not only with the problem of protecting its decorum, honor, and dignity, but with the additional problem of doing so in a manner which will preserve inviolate its investigative powers and encourage continued exposure and riddance of subversive elements in our Government. By a proper amendment it seems to me that the Senate can discharge its responsibility with respect to its own procedures in such a manner that no doubt will be left in the public mind about this body's abhorrence of communism and subversion and its intention to continue to employ the full extent of its investigative powers in exposing and ridding this country of communism and subversive elements in our Government.

In short, I should like to see this resolution amended so that it will furnish no comfort to the Communists or any others who support the resolution because of their hatred for and desire to see a fighter of communism embarrassed and censured. I would prefer their opposition to the resolution. It should be amended so that no one can falsely accuse the Senate of quitting its fight against subversion or of being influenced to censure one of its Members for any reason other than what is specified in the count or counts finally adopted. For this purpose, I have proposed the following amendment to be added as the last paragraph of the resolution:

"Recognizing that the Communist Party of the United States is a part of the international Communist conspiracy against the United States and all democratic forms of government, the Senate commends all Members of Congress and all committees to the extent that they have contributed to the exposure of this deadly menace. It is the sense of the Senate that its appropriate committees shall continue diligently and vigorously to investigate, expose, and combat this conspiracy and all subversive elements and persons connected therewith. Specifically, at the earliest possible moment the Senate and the American people should be given all of the facts with reference to the promotion and honorable discharge of Maj. Irving Peress."

No comfort to Communists

Also, I have joined with the Senator from Colorado [Mr. JOHNSON] in a shorter amendment of similar wording and import and strongly urge that one of these amendments be adopted. Such action will eliminate from the supporters of the censure resolution the Communist Party, the Daily Worker, and others whose only interest therein has been for ulterior motives. It will leave the resolution just as strong for those whose primary interest is the preservation of the honor and dignity of the Senate. At the same time, it will answer the unwarranted charges that the resolution is Communist-inspired and that it is an indication that the Senate is ending its investigative powers and its battle against communism.

If anyone should object to that portion of the amendment which commends our committees and all Members of the Senate who have fought and exposed the Communist conspiracy simply because it necessarily includes Senator MCCARTHY, let me remind them that every member of the select committee recommending censure has during its investigation or during these debates acknowledged that Senator MCCARTHY has made important contributions to the exposure and elimination of Communists and their sympathizers, and most of them have commended his work to this extent. At a time when he is being criticized for mistakes and misconduct, it would seem only fair that he share in any commendation that may be made of all Members of this body to the extent that they have worked toward exposing and fighting communism and subversion.

It will be noted that this amendment calls for continued investigation by our appropriate committees and says that they shall "diligently and vigorously" investigate, expose, and combat this conspiracy and all subversive elements and persons connected therewith. Specifically, the amendment calls for the earliest possible information to the Senate and the American people of the facts with reference to the promotion and honorable discharge of Maj. Irving Peress, the Army officer whose file showed that he was a Communist Party member and leader, and that these facts were known to someone in the Army before his promotion and discharge were approved. It seems to me that this is an appropriate time for the United States Senate to let it be known that it wants its committees to find out and its Army officials to cooperate in the determination of what persons or conditions were responsible for the promotion of Peress and his hurried honorable discharge.

Whether one of these amendments is adopted or not, they express the sentiment of the junior Senator from Texas on this subject, and it is with this sentiment in mind that I proceed to discuss my decision with reference to the vote I shall cast on counts one and two of the resolution.

The first count

The first count—proposing censure for abusing and failing to cooperate with a Senate committee—relates not only to the orderly procedure and honor of the Senate, but to preservation of the investigative powers of the Senate. One of my primary concerns in this proceeding is that it shall not be interpreted as a precedent or intention to curb the power, authority, or responsibility of congressional investigating committees.

For these investigative powers to be preserved and maintained Members of the Senate must respect and uphold them and set a proper example for those who appear as witnesses or under investigation. In my opinion, the evidence shows that Senator MCCARTHY failed to do this when a subcommittee of the Senate was directed to investigate him in connection with his finances and possible charges of expulsion. The evidence appears undisputed that he not only failed and refused to explain the questions raised about the use of the money contributed to him to fight communism and other matters of a similar nature but he continually abused and berated the members of the committee, accusing them of dishonesty, stealing the taxpayers' money, and generally impugning their motives, finally ending up

with the assertion that one of the members was "a living miracle in that he is without question the only man who has lived so long with neither brains nor guts."

Important in this connection is the fact that at no time has there been any evidence offered or adduced in support of these abusive charges against a duly constituted committee and agency of the Senate. The investigative powers and authority of our committees and the dignity and honor of the Senate cannot be preserved if we allow such conduct to go unnoticed, especially when it is the conduct of the chairman of another committee which should and does demand the respect and cooperation of all persons under investigation or called as witnesses.

Parliamentary precedents

There is nothing new in this proposal to censure a member of a legislative body for impugning the motives and abusing his fellow members. From the earliest history of parliamentary bodies it has been recognized that order, decency, and mutual respect must be preserved in order for representative government to function. Thomas Jefferson explained that decorum and orderly procedures are necessary to prevent anarchy and destruction of parliamentary procedures. Jefferson's Manual of Parliamentary Practice says:

"No person, in speaking, is to * * * digress from the matter to fall upon the person (Scob., 31; Hale Parl., 133; 2 Hats., 166) by speaking, reviling, nipping, or unmannerly words against a particular member (Smyth's Comw. L., 2, ch. 3). The consequences of a measure may be reprobated in strong terms, but to arraign the motives of those who propose to advocate it is a personality, and against order."

It was to insure and preserve orderly procedures in the House and Senate that the second paragraph of section 5, article I, of the Constitution was written, as follows:

"Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member."

With the same purpose in mind, Senate rule XIX, paragraph 2, reads as follows:

"No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator."

Cushing's Law and Practice of Legislative Assemblies says:

"Members may be guilty of misconduct, either towards the assembly itself, towards one another, or towards strangers. Misconduct of members towards the assembly, besides being the same in general as may be committed by other persons, consists of any breaches of decorum or order, or of any disorderly conduct, disobedience to the rules of proceeding, neglect of attendance, etc.; or of any crime, misdemeanor, or misconduct, either civil, moral, or official, which, though not strictly an attack upon the house itself, is of such a nature as to render the individual a disgrace to the body of which he is a member. Misconduct of members towards one another consists of insulting remarks in debate, personal assaults, threats, challenges, etc., in reference to which besides the ordinary remedies at law or otherwise, the assembly interferes to protect the member, who is injured, insulted, or threatened."

True, there have been many instances of abuse and insults to Members which have gone uncensured. However, in many of these instances the offending Member was called to order in accordance with Senate rule XIX, and in many other instances apologies and regrets have been expressed. In the only instance involving abusive language in which censure was insisted upon, the Tillman-McLaurin case, McLaurin's sole offense "was confined to the use of unparliamentary language." He and his antagonist both were censured.

In the case before us, I find no evidence of regret or apology for abusive conduct toward the Members and agencies of the Senate, but instead—new abuse and unwarranted attacks on the members of the select committee and the membership of the Senate. This, I regret exceedingly, because in all good conscience it leaves me with no alternative other than to vote for censure on count No. 1.

The second count

On count No. 2, involving the case of Maj. Irving Peress and Senator McCARTHY's cross-examination of General Zwicker, I shall vote against censure. No matter how excessive or unjustified his language might have been, there is no evidence of premeditated abuse or mistreatment as we have in connection with count No. 1. Senator McCARTHY was infuriated, and justly so in my opinion, at the action of the Army officials in hurrying up an honorable discharge for a Communist major within 48 hours after he had protested such action and demanded a court-martial. I regret that General Zwicker was the brunt of this anger rather than the Army officials who were actually responsible. The President and the Secretary of Defense have acknowledged that the Peress promotion and honorable discharge were great mistakes, but the people, and especially the Congress, are entitled to know exactly how and why it happened in order to help prevent such occurrences in the future. Someone in the Army deserves censure or expulsion and will probably receive it when the evidence is developed. Until this is done, I consider the Peress incident still an open matter and do not believe that we should censure Senator McCARTHY on the second count. All of the facts now concealed from Congress should be revealed before we criticize anyone who had any connection with the case or the investigation.

In conclusion, Mr. President, whatever resolution may result from this proceeding, I urge that it contain one of the amendments to which I have referred stating clearly the determination of the Senate that its investigation and exposure of the Communist conspiracy shall continue unabated. Let us carry out our duty in such a manner that Communists and their fellow travelers will receive no comfort from the final result of these proceedings.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Illinois [Mr. DIRKSEN] to the first committee amendment.

On this question the yeas and nays have been ordered.

Mr. WATKINS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Utah will state it.

Mr. WATKINS. In voting on this question a "yea" vote will be to agree to the substitute submitted by the Senator from Illinois [Mr. DIRKSEN] for the committee amendment; is that correct?

The VICE PRESIDENT. An affirmative vote would be a vote to agree to the amendment offered by the Senator from Illinois [Mr. DIRKSEN] to the first committee amendment.

The question now is on agreeing to the amendment of the Senator from Illinois to the committee amendment.

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the senior Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

The Senator from Oregon [Mr. CORDON] is absent on official business, and the junior Senator from Wisconsin [Mr. McCARTHY] is necessarily absent.

On this vote the Senator from Ohio [Mr. BRICKER] has a pair with the Senator from Tennessee [Mr. GORE], and the Senator from Indiana [Mr. CAPEHART] has a pair with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Ohio [Mr. BRICKER] and the Senator from Indiana [Mr. CAPEHART] would each vote "yea," while the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. CHAVEZ] is unavoidably detained on official business and if present would vote "nay."

The Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave of the Senate on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

I announce further that the Senator from Tennessee [Mr. GORE] is paired on this vote with the Senator from Ohio [Mr. BRICKER]. If present and voting, the Senator from Tennessee would vote "nay," and the Senator from Ohio would vote "yea."

I announce also that the Senator from Florida [Mr. SMATHERS] is paired on this vote with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Florida would vote "nay," and the Senator from Indiana would vote "yea."

The result was announced—yeas 21, nays 66, as follows:

YEAS—21

Abel	Dworshak	Malone
Barrett	Goldwater	Martin
Beall	Hickenlooper	Mundt
Bridges	Hruska	Purtell
Brown	Jenner	Schoeppel
Butler	Knowland	Welker
Dirksen	Langer	Young

NAYS—66

Aiken	George	McClellan
Anderson	Gillette	Millikin
Bennett	Green	Monroney
Burke	Hayden	Morse
Bush	Hendrickson	Murray
Byrd	Hennings	Neely
Carlson	Hill	O'Mahoney
Case	Holland	Pastore
Clements	Humphrey	Payne
Cooper	Ives	Potter
Cotton	Jackson	Robertson
Daniel, S. C.	Johnson, Colo.	Russell
Daniel, Tex.	Johnson, Tex.	Saltonstall
Douglas	Johnston, S. C.	Scott
Duff	Kefauver	Smith, Maine
Eastland	Kerr	Smith, N. J.
Ellender	Kilgore	Sparkman
Ervin	Kuchel	Stennis
Ferguson	Lehman	Symington
Flanders	Long	Thye
Frear	Magnuson	Watkins
Fulbright	Mansfield	Williams

NOT VOTING—9

Bricker	Cordon	McCarthy
Capehart	Gore	Smathers
Chavez	Kennedy	Wiley

So Mr. DIRKSEN's amendment to the committee amendment was rejected.

The VICE PRESIDENT. The committee amendment is open to amendment.

Mr. MUNDT. Mr. President, I offer the amendment which I send to the desk and ask to have read.

The VICE PRESIDENT. The amendment offered by the Senator from South Dakota will be stated.

The CHIEF CLERK. On page 1, line 5, in lieu of the language proposed to be inserted by the committee, it is proposed to insert the following:

Inasmuch as the select committee to which was referred this resolution has issued a comprehensive report dealing with certain activities and statements of the junior Senator from Wisconsin, Mr. McCARTHY, and recommending that because of certain statements made by him and his failure to cooperate fully with the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration he should be censured, and

Inasmuch as there is no precedent in Senate history for censuring a Member of the Senate for such activities and statements, and

Inasmuch as it is not in keeping with Senate traditions and policies to apply retroactively any rules or regulations adopted for the conduct of Senators either on or off the floor or in committee, and

Inasmuch as the Senate deplores and disapproves of the use of offensive or abusive language by the junior Senator from Wisconsin in attacking the honesty or honor of patriotic witnesses before a committee or in referring to other Members of the Senate;

It is therefore declared to be the sense of the Senate that in lieu of censuring the junior Senator from Wisconsin, the Senate disavows and disapproves of the intemperate statements employed by the junior Senator from Wisconsin or any similar statements employed by any of its other Members and it is further declared to be the sense of the Senate that the Senate Committee on Rules and Administration should conduct hearings and report to the Senate, early in the first session of the 84th Congress, recommendations for any desirable changes in the rules governing committees hearing witnesses and recommendations for a code of proper and becoming conduct to apply to all Members of the Senate insofar as their contacts with fellow Senators are concerned and that such recommendations should include provisions for appropriate punishment by the Senate of any infractions of such code of conduct which may occur after its adoption.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from South Dakota to the first committee amendment. The Senator from South Dakota has 30 minutes on his amendment.

Mr. WATKINS. Mr. President, a point of order.

The VICE PRESIDENT. The Senator will state it.

Mr. WATKINS. I wish to determine from the Senator from South Dakota whether or not his amendment is intended as a substitute for the entire resolution.

Mr. MUNDT. No. It is a substitute for the committee amendment which is now pending.

Mr. WATKINS. To section 1?

Mr. MUNDT. That is correct.

Mr. WATKINS. It is in the same category as the amendment which has just been disposed of.

Mr. MUNDT. Precisely.

Mr. President, as I announced at the time the Dirksen amendment was under discussion, it seems to me that after the long months this body has spent dealing with the activities of the junior Senator from Wisconsin and the various ramifications thereof, at this late hour we should try our best to do something constructive instead of something purely negative as we approach the problem which confronts us.

As I stated yesterday, it seems to me very clear that there is a third choice. There is a constructive choice which we confront, one which I recognize, like any other choice, will not be satisfactory to everyone, but one which has the distinct advantage of looking ahead instead of looking backward, one which has the distinct advantage of avoiding the pitfalls inherent in a vote either to censure or not to censure, and one which I think would express the attitude of the Senate, if primarily, it looks to principle and avoids personalities.

I grant that the third choice will never quite satisfy those individuals who will never be happy until they have the head of the junior Senator from Wisconsin. I grant that some people in this country—and most of us know who they are—will never be quite content until someone delivers to them the head of the junior Senator from Wisconsin on a platter. I do not think there are any such persons in this body. If there are, they can identify themselves. I certainly will not undertake to designate any Senator as having that attitude. But either by my substitute or if we merely vote not to censure, we shall, of course, make those people most unhappy.

It is also true that if we vote to censure we shall, as every Senator knows, be unwittingly adding fuel to the fires of communism around the world.

There is no way by which any of us can stop the propaganda mills of the Communists from proclaiming to the people in every country of the world if we vote for censure that the United States Senate here and now has acted officially to try to destroy or at least to diminish the influence of a man who has become the symbol of the congressional fight against communism.

As I said yesterday, I believe he has become the symbol largely in spite of himself, rather than by anything he has done. However, few will deny that he has become that symbol.

I sometimes wonder what the Members of the Senate would do if they had to make this vote in the middle of a hot war with communism in Russia, instead of in the middle of a cold war with communism in Russia.

I wonder whether it would not give us a little pause to think whether perhaps we should not seek out a third constructive course, if we were in a shooting war instead of running the risk that by our action today we give aid and comfort to a Communist enemy that all of us abhor.

Therefore, it seems to me, Mr. President, an opportunity should be provided, at least for those of us who care to, to deal constructively with this situation that now confronts us, and I sincerely believe my substitute amendment provides that constructive opportunity.

There should be some means provided by which those of us who want to vote in a manner which cannot be interpreted by some people as giving aid and comfort to communism, or who want to vote in a manner which cannot be attributed by other people as placing our stamp of approval on every word and adjective used by the junior Senator from Wisconsin, can find a method to express our clear-cut convictions. There must be some other constructive course that we can follow.

I believe the substitute which I have placed before the Senate provides that other constructive course. I suggest that my substitute has other merits.

Mr. SMITH of New Jersey. Mr. President, will the Senator from South Dakota yield for a question which seeks clarification?

Mr. MUNDT. I yield.

Mr. SMITH of New Jersey. Is the Senator limiting his suggested substitute to the first section?

Mr. MUNDT. That is correct.

Mr. SMITH of New Jersey. The first section does not use the word "censure" at all.

Mr. MUNDT. That is correct.

Mr. SMITH of New Jersey. The word "censure" does not appear in the first section. I wonder whether——

Mr. MUNDT. Mr. President, my time is very much limited. My substitute is limited to the first section, I will say to the Senator from New Jersey, because of the parliamentary situation confronting us. If my amendment meets approval, I would then move to strike the second section. I am sorry that I cannot yield further at this time.

Let me read the salient part of the proposal, because I believe it expresses what many Senators have stated:

It is declared to be the sense of the Senate that in lieu of censuring the junior Senator from Wisconsin, the Senate disavows and disapproves of intemperate statements employed by the junior Senator from Wisconsin, or any similar statements employed by any of its other Members.

Mr. President, I fail to see why in a sense of piety we should simply disapprove the intemperate language used by the junior Senator from Wisconsin and ignore entirely or look without any sense of censureship upon equally repulsive and repugnant—if not more so—statements used against the junior Senator from Wisconsin by, for example, the Senator from Vermont [Mr. FLANDERS].

I do not understand how we could justify such a double standard of morality. If it is objectionable and wrong and censurable for one Senator to speak intemperately of another Senator, it seems to me it is equally objectionable and wrong and censurable for another Senator to do so, particularly when that other Senator sits on the floor of the Senate and votes on this measure to censure a Senator he has personally attacked.

By adopting my amendment, we would avoid the difficulty of selecting from among our friends and our enemies those who should perhaps be censured and those who perhaps should receive a pat on the back, even though the latter have used equally repugnant and repulsive language in the same calendar year and before the same Senate. I suggest that we come out clearly and courageously and say that we disavow and dis-

approve of all intemperate language, whether employed by the junior Senator from Wisconsin or any other Member of the Senate. Why not make universal application of such a rule? I believe we should.

We would avoid another pitfall, Mr. President; we would avoid the pitfall in the current issue of proceeding to violate what I consider to be one of the great inherent American bastions of freedom, the rights of States, the principle of States' rights.

It is proposed to go behind the determination of the electorate of the State of Wisconsin in 1952, and to tell them that, in spite of the fact that they elected the junior Senator from Wisconsin, and in spite of the fact that he has taken his seat, we now propose to censure the Senator for having failed to come before a committee of the Senate to discuss things that were discussed in his campaign in Wisconsin, and which things the people of Wisconsin considered before they reelected the Senator from Wisconsin for a second term. In doing this, we may be doing more to censure the voters of Wisconsin than we are to censure their junior Senator.

Mr. President, it seems to me that we are treading in a very dangerous area when we establish a precedent to the effect that the Senate has the right to tell the people of a sovereign State whom they can send to the Senate, when a question of neither morality nor fraud is involved.

I am afraid if we vote in that direction some of our friends from south of the Mason-Dixon Line will regret for many years the interpretation and the precedent of the action we take here in order to meet a particular problem, which we can meet in different ways other than riding roughshod over the principle of States' rights.

Having stated, as I think we should state, that we disavow and disapprove of intemperate statements by our colleagues, I propose that we look ahead, and that we plan for the future. I suggest that we do something constructive. I suggest that we express it to be the sense of the Senate that the Committee on Rules and Administration, or any other appropriate committee, bring in a set of rules which that committee believes should be recommended to the Senate for conducting committee activities and for proper conduct of committee chairmen.

Having adopted such rules, we would then have the power to enforce them, because we would have specific offenses described and specific punishments provided by official Senate action.

I go further and suggest that the appropriate committee of the Senate, in looking ahead, hold hearings and give careful consideration to the desirability of establishing codes of proper conduct for the Members of the Senate. That committee can go as far as it likes. It can establish the proper codes of conduct for Senators on the floor or off the floor, or both. Whatever it does, will be clear. Whatever is adopted will be obvious and universally applicable. It may improve the attitudes and the acts of every Member of the Senate. Once the rules are adopted, if they are, the Senate will set up machinery for their enforcement, and they will be enforced by the Senate against all Senators equitably.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for questions?

Mr. MUNDT. I yield.

Mr. HICKENLOOPER. As I understand, the Senator is arguing that if the Senate is to adopt lexicon which circumscribes the choice of words a Senator may use in the conduct of his public affairs, we had better study that lexicon a little in order to determine what circumscription is to be applied, in view of the long traditions and the experiences of the past, when words, which sometimes were rough and perhaps brutal, have not been made the cause for official censure in the Senate. Is that correct?

Mr. MUNDT. The Senator states the problem very well.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for another question?

Mr. MUNDT. I yield.

Mr. HICKENLOOPER. Words of delicate and fine semantics have been used in the past, have they not, to push the poniard into other Members?

Mr. MUNDT. Yes; and some words could not be described exactly as being delicate.

Mr. HICKENLOOPER. And there have been brutal words used in the past.

Mr. MUNDT. That is correct.

Mr. HICKENLOOPER. Which have undoubtedly unjustly injured the sensibilities of other Senators. Is that correct?

Mr. MUNDT. That is correct.

Mr. HICKENLOOPER. Does it make much difference whether a wound is caused by a fine, delicate stiletto being inserted, or by a meatax which cuts off the head? Does it make much difference in the long run if the injury occurs just the same?

Mr. MUNDT. The Senator is correct. What disturbs me is that while it does not seem to make much difference as to the nature of the weapon which is used, to a great many Members of the Senate it does seem to make a considerable difference as to who uses the weapon. That, to me, is the unjust and unfair phase of this whole matter.

The Senator from Iowa sat here, as I did, and listened to the Senator from Illinois read a long list of prior offenses. There is no Senator on the floor who will deny that in that list there were a great many examples of language which was much more repulsive, much more repugnant, much more offensive, and much more intemperate than was anything ever said by the junior Senator from Wisconsin at his best, or at his worst. We can put it either way. I do not know why no one raised the point of censure. I do not know why the precedent of censure was never established, but I know it was not. Certainly there should be universal applicability of punishment for like offenses. We now propose, and I wonder why, singling out a particular Senator because he used language of which I disapprove and of which you disapprove, when we have entirely ignored worse examples by predecessors, some of whom are sitting in this body today.

Mr. President, I suggest that we give some thought to a constructive approach. I think we can do that. I have said, as many other Senators have said in correspondence, that I disapprove of some of the language which the Senator from Wisconsin has used. I have said it in public speeches. I propose now to put it into legislative language. I think it is fair and right as an expression of our position. The thing I oppose is the idea that we should take an expression of disapproval and balloon it up into an official act of censure, when on previous occasions nothing like that has ever been done at any time in the history of the Senate.

Mr. McCARTHY. Mr. President, will the Senator from South Dakota yield for a unanimous-consent request?

Mr. MUNDT. Not if it is to be taken out of my time. I have very little time.

Mr. McCARTHY. I want to ask unanimous consent to have 2 minutes to cover a point, without the time being taken from the Senator from South Dakota.

Mr. WATKINS. Mr. President, I yield 2 minutes to the Senator from Wisconsin for that purpose.

Mr. McCARTHY. Mr. President, I hesitate to interrupt the Senator from South Dakota at this time, but I must leave the Chamber, and I should like to address my remarks to the majority leader and the minority leader.

Mr. MUNDT. May I establish on the record the fact that I may have the floor when the junior Senator from Wisconsin has concluded?

The VICE PRESIDENT. The Senator from South Dakota has the floor.

Mr. McCARTHY. Mr. President, it is not important, so far as the resolution of censure is concerned—the sooner we can get through with that the better I shall like it—but I invite the attention of the majority leader and the minority leader to letters allegedly signed by the Senator from Iowa [Mr. GILLETTE]. I told representatives of the press last night that I knew he had not signed them, that they were forgeries. They are letters which bear the signature of the Senator from Iowa, and there are others about which he knew nothing. The letters ask for illegal action on the part of postmasters in Maryland and in Washington. I have photostatic copies of the letters to which someone forged the signature of the Senator from Iowa, and I think it should be made clear that he should take no blame in the matter, because he knew nothing about it.

I was not present this morning, but I understand that the senior Senator from Arizona [Mr. HAYDEN] made some remarks about it. Even though he may be generous in the matter, he cannot take the blame, because he did not have any place on the Gillette subcommittee until after the Senator from Iowa left.

All the information I have is that a Mr. Cotter, who is now working for the House Committee on Government Operations, can give a picture of the reason

for the forgery and for the request for illegal action.

I think the majority leader and the minority leader should, some time before tomorrow morning, decide whether we should call the necessary witnesses under oath and find out who was guilty of the forgery, who was the instigator of this act which calls for a violation of a Federal criminal law on the part of two different postmasters.

In addition to that, I think we should call the staff of the Watkins committee and find out why this information was suppressed, why there was a suppression of evidence. The Senator from Utah has subpenaed the evidence; he had the letters before him. I do not know whether he knew about it, but members of his staff said they knew. Someone was guilty of suppressing important evidence which the Senate should have.

In conclusion, Mr. President, I would say to the majority leader and the minority leader that I am not concerned with the question insofar as it may affect the votes of Senators. I know exactly how they will vote. But if we are concerned about the dignity of the Senate—and it makes me a bit ill to hear some of my colleagues talk about what they consider the dignity of the Senate——

The VICE PRESIDENT. The time of the Senator from Wisconsin has expired.

Mr. WATKINS. Mr. President, I yield another minute to the Senator from Wisconsin, if he desires it.

Mr. McCARTHY. If we are concerned with the dignity of the Senate, then I suggest to the majority leader and the minority leader that before the final vote is had they call the necessary witnesses—I can give their names—and put them under oath and find out who was guilty of forging the signature of the chairman of a Senate committee for the purpose of having an illegal act committed. I think, if I may say so, Mr. President, that this is important. We have gone through this farce now to the point where I think the Senate is disgraced to a great extent; but let us try to regain a part of what we have lost over the past few days, and let us in all decency and honesty find out who on the Watkins committee has the information. I doubt if any member of the committee has it, but someone has it. Let us find out who suppressed the information and why it has not been brought to the attention of the Senate.

Mr. MUNDT. Mr. President, may I inquire how much of my 20 minutes I have left?

Mr. JOHNSON of Texas. Mr. President, does the Senator from South Dakota have the floor?

The VICE PRESIDENT. The Senator from South Dakota has the floor, and he has 4 minutes remaining.

Mr. JOHNSON of Texas. Mr. President, will the Senator from South Dakota yield to me?

Mr. MUNDT. If I can make a deal with my friend from Utah to be yielded back the time that is consumed.

Mr. WATKINS. I yield 2 minutes, with the understanding that the Senator from South Dakota retains the floor.

Mr. JOHNSON of Texas. Apropos the suggestion made by the junior Senator from Wisconsin, the minority leader wishes to make this observation. So far as I know, neither the majority leader nor the minority leader has any authority to take action on the suggestion. We have no subpena power. We have no right to act for the Senate in this case either as an agent or as a committee.

If the junior Senator from Wisconsin desires to do so, it seems to me that, with respect to the alleged forgery to which he refers, if he would prepare a resolution, certainly the minority leader—and the majority leader can speak for himself—would be very glad to have the resolution referred to the appropriate committee which the Vice President might select for its immediate consideration and study.

The senior Senator from Texas, as minority leader, has no authority to subpena any witness or to ferret out whatever truth or untruth may exist in the charge. I certainly do not wish to suppress anything. If the junior Senator from Wisconsin desires to submit a resolution, setting forth what he desires to have done, it would then be a matter on which the entire Senate could act.

Mr. McCARTHY. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of Texas. I yield.

Mr. McCARTHY. I may say that this would not accomplish the purpose. I think that before the final vote the Senate should know the picture of this alleged forgery. I wish to make it very clear that last night, before the Senator from Iowa [Mr. GILLETTE] had made his statement, I stated that I knew he was not responsible for the act. He was in no way responsible. I told the three wire services last night that I believed this was a forgery. It has to do with the question of whether or not, as the Watkins committee said, I was not justified in criticizing the Gillette committee. If some of the staff members were forging the chairman's signature to obtain illegal action, action in violation of the Federal criminal law, then the statement of the Watkins committee could hardly stand up.

I say to the very able Senator from Texas, who is temporarily the minority leader, but who will shortly become the majority leader, that I feel all Senators should know why this evidence was suppressed. I do not accuse any of the six Senators of suppressing it. I do not know who was responsible. I know that Mr. de Furia and Mr. Chadwick told the committee that they had examined all the evidence and knew of what it consisted. So someone suppressed the evidence.

I may suggest further, while we are about it, that it might be well to subpena the minutes of the November 21 meeting of the Gillette committee. The Senator from Iowa [Mr. GILLETTE] was not present at that meeting. It was decided at that meeting not to ask or require the junior Senator from Wisconsin to appear. It was decided that a deadline would be set beyond which I could not appear, namely, November 25. They knew at that time that Mr. Cotter had been notified that I could not return by that date. Nevertheless, even when that evidence was available to the Watkins committee, they concluded that there was an invitation and that I should have appeared. They had the minutes of that meeting. I did not have them at the time; I have them now. They are available, and I think they should be made a part of the record, not for the purpose of influencing the vote. I know what the vote will be. It does not concern me in the least. I want to get back to the all-important work of the investigating committee. But I think, to keep the record clear, that the evidence which was suppressed should be made a part of this record.

I think the able minority leader, who is about to become the majority leader, would want to take steps to have that evidence made a part of the record before there is a final vote. Beyond that, I have nothing further to say in the matter.

Mr. JOHNSON of Texas. I have no desire to prolong the discussion——

The VICE PRESIDENT. The Senator's time has expired.

Mr. JOHNSON of Texas. I think I have time available.

Mr. WATKINS. Mr. President, how much time have I remaining of the time I yielded?

The VICE PRESIDENT. The time has expired.

Mr. JOHNSON of Texas. I have no desire to prolong the discussion or to engage the Senator from Wisconsin in an argument on the matter. I have stated my position, namely, that so far as I am aware, I have no authority or power to subpena anyone or anything.

Mr. WELKER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota [Mr. MUNDT] has the floor.

Mr. MUNDT. Unless the Senator from Utah [Mr. WATKINS] will yield additional time, I do not have additional time to yield.

Mr. WELKER. Mr. President, I ask unaimous consent that I may make a parliamentary inquiry without either side losing any time.

The VICE PRESIDENT. Is there objection? The Chair hears none. The Senator from Idaho will state his parliamentary inquiry.

Mr. WELKER. Will the Chair state whether the question raised by the junior Senator from Wisconsin could be referred to the Subcommittee on Internal Security or to any other committee of the Senate? Some Senators are not clear on the matter. I wonder if we could have a ruling upon the question.

The VICE PRESIDENT. If a Member of the Senate desires to ask unanimous consent to refer the matter to an appropriate committee, such consent could be granted. The Committee on the Judiciary would appear to be the proper committee to which reference of the matter should be made.

Mr. WATKINS. Mr. President, what matter is being talked about?

The VICE PRESIDENT. The Senator from Idaho had asked what disposition could be made of the matter just discussed by the junior Senator from Wisconsin; namely, as to what committee

it could properly be referred to. The Chair was responding to the inquiry.

Mr. WATKINS. Does the Senator refer to the charges with respect to someone forging the name of the Senator from Iowa [Mr. GILLETTE] or to the charge that some member of the staff of the select committee suppressed some evidence?

The VICE PRESIDENT. The Chair understood the request of the Senator from Idaho to deal with the alleged forgery to which the junior Senator from Wisconsin had referred. So far as the question as to by whom the forgery was committed or who was responsible for it is concerned, that would, of course, have to be determined by the appropriate committee. No request has as yet been made to refer the matter.

Mr. WATKINS. I do not yield for the purpose of taking up some special matter which is sought to be referred to a committee and which affects the committee of which I am still the chairman.

The VICE PRESIDENT. The time of the Senator from Idaho has expired. The Senator cannot be recognized further for his parliamentary inquiry unless the Senator from South Dakota wishes to yield additional time.

Mr. WELKER. Mr. President, I ask the Senator from South Dakota to yield to me not to exceed one-half minute so that I may propound a unanimous-consent request.

Mr. MUNDT. I yield not to exceed 30 seconds to the Senator from Idaho.

Mr. WELKER. I ask unanimous consent that the question raised by the junior Senator from Wisconsin, namely, whether there was suppression of evidence, be referred to the Subcommittee on Internal Security of the Committee on the Judiciary.

Mr. WATKINS. Reserving the right to object, I wish to say now that no member of the select committee staff has suppressed any evidence. There was a vast amount of material in the hands of the Gillette-Hennings subcommittee. They did not have time to go through all of it. I have already explained the position which the select committee took as a matter of law. It was explained in great detail this morning. Under those circumstances, if it is proposed to begin an investigation of the committee staff, the staff cannot defend itself. I know they are all honest men. I object.

The VICE PRESIDENT. Objection is heard. The Senator from South Dakota has the floor.

Mr. McCARTHY. Mr. President, a parliamentary inquiry.

Mr. WATKINS. I ask for the regular order.

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from Wisconsin for a parliamentary inquiry?

Mr. MUNDT. I yield not to exceed 30 seconds.

Mr. McCARTHY. Make it 15 seconds.

Can the Senate refer this matter to the Department of Justice immediately, in view of the fact that a clear-cut violation of Federal law is involved? In other words, would a motion be in order to refer the matter to the Department of Justice?

The VICE PRESIDENT. A unanimous-consent request to that effect would be appropriate.

Mr. McCARTHY. Mr. President, I ask unanimous consent that——

Mr. STENNIS. Mr. President, I ask for the regular order.

The VICE PRESIDENT. Objection is heard. The Senator from South Dakota is recognized.

Mr. MUNDT. Mr. President, if I remember correctly, some time ago the Chair advised me that I had 4 minutes remaining of my original 20 minutes.

The VICE PRESIDENT. The Senator from South Dakota still has 4 minutes remaining.

Mr. MUNDT. I have a little difficulty recalling exactly where I was in the course of my discussion.

The VICE PRESIDENT. The Senator will suspend. The Senate will be in order. Those who desire to carry on conversations will go to the cloakrooms. The Senator from South Dakota will not proceed until the Senate is in order.

The Senator may proceed.

Mr. MUNDT. Mr. President, I should say that what has recently transpired on the floor of the Senate, as I reconstruct it, appears to be an unchallenged statement that some forgeries were entered into in the course of the hearings by the Gillette subcommittee. No one challenges the fact that the man whose name is mentioned is not in any sense responsible. With respect to the second charge, that somebody suppressed the evidence, which has been challenged, having no knowledge of any subsequent act which has taken place, I think that should also add up to support for the substitute which I have offered. It seems to give added emphasis to the good sense in our now doing what we can well do. Regardless of who forged the letter, or who did or did not suppress information, we can still disavow any offensive language of any Member of our body. We can still express that it is the sense of the Senate that it establish some rules which we can make applicable to every Senator, and not say eeny-meeny-miny-mo, stopping at Wisconsin only when "mo" is reached. Or we could search our minds and hold hearings to determine whether it is necessary to establish proper rules of conduct for Senators, either on or off the floor. If the Senate adopted such rules, we could make them applicable to Senators from all the 48 States, and not just to the junior Senator from Wisconsin. To me that is the fair thing to do, to me that is the honest thing to do, to me that is the nondiscriminatory thing to do. At least, my substitute is the only constructive proposal before the Senate. All the other proposals simply say we shall vote either for censure or against it. We know that when we vote on such a narrow issue many people are going to misinterpret whichever way we vote. And no lasting constructive purpose will be served.

I should like to make a rejoinder to what was said by my friend the Senator from Utah [Mr. WATKINS] about the Dirksen substitute, who implied that the choice is either to vote for censure or to say that Senator McCARTHY was right in his attitude toward the Gillette or the Hennings subcommittee in everything he said or did. The Senator from Utah has said that we can either vote for censure or say that everything Senator McCARTHY said about the Senator from New Jersey or General Zwicker was all right.

That cannot be said with respect to my proposal. I am not suggesting that the Senate say the conduct or language of the junior Senator from Wisconsin was all right. My proposal is that we disapprove of the offensive language which the Senator from Wisconsin has used. Then I am proposing that the Senate should look ahead and show the good faith and courage to give a committee of the Senate the responsibility of recommending sets of rules of conduct. Then, if Senators wish to vote them up or down, they can do so, but having voted them up we should propose to live by them and to enforce them universally and equitably.

In the debate, both in August and during the present session, it was shown that there are persons in this body who think we should have a great many reforms. There are persons who want to engage in a great moral crusade or reformation in the Senate. I shall be happy to join with them in any appropriate reforms, but I think my proposal makes clear that those of us who want to look ahead and who want to establish rules to live by, both for themselves and their colleagues, can do so now and here, and by my substitute. I think my proposal will give Senators an opportunity to do that, at the same time expressing disapproval of the statements that have caused offense by the Senator from Wisconsin.

I conclude by saying once again that I do not think a double standard of morality enacted by the United States Senate is the proper rule of justice to place before the taxpayers of America. I do not think it is proper for the greatest deliberative body in the world to display before the world that it is saying that for the other Senators such and such will be the rule, but for the junior Senator from Wisconsin, because of one reason or another he has been singled out and we should apply a different procedure to him, a different punishment, and a different rule.

I urge my colleagues, whose opposition to communism I know is genuine, to think carefully before, by their action, they give aid and comfort to communism—the most godless and fearsome enemy this country ever had.

As I said before, I do not believe Senator McCARTHY deserves to be called the symbol against communism in America, but he has been called that. He has been accepted as that. The world recognizes him as such because of the propaganda which has been put out largely by his enemies.

Are we going to cut down the symbol and have such action misinterpreted, when, by constructive action we can voice our displeasure and disapproval over things which should not have been done, and establish a code of conduct to govern us all in the future?

Mr. President, I yield back the remainder of my time.

Mr. WATKINS. Mr. President, I yield myself 1 minute. I do not intend to rehash the arguments that have already been made. I think what has been previously said during the debate, and what is stated in the report of the select committee, is a complete answer to the argument just made by the Senator. I do not intend to use the rest of my time. I shall release whatever time I have, unless a member of the select committee or other Members of the Senate desire to speak. I yield back my time, and ask for the yeas and nays.

Mr. MUNDT. Mr. President——

The VICE PRESIDENT. The Senator from South Dakota has 8 minutes remaining.

Mr. WATKINS. Mr. President, if the Senator is going to speak, I withdraw the yielding back of my time. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MUNDT. Mr. President, I yield 4 minutes to the Senator from California.

Mr. KUCHEL. Mr. President, once before during the brief time I have served in the Senate I participated in a debate which dealt with a specific Member of the United States Senate. At that time, a number of months ago, a motion was made by a Member of the Senate to find disqualified for membership the senior Senator from the State of New Mexico [Mr. CHAVEZ], a Democrat. I listened carefully to the debate and to the discussion, and I concluded that, as a case had not been made in favor of the motion, I should therefore vote against the motion to find vacated the senior senatorship from the State of New Mexico.

I have endeavored in this instance again, Mr. President, to approach an onerous and a difficult chore with an open mind, and thus to arrive independently at my best judgment. I have deplored many of the words spoken by the junior Senator from Wisconsin.

According to the standard of ethics and morals by which I endeavor to guide myself, I find those words offensive; but I must also say, Mr. President, that I have listened to other Members of the Senate, both off and on the floor, use language which to me was equally offensive and deplorable.

There are some Members of the Senate, and some persons in the United States, I regret to say, who hate the junior Senator from Wisconsin, and who find that he is incapable of any good. I am sure there are others in the Senate and in the country who, contrarywise, feel that the junior Senator from Wisconsin can do no wrong. I shall appeal, in the few seconds which remain to me, to those on both sides of the aisle who, like myself, take pride in independence, to consider the question which is before us as proposed by the senior Senator from South Dakota. His proposal deplores and disavows the offensive and abusive language which from time to time has been indulged in by the junior Senator from Wisconsin.

That is the way I feel about it. But I must tell the Senate that after listening to the recital of statements made by individual Members of the United States Senate in days gone by and noting violations by them of the standard of ethics to which I subscribe, it becomes very difficult at this time for me to censure, by my vote, one who is my colleague.

However, I desire by my vote to indicate to the people of the United States that I disavow abusive language. That is what the pending amendment to the committee amendment would do.

I wish to reiterate, today, that the Senate needs an abundance of changes in its rules. Previously I have alined myself with the Senator from Connecticut [Mr. BUSH] in his desire to have rules for Senate committee procedure.

The VICE PRESIDENT. The time of the Senator from California has expired.

Mr. MUNDT. Mr. President, I yield 2 additional minutes to the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized for two additional minutes.

Mr. KUCHEL. I thank my colleague.

Mr. President, I repeat that early next year the Senate needs to concern itself with rules for Senate committee procedure, and that is what the amendment to the committee amendment recommends.

Furthermore, I think we might give consideration to some basic rules of conduct by which all of us should be guided. I have listened to Senators say some fairly mean things about their colleagues; and on one occasion, one of my brethren in the Senate had some rather ugly and mean things to say about the junior Senator from California. However, I would not wish to use his ugly words as a basis at this time for censuring his conduct.

For that reason, Mr. President, I suggest—as one of the junior Members of the Senate—that Senators give their urgent consideration to the adoption of the amendment submitted by the able Senator from South Dakota [Mr. MUNDT] to the committee amendment, and that in that way Senators make a positive statement on behalf of the Senate that it disavows this type of language, but that it attempts to look forward and to take a constructive position in the future as to the conduct of the business of the Senate.

The VICE PRESIDENT. The additional time yielded to the Senator from California has expired.

Mr. CARLSON. Mr. President, will the chairman of the select committee yield 2 minutes to me?

Mr. WATKINS. Yes, Mr. President; I yield 2 minutes to the Senator from Kansas.

The VICE PRESIDENT. The Senator from Kansas is recognized for 2 minutes.

Mr. CARLSON. Mr. President, I think all Senators and the Senate as a whole are concerned with the conduct of the Members of this body. The distinguished senior Senator from South Dakota [Mr. MUNDT] has stressed the fact that in this particular instance the Senate has singled out one Senator for condemnation or censure. That is a fact, but that was not the fault of the select committee. We who served on the select committee performed the duty assigned to us by the Senate, namely, to go into the charges presented to the Senate by various Members of the Senate. We also went into the problem of proposed changes in the rules of the Senate, inasmuch as that was a part of the same resolution.

I remind the Senator from South Dakota that there is a rule of good conduct in the Senate, and that rule has been in effect from the very beginning of the Senate, from the time of its very first session. I think the members of the select committee tried, in their report, to affirm that principle or rule. It has been called to the attention of the Senate—in fact, I have heard some Senators discuss it during the present debate—that if this provision should be allowed to stand, it would greatly hamper the making of speeches and the conduct of operations in the United States Senate. The rule reads as follows:

> Any Senator has the right to question, criticize, differ from, or condemn the official action of the body of which he is a Member or of the constituent committees which are working arms of the Senate, in proper language.

Mr. President, in my opinion that rule was in effect and was implied at the very first session of this great body, and is in effect today.

I sincerely hope and trust that it will not be necessary for us to write rules regarding the conduct of individual Members of the Senate. I think we should take it upon ourselves to bear worthily the great honor which has been conferred upon us in trust by the people of the several States.

I am in accord with writing some rules for the conduct of Senate committees, and I am very happy to have served on and to be serving on a committee, under the leadership of the distinguished junior Senator from Indiana [Mr. JENNER] and the distinguished senior Senator from Arizona [Mr. HAYDEN], which has been holding hearings on that subject. I do not believe I violate any confidence of the committee if I state that I prepared the proposed rule changes to be found in the report which was adopted unanimously by the committee; and I hope such changes will be agreed to by the Senate.

However, I do not believe we should proceed to write rules for the conduct of Senators.

Of course, the Senate did single out the junior Senator from Wisconsin, but that was not the fault of the Senator from Kansas. I condemn any such action on the part of any Senator, I care not who he may be.

Mr. MUNDT. Mr. President, how much time remains to me?

The VICE PRESIDENT. The Senator from South Dakota has 1 minute remaining.

Let the Chair also state that the Senator from Utah [Mr. WATKINS] has 17 minutes remaining.

Mr. MUNDT. Mr. President, let me inquire whether the Senator from Utah desires to use any more of the time available to him.

Mr. WATKINS. I have previously announced that I did not think it was necessary for me to reply to any of the

arguments submitted by the Senator from South Dakota. However, I had better wait to see what he will say now, before I decide whether to yield any more of the time available to me.

Mr. MUNDT. Mr. President, I shall not say very much in 1 minute, except to emphasize what I consider to be a most startling statement made in the course of the debate; and it was made by a very good friend of mine, whose candor I respect, and I applaud him for his candor in making the statement. The Senator from Kansas [Mr. CARLSON] has just said it is a fact that the Senate has singled out one Senator of the United States for special treatment. He stated that to be a fact. He said—and I agree with him—that he did not single out that Senator, and that the select committee did not single out that Senator, but that the Senator he mentioned had been singled out, and that the select committee had been assigned the task and duty of considering the conduct of that one Senator.

Mr. President, let us consider that fact in connection with my proposal to apply, on a fair basis, proper rules to all Members of the Senate. In other words, I propose that we show clearly that we are not throwing stones from a house of glass, but that we are willing to apply to ourselves the rules we would apply to other Senators.

Yet today one Member of the Senate has stated to us that it is a fact that the Senate has singled out one of its Members, whose offense was no greater—in fact, in some respects it was less—than a series of offenses which constitute a list almost as long as a bamboo fishing pole; and this very afternoon that list was read into the CONGRESSIONAL RECORD by the distinguished Senator from Illinois [Mr. DIRKSEN].

I suggest we take the constructive course of expressing our disapproval of what has been done, and that then we proceed to establish whatever rules and regulations and codes of conduct we believe it necessary for the Senate to adopt—those by which we ourselves are willing to live, instead of applying to other Senators rules for punishment which do not now exist.

Mr. WATKINS. Mr. President, I should like to say that, as I recall, 75 Senators accepted the charges as being of sufficient gravity, at least, to warrant their reference to the select committee. Seventy-five Senators thus were responsible for singling out the junior Senator from Wisconsin [Mr. MCCARTHY]. If I remember correctly, my good friend, the Senator from South Dakota [Mr. MUNDT], was one of that number.

Mr. MUNDT. Mr. President, will the Senator from Utah yield to me?

Mr. WATKINS. I yield.

Mr. MUNDT. Does the Senator from Utah say that by voting to refer this series of charges to the select committee, Senators were automatically finding guilty the Senator whose conduct was being referred to the select committee for consideration?

Mr. WATKINS. That is not a fair construction of what I said. I said the Senate of the United States determined that the charges were of sufficient gravity to warrant the creation of a select committee to which the charges would be referred for study; and I said that the charges related to only one Senator.

Mr. MUNDT. I did vote for that, because I thought it was wise to study the facts, so as to be able to determine whether there was something about that Senator's conduct that was different from the conduct of other Senators, under the precedents. However, the report of the select committee shows that there were no such differences.

Mr. WATKINS. If the select committee had been instructed to study the conduct of and the charges against 10 other Senators who had said improper things, then, as chairman of the select committee, we would have examined the charges against them; or if the committee had been instructed to study improper statements by 50 Senators and to report on charges made against those 50 Senators, we would have examined those statements and charges and we would have made that report. However, the select committee was not given any such assignment. We could act only within the scope of our authority and the charges which were before us. As one Senator said during the debate, we could not go behind the evidence or behind our instructions.

Mr. MUNDT. Is it not correct that in the debate, in the evidence presented before the committee, and in the context of the discussions leading up to it, the committee had before it statements of the senior Senator from Vermont, who once this very year referred to the junior Senator from Wisconsin as a Hitler, and once, by implication, as a homosexual?

Mr. WATKINS. There were no charges made against the Senator from Vermont. We were not required to investigate charges against anyone but the junior Senator from Wisconsin, and we could investigate only the charges filed against him.

Mr. MUNDT. The committee could have recommended a censure resolution to include them all. As my proposal says, I disavow and disapprove of what the junior Senator from Wisconsin said. I disavow and disapprove what the Senator from Vermont [Mr. FLANDERS] said, and what any other Senator may have said in the nature of offensive or abusive language.

Mr. WATKINS. As a matter of law, when I, as a judge, had before me men charged with murder, burglary, or speeding, I did not bring into court anyone else who, I happened to know, was guilty of speeding. I considered only 1 charge at a time, against 1 individual.

Mr. MUNDT. The jurisdiction of the committee over the controversy would have given it a perfect right to bring in as large or as inclusive a resolution as it chose on the basis of all available facts.

Mr. WATKINS. We did not so construe our instructions, and I think the Senate will agree with us.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. MUNDT] to the first committee amendment. On this question the yeas and nays have been ordered.

Mr. KNOWLAND. Mr. President I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Frear	Mansfield
Aiken	Fulbright	Martin
Anderson	George	McCarthy
Barrett	Gillette	McClellan
Beall	Goldwater	Millikin
Bennett	Green	Monroney
Bridges	Hayden	Morse
Brown	Hendrickson	Mundt
Burke	Hennings	Murray
Bush	Hickenlooper	Neely
Butler	Hill	O'Mahoney
Byrd	Holland	Pastore
Carlson	Hruska	Payne
Case	Humphrey	Potter
Chavez	Ives	Purtell
Clements	Jackson	Robertson
Cooper	Jenner	Russell
Cordon	Johnson, Colo.	Saltonstall
Cotton	Johnson, Tex.	Schoeppel
Daniel, S. C.	Johnston, S. C.	Scott
Daniel, Tex.	Kefauver	Smith, Maine
Dirksen	Kerr	Smith, N. J.
Douglas	Kilgore	Sparkman
Duff	Knowland	Stennis
Dworshak	Kuchel	Symington
Eastland	Langer	Thye
Ellender	Lehman	Watkins
Ervin	Long	Welker
Ferguson	Magnuson	Williams
Flanders	Malone	Young

The VICE PRESIDENT. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. MUNDT] to the first committee amendment. On this question the yeas and nays have been ordered, and the Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCARTHY (when his name was called). Present.

The legislative clerk resumed and concluded the call of the roll.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

Mr. CLEMENTS. I announce that the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave of the Senate on official business; and, if present, each of these Senators would vote "nay."

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The result was announced—yeas 15, nays 74, as follows:

YEAS—15

Abel	Dworshak	Mundt
Barrett	Goldwater	Payne
Brown	Hruska	Purtell
Case	Kuchel	Schoeppel
Cordon	Millikin	Young

NAYS—74

Aiken	Daniel, Tex.	Hendrickson
Anderson	Dirksen	Hennings
Beall	Douglas	Hickenlooper
Bennett	Duff	Hill
Bridges	Eastland	Holland
Burke	Ellender	Humphrey
Bush	Ervin	Ives
Butler	Ferguson	Jackson
Byrd	Flanders	Jenner
Carlson	Frear	Johnson, Colo.
Chavez	Fulbright	Johnson, Tex.
Clements	George	Johnston, S. C.
Cooper	Gillette	Kefauver
Cotton	Green	Kerr
Daniel, S. C.	Hayden	Kilgore

Knowland	Morse	Smith, Maine
Langer	Murray	Smith, N. J.
Lehman	Neely	Sparkman
Long	O'Mahoney	Stennis
Magnuson	Pastore	Symington
Malone	Potter	Thye
Mansfield	Robertson	Watkins
Martin	Russell	Welker
McClellan	Saltonstall	Williams
Monroney	Scott	

NOT VOTING—6

Bricker	Gore	Smathers
Capehart	Kennedy	Wiley

ANSWERED "PRESENT"—1

McCarthy

So Mr. MUNDT's amendment to the committee amendment was rejected.

The VICE PRESIDENT. The question recurs on the committee amendment on page 1.

Mr. BRIDGES. Mr. President, I send an amendment to the desk and ask that it be stated.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. In lieu of the language of the committee beginning on page 1, line 5, it is proposed to insert the following:

The Senator from Wisconsin [Mr. McCARTHY] violated no rule, and no precedent in failing to appear before a subcommittee of the Senate when the matter of appearance before that subcommittee, by the letters of invitation issued by that subcommittee left appearance as a matter of the Senator's own discretion.

SEC. 2. That the same privileges and immunities, as well as rules insofar as applicable, prevail in committee hearings as on the Senate floor and therefore no rules or precedents were violated by the use by the Senator from Wisconsin [Mr. McCARTHY] of words during the conduct of a hearing which even might be characterized as intemperate nor in his denouncing a witness duly called before his subcommittee, who had been reluctant, evasive, and uncooperative to the extent that the informing function of the Senate was hindered.

Mr. WATKINS. Mr. President, I should like to inquire of the Senator from New Hampshire if his amendment is offered as a substitute for all of the committee's recommendations.

Mr. BRIDGES. It is a substitute for sections 1 and 2.

Mr. WATKINS. For both sections 1 and 2?

Mr. BRIDGES. That is correct.

Mr. WATKINS. Mr. President, I point out that the amendment is out of order.

The VICE PRESIDENT. The Senator from Utah is correct. If the amendment of the Senator from New Hampshire relates to sections 1 and 2, it is not in order at this point.

Mr. BRIDGES. The Senator from New Hampshire will strike out the portion relating to section 2, and offer only the portion relating to section 1.

The VICE PRESIDENT. The Senator from New Hampshire may modify his amendment. Under those circumstances the amendment is in order.

Mr. BRIDGES. I should like to say to the Senate that section 1 of my amendment, as read, is very clear. It is very simple, and is very short. The Senate also has heard read section 2, which will follow, and that will make the substitution complete.

Having heard section 1 read, and it being so short and simple, Senators should have no difficulty in understanding it. The subject matter as a whole has been thoroughly discussed. I do not believe there is any need for prolonging the debate. The amendment presents a different version and a different statement in substitution for the committee's words, which points out a fact that has been definitely made clear that there was no violation of a Senate rule or precedent.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. BRIDGES] to the committee amendment on page 1.

Mr. DIRKSEN and other Senators requested the yeas and nays.

The yeas and nays were ordered.

Mr. WATKINS. Mr. President, may we have read for the information of the Senate the section on which we are about to vote?

The VICE PRESIDENT. For the information of the Senate, the clerk will read the amendment as modified.

The CHIEF CLERK. In lieu of the language of the committee beginning on page 1, line 5, it is proposed to insert the following:

The Senator from Wisconsin, Mr. McCARTHY, violated no rule, and no precedent in failing to appear before a subcommittee of the Senate when the matter of appearance before that subcommittee, by the letters of invitation issued by that subcommittee left appearance as a matter of the Senator's own discretion.

Mr. CASE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CASE. If the amendment should be agreed to, as I understand, Senate Resolution 301 would be amended to carry the language of the amendment, and then there would follow the words "is hereby condemned." Is that correct?

The VICE PRESIDENT. The Senator is correct.

Mr. BRIDGES. A parliamentary inquiry.

The VICE PRESIDENT. The Senator from New Hampshire will state it.

Mr. BRIDGES. If the amendment should be adopted, it would then be in order to strike the words referred to by the distinguished Senator from South Dakota. Is that correct?

The VICE PRESIDENT. At a later time the Senator from New Hampshire could move to strike out the words referred to by the Senator from South Dakota.

Mr. WATKINS. Mr. President, I do not desire to argue the matter, except to point out that it is a contradiction of the recommendation of the select committee in amendment 1, and it should be voted down, in my judgment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. BRIDGES] to the committee amendment. The yeas and nays have been ordered, and the Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCARTHY (when his name was called). Present.

The legislative clerk resumed and concluded the call of the roll.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the senior Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

The Senator from Connecticut [Mr. PURTELL] is necessarily absent.

On this vote, the Senator from Ohio [Mr. BRICKER] has a pair with the Senator from Tennessee [Mr. GORE], and the Senator from Indiana [Mr. CAPEHART] has a pair with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Ohio [Mr. BRICKER] and the Senator from Indiana [Mr. CAPEHART] would each vote "yea," while the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. CLEMENTS. I announce that the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave of the Senate on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

I announce further that the Senator from Tennessee [Mr. GORE] is paired on this vote with the Senator from Ohio [Mr. BRICKER]. If present and voting, the Senator from Tennessee would vote "nay," and the Senator from Ohio would vote "yea."

I announce also that the Senator from Florida [Mr. SMATHERS] is paired on this vote with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Florida would vote "nay," and the Senator from Indiana would vote "yea."

The result was announced—yeas 20, nays 68, as follows:

YEAS—20

Barrett	Hickenlooper	Martin
Bridges	Hruska	Millikin
Brown	Jenner	Mundt
Butler	Knowland	Schoeppel
Cordon	Kuchel	Welker
Dirksen	Langer	Young
Goldwater	Malone	

NAYS—68

Abel	Flanders	Mansfield
Aiken	Frear	McClellan
Anderson	Fulbright	Monroney
Beall	George	Morse
Bennett	Gillette	Murray
Burke	Green	Neely
Bush	Hayden	O'Mahoney
Byrd	Hendrickson	Pastore
Carlson	Hennings	Payne
Case	Hill	Potter
Chavez	Holland	Robertson
Clements	Humphrey	Russell
Cooper	Ives	Saltonstall
Cotton	Jackson	Scott
Daniel, S. C.	Johnson, Colo.	Smith, Maine
Daniel, Tex.	Johnson, Tex.	Smith, N. J.
Douglas	Johnston, S. C.	Sparkman
Duff	Kefauver	Stennis
Dworshak	Kerr	Symington
Eastland	Kilgore	Thye
Ellender	Lehman	Watkins
Ervin	Long	Williams
Ferguson	Magnuson	

NOT VOTING—7

Bricker	Kennedy	Wiley
Capehart	Purtell	
Gore	Smathers	

ANSWERED "PRESENT"—1

McCarthy

So the amendment offered by Mr. BRIDGES was rejected.

Mr. WELKER. Mr. President, I move to strike all that portion of Senate Resolution 301 in italics on page 1, beginning in line 5 and ending on line 5, page 2, with the word "condemned."

SEVERAL SENATORS. Vote! Vote!

The VICE PRESIDENT. The Chair will advise the Senator from Idaho that his motion is not in order, because he is including some of the original text of the resolution. If the Senator limits his motion so as to strike out the committee amendment alone, it will be in order.

Mr. WELKER. I thank the Chair. I shall omit, therefore, the last three words, "is hereby condemned."

The VICE PRESIDENT. The Chair will advise the Senator from Idaho that that motion is also not in order. Under the rules, the committee amendment must be acted upon before the text of the resolution is acted upon. If the Senator desires to move to amend the committee amendment or to strike a portion of the committee amendment, such a motion would be in order.

Mr. WELKER. Mr. President, I move that the words "is hereby condemned", appearing in the perfecting amendment proposed by the distinguished Senator from Utah, the last three words——

The VICE PRESIDENT. As the Chair has informed the Senator from Idaho previously, the portion he is attempting to strike by his motion is not a part of the committee amendment. Therefore, his motion to strike is not in order at this point.

Mr. JOHNSON of Texas. Mr. President, if we could have action on the committee amendment——

Mr. WELKER. I do not need any help. I have too many parliamentarians back here now. [Laughter.]

Mr. President, I move that the words "contrary to senatorial traditions" be stricken from the perfecting amendment.

The VICE PRESIDENT. That motion is in order.

SEVERAL SENATORS. Vote! Vote! Vote!

The VICE PRESIDENT. How much time does the Senator from Idaho yield himself?

Mr. WELKER. I yield myself as much time as I have.

The VICE PRESIDENT. The Senator from Idaho is recognized for 30 minutes.

Mr. WELKER. Mr. President, I regret very much that on a matter so serious as this I have heard from the Democratic side of the aisle cries of "Vote! Vote! Vote!"

I have tried to be fair and honest in this debate. When I originally spoke to this great body I stated that whatever I could do, I would do for any Member on the opposite side of the aisle, no matter how bitterly I might oppose him politically.

I think it comes with ill grace that a Senator who is trying to do something for a Member of this body—forget JOE MCCARTHY—is treated as I have just now been treated. But I shall not entertain any feeling of rancor or bitterness. I know this debate has gone on for a long time, and I know that patience has been exhausted.

I wish to say once again that this is a very, very serious matter.

Mr. WATKINS. Mr. President, may we have order?

The VICE PRESIDENT. The point of order is well taken. The Senator from Idaho will not proceed until the Senate is in order. The Senate will be in order. Those who desire to converse will retire to the cloakrooms.

The Senator from Idaho may now proceed.

Mr. WELKER. Mr. President, I do not intend to discuss the law or the precedents. For 2 days I discussed the law and the precedents; and I have yet to hear one of the learned judges, or one of the Members of the great committee, all of whom I admire, contradict successfully one iota of the law or the precedents which I have presented to this august body now sitting as some sort of court or tribunal.

Today I am convinced that it is not a tribunal; that it is not a court of law. It is a court of politics, pure and simple, which is out to destroy one of the Members of this body. At the next session of Congress the attack might well be directed against some of the Senators who have voted for censure. It might well be directed against Senators who have yelled "Vote", and who have voted against those of us who are trying to preserve the dignity and honor of the United States Senate.

It is unfortunate, indeed, that all of us cannot love and respect the same individual. What a perfect world this would be if we all had the same friends.

Today my name, for some reason, was placed with that of Senator MCCARTHY. In that speech, I assume that the person who included my name with that of Senator MCCARTHY thought that perhaps I would be destroyed along with MCCARTHY. Let me say to you, Mr. President, and to the world, that I am proud to be associated with Senator JOE MCCARTHY; indeed I am proud to be associated with any man who is engaged in fighting Communists, the Communists who are now attempting to destroy this world. So if that be the intention of the author of the remarks made this morning, I well accept it. If I am destroyed by virtue of the fact that I am trying to defend not only the junior Senator from Wisconsin [Mr. MCCARTHY], but any other Senator, regardless of political affiliation, then let the chips fall where they may.

I have heard a great deal about what this body is now attempting to do. In the hearings, I well recall the statement of the learned chairman, who was at one time a judge in the great State of Utah, my neighboring State, to the effect that the committee was going to follow judicial procedure as long as possible. I cannot quote him directly, because I am not reading from a manuscript.

I have heard it said that the select committee is composed, in part, of three great jurists. I have all the respect in the world for a jurist. Probably, no Member of this body has appeared before more jurists than has the junior Senator from Idaho. I have had the respect of any court before which I have ever appeared. But the fact that a Senator happened to be a judge at one time does not make him infallible. It does not make him any more brilliant than those who had to work for a living and practice law, and not be paid salaries by the taxpayers. I say this without trying to hurt the feelings of the jurists. I say that the jurists can be wrong; because if they were always right, there would never be occasion for an appellate court or a supreme court. As a matter of fact, if jurists were always right, there would never be any occasion for lawyers whatsoever.

I was astounded by certain remarks of my distinguished friend, the chairman of the select committee, when he objected to new evidence coming into the hearing, or whatever it might be called—a court, a tribunal, a political and personal tribunal, as I should like to call it; when he objected to referring new evidence to a duly constituted subcommittee of the Committee on the Judiciary of the Senate.

I know that the senior Senator from Utah has served with honor and glory upon that committee. So why should he hesitate to have all the facts brought before the American people? I do not know of any court, equity or otherwise, which will not permit a motion to be made for a new trial, when evidence has been disclosed to the court which might well change its findings.

Mr. President, I am informed that the junior Senator from Wisconsin is leaving the Chamber because his arm is paining him. He will not offend me by virtue of his departure.

Mr. MCCARTHY. I should like very much to remain and listen to the discussion by the Senator from Idaho, but unfortunately I must leave.

Mr. WELKER. I am quite certain that the Senator would see almost the same vote as heretofore. So let him have no illusions.

Mr. President, when the question was propounded to the chairman of the select committee as to whether or not the activities of the junior Senator from Vermont [Mr. FLANDERS], who is the author of Senate Resolution 301, should be censured or considered, if I remember correctly the chairman stated that the select committee had no obligation whatsoever to consider the allegations of the complaining witness. Mr. President, when in the history of any sort of jurisprudence did it ever happen that a tribunal could never consider the motives of a complaining witness, his interest, or his bias, in a case presented before that tribunal? It is a shocking revelation to me. I suppose if the Ku Klux Klan, should it exist today, were to help prepare censure resolutions against a few of the liberals, the committee would not take into consideration who helped prepare those charges.

Mr. President, the thing I am worried about, and I shall worry about it until the stepants carry me out the keyhole, is whether we shall have not destroyed the great honor and dignity of the United States Senate, rather than have preserved it. Heretofore I, as did the great and learned junior Senator from Illinois, have gone over many precedents and many occurrences that took place before

our very eyes. Nothing whatsoever was done about them. Here we sit as some sort of an agency, clothed in the spotless robes of a judicial tribunal. As the Senator stated, we are the sole judges of the law and the facts, we are clothed with that authority; and yet I think the tribunal is not the United States Senate, but the American people.

Mr. President, have no illusions. Does anyone assume that I am so naive as ever to expect that I could help when the vote is taken, when the press, the leftwing columnists, and the leftwing pseudo radio commentators, have been spewing out this propaganda against the man on trial today? The junior Senator from Wisconsin has had as much chance to win as a man would have to swim the ocean with an anvil under each arm.

I am not quite that naive. However, what I have to say will go into the RECORD. It may not be read, as the chairman of the select committee admitted today that he never read my opening speech on this question. Never did he know until today that I brought to the attention of the United States Senate and to the world the fact that all cross-examiners can make mistakes—all of them, Mr. President. He served upon a one-man committee, the Internal Security Subcommittee investigating infiltration of communism into labor unions, sitting in Cleveland, Ohio.

Mr. President, I am going to insist upon order.

The PRESIDING OFFICER (Mr. CASE in the chair). The Senate will be in order, and the cooperation of persons, the occupants of the galleries, will be appreciated.

Mr. WELKER. Mr. President, I know what the distinguished Senator from Utah went through in connection with that committee. Few of us in the Senate have taken as much abuse as a Senator has heaped upon him when he tries to investigate, under the investigatory power granted to committees by the Senate, those who we feel are seeking to destroy the United States.

Let me go back to the remarks made a few moments ago, in which the chairman of the select committee was very emphatic in his statements. Although he at first said he was unbiased, and that the decision was up to the Senate, yet he was demanding a verdict of guilty, if you please, in his speech. What did he say with respect to General Zwicker? He defended the original testimony of General Zwicker. I beg every Senator and everyone else to read it. I put that testimony into the RECORD, and I venture to say not six Senators read it.

Let us read the record and see if General Zwicker was not an evasive and an arrogant witness, such as the junior Senator from Idaho has never encountered in a courtroom, not even in a justice court. What happened? Taking the testimony from the cold black print, I am sure most people would be convinced that General Zwicker was arrogant and evasive. Then the select committee did a "retake" when he came in with counsel from the executive branch of the Government, the Army. The General was then a very suave and a very cooperative witness indeed.

Mr. President, I know of persons who are now confined behind brick or concrete walls. I wish I could have a retake of their original testimony.

What I lead up to is the salient fact that all cross-examiners can lose their tempers. The chairman of the select committee apologized for Mr. de Furia when he called the junior Senator from Wisconsin a word which was the equivalent of a high-classed liar. With his great legal ability, the chairman then stated that tempers get rough and violent when persons are attempting to cross-examine.

Let us go a bit further. Did the senior Senator from Utah remember this one-man committee over which he presided alone in Cleveland, Ohio, at the direction of the great junior Senator from Indiana [Mr. JENNER]? He had before him another human being, even though he did not wear the great uniform of the United States Army, with one star on it; and I respect that uniform as much as does any other Member of the Senate. That witness was not wearing the uniform, but, after all, he was a human being. He took an oath of office. He took the oath of an attorney, the most solemn oath I have taken in my life until God gave me the chance to come into this great body. That man bound himself to defend the defenseless and the oppressed at any cost, and what happened?

The senior Senator from Utah had completely forgotten about it, even though I spoke about it on the 17th day of November, as appears in the CONGRESSIONAL RECORD. I know he is a busy man, but we are supposed to take constructive notice of the CONGRESSIONAL RECORD, even though we cannot be in attendance on the Senate.

Mr. President, these are some of the facts. An attorney by the name of Scribner, who was admitted to the bar of the Supreme Court of the United States, was present representing a client. Whether the client was a Communist or not, I do not know, but there was some sort of argument between counsel and the witness. The chairman of the select committee accused the New York attorney of coaching the witness. However, the attorney was doing his job. He did not have a Presidential directive. He was being guided by the oath taken by an honorable attorney—the oath all lawyers take. After Mr. Scribner, the attorney from New York City, was accused by the chairman of the select committee of coaching the witness, Mr. Scribner asked this question:

> Mr. Chairman, will you state for the record that I have coached this witness?

He used rather mild language; many attorneys have used much more vicious or violent language than that. But as a result of that one request by that New York attorney, what happened? As I have said, Mr. President, that attorney has been admitted to practice before the Supreme Court of the United States, if you please; and that is a great honor. I know nothing about the reputation of that attorney; but he would have to be a rather good man, to be admitted to practice before the Supreme Court of the United States. At least, that is what I am told.

After that attorney asked the chairman of the committee, "Will you state for the record that I was coaching the witness?" what happened? The chairman of the select committee then said, "Put him out." That order came then from the chairman of the select committee, the distinguished senior Senator from Utah [Mr. WATKINS].

I mention these matters, Mr. President, to reiterate to Senators—and although I know their minds are made up, yet I also know that the minds of the American people are not made up—that all cross-examiners are not the same. A cross-examiner may get a little angry or confused and a little too vigorous when something happens, and then the cross-examination which results is not good.

Mr. President, I say to you that never in my life have I seen an attorney evicted from a courtroom or a hearing room. Let all Senators read the testimony I took from Mr. Scribner. It appears in the CONGRESSIONAL RECORD for November 17. Let Senators learn from it how embarrassed Mr. Scribner was. Certainly he was as embarrassed as General Zwicker was.

I cannot imagine what changed the thinking of those concerned, when at least two members of the select committee, and in my opinion at least three of them, were prejudiced. I say that because if you, Mr. President, were a lawyer trying a case, and if you saw news reports or statements to the effect that a judge in the case had made up his mind against an important witness or against the defendant—in this case, perhaps against General Zwicker, or against Senator MCCARTHY—then certainly you would wish to have that judge disqualified. Certainly any attorney worth his salt would seek to have such a judge disqualified. In this case, such members of the select committee should be disqualified, inasmuch as now they are attempting, in my opinion, to govern the activities and deliberations of every member—all 96 Members—of the Senate of the United States. To that I will never subscribe, Mr. President. I think we should sit here with honor as a tribunal, rather than be influenced by demands that, "If you do not vote such and such, you will be letting us down; you will be violating the vote you cast in assigning this job to us."

Mr. President, I have no use for cruel words against anyone. I hope I have many friends on the floor of the Senate. I have never wittingly tried to abuse anyone. If I have abused anyone, I am sorry, because that has never been my intention. I have observed that a lawyer never wins a lawsuit by overtrying his case.

Mr. President, I was somewhat astounded when I heard it said that the junior Senator from Wisconsin had said the members of the select committee were "unwitting handmaidens of the Communist Party." I know that every member of that committee certainly is just as loyal to the Government of the United States as is the junior Senator from Idaho; and I firmly believe that. In fact, I know it; there is no question

about it in my mind. But human minds might be taxed at times, Mr. President.

In this instance we are dealing with a man, a Member of this body, elected to this body by one of the greatest States in the Union, the sovereign State of Wisconsin. He has been continuously on trial for approximately 10 months, as I recall. Whose patience would not be at an end under such circumstances, Mr. President?

So when he used the words "unwitting handmaidens," let us ascertain the definitions of those terms. I have heard definitions of the Communist Party; and I have heard either the chairman of the select committee or the junior Senator from Utah [Mr. BENNETT] make statements to the effect that to call one a Communist is libelous or slanderous, and that money damages may be collected for doing it. So I assume that in some States it would be criminal libel to call a person a Communist. In this instance, let us ascertain the meaning of the words "unwitting handmaidens." I have heard the word "handmaidens" defined, but I have not heard the definition of "unwitting," as stated in Webster's dictionary. At this time let me read the definition of the word "unwitting," as it appears in Webster's Dictionary: "not knowing, unaware, unconscious, unintentional."

How about the word "handmaiden," Mr. President? Today I spoke a little regarding whether that was so vicious a term. During the debate it has been referred to as a vulgar term, something very low down, indeed. However, if I correctly remember Holy Scriptures, that word comes from the greatest book ever written, the Bible. I now quote from the Bible, and I think I shall quote correctly. As I recall, we find the following in Holy Scripture: "Behold the handmaid of the Lord."

That was the answer of the Mother of Christ to the Angel Gabriel who brought her the message that she was to become the Mother of Christ.

Mr. President, let me ask how much time remains to me?

The PRESIDING OFFICER. The Senator from Idaho has 1 minute remaining.

Mr. WELKER. Mr. President, on the basis of some new evidence which has recently been discovered—and I assure Senators that it came to my attention not more than 40 minutes ago—I should like to have some member of the Hennings-Gillette subcommittee tell me whether or not paragraph 5 of the minutes of a subcommittee meeting of November 19, 1952, reads as follows:

Mr. Cotter reported on the Benton inquiry. Mr. Fosner outlined developments on Cosgriff Field investigation, etc. Committee approved subpenaing Riggs special account on this phase only and that no further hearings need be held—

I invite the attention of the judges and jurors to this language. In my opinion they are about to make one of the most momentous mistakes in the history of the United States Senate. Listen to this—

and that no further hearings need be held as Benton's testimony can be used in conjunction with our findings to write a complete report * * * but we are not to concern ourselves with tax angles.

The PRESIDING OFFICER. The Chair advises the Senator from Idaho that his time has expired.

Mr. WELKER. I thank the distinguished Presiding Officer.

Mr. President, at this time I withdraw my amendment.

The PRESIDING OFFICER. The Senator from Idaho withdraws his amendment.

The question is on agreeing to the committee amendment to section 1, as modified.

Mr. KNOWLAND. I ask for the yeas and nays on the committee amendment, as modified.

The yeas and nays were ordered.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Fulbright	Mansfield
Aiken	George	Martin
Anderson	Gillette	McClellan
Barrett	Goldwater	Millikin
Beall	Green	Monroney
Bennett	Hayden	Morse
Bridges	Hendrickson	Mundt
Brown	Hennings	Murray
Burke	Hickenlooper	Neely
Bush	Hill	O'Mahoney
Butler	Holland	Pastore
Byrd	Hruska	Payne
Carlson	Humphrey	Potter
Case	Ives	Purtell
Clements	Jackson	Robertson
Cooper	Jenner	Russell
Cotton	Johnson, Colo.	Saltonstall
Daniel, S. C.	Johnson, Tex.	Schoeppel
Daniel, Tex.	Johnston, S. C.	Scott
Dirksen	Kefauver	Smith, Maine
Douglas	Kerr	Smith, N. J.
Duff	Kilgore	Sparkman
Dworshak	Knowland	Stennis
Eastland	Kuchel	Symington
Ellender	Langer	Thye
Ervin	Lehman	Watkins
Ferguson	Long	Welker
Flanders	Magnuson	Williams
Frear	Malone	Young

The PRESIDING OFFICER. A quorum is present.

Mr. CASE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CASE. At the time the Senate began the consideration of Senate Resolution 301, the junior Senator from South Dakota invited attention to the fact that the acts dealt with under the amendments to section 1 consisted largely of acts which occurred prior to the opening of the 83d Congress.

In that connection I called attention to the fact that at the time the late Senator Taft commented upon the status of Senators who were sworn in at that time he alluded to the fact that in the Langer case the Senate, by majority vote, had determined that a two-thirds vote would be required in dealing with acts which, in that case, took place prior to the election.

So I submitted a parliamentary inquiry as to whether or not a two-thirds vote would be required in dealing with the amendments to section 1. The junior Senator from California [Mr. KUCHEL] was in the chair at the time. He decided to take the question under advisement, after consultation with the Parliamentarian. I am advised that the Parliamentarian has considered the question and is now in a position to advise the Chair on the point. I therefore ask for a ruling at this time.

The PRESIDING OFFICER. The Chair will state that the Parliamentarian has handed him a memorandum on the question raised by the Senator from South Dakota.

The Chair will read the memorandum of the Parliamentarian, with which the Chair agrees:

Section 1 of the pending resolution (S. Res. 301) to censure the junior Senator from Wisconsin contains a committee amendment striking out certain language beginning on page 1, in line 1, as follows:

"The conduct of the Senator from Wisconsin, Mr. MCCARTHY, is unbecoming a Member of the United States Senate, is contrary to senatorial traditions, and tends to bring the Senate into disrepute, and such conduct"

And inserting in lieu thereof the following:

"The Senator from Wisconsin, Mr. MCCARTHY, failed to cooperate with the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up matters referred to that subcommittee which concerned his conduct as a Senator and affected the honor of the Senate and, instead, repeatedly abused the subcommittee and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin, Mr. MCCARTHY, in failing to cooperate with a Senate committee in clearing up matters affecting the honor of the Senate is contrary to senatorial traditions and"

Then the words of the text retained, namely, "is hereby condemned", follow.

The Senator from South Dakota [Mr. CASE], stating that the above language dealt largely with incidents occurring during the term of the Senator from Wisconsin [Mr. MCCARTHY] which ended on January 2, 1953, submitted to the temporary Presiding Officer [Mr. KUCHEL] for consideration a parliamentary inquiry whether, in view of the fact that such incidents occurred prior to the beginning of Mr. MCCARTHY's second term on January 3, 1953, a majority vote or a two-thirds vote of the Senate was required in acting upon the amendment.

Under the practice of the Senate, the question of a two-thirds vote cannot properly be raised at this time on an amendment, regardless of its nature, to Senate Resolution 301. A majority vote only is necessary on any amendment proposed to the pending resolution, as is the case with amendments proposed to treaties or constitutional amendments. If the pending amendment to section 1 of Senate Resolution 301 is adopted, the appropriate time to raise the question of the necessity for a two-thirds vote would be on the final adoption of the resolution, as amended.

Rule XXXVII of the Standing Rules of the Senate, relating to proceedings on treaties, contains a paragraph as follows:

"On the final question to advise and consent to the ratification (of the treaty) in the form agreed to, the concurrence of two-thirds of the Senators present shall be necessary to determine it in the affirmative; but all other motions and questions upon a treaty shall be decided by a majority vote, except a motion to postpone indefinitely, which shall be decided by a vote of two-thirds."

There are many precedents in both the Senate and the House of Representatives which hold that proposed amendments to the Constitution may be amended by a majority vote.

On February 9, 1872 (Hind's Precedents of the House of Representatives, vol. V, sec. 7032), the Senate, by a vote of 29 yeas, 28 nays, adopted an amendment to a bill for the removal of legal and political disabilities imposed by the third section of article XIV of the Constitution, although on final passage the bill did not receive the necessary two-thirds vote.

On December 18, 1917 (65th Cong. 2d sess., RECORD, p. 477), in acting upon amendments of the House of Representatives to Senate Joint Resolution 17, the national prohibition amendment, Vice President Marshall held that an amendment to a resolution proposing an amendment to the Constitution of the United States needed only a majority in order to be adopted, but that it was necessary to have a two-thirds vote on the adoption of the House amendments, for that constituted the final passage of the resolution.

On April 13, 1900 (56th Cong., 1st sess., RECORD, p. 4128), the House was considering House Joint Resolution 28, proposing an amendment to the Constitution. A substitute having been offered, a point of order was made by Mr. Corliss, of Michigan, that, as the original resolution would require a two-thirds vote for its passage, the amendment should also receive a two-thirds vote.

The Speaker (David B. Henderson, of Iowa), overruling the point of order, said:

"The Chair holds that in voting upon an amendment it is not necessary for a two-thirds vote, although the original proposition requires it. When the House considers any amendment, it can be voted upon in the usual way; and this proposition * * * is but an amendment. When it comes, however, to the passage of the bill, then the point can be made. The Chair overrules the point made by the gentleman from Michigan at this time."

Under the practice and precedents, the Chair therefore is of the opinion that only a majority vote is required in passing upon the committee amendment to section 1, and that the question of a two-thirds vote, in the event the amendment is adopted, can only be raised on the question of agreeing to Senate Resolution 301, as amended.

The yeas and nays have been ordered on the pending question, which is on agreeing to the committee amendment on page 1, as modified by the chairman of the committee. The Secretary will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the senior Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

The junior Senator from Wisconsin [Mr. MCCARTHY] is necessarily absent, and the Senator from Oregon [Mr. CORDON] is absent on official business.

On this vote, the Senator from Ohio [Mr. BRICKER] has a pair with the Senator from Tennessee [Mr. GORE], and the Senator from Indiana [Mr. CAPEHART] has a pair with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Ohio [Mr. BRICKER] and the Senator from Indiana [Mr. CAPEHART] would each vote "nay" while the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. CHAVEZ] is unavoidably detained on official business and, if present, would vote "yea."

The Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave of the Senate on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

I announce further that the Senator from Tennessee [Mr. GORE] is paired on this vote with the Senator from Ohio [Mr. BRICKER]. If present and voting, the Senator from Tennessee would vote "yea," and the Senator from Chio would vote "nay."

The Senator from Florida [Mr. SMATHERS] is paired on this vote with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Florida would vote "yea," and the Senator from Indiana would vote "nay."

The result was announced—yeas 67, nays 20, as follows:

YEAS—67

Abel	Fulbright	Millikin
Aiken	George	Monroney
Anderson	Gillette	Morse
Beall	Green	Murray
Bennett	Hayden	Neely
Burke	Hendrickson	O'Mahoney
Bush	Hennings	Pastore
Byrd	Hill	Payne
Carlson	Holland	Potter
Case	Humphrey	Robertson
Clements	Ives	Russell
Cooper	Jackson	Saltonstall
Cotton	Johnson, Colo.	Scott
Daniel, S. C.	Johnson, Tex.	Smith, Maine
Daniel, Tex.	Johnston, S. C.	Smith, N. J.
Douglas	Kefauver	Sparkman
Duff	Kerr	Stennis
Eastland	Kilgore	Symington
Ellender	Lehman	Thye
Ervin	Long	Watkins
Ferguson	Magnuson	Williams
Flanders	Mansfield	
Frear	McClellan	

NAYS—20

Barrett	Hickenlooper	Martin
Bridges	Hruska	Mundt
Brown	Jenner	Purtell
Butler	Knowland	Schoeppel
Dirksen	Kuchel	Welker
Dworshak	Langer	Young
Goldwater	Malone	

NOT VOTING—9

Bricker	Cordon	McCarthy
Capehart	Gore	Smathers
Chavez	Kennedy	Wiley

So the committee amendment, as modified, on page 1 was agreed to.

Mr. WATKINS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. IVES. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from New York to lay on the table the motion of the Senator from Utah.

The motion to lay on the table was agreed to.

The VICE PRESIDENT. The question now recurs on the committee amendment inserting section 2.

Mr. CASE. Mr. President, the Secretary of the Army addressed a letter to me, in Washington, under date of November 24, 1954, while I was in the State of South Dakota for Thanksgiving. So I did not receive and read the letter until Monday night, and I replied to it yesterday. I have talked with the Secretary, and it is with his knowledge that I now ask unanimous consent that the letter of the Secretary of the Army, dated November 24, 1954, and my reply, dated November 30, 1954, both dealing with the so-called Zwicker-Peress matter, be printed in the RECORD.

The VICE PRESIDENT. Is there objection?

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

EXHIBIT 1

UNITED STATES SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, D. C., November 30, 1954.

The Honorable ROBERT S. STEVENS,
Secretary of the Army, Department of the Army, Washington, D. C.

MY DEAR MR. SECRETARY: I greatly appreciate your letter of November 24 which I read last night (Monday) as I tried to catch up on mail which came while I was in South Dakota over Thanksgiving.

I readily agree that there is "a great difference between an error of judgment, if such was the case, and a breach of good faith." So, I can understand why you might be disturbed by a newspaper report that I had used the phrase "a breach of good faith" as the account did not fully reflect the setting in which the phrase was used.

Count No. 2 of the committee's recommendations deals with the denunciation of General Zwicker and uses these words: "thereby tending to destroy the good faith which must be maintained between the executive and legislative branches in our system of government."

Those words were inserted as a sort of yardstick to draw the line between the proper use of free speech and such abuses of it as would warrant censure for words spoken off the floor of Congress.

As you know, the Constitution says that for words spoken on the floor of either House of Congress, Members shall not be held to account elsewhere. That, of course, is to insure for legislators the right to question the conduct of public affairs even when full proof of some suspicions may not be at hand. Senate rules provide for making a Senator sit down when he speaks ill of another Senator or State on the floor of the Senate.

But what yardstick exists or can be used to determine when derogatory language used by a Senator off the floor about a witness representing the executive branch warrants censure by the Senate? There is no written rule on that point. So, we fall back on the constitutional authority to "punish for disorderly conduct" and the inherent right and responsibility of a legislative body to preserve itself and its responsibility to protect the Government of which it is a part.

Personally, as a result of listening and reading and thinking during the consideration of the censure resolution, I have come to accept as a sure yardstick this proposition:

"Conduct, including the use of derogatory language, warrants censure if it obstructs, corrupts, destroys or actually tends to obstruct, corrupt or destroy governmental processes."

So, in the belief that Senator MCCARTHY's denunciation of General Zwicker tended to "destroy the good faith essential between the executive and legislative branches of the Government," I originally concurred in the opinion of the other members who heard General Zwicker testify (I did not) that censure was warranted on that ground.

However, that opinion rested upon the impression gained from your letter of February 16, the only documentary evidence in the committee hearings on that point, that Senator MCCARTHY's letter of February 1 asked for the recall and court-martial of Major Peress after he had been discharged.

You will recall that the staff prepared letter of February 16 to Senator MCCARTHY which carried your signature said:

"The suggestion which you made in your letter (February 1) that the officer's dis-

charge should be reversed and that he should be recalled for the purpose of court-martial on charges of conduct unbecoming an officer have been examined and appear to be impracticable. In the first place the separation of an officer under circumstances such as this is a final action, and there is no means of which I am aware by which the action could be successfully reversed."

Not until I read the full text of Senator McCARTHY'S letter, which you brought to Senator WATKINS' office on November 13, did I realize that he had clearly sought to forestall the Peress discharge before it happened and that, as chairman of a Senate subcommittee, he was suggesting you file charges and retain jurisdiction over Peress on the basis of evidence in his possession and the conduct of Peress before his committee on Saturday, January 30.

That was why I asked when Senator McCARTHY'S letter was received at the Pentagon and how it was handled. Your personally prepared answer written to Senator WATKINS later on November 13 said:

"In response to the questions raised by Senator CASE in your office this morning regarding the receipt and processing of the letter from Senator McCARTHY dated February 1, 1954, I have investigated the records of my office and find that this letter was hand carried to my office sometime during the day on February 1. As you will recall, I had not yet returned from a trip to the Far East on this date. * * *

"Mr. Adams made known the receipt of the letter to the responsible Army staff. After review of the letter, it was concluded that there was no additional evidence to require modification of the prior determination in the Peress case which had been based on all the available information known at that time, and that the best interests of the United States would be served by his prompt separation, a matter which was about to be consummated."

When I read that, of course, it destroyed the basis for my opinion that the breakdown of good faith originated with Senator McCARTHY'S intemperate denunciation of General Zwicker, for it established that the letter of the chairman of the Senate investigating committee to the head of a Government department suggesting filing of charges was received and reviewed prior to the final action of separation—the honorable discharge for Peress on the afternoon of February 2.

Recalling that General Zwicker testified that he had telephoned his superior next in line, Chief of Staff, First Army, that Peress had come in Monday morning, February 1, and asked for immediate discharge, it seemed to me that the original breach of faith was at the other end of the street—the granting of the request of a Communist who wanted to get out of the Army's jurisdiction with an honorable discharge and rejecting the suggestion of the chairman of a Senate investigating committee to file charges and to institute investigation of his activities and those of persons responsible for his promotion, change of orders, etc.

That was why I did not think the Senate had a good foundation for predicating censure of a Senator for a breach of good faith between the legislative and executive branches of Government.

I readily agree that when Senator McCARTHY'S letter reached you February 5 you took prompt and commendable action on the chairman's second and third suggestions. The unfortunate thing, however, was the hasty rejection of his first suggestion the day before you returned from Japan. It is not your fault that the door was locked too late and neither was it Senator McCARTHY'S and neither was it General Zwicker's. But, should Senator McCARTHY be censured because he lost his patience when his efforts to lock the door in time were tossed aside?

I readily agree with the statement in your letter that "the Peress case was badly handled" and that you "took prompt measures after returning from the Far East to preclude the possibility of a recurrence of such a situation." My use of the phrase, "breach of good faith," was never applied to the steps which you as Secretary of the Army took after you returned on the second and third suggestions in the McCarthy letter.

It was used, as I trust is now clear, only with respect to the action on the first suggestion, as the counterpart and basic cause of Senator McCARTHY'S final loss of patience at the Zwicker hearing.

I do appreciate your writing and giving me this opportunity to clarify the matter.

Sincerely yours,

FRANCIS CASE,
South Dakota.

DEPARTMENT OF THE ARMY,
Washington, November 24, 1954.

Hon. FRANCIS CASE,
United States Senate,
Washington, D. C.

DEAR SENATOR CASE: Last Friday the newspapers carried reports indicating your feeling that the manner of handling Senator McCARTHY'S letter of February 1 by the Army was "a breach of good faith." While I appreciate the sincerity of any statement made by you, I was naturally, as Secretary of the Army, disturbed by this statement. Human beings are not infallible and I fully appreciate that it can be argued that the Army's handling of Senator McCARTHY'S letter of February 1 was faulty. I am sure you will agree, however, that there is a great difference between an error of judgment, if such was the case, and a breach of good faith. It is my considered opinion, after carefully reviewing all the facts, that there was not a breach of good faith by the Army in this case.

In his letter of February 1, Senator McCARTHY made three suggestions, which, if I may summarize, were:

1. That court-martial proceedings be immediately instituted against Major Peress;

2. That a thorough investigation be made to disclose the names of officers responsible for handling of the Peress case with a view to their courts-martial;

3. That a complete investigation be made by the Inspector General to determine who was responsible for change of Peress' overseas orders with a view to courts-martial.

You refer to the Army's handling of this letter as follows: "The staff did not show any respect to the letter from the Chairman of a Senate committee. * * *" It seems unfortunate to me that you have drawn such a conclusion. On being informed of the Peress matter when I returned from the Far East on February 3, I promptly directed the Inspector General of the Army to conduct a thorough and detailed investigation of all the circumstances surrounding Peress' induction, change of orders, promotion, and separation from the Army. After reading Senator McCARTHY'S letter I felt, and I am sure you will agree with me, that this action on my part was in harmony with the latter two suggestions he made.

The remaining suggestion—that Peress be court-martialed—was carefully reconsidered by the staff upon receipt of Senator McCARTHY'S letter. In view of Peress' imminent separation, time was of the essence. It is appropriate, however, to recall that the staff had only recently completed a careful study of this identical question. The conclusion was reached that Senator McCARTHY'S letter did not furnish new evidence to warrant the retention of Major Peress in the service for possible court-martial. That conclusion may be argued to have been an error. I do not consider it a breach of good faith.

Recognizing your most conscientious, searching and fair-minded approach to every matter with which you come in contact, I feel that it is appropriate for me to express my views to you in a constructive and respectful manner. It is my feeling that you would not wish to leave with the Senate an accusation of bad faith by the Army in this matter. It may well be that, if I had not gone to the Far East at that time in connection with vital military matters, Senator McCARTHY'S letter would have been handled differently. In my absence, however, a certain course of action was followed. After investigation I can find no evidence of bad faith by those who handled the matter. The Peress case had been carefully studied over a long period of time and a definite decision to release him as promptly as possible had been made. I can assure you that there was no question involved of giving "priority to the request of Major Peress for an immediate discharge."

As you are aware, I readily admitted in my letter of February 16 to Senator McCARTHY that there were defects in the Army procedures for handling men called to duty under the provisions of the Doctor Draft Act. The Peress case was handled badly and I took prompt measures, after returning from the Far East, to preclude the possibility of a recurrence of such a situation. When I received the results of the Inspector General's investigation I communicated with the Chairman of the Special Investigating Committee and on June 23, in accordance with Senator McCARTHY'S request, submitted in confidence a list of officers determined by the Inspector General to have had primary responsibility for personnel actions pertaining to Peress. These things do not appear, in all fairness, to add up to breaking faith by the Army. I sincerely hope you will find it appropriate to modify the language.

With my thanks for your consideration of this matter and with highest personal regards, I am,

Yours sincerely,

ROBERT T. STEVENS,
Secretary of the Army.

SCHEDULE FOR THIS EVENING AND TOMORROW

Mr. KNOWLAND. Mr. President, a number of Senators have requested information relative to the program of the majority leader for the remainder of this evening and for tomorrow. I have told them that the Senate would sit this evening until approximately 7 o'clock, or a little later, if necessary, and that if section 1 were disposed of, I would recommend that the Senate recess until 10 o'clock tomorrow morning. It is my belief that we can finish at an early hour tomorrow afternoon. We have had a long day, from 9:30 this morning, and a number of Senators have stated that they would not like to have an extended session tonight. It is my recommendation that we recess at this time and meet at 10 o'clock tomorrow morning.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. I wonder if the distinguished Vice President will inform us as to how many amendments remain.

The VICE PRESIDENT. At the present time there is, of course, the committee amendment, and in addition to that, the amendment of the Senator from Utah [Mr. BENNETT] and the amendment of the Senator from Colorado [Mr.

JOHNSON]. There are those two amendments pending.

Mr. JOHNSON of Texas. So far as the majority leader is aware, are there any other amendments?

Mr. KNOWLAND. There are none of which I have any knowledge, nor do I have reason to believe that any more will be offered.

Mr. HICKENLOOPER. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. HICKENLOOPER. I think it is only fair to say that I will have an amendment.

Mr. JOHNSON of Texas. The Senator from Iowa contemplates offering an amendment. So there will be 4 amendments.

Mr. President, I have no objection to the suggestion made by the majority leader.

ALLEGED MAIL COVERS

Mr. KNOWLAND. Mr. President, earlier in the afternoon the junior Senator from Wisconsin raised a certain question on the floor regarding the so-called mail cover, and submitted certain information, none of which I had been aware of before. The junior Senator from Wisconsin also made available to the majority leader what purports to be photostats of certain letters, one being under date of October 23, 1952, addressed to the postmaster at Kensington, Md.; another one, under date of October 22, purporting to be addressed to the postmaster at Washington, D. C.; another October 22, also addressed to the postmaster at Washington, D. C.; another one dated November 5, purporting to be addressed to the postmaster at Washington, D. C.; and one dated November 5, also purporting to be addressed to the postmaster at Washington, D. C.; together with certain photostats of what appears to have been foolscap paper containing certain names, from certain persons to certain persons, which presumably are the result of the postal or mail cover, whatever that may mean.

During the time the matter was being presented the distinguished Senator from Iowa [Mr. GILLETTE] had gone over to the Senator from Wisconsin [Mr. MCCARTHY] at the time I was talking to him, to see just what this information was, and pointed out that he hardly believed his name would have been used on these purported letters, because it was his recollection that he had actually resigned as chairman of the committee prior to the dates on these letters. Subsequent to that time, the distinguished senior Senator from Arizona, the then chairman of the Committee on Rules and Administration, and now one of the most distinguished Members of this body, pointed out to me in the report on the resolution of censure, on page 18, item 62, the information that "Chairman GILLETTE resigned as a member of the subcommittee on September 26, 1952"—page 294 of the hearings.

In any event, the Senator from Iowa had no recollection of having signed the letters, and, as I understand, had no prior knowledge of such letters being sent.

The Senator from Arizona [Mr. HAYDEN] had indicated to me—and he is here and can correct me if I am wrong—that he had not signed the letters, nor were the letters sent with his knowledge or consent.

What I am about to say is hearsay, because I did not personally discuss it with the Senator from Missouri [Mr. HENNINGS]; but I had understood from the Senator from Arizona [Mr. HAYDEN] that the Senator from Missouri had no recollection of having signed such letters or of the letters having been sent.

Mr. HENNINGS. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. HENNINGS. I may say, with respect to that, that never in my life had I heard the phrase "mail cover" used until the distinguished junior Senator from Indiana [Mr. JENNER] used it at the time of the debate last fall. I did not know what a mail cover purported to do. I, of course, had never seen any of the letters exhibited here today. I knew nothing whatever about any such action having been taken.

Having conferred with the Senator from Iowa [Mr. GILLETTE] and the Senator from Arizona [Mr. HAYDEN], and other members of the committee, we all agreed that none of us recalled the matter ever having been discussed.

Mr. KNOWLAND. I understand the same thing applies to the Senator from New Jersey [Mr. HENDRCKSON], the other member of the subcommittee, for as long as he was a member of the subcommittee.

Mr. HENDRICKSON. I was the minority member of the subcommittee.

Mr. HENNINGS. May I inquire of the distinguished majority leader whether this is violative of law; and, if so, what section of the law? I think it would have a bearing on the relevancy of any inquiry, because the Post Office Department would be involved.

Mr. KNOWLAND. I am practically in the same boat as is the Senator from Missouri, because when the phrase "mail cover" was used some weeks ago, I had no idea what a mail cover was. I made some inquiries at the time. I am not an attorney. I do not know whether such a practice is a violation of any law or postal regulation.

I do not wish to delay the proceedings, because I believe it is important that we conclude the pending business tomorrow as early as possible, so that the Senate can adjourn sine die. The Senate will have my full cooperation so to do. But as a matter of public policy, if it is a fact that neither the chairman of the committee, the Senator from Iowa [Mr. GILLETTE], nor the Senator who succeeded him, the Senator from Missouri [Mr. HENNINGS], nor the Senator who was chairman of the full committee, the Senator from Arizona [Mr. HAYDEN], nor the minority member, the Senator from New Jersey [Mr. HENDRICKSON], had any knowledge of the letters being sent, and had not seen them and had not authorized them, and if the committee itself had taken no action, I think it is a matter of high public policy whether an employee of any committee of the Senate can have the mail of any Senator covered, whether he be Republican or Democrat, on either side of the aisle, so as to determine who is writing to him and to whom he is writing. I believe this is a matter of public policy which affects the dignity of the Senate. I think we are entitled to know what the facts are. We should know whether a law has been violated, if an employee has exceeded his authority, and the number of other Senators whose mail is being subjected to an intelligence check.

Mr. HENNINGS. I quite agree with the distinguished majority leader. For my part, it never occurred to me, and I am certain it never occurred to any other members of the committee, to have a surreptitious check made of the mail of any Member of the Senate.

Mr. KNOWLAND. I have full confidence in the integrity and ability of the distinguished Senator from Missouri, the distinguished Senator from Arizona, the distinguished Senator from Iowa, and the distinguished Senator from New Jersey. I merely wish to say that if someone exceeded his authority, I think it is time the Senate put a stop to it, and that a situation of this kind should not be allowed to develop in the future without its being properly authorized by a committee of the Senate, if indeed any committee has the power to do so.

Mr. HENDRICKSON. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. HENDRICKSON. I fully share the views of the distinguished majority leader on this subject; thus, I wish to associate myself with everything he has said.

Mr. KNOWLAND. Mr. President, I shall be glad to yield to other Senators, but first, on behalf of myself and the Senator from Texas [Mr. JOHNSON], the minority leader, I submit a resolution and ask that it be read for the information of the Senate.

The VICE PRESIDENT. The clerk will read the resolution for the information of the Senate.

The legislative clerk read the resolution (S. Res. 332), as follows:

Resolved, That the senior Senator from Michigan [Mr. FERGUSON] and the senior Senator from Georgia [Mr. GEORGE] are hereby constituted a special committee of the Senate to make a full and complete investigation for the purpose of determining all of the facts with respect to (1) whether or not during any period of time there has been maintained a cover on mail to or from the junior Senator from Wisconsin [Mr. MCCARTHY], or such mail has been otherwise handled in any special manner and without authorization from the junior Senator from Wisconsin, for the purpose of ascertaining the contents thereof or the identity of persons corresponding with the junior Senator from Wisconsin, and (2) in the event the committee determines that any such cover has been maintained or such mail has been so handled, the person or persons responsible therefor, the period during which such cover was maintained or such mail was so handled, and all other matters connected with the maintenance of such cover or so handling such mail. The committee shall report to the Senate at the earliest practicable date

the results of its investigation and shall cease to exist upon the filing of its report.

SEC. 2. (a) The committee is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, and clerical and stenographic assistants as it deems necessary.

(c) The expenses of the committee, which shall not exceed $2,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the committee.

Mrs. SMITH of Maine. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mrs. SMITH of Maine. Would the Senator from California be willing to amend his resolution so as to include all Senators, and not merely any single one?

Mr. KNOWLAND. I shall be glad to do so. I shall modify it so as to make it apply to the junior Senator from Wisconsin or to any other Member of the Senate.

Mr. WELKER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. WELKER. Would the Senator be kind enough to include in his resolution the fact that the select committee had in its files records, which were taken from the telephone company here, of every telephone call sent from the office of the junior Senator from Wisconsin? Those records were received and were in the files of the select committee, which according to the order of the Senate, was supposed to obtain all the evidence possible. I shall be glad to submit a photostatic copy of the document which happened to be in the files of the select committee, but which was not acted upon, so far as I know.

Mr. KNOWLAND. I do not wish to extend this to a general investigation. We have one matter before us which was called to the attention of the Senate, upon which we have certain information. I think it is a matter which could be cleared up, and should be cleared up before the Senate meets tomorrow, or certainly sometime during the morning. The committee would have the power to subpena the necessary witnesses and to get the originals of the letters, or copies of them, from the Post Office Department, with the assistance, I assume, of the postal inspectors, and would be able quickly to clear this matter up, because I think a matter of high public policy is involved.

Mr. WELKER. Mr. President, will the Senator yield for one more question?

Mr. KNOWLAND. I yield.

Mr. WELKER. Since the Senator from California has said he does not care to amend his resolution with respect to the telephone calls which were made in the office of the junior Senator from Wisconsin, would the Senator amend the resolution to include any activity on the part of the telephone company or any other individual which caused to be made a list of telephone calls from the office of any other Senator?

Mr. KNOWLAND. If the Senator from Idaho has information in that regard, I see no reason why the matter should not be brought to the attention of the Senate. But time is of the essence in this particular matter.

I believe that in the distinguished Senator from Georgia [Mr. GEORGE] and the distinguished Senator from Michigan [Mr. FERGUSON] we have perhaps two Senators who not only have the confidence of the Senate, but who have had considerable legal experience.

I think the matter can be acted upon promptly, and a determination can be made whether employees of the Senate, without the authority of any Senate committee, or without the authority of the chairman of any committee, are permitted to tamper with the mails in the way it is alleged to have been done.

Mr. LEHMAN. Mr. President, will the Senator from California yield for a question?

Mr. KNOWLAND. I yield to the Senator from New York.

Mr. LEHMAN. I understand the resolution applies to mail covers in the case of all Senators and of all authorized committees. It seems to me if the Senate is going to look into the question, and I agree with the Senator from California that this is a matter of public policy, we ought to make sure that there is no mail cover on any Senator, and that there is no illegal action taken by any committee.

Mr. KNOWLAND. I would say to the Senator from New York that I would be as incensed if any mail cover applied to any Senator on the other side of the aisle as I would be if it applied to Senator MCCARTHY or any other Senator on this side of the aisle. If we cannot unite on anything else, I think this is a question on which we can unite. It would be unsound public policy, and no unauthorized person should be permitted, without any authority under the rules of the Senate or of a standing committee of the Senate, to tamper with the mail of Senators who represent the 48 States of the Union.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from South Dakota.

Mr. MUNDT. Are the terms of the resolution sufficiently broad to permit the determination of the identity of whoever may have forged a document?

Mr. KNOWLAND. I think there is ample authority contained in the resolution. I think the two distinguished Senators have sufficient knowledge of the law to get the facts.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. KNOWLAND. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Assuming that what the Senator from California has alleged is correct, what relevance would it have to the issue presently before the Senate?

Mr. KNOWLAND. I have alleged nothing. I have stated what was brought to the attention of the Senate. I assume the Senator from Arkansas was present at that time. I do not know that it will necessarily affect at all the business before the Senate. Aside from that, and assuming the resolution is adopted, as apparently it will be, I think this is a matter which should be cleared up, and if there are any loopholes or loose practices now existing, the loopholes should be plugged and the practices should be prevented in the future.

Mr. FULBRIGHT. Am I to understand that the majority leader does not allege that this has any relation whatever to the pending business before the Senate?

Mr. KNOWLAND. I do not know, but a disclosure of any such practice would result in what I would call, and what my old New England grandmother used to call, righteous indignation.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Earlier in the debate the junior Senator from Wisconsin suggested to the majority leader and the minority leader that some action should be taken to determine who is responsible for this specific mail cover, and any others that may exist. After conferring with the minority leader, the majority leader drew up the resolution now before the Senate. I share the feeling expressed by the majority leader, and I hope the Senate can act on the resolution promptly, that it may be adopted, and that the committee may function.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none.

There being no objection, the Senate proceeded to consider the resolution.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. LEHMAN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LEHMAN. Will the Presiding Officer have the resolution read? I wish to make sure that the resolution is sufficiently broad so that it really takes into consideration not only mail coverage, but telegrams and other forms of communication of all Senators and of all committees, and is not limited to merely 1 committee and 1 Senator.

Mr. KNOWLAND. As I interpret the resolution, although I wish the committee to have whatever broad powers it needs, it relates to mail coverage of all Senators, not merely one Senator. It does not go into telephone records or telegrams, because they do not go through the United States Post Office Department. I feel a specific situation is involved. If the charge is true, an agency of the Federal Government is being used by someone without the authority of a committee, to check on the mail of a United States Senator.

Mr. LEHMAN. Would the Senator be willing to include telephone calls?

Mr. KNOWLAND. If the committee, after it has been selected, feels it wants

to broaden its authority, and if the Senator from Georgia [Mr. GEORGE] and the Senator from Michigan [Mr. FERGUSON] should state tomorrow they feel the resolution should be broadened, I would have no objection to it. However, I do not want the situation to get complicated beyond the facts, which I think can be easily ascertained.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to, as follows:

Resolved, That the senior Senator from Michigan, Mr. FERGUSON, and the senior Senator from Georgia, Mr. GEORGE, are hereby constituted a special committee of the Senate to make a full and complete investigation for the purpose of determining all of the facts with respect to (1) whether or not during any period of time there has been maintained a cover on mail to or from the junior Senator from Wisconsin, Mr. MCCARTHY, or any other Senator, or such mail has been otherwise handled in any special manner and without authorization from the junior Senator from Wisconsin, or any other Senator, for the purpose of ascertaining the contents thereof or the identity of persons corresponding with the junior Senator from Wisconsin, or any other Senator, and (2) in the event the committee determines that any such cover has been maintained or such mail has been so handled, the person or persons responsible therefor, the period during which such cover was maintained or such mail was so handled, and all other matters connected with the maintenance of such cover or so handling such mail. The committee shall report to the Senate at the earliest practicable date the results of its investigation and shall cease to exist upon the filing of its report.

SEC. 2. (a) The committee is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, and clerical and stenographic assistants as it deems necessary.

(c) The expenses of the committee, which shall not exceed $2,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the committee.

RESOLUTION OF CENSURE

The Senate resumed the consideration of the resolution (S. J. Res. 301) to censure the junior Senator from Wisconsin.

Mr. HICKENLOOPER. Mr. President——

Mr. KNOWLAND. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. It had been my purpose earlier in the day to address the Senate in explanation of my position on the matter pending before the Senate, to give my reasons for voting as I have been doing, and as I shall continue to vote, but circumstances prevented my doing so.

I wish to make it clear that approval or disapproval of the junior Senator from Wisconsin [Mr. MCCARTHY] is not part of my fundamental purpose. I wish to make it very clear that I have the highest respect for the select committee and each member of it. No Member of the Senate has any higher respect for them than I do. I also wish to make it clear that I have the highest affection and respect for the Senator from New Jersey [Mr. HENDRICKSON], a friend and associate of some intimacy.

However, I did wish to make it clear, Mr. President, that I feel that in censuring the junior Senator from Wisconsin for exercising his rights before the Gillette subcommittee we would be making a grievous error. I did wish to say that in censuring the junior Senator from Wisconsin as an individual for words spoken inadvertently, perhaps, and in heat of debate or otherwise, regrettable as they may have been, when at no previous time in its history has the United States Senate seen fit to take such official cognizance of words spoken inadvertently, or in the heat of debate, the Senate would be establishing a most serious precedent, which might rise to plague future Members of this body when their own liberties or freedoms might be at stake. So I thought we should approach the matter with judicious caution, and I attempted to point that out in my prepared remarks.

I neither approve nor disapprove, in my basic premise, the junior Senator from Wisconsin [Mr. MCCARTHY]; and therefore I may say that, in fact, he is an incident, perhaps, in my view.

But, Mr. President, as I say, other duties have prevented me from making these remarks in the length to which I had hoped to make them. Therefore, when I conclude at this time, I shall request unanimous consent that the remarks I wished to make today be printed in the RECORD as a statement by me. But I assure the Senate that they have the same force and effect as if I had made them in due and proper time.

Mr. President, while emotions in the country run high on this particular issue and involving this particular Senator, the junior Senator from Wisconsin, and feelings on both sides of the question are vital and sometimes vicious, the sanctity and security of operation of the Senate of the United States and the great freedom and latitude which have marked its strength during the years are, in my opinion, being endangered by what I hope is not an emotional attitude at this time, although I fear it may be so interpreted. I believe we are about to take a grievous step. The personality of the individual concerned is only an incident to the security and sanctity of the Senate.

As I said a moment ago, I hope we are not attempting to write a lexicon of words from which in the future a Senator must choose as he prepares the statements he will make either to the Senate or to the country.

So, Mr. President, I ask unanimous consent that my statement be printed in the RECORD.

The PRESIDING OFFICER (Mr. PURTELL in the chair). Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HICKENLOOPER

The issue which has been plaguing the Senate and exciting the country for many months, namely, action on Senate Resolution 301, which moves official censure for the junior Senator from Wisconsin, will soon be decided by the Senate. The charges, countercharges, facts, fiction, and emotions that have marked this strange controversy will be involved in the final votes which are taken, although the final vote may not settle the argument. To believe that any solution of this controversy would completely satisfy everyone would be the height of naivete, indeed, and of course no one believes that such universal satisfaction can result from our actions here. The issues involved seem to me to be fundamental, indeed. They go to the roots of the constitutional rights, and the constitutional safeguards of our free system, in which the freedom of expression and action is, and has been, one of its greatest pillars of strength.

The issues raised under Senate Resolution 301 are crystallized by the report of the select committee, and at least one or perhaps more amendments or substitutes germane to the report of that committee.

No finer, more honorable or more dedicated Members of the United States Senate, individually and collectively, could have been chosen for what was, undoubtedly, a distasteful task, than the members of the select committee. These members need no testimony from me as to their integrity and their dedication to their States and Nation and to the responsibilities of their high offices. They need no character witnesses so far as all who know them are concerned. I only express my great regard and affection for them as a matter of personal conscience. The subcommittee, with the respect and, I believe, sympathy of the Senate generally, undertook its difficult task and labored with diligence and expedition. The fact that some may disagree with the findings of the subcommittee certainly cannot indicate the slightest disrespect for the committee, nor any of its individual members, any more than a vote on this floor, on any substantial issue which is contrary to the recommendation of a standing committee of the Senate, indicates disrespect for the members of that committee. The progress of our system of government has been continuously marked by the fact that reasonable men can sincerely differ, and in such differences eventually arrive at sounder solutions in the public interest.

I have no doubt but that each member of the select committee would far rather have not been chosen, had selfish desires prevailed, and I believe that the thanks of the Senate are due these members for their labors in a difficult assignment.

The report of the select committee has been thoroughly discussed on the floor of the Senate during this debate. I do not want to engage in unnecessary repetition. It is sufficient to note that after consideration of all the charges and allegations before it with respect to the proposed censure of the Senator from Wisconsin, the select committee discarded all except two categories. (1) The committee recommended censure of the Senator from Wisconsin in connection with the circumstances surrounding the investigation by the Subcommittee on Privileges and Elections in the 82d Congress, called the Gillette committee, on charges made by the then Senator from Connecticut, Mr. Benton, and (2) the committee recommended censure in the category of "Incident relating to Ralph W. Zwicker, a general officer of the Army of the United States."

During the debate upon the report of the select committee, a third motion for censure has been filed as an amendment to the committee report, by the junior Senator from Utah, and based upon words used by the junior Senator from Wisconsin since the select committee concluded its deliberations.

I propose to discuss each of these movements for censure briefly.

I have read the report of the select committee. In the first category, the matter of the failure of the Senator from Wisconsin to appear before the Gillette subcommittee of the 82d Congress, the sound reasons for disagreement with the select committee seem to me abundantly clear.

The Gillette subcommittee had before it for consideration certain complaints or charges against the Senator from Wisconsin, filed by the then Senator from Connecticut, Mr. Benton. That subcommittee met and deliberated; it examined so-called evidence and after considerable deliberation it made no findings of fact adverse to the Senator from Wisconsin. During its deliberations it invited the Senator from Wisconsin to appear and testify. He did not appear and testify and based upon the fact that he did not appear and testify, the select committee now recommends that he be censured.

But let's examine the circumstances a little further, and I hope dispassionately and objectively. The subcommittee did not subpena the Senator from Wisconsin, so that, apart from the question of whether or not the subcommittee had the authority to compel his appearance, it did not attempt to exercise the power of subpena. Therefore, even granting for the sake of argument, that it could have compelled his appearance by subpena and his failure to such compulsion might have been contemptuous, that power was never attempted to be used. Therefore, he surely could not be held in contempt of that committee or of the Senate on that ground. The select committee stressed the fact that the Senator from Wisconsin was invited to appear, if he so desired, and did not appear. Such an invitation placed it clearly within the discretion and right of the Senator from Wisconsin to accept or to decline. He exercised that discretion apparently by not appearing before the committee; whether he declined to appear or whether there was difficulty in arranging mutually convenient times for his appearance may be in dispute, but of no great consequence. The point is that he had a discretion and a right which he could exercise, either to appear or not to appear. He did not exercise that discretion to appear before the committee. I can only conclude, therefore, that the select committee reasons that the Senator from Wisconsin should be censured for not exercising his discretion and his rights in the manner in which that committee thought he should have exercised it.

Of even greater significance is the fact that the Gillette committee did not see fit to request censure of the Senator from Wisconsin; nor did it see fit to request an interpretation of its powers from the Senate, itself; nor did it make any findings of fact on the charges.

In addition, the Senate of the 82d Congress did not see fit to make any issue of this incident of the subcommittee's investigation; made no move to continue or pursue the matter beyond the inconclusive report of the subcommittee and the matter supposedly died with the termination of the 82d Congress. The Subcommittee on Privileges and Elections of the 82d Congress had before it, and there was voluminous coverage through the press and radio, of allegations and charges on personal matters involving the Senator from Wisconsin, but it is significant, indeed, to note that the people of Wisconsin, whom he represents, and after extensive publicity in these matters, reelected him to the Senate of the United States to represent the great State of Wisconsin. Can there be the slightest doubt but that the issues involved before the Privileges and Elections Subcommittee of the 82d Congress inhered in the judgment of the people of Wisconsin in that election?

Based upon the premises which I have attempted to briefly outline, it seems incomprehensible to me, from a standpoint of reason and objective approach, that the Senate of the 83d Congress has any justification whatsoever to reach back into a preceding Congress and vote censure for something which the Senate of the 82d Congress failed to take official cognizance of. This is especially true when the very acts upon which censure is now proposed were actions or failure to act which were within the discretion and the rights of the Senator from Wisconsin. In fact, certainly no Senator should be censured for acting within his rights.

The second incident upon which the select committee bases its recommendation of censure of the Senator from Wisconsin, is the so-called Zwicker incident. Laying aside for the moment a great many of the details, I think it is well to examine certain legal phases involved.

In the first place, the Senator from Wisconsin, beyond dispute so far as I know, was acting under the authority rules of the Senate and of the Committee on Government Operations, of which he is chairman. In his subcommittee activities he was acting within the authorization laid down by that committee. He was investigating the matter of subversive infiltration into the Government of the United States and with particular emphasis at the moment on the Armed Forces.

At all times the committee of which he was chairman had the authority to define, curtail, limit or end the investigative activities in this field by either the committee itself, or by any subcommittee of that committee. So far as I know, that committee have never yet circumscribed, curtailed, limited, or ended these investigative activities.

Can anyone argue that the matter of subversive influence in the Government of the United States, or in the Armed Forces or any other branch or department of our Government, is not of vital interest to the Congress and the people, or that acquisition of information with regard to such subversive activities is not within the very deep responsibility of the Senate and of the Congress of the United States?

Can anyone argue that the Senator from Wisconsin, having information that an officer in the Army was a member of a Communist or Communist dominated organization, with strong suspicion that his activities had been in support of conspiratorial activities and that this officer had not only refused to answer questions in connection therewith, but that he had been promoted in spite of this record, and that after demand for a more thorough investigation of his activities had been made by the chairman of the committee looking into such activities, he had been precipitously given an honorable discharge by someone or some authority in the Army, I repeat, can anyone argue that the Senator from Wisconsin should not have vigorously and intensively inquired into the circumstances? I think any Senator in this body, under the same circumstances, would, indeed, have made vigorous inquiry and investigation. The Senator from Wisconsin did make such inquiry, and he called before his subcommittee the commanding officer of Camp Kilmer, an Army separation center, from which Major Peress, the object of this inquiry, was given his honorable discharge on February 2, 1954. Does anyone argue that a general officer of the Army is immune from giving testimony before a congressional committee? Can anybody argue that a logical source of evidence in connection with the Peress case would be the commanding officer of the separation center, where a number of the events involved occurred?

It seems to me that two most fundamental questions in this inquiry would be, (1) Who was responsible for the promotion of Peress? and (2) Who was responsible for his expedited discharge on February 2, 1954, after the matter had been specifically called to the attention of the Department of the Army prior thereto?

In pursuit of these two major questions, the so-called Zwicker incident took place, and under a plea of orders from superior authority, General Zwicker declined to give any kind of a clear answer. During the attempt by the Senator from Wisconsin and counsel for the committee to get the facts in connection with this matter, frustration and irritation undoubtedly entered into the circumstances, and the Senator from Wisconsin eventually directed some bitter words at General Zwicker.

So far as I recall, I have never met General Zwicker. Such information as I have concerning him convinces me that he is an able officer with a splendid war record, and that he is an honorable gentleman. I regret that the Senator from Wisconsin, in what undoubtedly was a period of emotion and frustration so far as the meat of the controversy was concerned, used caustic words toward General Zwicker which questioned his fitness for his job. But, by the same token, I do say that the Congress of the United States is entitled to the answers to these questions which are still unanswered, so far as I know—who promoted Peress, and who is responsible for expediting his honorable discharge?

So far as the controversy between the Senator from Wisconsin and General Zwicker was concerned, there is disputed testimony. There is evidence that General Zwicker had made disparaging remarks about the Senator from Wisconsin. There is evidence that led reasonable people to the belief that General Zwicker was arrogant, almost to the point of defiance, of the Senate committee. The Senator from Wisconsin, as chairman, stated his conclusion that General Zwicker was arrogant; the senior Senator from Colorado, a member of the select committee, has frankly stated, as I understand it, that prior to the hearings of the select committee, he was of the opinion that General Zwicker was an arrogant witness before the committee of the Senator from Wisconsin. The Senator from Colorado has also frankly stated that after hearing General Zwicker before the select committee, he changed his opinion, but I submit that it is not the conduct of General Zwicker before the select committee which is the issue, but the conduct of General Zwicker before the McCarthy committee which is at issue, and conduct at one time may not necessarily be the criterion for judgment of conduct at another time.

Now, so far as the words of condemnation which the Senator from Wisconsin used toward General Zwicker are concerned, and while I personally regret that they were used, and I personally respect General Zwicker, nevertheless, I have heard on repeated occasions during the course of my service in this body language used toward witnesses by members of various committees which were at least as condemnatory of the witness as anything that the Senator from Wisconsin said to General Zwicker. On occasions and on committees of which I have been a member, I have heard members of a committee remonstrate with a colleague in objection to the caustic or condemnatory language which the member was using toward a witness. In some cases, perhaps, the condemnation might, in the judgment of some people, be justified, and in some cases the condemnation might, in the judgment of some people, be wholly unjustified; nevertheless, such condemnation of at least equal vehemence has been repeatedly heard from members conducting investigations in pursuance of the legislative responsibilities of the Senate, and no proposal for censure has ever been offered as a result.

This is not to say that I applaud or approve violence of language, and I make reference to it only because the situation here before us is not unique. The unique situation is that, so far as I know, for the first time in the history of the United States Senate, condemnatory criticism of a witness by a Member of the Senate is being made the basis for

official censure by this body. Is the Senate now to adopt a policy of policing the consciences and vocabulary of its Members by official fiat?

This raises the question, of course, as to whether or not a lexicon of words of propriety is to be adopted by the Senate within the limitation of which each Member must carefully confine himself, else he be officially censured because either through inadvertency or emotion, which is only a part of human reaction, he oversteps the line of official propriety of the moment. It raises the question of whether or not Senators will be circumscribed in their individual right and conscience to criticize people and practices in what they believe to be the public interest. It raises the question of whether or not Senators will be circumscribed and limited in their right and freedom to discuss the conduct and attitude of foreign nations toward this country, else they be censured by those who may disagree with them, or who may consider their language untimely or ill chosen. It raises the question of the meaning of the constitutional protection, which says that for words spoken on the floor of the United States Senate, the Member shall not be questioned in any other place. It raises the whole question of what freedom will remain to a Member of the Senate to express his views on matters which he in conscience believes to be affecting the public interest of his country or of his constituents. It raises the ominous cloud of censure over a body and its membership, which, up until now has retained the strength of freedom in debate and latitude in investigation. It raises the question of whether censure in this case would put the stamp of approval upon defiance of a lawfully constituted committee of this body by servants of or by a department of the Government.

As I stated heretofore, my position in this matter is not from a standpoint of agreement or disagreement with the Senator from Wisconsin. With many things he has done and said I agree; with many things he has done and said I disagree; my position in this matter is taken because I believe there is a fundamental and vital principle affecting the freedom of the Senate of the United States and its Members as the real issue in this controversy, and I propose to protect those freedoms as much as I can.

If the Senator from Wisconsin has transgressed the rules of propriety or of official conduct in the minds of some people, nevertheless, there is voluminous precedent in the past where such transgressions have occurred on the part of others. The very strength of the right of freedom of conduct on the part of the Senate is proven by the ability of our system to absorb all manner of discussion and action, some vehement, some mild, and still maintain that latitude which is necessary in the interest of exhaustive exploration of the rights of the American people.

I often disagree with positions taken by many of my colleagues and, indeed, with statements which they may make from time to time, and without any doubt they disagree with me from time to time on position and statements, but the great principle of freedom of debate and freedom of position and attitude was so clearly enunciated in the statement, "I disapprove of what you say but I will defend to the death your right to say it."

For all of these reasons and because of the sacred principle of liberty and freedom, I cannot support the vote of censure in either of the two categories set out by the select committee.

Turning now to the amendment filed by the junior Senator from Utah [Mr. BENNETT]. He proposes to officially censure the Senator from Wisconsin for critical words spoken about his colleague, the senior Senator from Utah [Mr. WATKINS]. Again I reassert my great respect, friendship, and admiration for the senior Senator from Utah [Mr. WATKINS]. He is a man of highest integrity, courage, and devotion to his responsibilities and his fellowmen. I regret that the Senator from Wisconsin, fighting with his back to the wall, used blunt language directed toward the senior Senator from Utah and the distinguished select committee of which he was chairman.

No doubt the Senator from Wisconsin might be described as having lashed out at the committee, but at the same time the committee, itself, was supporting a motion to condemn the Senator from Wisconsin, and emotions of the moment which were involved might be taken into account in mitigation of intemperate words. Of course, the select committee, and no member of it, has any sympathy whatsoever with, and in fact hate, communism, but at the same time no one can deny that humiliation of the junior Senator from Wisconsin will call for a celebration in every Communist den in the world.

To that extent resolutions of censure of the Senator from Wisconsin will contribute to the objective of the Communists in this country, who have long sought to stifle his activities. Of course, countless people who hate communism disagree with and criticize the Senator from Wisconsin. They are loyal people and in no sense do they aid communistic movements. My own view is that the words of the Senator from Wisconsin might better have been unsaid, and I regret his reference to the Senate session as a "lynch party"; I regret the use of the word "cowardly" with respect to the senior Senator from Utah, who is not cowardly but is possessed of the highest degree of courage. At the same time I regret that bitter words have been spoken on the floor of the Senate from time to time in the past.

In fact I feel certain that the Senator from Wisconsin regrets his choice of language and the bluntness of his words. It seems to me that he expressed this on November 29, when he said, "However, insofar as the words used I am willing to strike out all the words that are considered objectionable."

The choice of words is an art; some people have the ability to inflict grievous wounds with the delicate and needlelike stiletto, the seriousness of which are not realized until some time after the blows have been struck. Others, less artful, do battle with a meat ax, where the damage is immediately more evident and sometimes more repulsive, but in the long run it makes little difference because the injury may be just as serious; either type of attack can wound or kill.

The Senate in rule 19 provides for calling a member to order for words spoken, which are considered by any member to offend the rules of the Senate. These words can be "taken down" and the member cannot proceed in order except by leave of the Senate. This has been a remedy that has worked satisfactorily over the years.

It is significant, however, that, so far as I know, the Senator from Wisconsin has not had rule 19 invoked against him. He was not called to order for any words which he has spoken on the floor of the Senate. Again I say that I do not agree with many of the words which he has spoken; personally I might criticize him for his choice of words on certain occasions, but that is a matter of semantics and personal opinion. Rule 19 still remains as a remedy for any Member of the Senate who desires to exercise it and it has not been exercised in connection with this censure.

I regret exceedingly the bitter words which the Senator from Wisconsin directed against the junior Senator from New Jersey [Mr. HENDRICKSON]. I have known the junior Senator from New Jersey intimately and well. His entire record is one of courage, decency and devotion to duty. He is a man of the highest honor and integrity.

I thoroughly disagree with the Senator from Wisconsin in his reference to the Senator from New Jersey as "a living miracle, a man without brains and without guts," but again without defending, and in fact in criticism of these words, unfortunately chosen and unfortunately spoken, I call attention to the fact that equally grievous things have been said from time to time on the floor of the Senate by Members against other Members, often couched, it is true, in less blunt language but, nevertheless, in connotation fully as violent.

Again I point out that this is the first time in the history of the Senate, so far as I know, that words spoken by a Senator have been the subject of a formalized motion for censure. This seems to me to invite a precedent for the official censureship and control of the choice of words used by a member of the Senate, which may well arise to plague other members in the future and to circumscribe the latitude within which they may discharge their duties as they see them to the people whom they represent.

Therefore, while I assert the freedom to personally disagree with the choice of words, and with their connotation, of the Senator from Wisconsin on some occasions, to regret that he has no doubt offended the sensibilities of many, nevertheless, I do not think official censure is a means of correction, and on the other hand, I think it is a dangerous precedent to freedom of speech, which may, indeed, plague us in the future.

The Senator from Wisconsin has, indeed, been a controversial figure. Millions of people support him with zeal and enthusiasm. Other millions criticize and condemn him. Throughout the history of this country we have had public figures who have aroused violent feelings, pro and con; they have generated controversies which have affected the course of our Nation. It is in the freedom of controversy and in the fires of emotional discussion that we have traditionally found great strength, and we must take great care, indeed, that the emotionally exercised power of a majority shall not translate itself into tyranny over the rights of a minority, whether it be a minority of one or more.

NOMINATION OF DR. WILLARD FRANK LIBBY TO BE A MEMBER OF THE ATOMIC ENERGY COMMISSION

Mr. HICKENLOOPER. Mr. President, as in executive session, there is a matter about which I should like to interrogate both the majority leader and the minority leader. This afternoon the Senate section of the Joint Committee on Atomic Energy unanimously approved and recommended the reporting to the Senate, for confirmation, of the nomination of Dr. Willard Frank Libby, of Illinois, to be a member of the Atomic Energy Commission for the remainder of the term of 5 years expiring June 30, 1956, to which office he was appointed during the last recess of the Senate. I now report the nomination to the Senate.

I do not desire to press for action on the nomination this evening. As I have said, the nomination is unanimously approved by the Senate members, on both sides, of the Joint Committee on Atomic Energy. Action on the nomination is important, because today there are only 2 confirmed Commissioners, out of 5, on the Atomic Energy Commission; and Dr. Libby has been an acting Commissioner since before the Senate reconvened, on a recess, interim appointment.

He is acting as one of the Commissioners, but his nomination has not been confirmed. I think it important that there be at least three confirmed Commissioners.

I do not seek to press for action on the nomination at this time, but I believe it incumbent upon me to press for confirmation as soon as possible of the nomination, which has the unanimous approval of Senators on both sides of the aisle, insofar as the joint committee is concerned. Of course, I shall abide by the desires of the majority leader and the minority leader in this connection.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Iowa yield to me?

Mr. HICKENLOOPER. I yield.

Mr. JOHNSON of Texas. As the Senator from Iowa knows, it is not necessary to press for action in this connection, because there is complete agreement on both sides of the aisle in this instance; and earlier in the day I notified the majority leader that there was no objection from this side of the aisle to reporting this nomination and having it confirmed.

Mr. KNOWLAND. Mr. President, let me say there are several nominations upon which the minority leader and the other members of the minority have shown excellent cooperation. My understanding is that the nominations have been reported from the committee with the support of both the majority and the minority members, and that the nominations have been cleared with both the majority leader and the minority leader.

Mr. HICKENLOOPER. That is correct.

I may state for the RECORD that at this time the Senator from Tennessee [Mr. GORE] is absent in Europe, on official duties. I feel that he would not object, although I cannot speak for him, and he is not voted.

The Senator from Ohio [Mr. BRICKER] is also absent on official duties. He has traveled in the other direction; he is not in Washington. I am not privileged to vote for him, although he was kind enough to give me his general proxy on the committee. But I am not recording him one way or the other. The other Senate Members—of both parties—are unanimous in their approval.

Mr. President, I am not disposed to request immediate action on the nomination; but if that would be satisfactory to the leadership, I would suggest it.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that there be placed on the Executive Calendar both the nomination reported from the Joint Committee on Atomic Energy and also nominations coming from the Armed Services Committee and nominations coming from the Foreign Relations Committee, in regard to which I understand the same situation prevails, namely, that the nominations have been cleared with the minority members and with the minority leader.

The PRESIDING OFFICER. First, the nomination reported from the Joint Committee on Atomic Energy will be received and placed on the Executive Calendar.

NOMINATIONS REPORTED BY THE ARMED SERVICES COMMITTEE

Mr. SALTONSTALL. Mr. President, as in executive session, from the Committee on Armed Services, I report favorably sundry nominations, including the 10,030 nominations received yesterday from the President of the United States, which latter nominations were printed in yesterday's CONGRESSIONAL RECORD. I ask unanimous consent that the 10,030, as printed in yesterday's CONGRESSIONAL RECORD, not be printed on the Executive Calendar, but be placed on the Vice President's desk; and that all other nominations reported from the Armed Services Committee be placed on the Executive Calendar. In that way, all the nominations will be available for consideration, but it will not be necessary to print again the 10,030 nominations.

Mr. KNOWLAND. They are the customary, routine nominations, are they not?

Mr. SALTONSTALL. That is correct.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts?

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, let me say that as I understand, the nominations being reported from the Armed Services Committee include the nominations of the Assistant Secretary of Defense and the Assistant Secretary for Air. Both those nominations were reported this morning by the Armed Services Committee, according to my understanding.

Mr. SALTONSTALL. That is correct; they were.

In the case of two other nominations, the nominees were not able to be present this morning in the committee. So the committee has held up those nominations. But all the nominations now reported by the committee are reported unanimously, and with the full approval of the members of both sides.

The PRESIDING OFFICER. Is there objection?

Mr. JOHNSON of Texas. Mr. President, let me ask how many committee members on this side were present.

Mr. SALTONSTALL. Four were present; the Senator from Georgia [Mr. RUSSELL], the Senator from Virginia [Mr. BYRD], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Tennessee [Mr. KEFAUVER].

Mr. JOHNSON of Texas. All the nominations were reported unanimously, were they?

Mr. SALTONSTALL. That is correct.

Mr. JOHNSON of Texas. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? Without objection, it is so ordered.

NOMINATIONS IN THE UNITED STATES PUBLIC HEALTH SERVICE

Mr. KNOWLAND. I understand that in the case of certain nominations which are ready to be reported from the Committee on Labor and Public Welfare, the committee members on both sides are in agreement.

Mr. SMITH of New Jersey. That is correct.

Mr. President, as in executive session, I ask unanimous consent to report from the Committee on Labor and Public Welfare a number of nominations in the Regular Corps of the United States Public Health Service.

The PRESIDING OFFICER. Without objection, the nominations will be received and placed on the Executive Calendar.

NOMINATIONS REPORTED FROM THE FOREIGN RELATIONS COMMITTEE

Mr. SMITH of New Jersey. Mr. President, as in executive session, I ask unanimous consent to report a number of nominations from the Committee on Foreign Relations. The list includes 7 recess appointments of ambassador; appointments and promotions in the Foreign Service; 4 appointments of representatives of the United States to the eighth session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization; and the nomination of Christian A. Herter, Jr., as General Counsel of the Foreign Operations Administration.

The PRESIDING OFFICER. Is there objection? Without objection, the nominations will be received and placed on the Executive Calendar.

Mr. JOHNSON of Texas. Mr. President, I understand that the other nominations to which reference has been made include those reported from the Foreign Relations Committee, those reported from the Armed Services Committee, and those reported from the Committee on Labor and Public Welfare. Were any other nominations reported?

The PRESIDING OFFICER. There was also a nomination from the Joint Committee on Atomic Energy.

Mr. KNOWLAND. There were also nominations from the Judiciary Committee.

Mr. JOHNSON of Texas. From the Judiciary Committee?

Mr. KNOWLAND. Yes; and that is all.

MEMORIALS

The VICE PRESIDENT. The Chair lays before the Senate a letter from Rear Adm. John G. Crommelin, United States Navy (retired), presenting sample copies of memorials disapproving censure of the Senator from Wisconsin [Mr. MCCARTHY], which, with a copy of the petitions enclosed, will be printed in the RECORD and ordered to lie on the table.

The letter and sample copies of memorials are as follows:

TEN MILLION AMERICANS,
New York, December 1, 1954.

The Honorable RICHARD M. NIXON,
President of the United States Senate,
The Honorable WILLIAM H. KNOWLAND,
Majority Leader,
The Honorable LYNDON JOHNSON,
Minority Leader,
The United States Senate,
Washington, D. C.

GENTLEMEN: On behalf of Lt. Gen. George E. Stratemeyer, United States Air Force

(retired), chairman; Adm. William H. Standley, United States Navy (retired); the Honorable Charles Edison; Gen. James A. Van Fleet, United States Army (retired); the Honorable J. Bracken Lee, Governor of Utah; Mrs. Grace L. H. Brosseau; the Honorable John Francis Neylan; Lt. Gen. Pedro A. del Valle, United States Marine Corps (retired); the Honorable John B. Trevor, vice chairman; and "Ten Million Americans," we are presenting herewith to the United States Senate sample copies of a petition which has been widely circulated throughout the Nation.

As the petitions are now in custody of James W. Walsh & Co., certified public accountants of New York City, who are busily engaged in preparing an authentic tally, it is impractical to present the entire lot to you at this time. Only a fraction of the signed petitions has been processed by the auditors, and a very heavy volume of signatures is pouring in via the mails. However, a certified sample of petitions bearing 1,000,816 signatures is available at the Capitol of the United States for inspection by any Members of the Senate desiring to do so.

It is respectfully requested that the contents of this petition be carefully noted by all Members of the United States Senate before casting their votes in the proposed resolution to censure Senator JOSEPH R. MCCARTHY.

The response to this petition throughout the entire United States has been spontaneous, and has developed into a ground swell from the grassroots. Therefore, as a public service, we are hereby submitting this to you for such action as you deem warranted.

Very respectfully,

JOHN G. CROMMELIN,
Rear Admiral, United States Navy (Retired); Chief of Staff, Ten Million Americans.

A PETITION TO THE UNITED STATES SENATE

1. We, the undersigned, being gravely concerned over the serious threat to constitutional government and the great damage to our country that could mistakenly result from your special "censure session," respectfully submit this appeal to reason, commonsense, and justice.

2. We declare that it is your duty to reject the recommendations of the Watkins committee as an affront to the dignity of the Senate, as contrary to its rules, and as a serious threat to the power and prerogatives of the United States Senate. Senator MCCARTHY is really not the issue. He is a symbol of your constitutional right to inquire into the acts of the executive branch, without which you could not get dishonest and disloyal employees out of the Government. A vote to censure one of your own members for doing his sworn duty would establish a dangerous precedent that could only lead to the destruction of constitutional government—the very objective sought by the enemies of the United States.

3. We sincerely pray that your decisions will be based upon honorable considerations, rather than political partisanship or political expediency. It is no longer necessary for you to fear or favor because of an election. The campaign is over.

4. We point out that the Communists and their un-American cohorts, by vicious propaganda, and through willing stooges and blind but innocent dupes, already have victimized certain members of the United States Senate. The insidious influence of these enemies of our way of life was mainly responsible for the creation of the Watkins committee, and for its incredible findings and conclusions. Now, these same subversive elements are again engaged in an all-out campaign of smear, slander, pressure, and political intimidation in a final attempt to destroy Senator JOSEPH R. MCCARTHY and the fundamental principles he symbolizes, and to nullify the great good that he has accomplished.

5. We implore you, in the interest of our country, to resist this pressure, to ignore this influence, and to disregard this Red-inspired propaganda.

6. We urge you to make your decisions on the basis of a careful and conscientious consideration of the law, the precedents, the facts, the circumstances, and above all, the consequences.

7. We urgently call your attention to the fact that a mistaken and unjust decision could be helpful only to the Communists and their Soviet masters and extremely dangerous to the interests, the security, and the safety of the United States of America.

Therefore, we, 10 million Americans, are mobilizing, and we demand justice for a United States Senator.

When 10 million signatures have been secured, the petitions will be delivered to the President of the Senate by a delegation representing each of the 48 States.

This petition, when complete with signatures, should promptly be returned to:

Ten Million Americans Mobilizing for Justice, Roosevelt Hotel, New York.

Lt. Gen. George E. Stratemeyer, United States Air Force (retired), chairman.

Adm. William H. Standley, United States Navy (retired); Hon. Charles Edison; Gen. James A. Van Fleet, United States Army (retired); Mrs. Grace L. H. Brosseau; Hon. John Francis Neylan; Lt. Gen. Pedro A. del Valle, United States Marine Corps (retired); Hon. John B. Trevor, vice chairmen.

Rear Adm. John G. Crommelin, United States Navy (retired), chief of staff; Theodore S. Watson, treasurer.

Ann Constantine Roberts, secretary; Lt. Col. Milton Anthony Stone, United States Air Force (retired), counsel.

Reprinted for the convenience of thousands more who still want to go on record.

Don't delay.

Be 1 in 10 million.

Sign up—back MCCARTHY.

Ten million Americans on the march.

Official petitions may be signed at 321 Maple Street, corner of Essex Street.

If you can't sign a petition, sign this:

"I am in complete accord with the seven statements contained in the petition to the United States Senate as prepared by the Ten Million Americans Committee. I am against the McCarthy censure."

REPORT OF SERGEANT AT ARMS

The VICE PRESIDENT. In addition, the Chair has been handed a report from the Sergeant at Arms, as requested earlier in the day by the Senator from Arkansas [Mr. FULBRIGHT], on a matter involving this petition. The report will also be printed in the RECORD for the information and benefit of the Senate.

The report is as follows:

UNITED STATES SENATE,
OFFICE OF THE SERGEANT AT ARMS,
Washington, D. C., December 1, 1954.

Hon. RICHARD M. NIXON,
Vice President of the United States, Washington, D. C.

MY DEAR MR. VICE PRESIDENT: Pursuant to the direction of the Senate, I have investigated the matter brought to the attention of the Senate, by the Senator from Arkansas [Mr. FULBRIGHT], and find the facts to be as follows:

An armored truck of the U. S. Trucking Co., of New York City, arrived at the Senate wing of the Capitol sometime between 12:30 and 1 p. m. today, in charge of Mr. James Walsh of the James Walsh Accounting Co., of New York City. Mr. Walsh was accompanied in the armored truck by three armed, uniformed, special officers of the U. S. Trucking Co. I am advised that shortly after the truck arrived, Mr. Walsh directed the special officers to remove from the truck a number of boxes allegedly containing original petitions bearing signatures of persons opposing the resolution to censure Senator MCCARTHY. These boxes were removed from the truck so that news, newsreel and TV photographers who were standing by could take pictures. After the boxes were removed from the truck, the three special officers of the U. S. Trucking Co. drew their pistols while the photographs were being taken. This scene attracted the attention of Lieutenant Gorsky, of the Capitol Police Force, who was directing traffic nearby, and he immediately approached the special officers and ordered them to holster their pistols, which they did.

These boxes were then replaced in the armored truck by the special officers and were subsequently inspected by Senator WELKER, who advised that the boxes contained petitions bearing signatures and addresses which he believed to be authentic. After the inspection by Senator WELKER, the petitions were replaced in the boxes and the armored truck was locked.

One of the special officers then left the truck and entered the Senate wing of the Capitol wearing his holstered pistol. He was followed into the Capitol by Lieutenant Gorsky of the Capitol Police Force and advised that he could not proceed into the Capitol without depositing his pistol with Captain Dowd of the Metropolitan Police who was then stationed at the Senate entrance to the Capitol. The special officer thereupon handed his pistol to Captain Dowd who deposited the weapon in a drawer of the police desk. The special officer advised Lieutenant Gorsky that he desired to make a long-distance telephone call and asked for directions to the telephone booth. As the special officer left the Capitol Building a few minutes later, he was given his pistol. He then entered the truck and the three guards departed with the truck from the Capitol Grounds.

I am further advised that the James Walsh Accounting Co. has been employed to certify the actual number of signatures on the petitions that are being circulated by a committee known as a Committee of Ten Million. The accounting firm is still in the process of counting signatures and would not permit any of the petitions to leave its custody until the count could be completed and certified to. For this reason the U. S. Trucking Co. was employed to take possession of the petitions which had been counted by the accountants and bring them to Washington under guard, and with Mr. James Walsh, head of the accounting firm.

The Secretary of the Senate, Mr. J. Mark Trice, advises that 2 petitions purporting to bear original signatures were filed with him and that he was advised that the other petitions containing signatures in excess of 1 million, could be examined in the armored truck.

Respectfully,

FOREST A. HARNESS,
Sergeant at Arms.

RECESS

Mr. KNOWLAND. Mr. President, as in legislative session, I now move that the Senate stand in recess until tomorrow, at 10 o'clock a. m.

The motion was agreed to; and (at 7 o'clock and 19 minutes p. m.) the Senate took a recess until tomorrow, Thursday, December 2, 1954, at 10 o'clock a. m.

SENATE

THURSDAY, DECEMBER 2, 1954

(Legislative day of Monday, November 29, 1954)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, Thou hast set us to serve the Nation and all mankind in crucial and decisive hours. With a new world emerging from the churning waters which engulf us, help us to be vividly conscious that Thou hast committed as a trust to our hands the great truths that make men free. May our individual lives be more and more the incarnation of the principles which we profess—Thy word made flesh in us for this tortured generation.

Toiling, in Thy world, to serve our fellows, may we lose all sense of dull drudgery and know the gladness of sons doing their Father's will. Grant us sweet reasonableness in all our dealings with our fellow men, and especially with each other in these Halls of state. Keep us from sitting in the seat of the scornful as we remember our own grievous faults and failings. We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, December 1, 1954, was dispensed with.

CREDENTIALS

The VICE PRESIDENT laid before the Senate the credentials of HENRY C. DWORSHAK, Senator-elect from Idaho, and MARGARET CHASE SMITH, Senator-elect from Maine, which were ordered to be placed on file, as follows:

STATE OF IDAHO,
OFFICE OF THE GOVERNOR,
Boise, November 22, 1954.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954 HENRY C. DWORSHAK was duly chosen by the qualified electors of the State of Idaho a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1955.

Witness: His Excellency, our Governor Jordan, and our seal hereto affixed at Boise, this 22d day of November, in the year of our Lord 1954.

LEN JORDAN,
Governor.

By the Governor:
[SEAL] IRA H. MASTERS,
Secretary of State.

STATE OF MAINE.

To All Who Shall See These Presents, Greeting:

Know ye, that MARGARET CHASE SMITH, of Skowhegan in the county of Somerset, on the 13th day of September, in the year of our Lord 1954, was chosen by the electors of this State a United States Senator to represent the State of Maine in the United States Senate for the term of 6 years, beginning on the 3d day of January 1955.

In testimony whereof I have caused the seal of State to be hereunto affixed.

Given under my hand at Augusta the 1st day of December in the year of our Lord 1954, and in the 179th year of the independence of the United States of America.

HAROLD I. GOSS,
Secretary of State.

By the Governor:
[SEAL] BURTON M. CROSS.

GREETINGS TO THE CONGRESS FROM THE LEGISLATIVE ASSEMBLY OF THE REPUBLIC OF COSTA RICA

Mr. KNOWLAND. Mr. President, while the Senate was in recess a visitor from one of our neighboring countries to the south, Costa Rica, who is a member of the Costa Rican Congress, visited Washington. She came to see me, as the majority leader, and left with me a copy of a certificate which had been presented to her by the Congress of Costa Rica. It is addressed to the Congress of the United States. I ask unanimous consent that it may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the certificate was ordered to be printed in the RECORD, as follows:

[Translation (Spanish)]

No. 74

The Legislative Assembly of the Republic of Costa Rica

Considering that it is of vital importance, for consolidating the unity of all the countries of the American Continent, to strengthen the cultural and political bonds between their peoples; and

Considering that Madam Deputy, the Chairman of the Committee on Public Education of this Assembly, Prof. María Teresa de Dengo, is undertaking a good-will tour of a cultural character to several cities of the United States of North America,

Resolves that Madam Deputy, Prof. María Teresa de Dengo, be designated to represent this Assembly before the Congress of the United States of North America, with a view to presenting the cordial greetings of the Deputies of the Republic of Costa Rica to those of the great Nation of the North.

To be Published.

Done in the Hall of the Legislative Assembly, National Palace, San Jose, on the 27th day of October 1954.

GONZALO J. FACIO,
President.
MANUEL ANTONIO QUESADA CHACÓN,
First Secretary.
ESTELA QUESADA H.,
Second Secretary.

COMMITTEE MEETING DURING SENATE SESSION

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the select committee, consisting of the Senator from Georgia [Mr. GEORGE] and the Senator from Michigan [Mr. FERGUSON], to deal with the mail cover matter, may be permitted to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF COMMITTEE MEETING TOMORROW

Mr. JENNER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet at 9:30 tomorrow morning in the committee room.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Fulbright	Martin
Aiken	George	McClellan
Anderson	Gillette	Millikin
Barrett	Goldwater	Monroney
Beall	Green	Morse
Bennett	Hayden	Mundt
Bridges	Hendrickson	Murray
Brown	Hennings	Neely
Burke	Hickenlooper	O'Mahoney
Bush	Hill	Pastore
Butler	Holland	Payne
Byrd	Hruska	Potter
Carlson	Humphrey	Purtell
Case	Ives	Robertson
Chavez	Jackson	Russell
Clements	Jenner	Saltonstall
Cooper	Johnson, Colo.	Schoeppel
Cotton	Johnson, Tex.	Scott
Daniel, S. C.	Johnston, S. C.	Smith, Maine
Daniel, Tex.	Kefauver	Smith, N. J.
Dirksen	Kerr	Sparkman
Douglas	Kilgore	Stennis
Duff	Knowland	Symington
Dworshak	Kuchel	Thye
Eastland	Langer	Watkins
Ellender	Lehman	Welker
Ervin	Long	Williams
Ferguson	Magnuson	Young
Flanders	Malone	
Frear	Mansfield	

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the senior Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

The Senator from Oregon [Mr. CORDON] is absent on official business.

The junior Senator from Wisconsin [Mr. MCCARTHY] is necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The PRESIDENT pro tempore. A quorum is present.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate and referred as indicated:

By the VICE PRESIDENT:

Petitions of sundry citizens of the United States, praying for the adoption of Senate Resolution 301, to censure the Senator from Wisconsin [Mr. McCARTHY]; ordered to lie on the table.

A telegram in the nature of a petition from the American Jewish Congress of New York, N. Y., signed by Dr. Israel Goldstein, president, favoring the censure of Senator McCARTHY; ordered to lie on the table.

A telegram in the nature of a petition from Carroll Weldin, of San Diego, Calif., relating to the expulsion from the Senate of Senators MORSE and LANGER if Senator McCARTHY is censured; ordered to lie on the table.

Memorials from sundry citizens and organizations of the United States, remonstrating against the censure of Senator McCARTHY; ordered to lie on the table.

PRICE SPREADS—MILK AND DAIRY PRODUCTS—REPORT OF COMMITTEE ON AGRICULTURE AND FORESTRY (S. REPT. NO. 2509)

Mr. AIKEN. Mr. President, from the Committee on Agriculture and Forestry, pursuant to Senate Resolutions 127, 218, and 304, authorizing an investigation of matters relating to agricultural programs, I submit a report entitled "Price Spreads—Milk and Dairy Products."

The VICE PRESIDENT. The report will be received and printed.

AMENDMENT OF FEDERAL TRADE COMMISSION ACT RELATING TO PROFESSIONAL BASEBALL

Mr. JOHNSON of Colorado. Mr. President, I submit a resolution to amend subsection 5 (a) of the Federal Trade Commission Act (38 Stat. 719, as amended; 15 U. S. C. 45). I may say that the resolution has nothing whatsoever to do with the pending matter.

The PRESIDENT pro tempore. The resolution will be received and printed, and will lie on the table.

The resolution (S. Res. 334) was ordered to lie on the table, as follows:

Resolved, That it is the sense of the Senate that subsection 5 (a) of the Federal Trade Commission Act (38 Stat. 719, as amended; 15 U. S. C. 45) should be amended by—

(a) redesignating numbered paragraph (6) thereof as paragraph (7) thereof; and

(b) inserting, immediately after paragraph (5) thereof, the following new paragraph:

"(6) Nothing contained in any of the antitrust acts shall (A) render unlawful any provision of any franchise entered into or granted by the National League of Professional Baseball Clubs, the American League of Professional Baseball Clubs, or the National Association of Professional Baseball Leagues, or (B) make unlawful the enforcement of any provision of any such franchise."

RESOLUTION OF CENSURE—AMENDMENT

Mr. DANIEL of Texas submitted an amendment intended to be proposed by him to the resolution (S. Res. 301) to censure the junior Senator from Wisconsin, which was ordered to lie on the table and to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. LEHMAN:

Statement by him concerning former Senator Benton, of Connecticut, together with recent editorials.

By Mr. DWORSHAK:

Address by himself, and letter from Director of the Budget Bureau and from the Commissioner of the United States Civil Service Commission.

By Mr. KEFAUVER:

Statement by him in tribute to Senator HENDRICKSON'S work on juvenile delinquency.

By Mr. SMITH of New Jersey:

Statement by him in tribute to the colleagues who are leaving the Senate.

APPOINTMENT OF A SPECIAL COMMITTEE TO INVESTIGATE TELEPHONE COVERS

Mr. WELKER. Mr. President, I desire to send to the desk a resolution, which I should first like to explain.

I read the resolution, as follows:

Resolved, That the senior Senator from Michigan [Mr. FERGUSON] and the senior Senator from Georgia [Mr. GEORGE] are hereby constituted a special committee of the Senate to make a full and complete investigation for the purpose of determining all of the facts with respect to (1) whether or not during any period of time there has been maintained a telephone cover on telephone calls to or from the junior Senator from Wisconsin [Mr. McCARTHY], or from any other Senators, that such telephone cover has been otherwise handled in any special manner and without authorization from the junior Senator from Wisconsin or from any other Senators for the purpose of ascertaining the contents thereof or the identity of persons calling or being called by the junior Senator from Wisconsin; and (2) in the event the committee determines that any such secret reporting of telephone calls has been maintained or that such calls have been so handled, the person or persons responsible therefor, the period during which such telephone cover was maintained or such calls were so handled, and all other matters connected with the maintenance of such telephone cover or the handling of such calls. The committee shall report to the Senate at the earliest practicable date the results of its investigation and shall cease to exist upon the filing of its report.

SEC. 2. (a) The committee is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, and clerical and stenographic assistants as it deems necessary.

(c) The expenses of the committee, which shall not exceed $2,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the committee.

Before I send the resolution to the desk I should like to say that the material dealing with the telephone cover was subpenaed by the select committee, but was never used by it, and from conversation with two members of the committee, I learn that their attention was never called to these matters.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. WELKER. The Gillette subcommittee files contain over 125 pages of photostatic telephone calls. I have in my hand only 21 pages of them. These calls pertain to the junior Senator from Wisconsin.

The PRESIDENT pro tempore. The time of the Senator from Idaho has expired, under the 2-minute rule. If he wishes to continue his remarks, he will have to ask unanimous consent for additional time.

Mr. WELKER. I ask unanimous consent that I may yield to the Senator from Colorado.

The PRESIDENT pro tempore. Is there objection?

Mr. STENNIS. No time limitation is included in the unanimous-consent request.

Mr. WELKER. I ask only sufficient time to answer the question the Senator from Colorado desires to ask. If Senators do not wish me to continue for that purpose, it is agreeable to me.

Mr. STENNIS. I am willing to consent to have the Senator proceed for a reasonable length of time.

Mr. WELKER. If Senators do not wish me to continue, that is all right with me. I merely wanted to answer the question of the Senator from Colorado.

Mr. JOHNSON of Colorado. I can speak for 2 minutes. I should like to use those 2 minutes for the purpose of asking a question of the Senator from Idaho and for the purpose of making an observation.

The PRESIDENT pro tempore. The Senator from Colorado is recognized.

Mr. JOHNSON of Colorado. I wish to say to the Senator from Idaho that I am completely in accord with the purpose of his resolution. I was shocked last night when I heard the Senator from Idaho say that the select committee had been listening in on telephone conversations. If that is what he meant to say, and that is the way I understood him, I want to make it clear that the senior Senator from Colorado never knew and never had heard that the select committee had made any effort or had engaged in listening in on telephonic messages of the Senator from Wisconsin [Mr. McCARTHY], or in connection with any other Senator. That kind of conduct is reprehensible. I want it definitely understood that I had no part in it and no knowledge of it.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. KNOWLAND. I did not understand the Senator from Idaho to say that the select committee, that is, the Watkins committee, had been listening in on telephone calls.

Mr. WELKER. Oh, no.

Mr. KNOWLAND. I understood that the Watkins committee merely had information that certain checks had been made on calls by the Subcommittee on Privileges and Elections.

Mr. JOHNSON of Colorado. I did not understand it that way.

Mr. WELKER. In answer to my distinguished friend from Colorado, let me say that I am submitting this resolution for an investigation to be made by our two able colleagues into whether there was a telephone cover. I have never alleged that there was any monitoring of telephone calls. That might be brought out in the investigation. I do not know.

However, I have before me 21 pages of photostats of telephone calls on which someone in the Gillette-Hennings subcommittee reported. There are 125 pages of these photostats, although I have only 21 pages.

Why these calls were not brought to the attention of the select committee, when that committee was ordered by the Senate to seek all the evidence, is what I should like the two distinguished Senators, the Senator from Georgia [Mr. GEORGE] and the Senator from Michigan [Mr. FERGUSON] to find out and to report on to the Senate at the earliest possible convenience.

The PRESIDENT pro tempore. The time of the Senator from Colorado has expired.

Mr. JOHNSON of Colorado. I ask unanimous consent that I may have 1 more minute.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Colorado. I simply wish to say that I understand better now what the charge is. However, with reference to my present understanding of the charge, which has been modified considerably, I should like to say that no one called to my attention these telephonic communications, or reports on them. As a member of the select committee, I listened to all the witnesses who were brought before our committee by the junior Senator from Wisconsin and by everyone else, and at no time was anything said about telephonic communications, either that they were being monitored, or otherwise reported on. I do not recall anything about that. I did not know that any element of this kind was involved in our hearing. So it is quite a revelation to me.

Mr. WELKER. Mr. President, I ask unanimous consent to have not to exceed 1 minute to reply to the Senator from Colorado.

Mr. CASE. Mr. President, reserving the right to object, may I ask the Senator from Idaho if he is making any suggestion that the select committee ever had anything to do with monitoring telephone calls?

Mr. WELKER. No one has ever made such an allegation. I merely stated that the committee had access to files of the Gillette-Hennings committee, and that they were never used. I am not suggesting that the chairman or any other member of the committee knew anything about it. In fact, I asked the committee's able chief counsel, and he stated that he had never heard about it. So I wish to know why it was not brought to the attention of the select committee.

Mr. CASE. Certainly I never heard anything about the monitoring of telephone calls.

Mr. WELKER. Just a moment. I have never said "monitoring."

The PRESIDENT pro tempore. The Senator from Idaho [Mr. WELKER] has requested unanimous consent for 1 minute. Is there objection?

Mr. CASE. Reserving the right to object, the suggestion has been made to me that the select committee was supposed to have been involved in the checking of telephone calls. I want this particular point cleared up, because never to my knowledge was anything ever brought to the attention of the select committee about such checking of telephone calls. Certainly the committee itself had no part in any such operations.

The PRESIDENT pro tempore. Without objection, the Senator from Idaho may proceed.

Mr. WELKER. Mr. President, the only thing I have to say is that I am not charging that my friends on the select committee ever monitored any telephone calls, but I do say that they had in the files the telephone covers from the Gillette subcommittee. If this resolution is agreed to, I want the Senate to be informed why that was not brought to the attention of the members of the select committee.

Mr. AIKEN. Mr. President, will the Senator from Idaho yield?

Mr. WELKER. I yield.

Mr. AIKEN. Does the Senator from Idaho have any reason to believe that the charges made by the Gillette-Hennings committee against the junior Senator from Wisconsin may have been based on information which resulted from the covering of the mail or the recording of telephone calls?

Mr. WELKER. I have no idea why the charges were made. I resigned from that committee. I was in complete disagreement with the manner in which the committee was functioning. I had no desire to serve on it. But I invite attention to the fact that placing a mail cover on the letters or a telephone cover on the telephone calls of a Senator is not the way we do business in my State.

Mr. ERVIN. Mr. President, I think I can answer the question of the Senator from Idaho at this time. The select committee did not have referred to it any question about any mail cover or any monitoring of telephone calls. The select committee took the matters referred to it, reduced them to what it considered to be charges of a substantial nature, and confined the inquiry to the matters which the committee considered to be of a substantial nature and excluded all evidence about anything else.

I never heard anything about the monitoring of telephone calls or mail covers until after this extraordinary session of the Senate was convened. I am satisfied that the other members of the select committee never heard of those matters. I have talked with several members of the committee and they knew nothing about them. The members of the staff inform me that they had no knowledge of any matters relating to the alleged monitoring of phone calls. If the select committee had spent its time reading all the files available to it, we would have been busy until Gabriel's horn sounded, and we could not have obeyed the command of the Senate to make a report in time to allow the charges against the junior Senator from Wisconsin to be disposed of before the Senate of the 83d Congress adjourned sine die.

Mr. WELKER. Mr. President, I ask unanimous consent that I may have not to exceed 2 minutes to make an observation.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Idaho? The Chair hears none, and the Senator may proceed.

Mr. WELKER. Mr. President, the order which the Senate gave to the select committee is printed on page 1 of part 1 of the hearings before the select committee on Senate Resolution 301. It reads as follows:

Ordered, That Senate Resolution 301, to censure the Senator from Wisconsin, Mr. MCCARTHY, submitted by Senator FLANDERS on July 30, and amendments proposed thereto, be referred to a select committee as provided in the motion set forth below and agreed to by the Senate on Monday, August 2 (legislative day, Friday, July 2), 1954:

"Mr. President, I move to refer the pending resolution (S. Res. 301), together with all amendments proposed thereto, to a select committee to be composed of 3 Republicans and 3 Democrats who shall be named by the Vice President: *And ordered further*, That the committee, which shall be authorized to hold hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, and to take such testimony as it deems advisable, and that the committee be instructed to act and make a report to this body prior to the adjournment sine die of the Senate in the 2d session of the 83d Congress.

Mr. President, the select committtee did subpena the records of the Gillette-Hennings committee with respect to a telephone cover, and that is why I sent forward my resolution. I am certain that every 1 of the 6 able members of the select committee would want to know why there was a telephone cover as well as a mail cover placed against the junior Senator from Wisconsin. That is not the way to do business in this august body.

The PRESIDENT pro tempore. The Senator from Idaho has asked unanimous consent for the immediate consideration of his resolution.

Mr. KNOWLAND. Mr. President, reserving the right to object, I request my distinguished colleague from Idaho to withhold his request for unanimous consent at this time. I should like to consult with the distinguished Senator from Georgia [Mr. GEORGE] and the distinguished Senator from Michigan [Mr. FERGUSON] as to the progress of their present assignment, prior to the Senate acting on this additional resolution.

Mr. WELKER. I shall be very happy to cooperate. I shall be happy, if the able Senators are too busy, to leave it to

the leadership to appoint two other Senators.

Mr. KNOWLAND. I have already consulted with the distinguished minority leader, and we are both in agreement that we certainly do not want any facts withheld from the Senate. I suggest to the Senator for his consideration that this resolution, when it is considered by the Senate, might be so framed as to read the same as the intent of the prior resolution; that is, where the Senator's resolution says "without authorization from the junior Senator from Wisconsin" that there be added the words "or from any other Senator," and a little further down, where the resolution mentions the junior Senator from Wisconsin, to add "or any other Senator."

Mr. WELKER. I am sorry that I did not put that language in. Certainly no Senator should be subjected to that kind of treatment.

The PRESIDENT pro tempore. The Senate will temporarily pass over consideration of the resolution (S. Res. 333) of the Senator from Idaho.

DEATH OF REPRESENTATIVE ROGERS, OF FLORIDA

Mr. HOLLAND. Mr. President, I have spoken with the distinguished majority leader and the distinguished minority leader with reference to the privileged matter to which I desire to refer briefly. I wish the Senate to know that the matter has been cleared by both leaders.

It is my sad duty to announce to the Senate the death of one of my colleagues in the House of Representatives, the Honorable DWIGHT L. ROGERS, late a Representative from the Sixth Congressional District of Florida. Representative ROGERS passed away suddenly last night at Fort Lauderdale, Fla., where he had made his home for many years.

DWIGHT ROGERS was elected to Congress in 1944 as the first Representative of the Sixth Congressional District of Florida, and had been reelected to every subsequent Congress, so that he was the only Representative who, up to this time, has represented the Sixth Congressional District of our State. He has represented that district, its people, our State, and our Nation with very great distinction and outstanding ability.

Personally I feel very great distress in making this announcement because of the most friendly relations between the late Representative and myself. We served together for several years in the Legislature of Florida. Later we have served together in Congress for 8 years. I counted him one of my warmest and most beloved friends. Our wives and our families were very close friends.

My entire family will deeply mourn his passing.

Representative ROGERS possessed a singular charm and courtesy of manner; and I have been greatly impressed this morning by the large number of my colleagues and others in Washington who already have called to express their sympathy and regret, and their very great affection and respect for Representative ROGERS.

He was, in my estimation, a Christian gentleman of the highest type. He was a highly effective Representative. Above and beyond that, Mr. President, he was one of the dearest friends any individual could ever have. I deeply mourn his passing.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the distinguished minority leader.

Mr. JOHNSON of Texas. I wish to associate myself with all the fine, generous statements which the distinguished senior Senator from Florida has just made about my good friend, DWIGHT ROGERS. I learned of his passing early this morning. The news of his death came as a great shock.

I served in the House with DWIGHT ROGERS for many years. He was a gentle, kindly man—one who had the love and affection of the Members of the House on both sides of the aisle. His passing will be deeply regretted. He was an outstanding public servant, and was deeply devoted to his country.

I shall long remember the hospitality he extended to me when I visited the great State which he in part represented.

He will be missed by all of us who knew him and loved him. Our hearts and our sympathy are with his wife and his beloved family.

Mr. HOLLAND. I thank the distinguished minority leader.

Mr. CASE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the distinguished Senator from South Dakota.

Mr. CASE. I, too, served in the House of Representatives for many years with DWIGHT L. ROGERS. I wish to second, in as strong words as I can, the sentiments which have been expressed by the distinguished Senator from Florida and the distinguished Senator from Texas with respect to him.

Representative ROGERS was a kindly man, a just man, and a Christian gentleman in every sense of the word. We did not happen to serve on the same committees; but yet we came to know each other quite well. He had the respect of every Member of the House of Representatives.

He was a great battler for the interests of the veterans, and a strong champion of the common people. He had a fine sense of justice and fairness. He never compromised his principles, but fought for them with zeal, courtesy, and dignity.

The death of Representative ROGERS is a great loss to the House of Representatives and to the Nation.

Mr. HOLLAND. I thank the Senator from South Dakota.

Mr. CARLSON. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the distinguished Senator from Kansas.

Mr. CARLSON. I would not like to let this opportunity pass without expressing sincere regret upon the sudden and untimely death of Representative DWIGHT ROGERS. It happened that Representative ROGERS and his wife lived in the same hotel in which Mrs. Carlson and I reside. We had the opportunity to meet with one another frequently. I had the privilege of serving with him in the House of Representatives. Therefore, our associations have been very close.

As the junior Senator from South Dakota has just stated, Representative ROGERS was an outstanding gentleman, a devoted Christian, and an exemplary citizen of this country.

Personally, I feel that Mrs. Carlson and I have suffered a great loss. In his departure, I know that the great State of Florida and the Nation as a whole have suffered a real loss.

Mr. HOLLAND. I thank the distinguished Senator from Kansas.

Mr. ERVIN. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the distinguished Senator from North Carolina.

Mr. ERVIN. I share the sorrow of the Senator from Florida and the people of Florida in the passing of DWIGHT ROGERS. I shall always consider it to have been one of the rare privileges of my life to have served with him for a time in the 79th Congress. He was a patriotic American, and was also, in the finest sense of the term, a Christian gentleman.

I share the sorrow of his beloved family, of his friends, and the State of Florida, in his passing.

Mr. HOLLAND. I thank the distinguished Senator from North Carolina.

Mr. STENNIS. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the distinguished Senator from Mississippi.

Mr. STENNIS. I certainly share the sentiments expressed by other Senators, which I know are so very sincere, and the grief, which is so very deep, sustained by the Senator from Florida in the passing of Representative ROGERS.

As one who did not have the privilege of serving with Representative ROGERS in the House, but who had known him for several years, I greatly admired his fine Christian character, his genial personality, and his great sincerity in representing the people of his district whom he served in Congress. I know of his great interest in the veterans, and of his untiring work in matters affecting them.

To his family, his friends, and his great State of Florida, I extend my most sincere sympathy upon the loss of this distinguished Representative, with a record which marked him as a statesman.

Mr. HOLLAND. I thank the distinguished Senator.

Mr. ROBERTSON. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the distinguished Senator from Virginia.

Mr. ROBERTSON. I share the regret expressed by the distinguished Senator from Florida upon the untimely death of his colleague from the Fort Lauderdale district of Florida. I had the pleasure and privilege of serving in the House of Representatives with Representative ROGERS for 2 years. After I came to the Senate, I frequently saw him as he would come over to the Senate to consult with his Florida colleagues.

Representative ROGERS, a man of sterling character and outstanding ability,

was dedicated to the promotion of the welfare of his district, of his great State, and of our great Nation. We have lost a very valuable Member of the House.

I share the distress which I know is felt among all his constituents, from whom he has been taken away.

Mr. HOLLAND. I thank the Senator from Virginia.

Mr. SYMINGTON. Mr. President, I join with my colleagues in expressing deep regret at the death of DWIGHT ROGERS. Dwight was one of the best friends I had in Washington. He and I had many happy hours together. I extend to his family my deepest sympathy.

Mr. HOLLAND. I thank the distinguished Senator from Missouri for his statement.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the distinguished Senator from Georgia.

Mr. RUSSELL. Mr. President, I desire to pay my respects and to associate myself with the tributes which have been paid to the late Representative DWIGHT ROGERS. Mr. ROGERS was born and reared in my State of Georgia, and practiced law in Ocilla, Ga., for a number of years. He had been my friend since we both reached maturity. I mourn his passing. He was an able Representative in Congress, diligent in his service to the people, and devoted to the well-being and the interests of this great land of ours.

DWIGHT ROGERS was a successful Representative. He sponsored many important legislative measures which bear his name. His death will be mourned in Georgia as it will be in Florida. I extend my sympathy to his family. I mourn his passing as a personal friend.

Mr. HOLLAND. I thank the distinguished Senator from Georgia for his kind remarks.

Mr. President, I have sent forward to the desk a privileged resolution, which I ask to have considered and adopted at this time.

The PRESIDENT pro tempore. The clerk will read the resolution.

The legislative clerk read the resolution (S. Res. 335), as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. DWIGHT L. ROGERS, late a Representative from the State of Florida.

Resolved, That a committee of two Senators be appointed by the President of the Senate to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives when it next assembles, and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate, at the conclusion of its business today, do adjourn.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and unanimously agreed to.

The PRESIDENT pro tempore. Under the second resolving clause of the resolution the Chair appoints the two distinguished Senators from Florida [Mr. HOLLAND and Mr. SMATHERS] as the committee on the part of the Senate to attend the funeral of the deceased Representative.

RESOLUTION OF CENSURE

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

The PRESIDENT pro tempore. The question is on agreeing to section 2 of the amendment reported by the select committee.

Mr. JENNER. Mr. President——

The PRESIDENT pro tempore. The Senator from Indiana is recognized.

Mr. JENNER. Mr. President, I move to strike out, on page 2, the following language commencing in line 12:

Thereby tending to destroy the good faith which must be maintained between the executive and legislative branches in our system of government.

The PRESIDENT pro tempore. The Senator from Indiana has 30 minutes. How much of that time does he allot to himself?

Mr. JENNER. Mr. President, I allot myself 20 minutes.

Mr. President, the Communist plan of attack on the United States is a brilliant series of apparently small moves, each of which is carefully chosen because it pulverizes a small bit of the structure on which our sovereignty as a Nation rests.

The Communist Party, Communist fronts, Communist penetration of Government, of finance, of education and religious bodies, labor and business, Communist activities in both political parties and in local congressional districts, Communist writing, and Communist censorship of anti-Communist writers, movie actors, scenario writers, television commentators, Communist sabotage of our victory in Korea, brain washing of our POW's, Stockholm peace petitions, and the subtle drive for coexistence, are all parts of one thing—continuous mining, beneath the surface, of American sovereignty until the area of destruction is wide enough so the whole structure will come crashing down.

The difference between active anti-Communists and those who think "it can't happen here" is that the first group recognizes each of these various steps as related to a single dominant end, as a military commander sees each move in wartime as a part of a tightly knit campaign.

Every step taken by Communist servants of the Kremlin, and their allies and dupes, is an attack on our ability to defend ourselves, as truly as if the enemy held a gun to the backs of our fighting men and pulled the trigger.

May I have order, Mr. President?

The PRESIDENT pro tempore. The Senate will be in order.

Mr. JENNER. If the judges are not interested, and if the jury is not interested, I certainly do not mind, but I should like to have order.

The PRESIDENT pro tempore. The Senate will be in order. Senators will take their seats. Persons in the rear of the Chamber will refrain from conversation or they will be removed from the Chamber. The occupants of the galleries will be in order.

Mr. JENNER. Mr. President, I would not like to have the time taken in seeking order charged to me.

In the world in which we live today, what I have just indicated is the shape of war—the only shape it is likely to have.

Field Marshal Montgomery recently said that cold war is real war, and we must either win or lose it.

In all this land of ours, I believe the heaviest responsibility for resisting the fifth column by orderly means falls on the Congress.

The English-speaking people have a deep distrust of star-chamber proceedings. They do not want their government to have arbitrary power, not even in times of danger. The English fought a bitter civil war, lasting in all nearly 50 years, to establish the sole responsibility of the parliament for the definition of crimes. Our Constitution is the fulfillment of the revolution which ended the Stuart rebellion by firmly establishing the role of the legislative branch.

Mr. President, the Communist threat to our country today will never be met by the measures we are taking today. It cannot be met by the state of mind we are living in today. The threat can be met only if all the Members of our Congress who hate the Communist debauchery of human values will rise up and help in overcoming the danger, while we can still overcome it by orderly political and legal means.

The duty of exposing communism and uprooting it by legal process does not rest on the Internal Security Subcommittee of the Senate Judiciary Committee, or on the Subcommittee on Investigations of the Committee on Government Operations, or on the House Committee on Un-American Activities, or on all of them combined. The duty of exposing communism and tearing out every tentacle of its power by truly American means rests on us, the Members of the Senate, and also on the Members of the other House of Congress. We cannot win unless all anti-Communists are united.

I ask you to look, Mr. President, at how the Communists have disrupted the official business of this body. An important subcommittee has been inoperative since last March. The Subcommittee on Investigations has made no investigations. Its work has been suspended. Its staff has been scattered to the four winds. Funds given for investigation of malfeasance in office have been used for investigation of its own chairman, at the instigation of a minor official in the Department of Defense and certain newspapermen. Many cases of probable fifth-amendment Communists would have been heard months ago. Instead, these people are still working in defense industries.

This is a question of national security. The shutting-down of a Senate subcommittee is not the business of individual Senators, Mr. President. It is the business of the Senate.

Perhaps you hesitate to believe, Mr. President, that the business of the Senate has been hamstrung by the Daily Worker and its allies. Do you know that in every session now, for at least 7 years, someone—or something—in an effort to help the Communists, has been interfering with the proper work of this body?

The first chapter of our story begins in March 1947, when President Truman issued his loyalty order. This order had two important effects. It took the practical handling of loyalty procedures from the agencies, and centralized it under control of the palace guard. Hidden in it was a secrecy order which clamped down a rigid censorship on public records of civilian agencies, and put an iron curtain to bar Congress from investigating Communists. This story is developed in detail in the minority views on the Maryland election of 1950.

The Communists did not like the makeup of the Congress which was elected in 1946. They were taking no chances with what it might unearth. They decided it must not be allowed to unearth anything. How they persuaded good patriotic Americans to help them, I do not know. That is one of the things we must find out.

The 80th Congress found plenty, in spite of the iron curtain. The Communists decided to smear it. With the overwhelming victory of 1948, they thought their work was done. But in 1950, Senator McCARTHY, in his speech at Wheeling, ripped away the curtain which hid the facts of communism in the State Department. Do you remember the uproar, Mr. President? The chain reaction has continued ever since.

After all the efforts to silence Senator McCARTHY had failed, Senator Tydings and his subcommittee were authorized to investigate the evidence of communism in our Government. Instead, Senator Tydings said to Senator McCARTHY, when he tried to testify:

> So far as I am concerned in this committee, you are going to get one of the most complete investigations ever given in the history of the Republic, so far as my abilities permit.

Mr. President, I wish to show the Senate the chain reaction which has been going on for years to "get McCARTHY." He is only a symbol. Who will be next? I will tell you, Mr. President: Any man who stands up and fights communism will be next.

This is the standard technique of investigating those who dare to investigate communism.

Next, the Subcommittee on Privileges and Elections investigated the Maryland election of 1950, although Senator Tydings said his defeat was due to the split within his party in his State. After taking 1,200 pages of testimony, including some rather lurid charges, the subcommittee concluded there was no violation of Federal or State election laws. The subcommittee had been used as a forum for continuing Senator Tydings' attack on the junior Senator from Wisconsin. Oh, Mr. President, there is always something else.

Mr. President, may we have order in the Chamber? I have a sore throat, and it is difficult for me to talk.

The PRESIDING OFFICER (Mr. KUCHEL in the chair). Let there be order in the Chamber and also in the galleries.

Mr. JENNER. Mr. President, I ask unanimous consent that the time taken by these interruptions shall not be charged to the time available to me. Instead, I should like to have that time saved to me.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JENNER. Next, Mr. President, came the Benton resolution, to investigate the financial practices of the Senator the Communists hated so much. We have the resignation of Senator WELKER and two staff members of the subcommittee as proof that its investigators were determined to "get" Senator McCARTHY, whether there was evidence or not.

Yet, Mr. President, this morning, although the minds of the judges in this case are closed, there is evidence, and there are committees working to find the truth. Why? Because certain things took place.

Mr. President, the people of Connecticut censured Senator Benton.

The Rules and Administration Committee of the Senate failed to accept the report of the Gillette subcommittee. Mr. President, have you ever thought of that? It seems most strange to me that the select committee found reason to republish 400 pages of this thoroughly repudiated report and all exhibits dealing with the finances of the junior Senator from Wisconsin, although the Treasury and the Justice Department had investigated them and found no wrongdoing. The letter of Attorney General Brownell to that effect is in the RECORD; I put it there. So, Mr. President, let me ask you, What goes on here?

Also, the select committee had said the content of the Gillette subcommittee investigation was no part of their assignment.

I am curious to know what the people of the United States will be compelled to pay for reprinting 400 pages of a report which the parent Committee on Rules and Administration did not accept, while the Subcommittee on Investigations is dismissing its staff for lack of funds and Communists remain untouched in defense plants.

O Mr. President, the other day I said—but the Senate did not listen—that the select committee did not bring in a true bill because it did not look behind the curtain of the Communist conspiracy to destroy a man who is fighting communism. Until that is made clear, the vote on the pending censure resolution will mean nothing.

When the Benton resolution failed, Mr. President, a hidden steering group apparently planned the charges which led to the Mundt investigation. These operations never end, Mr. President; and on came the Mundt investigation.

When the Mundt inquiry found no reason to silence the Senator from Wisconsin, the same group planned the censure resolution. It never ends. On came the Mundt investigation. When the Mundt inquiry found no reason to silence the junior Senator from Wisconsin, this same group planned the censure resolution.

I repeat, this is the business of the Senate.

Each of these apparently separate investigations is a part of one chain of investigations, which has been directed at the Senator from Wisconsin since he broke through the iron curtain over Communists in the executive branch, set up by the loyalty order and the secrecy directive of 1947.

Does anybody still doubt what is back of all these bits and pieces?

Let us check another way. Do we have any evidence of the censure of other committee chairmen for their methods?

After the 1929 crash there was an investigation by Senator Fletcher of financial practices. A midget was set upon the lap of the late J. P. Morgan. The committee counsel, Ferdinand Pecora, met newspapermen twice daily, to make headlines against witnesses even before they appeared. Senator Fletcher was not censured.

There was an investigation of alleged violations of civil liberties, headed by the late Senator La Follette. Its chief counsel was the Communist, John Abt. Its investigators included the Communist, Charles Kramer, and other comrades, some of whom have only recently taken refuge behind the fifth amendment before our committee.

It established a record for browbeating witnesses, one such being a minister of the Gospel, whose plea that he be treated with common decency was laughed away. Senator La Follette was not censured.

There was an investigation of utility companies, which investigation was headed by Senator Black. It invaded every telegraph office in Washington to seize private telegrams, willy-nilly, in the hope that something evidential might turn up. That was similar to the present mail cover, and similar to the telephone cover. Senator Black was not censured.

He was rewarded by promotion to the United States Supreme Court to liberalize that body.

Senator Connally made the bitterest kind of personal attack on the late Senator Taft, as already reported in these debates. There was not a Senator on either side of the aisle who was not ashamed of it.

Yesterday the Senator from Illinois [Mr. DIRKSEN] gave many examples. We could go on forever, but we have not the time.

Senator Connally was not censured.

The Senator from New York [Mr. LEHMAN] made a speech in Wisconsin in which he declared that those who dared support the Senator from Wisconsin were the kind of people who, in his own words—

> Stamp ruthlessly underfoot all standards of morality, believe in Iron Curtains, seek to return to the days of the poorhouse, and are the agents of a simple Soviet scheme.

The Senator from New York was not censured.

The PRESIDING OFFICER. The Chair announces that the 20 minutes which the Senator from Indiana allotted to himself have expired.

Mr. JENNER. Mr. President, I do not like to disagree with the Chair, but as I looked at the clock, I began about 8 minutes after 11. There were two interruptions, which were not supposed to come out of my time. I estimate that I have been speaking for about 15 minutes.

The PRESIDING OFFICER. The Chair advises the Senator that the Parliamentarian has allocated additional time to the Senator to compensate for the interruptions. The Chair therefore reiterates that the 20 minutes which the Senator originally allotted to himself have expired.

Mr. WELKER. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. JENNER. I am glad to yield, provided I do not lose my right to the floor, and provided the interruption is not taken out of my time.

Mr. WELKER. Mr. President, may I ask what clock the Parliamentarian is using?

The PRESIDING OFFICER. The Chair——

Mr. JENNER. I should like to be able to conclude in 30 minutes. If I must offer further amendments or make additional motions, I shall do so. However, I do not wish to take up too much of the time of the Senate.

The PRESIDING OFFICER. The Chair advises the Senator from Idaho that the clock facing the podium is the clock which the Parliamentarian has used.

Mr. JENNER. As I have stated the Senator from New York [Mr. LEHMAN] was not censured.

The Senator from Vermont [Mr. FLANDERS] made a speech in which, by innuendo and demagogic arrangement of questions, he circulated the most unspeakable and baseless slander against Roy Cohn and David Schine.

The Senator from Vermont was not censured. What is this, Mr. President? Is it McCarthy day at the Capitol?

Mr. President, the charges which furnish the basis for the motion of censure against Senator MCCARTHY emanated originally from Senator FLANDERS, of Vermont.

Since these charges are a part of a long chain of attacks, on anti-Communist leaders in Congress, it is important to know whether the Senator from Vermont approaches this question with clean hands.

I ask the Senator from Vermont:

First. Are you willing to tell the Senate of the United States what have been your relations with Owen Lattimore during the past 10 years?

Mr. FLANDERS. Mr. President, may I say——

Mr. JENNER. Not on my time. The select committee has 30 minutes. The Senator may not speak on my time.

Mr. FLANDERS. I should like to answer the question which has been asked.

Mr. JENNER. I have several questions. The Senator can answer them all.

Mr. WELKER. They should be answered before the vote.

Mr. JENNER. Oh, yes. I should like to have them answered before the vote.

I have some further questions:

Second. Are you willing to place in the hands of the Senate your entire correspondence with Owen Lattimore?

Third. Did you ever discuss the question of censure or disciplinary action against Senator MCCARTHY with Owen Lattimore?

Fourth. Are you willing to tell the Senate of the United States whether you were associated with Owen Lattimore in support of the campaign for a coalition government including the Communists in China?

Fifth. William L. Holland, secretary-general of the Institute of Pacific Relations said, on October 10, 1951, that you were an active member of the Institute of Pacific Relations, attended its meetings, and contributed to its budget. Is this correct?

Frederick Vanderbilt Field, a leading writer for the Communist press, was active as a member of the American Institute of Pacific Relations and a member of its executive committee during this period, and Owen Lattimore was its editor of Pacific affairs.

Sixth. The 1952 report of the Senate Internal Security Subcommittee found that—

> The IPR has been considered by the American Communist Party and by Soviet officials as an instrument of Communist policy, propaganda, and military intelligence.

Did you make any efforts to repudiate the Institute of Pacific Relations or to dissociate yourself therefrom after this finding?

The next question I wish to ask this man whose hands are so clean is as follows:

Seventh. Will you state to the United States Senate whether or not you had associations with Harry Dexter White, Harold Glasser, and V. Frank Coe in connection with the Morgenthau plan for Germany?

The VICE PRESIDENT. The Chair announces that the Parliamentarian has discovered that an error was made in computing the time of the Senator.

Mr. JENNER. I thought so.

The VICE PRESIDENT. For the information of the Senator, the Chair will state that at this point he has 10 minutes remaining.

Mr. JENNER. I thank the Chair very much.

Three years ago, in late June 1951, the Soviet delegate to the United Nations, Jacob Malik, climaxed a carefully planned Soviet propaganda campaign with his appeal for cease-fire in Korea.

Now we know the peace campaign was inaugurated by the Soviet leaders, because the Red forces in Korea had been defeated, and the Communists hoped to win back, by peaceful coexistence, what they could not win by fighting.

A peace resolution was introduced by the senior Senator from Colorado [Mr. JOHNSON].

It proposed the peace terms which the Soviet delegates had proposed in the U. N.

These were, first, withdrawal of all foreign troops from Korea; and, second, self-determination for small nations.

This perfect setup for the fifth column was the scheme the Communists used in China and Poland. It is the scheme they so recently used in Vietnam.

The Johnson resolution was sent all over the United States, to women's groups, churches, editors, and the families of men in Korea. Many Members of this body received letters from innocent, loyal Americans, including sorrowing relatives of our men, referring to this peace resolution.

I am sure the Senator who sponsored this resolution had not the faintest idea he was innocently doing exactly what the Communists in Moscow wanted.

But, as I said, the effect is no less serious because the Senator was unaware of their intention.

When the name of a distinguished Member of this body can be attached to an appeal for the Stockholm peace proposal in American dress, when it can be circulated throughout the country to delude innocent and unhappy people, then we are all concerned in the danger.

Three years have gone by, but the Senator from Colorado has not been censured.

Recently we called as a witness before the Internal Security Subcommittee one Palmer Weber, a fifth-amendment Communist.

Mr. Weber had been on the staff of the House Committee on Internal Migration and the Senate Subcommittee on Technical Mobilization.

But I received communications from a Senator, saying Weber was a good man and requesting that no action be taken to interrogate him, though he had been perverting the Senate's power of investigation to Communist ends.

This Senator was not censured.

I ask: Is censure something directed against all Senators on an equal basis, or is it something meant only to punish the Senator from Wisconsin because he fights Communists?

I have tried to show the series of campaigns carried on, with singular unity of aims and tactics, against a Senator who exposed Communists whom a group within the White House and the State Department was seeking to hide.

I have tried to show that these strange investigations were all parts of a chain reaction, which began with the President's secrecy directive of 1947, designed to hamstring congressional investigations, and was carried to committee after committee by fuses we could not see.

On November 15, I urged that the Senate plan a counterattack against the Communist invasion, and I proposed several steps which would give us the information and the laws we need.

Today, I propose that the subcommittee make a thorough investigation of this diversion of the senatorial power of investigation to punish, not Communists in Government, but Senators who dare investigate communism.

The select committee has failed to consider the evidence that all the organized attacks on the Senator from Wisconsin, including the Benton plan for

investigation of his finances, by the Gillette subcommittee, were a part of a chain of events directed by hidden agents to protect Communists and their collaborators in Government, in spite of Congress.

Let us dispose of this censure resolution.

Let us get back to the proper business of the Senate.

Let all good Americans in this body join together to eradicate every iota of Communist influence on lawmaking.

Then we can give the American people the legal instruments they need to safeguard our country against its Communist enemies and preserve its liberty for the generations to come.

Mr. JOHNSON of Colorado subsequently said: Mr. President, I am informed that earlier today, in the course of the debate, the junior Senator from Indiana [Mr. JENNER] made some references to a resolution I submitted. Although I have not read his remarks, I understand there was some thought that the resolution might have been influenced by the Communists or leftwingers or fellow travelers, or someone of that sort.

I am not making a defense against the charges, Mr. President. In all kindness, I say that one does not make a defense against the remarks of the very able and distinguished junior Senator from Indiana; instead, one uses an umbrella.

But I think the Senate and the country are entitled to know something about the resolution. Therefore, I ask unanimous consent that it may be inserted in the body of the RECORD, following the remarks of the Senator from Indiana; and that what I now say may also appear in the RECORD at that point.

The VICE PRESIDENT. Is there objection?

There being no objection, the resolution (S. Res. 140, 82d Cong., 1st sess.) was ordered to be printed in the RECORD, as follows:

Whereas to permit civilization to be destroyed by world war III is utter insanity and unworthy of the men of this century; and

Whereas the Korean war has every appearance of being a hopeless conflict of attrition and indecisiveness and a breeder of bitter racial hatreds; and

Whereas a limited war, like a limited or smoldering fire, is gravely dangerous, for it may burst forth into a worldwide conflagration at any moment; and

Whereas the North and South Koreans, the Chinese, and the United Nations have suffered more than 1 million casualties, with the only tangible result, so far, the indescribable misery which has been heaped upon the Korean people; and

Whereas tremendous strides have been made in the development of hitherto unused lethal and destructive weapons of war with potentials of unbelievable fury and horror; and

Whereas by slaughtering additional millions of humans an uneasy peace might in time be forced upon the vanquished; and

Whereas the people of the United States traditionally have held the people of China in the highest esteem and affection and still do; and

Whereas the people of the United States have long recognized the wisdom of the principles of the Monroe Doctrine so eloquently portrayed by the slogan "Asia for Asiatics" if it were to be applied to Asia; and

Whereas it has long been the policy of the American people that no nation should seek to extend its form of government over any other nation or people, but that as an inherent right every people should be left free to determine its own form of government and its own way of life, unhindered, unthreatened, unafraid—the little along with the great and the powerful; and

Whereas the traditional policy and desire of the people of the United States of America is now and has been a just and enduring peace; and

Whereas it is never too early for God-fearing and peace-loving peoples to earnestly endeavor to stop needless human slaughter: Now, therefore, be it

Resolved, That it is the sense of the Senate that the United Nations call upon all nations and all groups now engaged in the war in Korea to cease-fire and declare an armistice effective at 4 antemeridian (Korean time) June 25, 1951; and that prior thereto the United Nations forces retire to points south and the opposing forces retire to points north of the 38th parallel; and that before December 31, 1951, all prisoners of the Korean war shall be exchanged and all non-Korean persons, military and nonmilitary (except the ordinary diplomatic representatives), shall depart from North and South Korea.

Mr. JOHNSON of Colorado. Mr. President, let me say there is no secret about my position with respect to the war in Korea. Right or wrong, I was opposed to it from the very first, and I said so. After General MacArthur returned to the United States and made his report to the Congress, I said many, many times that I thought our policy in Korea should be either all out or get out.

I saw that statement published a good many times. I think I am the author of the statement.

That was my general position. On May 17, 1951, as we approached the first anniversary of our entrance into the war in Korea, I submitted a resolution. My resolution was addressed to the United Nations, and suggested to the United Nations that an armistice be declared on June 25, 1951, which was the first anniversary of the war in Korea.

I do not wish to argue the point as to whether that resolution was a wise resolution or a very foolish one. So far as influence is concerned, I wish to say that it was drafted by myself. I consulted no one other than my own conscience. No one suggested to me that I draft such a resolution. I did not talk with any of my colleagues. I simply went ahead and put my own thinking into the resolution.

On May 25 I was interviewed by a very well-known newspaperman, Mr. Frank Bourgholtzer, who is the White House correspondent of the National Broadcasting Co., with respect to my resolution. He asked me a long series of questions with respect to the reasons why I had submitted the resolution, and what its purposes might be. I answered his questions on the radio, and inserted a transcript of the questions and answers in the CONGRESSIONAL RECORD.

I now ask unanimous consent to have those questions and answers printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CEASE FIRE IN KOREA

(Pro and Con program on National Broadcasting Co. Washington radio station WRC, 10:45 p. m. to 11 p. m., May 25, 1951, Frank Bourgholtzer, White House NBC correspondent, interrogator; EDWIN C. JOHNSON, United States Senator, of Colorado, being questioned)

Question. Korea and what to do about her still dominates the news. Last week Senator EDWIN C. JOHNSON, Democrat, Colorado, offered a Senate resolution calling upon the United Nations to promulgate a cease-fire order effective 4 a. m. June 25, 1951, the first anniversary of the beginning of hostilities there. Senator JOHNSON is here in the studio with me and I shall start Pro and Con off with this question: Why did you propose a cease-fire order by U. N.?

Answer. There are many reasons for the resolution, but the facts developed by the testimony of the MacArthur hearing convinced me that a cease-fire order now is not only timely but is the only way out.

Question. What facts, Senator?

Answer. General MacArthur indicated that only a madman would undertake a war on the mainland of China. In other words, he, too, is against an all-out war in China. When General Bradley took the witness stand he made it clear that in the administration's opinion a Chinese war would be the wrong war, at the wrong time, in the wrong place, with the wrong enemy. Hence, both sides in the "great debate" veto an all-out war with China. But the facts are that China and the United States have been at war many months. Last week we claimed we killed and wounded 70,000 Chinese soldiers, and we admitted that we suffered severe casualties ourselves.

I believe that our generals are correct when they say "War with China would be madness," and when they say it would be "the wrong war, in the wrong place, at the wrong time, with the wrong enemy." In my opinion there is no way to keep the limited war with China from developing into a full-scale war with China. The logical thing to do, therefore, is for the United Nations to stop the terrible slaughter in Korea before it matures into a full-scale war with China, which it must do unless it is stopped.

Question. Are you suggesting that General MacArthur and the administration are in agreement on the Chinese war?

Answer. Oh, no. There are areas of disagreement, but the areas of agreement are far greater than the areas of disagreement between these opposing factions. As I understand their positions, the administration advocates a more limited war than does General MacArthur. Their difference is one of degree. Both appear to believe that a general war with China would be a major catastrophe and that world war III would rock the very foundations of civilization. The best way I know to stop the impending all-out war with China and impending world war III is for the United Nations to stop the so-called limited war between the Allies and China now. During the past 3 years the world's foremost statesman, Winston Churchill, repeatedly has urged negotiating small wars for the best possible peace which can be obtained. It is his contention that sooner or later small wars are certain to lead to a big war.

Question. Just what are the terms of your resolution, Senator?

Answer. Perhaps I should read it. It is not very long, and it is full of meat.

In Senate Resolution 140, submitted in the Senate May 17, I list 11 reasons for its enactment, as follows:

First, to permit civilization to be destroyed by world war III is utter insanity and unworthy of the men of this century.

Second, the Korean war has every appearance of being a hopeless conflict of attrition and indecisiveness and a breeder of bitter racial hatreds.

Third, a limited war, like a limited or smoldering fire, is gravely dangerous, for it may burst forth into a world-wide conflagration at any moment.

Fourth, the North and South Koreans, the Chinese, and the United Nations have suffered more than 1,000,000 casualties, with the only tangible result, so far, the indescribable misery which has been heaped upon the Korean people.

Fifth, tremendous strides have been made in the development of hitherto unused lethal and destructive weapons of war with potentials of unbelievable fury and horror.

Sixth, by slaughtering additional millions of humans an uneasy peace might in time be forced upon the vanquished.

Seventh, the people of the United States traditionally have held the people of China in the highest esteem and affection and still do.

Eighth, the people of the United States have long recognized the wisdom of the principles of the Monroe Doctrine so eloquently portrayed by the slogan "Asia for Asiatics" if it were to be applied to Asia.

Ninth, it has long been the policy of the American people that no nation should seek to extend its form of government over any other nation or people, but that as an inherent right every people should be left free to determine its own form of government and its own way of life, unhindered, unthreatened, unafraid—the little along with the great and the powerful.

Tenth, the traditional policy and desire of the people of the United States of America is now and has been a just and enduring peace; and

Eleventh, it is never too early for God-fearing and peace-loving peoples to earnestly endeavor to stop needless human slaughter.

"Now, therefore, be it

"*Resolved*, That it is the sense of the Senate that the United Nations call upon all nations and all groups now engaged in the war in Korea to cease fire and declare an armistice effective at 4 a. m. (Korean time), June 25, 1951; and that prior thereto the United Nations forces retire to points south and the opposing forces retire to points north of the 38th parallel; and that before December 31, 1951, all prisoners of the Korean war shall be exchanged and all non-Korean persons, military and nonmilitary (except the ordinary diplomatic representatives), shall depart from North and South Korea."

Question. What does the State Department think of your resolution?

Answer. I do not know. I have not asked them, but I am certain that the State Department above everything else wants peace in the world.

Question. What groups in this country suggested the introduction of Senate Resolution 140?

Answer. No groups suggested it. None were consulted. However, I hope that church groups, women's clubs, organized labor groups, luncheon clubs, and many other alert organizations devoted to the public interest and a peaceful world will demand prompt action on it.

Question. Do you regard this resolution a partisan political issue?

Answer. Indeed I do not. It is the hottest issue in the United States today, but it is not partisan. Every responsible political party and every responsible political leader in the United States should and does want to stop the war in Korea at the earliest possible hour. No political party in the United States is a war party. Certainly I have no personal political ambition or design myself.

Question. What about the newspapers?

Answer. Most of them have shied away from the issue which my resolution presents as though it were a hot potato. The Denver Post, the largest newspaper in the Rocky Mountain empire, has castigated me as a defeatist, an isolationist, and an appeaser, but support from the Colorado people has been tremendous which proves that, while they read the Denver Post, they do their own thinking and want the conflict in Korea settled now.

Question. Have any Senators joined you in sponsoring this resolution?

Answer. I did not ask any Senator to join me, nor did I consult any Senator with respect to it. I introduced it strictly on my own. I thought it up all by myself. However, multiplied millions of people in the United States and all over the world long for peace and so I know that any equitable, realistic, and sincere peace proposal would find countless supporters all over the world. The affair in Korea has the whole world on edge.

General Ridgway, commanding general of Korea, in a recent letter to his church wrote:

"Hundreds of thousands of poor people, the old, infirm, infants, the sick, fleeing night and day across country over the ice of frozen streams, in temperatures at zero, no shelter at night but that obtained from huddling together and from such of their belongings as are on their backs or ox or small two-wheeled cart—would to God the American people might see a full-length movie of current events here in their true setting."

When General MacArthur testified recently before the Senate committee, he said: "The war in Korea has already almost destroyed that nation of 30 million people. I have never seen such devastation. I shrink with a horror that I cannot express in words, at this continuous slaughter in Korea. I have seen, I guess, as much blood and disaster as any living man, and it just curdled my stomach the last time I was there. After I looked at that wreckage and those thousands of women and children and everything, I vomited. If you go on you are going to destroy that people. I think we should make some extraordinary effort to bring it to an end."

Question. It is said that Russian newspapers gave your cease-fire proposal considerable attention. Is that bad news?

Answer. No, indeed, that is good news. Peace is not a one-way street. There can be no peace in the world unless Russia agrees to it. If Russia would cooperate with the peace-loving people of the world, we could have world peace and world prosperity right now. So if Russia is interested in establishing peace in Korea, the battle is half won.

Question. Does your resolution appease the Communists?

Answer: Of course it does not. There is not one word of appeasement in it. Senate Resoluton 140 turns Korea back to the Koreans. Under its terms every people other than the Koreans get out by next New Year's day. The United States wants nothing in Korea except the happiness and prosperity of the Korean people.

Senator DUFF, in a commencement address at Carson College in Jefferson City in Tennessee, said:

"Unless we are dealing with complete madmen in Russia, there must surely be some avenue whereby it will be possible to discuss seriously and sincerely methods to adjust the misunderstandings on some other basis than by destroying civilization itself."

Question. Will it not prove very difficult for the U. N. to negotiate an armistice now?

Answer. Korea is a testing ground for negotiating peace. If we cannot settle this conflict where the conditions now are so ripe for settlement, we must confess impotency to negotiate peace anywhere. If we wait for an unconditional surrender before we start developing peace terms, we better start preparing for a hundred years' war. Men of good will, Korea is the testing ground of U. N.'s capacity to negotiate peace. Dorothy Thompson, in one of her recent columns, wrote this:

"War has become the supreme lunacy. It can accomplish nothing for an ideology, for it crushes every idea. It is the dissolver of all social orders; it is the dissolver of life itself."

Question. How will the recent victories of the United Nations forces affect your resolution?

Answer. In peace negotiations it is always a great advantage to lead from strength and not weakness. It is great to be in the driver's seat. Our current victories and smashing rout of the enemy in Korea give us a tremendous psychological advantage right now in pressing for a just peace.

Question. Will North Korea invade South Korea the moment foreign troops are withdrawn?

Answer. I do not think so. The Korean war has taught many people, including the people of the United States, many lessons. The North Koreans have learned the hard way that aggression does not pay. I hope they have been cured of thinking that the world will sit idly by while they try to subdue their neighbors with gunpowder. I believe they have learned this lesson well. Furthermore, there are more than twice as many South Koreans as North Koreans. The tail is not going to wag the dog.

Question. Does not your resolution add to the significance of the 38th parallel?

Answer. It neither adds to nor detracts from it. The civil war in Korea did, of course, add great importance to this imaginary line. But we are the original architects of this poorly conceived device. When our war with Japan ended, the United States Government created the 38th parallel. Now the Koreans are stuck with it and only the Koreans can eliminate it. Even bad eggs cannot be unscrambled. We created the same botched-up misfortune for Germany and Austria. Perhaps time, patience, and good will may eliminate these wicked and arbitrary divisions of peoples and states.

Question. What results other than talk do you anticipate from your cease-fire resolution?

Answer. I expect it to stop hostilities in Korea 4 a. m., June 25, 1951. One year of the futile, senseless, inhuman sacrifice of the youth of many nations is shocking. A further extension of this debacle would be criminal. Our best hope is not to muddle on and on. Everyone knows that one day a cease-fire order will be issued. W. Averell Harriman, official Presidential adviser, in speaking on a radio program recently, about the Korean war ending, said:

"The Korean fighting might end next week, the week after, in a month or 2 months."

Eventually peace will be negotiated. How many additional thousands of youths must die before we do that negotiating? Why not negotiate right now? Emerson says, "Nine-tenths of wisdom is being wise in time." There will never be a more appropriate time to cease fire than on or before June 25, 1951.

Mr. JOHNSON of Colorado. Mr. President, I have one further word to say. I still feel that the resolution was a wise resolution. I regret at this time that it did not receive favorable action by the United Nations.

I recall that when we had a change of administrations, and when General

Eisenhower took over the office of President, he did not hesitate very long about reaching armistice terms. I recall that the Denver Post, a widely circulated newspaper, and a very popular newspaper, published in Denver, Colo., took me to task and criticized me severely for my resolution, calling it appeasement, and many other things.

Nevertheless, after the election of 1952, I heard the publisher of the Denver Post, Mr. E. P. Hoyt, deliver an address before the Denver Rotary Club, about the election of 1952. He made the statement that one of the principal reasons why General Eisenhower was elected by the tremendous landslide vote which he received in the election of 1952 resulted from his expression of five words. He said those five words were, "I will go to Korea."

Mr. Hoyt, in his very excellent address before the Rotary club, argued that the people—the women, especially—understood those words to mean that the President would exert every effort within his power to end the Korean war.

However that may be, the war did end. The end of the war was a popular thing in the United States. I feel that my resolution was in line with that same kind of thinking, and was as noble in purpose as the purposes and objectives of our very great President when he brought the war to a close.

I repeat that I was not influenced in any way by anyone in thinking up this resolution. Whatever responsibility there is for it must rest upon my shoulders.

Mr. JENNER. Mr. President, reserving the right to object—and I do not intend to object—I should like to ask unanimous consent that my remarks in regard to the resolution of the Senator from Colorado, contained in a speech which I delivered on the floor of the Senate on June 27, 1951, be reprinted, along with the resolution which he has placed in the RECORD, so that the entire story may appear in one place.

There being no objection, Mr. JENNER's remarks of June 27, 1951, were ordered to be printed in the RECORD, as follows:

[From the Senate proceedings of June 27, 1951]

THE SOVIET UNION'S PROPOSAL FOR A CEASE-FIRE IN KOREA

Mr. JENNER. Mr. President, the Soviet Union's proposals for a cease-fire in Korea are nothing new.

The VICE PRESIDENT. The Chair would state that if the Senator from Indiana is beginning to make a speech it will be necessary for him to have time yielded to him, under unanimous-consent agreement.

Mr. JENNER. I thought it was understood that I had been yielded 30 minutes by the Senator from South Carolina.

Mr. MCFARLAND. As I understood, the Senator from Nebraska [Mr. Wherry] was to yield time to the Senator from Indiana.

Mr. JENNER. Thirty minutes.

Mr. MCFARLAND. The Senator from Nebraska was to have yielded the time to the Senator from Indiana, but the request has not been made.

Mr. LANGER. Mr. President, in behalf of the Senator from Nebraska, I yield such time to the Senator from Indiana as he may desire to take.

The VICE PRESIDENT. The Senator from Indiana is recognized for 30 minutes.

Mr. JENNER. Mr. President, as I had started to say, the Soviet Union's proposals for a cease-fire in Korea are nothing new. The U. S. S. R. submitted its peace terms 6 months ago in the U. N. Assembly. The only thing which is new is the clever publicity buildup. The only effective answer to the Soviet peace terms, which represent a strategic victory for the U. S. S. R., is to state a truly American peace program which will strengthen free nations in Asia and the world.

Six months ago the Soviet Union laid down its basic terms, essentially the same as those offered in their Saturday broadcast. They specified that all foreign troops should withdraw, and political questions should be left to the self-determination of the Korean people themselves.

On the surface this looks very attractive, but so does any boobytrap. If we lift up the pleasing cover of words, what do we find? American troops and Chinese Communist forces are to withdraw from the 38th parallel, and soon from Korea. But what will be left? Merely the Soviet-trained North Korean divisions, just the thousands of men of fighting age who fled from Korea during the Japanese occupation, and were trained in Russian armies at Stalingrad, and in the Chinese civil war against Chiang Kai-shek.

Of course, Americans believe in the self-determination of small nations, but what kind of self-determination would our anti-Communist friends in Korea enjoy, if the Communists have a large well-trained native army in North Korea?

Mr. President, look closely at this peace offer, and you will see what it really is. It is the peace program that Marshall took to China in December 1945, the peace settlement for China which cost us 400 million allies.

That plan provided that both foreign armies, the Americans and the Russians, were to withdraw their forces from China, and then China would have peace. The same boobytrap was hidden behind the pleasant-sounding words, then as now. As the Russians withdrew, they gave all their spare arms to the Chinese Communists.

We took a few thousand marines out of China at Russian insistence. They were guarding the Chinese railways to keep the Communists from destroying the railroads so that the Nationalists could move their troops northward. We took our marines out, the railroads were destroyed, and the Communists swept down. Now a million armed Chinese Communists are killing our boys in Korea.

We took a few thousand marines out of guard duty in China, for the sake of agreement with Russia, and we had to put over 300,000 men into the battle lines in Korea. Now they are asking us to take our troops out of Korea, and in another year or so we shall have to put a million men somewhere else.

We took our naval forces out of Tsing Tao at Russian insistence that the city must be returned to China. Now the Chinese city of Tsing Tao is a Soviet naval base threatening Korea and Japan.

Mr. Malik's Soviet peace proposal is, in fact, the old Yalta peace plan for Poland. We kept our armies out of central Europe and the Balkans. We even gave orders to the American armies to retreat across the Elbe after they had advanced. We trusted to self-determination for the election of democratic governments in Poland, Bulgaria, and Rumania. Today we put American troops in Europe for garrison duty, because yesterday we pulled Eisenhower and Patton back from a quick and easy victory in Eastern Europe.

Twice we have fallen for that kind of Soviet peace. We dare not do it again, not with the turmoil in Iran.

The Soviet Union is using every device of high-powered publicity to make this plan look sweet, like Little Red Ridinghood's grandmother, and not like the big bad wolf it really is.

For 6 months the Soviet Union has been quietly building its underground publicity for this proposal. Its propaganda has been distributed through labor unions, women's organizations, churches, youth groups.

The new plan is, in fact, only a variant of the Stockholm peace proposal in American dress. If we want to find out how the Communists have been working on their build-up for the Malik proposals, we can find it fully outlined in the report of the House Un-American Activities Committee, called the Communist Peace Offensive. Only change the words a little, and the Stockholm peace petition becomes the Soviet Union's peace proposal for Korea.

Recently even a prominent Member of this body was won over to propose a peace resolution for a cease-fire on June 25, the anniversary of the start of this war that is not a war.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. JENNER. I shall be glad to yield briefly to the distinguished Senator from Colorado, because in my remarks I am referring to his peace resolution. However, I am speaking under a time limitation, and I cannot yield very long.

Mr. JOHNSON of Colorado. I understand, and I do not wish to take very much of the Senator's time.

The Senator has said that one of the Members of the Senate was won over. What I am interested in is who won him over and when was he won over? Will the Senator elucidate that point?

Mr. JENNER. I certainly will.

If we look at the peace resolution introduced in this body, we see that the Senator makes two main points. He wants all "foreign" troops withdrawn from Korea, and in the statement of purpose he praises the American principle of self-determination for small nations.

That senatorial resolution has been sent all over the United States by the Soviet propaganda machine. It has been sent to women's groups, churches, editors, and families of men in Korea. Many of us in this body have received letters from innocent loyal Americans which were written as a result of the clever Soviet campaign for a mock peace.

The newspapers appeared to be surprised at the announcement by Mr. Malik on Saturday, but they should not have been. For 13 weeks the U. N. has been building up the peace propaganda in radio broadcasts at the same time every week. We pay most of the cost of preparing those broadcasts, and our radio stations probably give the time free, as a public service. Then—surprise, surprise—the Soviet Union gets the preferred spot, and just by accident its representative talks of peace on the anniversary of the Korean war, the date they have been stressing for months for the climax of their publicity campaign.

I am sure that the distinguished Senator whose name is taken in vain has not the faintest idea that someone in Moscow in the Soviet propaganda bureau planned every step he innocently took. But the effect is no less serious because the Senator was unaware of their intentions. When the name of a distinguished Member of this body can be attached to an appeal for the Stockholm peace petition in American dress, when it can be circulated throughout the country to delude innocent and unhappy people, then all of us are concerned in the danger, all of us must work to see that this campaign does not succeed and that our people are warned of this newest Soviet boobytrap.

The most diabolical phase of the Soviet peace plan is that it exploits the desire of all decent people for an end to the senseless

slaughter in Korea, which in the first place never should have been started.

No one wants to end the Korean war more than I. I have spoken again and again of the need to bring this slaughter to an end. But we cannot end it on Soviet terms, especially when those terms are so open to suspicion that the Soviet Union must, by subterfuge, try to seduce Americans into accepting them.

We can best meet the Russian mock-peace terms by submitting genuine American peace terms; of course we are for peace, of course we are for a cease-fire, but they must be on American terms.

We can agree to a cease-fire today. But we cannot agree to moving a single American soldier from the dark and bloody ground his comrades have bought with their lives until we have a trustworthy program for keeping that peace.

That means only one thing. We must replace American battle-hardened soldiers with well-equipped, well-trained Asiatic soldiers—free Chinese, Koreans, Japanese, and Filipinos. This is the same answer that we found for the Philippines. Had it not been for the betrayal which exposed Pearl Harbor to the Japanese, the Philippines would have been safe from invasion.

There can be no self-determination for small nations except behind a living wall of fighting men who can keep predatory aggressive powers from invading their country.

The free Chinese, the Koreans, the Japanese, and the Filipinos have all felt the power and cruelty and hate of Soviet Russia. They can work together to defend each and all from Soviet attack, while we guard the sea and air along our island chain and make the Pacific, as General MacArthur said, a peaceful lake.

It should not be our business to defend the Koreans. It is their business. We were involved in Korea when the American State Department refused to let our military men train the Koreans and equip them with necessary arms. The State Department said no; they could have arms only for police work, although the evidence was clear and unmistakable that the North Koreans would strike when ordered by the Soviet Union.

Our State Department insisted that we leave Korea before it was ready to defend itself. It engaged in constant intrigue against the elected representatives of Korea and kept alive the turmoil which the Communists needed. It publicly announced that we had no interest in Korea, thus inviting the Soviet Union to take over.

We have an interest in Korea now, bought with the lives of the men who were sacrificed by our State Department. We cannot suffer 140,000 casualties only to open the door wider for Soviet expansion. We have a peacetime role in Korea—that our Armed Forces shall train the South Koreans to defend their country. They can learn to do it as the Turks and Greeks have learned to defend their countries.

The simple-appearing Soviet peace proposal has behind it all the subtle organization, all the hidden aggression, that are the Soviet strength. Our peace proposal must have behind it our total moral and political power within the framework of historic American principles of foreign policy.

Americans have always believed in the rights of small nations. We have not the slightest desire to rule over or to interfere with their affairs. We have clearly demonstrated over many years that that is our policy. But we cannot permit small nations within our security zone to be swallowed up by the Soviet Union, and we cannot wait without a policy or with a hidden pro-Soviet policy, and then enter the wrong war at the wrong time and in the wrong place.

The policy which is best for the free people of Asia is the policy that is best for us—for us to do everything in our power to help the free nations of Asia defend themselves against conquest. We need not interfere in their affairs, or be distracted from our own affairs by periodic wars, crises, and more wars.

It is time for all Americans, Republicans and Democrats, who believe in our historic American foreign policy to insist that the Korean war be settled according to the principles of freedom enunciated in our historic Monroe Doctrine. We want no more settlements by the hidden collectivists who made our "peace" in China. We want a truly American settlement, true to the principles of George Washington, Thomas Jefferson, James Monroe, and John Hay. That policy is self-determination for small nations behind a wall of their own well-trained, well-equipped fighting men, which in turn is protected by our air power and our control of the sea.

We do not have to go on forever in this brutal half war in which the collectivists in our own Government have embroiled us. We cannot escape if we keep on discussing their tortuous proposals. But we can escape very quickly if we do our own thinking. We can have peace at home, and hold out the hope of peace to the free people of Asia, if we will accept the challenge of the Soviet peace proposals, and state now the principles of an American peace for Asia and the world.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from South Carolina yield me 5 minutes?

Mr. MAYBANK. I am not able to do so at this time. I shall be glad to do so at a later time.

Mr. JOHNSON of Colorado. The reason I ask is that——

Mr. LANGER. Mr. President, I yield 5 minutes of my time to the Senator from Colorado.

Mr. JOHNSON of Colorado. The Senator from North Dakota has yielded me 5 minutes of his time, if I may use it.

The VICE PRESIDENT. The Senator from Colorado is recognized for 5 minutes.

Mr. JOHNSON of Colorado. Mr. President, the Senator from Indiana [Mr. JENNER], in his usual vigorous and bitter manner of speech, has made a very serious charge against the senior Senator from Colorado.

On May 17 I submitted a resolution in the Senate. I did not slip around the back door. I stood up and received recognition from the President of the Senate and I read my resolution word for word, from top to bottom. A few days later I was interviewed on the radio and was asked who was interested in the resolution other than myself. I stated the facts of the case at that time on the radio, and that statement as broadcast was placed in the CONGRESSIONAL RECORD. I stated then that I had not discussed it with any other Senator or with any other person. Previous to its submission I had not discussed it at all with anyone. I added, "I thought it up all by myself." I am still proud of that resolution, Mr. President. I think it is one of the wisest and most statesmanlike documents authored by me. It was something which should have been done by someone, and I am glad I had the intelligence and the courage to do it. I knew when I submitted the resolution what the politicians would say about it. I have been in public life a long time, and I know beforehand what the reactions of certain people to such proposals will be. So I did not do it with my eyes shut; I did not sneak around in any way to do it. I am still proud of what I did. If I had not submitted this resolution on May 17, 1951, I would submit it today.

When the Senator from Indiana says that I was importuned or influenced to do it, he is saying something which is absolutely false, unless there is such a thing as subconscious influence. Maybe Malik or Stalin were working on me from across the ocean; I do not know. Maybe there is such a thing as mental telepathy which causes people to act one way or the other. If there is, I did not feel any heat wave strike my brain cells at the time, and I am certain no such unknown influence was at work. I know very positively that no one representing Russia or any other country wrote to me or talked to me about it.

Mr. JENNER. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. JENNER. Mr. President, in my remarks I did not try to impugn the motives of the Senator from Colorado. Every Member of this body knows that he is an outstanding American and a great Senator. I only stated that I was sure the Senator's name had been taken in vain and that he had not the faintest idea that someone in Moscow was planting this same type of propaganda throughout the country and had been doing it for 6 months previously, and, at the same time, had been using the same broadcasting facilities at the same hour for several weeks to lay a foundation for Malik to make his proposal. I also referred to the distinguished Senator's main objective, which was self-determination for small nations. I did not impugn the Senator's motives. I attributed the best of American intentions to the Senator.

If we accept this proposal we have no way to protect the boys who are giving their lives in Korea.

I hope the Senator will not take my remarks in any other light, because I certainly did not intend them to be taken in any other light.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Indiana to the committee amendment on page 2 of the resolution.

Mr. JENNER. Mr. President, I withdraw the amendment.

The VICE PRESIDENT. The question recurs on agreeing to the committee amendment embracing section 2 of the resolution.

Mr. CASE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Fulbright	Martin
Aiken	George	McClellan
Anderson	Gillette	Millikin
Barrett	Goldwater	Monroney
Beall	Green	Morse
Bennett	Hayden	Mundt
Bridges	Hendrickson	Murray
Brown	Hennings	Neely
Burke	Hickenlooper	O'Mahoney
Bush	Hill	Pastore
Butler	Holland	Payne
Byrd	Hruska	Potter
Carlson	Humphrey	Purtell
Case	Ives	Robertson
Chavez	Jackson	Russell
Clements	Jenner	Saltonstall
Cooper	Johnson, Colo.	Schoeppel
Cotton	Johnson, Tex.	Scott
Daniel, S. C.	Johnston, S. C.	Smith, Maine
Daniel, Tex.	Kefauver	Smith, N. J.
Dirksen	Kerr	Sparkman
Douglas	Kilgore	Stennis
Duff	Knowland	Symington
Dworshak	Kuchel	Thye
Eastland	Langer	Watkins
Ellender	Lehman	Welker
Ervin	Long	Williams
Ferguson	Magnuson	Young
Flanders	Malone	
Frear	Mansfield	

The VICE PRESIDENT. A quorum is present.

Mr. KNOWLAND. Mr. President, after consultation with the minority leader, I now move that the Senate stand in recess until the hour of 12:30 p. m.

Mr. BRIDGES. Mr. President, reserving the right to object, I think we should have an explanation. We are ready to go on with the debate. Is there some good reason for the motion of the majority leader?

Mr. KNOWLAND. I will say to the distinguished Senator from New Hampshire two things: First, I have been requested by the select committee that they be permitted to meet at this point, and that will be difficult while the debate is going on. Second, we wish to provide a luncheon period, brief though it may be, so that we can complete our labors this afternoon. That is the explanation. I thought, inasmuch as the select committee wanted some time, that we might let them have the time during the 45-minute lunch period.

Mr. BRIDGES. Would it be agreeable to the select committee to have time after we take action on section 2 of the committee amendment?

Mr. KNOWLAND. I think the select committee wanted an opportunity to meet prior to such action.

Mr. BRIDGES. I think the Members of the Senate are ready to vote on that section of the committee amendment. I am ready to offer a motion to strike section 2. The question is, should we prolong the situation by taking a recess at this time? I think the Senate is ready to act. We have discussed it in the past 2 days, and it is thoroughly understood.

THE RECESSED LUNCHEON PERIOD

Mr. MALONE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Nevada.

Mr. MALONE. I wish to address myself to the distinguished Senator from New Hampshire.

But first to the distinguished majority leader. The luncheon period has been staggered frequently. On some days we have had a luncheon period; some days we have not. We have no knowledge beforehand as to what the plans may be. So there is nothing to do except to conform with the unexpectedly announced programs of the majority and minority leaders when and if they are announced.

I agree with the distinguished Senator from New Hampshire that what should be done is to proceed with the debate and to vote when we are ready. We have watched the committee operate for about 3 weeks including the recess. I returned from Caracas, Venezuela, 2,500 miles—to see it through.

I agree with the Senator from New Hampshire that we were entitled to know when a recess may be taken. Yesterday we did not have one; the day before we had one. Some days we do; some days we do not. No one is informed of the schedule.

LUNCHEON NO PROBLEM—175 YEARS

For 175 years Senators have been able to eat lunch without discommoding the Senate to any great degree. If there is some reason why it is necessary to delay the proceedings and take time out to call signals, we should have an explanation of it.

Mr. KNOWLAND. Mr. President, I withdraw my suggestion for a luncheon recess period for today.

Mr. BRIDGES. Mr. President, I move to strike from Senate Resolution 301 section 2, being lines 6 through 17, on page 2.

The VICE PRESIDENT. The Chair advises the Senator from New Hampshire that his motion is not in order, since a negative vote on the committee amendment would accomplish the same purpose.

Mr. BRIDGES. Then I move that section 2, on page 2, lines 6 through 17, be tabled.

Mr. CASE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota will state it.

Mr. CASE. Has section 2 been called up? Has the committee amendment known as section 2 been called up?

The VICE PRESIDENT. The Chair announced previously that the pending question is the adoption of section 2.

Mr. CASE. Did the chairman of the select committee formally present section 2?

The VICE PRESIDENT. The chairman of the select committee did not.

Mr. CASE. How does section 2 then come before the Senate?

The VICE PRESIDENT. When committee amendments are before the Senate, automatically after section 1 has been disposed of the next amendment, which is section 2, comes before the Senate.

Mr. CASE. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota will state it.

Mr. CASE. Would a motion be in order, if made by the chairman of the select committee, to offer some substitute language? Or would it be in order for him to offer an amendment containing substitute language for section 2?

The VICE PRESIDENT. A motion to table takes precedence. At this point the motion to table takes precedence. Prior to the time a motion to table was offered, the chairman of the select committee could have offered an amendment to modify the committee amendment.

Mr. CASE. Will the Chair kindly restate what he just said?

The VICE PRESIDENT. Prior to the time the motion to table was offered, the chairman of the select committee could have modified his amendment.

Mr. CASE. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota will state it.

Mr. CASE. Is a motion to table debatable?

The VICE PRESIDENT. Under the rules of the Senate a motion to table generally is not debatable; but the unanimous-consent agreement now in effect specifically states that on any motion debate is in order. Under the circumstances, therefore, the Chair interprets the unanimous-consent agreement to include a motion to table. The motion to table, therefore, is debatable.

Mr. CASE. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota will state it.

Mr. CASE. Do I correctly understand that the Chair has recognized the senior Senator from New Hampshire to speak in his own time on his motion to table?

The VICE PRESIDENT. The Senator is correct. The Senator from New Hampshire has the floor on his motion to table. The Senator from New Hampshire has 30 minutes.

Mr. BRIDGES. I shall allocate to myself only 3 minutes at this time.

I propose the elimination of section 2, which at best is a very controversial and very questionable section of the committee's recommendations.

Mr. President, I ask for order.

The VICE PRESIDENT. The point of order is well taken. The Senator from New Hampshire will not proceed until the Senate is in order. Conversation will cease. Those who wish to converse will retire to the cloakrooms.

The Senator from New Hampshire may proceed.

Mr. BRIDGES. I have been a Member of the Senate for 18 years. I am the senior Member on the Republican side of the aisle; and, with but few exceptions, I have been a Member of this body as long as any Member on the other side of the aisle, my length of service being exceeded by that of only a few Members on the other side of the aisle.

I am proud of my associations in this Chamber. I have a warm feeling of friendship for all Members of this body.

I have been here long enough to have heard statements made by other Senators about their colleagues, and statements made by Senators who were acting as chairmen of committees, about witnesses and about Members of the other House. I have been here long enough to have heard Senators who were not chairmen of committees also make direct attacks upon witnesses.

As are most other Senators, I also am in a position to cite example after example of such conduct. In committee meetings and conferences I have observed Senators display physical violence against Members of the other House and against witnesses, or at least attempt to do so. In none of those instances, whether for spoken word or for physical encounter, has a Senator been censured.

In most instances when such conduct has taken place on the floor, it has been expunged from the RECORD. In committees, it has been eliminated from the transcripts of the hearings. In other instances, it has been forgotten, ignored, or otherwise glossed over.

In this case, I feel that an individual Senator is being singled out for conduct in a committee which, certainly in theory, has some precedent in the Senate as a whole. It is a sad day for the United States Senate and a sad day for America when a Member of this body can be taken to account for words spoken by him, as chairman of a committee, to a witness, when the witness had been utterly uncooperative.

Mr. President, I yield myself 2 additional minutes.

I do not believe in a muckraking rehearsal of these things. I have in my possession information from the CONGRESSIONAL RECORD and newspaper articles of similar conduct in case after case. I can recall observing similar

conduct with my own eyes, and I can call as witnesses to such conduct other Members of the Senate from both sides of the aisle. I have heard similar language with my own ears. I do not believe there is any Senator who has served with me on committees who would not so testify. As I have said, I do not believe in raking up such incidents; but I have seen them. They have occurred. No one can challenge that statement.

Regardless of whether or not one may like the junior Senator from Wisconsin, or his methods, or his objectives, the Senator from New Hampshire does not think that a Member of the Senate, so far as the section of the resolution under discussion is concerned, should be cast entirely out of the picture, or that he is not to be considered. Yet the larger question is the future in this country of the United States Senate, and whether it is going to exist and continue as a great legislative body.

Mr. President, I yield myself 2 more minutes.

We must consider whether or not we want to go ahead and rake up the past. If we wish to rake up the past on both sides of the aisle, Senator after Senator will be found to have violated procedure and to have been guilty of exactly what the junior Senator from Wisconsin is being charged with in the particular section under discussion. I do not want to do that, and I do not think the Senate of the United States should do it, and I hope that this section, at least, will be eliminated. If it is not, it will come back to haunt every Member of this body. It will haunt them in the days, months, and years to come. Someday our country may suffer in a vital way as a result. The time to take action is now, and not to regret it afterward.

Mr. President, I yield 3 minutes to the Senator from Nevada.

Mr. MALONE. Mr. President, I shall need more than 3 minutes.

Mr. BRIDGES. The Senator from New Hampshire will yield to the Senator from Nevada, if the Senator from New Hampshire may first yield to the Senator from Vermont. Then I shall see how generous I can be in yielding time to the Senator from Nevada.

Mr. AIKEN. Mr. President, yesterday I voted for section 1 of the amendment proposed to Senate Resolution 301. I expect to vote for the Bennett amendment to Senate Resolution 301, because I believe the charges made by the junior Senator from Wisconsin against certain Senators, and in effect against the Senate itself, were cruel, false, and unpardonable; but I also believe section 2 of the amendment to the resolution represents an entirely different matter.

Having listened to the arguments, having read whatever evidence I had at my command, I have come to the conclusion that the Army did promote and protect an officer who the Army had every reason to believe was a Communist, and who had been deceitful in his dealings with the Army. I believe the Army did defy the Senate's efforts to get at the facts.

If the junior Senator from Wisconsin is to be censured because he was a representative of the Senate, then it is equally true that General Zwicker, against whom the junior Senator from Wisconsin used improper language, was a representative of the Armed Forces.

While the language used by the junior Senator from Wisconsin toward General Zwicker at the hearing was improper, in my opinion, it is also my opinion that the attitude of the officials of the Army was also improper. So it seems to me a vote to censure the junior Senator from Wisconsin on this particular charge would weaken our efforts to root out subversives in Government, and would also constitute acquiescence in the attitude of defiance shown by the Armed Forces toward furnishing information to the Congress.

If the section under discussion is stricken out of the resolution, I intend to vote for censure of the junior Senator from Wisconsin for his attitude on the floor, unless he shows a much more repentent attitude for the injury he has done to certain sincere and patriotic Senators than he has shown to date.

Mr. MALONE. Mr. President——

The VICE PRESIDENT. How much time does the Senator from New Hampshire yield to the Senator from Nevada? The Senator from New Hampshire has 18 minutes remaining.

Mr. BRIDGES. Mr. President, if the Senator from Nevada will yield, I should like to yield 1 minute to the Senator from Massachusetts [Mr. SALTONSTALL].

Mr. SALTONSTALL. Mr. President, I shall support the motion of the Senator from New Hampshire to table the second section of the committee amendment to the resolution, because I consider the Army, in silencing one of its generals, failed to render customary courtesy to a chairman of a Senate committee, who, though using language to be deplored, was quite justified in his feeling that he was being blocked by the Army in trying to root out subversives in the Armed Forces of our country. For that reason I shall support the motion of the Senator from New Hampshire.

THE PROPOSAL TO CENSURE

Mr. BRIDGES. Mr. President, I yield 12 minutes to the Senator from Nevada.

INVESTIGATIVE POWER OF THE SENATE AT STAKE

Mr. MALONE. Mr. President, I wish to support the distinguished Senator from New Hampshire in his motion to table. As a matter of fact I have previously served notice of my intention to move to table the whole resolution 301.

The Senator from Nevada has made several statements on the floor of the Senate since the debate started on November 8 that the junior Senator from Wisconsin is merely a whipping boy in the debate on the proposed resolution.

The real question before the Senate is the preservation of the investigative power of the legislative branch of the Government, for which the Constitution provides.

ABRAHAM LINCOLN'S WARNING OF 90 YEARS AGO

Mr. President, 90 years ago Abraham Lincoln said:

> If destruction be our lot we must ourselves be its author and finisher. As a nation of freemen we must live through all time or die by suicide.

Mr. KNOWLAND. Mr. President, may we have order in the Senate and in the galleries?

The VICE PRESIDENT. The Senator will not proceed until the Senate is in order. This time will not be taken from the time of the Senator from Nevada.

The Senator from Nevada may now proceed.

Mr. MALONE. Mr. President, the Senate is the upper house of the legislative branch, charged with the preservation of the Nation under the Constitution and the Bill of Rights.

"SUICIDE" OF FREE GOVERNMENT CAN BEGIN IN SENATE

The "suicide" described by Lincoln could well begin in the Senate of the United States—as a matter of fact, it really got underway in 1930.

Under the Constitution, the Congress, of which the Senate is the upper house, was set up as an independent and coordinate branch of our Government. The executive and the judiciary, together with the Congress, make up the constitutional three branches of Government, each independent of each other, purposely created as balances and checks in a government of law.

During the past 22 years, however, there have been numerous and repeated attempts to curtail or destroy that investigative power. Mr. President, may we have order?

The VICE PRESIDENT. The Senator will suspend. The Chair will make the announcement that if the conversations which have been going on among the clerks and the employees of the Senate seated in the various chairs on the Senate floor do not cease, the Chair will order the Sergeant at Arms to clear from the Senate floor all persons other than those who are here on official business. The Chair will not give any additional warning of such action. Conversations among Senators should take place in the cloakrooms. It is desired to expedite the business of the Senate by refraining from conversations.

The Chair will repeat that those persons who are not Senators and who indulge in conversation will be removed from the Senate floor immediately, in the event that such conversations continue.

The Senate will remain in order, and the Senator from Nevada may continue.

DRIVE TO DESTROY LEGISLATIVE INDEPENDENCE HAS CONTINUED 22 YEARS—SENATE RESPONSIBILITY TO EXECUTIVE

Mr. MALONE. Mr. President, during the past 22 years there have been numerous and repeated attempts to destroy the independence of the legislative branch, and subordinate it to the whims and wishes of the executive department. Targets of this assault have included Congress' constitutional authority and responsibility over money and its value, credit, trade, commerce, regulation of the military, treaty consent and ratification, and declaration of war. Some of these powers have been yielded directly to the executive branch by the legislative, and several, particularly the power

to declare war, were transferred unknowingly by the Congress to the United Nations.

Within the next few hours the Senate of the United States will exercise one of its few remaining powers under article I, section 8, of the Constitution. This particular power is to punish one of its own Members. Then the Senate will march home again, in all its dignity, having exercised this power over one United States Senator who had the intestinal fortitude to fight communism with his gloves off.

Mr. President, what happens to a single Senator on this floor, in my opinion, is not too important, except that it will serve notice on all Members of this body that in the future they will be wise to apply the policy of peaceful coexistance with Communists at home, including those employed in our defense establishments.

OFFICE BOYS TO THE EXECUTIVE BRANCH

What happens to the Senate and to the legislative branch of Government is most important. We can destroy ourselves as an independent, coordinate branch of Government, and can become office boys to the executive branch or the military, or we can reassert our constitutional obligations and authority.

POLITICAL APPROACH TO DESTROY NATION BEGAN WITH RECOGNITION OF RUSSIA

There are two approaches to destroy this Nation—political and economic. The political approach began in 1933, with recognition of Communist Russia without any safeguards whatsoever. The economic approach to destruction commenced with transfer of the regulation of money and the 1934 Trade Agreements Act, transferring the power to regulate money and foreign trade to the Executive.

The legislative branch gave up its constitutional power over money in 1933 and 1934: First, when the gold standard was scuttled by the administration; second, when the Gold Reserve Act was passed, permitting the President to devalue and impound gold, which he promptly did, thus creating inflation through the printing of paper money that wiped out the lifetime savings of millions.

DESTROY THE WORKINGMEN AND INVESTOR

Power over money was turned over to the executive branch. It has been said that to control a peoples' medium of exchange—money—is to control the Nation, and that is at least half right. Control of trade is the other half; so in 1934, Congress turned their constitutional responsibility—article 1, section 8—over to the executive branch, too, giving it the power to destroy the workingmen, including any industry, investment, craft, or business in the Nation.

The Constitution says that Congress shall regulate commerce with foreign nations. We scuttled that constitutional provision, also. Step by step, we have destroyed our constitutional authority and responsibility.

KOREAN WAR DECLARED BY STATE DEPARTMENT AND UNITED NATIONS—NOT CONGRESS

The Constitution says that Congress, and only Congress, shall have the power to declare war. But we had a full-scale war in Korea, under the auspices of the State Department and the United Nations; and in that war, more than 25,000 American boys lost their lives, and over 140,000 were casualties. The Congress had no voice in that war, or in making the rules concerning captures on land and water, another constitutional provision.

GAG DIRECTIVES BY EXECUTIVE BRANCH TODAY SUPERSEDE CONGRESS AND THE CONSTITUTION

The Constitution says Congress shall make the rules for the government and regulation of the land and naval forces. But the Secretary of the Army, or officials under him, lay down rules for the Senate, instead, when an investigation is sought of Communist infiltration, or the promotion and honorable discharge of a fifth-amendment Communist major, the Army lays down the rules under which officers, such as General Zwicker, may testify, backed up by gag directives. What is more, the Senate, or part of its membership, accepts the military rules and directives, instead of making the rules for the government and regulation of our land and naval forces, as provided in the Constitution.

So, now Congress has yielded to the executive branch control of money, treaties, trade, military regulation, commerce, and the national economy and security.

We still make appropriations based on White House budgets; and when we vote funds which the executive branch does not order, the administration can disregard them, as it did with reference to millions of dollars provided for airpower, several years ago.

We still make our own rules of conduct with respect to our own Members—although no rule is involved in this censure regulation—and we still exercise legislative jurisdiction over the District of Columbia. However, if the one-worlders' dream of world government comes true, we shall not even have those powers left.

TREATIES KEPT FROM CONGRESS BY FALSE MASK OF EXECUTIVE AGREEMENTS

We have yielded our responsibility to concur in treaties—since they are now called executive agreements, concerning which the administration seldom even seeks or asks our consent or advice.

The term "executive agreements" does not appear in the Constitution, because it had not been invented then; but the word "treaties" does. Executive agreements were invented as a "phony" label to paste over treaties that the executive branch prefers to hold back from the Senate. The Yalta and Potsdam agreements are two examples.

Sometimes an administration does not even bother to enter into formal agreements, such as when the decision was reached, under Franklin Delano Roosevelt, to scuttle Chiang Kai-shek and to yield China to the Communists; or when the decision was made by his successor, at the instance of Great Britain, not to seek victory in Korea or to bomb beyond the Yalu.

U. N., GATT, NOW CONTROL AMERICA'S SECURITY AND ECONOMY

There are two further efforts to destroy the Senate that I would touch on. One is the United Nations, which shifts constitutional legislative powers from the legislative branch to a hodgepodge of 34 countries, many of them Communist, some pro-Communist, some neutral, and some still independent but preaching the doctrine of coexistence, which our Secretary of State has so quickly espoused, although it is plainly foreign manufactured.

The other is GATT—the General Agreement on Trade and Tariffs—the ninth session of which is now in progress in Geneva. It is a left-wing creation at which diplomats huddle to work out ways and means of destroying the economy of the United States. GATT, in any shape or form, has never been before the Congress or the Senate, because to bring it before us would expose its true character and objectives.

So the Senate, having given up its major responsibilities, as ordained in the Constitution, puts one of its Members on trial—not once, but 3 times in 1 year.

The first trial, based on charges preferred by civilian heads of the Department of the Army as a device to stop investigations into communism at Fort Monmouth, provided a television circus for many months before a special subcommittee. This trial succeeded only in making several of our civilian Army chiefs look ridiculous, and in bringing on the resignations of valuable investigators experienced in investigating communism.

So a second trial was contrived by the Committee for an Effective Congress, working with or through the distinguished junior Senator from Vermont. The second trial was before a select committee, serving as a sort of grand jury, and delving into matters of the past months and years, and even into attempted inquisitions in previous Congresses.

CENSURE OF WISCONSIN'S JUNIOR SENATOR NEW STEP TOWARD SELF-DESTRUCTION OF LEGISLATIVE BRANCH

This is the third trial, Mr. President, a further diversion from the duties which under the Constitution the Senate of the United States should be performing. It is a further step toward self-destruction of the legislative branch of Government, the only branch of Government which represents every county, State, and precinct in the Nation.

Of course we can destroy ourselves piecemeal, by picking off one Senator, and then another, with those opposing communism as our initial targets; or we can go "whole hog," and can—all at once—turn over to the executive the rest of our responsibilities.

The VICE PRESIDENT. The time of the Senator from Nevada has expired.

Mr. MALONE. Mr. President, I request that additional time be allotted me.

Mr. BRIDGES. Mr. President, I yield 2 additional minutes to the Senator from Nevada.

Mr. MALONE. I thank the Senator from New Hampshire.

The VICE PRESIDENT. The Senator from Nevada is recognized for 2 additional minutes.

KARL MARX PRONOUNCEMENT ON FREE TRADE RECALLED

Mr. MALONE. Mr. President, the father of communism was Karl Marx.

Generally speaking, the protective system in these days is conservative, while the free trade system works destructively. It breaks up old nationalities and carries antagonism of proletariat and bourgeoisie to the uttermost point. In a word, the free trade system hastens the social revolution. In this revolutionary sense alone, gentlemen, I am in favor of free trade.

Mr. President, this principle has not changed in the 102 years since the outstanding Communist of all time said in effect that free trade destroys the workingman, and now, since the investment in industry has risen from a few dollars per employed person to an average of approximately $10,000, the investor is an equal victim.

HITLER, MUSSOLINI USED PIECEMEAL METHOD OF DESTROYING LIBERTY

Mr. President, dictatorships can be created in two ways, the piecemeal method or the "whole-hog" method. Hitler never violated a law, rule, or precedent of the Reichstag—they always laid the groundwork ahead of time for whatever he had in mind. The piecemeal method was used by Hitler and Mussolini.

THE END COULD BE DIGNITY WITHOUT RESPONSIBILITY

During this debate we have heard a lot about senatorial dignity. Dignity seems to be a major concern.

The Reichstag had dignity, too. Its members under Hitler retained their dignity but nothing else.

That is the danger we face today, of keeping a lot of dignity and pomp but losing all our constitutional powers and authority, giving them away at the behest of appointive officials in the executive branch, and turning over to these appointees our duties and responsibilities through precedents, rules, and legislative acts.

We began that process in 1934.

We have continued it since then.

We are furthering it now by disputing among ourselves over the manners of a colleague in combating communism.

To quarrel over what is proper etiquette in combating communism and Communist protectors is utter folly, in the opinion of the Senator from Nevada.

SENATE SHOULD FIGHT COMMUNISM INSTEAD OF INVESTIGATORS OF SUBVERSION

What we should be doing is fighting the Communist economic approach to destroy this Nation.

FIGHTING EQUIPMENT FOR CAVIAR

We should be fighting the Communist objective of East-West trade, in which the West supplies the East with war potential and the East supplies the West with caviar, vodka, and canned crabmeat.

THE PALLIATIVE CALLED RECIPROCAL TRADE

We should be fighting the division of our markets with the other nations of the world, including Red satellites such as Czechoslovakia, through a palliative called reciprocal trade, meaning the export of American jobs and the destruction of American investments.

THE LAND AND NAVAL FORCES

We should be fighting Communist infiltration into defense plants, defense installations, and strategic industries, as the junior Senator from Wisconsin was attempting to do until he ran head-on into Army opposition and trials before the Senate committees—starting with a "soap opera" on the television.

The Constitution provides that the Congress, not the Executive, shall make the rules for the government and regulation of the land and naval forces. That is one of the provisions of the Constitution which the executive branch apparently has forgotten.

GAG RULES IN PERESS CASE LAID DOWN BY TRUMAN, MILITARY

The Truman directive of 1948, which I have cited before, set up its own rules and regulations—gag rules—for the military in its dealings with the legislative branch, and got away with it.

The military, not the Congress, set up the rules for matters such as the Peress case; and under this censure resolution the Senate not only would accept this transfer of constitutional authority but would condone it.

We should be working to destroy the Communist menace, instead of destroying those who investigate this menace.

The junior Senator from Wisconsin is only the whipping boy in the drive to destroy the investigative powers of Congress. The real Communist objective is destruction, first, of the investigative power of the legislative branch, then the branch itself, as an independent, constitutionally authorized, coordinate part of our system of government.

CENSURE ON ZWICKER COUNT WOULD CONCEDE SUPREMACY OF MILITARY

Adoption of section 2 of Senate Resolution 301 is a steppingstone to acquiesence in the theory of superiority of military authority over civilian authority. That was one of the charges in the Declaration of Independence against George III.

The Continental Congress on July 4, 1776, declared that the British monarch, among other affronts, had "affected to render the military independent of and superior to the civil power."

What our forefathers fought against we should not endorse. We do endorse that precept if we support section 2 of Senate Resolution 301.

SENATE MUST NOT ABDICATE CONSTITUTIONAL RESPONSIBILITIES TO EXECUTIVE

Mr. President, let us stand by the Constitution instead of creating more precedents toward abdicating our constitutional powers. We already have surrendered far too many.

Let me repeat what Abraham Lincoln said 90 years ago:

If destruction be our lot we must ourselves be its author and finisher. As a Nation of freemen we must live through all time or die by suicide.

We are doing that now by quibbling over the manners of one of our Members while Communists shoot down our planes, imprison our citizens, and thumb their noses at mealymouthed State Department protests.

We quibble over McCARTHY while 13 brave Americans suffer in Red Chinese torture chambers.

We quibble over what Senate Resolution 301 calls criticism of superior military officers and the destruction of good faith which must be maintained between the executive and legislative branches.

CONGRESS MUST DEMONSTRATE GOOD FAITH TO AMERICAN PRISONERS OF CHINESE REDS

Good faith between the two independent branches of government, the legislative and executive, is fine. But good faith with 13 American citizens imprisoned on false charges by the Communists, is far more important. We should be concerning ourselves with good faith toward American captives of Communist China before we worry about good faith between the executive and legislative branches, and whether a single Senator and a single brigadier general have breached it, which of course they have not.

Let us cut out the doubletalk about criticism and good faith. The junior Senator from Wisconsin, after all, is only the whipping boy for purposes of politics.

The 13 American prisoners in Red China sentenced to long years in Communist prisons are real victims of Communist effrontery and aggression.

If the Senate feels it must censure somebody it could well take a stand on this outrage to civilization and censure the perpetrators of this ghastly outrage. Heaven knows, the State Department has not done it.

TAKE ARMY OUT OF POLITICS AND POLITICS OUT OF ARMY

Let us dispose of this diversionary matter inspired originally by the Army's civilian chiefs. Let us get politics out of the Army and the Army out of politics.

Then let us take up the real issues, such as concern all Americans, the issues of strength and preparedness, and of firmness in the face of any peril affecting the lives of American citizens, including Red China's captives.

SEVEN MAJOR STEPS TOWARD DESTROYING THE SENATE

In summation, I merely say that, first, we transferred to the executive control over money. Congress has nothing to do with it now. Second, we turned over to the executive the regulation of foreign trade, which section 8 of article I of the Constitution makes the specific responsibility of Congress. Third, we have relinquished the power to declare war. Under the Constitution, we are the only agency which can declare war, but we relinquished that power over life or death to the Executive. The United Nations takes care of everything. Fourth, we have turned over the power to make rules and regulations of our military forces now scattered in some 42 foreign lands. Fifth, we have yielded all authority in making peace and setting the terms of peace. Sixth, we have abdicated any voice in foreign policy to the State Department and United Nations. In the present matter we have the spectacle of a representative of the executive department appearing before a Senate

committee and hiding behind a Presidential gag directive or behind an order of a superior officer when he is asked a question. Then what happens? His superiors file charges against the Senator, sitting as chairman, who is tried in a "soap" opera on television for a couple of months, and then the original question asked the witness is forgotten.

The seventh step is the one in which we are now engaged. That completes the job. We will have, if we pass this censure resolution, set the precedent of censuring a Senator for the spoken word, the remedy for which is already set out in the Senate rules.

The rule provides that when a Senator is considered out of order in debate he can be called to order and must take his seat. He can then be allowed to proceed in order.

If censure is to be used for the spoken word, then we have set the stage with the seven steps of self-destruction for complete control by the executive branch.

The VICE PRESIDENT. The Senator from New Hampshire [Mr. BRIDGES] has 5 minutes remaining.

Mr. BRIDGES. Mr. President, does the Senator from Utah [Mr. WATKINS] desire to use any of his time?

Mr. WATKINS. Not at the moment.

Mr. BRIDGES. The Senator from New Hampshire has concluded his presentation for the time being, and is ready for a vote.

Mr. WATKINS. Mr. President, I have not yielded back my time. I yield 5 minutes to the Senator from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Mr. President, I think the Senate would make a very grave mistake if the motion to table section 2 of the committee amendment, dealing with the mistreatment of a very distinguished member of the armed services, should prevail. The case which we are trying here today before 96 Senators is in reality being tried before 165 million Americans. It matters little to the millions of American people whether the sensibilities of the Senate have been offended by remarks made on the floor. It is charges of communism, Communist domination, or Communist conspiracy directed against a United States Senator or against an ordinary citizen of America that concerns them.

In an effort to water down the resolution and obtain a large vote in support of the charges which come before the Senate we are asked today to delete the only portion which deals with the offenses of the junior Senator from Wisconsin against the American public.

If we strike out section 2 and substitute for it the new section proposed we shall be saying that the junior Senator from Wisconsin has not abused or mistreated citizens of the United States, but that we are concerned only with the manner in which he has treated his fellow Senators.

By such action we would be saying that we are a privileged class, that we are above the normal guaranties of the Constitution which were meant to protect even the humblest citizen. We shall be saying that no one must lay a finger on a United States Senator or criticize him in any way.

We had better stop, look, and listen, because this case is being tried before all the people. If we eliminate this section, newspapers will say, I believe, as they sum up, that Senator MCCARTHY has been censured only because he dared to criticize Members of this body.

The VICE PRESIDENT. The time of the Senator from Oklahoma has expired.

Mr. WATKINS. Mr. President, I yield 5 minutes additional to the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, we seem to have established a pattern. It is perfectly all right to install wiretaps and to list long-distance telephone calls of preachers, teachers, professors, and businessmen. It is all right to put a mail cover on the mail of any private citizen of the United States, regardless of whether he is a Communist or whether there is an iota of evidence that he is a Communist. It is all right to invade the privacy of citizens by wiretaps to an unlimited extent so long as we are dealing with the public of the United States.

But, oh, my friends, do not touch the telephone wires of a Member of this great club. We 96 are sacrosanct. We are above the normal protections. So we may disregard the constitutional guaranties to which the Constitution says every American, even the most humble, is entitled.

I think the Zwicker incident is a prime example of the repeated, continual, deliberate efforts of the junior Senator from Wisconsin to browbeat and mistreat witnesses who come before him. This charge does not involve merely the browbeating of those who were Communists or who were seeking to take refuge behind the fifth amendment. This charge involves the treatment of heroes of the United States. I feel that General Zwicker is a symbol of those in uniform who man the ramparts around the world while we at home enjoy the privilege of free debate and discussion.

It is said that the junior Senator from Wisconsin was irked because something happened in the high command of the Department of the Army which gave Major Peress a discharge; but no one contends that General Zwicker had a thing to do with giving him that discharge. It is said that it is all right to accuse this war hero of not being fit to wear the uniform of our country, because Senator MCCARTHY was irked that morning, because someone had fouled up his plans or disregarded his edict to the Department of the Army.

The Zwicker case partakes of the nature of mass punishment. A hostage is seized and punished because someone in a town committed a crime. Perhaps someone in the Department of the Army made a grave error. So it is all right to make a hostage of General Zwicker and compel him to endure the greatest humiliation of his life, the worst I have ever heard about in any senatorial investigation.

It seems it is all right to browbeat the public. We have numerous examples of witnesses who have been brought before our committees and subjected to such treatment. Over a period of years the junior Senator from Wisconsin has been one of the leaders in that kind of abuse.

I was a member of the Gillette subcommittee. It is said that if the junior Senator from Wisconsin dares to talk about us, that is a subject for censure. It seems to me that the Senate represents all the people, and that the junior Senator from Wisconsin is acting as the agent of the Senate. The committee is an agency of the Senate. I, for one, wish to censure him for his handling of that job as an agent of the Senate. I believe that the Zwicker case concentrates in one package the things concerning which the public has been pressing Congress. The public has been pressing Congress for a decent standard of ethics and for proper rules of procedure which will protect the rights of citizens before congressional committees.

If we vote down the Zwicker section of the resolution, we shall be telling the public of the United States that we are not concerned over the rights of ordinary citizens, but are concerned only over our rights.

No Senator has risen on the floor to say that General Zwicker was a recalcitrant witness. No one has said that he is responsible for the discharge of Major Peress. Every speech I have heard or read indicates that he was completely blameless.

The only extenuating circumstance is that the junior Senator from Wisconsin was irked that morning because someone in the Department of the Army had given a discharge to Major Peress without first notifying the junior Senator from Wisconsin. Of course that was wrong. But let him call witnesses from the Department of the Army, as he had the right to do, and cross-examine them.

I have been in the Senate for only a short time, for no more than 4 years, but I served in the other body for 12 years. I have never found it necessary during that service, in the interest of securing any kind of information, to be ungentlemanly, to be brutal, to try to destroy the reputation of a witness, or to undertake to take away the greatest possession a man has—his reputation for loyalty as a good American.

O, Mr. President, I saw the crocodile tears which were shed yesterday, and I heard the references to the spirit of Christmas, and I heard it said that we should have forbearance because it is the holiday season. For a while I did not know whether we would hear the refrains of "Silent Night, Holy Night," or "Rudy, the Red-Nosed Reindeer."

This is not a matter that should be determined on the basis of our charity at the Christmas season. It is not a matter in which we should show forbearance, if the undeniable facts, to which we have largely been eye witnesses over the years, present to us as Members of the Senate evidence that we should censure a fellow Member.

After all, I believe Senator MCCARTHY has been given his day in court. I believe he has been given more than his day in court. The select committee is at least the fifth committee that has had

something to do with investigating some of the antics of the junior Senator from Wisconsin.

Mr. CASE. Mr. President, a point of order.

The VICE PRESIDENT. The Senator will state it.

Mr. CASE. Perhaps I should preface my question by asking the Senator from Oklahoma whether he referred to crocodile tears and insincerity on the part of a Senator. He made reference to the Christmas season.

Mr. MONRONEY. I did not say anything about insincerity.

The VICE PRESIDENT. The time of the Senator from Oklahoma has expired.

Mr. MONRONEY. I believe we have had an appeal to the Christmas spirit.

Mr. CASE. The Senator from Oklahoma referred to crocodile tears.

Mr. LEHMAN. Mr. President——

The VICE PRESIDENT. The Chair has stated that the time of the Senator from Oklahoma has expired. The senior Senator from Utah is in control of the time.

Mr. CARLSON. Mr. President, the chairman of the select committee is not in the Chamber. I suggest the absence of a quorum, and I ask unanimous consent that the time consumed in the calling of the quorum be not charged to either side.

The VICE PRESIDENT. Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Abel	Fulbright	Martin
Aiken	George	McClellan
Anderson	Gillette	Millikin
Barrett	Goldwater	Monroney
Beall	Green	Morse
Bennett	Hayden	Mundt
Bridges	Hendrickson	Murray
Brown	Hennings	Neely
Burke	Hickenlooper	O'Mahoney
Bush	Hill	Pastore
Butler	Holland	Payne
Byrd	Hruska	Potter
Carlson	Humphrey	Purtell
Case	Ives	Robertson
Chavez	Jackson	Russell
Clements	Jenner	Saltonstall
Cooper	Johnson, Colo.	Schoeppel
Cotton	Johnson, Tex.	Scott
Daniel, S. C.	Johnston, S. C.	Smith, Maine
Daniel, Tex.	Kefauver	Smith, N. J.
Dirksen	Kerr	Sparkman
Douglas	Kilgore	Stennis
Duff	Knowland	Symington
Dworshak	Kuchel	Thye
Eastland	Langer	Watkins
Ellender	Lehman	Welker
Ervin	Long	Williams
Ferguson	Magnuson	Young
Flanders	Malone	
Frear	Mansfield	

The VICE PRESIDENT. A quorum is present. The Senator from Utah [Mr. WATKINS] has 21 minutes remaining, and the Senator from New Hampshire [Mr. BRIDGES] has 5 minutes remaining.

Mr. LEHMAN. Mr. President, will the Senator from Utah yield me 5 minutes?

Mr. WATKINS. I promised first to yield to the Senator from Michigan [Mr. POTTER]. I yield 5 minutes to him.

Mr. POTTER. I thank the distinguished chairman of the select committee for affording time to make a statement on the pending resolution and on the pending amendment.

First, I should like to commend the chairman and the other members of the select committee for undertaking a job which certainly no Member of the Senate would voluntarily assume. It is a job which has brought to various Members of the Senate much abuse of an emotional nature. I admire their fortitude and their fairness in submitting their report to the Senate.

As to the question relating to General Zwicker, no greater insult can be hurled at a military man or one more calculated to destroy his reputation than to say, whether he be a general or a private, that he is unfit to wear the uniform of his country. I am sure that if I had been in uniform and such a statement had been made to me, my reaction would have been much more violent than was that of General Zwicker.

We have heard a great deal said about the prestige, the honor, and the dignity of the Senate. When we, with the power of a subpena, summon a citizen of this country to appear before a congressional committee, that citizen, whether he be a private, or a general, or a civilian, has every right to expect courtesy and fair treatment from a dignified body.

I hold no brief for the leadership of the Army in this instance. They have bungled, by being evasive, the entire question of General Zwicker and Major Peress. I would not be standing here today speaking as I am if the spleen of the junior Senator from Wisconsin had been directed to the responsible persons in the Army who prohibited General Zwicker from testifying. I hold no brief for their actions; but what was done was much like whipping a grandchild for the actions of his grandfather. It was a case where General Zwicker was under orders from his superiors in the Army not to testify on certain matters. If he had testified, he would have acted in violation of those orders. I am sure all Senators know the pattern of military service, and that a soldier does not violate orders of his superiors. If the spleen of the junior Senator from Wisconsin had been directed against Secretary Stevens or John Adams in this case, I would have no quarrel. But here was a man who, though acting under orders from his superiors, was humiliated by the statement that he was not fit to wear his uniform when, as a matter of fact, he was under orders not to testify.

I understand that another amendment will be offered. I have no knowledge of what that amendment will provide, but I would feel derelict in my duty if I let this opportunity pass without expressing my sentiments, because the people of the country would assume that the Senate of the United States condones and approves of a committee representing the Senate referring to an officer in uniform as unfit to wear that uniform, when he was carrying out the orders and directives of his superiors.

Mr. WATKINS. Mr. President, I yield 5 minutes, first, to the Senator from New York [Mr. LEHMAN], and then 2 minutes to the Senator from Arkansas [Mr. MCCLELLAN].

First, Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WATKINS. Will the Chair advise how much time I shall have left after those subtractions have been made?

The VICE PRESIDENT. After the two Senators have completed their remarks, the Senator from Utah will have 7 minutes remaining. The Senator from New Hampshire [Mr. BRIDGES] will have 5 minutes remaining.

Mr. WATKINS. Mr. President, how much time has the Senator from Oklahoma [Mr. MONRONEY] used? I allotted, as I remember, 5 minutes to him, and then 2 or 3 additional minutes.

The VICE PRESIDENT. The Senator from Oklahoma used 9 minutes.

Mr. WATKINS. I happened to be required to leave the chamber for a moment——

The VICE PRESIDENT. The Senator from Oklahoma has used 9 minutes.

Mr. WATKINS. Then I shall have to cut down on the time of the Senator from New York.

Can he make his speech in 3 minutes?

Mr. LEHMAN. That is agreeable.

The VICE PRESIDENT. The Senator from New York [Mr. LEHMAN] is recognized for 3 minutes.

Mr. LEHMAN. Mr. President, I wish to speak briefly on this subject. I have very little time. I particularly wish to associate myself, however, with the remarks of my distinguished colleague from Oklahoma [Mr. MONRONEY] and of the able Senator from Michigan [Mr. POTTER].

It seems to me that the censure resolution which we are now considering directs its attention to the two phases. One is the honesty, the dignity, the patriotism, the loyalty, and the good faith of the Members of the Senate.

I expect to vote for the proposed section 3, which will be introduced by the junior Senator from Utah [Mr. BENNETT], because I believe that the charges it contains against the junior Senator from Wisconsin are justified on the ground that he has impugned the good faith, the patriotism, the loyalty, and the good will, not only of the select committee but of the entire body of the Senate.

The second ground on which many of us are basing charges is that the junior Senator from Wisconsin has abused the rights of citizens of this country.

Together with some of my colleagues, I have been fighting for several years for a fair code of procedure by committees—a code which will permit investigating committees to proceed with their legitimate work, but at the same time will protect the rights of all citizens. I can say to the Senate, Mr. President, that if we now cut ourselves off from voting any censure because of abuse of a citizen, whether he wears a uniform or whether he does not, I believe we shall have weakened ourselves very greatly in the country.

In a speech which I delivered on the floor of the Senate 2 days ago, I said the following:

> It is not the junior Senator from Wisconsin who is on trial here before us. It is we who are on trial. We, the Senate of the United States, are on trial at the bar of public opinion in our own country and at the bar of world opinion, too.

I said that in all solemnity. I believe we have a duty to protect both the dignity and the reputation of this great deliberative body, but I believe that of equal importance is our duty to protect the rights provided under our Constitution and our Bill of Rights to every man and woman in this country.

Therefore, Mr. President I shall vote against the motion to table section 2 of the resolution.

Mr. McCLELLAN. Mr. President——

The VICE PRESIDENT. The Senator from Arkansas is recognized for 2 minutes.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McCLELLAN. If the motion of the able Senator from New Hampshire [Mr. BRIDGES] to table the committee amendment is rejected, will the committee amendment still be subject to further amendment or can a substitute be offered for it?

The VICE PRESIDENT. The Senator is correct.

Mr. McCLELLAN. Mr. President, if I had no alternative except to vote for the motion to table or for the committee amendment in its present form, I would vote for the motion to table.

I oppose the committee amendment in its present form. I think it is too strong, in that it uses the word "censure." I am willing to vote for censure where censure is merited. I intend to vote for censure on section 1 on final passage, as I voted yesterday for the adoption of section 1. I intend to support the amendment which I understand will be proposed by the junior Senator from Utah [Mr. BENNETT] with respect to the misconduct of the junior Senator from Wisconsin during these proceedings. I believe censure is fully warranted on the charges contained in section 1, and those contained in the proposed Bennett amendment.

But I do not believe, under the attending circumstances, that censure is warranted in the Zwicker charge. I disavow and disapprove the actions of the junior Senator from Wisconsin on that occasion, but I have resolved in this matter not to serve in the role of prosecutor or in the role of defender, but to try to do my duty as a member of this court, free from bias or prejudice and on the basis of the facts and the record that to me establish misconduct or acts unbecoming a United States Senator.

Under those circumstances, I believe that where there is any reasonable or substantial doubt, that doubt should be resolved in favor of the junior Senator from Wisconsin. I resolve the doubt on section 2 in its present form in his favor. But I do not approve of the procedure to table, except if that should be the only alternative.

Therefore, I shall vote against the motion to table section 2. On final action on section 2, unless it be substantially modified, I shall vote against the adoption of the amendment.

The VICE PRESIDENT. The time of the Senator from Arkansas has expired.

Mr. WATKINS. I yield 1 minute to the distinguished Senator from Maine [Mrs. SMITH].

Mrs. SMITH of Maine. Mr. President, my remarks shall be brief. I shall merely repeat what I said 4½ years ago on June 1, 1950, on this floor, for it applies with great force to the issue on which we are about to vote.

It is ironical that we Senators can in debate in the Senate, directly or indirectly, by any form of words, impute to any American who is not a Senator, any conduct or motive unworthy or unbecoming an American—and without that non-Senator American having any legal redress against us—yet if we say the same thing in the Senate about our colleagues we can be stopped on the ground of being out of order.

It is strange that we can verbally attack anyone else without restraint and with full protection, and yet we hold ourselves above the same type of criticism here on the Senate floor.

Mr. BRIDGES. Mr. President, I yield 3 minutes to the distinguished junior Senator from Arizona.

Mr. GOLDWATER. Mr. President, I said earlier in the debate that this trial had a peculiar aspect to me, in that we were dealing with upside-down facts. As we have progressed up to the point of deciding on the second part of the resolution of censure, I am more convinced than ever that we are a little befuddled. We are looking at things through an upside-down mirror. To attempt to prove this I shall read that part of the resolution offered by the senior Senator from Utah [Mr. WATKINS] which was agreed to, which states that the junior Senator from Wisconsin has "repeatedly abused the subcommittee and its members who were trying to carry out assigned duties."

I should like to have the Senate consider exactly what General Zwicker was doing to the subcommittee when the junior Senator from Wisconsin had him before the committee. The Senator from Wisconsin was the chairman of a subcommittee duly authorized by this body. He was attempting to ferret out information from the armed services about a certain Major Peress. Yet General Zwicker sat there and defied the representative of this body.

Yesterday we censured the junior Senator from Wisconsin for repeatedly abusing the subcommittee and its members who were trying to carry out assigned duties. Today we are attempting to glorify a member of the armed services who appeared before the subcommittee and abused a Member of the Senate. I was happy to hear the distinguished Senator from Colorado [Mr. JOHNSON] admit the other day, under questioning, that he felt that the junior Senator from Wisconsin had some reason to use, possibly not the language he used, but certainly some language to indicate his displeasure of the position which General Zwicker took.

I have heard Senators on the floor decry the abuse of witnesses. I should like to refresh senatorial minds as to the abuse which was heaped upon a nominee for the National Labor Relations Board by the name of Beeson, who was repeatedly called a liar. That was one of the more gentle terms used. Yet the members of the committee which considered his nomination have not been dragged up for censure.

Mr. LEHMAN. Mr. President, will the Senator from Arizona yield?

Mr. GOLDWATER. No; I do not yield.

Yes, today we are dealing with upside down values. We hear it said that we are not allowed to bring representatives of the executive department before Congress for questioning. Since when cannot a member of the executive branch of the Government be questioned by the representatives of the people? The fact that a person wears the uniform of a general or of a private, or even the dress of an ordinary citizen, makes no difference when the Senate or the House is attempting to get information about the executive branch, or any other branch of Government, in an effort to better the lives of all the people.

I suggest again that we are dealing here with a dangerous thing, with a matter which is completely upside down. We are out in a sea of human emotions. We are blinded to what we might do to the Senate by censuring the junior Senator from Wisconsin on this count.

Mr. CASE. Mr. President, the Senator from New Hampshire is temporarily absent from the floor, but he stated to me that I might have 2 minutes.

Mr. BRIDGES. The Senator from New Hampshire wishes to save one of his minutes. I yield 1 minute to the junior Senator from South Dakota.

Mr. CASE. Mr. President, I wish to make it clear that I do not approve of the language which the junior Senator from Wisconsin used, but I do not think the Zwicker matter can be separated from the Peress matter. General Zwicker was before the subcommittee headed by the junior Senator from Wisconsin to give answers to questions about the discharge of Major Peress.

Secretary of Defense Wilson, in his letter to the Senate Committee on Armed Services on March 31, 1954, said:

> My review of all the available facts in this case makes it appear that this judgment was faulty.

The entire paragraph in which that sentence was included is as follows:

> As to the type of discharge given Dr. Peress, the Army reports that an honorable discharge was selected because it was the quickest method to get him out of the service and because in the opinion of the Judge Advocate General, court-martial action was not clearly justified, and that board action, even after protracted proceeding, might not result in a finding that would warrant a less than honorable discharge. My review of all the available facts in this case makes it appear that this judgment was faulty.

Secretary of the Army Stevens, in his letter to me dated November 24, 1954, which I placed in the RECORD last night, said:

> The Peress case was handled badly and I took prompt measures, after returning from the Far East, to preclude the possibility of a recurrence of such a situation.

But, Mr. President, when the junior Senator from Wisconsin had General Zwicker before him on February 18, he had the letter of Secretary Stevens, who said that his letter had got there too late. The two matters cannot be separated. The Zwicker matter was the outgrowth of the Peress discharge. That is why they cannot be separated.

The VICE PRESIDENT. The time of the Senator from South Dakota has expired.

Mr. BRIDGES. Mr. President, I am ready for the vote.

Mr. KNOWLAND. I ask for the yeas and nays on the pending motion.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, is there any time remaining?

The VICE PRESIDENT. The Senator from Utah has 9 minutes remaining; the Senator from New Hampshire has 1 minute remaining.

Does the Senator from Utah desire to yield additional time?

Mr. WATKINS. Another Senator has asked for time. Do I understand correctly that I have 9 minutes remaining?

The VICE PRESIDENT. The Senator from Utah has 9 minutes remaining; the Senator from New Hampshire has 1 minute remaining, but he has stated that he is ready to vote.

Mr. WATKINS. May we have order, Mr. President?

The VICE PRESIDENT. The Senate will be in order.

Mr. WATKINS. The select committee made some definite recommendations with respect to section 2. The committee, by reason of the parliamentary situation which was created by the motion of the Senator from New Hampshire to table, was not able to present any modifications of the recommendations it had made with respect to the second amendment. In that situation, it seems to me the committee has been cut off from the possibility of presenting what it would have liked to present in the regular order before the motion to table was made. However, the subject has now been debated somewhat on the merits.

The committee, at a previous informal group meeting, decided to submit a modification, which I understand will not be allowed to come to a vote. I shall submit the language which would have modified section 2, as follows:

SEC. 2. The Senator from Wisconsin [Mr. MCCARTHY], in conducting a senatorial inquiry intemperately abused, and released a résumé of executive hearings in which he denounced, a witness representing the executive branch of the Government, Gen. Ralph W. Zwicker, an officer of the United States Army, for refusing to criticize his superior officers and for respecting official orders and executive directives, thereby tending to destroy the good faith which must be maintained between the executive and legislative branches in our system of government; and the Senate disavows and condemns the denunciation of General Zwicker by Senator MCCARTHY as chairman of a Senate subcommittee.

The words that have been added on line 2 are "a résumé of."

Then, at the end of line 17, a period has been placed after the word "subcommittee", and the words "and censures him for that action" have been stricken. That is the modification. I take it that the modification can be accepted.

Mr. WELKER. Mr. President, a parliamentary inquiry.

Mr. WATKINS. Mr. President, I take it the time for the parliamentary inquiry will come out of someone else's time. I object to the time coming out of my time.

Mr. WELKER. Mr. President, I ask the senior Senator from New Hampshire to yield me one-half minute in order that I may make a parliamentary inquiry.

Mr. BRIDGES. Mr. President, I yield one-half minute to the Senator from Idaho for a parliamentary inquiry.

Mr. WELKER. Is the modification as presented and read by the distinguished Senator from Utah in order?

The VICE PRESIDENT. The Chair rules that since the yeas and nays have not been ordered on the amendment——

Mr. WELKER. Yes; they have.

The VICE PRESIDENT. Since the yeas and nays have not been ordered on the committee amendment, the Chair rules that up until the yeas and nays have been ordered on the committee amendment the chairman of the committee, acting by direction of the committee, has a right to modify the amendment. So, under the circumstances, the chairman of the committee may modify the amendment. Unanimous consent is not required for such modification. The motion to table then will operate on the amendment as modified.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

Mr. WATKINS. I take it the time used in parliamentary inquiries will be taken out of the time of the Senate, and not out of the time allotted to the committee.

Mr. BRIDGES. Mr. President, I have only a half minute left, but I shall be glad to yield that half minute to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DIRKSEN. If the new language is offered in lieu of the language which appears in the committee print, does that call for another hour of debate?

The VICE PRESIDENT. No; it does not.

Mr. DIRKSEN. It does not?

The VICE PRESIDENT. Not under the circumstances.

Mr. DIRKSEN. I point out that it is new language. There is a substantial change suggested in the language just offered by the chairman of the select committee. It would appear to me that, under the unanimous-consent agreement, the Senate should be entitled to debate the proposal.

The VICE PRESIDENT. The Chair informs the Members of the Senate that it is a rule that any Senator may modify his amendment, and that modification may be made without unanimous consent and without debate when a unanimous-consent agreement has been entered into. Under present circumstances, when the chairman of a committee, acting by direction of the committee, requests that he may modify his amendment, he has a right to modify the amendment, and no debate is required on such modification.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DIRKSEN. Technically speaking, does not this proposal to modify the language take the status of a motion, under the general rules of the Senate?

The VICE PRESIDENT. It is a right conferred by the procedures of the Senate, and it is not a motion within the purview of the unanimous-consent agreement. As the Senator may recall, yesterday a similar situation arose when the Senator from Utah modified the first section of the committee amendment. Any Senator at any time may modify an amendment which he has offered, unless the yeas and nays have been ordered upon it, or unless it has been amended previously.

Mr. WATKINS. Mr. President, in order to be sure that the language is accurately understood, I send to the desk a copy of the amendment as it would read after the modification. I desire the amendment in that form to be made the pending question.

The VICE PRESIDENT. For the information of the Senate, the clerk will state the committee amendment as now modified.

Mr. WATKINS. I understand the time will be taken from the time of the Senate instead of my time.

The LEGISLATIVE CLERK. As modified, the amendment of Mr. WATKINS, on behalf of the committee, reads as follows:

SEC. 2. The Senator from Wisconsin [Mr. MCCARTHY] in conducting a senatorial inquiry intemperately abused, and released a résumé of executive hearings in which he denounced, a witness representing the executive branch of the Government, Gen. Ralph W. Zwicker, an officer of the United States Army, for refusing to criticize his superior officers and for respecting official orders and executive directives, thereby tending to destroy the good faith which must be maintained between the executive and legislative branches in our system of government; and the Senate disavows and condemns the denunciation of General Zwicker by Senator MCCARTHY as chairman of a Senate subcommittee.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. RUSSELL. I should like to ask the Chair if an amendment or a substitute to the entire proposal as it has now been modified by the committee is in order.

The VICE PRESIDENT. The motion to table is now the pending question. Once the motion to table is acted on, a motion to substitute will be in order.

Mr. RUSSELL. I did not understand the last part of the Chair's ruling.

The VICE PRESIDENT. The motion to table is now the pending question before the Senate. If the motion to

table is rejected when it is acted on, then a motion to substittue will be in order.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KNOWLAND. If the motion to table should carry, it would table charge No. 2. If the motion to table should not carry, in the light of the modification of the Senator from Utah [Mr. WATKINS], would further amendments be in order, or would they be amendments in the third degree?

The VICE PRESIDENT. The amendments would be amendments in the second degree, and would be in order.

Mr. RUSSELL. Mr. President, I ask unanimous consent that I be permitted to make a statement of not more than 1 minute.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Georgia may proceed.

Mr. RUSSELL. Mr. President, when I first read the report of the committee, I decided that I could not support the part of the resolution which is embraced in section 2 unless something was brought to my attention convincing me that I should do so. I do not like to vote to table the proposal. Therefore, I shall vote against the motion to table, but if that motion is lost, I shall then vote against count 2, even as modified by the committee.

I desired to make this statement in case the motion to table did carry, and my position on the matter might have been obscure.

Mr. DANIEL of Texas. Mr. President, I ask unanimous consent that I may have half a minute to make a statement.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Texas may proceed.

Mr. DANIEL of Texas. Mr. President, I associate myself with the remarks made by the distinguished Senator from Georgia. I am opposed to, and shall vote against, the second count, which relates to the Zwicker cross-examination, but I shall vote against the motion to table. I understand a substitute will be offered if the motion to table is defeated.

I should like to ask the Senator from Utah [Mr. BENNETT] if it is correct that a substitute will be offered if the motion to table is defeated.

Mr. BENNETT. Mr. President, if the motion to table is defeated, it is my intention to offer the amendment which has been printed and which lies on the table as a substitute for section 2, with some minor internal changes in my own amendment.

Mr. DANIEL of Texas. I thank the Senator.

The VICE PRESIDENT. The time yielded to the Senator from Texas has expired.

Mr. FERGUSON. Mr. President, I ask unanimous consent that I may speak at this time for one-half minute.

The VICE PRESIDENT. Is there objection? Without objection, the Senator from Michigan may proceed.

Mr. FERGUSON. Mr. President, I shall vote against the motion to table because I feel that my vote should come directly on count 2. If the motion to table is rejected, I shall vote against count 2.

Mr. WELKER. Mr. President, will the Senator from New Hampshire yield to me his remaining one-half minute?

Mr. WATKINS. Mr. President, I am willing to yield some time to the Senator from Idaho.

Mr. WELKER. Mr. President, I did not request time from the Senator from Utah; I requested it from the Senator from New Hampshire.

Mr. BRIDGES. Mr. President, I yield one-half minute to the Senator from Idaho. However, inasmuch as numerous requests to yield have been made of me, and have been acceded to by me, I may ask for additional time for myself.

The VICE PRESIDENT. The Senator from Idaho is recognized for one-half minute.

Mr. WELKER. Mr. President, I desire to make only an observation. We are here as some sort of judicial body; no one can define just what it is. In the entire history of Anglo-Saxon law, this practitioner of law knows of no instance of a modification or amendment of a charge being made without giving the defendant time to study it and to prepare his defense to it. I wish to bring that point to the attention of the Senate, because I think such a practice is a vicious one.

Mr. WATKINS. Mr. President— —

The VICE PRESIDENT. For the information of the Senator from Utah, he has 9 minutes remaining.

Mr. WATKINS. Mr. President, I yield 2 minutes to the junior Senator from Utah [Mr. BENNETT].

The VICE PRESIDENT. The junior Senator from Utah is recognized for 2 minutes.

Mr. BENNETT. Mr. President, the purpose for which I asked my colleague to yield to me has already been achieved by my answer to the Senator from Texas [Mr. DANIEL], namely, when I stated that if the motion to table is defeated, it is my intention to offer as an amendment to count 2 substantially the language of the amendment I had prepared to offer as a third section of the resolution.

Mr. ROBERTSON. Mr. President, will the Senator from Utah permit me to ask a brief question?

Mr. BENNETT. Certainly.

Mr. ROBERTSON. When the Senator from Utah offers that motion will it be accepted by the chairman of the select committee?

Mr. BENNETT. I cannot speak for him; but I am acting with almost complete faith that all Senators who would have voted for my amendment, if it had been offered as the third section of the resolution, will vote for it if it is offered as a substitute for count No. 2 of the resolution.

Mr. McCLELLAN. Mr. President, will the Senator from Utah yield to me?

Mr. BENNETT. I am glad to yield.

Mr. McCLELLAN. The Senator from Utah has said he will offer it as an amendment to section 2 of the resolution. Does he mean he will offer it as a substitute for section 2?

Mr. BENNETT. Because of the parliamentary situation, I shall offer it as an amendment; but because of a happy accident of language, it will be, in effect, a complete substitute, even though it is offered in the form of an amendment.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from California will state it.

Mr. KNOWLAND. If the procedure proposed to be followed by the junior Senator from Utah should prevail, there would then be no direct vote on charge No. 2, as originally presented by the select committee or as modified, as I understand. Is that correct? In other words, if the amendment were adopted, there would then be no direct vote on the so-called charge No. 2, relating to General Zwicker. Is that correct?

The VICE PRESIDENT. The Senator from California is correct in the sense that the vote then will come on the substitute finally; and there would be no direct vote, as the Senator from California has said, on section 2 as it has been modified.

Mr. BENNETT. Mr. President, my colleague, the senior Senator from Utah, yielded to me a specific amount of time. I now yield the floor, so as to restore to him the time remaining from the time he has yielded to me.

Mr. WATKINS. Mr. President——

Mr. BUSH. Mr. President, will the Senator from Utah yield to me?

Mr. WATKINS. For what purpose does the Senator from Connecticut request that I yield to him?

Mr. BUSH. I wish to inquire what the position of the senior Senator from Utah is with respect to the suggestion which has been made by his colleague, the junior Senator from Utah.

Mr. WATKINS. The committee took a stand on count No. 2, which now has been modified by adding 1 or 2 words and by striking out 1 or 2 words. However, at this time it is in substance what it was before, except it removes the statement of censure, and includes a statement of condemnation and the words "a résume of," before the words "executive hearings." The junior Senator from Wisconsin himself criticized that particular statement because he said it was not in line with what he said that facts were. I think he is right about that, and count No. 2 has now been amended by inserting the words "a résume of."

Mr. CASE. Mr. President, may I ask a question of the Senator from Utah?

Mr. WATKINS. Certainly.

Mr. CASE. Does that count now also include the words "and condemns?"

Mr. WATKINS. That is correct. Those words are added in place of the declaration of censure, at the end of that particular sentence.

The committee is in this position: It presented in good faith amendment No. 2; but it now appears that by reason of this particular amendment, there may be some doubt about the final adoption of the censure resolution. Under those circumstances, in so far as I personally am concerned, I shall leave it entirely to the Senate to vote as it pleases—which

of course, the Senate has a right to do in any case.

I shall vote against the motion to table, and I think all Members of the Senate should vote against that motion. I have not abandoned the principles for which I stood in connection with the entire matter. I think the treatment of General Zwicker merited rebuke by the Senate.

To many Senators who have announced that they could not support that particular count, I have pointed out that they do not approve of what happened there, but evidently they do not feel that that action merited censure. Of course, each Senator is entitled to vote his convictions in the matter; but I can not say, on behalf of the committee, that I can accept the amendment of the junior Senator from Utah [Mr. BENNETT]. On the other hand, the Senate itself can accept it, if it so desires.

Mr. CASE. Mr. President, will the Senator from Utah yield further to me?

Mr. WATKINS. I yield for a question.

Mr. CASE. Let me ask the Senator from Utah how he refers to the adoption of a censure resolution which would have for its main substance section 1, which uses the word "condemn," and when he now proposes that section 2 be modified by including the words "and condemn"? How does the Senator from Utah think that modification will modify the censure proposed in section 2?

Mr. WATKINS. The modification strikes out the word "censure."

Mr. CASE. Yes; but then we come to the words "and condemn" in section 1, although the Senator from Utah still refers to the resolution as a censure resolution.

Mr. WATKINS. That is a difference of semantics. Some persons believe that "condemn" is a stronger word than "censure"; and some persons believe that "censure" is a stronger word than "condemn." I do not know which is which.

Mr. WELKER. Mr. President, will the Senator from Utah yield one-fourth of a minute to me, so I may clarify that situation?

Mr. WATKINS. I yield one-fourth of a minute to the Senator from Idaho, for that purpose.

Mr. WELKER. Being a practitioner of law, as is the Senator from Utah, he certainly knows that a man is never censured to death. On the contrary, a man is condemned to death. That indicates the difference between the two words.

Mr. WATKINS. Very well; I accept that effort on the part of the Senator from Idaho to clarify the difference between the meaning of the two words.

Mr. CASE. Mr. President, will the Senator from Utah yield further to me?

Mr. WATKINS. I yield.

Mr. CASE. Nothing I have said would indicate that I approve the language Senator MCCARTHY used with respect to General Zwicker.

I have thought that if the amendment were to be modified, and if the Senator from Utah wished to make some expression with regard to General Zwicker or the treatment of witnesses, it should be made in language along the line of the following:

That the junior Senator from Wisconsin [Mr. MCCARTHY], in conducting a senatorial inquiry, intemperately denounced a witness representing the executive branch of the Government, thereby destroying the good faith which must be maintained between the executive and legislative branches in our system of government. The Senate disavows the denunciation of General Zwicker by the junior Senator from Wisconsin [Mr. MCCARTHY], as chairman of a Senate committee, and disapproves the use of intemperate language toward witnesses generally, in senatorial inquiries.

My feeling is that we could disavow that action, and could say we disapprove of the use of intemperate language in all instances, whether such language is addressed to witnesses representing the executive branch of the Government or whether it is addressed to other witnesses.

However, if we proceed to condemn the chairman of a Senate committee under the circumstances existing in the case of General Zwicker, when both the Secretary of the Army and the Secretary of Defense have said that case was badly handled, and when the chairman of a Senate committee was slighted by a responsible Army staff, in favor of a request from a man such as Peress, we shall be establishing a very poor precedent.

Mr. THYE. Mr. President, will the Senator yield half a minute to me?

Mr. WATKINS. Mr. President, so far as I am concerned, in view of the direction in which we are headed, rather than run the risk of the possibility that no resolution at all may be adopted, I am willing to go along with the amendment of the junior Senator from Utah. Let it be understood that I am not abandoning any principles, but we are confronted with a practical situation. I urge the Senate to vote down the motion to table.

Mr. President, have I any time left?

The VICE PRESIDENT. The Senator has 1¾ minutes remaining.

Mr. WATKINS. I yield 1 minute to the Senator from Minnesota.

Mr. THYE. Mr. President, I find that I shall have to vote against the motion to table, but I would not vote for section 2 in its present form. Therefore I shall vote against the motion to table in the hope that we can amend or perfect section 2 before it is necessary to vote on the resolution.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KNOWLAND. If the motion of the Senator from New Hampshire to table section 2 should prevail, would the resolution itself then be open to further amendment? Would the amendment of the junior Senator from Utah [Mr. BENNETT] then be in order?

The VICE PRESIDENT. The Senator is correct. If the motion to table prevails, the Senator from Utah may offer his amendment to the resolution, and accomplish the same result.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DIRKSEN. If the pending motion to table does not prevail, and the junior Senator from Utah receives primary recognition to offer a substitute, is it true that there will be no other opportunity for the Senate to vote directly upon section 2 of the pending resolution? And is it further true that the only way to obtain a direct vote on section 2 would be to move to strike out the section? Whichever Senator makes the motion, he would have to be primarily recognized before the junior Senator from Utah could submit his substitute language.

The VICE PRESIDENT. If the Senator from Utah obtains recognition and offers his amendment as a substitute for section 2, it is correct that a direct vote on the merits of section 2 will not come before the Senate.

Mr. DIRKSEN. So the only way there might be a direct vote on the provisions of section 2 would be in connection with the pending motion to table.

The VICE PRESIDENT. That is certainly the most direct way.

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. FERGUSON. Would it not be a fact that if some other Senator obtained the floor and made a motion to strike section 2 prior to the offer by the junior Senator from Utah of his substitute, the vote then would come on the motion to strike section 2?

The VICE PRESIDENT. The Senator is correct.

Mr. BRIDGES. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. Will the Senator from Michigan restate his parliamentary inquiry?

Mr. FERGUSON. The parliamentary inquiry is this: If some other Senator obtains recognition prior to recognition of the junior Senator from Utah, and makes a motion to strike section 2, will not the vote then come on the motion to strike section 2, and would not the amendment of the junior Senator from Utah be out of order while the motion to strike was pending?

The VICE PRESIDENT. The Chair did not understand the first inquiry submitted. The Chair had previously ruled on that question. The Senator from New Hampshire [Mr. BRIDGES] made such a motion earlier. The Chair ruled it out of order, on the ground that a vote on the committee amendment itself would accomplish the same result, because a vote of "nay" on the committee amendment would be, in effect, a vote to strike the committee amendment. Therefore, a motion to strike would not be in order.

Mr. JOHNSON of Texas. Mr. President, may we have the regular order, if the Chair has rendered his decision, in order that we may avoid too many arguments?

The VICE PRESIDENT. The Chair is inclined to be as generous as possible, so that Senators may be fully informed.

Mr. JOHNSON of Texas. Mr. President, when a Senator asks for the regular order, is it a question of the generosity of the Chair, or the rules of the Senate?

The VICE PRESIDENT. The Senator is correct.

The Senator from Utah has 1 minute remaining, and the Senator from New Hampshire has half a minute remaining. Does the Senator from Utah desire to use any more time?

Mr. WATKINS. I shall be glad to yield back the remainder of my time, unless some other Senator wishes to be heard.

Mr. PURTELL. Mr. President, will the Senator from Utah yield to me?

Mr. WATKINS. I yield.

Mr. PURTELL. Does the Senator from Connecticut correctly understand the present situation to be that we are about to vote on the motion to table; and that if the motion to table does not prevail, we may never have an opportunity of acting upon the substance of section 2, which deals with the Zwicker case?

The VICE PRESIDENT. If all amendments to section 2 are voted down, then the Senator is not expressing the parliamentary situation correctly, because if all amendments to section 2 are voted down, the vote will then come on section 2.

Mr. PURTELL. The Senate has already been advised that substitutes will probably be offered which do not contain the substance of the present section 2. So if the motion to table is defeated, the likelihood is that the Senate will have no other opportunity to express itself in connection with the Zwicker section.

The VICE PRESIDENT. That depends upon how the votes occur on the substitutes which are offered. If the substitutes are defeated, the Senate will then have an opportunity to vote on section 2 directly.

Mr. CASE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it. Does the Senator from Utah yield to the Senator from South Dakota for the purpose of a parliamentary inquiry?

Mr. WATKINS. If it is a parliamentary inquiry, it ought to be on the time of the Senate. I am willing to yield some part of the time remaining. I cannot tell what inquiries may arise. I may need further time.

I yield 1 minute to the Senator from South Dakota [Mr. CASE].

Mr. CASE. Mr. President, as I understand, the parliamentary situation is this: Assuming that action were completed on the present section 2 and the substitute, and that it were disposed of, could not any individual Senator then offer an amendment as an additional section to the resolution, embodying something relating to the Zwicker matter, if he so desired?

Mr. DIRKSEN. Mr. President——

Mr. BRIDGES. Mr. President, the Senator from New Hampshire yields his remaining half minute to the Senator from Illinois [Mr. DIRKSEN) to clarify the situation.

Mr. DIRKSEN. Mr. President, it is my understanding that under an earlier ruling of the Chair a vote either to accept or reject section 2 is the equivalent of acting on a motion to strike. Therefore, a motion to strike section 2 would not be in order.

The VICE PRESIDENT. The Senator is correct.

Mr. DIRKSEN. I think it follows from that that the only direct vote on section 2 in its amended form, in language suggested by the senior Senator from Utah, would be in connection with the pending motion to table. I am speaking now of the language which is at present before the Senate. There can be a direct vote on that language only in connection with the motion to table.

The VICE PRESIDENT. The time of the Senator has expired. All time has expired.

The question is on agreeing to the motion of the Senator from New Hampshire [Mr. BRIDGES] to lay on the table section 2 of the committee amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the senior Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

The Senator from Oregon [Mr. CORDON] is absent on official business, and the junior Senator from Wisconsin [Mr. MCCARTHY] is necessarily absent.

On this vote, the Senator from Ohio [Mr. BRICKER] has a pair with the Senator from Tennessee [Mr. GORE], and the Senator from Indiana [Mr. CAPEHART] has a pair with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Ohio [Mr. BRICKER] and the Senator from Indiana [Mr. CAPEHART] would each vote "yea." while the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. CLEMENTS. I announce that the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

I announce further that the Senator from Tennessee [Mr. GORE] is paired on this vote with the Senator from Ohio [Mr. BRICKER]. If present and voting, the Senator from Tennessee would vote "nay," and the Senator from Ohio would vote "yea."

The Senator from Florida [Mr. SMATHERS] is paired on this vote with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Florida would vote "nay," and the Senator from Indiana would vote "yea."

The result was announced—yeas 33, nays 55, as follows:

YEAS—33

Abel	Brown	Dirksen
Aiken	Butler	Dworshak
Barrett	Case	Eastland
Beall	Chavez	Ellender
Bridges	Cotton	Frear
Goldwater	Langer	Purtell
Hickenlooper	Malone	Saltonstall
Hruska	Martin	Schoeppel
Jenner	Millikin	Welker
Knowland	Mundt	Williams
Kuchel	Payne	Young

NAYS—55

Anderson	Hayden	Monroney
Bennett	Hendrickson	Morse
Burke	Hennings	Murray
Bush	Hill	Neely
Byrd	Holland	O'Mahoney
Carlson	Humphrey	Pastore
Clements	Ives	Potter
Cooper	Jackson	Robertson
Daniel, S. C.	Johnson, Colo.	Russell
Daniel, Tex.	Johnson, Tex.	Scott
Douglas	Johnston, S. C.	Smith, Maine
Duff	Kefauver	Smith, N. J.
Ervin	Kerr	Sparkman
Ferguson	Kilgore	Stennis
Flanders	Lehman	Symington
Fulbright	Long	Thye
George	Magnuson	Watkins
Gillette	Mansfield	
Green	McClellan	

NOT VOTING—8

Bricker	Gore	Smathers
Capehart	Kennedy	Wiley
Cordon	McCarthy	

So Mr. BRIDGES' motion to lay on the table section 2, as modified, was rejected.

Mr. BENNETT. Mr. President, I send a proposed amendment to the desk. It is to section 2 of the amendment to the resolution. I ask that it be stated.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. On page 2 of the committee amendment, as modified, it is proposed to strike out all after the first line of section 2, which is line numbered 6, and insert in lieu of lines 7 to 17, inclusive, the following: "writing to the chairman of the Select Committee To Study Censure Charges [Mr. WATKINS] after the select committee had issued its report and before the report was presented to the Senate charging three members of the select committee with 'deliberate deception' and 'fraud' for failure to disqualify themselves; in stating to the press of November 4, 1954, that the special Senate session that was to begin November 8, 1954, was a 'lynch party'; in repeatedly describing this special Senate session as a 'lynch bee' in a nationwide television and radio show on November 7, 1954; in stating to the public press on November 13, 1954, that the chairman of the select committee [Mr. WATKINS] was guilty of 'the most unusual, most cowardly thing I've heard of' and stating further: 'I expected he would be afraid to answer the questions, but didn't think he'd be stupid enough to make a public statement'; and in characterizing the said committee as the 'unwitting handmaiden,' 'involuntary agent' and 'attorneys-in-fact' of the Communist Party and in charging that the said committee in writing its report 'imitated Communist methods—that it distorted, misrepresented, and omitted in its effort to manufacture a plausible rationalization' in support of its recommendations to the Senate, which characterizations and charges were contained in a statement released to the press and inserted in the CONGRESSIONAL RECORD of November 10, 1954, acted contrary to senatorial ethics and tended to bring the Senate into dishonor and disrepute, to obstruct the constitutional processes of the Senate, and to

impair its dignity; and such conduct is hereby condemned."

Mr. BENNETT. Mr. President, I yield myself such time as I may require to make an explanation of the amendment.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Utah yield in order that I may ask that the yeas and nays be ordered?

Mr. BENNETT. I yield.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the amendment of the junior Senator from Utah.

The yeas and nays were ordered.

The VICE PRESIDENT. The Senator from Utah [Mr. BENNETT] is recognized for 30 minutes, or for such of his 30 minutes as he may desire to use.

Mr. BENNETT. Mr. President, I gave notice to the Senate on November 16 that it was my intention to offer this amendment. It was offered when the Senate returned, after its recess, on November 29.

Mr. KNOWLAND. Mr. President, will the Senator from Utah yield for a parliamentary inquiry?

Mr. BENNETT. I shall be happy to do so if it does not come out of my time.

Mr. KNOWLAND. Mr. President, I think it is important to invite the attention of the minority leader to this point. As I understand, when an amendment is offered, the Senator proposing the amendment has 30 minutes. If the Senator from Utah [Mr. WATKINS] is in opposition, he has control over the other 30 minutes. If he is in support of the amendment, as he indicated he would be if it were acceptable to him, then the control of the time in opposition passes to the minority leader. It is my understanding that Senators on the other side of the question would have 30 minutes' time.

Mr. JOHNSON of Texas. Mr. President, I am totally unaware of any understanding on that particular subject, but I am anxious to avoid cutting any Senator's time to be used for the purpose of opposing an amendment. The Senator from California and I have found that has frequently happened. That is a situation unanimous-consent requests may get us into. But I am certainly going to abide by the spirit in which we have always operated.

Mr. BENNETT. Mr. President, when the Senate resumed its session on November 29, I submitted the language of a proposed amendment which contained substantially the same language as that now offered as an amendment to section 2. It seems to me that by its nature the amendment relates more definitely to section 1 than to any other section, although I think it is entirely proper that it should be offered as a replacement for section 2 in order to preserve this relationship.

During the discussion which has ensued since the time I proposed my original amendment up to the present time a number of questions have been raised, such questions as, first, that there has never been a precedent for this kind of a resolution; second, that no censure action has ever been instituted on the basis of words alone; third, that the amendment had not been referred to a committee; fourth, that there had been inadequate time allowed for the junior Senator from Wisconsin to prepare his reply or defense; and, finally, that no censure resolution had actually ever been adopted on the basis of words alone.

I should like to point out to my colleagues that there is a precedent, and it is a very interesting one, almost an exact one. It is true that it did not arise in the Senate. It arose in our companion legislative body, the House of Representatives; but since the House is subject to the same constitutional restrictions and privileges regarding the discipline of its own Members, it seems to me that it is entirely appropriate to refer to it here.

In that particular case Thomas Blanton, a Democrat, who was a Representative from the 17th District of the State of Texas, was charged and finally censured. On October 4, 1921, he asked unanimous consent to have an extension of his remarks printed in the CONGRESSIONAL RECORD.

As I should like to point out, some of the things for which I believe the junior Senator from Wisconsin might be subject to criticism were contained in matter which he asked to have printed in the CONGRESSIONAL RECORD. Representative Blanton submitted his remarks, and they were printed in the Appendix of the CONGRESSIONAL RECORD on Saturday, October 22, 1921.

Mr. President, may be have order in the Senate?

The PRESIDING OFFICER (Mr. BUSH in the chair). The Senate will please be in order. The Senator from Utah may proceed.

Mr. BENNETT. Mr. President, on October 24, a Monday, the House, by a vote of 314 to 1, adopted a motion to expunge Mr. Blanton's extension of remarks. The next day, Tuesday, the 25th, a resolution was submitted for the expulsion of Representative Blanton. He was not present. That is a very interesting parallel. He was notified that on Thursday the resolution would be called up. It was called up without reference to a committee. He was allowed to address the House. The vote on expulsion was 204 to 113. The House even proposed to expel him for words. They lacked eight votes of the necessary two-thirds. So, as a substitute, a resolution of censure was offered and was adopted by a vote of 293 to 0.

So we have this interesting precedent in which the House censured a Member for words inserted in the CONGRESSIONAL RECORD.

Mr. Blanton was brought before the Speaker. The Speaker delivered the censure, and the next day Mr. Blanton apologized to the House. Mr. Blanton had much less time in which to answer than the junior Senator from Wisconsin has had. I think 5 days elapsed from the time of Blanton's original statement, and 2 days elapsed from the time of the introduction of the resolution.

Unfortunately, we have no way of comparing the language which Mr. Blanton introduced into the RECORD with that of which the junior Senator from Utah has complained, because Mr. Blanton's language was officially expunged. We have searched the newspapers and other potential available sources of information at the time, but can find nothing to indicate the exact words used.

I wish to say at this point that, of course, I do not believe the language complained of, as having been uttered by the junior Senator from Wisconsin, is obscene. There may be a source of serious difference of opinion there. But I think the precedent stands upon the point that Mr. Blanton's case was one in which the House acted on the basis of language contained in an insertion in the RECORD, on the basis of words alone, as apart from any other action. However, our case is a very serious one.

I should like to outline some of the things which have occurred since we began our discussion of this question. In an earlier speech, which appears on page 16014 of the RECORD, the distinguished junior Senator from Indiana [Mr. JENNER] said:

> One of the objectives of Communist action has been to destroy the lawmaking body in countries under their attack.

The junior Senator from Wisconsin is hailed as the symbol of the fight against communism, and is so regarded by at least 10 million Americans, because we have been assured that petitions expressing this point of view are on their way to the United States Senate, and that more than 1 million of them were delivered here yesterday. Hence it is safe to assume that in the minds of his friends and in the minds of a great many Americans, the junior Senator from Wisconsin can be regarded as one of the outstanding authorities on Communist activity in the United States.

In his own inserted speech, to which I have referred, the junior Senator from Wisconsin says:

> But I take it that you would rather I be frank than coy; that you would rather I acknowledge and accept the fact that McCarthyism is a household word for describing a way of dealing with treason and the threat of treason; and so I shall.

Earlier in his statement, the junior Senator from Wisconsin had this to say:

> Let me say, incidentally, that it is not easy for a man to assert that he is the symbol of resistance to Communist subversion.

Mr. President, my mind reverts to another one of the little bits of ragtag and bobtail of general information that floats around in my memory, a quotation from Pinafore, in which the character said:

> And it's greatly to his credit,
> For he himself has said it

Now, having qualified the junior Senator from Wisconsin as an authority on the Communist situation, and I do so seriously in spite of my quip, we find that that same authority, in his inserted speech, used those statements which are contained in the amendment offered by the junior Senator from Utah. I should like to read to the Senate several paragraphs from that section of the speech. This appears on page 15953 of the RECORD of November 10, 1954:

> I would have the American people recognize, and contemplate in dread, the fact that

the Communist Party—a relatively small group of deadly conspirators—has now extended its tentacles to that most respected of American bodies, the United States Senate; that it has made a committee of the Senate its unwitting handmaiden.

Mr. President, we have heard much talk about "unwitting handmaidens." Here is the whole of that. I continue:

Let me be very clear about this. I am not saying, as I am confident the opposition press will have me saying tomorrow, that the Watkins committee knowingly did the work of the Communist Party. I am saying it was the victim of a Communist campaign.

In other words, the junior Senator from Wisconsin is saying that the committee was a victim of a specific campaign made against it, and it thus unwittingly became the victim of the Communist Party. I continue:

I am saying it was the victim of a Communist campaign; and having been victimized, it became the Communist Party's involuntary agent.

I am aware that many of you listening to me regard this as an unpalatable proposition. I have made similar statements before, in other contexts. Such statements never fail to exasperate a good number of loyal Americans. But said they must be if we are to survive, and said they will be.

I regard as the most disturbing phenomenon in America today the fact that so many Americans still refuse to acknowledge the ability of Communists to persuade loyal Americans to do their work for them.

The junior Senator from Wisconsin again stresses the ability of Communists to persuade the Watkins select committee to do their work for them. Continuing:

In the course of the Senate debate I shall demonstrate that the Watkins committee has done the work of the Communist Party, that it not only cooperated in the achievement of Communist goals, but that in writing its report it imitated Communist methods—that it distorted, misrepresented, and omitted in its effort to manufacture a plausible rationalization for advising the Senate to accede to the clamor for my scalp.

But perhaps more important than explaining how the Watkins committee did the work of the Communist Party—

The junior Senator from Wisconsin has already promised to do that—

is the job of alerting the American people to the fact that this vast conspiracy possesses the power to turn their most trusted servants into its attorneys in fact.

In previous statements, I have analyzed carefully each of the phrases used on and off the floor by the junior Senator from Wisconsin which I think tend to bring the Senate into dishonor and disrepute, and thus to show why the junior Senator from Wisconsin should be condemned.

I say again, as I said on Tuesday, that I think the phrases relating to communism are the most serious. Much has been said about our establishing precedents and about the damage we shall do if we vote to condemn the junior Senator from Wisconsin.

I wish to point out that if in the face of those statements about the effects of the Communist conspiracy upon a duly appointed and legally acting committee of the Senate, we give tacit confirmation to the charge made by the junior Senator from Wisconsin, we shall be telling the American people and the world that we agree that the Communist conspiracy has extended its tentacles into the Senate, and that it has been able to make the select committee cooperate with it for its own needs.

So I think for this reason, in addition to all the others, it is imperative that this amendment be adopted, and that the Senate reject the implications that the Communist Party has this power over the United States Senate. We must do so not merely to express our faith in the committee, but also to preserve our self-respect and the respect which we hope the American people have for us.

Mr. President, at this point I shall conclude my formal statement. How much time have I remaining?

The PRESIDING OFFICER (Mr. IVES in the chair). The Senator from Utah has 14 minutes remaining.

Mr. BENNETT. That is fortunate, because after my remarks the other day I agreed to yield some time to the junior Senator from Idaho for questioning.

Mr. BUSH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Connecticut?

Mr. BENNETT. Mr. President, before I yield I should like to say that my colleague, the senior Senator from Utah [Mr. WATKINS] also approached me and asked me for time. May I ask the Senator from Idaho [Mr. WELKER] the minimum amount of time which he feels would enable me to keep my good faith with him?

Mr. JOHNSON of Texas. Mr. President, I am willing to yield to the Senator from Idaho some time to make a statement.

Mr. WELKER. Mr. President, I should like to make a statement.

Mr. JOHNSON of Texas. Mr. President, as I understand, the Senator from Idaho is opposed to the amendment. I control time for the opposition, and I am willing to yield to him. I hope the Senator will yield back whatever time he may have remaining.

Mr. WELKER. I should like to ask the Senator from Utah if he did not agree with me to yield to me one-half of his time?

Mr. BENNETT. The Senator has available approximately half of the time of the Senator from Utah. He has 14 minutes.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator 3 minutes for the purpose of answering the inquiry.

Mr. BENNETT. Mr. President, before the Senator yields, I should like to state that the junior Senator from Utah is in a peculiar position. If the Senator from Idaho wishes to insist on his rights under the statement made to him, then the Senator from Utah is obligated to yield the remainder of his time to the Senator from Idaho, who is in opposition to the amendment, and the junior Senator from Utah will be in the interesting position of having to go to the minority leader and ask him to yield him sufficient time to make up the time that the Senator from Idaho uses.

Mr. WELKER. Mr. President, I do not intend to embarrass the Senator from Utah or to take his time. He was very gracious when he told me he would yield me half his time. I desired to have the RECORD read correctly, because many persons heard that statement. I did not wish to embarrass the Senator from Utah or anyone else.

Mr. BENNETT. I am willing to go through with my promise if the Senator insists on it.

Mr. BUSH. Mr. President, will the Senator yield me 1 or 2 minutes?

Mr. BENNETT. Mr. President, I am happy to yield 2 minutes to the Senator from Connecticut.

Mr. BUSH. Mr. President, I commend the Senator's statement. Having talked with the distinguished chairman of the select committee, who assured me that he intends to support the amendment, which is in the nature of a substitute, I wish to state that I believe this entire debate in the past few months has resulted in expressing quite clearly the Senate's insistence, which I hope will be reflected in January in a change of the rules, upon fair investigating procedures. In speaking for the substitute, I certainly do not wish to convey the impression, remotely or in any other way, that I am faltering in my insistence that the Senate adopt a fair code of investigative procedures. Because of the complicated nature of the particular section under consideration, and because of the willingness of the chairman of the select committee, the brave and noble Senator from Utah [Mr. WATKINS], I shall support him in favoring the substitute. I thank the junior Senator from Utah for yielding to me.

Mr. ERVIN. Mr. President——

Mr. BENNETT. I yield 2 minutes to the Senator from North Carolina.

Mr. ERVIN. I think the conduct of the junior Senator from Wisconsin in respect to——

Mr. WELKER. Mr. President, I insist on the regular order.

The PRESIDING OFFICER. The Senator is getting the regular order.

Mr. WELKER. I thought a Senator could yield only for the purpose of a question.

The PRESIDING OFFICER. Not under unanimous consent; no.

Mr. WELKER. When was unanimous consent given to the Senator from North Carolina?

The PRESIDING OFFICER. The Senator from Utah is parceling out his time.

Mr. BENNETT. Mr. President, I yielded 2 minutes to the distinguished Senator from North Carolina.

Mr. WELKER. I beg the Senator's pardon.

Mr. JOHNSON of Texas. Mr. President, I assume this time is not coming out of the time of the Senator from North Carolina.

The PRESIDING OFFICER. No.

Mr. ERVIN. Mr. President, I favor censuring the junior Senator from Wisconsin for his conduct toward General Zwicker. I recognize, however, that many Members of the Senate, who have not had the opportunity of studying that matter and witnessing General Zwicker on the witness stand, have some misgivings on this subject.

I do not believe that those who favor censuring the conduct of the junior Senator from Wisconsin ought to be divided as to the particular grounds of the censure, when there are two grounds which, in my judgment, would justify censure.

In order to prevent any division, I expect to support the amendment in the nature of a substitute offered by the junior Senator from Utah. In so doing, I do not surrender in any way my conviction that the junior Senator from Wisconsin merits censure because of the General Zwicker incident.

Mr. JOHNSON of Texas. Mr. President, I have time available, if any Senator desires to use it in opposition to the Bennett amendment.

Mr. BENNETT. Mr. President, may the junior Senator from Utah yield to the Senator from Kentucky [Mr. COOPER] for a question? Then the junior Senator from Utah will yield the floor temporarily.

The PRESIDING OFFICER. The junior Senator from Utah has the floor. To whom does he yield?

Mr. BENNETT. The junior Senator from Utah yields to the Senator from Kentucky for a question, which will come out of the time of the junior Senator from Utah.

Mr. COOPER. The Senator may have answered the question, but I should like to have the point clear. Is it the Senator's insistence that his amendment be offered as a substitute based on the substitute's own merits alone, or is his insistence a result of the judgment of the select committee that its members no longer wish to press point 2?

Mr. BENNETT. The junior Senator from Utah, not being a member of the select committee, cannot answer that question categorically.

Mr. JENNER. The senior Senator from Utah is present. He can answer the question.

Mr. COOPER. I wish to know if the committee has withdrawn its point 2.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. BENNETT. I yield to my colleague.

Mr. WATKINS. I made an announcement a few minutes ago, just before a vote on a previous question, that I was not abandoning at all my ideas or principles with respect to the Zwicker incident. I stated that, in the interest of having a censure resolution adopted, in the interest of not having the supporters of the resolution divided, I would support and would accept personally the Bennett amendment.

Mr. COOPER. The practical effect is that the committee is withdrawing its insistence on point 2. Is that correct?

Mr. BENNETT. It has that effect. The Senator from Utah will yield the floor in order that the Senator from Illinois may obtain time from the minority leader.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Illinois 15 minutes.

Mr. DIRKSEN. Mr. President, by way of prelude, to carry on the query raised by the distinguished Senator from Kentucky, while we speak of the effect of an effort or action here, the fact of the matter is, and it must be recorded for all history, Mr. President, that section 2 of Senate Resolution 301 has been abandoned. It has been abandoned by the committee, Mr. President. If I am in error, I wish to be corrected now, because there are persons who will read this RECORD, and I want to be certain that my statement is accurate. Section 2 has been abandoned, and abandonment, in my judgment, is confession of a mistake; and if the committee made a mistake there, it is reasonable to assume that a mistake might have been made with respect to section 1.

It might further be assumed, Mr. President, that a mistake has been made with respect to the amendment which is pending before the Senate at the present time. In my judgment, not only is it a mistake in substance, but I believe it is a mistake in procedure. If one will take the trouble to look at the report of the select committee, he will notice on the title page that, first of all, it was filed on the 8th day of November 1954, and the first paragraph of that report states:

> The Select Committee To Study Censure Charges, consisting of ARTHUR V. WATKINS (chairman), EDWIN C. JOHNSON (vice chairman), JOHN C. STENNIS, FRANK CARLSON, FRANCIS CASE, SAM J. ERVIN, JR., to which was referred the resolution (S. Res. 301) and amendments, having considered the same, reports thereon and recommends that the resolution be adopted with certain amendments.

The committee had before it, Mr. President, only the charges and allegations which were filed prior to the time when we assembled here on November 8, to consider the select committee's report.

This is a new count in the indictment. It has not been heard by the members of the select committee. There has been no opportunity for the junior Senator from Wisconsin to go before the committee and offer a defense to this new count. I say such procedure is dubious indeed, when we consider today, for the first time, a count for condemnation, originally couched in words of censure, for language, and language only—nothing else—that was uttered to the press, uttered over television, included in other statements of one kind or another, and finally included in a statement which never was delivered on the floor of the Senate, but was extended in the CONGRESSIONAL RECORD.

Mr. President, what is the first language about which complaint is made? It is a statement that there was "deliberate deception." In what was that language contained, Mr. President? It was contained in a letter; the statement was not made on the floor of the Senate. That language was contained in a letter; it was set forth in writing and at quite a distance from the Senate Chamber.

The next language referred to "fraud." Where was it uttered? It was uttered to the press, Mr. President.

The next language was that "a lynch party" and "a lynch bee" were in progress. Were those phrases used on the floor of the Senate? Indeed they were not, Mr. President. They were used on a television presentation.

Mr. JENNER. Mr. President, will the Senator from Illinois yield to me at this point?

Mr. DIRKSEN. I prefer not to yield, Mr. President.

Mr. JENNER. I wish to ask the meaning of "a lynch bee."

Mr. DIRKSEN. I am sorry that I cannot yield now.

Of course, Mr. President, I know it is easy to hear or to read a phrase, and later, by a process of fixation, have it come into one's mind, and then utter it without stopping to think of what implications or meanings may be read into it.

The next language complained of, Mr. President, was contained in the public press on November 13, 1954, and was not uttered in this Chamber. On the contrary, it was spoken to press reporters. What Senator has not had the experience of being taken into the little reception room to the left of the Senate Chamber and, in a moment when things on the floor of the Senate were in an agitated state, being asked a pointed and precise question, and then fishing into the recesses of memory and, in the processes of thinking, finding an appropriate phrase? What Senator's tongue has not lost its tether in a situation like that? [Laughter.]

The PRESIDING OFFICER. The Senate will be in order.

Mr. CASE. Mr. President, will the Senator from Illinois yield to me?

Mr. DIRKSEN. I cannot yield, Mr. President; my time is limited.

Mr. CASE. Mr. President, will the Senator from Illinois yield to me for a question?

Mr. DIRKSEN. Mr. President, I shall yield for that purpose at the end of my remarks, if I have time to do so; but, first, I wish to finish my statement, if I may. Thereafter, I shall be delighted to yield.

The PRESIDING OFFICER. The Senator from Illinois may proceed.

Mr. DIRKSEN. Mr. President, the last allegation is regarding something which appeared in the press and then was inserted in the CONGRESSIONAL RECORD.

Yesterday I recited to the Senate some of the rather robust language which has been uttered on the floor of the Senate since this body came into being, under the Constitution of the United States. I shall not now repeat the details, but I shall repeat some of the language, as follows:

Falsification.
A doctored report.
Cowardice.
Liar.
A dirty dog.
A willfully malicious, wicked liar.
Trickery and sharp practice.
Making the Senate a sewer for the vaporings of a Senator.
Contemptible speech.
Conspiracy to steal an election.
Jackasses.
Two-bit committees.
A tissue of falsehoods.
Political trickery and subterfuge.
Blasphemy.
A Senator in company with Stalin and the Daily Worker.
Trained seals.
Rotten filth.

Cards that are red with the blood of treachery.

Defiling his seat.

The last was uttered against the late Senator Taft, of beloved memory, and whose passing all of us lament.

I continue with the list of strong language used on the floor of the Senate:

Subordinating integrity for a few slimy votes.

Like a rotten mackerel that shines and stinks in the moonlight.

Most contemptible and degraded of beings.

A scavenger bird hunting offal and putrifying matter.

A great liar and a dirty dog.

Mr. President, that language has been uttered on the floor of the Senate over a long period of time.

But the language complained of in this case was used either on television or to the reporters, or it was inserted in the CONGRESSIONAL RECORD. It was not uttered on the floor of the Senate. In the light of tradition, I wonder whether we shall now condemn a Senator for doing that.

Then we come to the language "the unwitting handmaidens of communism."

Yesterday I read to the Senate a statement which was made in a speech at Oklahoma City on September 28, 1948. I repeat it at this time:

The fact of the matter is that the Republican Party is the unwitting ally of the Communists in this country.

I think Senator MCCARTHY should stop reading the words of Harry Truman, because Truman made that speech in Oklahoma City in 1948. Yet that is one of the phrases about which complaint is made at the present time.

But, Mr. President, in the light of the facts, looking at this language—uttered not on the floor of the Senate, but to the press and on the outside—what do we do, finally, to complete freedom of speech, which has been one of the attributes of this body?

When Senator Black, now on the Supreme Court of the United States, was attacked some years ago, in connection with interrogating a witness, he said there had to be drastic action, and he preserved inviolate the freedom of speech.

Read what Mr. Justice Frankfurter said in a case in 1951. He went the whole hog, to make sure that freedom of speech, as set forth by James C. Wilson in the Constitutional Convention itself, in 1787, would be preserved inviolate.

So, Mr. President, as we look at the whole picture of the past, shall we now condemn, for the use of certain phrases—phrases probably less severe in their implications and their meaning than other phrases which have been uttered on this floor by great Members of this deliberative body who have marched on to the contemporary scene and then have marched off into eternity. We salute every one of them for their contributions to the country—their salty language and all. Are we going back on that tradition now?

Let us come up to the present for a moment. The distinguished Senator from Vermont [Mr. FLANDERS] is on the floor. If I can read the English language correctly, I think I am accurate when I state that when he made his speech on the floor of the Senate, last year, there was no question in my mind that he was comparing the junior Senator from Wisconsin with a Hitler. If that connotation is not there, then I beg to be corrected.

Many other statements were made. Was there any censure for them? None that I know of. So there is before us at the present time language not uttered on this floor. I would be the last to interdict or inhibit the freedom of a Senator to speak freely, and to speak about me, if he did not like what I did or what I said. That question is involved here.

Going back to the speech which was inserted in the CONGRESSIONAL RECORD, what Senator rose in his place to object? There was opportunity to object. When a New York Times editorial was submitted by the Senator from Colorado [Mr. JOHNSON] the other day, the junior Senator from Wisconsin said, "Before I agree to have it inserted, I want to look at it." He did look at it. I did not read it, but I fancy it charged him with being a demagog—spelled with a capital D. At least I gained that impression about the editorial. But he saw it. He knew what its text was in its entirety, and he said, "So far as I am concerned, it can go into the CONGRESSIONAL RECORD."

What Senator rose in his place and said, "Before the junior Senator from Wisconsin inserts a speech in the RECORD, I want to see it"? Did any Senator avail himself of that privilege? That is our privilege and our right under the rules of the Senate. We can stop any matter from going into the CONGRESSIONAL RECORD. However, that was not done.

That is the entire story.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. DIRKSEN. I wish to yield to the Senator from South Dakota [Mr. CASE]. I shall conclude in a moment.

That is the story as I see it. I would be the last to vote for that kind of amendment, particularly when it comes as a new count in an indictment, so to speak, and has not been submitted to the select committee.

I now yield to the Senator from South Dakota.

Mr. CASE. Let me first say, in response to the question the Senator from Illinois asked, that I believe I was speaking at the time the junior Senator from Wisconsin asked permission to insert the speech in the RECORD. I did not object, first, because I did not want to be thin-skinned or sensitive. If he had something he wanted to put in the RECORD about the committee, I was not going to object to it.

Secondly, I wished to be fully courteous to the junior Senator from Wisconsin and let him say anything he wished in justification or defense.

But when I sought to interrogate the Senator a little while ago he was talking about tongues being loose on the tether in the Senate Chamber. I ask the Senator if he knows that only yesterday the distinguished and very able Senator from Mississippi [Mr. EASTLAND] conducted a hearing in the Senate District Committee room on the subject of tung oil.

Mr. DIRKSEN. I had not heard of it. [Laughter.]

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. WATKINS. I have already stated my position with reference to placing that speech in the RECORD. I did not know what was in the speech. The request was made toward the close of the session in the afternoon. We did not wish to be so discourteous as to ask the junior Senator from Wisconsin to allow each Member of the select committee to read the speech and see if there was any objection to it. Had I known what he was placing in the RECORD, I certainly would have objected, because the language was highly improper. However, I did not know what was in it. I did not feel that it was the right thing to require him to hand over a long speech and let us sit down and read it while the Senate waited. We must rely on the good faith of Senators in presenting unanimous-consent requests of that kind.

Mr. DIRKSEN. Mr. President, I yield myself 4 additional minutes.

Deep as my affection is for my gracious, amiable friend from Utah, I must say in all candor that that is a rather strange response. I say so for this reason: The junior Senator from Wisconsin has been an issue in the Senate for a long time. Before the Senate concluded its session in August this subject was submitted to the select committee. We are generally familiar with the effervescense of spirit and the ebullience which characterize the junior Senator from Wisconsin. So we were forewarned on the basis of other speeches, as to what might be inserted in the RECORD. So I do not think that is an answer.

I think perhaps the Senate might be charged with laches and neglect. I do not wish to place that responsibility upon the shoulders of the junior Senator from Wisconsin.

Mr. President, I conclude by dipping deep into the Old Book to find something in Samuel, which is very appropriate. When Amnon, son of the king, ravished his half-sister, who was a full sister to Absalom, he having ravished her by artifice, he then sent her away. She made a classic reply. She said, "This evil in sending me away is greater than the other that thou didst unto me."

Conceding that this language is not the language of a gentleman, conceding that it was uttered without restraint, which is the greater evil today—to put handcuffs on freedom of speech or to charge ourselves with the guilt of negligence and laches and vote down the pending amendment.

Section 2 has been withdrawn. It has been abandoned. That, in my judgment, is a confession that it was a mistake. I think this whole business is a mistake, but I think we can retrieve the situation in part if we vote down the pending proposal, the amendment offered by the distinguished junior Senator from Utah [Mr. BENNETT].

I say that in all kindness. He is one of the most gracious Members of this body. He is a man of piety, devotion, and great faith. I almost worship at his feet; but I think his amendment would be a mistake. I think it would be a departure from sound tradition. I think it would have an impact upon the ultimate freedom of speech in this country which would be catastrophic indeed. It ought to be voted down.

The VICE PRESIDENT. The time of the Senator from Illinois has expired.

Mr. BUSH. Mr. President——

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Utah [Mr. BENNETT] yield me 1 minute?

Mr. BENNETT. The Senator from Utah is glad to yield 1 minute to the senior Senator from Colorado.

Mr. JOHNSON of Colorado. Mr. President, as a member of the select committee, the question for me to decide is not what is abandoned or what is not abandoned. The Senate has full jurisdiction. The select committee does not have complete control of the procedures of the Senate.

We submitted our report. The Senate has a perfect right to defeat, to lay on the table, to amend, or to change in any way it desires any section of the pending resolution. We have before us a proposal to change section 2. This proposal is made not by a member of the select committee, but by a Member of the Senate outside the select committee. The Senate is the superior body over the select committee. I, as one member of the select committee, will support the amendment of the Senator from Utah.

Mr. BUSH. Mr. President——

Mr. WELKER. Mr. President——

Mr. JENNER. Mr. President, will the Senator yield half a minute to me?

Mr. STENNIS. Mr. President, will the Senator from Utah yield me 2 minutes?

Mr. BENNETT. The Senator from Utah assumes that the Senator from Indiana is in opposition to this amendment, and he suggests that the Senator obtain his time from the minority leader.

Mr. JOHNSON of Texas. Mr. President, the minority leader has very little time. He has 8 minutes left, and he would like to yield 5 minutes to the Senator from Idaho [Mr. WELKER].

Mr. JENNER. May I have 1 minute, or half a minute?

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from Indiana [Mr. JENNER] and 4 minutes to the Senator from Idaho [Mr. WELKER.]

Mr. JENNER. Mr. President, a unanimous-consent request was made to expedite the situation and get rid of the mess in which we have been for several years. It has been concentrated within the past 10 months. The request was objected to because the proposed unanimous-consent agreement provided that it would be germane to file a censure resolution against any Senator at any time. The point raised was that a Senator might be taken by surprise with a censure resolution, and that under the proposed unanimous-consent agreement he would have 30 minutes to defend himself.

The proposal of the distinguished junior Senator from Utah stands on the same basis. There was no hearing on it. There is no opportunity for defense. It has been brought before the Senate after this subject has been debated for a considerable time. It is a new proposal. If we take this step, I am afraid we shall justify one of the statements which has been made, and that this may turn into a lynching bee.

Mr. BUSH. Mr. President, if the Senator from Idaho does not wish the floor——

The VICE PRESIDENT. The Senator from Texas has the floor.

Mr. JOHNSON of Texas. If the Senator from Idaho does not desire the time——

Mr. WELKER. I thought the Senator from Connecticut was ahead of me.

Mr. JOHNSON of Texas. I have not yielded any time to the Senator from Connecticut. I yield 4 minutes to the Senator from Idaho.

Mr. WELKER. I ask my distinguished friend if he will not permit me to interrogate the Senator from Utah [Mr. BENNETT]?

Mr. JOHNSON of Texas. That is entirely within the control of the Senator from Utah. It is up to the Senator from Idaho to do what he wishes with the 4 minutes which have been yielded to him.

Mr. BENNETT. Mr. President, the Senator from Utah is happy to give the Senator from Idaho an opportunity to interrogate him toward the end of the discussion, but the Senator from Utah must retain the right to keep a minute or two of his own time for possible rebuttal.

Mr. JOHNSON of Texas. I will say to the Senator from Utah that I have yielded 4 minutes to the Senator from Idaho for that purpose.

Mr. WELKER. Very well.

Mr. BENNETT. I should like to make one point clear. The junior Senator from Utah will be very glad to discuss with the Senator from Idaho anything he wishes to discuss; but the junior Senator from Utah wants to reserve a minute or two of his own time at the very end of the whole discussion for a final statement.

Mr. WELKER. Mr. President, whose time is this discussion coming out of?

Mr. JOHNSON of Texas. Out of the time of the Senator from Idaho.

The VICE PRESIDENT. The Senator from Idaho has the floor, and he has been recognized for 4 minutes.

Mr. WELKER. I may just as well use up the remainder of the 4 minutes. I assure the Senator from Utah that he will have plenty of time to discuss the matter with me, because the next move that I intend to make is to move to table the amendment. He will then have 30 minutes of debate available to him, and I shall have 30 minutes.

The first point the Senator from Utah brought up today was to contradict a point of law I presented to the Senate on the 16th or 17th of this month. The Senator cited the case of Representative Blanton. Is it not a fact that that was originally an action to expel a Representative from the House of Representatives, and that it failed by just a few votes?

Mr. BENNETT. That is a fact. The original action was to expel. However, the Chair apparently ruled that a substitute for that motion, namely, a motion to censure, would be accepted. It was the motion to censure that prevailed, not the motion to expel.

Mr. WELKER. After the motion to expel had failed. Is that correct?

Mr. BENNETT. That is true.

Mr. WELKER. I will ask the Senator whether it is not a fact that the language used in that case was so vile and so vulgar that it was ordered stricken from the CONGRESSIONAL RECORD on the ground that young women, young men, and children should not be permitted to read that language. Is that a fact?

Mr. BENNETT. I stated earlier that it is true that the matter was ordered expunged on the ground of obscenity. I also stated that the language of the junior Senator from Wisconsin was not in any sense obscene.

I was making the point that we have before us a case in which censure resulted from a consideration of words alone, rather than any action.

Mr. WELKER. The Senator from Utah stated that I had claimed that never in the history of Congress had a man been censured for words spoken on or off the floor. I will ask the Senator——

Mr. BENNETT. May I interrupt——

Mr. WELKER. I will ask the Senator to wait until I have finished my question.

The VICE PRESIDENT. The time of the Senator from Idaho has expired.

Mr. BUSH. Mr. President, will the Senator from Utah yield to me not more than 2 minutes?

Mr. BENNETT. I am glad to yield not more than 2 minutes to the Senator from Connecticut.

Mr. BUSH. Mr. President, with respect to the remarks of the Senator from Illinois, and in support of the substitute motion, I wish to refer to some remarks on the subject of free speech which I offered in the form of a statement on December 1, printed in the CONGRESSIONAL RECORD at page 16270:

> No question of free speech is involved. Free speech does not mean unrestrained license. In certain circumstances, words may be tantamount to acts, as when a man incites a mob to riot, or when they may lead to disastrous consequences. As Mr. Justice Holmes said, "The most stringent protection of free speech would not protect a man in falsely shouting 'Fire' in a theater and causing a panic."

Mr. JOHNSON of Texas. I yield 3 minutes to the majority leader.

The VICE PRESIDENT. That is the remainder of the time available to the minority leader.

Mr. KNOWLAND. Mr. President, there are several questions that should bother the Senate in connection with the adoption of the amendment offered by the junior Senator from Utah [Mr. BENNETT].

When the select committee was created, at a time when various charges were being submitted by resolution and amendments, it was the judgment of the Senate that it would be a bad precedent, and, in fact, unprecedented under former censure actions, for censure to be

voted without the charges being first referred to a committee of the Senate. It was felt that the charges should be submitted to a committee, either a standing committee or a select committee. It was felt that if we did not provide for an orderly process, a censure motion or amendment could be introduced, and the measure could be voted on without the defendant, so-called, having an opportunity to present any extenuating circumstances or to point out that certain extracts were taken out of context.

As I said yesterday, I do not condone some of the language which has been used by the junior Senator from Wisconsin. However, I do point out that we are trespassing on very dangerous ground.

Are we to set up in the Senate a board of censors, to which material to be introduced in the CONGRESSIONAL RECORD must first be submitted, to determine if it meets the approval of Senators on both sides of the aisle?

Are we to set up a board of censors so that before a Senator makes a television appearance or a radio appearance, he must submit his text to such a board—just as a businessman, for example, consults an agent of the Internal Revenue Service in connection with his income tax—in order to get a ruling on the text and to guard against his saying something for which he could be later censured? If we were to adopt the amendment we would establish a very dangerous precedent, one which I believe would be detrimental to free speech in the Senate and which, perhaps, could even serve as a pattern for the whole country.

I have been quite interested in the point of view taken by some of our friends of the fourth estate, who apparently want complete freedom of the press for themselves—which they should have, and which is guaranteed by the Constitution—but who at the same time want to put certain limitations upon the Senate.

The Senate has some responsibilities. If a Senator sits idly in the Senate and lets a speech be made which casts a reflection upon another Senator, he is abdicating his responsibility as a Senator. If a Senator sits in committee—and I care not whether the committee is headed by the junior Senator from Wisconsin or by any other Senator—and lets the chairman of that committee ride roughshod over a witness, that member of the committee is abdicating his responsibility for letting his chairman get away with it.

Mr. President, this is a very dangerous doctrine. The charge contained in the amendment has not been submitted to a committee of the Senate. It is based, presumably, on a television appearance and certain press quotations, and only one section relates to an action which took place in the Senate, and that was a speech put into the RECORD.

I believe that action was unfortunate. I believe the Senator from Wisconsin should never have put it in the RECORD. However, every Senator was on notice, because the newspapers of that morning contained advance notice that a speech of that nature was to be made. Any Senator might have objected to it and required him to read it on the floor, and when he read it he would have been made to sit down.

The VICE PRESIDENT. The time of the Senator from California has expired. The junior Senator from Utah has control of the time.

Mr. BENNETT. Mr. President, I yield to the Senator from Mississippi [Mr. STENNIS] 2 minutes.

The VICE PRESIDENT. The Senator from Mississippi is recognized for 2 minutes.

Mr. STENNIS. Mr. President, regarding the committee amendment relating to the Zwicker incident, I, of course, supported that amendment in the committee's conclusion. I now think it should be adopted by the Senate. There are facts connected with it which are difficult to make clear. In my first impression, before we started the hearings, I was not inclined to look upon the Zwicker incident as a basis for censure, but as the testimony unfolded, censure, in my opinion, was indicated.

We are now confronted with a parliamentary situation. Our committee has had a meeting. The question has been thoroughly discussed, and it is the uanimous conclusion of the committee, at this stage of the parliamentary proceeding, I think, that we should support the Bennett amendment. That will be my position with reference to the pending vote, without abandoning one bit my firm conclusion with reference to the merits of the so-called Zwicker incident amendment.

I see the Senator from South Dakota [Mr. CASE] on the floor, and it may be that the Senator did not join me in that conclusion.

Mr. CASE. That is correct.

Mr. President, could I be yielded 1 minute?

The VICE PRESIDENT. The junior Senator from Utah has the floor.

Mr. BENNETT. Mr. President, I yield, first, 2 minutes to my colleague.

Mr. WATKINS. Mr. President, this matter has been reviewed a number of times before this body, and there are certain things we must keep in mind.

The items in the Bennett amendment are recitals of what has happened since the proceeding began against the junior Senator from Wisconsin, at least, since the report was prepared and released to the public and finally filed with the Senate. In it are inserted the "handmaiden" speech. The contempt and the actions are against the Senate itself and are inseparably connected with the proceedings now before the Senate. The junior Senator from Wisconsin apparently tried to put in those items as a matter of defense. He made charges and said he was going to prove them, but he has never offered one word of proof with reference to them. How can we acquiesce in what has been done and say, "You can condemn the court; you can criticize it and insult it, but we can do nothing about it"? In any court in the land if such an attack were made upon the judge of the court while the proceedings were going on, the judge himself would bring in the person who made such an attack and would act. Some Senators seem to feel that we should not do anything about it because we are interested parties. Every judge has to stand on his own feet and take measures to protect the dignity of the court.

What I am saying is not in behalf of Senator WATKINS, of Utah, but in behalf of the Senate of the United States. To me, personally, it means very little except as I have reverence for this body. How can we say, when it is being put squarely up to us, that we will vote to sustain the junior Senator from Wisconsin in what he has done? He has made charges and has abandoned them completely. This matter does not have to be referred to any committee. What was done happened in the presence of the court.

Mr. LEHMAN. Mr. President, will the junior Senator from Utah yield for a parliamentary inquiry?

Mr. BENNETT. Provided it is not charged against my time.

The VICE PRESIDENT. Without objection, the Senator from New York may proceed.

Mr. LEHMAN. Mr. President, I should like to propound a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LEHMAN. In the event the amendment offered by the distinguished Senator from Utah should be agreed to—and I shall vote for it—I should like to ask whether it would be in order for a Member of this body to introduce as new matter substantially the language which is contained in section 2 of the pending resolution?

The VICE PRESIDENT. The Senator, of course, may submit at any time an amendment adding to the matter in the resolution; and, consequently, if the amendment which has been offered by the Senator from Utah is agreed to, the Senator from New York may offer an amendment containing substantially the same language as that contained in section 2.

Mr. LEHMAN. I thank the Chair.

The VICE PRESIDENT. The junior Senator from Utah has 3 minutes remaining.

Mr. CASE. Mr. President, will the Senator from Utah yield me 1 minute?

Mr. BENNETT. Mr. President, I shall be happy to yield 1 minute to the Senator from South Dakota.

Mr. CASE. Mr. President, I asked for this minute merely to make my own position clear.

As I remember, I had the floor at the time the junior Senator from Wisconsin asked me to yield so that he might propound a unanimous-consent request to insert his remarks in the RECORD as a statement. I yielded for that purpose. I knew substantially what was in his remarks. I had myself made a statement on the radio or television with respect to them on the night before, on the basis of a quotation read to me by a member of the press. I, therefore, would not be now in position to vote against it. But my understanding with the committee this morning was that the committee members would vote "present" if permitted by the Senate with respect to this matter, because it referred to the committee. At least, in discussion with the

Senator from Mississippi I understood he had considered that as a possibility.

As for myself, I expect to vote "present," if the Senate permits, if it comes to a vote. If the Senate requires me to vote, I shall be obliged to vote "no," because I permitted the statement to be placed in the RECORD.

Mr. BENNETT. Mr. President, I feel that if we do not go through with this program we shall not have completed or rounded out the action we took yesterday. The question was raised as to whether the Senate had the right to condemn or censure a Member for conduct, or misconduct, in a previous session of the Senate. We decided yesterday that the Senate has such right. Here are actions which I think tend to bring the Senate into disrepute. They took place in the present session of the Senate, and we are so close to the statutory end of the session that if we do not act in the manner suggested by my amendment we may, in effect, force this matter over into the 84th Congress. In view of the Blanton incident, I feel that there is no justification for the claim that we are acting in violation of the rules of the Senate.

I hope my colleagues will join me in sustaining the proposed amendment.

The VICE PRESIDENT. The time of the Senator from Utah has expired.

Mr. WELKER. Mr. President——

The VICE PRESIDENT. For what purpose does the Senator from Idaho rise?

Mr. WELKER. To make a motion.

The VICE PRESIDENT. The Senator from Idaho will state his motion.

Mr. WELKER. I move to lay on the table the perfecting modification as proposed by the junior Senator from Utah.

The VICE PRESIDENT. The Senator from Idaho moves to lay on the table the amendment offered by the Senator from Utah. The Senator from Idaho is recognized for 30 minutes.

Mr. WELKER. I should like to continue my interrogation of the distinguished junior Senator from Utah.

Mr. President, may we have order, without the time for the suspension of the proceedings being taken out of my allotment?

The VICE PRESIDENT. The Senator from Idaho will suspend, and the Senate will be in order.

The Senator from Idaho may proceed.

Mr. WELKER. I was glad to hear the closing remarks of the distinguished junior Senator from Utah to the effect that, in view of the Blanton decision, there was certainly no precedent whatsoever for the arguments heretofore made against his amendment or substitute, or whatever it is. Is that correct?

Mr. BENNETT. That is the interpretation of the Senator from Idaho. In trying to remember what I said, I believe I said that the Blanton case is a precedent for action which may eventually end in censure without the matter having been referred to a committee.

Mr. WELKER. I take it that if the Senator felt in his own heart that that precedent was not good law, he would not feel as he does; would he?

Mr. BENNETT. I certainly am not resting my case on the precedent set by the Blanton case. I feel that the language of the junior Senator from Wisconsin, as specified in the amendment offered by me, is sufficient to justify action by the Senate; and, as my colleague has pointed out, if this were, in fact, a court—and again I realize that I am treading on dangerous ground, because my questioner is an able and experienced trial lawyer and cross-examiner, while the Senator who is being questioned has been limited in his court experience to service on a jury and as an occasional trembling witness—but I have not answered the Senator's question.

Mr. WELKER. If the Senator will answer my question, instead of making a speech, that will be fine with me.

Mr. BENNETT. My colleague pointed out that if this occurrence had taken place during a proceeding in a court which is a part of our judicial system, such language probably would have justified a charge of contempt by a judge, in which case the judge himself would, as I understand it, make the charge, try the case, and inflict the punishment.

Mr. WELKER. The Senator from Utah is not trying to indicate to me that the rules of contempt in a judicial proceeding are the same as in this political trial, is he?

Mr. BENNETT. No; I am not saying the rules are the same. But ever since this matter began, Members have drawn many parallels between rules in judicial proceedings and rules in this proceeding. The Senator from Idaho himself has drawn many of those parallels. I suggest there may be another parallel in this situation.

Mr. WELKER. I started my consideration of this matter by believing my friend, the distinguished senior Senator from Utah [Mr. WATKINS], the chairman of the select committee, when he said the Senate would be the judge of the law and the facts. But in observing him during the past few days, it has been my observation that there are not many prosecutors who are quite so rough as he is.

If the junior Senator from Utah did not have faith in the Blanton decision as a precedent, why did the Senator bring that case before the Senate and use it as a precedent?

Mr. BENNETT. I brought it for the additional information of this body. I presented other reasons in earlier speeches.

I might observe that when the distinguished junior Senator from Idaho was cut off by the limitation of time in the previous time period, he charged me, if I remember correctly, with having said there was no precedent. I did not say that. I said that during the debate a statement had been made—I do not know by whom—that there was no precedent for this kind of action.

Mr. WELKER. I think I said there was never in the history of the United States Senate a censure resolution. I challenge anyone to cite the RECORD to disprove that statement.

How deeply has the Senator from Utah done his research to guide the Senate, this quasi-judicial body, which is trying a fellow Member?

Mr. BENNETT. Obviously, not being a trained lawyer, I can acknowledge that whatever research has been done has been necessarily very shallow, as compared with that done by the junior Senator from Idaho.

Mr. WELKER. Does the Senator from Utah mean to tell me that he has not had legal help in this matter?

Mr. BENNETT. The discovery of the Blanton decision was made by a member of my staff, since I myself am not a lawyer, and I have not referred the full implications of the Blanton decision to any lawyer.

Mr. WELKER. Did the Senator's assistant refer the Blanton decision to any counsel or attorney?

Mr. BENNETT. So far as I know, he has not done so.

Mr. WELKER. How did the Senator's assistant know how to conduct research as far back as he did in this matter? Does the Senator know?

Mr. BENNETT. The matter was referred to the Library of Congress with a request to find any precedent, if such existed.

Mr. WELKER. That is the answer I wanted to the $64 question. Did the Senator's research assistant go a little further and take into account the rulings made by the select committee, as to how it considered precedents, and what the committee would be governed by?

Mr. BENNETT. My research assistant was not charged with that responsibility. He was asked to ascertain whether in either House of Congress there was any precedent for action on a motion leading to censure, without the matter first having been referred to a committee.

Mr. WELKER. What I am about to say will blast the Blanton decision clear through the skylight of this Chamber. I direct the Senator's attention to this, because it is a decision of the so-called select committee, which started to be a judicial committee. It is the ruling which was sought to be followed throughout these proceedings. I am certain the select committee acted as it did in all good faith. I quote from page 22 of the report of the select committee, as follows:

> A Member may be censured even after he has resigned (2 Hinds' Precedents, 1239, 1273, 1275 (1907). * * * Precedents in the House cannot be considered as controlling because the House is not a continuing body.

That is the law as laid down by a tribunal which seeks to expel the defendant here.

Mr. BENNETT. May I see that language?

Mr. WELKER. I refer the Senator to page 22 of the committee report. I do not wish to take the time to discuss that further; I must continue.

Mr. BENNETT. It seemed to me, as I listened to the Senator from Idaho, that that decision referred to the right of a select committee to consider actions which took place in a prior Congress, and not solely to the right of the select committee or the Senate to consider actions which had taken place in this Congress.

Mr. WELKER. Does the Senator suppose for a moment that the committee is going to say that precedents in the House cannot be considered as controling because the House is not a continuing body?

Mr. BENNETT. That is what they said.

Mr. WELKER. That should be the rule, because they adopted it. They did not say anything about something happening prior to election.

Mr. BENNETT. So far as I am concerned, it seems very clear to me that in section 1 the committee was considering a problem which had originated in an earlier session of Congress. The committee assumed that precedents in the House relating to the question of action which took place in an earlier Congress could not be rulings.

Mr. WELKER. The Senator is only assuming, and he really does not know what he is talking about. Is that not correct?

Mr. BENNETT. May I suggest that perhaps both of us are in the same situation? [Laughter in the galleries.]

Mr. WELKER. I will stake my reputation on that. Either that quotation of the law by the select committee is correct—and this is not a question, and I do not want any more speeches—or this august body has been misled, and certainly neither the junior Senator from Utah, nor anyone else, would ever suspect the committee of attempting to mislead.

The Senator took a great deal of time a moment ago in criticising the junior Senator from Wisconsin, the defendant in this political trial, for using the words "unwitting handmaidens of the Communist Party."

Mr. BENNETT. That is correct.

Mr. WELKER. The other day when I asked the Senator to let me interrupt him, which he refused, and then graciously gave me time, which we did not get opportunity to take advantage of until now, I told the Senator I wished to interrogate him at length. The Senator referred to "hardmaiden" as a vulgar expression.

Mr. BENNETT. No.

Mr. WELKER. Yes, the Senator did; though he may have stricken it out of the RECORD. I shall check the RECORD.

Mr. BENNETT. I am sorry. I said the definition was that "handmaid" or "handmaiden" was a servant of low degree. It does not seem to me that that imputes any vulgarity.

Mr. WELKER. Now, I quote to the Senator the words of Holy Scripture, and I am sure that he knows more about that than I do because he is a devout Christian man, not only in his own faith but in all faiths:

Behold the handmaid of the Lord.

That was the answer of the mother of Christ to the angel Gabriel, who brought her the message that she was to become the mother of Christ.

Mr. BENNETT. I am sure the person who said that felt that she was a person of low degree compared to Him from whom the message came.

[Laughter and applause in the galleries.]

The PRESIDING OFFICER (Mr. PAYNE in the chair). The Senator from Idaho will suspend, and the time will not be charged to him, but the Chair must respectfully advise persons occupying the seats in the galleries that they are here as guests of the Senate, and must abide by the rules of the Senate, which do not permit any outbursts of approval or disapproval of any matters that are under discussion on the floor of the Senate.

The Senator from Idaho may proceed.

Mr. BENNETT. Mr. President, may I——

Mr. WELKER. The Senator from Utah does not have the floor. The Senator has answered my question. I am interrogating him.

Mr. BENNETT. May the junior Senator from Utah make it clear that he does not have the floor? The Senator from Idaho has the floor.

Mr. WELKER. I think the Senator finished the answer.

Mr. BENNETT. And that the Senator from Utah is standing here out of courtesy to the Senator from Idaho.

Mr. WELKER. Something the Senator promised me a week ago or whenever it was.

Mr. BENNETT. May the junior Senator from Utah make it clear that he has completed the tenure of his time, 15 minutes, the equivalent of half of his time.

Mr. WELKER. The Senator does not wish to yield further?

Mr. BENNETT. Oh, I shall be happy to yield.

Mr. WELKER. In view of the fact that the Senator is trying to put me in the hole, I ask him to take his seat, and I shall ask the questions and then ask him if he wants to take the time to answer them.

Mr. President, what is the definition of "unwitting"? I wonder if the distinguished junior Senator from Utah has looked up that definition. It means this: "Not knowing; unconscious; unaware; unintentional."

Certainly a man who is on trial for his political life, and, yes, perhaps his physical life, if he is kept on trial for 10 straight months, is entitled to use verbiage such as that. I have quoted from Holy Scripture, and I have read the definition of "unwitting."

Now let me refer to the Tuesday, September 28, 1954, issue of the Daily Worker, the official organ, the official newspaper, of the Communist Party, and let me read for the record what it said:

THROW THE BUM OUT

America is catching up with MCCARTHY. The six-man Senate committee has voted unanimously in favor of Senate censure of the arch conspirator against the American Constitution.

Underlying that is the following:

It is good news for America—for its free speech, its right to speak out for peace, coexistence, and the abolition of H-bomb war—that McCarthyism is no longer the untouchable sacred cow. The good sense of the people has won this important achievement.

However, the GOP, backed in this by the Democratic Party leader in the Senate, is trying to sweep the MCCARTHY issue under the rug for the elections. They have ordered the postponement of any Senate action till after the elections. They thus hope to keep the issue quiet.

But the country has seen enough of the sordid MCCARTHY conspiracy not to be content with this trick. In the first place, the voters should insist to their Senators on a Senate meeting before the November elections. They should insist on a swift vote of censure before November.

Following that, the country has every right to expect that the Senate will not merely rebuke MCCARTHY for overstepping some of the rules but will waste no time in digging into his whole shabby career.

That, my distinguished friend, is not from the Payette Independent Enterprise, of Payette, Idaho, but from the official publication of the Communist Party.

In view of the definitions of the word "unwitting" which I have read, here sits a man singled out—singled out alone—to be tried in this court without any rules of evidence, without any rules of law, without any court to instruct. Why could not a man make a reasonable mistake, if one wants to call it such? Personally, I would not have used the language, but certainly there was some justification for it, in view of the record and the facts.

I challenge the Senator from Utah to answer this, and he can ask for time. As I remember, the Senator said in effect that the junior Senator from Wisconsin had impliedly accused the select committee of being agents in fact of the Communist Party, and so forth; that the Communists would take over by virtue of this activity. If the theory of the Senator is correct, why does not someone propose a censure resolution, without a hearing, as has been done by the junior Senator from Utah in this instance, against the distinguished Senator at my right, the great Senator from Indiana [Mr. JENNER], chairman of the Internal Security Subcommittee of the Committee on the Judiciary, or against the great and able Senator from Arizona [Mr. GOLDWATER]? We have been told that, as a great, august, and deliberative body, if it can be so denominated, that is exactly what should have been done; but that was not done. JOE MCCARTHY told the Senator and everyone else that he did not feel that the select committee members were Communists or that they were going hand in hand with them.

As the Senator from Indiana [Mr. JENNER] stated in his dynamic way, the junior Senator from Utah has never sat across the table, looking at these scheming, thieving, lying witnesses, who would undermine not only the committees and the Senate, but this great country of ours. Listen to the words of the distinguished Senator now present, a man to whom the Senator from Connecticut [Mr. BUSH] paid great tribute yesterday, to the effect that three men have been thrown out of the committee hearings by able Senators, two lawyers, and another witness, thrown out by an able Senator from the other side of the aisle.

I want to know what is going on. In the late, sorrowful hours of the night, when Senator MCCARTHY is worrying about his future, when his wife, his brother, and all his relatives are thinking of what is going on here in this mock

court, did Senator McCARTHY have a right to assume that communism was behind this move, when the architect, the author, of Senate Resolution 301 had his picture contained, not in cartoon form, but in a very nice display, in the Daily Worker of Wednesday, July 14, 1954, with the heading "Aid Senate Fight on McCARTHY."

Mr. President, I ask unanimous consent that the remainder of the article from which I have been quoting be printed in the RECORD at this point.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

The effort of Senator RALPH FLANDERS, Republican, of Vermont, to strip Senator JOSEPH McCARTHY, Republican, of Wisconsin, of his committee chairmanships is gaining ground in the United States Senate. Several Republicans have already indicated support. While a number of Democrats are also for it, the Senate tory Democratic leadership has tried to evade the struggle by maintaining McCARTHY is a Republican problem.

Among Republicans who have not yet lined up behind the Flanders resolution is Senator IRVING M. IVES, of New York.

We urge all New Yorkers to write to IVES, insisting he support the Flanders resolution.

We urge New Yorkers to write to Senator HERBERT LEHMAN, suggesting he put the heat on the Democratic Senate leadership to line up behind the resolution.

We urge readers everywhere to take similar action in connection with their Senators.

WRITE YOUR SENATORS

Tell the two Senators from your State to support the Flanders censure resolution. Urge the organizations to which you belong to do likewise.

In New York, Senator LEHMAN says he will support the censure; Republican IRVING M. IVES has been silent.

Many are also writing to Senator FLANDERS giving him their support in this move.

STILL TIME TO CENSURE

The next few days will tell whether McCARTHY can still blackmail the country. A shower of wires, letters, and calls will go a long way toward giving the Senators an indication of the feelings at home. They should be told no adjournment until Senator McCARTHY is severely censured.

ACT NOW

We urge all readers to write at once to their Senators, insisting they vote for the Flanders resolution.

We urge all readers to reach their fellow workers and neighbors and the leaders of the unions and other organizations they might belong to, urging them to take similar action.

They should also make their will known to Senator LYNDON JOHNSON, Democratic Senate leader, who is dodging the issue on the excuse that this is an inner Republican squabble.

Mr. WELKER. The picture of the distinguished junior Senator from Vermont [Mr. FLANDERS], printed with the article, is a pretty good one; it is a photograph.

The PRESIDING OFFICER. The Senator from Idaho will suspend until there is order in the Chamber. Conversations will please cease.

The Senator from Idaho will proceed.

Mr. WELKER. Mr. President, in the Daily Worker of New York for Wednesday, August 23, 1954, there appears a cartoon of J. Edgar Hoover and Joe McCARTHY. I have never seen such a despicable attempt to malign or abuse any human being, no matter how rude, or crude he might be, as that vicious thing. I ask the junior Senator from Utah [Mr. BENNETT] to look at it, and then in his own conscience pass judgment on it. I am addressing myself to the junior Senator from Utah, my friend, and one who will always be my friend. He is a highly religious man. We came to the Senate together, and perhaps we shall leave here together. [Laughter.] In the spirit of forgiveness that blesses his great church, I ask him whether he would have a bit of charity in his heart for a man who is here on the hot seat, with his name being blazed all over the world as an awful character who did something ruthless when he cross-examined an arrogant, evasive witness.

For the record, let me say that I would have loved to see that witness cross-examined by the chairman of the select committee, the senior Senator from Utah [Mr. WATKINS], with whom I have served on committee. I would have loved to have seen him cross-examine General Zwicker, because no abler cross-examiner lives than the distinguished senior Senator from Utah; and he cross-examines in the way that any good lawyer would, having a desire to get only the truth and the facts. Yet he has "gone overboard" at times, in the process of cross-examining. But certainly the art of cross-examination is the hardest thing to master in the practice of law. A good cross-examiner must obtain the facts. I do not agree with those who say that General Zwicker was not evasive and arrogant. Let Senators examine the record. Let Senators read the remarks I made. I stated exactly the places in his testimony where General Zwicker hemmed and hawed and hedged and ducked. Why did he do that? He did it because he did not want to tell Senator McCARTHY the facts.

How about the references to "s. o. b."? The select committee completely forgot about that, when it came forth with its report. Perhaps the committee thought he was talking about officer of the day, and that perhaps the witness might not have sworn falsely to his God, because he might not have understood.

I know that my distinguished friend, the junior Senator from Utah, although he is a devoutly religious man, does not misunderstand the meaning of "s. o. b." He knows that in his State and in my State the meaning of that expression is understood, and it is not understood as meaning "OD" either. "S. o. b." is fighting language anywhere in the United States, I am sure.

So I beg Senators to have a bit of charity. I say to my colleagues that I am trying to be honest and fair. If now the Senate votes to "get Senator McCARTHY," the next time the one involved might be Senator JENNER, and the next time it might be Senator WATKINS, and the next time it might be Senator MARTIN, and so on and so on, ad infinitum.

Here we stand, Mr. President, ready to establish a precedent, ready to take a step never before taken in the history of the United States Senate. In this case, section 2 of the resolution is based on the use of certain words. Who raised objection to them? Not a single person. Yet it is proposed that we censure a Senator for using them. If we do, that censure will follow him to the end of his political career, and will bring disgrace upon his sovereign State. To the great State-righters in the Senate, I say that the sovereign people of the great State of Wisconsin should be the judges of the facts in this case. We are wasting our time.

Yet some Senators take the attitude that we shall have to wear tennis shoes to keep from being censured. I say to the Senate that the judges and jury in this matter are, not the 96 Members of the Senate, but the 160 million Americans all over this land.

Mr. President, I am sorry this had to happen. In my opinion, the only thing that can be done now is to accept the apology which JOE McCARTHY made. Let me refer to the words of the great Senator CORDON, who is soon to leave us, and than whom, in my opinion no finer Senator ever served in this body. He said that Senator McCARTHY made his apology. Mr. President, perhaps in making his apology, Senator McCARTHY was not flowery enough or picturesque enough. Perhaps his apology should have been made before a television camera which would have shown JOE McCARTHY going down the center aisle in this Chamber, apologizing, and saying, "I am sorry, sir, I am sorry."

But knowing that fighting Irishman from Wisconsin, I know that he went to the bottom of his heart and tried his best to vindicate himself with his colleagues in the Senate.

Mr. President, how much time have I remaining?

The PRESIDING OFFICER. Six minutes.

Mr. DANIEL of Texas. Mr. President, will the Senator from Idaho yield to me for a question?

Mr. WELKER. I am glad to yield to my distinguished friend for a question.

Mr. DANIEL of Texas. I should like to ask the Senator from Idaho whether he intends to cover, or whether there is any dispute as to the facts alleged in the so-called Bennett amendment? Is there any dispute or denial that the statements alleged were actually made by the junior Senator from Wisconsin [Mr. McCARTHY].

Mr. WELKER. Mr. President, I am delighted that my distinguished and able friend and great attorney, the junior Senator from Texas [Mr. DANIEL], has asked me that question.

How under the canopy of heaven could we know? There has never been a preliminary hearing; there has never been an indictment by a grand jury. But out of the cold, open sky comes a resolution—bang. In the resolution the junior Senator from Wisconsin is told, "You are guilty of this, and therefore you should be censured." That is why no facts are set forth, and that is why there is no dispute about the facts—because no one has had a chance to take the testimony. I know that my distinguished friend, able prosecutor that he is—and I pay tribute to him, not only

as a great Senator, but as an outstanding former attorney general—does not believe that is fair and honorable in any court or even in the United States Senate.

Mr. DANIEL of Texas. The Senator from Idaho may remember that earlier in the year I made a statement to the effect that there should be an opportunity for the evidence to be developed on the original Flanders resolution. But, of course, during that argument it was pointed out at various times that when offensive acts have occurred on the floor in the presence of the Senate, or when there was no dispute as to the facts, the Senate and other parliamentary bodies have acted without formal hearings, the same as the courts act in cases of contempt. The facts being undisputed, there was no need to hear evidence.

In all sincerity, in order that I might arrive at my decision regarding the proper procedure, I should like to know whether there is any question as to the accuracy of the factual allegations in the Bennett amendment.

Mr. WELKER. I have no way of answering that question, because no one knows. I do not know whether he intended to use the low, vile language which some persons would ask Senators to believe he intended to use, or whether he tried to be charitable, and tried to dress it up, so to speak. But let me say that, as I understand the facts in this case—and, bear in mind, I am as naive about these matters as is any other Senator—there has never been a preliminary hearing, an indictment, a bill of particulars, or anything else. All I know is that only one allegation relates to something which took place upon the floor of the Senate. That is the only basis; and if that be the only basis, what happens to rule XIX, section 2? Are we going to hop over it and say, "No; that is aimed only at profanity, or calling a man a traitor, or a dirty, slimy creature seeking votes, or words to that effect"?

That is the thing that worries me. In all sincerity, I believe that this case should be heard by a committee.

Mr. DANIEL of Texas. Does the Senator mean that even if there is no dispute as to the factual allegations a committee should be appointed to hear evidence? In the Bingham case there was no dispute as to the facts. The Senate acted without further hearing. If there is no dispute about the junior Senator from Wisconsin having written a letter to the chairman of the select committee charging three members of the committee with deliberate deception and fraud, and no dispute as to the additional factual allegations, I disagree with the Senator on the necessity for a committee hearing. What I am trying to find out is whether any of these allegations are being denied by the junior Senator from Wisconsin.

Mr. WELKER. Is the Senator sure that the Bingham case was not referred to the standing Committee on Privileges and Elections?

Mr. DANIEL of Texas. Before any censure charge was filed, the Committee on Privileges and Elections heard the facts and reported to the Senate.

Mr. WELKER. That is correct.

Mr. DANIEL of Texas. Following that report a censure charge was made, and no additional hearing was held because, as one Senator—I believe it was Senator Norris—said, the facts were undisputed. There was no other evidence to be heard. No Senator contended then that the facts reported were untrue, and as far as I have heard here, it has not been contended that there is any question or dispute as to the facts alleged in the Bennett amendment. If so, I would like to know about it, because this is most important with reference to procedure.

Mr. WELKER. Very true; but at least the standing Committee on Privileges and Elections heard the case. Perhaps the defendant, the tortfeasor, or whatever he may be called, has an explanation which would satisfy a standing committee or a select committee. We should never adopt the attitude that whenever we do not like something that is said on the floor of the Senate we should bang away with a censure resolution. If that becomes the law of this body, I expect to have my censure resolutions mimeographed or printed by the thousands. One who has served in this body as short a time as I have served, and who sees these unfortunate things happen, feels very sad over the situation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WELKER. Mr. President, I withdraw my motion.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. BENNETT] in the nature of a substitute for the modified committee amendment to section 2.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Fulbright	Martin
Aiken	George	McClellan
Anderson	Gillette	Millikin
Barrett	Goldwater	Monroney
Beall	Green	Morse
Bennett	Hayden	Mundt
Bridges	Hendrickson	Murray
Brown	Hennings	Neely
Burke	Hickenlooper	O'Mahoney
Bush	Hill	Pastore
Butler	Holland	Payne
Byrd	Hruska	Potter
Carlson	Humphrey	Purtell
Case	Ives	Robertson
Chavez	Jackson	Russell
Clements	Jenner	Saltonstall
Cooper	Johnson, Colo.	Schoeppel
Cotton	Johnson, Tex.	Scott
Daniel, S. C.	Johnston, S. C.	Smith, Maine
Daniel, Tex.	Kefauver	Smith, N. J.
Dirksen	Kerr	Sparkman
Douglas	Kilgore	Stennis
Duff	Knowland	Symington
Dworshak	Kuchel	Thye
Eastland	Langer	Watkins
Ellender	Lehman	Welker
Ervin	Long	Williams
Ferguson	Magnuson	Young
Flanders	Malone	
Frear	Mansfield	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Utah [Mr. BENNETT] to the modified committee amendment to section 2.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Illinois will state it.

Mr. DOUGLAS. Will the Vice President state the precise nature of the motion which is now to be voted on?

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the junior Senator from Utah [Mr. BENNETT] to the committee amendment, as modified.

Mr. DOUGLAS. I thank the Vice President.

The VICE PRESIDENT. Does the Senator from Illinois wish the amendment to be read?

Mr. DOUGLAS. I do not.

The Chief Clerk proceeded to call the roll.

Mr. CASE (when his name was called). For the reasons stated earlier, inasmuch as I had the floor at the time the junior Senator from Wisconsin asked unanimous consent to make his insertion and I yielded for that purpose with some knowledge of what his statement said and thereby permitted the insertion to be made, and further in view of the fact that many of the words complained of in the pending amendment were directed toward members of the select committee, I feel that I have a personal interest in the matter, and therefore I ask to be excused from voting. I answer "present."

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The rollcall was concluded.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the senior Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

The Senator from Oregon [Mr. CORDON] is absent on official business and the junior Senator from Wisconsin [Mr. MCCARTHY] is necessarily absent.

On this vote the Senator from Indiana [Mr. CAPEHART] has a pair with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Indiana [Mr. CAPEHART] would vote "nay," and the Senator from Florida [Mr. SMATHERS] would vote "yea."

Mr. CLEMENTS. I announce that the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

I announce further that the Senator from Florida [Mr. SMATHERS] is paired on this vote with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Florida would vote "yea," and the Senator from Indiana would vote "nay."

I announce also that, if present and voting, the Senator from Tennessee [Mr. GORE] would vote "yea."

The result was announced—yeas 64, nays 23, as follows:

YEAS—64

Abel	Bennett	Carlson
Aiken	Burke	Chavez
Anderson	Bush	Clements
Beall	Byrd	Cooper

Daniel, S. C.	Holland	Neely
Daniel, Tex.	Humphrey	O'Mahoney
Douglas	Ives	Pastore
Duff	Jackson	Payne
Eastland	Johnson, Colo.	Potter
Ellender	Johnson, Tex.	Robertson
Ervin	Johnston, S. C.	Russell
Ferguson	Kefauver	Saltonstall
Flanders	Kerr	Scott
Frear	Kilgore	Smith, Maine
Fulbright	Lehman	Smith, N. J.
George	Long	Sparkman
Gillette	Magnuson	Stennis
Green	Mansfield	Symington
Hayden	McClellan	Thye
Hendrickson	Monroney	Watkins
Hennings	Morse	
Hill	Murray	

NAYS—23

Barrett	Hickenlooper	Millikin
Bridges	Hruska	Mundt
Brown	Jenner	Purtell
Butler	Knowland	Schoeppel
Cotton	Kuchel	Welker
Dirksen	Langer	Williams
Dworshak	Malone	Young
Goldwater	Martin	

NOT VOTING—8

Bricker	Gore	Smathers
Capehart	Kennedy	Wiley
Cordon	McCarthy	

ANSWERED "PRESENT"—1

Case

So Mr. BENNETT's amendment to the committee amendment, as modified, was agreed to.

The VICE PRESIDENT. The question recurs on agreeing to the committee amendment, as amended.

Mr. BRIDGES. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from New Hampshire will state it.

Mr. BRIDGES. If it is desired to offer an amendment to the amendment which has just been adopted, would it be proper to offer such an amendment at this time or would it be proper to offer it at a subsequent time?

The VICE PRESIDENT. An amendment to the amendment just adopted would not be in order except on a reconsideration of the vote. An amendment to the resolution would be in order.

Mr. BRIDGES. In other words, once the committee amendment is formally adopted and it becomes a part of the resolution, then, as a part of the resolution, it is subject to amendment. Is that correct?

The VICE PRESIDENT. No; but the resolution itself would be open to further amendment.

Mr. BRIDGES. The amendment agreed to would be a part of the resolution?

The VICE PRESIDENT. That is correct.

Mr. BRIDGES. Therefore, it would be open to amendment. Is that correct?

The VICE PRESIDENT. The amendment, once it is adopted, would not be open to further amendment, but the resolution would be open to further amendment by the addition of a new section. Does that answer the Senator's inquiry?

Mr. BRIDGES. I believe it does.

The VICE PRESIDENT. The resolution will be open to amendment by the addition of a new section, but this section of the resolution will not be open to further amendment.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KNOWLAND. The question now recurs on the committee amendment, as amended, does it not?

The VICE PRESIDENT. That is correct.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DOUGLAS. Will the Chair inform me whether if section 2, as amended, is approved by the Senate it will then be necessary to vote on sections 1 and 2?

The VICE PRESIDENT. The vote will then be on the entire resolution.

Mr. JOHNSON of Texas. Mr. President, a point of order. The rollcall has commenced.

Mr. JENNER. I demand the regular order, Mr. President.

The VICE PRESIDENT. The clerk will proceed with the call of the roll.

The Chief Clerk resumed and concluded the call of the roll.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the senior Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

The junior Senator from Wisconsin [Mr. MCCARTHY] is necessarily absent.

On this vote, the Senator from Indiana [Mr. CAPEHART] has a pair with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Indiana [Mr. CAPEHART] would vote "nay," and the Senator from Florida [Mr. SMATHERS] would vote "yea."

Mr. CLEMENTS. I announce that the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

I announce further that the Senator from Florida [Mr. SMATHERS] is paired on this vote with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Florida would vote "yea," and the Senator from Indiana would vote "nay."

I announce also that, if present and voting, the Senator from Tennessee [Mr. GORE] would vote "yea."

The result was announced—yeas 64, nays 24, as follows:

YEAS—64

Abel	Ervin	Johnston, S. C.
Aiken	Ferguson	Kefauver
Anderson	Flanders	Kerr
Beall	Frear	Kilgore
Bennett	Fulbright	Lehman
Burke	George	Long
Bush	Gillette	Magnuson
Byrd	Green	Mansfield
Carlson	Hayden	McClellan
Chavez	Hendrickson	Monroney
Clements	Hennings	Morse
Cooper	Hill	Murray
Daniel, S. C.	Holland	Neely
Daniel, Tex.	Humphrey	O'Mahoney
Douglas	Ives	Pastore
Duff	Jackson	Payne
Eastland	Johnson, Colo.	Potter
Ellender	Johnson, Tex.	Robertson
Russell	Smith, N. J.	Thye
Saltonstall	Sparkman	Watkins
Scott	Stennis	
Smith, Maine	Symington	

NAYS—24

Barrett	Goldwater	Martin
Bridges	Hickenlooper	Millikin
Brown	Hruska	Mundt
Butler	Jenner	Purtell
Cordon	Knowland	Schoeppel
Cotton	Kuchel	Welker
Dirksen	Langer	Williams
Dworshak	Malone	Young

NOT VOTING—7

Bricker	Kennedy	Wiley
Capehart	McCarthy	
Gore	Smathers	

ANSWERED "PRESENT"—1

Case

So the committee amendment, as amended, was agreed to.

Mr. WATKINS. Mr. President, I move that the vote by which the committee amendment, as amended, was agreed to, be reconsidered.

Mr. IVES. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from New York [Mr. IVES] to lay on the table the motion of the Senator from Utah [Mr. WATKINS] to reconsider.

The motion to lay on the table was agreed to.

The VICE PRESIDENT. The question recurs on agreeing to the resolution.

Mr. JOHNSON of Colorado. Mr. President, I call up my amendment and ask that it be stated.

The VICE PRESIDENT. The clerk will state the amendment offered by the Senator from Colorado.

The CHIEF CLERK. Amendment offered by Mr. JOHNSON of Colorado for himself, Mr. BYRD, and Mr. DANIEL of Texas, proposes to add the following new section:

SEC. 3. It is the sense of the Senate that the Communist Party of the United States is not a domestic political party in the usual tradition, but is a part of the international Communist conspiracy, a deadly menace to the United States, and the enemy of all democratic forms of government. Accordingly, the Senate's appropriate committees should continue diligently and vigorously to investigate, expose, and combat this conspiracy and all subversive elements and persons connected therewith.

Mr. JENNER. Mr. President, I make the point of order that the amendment is out of order.

The VICE PRESIDENT. Does the Senator from Colorado desire to speak to his amendment?

Mr. JOHNSON of Colorado. I had intended to discuss the amendment; but if the point of order be sustained, then the amendment cannot be discussed. So I wish to make another motion, in order to obtain the floor.

The VICE PRESIDENT. If the Senator from Colorado does not desire to discuss the parliamentary point, the Chair rules that the amendment offered by the Senator from Colorado is not germane and, therefore, is not in order.

Mr. JOHNSON of Colorado. Mr. President, I move to amend section 2 by striking out the last word.

The VICE PRESIDENT. Section 2 has now been disposed of. The motion to reconsider has been laid on the table;

consequently the Senator's motion is not in order.

Mr. JOHNSON of Colorado. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Colorado will state it.

Mr. JOHNSON of Colorado. Is any amendment to the pending measure in order; and if so, what amendment would be in order?

The VICE PRESIDENT. The resolution at present is open to amendment. For example, a new section could be offered to the resolution, but such section must be germane.

Mr. JENNER. Mr. President, I ask for the regular order.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Florida will state it.

Mr. HOLLAND. Is my understanding correct that in order for any proposed new section to be in order, it must relate to the conduct of the junior Senator from Wisconsin?

The VICE PRESIDENT. It must relate to the subject matter of the resolution; and, of course, the interpretation which the Senator from Florida has placed upon it might be considered reasonable. Such a proposed section must be within the subject matter of the resolution.

Mr. DANIEL of Texas. Mr. President, has the point of order been ruled upon?

The VICE PRESIDENT. The Chair has ruled that the point of order is well taken, and that the amendment proposed by the Senator from Colorado [Mr. JOHNSON] is not in order.

Mr. DANIEL of Texas. I offer an amendment to add a new section, and I ask unanimous consent that I may read it.

The VICE PRESIDENT. Is there objection?

Mr. LANGER. We cannot hear the Senator.

The VICE PRESIDENT. Will the Senator from Texas again state his unanimous-consent request?

Mr. DANIEL of Texas. I rise to offer an amendment to add a new section to the resolution, and I ask unanimous consent that I may read the amendment which is in the form of a proposed new section.

Mr. JENNER. I object.

The VICE PRESIDENT. Objection is heard.

Mr. DANIEL of Texas. Then I send the amendment to the desk and ask that it be read.

The VICE PRESIDENT. The clerk will state the amendment.

The LEGISLATIVE CLERK. At the end of the resolution it is proposed to add a new section, as follows:

Nothing contained in this resolution shall be construed as a precedent or an intention on the part of the Senate to limit the investigative powers and responsibilities of its committees, especially with reference to the Communist Party of the United States, a part of the international Communist conspiracy. On the contrary, it is the sense of the Senate that its appropriate committees should continue diligently and vigorously to investigate, expose, and combat this conspiracy and all subversive elements and persons connected therewith.

Mr. JENNER. Mr. President, I make the point of order that the amendment is out of order.

Mr. DANIEL of Texas. Will the Senator from Indiana be kind enough to withhold his point of order, so that I may make a statement?

Mr. JENNER. I withhold my point of order.

Mr. DANIEL of Texas. This amendment, which is offered on behalf of the Senator from Colorado [Mr. JOHNSON], the Senator from Virginia [Mr. BYRD], and myself, is similar to the amendment that has previously been objected to, except that I have attempted to word the amendment so that it will be germane. It refers to what the Senate has already done, and places an interpretation thereon to the effect that our action here should not be construed as any precedent or intention to limit the investigative powers of the committees of the Senate, especially with reference to the Communist Party, a part of the international Communist conspiracy.

To the contrary, the amendment states that it is the sense of the Senate that our committees should conduct with vigor and diligence the investigation and exposure of this conspiracy. I think that the amendment has been worded so that it is germane.

Before objection is raised, I would appeal to the Senator from Indiana [Mr. JENNER] not to raise a point of order on this amendment. It has been wrongfully alleged that our action in censuring the junior Senator from Wisconsin has been inspired by the Communist Party, and that the hands of the Communist Party have reached into the Senate in this matter. This is not true. It has been alleged that the Communist Party and the Daily Worker will be very happy over this action.

Mr. JENNER. For the Senator's information, they are already happy.

Mr. DANIEL of Texas. I should like to continue.

Mr. JENNER. The Senator may continue.

Mr. DANIEL of Texas. I want to make the Communists unhappy, and they will be unhappy, if the Senator from Indiana will permit this amendment to be included in the resolution, so that the truth will be stated. It is already known to the Members of this body that the resolution was not inspired by the Communist Party, and no Member of the Senate wishes to give comfort to the Communist Party.

If the Senate will agree to this amendment, we shall be saying to the world, by the official action of the Senate, that the allegations which have been made are untrue, that we are going to continue our fight against communism and subversion. Thereby we will accomplish the good purpose of preserving the honor and dignity of the Senate, and we will do so in a manner from which the Community Party and the Daily Worker can take no comfort. I am sure the Senate would adopt this resolution if the point of order is not raised. I appeal to those who have said that the Communists would take comfort from our action to permit the adoption of this amendment to the resolution, which will state the truth about the matter, namely, that the United States Senate, to a Member, is against the Communist Party and the international Communist conspiracy; that we want our investigations to continue, and that they shall continue.

Mr. KNOWLAND. Mr. President, will the Senator from Texas yield for a question?

Mr. DANIEL of Texas. I yield to the Senator from California.

Mr. JENNER. Mr. President, I have the floor.

Mr. KNOWLAND. Mr. President, will the Senator from Indiana yield to me?

Mr. JENNER. I yield.

Mr. KNOWLAND. I think the point of order is well taken, because Senators on the Democratic side of the aisle quite properly wanted a strict rule of germaneness, so that other censure resolutions might not be introduced. We have abided by that wish under the unanimous-consent agreement.

I may say to the Senator from Texas that while I think the point of order is well taken, there would be nothing to prevent the Senator, when this resolution is disposed of, from offering his amendment as a separate resolution. In that way we would abide by the rule of germaneness, and not open the door to other violations of the rule of germaneness. At the same time the Senate later could express itself in the manner suggested by the Senator from Texas, if it so desired.

Mr. DANIEL of Texas. I thank the majority leader, but the Senate has done this by separate action many times. I regret that anyone would object to it being made a part of the pending resolution.

The VICE PRESIDENT. The Chair is ready to rule on the point of order.

Mr. JENNER. Mr. President, I have the floor.

The VICE PRESIDENT. The Senator from Indiana has made a point of order.

Mr. JENNER. I have made a point of order.

The VICE PRESIDENT. The Chair sustains the point of order.

Mr. JENNER. Mr. President——

The VICE PRESIDENT. Does the Senator from Indiana wish to make another point of order?

Mr. JENNER. I am seeking recognition.

The VICE PRESIDENT. The Senator from Indiana is recognized.

Mr. JENNER. Mr. President, what has been done here will be well understood by the Communists.

The VICE PRESIDENT. The Senator from Indiana, in order to obtain the floor, must offer a motion or an amendment.

Mr. JENNER. Mr. President, on page 2, line 12, I offer an amendment to strike the following language:

Thereby tending to destroy the good faith which must be maintained between the executive and legislative branches in our system of government.

The VICE PRESIDENT. The Chair must inform the Senator from Indiana that the resolution at this time is subject to amendment only by adding a new section. It is not subject to amendment otherwise.

Mr. JENNER. I move to table the resolution.

The VICE PRESIDENT. That motion is in order, and the Senator from Indiana is recognized.

Mr. BENNETT. Mr. President, before the Senator from Indiana begins——

Mr. JENNER. Oh, no; I will do the talking now.

Mr. President, this has turned out to be a rather amusing affair. What worries me is: What happened to Zwicker? Zwicker has been thrown out the window. Poor old Zwicker. He does not count now. Zwicker is not in the resolution. It does not matter what happens to a Senator, but be careful what you do to a general. Senators are in a different category. It is wonderful to see the attitude of my friends on the other side of the aisle. Now they want to fight communism. They call the Daily Worker——

Mr. HOLLAND. Mr. President, I call for the regular order.

Mr. JENNER. They are not going to gild the lily. The record is made, and they are going to stay with their record every day, from now on. Oh, sure, we know how their party let Communists into our Government, how the Communists undertook the subversion of this country, how they stole our secrets, and how they worked themselves into high positions in the Government. I warned the country that the same thing would happen to the Republican Party, and it is happening. But you are not going to gild the lily. We are all guilty of sin, but by your deeds and by your votes the world and the country will know you.

That is all. I withdraw my motion.

Mr. BENNETT. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BENNETT. Is a motion to recommit in order?

The VICE PRESIDENT. Such a motion is in order.

Mr. BENNETT. Then the junior Senator from Utah makes a motion to recommit. Does that give the junior Senator from Utah 30 minutes time?

The VICE PRESIDENT. It does.

Mr. BENNETT. The junior Senator from Utah will claim his time.

Mr. HICKENLOOPER. Mr. President, I ask for the yeas and nays on the motion.

The yeas and nays were ordered.

The VICE PRESIDENT. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, the junior Senator from Utah made his motion in the same spirit as the Senator from Idaho made his motion to lay on the table, simply to get a minute or two in order to comply with the request made by the Senator from Texas [Mr. DANIEL] during his questioning of the Senator from Idaho. The question raised by the Senator from Texas was whether or not there was any dispute as to the allegation that the junior Senator from Wisconsin had actually made the statements alleged in the amendment offered by the junior Senator from Utah, and now agreed to. The junior Senator from Utah feels, therefore, that this matter should be cleared up, and the material indicating that there is no dispute about the fact should be put in the RECORD before the final vote is taken.

The words "deliberate deception" and "fraud" appearing on line 6 of my amendment were contained in a letter addressed by the junior Senator from Wisconsin [Mr. MCCARTHY] to the senior Senator from Utah [Mr. WATKINS], chairman of the select committee. The letter was dated October 25, 1954. The copy which I hold in my hand states in the upper left-hand corner, "From the office of Senator JOE MCCARTHY. Overnight release October 26, 1954."

That was released, and I hold in my hand a photostatic copy of a news story published in the Washington Post and Times Herald of October 27, 1954. I have established that the story was written by Mr. John A. Goldsmith, of the United Press, on the basis of the letter supplied by Senator MCCARTHY. I ask unanimous consent to have printed in the RECORD at this point the letter and the news article to which I have referred.

There being no objection, the letter and news article were ordered to be printed in the RECORD, as follows:

OCTOBER 25, 1954.

Senator ARTHUR V. WATKINS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WATKINS: While I have not yet received an answer to my letter inviting you to appear before the committee to give us information which in your report you indicate you have in the Peress case, I note from news stories that you are quoted as saying you will not be able to appear before November 8.

In view of the importance of this question of who promoted and gave an honorable discharge to this fifth-amendment Communist, who according to the testimony was a graduate of a Communist-leadership school, you could, of course, be subpenaed to appear before the 8th of November. However, I have decided not to issue a subpena for you. Therefore, will you tell me what day after November 8 you can appear? It has been announced that the Senate sessions will start at 12 noon, which leaves you free in the forenoon. It is important that I have the date that you can appear so I may notify the other members of the investigating committee who undoubtedly will wish to be present.

I note further your suggestion that I call the other members of the Watkins committee. You apparently are confused as to the purpose of your being called. I have no intention of questioning you or any of the other members of the Watkins Committee in regard to your activities on that committee. For example, it now is unquestioned that three of the members of the committee, including yourself, indicated prejudice toward me before you were selected to act on that committee and failed to tell the Vice President of your statements in that regard before he appointed you to this committee. This would appear to be a deliberate deception of the Vice President and a fraud upon the Senate which obviously intended that an unprejudiced committee be appointed. However, I have no intention whatsoever of questioning you on that point or any of the other activities of your committee.

I am, however, deeply interested in the statement on page 60 of your report which indicates that you know who was responsible for the Peress situation. You state that Peress' commanding officer was in no way responsible for the Peress situation and that I should place the blame on the shoulders of those culpable.

You, of course, know that I could not place the blame on the shoulders of those culpable unless I knew who they were. You know that under Army practice a man is not normally promoted or honorably discharged except upon the recommendation of his commanding officer—in this case Zwicker. Therefore, this statement in your report was either irresponsible in the extreme or you have information in the Peress matter which is not available to our committee.

You should not be reluctant to give us information in regard to the coddling of a man who has been named under oath as having been a full-fledged member of the Communist Party and a graduate of a Communist leadership school. The information as to who was responsible for his promotion, honorable discharge, and change in duty to a plush job might well serve as the key to Communist infiltration in key spots where they can do unlimited damage. I sincerely hope that I do not receive some excuse from you as to why you cannot appear, because nothing can be more important than finding additional keys to Communist infiltration.

May I hear from you by return wire so I can notify the other Senators as to the date of your appearance.

Sincerely yours,

JOE MCCARTHY.

[From the Washington Post and Times Herald of October 27, 1954]

THREE SENATORS CALLED BIASED BY MCCARTHY

(By John A. Goldsmith)

Senator JOSEPH R. MCCARTHY accused Chairman ARTHUR V. WATKINS (Republican, Utah) and two other Senators yesterday of deliberate deception and fraud for failing to disqualify themselves from the Senate Censure Committee.

WATKINS, whose special six-man committee recommended censure of MCCARTHY on two counts, said at Salt Lake City that "I will not be provoked into a debate with Senator MCCARTHY."

MCCARTHY, in a letter to WATKINS, said the chairman and two unnamed committee members, indicated unquestioned prejudice against him before they were selected to serve on the censure group. But he said they failed to notify Vice President RICHARD M. NIXON of this prejudice before he appointed them.

WATKINS told reporters: "I will have nothing to say prior to filing of the committee report with the Senate. Our report has not been filed because the Senate is not in session until November 8."

The Senate will reconvene then to consider the committee's recommendation that MCCARTHY be censured for his alleged abuse of Gen. Ralph W. Zwicker and his failure to answer questions of a Senate Elections Subcommittee which investigated his activities.

The Wisconsin Republican in his letter asked WATKINS when he would be ready to testify before the Senate in the promotion and honorable discharge of Maj. Irving Peress, former Army dentist who was cited by MCCARTHY as a fifth-amendment Communist.

Although he did not name the two other Senators whose impartiality he questioned, MCCARTHY previously has cited alleged bias on the part of Senators EDWIN C. JOHNSON (Democrat, Colorado) and SAM J. ERVIN (Democrat, North Carolina). He has made no direct challenge against any committee member.

ERVIN, at Sparta, N. C., accused MCCARTHY of "trying to try the committee before the Senate gets around to trying him." He said that in judging charges against MCCARTHY the only thing I considered was the evidence.

ERVIN said MCCARTHY "might undertake to explain how it happened that the supposedly prejudiced Senators and the other Senators on the committee arrived at the same conclusion."

McCarthy had written Watkins last Saturday asking him to testify before November 8 on the Peress case. He said the censure committee report indicates that Watkins knows who was responsible for the promotion and honorable discharge granted the dentist.

Watkins told reporters previous commitments would prevent his appearance before the McCarthy committee by the date set.

Mr. BENNETT. Mr. President, the next statement was the one about a "lynch party." That statement appeared in a news story printed in the New York Times of Friday, November 5, 1954, written by Mr. Foster, of the United Press. I ask unanimous consent to have that news article printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

McCarthy Visions a "Lynch Party" When Senate Meets on Censure—Asks Watkins To Explain "Imbecile Ruling"—Criticizes Army Report on Peress—Moves To Clear up Work of Inquiries

Washington, November 4.—Senator Joseph R. McCarthy called on the Senate's Special Censure Committee today to explain what he called an "imbecilic ruling" before the chamber begins its "lynch party" next Monday.

The Wisconsin Republican used the term "lynch party" to characterize the special Senate session that will meet Monday to consider the censure charges the committee made against him.

Mr. McCarthy, who previously had predicted the Senate would vote to censure him, released a letter to Senator Arthur V. Watkins, Republican, of Utah, challenging a statement Mr. Watkins had made during the censure hearings. Mr. Watkins served as chairman of the censure committee.

Mr. McCarthy said Mr. Watkins had prevented him from defending himself against the charge that he unjustly criticized a 1951–52 elections subcommittee that investigated his finances. One of the charges against Mr. McCarthy is that he was guilty of contempt for refusing to appear before the elections group.

He said one of the election subcommittee witnesses was mentally unstable and had a "bitter hatred" for him. He said Mr. Watkins would not let him read a statement to that effect.

In his letter to Mr. Watkins, Mr. McCarthy said the ruling meant that even if the subcommittee "were hiring insane people to investigate me, I would not be justified in criticizing that committee."

"Perhaps you might want to explain that imbecilic ruling before the debate [on the censure charges] commences," Mr. McCarthy wrote Mr. Watkins.

Earlier, Mr. McCarthy told reporters he would ask other members of his own investigating subcommittee permission to "clean up our work before the first of the year."

He will lose the chairmanship of the group to Senator John L. McClellan, Democrat, of Arkansas, in January, provided the present razor-thin Democratic control is not upset by a recount in Oregon.

"If it appears that the censure debate is going to run a long time," Mr. McCarthy said, "I might even take up the question of holding hearings in the forenoon—that is, before the Senate meets each day."

"If it appears that it [the debate] will be over before long, I might suggest waiting until the November 8 lynch party is over," he added.

Mr. McCarthy also said he planned to send a new letter to the Secretary of the Army, Robert T. Stevens, repeating his request for the name of the person responsible for promoting and discharging former Maj. Irving Peress.

"THEY'VE GOT SECRET MASTER"

He described as "gobbledegook" the Army's statement last night explaining the handling of the case. Dr. Peress is a former New York Army dentist labeled by Mr. McCarthy as a "fifth amendment Communist."

After reading the Army statement, Mr. McCarthy commented that "they've got some secret master they're protecting in the Pentagon."

Meanwhile, the Army disclosed with some embarrassment today that Maj. John J. McManus, who actually had signed Dr. Peress' discharge papers, had been separated from the service.

Many officials were disturbed because of the timing of the discharge and their release of the Peress report. They insisted Major McManus' separation was "pure coincidence" and "in no way connected with the Peress case."

Dr. Peress' commanding officer at the time of the promotion and discharge was Brig. Gen. Ralph Zwicker. The Army said the promotion was carried out by Maj. Gen. William E. Bergin, Army Adjutant General, in accordance with a law providing for all drafted doctors to be raised to rank "commensurate" with their professional background.

In a letter to Mr. McCarthy released yesterday, Mr. Stevens said no action had been taken against Major McManus, General Zwicker, or General Bergin because there was not "the slightest indication of Communist sympathy nor any other dereliction of duty."

Mr. McCarthy said Mr. Stevens' letter "isn't even a clever attempt to hide this secret master—who is he?" He said the Army explanation "doesn't answer the question at all."

Mr. BENNETT. Mr. President, the next phrase is "lynch bee." That expression was used in a television broadcast known as Face the Nation, presented on November 7, 1954, with Senator Joe McCarthy as the guest.

I hold in my hand a portion of the transcript of that statement, the portion which includes every reference to the phrase "lynch bee." This transcript was made by Mr. Jesse L. Ward, Jr., of Ward & Paul, who operate the shorthand reporters' service which is used very frequently here on Capitol Hill.

I ask unanimous consent to have that document printed in the RECORD at this point.

There being no objection, the document was ordered to be printed in the RECORD, as follows:

FACE THE NATION

(A presentation of the Columbia Broadcasting System television and radio networks from Washington)

Guest: Senator Joseph McCarthy, Republican, of Wisconsin.

Moderator: Tep Koop, director of public affairs, CBS, Washington.

Panelists: William Hines, Jr., Sunday editor, Washington Star; William Lawrence, Washington correspondent, New York Times.

Mr. Lawrence. Now, carrying it a step further, you issued an open invitation during the Army-McCarthy hearings for people to continue to supply you with information——

Senator McCarthy. That's right.

Mr. Lawrence (continuing). Regardless of its stamping.

Are you getting new information from people in this administration?

Senator McCarthy. Bill, let me——

Mr. Lawrence. On that basis?

Senator McCarthy. Let me change your question a bit. I invited them to give information of wrongdoing, graft, corruption, communism; I am continuing to get that information.

Mr. Lawrence. Getting documents, too?

Senator McCarthy. Yes.

Mr. Hines. Are you getting any more as the result of your appeals, than you got beforehand? Has there been a flow built up as a result of that?

Senator McCarthy. It's pretty hard to say whether it has increased or decreased. I've been so busy being investigated and preparing for this "lynch bee" starting tomorrow that I haven't had an opportunity to——

Mr. Lawrence. Do you call a meeting of the United States Senate a "lynch bee"?

Senator McCarthy. Well, let's call it the censure——

Mr. Lawrence. No; but I am interested in this because the Senate is an institution of government; it's part of the Congress.

Senator McCarthy. Let's answer it——

Mr. Lawrence. Are you calling the Senate a lynch——

Senator McCarthy. Let's answer it, Bill.

Mr. Lawrence. Let's do.

Senator McCarthy. There are a great number of the Democrats who have indicated, in private conversations, that they will censure McCarthy, not because of what is in the Watkins reports but because I have labeled them as the party of communism, even though I have always pointed out that there are million of Democrats who are good, loyal Americans, and many officeholders here in Washington who are anti-Communists, but there are those that feel that they should censure me, not for—not because I cross-examined Zwicker trying to find out about a Communist whom he promoted, honorably discharged; there are some Republicans who feel likewise.

Now, I consider that—yes; that's a lynching bee.

Mr. Hines. But this is an orderly assembly——

Senator McCarthy. When they are not basing their vote upon the—counts set forth, when they base their vote upon political reasons, when they say ahead of time, in effect: "Regardless of what the evidence says, this man has been fighting communism, he has been showing that over 20 years the Democrat Party has been infiltrated, therefore we are going to get him."

Mr. Lawrence. Well, now, Senator——

Senator McCarthy. I think "a lynching bee" is a good name for it, Bill.

Mr. Lawrence. Senator, the Republican leadership of the Senate will support this motion of censure, as well. Now, are they doing it because you called——

Senator McCarthy. You are making a pretty rash statement.

Mr. Lawrence. Well, I have no hesitancy about making it, but, to continue with the point——

Senator McCarthy. I disagree; I don't think they will.

Mr. Lawrence. You don't think they will?

Senator McCarthy. No.

Mr. Lawrence. You don't think that Knowland will vote to censure you? You don't think——

Senator McCarthy. I don't think the Republican leadership is going to go along with this. I hope not.

Mr. BENNETT. Mr. President, finally, I hold in my hand the story that appeared in the New York Times of November 14, 1954. The story was written by Mr. Fred Parker, of the Milwaukee Bureau of the United Press. I ask unanimous consent to have the news article printed in the RECORD at this point as evidence of the fact that those statements were actually made.

There being no objection, the news article was ordered to be printed in the RECORD, as follows:

McCARTHY LABELS WATKINS COWARD—IN MILWAUKEE FOR FETE, HE JIBES AT CENSURE UNIT HEAD FOR SILENCE ON QUERIES

MILWAUKEE, WIS., November 13.—Senator JOSEPH R. McCARTHY today accused Senator ARTHUR WATKINS, Republican, of Utah, of the "most unusual, most cowardly thing I've heard of" in saying he would answer no future oral questions by Mr. McCARTHY or any other Senator.

"If a man is chairman of a committee [the censure panel], he should be willing to answer for errors in his report," Mr. McCARTHY said. "Otherwise he is miserably failing his duty as chairman."

"It's the most cowardly, most unheard of thing I've heard of so far," Mr. McCARTHY said.

"I expected he would be afraid to answer the questions, but didn't think he'd be stupid enough to make a public statement," he asserted.

Mr. WATKINS had said he would not interrupt his speeches to answer oral questions and only questions submitted in writing or posed in speeches by other Senators would be answered.

"I can't use the gavel [to silence McCARTHY as he did in the censure committee hearings] but I can determine how I extend courtesies," Senator WATKINS said in Washington.

WATKINS MAKES A REPLY

Tonight, in Washington, Mr. WATKINS said in reply to Senator McCARTHY's remarks that "I am not going to follow him around and reply to everything he says."

"My statement is self-explanatory. It is based on the rules of the Senate and I am going to follow them."

Mr. WATKINS referred to Senator McCARTHY's interruptions during his (Senator WATKINS') speech on the censure recommendation to yield for a question. This interrupted Mr. WATKINS' speech many times.

Finally, Senator WATKINS announced that he would answer questions if they were submitted in advance so that his remarks would not be interrupted. He said he would follow Senate rules of courtesy in this regard.

"If I were to do what WATKINS is doing," Senator McCARTHY said, "and someone proposed a censure, I would say 'rightly so.' "

Senator McCARTHY said he had no comment on the statement by Senator FRANCIS CASE, Republican, of South Dakota, who was on the Watkins committee which drew up the censure charges against Mr. McCARTHY. Mr. CASE said he would support a substitute course of action.

Senator McCARTHY reiterated that he knew there were enough votes to censure him and he wanted to get it over with so he could get back to the work of investigating Communists.

"There are considerably in excess of 25 individuals who appear to be clearly Communists working in defense plants, handling classified material up to top secret," he said.

Mr. McCARTHY declared, too, he had sent to Mr. WATKINS a telegram asking him to appear before the McCarthy subcommittee at 9 p. m. Monday to give any information he had about the case of former Maj. Irving Peress.

"I doubt if he has any," Mr. McCARTHY said.

"I don't want to be investigated again. I would have to quit investigating Communists," he said. "I don't intend to quit, so there'll be a sixth, seventh, and so forth, investigation. This is the fifth."

He listed the four previous investigations as those by the Tydings committee, the one into the Maryland election, the De Witt investigation, and the Stevens-McCarthy hearing.

"None of these would have been held if I hadn't been exposing Communists," he said.

Mr. McCARTHY pinned the Republican's loss of the election on mishandling of the farm situation and "the jungle warfare our own party has been waging against those of us who have been exposing Communists. * * *"

DINNER FOR BIRTHDAY

The Wisconsin Republican was the guest tonight at a testimonial dinner in honor of his birthday, which is tomorrow. A crowd of about 1,300 was expected to attend.

Senator BARRY GOLDWATER, Republican, of Arizona, was to speak over a network of 13 Wisconsin radio stations. Mr. McCARTHY himself was to make a brief address on the same program.

Senator McCARTHY said he would not apologize for remarks he made about Senator ROBERT C. HENDRICKSON, Republican, of New Jersey, so the Senate might as well censure him.

He declared there was no doubt that there were enough votes against him to evoke censure. He said he wanted to "get it over with" so he could get back to the job of hunting out Communists.

When asked what sort of compromise Senator EVERETT DIRKSEN, Republican, of Illinois, had in mind as an alternative to censure Mr. McCARTHY said he did not know.

"Ev's got something he's working on, but I have been so busy I don't know what they're doing," Senator McCARTHY said.

He added he doubted that a vote for censure would affect his chances of reelection in 1958.

"I think the people know I wouldn't be up for censure if I hadn't been fighting communism," he observed.

Senator McCARTHY said his subcommittee might "work through the Christmas holidays on Communists in defense plants," and that there had been deliberate attempts to keep the subcommittee from exposing Communists for many months.

Mr. BENNETT. Mr. President, I yield back the remainder of my time, and withdraw my motion.

The VICE PRESIDENT. The motion cannot be withdrawn, since the yeas and nays have been ordered.

Mr. DIRKSEN. Mr. President, I rise in opposition to the motion, unless another Senator controls the time.

The VICE PRESIDENT. The senior Senator from Utah controls the time.

Mr. WATKINS. Mr. President, I am opposed to the motion.

Mr. DIRKSEN. I need only 2 or 3 minutes.

Mr. WATKINS. I yield 2 minutes to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I should like to have the attention of the junior Senator from Texas. I address my remarks to the Chair, to the attention of the Parliamentarian, and to the junior Senator from Texas.

I respectfully inquire, Mr. President, whether or not either the amendment offered by the distinguished senior Senator from Colorado or the alternative language submitted by the junior Senator from Texas would be in order if at the end of the language we were to strike out the period at the end of line 9, insert a comma, and then add:

And that the efforts of the junior Senator from Wisconsin, Senator McCARTHY, in exposing the menace of communism are hereby commended.

Mr. CASE. Mr. President, I move to lay on the table the motion offered by the junior Senator from Utah.

Mr. DIRKSEN. Mr. President, I have the floor. I very respectfully ask a ruling from the Chair.

The VICE PRESIDENT. The ruling of the Chair is that the amendment as modified by the Senator from Illinois would not be germane.

Mr. DIRKSEN. Would not be germane.

Mr. CASE. Mr. President, I move to lay on the table the motion to recommit, offered by the junior Senator from Utah, and I waive and yield back all my remaining time.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from South Dakota.

Mr. BRIDGES. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BRIDGES. The yeas and nays had been ordered on the motion prior to the time the motion was made. Is a motion to table in order after the yeas and nays have been ordered?

The VICE PRESIDENT. A motion to table is in order prior to the rollcall.

Mr. BRIDGES. Even after the yeas and nays have been ordered?

The VICE PRESIDENT. Even after the yeas and nays have been ordered; that is correct.

Mr. KNOWLAND. Mr. President, in order that the Senate may finally complete its business, I wonder if we could not get unanimous consent—and it could be done only by unanimous consent—that the order for the yeas and nays be withdrawn. Then the Senator from Utah could withdraw his motion to recommit, and the Senate could then vote on the pending resolution finally, on which, of course, I would want the yeas and nays.

The VICE PRESIDENT. Is there objection?

Mr. MORSE. Mr. President, reserving the right to object, I do not see the Senator from Indiana [Mr. JENNER] on the floor, and I do not believe, in view of his previous objection, it would be fair to enter into a unanimous-consent agreement without his being present.

Mr. WELKER. Mr. President, I object.

The VICE PRESIDENT. Objection is heard. The question now is on agreeing to the motion of the Senator from South Dakota to lay on the table the motion of the junior Senator from Utah that the pending resolution be recommitted.

The motion to lay on the table was agreed to.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from California will state it.

Mr. KNOWLAND. Is the vote now to be taken on the question of final adoption of the resolution, as amended?

The VICE PRESIDENT. The resolution is open to further amendment. If there be no further amendment to be proposed, the question now is on adoption of the resolution, as amended.

Mr. KNOWLAND. Mr. President, on this question, I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. HICKENLOOPER. Mr. President, what is the situation in regard to debate on the question of final adoption of the resolution, as amended? Is there a limitation on the time?

The VICE PRESIDENT. Under the unanimous-consent agreement, no time is left for debate on the resolution. The unanimous-consent agreement provides for time for debate on amendments or motions or substitutes.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Iowa will state it.

Mr. HICKENLOOPER. Does a failure of the agreement to mention a limitation on the time for debate on the question of final adoption of the resolution, as amended, necessarily indicate that there is a limitation on the time available for debate on the question of final adoption of the resolution, as amended?

The VICE PRESIDENT. The unanimous-consent agreement sets forth the specific limitations as to the time.

Mr. KNOWLAND. Mr. President, in order that we may not again become involved in a prolonged discussion, with amendments being submitted—because I think all Senators, regardless of differences of opinion on this matter, are desirous of having it come to a conclusion—may not we be able to agree that there may be one-half an hour for each side for debate on the question of final adoption of the resolution, as amended?

SEVERAL SENATORS. I object.

The VICE PRESIDENT. Objection is heard.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Iowa will state it.

Mr. HICKENLOOPER. I did not intend to raise this issue at this particular moment, because inquiry earlier this afternoon informed several of us that there was no limitation on debate on the question of final adoption of the resolution, as amended. I myself did not inquire at the desk, of the Parliamentarian; but I relied upon inquires made by other Senators of those whom I thought had accurate information on that subject. I assumed there was no limitation on debate on the question of final adoption of the resolution, as amended.

I did not intend to discuss the matter at length, but there are some things I intended to say, and I would just as soon say them on the question of final adoption of the resolution, as amended.

Do I correctly understand that the Chair's ruling now is that no time is available for debate, after the resolution has been perfected? Is it the ruling of the Chair that at this time no time is available for debate on the resolution, as it is perfected?

The VICE PRESIDENT. The Chair is bound, in its ruling, as is the Senate, by the unanimous-consent agreement, which does not provide time for debate on the resolution, as amended.

Mr. HICKENLOOPER. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator from Iowa will state it.

Mr. HICKENLOOPER. By the same token, the unanimous-consent agreement does not limit the time; it is silent on the question of time, as I understand.

The VICE PRESIDENT. The unanimous consent agreement does specifically limit the time the Senate may spend on the resolution—on amendments, motions, and substitutes. It does not allow any time on the question of final adoption of the resolution, as amended.

The Chair will also inform the Senator from Iowa that in discussing this matter with the Parliamentarian, the Chair is informed that in other circumstances the Senate enters into unanimous-consent agreements which provide specifically for debate on the question of final passage or final adoption. However, no such time limitation is contained in the present unanimous-consent agreement. Therefore, by implication, no such time can be allowed.

Mr. HICKENLOOPER. Mr. President, at this time I am prepared, if I have to do so, to send to the desk a complete substitute for the entire resolution, in order to obtain some time in which to address myself to it. If some Senator wishes me to request the yeas and nays on that question, that will be perfectly satisfactory to me, also.

The VICE PRESIDENT. A Senator has a right to submit a substitute at any time.

Mr. HICKENLOOPER. However, Mr. President, my chief purpose is to have approximately 20 minutes—and perhaps I shall need only 12—in which to present some facts and some history regarding this very tense and controversial issue.

Therefore, I would ask that I be given not to exceed 20 minutes to discuss this matter. It is immaterial to me whether unanimous consent is given, because I am prepared to submit a substitute, in order to gain that much time.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from California will state it.

Mr. KNOWLAND. If the Senator from Iowa will yield to me for a moment, I wish to say I would certainly like to see the Senator from Iowa have the time he desires to have.

I now renew my request that, on the question of final adoption of the resolution, there may be 1 hour of general debate, to be divided equally between the two sides.

The VICE PRESIDENT. Is there objection to the request of the Senator from California? The Chair hears none; and it is so ordered.

Mr. KNOWLAND. Now, Mr. President, I yield 20 minutes to the Senator from Iowa.

The VICE PRESIDENT. The Senator from Iowa is recognized for 20 minutes.

Mr. HICKENLOOPER. Mr. President, because I have had some experience, beginning with the inception of this very difficult and unfortunate controversy, I would not feel that I had conducted myself properly unless, prior to the final vote on the question of the adoption of the resolution, I took steps to make the record somewhat accurate by the recitation of some historical facts.

Without going into detail, or laboring the point, I now call the attention of the Senate to the fact that the entire argument about the junior Senator from Wisconsin [Mr. MCCARTHY] had its inception back in about 1950, when he made certain allegations about the infiltration of subversive elements into the State Department of the United States Government. Of course, there went up from Government propaganda agencies, and so forth, a hue and cry that he was a heinous fellow, that he was "off his rocker," that he was looking for publicity, and similar statements.

Later, the junior Senator from Wisconsin, after his first address on that subject, made a speech lasting almost 2 days; and he delivered that speech from his desk on the right hand side of this Chamber. In the course of that speech he said he had a number of cases of subversives and alleged subversives who had infiltrated the State Department of this Government. He said he had them characterized or listed by the letters "A, B, C, D," and so forth.

During his 2-day speech, a number of Senators on the Democratic side of the aisle rose repeatedly, and demanded that he name those whom he was accusing of being subversives. The junior Senator from Wisconsin stood here for 2 days—as Senators will see if they will take the time to read the RECORD—and during those 2 days said he did not intend to name names in public, would not do so, either under the immunity accorded a speech delivered on the floor of the Senate, or otherwise; but he said that if a special committee were created and were charged with the duty of investigating the possibility of subversive infiltration into the State Department, he would turn over to the committee, in secret, the list of names and the information he had on those names, and then that committee could go further in its investigation. But, notwithstanding the great insistence of Democratic Senators who demanded that he name names, he refused, to do so. I heard that speech. My interest in it eventually became intimate, because in response to that suggestion the Senate established a subcommittee of the Foreign Relations Committee charged with the duty of investigating the alleged infiltration of subversive influences into the State Department.

Bear in mind, there is not a word in that resolution saying that that subcommittee was to investigate the junior Senator from Wisconsin. The subcommittee which was established was called the Tydings subcommittee. It happened to fall to my unfortunate lot to be a minority member of that subcommittee. The then Senator Henry Cabot Lodge of Massachusetts was the other minority member. Senator Tydings, of Maryland, was the chairman of the subcommittee. The late Senator McMahon, whose untimely death we all regret, was a member of that subcommittee, and the Senator from Rhode Island [Mr. GREEN] was the third majority member of that committee.

I am now repeating nothing that was not placed in the RECORD 4 years ago. At the very first executive or organization meeting of that subcommittee Senator Lodge, of Massachusetts, and I moved that the meetings be held in secret at first, that the junior Senator from Wisconsin be asked to come before us and give us the names, and whatever other information he had, and that we then proceed.

The three majority members immediately voted that suggestion down. They said, "No; we will hold no secret meetings." Senator Lodge and I argued that that was what was suggested by the junior Senator from Wisconsin, to prevent making public the names of those whom he suspected, or might secretly charge with being subversive in their interests. The majority of the subcommittee voted us down, with the statement, "We will hold public meetings. We will get the Senator from Wisconsin before the committee in public. We will subpena him. We will put him under oath, and we will make him name names in public."

That is exactly what was done, as shown by the record.

For a long time the majority of that subcommittee refused to allow the minority members to participate in the selection of counsel; and when they did allow us to employ counsel, that counsel was on a number of occasions excluded from the meetings of the subcommittee, and the counsel of the majority was included. On one occasion Mr. Owen Lattimore, who came in for a considerable amount of investigation, was permitted to remain in an executive committee meeting, and counsel for the minority was ordered to absent himself from that meeting.

The committee continued to function for several weeks. The Senator from Idaho [Mr. WELKER] can issue one of his mimeographed censure resolutions against me if he so desires, for what I am about to say. I say it because I said it in 1950 on this floor. No genuine effort was ever made by that subcommittee to investigate the matters it was charged by the Senate with investigating. In my judgment the sole purpose of the subcommittee, and the net result of its work, was an attempt to pillory the junior Senator from Wisconsin. He was on trial from the first meeting of that subcommittee until the report of the full committee was filed. It was a report filed without authority of the subcommittee. It was filed as a report of the Senate Foreign Relations Committee, when the Senate Foreign Relations Committee had never passed upon it or authorized it.

The report was unauthorized, but it was nevertheless drafted and given to the press by the majority of the full committee before the two minority members of the subcommittee, Senator Lodge, of Massachusetts, and I, had ever seen it, and before we knew it had been printed.

When the transcript of the record before that subcommittee was placed in the CONGRESSIONAL RECORD, 35 pages of damaging testimony, showing matters adverse to the conduct of the subcommittee, were strangely eliminated from the report.

I will now say something that I have never said before. The records are downstairs, on the next floor below. One of the citations for contempt against a witness before the subcommittee, and one of the citations for contempt reported by the subcommittee to the Foreign Relations Committee, were materially and substantially altered in verbiage and sent to the floor of the Senate, after they had been authorized by the Foreign Relations Committee.

I know something about the history of the hue and cry which started with the trial and attempted conviction of the junior Senator from Wisconsin in the early days, when he started to alert the people of the country to the evils of communism and its infiltration into Government.

I do not stand here as a defender of the verbiage chosen by the junior Senator from Wisconsin. Of course, semantics is an art. The choice of words which I might use might be crude indeed. The choice of words which my neighbor and friend might use in attempting to say the same things might be artful, clever, and soft.

Yesterday on the floor of the Senate I said something to the effect that if one undertakes to deal a death blow to a man, or murder him, it makes LO difference, in the long run, whether he cuts his throat with a razor or chops off his head with a meat ax. He is just as dead, regardless of the delicacy or finesse of the slayer. The same thing is true of the semantics which one person might be able to choose, as compared with the rougher or more blunt words which another might use. I have seen Members of the Senate not only stand on the floor of the Senate and speak, but by artful movements of the head, by gestures with the hands, by shrugs of the shoulders, or by a snarling voice, convey the most devastating ridicule and contempt of their fellow Senators. Yet when one reads the RECORD it does not show the lifted eyebrow, the curled lip, the shrug of the shoulders, or the contemptuous looks.

As I stated yesterday, I have seen witnesses abused in committees on which I have served, to the point where members of the committee have remonstrated with the colleague who they thought was abusing a witness. Yet no censure resolution has ever been filed in such a case.

I deplore such abuse. I can say that I disagree with the choice of words, and with some of the rather flailing tactics which I think the junior Senator from Wisconsin has used on certain occasions. I can understand that anyone with his back to the wall, and with the pack almost at his throat, may strike out, in emotion, with almost any weapon available to him. Nevertheless, I am not praising the use of certain words.

In my statement yesterday I said that there is no more honorable man sitting in the United States Senate at present, and no more honorable man ever sat in the United States Senate, than ARTHUR WATKINS, the Senator from Utah. I do not criticize him in the least. There is no more high class committee than the select committee, so far as concerns the respect of Members of the Senate. No finer committee could be chosen.

The Senator from New Jersey [Mr. HENDRICKSON] is an intimate friend of mine, with whom I have had a great deal of association. I love and respect him sincerely, as I do other Members.

I am not reflecting upon the sincerity of purpose or the good intentions of honorable Members of the Senate. Nor am I saying that the junior Senator from Wisconsin has always been most delicate and artful. But I am saying, as I said in my statement yesterday, that such things—and worse—have been done before, and yet we have not censured the Senators involved. I have said many bitter things, which I think are true, about the failure of the Tydings subcommittee to perform the mandate which the Senate gave it.

In July 1950 I said more critical things, I believe, about the failure of that subcommittee to do the job for which it was established, than the junior Senator from Wisconsin has said about either the select committee or the Gillette subcommittee. I do not believe that I used quite the words he employed, but I meant to say that the subcommittee, of which I was a member, failed utterly to do its duty. It failed to meet the responsibility which the Senate had given it.

Am I to be censured?

I wish to refer to a few things I said in my statement of yesterday. The junior Senator from Wisconsin is an incident. He has his defenders and he has his condemners. When I read the charges enumerated by the Senator from Vermont [Mr. FLANDERS] I found heinous acts charged against the Senator from Wisconsin, which were discarded by the select committee. They were charges which, in my opinion, constituted far more drastic criticism of an individual Senator than any remarks the junior Senator from Wisconsin has made about other Senators. I say again I do not approve of what he said about other Senators.

In the charges which the Senator from Arkansas [Mr. FULBRIGHT] filed against the junior Senator from Wisconsin, I find at least one charge which I interpret to be a charge that the junior Senator from Wisconsin is corrupt financially and dishonest morally. That charge was discarded by the select committee. I would not vote to censure the Senator from Arkansas or the Senator from Vermont, because I do not believe that is the way to approach the subject.

The Senate is indeed a deliberative body. If the junior Senator from Wisconsin has transgressed in his verbiage what I might believe to be propriety, I have a right to disagree with him, and to personally criticize him. However, there is a difference between personal criticism and the official stamp of odium put on him by the Senate of the United States.

Never before in our history has the Senate attempted to so circumscribe the freedom of expression within the conscience of an individual. It has never tried to do so.

I am neither condemning nor defending JOE MCCARTHY at this point. I am talking about a principle which is much more fundamental than JOE MCCARTHY. I grieve that words have been used with which I disagree.

Mr. President, I can criticize the junior Senator from Wisconsin for his wrong use of words. However, there is a big difference between my violently disagreeing with his choice of expression and my putting an official stamp of opprobrium on him as a public servant for words he has used in times of stress while representing his constituents in Wisconsin and the people of the United States to the best of his ability and along the lines he believes are most effective in the public interest.

Mr. President, I said yesterday in my statement, and I wish to repeat today, that this whole matter of setting up a lexicon of terms—and it may be that tomorrow—is the first step toward the censorship of expressed thoughts as well as the circumscription of words to be used, the method of expression, and the manner in which an independent and free Senator of the United States shall set forth his views on subjects of debate. The Chinese have an old proverb which says that a journey of a thousand miles begins with the first step.

How many Senators have not said, on campaign platforms, bitter things about their opponents or about those who opposed them? How many Senators in the Chamber can cast the first stone when it comes to the question of the use of improper or unduly harsh terms in the heat of campaigns or otherwise?

How many Senators, when they are fighting for their political life, have not perhaps been indiscreet so far as the lexicon of the parlor is concerned?

No; I do not agree with the selection of words by the junior Senator from Wisconsin. I regret that the junior Senator from Wisconsin has said certain things about Members of the Senate whom I respect very highly, and I take no stock in what he has said in that regard.

However, yesterday I tried to sum up what we are doing in putting the official stamp of condemnation on a Senator. It is not MCCARTHY with whom we are concerned here, although, as I said in my statement, when the Senate votes to censure him, joy and hallelujahs will be sung in every Communist den in the United States and in the world. Good people oppose Senator MCCARTHY. It is true that people who are not Communists oppose MCCARTHY. Nevertheless, there is something greater than the hate or the dislike or the disapproval of the junior Senator from Wisconsin for some things he may have inadvertently said in the heat of passion or emotion. There is something deeper than that.

We are beginning a censorship over the choice of words which a Senator may use. We are beginning to make up an official lexicon of verbiage and to set forth the terms which are available to a Senator in expressing himself in the intrest of his constituency and the people of the Nation.

I said yesterday:

> This raises the question, of course, as to whether or not a lexicon of words of propriety is to be adopted by the Senate within the limitation of which each Member must carefully confine himself, else he be officially censured because either through inadvertency or emotion, which is only a part of human reaction, he oversteps the line of official propriety of the moment. It raises the question of whether or not Senators will be circumscribed in their individual right and conscience to criticize people and practices in what they believe to be the public interest. It raises the question of whether or not Senators will be circumscribed and limited in their right and freedom to discuss the conduct and attitude of foreign nations toward this country, else they be censured by those who may disagree with them, or who may consider their language untimely or ill chosen. It raises the question of the meaning of the constitutional protection, which says that for words spoken on the floor of the United States Senate, the Member shall not be questioned in any other place. It raises the whole question of what freedom will remain to a Member of the Senate to express his views on matters which he in conscience believes to be affecting the public interest of his country or of his constituents. It raises the ominous cloud of censure over a body and its membership, which, up until now has retained the strength of freedom in debate and latitude in investigation. It raises the question of whether censure in this case would put the stamp of approval upon defiance of a lawfully constituted committee of this body by servants of or by a department of the Government.

Serious questions are raised in this controversy. I can brush MCCARTHY aside, not in contempt, but because MCCARTHY is not necessarily the primary issue. Perhaps the dislike for MCCARTHY and perhaps the emotional feeling toward MCCARTHY are overriding the real purpose. However, once such a movement as this is started in this last great free forum of the world, there will be no turning back on that road.

Every subversive element in this country would like to see free discussion choked off in the Senate of the United States. I do not say that the resolution of censure will automatically in and of itself completely clamp down censorship. I do not say that. But I do say that a journey of a thousand miles starts with the first step. We are taking that step, because we are censuring, not MCCARTHY, but a Senator for using words which we do not like.

Again, I say, Mr. President, that I have heard the most brutal attacks made on people in nicer words than those which have been complained of. I have heard them repeatedly. I used to know a man who could not talk without swearing every other word. Because of habit he swore in the parlor, in the church, and in the Sunday school. He was a pretty decent fellow. He contributed more to the church than did most of the other parishoners. I would take his word rather than his bond, any day. But he had the habit of profanity, which was ingrained in him as deeply as was his ability to speak. My father did not have that kind of vocabulary, but this man applied for a job and got it. He could express himself. The choice of words is an art. Who are we to say that the choice of words by the Senator from California is all right, but the choice of words by the Senator from Iowa is all wrong, if we both, in the long run, say the same thing?

JOE MCCARTHY—I think I violated the rules of the Senate when I said "MCCARTHY"; I should have referred to him as the junior Senator from Wisconsin—the junior Senator from Wisconsin may have chosen words that other Senators would not have chosen. I think most of us would not have chosen them. He was under stress, he was under emotion; there is no question about that. I decry the words; I regret them. I believe he regrets that choice of words. I believe he has proffered an apology for his impulsiveness, if that is what we want to call it. But I say the Senate is taking a step today which many Members may live to regret and which may rise up to smite some of those who follow us.

Mr. President, I do not think votes will be cast on the floor of the Senate today through venom. No; I do not think that. But I do say that if there are any venomous votes cast, those votes will return to plague the casters. If any votes are cast in emotion today I am afraid they will return to plague those who cast them. I think we should take an open view of the question. If we, individually, want to tell the junior Senator from Wisconsin that he made a mistake, we should tell him, but not with the official stamp, the red seal, indicating for all time that we are beginning to circumscribe, to delimit the words which a Senator may choose.

Mr. President, this is an important, serious, and vital decision which the Senate has to make. I shall vote neither for nor against the junior Senator from Wisconsin. I shall attempt to vote for a principle which I think is in danger of being partially destroyed. I shall vote, as I have voted heretofore, not in favor of anyone, but against the procedure. I shall vote against the resolution not because of the verbiage which is contained in it, but because of what I think a censure resolution of this kind will do to the great freedoms of the Senate of the United States and the repercussions it will have on our free system. That is my position today.

I could not let the resolution come to a final vote without further explaining my position and spreading it upon the RECORD.

Mr. MUNDT. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. MUNDT. I think the approach of the Senator from Iowa to the problem has been very sound and dispassionate, and I think he has rendered the country a great service in trying to depersonalize the issues and to bring the discussion back to historic facts and fundamental principles. I congratulate him.

I wonder if the Senator shares with me my disturbance with reference to the second count which is now before us, because, if I understand correctly, we have now taken all reference to General Zwicker entirely out of the resolution. The select committee brought in the original second count against the junior Senator from Wisconsin on the basis of the General Zwicker incident and with the full vote of the select committee except for one member who voted

"present." They have now retreated entirely from their position on the Zwicker count and substituted the Bennett proposal. They have also now eliminated all reference to the term "censure" as it appeared frequently in their original resolution.

The second count now deals with words used by the junior Senator from Wisconsin on the radio and on television and in a press conference. I know the Senator from Iowa must realize, as I do, how easy it is to slip and stumble and make errors in statements in front of a radio microphone or the TV cameras. Will the Senator comment on the dangers which we would face if we would establish the precedent of censuring or condemning the junior Senator from Wisconsin or any Senator without even a committee hearing because of a slip of the tongue or the use of unfortunate language uttered under the stress and strain of a radio or TV interview? What might such a precedent do to free speech and free conscience in the United States Senate?

The PRESIDING OFFICER. The Chair is compelled to announce that the Senator's time is now completely consumed.

Mr. HICKENLOOPER. Mr. President, I did not want to trespass on the time of the Senate; I did not want to use any subterfuge to get time, and I appreciate the indulgence of the Senate in granting me time.

Mr. KNOWLAND. Mr. President, I yield 1 minute in order that the Senator from Iowa may reply to the Senator from South Dakota.

Mr. HICKENLOOPER. I understood when the recommendations came from the select committee that the Zwicker incident was one of the fundamental principles in this matter. It now seems to be discarded like an old shoe. General Zwicker is no more one of the principals in this case. General Zwicker is no more the maligned and abused human being we were led to believe he was. Because of expediency or otherwise, he has gone out the window; he has disappeared into thin air. I am glad to see that issue removed.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KNOWLAND. Mr. President, I yield back the remainder of my time.

Mr. JOHNSON of Texas. Mr. President, do I correctly understand that each side was granted 30 minutes?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. And that the time of the majority has already been consumed?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. And that if the minority leader would yield back his 30 minutes and not use it, we could then proceed to vote on the resolution, as amended, without further debate?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. Mr. President, I yield back my time.

Mr. BRIDGES. Mr. President, will the Senator yield to me in order that I may have placed in the body of the RECORD a statement without taking up the time of the Senate to read it?

Mr. JOHNSON of Texas. I yield for that purpose.

Mr. BRIDGES. Mr. President, I ask unanimous consent to have placed in the body of the RECORD a speech which I have prepared on the censure recommendations.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH PREPARED BY SENATOR BRIDGES ON WATKINS COMMITTEE CENSURE RECOMMENDATIONS

I want to address my remarks to the whole problem of censure from the standpoint of State sovereignty and historical precedent and by analyzing the full import of censure as affecting freedom of debate and the future effectiveness of the United States Senate and its investigating committees.

To my mind, the matter of censuring a colleague entails the consideration of these deeper problems so that we do not find that in the heat of emotionalism over individuals we have established new precedents that will prove to be embarrassing and unduly restrictive in the future. Even in the most favorable atmosphere of complete judicial detachment in our courts of law we find on occasion that decisions have been made in regard to current expediency and in response to the passions of the times rather than on sound development of existing theories of law. Fortunately, these occasions are rare in judicial decisions and they are soon set to right when calmer heads prevail.

From these lessons, however, we can learn much which should guide us in our consideration of the matter before us, and the analogy is most apt because the broader aspects of the instant censure proceedings call for a quasi-judicial approach as the questions open for debate are involved in the legalistics of interpretation of our Federal Constitution and the Rules of Procedure of this body.

There have been, and will be, remarks made by my colleagues trained in the field of law which will go into these matters with thoroughness and detail as befits their training. I, as a layman in the field of law, would not attempt to indulge in the intricacies of legal debate, but I think that the matters we must consider, although legal in natnre, are so founded in American ideas of fair play that no particular legal background is necessary. Indeed, our greatest constitutional lawyers have well said that the body of the law is no more than the enunciation of the public concept of fairness and justice as applied to a particular situation.

As the senior Member of my colleagues on this side of the aisle, and one of the senior Members of this whole body, I have seen many characters cross the stage of this great debating and legislating society of which we are Members. The characters are more varied than those in any play ever written, because they represent the diverse individualities of every nook and corner of this great land of ours. But they have one common denominator, that of serving their constituents and their country in accordance with their best judgment. That is not only their privilege but the right of their respective States as guaranteed under our Constitution.

In the matter of representation in the Senate of the United States, is preserved the principle of State sovereignty which was so fiercely debated and so forcefully insisted upon in the Constitutional Convention which produced the document which has been described as the greatest document ever conceived and produced by the mind of man at one sitting and at one time.

In the fierce debate between the Nationalists and Federalists, Johnson of Connecticut proposed the great compromise of a representation of the people in one branch of the legislature and the States in the other, and at the close of his debate, he said: "It is agreed on all hands, that a portion of government is to be left to the States. How can this be done? It can be done by joining the States in their legislative capacity with the right of appointing the second branch of the legislature to represent the States individually."

Thus the question was solved with the solution that the sovereign States should each have direct representation in the national legislature, to wit the United States Senate, and this right was safeguarded by article V of the Constitution in the following words: "And that no State without its consent shall be deprived of its equal suffrage in the Senate." Indeed it is most significant that this is the only part of the Constitution which cannot be amended. Although the method of selecting these United States Senators—direct representatives of the sovereign States—can and has been amended by the 17th amendment from election by the legislature to election by the people.

Since the members of the United States Senate are the final repository and the custodians of State sovereignty in our national Government, it is indeed a most solemn duty that we have and it is with the utmost caution that we should act in any way to restrict or limit the activities of a fellow Member, because we are in effect tampering with the sovereignty of his State in so doing.

As in all organizations it is necessary to have certain rules of procedure in order to provide for the best functioning and carrying out of the duties of the Congress. And in that regard certain rules governing the United States Senate were set forth in the Constitution—article I, section 5, clause 2 of the Constitution provides: "Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member."

This was a necessary and proper rule but it is one which to my mind should not be interpreted any broader than its own clear and definite language. The propriety of this rule rests on the fact that the direct representatives of the sovereignty of one State should not act in such a way as to interfere with other Members of this body in acting as the direct representatives of the sovereignty of their States. That and that alone should be the consideration when it comes to a matter of deciding a question of disciplinary action by this body in regard to one of its Members. If this rule were enlarged or stretched or distorted to encompass the sort of proceeding we now have before us, it would indeed operate to utterly destroy the purpose behind the rule.

If we are to censure on the basis of the charges, and the evidence in support of those charges, which are now before us, we would be establishing a precedent under which a great number of present or former Members of this body might have been censured, and this I say from the standpoint of 18 years experience in hearing remarks made by one Senator in regard to another, or remarks made by a Senator in regard to the testimony of a witness at a hearing, or remarks made by a Senator in regard to motives of a committee in arriving at certain conclusions.

But some of you may feel, if we hereby establish a precedent, that what has been said before is water over the dam and that about what is said in the future, we are forewarned. Let us think of that for a moment. There sits among us today a colleague from the sovereign State of Wisconsin, who is subject to a recommendation for censure without the benefit of the forewarning, for which some would say we are now

setting the precedent. That is the disturbing part, to my mind, of this procedure.

In our Senate Manual in the section known as Jefferson's Manual, it is clear that "citizen" means also a Member of this body.

What we are attempting to do, if we try to censure in the way the proposal has been served up to us, is as unnatural as trying to conceive and give birth at the same time. We would be creating a power which we may or may not have the power to create—we would be defining a crime and establishing a procedure while at the same time and in the same process weighing evidence and determining guilt under the power, definition, and procedure that we are in the process of bringing into being. We would not only be going far beyond establishing precedent under the Constitution but we would be flying in the face of other constitutional guaranties of fair play, such as the provision that one will not be made accountable to an expost facto law.

Now let us consider the consequence of carrying through the censure proposals to the ultimate conclusion. The precedent would be an undue inhibition on debate. The Members of this body are not demigods and archangels—they are human beings and while human nature remains imperfect so will be the conduct which is the expression of human nature. From a great debating and legislative body we might well descend to a group of silent mummies, completely inarticulate, each busy at the job of being his brother's keeper. The prospect of this eventuality must have been well recognized in the past when you consider that in the long history of the United States Senate there have been only three occasions when censure was considered. In the first case, when one Member advanced on another, the other met him with a drawn revolver. In that case, in 1850, between Senators Benton and Foote, under a resolution, a committee was appointed to investigate the disorder and to report to the Senate "what befits the occasion." The committee reported no Senate action was recommended, and the matter was dropped. Fifty-two years later Senators Tillman and McLaurin engaged in fisticuffs on the floor. After an immediate closed-door session of 2 hours and 40 minutes, the Senate unanimously passed an order that the two Senators involved be declared in contempt, and the matter was referred to a then standing committee, the Committee on Privileges and Elections, to report on what action should be taken by the Senate in regard thereto. The two Senators were given permission to make an apology, to purge themselves of contempt at that time. The committee reported a resolution of censure and disorderly behavior, which also canceled the contempt order. The contempt order had suspended their functions as Senators for the 6 intervening days between the incident and the report of the committee.

Twenty-seven years later, Senator Bingham, of Connecticut, was censured by resolution as the result of a subcommittee report of the Committee on Judiciary, on the matter of lobbying in which the Senator was incidentally involved. It would appear that the present resolution, because of the similarity in language, was drawn with the Bingham censure resolution as a model, and it would seem to me, that we are now faced with the question of whether we shall confirm the procedure in the Bingham case, which was a radical departure from the already cited constitutional provisions. It is not uncommon in the evolution of constitutional law, as I have previously pointed out, that certain decisions stand out as spur tracks, branching off the main line, which spur tracks are soon abandoned after the heat and expediency of the moment is over. Are we now going to add expediency to expediency and extend the spur track further, rather than continue on the main line which has served us for more than 165 years?

Before leaving the issue of this body being the final repository of State sovereignty, let our minds travel back over the 167 years that have intervened since those hectic days of the Constitutional Convention in Philadelphia in the summer of 1787. In the heat of that summer without benefit of air-conditioning the tireless and devoted delegates to that convention were laboring to give birth to a new nation destined to become the greatest nation on earth.

Opinions were sharply divided and compromise after compromise was the order of the day. Yet, withal, in the compromise between the Nationalists and the Federalists in regard to the matter of State sovereignty, the eternal right of a State to preserve its sovereignty was most strongly set forth, and at the same time there was also set forth one cardinal rule in regard to the conduct of those individuals to whom was entrusted that sovereignty.

That was the rule which I have already cited that provided punishment only for disorderly behavior. Putting yourselves in that convention hall and thinking with the vigor of those Founding Fathers, can you imagine for one moment what the reaction would have been if it had been suggested that after that cited rule of conduct that there be inserted something like the following: "Provided further that at any time that certain Members of the Senate become irritated at the language and methods of a fellow Member, that there may be by appropriate resolution, adopted by a majority of the membership, censure of that Member and the sovereignty of the State from which he comes is thereby abridged to the extent of the censure." Over that long span of years I can hear the hoots of derision that would have greeted any such proposal.

Let us now turn to a contemplation of another and equally great danger that rises before us in the new and uncharted seas into which the adoption of the committee report would eventually lead. The danger that we would strike on the shoals of intolerance where freedom of speech would be irretrievably lost.

We hear a good deal about freedom of speech. Its fair name is taken in vain in many and varied causes but here in the Congress of the United States if freedom of speech is undermined and curtailed, how can it long endure elsewhere? The concept of freedom of speech should be safe eternally in this its most redoubtable citadel—the United States Senate. That our Founding Fathers decided this would be that citadel could no better be expressed than in the constitutional provision of immunity for whatever may be said in the Chambers of Congress. In a democracy so great is the public interest in—so great is the absolute necessity of, free and untrammeled freedom of speech in congressional debate, that immunity was given, even for such words, that without immunity would be subject to civil or even criminal libel. Intention was never made more clear.

Are we now to reject all that? Have we now become so thin-skinned, so sensitive, so lacking in stalwartness that we are seeking protection, one from another, because of what may have been an intemperate remark made in debate? Has it come to the day when we can no longer frankly debate with one another and express our viewpoints even perchance with inadvertent words of passion and not, when debate is over, link arms and go to dinner together? Are we to jeopardize the great tradition in this body where I have heard delivered some of the most touching and beautiful eulogies about a departed Member, delivered by someone who throughout a Senate lifetime had been his most bitter opponent in debate?

But some will say the privileges and immunities of this floor should not extend to committees, such as Senate investigating committees, before which the public is most apt to come, although it is clear that the immunities and privileges do extend. Probably none of our Founding Fathers in their wildest flights of imagination ever dreamed to what size our Federal Government would grow and what varied projects it would encompass. There is no special constitutional instruction as to committee procedure except the general provision found in article I, section V, clause II, that: "Each House may determine the rules of its proceedings." Nor is the Senate Manual instructive on the point, except for certain minor matters.

We must remember that although investigating committees are not a new feature of our operation, nevertheless, committees called upon to investigate American citizens for subversion—American citizens who through some unfathomably warped and perverted thinking would participate indirectly or directly in philosophies and conspiracies for overthrowing our form of Government and delivering us into the hands of a foreign power. True the word traitor is not a new word in the English language. But new indeed are the traitorous methods which we are confronted with today. Repugnant to any true American would be such persons and their methods. What would be more calculated to try the soul of a man than to have one of these people in evading honest inquiry, take refuge in the very Constitution he seeks to destroy. What would be more calculated to try a man's soul than to find that such people have infiltrated into the highest levels of the Government which he is trying to defend and preserve. Under such circumstances is not the avoidance of angry words or what might be considered intemperate words almost an impossibility.

But let us not reason merely in the abstract. Let us see what has been said in the past in regard to the conduct of investigating committees. In my search on this subject I happened to come across the writings of three men—one a former President of the United States, Woodrow Wilson, who in his treatise entitled "Congressional Government" said:

"It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents. Unless Congress have and use every means of acquainting itself with the acts and the disposition of the administrative agents of the Government, the country must be helpless to learn how it is being served; and unless Congress both scrutinize these things and sift them by every form of discussion, the country must remain in embarrassing, crippling ignorance of the very affairs which it is most important that it should understand and direct. The informing function of Congress should be preferred even to its legislative function."

The other two—each of whom by coincidence, find themselves today on the highest court in this land, which is dedicated to the preservation of the judicial branch of the Government as we are dedicated to the legislative branch of the Government. The writings from which I quote are not court decisions. They were written before either of these men ascended to the Supreme bench but they were written at a time when they were in full maturity and with mature judgment and since "as the twig is bent so is the tree inclined," such I would think would be their belief today. And may I further add that they have always been considered men of a very liberal point of view.

Justice Hugo Black in a Harper's article in 1936, when he was then an investigating Senator himself, expressed approbation of

the tactic, if necessary in handling an evasive witness, to "attempt to shake it out of him with a more drastic attack."

Justice Frankfurter in writing in the May 21, 1924, New Republic at a time when the Walsh-Wheeler investigations were being conducted had this to say in regard to the methods of investigating committees:

"But where so much that the Department of Justice was doing under Daugherty was not innocent, it is highly important that even innocent transactions in the general field of fraud and suspicion be explained in order to separate the sheep from the goats. The question is not whether people's feelings here and there may be hurt, or names dragged through the mud, as it is called. The real issue is whether the danger of abuses and the actual harm done are so clear and substantial that the grave risks of fettering free congressional inquiry are to be incurred by artificial and technical limitations upon inquiry. Any quantitative and qualitative judgment of what Walsh and Wheeler were up against, what they produced and how they produced it, leaves the experienced and disinterested mind, duly regardful of the investigating duties of Congress, wholly without justification for changing congressional procedure." And further he said:

"It must be remembered that in various fields there is no legal protection against harm due to unfettered speech. The only safeguards are those secured by social and moral pressure. Thus the immunities enjoyed by judges and legislators for anything said by them as judges and as legislators are founded on deep experience. So also, the abuses of the printing press are not sought to be corrected by legal restriction or censorship in advance because the remedy is worse than the disease. For the same reason, congressional inquiry ought not to be fettered by advance rigidities, because in the light of experience there can be no reasonable doubt that such curtailment would make effective investigation almost impossible."

Further on Justice Frankfurter speaks of the then proposal to introduce curbs on the investigating powers of Congress:

"Where they have never been resorted to or where they are wholly out of place, namely, in the exercise of the informing function of Congress."

And finally Justice Frankfurter says:

"Whatever inconveniences may have resulted are inseparable incidents of an essential exertion of governmental power, and to talk about these incidents is to deflect attention from wrongdoing and its sources.

"The procedure of congressional investigation should remain as it is. No limitations should be imposed by congressional legislation or standing rules. The power of investigation should be left untrammeled and the methods and forms of each investigation should be left for determination of Congress and its committees as each situation arises. The safeguards against abuse and folly are to be looked for in the forces of responsibility which are operating from within Congress, and are generated from without."

In considering the subject matter and working over the remarks I am making here today I have been haunted and obsessed by the ominous overtones of the drama in which we find ourselves the players. What has become of the true liberals in our midst, not the breast-beating, self-proclaiming ones? They are strangley silent, while the breast beaters and self-proclaimers, though protesting the utmost liberalism, are unwittingly asking us to take the most reactionary step this body has ever taken. True liberalism is found in a live-and-let-live state of mind. The true liberal does not go about with sandwich boards in front and behind advertising his wares; he is secure in his own mind with his live-and-let-live attitude and he knows well that actions speak louder than words. We have a strange situation today in which those who shout their liberalism the loudest are the most intolerant of other points of view and most reactionary in wanting to suppress points of view differing from their own. Labels no longer mean anything. One must stop to look beneath the surface.

There are ominous overtones too, in the spectacle we present to the country and the world. We on this side of the aisle can take no comfort in the fact that these proceedings were instituted by one member of our party against another member of our party. You, my colleagues on the other side of the aisle, should have no pride in joining the fray, in the hope of political advantage, if that is in your minds, at a time when the continued effectiveness of this great body is being challenged. These proceedings were ill-conceived and each day that we remain here in political sparring and wrangling debate, we present a more and more sorry spectacle to our own citizens and to citizens in other parts of the world, whether they would be friendly or whether they would destroy us. The drama in which we are indulging discomforts our friends and makes gleeful our enemies.

I see ominous overtones in the fact that our investigating subcommittee on subversion has been immobilized for a matter now of 9 months. Lost in the morass of endless discussion of man and method is the great and necessary work of continuing investigation on the score of subversion.

Final and most ominous overtone of all I see is that by this unnecessary and ill-advised proceeding, calling for censure, we are driving the greatest, if not the final spike in the coffin of our tripartite form of government as we have known it. Government is a fluid thing. There is constant flux. Change is the never changing order. We are now at the apex of a pendulum swing toward overwhelming dominance by the executive branch. It is not the fault of any individual, it is not the fault of any group of individuals. I do not say that anyone has sought such a result, but such a result we all know we have. All of us will admit it privately, some of us will speak it out as I do today, publicly.

If we depart from our constitutional concepts and instructions which I have mentioned hitherto, if we depart from our traditions of full freedom of debate and the inviolability of our Members, we are well on our way to oblivion as the upper branch of the greatest democratic legislative body on earth. In our Senate Manual, which is on the desks and in the offices of all of us, on page 303 appears the following:

"Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say it was a maxim he had often heard when he was a a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority against the attempts of power."

Gentlemen—my colleagues—I appeal to you, the decision rests with you and it is a decision which may well be the most historic decision made in this body in the 166 years we have participated in shaping the history of this land. I ask that we do not depart from our established rules, precedents, and customs—that we urge ourselves of the taint of petty bickering at a time which I feel is a time of crisis for this United States Senate. Let us shortly vote against censure and then let us return dedicated anew to our real tasks and problems of keeping our great country on the straight road of its manifest glorious destiny.

Mr. THYE. Mr. President, will the minority leader yield in order that I may place in the RECORD a statement which I have prepared?

Mr. JOHNSON of Texas. I yield.

Mr. THYE. Mr. President, I ask unanimous consent to have placed in the RECORD a statement which I have prepared on the censure resolution.

There being no objection, Mr. THYE's statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR THYE

No more unpleasant or difficult duty could fall upon the Members of the United States Senate than that of judging whether or not the acts and words of another Senator should be publicly censured.

In the last analysis each Member of the Senate who has the responsibility of casting a vote on such a question must determine what in his judgment are the merits of the case, what action will best maintain standards which have made the Senate through generations one of our great institutions of freedom, and what will be in the best interests of this Nation.

I have carefully considered this entire matter, and all the issues which have entered into the debate and the public controversy relative to it, and I have concluded that in conscience, in respect for the Senate, and in the discharge of my duty as a Senator I cannot do otherwise than vote for the resolution of censure.

This decision is based primarily upon my evaluation of what is the real issue in the present case, stripped of personalities, emotions, and unrelated diversions.

I believe that Members of the Senate should be held to strict accountability for their actions and their conduct, that witnesses before Senate committees are entitled to fair treatment, that Senate committees themselves in discharging their functions deserve the respect and cooperation of all Members of the Senate, and that individual members of such committees in carrying out their duties should be free from personal attack that impugns their motives.

It is when there is persistent departure from principles such as these that the honor and prestige of the Senate demand that a line be drawn.

It is like the line between liberty and license.

To me it is of the greatest importance that the business of the United States Senate should be conducted with due regard to the standards which have made this legislative assembly one of the strongest and most vital pillars of our Republic.

Surely the American people have a right to look here for a standard that is not ordinary.

How Senators act and what the Senate does should be an inspiration and an example, particularly to the youth of America who are destined to live in an age of conflict of ideals.

When the Senate deliberates with reason and understanding, when it proceeds in orderly fashion, and when it is true to its own high traditions it is a bulwark of strength for our own country and a beacon light for all mankind and more especially the young people who will suffer from our mistakes if made.

Let us look to the future, not without regret for mistakes that have been made, but with confidence and not confusion.

Let us raise the level of public service and enhance the confidence of our people in those chosen to serve them.

Let us use free speech, not abuse it, for the vigorous exchange of ideas.

Let us make patriotism a living thing, and not a cloak of self-righteousness or a mantle for ourselves alone to the exclusion of other loyal citizens who may differ with our views.

Let us find a common ground of unity in this country stemming from the strength of our just laws, our representative institutions, and the worthy traditions upon which this country was founded and upon which it has become great.

If we do these things we may look to the future with renewed strength, we will prevent the weakness that comes when we fight to destroy each other, and we will make the resources of freedom the firm foundation upon which the United States of America will stand against all its enemies and all the forces that may be arrayed against us.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have already been ordered. The question is on agreeing to the resolution, as amended.

Mr. WATKINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Abel	Frear	Mansfield
Aiken	Fulbright	Martin
Anderson	George	McCarthy
Barrett	Gillette	McClellan
Beall	Goldwater	Millikin
Bennett	Green	Monroney
Bridges	Hayden	Morse
Brown	Hendrickson	Mundt
Burke	Hennings	Murray
Bush	Hickenlooper	Neely
Butler	Hill	O'Mahoney
Byrd	Holland	Pastore
Carlson	Hruska	Payne
Case	Humphrey	Potter
Chavez	Ives	Purtell
Clements	Jackson	Robertson
Cooper	Jenner	Russell
Cordon	Johnson, Colo.	Saltonstall
Cotton	Johnson, Tex.	Schoeppel
Daniel, S. C.	Johnston, S. C.	Scott
Daniel, Tex.	Kefauver	Smith, Maine
Dirksen	Kerr	Smith, N. J.
Douglas	Kilgore	Sparkman
Duff	Knowland	Stennis
Dworshak	Kuchel	Symington
Eastland	Langer	Thye
Ellender	Lehman	Watkins
Ervin	Long	Welker
Ferguson	Magnuson	Williams
Flanders	Malone	Young

The VICE PRESIDENT. A quorum is present.

The question is on agreeing to the resolution as amended. The yeas and nays having been ordered, the Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCARTHY (when his name was called). Present.

The rollcall was concluded.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the senior Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

On this vote, the Senator from Ohio [Mr. BRICKER] has a pair with the Senator from Tennessee [Mr. GORE], and the Senator from Indiana [Mr. CAPEHART] has a pair with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Ohio [Mr. BRICKER] and the Senator from Indiana [Mr. CAPEHART] would each vote "nay," while the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave of the Senate on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

I announce further that on this vote the Senator from Tennessee [Mr. GORE] is paired with the Senator from Ohio [Mr. BRICKER]. If present and voting, the Senator from Tennessee would vote "yea," and the Senator from Ohio would vote "nay."

I announce also that on this vote the Senator from Florida [Mr. SMATHERS] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Florida would vote "yea," and the Senator from Indiana would vote "nay."

The result was announced—yeas 67, nays 22, as follows:

YEAS—67

Abel	Frear	McClellan
Aiken	Fulbright	Monroney
Anderson	George	Morse
Beall	Gillette	Murray
Bennett	Green	Neely
Burke	Hayden	O'Mahoney
Bush	Hendrickson	Pastore
Byrd	Hennings	Payne
Carlson	Hill	Potter
Case	Holland	Robertson
Chavez	Humphrey	Russell
Clements	Ives	Saltonstall
Cooper	Jackson	Scott
Cotton	Johnson, Colo.	Smith, Maine
Daniel, S. C.	Johnson, Tex.	Smith, N. J.
Daniel, Tex.	Johnston, S. C.	Sparkman
Douglas	Kefauver	Stennis
Duff	Kerr	Symington
Eastland	Kilgore	Thye
Ellender	Lehman	Watkins
Ervin	Long	Williams
Ferguson	Magnuson	
Flanders	Mansfield	

NAYS 22

Barrett	Hickenlooper	Millikin
Bridges	Hruska	Mundt
Brown	Jenner	Purtell
Butler	Knowland	Schoeppel
Cordon	Kuchel	Welker
Dirksen	Langer	Young
Dworshak	Malone	
Goldwater	Martin	

NOT VOTING—6

Bricker	Gore	Smathers
Capehart	Kennedy	Wiley

ANSWERED "PRESENT"—1

McCarthy

So the resolution (S. Res. 301), as amended, was agreed to, as follows:

Resolved, That the Senator from Wisconsin, Mr. McCARTHY, failed to cooperate with the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up matters referred to that subcommittee which concerned his conduct as a Senator and affected the honor of the Senate and, instead, repeatedly abused the subcommittee and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin, Mr. McCARTHY, is contrary to senatorial traditions and is hereby condemned.

SEC. 2. The Senator from Wisconsin, Mr. McCARTHY, in writing to the chairman of the Select Committee To Study Censure Charges (Mr. WATKINS) after the select committee had issued its report and before the report was presented to the Senate charging three members of the select committee with "deliberate deception" and "fraud" for failure to disqualify themselves; in stating to the press on November 4, 1954, that the special Senate session that was to begin November 8, 1954, was a "lynch party"; in repeatedly describing this special Senate session as a "lynch bee" in a nationwide television and radio show on November 7, 1954; in stating to the public press on November 13, 1954, that the chairman of the select committee (Mr. WATKINS) was guilty of "the most unusual, most cowardly thing I've heard of" and stating further: "I expected he would be afraid to answer the questions, but didn't think he'd be stupid enough to make a public statement"; and in characterizing the said committee as the "unwitting handmaiden," "involuntary agent," and "attorneys in fact" of the Communist Party and in charging that the said committee in writing its report "imitated Communist methods—that it distorted, misrepresented, and omitted in its effort to manufacture a plausible rationalization" in support of its recommendations to the Senate, which characterizations and charges were contained in a statement released to the press and inserted in the CONGRESSIONAL RECORD of November 10, 1954, acted contrary to senatorial ethics and tended to bring the Senate into dishonor and disrepute, to obstruct the constitutional processes of the Senate, and to impair its dignity; and such conduct is hereby condemned.

Mr. WATKINS. Mr. President, I move that the vote by which the resolution was agreed to be reconsidered.

Mr. IVES. Mr. President, I move to lay the motion of the Senator from Utah on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from New York.

The motion to lay on the table was agreed to.

Mr. BRIDGES. Mr. President, I wish to address the Chair to propound a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BRIDGES. The Senator from New Hampshire desires to know whether or not in the resolution just passed the word "censure" is mentioned?

The VICE PRESIDENT. Answering the inquiry of the Senator from New Hampshire, the Chair will say the word "censure" does not appear in the body of the resolution.

The title will be appropriately amended, and the clerk will read the title as amended.

The CHIEF CLERK. Resolution relating to the conduct of the Senator from Wisconsin, Mr. McCARTHY.

Mr. BRIDGES. Mr. President, another parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BRIDGES. Then the resolution which has been agreed to is not a censure resolution?

The VICE PRESIDENT. The Senator has not stated a parliamentary inquiry.

Mr. BRIDGES. The Senator from New Hampshire will ask the Chair if, after the elimination of the word "cen-

sure" in the amendment of the title, the resolution as adopted concerns the censure of a United States Senator.

The VICE PRESIDENT. The Senator has stated the same inquiry in different words. The resolution does concern the conduct of a Senator, and the Senator from New Hampshire or other Senators may place upon the resolution such interpretation as they desire.

SENATOR FROM NEVADA

Mr. KNOWLAND. Mr. President, the Senate has before it a privileged matter relating to the credentials of a United States Senator.

The VICE PRESIDENT. The credentials will be read.

The credentials were read by the legislative clerk, and ordered to be placed on file, as follows:

STATE OF NEVADA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that at a general election held in the State of Nevada on Tuesday, the 2d day of November 1954, ALAN BIBLE was duly elected by the qualified electors of the State of Nevada a Senator from said State to represent said State in the Senate of the United States for the unexpired term of United States Senator Patrick A. McCarran, deceased, and having received the highest number of votes cast for said office of Senator, as appears by the certificate of the duly constituted and qualified board of canvassers now on file in the office of the secretary of state at Carson City, Nev., he was elected for the term beginning upon his qualifying as said Senator and ending on the 3d day of January 1957.

In testimony whereof, I have hereunto set my hand and caused the great seal of the State of Nevada to be affixed at Carson City, this 1st day of December, in the year of our Lord 1954.

CHARLES H. RUSSELL,
Governor.

By the Governor:
[SEAL] JOHN KOONTZ,
Secretary of State.

The VICE PRESIDENT. If the Senator-elect will present himself at the desk, the oath of office will be administered to him.

Mr. BIBLE, escorted by Mr. MALONE and Mr. BROWN, advanced to the Vice President's desk, and the oath of office prescribed by law was administered to him by the Vice President, and was subscribed by the new Senator.

[Applause on the floor and in the galleries.]

PERSONAL STATEMENT

Mr. FLANDERS. Mr. President——

The VICE PRESIDENT. The Senator from Vermont.

Mr. FLANDERS. Mr. President, with the exception of a few paragraphs of one speech, everything that I have said and done from last March until the present time was a matter of deep necessity and deep thought. There are a few paragraphs of one speech which I have come to regret very deeply, nothing else; but I do regret those paragraphs very deeply.

I should like first to extend my apologies to the Senate, and to the junior Senator from Wisconsin, who is not present. I told him that I hoped he could stay. I should like to do what can be done in the way of clearing the record. That will be difficult, but I am assuming that there are still a number of unbound volumes of the RECORD of this session of the 83d Congress, and I desire unanimous consent that I may consult with the majority and the minority leaders as to the possibility of handling the RECORD in some way, and that the Senate may give them power to act. For that I ask unanimous consent.

Mr. WELKER. Mr. President, reserving the right to object, first I should like to ask why the Senator from Vermont did not apologize to the junior Senator from Wisconsin before this late hour.

Mr. FLANDERS. As for the time for apologizing, that matter lies within my own control.

Mr. WELKER. Then, Mr. President, I object to the request for unanimous consent.

The VICE PRESIDENT. Objection is heard.

Mr. FLANDERS. Then, Mr. President—that having been prevented—I should like to make a further comment: I trust that Senators will from time to time read over the speeches I have made, commencing with the very friendly one I made in March, which I hoped might result in some change of thought or action on the part of the junior Senator from Wisconsin. However, that did not occur.

I now end that part of the discussion; I have mentioned it only in order to indicate that my relations with him and my thoughts of him have not been personally unfriendly, but I have been seriously disturbed by the course of events of which he has been the center.

Now I wish to comment on the fact that this morning the junior Senator from Indiana [Mr. JENNER] asked me certain questions with regard to my relations with Mr. Lattimore and with others. I asked him whether he would put those questions in writing; but he took my note, crumpled it up, and left the Chamber—from which I conclude that his only interest was in asking the questions, not in obtaining the answers.

I wish to say that I have my Lattimore file with me, and will be glad to show it to any constituted authority, either of this body or of the administration.

Furthermore, he asked me certain questions with regard to my relations with Mr. White, of the Treasury Department. I do not remember the others about whom he asked me; their names will appear in the copies of the CONGRESSIONAL RECORD which will be available tomorrow.

I may say I played a part in the announced judgment of the then Secretary of the Treasury, Mr. Morgenthau, and of the then negotiator for the banking system, Mr. Randolph Burgess. I played an important part in making amendments to or suggestions concerning the bills for the Monetary Fund and the World Bank, which led to their final passage in the House and in the Senate. I do not remember, for the moment, that I was actively engaged in conversation on that subject with Mr. Harry Dexter White. It is not impossible that I was. If so, that is, to the best of my recollection, my only connection with the gentleman.

I thank the Senate for its attention.

Mr. JENNER. Mr. President, if the Senator from Vermont asked me to write out the questions and if he gave me a slip and I crumpled it up, I apologize. I do not recall his handing me a slip; I do not recall crumpling up such a slip.

But the questions I asked are in the official RECORD of the Senate, and could be obtained at any time by the Senator from Vermont. All he needs do is go to the Official Reporter, Mr. Murphy, and he will give him the questions. If the Senator from Vermont does not have them and if he is not interested enough to go get them, I will repeat them, or I will give him a copy of the remarks I made this morning.

I did ask him to answer the questions before the final vote was taken on the censure resolution that he started; but that request of mine was not complied with.

I do not know what the answers of the Senator from Vermont will be to all the questions. But I am certain that this body and various committees of this body will be interested in his answers; and we will expect his answers to come in due time.

Mr. President, let me say that this has been a very, very sad affair. Many things are still unanswered; for example, we have had no report on the mail cover and the telephone cover incidents.

From the parliamentary inquiry which was made, I find that the word "censure" does not appear in the resolution, as finally adopted. I also find that reference to General Zwicker does not appear in the resolution, as finally adopted.

Mr. President, someone has said that apparently old soldiers never die; they just fade away, with resolutions of censure in their hip pockets.

Many unkind things have been said here. I predict this is not the last situation of this sort the Senate will face, as a result of the precedent which has been established.

As an example, yesterday the Senator from Vermont said the Senator from Indiana had taken leave of his intelligence. I wish I could say the same for the Senator from Vermont.

So we are anxiously awaiting the answers of the Senator from Vermont to these questions. I think they may shed a great light upon what has happened on the floor of the Senate; and I am sure that the properly constituted committees will give the Senator from Vermont an invitation, or will give him a subpena if he does not come forward with the answers.

SENATE RESOLUTION 301, AS ADOPTED

Mr. FULBRIGHT. Mr. President, two Members on the other side of the aisle have called attention to the fact that the censure resolution as finally adopted does not contain the word "censure." I believe Senators will find that the last previous resolution of censure, as it is commonly called, adopted in 1929, also used the word "condemned."

For the information of Senators, and in order to convey the meaning which I attach to the resolution just adopted—and I believe other Senators who voted for it also had this understanding of it—I should like to read from Webster's International Dictionary the definition of "condemn," "condemned," and "censure." First, we come to the word "condemn." I shall not read all the definitions. I read several of them:

To pronounce to be wrong; to disapprove of; to declare the guilt of; to make manifest the faults of; to convict of guilt; to pronounce a judicial sentence against; to adjudge or pronounce to be unfit for use or service; to adjudge or pronounce to be forfeited; to pronounce incurable.

The adjective "condemned" is defined as follows:

Pronounced to be wrong, guilty, worthless, or forfeited; adjudged or sentenced to punishment, destruction, or confiscation.

I believe the word "condemn" was in the original resolution submitted by the Senator from Vermont [Mr. FLANDERS]. As I recall, it was also in the Bingham resolution.

The definitions of the word "censure" are practically the same:

To condemn or reprimand by a judicial or ecclesiastical sentence; to find fault with or condemn as wrong; to blame; to express disapprobation of; to criticize adversely.

So I am quite unable to see that there is any substance to the point made, that this resolution does not contain the word "censure." It is a resolution of censure, in the common usage of the word.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. AIKEN. I ask the Senator to give us the benefit of his knowledge. Is it not a fact that we may condemn a person, and also we may condemn an act of a person, which the resolution which we have just adopted has done? It condemns the act rather than the person.

Mr. FULBRIGHT. I would not presume to interpret the entire resolution. It speaks for itself. I did not raise the question. However, two Members on the other side of the aisle seem to think there is some significance in the point that the word "censure" is not found in the resolution. Actually, the word "condemn," as I read it, is a more severe term than "censure," if there is any difference at all.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. BRIDGES. The Senator from New Hampshire raised the point that the word "censure" does not appear in the resolution itself. He did so because he thought it was very peculiar for the Senate to be called into special session to consider the censuring of the junior Senator from Wisconsin, and, after all the time and effort which was put forth, to find that the resolution which the Senate finally adopted did not contain the word "censure."

I am glad the Senator from Arkansas recognizes that fact, and is now trying to develop a philosophy which will justify the action.

Mr. FULBRIGHT. The Senator from New Hampshire does not mean to say, does he, that in 2 or 3 places the resolution does not contain the word "condemn" very explicitly? That is correct, is it not?

Mr. BRIDGES. I believe that is correct. However, the Senator from Arkansas was speaking about censure and about the resolution being a resolution of censure.

Mr. FULBRIGHT. As I recall, the distinguished Senator from Idaho [Mr. WELKER], who took a prominent part in the debate on the resolution, said that, in his opinion, the word "condemn" was not so severe as the word "censure." That is my recollection of what he said.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

Mr. WATKINS, Mr. JENNER, and Mr. WELKER addressed the Chair.

The VICE PRESIDENT. The Senator from Arkansas has the floor.

Mr. MAGNUSON. Mr. President, what is the question before the Senate?

The VICE PRESIDENT. The Senator from Arkansas has the floor.

Mr. FULBRIGHT. I yield to the senior Senator from Utah for a question.

Mr. WATKINS. I should like to inquire whether the Senator from Arkansas was present when the Senator from Idaho, in his speech on November 16, quoted the Bingham resolution. The Bingham resolution, Senate Resolution 146, 71st Congress, 1st session, reads as follows:

Resolved, That the actions of the Senator from Connecticut, Mr. Bingham, in placing Mr. Charles L. Eyanson upon the official rolls of the Senate at the time and in the manner set forth in the report of the subcommittee of the Committee on the Judiciary (Rept. No. 43, 71st Cong., 1st sess.) is contrary to good morals and senatorial ethics and tends to bring the Senate into dishonor and disrepute, and such conduct is hereby condemned (id. p. 5063).

Does the Senator recall that the Senator from Idaho read that resolution?

Mr. FULBRIGHT. I thank the Senator from Utah. That was the point I tried to make. I was speaking from memory. I did not have the exact quotation before me.

Mr. WELKER addressed the Chair.

Mr. JENNER. Mr. President, a parliamentary inquiry.

Mr. WATKINS. The point I wished to make was that the word "condemned" was the historical word used in censure resolutions.

Mr. FULBRIGHT. The Senator is quite correct. It was my understanding that he was following the precedent. I take it that the senior Senator from New Hampshire accepts that as a proper word in the resolution, and that the meaning of the word is as I understand it to be.

Mr. KNOWLAND obtained the floor.

Mr. JENNER. Mr. President——

Mr. KNOWLAND. Mr. President, I yield to the Senator from Indiana for a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Indiana will state it.

Mr. JENNER. There seems to be some question about whether Senator MCCARTHY has been censured or condemned. Does the Chair feel that we should do it all over again?

Mr. WELKER. Mr. President, will the Senator yield? My name has been mentioned. I believe in fairness to me the Senator from California should yield to me so that I may ask a question of the Senator from Arkansas.

Mr. KNOWLAND. I shall be glad to yield for that purpose, with the understanding that I do not lose the floor.

The VICE PRESIDENT. Without objection, the Senator may yield for that purpose.

Mr. WELKER. Mr. President, will the Senator from Arkansas answer a question?

Mr. FULBRIGHT. I shall be happy to do so, if I can.

Mr. WELKER. I should certainly be surprised if the distinguished Rhodes scholar, the Senator from Arkansas, could not answer this question.

Mr. FULBRIGHT. I thank the Senator from Idaho for his gracious compliment.

Mr. WELKER. Regardless of whether the Senator from Arkansas has practiced law, is it not a fact that I gave to the Senator the legal definition of the words "censure" and "condemnation"? I certainly did not attempt to use any mock court, political tribunal that we witnessed here at the taxpayers' expense.

Mr. FULBRIGHT. I do not believe that is a question.

THE RESOLUTION CENSURE?—CONDEMNATION?

Mr. MALONE subsequently said: Mr. President, now that the "party" is over and tempers have cooled, in order to keep the RECORD straight in regard to just what the Senate has accomplished with a resolution which began with a threatened censure, but ended by condemning the language used by the junior Senator from Wisconsin in describing the select committee appointed to investigate the charges and report to the Senate.

I wish to state that in the resolution, as finally adopted, I find very little of the original proposal of the special committee under Senate Resolution 301 as first reported to the Senate at the opening of this special session.

THE AMENDED RESOLUTION

I now hand to the clerk of this distinguished body a copy of the amended resolution, as finally adopted, and ask that it be read.

The PRESIDING OFFICER. Without objection, it will be read.

The Chief Clerk read as follows:

Resolved, That the Senator from Wisconsin [Mr. MCCARTHY] failed to cooperate with

the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up matters referred to that subcommittee which concerned his conduct as a Senator and affected the honor of the Senate and, instead, repeatedly abused the subcommittee and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin, [Mr. McCARTHY] is contrary to senatorial traditions and is hereby condemned.

SEC. 2. The Senator from Wisconsin [Mr. McCARTHY] in writing to the chairman of the Select Committee To Study Censure Charges, Mr. WATKINS, after the Select Committee had issued its report and before the report was presented to the Senate charging three members of the Select Committee with "deliberate deception" and "fraud" for failure to disqualify themselves; in stating to the press on November 4, 1954, that the special Senate session that was to begin November 8, 1954, was a "lynch party"; in repeatedly describing this special Senate session as a "lynch bee" in a Nationwide television and radio show on November 7, 1954; in stating to the public press on November 13, 1954, that the chairman of the Select Committee, Mr. WATKINS, was guilty of "the most unusual, most cowardly thing I've heard of" and stating further: "I expected he would be afraid to answer the questions, but didn't think he'd be stupid enough to make a public statement"; and in characterizing the said committee as the "unwitting handmaiden," "involuntary agent" and "attorneys-in-fact" of the Communist Party and in charging that the said committee in writing its report "imitated Communist methods—that it distorted, misrepresented, and omitted in its effort to manufacture a plausible rationalization" in support of its recommendations to the Senate, which characterizations and charges were contained in a statement released to the press and inserted in the CONGRESSIONAL RECORD of November 10, 1954, acted contrary to senatorial ethics and tended to bring the Senate into dishonor and disrepute, to obstruct the constitutional processes of the Senate, and to impair its dignity; and such conduct is hereby condemned.

Mr. MALONE. Mr. President, that is the resolution as finally passed by this distinguished body.

The word "censure" does not appear.

The harm, of course, is in condemning a Senator who is not accused of breaking any rule of the Senate or any law of the land.

The condemnation is for the spoken word which is a precedent this body may regret.

McCARTHY was only the whipping boy, the real objective is the destruction of the investigative power of the United States Senate.

CONSIDERATION OF NOMINATIONS

Mr. KNOWLAND. A number of Senators have asked me questions with reference to certain nominations.

Mr. WATKINS. I should like to make a brief statement.

Mr. KNOWLAND. I wonder whether the distinguished Senator from Utah would permit the Senate to proceed with the nominations. There will be ample time for other matters. I should like to proceed with certain routine, noncontroversial nominations.

Mr. WATKINS. What I have in mind relates to the staff. It is a closing statement.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

Mr. JOHNSON of Texas. I understand that the majority leader intends to have the Senate consider only routine, noncontroversial nominations, which have been previously agreed upon and which appear on the executive calendar available to every Senator?

Mr. KNOWLAND. That is correct. They are nominations which have been reported by several committees, with the support of both Democratic and Republican Members. They have been cleared with the majority and minority leaders.

Mr. MAGNUSON. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. Mr. President, after consultation with a number of Senators, I ask that the nominations in the Export-Import Bank be passed over temporarily.

The VICE PRESIDENT. Without objection, the nominations in the Export-Import Bank will be passed over.

The other nominations on the Executive Calendar will be stated.

UNITED NATIONS

The legislative clerk read the nomination of Albert F. Nufer to be a representative of the United States of America to the eighth session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. WELKER. Mr. President——

The legislative clerk read the nomination of Samuel M. Brownell, to be a representative of the United States of America to the eighth session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Mrs. Elizabeth E. Heffelfinger to be a representative of the United States of America to the eighth session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization.

Mr. WELKER. Mr. President, reserving the right to object, I should like to have some information with respect to the gentleman whose nomination is being considered. I should like to know in which State he lives, what his accomplishments are, and so forth.

The VICE PRESIDENT. The nominee to which the Senator has reference is a lady.

Mr. WELKER. I did not hear what the Vice President said.

The VICE PRESIDENT. The Senate is considering the nomination of Mrs. Heffelfinger.

Mr. WELKER. I am sorry. May we have order in the Senate. I cannot hear what is going on.

The VICE PRESIDENT. The Senate will be in order. The Chair informs the Senator from Idaho that the nomination under consideration is that of Mrs. Elizabeth E. Heffelfinger. Does the Senator from Idaho desire to have some information concerning Mrs. Heffelfinger?

Mr. WELKER. Yes; I should like to know the State of her residence and her background, and so forth.

The VICE PRESIDENT. Does the Senator from Minnesota desire to give that information?

Mr. THYE. I am delighted to inform the Senator from Idaho. Mrs. Heffelfinger is the wife of P. V. Heffelfinger. She is a mother and an outstanding citizen of Minnesota. I could not conceive of anyone on the Republican side of the aisle objecting to Mrs. Heffelfinger being considered for this important assignment.

Mr. WELKER. What is that? From which side of the aisle?

Mr. THYE. From this side of the aisle. I said I could not believe that any Senator on this side of the aisle could object to Mrs. Heffelfinger's confirmation. I could go into great detail with respect to her nomination and with respect to her qualifications, but I do not believe it should be necessary.

Mr. WELKER. I have complete confidence in my distinguished friend from Minnesota. I have no objection.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Athelstan F. Spilhaus to be a representative of the United States of America to the eighth session of the general conference of the United Nations Educational, Scientific, and Cultural Organization.

The VICE PRESIDENT. Without objection the nomination is confirmed.

ATOMIC ENERGY COMMISSION

The legislative clerk read the nomination of Willard Frank Libby, to be a member of the Atomic Energy Commission.

The VICE PRESIDENT. Is there objection?

Mr. KEFAUVER. Reserving the right to object—and I shall not object—I should like to make a brief statement in connection with this nomination. The appointment of Dr. Libby has been held up because of my objection to his confirmation. I did not object to Dr. Libby because of any lack of qualifications from a scientific standpoint. He is a fine scientist. My objection was based solely on the fact that he favored the Dixon-Yates contract and then, in examination before the committee, clearly showed and admitted that he knew nothing about the contract or about the power brokerage business. I said that as long as AEC was being forced into the power brokerage business and

as long as AEC was being used by this administration as a broker of power for the TVA, we would just have to see that Commissioners are qualified not only from a scientific standpoint but also from the standpoint of knowledge of the power brokerage field.

I am withdrawing my objection now. I am informed that the AEC may not be able to have a quorum for business during the adjournment of Congress unless new commissioners are confirmed. I furthermore believe that Dr. Libby may not be so pleased with the power brokerage fields into which the AEC has been injected and I hope that he will use his influence as a commissioner against further adventures in that direction.

It is obviously not possible for the AEC to get men qualified in both the scientific and power brokerage fields. I knew that at the time I made my objection, but I wanted to emphasize the ridiculous nature of the Dixon-Yates deal, the misuse of a vital agency, the AEC, to hamstring another vital agency, the TVA.

I do not think the TVA ought to be in the atom-splitting field.

I do not think the AEC ought to be in the power brokerage field.

Having emphasized that point, I will no longer stand in the way of the AEC having on its commission men best qualified to perform its primary function, namely the scientific function of developing atomic energy.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HICKENLOOPER. Mr. President, I do not care to hold up the Libby nomination, but I should like to make a statement about another nominee, Dr. Von Neumann, whose name has been sent to the Senate by the President. I do not know whether this is the proper time to make the statement, or whether I should make it after the Senate acts on the confirmation of the nomination of Libby.

Mr. KNOWLAND. Mr. President, I suggest that the only nomination which is before us is the Libby nomination.

Mr. HICKENLOOPER. Mr. President, for the information of Senators, 2 nominations to the Atomic Energy Commission were sent to the Senate, and if action is taken on 1, I think the people of the country are entitled to know that there is nothing against the confirmation of the nomination of the other man.

The VICE PRESIDENT. Without objection, the nomination of Willard Frank Libby is confirmed; and, without objection, the Senator from Iowa may make his statement.

Mr. HICKENLOOPER. Mr. President, with reference to Dr. Libby, whose nomination has just been confirmed, he was nominated after the recess of the Senate, and after the House had adjourned sine die. He took the oath of office and became a Commissioner in fact. Therefore, he has been acting since that time. Certain complications or legal questions might have been raised had the Senate not gone through with the confirmation of the nomination at this session. I do not say that they are significant, but other Senators may think there is something to them. Nevertheless, it is desirable that the nomination be confirmed at this time.

Dr. John von Neumann, who is one of the leading, if not the leading, theoretical mathematicians in the world, has also been nominated by the President for the position of Commissioner. Certain delays occurred, understandably, in the meeting of the Senate section of the Joint Committee on Atomic Energy. The nomination of Dr. Libby was taken up, and a considerable amount of time was consumed in arranging for a hearing on his nomination. The adjournment of the Senate occurred, and there was almost no time to give any serious or substantial consideration to the nomination of Dr. von Neumann. I think it is agreed that the practicalities of the situation preclude any kind of an adequate hearing, and I believe, in the interest of Dr. von Neumann, I should say, at least for the record, that there are certain reasons why the confirmation of his nomination at this particular moment is not so essential as is the confirmation of the nomination of Dr. Libby. It is a matter of mechanics; and by no stretch of the imagination would I want anyone to think that a failure of the committee to give adequate consideration to the nomination of Dr. von Neumann is any reflection of any kind, type, or description on him. It is, as I say, a matter of mechanics; it is a matter of the tensions of the moment; it is a matter of the desire of everyone to get away. We could not begin hearings until tomorrow, and we shall be in adjournment tomorrow.

I merely make that explanation to indicate that no one should draw the slightest inference from the fact that both nominations are not on the calendar.

The Senator from New Mexico [Mr. ANDERSON] and I have discussed it at considerable length, and I hope he will verify my statement along that line.

Mr. ANDERSON. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. ANDERSON. Mr. President, I thoroughly confirm the statement which the Senator from Iowa has made.

The VICE PRESIDENT. The clerk will state the next nomination on the Executive Calendar.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Gerald A. Drew, of California, to be an Ambassador Extraordinary and Plenipotentiary of the United States of America to Bolivia.

Mr. KNOWLAND. Mr. President, I ask that this nomination and the other nominations in the Diplomatic and Foreign Service be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Diplomatic and Foreign Service are confirmed en bloc.

FOREIGN OPERATIONS ADMINISTRATION

The legislative clerk read the nomination of Christian A. Herter, Jr., of Massachusetts, to be General Counsel, Foreign Operations Administration.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DEPARTMENT OF DEFENSE

The legislative clerk read the nomination of Carter Lane Burgess, of South Carolina, to be Assistant Secretary of Defense.

Mr. WELKER. Mr. President, reserving the right to object, I remember that a few years ago the distinguished senior Senator from North Dakota rose upon the floor of the Senate and asked various questions as to why it was that North Dakota never received recognition by appointment of any of its citizens. The people of Idaho are not begging, but I resent very much the fact that day after day and year after year during this administration I have yet to see one person from Idaho appointed to any important position, and for that reason I object.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KNOWLAND. Since the nomination is on the calendar and has, under the rule, laid over for a day, it is not subject to a single objection, is it?

The VICE PRESIDENT. That is correct. A single objection will not carry over the nomination.

Mr. WELKER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The question now is, Will the Senate advise and consent to the nomination? An objection, ordinarily, puts the nomination over to another day. In this instance, since it comes over from a previous day, an objection does not have that effect, and the nomination now comes before the Senate for a vote of the Senate.

Mr. KNOWLAND. In other words, Mr. President, it is not done under unanimous consent, but by majority vote of the Senate.

The VICE PRESIDENT. That is correct.

The question is, Will the Senate advise and consent to this nomination?

The clerk will restate the nomination.

The legislative clerk read the nomination of Carter Lane Burgess, of South Carolina, to be Assistant Secretary of Defense.

Mr. LANGER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LANGER. Nominations are subject to debate, are they not?

The VICE PRESIDENT. They certainly are.

Mr. LANGER. Mr. President, I was interested in the observation of the Senator from Idaho [Mr. WELKER]. The senior Senator from North Dakota was not only objecting some months ago to the fact that North Dakota had never

been recognized in any of the top positions, but he was speaking at that time for all the small States of the Union.

Mr. President, I have looked up the record and I find that Arizona was admitted to the Union on February 14, 1912. It has never had a citizen on the Supreme Court. No one from Arizona has ever been nominated for a Cabinet position since 1912.

We come, now, to the State of Florida. Florida was admitted into the Union on March 3, 1845, 109 years ago, and, yet, during those 109 years, the State of Florida has never had a citizen nominated for the Supreme Court or for any Cabinet position.

We come, now, to the State of Idaho, to which my distinguished friend had reference a moment ago. Idaho came into the Union on July 3, 1890, 64 years ago. I invite attention to the fact that during the Roosevelt administration at one time six members of the Cabinet came from the State of New York. I wish to compliment the distinguished Senator from Idaho for raising this objection. Sixty-four years have gone by and not a person from the State of Idaho has ever been on the Supreme Court or has been a Member of the Cabinet.

We come to the State of Montana. Montana was admitted into the Union in 1889. It has never had one of its citizens in the Cabinet or on the Supreme Court.

We come to the State of Nevada. I see the distinguished Senator from Nevada [Mr. MALONE] on the floor. Nevada was admitted into the Union on October 31, 1864, 90 years ago; yet the State of Nevada has never been recognized at any time as have been some of the larger States. No one from Nevada has ever been nominated for the Supreme Court or for the Cabinet.

We come next to the State of North Dakota, which was admitted to the Union on November 2, 1889. South Dakota was admitted on the same day. Neither State has ever had a person nominated either to the Supreme Court or to the Cabinet.

So far as I am concerned, I now serve notice that when the nomination of Judge John Marshall Harlan to the Supreme Court of the United States is considered by the Senate, I shall fight the nomination, not because Judge Harlan may not be qualified, but because I believe the time has come in the Senate when Members representing the so-called smaller States and their constituencies, should get together to make certain that their constituents also receive some recognition.

The population of Arizona is 859,000. Florida's population is 3,100,000, one-fifth the population of the State of New York. One hundred and seven years have gone by, and Florida has never had a man or a woman nominated to the Supreme Court or the Cabinet. Yet, as I said a moment ago, New York had six members in the Cabinet at one time.

The population of Idaho is 608,000; the population of Montana is 591,000; Nevada's population is 180,000; the population of North Dakota is 600,000; the population of South Dakota is 664,000. The total population of all those States is approximately one-half that of the population of the State of New York, which is 15,179,000.

Certainly I believe Senators representing the smaller States have a right to appeal to the Senate to make certain that before we consent to the confirmation of the nominations of some of these persons to high places, the smaller States also should be recognized.

When January comes, and the Senate meets again, the senior Senator from North Dakota will be here, fighting, with the Senator from Nevada [Mr. MALONE], the Senator from Idaho [Mr. WELKER], I hope the Senator from Florida [Mr. HOLLAND], the Senators from South Dakota, and the Senators from Arizona, to make certain that the small States receive proper representation, the representation to which they are entitled.

Mr. WELKER. Mr. President, it was called to my attention a moment ago that I made a grievous error when I stated that I had never seen the name of an Idahoan on the executive calendar. I believe I am not quite so dumb as to think that the sovereign State of Idaho would be without a Federal judge, a United States district attorney, or a United States marshal. But, like the distinguished and able Senator from North Dakota, I am tired, sick, and disgusted with the idea that every one of these important positions should go to New York, Massachusetts, Connecticut, California, or other States on the eastern seaboard. I do not admit for one moment that those sections of the country have a monopoly upon intelligence in the United States.

We have some Republicans in Idaho, as the persons who make these nominations will note if they take a little look at the record. Let them look at it when they come to give out political patronage, instead of going to places elsewhere.

In deference to my dear friend, the able majority leader, whom I respect and admire very much, I shall not continue any longer on this subject. But I serve notice now—and this statement can go down to the other end of the Avenue—that should any more nominations be received in the Senate, and should the small States be overlooked, as they have been for years and years—I think the RECORD shows that Idaho had one sub-Cabinet member, but Mr. Ickes fired him in a couple of weeks—I shall be here speaking as I am now, and losing, as I have been all day.

But out of deference to my dear friend, the able majority leader, who has nothing to do with this, I withdraw any objection I have.

The VICE PRESIDENT. Without objection, the nomination of Mr. Burgess is confirmed.

Mr. JOHNSTON of South Carolina. Mr. President, I notice that the nomination which has been under discussion is that of Carter Lane Burgess. On page 2 of the Executive Calendar the nomination of John E. Peurifoy to be Ambassador to Thailand appears. Both of these nominees are from South Carolina.

I will admit that so far as South Carolina is concerned, the President of the United States had to look a long time before he could find Republicans there—and I doubt whether either one of these persons is a Republican, if it is desired to come to that question. But I believe both of these nominations are good ones.

DEPARTMENT OF THE AIR FORCE

The Chief Clerk read the nomination of David S. Smith to be Assistant Secretary of the Air Force.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DEPARTMENT OF THE NAVY

The Chief Clerk read the nomination of Rear Adm. Frederic S. Withington, United States Navy, to be Chief of the Bureau of Ordnance, Department of the Navy, for a term of 4 years.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

ROUTINE FOREIGN SERVICE

The Chief Clerk proceeded to read sundry nominations in the routine Foreign Service.

Mr. KNOWLAND. Mr. President, I ask that the nominations in the routine Foreign Service be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

UNITED STATES CIRCUIT JUDGE

The Chief Clerk read the nomination of Walter M. Bastian to be United States circuit judge for the District of Columbia circuit.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES DISTRICT JUDGES

The Chief Clerk read the nomination of Joseph Charles McGarraghy to be United States district judge for the District of Columbia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Lamar Cecil to be United States district judge for the eastern district of Texas.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEYS

The Chief Clerk read the nomination of Phil M. McNagny, Jr., to be United States attorney for the northern district of Indiana.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Leon P. Miller to be United States attorney for the Virgin Islands.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of John R. Morris to be United States

attorney for the northern district of West Virginia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES MARSHALS

The Chief Clerk proceeded to read sundry nominations of United States marshals.

Mr. KNOWLAND. Mr. President, I ask that the nominations of United States marshals be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

Mr. JOHNSON of Texas. Mr. President, I wish to make a brief statement while the Executive Calendar is still being considered.

The minority leader has checked very carefully with the minority members of the committee each nomination that has been reported to the Executive Calendar. There is no nomination on the calendar as to which objection has been brought to my attention.

At the beginning of this special session, an agreement was had with the majority leader that an opportunity would be offered to every Senator who desired to avail himself of the opportunity to question any prospective nominee before the nomination was reported to the Senate.

At the beginning of the session, following that agreement, I presented our conclusions to the Democratic policy committee, and we took the position that no controversial nominations should be considered at this session, which had been called for the purpose of acting on the report of the select committee. We thought that nothing should be allowed to intrude into the very serious matter before us, particularly when the Senate was meeting in the mornings and late in the afternoons.

That position, however, did not extend to noncontroversial nominations. The minority had no desire to block confirmation merely for the sake of obstruction or in anticipation of an improved legislative position in January.

There would have been ample precedent had the minority elected to take the course of obstruction. But because of the reasoned policy and because of the always extended desire of the minority leader to cooperate with the majority, we did not follow that course.

I think some Members may recall the special session which was held in July 1948, and which extended into August, a session controlled by my good friends on the other side of the aisle. To that session the then President of the United States submitted 10,213 nominations. They covered a wide variety of positions, including Secretary of Labor, Undersecretary of Agriculture, Federal judgeships, military offices, and many routine nominations.

For some reason, the special session of the 80th Congress refused to act on a single nomination—not even the nomination of our present President's brother, Milton S. Eisenhower, to the United Nations. I have no doubt that the motives of my colleagues on the other side of the aisle were pure. But whatever the reason, it was a precedent, a precedent which we in the minority today are perfectly willing to forego—that is, to forego so long as the policy laid down by the majority leader is followed, namely, that every member of the minority and majority shall have ample opportunity to question the prospective nominees before being called upon to support their nominations. Today there are 422 nominations on the calendar, and there are more than 10,000 on the desk awaiting action and not printed. The nominations have been made by the President. They have been checked in accordance with the policy laid down by the majority leader. They are all noncontroversial so far as the minority is concerned, and there is a reasonable justification, I think, for their immediate confirmation.

There are some nominees, I am sure men of stature, men of qualifications, men who are unknown to some members of the committees whose nominations are not on the calendar; but that does not necessarily cast any reflection on them. It merely means that in the short time we have, we could not have committee meetings, and cause those persons to undergo extensive interrogation.

Mr. President, we are willing to confirm every nomination on the calendar. We wish the nominees Godspeed, and we give them our assurance that what is now the minority will always be cooperative, regardless of the circumstances.

PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations in the Public Health Service.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the nominations in the Public Health Service be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Public Health Service are confirmed en bloc.

UNITED STATES AIR FORCE

The Chief Clerk proceeded to read sundry nominations in the United States Air Force.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the nominations in the Air Force be confirmed en bloc.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, there are included in the nominations in the Air Force 20 or 25 general officers, that is, of the rank of brigadier general or above, and I understand the number is above that prescribed in the formula which has been adopted by the Committee on Armed Services. Unfortunately, I could not attend the committee meeting yesterday. I had no prior notice that these nominations were coming up today, but I am not going to object to the confirmation of the nominations. The formula we have in the committee may not provide for a sufficiently high number. It may be that the formula fixing the number of general officers the Air Force should have is too low, in view of the extended program; but I wish to serve notice that I am not waiving the idea that this matter should be looked into and should be evaluated again.

The nominations met the requirements of the committee members who were present in the committee when they were considered, and I am not going to object now, or oppose the nominations; but I want to make it clear that I shall not agree on such nominations generally until the formula is looked into and revalued.

Mr. SALTONSTALL. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield to the Senator from Massachusetts, the distinguished chairman of the Committee on Armed Services.

Mr. SALTONSTALL. I am in hearty agreement with what the Senator from Mississippi has said. As I told him yesterday in private conversation, the nominees exceed the so-called Stennis formula by 22, but the number is beneath the limit set under the law by 23. The Air Force is being increased by about 30,000 men. I agree with the Senator that the survey which the Senator made a few years ago provides for too low a number, and is now really out of date. I want him to know that we have recommended that the next committee make a resurvey in January.

Mr. STENNIS. I appreciate the statement of the Senator from Massachusetts. The Senator from Mississippi had not understood that the recommendation had been made. I have no objection.

The VICE PRESIDENT. Without objection, the nominations in the United States Air Force are confirmed en bloc.

REGULAR AIR FORCE

The Chief Clerk proceeded to read sundry nominations in the Regular Air Force.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the nominations in the Regular Air Force be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Regular Air Force are confirmed en bloc.

MARINE CORPS AND NAVY

The Chief Clerk proceeded to read sundry nominations in the Marine Corps and the Navy.

Mr. JOHNSON of Texas. Mr. President, are those the nominations which are on the desk and which were not printed on the calendar?

The VICE PRESIDENT. That is correct.

Mr. JOHNSON of Texas. May I make inquiry as to how many names are contained in the list at the desk?

The VICE PRESIDENT. Ten thousand and thirty.

Mr. JOHNSON of Texas. I thank the Chair.

Mr. KNOWLAND. Mr. President, I should like to say that the nominations were sent to the desk, and were cleared through the committee in the same way the others were handled.

Mr. SALTONSTALL. Mr. President——

Mr. KNOWLAND. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. What the Senator says is correct, and no general officers are included in the nominations. The nominations for promotions are in the Marine Corps and the Navy, and they are all routine promotions.

Mr. KNOWLAND. Mr. President, I ask that the nominations be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Marine Corps and the Navy are confirmed en bloc.

MISSISSIPPI RIVER COMMISSION

Mr. KNOWLAND. Mr. President, I yield to the distinguished Senator from Pennsylvania, the chairman of the Committee on Public Works.

Mr. MARTIN. Mr. President, as chairman of the Committee on Public Works, I should like to state that the committee has taken up with every member of the committee the nominations of Brig. Gen. Charles G. Holle and Brig. Gen. William E. Potter to be members of the Mississippi River Commission. I conferred with the distinguished Senator from New Mexico [Mr. CHAVEZ], the distinguished Senator from Mississippi [Mr. STENNIS], and the distinguished Senator from Tennessee [Mr. GORE], and they recommended that the nominations be confirmed. I discussed the nominations with every member of the committee.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MARTIN. I yield.

Mr. JOHNSON of Texas. Are they the same nominations concerning which we conferred about 3 weeks ago?

Mr. MARTIN. Yes.

Mr. JOHNSON of Texas. Mr. President, the very fine and able chairman of the Committee on Public Works always handles correctly matters before his committee, and we certainly have no objection to the nominations. We enthusiastically endorse the nominees the Senator has mentioned.

The VICE PRESIDENT. Without objection, the nominations to the Mississippi River Commission are confirmed.

ROUTINE FOREIGN SERVICE

Mr. KNOWLAND. Mr. President, I yield to the Senator from New Jersey, acting chairman of the Committee on Foreign Relations.

Mr. SMITH of New Jersey. Mr. President, as acting chairman of the Committee on Foreign Relations, I wish simply to have added to the list of nominations to the routine Foreign Service the nomination of Elbridge Durbrow, of California, and others, which list was not drawn up in time yesterday to have the names appear on the calendar. The committee met this morning. Every member of the committee has been canvassed concerning the nominations. They are merely routine appointments. I ask unanimous consent that these nominations may be added to the list of the other nominations on the calendar and that they be confirmed.

The VICE PRESIDENT. Without objection, the nominations in the Foreign Service will be confirmed en bloc.

POST OFFICE NOMINATIONS

Mr. KNOWLAND. Mr. President, I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I wish to take this opportunity to answer the inquiry as to why there are no postmaster nominations on the list. I conferred with the minority and majority leaders, and with representatives of the majority and the minority on the Committee on Post Office and Civil Service. It was felt at first that there was time to investigate postmaster nominations, but there were 300 such nominations submitted, and it was agreed unanimously among those who conferred on the matter that the nominations be held over until January.

Mr. KNOWLAND. I thank the Senator from Kansas, who, as chairman of the Committee on Post Office and Civil Service, has always been very cooperative and fair.

Mr. JOHNSON of Texas. Mr. President, I wish to join in what the majority leader has said about the chairman of the Committee on Post Office and Civil Service [Mr. CARLSON]. No Member of the Senate has been more cooperative with the minority than has the distinguished chairman of that committee. I wish to assure him that, whether we are in the majority or in the minority, we shall continue to have cooperative relations with him.

Mr. CARLSON. I wish to state to the minority leader that I have had the finest help from the minority. As a matter of fact, I think I am authorized to make the statement for the Senator from South Carolina [Mr. JOHNSTON] and the Senator from Oklahoma [Mr. MONRONEY] that after the beginning of the year there will be no disposition to object to nominations that are put through in the regular way. I think that is a tribute to them.

Mr. KNOWLAND. Mr. President, I ask that the President be immediately notified of the nominations confirmed today.

The VICE PRESIDENT. Without objection, the President will be immediately notified of the confirmation of the nominations.

Mr. KNOWLAND. Mr. President, before the Senate resumes legislative session, I should like to say a word. A number of nominations in several of the departments and commisisons were sent to the Senate by the President. In conformity with the understanding I had with the minority leader when the Senate first came back into special session, it was agreed, and I thought the request was a reasonable one, that when there was a desire on the part of either the majority or the minority members on the committees to have hearings, and to have the nominees appear before them, in order to clear up any matters which it was desired to clear up, that would be a reasonable thing to do, and that it would be only the nominations which came out of committees with the support of both the minority and the majority which we would seek to have confirmed this year.

I wish to express my appreciation to the minority leader of the Senate and the members of the minority, as well as those of the majority, for the very fine cooperation we have had in clearing promptly executive nominations which have been sent to the Senate, and having them stay on the calendar for a shorter period of time than probably has occurred in recent years in our country's history.

Mr. President, I wish to say that whether we shall be in the minority, as now seems likely, or whether we shall be in the majority, at the next session, I hope and I know we shall have the same splendid cooperation. As a matter of fact, just a few hours ago I once again became a majority leader without a majority when the new Senator from Nevada [Mr. BIBLE] was sworn in, which left us with 47 Republicans, 48 Democrats, and 1 Independent, as is now the case.

I wish to express my appreciation to the minority Members—and I think it entirely proper to mention this—in view of certain precedents which were created in the last session of the 80th Congress. Let me say with complete candor and the greatest friendship that they are not the only precedents we have, because I have a faint recollection—although it was a long time before my arrival in the Senate—that in 1930, after the Republicans lost control in the Congress, President Hoover had a few problems with some nominations at that time. However, I think we do not serve any useful purpose by rehashing old history. Instead, Mr. President, I prefer to look to the future.

I am sure we can carry on and continue with the very fine cooperation we have enjoyed during this session. It will be most necessary that the cooperation continue, for no one knows what great problems may arise to affect our country during the 2 years the 84th Congress will be in existence; and I believe we shall have to face the problems as American citizens, rather than as narrow partisans. If we can continue in the same spirit which Senators have shown during the past session, I know the Government of the United States will continue to function in an orderly fashion, as was intended by the framers of the Constitution.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield to me?

The PRESIDING OFFICER (Mr. CARLSON in the chair). Does the Senator from California yield to the Senator from Texas?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Mr. President, again I wish to remind the distinguished majority leader that it will take a great deal more than a change of 2 or 3 Senators on either side of the aisle to affect the very genuine friendship, respect, and admiration I entertain for so honorable a man as the one who now occupies the position of majority leader of the Senate—a man of deep conviction, a man of great sincerity, who at all times is actuated by only one purpose, namely, what is best for his country. Although we may differ on matters, and frequently do, we never differ about how we feel toward each other.

I wish to suggest to the majority leader that he review the record, because although I was not a Member of Congress in 1930, I was around the Capitol, either in the galleries as a doorkeeper, or as a secretary, or while engaged in work in the House of Representatives; and, as I remember—although that was a long time ago—the Democrats did obtain control of the House of Representatives, but the Republicans were still responsible for the confirmation of nominations in the Senate.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I now move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

REPORT OF SPECIAL COMMITTEE TO INVESTIGATE FACTS ON MAIL COVER OF SENATORS

Mr. FERGUSON. Mr. President, on yesterday the Senate referred to the senior Senator from Georgia [Mr. GEORGE] and myself, as a special committee, a resolution calling for an investigation in relation to mail covers in connection with the mail of Senators, including the mail of the junior Senator from Wisconsin [Mr. MCCARTHY]. That matter arose in connection with the previous investigation.

I now report to the Senate that today we have sworn many witnesses and have conducted an investigation, which took until 6 p. m. today. It would be impossible for us to write a report and file it before the end of the present session. We expect that we shall be able to file the report tomorrow, with the Secretary of the Senate.

Therefore, Mr. President, on behalf of the Senator from Georgia and myself, I ask unanimous consent for leave to file the testimony and the exhibits at a later date, as soon as the stenographers can write up the testimony; and that then we may make such recommendations as we deem appropriate under the resolution, and that the Senate may take such steps as it may desire in regard to the printing of the committee hearings.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Michigan yield to me?

Mr. FERGUSON. I yield.

Mr. JOHNSON of Texas. Does the distinguished senior Senator from Georgia [Mr. GEORGE] join in the request the Senator from Michigan has just made?

Mr. FERGUSON. Yes; he does, I am sure. He has just left.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan? The Chair hears none and it is so ordered.

Mr. KNOWLAND. Mr. President, I now send to the desk a proposed order which I ask to have read; and I request its immediate consideration.

The PRESIDING OFFICER. The proposed order will be read.

The legislative clerk read as follows:

I ask unanimous consent that the special committee to investigate and report the facts on mail covers of Senators, pursuant to Senate Resolution 332, be authorized to file a report with the Secretary of the Senate during the sine die adjournment of the Senate.

Mr. KNOWLAND. Mr. President, this has been discussed with the minority leader.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and the order is entered.

PRINTING OF FINAL ISSUE OF THE CONGRESSIONAL RECORD

Mr. KNOWLAND. Mr. President, I ask unanimous consent that Senators shall have the privilege, until 10 days after the adjournment sine die of the Senate, of making insertions in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ECONOMIC CONFERENCE AT RIO DE JANEIRO

Mr. JOHNSON of Texas. Mr. President, I am informed that this is the last day of the important economic conference at Rio de Janeiro. This is a meeting of extreme significance for the future of inter-American relations.

It appears that some vital decisions have already been reached—decisions which will place inter-American economic cooperation on the basis of a two-way street—an operation in which everyone will have a part.

I do not think we should allow this day to pass without recognizing the important contribution made to this conference by the congressional delegates. They included the distinguished chairman of the Senate Foreign Relations Committee [Mr. WILEY], the chairman of the Senate Banking and Currency Committee [Mr. CAPEHART], the junior Senator from Florida [Mr. SMATHERS], and the gentleman from the House Foreign Affairs Committee [Mr. FULTON].

These men, I am informed, brought to the conference the knowledge of our domestic situation that is too frequently lacking. They represented the viewpoint of America vigorously and ably. I think they made a distinct contribution to the understanding of our Latin American neighbors of our own attitude.

I am very proud to have had the opportunity to nominate one of the delegates—the junior Senator from Florida. I know of few men in this Chamber who have exhibited greater enthusiasm and greater intelligence in seeking to promote Western Hemispheric solidarity than have both distinguished Senators from the State of Florida, the junior Senator [Mr. SMATHERS] and his colleague, my beloved friend [Mr. HOLLAND].

It is my belief that the congressional delegation—both from the House and the Senate—added materially to whatever success this conference has had and that we owe our colleagues deep thanks for their work.

GODSPEED TO DEPARTING SENATORS

Mr. JOHNSON of Texas. Mr. President, we are in the closing hours of the 83d Congress and I want to take this opportunity to say "Godspeed" to some Members who will not be with us in the next Congress.

One of the true rewards of service in the Senate is the friendship that exists between the Members. Over the years I have been stimulated and inspired by my close connections with Members on both sides of the aisle.

On politics, we are divided. But in our personal loyalties and our personal feelings I think there are few divisions.

One of the Members who is retiring is a man who has been a good friend and counselor to practically all of us. I am referring to Big Ed JOHNSON—Mr. Wisdom, as some of us have called him—who is going back to his home State of Colorado to occupy the Governor's mansion.

I think that all of us will feel a deep sense of loss over this parting. Big Ed is the man of sense—the man who has always exercised a restraining influence over those of us who become too impulsive and those of us who frequently depart from the paths of prudence out of an excess of zeal. We will miss the senior Senator from Colorado and the Nation will miss him. Our loss is tempered only by the tremendous gain of the people of Colorado.

We shall feel an equal sense of loss over other Members who are departing.

My good and trusted friend, GUY GILLETTE, has served with us for many years. His dignity and his statesmanship—particularly in the realm of foreign affairs—has been a guiding beacon for both Democrats and Republicans. He has served with distinction and with integrity, and I shall always treasure our personal association. I shall be calling upon him for advice and counsel in the years to come no matter where he may be.

From a personal standpoint I shall also miss my associates on the other side of the aisle. I look upon the senior Senator from Michigan [Mr. FERGUSON], the senior Senator from Oregon [Mr. COR-

DON], and the junior Senator from Kentucky [Mr. COOPER] as friends. I never permit political differences to govern my friendships.

These men have all served in this body with integrity and with ability and I shall miss my opportunity for daily association with them.

They are honorable gentlemen, and I hope they will always include me among those who wish them well and hope that their personal fortunes will prosper as they deserve.

Because of his brief service, I have not had the opportunity for extended association with the junior Senator from South Carolina [Mr. DANIEL]. He has sat in the front row with me. I have never formed a deeper affection for any man in such a short time as I have formed for the distinguished Senator from South Carolina.

I also wish to express my regret at the departure of the distinguished lady from Nebraska [Mrs. ABEL]. I have enjoyed my brief association with her, and wish her Godspeed.

I have always considered service in the Senate of the United States the highest honor that can befall any man. To my mind those who are leaving this year carry with them all that distinction and all that honor and also bear my deep respect and affection.

ORDER FOR ADJOURNMENT SINE DIE

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate has completed its deliberations this evening, it stand in adjournment sine die.

The PRESIDING OFFICER (Mr. CARLSON in the chair). Is there objection? The Chair hears none, and it is so ordered.

CLOSING STATEMENT BY THE MAJORITY LEADER

Mr. KNOWLAND. Mr. President, I should like to say a word relative to several of our colleagues on both sides of the aisle with whom I have served in the Senate.

HOMER FERGUSON came to the Senate in 1943. He has served ably and well in his capacity as a Senator from the great State of Michigan. As a Senator he has held a ranking Republican position on the Committee on Appropriations. He has also served as an able member of the Committee on Foreign Relations, and as chairman of the Republican policy committee.

I have found him to be an industrious and able Senator. I shall personally greatly feel his loss in the next session.

Senator GUY CORDON and I have served together on the Committee on Appropriations for a number of years. He is the ranking Republican member on the Subcommittee on Civil Functions of the Committee on Appropriations, of which I have the honor to serve as chairman. In turn, I am the ranking Republican member of the Interior subcommittee of the Appropriations Committee, of which he serves as the able chairman.

This is the second Congress in which Senator JOHN COOPER, of Kentucky, has been with us in the Senate, and I hope that it will not be the last one. He is a man of deep convictions with an ardent desire to serve his country. He has served with great distinction both under a Republican administration and under a Democratic administration. He is a comparatively young man, and I know that he will serve his country and his State well for many years to come.

I would not wish, as majority leader of the Senate, to let the opportunity pass without also making reference to a number of Senators on the other side of the aisle, whom we shall also miss in the next session of Congress.

Those of us who have been privileged to serve with Senator JOHNSON of Colorado have considered it a great and pleasant experience. He has been friendly. He has been interested in the problems of the West and of the Nation. He has been helpful to all Members of the Senate, without regard to the side of the aisle on which they happen to sit.

Mr. President, I am about to yield the floor to the distinguished Senator from New Jersey [Mr. HENDRICKSON], with whom I have had the opportunity to serve in the Senate during the past 6 years. I have known him for a longer period of time than that, and have counted him as one of my close personal friends. I hope that as the years go by he will also find the opportunity to give many more years of service to his country and to his State.

I hope that all Members of the Senate, when they leave us, will remember to come back and visit with us.

We have had with us also some newer Members of the Senate, including the distinguished Senator from Nebraska [Mrs. ABEL], who has been with us for only a short time. I know that those of us who have had an opportunity to become acquainted with her have enjoyed the experience, and we hope that she, too, now that she is a Member of this club, will find an opportunity to visit us.

The distinguished Senator from South Carolina [Mr. DANIEL] has been with us for only a short time, but although we on this side of the aisle have not had the opportunity to get so well acquainted with him as Senators on the other side of the aisle have had, I did have the opportunity to get to know him sometime ago in his own State. I hope that he, too, will carry away from this Chamber the recollection of the spirit which recognizes no center aisle and the knowledge that while we may sometimes, under some considerable emotional stress, differ with each other, when the day is over and the Senate has adjourned, we can meet and greet each other as friends and discuss the many problems in which we have a common interest.

I would not wish this opportunity to pass without also saying a word about GUY GILLETTE. He comes from the State of Iowa. It happens that my mother, who died when I was a year or less old, was born in Iowa, in the little community of Cherokee. That is the city from which Senator GUY GILLETTE comes. We have often had an opportunity to compare notes a little, my information being a bit remote, of course. I have had very pleasant associations with him during the period of time I have been in the Senate.

I wish to join the minority leader in his expressions.

I would not wish this opportunity to pass without also extending my deep appreciation to those who do the heavy work of the Senate at the desk, our Secretary, our Sergeant at Arms, and our pages, as well as those who serve both the majority and the minority. Until a man has had the opportunity of serving at one of those desks, he does not realize just how great a burden these men carry, and how important their work is to the functioning of the Senate.

Of course, in what I have said I include also the Official Reporters of debates. I, who have been in the newspaper business, consider it almost a miracle the way these men, working long hours and under very trying conditions, in the stress of debate, with 2 or 3 or more Senators talking at the same time, manage to write it all, and then sometimes even make it all read much better than we said it on the floor. We do indeed owe them a great debt of gratitude.

I wish to express our appreciation also to those who work in the Government Printing Office, who during the session, night after night, long after we have gone home, print the CONGRESSIONAL RECORD. When we leave our homes in the morning we always find a copy of the CONGRESSIONAL RECORD for our perusal.

To all these persons I wish to say, now that I am about to pass from the position of majority leader to a minority position, that I deeply appreciate the many courtesies which have been extended to me by them, as well as by Senators on both sides of the aisle, and I shall extend to my friend, the minority leader, the courtesies which he has extended to me during the two years I have been called upon to serve in the capacity of majority leader.

Mr. HENDRICKSON. Mr. President, I wish to take this opportunity to thank the distinguished majority leader for the kind things he has said about me, not only today, but on other occasions, and I wish to say that one of the greatest inspirations of my life has been the privilege of serving under the Senator from California as majority leader. His work in the Senate has been a great example to all of us to follow.

CARTER BURGESS

Mr. DANIEL of South Carolina. Mr. President, I ask unanimous consent to have printed in the RECORD a short statement which I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I want to recommend highly the nomination of Mr. Carter Burgess as Assistant Secretary of Defense in Charge of Personnel.

Mr. Burgess is a man of great integrity, of tremendous ability, and with a background of wonderful experience.

I know that he will render outstanding service to the Department of Defense and our Government.

It gives me pleasure to recommend Mr. Burgess without reservation.

PROPOSED SALARY INCREASES

Mr. DANIEL of South Carolina. Mr. President, I should like to take this opportunity to thank the majority leader and the minority leader for their kind observations about the junior Senator from South Carolina. I am appreciative to all Members of the Senate for the many courtesies they have extended to me since I have been a Member of this great body. I leave the Senate, tremendously impressed with the vast amount of work accomplished and with the burdensome load which is carried by the leaders of the two great political parties of our country. I am indeed sorry, for one particular reason, that I shall not be here in January, because the first order of business for me would be to urge the Senate to drastically increase salaries for all Members of the Senate, the House of Representatives, the judiciary, and employees of the Federal Government. The people of South Carolina want to pay adequate salaries to those who serve them so well in the Congress, the judiciary, and the Government of the United States. In my opinion, the Senate is the most underpaid organization in America today. If we are to continue having the best brains in this country represent this great country in the Congress and the judiciary, I think that the 84th Congress should make pay increases the first order of business. Businessmen, taxpayers, and citizens of South Carolina would give their full support to such a program as a matter of justice.

SPECIAL COMMITTEE TO STUDY TECHNICAL ASSISTANCE PROGRAMS

The PRESIDING OFFICER (Mr. CARLSON in the chair). The Chair appoints the Senator from Arizona [Mr. GOLDWATER] as a member of the special committee on the so-called 4-point programs, created by Senate Resolution 214, heretofore adopted.

JUVENILE DELINQUENCY

Mr. HENDRICKSON. Mr. President, during the past 14 months it has been my privilege to serve as chairman of the Senate Subcommittee of the Judiciary charged with investigating juvenile delinquency in the United States. Since I shall not be a Member of this distinguished body when the report of the subcommittee is made to it in January 1955, I feel a responsibility to briefly summarize at this time certain impressions of its work and achievements. This feeling of responsibility does not reflect any desire to assume credit for its work, but grows out of my belief that as its retiring chairman I am in a position to make certain observations about its accomplishments which it could not modestly make in its own behalf.

An appraisal of accomplishment, to be fair, must be made relative to what could be realistically expected of the subcommittee in the way of achievement. Neither the Senator from Tennessee [Mr. KEFAUVER] or myself in introducing identical resolutions calling for a senatorial investigation of juvenile delinquency expected that action to obliterate the problem from our shores, nor has the subcommittee done so. I am absolutely convinced, however, that its work has made a vast and far-reaching contribution to combating this menacing social problem. And, Mr. President, total gains on the problem have been significant. The problem is not yet whipped, far from it, but I predict, with full awareness of the danger confronting prophets, that 1954 statistics will reveal that the shocking upward spiral of juvenile delinquency which began in 1948 ground to a halt this year. Merely stopping the upward surge, however, is no reason to relax our efforts. We cannot afford to go on paying the grim annual toll that the problem of juvenile delinquency is reaping among our young citizens.

The contributions which the subcommittee has made to total gains are, I believe, multiple. Some have been immediate and concrete in form. Other contributions, perhaps of even greater significance, are imponderable. In some instances, the results of movements started by the subcommittee will not be apparent for some months or even years. This report, therefore, is of necessity sketchy and incomplete.

In terms of volume of work undertaken, the record of the subcommittee is, I believe, impressive. To date, we have examined more than 500 witnesses, reviewed the programs of hundreds of community agencies, made first-hand investigations of both local and interstate problems from coast to coast, conducted hearings in major cities throughout the country, collected statistics, and analyzed scores of studies, statutes, and other pertinent data.

Participation in this varied work has left me with a large number of conclusions—and one that is inescapable, Mr. President, is that there is a vast difference between what is known about the problem and what is done about it. The problem of juvenile delinquency has many causes but it is not so complex as to baffle efforts by intelligent people to come to grips with it. There are here in Washington and in every State and community we have visited numerous community leaders who know ways and means of ameliorating the problem. But there is a gap between what they know and what the community does.

It is my studied and honest opinion, Mr. President, that the subcommittee has served an invaluable role in helping to close that gap throughout the land. I will take the time here to give the Senate only one specific example of the kind of thing I am talking about.

Our hearings in Boston, Mass., revealed widespread drinking by juveniles in a number of downtown bars in that city. They also revealed a failure by the licensing authority to take effective action against establishments dispensing alcoholic beverages to youngsters. This condition was not unknown to the local police. Indeed, it was the police who told us about it. Neither were the good citizens of Boston indifferent to this hazard to the wellbeing of their young. But relatively few of them knew of the condition until it was publicized by the subcommittee's public hearings there. Six months later the subcommittee sent two investigators to Boston to do a recheck on conditions in that city. By that time signs prohibiting sales to minors were conspicuously displayed in all taverns. Waiters were scrupulous in checking the ages of youthful-appearing patrons. And not a juvenile could be found at any bar visited. The gap between what was known about a social problem and what was done about it had been closed.

Other community hearings have been held in Washington, in Philadelphia, in Chicago, in Denver, in El Paso, in San Diego, in Los Angeles, and in San Francisco. In every one of those communities, without exception, it would be possible to point to corrective social action which has followed subcommittee revelations.

But there are many and varied conditions contributing to juvenile delinquency which cannot be corrected on a community-by-community basis. These are interstate and national conditions and problems, and to these the subcommittee has given its particular attention. Again, I will limit myself to only an example or two of the kind of problems I refer to.

Juvenile delinquency crosses State borders. A boy runs away from one State to commit delinquencies in another. A girl on probation leaves her home State to reside with other relatives. Two States, side by side, have a combined caseload large enough jointly to support a needed specialized service such as a treatment center for psychotic delinquents, which could be afforded by neither alone. These are the types of problems which the lack of effective machinery for interstate cooperation has made difficult, indeed, impossible, to resolve. Working in cooperation with several national agencies, the subcommittee has helped to formulate the instruments necessary to such interstate work. During this session of the Congress the subcommittee introduced, and in the next session plans to reintroduce, a joint resolution authorizing States to enter into these compacts.

Another example of a problem which cuts across State lines is that presented by certain mass media of communications which dramatize and glamorize crime, vice, lust, and every depraved form of human behavior. The so-called crime and horror comic books represented such a media. At the beginning of its work the subcommittee found that parents throughout the Nation were con-

cerned with this stream of literary filth which was pouring through their children's hands. But there was little the individual parent could do beyond trying to play censor after the child's dimes had been spent. Parents could not shut off the supply.

Following the subcommittee hearings on this problem—and we had 3 days of hearings in New York—responsible publishers and distributors joined together to form a new organization, adopted a code of standards, and appointed a "czar" for its enforcement. Horror comics are outlawed under the code and limitations are imposed on those dealing with crime. It is yet too early to say with confidence that this mechanism will completely solve the problem of crime and horror comics, but, for the first time, American parents at least have reason to hope.

May I depart from my text at this point to say that a special interim report on crime and horror comics will be made to the Senate by our subcommittee within the next few weeks. I strongly urge each Senator to read it. Mr. President, you will be shocked, as indeed I was, to learn that such vile materials have been selling to our American children at the rate of 20 million copies per month.

To return to my thesis, the subcommittee has also uncovered problems which, though primarily local in impact, are national, even international, in character. Southern California is confronted with such a problem relative to the Mexican border city of Tia Juana. That city abounds in every form of human vice, including large-scale narcotics operations and widespread prostitution. Tens of thousands of teenagers from throughout southern California, and often from other States, pour over the border in search of excitement and new thrills. Local authorities can do little with such a problem as this, involving as it does international relationships. As chairman of the subcommittee, I have requested the Navy to consider placing Tia Juana off limits, a step both necessary to the protection of some 80,000 military personnel in that area, and one which would stimulate a cleanup by local Mexican authorities. The Senate, I hope, will have the opportunity to take more pointed corrective action on this problem following submission of recommendations in January.

I have referred thus far to only a few of the many concrete results which have flowed from the subcommittee's work. Let me turn for a moment now to some less tangible and somewhat imponderable effects of the subcommittee's work—effects which in many ways may be of even greater import to the war against juvenile delinquency. The United States Senate enjoys great prestige. The fact that it has singled out the problem of juvenile delinquency for attention has turned the spotlight of public attention upon its causes and cures as never before in our history. This, in turn, has helped to stimulate and strengthen a wide range of remedial activities throughout the country. During the past year programs and projects to combat juvenile delinquency have been adopted by hundreds of communities and by thousands of organizations in those communities. Comprehensive studies of the problem of juvenile delinquency have been launched in dozens of cities. Now let me emphasize that I do not contend that our subcommittee was the one and only trigger for all this action, but the subcommittee has been consulted in regard to too many of these projects to discount its important influence.

I will refer to only one more small example of its possible influence. Our subcommittee has recently held hearings to inquire into the extent, if any, that the presentation of crime and violence on television may contribute to the delinquent acts of children. Again this is a subject of great concern to an overwhelming number of American parents. I know not yet what our findings or recommendations in this area may be, but I am unofficially advised that the television industry itself, and it is a responsible industry, is contemplating significant research into the effects of certain kinds of programing as a result of our hearings.

My 14 months' investigation into the problem of juvenile delinquency leaves me with another negative but inescapable conclusion. Delinquency is a problem with which many people, groups, and agencies are concerned. And they should be. As a matter of fact, it is a problem of such great magnitude—of such tremendous importance to the people of this Nation—that more and more people must take an active part in the fight if we are to win. But during our hearings it was forcefully brought home to us, time, and time, and time again, that there is all too often a decided lack of coordination and cooperation among the agencies which are trying to do the job. And this, Mr. President, is true both nationally and in local communities. Not for one moment would I have anyone here take this statement to mean that I have not the highest admiration and respect for the countless thousands of earnest and sincere men and women throughout the country who are fighting in this common cause. But unless all their efforts are brought into focus, there is bound to be duplication of effort. But worse yet, unless all of these good people and organizations work together certain aspects of the problem are bound to be neglected and overlooked.

The subcommittee has tried to do something about this lack of coordination. We have, first of all, focused public attention on this lack of coordination not only through our public hearings but also through questionnaires sent to leaders throughout the country—questionnaires soliciting advice as to how better coordinated efforts could be brought about.

It is very difficult to measure accurately the results of the subcommittee's efforts along these lines. We have had our successes; we have also had, so far, our share of failures. But on the whole I think I can, at this point, report that I see some definite signs of improvement in this matter of increased cooperation among the agencies and organizations.

Some of the communications we have received indicate to me that our efforts may well be more effective than we have guessed. For example, we have had considerable testimony before our subcommittee concerning the need for the establishment by the Federal Government of a new organization which some of the witnesses called a National Institute of Juvenile Delinquency. Our subcommittee is giving earnest consideration to such a proposal. But in order to get the best thinking on the subject, we sent out hundreds of questionnaires asking for specific recommendations—for pros and cons—on this recommendation. Just recently I received a reply from one city in which all the agencies had gathered together to discuss the questions we had raised. In compiling their answers they were led to see how their recommendations could be put into effect locally, a step which brought about decided improvement in day-to-day working relationships.

Now I must be frank, and I want to be. In some instances, the subcommittee's efforts to spotlight the lack of coordination among the agencies has not had any appreciable effect. One such situation exists right here in the District of Columbia, at Congress' own doorstep. In March, when we submitted our interim report, we stated that in relation to agencies in the District of Columbia—

> There is wide lack of effective cooperation. There is also evidence of great friction between these agencies. The latter was quite apparent not only in the charges and countercharges during the hearings but also in their enunciation via the public press both before and after the hearings. With such feelings prevailing, it is obvious that these agencies are not utilizing most effectively their limited resources.

From recent items appearing in the public press, the situation, in the District of Columbia is not a whit different today from what it was a year ago. Cooperation must come about through the earnest desire on the part of all persons involved to get together to do the job. It is hard to legislate cooperation. I hope it will not be necessary. But in view of the situation as it exists and of the responsibility of Congress for the District of Columbia, our subcommittee is seriously considering whether in this case legislation might not be necessary to achieve even the beginnings of cooperation. Children in the District of Columbia whose welfare is peculiarly the responsibility of this Congress should not continue to be innocent victims of pulling and hauling on the part of public officials.

But finding ways and means of uniting battlefronts is not of concern solely to official agencies. A few months ago, the subcommittee called together representatives of some 17 of the largest service and fraternal and veterans' organizations having combined membership of over 9 million persons. When these representatives gathered here in the Capital, we put our challenge squarely to them. We knew that these very worthy organizations were doing a lot

in the field of preventing juvenile delinquency. But we asked them to do more. And we asked them to coordinate their efforts in doing more. I am happy to report that they enthusiastically accepted that challenge. A selected drafting committee, assisted by subcommittee staff, has been hard at work developing the details of a mechanism for continuing cooperation of efforts to combat delinquency among these organizations. Soon I hope this mechanism will become a reality—tangible proof of the efforts of the subcommittee to get a common effort focused on a common goal. Then, I hope, all these great and fine service, fraternal and veterans' organizations will march shoulder to shoulder in a spirit of common endeavor in this all-important fight against juvenile delinquency.

There is one further step we took to seek national coordination of endeavor. Just a few weeks ago we asked 18 of the leading national, public, and private organizations, organizations dedicated to the improvement of services for the prevention and treatment of juvenile delinquency, to gather together. Among those invited were the National Council of Juvenile Court Judges, the American Bar Association, the National Probation and Parole Association, the United States Children's Bureau, the Federal Bureau of Prisons, and the American Public Welfare Association. They all came. They met for a full day and gave us the benefit of their valuable advice and counsel on how national efforts of public and private agencies throughout the country could be harnessed together to pull in the same direction, to eliminate duplication, and to increase their efforts. Many of the valuable suggestions received from that group will, I hope, be incorporated in the subcommittee's recommendations for legislation and action. But one thing surprised me about that meeting. I was told that it was the very first time they had all gathered together. And they expressed the belief that even if nothing further came of that meeting the opportunity provided by the subcommittee for discussing their common problems, as they did that day, would prove invaluable.

Mr. President, I will refer to only one more specific problem given attention by our subcommittee, and that is to the severe problem of juvenile delinquency amongst some of our Indian peoples. I mention it because it is a matter about which our subcommittee, and particularly my distinguished colleague, the Senator from North Dakota [Mr. LANGER], has keen concern. Indian children are entitled to the same kind and degree of guidance and protection that is normal and needful for any other American child. And all too often he is not receiving his just dues. Our hearings revealed living conditions among many Indian groups far worse than the worst slums in the larger cities; that opportunities to earn a living wage by labor, by farming, or by ranching are far less than for other groups—resulting in an average annual income of $750 per family compared to $2,250 per non-Indian family. Our hearings also revealed that both Federal legislation and administration of the Bureau of Indian Affairs has been too changeable and vacillating to exert any positive influence on the way of Indian life; that our appropriations for health, education, welfare, and administration of law and order has either been too inadequate or too poorly distributed to obtain the best results.

I have not deemed it proper in these remarks to anticipate the subcommittee's report by making specific recommendations on any of the many problems which I have helped to study—problems which in one way or another add their bit to the delinquency toll. But next year the Senate of the United States will be presented with specific legislative proposals as the result of our comprehensive investigation. I fervently hope that this great legislative body will consider seriously each and every piece of recommended legislation. I say this because the Subcommittee To Investigate Juvenile Delinquency, which I have so proudly headed since its inception, has worked diligently and has carefully considered what laws are needed to reverse our national tragedy of youth in trouble. My colleagues on the subcommittee will have devoted countless hours to the consideration of these proposals. And, gentlemen, as I make my final speech on the floor of the Senate, I want to say that when one considers this legislation I want my colleagues to know that my heart and my spirit, the best that is in me, accompany those recommendations.

Now, one final matter. I do not believe there has been a more important Senate investigation undertaken by any group of Senators than that which my colleagues, the Senator from North Dakota [Mr. LANGER], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Missouri [Mr. HENNINGS], and I have undertaken. In the 14 months that we have been carrying on this all-important task, we have attempted to cover literally scores of casual and contributing factors to the tremendous juvenile delinquency problem. But in 14 months' time, it has not been possible to examine every facet of a problem which is so many rooted.

Consequently, it is my earnest hope that this, the greatest deliberative body on earth, the United States Senate, as has been stated so often in the past few days, will pick up the task I leave and carry through the work begun by my subcommittee. There is no more important undertaking, as far as our domestic problems are concerned, than this. A strong America needs law-abiding citizens. We have no more important resource than our youthful citizens. The President of the United States said the other day that the greatest national resource we have is the children of America. Indeed, I believe that the protection and preservation of this resource merits and deserves a continuing watchdog in the form of a permanent subcommittee of the Judiciary Committee of the Senate, and I recommend that action to this end be taken.

In conclusion I want to state a final fact. In the years I have been in the United States Senate no work that I have undertaken gave me as much inner satisfaction as my efforts to help curb juvenile delinquency. I wish to thank each and every Member of the Senate for granting me the opportunity to carry on so satisfying an undertaking. When in the next Congress my colleagues have the opportunity to renew the work of the subcommittee and to pass laws the subcommittee recommends, they too can share the profound satisfaction of thereby serving our American youth.

Mr. President, I yield the floor.

Mr. KNOWLAND. Mr. President, I yield to the distinguished acting minority leader, the junior Senator from Texas [Mr. DANIEL].

Mr. DANIEL of Texas. Mr. President, on behalf of the minority leader [Mr. JOHNSON] and myself, I wish to compliment the Senator from New Jersey [Mr. HENDRICKSON] on his fine report, his speech, and the work of his committee. We shall miss him in the next session of the Senate, and we are sorry that he will be leaving.

Mr. HENDRICKSON. Mr. President, I should like to take this opportunity, before I leave the Senate, to thank the distinguished junior Senator from Texas [Mr. DANIEL] for the tribute he just paid to the committee, partly in my name.

As I leave the floor, I wish to say to him that he has been an inspiring figure in the Senate. I shall never forget his fight on the tidelands issue. His leadership was magnificent, and he won his fight.

I shall miss him terribly in the years ahead.

Mr. DANIEL of Texas. I thank the Senator from New Jersey.

SINE DIE ADJOURNMENT

Mr. KNOWLAND. Mr. President, in accordance with the order previously entered, I move that the Senate now adjourn sine die.

The motion was agreed to; and (at 7 o'clock and 10 minutes p. m.), under the order previously entered, and as a further mark of respect to the memory of Dwight L. Rogers, late a Representative from the State of Florida, the Senate adjourned sine die.

REPORT OF SPECIAL COMMITTEE ON MAIL COVER OF SENATORS AFTER ADJOURNMENT

Under authority of the order of December 2, 1954, and pursuant to Senate Resolution 332, submitted on December 1, 1954, by Mr. KNOWLAND (for himself and Mr. JOHNSON of Texas), Mr. FERGUSON and Mr. GEORGE, as the special committee to investigate the cover of mail of Senators, on December 3, 1954, submitted a report (No. 2510) thereon, which was printed.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 2 (legislative day of November 29), 1954:

UNITED NATIONS

REPRESENTATIVES OF THE UNITED STATES OF AMERICA TO THE EIGHTH SESSION OF THE GENERAL CONFERENCE OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

Albert F. Nufer, of New York.
Samuel M. Brownell, of Connecticut.
Mrs. Elizabeth E. Heffelfinger, of Minnesota.
Athelstan F. Spilhaus, of Minnesota.

ATOMIC ENERGY COMMISSION

Willard Frank Libby, of Illinois, to be a member of the Atomic Energy Commission, for remainder of term of 5 years expiring June 30, 1956.

DIPLOMATIC AND FOREIGN SERVICE

Following-named persons to be Ambassadors Extraordinary and Plenipotentiary of the United States of America to the countries indicated (recess appointments):

Gerald A. Drew, of California, to Bolivia.
Robert F. Woodward, of Minnesota, to Costa Rica.
Robert C. Hill, of New Hampshire, to El Salvador.
Jack K. McFall, of the District of Columbia, to Finland.
Norman Armour, of New Jersey, to Republic of Guatemala.
John E. Peurifoy, of South Carolina, to Thailand.
Edward T. Wailes, of the District of Columbia, to Union of South Africa.

FOREIGN OPERATIONS ADMINISTRATION

Christian A. Herter, Jr., of Massachusetts, to be General Counsel, Foreign Operations Administration.

DEPARTMENT OF DEFENSE

Carter Lane Burgess, of South Carolina, to be Assistant Secretary of Defense.

DEPARTMENT OF AIR FORCE

David S. Smith, of Connecticut, to be Assistant Secretary of the Air Force.

DEPARTMENT OF THE NAVY

Rear Adm. Frederic S. Withington, United States Navy, to be Chief of the Bureau of Ordnance, Department of the Navy, for a term of 4 years.

MISSISSIPPI RIVER COMMISSION

Brig. Gen. William E. Potter, Corps of Engineers, to be a member of the Mississippi River Commission.
Brig. Gen. Charles G. Holle, United States Army, to be a member of the Mississippi River Commission.

ROUTINE FOREIGN SERVICE

The following-named persons, who were appointed during the last recess of the Senate, to the offices indicated:

To be consul general of the United States of America

Loyd V. Steere, of California.

To be Foreign Service officers of class 1

E. Tomlin Bailey, of New Jersey.
Frederic P. Bartlett, of New York.
Niles W. Bond, of Massachusetts.
Bernard Gufler, of Washington.
James E. Henderson, of California.
Fred W. Jandrey, of Wisconsin.
Brewster H. Morris, of Pennsylvania.
Robert Newbegin, of Massachusetts.

To be Foreign Service officers of class 1, consul, and secretary in the diplomatic service of the United States of America

Graham A. Martin, of Florida.
Benson E. L. Timmons III, of the District of Columbia.

To be Foreign Service officers of class 2

William Belton, of Oregon.
William O. Boswell, of Pennsylvania.

To be Foreign Service officers of class 2

John H. Burns, of Oklahoma.
John B. Holt, of Maine.
Raymond G. Leddy, of New York.
Gardner E. Palmer, of Michigan.
Stuart W. Rockwell, of Pennsylvania.
Roy Richard Rubottom, Jr., of Texas.
Horace G. Torbert, Jr., of Massachusetts.
Gerald Warner, of Massachusetts.
Murat W. Williams, of Virginia.

To be Foreign Service officers of class 2, consul, and secretary in the diplomatic service of the United States of America

John J. Haggerty, of Montana.
Harlan P. Bramble, of Oregon.
Leo G. Cyr, of Maine.
W. Clyde Dunn, of North Carolina.
Richard B. Freund, of Illinois.
Robert G. Hooker, Jr., of California.
Paul T. Meyer, of New Jersey.
H. Gerald Smith, of Virginia.
Paul R. Sweet, of the District of Columbia.
William C. Trueheart, of Virginia.
Robert E. Ward, Jr., of South Carolina.

To be consul generals of the United States of America

V. Harwood Blocker, of Texas.
William J. Porter, of Massachusetts.

To be Foreign Service officers of class 3

Robert W. Adams, of Texas.
Milton Barall, of New York.
Charles Philip Clock, of California.
Robert F. Corrigan, of Ohio.
Francis W. Herron, of Iowa.
Alfred le S. Jenkins, of Georgia.
Joseph J. Jova, of New York.
James C. Lobenstine, of Connecticut.
William L. Magistretti, of California.
Oliver M. Marcy, of Massachusetts.
Lee E. Metcalf, of Texas.
Joseph J. Montllor, of New York.
Albert W. Sherer, Jr., of Illinois.
Garrett H. Soulen, of Texas.
Miss Margaret Joy Tibbetts, of Maine.

To be Foreign Service officers of class 3, consul, and secretary in the diplomatic service of the United States of America

Howard P. Backus, of Virginia.
Harry K. Baker, of Maryland.
J. Lawrence Barnard, of the District of Columbia.
Douglas N. Batson, of Mississippi.
Arthur E. Beach, of the District of Columbia.
James H. Boughton, of Connecticut.
John M. Cates, Jr., of California.
Wesley Harris Collins, of Mississippi.
John J. Conroy, of Maryland.
Edwin M. Cronk, of Virginia.
Bainbridge C. Davis, of Maryland.
Ben F. Dixon, of North Carolina.
Louis Mason Drury, of Maryland.
Russell Fessenden, of Virginia.
Edward R. Fried, of Maryland.
James F. Grady, of Massachusetts.
Herbert T. Krueger, of California.
Philip A. Mangano, of Maryland.
Kyle B. Mitchell, Jr., of Alabama.
John Howard Moore, of Illinois.
Denzil L. Page, of California.
Paul G. Sinderson, of Oklahoma.
George O. Spencer, of Maryland.
James W. Swihart, of Massachusetts.
C. Thayer White, of Texas.

To be Foreign Service officers of class 4

William J. Barnsdale, of California.
Roland K. Beyer, of Wisconsin.
Curtis F. Jones, of Maine.
John M. Kavanaugh, of Louisiana.
Thomas H. Murfin, of Washington.
DeWitt L. Stora, of California.
Elmer E. Yelton, of Virginia.

To be Foreign Service officers of class 4 and to be also consul of the United States of America

Douglass K. Ballentine, of Texas.
Williams Beal, of Massachusetts.
William H. Bruns, of the District of Columbia.
William T. Carpenter, Jr., of the District of Columbia.
Philip H. Chadbourn, Jr., of California.
Arthur D. Foley, of Michigan.
William G. Gibson, of California.
Richard M. Herndon, of Pennsylvania.
Robert B. Hill, of Massachusetts.
Elmer C. Hulen, of Kentucky.
John J. Ingersoll, of Illinois.
Ralph A. Jones, of Pennsylvania.
David J. S. Manbey, of California.
David S. McMorris, of Alabama.
Joseph P. Nagoski, of Tennessee.
Albert V. Nyren, of Massachusetts.
David Post, of Pennsylvania.
Edward P. Prince, of New Hampshire.
Albert W. Stoffel, of New York.
Robert W. Stookey, of Illinois.
Norman E. Warner, of Iowa.
Harry R. Zerbel, of Colorado.

To be Foreign Service officers of class 4, consul, and secretary in the diplomatic service of the United States of America

Harold Aisley, of Maryland.
Laurin B. Askew, of Tennessee.
Warren P. Blumberg, of Maryland.
Tobias J. Boyd, of Pennsylvania.
Delmar R. Carlson, of Colorado.
Raymond Cary, Jr., of Missouri.
Leonard R. Cowles, of Virginia.
Anthony Cuomo, of California.
Francis Dejmal, of Kansas.
Rockwood H. Foster, of the District of Columbia.
Robert H. Harland, of Illinois.
Grant V. McClanahan, of Missouri.
Delbert D. Mehaffy, of Iowa.
Carvel Painter, of Wisconsin.
William E. Price, of Arkansas.
Joseph B. Tisinger III, of Maryland.
Walter G. Walcavich, of Virginia.

To be consul of the United States of America

Daniel J. Meloy, of Maryland.

To be Foreign Service officer of class 5

Nicholas G. Andrews, of New Jersey.
Michael P. Balla, of Pennsylvania.
Alf E. Bergesen, of New York.
Robert R. Brungart, of Maryland.
Frank N. Burnet, of New York.
Charles T. Butler, Jr., of Indiana.
Thomas A. Cassilly, of Maryland.
William R. Crawford, Jr., of Pennsylvania.
Michael A. Falzone, of New York.
Richard T. Foose, of West Virginia.
Robert M. Forcey, of California.
Richard D. Geppert, of New Jersey.
Pierre R. Graham, of Illinois.
Lindsey Grant, of New York.
William A. Helseth, of Florida.
Harold L. Henrikson, of Missouri.
Benjamin C. Hilliard 3d, of West Virginia.
Borrie I. Hyman, of California.
William M. Kahmann, of Missouri.
Lowell Bruce Laingen, of Minnesota.
Paul Baxter Lanius, Jr., of Colorado.
John C. Leary, of Massachusetts.
Philip M. Lindsay, of California.
Robert J. Martens, of California.
Kenneth W. Martindale, of Illinois.
Edward E. Masters, of Ohio.
Kermit S. Midthun, of Michigan.
Howard F. Newsom, of the District of Columbia.
Harry I. Odell, of New York.
Stephen E. Palmer, Jr., of New York.
Lloyd M. Rives, of New Jersey.
Lucian L. Rocke, Jr., of Florida.
H. Earle Russell, Jr., of Michigan.
Stanley D. Schiff, of New Jersey.

Edwin E. Segall, of Nebraska.
Richard R. Selby, Jr., of New Jersey.
John J. Shea, of New York.
John W. Simms, of Pennsylvania.
Jack M. Smith, Jr., of Georgia.
Sidney V. Suhler, of Texas.
Harold C. Swope, of Missouri.
Robert J. Tepper, of New York.
Malcolm Thompson, of Massachusetts.
Arthur T. Tienken, of New York.
Peter C. Walker, of New York.
John T. Wheeler, of Illinois.
Merrill A. White, of Massachusetts.

To be Foreign Service officers of class 5, vice consul of career, and secretary in the diplomatic service of the United States of America

Mrs. Hazel O. Briggs, of Washington.
Miss Eleanor A. Burnett, of Florida.
Albert C. Cizauskas, of New York.
Mansfield L. Hunt, of Maine.
Miss Betty-Jane Jones, of Wisconsin.
Edward P. Noziglia, of New York.
Michael H. Styles, of Virginia.

To be Foreign Service officers of class 6, vice consul of career, and secretary in the diplomatic service of the United States of America

Miss Gloria E. Abiouness, of Virginia.
Harvey J. Feldman, of Illinois.
Robert H. Fienner, of Pennsylvania.
Wilbur W. Hitchcock, of New Jersey.
Wallace F. Holbrook, of Massachusetts.
Jack Liebhof, of New York.
Hugh J. McCall, of New York.
Nicholas V. McCausland, of California.
Leonardo Neher, of Illinois.
Frederick P. Picard III, of Nebraska.

To be consuls of the United States of America

William O. Anderson, of Indiana.
Robert W. Caldwell, of North Carolina.
Paul B. Carr, of California.
Justie E. Gist, of Iowa.
William B. Snidow, of Virginia.
Mrs. C. Carey White, of Arizona.
R. Jack Smith, of Virginia.
Charles S. Whitehouse, of Rhode Island.

The following-named Foreign Service officers for promotion to the class of career minister of the United States of America:

Elbridge Durbrow, of California.
Livingston T. Merchant, of New Jersey.
Edward J. Sparks, of New York.
Llewellyn E. Thompson, Jr., of Colorado.
Robert F. Woodward, of Minnesota.

Thomas J. Maleady, of Massachusetts, to be a consul general of the United States of America.

William M. Rountree, of Maryland, for appointment as a Foreign Service officer of class 1, a consul, and a secretary in the diplomatic service of the United States of America.

The following-named Foreign Service officers for promotion to class 2:

Olcott H. Deming, of Connecticut.
Carlos J. Warner, of Maine.

The following-named persons for appointment as Foreign Service officers of class 2, consuls, and secretaries in the diplomatic service of the United States of America:

Edgar P. Allen, of Pennsylvania.
Fred L. Hadsel, of Virginia.
Joseph S. Henderson, of Virginia.
Edward A. Jamison, of Illinois.
Allen B. Moreland, of Florida.
B. Winfred Ruffner, of Tennessee.
Francis T. Williamson, of Virginia.

The following-named persons for appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America:

Clement E. Conger, of Virginia.
Frederick B. Cook, of Virginia.
William B. Coolidge, of Virginia.
Henry Dearborn, of New Hampshire.
William B. Dunham, of Virginia.
Walter H. Dustmann, Jr., of Virginia.
James H. Ennis, of Maryland.
L. James Falck, of Maryland.
George M. Fennemore, of New York.
John C. Guthrie, of Virginia.
Jack A. Herfurt, of California.
John L. Hill, of Wisconsin.
Frederick Irving, of Virginia.
Clinton E. Knox, of Maryland.
Thomas H. Linthicum, of California.
David E. Longanecker, of Virginia.
John W. McBride, of Virginia.
William K. Miller, of Illinois.
William F. Nicclay, of New York.
Horace J. Nickels, of Maryland.
Dana Orwick, of Maryland.
Miss Constance Roach, of the District of Columbia.
Eddie W. Schodt, of Virginia.
Thomas K. Shields, of California.
Thomas W. Simons, of the District of Columbia.
Erwin Strauss, of the District of Columbia.
Jules H. Wayne, of Maryland.
William L. S. Williams, of Wisconsin.
Roland K. Beyer, of Wisconsin, to be a consul of the United States of America.
Philip C. Habib, of California, for promotion to class 4 and to be also a consul of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

Seburn E. Baker, of Florida.
Mrs. Mildred L. Brockdorff, of Maryland.
Miss Roene G. Brooks, of Iowa.
Thompson R. Buchanan, of Maryland.
Robert A. Clark, Jr., of Oregon.
Wendell B. Coote, of Virginia.
Miss Frances M. Dallor, of the District of Columbia.
Edmund A. da Silveira, of Virginia.
Huston Dixon, of the District of Columbia.
Mrs. Alice L. Dunning, of New York.
James F. Gorman, of Delaware.
John K. Hagemann, of Maryland.
Harold E. Hall, of Utah.
Miss Betty R. Hanes, of Ohio.
Joseph A. Harary, of New York.
Miss Margaret P. Hays, of Texas.
Adolf B. Horn, Jr., of the District of Columbia.
Morris Kaufman, of New York.
John W. Keogh, of Illinois.
John L. Kuhn, of Virginia.
Frank R. LaMacchia, of Maryland.
Jerome R. Lavallee, of Massachusetts.
Neil C. McManus, of New Jersey.
John E. Mellor, of Virginia.
Robert C. Mudd, of Virginia.
George F. Muller, of Maryland.
John F. O'Grady, of Massachusetts.
John L. Ohmans, of Maryland.
William J. Reardon, of New York.
George C. Spiegel, of Indiana.
Isaac A. Stone, of Massachusetts.
Frank J. Wathen, of Texas.
Harry J. Wetzork, of Pennsylvania.
Miss Mildred M. Yenchius, of Ohio.

The following-named persons for appointment as Foreign Service officers of class 5, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Miss Norma M. Arthur, of New York.
Kyle D. Barnes, of Alabama.
Mario Calvani, of Maryland.
William L. Carr, of Massachusetts.
William M. Childs, of Massachusetts.
Miss Mary W. Cutler, of the District of Columbia.
Edward L. Eberhardt, of Virginia.
Guy Ferri, of Pennsylvania.
Miss Alice M. Griffith, of Maryland.
John O. Hemard, of Louisiana.
Deion L. Hixon, of Maryland.
Edward J. Holway, Jr., of Ohio.
Miss Frances D. Howell, of North Carolina.
John Krizay, of Maryland.
James F. Moriarty, of Massachusetts.
Albert D. Moscotti, of New Jersey.
Miss Jeanne C. Nelson II, of Arizona.
J. Stanley Phillips, of Virginia.
Robert E. Rosselot, of Virginia.
Charles B. Selak, Jr., of Pennsylvania.
Andrew Stalder, of New York.
Miss Marilyn D. Sworzyn, of the District of Columbia.
William D. Toomey, of North Dakota.
Rene A. Tron, of New York.
August Velletri, of Maryland.
Norman M. Werner, of Texas.
Miss Eugenia Wolliak, of Connecticut.
Amos Yoder, of Virginia.
Miss Olga M. Zhivkovitch, of Illinois.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Dwight R. Ambach, of Rhode Island.
George R. Andrews, of Maryland.
Robert B. Borin, of Nebraska.
Ward Lee Christensen, of Oregon.
Douglas McC[illegible]rd Cochran, of Pennsylvania.
John J. Crowley, Jr., of West Virginia.
Thomas W. Davis, Jr., of California.
Thomas De Scisciolo, of New York.
Dirk Gleyst[illegible] f Pennsylvania.
Miss Bernice [illegible]. Goldstein, of Pennsylvania.
John [illegible] of California.
John [illegible]way, of Washington.
Robert C. Herber, of Pennsylvania.
Miss Irma Lang, of Connecticut.
Dudley C. Lunt, Jr., of Delaware.
William F. McRory, of the District of Columbia.
Charles R. Moomey, of Nebraska.
Miss M. Jane Neubauer, of Oklahoma.
A. Gregory Nowakoski, Jr., of New Jersey.
Don W. Rogers Jr., of Ohio.
Edward B. R[illegible]nthal, of New York.
Thomas J. Sc[illegible]tes, of Pennsylvania.
Harry W. Shlaudeman, of California.
Miss Nancy L. Snider, of Ohio.
Miss Mary Ann Spreckelmeyer, of the District of Columbia.
Arthur M. Stillman, of Illinois.
Edward H. Thomas, of New Jersey.
Richard N. Tillson, of Massachusetts.
Ross P. Titus, of Illinois.
John E. Williams, of North Carolina.
Eric V. Youngquist, of Illinois.
Earle J. Richey, of Kansas, a Foreign Service staff officer, to be a consul of the United States of America.

The following-named Foreign Service Reserve officers to be consuls of the United States of America:

J. Deering Danielson, of Virginia.
Walter K. Schwinn, of Connecticut.

John A. Brogan III, of New York, a Foreign Service Reserve officer, to be a vice consul of the United States of America.

United States Circuit Judge

Walter M. Bastian, of the District of Columbia, for the District of Columbia circuit.

United States District Judges

Joseph Charles McGarraghy, of the District of Columbia, to be United States district judge for the District of Columbia.

Lamar Cecil, of Texas, to be United States district judge for the eastern district of Texas.

United States Attorneys

Phil M. McNagny, Jr., of Indiana, to be United States attorney for the northern district of Indiana.

Leon P. Miller, of West Virginia, to be United States attorney for the Virgin Islands.

John R. Morris, of West Virginia, to be United States attorney for the northern district of West Virginia.

UNITED STATES MARSHALS

Carlton G. Beall, of Maryland, to be United States marshal for the District of Columbia.

Russell R. Bell, of West Virginia, to be United States marshal for the southern district of West Virginia.

Irl E. Thomas, of West Virginia, to be United States marshal for the northern district of West Virginia.

PUBLIC HEALTH SERVICE

APPOINTMENTS IN THE PUBLIC HEALTH SERVICE

To be surgeon

Albert V. Myatt.

To be senior assistant surgeons

George Roush, Jr.
Stanley E. Gitlow
David Horwitz
Mahlon J. Shoff
Albert Sjoerdsma
Stephen Parks
Robert A. Marks, Jr.

To be senior assistant dental surgeons

Jacob D. Subtelny.
Donald A. Gillespie.

To be senior assistant nurse officer

Agnes H. Des Marais.

To be senior assistant surgeons, effective date indicated

David P. Michener, September 23, 1954.
Earle W. Epps, September 23, 1954.
Eugene H. Guthrie, September 23, 1954.
James R. Harris, September 23, 1954.
William V. Trekell, September 23, 1954.
James L. Wellhouse, September 23, 1954.
Claude R. Garfield, September 24, 1954.
Douglas E. Bragdon, September 24, 1954.
Nicholas Revotskie, September 24, 1954.
Burton M. Cohen, September 24, 1954.
Donald R. Chadwick, September 24, 1954.
Lewis E. Patrie, September 24, 1954.
Edward L. King, September 24, 1954.
Eugene W. Ververka, September 24, 1954.
Harvey P. Wheelwright, September 25, 1954.
Roy P. Sandidge, Jr., September 27, 1954.
Edward F. Gorin, September 27, 1954.
Wallace P. Rowe, September 29, 1954.
Ergi J. Pesiri, September 29, 1954.
Hubert C. Burton, September 29, 1954.
Paul L. Kingsley, November 1, 1954.

To be assistant surgeon

Adolph F. Friedman, November 2, 1954.

To be senior assistant dental surgeons

Douglas J. Sanders, September 27, 1954.
Reuben L. Turner, September 28, 1954.
Fogle Godby, September 28, 1954.
Harold M. Fullmer, September 29, 1954.
Bill J. Brady, October 8, 1954.

To be assistant dental surgeons

John H. Duffy, November 3, 1954.
Lawrence E. Van Kirk, Jr., November 3, 1954.

To be assistant scientists

Melvin Manis, October 29, 1954.
Seymour Rubenfeld, November 1, 1954.

To be permanent medical directors, effective September 27, 1954

George W. Bolin
Edward T. Thompson
John E. Dunn, Jr.
Leo D. O'Kane
John A. Lewis, Jr.
Jack L. James
Thomas A. Hathcock, Jr.
Randall B. Haas
Charles G. Spicknall
Terrence E. Billings
James R. Shaw
James Watt
Edgar B. Johnwick
Francis J. Weber

To be senior assistant surgeons, effective July 1, 1954

Warren J. Boyer, Jr.
Arden A. Flint, Jr.
Joshua L. Weisbrod
William S. Lainhart

To be dental directors, effective September 27, 1954

John A. Hammer
Ray P. Breaux
Francis A. Arnold, Jr.
George E. Waterman

To be senior assistant dental surgeons, effective July 1, 1954

Jack D. Robertson.
Herbert Swerdlow.

To be sanitary engineer director, effective September 27, 1954

Duncan A. Holaday.

To be sanitary engineer, effective September 1, 1954

William B. Schreeder.

To be senior assistant sanitary engineers, effective date indicated

Donald J. Nelson, Jr., July 20, 1954.
Herbert H. Rogers, July 20, 1954.
Edwin M. Lamphere, August 30, 1954.

To be scientist director, effective date indicated

Mayhew Derryberry, September 27, 1954.

To be senior assistant sanitarian, effective date indicated

Harold V. Jordan, Jr., August 15, 1954.

To be nurse officers, effective as indicated

Arne B. Beltz, September 27, 1954.
Dorothy E. Reese, September 27, 1954.

To be senior assistant dietitian

Letitia W. Warnock, September 18, 1954.

UNITED STATES AIR FORCE

TEMPORARY APPOINTMENTS

Brig. Gen. Karl Truesdell, Jr., 1023A, to be major general in the United States Air Force, under the provisions of section 515, Officer Personnel Act of 1947.

The following-named officers for temporary appointment in the United States Air Force under the provisions of section 515, Officer Personnel Act of 1947:

To be major generals

Brig. Gen. Matthew Kemp Deichelmann, 331A.
Brig. Gen. Merrill Davis Burnside, 495A.
Brig. Gen. Daniel Francis Callahan, 579A.
Brig. Gen. Samuel Russ Harris, Jr., 272A.
Brig. Gen. John Titcomb Sprague, 300A.
Brig. Gen. Burton Murdock Hovey, 313A.
Brig. Gen. William Tell Hefley, 353A.
Brig. Gen. Jack Weston Wood, 441A.
Brig. Gen. Harold Huntley Bassett, 445A.
Brig. Gen. Marshall Stanley Roth, 458A.
Brig. Gen. George Elston Price, 475A.
Brig. Gen. Stuart Phillips Wright, 510A.
Brig. Gen. Frank Arthur Bogart, 585A.
Brig. Gen. Royden Eugene Beebe, Jr., 587A.
Brig. Gen. John Belvier Ackerman, 610A.
Brig. Gen. William Henry Powell, Jr., 684A.
Brig. Gen. Frederick Jensen Dau, 834A.
Brig. Gen. Albert Meldrum Kuhfeld, 884A.
Brig. Gen. Kenneth Paul Bergquist, 1117A.
Brig. Gen. James Clyde Selser, Jr., 1284A.

To be brigadier generals

Col. John Colt Baumont Elliott, 271A.
Col. Hoyt Leroy Prindle, 334A.
Col. Robert Loyal Easton, 368A.
Col. Emmett Felix Yost, 389A.
Col. Hollingsworth Franklin Gregory, 496A.
Col. Tom William Scott, 536A.
Col. Harold Lester Smith, 564A.
Col. Wendell Washington Bowman, 596A.
Col. Milton Frederick Summerfelt, 653A.
Col. Charles Hoffman Pottenger, 661A.
Col. Clinton William Davies, 778A.
Col. John Martin Breit, 1016A.
Col. Richard Thomas King, Jr., 1021A.
Col. Daniel Edwin Hooks, 1166A.
Col. Moody Rudolph Tidwell, Jr., 1553A.
Col. Don Davis Flickinger, 19078A.
Col. Benjamin Oliver Davis, Jr., 1206A.
Col. Charles Berton Root, 1258A.
Col. Victor Raymond Haugen, 1292A.
Col. Sam Wilkerson Agee, 1346A.
Col. Edwin Borden Broadhurst, 1350A.
Col. Kenneth Oliver Sanborn, 1363A.
Col. Don Richard Ostrander, 1343A.
Col. Fred Murray Dean, 1450A.
Col. Walter Erath Arnold, 1478A.
Col. Arthur Jenkins Pierce, 1509A.
Col. Marcus Fleming Cooper, 1543A.
Col. Cecil Hampton Childre, 1551A.
Col. Henry Riggs Sullivan, Jr., 1655A.
Col. William Emanuel Eubank, Jr., 1741A.
Col. Beverly Howard Warren, 1768A.
Col. James Franklin Whisenand, 1945A.

REGULAR AIR FORCE

APPOINTMENTS IN THE REGULAR AIR FORCE

The following-named officers to the grades indicated under the provisions of title V of the Officer Personnel Act of 1947:

To be major generals

Maj. Gen. George Robert Acheson, 335A.
Maj. Gen. Samuel Robert Brentnall, 364A.
Lt. Gen. William Henry Tunner, 374A.
Maj. Gen. William Evens Hall, 460A.
Lt. Gen. Donald Leander Putt, 494A.
Maj. Gen. Norris Brown Harbold, 369A.
Maj. Gen. Albert Boyd, 424A.
Maj. Gen. Manuel Jose Asensio, 324A.
Maj. Gen. John Stewart Mills, 357A.

To be brigadier generals

Brig. Gen. William Tell Hefley, 353A.
Maj. Gen. Howard Graham Bunker, 376A.
Maj. Gen. Frederic Ernst Glantzberg, 405A.
Maj. Gen. Dudley Durward Hale, 431A.
Brig. Gen. Jack Weston Wood, 441A.
Brig. Gen. Harold Huntley Bassett, 445A.
Maj. Gen. Roger James Browne, 449A.
Brig. Gen. Marshall Stanley Roth, 458A.
Maj. Gen. Harlan Clyde Parks, 472A.
Brig. Gen. George Elston Price, 475A.
Maj. Gen. Floyd Bernard Wood, 500A.
Brig. Gen. Hugh Arthur Parker, 505A.
Brig. Gen. Stuart Phillips Wright, 510A.
Maj. Gen. Richard August Grussendorf, 543A.
Maj. Gen. Thetus Cayce Odom, 554A.
Maj. Gen. Millard Lewis, 561A.
Maj. Gen. Sory Smith, 573A.
Maj. Gen. Lee Bird Washbourne, 810A.
Brig. Gen. Frederick Jensen Dau, 834A.

The following-named person for reappointment to the active list of the Regular Air Force from the temporary disability retired list, under the provisions of section 407, Public Law 351, 81st Congress (Career Compensation Act of 1949):

To be lieutenant colonel

Ellis L. Gottlieb, 2244A.

The following-named persons for appointment in the Regular Air Force in the grades indicated, with dates of rank to be determined by the Secretary of the Air Force under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947); title II, Public Law 365, 80th Congress (Army-Navy-Public Health Service Medical Officer Procurement Act of 1947); and section 307 (b), Public Law 150, 82d Congress (Air Force Organization Act of 1951):

To be majors, United States Air Force (Medical)

Eugene R. K. Leiter, AO511916.
Lawrence D. Stuart, AO2241414.
Fletcher H. White, AO369072.

To be captains, United States Air Force (Medical)

Harry T. Cerha, O411960.
Fritz M. G. Holmstrom, AO1906782.

To be captains, United States Air Force (Dental)

Dewey M. Metts, Jr., AO660782.
William T. Stilson, AO2240433.

To be first lieutenants, United States Air Force (Medical)

Claude T. Anderson, AO703082.
Ned B. Chase, Jr.
James R. Clay.

George P. Collins.
Richard C. Dinmore, AO817639.
Dale E. Dominy.
Charles M. Earley, Jr., AO2261729.
George C. Hamill, AO2261357.
Paul H. Jacobs, O1324541.
Carlton E. Jones, AO2091535.
Bruce R. Little.
William C. McCormick, AO2261668.
Esteban Moreno-Salas, AO3000324.
Dwight E. Newton, AO703781.
Paul C. Peters, AO2261679.
Lawrence W. Pollard, Jr., AO2261681.
Jay H. Poppell.
Harold C. Sadin.
William I. Silvernail, Jr.
George G. Susat.
James P. Taylor.
Kermit Q. Vandenbos, AO4013838.
Julian E. Ward, AO1858964.

To be first lieutenant, United States Air Force (Medical Service)

George F. Allen, AO2239083.

The following-named persons for appointment in the Regular Air Force in the grade indicated, with dates of rank to be determined by the Secretary of the Air Force under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947):

To be first lieutenants

Vincent O. Adams, Jr., AO2215252.
Dale A. Bittinger, AO2218078.
Stuart E. Burtt, AO712375.
William A. French, AO2217565.
Frank W. Harding III, AO1860108.
James B. Hughes, AO943116.
Eugene D. Levy, AO2232213.
George J. Morton, AO2228684.
Edwin E. Thompson, AO1859135.
Joseph B. Wratten, Jr., AO1857480.

IN THE NAVY

The nominations of John M. Alford and 2,922 other officers for promotion or appointment in the Navy, which were confirmed today, were received by the Senate on November 30, 1954, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for that day under the caption "Nominations," beginning with the name of John M. Alford which appears on page 16224 and ending with the name of Forrest E. Zirkle which is shown on page 16230.

IN THE MARINE CORPS

The nominations of John W. Burkhardt and 7,106 other officers for promotion or appointment in the Marine Corps, which were confirmed today, were received by the Senate on November 30, 1954, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for that day under the caption "Nominations," beginning with the name of John W. Burkhardt, which is shown on page 16230, and ending with the name of Catherine Yoyos, which appears on page 16245.

EXTENSIONS OF REMARKS

Budget Must Be Balanced in Peacetime

EXTENSION OF REMARKS
OF
HON. HENRY C. DWORSHAK
OF IDAHO
IN THE SENATE OF THE UNITED STATES
Thursday, December 2, 1954

Mr. DWORSHAK. Mr. President, I ask unanimous consent to have printed in the RECORD my own remarks, and to include therewith a letter from the Director of the Budget Bureau and a letter from the Commissioner of the United States Civil Service Commission.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

Mr. President, during the campaign of 1952, the Republicans made a solemn pledge to curtail Federal spending and balance the budget as quickly as possible. Although our national preparedness requires spending far in excess of normal requirements, we are not engaged in hot or cold war, and, therefore, should be operating the Federal Government under peacetime conditions. Business and employment have been unusually good for the past 2 years, and there is no emergency which justifies abnormal procedures or policies at this time.

Notwithstanding these conditions, the Federal budget has not been balanced. Now, spokesmen for the administration, including Secretary of the Treasury Humphrey, declare they anticipate the budget will be unbalanced during the next fiscal year. The estimated deficit for this fiscal year is $4.7 billion, which exceeds the approximately $3 billion deficit during the preceding fiscal year.

Mr. President, it was generally believed during the past year that both military and economic foreign aid could be reduced materially. Now we hear reports that there is under consideration a proposal to initiate a 10-year so-called Marshall plan for Asiatic countries. Federal spending abroad has maintained high levels during the past 8 years, until now the United States has the largest per capita Federal debt, while the beneficiary countries everywhere have been reducing taxes and cutting down on their indebtedness.

While traveling throughout the State of Idaho the past fall, the most frequent inquiry was directed to the need of balancing the Federal budget under peacetime conditions. Naturally, there is some public support for continued and expanded Federal spending, but in most cases, there is an insistent demand for further economy and efficiency in the operation of the Federal Government.

Upon my recent return to the Capital, I felt compelled to write to the Director of the Bureau of the Budget to emphasize the essential need of effecting greater economy and cutting down on Federal expenditures. It is the responsibility of the administration and the Congress to meet this challenge by actually placing the Federal budget in balance so that fiscal and economic preparedness will be a vital segment of our national defense program. To do otherwise is to break faith with the American people.

Under unanimous consent granted to me, I am inserting a letter dealing with this subject which I received on December 1 from Rowland Hughes, Director of the Bureau of the Budget:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., December 1, 1954.

Hon. HENRY DWORSHAK,
United States Senate,
Washington, D. C.

MY DEAR SENATOR DWORSHAK: Thank you very much for your letter of November 16. Your support last year as a member of the Senate Committee on Appropriations, and your offer of continued cooperation during the next session of Congress, are greatly appreciated.

As you know, the goal of our fiscal and budgetary policies has been a reduction in Government spending and taxes, and the achievement of a balanced budget. With the cooperation of the Congress we have thus far been able to make substantial progress toward this goal. Expenditures this year are estimated at nearly $14 billion below the estimate for last year made by the previous administration. Tax reductions made during 1954 will total $7.4 billion in the first full year after they are all in effect. The current estimate of the 1955 deficit is $4.7 billion compared with $9.4 billion in 1953.

Sharp cuts have been made in both appropriations and unexpended balances—the two barometers of future spending. Furthermore, instructions have recently been sent to the executive departments and agencies directing that they continue their efforts further to reduce their expenditures within the general budgetary objectives of fiscal soundness, military and economic strength, and the increased welfare of the country. With the continued support of the Congress and of an enlightened public opinion, we are determined to continue our unremitting emphasis on efficiency and economy, and on the elimination of nonessentials from the budget.

We remain fixed in our resolve to reduce Government expenditures as rapidly as our national security and well-being permit and thus to move toward our ultimate goal of a balanced budget. Your expression of support in this task is, indeed, heartening.

Sincerely yours,

ROWLAND HUGHES,
Director.

Mr. President, in the year following the outbreak of fighting in Korea in 1950, more than 600,000 civilian employees were added to the Federal payroll. This administration, since the end of hostilities, has eliminated about one-third of these employees from the payroll, and there has been a consistent downward trend. On October 31, the total civilian personnel in the executive branch was 2,323,029, a reduction of 280,429 from the peak of the Korean campaign on July 31, 1952, when the total figure was 2,603,458. However, the October civilian employment was 361,679 higher than on June 30, 1950, when the hostilities started in Korea.

It is apparent, therefore, that while considerable curtailment has already taken place, the civilian employment is far in excess of the prevailing level just prior to the outbreak of the Korean war. At that time, the total civilian payroll for the preceding fiscal year, 1950, was $6,670,760,884, while for fiscal year 1954, the payroll amounted to $9,465,236,239, or an increase of about 42 percent. It is significant that during that 4-year period, the payroll increased 42 percent in dollars as compared with an 18 percent increase numerically.

Under permission granted me, I am inserting a letter which I received on November 27 from Chairman Philip Young, of the United States Civil Service Commission, as follows:

UNITED STATES
CIVIL SERVICE COMMISSION,
Washington, D. C., November 26, 1954.

Hon. HENRY DWORSHAK,
United States Senate.

DEAR SENATOR DWORSHAK: I am glad to furnish the information on Federal employment which you requested in your letter of November 16, 1954.

The following table shows the number of Federal employees reported just before Korea, at the peak of the Korean campaign, and the latest available totals:

	All areas	Continental United States	Washington, D. C., metropolitan area
June 30, 1950	1,961,350	1,814,312	222,488
July 31, 1952	2,603,458	2,418,082	260,763
Sept. 30, 1954	2,329,181	2,141,147	224,528

Federal employment increased by 642,108 during the first 2 years of the Korean campaign. Of this increase, 38,275 occurred in the Washington area. Since the downturn in August 1952, the total has declined by 274,277, 36,235 of which occurred in Washington. Federal employment in the Washington area is now only 2,040 higher than it was before Korea, while the total in all areas remains 367,831 higher. Almost 41,000 of this net increase occurred outside the continental United States.

Federal payrolls reported for fiscal years 1954 and 1950 were:

	All areas	Continental United States	Washington, D. C., metropolitan area
1954	$9,465,236,239	$8,879,619,308	$1,064,484,625
1950	6,670,760,884	6,228,411,920	876,205,343

You will note that payrolls have increased relatively more than employment, 42 percent versus 18 percent. This is to be expected since pay legislation increased the rates of both Classication Act employees and postal employees in 1951 by about 10 percent and wage-board employees receive wage adjustments at intervals to conform to rates in private industry. More than half of the increase in employment since 1950 occurred among employees paid at prevailing rates. The average (mean) salary rate for this group is 31 percent higher in 1954 than it was in 1950.

If any further information is needed, I shall be glad to supply it.

Sincerely yours,

PHILIP YOUNG,
Chairman.

Statement of Hon. Herbert H. Lehman, of New York

EXTENSION OF REMARKS
OF
HON. HERBERT H. LEHMAN
OF NEW YORK
IN THE SENATE OF THE UNITED STATES
Thursday, December 2, 1954

Mr. LEHMAN. Mr. President, I had intended this morning to make some remarks about former Senator William Benton, of Connecticut, and the part he played in the effort which today arrived at its conclusion. I did not find time to make these remarks, however, and now ask unanimous consent that the remarks I had prepared be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, before final action is taken on Senate Resolution 301 I should like to point out the pioneering role played in this Senate action by former Senator William Benton, of Connecticut.

Senator Benton was the first Member of this body to make formal proposal of disciplinary action against the Senator from Wisconsin.

The action we are about to take has a direct relation to that first proposal by Senator Benton, his Senate Resolution 187 introduced in the 83d Congress on August 6, 1951. Although more than 3 years have elapsed since then, and the path of action between that day and this has taken many detours, the Benton resolution was the first step on the long road.

The first part of our Senate Resolution 301 condemns the junior Senator from Wisconsin for his failure to cooperate with, his abuse of, and his obstructive conduct toward the subcommittee which investigated Senator Benton's charges. The second part of Senate Resolution 301 deals with the conduct of the junior Senator from Wisconsin toward the select committee which was studying his conduct with respect to that subcommittee.

I count Senator Benton as a friend. I know that in taking that first and crucial step, back in 1951, he placed the public good above consideration of his own political interest. He took it in the full foreknowledge that such action would make him the target for personal abuse and attack.

Senator Benton is personally convinced that his defeat in the election of 1952 was not attributable to the McCarthy controversy; and the statisics seem to bear this out. But I know him well enough to say that, out of his high sense of duty, I am sure he would have gone forward with his resolution even though he believed it meant the end of his political life.

But it cannot be said that Senator Benton emerged unscarred. More than a few Members of the Senate have now felt the retaliatory wrath of the junior Senator from Wisconsin. But none other has had to endure a reprisal in the form of a counterresolution. By contrast with the carefully prepared and temperately presented evidence on which Senator Benton based his charges, the countercharges against him were an ill-assorted, hastily concocted, and improbable collection of accusations such as could have been assembled or invented about almost any man in public life out of newspaper files. Yet the subcommittee to which they were referred treated them judiciously and solemnly, in the interest of evenhanded justice.

Nor has any other Senator who has criticized the junior Senator from Wisconsin faced a $2 million libel suit. Senator Benton waived his congressional immunity, in order to get an opportunity to prove his charges in court. The suit was ultimately withdrawn by Senator MCCARTHY under conditions which provided that he bear the court costs, but we may be sure that the preparation of his defense was very costly to Senator Benton.

Senator Benton will take no pleasure in today's action by the Senate. He is not that type. It was never a feud—as some newspapers described it—to Benton. It was a distasteful duty.

Three years ago Senator Benton asserted that the course pursued by the Senator from Wisconsin was bringing dishonor on the Senate and creating tragic division among the American people. He said that this division would become more menacing as time went on. Events since then have justified his judgment.

The course taken by former Senator Benton paved the way for this Senate action today, and he richly deserves our tribute. I wish to insert the following excerpts from recent editorials into the CONGRESSIONAL RECORD:

From the Christian Century, October 13, 1954:

"Amid the praise for the 6 Senators on the Watkins committee and the 3 others who were mainly instrumental in having the committee formed—FLANDERS, FULBRIGHT, and MORSE—almost no recognition is being given the man who really started the Wisconsin Senator down the political skids. That man was Senator William Benton, of Connecticut, with his 1951 resolution for MCCARTHY's expulsion which brought into being the Hennings committee of which, says the Watkins report, MCCARTHY was 'contemptuous, contumacious, and obstructive.' Senator Benton threw away his own political career by daring to stand up to MCCARTHY when others quailed. But his courage set in motion the train of events which have now brought the Watkins report."

From Moses Berkman, columnist for the Hartford Times, October 2, 1954:

"Forgotten in the plaudits being generously bestowed among those who have succeeded in forcing a Senate showdown on the McCarthy issue is former Senator William Benton. The praise of anti-McCarthy forces and of others who once were his political allies has gone to the Watkins committee for its forthright handling of an explosive situation. But were it not for Connecticut's former Senator, MCCARTHY might have delayed much longer the inevitable decision of a fully accredited Senate committee to importune the Senate to restore its lost dignity and prestige by passing judgment on the Wisconsin Senator's conduct."

From the Bridgeport Herald, October 3, 1954:

"The Connecticut battler who didn't compromise on Senator MCCARTHY was and is former Senator William Benton.

"Senator Benton has been the forgotten man of the early anti-McCarthy partisan forces in revolt against demagogery and disgrace.

"It was he who brought the first serious, provable charges against the Wisconsin Senator, calling for a Senate Elections Subcommittee investigation of many of his questionable affairs and private financial operations."

From Life magazine, March 22, 1954:

"Not written, but unwritten rules are the kind MCCARTHY features. To really curb him the Senate would have to abolish his committee. There are good technical arguments for doing this, but to do it the Senators would have to develop just as much anger as they would need to expel him from the Senate.

"There are good technical reasons for doing that, too. Senator Benton's effort to press them in 1951 fell awfully flat, but perhaps Benton was less quixotic than premature."

Tribute to Senator Hendrickson's Work on Juvenile Delinquency

EXTENSION OF REMARKS
OF
HON. ESTES KEFAUVER
OF TENNESSEE
IN THE SENATE OF THE UNITED STATES
Thursday, December 2, 1954

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by me in tribute to the Senator from New Jersey [Mr. HENDRICKSON].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I want to pay a deserving tribute to the work of our colleague, Senator ROBERT B. HENDRICKSON, during the past session of

Congress in heading the Juvenile Delinquency Subcommittee.

During the early days of the 83d Congress, Senator HENDRICKSON and I filed identical resolutions calling for an investigation into the subject of juvenile delinquency. Eventually our resolutions were combined in committee and adopted by the Senate. Senator HENDRICKSON was named as chairman of the subcommittee.

Mr. President, he has done an outstanding job in conducting judicious hearings designed to shed light on a situation which needs our best thoughts. I should like to outline just some of the work that has been accomplished.

To date the subcommittee has examined more than 500 witnesses, many of whom are themselves experts in the fields of juvenile delinquency and have given us the benefit of their knowledge and years of experience. It has conducted firsthand investigations of both local and interstate problems. Community hearings have been conducted in many major cities throughout the Nation. We have examined the effects of comic books and of television on the youthful mind.

In our work Senator HENDRICKSON has been our tireless leader, devoting himself to a cause which he held to be most important. Although he is leaving the Senate, he has recommended that the committee be continued, for he realizes that its work is not yet done. In this I join Senator HENDRICKSON wholeheartedly. The field is so large and the problem so complex that it was impossible to complete our task in the time allotted. I hope that the next Senate will approve Senator HENDRICKSON's recommendation at the closing session of this one that we continue the work which he pioneered so effectively.

Tribute to Our Former Colleagues

EXTENSION OF REMARKS

OF

HON. H. ALEXANDER SMITH

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Thursday, December 2, 1954

Mr. SMITH of New Jersey. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by me in tribute to our colleagues who are leaving the Senate.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

With the close of the 83d Congress, I feel it is appropriate to say a word of appreciation of those Members of the Senate who have been with us during these past years and who will not continue in the 84th Congress as our colleagues.

On the Republican side, I am thinking especially of Senator HOMER FERGUSON, of Michigan, and GUY CORDON, of Oregon, who were in the Senate with me during the entire time I have been here, and also of JOHN COOPER, of Kentucky, and ROBERT UPTON, of New Hampshire. I am also, of course, thinking of my close and intimate friend of many years, BOB HENDRICKSON, who has been with me here during the past 6 years.

All these outstanding Republican colleagues have meant much to me during my time in the Senate and both Mrs. Smith and I will miss them sorely, as well as their wives whom we have come to know so well.

On the Democratic side, I think of ED JOHNSON and GUY GILLETTE, who have both been intimate friends of mine. Because of my earlier years in Colorado I feel a special relationship with Ed who is going back to be Governor of that great State. I have known GUY GILLETTE as a member of the Foreign Relations Committee, and as a companion on some of the trips I have taken abroad in connection with the activities of that committee.

I also desire to mention the names of those who have been with us for a short time this year. This list includes Senators Abel, Bowring, Brown, Burke, Daniel, Lennon, and Reynolds.

All these colleagues I have valued, not only as fellow Senators for whom I had the highest respect, but also as warm personal friends.

I am absolutely confident that in the case of all these men, there are many years of important service for their country lying ahead of them, and they are all men who will uphold the honor and tradition of this great body in which we had the privilege of being members together.